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HOUSE OF REPRESENTATIVES

THURSDAY, JUNE 20, 1963

The House met at 12 o'clock noon.

The Reverend Horace T. Allen, minister, Towson Presbyterian Church, Towson, Md., offering the following prayer:

Almighty God our Father, whose word was made flesh in Jesus Christ our Lord: For ourselves and all those whom we represent, we pray Thy blessing; and more especially this day for the people of the State of West Virginia, who celebrate the 100th anniversary of their statehood.

They lift up their eyes unto the hills from whence cometh their help. Their majestic mountains signify the strength of their freedom. Through all the chances and changes of this life they persevere in their respect and love for the land and their kind brotherliness one to another. Prosper their cause and enrich their life.

The prayer of our lips and our hearts, our deliberations and our work is this:

Make more perfect this Union.

Make responsible leaders of ourselves.

Make holy and peaceful our world.

Through Jesus Christ our Lord, who liveth and reigneth with Thee, O Father, in the unity of the Holy Spirit, world without end. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed, without amendment, bills and a joint resolution of the House of the following titles:

H.R. 131. An act to provide for the renewal of certain municipal, domestic, and industrial water supply contracts entered into under the Reclamation Project Act of 1939, and for other purposes;

H.R. 3574. An act to provide for the withdrawal and reservation for the use of the Department of the Air Force of certain public lands of the United States at Cuddeback Lake Air Force Range, Calif., for defense purposes; and

H.J. Res. 180. Joint resolution to authorize the continued use of certain lands within the Sequoia National Park by portions of an existing hydroelectric project.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 614. An act to authorize the Secretary of the Interior to make water available for a permanent pool for fish and wildlife and recreation purposes at Cochiti Reservoir from the San Juan-Chama unit of the Colorado River storage project;

S. 625. An act to amend section 601 of title 38, United States Code, with respect to the definition of the term "Veterans' Administration facilities";

S. 1154. An act to provide for the sale of certain mineral rights to Christmas Lake, Inc., in Minnesota;

S. 1185. An act relating to the exchange of certain lands between the State of Oregon and the C. and B. Livestock Co., Inc.; and

S. 1326. An act to provide for the conveyance of certain mineral interests of the United States in property in South Carolina to the record owners of the surface of that property.

SWEARING IN OF MEMBER

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. DEL CLAWSON] be permitted to take the oath of office today. His certificate of election has not arrived, but there is no contest, and no question has been raised with regard to his election.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. DEL CLAWSON appeared at the bar of the House and took the oath of office.

INCOME TAX EXEMPTION FOR LARYNGECTOMEES

Mr. HORTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, I have introduced a bill today to provide an additional $600 income tax exemption for a taxpayer or the spouse of a taxpayer who has had a laryngectomy. The statistics on financial hardship which laryngectomees must endure, I firmly believe, warrant this proposed tax relief amendment.

There are in the United States today, according to a recent survey sponsored by the American Cancer Society, some 20,000 persons who have had their larynxes removed. With little or no speech production, they are severely handicapped in their earning capacity.

The survey to which I refer points out that as a result of a laryngectomy, median annual income falls from $4,400 to $3,000. Further, 24 percent of the laryngectomees have been forced into retirement. The average loss of time for those enabled to return to work is 153 days, accounting for a $2,000 loss in wages.

A 1962 publication, "Speech Rehabilitation of the Laryngectomized," estimates that between 1,500 and 2,000 laryngectomies are performed in this country each year. The average cost of the operation is $1 700.

In my home community of Rochester, N.Y., some 70 persons who have had laryngectomies have banded together and formed the Flower City Lost Chord Club. Through this organization, I have become personally acquainted with the financial hardship resulting from surgical removal of the speech production organ.

I therefore unhesitatingly urge my colleagues to consider the merits of the bill I am offering and to bring about its expeditious enactment.

OUR NEGLECTED FRONTIER

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TALCOTT. Mr. Speaker, our national interest in the ocean environment has opened a Pandora's box of material problems which are defying solution by our scientists, technologists, technicians, and more particularly our industry which supports underwater research.

The material and hardware problems already encountered in underwater research point up that this environment is the most complex on earth. The life expectancy of our common materials and associated equipments in sea water is astonishingly short. The elements of erosion, corrosion, borers, fish, and biological life are powerfully destructive in this mystifying environment. In addition, water temperature, ocean currents, sea water conductivity, oxygen in sea water, surface action of winds and waves, tides and deep sea pressures are parameters which contribute to these destructive forces.

Our deep sea submergence probing has encountered another dimension of the ocean's destructive force—that of crushing pressure—on our materials, hardware, tools and associated equipments. Added to this complexity, great depths have created a need for lightweight materials to accommodate the logistic support problems of distant research work and still meet the criteria for strength and toughness; thus making today's conventional shallow water marine hardware inadequate and impractical.

Our underwater research today is seriously handicapped and retarded because we are materially unprepared for the complex ocean environment in which we are trying, through scientific research, to achieve order-of-magnitude breakthroughs. This unpreparedness today contributes to astonishingly high losses in instruments and equipments in the ocean environment.

The need for an ocean laboratory is urgent. An ocean laboratory, dedicated to the development of marine materials, hardware, tools, and associated equipments for ocean equipment handling and mooring techniques would give the underwater research effort in this country the material support it needs.

Until such material support is rendered to the scientist and the technologist, our national effort will not receive a reasonable maximum return for its underwater research dollar.

COMMITTEE ON WAYS AND MEANS

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means may have until midnight Friday, June 21, to file a report on the bill H.R. 3674.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means may have until midnight Friday, June 21, to file a report on the bill H.R. 3781.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

CONTINUED SUSPENSION OF DUTIES ON METAL SCRAP

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 4174) to continue until the close of June 30, 1964, the suspension of duties for metal scrap, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 2 of the Act of September 30, 1950 (Public Law 869, Eighty-first Congress), is hereby amended by striking out "June 30, 1963" and inserting in lieu thereof "June 30, 1964": *Provided,* That this Act shall not apply to lead scrap, lead alloy scrap, antimonial lead scrap, scrap battery lead or plates, zinc scrap, or zinc alloy scrap, or to any form of tungsten scrap, tungsten carbide scrap, or tungsten alloy scrap; or to articles of lead, lead alloy, antimonial lead, zinc, or zinc alloy, or to articles of tungsten, tungsten carbide, or tungsten alloy, imported for remanufacture by melting.

SEC. 2. This Act shall not exempt any article provided for in section 4541 of the Internal Revenue Code of 1954 from import taxes imposed thereby. This Act shall not suspend any duty with respect to an article provided for in such section 4541 which is entered, or withdrawn from warehouse, for consumption on or before June 30, 1963 (or, if later, on or before the date of the enactment of this Act).

With the following committee amendment:

Page 2, line 5, following the period, strike out the remainder of the bill.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, the purpose of H.R. 4174, which was introduced by our colleague on the Committee on Ways and Means, the Honorable MARTHA W. GRIFFITHS, is to amend section 2 of Public Law 869 of the 81st Congress, as amended, to continue for 1 year, from the close of June 30, 1963, to the close of June 30, 1964, the existing suspension of duties on metal scrap. The bill contains the proviso of existing law that the suspension shall not apply to lead scrap, lead alloy scrap, antimonial lead scrap, scrap battery lead or plates, zinc scrap, or zinc alloy scrap; or to any form of tungsten scrap, tungsten carbide scrap, or tungsten alloy scrap; or to articles of lead, lead alloy, antimonial lead, zinc, or zinc alloy; or to articles of tungsten, tungsten carbide, or tungsten alloy, imported for remanufacture by melting. The bill also provides that the exemption from duty of any article under this bill will not affect the applicability of section 4541 of the Internal Revenue Code of 1954.

The temporary suspension of duties on imports of metal scrap provided under present law—Public Law 87-514—to the close of June 30, 1963, makes free of duty imports of metal scrap including such principal types of scrap as iron and steel, aluminum, magnesium, nickel, and nickel alloys. The suspension of duties as provided under present law and the extension provided by the pending bill are of no significance with respect to the tariff treatment of imports of tin and tinplate scrap, because imports of such scrap, along with imports of tin in other unmanufactured forms, would not be subject to duty or import taxes in any case.

Section 2 of the bill, as reported, provides that this suspension shall not affect the applicability of section 4541 of the Internal Revenue Code of 1954 to the articles exempted from duty by the bill. In general, section 4541 of the Internal Revenue Code of 1954 imposes an import tax on certain copper-bearing ores and concentrates, other articles, of which copper is the component material of chief value, and other articles containing 4 percent or more of copper by weight. Any article exempted from duty under the pending bill would be subject to these taxes where the same are applicable.

Scrap of the various nonferrous metals, whether imported or of domestic origin, may be considered for most purposes simply as relatively small components in the total U.S. supplies of the respective metals, although some manufacturers depend wholly on metal scrap as a source of raw material. The relation of iron and steel scrap to the total supplies of iron and steel is somewhat different from that existing with respect to nonferrous metals. This is because the economical production of steel by the open hearth process requires that part of the iron-bearing materials used consist of heavy melting scrap. Thus, much iron and steel scrap constitutes a material important to the domestic production of steel. Despite the fact that imports of scrap metals have not in the past few years constituted important components of the total supplies of the various metals, the imports in some cases have represented important sources of the metals for limited numbers of consumers of such metals in some sections of the country.

The Committee on Ways and Means has been advised by the Department of Commerce that the quantities of such imports are not large in comparison with domestic consumption, and the Tariff Commission has informed the committee that the United States has for some years been a net exporter of scrap metals other than lead scrap. Imports of lead and zinc scrap are limited by absolute quotas in effect since October 1, 1958.

Favorable reports on this legislation were received from the Departments of Treasury, State, Defense, Commerce, Labor, and Interior, and from the Office of Emergency Planning, as well as an informative report from the U.S. Tariff Commission. No information indicating any opposition to the bill was received, and the committee is unanimous in urging its enactment.

Mr. BYRNES of Wisconsin. Mr. Speaker, the bill (H.R. 4174) extends the suspension of duties for metal scrap for another year, until June 30, 1964. I know of no objection to this legislation.

The amount of metal scrap which comes in under the suspension is not significant. However, the committee was advised that in some areas there is a shortage and imports are more heavily relied upon to make up for this shortage. Accordingly, I recommend that the House favorably consider the bill.

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. BYRNES] and I may extend our remarks in the RECORD in explanation of this and the other bills that we may pass by unanimous consent this morning.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

CONTINUED SUSPENSION AND REDUCTION OF DUTY ON CHICORY

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 2827) to extend until June 30, 1966, the suspension of duty on imports of crude chicory and the reduction in duty on ground chicory.

The Clerk read the title of the bill.

The **SPEAKER**. Is there objection to the request of the gentleman from Arkansas?

Mr. **HAYS**. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman this question. We have these bills up every so often for short periods of time, 2 and 3 years. Now, if there is any real necessity for doing this, why do you not just take the duty off and forget about it, and if there is not, why do you keep coming in with these extensions for 2 or 3 years? Can you give us some explanation?

Mr. **MILLS**. The gentleman's question is very pertinent. Why do we suspend these duties on a temporary basis? Why do we not just take them off as a permanent proposition? I am not going to argue with the gentleman about the feasibility of doing that with respect to some of the extensions. With respect to this particular one, however, I would call the gentleman's attention to the fact that up to about 1954 some chicory was produced in the United States. It has not been produced since 1954, but that does not mean that those who can produce it in the United States would not want to again produce some chicory in the United States. If they did, I would think that they would want to have this duty restored. So, on that basis I feel that this particular suspension is appropriate and that we should continue to treat it in this manner. After a period of time we might want to consider making it permanent.

Mr. **HAYS**. Mr. Speaker, further reserving the right to object, where is the chicory coming from now?

Mr. **MILLS**. I yield to the gentleman from Louisiana, Mr. Boggs, who is the author of this bill.

Mr. **BOGGS**. Most of it comes from Belgium.

Mr. **MILLS**. Belgium. That is right.

Mr. **BOGGS**. The specific answer to the gentleman's question is that there is a potential of American production. There is not a pound of chicory produced in the United States, but in Holland, Michigan, there is a potential, and the reason we do not make this permanent is that some day they may get back into chicory production, and we feel that they should be entitled to the protection of this law. But, at this time there is no production in the United States and has not been since World War II.

Mr. **GROSS**. Mr. Speaker, further reserving the right to object, with the recent coffee agreement as ratified by the other body, will this bill, taken in conjunction with that, serve to further increase the price of coffee to consumers in this country?

Mr. **MILLS**. No. This would tend actually, if we pass this legislation, to make a reduction in price in some coffee possible. The bill will suspend the duty on crude chicory for this 3-year period, and will reduce the duty on ground chicory to 2 cents a pound. Therefore, if chicory is used in the production of coffee in the United States, to the extent of this price change downward it would tend to reduce the price of coffee.

Mr. **GROSS**. As the gentleman knows, Congress has launched investigations into sugar prices. I am surprised no committee of Congress is looking into coffee prices. I should think it would be just as essential to have an investigation of the coffee agreement which was recently ratified by the other body, and the prospective increases in prices of coffee, as it is of the increase in the price of sugar. I may add to that by saying that while sugar prices show a tendency to go down, there is no indication that coffee prices are going to go any place but up.

Mr. **MILLS**. This will certainly make no contribution to the coffee prices going up.

The **SPEAKER**. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 1 and 3 of the Act entitled "An Act to suspend for two years the duty on crude chicory and to amend the Tariff Act of 1930 as it relates to chicory", approved April 16, 1958, as amended (72 Stat. 87; 19 U.S.C. 1001, par. 776 and note; Public Law 86–441; Public Law 86–479), are each amended by striking out "June 30, 1963" and inserting in lieu thereof "June 30, 1966."

The **SPEAKER**. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: On page 1, line 9, strike out "1966." and insert "1966'.".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. **MILLS**. Mr. Speaker, the purpose of H.R. 2827, which was introduced by our colleague on the Committee on Ways and Means, the Honorable Hale Boggs, is to continue for a period of 3 years, until the close of June 30, 1966, the existing suspension of duty on crude chicory—except endive—and to continue for the same period the statutory rate of duty of 2 cents per pound for chicory, ground or otherwise prepared.

Public Law 85–378 provided for the suspension of duty on crude chicory—except endive—for a period of 2 years. This legislation also provided that the duty on chicory, ground or otherwise prepared, be 2 cents per pound for the period during which the duty on crude chicory was suspended. The duty treatment provided by that legislation has been in effect continuously since that time, temporary extensions having been enacted in the meantime.

No chicory has been grown in the United States since 1954. Domestic processors of chicory have depended on imports of crude chicory for their supplies of the raw material. In addition, there are imports of ground chicory which compete with domestically processed chicory. Before the enactment of Public Law 85–378, the rate of duty applicable to crude chicory was 1 cent per pound and that applicable to ground or otherwise prepared chicory was 2½ cents per pound. A portion of the duty on ground chicory was generally regarded as compensatory for the duty on crude chicory and the remainder as according protection to the domestic producer of ground chicory. With the suspension of the import duty on crude chicory, Public Law 85–378 also restored the spread between the duties on crude and ground chicory provided for in the Tariff Act of 1930, which was 2 cents per pound. The purpose of that legislation was to assist domestic producers of ground chicory in competing with imports of the prepared product. The pending bill would continue these provisions for an additional period of 3 years, until the close of June 30, 1966.

Favorable reports were received on this legislation from the Departments of State, Treasury, Commerce, and Labor, and an informative report from the U.S. Tariff Commission. The Committee on Ways and Means was unanimous in recommending its enactment.

Mr. **BYRNES** of Wisconsin. Mr. Speaker, H.R. 2827 suspends for an additional period of 3 years, ending June 30, 1966, the duty on crude chicory. This duty has been suspended since April 16, 1958.

No chicory has been grown in the United States since 1954. The suspension of the duty enables the U.S. producers of ground chicory to compete with imports of ground chicory.

I know of no objection to the bill, and recommend that it be favorably considered.

EXTENSION OF PERIOD RELATING TO PLACEMENT AND FOSTER CARE OF DEPENDENT CHILDREN

Mr. **MILLS**. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 2651) to extend for 1 year the period during which responsibility for the placement and foster care of dependent children, under the program of aid to families with dependent children under title IV of the Social Security Act, may be exercised by a public agency other than the agency administering such aid under the State plan.

The Clerk read the title of the bill.

The **SPEAKER**. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 155(b) of the Public Welfare Amendments of 1962 is amended—

(1) by striking out "June 30, 1963" and inserting in lieu thereof "June 30, 1964"; and

(2) by striking out "March 1, 1963" and inserting in lieu thereof "December 31, 1963".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. **MILLS**. Mr. Speaker, the purpose of H.R. 2651, which was introduced by our colleague, the Honorable John F. Baldwin, Jr., is to extend for 1 year, to June 30, 1964, the provision of the Public Welfare Amendments of 1962—Public Law 87–543—which permits the responsibility for the placement and foster care of dependent children under the program of aid to needy families with dependent children—title IV of the Social Security Act—to be exercised by a public agency other than the agency which regularly administers this program.

Under the permanent provisions of existing law, Federal matching is made available as to certain children placed under foster care pursuant to court order. The 1962 legislation provided an exception to the requirement that the responsibility for placement and care must reside solely with the State or local agency administering the title IV program so as to take care of the situation in a few States where it has been the practice for other public agencies, particularly juvenile courts, to be responsible for arranging the placement and providing for the supervision of children who the courts have decided should live in homes other than those of their own families. In the absence of legislation, this provision will expire on June 30, 1963.

The legislation also required that the Secretary of the Department of Health, Education, and Welfare submit to the President, for transmission to the Congress, prior to March 1, 1963, a full report of the administration of the provision, including the experiences of each of the States in arranging for foster care together with recommendations as to continuation of, and modifications in, such a procedure. The Secretary's report, duly filed with the President and the Congress, stated that there has not yet been sufficient experience under the temporary provision to permit an evaluation either of its effectiveness or as to whether modifications are desirable.

The pending bill, therefore, would extend for 1 year the provision which would otherwise expire on June 30, 1964, and further would give the Secretary until December 31, 1963, to make the report required by the 1962 legislation.

The Committee on Ways and Means unanimously recommends enactment of this legislation.

Mr. BYRNES of Wisconsin. Mr. Speaker, H.R. 2651 extends for an additional period of 1 year, until June 30, 1964, the period during which placement and foster care for dependent children under title IV of the Social Security Act may be exercised by a public agency other than the agency administering such aid under the State plan.

The original extension was enacted to enable the Department of Health, Education, and Welfare to study the operation of the program and make recommendations to us. The Department advises that there has not yet been sufficient experience to evaluate the effectiveness of the provisions, and requires a further extension.

I know that the matter is of considerable importance in the State of California, and there may also be other States where the placement of dependent children is handled through special courts or agencies other than the welfare agency.

I recommend the bill for favorable consideration.

REQUEST FOR CONSIDERATION OF CONTINUING APPROPRIATIONS RESOLUTION

Mr. CANNON. Mr. Speaker, I ask unanimous consent that it may be in order during the coming week to consider a joint resolution providing continuing appropriations.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. GROSS. Mr. Speaker, reserving the right to object, what is the nature of the continuing resolution?

Mr. CANNON. I will say to the distinguished gentleman from Iowa it is the stereotyped continuing resolution such as has been presented, I am sorry to say, every year for a number of years, due to our failure to get all of the appropriation bills through before the end of the fiscal year. It follows in general the language of every previous continuing resolution.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on the District of Columbia have until midnight tomorrow night, Friday, June 21, 1963, to file certain reports.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

EXTENSION OF EXEMPTION FROM DUTY OF RETURNING RESIDENTS

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 405 and ask for its immediate consideration.

The Clerk read the resolution as follows:

> *Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6791) to continue for two years the existing reduction of the exemption from duty enjoyed by returning residents, and for other purposes, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill, and continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except amendments offered by direction of the Committee on Ways and Means. Amendments offered by direction of the Committee on Ways and Means may be offered to the bill at the conclusion of general debate, but said amendments shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentlewoman from New York [Mrs. ST. GEORGE] and pending that, myself such time as I may consume.

Mr. Speaker, this bill provides for the usual closed rule on a revenue measure, with 2 hours of debate.

The purpose of the bill is to continue for 2 additional years the temporary reduction from $500 to $100 in the amount of purchases abroad that returning residents of the United States may bring back into this country free of duty. I know of no controversy on the rule, and I reserve the balance of my time.

Mrs. ST. GEORGE. Mr. Speaker, I yield myself such time as I may require.

This resolution, Mr. Speaker, makes in order consideration of the bill H.R. 6791 to continue for 2 years the existing reduction of the exemption from duty enjoyed by returning residents, and for other purposes.

In other words, it continues the present limitation of $100 instead of reverting, as it might otherwise do, to $500.

I know of no objection to the rule. I may say, Mr. Speaker, that I think the bill is more or less a nuisance piece of legislation. I think very little money, if any, is saved in this way. I think it causes increased annoyance to returning travelers.

Of course, it has one very good facet; it does give employment because we have needed a great many more customs inspectors, I happen to know, at the port of New York, and probably in many other ports, in order to check on these people. Otherwise I can think of nothing that makes the words "home sweet home" more unpleasant than to be attacked by customs inspectors.

As I said before, I know of no objection to the rule.

Mr. BOLLING. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. MILLS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6791) to continue for 2 years the existing reduction of the exemption from duty enjoyed by returning residents, and for other purposes.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 6791, with Mr. MOORHEAD in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. MILLS. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, it will be recalled that on May 17, 1961, the House passed legislation providing a temporary reduction, from $500 to $100, in the amount of purchases made abroad that a returning resident of the United States could bring into the United States free of duty. That legislation passed the House under suspension of the rules by a voice vote, without a record vote. It is my recollection, Mr. Chairman, that there was little if any opposition expressed to the legislation at that time.

The Committee on Ways and Means has proposed that there be continued for another 2-year period this limitation of $100 in lieu of the permanent limitation of $500. This is being considered under a closed rule because we thought there was some justification for affording all Members who desire to do so time for discussion of the legislation rather than bringing it up under unanimous consent or suspension of the rules where there would necessarily be more limited discussion.

One additional change has been made in this program by the committee action compared to the bill in 1961. You will recall, Mr. Chairman, that existing law provides an exception to this $100 limitation in favor of people returning from the Virgin Islands. In that instance it is provided that returning tourists can bring back free of duty as much as $200 of goods, but not exceeding $100 of the $200 can originate outside the Virgin Islands. The committee had some complaint that this provision of existing law is drawing a distinction between the Virgin Islands and certain other possessions of the United States, so the bill now before you would extend this Virgin Islands provision to these other insular possessions of the United States: American Samoa, Wake Island, Midway Islands, Kingman Reef, Johnston Island, and the island of Guam.

It should be understood that the principal purpose of the bill is to continue for a temporary time the limitation of $100 per trip for returning residents, and that this provision applies to a trip made each 30 days.

This temporary reduction in duty-free allowance became effective in the case of persons arriving in the United States on or after September 9, 1961. The President had recommended at that time a 4-year temporary reduction. The Committee on Ways and Means decided to provide a termination date of June 30, 1963, so that an earlier review could be made of the operation of this temporary reduction. The purpose of the original legislation was to assist in correcting our balance-of-payments deficit.

This reduction in the duty-free allowance, which became effective in September of 1961, has had its effect, although I must admit it has been a rather limited effect, upon the balance-of-payments problem. The balance-of-payments deficit has been reduced, it is estimated, by this change by about $123 million.

It could be said that perhaps that is, relatively, so insignificant that we should not try to continue it into the future. I am not going to argue about the significance of it, but if we discontinue this, it should be borne in mind there are some other things that are also making a rather insignificant contribution to the end result, relatively, and, if we discontinue all of them, then undoubtedly our balance-of-payments situation would be as bad as it was when efforts were begun some 2 or 3 or 4 years ago to do something about it.

Let me give just an example now of the way this provision works. In 1960, the last full year under the $500 limitation, returning residents acquired approximately $420 million worth of purchases abroad. The Bureau of Customs estimates that during 1962 foreign purchases of goods by returning residents amounted to about $297 million. The Treasury Department also pointed out that although there are signs that our balance-of-payments can be expected to improve in the long run, in the immediate future there is still sufficient deficit and sufficient problem to justify a continuation of this arrangement for another 2 years.

I would like to now briefly review our balance-of-payments deficit in recent years:

	Billion
1958	$3.5
1959	3.7
1960	3.9
1961	2.4
1962	2.2

These balance-of-payments deficits have been accompanied by substantial drains on our gold stocks. In the 3-year period 1958–60, this drain amounted to $4.7 billion. In 1961, our gold losses were $857 million, and in 1962, $890 million.

During our consideration of this legislation, the Committee on Ways and Means was advised of three broad areas in which action has been taken on our total balance-of-payments problem since 1961. These are:

First. Continuous attention to those measures, in the "governmental account" area, to reduce the flow of dollars abroad—such as military and economic aid expenditures, and so forth.

Second. Similar attention in the "capital account" sector to prevent the flow of funds abroad through speculation, and so forth.

Third. Encouragement of U.S. exports.

In short, this measure is an important part of an overall program consisting of a series of actions.

Mr. Chairman, in addition to this balance-of-payments problem, I think it should be pointed out to the membership of the House that even with a $100 exemption from duty for the benefit of our own citizens returning from abroad, we are extending to them much more favorable treatment by far than most other countries of Europe or elsewhere are extending to their citizens who return from the United States.

Mr. Chairman, I could go into much greater detail with respect to the various things that are presently being done to try to improve the deficit in our balance of payments. I can assure the membership this is one aspect of that overall program. It is one aspect of that overall problem and until that problem is further improved, I think it would be unwise for us not to utilize this vehicle, because if we do not utilize this, in all probability something else would have to be done in lieu of it to get this much benefit—and I do not know what that something new would be. Certainly, I would not want the return of the program that none of us liked when some time ago it was decided that we would bring back the dependents of those stationed abroad in an effort to try to improve this balance-of-payments deficit. Certainly, this is much less onerous and, certainly, it is less objectionable in my opinion to some such action as that which might have to follow if we do not have this arrangement.

Mr. BAKER. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I am glad to yield to my friend, the gentleman from Tennessee.

Mr. BAKER. I have received many letters with reference to this legislation expressing concern that there might be an amendment to this act requiring that goods purchased abroad should physically accompany the person returning to the United States. This bill does not contain such a requirement and is it not also true that the Treasury is not urging such a provision as that in this bill?

Mr. MILLS. My friend from Tennessee will recall that provision was deleted by action of the committee from the original recommendation which came to the Congress. It is my understanding that the Treasury Department is satisfied with the action of the committee and I anticipate that no such action as the gentleman's question entails would ensue from the passage of this legislation.

Mr. BAKER. With that statement, Mr. Chairman, I will certainly support the gentleman on this measure.

Mr. MILLS. I thank my colleague very much.

Mr. MONAGAN. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman.

Mr. MONAGAN. I certainly approve of this legislation. I do not believe the Chairman should apologize with respect to the degree of progress that is being made here because, certainly, this is the kind of problem where a series of small steps could result eventually in substantial achievement. I would like to ask one question. There is, of course, some impact upon other countries as a result of this.

Is there any study or any other figures that show where the impact of this reduction of purchases may be had as in Europe, for example?

Mr. MILLS. I have not been made aware of such a study. I have had nothing of that nature brought to my own attention. But I want to respond to the gentleman's initial statement. I do not want to be interpreted by anyone as apologizing with respect to what has been done under this legislation. I think it is to be regretted that the situation involving our balance-of-payments deficit is such that we have to take so many different courses of action such as this in order to improve that deficit which may well be some burden to some of our citizens and in this particular case some burden in reducing what they can bring back duty free from the markets of Europe.

Mr. Chairman, there are about 1.8 million of our citizens who go each year to Europe on vacation, but I would think that the wisest course of action would be to pass the legislation even though it may not have made as much contribution to the balancing of this deficit or the elimination of this deficit as many of us would like to have had it make or as we think should be made by the efforts of our Government.

Mr. BYRNES of Wisconsin. Mr. Chairman, does the gentleman from Arkansas [Mr. MILLS] have other requests for time?

Mr. MILLS. I have no further requests for time, Mr. Chairman.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this bill extends, as the chairman of the committee said, for 2 additional years the temporary reduction from $500 to $100 in the amount of purchases abroad that a returning U.S. resident may bring back duty free.

Mr. Chairman, I share the administration's concern over our balance-of-payments deficit which has resulted in such a severe drain on our gold stocks. I am perfectly willing to support any reasonable measure to alleviate this problem and for that reason I am supporting this bill.

I think, however, Mr. Chairman, that there are other more basic problems relating to our balance-of-payments situation that are not being coped with within the administration's program. I would hope that they might, instead of spending so much time and evidencing so much concern over relatively little things as are involved in this particular bill, get to the job of coping with some of the bigger problems which contribute to our balance-of-payments deficit.

The reduction in the amount that a returning American tourist can bring back duty free possibly may affect the volume of purchases abroad by American tourists. The Treasury claims that the reduction will amount to about $150 million annually. From this it is argued that there is a corresponding improvement in our balance of payments.

Let us assume that the reduction in the goods which the American tourist can bring home duty free—as provided for in this bill—does result in a curtailment of $150 million in the purchases of those goods abroad. This does not mean, that the full amount is reflected in our balance-of-payments deficit. Certainly some part of the savings will be spent abroad for other purposes. The actual improvement in the balance of payments resulting from this legislation may be insignificant.

On the other hand, there are other measures which, in my opinion, would be more effective—of much greater magnitude—than the measure proposed here—to cope with the balance-of-payments problem. Our balance-of-payments deficit results primarily from foreign aid, both economic and military. We no longer have the surplus gold resources to enable us to bear a disproportionate share of the cost of protecting other nations, and of providing aid to less-developed nations. A greater financial and military effort must be borne by our European allies. Notwithstanding our great resources, the United States cannot continue to maintain military forces required for the defense of the free world unless the European nations are prepared and willing to bear a greater share of these costs.

I also urge the Kennedy administration to take another look at some of the imports which also contribute to our balance-of-payments deficit.

For example, the Treasury Department found that a combination of European steel exporters were, in fact, deliberately dumping steel rods in the United States at prices lower than the same materials were sold in the European market. Yesterday, however, the Tariff Commission refused to grant the American steel industry any relief—apparently because steel rods, considered alone, did not represent a sufficiently large segment of the steel industry.

I am firmly convinced that our balance-of-payments deficit will become more acute unless we lay down rules to protect American industry from this type of foreign competition. A similar combination of American producers would have been prosecuted for a violation of our antitrust laws. We seem to have one set of rules for the American exporting abroad and another set of rules for the foreigner exporting to the United States. Our attitude of turning the other cheek is in great contrast with the Common Market's attitude, as our poultry exporters and others can well testify.

While I recommend this bill to the House, let us have no illusions. It is not the solution for our balance-of-payments deficit. Neither was the Trade Act of 1962 the solution. In fact, as the Republican minority forewarned, the Trade Act was enacted upon suppositions which have since proven to have been in error. A complete reappraisal of our trade and aid policies must be undertaken before it is too late.

Mr. Chairman, I yield back the balance of my time.

Mr. MILLS. Mr. Chairman, I ask unanimous consent that any Members desiring to do so may be permitted to extend their own remarks on the bill at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MONAGAN. Our balance-of-payments problem is a vital and continuing one and certainly our Government should be encouraged in every way to take steps that will improve our balance with other countries of the world. Of course, there are many ways in which this problem can be attacked. One of them would be to stimulate increased support by the countries of Europe of their necessary military defense. Another would be an increase by some of these developed countries of the amounts made available for aid to underdeveloped countries.

Nevertheless, it is encouraging to see the example which is presented today and to realize that substantial, if modest, progress has been made.

Mr. MILLS. Mr. Chairman, we have no further requests for time.

The CHAIRMAN. Under the rule, the bill is considered as having been read for amendment. No amendments are in order to the bill except the amendments offered by direction of the Committee on Ways and Means.

Are there are any committee amendments?

Mr. MILLS. Mr. Chairman, there are no committee amendments.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. MOORHEAD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 6791) to continue for 2 years the existing reduction of the exemption from duty enjoyed by returning residents, and for other purposes, pursuant to House Resolution 405, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. MILLS. Mr. Speaker, I ask unanimous consent that I may extend my remarks and include additional material in the RECORD in connection with the explanation of the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

RECOGNITION OF THE 50TH ANNIVERSARY OF THE AMERICAN SOCIETY FOR METALS

Mr. OLIVER P. BOLTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. OLIVER P. BOLTON. Mr. Speaker, I have introduced to the House of Representatives a joint resolution providing for the recognition of the 50th anniversary of the American Society for Metals.

Under the resolution, the Congress would extend its official recognition and golden anniversary congratulations to the American Society for Metals, and the Metals Materials Exposition and Congress, which it sponsors, and to the metal industry represented thereby.

The resolution further provides that the President of the United States is authorized and requested, by proclamation or in such manner as he may deem proper, to grant recognition to the said society and to its activities. The President is asked to call upon officials and agencies of Government to cooperate and participate in such Metals Materials Congress in any manner as might be appropriate.

The American Society for Metals, with headquarters at Metals Park, Novelty, Ohio, was organized in 1913 in Detroit by a group of steel treaters. The First World War at that time was making greater demands upon the metal producing industry and those charged with the production of metal and its treatment felt that steps should be taken to improve the knowledge and understanding of the working of metals. The idea was favorably received and the young society of "steel treaters" found that they attracted new members. Almost at the same time a Chicago group felt the need and they in turn organized to lift the standards of the industry. About 5 years later the two groups combined and formed one organization which has grown into a high level technical society with 35,000 members comprised of metallurgists, atomic scientists, industrialists, teachers, editors, and many others.

In the 50 years that the American Society for Metals has served, metal-working has been transformed from an art to a high-level science. One of the great contributions that the society has made is in the correlation of metal-working materials and the publishing of metal textbooks. It is the largest publisher of such texts in the country and its "Metals Handbook" is now being revised and being brought out in seven volumes. It is the standard reference of its kind.

The society's Metal Engineering Institute, a home and in-plant correspondent study course has graduated more than 7,000 technical workers who have been able to supplement their knowledge of the metals fields through this top level division of the society. "Metal Progress" and "Metals Review" are two major publications having wide readership in the industrial field. A new documentation service is now electronically scanning all literature in the metals field and recording it for use by those needing current information on what is being written.

There are 124 American Society for Metals chapters throughout the United States and Canada and there are members in Europe and Asia.

Two World Metallurgical Congresses have been sponsored by the society in 1951 and 1957, and upon these two occasions, the Congress of the United States extended resolutions of welcome. Upwards of 500 oversea metallurgists came to each of the two sessions.

The society annually presents the National Metal Exposition and Congress in various major cities. More than 300 learned papers are presented during the congress while some 400 metalworking companies participate in the exposition. It is quite an event, for attendance ranges between 25,000 and 30,000 for the week.

It is indeed a high honor for me to have the privilege of introducing this joint resolution to the House of Representatives.

Good performance is always deserving of recognition, and it is my ardent hope that the Congress of the United States will expeditiously act to approve the joint resolution.

CIVIL RIGHTS LEGISLATION

Mr. PRICE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, we are going into a period of strain and difficulty for Members of the Congress on the issue of civil rights. It is the conviction of many of us that the President must be supported and sustained on the legislation he submits to seek from the Congress a moral commitment that has not previously been made in this century.

A brave man was buried in Arlington Cemetery yesterday, June 19. He was a man who had worn the uniform of his country's Armed Forces. He was a man who had challenged certain customs, convictions, habits, prejudices, and traditions. Few will deny that both as soldier and citizen he served the high interests of our people.

The tradition of freedom—the tradition that this country means what it says when it says "all men are created equal"—is the fact we have been seeking to prove in all our history.

Medgar Evers was slain from ambush—slain near the doorstep of his home—because he joined in a movement for freedom, for plain, simple, immediate full citizenship in America.

It would ill become any one of us to speak unkindly of others who disagree with a viewpoint. All of us have faults enough and all of us share the blame that the Negro American feels he has been compelled to civil disobedience to vindicate his rights to equal treatment in education, housing, civility, and economic opportunity.

Medgar Evers engaged in no violence or crime. He was a leader of an organization that moved to assert citizens' rights through procedures of law, through the judicial processes and the courts of the United States.

Nevertheless he was slain.

There comes a time when turning points are reached, and I suggest that the burial of Medgar Evers at Arlington National Cemetery is a symbol that will not soon be forgotten.

We must deal with the question of a moral commitment from the Congress to the cause of equal rights—not superior rights but equivalent rights.

The right of every American to vote equally, to be educated equally, to have equality of job opportunities, is incontestable. And each individual has a right to recognized dignity regardless of race, creed, or class.

Against this no sophistry can stand. Not in the North or South, not in New York or California, not anywhere else.

I hope the Congress will enter the debates and the discussion of these issues with constructive and creative sentiments, not with antagonism.

This a time of great opportunity as well as of crisis.

Let us stand up like men and seek to meet our obligations. Let us speak to each other kindly even when we speak with different beliefs. And let us move with courage and integrity to meet our plain obligations. We owe the American people a declaration from our highest legislative body that the Negro American, as well as all others, is a full American.

THE PROPOSED MILITARY BUDGET

Mr. RYAN of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN of New York. Mr. Speaker, Prof. Seymour Melman, of Columbia University, has edited a study of the military budget entitled "A Strategy for American Security." On March 29, 1963, I posed to the Secretary of Defense, Robert McNamara, a series of questions concerning the study. On April 11, 1963, Assistant Secretary of Defense, Charles J. Hitch replied for Secretary McNamara. On June 3, 1963, Prof. Seymour Melman wrote to me commenting upon the points made in the Department of Defense letter.

Military spending is the largest item in the budget, accounting for some $55 billion. It deserves the most careful scrutiny. The exchange of correspondence raises significant questions about our military posture. I hope my colleagues will benefit from the following letters:

HOUSE OF REPRESENTATIVES,
Washington, D.C., March 29, 1963.

Hon. ROBERT MCNAMARA,
Secretary of Defense, Department of Defense,
Washington, D.C.

DEAR MR. SECRETARY: I would appreciate it if you would prepare an analysis of the enclosed CONGRESSIONAL RECORD insert of a report by Prof. Seymour Melman, of Columbia University. Specifically, I am interested in the answer to the following questions:

1. Does the United States have an overkill capacity in relation to the Sino-Soviet bloc? If so, what is the quantity and quality of that capacity?

2. Does the United States have an overkill capacity in relation to the Soviet Union? If so, what is the quantity and quality of that capacity?

3. Professor Melman suggests cutting the procurement item in the budget by $6 to $10 billion. Is this feasible? If not, what are the arguments in support of the $16,725 million allocated for military procurement in the fiscal year 1964 budget?

4. Professor Melman proposes the elimination of the $1,480 million military assistance

fiscal year 1964 budget request. Is this feasible? If not, what are the arguments in support of the continuation of a military assistance program of this size?

5. Professor Melman states that the dominant cause of the unfavorable U.S. balance of payments is heavy dollar spending for military purposes abroad. How much has been spent abroad for U.S. military purposes since 1950? Please give a breakdown according to countries in which the funds were spent. Can you tell me what is the value of the claims in gold which each of these countries currently hold against the United States?

6. According to Professor Melman, the $2,893 million fiscal year 1964 budget request for Atomic Energy can be cut by $2 billion. Is this feasible? If not, what are the arguments in favor of continuing the Atomic Energy program with an appropriation in excess of $2 billion?

7. Professor Melman suggests eliminating the $28 million allocated in the fiscal year 1964 budget for continuation of the stockpiling of strategic and critical materials. Is it feasible to eliminate the continued stockpiling of strategic and critical materials? If not, what are the arguments in support of the fiscal year 1964 budget request?

8. Professor Melman states that the military industrialists have taken no serious steps toward blueprinting the conversion of their firms from military to civilian economies. Can you tell me what steps have been taken, particularly in those industries involved in the production of weapons which are slated to become obsolete in the next 5 years. Do you feel that these steps are adequate?

9. Professor Melman implies that a test ban treaty would increase our chances of preventing the spread of overkill. Does this have any validity? What risks to the U.S. national security are involved in the spread of overkill? Can these be compared to the risks involved in the conclusion of a test ban treaty?

I look forward to your reply at your earliest convenience and thank you for your helpful cooperation.

With kindest regards,

Sincerely,

William F. Ryan,
Member of Congress.

Assistant Secretary of Defense,
Washington, D.C., April 11, 1963.
Hon. William F. Ryan,
House of Representatives.

Dear Mr. Ryan: Secretary McNamara asked me to reply to your letter of March 29. I would like to make two general comments on Professor Melman's article and then answer each of your numbered questions in turn.

The principal thesis of Professor Melman's memorandum is that U.S. nuclear forces are far in excess of what is, in fact, required and that a substantial reduction could be made without threatening our security. For a number of reasons he apparently feels this would actually enhance the prospects of peace and make some practical steps toward disarmament possible. This, I venture to say, is a delusion. The best hope of negotiating successfully with an aggressive power bloc, such as the Soviet Union and its satellites, is to deal from a position of superior strength—not parity or comparative weakness. The lack of powerful military forces certainly did not help Finland in its dealings with the Soviet Union in 1940. Nor did it assist Poland or France in 1940 when they faced the powerful and aggressive forces of Hitler's Germany. If history has taught us anything, it is that military weakness always increases the likelihood of war since it tempts the aggressor with the prospect of a quick and easy over victory.

Second, I do not agree with Professor Melman's view that we can maintain our military strength without continuing large outlays for research and development. Military technology, today, is moving so fast that any relaxation in our current effort to stay ahead of our opponent may cost us a lead which we may never recover. One has only to contemplate our present effort to catch up with the Soviet Union in the ability to launch heavy payloads into earth orbit and into space, to realize how difficult it is to recover a technological lead once it is lost.

Similarly, it would be fatal to our security to cut in half the rate at which we are modernizing our forces. Most of our major weapons and equipment have very long procurement leadtimes and once the production lines are closed down, it takes a great deal of time and money to start them up again. What is needed, both from a military and economic point of view, is a steady, stable level of procurement over the years. There is nothing more wasteful in the defense effort than sharp increases and decreases in defense procurement.

Now with regard to your specific questions, the first two deal with the same problem—"overkill."

1 and 2. While Professor Melman's calculations with regard to "overkill" might appear, to the layman, quite persuasive, he completely misses the main point. Because we must be prepared to absorb the first blow, i.e., a massive nuclear surprise attack, we must have sufficient forces in being to survive that attack with enough power remaining to destroy the attacker. As the Soviet Union continues to build up its ICBM forces, our manned bombers on the ground will become increasingly vulnerable to surprise attack. That is why we have increased from one-third to one-half the proportion of the bomber forces to be maintained on a 15-minute ground alert, the warning time we expect to get from our ballistic missile early warning system. This point Professor Melman completely ignores in his calculation. In all prudence, we can only count on those bombers maintained on a 15-minute ground alert, and that means about half the B-52's and B-58's shown in Professor Melman's table. The B-47's will be phased out of the forces completely within the next few years as the Minuteman and Polaris missiles come into the force in greater numbers. Furthermore, some of the early Atlas missiles are deployed above ground and they too are highly vulnerable to surprise attack. Thus the problem is not simply the number of delivery vehicles in our inventory, but rather the number we can expect to have available after absorbing a massive surprise attack.

A second fundamental fallacy in Professor Melman's analysis is his assumption that we are interested only in attacking the enemy's cities. Our principal concern in the event of an attack upon this country is to destroy as quickly as possible the remaining strategic forces available to the attacker so as to minimize further damage to ourselves. For this purpose we need many more weapons than would be required simply to destroy Soviet cities. This requirement is completely overlooked by Professor Melman.

The strategic retaliatory forces recommended by President Kennedy and Secretary of Defense McNamara have been very carefully calculated. The steps involved in this calculation were outlined by Secretary McNamara in his statement to the congressional committees last year and I am enclosing as attachment 1 the pertinent portions of that statement. I am sure that you will agree after reading this extract that the problem of determining the size and character of the strategic retaliatory forces required to assure our safety is a much more complicated process than Professor Melman apparently realizes.

3. It is impossible to comment meaningfully on Professor Melman's proposal to cut $6 to 10 billion from the fiscal year 1964 budget request for military procurement in the absence of some indication of the specific types of items he would eliminate. In any event, his proposal obviously reflects a drastically different evaluation of our national security needs in the years ahead than ours. The President's budget request for military procurement has been explained and justified to the appropriate congressional committees in great detail. Rather than attempt to summarize that justification here, I am enclosing a copy of Secretary McNamara's statement on the fiscal year 1964 budget which spells out his assessment of the threat and explains the rationale for the program that has been proposed.

4. Professor Melman's premise that the funds provided under the military assistance program are primarily for the further improvement or expansion of the military forces of the free world is quite inaccurate. A very significant portion of the funds are devoted to the maintenance of forces already in being and any sizable cut in the MAP budget would have the effect of reducing the size and effectiveness of the forces of many of our allies, especially those less economically developed nations, such as Korea, Vietnam, Pakistan, and Turkey, which are on the very borders of the Communist bloc.

While we firmly believe that the military assistance program is of critical importance to our security, we are continually reviewing it to ensure that the funds provided are needed and can be used effectively. Indeed, President Kennedy has within the past week recommended to the Congress that the fiscal year 1964 program be reduced by $75 million. However, we feel that further sizable cuts would very adversely affect the military posture of the recipient nations and the complete elimination of the program would be disastrous to the security of the free world and therefore to the security of the United States. No responsible person to my knowledge has ever proposed such a dangerous action. As a committee of distinguished citizens, headed by Gen. Lucius Clay, reported last month:

"In examining our national interest in foreign military and economic assistance, the direct relationship to free world security is most evident in the defensive strength of those nations which, in their contiguity to the Communist bloc, occupy the frontier of freedom * * *. These countries are now receiving the major portion of U.S. foreign assistance but are also providing more than 2 million armed men ready, for the most part, for any emergency. While their armies are to some extent static unless general war develops, they add materially to free world strength so long as conventional military forces are required. Indeed, it might be better to reduce the resources of our own defense budget rather than to discontinue the support which makes their contribution possible."

President Kennedy in his recent foreign aid message has also pointed up the key role played by our military aid program:

"Our military assistance program has been an essential element in keeping the boundary of Soviet and Chinese military power relatively stable for over a decade. Without its protection the substantial economic progress made by underdeveloped countries along the Sino-Soviet periphery would hardly have been possible. As these countries build economic strength, they will be able to assume more of the burden of their defense. But we must not assume that military assistance to these countries—or to others primarily exposed to subversive internal attack—can be ended in the foreseeable future. On the contrary, while it will be possible to reduce and terminate some programs, we should anticipate the need for new and expanded programs."

5. While I cannot agree with Professor Melman that military spending overseas is the "dominant" cause of our present unfavorable balance of payments, there is no question but that it is an important element. As a consequence, in order to reduce the unfavorable payments effect of our oversea military deployments without compromising our ability to carry out essential military missions, the Defense Department has undertaken a wide-ranging program not only to achieve economies in our own spending but also to persuade our allies to make offsetting purchases of U.S. military goods and services. In recent years, net U.S. defense expenditures entering the international balance of payments have averaged $2.6 billion per year. During 1962 we succeeded in reducing this figure to about $2 billion and by 1966 we hope to bring it below the $1 billion mark.

The balance-of-payments problem and its relationship to the defense program is discussed in greater detail beginning on page 25 of Secretary McNamara's 1964 defense budget statement, which is enclosed. Also enclosed (attachments 2 and 3) are tabulations of U.S. military expenditures entering the balance of payments and short-term dollar claims held by foreigners, which you requested in your letter.

6. Professor Melman's recommended reduction of $2 billion in the budget request of the Atomic Energy Commission would certainly have a much wider impact than merely halting the further production of warheads. A cut of that magnitude could well force the cancellation of the entire military program, including basic research, development of small portable reactors for producing electric power, development of reactors for ship propulsion and a number of other programs that are completely unrelated to warhead development or production. Moreover, part of the nonmilitary portion of the AEC's program would necessarily be affected as the remaining $893 million would be inadequate to support that portion of the program. In fact, there are a number of fixed costs such as the procurement of uranium concentrates and the vast amount of electric power required for the AEC's operations which would absorb most of the $893 million. Nearly one-quarter of the entire proposed 1964 AEC budget is required just for these two items. Even if actual operations were sharply cut back, these costs could not be significantly reduced in the near future because of the long-term contracts, many of which are international in scope, under which the power and raw materials are procured. Therefore, I believe it should be clear that a cut of the magnitude recommended by Professor Melman would not just stop the further production of warheads, but would virtually cripple the entire atomic energy program—nonmilitary as well as military.

But, more important, the continued production of warheads is essential to our future military strength. Not only must we continue to introduce new weapons into our forces, we must also improve the warheads of existing weapons. Military technology continues to move forward for us and our opponents, and we would indeed be foolhardy to permit ourselves to fall behind in this vital area.

7. Professor Melman's recommended deletion of the $28 million allocated for stockpiling of strategic and critical materials is apparently based on his judgment that present stockpiles are more than adequate and that further accumulation would be senseless. However, the $28 million recommended includes only about $1 million for the procurement of new materials (specifically jewel bearings) with the remaining $27 million required to manage the current inventory, to maintain the national industrial equipment reserve, and to dispose of excess materials. Therefore, if his objective is merely to halt any further expansion of the stockpile, a cut of about $1 million would be appropriate.

8. With respect to planning for the conversion of military production facilities to civilian purposes, reponsibility for leadership at the Federal level lies with the U.S. Arms Control and Disarmament Agency. To this end they have conducted or have sponsored a number of studies of the economic problems which would be involved if arms production were to be significantly curtailed. However, I am sure you will recognize that the major responsibility in a free economy such as ours must fall on the individual companies affected. In recent years, many of these companies, some of whom were almost wholly dependent on military contracts, have made major efforts to diversify. The success of these efforts and the quality of private industry planning, of course, differ markedly from one company to another. However, since this is essentially the private business of private companies, the degree to which the Federal Government can participate directly in such planning appears to be limited. What the Government can do is to study the problem in its broadest outlines, develop the data necessary for private planning and make this data available to private industry. This is being done.

In the Department of Defense we are actively interested in this problem, especially with respect to the economic dislocations which occur when the military requirement for the product of a particular company or the facilities of a particular Defense installation disappear. To help meet this problem, we have established an Office of Economic Adjustment in the Office of the Secretary of Defense to work with the companies and communities affected. We hope that by making clear as early as possible our intention to close a base or cease procurement of a certain item and by marshaling the resources of other Government agencies, such as the Area Redevelopment Agency and the U.S. Employment Service, we can lessen the economic impact of changes in the Defense program. The experience we are obtaining from these current efforts would, of course, be applicable in the event of a major curtailment of our military effort.

I believe these steps are adequate under the present circumstances. Although we are urgently continuing our efforts to find some way to slow down and halt the arms race, our opponents do not appear to be ready for really serious discussions of this problem. Meanwhile, the United States is the only major nation which has established a specialized agency to work on the problems of disarmament and arms control.

9. Irrespective of the overkill issue, there is little question but that a test ban treaty is a necessary step in reducing the likelihood of the spread of nuclear weapons. And the greater the number of nations that possess nuclear weapons, the greater is the chance that these weapons will be used. As President Kennedy stated recently, "I see the possibility in the 1970's of the President of the United States having to face a world in which 15 or 20 or 25 nations may have these weapons. I regard that as the greatest possible danger and hazard." Therefore, if it would help prevent a further spread of these weapons, a test ban would have great advantages. There would, of course, also be certain risks involved, i.e., the danger that our opponents could secretly test and thus gain some advantage in nuclear weapons technology. However, we believe that the treaty proposed by the United States and now being considered in Geneva would prevent any clandestine testing of a magnitude needed to significantly alter the military balance between the United States and the U.S.S.R. Accordingly, we have continued our efforts to negotiate such a treaty with the Soviet Union. But, as Secretary McNamara told the House Appropriations Committee, "* * * we mean to leave nothing to trust or to chance."

I hope I have answered your questions regarding Professor Melman's article. You will find a much more detailed treatment of most of the questions in Secretary McNamara's statement on the fiscal year 1964–68 defense program and 1964 defense budget (attachment 4).

Sincerely,

CHARLES J. HITCH,
Assistant Secretary of Defense.

JUNE 3, 1963.

Hon. WILLIAM FITTS RYAN,
Longworth House Office Building,
Washington, D.C.

DEAR CONGRESSMAN RYAN: Please accept our appreciation for your initiative in addressing a set of questions to the Secretary of Defense on March 29, 1963, and for allowing us to read the reply from the Department of Defense, and to respond.

Our central finding is that the policies and the budget of the Department of Defense are based upon technically obsolete assumptions, and that the military aspects of security policy are being given resources so vast as to result in the depletion of America's security position as a whole.

I. SURPLUS DESTRUCTION

Your first two questions to Secretary McNamara concerning overkill capability with respect to the Soviet Union and the Sino-Soviet bloc are vital. The Assistant Secretary of Defense, Mr. Charles J. Hitch, replying for Secretary McNamara, did not respond directly to either of these questions. In our report, "A Strategy for American Security," we estimated overkill capability from the strategic forces data that were compiled for the countries of the Communist bloc and the West by the Institute of Strategic Studies in London. Even after these data are conservatively assessed, the United States has overkill capability (in relation to Russia's population and industrial centers of more than 100,000 or more inhabitants) by a factor of 1,250 times.

All such estimates of overkill must be arbitrary, since they are based on assumptions concerning attrition and delivery capability. Whatever allowance is made—in a reasonable range—the result indicates large-scale overkill capability by the United States in relation to the Soviet Union and the Soviet bloc as well.

Let us assume, for example, a set of extreme conditions of U.S. strategic vehicle attrition from all causes, with the following resulting nuclear delivery:

Effective strategic power after massive attrition

	Vehicles	Total warhead power (in megatons)[1]
10 percent of 600 B-47 bombers	60	600
10 percent of 600 B-52 bombers	60	1,200
10 percent of 100 B-58 bombers	10	200
10 percent of 1,150 Navy aircraft	115	115
5 percent of 200 Atlas-Titan missiles	10	10
25 percent of 240 Polaris missiles	60	60
25 percent of 500 Minuteman missiles	125	125
Total	440	2,310

[1] Million tons TNT equivalent.

This effective power has an overkill factor of 231, after drastic allowances for attrition.

Our calculations with regard to the Soviet Union show overkill with relation to the United States by a factor of 145 times.

These estimates of overkill, bypassed in the letter from the Department of Defense, are the fundamental challenge to the central thesis set forth by Mr. Hitch.

Mr. Hitch writes: "The best hope of negotiating successfully with an aggressive power bloc, such as the Soviet Union and its satellites, is to deal from a position of superior strength—not parity or comparative weakness." The very essence of the present military condition is that once both sides enter into the range of more than 100 times overkill, superior strength no longer has any military meaning.

Where finally deliverable offensive power is a multiple of one total kill, then the calculated multiples of total kill are no measure of either superiority or inferiority, on the offensive side. On the defensive side, once the attacking capability has passed the factor of 100 times, then defensive operations become totally vulnerable. For defensive capability of even 99 percent effectiveness would still leave at least total kill.

From this standpoint of surplus destruction, Mr. Hitch's reference to the experience of the last world war: Finland vis a vis the Soviet Union, Poland and France vis-a-vis Germany—teaches us very little for the present situation. The new condition of strategic military operations makes the traditional military understanding of victory and defeat into categories that have been rendered technologically obsolete.

II. TECHNOLOGICAL LEAD

Under the preoverkill condition of military technology and operation, it was meaningful to calculate technological leads and the importance of research and development for staying ahead of an opponent. Under the new condition of multiple overkill on both sides, the traditional idea of staying ahead in research and development has no military meaning. Technological lead is being discussed by the Department of Defense as though we were confronted with the conditions existing during the last world war.

III. SECOND STRIKE AND COUNTERFORCE

The Department of Defense analysis as presented by Mr. Hitch holds that our calculations of overkill are not to the point, since the strategy of that Department is to build up a force so great as to be able to absorb a first blow from the Soviet Union, and then to reply with a counterstroke heavy enough to halt any further nuclear exchanges.

In a "Strategy for American Security" we noted that, in 1960, Dr. Jerome Wiesner, new science adviser to President Kennedy, wrote:

"Studies made independently by the U.S. Army and Navy have indicated that, even in the absence of [international] agreements limiting force size and permitting inspection, 200 relatively secure missiles would provide an adequate deterrent."

The first point to be noted here is that if 200 missiles were regarded as an adequate deterrent in 1960, 940 intercontinental missiles available in 1963 should be more than sufficient.

On page 29 of Secretary McNamara's statement to the Congress he says:

"Last year I told this committee "there is no question but that, today, our Strategic Retaliatory Forces are fully capable of destroying the Soviet target system, even after absorbing an initial surprise attack.' This statement is still true.

"Allowing for losses from an initial enemy attack and attrition en route to target, we calculate that our forces today could still destroy the Soviet Union without any help from the deployed tactical air units or carrier task forces or Thor or Jupiter IRBM's." [1]

It should be noted that our estimates of overkill are merely a quantitative expression of the basic military condition described by Secretary McNamara.

In his statement, Secretary McNamara has carefully spoken of the "Soviet Union" and the "Soviet target system." As is noted below, he does not propose to interdict the Soviet military system. On page 30 of the statement, he wrote:

"In planning our second strike force, we have provided, throughout the period under consideration, a capability to destroy virtually all of the 'soft' and 'semihard' military targets in the Soviet Union and a large number of their fully hardened missile sites, with an additional capability in the form of a protected force to be employed or held in reserve for use against urban and industrial areas.

"We have not found it feasible, at this time, to provide a capability for insuring the destruction of any very large portion of the fully hard ICBM sites, if the Soviets build them in quantities, or of missile-launching submarines. Fully hard ICBM sites can be destroyed but only at great cost in terms of the numbers of offensive weapons required to dig them out. Furthermore, in a second strike situation we would be attacking, for the most part, empty sites from which the missiles had already been fired."

Mr. McNamara's qualifying phrase "at this time" has two possible meanings. First, those who favor a preemptive first strike can support the current buildup of strategic forces in the hope of somehow attaining enough power for a successful first strike. Second, the Secretary may be recognizing the lack of feasibility of interdicting hardened land-based missiles, carrying as much as 100 megaton warheads, or submarine based missiles.

The very last consideration noted by Secretary McNamara is of fundamental importance: an American reply to strategic military targets after a Soviet first strike would be a reply to empty holes. The Soviets would have to use all of their available striking power in any first strike, since their offensive capability is significantly less than that of the United States.

Finally, the second-strike-counterforce policy described by Mr. Hitch has the quality of allowing itself to become transformed into something quite different. A decision to strike back, only after a first strike has been made by the opponent, requires an answer to the question: What shall be the test of the occurrence of a first strike? Shall it be: The explosion of nuclear warheads in the U.S.? Evidence that such warheads are en route? Information that nuclear delivery vehicles are about to be launched? Information that mobilization for launching has been set in motion?

A search for military advantage can press toward the latter criteria. Then second-strike-counterforce can be transformed into preemptive first strike.

Policies that include strategic nuclear initiatives would seem to justify an ever-larger arsenal in the search for advantage, offensive and defensive. However, under the overkill conditions of military strategy, the quest for nuclear military advantage has been checkmated.

Yet the proposed 1964 military budget includes well over $12 billion for the procurement of additional strategic nuclear weapons, and the research and development on such weapons.

IV. THE NEW MILITARY CONDITION

Mr. Hitch has urged us to read Secretary McNamara's statement to the Congress justifying the military budget. What emerges from our reading of this statement, with utter clarity, is the failure of the Secretary of Defense and his advisors to take into account the transformation in the military strategic condition that has been brought about by the enormous accumulation of surplus destructive capability in the hands of both the United States and of the Soviet Union.

Our analysis of the military budget proposal for 1964 is based on the current, not the technologically obsolete, condition of military strategy. This analysis has been done within the limitations of the nonfunctional, inventory-type of budget publicly available. We have estimated the order of magnitude of reductions feasible in line with a maintenance-of-present-forces conception.

Our analysis leads to the conclusion that a sizable surplus of strategic power is in being; no addition is required. The West presently possesses conventional capability in excess of the Communist bloc nations. United States and allied forces have 8 million troops under arms; the Communist-bloc forces number 7.7 million. Western firepower is far in excess of the Communist bloc firepower. Transportation, logistical support, and tactical air support all are further developed in the West than in the Communist bloc.

In an effort to define a currently effective military system for the United States, we have undertaken a brief reexamination of the military budget for 1964. The maintenance of present forces budget is a step toward improving our country's total security position. This budget includes sufficient funds to maintain present strength, to effectively replace older equipment, and to maintain any plausible rate of research, development, and procurement of conventional weapons.

The policies of the Department of Defense have the quality of committing the operation of this enormous military machine to the pattern of suboptimization (which is not widely practiced in the Department of Defense, alone, but also in many other large organizations, governmental and private). Suboptimization means that each of the various subsections of a large organization operates to improve its particular product or function. In the Department of Defense, one group works on a better missile, another on a better vehicle, a third on a better warhead, etc.

The new military situation, however, is such that the total military power of the United States can no longer be described as the sum of the efficiency of the various components. Under the new condition of nuclear capability, nuclear military power has reached its limiting point. The underlying limitation is the inability to destroy a population more than once. This limitation remains to be taken into account in our military policy.

May I call your attention to the attached pages in which we have summarized the conventional reasoning of the Department of Defense (which underlies its budget proposal) and the new reasoning made necessary by the strategic conditions of overkill in military affairs?

V. BUDGET REDUCTION

Your third question concerns the feasibility of major reductions in the military budget. We respectfully call your attention to the attached itemization of possible areas of budget reduction. Our calculation leads to the conclusion that a range of possible reductions (from $16.45 to $25.65 billion) is conceivable. The detailed determination of these reductions requires the sort of functional analysis of the military budget that is possible only with the detailed data that are available within the Department of Defense.

May I suggest that it is within the competence of an appropriate committee of the Congress to undertake a review of the military budget based on the criteria suggested here.

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[1] Statement of Secretary of Defense Robert S. McNamara before the House Armed Services Committees, the fiscal year 1964–68 defense program and 1964 defense budget; Jan. 30, 1963.

VI. MILITARY ASSISTANCE

Your question four on the military assistance item deserves special comment. In our report, a paper by Prof. Edwin Lieuwen suggests that military assistance in Latin America is of doubtful value as a contribution to the security of the United States. The equipment, and the personnel trained at American expense, have been used repeatedly for installing and sustaining totalitarian regimes. Accordingly, we have suggested the importance of reviewing and revising the military assistance category with a view of making major reductions, to eliminate politically negative operations while retaining military support such as that given to India in order to offset Chinese Communist incursion.

VII. THE GOLD RESERVE

Mr. Hitch is not responsive to your fifth question concerning the role of military disbursement abroad as a primary factor causing the unfavorable balance of payments and the drain on American gold in the last decade. This matter has been extensively considered by the President's Council of Economic Advisers. In their report to the President in January 1962, the Council wrote:

"U.S. military outlays in foreign countries have averaged nearly $3 billion annually during the last 6 years, even after foreign purchases of military equipment in the United States are deducted."

These expenditures more than offset our favorable balance of trade.

VIII. ATOMIC ENERGY COMMISSION

Mr. Hitch's reply to your question No. 6 on the feasibility of reducing the AEC budget must be regarded as remarkable. The reason given by us for a reduction of two-thirds of the proposed AEC budget is the existence of stocks of warheads so vast as to be at least twice the total stock that could be delivered by all available delivery vehicles. Under these conditions, we regard it as only prudent to call a halt to stockpiling for surplus destruction. In response to this analysis, Mr. Hitch tells us that a two-thirds cut, which would leave $893 million, could well force the cancellation of the entire military program including the development of small portable reactors, etc., for producing electric power, development of reactors for ship propulsion, and a number of other programs.

He goes on to argue that a quarter of the proposed budget amount is for the purchase of electric power, and that there is another fixed cost in the form of contracts for procurement of uranium concentrate.

I would think that with $2 billion of national wealth at stake, a way could be found to deal with the cancellation or termination of industrial activities which result in no meaningful addition to military power, and in an enormous drain on the resources of the United States.

IX. STOCKPILING

The response that Mr. Hitch gives to the stockpiling question (No. 7) is revealing. We are advised that only $1 million is for new material and that $27 million is "to manage the current inventory." Has the Department of Defense piled up an inventory of more than $5 billion in raw materials for fighting what is now described as a 30-day conventional war in Europe? This inventory demonstrates the degree to which the Department of Defense has been operating on the assumption that the Second World War is to be repeated; only such an assumption would justify the piling up of this sort of inventory.

X. INDUSTRIAL CONVERSION

Mr. Hitch's reply to your question eight concerning preparation for conversion of industrial facilities from military to civilian work is so frivolous as to be astonishing. Mr. Hitch says:

"Planning for the conversion of military production facilities for civilian purposes lies with the U.S. Arms Control and Disarmament Agency."

That Agency now has a Chief of the Economic Section, and two men under him devote themselves to these problems. The total budget of the entire U.S. Arms Control and Disarmament Agency for 1963 is scheduled at $6.5 million.

Mr. Hitch asserts: "I am sure you will recognize that the major responsibility in a free economy such as ours must fall on the individual companies affected." In connection with the operation of the Department of Defense, no such assumptions are utilized. Instead, the Department of Defense has developed an elaborate system of managerial control with respect to the contracting firms to insure their compliance with the wishes of the Department: study contracts, research and development contracts, production contracts, are all developed between the Department of Defense and various contracting agencies in elaborate detail. A major proportion of the contracts which are let by the Department are not even open to competitive bids.

During the past 10 years, the Department has built up an elaborate system of dependence upon its operation among the various industrial firms and has refused to alter that condition. For example, a year ago, I met with officials in the Office of Economic Adjustment, of the Department of Defense, to invite their participation in a New York management conference on industrial conversion. They responded saying that they could not participate since General LeMay would not approve of any activity which would cause various military contractors to give other than undivided attention to the requirements of the Air Force.

Mr. Hitch says: "What the Government can do is to study the problem in its broadest outlines, develop the data necessary for private planning, and make this data available to private industry. This is being done." The point is precisely that this is not being done. Furthermore, there seems to be a sustained, if discreet pressure, against generating such a competence among the firms involved.

XI. TEST BAN

Your last question, Mr. Congressman, concerns the test ban issue and the possible effect of our recommendation for the maintenance-of-forces military budget on the test ban treaty.

In my judgment, the situation is this: once we, in the United States, understand the transformed condition of offensive and defensive operations under conditions of multiple overkill, the "risks of the test ban" are seen in a new light.

At the very worst, what risks are involved in the Soviet acquiring 10, or 20, or 100 percent more overkill capability if, as we have calculated their competence is in excess of 100 times overkill? The gain to be had from an international test ban agreement which might halt the spread of nuclear weapons is so great as to justify whatever risks may be involved.

If the security of the United States is a combination of political, military, and economic strength, then the pursuit of surplus destruction, which is seriously jeopardizing our economic and political power, must be reevaluated.

May I thank you once again, Congressman Ryan, for your constructive initiative in undertaking this exchange of correspondence on our country's problems.

Sincerely,

SEYMOUR MELMAN,
Professor of Industrial Engineering.

Possible major budget reductions

[In billions of dollars]

	Proposed Budget	Possible budget reduction
Procurement:		
Procurement of equipment and missiles, Army	3.2	1.0 - 2.0
Procurement of aircraft and missiles, Navy	3.0	2.0 - 3.0
Shipbuilding and conversion, Navy	2.3	1.0 - 2.0
Other procurement, Navy	1.2	.5 - 1.0
Aircraft procurement, Air Force	3.5	2.0 - 3.0
Missile procurement, Air Force	2.1	1.0 - 2.0
Other procurement, Air Force	1.0	.0 - 1.0
Total		7.5 -14.0
Research, development, tests, and evaluation:		
R. & D., tests, and evaluation, Army	1.4	1.0 - 1.2
R. & D., tests, and evaluation, Navy	1.5	.8 - 1.3
R. & D., tests, and evaluation, Air Force	3.6	3.6 - 3.6
R. & D., etc., Defense agencies	.4	.4 - .4
Emergency fund, Defense	.15	.15- .15
Total		5.95- 6.65
Atomic Energy Commission	2.9	2.0 - 2.0
Military assistance	1.5	.5 - 1.0
Miscellaneous	2.0	1.0 - 2.0
Grand total		16.45-25.65

CIVIL WAR CENTENNIAL OBSERVANCES TO BE HELD AT GETTYSBURG, PA.

Mr. GOODLING. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GOODLING. Mr. Speaker, many Members have asked for information regarding the Civil War Centennial Observances to be held at Gettysburg, Pa., on July 1, 2, and 3.

As a part of my remarks I include the highlights of the program, and also an original poem by Col. Sidney Morgan, U.S. Army, retired.

PROGRAM

JULY 1, OUR HERITAGE—2 P.M. AT THE ETERNAL LIGHT PEACE MEMORIAL

Appropriately, the 1963 commemoration will begin at the Eternal Light Peace Memorial on the site of the first day's clash of the 3-day Battle of Gettysburg. A new generation will assemble in a spirit of unity and brotherhood.

The highlights of the first day afternoon program are:

A mass tribute by the Governors or distinguished representatives of States whose troops fought and fell at Gettysburg.

An address by the Honorable William W. Scranton, Governor of Pennsylvania.

A dedication of the Gettysburg commemorative stamp by the Honorable J. Edward Day, Postmaster General.

A presentation of deeds to additional battlefield land by the Pennsylvania Commandery of the Military Order of the Loyal Legion and the Gettysburg Battlefield Preservation Association to the Honorable John A. Carver, Jr., Assistant Secretary of the Interior.

A rededication of a new torch of peace by youthful descendants of those honored dead and posting of the State flags to musical accompaniment.

JULY 1–3, VIGNETTES OF HISTORY—JULY 1–3, 9 A.M. TO NOON

A series of episodes dealing with the daily behavior of men under the stress of battle will be staged near the very spots where they are supposed to have occurred. They will be dramatized continuously each morning. "Vignettes of History" will be presented at Spangler's Spring, Devil's Den, Meade's Headquarters, Barlow's Knoll, and at points within the town itself. They are written and produced by Mrs. Roy Gifford of the Adams County Centennial Committee.

JULY 2, STRENGTH THROUGH UNITY—PAGEANT PARADE 1 P.M.

On the second day, a 2-hour pageant parade representing the elements of U.S. history which have built the military might of our Nation will pass through the streets of Gettysburg where the battle raged 100 years ago. Maj. Gen. Henry K. Fluck, Commander of the 28th Infantry Division of the Pennsylvania National Guard, will be grand marshal.

More than 5,000 members of the Armed Forces, the First City Troop of the Philadelphia Cavalry, the 1st Battle Group of the 3d U.S. Infantry, Pennsylvania National Guard and Reserve components will march in the modern military division of the parade.

More than 1,500 Sons of Union Veterans, members of the Confederate High Command, reactivated Civil War units and North-South Skirmishers Association—all in traditional blue and gray—will parade in the historical division. They will march to the music of bands from Illinois, New York, Maryland, Virginia, Pennsylvania and North Carolina. One of the most interesting bands will be the pride of Tarheelia, the famed North Carolina 26th Regiment Band, playing original instruments and arrangements of the Civil War.

JULY 3, HIGH WATER MARK—3 P.M. AT CEMETERY RIDGE

The decisive climax of the 3-day battle of Gettysburg will be memorialized by more than 1,000 men in blue and gray.

On July 3, 1963, at 3 p.m.—precisely 100 years later—500 men in gray with Stars and Bars flying will emerge as though from the past to cross that fateful field in a dramatization of that storied southern charge. And, at the Bloody Angle of the Stone Wall, near the same copse of trees where the assault was stopped on Cemetery Ridge, 500 men in blue with their own traditional flags will resolutely await them.

But this time there will be no combat or carnage. Instead, the blue and the gray will join in fellowship to pledge their common allegiance to that symbol of today's unity—the Stars and Stripes.

Representing the Union soldiers will be Sons of Union Veterans, reactivated Civil War units and North-South Skirmishers Association under the command of Col. O. G. MacPherson, commanding officer of the Sons of Union Veterans National Military Department. The Confederate troops will be members of the Confederate High Command and reactivated Civil War units under general in chief of the CHC, Donald Ramsay.

Special events

The Gettysburg Fire Company's 15th annual memorial program on June 30 at 7:30 p.m. will present former President Dwight D. Eisenhower as principal speaker.

The National Park Service will conduct a campfire program each evening in Pitzer's Woods on West Confederate Avenue. The program features the 30-minute MGM color film, "The Battle of Gettysburg."

The Story of the Flag by the 1st Battle Group, 3d U.S. Infantry, Fort Meyer, Va., July 2 at 7:30 p.m. at the Eternal Light Peace Memorial.

All churches of Gettysburg will be open for meditation during the commemoration. In addition, all clergymen will use as the theme for Sunday, June 30, "This Nation Under God."

Exhibits and displays

Numerous interesting displays will be on exhibition during the centennial. The Department of Defense Civil War exhibits and the post office Gettysburg commemorative stamp designs will be on display in the Gettysburg Joint Junior High School on Baltimore Street. The fabled Civil War locomotive, "The General," will be spotted at Western Maryland Railway freight station on Stratton Street. Currier & Ives Civil War prints will be at the Visitor Center.

GETTYSBURG—THE FIRST DAY, JULY 1, 1863

Arise and shine! Prepare to weep—
You drowsy, peaceful, Pennsylvania crossroads town,
Your slumber's over—your youthful sleep!
Henceforth—unsought—yet inescapably—renown
Will press upon you a sad yet shining crown
In memory of these days of racking, violent loss
Because your handy, star-shaped road net lay across
Not only paths of armies, South and North—
But the very tide of history itself surging forth—
Traps you in its foaming, roaring flood
To mark the crest of epic strife
In another sea of blood.

Last night those bars of red across the mottled sky
Flashed you a portent, a clutching panic dread
As Buford's tired Blue horsemen stumbled by,
Saddles creaking, scabbards, blades, clinking—a dusty hour,
To make another hard, weary-soldier bed
Beneath the watchful Lutheran Seminary tower,
Along the low westward-looking ridge
Fronting the railroad cut, McPherson's Wood,
The brook, the worn little wooden bridge
Bearing the empty road to Cashtown.

From all of these the brief night through,
The patrols, the pickets, the outposts cast down
Behind the forward fences, searched with anxious eyes
The distant dim Blue Mountain wall which hid
The unwelcome thrust, now no surprise,
Of Gray legions questing warily for Blue—
Bound at some fateful, well-timed instant to break through
And sweep away in fire and fury—if they can—
These new guardians of your open western gate—
That thin Blue line of cavalry—horse, gun and man—
Poised now to prove whether guns too few and holding force too late.

Sure enough! There! Out of the hazy summer dawn,
As the night mists roll off and lift away,
Spread across the pike, the fields each side,
Dim lines of gray take shape, come flowing on,
Making the bushes shake and the briers sway.
Skirmishers! Undulating waves keeping stride!
Can the barefoot think as they wince along,
"What price, Gettysburg—those new shoes today,
"If you haven't sent them all away?"
But there's a terrible magnificence about them all,
More deeply stirring than that faint far trumpet call—
Not the threadbare uniforms, or the way the shot-torn flag folds fall—
Not the thin, brown bodies, bare heads, makeshift shoes,
The glinting musket barrels polished by constant use—
All impressive enough to a stranger's casual eye
Gazing on young-old soldiers again about to die.

But those battle-skilled, trim, steady lines
Driving relentlessly on with steel in their spines,
Are tested veterans, victors often in earlier strife,
Proud of themselves, their cause, their way of life.
The motley shirt, the butternut jean
Are a panoply covering far more than seen.
They drape an armor of spiritual steel
Which a hundred years later still make men feel
No knightly caparison ever more nobly worn
Than that poor butternut gray this grim summer morn.

Ah, yes! That shoeless boy in gray there who now forever sleeps?
He's won golden spurs and slippers to walk the golden streets.

—*Sidney Morgan.*

THE NAVY

Mr. WILSON of Indiana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. WILSON. Mr. Speaker, on April 10 of this year I informed my colleagues that the Navy was up to its old tricks again, by secretly and improperly mailing a bid set to a sole-source—no competition—supplier before the required determination and findings justifying such a purchase had been signed. Today I want to show that the Comptroller General has supported my charge. I also want to show that a top Navy official ignored a law enacted by the 87th Congress in issuing a procurement document for the AN/DRW 29 drone radio.

My April 10 presentation dealt with the no-competition purchase of this radio from Babcock Radios, Costa Mesa, Calif. I want to say here and now that I find no fault with Babcock. It is in business to make radios and it plays by the Navy rules. However, it was and still is my contention that a competitive procurement should have been undertaken for this equipment and that Assistant Secretary of the Navy for Installations and Logistics Kenneth M. BeLieu erred in signing a "D. & F." well after the procurement was locked up and on its way to completion.

Mr. BeLieu was not within the law when he signed the sole-source "D. & F." I referred to here on April 10, and my authority for this statement is Joseph Campbell, the Comptroller General. In answer to my request for information on the way the AN/DRW 29 was purchased, Mr. Campbell wrote me on June 11. In answer to my specific question about the propriety of issuing a procurement document, getting the skids greased, and then later issuing the justification for the whole deal, Mr. Campbell said:

> As to your question concerning the propriety of initiating a negotiated procurement prior to issuance of a determination and findings, the Departments' procedure in this procurement is apparently predicated upon the premise that 10 United States Code, sec. 2303(2), as implemented by the provisions of Armed Services Procurement Regulations 3-000(iii) and 3-102(b)(ii) requires a determination and findings only as a prerequisite to "making" or "entering into" a negotiated contract. While such construction, based solely on the language of 10 United States Code, sec. 2032(2), may have been justifiable prior to enactment of Public Law 87-653, it is our opinion that a similar construction of the law, as presently constituted, is no longer proper. A copy of our letter of today to the Secretary of Defense, recommending that appropriate revisions be made in the regulations, is enclosed.

Mr. Speaker, that law was passed October 15, 1962.

In that letter, Mr. Speaker, the Comptroller General outlines to the Secretary of Defense the case against issuing sole-source D. & F.'s after the procurement is well in progress, and says, in conclusion:

> We suggest that your immediate consideration be given to amending the armed services procurement regulations to require written determination and findings prior to the issuance of requests for proposals.

There you have it, Mr. Speaker. The Comptroller General's statement that the Assistant Secretary of the Navy for Installations and Logistics, a man who should know more about ASPR and the United States Code than any other Navy official, ignored a law enacted by the 87th Congress. There you have the concrete evidence that the will of Congress still has not been fulfilled. I hope it will be soon.

For Mr. BeLieu to say he was ignorant of the change would be the height of folly since he and other procurement executives resisted its passage and were charged with such resistance during hearings held last summer.

Mr. Speaker, this is another reason why my bill, H.R. 4409, should be enacted into law. If the Assistant Secretaries of the Armed Forces will not keep abreast of the law and abide by it, then we in Congress must see that they do so. I know of no better mechanism than to institute a bipartisan joint congressional committee to ride herd on these Secretaries and the negotiated procurements they rubberstamp day after day after day, ad nauseam.

I think it also appropriate to call the attention of the House at this time to another of Mr. BeLieu's recent actions. Last year in hearings before the Armed Services Committee's Special Subcommittee on Investigations, the sole-source purchase of a radio identified as the AN/PRC 41 was being studied. Mr. BeLieu authorized that sole-source procurement, while I tried to force competition and a lower price that would save over a million dollars for the taxpayer.

On page 96 of the hearings, Mr. BeLieu was being questioned by the Honorable Edward Hébert, then chairman of the subcommittee. Mr. BeLieu assured my colleague:

> I have issued instructions—and I am sure they are being followed—but there will be production drawings just as soon as possible on this first production run. This is part of our program, to get to the position of competition.

Mr. Hébert said the word "Anticipating"?—and Mr. BeLieu answered, "Competition." Mr. Hébert asked, "A new contract and a competitive contract" and Mr. BeLieu answered, "That is right."

You would think that meant the next time the AN/PRC 41 was bought it would be through competitive bidding, would you not? Well, on May 29, 1963, a procurement document was issued for the second purchase of the AN/PRC 41. Mr. BeLieu signed the D. & F.—attempting to justify a second sole-source award for the production of this radio, which shows how much his pledge to a committee of this Congress can be trusted.

That is the next case in the series I am presenting to show that H.R. 4409 is badly needed to bring about efficiency in military procurement. It will be presented early next week. I hope every Member studies it.

NATIVE DOMESTIC LABOR FOR AMERICA

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, we have been told that the termination of Public Law 78 will mean the end of agriculture in California and Texas. I do not share that belief, and wish to call the attention of this House to an article in the Sunday edition of the New York Times, which indicates that domestic labor can take up the slack easily. We do not need foreign contract laborers or coolies or anything of the kind. What we need is effective utilization of our own labor pool.

The editorial follows:

Need of Braceros in West Disputed—Surplus of Farmhands Seen by California Committee

Los Angeles.—California has 150,000 surplus domestic farm workers available to take up any slack caused by the impending end of the Mexican bracero program.

That statement was made this week by the Reverend John G. Simmons, chairman of the emergency committee to aid farm workers. Mr. Simmons appealed to Al Tieburg, State director of employment, to make full disclosure of the names of bracero users in California.

"Employers of imported Mexican nationals have successfully hidden their identity behind the names of grower associations," Mr. Simmons said in the letter. He continued:

"All of the 143,562 different braceros in California in 1962 were employed by only 7,694 growers—8 percent of the 99,000 farmers in California. Most of this 8 percent used only a few of the total number, while the largest growers used the great majority of the braceros.

"There is not a shred of evidence that these large operators cannot afford to pay the cost of hiring American workers. And there is incontrovertible evidence that California's unemployed seasonal farmworkers are available to fill the jobs of braceros."

STATE RECORDS ARE CITED

Mr. Simmons cited social security records maintained by the State department of employment as showing that 407,799 domestic workers were employed at some time last year on the State's farms, but that the peak number hired at one time, in September, was only 258,000. This he said, indicated a total of almost 150,000 more farmworkers available than are employed at any one time.

"This is more than enough to replace the 72,900 foreign contract workers in California during the same peak period, and certainly enough to eliminate the need for braceros in all other periods," he said.

The Council of California Growers has maintained that the end of Public Law 78 this year will impose a particular hardship on small farmers.

The council says the labor gap cannot be filled by domestic hands in time to avert some losses to the State's $3 billion agricultural business.

Congress recently refused to extend the labor importation law, first passed as a World War II measure to combat labor shortages.

The emergency committee headed by Mr. Simmons contends that the use of braceros not only has kept farm wages low, but has also hurt the small farmer by making it harder for him to compete with large-scale employers.

WEST VIRGINIA'S 100TH BIRTHDAY

Mr. HECHLER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER. Mr. Speaker, today marks the start of West Virginia's second century. On June 20, 1863, the Mountain State of West Virginia officially became the 35th State in the Union. On April 20 of that year, President Lincoln signed the proclamation stating in part:

> Now, therefore, be it known, that I, Abraham Lincoln, President of the United States, do, hereby, in pursuance of the act of Congress aforesaid, declare and proclaim that the said act shall take effect and be in force, from and after 60 days from the date hereof.

The eloquent words of the Reverend Dr. Allen's prayer which opened the House of Representatives today brought to us the spirit of the people of West Virginia. Born during the fiery turmoil of war, blessed with an unquenchable thirst for freedom, the people of West Virginia have lived in the economic paradox of great mineral riches beneath the soil without a corresponding wealth among all the people.

Just what is the characteristic which marks the West Virginian? Our opening prayer today referred to "their respect and love for the land and their kind brotherliness, one to another." In his searching analysis of the 1960 presidential campaign, "The Making of the President," T. H. White wrote of West Virginians:

> These are handsome people and, beyond doubt, the best mannered and most courteous in the Nation. These are people who teach their children to say "Sir" and "Thank you" to their elders; they speak in soft and gentle tones. Moreover, these are brave people—no State of the Union contributed more heavily to the Armed Forces of the United States in proportion to population than did this State of mountain men; nor did any State suffer more casualties in proportion to population.

Perhaps an hour ago, standing in the driving rain in front of the State capitol building in Charleston, W. Va., were 10,000 men, women, and children. They were waiting for the President of the United States, who had promised to come back to West Virginia and help them celebrate their 100th birthday. President John F. Kennedy did not disappoint them. Flying from Washington, D.C., with Representatives Harley O. Staggers and John M. Slack, Jr., and U.S. Senators Jennings Randolph and Robert C. Byrd, President Kennedy landed at Kanawha Airport and drove through the city of Charleston to where the umbrella-shrouded throng was assembled. Bareheaded, he faced the crowd as the skies continued to open in torrents. What was said by the president of West Virginia University, Dr. Paul Miller, or the Governor of the State of West Virginia, the Honorable W. W. Barron, was significant and impressive, but the centennial crowd obviously wanted to hear the President of the United States.

President Kennedy reminded his listeners that he knew of no State whose people "have a greater sense of pride in themselves, in their State and in their country." The President pointed out:

> In many other places this crowd would long ago have gone home, but this State was born in a period of difficulty and tension. It has known sunshine and rain in a hundred years.

He quite properly indicated:

> I would not be where I now am; I would not have some of the responsibilities which I now bear, if it had not been for the people of West Virginia, and, therefore, I am proud to come back here on this rainy day and salute this State and join you in committing West Virginia and the country to another 100 years of progress. I salute West Virginia, and I will carry on Saturday when I go to Europe the proud realization that not only mountaineers, but also Americans, are always free.

THE 25TH INTERNATIONAL AIR AND SPACE SHOW—PARIS

Mr. FULTON of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FULTON of Pennsylvania. Mr. Speaker, the International Air and Space Show in Paris, which took place on the 14th and 15th of June 1963, at Le Bourget Airport, was an outstanding exhibition of the highest level of ability. Flight demonstrations included military and civilian aircraft precision flying performed by Air Force teams from Italy, France, United Kingdom, and the United States. It was the largest international airshow to date, with 15 nations from both the free world and Iron Curtain being represented. Several years ago, I had the opportunity of attending the British air exhibit. It certainly gave me an opportunity of seeing how our own aeronautics policy in the United States had developed and in addition an opportunity to see the aeronautics of Great Britain.

Last May at the European American Space Assembly, U.S. representatives gathered at Brighton, England, to discuss with representatives of European countries advances and developments in aeronautical and space policies. This was most informative for all who attended and gave each who attended background in policy and program.

I had hoped to make the current trip to Paris for the 25th international air show, but the afternoon before the time to leave, I was advised to go to Bethesda Hospital for X-rays in connection with an injury which resulted in several broken ribs. I was able to get my brother, Robert Fulton, of Pittsburgh, to go as an observer and report to me on the points in which I was interested, as he has long experience in various matters in air and space in which I was particularly interested. My brother is an experienced businessman, being the treasurer of Pennsylvania Drilling Co. of Pittsburgh as well as the publisher of various weekly newspapers which I own in suburban Pittsburgh. Because his observations are of value to the Members of the House of Representatives and the public, I am giving the following report:

First. In placing emphasis on the space program, the Federal Government should not overlook the progress in aeronautics. The aeronautics development program should be emphasized and continued.

Second. European nations are further advanced on developments in planes than most U.S. citizens realize. Fast, efficient, and excellent-handling craft were greatly in evidence at the Paris air show, plus good piloting and maneuvering.

Third. The U.S. Government should convince the aircraft industry in developing hypersonic planes of 2,000-mile cruising speed and a 3,000- to 4,000-mile range, for peacetime purposes, as well as the development of the RS-70 bomber program.

Fourth. It is recommended that a joint hypersonic plane program be developed by the Western nations—France, Britain, Germany, and Italy. Each of these countries shows every capability of advanced development in the aeronautical high speed field.

Such a joint program would first, be more economical than the present proposed competition by the United States with these countries; second, remove the friction of competing with our allies in the field in which they are already making progress; and third, make possible a speedier and more efficient program, as we could pool the progress already made to date by the Western nations. Secrecy and trying to outwit the programs of other countries will cost the United States money, time, materials, and friendship.

These observations and recommendations for change of policy of the United States have my complete approval and I believe it is well warranted under the conditions that prevail today in the United States as well as the free world. We must today make broad general policies both in the executive plan as well as in the U.S. Congress and the committees which have jurisdiction in aeronautic and space sciences, including the Committee on Science and Astronautics, of which I am a senior member.

LEGISLATIVE PROGRAM FOR WEEK OF JUNE 24

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I take this time to inquire as to the program for the balance of this week and, if the majority leader can tell us, as to the program for next week.

Mr. ALBERT. Mr. Speaker, there is no further program for the balance of this week.

Monday is District Day. There are two bills—H.R. 6177, to increase Federal contribution authorization to District of Columbia, and H.R. 4277, to increase District of Columbia borrowing authority.

Also on Monday there will be called up for consideration H.R. 6016—additional authorization for certain river basin plans; H.R. 5312, increasing the authorization for appropriation for continuing work in the Missouri River Basin by the Secretary of the Interior, and H.R. 5795—3 years' suspension of restriction on withdrawal from Treasury of postal appropriations.

For Tuesday and the balance of the week, the Department of Defense appropriation bill for 1964.

I may advise, Mr. Speaker, that all these bills are being programed on Monday. They involve matters which should be finished by the end of this fiscal year. We are, accordingly, programing all of them for Monday, although at least one of them might go over until a later day in the week.

I would like of course to make the usual reservation that conference reports may be brought up at any time, and that any further program will be announced later.

Mr. HALLECK. Could the gentleman tell us at this time when we might expect the continuing resolution on appropriations to be offered?

Mr. ALBERT. The gentleman from Missouri, chairman of the Committee on Appropriations, asked and was given unanimous consent that such a resolution might be in order any day next week. I understand that as soon as the

Committee on Appropriations is ready that matter will be in order.

Mr. HALLECK. We are running to the end of the fiscal year. I would venture to express the thought that consideration of that measure will have to go to the other body also, and that consideration here will not be postponed too long next week in order that the matter can be disposed of before the end of the week, which I think would be advantageous to all of us.

Mr. ALBERT. I share the gentleman's view. I hope we can finish all of these matters by the end of next week.

COMMITTEE ON RULES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain reports.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

ADJOURNMENT OVER

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule may be dispensed with next week.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

COMMUNITY MENTAL HEALTH CENTERS ACT OF 1963

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Carey] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. CAREY. Mr. Speaker, I am again pleased to join with my distinguished colleague the gentleman from Rhode Island, Hon. John E. Fogarty, in introducing a fourth bill in the field of mental illness and mental retardation. This bill, the "Community Mental Health Centers Act of 1963" has two main provisions: First, the authorization of grants to the States to construct comprehensive community mental health centers and second, the authorization of short-term project grants for the initial staffing cost of these centers.

With Congressman Fogarty I stress the crucial need for action in this field. As I did in my last message on this topic, I refer to my remarks in the Record on March 19, 1963, which is a comprehensive analysis of this field of legislation.

The President's message on mental retardation indicated the need for community mental health centers. This need has been supported by recent developments in mental health activities throughout the country which reveal that a large percentage of the mentally ill can be cared for in their home communities if adequate services are provided. However, in all but a few communities in the Nation, these facilities do not exist.

The community mental health center will correct this situation by providing early diagnosis, outpatient and inpatient treatment, and transitorial and rehabilitative services. We will help to provide community service to community people to solve a community problem. Basically, the patient will be able to proceed from diagnosis through treatment and recovery to rehabilitation in the shortest time.

This program has precedent in the Hill-Burton Act where Federal funds have long been used to help meet the cost of constructing health facilities. Health facilities are an integral and necessary part of our national mental health program.

Mr. Speaker, I again commend the efforts of the distinguished gentleman from Rhode Island. He has constantly urged this House to pass legislation which will lessen the burden of those suffering from mental illness and mental retardation. I salute him for his efforts in this vital matter, unequaled in the Congress and I join with him in urging passage of this legislation.

A SPECIAL COMMITTEE ON CAPTIVE NATIONS AND THE FIFTH CAPTIVE NATIONS WEEK OBSERVANCE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Flood] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FLOOD. Mr. Speaker, in accordance with Public Law 86–90—the famous Captive Nations Week resolution which Congress passed in July 1959—the American people will next month again observe Captive Nations Week. As in yesteryear, from Maine to Hawaii, from Florida to Alaska, Americans will by individual voice or organized rallies and ceremonies speak out in behalf of over 22 captive nations in Eurasia and this hemisphere. In the week of July 14–20 they will urge that our Government renew its moral and political determination to seek the liberation and freedom of Cuba and the two dozen captive nations in Eastern Europe and Asia. Our people will be celebrating the Fifth Captive Nations Week Observance.

PERFECT OCCASION FOR A SPECIAL COMMITTEE ON CAPTIVE NATIONS

This fifth observance of Captive Nations Week presents us in Congress with a perfect occasion for the formation of a Special Committee on Captive Nations. As many times in the past, this body can exercise leadership in a field that is of basic importance to the security of our Nation. No one seeks more to bury the truths and realities about all the captive nations than the Russian leader Khrushchev himself. Regrettably, there are many in this country, both in high and low stations, who would seek to accommodate him in this respect. In effect, they would have us throw into disuse one of our most formidable weapons in the cold war.

I cannot believe that we in Congress are prepared to disarm ourselves because the sensitivities of Khrushchev or a Mao tse-tung might be aroused. This powerful political weapon as represented by the captive nations of Europe, Asia and in this hemisphere must be provided for, strengthened, and constantly fueled so that our people will never forget their obligations to the preservation and expansion of freedom; so that our adversaries will not forget our determination to meet these obligations. As elected representatives of our people, we in Congress have a fundamental responsibility to perform—the responsibility of informing our people about all the captive nations, the responsibility of constantly investigating and studying developments in these nations, the responsibility of discerning the opportunities presented by these developments for the advance of world freedom.

This heavy responsibility can only be met in any satisfactory way by the formation of a Special Committee on the Captive Nations. And the perfect occasion for this act is now on the eve of the fifth observance of Captive Nations Week. The occasion is now for Congress to exercise its leadership in this vital field.

THREE DOZEN RESOLUTIONS CALL FOR A HEARING

Mr. Speaker, in the Rules Committee there are at present three dozen resolutions for the establishment of a Special Committee on the Captive Nations. These resolutions call for a hearing and a vote. I have requested the chairman of the Rules Committee to consider the proposal of a special committee in the light of all the maneuvers that have been staged these past 2 years to stall decisive action on this vital proposal.

ARMENIA AND RUSK

Mr. Speaker, in the judgment of numerous authorities on the Soviet Union the letter sent by Secretary of State Rusk to the Honorable Howard W. Smith, the distinguished chairman of the Rules Committee, should have been accepted as conclusive evidence of the real and pressing need for an investigative special committee. That letter of August 1961, stands as a classic in educated ignorance concerning the captive nations in the U.S.S.R. To conceive of "Ukraine, Armenia, or Georgia" as "traditional parts of the Soviet Union" and then to state that "Reference to these latter areas places the U.S. Government in the undesirable position of seeming to advocate the dismemberment of a historical state"—as though the Soviet Union were a historical state—leaves much to be desired in adequate understanding of the realities and forces at work in the U.S.S.R.

Recently, it was my privilege to address Americans of Armenian descent convening in Washington. They not only expressed to me their amazement at this deficient understanding by our Secretary of State, but also revealed their indignation over the fact that Moscow, at least in its propaganda, shows a more rational appreciation of the national being of Armenia than does our Secretary of State and countless others like him. The American Committee for the Independence of Armenia has issued a most illuminating statement on "Self-Determination and Armenia: Need for the Formation of A Special House Committee on Captive Nations." For the benefit of our Members, I include this statement at this point in the Record:

Self-Determination and Armenia

Impressed by the public reaction to the first Captive Nations Week resolution of Congress,[1] in March of 1961, Congressman Daniel J. Flood, Democrat of Pennsylvania, introduced before the 87th Congress[2] a bill, still languishing in the House Rules Committee for reasons discussed below, proposing the formation of a Special Committee on the Captive Nations. Mr. Flood's bill was followed by the filing of 28 similar proposals by Congressmen of both parties.[3]

Mr. Flood perhaps little foresaw the reaction his perfectly sensible proposal would trigger in the Department of State.

When Congressman Smith, head of the House Rules Committee, called for a hearing on the Flood and correlated bills, strong testimony was heard from proponents of the measure, while nobody appeared in opposition. Mr. Smith nevertheless found himself under pressure to hold what were to be patently delaying "added hearings." These never took place. Instead, a motion to table the Flood bill was boldly made before the Rules Committee—and defeated.

Attempts to delay, postpone and finally cancel outright consideration of the bill led to a bizarre episode. It was generally known that the Department of State looked with displeasure on the Flood proposal; and in order to bring to the surface the in-camera opposition, State was invited to testify before the rules group.

The Secretary of State however responded by way of a letter addressed to Congressman Smith, which read in essential part:

"The President and I have both expressed the conviction that a final settlement of the problem of Berlin, of Germany and of Central Europe must take account of the right of self-determination of the peoples concerned. However, the U.S. Government's position is weakened by any action which confuses the rights of formerly independent peoples or nations with the status of areas, such as the Ukraine, Armenia or Georgia, which are traditional parts of the Soviet Union. Reference to these latter areas places the U.S. Government in the undesirable position of seeming to advocate the dismemberment of a historical state."[4]

The extraordinary proposition that Armenia, the Ukraine and Georgia are "traditional parts of the Soviet Union," and that reference to these "latter areas places the U.S. Government in the undesirable position of seeming to advocate the dismemberment of a historical state," seems clearly to spell out what appears to be a departmental policy with reference to the colonial states ingested federally and forcibly into the Soviet Union.

ARMENIA VERSUS THE SOVIET—WHICH IS THE HISTORICAL STATE?

The suggestion that Armenia is an area, while the Soviet is "a historical state" is absurd. It constitutes a misjudgment of the facts. The opposite is more to the truth: Armenia is the historical state, the Soviet Union, the area.

The "historical state" of the U.S.S.R. has been in existence for scarcely 40 years; Armenia was a nation—fulfilling all the functions, qualifications, and attributes of nationhood—when the Russian steppes came to the attention of early historiographers as the abode of a remote, wild and nomadic people known vaguely as the Scythians.

Ancient Armenia was the contemporary of Assyria, Elam, Chaldea, Babylon, Sumerea, Judea, Egypt, the Hittites, Greece, Macedonia, Medes, Zoroastrian Persia, and other early states, all of whom it has survived. It was the land of Eden, and on its "mountains of Ararat" the Ark came to rest. Its aboriginal ethnic strain bolstered by the arrival and absorption of Greek colonists from Thessaly, Armenia maintained its sovereignty at a time when most of the nations of the known world were succumbing to the "wolflike Assyrian." The earliest of Western historians were familar with Armenia.[5] The Avesta referred to Armenia as "that blessed land of purity."

The fiercely independent nature of the Armenian nation became a legend in ancient days. Such political fugitives as Hannibal sought refuge in Armenia and there observed the Armenian King Artaxiad establishing for the first time in documented history a recognizable enlightened feudal order in which the peasantry was safeguarded by monarchic decree from the exploitation of the nobility.

Armenia reached its territorial zenith during the reign of Tigranes (the Great) (95–54 B.C.), who fought against the incrustation of Roman power in Asia Minor. Its orientation, indeed its ethnic structure and cultural and other predelictions have always been Western in form, although the creative and talented people of Armenia have created a unique cultural heritage which has served as the perfect bridge between East and West.

Armenia remotely developed and perfected its own Indo-European tongue which, characteristically of the nature of the nation it serves, is an independent branch of that family of languages. Again characteristically, in A.D. 278 Armenia pioneered in the massive Christian revolution, becoming the first nation in history to adopt that religion as the state religion. It has jealously guarded the independence of its great National Armenian Apostolic Church of Christ through the harrowing centuries.

In A.D. 404, it devised its own alphabet as another step toward preserving and asserting the independent character of the nation and people.

Armenia is a nation with its own national language, its own national alphabet, its own national church, its own national culture and traditions. It is a nation that has distinguished itself in the annals of mankind by its doggedly successful effort to preserve its nationhood in the face of some 18 major invasions that have swept over the land and brought into Armenia some of the fiercest conquerors of history. It is in the living example of the futility of genocide. It blesses national fortitude. It seems hardly credible that such a nation can even in the wildest of imagination be termed an area or a traditional part of an entity geographically and politically defined for but four decades.

Now let us take a look at that historical state—the Soviet Union.

The area known as the Union of Soviet Socialist Republics is composed presently of 15 so-called republics. One of these, the largest, the Russian Federated Soviet Socialist Republic, is the only Republic that is in major part Russian, but even that Russian unit has incorporated into itself areas of states, once free, or still free.[6]

In the U.S.S.R. many tongues are spoken. There are as many cultures as there are peoples. There are literally hundreds of ethnic and racial and linguistic stocks. All these were brought together in statehood through subversion and aggression. The Kremlin is trying desperately to create a "one nation with one language, one people," but this russifying effort betrays its areal nature. Each of the 14 Republics attached to the Russian Republic has been forcibly annexed. It is a fabricated, manufactured, multinational, ersatz entity, with no historical background. It is composed of once independent nations, such as Armenians; and it is remarkable that the Department of State finds this motley group to be a historical state, while such nations as Armenia, Georgia and the Ukraine which antedate the establishment of the Soviet Union by hundreds and in some cases thousands of years, and that of the founding of Russia by at least hundreds of years are thought to be areas and traditional parts of the Soviet Union.

Whatever its reasons, the Rusk letter makes it quite plain that the incorporated states of the Soviet Union are without the pale of the American doctrine of self-determination. In this apparently there is regrettable agreement with the Bolsheviks, who say, according to Mr. Douglas Dillon, present Secretary of the Treasury, that, "since we have determined that our Soviet is, by self-determination, not an imperial state, no people have the right to escape from it."[7]

ARMENIA: HOW THINGS HAVE CHANGED

We can best emphasize the grotesque change that is taking place in American policy by again citing Armenia.

How times have changed. In 1915, the Armenian people were subjected to a terrible ordeal of massacre and deportation on the part of the Turkish conqueror. Scarcely 2 years later, in one of the real miracles in the history of mankind, the nation that ought to have died fielded an army, replaced the departed Russian forces, fought its oppressor alone, defeated him and, as the proud "little ally" [8] of the Western Powers, established itself as the "Independent Republic of Armenia."

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[1] S.J. Res. 111, H.J. Res. 454, 459, passed on four consecutive annual occasions accompanied by a Presidential Proclamation.

[2] Filed as H.R. 211, 87th Cong., 1st sess.

[3] Notably, H.R. 267, of Congressman Edward Derwinski, Republican, of Illionis. Bills have also been entered by Congressmen Philbin, Rodino, Stratton, Halpern, Conte, Cunningham, Bow, William E. Miller, Bruce, Collier, Dwyer, Wallhauser, Rostenkowski, Schadeberg, Pucinski, Robison, Dulski, MacGregor, Morse, Dingell, Farbstein, Becker, King, Clark, and former Congressman, now Governor of Pennsylvania, Scranton.

[4] An excellent reprint of this letter appears in The Ukrainian Quarterly (winter 1961; vol. XVII, No. 4), p. 295. It ought to be noted that a second letter to Mr. Smith from the same source sought to give assurance that "there is no change in the U.S. Government's long established policy toward the peoples of the U.S.S.R." but failed to withdraw its interpretation of what it considered to be the status of the Ukraine, Armenia, and Georgia (vid., op. cit., 298, for the text of this letter as well as a discussion).

[5] For instance, Herodotus, Strabo, Pliny, Ptolemy, etc.

[6] As an example, the Finnish-Karelian Republic was incorporated into the R.F.S.S.R. in 1956, but of course was a part of free Finland before its annexation by the Soviet. Other once-free states are today wholly or in part annexed by the R.F.S.S.R.

[7] See the text of this remarkable speech, delivered before a gathering of Polish Americans while Mr. Dillon was Undersecretary of State in the Eisenhower Cabinet, in Hairenik Weekly, Boston, Oct. 3, 1960.

Its doughty army, unaided, staved off a Turkish offensive directed at the oil city of Baku, on the Caspian, thus preventing the forces of Germany, the ally of Turkey, from receiving needed petroleum supplies. German, Turk, English, French, and American—friend and foe alike—marveled at the courage of the little Armenian Army.[9] In recognition of its statehood and its contributions to the Allied victory, Armenia in 1919 was given de facto recognition by the U.S. Government and almost all the other Western Powers, pending the deliberations and final decisions of the Paris Peace Conference relating to the boundaries, but not the sovereignty, of the new republic.

Armenia thus exchanged diplomatic representatives with the American Government. American aid poured into the republic. An American mandate of the nation was seriously proposed—one of the rare instances in the history of the United States that a mandate proposition of this type has gotten as far as the United States Senate—but was turned down only because of the rising tide of American isolationism directed against what was cynically being termed Wilson's "globaloney." The independence of Armenia Wilson made one of the principal platforms of his 14 points, and the President himself actually executed at the behest of the Allies his celebrated delineation of the boundaries of the Armenian Republic [10]—which included what is today the Armenian Soviet Republic, as well as other historically Armenian soil presently held by Turkey.

By 1920, the Armenian republic had made important strides towards ameliorating the chaotic conditions it had inherited. A national democratic election—the first of its kind ever held in Asia Minor—had given the Nation its popular government; industry had been established, the educational system had been prefected, free enterprise, encouraged by the Government, was producing a healthy economy and excellent future national prospects. Into this exciting atmosphere of national reconstruction intruded the Communist. An abortive May Revolt was suppressed as Turkish pressure exerted by the Kemalist tide grew on Armenia and Turkish and Soviet diplomats met secretly in Moscow. Finally, in a joint attack, Soviet and Turkish forces attacked Armenia and destroyed the democratic government—even at a moment when Armenian officials were closeted with Soviet representatives in an attempt to avoid war.[11] Shades of Pearl Harbor! Feverish in its opiatic dream of isolationism, the West moved not a hand to save Armenia.

THE CAPTIVE WORLD

The terrible pattern of operations which wrested from the West one of its more valued and deserving democratic republics was to be repeated in similar form throughout the Soviet era of expansion. In all, 14 independent states fell to Soviet subversion and outright military aggression and are now—or so we are assured—"traditional parts of the Soviet Union" which apparently qualifies as a historical state through aggression, not self-determination:

(1) Armenia, independent May 28, 1918, fell December 2, 1920; (2) Azerbaijan, independent May 29, 1918, fell 1920; (3) Byelorussia, independent March 25, 1918, fell 1921; (4) Cossackia (Kuban), independent February 16, 1918, fell 1920; (5) Cossackia (Don), independent May 5, 1920, fell 1920; (6) Estonia, independent February 24, 1918, fell June 1940; (7) Democratic Republic of the Far East, independent April 4, 1920, fell same year; (8) Democratic Republic of the North Caucasus, independent May 11, 1918, fell 1920; (9) Georgia, independent May 26, 1918, fell 1920; (10) Idel-Ural, independent November 12, 1917, fell 1920; (11) Latvia, independent November 18, 1918, fell June 1920; (12) Lithuania, independent February 16, 1918, fell June 1940; (13) Turkestan,[12] independent, April 15, 1922, fell later same year; (14) Ukraine, independent January 22, 1918, fell 1920.[13]

These are today outright, incorporated colonies of the Soviet—captive states despite the constitutional privilege given them to secede from the Soviet Union—something which no republic has dared attempt to do.[14]

To these imperial subjects may be added the so-called satellites in Europe, nations so enmeshed in the political, geopolitical, economic and social structure of the "mother" Soviet Union as to make their nominal independence, as that of the republic states—the incorporated slave states—a simple and cruel mockery.

In the incorporated captive states enumerated above, there dwell about 114 million people—of non-Russian persuasion. This figure does not cover other smaller non-Russian tribal groups in the Soviet Union. On the other hand, the mastering Russians total only about 96 million, a perfect example of a minority group dominating a majority—and of course a classic colonial syndrome.

If we were to take the populations of all the nations mentioned as once free in the congressional Captive Nations Week resolution, add to them the people of the Russian Republic, we would find that there are today in the Communist world dominated by Moscow 906,822,000 people—approximately 36 percent of the population of the entire world. The vast majority of these of course are non-Russians.

Now then, if it is American policy to exert honorable power as a factor in ensuring its own security, then it would be wisdom itself to aspire to the disintegration of such a vast empire motivated today by the Moscow Communist dream of world revolution, an ill-begotten empire being geared by Moscow for the communization of the world.

At least, the United States ought not to act to encourage the stronger congealment of Moscow's hold over its captives; nor should it discourage the aspirations of the captive peoples to return to their former status.

If the U.S. Government is retailoring its colonial thinking to conform with the euphoric vision that the Soviet Union is "mellowing" and given time it will "mature," it ought to keep in mind that the Soviet Union emerged from World War II with a gain of 262,000 square miles of territory and over 22 millions of people. The expansion of the imperial power of Soviet Russia has since World War II greatly accelerated, at a time when according to Dr. Bunche, the Western colonial community has dwindled to 100 million. Since the formation of the United Nations, according to the same official, 700 million people have been freed of colonial bondage.[15] What Mr. Bunche did not say, however, is that not one of those who have been freed was a former Soviet slave.

While colonialism in the West diminishes to its death, the colonialism of the Soviet expands and flourishes.

NONPREDETERMINATION

One would think that the departmental misinterpretation of history regarding the status of the Ukraine, Armenia, and Georgia in connection with the Soviet would be disturbance sufficient to Americans whose parental nations are Soviet captives, but these same Americans are equally disturbed by the failure of the Department to take a positive stand favoring the extension of the basic American precept of self-determination to the incorporated, once free nations of the U.S.S.R. In this regard, lately there have been strong indications that the Department has rather hit upon a formula bearing an interesting neologistic label—"nonpredetermination."

According to a Deputy Assistant Secretary of State, departmental thinking goes somethink like this:

"The attitude of the U.S. Government toward the aspirations of the peoples of the Soviet Union which sometimes has been termed a policy of nonpredetermination, is in fact a corollary of our fundamental policy favoring the right of self-determination. What this policy is that, while continuing to affirm our sympathy and support for the just aspirations of the many peoples of the Soviet Union, the U.S. Government does not presume here and now to define these aspirations as they exist, or may develop, or to prejudge the political arrangements which might be preferred by these peoples if they were free to choose them, tomorrow, or 10 years hence." [16]

This sentiment, expressed before the same gathering which had been assured by a Presidential message, that, "the U.S. Government strongly supports the just aspirations of all peoples to national independence, governments of their own choosing," [17] led a great nationalities newspaper to comment bitterly:

"But the tone of his [the Deputy Assistant Secretary of State] and the message of President Kennedy are as far apart as the North and South Poles. While President Kennedy speaks openly of the basic goal of U.S. foreign policy, which pledges the support of all peoples in the struggle for freedom and national independence, the State Department pays lipservice to the principles of national self-determination by introducing a statement on 'nonpredetermination.'"[18]

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[8] The expression is that of Clemenceau. See Pasdermadjian's excellent study, "Why Armenia Should Be Free" Boston, 1919.

[9] See especially, the memoirs of Generals Ludendorff and von Sanders. There are similar statements on record from Allenby, Haig, Lloyd George, President Wilson, Ambassador Morgenthau, and the American military.

[10] President Wilson submitted his delineation of the Armenian boundaries through the American Ambassador in Paris to the Secretariat General of the Paris Peace Conference on Nov. 24, 1920.

[11] The events of the sovietization of Armenia are graphically and accurately related in Special Report No. 5, of the Select Committee on Communist Aggression, House of Representatives, 83d Cong., 2d sess.; Washington, 1955.

[12] The Turkestan Independent Republic has been separated into four parts—the Kirghiz, Tadhik, Uzbek, and Turkmen so-called republics.

[13] For interesting added statistical data in this regard, see Prof. Roman Smal-Stocki's "The Captive Nations."

[14] It is significant that the Armenians remain to this date the first and only once-free nation integrated into the Soviet Union which successfully revolted against and expelled a Soviet Government. This occurred as a result of the famous February 18 Armenian revolt. See Special Report No. 5 (footnote 11, this study).

[15] Dr. Ralph Bunche, an official of the U.S. United Nations delegation, is quoted in this regard in the Washington Evening Star, Dec. 15, 1960.

[16] A quotation from a speech delivered before the 8th Triennial Congress of the Ukrainian Congress Committee of America, on Oct. 12, 1962, by the Honorable Carl T. Rowan, Deputy Assistant Secretary of State for Public Affairs. See text of speech in Svoboda, Ukrainian Weekly, Oct. 20, 1962.

[17] Op. cit.

And this of course is a perfect example of the fatal strabismus of American foreign policy today—the inability of all concerned to agree on what America thinks ought to be done about the colonies of the Soviet Union. It is a remarkable proposition—that is, remarkable for America—that the Department proposes. It means that America does not feel that people who are enslaved will choose freedom and sovereignty (as America itself did) when once they have been freed of their chains.

What must be clearly understood by all concerned is that the captive nations groups are not waging their grim struggle against communism simply so that communism may be destroyed only to be succeeded by foreign mastery of any other or similar type or form. The continued existence of the present Soviet Russian empire in any shape as it is imperially and territorially and politically constituted today is not acceptable to the captive nations groups. If the Department feels that anything less than sovereignty—that is national independence—may ensue upon the application of a free self-determination test among the captive states, it is very, very wrong.

Did anyone in the U.S. Government have any doubts whatsoever that the Indian people, once freed of their colonial status, would choose to govern themselves, rather than throw themselves under the hegemony of another colonial power?

Those who argue that "we don't know what the peoples of the U.S.S.R. are really thinking," simply are not in touch with the realities of the situation. It would be wise for them to repeat with Mr. Nehru:

"Aggression has awakened the Indian people to the realization that those who live in a dream world cannot defend their freedom."[19]

NEED FOR A CAPTIVE NATIONS COMMITTEE

It has of course been the simple burden of this paper to cast light on a confused and tragically mishandled situation which may very well bear with the very security of the United States of America, as well as its strategic interests and the peace of the world:

"It is incumbent upon us as free citizens to appreciatively recognize that the captive nations (of both Europe and Asia) in the aggregate constitute not only a primary deterrent against a hot global war and further overt aggression by Moscow's totalitarian imperialism, but also a prime positive means for the advance of world freedom in a struggle which in totalistic form is psychopolitical."[20]

The entire situation, with its grim push and pull, its contradictions, its misunderstandings, shows the crying need for a specialist committee of the legislative branch of Government to study and bring to light all the facts on captive nations in order to help our Government produce an equitable foreign policy relating to the aspirations of the captive nations of the U.S.S.R. House Resolution 211 and similar resolutions propose just that and ought to enjoy the support of every responsible American public official.

America's best interests, and the interests of the free world, demand that Mr. FLOOD's bill, or a similar measure, be immediately read out of the Rules Committee and presented to the House floor for full debate and acceptance.

Mr. FLOOD's proposition is simply this:

"The committee shall conduct an inquiry into and a study of all the captive non-Russian nations, which includes Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Vietnam, and other subjugated nations, also of the Russian people, with particular reference to the moral and legal status of Red totalitarian control over them, facts concerning conditions existing in those nations, and means by which the United States can assist them by peaceful processes in their present plight and in their aspirations to regain their national and individual freedoms."[21]

Only thus can there evolve in Washington an internationalism of responsibility.

CIVIL RIGHTS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. KORNEGAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. KORNEGAY. Mr. Speaker, I listened attentively to the reading of the President's message to the Congress on civil rights, and wish to say that this is a problem which I do not believe can suitably be solved by legislative fiat—rather it will have to be resolved in the hearts and minds of men working with reasonable understanding of the issues involved and working in good will and in an atmosphere both of realism and comity. I shall not belabor this view at this time, but instead I want to express my relief over the fact that the President did see fit to end his message with a verbal injunction against any further theatrics or melodramatic devices which can lead only to violence, sudden death, and a deepening of the wounds that have already been inflicted by demonstrations which have gotten out of hand and harmed rather than helped any cause concerned.

Frankly, I believe his appeal is tardy and should have been uttered long before this time. On the evening of June 13, I had the opportunity to talk with the President at the White House and in the course of our conversation, I stated that I was disappointed that he had not stressed in his recent talks the necessity for restraint and for refraining from actions which increase the tensions engendered by recent occurrences throughout the Nation, not only in the South but in other areas of the country. I pointed out that in various areas in my own State of North Carolina, leading citizens of both races have been attempting quietly and legally to resolve some of these problems and the degree of success which has been attained is certainly despite and not because of the near-riots, actual riots, and demonstrations which have contained the seeds of violence and lawbreaking, and in some instances have flamed into deplorable consequences to life, limb, and property. I strongly urged the President to call for a suspension of demonstrations calculated to bring about a breach of the peace.

The first amendment to the Constitution guarantees the right of people, and this is without regard to race, color, or creed, peaceably to assemble and to petition the Government for a redress of grievances, and certainly no one seeks to abridge this right. But even though this right is guaranteed, I would consider it the better part of wisdom in the long run to employ restraint and to refrain from demonstrations which may start out as peaceable assemblies and end in criminations, recriminations, violence, and deteriorating rather than improved relations between the races. It is my fervent hope that the President's plea for restraint will be heeded and that the potential threat of anarchy may thereby be avoided.

GRANTS-IN-AID TO STATE AND LOCAL UNITS OF GOVERNMENT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. FOUNTAIN] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FOUNTAIN. Mr. Speaker, I have today introduced, for appropriate reference, a bill to provide a uniform procedure for periodic congressional review of new grants-in-aid to State and local units of government. This bill is similar to H.R. 12565, which I introduced in the 87th Congress, 2d session, as an improved version of H.R. 7802—a bill which earlier had been reported favorably to the Committee on Government Operations by its Intergovernmental Relations Subcommittee. I am pleased to note that the gentlewoman from New Jersey [Mrs. DWYER], the ranking minority member of our Intergovernmental Relations Subcommittee, is introducing an identical bill. I invite all of my colleagues who are interested in the responsible and efficient use of the grant-in-aid as an instrument of intergovernmental cooperation to join in the sponsorship of this legislation.

It is the purpose of this bill to establish a uniform policy and procedure whereby new programs for grant assistance from the Federal Government to the States or to their political subdivisions which may hereafter be enacted by the Congress shall be made the subject of sufficient subsequent review by the Congress to insure that first, the effectiveness of grants-in-aid as instruments of Federal-State-local cooperation is improved and enhanced; second, grant programs are revised and redirected as necessary to meet new conditions arising subsequent to their original enactment; and, third, grant programs are terminated when they have substantially achieved their purpose.

While I do not believe it would be practical to apply this bill to existing grants, it is my hope that these programs will also be reassessed periodically by the Congress and the executive agencies in terms of the criteria contained in the bill.

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[18] Op. cit.

[19] As quoted in Boston Herald, Nov. 28, 1962.

[20] Par. 12 of Congressman FLOOD's H. Res. 211.

[21] Lines 20 to 25 p. 4, and lines 1 to 3, p. 5, in official publication of Congressman FLOOD's H. Res. 211.

Under the proposed legislation, any grant program enacted by the Congress beginning in January 1965 would automatically terminate after 5 years in the event that no expiration date is specified. This provision would not apply in any case where a termination date, however long, is specified or where the applicability of this act has been waived because Congress intends to provide continuing Federal assistance in a given program.

This legislation would also establish a standardized procedure for subsequent review by the appropriate legislative committees of the Congress of any new grant program enacted for a period of 4 or more years. During the 12 months preceding the expiration date of any such program, the appropriate committees of the House and Senate would conduct studies to determine, among other considerations, first, the extent to which the purpose for which the grant is authorized has been met; second, the extent to which such program can be carried on without further financial assistance from the United States; and, third, whether or not any changes in purpose or direction of the original program should be made.

Mr. Speaker, there is justifiable concern on the part of many of us over the tendency of grant programs to resist reorientation or termination when they have been in existence for a long time and have substantially served their intended purposes. This fact was noted by our Intergovernmental Relations Subcommittee on the basis of both a comprehensive study of Federal grant programs in 1957–58 and hearings specifically on the proposed legislation during the last Congress. The difficulty of accommodating grant programs to changing conditions was recognized also by the Advisory Commission on Intergovernmental Relations in a June 1961 report entitled "Periodic Congressional Reassessment of Federal Grants-in-Aid to State and Local Governments." It was the Commission's conclusion that the most realistic approach to meeting this problem would be the enactment of a general statute providing for systematic review and assessment of grant programs that may be enacted in the future. My bill is intended to implement the Commission's recommendation in this connection.

The proposed legislation has received the endorsement of many important organizations, including the Governors' Conference, the National Legislative Conference of the Council of State Governments, the American Municipal Association, and the National Association of Counties.

Mr. Speaker, the bill I have introduced is neither unfavorable nor favorable to any particular grant program or grants in general. Rather, it is intended to strengthen existing review machinery by the establishment of a systematic and uniform procedure for the periodic reexamination of such grant programs as the Congress may in the future enact.

The need for critical examination of grant programs at regular intervals and their continuation strictly on the basis of merit is the more pressing today in the light of our growing Federal budget and the correspondingly heavy burden of taxation.

It is my view that since Federal grants-in-aid have become an established element in our Federal system of Government, we must exercise the greatest possible care to strengthen their good features and to minimize any disruptive or undermining effects they may have. I believe this bill will help achieve that objective.

REVIEW OF FEDERAL GRANTS-IN-AID

Mr. ROUDEBUSH. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. DWYER] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mrs. DWYER. Mr. Speaker, it is a pleasure to join again today with our colleague, the distinguished chairman of the Subcommittee on Intergovernmental Relations, the gentleman from North Carolina [Mr. FOUNTAIN], in reintroducing a bill we jointly sponsored during the 87th Congress, providing for mandatory congressional review of Federal grants-in-aid to State and local units of government.

This is the kind of legislation which I believe can have far-reaching significance in improving our Federal system and making more effective the operations of Congress. It is also the kind of bill which all Members can conscientiously support, for its objective is a more systematic and uniform means of controlling Federal aid programs. It is intended neither to encourage nor discourage the use of the grant-in-aid device, but only to improve it and provide for more orderly and regular congressional review.

During the previous Congress, Mr. Speaker, several Members from both sides of the aisle joined us in introducing identical bills. I hope that these same Members and many others will do so again this year, for this is truly a constructive and bipartisan effort.

The need for this kind of legislation has grown—in fact and in public awareness—over the past several years. Congress has enacted more than 45 Federal grant programs, but aside from often routine and necessarily limited review through the appropriations process there has been no regularized procedure by which the Congress determines whether a particular program is achieving its objectives, whether it should be redirected in emphasis, or whether it should be terminated or extended. As a result, some programs have outlived their usefulness while others could better serve the purposes of the National, State, and local governments by undergoing reorientation to meet changing needs.

By way of examples, I would suggest that grants-in-aid for resident instruction in land-grant colleges and for vocational education in agriculture are diminishing in importance while other educational needs are increasing and such problems as air and water pollution require more attention. Similarly, the various grants-in-aid for public health services should be periodically revised in keeping with the changing patterns of disease in the United States.

There is a further need for this legislation, Mr. Speaker, which arises from a growing discontent among the people at the apparent proliferation and continuation of grant programs which serve no important national purpose. If Congress is to protect the integrity of the grant-in-aid method and further the good which many such programs accomplish, then it is incumbent upon us to make certain that for every grant program there is a recognized national need which the program is serving or will serve effectively.

The present bill, while it is restricted to grants-in-aid which may be enacted in the future, may also serve as a prototype for legislation which would apply to grant programs now in existence.

Under the terms of our bill, any new grant-in-aid which Congress may hereafter enact would automatically expire at the end of 5 years, unless Congress specifically designated another date or expressly provided in the act that the program should be a continuing one. At the end of 4 years of the program, or during 12 months immediately preceding a specified expiration date, the bill provides that the appropriate legislative committee of the Congress will undertake a study of the experience under the grant and determine whether to extend, terminate or modify the program.

This bill, Mr. Speaker, has a lengthy history. The problem to which it is directed was the subject of extensive consideration by our Subcommittee on Intergovernmental Relations during nationwide hearings on grant-in-aid programs in 1957 and 1958. In the report adopted by the full Committee on Government Operations, we recommended that provisions similar to those in the present bill be incorporated in all new grant-in-aid programs.

Strong support for this position was expressed in 1961 by the Advisory Commission on Intergovernmental Relations, an agency created by Congress in 1959 to represent all levels of government in the United States and to study just such problems of common interest to Federal, State, and local governments, and an agency of which the gentleman from North Carolina and I are both members. The Commission's study of the problem resulted in a recommendation to Congress that a general statute be enacted providing for periodic review, in a uniform and systematic manner, of new grant-in-aid programs. The bill we have introduced today carries the Commission's continuing endorsement.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. VINSON, for 10 days, commencing June 20, 1963, on account of official business.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. DEROUNIAN and to include extraneous matter.

Mr. GROSS and to include extraneous matter.

(The following Members (at the request of Mr. ALBERT) and to include extraneous matter:)

Mr. FARBSTEIN.

Mr. WELTNER.

(The following Member (at the request of Mr. ROUDEBUSH) and to include extraneous matter:)

Mr. SILER.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 614. An act to authorize the Secretary of the Interior to make water available for a permanent pool for fish and wildlife and recreation purposes at Cochiti Reservoir from the San Juan-Chama unit of the Colorado River storage project; to the Committee on Interior and Insular Affairs.

S. 625. An act to amend section 601 of title 38, United States Code, with respect to the definition of the term "Veterans' Administration facilities"; to the Committee on Veterans' Affairs.

S. 1154. An act to provide for the sale of certain mineral rights to Christmas Lake, Inc., in Minnesota; to the Committee on Interior and Insular Affairs.

S. 1185. An act relating to the exchange of certain lands between the State of Oregon and the C. & B. Livestock Co., Inc.; to the Committee on Interior and Insular Affairs.

S. 1326. An act to provide for the conveyance of certain mineral interests of the United States in property in South Carolina to the record owners of the surface of that property; to the Committee on Interior and Insular Affairs.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 131. An act to provide for the renewal of certain municipal, domestic, and industrial water supply contracts entered into under the Reclamation Project Act of 1939, and for other purposes;

H.R. 3574. An act to provide for the withdrawal and reservation for the use of the Department of the Air Force of certain public lands of the United States at Cuddeback Lake Air Force Range, Calif., for defense purposes; and

H.J. Res. 180. Joint resolution to authorize the continued use of certain lands within the Sequoia National Park by portions of an existing hydroelectric project.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 47 minutes p.m.), under its previous order, the House adjourned until Monday, June 24, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

950. A letter from the Administrator, General Services Administration, relative to a proposed disposition of approximately 5,800,000 pounds of waterfowl feathers and down now held in the national stockpile, pursuant to section 3(e) of the Strategic and Critical Materials Stock Piling Act, 50 U.S.C. 98(e); to the Committee on Armed Services.

951. A letter from the Comptroller General of the United States, transmitting a report on the installation of unnecessary equipment for measuring consumption of electricity and gas in low-rent housing projects administered by the Public Housing Administration, Housing and Home Finance Agency; to the Committee on Government Operations.

952. A letter from the Secretary of the Interior, transmitting the annual report on the progress and accomplishments of the anthracite mine water control and mine sealing and filling program, and the cost of the projects up to the end of 1962, pursuant to Public Law 87-818; to the Committee on Interior and Insular Affairs.

953. A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of a proposed bill entitled "A bill to amend the Federal Employees Health Benefits Act of 1959"; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MORRIS: Committee on Interior and Insular Affairs. H.R. 976. A bill to authorize the Secretary of the Interior to acquire and add certain lands to the Salem Maritime National Historic Site in Massachusetts, and for other purposes; with amendment (Rept. No. 430). Referred to the Committee of the Whole House on the State of the Union.

Mr. FASCELL: Committee on Foreign Affairs. House Joint Resolution 405. Joint resolution to amend the joint resolution for U.S. participation in the International Bureau for the Protection of Industrial Property; without amendment (Rept. No. 431). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. S. 1359. A bill to provide for an additional Assistant Secretary in the Treasury Department; without amendment (Rept. No. 432). Referred to the Committee of the Whole House on the State of the Union.

Mr. FASCELL: Committee on Foreign Affairs. Senate Joint Resolution 60. Joint resolution providing for acceptance by the United States of America of an instrument for the amendment of the constitution of the International Labor Organization; without amendment (Rept. No. 433). Referred to the House Calendar.

Mr. DELANEY: Committee on Rules. House Resolution 409. Resolution providing for the consideration of H.R. 5312, a bill to increase the authorization for appropriation for continuing work in the Missouri River Basin by the Secretary of the Interior; without amendment (Rept. No. 434). Referred to the House Calendar.

Mr. MADDEN: Committee on Rules. House Resolution 410. Resolution providing for the consideration of H.R. 5795, a bill to repeal the provisions of law relating to the fixing by the Postmaster General, with the consent of the Interstate Commerce Commission, of rates of postage on fourth-class mail, and for other purposes; without amendment (Rept. No. 435). Referred to the House Calendar.

Mr. O'NEILL: Committee on Rules. House Resolution 411. Resolution providing for the consideration of H.R. 6016, a bill authorizing additional appropriations for prosecution of projects in certain river basin plans for flood control, navigation, and other purposes; without amendment (Rept. No. 436). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CELLER:

H.R. 7152. A bill to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in education, to establish a Community Relations Service, to extend for 4 years the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 7153. A bill to provide for assistance in the construction and initial operation of community mental health centers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. COOLEY:

H.R. 7154. A bill to provide for recontracting of conservation reserve contracts which expire in 1964; to the Committee on Agriculture.

H.R. 7155. A bill to facilitate the work of the Department of Agriculture, and for other purposes; to the Committee on Agriculture.

By Mr. DENT:

H.R. 7156. A bill to extend for 1 additional year certain of the temporary provisions of Public Laws 815 and 874, 81st Congress, relating to the construction and maintenance and operation of public schools in federally impacted areas, and for other purposes; to the Committee on Education and Labor.

By Mr. FARBSTEIN:

H.R. 7157. A bill to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in education, to establish a Community Relations Service, to extend for 4 years the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes; to the Committee on the Judiciary.

By Mr. FOGARTY:

H.R. 7158. A bill to amend the Civil Service Retirement Act to provide for the adjustment of inequities and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FOUNTAIN:

H.R. 7159. A bill to provide for periodic congressional review of Federal grants-in-aid to States and to local units of government; to the Committee on Government Operations.

By Mrs. DWYER:

H.R. 7160. A bill to provide for periodic congressional review of Federal grants-in-aid to States and to local units of government; to the Committee on Government Operations.

By Mr. GIAIMO:

H.R. 7161. A bill to amend Public Law 87-276, so as to extend its provisions for 3 additional years, to expand the program under that act to provide for the training of teachers of all exceptional children, and for other purposes; to the Commitee on Education and Labor.

By Mr. GILBERT:

H.R. 7162. A bill providing for the reduction of the basis of representation of States denying or abridging the right of its citizens to vote, and for other purposes; to the Committee on the Judiciary.

H.R. 7163. A bill to provide that the representation in the House of Representatives of each of the several States shall be reduced in proportion to the number of adult inhabitants of such State whose right to vote is denied or abridged; to the Committee on the Judiciary.

By Mr. GRAY:

H.R. 7164. A bill to provide for the expansion of the Mound City National Cemetery; to the Committee on Interior and Insular Affairs.

By Mrs. HANSEN:

H.R. 7165. A bill relating to domestically produced fishery products; to the Committee on Agriculture.

By Mr. HORAN:

H.R. 7166. A bill to provide for the closing of the roll of the Confederated Tribes of the Colville Indian Reservation preparatory to submission of proposed legislation for the termination of Federal supervision over the property and affairs of the Confederated Tribes and their members, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HORTON:

H.R. 7167. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption for a taxpayer or spouse who has had a laryngectomy; to the Committee on Ways and Means.

By Mr. KYL:

H.R. 7168. A bill to save the taxpayers large sums in taxes by providing that the District of Columbia may receive noncash grant-in-aid credits for urban renewal projects only on the same basis as other municipalities, and by requiring that housing (including both residential and commercial structures) in urban renewal project areas which is in good condition, or which can be rehabilitated or restored to good condition, shall not be demolished or included by the District of Columbia Redevelopment Land Agency in the acquisition and assembling of the real property in such areas; to the Committee on the District of Columbia.

By Mr. MILLER of California:

H.R. 7169. A bill to amend the Internal Revenue Code of 1954 so as to exempt from tax musical instruments sold to students for school use; to the Committee on Ways and Means.

By Mr. RIVERS of Alaska:

H.R. 7170. A bill to amend the Alaska Public Works Act to authorize the Secretary of the Interior to collect, compromise, or release certain claims held by him under that act; to the Committee on Interior and Insular Affairs.

By Mr. WHITTEN:

H.R. 7171. A bill to provide assistance to certain States bordering the Mississippi River in the construction of the Great River Road; to the Committee on Public Works.

By Mr. WYDLER:

H.R. 7172. A bill to amend section 203(k) of the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes; to the Committee on Government Operations.

By Mr. OLIVER P. BOLTON:

H.J. Res. 494. Joint resolution providing for the recognition of the 50th anniversary of the American Society for Metals; to the Committee on the Judiciary.

By Mr. ST. ONGE:

H.J. Res. 495. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CONTE:

H.R. 7173. A bill for the relief of Chung-Liang Huang; to the Committee on the Judiciary.

By Mr. DEROUNIAN:

H.R. 7174. A bill for the relief of Epifania F. Gamoa; to the Committee on the Judiciary.

H.R. 7175. A bill for the relief of Josefina A. Villanueva; to the Committee on the Judiciary.

H.R. 7176. A bill for the relief of Oscar V. Johnson; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 7177. A bill for the relief of (Charles) Chang Kee Hong, his wife, Kerm Soon Hahm (Hong), and their minor daughters Mi Young Hong, Sun Young Hong, and Bo Young Hong; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 7178. A bill for the relief of William O'Connor Swainson; to the Committee on the Judiciary.

SENATE

THURSDAY, JUNE 20, 1963

The Senate met at 12 o'clock meridian, and was called to order by Hon. BIRCH BAYH, a Senator from the State of Indiana.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Eternal Spirit, who in the perspective of the long years, in spite of man's blundering, dost bring forth Thy righteousness as the light and Thy judgments as the noonday: As servants of the public weal, we pause amid draining demands to acknowledge Thy sovereignty and to pray for courage to attempt, power to achieve, and patience to endure.

In this temple of a free people's will, wilt Thou guide with the spirit of understanding these public servants—the few among the many—lifted by their fellows to high pedestals of commanding influence.

By their words and counsel may they bring healing for the open sores of the Nation and of the world.

Forbid that when radiant human hopes are flaming in the skies, we should be blinded by the smoke of our own campfires. Save us from giving ourselves to the dead past, rather than to the living future.

We ask it in the name of the Christ, whose truth is marching on. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., June 20, 1963.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. BIRCH BAYH, a Senator from the State of Indiana, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. BAYH thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. HUMPHREY, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, June 19, 1963, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H.R. 4347. An act to limit the authority of the Veterans' Administration and the Bureau of the Budget with respect to new construction or alteration of veterans' hospitals; and

H.J. Res. 247. Joint resolution to suspend for the 1964 campaign the equal opportunity requirements of section 315 of the Communications Act of 1934 for legally qualified candidates for the offices of President and Vice President.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Acting President pro tempore:

H.R. 131. An act to provide for the renewal of certain municipal, domestic, and industrial water supply contracts entered into under the Reclamation Project Act of 1939, and for other purposes;

H.R. 3574. An act to provide for the withdrawal and reservation for the use of the Department of the Air Force of certain public lands of the United States at Cuddeback Lake Air Force Range, Calif., for defense purposes; and

H.J. Res. 180. Joint resolution to authorize the continued use of certain lands within the Sequoia National Park by portions of an existing hydroelectric project.

HOUSE BILL AND JOINT RESOLUTION REFERRED

The following bill and joint resolution were each read twice by their titles and referred as indicated:

H.R. 4347. An act to limit the authority of the Veterans' Administration and the Bureau of the Budget with respect to new construction or alteration of veterans' hospitals; to the Committee on Labor and Public Welfare.

H.J. Res. 247. Joint resolution to suspend for the 1964 campaign the equal opportunity requirements of section 315 of the Communications Act of 1934 for legally qualified candidates for the offices of President and Vice President; to the Committee on Commerce.

LIMITATION OF STATEMENTS DURING MORNING HOUR

On request of Mr. HUMPHREY, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. HUMPHREY, and by unanimous consent, the Subcommittee on Air and Water Pollution of the Committee on Public Works was authorized to meet during the session of the Senate today.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BYRD of Virginia, from the Committee on Finance, without amendment:

H.R. 6755. An act to provide a 1-year extension of the eixsting corporate normal tax rate and of certain excise tax rates (Rept. No. 281).

By Mr. JOHNSTON (for Mr. EASTLAND), from the Committee on Agriculture and Forestry, without amendment:

S. 51. A bill to authorize the Secretary of Agriculture to relinquish to the State of Wyoming jurisdiction over those lands within the Medicine Bow National Forest known as the Pole Mountain District (Rept. No. 282); and

S. 1368. A bill to add certain lands to the Cache National Forest, Utah (Rept. No. 283).

By Mr. JOHNSTON, from the Committee on Agriculture and Forestry, without amendment:

S. 400. A bill to establish penalties for misuse of feed made available for relieving distress or preservation and maintenance of foundation herds (Rept. No. 284).

By Mr. HOLLAND, from the Committee on Agriculture and Forestry, without amendment:

S. 582. A bill to extend for 2 years the definition of "peanuts" which is now in effect under the Agricultural Adjustment Act of 1938, as amended (Rept. No. 285).

By Mr. HOLLAND, from the Committee on Agriculture and Forestry, with amendments:

S. 581. A bill to amend the Agricultural Adjustment Act of 1938 to extend for 2 additional years the present provisions permitting the lease and transfer of tobacco acreage allotments (Rept. No. 286).

By Mr. JORDAN of North Carolina, from the Committee on Agriculture and Forestry, without amendment:

S. 623. A bill to provide for a program of agricultural land development in the State of Alaska (Rept. No. 287); and

H.R. 40. An act to assist the States to provide additional facilities for research at the State agricultural experiment stations (Rept. No. 288).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with an amendment:

S. 1039. A bill to authorize the Secretary of the Interior to acquire through exchange the Great Falls property in the State of Virginia for administration in connection with the George Washington Memorial Parkway, and for other purposes (Rept. No. 289).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WILLIAMS of Delaware (for himself and Mr. BOGGS):

S. 1751. A bill to authorize the Administrator of General Services to convey a certain parcel of land to the State of Delaware, and for other purposes; to the Committee on Government Operations.

By Mr. MONRONEY:

S. 1752. A bill for the relief of Lt. Robert C. Gibson; to the Committee on the Judiciary.

CONCURRENT RESOLUTION

FAVORING THE SUSPENSION OR WITHHOLDING OF FOREIGN ASSISTANCE IN CERTAIN CASES

Mr. JAVITS (for himself and Mr. MORSE) submitted a concurrent resolution (S. Con. Res. 50) favoring the suspension or withholding of foreign assistance from countries engaging in activities which endanger the security and independence of the United States or other countries receiving such aid, which was referred to the Committee on Foreign Relations.

(See the above concurrent resolution printed in full when submitted by Mr. JAVITS, which appears under a separate heading.)

RESOLUTION

AMENDMENT BY GENERAL ASSEMBLY OF THE UNITED NATIONS OF STATUTE OF THE INTERNATIONAL COURT OF JUSTICE

Mr. LONG of Louisiana submitted a resolution (S. Res. 166) favoring amendment by the General Assembly of the United Nations of the Statute of the International Court of Justice, which was referred to the Committee on Foreign Relations.

(See the above resolution printed in full when submitted by Mr. LONG of Louisiana, which appears under a separate heading.)

WITHHOLDING OF FOREIGN AID ASSISTANCE IF FUNDS ARE USED TO SUPPORT HOSTILE AGGRESSIVE ACTION AGAINST ANOTHER COUNTRY—AMENDMENT TO FOREIGN ASSISTANCE ACT

Mr. JAVITS. Mr. President, on behalf of myself and the Senator from Oregon [Mr. MORSE] I submit a concurrent resolution expressing the sense of Congress that the President suspend or withhold foreign aid assistance from any country if he determines that the country is using the aid it receives, either directly or indirectly, to support hostile aggressive action against another country also receiving assistance under the act.

Mr. President, the concurrent resolution is directed to the debate which we had on the floor of the Senate some days ago relating to the situation between the United Arab Republic and Israel. As I shall be testifying before the Committee on Foreign Relations on this subject, the Senator from Oregon [Mr. MORSE] and I deemed it proper to submit a sense resolution on the subject.

I submit also an amendment to the Foreign Assistance Act. The amendment is sponsored by myself together with Senators MORSE, CASE, SCOTT, KUCHEL, and SALTONSTALL. The amendment would bar assistance to any country which would be enabled thereby to take aggressive action against other countries also receiving U.S. aid, unless the President reports to the Congress that the restriction should be waived in the national interest.

I understand fully—perhaps as well as any Senator—the thrust of our foreign aid program. I have fought for it since I was first in the other body in 1948 and 1949.

One of our strongest weapons in helping the developing nations of the world to security and independence on the side of the free world is the Foreign Assistance Act and Public Law 480. These are the means by which we can effectively resist Communist infiltration and aggression and turn back its inroads into the position of the free world.

But while we focus on this important goal, we should not minimize or ignore the actions of those nations which may misuse our funds to strengthen their hostile acts against other countries whom we are also assisting.

It has become evident that we can no longer give unconditional assistance to foreign governments which use it to develop a military potential which threatens the basic objective of our policy. We cannot succeed in our effort for peace in a free world if we continue to assist those whose actions undermine it.

The misuse of our aid by the United Arab Republic has given documentation to the need for legislation in this area. In recent months tension in the Middle East has been considerably increased by huge Soviet-bloc arms shipments to the United Arab Republic and by the country's aggressive acts against other countries in that region. Revolution in Yemen, riots in Jordan, and anti-Government demonstrations in Iran are among the hostile acts for which the United Arab Republic is responsible.

Egypt's principal crop—long staple cotton—has been mortgaged to the Soviet-bloc countries to obtain expensive modern weapons. This cotton could have contributed substantially toward providing the food and housing and higher living standards which are needed by Egypt's millions of underprivileged people. The military establishment of Egypt has undergone vast changes since 1956 and by not placing conditions on our massive aid program to the United Arab Republic we are in effect aiding and abetting Nasser's war machine.

I feel it necessary that we condition our aid on actions which will maintain the peace and will not endanger the security of others. We must give the President maximum flexibility in these delicate areas, but at the same time we cannot allow the aims and objectives of the Foreign Assistance Act to be negated by any potentially hostile force.

We cannot be mawkish about foreign aid, much as we realize its fine character. It thwarts and distorts the fine character if we allow it to be misused in this way.

My colleague from New York [Mr. KEATING] I understand is similarly minded in this area. I hope that we can join together with others in a real effort to include these limiting provisions in the foreign aid act.

The **ACTING PRESIDENT** pro tempore. The concurrent resolution and the amendment will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 50) was referred to the Committee on Foreign Relations, as follows:

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the President shall suspend or withhold assistance from any country, organization or body eligible to receive assistance under the Foreign Assistance Act of 1961 and under the Agricultural Trade Development and Assistance Act if he determines that such country, organization or body will be enabled thereby to utilize its own resources to further military aggression, subversion or other hostile acts which endanger the security and independence of the United States or other countries receiving aid under such Acts.

The amendment submitted by Mr. JAVITS (for himself, Mr. MORSE, Mr. CASE, Mr. SCOTT, Mr. SALTONSTALL, and Mr. KUCHEL) to the bill (S. 1276) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, was referred to the Committee on Foreign Relations, and ordered to be printed, as follows:

That Section 620 of the Foreign Assistance Act of 1961, as amended, is amended by adding at the end of Section 620 a new subsection as follows:

"(i) Notwithstanding any other provision of law, no assistance shall be furnished under this Act, as amended, or under the Agricultural Trade Development and Assistance Act to any country, government agency or government subdivision which will be enabled thereby to utilize its own resources to further military aggression, subversion or other hostile acts which endanger the security and independence of the United States or other countries receiving aid under this Act. This restriction may not be waived pursuant to any authority contained in this Act unless the President finds and promptly reports to the Congress that such waiver is in the national security interest and the reasons therefor."

PROPOSED AMENDMENT BY GENERAL ASSEMBLY OF UNITED NATIONS OF THE STATUTE OF THE INTERNATIONAL COURT OF JUSTICE

Mr. **LONG** of Louisiana. Mr. President, I am submitting today a resolution so far reaching in its scope that it could result in one of the greatest strides ever taken toward a lasting world peace.

This resolution would request the President of the United States to instruct our representative at the United Nations to introduce in the General Assembly a plan to be sponsored by the United States of America for reconstitution of the International Court of Justice, to give it uniform compulsory jurisdiction over all nations, without undue surrender of their sovereignty.

This plan was devised by Eberhard P. Deutsch, a nationally known New Orleans lawyer and student of, and writer on, international law, who was for many years a member, and is presently chairman, of the American Bar Association's Standing Committee on Peace and Law through United Nations. Mr. Deutsch's plan is described by him in the leading article of the current issue of the American Bar Association Journal. I request unanimous consent to have this article reprinted in the RECORD at the conclusion of my remarks.

The **ACTING PRESIDENT** pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. **LONG** of Louisiana. I also ask that an article which appeared in the Pittsburgh Post-Gazette, dated Thursday, May 2, 1963, indicating that the Soviet Union might be disposed to go along with this proposal, be printed at the conclusion of my remarks.

The **ACTING PRESIDENT** pro tempore. Without objection, it is so ordered.

(See exhibit 2.)

Mr. **LONG** of Louisiana. Mr. President, for several years I have insisted upon retention of the Connally reservation to the statute of the International Court of Justice. During this period, I have worked with Mr. Deutsch in the formulation of his plan for reconstitution of that Court, and have studied his final plan carefully. It does not contemplate repeal of the Connally reservation, but will meet the problem in a different fashion when, as, and if the new plan should be adopted and ratified by two-thirds of the members of the United Nations, including all of the permanent members of the Security Council.

Suffice it to say for the moment, Mr. President, that my study of Mr. Deutsch's plan has convinced me that it should be entirely acceptable to the United States, and that, under its provisions, the International Court of Justice can become a realistically effective instrumentality for the preservation and maintenance of world peace through the rule of law.

Ever since the beginning of the 20th century, in the search for world peace, currents which started in the early 14th century have been surging toward a permanent international tribunal for effective adjudication of disputes among nations.

Neither the permanent Court of International Justice, established in 1922 under the Covenant of the League of Nations, nor the International Court of Justice, founded in 1945 under the Charter of the United Nations, has really achieved any definitive progress toward permanent peace.

The frustration of purpose of these tribunals can be traced at once to the fact that their jurisdiction has been dependent on consent of the litigants, which might be withheld altogether, or might be given subject to crippling reservations, such as our own Connally reservation, under which our acceptance of the jurisdiction of the Court excludes such matters as we ourselves consider to lie within our own domestic sphere.

At the present time, of the 110 member states of the United Nations, less than 40 have any declaration of record at all of adherence to the International Court of Justice, and of these, only 2 or 3 are entirely unconditional.

It must be conceded, Mr. President, that the majority of nations of the world have withheld their declarations of adherence from the Court altogether, and that almost all of the remainder have withheld their unconditional declarations, for three principal reasons.

First, most nations have hesitated to agree in advance to submit their important international interests to the Court for adjudication—as stated by Professor Lauterpacht, later Judge Sir Hersch Lauterpacht of the International Court of Justice—"in the apprehension that it would be dangerous to expose such interests to the risks of decision by judges whose impartiality is regarded as problematical."

Second, there has been an understandable reluctance on the part of the so-called great powers, to surrender their sovereignties to the extent apparently necessary for unconditional submission to compulsory jurisdiction of any international tribunal.

Third and finally, there has been an especially marked unwillingness of all nations to entrust a mere majority of a quorum of an international court, with the power to determine whether a matter which a state considers to lie exclusively within its own domestic jurisdiction, falls within the scope of permissible international adjudication.

For some years, Mr. President, as I have stated, Mr. Deutsch has been engaged in preparation of his plan, which provides for reconstitution of the International Court of Justice so that it will be composed of disinterested judges, will have compulsory jurisdiction over all justiciable international controversies among nations, and may confidently be trusted to deny its own right to adjudicate domestic issues, all without undue surrender of sovereignty on the part of any State.

Reconstitution of the Court can be accomplished only by amendment of its statute, which requires "a vote of two-thirds of the members of the General Assembly" of the United Nations, and ratification, "in accordance with their constitutional processes by two-thirds of the members of the United Nations, including all the permanent members of the Security Council."

My resolution proposes that the Senate request the President of the United States to instruct this country's representative to the United Nations to offer in our behalf to the United Nations for its consideration a complete new text for the Statute of the International Court of Justice. A draft of this new statute is annexed to the resolution, and I ask unanimous consent to have them printed in the RECORD immediately following my remarks.

Mr. President, briefly, and in broad outline, this plan for reconstitution of the International Court of Justice, provides that:

First. The judges of the Court are to be appointed for life, and that they and their wives or husbands are to become citizens of the United Nations with diplomatic immunities in all countries.

Second. A plea to jurisdiction of the Court on the ground that the controversy under consideration is one within the domestic jurisdiction of the State making the plea, could be overruled only by concurrence of 10 judges—two-thirds of the entire membership of the Court.

Third. The right of a permanent member of the Security Council to veto a decision of that body as to enforcement of a decree of the Court on appeal to the Council, would be recognized expressly.

Fourth. Reservations would not be allowed in ratifications of the statute, which would give the Court uniform compulsory jurisdiction under its terms as written, over all members of the United Nations.

Mr. President, I am entirely satisfied that in order for any plan for a permanent international tribunal to be really effective, there must sooner or later also be an effective plan for universal disarmament, which I concede can neither be accomplished nor maintained realistically except subject to effective international controls.

Nevertheless, Mr. President, it is my firm conviction that the proposed revised statute for reconstitution of the International Court of Justice will go far toward attainment of the "Purposes and principles" of the United Nations, as expressed in the first article of the charter, for "prevention and removal of threats to the peace," through "adjustment or settlement of international disputes" in "conformity with the principles of justice and international law."

Mr. President, I accordingly submit the proposed resolution, to which is attached a draft resolution for introduction in the General Assembly of the United Nations, with a copy of the draft revised statute of the International Court of Justice to effect the proposed reconstitution of the tribunal; and ask the resolution be referred to the Foreign Relations Committee for consideration.

The **ACTING PRESIDENT** pro tempore. The resolution will be received and appropriately referred; and, without objection, the resolution, the draft resolution, and the draft revised statute will be printed in the RECORD.

The resolution (S. Res. 166), draft resolution, and the draft revised statute were referred to the Committee on Foreign Relations, as follows:

Resolved, That the Senate requests the President to instruct the United States Representative to the United Nations to introduce into the General Assembly, and to endeavor to effect adoption of, the annexed draft resolution to amend the Statute of the International Court of Justice, to reconstitute that tribunal in accordance with the terms of the appended text of a revised Statute of the Court.

RESOLUTION OF THE GENERAL ASSEMBLY OF UNITED NATIONS TO AMEND THE STATUTE OF THE INTERNATIONAL COURT OF JUSTICE

Considering that,

During the fifteen years since adoption of the United Nations Charter and the Statute of the International Court of Justice, many nations have declared their recognition of the compulsory jurisdiction of the Court only conditionally, and many have not declared their recognition of such jurisdiction at all, as contemplated under Article 36 of the Statute;

Recognizing that,

By reason of non-acceptance of compulsory jurisdiction of the Court, by many nations, and conditional acceptance thereof by many others, the effectiveness of the Court has been hindered, both directly and indirectly, through application of the principle of reciprocity requiring the placing of parties in a position of equality before the Court;

Believing that

Such non-acceptance and conditional acceptances have been based on doubts as to the impartiality of an international court composed of judges with national allegiances serving for limited terms, fear of adjudication of inherently domestic issues on the assumption that they lose their character as such simply because they affect international relations, and uncertainty as to the wisdom of compulsory submission to determination, by such a judicial tribunal, of compulsory submission to determination, by such a judicial tribunal, of rights and liabilities of nations vis-a-vis each other and the United Nations, rather than by diplomatic negotiation, with possible ultimate resort to force;

Remembering that

The principal purpose of the United Nations is the maintenance of international peace and security, and to that end to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace; and

Convinced that

Threats to world peace may be removed, and that permanent peace may be achieved within a framework of the principles of justice and international law, by amending the statute of the International Court of Justice to eliminate the possibility of the influence of national interests therefrom, by minimizing the possibility of adjudication of inherently domestic issues therein, and by providing that the jurisdiction of the Court shall be uniform and compulsory as to international disputes among all members of the United Nations, each to stand as to every other in a position of equality before the Court:

We, the members of the United Nations, do now amend the Statute of the International Court of Justice, adopted in 1945, to which reference shall hereafter be made as "the former Statute", to read as follows:

"PROPOSED REVISED STATUTE OF THE INTERNATIONAL COURT OF JUSTICE

"Article I

"Constitution

"The International Court of Justice, established by the Charter of the United Nations as the principal judicial organ of the United Nations, shall be constituted, and shall function, in accordance with the provisions of the present revised Statute.

"Article II

"Composition of the Court

"1—The Court shall be composed of a body of independent judges, nationals, at the time of their election, of members of the United Nations, elected from among persons of high moral character, who possess the qualifications required in their respective countries for appointment to the highest judicial offices, or are jurisconsults of recognized competence in international law.

"2—The Court shall consist of fifteen members, no one of whom shall, at the time of his election, be less than fifty-three nor more than sixty-eight years of age, and no two of whom shall have been of the same national origin. A person who, for purposes of membership on the Court, could be regarded as a national of more than one State, shall be deemed to be a national of that one in which he ordinarily exercises civil and political rights.

"Article III

"Election of Judges

"1—The members of the Court shall be elected for life, by the General Assembly and the Security Council, from a list of persons nominated by the members of the United Nations, all as provided hereunder.

"2—The members of the Court, serving as such upon ratification of the present revised Statute, shall be deemed to have been elected for life under the terms of the present revised Statute, with tenure for determination of their retirement pensions, as of the date of their original election to membership on the Court.

"3—Promptly following the occurrence of any vacancy in the membership of the Court, or in anticipation of a forthcoming vacancy to occur by resignation or retirement, the Secretary-General of the United Nations shall invite each of the members of the General Assembly to nominate, within thirty days, for each such vacancy, not more than two persons of any nationality, qualified, and in a position, to serve as members of the Court.

"4—The Secretary-General shall prepare a list, in alphabetical order, of all of the persons so nominated, and shall submit this list to the General Assembly and to the Security Council, which bodies shall proceed, independently of one another, to elect a member of the Court to fill each vacancy thereon.

"5—At each election to membership on the Court, every effort shall be made to reflect in the Court as a whole, a composite of the principal civilizations and legal systems of the world.

"6—The nominee or nominees, equal in number to the vacancy or vacancies to be filled, obtaining the greatest number of votes, and not less than a majority of the votes cast in both the Security Council and the General Assembly, shall be elected; provided that only the eldest among nominees who are nationals of the same State, and who may have received such number of votes, shall be considered to have been so elected.

"7—If, after the first meeting held for such election, one or more seats remain to be filled, a second and, if necessary, a third meeting shall take place.

"8—If, after the third meeting, one or more seats still remain unfilled, a Joint Conference consisting of six members, three appointed by the General Assembly and three by the Security Council, may be formed at any time at the request of either the General Assembly or the Security Council, for the purpose of choosing, by vote of a majority of all of the members of the Joint Conference, one name for each seat still vacant, for submission to the General Assembly and the Security Council for their respective acceptances.

"9—If the Joint Conference is unanimously agreed on any qualified person, he may be elected even though he was not included in the list of nominations submitted by the Secretary-General to the General Assembly and the Security Council as hereinabove provided.

"10—If the Joint Conference should not be successful in procuring an election, it shall so advise the General Assembly and the Security Council, and those members of the Court who shall already have been elected shall proceed to fill the vacant seat or seats, by selection from among those nominees who have obtained any votes either in the General Assembly or in the Security Council. In the event of any equality of votes among the judges, the eldest judge shall have a casting vote.

"11—Any vote of the Security Council, whether for the election of judges, or for the appointment of members of a Joint Conference, shall be taken without any distinction between permanent and non-permanent members of the Security Council.

"*Article IV*

"Civil Status of Judges

"1—Each person elected as a member of the Court shall, as a condition precedent to his accession to office as such, renounce his or her allegiance to the State of which he or she was a national when elected, and shall be deemed to have become ipso facto, for his natural lifetime, a citizen of the United Nations.

"2—The spouse of each member of the Court shall, as of the date of the judge's accession, be deemed to have renounced (his or) her allegiance to the State of which she was a national when the judge was elected, and shall, during the lifetime of such member of the Court, and for two years thereafter, be deemed to hold United Nations citizenship; but prior to the expiration of such term of two years, such spouse shall be obligated to take, and shall be eligible for, citizenship in any State of her choice, and she shall thereupon surrender her United Nations passport to the Secretary-General.

"3—Members and former members of the Court, and their spouses who shall be deemed to hold United Nations citizenship as in the present Statute provided, shall receive passports as such from the Secretary-General, and may freely enter into, reside in, and depart from, any State which is a member of the United Nations; and they shall enjoy diplomatic privileges and immunities in all such States.

"4—Each judge of the Court, and the spouse of each judge, shall be deemed to have his or her national domicile at the seat of the Court; and each retired judge of the Court and his spouse, as long as they shall be deemed to be citizens of the United Nations as in the present Statute provided, shall be deemed to have his (or her) national domicile at his permanent residence; in each case in so far as, but no farther than, his United Nations citizenship and his diplomatic status and immunities do not fully cover or define his personal status, rights and liabilities.

"5—Whenever the Court determines that any person who is related by blood, marriage, or adoption to a member thereof is being subjected to or threatened with discriminatory treatment by the State in which such person resides, for the purpose of influencing such member in, or retaliating against such member on account of, the discharge of his functions as a judge of the Court, it shall issue such orders as may be appropriate to cause such State to permit the departure of such person therefor, and the granting of asylum to such person by any other State which is a member of the United Nations and to which he applies therefor.

"6—Every member of the Court shall, before taking up his duties as such, make a solemn declaration in open court, that he will exercise his functions conscientiously and impartially.

"7—No member of the Court may exercise any political or other functions, or engage in any occupation whatever, other than as a member of the Court; nor may any member of the Court participate in the decision of any case with which he has had any prior connection whatever, direct or indirect, in any capacity, except that members of a chamber shall be eligible to sit on the full Court on an appeal from the chamber to the full Court, under the provisions of section 4 of Article XVI of the present revised Statute.

"*Article V*

"Officers of the Court

"1—The Court shall elect its President and Vice President for terms of three years. These shall be eligible for re-election. The Court shall appoint its Registrar, and shall provide for the appointment of such other officials and employees as may be necessary.

"2—The seat of the Court shall be established at the Hague, but the Court may sit, and exercise its functions, elsewhere as it may deem advisable. The President and Registrar shall reside at the seat of the Court.

"*Article VI*

"Resignations, Retirement, and Dismissal

"1—Any member of the Court may resign at any time, by addressing his resignation to the Secretary-General, upon receipt by whom the resignation shall be effective. Six months after a judge shall have resigned, he and his (or her) spouse shall lose their United Nations citizenship. Within said period of six months, they shall be eligible for, and shall take, citizenship in any State of their choice, and shall surrender their United Nations passports to the Secretary-General.

"2—Any member of the Court who shall, during his tenure of office, have reached the age of seventy years, may retire at any time.

"3—Any member of the Court who shall have reached the age of seventy-five years, shall be retired as of his seventy-fifth birthday; except that such retirement shall not, as to any member of the Court serving as such upon ratification of the present revised Statute, take effect until six months after such ratification.

"4—Any member of the Court may be dismissed, for violation of any provision of the present Statute, of any provision of rules or regulations of the Court, or for conduct in any wise unbecoming a member of the Court, by vote of not less than two-thirds of the members of the Security Council (without distinction as to permanent or nonpermanent members), on trial under impeachment by a majority of the members of the General Assembly.

"5—A member of the Court who has been dismissed, and his (or her) spouse, shall forfeit their United Nations citizenship; they shall revert to the citizenship which they had at the time of his election to the Court; they shall forthwith surrender their United Nations passports to the Secretary-General; and the dismissed judge shall have no right to any pension or other emoluments of his office, effective from the date of his dismissal.

"6—The Registrar may be dismissed at any time by the Court, and any other official or employee of the Court may be dismissed at any time by the appointing authority. Pension and other rights of such dismissed officials or employees of the Court, shall be as fixed under regulations of the General Assembly.

"*Article VII*

"Salaries and Expenses

"1—Each member of the Court shall receive an annual salary. The President shall receive a special annual allowance, and the Vice President shall receive a special allowance for every day on which he acts as President.

"2—Judges ad hoc shall receive compensation for each day on which they exercise their functions, including days on which they travel in connection with the exercise of their functions.

"3—The salaries and allowances of members of the Court, and the compensation of the judges ad hoc, shall be fixed by the General Assembly, and shall never be decreased during the terms of office of persons for whom fixed.

"4—The salary of the Registrar shall be fixed by the General Assembly on recommendation of the Court, and the compensation of all other officials and employees of the Court shall be fixed by the Court.

"5—Expenses of the members of the Court and judges ad hoc, for their reasonable expenses of traveling to and from, attendance at, and otherwise on business of, the Court, shall be reimbursed to them.

"6—Expenses of the Registrar, and of other officials and employees of the Court, incurred in connection with the exercise of their functions, shall be reimbursed to them.

"7—Members of the Court who shall have retired after not less than ten full years of service, shall receive, for life, retirement pensions equal to their annual salary at the time of their retirement; and members of the Court who shall have retired after less than ten full years of service, shall receive, for life, retirement pensions equal to that portion of their annual salary at the time of their retirement, as the number of years served by them as members of the Court bears to ten.

"8—The widow of a member or retired member or retired member of the Court, who was his wife during his tenure of office as a member of the Court, shall receive a pension for life. In the case of a widow of a member of the Court, this pension shall be one-half of the pension which would have been payable, according to his years of service, to the member of the Court, if he had retired as of the date of his death with not more than ten years of service. In the case of the widow of a retired judge, this pension shall be one-half of the pension to which such retired judge was entitled at the time of his death.

"9—Conditions of retirement, and pensions of the Registrar and other officials, shall be as fixed by the General Assembly.

"10—The salaries, allowances, compensation, pensions and reimbursements of expenses, fixed as provided in the present Statute, shall be free of any and all taxation.

"*Article VIII*

"Jurisdiction

"1—All members of the United Nations shall be subject to the compulsory jurisdiction of the Court in all justiciable disputes concerning—

"a—The interpretation of a treaty.

"b—Any question of international law.

"c—The existence of any fact which, if established, would constitute a breach of an international obligation.

"d—The nature and extent of any reparation to be made for the breach of an international obligation.

"e—Any matter which, by treaty or convention in force between parties to the present revised Statute, provides for reference thereof to the Court, to a tribunal to have been instituted by the League of Nations, or to the Permanent Court of International Justice.

"2—The jurisdiction of the Court shall extend also to

"a—All justiciable cases which the parties may refer to it.

"b—All matters specially provided for in the Charter of the United Nations.

"c—Matters referred to the Court for advisory opinions, as elsewhere in the present revised Statute provided.

"3—The Court shall have no jurisdiction over any matter essentially within the domestic jurisdiction of any State, and nothing contained in the present revised Statute shall be construed as requiring any member of the United Nations to submit any such matter to the Court for adjudication.

"4—Any question or dispute as to the jurisdiction of the Court shall be determined by the Court; but when any State, party to the cause, shall contend that a matter brought before the Court for adjudication is essentially within the domestic jurisdiction of the State, the Court shall not exercise jurisdiction over the proceeding unless at least ten of its judges (with a full Court of fifteen judges sitting in the cause) concur in holding the matter to be within the jurisdiction of the Court. Any doubt as to whether a matter is essentially within the domestic jurisdiction of a State, shall be resolved by the Court in favor of such domestic jurisdiction.

"5—The Court shall adjudicate disputes before it in accordance with generally accepted, applicable principles of international law, giving due consideration, in its deliberations, to

"a—The provisions of international conventions establishing rules generally recognized among nations;

"b—International customs, as evidence of a general practice accepted as law;

"c—Judicial precedents recognizing legal principles (subject, in all cases, to the provisions of paragraph 6 of Article XVI, that a judgment of the Court shall be res adjudicata only as between the parties to the cause, and as to the cause, in which the judgment was rendered);

"d—General principles of law, equity and justice recognized among nations;

"e—Legal writings of jurisconsults who are recognized authorities in international law.

"Article IX

"Parties

"1—Only public international organizations or States may be parties in cases before the Court.

"2—The Court shall be open at all times to all public international organizations which are constituent agencies, or are created under the terms of the Charter, of the United Nations, and to all States which are members of the United Nations.

"3—The Security Council of the United Nations shall specify the conditions under which—subject to special provisions contained in treaties in force—the Court shall be open to public international organizations which are not constituent agencies, or are not created under the terms of the Charter, of the United Nations, and to States other than those which are members of the United Nations; but in no case shall such conditions place the parties in positions of inequality before the Court.

"Article X

"Institution and Prosecution of Causes

"1—Cases may be brought before the Court by notification of a special agreement, or by application, by one or more parties, addressed in either case to the Registrar, and indicating the subject of the dispute and the parties thereto.

"2—The Registrar shall forthwith communicate the notification or application to all parties immediately concerned therein on the face thereof, and also to the members of the United Nations through the Secretary-General.

"3—The parties shall file pleadings and other documents as required, and within the time fixed, or permitted, by the Court, in its rules, or in each case.

"4—The parties shall be represented by agents, and may have the assistance of advocates throughout the proceedings. The agents and advocates shall enjoy the privileges and immunities necessary to the independent exercise of their duties as such.

"5—Unless otherwise ordered by the Court, or by a chamber before which the cause is to be heard, all oral evidence shall be heard, and all documentary evidence shall be introduced, before a referee appointed by the Court or chamber, by letters rogatory or by deposition de bene esse.

"6—The Court may, at any time, request any individual, body, bureau, commission or other organization to carry out an inquiry and report to the Court, or to give the Court an expert opinion.

"7—The Court may request information relevant to cases before it, from public international bodies, and shall receive any information transmitted to it by such bodies on their own initiative.

"8—Copies of all documents filed by a party in proceeding, shall be given to every other party to the cause.

"9—All notices shall be served on the advocates of the parties, in person, by delivery at, or by mail addressed to, the places at which they are to be found, elsewhere as the Court may direct, or through the government of the State upon whose territory the service is to be effected.

"Article XI

"Intervention

"1—Whenever the construction of a constituent instrument of a public international organization, or of an international convention adopted thereunder, is in question in a cause before the Court, the Registrar shall notify the public international organization concerned, and shall transmit to it copies of all the written proceedings. Such public international organization may intervene of right, by declaration, in the cause.

"2—Whenever there are parties to a convention whose construction is at issue in a cause between other parties, the Registrar shall notify the parties to the convention which are not parties to the cause, of the pendency of the action. Each such party so notified may intervene of right, by declaration, in the cause.

"3—Whenever a public international organization or a State considers that it has a legal interest which may be affected by the decision of a cause, such public international organization or State may apply to the Court for permission to intervene in the cause, and the granting of such application shall be discretionary with the Court.

"4—A judgment in any cause shall be binding on all intervenors, as well as on the original parties to the cause.

"Article XII

"Provisional Measures

"1—Pending hearing and determination of a cause, the Court may, ex proprio motu, or on application of any party, if it considers that circumstances so require, specify any provisional measures to be taken to preserve, pendente lite, the respective rights of any party or parties.

"2—Notice of the provisional measures so specified by the Court, shall be given forthwith by the Registrar to the parties and to the Security Council, which may, if it deems necessary, decide upon measures to be taken to give effect thereto.

"Article XIII

"Sessions of the Court

"1—The Court shall remain in session permanently, except during judicial vacations as fixed by the Court. Members of the Court shall have periodic leave as fixed by the Court, and shall, except when prevented by compelling reasons, hold themselves permanently at the disposal of the Court.

"2—The full Court shall sit in each cause, except as expressly otherwise provided in the present revised Statute. By general rule, or by special ruling of the Court in any case, a member of the Court may be dispensed from sitting in special circumstances, provided that, except as stipulated in paragraph 6 of this Article, the number of judges available to constitute the Court shall not thereby be reduced below 11, and that a quorum of 9 judges shall suffice to constitute the full Court.

"3—From time to time, or at any time, the Court may form one or more chambers, to consist of three or more judges, to hear and determine, for the Court, any case or cases by summary or other procedure as the chamber may direct.

"4—A case shall be heard by a chamber only at the request, or by the consent, of all parties to the cause, or by direction of the Court; and a chamber may, at such request, or by such consent or direction, sit and exercise its functions elsewhere than at The Hague.

"5—By direction of the Court, ex proprio motu or at the request of any party or parties thereto, a case may be transferred for hearing or determination, at any time after institution of the proceeding and prior to judgment, from the Court to a chamber, or from a chamber to the Court.

"6—Any question as to the jurisdiction of the Court may be considered and determined only by the full Court, with not less than fifteen judges sitting.

"7—If a member of the Court feels that he should not, for any reason, take part in the decision of a particular case, he shall so advise the President; or if any member of the Court feels that, for any reason, any other member of the Court should not sit in a particular case, he shall so advise the President. Any party to a cause before the Court may suggest to the Court that, for a particular reason given, a member of the Court should not take part in the decision of the case. The member in question shall not participate in the adjudication of any such case, in the absence of any difference of opinion in that regard. The Court shall determine any dispute as to whether a member should be allowed or required to take part in the decision of any case, the questioned member not participating in such determination.

"Article XIV

"Completion of the Court

"1—Whenever, for any reason, it shall not be possible to have the required number of judges for the Court or for any chamber thereof, in any particular cause, or if, for any reason, no regular judge is available for designation as an additional judge under paragraph 1 of Article XVI of this Statute, the Court may designate as a judge or judges ad hoc, a retired member or members of the Court who may be willing and able to participate in the determination of the case; or, if such retired member or members should not be available, the Court shall designate, as a judge or judges ad hoc, some other person or persons from among those theretofore nominated—although never elected by the United Nations—to serve as a judge of the Court.

"2—A judge or judges ad hoc, appointed by the Court from among persons nominated, but never elected by the United Nations, to serve as judges of the Court, shall not be of the nationality of any party to the cause, and shall retain his or their nationalities.

"Article XV

"Hearings

"1—Whenever any party fails to defend its case or to appear before the Court, any other party may call upon the Court to decide the controversy against the defaulting party; provided that before entering a judgment against a party in default, the Court shall determine that it has jurisdiction of the case, and that the claim or claims of the nondefaulting party or parties are well founded.

"2—Unless otherwise ordered by the Court or chamber before which the cause is to be heard, the hearing before the Court shall consist of an oral presentation by the advocates of the parties.

"3—Memorials and counter-memorials may be filed before and after oral presentation, pursuant to the rules, or to orders, of the Court.

"4—The official languages of the Court shall be English and French, and, unless otherwise ordered by the Court at the request of any party, the pleadings shall be drawn, and the proceedings shall be conducted, in either English or French.

"5—Hearings before the Court and chamber shall be public unless the Court or chamber shall direct otherwise.

"6—The President, or if he is unable to preside, the Vice-President, and if the latter should not be able to preside, the senior judge present, shall preside over sessions of the Court. The senior judge present shall preside over sessions of a chamber.

"7—Minutes of each session of the Court shall be maintained by the Registrar, and these alone shall be the authentic evidence of the proceedings.

"8—The deliberations of the Court shall take place in private and shall remain secret.

"Article XVI

"Decisions

"1—All questions (except a question raised by the contention of a State party to a cause, under paragraphs 3 and 4 of Article VIII of the present revised Statute, that a matter before the Court is essentially within that State's domestic jurisdiction) and all cases, shall be decided by a majority of the judges sitting; and, in the event of an equality of votes, the Court shall designate an additional judge or judges to sit with the Court or chamber for rehearing and determination of the question or cause.

"2—The Court or chamber shall render an opinion in support of its judgment. If the opinion is not unanimous, it shall state the names of the judges concurring therein, and both concurring and dissenting judges shall be entitled to render separate opinions.

"3—Opinions and decisions of the Court shall be rendered in both English and French, the Court designating which of the texts is to be considered authoritative.

"4—A judgment given by a chamber shall be considered as rendered by the Court; except that any party which may have objected to a hearing before a chamber shall have a right, within sixty days from rendition of an adverse judgment by a chamber, to appeal therefrom to the full Court, on which the members of the chamber which decided the case shall be eligible to sit. Except as otherwise ordered by the Court, the presentation of a case on appeal shall be on the record made up before the chamber.

"5—The judgment of the Court, and a judgment of a chamber which is not subject to appeal, shall be signed by the President and Registrar of the Court. Subject to the provisions of Article 94–2 of the Charter of the United Nations, there shall be no appeal from any judgment of the Court, nor from any judgment of a chamber except as provided in the preceding paragraph of this Article.

"6—Judgments shall have no binding force as res adjudicata, except between the parties to the cause and intervenors therein, and in respect of the cause in which rendered. In the event of a dispute as to the meaning or scope of a judgment, the Court or chamber which rendered it may construe it upon application of any party to the cause.

"7—Any party may apply to the Court for revision of a judgment, on discovery of a fact of such a nature as to warrant revision, provided that such fact was unknown to the party, without negligence on its part, prior to judgment.

"8—An application for revision of judgment must be made within six months of discovery of the new fact on which it is based; but such application may not be made, in any event, after the lapse of ten years from the date of judgment.

"9—The granting of a hearing on such application for revision of a judgment, shall be discretionary with the Court, which may require previous compliance with the terms of the judgment as a condition precedent to the proceedings for revision.

"10—Recommendations made, or decisions rendered, by the Security Council, under paragraph 2 of Article 94 of the Charter of the United Nations, upon measures to be taken to give effect to a judgment of the Court, shall be made or rendered by an affirmative vote of seven members including the concurring votes of the permanent members.

"Article XVII

"Costs

"1—The expenses of the Court shall be borne by the United Nations in such manner as shall be determined by the General Assembly.

"2—Each party to a cause shall bear its own costs, unless otherwise decreed by the Court.

"3—The Court shall, by its rules, fix the charges, fees, and costs which parties shall pay in connection with proceedings before the Court.

"4—When a public international organization which is not a constituent agency of the United Nations, or a State which is not a member of the United Nations, is a party to a cause, the Court shall fix the amount which such party is to contribute toward the expenses of the Court in addition to the charges, fees and costs payable by all parties.

"Article XVIII

"Advisory Opinions

"1—The Court shall give an advisory opinion on any legal question laid before it by any body which may be authorized by, or in accordance with, the Charter of the United Nations to make such request.

"2—Questions upon which the advisory opinion of the Court is requested, shall be laid before it in a written application, accompanied by all documents which may be of assistance in reaching an answer to the question.

"3—The Registrar shall forthwith give notice of any request for an advisory opinion to all public international organizations or States which, on the face of the request, have, in his opinion, an apparent interest in the question.

"4—The Registrar shall also forthwith give notice of any request for an advisory opinion, through the Secretary-General, to all other public international organizations which are constituent agencies of the United Nations, and to all States which are members of the United Nations.

"5—Any public international organization or State which feels that it has an interest in the determination of a question which has been submitted to the Court for an advisory opinion, or which feels that it may be in a position to furnish information helpful in the determination of such question, may, under such rules as the Court may prescribe, file memorials and counter-memorials with the Court, and, with leave of Court, make an oral presentation on the question before the Court.

"6—In the exercise of its advisory functions, the Court shall be guided, in addition to the provisions of the within Article, by the provisions of the present revised Statute, and of its own rules governing controverted cases, in so far as applicable.

"Article XIX

"Rules and Regulations

"1—The Court shall make all rules necessary or advisable for the conduct of proceedings pending before it, including rules to cover all matters provided by the present revised Statute, to be governed by such rules.

"2—The rules of the Court may provide for assessors to sit with the Court or with any of its chambers, but assessors shall not have the right to vote.

"Article XX

"Ratification and Amendment

"1—Reservations shall not be admissible in ratifications of the present revised Statute, which shall come into force unconditionally, as written, for all members of the United Nations, after it shall have been adopted by a vote of two-thirds of the members of the General Assembly, upon deposit with the Secretary-General of instruments of ratification thereof, without reservations, in accordance with their respective constitutional processes, by two-thirds of the members of the United Nations, including all of the permanent members of the Security Council. A protocol of the instruments of ratification deposited shall thereupon be drawn up by the Secretary-General, who shall communicate copies thereof to all of the members of the United Nations, and to all States not members of the United Nations who shall then have become parties to the former Statute of the International Court of Justice.

"2—Amendments to the present revised Statute shall be effected by the same procedure as is provided by the Charter of the United Nations for amendment to that Charter.

"3—The Court may propose such amendments to the present revised Statute as it may deem necessary or advisable, by written communication to the Secretary-General, for consideration pursuant to the first paragraph of the within Article."

EXHIBIT 1

[From the American Bar Association Journal, June 1963]

A PLAN FOR RECONSTITUTION OF THE INTERNATIONAL COURT OF JUSTICE

(By Eberhard P. Deutsch of the Louisiana bar (New Orleans))

(NOTE.—The capacity of the International Court of Justice to adjudicate international disputes has been circumscribed by the failure of some nations to adhere to the Court's jurisdiction and the adherence of most others only subject to narrow reservations. Mr. Deutsch proposes that the Court be reconstituted with international judges who are citizens, not of their nations, but of the United Nations, and are elected for life. He also proposes other significant changes in the structure and competence of the Court, protected by all of which, he suggests, nations will no longer be reluctant to submit, in advance, to unreserved compulsory jurisdiction of the tribunal.)

Ever since the beginning of the 20th century, and to some extent even earlier, there have been strong currents—engendered by a deep-seated human yearning for world peace—moving toward establishment of a permanent international tribunal, with compulsory jurisdiction over all nations of the world, for definitive peaceful adjudication of their disputes.

Many of the great statesmen who labored assiduously in the vineyards of international organization at the Hague Peace Conferences of 1899 and 1907, at Versailles in 1919 and at San Francisco in 1945 were striving to lay firm foundations for the support of sturdy structures to house the idealistic concept of the international tribunals they were endeavoring to create as instruments to achieve their ultimate ideal of permanent peace.

The most extreme visionary among us would not presume to assert that their ideal has yet been approached even closely, much less achieved; nor would the starkest realist deny that there has been substantial progress in the direction of that distant goal. All would agree, however, that the permanent international tribunals established in the 20th century as agencies for the attainment of world peace—with jurisdiction dependent on consent of the litigants, which may be withheld altogether or given subject to emasculating reservations—could never achieve the high destiny which their creators envisioned for them.

COURTS HAVE HAD ONLY LIMITED JURISDICTION

The Permanent Court of International Justice, organized in 1922 under a statute adopted by the Assembly of the League of Nations pursuant to article 14 of its covenant, unquestionably rendered some noteworthy decisions and delivered some scholarly opinions which have become significant milestones along the tortuous paths of international law. But that article of the covenant merely provided that the "Court shall be competent to hear and determine any dispute of an international character which the parties thereto submit to it"; and the Permanent Court must be conceded never really to have become competent to serve or actually to have served as an effective instrument for the preservation of world peace.

Article 92 of the Charter of the United Nations declares that "the International Court of Justice shall be" its "principal judicial organ," and it provides that the Court is to "function in accordance with the annexed statute, which is based upon the Statute of the Permanent Court of International Justice." Under article 36 of the present statute, only states which file declarations of adherence are subject to the jurisdiction of the Court—and then only under the conditions stipulated in their own declarations.

At the present time, of the 110 member states of the United Nations, less than 40 have of record any declarations of adherence to the International Court of Justice, and only 2 or 3 of these may truly be said to have submitted themselves completely and unconditionally to the compulsory jurisdiction of the Court.

Under these conditions, it must be conceded that the International Court of Justice, while also handing down learned opinions on the inadequately charted seas of international law, has been impotent, largely through necessity, as an instrument intended to further the "purposes and principles" of the United Nations (as set forth in the first article of the charter) for "prevention and removal of threats to the peace" through "adjustment or settlement of international disputes" in "conformity with the principles of justice and international law."

Rightly or wrongly, most nations have withheld their declarations of adherence altogether or their unconditional adherences for three principal reasons.

First, most countries seem to have hesitated to submit their important international problems to judges whose strong national allegiances may divert their judgments from disinterest to expediency. As stated in 1933 by Prof. Hersch Lauterpacht, later a judge of the International Court of Justice, "the real difficulty lies not in the ability of international law to protect important interests of states, but in the apprehension that it would be dangerous to expose such interests to the risks of a decision by judges whose impartiality is regarded as problematical."

Second, there has been an understandable reluctance on the part of the so-called great powers to surrender their sovereignties to the extent apparently necessary for unconditional submission to compulsory jurisdiction of an international court.

Finally, there has been an especially marked unwillingness of all nations to entrust to a mere majority of a quorum of an international tribunal the power to determine whether matters which a state considers to lie within its domestic jurisdiction fall within the scope of permissible international adjudication.

PLAN FOR RECONSTITUTED COURT IS DISCUSSED

For some years the writer has had under intensive study and has now brought to fruition a plan for reconstitution of the International Court of Justice—to be composed of disinterested judges, with compulsory jurisdiction over all justiciable international disputes among nations, confidently to be trusted to deny its own right to adjudicate domestic issues, all without undue surrender of sovereignty on the part of any state, certainly not beyond that already surrendered by adherence to the Charter of the United Nations itself.

With universal disarmament, "adjustment or settlement of international disputes" in "conformity with the principles of justice and international law" can be achieved, beyond question, by establishment of a universally acceptable international tribunal, having compulsory jurisdiction over all nations, for disposition of justiciable controversies among them. The difficulty lies in fixing the conditions under which disarmament is to be accomplished, the Court established, and both maintained with a minimal surrender of national sovereignty.

Disarmament need merely be mentioned in passing. Suffice it to say that universal disarmament can neither be accomplished nor maintained realistically except subject to effective international controls.

In his annual report for 1955 to the General Assembly of the United Nations, Dag Hammarskjold, its then Secretary General, submitted that "it is surely in the interest of all member states to restrict as much as possible the sphere where sheer strength is an argument, and to extend as widely as possible the area ruled by considerations of law and justice. In an inter-dependent world, a greater degree of authority and effectiveness in international law will be a safeguard, not a threat to the freedom and independence of national states."

A decade earlier, the First Committee (on the International Court of Justice) of Commission IV (on Judicial Organization) in its report at the San Francisco Conference early in 1945 ventured "to foresee a significant role for the new Court in the international relations of the future. * * * It is confidently anticipated that the jurisdiction of this tribunal will be extended as time goes on, and past experience warrants the expectation that its exercise of this jurisdiction will command a general support."

Realistic principles of justice under international law can never be established and maintained except by an impartial tribunal that is composed of judges owing no national allegiances and that is bound scrupulously to avoid determination of any but genuinely international issues among nations in positions of absolute equality in the assertion of their rights before the Court.

The plan discussed herein for reconstitution of the International Court of Justice, under which the Court is to have compulsory jurisdiction, without reservations, over all member states of the United Nations, will strengthen the authority of the Court, while removing from it (as far as it can humanly be done) every vestige of possible partiality of its judges, and prohibiting its assumption of jurisdiction over domestic or quasi-international issues; and will involve no surrender of sovereignty, except to the bare extent of submission to the decretal jurisdiction of the Court.

PLAN REQUIRES AMENDMENT OF STATUTE

Reconstitution of the International Court can be accomplished only by amendment of the statute of the Court, which requires "a vote of two-thirds of the members of the General Assembly," and ratification "in accordance with their constitutional processes by two-thirds of the members of the United Nations, including all the permanent members of the Security Council." It is apparent that any proposed reconstitution of the International Court, in order to be acceptable to all governments, must be so devised as to give rise to no fear of abuse of the Court's power. It is recommended that the proposal be put into effect through the revision of the present statute by a complete new text embodying principles which, it is submitted, will accomplish the desired result.

The most important single factor in purging an international tribunal of possible bias or suspicion of bias of its judges is internationalization for life of the members of the Court. The late Judge Lauterpacht of the International Court of Justice, one of the world's greatest modern scholars in the field of international law, stated in the latest edition of his "Development of International Law by the International Court," published in 1958, only 2 years before his death: "If government by men, and not by laws, is resented within the state by individuals, any appearance of it is likely to be viewed with even greater suspicion on the part of sovereign states in relation to judges of foreign nationality. The problem of judicial impartiality, however exaggerated it may be on occasions, is an ever-present problem in relation to international tribunals."

The proposed revised statute of the International Court of Justice provides that the Court "shall be composed of a body of independent judges." Those are the identical words used in article 2 of the original statute of that Court and in the same article of the original and revised statutes of the Permanent Court of International Justice, into which they were incorporated from similar language in The Hague project of 1907 for a court of arbitral justice.

By use of the term "a body of independent judges," the 1920 Committee of Jurists, which drafted the original Statute of the Permanent Court of International Justice, intended that the judges of that Court were (insofar as humanly possible) to be absolutely independent of the governments of which they were nationals.

In September 1927, a committee of judges of the Permanent Court of International Justice, in a report rendered with reference to the advisability of permitting appointment of judges ad hoc by litigants in cases submitted for advisory opinions, themselves conceded that "of all influences to which men are subject, none is more powerful, more persuasive or more subtle, than the tie of allegiance that binds" judges "to the land of their homes and kindred, and to the great sources of the honors and preferments for which they are so ready to spend their fortunes and to risk their lives."

As early as 1920 Minéitcirô Adatci, a distinguished international scholar and diplomat and a member of the Committee of Jurists which drafted the Statute of the Permanent Court of International Justice, whose President he was destined to become, expressed the view that the judges of that Court should be required on appointment to "deify themselves," a status which he suggested might be achieved by means of their internationalization.

In 1923, Judge Edwin B. Parker, of the United States, was appointed umpire of the Mixed Claims Commission to adjudicate claims between the United States and Germany. Shortly after Judge Parker's death in 1929, Prof. Edwin M. Borchard, of the School of Law of Yale University, wrote of him in the American Journal of International Law that he "early made it clear that" in his official capacity "he regarded himself as denationalized."

STATISTICS SHOW BIAS OF NATIONAL JUDGES

Some interesting statistics on inherent prejudices of national judges of the Permanent Court of International Justice were gathered by Professor Lauterpacht and published in 1933 in "Function of Law in the International Community," after due "consideration of the expediency and appropriateness of this line of investigation." He found "that in no case have national (ad hoc) judges voted against their state," a circumstance which "cannot be regarded as a mere coincidence," but was on the contrary "profoundly disturbing," particularly in light of the fact that in several cases the dissenting opinions of national judges were "delivered against the unanimous or practically unanimous view of the Court."

More recent statistical data disclose that on 12 occasions from 1922 to 1960 a national judge—ordinarily a judge ad hoc—has formed a minority of one on the side of his own country—a "coincidence" even more "profoundly disturbing."

Professor Lauterpacht had concluded in 1933 that the indispensable impartiality of the judges of any permanent international tribunal "presupposes on their part the consciousness of being citizens of the world."

To this end, it is proposed in the new revised statute that each judge of the International Court of Justice be required to renounce his nationality upon his accession and be deemed to have become a citizen of the United Nations for life, with diplomatic status in very country of the world. It is proposed also that the spouse of each judge be presumed to have renounced her (or his) nationality upon the judge's accession and be deemed also to have become a citizen of the United Nations, with correlative worldwide immunities, for the life of the judge. The spouse would be considered to have retained United Nations citizenship for 2 years after the death of the judge, being eligible for and obligated to take citizenship in any country of her choice on loss of United Nations citizenship.

The United Nations, however, is not itself a state. It accordingly has no domestic laws for the government of matters of personal status, rights, and liabilities of members of the court and their wives—such as marital community, devolution and inheritance and capacity to contract and innumerable similar relationships, rights and liabilities.

To fill this gap, it is proposed that each judge and his spouse are to be deemed to have their national domicile at the seat of the court and each retired judge and his spouse, as long as they may be deemed to be citizens of the United Nations as provided in the statute, are to be considered to have their national domicile at the judge's permanent residence. This is to apply in each case insofar as but no further than their personal status, rights and liabilities may not be defined by their United Nations citizenship.

LIFE APPOINTMENT FOR JUDGES PROPOSED

As a concomitant of the suggested internationalization of judges, it is proposed that their election be for life (with certain retirement privileges and requirements), instead of for 9 years in overlapping groups of five as under the present statute. As further assurance of the independence of the judges, the proposed statute retains the provisions of the original statute that the salaries and allowances of judges may not be decreased during their tenure and remain free of any and all taxation.

Under the proposed statute the Court would remain at 15 members, there being no apparent reason for any change in their number.

Much has been said and written about the possibility of retrograding the caliber of the Court through the provisions for election of its members in groups for fixed terms, as under the present statute, but it has never been suggested that any of the present members of the Court leave anything to be desired in individual scholarly attainments in international law and in absolute personal and judicial integrity. With the possible exception of a suggestion of a moderate Latin American predominance over other world areas, there has been no strong criticism of regional distribution of membership on the court.

It is proposed accordingly that the judges in office at the time of amendment of the statute as suggested be automatically retained in office for life under the terms of the new statute.

Life tenure of the judges under the proposed amended statute will minimize the necessity for revision of the present substantive method of filling vacancies on the court. Instead of election of five judges en bloc every 3 years as at present, elections will take place only to fill vacancies and rarely for more than a single judgeship.

Election of one or possibly more, but certainly fewer than five, judges may nevertheless give rise to national or regional alinements and difficulties in securing majorities, especially perhaps, in light of the recent radically increased membership of the United Nations. Under these circumstances it is advisable to modify the present election machinery to establish a simplified procedure, somewhat along the lines of such a change as has been suggested for election by pluralities to avoid any possible impasse in achieving bloc majorities.

Vacancies would then simply be filled by election as heretofore by the Security Council and General Assembly, without right of veto, from nominations which each nation would be privileged to make directly. But election would be by plurality among nominees receiving a majority of votes cast in both bodies, without the necessity of "absolute majorities" of entire memberships.

If judges are to have life tenure it is advisable to fix age limits for nominees for judgeships. Absolutism or relative statistical certainty of result in setting age limits for judges are impossible of attainment; but it is suggested as a fair basis for assuring adequate maturity with full physical and mental vigor that judges be between the ages of 53 and 68 when elected.

Article 18 of the original statute of the Court provides that "no member of the Court may be dismissed unless, in the unanimous opinion of the other members, he has ceased to fulfill the required conditions." It has not been necessary to test whether this provision is sufficient, since the present limited 9-year term gives some assurance of ultimate control by the General Assembly and the Security Council.

But in view of the proposed life tenure under the new statute, it is preferable to provide that a judge may be dismissed, on impeachment by a majority of the General Assembly, by a vote of two-thirds of the members of the Security Council, without right of veto. Dismissal of a judge will carry with it loss of United Nations citizenship for himself and his spouse, with automatic reversion to their citizenship at the time of his election, and loss of emoluments of office and pension rights.

The new statute provides, as does the present, that a judge may resign at any time, except that it is now proposed that a judge may not resign while he is under impeachment. On resignation the judge forfeits United Nations citizenship of himself and his spouse. They will be eligible for and must within 6 months take citizenship in a State of their choice.

It is proposed that judges shall have the right to retire at any time after reaching 70 and that they shall be retired automatically at 75. On retirement the judge is to receive for life his full salary if he has served 10 years or more, or a ratable portion if he has served less than 10 years at the time of his retirement.

REQUIRED RECUSATION PROVISIONS ARE BROADENED

As an added safeguard to the guarantee of fair hearings—in view of the new paramount requirement for compulsory, unreserved submission to the jurisdiction of the Court—the provisions for required recusation of judges are broadened considerably under the proposed statute.

Any member of the Court may at any time request that he be recused for any reason from participating in a cause. Any member may suggest that for any reason any other member of the Court should not sit in a particular case and any party may suggest to the Court that for a stated reason any member should not sit.

In the event of a dispute as to whether a judge should be allowed or required to recuse himself from participation in hearing and determination of a cause, the matter is to be decided by the Court, but the judge whose recusation is under consideration is not to participate in this decision.

The provision of the present statute for a quorum of 9 judges to constitute the Court is retained subject to its provision—to which further reference will be made hereunder—that a full Court of 15 judges must sit for hearing and determination of any question as to the jurisdiction of the Court over any proceeding before it.

CHANGE IN PROVISIONS ON AD HOC JUDGES

The present statute of the International Court of Justice provides, as did the statute of the Permanent Court, that if the panel of the Court does not include a national of a party to a case before it, the party (or both parties, if there is no national of either on the bench) may designate a judge (or judges) ad hoc to sit with the Court and to "take part in the decision on terms of complete equality with their colleagues."

There is no present provision for appointment of judges ad hoc to meet other contingencies, such as the absence of a quorum, it being provided in the rules of the Court that judges ad hoc "shall not be taken into account for the calculation of a quorum" and that, in the absence of a quorum, a session is simply to be adjourned "until a quorum has been obtained."

While the present statute contains no requirement that a judge ad hoc be of the nationality of the appointing party, judges ad hoc have been nationals or the states by which they were appointed, except on rare occasions. This has been the inevitable consequence of the premise that the very purpose of the provisions for designation of judges ad hoc is to place representatives of the parties themselves on the bench for determination of a particular case.

On the other hand, the whole idea of national judges is completely foreign to the basic concept of the proposed new statute, under which there will be no national judges at all; so no need is recognized for national judges ad hoc. Only when additional judges are required to complete a quorum or to break a tie will there be any need for judges ad hoc. Then they are not to be designed by the parties and may not be nationals of the countries litigant.

It is therefore simply provided in the proposed statute that whenever there is an insufficient number of judges to constitute the bench, or the judges are equally divided in their votes as to decision of a case, the Court itself is to designate a judge or judges ad hoc from retired judges willing and able to serve or from persons, not of the nationality of any party to the cause, theretofore nominated for judgeships on, but not elected to the Court.

Like the present statute, the new statute requires that all questions before the Court or any chamber thereof (except as to whether the Court may exercise jurisdiction over a proceeding against a contention that its subject matter is essentially within the domestic jurisdiction of a state party to the cause) are to be decided by a majority of the judges who participated in the hearing. In the event of a tie vote, the Court is to designate an additional judge or judges to sit with the Court or chamber for rehearing and determination of the question or cause, instead of allowing a second, or casting, vote to the president of the Court as at present.

The new statute, like the old, provides for the rendition of written opinions—both majority and dissenting, as well as separate concurring opinions—the names of the judges subscribing to each being stated.

CHANGES ARE PROPOSED AS TO CHAMBERS

Some changes are proposed with reference to the constitution and functioning of chambers of the Court to hear and determine particular causes. The provision for a standing chamber for summary disposition of cases referred to it is retained. While the Court has never had occasion to form a chamber to hear a particular case or categories of cases, its right to do so is retained in the proposed new statute, except that any question as to the Court's jurisdiction must be heard and determined by the full Court.

The proposed statute provides, however, that a case is to be heard before a chamber of the Court only at the request or by the consent of the parties, or by direction of the Court, provided that any party which shall have objected to hearing before a chamber is to have a right of appeal to the full Court from the judgment of the chamber. In the event of an appeal, the members of the chamber which determined the cause are to be eligible to sit as members of the full Court on the appeal, which will be presented on the record as made up before the chamber, except as otherwise ordered by the Court.

No change is proposed in the parties to have access to the Court, except that in addition to states (both members and nonmembers of the United Nations) the jurisdiction of the Court over public international bodies is spelled out expressly. The Court will continue to be without jurisdiction over private parties—as complainants, respondents, or otherwise.

JURISDICTION OF SUBJECT MATTER IS UNCHANGED

Jurisdiction of the Court, ratione materiae, remains unchanged under the proposed new statute, except for clarification of and emphasis on the absence of any jurisdiction over essentially domestic issues as such.

The jurisdiction of the Court as to subject matter will extend to (a) the interpretation of treaties; (b) questions of international law; (c) the determination of any fact which, if established, would constitute a breach of an international obligation; (d) the nature and extent of any reparation to be made for the breach of an international obligation; and (e) any matter which, under any international agreement, is to be referred in event of dispute to the Court or to any predecessor international tribunal.

The jurisdiction of the Court will also continue to extend to (a) any justiciable matter referred by the parties to the Court for determination; (b) all matters specially provided for adjudication by the Court under the Charter of the United Nations; and (c) matters referred to the Court for advisory opinions by the General Assembly, the Security Council or other organs or agencies of the United Nations that may be authorized by the General Assembly to request opinions.

MATTERS WITHIN DOMESTIC JURISDICTION ARE EXCLUDED

The proposed statute provides explicitly that "the Court shall have no jurisdiction over, and nothing contained in the present statute shall be construed as requiring the members of the United Nations to submit to the Court for adjudication, any matter essentially within the domestic jurisdiction of any State."

The principal criticism of the Court has been that its jurisdiction over States has, in effect, been at their own option—subject first to the filing by each State of a declaration of its acceptance of the Court's jurisdiction, and second to any conditions which a State might see fit to attach to its declaration.

Thus, for instance, a number of States have from time to time conditioned their acceptance of the jurisdiction of the Court by excepting matters they may themselves deem to fall within their own domestic jurisdictions. The Connally reservation to the declaration of adherence of the United States falls within this category and is typical of conditions attached by other nations to their acceptances of the Court's jurisdiction.

In addition, by application of the principle of reciprocity, each State subject to the jurisdiction of the Court is permitted to limit that jurisdiction as to any other State vis-à-vis which it is called to appear before the Court by any condition which the other State may have attached to its own acceptance of the Court's jurisdiction.

Unquestionably, much of the virility contemplated for the court has been lost through these emasculating reservations. It is not suggested that the reservations were unjustified, although it has frequently been argued that they were. But whether warranted or not, there can be no question that they have rendered the Court impotent in many situations in which it should have been in a position to function effectively.

Much less can be said in support of optional or conditional jurisdiction of the International Court of Justice, however, when constitutional assurance is given to all nations that the Court is to be so constituted as to guarantee an objective attitude toward the cause of every nation, although the Court is to be the sole arbiter of its own jurisdiction in the determination as to whether a matter placed before it is one of domestic or of international concern.

On the assumption, therefore, that proponents of optional or conditional jurisdiction of the Court would concede the absence of any need for its safeguards in light of assurances of the tribunal's impartiality, the proposed statute provides that any "dispute as to the jurisdiction of the Court shall be determined by the Court".

But it goes further. It provides that the Court is not to exercise jurisdiction over a cause in the event that a state which is party to a cause objects that the proceeding is one essentially within its own domestic jurisdiction, unless at least 10 judges (two-thirds of the Court's entire membership) concur in holding that the matter under consideration is within the Court's jurisdiction. The proposed statute also contains the mandatory directive that "any doubt as to whether a matter is essentially within the domestic jurisdiction of a state, shall be resolved by the Court in favor of such domestic jurisdiction".

JUDGES' LEGAL BACKGROUNDS MAY BE DIFFERENT

Much has been said about the asserted impossibility of the dispensation of truly impartial justice among nations compelled to appear before an international tribunal if it is to be composed of judges, whatever their bona fides, trained under different judicial systems and adhering to different—even completely incompatible—jurisprudential philosophies.

Again, with all that has been said and remains to be said on both sides of this question, it must be remembered that the world is growing ever smaller. Civilized concepts of the inalienable rights of freemen and of free nations are finding their way into what were once the far corners of the earth. Public international law is falling more and more into universally recognized patterns.

In this annual report for 1955, Mr. Hammarskjold conceded that "one may recognize that the reluctance of governments to submit their controversies to judicial settlement stems in part from the fragmentary and uncertain character of much of international law as it now exists. * * * However, the begnnings of a 'common law' of the United Nations, based on the Charter, are now apparent; its steady growth will contribute to stability and orderliness."

With an international tribunal whose members are almost certain to display objective points of view toward international disputes laid before them, it would seem safe to blueprint the guides for determination of questions giving rise to the disputes. These guides are set out in the original statute and are carried forward with some modification into the proposed statute.

For instances, the Statute of the Permanent Court of International Justice did not direct that tribunal to be guided by general principles of international law in reaching its decisions. The Court had to assume that this directive was to govern its deliberations in applying certain specific legal criteria to the adjudication of questions before it, as the statute did expressly require it to do.

When the present statute of the International Court of Justice was drafted, its framers supplied this legislative omission by providing, at least parenthetically, that the Court, "whose function is to decide in accordance with international law, such disputes as are submitted to it", is to apply to the adjudication of such disputes substantially the same legal criteria enumerated in the former statute.

GUIDELINES FOR ADJUDICATION ARE SPELLED OUT

The proposed statute provides affirmatively that the "Court shall adjudicate disputes before it in accordance with generally accepted, applicable principles of international law, giving due consideration, in its deliberations, to" the stated criteria, which are somewhat modified under the provisions of the new statute.

For example, among the criteria to be applied by the Court under its present statute are "the general principles of law recognized by civilized nations." On the assumptions that the term "principles of law" should now be broadened and that all nations are more or less civilized today, the comparable provision of the proposed statute speaks instead of "general principles of law, equity and justice recognized among nations."

These guidelines, which the Court would be directed to apply in reaching its conclusions under the proposed statute, are (a) provisions of international conventions establishing rules of international conduct expressly recognized among nations; (b) international custom, as evidence of generally accepted practice; (3) judicial precedents recognizing principles of international law; (d) general principles of law, equity and justice recognized among nations; and (e) legal writings of recognized authorities in international law.

The proposed statute omits the provision of the old that the Court is to have power "to decide a case ex aequo et bono, if the parties agree thereto." This power, essentially one of judicial legislation, is not considered to constitute a proper judicial function in any case.

As the Court is authorized to do and has done under its present statute, it will be empowered to make rules of procedure to implement the new statute.

COURT WILL POSSESS ONLY DECRETAL AUTHORITY

That the proposed statute of the International Court of Justice involves, in the last analysis, no undue surrender by any nation of its national sovereignty must be evident from the Court's mere decretal authority, with no power to enforce its decrees.

The court itself is authorized, under article 36 of the present statute and by a provision carried forward into the proposed statute, to determine "the nature or extent of the reparation to be made for the breach of an international obligation," and under article 94 of the Charter of the United Nations each member state "undertakes to comply with the decision of the International Court of Justice in any case to which it is a party." But article 94 concludes that "if any party to a case fails to perform the obligations incumbent upon it under a judgment rendered by the Court, the other party may have recourse to the Security Council, which may, if it deems necessary, make recommendations or decide upon measures to be taken to give effect to the judgment."

Clearly, if the Security Council deems that it is not necessary that measures be taken "to give effect to the judgment," it need not decide on such measures and need make no recommendations. No less clearly, if the Security Council deems it necessary to do so, it may shape the "measures to be taken to give effect to the judgment" according to its own concept of how and to what extent that judgment should be carried out, and it may make its recommendations accordingly.

The proposed statute states expressly that "there shall be no appeal from any judgment of the Court," except, significantly, "subject to the provisions of article 94–2 of the charter" (which provides, as stated, for "recourse to the Security Council"), demonstrating clearly that such "recourse" is in the nature of an appeal—as to "measures to be taken to give effect to the judgment."

By a provision of the proposed statute, "recommendations made, or decisions rendered by the Security Council, under paragraph 2 of article 94 * * * upon measures to be taken to give effect to a judgment of the court, shall be made or rendered by an affirmative vote of seven members including the concurring votes of the permanent members." This removes any doubt, sometimes expressed, as to the right of veto over these recommendations or decisions.

These provisions constitute the Security Council, in effect, the ultimate appellate tribunal for determination of the disposition to be made of the decrees of the International Court of Justice, with assurance of retention by the permanent members of the Security Council of the right to exercise the veto power in the performance of this quasi-judicial, appellate function.

Suffice it to say that under the proposed statute a judgment of the International Court of Justice is not enforceable until the Security Council, with the concurrence of all of its permanent members, shall have found it necessary to "make recommendations or decide upon measures to be taken to give effect to the judgment" and shall actually have made recommendations or shall actually have decided on measures.

Decrees of the Court accordingly are not self-executing. Submission to the Court's jurisdiction, with an undertaking to comply with its decisions, does not involve surrender of sovereignty because a measure of appeal to the Security Council's diplomatic forum, where the right of veto remains effective, is retained.

PROPOSED STATUTE IS NOT A PANACEA

It is not suggested, of course, that the proposed statute is equivalent to a handbook of scientific formulae, coupled with an infallible electronic computer, by which complex international problems can be solved with mathematical precision to the entire satisfaction of all concerned; or even that there will not be occasional or even frequent dissenting opinions among members of the Court in the determination of issues before the tribunal.

It is simply submitted that under the proposed statute any nation of the world may safely agree in advance to lay its disputes with any other nation before the Court for adjudication, without reservations, and with full confidence in the integrity of that body to give fair answers to the questions at issue, under universally recognized equitable principles.

On May 28, 1951, the International Court of Justice, in response to a submission by the General Assembly of the United Nations, rendered its advisory opinion as to the nature and effect of reservations in ratifications of a treaty—the draft Convention on Genocide. The Court found that "the appraisal of a reservation and the effect of objections depend upon the circumstances of each individual case," and that "in the absence of an article in the convention providing for reservations, one cannot infer that they are prohibited."

Following rendition of this opinion, the Assembly at a plenary session in Paris on January 12, 1952, adopted a resolution recommending "that organs of the United Nations, specialized agencies and states should, in the course of preparing multilateral conventions, consider the insertion therein of provisions relating to the admissibility or nonadmissibility of reservations and to the effect to be attributed to them."

Much, if not all, of the reason underlying optional or conditional jurisdiction of the International Court of Justice is dissipated when the statute of the Court assures completely objective judges, of unquestionable integrity, appointed for life, declining to adjudicate any but genuinely international questions, and determining real international issues as fairly as human frailties will permit.

COMPULSORY JURISDICTION WOULD BE REALIZED

The proposed statute seeks to attain that end. It contains no provisions for adherence with reservations. On the contrary, it provides expressly that reservations shall not be admissible in ratifications of the statute, which is to come into force unconditionally, as written, for all members of the United Nations after adoption by two-thirds of the members of the General Assembly, and upon deposit with the Secretary General of instruments of ratification, without reservations, by two-thirds of the members of the United Nations, including all of the permanent members of the Security Council. Jurisdiction of the Court over international disputes, would be compulsory as to all member states of the United Nations. All conditions heretofore attached to declarations of acceptance of the jurisdiction of the Court under its present statute would serve no further purpose.

Nothing contained in the proposed statute of the Court contemplates either repeal or retention of the Connally reservation by the United States. But when, as and if such a statute should be adopted by the United Nations and ratified by two-thirds of its members, including the United States and all of the other permanent members of the Security Council, the Connally reservation would no longer have meaning or effect.

With adoption and ratification of the proposed statute "effective collective measures" will indeed have been taken, in the words of the first article of the Charter of the United Nations, to achieve "international peace and security" through "prevention and removal of threats to the peace," by bringing about "adjustment or settlement of international disputes" in "conformity with the principles of justice and international law."

EXHIBIT 2

[From the Pittsburgh (Pa.) Post-Gazette, May 2, 1963]

SOVIET LAWYER SPEAKS: RUSSIA SEEN RECOGNIZING WORLD COURT IF UNITED STATES DOES

(By John Lofton)

A Russian law professor who is visiting Pittsburgh this week believes that the Soviet Union would accept the compulsory jurisdiction of the World Court if the United States agreed to be bound by decisions of that tribunal.

Prof. J. A. Kerimov, of Leningrad State University, offered this opinion as he was interviewed during a break in the crowded schedule of his 6-day stay in the city.

The main purpose of his Pittsburgh visit was to acquire firsthand knowledge of the work of the information retrieval project at the Health Law Center of the University of Pittsburgh. This project, utilizing electronic computing machines for legal research, is under the direction of Prof. John F. Horty and is a part of Pitt's Graduate School of Public Health.

Professor Kerimov, who is using electronic equipment at his own institution, wanted to observe operations here, share ideas with Professor Horty and his staff and meet the faculty and students of Pitt's School of Law for an exchange of views on legal questions and on the study of law.

With Prof. Eberhard M. Fels, of Pitt's mathematics department, serving as interpreter, the Russian legal scholar answered all questions quickly and without qualification. The question about the World Court was put to him because at present neither the Soviet Union nor the United States has agreed to accept the authority of that tribunal on questions of international law and treaties. Professor Kerimov said he is unequivocally in favor of the rule of law and of accepting the authority of the International Court of Justice, an organ of the United Nations.

When told that the American Bar Association's Committee on World Peace Through World Law was working to get nations to accept the compulsory jurisdiction of the Court, he said he thought this was an effort in which Russian lawyers would collaborate. He added that the community of lawyers in the Soviet Union would surely back any trend that would make peaceful international relations more likely.

Asked how Soviet citizens could seek redress when they have grievances against officials, Professor Kerimov replied that they: (1) might appeal to the erring official's superiors, or (2) go to the district attorney and file a complaint, or (3) sue the official in court. He observed that at the present time authorities are very sensitive about safeguarding the rights of individuals and a consistent battle is being fought against officials who are not conscious of such rights.

In response to a query about the nature of law in his country, Professor Kerimov explained that all Soviet law is codified (from statutes) and that judicial opinions (as precedents) are not sources of law, as they are in the United States. After a law has been applied for some time by the lower courts, the Supreme Court of the Soviet Union may, he said, observe certain shortcomings in its application, whereupon it issues guidelines for the proper interpretation of the law.

Relating the purpose of his Pittsburgh visit to his own work, he noted that he is applying cybernetic techniques to legal research with the objective of retrieving information on legal draftsmanship and on how laws originate linguistically. He said he is interested in streamlining the codification process and in statistical analysis of legal decisions and of arbitration and administration in practice. He also would like to apply the techniques of cybernetics to criminology to: (1) explore the motivation for crimes and (2) to coordinate various kinds of expertise in criminology. (Cybernetics, in this case, is the use of computing machines to "think" and predict in the field of law.)

Having observed the use of computing machines in legal research here, Professor Kerimov said it is his fond hope to establish close collaboration between Professor Horty's health law project and his own. This hope is shared by Professor Horty, who expects to maintain liaison with the organization headed by Professor Kerimov. It is called the Cybernetics and Law Section of the Soviet Academy of Sciences' Advisory Council on Interdisciplinary Problems of Cybernetics.

With Pittsburgh the second stop (after Harvard) on a tour of American institutions, Professor Kerimov, a specialist in the philosophy of law and the author of nine books, said he was impressed with what he saw here and enjoyed his visit.

CLARIFICATION OF PART IV OF INTERSTATE COMMERCE ACT—AMENDMENTS

Mr. MILLER submitted amendments, intended to be proposed by him, to the bill (S. 684) to clarify certain provisions of part IV of the Interstate Commerce Act and to place transactions involving unifications or acquisitions of control of freight forwarders under the provisions of section 5 of the act, which were ordered to lie on the table and to be printed.

AMENDMENT TO FOREIGN ASSISTANCE ACT—AMENDMENTS

Mr. KEATING. Mr. President, I submit, for appropriate reference, amendments to the Foreign Assistance Act of 1961 (S. 1276), the principal purpose of which is "to insure that U.S. funds are not used to subsidize aggressive military ventures and purchases of Soviet military equipment on the part of aid recipients."

Last year Representative HALPERN and I introduced legislation providing as follows:

> It is the sense of Congress that in the administration of these funds great attention and consideration should be given to those countries which share the view of the United States on the world crisis and which do not, as a result of United States assistance, divert their own economic resources to military or propaganda efforts, supported by the Soviet Union or Communist China, and directed against the United States or against other countries receiving aid under this act.

This amendment was accepted by both Houses of the Congress, and became part of the law.

The amendment being introduced by me today strengthens the one enacted last year, by providing mandatory language to put necessary teeth into last year's language, which was only a "sense of Congress" provision.

Mr. President, I am glad to note that this year the purpose and concept behind this amendment has the support and backing, not only of Representative HALPERN, but also of a number of other Members of this body who are submitting similar language.

Mr. President, I welcome the efforts and help of other Senators in bringing this serious problem to the attention of the Foreign Relations Committee and the Congress. The text of the language which I am offering today provides for the suspension of assistance to any government which purchases or contracts to purchase from any Soviet bloc nation military equipment in quantities requiring a significant diversion of its own domestic resources from the economic development which is the purpose of this act, or expends a substantial portion of its own domestic resources on military preparations, subversion, or propaganda directed against any other country receiving assistance under this act.

The American taxpayers should not be called upon to subsidize activities of this kind—although that has been done in the past, and in the absence of language of this sort would be done. Where national security considerations are involved, the President would have the authority to waive this language upon the submission of full reports to the Congress. My bill also calls for annual report to the Congress as to the extent of spending by aid recipients for Soviet military equipment or military and propaganda activities.

Mr. President, I am very glad that the Foreign Relations Committee will have before it this concept in a number of different legislative forms, because it is my feeling that the language we added to the Act last year has not been sufficiently effective; and certainly it is my hope that the Foreign Relations Committee will put its weight behind a stronger provision than that one.

Mr. President, I am informed by the Agency for International Development that the major recipients of significant amounts of Soviet military equipment have been: Indonesia, United Arab Republic, Syria, Iraq, and Afghanistan. Nations receiving lesser amounts of Soviet military equipment are: Algeria, Ghana, Guinea, India, Mali, Yemen, and Yugoslavia.

Negligible amounts have also been received by Nepal, the Sudan, and the Somali Republic. Not all of these countries are using this assistance to menace their neighbors. But for those that are, such as, for example, the United Arab Republic, it is high time that the Congress of the United States make clear that U.S. foreign aid should not be used either directly or indirectly, for military equipment, subversion, or propaganda against other nations receiving U.S. aid. The purpose of our foreign-aid program is directly subverted when this happens, and the objectives for which the American people are taxed are distorted completely out of their original intent.

Mr. President, I ask unanimous consent that the text of the amendment be printed at this point in the RECORD; and, due to the interest expressed by other Senators, I ask that the amendment be held at the desk for a period of 1 week in order that Senators who may wish to join in sponsoring it may have an opportunity to do so.

The ACTING PRESIDENT pro tempore. The amendments will be received, printed, and appropriately referred; and, without objection, the amendments will be printed in the RECORD, and will remain at the desk, as requested by the Senator from New York.

The amendments were referred to the Committee on Foreign Relations, as follows:

On page 8, beginning with line 13 strike out through the word "amended" in line 14 and insert in lieu thereof the following:

"SEC. 301. Chapter I of Part III of the Foreign Assistance Act of 1961, which contains General Provisions, is amended as follows:

"(a) Amend section 611 (b)".

On page 8, line 15, strike out "is amended."

On page 8, between lines 17 and 18 insert the following:

(b) Amend section 620, which relates to prohibitions against furnishing aid to certain countries, by inserting at the end thereof a new subsection as follows:

"(i) The President shall suspend assistance to the government of any country to which assistance is provided under this Act when the government of such country or any governmental agency or subdivision within such country on or after January 1, 1963—

"(1) purchases or contracts to purchase from any country referred to in subsection (f) military equipment in quantities requiring a significant diversion of its own domestic resources from the economic development which is the purpose of this Act, or

"(2) expends a substantial proportion of its own domestic resources on military preparations, subversion, or propaganda directed against any other country receiving assistance under this Act,

unless the President determines that such suspension would be contrary to the national security and promptly notifies the Committee on Foreign Relations, the Committee on Appropriations of the Senate, and the Speaker of the House of such determinations and the reasons therefor.

"The President shall include in his recommendations to the Congress for programs under this Act for each country an estimate, with respect to the fiscal year for which the recommendation is made and for the preceding fiscal year, of the extent of such country's military purchases made or contracted for from any country referred to in subsection (f), and the extent of its expenditures for military preparation, subversion, or propaganda against other countries receiving assistance under this Act."

NOTICE OF POSTPONEMENT OF HEARING

Mr. JOHNSTON. At the request of interested parties, I wish to announce that the hearings before the Subcommittee on Immigration and Naturalization of the Committee on the Judiciary scheduled to begin June 26, 1963, at 10:30 a.m., in room 2228 of the New Senate Office Building on the bill, S. 747, to amend the Immigration and Nationality Act, have been postponed until further notice.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. SALTONSTALL:

Remarks of Secretary of the Interior Stewart L. Udall delivered before the World Food Congress, Washington, D.C., June 6, 1963.

MIGRATORY LABOR LEGISLATION

Mr. HUMPHREY. Mr. President, last week the Senate made clear that it has not become inured to the hardships and injustices that daily afflict our Nation's migratory farm families. On voice votes, the Senate passed six migratory labor bills of major significance. As was pointed out in a June 18 editorial of the Washington Post:

> The fact that voice votes sufficed for passage of most of the bills bears witness to the careful work of the subcommittee and the informed advocacy of Mr. WILLIAMS.

Of course that refers to the distinguished Senator from New Jersey [Mr. Williams], who has done outstanding work in this area of legislation.

As a cosponsor on this sound and worthy legislation, I am thoroughly acquainted with the many difficulties that had to be overcome by Senator Williams and his subcommittee in their struggle to bring social justice and human dignity to the migrant farm citizen. I wish to commend the Senator from New Jersey. His performance displayed dedicated leadership, patience, and careful and sustained workmanship. The work of the subcommittee under his chairmanship went on day by day, without headlines and without any public notice; but the subcommittee performed admirably its public duty and responsibility.

Most important, the performance of the Senator from New Jersey demonstrates again the merit of the proposition that legislative accomplishments are not born of oratory or study alone. Perhaps one of the most perceptive discussions on this point is contained in a May 9 article entitled, "Vagabond Kings," published in the Reporter.

Mr. President, I ask unanimous consent that the Reporter article and the Washington Post editorial be printed at this point in the Record.

There being no objection, the article and the editorial were ordered to be printed in the Record, as follows:

[From the Reporter, May 9, 1963]

The Vagabond Kings

What makes an issue an issue, and when is it no longer one? This year most of our worrying is concentrated on the tax structure. Last year medical care for the aged was the big thing. The year before it was Federal funds for public schools. Typically, a period of intense concern is followed by either legislative failure or sudden indifference, or both. We do not pretend to understand this phenomenon, but it has occurred to us that the very paraphernalia of concern—that sudden spate of articles, speeches, studies, and pledges—may function as a substitute for action rather than as a stimulation to action. In other words, as soon as everyone has made his position clear, we are free to turn our attention to something else.

Any number of national problems have been disposed of in this fashion, but none more flagrantly so than that of the migrant farm workers—remember them?—who were the objects of so much solicitude and attention just 3 years ago. Whatever happened to them? The answer is: practically nothing—some new state laws, a few benefits from general legislation. "The long-standing, brutalizing facts of the migratory labor problem are rediscovered every few years," Senator Harrison Williams, Democrat, of New Jersey, told a Senate subcommittee recently. "Each rediscovery prompts a surge of study, doggedly followed by a horde of recommendations. The migratory farm families, having prompted countless studies, continue to live almost in a state of medieval poverty."

What the studies have shown is, by now, pretty familiar stuff: being uneducated, unskilled, and unprotected by most modern welfare and labor legislation, some 400,000 migrant farmworkers plus their families continue to live in substandard housing, to be paid substandard wages, to enjoy substandard health, and to be treated by many of their employers with substandard decency.

The recommendations have become almost as familiar as the studies. The proposals considered most bold and least likely to succeed are extension of the minimum-wage law and of NLRB coverage to migrant workers. Those considered politically more feasible are Federal registration of crew leaders; Federal grants to States to improve education, housing, health, sanitation and day-care facilities; establishment of a national advisory council; establishment of a farm-employment service; and finally an extension of child-labor legislation. All these measures have in fact been incorporated into bills and introduced by Senator Williams over the past few years. One, authorizing the Federal Government to spend $3 million annually in grants to the States for health care has been enacted into law but in its first year of operation it is already being trimmed by the House Appropriations Committee. The others were defeated and have been introduced again this year.

The problem of translating good intentions into effective political action is very much on everyone's mind in Washington these days, and a history of the unsuccessful efforts to ameliorate the lot of the migrants provides some useful lessons. One is that double-talk, apathy, and laziness on the part of many in both Congress and the administration who are verbally committed to migrant-labor legislation has cost just as dearly as organized opposition. Last October, for example, after Williams had maneuvered his child-labor provisions through the Senate and after the necessary strength appeared to have been mustered in the House, the House ended up by amending it to death. Why? "It was an election-year Thursday," one Senator aid explained. "It got late and the liberal Congressmen from the East went home to campaign."

Being the constituents of no one in particular, the migrant workers depend as much on the seriousness of "do-good" lobbies as they do on the seriousness of "do-good" Congressmen. But except for certain church groups, particularly the National Catholic Welfare Conference and the National Council of Churches, and for one or two unions such as the Amalgamated Meat Cutters, whose legislative representative, Arnold Mayer, happens personally to be particularly interested in migrant legislation, most of the labor and social-welfare lobbies have done little beyond testifying when called upon. The same, unfortunately, cannot be said of the American Farm Bureau Federation and the various growers' associations that oppose most of the prospective legislation. Some people may leave Washington to campaign when the chips are down, but the farm lobbyists have a way of arriving by the planeload. And all year 'round they keep up a steady attack on the Williams bills, mainly on the ground that they will seriously restrict the liberties and prosperity not only of the grower but—yes—of the migrant laborer, too. In a package of suggested news releases, editorials, speeches send out by the National Farm Labor Users Committee and accompanied by careful instructions (substitute the name of a local association and individual for the name of the National Users Committee), one typical editorial described the proposed farm-employment service as a grant of "authority to recruit American citizens into work gangs." America, the romantic editorialist writes, "was built by people who like to roam from place to place as their desires moved them."

Not only is the migrant laborer depicted as a sort of vagabond king, but those seeking to pass child-labor laws are depicted as a menace to the migrant child's health and happiness. "There are no sweat shops on the farms of America," Congressman Harold Cooley, Democrat of North Carolina, declared on the floor of the House. "On the farms of our Nation, children labor with their parents out under the blue skies." Such irrelevant nonsense may not stand up well against the statistics on farm accidents involving children under 13, but the lobbyists have not counted on intellectual persuasion so much as on a mere show of political strength to achieve their ends. When lobbyists have been aroused and have succeeded in arousing a sufficient number of farm-State legislators, supporters of the Williams measures in Congress and in even higher places have tended to back off, with the excuse that there were other legislative priorities to be considered and that the situation was by and large impossible anyway. In 1954, for example, former President Eisenhower established a President's Committee on Migratory Labor to give administrative leadership to the battle. It is composed of the Secretaries of Labor, Agriculture, Interior, and Health, Education, and Welfare plus the Administrator of the Housing and Home Finance Agency; it has met exactly three times since 1954. Two of its meetings were held during Eisenhower's time, but the second one hardly counts since only Secretary of Labor James Mitchell is said to have showed up. Under the Kennedy administration there were high hopes that it would become an effective body. Unlike Ezra Taft Benson, Secretary of Agriculture Orville Freeman has supported the proposed legislation, and the committee last year even issued a report backing some of the Williams program. That was in January. But increased pressure from the growers later in the year caused a tactical retreat, and it was reportedly decided to lay low and consolidate such gains as had been made.

A reorganization in the Labor Department, where the committee is based, further reduced the committee's activities. At the present time it has no staff except a secretary.

While we do not question the good intentions of those in the administration and in Congress who consider the migrant problem hopeless for the time being and even a liability to the rest of the President's program, we suspect that in this as in other domestic issues there is a fundamental confusion about what leadership really means. It does not necessarily involve a suicide attack on the Congress. It does involve more than speeches. And above all, it is not simply a futile exercise of idealism against the so-called realities. The activities of Senator Williams and his subcommittee in fact illustrate most of the virtues of effective leadership: shrewdness, patience, and sustained hard work are a few. Their triumphs have not been oratorical. Rather they have consisted of such unlikely feats as persuading Senator Harry Byrd, Democrat, of Virginia, of the merits of some of their proposals and even making a few inroads into the opposition of the lobbyists, who are said to have relaxed a bit this year, at least on the social measures. With Secretaries Wirtz and Celebrezze both strongly committed, this could even be the year for a little progress. Every May, the President said a while back, commenting on the rhythm of the issues, " * * * there are those stories about Presidential leadership." We are happy to open the season.

[From the Washington Post, June 18, 1963]

Progress on Migrants

The Senate deserves a salute, and Senator Harrison A. Williams a battle star, for striking a significant blow gainst the squalid conditions in which many migrant workers toil. All told, the Senate passed 6 bills that could bring the country's 2 million or more migratory laborers closer to civilized working standards. Each bill warrants a sentence.

S. 521 would provide financial assistance to the States to improve educational opportunities for migrants and their children.

S. 522 would amend the Children's Bureau Act in order to help States in providing day-care service for children of migratory workers.

S. 523 would amend the Fair Labor Standards Act to extend child labor provisions to certain children employed in agriculture (the bill would not restrict children from working for their parents on a family farm).

S. 524 would provide for the registration of crew leaders of migrant work teams.

S. 526 would amend the Public Health Service Act so as to help farmers provide adequate sanitation facilities for migrants.

S. 525 would create a 15-member National Advisory Council on Migratory Labor.

These bills do not constitute the whole program presented by Senator Williams' Migratory Labor Subcommittee but they do represent a meaningful start. The fact that voice votes sufficed for passage of most of the bills bears witness to the careful work of the subcommittee, and the informed advocacy of Mr. Williams. In the Senate at least, there is no quarrel with the proposition that more than indignation is needed to improve the cruel lot of farmworkers.

But the House is another story. Last year, a group of substantially similar bills perished on the vine despite Senate approval. Will the House let this harvest wither again—thereby suggesting that compassion is confined to the Senate?

THE HOUSING GAP IN LATIN AMERICA—ADDRESS BY SENATOR HUMPHREY

Mr. HUMPHREY. Mr. President, recently I addressed the 81st annual convention of the National Association of Plumbing, Heating, Cooling Contractors, held in Chicago, Ill. In that address I dealt particularly with the challenge, which exists in Latin America, to provide adequate housing for the many millions of the ill-housed citizens of our neighboring Latin American Republics. I ask unanimous consent that excerpts from this speech be printed in the Record.

There being no objection, the excerpts from the address were ordered to be printed in the Record, as follows:

Excerpts From Remarks by Senator Humphrey Before 81st Annual Convention, National Association of Plumbing, Heating, Cooling Contractors, Chicago, Ill., May 31, 1963

Today, I want to go on record in support of legislation introduced by Senator Pat McNamara, requiring separate contracts for mechanical specialty work in public buildings.

This bill, S. 1556, is sound and fair legislation. It would bring greater efficiency to the construction of public buildings. It would end an all-too-frequent practice of job-shopping. And it would protect the opportunities and operations of smaller contractors who have services to offer in the construction or alteration of public buildings.

I commend you and the officers of the National Association of Plumbing, Heating, Cooling Contractors for your support of and work for this bill. With your continued efforts and support, Senator McNamara's bill will pass.

Right now I turn to a subject which has commanded increasing attention from me in the past 2 years.

I speak of the Alliance for Progress in Latin America.

Just before I arrived here, a friend warned me that I should not speak about such a "far off subject" (those were his words) before a group of contractors. He suggested that you would not be interested in my comments on housing needs and opportunities in Latin America.

I disagree. You are not just plumbing, heating, or cooling contractors. You are Americans—with a stake in the policies and programs of your Nation and the fight for freedom and progress the United States is waging in this hemisphere.

The Alliance for Progress is a vital and dynamic tool in your Nation's effort to give Latin American nations a real chance for progress, and to give the people of Latin America a solid opportunity to build the foundations of freedom.

I believe that you—more than any other group in America—understand the basic importance of housing to a nation's economy, progress and living standards. And I believe that you will grasp the importance of the message and report I offer today.

In less than 2 years I have traveled to Latin America three times. I have visited almost every country of Central and South America. And I have concluded that one of the most pressing needs in many Latin American nations today is for new housing programs.

Thanks to your skills and ingenuity, North Americans are the best-housed people in the world. As specialists, you will be interested in the programs designed to provide similar housing for 200 million people south of the border.

The need for housing in Latin America is so vast that it can scarcely be measured. One figure that has been put forward is the Chase Manhattan Bank's estimate of a need of 12 to 14 million units at a cost of $10 to $13 billion.

Two common misconceptions about Latin America are: That housing is important for social reasons, only, and has no economic significance; and that there is no capacity in Latin America to save, and that all housing must be Government-financed from external sources. These misconceptions have in the past deterred the establishment of private savings institutions for housing, have helped prevent the investment of private U.S. capital in housing in Latin America, and have led to defeatist attitudes toward the ability of the peoples of Latin America to house themselves.

The results of the lack of housing in Latin America are widespread unproductivity, social unrest, fertile ground for violent political upheavals, and dissatisfaction with the competitive, free enterprise society which we are attempting to encourage through our program of foreign aid. On those grounds alone, financial assistance for housing is justified. Nevertheless, housing can stand on its own as a means of fostering economic developments.

In the developed countries—social needs aside—home building is an important and integral part of the national economy.

Year after year the relationship between business cycles and the home construction industry has been widely acknowledged. Now, Congress, in the past several Foreign Assistance Acts, has recognized that technical and financial assistance in the field of housing is a proper tool in economic, as well as social development abroad. AID, in formulating its housing policy to carry out congressional intent, has, in effect, recognized that consideration must be given to housing as necessary for, and complementary to, industrial and agricultural development. It has acknowledged the urbanization effect of economic development and the economic waste of the lack of planning, housing's relation to productivity, housing's contribution to full employment and housing as a means of encouraging savings.

One of the most persuasive arguments for economic assistance for housing in the lesser developed countries is that housing development stimulates industrial and agricultural development, and the development of roads, power, railroads, and other tools of progress.

Economic development means new factories and new agricultural settlements. New centers of industry require new housing to shelter the necessary labor force.

Aside from the need to service industrialization, housing is needed to shelter the new town population. Economic development results inevitably in urbanization and in country-to-town movements. Urbanization increases the need for a greater emphasis on the supply of housing.

In addition to the housing supply to attract and retain labor, the condition of existing housing can reduce productivity by affecting the physical health and mental attitude of labor.

Housing programs stimulate employment. In developed countries, the home construction industry offers three types of employment. In the United States, for example, each housing unit provides between 2½ and 3 man-years of employment: 1 man-year on the job, 1 man-year in the factories producing building materials, and an additional half to a year in related fields.

In countries which are underdeveloped but which have a formal, organized construction industry, as is the case of so much of Latin America, housing plays as substantial a role in the national economy as in the so-called developed countries. In Chile, for example, construction represents a substantial portion of the entire economy and home construction is the major part of all construction. Some 110,000 persons are engaged in direct construction, with another 150,000 persons occupied in producing building supplies.

There is no lack of a market for housing in Latin America. Housing itself is needed, and the ability to pay for housing does exist—provided long-term mortgage money is made available. The essential requirement is long-term credit, a commodity that is lacking in most less-developed countries. The need is largely for local currency, not foreign exchange, because abundant labor exists in most less developed countries, and local materials are used most of the time.

Long-term credit is the key to a solution to a large part of the problem.

Also, we cannot expect, with U.S. resources alone, to solve Latin America's housing problem. Thus AID has concentrated on helping the governments and peoples of Latin America create savings institutions whose sole function is the accumulation of the savings of the many and the channeling of those savings into housing. We have utilized the advice and counsel of public-spirited U.S. savings and loan officials, many known to you, to advise such countries as Argentina, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Jamaica, Nicaragua, Panama, Peru, Uruguay, and Venezuela. Their efforts have already resulted in the creation of home savings and institutions in Chile, the Dominican Republic, Ecuador, Peru, and Venezuela and the prospects of similar legislation in Argentina, Colombia, El Salvador, and Panama.

The success of home savings plans, however, requires, the impetus of initial capital. Without it, the slow rate of savings accumulation at the beginning will delay the flow of mortgage loan funds and enthusiasm for saving will wane. Even in the United States, in the early days of Federal savings and loan associations, governmental participation was deemed essential to support initial saving and permit early lending.

Therefore, we have been providing "seed" capital loans for savings and loan institutions initiated with our technical assistance. "Seed" capital loans have been made to savings and loan systems in Chile ($5 million plus a $5 million grant and $1.5 million of Public Law 480 funds), Dominican Republic

($2 million), Ecuador ($5 million), Peru ($9.5 million) and Venezuela ($10 million). Other such loans are contemplated for Argentina and Colombia. These loans are being funneled into the savings and loan system through forms of Federal home loan bank boards. Generally, these loans are matched by funds of the country involved.

These systems and loans are already bearing fruit. In Chile, as of October 1962, there were 20 private savings and loan associations with 19,000 savers and approximately $16 million in savings. An additional $35 million of savings has been accumulated in the savings department of the Banco del Estado. Some 2,000 loans had been approved for a total of $20 million on an average of approximately $7,000 per loan. In Chile, we suggested a linkage of savings and loans to a wage index to offset inflation. This has been a prime factor in increasing savings and is a technique we are hopeful of introducing throughout Latin America.

In addition to these "seed" capital loans, we have also made loans for direct Government action: $12 million to Colombia primarily for aiding self-help projects, $400,000 for a union project in Honduras, $2.5 million to Panama's Banco de Ahorros for relending purposes, $5 million to the Mendoza Foundation of Venezuela and $30 million for slum clearance in Venezuela. Consideration is also being given to housing loans for Jamaica and Uruguay. This means that, to date, over $100 million of AID funds have been committed or under serious consideration for housing in Latin America. Add to this U.S. funds in the amount of $150 million transferred to the Inter-American Development Bank for housing loans and you have $250 million of U.S. funds being channeled into the home construction and home financing industry in Latin America.

Another form of assistance is the all risk investment guarantee which authorizes AID to guarantee $240 million of U.S. capital invested abroad, against virtually any risk, with $60 million of this $240 million specifically earmarked for housing in Latin America. A subsidiary of Carl M. Loeb, Rhoades & Co., of New York, is making the first housing loan to be guaranteed under this program.

There is a proposal known as S. 582 to create an International Home Loan Bank within the Federal Home Loan Bank Board. This bill, introduced by Senators SMATHERS and SPARKMAN, with a similar bill proposed by Senator DIRKSEN, and by Representative WRIGHT PATMAN in the House would authorize domestic savings and loan institutions and foreign home loan banks. This would provide a potential $800 million for investment in housing abroad. Recently Senator SPARKMAN said of this proposal that "a good base can be laid for favorable consideration of the International Home Loan Bank during the coming Congress." I fully support this bill.

I have been particularly interested in the use of housing cooperatives as a means of providing less expensive, better maintained and better constructed housing. I am glad to see that my efforts in that direction are beginning to bear fruit. AID has enlisted the efforts of two organizations to help develop the housing cooperative movement in Latin America, the Foundation for Cooperative Housing and the American Institute for Free Labor Development. The FCH has sent teams of cooperative housing experts to Colombia, Ecuador, Honduras, and Venezuela, and is preparing to send other teams to Peru and Bolivia. As a result of an excellent report by David L. Krooth, an old friend of mine who has long fought for housing in this country, recommending the creation of a Central Housing Cooperative Institute for Honduras, I understand that assistance may be provided toward development of such an institute. Also, a study is to be made of the feasibility of a Central American Housing Cooperative Institute. The AIFLD, in its turn, is helping develop a union housing project for AID in Honduras and is studying the possibility of similar union-oriented housing projects elsewhere throughout Latin America. The AFL–CIO is investigating, too, the possibility of lending union pension funds to union-sponsored housing cooperatives in Latin America.

The importance of housing to a national economy was recognized by the Congress of the United States in 1949 when it declared our national policy at home to be "the production of housing in sufficient volume to enable the housing industry to make its full contribution to an economy of maximum employment and purchasing power." This same policy should prevail for Latin America.

CIGARETTE ADVERTISING REFORM—A BEGINNING

Mrs. NEUBERGER. Mr. President, yesterday a limited but significant start was made toward the voluntary reform of cigarette advertising and promotion practices. This morning's New York Times reports:

> Most of the major cigarette manufacturers have decided to stop advertising in college newspapers, magazines, and football programs.

This decision is no idle gesture on the part of the tobacco companies. Last April the Wall Street Journal reported that cigarette advertising accounted for a staggering 40 percent of all national advertising in college newspapers.

And advertising was merely one facet of the tobacco companies' campus blitz. The Brown & Williamson Co. had assigned to colleges 17 salesmen whose sole duties were to give away samples of Viceroys, Kools, and Raleighs, and plan special promotions. Philip Morris paid student representatives on 166 college campuses $50 a month to spread good cheer and complimentary Marlboros. No student rally, no fraternity party nor tea for foreign students could escape the beneficence of Philip Morris.

The R. J. Reynolds Co. simply recruited college public information officials to insure that the Camels advertised in the college football programs could be seen, admired, and purchased in every quarter of the college. By hawking Camels, the public information officials earned the right to participate in a contest of their own, with foreign cars as their reward for soliciting their student charges.

Probably no single aspect of cigarette advertising has been more offensive than this callous pursuit of the custom of young college students. Hopefully, yesterday's announcement will mean an end to this sorry chapter in American advertising history.

However, advertising reform limited to college campuses is hardly sufficient. Cigarette advertising is a twin-edged sword, and both blades need badly to be blunted. On the one hand, there is the unabashed resort to the psychology of appeal by including the youth-oriented cast of a major segment of the advertising matter. On the other hand, quite aside from content, there is the repeated publication of the ads, which tends to convince the smoker that the Government does not consider the threat of smoking sufficiently severe to warrant restriction of cigarette advertising. Advertising thus serves both to amplify the lure of smoking for the nonsmoker and to reassure the smoker.

Cigarette advertisers in Great Britain are already voluntarily complying with guidelines established by the British Independent Television Authority. Through these guides, advertisers are enjoined to avoid all advertisements which fall within the following five classes of objectionable advertising matter.

First. Advertisements that greatly overemphasize the pleasure to be obtained from cigarettes.

Second. Advertisements featuring the conventional heroes of the young.

Third. Advertisements appealing to pride or general manliness.

Fourth. Advertisements using a fashionable social setting to support the impression that cigarette smoking is a "go ahead" habit or an essential part of the pleasure and excitement of modern living.

Fifth. Advertisements that strikingly present romantic situations with the pleasures of smoking.

Surely the American cigarette advertisers can, in all good conscience, do no less.

Dr. Daniel Horn, of the American Cancer Society, was asked at a recent symposium of the Queensboro Tuberculosis and Health Association in New York, "How many Americans die annually and how many become disabled on account of their smoking habit?" His answer furnished a grim portrait of the total debilitating effect of smoking on American health:

> What would be the situation if there were no smoking compared to what it is today? My best guess is that as far as mortality is concerned there would be somewhere in the neighborhood of 300,000 to 500,000 fewer deaths per year if it were not for smoking * * * it represents about one-sixth of the 1.8 million deaths which we have in this country. Not that these deaths would not occur * * * but they would occur later.
>
> As far as the morbidity (incidence of illness) is concerned * * * we don't have relative figures on morbidity in general, particularly when talking about diseases like emphysema and chronic bronchitis where there is no formal reporting. But these are increasing and increasing rapidly and probably constitute at least 5 or 6 times as many people as are subject to mortality risk * * * we probably have somewhere around a million to 2 million people in this country who are disabled to some degree by the effect of smoking of cigarettes.

Clearly it will take more than voluntary advertising reform to alter this portrait.

The Surgeon General's Advisory Committee on Smoking is presently preparing what promises to be a definitive study of the medical aspects of smoking.

I did not believe, at the time the committee was formed, that there was need for a new study. There has been no shortage of comprehensive and exhaustive studies by the very soundest authorities, each concluding without equivocation that smoking represented a major health hazard.

Nonetheless, it is clear that a strong report by the Surgeon General's Committee is essential to provide the requisite stimulus to administrative and legislative action.

I am firmly convinced that the administration does not need new legislation in order to mount an effective program to combat the rise in smoking-connected diseases. As soon as the advisory committee has lodged its report, which I understand will be in the late fall, I intend to press for the following immediate administrative action: First, a massive program of child and adult education; second, expanded research into both the biological effects of cigarette smoking and the technology of producing less hazardous cigarettes; third, a Federal Trade Commission requirement that cigarette ads and commercials contain affirmative warning of the hazards of smoking; and fourth, broad and meaningful cigarette labeling, including warnings and tar and nicotine yields or ratings, under the provisions of the Hazardous Substances Labeling Act.

I also intend at that time to introduce comprehensive remedial legislation to include: First, a ban upon the distribution of free cigarette samples to minors; second, restriction of the permissible tar and nicotine yields from cigarettes; and third, provision for a moderate increase in cigarette taxes to finance programs of cigarette education—to include television advertising—and research.

Mr. President, I ask unanimous consent that certain editorials on the subject be printed at this point in my remarks.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Apr. 2, 1962]

CIGARETTE MAKERS WOO COLLEGE SMOKERS WITH VARIETY OF CONTESTS—PACKAGE HOARDERS GET PRIZES FROM PHILIP MORRIS; RISING ENROLLMENT SPURS CAMPAIGNS

(By Richard A. Lewis)

By collecting 76,000 empty packages of cigarette brands made by Philip Morris, Inc., Alpha Delta Delta Sorority at the State Teachers College in Cortland, N.Y., last year won a high-fidelity phonograph. It was the first prize in a package saving contest sponsored by Philip Morris.

Such promotions are being used increasingly by major cigarette producers to grab a bigger share of the fast-growing U.S. college market. To win students' loyalties, tobacco companies, who already account for 40 percent of all national advertising in college newspapers, also are offering cash and other prizes to collegians for such things as submitting football score predictions along with cigarette wrappers, or constructing models of buildings from "crush proof" boxes.

The intensified competition for college smokers is spurred by the fact that tobacco companies today are promoting about 20 brands on campuses, up from only 6 a decade ago. Many cigarette men are more convinced than ever that a person who starts with a certain brand in college is likely to stick with that brand long after graduation.

"EVERYBODY SLUGGING

"The total cigarette marketing effort in the colleges has doubled in the last 5 years," says Robert M. Stelzer, president of Student Marketing Institute, which specializes in selling various products to collegians all over the country. "Now, everybody is in there slugging."

"Students are tremendously loyal," says John Manasco, director of Philip Morris' college sales department. "If you catch them, they'll stick with you like glue because your brand reminds them of happy college days."

Liggett & Myers Tobacco Co. is giving away eight British Sprite sports cars during the 1961–62 school year to students in New England colleges who answer a quiz on sports cars and furnish the last line of a limerick. All entries must include the bottom panels from five packages of the company's Chesterfield, L&M or Oasis brands. Heralding the contest in college newspaper ads, Liggett & Myers urged students: "Enter incessantly! Because there are eight Sprites up for grabs, dad. * * * Keep trying! Win, man!"

Last fall, students on 98 campuses entered a football score guessing contest sponsored by Brown & Williamson Tobacco Corp., makers of Viceroy, Kool, Raleigh, and other brands. The closest guessers, who submitted empty packages of Brown & Williamson cigarettes with their predictions, won cash prizes ranging from $10 to $100. Brown & Williamson recently assigned 17 salesmen to colleges to give away samples of its cigarettes and plan special promotions.

Philip Morris, which sells both Marlboro and Parliament cigarettes in crush-proof boxes, is the company which gives prizes to collegians for constructing models of buildings, using the empty boxes as blocks. A Columbia University student won one of these contests with a replica of the United Nations headquarters, made from 6,000 boxes. Philip Morris pays student representatives $50 a month to stir up enthusiasm for such contests on 166 campuses.

SOARING ENROLLMENT

These firms, and P. Lorillard Co., American Tobacco Co. and R. J. Reynolds Tobacco Co., are counting on such aggressive college marketing efforts to help them build sales during the next decade. Total college enrollment has increased by more than 30 percent in the last 5 years to around 3.8 million, Government officials estimate. And they expect, as the bumper crop of post-war babies comes of age, enrollment will reach about 7 million by 1970.

Tobacco company spokesmen explain that they're trying to lure students with contests because some collegians often pay relatively little attention to many standard advertising media; they're generally too deeply involved in their campus activities. The National Advertising Service, Inc., which places ads in college newspapers, estimates that the average college student watches television only 17 minutes a day, compared with 2 hours and 57 minutes for noncollegians.

Some students may be discouraged from smoking before they come to college by efforts of some groups to convince youths that smoking endangers their health. Last July the joint health-education committee of the American Medical Association and the National Education Association called for the home and school to initiate education that would curb smoking at the ages prior to the usual beginning of the practice. In the past 2 years the American Cancer Society has distributed an anticigarette film strip to more than 21,000 secondary schools.

[From the Washington Post, Apr. 3, 1962]

CANCER TIED TO SMOKING IN YOUTH

(By Nate Haseltine)

Keep your children away from cigarette smoking through their late teens, and they probably won't develop lung-cancer smoking habits.

That's the advice gleaned from a report here yesterday on the differences between early and late-starting smokers. Reporting was E. Cuyler Hammond of New York, biostatistician of the American Cancer Society. He was one of five cancer research experts who spoke at a special luncheon at the National Press Club in a panel program on "Man Against Cancer—Progress and Hope."

Hammond reported preliminary findings of a special 1959 survey on cigarette smoking habits.

Survey results so far, he said, are showing a direct correlation of early cigarette smoking with heavier and deeper smoking in later years. Those who start smoking in adulthood smoke fewer cigarettes and inhale more casually.

Some 1.1 million American male cigarette smokers were interviewed in the ambitious survey, and only the first patterns are beginning to emerge from machines digesting the information, Hammond said.

The results showed, he reported, that the early starters become the excessive smokers and the ones who inhale most deeply. This is important, he explained, in view of the belief that heavy and deep cigarette smoking appears more conducive to lung cancer than light and casual smoking.

Hammond didn't give the figures, but said a surprising lot of heavy cigarette smokers in 1959 said they had started to smoke cigarettes before the age of 10. It was difficult he said, to find heavy smokers who did not start before the age of 15.

Hammond noted that pipe and cigar smokers show only a slightly higher risk of developing lung cancer than nonsmokers. This, he said, may well be due to the fact that pipe and cigar smokers usually inhale less than inveterate cigarette smokers.

[From the New York Times, June 22, 1962]

CANCER SOCIETY CALLS ON COLLEGES TO CURB CIGARETTE ADVERTISING

CHICAGO, June 22.—The American Cancer Society decided today to urge college presidents and the Federal Trade Commission to help curb the promotion of smoking among college students.

The society's 74-member board of directors voted unanimously for a proposal aimed at the apparently intensified promotional campaign in colleges to increase the sale of cigarettes to college students.

The proposal said that the sponsoring of televised college athletic events by tobacco companies resulted in advertising appeal to the very age group which the society is most anxious to prevent from being subject to the persuasion to smoke.

The board authorized its staff to send letters to the presidents of about 100 major universities telling them that in view of the evidence of the deleterious effects of smoking on health, the propriety of supporting athletic events in colleges by such means be conscientiously considered.

The staff was ordered to write the Trade Commission to ask whether it approved of campus promotion of cigarettes and whether it had any jurisdiction in the matter.

Although the board made no official change in its cautiously stated opinion of 2 years ago in the cigarette-cancer dispute. It did endorse the recent report of the Royal College of Physicians in Britain. The board called the report the outstanding event since the last meeting of the board and said it admired the college's unequivocal position.

The college urged the British Government to warn its people that there is convincing evidence linking cigarette smoking with lung cancer.

Dr. Howard C. Taylor, Jr., of New York, chairman of the society's committee on tobacco and cancer, said that his group believed that cigarette smoking was a major cause of lung cancer. He said that the British study was especially important because it came from a conservative organization.

Dr. E. Cuyler Hammond, director of the society's statistical research section, said that his studies for the last 10 years had convinced him that the only cause of one of the common forms of lung cancer was inhaling irritants such as cigarette smoke, uranium dust or asbestos dust.

Smokers account for most of the deaths from that type of lung cancer, he said, since more people smoke than work with uranium or asbestos.

"All studies have shown exactly the same results: nonsmokers have the lowest death rate; pipe and cigar smokers not much higher, cigarette smokers a much higher death rate, and heavy cigarette smokers the highest death rate," Dr. Hammond said. "Cigarette smoking more than doubles the death rate."

Of the increased death rate among smokers, he said, lung cancer accounts for only 13 percent of the increase while heart disease accounts for more than half. Other causes are cancers of the mouth and throat and various lung ailments.

INDUSTRY IS SILENT

The Tobacco Institute withheld comment last night on the action of the cancer society's board of directors.

[From the New York Times, Oct. 20, 1960]

ADVERTISING: CIGARETTE MEN BIG ON CAMPUS

(By Robert Alden)

Many a man carries memories of his college days that include along with the clinging ivy and the Saturday football afternoons fading into dusk, thoughts of Philip Morris wrappers and evenings spent searching for them about the streets.

The college market is one of the most important as far as the cigarette companies are concerned. Smoking habits formed there often have an enduring quality.

Making this market even more important to them is the fact that the number of undergraduates is expanding rapidly—237,500 in 1900; 900,000 in 1933; 3,500,000 at the present time.

Philip Morris, Inc., says it was among the first merchandisers in the country to recognize the special quality of the college market and to try to exploit it with the establishment of a full-scale campus sales promotion program.

A COLLEGE MAN MOVES UP

J. M. Cahn, now vice president of the company's oversea division, was a member of the class of 1934 at the University of California when he joined the Philip Morris organization as its first college representative. He continued with the company after graduation. For many years he was in charge of the college program.

Under the program, Philip Morris maintains full-time college supervisors in each of the company's basic sales regions. These men hire and train undergraduates to act as student representatives for the program.

The college representatives distributed samples at fraternity meetings and the like. They saw to it that college boys planning visits to New York would get tickets to Philip Morris sponsored broadcasts. The college representatives would try to make certain that no college function would lack a complimentary supply of Philip Morris cigarettes.

As the competition in the college market became fiercer, particularly in the area of advertising in campus newspapers, the college representatives arranged many kinds of contests—almost all of them revolving around saving Philip Morris wrappers. For example, fraternities competed against each other in trying to guess the greatest number of football scores correctly. Each score had to be written on the back of a Philip Morris wrapper.

SEARCHING FOR WRAPPERS

Pledges to fraternities spent long afternoons and evenings trying to find wrappers. Often fraternity houses and dormitory basements were filled with them. Prizes ranged from trips to Europe to phonograph sets and ping pong tables. Once, in California, a fire engine was awarded as a prize.

Since the war, Philip Morris' college program has become more closely integrated with the rest of the company's operation. The cigarette company's personnel men visit college campuses and pick promising juniors for summer training with the company.

These trainees then serve in their senior year as campus representatives and, if they fulfill their promise, they are offered positions with the company. Many of these have now advanced to key executive posts with Philip Morris.

With recruitment of promising personnel now a serious problem, this program is serving the company well.

In the early nineteen fifties the company felt it necessary to revise its collegiate sales strategy. Advertising space in college newspapers had become more expensive and the effect was diluted because undergraduates were being exposed more and more to outside media.

MAX SHULMAN HIRED

It was noted by the company that Max Shulman, the author, was being imitated by many college columnists who were attempting to write a humorous column.

The company hired Mr. Shulman to write a column for Philip Morris that now appears regularly 26 times a year on 225 campuses. Readership response has been excellent and the column requires less space than conventional advertising.

The company has raised the salaries of its campus representatives and their training has been stepped up so that they now receive regular instruction in merchandising, sales promotion and advertising.

With 165 undergraduate representatives for the company now serving on campuses across the country, Philip Morris' interest in the college market is at the kind of pitch that promises it will be sustained far into the future.

OHIO OUTLAWED SECRECY IN GOVERNMENT YEARS AGO AND PROSPERED

Mr. PROXMIRE. Mr. President, recently I spoke on the floor of the Senate in support of the freedom-of-information bill, the principal sponsor of which is the distinguished junior Senator from Missouri [Mr. LONG]. In speaking in favor of that bill I said that Wisconsin was the only State in the Union that flatly outlawed secret meetings of any kind.

I find that I was mistaken. The alert executive director of the Ohio Newspaper Association has called the oversight to my attention and pointed out that Ohio has had such a law for some time. It is my understanding that the law was passed in its original form in the administration of the distinguished senior Senator from Ohio [Mr. LAUSCHE]. It is an excellent law.

It has worked very well in Ohio, according to the information that I have. Incidentally, a fine Representative from Ohio, CHARLES MOSHER, was one of those who pushed the measure hard in the Ohio Legislature.

I should like to read an excerpt from the law, because it is the kind of thing that I believe should put at rest the fears of Members of Congress who feel that we cannot adopt such a law here without great difficulty. In Ohio, as well as in Wisconsin, the law is as follows:

> All meetings of any board or commission of any State agency or authority or of any agency or authority of any county, township, municipal corporation, school district or other political subdivision are declared to be public meetings open to the public at all times. No resolution, rule, regulation or formal action of any kind shall be adopted at any executive session of any board or commission of any such agency or authority.

The newspapers have said that they are free to go to any such meeting in Ohio. They have been able to do so for years. The law has worked very well. It has not in any way inconvenienced the operations of government.

I ask unanimous consent that a copy of the letter from Mr. Oertel, the executive director of the Ohio Newspaper Association, and excerpts from the law, be printed at this point in the RECORD.

There being no objection, the letter and excerpts were ordered to be printed in the RECORD, as follows:

OHIO NEWSPAPER ASSOCIATION,
Columbus, Ohio, June 17, 1963.

Senator WILLIAM PROXMIRE,
U.S. Senator from Wisconsin,
Senate Office Building,
Washington, D.C.

DEAR SENATOR PROXMIRE: I noted in a Sunday AP release your comments on the freedom of information bill (S. 1666) which you are cosponsoring with Senator LONG of Missouri.

You are to be commended as a sponsor of this measure and for your excellent comments on the importance of keeping Government departments and agencies operating openly in the public interest.

As a small sidelight to your comment about Wisconsin's 1959 open meetings law, I think you should know that other States have had such a law for some years. For instance, our association supported and obtained such a law applying to all State agencies, etc., in 1953, and then had the law extended to all public bodies and all levels of government within the State and all political subdivisions in 1955.

Enclosed is a copy of the 1955 law as it now stands and a summary of the legislative steps toward its enactment.

One of the Members of Congress and an Ohio weekly newspaper publisher, Representative CHARLES A. MOSHER, of Oberlin, Ohio, was instrumental in aiding passage of this legislation while he was serving as a State senator in the Ohio General Assembly.

We further extended the area of freedom in 1959 with passage of a right-to-advertise law which, in effect, provides that no State agency can ban by rule or regulation advertising that is proper, acceptable, decent, and nonfraudulent. I also enclose a copy of this law.

I should add that the passage of these laws to guarantee open meetings and the right to advertise have caused absolutely no problems or hardships for anyone, but rather have insured that the rights of the public in these areas will be upheld and not made subject to governmental rule or decree. Please keep up your efforts in behalf of freedom of information for the public at the Federal level.

Kindest regards,

WILLIAM J. OERTEL,
Executive Director.

Excerpt From "Ohio Newspapers and the Law"

(A handbook and digest of Ohio laws and other material related to editing and writing for newspapers and other media, assembled and arranged by James E. Pollard, director, School of Journalism, Ohio State University)

2. THE OPEN MEETINGS LAW

At the urging of the Ohio Freedom of Information Committee on behalf of the Ohio Newspaper Association, the Ohio General Assembly during the 1953 session adopted an open meetings law. Under this statute all State boards, agencies, commissions, and other public bodies, except the pardon and parole commission, are required to hold open meetings so that the public and the press may attend if they desire and, in particular, so that public business is actually done in public and not behind closed doors. This does not prevent the holding of executive sessions but no final or definitive action can be taken except in public or open meetings, with the single exception of the parole commission.

At the next regular session of the general assembly in 1955, the freedom of information committee urged the extension of these provisions to the local level so as to cover county, township, and municipal bodies and agencies. There was no opposition to the proposed amendment and it was passed.

The revised law, which is of great practical importance to the press and other mass communications media as well as the public, reads as follows:

"Sec. 121.22. All meetings of any board or commission of any State agency or authority or of any agency or authority of any county, township, municipal corporation, school district, or other political subdivision are declared to be public meetings open to the public at all times. No resolution, rule, regulation, or formal action of any kind shall be adopted at any executive session of any board or commission of any such agency or authority.

"The minutes of a regular or special session or meeting of any board or commission of any such agency or authority shall be promptly recorded and such records shall be open to public inspection.

"The provisions of this act shall not apply to the pardon and parole commission when its hearings are conducted at a penal institution for the sole purpose of interviewing inmates to determine parole or pardon."

So far no serious issues have arisen to challenge the new law in any way although there have been some questionable situations involving executive sessions. By indirection, however, the law permits such sessions but the important part is the provision that no formal or final action may be taken at any such session but must be done in open meetings.

A recent survey of all Ohio daily and weekly newspapers showed that since the passage of the law no newspaper had encountered serious difficulty in gaining admittance to meetings nor have the minutes of meetings been purposely delayed or withheld as occurred sometimes before the enactment of this law. The law, in short, seems to have achieved its purpose adequately and admirably with only a few exceptions.

Originally there was some question whether the law included legislative bodies after such specific wording was deleted from the amended version before it became law. But legislative bodies are generally regarded as authorities and as such are covered by the law as passed by the general assembly. By longstanding practice, moreover, the meetings of legislative bodies are generally open to the public, including the press, although this is less true of some legislative committees. Until such time, therefore, as a court might decide otherwise—and this seems unlikely—it seems safe to assume that legislative bodies are included in the open meetings law as authorities.

Excerpt From Ohio Newspaper and Publication Laws

121.22 Meetings of governmental bodies to be public; exception

All meetings of any board or commission of any State agency or authority and all meetings of any board, commission, agency or authority of any county, township, municipal corporation, school district or other political subdivision are declared to be public meetings open to the public at all times. No resolution, rule, regulation or formal action of any kind shall be adopted at any executive session of any such board, commission, agency or authority.

The minutes of a regular or special session or meeting of any such board, commission, agency or authority shall be promptly recorded and such records shall be open to public inspection.

The provisions of this act shall not apply to the pardon and parole commission when its hearings are conducted at a penal institution for the sole purpose of interviewing inmates to determine parole or pardon.

Ohio's Right To Advertise Law

119.061 Agency with rulemaking power may suspend license; limitation on power to limit advertising right.

Every agency authorized by law to adopt, amend or rescind rules shall have the power to suspend the license of any person, over whom such agency has jurisdiction within the purview of sections 119.01 to 119.13, inclusive, of the revised code, following a conviction of such person under section 2911.41 of the revised code of Ohio. Except as otherwise expressly provided by law existing as of the effective date of this act, no agency shall have the power to make rules which would limit or restrict the right of any person to advertise. (Effective November 2, 1959.)

The Freedom To Advertise

Ohio has long been a leader for greater freedom for her citizens, as an example to America and the world of how well responsible freedom can work when people are kept well-informed.

Ohio's 400 daily and weekly newspapers have pioneered or encouraged many laws and programs designed to insure that Ohio citizens will always be freely and fully informed, especially concerning governmental matters. Working through the Ohio Newspaper Association, the newspapers of the State backed legislation to provide that newspapermen did not have to reveal the source of their information.

After an extensive survey showed many public meetings were being closed to the public, open meetings laws were passed to guarantee that no public meetings at any level of government in Ohio could be closed to the taxpaying public or the press, acting on behalf of the public.

The ONA and many Ohio newspapers currently are informing the public about the importance of public notices (or legal advertising) to help insure that tax money will be spent properly and so the public knows how important it is for public officials to keep taxpaying citizens fully informed in our system of freedom and democracy.

Newspapers also are participating in a statewide Committee on Public Information, which is surveying all State government departments and agencies to determine how their operations and methods of keeping the public informed can be improved by education or legislation, if needed.

Another law—now 1 year old—was the Ohio right-to-advertise law, which became effective November 2, 1959. During the past year this law has served to decrease false, fraudulent, and undesirable advertising in Ohio, while at the same time encouraging greater use of honest, truthful, acceptable advertising. Although the amount of undesirable advertising is small—less than one-half of 1 percent of all advertising—newspapers and advertising groups in Ohio have active programs for reducing adverse advertising even more. Newspapers warn readers and reject much unacceptable advertising. Advertisers are sponsoring a truth-in-advertising program with advertising clubs and better business bureaus taking the lead.

Freedom for Americans was not an accident, but a carefully and prayerfully drafted set of guaranteed rights and liberties to preserve and protect freedom for all in our Nation, providing we uphold and support our Nation and Constitution.

The freedom to work in a business or job of your choice without undue restriction by government has helped build America's efficient and productive economy. The freedom to advertise—to inform people and give them facts and prices about services and merchandise for sale—has helped toward an economy of abundance.

To fully enjoy the results of our free system, business has developed highly skilled marketing, distribution, merchandising, promotional, and advertising techniques. Only when these have the fullest freedom to be used in a responsible manner can they be best used to stimulate and sustain our growing economy.

Advertising, like freedom itself, works best when it is unchained and unrestricted. Ohio's right-to-advertise law provides that violators of good advertising will be properly punished, but that otherwise advertising will be allowed the fullest range of responsible use for the benefit of informing the general public, keeping business moving, and building our economy of abundance and our top-rank standard of living even higher under a system based on freedom for all.

PRESIDENT KENNEDY'S GREAT APPEAL TO THE CONSCIENCE OF AMERICA ON CIVIL RIGHTS

Mr. PROXMIRE. Mr. President, yesterday the Washington Star published what I believe was a very fine and remarkable editorial on the President's fight for civil rights—not merely his proposal, which was, as the Senator from Oregon [Mr. Morse] stated yesterday, a historic proposal to the Congress for civil rights legislation, but on the whole broad sweep of the President's fight for civil rights. The Washington Star pointed out:

> Since this speech—

Which the President made a week or so ago—

> the President has been trying to translate his eloquent appeal into action. He has talked with business leaders. He has talked with representatives of labor unions. On Monday 243 clergymen and laymen met with Mr. Kennedy at the White House. Before the week is out he will have conferences with State Governors, educators and lawyers. And his civil rights legislation message is due in Congress today.
>
> No other President has done as much as this, and, of course, no other President has been faced with a racial problem of comparable dimensions. What impresses us most, however, is the way the President keeps

hammering on the point that this is not something to be ultimately settled with laws and police measures—that this is at bottom a moral issue which must finally be resolved through an appeal to the conscience of America.

I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

APPEAL TO CONSCIENCE

In his admirable talk to the Nation last week the President put the racial problem in this perspective:

"We face, therefore, a moral crisis as a country and as a people. It cannot be met by repressive police action. It cannot be left to increased demonstrations in the streets. It cannot be quieted by token moves or talk. It is a time to act in the Congress, in your State, and local legislative bodies and, above all, in our daily lives."

Since this speech, the President has been trying to translate his eloquent appeal into action. He has talked with business leaders. He has talked with representatives of labor unions. On Monday, 243 clergymen and laymen met with Mr. Kennedy at the White House. Before the week is out he will have conferences with State Governors, educators, and lawyers. And his civil rights legislation message is due in Congress today.

No other President has done as much as this, and, of course, no other President has been faced with a racial problem of comparable dimensions. What impresses us most, however, is the way the President keeps hammering on the point that this is not something to be ultimately settled with laws and police measures—that this is at bottom a moral issue which must finally be resolved through an appeal to the conscience of America.

It is in this respect that his meeting with the churchmen assumes special significance. Perhaps nothing of consequence will come to the principal decision, taken at the conference, which was that the churches should take the lead in forming biracial groups on the community level to search for solutions to the problems. One or two Southern pastors (about 20 percent of the group were from the South) spoke of their fear of miscegenation. A Negro leader from Atlanta said the proposed biracial approach would be like putting vaseline on a cancer.

These, however, are the extreme attitudes. We hope, and we believe, there is a good chance that something worthwhile will emerge from what might be called the President's appeal to that great majority of both white and colored people who stand between the extremes on both sides. At least, the possible gains are worth the effort.

INTERNATIONAL BALANCE OF PAYMENTS

Mr. JAVITS. Mr. President, the U.S. balance-of-payments situation is one of the most critical problems facing this country today. The subject is hotly debated among businessmen, bankers and within the Government. It has been the subject of congressional scrutiny and will be so again in hearings before the Joint Economic Committee on July 8 and 9. Yet up to now the main results of the debate and investigation have been measures which, rather than meeting this problem head on, obscure fundamental, structural weaknesses in the U.S. balance of payments. The fact is that we are not meeting our balance-of-payments problem and that the measures we are taking are insufficient to the need and will continue to prove to be insufficient. While the U.S. balance-of-payments deficit has declined between 1961 and 1962 from $2.4 billion to $2.2 billion, during the first quarter of this year the deficit was running at a seasonally adjusted annual rate of $3.3 billion.

On May 15, in an attempt to take a new measure of our Government's thinking on the payments deficit situation, I wrote identical letters to Secretary Dillon and Secretary Rusk requesting their comment on six questions based on questions raised by Armand Erpf of Carl M. Loeb, Rhoades & Co. at the April 22 dinner of the Economic Club of New York. I have now received both of their replies which I believe will be of great interest to my colleagues. I, therefore, ask unanimous consent that my letter of May 15 together with their responses of May 28 and June 7 be printed in the RECORD at this point of my remarks.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

MAY 15, 1963.

Hon. DOUGLAS DILLON,
Secretary of the Treasury, Department of the Treasury, Washington, D.C.

DEAR "DOUG": At the Economic Club dinner on April 22, 1963, Mr. Armand Erpf, of Carl M. Loeb, Rhoades & Co., asked several questions on the U.S. balance-of-payments situation which he was good enough to send me as well.

I found his questions very interesting and I would very much appreciate having your comments to the following ones. In case Mr. Erpf's questions are not readily available I am repeating them below:

1. How high a priority does restoring the balance-of-payments deficit command on the list of major national issues?

2. What, in your view, is the proper allocation between private sector and public sector spending overseas? The payments balance of the private sector is already favorable, can anything further be done to reduce our public cash expenditures overseas without endangering our foreign economic and military programs?

3. Do the State Department and the Defense Department discuss what steps each or both could undertake to curb or restrict cash spending overseas which between the two tends to contribute heavily to the disequilibrium of the payments equation? What discipline do they discuss or invoke, or is it left to the financial agencies, the Federal Reserve, and the Treasury to cope with the problem? Is this matter just left to the inevitability of gradualness? Does the Cabinet Committee on Balance of Payments have any say over the oversea spending policies of U.S. Government agencies?

4. The technical work of the Treasury and the Fed in the form of Roosa's arrangements, borrowing abroad, currency swaps, and whatnot is undoubtedly of current benefit in holding off gold outflow and discouraging short term runs on currency. You have rejected the view that they are "coverups" that cause us to lose sight of the underlying need for payments equilibrium, or that the Treasury or the Federal Reserve might consider them substitutes for needed remedial action. Is it possible that beyond their short term benefits they might be considered first tentative steps toward a truly international system of banking, painfully slow because of political resistance to the implied abandonment of anachronistic national prerogatives?

5. If we raise current interest rates here to make investment in the United States more attractive and counteract the tendency of funds to go abroad, would this (a) vitiate our growth plan, (b) trouble the position of England and thus unduly bring trouble to the second of the two currencies that finance virtually all world trade, or (c) hurt countries such as Germany and Japan where surpluses on current account disguise the continued thinness of capital formation and capital markets which has brought them into our capital markets to the tune of $1 billion a year?

6. If the problem is solved and we cease to have a significant or worrisome international payments deficit, do you think that the world can satisfactorily finance an expanding world trade, or will we face contraction and deflation? If so, what should be the basic approach: Roosa's deals, Bernstein's ideas, or the Triffen or Stamp plans? And do you think that the Fed and the Government will be prepared to cope with this new problem, or will we only get at it when crisis is upon us?

I will appreciate having your comments on these questions.

Sincerely,

JACOB K. JAVITS,
U.S. Senator.

THE SECRETARY OF THE TREASURY,
Washington, D.C., May 28, 1963.

Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR JACK: I welcome the opportunity to comment on the questions, raised at a recent economic club dinner in New York, which were cited in your letter of May 15.

The first of these questions relates to the priority being given to correction of our balance-of-payments deficit relative to other major national issues. I can assure you we are continuing to give this problem the very high priority which was clearly given to it in the President's February 6, 1961, message to the Congress on the "U.S. Balance of Payments and Gold Outflow from the United States." As you may recall, the President then referred to our balance of payments as "one of the key factors in our national economic life," stressing that we must "in the decades ahead, much more than at any time in the past" take our balance of payments into account when formulating our economic policies and conducting our economic affairs.

The second question asks about the proper roles of private and governmental expenditures abroad, respectively, in our program for correcting the payments deficit. Our overall deficit cannot logically be blamed on any particular category or form of expenditures, private or public, and any feasible and appropriate increase in earnings or reduction of expenditures in either sector will be equally useful in correcting this deficit. As indicated on page 4 of the enclosed copy of my report of March 1962 to the President on the balance of payments, our first line of attack on the payments deficit has consisted of a series of measures to curtail the outflow of dollars stemming from the activities of Government itself. This has included, notably, a vigorous and continuing effort by the Defense Department to economize on oversea military expenditures and to negotiate what have been termed "offset" agreements involving increased purchases of U.S. military equipment and services by major allied countries, and also a broad and determined effort to minimize the balance-of-payments impact of our foreign aid programs by maximum feasible emphasis under these programs on the procurement of United States-produced goods and services. We are continuing and intensifying these efforts wherever it appears that this can be done without impairing the effectiveness of our programs for free world defense and economic development. In addition, it should also be noted that about $2.3 billion of our

$20½ billion of nonmilitary merchandise exports in 1962 were directly financed by Government grants and capital; and that large additional private sector receipts are made possible by other Government expenditures abroad. It is our belief, moreover, that the private sector of the American economy certainly has the capability, and should be expected, to generate a surplus sufficient to support and finance this country's military and other responsibilities as the leader of the free world.

The third question you cited was concerned with the adequacy of the efforts being made by various individual agencies within the executive branch to minimize the balance-of-payments impact of their oversea programs or expenditures and the manner in which our detailed policies on this are developed and implemented within the executive branch. I have already referred above to the broad and vigorous programs which the Defense Department and the Agency for International Development have been carrying out to minimize the net international payments under their programs. In addition, we have also established within the last year a procedure for the reporting and control, through the Bureau of the Budget, of the international payments and receipts of all Federal agencies. I might add that the President himself has, from the beginning of his administration, given close attention to the development and implementation of this aspect of our balance-of-payments program and that the interdepartmental coordination and continued improvement of these efforts is also one of the major functions of our Cabinet Committee on Balance of Payments. Through these efforts we have, for example, already reduced net military expenditures affecting the balance of payments from a level of $2.7 billion in 1960 to about $1.9 billion in 1962, and dollar payments to foreign countries and international institutions under our foreign aid and other grant and capital programs have been reduced despite a substantial increase in the size of the total aid program. Larger reductions in dollar outflows are expected as expenditures under old programs cease. Over four-fifths of fiscal year 1963 AID funds are expected to result in procurement of U.S. goods and services.

The fourth question, referring to the new techniques we have developed in the area of Treasury and Federal Reserve foreign exchange operations and sales of special Treasury securities to foreign monetary authorities, poses the subject of the possible longer-term implication of these innovations for an improved international payments banking system. In the context of current world payments situation, we regard these new technical developments as significantly bolstering and improving the international payments system. While their longer-term usefulness and importance under changing circumstances can only be tested and demonstrated as we go along, it is our belief that their long- as well as short-term usefulness as a practical means of improving the world payments system is much increased by the fact that they represent a practical, evolutionary approach which builds upon existing procedures and arrangements, and which has resulted in fuller participation of other countries in the operation of the international payments system.

The fifth question deals with the relation of interest rates and our monetary policy to international capital movements including possible adverse effects of action in this area either on our own domestic economic situation or on the payments position or rate of capital formation in major foreign countries. Our domestic objective, of course, is to bring about the sort of conditions in which the abundant supply of savings now seeking longrun investment abroad can be utilized more fully and productively at home. Under such conditions, increases in interest rates here would be a natural reflection of the improved productivity of investment at home. As measures to promote this general objective, the investment credit enacted into law by Congress last year and the new depreciation guidelines are already proving their effectiveness. A most important further step is the reduction in corporate income taxes and the improvement in the tax structure incorporated in the tax revision proposals now under consideration by the Congress.

I have long suggested the need for efficient, fully effective capital markets in Europe, freely open to potential foreign borrowers. The initial reexamination by some European countries of their capital market mechanisms is encouraging. As their capital markets develop, there should be some reduction in their long-term interest rates, narrowing the present gap between the level of rates in most other industrial countries and those here. Even if long-term rates here rose above those in Europe and Japan, we would expect foreign governments and corporations, particularly those needing relatively large amounts of money, to resort to the highly developed U.S. market.

Some short-term capital movements appear to be more directly influenced by interest rate differentials. By and large, our present fiscal and monetary policies have been reasonably successful in raising short-term rates here—and hence reducing the differential between the United States and most foreign rates—without placing any upward pressure on long-term rates, so much more significant for our own domestic growth. In this area there is a clear need for continued and increased international monetary cooperation to insure that measures taken here and in the other principal financial centers all contribute to stability and do not, in the pursuit of perhaps conflicting domestic objectives, result in measures damaging to other countries.

The final question is concerned with the possibilities for expanded world trade and adequate liquidity in a world where the U.S. balance-of-payments problem has ceased. On these scores I believe that we have grounds for considerable optimism. The international cooperation which has been developed in the past several years has made it possible to weather successfully major strains on the international payments system, such as those involving Britain in 1961, and Canada in 1962. In addition, following the convertibility of the major European currencies, the European Monetary Authority has contributed effectively to international liquidity; the quotas in the International Monetary Fund have been sharply increased; and $6 billion in new resources have been provided for under the special borrowing arrangements of the IMF. We have said we would be willing to accumulate currencies of other leading countries, should this become desirable at some future time to maintain adequate world liquidity.

Much has been contributed to this question by international financial experts both inside and outside of the U.S. Government. We will continue to welcome discussion of these questions which are so important to the maintenance of a secure and strong free world economy.

With best wishes,
Sincerely,
DOUGLAS DILLON.

DEPARTMENT OF STATE,
Washington, D.C., June 7, 1963.
Hon. JACOB K. JAVITS,
U.S. Senate.

DEAR SENATOR JAVITS: The questions posed in your letter of May 15, acknowledged in my letter of May 22, have provided a welcome stimulus to discussion and analysis in the Department. The Department's reactions follow:

1. The elimination of the deficit in U.S. balance of payments is one of the major objectives of our policy. Among other major objectives are the maintenance of defense forces abroad to meet the requirements of national security, the support of a free and growing economy at home, the maintenance of a liberal system of international trade and payments, and the encouragement of the economic development of the less developed areas of the free world. The task, admittedly a difficult one, is to achieve the balance-of-payments objective and other major objectives at the same time. To put these objectives in a system of priorities would imply that we are prepared to sacrifice one in favor of another, but this is not what our policy contemplates.

2. The question about the proper allocation between private sector and public sector spending overseas suggests that it is possible to draw a line between the two sectors in the balance of payments, that the private sector is in good shape since its payments balance is apparently favorable, and that the oversea spending of the private sector as well as the public sector is allocable or subject to governmental regulation. However, the payments performance of the private sector is affected by what happens in the public sector. A significant fraction of our private exports of goods and services is directly financed by U.S. Government funds provided bilaterally and multilaterally, and additional amounts of our exports may be possible only because foreign countries enjoy the dollar receipts attributable to our governmental programs.

The U.S. Government does not, of course, allocate or control private spending overseas. The United States has a free economy, and the Government can only influence such spending. The influence of the Government is important, but the constructive role the Government can play, for example, in stimulating investment at home rather than abroad takes time.

The foregoing observations, of course, do not mean that we fail to recognize the importance of Government expenditures in the balance of payments or that we are not concerned with their magnitude and trend. As indicated in response to the third question below, the Government has an organized, continuing program for reducing its net oversea expenditures. It is not possible to be precise, however, about how far we will eventually be able to go in achieving additional savings or in what sectors these savings will be found. We can say without qualification, however, that under the leadership of the President the executive branch has been and will be pressing hard for the maximum, sensible reduction of net governmental expenditures abroad through the elimination of expenditures found to be dispensable, the transfer of procurement to the United States, and the negotiation of arrangements to offset our expenditures (the sale of military equipment and supplies to other countries).

3. The third question concerns the procedures within the U.S. Government for reducing net governmental expenditures abroad. The level of spending by individual U.S. agencies is the outcome of a procedure designed to insure coordinated action by the Government as a whole. Information on current and prospective expenditures abroad by each agency is periodically collected and analyzed by the Bureau of the Budget with a view to setting individual agency targets for future expenditures. These targets are reviewed from time to time by a Cabinet-level Committee, which includes representatives of the Treasury, State, Defense, and Commerce Departments as well as AID, the Bureau of the Budget, and the Council of Economic Advisers. Where appropriate, the views and rec-

ommendations of this Committee are sent to the President for his consideration.

4. The fourth question concerns the implications for a longrun improvement in the international monetary system of the technical arrangements now being employed by the Treasury Department and the Federal Reserve System to conserve our gold stock. We cannot be sure at this stage how these new arrangements will evolve. Even now, on a limited, bilateral basis they have added a new and significant dimension to the monetary system under which the world economy finances international transactions. We are optimistic that as the soundness and efficacy of the new arrangements are demonstrated in practice, and become appreciated by other governments and the public, their application on a broad base will become readily accepted. While we do not expect that they can provide the whole answer to the questions that have been raised about the adequacy of the system in the long run, they should help to establish the readiness and ability of other countries to participate constructively in the evolution of the system. Before leaving this question, it is worth noting that international monetary cooperation has matured and deepened to an unprecedented degree during the last few years.

5. Our principal concern about the raising of interest rates in the United States in order to influence the capital sector of our balance of payments lies in its possible effect on domestic investment and growth. Over the past 2 years, as the result of the debt management policies of the Treasury and the open market operations of the Federal Reserve System, short-term rates have generally been kept higher than they had been in comparable periods of the economic cycle while long-term rates have remained at an encouragingly low level. This situation reflects our desire to moderate the outflow of short-term funds on account of international interest rate differentials without dampening domestic growth trends. The cautious and modest actions thus far taken in this area must be differentiated, however, from the actions that could well be required to register any sharp upward shifting of rates.

If, as the result of external considerations, we were successful in achieving a sharp upward shift in longer-term interest rates we could hurt our growth prospects. As the fifth question implies, such action in the shorter-term area could add to the balance-of-payments problems of the United Kingdom. Also, as far as other countries are concerned—you mentioned Germany and Japan, and Canada might be added—it may very well be that, if they had a pressing need for capital imports, they would continue to use our capital market even at higher interest rate levels. In fact it is the relative insensitivity to interest rate changes of many of the foreign demands on the U.S. capital market that tends to discourage resort to higher interest rates as an effective means under present circumstances of improving our payments position.

6. The Department is not pessimistic about the financial basis for an expanding world economy. There is no apparent shortage of international liquidity today, and we see no reason why the world should be unable to provide necessary liquidity after the United States has achieved payments equilibrium. Many good minds in and outside of government, here and abroad, are at work on this question, and the spirit of international cooperation among governmental and central bank officials is excellent. It is most encouraging that so much thought is being devoted to international liquidity and the proper long-run functioning of the international monetary mechanism well in advance of the possible emergence of a serious problem. If the past is any guide for the future, we can take comfort from the fact that the United States and the rest of the world did not wait for a crisis to increase member quotas in the International Monetary Fund a few years ago, nor did the world wait for a crisis to provide the general borrowing arrangements for the Fund, amounting to $6 billion, that came into effect in 1962.

The Department is appreciative of your constructive interest in sending us your letter of May 15, and we hope that our observations will help to illuminate the issues you raised with us.

Sincerely yours,

FREDERICK G. DUTTON,
Assistant Secretary
(For the Secretary of State).

Mr. JAVITS. Mr. President, I believe that certain of the technical moves taken by the Treasury to protect against a raid on the dollar have shown the type of imagination needed to go to the root of the problem. Other steps such as the urging of our allies to share a larger burden of military defense and of economic assistance to the developing nations and reduction of the duty-free foreign purchases of U.S. tourists have indicated the right direction.

But, these replies raise some hard questions which I have asked the Treasury to answer once again, as follows:

First. What is the Government doing to shift the burden for Western defense to those of our allies with balance-of-payments surpluses or those whose military expenditures are a much smaller proportion of their gross national product than ours, for example, West Germany, France, and Japan?

Second. What is the executive branch doing to increase the flow of foreign tourists to the United States to counterbalance the oversea dollar expenditures of U.S. tourists? The net deficit on travel account increased from $772 million in 1961 to $915 million in 1962.

Third. What is our Government doing to provide effective incentives to our businessmen to export? Why cannot the administration explore the feasibility of granting tax incentives to our exporters, or, if tax incentives in the export field constitute an export subsidy and are illegal under the GATT, at least take a firm stand against the proliferation of special export incentives devised by our European competitors?

Fourth. How effective has the 3-month-old gold budget been in reducing the impact of the Government's oversea expenditures and in identifying new courses of action to reduce the deficit?

Fifth. Why is our Government opposed to broadening existing international financial institutions into a truly international banking system, while eager to conclude a network of informal and ad hoc arrangements which are tentative and provisional?

Mr. President, the conclusion to which the inquiry and the very informative replies bring us is an understanding that we must on a much wider and bolder basis than heretofore if we are to deal effectively with this potentially dangerous balance-of-payments problem. The hard questions are raised as to what we are doing to reduce the imbalance of payments in the field of shifting the defense load to some extent to Western Europe; in regard to the outflow of foreign exchange attributable to the fact that many fewer tourists come to America than we send abroad; in respect to the lag in our export situation, which acts so heavily against us in the imbalance of international payments; and in respect to the arrangements which we are making with other central banks in order to help us with this situation.

The series of questions have been put to Secretary Dillon. I will bring back the answers to the Senate so that attention may continue to be focused upon the urgent need for our doing much more than we are now doing to solve this potentially dangerous problem.

EXECUTIVE SESSION

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. PASTORE, from the Joint Committee on Atomic Energy:

Gerald F. Tape, of New York, to be a member of the Atomic Energy Commission; and

Glenn T. Seaborg, of California, to be a member of the Atomic Energy Commission.

The ACTING PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the nominations be considered beginning with "New reports."

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE U.S. COAST GUARD

The legislative clerk proceeded to read sundry nominations of persons to be appointed to the U.S. Coast Guard.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations in the U.S. Coast Guard will be considered en bloc; and, without objection, they are confirmed.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nominations.

The ACTING PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. HUMPHREY. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

EXCELLENT REPORT ON THE ARTS AND THE NATIONAL GOVERNMENT

Mr. HUMPHREY. Mr. President, last week President Kennedy established the Advisory Council on the Arts. As I said on the Senate floor at that time, the creation of this Advisory Council represents a historic step forward in building a more productive and enlightened relationship between the Federal Government and the artistic and cultural life of this country.

The President should be congratulated for his vision in establishing the Advisory Council. Many Members of Congress, including the senior Senator from Minnesota, have been attempting to establish such a Council by statute. While we will continue in this effort, it is most heartening that a Council does exist and will be functioning during the interim period.

Congratulations are also in order for the President's able and distinguished Special Consultant on the Arts, August Heckscher. Mr. Heckscher bore the primary responsibility for coordinating the numerous administrative duties associated with the creation of this Advisory Council.

Mr. Heckscher, in his capacity of Special Consultant to the President, has now submitted a comprehensive and challenging report, "The Arts and the National Government." This report on the various artistic and cultural activities of the Federal Government has been needed for many years. We often hear that the Federal Government has no legitimate reason to be concerned with such matters as esthetics and culture. But, as Mr. Heckscher points out, every time the Federal Government builds an office building, post office or embassy, prints a postage stamp or poster, publishes a book or pamphlet, approves a program of urban renewal or decorates the interior of a public building, factors related to art and culture become the direct concern of the Federal Government.

Mr. Heckscher makes an excellent point when he says:

> There has been a growing awareness that the United States will be judged—and its place in history ultimately assessed—not alone by its military or economic power, but by the quality of its civilization.

The lessons of history are quite clear on this point: The great civilizations have been those which have recognized and encouraged the creative impulse that is the basis for all artistic and cultural endeavors. We should never forget that these are qualities which are uniquely human and which involve the uniquely human capabilities of imagination, creativity, and abstraction.

Too often the criteria observed by the Federal Government in its varied activities are solely functional and, as Mr. Heckscher points out:

> The public agencies seem content with the production of governmental objects which fall below the standards set by private enterprise or by European states.

Mr. Heckscher recommends a number of specific steps that the Federal Government can take to improve the quality and quantity of its legitimate artistic and cultural concerns. But the limited nature of these concerns is also properly stressed:

> It is a limited policy; for Government's role in this area must always be marginal. It is a policy not copied after European models, but keyed to the particular conditions of diversity and decentralization prevailing in the United States.

This observation is extremely well-taken and should be considered by those persons who allege, quite incorrectly, that supporters of the Advisory Council and the National Arts Foundation seek to encourage Government control of the arts. Nothing could be further from the truth.

I was especially pleased that Mr. Heckscher recommends in his report the permanent establishment of the Advisory Council on the Arts, the National Arts Foundation, and the creation of the post of Special Advisor to the President. The National Arts and Cultural Development Act (S. 1316) provides for each of these recommendations contained in Mr. Heckscher's report. This legislation was prepared with the close collaboration and assistance of the distinguished Senator from Rhode Island [Mr. Pell] and the distinguished Senator from New York [Mr. Javits]. I know they share my pleasure in finding the substance of this bill contained in the recommendations of the Heckscher report.

I also point out that S. 1316 provides that annual reports of the Advisory Council and the National Arts Foundation will be submitted to the Congress. These public reports would serve as an annual review of the Government's activities in regard to the arts and culture, in effect providing an annual updating of the Heckscher report. I believe it is important to provide something similar to an annual inventory, that is, a document that would summarize the progress of the past year and indicate the future plans of both the Advisory Council and the National Arts Foundation.

Finally, Mr. President, I know I speak for many persons in Washington and elsewhere who express profound regret at Mr. Heckscher's decision to resign the position of Special Consultant to the President. He has remained at this task until two principal objectives were achieved, the creation of the Advisory Council and the completion of the report on "The Arts and the National Government." These are two significant achievements and Mr. Heckscher deserves the commendation and praise of every American for his unselfish and devoted service. Let me simply echo the closing sentence in President Kennedy's recent letter to Mr. Heckscher accepting his resignation:

> I have no question that your work in these past months will be regarded as a milestone in the process by which our Government has begun to fulfill its responsibilities to our culture.

On Monday the distinguished Senator from Rhode Island [Mr. Pell] inserted in the Congressional Record the full text of "The Arts and the National Government" beginning on page 10938. I urge every Member of Congress to read this excellent report. I do, however, ask unanimous consent to have printed in the Record at this point a summary of the report, an editorial entitled "Grace of State" that appeared in the Washington Post for June 17, 1963, and a news story from the New York Times of the same date commenting on this fine document.

There being no objection, the summary, editorial, and article were ordered to be printed in the Record, as follows:

> The beginning of a "new phase in the history of art and Government" has been opened, according to a report made to President Kennedy today by August Heckscher, the President's Special Consultant on the Arts. The appointment made in March 1962—"modest in scope and tentative in form though it was"—made it plain, Mr. Heckscher said, that Government would be concerned with the progress of the arts as they affect "the well-being, the happiness, and the personal fulfillment of the citizens of our democracy."
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> In submitting his report, Mr. Heckscher offered his resignation to the President, noting that he had originally expected to serve for a 6-month period. The President, in thanking Mr. Heckscher, said, "I accept your resignation with great regret. As Special Consultant for the Arts, you have initiated a new function in the Executive Office of the President. The best tribute to the success of your work is the decision to establish this function on a full-time and, I hope, permanent basis. I am sorry that you cannot take on the continuing assignment yourself; but I know your desire to return to your duties at the 20th Century Fund, and I am grateful for your willingness to stay until a successor has been named."
>
> "Your report on 'The Arts and the National Government'," the President continued, "opens up what I am confident will be a new and fruitful relationship between Government and the arts."
>
> Mr. Heckscher's report was made after more than a year during which he has served in an unprecedented capacity. Describing the work of his office, he notes that it has involved the following areas: collecting information on the arts, keeping abreast of legislative activities in the field, and surveying relevant Federal programs. In addition, the report notes, there have been "normal duties relating to White House concern with the arts," including representation at cultural functions and visits to cities engaged in significant cultural enterprises.
>
> "Together they add up to a body of work which serves a significant public interest and requires sustained and continuous attention." In his recommendations, Mr. Heckscher urges that the post of Special Consultant be continued and that consideration be given to making it full-time. "Detailed day-by-day attention is necessary," he noted, "if governmental operations, often seemingly unrelated to the arts, are to be brought to the standards advocated by this report."
>
> Other recommendations include the establishment of an Advisory Council and a National Arts Foundation. "What is sketched here," the report states, "* * * could become a permanent policy giving form to the relationship between government and the arts."
>
> "It is a limited policy; for government's role in this area must always be marginal. It is a policy not copied after European models, but keyed to the particular conditions of diversity and decentralization prevailing in the United States."
>
> In stressing the role of government in the arts Mr. Heckscher states "There has been a growing awareness that the United States will be judged—and its place in history ultimate-

ly assessed—not alone by its military or economic power, but by the quality of its civilization."

Despite this awareness, the report continues, "The condition of the professional arts in the United States is not in all regards satisfactory * * *. A longstanding weakness in what might be called the cultural infrastructure has led to institutions inadequately supported and managed."

A principal emphasis of Mr. Heckscher's report is on the government's responsibility for the total environment, including "preservation of the cultural heritage."

"To shape an environment which meets the needs of men and women for a civilized existence is a long-range Federal interest." Mr. Heckscher points out that "through the varied programs providing financial and technical assistance to private and public housing and to community development the Federal Government has many such opportunities and responsibilities." In particular, he commends the increasing attention given to cultural and esthetic factors in the programs of the Urban Renewal Administration and the various agencies concerned with housing and urges that their importance be fully recognized and encouraged as a matter of basic policy.

"Public buildings, if they are to be genuinely significant, must not only be well designed but must be part of a setting in which life can be lived with some sense of spaciousness, dignity, and esthetic delight."

The major portion of the report is given to an examination of Federal programs and policies as they affect the arts. In his letter to the President, Mr. Heckscher emphasized that "in the course of the work it became evident that Government policies and programs affecting the arts are far more varied and extensive than is generally supposed."

In the normal course of its operations Government acquires art, creates and designs objects ranging from postage stamps to public buildings, and shapes the cultural and esthetic environment. Thus, "Government is a patron of the arts. It creates a market for the work of the artist; it sets an example; * * * it is a builder on a grand scale."

"Too often, unfortunately," Mr. Heckscher notes, "the criteria observed are solely functional * * * and public agencies seem content with the production of governmental objects which fall below the standards set by private enterprise or by European States."

One recommendation of the report is that "the Federal Government make it an objective to increase substantially the number and worth of the works of art which it acquires * * * If the Federal Government is niggardly in this regard," Mr. Heckscher asks, "can we expect any better of our States and municipalities?"

Specifically the report recommends that the Federal institutions concerned be given the funds and mission to create collections "truly representative" both of our "artistic heritage" and "contemporary American art"; that adequate funds be provided for the commissioning of fine arts in connection with public buildings; and that American art be made available to American Embassies to help them fulfill their role as "important cultural outposts."

The importance of raising and maintaining design standards is stressed throughout the report. Mr. Heckscher cites Government posters as an example of the way in which "a seemingly utilitarian process—in this case the communication of simple facts or ideas—can be raised to the level of art."

A basic assumption of the report, he says, is that good design does matter whether it be of posters, postage stamps, or public buildings. "Everything done by the Government bears either the marks of excellence which we like to think characteristic of a free and great people, or else in some measure it betrays the Government and degrades the citizen."

"The first requisite for improving design," Mr. Heckscher states, "is that men in responsible positions be encouraged to concern themselves * * * to have an awareness of the need for the highest quality in all that the Federal Government produces or sponsors."

Other recommendations for improving design include:

1. The use of advisory committees composed of the best professional talent, in all programs where design factors and the arts are involved.

2. A top-level advisory panel on architectural design of public buildings.

3. The vigorous implementation of the President's directive of May 23, 1962, on Guiding Principles for Federal Architecture.

4. A positive program of encouraging and recruiting outside talent, through competitions and other means, and of recognizing imagination and excellence.

The responsibility of the Government is not discharged, Mr. Heckscher asserts, with the mere creation and acquisition of works of art. "To be enjoyed and appreciated by the people and to make the contribution they should to our cultural life they must be available and accessible."

The report makes a number of recommendations to carry out this objective in both the visual and the performing arts. These include: (1) a greatly expanded educational and presentation program on the part of Government museums and libraries so that the great resources of our national collections may be made available "for the benefit and enjoyment of all the people throughout the country." (2) Increased attention to the production of catalogues and publications of distinction and high esthetic standards; (3) much more extensive and imaginative use of public buildings for graphic arts displays and distribution of Government publications; (4) an across-the-board effort to encourage and assist the development of facilities for the performing arts throughout the country.

The creation of the National Cultural Center and the development of a wider-ranging and imaginative artistic program is stressed as a key factor in helping the Government fulfill its role in "stimulating and supporting the performing arts throughout the country." Not only will it present the best of our professional talent but it will also "reach out through competitions, festivals, youth programs, and commissioned works into the heart of the Nation's cultural life."

The report emphasizes the role played by general policies, such as taxation, disposition of surplus Government property, community development, etc., in encouraging or inhibiting the arts. "There is a broad range of general Government policies which are designed to accomplish objectives not primarily or specifically related to the arts, but which do affect and concern the state of the arts and the position of the individual artist, often adversely and mainly through inadvertence."

Of these, Mr. Heckscher says, "the impact of the tax laws is undoubtedly the most important." A number of specific recommendations in regard to tax policy are made including: (1) revision of the income tax to provide for more "realistic and equitable" treatment of the artist (2) repeal of the admissions tax (3) extension of the 30-percent ceiling on deductible contributions to all nonprofit cultural institutions and (4) establishment as a matter of basic policy of complete tax deductibility for contributions to nonprofit cultural organizations.

Other recommendations urge the revision of the copyright laws, the maintenance of low postal rates for cultural materials, equal consideration with schools and libraries in obtaining surplus Government property, and recognition of the importance of cultural facilities in public works and community development programs.

The report also recommended that the role of the Government in developing and supporting educational television be increased.

As the National Capital of the country, the city of Washington is recognized as having special importance in any national policy and program relating to the arts. Mr. Heckscher suggests "it should be an example to the rest of the country, a symbol of the finest in our architecture, city planning and cultural amenities, and achievements—a symbol in fact of what the environment of democracy ought to be."

The report points out that although the Federal Government has traditionally been concerned with education and research, "the arts are given a low priority." It recommends that a much larger share of the Government's support to education go to the arts and the humanities. "The predominent emphasis given to science and engineering implies a distortion of resources and values which is disturbing the academic profession throughout the country."

Mr. Heckscher found that "a major obstacle to the assessment of the problems and needs of the arts and the formulation of sound and realistic public policies is the lack of adequate up-to-date factual and statistical information." To help remedy this situation, he recommends that funds be made available to appropriate Government agencies to collect basic information on the arts on a much more systematic and detailed basis.

The report also dealt with the problem of appropriate recognition for outstanding achievement or contribution to our cultural life and recommended that suitable forms be carefully studied by the Advisory Council.

In his letter to the President, Mr. Heckscher stressed that "in many of the areas surveyed the major need is for greater awareness of the possibilities for esthetic improvement and of a more sharply defined responsibility to the arts. Increased expenditures are secondary. Elsewhere new programs and additional funds should be authorized, if Government's concern with the arts is to be effectively expressed. Even these sums are comparatively small—yet a relatively small amount of money may make all the difference between mediocrity and excellence."

In concluding his report, Mr. Heckscher emphasized that "Although Government's role in the arts must always remain peripheral, with individual creativity and private support being central, that is no reason why the things which the Government can properly do in this field should not be done confidently and expertly."

[From the Washington (D.C.) Post, June 17, 1963]

Grace of State

"Americans," H. L. Mencken once snapped, "have a passion for ugliness." The assertion is no longer so persuasive. More and more Americans have joined in the quest for beauty, whether in music, in painting or even in the unencumbered majesty of a national park. But the Government has lagged behind the times, and the passion for ugliness still sadly prevails in the entrenched fortress of the Federal bureaucracy.

This is what makes the special report to the President on the arts and the National Government worth more than a routine nod. The author, August Heckscher, is winding up a too brief tenure as a part-time White House consultant on the arts. In a long and thoughtful report, Mr. Heckscher surveys all the points at which the Government touches the sphere of culture—everything from post office posters to tax policy.

Without proposing any alteration in the traditional relationship between the state and the artist, Mr. Heckscher argues that the Government should do better what it has to do anyway in the field of arts. He shares the uncomprehending astonishment that our best-designed public buildings should be invariably reserved for foreigners. Why should embassies, which few Americans see, have grace and dignity, while the local post office is so often a model of dingy mediocrity? He points—rightly—to Dulles International Airport as an example of what can be done under public auspices to blend good taste and official function.

His strictures on improving the appearance of Washington will be locally applauded, and his warning against "a hodgepodge of poorly placed and ill-designed statues and memorials" hits home. His arguments for dropping the 10-percent Federal admissions tax on theater tickets are persuasive. So is his case against the present proposal to set a limit on charitable deduction provisions in the new income tax law. As an author himself, Mr. Heckscher speaks with special warmth about the injustice of a tax system that allows, at most, a 3-year income spread for royalties on a book that a writer may have taken a decade to complete.

But we doubt whether the Government should, as Mr. Heckscher suggests, give some kind of awards for excellence in the arts. We have prizes enough already, and a presidential medal might smack of the same statist paternalism as the Lenin Prize. We emphatically agree, however, that the office of consultant in the arts should be permanent and preferably combined with the chairmanship of the about-to-be-formed Council on the Arts. Mr. Heckscher's own useful report supports his recommendation.

[From the New York (N.Y.) Times, June 17, 1963]

U.S. Role in Arts Called Narrow in Heckscher Report to Kennedy

(By Tom Wicker)

Washington, June 16.—An 80-page report sweepingly critical of the Government's attitude toward the arts was made public today by the White House.

The critique was submitted by August Heckscher, President Kennedy's special consultant on the arts. It listed steps by which Washington might foster high cultural standards. Replying to Mr. Heckscher, the President wrote:

"Your report opens up what I am confident will be a new and fruitful relationship between Government and the arts."

Mr. Heckscher's report was accompanied by his resignation from the part-time post, not as a protest but because he had served more than twice as long as the 6 months to which he had agreed.

The resignation evoked a response from Mr. Kennedy headed "Dear Augie." The letter said, "The best tribute to the success of your work is the decision to establish this function on a full-time and, I hope, permanent basis."

Mr. Heckscher was appointed in March 1962, as the first cultural coordinator between the President and governmental and private agencies. A successor to Mr. Heckscher, who is director of the 20th Century Fund, is expected to be named soon.

Mr. Heckscher couched his report in terms of how the Government should stimulate artistic achievement, make the lot of artists easier, and improve American esthetic values.

But the sweep of his recommendations—from the design of recruitment posters to the architecture of governmental buildings, from tax policies to critical evaluation of television programing—pointed to the narrow limits within which Mr. Heckscher found the Government's cultural efforts.

Yet Mr. Heckscher wrote in his letter: "Government policies and programs affecting the arts are far more varied and extensive than is generally supposed. Many Government policies ostensibly having nothing to do with the arts affect them in a substantial way—often adversely."

And in his report, he observed:

"Often inadvertently, Government has imposed obstacles to the growth of the arts and to the well-being of the individual artist."

"Everything done by the Government," Mr. Heckscher added, "bears either the marks of excellence which we like to think characteristic of a free and great people, or else in some measure it betrays the Government and degrades the citizen."

The report concluded:

"Although government's role in the arts must always remain peripheral, with individual creativity and private support being central, that is no reason why the things which the Government can properly do in this field should not be done confidently and expertly."

This reflected Mr. Heckscher's view that the Government's major concerns in the arts arose from programs it was already conducting, such as the construction of buildings. Though he suggested many new activities, few involved subsidies to artists or other forms of direct patronage.

Mr. Heckscher reserved the capital for special criticism and a major portion of his report.

"The original conception of the city was in every sense magnificent," he wrote, "but for long periods Washington was allowed to grow without order, design or a true appreciation of its esthetic potentialities. Federal architecture has been largely second rate, with the new State Department building standing as a particular monument to false functionalism and false grandeur."

PLANNING HELD OBSOLETE

Washington, he said, has outgrown "not only the original plan but also the political and administrative system which has been relied on to date to guide its development and maintain its distinction."

He listed seven agencies and commissions that have jurisdiction over buildings and other fine arts in Washington. He charged that overlapping resulted, and he suggested "an imaginative new approach which will realize the concept of a capital city fully expressing the standards and values of the Nation."

Mr. Heckscher urged that Washington's planned National Cultural Center function not just locally but as an example to other cities—in providing wide cultural opportunities and in demonstrating how government, community and private agencies can work together.

HINTS ON U.S. ERRORS

Again and again, Mr. Heckscher hinted, through his recommendations, at adverse Government influence. For example, he wrote:

"The Department of Justice should make every effort to put into effect simpler and more realistic entry requirements, thus encouraging the holding in this country of international conferences, competitions, and festivals.

"It must be hoped that ways will be found for providing the funds which other countries authorize for hospitality to foreign visitors at such gatherings. At present, due largely to legislative obstacles and stringencies, international groups rarely meet within the United States."

Occasionally the report was more directly critical—as in remarks on displays of visual and graphic arts. "As a practical matter," he wrote, "they are generally inadequate and haphazard."

The report cited lack of funds, limited exhibit spaces, duplication and ineffective coordination and liaison between the different government agencies involved, and above all the absence of any positive policy and program to make our national collections more available to the public."

ADDITIONAL SUGGESTIONS

Mr. Heckscher's report also included the following major recommendations:

The Government should "increase substantially the number and worth" of the works of art it acquires, and should establish a great national collection of American art.

Government art—from posters, stamps, and coins to huge buildings—should reflect "a concern for esthetic standards, for the quality of good design and good workmanship."

A qualified panel should oversee the design of buildings—"the most striking and enduring objects created by Government."

Esthetic as well as functional standards should apply to public housing and other federally supported projects.

Where possible, Government buildings should include auditoriums suitable for the arts.

Funds should be furnished for oversea showings of American programs.

Support of research and education in the arts should be increased.

Tax laws ought to permit artists to average their incomes over a number of years. Theater tickets should be tax free, and contributions should remain fully tax deductible.

The President's Advisory Council on the Arts should report periodically on the advance or decline of cultural and artistic television programing.

Educational television ought to be encouraged as a source of quality programing.

A national arts foundation should provide grants-in-aid to States and to institutions of the arts.

"THE BEAUTY OF MAINE"—POEM BY JERRY L. PEARCE

Mrs. SMITH. Mr. President, Mr. Jerry L. Pearce, of 12041 Claridge Road, Wheaton, Md., last year went to Damariscotta, Maine, on a research assignment for the Research Analysis Corp., of Bethesda, Md. His time was spent at the Lincoln Academy there.

He found Maine to be such a wonderful place that he has written a lovely poem about the loveliness of Maine and the warmth and character of Maine people.

This past Saturday he delivered to me that poem in a mounted, beautiful graphic art form. While I cannot convey the beauty of that graphic art form to Senators, I can present the poem to them.

It is in this spirit that I ask unanimous consent that the poem of Mr. Pearce be placed in the body of the Record at this point.

There being no objection, the poem was ordered to be printed in the Record, as follows:

Lying in the haze of midsummer days
Are these misty isles of Maine
And the sweetness in the air, should your fancy take you there,
You may search for, but may never find again.
There's a quietness in the people,
A gentle strength that doth belie
The firmness in their handshake
As they look you in the eye,
For the faith they've been endowed with
Is like this coast, rockbound,
So steadfast, sure, you'll come to know

That this is hallowed ground.
For with thoughtful hand, seen everywhere,
God shaped this land with loving care
That you and I might understand
Why it is called "Vacationland."

—*Jerry L. Pearce.*

THE NATIONAL SERVICE PROGRAM

Mr. KENNEDY. Mr. President, on June 4, an editorial appeared in the Boston Herald discussing the necessity and importance of a domestic version of the Peace Corps, called the National Service program. The timing of this article coincides with hearings that have been held in subcommittees of both the Senate and the House of Representatives. As a member of the Senate subcommittee, I have been able to study the proposal. I certainly believe that this program would render an invaluable service, and be well worth the small appropriation being asked of Congress.

I think that it would be valuable if this editorial were widely read, and therefore, I ask unanimous consent to have it printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PEACE CORPS AT HOME

In the summer of 1961 a number of doubting Congressmen expressed the wish that instead of sending the newfangled Peace Corps overseas we try it out at home. Impelled by a fear of amateur meddling in sensitive oversea posts, they thought we could judge the new idea by seeing it at work in our own backyard.

The oversea corps, despite setbacks and unexpected difficulties, electrified jaded world travelers with its sincerity, its ambitiousness, and its commonsense approach to the common man.

This past week hearings by subcommittees in both Houses of Congress explored the merits of a domestic version of the Peace Corps—the National Service Program.

Witnesses testified on the remarkable similarity of the problems facing 32 million Americans—the poor, the sick, the weak, the the unmotivated. Indian experts, migratory-worker experts, slum-school experts, all testified on the need for person-to-person work with these 32 million.

We cannot wait on the progress made by our social workers, teachers, and community compassionates. Their mighty efforts are, in a way, a hard run to keep from losing ground. The free economic system that gives the race to the swiftest, cannot abandon those that do not or cannot run as well as the rest. A free enterprise system, like all others, is judged by how it performs for all of the people.

The selfless efforts of idealistic Americans offer ways to communicate with our less fortunate brethren that paid professional cannot. Perhaps a young National Service recruit can motivate a slum child where a teacher cannot. Perhaps a Federal corps of volunteers can give personal warmth to our ineffective migrant worker programs and Indian projects.

As Congress debates this new legislation, the opinions of those at home can guide their thinking. A domestic version of the oversea Peace Corps is worth a try. Why not tell your Congressmen where you stand?

McNAMARA PUSHES WAR ON WASTE

Mr. DOUGLAS. Mr. President, I wish to bring to the attention of this body a column entitled "McNamara Pushes War on Waste" which appeared in the Washington Star of June 19, 1963, by the well-known and very capable economic columnist, Sylvia Porter.

The article describes the cost-reduction program which Secretary McNamara has launched which is expected to create annual savings to over $3.4 billion by fiscal 1965. After hearing Secretary McNamara's testimony before the Procurement Subcommittee of the Joint Economic Committee, I am sure the objective will be reached and exceeded.

I think, Mr. President, that all Members who are interested in defense and fiscal responsibility should give unstinted support to the cost-reduction program which Secretary McNamara has begun even though their own prize oxen may be gored from time to time.

I ask unanimous consent to insert the column in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

McNAMARA PUSHES WAR ON WASTE

(By Sylvia Porter)

"I personally consider you to be a great Secretary of Defense," Senator DOUGLAS, Democrat, of Illinois, and chairman of the Senate Subcommittee on Defense Procurement, said to Secretary of Defense Robert S. McNamara.

"Yours is an extraordinary achievement," Senator JAVITS, Republican, of New York, a committee member, said to Mr. McNamara.

"You're an unusual Secretary of Defense," Senator PROXMIRE, Democrat, of Wisconsin, another committee member, said.

Why this praise from economy-conscious Senators in view of the fact that Mr. McNamara has submitted the biggest peacetime defense budget ever? Because Mr. McNamara openly agrees with the Senators that there is enormous waste, duplication and extravagance in the defense budget; because he has initiated major new programs to cut the excesses; because programs he has launched are already producing annual savings of $1.9 billion and Mr. McNamara expects to step up the rate of annual saving to over $3.4 billion by fiscal 1965; because he has had the courage to put through reorganizations which, in the words of an earlier Defense Secretary, are "no more painful than backing into a buzz saw."

Mr. McNamara isn't promising that the defense budget won't rise to alltime peaks—on the contrary. He is, though, trying to curb the costs of defense by eliminating bad practices and malpractices—in the face of stern opposition and dedication to the traditional ways of doing things in the Defense Department. Thus, the compliments of the budget-cutting Senators.

METHODS OUTLINED

Mr. McNamara's most significant single cost-cutting move has been the creation of the Defense Supply Agency to buy, stock and sell supplies common to all the services.

By weeding out excess inventory items—the Defense Department has 4 million items valued at $40.6 billion, of which $13 billion is excess or "long stocks"—by slashing surpluses and by controlling purchases, the Defense Supply Agency, Mr. McNamara says, is saving $1 million a week over the previous system. A minor but memorable illustration: In 1961, each service was buying a different type of butcher smock in several sizes, a total of 18 different inventory items; today, the services stock only 2 types in fewer sizes, a total of 7 different inventory items.

Also of fundamental importance has been Mr. McNamara's drive to change the method of awarding defense contracts from negotiation and cost-plus-fixed-fee to formal or competitive bidding wherever feasible.

In 1962, almost 87 percent of all military purchases were still by negotiation. The estimate is that 25 cents can be saved on each dollar shifted from noncompetitive to competitive buying and that shifts underway will be saving nearly $500 million a year by fiscal 1965. The changes are starting. In 1961, only 15 percent of aircraft spare parts were bought competitively; in 1962, the percentage was doubled to 30 percent, and the trend is upward.

The cost-cutting probe is touching the most delicate areas—duplicate weapon systems, research and development. As a dramatic illustration of what this can mean, basic to the now famous controversy over the TFX experimental tactical fighter plane is not just the question of awarding of defense contracts. Basic is the fact that Mr. McNamara chose General Dynamics over Boeing because he insists that the General Dynamics design was closer to a "common plane" usable both by the Air Force and Navy and that Boeing's design actually was two different planes which would have made an award to Boeing far more costly.

SENATORS GRATIFIED

The Defense Department is asking today not only, "What will it cost?" but also, "Is it worth it?" and, "Are we buying only what we need?" This is why Senator DOUGLAS and his committee are so "extremely gratified" and Senator DOUGLAS said a few days ago "a good beginning has at long last been made * * * to make the economies which are desirable and possible."

Involved in the size and content of the 1964 defense budget will be even more than our military power and economic strength. Also deeply entwined will be the fate of tax reduction-reform, for many Congressmen really mean it when they say they'll vote against tax cuts unless there are signs the budget is being controlled.

The schedules today indicate the defense budget and the tax bill will be reaching crucial congressional voting dates around the same time—which will dramatize Mr. McNamara's war on scandalous waste.

RESPONSIBILITY FOR INTEGRATION RIOTS

Mr. THURMOND. Mr. President, there has been much speculation recently whether or not the Communists are involved in the present integration riots. A study of Communist techniques reveals that the pattern is being followed throughout the United States. The Communists realistically go to the heart of the matter in a way which individuals can understand and act upon. Lunch counters are a good example since this is a way people can grasp that abstract ideal called freedom. Also, it gives them something specific to do.

The political actionists behind the lunch-counter movement have realistically geared their propaganda aims to practical power goals. They have established the following:

First. A devoted and fanatical following for certain organizations such as NAACP and CORE.

Second. A pattern of internal rioting which can be activated to coincide with an international crisis or a controversial move in foreign policy.

Third. Precedents for shifting jurisdiction of most local laws from local courts to Federal courts by enlarging the legal definition of civil rights.

Fourth. Legal, social, and political precedents for using the Army against the citizenry.

Fifth. A change in the emphasis of the law from "do not" to "do."

Sixth. A transformation of our Government from representative of the citizens' morality to director of the citizens' morality.

The leadership of these domestic disturbances seem unconcerned that although they gain the ability to sit at a lunch counter, they, along with the rest of us, may lose more freedoms than they gain.

The Paris edition of the New York Times for May 31, 1963, carried a front page story about the classes of instruction conducted in Jackson, Miss., for persons who were to participate in demonstrations. These classes included instructions, according to this report, on such things as how to knock a white girl off a restaurant chair. The instructor on street riots directed the students not to tense up or they would receive the full impact of the blows.

We have all seen the pictures of riots by youth in South Korea, Turkey, and Japan. The tactics we are witnessing in the current Negro demonstrations and riots are familiar. The similarities are striking.

For those who are not familiar with the nature of Communist interest in the riots by youth and the tactics used, there is an enlightening article in the August 1960 issue of Political Affairs, one of the Communist Party organs. Every American, and particularly every Member of the Congress, should read this article, entitled "American Youth on the Move," which is nothing less than a Communist blueprint for conquest. I, therefore, ask unanimous consent that this article be printed in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AMERICAN YOUTH ON THE MOVE

(By Dan Ross)

Recently the world has marvelled at the magnificent mass action of youth and students in South Korea, Turkey, and Japan. U.S. youth are also on the move, though not as fully as in those countries. In numbers, militancy, and self-sacrifice, the present movements in the United States can be compared only with the youth activities of the 1930's. What are these movements? Why have they developed at this time? What is their significance? What are their prospects? What contribution can Communists and progressives make to them? This article will make a start at such an examination.

THE SIT-INS

First, and foremost, of course, is the sit-in movement begun February 1 in Greensboro, N.C. There is no need to repeat here the analysis and reporting of recent Political Affairs articles on the sit-ins. A few summary figures and conclusions will suffice. As many as 200,000 southern Negroes have participated in sit-ins, picketing, mass marches, and meetings. Negro students from some 60 colleges and a score of high schools have supplied the manpower and punch for the actions in nearly 100 communities. Qualities of heroism, determination, selflessness, and discipline have marked the youths' efforts. They have had to face school expulsions, 2,000 arrests, bombings, beatings, fire hoses, and tear gas. Truly they are participants in a movement that will not stop till full equality is won and the unfinished bourgeois democratic tasks of the Civil War are completed.

There are a number of factors contributing to the scope and depth of the movement. In their own explanations Negro students point to the 1954 Supreme Court decision and growing loss of confidence that this or other forms of Federal intervention alone were going to make a substantial change. Magnificent African freedom struggles inspired them. The Montgomery bus boycott familiarized them with direct action and passive resistance techniques of struggle. Lack of jobs in their chosen fields for growing numbers of college graduates convinced them they had little to lose. The youth marches gave Negro youth experience with organization and knowledge that support from the North could be obtained. Finally, Eisenhower's pretensions of democracy and freedom on his world junkets such as to South America stuck in the craw.

Some lunch counters in 28 cities have desegregated but the prospects are for a long hard fight. The monopoly press is giving little coverage today but the sit-ins continue, even gaining in strength in Baltimore and elsewhere despite the summer period.[1] Throughout the South seminars and other preparations are taking place for a bigger push in the fall. There are plans to apply the same techniques to the fight for voting rights.

The main problem of the movement is to gain adequate support from potential allies. Here some suggestions will be made with respect to internal weaknesses; of course, one makes suggestions of this kind with the utmost humility considering the magnificent scope of the movement.

1. At Raleigh, N.C., on April 15–17 the Student Non-Violent Coordinating Committee was formed under the leadership of the Southern Christian Leadership Conference (SCLC), led by Reverend King. It represented a high point of unity but still did not fully reflect the scope of the movement. Many States, schools and organizations were not included. Divisive tendencies between SCLC and NAACP came to the fore. On many southern Negro campuses, NAACP forces played the initiating role despite early tendencies of the national organzation to stand aloof. A much more inclusive movement united by a coordinating organization is needed to realize the full potential. Struggle against those who resist mass action should be within the framework of keeping unity with them.

2. There is need for a declaration of principles capable of embracing all sections of the movement and ideologically winning new adherents. The statement of principles of the Raleigh Conference organization is acceptable only to thorough-going philosophical pacifists. More appropriate are the general principles of the Atlanta Appeal for Human Rights.

3. Lacking experience with Communists, Negro students still accept propaganda that Communists are a hindrance.

4. Lastly, concrete political action on a mass scale is weak. It is needed so that massive Federal intervention will prevent violence and compel the enforcement of the Constitution.

In the fall, the situation will sharpen up greatly with renewed public school integration fights, lunch counter sit-ins and voter registration actions.

SOUTHERN WHITE SUPPORT

Many commentators have noted the rise of southern white supporting actions, especially by white college students. In every city in which there is a white college as well as a Negro one, at least a small number of white youth have come forward in public support. About 60 of them have been arrested for participation. They have suffered all sorts of pressure. But still they help picket, sit-in, join marches, circulate petitions, etc. Many do it from religious motives, others because of their political concepts of democracy. The large number of northern students on southern white campuses have had an impact.

One young women said she could not be a hypocrite, believing in democracy and not acting for it. She underwent severe personal pressure. A growing number believe there is only one way to end the strife that is upsetting their lives. It will end when the Negro people have full equality. The sooner that occurs the sooner passions will cool and tensions reduce. A sociology student speaks of the economic insanity of segregation in Virginia, trying to support three school systems, etc. But as yet no important forms of South-wide white youth support have developed.

NORTHERN SUPPORT

Large-scale northern supporting actions in the form of picketing of Woolworth's mass marches, meetings, circulation of SCLC petitions and Congress of Racial Equality (CORE) post cards, organization resolutions, fund raising have gone on for months. Trade union locals, the NAACP, and church groups have been active. But the greatest mass support has come from college students. Perhaps 50,000 students at 130 schools have actively participated. On May 17 the Governor of Wisconsin addressed the second university rally. Mass marches and meetings involving thousands each have taken place in Detroit, Cleveland, Columbus, New York, Boston, and elsewhere. Mass picketing has been notable in Chicago, Philadelphia, New York, and Boston. In Chicago, Philadelphia, and Detroit picketing centers around NAACP and church teenage groups the NAACP reaches. Elsewhere picketing has been based on college students and white teenagers from liberal and progressive middle-class backgrounds.

While engaging in supporting actions, students on many campuses are giving their own campuses a long look. Resulting actions have knocked out discrimination in a number of fraternities, in campus housing, and in other areas.

FUTURE POSSIBILITIES

Throughout this period the National Student Christian Federation (NSCF) and the National Student Association (NSA), the official organization of student governments, have played a spurring and unifying role. The NSA Washington Conference represented a high point of unity and mobilization. But its 180 delegates fell far short of the expected number and of the potential. What is required is for all major campus organizations North and South and all major youth organizations that have endorsed the struggle to call jointly a nationwide conference on this question. Such a conference could bring together experiences and plan a massive assault on Jim Crow by young people. NSA alone cannot be successful with such a project.

Another need of the movement is political action. Except for White House actions by Howard and Amherst students an a few other examples, the attitude has been that little can be gotten out of the Federal Government that will really help. A new youth march on a much higher and even more mass level following the sit-ins and just prior to election day is needed as are other forms of political action.

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[1] Just before going to press, lunch counters were desegregated in Greensboro, N.C., and in Norfolk, Va.—Ed.

Mass picketing has not reached its fullest possible extent in most areas. Many church and civic groups have not been involved. For northern picketing to continue and expand, participants must be convinced it is in their self-interest, it is their highest moral duty and it is economic pressure that can win against outfits like Woolworth's who are not just innocents in the middle. Picketing must be backed up by other mass forms like petitions, post cards and rallies, student stoppages and by action on local questions of Jim Crow.

PEACE ACTIVITY

Peace activities by youth increased considerably. Young people have circulated petitions to promote summit success, had various educational meetings on campus focusing on the summit issues, etc. In Los Angeles and Minnesota peace marches of several hundred youth were held. Student Committee for a Sane Nuclear Policy (Sane) and similar campus groups have shown some growth. At Temple University, Philadelphia, the campus paper reported an exchange of letters with Tashkent, U.S.S.R. on what youth can do for peace. After much resistance, NSA has organized tours of socialist lands and student exchanges with Poland and the U.S.S.R. The American Friends Service Committee (AFSC) and Soviet Committee of Youth Organizations have arranged peace seminars in both countries. NSA has even broken with its strict State Department position by endorsing an end to testing nuclear weapons. Nearly 500 college and high school students in New York refused to obey Civil Defense regulations to take cover. A peace forum organized by Advance, New York socialist youth group, drew 300 youth. A number of foreign students as well as an Americans for Democratic Action (ADA) and AFSC student spoke.

A form of student peace sentiment has arisen in wide support of congressional bills for a Point 4 Youth Corps. This plan provides that instead of going into the Armed Forces, students would go to newly independent countries as technical aids. The argument is that we do not need so many soldiers and this would be more valuable to our foreign policy.

There was major youth attendance at the Madison Square Garden Sane rally, the San Francisco Little Summit and Chicago University Peace Forum.

Despite the increase in activity, peace activity is still limited to left, pacifist and a few liberal and religious youth on the campus and in some high schools. Peace organizations are still unstable and weak. But new sections of youth are beginning to feel something may be wrong with a U.S. foreign policy that is isolating our country.

The cold war continues with respect to contacts by major U.S. youth organizations and their international federations. Coordinating Secretariat (CO-SEC) on the student level and World Assembly of Youth (WAY) for all youth. Aside from the AFSC, organizations like NSA, the Y's and the Young Adult Council of the National Social Welfare Assembly (YAC) have not responded positively to the World Youth Forum proposal of the Committee of Soviet Youth Organizations. The forum is to encourage an exchange of views by all youth organizations of the world on peace and other problems of youth.

CIVIL LIBERTIES STRUGGLES

A number of very significant struggles for democratic liberties has taken place. Most dramatic are the San Francisco mass protests against the House un-Americans, the police attacks and the response of the college youth involved.

Well over a hundred schools protested the loyalty-oath requirements of the National Defense Education Act. Many schools refused to take money under the act. Student lobbies have been effective. A number of political figures, as a result, have called for repeal. The danger exists, as indicated in the Prouty Amendment to the National Defense Education Act, already passed by the Senate, that legislation will be enacted making provisions worse, while appearing to meet the objections.

Another broad movement has developed on nearly 60 campuses in opposition to compulsory ROTC. Mass actions such as the rally of 600 students at Lafayette College in Pennsylvania occurred. At Rutgers compulsory ROTC was dropped. The Army tried to meet objections by reducing time spent on strictly military subjects, but the movement goes on.

In New York a sizable protest against the high school graduation loyalty oath has developed.

Out of movements by youth on other issues have grown several academic freedom struggles. Such struggles arose out of the sit-in movements and the expulsion of students such as Reverend Lawson at Vanderbilt. Out of the World Youth Festival activities grew the House committee attacks and resulting protests. Out of the civil defense protest grew acadamic freedom fights at Brooklyn College and elsewhere. As the movements of youth for their needs grow, attacks that try to keep the lid on can be expected to increase. These youth actions also run into repressive measures remaining from the McCarthy period. What is new is that young people are acting anyway and are even beginning to remove some longstanding obstacles to democratic action.

These have been the most important areas of youth action. Some others bear mention—notably the support of Portland College students to the newspaper strikers and of Philadelphia youth in collecting food and circulating post cards to support the steel strikers.

SEARCH FOR BASIC ANSWERS

Along with these actions on youth's needs, an increased searching for radical solutions to our country's ills is developing. The Challenge Collegiate Forum in New England is one example. Social problem discussion groups, Marxist study groups and classes have grown. In a few places left student campus political parties have emerged. Speakers from the Communist Party are being invited to campuses more frequently and are getting a better response.

In the absence of alternatives, a number of youth with a positive orientation to the lands of socialism, to Marxism and who are friendly or not anti-Communist have drifted into the Young People's Socialist League (YPSL). YPSL is the youth organization of the Socialist Party Social-Democratic Federation.

A smaller number have joined the Young Socialist Alliance or supported their newspaper, the Young Socialist. The line of this organization is Trotskyite, publicly supporting the political position and candidates of the Socialist Workers Party. They continue their main function in life of trying to win or split the genuine Marxist left. Due to their opposition to peaceful coexistence and their denial that the Socialist lands are Socialist and splitting tactics in the mass movement they do not hold many youth for long. But they do disorient some and drive them from all progressive activity.

As part of the revitalization of left youth, a number of essentially positive publications are developing. These include the academically oriented Studies on the Left from the University of Wisconsin, a new academic journal of radical thought from the University of Chicago and the significant new general youth newspaper, New Horizons for Youth.

WHY THE UPSURGE?

What explains this upsurge among youth at this time? Following World War II, stimulated by the return of the vets, American youth engaged in a number of significant struggles for peace, over academic conditions and in the political arena. With hindsight we can now say that these were rearguard actions aimed at limiting the advance of reaction and its policies and at preserving the democratic and progressive forces in good order for future offensive action. The significant youth fights against McCarthyism and for academic freedom in the early 1950's, though a new high point, were essentially defensive. Then followed in the late 1950's a period of groping for new directions and ripples of new offensive action for youth's needs.

On February 1, 1960, with the Greensboro sit-ins, the offensive of American youth for their needs began in earnest and is now developing. The factors contributing to the turn are several. Problems confronting certain sections of the youth have been accumulating and sharpening. The problem of jobs for Negro college graduates has been mentioned. Job training and job prospect problems have sharpened, with widespread youth unemployment among the growing permanent army of unemployed. Negro teenagers, due to discrimination, have faced that problem even more severely. Getting a decent college education that enables a student to compete in a tougher job market has been a problem that compulsory ROTC, National Defense Education Act loyalty oaths, etc., have not made easier. Continuing war tensions and interference in a young person's life by military service has been another problem. Young people have not been able to escape the growing feeling that something is wrong in our country. Continual revelations of corruption and double standards have undermined their confidence in the life of their society. Our international stature has been declining. The large number of youth afflicted with emotional disturbances and demoralization have been signs of the problems and uneasiness.

College students especially, living more among those who spend time analyzing the society we live in and more in contact with foreign students and international views of our country, have begun searching for some answers and means to put deeds into line with pretensions. Being young and not so hardened to the hypocrisy of our public life, they were in search of a cause in which they could have confidence. The struggle for human dignity, for full equality for the Negro people became that cause for many. Its morality was certain since it is one of the great worldwide moral issues to which even our Government gives lipservice. Actions by students around the world for freedom and democracy prepared American students to take social responsibility and break with the recent tradition of the isolated ivory tower. In economic terms, southern Negro students had little to lose. Northern students, McCarthyism being in ill repute, began to follow the lead of the southern students and lose their fears of acting.

The struggle for Negro rights has now become a lever for struggle on other fronts. It has given experience in struggle, reduced fears and given hope for success.

While the number of youth who not only are dissatisfied with our foreign policy but also are convinced of positive alternatives is still limited, it is growing. Recent events demonstrating the bankruptcy of those policies undoubtedly will prepare more youth for peace action.

SOCIAL COMPOSITION

So far the movements of youth have centered around college students, especially Negro students. There has been considerable motion also by high school students. Negro teenagers have been active in some places on the sit-ins. While liberal and progressive middle class teenagers have acted on the sit-ins, the peace question, and in defense of democratic liberties.

Among working youth there has been localized activity for job training and for recreation. Too often young workers have shown backwardness on the need and role of unions, but in a number of local strike situations in electrical, hospital, and in the big steel strike younger workers have been among the stanchest.

Youth struggles are weak among working youth, among teenagers who are not going to college and, in many places, among Negro teenagers. Until that situation changes youth actions will be inconsistent, somewhat unclear in direction and limited in their mass struggle character. But that does not mean we should give up major attention to that which is moving in order to concentrate on basic sections of the youth. It will not be easy to set these sections of youth in motion. Most organizations, including the churches, report a lack of working youth membership and an absence of special forms of organization of these youth. A growing and powerful movement among college students and some teenagers can be a big lever in moving other sections of the youth who will be influenced by their example. In those places where large-scale Negro teenage and working youth participation in the sit-ins has occurred, it usually resulted from college students and their organizations approaching church youth groups and others and asking them to join in.

YOUTH AND THE ANTIMONOPOLY COALITION

Youth activities can be a lever in increasing forward-looking motion among adults. This can come from youth groups approaching adults and asking for help on given problems. It can also come from adult community organizations and trade unions focusing on conditions facing youth such as the condition of our schools, lack of job training and job opportunities, what to do positively about juvenile delinquency, etc. Parents are often ready to move on their children's behalf before they will move for themselves.

All in all, mass movements of youth for their needs are already an important factor in the developing antimonopoly people's coalition and can become even more important. More and more youth are becoming aware that it is Woolworth's monopoly in the sit-in field and other big monopolies in the jobs and peace fields that are the obstacles. The support of union locals for the youth marches and sit-in picketing and the few examples of union concern for job training and education begin to teach youth that labor can be their best ally. More activity by unions and special youth forms of organization, like sons and daughters clubs, apprentice clubs, are needed to strengthen the labor-youth alliance and positively influence the direction of youth's rebellion. While building strong alliances, youth must also have their own independent organizations if they are to develop most rapidly as a part of the antimonopoly coalition.

CHIEF WEAKNESS

Probably the greatest weakness in the entire youth field is the small size of the Communist youth and organized progressive youth. While they are growing in number they grow not nearly as fast as the mass movement. As a result many possibilities for democratic developments are not taken hold of. At a certain point this weakness can become crucial to the mass movement. Weaknesses appearing along the line of development may become crucial to any further advance. Communist youth especially, and other left youth, have special contributions to make based on their class and world outlook. These include: (1) the possibility and need for the widest unity; (2) the need for struggle within that unity for an orientation toward labor and basic sections of youth, for a policy of consistent mass struggle, for political action and against divisive tendencies; (3) showing who are the enemies and who are the friends of youth's needs; (4) more radical immediate solutions when the situation requires; (5) propaganda and agitation for socialism which offers the only lasting full solution for youth's problems.

It is easier to split a movement with Redbaiting when there is no substantial Communist force to show in life what Communists really stand for. For all these reasons a strong and growing left current is required.

Communist and progressive youth have been giving a good account of themselves in all the youth struggles mentioned. But they exist in too few places. What they have achieved only serves to point up the tragedy and error of repeated dissolutions of Marxist-oriented youth organizations. Dissolution is easy, but it does not provide correction or improvement. Building anew is most difficult.

What are some of the obstacles to increasing rapidly the number of Communist and organized progressive youth?

1. Adults, swamped with their own problems, are leaving nearly all of the job to the few youth and even fewer experienced youth. Adults give insufficient attention to issues of concern to youth, to developing youth contacts, etc.

2. Adults, feeling the lack of younger, more vigorous people, tend to draw youth away from the key focuses of youth activity. This is done by taking most of youth's time with meetings and activities that grow out of the focus of adult developments. In the special instances when such involvement of youth is correct, youth aspects and forms of organization around general issues are overlooked.

3. Sometimes in fear of having more work dumped on them, adults dampen the initiative of youth and then cover that up with big political theories.

4. Weaknesses exist in the education of Communist and progressive youth. Not enough energy is devoted to this work. Such education must include character building—the combating of the destructive influences of our capitalist environment that produce competitive, opportunist and individualist traits, and building in their place working-class standards of conduct.

All progressive adults and youth must make it their responsibility to act boldly to increase rapidly the number of Communist and organized progressive youth. It is possible to do that today. Every adult must think over all the youth he or she knows and put them in contact with the organized youth. Where that is not possible, adults should aid in formation of new study groups, classes, action groups, etc. Financial and all other kinds of support by adults is needed for the many progressive youth activities now in existence. This is a crucial matter for the future of our movement and of our country.

TAX-SUPPORTED PROPAGANDA OF BIRCH-TYPE SOCIETIES—SPEECH BY SENATOR MAURINE NEUBERGER

Mr. MOSS. Mr. President, what most people do not realize when they read or listen to some of the malicious propaganda of the radical right is that all of us are probably paying for it.

Many of the Birch-type societies, which are flooding the country with hate literature and lies in an effort to undermine confidence in our form of government and our leadership, hide their real purpose under high sounding titles made up of words like "American," "Christian," "freedom," and "crusade." On this basis, they claim to be religious or educational institutions, and therefore eligible to financing by tax-exempt income, despite the fact that our tax laws make such income available to a religious or educational association only if no substantial part of its activities is devoted "to carrying on propaganda."

The brand of tax-supported education being forced on the American people by these organizations, and the extent to which it is financed by tax-exempt dollars was discussed with eloquence, force, and courage by the distinguished junior Senator from Oregon [Mrs. NEUBERGER] at the Northwest Regional Conference of COPE in Portland last month, and I ask that her speech entitled "Tax-Supported Propaganda" be placed in the CONGRESSIONAL RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

TAX SUPPORTED PROPAGANDA

(Speech of Senator MAURINE B. NEUBERGER, at COPE Northwest Regional Conference, Portland, Oreg., May 26, 1963)

Pollyanna was determined to find some good in everything and everybody—so much so that the term "Pollyanna" has come to characterize those perpetually cheery souls, we all know them, who profess to find a good side to even the blackest day—like the good people who always insist that though Mussolini was a villain, he did make the railroad trains run on time.

I don't meet many Pollyannas in my daily deliberations. I usually have to listen to the prophets of gloom and despair. But the other day I was discussing the activities of the John Birch Society with a colleague who argued, tongue in cheek, that even the John Birch Society had its good points.

First, he argued, by now, most Americans who spend at least part of the day awake, know the John Birch Society for what it really is: a maniacal sect dedicated to a return to a 19th-century economy and repeal of the Bill of Rights. Not that the society was eager to publicize its malicious wares, but because its founder and patron oracle, Robert Welch, stumbled into the glare of public exposure 2 years ago with his accusation that Eisenhower was a Communist. And that was too much for any rational American, left, right, or center, to stomach. Consequently, the society's name has become a warning flag to thinking Americans that any message associated with it is tainted by a distorted and perverted view of man, economics and society. That was one "good thing" about the John Birch Society.

The second "good thing" he had to say about the John Birch Society was that at least the Federal Government didn't subsidize it.

I find it hard to dismiss that lightly, an insidious cancer that has infected many otherwise well-intentioned Americans. But he did have a point: although the Government doesn't contribute to the John Birch Society, you and I unwittingly, and certainly involuntarily, as taxpayers, are indirectly financing millions of dollars of Birch-type propaganda put out by less well-known but equally vicious organizations.

Our tax laws make tax-exempt, income contributed to any organization "organized and operated exclusively for religious * * * or educational purposes" as long as "no substantial part of its activities * * * is carrying on propaganda." Propaganda, incidentally, is defined by Webster's as "Any organized or concerted group, effort, or movement to spread particular doctrines."

Despite this express exclusion of propaganda organs from tax exemption, there is increasing evidence that dozens of rightwing groups are today masquerading as educational or religious organizations, and are flooding the country with the partisan, political propaganda of the far right, financed by tax-free contributions from businessmen. And, whenever a businessman has tax-exempt income, somebody else is forced to pay more taxes—and that somebody else is you and I.

Who are these organizations and how do they get away with it? One thing is certain: you can't spot them by their titles. Our rightwing extremists may be deficient in their respect for democracy but they certainly are imaginative when it comes to selecting democratic-sounding titles. Let me cite an example. Are you interested in America's future? So am I. Then you may be interested to learn, as I was, what a "nonprofit, educational" tax-exempt institution called America's Future, Inc., has to say.

America's Future, Inc., puts out an eight-page newsletter which it describes as "a weekly antidote for the flood of socialistic slanted news and views that assails us" and broadcasts a weekly radio program with R. K. Scott as the principal commentator. Recently, Scott's brand of tax-supported education included:

1. Criticism of the Supreme Court decision on school prayers (July 13, September 14).

2. Repudiation of the Supreme Court decision on school segregation ("From that decision has flowed most of the racial dissensions and hatred with which we have been plagued ever since. In that decision the Supreme Court did something that it had no right to do under our Constitution.") (August 10.)

3. Opposition to Government control of industry and power to levy taxes on industries (August 24).

4. Attacks on the State Department and the USIA (the latter is "riddled with hordes of boondogglers, many of whom are soft on communism") (July 27).

5. Criticism of U.S. support of the U.N. actions in Katanga (September 7).

6. Criticism of our participation in the U.N. ("the awful mess resulting from our involvement in the United Nations") (August 3).

7. Objections to admitting Russian tourists into the United States where they can spy (July 20).

8. Opposition to the dangerous "labor union monopoly" which "makes a political and economic slave of the union worker" and should be equated with "labor boss monopoly" (July 6, August 31).

America's Future also conducts a thriving business in book-burning called operation textbook. Its "textbook evaluation committee," which incidentally contains 4 men active in the John Birch Society, is now one-third of the way toward its expressed goal of evaluating all 400 social science textbooks currently in use in America's high schools—handing out failing grades to books which give too much attention to freedom of religion, speech, and the press, and which fail to stress the right to acquire and hold property, the right to work, the right to engage in free enterprise, and the right of a free society to protect itself against subversion. And woe betide any text that would "attempt to instill in the student the idea of 'world mindedness' or world citizenship and world government."

We soon discover that America's Future Inc., is in reality dedicated to reviving the worst of America's past while burying the very freedoms that have made America great.

Who is it that pumps tax-exempt funds into America's Future Inc.? Many old friends of democratic education, led by Gulf Oil, Armco Steel, Cities Service, Consolidated Edison of New York, Dupont and Socony-Vacuum. Your taxes and my taxes will be higher so that these companies can make tax-exempt donations to America's Future Inc.

Let's turn to another fine-sounding tax-exempt organization, The American Good Government Society. Each year the society makes George Washington Day awards at a George Washington Day dinner to Americans who have contributed to good government during the past year. That seems like a worthwhile function—except for the strange fact that between 1953 and 1963, of the awards given to Senators and Representatives, 10 went to Southern Democrats and the rest to conservative Republicans. I was surprised to learn, as I am sure you are, that for the last 10 years no one but Southern Democrats and conservative Republicans has made any contribution to good government.

Let me make myself perfectly clear. I don't really object—and I consider that I have no right to object—to any group of American citizens getting together and making George Washington Day awards to anyone they choose (though I sometimes wonder at the woeful miscarriages of justice that are committed in the names of American heroes). What I most certainly do object to is the use of tax-exempt income to promote these essentially political activities. The Constitution guarantees freedom of speech, thankfully, but it does not guarantee that political propaganda shall be subsidized by tax concessions.

There is probably no one who gets more radical rightwing propaganda value for his tax-exempt dollar than Haroldson Lafayette Hunt, whom Time magazine labeled "the big daddy to many a far-right crusade." H. L. Hunt has been rated the second richest man in the United States with a total wealth as high as $3 billion and annual income hovering around $50 million. From his headquarters in Dallas, Tex., Hunt indulges his urge to convince his fellow citizens that the U.S. Government is so thickly infiltrated with Communists that it is practically Communist now, and that any man or woman who favors medicare, foreign aid, and virtually any other social welfare measure which you might care to name, is an enemy of freedom. Hunt also dabbles in anti-Semitic, anti-Catholic, and even anti-Protestant propaganda (the National Council of Churches) (which doesn't leave him very much room), and damns the Supreme Court as the violator of the Constitution.

You would think that a man with $3 billion at his disposal and an active spleen would be willing to finance his own propaganda warfare. But Hunt prefers to let the Federal Government assume a substantial portion of his political crusades.

Hunt has simply packaged his propaganda network under the head of the Lifeline Foundation, Inc., and then had his business corporations—the Hunt Oil Co., and its food processing and canning division, the HLH Parade Co., commercially sponsor Lifeline propaganda throughout the country. Of course, commercial advertising expenditures are treated as a business expense and deducted from the company's income before taxes. Hunt's expressed goal is to see the $11 billion which American business spends on advertising annually, devoted to the sponsoring of rightwing propaganda.

Lifeline's boiling caldron of trouble includes a 5-day-a-week radio program, TV program, a four-page twice-weekly political polemic, a book club: "Lifeline Links," and Lifeline seminars: to "meet the public demand for accelerated enlightenment" on freedom, Communist subversion, and "shelter protection against fallout."

What kind of commercial entertainment does Lifeline put out? Here's a sample: "Support gained from church circles in the United States helps them (the Communists) to break down the moral antipathy of a community and gives the infiltrator this respectability which they desperately need."

And again "Everyone in the United States * * * except, apparently, the Supreme Court, knows that communism advocates the overthrow of this Government." To ward off libel suits Hunt's propagandists call the victims of their attacks mistaken" but it is quite clear to anyone who listens that "mistaken" is a synonym for "enemies of freedom," which is in turn a synonym for Communist.

"As anti-Communist sentiment grows stronger in the United States, the mistaken forces seeking to end freedom feel the damage to their cause. Word has gone out that anticommunism must be stopped * * * Definite orders for the liquidation of anticommunism have been given in a party manifesto * * * Since that manifesto, the drive against anticommunism has been growing steadily more intense. * * * If you were the head man of the 'mistaken' forces that are working to end freedom, what orders could you have given that would have produced greater strategic victory than the communization of Cuba?

* * * * *

"The Second World War was but another step in the program of the 'mistaken' to conquer the entire world.

* * * * *

"The entire propaganda line of the 'mistaken,' including doubletalk about disarmament, is designed to make it easier for them to carry out their plot for ending freedom."

To label a group or individual as "mistaken," then, is Hunt's not-so-subtle way of accusing anyone who disagrees with him of being a Communist, without risking a libel suit. But the vicious innuendo is no less vicious because it is put into this kind of transparent code.

Another blatant example of the abuse of tax deductible advertising is the arrangement worked out by General Electric with erstwhile former movie star Ronald Reagan. While he was host and occasional star of the television show General Electric Theater, Reagan's contract called for 8 weeks of speaking tours for G.E. each year. On these tours Reagan had little if anything to say about G.E. toasters or television sets or even anything about his own television program, but at each stop he made the same rigidly conservative speech against social security, the income tax, Federal aid to education, and medicare. It has been suggested that Reagan is even opposed to a national post office.

I think I have given you enough to convey the flavor of these organizations—and the aroma as well—but I assure you that this is by no means an exhaustive sampling. Just listen to this rollcall of high-sounding titles for low-hitting activities: The American Council of Christian Laymen (how Red is the National Council of Churches?); The American Economic Foundation; the Christian Anti-Communism Crusade; Christian's Echoes Ministry; Christian Freedom Foundation; Church League of America; The Circuit Riders; the Economists National Committee on Monetary Policy; Foundation for Economic Education; the Inter-Collegiate Society of Individualists; the national education program.

In 1961, these organizations—plus the ones I have already discussed—took in better than $5½ million in tax-free contributions.

What's in a name? Well, for each of these high-sounding organizations: Tax-free income and the shield of respectability that cloaks their rightwing extremist propaganda.

How has this been permitted to happen? It is painfully clear that the Tax Service has simply not done the job Congress gave it: to rout out the propagandists from the bona fide educators. It may be that the Service has simply lacked the manpower to investigate exemption applications. It is no doubt true that in a given instance the line between education and political propaganda is a difficult one to draw. Whatever the reasons I think it is incumbent upon the Tax Service to terminate, and with more than deliberate speed, the fraudulent use of the "educational" exemption as a tax haven for partisan political propaganda. And I intend to use every resource at my command to see that this is done. Not, let me repeat, for the purpose of silencing political activity, but merely for the purposes of eliminating the tax-exemption subsidy.

If I make a contribution to the Oregon Dunes Committee, my gift is clearly not tax deductible because the Dunes Committee has a political, though nonprofit goal: the creation of the Oregon Dunes National Seashore. But if I were a member of the D.A.R. and contributed to that crusty old institution, my gift would be tax deductible.

Yet, at its 72d Continental Congress held in Washington last month, the D.A.R. adopted resolutions opposing disarmament and the test ban treaty, deficit spending, foreign aid, liberalization of the Immigration Act of 1952, the United Nations, public housing, urban renewal, Federal aid to mental health care, the domestic Peace Corps and the Youth Conservation Corps (on the grounds that it would "result in endangering the future of private youth organizations and delay the entrance of the youth of this Nation into the field of free enterprise"). Here is the dissenting testimony of Mrs. E. King, herself a member of the D.A.R. and a representative of the Chappaqua, N. Y. chapter.

"While the DAR professes no political purpose and claims tax-exemption on the strength of it," she reported to the members of her local chapter, "its policy year after dreary year monotonously issued from its rubber-stamped congresses support uniformly the position of a certain segment of American political thought. No resolution contrary to the positions of the far-right wing is adopted."

Would any fair-minded observer say with justice that the Oregon Dunes Committee is more political in its activities than the DAR? I think not.

Let me close by citing to you the strange case of the Intercollegiate Society of Individualists, which incidentally draws wide support from private power companies—though not, let me hasten to add, from the State of Oregon. The society is militantly opposed to both the income tax and Federal aid to education. Yet isn't it ironic that its own activities are income tax free and this exemption represents Federal aid—not to "education" in any meaningful sense, but to political propaganda masquerading as education.

FOOD-FOR-PEACE PROGRAM

Mr. LONG of Missouri. Mr. President, hunger is undoubtedly one of the most pressing problems facing mankind. Even in our Nation where surpluses are harvested from the fields each year, there are many who go to bed hungry. We are striving to meet this problem both at home and abroad. In addition to the school lunch program and the direct distribution of food to the needy, we have a number of pilot food stamp projects in operation. These pilot projects have been instrumental in the development of an effective distribution system to meet the problem of hunger and malnutrition among our Nation's needy. It is my hope that the food stamp program can be made permanent and national in scope.

To meet the problem of hunger in the underdeveloped nations of the world our Nation has stepped up its food-for-peace program. However, this program only scratches the surface of the problem. The Daily Dunklin Democrat of Kennett, Mo., recently published a thoughtful editorial concerning the need for a greater effort on our part. The editorial concludes that unless we find a solution to alleviating the hunger of millions of people in the underdeveloped nations, "the world's largest stockpile of nuclear bombs will not suffice against the revolutions and upheavals which are clearly in store for us in many parts of the world."

I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Come the Revolution

For the past few weeks this newspaper has been publishing a series of articles dealing with national and foreign policy pursued by this country. The series, entitled "New Frontier Diplomacy," has made one point over and over and over again—the United States not only finds itself in trouble with its sworn Communist enemies, but it also finds itself in increasing turmoil with the have-not nations of the world.

Last weekend, in Africa, a move to unify all of Africa, save South Africa, into a new alliance similar to the Organization of American States in this hemisphere was successfully staged. The African alliance is aimed specifically against the white man on the Dark Continent, if such a phrase is applicable and/or legal these days.

The vast problems of the have-not nations in South America continue to grow worse as the economic plight of millions of Latin Americans grows insurmountable. In Asia, starving millions create potential enemies of the United States and the rest of the free world.

Indeed, from 10 to 15 percent of the world's population is undernourished to the point of hunger and another 25 to 35 percent do not receive anything like an adequate diet. These figures have just been released by the Food and Agriculture Organization of the United Nations.

Much of the greatest deficiency is in the Far East, where more than half of the world's population lives on only one-fourth of the world's food supply and that fourth contains much less than its share of protein. Yet there are cases of malnutrition among relief recipients right here in the United States and even in southeast Missouri, the State's richest farming area.

To sustain even the present unsatisfactory nutrition levels for a moderately expanding world population, the UN survey group estimates it will take an increase of 35 percent in food supplies by 1975. To improve the diet, production of meat and fish in the less developed countries, the level will need to be increased by more than 120 percent. Looking toward the year 2,000, "the less developed countries will need to increase the total food supplies to four times the present volume and their supplies of animal food products to about sixfold," to quote the recent UN report.

Can this be done? Probably. Agricultural surpluses in the United States show it is possible to increase greatly production from the same number of acres.

But population growth could exceed estimates, and an increasing number of nations in the world are becoming less and less satisfied with "marginal" diets for their populations. Aiming at the minimum diet for millions of persons may no longer suffice.

Where does it all lead? Americans may ponder the question, for this Nation constitutes the paradox of the 20th century. While much of the rest of the world starves or leads a day-by-day existence, the United States is giving its primary agricultural attention to the control rather than the expansion of farm products, from food to cotton. While the millions of persons are inadequately fed, many more millions, in Africa and Asia, are inadequately clothed—as U.S. cotton stockpiles grow larger and larger.

Mere distribution of this farm surplus in the United States is not the answer, but an easing of our food and cotton stockpiles would materially aid the American farm problem and would hold out an example of free world productivity to the remainder of the world.

The greatest crime of this Nation in this century will not be colonialism or supporting dictators who deprive their people of freedom. The greatest indictment against America is that it has tons of surplus foodstuffs and farm products while millions throughout the world are inadequately fed and clothed.

Perhaps it is heresy to suggest that a portion of this Nation's $51 billion defense budget be diverted from supersonic airplanes and nuclear warheads to distribution of surplus food where the world markets will not be disrupted.

But we would like to suggest it, nevertheless.

America's greatest deterrent to communism is not the nuclear bomb, which we now share with the Russians, but our vast farm surpluses which the Russians do not have and cannot distribute to the world's hungry.

The problem of feeding millions with surplus foodstuffs is not easily solved, but a nation which has the capacity to develop the nuclear bomb can certainly develop the program required to raise the standard of living of millions of have-nots in the world today.

And, unless we do, the world's largest stockpile of nuclear bombs will not suffice against the revolutions and upheavals which are clearly in store for us in many parts of the world.

MEN TRAINED UNDER THE MDTA PLAN

Mr. LONG of Missouri. Mr. President, it is always encouraging to learn that a program you supported in its establishment is accomplishing its purposes and benefiting the people of your State. Recently, the Daily Dunklin Democrat published an article concerning the quality of training under the Manpower Development and Training Act in Kansas City, Mo.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Daily Dunklin Democrat, Kennett, Mo., June 7, 1963]

Men Trained Under MDTA Plan Go to Work With Kansas City Firm

Fifteen Kansas City men are proving the value of a federally financed program to teach new skills and upgrade old ones in this era of automation.

A total of nine men who completed training as welders under the Manpower Development and Training Act were hired by the Hesse Carriage Co. in Kansas City. The Hesse Co. is an old established firm in Kansas City that originally manufactured horse-drawn wagons. With the advent of motor vehicles, they quickly adjusted to auto truck bodies. They are known nationally for their product. The men hired were:

Lloyd Baslee, Vern Garner, Thomas Hall, Arthur McCullough, Charles Vodry, Kenneth Lea, Vern Campbell, Douglas Gore, and Melvin Campbell, all of Kansas City.

Due to the shortage of welders, production at the Hesse plant had been curtailed. A regular visit by a representative of the Missouri State Employment Service advised them of the pending availability of graduate trainees. As a result, two trainees, Thomas Hall and Arthur McCullough, were referred for interview.

They were given both a written and performance test in welding theory and practice. Tobe Tennyson, plant superintendent, stated he "was surprised and pleased with the results of these tests." He believes that their success in passing the tests could be attributed to the thoroughness of training given by a Kansas City public vocational school. He added, "Their knowledge of gases, metals, and blueprints surpassed that of most of our gate hires.' He was also complimentary of the type of trainee, stating, "The Missouri State Employment Service certainly selected the right type of men for this training."

As a result of the hiring of the two men at the going hourly rate of $2.66 per hour, Tennyson and his assistant, Henry Elliott, advised Production Manager Joseph W. Obiala, "We will need more welders. I think we had better get as many as we can out of this class." In all, they secured nine men before other employers became aware of the quality of this training.

A contact with all of the graduates indicates they are grateful for this opportunity to acquire a skill. Their outlook on their employability is decidedly different than it was last November when they entered training.

Douglas Gore, 702 Woodland Street, stated: "I've had a pretty rough time finding steady employment and with a wife and three children, I was worried as I am 38 years of age. Now I'm doing the work I like and have a skill to offer an employer."

Arthur McCullough said: "No more job changes for me. I'm working for a fine company and like my work. Thanks to the Employment Service and the school."

PRESIDENT JOHN KENNEDY VISITS WEST VIRGINIA ON STATE'S 100TH ANNIVERSARY—PREDICTS PROGRESS FOR FUTURE IN SIGNIFICANT SPEECH

Mr. RANDOLPH. Mr. President, this is "Statehood Day" as West Virginia celebrates its centennial. For the official program on this eventful occasion our guest of honor was the President of the United States.

President Kennedy spoke extemporaneously from the steps of the State Capitol at Charleston to a rain-dampened but jovial throng of thousands of West Virginians. Many thousands of other citizens greeted him warmly along the route from Kanawha Airport to the State House. Hundreds of eager children cheered Mr. Kennedy. Twice during the motorcade he had the automobile stop while he stepped down to the road to shake hands with his well-wishers.

Present and participating in the ceremony which marked the official celebration of West Virginia's 100th anniversary were the incumbent Governor, the Honorable William Wallace Barron, and former Governors Homer A. Holt, Okey L. Patteson, and Cecil H. Underwood.

The State's two U.S. Senators and Members of the delegation in the House of Representatives were introduced by the president of West Virginia University, Dr. Paul A. Miller, who presided.

Members of the State board of public works and the State supreme court of appeals, as well as members of the centennial commission and the state legislature, also had positions of honor near the podium from which the Nation's Chief Executive delivered the centennial address.

Theme of the President's speech was a tribute to the State and its people. He expressed his personal appreciation to the men and women of West Virginia for their friendship and assistance, and prophesied that the future of the State would be one of achievement and progress.

West Virginia was the 35th State admitted to the United States. President Kennedy, at the conclusion of his meaningful remarks, received a 35-gun salute.

Mr. President, the Charleston Gazette, started the eventful 100th birthday of the State of West Virginia, by publishing an appropriate editorial—"Today We Have Cause For Pride, Assurance." I ask unanimous consent to have excerpts from the editorial printed in the RECORD at this point in my remarks.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

[From the Charleston Gazette, June 20, 1963]

TODAY WE HAVE CAUSE FOR PRIDE, ASSURANCE

This is June 20, 1963—just 100 years beyond the day West Virginia was born.

On this date a century ago a statehood proclamation—signed 2 months earlier by the 16th President of the United States, Abraham Lincoln—became effective.

And today the 35th President of the United States, John F. Kennedy, will be in Charleston to help West Virginia celebrate the anniversary of its admission as the 35th State in the Union.

It will be a homecoming of sorts for President Kennedy, for he campaigned its hills and valleys, its cities and hamlets vigorously in the 1960 presidential primary—and it was here that he received his greatest lift in his journey to the White House.

And his very first act as President was to increase the variety and nutritional value of surplus food commodities for the economically distressed families of the State's displaced coal miners.

Other programs and acts of his administration have demonstrated his continuing interest in West Virginia and its problems. And his willingness, amid the enormous pressures of his office, to come to Charleston as West Virginia's Statehood Day speaker emphasizes his feeling that "with the exception of Massachusetts, there is no State in the Union with which I am better acquainted or to which I am more indebted."

Thus, as we reflect on the past and look to the future on this 100th anniversary, it can be said that West Virginia was made by a President (Lincoln), it made a President (Kennedy), and a President is helping to remake it for a brighter future.

West Virginia, like all States and institutions and individuals that have lived through the march of time, has had its ups and downs in its first 100 years. But nowhere can people be prouder of their heritage because West Virginia is the only State in the Union that was born directly out of loyalty to the Union.

We owe much to our forebears, those rugged and hardy pioneers west of the Alleghenies, for without their courage and imagination and devotion to the Constitution there is no telling what would have been the fate of the Republic.

The men who establish the reorganized government of Virginia and then worked successfully for the creation of a new State risked property, reputation, and even their lives to stand by the Union and fight for principles which they considered imperative to the vitality and survival of this Nation. These were people with the faith to stand up in the face of adversity.

It is encouraging to note that West Virginians of today, as they face a future marked by industrial and economic change and the mysteries of space, are showing the qualities to which they were born.

President Lincoln, in signing the West Virginia statehood bill, said: "It is said that the admission of West Virginia is secession, and tolerated only because it is our secession. Well, if we call it by that name, there is a difference enough between secession against the Constitution, and secession in favor of the Constitution."

President Kennedy, in extending congratulations to West Virginia on its 100th anniversary, said: "I know that this country has no group of citizens more dedicated to freedom today than the people of West Virginia. They can be proud of their heritage and their State, for it was born of courage and loyalty. And in the light of their past they can look forward to the future with confidence."

In the words of these two Presidents who have been so close to West Virginia our people have cause for pride and assurance.

We congratulate West Virginia on this milestone in its history.

We say "welcome home" to President Kennedy.

Mr. HUMPHREY. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that further proceedings under the quorum call be suspended.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Is there further morning business? If not, morning business is concluded.

CONTROL OF FREIGHT FORWARDERS

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 216, Senate bill 684.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 684) to clarify certain provisions of part IV of the Interstate Commerce Act, and to place transactions involving unification on acquisitions of control of freight forwarders under the provisions of section 5 of the act.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce with an amendment to strike out all after the enacting clause and insert:

That section 5 of the Interstate Commerce Act, as amended (49 U.S.C. 5) is amended—

(1) by striking out the word "It" at the beginning of subparagraph (a) of paragraph

(2) and inserting in lieu thereof "Subject to section 410 of part IV of this Act, it";

(2) by inserting at the end of paragraph (2) a new subparagraph as follows:

"(g) The Commission shall not approve any application of a freight forwarder subject to part IV to acquire a motor carrier or of a motor carrier subject to part II to acquire a freight forwarder unless it finds that the transaction proposed will enable the applicant to use the service of the motor carrier or freight forwarder sought to be acquired to public advantage in its operations and will be consistent with the public interest and will not unduly restrain competition: *Provided*, That if the Commission approves any such transaction, no terms or conditions shall be imposed which would require the motor carrier or freight forwarder so acquired to confine its service to shipments moving on the bills of lading of or having a prior or subsequent haul by the acquiring freight forwarder or motor carrier."

(3) by amending that portion of the first sentence of paragraph (3) following the colon to read as follows: "Section 20 (1) to (10), inclusive, of this part, sections 204(a) (1) and (2) and 220 of part II, section 313 of part III, and section 412 of part IV (which relate to reports, accounts, and so forth, of carriers), and section 20a (2) to (11), inclusive, of this part, and section 214 of part II (which relate to issues of securities and assumptions of liability of carriers), including in each case the penalties applicable in the case of violations of such provisions.";

(4) by adding at the end of paragraph (4) thereof the following new sentence: "Any such transaction or control or management in a common interest involving a freight forwarder subject to part IV which was lawfully accomplished or effectuated prior to the date of enactment of this sentence, or the continuance thereof, shall not be deemed a violation of the provisions of this paragraph.";

(5) by amending paragraph (13) to read as follows:

"(13) As used in paragraphs (2) to (12), inclusive, the term 'carrier' means a carrier by railroad, an express company, and a sleeping-car company subject to this part; a motor carrier subject to part II; a water carrier subject to part III; and a freight forwarder subject to part IV."; and

(6) by striking out "upon application of any carrier, as defined in section 1(3), and after hearing, by order to authorize such carrier" in paragraph (16) and inserting in lieu thereof "upon application of any carrier, as defined in section 1(3), or of any freight forwarder subject to part IV and affiliated with such carrier, and after hearing, by order to authorize such carrier, or such freight forwarder,".

SEC. 2. Subsection (c) of section 404 of the Interstate Commerce Act, as amended (49 U.S.C. 1004(c)), is amended to read as follows:

"(c) It shall be unlawful for any common carrier subject to part I, II, or III of this Act to make, give, or cause any undue or unreasonable preference or advantage to any freight forwarder, whether or not such freight forwarder controls, is controlled by, or is under common control with such carrier, in any respect whatsoever; or to subject any freight forwarder, whether or not such freight forwarder controls, is controlled by, or is under common control with such carrier, to any undue or unreasonable prejudice or disadvantage in any respect whatsoever."

SEC. 3. Subsection (a) of section 409 of the Interstate Commerce Act, as amended (49 U.S.C. 1009), is amended in the first proviso by striking out "and shall be consistent with the national transportation policy declared in this Act" and inserting in lieu thereof "or any common carrier by motor vehicle subject to part II, shall be consistent with the national transportation policy declared in this Act, and shall not unduly restrain competition".

SEC. 4. Section 410 of the Interstate Commerce Act, as amended (49 U.S.C. 1010), is amended—

(1) by striking out the word "Any" at the beginning of subsection (g) and inserting in lieu thereof "Except as provided in section 5 of this Act, any"; and

(2) by amending subsection (h) to read as follows:

"(h) No person holding a permit issued under this part shall be authorized to engage in any direct railroad, water, or motor-carrier operations subject to part I, II, or III of this Act, except motor-vehicle operations in transportation which, pursuant to the provisions of section 202(c)(1) of this Act, is to be regulated as service subject to this part."

SEC. 5. Section 411 of the Interstate Commerce Act (49 U.S.C. 1011) is amended—

(1) by striking out subsections (a) and (g) thereof;

(2) by redesignating subsections (b), (c), (d), (e), and (f) thereof as subsections (a), (b), (c), (d), and (e), respectively;

(3) by striking out the phrase "provisions of subsection (a), (b), or (c)" where it appears in subsections (c) and (d), as so redesignated by paragraph (2) of this section, and inserting in lieu thereof "provisions of subsection (a) or (b)"; and

(4) by amending subsection (b) thereof, as so redesignated by paragraph (2) of this section, to read as follows:

"(b) After the expiration of six months from the date of enactment of this amendatory paragraph, it shall be unlawful for any person affiliated with any carrier subject to part I, II, or III, to hold the position of section 5(6) of part I, to hold the position of officer or director in any freight forwarder subject to this part, or hold any stock in such a freight forwarder, unless, upon due showing, in form and manner prescribed by the Commission, it shall have been authorized by order of the Commission finding that neither public nor private interests will be adversely affected thereby; except that, if the position or stock was or could have been lawfully held on such date of enactment, such holding may continue pending determination of an application for such order filed by or in behalf of such person prior to the expiration of such period.".

SEC. 6. Nothing in this Act shall be construed to affect the applicability of the antitrust laws, as defined in the first section of the Act of October 15, 1914 (15 U.S.C. 12), with respect to effectuation prior to the date of enactment of this Act (by stock ownership or otherwise) of the control or management of a freight forwarder subject to part IV of the Interstate Commerce Act in a common interest with any other such freight forwarder or with a common carrier subject to part I, II, or III of such Act.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the committee amendment.

Mr. HUMPHREY. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the order for a quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HUMPHREY. The distinguished Senator from South Carolina [Mr. THURMOND] is in charge of the pending bill. I understand that he will now make the presentation on behalf of the committee.

Mr. THURMOND. Mr. President, S. 684 was introduced at the request of the Interstate Commerce Commission. This bill is designed to authorize acquisitions of motor carriers by freight forwarders and to amend part IV of the Interstate Commerce Act, relating to ownership, control, and operation of freight forwarders in common with carriers of other modes to provide that future transactions involving such acquisitions be made subject to the provisions of section 5 of part I of the Interstate Commerce Act.

The Interstate Commerce Commission has recommended legislation to this effect in its latest two annual reports to Congress. Recommendation No. 15 of the Commission's 76th annual report, which was filed earlier this year, is the Commission's most recent recommendation along this line.

The present state of the law is confusing and does not apply equally to all modes which are under regulation by the Interstate Commerce Commission. Chairman Lawrence K. Walrath of the Commission clearly outlined the present provisions of the law in his testimony before the Surface Transportation Subcommittee in support of this legislation. He said:

> Section 411(a) of the act prohibits a freight forwarder or any person (defined in section 402 as including an individual, firm, and corporation) controlling a freight forwarder from acquiring control of a carrier subject to parts I, II, or III of the act. Expressly excepted from this prohibition is the right of any carrier subject to parts I, II, or III to acquire control of any other carrier subject to those parts in accordance with the provisions of section 5 of the act. In addition, under section 411(g) it is lawful for a common carrier subject to parts I, II, or III or any person controlling such a common carrier to acquire control of a freight forwarder.
>
> Taken together these three provisions lead to the following confusing results: A person who initially gains control of a common carrier can subsequently acquire control of a freight forwarder, but a person cannot first acquire control of a freight forwarder and then acquire control of a common carrier, although the result is the same in each instance. Also, a person who acquires control of a common carrier and a freight forwarder, in that order, cannot later acquire direct control of another common carrier, although he may indirectly accomplish this by having the controlled common carrier acquire control of the other common carrier.
>
> To add to the confusion, section 411(c) precludes any director, officer, or employee of a common carrier subject to parts I, II, or III from directly or indirectly owning, controlling, or holding stock in a freight forwarder in his personal pecuniary interest. This leads to the rather unusual result that under section 411(g), a person may control both a carrier and a freight forwarder but, in view of section 411(c), he may not be an officer, director, or employee of the carrier and must exercise his control through nominees or "dummies."

It is easy to see from this statement by Chairman Walrath that the inconsistency which now exists in the state of the law, can and does result in administrative problems for the Commission. Although a freight forwarder cannot at the present time acquire a motor carrier, common ownership of these two modes of transportation is not prohibited. It is permissible as long as the proper procedure is followed. In the recent control and merger case involving the Calore Express Co., Inc., two motor carriers applied to the Commission for permission to merge under the applicable provisions of part 5 of the Interstate Commerce Act. One of the motor carriers had, previous to this application, acquired control of a freight forwarder and the question which was presented to the Commission was greatly perplexing to them. Should the application be governed by the provision in section 411(a) prohibiting a freight forwarder or any person controlling a freight forwarder from acquiring control of a motor carrier, should it be controlled by the exception in section 411(a) permitting a motor carrier subject to part II to acquire control of another motor carrier subject to part II, or should it be governed by the provision of 411(g) permitting motor carrier acquisitions of freight forwarders? Concerning this case, Chairman Walrath said:

> This case has convinced us that, in reality, there is no practical difference between a common carrier controlling a freight forwarder, a freight forwarder controlling a common carrier, or a person who controls either acquiring control of the other so long as the relationship amounts to control or management of the two in a common interest. In other words, if opportunity to engage in objectionable practice exists, it is by reason of the fact of common control of the carrier and forwarder and not the form whereby the control exists or is accomplished.

The Committee on Commerce in its favorable action on S. 684 as amended has indicated its concurrence in this statement by Chairman Walrath.

The bill does not deprive railroads, motor carriers, or water carriers of any rights which they now have to buy other such carriers as long as they obtain the approval of the Interstate Commerce Commission. Also the bill does not represent any lessening of the present provisions governing acquisitions by railroads that have been contained in the law for some period of time. All it does is to place freight forwarders on a parity with other modes of transportation and require Commission approval of any future acquisitions involving these different modes.

The committee amendment, although in the nature of a substitute, can be broken down into 5 parts. Three of the amendments were the subject of uniform agreement and are as follows: First, the comments of the Department of Justice raised the question whether or not consummated acquisitions or unifications were to be immunized from antitrust standards and possible legal action. An amendment is included, therefore, to make certain that this is not the case. Any transaction involving control or management in a common interest entered into before the effective date of the bill is open to attack under the antitrust laws. Second, a witness appearing on behalf of the inland water carrier industry questioned whether, through a series of transactions, a railroad could acquire a water carrier, an occurrence previously prohibited by the provisions of the Panama Canal Act of 1912 (49 U.S.C. 5(16)). This is not intended and language has been included assuring that no such purchase or acquisition will take place. Third, the original bill proposed to delete certain language from section 410(c), the section that established standards for granting freight forwarder permits. This was changed to show that future applications for freight forwarder permits should not be denied simply because the applicant was under common control with a carrier of another mode.

Amendment No. 4 adds a new subparagraph (g) to section 5(a) of the Interstate Commerce Act. This additional language provides a strict standard to be met before the Commission approves the control or ownership of part I, II, or III carriers by a freight forwarder. The language is adopted from the current provision of the act governing railroad acquisitions or control of motor carriers. As a result, such transactions involving freight forwarders and motor carriers which are to be made possible by the enactment of this measure must be justified by showing that coordinatng service to the public can only be achieved by the acquisition or control for which approval is sought.

The fifth and final amendment adopted by the committee adds new language to section 409(a) of the Interstate Commerce Act. It provides that contract rates for distances up to 450 miles between freight forwarders and motor carriers must be just and reasonable, contain equitable terms, conditions, and compensation, and shall not unduly prefer or prejudice any common carrier subject to part II of the Interstate Commerce Act. As the law presently reads this section only applies to the participants to the contract and any other freight forwarder. By the addition of the words "or any other common carrier by motor vehicle subject to part II," these negotiated contract rates are required to be just and equitable as to other common carriers in the area. Also the words "and shall not unduly restrain competition" have been added at the end of section 409(a) as an additional safeguard against undue preference by a freight forwarder in favor of his wholly owned or controlled motor carrier. Technical language changes which do not change the substantive provisions of the bill have been made where necessary.

Mr. President, I ask that the committee amendment be adopted.

Mr. JAVITS. Mr. President, will the Senator from South Carolina yield?

Mr. THURMOND. I yield.

Mr. JAVITS. I am sure the Senator understands that normally committee amendments are agreed to so that the bill may be considered as original text for the purpose of amendment. I do not believe the Senator would wish to have any Senator foreclosed from offering an amendment.

Mr. THURMOND. The Senator is correct.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. THURMOND. Mr. President, I have no further statement to make at this time, unless there is some opposition to the bill.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I have examined the bill, which necessarily has very great interest to New York State as well as to other parts of the country.

I wish to ask the Senator from South Carolina [Mr. THURMOND], who is handling the bill on the floor, a question: I note that the committee has sought to meet the objections of the Department of Justice by including an amendment which would make clear that there is no effort to immunize these mergers or acquisitions from the antitrust laws or antitrust standards. Can the Senator from South Carolina state whether that amendment has changed in any way the view of the Department of Justice on the bill?

Mr. THURMOND. The Department of Justice raised that point chiefly. It is my opinion—although I have not conferred with the Department since then—that this amendment would obviate its objection. I do not see any other objection which the Department could have on this point.

Mr. JAVITS. The Senator from South Carolina has also reported to the Senate that the committee was not impressed with the fear that there would be a transfer to the Interstate Commerce Commission of jurisdiction over acquisitions. That also seemed to be implicit in the objection of the Department of Justice.

Mr. THURMOND. Future acquisitions would be under the Interstate Commerce Commission, not under the antitrust laws.

Mr. JAVITS. Do the Senator from South Carolina and the committee feel that the bill would be more, rather than less, conducive to our ideal of a national transportation policy?

Mr. THURMOND. Hearings were held on the bill, and a great deal of consideration has been given to it, because the committee wished to be fair to all modes of transportation. As I have previously stated, under existing law other carriers are allowed to purchase freight forwarders, but freight forwarders cannot purchase other carriers. So the Interstate Commerce Commission felt that this situation should be rectified, and I think that is the primary reason why the Interstate Commerce Commission recommended the enactment of this bill.

We have given the subject a great deal of consideration; and I point out to the Senator from New York the following statement included in the letter written by the Department of Commerce—as appears on page 8 of the report:

> We note, however, that the bill (sec. 1(3)) might possibly be construed to exempt from regulation by the Commission, and from attack under the antitrust laws, transactions or control or management in a common interest, entered into before the effective date of the bill. We believe that such is not the intention of the section and we recommend that the bill be modified to make clear that such prior arangements are not being given blanket sanction. If so modified, we would not object to enactment of S. 684.

The modification has been made, and I am sure it overcomes the objection.

Mr. JAVITS. So I gather that the Senator from South Carolina has responded to the point about the feeling of the Department of Justice by stating that the Department should be reasonably well satisfied by what the committee has done.

Mr. THURMOND. Of course, I cannot speak for the Department; but it is my offhand opinion that the modification we have now made in the bill should overcome this objection on the part of any Government agency.

Mr. JAVITS. Very well.

Will the Senator from South Carolina make clear, for the record, that he believes the bill will contribute to our general ideal of a national transportation policy, and that under the terms of the bill such policy would be more effective and better integrated than our present policy?

Mr. THURMOND. In considering the bill, the Commerce Committee had in mind better service to the public. That was our goal. We feel that that goal would be accomplished by the enactment of the bill.

Mr. JAVITS. I thank the Senator from South Carolina.

As sentiment in favor of the bill has been expressed to me, as well as sentiment against the bill, I wanted to know the efforts which were made to satisfy objections to the bill.

Mr. THURMOND. I thank the distinguished Senator from New York for his remarks.

Mr. President, I suggest the absence of a quorum.

The **ACTING PRESIDENT** pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **ACTING PRESIDENT** pro tempore. Without objection, it is so ordered.

The committee amendment is open to amendment.

Mr. MILLER. Mr. President, I should like to ask the Senator in charge of the bill a question relating to a provision on page 6 of the bill. As I read the bill, subsection (g), which starts at the bottom of page 5, lays down a guideline which prohibits the Interstate Commerce Commission from approving an application for the acquisition by a freight forwarder of a motor carrier or a motor carrier to acquire a freight forwarder. But I will confine my question to the situation of a freight forwarder acquiring a motor carrier, and the situation which compels the Commission to find that the transaction will enable the applicant to use the service of the acquired motor carrier to the public advantage, that it will all be consistent with the public interest, and that it will not unduly restrict competition. So far, the guideline seems to be rather reasonable. But a proviso comes in which seems to me to destroy or impede the efficacy of the language which has already been set forth.

It provides that once there has been an approval of such a transaction, no terms or conditions whatsoever can be imposed by the Commission. I find it difficult to understand why such a proviso is needed. It seems to me we ought to leave it up to the Interstate Commerce Commission, in its discretion, to give approval to such a transaction, subject to certain conditions. If the conditions could not be imposed, I can understand how the whole purpose of the legislation could be defeated.

I wonder if my colleague would have any great objection if the proviso were taken out. I cannot see how it would help. I can see how it could seriously impair the bill.

Mr. THURMOND. Mr. President, the desire was not to impose a restrictive burden on either the motor carriers or on the forwarders. This proviso was put in to give some leeway to them. It reads:

> If the Commission approves any such transaction, no terms or conditions shall be imposed which would require the motor carrier or freight forwarder so acquired to confine its service to shipments moving on the bills of lading of or having a prior or subsequent haul by the acquiring freight forwarder or motor carrier.

This proviso does not prevent the Commission from imposing whatever terms and conditions might be necessary, other than the two mentioned.

Mr. MILLER. I point out to my friend that the imposition of certain conditions might be necessary before the Interstate Commerce Commission could give such an approval. If the Interstate Commerce Commission had its hands completely tied, so that it could impose no conditions whatsoever, I can see that two situations might arise. Either the Interstate Commerce Commission would say, "Our hands are tied, and since the conditions which are necessary to serve the public advantage and to not unduly restrain competition cannot be met, we must refuse approval of the application." Or the Interstate Commerce Commission might take a chance and then find that its desire to comply with the bill had been defeated because it subsequently could not impose conditions.

I believe the Interstate Commerce Commission should be given discretion. I think it has done a reasonably good job. I cannot recall any abuse of discretion which has been brought to my attention. I believe that the conditions the Commission would impose, if conditions were felt necessary, would be reasonable. I do not think the Commission would be arbitrary.

Taking the proviso out of the bill would be helpful to the purposes of the bill, and would leave in the hands of an administrative agency a discretion which it ought to have to carry out its function.

Mr. THURMOND. The idea of the proviso is to permit an acquired motor carrier to engage in general common carrier service in the area, rather than to restrict it solely to the business of the freight forwarders. I do not see any objection to the proviso. It provides a degree of flexibility which might be of help in enabling the carrier and forwarder to offer better service to the public in their coordinated operations.

The proviso has not incurred the objection of anyone, so far as I know, in the subcommittee or in the committee. The purpose of it was to provide some flexibility, which probably would not have been allowed without it.

Mr. TALMADGE. Mr. President, will my friend the Senator from South Carolina yield?

Mr. THURMOND. I am pleased to yield.

Mr. TALMADGE. I have received considerable correspondence from my own State about the bill; some of it strongly in favor and some of it equally as strong in opposition.

Some of the visits I have had from persons, and some of the letters and telegrams which I have received, have brought out the point that some people think a very grave danger is involved; that is, some contend that approximately 40 percent of all of the freight forwarding business in the United States is owned or controlled by one man. I should like to ask my friend whether that is true?

Mr. THURMOND. I believe there was some statement made to that effect. I am not positive that it is correct as I have no personal knowledge of it. It might be correct.

Mr. TALMADGE. Does the able Senator in charge of the bill see any danger that such a situation would tend toward or perhaps lend itself to the creation of a monopoly in this area?

Mr. THURMOND. I do not think so, because under the present law a motor carrier can purchase a freight forwarder without the approval of anyone. If there is an opportunity for monopoly it certainly must exist here, and yet there have been no accusations made. A freight forwarder cannot purchase a motor carrier.

If the bill were passed, there would have to be Interstate Commerce Commission approval before a motor carrier could purchase a freight forwarder, or vice versa. So there is a protection, and the ICC would not approve a purchase, as provided in the bill, unless it were in the best interests of the public and in addition did not unduly restrain competition.

The committee gave great consideration to the bill, to be certain to guard against the possibility of a monopoly. Verbiage was inserted in the bill in order to prevent such a result. We feel that the bill contains adequate safeguards in this respect.

Mr. TALMADGE. As I understand the situation, a freight forwarder is an individual who assembles small quantities of goods to be shipped. Once he assembles a carload or some other large amount, he makes a contract with some carrier to ship the commodity, and earns the difference between the small rate which would be charged for a large shipment and the high rate which would be charged for a small shipment. Is that correct?

Mr. THURMOND. The able Senator is correct.

Mr. TALMADGE. Would that opportunity lend itself to a situation in which the forwarder could whipsaw the various carriers into line regarding freight shipments, and perhaps have them competing with each other to the degree that they could not stay in business?

Mr. THURMOND. The committee considered the various facets of this problem, and with the amendment which has been added the committee does not think so. The committee felt that the request of the Interstate Commerce Commission to amend the law, so that it would apply both ways, was fair.

However, the committee inserted language which it felt would require greater burden of proof before the ICC can approve a proposed transaction. The requirement stated was that it be to the public advantage and in the public interest, and not unduly restrictive of competition.

To meet this situation further, the committee developed new language for section 409 of the Interstate Commerce Act, which would serve to preserve competition as well as to insure fairness in the relationships between freight forwarders, forwarder-controlled motor carriers, and all other motor carriers.

Mr. TALMADGE. I take it from that statement, that it is the opinion of the distinguished Senator that all carriers are adequately protected by the bill, to the point where they will not be whipsawed or taken advantage of by a large freight forwarder who controls 40 percent of the business in America.

Mr. THURMOND. It was the purpose of the committee to try to prevent anything like that from happening, because the committee wants to see fairness as among all the modes of transportation. The bill as amended provides for Interstate Commerce Commission approval before a freight forwarder can purchase a motor carrier, or vice versa, and the special language which has been inserted in the bill, we feel, will not permit any one motor carrier or freight forwarder to take advantage along the line the distinguished Senator has mentioned.

Mr. TALMADGE. I thank the distinguished Senator.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. THURMOND. I am pleased to yield.

Mr. HUMPHREY. This particular bill has provoked a great deal of controversy, and the trucking industry in the State of Minnesota has advised me of its strong opposition to it. Those concerns have a right to suggest their point of view.

I should like to ask the Senator from South Carolina if the bill was approved by the Bureau of the Budget.

Mr. THURMOND. First, the trucking industry in South Carolina is also opposed; but I think we have written a bill that will protect them and treat all others concerned fairly. That is what the committee worked very zealously to do, under the able leadership of our distinguished chairman, the Senator from Washington [Mr. MAGNUSON]. I feel that we have overcome any real substantive objection they might have. Our only interest was to try to protect the public and to see that no one mode of transportation would receive any advantage over another. We feel that the verbiage in the bill will accomplish that purpose.

Mr. HUMPHREY. Did the Bureau of the Budget approve the bill?

Mr. THURMOND. The Bureau of the Budget——

Mr. HUMPHREY. Speaking for the President?

Mr. THURMOND. In the letter submitted by the Department of Commerce, in which the Department of Commerce stated it would have no objection to the bill if it were modified concerning a certain phase of it, which we did modify, it was stated that the Bureau of the Budget, although they are opposed to the bill, does not object to the submission of the Department of Commerce report, although there is no evidence demonstrating the need for the basic change proposed by the bill.

That involves a question of need. The Interstate Commerce Commission, which is an arm of the Congress and not of the Executive, would be more knowledgeable of the need for a change than would the Bureau of the Budget, because it falls within the Interstate Commerce Commission's field of activity. I do not think the Bureau of the Budget has any real or substantial objection, because it raised none. If there had been any objection, it would have been presented to the committee.

Mr. HUMPHREY. The burden of proving the need should rest upon those who propose the legislation. I have heard no great hue and cry for this legislation. There does not seem to be any difficulty in the transportation system that has been caused by the existence of the present situation. What I am afraid of is that one company in the freight forwarding business has a lion's share of all that business, and that under the proposed legislation one company would be able to extend its control, which is now about 40 percent in the freight forwarding business, into what we call the truckline business. I believe that lends itself to stifling competition.

Mr. THURMOND. May I reply?

Mr. HUMPHREY. Yes; I would like the Senator to give his point of view.

Mr. THURMOND. I shall be very glad to reply to that statement. The agency which instituted the movement for the bill was the Interstate Commerce Commission. The bill was introduced at its request. That is the agency of government which has supervision over motor carriers, railways, water transportation, freight forwarders, and so on.

I do not believe the Senator was present at the time I made this statement. I would like to take about 2 minutes to review a portion of the statement of the Chairman of the Interstate Commerce Commission, which he made before the subcommittee in support of this measure.

Chairman Walrath made this statement.

> Section 411(a) of the act prohibits a freight forwarder or any person (defined in section 402 including an individual, firm, and corporation) controlling a freight forwarder from acquiring control of a carrier subject to part I, II, or III of the act. Expressly excepted from this prohibition is the right of any carrier subject to part I, II, or III to acquire control of any other carrier subject to those parts in accordance with the provisions of section 5 of the act.
>
> In addition, under section 411(g) it is lawful for a common carrier subject to part I, II, or III or any person controlling such a common carrier to acquire control of a freight forwarder.
>
> Taken together these three provisions lead to the following confusing results:

These are the words of Chairman Walrath of the Interstate Commerce Commission:

> A person who initially gains control of a common carrier can subsequently acquire control of a freight forwarder, but a person cannot first acquire control of freight forwarder and then acquire control of a common carrier, although the result is the same in each instance. Also, a person who acquires control of a common carrier and a freight forwarder, in that order, cannot later acquire direct control of another common carrier, although he may indirectly accomplish this by having the controlled common carrier acquire control of the other common carrier.
>
> To add to the confusion section 411(c) precludes any director, officer, or employee of a common carrier subject to part I, II, or III from directly or indirectly owning, controlling, or holding stock in a freight forwarder in his personal pecuniary interest. This leads to the rather unusual result that under section 411(g) a person may control both a carrier and a freight forwarder but, in view of section 411(c) he may not be an officer, director, or employee of the carrier and must exercise his control through nominees or "dummies."

I am sure the able Senator from Minnesota can see, from this language, the pleading of the Chairman of the Interstate Commerce Commission. Further on in his testimony, Chairman Walrath said this:

> [I]n reality, there is no practical difference between a common carrier controlling a freight forwarder, a freight forwarder controlling a common carrier, or a person who controls either acquiring control of the other so long as the relationship amounts to control or management of the two in a common interest. In other words, if opportunity to engage in objectional practice exists, it is by reason of the fact of common control of the carrier and forwarder and not the form whereby the control exists or is accomplished.

Mr. HUMPHREY. Mr. President, will the Senator yield further?

Mr. THURMOND. I am pleased to yield.

Mr. HUMPHREY. I note that the letter of the Justice Department which appears in the report, signed by the Deputy Attorney General Nicholas Katzenbach, states that the Justice Department does not recommend this legislation. The letter states:

> This Department feels that no real need has been demonstrated for the proposed change, exempting, as it does, yet another

area of transportation from the competition-preserving standards of the antitrust laws.

Mr. Katzenbach further stated:

> The bill not only exempts further transactions approved by the Commission from the antitrust standards; it could, in addition, be construed to immunize consummated acquisitions and unifications.

Mr. THURMOND. We have amended the bill to overcome that objection.

Mr. HUMPHREY. Will the Senator give me the specific language which indicates that there is no doubt as to the application of the antitrust laws? This language, to the effect that there shall not be unfair competition, is not sufficiently definite to satisfy the Senator from Minnesota, because I have seen that language too many times, and it has been interpreted as being meaningless; as being only a sort of ritual.

Mr. THURMOND. I shall be glad to do so.

Mr. HUMPHREY. I point out that this is a piece of legislation for which two important departments of Government have said there is no demonstrated need. One department of Government says it might very well weaken the application of the antitrust laws to transportation facilities, and that it might very well blanket into executive approval transactions that have taken place in the past, which, under the present law would be subject to antitrust provisions.

I see no particular advantage in the passage of the proposed legislation. I have not received one letter from anyone in my State who has said the legislation was needed. On the other hand, I have received many complaints from people who are worried about it. The existing transportation policy has not crippled the freight forwarding business. It is one of the most profitable enterprises in the country. The Interstate Commerce Commission states that the enactment of the legislation would be a good thing for them, because it would eliminate some of the confusion in the act. Under the law a common carrier may acquire a freight forwarder, but a freight forwarder may not acquire a common carrier. That policy was established for the purpose of preventing freight forwarders who had a definite business, because they serve so many clients and customers, from gaining operative control over the trucking business. The original legislation relating to the transportation industry was not designed by accident. What we now see is that certain interests in the country feel it would be to their advantage if they could acquire the over-the-line or long-haul trucking operations, and thereby tie up not only the freight forwarding business, but also the over-the-line or long-haul trucking business. I do not see the need for the proposed legislation. It has not been demonstrated.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. THURMOND. I yield.

Mr. MAGNUSON. There is a need. The Senator might make a plausible argument against freight forwarder operations, but under the present system, a trucking company can acquire a freight forwarder. The trucking companies are doing that now to the extent of 42 percent of the freight forwarders. Apparently the Senator is arguing that it is all right for them to do that, but that the reverse is not right. We want to put a brake on such operations, so that they would have to go to the ICC to show that it was proper. If the Senator wants to take this provision out, he ought to provide that truckers shall be prevented from acquiring freight forwarders. One cannot be made a dog in the manger, and not the other also. The pending bill is an ICC bill. It was unanimously approved by the Commission. It was not initiated in the committee. The ICC, after a long discussion of this subject, decided that this was what should be done to equalize the situation. If there is any antimonopoly restriction that we can put in the bill, we will accept such a suggestion.

The Senator from South Carolina, after long hearings, thought that he had added language that would accomplish this purpose.

Mr. SCOTT. We have already done so.

Mr. HUMPHREY. Is it not true that one freight forwarder owns a substantial share of the entire freight forwarding business? I do not mean one individual; I mean one company. In terms of the law, of course, a corporation is a person. On the other hand, is there any one trucking company that owns a substantial share, and thereby the controlling share, of the over-the-line or long-haul trucking operations? I think not. This is a highly competitive business. The only danger I see is that one company, a large freight forwarder, could control as much as 40 percent of the freight forwarding business, and if that company is permitted to move in on the trucking lines, there will be tied up in the hands of one company a substantial share of the transportation system of the country. I do not believe that is good public policy.

Mr. MAGNUSON. The reason we are doing that is to give the ICC the power it needs.

Mr. THURMOND. What the Senator fears could be accomplished now. If the bill were passed it could not be done, because the ICC would have to approve every transfer.

Mr. HUMPHREY. What jurisdiction does the Justice Department have?

Mr. THURMOND. We have added a section to the bill to overcome the objection of the Justice Department. It is section 6 of the bill, and it reads as follows:

> SEC. 6. Nothing in this Act shall be construed to affect the applicability of the antitrust laws, as defined in the first section of the Act of October 15, 1914 (15 U.S.C. 12), with respect to effectuation prior to the date of enactment of this Act (by stock ownership or otherwise) of the control or management of a freight forwarder subject to part IV of the Interstate Commerce Act in a common interest with any other such freight forwarder or with a common carrier subject to part I, II, or III of such Act.

We feel that we have cleared up this difficulty.

Mr. HUMPHREY. What did the Justice Department say about it? Did the action of the committee satisfy the complaint of the Justice Department?

Mr. THURMOND. We have not gone back to them, because we have inserted a provision which we feel overcomes any objection that it could have had to the bill. The Interstate Commerce Commission determines the feasibility of future acquisitions. The Justice Department would not go into these matters. The one thing they are interested in is the application of the antitrust laws to previous acquisitions. Therefore, we have inserted this new section.

Mr. HUMPHREY. I believe that the committee ought to be able to tell us, with the amendments which have been added as committee amendments, the following things: Has the Bureau of the Budget changed from its position of opposition to a position of support or at least a position of neutrality? Has the Department of Justice changed from its position of opposition to a position of support, or at least to a position of benevolent neutrality? I think we ought to know these things. If we do not know about them, we ought to delay action on the bill, because this is a basic matter.

Mr. SCOTT. I have something to offer. Of course I am aware that the minority has no rights.

Mr. HUMPHREY. The minority has many rights.

Mr. SCOTT. I am ready to make my offer at any time I get recognition.

Mr. THURMOND. I will answer the Senator from Minnesota. First I am glad to yield to the distinguished Senator from Pennsylvania.

Mr. MAGNUSON. Mr. President, will the Senator yield first to me on this particular point?

Mr. THURMOND. I yield.

Mr. MAGNUSON. This was a very compelling argument to the ICC. I wish to read from the hearings at page 18. The Senator is talking about big companies and big business. I know the transportation industry.

Mr. HUMPHREY. The Senator knows it very well.

Mr. MAGNUSON. I know of the many disagreements between the various modes of transportation. The situation is becoming such that whenever we try to equalize anything between certain elements in the transportation industry, the proposal is opposed by one side or the other. If we have a bill that the railroads think is all right, the truckers oppose it. If we have a bill which the truckers believe is all right, the railroads oppose it. On the other hand the freight forwarders will oppose inland waterways bills. If we ever get a bill that is a model of agreement, the Senator from Pennsylvania and I will adjourn and declare a holiday.

An agency of Government, namely, the ICC, is responsible in these matters. It is trying to do something. The Commission consists of fair men. The Commission has unanimously approved the bill. They believe that the bill will equalize certain factors in the transportation squabble. Now another mode of transportation opposes it. The trucking companies have been able to acquire freight forwarders to the tune of about 40 percent.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. SCOTT. I understood that the Senator from South Carolina had yielded to me, but that I had agreed to defer my statement until the Senator from Washington had made his statement.

Mr. MAGNUSON. I wish to read from the hearings at page 18:

> If forwarders have advantages over motor carriers, they have not been reflected in the relative fortunes of the two industries since forwarders were regulated. In 1943, the first full year of forwarder regulation, the industry transported 5,093,000 tons of freight. In 1961, the industry transported only 4,010,000 tons of freight. I do not have the tons-originated figures for trucks, but over the same period the ton-miles of freight handled by motor carriers rose from 67 to 304 billion.

They have a 304 billion ton-miles industry, and the other people have only a minor or secondary part in the transportation system of the country. What the committee is suggesting and what the ICC is suggesting is that the situation be equalized.

This is of a nature secondary to the transportation system. If the Senator is becoming curious about how the transportation system is operated, he ought to come to the committee and listen to what takes place. We have been struggling for 15 years with railroads, inland waterways, motor carriers, and freight forwarders.

The freight forwarders were made common carriers about 12 years ago, following long hearings, which I remember very well. The freight forwarders are now supposed to be a reliable, responsible part of the transportation system. And yet, their movement of freight has decreased to about 4 million tons as compared to 304 billion ton-miles for the motor carriers. That is some monopoly. But the truck lines—and I think rightly so—have been allowed to acquire freight forwarders. It makes for better service to the public, in my opinion. What we hope we are talking about is providing equity to those people as compared with other modes of transportation.

I wanted to make this statement because there was an implication that freight forwarders are some kind of huge, giant operation which, if it were not put under regulation, might stifle competition.

Mr. SCOTT. Mr. President, I have remained uncharacteristically modest because I recognized that Senators who have been discussing this subject have had a longer period of experience with it than I have. However, I wish to try to allay the fears of the distinguished Senator from Minnesota, because I think he is beating a dead horse. I believe he is talking in terms of something that existed before, but does not exist now; that is, that it was necessary to satisfy certain departments of the Government.

The Comptroller General had already indicated that he believed the bill would clarify an inconsistency and would be in the public interest.

The Secretary of Commerce says he is satisfied with the bill but wants to be certain that it cannot be made retroactive, because blanket sanctions should not be given.

So the committee met to mark up the bill, and we corrected that situation.

Then we received a letter from the Attorney General, who said he did not want the bill to contain anything that would seem to limit the powers of government—that is, the Attorney General—in antitrust proceedings. So we provided a clause to satisfy the Attorney General, and it was acceded to, so far as I know, either unanimously or by an overwhelming majority of the committee.

We say, in section 6, in as clear words as can be used:

> Nothing in this Act shall be construed to affect the applicability of the antitrust laws, as defined in the first section of the Act of October 15, 1914 (15 U.S.C. 12), with respect to effectuation prior to the date of enactment of this Act (by stock ownership or otherwise) of the control of management of a freight forwarder subject to part IV of the Interstate Commerce Act in a common interest with any other such freight forwarder or with a common carrier subject to part I, II, or III of such Act.

The committee was in constant touch with the lawyers of the Department of Justice, the Department of Commerce, the Bureau of the Budget, and the Comptroller of the Currency. I do not know how many times we are required to keep going back and forth if they raise objection. If we believe their proposals have merit, our job is to meet them. In my judgment, we have met each of them. We have even met the major objection of the American Trucking Association, which feared that the bill would lead to common ownership; that is, the ownership of one mode of transportation by another. So, as the report says:

> Your committee, to meet this situation, developed new language for section 409 which should serve to preserve competition as well as to insure fairness in the relationship between the freight forwarder, the forwarder's controlled motor carrier, and all other motor carriers.

I shall read from section 409 and will stress the new language as I come to it:

> SEC. 409. (a) * * *: *Provided*, That in the case of such contracts it shall be the duty of the parties thereto to establish just, reasonable, and equitable terms, conditions, and compensation which shall not unduly prefer or prejudice any of such participants or any other freight forwarder—

Here is new language: "or any common carrier by motor vehicle subject to part II,"; then the old language: "shall be consistent with the national transportation policy declared in this Act."

Then new language: "and shall not unduly restrain competition."

It seems to me that we have tried to meet and have met all valid arguments which could be asserted against the bill. It is true that the Bureau of the Budget says it does not see a need for the bill; but that is not the function of the Bureau of the Budget.

The Department of Commerce sees a need for the bill as amended. The Interstate Commerce Commission sees a need for the bill. The Department of Justice sees a need for the bill, if the antitrust features generally be preserved. We have provided language to take care of that.

I submit that this is the real question, as the Senator from Washington brought out a moment ago: What would happen if the act were not changed? First, an inequality would be preserved. Everyone mentioned in the act would be permitted to own freight forwarders, but freight forwarders would not be permitted a similar privilege.

If the act be not amended, we do not bring under regulation all the persons or carriers and freight forwarders who come within the jurisdiction of the Interstate Commerce Commission. So if we do not change the act and impose overall and equal rights and regulations at the same time, all we do is to say to the freight forwarders, "Get your lawyers and accountants, and do what you have every right to do now under the law: Acquire a trucking company, and another trucking company, and another. Then, through the trucking companies, acquire the freight forwarders that you want to acquire."

Then we will have accomplished through the back door, by moving from B to A without regulation, what we say should be accomplished through the front door by moving from A to B with regulation.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. THURMOND. I yield to the Senator from Minnesota.

Mr. HUMPHREY. The Senator from Pennsylvania makes a persuasive argument. I think he has demonstrated that there is a weakness in the present law. I had the feeling that there was. Now he has convinced me.

In my opinion, what is needed is not an amendment that permits freight forwarders to acquire trucking companies. I think that what is needed is an amendment that prevents trucking companies from acquiring freight forwarders, and vice versa. In other words, there should be divestitures as between the big freight trucking companies and the freight forwarders. As I recall, this is what the American Trucking Association finally recommended. It is also what the House Committee on Interstate and Foreign Commerce finally recommended.

It has been pointed out that a very sinister operation is going on. Trucking companies are acquiring freight forwarders, as they have a right to do under existing law. So how is it proposed to remedy the situation? By giving freight forwarders the right to acquire trucking companies. That does not seem to me to remedy the situation; it only compounds the trouble.

Mr. MAGNUSON. It is no trouble. No one says that trucking companies should not have the right to control or acquire freight forwarders. That has been good for the shipper and good for service. It is not wrong for truckers to do that.

Mr. HUMPHREY. There is an honest difference of opinion about this proposal. I respect the views of the chairman of the committee and of the Senator from Pennsylvania. They know a great deal about transportation. I simply say that, according to the information that comes to me, from intelligent people in my home State and elsewhere—such organizations, for example, as the National Independent Traffic League, railroad labor, the American Waterways Operators, the American Retail Federation, the National Retail Merchants Association, Minnesota Motor Transport Association, and others—there is much opposition to the bill.

Furthermore, I now learn that two agencies of the Government have had serious doubts about the bill. I recognize that changes have been made by the committee in the form of amendments. However, I think my question was fair. Did those changes satisfy the doubts and complaints of the agencies of the Government that originally opposed the bill?

Mr. SCOTT. My answer is that if they did not, we have not heard from those agencies; although I think an affirmative answer would be more conclusive.

Mr. HUMPHREY. Some Senators are opposed to the bill; and because of that fact, final action on the bill was held up. I think the bill needs to be handled by means of a yea-and-nay vote, rather than a voice vote; and if we are to have a yea-and-nay vote, it will be necessary to postpone final action on the bill until Monday, because that was the general understanding.

Mr. SCOTT. The Senator from Minnesota is correct that, under the agreement, there would then be a yea-and-nay vote on Monday.

Mr. MAGNUSON. Mr. President, I hope the Senator from Minnesota does not create the impression that because he is opposed to the bill, it cannot be handled by a voice vote, but must await a yea-and-nay vote on Monday. We are perfectly willing to have further action on the bill go over until Monday, because several Senators who have an interest on the "pro" side wish to speak on the bill. However, I hope that between now and Monday Senators will examine the hearings and the factual report made by those in the transportation industry who are responsible and those in government who are responsible to the public interest, who unanimously think this should be done.

I do not think the Bureau of the Budget knows anything at all about this matter, although it has some responsibilities. But this measure has nothing to do with finances, taxes, or things of that sort.

I hope Senators will read the report and the reason why the Interstate Commerce Commission has been unanimous in asking Congress to consider the bill.

NATIONAL SERVICE LIFE INSURANCE

The **ACTING PRESIDENT** pro tempore. The hour of 2 o'clock having arrived, the morning hour is concluded; and the Chair lays before the Senate the unfinished business, which will be stated.

The **LEGISLATIVE CLERK.** A bill (H.R. 220) to amend section 704 of title 38, United States Code, to permit the conversion or exchange of policies of national service life insurance to a new modified life plan.

CONTROL OF FREIGHT FORWARDERS

Mr. THURMOND. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate resume the consideration of Senate bill 684.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. GORE. Reserving the right to object, Mr. President, did not the Chair lay before the Senate the veterans bill?

The ACTING PRESIDENT pro tempore. That bill was laid before the Senate by the Chair; but, by unanimous consent, it can be laid aside.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate resume the consideration of Senate bill 684, Calendar No. 216.

The ACTING PRESIDENT pro tempore. Is there objection?

There being no objection, the Senate resumed the consideration of the bill (S. 684) to clarify certain provisions of part IV of the Interstate Commerce Act and to place transactions involving unification on acquisitions of control of freight forwarders under the provisions of section 5 of the act.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina [Mr. THURMOND] has the floor.

Mr. SCOTT. Mr. President, will the Senator from South Carolina yield?

Mr. THURMOND. I yield to the distinguished Senator from Pennsylvania.

Mr. SCOTT. Mr. President, the suggestion of the Senator from Minnesota with regard to divestiture reminds me of those who say, "If we cannot have everything our own way, we will pull the whole structure down over the heads of everybody else." That is the attitude of a blind oppositionist, which I do not think is worthy of, and do not attribute to, any particular group.

I am sure that if the Senator from Minnesota will consider this question a little further, he will not attempt to undo, by so broad and drastic a proposal, the regulatory powers of the Interstate Commerce Commission.

The Senate Commerce Committee, which we still believe, with some justice, has some knowledge of this subject, has reported that divestiture would be a harsh remedy, and also that divestiture would reverse the basic purpose of the bill. In short, the Commerce Committee takes the position that such an amendment should not be included in the bill because—

First. This would be new legislation reversing the basic purpose of the bill, and adversely affecting important interests which have not been notified or heard from. The statutory right of railroads and water carriers to acquire forwarders would be eliminated and any property rights which they have in forwarders would be jeopardized or destroyed, all without notice or opportunity for hearing. It is not in the American tradition to take away rights without hearing.

Second. The amendment would not bring about equality and it would be inconsistent with congressional policy. Long-standing congressional policy is to permit intercarrier acquisitions that clearly serve the public interest. S. 684 extends that policy to forwarders. The proposed amendment would make the present bad situation worse by insuring that in the future whatever public advantages there might be in the common ownership of a freight forwarder and another carrier would be barred by statute without opportunity for consideration on the merits.

Third. The amendment was considered and rejected by the Commerce Committee. The report points out that divestiture is a harsh remedy. Forced sale at distress prices of property acquired in good faith under existing law is contrary to the spirit if not the letter of due process.

The amendment is new legislation which ought to be considered, if at all, on its merits as an introduced bill with full hearings. The issue before the Senate is S. 684 as reported.

Mr. President, this bill was recommended by the Interstate Commerce Commission and reported by the Senate Commerce Committee. In both cases the action was unanimous. This indicates, to me, that the bill is well considered and supported by convincing evidence.

The trucking industry, through its association, opposed the bill; but its arguments were thoroughly considered by the Commerce Committee. The Committee was convinced that objections to the bill did not outweigh the compelling facts which supports its enactment.

Some have traditionally opposed the common ownership of one mode of carriage by another. But that is not an argument against this bill. It is an argument against the longstanding policy of Congress to permit such common ownership. Common ownership of forwarders and other carriers is permitted today, but it works only one way. The bill would equalize the situation, and leave it up to the ICC to decide whether such common ownership is in the public interest.

Opponents of the bill make a distinction between "carriers" and "freight forwarders" and allege that somehow it would be bad to permit forwarders to acquire carriers. The law makes no such distinction. Freight forwarders always were held to be common carriers at common law. They have been regulated as such since 1942. The law imposes on forwarders all the duties and responsibilities imposed on any other common carrier.

Other carriers, and particularly motor carriers, now own forwarders and operate them under common management. The ICC concluded, and testified that—

> In reality, there is no practical difference between a common carrier controlling a freight forwarder, a freight forwarder controlling a common carrier, or a person who controls either acquiring control of the other so long as the relationship amounts to control or management of the two in a common interest.

The bill recognizes this obvious fact.

It is difficult for me to understand what the opponents fear about S. 684. Surely the freight forwarding industry, which grosses only about $450 million a year, will not be able to "gobble up" the trucking industry which in 1961 had gross revenues of $7.5 billion.

The fact is that unless the law is changed the trucking industry could soon dominate the forwarding industry. Testimony before the Committee showed that at the time of the hearings, motor carriers owned more than 20 forwarders, constituting over 15 percent of the industry. Since the hearings it has been announced in the press that the third largest forwarder was purchased by a truckline. With this acquisition, motor carriers own more than 25 percent of the forwarding industry.

It is no answer to say that there should be a complete ban against acquisitions of or by forwarders. That would not bring about equality and it would be opposed to the traditional policy of Congress, as represented by section 5 of the Act. If there are any situations in which it is in the public interest for one carrier to acquire another, then such acquisitions should be permitted, with the approval of the ICC. Arbitrary distinctions should not be made by the law. We have a congressional policy regarding acquisitions; and that policy should be applied uniformly, as this bill would do.

Let us, by all means, debate the bill and express our differences. However, I would much prefer that the bill be defeated, rather than see it become an instrument for destruction of the rights of other carriers before the Interstate Commerce Commission, which might be the result of the proposed divestiture amendment. In my opinion, any Senator who found himself supporting this amendment without studying its implications would spend the rest of his time explaining why he had done so.

Mr. CURTIS. Mr. President, will the Senator from South Carolina yield?

Mr. THURMOND. I yield to the Senator from Nebraska. I believe he must leave the Chamber in a moment, to attend a committee meeting.

Mr. CURTIS. I thank the Senator from South Carolina for yielding to me.

Mr. President, I am not unmindful that there are arguments in favor of the bill; neither am I unmindful of the work which has been done by the committee.

It has been said that the bill might be passed without the taking of a yea-and-nay vote. I do not favor the passage of the bill; and if there is a yea-and-nay vote in connection with the question of passage of the bill, I wish to be recorded as being opposed to the bill.

Mr. KEFAUVER. Mr. President, will the Senator from South Carolina yield to me?

Mr. THURMOND. I yield to the Senator from Tennessee.

Mr. KEFAUVER. I have not had an opportunity to read all the hearings or to find out as much about the bill as I should have; and I shall do so before Monday.

I wish to ask one or two questions.

We are told that section 6, on page 10, beginning in line 7, makes the antitrust laws applicable to this bill. But if the Senator from South Carolina will examine section 6, he will find that it refers to the act of October 15, 1914, which is the Clayton Act. On the other hand, the antitrust law which prevents restraints of competition is the Sherman Act of 1890; but it is not made applicable by this provision of the bill. In other words, insofar as the bill is concerned, there could be restraints on competition and there could be monopoly.

Mr. THURMOND. Would the Senator from Tennessee like to offer an amendment?

Mr. KEFAUVER. I should like to study the bill. I may have an amendment to offer. But I point out that the Clayton Act is not likely to be applicable to such matters. The matters of concern in connection with this subject would be those with regard to restraints of competition, which are dealt with by section 1 of the Sherman Act, and those in regard to monopoly which are dealt with by section 2 of the Sherman Act. So sections 1 and 2 of the Sherman Act are really of importance.

As I understand the situation, at the present time a trucking line may own a freight forwarder. A freight forwarder performs very important service in collecting freight from small businesses and sending it on. Similarly, a railroad may own a freight forwarder, if I correctly understand the situation.

But many persons have expressed fear about this existing approach to common ownership, but under the bill, we go further and allow a freight forwarder to acquire a railroad and a motor carrier or barge line. Personally, I should like to see each of them separated and competitive, even though I realize the problem here, because there is a vested interest. Likewise, I realize the problem of divestiture, although that really should be done if there is need for competitive balance.

But the problem is this: If a freight forwarder can own a trucking line or a railroad, is there not a likelihood that such a freight forwarder would want to concentrate its business on the trucking line or the railroad it owns, to the detriment of other trucking lines and railroads?

Mr. THURMOND. Mr. President, with regard to the first point raised by the Senator from Tennessee, the antitrust provision, I would say that by examining title 15, United States Code, section 12, he will find that this measure refers to all antitrust laws.

Mr. KEFAUVER. But the act of October 15, 1914, is the Clayton Act, not the Sherman Act.

Mr. THURMOND. I understand; but section 6 reads in part as follows:

> Nothing in this Act shall be construed to affect the applicability of the antitrust laws, as defined in the first section—

And that section refers to title 15, section 12 of the United States Code, which in turn refers to the act of 1894, the Sherman Act.

So if the Senator from Tennessee will look into this subject carefully, I believe he will find that the bill as it has been prepared covers that situation.

Mr. KEFAUVER. However, it is true that the act of 1914 is the Clayton Act, not the Sherman Act.

As matters now stand, a trucking line can own a freight forwarder, and a railroad can own a freight forwarder; and they do.

The freight forwarder performs a very important service. If the freight forwarder owns a trucking line or a railroad, what is there in the bill which would prevent the freight forwarder from selecting his own trucking line or his own railroad to the detriment of other trucking lines and railroads as a forwarder of freight?

Mr. SCOTT. Would not the regulations of the Interstate Commerce Commission and the power of the Commission prevent that?

Mr. MAGNUSON. The truckers do the same thing now with the freight forwarders.

Mr. THURMOND. I believe I can answer the question for the Senator. To meet this situation, the committee developed new language for section 409, which is designed, to preserve competition as well as to insure fairness in the relationship between the freight forwarders, the forwarders controlled motor carriers, and all other motor carriers.

Mr. KEFAUVER. On page 6, beginning at line 3, the following language appears:

> *Provided*, That if the Commission approves any such transaction, no terms or conditions shall be imposed which would require the motor carrier or freight forwarder so acquired to confine its service to shipments moving on the bills of lading of or having a prior or subsequent haul by the acquiring freight forwarder or motor carrier.

So the bill seems specifically to authorize the freight forwarder to haul over his own line even to the exclusion of other carriers.

Mr. MAGNUSON. The same provision now applies to the truckers and the railroads.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. THURMOND. I yield.

Mr. KEFAUVER. I point out to the chairman of the committee that it would be manifestly unfair if I, as a freight forwarder, should divert the business to my own truck line and then discriminate in favor of my own truck line against competing truck lines.

Mr. MAGNUSON. I believe it would be, but I think the ICC would not approve of such activity. I would hope that it would not approve it.

Mr. KEFAUVER. The ICC now takes a long time to get around to deciding a question. In my experience the ICC is not a reliable regulator of the trucks and railroads.

Mr. THURMOND. Mr. President, in regard to the point raised by the distinguished Senator from Tennessee, on the antitrust question, the citation referred to, title 15, section 12, reads as follows:

> "Antitrust laws" as used herein includes the Act entitled "An Act to protect trade and commerce against unlawful restraints and monopolies, approved July 2, 1890;" sections 73 to 77, inclusive, of an Act entitled "An Act to reduce taxation and provide revenue for the Government and for other purposes, August 27, 1894;" an Act entitled "An Act to amend sections 73 and 76 of the Act of August 27, 1894; an Act entitled "An Act to reduce taxation to provide revenue for the Government, and for other purposes," approved February 12, 1913.

Mr. KEFAUVER. In response to that statement, the way the language is now worded in section 6, page 10, in my opinion applies only to the Clayton Act. The first section of the act of October 15, 1914——

Mr. THURMOND. Mr. President, if the Senator desires to offer an amendment, I suggest that he do so.

Mr. KEFAUVER. Mr. President, title 15, United States Code, section 12 refers only to where the provision can be found in the code. I will consider an amendment.

Mr. HUMPHREY. Mr. President, will the Senator yield to me?

Mr. KEFAUVER. Mr. President, if the Senator will yield further, I should like to conclude.

Mr. THURMOND. I yield to the Senator from Tennessee.

Mr. KEFAUVER. I understand the argument was made that a freight forwarder might not be able to find a trucking line or railroad to carry freight. Therefore he might acquire a small railroad or a small trucking line. Should there not be some showing that public carrier facilities are not available in the area in which the freight forwarder wants to operate before he can purchase?

Mr. THURMOND. In reply to the question, the Interstate Commerce Commission would take all these factors into consideration. Before the Interstate Commerce Commission would approve the purchase of a motor carrier by a freight forwarder or a freight forwarder by a motor carrier, under the bill now before the Senate, the Interstate Commerce Commission approval would be required. At the present time an acquisition of a freight forwarder by a motor carrier does not require such approval.

Mr. KEFAUVER. I have found that unless specific criteria and guidelines are laid down, the Interstate Commerce Commission is not a very reliable board as a whole.

Mr. YOUNG of Ohio. Mr. President, will the Senator from South Carolina yield?

Mr. THURMOND. I yield to the Senator from Ohio.

Mr. YOUNG of Ohio. In view of the serious question posed by the distinguished Senator from Tennessee and the situation that has developed—for example, I very much desire to read more carefully the hearings on the bill—I feel that the bill should go over until next week, and that at that time there should be a yea-and-nay vote upon final passage. I do not wish to proceed at this time. I would feel compelled to vote against the measure until I have studied it further, although I may vote against it anyway.

Mr. THURMOND. In response to the point made by the Senator from Tennessee, I call his attention to the fact that the bill provides that any transfer would be in the interest of the public, consistent with the public interest, and would not unduly restrain competition. So I believe the criteria is established for the Interstate Commerce Commission.

Mr. KEFAUVER. I call attention to the fact that the term "unduly restrain competition" is practically meaningless. The Sherman Act provides that any contract that would restrain competition is illegal. We get into vague language of what is "due," and what is "undue," what is big, and what is little. Such criteria really means nothing.

Mr. MAGNUSON. Mr. President, will the Senator yield for one statement?

Mr. THURMOND. I yield.

Mr. MAGNUSON. When we talk about discrimination, we had better remember that when a company is made a common carrier, it may not discriminate. There is, I suppose, a great deal of it going on. But one who has been discriminated against has the right to use all the machinery of government—courts and every other means—to oppose that discrimination. We made the freight forwarders common carriers. They are like the railroads. Trucking lines cannot discriminate, and neither can railroads, freight forwarders, or inland waterways.

Mr. KEFAUVER. Mr. President, I desire to point out to the chairman of the committee, that in the first place, to obtain legal relief against discrimination requires a long time, particularly when the proceeding is before the Interstate Commerce Commission. Furthermore, I am afraid that the language on page 6——

Mr. THURMOND. That is language which is additional to that proposed by the Interstate Commerce Commission.

Mr. KEFAUVER. In other words, the language on page 6, lines 3 down to line 8, specifically authorize discrimination by saying that they can use the common carrier owned by the freight forwarder.

Mr. MAGNUSON. I do not believe it authorizes discrimination. If it does, the provision can be changed. The carrier is subject to all the regulations.

Mr. THURMOND. Mr. President, the purpose of the bill is to bring about equality. I remind the Senate that the bill was recommended by the Interstate Commerce Commission, an agency of the Government that is specifically charged with regulating common carriers. Furthermore, the Department of Commerce has recommended the bill. The committee has carefully considered it, but some questions have been raised by Senators. Some Senators are absent today. In view of that situation, I ask unanimous consent that the bill be carried over until next Monday.

Mr. SCOTT. Mr. President, I have no objection.

The PRESIDING OFFICER (Mr. INOUYE in the chair). Is there objection? The Chair hears none, and it is so ordered.

Mr. HUMPHREY. Mr. President, I appreciate the thought and the wish that have been expressed by the distinguished Senator from South Carolina, who is handling the bill, and the Senator from Pennsylvania, who represents the minority. A number of Senators have expressed concern. I desire the record to show clearly that the Senator from Minnesota has today expressed his own concern. As I have explained privately to my colleagues, several Senators and administrative assistants have called me and asked me to express their concern about the proposed legislation. Therefore I am now about to move——

Mr. SCOTT. Before the Senator makes his motion, let me make the further comment that I am also advised that a number of Senators on both sides of the aisle who favor the bill would like to be heard on Monday.

Mr. HUMPHREY. Indeed. The discussion has been helpful, and I am hopeful that between now and Monday many of the points which have been raised will be studied. We shall read the hearings, consult with the appropriate agencies of the Government, and be prepared to act on Monday.

Whether there will be a yea-and-nay vote or not will be determined by the will of the Senate on Monday. I do not think we should say with certainty that will be the case.

The Senator from South Carolina has rendered an admirable service in explaining the bill. Many doubts have been raised. Many questions have been answered.

With that statement, Mr. President, I now move that the Senate temporarily set aside the pending business, Calendar No. 216, and proceed to the consideration of Calendar No. 231.

Mr. SCOTT. Mr. President, is it the understanding that the pending bill, S. 684, will again be considered on Monday?

Mr. HUMPHREY. That is the understanding. It was so announced yesterday, in case the bill should be displaced.

The PRESIDING OFFICER. Pursuant to the unanimous-consent agreement, the bill will go over until next week.

Mr. **THURMOND**. Mr. President, if any Senator has an amendment which he wishes to offer to the bill, which the Senate has been considering, I suggest that if possible the amendment be offered today. The amendments could be printed and be made available to Senators. That would be helpful during the consideration of the bill again on Monday.

Mr. **HUMPHREY**. The Senator from Iowa [Mr. MILLER] did offer such an amendment, and will be prepared to discuss it on Monday.

ORDER FOR ADJOURNMENT UNTIL MONDAY

Mr. **HUMPHREY**. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until 12 o'clock noon on Monday next.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

NATIONAL SERVICE LIFE INSURANCE

The **PRESIDING OFFICER**. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 220) to amend section 704 of title 38, United States Code, to permit the conversion or exchange of policies of national service life insurance to a new modified life plan.

Mr. **HUMPHREY**. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER**. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. **HUMPHREY**. Mr. President, I ask unanimous consent that further proceedings under the quorum call may be dispensed with.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

CERTAIN PROPOSED CONSTITUTIONAL AMENDMENTS, IF ADOPTED, WOULD REPEAL THE 20TH CENTURY

Mr. **YOUNG** of Ohio. Mr. President, what the 11 States of the Confederacy could not accomplish 100 years ago by force of arms—the supremacy of individual States over the Federal Union—is now being attempted by lawful means through a campaign to secure the adoption of three constitutional amendments which in effect would subvert the basic principles of the Constitution.

These amendments are backed by a powerful nationwide alliance of right-wing extremists, racists, and others who have been misguided by the propaganda put out by these groups. It is a smooth, efficient organization which until recently has achieved almost unnoticed success.

These three amendments—to nullify the Supreme Court reapportionment decision, to make it possible to amend the Constitution without the participation of the Congress, and to create a supercourt superior to the Supreme Court composed of the Chief Justices of the 50 [illegible] enacted, would cripple the system of Federal powers which our Founding Fathers created.

Members of the legal profession who should be in the forefront of those opposing these amendments have been shamefully silent. In fact, the Chief Justice of the United States expressed shocked amazement that after researching all the publications of the legal societies and all the law reviews he found only one article—by Prof. Charles L. Black of the Yale Law School published in the Yale Law Journal—which dealt with the three amendments. It is regrettable that while a powerful coalition of State legislative leaders was trying to reduce the Nation to a weak collection of squabbling States similar to that which existed under the articles of confederation almost 200 years ago, it became necessary for the Chief Justice of the United States to sound the principal note of alarm.

Only the press has fulfilled its responsibility in this situation. Several newspapers have expressed the hidden dangers of the proposed amendments.

One or more of these amendments has already been approved by the legislatures of as many as 13 States. At this moment, they are pending before the General Assembly of Ohio and before the legislatures of many other States. In Ohio the attempt to nullify the U.S. Supreme Court reapportionment decision has gone so far as to have been approved by the State government committee of the State senate.

I am not personally acquainted, so far as I know, with the members of that committee in the senate of my State, but it appears to me, by reason of their action, that there is certainly a reactionary group in the majority on that committee, who seek to repeal the 20th century.

Most of the major newspapers of Ohio, many of them with widely divergent views on the problems of the day, have spoken out strongly against passage of this proposal and the other two by the Ohio Legislature. If these amendments fail to be approved by the Ohio General Assembly—and it appears at this time that they will be defeated—it will be in great part, if not entirely, due to the fact that the newspapers of Ohio have taken the lead in opposing them and in informing Ohioans of the dangers these proposed amendments represent. I am really proud of the part that the press of Ohio has played in this matter in my State.

In this regard, I commend to my colleagues several examples of courageous editorial reporting, and ask unanimous consent that editorials which appeared in the following Ohio newspapers be printed in the RECORD at this point as part of my remarks: The Plain Dealer of May 18, 1963; the Cleveland Press of June 1, 1963; the Cincinnati Post and Times-Star of May 31, 1963; the Dayton Daily News of May 19, 1963; and the Akron Beacon Journal of May 20 and 24, 1963.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Plain Dealer, May 18, 1963]

AVOID A COURT MUZZLE

A proposal to muzzle the Federal courts on State reapportionment matters, now revived in an Ohio senate committee after seeming death last week, should be halted again, permanently. State senators from urban areas, from both political parties, should see to it that this is done.

Some senators like the powerful C. Stanley Mechem, Republican majority leader who used his influence to get reconsideration of the issue, want to keep the status quo forever on the present apportionment system. But such a freeze is not in the interest of the areas in this State where the bulk of the people live and where ever-larger percentages of the population will live.

If there is to be no ultimate standard-setter in the Nation on the question of whether a citizen's vote in one part of a State is to have something near equality with the vote of a citizen in another part of the same State, then the underrepresentation of urban areas, already serious, will become unbearable.

Any person or group may differ with individual decisions of the Federal Supreme Court on reapportionment within States, or on other issues. But it must be remembered that the Court represents a safety valve. If it should be prohibited from having anything to say on litigation about a single State matter or about the whole field of States rights, the basis of our governmental system would be changed drastically.

This reapportionment resolution, along with two other Federal-court-curbing movements, were acted upon at a Council of State Governments session in December. The Council's magazine records the Ohio delegation's vote as "No" on all three resolutions. The verdict in the Ohio Legislature on the one under discussion should be "No," too.

[From the Cleveland Press, June 1, 1963]

REACTIONARY AMENDMENTS

Sponsors of three constitutional amendments now circulating through the State legislatures would, in the words of the old song, "Turn back the universe and give me yesterday."

Theirs is the voice of inertia, the querulous protest of an eternal minority which holds the old days are best and even today is better than any dangerous tomorrow.

One proposed amendment would give the States power to amend the Constitution without participation by Congress. If the States do not like the attitude of their Congressmen, they already have a convenient remedy. They can elect new Congressmen.

A second would nullify last year's U.S. Supreme Court decision requiring reapportionment of State legislatures to end rural domination. This would maintain the status quo under which 1 vote in small rural counties can count as much as 10 or more in the cities.

The third would set up a "super supreme court" of 50 judges, 1 from each State supreme court, with power to overrule any decision of the present U.S. Supreme Court. This is court packing with a vengeance. In effect, this amendment would create a third national legislative body and seriously deepen present confusion as to what is the law.

It is inconceivable that majority public opinion, or anything like a majority, favors these reactionary projects. But 12 States—not including Ohio—have acted favorably on at least 1 of these proposed amendments. In Ohio the first two bills are pending, but the third was never introduced.

The public should take heed lest they slip through more legislatures by default.

[From the Cincinnati Post and Times-Star, May 31, 1963]

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[From the Dayton Daily News, May 19, 1963]

REVIVED ZOMBIE AMENDMENT STICKS PINS IN CITY VOTERS

A strange reversal in the State Government Committee of the Ohio Senate has given new life to a constitutional amendment that should have been left on the scrap heap.

Senate Joint Resolution 13 proposes that the Federal Constitution be changed to fence the Supreme Court out of questions of legislative reapportionment within the States. It is an effort, sponsored by southern Democrats and northern extreme conservatives, to reverse the Supreme Court's historic decision in *Baker* v. *Carr*, the Tennessee reapportionment case.

If the amendment were proposed and ratified, it would remove the last practical chance of breaking the rural stranglehold on State legislatures. In the South of course, it would dam up the tide that is running toward effective civil rights for Negroes.

Not long ago the State government committee declined to report out the amendment. But this week the proposition was brought up again and passed by virtue of a switch of two Republican votes.

A companion amendment, equally dangerous, has not yet been considered by the committee. It is a proposal to change the method of amending the Federal Constitution. After the fast shuffle on senate Joint Resolution 13, it is hard to assume that senate Joint Resolution 12 is dead.

The fight on the reapportionment amendment now goes to the house floor. Citizens need to mobilize the arguments against it. An amendment that would preserve the strongly unrepresentative pattern of State government, in Ohio and everywhere else, would sap the Nation's strength and undercut prospects for the State's progress. Certainly it would be bad news for the cities.

[From the Akron Beacon Journal, May 20, 1963]

RIP UP THE CONSTITUTION?

Unless the people of Ohio speak quickly and plainly, there is a very real danger that our general assembly will take a dangerous step toward weakening the American constitutional system.

That's a strong statement. We will back it up.

Coming up in the Ohio Senate, perhaps this week, is a resolution which would give Ohio's endorsement to a proposed amendment to the U.S. Constitution. This amendment is designed to eliminate Federal judicial authority over apportionment of State legislatures.

Prof. Charles L. Black, of Yale Law School, says that "this proposal if passed, would constitute the first dimunition, since our history began, of any Federal constitutional guarantee of liberty, justice, or equality."

"To begin cutting down our constitutional guarantees, to begin introducing exceptions here and there into the concept of equality under law, are solemn steps indeed," Professor Black adds.

The guarantee which is immediately under attack is that which assures citizens of some reasonably equal system of representation in their legislative bodies. The controversy was precipitated in March 1962 when the Supreme Court ruled, in a Tennessee case, that it is a concern of the Federal judiciary if a State legislature's makeup is grossly malapportioned.

While representation in Ohio has not been nearly as far out of balance as in Tennessee, it is a fact that the more sparsely populated counties have proportionately more voting strength in our house of representatives than the heavily populated counties do. Now pending in the Federal courts are two cases which might change this imbalance.

It seems perfectly clear that the purpose of certain legislators in Ohio and in other States is to preserve the unbalanced status quo by pushing through this amendment which would take the matter of legislative apportionment completely out of the jurisdiction of the Supreme Court.

If this disruption of our carefully conceived constitutional system is accomplished, the way will have been opened for other changes which may completely undo the masterful work of our Founding Fathers.

It was shocking to learn that pressures from unnamed "Republican officials in Washington" influenced at least one of the two members of the Senate's State Government Committee who switched their votes and thus brought the resolution to the floor.

Bar associations in many cities have been going on record against this and two other "State's rights" amendments which are making the rounds of the legislatures. Chief Justice Earl Warren, who was a Republican Governor when named by a Republican President to the Court, has expressed his dismay at the proposals. Congressman at Large ROBERT A. TAFT, Jr., when asked his opinion of the proposals in Akron 2 weeks ago, said: "They're nuts. They're way out."

This ought not be a partisan matter. Republicans as well as Democrats surely are interested in protecting the Constitution.

[From the Akron Beacon Journal, May 24, 1963]

DEBATE ENLIGHTENS

Chief Justice Earl Warren urged this week that there be "a great national debate" on the three "States' Rights" amendments now making the rounds of the State legislatures.

He seemed to imply that if the public becomes fully aware of what these proposals mean, they will be rejected.

A striking demonstration of what the Chief Justice was talking about has occurred here in Ohio within the last fortnight.

Lt. Gov. John Brown and Senate Majority Leader C. Stanley Mechem were confidently predicting early in May that Ohio would soon join 12 other States which have approved a call for an amendment which would take from the Supreme Court all authority to rule on the apportionment of membership in State legislatures.

Then, to their surprise, the senate committee on State government turned down the proposal by a vote of 5 to 3, with three of their fellow Republicans voting "No." Mechem was absent or the vote would have been 5 to 4.

Brown and Mechem then applied intense political heat, so that two Republicans switched and the scheme emerged from committee by a 6 to 4 vote.

But meanwhile, the debate which Mr. Warren is calling for had come into being on a statewide basis. Newspapers, including some of the more conservative ones, printed editorials opposing the plan, which could forever freeze malapportionment in legislatures. The League of Women Voters took up the cudgels. Lawyers of both parties expressed interest. Citizens wrote to the editors.

This week it became apparent that leader Mechem had not a single vote to spare. Three Republicans of his 20 to 13 majority in the senate announced themselves as opposed. (The Democrats have been solidly against the resolution.)

Senator Kline L. Roberts of Columbus was the one Republican on the committee who had held fast in opposition. Alined with him as prospective "No" voters on the senate floor were Senators Charles W. Whalen of Dayton and James H. Grose of Hubbard.

Finally outweighing the pressure of Mr. Mechem, the issues raised in public debate impressed Senator Robert Stockdale of Kent, who had voted first "No" and then "Yes" in committee. He said on Wednesday that he is now convinced that the scheme to curb the Court is a bad one and that he will oppose it if it comes to a vote on the floor.

Unless Mr. Mechem can dredge up another vote somewhere, he will not risk the ignominy of outright defeat and the measure will die a quiet death in one of his pigeonholes.

Still in a House committee and heading for an uncertain future is a companion measure which would completely eliminate Congress from the established procedure for amending the U.S. Constitution. It also should be defeated and will be if public debate brings sufficient awareness of the issues to Ohio citizens.

The third amendment in the package has not been introduced in the Ohio Legislature. It calls for a "Court of the Union," consisting of the chief justices of the 50 States with powers to overrule the Supreme Court.

The other day we expressed surprise that some Republicans seemed to be making a party issue of these amendments. We said that we thought that both parties ought to be interested in protecting the Constitution.

We are happy to note today that another well-known Republican officeholder is unequivocally against the proposals. He is Michigan Gov. George Romney, now being prominently mentioned as his party's standard-bearer in the 1964 presidential race.

In an address before the National Press Club Wednesday, Governor Romney said: "I want to go on record as being firmly opposed to these proposals."

If they were adopted, he said, it would "almost turn the country back to the days of the Confederacy."

Debate and discussion are certainly building a roadblock for these reactionary schemes.

Mr. YOUNG of Ohio. Mr. President, these great newspapers, other newspapers in Ohio which have taken a similar stand, and their publishers are to be commended on the position they have taken. They have performed a great public service for the citizens of Ohio and for all Americans.

Should these destructive amendments become part of our Constitution, State governments would achieve a dominance unmatched since the days of the articles of Confederation. The Union of 50 States would be fragmented and the Federal Government rendered impotent in significant areas of our national life. We might well be crippled as a major power and a force for freedom in the world.

In 1789, a far less complicated era than today, our Founding Fathers realized the need for a strong Federal union. To weaken that Union might make it impossible for us to survive against the totalitarian forces in the 20th century or to meet the domestic needs of our country.

It is imperative for good citizens in every State where the proposed amendments are pending before their legislatures to arm themselves with the facts and to fight back. I hope that the newspapers of those States will follow the fine example set by the press in my State of Ohio.

The members of the legal profession should also speak out strongly against these proposals.

I yield the floor.

SELF-GOVERNMENT OF AFRICAN NATIONS

Mr. JAVITS. Mr. President, I wish to make some observations upon two matters which appear to be occupying public attention this morning. One is a meeting of the 20 African nations protesting a statement made by the Senator from Louisiana [Mr. ELLENDER] on a television show called Issues and Answers, in which he and I were both participants.

I heard the statement, to the effect that Liberia, Ethiopia, and Haiti were examples of nations which had heavy Negro populations and that they were incapable of governing themselves. Now, Mr. President, I take the floor only to state that this assertion came at the very end of the television show, and that it was impossible for me to deal with it adequately at that time. I would like to address myself to it very briefly. I should not have done it otherwise, had there been nothing further said or done about it.

I do feel, in view of the protest which has been made by the representatives of these 20 nations in the United States, which is not only a great and friendly country so far as the countries of Africa are concerned, and which is the home of the United Nations, and in view of the fact that I was there and heard it, that I should respond.

I will say that the context of our discussion on television had nothing to do with the capability or incapability of the African nations to govern themselves, but related, rather, to the domestic civil rights crisis. Hence, it was not relevant to that particular issue.

Mr. President, I believe the people of the United States—and I cannot, obviously, speak for them, but I express my own belief—have the greatest good will and the greatest feeling of brotherly affection for and confidence in the capability of Liberia, Ethiopia, and Haiti—those being the three nations concerned—to resolve the problems which they have in varying degrees and to make a great success of self-government.

I think that statement goes also for the new African nations. Indeed, we are spending billions of our treasure and jeopardizing the lives of many Americans to back up that conviction in our aid programs and in our operations, in terms of our foreign policy all over the world, and directly in respect of Haiti, and of Liberia, and Ethiopia. Insofar as economic aid is concerned, in Liberia and Ethiopia it is of a commercial character and it is of an aid character. In Haiti it is being done so far as we are able to, considering the present governmental situation.

It is very important to be understood that when a Senator speaks—and that includes me—he speaks his own views. He speaks for himself. When I speak today, I speak for myself. It is perfectly right for me to give my judgment as to what I think the American people believe—and I am deeply convinced of that in this case—but I hope all the envoys will understand clearly that, while we are important people—I say that with pride—the policy of the United States, in terms of its foreign policy, is made by the President and the Secretary of State, and the attitude of the people of the United States must be determined by the tremendous currents of opinion and the great actions which our Nation takes.

I pointed out that, in terms of the actions of our Nation, I am sure there is the deepest feeling of friendship and desire to help, and confidence in the ultimate capability for self-government, of the three countries named—Liberia, Ethiopia, and Haiti—as well as other nations of Africa. Nobody is more cognizant than I of the fact that these countries have varying degrees of problems.

There is a great deal of stability in the Government of both Liberia and Ethiopia. In Ethiopia there is a different governmental system. Yet there has been a great deal of stability in the Governments of both of these countries.

Haiti has had very grave problems—problems of dictatorship, problems of public order, problems of internal justice. Nonetheless, I deeply feel that our country has confidence that these problems will be resolved and that they are subject to resolution very much more as the result of democratic action and the self-government of its people. Indeed, we want the people of Haiti to have full self-government, because that gives us the best assurance that if they do they will be able to work out their difficulties.

Without in anyway making a defense, but only stating what in all fairness to these countries should be stated, had there been time on the television program, I would like to state that these nations draw on an enormous reservoir of good will on the part of the people of the United States and confidence in the resolution of their difficulties, whatever those difficulties are, and great confidence that the way in which to resolve their difficulties is through the process of self-government.

We also know that self-government needs to be learned, just as economic development needs to be learned. It takes not only resources, but also background and certain internal forms of organization to bring about public education and public technical skills.

We know that in all of these respects, we in this country have shown time and time again that we have no feeling, in connection with their fears, that merely because the color of a person's skin is black, that that automatically inhibits the capacity of that person. On the contrary, the whole history of mankind is replete with extraordinary manifestations of intellect and leadership in every field by those whose skin may be black or yellow.

I would be less than fair to myself if I did not rise to present to our friends in Africa the other point of view, which I have given today. I hope very much that they will at least pay as much attention to the point of view that I am espousing as they apparently paid to the point of view of my colleague, the Senator from Louisiana, which was set forth on the same program.

I deeply feel—and I say this with the greatest of conviction—that what I am saying, rather than what they took offense at, reflects the overwhelming sentiment of our people. The Senator from Louisiana [Mr. ELLENDER] has the fullest right to state his view, as I have. However, I hope very much that our friends, who seem to have been so troubled by what was said by him, will give equal understanding to what is being said now; and, more than that, that they will cast their eyes around our country and see the thousands of manifestations of friendship and confidence, not only in the governmental, but also in the private policy which is represented in the United States.

LEGISLATIVE PROGRAM

During Mr. JAVITS' speech on capability of African nations for self-government:

Mr. MANSFIELD. Mr. President, will the Senator from New York yield, without losing his right to the floor?

Mr. JAVITS. I yield.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry. What is the pending business?

The PRESIDING OFFICER. The unfinished business is H.R. 220.

Mr. MANSFIELD. H.R. 220. What is the status of S. 684?

The PRESIDING OFFICER. By unanimous consent, it has been laid over until Monday.

Mr. MANSFIELD. Mr. President, for the information of the Senate, and after consultation with the distinguished minority leader [Mr. DIRKSEN], and the chairman of the Committee on Commerce [Mr. MAGNUSON], I wish to state it is the intention of the Senate not to consider this bill until some time after Monday—when, I do not know. It make that statement because of the fact that prior commitments had been made relative to taking up legislation having to do with the extension of the excise tax, the Export-Import Bank, the ARA, and other proposals which we feel honorbound to keep. So, for the information of the Senate, S. 684 will be postponed, let us say for an indefinite period, but it will very likely be brought up some time in the future.

Therefore, I ask unanimous consent that its consideration be postponed for an indefinite period.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL SERVICE LIFE INSURANCE

The Senate resumed the consideration of H.R. 220, to amend section 704 of title 38 United States Code to permit the conversion or exchange of policies of national service life insurance to a new modified life plan.

Mr. LONG of Louisiana. Mr. President, picking up the pieces at the end of World War II was not an easy job, but the American people set about it with a seldom seen relish and talent.

We literally repaired a broken world in peace just as we had saved a threatened world in war. We rebuilt Europe, through the Marshall plan, beyond all expectations. We made reparations to countries where fighting had occurred, even though we had not caused the fighting to break out.

We compensated our own civilians for injuries to them or to their property overseas, although, as usual, we were slower doing this than helping others; it was just last year that we completed this program by passing another War Claims Act.

For those to whom we owed the most—the U.S. fightingmen—we created certain GI benefits to help make the tremendous adjustment from military life back to civilian life. We provided educational assistance, housing assistance, and other rewards for the efforts of the men who had served the United States and the world so well. One of the benefits that we were willing to give our fightingmen was an insurance program, by which they could secure life insurance at prices unavailable on the commercial insurance market. We felt that this was only right to give to these men who had done so much in time of battle. We weren't setting a precedent, for, after World War I, a similar Government insurance program was made available to the veterans of that conflict.

However, unlike the insurance that was made available to the veterans of World War I, the World War II insurance program, national service life insurance, was terminated rather quickly and rather abruptly. Veterans of World War I were able for 33 years after the end of that war to subscribe to the inexpensive U.S. Government life insurance, but veterans of World War II were prevented from reinstating the equally inexpensive national service life insurance after 1951, only 6 years after the end of World War II; and the veterans of the Korean war were given even a shorter length of time in which to decide whether to continue their insurance program. There is some doubt as to whether sufficient, if any, notice was given to the veterans of the termination of these programs, but, even if they had been sufficiently notified, it would not have reduced the injustice of cutting off this program to these men at a time when they were unable to make a sound decision on the matter. These veterans were either financially unable to take out such insurance immediately upon being discharged from the military service or they did not realize what this insurance would mean to them in later years. However, with little regard for the veterans and their circumstances, no more veterans were allowed to take out national service life insurance.

Mr. President, as almost everyone in the Senate is aware, I have been trying for a number of years to reopen the national service life insurance program to give veterans at least another year in which they could take out this inexpensive insurance which is due them for the efforts they made in behalf of this country. Seven times the U.S. Senate has passed such a proposal to reopen national service life insurance and seven times the U.S. Senate has been frustrated by the efforts not of the House of Representatives as a whole, but generally of a few powerful Members of that body. Nevertheless, today I am asking that the Senate again pass such legislation, and I will again do all that I can to see that the House is able to freely and openly debate the merits of this legislation and to vote on it.

Last year, for the first time, the House did have the national service life insurance reopening bill come before it, but, through a last minute parliamentary maneuver, the House Veterans' Affairs Committee chairman was able to substitute a much weaker bill for the Senate measure, giving the low-cost term insurance to a relatively few disabled veterans, and it was passed under one of those rules peculiar to the House, which allows for no amendments. The House refused to go to conference with the Senate on last year's measure, and, thus, our veterans were again denied the opportunity to receive what rightfully belongs to them.

This year the Senate Finance Committee amended a House-passed measure pertaining to national service life insurance to include the reopening provision. The House-passed measure, H.R. 220, permits veterans, upon reaching the age of 50, to convert their present insurance plans to a new modified life plan. The veteran, by converting to this new plan, pays a level premium throughout his remaining years rather than a steadily increasing premium, and the value of his policy is cut in half at age 65. This is the answer to many of our veterans who are getting older and who find it necessary to keep their GI insurance as a protection for their survivors but who are having to pay premiums which amounts to even more than the value of their policies. This is a measure that the House and the Senate, as well as the administration, have agreed on before and there should be no controversy in agreeing to this much of the bill.

However, just as the Senate felt last year, the Senate Finance Committee feels that such a measure is closely tied in with the national service life insurance reopening proposal and that the two should be combined in what the Finance Committee now calls the "National Service Life Insurance Amendment Act of 1963." Both proposals have the support of the administration, speaking through the Veterans' Administration, as well as the support of every veterans' organization in the land, and, I am sure, the individual support of the millions of ex-GI's who will benefit under these proposals. It is estimated by the Veterans' Administration that 16 million veterans would be in a position to benefit from the reopening proposal.

To me, the reopening proposal is one that no one should find objectionable. In these times where economy in Government and reduction in Federal spending are continually emphasized, let it be clearly understood that the reopening proposal will be without cost to the taxpayers of this country. It will be funded by a revolving fund into which premiums of the veterans who take out this insurance will go. The premiums that these veterans pay will be based on up-to-date mortality tables and will be a little higher than they would ordinarily be in order to cover whatever costs arise in the administration of this program by the

Federal Government. There will be no expense on the part of the Federal Government and, therefore, no expense on the part of the taxpayers in carrying out this program. Where else can you do so much for so many at so little cost?

Therefore, I today ask the Senate to unanimously endorse the National Service Life Insurance Amendment Act of 1963 and to urge upon their colleagues in the House of Representatives to see that this bill is presented to them unfettered by parliamentary restraints, so they themselves can have the opportunity to make a free and effective decision on its merits.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. JAVITS. I know this has been a long-standing fight on the part of the Senator from Louisiana. I have joined with him on a number of occasions. There has been a widespread demand from veterans for this legislation. I suppose that has been true through the years. It is one of the things that veterans have most wanted. I hope very much, too, that at long last we have found a formula that can bring resolution to what has agitated so many people who have sacrificed so much to help our Nation.

Mr. LONG of Louisiana. I deeply appreciate the support of the Senator from New York.

I am very hopeful, as I said, that the House will be permitted to vote on this measure on its merits. There have been objections by insurance salesmen and insurance companies. However, as one who ran for office last year, I may say that I have received generous support from insurance companies for many years, although I have been fighting for a long time to obtain this privilege for the veterans. While it is true that some insurance salesmen and insurance companies have fought the bill, I am glad to say that the good will which insurance companies evidenced toward me last year, when I was running, was not affected by my interest in the veterans.

I hope my friends in the insurance industry will become aware of the need for the proposed legislation, as I have, and will give veterans an opportunity to take out the service life insurance which they would like to have, particularly the veterans who may have missed the opportunity, either through ignorance or a lack of responsibility and that they will now have the right to take out insurance, a right which had been foreclosed to them.

The PRESIDING OFFICER. The committee amendment is open to amendment. If there be no amendment to be proposed, the question is on agreeing to the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill (H.R. 220) was read the third time, and passed.

The title was amended, so as to read: "An Act to amend title 38, United States Code, to permit, for a period of one year, the granting of National Service Life Insurance to certain veterans heretofore eligible for such insurance, and to authorize the issue, conversion, or exchange of policies of National Service Life Insurance to a new modified life plan."

Mr. MANSFIELD. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. LONG of Louisiana. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VISIT TO EUROPE BY THE PRESIDENT OF THE UNITED STATES

Mr. MANSFIELD. Mr. President, in the near future, the President of the United States will leave on a brief visit to several European countries. I am delighted that he intends to go ahead with this journey which was planned some time ago and for which arrangements have long since been concluded.

It is true that there have been many changes in the European political scene since his visit was first announced and this may not be the time for ceremonial journeys. But it seems to me to be precisely the time for a hard working, cards-on-the-table journey. It is obvious that the major transition which is taking place in Europe involves not only politics but also defense policies, economic policies, and just about every aspect of European public life. Reports which the President receives from the oversea representatives are of great value. But they are not a substitute for firsthand exposures to situations of change abroad, as Members of this body who have traveled overseas are well aware.

It is most desirable that the President undertake to meet the established leaders and the new figures who are emerging into positions of political leadership in various European nations, to speak to them of our policies and our interests, and to seek in a frank exchange to obtain from their own lips some clear sense of the direction of contemporary European trends. It is desirable for him, too, to see with his own eyes something of what is transpiring in Europe. Exposures of this kind can help him immeasurably in handling the reins of U.S. foreign policy which have been entrusted to him by the Nation. He has the primary responsibility of safeguarding the interests of the people of the United States in the world, and anything which facilitates his discharge of that responsibility is to be welcomed.

So far as our own difficulties at home are concerned, I do not see that they compel the President to remain entombed in the White House. He will be, wherever he goes, within the reach of communication facilities which can put him into instant contact with Washington. If the rest of us get down to business in connection with these problems—his Cabinet officers, the bureaucracy, and Members of the Senate and the House—the President will be in a position to carry out the manifold obligations of his office instead of having to give all his time to one of them. I think it is high time that we recognize that we all have responsibilities under the Constitution, not just the President and the courts, in maintaining the domestic tranquillity and in insuring the equal rights of all the citizens of the United States and that we do not discharge those responsibilities by seeking to load them on the shoulders of the already overburdened President.

In this connection, I ask unanimous consent to have printed at this point in the RECORD an article entitled "The Why of the President's Trip," written by Max Freedman, and published in the Washington Evening Star of Wednesday, June 19, 1963.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Evening Star, June 19, 1963]

THE WHY OF THE PRESIDENT'S TRIP—URGENT ALLIANCE MATTERS AND A CHANCE FOR A VITAL MESSAGE IN BERLIN CITED

(By Max Freedman)

In a few days President Kennedy expects to be in Europe. A cloud rests on the trip. Some people are saying he should stay at home because of the racial trouble. Others are saying he should postpone the trip because the European countries are without effective governments or now is an awkward time to visit them.

Both criticisms, despite the splendid names which can be cited in their support, lack real merit. Look first at the racial argument.

Every American, regardless of his region and regardless of his color, has a direct personal interest in maintaining the vigor and reliability of American policy in Europe. He can have no possible interest in saying to the world that the racial crisis has reached a perilous extreme that makes it unwise for the President to leave the country for even a brief period.

Such a message, when the European governments still want the President to come, would mean that the racial agitation had reached a point where reason and justice no longer counted. That message would give a false picture of America. It would export a caricature of the racial problem to Europe. And it would present a totally misleading account of President Kennedy's role in this emergency.

For the President is not running out on the crisis by going to Europe. It is much closer to the truth to say that he has earned the right to tell Europe what is happening here because he himself has grappled with the crisis in a way unknown during the presidencies of Dwight Eisenhower and Harry Truman.

He would be open to censure if he had run away from the challenge and had treated the European trip as a refuge from responsibility for the most extensive civil rights legislation ever submitted to Congress. He prepared the way for those proposals in meetings with leaders of both parties and with groups of representative citizens. The crisis, unfortunately, will be with us long after the President has returned from his brief journey.

What the critics are really saying, without putting it in frank words, is that the racial crisis has become so urgent and overmastering that it imposes a veto on a Presidential initiative in foreign affairs which he has long considered to be essential to the national interest. They are reluctant to state their criticism this bluntly because they know their argument really means that the President has become the hostage of the racial problem. Under this argument it always would be possible for any group of extremists, white or colored, to force a change in the President's plans by stirring up violent demonstrations in three or four communities. This prospect is repugnant to reason. The racial crisis certainly is immensely important and very urgent, but the President has to deal with other important matters too.

That is why he is making this trip. There are urgent matters affecting the alliance which require his personal diplomacy at this particular time, and he has agreed with the governments that have invited him that delay or postponement would be unwise and unfortunate.

The President's most important statement in Europe will be his speech on the sinister tragedy of the Berlin wall. He could not make that speech, and no one would believe him if he did, if he did nothing to remove walls of hatred and injustice and inferiority in America.

This is no cheap experiment in trying to make the American image more alluring to strangers. Rather it is a recognition of the deep truth that America can only validate its world leadership by policies of justice and equality at home.

Standing within the shadow of the Berlin wall, President Kennedy can honestly say that the Communists have built a wall as a symbol of oppressive tyranny, but free men in America are making many evil walls come tumbling down in tribute to the unconquerable strength of democracy. Perhaps Americans as well as Europeans will heed his message, and will learn at last that racial unrest is the price of progress no less than it is the epitaph of legalized inferiority.

President Kennedy never at first intended to make a visit to the Pope an essential part of his journey. That was a memorable afterthought. He shares the judgment of his European friends that the present confusion and bitterness of European politics makes his personal diplomacy all the more important and unavoidable. If he cannot spare a few urgent days to mend the patches in the alliance, then we really are in a bad way.

MODIFICATION OF ORDER FOR ADJOURNMENT UNTIL MONDAY

Mr. HUMPHREY. Mr. President, I wish to modify the order previously entered for the adjournment of the Senate until Monday.

I ask unanimous consent that when the business for today has been completed, the Senate adjourn until 11 o'clock a.m., on Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

LAKE FRANCIS CASE, S. DAK.

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 247, S. 130.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 130) to change the name of Fort Randall Reservoir in the State of South Dakota to Lake Francis Case.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to; and the Senate proceeded to consider the bill.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 130) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Fort Randall Reservoir in the State of South Dakota shall be known as Lake Francis Case in honor of the late Senator of South Dakota, who was so very instrumental in the development of the Missouri River Basin program. Any law, regulation, document, or record of the United States in which such reservoir is referred to by any other name shall be held and considered to refer to such reservoir by the name of Lake Francis Case.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 266), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of S. 130 is to designate the reservoir formed by the Fort Randall Dam on the Missouri River, S. Dak., as Lake Francis Case, in honor of the late Senator from South Dakota, and any law, regulation, document, or record of the United States in which such reservoir is referred to by any other name shall be held and considered to refer to such reservoir by the name of Lake Francis Case.

GENERAL STATEMENT

The Fort Randall Dam and Reservoir was authorized by the Flood Control Act of 1944 (Public Law 534, 78th Cong.) as a unit of the comprehensive plan for the development of the water resources of the Missouri River Basin.

The Fort Randall Dam is located on the Missouri River in Charles Mix and Gregory Counties, S. Dak., 82 miles above Yankton, S. Dak., 162 miles above Sioux City, Iowa, and 922 miles above the mouth of the stream. The dam is a rolled-earthfill structure, about 2 miles long, with a maximum height of 165 feet. The reservoir will have a storage capacity of 6,100,000 acre-feet, of which 2,300,000 acre-feet is reserved for flood control and the remainder for multiple uses. The power installation consists of eight units of 40,000 kilowatts capacity each, a total of 320,000 kilowatts.

The reservoir has a maximum surface area of 118,000 acres, and an area of about 100,000 acres at normal operating pool level. It extends up the Missouri River 111 miles, with a shoreline of 575 miles. Construction of the project was initiated in May 1946 and is essentially complete, at an estimated cost of $194,900,000.

The Honorable Francis Case was a Member of the House of Representatives from January 3, 1937, until January 2, 1951, and a Member of the U.S. Senate from January 3, 1951, until his death on June 22, 1962, at the age of 65.

While a Member of the House of Representatives, Senator Case served on the Appropriations Committee from 1939 to 1951. In the Senate he served on the Committees on Public Works and Armed Services, and ex officio member of the Committee on Appropriations. He was one of the authors of the Case-Wheeler Water Conservation Act 1937 and 1940; "Renegotiations of Excess War Profits, 1942"; joint sponsor, Government Corporations Control Act, 1945; legislation for weather research, cloud modification, desalination of water; various amendments to the highway legislation; and many measures relating to the development of the water resources of our Nation.

Francis Case was a studious, and dedicated public servant. He was a valuable and hard-working member of the Committee on Public Works. He was a leader in the development of the Missouri River Basin program, and in the development and conservation of the natural resources of our Nation. He was a pioneer in the programs for weather modification research, and his visions of the growing water needs and the possible water shortage brought the Federal Government into research in conversion of salt and brackish water for human consumption.

CHANGE OF NAME OF MEMPHIS LOCK AND DAM ON TOMBIGBEE RIVER, ALA.

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 248, Senate bill 453.

The motion was agreed to; and the bill (S. 453) to change the name of the Memphis lock and dam on the Tombigbee River near Aliceville, Ala., was considered, order to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Memphis lock and dam near Aliceville, Alabama, on the Tombigbee River shall hereafter be known and designated as the Aliceville lock and dam. Any law, regulation, map, document, record, or other paper of the United States in which such lock and dam are referred to shall be held to refer to such lock and dam as the Aliceville lock and dam.

Mr. GOLDWATER. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. GOLDWATER. Can the Senator from Minnesota state what the new name will be?

Mr. HUMPHREY. I do not have that information before me; at the moment, I do not have available a copy of the report. Perhaps we should pass over this bill.

Mr. GOLDWATER. No; I do not wish to object. I inquire merely as a matter of interest.

Mr. HUMPHREY subsequently said: Mr. President, in response to the question asked by the Senator from Arizona, I ask unanimous consent to have printed at this point in the RECORD an excerpt from the committee report, which now has been provided to me. This furnishes the requested information.

There being no objection, the excerpt from the report (No. 267) was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of S. 453 is to change the name of the Memphis lock and dam on the Tombigbee River, Ala., authorized by the River and Harbor Act of July 24, 1946 (60 Stat. 635), as a unit in the Tennessee Tombigbee Waterway, Ala. and Miss., to the Aliceville lock and dam, and any law, regulation, map, document, record, or other paper of the United States in which such lock and dam is referred to by any other name, shall be held to refer to such lock and dam as the Aliceville lock and dam.

GENERAL STATEMENT

The River and Harbor Act of 1946 authorized a waterway to connect the Tombigbee and Tennessee Rivers from the Demopolis Pool on the Tombigbee and Black Warrior Rivers, by way of the East Fork of the Tombigbee River, Mackeys, and Yellow Creeks, for 253 miles to the Pickwick Pool on the Tennessee. The waterway would have a depth of not less than 9 feet, with a minimum bottom width of 170 feet in the river and canal sections and 150 feet in the divide cut, with 10 locks, each with inside dimensions of 110 by 600 feet. The latest cost estimate is $281 million. No construction funds have been appropriated for the project. About 107 miles of the authorized channel in the Tombigbee River, including the Gainesville and Memphis locks and dams, is located in Alabama.

The Memphis lock and dam will be located on the Tombigbee River about 95 miles above Demopolis and 310 miles above Mobile, Ala. The pool from this dam will extend upstream about 30 miles to the Columbus lock and dam, near Columbus, Miss. The dam would be a concrete-gravity structure with crest gates, and a lock 110 feet wide by 600 feet long, having a lift of about 45 feet.

The authorized Tennessee-Tombigbee Waterway is described in House Document 486, 79th Congress. The Memphis lock and dam is a substitute for the Cochrane lock and dam described in the project document, which would have been located about 5 miles below the Memphis Dam site, and named for a small village on the river several miles downstream from the Cochrane Dam site.

The city of Aliceville, Pickens County, Ala., is located about 10 miles southeast of the proposed Memphis Dam site. It has a population of about 3,200, is the largest town in the area, and will be the center of construction activities during work on the Memphis lock and dam.

Many years ago, when the Tombigbee River was navigable, there was a steamboat landing at the site of Memphis, a small community on the river. With the abandonment of navigation on the river, and because of periodic floods, the community of Memphis has since been abandoned except for normal rural residences and a very small country store. The once prominent community is now enclosed by cattle fences and is known by its name only to the older residents in the locality. The name of Memphis is confusing to the younger generation who frequently ask whether there is any connection between the former community and the great city of Memphis, Tenn.

The residents of Aliceville and Pickens County request that the name of Memphis lock and dam be changed to Aliceville lock and dam, since Aliceville is prominently established as a west Alabama city, and is near the proposed lock and dam.

COMMITTEE VIEWS

The committee believes it desirable to change the name of the Memphis lock and dam to Aliceville lock and dam, to more accurately describe its location, to carry the name of the largest nearby town, and to remove the existing confusion relative to a former local community. Enactment of S. 453 is recommended.

DWORSHAK DAM AND RESERVOIR, IDAHO

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 249, Senate bill 850.

The motion was agreed to; and the bill (S. 850) to change the name of the Bruces Eddy Dam and Reservoir in the State of Idaho to the Dworshak Dam and Reservoir was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted, etc., That the Bruces Eddy Dam and Reservoir, Idaho, a unit in the comprehensive plan of development of the Columbia River Basin, authorized by the Flood Control Acts of 1958 and 1962, shall hereafter be known and designated as the Dworshak Dam and Reservoir, in honor of the late Senator from Idaho, who was a champion of full development of our Nation's water resources and a patient and persevering promoter of this project. Any law, regulation, document, or record of the United States in which such dam and reservoir are designated or referred to under the name of Bruces Eddy Dam and Reservoir shal be held and considered to refer to such dam and reservoir by the name of Dworshak Dam and Reservoir.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 268), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of S. 850 is to change the name of the Bruces Eddy Dam and Reservoir, Idaho, a unit in the comprehensive plan of development of the Columbia River Basin, authorized by the Flood Control Acts of 1958 and 1962, to the Dworshak Dam and Reservoir, in honor of the late Senator Henry C. Dworshak, of Idaho, and any law, regulation, document, or record of the United States in which such dam and reservoir are referred to under the name of Bruces Eddy Dam and Reservoir, shall be held and considered to refer to such dam and reservoir by the name of Dworshak Dam and Reservoir.

GENERAL STATEMENT

The Bruces Eddy Dam site is located on the North Fork of the Clearwater River 1.9 miles above its junction with the Clearwater River near Orofino, Idaho, and about 35 miles east of Lewiston, Idaho. The dam will be a concrete gravity structure 630 feet high and 3,200 feet long. The reservoir will have a gross storage capacity of 3,453,000 acre-feet, of which 2 million acre-feet would be available for flood control, and for at-site and downstream power generation. The reservoir would extend about 53 miles into a rugged and relatively inaccessible timberland, and would permit opportunities for rafting logs and recreational development. Initial power installation would consist of three 100,000-kilowatt units, with an ultimate installation of 600,000 kilowatts.

Preparation of detailed plans for the Bruces Eddy Dam and Reservoir was authorized by the Flood Control Act of 1959 (72 Stat. 315), and construction of the project was authorized by the Flood Control Act of 1962 (76 Stat. 1193).

Henry C. Dworshak was born in Duluth, Minn., August 29, 1894. He served in the Army during World War I, and in the House of Representatives from January 3, 1939, to November 5, 1946, and in the Senate from November 6, 1946, to January 3, 1949, and from October 14, 1949, until his death on July 23, 1962. He was a member of the Committee on Public Works during the 82d Congress.

As a member of the Committees on Public Works, Interior and Insular Affairs, and Appropriations, Senator Dworshak maintained a constant interest in the full development of the water resources of Idaho and our Nation, and was an early advocate and worked tirelessly in securing authorization and appropriations for the Bruces Eddy Dam and Reservoir.

COMMITTEE VIEWS

The committee recognizes the many valuable contributions made by the late Senator Henry C. Dworshak toward the development and utilization of the natural resources of the Nation. It believes that naming the Bruces Eddy Dam and Reservoir for Senator Dworshak, who so ably served Idaho and the Nation in the Congress of the United States, would be a fitting memorial to his great service and his efforts toward the project, and in the total development of the water resources of the Columbia River Basin.

LAKE SHARPE, S. DAK.

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 250, Senate bill 131.

The motion was agreed to; and the bill (S. 131) to change the name of the Big Bend Reservoir in the State of South Dakota to Lake Sharpe was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Big Bend Reservoir in the State of South Dakota shall be known and designated hereafter as Lake Sharpe in honor of M. Q. Sharpe, the late Governor of South Dakota, who was so very instrumental in the development of the Missouri River Basin program. Any law, regulation, document, or record of the United States in which such reservoir is referred to by any other name shall be held and considered to refer to such reservoir by the name of Lake Sharpe.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 269), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of S. 131 is to change the name of Big Bend Reservoir on the Missouri River, S. Dak., to Lake Sharpe, in honor of M. Q. Sharpe, a late Governor of South Dakota, and any law, regulation, document, or record of the United States in which such reservoir is referred to by any other name or designation shall be held to refer to the reservoir by the name of Lake Sharpe.

GENERAL STATEMENT

Big Bend Dam is under construction by the Corps of Engineers on the Missouri River near Fort Thompson, S. Dak., 1,033 miles above its mouth, 21 miles upstream from Chamberlain, S. Dak., and in the upstream reaches of Fort Randall Reservoir. The dam will be a rolled earthfill structure about 100 feet high and 9,000 feet long. The reservoir will extend about 85 miles upstream, have a surface area of approximately 60,000 acres, and a capacity of 1,900,000 acre-feet, of which 180,000 acre-feet would be reserved for flood control, and the remainder for navigation, conservation, and development of hydroelectric power. The power installation will consist of eight 58,000-kilowatt units.

The project was authorized by the Flood Control Act approved December 22, 1944 (58 Stat. 887), as a part of the general comprehensive plan for flood control and other purposes in the Missouri River Basin. The estimated cost is $127,500,000. Construction was initiated on the project in September 1960.

Hon. Merrell Q. Sharpe served several terms as attorney general of South Dakota, and served as Governor during the years 1943 through 1946. He was one of the State's most ardent boosters of the Missouri River Basin program. During his years of advocating development of the Missouri River, he appeared before congressional committees numerous times, served as chairman of the Missouri River States Committee, and as a member of various river development organizations. During the period he was Governor, work was started on Fort Randall Dam, the first major river construction project in the State. He died January 22, 1962.

COMMITTEE VIEWS

The committee believes it desirable to change the name of the Big Bend Reservoir to Lake Sharpe, in honor of a former Governor of South Dakota, an ardent advocate of conservation and reclamation, who worked so hard for development of the Missouri River Basin. It is understood by the committee that this change of name meets the desires of interested State and local agencies, and local citizens and organizations, and enactment of S. 131 is recommended.

FRANCIS E. WALTER DAM, PA.

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 253, House bill 5367.

The motion was agreed to; and the bill (H.R. 5367) to designate the Bear Creek Dam on the Lehigh River, Pa., as the Francis E. Walter Dam was considered, ordered to a third reading, was read the third time, and passed.

ROBERT S. KERR LOCK AND DAM AND RESERVOIR, OKLAHOMA

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 254, House Joint Resolution 82.

The motion was agreed to; and the joint resolution (H.J. Res. 82) to change the name of Short Mountain lock and dam and reservoir in the State of Oklahoma to Robert S. Kerr lock and dam and reservoir was considered, ordered to a third reading, was read the third time, and passed.

HAP HAWKINS LAKE, MONT.

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 255, Senate bill 142.

The motion was agreed to; and the bill (S. 142) to designate the lake to be formed by the water impounded by the Clark Canyon Dam in the State of Montana as Hap Hawkins Lake was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the lake to be formed by the waters impounded by the Clark Canyon Dam, constructed in the State of Montana on the Beaverhead River (East Bench unit, Missouri River basin project), shall hereafter be known as Hap Hawkins Lake, and any law, regulation, document, or record of the United States in which such lake is designated or referred to shall be held to refer to such lake under and by the name of Hap Hawkins Lake.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 274), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of S. 142 is to designate the lake to be formed by the waters impounded by the Clark Canyon Dam, constructed on the Beaverhead River (East Bench unit, Missouri River Basin project), Montana, as Hap Hawkins Lake, and any law, regulation, document, or record of the United States in which such lake is designated or referred to by any other name shall be held to refer to such lake under and by the name of Hap Hawkins Lake.

GENERAL STATEMENT

The Clark Canyon Dam and Reservoir is under construction on the Beaverhead River in the Missouri River Basin in southwestern Montana. The Clark Canyon Dam will be an earthfill structure 135 feet high, and will create a reservoir with a storage capacity of 261,000 acre-feet. It is the principal feature of the East Bench unit of the Missouri River Basin project. The reservoir will furnish irrigation water to about 50,000 acres of land. Almost half of this land is now semiarid, and the remainder is in need of a supplemental supply of water. The development will also provide important flood control, recreation, and fish and wildlife benefits.

The late Hap Hawkins was among the first to recognize the importance of the East Bench unit to the economic future of the Beaverhead Valley region, and was instrumental in securing local support and construction funds for initiating construction of the unit. From the time of his return from active duty in World War I until his recent death, Hap Hawkins had been a prominent Beaverhead County banker as well as an ardent promoter of natural resource conservation. In spite of failing health, he devoted the final years of his life in working for reclamation development. On October 1, 1961, only 3 months before his death, he served as master of ceremonies at the ground-breaking exercises for the Clark Canyon Dam. On that occasion he was presented with the Conservation Award of the Department of the Interior.

COMMITTEE VIEWS

The committee was advised that this legislation has the approval of local and State officials, local citizens, and civic organizations. It believes it fitting that this reservoir be named for an outstanding pioneer citizen of the area who was so active and interested in the development of our natural resources, and in supporting the Clark Canyon project. Enactment of S. 142 is recommended.

O'MAHONEY LAKE AND RECREATION AREA, WYOMING AND UTAH

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 260, Senate Joint Resolution 17.

The motion was agreed to; and the Senate proceeded to consider the joint resolution (S.J. Res. 17) to designate the lake to be formed by the waters impounded by the Flaming Gorge Dam, Utah, and the recreation area contiguous to such lake in the States of Wyoming and Utah as O'Mahoney Lake and Recreation Area, which had been reported from the Committee on Interior and Insular Affairs with amendments on page 1, line 4, after the word "Utah", to strike out "and the recreation area contiguous to such lake"; on page 2, line 2, after the word "as", to strike out "the 'O'Mahoney Lake and Recreation Area' " and insert " 'Lake O'Mahoney' "; and at the beginning of line 8, to strike out "Any law, regulation, document, or record of the United States in which such lake and recreation area are designated or referred to shall be held to refer to such lake and recreation area under and by the name of the 'O'Mahoney Lake and Recreation Area'." and insert "Any law, regulation, document, or record of the United States in which such lake is designated or referred to shall be held to refer to such lake under and by the name of 'Lake O'Mahoney'."; so as to make the joint resolution read:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the lake to be formed by the waters impounded by the Flaming Gorge Dam, Utah, in the States of Wyoming and Utah, shall hereafter be known as "Lake O'Mahoney" in honor of the late Joseph C. O'Mahoney, a United States Senator from the State of Wyoming, whose foresight and tireless efforts in the development of the great natural resources of the West so greatly benefited the entire western area of the United States. Any law, regulation, document, or record of the United States in which such lake is designated or referred to shall be held to refer to such lake under and by the name of "Lake O'Mahoney".

The amendments were agreed to.

The joint resolution, as amended, was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "Joint resolution to designate the lake to be formed by the waters impounded by the Flaming Gorge Dam, Utah, in the States of Wyoming and Utah, as 'Lake O'Mahoney'."

ADJOURNMENT TO MONDAY, AT 11 A.M.

Mr. HUMPHREY. Mr. President, if there is no further business to come before the Senate, I move that in accordance with the order previously entered, the Senate now stand in adjournment until 11 a.m., on Monday next.

The motion was agreed to; and (at 3 o'clock and 4 minutes p.m.) the Senate adjourned, under the order previously entered, until Monday, June 24, 1963, at 11 o'clock a.m.

CONFIRMATIONS

Executive nomination confirmed by the Senate June 20, 1963:

U.S. Coast Guard

The following-named persons to the rank indicated in the U.S. Coast Guard:

To be lieutenants (junior grade)

Donald C. Greenman
Lloyd R. Lomer
Joseph K. Shartiag, Jr.
Robert A. Ingalls
Paul D. Russell
Leroy G. Krumm
Jack W. Lewis
Robert J. Finan
Terry L. Lucas
Robert A. Burt
Ian S. Cruickshank
Michael R. Johnson
Roderick Y. Edwards, Jr.
Allen J. Taylor
Charles W. Craycroft
Harry E. Obedin
Neal F. Herbert
Kenneth M. Rappolt
Frederick P. Karres
Robert J. Cheney, Jr.
Gerald F. Corcoran
Robert A. Creighton
Leonard F. Alcantara
Robert A. Schwartz
James T. Leigh
William T. Troutman
Richard E. Haas
John R. Hay
John T. McKean
Robert M. Wood
Thomas N. Sullivan
David H. Freese, Jr.
William R. Allen
Frederick M. Casciano
Robert A. Ginn
Robert E. Isherwood
David S. Smith
Richard R. Kuhn
William J. Walsh
Ralph E. Giffin
Joseph S. Blackett, Jr.
John R. Sproat
James G. Williams
Ronald P. Hunter
Alfred D. Utara
Eugene J. Hickey, Jr.
Carl E. Kunkel, Jr.
Edwin J. Roland, Jr.
John A. Schmidt
Richard W. Zins
John E. McCarthy
Jefferson J. Walsh IV
Martin J. Moynihan
Charles L. Keller
Joseph B. Goodwin III
Merlin G. Nygren
Wesley G. Davis, Jr.
James D. Partin
Jerome M. Myers
Michael P. Maurice
Hugh D. Williams
James W. Haugen
Manuel Josephs, Jr.
Michael B. Dunn
William H. Hall, Jr.
Donald F. Jenkins
Robert G. Williams
Paul K. Hinkley
Paul R. Lewis
James F. Butler
Merrill C. Louks
Paul A. J. Martino
Donald A. Naples
Michael P. Munkasey
David F. Cunningham
William H. Hayes, Jr.
Michael A. Duke
Leon E. Beaudin
Lawrence A. Kidd
Lloyd C. Burger
Daniel F. Bobeck
James H. Parent
Jerome P. Foley
William E. Ecker, Jr.
Eugene M. Kelly
Theodore H. Purcell
Carl M. Brothers
Alan F. Miller
Kenneth C. Cutler
Robert S. Bates
Gerald F. Hotchkiss
Bailey M. Geeslin
William E. Neal
Charles H. King, Jr.
John N. Faigle
John H. Hill
William H. Low, Jr.
Richard W. Long
Jan D. Long
Douglas A. Hlousek
Richard O. Buttrick
James E. Margeson, Jr.
Donald R. Casey
John F. Otranto, Jr.
George F. Ireland
Gary F. Crosby
Walter T. Leland
George H. Moritz III
William C. Park III
Ronald C. Pickup
Randolph DeKroney
David L. Parr
Thomas B. Irish, Jr.
Kyle A. Shaw
James V. Sayers
David E. Ciancaglini
Thomas Y. Lawrence, Jr.
William J. Campbell
John K. Witherspoon, Jr.
William J. Ecker
Wayne E. Rentfro
Frederick A. Hill
Angus McKinnon
Clifford G. Spelman, Jr.
Gregory A. Penington
Gary J. Boyle
Keith P. Pensom
George H. Peck III
Leo N. Schowengerdt, Jr.

EXTENSIONS OF REMARKS

For Civil Rights but Against Bigger Government in Washington

EXTENSION OF REMARKS

OF

HON. EUGENE SILER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 1963

Mr. SILER. Mr. Speaker, I am for civil rights. Civil means citizenship and I am for citizenship rights for all Americans. We must not and would not turn back the clock. The colored people are now attending all public schools down in my part of the country. And so far as I am concerned, they may come to my church and I have seen some of them do so or they may join my church with my vote supporting them. On several occasions I have spoken in their churches when they have invited me to come. They fought for our country. They pay taxes to support our Government. They are entitled to go to tax-supported schools, tax-supported libraries, tax-supported parks and golf courses. And certainly Christianity requires courtesy, civility, compassion, decency, and kindness for all members of the human family one toward another, regardless of race or color.

But, Mr. Speaker, we are now being told by the Kennedy administration that we should enact a law under the guise of civil rights to declare practically all business enterprises, big and little, as component parts of interstate commerce so that the Attorney General, Robert Kennedy, will have authority to compel any privately owned business to surrender its freedom and do exactly what big government thinks should be done under a given set of circumstances. Now I am against that proposal "with all four feet off the ground."

If a privately owned business wants to refuse my own self any service of any kind, whether a haircut or a hamburger or a bed for the night, that business enterprise ought to have that right. If the business does not like my appearance or my manner of speech or my personality, then under "freedom's holy light" it should have a perfect right to decline me and to refuse my money.

Like Thomas Jefferson, I am against the exercise of tyranny over mankind. And I am against destroying the freedom of privately owned business in order to meet all the whims of every organized group that says we need an absolute government up in Washington so as to tell us how and why and where to run our privately owned business that we have bought with our blood and sweat and toil and tears.

The courts have already, in my way of thinking, reached the point of complete absurdity in construing nearly all vocations and commercial activities on earth as a part of interstate commerce. This has been done by proponents of big government who wish to make it even bigger. Autocracy does not always take the form of a crowned head upon a tyrant. Sometimes you may even find it in a plutocracy here on the Potomac. Or you may bet your best Barlow knife that it could bounce up in some big bureaucracy or even in a Federal court calling itself an arm of Government.

I stand with Abraham Lincoln who once said:

> Those who deny freedom to others deserve it not for themselves and, under a just God, cannot long retain it.

And I feel, Mr. Speaker, that we should not deny this same desired freedom to any privately owned business, whether big, or little, to operate within the scope of its own discretion and according to prevailing law rather than according to the dictatorship of big government up in Washington a thousand miles away from Joe Doakes' front door or the cash register of some private business enterprise back in the hinterlands of America.

When the Lord was here on earth He interfered with private business operations only one time and that was when these operations were being conducted in the sacred precincts of the temple itself rather than in privately owned stalls out in the market place. On that particular occasion, He made a whip and drove all of them out of the temple. But on other occasions, it seems that people were permitted to exercise their free choices within the discretion of their consciences even though this policy did produce a cross. I believe we should always have reasonable freedom in the legal conduct of a privately owned business. This seems to be good Americanism and I am willing to stand on this and abide by it.

If we run every peanut stand in America from Washington, then we are no better off than all those unfortunate people whose lives and liberties are completely dominated and governed from the Kremlin. "Government of the people, by the people, and for the people" does not refer to the people on Pennsylvania Avenue in Washington but rather to the people on Main Street out in some Podunk, Mo. Let us hope and trust that the wellsprings of our Government will always be right out among the people rather than among the big cats and bureaucrats up here in Washington.

Civil Rights

EXTENSION OF REMARKS

OF

HON. CHARLES L. WELTNER

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 1963

Mr. WELTNER. Mr. Speaker, the President has delivered his message on civil rights, and the Congress will now consider it.

Demonstrations and violence hardly make a proper background for the calm deliberation that sound legislation demands. It seems, therefore, that we should review some basic principles, hoping to remove this issue from the clamor of the streets.

First, we must once again acknowledge that the Supreme Court decision of 1954 is still the law of the land. It is the law, and it will remain the law. Accordingly, we must recognize that all governmental, or publicly supported or controlled facilities must be made available to all citizens.

Second, the 14th and 15th amendments, forged in the bloodshed of a century ago, are the law of the land. Their guarantees must extend to every citizen. Nor can there be any justification for withholding or denying any of the rights there secured on grounds of race or color. Particularly, the right to vote must be extended to all persons, without regard to color, who can qualify under fairly administered standards. Those who seek, by harassment, subterfuge, or intimidation, to deny the ballot to others do nothing but invite federally supervised voting procedures. Unless justice be done at the courthouse, it will be done at the Capitol.

Third, there remains the question of fairplay on the part of privately owned facilities serving the public. Is it fair that some Americans are admitted, and others turned away? Is it fair that some Americans are welcomed on one side of a store, and rejected on the other? If we seek fairplay, then we must acknowledge that it is lacking here.

Is the remedy found in a public accommodations law of nationwide application? Such a law would say to proprietors throughout the Nation: "You may no longer select your own customers, but must serve all who come." Is it right to so restrict every American businessman in the operation of his own business? Is it right that every American's investment be so regulated? Is it right that every American proprietor no longer may serve whom he chooses—whether that choice be wise or foolish, worthy or spiteful? I think not. I do not think that prudence dictates such a mandatory rule as the national public accommodations proposal, and I cannot support it.

Those communities which have enacted similar laws have done so on the basis of local sentiment and desire. Any such decision should be made locally, not nationally.

The problem of fairplay must be solved, but a national law is no solution. Atlanta is trying to find its own answers. Answers will be found elsewhere when community leaders speak out—and when all citizens exercise a full measure of patience, compassion, and respect for order.

Our Nation can overcome its problems—but we must solve them, not ignore them. Long term solutions are still to be found, not in hastily passed statutes, but in a full and fair opportunity for every American to attend a good school, to earn a good income, and to achieve full development of his own talents and abilities.

Be assured that after the last demonstrator has gone home; after the last denunciation has been made; after the last bill has been signed into law—the problems of providing opportunities for jobs, housing, education, and a full life will yet remain.

If the only legacy of this trying hour is bitterness and frustration, all Americans, white and Negro, will be the losers.

Deportations in the Baltic States

EXTENSION OF REMARKS

OF

HON. STEVEN B. DEROUNIAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 1963

Mr. DEROUNIAN. Mr. Speaker, June 14 marks the 22d anniversary of the deportation of thousands of Lithuanians, Latvians, and Estonians to the interior of Russia. This outrage against humanity occurred exactly 1 year after the incorporation of the Baltic States into the Soviet Union. It is fitting that the Members of this House take note of this solemn occasion.

After the Baltic States were forced to join the Soviet Union in 1940 under pressure of Russian troops, a reign of terror was unleashed on the peaceful citizens of Lithuania, Latvia, and Estonia. The Soviet Union tried to impose its own way of life upon the Baltic peoples, and when these efforts met with resistance, thousands who were opposed to the Soviet experiment were subjected to exile, deportation, execution, and imprisonment. What started as a program of bringing schools, government, transportation, and banks under Soviet control ended with plans to transplant wholesale all the Baltic peoples into Russia.

The deportations reached their peaks during a 5-day period starting June 14, 1941. During these few days, thousands of Lithuanians, Latvians, and Estonians were arrested and deported to the interior of Russia. This crime against humanity was not accepted without resistance. Revolts fomented by underground groups occurred in several cities, a radio station was seized in Lithuania, and, as the rebellion spread, a Lithuanian insurgent government was set up. But the small Baltic States could not withstand the brute force exerted by their mammouth neighbors to the east and west, who were determined to suppress the Baltic States and exploit them in every manner.

Mr. Speaker, the Baltic States, like all countries under Communist rule, belong properly to the community of free nations. The ideals of freedom and independence remain alive in the men, women, and children of Lithuania, Latvia, and Estonia. As we recall the horrors of the mass deportations which occurred 22 years ago today, we firmly vow to leave the lamp of liberty lighted for all people behind the Iron Curtain.

Foreign Aid Program Biggest Flop in History, Says Passman

EXTENSION OF REMARKS

OF

HON. H. R. GROSS

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 1963

Mr. GROSS. Mr. Speaker, I am pleased to insert in the CONGRESSIONAL RECORD an article written by the gentleman from Louisiana, OTTO E. PASSMAN, which was published recently, together with an editor's note, in the Times-Picayune of New Orleans, La., as well as other newspapers.

As the editor's note indicates, the gentleman from Louisiana [Mr. PASSMAN] is the best qualified Member of the Congress to write and speak on this subject for he is the veteran chairman of the House Appropriations Subcommittee which deals directly with the annual multi-billion-dollar appropriations for the foreign handout program.

It is safe to say, Mr. Speaker, that because of Mr. PASSMAN's knowledge of this subject and his tenacity, together with the support that has been given him by some members of his subcommittee as well as the full Appropriations Committee, the taxpayers of the Nation have been saved hundreds of millions of dollars that would otherwise have been washed down the drain by the free-wheeling spenders.

The article follows:

FOREIGN AID PROGRAM BIGGEST FLOP IN HISTORY, SAYS PASSMAN

(EDITOR'S NOTE.—Representative OTTO PASSMAN, Democrat, of Louisiana, is the foremost congressional critic of U.S. foreign assistance expenditures. As the 9-year chairman of the House Appropriations Subcommittee on Foreign Operations and a 15-year member of the full committee, Representative PASSMAN has assembled a huge fund of facts on foreign aid. In this article especially written for Advance News Service, Mr. PASSMAN gives his views on the effectiveness of the program.)

(By Hon. OTTO E. PASSMAN, of Louisiana)

WASHINGTON.—After all these years of pouring out America's wealth and resources to countries all over the world through foreign aid, the vast scope of this immensely complex program—much, if not most, of which, indisputably, has been, and is, ill conceived, badly executed, unrealistic, and enormously wasteful—still is not generally understood by the public. So it is urgently important that every citizen should take a closer and more careful look at it.

Foreign aid since the end of World War II has cost the United States more than $120 billion (including assistance through international organizations, oversea military construction, and interest on the money we have borrowed to give away). And basically failing to accomplish its intended objectives, it has been the greatest foreign-policy flop in history. The evidence in support of this assertion is available in abundance, and needs only to be examined and analyzed.

Of the aggregate amount of our aid, $100 billion, in round figures, has been given out on a unilateral basis, going into 111 foreign nations and entities, including Communist, Communist-leaning, and so-called neutralist countries alike. In addition to this, indirect aid has been extended by the United States through capital investments, exceeding $5.1 billion in five different international financial institutions, which have, in turn, disbursed assistance totaling more than $7.5 billion.

OUTLAY LISTED

Since July 1, 1945, our country has put $44.7 billion of direct aid into Europe, $21.8 billion into the Far East, $17.8 billion into the Near East and South Asia, $6.8 billion into Latin America, $1.8 billion into Africa, and has distributed another $4 billion on a non-regional basis.

Twenty-two countries have each received more than $1 billion of this aid, ranging from $9.4 billion for France down to $1.1 billion for Norway—with, in descending order as to amounts, other recipients in this category being the United Kingdom, Italy, Korea, West Germany, China (Taiwan), India, Turkey, Japan, Greece, The Netherlands, Vietnam Yugoslovia, Belgium-Luxembourg, Brazil, Pakistan, the Philippines, Spain, Indochina, Iran, and Austria.

Thirty-one other nations have each received amounts ranging downward from $1 billion to $100 million, from $908 million to Denmark to more than $100 million to Panama, with the other recipients in between these two being Israel, Mexico, Thailand, Chile, Indonesia, Argentina, UAR (Egypt), Poland, Portugal, Peru, Laos, Colombia, Morocco, Jordan, Cambodia, Tunisia, Venezuela, Bolivia, Afghanistan, Libya, Ethiopia, Guatemala, the Congo (Léopoldville), Ghana, Ireland, Ecuador, West Berlin, Liberia, and Sweden.

Thirty-three more countries (and entities) have received total sums ranging from $100 million down to $10 million each, and 25 others have each received up to as much as $10 million.

TREND UPWARD

But, even so, after all this money and all these years—and despite the seriously damaging drain the program is making on our economy—the trend for expanding foreign aid continues upward, rather than heading downward.

This year, for example, the United States is giving economic aid to at least 73 countries and seven entities and, fantastic though it is, military assistance to 70 countries. This program not only is uncontrolled, but it is uncontrollable; and it is imperative, in our own national interest, that it be drastically curtailed and tightly administered.

Substantially as a result of our aid, over the past 10 years U.S. gold reserves have been reduced from more than $23 billion to less than $16 billion and, while this has been going on, foreign "free-world" countries also have increased their short-term dollar credits from less than $11 billion to $25 billion.

In contrast, the United States is strugging under the burden of a borrowed-money public debt of $305 billion—which is some $25 billion more than the combined public debts of all the other 112 countries of the world—and, on top of that, has statutory obligations calling for the payout of money for services previously rendered amounting to approximately $746 billion. The two, together, make a real obligation for our Government already in existence amounting to the incomprehensible sum of $1 trillion, 51 billion.

DOLLARS GO OUT

During the past 13 years we have had a balance of payments deficit in every year but one, with the total of dollars going out of our country over the dollars coming in exceeding $24.3 billion. And, in addition to that alarming fact, which is attributable in large measure to foreign aid, our favorable balance of trade is steadily dwindling, as the United States becomes increasingly less competitive in world markets.

Many of the proponents of our foreign-aid program point to the fact that it amounts to but a relatively small percentage of our gross national product. While I do not regard this as a valid argument for this type of indiscriminate spending, it is well for us to note that of our $554 billion GNP last year, $137 billion of it was represented by taxes at the various levels of government.

Furthermore, if, for example, the 1940 price tags were placed on our 1962 output of goods and services, our GNP last year would have been only about $263 billion, and not $554 billion. Today's dollar is worth only about 44 cents as compared to the dollar in 1940, when our foreign aid was started prior to World War II, and the program since then has been a significant factor in this slashing, through inflation, of 56 cents from the dollar's purchasing power.

No other nation in the world, except the United States, is actually giving away its wealth, through foreign aid.

England and France have extended assistance of $1.4 and $3.1 billion, respectively, chiefly to their former colonies and dependencies. West Germany, Japan, Israel, and a few others are providing some foreign assistance in small amounts. But these five countries named have been direct postwar beneficiaries of our unilateral aid amounting to a total of more than $27.6 billion. Nevertheless, their aid to others has not been of the giveaway type.

REDS GIVE CREDITS

The Sino-Soviet bloc has also extended some credits for goods and services to other countries, on a relatively limited scale. The total for these authorizations for the 9 years through 1962 is reported at $5.1 billion, but of this sum only $1.3 billion has actually been provided. And none of it was put out as a gift.

All of these Soviet dealings have, in fact, involved either banker-type loans or profitable barter deals. The Soviets invariably expect repayment in needed usable goods and hard cash and, consequently, assess the capabilities of the various areas to which they extend credits according to their ability to pay.

On the other hand, we give our aid away outright or cloak the gifts in the guise of loans, most of which are completely phony.

They have a 40-year period for repayment, a 10-year period of grace before the recipient is supposed to start repaying anything at all, and then at the rate of 1 percent a year on the principal, with no interest charge (although a token service fee of three-fourths of 1 percent a year is imposed).

But that is only a part of the story of our so-called loans, another revealing part being that whatever repayments might possibly be received are not returned to the U.S. Treasury, but are put right back into the foreign-aid program for further "loans."

When, I wonder, will the American taxpayers more fully awaken to the amazing facts of our foreign-aid follies—and demand meaningful corrective action? The hour is already late.

New Sources of Nutritious Foodstuffs

EXTENSION OF REMARKS
OF
HON. LEVERETT SALTONSTALL
OF MASSACHUSETTS
IN THE SENATE OF THE UNITED STATES
Thursday, June 20, 1963

Mr. SALTONSTALL. Mr. President, one of the greatest problems which the world faces today is that of hunger. Although this has long been a grave challenge to mankind, with the great increase in population the world will have to produce more than eight times the present world food supply in 80 years.

However, science is making great strides toward locating and producing new sources of nutritious foodstuffs. We in Massachusetts are particularly interested in the progress being made in the development of a protein-rich powder produced from whole fish—popularly known as fish flour. These relatively untouched fishery resources, if wisely managed, could go a long way toward alleviating the age-old problem of hunger.

I think my colleagues will be most interested in the developments in this field, and therefore ask unanimous consent that Secretary Udall's remarks before the World Food Congress on this subject be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF SECRETARY OF THE INTERIOR STEWART L. UDALL BEFORE THE WORLD FOOD CONGRESS, WASHINGTON, D.C., JUNE 6, 1963

It is a particular pleasure to meet such a broad spectrum of natural resource interest as is represented in this Congress. As Secretary of what in effect is America's department of natural resources, I have had the opportunity for 2 years of meeting with various groups; organizations that reflect the diversity of Interior's activities.

In many of these cross-country meetings, I note a subtle, if occasionally minute, change. For on the leadership level of such industries as oil, coal, timber, and fisheries I find more and more men whose conversations denote a movement away from parochial self-interest into the more urgent question of how, today, can this Nation, this world, manage, utilize, and at the same time enhance and protect our natural resources. For everywhere today men are slowly realizing that science and economic drives are a team that improperly guided can run roughshod over the very elements that make the world livable.

For this reason, fishermen become treatymakers; an oil company adjusts its operations to save a herd of Alaska moose or a flock of birds; more and more timbermen curry, rather than denude the mountainside.

It is the growing numbers of the conservation-minded men of industry that are helping to turn the spotlight of approbation on those who flout nature's laws and pollute the streams, peel off the mountainside for minerals, misuse pesticides, overgraze the rangelands, or otherwise provide another wrenching alteration of our environment.

When Gifford Pinchot, at the turn of the century coined the word "conservation" he was relating it primarily to preservation of the forests. A few voices had cried out in the past against the destruction of this bounty, but they were dismissed as the keening of poets.

Even the voice of the scientist went unheeded. You will find among the files of the Smithsonian Institution today a quiet letter from a botanist and member of the National Academy of Sciences, written in 1876. The letter, accompanied by a series of photos depicting an Illinois forest, reads in part: "They were made with the object of preserving some record, sufficiently reliable, of the grandeur of the primitive forest of the Mississippi Valley."

The letter concluded sadly: "They have been taken none too soon, for few of the magnificent trees represented in these views will be standing a few years hence."

Today almost a century later, the greatest conservation challenge of our generation is not mere preservation. It is the creation of new techniques to meet the population explosion and provide livable cities; adequate open spaces and unspoiled streams, clean air and productive soil, ample power and ample supplies of food.

Recently the National Academy of Sciences in its report on Natural Resources observed: "Science and technology enter into a new role. Rather than merely being an aid to resource conservation, they are now seen as charting the route to a principal avenue of solution."

To meet one of the world's grave resource challenges, the feeding of a growing army of the hungry, we are charting a new route. Aided by men of science, we have set forth to plumb that 70 percent of the earth that remains unexplored—the ocean depths. Thus, we may better discover and utilize the sea's bounties for the world's hungry.

As President Kennedy observed recently: "To meet the vast needs of an expanded population, the bounty of the sea must be made more available. Within 2 decades, our own Nation will require over a million more tons of seafood than we now harvest."

The world picture is increasingly grim and Lord Boyd Orr, former director of the U.N. Food and Agricultural Organization, and Nobel Peace Prize winner, states that within 80 years the world must produce more than 8 times the present world food supply.

Today, we in the Department of the Interior are meeting this challenge in a multifront drive to raise this Nation's harvest from the sea, and at the same time, pass along to the free world, our scientific findings in this field.

The fisheries research programs now underway number into the hundreds. However, one above all others shines as a beacon of hope for the 80 percent of the world's population today receiving insufficient daily protein diet, which is a rather dainty way of describing spirit-sapping hunger that for millions annually is an epitaph.

This project, in which our scientists in the Bureau of Commercial Fisheries have with limited resources, virtually led the world in research, envisions the creation and distribution of a fish protein concentrate.

This product is made from a whole fish reduced to a protein-rich powder easily added to cereals or other basic foodstuffs. By utilizing the unharvested fish of U.S. waters alone, it can provide supplemental animal protein for 1 billion people for 300 days at the cost of less than one-half cent per person per day.

The value of fish as a protein supplement has been recognized since the beginning of time. The problem has been one of distribution.

Harvesting fish is of only limited value if weight, susceptibility to spoilage, or transportation costs preclude shipping from coastal areas into the interior, where there often is a dense concentration of population. This is a baffling problem. It must be solved before fishery products make their full contribution toward solution of the overall world food problem.

Fish protein concentrate, however, would overcome the disadvantages of weight, spoilage, and high costs of distribution that are common to many other products. FPC is nutritious, adaptable to many diets, and easily packaged in various sizes. It is an outstanding example of wise resource use.

We believe that this food supplement, the intrinsic nutritional value of which is already well established, can eventually be obtained by any one of a number of different processing methods and in a variety of forms ranging from a white, bland-tasting powder to a dark, flavorful paste. Further, it can be manufactured from fish species not now used as food. We are convinced that we are at the threshold of a new and important marine food industry which, if it can be helped safely over the first difficult stages of development, will assume a position of major importance both here in the United States and abroad.

Today, in many parts of the world, and even off our own coasts, vast and sometimes unassessed fishery resources, capable of being converted into fish protein concentrate, are still available. If we are to alleviate the world's hunger and malnutrition these resources must be used to supplement the crops from the land. It seems obvious that these relatively untouched resources of the sea constitute the last unexploited, readily available source of animal protein. Wisely managed, this large renewable resource will contribute importantly toward solution of the very problems under consideration at this Congress.

It is especially significant that fish and shellfish provide the high quality protein so essential as a supplement in the food of millions throughout the world who now depend, of necessity, largely on diets of land crops such as cereals and vegetables.

Much of the world's hunger, ranging from acute, extreme starvation to chronic, marginal dietary deficiencies, is a problem not only of how much food but of what kind. The most serious among the causes of hunger is protein malnutrition, frequently induced by a deficiency of the right kind of proteins, those, in fact, that cannot be synthesized by the human organism, and hence should be eaten every day. These essential proteins can be most readily found, in the correct proportions, only in the tissues of animals.

We in the Department of the Interior are not alone in our research and development work on fish protein concentrate. Other nations, also with both economic and humanitarian motivations, are similarly active. But the Department's program, recently initiated by the Bureau of Commercial Fisheries and now moving into high gear, is accorded a high priority. President Kennedy, in a recent public statement, described the program as vital to this Nation's efforts toward the betterment of mankind. A recent National Academy of Sciences report agrees.

We are confident that it will be possible to produce a fish protein concentrate containing 90 percent of high quality proteins at a cost of 10 to 15 cents per pound to the consumer. It has been estimated that the minimum daily requirement of protein, 70 grams, could be supplied through fish protein concentrate at a cost per person of about 2 cents a day.

Because a project of this potential and universal significance must be a cooperative effort we have resolved to work in the closest cooperation with the United Nations, and especially the specialized agencies to whom much credit must go for initiating and stimulating new efforts in fish protein concentrate.

While the idea of manufacturing fish protein concentrate is not new the time has now come to translate that idea into large-scale production of a product that holds such great promise for the benefit of mankind. This much we owe to ourselves and to our friends throughout the world who look to us for help in solving their hunger problems. The day may never come when hunger will no longer stalk the earth. Nevertheless we must not cease to dedicate our collective minds and energies toward the attainment of that goal.

A Tribute to Eleanor Roosevelt

EXTENSION OF REMARKS

OF

HON. LEONARD FARBSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 1963

Mr. FARBSTEIN. Mr. Speaker, I would like at this time to pay my respects to the late Eleanor Roosevelt, whose loss the world shall have reason to mourn for many a day to come.

A woman of intelligence, of vitality, conscience, and good humor, she brought perceptivity, excitement, charity, and pleasure to all with whom she came in contact.

Never choosing to run for political office herself, she nonetheless was all her life associated with political matters and deeply concerned in the worldwide struggle for human dignity, a struggle hinging on political as well as economic and social considerations.

As the niece of President Theodore Roosevelt and the wife of Franklin D. Roosevelt, she lived in an atmosphere of political fireworks during every phase of her existence.

While still a young woman, she joined the board of the League of Women Voters, took part in the work of the Women's Trade Union League, and, in 1924, assumed an active role in the State and national committees of the Democratic Party.

She continued to increase her activity with lectures, parties, and speeches in the interest of popular political enlightenment, education, and welfare. In 1926 she was associated with the foundation of the Valkill Shop, a nonprofit furniture factory in Hyde Park, inaugurated with the object of employing disabled workingmen. She also served for a time as director and teacher at a private school for girls, before the election of her husband, Franklin D. Roosevelt, to the office of Governor of New York State, established her in the role she was to play for many years, that of close collaborator and unofficial adviser to the most dynamic political leader in the land.

As the wife of a Governor, Mrs. Roosevelt was busier than ever, acquiring and disseminating ideas. She became a director of the Foreign Policy Association and of the City Housing Corp. In addition, she became a syndicated newspaper columnist, edited a magazine, and judged contests.

In 1933 she entered the White House, in company with her husband, and promptly set about establishing a hundred delightful traditions of her own. One of these was a weekly press conference with the ladies of the press; another was a carefree, informal atmosphere, involving many grandchildren and a large number of galloping puppy dogs. The White House had never experienced such a commotion. "We call it a hotel," Mrs. Roosevelt used to say.

When the war came she saw her four sons enter the service, supported the war effort through her newspaper column, assisted in many wartime fund-raising operations, and flew to England, to visit American servicemen overseas.

Her worldwide reputation grew apace, exceeding that of any American woman in history, and her followers, numbering in the millions, came to regard her as they well might regard a close cousin.

Following the death of her husband, Eleanor Roosevelt entered a new phase of her career, as a member of the American delegation to the United Nations. Here again, as in all other areas, she excelled while at the same time making friends.

At the close of her career, Eleanor Roosevelt was just as vibrant, just as delightful, just as wonderful as ever. Her departure from this life has made the rainbow a shade less brilliant, perhaps—but her memory, on the other hand, shall serve to lighten the path for any who care to follow in her footsteps—and these, we can rest assured, will number in the millions.

SENATE

MONDAY, JUNE 24, 1963

The Senate met at 11 o'clock a.m., and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O God of all life and light, whose constant care brings the gift of sweet refreshment in sleep, restoring the frayed edges of fevered concern, we are grateful for today's fresh beginning and for this reverential pause before the pressures of demanding hours lay their stern hands upon us.

In our hearts as we come is the earnest prayer for ourselves that we may be emptied of all ugly prejudices and unworthy motives that hinder us from being the healing channels for the good Thou dost desire and will for our common humanity.

Deliver us, we beseech Thee, from an easy belief in legislative substitutes for personal character. Grant us this day light to guide us, courage to support us, and the boundless compassion of love to unite us.

We lift our prayer in the name of Jesus, Saviour of men. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, June 20, 1963, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on June 19, 1963, the President had approved and signed the act (S. 74) for the relief of certain aliens.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 2651. An act to extend for 1 year the period during which responsibility for the placement and foster care of dependent children, under the program of aid to families with dependent children under title IV of the Social Security Act, may be exercised by a public agency other than the agency administering such aid under the State plan;

H.R. 2827. An act to extend until June 30, 1966, the suspension of duty on imports of crude chicory and the reduction in duty on ground chicory;

H.R. 4174. An act to continue until the close of June 30, 1964, the suspension of duties for metal scrap, and for other purposes; and

H.R. 6791. An act to continue for 2 years the existing reduction of the exemption from duty enjoyed by returning residents, and for other purposes.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred to the Committee on Finance:

H.R. 2651. An act to extend for 1 year the period during which responsibility for the placement and foster care of dependent children, under the program of aid to families with dependent children under title IV of the Social Security Act, may be exercised by a public agency other than the agency administering such aid under the State plan;

H.R. 2827. An act to extend until June 30, 1966, the suspension of duty on imports of crude chicory and the reduction in duty on ground chicory;

H.R. 4174. An act to continue until the close of June 30, 1964, the suspension of duties for metal scrap, and for other purposes; and

H.R. 6791. An act to continue for 2 years the existing reduction of the exemption from duty enjoyed by returning residents, and for other purposes.

ORDER DISPENSING WITH CALL OF LEGISLATIVE CALENDAR

On request of Mr. MANSFIELD, and by unanimous consent, the call of the Legislative Calendar was dispensed with.

LIMITATION OF STATEMENTS DURING MORNING HOUR

On request of Mr. MANSFIELD, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. DIRKSEN, and by unanimous consent, the Securities Subcommittee of the Committee on Banking and Currency was authorized to meet during the session of the Senate today.

On request of Mr. DIRKSEN, and by unanimous consent, the Subcommittee on Health Benefits and Life Insurance of the Committee on Post Office and Civil Service was authorized to meet during the session of the Senate today.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the new report nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nomination of Rear Adm. Morris A. Hirsch, U.S. Navy, to be Director of Budget and Reports in the Department of the Navy; which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The VICE PRESIDENT. If there be no reports of committees, the new report nominations on the Executive Calendar will be stated.

ATOMIC ENERGY COMMISSION

The Chief Clerk read the nomination of Gerald F. Tape, of New York, to be a member of the Atomic Energy Commission for the remainder of the term expiring June 30, 1966.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Glenn T. Seaborg, of California, to be a member of the Atomic Energy Commission for a term of 5 years, expiring June 30, 1968.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following communication and letters, which were referred as indicated:

Proposed Legislation Relating to Civil Rights and Job Opportunities

A communication from the President of the United States, transmitting drafts of proposed legislation to strengthen and improve the quality of vocational education and to expand vocational education opportunities in the Nation (with accompanying papers); to the Committee on Labor and Public Welfare.

Report on Title I Agreements Under Agricultural Trade Development and Assistance Act of 1954

A letter from the Associate Administrator, Foreign Agricultural Service, Department of Agriculture, transmitting, pursuant to law, a report on title I agreements under the Agricultural Trade Development and Assistance Act of 1954, for the month of May 1963 (with an accompanying report); to the Committee on Agriculture and Forestry.

Publication of Notice of Proposed Disposition of Certain Feathers and Down

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a copy of a notice to be published in the Federal Register of a proposed disposition of approximately 5,800,000 pounds of waterfowl feathers and down now held in the national stockpile (with an accompanying paper); to the Committee on Armed Services.

Report on Excess Costs of Milk Purchased by Naval Supply Center, Norfolk, Va.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the excess costs of milk purchased by the Naval Supply Center, Norfolk, Va., for the Guantanamo Naval Station, Guantanamo Bay, Cuba, dated June 1963 (with an accompanying report); to the Committee on Government Operations.

Report on Certain Deficiencies in Negotiation and Administration of Concession Contracts for National Park Areas

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on certain deficiencies in the negotiation and administration of concession contracts for National Park areas, National Park Service, Department of the Interior, dated June 1963 (with an accompanying report); to the Committee on Government Operations.

Report on Unnecessary Costs Incurred Because the Navy Failed To Purchase Leased Automatic Data Processing Components Offered at Reduced Prices

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on unnecessary costs incurred because the Navy failed to purchase leased automatic data processing components offered at reduced prices, dated June 1963 (with an accompanying report); to the Committee on Government Operations.

Report on Installation of Unnecessary Equipment for Measuring Consumption of Electricity and Gas in Low-Rent Housing Projects

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the installation and unnecessary equipment for measuring consumption of electricity and gas in low-rent housing projects, Public Housing Administration, Housing and Home Finance Agency, dated June 1963 (with an accompanying report); to the Committee on Government Operations.

Ratification of Certain Conveyances of Land on Crow Indian Reservation

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to ratify certain conveyances of land on the Crow Indian Reservation (with an accompanying paper); to the Committee on Interior and Insular Affairs.

Amendment of Title 28, United States Code, To Establish Jurisdiction and Venue for Appeals From Orders of Interstate Commerce Commission in Judicial Reference Cases

A letter from the Attorney General, transmitting a draft of proposed legislation to amend title 28, United States Code, to establish jurisdiction and venue for appeals from orders of the Interstate Commerce Commission in judicial reference cases (with an accompanying paper); to the Committee on the Judiciary.

Amendment of Federal Employees Health Benefits Act of 1959

A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of proposed legislation to amend the Federal Employees Health Benefits Act of 1959 (with accompanying papers); to the Committee on Post Office and Civil Service.

JOINT RESOLUTION OF WISCONSIN LEGISLATURE

The VICE PRESIDENT laid before the Senate a joint resolution of the Legislature of the State of Wisconsin, which was referred to the Committee on the Judiciary, as follows:

Joint Resolution 82, A

Joint resolution declaring that the State of Wisconsin shall participate in the inauguration of a new national bell-ringing observance of American independence on July 4, 1963

Whereas a proposal of mounting impetus has been advanced for an annual nationwide, bell-ringing celebration to take place simultaneously at the hour of 1 p.m., central daylight time, on the Fourth of July reminiscent of the joyous clangor that greeted the first anniversary of the Declaration of Independence at Philadelphia in 1777; and

Whereas the signing of the Declaration of Independence is the most noteworthy event in American history since the discovery of the American continent and should be observed and celebrated with concerted enthusiasm commensurate with its magnitude; and the simultaneous ringing of bells from churches, government buildings, and college campuses throughout the land would be fitting as an impressive reminder of the tremendous import of the event, its glorious place in American and world history, and its lasting impact upon the freedom loving people of this Nation and of the entire world: Now, therefore, be it

Resolved by the assembly (the senate concurring), That the Legislature of the State of Wisconsin declares that the State of Wisconsin shall join with the other States of the United States of America in an annual nationwide, bell-ringing celebration to take place simultaneously at the hour of 1 p.m., central daylight time, on the Fourth of July in celebration of the anniversary of the signing of the Declaration of Independence, and calls upon all civic leaders in the State and citizens of Wisconsin generally to participate in such celebration and to cause bells from churches, government buildings, and college campuses to peal across the land on the designated hour; and be it further

Resolved, That a properly attested copy of this resolution be sent to each Wisconsin Member of the Congress, each House of the Congress, and to "Let Freedom Ring," Box 4140 Grand Central Station, New York 17, N.Y.

Robert Taase,
Speaker of the Assembly.
Kenneth E. Priche,
Chief Clerk of the Assembly.
Jack B. Olson,
President of the Senate.
Lawrence P. Larsen,
Chief Clerk of the Senate.

PETITION

The VICE PRESIDENT laid before the Senate the petition of Mary Bendelari, of New York, N.Y., praying for a redress of grievances, which was referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROBERTSON, from the Committee on Banking and Currency, without amendment:

S. 1125. A bill to provide for the striking of medals in commemoration of the 100th anniversary of the admission of Nevada to statehood (Rept. No. 290).

By Mr. ROBERTSON, from the Committee on Banking and Currency, with an amendment:

S. 743. A bill to furnish to the Padre Junipero Serra 250th Anniversary Association medals in commemoration of this 250th anniversary of his death (Rept. No. 291).

By Mr. McINTYRE, from the Committee on the District of Columbia, without amendment:

S. 628. A bill to amend the District of Columbia Redevelopment Act of 1945 (Rept. No. 292);

S. 995. A bill to amend the Street Readjustment Act of the District of Columbia so as to authorize the Commissioners of the District of Columbia to close all or part of a street, road, highway, or alley in accordance with the requirements of an approved redevelopment or urban renewal plan, without regard to the notice provisions of such act, and for other purposes (Rept. No. 293); and

H.R. 1937. An act to amend the act known as the Life Insurance Act of the District of Columbia, approved June 19, 1934, and the act known as the Fire and Casualty Act of the District of Columbia, approved October 3, 1940 (Rept. No. 294).

By Mr. HARTKE, from the Committee on the District of Columbia, without amendment:

S. 489. A bill to amend the act of March 5, 1938, establishing a small claims and conciliation branch in the municipal court for the District of Columbia (Rept. No. 295);

S. 490. A bill to amend the act of July 2, 1940, as amended, relating to the recording of liens on motor vehicles and trailers registered in the District of Columbia, so as to eliminate the requirement that an alphabetical file on such liens be maintained (Rept. No. 296); and

H.R. 3537. An act to increase the jurisdiction of the municipal court for the District of Columbia in civil actions, to change the names of the court, and for other purposes (Rept. No. 297).

By Mr. HARTKE, from the Committee on the District of Columbia, with amendments:

H.R. 4330. An act to amend the District of Columbia Business Corporation Act (Rept. No. 298).

By Mr. HARTKE (for Mr. Bible), from the Committee on the District of Columbia, without amendment:

S. 1401. A bill to authorize the Commissioners of the District of Columbia to acquire, construct, operate, and regulate a public offstreet parking facility (Rept. No. 299).

By Mr. HARTKE (for Mr. Bible), from the Committee on the District of Columbia, with an amendment:

S. 1082. A bill to establish in the Treasury a correctional industries fund for the government of the District of Columbia, and for other purposes (Rept. No. 300).

By Mr. HARTKE (for Mr. Bible), from the Committee on the District of Columbia, with amendments:

S. 485. A bill to amend the act entitled "An act to provide for the annual inspection of all motor vehicles in the District of Columbia," approved February 18, 1938, as amended (Rept. No. 301); and

H.R. 5081. An act to authorize the Commissioners of the District of Columbia to sell a right-of-way across a portion of the District Training School grounds at Laurel, Md., and for other purposes (Rept. No. 302).

By Mr. PASTORE, from the Joint Committee on Atomic Energy, without amendment:

S. 1745. A bill to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes (Rept. No. 303).

By Mr. SPARKMAN, from the Committee on Banking and Currency, without amendment:

H.J. Res. 467. Joint resolution amending section 221 of the National Housing Act to extend for 2 years the broadened eligibility presently provided for mortgage insurance thereunder (Rept. No. 304).

REPORT OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES—FEDERAL STOCKPILE INVENTORIES

Mr. BYRD of Virginia. Mr. President, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, I submit a report on Federal stockpile inventories as of April 1963. I ask unanimous consent to have the report printed in the Record, together with a statement by me.

There being no objection, the report and statement were ordered to be printed in the Record, as follows:

Federal Stockpile Inventories, April 1963

INTRODUCTION

This is the 41st in a series of monthly reports on Federal stockpile inventories. It is for the month of April 1963.

The report is compiled from official data on quantities and cost value of commodities in these stockpiles submitted to the Joint Committee on Reduction of Nonessential Federal Expenditures by the Departments of Agriculture, Defense, Health, Education, and Welfare and Interior, and the General Services Administration.

The April report includes for the first time helium inventories under the Department of the Interior. (See table 5 and appendix.)

The cost value of materials in inventories covered in this report, as of April 1, 1963, totaled $13,819,907,040, and as of April 30, 1963, they totaled $14,281,659,162, a net increase of $461,752,122 during the month.

Different units of measure make it impossible to summarize the quantities of commodities and materials which are shown in tables 1, 2, 3, 4, and 5, but the cost value figures are summarized by major category, as follows:

Summary of cost value of stockpile inventories by major category

Major category	Beginning of month, Apr. 1, 1963	End of month, Apr. 30, 1963	Net change during month
Strategic and critical materials:			
National stockpile	$5,858,488,700	$5,848,005,200	−$10,483,500
Defense Production Act	1,500,893,300	1,500,918,000	+24,700
Supplemental—barter	1,319,489,921	1,327,935,503	+8,445,582
Total, strategic and critical materials	8,678,871,921	8,676,858,703	−2,013,218
Agricultural commodities:			
Price support inventory	4,694,511,570	5,154,449,936	+459,938,366
Inventory transferred from national stockpile	127,659,288	127,659,288	----------
Total, agricultural commodities	4,822,170,858	5,282,109,224	+459,938,366
Civil defense supplies and equipment:			
Civil defense stockpile, Department of Defense	34,557,593	35,929,985	+1,372,392
Civil defense medical stockpile, Department of Health, Education, and Welfare	183,866,253	184,878,436	+1,012,183
Total, civil defense supplies and equipment	218,423,846	220,808,421	+2,384,575
Machine tools:			
Defense Production Act	2,208,900	2,208,900	----------
National Industrial Reserve Act	92,776,000	93,224,500	+448,500
Total, machine tools	94,984,900	95,433,400	+448,500
Helium	5,455,515	6,449,414	+993,899
Total, all inventories	13,819,907,040	14,281,659,162	+461,752,122

Detailed tables in this report show each commodity, by the major categories summarized above, in terms of quantity and cost value as of the beginning and end of the month. Net change figures reflect acquisitions, disposals, and accounting and other adjustments during the month.

The cost value figures represent generally the original acquisition cost of the commodities delivered to permanent storage locations, together with certain packaging, processing, upgrading, et cetera, costs as carried in agency inventory accounts. Quantities are stated in the designated stockpile unit of measure.

The appendix to this report includes program descriptions and statutory citations pertinent to each stockpile inventory within the major categories.

The stockpile inventories covered by the report are tabulated in detail as follows.

Table 1: Strategic and critical materials inventories (all grades), April 1963 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month).

Table 2: Agricultural commodities inventories, April 1963 (showing by commodity net changes during the month in terms of cost value and quantity).

Table 3: Civil defense supplies and equipment inventories, April 1963 (showing by item net changes during the month in terms of cost value and quantity).

Table 4: Machine tools inventories, April 1963 (showing by item net changes during the month in terms of cost value and quantity).

Table 5: Helium inventories, April 1963 (showing by item net changes during the month in terms of cost value and quantity).

TABLE 1.—*Strategic and critical materials inventories (all grades), April 1963 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month)*

Commodity	Cost value			Quantity					
	Beginning of month, Apr. 1, 1963	End of month, Apr. 30, 1963	Net change during month	Unit of measure	Beginning of month, Apr. 1, 1963	End of month, Apr. 30, 1963	Net change during month	Maximum objective[1]	Excess over maximum objective
Aluminum, metal:									
National stockpile	$487, 680, 600	$487, 680, 600		Short ton	1, 128, 989	1, 128, 989			
Defense Production Act	433, 637, 200	435, 153, 900	+$1, 516, 700	do	858, 020	861, 311	+3, 291		
Total	921, 317, 800	922, 834, 500	+1, 516, 700	do	1, 987, 009	1, 990, 300	+3, 291	1, 200, 000	790, 300
Aluminum oxide, abrasive grain:									
Supplemental—barter	9, 344, 184	11, 261, 236	+1, 917, 052	do	31, 476	37, 697	+6, 221	(3)	37, 697
Aluminum oxide, fused, crude:									
National stockpile	21, 735, 100	21, 735, 100		Short dry ton	200, 093	200, 093			
Supplemental—barter	22, 747, 400	22, 747, 400		do	178, 266	178, 266			
Total	44, 482, 500	44, 482, 500		do	378, 359	378, 359		200, 000	178, 359
Antimony:									
National stockpile	20, 488, 000	20, 488, 000		Short ton	30, 301	30, 301			
Supplemental—barter	11, 250, 507	11, 524, 168	+273, 661	do	19, 524	19, 947	+423		
Total	31, 738, 507	32, 012, 168	+273, 661	do	49, 825	50, 248	+423	70, 000	(3)
Asbestos, amosite:									
National stockpile	2, 637, 600	2, 637, 600		do	11, 705	11, 705			
Supplemental—barter	5, 702, 967	5, 924, 830	+221, 863	do	22, 888	23, 662	+774		
Total	8, 340, 567	8, 562, 430	+221, 863	do	34, 593	35, 367	+774	45, 000	(2)
Asbestos, chrysotile:									
National stockpile	3, 356, 200	3, 356, 200		Short dry ton	6, 224	6, 224			
Defense Production Act	2, 102, 600	2, 102, 600		do	2, 348	2, 348			
Supplemental—barter	3, 934, 500	3, 934, 500		do	5, 532	5, 532			
Total	9, 393, 300	9, 393, 300		do	14, 104	14, 104		11, 000	3, 104
Asbestos, crocidolite:									
National stockpile	702, 100	702, 100		Short ton	1, 567	1, 567			
Supplemental—barter	6, 431, 811	6, 727, 635	+295, 824	do	23, 946	25, 055	+1, 109		
Total	7, 133, 911	7, 429, 735	+295, 824	do	25, 513	26, 622	+1, 109	(2)	26, 622
Bauxite, metal grade, Jamaica type:									
National stockpile	13, 925, 000	13, 925, 000		Long dry ton	879, 740	879, 740			
Defense Production Act	18, 168, 000	18, 168, 000		do	1, 370, 077	1, 370, 077			
Supplemental—barter	86, 498, 627	87, 724, 621	+1, 225, 994	do	5, 609, 398	5, 667, 614	+58, 216		
Total	118, 591, 627	119, 817, 621	+1, 225, 994	do	7, 859, 215	7, 917, 431	+58, 216	2, 600, 000	5, 317, 431
Bauxite, metal grade, Surinam type:									
National stockpile	78, 565, 600	78, 559, 800	−5, 800	do	4, 963, 030	4, 962, 851	−179		
Supplemental—barter	45, 667, 300	45, 365, 900	−301, 400	do	2, 927, 256	2, 927, 260	+4		
Total	124, 232, 900	123, 925, 700	−307, 200	do	7, 890, 286	7, 890, 111	−175	6, 400, 000	1, 490, 111
Bauxite, refractory grade:									
National stockpile	11, 347, 800	11, 347, 800		Long calcined ton.	299, 279	299, 279		137, 000	162, 279
Beryl:									
National stockpile	9, 770, 200	9, 770, 200		Short ton	23, 233	23, 233			
Defense Production Act	1, 425, 800	1, 425, 800		do	2, 543	2, 543			
Supplemental—barter	22, 739, 500	22, 739, 500		do	11, 321	11, 321			
Total	33, 935, 500	33, 935, 500		do	37, 097	37, 097		23, 100	13, 997
Beryllium metal:									
Supplemental—barter	10, 998, 013	11, 784, 070	+786, 057	do	95	101	+6	(3)	101
Bismuth:									
National stockpile	2, 674, 300	2, 674, 300		Pound	1, 342, 402	1, 342, 402			
Defense Production Act	52, 400	52, 400		do	22, 901	22, 901			
Supplemental—barter	5, 518, 400	5, 518, 600	+200	do	2, 506, 493	2, 506, 493			
Total	8, 245, 100	8, 245, 300	+200	do	3, 871, 796	3, 871, 796		3, 000, 000	871, 796
Cadmium:									
National stockpile	21, 260, 000	21, 260, 000		do	10, 829, 640	10, 829, 640			
Supplemental—barter	12, 311, 000	12, 312, 700	+1, 700	do	7, 448, 989	7, 448, 989			
Total	33, 571, 000	33, 572, 700	+1, 700	do	18, 278, 629	18, 278, 629		6, 500, 000	11, 778, 629
Castor oil:									
National stockpile	53, 932, 900	53, 261, 800	−671, 100	do	207, 848, 765	204, 864, 895	−2, 983, 870	68, 000, 000	136, 864, 895
Celestite:									
National stockpile	1, 412, 300	1, 412, 300		Short dry ton	28, 816	28, 816		22, 000	6, 816
Chromite, chemical grade:									
National stockpile	12, 286, 800	12, 286, 800		do	559, 452	559, 452			
Supplemental—barter	21, 023, 755	21, 442, 795	+419, 040	do	656, 729	678, 609	+21, 880		
Total	33, 310, 555	33, 729, 595	+419, 040	do	1, 216, 181	1, 238, 061	+21, 880	475, 000	763, 061
Chromite, metallurgical grade:									
National stockpile	264, 765, 600	264, 765, 600		do	3, 799, 176	3, 799, 176			
Defense Production Act	35, 879, 900	35, 879, 900		do	985, 646	985, 646			
Supplemental—barter	224, 615, 366	224, 615, 366		do	1, 543, 114	1, 543, 114			
Total	525, 260, 866	525, 260, 866		do	6, 327, 936	6, 327, 936		2, 700, 000	3, 627, 936

See footnotes at end of table.

TABLE 1.—*Strategic and critical materials inventories (all grades), April 1963 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month)*—Continued

Commodity	Cost value			Quantity					
	Beginning of month, Apr. 1, 1963	End of month, Apr. 30, 1963	Net change during month	Unit of measure	Beginning of month, Apr. 1, 1963	End of month, Apr. 30, 1963	Net change during month	Maximum objective [1]	Excess over maximum objective
Chromite, refractory grade:									
National stockpile	$25,149,300	$25,149,300		Short dry ton	1,047,159	1,047,159			
Supplemental—barter	5,578,370	5,578,370		do.	198,624	198,624			
Total	30,727,670	30,727,670		do.	1,245,783	1,245,783		1,300,000	(3)
Cobalt:									
National stockpile	169,313,100	169,313,100		Pound	76,768,118	76,768,118			
Defense Production Act	52,074,600	52,074,600		do.	25,194,122	25,194,122			
Supplemental—barter	2,169,000	2,169,000		do.	1,077,018	1,077,018			
Total	223,556,700	223,556,700		do.	103,039,258	103,039,258		19,000,000	84,039,258
Coconut oil:									
National stockpile	16,655,700	16,240,200	−$415,500	do.	109,917,513	107,175,713	−2,741,800	(2)	107,175,713
Colemanite:									
Supplemental—barter	2,636,400	2,636,400		Long dry ton	67,636	67,636		(2)	67,636
Columbium:									
National stockpile	23,860,500	23,860,500		Pound	7,488,954	7,488,954			
Defense Production Act	50,255,500	50,255,500		do.	8,222,684	8,222,684			
Supplemental—barter	799,100	799,100		do.	388,877	388,877			
Total	74,915,100	74,915,100		do.	16,100,515	16,100,515		1,900,000	14,200,515
Copper:									
National stockpile	522,407,200	522,407,200		Short ton	1,008,355	1,008,375	+20		
Defense Production Act	61,805,200	61,148,700	−656,500	do.	110,283	109,077	−1,206		
Supplemental—barter	8,242,803	8,207,614	−35,189	do.	12,381	12,382	+1		
Total	592,455,203	591,763,514	−691,689	do.	1,131,019	1,129,834	−1,185	1,000,000	129,834
Cordage fibers, abaca:									
National stockpile	37,925,000	37,767,000	−158,000	Pound	150,463,108	149,842,510	−620,598	150,000,000	(3)
Cordage fibers, sisal:									
National stockpile	43,211,700	42,940,500	−271,200	do.	319,022,387	317,265,126	−1,757,261	320,000,000	(3)
Corundum:									
National stockpile	393,100	393,100		Short ton	2,008	2,008		2,000	8
Cryolite:									
Defense Production Act	7,904,500	7,548,000	−356,500	do.	28,625	27,334	−1,291	(3)	27,334
Diamond dies:									
National stockpile	477,700	487,700	+10,000	Piece	15,524	15,856	+332	25,000	(3)
Diamond, industrial, crushing bort:									
National stockpile	61,609,500	61,609,500		Carat	31,113,411	31,113,411			
Supplemental—barter	15,456,700	15,456,700		do.	5,523,748	5,523,748			
Total	77,066,200	77,066,200		do.	36,637,159	36,637,159		30,000,000	6,637,159
Diamond, industrial, stones:									
National stockpile	100,501,500	100,501,500		do.	9,315,183	9,315,183			
Supplemental—barter	186,160,100	186,481,478	+321,378	do.	15,394,744	15,452,658	+57,914		
Total	286,661,600	286,982,978	+321,378	do.	24,709,927	24,767,841	+57,914	18,000,000	6,767,841
Diamond tools:									
National stockpile	1,015,400	1,015,400		Piece	64,178	64,178		(3)	64,178
Feathers and down:									
National stockpile	38,233,500	38,064,500	−169,000	Pound	9,228,677	9,187,880	−40,797	8,800,000	387,880
Fluorspar, acid grade:									
National stockpile	26,167,500	26,167,500		Short dry ton	463,049	463,049			
Defense Production Act	1,394,400	1,394,400		do.	19,700	19,700			
Supplemental—barter	33,497,800	33,524,800	+27,000	do.	673,232	673,232			
Total	61,059,700	61,086,700	+27,000	do.	1,155,981	1,155,981		280,000	875,981
Fluorspar, metallurgical grade:									
National stockpile	17,332,400	17,332,400		do.	369,443	369,443			
Supplemental—barter	1,508,100	1,508,100		do.	42,800	42,800			
Total	18,840,500	18,840,500		do.	412,243	412,243		375,000	37,243
Graphite, natural, Ceylon, amorphous lump:									
National stockpile	937,900	937,900		do.	4,455	4,455			
Supplemental—barter	341,200	341,200		do.	1,428	1,428			
Total	1,279,100	1,279,100		do.	5,883	5,883		3,600	2,283
Graphite, natural, Madagascar, crystalline:									
National stockpile	7,072,400	7,056,200	−16,200	do.	34,312	34,233	−79		
Supplemental—barter	109,421	145,659	+36,238	do.	938	1,268	+330		
Total	1,781,821	7,201,859	+20,038	do.	35,250	35,501	+251	17,200	18,301
Graphite, natural, other, crystalline:									
National stockpile	1,896,400	1,896,400		do.	5,487	5,487		2,100	3,387
Hyoscine:									
National stockpile	30,600	30,600		Ounce	2,100	2,100		2,100	(3)

See footnotes at end of table.

TABLE 1.—*Strategic and critical materials inventories (all grades), April 1963 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month)*—Continued

Commodity	Cost value			Quantity					
	Beginning of month, Apr. 1, 1963	End of month, Apr. 30, 1963	Net change during month	Unit of measure	Beginning of month, Apr. 1, 1963	End of month, Apr. 30, 1963	Net change during month	Maximum objective [1]	Excess over maximum objective
Iodine:									
National stockpile	$4, 062, 000	$4, 062, 000		Pound	2, 977, 648	2, 977, 648			
Supplemental—barter	1, 039, 500	1, 041, 200	+$1, 700	do	994, 920	994, 920			
Total	5, 121, 500	5, 123, 200	+1, 700	do	3, 972, 568	3, 972, 568		4, 300, 000	(2)
Iridium:									
National stockpile	2, 525, 800	2, 525, 800		Troy ounce	13, 937	13, 937		4, 000	9, 937
Jewel bearings:									
National stockpile	3, 809, 800	3, 982, 600	+172, 800	Piece	51, 088, 691	51, 163, 963	+75, 272	57, 500, 000	(2)
Kyanite-mullite:									
National stockpile	820, 200	811, 600	−8, 600	Short dry ton	9, 486	9, 387	−99	4, 800	4, 587
Lead:									
National stockpile	319, 298, 100	319, 298, 100		Short ton	1, 050, 370	1, 050, 370			
Defense Production Act	1, 980, 700	1, 980, 700		do	5, 229	5, 229			
Supplemental—barter	78, 279, 600	78, 281, 300	+1, 700	do	327, 998	327, 998			
Total	399, 558, 400	399, 560, 100	+1, 700	do	1, 383, 597	1, 383, 597		286, 000	1, 097, 597
Magnesium:									
National stockpile	131, 293, 200	113, 228, 100	−65, 100	do	180, 858	180, 769	−89	107, 000	73, 769
Manganese, battery grade, natural ore:									
National stockpile	21, 025, 500	21, 025, 500		do	144, 485	144, 485			
Supplemental—barter	14, 502, 798	14, 512, 798	+10, 000	do	142, 322	142, 351	+29		
Total	35, 528, 298	35, 538, 298	+10, 000	do	286, 807	286, 836	+29	50, 000	236, 836
Manganese, battery grade, synthetic dioxide:									
National stockpile	3, 095, 500	3, 095, 500		Short dry ton	21, 272	21, 272			
Defense Production Act	2, 524, 700	2, 524, 700		do	3, 779	3, 779			
Total	5, 620, 200	5, 620, 200		do	25, 051	25, 051		20, 000	5, 051
Manganese, chemical grade, type A:									
National stockpile	2, 133, 300	2, 133, 300		do	29, 307	29, 307			
Supplemental—barter	8, 063, 384	8, 064, 284	+900	do	117, 607	117, 607			
Total	10, 196, 684	10, 197, 584	+900	do	146, 914	146, 914		30, 000	116, 914
Manganese, chemical grade, type B:									
National stockpile	132, 600	132, 600		do	1, 822	1, 822			
Supplemental—barter	6, 840, 600	6, 841, 500	+900	do	99, 016	99, 016			
Total	6, 973, 200	6, 974, 100	+900	do	100, 838	100, 838		53, 000	47, 838
Manganese, metallurgical grade:									
National stockpile	248, 240, 100	248, 240, 100		do	5, 851, 264	5, 851, 264			
Defense Production Act	176, 710, 900	176, 710, 900		do	3, 056, 771	3, 056, 771			
Supplemental—barter	230, 501, 007	233, 176, 289	+2, 675, 282	do	3, 333, 792	3, 407, 407	+73, 615		
Total	655, 462, 007	658, 127, 289	+2, 675, 282	do	12, 241, 827	12, 315, 442	+73, 615	6, 800, 000	5, 515, 442
Mercury:									
National stockpile	20, 039, 500	20, 039, 500		Flask	129, 525	192, 525			
Supplemental—barter	3, 446, 200	3, 446, 200		do	16, 000	16, 000			
Total	23, 485, 700	23, 485, 700		do	145, 525	145, 525		110, 000	35, 525
Mica, muscovite block:									
National stockpile	27, 644, 200	27, 644, 200		Pound	11, 626, 674	11, 626, 674			
Defense Production Act	40, 858, 000	40, 857, 700	−300	do	6, 456, 251	6, 456, 251			
Supplemental—barter	4, 564, 286	4, 694, 943	+130, 657	do	1, 390, 605	1, 429, 538	+38, 933		
Total	73, 066, 486	73, 196, 843	+130, 357	do	19, 473, 530	19, 512, 463	+38, 933	8, 300, 000	11, 212, 463
Mica, muscovite film:									
National stockpile	9, 058, 100	9, 058, 100		do	1, 733, 083	1, 733, 083			
Defense Production Act	633, 300	633, 300		do	102, 681	102, 681			
Supplemental—barter	915, 228	932, 046	+17, 518	do	93, 681	95, 535	+1, 854		
Total	10, 606, 628	10, 624, 146	+17, 518	do	1, 929, 445	1, 931, 299	+1, 854	1, 300, 000	631, 299
Mica, muscovite splittings:									
National stockpile	40, 598, 300	40, 598, 300		do	40, 040, 294	40, 040, 294			
Supplemental—barter	6, 225, 800	6, 225, 800		do	4, 826, 257	4, 826, 257			
Total	46, 824, 100	46, 825, 100			44, 866, 551	44, 866, 551		21, 200, 000	23, 666, 551
Mica, phlogopite block:									
National stockpile	303, 600	303, 600		do	223, 126	223, 126		17, 000	206, 126
Mica, phlogopite splittings:									
National stockpile	2, 580, 500	2, 580, 500		do	3, 079, 062	3, 079, 062			
Supplemental—barter	2, 026, 011	2, 102, 007	+75, 996	do	1, 753, 036	1, 793, 712	+40, 676		
Total	4, 606, 511	4, 682, 507	+75, 996	do	4, 832, 098	4, 872, 774	+40, 676	1, 700, 000	3, 172, 774
Molybdenum:									
National stockpile	89, 184, 400	86, 695, 400	−2, 489, 000	do	84, 063, 203	81, 793, 112	−2, 270, 091	59, 000, 000	22, 793, 112
Nickel:									
National stockpile	181, 996, 600	181, 988, 600	−8, 000	do	334, 329, 552	334, 304, 655	−24, 897		
Defense Production Act	104, 622, 500	104, 143, 800	−478, 700	do	111, 168, 284	110, 258, 946	−909, 338		
Total	286, 619, 100	286, 132, 400	−486, 700	do	445, 497, 836	444, 563, 601	−934, 235	323, 000, 000	121, 563, 601

See footnotes at end of table.

TABLE 1.—*Strategic and critical materials inventories (all grades), April 1963 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month)*—Continued

Commodity	Cost value			Quantity					
	Beginning of month, Apr. 1, 1963	End of month, Apr. 30, 1963	Net change during month	Unit of measure	Beginning of month, Apr. 1, 1963	End of month, Apr. 30, 1963	Net change during month	Maximum objective [1]	Excess over maximum objective
Opium:									
National stockpile	$13,661,700	$13,661,700		Pound	195,757	195,757		172,800	22,957
Palladium:									
National stockpile	2,079,000	2,079,000		Troy ounce	89,811	89,811			
Defense Production Act	177,300	177,300		do	7,884	7,884			
Supplemental—barter	12,170,200	12,170,200		do	648,124	648,124			
Total	14,426,500	14,426,500		do	745,819	745,819		340,000	405,819
Palm oil:									
National stockpile	4,861,900	4,739,300	−$122,600	Pound	27,012,549	26,330,769	−681,780	(2)	26,330,769
Platinum:									
National stockpile	56,879,900	56,879,900		Troy ounce	716,343	716,343			
Supplemental—barter	4,024,500	4,024,500		do	49,999	49,999			
Total	60,904,400	60,904,400		do	766,342	766,342		165,000	601,342
Pyrethrum:									
National stockpile	415,000	415,000		Pound	67,065	67,065		66,000	1,065
Quartz crystals:									
National stockpile	69,062,000	69,060,700	−1,300	do	5,601,590	5,601,481	−109		
Supplemental—barter	3,128,684	3,128,684		do	232,252	232,252			
Total	72,190,684	72,189,384	−1,300	do	5,833,842	5,833,733	−109	650,000	5,183,733
Quinidine:									
National stockpile	2,060,500	2,039,700	−20,800	Ounce	1,786,377	1,768,377	−18,000	1,600,000	168,377
Quinine:									
National stockpile	4,695,600	4,049,900	−645,700	do	7,423,732	6,399,732	−1,024,000	(2)	6,399,732
Rare earths:									
National stockpile	7,134,900	7,134,900		Short dry ton	10,042	10,042			
Supplemental—barter	5,608,986	5,653,659	+44,673	do	6,545	6,848	+303		
Total	12,743,886	12,788,559	+44,673	do	16,587	16,890	+303	5,700	11,190
Rare earths residue:									
Defense Production Act	657,800	657,800		Pound	6,085,570	6,085,570		(2)	6,085,570
Rhodium:									
National stockpile	78,100	78,100		Troy ounce	618	618		(2)	618
Rubber:									
National stockpile	785,730,200	781,801,600	−3,928,600	Long ton	1,016,268	1,011,208	−5,060	750,000	261,208
Ruthenium:									
Supplemental—barter	559,500	559,500		Troy ounce	15,001	15,001		(2)	15,001
Rutile:									
National stockpile	2,070,100	2,070,100		Short dry ton	18,599	18,599			
Defense Production Act	2,725,100	2,725,100		do	17,592	17,592			
Supplemental—barter	1,061,300	1,061,300		do	11,632	11,632			
Total	5,856,500	5,856,500		do	47,823	47,823		65,000	(3)
Rutile, chlorinator charge: [4]									
Defense Production Act				do		7,052	+7,052	(2)	7,052
Sapphire and ruby:									
National stockpile	190,000	190,000		Carat	16,187,500	16,187,500		18,000,000	(3)
Selenium:									
National stockpile	757,100	757,100		Pound	97,100	97,100			
Supplemental—barter	1,070,500	1,070,500		do	156,518	156,518			
Total	1,827,600	1,827,600		do	253,618	253,618		400,000	(3)
Shellac:									
National stockpile	8,781,200	8,781,200		do	17,516,046	17,516,046		7,400,000	10,116,046
Silicon carbide, crude:									
National stockpile	11,394,500	11,394,500		Short ton	64,697	64,697			
Supplemental—barter	26,815,600	26,811,800	−3,800	do	131,805	131,805			
Total	38,210,100	38,206,300	−3,800	do	196,502	196,502		100,000	96,502
Silk noils and waste:									
National stockpile	2,358,500	1,916,400	−442,100	Pound	1,695,827	1,414,712	−281,115	970,000	444,712
Silk, raw:									
National stockpile	486,600	486,600		do	113,515	113,515		120,000	(3)
Sperm oil:									
National stockpile	4,775,400	4,775,400		do	23,442,158	23,442 158		23,000,000	442,158
Talc, steatite block and lump:									
National stockpile	496,800	496,800		Short ton	1,274	1,274		300	974
Talc, steatite ground:									
National stockpile	231,000	231,000		do	3,901	3,901		(2)	3,901
Tantalum:									
National stockpile	10,905,500	10,905,500		Pound	3,422,865	3,422,865			
Defense Production Act	9,734,400	9,734,400		do	1,531,366	1,531,366			
Supplemental—barter	21,100	21,100		do	8,036	8,036			
Total	20,661,000	20,661,000		do	4,962,267	4,962,267		2,420,000	2,542,267

See footnotes at end of table.

TABLE 1.—*Strategic and critical materials inventories (all grades), April 1963 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month)*—Continued

Commodity	Cost value			Quantity					
	Beginning of month, Apr. 1, 1963	End of month, Apr. 30, 1963	Net change during month	Unit of measure	Beginning of month, Apr. 1, 1963	End of month, Apr. 30, 1963	Net change during month	Maximum objective [1]	Excess over maximum objective
Thorium:									
Defense Production Act	$42,000	$42,000		Pound	848,574	848,574			
Supplemental—barter	16,604,913	16,905,351	+$300,438	do	7,996,000	8,157,700	+161,700		
Total	16,646,913	16,947,351	+300,438	do	8,844,574	9,006,274	+161,700	(2)	9,006,274
Tin:									
National stockpile	823,631,700	822,438,700	−1,193,000	Long ton	338,732	338,241	−491		
Supplemental—barter	16,404,000	16,404,000		do	7,505	7,505			
Total	840,035,700	838,842,700	−1,193,000	do	346,237	345,746	−491	185,000	160,746
Titanium:									
Defense Production Act	176,755,810	176,755,800		Short ton	22,449	22,449			
Supplemental—barter	32,097,700	32,097,700		do	9,021	9,021			
Total	208,833,500	208,853,500		do	31,470	31,470		(2)	31,470
Tungsten:									
National stockpile	369,129,300	369,129,300		Pound	120,072,509	120,072,509			
Defense Production Act	318,770,700	318,770,700		do	78,186,563	78,186,563			
Supplemental—barter	18,648,100	18,648,200	+100	do	5,762,319	5,762,319			
Total	706,548,100	706,548,200	+100	do	204,021,391	204,021,391		50,000,000	154,021,391
Vanadium:									
National stockpile	31,604,500	31,567,900	−36,600	do	15,758,801	15,730,893	−27,908	2,000,000	13,730,893
Vegetable tannin extract, chestnut:									
National stockpile	11,946,800	11,939,800	−7,000	Long ton	42,820	42,795	−25	30,000	12,795
Vegetable tannin extract, quebracho:									
National stockpile	49,250,100	49,237,700	−12,400	do	199,053	199,003	−50	180,000	19,003
Vegetable tannin extract, wattle:									
National stockpile	9,947,300	9,915,700	−31,600	do	39,439	39,314	−1,254	39,000	314
Zinc:									
National stockpile	364,272,000	364,339,400	+67,400	Short ton	1,256,618	1,256,866	+248		
Supplemental—barter	79,588,100	79,588,200	+100	do	323,896	323,896			
Total	443,860,100	443,927,600	+67,500	do	1,580,514	1,580,762	+248	178,000	1,402,762
Zirconium ore, baddeleyite:									
National stockpile	710,600	710,600		Short dry ton	16,533	16,533		(2)	16,533
Zirconium ore, zircon:									
National stockpile	299,100	284,600	−14,500	do	5,055	4,810	−245	(2)	4,810
Total:									
National stockpile	5,858,488,700	5,848,005,200	−10,483,500						
Defense Production Act	1,500,893,300	1,500,918,000	+24,700						
Supplemental—barter	1,319,489,921	1,327,935,503	+8,445,582						
Total, strategic and critical materials	8,678,871,921	8,676,858,703	−2,013,218						

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[1] Maximum objectives for strategic and critical materials are determined pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98-98h). The present objectives represent quantities of materials estimated to be necessary in the event of a 3-year war in which oversea sources would not be available.

[2] No present objective.

[3] Not in excess of maximum objective.

[4] Represents sweepings, tailings. etc., recovered from cleaning factory, at no cost to Government.

Source: Compiled from reports submitted by the General Services Administration and the Department of Agriculture.

TABLE 2.—*Agricultural commodities inventories, April 1963 (showing by commodity net changes during the month in terms of cost value and quantity)*

Commodity	Cost value			Quantity			
	Beginning of month, Apr. 1, 1963	End of month, Apr. 30, 1963	Net change during month	Unit of measure	Beginning of month, Apr. 1, 1963	End of month, Apr. 30, 1963	Net change during month
Price-support inventory.							
Basic commodities:							
Corn	$881,490,536	$779,043,451	−$102,447,085	Bushel	748,116,255	653,778,744	−94,337,511
Cotton, extra-long staple	4,350,336	4,350,336		Bale	15,865	15,865	
Cotton, upland	809,720,414	809,608,080	−112,334	do	4,684,086	4,683,675	−411
Peanuts, farmers' stock	3,399,995	8,883,533	+5,483,538	Pound	31,251,604	78,039,071	+46,787,467
Peanuts, shelled	5,897,553	6,003,860	+106,307	do	31,269,869	33,329,655	+2,059,786
Rice, milled	407,221	407,221		Hundredweight	42,206	42,206	
Rice, rough	8,816	516,747	+507,931	do	1,762	96,914	+95,152
Wheat	1,996,480,807	2,294,444,155	+327,963,348	Bushel	1,010,410,225	1,153,265,642	+142,855,417
Bulgur	1,970,928	1,757,232	−213,696	Pound	36,532,185	32,403,285	−4,128,900
Total, basic commodities	3,673,726,606	3,905,014,615	+231,288,009				

TABLE 2.—*Agricultural commodities inventories, April 1963 (showing by commodity net changes during the month in terms of cost value and quantity)*—Continued

Commodity	Cost value			Quantity			
	Beginning of month, Apr. 1, 1963	End of month, Apr. 30, 1963	Net change during month	Unit of measure	Beginning of month, Apr. 1, 1963	End of month, Apr. 30, 1963	Net change during month
Designated nonbasic commodities							
Barley	$24, 110, 816	$24, 096, 835	−$13, 981	Bushel	27, 998, 626	27, 975, 270	−23, 356
Grain sorghum	540, 680, 599	769, 344, 683	+228, 664, 084	do	512, 451, 202	702, 009, 752	+189, 558, 550
Honey	129, 950	129, 950		Pound	1, 037, 746	1, 037, 746	
Milk and butterfat							
Butter	232, 281, 667	226, 658, 843	−5, 622, 824	do	396, 535, 699	388, 423, 220	−8, 112, 479
Butter oil	34, 517, 781	52, 816, 448	+18, 298, 667	do	42, 900, 702	65, 647, 136	+22, 746, 434
Cheese	29, 936, 315	25, 136, 983	−4, 799, 332	do	80, 164, 446	66, 969, 774	−13, 194, 672
Ghee	369, 883	369, 883		do	455, 322	455, 322	
Milk, dried	104, 084, 352	101, 605, 247	−2, 479, 105	do	698, 712, 991	684, 870, 473	−13, 842, 518
Oats	9, 017, 153	8, 943, 358	−73, 795	Bushel	15, 007, 960	14, 881, 350	−126, 610
Rye	542, 860	540, 353	−2, 507	do	500, 008	497, 850	−2, 158
Total, designated nonbasic commodities	975, 671, 376	1, 209, 642, 583	+233, 971, 207				
Other nonbasic commodities:							
Beans, dry, edible	3, 302, 126	3, 113, 188	−188, 938	Hundredweight	515, 022	485, 985	−29, 037
Cottonseed oil, refined	1, 014, 923	1, 014, 923		Pound	8, 339, 550	8, 339, 550	
Flaxseed	376, 943	8, 299, 014	+7, 922, 071	Bushel	13, 743	2, 790, 587	+2, 676, 844
Soybeans	22, 326, 820	12, 425, 839	−9, 900, 981	do	9, 405, 915	5, 252, 945	−4, 152, 970
Turpentine	486, 018	433, 546	−52, 472	Gallon	926, 233	826, 233	−100, 000
Vegetable oil products	17, 606, 758	14, 506, 228	−3, 100, 530	Pound	95, 784, 762	79, 015, 507	−16, 769, 255
Total, other nonbasic commodities	45, 113, 588	39, 792, 738	−5, 320, 850				
Total, price support inventory	4, 694, 511, 570	5, 154, 449, 936	+459, 938, 366				
Inventory transferred from national stockpile:[1]							
Cotton, Egyptian	103, 874, 843	103, 874, 843		Bale	122, 955	122, 955	
Cotton, American-Egyptian	23, 784, 445	23, 784, 445		do	47, 288	47, 288	
Total, inventory transferred from national stockpile.	127, 659, 288	127, 659, 288		do	170, 243	170, 243	
Total, agricultural commodities	4, 822, 170, 858	5, 282, 109, 224	+459, 938, 366				

[1] Transferred from General Services Administration pursuant to Public Law 85-96 and Public Law 87-548. (See appendix, p. 11314).

Source: Compiled from reports submitted by the Department of Agriculture.

TABLE 3.—*Civil defense supplies and equipment inventories, April 1963 (showing by item net changes during the month in terms of cost value and quantity)*

Item	Cost value			Quantity			
	Beginning of month, Apr. 1, 1963	End of month, Apr. 30, 1963	Net change during month	Unit of measure	Beginning of month, Apr. 1, 1963	End of month, Apr. 30, 1963	Net change during month
Civil defense stockpile, Department of Defense:							
Engineering equipment (engine generators, pumps, chlorinators, purifiers, pipe, and fittings)	$10, 023, 912	$10, 023, 273	−$639	10-mile units	45	45	
Chemical and biological equipment	1, 849, 092	1, 772, 582	−76, 510	(1)			
Radiological equipment	22, 684, 589	24, 134, 130	+1, 449, 541	(1)			
Total	34, 557, 593	35, 929, 985	+1, 372, 392				
Civil defense medical stockpile, Department of Health, Education, and Welfare:							
Medical bulk stocks, and associated items at civil defense mobilization warehouses	139, 507, 238	140, 767, 711	+1, 260, 473	(1)			
Medical bulk stock at manufacturer locations	5, 420, 642	5, 420, 642		(1)			
Civil defense emergency hospitals	37, 779, 308	37, 645, 897	−133, 411	Each	1, 930	1, 930	
Replenishment units (functional assemblies other than hospitals)	1, 159, 065	1, 044, 186	−114, 879	(1)			
Total	183, 866, 253	184, 878, 436	+1, 012, 183				
Total, civil defense supplies and equipment	218, 423, 846	220, 808, 421	+2, 384, 575				

[1] Composite group of many different items.

Source: Compiled from reports submitted by the Department of Defense and the Department of Health, Education, and Welfare.

TABLE 4.—*Machine tools inventories, April 1963 (showing by item net changes during the month in terms of cost value and quantity)*

Item	Cost value			Quantity			
	Beginning of month, Apr. 1, 1963	End of month, Apr. 30, 1963	Net change during month	Unit of measure	Beginning of month, Apr. 1, 1963	End of month, Apr. 30, 1963	Net change during month
Defense Production Act:							
In storage	$21, 700	$21, 700		Tool	4	4	
On lease	2, 144, 300	2, 144, 300		do	103	103	
On loan	42, 900	42, 900		do	7	7	
Total	2, 208, 900	2, 208, 900		do	114	114	

See footnote at end of table.

TABLE 4.—*Machine tools inventories, April 1963 (showing by item net changes during the month in terms of cost value and quantity)*—Con.

Item	Cost value			Quantity			
	Beginning of month, Apr. 1, 1963	End of month, Apr. 30, 1963	Net change during month	Unit of measure	Beginning of month, Apr. 1, 1963	End of month, Apr. 30, 1963	Net change during month
National Industrial Reserve Act:							
In storage	$84, 351, 300	$84, 536, 200	+$184, 900	Tool	7, 774	7, 774	
On lease	27, 500	27, 500		do	1	1	
On loan to other agencies	2, 041, 600	2, 036, 900	−4, 700	do	202	201	−1
On loan to school programs	6, 355, 600	6, 623, 900	+268, 300	do	1, 506	1, 566	+60
Total	92, 776, 000	93, 224, 500	+448, 500	do	9, 483	9, 542	+59
Total, machine tools	94, 984, 900	95, 433, 400	+448, 500	do	9, 597	9, 656	+59

Source: Compiled from reports submitted by the General Services Administration.

TABLE 5.—*Helium inventories, April 1963 (showing by item net changes during the month in terms of cost value and quantity)*

Item	Cost value			Quantity			
	Beginning of month, Apr. 1, 1963	End of month, Apr. 30, 1963	Net change during month	Unit of measure	Beginning of month, Apr. 1, 1963	End of month, Apr. 30, 1963	Net change during month
Helium:							
Stored aboveground	$328, 791	$351, 579	+$22, 788	Cubic foot	26, 700, 000	28, 600, 000	+1, 900, 000
Stored underground	5, 126, 724	6, 097, 835	+971, 111	do	684, 700, 000	751, 600, 000	+66, 900, 000
Total, helium	5, 455, 515	6, 449, 414	+993, 899	do	711, 400, 000	780, 200, 000	+68, 800, 000

Source: Compiled from reports submitted by the Department of the Interior.

APPENDIX

STRATEGIC AND CRITICAL MATERIALS

National stockpile

The Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) provides for the establishment and maintenance of a national stockpile of strategic and critical materials. The General Services Administration is responsible for making purchases of strategic and critical materials and providing for their storage, security, and maintenance. These functions are performed in accordance with directives issued by the Director of the Office of Emergency Planning. The act also provides for the transfer from other Government agencies of strategic and critical materials which are excess to the needs of such other agencies and are required to meet the stockpile objectives established by OEP. In addition, the General Services Administration is responsible for disposing of those strategic and critical materials which OEP determines to be no longer needed for stockpile purposes.

General policies for strategic and critical materials stockpiling are contained in DMO V–7, issued by the Director of the Office of Emergency Planning and published in the Federal Register of December 19, 1959 (24 F.R. 10309). Portions of this order relate also to Defense Production Act inventories.

Defense Production Act

Under section 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2093) and Executive Order 10480, as amended, the General Services Administration is authorized to make purchases of or commitments to purchase metals, minerals, and other materials, for Government use or resale, in order to expand productive capacity and supply, and also to store the materials acquired as a result of such purchases or commitments. Such functions are carried out in accordance with programs certified by the Director of the Office of Emergency Planning.

Supplemental—barter

As a result of a delegation of authority from OEP (32A CFR, ch. I, DMO V–4) the General Services Administration is responsible for the maintenance and storage of materials placed in the supplemental stockpile. Section 206 of the Agricultural Act of 1956 (7 U.S.C. 1856) provides that strategic and other materials acquired by the Commodity Credit Corporation as a result of barter or exchange of agricultural products, unless acquired for the national stockpile or for other purposes, shall be transferred to the supplemental stockpile established by section 104(b) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1704(b)). In addition to the materials which have been or may be so acquired, the materials obtained under the programs established pursuant to the Domestic Tungsten, Asbestos, Fluorspar, and Columbium-Tantalum Production and Purchase Act of 1956 (50 U.S.C. App. 2191–2195), which terminated December 31, 1958, have been transferred to the supplemental stockpile, as authorized by the provisions of said Production and Purchase Act.

AGRICULTURAL COMMODITIES

The price-support program

Price-support operations are carried out under the charter powers (15 U.S.C. 714) of the Commodity Credit Corporation, Department of Agriculture, in conformity with the Agricultural Act of 1949 (7 U.S.C. 1421), the Agricultural Act of 1954 (7 U.S.C. 1741), which includes the National Wool Act of 1954, the Agricultural Act of 1956 (7 U.S.C. 1442), the Agricultural Act of 1958 and with respect to certain types of tobacco, in conformity with the act of July 28, 1945, as amended (7 U.S.C. 1312). Under the Agricultural Act of 1949, price support is mandatory for the basic commodities—corn, cotton, wheat, rice, peanuts, and tobacco—and specific nonbasic commodities; namely, tung nuts, honey, milk, butterfat, and the products of milk and butterfat. Under the Agricultural Act of 1958, as producers of corn voted in favor of the new price-support program for corn authorized by that act, price support is mandatory for barley, oats, rye, and grain sorghums. Price support for wool and mohair is mandatory under the National Wool Act of 1954, through the marketing year ending March 31, 1966. Price support for other nonbasic agricultural commodities is discretionary except that, whenever the price of either cottonseed or soybeans is supported, the price of the other must be supported at such level as the Secretary determines will cause them to compete on equal terms on the market. This program may also include operations to remove and dispose of or aid in the removal or disposition of surplus agricultural commodities for the purpose of stabilizing prices at levels not in excess of permissible price-support levels.

Price support is made available through loans, purchase agreements, purchases, and other operations, and, in the case of wool and mohair, through incentive payments based on marketings. The producers' commodities serve as collateral for price-support loans. With limited exceptions, price-support loans are nonrecourse and the Corporation looks only to the pledged or mortgage collateral for satisfaction of the loan. Purchase agreements generally are available during the same period that loans are available. By signing a purchase agreement, a producer receives an option to sell to the Corporation any quantity of the commodity which he may elect within the maximum specified in the agreement.

The major effect on budgetary expenditures is represented by the disbursements for price-support loans. The largest part of the commodity acquisitions under the program result from the forfeiting of commodities pledged as loan collateral for which the expenditures occurred at the time of making the loan, rather than at the time of acquiring the commodities.

Dispositions of commodities acquired by the Corporation in its price-support operations are made in compliance with sections 202, 407, and 416 of the Agricultural Act of 1949, and other applicable legislation, particularly the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691), title I of the Agricultural Act of 1954, title II of the Agricultural Act of 1956, the Agricultural Act of 1958, the act of August 19, 1958, in the case of cornmeal and wheat flour, and the act of September 21, 1959, with regard to sales of livestock feed in emergency areas.

Inventory transferred from national stockpile

This inventory, all cotton, was transferred to Commodity Credit Corporation at no cost from the national stockpile pursuant to Public Law 85–96 and Public Law 87–548. The proceeds from sales, less costs incurred by CCC, are covered into the Treasury as miscellaneous receipts; therefore, such proceeds and costs are not recorded in the operating accounts. The cost value as shown for this cotton has been computed on the basis of average per bale cost of each type of cotton when purchased by CCC for the national stockpile.

CIVIL DEFENSE SUPPLIES AND EQUIPMENT

Civil defense stockpile

The Department of Defense conducts this stockpiling program pursuant to section 201 (h) of Public Law 920, 81st Congress, as amended. The program is designed to provide some of the most essential materials to minimize the effects upon the civilian population which would be caused by an attack upon the United States. Supplies and equipment normally unavailable, or lacking in quantity needed to cope with such conditions, are stockpiled at strategic locations in a nationwide warehouse system consisting of general storage facilities.

Civil defense medical stockpile

The Department of Health, Education, and Welfare conducts the stockpiling program for medical supplies and equipment pursuant to section 201(h) of Public Law 920, 81st Congress, as delegated by the President following the intent of Reorganization Plan No. 1, 1958. The Department of Health, Education, and Welfare plans and directs the procurement, storage, maintenance, inspection, survey, distribution, and utilization of essential supplies and equipment for emergency health services. The medical stockpile includes a program designed to pre-position assembled emergency hospitals and other medical supplies and equipment into communities throughout the Nation.

MACHINE TOOLS

Defense Production Act

Under section 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2093) and Executive Order 10480, as amended, the General Services Administration has acquired machine tools in furtherance of expansion of productive capacity, in accordance with programs certified by the Director of the Office of Emergency Planning.

National industrial equipment reserve

Under general policies established and directives issued by the Secretary of Defense, the General Services Administration is responsible for care, maintenance, utilization, transfer, leasing, lending to nonprofit schools, disposal, transportation, repair, restoration, and renovation of national industrial reserve equipment transferred to GSA under the National Industrial Reserve Act of 1948 (50 U.S.C. 451-462).

HELIUM

The helium conservation program is conducted by the Department of the Interior pursuant to the Helium Act, approved September 13, 1960 (Public Law 86-777; 74 Stat. 918; 50 U.S.C. 167) and subsequent appropriations acts which have established fiscal limitations and provided borrowing authority for the program. Among other things, the Helium Act authorizes the Secretary of the Interior to produce helium in Government plants, to acquire helium from private plants, to sell helium to meet current demands, and to store for future use helium that is so produced or acquired in excess of that required to meet current demands. Sales of helium by the Secretary of the Interior shall be at prices established by him which shall be adequate to liquidate the costs of the program within 25 years, except that this period may be extended by the Secretary for not more than 10 years for funds borrowed for purposes other than the acquisition and construction of helium plants and facilities.

This report covers helium that is produced in Government plants and acquired from private plants. Helium in excess of current demands is stored in the Cliffside gasfield near Amarillo, Tex. The unit of measure is cubic foot at 14.7 pounds per square inch absolute pressure and 70° F.

STATEMENT BY SENATOR BYRD OF VIRGINIA

The cost value of Federal stockpile inventories as of April 30, 1963, totaled $14,281,659,162. This was a net increase of $461,752,122 as compared with the April 1 total of $13,819,907,040. The April report includes for the first time helium inventories under the Department of the Interior.

Net changes during the month are summarized by major category as follows:

Major category	Cost value, April 1963	
	Net change during month	Total, end of month
Strategic and critical materials	−$2,013,218	$8,676,858,703
Agricultural commodities	+459,938,366	5,282,109,224
Civil defense supplies and equipment	+2,384,575	220,808,421
Machine tools	+448,500	95,433,400
Helium	+993,899	6,449,414
Total	+461,752,122	14,281,659,162

These figures are from the April 1963 report on Federal stockpile inventories compiled from official agency data by the Joint Committee on Reduction of Nonessential Federal Expenditures, showing detail with respect to quantity and cost value of each commodity in the inventories covered.

STRATEGIC AND CRITICAL MATERIALS

So-called strategic and critical materials are stored by the Government in (1) the national stockpile, (2) the Defense Production Act inventory and (3) the supplemental-barter stockpile.

Overall, there are now 94 materials stockpiled in the strategic and critical inventories. Maximum objectives—in terms of volume—are presently fixed for 76 of these 94 materials. Of the 76 materials having maximum objectives, 63 were stockpiled in excess of their objectives as of April 30, 1963.

Increases in cost value were reported in 28 of the materials stockpiled in all strategic and critical inventories, decreases were reported in 25 materials, and 41 materials remained unchanged during April.

Of the 25 materials reporting decreases during April, one material (cordage fibers—abaca) was brought within its objective.

National stockpile

The cost value of materials in the national stockpile as of April 30, 1963, totaled $5,848,005,200. This was a net decrease of $10,483,500 during the month. The largest decreases were $3,928,600 in rubber, $2,489,000 in molybdenum and $1,193,000 in tin.

Defense Production Act inventory

The cost value of materials in the Defense Production Act inventory as of April 30, 1963, totaled $1,500,918,000. This was a net increase of $24,700. The largest increase was in aluminum, partially offset by decreases in copper, nickel, and cryolite.

Supplemental barter

The cost value of materials in the supplemental-barter stockpile as of April 30 totaled $1.327,935,503. This was a net increase of $8,445,582. The largest increases were in manganese, aluminum oxide, bauxite, and beryllium metal.

OTHER STOCKPILE INVENTORIES

Among the other categories of stockpiled materials covered by the report, the largest is $5.3 billion in agricultural commodities. Major increases in agricultural commodities during April were reported for wheat and grain sorghum, partially offset by a decrease in corn, in the price-support inventory.

Inventories of civil defense supplies and equipment showed increases in radiological equipment and medical stocks; and the machine tools and helium inventories showed net increases during April.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DIRKSEN (by request):

S. 1753. A bill relating to the status under the Internal Revenue Code of 1954 of the Soft Drink Industry Employers Local Union No. 744 Fund; to the Committee on Finance.

By Mr. PROXMIRE:

S. 1754. A bill to provide for the vesting of primary responsibility for the protection of the public health and safety from radiation hazards in the Public Health Service of the Department of Health, Education, and Welfare, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Proxmire when he introduced the above bill, which appear under a separate heading.)

By Mr. KEATING:

S. 1755. A bill to amend the Federal Property and Administrative Services Act of 1949 to authorize the disposal of surplus property to certain welfare agencies; to the Committee on Government Operations.

(See the remarks of Mr. Keating when he introduced the above bill, which appear under a separate heading.)

By Mr. BARTLETT (for himself and Mr. Gruening):

S. 1756. A bill to amend the Alaska Public Works Act to authorize the Secretary of the Interior to collect, compromise, or release certain claims held by him under that act; to the Committee on Public Works.

(See the remarks of Mr. Bartlett when he introduced the above bill, which appear under a separate heading.)

By Mr. MANSFIELD (for himself and Mr. Metcalf):

S. 1757. A bill to ratify certain conveyances of land on the Crow Indian Reservation; to the Committee on Interior and Insular Affairs.

By Mr. BREWSTER:

S. 1758. A bill for the relief of the city of Baltimore, Md.; to the Committee on the Judiciary.

(See the remarks of Mr. Brewster when he introduced the above bill, which appear under a separate heading.)

By Mr. CLARK:

S. 1759. A bill for the relief of the city of Arnold, Pa.; and

S. 1760. A bill for the relief of Dr. Margot R. Sobey 3d; to the Committee on the Judiciary.

By Mr. FULBRIGHT:

S. 1761. A bill to phase out the use of Mexican agricultural workers under title V of the Agricultural Act of 1949, as amended; to the Committee on Agriculture and Forestry.

By Mr. PROXMIRE:

S. 1762. A bill for the relief of Kam Yuet Moy; to the Committee on the Judiciary.

By Mr. HARTKE:

S. 1763. A bill for the relief of Mira Kolar Janjic and her minor son, Darko Janjic; to the Committee on the Judiciary.

By Mr. DOMINICK:

S. 1764. A bill for the relief of Ching Zai Yen and his wife, Faung Hwa Yen; to the Committee on the Judiciary.

By Mr. DOMINICK (by request):

S. 1765. A bill to provide for payment of a death gratuity in certain cases involving deaths of members of the uniformed services after June 27, 1950, and before January 1, 1957; to the Committee on Armed Services.

GIVE PUBLIC HEALTH SERVICE CLEAR RESPONSIBILITY TO ESTABLISH STANDARDS TO PROTECT PUBLIC HEALTH AGAINST RADIOACTIVE FALLOUT

Mr. PROXMIRE. Mr. President, on March 21 of this year President Kennedy remarked during a press conference that "every nuclear test does affect generations which are still away from us." In April, an article in Consumer Reports stated that, under one set of established guidelines, "New Orleans food was at or near 50 percent of the strontium 90 guidance level during the first 6 months of 1962" while, under another set, in June of 1962, in New Orleans, the maximum permissible daily intake of strontium 90 had been reached. In May, the Federal Radiation Council reported:

> Health risks from radioactivity in foods, now and over the next several years, are too small to justify countermeasures to limit intake of radionuclides by diet modifications or altering the normal distribution and use of food.

The report went on to state that measurements of strontium 90 in food supplies may rise from 8 to 13 strontium units in 1962 to a peak value of 50 strontium units in 1963. On June 7 the Federation of American Scientists in a press release said:

> The release of * * * large amounts of radioactive debris, comparable to that resulting from the 1962 U.S.S.R.-United States test series, must * * * be regarded as producing a definite increase in cancer mortality among children born within 1 to 2 years following this test series.

Mr. President, it is not my intention at this time to make an evaluation of these statements. In fact, I frankly think that such an evaluation would be impossible for me, as a layman, to make when so many others, with so much more learning in the area than I have, seem to disagree. My purpose today is to indicate the great confusion which exists in the area of radiation hazards, to point out some of the effects of this confusion, both present and future, and to propose legislation which I believe will start us on the road toward a solution of the problem.

The confusion exemplified by the conflicting reports I initially mentioned of course is multiplied when we consider its effect on the public at large. Fear of the unknown is much greater than fear of what can be understood; and, to the American people, radiation hazards are an unknown. Last year this fear caused many thousands of people to restrict the milk intake of their children, because they felt that the radioactive fallout contained in milk would be harmful. Evidence indicates that the other calcium producing foods that were substituted for milk have contained even more radioactive strontium 90, and that in many instances the vitamin deficiencies created by a milk-free diet far outweighed any possible harm that the milk itself could have caused.

Another effect of this public confusion is mistrust. Increasingly, Americans are beginning to wonder whether their Government is withholding information from them. This mistrust is exemplified by a recent Drew Pearson column. Under the heading "New Fallout Peril Kept Secret," Mr. Pearson tells of a secret U-2 flight which obtained new, but unpublished, information indicating that "three times as much dangerous radioactivity remains in the upper atmosphere as anticipated." Scripps-Howard Columnist Richard Starnes recently charged that American policymakers are raising the danger limits of radioactive fallout to accommodate rising levels of fallout. He commented:

> Like the limit on the public debt, the limit on fallout will be progressively raised until—when we take off our clothes—we all begin to glow in the dark.

This statement surely does not contribute to a people's faith in its Government; but how can the Government reply effectively when so much confusion as to proper radiation hazard standards continues to exist.

However pressing our immediate concern with the fear and mistrust resulting from present confusion, I would fail to do this subject justice if I did not mention the possible future effect of neglecting to estimate correctly the present dangers of radioactive fallout. Only if we have proper knowledge and appreciation of the present can we prepare adequately for the future. If we have no generally acceptable hard-and-fast standards for radioactive-fallout levels, how can we hope to counteract the dangers arising from an excessively high rate of fallout? A milk contamination process which a year ago cost 10 cents a quart is now being planned on a full-scale plant basis at an estimated cost of nine-tenths of a cent a quart. Similar economies of scale and other feasible processes can be developed in the future if we have a proper concern for radiation hazards in the present.

Mr. President, I am now introducing a bill which I believe will result in a big first step toward creation of proper radiation standards and safeguards. My bill would put the Public Health Service in charge of health and safety problems relating to radioactivity. The bill provides for the development, by the Surgeon General of improved and uniform standards of radiation protection. The bill authorizes the Surgeon General to conduct research, studies, and investigations relating to the control of radiation hazards, including fallout. Above all, the bill affirms the Government's intention that its citizens be free from the danger of radiation hazards, as well as other environmental dangers. I hope my bill will serve to dispel the mists of confusion, fear, mistrust, and neglect which have for so long enshrouded this subject.

Mr. President, I ask unanimous consent to have printed at this point in the Record a letter which I have received from Dr. Russell H. Morgan, radiologist in chief of the Johns Hopkins Hospital, in Baltimore, Md.

There being no objection, the letter was ordered to be printed in the Record, as follows:

THE JOHNS HOPKINS HOSPITAL,
Baltimore, Md., June 14, 1963.

Senator William Proxmire,
Senate Office Building,
Washington, D.C.

Dear Senator Proxmire: Thank you for your letter of June 12. I believe that the Washington Post was not quite correct in their comments which you report in your letter. I was aware that the Atomic Energy Commission was preparing material for the Joint Committee on Atomic Energy hearings a week or so ago and that this material was likely to indicate that contamination levels in the upper atmosphere were considerably higher than had been anticipated. However, I understood that the material was not yet ready for distribution and hence the National Advisory Committee on Radiation did not have an opportunity to go over it at the time of its last meeting late in May.

Yours sincerely,
Russell H. Morgan,
Radiologist in Chief.

Mr. PROXMIRE. Mr. President, I introduce the bill, and send it to the desk for appropriate reference.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1754) to provide for the vesting of primary responsibility for the protection of the public health and safety from radiation hazards in the Public Health Service of the Department of Health, Education, and Welfare, and for other purposes, introduced by Mr. Proxmire, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

AMENDMENT OF FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

Mr. KEATING. Mr. President, I introduce, for appropriate reference, a bill in which I have had a longstanding interest. Its purpose is to amend the Federal Property and Administrative Services Act of 1949 so as to permit the donation of Federal surplus property to a limited number of welfare and recreation agencies.

As the 1949 act now stands, only public education, public health, and civil defense organizations are eligible to receive such surplus property. The bill which I propose would authorize extending these benefits to certain tax-supported or tax-exempt welfare and recreation agencies, which serve the public in institutions or in groups and which meet at least one of the following criteria:

First, such agency must be licensed by a State standard-setting agency;

Second, such agency receives funds through a State or local community fund or similar federated fundraising body; or

Third, such agency is affiliated with, or is part of, a national standard-setting organization.

One of the objections of the Government agencies which studied this bill in previous years was that extending the available surplus property to welfare and recreation agencies would divert what property is available from the already included agencies of education, health, and civil defense. I believe that before we can begin apportioning any resource, we must consider all those groups or uses which are worthy to receive aid, rather than only some of them. If priorities must be set up, let them be set up so as to guarantee the best possible utilization of our resources, no matter how abundant or how scarce these resources may be. Making this property available to welfare and recreation agencies will, in addition, permit them to use more of their budgets for their important service work.

At this point, it must be noted that the welfare and recreation area is one which often is not as well financed by the States and communities as are education and public health. That is why this measure to aid welfare and recreation agencies is important.

This bill emanates from a recommendation of the National Welfare Assembly Committee, which included members drawn from American Foundation for the Blind, Child Welfare League of America, Council of Jewish Federations and Welfare Funds, Council on Social Work Education, National Council of Churches of Christ in America, National Federation of Settlement and Neighborhood Centers, National Jewish Welfare Board, National Recreational Association, Salvation Army, United Community Funds and Councils, Young Men's Christian Association, and Young Women's Christian Association.

In addition, the following organizations have expressed a special interest in this legislation: American Hearing Society, Board of Hospitals & Homes of the Methodist Church, Child Welfare League of America, National Catholic Community Services, Federation of Jewish Philanthropies of New York, Catholic Youth Organization, United HIAS Service, Council of Social Work Education, Manhattan Club, Day Care Council of New York, United Neighborhood House of New York, The Elmira Neighborhood House, Elmira, N.Y., Jewish Young Men & Women's Association, of Rochester, N.Y., the Baden Street Settlement, Inc., Rochester, N.Y., St. Peter Claver Community House, Detroit, Mich., Lutheran Service Society of Colorado, Denver, Colo., Area Service Association, Ferndale, Mich., Sophie Wright Settlement, Detroit, Mich., the Neighborhood House Association, Denver, Colo., Seattle Atlantic Street Center, Seattle, Wash., Denver Federation of Community Centers, Denver, Colo., Detroit Federation of Settlements & Neighborhood Centers, Detroit, Mich., Bidwell Riverside Center, Des Moines, Iowa, Pillsbury Citizens Service, Minneapolis, Minn., Alameda Family Service Agency, Alameda, Calif., Chicago Federation of Settlements & Neighborhood Centers, Chicago, Ill., Board & Staff of Wilkie House, Des Moines, Iowa, Denver Orphans Home Association, Denver, Colo., Westchester County Recreation Commission, White Plains, N.Y., Concord Center, Indianapolis, Ind., Hawthorne Social Service Association, Indianapolis, Ind., Circle Friendly House, Kansas City, Mo., Council of Social Agencies, Des Moines, Iowa, Rochester Community Chest, Rochester, N.Y., Guadalupe Center, Kansas City, Mo., Friendly House Community Center, Portland, Oreg., Whatsoever Circle Community House, Kansas City, Mo., Della C. Lamb Neighborhood House, Inc., Kansas City, Mo., Southwest Denver Community Center, Denver, Colo., the Neighborhood House, San Diego, Calif., Avalon Community Center, Los Angeles, Calif., Home of Neighborhood Service, San Bernardino, Calif., Jewish Family & Children's Service of Denver, Denver, Colo., Southern California Federation of Settlements & Neighborhood Centers, Los Angeles, Calif., and Catholic Youth Organization, Los Angeles, Calif.

These are all organizations whose absence would cause a serious deficiency in our social structure. They are all seriously being affected by the increasing costs of equipment. The receipt of Federal surplus property would permit them to devote more of their overall budget to important welfare, relief, and recreational expenditures.

Mr. President, I hope that this bill will receive prompt consideration by the Senate Government Operations Committee.

I ask unanimous consent that the text of this bill appear at this point in the Record, and that the bill lie on the table until the close of business on Friday, June 28, so that other interested Senators can join me in cosponsorship.

The VICE PRESIDENT. The bill will be received and appropriately referred, and, without objection, will remain at the desk as requested by the Senator from New York, and will be printed at this point in the Record.

The bill (S. 1755) to amend the Federal Property and Administrative Services Act of 1949 to authorize the disposal of surplus property to certain welfare agencies, introduced by Mr. Keating, was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (1) of subsection (j) of section 203 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C., sec. 484), is amended by inserting immediately after "or for research for any such purpose" the following: ", or for utilization by welfare or recreation agencies".

Sec. 2. Paragraph (3) of such subsection (j) is amended—

(1) by inserting immediately after "or for research for any such purpose" the following: ", or for utilization by welfare or recreation agencies";

(2) by striking out "and (B)" and inserting "(B)"; and

(3) by inserting immediately after "Internal Revenue Code of 1954" the following: ", and (C) welfare or recreation agencies".

Sec. 3. Paragraph (2) of subsection (k) of such section 203 is amended—

(1) by striking out "or" at the end of subparagraph (D);

(2) by striking out "law," in subparagraph (E) and inserting in lieu thereof "law; or"; and

(3) by inserting immediately after such subparagraph (E) the following:

"(F) the Secretary of Health, Education, and Welfare, in the case of property transferred pursuant to this Act to welfare or recreation agencies—".

Sec. 4. Such section 203 is further amended by adding at the end thereof the following new subsection:

"(p) As used in this section, the term 'welfare or recreation agencies' means tax-supported or tax-exempt welfare or recreation agencies which serve people in institutions and in groups, but in the case of any such agency which is a tax-exempt voluntary agency, includes only an agency which meets at least one of the following criteria—

"(1) such agency is licensed by a State standard-setting agency;

"(2) such agency receives funds through a State or local community fund or similar federated fund-raising body; or

"(3) such agency is affiliated with, or is a part of, a national standard-setting organization."

SETTLEMENT OF ALASKA PUBLIC WORKS CLAIMS

Mr. BARTLETT. Mr. President, I am pleased today to introduce in behalf of the junior Senator from Alaska [Mr. Gruening] and myself, a bill to authorize the Secretary of the Interior to collect, compromise, or release claims and obligations under the terms of the Alaska Public Works Act. This program which was of such assistance to Alaska communities in improving their public facilities before statehood, has now lapsed. The bill I am introducing today is a simple housekeeping measure. It will allow the Secretary of the Interior to negotiate two or three unsettled accounts.

I ask unanimous consent that an explanation of the measure be printed at the conclusion of my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the explanation will be printed in the Record.

The bill (S. 1756) to amend the Alaska Public Works Act to authorize the Secretary of the Interior to collect, compromise, or release certain claims held by him under that act, introduced by Mr. Bartlett (for himself and Mr. Gruening), was received, read twice by its title, and referred to the Committee on Public Works.

The explanation presented by Mr. Bartlett is as follows:

EXPLANATION

The bill would authorize the Secretary of the Interior, either directly or through another appropriate Federal agency, to settle by compromise or release claims of the United States against cities and other Alaska public bodies arising out of agreements entered into between the United States and such public bodies pursuant to the Alaska Public Works Act.

The Alaska Public Works Act was enacted in 1949 to provide a program of useful public works for the development of the Territory of Alaska. Under the act, the Administrator of General Services was authorized to construct various public works and transfer these to applicant public bodies in Alaska pursuant to agreements under which the applicant would agree to pay not less than 25 percent and not more than 75 percent of the cost of such works. The act further required that the aggregate amount to be recovered under all agreements under the act should not be less than 50 percent of the aggregate cost of all works provided by the United States. Functions of the Administrator of General Services under the act were transferred to the Secretary of the Interior in 1950, pursuant to Reorganization Plan No. 15 of that year (15 F.R. 3167; 64 Stat. 1267).

Obligational authority under the Alaska Public Works Act terminated on June 30, 1959, and all remaining activities under the act are accordingly directed to phasing out the program. In general, the repayment record of the Alaska communities which participated in the program has been excellent. More than half of the total indebtedness of over $31 million has in fact already been repaid. In several cases, however, because of the unexpected deterioration of the work transferred, or the unusually difficult state of the city's finances, repayment of indebtedness according to the terms of the original agreement involves a particular hardship for the community concerned. Under existing law, the Secretary of the Interior lacks authority to deal adequately with these special situations, even though settlement or compromise of the indebtedness might clearly be the most appropriate means of final disposition. The bill would remedy this defect. It would also make clear the authority of the Secretary to make the fullest use of agencies, such as the Housing and Home Finance Agency, having particular knowledge in connection with similar transactions.

RELIEF OF BALTIMORE CITY

Mr. BREWSTER. Mr. President, I introduce, for appropriate referral, a bill to satisfy a long standing claim by the city of Baltimore, against the Federal Government.

In 1863, when troops of the Confederacy were threatening the city, the commanding general of the Union forces requested city authorities to provide approximately $96,000 to establish the city's defenses.

To meet this emergency, the city floated a bond issue.

In 1879, the Congress of the United States reimbursed Baltimore for the principal, but all efforts to collect the interest which the city paid on these 30-year bonds have failed.

An audit by the Comptroller of the United States has established that the amount owed the city is $171,034.31.

It seems ironic to me that the Federal Government, which pursues the individual taxpayer so relentlessly, should have been so long delinquent in honoring its just debt to Baltimore.

Inasmuch as several States have been refunded under similar circumstances, Baltimore is entitled to payment. Compensation is long overdue and I urge the Congress to rectify this injustice promptly.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1758) for the relief of the city of Baltimore, Md., introduced by Mr. BREWSTER, was received, read twice by its title, and referred to the Committee on the Judiciary.

PROHIBITION OF USE OF MEASURING DEVICES TO MEASURE WORK IN THE POSTAL SERVICE—ADDITIONAL COSPONSOR OF BILL

Mr. KEATING. Mr. President, I ask unanimous consent that my name may be added as a cosponsor of the bill (S. 1423) to prohibit the use of measuring devices to measure the work of an individual employee in the postal service, introduced by the Senator from California [Mr. KUCHEL] on April 30, 1963, the next time that bill is printed.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDITIONAL COSPONSOR OF SENATE BILL 1610

Mr. DOMINICK. Mr. President, I ask unanimous consent that the name of the Senator from North Dakota [Mr. BURDICK] may be added as a cosponsor to Senate bill 1610, at its next printing.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bills:

Authority of June 11, 1963:

S. 1696. A bill to amend section 315 of the Communications Act of 1934 so as to eliminate the statutory requirement of affording equal time for use of broadcasting stations by candidates for public office: Mr. BARTLETT, Mr. BAYH, Mr. CHURCH, Mr. CLARK, and Mr. MCINTYRE.

Authority of June 13, 1963:

S. 1709. A bill to establish an outdoor recreation fund to assist the States and Federal agencies in meeting present and future outdoor recreation demands and needs of the American people, and for other purposes: Mr. SIMPSON.

Authority of June 17, 1963:

S. 1722. A bill to amend section 8 of the National Labor Relations Act, as amended, to insure fair and equitable treatment under collective bargaining agreements requiring membership in a labor organization as a condition of employment: Mr. SIMPSON.

NOTICE OF RECEIPT OF NOMINATION BY COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the nomination of James I. Loeb, of New York, to be Ambassador to the Republic of Guinea.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

ANNOUNCEMENT OF COMMITTEE HEARINGS ON EQUAL TIME PROVISION OF THE COMMUNICATIONS ACT

Mr. PASTORE. Mr. President, the Subcommittee on Communications, of which I am chairman, has scheduled hearings on a number of bills which will suspend or repeal the so-called equal time provision of the Communications Act—section 315—which will begin on June 26 and run through June 28 in room 5110 in the New Senate Office Building.

The four bills that are being considered by the committee:

S. 251, which would suspend for the 1964 campaign, the equal opportunity provision of section 315 of the Communications Act as this provision applies to the nominees for the offices of President and Vice President.

It will be recalled that this action, which was taken in 1960, made possible the famous television debates between candidate Kennedy and candidate Nixon.

S. 252, that would broaden the proposed exemption to include the offices of U.S. Senator, U.S. Representative and the Governor of any State.

S. 1696, would repeal section 315 thereby exempting all political candidates from the equal time provision; and

House Joint Resolution 247 which would suspend for the 1964 campaign the equal opportunity requirements of section 315 of the Communications Act for nominees for the offices of President and Vice President.

In view of the fact that this proposed legislation will affect the office of U.S. Senator, I am hopeful and hereby offer an invitation to my colleagues to submit their views with respect to the legislation. If unable to do so in person, the committee would welcome a statement for the record which will be considered by the committee when action is taken on the bill.

I am hopeful that those Members of the House of Representatives who have any views with respect to the legislation would appear and if they are unable to do so that they submit a statement for the record.

I also have invited the Governors of the 50 States to appear in person and if they are unable to do so to submit a statement.

I know how important this subject is and therefore have taken this opportunity to notify all those interested in the legislation that the hearings are scheduled for June 26, 27, and 28 and that the committee would welcome all views.

MESSAGE FROM THE HOUSE—ENROLLED BILL AND JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bill and joint resolution, and they were signed by the Vice President:

H.R. 5367. An act to designate the Bear Creek Dam on the Lehigh River, Pa., to the Francis E. Walter Dam; and

H.J. Res. 82. Joint resolution to change the name of Short Mountain Lock and Dam and Reservoir in the State of Oklahoma to Robert S. Kerr Lock and Dam and Reservoir.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. THURMOND:

Newsletter entitled "Et Tu, Brute," published by him.

EXTENSION OF CORPORATE NORMAL TAX AND EXCISE TAX RATES

Mr. MANSFIELD. Mr. President, due to the fact that no unfinished business was pending at the conclusion of the business of the Senate last Thursday, I ask unanimous consent that at the conclusion of the morning hour today, the Senate proceed to the consideration of Calendar No. 269, House bill 6755, to provide a 1-year extension of the existing corporate normal-tax rate and of certain excise tax rates.

The VICE PRESIDENT. Without objection, it is so ordered.

CONTROL OF FREIGHT FORWARDERS

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Montana will state it.

Mr. MANSFIELD. Is it correct that on Thursday last the leadership made a joint announcement, with the concurrence of the distinguished Senator from Washington [Mr. MAGNUSON], chairman, the Committee on Commerce, that Senate bill 684, relating to control of freight forwarders, would be postponed indefinitely or until some later date?

The VICE PRESIDENT. The Chair was not present at the time when the announcement was made. The Chair directs the clerk to refer to the Journal, to ascertain whether such an announcement was made.

The Chair is informed by the clerk that the further consideration of that bill was postponed indefinitely.

Mr. MANSFIELD. Mr. President, I wish to state, for the RECORD, that it is my impression that the bill was postponed not only indefinitely, but also until some later time—which may or may not be the same thing. I thank the Chair.

The VICE PRESIDENT. The Chair is informed by the clerk that a measure which is on the calendar can be taken up whenever a motion to proceed to its consideration is agreed to.

GLEN ELDER PROJECT, KANSAS, MOST WASTEFUL OF THE THROWAWAYS

Mr. PROXMIRE. Mr. President, I ask unanimous consent that a statement which I recently made to the Appropriations Committee opposing further appropriations for the Glen Elder or Waconda Lake project be printed at this point in the RECORD together with some tables supporting my statement.

There being no objection, the Statement and tables were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILLIAM PROXMIRE

Once again I am appearing before this subcommittee at my own request, as I did last year, to testify against the Glen Elder Dam and Waconda Lake flood control and irrigation project in Kansas. Last year $750,000 were appropriated to begin work on this project, and $5 million more are requested for fiscal year 1964. I urge you not to appropriate these additional funds for Glen Elder.

In addition to the criticisms of the project which I made last year, I have discovered some new, convincing evidence that the costs of the program will far exceed the estimates made last year by the Bureau of Reclamation. These unexpected additional costs make the Glen Elder Dam a tremendous misallocation of scarce resources—resources which could be better put to use in countless other ways.

Let me briefly summarize the facts which I presented last year to the Congress and which I will bring up to date in this testimony. I testified against the Glen Elder Dam for four main reasons:

(1) Ninety percent of the farmers living in the Solomon River Valley whose land is to be irrigated have signed sworn affidavits opposing the dam. These farmers vehemently opposed to the project would be the only recipients of its irrigation benefits.

(2) If the irrigation district were established, the size of our feed grain surpluses would surely be increased, and we have spent $712 million this year to cut back production of feed grains.

(3) The overall benefit-cost ratio may now be substantially below unity even when based on a 100-year analysis and a 2½-percent rate of interest; based on the more reasonable assumptions of a higher interest rate and/or a shorter period of life, the ratio drops to about one-half. (This is shown in the table I have entitled "Derivation of Benefit-Cost Ratio.")

(4) The project was improperly authorized; no congressional committee ever considered it in detail. The sole congressional authorization for Glen Elder consisted of a single line in an 18-year-old act which contained over 300 other projects. This was the Pick-Sloan authorization of 1944. What a travesty on the careful documentation normally required for authorization.

Funds were appropriated last year for more than 30 Bureau of Reclamation projects. On the basis of costs known at that time Glen Elder's 1.18 benefit-to-cost ratio (with 2½ percent interest and a 100-year life) was lower than all but two of the other projects ratios. What's more, both of them require less Federal funds for their completion than Glen Elder. The (mean) average benefit-cost ratio for last year's Bureau of Reclamation projects was 2.89—more than double Glen Elder's. (The median was 1.9—more than half and again as much as Glen Elder's.)

Furthermore, based on a 50-year period of analysis and a 2½-percent interest rate, the benefit-cost ratio drops substantially below unity—to 0.85 based on direct benefits only, and to 0.93 including everything.

At the very least the $17 million irrigation aspect of this project must be shelved. This would bring a million dollar crop of additional feed grain into production every year.

The entire economic justification of this project is based on the value of additional farm crops. If these crops are valued at zero, the $17 million irrigation investment will bring a zero return.

Can anyone honestly appraise additional feed grain as worth anything to our economy? In fact this $17 million will not only yield no return. Over the years it will add a multimillion dollar additional burden of surplus onto the taxpayer's back, for farm crops are already in surplus of over $1 billion.

Even accepting the now ridiculous assumption that new farm production is needed and giving full value to that farm production this project is barely financially feasible. It is only feasible on the assumption that it will have a hundred year life and that it should enjoy a wholly unrealistic discount percentage of 2½ percent while the Treasury is paying 4 percent for its money.

I am here today not merely to reiterate the facts I presented last year but because I have discovered new evidence that the costs of the program probably will far exceed the original estimates made by the Bureau of Reclamation. As a result of these costs, the benefit-to-cost ratio may fall below unity for any feasible period of analysis and any rate of interest. Unless these facts are brought out into the open, the taxpayers of this country will have their money wasted in a project that doesn't meet the most rudimentary requirement of being worth more than it costs.

First of all, just recently the mayor of the city of Downs, Kans., and the city council have formally protested against the building of dikes on the three sides of the city which the Glen Elder Dam requires. The city has indicated that they will carry their protest to court.

Secondly, by June 4, 1963, more than 500 citizens—a substantial majority of the adult population of the city of Downs—had signed a petition "protesting and objecting to the present plans of the Bureau of Reclamation in the construction of the Glen Elder Dam," and more citizens have signed it since then.

As a result of this action by the people and the city of Downs either the project must be abandoned or substantially modified, or else the city of Downs will have to be completely moved. To choose any other alternative would be to completely ignore the citizens of Downs who are allegedly supposed to "benefit" from the dam. If the court requires the Government to acquire the Downs property by eminent domain, the additional cost of the project would be as much as $20 million, and on no basis will the project be financially feasible.

This $20 million for moving the town raises the total cost of Glen Elder by $18.7 million to about $78 million (since the cost of the Downs drain and dike which become unnecessary if the town is moved, must be subtracted from the $20 million estimate). The highest possible benefit-cost ratio would then be 0.91, as shown in the tables mentioned above.

Under these circumstances, to continue the construction of the Glen Elder project would be absurd.

Not only is the Bureau of Reclamation forcing the residents of the Solomon River Valley to utilize farming techniques which are hostile to them and to which they strongly object, and not only is the Bureau compelling them to use equally repugnant irrigation methods in order to produce crops which are already in surplus, but what's worse is that the cost of this folly to the taxpayer is increasing by leaps and bounds beyond all original estimates.

Last year in my speech on the floor of the Senate I showed the way in which the total irrigation cost of $17 million was divided among irrigators, power users in the Missouri River Basin, and the general taxpayer. The table entitled "Calculation of the subsidy from the public to the irrigating farmers on the Glen Elder unit," shows how the total cost is allocated if 2½- and 4-percent discount factors are applied to the total payment.

As the table shows, the general taxpayers all over the country will pay three-fourths to seven-eights of the cost of this project. There has never been any justification presented by anyone for this substantial redistribution of income from taxpayers to Kansans that Glen Elder brings about, yet I question whether the taxpayers all over the Nation are enthusiastic about paying for this dam in Kansas.

Not only is Glen Elder opposed by its beneficiaries, but in all likelihood it would be even more opposed by those who will pay for it—if the facts were brought out into the open.

The Bureau of Reclamation has simply not accounted realistically in its initial estimates for all the costs of the program.

What, then, can be done about Glen Elder?

The Glen Elder Dam was originally called upon to solve a very pressing problem in the Solomon River Valley. This is the problem of flood control.

Floods have occurred on the Solomon River in 1935, 1941, 1950, 1951, 1957, 1958, and 1960. The largest of these occurred in July 1951; it resulted in a stage height of 39 feet and a peak discharge of 110,000 second-feet at the Glen Elder bridge and a stage height of 39.3 feet and a peak discharge of 125,000 second-feet at Beloit.

Some protection against disastrous floods like these is needed in the area, and I join with the Kansas delegation in supporting flood control for the Solomon River Valley.

Because of its excessive costs, however, the present Glen Elder Dam is not the answer. Under the present plans for the project, it would cost the Federal Government and the taxpayer less to let the floods come and then pay all the damages caused by them, than to prevent their coming with this dam.

The secondary features of Glen Elder are, however, the ones to which I am primarily opposed.

Last year I discussed in great detail the fact that the irrigation features of the project are worthless because they require the production of a crop already in surplus.

But further, the benefit-cost ratios of the specific irrigation aspects, as shown in the table entitled "Benefit-Cost Ratios for Specific Irrigation Features," are so low that they make their incorporation into the project wholly unjustified.

The highest possible benefit-cost ratio, obtained on the most favorable assumptions, is insignificantly above unity; yet if these assumptions are relaxed the least bit, the ratio rapidly plunges toward zero.

The fish and wildlife features of Glen Elder have even lower benefit-cost ratios—0.71 on a 100-year analysis and 0.55 on a 50-year analysis (2½ percent rate of interest). For every dollar we spend on fish and wildlife, we lose at least $0.29—for a total loss of $491,840 on the estimated cost of $1,696,000 on this part of the project. What kind of an "investment" is this?

Thus in these two areas Glen Elder clearly fails to justify its cost to the taxpayer, yet it remains true that something is vitally needed in the area for flood control.

In view of this fact, I recommend that construction on Glen Elder be stopped before it is too late. At the same time, however, for the sake of the residents of the Solomon River Valley, I propose that the Bureau of Reclamation look into an alternative project for flood control purposes only in the area—a project which will have a higher benefit-cost ratio.

It is not too late to do something to stop this excessive Government waste on Glen Elder.

Fortunately, of the $750,000 appropriated for initial construction, $150,000 was transferred to another project, and of the remaining $600,000 only $402,693 has been spent as of May 31, 1963 ($387,000 as of April 30).

Thus, if we stop construction now, we have some hope of recovering almost 40 percent of last year's grant.

In view of the facts, then, that (1) 90 percent of the Solomon River Valley farmers are opposed to the Glen Elder Dam; (2) its irrigation district would increase the size of our feed grain surpluses; (3) the benefit-cost ratio, originally very low, will now probably be below unity; (4) the project was improperly authorized; (5) the town of Downs, Kans., has officially protested against the dikes to be built around it; (6) the citizens of the town have signed sworn affidavits opposing the building of the dam; (7) the costs of the project will rise from the original estimate of $59,354,000 to about $78,040,000 as a result of these last two occurrences; (8) the costs of the irrigation and fish and wildlife features of the project far exceed their alleged benefits; and (9) the total amount of last year's appropriation would not all be lost if construction were stopped now and in any event constitutes less than 1 percent of the dam's ultimate cost, I therefore urge that the Glen Elder Dam and Waconda Lake project be abandoned as the most conspicuously wasteful of all Government "throwaways."

Glen Elder Dam and Waconda Lake reclamation project—Derivation of benefit-cost ratios

Period of analysis	Rate of interest	Capital costs	Interest during construction [1]	Total investment	Annuity factor	Annual equivalent of investment	Annual O.M. & R.	Annual costs	Benefit-cost ratio	
									Direct	Total
100 years	2½	$59,354,000	$2,984,800	$62,338,800	36.614	$1,702,600	$97,500	$1,800,100	1.09	1.18
Do	3	59,354,000	3,563,800	62,917,800	31.599	1,991,100	97,500	2,099,600	.94	1.02
Do	4	59,354,000	4,775,700	64,129,700	24.504	2,617,100	97,500	2,714,600	.72	.78
50 years	2½	59,354,000	2,984,800	62,338,800	28.362	2,198,000	97,500	2,295,500	.85	.93
Do	3	59,354,000	3,563,800	62,917,800	25.730	2,445,300	97,500	2,542,800	.77	.84
Do	4	59,354,000	4,775,700	64,129,700	21.482	2,985,300	97,500	3,082,800	.64	.69
100 years	2½	78,040,000	4,199,600	82,239,600	36.614	2,246,100	97,500	2,343,600	.84	.91
Do	3	78,040,000	5,039,600	83,079,600	31.599	2,629,200	97,500	2,726,700	.72	.78
Do	4	78,040,000	6,719,400	84,749,400	24.504	3,458,600	97,500	3,556,100	.55	.63
50 years	2½	78,040,000	4,199,600	82,239,600	28.362	2,889,600	97,500	2,997,100	.65	.71
Do	3	78,040,000	5,039,600	83,079,600	25.730	3,228,900	97,500	3,326,400	.59	.64
Do	4	78,040,000	6,719,400	84,749,400	21.482	3,945,100	97,500	4,042,600	.48	.53

[1] For interest during construction, see table entitled "Interest during construction."

NOTE.—Direct annual benefits throughout are $1,959,600, and total annual benefits are $2,125,200 (Bureau of Reclamation, "Definite Plan Report," p. iii).

Glen Elder Dam—Benefit-cost ratios for specific irrigation features

Interest rate	Benefit-cost ratios			
	100-year analysis		50-year analysis	
	Direct [1]	Total	Direct	Total
2½ percent [2]	0.71	1.01	0.57	0.80
3 percent	.62	.90	.52	.73
4 percent	.49	.69	.43	.61

[1] I.e., based on direct benefits only.

[2] The ratios for the 2½ percent interest rate are from the "Glen Elder Definite Plan Report," p. iv. The figures for 3 percent and 4 percent have been calculated on the assumption that the interest during construction (which accounts for about 3 percent of the total annual cost) varies linearly with the rate of interest.

Glen Elder Dam and Waconda Lake reclamation project

INTEREST DURING CONSTRUCTION (ORIGINAL COSTS)

Fiscal year	Revenue producing plant	Expenditures			Annual interest at 2½ percent	Annual interest at 3 percent	Annual interest at 4 percent
		Annual	Cumulative less producing plant	Average			
Prior accumulation		$742,038	$742,038	$371,019	$9,275	$11,131	$14,841
1		1,010,000	1,752,038	1,247,038	31,176	37,411	49,882
2		4,599,000	6,351,038	4,051,538	101,288	121,546	162,062
3		9,009,000	15,360,038	10,855,538	271,388	325,666	434,222
4		12,008,000	27,368,038	21,364,038	534,101	640,921	854,562
5		11,048,000	38,416,038	32,892,038	822,301	968,761	1,315,682
6		10,767,000	49,183,038	43,799,538	1,094,988	1,313,986	1,751,982
7	$49,183,038	4,995,000	4,995,000	2,497,500	62,438	74,925	99,900
8	4,995,000	3,000,000	3,000,000	1,500,000	37,500	45,000	60,000
9	3,000,000	1,627,962	1,627,962	813,981	20,350	24,419	32,559
10	1,627,962	0	0	0	0	0	0
Total	58,806,000	58,806,000			2,984,805	3,563,766	4,775,692
Rounded	58,806,000	58,806,000			2,984,800	3,563,800	4,775,700

Glen Elder Dam and Waconda Lake reclamation project—Continued

INTEREST DURING CONSTRUCTION (REVISED COSTS)

Fiscal year	Revenue producing plant	Expenditures			Annual interest at 2½ percent	Annual interest at 3 percent	Annual interest at 4 percent
		Annual	Cumulative less producing plant	Average			
Prior accumulation		$2,610,638	$2,610,638	$1,305,319	$32,633	$39,160	$52,213
1		2,878,600	5,489,238	4,049,938	101,248	121,498	161,998
2		6,467,600	11,956,838	8,723,038	218,076	261,691	348,922
3		10,877,600	22,834,438	17,395,638	434,891	521,869	695,826
4		13,876,600	36,711,038	29,772,738	744,318	893,182	1,190,910
5		12,916,600	49,627,638	43,169,338	1,079,233	1,295,080	1,726,774
6		12,635,600	62,263,238	55,955,438	1,398,886	1,678,663	2,238,218
7	$62,263,238	6,863,600	6,863,600	3,431,800	85,795	102,954	137,272
8	6,863,600	4,868,600	4,868,600	2,434,300	60,856	73,029	97,372
9	4,868,600	3,496,562	3,496,562	1,748,281	43,707	52,448	69,931
10	3,496,562	0	0	0	0	0	0
Total	77,492,000	77,492,000			4,199,643	5,039,574	6,719,436
Rounded	77,492,000	77,492,000			4,199,600	5,039,600	6,719,400

NOTE 1.—Excluded are district general service equipment of $190,000, settlers' assistance of $30,000, future drains of $233,000, and future years' capacity of $95,000.

NOTE 2.—The assumptions behind this table may be unrealistic, but the totals are not drastically altered if they are relaxed.

ASSUMPTIONS OF THE TABLE OF INTEREST DURING CONSTRUCTION

The table has been drawn on the assumption that the town of Downs will have to be moved, at a cost of $20 million (estimate documented by Mr. C. N. Cushing, of Downs, Kans.). Moving the town, however, obviates the costs of $1,212,000 for the Downs dike and $102,000 for the Downs protective drain. The estimated cost of the entire Glen Elder project, therefore, increases by $18,686,000. This amount has been assumed to be spread evenly over the 10-year period of construction, i.e., the annual expenditures each increased by $1,868,600. The revenue-producing plan is further assumed to operate in the same way as it did prior to the cost increase, so that in fiscal year No. 7 the entire prior accumulation of $62,263,238 is provided by the plant, thereafter the revenue producing plant just covering the expenditures of each previous year.

No account is taken of a likely increase in the total time of construction for the project, which would undoubtedly increase the interest charges. Barring miraculous occurrences which would shift the bulk of expenditures to the beginning of the construction period and shorten the time before the revenue producing plant was made available, these assumptions should make the interest costs as low as possible, i.e., they are most favorable from the standpoint of the Bureau of Reclamation.

Calculation of the subsidy from the public to the irrigating farmers on the Glen Elder unit

[In millions]

	Total payment ignoring interest	Present discounted value at following discount factors	
		2½ percent	4 percent
Payment by irrigators [1]	$4.000	$2.269	$1.581
Payment by power users in the Missouri River Basin [2]	13.000	1.100	.260
Payment by the general taxpayer		13.630	15.162
Total repayment of the reimbursable costs of the irrigation project	17.000	17.000	17.000

[1] Payment by the irrigators is on the basis of $80,000 annual payments for a 50-year repayment period.

[2] The payment by the power users is assumed to be made in the year 2060 when the power features of the Missouri River project will be repaid, along with the other existing irrigation projects, which will then permit the annual net income of the power features of the Missouri River Basin project to be used for the Glen Elder project. Lump-sum payment is assumed, since the annual net income from the power features will be large enough for this once it becomes available.

WORLD FOOD CONGRESS CLOSES

Mr. BARTLETT. Mr. President, the World Food Congress closed with its final plenary meeting on June 18. I should like to have printed in the RECORD at this point the closing remarks by the U.S. Secretary of Agriculture Orville L. Freeman, who served as Chairman of the World Food Congress.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

This World Food Congress has been a challenging, inspiring experience. For more than 2 weeks we have been considering how to meet one of mankind's most fundamental needs, and how to work together toward that end. For the first time in history men and women from 104 different nations have discussed ways and means by which to meet the goal of freedom from hunger, a goal of supreme importance to all people everywhere.

President Kennedy, in his welcome to the Congress, gave a measure of the significance of these meetings when he said: "There are many struggles, many battles, that the human race now faces. There is no battle on earth or in space which is more important than the battle which you have undertaken, nor is there any struggle, large as this may be, that offers such an immediate promise of success. No Congress that Washington has seen in recent years is, I believe, more important than this."

I sincerely hope and confidently believe that this Congress can measure up to that appraisal. Let me share with you my reasons for that hope and confidence.

This Congress has just affirmed, by acclamation, its united adherence to a declaration for freedom from hunger that incorporates principles and goals of universal appeal.

These principles are important because of their inherent truth.

They are equally important because they were formulated—not by a single eloquent authority who handed them down from on high—but as a result of the meeting of the minds of many people from many nations, all of whom had given serious thought and heartfelt consideration to the best means by which to reach a supremely important goal.

They are important because they represent a consensus of overriding importance, a common goal upon which we can all unite regardless of differences in wealth or in race, in tradition or custom, in stages of economic or political development. Where freedom from hunger is concerned, our differences are overshadowed and blurred by our common interest—our common humanity.

This declaration for freedom from hunger is, then, important not only because of what it contains but because of the nature of the gathering out of which it grew.

This World Food Congress has been truly a people-to-people conference. High government officials, world renowned philosophers and scientists, religious leaders and educators have participated side by side with representatives of industry, with leaders of farm organizations and of labor unions, with volunteer citizen groups, with those who themselves till the soil and cultivate the land.

It is this rank and file participation that gives reality to the people-to-people concept—that gives deep and lasting meaning to the pronouncements we make here. The words we say are more than slogans framed by someone on top—rather, they reflect the hopes and aspirations of the people of the world.

True, it can be said—in fact, you and I know that it has been said—that what we say here, the declarations we make here, are unofficial. True, it can be said, and has been said, that hungry people cannot eat words.

Let me reply to these comments in what I believe to be the spirit of this World Food Congress.

Of course, our pronouncements here are unofficial, in the sense that they are not made by any officially delegated or governmental body. They are neither signed nor sealed. The declaration we made here is not, as such, binding on any individual, or on any government, in this world. It cannot be enforced by any policeman, or by any court.

The sanctions that will enforce the declaration of principles that we have acclaimed today lie within the conscience of mankind. They lie within the conscience of each individual participant in this Congress. They can be aroused within the conscience of every man who can be brought to understand the nature of the problem and the hope for its solution.

The principles we enunciate and the goals we seek are valid, therefore, not because of who said them but because of what they say. They will command observance because of their inherent worth, because they reflect the needs of humanity and a vision of the future that is potentially ours.

True, one cannot eat words and declarations, but it is also true that "the pen is mightier than the sword," and that "where there is no vision the people perish." Words and ideas—and only words and ideas—can create the vision that will inspire the action that is essential to achieve freedom from hunger.

And so I would like to repeat what I said 2 weeks ago at the opening of this Congress: "Its success will be measured, most significantly, by the extent to which each individual participant—inspired and informed by his experience here—is encouraged and stimulated to take positive action, after the Congress is over, each in his own nation, and within his own sphere of influence, toward plans and programs that will advance the goals we seek."

Here in the United States we intend to take such action, to evaluate what took place here in the World Food Congress, to review the reports and recommendations, and to consider what might appropriately be done in both public and private sectors to advance more rapidly toward the goal of freedom from hunger. We hope that similar action will be taken all over the world.

This action will not be easy. As I said 2 weeks ago, we will have to overcome social, political, and economic barriers—barriers of prejudice, of outworn customs, of misunderstanding and lack of understanding, and, most important of all, the barrier of ignorance. We will have to learn from what we have heard here, and from further study and experience, how to put into effect elements of social engineering that will make it possible for us to use all abundance to create abundance for all.

No, this action will not be easy, but it is supremely worth while. It is action in which each one of us has a role to play, a responsibility to meet.

Let us therefore accept the challenge and act vigorously to meet that responsibility. Let us highly resolve to mobilize every resource at our command; to awaken world opinion and to stimulate all appropriate action in both public and private sectors, at all levels—national, multinational, and international—to accept the challenge of eliminating hunger and malnutrition as a primary task of this generation, thus creating for all mankind a sound basis for progress and peace.

Mr. BARTLETT. Secretary Freeman points out in his statement that the United States, and in fact all countries, must consider what might appropriately be done to advance more rapidly toward the goal of freedom from hunger. The Secretary points out that we should all highly resolve "to mobilize every resource at our command."

Mr. President, this is precisely the purpose of S. 702, which has been introduced by the Senator from Washington [Mr. MAGNUSON] and is cosponsored by Senators KENNEDY, SALTONSTALL, PELL, and myself. This bill would permit fish products to be used in the food for peace program and thereby utilize this very important protein resource in this struggle.

I ask unanimous consent to have printed in the RECORD at this point the statement I made to the World Food Congress on the importance of including fishery products as a protein supplement to our present food for peace program.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. Chairman, the Director of the U.S. food for peace program has outlined clearly the policy of the United States as it pertains to supplementary feeding programs. The U.S. Congress has supported these programs because we believe that to the extent that we are capable of helping other men and nations grow, we further our own ideals, and realize our own hopes.

The food-for-peace program has done an effective job. It could be made even more effective.

I submit that the present program would be improved, its nutritive values enriched by adding fishery products to the agricultural products which are now exclusively used in the program.

At the Food and Agriculture Organization conference held here in Washington on fish and nutrition in 1961, the Chairman of the conference, U.S. Secretary of the Interior Udall, pointed out that the dietary nutrient most lacking in deficient diets all over the world was a good quality protein. The studies that have been undertaken by the U.S. Interdepartmental Committee on Nutrition for National Defense have verified this statement. Research conducted by the Committee in numerous countries reflected a serious protein deficiency.

Mr. Chairman, fish is one of the world's finest sources of protein. It is a good source of calcium, phosphorous, iron and a number of vitamins. Fish is easily preserved and transported and relatively inexpensive. I was particularly pleased last year when a report to the Committee on Natural Resources of the National Academy of Sciences—National Research Council—pointed out that fish provides the cheapest and most efficient way to meet the world deficiency in animal protein.

There is no doubt, Mr. Chairman, the addition of fish products to our present food for peace program would make a substantial contribution to its success. Today, many of us in Congress are engaged in working out how this can best be accomplished.

Not only the strong will benefit; all men benefit when a life is saved, when human existence is enriched. Peace and freedom thrive on food just as surely as do children.

It is, Mr. Chairman, a noble thing to feed a child.

DEFEND ALASKA

Mr. BARTLETT. Mr. President, the American Legion, Department of Alaska, held its 44th annual convention just the other day at Haines, Alaska. During the deliberations a resolution was adopted calling for the strengthening of Alaska's defenses. I am in thorough agreement that this should be done, and done promptly. I ask unanimous consent that the text of the resolution be printed at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas the State of Alaska lies in a highly strategic geographic position in today's troubled world, being located thousands of miles closer to the Eurasian heartland and to the areas of southeast Asia currently suffering Communist encroachment, than is any other portion of the United States of America; and

Whereas the possibility of foreign encroachment on U.S. territory through Alaska has been demonstrated by activities of Soviet air and surface vessels in recent months; and

Whereas the American Legion in Alaska believes that the token military forces in this State are no threat to the enemy; are totally inadequate to protect us; and has long urged: (1) a reevaluation of the military posture of Alaska; and (2) that Alaska's strategic importance be recognized and acknowledged; and

Whereas some recognition of the strategic location and importance of Alaska has been shown by: (1) installation of complex warning systems; (2) an increase in strength of the Alaska Scout battalions, the only National Guard units in the United States to be enlarged in recent reorganizations; and (3) the development of Alaska as a research and training area by the Armed Forces of both the United States and Canada; and

Whereas Alaska's Governor and Members of the Alaska congressional delegation have repeatedly urged upon the executive branch of our Government, and particularly its military department, increased uses of Alaska as a military bastion: Now, therefore, be it

Resolved by the American Legion, Department of Alaska, in regular convention assembled at Haines, Alaska, June 5–8, 1963, that:

1. This convention is firmly convinced that because of its geographic position Alaska will be of ever-increasing value to the United States of America and the free world in the face of attempted encroachment by militant international communism.

2. That the military leaders in the Pentagon are urged to increase without delay the offensive and defensive capabilities in Alaska including an increase in Army and Navy personnel, the emplacement of adequate missile launching facilities, the replacement of the F-102 aircraft with modern high speed interceptors and reconnaissance aircraft, and the assignment of additional units to the 17th Naval District.

3. We support the continuing efforts of the Governor of Alaska and the State's congressional delegation to arouse increased military interest in Alaska and to secure additional military installations in this strategically important area and call upon all Alaskans to assist our elected officials in this endeavor; and be it further

Resolved, That a copy of this resolution be forwarded to the U.S. Secretary of Defense, the Governor of Alaska, each member of the congressional delegation from Alaska, and to the director of the National Security Commission of the American Legion.

DONALD L. MOLES,
Department Commander, 1962–63.

Attest:

JOSEPH M. BRIONES,
Department Adjutant.

STRAIGHT BASELINES AND FISHING ZONES IMPERATIVE FOR UNITED STATES

Mr. BARTLETT. Mr. President, on June 4 of this year, Canadian Prime Minister Lester Pearson declared to the Canadian Parliament that the time had come to "take firm and national action to protect Canada's fishing industry." Noting that increasing numbers of foreign fishing operations threaten to deplete Canada's off-shore fishing resources, the Prime Minister announced:

The Canadian Government has decided to establish a 12-mile exclusive fisheries zone along the whole of Canada's coastline as of mid-May 1964 and to implement the straight baseline system at the same time as the basis from which Canada's territorial sea and exclusive fisheries zone shall be measured.

Mr. Pearson recognized the existence of historic American fishing rights in some of the areas which would be included within the new limits and further announced that "discussions will be held with the United States of America with a view to determining the nature and extent of the U.S. rights and interests which may be affected by the action Canada is taking." I understand that talks concerning these matters are to get underway shortly. For decades U.S. fishermen have engaged in productive fishing activities within the waters to be reserved. These historic rights were firmly and permanently established years ago—they are not of a limited nature in terms of duration. They are indefinite. We must cooperate closely with Canada, for they depend in part on our market for their fish, and they realize that the rights of both parties must be respected.

Canada is not the only nation whose interests call for an extension of fishing rights and an adoption of the straight baseline method of measurement for the territorial sea. I have long insisted that it is imperative that the United States take similar steps. Japanese and Russian fishing vessels have increasingly penetrated into offshore waters upon which many of our domestic fishermen are dependent for their livelihood. The presence of these large Soviet fishing ships at close range is additionally undesirable from the standpoint of national defense. As I have pointed out before, there have been more Russians within 90 miles of our coast in fishing vessels during the past year than have been stationed in Cuba. Alaskans are concerned with these matters, in light of the increased numbers of Soviet and Japanese vessels that have been sighted in waters off Alaska's coast this year. But the same threat from modern large Soviet heavy trawler operations exists along the entire Atlantic, gulf and Pacific coasts.

Mr. President, the protection of our straits and inlets, and the need for clarity in the delineation of our territorial waters, make it imperative that we adopt the simple and widely accepted principle of straight headland-to-headland baselines for the measurement of our territorial waters. And in the interest of our fishery resources and our fishing industry, we must establish an exclusive fishing zone of 12 miles' width, measured from these baselines. It is my belief that the present international context and the approaching talks with the Canadian Government offer a uniquely opportune setting for an executive pronouncement adopting the straight baseline principle and an international agreement with Canada regarding an exclusive 12-mile fishing zone.

Reticence to take this form of action has traditionally stemmed primarily from our fear that such action might promote more extravagant extensions of territorial waters and thus constrict international freedom of the seas. It is my contention that this reservation, always somewhat questionable, no longer has any basis whatsoever.

In the first place, the nature of the international fishing situation has led an unprecedented number of nations to extend unilaterally their fishing waters. Other countries are acting on their own initiative regardless of whether or not we act. I view as particularly significant the numerous extensions of territorial waters and the establishment of exclusive fishing zones since the 1960 United Nations Conference on Law of the Sea.

Albania on March 1, 1960, restricted innocent passage in a 10-mile territorial sea and extended fishing jurisdiction to 12 miles.

Cameroon on June 23, 1962, claimed a 6-mile territorial sea.

Denmark on June 1, 1963, extended the fisheries limits for Greenland to 12 miles. A similar limit for the Faroes Islands will take effect March 12, 1964.

Malagasy Republic on February 27, 1963, claimed a 12-mile territorial sea.

Morocco recently extended fishing jurisdiction to 12 miles, except for the Strait of Gibralter, for which such jurisdiction was extended to 6 miles.

Norway extended fisheries jurisdiction to 6 miles on April 1, 1961, and to 12 miles on September 1, 1961.

Senegal on June 21, 1961, claimed a 6-mile territorial sea, plus a 6-mile contiguous zone.

Sudan on August 2, 1960, extended the territorial sea to 12 miles.

Tunisia on July 26, 1962, extended the territorial sea to 6 miles with an additional 6 miles of fisheries jurisdiction for a portion of its coast.

On February 21, 1963, Uruguay claimed a 6-mile territorial sea plus a 6-mile contiguous zone for fishing and other purposes.

In addition to the countries which have asserted claims, a number have indicated that they intend to do so. Legislation has been introduced in Colombia to extend the territorial sea from 6 to 12 miles; in Ghana to establish a 12-mile territorial sea, with an undefined protective area seaward of this, and up to 100 miles of fishing conservation zone; in South Africa, Costa Rica, and Turkey to extend the territorial sea to 6 miles with a 6-mile contiguous fishing zone; and in the Ivory Coast to extend the territorial sea to 12 miles. The United Kingdom has renounced certain fisheries treaties apparently as a first move toward abandoning the 3-mile limit for fisheries.

To those concerned lest a U.S. extension of fishing limits might establish a precedent that would encourage other nations to enact provisions which would restrict freedom of the seas, let me simply say that the extension of fishing limits would in no way alter our employment of the 3-mile limit for the delineation of our territorial sea. The requirements of national defense may suggest that we adhere to the principles of narrow territorial sea boundaries and maximum freedom of movement on the high seas. The extension of fishing limits will not affect the precedent we are setting in this respect.

Mr. President, the approaching talks with Canada concerning Prime Minister Pearson's announcement will furnish an opportune setting for the formulation and announcement of our own proposals. We have worked closely with Canada in this area before; the two nations collaborated to put forward a proposal which barely failed of adoption at the 1960 United Nations Conference. The international fishing situation and our national interest make our adoption of straight baseline measurement for all territorial waters and our delineation of 12-mile fishing limits absolutely necessary in any case. The talks with Canada will make it possible for us to make our intentions known in a context of international consultation and agreement.

DEPARTMENT OF AGRICULTURE PRESSURE ON FEDERALLY LICENSED RADIO AND TELEVISION STATIONS

Mr. MILLER. Mr. President, Columnist Richard Wilson, in an article appearing in the Washington Evening Star on June 19, 1963, reveals the techniques employed by the administration during the recent wheat referendum. What he revealed is frightening. Wilson points out that an agency of the U.S. Department of Agriculture applied pressure on federally licensed radio and television stations to provide free time for the Government's side of the wheat referendum. It was in the form of a national directive to State managers and local committeemen to bring to the attention of radio and television stations that they are federally licensed for 3 years only and the renewal of their license could depend upon the adequacy of their public service programs. Need anyone say what this meant? A finer type of blackmail could not be imagined.

I ask unanimous consent that the article be printed at this point in the Record.

There being no objections, the article was ordered to be printed in the Record, as follows:

Arm Twisting on the Wheat Vote: Pressure for Free Radio and TV Time for Government Version Is Charged

(By Richard Wilson)

Arm twisting, one of the favorite techniques on the New Frontier, has been disclosed on a new and rather more impressive level.

The arm-twisting method was noted previously in the steel price controversy, the Cuban prisoners deal, and the more benign drive for funds for a $30 million National Cultural Center. This technique has attained respectability in the Kennedy administration and officials can see nothing wrong in it for they conceive their cause to be just.

The method consists of psychologically suggestive pressure on individuals or corporations to support or go along with Government actions. When skillfully applied, the individual cannot honestly charge that he was threatened with reprisal or tempted by reward; he only knows he has been shaken up. He may have an antitrust suit pending and have his mind on this when exposed to Government persuasion; but the persuaders, of course, say they do not have this in mind at all, only the public welfare.

In the new instance the pressure was perhaps more overt. In fact, it was crude. The farm bureaucracy openly and threateningly brought pressure on federally licensed radio and TV stations to give free time for the Government's version of the issues in the national wheat referendum.

No subtlety was involved. A national directive went out to State managers and local committeemen of the farm program to bring to the attention of radio and TV stations that they are federally licensed for 3 years only and the renewal of their license could depend upon the adequacy of their public service programs. This responsibility was particularly compelling, it was stated, with respect to public service agricultural programs.

The innuendo of the directive was amazing. Public service programing, it was stated, is promised by radio-TV stations "in return for two special favors granted by the Government," exclusive use of a broadcast frequency, and "the policy of the Government not to establish federally operated stations in competition with stations being operated commercially." Of course, the directive added, this does not make stations subject to dictation.

The directive was sent out by Ray Fitzgerald, Deupty Administrator for State and

County Operations of the Agricultural Stabilization and Conservation Service, presumably with the approval of Secretary of Agriculture Orville Freeman.

With vague images evoked of licenses revoked or Government operated competitors, a good many radio and TV stations complied. A spot check shows that prime time was wrangled in Indiana, Kentucky, and Minnesota, and possibly elsewhere on a broader scale. Some of the stations gave their time willingly enough; they wanted just such programs. Others felt they were highly pressured.

It might be supposed that this was only in the interest of serving the wheat farmers with a factual, unbiased view of the issues before them.

But Mr. Fitzgerald's directive belies this trusting view in one sentence: "As you know, interests representing one point of view in the referendum are blanketing radio and television stations with material in heavy quantities. It is not expected that we can match the flood of material from this group, which is also in a position to buy time. But it is essential that we act aggressively to make use of public service time of radio and television stations at times of day when farm people are listening."

Farm people listened and noted. The Government could not get even a majority for the adoption of its compulsory control program for wheat. A two-thirds majority was necessary for its adoption. Rather than submit either to authoritarian control of their farms or the methods of the not-so-hidden persuaders, wheat farmers were ready to take the risk of lower income.

Now the same bureaucracy which had so little knowledge of the people it was serving has adopted a dog-in-the-manger attitude toward new legislation. Wheat farmers would readily consider a new program patterned after the voluntary programs for feed grains coupled with acreage retirement.

But the bureaucracy still has its mind on arm twisting. Let the farmers suffer a little and they'll come back with their tails between their legs. This was a bad technique in the beginning. It is bad now. Mr. Kennedy would do well to bring it to an end and make a constructive beginning on a new wheat program that farmers want.

CIVIL RIGHTS

Mr. MILLER. Mr. President, it will behoove Members of the Congress to heed the warnings contained in a column written by Roscoe Drummond in the Washington Post of June 22, 1963. It is a timely article on civil rights and the role the Congress must play.

I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RIGHTS IN FOCUS—EYES ON CONGRESS

(By Roscoe Drummond)

Now that the President has committed the authority and prestige of his office to the most far reaching civil rights legislation in a century, the focus of responsibility and tension centers on Congress—and will remain there until action is forthcoming.

For 10 years the brunt of the burden of achieving racial justice has been borne, almost alone, by one branch of the Federal Government, the judiciary, including the Supreme Court, which has ruled in decision after decision that the constitutional rights precisely exercised by most citizens belong to all citizens regardless of race.

Tardily, but in the end with fervent eloquence, Mr. Kennedy has unreservedly dedicated the authority and leadership of the Executive to attaining full equality of treatment for Negroes under the law.

But all of the resources of the Government are needed. It is an abdication of congressional responsibility to leave the whole burden with the courts. The President cannot act beyond the laws which Congress gives him.

The initiative is with Congress and it is in the hands of Congress to determine whether, as a people and as a nation, we are going to succeed well—in removing racial injustice from the face of America—or suffer painfully.

What citizenship rights is Congress being asked by the President and by many leaders in both parties to fortify? Let us be clear that they have nothing to do with racial equality; they only have to do with citizenship equality. Nobody is asking for laws to equalize races, only to equalize opportunities—the right to vote, to attend schools and to use public accommodations equally, and to be eligible for employment without discrimination.

These rights have been affirmed in the courts as belonging to all citizens, not just to almost all citizens.

Obviously just the enactment of legislation is not going to dissolve all the racial tensions so long pent-up or to secure immediately every citizenship so long denied to so many. But it can provide the legal framework for better enforcement and stronger persuasion.

This is needed; time is running out.

Such legislation will be forthcoming:

If the decisive majority of Congress realizes that a resolution of the racial problem overrides everything else which Congress might do this year for the welfare of the Nation. It should not be the only domestic action Congress takes, but if it has to be, well and good. It will be worth it.

If most Americans and most Congressmen keep clearly in view that this is a national problem, not a sectional problem, and act in a spirit of humility, not in a spirit of condemnation.

If both parties put the Nation ahead of partisan politics, the clear majority of both parties will be needed. Democratic votes might be sufficient to enact strengthened civil rights, but a sizable majority of Republican Senators would be needed to end a filibuster.

"I ask you," the President said to Congress and to all of us, "to look into your hearts—not in search of charity, for the Negro neither wants nor needs condescension—but for the one plain, proud, and priceless quality that unites us all as Americans, a sense of justice."

PORNOGRAPHY

Mr. MILLER. Mr. President, I have received a copy of a resolution adopted at the 1963 State convention of the Knights of Columbus of Iowa, under the caption "Resolution VII," relating to the subject of pornography, and endorsing the plan known as Operation Yorkville. I ask unanimous consent that a copy of the resolution be printed at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION VII

Whereas pornography continues to be a problem in the State of Iowa and also throughout the entire Nation; and

Whereas local efforts to eliminate pornography, while praiseworthy and worthwhile, do not get at the source of this cancerous material; and

Whereas the Knights of Columbus as an organization should join in local, State, and National efforts to eliminate pornography; and

Whereas Operation Yorkville has been instituted in New York to present the problem of pornography to the President of the United States: Be it

Resolved, That the 62d annual meeting of the Iowa State Council of the Knights of Columbus does hereby endorse the action of Operation Yorkville in bringing the matter of salacious literature to the attention of the President of the United States as a matter of national importance and of the highest urgency and urging the President to send a message to Congress calling attention to the danger caused by the nationwide epidemic of obscene material flooding the country, urging a broad and continuous investigation and competent study of the problem, and the adoption of appropriate legislation, including, but not limited to, bills now pending; and be it further

Resolved, That the Iowa State Council of the Knights of Columbus hereby endorses and supports the intent of bills which have been introduced in the present session of Congress to control obscene material; and be it further

Resolved, That each council of the Iowa jurisdiction and each brother knight thereof individually and personally take part in Operation Yorkville by writing to the President, their Senators and their Congressmen in support of this project and also join with Rotarians and Kiwanians and other local groups to work together to stamp out pornography at all levels; and be it further

Resolved, That the State secretary forward a copy of this resolution to President John F. Kennedy, and to each of the Congressmen and Senators from Iowa.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BARTLETT in the chair). Without objection, it is so ordered.

ELECTION OF POPE PAUL VI

Mr. KEATING. Mr. President, last Friday Giovanni Battista Cardinal Montini, former archbishop of Milan, was elected supreme pontiff of the Roman Catholic Church. Pope Paul VI succeeds his predecessor, John XXIII in every sense of the word. Within 24 hours of his election, he announced his intention of continuing the Ecumenical Council of the Roman Catholic Church which had been convened by Pope John. Not only has he promised to carry on the movement which has given new significance to Christian unity, but he has stated that he will strive to perpetuate the policies which John initiated such as the revision of canon law, the quest to find the solution to urgent social and international problems, and the need to consolidate the spirit of brotherhood among men of all faiths and nationalities.

If any one papal candidate were equipped to realize the promise of broader Christian unity and the desire to exert a more constructive influence upon the affairs of humanity, which

John XXIII held out to the world, it was Cardinal Montini. His elevation to the throne of Peter has generated an enthusiastic and heartfelt response not only from the 500 million members of his own flock but from members of all religious sects and denominations.

Pope Paul is no doubt a man of eminent capabilities for the position he is about to assume. He has all the qualifications, personal and spiritual, to act as the successful administrator of one of the world's largest religious institutions. Pope Paul has given every indication both in his past religious career and in his first public address as the new pontiff over the Vatican radio that men of all nations can anticipate a beneficial reign from the 262d leader of the Roman Catholic Church.

I ask unanimous consent to have printed at this point in the RECORD a fine editorial from the New York Herald Tribune.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York (N.Y.) Herald Tribune, June 22, 1963]

POPE JOHN XXIII'S SUCCESSOR

Never in the long history of the papacy have so many millions, from such far-flung regions of the earth, stood in spirit in the great square before St. Peter's, awaiting the plumes of white smoke that signals the election of a pope. And seldom if ever have the acclamations that greeted a new pontiff been so heartfelt and universal as those which hailed Paul VI.

For both of these phenomena, cutting across the barriers of nation, race, and creed, the new pope's predecessor, John XXIII, was responsible.

It was he who gave the papacy, and in no small measure the Roman Catholic Church, an urgent and abiding interest in the minds of millions of non-Catholics. It was he who, by precept and example, stirred millions of Catholics with increased pride and love for their faith.

To all of these the election of Giovanni Battista Cardinal Montini was enthusiastically welcome, because of all the college of cardinals he most clearly stands for the spirit which animated the late pope; he is most definitely the successor of John XXIII.

This does not mean that Cardinal Montini was not a force in the church in his own right, or that Pope Paul VI will not need great spiritual and intellectual resources to realize the promise of broader Christian unity, of a more intensive and extensive Catholicism, of deeper influence for good upon the affairs of men, which John XXIII held out to humanity. Indeed, the burdens upon Paul VI will be the greater for the surge of renewal which John stimulated in the church and in the world.

But the swift decision of the conclave to name as pope a man who unequivocally represents John's ideals and ideas, and personifies the trend of the ecumenical council, indicates that Paul VI will have overwhelming support in carrying renewal forward.

That he will endeavor to do so Paul VI made evident in his pastorate as archbishop of Milan, in his stand during the council, in his tributes to Pope John. His choice of Cardinal Cicognani as secretary of state shows a desire to continue in the course John XXIII established; even his selection of Paul as his papal name—one that no pope has borne since the 17th century, but of universal meaning—is in that tradition.

The elevation of Cardinal Montini to the papal throne has evoked many expressions of joy and confidence, not only from Catholics, not only from Christians. And prayers in the language of many creeds and many peoples will arise for Paul VI, that he may be strong in the great work that lies before him.

GOOD ADVICE FOR GRADUATES

Mr. KEATING. Mr. President, numerous editorials have been written in recent weeks paying tribute to graduates of America's institutions of learning and offering them endless amounts of advice concerning the challenges which lie ahead. All of this is helpful and good, for surely we live in times which demand the best from every citizen, times in which it is to be hoped that our people will listen and learn from their elders and then apply this guidance to the conduct of their futures.

One of the finest editorials which has come to my attention appeared in the June 19 issues of the South-East Weekly Journal and the Henrietta Weekly Journal, which are weekly publications in the area of Rochester, N.Y. This editorial reflects the high standards and sound thinking of Mrs. Marian T. Deuel, who is publisher and editor of the newspapers.

In her editorial Mrs. Deuel offers some simple, sage advice to June graduates. It is advice that I hope will be heeded by all who have an opportunity to read these words.

In order that a wider audience may appreciate Mrs. Deuel's editorial, I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection the editorial was ordered to be printed in the RECORD, as follows:

[From the South-East Weekly Journal and Henrietta Weekly Journal, June 19, 1963]

CONGRATULATIONS, GRADUATES

Graduation time is here again—for those out of school, but for the graduate of today, it surely is not again. No, indeed, it is the graduation of importance in his life and marks his first steps out into a world which presents a terrific challenge.

For the graduate, the greatest and most perplexing problem usually is, "What happens now?" And of course, all well-meaning adults will naturally reply "more schooling," unless, of course, the student is a college graduate.

To us in the newspaper business, it is really tragic to find so many people who are struggling in making a living, just because they refused to further their education while they had the chance.

School years do seem to drag, but if you would sit down with a pad and pencil (they're great for figuring things out, by the way), and would divide your life on paper into 4-year groups, you would soon see that the little one 4-year interval, when tabulated with anywhere from 15 to 20 4-year periods which will go to make up your entire lifetime, is indeed very tiny * * * almost like this little period.

It isn't easy to spend four of your teenage years in school when the lure of dollars beckons. But just use your pencil to figure on your pad how many more dollars you will earn throughout the remaining years after your high school and college days, then ask yourself whether the extra effort isn't really worth while.

One thing we have found out through being in our own business: Success does not just come to anyone. It must be earned. And earned through many years of planning and hard work.

The best ways to earn your place in a happy life are, first, get all of the education that you can possibly afford; secondly, work in your church, your school, and other civic events so that people will know and like you—and so you will learn to work with others for the good of your town or city.

Graduation is a happy time and we at the Journal wish all area graduates great happiness. We congratulate you on your success in being graduated and hope that you will have many, many happy and productive years ahead.

MILITARY LEADERSHIP

Mr. KEATING. Mr. President, for those of us who have not always been able to see clearly the active and positive role played by today's young military officers in the absence of the widespread need for the skills, leadership, and methods of the battlefield, I call attention to a recent address by the Honorable John J. McCloy at the U.S. Military Academy on May 25, 1963.

Mr. McCloy reminds us that the same qualities of mind and character which gave us the great leaders of the last wars are part of the makeup of the more recent graduates of our service academies. These institutions will continue to train men of "strong, independent, and disciplined thought and action" and will remain a source of this Nation's strength.

Mr. President, I would also like to take this opportunity to congratulate John McCloy who, on this occasion, received the Sylvanus Thayer Award—an award given to a U.S. citizen whose record of service to his country exemplifies devotion to the principles expressed in the motto of West Point—duty, honor, country. Certainly, the Thayer Award is a fitting tribute to John McCloy's distinguished career.

Mr. President, I ask unanimous consent to have printed in the RECORD the text of this inspiring address.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS OF HON. JOHN J. MCCLOY UPON RECEIVING SYLVANUS THAYER AWARD AT U.S. MILITARY ACADEMY, WEST POINT, N.Y., MAY 25, 1963

General Westmoreland, General Groves, graduates of the Academy, the corps of cadets, ladies and gentlemen: I wish I could find the words adequately to convey to this corps and the friends who are here today the sentiments and the memories which are prompted by this award from the graduates of West Point. As I am flattered, I am, at the same time, deeply moved. I have known or worked with, I believe, all of the distinguished figures who have preceded me as recipients of this honor—with most in time of war—and I have had such close association with graduates of this Academy over the years that to be selected by them for their award, which bears the name of the Father of the Academy, warms me beyond measure.

I am likewise honored, but I must confess I am also appalled, at the thought that I am following Gen. Douglas MacArthur, who last year delivered that extraordinary farewell to the corps with its resounding refrain of duty, honor, country. I do not need to remind you that I cannot attain the heights which that occasion and his eloquence reached. I intend to be quite informal and rather personal in my response and I hope that you do not feel that I am slighting the occasion by being so.

First, I am going to reminisce a little by recalling some of my early associations with graduates of this Academy. There is no generation of soldiers which cannot speak of things as they were in the "old Army." Even for the youngest of you who are here today there will be an "old Army," but for me, the term goes back to the Army as it was at the beginning of World War I, or what is known around my home as the old man's war. Shortly after the outbreak of that war, I joined the Regular service as a provisional second lieutenant, and if there is anything lower than that in the Army list, they haven't, to the best of my knowledge, thought up a name for it.

The senior officers of my regiment, which sprang from what we liked to believe was the oldest unit in the Army, were really "old Army" as I look on things now. Some had records reaching back to Indian campaigns with characters as colorful as the war paint of the Sioux. One man in particular stands out in my memory, and always will, and that was Guy Preston of the class of 1888. Tough, inquisitive, alert minded and with a grand and, at times, somewhat lusty, sense of humor, he commanded the regiment. The story was that Frederic Remington, an old friend of his, had used him while he was on an Indian campaign in the West as a model for the painting of a dust-covered mustachioed lieutenant of cavalry, reproductions of which some of you may have seen. Preston, among other things, was an ingenious man and he had a number of inventions to his credit, including one known as the Preston brand. It involved a means of delivering a uniform pressure as the brand was applied to the horse and it was designed to go on the horse's rump. He rebelled at the thought that a brand should be put anywhere else on a horse, because it was only there that it could be readily seen along the picket line. On the morning of the Armistice in 1918, I went with him (he was then a general officer) up to the front line trenches in front of the Bois de la Pretre. It was a rather dramatic scene. Some firing was still going on up in the woods to the right where they had not been able to disengage. Germans were popping up on the other side of no man's land. In front of us, along what was left of the highway on which no one dared to expose as much as a head the day before, large numbers of recently released French prisoners, taken at the early battles of the war, were now pouring over the hill, in their blue tunics and red breeches. As we sat on the parapet and watched it all, Preston was a rather dejected figure as he seemed to see many of his long-held ambitions fade away. We had been getting ready for the attack down the Moselle River on Metz, which was to take place on November 14, as I recall it. Preston hoped that this was to be the great opportunity of his long career in the service. After a pause, this old West Pointer and wise philosopher turned to me and said, "Well, Mac, I'll never be a lieutenant general but there is one accomplishment they can't take from me. I've got my brand on every horse's 'so-and-so' in the Army and that, my young man, I'll have you know is no mean achievement." A valuable admonition of his I also frequently recall. "Always stick to the truth for," said he, "after some early experimentation, I found I could remember it longer."

The fact that this man had fought the Indians of the Plains and lived till well after World War II, has always impressed on me the strikingly short span of American history and what a challenging task it is for the generations of Americans which are now coming along to maintain the extraordinary pace our progress has so far achieved. We appear to be doing it, however, as Major Cooper's feat evidences.

I cannot refrain from reminiscing just a bit more, for in recalling the award to General MacArthur, I was reminded of an occasion in World War I when I was accompanying Preston on a trip he was taking along the line. We came to the 42d Rainbow Division which was, I recall, commanded by Maj. Gen. Menoher of the class of 1886. Preston called him "Minnie," a familiarity in which, needless to say, I did not join. In a moment of confidence, Menoher told Preston in reply to an inquiry as to how his division was getting along, "If only this division can continue to successfully contain two such characters as Douglas MacArthur and 'Wild Bill' Donovan, I don't fear the Germans." I remember seeing both of them at that time, each young, handsome, gallant, in both appearance and deed, yet, as it turned out, their greatest contributions to their country lay still well ahead of them. Both wore Distinguished Service Crosses then and both were subsequently to win the Medal of Honor.

And so you can perhaps imagine some of the memories and thoughts which passed through my mind as I stood at the review this moning. I imagined that I saw interspersed among the ranks, the Menohers, the Pershings, the Liggetts of the old war as well as the Eisenhowers, Bradleys, and Clays of the more recent one. But it came upon me also that the real strength of the corps is not expressed in individuals. Among the graduates of the Academy, for every one whose name has become a household memory, there were probably a dozen as good or better men, the juxtaposition of whose stars just did not happen to produce the combination of time and talent that makes for public notice. The strength of the corps and its value to the country lies in the fact that it is there—in peace and war—always with a level of training, knowledge and discipline on which the country can constantly depend. From time to time, when great names or what the world is prone to class as great, emerge, it really is only evidence that the corps is still performing its task of having available at all times a sizeable and competent supply of those, from among whom the sometimes weird accidents of opportunity, will select the famous.

And this brings me to the point I would like to make by way of response to this award. Vast new dimensions, the extent of which you, and in all probability your instructors, have not yet fully comprehended, have been introduced to the science of conflict and destruction. They transcend in their effects all the accumulations of the so-called advances in warfare since Adrianople was fought. Many implications of these new developments remain obscure, but one thing seems certain, and that is, that the character of military service, the type of leaderships, the skills and even the forms of courage which the Nation will require, will differ in many aspects from the requirements of the past. With the threat of a war in which civilian casualties might run into scores of millions and the incapacitation of millions more, with the attendant upheavals of the Nation's life, it is certain that something much more than that which was demanded of the cavalry leaders of the 19th century or the tank commanders of the 20th, will be exacted from you and those with whom you become associated in your Army careers.

The chief problem among many which confront the country and the world is, at least as I view it, how such destruction can be averted without loss of self-respect or impairment of the country's vital interest. Winning such a war is almost a contradiction of terms, yet men and nations will probably continue to harbor the ambitions, display the prides and indulge in the obduracies which generate conflict. Moreover, accidents can happen. All this demands fundamentally new concepts of what constitutes the true security of the Nation and how it can best be achieved. No one has yet the full answer.

There is considerable comment today about the extent to which civilians have intruded themselves into military affairs. Industrialists and academicians have been interesting themselves and participating more and more in such matters. Not only have our corporations huge contracts covering research and the production of munitions, but our universities have been given many large research projects by the armed services. Academicians who have heretofore had to content themselves with studies on some literary, historical or physical obscurity, suddenly find that they are being well paid, or at least encouraged, to deal with the heady wine of military strategy, methods of mass destruction and power politics. This has produced some reaction among the military and even promoted some resentment, but in my judgment it is quite natural that wider interests are being displayed on military matters. The casualties and loss of values threatened to civilians are so astronomically high that, even without subsidies, it is quite understandable that civilians should become preoccupied with matters that could so deeply affect them. Nor should one get too worked up about the prolific commentators, some of whom have never heard a shot fired in anger, who do not hesitate to expound on military strategy and tactics, as if they were really equipped to do so. If the cost of a program for the production of a single weapon can run to \$6½ billion, is it any wonder that competing manufacturers strive mightily to obtain that contract? And what better opportunity for a good-sized row if, in addition, it is disclosed that there is a helpful division of opinion in the Pentagon?

The plain fact of the matter is that modern warfare and the threat of modern warfare are such all-pervading features of our modern life that no single school or group can or should be treated as the exclusive high priests of the art. In the first place, the subject is not so esoteric that only a select few can understand the language and, in the second place, the art changes so rapidly and the implications of these changes are so wide that consideration must be given to all serious and differing points of view, from whatever source they come. The danger is not so much that too many will comment as that we shall have too much doctrinaire and partisan thinking applied to the subject. Disciplined thinking and objective thinking from all sides must be accepted and welcomed, and it is quite clear that no one group has the monopoly on these.

You will probably tire hearing criticisms about the military mind before you are finished with your careers. I once had the temerity to defend the military or the Army mind in an article I wrote. A good part of the criticism of the military mind comes from people who, if they have any mind of their own, give evidence of being particularly parochial in their own approaches to thinking. If a military mind means one that is disciplined while open to fact and argument, if it means one that is marked by precision of thought and action—cherish it and do not worry about those who charge you with possessing it.

If, on the other hand, it partakes of prejudiced, partisan or crystallized thinking, the criticism is well deserved, and such habits of thought would be on the same level as some of the doctrinaire thinking a good many commentators, on and off the campuses, are indulging in these days, usually punctuated with a sequence of catch phrases used more often than not as a substitute for penetrating thought. I am quite certain that the objective student would find on analysis that the mistakes and stupidities on the part of the civilians and the soldiers have been so equally distributed throughout history that it scarcely behooves either of them to attempt to reflect on the other's mind.

Never has the Republic stood in such need of high statesmanship and the objective thought which goes with it. The whole great problem of peace and war, the economic strains, the necessity of maintaining our free world associations as a great constructive force in this critical period of history, the implications of space, to name but some of the great problems that confront the Nation, demand the best thinking available without regard to source. It used to be fairly easy to define where the security of the Nation lay—now it is a vastly more complicated subject with no single group having a monopoly on the formula.

Time and time again in the continuous problem of seeking suitable people to undertake exacting government assignments in the war and postwar period, I have noticed how frequently the search has first been made among the military. It was not because they were more patriotic or because they were imbued by the spirit of West Point or Annapolis. It was because they were there—available, trained, and subject to orders. Others, one had to persuade, or to adjust their conflict of interests, or meet civil service requirements or some such obstacles. If the professional military man possessed the breadth of mind and an awareness of important nonmilitary considerations, more often than not, he got the job and did it well. It is precisely because of this that it is so important for you and for the country that you prepare yourself to perform with a penetrating mind free from prejudice and stale doctrine, whatever job you are called on to do.

And at the risk of being charged with sermonizing on an occasion where no sermonizing is appropriate, let me suggest that one's career will be fulfilled, whatever the assignments, if one maintains himself and his thinking, in this sense—ready, able and willing to meet any task confided to him. That there will always be available from the graduates of this corps a group of men of strong, independent and disciplined thought and action is, I repeat, the strength of this corps and of this institution rather than the list of the individuals who have graduated and gone on to achieve fame.

Preston's career was nonetheless worthy even though the attack on Metz never did materialize. Ambassador Jules Jusserand, who was and had been the French Ambassador to Washington for a number of years at the outbreak of World War I, liked to refer to a song wrtiten by a Frenchman named Gustav Nadaud. It was about a French peasant who lived all his life in Languedoc, not far from the beautiful town of Carcassone. He could faintly see the towers and walls of the town from his farm on a clear evening and he always cherished the thought he would some day be able to visit it. He had a hard time keeping body and soul together, taking care of his family and acting the role of a good neighbor when troubles came. He died, however, without ever having gotten to Carcassone, but the poet makes the point that he had, in reality, visited Carcassone because it had been a constant inspiration, enriching his full life of service. I think you get the point I am trying to make and having made it I shall stop.

I have been pleased and warmed by this honor. I hope my response has reflected my feeling for the traditions of this Academy and my respect and regard for those graduates of it who it has been my good fortune over the years to know and be associated with in peace and war.

Thank you very much.

ELIZABETH ROWE—CITY PLANNER

Mr. MANSFIELD. Mr. President, the planning and architectural appearance of the Nation's Capital is continually the subject of many loud criticisms and frequent surveys. However, the building and planning of the city goes on uninterrupted. The one agency that is the most deeply involved is the National Capital Planning Commission, headed by the able and charming Mrs. James H. Rowe, Jr.

Elizabeth Rowe has been active in civic and political affairs of the District of Columbia for many years. The appointment of Mrs. Rowe as Chairman of the Commission in November of 1961 brought to the Commission a deep and abiding personal interest in the affairs of the Nation's Capital, its physical appearance, growth patterns, transit, and a wealth of other problems of concern to large metropolitan areas. In addition, these problems become more complex because this is the capital of our country and thus, the Commission is subject to pressures from all parts of the Nation. Everyone has some ideas as to how Washington, D.C., should look.

Elizabeth Rowe has done a remarkable job in stabilizing the planning of the city. She has taken a particular interest in preserving the historic values and need for parks and open spaces within the city. She understands the problems of transit, but is not committed to a wholesale program of freeways and parking lots. Mrs. Rowe has been a strong influence in promoting the redevelopment of major areas of downtown Washington such as Pennsylvania Avenue.

Mr. President, the June 16, 1963, issue of the Sunday supplement of the Washington Star contains an excellent personal interview with Elizabeth Rowe, and I ask that it be printed at the conclusion of my remarks in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CITY PLANNER: ELIZABETH ROWE, CHAIRMAN OF THE NATIONAL CAPITAL PLANNING COMMISSION, TALKS ABOUT THE MESS IN WASHINGTON

(By Orr Kelly)

In the striking modern lobby on the third floor of the new First National Bank Building at the corner of 17th Street and Pennsylvania Avenue NW., the lengthy names of three important agencies stretch, one on top of another, across one wall: National Capital Planning Commission, National Capital Regional Planning Council, Metropolitan Washington Council of Governments.

The names are symbolic of an organizational diversity that, according to a leading architectural magazine, has made a mess of planning in Washington.

But to the handsome blond woman in the handsome corner office with its impressive view of the Executive Office Building and the northwest approaches to the White House, the diversity in planning for the future of the Washington area has its merits.

"I don't think planning gets bogged down because there is a variety of agencies taking a look at it," says Mrs. James H. Rowe, Jr., Chairman of the National Capital Planning Commission. "I think we can function * * * and it's just as well to have this diversity because the decisions are so important."

Of all the many agencies planning for the future of the Washington area or the various parts of the area, none is potentially as important as the commission Elizabeth (Libby) Rowe has headed since November 1961.

When Congress established the Commission in 1952, it handed out responsibility with a free hand, giving the Commission the job of making plans that would "best promote public health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency and economy in the process of development."

The Commission has specific responsibility for planning for the District of Columbia and for Federal installations in the area surrounding the District. The National Capital Regional Planning Council, set up by the same act of Congress in 1952, has the job of coordinating the planning for the metropolitan area. In addition, there is hardly a Federal, District, State, or local agency that doesn't also have some stake in future plans for the area.

In handing responsibility to the Commission, Congress was equally liberal in handing out veto powers. Federal agencies which plan construction in the area are required to submit plans to the Commission, but in each case, after "consultation and suitable consideration of the views of the Commission the agency may proceed to take action in accordance with its legal responsibilities and authority."

(Some professional planners feel, however, that the Commission itself has too great a veto power, and an effort is being made to deprive the Commission of its veto in the field of urban renewal. In a recent issue devoted to Washington, Architectural Forum described the city as a place where everyone can say "no," but no one can say "yes.")

As Chairman of the Commission, Mrs. Rowe is thus like the skipper of a ship who has orders to go full speed ahead—but who doesn't dare to damn the torpedoes.

Mrs. Rowe, first woman member of the Commission and first Kennedy appointee, has proved herself remarkably effective in one of her major torpedo-dodging duties—the job of presiding at Commission meetings. On more than one occasion, her skillful chairmanship has kept the Commission on an even keel and headed generally on course despite torpedoes and threats of mutiny.

The Commission has frequently been the focus of controversy in such issues as highways versus rapid transit and renewal versus the status quo.

A major controversial issue that brought a sharp break between the majority of the Commission and its Executive Director came early last year when the Commission voted against a program for renewal of the Georgetown waterfront.

It was shortly afterward that William E. Finley, who had favored the program, quit his $19,000-a-year post as Executive Director to take another job. It was widely speculated that one reason he went job hunting was a feeling that Mrs. Rowe was taking over many of his responsibilities and that she and some other members of the Commission tended to go full speed ahead too slowly.

After Mr. Finley's departure, a search was begun throughout the Nation for a new Executive Director, a search complicated by the report (true) that the fine corner office intended for the new Director had been taken over by Mrs. Rowe and the report (untrue, she says) that she had been in no hurry to find a new Director because she wanted to run the Commission herself.

Six months after Mr. Finley's departure, however, W. C. Dutton, Jr., former executive director of the American Institute of Planners, was named Director.

There is no difference of opinion among Commission members about the importance of careful planning for the future growth of the Washington area.

"This is the fastest growing metropolitan area in the East," Mrs. Rowe says. "Our problems are similar to those faced by cities everywhere, but our solutions to these problems have to be uncommon. Washington is not just another city. It is a city of great natural beauty, a city with important historical value and, as the National Capital, a symbol to the whole free world.

"Our problem is to permit the necessary development, but to keep the character of our city and the surrounding area."

In Lafayette Square, she says, there is a plan to preserve the historic old buildings around the square while providing for needed office space in structures set back behind the colorful old buildings. The columnist who gave her the credit for a brilliant solution to a difficult problem was in error, she says. Actually, it was President Kennedy who suggested the plan, which has now been adopted.

"The President," she says, "took care of his own front yard. Unfortunately, we can't expect the President to solve all of our planning problems for us."

Mrs. Rowe, who is 51 and the mother of three children, is one of those in whom political liberalism is combined with a deeply conservative concern for the preservation of physical ties with the past.

Her husband, a Washington attorney, was a White House aid to President Franklin D. Roosevelt and later an Assistant Attorney General. They were both active supporters of Adlai E. Stevenson and, in 1960, Mr. Rowe served as national chairman for the campaign of Senator HUBERT HUMPHREY for the Democratic presidential nomination. After Senator Kennedy won the nomination, however, Mrs. Rowe helped set up the Women's Committee for the New Frontier. When he won the presidency, she served as cochairman for the inaugural parade.

Although she was born in Maryland, Mrs. Rowe has lived in Washington since she was 2 months old. "I love my city," she says.

Mrs. Rowe listed some of the projects with which the Commission is currently concerned:

A subway system: "* * * tremendously important; the salvation of the center of the city."

Pennsylvania Avenue renewal: "A very exciting project—it can be a monument to the Kennedy administration."

Landmarks Commission: "We're studying, with the Fine Arts Commission, the establishment of a Landmarks Commission to make an inventory of our historical and architectural landmarks and to find some way of preserving them so that the best of our heritage will not be lost."

Preservation of parks: "To me, it's silly to talk piously about preserving open space outside the city if we let our parks inside the city be lost."

Height limitations: "With the Fine Arts Commission, we are studying the skyline, which is controlled by zoning. There is increasing pressure for spot zoning, which escalates into increased height."

Mrs. Rowe says she doesn't expect zoning changes that would permit any monument-dwarfing skyscrapers in downtown Washington. But the height limitations, designed to preserve the monumental character of the downtown area, have created a problem of their own.

"The area here," she says, indicating the downtown area, "is losing its quality because everything is built to maximum density. That's the way to make a profit, but it also makes a monotonous city. I am optimistic that we can have some architectural variety."

It is the National Capital Planning Commission which developed the "year 2000 plan" for the development of the Washington area to serve as a kind of skeleton to control the growth of the city and its suburbs. Now, the Commission's 45-member staff is busy putting meat on the bones of the part of the plan which lies inside the District with a more detailed plan for the way the city will (they hope) look in 1985.

While the 11-member Commission can plan for the future, the cooperation of a bewildering array of agencies is required to put any plan into effect. But it takes only one or two boat-rockers to upset everything.

One day recently, between a trip to the Hill to testify before an appropriations committee and an appointment with an applicant for the job of Director of the Commission, Mrs. Rowe sat on the new brown and yellow couch before the big picture window in her corner office and talked of the problems the agency faces.

"Our problem, obviously, is a regional planning problem," she said. "I think the solution depends less on the mechanism of planning then it does on the support it gets. The political jurisdictions in the region are simply not ready to give away their autonomy."

She paused and looked out the window at the late afternoon traffic beginning to build up on Pennsylvania Avenue.

"I know our problems are big and they are there."

Her voice trailed off and she remained silent for a moment as the sound of the traffic drifted up from the street below.

SOVIET SPACE OBJECTIVES

Mr. SIMPSON. Mr. President, as the United States prepares to consummate an executive agreement with the Soviet Union regarding the exploration of earth's magnetic field, it behooves the Congress and the men who direct our scientific and technological development to give serious thought to the direction of our advancement in those fields.

I would like to bring to my colleagues' attention an editorial from the June 21 edition of the Riverton (Wyo.) Ranger, in which Editor Roy Peck states graphically and unequivocally the dangers inherent in our lace handkerchief attitude toward space competition with the Soviet Union.

This Wyoming editor, whose county was recently the center of a National Aeronautics and Space Administration exhibit, says bluntly:

> The United States of America is courting the danger of total annihilation or abject slavery every day that the Government fails to come to the certain conclusion that Russia's total effort in space is devoted to military objectives.

Mr. President, these are words of great truth, for truly we are flirting with disaster as we scurry about seeking to enter into scientific and cultural agreements that can only benefit the people who are sworn to destroy us.

Editor Peck's anxiety emanates in part from the patent examples of duplicity, overlapping responsibilities and interagency rivalries that have handicapped our own scientific program.

For these multiplicities, as the editor points out, we are paying dearly in the most precious commodity of the space race—time.

I ask unanimous consent that the Riverton Ranger editorial be printed in the RECORD, and, I urge my colleagues to study its message as the enactment of another executive type scientific agreement with Communist Russia draws near.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

> The United States of America is courting the danger of total annihilation, or abject slavery, every day that its Government fails to come to the certain conclusion that Russia's total effort in space is devoted to military objectives.
>
> It is agonizingly apparent that we are at least 2 years behind the Russians in space flight. This 2-year lead in space couldn't matter less were the Russian objectives for peaceful purposes only, as are ours.
>
> They are not. Russia doesn't devote a nickel in space that doesn't have a direct military application. In simple terms, Russia is spending 100 percent of its space budget in military application while most of our space budget, at least ostensibly, is for peaceful exploration and research only.
>
> It is time now for a reappraisal of our efforts in space, agonizing as this reappraisal may be.
>
> The National Aeronautics and Space Administration has done an excellent job with Project Mercury. Their decision as announced by space chief Jim Webb to discontinue any further Mercury flights and get on with the two-man Gimini program was a correct one.
>
> But Gemini is already a year behind schedule and it will be perhaps more than a year now before we launch the first Gemini capsule and begin experimenting with orbital rendezvous techniques.
>
> In the meantime, what have been our military accomplishments, and what will they be in the next several years?
>
> Admittedly, several years ago, there was a distinct missile gap. But through a well-coordinated crash effort of the Air Force (and the Navy with the Polaris program) this gap has been closed.
>
> Our western country is pockmarked with the underground installations of the Atlas, the Titan, and the Minuteman. They are a powerful deterrent, as is the Strategic Air Force, to Russian aggression.
>
> But missiles are a maginot line type of deterrent. The maginot line deterred Adolph Hitler for a few years, while he devised a method to surmount the static type of defense.
>
> Missiles have been a necessary adjunct to the defense of our Nation. But they provide only a "Yes" or "No" defense. Either you fire them, and destroy the world, or you don't fire them and surrender. There is no middle ground.
>
> It is time that we move ahead into the military application of space vehicles.
>
> The Air Force has accomplished its underground mission with missiles. It now should be returned to the skies where it belongs.
>
> President Kennedy's announced objective to develop a supersonic jet airliner, can just as well be reached through perfection of the RS–70 supersonic bomber. In this manner we reach our supersonic aircraft goal, while at the same time protecting our military advantage.
>
> Carrying this thought even further, this Nation needs to develop as fast as possible a manned orbital spacecraft with wings, a space plane that can take off into space, and land again on conventional airports. Or rendezvous in space with an orbiting platform.
>
> Dyna-Soar is such a program. It would be tragic to scuttle this program in order to provide funds for some other space program with less long-range benefits.
>
> It is true that there is coordination now between NASA and the Air Force, but let us not strip the uniform off the astronaut to the final enslavement of this Nation.
>
> Now is the time for a new look at the direction of our space effort.

THE SENIOR SENATOR FROM GEORGIA PLEDGES ALL-OUT DEFENSE OF STATES RIGHTS AGAINST FURTHER UNAUTHORIZED EXPANSION OF FEDERAL POWER

Mr. TALMADGE. Mr. President, the people of this great Nation are fortunate indeed to have serving in the Senate a man of such high stature and dedication to principles as the senior Senator from Georgia, my distinguished colleague, Richard B. Russell.

The citizens of his State and region are especially proud of Senator Russell, whose statesmanlike qualities have brought him national renown and the everlasting respect of his fellow Members of this body. There is no greater champion of the rights of the States and of individuals, no stancher defender of our republican form of government. In all his 30 years in the Senate, he has been at the forefront in legislative battles to preserve constitutional government and protect the integrity of the United States.

There appeared in the June 19 issue of the Wall Street Journal a splendid article concerning Senator Russell's leadership in this regard, with particular reference to current attempts by the Federal Government to further enlarge its power and to encroach upon the rights of the States and their citizens in the field of human relations. Senator Russell's opposition to this unauthorized legislation has been made infinitely clear.

Mr. President, I ask unanimous consent that this article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Russell's Strategy: Key Southerner Lays Plans for Civil Rights Filibuster

(By Jerry Landauer)

Washington.—Next to President Kennedy himself, the man to see about Negro rights is Senator Richard B. Russell, southerner, for, more than any other man on Capitol Hill, Mr. Russell will decide how Congress treats the President's civil rights package expected today.

Senator Russell's authority isn't based on control of the formal levers of power on Capitol Hill. No southerner could hope to become Democratic leader today, just as no man from deep Dixie could aspire to the Presidency with much hope of success. Dick Russell's authority derives instead from an immense prestige built since 1933 on the foundations of quiet hard work, intellectual brilliance, honorable dealings, and reverence for the Senate as an institution.

He has parlayed these qualities into a position as the South's most respected lawmaker. There is no dissent when he refers benignly to his followers as "my people." He is a parliamentary wizard. He has a remarkable knack for sensing the Senate's mood. He is a charmer. He is as far inside the Senate club, the "establishment" (that bane of liberals), as it is possible to be without bumping into the upholstery.

Attorney General Robert F. Kennedy, in the process of scouting Senator Russell's views, has been told rather curtly that if the senior Senator from Georgia can prevent it, there won't be any significant new civil rights laws. The Attorney General worked on Senator Russell twice in recent weeks; the President himself tried once.

MANY BILLS INTRODUCED

Mr. Russell is in an unyielding mood, because the events of May and June reinforced his conviction that if men such as New York's Senator Javits, Pennsylvania's Clark, and Illinois' Douglas had their way, the North would impose a second Reconstruction era on the South. Since January, scores of civil rights bills, weighing in total 5 pounds 3 ounces, have been introduced by Senators. Mr. Russell and his allies have erected formidable obstacles to block them. The hurdles are so formidable that no civil rights bill has ever been enacted without Richard Russell's acquiescence.

Right now Senator Russell is prepared to acquiesce very little indeed. He will reluctantly agree to extension of the Civil Rights Commission's expiring life; he might give a little on a carefully drafted voting rights bill; and he probably would accept Republican Leader Dirksen's tentative suggestion for a national conciliation agency. But proposals that would give the Executive more power to compel race mixing will be fought to the end.

When Birmingham exploded into national headlines some southerners became fearful that at last the South's veto-wielding power in the Senate might finally collapse. Today, though the civil rights clamor is climbing, the region seems more confident that it can beat off the administration's more sweeping proposals to legislate racial equality.

The confident tone of Southern reaction is based in part on a conviction that Mr. Kennedy has overplayed his hand by warning Congress that violence will be the consequence of inaction and by seeming to encourage more Negro demonstrations unless the lawmakers follow the administration's charted course. "Unless the Congress acts, their (the Negroes') only remedy is the street," according to Mr. Kennedy. Certain Negro leaders have gone further, threatening massive protests and warning of bloodshed unless Congress acts promptly.

RUSSELL'S ASSESSMENT

If Mr. Russell's assessment is accurate, the Senate's uncommitted centrist bloc will not bow to threats. To him the Senate is the only bastion in the Federal Government against passion-inspired law. And it seems inconceivable to him that a two-thirds majority will silence the southerners and ram through legislation which his generation of Southern leaders cannot accept.

The South's strategy is already clear: To concentrate its attack on that part of the President's civil rights package which is most objectionable to conservatives generally. Starting this week the region's congressional orators will open fire on the President's public accommodations proposal—legislation to bar discrimination in hotels, restaurants, theaters, department stores and other privately owned businesses that cater to the general public.

Looking ahead, southerners see the continuing migration of Negroes to the North as bound to generate new "understanding" for the way the South handles the race issue. North Carolina's Senator Ervin, for example, read with deep interest a recent declaration by the 74,000-member National Association of Real Estate Boards that a home or apartment building owner is vested with an inalienable right to sell or rent to whomever he pleases.

The declaration was aimed mostly at State fair housing laws, but to the South it indicated widespread sentiment across the country against use of Federal power to compel desegregation in privately run places. "I believe in equality for every man," Richard Russell says. "(But) the use of Federal power to force the owner of a dining hall or swimming pool to unwillingly accept those of a different race as guests creates a new and special right for Negroes in derogation of the property rights of all our people to own and control the fruits of their labor and ingenuity."

Richard Russell can summon a parliamentary precedent at the snap of a finger, yet there are some among his warm admirers who believe his 30 years in the Senate blind him to what's going on outside. Certain friends fervently hope that he will now bend somewhat to what they think is the Nation's mood for action.

OFFERS NO ALTERNATIVE

But as the great struggle over minority rights looms, the senior Senator from Georgia seems to be thinking far harder about the use of legislative machinery to block the President than he does about the social revolution sweeping North and South. He has no alternatives to offer the impatient Negro. He denounces certain northerners for riding the race issue for votes but says nothing publicly about southern politicians who do the same.

Now Mr. Russell is organizing his battalions for another filibuster, unlimited debate designed to head off a vote on pending legislation. Senate rules give every advantage to the filibusterers. No committee may meet during a session except by permission of the majority. And a motion to allow, say, a meeting of the Finance Committee to process the tax cut bill is subject to debate and hence to the filibuster. Debate drones on until two-thirds of those voting are ready to impose cloture and bring the issue to a vote. This has never happened on civil rights.

Thus, the filibuster is the South's last stand and the two-thirds vote needed to halt debate its best weapon. Senator Russell has buttressed the cloture rule through the influence he wields with men outside the Southland. Tirelessly he indoctrinates Senators from the small States in the view that unlimited debate assures the equality of all States.

To Richard Russell the right of unlimited debate also guarantees that the Senate will remain a forum of the States, as the Constitution contemplates, rather than a reflection of majority will. He is determined to keep it that way. For example: In 1958, before agreeing to Alaska's admission to the Union, he assured himself that at least one of the new State's probable Senators would be reasonable about the cloture rule.

With varying degrees of constancy, Nevada's two Democratic Senators, Wyoming's Senator McGee, New Hampshire's Cotton and now Hawaii's freshman Senator Inouye are believers in or converts to Dick Russell's views of the Senate.

A CONCESSION TO JOHNSON

Successfully, the South's leader also has maneuvered to entrench the filibuster more firmly in the Senate rules. In 1959 he agreed to relax the cloture requirement from two-thirds of the Senate membership to two-thirds of those voting. For this mild concession, Majority Leader Lyndon Johnson agreed to a Russell-sponsored proviso that in the future the rules couldn't be changed except as provided in the existing rules. This meant, of course, that a proposal to trim the filibuster another notch would itself be subject to unlimited debate. It is a source of some amusement to Senator Russell that liberals such as Minnesota's Senator Humphrey, who in 1959 agreed to the Johnson-Russell arrangement, now contend that the action was unconstitutional because no Senate can bind its successors.

Lyndon Johnson had a knack of dealing with Mr. Russell, and it may be that when the heat is on during July and August the Vice President will be in the thick of backstage maneuvering for compromise. ("Lyndon's a great compromiser," recalls one disenchanted liberal. "We got the apple and Dick Russell got the orchard.") It was Mr. Johnson who put through the mild voting rights bill of 1957 and 1960, the first civil rights legislation in this century. Mr. RUSSELL went along for a number of reasons, among them concern that otherwise the South would be completely isolated from the Northern Democrats and from the rest of the Nation.

Another reason, according to a confidant of the Vice President, was honor. For when Senator JOHNSON deleted from the 1957 bill authority for the Attorney General to initiate civil rights suits and other provisions to which the South objected violently, RICHARD RUSSELL was left with no honorable choice except to accept what he thought his beloved South could swallow without choking. He faces the same decision this year.

LT. ROBERT C. GIBSON, U.S. NAVY, RETIRED

Mr. MONRONEY. Mr. President, on Thursday, June 20, I introduced S. 1752, a bill for the relief of Lt. Robert C. Gibson, U.S. Navy, retired, which was referred to the Judiciary Committee.

Lieutenant Gibson retired from the Navy in 1956 after being given the alternative of reverting to his enlisted grade or retiring at his temporary rank of lieutenant. In March of 1961, Lieutenant Gibson began working for Tinker Air Force Base in Oklahoma City as a sheet metal worker. Prior to beginning work, Lieutenant Gibson advised Tinker of his retired status and the fact that he was under the Dual Compensation Act. He also filled out the retired military personnel form designating his retired status. After analyzing this information, Tinker Air Force Base personnel office advised him that because of his permanent enlisted rank, he did not fall under the prohibitions of the Dual Compensation Act of 1894.

After 1 year of work at Tinker Air Base, Lieutenant Gibson was notified that his employment was being terminated and he was later told that the salary he had earned during his year of employment, $5,296.36, would be withheld from his retirement pay in installments until completely repaid.

There are several reasons why this situation is particularly unjust. Lieutenant Gibson acted throughout the period in good faith and the erroneous determination of his status was made by Tinker Air Base. His military and employment records are exemplary. His family, a wife and five sons, is in serious financial straits as a result of the curtailment of his retirement income. The Government, through the Air Force, has benefited from a year of skilled services.

I introduced this bill, S. 1752, to relieve Lieutenant Gibson of the imposition of repaying the wage of 1 year of hard work.

YCC CAMP NEAR MONTICELLO, UTAH

Mr. MOSS. Mr. President, I ask a few moments to defend the good name of the important southern Utah community of Monticello. I do so at the request of a number of its leading citizens who feel the community was maligned in a Salt Lake Tribune article of June 9 which inferred that the community was opposed to the location of a Youth Conservation Corps camp in its vicinity on the basis that it would bring undesirable young men into the community and threaten community standards.

The article in question, which was headlined "Monticello Writes 'No' to Youth Camp," reported that the three Republican members of the Utah delegation were announcing they had received over 65 letters from Monticello, virtually all of them against the proposal of the Bureau of Land Management to locate a YCC camp near Monticello should the YCC bill be passed. Mothers in Monticello were reported fearful that the town would "no longer be a good place to raise children," especially daughters, should "these poor fellows be allowed to come here," and that a father had asked, "Why not let the cities educate and train their own welfare cases?"

I had received a handful of similar letters, and I am frank to say I was somewhat chagrined. I know Monticello well. I have visited there many times, particularly in recent months while my bill to establish the Canyonlands National Park has been under consideration, since Monticello would be the southern entrance to the park.

Monticello is one of the finest communities in Utah. The people there are openminded and practical. They are not afraid of the untried or the new. They have been the center of a booming uranium and oil industry, and many of the newcomers brought in by that development have been integrated into the community.

I felt that Monticello—of all communities—would recognize at once the value of the YCC resource conservation program. The area is semiarid, with water in short supply, and livestock is still the basic industry. The type of work contemplated by the YCC on range improvement and soil enrichment would be most welcome. But it was the YCC joint objective of the conservation of human values which I was convinced would have the greatest appeal to this warmhearted town. It is one of the oldest communities in southern Utah, settled by sturdy Mormon pioneers in the last century. Somewhat isolated by distance and poor access until the uranium boom, it has cherished each citizen, and particularly each young person, and given them the best possible of education and opportunities. The people of Monticello would, I felt, be wholly in sympathy with the YCC concept.

Since the Senate had amended the bill specifically to prevent the enrollment of young men of known poor character, and only young men of good character could be chosen for the Corps, the question of bringing juvenile delinquents into the community was not at issue. Monticello would like the idea, I felt, of nurturing active young men from elsewhere in Utah, and from other States, in its clear pure air and its bright sunshine, and sending them back into the world in more robust health and with an improved outlook. I knew also that the business community would welcome the additional dollars which a YCC camp, and the boys in it, would spend in the nearest town.

So, as I have said, I was chagrined when I began receiving the anti-YCC letters. Certainly the majority of the other communities in Utah approved of the YCC proposal—I had received hundreds of commendatory letters from all over the State since I announced my cosponsorship of the YCC bill in the 88th Congress. Why not Monticello?

Then the Salt Lake Tribune article brought the issue out in the open, and I began to hear from the other side. Their dissent was couched in vigorous language.

I was told:

> A small radical group cannot speak for the majority on a policy which affects us all.
>
> Less than 10 percent of the population is opposed to the YCC.
>
> The Tribune article was ridiculous and ill-conceived.
>
> It was a most unfortunate piece of publicity for Monticello.
>
> Please don't judge the people of Monticello by the letters you have received.
>
> We are counting on you to correct the harmful publicity to us in the State and the Nation.

Then came some solid meat with which to clothe the bones of dissent.

I was informed that the request that a YCC unit be located in Monticello should the legislation be enacted was endorsed by the Monticello Chamber of Commerce; Monticello City Council; Blue Mountain Post 26, American Legion; American Legion Auxiliary; San Juan County Democratic Party; other organizations devoted to community service.

Next I received a petition signed by some 80 residents stating:

> We know we have close to 90 percent support on the measure, and we respectfully request that our opinion be made known to the other Members of the Senate and the House.

Finally I received a letter from an oldtime resident and community leader which gave me an insight into what had really happened:

> There is a small group of professional and semiprofessional men that have come to Monticello within the past 5 or 10 years that have opposed everything that has been progressive or that doesn't benefit them personally. This group telephoned many people * * * to get them to protest the YCC here.

It became clear that the Utah delegation in Washington had been the victim of an organized letterwriting campaign—a thrust against the bill and its objectives, sponsored by a group of people whose sentiments evidently were not in accord with the majority sentiments in the community.

I wondered if all of the newcomers to Monticello could possibly feel the same way. Then I got a letter from another newcomer, a person who had moved in over 10 years ago, and who declared:

> Once a family or a group proves its worth, there is no finer, more generous or appreciative people in the world (than the people of Monticello).

This confirmed what I had always believed—a YCC camp would be well located near Monticello, and the young men in it would be well received—if they proved worthy.

Finis was written to the episode, so far as I was concerned, when I received the following perceptive—and amusing—letter from a forthright teenager. The letter says:

Dear Senator Moss: In regard to the YCC—you have heard primarily from the "radical aginners." Now you are receiving a letter from a levelheaded teenager.

It is pathetic that Monticello is represented so wrongly by the letters you have received against the YCC.

First on the radicals list of strikes against the YCC is, "Our daughters won't be safe alone at night."

I am a 15-year-old girl and I personally feel that life in Monticello will change very little.

I also feel that if the parents have taught their daughters properly, they have nothing to fear.

I have high standards and morals and my parents are also in 100 percent favor of the YCC. If the parents haven't taught their daughters high standards by the time they are teenagers, they are just a little too late to teach them now.

All my life I have had all the blessings life could afford me. I have had good schools to attend, a wholesome environment to grow up in, and wonderful parents to teach and guide me. I have had all these and more, and I am willing to bet that the boys who come here will return to their homes better boys and stronger citizens.

The radicals in our town claim to follow the Golden Rule. But—when the time comes to lend a helping hand they forget the "do unto others" and think of "do unto me."

Next on their list is, "We don't want Negroes in our community."

However, if Nat King Cole or Johnny Mathis came into our town it would be a different story.

Third on their list is, "These boys will be juvenile delinquents." I believe that this will not be true because Congress won't allow ex-convicts or those with prison records to come.

I'm sure that many boys in Monticello who have been picked up or have prison records aren't considered juvenile delinquents. These boys aren't ignored, so why can't the boys of the YCC, who don't have records, have a chance at the wholesome life they are entitled to and the wonderful life we have?

Sincerely,

——— ———.

So with these words from a young Monticello woman—fighting words from one of our future leaders, I am sure—I conclude my defense of Monticello.

UNEMPLOYMENT, U.S.A.

Mr. METCALF. Mr. President, I think most Americans could agree that there has been some improvement in the quality of television programing in recent years. The television industry has come a long way in a relatively short time, and much of the credit for this improvement belongs to the industry itself.

While there has been noticeable improvement in programing—particularly in the important area of public affairs reporting, I was very distressed to learn that the American Broadcasting Co.'s program, "News and Comment" with the distinguished commentator, Mr. Howard K. Smith, is going off the air. I personally feel that this is a great loss. Mr. Smith has given the American people some of the most thought provoking half hours that television has ever offered.

Fortunately, he will remain with ABC and we shall still have the benefit of his penetrating examination of the serious problems facing our Nation and world in which we live. Beginning this fall, he will appear on the program "Issues and Answers."

One of Mr. Smith's finest half hours of the past year was his program of June 2, 1963, which was entitled "Unemployment, U.S.A." During this broadcast, he explored both causes and possible solutions to what he called the spreading American cancer: unemployment. Among the distinguished gentlemen interviewed by Mr. Smith was one of our highly respected colleagues, the senior Senator from Illinois [Mr. Douglas].

Mr. President, I ask unanimous consent that the transcript of Mr. Smith's June 2 broadcast, "Unemployment, U.S.A.," be printed at this point in the Record.

There being no objection, the transcript was ordered to be printed in the Record, as follows:

Unemployment, U.S.A.

The United States has the richest standard of living in the world—and it is still rising.

At the same time, the United States has the highest rate of unemployed, idle, unproductive humanity in the Western World—and that, too, may rise.

The eminent American economist, Robert Heilbroner:

Mr. Heilbroner. If all forces stay more or less as they are, including this most important force of a rising number of kids seeking jobs, we could very well have around 10 million unemployed people by 1970.

The man in charge, Secretary of Labor Willard Wirtz:

Secretary Wirtz. Unemployment is going to get worse and worse and worse. And the projection is quite clear, and what we have got to expect is it will go toward 6 and 7 percent within the next 2 or 3 years. That is if nothing is done.

The two biggest new categories of unemployed are young people and Negroes. Edward Washington, who belongs to both categories, admits boys like himself are ripe for trouble.

Edward Washington. You would get into trouble with the police if you dropped out of school and can not find a job. These days boys around my age like to have clothes, and money and then that leads to robbery.

Don Dixon. You mean if they can not get work?

Edward Washington. Yes, sir.

Don Dixon. They would get the money some other way?

Edward Washington. Yes, sir.

Tonight, "News and Comment" on the causes—and the possible cures—of the spreading American cancer: unemployment.

Nationwide Insurance, the company that created family securance service, presents Howard K. Smith with "News and Comment," June 2, 1963:

Mr. Smith. Good evening. It is notoriously difficult to get the U.S. Congress to act on our national problems until after catastrophe has struck. The great Depression of the thirties might have been avoided or mitigated had Congress faced its responsibilities in time. World War II, which killed more humans than any war in history, might have been avoided had Congress acknowledged and faced the problem of stopping Hitler while he was weak.

Today in the face of growing new problems, Congress is almost asleep. As a result there is no doubt that a new catastrophe is abuilding. What form it will take this time is not certain; but very possibly it will be a series of violent social explosions in the midst of our cities. The current rise of crime five times as fast as population—robberies, muggings, rapes—is the merest harbinger of bigger troubles to come.

As suggested in this cartoon by Herbert Block, of the Hall Syndicate: The detonator or fuse will be unemployment, idleness, national neglect of strong young restless Americans entering the work force but finding no jobs.

The way of intelligent behavior is to study a problem before it becomes one. So Reporter Don Dixon went out and interviewed 16-year-old Edward Washington, a polite, well-read young Negro school dropout who cannot find a job. Washington had not fallen victim to the bitterness growing among increasing numbers of idle youth, both Negro and white, but with frustration it can come:

Don Dixon. When did you leave school, Edward?

Edward Washington. I left school in February of this year.

Don Dixon. Why?

Edward Washington. Because I didn't feel that I had the proper clothes to wear like other boys had, you know, and I thought I would get out—come out of school and get me a job and get the clothes I want to wear to school.

Don Dixon. So, have you been able to get any kind of job at all since you left school?

Edward Washington. No, sir.

Don Dixon. What sort of work were you looking for?

Edward Washington. A busboy. Some kind of domestic work like that.

Don Dixon. Is that what you would like to do? Why did you decide to go look for a busboy's work?

Edward Washington. I decided to go look for a busboy job because in looking through the papers that was the only thing I seen in looking in the ads.

Don Dixon. What would you like to do? What sort of job would you like to get?

Edward Washington. I would like to be a printer or something like that.

Don Dixon. Is there a demand here for printers do you know?

Edward Washington. No, sir.

Don Dixon. Well, if you did get a job as a busboy, what sort of money does it pay?

Edward Washington. It pays 25 a week, $25 a week.

Don Dixon. You can't very well live on that.

Edward Washington. No sir.

Mr. Smith. How big is the unemployment problem? Leading officials say when 2 percent are unemployed that, in fact, constitutes full employment and that should be our target.

Some economists say 3 percent is good enough, and we should aim at that less difficult figure of unemployed workers.

President Kennedy's economic advisers think we cannot quickly get down to that figure, and say getting it down to 4 percent unemployed is an interim goal.

In fact, unemployment today hovers around the figure just below 6 percent which everyone agrees is far too high.

And you heard experts predict that if things go on as at present, the figure will soon rise to 7 percent and more—a percentage that can grow to 10 million without work, nearly as many as in the great depression.

Why, in our increasingly rich Nation are increasing numbers condemned to the frustration of joblessness, a prospect that threatens us with social upheavals, with recessions and even with losing the competition with communism. We will seek an answer in a moment.

The simplest statement of why unemployment exists is our increasing productive industry does not distribute enough purchasing power for people to buy up all the increasing output of industry.

Senator PAUL DOUGLAS, Democrat, of Illinois, once a professor of economics, thinks artificially high prices keep the public from buying enough of industry's output.

Senator DOUGLAS. I think if we had a perfectly competitive economic system that prices would be reduced to the point where there would be a sufficient quantity of goods and services demanded to employ 6½ or 7 percent who really are unemployed now. But instead of that, we have a high degree of monopoly, price agreements between firms, imperfect competition, and cartels. And as a result, prices are kept up on stilts and the sum total of price tags on goods which are produced, or which could be produced is in excess of the sum total of monetary purchasing power in the pockets of people. So I would favor, as an immediate step, building purchasing power up to the level of prices.

Mr. SMITH. William F. Butler is vice president of Chase Manhattan Bank. He puts the problem differently: lack of stimulation to the economy has caused growth to lag.

Mr. BUTLER. It seems to me that the basic cause has been the slowdown on our rate of overall economic growth after 1957. In this period our growth rate has been a little better than two and a half percent per annum and this is not a fast enough rate of growth to provide the number of jobs necessary to deal with the unemployment problem.

Mr. SMITH. Leon Keyserling, who was President Truman's chief economic adviser: Productivity has risen by automation much faster than purchasing power.

Mr. KEYSERLING. You have an increase in your productive power and your social prosperity has to increase fast enough to take up that increase in your productive power. What we have had in the past 2 years is a rate of growth that looks good, but only about half as high as the rate of growth needed to absorb the growing size of the labor force in view of the increasing technology in automation.

Mr. SMITH. James Callaghan of the British Labor Party being groomed to run the British economy as Chancellor of the Exchequer sums up the causes of unemployment:

Mr. CALLAGHAN. First of all you get changes in traditional industries, where industries decline and leave areas semiabandoned and derelict. Second, you get the failure on the part of the Government to pick up sufficient purchasing power to put it into the hands of the people: I think that's a very important reason. And, third, of course, you can get external problems that can infect your own domestic economy.

Mr. SMITH. The cause of unemployment is lagging demand—not enough money to buy up goods at a time when automation is increasing the number of goods being turned out; this happening at a time when the number of people hunting jobs has suddenly leaped upward.

Economist Robert Heilbroner:

Mr. HEILBRONER. It's the fact that the big bunchy baby boom has moved up and now bunches and bunches on the labor market, upon the colleges also, by the way. That creates a very special problem, and they are very important problems. There's a real chance that if we do not rev up our growth rate very considerably, that in 5 or 10 years we may face a level of unemployment that can only be called darned serious.

Mr. SMITH. Unlike the foregoing speakers who are commentators on the problem, the man who has the problem is Labor Secretary Willard Wirtz. We asked him why unemployment currently is up.

Secretary WIRTZ. Because there are so many more of us. Every day. Every year. In the last 12 months we have added over a million jobs—about a million jobs to the economy. So employment goes up and unemployment goes up too. That's the center of the problem. That postwar baby crop which busted out the walls of the schools is now hitting the work force. That, plus the effect of machines on the economy, represents a short answer to your question.

Mr. SMITH. Now, why is it that we did so well from the war up to 1957 and relatively much less well since 1957?

Secretary WIRTZ. Well, when you say so well that the economy is moving along right now at a good rate in terms of gross national product and so on and so forth. But something that people forget is that the impact of automation on the economy came during those fifties, when the work force growth was low because of the war and the postponed effect from it. Now we are getting the confluence of both automation and the increase in the economy, so even though the economy as a whole is doing well in terms of full employment, we are not doing well.

Mr. SMITH. How many jobs do we have to create each year?

Secretary WIRTZ. We have to create for the next 4 or 5 years a million and a half new jobs each year to take care of new people coming into the work force. It's growing that fast. In addition to that, we have to create jobs to replace every job which a machine takes away. Now, that's a hard figure to arrive at, but it's running right now between 25,000 and 30,000 a week. And in addition to that, we have got to create jobs which will bring our present unemployment down from—Oh, about 5½ percent to the figure 4, 3, 2, hopefully. The combination to these means the answer to your question. Something in the neighborhood of 2 million jobs a year for the next 4 or 5 years. It's a big order.

Mr. SMITH. Now you have been quoted as saying that even though we don't have enough jobs to go around, the amount of work to be done in this Nation is tremendous and that we could use all the people we have if we would use them sensibly. What about that?

Secretary WIRTZ. If we would set out to do the things we want to do in this country—some things in the private sector: pulling up the low incomes to the level they ought to be; some things in the public schools we ought to meet; the hospitals; get rid of the slums; we could have a manpower shortage in this country very easily, if we set out to do the things we can do, want to do, and a good many of them we will do. That's where the answer will come.

Mr. SMITH. The problem of getting enough purchasing power to the people to stimulate industry to employ more people is crucial. In America in the depression thirties, unemployment remained high because with all the Government spending, not enough was spent.

In America after World War II the situation was the opposite. War put a stored up purchasing power equal to $150 billion in Americans' pockets, and they spent it. Also, rising expenditures of the Marshall plan and the cold war injected more purchasing power. The result was a period of full employment.

The year 1957 is the year the postwar boom is considered to have ended. Surplus purchasing power was used up. Defense spending continued to rise but it went no longer into industries turning out masses of weapons and employing millions of workers; it went into new weapons requiring fewer high paid workers. Also, to reduce rising labor costs, industries automated at a furious rate, reducing the need for manpower. And now the postwar baby crop is coming of age, demanding more jobs faster.

To illustrate the problem: this is a schematic oversimplified design of how the economy works:

One, the consumer buys goods.

Two, the store then orders more goods from the factory.

Three, the factory invests in increasing its plant in order to make more goods: this employs more workers and puts money into hands of consumers.

But now, the new plant is automated and employs fewer people, distributing less money.

Flow of dollars, once swift, from consumer to store, now slows down, too.

The store orders less from the factory.

The plant cuts down on its production, causing unemployment.

The debate about what we should do involves dissension about where we should restimulate the flow. Robert Heilbroner thinks the flow should be stimulated at the investment point:

Mr. HEILBRONER. Today if you had to put your finger on the buyer in the economy who is not so much the consumer, it is business. Business buys for capital expansion. Business is buying new plants, new buildings, new machinery, That's the sector which is, in a sense buoyant enough, but disappointing. It could be higher.

Mr. BUTLER. The problem in our economy for 6 or 7 years has not been a lag in Government spending. Government spending has been going up 6 percent for a year on the average. The lag has been in business investment in new plants and equipment. The investment that provides new and better machinery and thus supports the creation of new jobs. Such investment if not increased in this 7-year period has been steady. Our problem is to provide the incentives, the encouragement to increase investments in new plants and equipment and thus achieve real and lasting prosperity.

Mr. SMITH. Economist Leon Keyserling disagrees. He thinks the stimulus should be aimed directly into the pockets of consumers.

Mr. KEYSERLING. The reason business isn't investing still more is that they do not foresee enough more demand for their products to invest even more rapidly than they are in the building of plants and equipment. Therefore, the whole concentration of stimulatory policy, in my view, should be on the expansion of consumption, demand for other products. That takes two forms: consumption among 180-odd-million American people, privately, and consumption by government—public spending—of the things that a nation needs and can't get privately.

Senator DOUGLAS. I would say that the remedy is to raise purchasing power to the level of prices. This does mean an increase in the national debt, because it would be effected either by cutting taxes without commensurately cutting expenditures or choking off private demand through curtailing credit, or by a public works program. In either case what you do is put an injection of monetary purchasing power into the economy to build up total demand.

Mr. SMITH. The President's plan is aimed to please both those who want him to stimulate investors, and those who want him to stimulate the consumers. His plan is a tax cut and a tax reform that will give both investors and consumers more money to spend. Like many plans aimed to please everybody, it may please none.

We asked the investor's man, William Butler, if the President's plan will solve our problems:

Mr. BUTLER. No; I do not believe it will. It seems to me that the President's tax program is spread out over too long a period—3 years or longer in the case of the corporate tax and this dilutes its impact so that it will not do the necessary job.

Mr. Smith. Keyserling, who prefers to stimulate the consumer?

Mr. Keyserling. I don't think the tax program itself will do very much to help this problem. First, because it is too small. Second, because I think it isn't distributed in a way that will maximize its effectiveness. And third, because I think many other things besides taxation are even more important than tax reduction to deal with this unemployment problem.

Mr. Smith. We have never hesitated taking stands on this program and won't hesitate now. I think Mr. Keyserling is right. The economy is sluggish and doesn't provide enough employment for people because about one-fifth of Americans live in poverty and haven't enough purchasing power to give the economy the stimulation it needs. The logical thing to do would be not to have a feeble tax cut to benefit well-off people who don't need it. The logical thing would be more Government spending to get money to the bottom one-fifth of Americans; spending on their sadly neglected education; on replacing their slums with decent neighborhoods, and so on.

However, even the President's rather weak tax cut is getting nowhere in Congress. What is it that impedes action to cure what the President has called our No. 1 domestic problem—unemployment? An answer in a moment.

The tendency of unemployment to rise amid our great wealth can only be halted and reversed by vigorous action, especially by Government spending which will no doubt increase our deficit. There is a deep-rooted and wrong American prejudice against Government spending and deficits. Almost every modern American President has deferred to that prejudice with calamitous results.

In the early thirties, President Hoover thought that restricted Government spending would bring prosperity just around the corner. In fact, it deepened depression.

It is easy to forget that Franklin D. Roosevelt's winning campaign in 1932 was that he would balance the budget and restrict Government expenditure. He became famous for doing the opposite, but not enough to end the depression.

In the 1952 campaign, Eisenhower promised one thing—to balance the budget. In office he failed to do that 5 years out of 8, and created the biggest peacetime deficit in our history, but in trying to obey the myth presided over a series of recessions.

Kennedy's key campaign promise was to get the economy moving. He has not notably succeeded, and that is greatly due to not facing the need for much more Government expenditure.

British politician James Callaghan offers an apt comment on deficit spending:

Mr. Callaghan. We show a deficit you know. But by altering the way which we made up our accounts we could show a profit if we wanted to. And we do confuse, I think, capital items with revenue items. Where's the profit when you put in a sewage scheme or when you build a school. There isn't any but it shows a deficit. And yet these are capital items which are going to yield a return, although not a direct financial return.

We are altering our system of accounts in Britain because we want to make this more clear. We've been held up to the world as running very heavy deficits. By altering the accounts we needn't alter our policy. We will just look better. This is absurd you know, really, and I do think we've got to be very careful not to become the prisoners of words on this question of deficit financing.

Mr. Smith. Secretary of Labor Willard Wirtz:

Secretary Wirtz. I think in connection with these programs we propose the manpower development training program a better education program, a youth employment act, that kind of thing, we are told that the cost is such that we can't afford it. I wish I could someway get across the idea that it would cost us today—it does cost today—just in round figures about a thousand dollars to retrain a man, to salvage a boy or girl who would otherwise go into the slag heap, about a thousand dollars. That boy or girl will represent a cost to the economy of this country of about a thousand dollars a year if we don't train him or her.

The economics someway gets out of joint. When I hear about the concern of passing debts on to the next generation, my reaction is that the worst possible debt we could pass on the next generation is a boy or girl who is untrained and who is going to cost the next generation a thousand dollars or more a year. That is the debt we can't pass on. The thing that we can't get across, apparently, is that a good many of the things we do as a government are the kinds of things companies do as companies; they invest in the future. And the investment cost should not be charged against our present concept of expenditures.

If we could get across the idea that when we train a person; put $1,000 into the education of a person; it is an investment for the future. When we build a park, when we build a highway, when we build a school, when we build a hospital, those things are investments for the future and shouldn't be charged against the present. It's not just a matter of deficit spending. It's a drawing of the distinction between immediate out-of-pocket costs and the investment thing. I agree in principle with what is suggested. I think it would be better if it were put in terms which got away from the idea of deficit spending. That's an oversimplification.

Mr. Smith. We asked Secretary Wirtz, will we get full employment back:

Secretary Wirtz. That's a question the American public will have to answer. My answer to it is that we can get it down there. It takes the decision to do the things we want to do. But I'm talking, not—I'm talking hard business sense. If we do set out to do these things, if we develop a tax program, a manpower program and do these things we want to do, I think it can be moved down past the 4, 3 percent toward the 2 percent which is probably the ultimate limit because there are always people moving from one job to another and there are always a few who can't be employed. I think it is practical target to shoot for 3 and a 2 percent.

Mr. Smith. Some friendly advice from British politician Callaghan:

Mr. Callaghan. I think yours is a tough problem. I think you have got to educate. Could I make one general plea: that we shouldn't, any of us, allow ourselves to become the prisoners of words and of old-fashioned ideas no matter what they are. The real test is how are we going to make human beings live and fulfill all their values and all of the qualities of which they are capable? And we ought, if we find our ideas are destroying human beings and their right to survive, then we ought to be willing to put those ideas on one side.

Mr. Smith. We have nothing to add that will improve on that. Good night.

CLARK FORK RIVER WILL NEVER BE "CLEAN" AGAIN

Mr. METCALF. Mr. President, for a number of years many people in the West considered water pollution a problem confined primarily to other parts of our Nation. Today that attitude is changing. There is greater recognition that water pollution is indeed a problem affecting every part of the country.

There also is a growing recognition that this problem requires national, as well as State and local action if we are to preserve our precious resources of clean water.

The press—including newspapers, radio and television—has been largely responsible for the growing awareness of the dangers of water pollution in my State of Montana. One of the better articles I have read on this subject was written by Mr. Bryson Taylor, a student at Montana State University. His article, headlined "Clark Fork River Will Never Be 'Clean' Again," appeared in the MSU student newspaper, the Kaimin.

The Clark Fork, Mr. President, is one of the great rivers in Montana and the Pacific Northwest. Its course takes it through Missoula on its way to meeting the Flathead River before running on into the Columbia. If the Clark Fork "will never be clean again," as Mr. Taylor's article states, it is a matter of concern not only in Montana, but also to other States in the Columbia River Basin. It is clear, too, that action by the National Government, working in cooperation with the States, is needed if we are to meet this problem effectively.

That is why I have consistently supported the water pollution control program which has provided substantial Federal assistance to help local communities build State-approved sewage treatment facilities. If the Congress follows the guidelines set forth in the Water Pollution Control Act amendments of 1961, Federal assistance for this purpose will amount to $100 million in the next fiscal year and in each of the following years until 1967. I am hopeful that the Congress will appropriate the full $100 million authorized in 1961.

Only through a stepped-up effort at Federal, State, and local levels can we hope to prevent repetitions of the Clark Fork story in our remaining clean rivers and streams. Because Mr. Taylor's article in the Kaimin underscores a problem which will continue to demand the attention of government at all levels, I ask unanimous consent that it be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Clark Fork River Will Never Be "Clean" Again

(By Bryson Taylor)

The Clark Fork River will never be "clean" again.

According to the latest available statistics the city of Missoula is dumping 2,500,000 gallons of raw sewage a day into the river.

A new sewage treatment plant, scheduled to begin operation October 1, will partially clear up the river for a time, according to Wayne Taylor, engineer for Clark & Groff, the resident consultant firm for the new plant.

But, he said, the Clark Fork would never be clean again because "in each of the still water pools below Missoula there will be sludge banks where sludge has settled out. And, if no more solids were added to these banks, it would take 20 years to clean them completely."

POPULATION INCREASE

He also said as time passes more and more people will be connecting to the sewers. As the number of sewer hookups increase, the amount of treated sewage being dumped into the Clark Fork will not offset the increase in wastes caused by the increase in population and industry. Mr. Taylor also said that the conditions which exists now may return.

In this case the State board of health will require an addition to the treatment plant, the engineer said.

He said he "anticipates that the board of health may require secondary treatment in the not-too-distant future."

Mr. Taylor referred to the Kalispell treatment plant and said, "the latest revision of the Kalispell plant was in 1959 and the board of health is considering secondary treatment already.

"With the sewage treatment plant in operation the flow of solids into the river will not decrease," Mr. Taylor said. "The treated sewage will still be dumped into the river and the small amount taken out will not make any difference.

MANY CONTAMINANTS REMOVED

"But," he said, "the treatment plant will be removing many of the contaminants and the treated sewage will be chlorinated to destroy pathogenic organisms."

The plant will remove two "indexes" from the treated sewage, according to Mr. Taylor.

These are suspended solids and biochemical demands. The solids themselves are not really too harmful, he said.

"They may plug the gills of fish, and are an unsightly mess if they settle out to form sludge banks," he said.

"But, part of the suspended solids is organic matter, which is measured in sewage by biochemical demands (BOD). And it is this BOD, the amount of air required to oxidize organic matter in waste, that deaerates the water, and kills the fish," he said.

Game fish require five parts per million of oxygen in water to live while rough fish, such as carp, require three parts per million. Parts of water are measured in pounds of oxygen per million pounds of water.

BREWING COMPANY

Mr. Taylor said that the Missoula Brewing Co. is contributing approximately the same amount of BOD to the river as 3,200 people, while the Daily slaughter house is contributing the same amount as 1,800 people.

He said something is being done about these and other contributors to the pollution problem but that "these things take time."

Where sewage is dumped into a river certain water borne diseases could be picked up in drinking water, during recreation or discharged to irrigated lands, he said.

The water borne diseases discharged to irrigated lands may be picked up by vegetables and spread to humans, according to the engineer.

"This is only a small problem in Montana," he said.

SOME DISEASES

Some of the water borne diseases prevalent in Montana, he said, are amebic dysentery, bacillary dysentery and paratyphoid fever.

He also pointed out that there is a hepatitis epidemic in Libby at the present time which is assumed to be caused by polluted water.

The possibility of the spread of disease by polluted water is the main reason why the board of health threatened to take action if Missoula did not put in a treatment plant, he said.

Approximately 40 percent of Missoula will be sewered when the new plant begins operation. When the special improvement districts hook up to the interceptor lines, which are in the designing stage, 70 percent of Missoula will have sewage treatment, he said.

But the other 30 percent will not be serviced and will continue using cesspools and septic tanks, he said.

MISSOULA HAS LAW

"Missoula has a law that says everyone should be hooked up to a sewer," he said.

"But policing to find out where the cesspools and septic tanks are is one problem and enforcement is another," Mr. Taylor said.

According to an article by A. V. Himsl in the Daily Missoulian, "under favorable conditions, cesspools and septic tanks are safe and satisfactory. But discharges into such facilities just don't remain there.

"These fluids seep away and tend to mingle their pollution with the relatively uncontaminated water underground. That water in turn trickles into wells which suburban residents use," it said. High porposity of Missoula soil facilitates that flow into underground supplies. And this contamination may cause sickness.

DOING "GOOD JOB"

According to Mr. Taylor, most of the industries in the area are doing a relatively good job of controlling their pollution. But he said that the board of health and the State fish and game department would like the Anaconda Mining & Lumber Co. at Bonner to clean up its debarking process.

"Most of their wastes are well treated except these debarking wastes," he said. They are screened but not enough. There are small wood particles that get into streams which clog the gills of fish and kill them, Mr. Taylor said.

Besides the possibility of polluted water killing fish and plant life and causing sickness, another good reason for keeping Montana rivers and streams unpolluted, Mr. Taylor said, "is the need for clean water by manufacturers."

LIMITED WATER

"In the eastern parts of the United States and on the west coast manufacturers today are having a hard time finding clean water. It has been estimated by the year 1980, on the average, every drop of water that falls on continental United States in 1 year will be consumed. Consumption means used by manufacturers or by humans and passed on as wastes to our streams," the engineer said.

"In reality today much of the water that falls on the Eastern United States is consumed two or more times before it reaches the ocean. Many of our manufacturing processes require extremely clean water. As the water in heavily populated areas becomes harder to clean, these manufacturers will be looking elsewhere for their clean water and will eventually bring industry to western Montana," he said.

"Because of this," Mr. Taylor said, "clean water is one of the greatest resources that we have left."

THE WORLD FOOD CONGRESS

Mr. McGOVERN. Mr. President, the final summary address of the recent World Food Congress was delivered by Dr. B. R. Sen, Director General of the Food and Agriculture Organization of the United Nations.

In this address, Dr. Sen pulls together some of the highlights and conclusions of the conference which I think will be of interest to every Member of Congress.

I ask unanimous consent that Dr. Sen's address be printed at this point in the Record together with an editorial from the New York Times of June 21 entitled "The War Against Hunger."

There being no objection, the address and editorial were ordered to be printed in the Record, as follows:

Address of Dr. B. R. Sen, Director General of the Food and Agriculture Organization of the United Nations at the Concluding Session of the Congress

The World Food Congress will conclude its session today. The question is naturally being asked, What has this Congress achieved in terms of winning freedom from hunger? Let me preface my remarks, Mr. Chairman, by saying that this Congress has come at a crucial point of time. To meet the basic needs of the 6 billion people who will inherit this planet by the end of this century, the world productivity of food and other basic needs will have to be trebled or quadrupled, and this will need an effort involving nearly three-fourths of the human population—a great majority of them in the very early stage of economic development. The time left to us is barely 35 years from now. Can this gigantic task be accomplished within this period? This has been the main theme of the Congress.

The Congress addressed itself to two major aspects of the problem; first the problem of matching the rapidly increasing needs of a fast-growing world population with the development of national and human resources in order to provide a life of plenty and dignity for all; and secondly, the problem of matching the revolution of rising expectations with a concurrent revolution in organized will. The temper of the Congress was set by President Kennedy in his inaugural address when he said: "So long as freedom from hunger is only half achieved—so long as two-thirds of the nations of the world have food deficits—no citizen, no nation can afford to feel satisfied or secure. We have the ability, we have the means, and we have the capacity to eliminate hunger from the face of the earth. We need only the will."

THE BASIC ISSUES

In order to secure a wider understanding of the nature of these problems I feel it necessary, even at the risk of repetition, to refer to the main elements of the situation in more precise terms. More than half of the world's population is undernourished or malnourished. Hunger and poverty form a vicious circle of economic stagnation. For hunger is both a cause and an effect of low productivity. It is associated with other elements of underdevelopment: widespread ignorance and illiteracy; substandard health, and static institutions.

The acceleration of population growth adds a new dimension to the problem. The world's population in 1960 was about 3,000 million; by the year 2000 it is likely to be doubled. For whatever is done to bring population growth under control it will be some decades before it can have any significant global effects.

The world supply of food per person is appreciably above the prewar level, but nearly all the gains have been made in the high-income industrialized countries where food supplies often exceed requirements. In the less developed regions where population grows most rapidly, per capita production is no greater than before the war. Any improvement in nutrition results from curtailed exports or increased imports of food.

The heart of the world food problem lies in the Far East, where half the world's population lives on only one-quarter of the world's food supply. Food production in that region has barely made up the ground lost during the war. Hunger and malnutrition is a grim reality in many parts of Africa, the Near East, and Latin America.

The differences in nutrition levels reflect differences in levels of income. In underdeveloped countries, average annual incomes are a little over $100 per head; in developed countries they are about 10 times that figure. The gap between the two groups of countries is continually widening.

Low incomes and inadequate diets have insidious and cumulative effects. Underfeeding leads to high infant mortality, to retarded growth in children, poor working efficiency in adults, and general apathy. In developing countries the length of human life averages about 35 years; in economically developed countries about 60 to 70 years.

To avoid the worst evils of underfeeding, an average diet of 2,400 calories per person per day, including 70 grams of protein, should be the minimum goal of all countries which have not already reached or surpassed this level. To reach this standard, taking into account the expected growth of population, it is estimated that by the year 2000 something like a fourfold increase will be needed in the supply of food in Asia and the Far East, scarcely less in Latin America, a threefold increase in the Near East, and a twofold to threefold increase in Africa.

One of the most important needs in preventing malnutrition is improving the quality of the diet, and especially in raising the consumption of high-quality protein food. This situation exacts a terrific penalty on the health of children in the age range from weaning time to 5 years and the damage is frequently irreparable. The present consumption of animal protein averages about 8 grams in Asia, the Far East and in many sectors of Latin America, 11 grams in Africa, and 14 grams in the Near East, compared with a minimum of about 20 grams for health and strength.

With the attainment of freedom by the countries of Asia and Africa, the first demand of the people is for a better supply of the basic needs of life. Their governments are under great pressure to provide for higher standards of living, better nutrition and better social services.

It is obvious that there can be no single technique to deal effectively with a problem so vast in dimension and so complex in its ramifications. A concerted attack on such a problem must embrace the entire spectrum of a nation's economic and social life and all existing and potential channels of international cooperation. The Congress gave its attention to the techniques of action that are required to be adopted in the individual sectors of development as well as to the integrated and organic process of economic and social growth. I cannot, obviously, summarize all that has been said at the Congress, but shall attempt to recapitulate the major conclusions that have emerged from the discussions in which so many of you, leaders in your respective fields of activity, have taken part.

POPULATION AND RESOURCES

One question that has dominated the discussions has been that of population growth in relation to resources. This remains the major long-term determinant of the world situation. All plans for national development and international action must take this fully into account. The increase in population has attracted world attention, but mainly in its negative aspects. It is obvious that the increase in numbers cannot continue at the present rate, let alone at an accelerated pace, if the food supply invariably lags behind. In the final analysis it will be up to the individual to decide, bearing in mind his responsibility to his family and to his society, how he should conduct himself. Even so, the time may soon come when not only the nation to which the individual belongs, but also the world as a whole may have to take a more direct and a more dynamic role in assisting family planning measures through social education and hygiene.

And yet, there are also positive aspects to this problem. Several speakers have reminded us that the under-employed labor in the developing countries which now represents a threat to their stability and social peace, could become their most important resource. The physical resources are not to be viewed mainly in material terms and as fixed quantities, but in relation to man's determination and assiduity in exploiting them. They also vary according to the scientific and technical knowledge which is constantly advancing. The great scientists who addressed us opened up wide vistas of hope and achievement.

There are also the prospects for new sources of food to which Professor Bovet referred: the systematic cultivation of marine algae; the use of freshwater algae, particularly chlorella, and plankton, the synthesis of the elements essential to human nutrition through chemical and fermentation processes; the production of carbohydrates and fats, of certain of the essential amino acids now acquiring industrial importance. Also Professor Laugier spoke of the unlimited possibilities offered by the photosynthesis of raw materials that occur abundantly in nature—solar energy, carbon dioxide, and water. The awesome responsibility that Professor Laugier held out for the Director-General of FAO for ordering the winds, rains, storms of this planet reclining in his office chair, even exceeded the powers Shakespeare had dreamt up for his Prospero in "The Tempest."

THE STRATEGY OF DEVELOPMENT

The major objectives of development are to raise productivity and income as a means of securing better levels of living and nutrition; to expand education and employment as a step toward social equality based on mutual respect; to use renewable resources in ways that safeguard the welfare of future generations; to achieve economic no less than political independence. In this broader sense, therefore, development involves the whole economic and social structure in each nation. There can, however, be no standard plans for development since in each case it must be dictated by social and economic factors obtaining in the country.

Until only a few years ago there was general resistance to the idea of planning, and the confusion between planning and coercion persisted in the minds of many. Now it is generally accepted that to achieve the fullest use of resources, development planning, that is, a conscious and integrated orientation of effort, is essential. The techniques of planning, however, need to be given more attention, and the essential condition that success depends on persuasion and the enlistment of enthusiasm rather than on simple dictates from above need to be better realized.

This Congress has fully endorsed what FAO has persistently advocated as the only sound policy of development for the predominantly agricultural countries; namely, agricultural development must be the cornerstone of economic growth. Although the recognition of this basic premise is gradually spreading, there is still need for an increased awareness of its significance amongst the planners and policymakers of the developing countries. When it is fully understood that a major factor limiting economic development is a low level of agricultural productivity, programs can be planned to increase that productivity at a proportionate rate. This is not to say that there is any conflict between agriculture and other sectors of the economy. In fact, in many countries, where the man/land ratio is high, industrialization is a plain necessity for a long-range solution of their economic problems. Development is an organic process, and is a complex of interrelated growth. Nevertheless, it must be stressed that no drive for industrialization has much chance to be successful if not preceded and accompanied by a rather decisive rise in productivity in agriculture. The principal tasks of agriculture at this stage are: to produce the additional food to meet the needs of a growing population and the increased demand arising from higher income, and to correct serious dietary deficiencies; to produce fibers and other raw materials for the expanding domestic industry; in the early stages of development, to provide the main flow of savings for the development of other sectors of the economy; to provide the growing requirement of foreign exchange for development by export earnings and import savings; by raising productivity, to make possible the release of manpower from rural to other occupations; and to provide an expanding market for the products of the emerging industrial sector.

Investment of personnel and capital in efforts to obtain a fuller utilization of the work force in agriculture and in measures to increase agricultural productivity must, therefore, be given high priority in national development plans. It is also important that plans for improved levels of nutrition are included in national development plans, not only with the object of correcting nutritional deficiencies but through such action to improve the general economy by increasing the productivity of manpower.

MEASURES FOR RAISING AGRICULTURAL PRODUCTIVITY

If agriculture is to have primacy in the development process, how is this problem best approached? It is true that there are large areas capable of development which still remain unused. If these lands still remain uncultivated, in spite of the increasing pressure of population, there must be some good reason for that. In all these cases there is often the need, over a long period, for heavy investment which is not forthcoming. There are also the social difficulties which arise from internal labor migrations and the political difficulties from migrations to other countries. While these problems must continue to receive the attention both of the national governments and international organizations, the immediate possibilities appear to be more in the increase of crop yields and livestock productivity by processes already tried with success in some of the developed countries than in extending acreage on any considerable scale. We should, however, not discount the possibility of dramatic breakthroughs which may come with the advance of science and technology such as in desalinization of sea water for irrigation.

In all countries which show the most spectacular advance in agricultural productivity, the use of fertilizers has been a crucial factor. The use of fertilizers, however, must be accompanied by the supply of a whole complex of other requisites suited to the local ecological conditions—better seeds, pesticides to control diseases and insect infestation, regulated irrigation and drainage, better tools and implements, and so on. The efforts now being made by FAO to enlist the cooperation of the fertilizer industry in extending the use of fertilizers in the developing countries and helping them to install their own plants, need the full backing of the aid-giving governments. The same considerations apply to the food processing industries and other industries which have an important contribution to make toward increased productivity.

Simultaneously, more attention must be given to make animal husbandry more productive through improved breeding, larger and more balanced supplies of foodstuffs, and measures of disease control. Also the fullest use must be made of land and water resources through soil conservation measures, large or small scale irrigation schemes, improved methods of farm management, including double cropping distribution and rotation of crops, and allocation of pasture and forest to the areas to which they are best adapted. Timber trend studies show that the years ahead will be an opportune time for developing countries well endowed with forest resources or enjoying favorable conditions for the production of timber to develop these resources. Planning the fuller utilization of forest resources is therefore of the utmost importance for these countries.

INSTITUTIONAL AND ORGANIZATIONAL IMPROVEMENT

Existing scientific knowledge capable of transforming subsistence agriculture cannot in most cases be transferred to the developing countries without adapting it to their particular needs and ecological environments. The institutional impediments to the transfer of such knowledge and techniques to the developing nations are indeed formidable. It presupposes the existence of a basis of general and specialized education which is too often lacking in these countries. A system of education which is not geared to the needs of improved farming often leads to the escape of educated rural youth to the questionable amenities of cities, and thereby accentuating the problems of urban employment. Rural education in the developing countries clearly stands in need of a new orientation. The objective should be education for economic development and not for its own sake, as Sir George Allen emphasized. No rapid progress in this field can be achieved unless the present system of instruction and examination is replaced by a more pragmatic emphasis on the needs of the rural community. Agrarian research and extension services must be linked to the needs of the farming communities in order to bring about a cumulative chain reaction of progress. Perhaps the most important single contributing factor in the advance of American agriculture was the land-grant college system set up a hundred years ago.

In your address, Mr. Chairman, you gave the first priority to general education for all of the people, without which farmers face almost insurmountable handicaps in achieving greater efficiency and higher levels of living. This view is fully supported by the experience, not only in the United States, but also in most of the other developed countries. However, conditions in the developing countries vary and suitable adjustments will, therefore, be necessary. The value of sending students to advanced countries for the study of agricultural sciences and methods should be reexamined because all too often it creates misfits rather than leaders in their native communities. There was general consensus that it would be more worthwhile to use the funds to build up educational and training centers in the underdeveloped countries themselves. Training abroad should be restricted mainly to graduate students and already trained people who wish to learn a particular technique.

Apart from education and training, efficient and honest administrative services geared to the task of economic reconstruction need to be set up, without which neither planning nor its implementation can be effective. Services to agriculture must be strengthened; community development and extension services must be placed on a proper footing. Improvement of infrastructure, transportation, marketing and credit facilities are also essential if agricultural advance is to maximize its contribution to higher levels of living.

The most serious impediment in many countries, however, is the lack of will and ability of those in power to adjust their systems of land ownership and tenancy to the needs of raising agricultural productivity. Even when new laws are passed they are often full of loopholes and their enforcement is generally lax. It is debatable, however, whether land reform according to the traditional pattern of private ownership will always be the right policy line. Whatever type is considered most appropriate, land reform should be carried through resolutely and boldly. To have a continuous campaign for radical land reform often carried on by the highest officials of a country, and creating general uncertainty about the future, while actual tenure conditions are left in the inherited quasifeudal pattern, is, as Professor Mydral said, certainly to have the worst of both worlds.

I have already referred to the importance of "adaptive research" in increasing crop yields as promising the most immediate results in our fight for freedom from hunger. Adaptive research must, therefore, be given high priority in all national programs. The benefits of research and of extension services must be made available to farmers at all times. It is important that as far as possible training for such services should be undertaken in the developing countries themselves, in the physical and economic environment in which they will operate. Only at the higher levels is training abroad to be preferred. The most fruitful use to which external technical assistance can be put will usually be to train an adequate cadre of both specialized and general purpose extension workers, who in turn can transit knowledge of improved agricultural methods to working farmers. These extension men should be stationed in the villages which they have to serve, and not in the larger towns as is so often the case. Similarly, training centers should be established for the development of extension services in home economics so that food production will be accompanied by efficient food management in home and institutions at the local level.

Farmers' cooperatives to supply the economic services they need, such as short-term production credits at moderate rates of interest, facilities for the timely purchase of production requisites and efficient marketing services can be a key to accelerated progress. Commission IV discussed the experience of Japan where the Government takes the responsibility for the purchasing, storage and price stabilization of food grains, and for the distribution of credit and fertilizers, but uses the farmers' cooperatives as its official agents. This provides cooperative associations with a round-the-year function and a regular source of income which adds greatly to their economic strength and their usefulness to farmers. On the important subject of agricultural credit, the idea of exploring the creation of an international fund to support national credit organizations was discussed in Commission II and calls for attention.

ACTION AT THE INTERNATIONAL LEVEL

At the international level, trade and aid are two of the most important factors now affecting the rate of overall growth of the developing countries. Urgent action is needed, on the basis of international solidarity:

(a) To strengthen efforts to reduce obstacles to the exports of developing countries; take initiatives for establishing commodity agreements, including new types of agreements, together with measures to increase international liquidity, and a further exploration of compensatory financing or other schemes for reducing the impact of fluctuations in the foreign exchange earnings of developing countries.

(b) To undertake a world plan, in quantitative terms, to meet the world's nutritional needs and to coordinate national plans to arrive at a better balance between export supplies and import demand, based on projections of future trends.

As for external aid, there is a growing realization that to be effective it must be more closely linked to national development plans and adequate resource surveys. If hunger and malnutrition are to be eliminated by the end of this century, a much faster rate of economic growth than envisaged so far appears clearly necessary. Emphasis was laid in this connection on the need for a much closer coordination between international financial assistance and international technical assistance. In particular, it was stressed:

(a) That international organizations should be adequately strengthened to increase the effectiveness of their technical assistance operations.

(b) That governments of both developed and developing countries should make a special effort to provide experts at all levels; voluntary agencies should also contribute to this end.

(c) That intercountry technical surveys covering ecological zones where the problems of agriculture and forestry are similar should be undertaken to provide a basis for national or regional development plans.

(d) That the development of watersheds and river valleys should be undertaken under international auspices where desirable, as in the case of the Mekong.

(e) That a series of spearhead development zones should be established in each ecological region to facilitate the exchange of experience and the mobilization of common efforts.

UTILIZATION OF FOOD SURPLUSES

In connection with external aid, considerable interest was taken in food surpluses for economic and social development. In my report to the 32d session of the Economic and Social Council under the title "Development Through Food," I visualized a world utilization of food surpluses amounting to at least $12.5 billion over the next 5 years, very largely on a bilateral basis, of which three-quarters should be devoted to economic and social development and the balance to emergency aid. This involved a substantial increase over the current levels, but I felt that it was considerably less than what the developed countries could afford, or what the developing countries could absorb, provided of course that the level of nonfood aid also increased. The joint UN/FAO world food program which has been established, as an offshoot of these larger discussions, for a 3-year period, is intended on an experimental basis to help establish internationally acceptable principles to this end. I have already referred to the importance attached by several eminent speakers at this Congress to international measures to assist in the mobilization of the vast masses of idle manpower in the developing countries and securing their participation in the task of development and helping them to help themselves. If the world food program succeeds in establishing internationally acceptable principles to utilize food surpluses to aid economic and social development, it will not only help to expand its own usefulness, but also to guide along sound lines the vastly greater bilateral effort which now flows in this area. The discussions in the Commissions emphasized that the utilization of world abundance for world development is a task which should be devised increasingly in a multilateral setting and the world food program itself should be continued and strengthened with this end in view.

In the context of action at international level the current efforts for bringing about universal disarmament was referred to and the hope was expressed that the vast sums now being spent on armaments will become increasingly available for the elimination of hunger and malnutrition and the promotion of human well-being. A suggestion was also made for the establishment of an international "Solidarity and Development Fund" from the savings from military expenditure.

PEOPLE'S INVOLVEMENT

On the important question of involvement of people, commission IV has come up with conclusions which call for special attention. The task of eliminating the scourge of hunger and malnutrition requires continuous consultation and ceaseless exploration of every means of cooperation and development. To this end it has been suggested that, (a) the freedom from hunger campaign should be continued until the final objective is achieved and for this purpose national committees should be established in all countries where they do not yet exist and should be placed on a continuing basis, (b) a world food congress should be held at periodic intervals, (c) at each congress, the Director-General of FAO should present a world review of the food situation in relation to population and overall development, together with a proposed program for future action. The world review and program should take into account the progress of national development programs, institutional reforms in various countries, the findings of technical and economic surveys; the scope and problems of international cooperation for the elimination of hunger and malnutrition and the developing countries' requirements for technical and financial assistance for rural development programs; and (d) in preparing this world review and program, the Director-General of FAO should have the assistance of high level committees appointed for this purpose in each country participating in the freedom from hunger campaign.

CONCLUSION

I have touched on the major issues discussed at the Congress very briefly. In the light of these discussions, there has emerged a declaration to be adopted as the final act of this Congress. Twenty years ago another international conference at Hot Springs, Va., laid the basis of a charter for FAO which continues to remain our guide in the struggle against world hunger. What has happened since Hot Springs to call for a new declaration now? This is a question which, I think, should be answered, for in it lies also the direction of future course of action.

For one thing, the dimension and urgency of the problem of hunger have increased tremendously since 1943, and vast new pressures for economies and social betterment have arisen in the underprivileged parts of the world. While it is clear, as this Congress has demonstrated, that the technical difficulties have been grossly exaggerated, one also finds that many of the development programs, drawn with technical perfection, have not been implemented for lack of adequate measures and for the failure to mobilize mass enthusiasm for development. The condition of the rural masses in many countries has deteriorated, and social injustice continues to hamstring the efforts for progress in many lands. Independence has been accompanied by inevitable growing pains; and the burden that the transition entails on the administration has often been aggravated by the pursuit of selfish interests and private wealth. In some countries, too, the problem of pressure on the land, of ignorance and backwardness, is a reflection of odious discrimination between man and man.

At the international level, the effort which is being made now is certainly a multiple of what was being done a decade ago; but it is small, small in relation to needs and small in relation to what could be done. The difficulties in international negotiations on commodity agreements or on the coordination of international trade have been described as technical; perhaps there is an element of truth in this. The main reason, however, is the reluctance of governments to undertake measures which might weaken their national powers of control.

Yet at the same time there is, below the surface, a stirring of forces which can transform the scene. It is these forces which distinguish the climate of 1943 from that of 1963. In the first place, we now have the certainty of possessing the know-how for abolishing hunger and malnutrition. It is true that even in 1943 scientific advance was far ahead of application in both the developed and developing countries. But there had not been at that time the massive drive of science which has dwarfed mankind's every previous achievement. And there had not been the staggering increases in agricultural productivity in some countries which show what may follow if ever the right policies are applied. The concept of survey and mobilization of human and physical resources for initiating a process of development was hardly known. In fact, planning was associated with only one type of political regime. Administrators, technicians, biologists, economists, and scientists worked in almost complete isolation from one another and there was little attempt at coordination either at the national or international level. These new concepts of survey and coordination are now regarded as commonplace and enter into all our plans and programs.

Secondly, there is now a much greater awareness of the existence of world hunger. What is more important, the consequences of the growth of inequality, of the growing misery of the developing countries and of the ever-increasing enrichment of the rich, are now better realized. That "surpluses" are surpluses only in name, and that they must be used to help the developing countries to help themselves, was perceived by few in 1943. It took at least 10 years for action to be initiated, and neary 20 years for this philosophy to become the consensus of world opinion. It is now realized by public leaders, by men of good will everywhere and by the rising elites in the developing countries that peace and war will be determined by the outcome of the race between population and resources. This is all the more so since we have had an extension in communications which has forged the interdependence of mankind and led to its unity as never before in history. A striking evidence of this new solidarity is the response which the freedom from hunger campaign has evoked in the developed countries, for it has strikingly shown that common people everywhere are ready to work together in the task of development.

It is not astonishing, therefore, and this is the third major difference between 1943 and 1963, that it has become the established policy in the developed countries to extend assistance to countries in the process of development. The questions on which agreement is yet to be reached are now more of scale and form. It is true that principles are still to be established to insure that the distribution of the burden, though burden is not quite the right word, is equitable, and that all countries participate in the task of international reconstruction. But the very acceptance of the principle of international aid suggests that the time may not be far distant when a system of progressive international taxation, similar to that which applies on a national scale, will be regarded as a logical development if for juridical reasons it may be termed "contribution" rather than "taxation."

Mr. Chairman, ladies and gentlemen, this historic Congress is now coming to an end. But in every sense it is not an end but a beginning—a beginning of a new worldwide effort in the war against hunger. We have taken the measure of the situation with which we are confronted; we have discussed the strategy and tactices of the battle we are engaged in; we have renewed our solemn pledge to work together in order to abolish hunger. All this will be fruitless if we fail to act and we shall meet with disaster the proportions of which we can foresee even today. We stand before the bar of history. Let not future generations accuse us of failure to take action while there was time. Let the clarion call go forth from this great assembly to the peoples of the world that freedom from hunger can be won and must be won within our lifetime.

[From the New York Times, June 21, 1963]

THE WAR AGAINST HUNGER

The World Food Congress that assembled nearly a thousand delegates from more than a hundred nations in Washington has ended without quite meeting the challenge it faced or the hopes it had aroused. It issued a declaration expressing alarm at the rapid increase in the world's population without an adequate increase in productivity and called on all nations to join the war against hunger and malnutrition that still grips up to one-half of the human race. But while it discussed numerous ideas and proposals, it did not develop a concrete action program, as some delegates had urged it to do. That was left to the next Rome meeting of the United Nations Food and Agriculture Organization.

Nevertheless, the Congress served a useful purpose by calling worldwide attention to the perils of the population rise and the vastness and complexity of the problems it raises. It thereby helped to create the necessary international climate for political, economic and scientific programs to make good on President Kennedy's message that we have the means to banish hunger from the earth if we have the will to do so.

Where the Congress fell short of expectations was in its failure to come really to grips with the problems involved. The world's population is expected to double by the end of this century, only 40 years from now. While total world food production is still ahead of this population rise, most of the food production increase is in the developed countries. The underdeveloped countries are falling behind in the race; their people actually eat less than before. The most urgent problem, therefore, would seem to be effective population control, but the Congress did nothing about it.

Some delegates called instead for expanding the freedom from hunger campaign from $100 million a year to $12 billion in 5 years by utilizing the wealthier nations' food surpluses. No doubt there is maldistribution of available food supplies. But the United States opposed an untried crash program which took no account of production or transportation costs and might not only unsettle markets but also quickly cut down production. A better solution would be extension of the agricultural revolution to countries still suffering from food deficits. Coupled with a sensible population-control program, this would raise living standards and produce a better population balance which would banish the Malthusian specter and could initiate an age of abundance.

OPPOSITION TO FREIGHT FORWARDERS BILL

Mr. McGOVERN. Mr. President, it is anticipated that the Senate will soon be given further consideration to Senate bill 684, a bill which will allow freight forwarders to acquire and control motor carriers. The Senate gave preliminary consideration to the measure on Thursday of last week.

During the time that this legislation has been under consideration I have received a number of letters from constituents strongly opposing the proposed legislation. Highly regarded spokesmen for the trucking industry of South Dakota see in this proposal a danger to their industry and to our competitive system.

The function of a freight forwarder is to route or control the movement of freight. Ordinarily a freight forwarder will contract with a number of small business concerns and arrange for their freight to be combined in a larger shipment. The freight forwarder receives his profit from the difference in the rate charged for a small individual shipment and the rate on a larger combined shipment.

If a freight forwarder were permitted to own and operate his own carriers he could use this power to discriminate against other carriers in the placement of shipping orders. It might give him a monopoly influence in the setting of rates and in other shipping practices.

One of the dangers involved in the bill is that one company, the U.S. Freight Co., now controls about 40 percent of all the freight forwarding business in the United States. To give this company the power to acquire trucking lines and other common carriers could certainly open the way to monopoly practices harmful to our transportation and free enterprise system.

Mr. President, a number of Government agencies and private industry groups have registered their disapproval of this bill. I ask unanimous consent that a memorandum listing the agencies in opposition to the bill and a summary of some of their statements be printed at this point in the RECORD. I also ask unanimous consent, Mr. President, that letters from four South Dakota trucking officials be printed at this point in the RECORD:

There being no objection, the memorandum and letters were ordered to be printed in the RECORD, as follows:

S. 684, A BILL WHICH WOULD ALLOW FREIGHT FORWARDERS TO ACQUIRE AND CONTROL MOTOR CARRIERS

Those opposed to its enactment are Department of Justice, Department of Commerce, Bureau of the Budget, Trucking Industry, Shippers (National Industrial Traffic League), Water Carriers (American Waterway Operators), American Retail Federation, Railway Labor Executives Association, Chain Store Traffic League, National Retail Merchants Association, and Western Traffic Conference.

PARTIAL SUMMARY OF OPPOSITION STATEMENTS [1]

American Waterways Operators, Inc.: "Traditionally these water carriers as a community have opposed common ownership, and that is the first point I wish to make today, that we are still as a group opposed to department-store transportation as it is called, common ownership of facilities, ownership of one type of facility owning or controlling other types."

American Retail Federation: "Our transportation committee has adopted policies in opposition to the ownership or control by freight forwarders of underlying modes of transportation.

"Similar objections have been expressed by this group to your committee on H.R. 9771 during the 84th Congress, on similar measures during the 86th Congress, and last year on H.R. 12201. These objections have stemmed from (1) the fundamental nature of the freight forwarder; (2) the fact that the provisions will not result in equality of treatment for all carriers; (3) there has been no demonstration of the practical necessity or effect of the legislation; and (4) the need for concurrent regulatory control on contract terms between freight forwarders and motor carriers."

National Retail Merchants Association: "In the interest of brevity, this association can best state its fundamental opposition to the bill before you by quoting from a letter written in 1956 by Commissioner J. Monroe Johnson (see p. 28, hearing transcript on H.R. 12201) to Senator MAGNUSON. 'The basic considerations which governed Congress in the enactment of section 411(a) have not changed in any material respect. In its relations with the carriers which it utilizes for underlying transportation services, the freight forwarder is a shipper, and as such it routes or controls the movement of large amounts of freight. To permit forwarders to acquire control of carriers subject to the act would, in our opinion, open the way to opportunities for discrimination not only with respect to rates and charges, but also in respect to practices which would be difficult to control.' "

Railway Labor Executives' Association: "Such action inevitably would be an entering wedge to the development of an intermodal concentration of power in the transportation industry and would thwart the long-range public interest. A sound transportation policy requires not only the preservation of existing competition in transportation but also further action legislatively to bring about the application of stronger antitrust standards to areas now exempt, particularly in regard to rail mergers and consolidations."

National Industrial Traffic League: "Equitable competition between carriers and between agencies, and maintenance of reasonable rate levels, demand the continued separation, as it now exists, of freight forwarding and underlying carrier service."

American Trucking Associations, Inc.: "Our basic objection * * * is summed up in a reason given last year by the Deputy Attorney General, Mr. Katzenbach, for the Department of Justice's opposition to this bill (H.R. 12201 in the last Congress). In his letter to Chairman OREN HARRIS, following the conclusion of the 1962 hearings, Mr. Katzenbach said: 'It is the view of this Department that if any further legislation concerning the relationships between freight forwarders and carriers is to be enacted, it should be legislation which would prohibit control of one by the other so as to insure arm's-length dealing between firms in the respective categories. This would tend to insure that freight forwarders would commit shipments which they control to carriers on the competitive basis of rates and service rather than on the basis of corporate ties or control relationships.'

"Our position of opposition here transcends our general position of opposition to common ownership about which you have heard a great deal in the past. Not only do we reaffirm our strong feeling that a sound American transportation system can best be preserved by independently owned and controlled modes but we contend that the acquisition or control of carriers by freight forwarders should be prohibited for reasons over and beyond those which dictate the separation of the underlying carrier modes."

Local and Short Haul Carriers National Conference: "We know from personal experience, my own and the experience of the people I am intimately acquainted with in the conference that a whipsaw situation could well develop in respect to rates if freight forwarders were given the right to make further inroads into the trucking industry. Rates could be driven down merely on the threat that if the independent motor carriers could not make rates to the liking of the forwarder, he could then publish depressed rates through his captive motor carrier."

Bureau of the Budget: "Although we are in sympathy with the Commission's desire to clarify the language of the Interstate Commerce Act, at the present time we would be opposed to the enactment of H.R. 2090. In addition to clarifying the law, it would permit a basic change in the relationship between freight forwarders and the carriers from which they purchase major transportation services. This change might facilitate concentration of control in transportation and, in particular, reduce the service alternatives now available to shippers who rely upon the independence of forwarders to achieve the most economical means of transportation. These matters should be the subject of comprehensive investigation and, if the necessity for a change in present law is demonstrated, of general legislation. In the opinion of the Bureau of the Budget, the evidence of need for such a change has not been presented in connection with H.R. 2090."

JUNE 3, 1963.

Re S. 684.

Senator GEORGE MCGOVERN,
Senate Office Building,
Washington, D.C.

DEAR GEORGE: The above bill will be up for vote shortly in the Senate. It will allow freight forwarders to control motor and water carriers. This is a first step in the rail fight to break down present restrictions on rail ownership of other forms of transport.

I'd appreciate it if you would vote against this bill. There should be no feeling on this bill to my knowledge from other South Dakota people, and we are most opposed to it.

Regards,

WILSON TRUCK SYSTEM.
H. LAUREN LEWIS,
Executive Vice President.

BARBER TRANSPORTATION CO.,
Rapid City, S. Dak., June 3, 1963.

Re opposition to S. 684.

The Honorable GEORGE MCGOVERN,
U.S. Senate,
Washington, D.C.

MY DEAR MR. SENATOR: The Senate Commerce Committee has approved S. 684 a bill which would allow freight forwarders to buy and control motor carriers.

Passage of this bill not only would make it possible for freight forwarders to operate truck lines in competition with independent motor carriers, it also would make it easier for the railroads to break down the present restrictions on railroad ownership of other forms of transport.

We hereby express our vigorous opposition to S. 684 and ask your support. This legislation must not pass.

Respectfully yours,

MILO H. BARBER, *President.*

UNITED BUCKINGHAM FREIGHT LINES,
Rapid City, S. Dak., June 4, 1963.

Senator GEORGE MCGOVERN,
Senate Office Building,
Washington, D.C.

DEAR GEORGE: I hate to receive long letters and consequently am going to take a chance that such is not necessary with respect to Senate bill 684 which will come before the Senate very soon, inasmuch as it has passed the Senate Commerce Committee.

Senate bill 684 would allow freight forwarders to buy and control motor carriers and water carriers. We do not feel that such is in the public interest and are hopeful that you will find good reasons to oppose the bill and vote "no" on it. Frankly, we do not feel that it is in the public interest to allow common ownership of motor carriers by either the railroad or their closely allied freight forwarders. Either, in my opinion, would ultimately lead to a single monopolistic system of transportation.

I am sending copy of this letter to John V. Lawrence, managing director of the American Trucking Associations, Inc., asking that he have someone from his office acquaint you with the reasons why this bill would be a bad bill for the economy of the United States generally, but especially for South Dakota.

Yours very truly,

H. D. BUCKINGHAM.

DAN DUGAN OIL TRANSPORT CO.,
Sioux Falls, S. Dak., June 4, 1963.

Senator GEORGE MCGOVERN,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MCGOVERN: I would like to ask that you oppose S. 684 since it will encourage monopolistic control of different types of transportation. As you know, S. 684 allows freight forwarders to buy and control motor carriers and water carriers. I believe that competition between modes of transportation is in the public interest. I feel South Dakota is particularly liable to injury through a transportation monopoly.

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[1] Source: "Freight Forwarder Acquisitions," hearing before the Surface Transportation Subcommittee of the Committee on Commerce, U.S. Senate, 88th Congress, first session, Apr. 2, 1963, serial 9.

I trust you will express your opposition to S. 684 at every opportunity.

Rest of personal regards.

Yours sincerely,

Dan Dugan Oil Transport Co.
Dan Dugan.

FEDERAL HATCHERY AT SARATOGA HELPS MEET GROWING DEMAND

Mr. McGEE. Mr. President, the State of Wyoming is well known as a fisherman's paradise. One of the reasons that it is, aside from possessing the best trout streams in the world, is that our governmental officials on all levels have been very efficient in stocking our streams with fish.

An article in the June 18 issues of the Rawlins (Wyo.) Daily Times describes an efficient operation at the Federal hatchery at Saratoga, Wyo. Mr. President, I ask unanimous consent that this article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Federal Hatchery at Saratoga Helps Meet Growing Demand

(By Dick Gillilan)

About one of every nine adults in the United States today has a fishing license and there are many others, such as children, who fish in public waters but are not required to have a license.

To meet the demand brought on by the constant taking of fish from public waters, the Saratoga Fish Cultural Station, 3 miles north of Saratoga, was established during the year 1915.

The main purpose then was to produce small fingerling trout for the high mountain streams. Since 1915 people have become more recreation minded every day.

Fishing, being one of the most important sports in Carbon County, forces the Saratoga hatchery to now produce both fingerling and catchable trout. The rainbow, brown, brook, and blackspotted or cutthroat raised at this national hatchery are distributed throughout Wyoming and northern Colorado.

Eggs received at the station are usually from other Federal hatcheries or some State-operated station in Wyoming or Colorado. Each egg is carefully measured and counted to give the number per ounce. Those weighted are in uniform portions and placed in trays where they hatch after some 30 to 50 days, depending upon the water temperature.

As the eggs go through the hatching stages, careful attention is given them because the slightest shock will kill them. Occasionally a few dead or infertile eggs are picked off.

The young trout begin to feed after the egg yolk is absorbed which is usually from 3 to 5 days. At this time they are fed very finely ground liver. These young fish are kept in tanks inside the hatchery; as they grow, the meat in their diet is replaced with dry material.

When the fish have grown to large fingerling size, they are graded to uniform size and moved to the outside concrete and dirt raceways and ponds. Close growth record must be kept on all fish, with samples being examined for condition and growth once or twice each month. The amount of food fed usually increases as the water rises in the spring which supplies the hatchery with water. Fish in these raceways are fed a one-eighth-inch pellet which contains crude protein, not less than 38 percent; crude fat, not less than 5 percent; crude fiber, not more than 7 percent; and ash, not more than 15 percent.

Stocking is one of the most important parts of fishery management.

A species of trout may be planted in water which has suitable conditions but in which these trout have not previously been present. Sometimes trout are stocked in waters providing conditions suitable for growth, but lack facilities for adequate reproduction. These waters, which are usually cold-water lakes and ponds, can provide excellent fishing. Trout are also stocked in waters lacking the productive capacity to meet local fishing pressure. Some fish are planted here and there for the sole purpose of being caught during the season in which they are planted.

Although most of the fish produced at Saratoga are planted on Federal lands, mainly in the national forests and the Wind River Indian Reservation, the station works in close cooperation with both the Wyoming Game and Fish Commission and the Colorado Game and Fish Department.

All the fish produced at the Saratoga hatchery are distributed under supervision of qualified fishery management biologists and are stocked on the priority system with open Federal waters and federally sponsored lake and ponds first. State waters open to public fishing are next in line for the hatchery's fish and any remaining may be stocked in lakes, ponds, or streams which are not open to the public and which are not commercial in any way.

When you are in the Saratoga area it would be well worth your while to visit the Federal fish hatchery, located 3 miles north of Saratoga. These hatcheries are for the encouragement of water conservation, wise land use, and to produce a wholesome outdoor recreation.

Visitors are always welcome at the fish hatchery during any day of the week. Any employee in attendance will be glad to give you a tour, explaining in detail all parts of the hatchery and answering all questions—where possible.

THE ISSUE OF CIVIL RIGHTS

Mr. McGEE. Mr. President, the issue of civil rights can be very complicated when one considers the many alternative plans put forward to end the denial of rights to minority groups. But however complicated these proposals become we must not lose sight of the crux of the issue.

The heart of the current drama is contained in an editorial in the June 17 issue of the Riverton (Wyo.) Ranger and I ask unanimous consent that it be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

It's Past Time

How long should it take the people of a free nation to overcome prejudice? As long as people remain mere humans, they never can have equal feelings toward all men or every race and culture.

But how long should it take the United States of America to provide basic equality for the civil rights of all people? One hundred years would seem a reasonable span of time. It is time to provide all people the right to assemble in public places, to vote, to have an equal chance at a job provided he has equal qualifications.

During this centennial remembrance of the Civil War in which slavery was the major issue, minority groups are pressing harder, and with justifiable impatience, for a measure of equal treatment under our democratic society.

The President has called on all Americans to reexamine attitudes and performance on civil rights. While changes may seem to be coming "too fast" now for reasonable assimilation, the changes have been slow when viewed against the five generations that have been sitting tight since the Civil War.

Breaking down the prejudice barrier can come only with good performance by people gaining previously denied civil rights. But it's past time this Nation gave our minorities an equal chance under the basic constitutional guarantee of civil liberties.

CENTRALIZATION OF GOVERNMENT

Mr. LONG of Missouri. Mr. President, departments and agencies of the Federal Government are frequently accused of reaching out for power and centralizing it in Washington.

The accusers say this greed for power—this centralization of government—is not in response to public demand. Instead, they assert, it springs from empire builders within our fourth branch of government, the administrative bureaus.

I am not here today to support this broad accusation. I wish only to report that this is a public image of our Federal Government. It is my belief that, in general, Federal powers are extended reluctantly and slowly, most often to fill a vacuum of need which unfortunately has not been met otherwise.

But there are instances of centralization which demand the attention of the Congress.

In particular, I refer to purchase last week by the Commodity Credit Corporation of a blanket insurance policy covering obligations of all warehousemen operating under the Commodity Credit Corporation's uniform grain storage agreement.

This policy insures the CCC for losses up to $2 million at each warehouse with a maximum aggregate liability of $50 million. It will replace bonds totaling $178 million. This is the total coverage, made up of bonds purchased individually by participating warehousemen from local agents. Except in unusual cases, these bonds were not in excess of $200,000.

There you have concentration of insurance coverage into the hands of one company—and taking insurance away from hundreds of local insurance agents.

If there was public clamor for this concentration of authority, I failed to hear it. It must have had the mighty roar of a gnat downwind 100 paces in a windstorm.

To the contrary, I had no problem in hearing the opposition. I received letters, phone calls, telegrams, and visits from persons protesting this proposal. All of these protests were not from insurance agents. The grain trade also voiced opposition.

Even though this blanket bond idea seemed to have resulted from spontaneous combustion within the CCC, with no help from the outside, the claim of savings to the warehousemen and the Government were appealing.

A good friend of mine in the Missouri Senate, a number of years ago, Senator Bill Robinett, always described individuals who sat around in government offices dreaming up ways and methods to increase the power and importance of their departments, without any special consideration for the public interest, as, "long-haired men and short-haired women."

The CCC must be blessed with some "long hairs," who, without any demand from the grain trade or other interested persons, dreamed up this scheme to concentrate more power and regulation in their department here in Washington.

The CCC, in a December 26, 1962, press release, claimed the following advantages for the proposal:

First. Substantial reduction in the possibility of loss to CCC on valid claims.

Second. Elimination of the element of judgment on the part of CCC operating officials as to the amount of bond to be furnished by any individual warehouseman.

Third. Substantial reduction in the number of costly and troublesome litigation cases.

Fourth. Substantial savings as a result of no further need to receive, review, and control thousands of individual bonds.

It was my opinion that of all these claims, the most logical was No. 4—"Substantial savings as a result of no further need to receive, review, and control thousands of individual bonds."

However, I was amazed to note that in the announcement of the blanket insurance award in a press release dated June 20, 1963, the No. 4 claim was eliminated.

That leaves three claimed justifications for taking this business from hundreds of local businessmen and concentrating it in one company.

I asked one of my constituents, a veteran of both the grain and insurance business, to comment on these claims.

He acknowledged that the CCC was wise in taking steps to increase its bond, or insurance requirements, and pointed out that the existing bond requirement of around $200,000 is less than the price of 90,000 bushels of wheat, less than 200,000 bushels of corn, and about 75,000 bushels of flaxseed and soybeans. There are few, if any, country elevators participating in the CCC program which do not have more grain on storage than these amounts. For some elevators, it is possible that the new maximum of $2 million would not cover possible losses.

My constituent felt in the case of claim No. 1, "Substantial reduction in the possibility of loss to CCC," that the present system of individual bonds could accomplish the same goal, and could provide greater aggregate coverage than the new program's $50 million.

He felt that point No. 2, elimination of judgment on the part of operating officials as to amount of individual bonds, should present no problem—that a chart of bond requirements for a given amount of storage could easily be worked out. A small operator would not have to furnish as much bond as the larger operator—but both would carry an amount sufficient to protect the Government. Even the $2 million coverage under the blanket policy would not protect the Government where an elevator stores 35 million bushels of grain.

Point No. 3—reduction of costly and troublesome litigation—seems most invalid of all. Surely the Government will help the bonding company salvage what it can from the warehouse should a loss occur.

Another appealing argument used to justify a blanket policy was that many small warehousemen cannot furnish sufficient indemnification guarantees to get individual bonds for $2 million. While this is possible, it has been my experience that warehousemen are most generally financially responsible persons or they would not be in business long. Even the company which furnishes the blanket policy would not be interested in having too many financially shaky warehousemen under its umbrella, since it must be able to recover sufficiently from the defaulting warehouse to minimize its loss.

Another member of the grain trade with whom I checked on this matter, said he felt there was a hidden danger in the blanket policy—that under it, any operator would be able to afford a bond to operate under the uniform grain storage agreement; that this might open the door to marginal operators. At the same time, the competent, experienced operator, the grainman claimed, would be forced to pay a premium rate for his policy, over and above what it could be if the rate were judged solely on his own experience.

I have tried to present to you the claim and counterclaim in this matter of the CCC's blanket insurance policy.

I have been unable to find hard facts which convince me that this concentration of business, this loss of business to small insurance agencies, is justified. Even so, I would welcome a report 1 year from now which would show I am mistaken.

I am afraid, however, that this matter is one which my old friend of Missouri Senate days, Senator Robinett, would have said was dreamed up by either a long-haired man or a short-haired woman. I would suggest to this Department of our Government, that some attention be given to these long-haired dreamers and that an effort be made to operate the Department on a practical business basis, with a proper regard for private enterprise and private business. A dream of this kind has no place in our Government. This type of power concentration should have and will have further attention from the Congress.

"THE NEW WILDERNESS" BY WILLARD E. WILKS

Mr. ENGLE. Mr. President, "The New Wilderness: What We Know About Space" is a new book by Willard E. Wilks, an outstanding science writer and reporter. I recommend it as an excellent introduction to the fundamentals of space exploration. Most of the book is concerned with the scientific facts of space but it also takes up such topics as the conflicts between philosophies of space exploration.

Mr. Wilks' background has prepared him well for this book. As a science reporter he has covered many space-age firsts at Edwards Air Force Base, Cape Canaveral, and other rocket centers. Mr. Wilks, a Californian, was UPI's science editor in Los Angeles before joining the staff of Missiles and Rockets magazine in 1961. Mr. Wilks has a fine command of his subject and presents it in good style. I commend Mr. Wilks for the job he has done in making a complex subject understandable and interesting to the layman.

SAN FRANCISCO IS PROUD OF ITS RAIL TRANSIT LINE

Mr. THURMOND. Mr. President, in this mornings edition of the Washington Post, there appears a most enlightening article entitled "San Francisco Is Proud of Its Rail Transit Line." San Francisco, the same as many other large American cities and metropolitan areas, is being faced with the problem of transportation. The citizens of San Francisco have not been unaware of this problem, however, as have the citizens of many other localities. A dozen years ago these citizens formed the Bay Area Rapid Transit District to deal with this problem on the local level, rather than wait for either the State or Federal Government to step in and take control. The success of this local effort is well documented throughout the article, but of particular significance is the lessen contained in this one sentence:

> Make the transit instrument a creature of the localities it serves, not a governmental Big Brother that looks like it wants to impose ready-made solutions on the community.

I commend this article to the attention of all Members of Congress and particularly those most concerned with this problem of transportation. I ask unanimous consent that this article follow my remarks in the Congressional Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

San Francisco Is Proud of Its Rail Transit Line

(By Jack Eisen)

San Francisco.—Metropolitan Washington might do well to consider the lesson that can be drawn from the fast-growing region's success at creating a sleek new rapid transit system that will cost $1 billion.

The lesson is simply this: Make the transit instrument a creature of the localities it serves, not a governmental big brother that looks like it wants to impose readymade solutions on the community.

San Francisco's Bay Area Rapid Transit District from the very start has been just such a home-grown body, reflecting community wishes even as it seeks to sell this region on the need for a new transit concept.

This city's nonkissing cousin to the south, Los Angeles, also has been trying to get rapid transit on the track, but it has a big brother agency—the metropolitan transit authority—whose members were named by the Governor who sits 500 miles away in Sacramento.

If the Los Angeles effort seems rather bumbling, this may well be a part of the reason.

There, transit has been subjected to strong pressures, with their fulcrum often in Sacramento.

And MTA showed a striking lack of tact in asking the legislature early this year, without clearing it with local officials, to let it levy a relatively small property tax without first obtaining voter approval. Since autominded Los Angeles generally regards transit as a form of dilettantism—a recent Los Angeles Times poll showed 86 percent thought transit needed, while 4.7 percent said they'd use it—this trial balloon fell within 24 hours of its own leaden weight.

Even recognizing that governmental conditions are different in the Nation's Capital, it is clear that the Federal rapid transit planning body there bears closer resemblance to the Los Angeles situation than the San Francisco. And to be sure there is still a chance to remedy the situation, perhaps by pushing ahead fast with the proposed interstate compact to form an agency that would replace the National Capital Transportation Agency.

San Francisco's BARTD fortunately began with an almost-perfect political vehicle. It is headed by a board of directors named by the city councils and the county boards of supervisors of the areas it encompasses—initially five counties but now shrunken to three.

Fortunately, from the outset a dozen years ago, the board has been made up of recognized civic leaders who can speak with authority for and to their constituents. Their appointment by the local governing bodies gives them a status in the jealous and often warring suburban communities that the presidentially appointed Administrator and his presidentially appointed advisory board cannot have in Washington.

BARTD's president, Adrien J. Falk, is a retired food company executive with deep roots in San Francisco and a yards-long dossier of past civic activity. Sometimes he is called "Mr. San Francisco."

Day-to-day administration is vested in a professional staff headed by a general manager. The BARTD's chief engineer, Keneth M. Hoover, was the chief architect of the mass transportation survey in Washington that led to creation of NCTA.

One thing BARTD did not do was to try to elbow any freeways out of the bay area transportation picture—even though the freeways of San Francisco and Oakland are surely the Nation's most hideous.

The position of Hoover and his colleagues was that modern transportation involves both motor vehicles and transit, a position that drew essential support even from such unlikely allies as the Standard Oil Co. of California and the AAA's local affiliate, the California State Automobile Association.

The Auto Association's lobbying even, in fact, helped win legislative approval for use of Bay Bridge auto and truck toll revenues to finance a rapid transit tunnel between San Francisco and Oakland. The reasoning was that without transit a new and costlier bridge would be needed—and there was general agreement that the narrow, oddly laid out street pattern of downtown San Francisco could not absorb the crush of additional cars.

In other areas, the transit officials have worked closely with the highway people, who have been given the word from Sacramento that their cooperation was expected. This helped solve some routing problems through an Oakland-Berkeley area affecting both the rail and highway facilities.

It is not entirely fair to blame the National Capital Transportation Agency for sparking Washington's current highway-transit feud. That blame must be heaped upon the congressional aides who prepared the legislation that created NCTA. The agency was handed Pandora's box and told to lift the lid.

This created suspicion among the highway people from the very beginning that NCTA was designed not only as a positive protransit body but also as a negative antihighway one.

Here in San Francisco a well-conceived and brilliantly executed campaign managed to win approval of the needed 60 percent of bay area voters for a $769 million bond issue. The opposition was scattered and unorganized, coming mainly from suburban towns where shopping center owners feared the trains would carry their patrons to shop in the big city.

Noticeably missing from the opposition were the oil companies and the various highway lobbies.

But in Washington these lobbies have been hard at work, even going to the White House to seek the President's intercession in the NCTA's program.

SPERANZA LECTURES BY MR. THEODORE C. SORENSEN

Mr. MANSFIELD. Mr. President, the annual Speranza lectures at Columbia University were delivered this year on April 18 and May 9 by Mr. Theodore C. Sorensen. They were entitled "The Olive Branch and the Arrows" and were concerned with decisionmaking in the White House.

These two statements, Mr. President, constitute a most interesting and erudite contribution to the literature on the Presidency. They are authoritative and forthright in setting forth the dimensions of the office of the Presidency—the enormous demands and pressures which converge upon it and the lonely task which responsibility for ultimate decision imposes upon the incumbent.

Mr. President, these lectures abound with unusual historic knowledge of the Presidency which is blended with firsthand experience. The blend is leavened with wisdom, a sense of proportion, and touches of humor. The lectures do much to explain why Mr. Sorensen, whose great contribution is matched by his personal modesty, is an exceptional member of the White House staff. Through his intimate association with the President, Mr. Sorensen performs a highly valuable service on behalf of the people of the Nation. I commend his lectures to the attention of the Senate and ask unanimous consent that they may be included at this point in the RECORD.

There being no objection, the lectures were ordered to be printed in the RECORD, as follows:

THE OLIVE BRANCH OR THE ARROWS: DECISIONMAKING IN THE WHITE HOUSE—LECTURE 1

(Annual Speranza lectures, Columbia University, April 18 and May 9, 1963, by Theodore C. Sorensen, Special Counsel to the President of the United States)

LECTURE 1—APRIL 18, 1963

I. By way of introduction

To speak of the American Presidency at Columbia University in the very first lecture of my career is as bold a venture in the 20th century as a 19th century schoolboy oration in Faneuil Hall on the subject of American liberty. For it was here at Columbia that Prof. Woodrow Wilson delivered his memorable lecture redefining his views of the Presidency. It was here that Presidents Taft and Truman examined the office which they had occupied. Here President Eisenhower presided over your campus before assuming the burdens of the White House. Here distinguished scholars of the Presidency have served and now serve on your faculty; and both faculty and student body have produced over the years an extraordinary number of advisers to Presidents and presidential candidates—including, of course, the original Roosevelt study group that was given a name now loosely and often inaccurately applied to all Presidential advisers: the "brain trust."

My choice of subject may also seem dubious in light of the countless number of works already published on the Presidency. Tomes have been written about Presidential power—about the separation of powers, the delegation of powers, the sources and limits and now even the "ordeal" of power. There is no shortage of critiques on the American President's executive and administrative leadership—on the qualities required, the burdens imposed and extent to which the office has risen or fallen (often influenced, I have noted, by the author's opinion of the man in office at the time.) Historical studies tell us how many roles a President plays, how some have been strong and how some have been weak. And surely there is no dearth of material about my chief, the present incumbent—about his life, or his views, or his wife, or his youth—all told and retold, sometimes with more vividness than veracity, in journals both scholarly and sensational.

My lectures, therefore, are not directed at any of these subjects. Nor are they designed to play an even more popular game, that of analyzing the Presidential machinery—assessing the role of the Cabinet or the National Security Council or the White House staff, the need for new structures or new procedures or new ways to quicken the speed with which decisions are made or to lessen the gap from decision to action. There are already enough proposals to reorganize the Presidency to stretch from here to utopia—and not all of them from academic circles. While there is some disagreement as to how successfully the Congress has organized itself, it has not been timid about recommending wholesale reform of the Executive.

I do not question either the value or the relevance of all these studies. But to be preoccupied with form and structure—to ascribe to their reform and reorganization a capacity to end bad decisions—is too often to overlook the more dynamic and fluid forces on which Presidential decisions are based.

Procedures do, of course, affect decisions. They especially affect which issues reach the top and which options are presented—and this may, in the last analysis, matter more than the final act of decision itself. But procedures and machinery do not—or at least they should not—dictate decisions, particularly in our highest political office. We may marvel at the speed and the efficiency with which an electronic computer can solve certain problems, but we would not vote for that computer to be President.

In speaking of the Presidency, therefore, I have taken my lead from the historic lectures delivered 42 years ago by Judge Benjamin Cardozo on "The Nature of the Judicial Process." He did not focus his attention on the powers of judicial review and enforcement, or on the structure and rules of the American judiciary. He was concerned with how a judge decides a case, how his decision is shaped and limited. His lectures were an attempt to examine, in his words, "all (the) ingredients enter(ed) in varying proportions into that strange compound * * * brewed daily in the caldron of the courts."

Can the same be done for the Presidency? Can we look beyond the organizational charts and ask: How does a President make up his mind? I refer not to psychoanalysis, but to the forces that shape his decisions. How does a President choose, for example, in a moment of crisis, between the olive branch of peace (clutched in the right talon of the eagle on his seal) and the arrows of war (which are clutched in the left)? His alternatives, of course, are rarely that clear-cut—but, if not, why not? What limits the President's choice? What forces, what factors, what influences are blended in that final act of decision?

Obviously each President has his own style and his own standard for making decisions, and these may differ from day to day or from topic to topic, using one blend for foreign affairs, for example, and another for domestic. The man affects the office as the office affects the man.

Nor is decisionmaking something he neatly sets aside for certain times or occasions. On the contrary, the President's entire existence is a continuous process of decision—including decisions not to decide and decisions not to take action—decisions on what to say, whom to see, what to sign, whom to name, and what to do, as Commander in Chief and diplomatic chief, as legislative leader and political leader, as a moral leader and a free world leader, and in taking care that the laws be faithfully executed. Every policy announced is the sum of many decisions, each made in a different mold and manner.

I do not suggest, therefore, that there is any systematic formula of decisionmaking in the White House, any precise mixture of ingredients for one President to pass on to the next or even to use himself on successive occasions. I have no absolute tests to offer by which White House decisions can be judged, no new theories or concepts or formal doctrines.

But, I am convinced that whether a President is strong or weak, whether he initiates or avoids decisions, whether he consults with his Cabinet or his kitchen cabinet, his "brain trust" or the "meat trust," the fundamental nature of the White House makes it inevitable that vital decisions, either many or few, will be made there, either by the President or with his consent, and that the same basic forces and factors will repeatedly shape those decisions.

These lectures, therefore, are concerned, not with the influence of a President's decisions, but with what it is that influences them. It is my thesis that, however the institutions and the apparatus may be organized, these same basic influences are ever present—not by chance but by the nature of the office.

A President may ignore these forces or factors—he may even be unaware of them—but he cannot escape them. He may choose to decide in solitude; but he does not decide in a vacuum. As a painter mixes his colors, or a chef prepares his sauce, so he must mix these ingredients—omitting some if he wishes, or preferring others he likes, but mixing them nevertheless, in his own style and to his own taste, until the final product is fashioned.

Having participated briefly in this process, I offer my own observations of it. If some of my conclusions seem obvious, I include them only because of the dangers inherent in omitting what seems to be obvious.

II. The setting for decision

In describing what forces might influence a President's decisions, I should first state with candor that these forces in the past have generally defied all description. The memoirs of some former Cabinet members would have us believe that they handed ready-made decisions to their President for his approval; yet their associates complain in their memoirs that the same Chief Executive was too proud to hear, much less to heed, good advice. My colleague Arthur Schlesinger, Jr., describes in fascinating fashion the maneuvers which preceded a decision by Franklin Roosevelt; but then he adds: "Once the opportunity for decision came safely into his orbit, the actual process of deciding was involved and inscrutable." And Rexford Tugwell declared that Roosevelt "allowed no one to discover the governing principle" of his decisions.

President Truman wrote that "no one can know all the processes and stages of (a President's) thinking in making important decisions. Even those closest to him * * * never know all the reasons why he does certain things and why he comes to certain conclusions."

President Kennedy's analysis is still some years away from publication. Thus far he has referred simply to "the multiplicity of factors" that are involved in White House decisions.

But let us not be deterred in our quest by the characterization of this process as inscrutable or indescribable. On the contrary, if we can better understand why these decisions are like no others, if we can bear in mind what it is that comes to the White House for decision, and if we can review the component steps that go into these decisions, we will have some understanding of the setting in which they are made.

The Uniqueness of White House Decisions

To begin with, White House decisionmaking is not a science but an art. It requires, not calculation, but judgment. There is no unit of measure which can weigh the substantive consequences of a decision against the political consequences, or judge the precise portions of public opinion and congressional pressure, or balance domestic against foreign, short-range against long-range or private against public considerations.

Every decision a President makes involves uncertainty. Every decision involves risk. Almost every decision involves an element of prediction and at least latent disagreement with others.

Elaborate guides to decisionmaking in private business or even in public administration are of little help in the White House. For the breadth and scope of Presidential decisions cannot be matched in any large corporation or Cabinet Department, or even in the Halls of Congress. For the President alone is ultimately accountable for the lives of more than 2.5 million American servicemen, for the deeds of 2.5 million Federal employees, and he alone is ultimately held accountable to 190 million citizens, to more than 40 foreign allies and, in a very real sense, as custodian of the nuclear trigger to all men and to all mankind.

His decisions do not merely differ in degree from the decisions of others. No one else faces so many complex issues where the solutions are so remote, so dependent on the undependable and so tinged with potential disaster. No one else, as Woodrow Wilson said here, bears such multiple responsibilities in so many different and conflicting areas. No one else knows in advance that his decisions will be subject to such scrutiny, to such calumny, or to what my friend Professor Neustadt calls such irreversibility.

In an age when not only this Nation but also its chief adversary possess the capacity to inflict unacceptable disaster on another power in a matter of minutes, it is foolish to compare the role of the current President with that of any other man, including even his 33 predecessors. When President Kennedy, for example, reviewed with the Nation his decision to resume nuclear testing in the atmosphere, every citizen could understand his stated desire to examine every alternative, to demand a thorough justification, and to consider all the consequences. But no one, not even those who served with him in high position, could truly know the weight of his responsibility or all the forces that induced his conclusion.

The Volume of White House Decisions

Next, what is it that comes to the White House for decision? That, too, is a necessary part of the setting; but again there is no certain pattern. President Eisenhower rightly told President Kennedy: "There are no easy matters that will come to you as President. If they are easy, they will be settled at a lower level."

Some decisions are presented by the requirements of a President's calendar. He must, for example, send up a budget and presumably a legislative program at the start of each year, and these mean countless decisions. Some come to him by law, including bills to be signed or vetoed, nominations to be sent to the Senate, requests, for a pardon or parole, and the review of certain quasi-judicial decisions.

But for the rest there are no set criteria. President Kennedy chooses to reach out and select key issues, to initiate deliberations, to anticipate crises. Other Presidents may prefer to decide only what cannot be decided below or only what others present.

In the White House, as elsewhere, "the squeaky wheel gets the grease," and whenever a controversy looms large in the press or the Congress or the public mind, however small it may be is true perspective, it either lands on the President's desk or confronts him at a news conference. (The advisability of corporal punishment in the District of Columbia schools, for example, is not a major issue of state, but the predominance of that issue in the Washington press prior to his last news conference caused President Kennedy to examine his own thoughts on the matter, and possibly his own youth.)

More importantly, when a President's own prestige is involved—or his own powers, posture or re-election—or when an issue is too important for anyone else's word to be accepted, or too sensitive, or too unprecedented, or too likely to result in damage beyond repair—then a Presidential decision is usually essential.

If I were to name the one quality which characterizes most issues likely to be brought to the President, I would say it was conflict—conflict between departments, between the views of various advisers, between the administration and Congress, between the United States and another nation, or between groups within the country: labor versus management, or race versus race, or State versus Nation.

Presidents may even encourage such clashes within the Government by deliberately overlapping authority or inviting dissent, as Franklin Roosevelt did to make certain he heard the alternatives.

But conflict rarely needs a stimulus. The claims of domestic and foreign policy sooner or later collide. Congressional checks and balances are written into law. Public and political needs will often be incompatible. Competing policies or interest groups are sometimes equally deserving. And the heat that is generated by all of this friction will naturally rise to the top—to the Presidential office.

Just as conflict will bring issues to the President, so a lack of conflict may sometimes keep them from him even when he should be involved. For example: Had there been some disagreement between White House and State Department officials on the contents of this winter's press statement on nuclear warheads in Canada, it would have been brought to the President's attention before it exploded in the headlines. To cite another case: last December's proposed regulations on expense accounts, having been approved by everyone in Internal Revenue, were not presented to the President until they had been bitterly protested in public.

Some major issues do not regularly come before the President because they are low on his list of priorities and he chooses to rely on his appointed authorities. Other issues are decided without presidential intervention because the Congress has placed plenary authority elsewhere, usually in the so-called independent agencies and commissions, where presidential persuasion may be operative but rarely presidential orders. Following the stock market decline of last summer, for example, many businessmen called upon the President to lower promptly the margin requirements for purchasing stock on credit. They did not realize that this decision was legally vested in the independent Federal Reserve Board.

On the other hand, a President's personal interests may draw to him decisions normally left for others. Roosevelt, for example, took a hand in deciding postage stamp designs. I have seen President Kennedy engrossed in a list of famous Indian chiefs, deciding on an appropriate name for a nuclear submarine. (Inasmuch as most of the chiefs had earned their fame by defying the armed might of the United States, it was not an easy decision. In fact, when he finally decided on Chief Red Cloud, the Navy protested that this name had undesirable foreign policy implications.)

Time rules out many decisions. A President should not try to decide too few issues, but neither can he decide too many. Above all, he should decide what it is he need not decide at that time. During last October's Cuban crisis, the President charged his Cabinet and staff to avoid the presentation of those issues that could be safely delayed or settled among themselves. The postponement of some of these decisions, of course, require a more hurried handling in later weeks to meet budget or other deadlines and this was not without difficulty, as the case of the Skybolt missile illustrates. There were other factors here in addition to the shortness of time, however, and surely no nonfeasance can be charged respecting the postponement of this issue by the Pentagon when war and peace were at stake.

The Mechanics of White House Decisions

Finally, what are the component steps in White House decisionmaking? It is not hard to state the ideal but it is hard to state it with conviction. Theoretically it would be desirable to undertake, for each important decision, a series of carefully measured, carefully spaced steps, including ideally the following: first, agreement on the facts; second, agreement on the overall policy objective; third, a precise definition of the problem; fourth, a canvassing of all possible solutions, with all their shades and variations; fifth, a list of all the possible consequences that would flow from each solution; sixth, a recommendation and final choice of one alternative; seventh, the communication of that selection; and eighth, provision for its execution.

In these ideal and mechanical terms, White House decisionmaking sounds easy, if somewhat elaborate. It is simply the interaction of desire and fact—simply a determination of what the national interest requires in a given situation. But unfortunately it is neither mechanical nor easy.

For the ideal case is the exception. Each step cannot be taken in order. The facts may be in doubt or dispute. Several policies, all good, may conflict. Several means, all bad, may be all that are open. Value judgments may differ. Stated goals may be imprecise. There may be many interruptions of what is right, what is possible, and what is in the national interest. A President's decision may vary according to how the question is formulated and even by who presents it. All his available choices may be difficult mixtures of both good and evil.

For every course he examines, there will always be some opposition in the country, in the Congress and even among his advisers. There will always be one adviser to say, after the fashion of certain columnists and commentators, that "on the one hand" consider this but "on the other hand" think of that. Idealists on his staff will rule out expediency. Realists will disregard morality. Some will counsel speed; others will counsel delay—yet even delay will constitute a decision.

As each President nears a final answer, he realizes that this choice is only the beginning. For each new decision sets a precedent, begetting new decisions, foreclosing others, and causing reactions which require counteraction. Roosevelt, according to Madam Perkins, "rarely got himself sewed tight to a program from which there was no turning back." And President Kennedy, aware of the enormous hazards in the confrontation with the Soviets over Cuba last October, made certain that his first move did not close out either all his options or all of theirs.

But too often a President finds that events or the decisions of others have limited his freedom of maneuver—that, as he makes a choice, that door closes behind him. And he knows that, once that door is closed, it may never open again and he may then find himself in a one-way tunnel, or in a baffling maze, or descending a slippery slope. He cannot count on turning back, yet he cannot see his way ahead. He knows that if he is to act, some eggs must be broken to make the omelet, as the old saying goes. But he also knows that an omelet cannot lay any more eggs.

III. The outer limits of decision

All this has been by way of introduction and background, important to an understanding of White House decisionmaking but revealing little of the process itself. The question still arises: What forces or factors converge to shape these decisions? What recurring threads are woven together in a President's final choice?

It is my view that three fundamental kinds of forces influence most White House decisions. In my second lecture, I will discuss these three in terms of Presidential advisers, Presidential politics and the Presidential perspective. In these three terms of reference I shall undertake to group all of the elements which mold Presidential choices. But before I can discuss these three forces, let me turn, in this first lecture, to the limits within which these forces operate—the frame on which the cloth is woven.

For no President is free to go as far or as fast as his advisers, his politics, and his perspective may direct him. His decisions, and their advice, are set within at least five ever-present limitations. He is free to choose only within the limits of permissibility, within the limits of available resources, within the limits of available time, within the limits of previous commitments, and within the limits of available information.

Some of these limits operate directly on the President; others shape the choices that come before him. Thus, in logical terms, it may be difficult to differentiate between the limits I shall discuss in this lecture and the influences to be described in the next. They may on occasion be interchangeable or even indistinguishable.

But whatever the difficulties of semantic classification, I believe these five limitations are there. They may often be stretched. They may sometimes be absent. But they cannot be broken or ignored by a President on too many occasions without his suffering the consequences.

I would guess that Woodrow Wilson, for example, upon completion of his second term—his dreams shattered as well as his health, his proposals rejected as well as his party—regarded the Presidential office with a somewhat different view than he had held here at Columbia some 14 years before. "The President is at liberty," he had then declared, "both in law and conscience, to be as big a man as he can. His office is anything he has the sagacity and force to make it. His capacity will set the limit."

Wilson, and all who preceded and succeeded him, found that there are other limits. There are, first of all, the limits of permissibility. In a government of laws, a President is not free to ignore the Constitution he is sworn to uphold, the statutes he is obliged to enforce, the decisions of our courts and the rights of citizens and States. And to this body of law, as the world grows smaller, must be added international law, which cannot be dismissed as quickly as some claim.

For example: had the Organization of American States failed last October to provide the necessary two-thirds vote authorizing a Cuban quarantine, the Soviets and possibly others might have been emboldened to challenge the legality of our action, creating confusion and irresolution in the Western camp and giving rise to all kinds of cargo insurance and admiralty questions that this Nation would not enjoy untangling.

Permissibility as a limit to decisionmaking, however, is not a matter of law alone. A decision in foreign affairs almost always depends on its acceptance by other nations—and, as President Kennedy once ruefully remarked, to a group of us, the leaders of every nation seem to believe that the United States can change the minds and course of all nations but their own. A decision in domestic affairs (and often in foreign affairs, as in the case of Yugoslav trade) may depend on its being accepted, or its not being reversed, by the Congress—for the President under our system is not empowered to remake the Nation in his own image.

Surprisingly enough, a President's decision in either domestic or foreign affairs may also depend upon its acceptance within the executive branch itself—on the President's ability to gain acceptance for his point of view over dissent, inertia, incompetence, or importance among his own appointees and policy officials as well as the permanent bureaucracy. Few outsiders understand this; they view the executive branch as a monolith, where the President's every word is a command and all lines of authority run to him. But in truth there are checks and balances within the departments and agencies, and I can recall more than one occasion when it was necessary for the President to convince his own appointees before they could undertake to convince the Congress, the Soviets, or some other party.

Nor is it enough that a decision be acceptable. It must also be workable. It must be enforceable. It must be possible. The President is not omnipotent. Choices within his control may be altered by events beyond his control. Revolutions, assassinations, elections, and disasters daily change the face of the globe. A decision to maintain a nuclear test moratorium may be shattered by a Soviet resumption. A decision to use only Federal marshals to protect a Negro student in Mississippi may be reversed by the violence of a mob. A decision to lower the deficit by withholding taxes on dividends may be rejected by the Congress.

In the minds of the public and the press, as Philip Jessup has said, "* * * impossibility is sometimes confused with incompetence or indecision." Last summer, for example, the pressures on the President to request a quick tax cut before the election were very large. His delay was attributed by some to indecision. Yet in the absence of economic evidence sufficiently alarming to overcome key congressional objections—evidence which was never forthcoming—such a request would have been only an exercise in futility, and possibly a harmful one at that.

There is no clear standard of feasibility. It may depend on the President's prestige at the moment of decision, as was notably true in the first hundred days of Franklin Roosevelt. It can be affected by an unexpected turn of events, such as occurred last year when the thalidomide tragedy increased the acceptability of drug reform. What is clear is that a President's authority is not as great as his responsibility, and that what is desirable is always limited by what is possible or permissible.

Secondly, there are limits of available resources. It is a law of life that every gain incurs a cost, and the most efficient decision, therefore, is theoretically the one which produces the greatest margin of gain over cost. But, in government and politics, gains are hard to measure and costs are hard to predict. One gain may breed another, while the cost of failure may plummet out of control.

A President's resources are limited—not only in terms of money but in terms of manpower, time, credibility, patronage, and all the other tools at his command. If he appoints a distinguished Secretary of Labor to the Supreme Court, he loses him from his Cabinet. If he allocates a billion dollars of his budget to education, it cannot be used for public works. If large numbers of scientists are recruited for a moon shot, they are not available for other needs.

Only a limited number of commodities can be reserved from meaningful trade negotiations. Only a limited number of times can key Members of Congress or leaders of the alliance be approached with special requests. Only a limited number of televised appeals can be made to the Nation without the danger of diminishing returns.

Any President, in short, must always be setting priorities and measuring costs. The official most often likely to loom largest in his thinking when he makes a key decision is not the Secretary of State or the Secretary of Defense but the Director of the Budget.

Third are the limits of available time. There is "a time for every matter under heaven," the Scriptures say; "a time to keep silence and a time to speak—a time for war and a time for peace." Certainly time is of the essence in a Presidential decision. There is a time to act and a time to wait. By not acting too soon, the President may find that the problem dissolves or resolves itself, that the facts are different from what he thought, or that the state of the Nation has changed. By not waiting too long, he may make the most of the mood of the moment, or retain that element of surprise which is so often essential to military and other maneuvers.

Franklin Roosevelt was reputed to be a master of political timing. Mrs. Roosevelt spoke of his "enormous patience," his ability to "wait for exactly the right moment to act." "Though he enjoyed giving the impression of snap decisions," writes Schlesinger, he "actually made few," and had, in fact, a "weakness for postponement"—waiting until the situation had crystallized, until conflicts between competing forces were resolved, until public opinion was united.

Postponement often can be a weakness. Secrecy in government is sometimes necessary, but it is rarely permanent; and the topics of decisions long postponed are likely to be revealed before the decision is taken. The desire for more argument or more facts is always pressing, but overly prolonged fact-finding and debate may produce answers to questions which no longer exist. In the White House the future rapidly becomes the past; and delay is itself a decision.

Yet most Presidential decisions are too far-reaching and too irrevocable to be taken in haste, when the facts are uncertain, when the choices are unclear, or when the long-range consequences are not as discernible as the immediate reactions and results. President Kennedy has said, with respect to the Cuban crisis: "If we had to act in the first 24 hours, I don't think * * * we would have chosen as prudently as we finally did."

Some observers have argued that the President should have been told of that ominous missile discovery the night the first evidence came in. Yet there was no action to be taken that night of a retaliatory or investigative nature, nor any reason to believe that his options would be different in the morning, when the actual presentation could be made. The departure of dinner guests to sudden midnight meetings at the White House might have served only to spread the alarm; and untroubled Presidential sleep—an all too rare and therefore carefully guarded commodity—was a better preparation for the days ahead than a fruitless night of discussion.

As the exhaustive and exhausting deliberations of that long October week went forward, however, the limits of time did become more pressing. For all of us knew that, once the missile sites under construction became operational and capable of responding to any apparent threat or command with a nuclear volley, the President's options would be drastically changed. And all of us knew that, once the Soviets learned of our information and planning, our prospects for surprise and initiative would be greatly lessened. The President, therefore, could not wait for unanimity among all his advisers or for a special congressional session. The lonely decision was his—and he made it in good time.

Under any President, life in the White House is a series of deadlines: A new measure to be proposed before the old law expires; an Executive order to be issued while the Congress is out of session; a dispute to be resolved before the President's next press conference. At times, the President will deliberately impose a deadline as a means of limiting debate. When the time and topic of a televised speech have been announced, for example, departments concerned with that subject, however laggard they may have been up to then, will make certain that their views are crystallized and forcefully presented.

Fourth are the limits of previous commitments, including the commitments or principles of the Nation or party, the commitments or precedents of an earlier President, the commitments or decisions of a subordinate official, and the statements of the President himself.

Of all these, party platforms and campaign promises are often the least confining, for they are usually worded by both parties with sufficient art to permit some elasticity, if not evasion.

On the other hand, even though they come from different political parties, a President will find that his predecessor's guarantee of some little nation's military security, for example, is not easily reversed, no matter how greatly the problem has changed. Similarly, the actions of that predecessor may set a precedent which the Nation assumes will be followed as, for example, in the use of Federal troops to enforce court ordered desegregation, or the release of detailed information on the President's physical ailments. President Kennedy's successor, regardless of party, will find it difficult to reverse the Nation's present course in space or in Latin America. Whatever the merits of these various decisions, it is clear that no President starts out with a clean slate before him.

And even after he is in office, he cannot easily reverse a promise made by a subordinate—by an ambassador on foreign assistance, for example, or on the recognition of a new government—if that man's stature in the host country is to continue to be respected.

But the clearest limitations of all are those imposed by a President's own decisions. He need not make a fetish of consistency but he must avoid confusion or the appearance of deception. He will in most cases, therefore, adopt his own policy as precedents and consider his own statements as binding, whether they were contained in an informal answer to a press conference question or in a formal document of state. If the President solemnly promises to submit a balanced budget, or to reduce the outflow of gold, or to curb civilian appropriations, the country, the Congress, and the executive branch will all assume that such pledges were not lightly made and must not be lightly taken; and the weight of those words will narrow many subsequent Presidential choices.

If I may refer once again to this Nation's response to the presence of Soviet missiles in Cuba last October, this decision was not wholly developed during the 7 days preceding its announcement. President Kennedy, on the morning of the first of those 7 days, sent for copies of all his earlier statements on Cuba—on the presence of offensive as distinguished from defensive weapons, on threats to our vital interests, and on our armed intervention in that island. These earlier decisions made it unlikely that he would respond to the October crisis by doing nothing and unlikely that his first step would be an invasion.

Here, too, the Nation's basic commitment to tradition and principle was involved. An air strike on military installations in Cuba without any advance warning was rejected as a "Pearl Harbor in reverse," and no one could devise a form of advance warning (other than the quarantine itself, which was a type of warning) that would not leave this Nation vulnerable to either endless discussion and delay (while work on the missiles went forward) or to a harsh indictment in the opinion and history of the world.

Similarly, in the summer of 1961, our diplomatic and military responses to each aggravation in West Berlin were kept consistent with general allied policy in the area. And the fiscal questions this crisis posed are an example of two prior commitments in conflict. A tax cut at that time, while it might have strengthened the economy at a crucial moment, could not be included in an emergency program for increasing burdens and effort; while a tax increase, though it might have helped pay for rising defense costs, would have been incompatible with the President's pledge on the Nation's economic recovery.

Consistency in decision, let me make clear, is not simply a matter of a President's image. Even in our rapidly evolving society, even under a progressive administration, innovation is more difficult than continuation. For machinery must be rearranged. The public or the Congress or the allies must be persuaded. New costs must be incurred; and old expenditures may be wasted. Having once decided to build an expensive weapons system, or to assist in some nation's defense, or to send a man to the moon, a reversal of that decision is deterred in part by the prospects of losing the investment already made.

Fifth and finally are the limits of available information. And implicit in this limit is the President's need to make certain that as much information as possible is available. Reliance on official channels only has never proven to be wise. For there will always be subordinates who are willing to tell a President only what they want him to hear, or, what is even worse, only what they think he wants to hear.

Franklin Roosevelt made a systematic effort to supplement the official sources of information, not limiting his search to the somewhat rarified and often provincial atmosphere of Washington, D.C. Similarly, President Kennedy—although he is careful to rely primarily on the responsible officers involved when a final decision is to be taken—seeks independent information from a vast variety of unofficial sources: newspapers, magazines, books, radio, television, visitors, friends, politicians, pollsters, the spokesmen for private organizations, and a sampling of White House mail.

But add any or all of these to the inevitable and inexorable tides of official memorandums, reports, cables, intelligence briefings, analyses, and other Government documents, and the occupant of the White House becomes subject to drowning in paper. All Presidents, at least in modern times, have complained about their reading pile; and few have been able to cope with it.

There is a temptation, consequently, to cut out all that is unpleasant—yet rational decisions require an understanding of opposed positions. There is a temptation to require more screening of information, with only the most salient facts filtering through on one-page memorandums. But only if he immerses himself in the problem will a President know what questions he must ask if he is to find the answers he must give. While he cannot permit himself to be submerged in detail, he cannot afford to know so little as to shut out perspective and new inspiration.

It is commonly said that our Presidents need more time set aside to do nothing but think. Yet presumably we elect a man who is thinking all the time, who is thinking when reading or listening or conferring. Our real concern should be that the President has all the facts he needs to make certain he is thinking with profit. The lonely isolation of the Presidency refers to the solitude of his responsibility, not to insulating him from all the pressures, paperwork and discussions which are essential to his perspective.

To make informed decisions, the President must be at home with a staggering range of information about history, economics, politics, and personalities in 50 States and now in 100 or more countries. He must know all about the ratio of cotton acreage to prices, of inventory accumulations to employment, of corporate investment to earnings, of selected steel prices to the economy, and of the biological effects of fallout to the effects of natural radiation. He must cope with issues for which no previous experience on earth can equip him. For the essence of decision is choice; and, to choose, it is first necessary to know.

No President, of course, pays attention to all the information he receives; nor can he possibly remember it all. What he actually considers and retains may well be the key to what he decides; and these in turn may depend on his confidence in the source and on the manner in which the facts are presented. He is certain to regard some officials and periodicals with more respect than others. He is certain to find himself able to communicate more easily with some staff members than with others. He is certain to find that some reports or briefing books have a higher reliability than others, that some can be skimmed and some even skipped.

The primary problem of Presidential information, however, is usually not an abundance of reliable data but a shortage, especially in foreign affairs. The apparatus and operations of modern intelligence systems can obtain and assemble great quantities of heretofore unreachable facts, but they cannot predict the future. And it is the future which most often must be gaged.

In these last 2 years, for example, the President has had to judge whether this Nation's resumption of nuclear tests would increase or diminish the prospects for a test ban treaty; whether new military assistance to the Congo would assure its pacification or bring it back into the cold war; whether our quarantine around the island of Cuba would lead to Soviet submarine warfare, to a Berlin blockade, or to Soviet ships turning back.

Domestic decisions also involve uncertainty—whether a Presidential appeal for his health insurance program would diminish or stiffen the opposition; whether Presidential criticism of a union or industry, which is threatening industrial peace or price stability, would bring a reconsideration or merely an angry rebuff; whether a Presidential order banning discrimination in Federal housing would achieve its objectives or simply cause a shifting of financing to other sources or a weakening of the housing market; whether the State and local authorities in Oxford, Miss., could keep order without Federal troops or had never intended to do so?

These are the kinds of facts a President would like to know but cannot know on the domestic scene, where one miscalculation can endanger his entire program. But the gaps in his information are even greater on the world scene, and there one miscalculation can endanger the Nation, or even life as we know it on this planet.

Yet decisions must be made. Despite the gaps in his information, despite the strictures of his previous pledges, despite the crowding of his schedule and the shortage of waking hours, despite the narrowness of his available resources and the restrictions on his permissible options, despite all these limitations the President must, nevertheless, make decisions every day on courses for the Nation that may decide its success or survival.

Few Presidents, therefore, I am certain, could survive themselves unless they had the capacity to say, as Franklin Roosevelt reportedly said to a friend: "At night, when I lay my head on my pillow and I think of the things that have come before me during the day, and the decisions I have made, I say to myself, 'Well, I have done the best I could,' and I turn over and go to sleep."

President Harding, on the other hand, was one of those who did not survive; and he is reported to have burst out to a friend: "I listen to one side and they seem right, and then I talk to the other side and they seem just as right, and there I am where I started. God, what a job."

What a job it is, indeed. The President may seek advice from the Congress, from the Cabinet, or from his personal advisers. He may seek the views of the press, the parties, and the public. All this and more will be discussed in my next lecture. But however numerous his counselors, in that final moment of truth there can be no "multitudes, multitudes" in the "valley of decision." There can be only one lonely man—the President of the United States.

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Having reviewed last month the background, nature, and limits of decisionmaking in the White House, we turn finally to the major forces or sources of influence which shape the decision itself, grouped under three frames of reference: presidential politics, presidential advisers, and the presidential perspective. (All of these classifications are arbitrary and imprecise; and another observer with equal logic and accuracy might well have listed 23 or indeed 43 subdivisions.)

IV. Presidential politics

Some purists—if not realists—may blush at the fact that politics heads the list. But we are discussing our prime political office and the Nation's prime politician—a man who has been chosen by his party as well as the people. Some Presidents may assert that they are above politics, yet politics, in its truest and broadest sense, still colors their every decision (including the decision to appear nonpolitical). Some issues have been traditionally deemed to be outside of politics, but considerations of public and congressional support still affect their disposition.

There is nothing dishonorable about the influence of politics on White House decisions. In a nation governed by the consent of the governed it is both honorable and indispensable. While limitations of responsibility and accuracy should always be present, to say that we should remove such issues as Berlin or Red China from politics is to say they should be removed from public accountability and scrutiny. To charge that a President is politically motivated when he advocates a tax cut or a strong civil rights measure is simply to charge that he is doing what every elected official is elected to do.

Politics pervades the White House without seeming to prevail. It is not a role for which the President sets apart certain hours. It is rarely the sole subject of a formal Presidential meeting. It is instead an ever-present influence, counterbalancing the unrealistic, checking the unreasonable, sometimes preventing the desirable, but always testing what is acceptable.

Public Opinion

But democratic government is not a popularity contest; and no President is obliged to abide by the dictates of public opinion. Our political idealism may be filled with assumptions of human virtue and wisdom—but our political history is filled with examples of human weakness and error.

Public opinion is often erratic, inconsistent, arbitrary, and unreasonable. It rarely considers the needs of the next generation or the history of the last. It is frequently hampered by myths and misinformation, by stereotypes and shibboleths, and by an innate resistance to innovation. It is usually slow to form, promiscuous and pervidious in its affection, and always difficult to distinguish.

A President, therefore, must remember that public opinion and the public interest do not always agree. The value to this Nation of a foreign aid program, for example, is not determined by its popularity. Last year's trade expansion bill could not have awaited a sponstaneous public demand. Voter enthusiasm for our space effort is high after each flight of a Soviet or American astronaut, but in between flights new doubts and complaints will emerge. And almost any pollster in any State will find that most voters want higher Federal expenditures in their areas of interest, lower expenditures elsewhere, and a balanced budget always.

No President could simply respond to these pressures. He has a responsibility to lead public opinion as well as respect it—to shape it, to inform it, to woo it, and win it. It can be his sword as well as his compass. An aroused public opinion was more effective last year, for example, in helping create a climate favorable to the rescission of steel prices, than any statutory tool. President Kennedy's televised explanations of his decisions on Berlin, nuclear testing, and the Cuban quarantine achieved on each occasion a new national consensus that discouraged any adversary's hopes for disunity.

But arousing public opinion is a delicate task. President Kennedy's plea for fallout shelters in his 1961 discussion of Berlin ended the prevailing national apathy on civil defense, but it also unleashed an emotional response which grew to nearly hysterical proportions (before it receded once again to near apathy). His warnings on the presence of Soviet missiles in Cuba last October had to be sufficiently somber to enlist support around the world without creating panic here at home.

In 1961 he resisted the recommendation that he declare a full-scale national emergency over the threat to Berlin, recognizing that this resort to ultimate powers and public response had to be selectively used. For similar reasons, he has generally refused to stir up the public against a Congress which is controlled (at least nominally) by his own party and which has consistently enacted four-fifths of his program.

In short, Presidential appeals for public support must be at the right time and with the right frequency, if they are to be effective. On other occasions he may need to alienate a portion of his public support, for serving as President of all the people does not mean offending none of them. But this also cannot be done too often, if he is to maintain his position; and it should not be done for meaningless or hopeless causes. President Kennedy may have struck the right balance, for he is criticized, on the one hand for expanding the powers of his office, sending too much to the Congress, and taking on too many controversies and, at the same time, for hoarding his popularity and recognizing the limitations of a largely lethargic electorate.

One important distinction should be kept in mind. In domestic affairs, a Presidential decision is usually the beginning of public debate. In foreign affairs, the issues are frequently so complex, the facts so obscure, and the period for decision so short that the American people have from the beginning—and even more so in this century—delegated to the President more discretion in this vital area; and they are usually willing to support any reasonable decision he makes.

But public opinion cannot be taken for granted. Some Presidents have tried to change it; others have rushed to catch up with it; but none has repeatedly defied it. "With public sentiment on its side," Lincoln said with some exaggeration, "everything succeeds; with public sentiment against it, nothing succeeds." Franklin Roosevelt wrote: "I cannot go any faster than the people will let me." And President Kennedy is acutely aware of Jefferson's dictum: "Great innovations should not be forced on slender majorities."

President Kennedy, for example, has pressed a divided Congress and a contented public to abandon century-old economic precepts and accept a sizable tax cut with a sizable deficit at a time of general prosperity—but, unwilling to be so far out in front of Congress and the country that his program would have no chance, he stretched out the proposed tax cut to avoid a peacetime deficit larger than that of his predecessor.

No President respects public opinion simply out of fear of impeachment or even solely out of a desire for reelection, for the same principle is followed in both his terms. Instead, both his conscience and his commonsense, both his principles, and his political judgment, compel him to seek, to the extent possible, the approval of the voters who elected him and who can defeat his party, the consent of the governed who are affected by his decision and on whose consent its success may depend.

Every President must, therefore, be a keen judge of public opinion, to distinguish its petty whims, to estimate its endurance, to respond to its impatience, and to respect its potential power. He must know how best and how often he can appeal to the public and when it is better left undisturbed.

No President reaches that summit of public favor without believing he possesses (and he usually does) an extraordinary instinct for public opinion. He does not rely simply on the views expressed in his mail, or in public petitions, or by pickets in front of the White House. He does not simply go by opinion polls or crowd reaction. Nor does he generalize from conversations with visitors, reports from his advisers, or his reading, and viewing of mass media. His political intuition is in part an amalgamation of all of these, but he is likely to regard his own invisible antennae as somehow more sensitive than any. (President McKinley, according to Speaker Cannon, retained his popularity by "keeping his ear so close to the ground he got it full of grasshoppers.")

I no longer believe those who say that a poor politician could be a good President, "if he could only be appointed to the job." Without the qualities required of a successful candidate, without the ability to rally support, to understand the public, to express its aspirations, without the organizational talent, the personal charm, and the physical stamina required to survive the primaries, the convention, and the election, no man would make a great President, however wise in other ways he might be.

Pressure Groups, Congress and the Press

Each President must also judge when to oppose or accommodate a single segment of public opinion. This is not an easy task. There will always be a small but noisy group of critics intolerant of the gap between hope and possibility, complaining of a lack of leadership when long-awaited measures are not immediately enacted, while an equally small and vocal group will wail that each step forward the President takes is a gross usurpation of power.

The amount of pressure generated by those concerned over import competition must be balanced against the less active but larger number of persons benefiting from both exports and imports. The political or congressional attacks induced by a contractor whose weapons system has been discontinued must be weighed against the long-range costs of continuing an outmoded system.

The task is not always one of choosing between two interests. No President, even if he so wished, could suspend the laws in response to complaints—with respect to desegregation or antitrust, for example. But he may find it desirable to accept amendments to a tax measure, or to reach informal understandings on concessions regarding a trade bill, in order to secure the passage of those bills with the support of a diverse coalition; or he may warn his appointees against exhibiting an attitude toward business or labor that is so hostile it might dampen the economic climate.

A President's own ties with some economic or other interest group may give him additional bargaining power with that group or reduced influence with another. A President with close ties to business, for example, will meet less resistance to his anti-inflation or antitrust efforts. On the other hand, while it should not be impossible to find an equitable constitutional formula to settle the church-school aid problem, it is difficult for that formula to be suggested by the Nation's first Catholic President.

Pressure groups usually have less direct effect on the President than on his relations with the Congress—a large and separate topic but a major arena of presidential politics. While this discussion is concerned primarily with White House decisions, Members of the Congress will inevitably attempt to affect those decisions in much the same way as the White House attempts to affect the decisions of the Congress; i.e., legislators will privately or publicly lobby, pressure, encourage or discourage the President and his advisers, with respect to his legislative program or budget, both before and after their passage through the Congress. Presidents have differed in the degree of their deference to (or domination of) congressional opinion, according to their own legislative experience, their control of their party and their party's control of the Congress, but all Presidents since Washington have noted the change in climate that occurs when Congress adjourns.

Finally, presidential politics includes attention to the American press and other media. Their selection and description of particular events—far more than their editorials—help to create or promote national issues, to shape the minds of the Congress and public, and to influence the President's agenda and timing. Ever since George Washington expressed the wish in 1777 "that our printers were most discreet in many of their publications," our Presidents and the press have engaged in what the jargon of the cold war would call a contest for men's minds.

The winning side in this contest is debatable. The advent of television has given the President great resources for directly reaching the public—but even Presidential corrections rarely catch up with those misstatements which now and then appear in the press. For example, the great newspaper chain which last winter headlined a totally false scare story about Soviet planes overflying the Southeastern United States has never acknowledged its error.

I have often been asked why President Kennedy, unlike his predecessor, should bother to read so many newspapers when so much of their important information and arguments, excluding oversea events and statements that occurred during the night, is at least 24 hours old to him. Obviously this would be even more true of weekly and monthly magazines. He reads them, I believe, partly to gain new insights for himself but primarily to know what the public and the Congress are reading, to see how his actions or choices appear to others without his access to the facts. For any President, any politician dependent on public opinion, is concerned with how that opinion is shaped, with how—to use a current phase—the news is being managed in the only place it can be managed—in the media editorial offices.

V. Presidential advisers

The Nation's press also serves—though not nearly to the extent it imagines—as a key Presidential adviser, thus introducing my second major category, the only one of the three categories specifically mentioned in the Constitution. Article II, section 2, provides that the President "may require the opinion in writing of the principal officer in each of the executive departments upon any subject relating to the duties of their respective offices." But it does not prevent him from requiring their opinion orally, as the present incumbent frequently prefers in the early stages of decision. It does not prevent him from obtaining a Cabinet member's opinion on subjects not relating to his respective office—if a Secretary of Defense has a business background, for example, that would be helpful in a dispute with the steel industry; or if a Secretary of the Treasury has experience in foreign affairs. Nor is the President prevented from seeking the opinions of those who are not principal officers of the executive departments.

Meeting With Advisers

In short, each President must determine for himself how best to elicit and assess the advice of his advisers. Organized meetings—of the Cabinet and National Security Council, for example—have certain indispensable advantages, not the least of which are the increased public confidence inspired by order and regularity and the increased esprit de corps of the participants.

President Kennedy, whose nature and schedule would otherwise turn him away from meetings for the sake of meeting, has sometimes presided over sessions of the full Cabinet and National Security Council held primarily for these two reasons. Regularly scheduled meetings can also serve to keep open the channels of communication. This is the primary purpose, for example, of the President's weekly breakfast with his party's legislative leaders.

But there are other important advantages to meetings. The interaction of many minds is usually more illuminating than the intuition of one. In a meeting representing different departments and diverse points of view, there is a greater likelihood of hearing alternatives, of exposing errors and of challenging assumptions. It is true in the White House, as in the Congress, that fewer votes are changed by open debate than by quiet negotiation among the debaters. But in the

White House, unlike the Congress, only one man's vote is decisive—and thorough and thoughtful debate before he has made up his mind can assist him in that task.

That meetings can sometimes be useful was proven by the deliberations of the NSC executive committee after last October's discovery of offensive weapons in Cuba. The unprecedented nature of the Soviet move, the manner in which it cut across so many departmental jurisdictions, the limited amount of information available, and the security restrictions which inhibited staff work, all tended to have a leveling effect on the principals taking part in these discussions, so that each felt free to challenge the assumptions and assertions of all others.

Everyone in that group altered his views as the give-and-take talk continued. Every solution or combination of solutions was coldly examined, and its disadvantages weighed. The fact that we started out with a sharp divergence of views, the President has said, was very valuable in hammering out a policy.

In such meetings, a President must carefully weigh his own words. Should he hint too early in the proceeding at the direction of his own thought, the weight of his authority, the loyalty of his advisers and their desire to be on the winning side may shut off productive debate. Indeed, his very presence may inhibit candid discussion. President Truman, I am told, absented himself for this reason from some of the National Security Council discussions on the Berlin blockade; and President Kennedy, learning on his return from a midweek trip last October that the deliberations of the NSC executive committee over Cuba had been more spirited and frank in his absence, asked the committee to hold other preliminary sessions without him.

But no President—at least none with his cast of mind and concept of office—could stay out of the fray completely until all conflicts were resolved and a collective decision reached. For group recommendations too often put a premium on consensus in place of content, on unanimity in place of precision, on compromise in place of creativity.

Some advisers may genuinely mistake agreement for validity and coordination for policy, looking upon their own role as that of mediator, convinced that any conclusion shared by so many able minds must be right, and pleased that they could in this way ease their President's problems. They may in fact have increased them.

Even more severe limitations arise when a decision must be communicated, in a document or speech or diplomatic note. For group authorship is rarely, if ever, successful. A certain continuity and precision of style, and unity or argument, must be carefully drafted, particularly in a public communication that will be read or heard by many diverse audiences. Its key principles and phrases can be debated, outlined and later reviewed by a committee; but basically authorship depends on one man alone with his typewriter or pen. (Had the Gettysburg address been written by a committee, its 10 sentences would surely have grown to a hundred, its simple pledges would surely have been hedged and the world would indeed have little noted or long remembered what was said there.)

Moreover, even spirited debates can be stifling as well as stimulating. The homely, the simple, or the safe may sound far more plausible to the weary ear in the Cabinet room than it would look to the careful eye in the office. The most formidable debater is not necessarily the most informed; and the most reticent may sometimes be the wisest.

Even the most distinguished and forthright adviser is usually reluctant to stand alone. If he fears his persistence in a meeting will earn him the disapprobation of his colleagues, a rebuff by the President or (in case of a "leak") the outrage of the Congress, press or public, he may quickly seek the safety of greater numbers.

Still others may address themselves more to their image than to the issues. The liberal may seek to impress his colleagues with his caution; idealists may try to sound tough-minded. I have attended more than one meeting where a military solution was opposed by military minds and supported by those generally known as peace lovers.

The quality of White House meetings also varies with the number and identity of those attending. Large meetings are less likely to keep secrets—too many Washington officials enjoy talking knowingly at social events or to the press or to their friends. Large meetings are also a less flexible instrument for action, less likely to produce a meaningful consensus or a frank, hard-hitting debate. President Kennedy prefers to invite only those whose official views he requires or whose unofficial judgment he values, and to reserve crucial decisions for a still smaller session or for solitary contemplation in his own office.

The difficulty with small meetings, however, is that, in Washington, nearly everyone likes to feel that he, too, conferred and concurred. For years agencies and individuals all over town have felt affronted if not invited to a National Security Council session. The press leaps to conclusions as to who is in favor and who is not by scanning the attendance lists of meetings, speculating in much the same fashion (and with even less success) as the Kremlinologists who study the reviewing stand at the Russian May Day Parade or analyze which Soviet officials sat where at the opening of the Moscow ballet.

Yet in truth attendance at a White House meeting is not necessarily a matter of logic. Protocol, personal relations, and the nature of the forum may all affect the list. Some basic foreign policy issue, for example, may be largely decided before it comes to the National Security Council—by the appointment of a key official, or by the President's response at a press conference, or by the funds allocated in the budget. Yet personnel, press conference, and budget advice is generally given in meetings outside the NSC.

Many different type of advisers, with differing roles and contributions, attend these meetings. President Kennedy met on his tax policy last summer, for example, with professional economists from both inside and outside the Government, as well as with department heads and White House aids. To the key meetings on Cuba last fall were invited highly respected Foreign Service officers as well as policy appointees, retired statesmen, as well as personal Presidential assistants.

Expert Advisers

There is no predictable weight which a President can give to the conclusions of each type. The technical expert or career specialist, to begin with, operating below the policymaking level, may have concentrated knowledge on the issue under study which no other adviser can match. Yet Presidents are frequently criticized for ignoring the advice of their own experts.

The reason is that the very intensity of that expert's study may prevent him from seeing the broader, more practical perspective which must govern public policy. As Laski's notable essay pointed out, too many experts lack a sense of proportion, an ability to adapt, and a willingness to accept evidence inconsistent with their own. The specialist, Laski wrote, too often lacks "insight into the movement and temper of the public mind. He is an invaluable servant and an impossible master."

Thus the atomic scientists, discussing new tests, may think largely in terms of his own laboratory. The career diplomat, discussing an Asian revolt, may think largely in terms of his own post. The professional economist, in urging lower farm price supports, may think more in terms of his academic colleagues than of the next presidential election.

But not all experts recognize the limits of their political sagacity; and they do not hesitate to pronounce with a great air of authority broad policy recommendations in their own field (and sometimes all fields). Any President would be properly impressed by their seeming command of the complex; but the President's own commonsense, his own understanding of the Congress and the country, his own balancing of priorities, his own ability to analyze and generalize and simplify, are more essential in reaching the right decision than all the specialized jargon and institutionalized traditions of the professional elite.

The trained navigator, it has been rightly said, is essential to the conduct of a voyage; but his judgment is not superior on such matters as where it should go or whether it should be taken at all. Essential to the relationship between expert and politician, therefore, is the recognition by each of the other's role, and the refusal of each to assume the other's role. The expert should neither substitute his political judgment for the policymaker's nor resent the latter exercising his own; and the policymaker should not forget which one is the expert.

Expert predictions are likely to be even more tenuous than expert policy judgments, particularly in an age when only the unpredictable seems to happen. Last summer most of the top economists in Government, business, and academic life thought it likely that a recession would follow the stock-market slide—at least "before the snows melted" was the cautious forcast by one economist for a cold Northern State. But, instead, this year's thaw brought with it new levels of production and, naturally, a new set of predictions.

Last fall most specialists in Soviet affairs believed that long-range Soviet missiles, with their closely guarded electronic systems, would never be stationed on the uncertain island of Cuba, nearly 6,000 miles away from Soviet soil and supplies. Nevertheless, each rumor to this effect was checked out; increasing rumors brought increased surveillance; and when, finally, the unexpected did happen, this did not diminish the President's respect for these career servants. It merely demonstrated once again that the only infallible experts are those whose forecasts have never been tested.

Cabinet Advisers

In short, a Cabinet of politicians and policymakers is better than a Cabinet of experts. But a President will also weigh with care the advice of each Cabinet official. For the latter is also bound by inherent limitations. He was not necessarily selected for the President's confidence in his judgment alone—considerations of politics, geography, public esteem and interest group pressures may also have played a part, as well as his skill in administration.

Moreover, each Department has its own clientele and point of view, its own experts and bureaucratic interests, its own relations with the Congress and certain subcommittees, its own statutory authority, objectives and standards of success. No Cabinet member is free to ignore all this without impairing the morale and efficiency of his Department, his standing therein and his relations with the powerful interest groups and Congressmen who consider it partly their own.

The President may ask for a Secretary's best judgment apart from the Department's views; but in the mind of the average Secretary (and there have been many notable exceptions) the two may be hardly distinguishable. Whether he is the captive or the champion of those interests makes no practical difference. By reflecting in his advice to the President his agency's component bureaus, some of which he may not even control, he increases both his prestige within the Department and his parochialism without.

Bureaucratic parochialism and rivalry are usually associated in Washington with the armed services; but they in fact affect the outlook of nearly every agency. They can be observed, to cite only a few examples, in the jurisdictional maneuvering between the Park Service and the Forest Service, between the Bureau of Reclamation and the Army Engineers, between State and Treasury on world finance, or State and Commerce on world trade, or State and Defense on world disarmament.

These qualities can be observed in Cabinet autobiographies complaining that the President—any President—rarely saw things their way. And they can also be observed in case studies of an agency head paying more heed to the Congress than to the President who named him. But it is the Congress, after all, that must pass on his requests for money, men, and authority. It is the Congress with which much of his time will be spent, which has the power to investigate his acts or alter his duties. And it is the Congress which vested many of his responsibilities directly in him, not in the President or the executive branch.

White House Staff Advisers

The parochialism of experts and Department heads is offset in part by a President's White House and executive staff. These few assistants are the only other men in Washington whose responsibilities both enable and require them to look, as he does, at the Government as a whole. Even the White House specialists—the President's economic advisers or science adviser, for example—are likely to see problems in a broader perspective, within the framework of the President's objectives and without the constraints of bureaucratic tradition.

White House staff members are chosen, not according to any geographical, political or other pattern, but for their ability to serve the President's needs and to talk the President's language. They must not—and do not in this administration—replace the role of a Cabinet official or block his access to the President. Instead, by working closely with departmental personnel, by spotting, refining, and defining issues for the President, they can increase governmental unity rather than splinter responsibility. A good White House staff can give a President that crucial margin of time, analysis and judgment that makes an unmanageable problem more manageable.

But there are limiting factors as well. A White House adviser may see a departmental problem in a wider context than the Secretary, but he also has less contact with actual operations and pressures, with the Congress and interested groups. If his own staff grows too large, his office may become only another department, another level of clearances and concurrences instead of a personal instrument of the President. If his confidential relationship with the President causes either one to be too uncritical of the other's judgment, errors may go uncorrected. If he develops (as Mr. Acheson has suggested so many do) a confidence in his own competence which outruns the fact, his contribution may be more mischievous than useful. If, on the other hand, he defers too readily to the authority of renowned experts and Cabinet powers then the President is denied the skeptical, critical service his staff should be providing.

Outside Advisers

Finally, a President may seek or receive advice from outside the executive branch—from Members of the Congress, from independent wise men, elder statesmen, academic lights, from presidentially named high-level commissions or special agents, or merely from conversations with friends, visitors, private interest leaders, and others. Inevitably, unsolicited advice will pour in from the mass media.

This is good. Every President needs independent, unofficial sources of advice for the same reasons he needs independent, unofficial sources of information. Outside advisers may be more objective. Their contact with affected groups may be closer. They may be men whose counsel the President trusts, but who are unable to accept Government service for financial or personal reasons.

Whatever the justification, outside advice has its own limitations. As national problems become more complex and interrelated, requiring continuous, firsthand knowledge of confidential data and expert analysis, very few outsiders are sufficiently well informed. The fact that some simple recommendation, contained in an editorial or political oration or informal conversation, seems more striking or appealing or attention getting than the intricate product of bureaucracy does not make it any more valid.

Moreover, once the advice of a distinguished private citizen or committee is sought and made public, rejection of that advice may add to the President's difficulties. The appointment by the last three Presidents of special advisory committees on civil rights, world trade, and foreign aid was, in that sense, a gamble—a gamble that the final views of these committees would strengthen, not weaken, the President's purpose. Should the outside report not be made public—the Gaither report being a well-known example—a President who rejects its advice may still have to face the consequences of its authors' displeasure.

Qualifications of Advisers

Finally, a President's evaluation of any individual's advice is dependent in part on the human characteristics of both men. Personalities play an intangible but surprisingly important role. Particular traits, social ties, recreational interests, or occupational backgrounds may strengthen or weaken the bonds between them. Some Presidents pay more attention to generals, some to businessmen, some to politicians, some even to intellectuals who have never met a payroll and never carried a precinct.

In truth, a political background, not necessarily at the precinct level, is helpful. It gives the adviser a more realistic understanding of the President's needs. Those without such experience will tend to assume that the few Congressmen in touch with their agency speak for all the Congress—that one or two contacts at a Washington cocktail party are an index of public opinion—and that what looms large in the newspaper headlines necessarily looms large in the public mind.

Those with a political base of their own are also more secure in case of attack; but those with political ambitions of their own—as previous Presidents discovered—may place their own reputation and record ahead of their President's. (Such a man is not necessarily suppressing his conscience and forgetting the national interest. He may sincerely believe whatever it is most of his advantage to believe—much like the idealistic but hungry lawyer who will never defend a guilty man but persuades himself that all rich clients are innocent.)

Other advisers may also be making a record, not for some future campaign, but for some future publication. "History will record that I am right," he mutters to himself, if not to his colleagues, because he intends to write that history in his memoirs. The inaccuracy of most Washington diaries and autobiographies is surpassed only by the immodesty of their authors.

The opposite extreme is the adviser who tells his President only what he thinks the President wants to hear—a bearer of consistently good tidings but frequently bad advice.

Yet there is no sure test of a good adviser. The most rational, pragmatic-appearing man may turn out to be the slave of his own private myths, habits, and emotional beliefs. The hardest-working man may be too busy and out-of-touch with the issue at hand, or too weary to focus firmly on it. (I saw firsthand, during the long days and nights of the Cuban crisis, how brutally physical and mental fatigue can numb the good sense as well as the senses of normally articulate men.)

The most experienced man may be experienced only in failure, or his experience, in Coleridge's words, may be "like the stern lights of a ship which illumine only the track it has passed." The most articulate authoritative man may only be making bad advice sound good, while driving into silence less aggressive or more cautious advisers.

(Let me make it clear that my emphasis on the role of the President has not made me a turncoat to the distinguished class of Presidential advisers. On the contrary, while his perspective may be more limited, the career specialist, the Cabinet Secretary, the White House aid or any other adviser still has a valuable contribution to make; and his limited perspective is a danger only if both he and the President are blind to that limitation.)

All this a President must weigh in hearing his advisers. He need not weigh them equally. For toward some, he will have more respect. With some, he will communicate easier. For some, he will have more affection.

President Kennedy's confidence in the Attorney General, for example, on a wide variety of issues, is based not on fraternal ties alone but on long years of observing and testing his brother's judgment and dependability. The more active role taken by Secretary of Labor Goldberg—also assumed by his successor but in contrast with that of his predecessors—resulted not from an upgrading of that post but from a closer relationship with the President.

VI. The presidential perspective

But advisers, however respected, are still advisers; and the Constitutional Convention, after long debate as to whether the President should, in effect, be required to accept the views of his executive council, instead entrusted the final power of decision to the one man with the most comprehensive perspective—the President. That unique perspective is the third and final ingredient to be blended in this mix.

The authors of the Presidential office made it clear that they were not adopting the British Cabinet system. Hamilton thought it would be "a clog upon a President's good intentions * * * and a cloak to conceal his faults." Every President, to be sure, will always consult with his senior officials and respect their views. It may be that he will "rarely fail * * * to accept their recommendations," as Coolidge claimed in his case; or it may be that he will "make all of his own decisions," as Ickes' Diary complained about Roosevelt. The important fact is that the choice is his.

Overruling His Advisers

It is not a choice to be exercised lightly. In choosing between conflicting advice, the President is also choosing between conflicting advisers, conferring recognition on some while rebuffing others. He will, consequently, take care to pay more attention to the advice of the man who must carry out the decision than the advice of a mere kibitzer. He will be slow to overrule a Cabinet officer whose pride or prestige have been committed, not only to ease that officer's personal feelings but to maintain his utility and credibility.

He will also go far to accept the advice of a man whose public image is helpful to his policy; and in this sense, decisions are partially made whenever the President selects an appointee with a known position and reputation. Indeed, all appointees have both prerogatives and responsibilities which a President must recognize in the interests of good relations. President Kennedy, for example, has, on more than one occasion, taken pains to make it clear that the Secretary of State is his principal adviser in foreign affairs, thereby building up the morale, the enthusiasm, and the competence of the Department of State while backing up the Secretary's own authority and prestige.

Whenever any President overrules any Secretary he runs the risk of that Secretary grumbling, privately, if not publicly, to the Congress or to the press (or to his diary), or dragging his feet on implementation—or, at the very worst, resigning with a blast at the President. It is rare, of course, for any appointee leaving office to have more public appeal than a President in office. The whirlpools he expects to stir up with his dramatic resignation and published exposés are soon lost in a tide of other events over which the President continues to ride.

Nevertheless, the violent resignation of almost any Secretary of State, Secretary of Defense, or Secretary of the Treasury could cause his chief considerable trouble; and other appointees could cause trouble in their own circles. Neustadt reports that Truman did not want his position on a steel settlement undermined by a public protest or resignation from Secretary of Commerce Sawyer. Rosenman commented that Roosevelt could not afford politically to alienate Cordell Hull to the point of resignation. Wilson was fearful—mistakenly, it turned out—that the blame would be placed on him when Bryan resigned from the Cabinet. And, though no resignations were even potentially involved, the fact that a majority of all the responsible officials in last October's Cuban crisis "came to accept the course we finally took," President Kennedy has said, "* * * made it much easier."

(Even Hamilton, the first champion of the strong Presidency, while restating that "a President is not bound to conform to the advice of his ministers," nevertheless agreed that "the Constitution presumes he will consult them * * * it must be his own fault if he be not surrounded by men who, for ability and integrity, deserve his confidence. And if his ministers are of this character, the consulting of them will always be likely to be useful.")

In short, almost every President is as reluctant to overrule the determined opposition of his advisers as he is to veto an act of the Congress. He rules, to a degree, not only with their advice but with their consent.

But this is true only to a degree. Consultation is not slavish adherence; and consent may often be induced. For only one man under our system is President. Only one man bears all the burdens of responsibility. Only one man, with his running mate, is accountable to all the people.

Advisers may delay their advice, change their minds and offer several alternatives. But their roles and responsibilities are wholly different from his. Their views and visions of where the world is moving are far less grand than his. "No matter how many advisers you have," as President Kennedy said on television, "the President must finally choose. He bears the burden * * * the advisers may move on to new advice."

Jefferson, Jackson, Lincoln, Theodore Roosevelt, Wilson, Franklin Roosevelt—all judged to be "strong" Presidents—declined to use the Cabinet as a voting board of directors. "I have gathered you together," Lincoln told his Cabinet regarding the Emancipation Proclamation, "to hear what I have written down. I do not wish your advice about the main matter—that I have determined for myself."

Similarly, Jackson declared: "I have accustomed myself to receive with respect the opinions of others, but always take the responsibility of deciding for myself." Theodore Roosevelt said: "* * * in a crisis, the duty of a leader is to lead and not to take refuge behind the generally timid wisdom of a multitude of counselors." And Wilson summed up the Presidential perspective best of all. "I cannot choose as an individual what I shall do," he said; "I must choose always as a President, ready to guard at every turn and in every way possible the success of what I have to do for the people."

Presidential self assertion

Some may think that statement immodest. But a President cannot afford to be modest. No one else sits where he sits or knows all that he knows. No one else has his power to lead, to inspire or to restrain the Congress and country. If he fails to lead, no one leads. "The buck," in Truman's words, "stops here."

A President knows that his name will be the label for a whole era. Textbooks yet unwritten and schoolchildren yet unborn will hold him responsible for all that happens. His program, his power, his prestige, his place in history, perhaps his reelection, will all be affected by key decisions. His appointees, however distinguished they may be in their own right, will rise or fall as he rises or falls. Even his White House aids, who see him constantly, cannot fully perceive his personal stakes and isolation. And no amount of tinkering with the President machinery, or establishment of new executive offices, can give anyone else his perspective.

Consequently, self-confidence and self-assertion are more important than modesty. The Nation selects its President, at least in part, for his philosophy and his judgment and his conscientious conviction of what is right, and he need not hesitate to apply them. He must believe in his own objectives. He must assert his own priorities. And he must strive always to preserve the power and prestige of his office, the availability of his options, and the long-range interests of the Nation.

To illustrate: If the good faith and prestige of his office have been engaged in an effort to achieve a steel wage settlement which would make any price increase unnecessary, then such an increase, announced immediately after that settlement is reached, requires a different kind of response than might otherwise have been necessary.

Economists may tell him that devaluation of the dollar would be the quickest and cheapest solution to our balance of payments and gold flow deficits. But as chief custodian of the national honor—mindful of the effect such a move would have on our international role and prestige, and on the confidence of other nations for decades to come—he prefers to chip away at the deficit by slower, more painful methods.

A Member of the Congress or the press can achieve some measure of fame by reporting rumors or stating problems or raising questions. But that is not enough for a President. Refugee reports of offensive Soviet missiles installed on the island of Cuba, for example, recurred for well over a year before such missiles were actually brought in. Each report was methodically checked out by intelligence authorities; and so long as their findings were negative no President—whatever others were saying—could stake the dignity of his office and the security of the Nation on unfounded rumors and exaggeration. And once such a threat was found to exist it was preferable to adopt a course which, as President Kennedy has described it, "had the advantage of permitting other steps if this one was unsuccessful."

A President who asserts the Presidential perspective and disturbs the status quo will always engender criticism. As a result of his involving his office, either directly or through his staff, in many problems at early stages, he is accused, in effect, of Presidential interference with the executive branch (which is true). As a result of his taking the initiative in a troubled world and on a cluttered agenda, he is accused of adjusting the powers of his office to the needs of his time (and this also is true). And, finally, as a result of his placing the prestige of his office in all kinds of matters affecting the public good, he is accused of taking unto himself the right to define as well as defend the national interest—and this also is true.

For Woodrow Wilson summed up the President's role here at Columbia: "No one else represents the people as a whole. His is the only voice in national affairs * * * representative * * * of the whole people." And President Kennedy, when a Senator and candidate, declared: "Upon him alone converge all the needs and aspirations of all parts of the country, all departments of the Government, all nations of the world."

In closing, therefore, I can only offer a conclusion which all of us already knew: that the only way to assure good Presidential decisions is to elect and support good Presidents. For in mixing all these ingredients, his style and standard, his values and vitality, his insights and outlook will make the crucial difference. A great decision defies the laws of mathematics and exceeds the sum of all its parts. A great President is not the product of his staff but the master of his house.

He must know when to reject the advice of his experts and when to back up a Secretary. He must be able to win a consensus without waiting for one. He must be attuned to public opinion but not bound by it. He must know the limitations of his office as well as its powers. He must reign in Washington—but he must also rule.

That is the kind of Presidency in which I believe; that is the kind of President I believe we now have; and that is the kind of President I believe we must always have.

Unlike the leaders of autocracy, the President of our democracy must contend with powerful pressures of public opinion, with co-equal branches of the Government, and with a free and critical press. He cannot allocate resources, or ignore traditions, or override departments in whatever manner he

> wishes. His allies cannot be treated as satellites, his mistakes cannot be concealed, his critics cannot be silenced.
>
> But over the long haul, democratic decisionmaking, for all its faults and failures, will, I believe, produce superior decisions. True, a totalitarian leader can exercise absolute command over his advisers and absolute compulsion over ideology. But he cannot command good advice and he cannot compel new ideas. Suppression and terror may suffice for the efficient control of machinery, but they cannot improve the decisions of men.
>
> For great and lasting decisions in human affairs can only be made by those exposed to human value judgments. Consistently wise decisions can only be made by those whose wisdom is constantly challenged. The voluntary unity of free men and nations is ultimately more solid than the forced uniformity of repression. In the long run, there can be no wisdom without dissent, no progress without diversity, no greatness without responsibility.
>
> Whatever party or person is in the White House, these basic truths will prevail. For in our political system, as we learned long ago in our religion, "there are diversities of gifts but the same Spirit. And there are differences of administration, but the same Lord."

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

EXTENSION OF CORPORATE NORMAL TAX RATE AND EXCISE TAX RATES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate and made the pending business.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H.R. 6755) to provide a 1-year extension of the existing corporate normal tax rate and of certain excise tax rates.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Montana?

There being no objection, the Senate resumed the consideration of the bill.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. CARLSON obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator yield to me with the understanding that he will not lose his right to the floor, so that I may suggest the absence of a quorum?

Mr. CARLSON. I yield.

Mr. MANSFIELD. Mr. President, I make that suggestion.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that further proceedings under the quorum call be suspended.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARLSON. Mr. President, I would like to yield to the distinguished chairman of the Finance Committee [Mr. BYRD] of Virginia and reserve my place to follow the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. BYRD of Virginia. Mr. President, the bill now pending is H.R. 6755, a bill to provide a 1-year extension of the existing corporate normal tax rate and of certain excise tax rates.

In addition, the Secretary suggested that, when excise tax reductions were appropriate, it would be desirable to review all excise taxes rather than to automatically select for reduction those excise taxes which were increased at the time of the Korean conflict, or which have been added to the list of excises extended on a year-by-year basis since that time.

Under existing law, the corporate normal tax rate will be reduced from 30 percent to 25 percent on July 1, 1963—or on Monday of next week—and the combined normal tax and surtax rate will be reduced from 52 percent to 30 percent.

The excise tax rates on distilled spirits, wines, beer, cigarettes, passenger automobiles, and auto parts and accessories will also be reduced on July 1, and the taxes on general telephone service and on transportation of persons by air will be repealed on that date, unless action is taken to continue all these taxes at their present rates. If these reductions are allowed to take effect, the result will be a loss of revenue in fiscal 1964 of almost $3 billion. The President's budget for the fiscal year 1964 showed a deficit of $11.9 billion, under the assumption that these taxes would be extended, so if this bill is not enacted, the anticipated deficit would be increased by about $3 billion. The receipts in fiscal 1964 will not reflect a full year's collections at the lower rates because of lags in some of the excise tax collections and because the reduction in the corporate tax rate will be effective for only half of the calendar year 1963. The full-year effect of the scheduled reductions would be more than $4 billion.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks a table showing the present rates extended under the bill and the rates, which under present law, would be effective July 1, 1963.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 1.—*Tax rates affected by bill*

	Unit of tax	Present rates extended under the bill	Rates which under present law would be effective July 1, 1963
Corporations	Normal tax net income	30 percent	25 percent.
Excises:			
Liquor taxes:			
Distilled spirits	Per proof gallon	$10.50	$9.
Beer	Per barrel	$9	$8.
Wine:			
Containing less than 14 percent alcohol	Per wine gallon	17 cents	15 cents.
Containing 14 to 21 percent alcohol	do	67 cents	60 cents.
Containing 21 to 24 percent alcohol	do	$2.25	$2.
Containing more than 24 percent alcohol	do	$10.50	$9.
Sparkling wines, liqueurs, etc.:			
Champagne or sparkling wine	do	$3.40	$3.
Liqueurs, cordials, etc	do	$1.92	$1.60.
Artificially carbonated wine	do	$2.40	$2.
Tobacco taxes: Cigarettes	Per 1,000	$4	$3.50.
Manufacturers excise taxes:			
Passenger cars	Manufacturers' sale price	10 percent	7 percent.
Auto parts and accessories	do	8 percent	5 percent.
Miscellaneous taxes:			
General (local) telephone	Amount charged	10 percent	0.
Transportation of persons by air	Amount paid	5 percent	0.

Mr. BYRD of Virginia. Mr. President, at a time when we are faced with a budget deficit estimated by the President as practically $12 billion, we cannot justify a further increase in the deficit from the tax reductions indicated in the preceding table.

The committee has reported this extension bill without any amendments, and I urge that the bill be enacted without amendment. If there should be a delay in the passage of this legislation, these tax rates would automatically drop on July 1, and in the excise tax area, this would mean a loss of revenue which could not be recouped.

The rate extensions contained in this bill conform with the recommendations made to the committee by the Secretary of the Treasury, who stated:

> Because present law provides for an automatic change in the corporate tax rate as of July 1, it is necessary to look ahead and make some interim provisions to prevent this change until Congress has time to act upon the President's proposal as to corporate tax rates. I believe the simplest way of taking care of this situation is to amend existing law merely to postpone the scheduled reduction for another year.

With respect to the excise tax reduction, the Secretary of the Treasury stated:

> The automatic excise tax reductions are particularly inconsistent with the decision of the President that tax revision to stimulate economic growth and increase taxpayer equity first requires removal of the strong check on initiative and investment in present income tax rates. This conclusion as to the effect of our income taxes does not imply that changes in excises might not be desirable at a later date, but merely that they have less urgency than income tax revisions at this time.

I ask unanimous consent to have printed in the RECORD at this point in my remarks a table showing the estimated revenue effects.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 2.—*Estimates of the staff of the Joint Committee on Internal Revenue Taxation of the increase in revenue resulting from extension of present corporate and excise tax rates*

[In millions of dollars]

	Effect on net budget receipts, fiscal year 1964			Increase in revenue, full year
	Increase in receipts	Decrease in refunds	Total	
Corporate income tax	1,065		1,065	2,375
Alcohol:				
Distilled spirits	173	112	285	176
Beer	89	9	98	91
Wines	11	1	12	11
Total alcohol taxes	273	122	395	278
Tobacco: Cigarettes (small)	270	27	297	275
Manufacturers excise taxes:				
Passenger automobiles	415	52	467	474
Parts and accessories for automobiles	69		69	79
Total manufacturers excise taxes	484	52	536	553
Miscellaneous excise taxes:				
General telephone service	430		430	575
Transportation of persons by air	68		68	90
Total miscellaneous excise taxes	498		498	665
Total excise taxes	1,525	201	1,726	1,771
Total effect of bill	2,590	201	2,791	4,146

Mr. CARLSON. Mr. President, the distinguished chairman of the Committee on Finance has presented to the Senate for consideration H.R. 6755. Section 3 of the pending bill deals with the extension of certain excise tax rates, which include a tax on motor vehicles, a tax on general telephone service, a tax on the transportation of persons by air; also on distilled spirits, perfumes containing distilled spirits, cordials and liqueurs containing wine, and on wines and beer, and cigarettes.

These taxes, of course, have been extended from time to time. However, it had been my hope that at this session of Congress the communications excise tax would be removed.

Unfortunately, our fiscal situation, with an increasing deficit on June 30, is such that the committee felt we were in no position to reduce any of the existing excise taxes.

There are approximately 40 million telephone users whose average excise tax in 1962 was $18.12 per customer. When Congress imposed and increased the communications excise tax to discourage civilian use of an essential service during World War II, no one contemplated the continued existence of this tax 18 years later. Except for the reduction in 1954, every effort since the end of the war in 1945 to reduce or eliminate the communication excise tax has failed because of the obvious need of revenue by the Federal Government. This has been a period during which the national debt has risen over $40 billion and has seen only 6 years in which there has been a favorable balance between Government receipts and expenditures. At the present time the prospect of an improved Federal fiscal situation is not apparent.

In 1954—when the tax was 25 percent on toll and 15 percent on local telephone service—the revenue from the communication tax was approximately $770 million. In 1955, after rates had been reduced to 10 percent, the revenues were approximately $500 million. Thereafter, they have increased each year, at an average of more than 7 percent annually, to the present level of approximately $900 million.

If revenues continue to increase at the same rate, they will exceed $1 billion in 1965 and $1½ billion in 1971.

It is my hope that next year when we again consider the extension of excise taxes, that we may repeal the communications excise tax.

Every month when they receive their telephone bill, 40 million of our citizens are reminded that they owe the Federal Government a 10-percent excise tax for this essential service. This burdensome tax amounts to approximately $500 million annually. If our citizens had this $500 million to spend as they wished, it would be a valuable addition to our economy.

Annually the tax collections from this communications excise tax have been increasing at a rapid rate, and if no provision is made to reduce the rate of taxation, the revenue will exceed $1 billion in 1965 and $1½ billion in 1971.

A proposal has been made that we consider a reduction of the communications excise tax at a rate of one-half of a percent per year for 10 years. The adoption of this proposal would retain the tax collections at the present rate instead of practically doubling them by 1971. The proposal should have serious consideration.

I ask unanimous consent that I may submit as a part of this statement a table showing the proposed effect of this amendment.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Federal Government collections—Communications excise tax

ACTUAL COMMUNICATIONS EXCISE TAX COLLECTIONS

[In thousands]

Fiscal year	Toll telegram, etc., services	General (local) telegram services	Subtotal	Wire mileage, etc., services	Total
1955	$212,458	$290,198	$502,656	$17,793	$520,449
1956	222,449	315,690	538,139	19,094	557,233
1957	244,251	347,024	591,275	21,934	613,209
1958	256,143	370,810	626,953	23,233	650,186
1959	269,192	398,023	667,215	23,221	690,436
1960	291,102	426,242	717,344	20,953	738,297
1961	318,475	483,408	801,883	25,419	827,302
1962	319,404	489,155	808,559	25,360	833,919

ESTIMATED[1] COMMUNICATIONS EXCISE TAX COLLECTIONS—GENERAL (LOCAL), TOLL, TELEGRAM, ETC., SERVICES ONLY

Fiscal year	Toll telegram, etc., services	General (local) telegram services	Total	Assuming rate reduction effective July 1, 1963	
				Reduction of ½ percentage point each year	Reduction of 1 percentage point every other year
1963	$381,950	$525,000	$906,950	$906,950	$906,950
1964	404,867	565,425	970,292	921,778	873,263
1965	429,159	608,963	1,038,122	934,311	934,310
1966	454,909	655,853	1,110,762	944,145	888,601
1967	482,204	706,354	1,188,558	950,846	950,836
1968	511,136	760,743	1,271,879	953,909	890,307
1969	541,804	819,320	1,361,124	952,784	952,779
1970	574,312	882,408	1,456,720	946,864	874,022
1971	608,771	950,353	1,559,124	935,473	935,464
1972	645,297	1,023,530	1,668,827	917,858	834,402
1973	684,015	1,102,342	1,786,357	893,181	893,166

[1] Fiscal year 1963 determined by reducing Federal Government estimated receipts to reflect repeal of tax on wire mileage, etc., services, effective Jan. 1, 1963. Estimated amounts for fiscal years 1964 to 1973, inclusive, are an extrapolation of the average annual growth experienced during the period 1955 to 1962, inclusive (6 percent for toll, telegram, etc.; 7.7 percent for general (local) telephone service).

Mr. COTTON. Mr. President, will the Senator yield?

Mr. CARLSON. I am glad to yield to the Senator from New Hampshire.

Mr. COTTON. I thank the Senator for yielding to me to make an observation.

For a long time the Senator from New Hampshire—and I am sure other Senators—has been receiving many urgent pleas from constituents asking for tax relief for the small income taxpayer in the form of increasing the exemption on personal income taxes. Each time someone approaches me on that subject, I call his attention to the fact that, while it would look very fine for Congress to reduce the burden for the low income taxpayer by increasing the exemption by $100 or $200, it would mean only a few cents a week to the average taxpayer, and that, actually, the working people, the people with limited income, as well as the rest of us, are paying in excise taxes, most of which were imposed as a war tax for the purpose of restricting and restraining commerce, much more than they have to pay in direct income taxes.

Each year we must continue these taxes. Of course I do not want to end the excise taxes on liquor, wine, cigarettes and other tobacco products at this time, but I dislike very much a general extension of the excise taxes, and if there is a yea-and-nay vote, I shall vote against such an extension.

We are talking about tax reductions, and the President has been talking about tax reductions, and has suggested tax reductions to Congress. I believe this is a place where a tax reduction could be helpful to the working people of this country. They should not have to pay a tax on many of these items, although they are not included in the bill before us today. I refer to the fact that every time a person buys a washing machine, and every time he buys an electric light bulb, which is hardly a luxury, every time a person travels somewhere—and the American people have a right to travel—every time he makes a telephone call, and every time he buys a phonograph record, a television set, or a radio set, the Federal Government is taking funds from him in taxes.

I believe that the women of this country have a right to buy a little costume jewelry, and that they should not have to pay a tax every time they buy themselves a trinket, or some cosmetics. These things are a part of American life. To collect such a tax is to reach into the pockets of the taxpayers surreptitiously. I do not like to vote these extensions, and do not intend to do so, if there is an opportunity to vote against them.

The American people do not generally realize that such taxes are being collected. I dislike very much these excise taxes. They are hidden taxes. If we wish to give tax relief, this is where we can start, with excise taxes such as those I have mentioned.

I take this opportunity to make a statement because I may not have the opportunity to say later, that if amendments are offered to reduce the tax on telephone communications and on some of the other items I have mentioned, which are actually necessities of life, I shall vote for the amendment, and that if there is a yea-and-nay vote on the bill, I shall vote against it, even though I dislike voting against such relief at this time and favor the continuation of the tax on some luxury items such as liquor, wine, and tobacco.

Mr. CARLSON. Mr. President, I share the sentiments that have been expressed by the distinguished Senator from New Hampshire [Mr. COTTON]. I think it was clearly brought out in the hearings of the Committee on Finance, during the discussions, that the membership of the committee would have liked very much to reduce some of the taxes that we are being extended for another year in the bill.

I concur in the views of the Senator from New Hampshire with respect to some of the other items that he mentioned, including costume jewelry, cosmetics, leather goods, including handbags, and certain other items. I am hopeful that in the near future there will be an opportunity to reduce the excise taxes on those items.

Mr. YOUNG of Ohio. Mr. President, it is pleasing to me that I find myself in agreement for the most part with the views expressed by the two distinguished Senators who have preceded me, namely, the senior Senator from Kansas [Mr. CARLSON] and the senior Senator from New Hampshire [Mr. COTTON]. Because of their statements, I feel reinforced in my position concerning certain of the excise taxes.

Truly, Americans should resent paying each month a 10-percent excise tax as telephone users. In 1941, while I was serving in the House as a Representative at Large from Ohio, this tax was introduced and passed as a wartime measure to raise additional revenue to meet the threat of aggression from Adolf Hitler's Germany.

I have always been opposed to the excise or sales tax which places a heavy burden on persons who make telephone calls. Telephone service today is certainly a household as well as a business necessity. It cannot reasonably be placed in the same category as liquor, beer, wine, cigarettes and other products on which excise taxes have been imposed.

Excise taxes on necessities, including telephone calls, are discriminatory taxes. They were imposed on the American people at the same time that taxes on luxury items, such as nightclub entertainment, jewelry, expensive furs, and liquor, were imposed. In this grim period of international anarchy, when we need tax money from the people to pay for the necessary expenses of Government in a troubled world, I have no quarrel with the imposition of taxes on nightclub entertainment, expensive jewelry, furs, and liquor. However, I assert that taxing telephone users in the homes, factories, and offices is not the same thing as taxing such luxury items. Furthermore, admittedly, telephone service is a public utility service. Do other public utilities—water, electricity, and gas—suffer by the imposition of such a discriminatory tax? So far as I know, the telephone is the only household utility subject to a Federal excise tax.

The Ohio Bell Telephone Co., a large and fine corporation in the State I have the honor to represent, and other telephone companies throughout the United States, are not in reality the actual sufferers from the imposition of this discriminatory excise tax. The sufferers are the persons who use telephones in their homes and places of business and employment. This sort of sales tax, or excise tax, violates every sound principle of just taxation. It is regressive. It burdens most those who have the least. It is not in accord with the sound principle of just taxation that taxes should be levied by our Government upon the people based upon their ability to pay.

If, as some say, taxes should be levied where there would be the least squawking, taxes certainly should not be levied on telephone users. The excise tax on telephone users plucks a great many feathers, it is true, but it is accompanied by a great deal of squawking on the part of those who pay the tax. I am raising my voice today against this tax, along with the voices of the distinguished Senator from Kansas [Mr. CARLSON] and the distinguished Senator from New Hampshire [Mr. COTTON]. If an amendment should be offered later today to strike out this regressive, unfair tax on telephone users, I shall support it. If there should be a yea-and-nay vote on the question of continuing such a tax, I shall be recorded as voting "nay" on that rollcall. If there should be a voice vote, my voice will speak out loudly "nay" as a vote against this tax.

Originally, the 10-percent telephone tax was imposed not only to raise revenue, but also to discourage telephone use at a time when metals and other war materials were scarce, and also because of the desire to discourage long distance and other telephone calls, so as to keep the lines free for emergency calls.

Today, 18 years after World War II, this tax is still on the statute books. Year after year the Congress continues it for 1 more year. We go through the motions of extending the tax for 1 more year, apparently holding out what has become a false promise to the taxpayers, the people of the country, that each year will be the last year of such a tax.

Another excise tax, the 5-percent tax on air transportation is only half as abominable as the telephone excise tax. The reason is that it is a 5-percent instead of a 10-percent tax. Travel by air is no longer a luxury; in most instances it is a necessity. In the State of the distinguished senior Senator from Alaska [Mr. BARTLETT], the Presiding Officer, travel by air is an absolute necessity. It is the only way to travel between some of the cities. Yet everyone so traveling must pay a 5-percent excise tax.

Anyone who has tried to make train connections between Washington, D.C., and any city to the west or south or north, is well aware of this fact. One night 2 years ago—I shall never do it again—in a moment of weakness, I became a passenger on a Pennsylvania

Railroad train operating from New York City to Washington, D.C. It was an old train consisting of numerous, crowded, poorly ventilated, dirty coaches. There was no dining car on the train, although the 226-mile trip lasted for over 4 hours. There was not even a snack bar. The passengers were crowded into that filthy train for the 4-hour trip from New York to Washington, and stood in the aisles while the train swayed on its long run. It was a bad experience.

In contrast, in Italy, following World War II, I had the experience of traveling on the Rapido, which operates between Naples and Rome. It is a beautiful train and operates exceedingly fast, making this more than 400-mile trip in 6 hours. The fares charged passengers are at a rate considerably below air travel rates in Italy. Passengers who travel in the beautiful coaches are provided every service and comfort. The train leaves on time and arrives at its destination on time.

It occurred to me, after my harrowing trip from New York to Washington on that dilapidated, dirty train, that our Government would do well to ask the Italian Government to send the equivalent of a Peace Corps from Italy to the United States to tell the railroad presidents of this land how they should really operate passenger trains.

It seems that they pay no attention to passengers, but are interested only in making money by handling freight. The attitude of "the public be damned," as taken in the last century by Commodore Vanderbilt, is apparently taken today by the management of many of the railroads.

In great part due to this deplorable situation, since the end of World War II, travel by air has become virtually a necessary feature of our society and our economy. It seems to me that it is unfair to impose an excise tax on this necessity of life for most Americans in our highly mobile society.

Therefore, after having expressed at some length my views in regard to what I consider to be two very unfair and unsound excise taxes—namely, the excise tax on telephone calls and the excise tax on air travel—I emphasize my point that these two atrocious taxes should be eliminated.

Mr. President, as the distinguished senior Senator from New Hampshire has said, income taxes are too high. We hope later in the session to reduce them. I hope very much that by the fourth quarter of this year we shall have reduced quite substantially the income taxes against both corporations and individuals.

I also hope that at the same time we shall reduce governmental expenditures and shall eliminate duplication and waste in the Defense Department and in all other branches of the Government. It is true that vast expenditures in the Defense Department are necessary, but there is no justification for the spectacle which confronts us when the Army bids against the Navy and when the Navy bids against the Air Force. This poor management and overbuying results in much duplication and waste. We also need tax reform. If, perhaps we do not accomplish it today, one later reform should be the elimination of the unfair and hateful excise taxes which are levied against communications and travel.

The average hard-working American citizen should not be burdened with these taxes on his necessities, while flagrant tax loopholes for more favored sections of the economy exist.

In this connection, I refer to the oil-depletion allowance of 27½ percent. It gives the oil-producing corporations of our country preferential treatment. I believe that when we have tax reform, we should reduce—among other things—the oil-depletion allowance.

Furthermore, in addition to a serious effort at all times to eliminate waste and duplication in the Defense Department, a similar effort should be made to eliminate waste and duplication in the foreign assistance program, in the Space Agency, and in all other governmental agencies.

Mr. President, let us eliminate these unfair, unsound, atrocious excise taxes which tax most those who have least. The average hard-working citizen should not be burdened with these taxes on his necessities while flagrant tax loopholes exist for others in our economy. I refer to the oil-depletion allowance which I have already mentioned, the preferred treatment for dividend income, capital gains formula, loss carryovers and others. If, in addition, a serious effort is made to eliminate waste and duplication in the defense establishment and in all other agencies of government, the resulting revenue will more than cover the small loss of revenue resulting from abolishment of the excise taxes on telephones and air travel.

Mr. DIRKSEN. Mr. President, long ago there was a distinguished public servant in the government by the name of Harry Hopkins. If he left no other mark of distinction on the sands of time, he at least left one when he said:

> We shall spend and spend, tax and tax, and elect and elect.

I do not know about the last one-third of that statement, but I do know about the first two-thirds. When we spend and spend, we must get the money somewhere. We must either get it from revenues imposed by the Congress or in the form of loans, provided the debt ceiling is raised sufficiently to authorize the loan.

So now we are confronted with what euphemistically we call a temporary tax bill. This is actually an anniversary today. It is the 10th extension of a temporary bill. Webster's unabridged dictionary states that a decennial is a 10th anniversary. So this is the decennial anniversary of the beginning of temporary tax bills. Frankly, it intrigues me a great deal. I have often wondered what a temporary tax bill really is.

I recall cutting across the courthouse square in my hometown years ago. The weather was nice, the windows of the jail were up, and a chap looked out. He was one of my fellow citizens whom I happened to know, because he was a member of the American Legion post. He said, "Wait a minute, I want to talk to you."

Through the open window of the jail, I asked him a few questions. I said, "How long are you in there?" He said, "From now on."

So perhaps a temporary tax bill is from now on.

I always thought that something temporary was transient, like being in a motel overnight and then being on one's way in the morning. I thought perhaps a temporary bill was something passing, like ships in the night on the deep water. I thought perhaps it was ephemeral, like the dew I see on my lawn in the morning, which vanishes under the caress of the warm morning sun. I thought it was short lived, like a Latin American politician. I thought temporary was momentary. But, Mr. President, this has been a long moment. It is 10 years long.

The bill is still a temporary tax extension bill. There have been 10 temporary extensions. It is a cause for celebration.

Frankly, I believe we salute an illusion when we talk about a temporary tax extension bill which goes on and on like Tennyson's brook. In a way, it is a testimony to a kind of vagary that grows up in government. I do not like to use the word, but there is something a little deceptive about it when we constantly think of the temporary extension.

I recall a fellow who was violating the law by putting a little hootch in pint bottles, but he had only about five of them. The other 95 bottles in his bag were merely tea. When the first two or three bottles were vended, the crowd came around and he said, "It is tea, boys." They snapped up the supply hurriedly, and the buyers found out it was tea. He had fooled them a little.

We might just as well call this a permanent extension, because I have some doubt whether any Senator believes we will ever get those taxes off the book.

The distinguished Senator from Kansas alluded to a very excellent document that is published by the Joint Committee on Internal Revenue Taxation. The last table, which is table 9, as I recall, refers to excise taxes that are still in effect. The list is as long as one's arm. So while we are asked to extend only some of the excise taxes, together with the corporate tax, in the bill that is before us, the tax goes on and on in a temporary fashion which has all the attributes of durability and permanency.

But it must be done. Government must pay its bills on a full year's basis. If the tax were not extended, the Government would be shy another $4.5 billion in revenue.

One of the curious things about the argument in another body was that proponents of the bill said:

> We must pass this bill, for if we should fail, we would diminish the chances for a tax cut in a huge tax proposal still pending in one of the committees of this body.

Ostensibility, that bill will one day—though we do not know the day—reach a committee of the Senate for full-scale consideration. The minority members in another body said:

> Members ought to vote against this tax bill because perhaps it will encourage expenditure control.

Frankly, I have seen few vestiges of expenditure control as these appropriation bills, in ever larger and larger denominations and dimensions, go sliding through the Senate.

An amendment was offered to the appropriation bill last considered by the Senate to send the measure back to the committee for reduction to the 1963 level of appropriations, because an assurance had been given to the country to that effect. Other things being equal, I propose to offer a similar amendment when the next appropriation bill comes before the Senate. I am not sure that the effort will be successful. I am not so naive as to believe that there will be enough votes to support the amendment. But at least it will make the record, and it will be a refresher to the country and to the Congress with respect to the mad pace that appropriations have been setting. As we move above the $100-billion mark for our administrative budget—and perhaps $130 billion when trust funds are included—we know that the time has come to stop, look, and listen.

But now we see the tragic consequences. A bill is before the Senate. It is like dining sumptuously: at some point the waiter comes along and lays the bill by the diner's plate. We now have the bill. So perforce we must enact the tax bill in order to save the revenues that are involved, unless we desire to add to the deficit and, in consequence, even exceed the debt ceiling that the Congress approved only within the past few weeks.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. CURTIS. The distiguished Senator from Illinois has made some very noteworthy statements of which the Congress and the people of the country should take cognizance. It is true that so-called temporary extensions have all the earmarks of becoming permanent. However, I believe it should be pointed out that while the Senator has stated the course the country is taking, it does not have to be so. The people are still masters of their Government, I believe. But we cannot have a door shut and open at the same time.

We cannot continue to expand our Government, to put the Central Government in Washington into new field after new field to carry out promises of elected politicians, and at the same time say, "This is a temporary extension of taxes."

The distinguished Senator from Illinois has served in the Congress for a long period of time, with good faith, like the rest of us.

The junior Senator from Nebraska has served on committees which have handled so-called temporary extensions. Industries, groups, concerned businessmen, and concerned consumers have all been held out the hope, in years gone by, "Perhaps we will have to extend this another time, but it will end."

The reason why that has not come about is the course followed of more and more government. On the agenda of this Congress, in the committees, there are Presidential requests for new programs. More messages have been received. Some bills have advanced a little.

Along with the good admonition the distinguished Senator from Illinois has given, I think it is well to point out that in reality the Nation must make a choice. Shall we continue with the centralization of government, with the Federal Government assuming new obligations, with the Federal Government being injected into areas of life and governmental functions in which heretofore the Government has not engaged? If we choose that course there will be no chance of being relieved of debts and taxes. The Congress and the American people must choose the direction they wish to go.

No one enjoys seeing the rate extension bill enacted. But the mistake is not being made today. The mistake was made in authorizations, in directions, and in appropriations, which have brought about the vast expenditures of this Government.

Mr. DIRKSEN. The fundamental premise of my friend from Nebraska is quite sound and correct. What intrigues me always is the fact that always there is presented an extension—an extension—an extension. We hold out the illusive hope to people that perhaps some day these taxes will be repealed or will be permitted to languish and the people will be free from this particular type of tax burden. I do not wish to hold out any deceptive hope.

I remember one of Guy Bolton's old plays—I think "Adam and Eva"—in which Grandpa came to spent the weekend and stayed for 17 years. So this is a temporary tax, but it has stayed for 10 years. Perhaps it will be around for another 10 years. If we are still in Congress, we will have another anniversary celebration and salute the delusion that at some time these taxes will go off the books.

The Senator is quite correct in his statement about embracing new functions and new authorizations. There are more than $9 billion worth of new ones in the 1964 budget; and yet, with amazing recklessness, the Congress puts on the seal of approval, failing to recognize that the reckoning is down the road.

This is a part of the reckoning today. There will be other reckonings. All we have to do is to keep our eye on the debt, when the request comes, sometime in the fall, for a further extension that will take it into orbit.

Mr. CURTIS. Mr. President, will the Senator yield further?

The PRESIDING OFFICER (Mr. NELSON in the chair). Does the Senator from Illinois yield to the Senator from Nebraska?

Mr. DIRKSEN. I yield.

Mr. CURTIS. I thank the Senator.

The Senator from Illinois is quite correct. The people should be warned that the claim that this is a temporary tax is without substance. There was a time when many of us had reason to hope it would be temporary, but that claim is without substance now.

There is another fiscal fact the American taxpayer should think about. The promoters of big government, the advocates of new programs, those who urge the Central Government in Washington to take on new responsibilities and to provide new civil benefits, are guilty—perhaps not intentionally, but they are guilty—of misleading the country on the ultimate cost in this regard. They say "If we can get the country going, the economy will expand and grow, the gross national product and net income will increase, and so, by a multiplication with tax rates the Government will receive more revenue and the budget will be balanced—off in the distance."

That theory might work if there were not forever an expanding of the Federal Government, if there were not forever an increase in the number of employees on the payroll, if there were not forever a promising of more civil benefits and Government participation in new areas.

The growth factor will never provide the revenues necessary to balance the budget so long as we continue to follow the road of adding to the government functions. It is a deceptive thing. It will never come about.

It could be a very material factor, if we had our finances under control and if we said, "For a period of years we shall make good on all the commitments of the Federal Government, but there will not be a race in promising people things; there will be a moratorium on expansion of Government, coupled with hard-nosed economy and good administration."

Under those circumstances the growth factor might rescue the budget and provide an important item in surplus to help retire some of the debt, or to allow tax reduction.

What I am concerned about is this: Suppose these youngsters stand up some day to ask us, "Does Uncle Sam ever pay his debts? Is a Government bond, which we are urged to buy, ever paid off with surplus financing; or, when it comes due, will the Government merely issue a new bond?"

Not only are we not paying off the debt, but also we are not even paying the interest at the present time. The current deficit is not too far away from the cost of the interest on the national debt.

So, on the road to socialism and big government, treating people as fools, whom we can promise more and more and more, we have gone from a stage not only of abandoning hope of reducing the principal of the national debt at the present time, but also of issuing bonds to pay the interest on it. It is a tragic thing.

If we fail in this field it does not make any difference what our stand may be on other issues.

Mr. DIRKSEN. My friend from Nebraska—and I suppose my friend from New Hampshire [Mr. COTTON], and I am sure my friend from Kansas [Mr. CARLSON]—must remember a distinguished Member of Congress from New Jersey with whom we served. That was Dr. Eaton of New Jersey, a distinguished minister and statesman. I think he summed it all up in a story he told in the House of Representatives. He said:

> Teacher said to Johnny, "Johnny, a cat fell into a well 50 feet deep. Now, if that cat climbs up 1 foot and falls back 2 feet for every foot it climbs how long will it take to get that cat out of the well?" Johnny went to work with his slate and slate pencil. Thirty minutes later teacher came back and said, "Johnny, how are you getting along?" Then Johnny said, "Teacher, if I have about 15 more minutes and another slate I think I can land that cat in hell."

So, with more functions and more expenditures, and a static revenue, what will happen? Downhill we will go. What will be the ultimate answer so far as the fiscal solvency of the country is concerned, and its credit abroad, as well as the confidence of those who handle the credit and fiduciary affairs of other countries, when we are now nursing a very delicate problem in the field of gold balances? Who shall say what will happen, because although that thin line of confidence is, finally, very thin and very elusive, it is the thing which holds it all together.

Once it is impaired, look out for the solvency of this country.

Mr. CURTIS. Mr. President, if the Senator will yield once more, I shall not ask him to yield again.

Mr. DIRKSEN. I yield.

Mr. CURTIS. The junior Senator from Nebraska was very much disturbed because the Treasury of this country is issuing bonds, not to be paid in dollars, but guaranteeing to pay them in foreign currencies—in marks, in francs, in lire. The fact that potential purchasers of U.S. Government bonds would prefer to have their bonds read that they will be paid in foreign currency, rather than in Uncle Sam's good old dollars, is a very sobering situation, regardless of how the experts explain the reason for it. Purchasers of Government bonds in Europe—and hundreds of millions have been issued there—are preferring to have their bonds payable in their own currency, rather than ours. To me, that is rather an indictment.

The Senator from Illinois reminisced about Representative Eaton. I can still hear the words of the great Bob Rich, of Pennsylvania, who closed every speech with the words "Where are you going to get the money?" It is time for the American people to rise up and ask the advocates of big government where they are going to get the money.

Mr. DIRKSEN. I think it is high time for the Members of Congress, rather than the American people, to ask that question.

Mr. CURTIS. That is correct.

Mr. DIRKSEN. Mr. President, I yield the floor.

Mr. COTTON. Mr. President, I listened with a great deal of interest to the remarks of the distinguished minority leader and to the remarks of my distinguished friend from Nebraska. It is highly interesting, each time we deal with this subject, we hear the same argument; that it is too bad that we insist on spending beyond our income, but as long as we do so—and in many cases extensively for nondefense or nonspace purposes—we cannot afford to reduce taxes or to relinquish any taxes, no matter how burdensome, because of the revenue which would be lost to the Treasury.

It was my privilege to serve for some time on the Committee on Finance, and I have the most profound respect for that committee, its chairman, and all its members. I know the problems they face. I was present when the representatives of the Treasury in two administrations came before the committee to say, "These are the facts of life. If you do not continue such and such an excise tax, if you do not extend it, immediately we shall lose so many millions of dollars. We are running into a deficit; we cannot afford to lose it at this time." So, on the basis of those arguments, we have extended these taxes year after year.

I listened with particular interest to the remarks of my friend from Nebraska, who is a distinguished member of that great committee, to the effect that we were headed in the wrong direction, but that we need not continue in the wrong direction; that we could reduce our spending, and thereafter reduce taxes.

Unfortunately, we are not going to stop spending, we are not going to reduce spending, we are not going to restrain spending until the people of the country become conscious of what it is costing them. A good man named Ruml, who invented and sold the idea of withholding taxes, probably did more, unintentionally, to undermine the fiscal soundness of the United States than any man who ever lived. I am not talking now only about wage earners who operate machinery in an industrial plant. I am talking about those who are on fixed salaries, from the most menial worker up through the white-collar segment, many of them with a good background of education and a large number having great intelligence. But these wage earners have come to consider their wages or salaries as what they take home. I dare say that they do not give much thought to the amount withheld as taxes. It would be remarkable if three times a year they considered the amount being withheld every week and every month from their salaries and wages in order to run their Government. If they drew their full salary and every 3 months had to march up to the Internal Revenue Service to plank down the amount now being withheld from their salaries, I think the cause of prudence in the management of Government would receive one of the greatest shots in the arm that has ever been given.

The excise taxes we are talking about today are another example of extracting money in the way that I believe Colbert, the great French statesman, referred to when he said:

> The art of taxation is the art of plucking the feathers from the goose so as to cause the least squawking.

The American people continue to pay so-called temporary taxes. They pay them unthinkingly, in many cases unknowingly. Yet day by day, week by week, out of the family budget, they are paying hidden excise taxes on items which, according to the American standard of living that we love to talk about so much, are absolutely necessary.

Mr. President, I propose to offer an amendment to the bill. I wish there were something to be gained by offering an amendment which would reduce the tax on each article in the bill except on wine, liquor, and tobacco products. I wish that each time when these excise taxes approached an expiration date we could prune down those which are extracting from the pockets of the average American family a surprising amount of money without the knowledge of the people and without their consent; but I am not so silly as to think that in this extremity such an amendment would meet with success. I cannot help wondering, however, what is going to happen to the much discussed tax reduction—and I think rather sensibly discussed by the President of the United States—and the hope that before the termination of the Congress we will enter upon a real tax reduction for the purpose of stimulating employment in industry, and eventually producing a larger income, when we cannot reduce the income of the Government even by a few million dollars without being told that we are endangering the fiscal integrity and stability of the country.

Mr. President, I call up my amendment.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2 it is proposed to strike out lines 22 and 23 and to renumber the succeeding subsections.

Mr. COTTON. If at some time it is necessary to have a quorum call, I shall desire to ask for the yeas and nays on the amendment. I do not know how the majority leader would feel about having the yeas and nays ordered by unanimous consent.

Mr. MANSFIELD. I would not object, but I suggest that there be a quorum call so that a sufficient number of Senators may come to the Chamber. The reason I hesitate to ask unanimous consent for the yeas and nays is that I believe it would set a bad precedent, and should be used most sparingly. I am sure the Senator from New Hampshire understands.

Mr. COTTON. I certainly agree. Therefore, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COTTON. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. MANSFIELD. Mr. President, will the Senator from New Hampshire further yield?

Mr. COTTON. I yield.

Mr. MANSFIELD. I desire to propound a unanimous-consent request, subject to the concurrence of the minority leader, the distinguished Senator from Illinois; namely, that further debate on the amendment offered by the Senator from New Hampshire [Mr. COTTON], to strike out lines 22 and 23 on page 2 of H.R. 6755, and all amendments thereto, be limited to 40 minutes, to be equally divided and controlled by the Senator from New Hampshire [Mr. COTTON] and the distinguished senior Senator from Virginia [Mr. BYRD]; provided, further, that any amendments thereto be germane.

The PRESIDING OFFICER. Is there objection to the proposed unanimous-consent request of the Senator from Montana? The Chair hears none, and the agreement is entered.

Mr. COTTON. Mr. President, I yield myself 5 minutes. The amendment is very simple to explain. It would merely remove from the bill a section which extends the tax on the transportation of persons by air. Some time ago, the tax on transportation of persons by rail was terminated. A 5-percent excise tax is still imposed on the fares of passengers who fly. Fundamentally, we all understand that excise taxes on travel by rail, air, and other modes of transportation were imposed during the war, when it was desired to restrain and restrict travel.

The net revenue of all airlines in the United States for the past year was $16,722,000. To obtain that $16 million of revenue, the airlines did $2,494 million worth of business. In other words, with a $2,500 million volume of business, after all deductions were made, the profit of all the airlines combined was a little more than $16,500,000.

There are sections of this country—I live in one of them, although that is not entirely the reason I have offered the amendment—that are desperately in need of air transportation, not merely as a convenience, but as a necessity, as a means of keeping their resort areas open, and as a means of providing access to small industrial plants.

It has been the policy of the Civil Aeronautics Board, as requested by Congress, and the policy of succeeding administrations—and I do not criticize the policy—to reduce the subsidies which provide service to marginal areas. However, it will be absolutely necessary, in my opinion, to provide some subsidies to enable airlines to provide service to many areas of the country, where there can never be, at least in the foreseeable future, a substantial profit from such operations. One such region comprises the States of Maine, New Hampshire, and Vermont. In fact, an examiner of the CAB has found, and so reported, that the northern New England States are the most starved for air service.

We are prone to criticize the particular airline that serves our region. We are not happy about many things. But one thing is certain: If we are to tell the airlines of the country that they must provide service to marginal, unprofitable regions, as well as to profitable areas, it is in the public interest to keep them sound and to encourage air travel. It is only through the encouragement of air travel that our air service can be expanded in a logical, healthy way.

I understand that to permit the so-called temporary tax on travel by air to expire at the end of this fiscal year would mean a reduction of $90 million in revenue. We are seeking many times that amount for assistance from the Federal Government. Yet we turn around and reduce the opportunity for airlines to make the kind of profit which they need to provide service without Government subsidy, by continuing a tax that was imposed originally to discourage travel. I have selected that item as one of many examples.

I think it is imperative that the 5-percent tax on air transportation be allowed to expire. That is the reason I have presumed to offer the amendment and have presumed to ask for the yeas and nays on the question of its adoption. I have not done so to put any Senator on the spot, but because I believe the attention of Congress and the attention of the people should be directed to this tax. There are certain other excise taxes about which I feel almost as strongly; but I have selected this one because, frankly, we are at the point, in the Committee on Commerce and the Committee on Appropriations, of being compelled to consider what the Federal Government will contribute as subsidies and what it will contribute to the development of airport facilities.

Mr. AIKEN. Mr. President, will the Senator from New Hampshire yield?

Mr. COTTON. I am happy to yield.

Mr. AIKEN. I fail to see how the removal of the excise tax on air transportation would increase air service to States like Vermont, which has been virtually deprived of service over much of the State. I have not received a single complaint from anyone who would use airlines about paying the tax on his ticket. I have been swamped with complaints because airlines do not furnish any service on which to pay a tax. So I simply cannot get the drift of how exempting airline tickets from the excise tax will improve air service.

Mr. COTTON. I can very readily explain that to the distinguished Senator from Vermont. I am speaking of the situation countrywide. Last year the airlines made a profit of $16 million on a gross income of $2,500 million. I do not have the exact figures, but we can well imagine the investment that is involved in airline equipment, including expensive jetplanes, all over the country. The Senator from Vermont may be thinking in terms of an airline that serves our region now. But a time will come, and will come soon, if we are to have service, when we shall have to put the finger on airlines and say to them, "You must provide service to certain sections of the country, and you must operate it thus and so." In order to do that, it is necessary that the airlines be in healthy financial condition. I do not care whether it be Northeast Airlines or TWA or whoever else it might be; it is necessary for the Nation to have a healthy airline industry in order that air service may be provided when we demand it, and when the CAB—if we get one that is on its job—compels them to do so. I share my friend's sentiments, but that does not alter the fact that this should be done.

Mr. AIKEN. I still fail to see how exempting airline passengers from the 5-percent tax will put the airlines on their feet. So let me take exception to what the Senator from New Hampshire has said. I do not have in mind an airline that is serving our region as of now; I have in mind an airline which is not giving us service now.

Mr. COTTON. I agree. However, the purpose of the tax, when it was first imposed, was to reduce travel. The purpose of the proposed elimination of the tax is to increase the number of passengers. If the number of airline passengers throughout the country is increased, the airlines will have a larger backlog, and thus will be able to extend their service. The justification for my amendment is just that simple.

Mr. MILLER. Mr. President, will the Senator from New Hampshire yield?

Mr. COTTON. I yield.

Mr. MILLER. I think the Senator from New Hampshire has made a very good point; namely, that the original purpose of this tax was to discourage travel. However, at the present time we are trying to encourage travel. Therefore, it is logical that this tax be ended.

The Senator from New Hampshire has pointed out—and his point is an excellent one—that now we are trying to determine what amount of subsidies should be given the airlines, but at the same time we reduce, by means of this tax, the number of passengers who travel on the airlines.

Let me ask whether the Senator from New Hampshire can state the amount of the subsidy, for the present fiscal year, which Congress has made available to the airline industry.

Mr. COTTON. I do not have the exact figures before me, but my recollection is that it is about $83 million for direct payment to air carriers, an amount which is not greatly different from the amount of revenue which is received as a result of this tax.

I thank the Senator from Iowa for his observations. I believe that he and the Senator from Vermont would be surprised to find how greatly traffic increases when the airlines establish so-called tourist rates and discounts. A very substantial increase of traffic would occur as a result of the removal of this tax.

Mr. MILLER. I can understand how one would more or less equalize the other—in other words, airline subsidies of $60 or $70 million a year and, on the other hand, less travel as a result of the imposition of this tax.

Mr. COTTON. I was referring to subsidies for service. The Federal Government's contributions for improvement of airports and the installation of safety devices involve much larger amounts.

Mr. MILLER. I realize that.

The administration has proposed a tax cut. However, the only purpose advanced for it has been that of stimulating the economy by encouraging business expansion, through increased purchases by customers.

I find it rather amazing that the administration has not seen fit to make recommendations in the excise-tax field, but has limited its recommendations to the income-tax field. If, as the Senator from New Hampshire has said, by the imposition of this tax, we are hampering the economic development of the airline industry, it seems to me to be highly illogical not to do something in the excise-tax field, and to concentrate our efforts only in the income-tax field. What good is a tax cut to an airline if it does not have a profit against which to credit the tax saving? We are interested in having the airline industry operate at a profit upon which it can pay taxes. I think the proposal of the Senator from New Hampshire would result in that situation.

Mr. COTTON. I thank the Senator from Iowa.

Mr. President, I have been emphasizing the effect upon the airlines. However, let us remember that the passengers are the ones who pay this tax. Many of the airline passengers use this form of transportation because of family illness. For such reasons, many Americans find themselves dependent on the airlines for travel. Even though the airlines would benefit from increased traffic, it is true that this tax is one of the many excise taxes levied upon the American people for what in most cases are necessities. There are many urgent reasons why so many Americans travel by air; not all of them are on their way to Florida to enjoy the sunshine there.

Mr. President, I reserve the remainder of the time available to me.

Mr. PASTORE. Mr. President, will the Senator from Virginia yield 2 minutes to me?

Mr. BYRD of Virginia. I yield.

Mr. PASTORE. Mr. President, I wish to state that I shall vote against the amendment which has been proposed by the distinguished Senator from New Hampshire [Mr. COTTON]. However, I do not disagree with his logic. He has argued very rationally the point he has made. But I shall vote against the amendment because it applies to only one segment of these excise taxes; it would provide preferential treatment for the airlines.

I agree with the argument the Senator from New Hampshire has made. Certainly these excise taxes were instituted in time of war, not especially for the purpose of raising money, but because we thought it desirable to discourage the use at that time of certain means of travel.

For that reason the law was enacted at that time. I submit that that emergency has passed.

I have been a Member of this august body for 13 years. Every year we must meet a deadline of June 30 by continuing for another year the excise taxes. If it is absolutely necessary for the U.S. Treasury to have the money contemplated by the bill; if we are in desperate need of that money; if we must forget the philosophy that gave birth to the tax; and if we are not to continue the taxes only because we need the money, we ought to end this folly once and for all and make the excise taxes permanent. Then we would not have to enter into a hassle a week before June 30 of every single year.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. PASTORE. Mr. President, I ask the Senator from Virginia if I may have another minute.

Mr. BYRD of Virginia. I yield an additional minute to the Senator from Rhode Island.

Mr. PASTORE. The Senator from Rhode Island is inclined to vote against the bill because he feels that the excise taxes are inequitable. They are predicated upon a philosophy that died a long time ago.

For that reason, I shall vote against all excise taxes. I cannot support the amendment, which refers to a 5-percent addition to airline passenger rates. I am no more in accord with such a tax than I am in accord with an excise tax on jewelry that is being manufactured in my State. Jewelry is not necessarily a luxury item, as some people may think. It is true that a diamond ring is a luxury item. But there are items such as shoe buckles, ladies' handbags, and many other items which are classified as jewelry and upon which excise taxes are paid.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. PASTORE. Mr. President, may I have another minute?

Mr. BYRD of Virginia. I yield an additional minute to the Senator from Rhode Island.

Mr. PASTORE. I contend that in this year of 1963, such a tax is unfair. I cannot agree with my good friend from Iowa [Mr. MILLER], who has taken the position that we are discussing the proposed reduction of our income tax. In that argument, there is an anomaly or paradox that I cannot understand. In one breath we are saying that we should cut taxes in order to stimulate our economy. On the other hand, we say we must put a luxury tax on items people desire to buy, thus preventing them from buying them.

We cannot march up the hill and march down the hill on the same day—at least not during the same session. For that reason I shall vote against the amendment because it would remove only one item from the bill. If my good friend from New Hampshire had moved to table the entire bill, I would support his motion. But I shall be opposed to a reduction on any particular item. I shall vote against the entire bill, because I think the time for the excise tax has passed. If the Government needs the money, it ought to reconstruct and amend its income tax law.

Mr. COTTON. Mr. President, I yield myself one-half minute.

The Senator from New Hampshire has already expressed himself in relation to the other taxes contained in the bill, and agrees entirely with the Senator from Rhode Island. The Senator from New Hampshire intends to vote against the whole bill. But the reason for the selection of the tax covered by the amendment is well supported. It would not discriminate in favor of one item.

We have already removed the tax on railroad travel. Taxes on travel generally have been removed. The time to reach the tax contained in the bill to which my amendment is directed is the time when the bill which would extend that tax is before the Senate. For that reason, I have selected it as the basis of my amendment.

Mr. BYRD of Virginia. Mr. President, there is a great deal of merit in the proposed amendment. If conditions were other than what they are, I probably would vote for it. But there is before the Senate a bill which must be enacted into law by midnight next Monday. Otherwise, a great loss would result to the Government because of other excise taxes which would expire then and could not be collected retroactively. So I shall have to vote against the amendment. I hope the time will soon come when we can delete this tax and other excise taxes.

I agree with a great deal of what the Senator from Rhode Island has said. Adoption of the amendment would occasion a loss of revenue of $90 million. Of course, that amount is not so great, but it would add that much to the deficit, for we are on a deficit basis. The amendment was presented to the Senate Finance Committee, was discussed, and was rejected by the committee. Speaking for the committee, I must say that I shall vote against the amendment.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I yield.

Mr. CARLSON. I concur in the statement made by the distinguished chairman of the Finance Committee. I, too, would like to repeal the particular tax on transportation covered by the amendment and many of the other excise taxes which were discussed in the committee. We were confronted with a situation in which, at midnight on June 30, the taxes would expire unless they are extended. A $4-billion item is involved. If the taxes were allowed to expire, not only would great confusion in the Nation as a whole result, but also we would begin to extend, or try to extend excise taxes within the next few days. Therefore, while I fully agree with the statements made by the Senator from New Hampshire, I sincerely hope that his amendment will be rejected.

Mr. DIRKSEN. Mr. President, in the course of the consideration of the bill in the Finance Committee all of the other amendments offered were voted down by a very substantial vote. The amendments had considerable appeal, particularly one that would lift the tax on band instruments that are sold to school bands and to youngsters in school bands. But the committee repudiated that amendment on the ground that, first, there was a time factor with which we had to be concerned. The bill would then have to go to conference. If we missed so much as a day or 2 days after the 30th of June and action had not been completed, a loss of revenue would result.

But still another reason is the fact that I, myself, was prepared to offer some amendments in the committee if it was the disposition of the committee to look with favor upon any amendments. I could have thought of a dozen. My office is full of mail asking that I attempt to remove the tax on cosmetics and other taxes. So the minute the gate is opened, regardless of the merit of the amendment that is involved, difficulty is invited.

It is too bad that the bill came to us so late for consideration. Of course, that is not unusual in view of the unpredictable schedules of the House and the Senate. But there was only a limited amount of time to consider the bill. Had there been a much longer time, I could have joined with my friend from New Hampshire and submitted at least a dozen amendments that I thought had some merit and that had been urged not only on the committee but on myself.

But under all the circumstances I do not believe the Senate has any choice except to reject the amendment and let the bill go to the President for signature before the time runs out at the end of the fiscal year.

Mr. COTTON. Mr. President, I allow myself 1 minute. I can understand the force of what the distinguished minority leader has said. I regret that he felt it was necessary to oppose my amendment, naturally. But I remind Senators of the fact that ever since I have been in this body, as regularly as clockwork, we have always had requests for extensions of taxes come in to the Senate when they are about to expire—the day after tomorrow or at midnight next Tuesday or sooner—and we are always told exactly the things that the distinguished minority leader has said: "We must do this. We cannot do anything else. There is no time. Wait, and we will take up this question later." And so year after year we reach into the pockets of the families of our country to collect taxes that were originally imposed to restrain business, because we must have every cent to spend and because the Senate has to be put in the position in which it cannot say, "No."

I have no illusions. I have offered this amendment because of the fact that Congress has taken travel taxes off other modes of transportation. I happen to come from a section of the country which is dependent on air transportation, and desperately in need of it. I know this tax is basically a user charge, but I do not like user charges which strike directly at a key economic interest, such as the resort and travel industry of my State which is starved for transportation and dependent on air service.

I expect, of course, that the amendment will be defeated, but I hope that Senators will have an opportunity to cast their votes on the question of passage of the bill, so that some of us can say no to indicate that no matter how late the bill is brought in, some of us, from now on, will not be manuevered and horsewhipped into voting for it because it is too late to vote "no."

Mr. DIRKSEN. Mr. President, will the Senator from Virginia yield me 2 minutes?

Mr. BYRD of Virginia. I yield 2 minutes to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, I concur in what my distinguished friend from New Hampshire has said. As a lesson in tactics, the Senator should have heard the distinguished Senator from Delaware lecture the Secretary of the Treasury in the committee at the time we were considering the debt ceiling bill. That also came in late.

There is quite another consideration involved at this time. We in the Senate cannot initiate tax legislation. We had to wait for action by the House. Of course, the House took its own sweet time, and properly so, because the House devotes much time to this sort of thing, so the distinguished chairman of the Committee on Finance had no choice other than to wait before setting a meeting of the committee so that the bill could be considered. That is the reason why it was within a week of the end of the fiscal year and within a week of the end of the life of these taxes before the bill could be brought to the Senate for consideration.

There was no delay in the committee. The committee met on Thursday. The Senate adjourned Thursday night, over the weekend. There was time to obtain permission to file a report. This is the first time the Senate has met since last week. The bill is before the Senate. It can never be said that the Senate Committee on Finance has not been expeditious in bringing out the bill.

We have had no choice in the matter, yet I share the sentiment expressed by my distinguished friend from New Hampshire when he laments the fact that there is not adequate time to consider these things.

However, there will be time to consider many things, when the overall tax bill finally lands in the Senate Finance Committee for consideration. I think my friend will have time.

Mr. COTTON. Mr. President, will the distinguished Senator yield to me for a quick question?

Mr. DIRKSEN. I think my friend may have until Christmas to be thinking about a tax bill. For aught I know, and for all I foresee, we may still be in the legislative trenches on the 25th of December, so the Senator can set up a Christmas tree in his office.

Mr. COTTON. And the tax bill will come in the night before Christmas.

Mr. DIRKSEN. That could well be. The Senator can hang it on the Christmas tree.

Mr. COTTON. I should like to ask the Senator one friendly question. Can the distinguished Senator, who is my leader, tell me of any greater exercise in utter futility than to lecture the Secretary of the Treasury?

Mr. DIRKSEN. I am sure at the moment I cannot reach up on the Christmas tree and find an appropriate example.

Mr. BYRD of Virginia. Mr. President, I yield back my remaining time.

Mr. COTTON. Mr. President, I yield back my remaining time.

The PRESIDING OFFICER. All time has been yielded back.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that further proceedings under the quorum call may be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, what is the business before the Senate.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Hampshire [Mr. COTTON]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD (after having voted in the negative). Mr. President, on this vote I have a live pair with the distinguished Senator from Connecticut [Mr. Dodd]. If he were present and voting, he would vote "yea"; if I were at liberty to vote, I would vote "nay." Therefore, I withhold my vote.

I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Nevada [Mr. BIBLE], the Senator from Maryland [Mr. BREWSTER], the Senator from Nevada [Mr. CANNON], the Senator from Idaho [Mr. CHURCH], the Senator from Connecticut [Mr. DODD], the Senator from Illinois [Mr. DOUGLAS], the Senator from Tennessee [Mr. GORE], the Senator from Alaska [Mr. GRUENING], the Senator from Michigan [Mr. HART], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Hawaii [Mr. INOUYE], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Louisiana [Mr. LONG], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Maine [Mr. MUSKIE], the Senator from Rhode Island [Mr. PELL], the Senator from Connecticut [Mr. RIBICOFF], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

I further announce that, if present and voting, the Senator from Minnesota [Mr. HUMPHREY], would vote "yea."

On this vote, the Senator from Illinois [Mr. DOUGLAS] is paired with the Senator from Maryland [Mr. BREWSTER]. If present and voting, the Senator from Illinois would vote "nay," and the Senator from Maryland would vote "yea."

On this vote the Senator from Alaska [Mr. GRUENING] is paired with the Senator from Louisiana [Mr. LONG]. If present and voting, the Senator from Alaska would vote "yea" and the Senator from Louisiana would vote "nay."

On this vote the Senator from Rhode Island [Mr. PELL] is paired with the Senator from Minnesota [Mr. MCCARTHY] If present and voting, the Senator from Rhode Island would vote "nay" and the Senator from Minnesota would vote "yea."

Mr. DIRKSEN. I announce that the Senator from Maryland [Mr. BEALL] and the Senator from Nebraska [Mr. HRUSKA] are absent on official business.

The Senator from Arizona [Mr. GOLDWATER], the Senator from New York [Mr. JAVITS], the Senator from California [Mr. KUCHEL] and the Senator from

Pennsylvania [Mr. Scott] are necessarily absent.

On this vote, the Senator from Maryland [Mr. Beall] is paired with the Senator from Nebraska [Mr. Hruska]. If present and voting, the Senator from Maryland would vote "yea," and the Senator from Nebraska would vote "nay."

On this vote, the Senator from Pennsylvania [Mr. Scott] is paired with the Senator from New York [Mr. Javits]. If present and voting, the Senator from Pennsylvania would vote "yea," and the Senator from New York would vote "nay."

The result was announced—yeas 22, nays 51, as follows:

[No. 107 Leg.]

YEAS—22

Allott
Byrd, W. Va.
Cotton
Dominick
Eastland
Fong
Hickenlooper
Jordan, Idaho
Long, Mo.
McIntyre
Mechem
Miller
Morse
Neuberger
Pearson
Prouty
Randolph
Simpson
Smith
Tower
Young, N. Dak.
Young, Ohio

NAYS—51

Aiken
Bartlett
Bayh
Bennett
Boggs
Burdick
Byrd, Va.
Carlson
Case
Clark
Cooper
Curtis
Dirkson
Edmondson
Ellender
Engle
Ervin
Fulbright
Hartke
Hayden
Hill
Holland
Jackson
Johnston
Jordan, N.C.
Keating
Kefauver
Lausche
Magnuson
McGee
McGovern
McNamara
Metcalf
Monroney
Morton
Moss
Mundt
Nelson
Pastore
Proxmire
Robertson
Russell
Saltonstall
Sparkman
Stennis
Symington
Talmadge
Thurmond
Williams, N.J.
Williams, Del.
Yarborough

NOT VOTING—27

Anderson
Beall
Bible
Brewster
Cannon
Church
Dodd
Douglas
Goldwater
Gore
Gruening
Hart
Hruska
Humphrey
Inouye
Javits
Kennedy
Kuchel
Long, La.
Mansfield
McCarthy
McClellan
Muskie
Pell
Ribicoff
Scott
Smathers

So Mr. Cotton's amendment was rejected.

The PRESIDING OFFICER. The bill is open to amendment.

FOREIGN AID

Mr. MORSE. Mr. President, every year we hear in the foreign aid presentation the stories of countries enjoying economic growth and prosperity, which are also receiving American economic aid. It is never clear to me that this growth and prosperity is because of our aid, but at least we are given case studies where the two coincide. Sometimes we are even told that a given country is making so much progress that it is being removed from the list of countries receiving grant aid, usually supporting assistance.

Yet despite these reports of the progress being made by recipients, the request for foreign aid money does not decline. Although the summary presentation is replete with instances of successes and reductions in foreign aid, it nowhere explains why the total sum being requested exceeds what was spent on foreign aid in 1963 and 1962.

I say to my colleagues in the Senate that that is an old "gimmick," an old strategy on the part of the Defense Establishment and the State Department. They point out in most general generalities what are supposed to be some accomplishments under the Foreign Aid Act, and then they are always willing to gloss over, until we drag it out, the fact that they are asking for more money than they did the year before. That is true again this year.

In each of the two major categories into which the AID has divided this year's program, the request for money is higher than was appropriated last year.

For development assistance, there was appropriated $1,410 million for fiscal 1962; $1,725 million for fiscal 1963; this year, the request is for $2,163 million.

When development aid is broken down between loans and grants, we find that the request is for more in both categories. For development loans, $1,113 million was provided for fiscal 1962; and $1,400 million for fiscal 1963. The request for 1964 is $1,806 million.

Every time I sit in the Supreme Court at the opening of the Court's session and hear the clerk utter those inspiring words "God save this Honorable Court," I am deeply moved, but I say on the floor of the Senate today, on the basis of this administration's request for foreign aid this year, God save the taxpayers of the United States. We cannot continue the course of action we have been following in regard to taking huge sums out of the taxpayers' pockets, when our allies are not carrying their reasonable burden of paying for the cost of freedom. That goes for our European allies, and it goes for West Germany. I will not vote to pour more millions into West Germany, until West Germany starts to make a fair contribution to the defense of freedom around the world; until West Germany, so dependent upon Greek and Turkish forces holding down a large part of the defense of freedom in Europe and the metropolitan area, starts to pay something by way of foreign aid to Greece and Turkey. The record shows that to date it is Uncle Sam who pays the whole bill.

I am satisfied that once the facts are brought to the American taxpayer as to what it is costing him to pay an undue share of the cost of NATO, there will be no more money going into West Germany, but less. There will not be more money going into NATO, but less.

I am perfectly willing to support an alliance in Europe, provided the allies in that alliance are willing to pay their fair share of the cost of the alliance. The fact is that they are not. All one needs to do is to look at the foreign aid bill I am discussing today for evidence in support of the position the senior Senator from Oregon has taken.

I yield to no Member of the Senate on my record in support of foreign aid. However, the time has come when Senators should stop being victimized by dogma in the field of foreign aid, and should look at the hard, cold facts as to what we are doing to the taxpayers of the country in light of the request that this administration is making again. We are wasting millions of dollars in foreign aid, rather than insisting upon a tightening of the foreign aid program.

For development grants, $297 million was appropriated for fiscal 1962, and $325 million for 1963. The request this year is for $357 million.

In the second major category—strategic assistance—we find the same situation. The category includes military assistance, supporting assistance, and the contingency fund. It is only in the case of military aid that there was a slightly larger appropriation 2 years ago than is being requested now.

For military aid, Congress appropriated $1,557 million for fiscal 1962 and $1,325 million for fiscal 1963. This year we are being asked for $1,405 million.

For supporting assistance—the category from which we constantly hear that countries are being dropped—we appropriated $425 million for 1962, $395 million for 1963, and we are being asked now to appropriate $435 million.

The contingency fund was given $275 million in 1962 and $250 million in 1963. For 1964, $300 million is being requested.

I know of no reason why the President of the United States should be given a contingency fund of $300 million. It would not take him 20 minutes to transmit to Congress a message asking for funds for an emergency. I have taken that position over the years. It does not make any difference whether a Republican or a Democratic President sits in the White House. I am opposed to giving any President emergency funds which he can use prior to a check in advance by Congress. One hundred million dollars for a contingency fund is all that any President could possibly need to meet an overnight emergency. In my judgment, for a President to ask for $300 million for a contingency fund is unreasonable. In due course of time, if the Committee on Foreign Relations reports any such figure to the Senate, I shall move that $200 million be stricken from the item.

I believe we are not talking about a system of checks and balances alone; I believe in protecting the American taxpayer. He is entitled to such protection, no matter who is the President of the United States. I recognize that a case can be made for more money in a contingency fund, but not $300 million, not $200 million. One hundred million dollars will meet an overnight emergency; and Congress can consider, in an emergency, what the President actually needs and can then provide whatever additional sum is needed.

I ask, in good faith: How can Congress continue to listen to the glowing reports from AID administrators about the great successes we are achieving from foreign aid, and about how many countries are sufficiently prosperous to be removed from grant aid, when the request for money in each category is higher than was spent last year?

It would have been most helpful if the Administrator of AID, the Secretary of State, and the Secretary of Defense had come before Congress this year with the names of countries that they proposed to drop from the list. Instead, we have a list of 107 countries that the American taxpayer is helping to support. As the Senator from Idaho [Mr. CHURCH] pointed out the other day, outside the Communist bloc there are only eight countries in the world into which the American taxpayer is not pouring money.

The foreign aid program has become ridiculous and absurd. Whether the administration knows it or not, I say that a serious revolt in public opinion is growing up at the grassroots of America against this shocking waste of the taxpayers' money.

My conclusion from the summary presentation of this year's foreign aid request is that a few isolated instances of progress are being cited, and the failures and other bad news are omitted. It is questionable in my mind that these successes or failures in the progress of other countries are very much related to American foreign aid at all. I doubt that we are very much responsible either for the successes or the failures, but I do know that we will get the blame for the failures without getting credit for the successes.

I suppose the semisophisticates will say that the administration is simply asking for more than is needed because it knows Congress will cut the request anyway, so there must be large amounts of padding in the request. If that is true, it vitiates the whole summary presentation of the program.

I think the administrators know that if the real truth were told in the summary presentation, it would tell Congress that foreign aid is not really making much of an impact on the problems of the world.

When read between the lines, that is what the summary presentation really says. Yes, we have taken Greece, Taiwan, Pakistan, and Iran off the list of countries receiving supporting assistance, formerly known as defense support. But the amount to be spent elsewhere for that use is scheduled to be higher than for either of the 2 previous fiscal years.

Yes, military aid to Western Europe has dropped sharply in recent years, but the request for military aid is higher than what was spent last year. Furthermore, there are substantial expenditures in connection with NATO that do not find their way into these reports at all.

I know that no bureaucrat worth his salt ever ever schedules a closing-out of his own operation. I am satisfied that only Congress, by tightening the pursestrings, will ever reduce foreign aid, or close out any of its categories.

Again I stress the point that under our Constitution this is a checking responsibility of the Congress. Under our system of government it is the duty of Congress, not to rubber stamp the administration, but to require the administration to sustain its burden of proof; and the burden of proof of the Kennedy administration is to sustain its request for the increases of foreign aid in one category after another in this bill. I have listened to the Secretary of State, the Secretary of Defense, and the Director of AID; and in my opinion they did not come anywhere near sustaining their burden of proof. Therefore it is the obligation of Congress, as I see it, in performing its duty of trust in checking on the administration, to cut the foreign aid bill by a minimum of 25 percent.

Mr. President, I have long since stopped being impressed by the official handwringing accompanying the cry that if any of this money is cut by Congress, the vital security of the United States will be jeopardized. I have long since stopped believing that United States military aid to Latin America is useful, either to the people of Latin America or to the people of the United States.

I have long since stopped believing that military aid and supporting assistance to Turkey, to name just one country, accomplishes anything more than a drain on the American taxpayers. No one has ever shown me that Turkey is going to be invaded by the Soviet Union unless we send this aid, and no has ever suggested that if Turkey were invaded by Russia she could defend herself with the military aid she has received. In the end, every one of the countries receiving large sums of so-called strategic assistance depends, for its real defense against invasion, upon the military protection of the United States.

This is true of Taiwan, where we have wasted hundreds of millions of military aid and defense support dollars in keeping up an army that still could not protect Taiwan from a real attack from the Chinese mainland. If an attack were launched, it would be up to the American 7th Fleet to protect Taiwan, regardless of whether there had ever been a military aid program there.

To Pakistan, we have sent economic aid totaling almost $2 billion; and our military aid, though still classified, probably totals almost as much. Just why military aid to Pakistan should remain classified at all is a great mystery to me, since this information is now available for nearly all other recipients of military aid. It is my guess that Pakistan has received one-half again as much in military aid as she has in economic aid.

But Pakistan is enjoying the warmest relations with her Communist Chinese neighbor. She has often threatened the United States with the open hint that if she did not get enough money from us, she would snuggle up to Red China. Let her do it, Mr. President. I do not believe in international blackmail. When any country says to the United States, "If you do not give us the aid we ask, we will seek it from Russia," our answer should be, "Start as quickly as you can on your way to Russia to get it." If we take that attitude, they will sing an entirely different tune. So we should stop surrendering to international blackmail. I am not at all impressed with the argument, "Give this to us or we will ask the Communists for it." Let them boil for a while in the juices of Red communism and see how they enjoy it. Our Government has the duty of protecting the American people from such abuses by alleged friends. Whenever a diplomat or the head of state of another country makes an argument of that sort, he is not a true friend of the United States. Under this form of international blackmail we have poured out what I would estimate to be well over $3 billion. But today Pakistan is snuggling up to Red China, anyway. She has very successfully played both sides of the street. There is not the slightest evidence today that Pakistan needs aid against Red China. How much longer are American taxpayers going to be fleeced by such tactics?

I do not object to loan aid for sound economic projects in any of these countries. I support that kind of foreign aid. But the case for continuing the large amounts of this alleged strategic assistance is becoming largely a case for maintaining in power a ring of military dictators around the Communist bloc. If that is the best policy we can come up with, we are faced with an eternal outflow of money and equipment, because none of them will ever be able to maintain themselves without huge sums of American money.

Even with our heavy military and economic support, I do not look to any one of them to prevail for long. They are weak reeds, indeed, that the Defense Department is leaning on; and I have not even mentioned the Diem regime, in South Vietnam, which is the epitome of all the fallacies and dangers in thinking we are protecting our security by supporting these dictators with their overgrown military establishments.

Even with our aid, they cannot defend themselves when the test comes; we find ourselves entangled militarily to bail out our investment; and we reap the harvest of ill will that these governments have sown.

I close my remarks today with a very brief comment: About 10 days ago, I announced that almost each day, while the foreign aid bill is pending before the Senate Foreign Relations Committee, I intend to discuss one issue in relation to it on the floor of the Senate, because I am satisfied that a tremendous strong propaganda drive is being put on by the most powerful lobbies in this country—and those at the Pentagon and at AID are outstanding. Once more, an attempt is being made to stage a "snow" job on the American people and to cover them with a blanket of propaganda in regard to what the foreign aid program is supposed to do for their security.

But I say to the American people that the facts do not support the administration in connection with this bill; and I will not vote for a foreign aid bill which provides any such amount as $2,140 million for the so-called strategic assistance program.

I repeat that when Members of the Senate and Members of the House hear from their constituents, once they understand what is involved in the foreign-aid bill, they will have to answer, back home, the question, "Why did you not cut it at least 25 percent?"

Mr. President, I yield the floor.

THE ALLEGED CONSTITUTIONAL BASIS FOR THE PRESIDENT'S CIVIL RIGHTS PROPOSALS

Mr. ERVIN. Mr. President, one of America's most enlightened newspapers, the Greensboro Daily News, of Greensboro, N.C., carried an editorial entitled "Civil Rights in an Old Hat" in its issue for June 21, 1963. This editorial analyzes in most accurate fashion President Kennedy's civil-rights proposals, and reaches the conclusion that such proposals constitute a disappointing mixture that couples unwarranted severity with unprecedented sweep.

This editorial should be made available to all Members of Congress; and for this reason I ask unanimous consent that it be printed at this point in the body of the RECORD, as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Greensboro (N.C.) Daily News of June 21, 1963]

CIVIL RIGHTS IN AN OLD HAT

After an overture of weeks, against the backdrop of gathering national crises in race relations, President Kennedy's new civil rights proposals might have been expected to rival in scope the tablet of stone from Sinai.

But aside from a few palatable elements, the five-point program the President sent to Congress Wednesday is a disappointing mixture that couples unwarranted severity with unprecedented sweep.

To be sure, a few of the measures are due and harmless. Any well-conceived program to train displaced Negroes would be welcome. Eastern North Carolina knows the dimensions of this problem as well as any part of the country; and on the economic front, which is the real key to orderly racial advance, there cannot be too much emphasis.

Also, we would join the President in wishing the Civil Rights Commission preserved.

We remain chary of legislation under the commerce clause of the Constitution that would in effect strip away the right of a restaurant, theater or motel or hotel owner to discriminate. Once it is established by law that the sale of goods carried across State lines bars discrimination, the vital distinction between public and private would hang by a slender thread—the vague distinction as to the degree of public involvement.

Without the most careful debate about the long-range implications, we are reluctant to see the right of a property owner to be protected against trespass compromised. Admittedly, it sometimes is imperative to rescue property from stubborn and willful self-immolation, and if the law is to be changed we would repeat here our preference that it be changed by carefully composed legislation rather than by court decision.

Other features of the President's program admit of less debate:

The proposal to allow the Justice Department to file suits on its own motion against school boards and colleges to end segregation is a retread of the discredited title 4 which the Justice Department removed, at President Eisenhower's shocked insistence, from civil rights legislation more than 5 years ago. This device would require the hiring of a battery of lawyers of unforeseeable size; and it would open the door to a form of busybody interferences with local authority as it deals with the ticklish problems of desegregation. At its worst it would sap the local initiative by which alone matters that affect local communities so intimately as school policy can be handled.

The other claw of the pincer—a proposal to subsidize school districts that voluntarily desegregate—is an ignoble resort to bribery to accomplish what decent Americans will eventually accomplish because it is just and because supreme law requires it. Bribes for obeying the law strike us as the ultimate debasement of free government. How much is it going to be worth to refrain from murder and theft?

The request for legislation "to make it clear that the Federal Government is not required * * * to furnish financial help to a program or an activity in which racial discrimination occurs," unless we mistake it, embodies the U.S. Civil Rights Commission's foolish proposal that Mississippi be punished economically for "defying" the Constitution.

One is, frankly, left mystified by the President's own about-face. When the Civil Rights Commission proposed pocketbook penalties for Mississippi, Mr. Kennedy emphatically dissociated himself from the scheme, pleading that the move (even if constitutional) would be of doubtful wisdom and morality. Why does the President seek general permission to use a form of economic blackmail he refused—rightly—to use as late as 2 months ago?

On voting rights, there can of course be no compromise with principle. But the President submits two measures of very dubious value. One would enable "Federal referees" to give priority on court dockets to voting cases; but with most of the court dockets of the country jammed, who is to say that justice for all will be served by arbitrarily giving voting cases pride of place?

And as for the proposal that a sixth grade education be considered prima facie evidence of "literacy," it is a patently absurd mockery of the idea of literacy and we have so stated before.

As a package, the President's civil rights proposals are unimaginative and indeed old hat. But their greatest collective fault is that they would endow Federal officials—in the name of the noble cause of racial justice—with sweeping and unheralded authority to intrude in almost every nook of local life—superseding home authority, discouraging such voluntary effort as is encouragingly evident all over North Carolina and other States, and generally tempting those who should be thinking and working to think only of the mañana when Coxey's army of Federal officials will descend to do our work.

"An explosive national problem," so said the President Wednesday, "cannot await city-by-city solutions." Whoever believes that believes that the political fabric of the country is rotten. Mr. Kennedy does not himself believe it, or he would not have been urging voluntary action on local businessmen, clergymen, and editors, who have been visiting Washington in great droves recently.

If "city-by-city solutions" are impossible—and of course Greensboro and Charlotte and Raleigh and many other communities across the South are learning that they are indeed very possible—the outlook is bleak. What local authority cannot do, it is fanciful to think that the Federal Government, with some massive bureaucratic wisdom, can do better.

Mr. ERVIN. Mr. President, I deem it appropriate to make some additional remarks of my own concerning the civil rights proposals now pending before the Congress. They certainly couple "unwarranted severity with unprecedented sweep."

The President seeks to find constitutional justification for his proposal relating to "places of public accommodations" in the 14th amendment and paragraph 3 of section 8 of article I of the original Constitution which empowers Congress "to regulate commerce among the several States." Since the Supreme Court expressly held in the civil rights cases, which are reported in 109 U.S. 3, that the 14th amendment does not permit Congress to enact a statute securing equal accommodations in inns, restaurants, and places of public amusement to all persons without distinction because of race, the President's attempt to find the constitutional basis for his proposals relating to so-called places of public accommodations in the 14th amendment indicates that the President has little faith in the intellectual integrity and judicial stability of the Supreme Court as it is now constituted. I respectfully submit that even a doubting Thomas ought not to be a man of such little faith. After all, the provisions of the 14th amendment authorize the Congress to legislate solely in respect to State action. Hotels, motels, restaurants, and places of public amusement are operated by individuals and not by States.

When the Founding Fathers inserted the interstate commerce clause in the original Constitution, they intended to authorize Congress to regulate economic activities carried on in interstate commerce—not uses of property or personal relations within the borders of a State. If Congress has the power under the commerce clause to enact the President's proposals in respect to so-called places of public accommodations on the theory that such places of public accommodations sell or use commodities which in times past have moved in interstate commerce, then Congress has power to regulate the conduct of all human beings residing anywhere within the United States or any of its possessions in respect to any and all activities. Certainly this theory would justify congressional regulation of marriage, birth, and death. This is true because brides and grooms wear clothes which have moved in interstate commerce, babies use diapers and safety pins which have moved in interstate commerce, and corpses are consigned to the grave in caskets which have moved in interstate commerce.

Each Senator should put this question to himself: Shall I support civil rights proposals based on the theory that the Federal Government can centralize in Washington control of all the activities of all the people? This is certainly the theory upon which the President predicates his demand for his civil rights bills.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. RUSSELL. The distinguished Senator from North Carolina is sadly handicapped in undertaking a discussion of an issue of the kind he has presented. Unfortunately, he applies reason and the law, whereas the issue is apparently to be fought out wholly and solely as an emotional issue without any reference whatever to the rights of any person except those who are designated by the Census Bureau as nonwhites.

I have been in the Senate for some time. I have seen occasions when the tides of emotion would ebb and flow, and reach full tide, as they have today. But I have never seen any instance in which the ears of people have been closed to anything they did not want to hear to the same degree as they are today.

The Senator will recall that after the Supreme Court handed down its decision in the Brown school case in 1954, some of us thought the decision did violence not only to the decisions of that Court as they have been in effect for 80 years, but also to the Constitution itself.

When we expressed that opinion, our so-called liberal brethren descended on us with both feet. They said, "here you are challenging the law of the land. The Supreme Court decision is the law of the land." When citizens gathered in one or two Southern cities to demonstrate against the decision, they soon found bayonets in the middle of their backs. They were pushed off the sidewalks, and herded down the street like sheep. One or two of them had their heads broken by the butts of rifles in the hands of the Army of the United States, which was brought out to subdue and suppress any who challenged that so-called law of the land.

This is not the first time the Congress has had the question of equal accommodations before it. The same question which so many of our brethren are seeking to reenact was before the Congress in the dark days of Reconstruction. Then, by an act approved March 1, 1875, the Congress declared:

> All persons within the United States were entitled to the full and equal enjoyment of the accommodations, advantages, facilities and the privileges of inns, public conveyances on land or water, theaters and other places of public amusement.

That act was brought before the Supreme Court of the United States in 1883, and the Court handed down its decision on October 5, 1883, declaring that the Federal Government had no power to impose any such restriction on the use and enjoyment of private property, even if it was in part dedicated to a public use.

So far as I am advised, according to the theory of our liberal friends, that has been the law of the land from October 1883 down to the present good hour. But some of our nonwhite citizens have been carrying on a great many demonstrations in a number of cities of the United States protesting that law of the land.

They lie down in the streets, block traffic, stand with locked arms in two or three lines as a human wall in front of doors of places of business owned by private individuals to prevent any person from entering or departing from the place of business. They show the utmost contempt for the police departments of the several States—It matters not whether it is in Philadelphia, Pa., or Lexington, N.C.—demanding alleged rights that the Supreme Court in October 1883, said were not inherent in any American citizen.

I have not heard the first one of our liberal brethren rise to rebuke any of the demonstrators for protesting against the law of the land. The President of the United States, instead of having offered his support to the local authorities who were overwhelmed by these mass movements, has in essence lent aid and comfort to the demonstrators by saying to the Congress "If you do not immediately pass a law, the situation will become much worse. Therefore you should pass a law and give them what they are demonstrating for."

This policy of appeasement has been often tried and history shows that it has always failed. We have known about it since the days of ancient Rome, when demonstrators in the streets demanded, "bread and the circus." They clamored so loudly and persistently that the ruling Caesar said, "Let us get these people out of the streets and into the Coliseum. Give them the bread and give them the circus." Rome was then on the way out.

Any number of such instances in history in which that same process was followed could be enumerated. I intend to do so at sometime before the adjournment of the present session of Congress.

But can any Senator tell me why there should be such a distinction made in relation to one Supreme Court decision and obeying the law of the land, with all of the FBI, the Attorney General, who unfortunately has the power to direct the FBI, all the U.S. marshals, and all the Armed Forces of the United States on call to suppress any demonstration against the Supreme Court decision in the year 1954, but not a single person of high official position in Washington has indicated that there is any obligation to respect a Supreme Court decision of 1883, which has been the law of the land for much longer than the school cases.

Mr. ERVIN. In reply to the Senator's question, the President's proposals relating to so-called places of public accommodations indicate to my mind that the President has little, if any, faith in the intellectual integrity and judicial stability of the Supreme Court of the United States as it is now constituted; otherwise, the President could not possibly urge the Congress to enact a statute which is unconstitutional and has been so declared by the latest Supreme Court decision on the question.

Mr. RUSSELL. I thank the Senator.

EXTENSION OF CORPORATE NORMAL TAX RATE AND EXCISE TAX RATES

The Senate resumed the consideration of the bill (H.R. 6755) to provide a 1-year extension of the existing corporate normal tax rate and excise tax rates.

The PRESIDING OFFICER (Mr. McGovern in the chair). The bill is open to amendment. If there be no further amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H.R. 6755) was ordered to a third reading, was read the third time, and passed.

INCREASE OF LENDING AUTHORITY OF EXPORT-IMPORT BANK

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 243, H.R. 3872, which is to be made the unfinished business.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The Legislative Clerk. A bill (H.R. 3872) to increase the lending authority of the Export-Import Bank of Washington to extend the period within which the Export-Import Bank of Washington may exercise its functions, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Banking and Currency, with an amendment to strike out all after the enacting clause and insert:

> That (a) section 2(c)(1) of the Export-Import Bank Act of 1945 is amended by striking out "$1,000,000,000" and inserting in lieu thereof "$2,000,000,000".
>
> (b) Section 6 of such Act is amended by striking out "$6,000,000,000" and inserting in lieu thereof "$8,000,000,000".
>
> (c) Section 7 of such Act is amended by striking out "$7,000,000,000" and inserting in lieu thereof "$9,000,000,000".
>
> Sec. 2. Section 8 of the Export-Import Bank Act of 1945 is amended by striking out "June 30, 1963" and inserting in lieu thereof "June 30, 1968".
>
> Sec. 3. Section 9 of the Export-Import Bank Act of 1945 is amended by striking out "semiannually" in the first sentence of that section and inserting in lieu thereof "annually", and by striking out "and December 31" in the second sentence of that section.

Several Senators addressed the Chair.

Mr. CLARK obtained the floor.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. CLARK. Mr. President, I ask unanimous consent that I may yield to the Senator from Delaware without losing my right to the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Pennsylvania? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, will the Senator from Delaware yield briefly, so that the chairman of the legislative committee on this side can call up some measures to which there is no objection?

Mr. WILLIAMS of Delaware. Mr. President, if the Senator from Pennsylvania has no objection, I yield to the majority leader.

Mr. CLARK. I have no objection.

Mr. MANSFIELD. Mr. President, I yield to the Senator from Maine.

ALASKA RAILROAD EMPLOYEES

Mr. MUSKIE. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 237, S. 622.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The Legislative Clerk. A bill (S. 622) to improve and encourage collective bargaining between the management of the Alaska Railroad and representatives of its employees, and to permit to the extent practicable the adoption by the Alaska Railroad of the personnel policies and practices of the railroad industry.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Maine?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Post Office and Civil Service, with an amendment, on page 1, line 3, after the word "the," where it appears the second time, to strike out "Secretary of the Interior" and insert "President, or his designee or designees"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That with respect to the Alaska Railroad the President, or his designee or designees, is authorized—

(a) without regard to the provisions of the civil service laws, except for the Veterans' Preference Act of 1944, as amended, to appoint or hire such officers, agents, attorneys, and employees as may be necessary for the operation of the Alaska Railroad, and to establish rules governing such hiring and appointment;

(b) to delegate to them such powers and to prescribe for them such duties as may be deemed appropriate to the effective operation of the Alaska Railroad;

(c) to fix and determine the wage and salary rates of all employees, including officials, supervisory and professional personnel, and personnel employed outside of Alaska: *Provided,* That officials and supervisory and professional personnel shall be compensated on a monthly and annual basis, constituting pay for all services rendered, and neither section 23 of the Act of March 28, 1934, as amended (5 U.S.C. 673c), nor section 205 of the Federal Employees Pay Act of 1945, as amended (5 U.S.C. 913), shall apply to them;

(d) to establish rules governing promotion, demotion, retention, discharge, layoff, recall, and seniority of employees, the settlement of grievances and disputes, and related personnel policies;

(e) to make wage payments to train and engine service employees in accordance with the commonly accepted pay practices of private railroads applicable to train and engine service employees, which payments shall be deemed to comply with the overtime requirements of section 23 of the Act of March 28, 1934, as amended (5 U.S.C. 673c);

(f) to establish performance rating systems without regard to the requirements of the Performance Rating Act of 1950 (5 U.S.C. 2001); and

(g) to negotiate and enter into written agreements with duly authorized union representatives, which agreements may, without regard to the provisions of the Veterans' Preference Act of 1944, relate to, but shall not be restricted to, wage rates and rules, promotion, demotion, retention, discharge, layoff, recall, and seniority of employees, and the settlements of grievances and disputes.

Mr. MUSKIE. Mr. President, I ask unanimous consent to have printed in the Record at this point an appropriate statement of explanation of the bill.

There being no objection, the explanation was ordered to be printed in the Record, as follows:

PURPOSE

S. 622 would give congressional sanction to the methods of operating the Alaska Railroad which have been in effect by administrative discretion since shortly after the Railroad was established in 1914. It would allow the Railroad to continue operations characteristic of private enterprise by vesting in the President, or his designees, the authority to set wages, establish rules and performance ratings, and bargain collectively with chosen representatives of the employees without regard to the Civil Service Act of the Veterans' Preference Act. It should be emphasized, however, that the Veterans' Preference Act has been and will continue to be observed in all cases in the initial employment of personnel by the Railroad. In addition, this measure would not exclude the Railroad from other laws administered by the Civil Service Commission, such as the Federal Employees Group Life Insurance Act, the Federal Employees Health Benefits Act, or the reemployment provisions of the Universal Military Training and Service Act.

HISTORY

S. 622 would have an effect similar to S. 2514, 86th Congress, and S. 2593, 87th Congress. Public hearings were held on S. 2593 on June 21, 1962, before the Subcommittee on Civil Service, in which the favorable views of the Chairman of the U.S. Civil Service Commission, and representatives of the Bureau of the Budget, Department of the Interior, the Alaska Railroad, American Federation of Government Employees, and the Brotherhood of Railroad Trainmen of the Alaska Railroad were expressed. No further action was taken on S. 2593 during the 87th Congress.

STATEMENT

Collective bargaining as a means of coordinating labor-management policies was pioneered on the Alaska Railroad in 1920. Collective-bargaining agreements have been in effect throughout this period and have proven highly successful. Because of the characteristics of the Railroad, closely akin to a private enterprise although it is in fact an agency of the Department of the Interior, the Railroad has been excepted from the Civil Service Act and has never been required to comply with the Veterans' Preference Act. Instead, the collective-bargaining agreements arrived at by the Railroad and the employee organizations have controlled Railroad policy concerning seniority, layoffs, reductions in force, promotions, and other matters. This is in keeping with personnel policies of privately owned and operated railroads. Many of the employees of the Railroad came into Government service from the railroad industry. They almost unanimously prefer the managerial policies established by collective-bargaining agreements to those which would exist if the Railroad were governed by the Civil Service Act and the Veterans' Preference Act.

No question concerning the application of the Veterans' Preference Act arose from the time of enactment in 1944 until 1954, when the rights of employees who are veterans were first discussed by the Civil Service Commission and the Railroad. It was mutually agreed that since no cases of veterans' preference had arisen, the Commission would respect the unusual conditions of Railroad employment and would not require that the act be applied to the Railroad. If any cases involving veterans' preference came up, however, the Commission would decide the cases according to the Veterans' Preference Act.

The first case arose in 1959, and was decided in favor of the employee under the provisions of the Veterans' Preference Act. Since that time a few other cases have arisen, and in 1962 the Commission decided that unless congressional relief was afforded in 1963, the Commission would require the Railroad to enforce the Veterans' Preference Act.

Enforcement of the act would completely revise the seniority rosters and other employee rights which have been established through collective bargaining. For more than 40 years the rights and status of Railroad employees have been established according to commonly accepted practices of the railroad industry. Employees have all of the job security and seniority rights which are characteristic of railroad employees in private enterprise. Evidence submitted to the Committee on Post Office and Civil Service by employee organizations and the Railroad substantiates the view that employee-veterans are content with the rights they enjoy under collective-bargaining agreements and do not wish to change to the rights they would have under the Veterans' Preference Act. Of nearly 1,000 Railroad employees, almost half of whom are veterans, more than 95 percent expressed their preference for the collective-bargaining agreements. Comparison of the rights enjoyed by all Railroad employees under the collective-bargaining agreements to the rights employee-veterans would have under the Veterans' Preference Act demonstrate that, in general, the job security offered by the Railroad agreements is greater than it would be under the Veterans' Preference Act. The sole basis for job security under the Railroad agreements is seniority on the job. This fact lends job stability to all employees, veteran and nonveteran, and assures that only the most experienced employees will be in senior engineer and fireman positions in the physical operation of the Railroad. Under the Veterans' Preference Act, a veteran-engineer with only 6 months' experience on the Railroad, but with 10 years' experience in other Federal employment, would have seniority over a nonveteran who has 10 years' experience as an engineer on the Railroad.

Establishment of such a civil service retention roster would not only demoralize the employees of the Railroad, but would also put employee-veterans with less experience in positions senior to nonveterans who have more experience. For example, under the Veterans' Preference Act, the Railroad's present senior employee, ranking No. 1 on the Railroad seniority roster would drop to No. 55 on the civil service retention roster. Fifty-four veterans all having less experience, and one having 23 years' less seniority, would move ahead of this employee. Many of the nonveteran employees were not allowed to serve in the Second World War because their employment was judged to be vital to the war effort. If the Veterans' Preference Act is applied to the Railroad, the practical effectiveness and utility of the collective-bargaining agreements between the Railroad and the employees, in effect for four decades, would largely be destroyed, contrary to the wishes of the Railroad, its employees, and the agencies of the Government who are interested in its continued successful operation.

Subsection (c) would allow the Railroad to pay its supervisory personnel without regard to the act of March 28, 1934 (5 U.S.C. 673c), or section 205 of the Federal Employees Pay Act of 1945 (5 U.S.C. 913). This provision would allow the Railroad to pay supervisory and management personnel on a monthly basis without payment for overtime, which is felt to be more in keeping with the dignity of their positions. Under the present law, this is not the case, and this clause would prevent any supervisory employee from later filing a civil suit for back payment for overtime.

Subsection (f) would allow the Railroad to continue its own merit and demerit system, in accordance with the railroad industry's policy, without regard to the Civil Service Performance Rating Act of 1950 (5 U.S.C. 2001).

The **PRESIDING OFFICER.** The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill (S. 622) was ordered to be engrossed for a third reading, was read the third time, and passed.

EXTENSION OF CERTAIN PROVISION UNDER THE ALASKA PUBLIC SALE ACT

Mr. MUSKIE. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 245, S. 535.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The Legislative Clerk. A bill (S. 535) to extend the principles of equitable adjudication to sales under the Alaska Public Sale Act.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Maine?

There being no objection, the Senate proceeded to consider the bill.

Mr. WILLIAMS of Delaware. Mr. President, may we have an explanation of the bill?

Mr. MUSKIE. Mr. President, the purpose of S. 535, introduced by the Senators from Alaska [Mr. Bartlett and Mr. Gruening] is to authorize the Secretary of the Interior to extend the principles of equitable adjudication to sales under the Alaska Public Sale Act, as authorized by the act of September 20, 1922. S. 535, if enacted, would constitute general legislation to afford relief to persons in similar circumstances as the beneficiaries of Private Law 654 of May 18, 1956.

I ask unanimous consent to have an explanation of the bill printed in the Record at this point.

There being no objection, the explanation was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of S. 535, which was introduced by Senator Bartlett and Senator Gruening, is to authorize the Secretary of the Interior to extend the principles of equitable adjudication to sales under the Alaska Public Sale Act, as authorized by the act of September 20, 1922 (42 Stat. 857; 43 U.S.C. 1161). S. 535, if enacted, would constitute general legislation to afford relief to persons in similar circumstances as the beneficiaries of Private Law 654 of May 18, 1956 (70 Stat. A–67–68).

NEED

The act of August 30, 1949 (63 Stat. 679, 48 U.S.C. 364a–e), commonly called the Alaska Public Sale Act, provides in section 3:

"There shall be issued to each purchaser of land under this Act a certificate of purchase. Within three years after issuance of such certificate, upon proof supported by affidavits of two disinterested persons that the purchaser has used the land for the purpose for which it was classified for sale for a period of not less than six months, a patent in fee shall be issued. * * *"

The 1949 act has been interpreted by the Department of the Interior as requiring proof to be filed within 3 years after issuance of the certificate of purchase; otherwise, forfeiture of the moneys, paid to the Government for the land, results. However, the Congress has recognized implicitly the difficulties attendant upon operations under that particular provision of the Alaska Public Sale Act by Private Law 654 of May 18, 1956 (70 Stat. A–67–68). This private law authorized the Secretary of the Interior to grant, in certain circumstances, to Matanuska Valley Lines, Inc., and to Joe Blackard and Russell Swank, an extension of time to submit proof of compliance with the requirements of the Alaska Public Sale Act.

The intent of S. 535 is to authorize one change in the 1949 act. Where a person has completed the required development within 3 years, but, either through error, satisfactorily explained, or a situation over which the applicant had no control and where there is no evidence of bad faith, the filing of proof of compliance is delayed beyond the 3-year limit, the Secretary would be able to process the patent.

For example, where the development plan proposed the construction of a $60,000 building and this had been done within the 3-year time period, but the papers for proof of compliance were filed late because of extenuating circumstances, the Secretary could proceed with the patent. However, if the purchaser had not completed construction of the building, he would not receive patent and the purchaser would lose his rights in the land and forfeit the purchase price.

Mr. WILLIAMS of Delaware. Mr. President, if the Senator will yield further, would the Senator describe those circumstances to which he refers?

Mr. MUSKIE. If the Senator from Alaska is willing to do so, I should like to have him answer the Senator's question.

Mr. BARTLETT. Mr. President, this law, passed some years ago, is, we are told, in need of the amendatory language provided by S. 535, in order that applicants seeking to make use of the provisions of the law will not be arbitrarily cut off at the end of the 3-year period. My understanding is that that is the principal reason for passage of the bill now before the Senate.

Mr. WILLIAMS of Delaware. If the Senator will yield further, what I am trying to get clear is what would be cut off if we do not pass the bill. What was the previous law?

Mr. BARTLETT. The Alaska Public Sales Act was passed in 1949, some years before Alaska became a State. At that time there was no reasonable mechanism whatsoever in existing law whereby a businessman, for example, might acquire any public land under the jurisdiction of the Department of the Interior or of any other department of the Federal Government for business purposes.

The Alaska Public Sales Act was passed in an effort to make such land available for business or industrial development purposes. Up to that time if an individual in business or a corporation desired to obtain Federal land there were only two ways in which it might be done. The first was through outright purchase from a private owner, and very little land was available by that means. Secondly, the businessman or business group would have to acquire land through the trade and manufacturing law which is very limited as to acreage.

The Alaska Public Sales Act was designed for and was enacted to allow business to have a means whereby land might be secured for business purposes in tracts not to exceed 160 acres. The land is sold through public auction, and a purchaser receives a certificate of purchase. Within 3 years he must fulfill all requirements including filing an application for final patent. Recognizing the difficulty of the 3-year limitation, the Interior Department has recommended that the Secretary be given discretion to waive the time limit on filing of the application for final patent if all other requirements have been met.

Mr. WILLIAMS of Delaware. If the Senator will yield further, if we should pass the bill, how would a businessman acquire land which is now Government land? Would he buy it and pay the fair market value for it?

Mr. BARTLETT. Yes. He would acquire it through public auction at no less than the appraised price of the land plus the cost of making any necessary survey.

Mr. WILLIAMS of Delaware. Who would establish the value?

Mr. BARTLETT. The Department of the Interior.

Mr. WILLIAMS of Delaware. By use of appraisers?

Mr. BARTLETT. Appraisers within the Bureau of Land Management. I wish to say that they have not been giving this land away, by any manner of means.

Mr. WILLIAMS of Delaware. This land would be paid for at the fair market value?

Mr. BARTLETT. At the fair market value. There is no giveaway involved. In fact, in many cases I have thought the prices established were rather high.

Mr. WILLIAMS of Delaware. The proceeds from the sales would go to the Federal Treasury?

Mr. BARTLETT. The Senator is correct. They would go to miscellaneous receipts.

Mr. MUSKIE. I thank the Senators.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 535) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior may apply the principles of equity and justice as authorized by the Act of September 20, 1922 (42 Stat. 857; 43 U.S.C. 1161), to sales under the Act of August 30, 1949 (63 Stat. 679; 48 U.S.C. 364a-e), where the purchaser submits proof of compliance with the use requirements of section 3 of that Act more than three years after issuance of a certificate of purchase.

ORDER OF BUSINESS

Mr. CLARK. Mr. President, who has the floor?

The PRESIDING OFFICER. The Senator from Pennsylvania has the floor. The Chair understands that the Senator has yielded with the understanding that he will later resume the floor.

Mr. CLARK. I thank the Presiding Officer.

EXCHANGE OF CERTAIN LANDS BETWEEN POWELL, WYO., AND PRESBYTERIAN RETIREMENT FACILITIES CORP.

Mr. MUSKIE. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 246, S. 1122.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The Legislative Clerk. A bill (S. 1122) relating to the exchange of certain lands between the town of Powell, Wyo., and the Presbyterian Retirement Facilities Corp.

The **PRESIDING OFFICER.** Is there objection to the request by the Senator from Maine?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs with an amendment, on page 3, after line 3, to insert a new section, as follows:

SEC. 3. The town of Powell, Wyoming, and the Presbyterian Retirement Facilities Corp. shall pay to the United States such sum as may be fixed by the Secretary of the Interior to compensate the United States for its administrative costs in carrying out the provisions of this Act which sum shall be covered into the Treasury as miscellaneous receipts.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of the Interior is authorized to accept from the town of Powell, Wyoming, a deed conveying to the United States all right, title, and interest of the town of Powell, Wyoming, in and to that property comprising block 116 conveyed to such town by patent numbered 1056913, dated August 23, 1932.

(b) Upon the receipt of a deed from the town of Powell, Wyoming, conveying the property comprising block 116 to the United States, the Secretary of the Interior is authorized to convey by patent or other appropriate conveyance to the Presbyterian Retirement Facilities Corp. all right, title, and interest of the United States in and to such property upon the condition that—

(1) the Presbyterian Retirement Facilities Corp. convey to the United States fee simple title to a parcel of property of approximately equal value to that property received by it from the United States under this Act;

(2) if it is determined after an appraisal by the Secretary of the Interior that the parcel of property to be conveyed to the United States under paragraph (1) of this subsection is of less value than the property comprising block 116, the Presbyterian Retirement Facilities Corp. pay to the United States an amount equal to that difference in value.

SEC. 2. (a) The Secretary of the Interior is authorized to convey by patent or other appropriate conveyance to the town of Powell, Wyoming, all right, title, and interest of the United States in and to that parcel of property conveyed to the United States by the Presbyterian Retirement Facilities Corp. pursuant to the first section of this Act.

(b) The conveyance authorized under subsection (a) of this section shall be made subject to the same covenants, conditions, and limitations as those contained in patent numbered 1056913, dated August 23, 1932, referred to in the first section of this Act.

SEC. 3. The town of Powell, Wyoming, and the Presbyterian Retirement Facilities Corp. shall pay to the United States such sum as may be fixed by the Secretary of the Interior to compensate the United States for its administrative costs in carrying out the provisions of this Act which sum shall be covered into the Treasury as miscellaneous receipts.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. **MUSKIE**. Mr. President, I ask unanimous consent that an appropriate explanation of the bill be inserted at this point in the RECORD.

There being no objection, the excerpt from the report (No. 265) was ordered to be printed in the RECORD, as follows:

PURPOSE

S. 1122, introduced by Senator SIMPSON and Senator MCGEE, permits the Secretary of the Interior upon conveyance to the United States of a 3.6-acre tract by the town of Powell, Wyo., to grant land to the Presbyterian Retirement Facilities Corp. without a reverter clause, provided the Presbyterian Corp. will grant to the United States an equal value tract. This tract then is to be granted to the town of Powell to be used for public programs under the same procedure whereby Powell obtained the original tract the Secretary will grant to the Presbyterian Corp.

The transaction is to be without cost to the United States. The bill provides for compensation of the United States in cash if the values of the lands involved are not equal. The town of Powell is to use the lands it receives for park purposes, which is the use now being made of the 3.6 acres. The transactions involved will take place only on the initiation of the town of Powell, not upon the initiation of the Secretary of the Interior. The Secretary is involved only because the basic 3.6-acre tract will revert to the United States if it is not used for public purposes. The town's interest in having ample park facilities is adequately protected by the exchange procedure and the dual exchanges and transfers permit the town to decide whether it wishes to proceed at all.

CHANGES IN FUNCTIONS OF BEACH EROSION BOARD AND BOARD OF ENGINEERS FOR RIVERS AND HARBORS

Mr. **MUSKIE.** Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 252, Senate bill 1523.

The **PRESIDING OFFICER.** The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1523) to make certain changes in the functions of the Beach Erosion Board and the Board of Engineers for Rivers and Harbors, and for other purposes.

The **PRESIDING OFFICER.** Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Public Works, with amendments, on page 2, after line 3, to insert a new section, as follows:

SEC. 2. The functions of the Coastal Engineering Research Center established by section 1 of this Act, shall be conducted with the guidance and advice of a Board on Coastal Engineering Research, constituted by the Chief of Engineers in the same manner as the present Beach Erosion Board.

And, at the beginning of line 9, to change the section number from "2" to "3"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Board established by section 2 of the River and Harbor Act approved July 3, 1930, as amended (33 U.S.C. 426), referred to as the Beach Erosion Board, is hereby abolished. There shall be established under the Chief of Engineers, United States Army, a Coastal Engineering Research Center which, except as hereinafter provided in section 2 hereof, shall be vested with all the functions of the Beach Erosion Board, including the authority to make general investigations as provided in section 1 of the Act approved July 31, 1945 (59 Stat. 508), and such additional functions as the Chief of Engineers may assign.

SEC. 2. The functions of the Coastal Engineering Research Center established by section 1 of this Act, shall be conducted with the guidance and advice of a Board on Coastal Engineering Research, constituted by the Chief of Engineers in the same manner as the present Beach Erosion Board.

SEC. 3. All functions of the Beach Erosion Board pertaining to review of reports of investigations made concerning erosion of the shores of coastal and lake waters, and the protection of such shores, are hereby transferred to the Board established by section 3 of the River and Harbor Act approved June 13, 1902, as amended (33 U.S.C. 541), referred to as the Board of Engineers for Rivers and Harbors.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. **MUSKIE.** Mr. President, I ask unanimous consent that an appropriate explanation of the bill may be inserted at this point in the RECORD.

There being no objection, the extract from the report (No. 271) was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of S. 1523, as amended, is to abolish the Beach Erosion Board established by section 2 of the River and Harbor Act approved July 3, 1930, as amended (33 U.S.C. 426); to establish under the Chief of Engineers, U.S. Army, a Coastal Engineering Research Center, in which would be vested all the functions of the Beach Erosion Board, including the authority to make general investigations, and such additional functions as may be assigned by the Chief of Engineers; to transfer all functions of the Beach Erosion Board pertaining to review of reports of investigations made concerning erosion of the shores of coastal and lake waters, and the protection of such shores, to the Board of Engineers for Rivers and Harbors, established by section 3 of the River and Harbor Act approved June 13, 1902, as amended (33 U.S.C. 541); and establish a Board on Coastal Engineering Research, to furnish guidance and advice to the Coastal Engineering Research Center.

GENERAL STATEMENT

The Beach Erosion Board was organized under authority of the River and Harbor Act of 1930, to make investigations and studies, in cooperation with public agencies of the various States, to devise effective means of preventing erosion of the coastal and Great Lakes shores by waves and currents.

To furnish the technical advice and assistance required in this program, the Chief of Engineers was directed to form a board of seven members to assist in the conduct of studies, review the reports on such investigations, and submit recommendations. The Board normally consists of the Deputy Chief of Engineers, President, three division engineers, and three recognized civilian engineers who are experts on the subject.

Under the Beach Erosion Control Act, beach erosion studies have been made on a cooperative basis, with local interests contributing 50 percent of the cost of the study. The River and Harbor Act of 1962, included provisions for making surveys of particular shore areas by authorization by appropriate resolution of the Public Works Committees, with the entire cost borne by the United States, as for other surveys.

The Board of Engineers for Rivers and Harbors is a continuing body created by the

River and Harbor Act of 1902. It is composed of seven senior engineer officers. The Chairman is the Deputy Chief of Engineers for Construction; five members are division engineers from continental U.S. divisions (rotative basis), and the seventh officer is assigned full time as resident member who directs the staff. Appointments are made as the Chief of Engineers. The Board meets on call of the Chairman.

The duties of the Board are—

1. To conduct an independent review of survey reports covering projects for river and harbor, flood control, and multiple-purpose improvements prepared by the Corps of Engineers in response to acts of Congress or committee resolutions, and report its conclusions and recommendations to the Chief of Engineers, for transmission to Congress by the Secretary of the Army.

2. To conduct an independent review of all special reports ordered by Congress, and report thereon in the same manner as for survey reports.

3. To consider and approve general plans for major modification and reconstruction of any lock, canal, canalized river, or other work for use and benefit of navigation.

4. Collect, compile, and publish information on the characteristics of U.S. ports, in cooperation with the U.S. Maritime Administration.

5. Provide staff supervision over the collection and compilation of statistics revealing the volume and nature of commerce of U.S. ports and inland waterways.

6. Review Corps of Engineers policies and procedures as directed by Chief of Engineers, and review reports of other Federal agencies pertaining to water resources development.

The work of the Board of Engineers for Rivers and Harbors and the Beach Erosion Board are closely parallel. The Beach Erosion Board conducts considerable research on methods of controlling erosion of beaches, sand movement, inlet stabilization, and other hydraulic problems.

Many of the authorized hurricane protection surveys are closely allied with beach erosion control, and several projects authorized by the committee have been combination projects for the two types of protection and control. This type of project must also be considered in connection with adjacent navigation and local flood protection works.

The bill provides for establishment of a Coastal Engineering Research Center, to conduct research relating to coastal engineering and near shore oceanography. The Chief of Engineers proposes the creation of a Coastal Engineering Research Board to utilize the services of the present civilian members of the Beach Erosion Board in furnishing advice and guidance to the Center.

COMMITTEE VIEWS

The committee is of the opinion that the proposed Research Board is highly desirable, that its establishment should be required by statute, and has recommended that the bill be amended accordingly.

The committee also believes that the review functions of the Beach Erosion Board have served their purpose well over the years, but that the research functions are increasing in volume and importance. Such research functions would be retained and strengthened by the establishment of the Coastal Engineering Research Center with guidance provided by a civilian board to furnish an element of continuity. The committee further believes that enactment of S. 1523 will permit more economical operations, and by consolidation of many duplicate functions in one board, permit more effective coordination and evaluation of all reports, and permit other studies to follow the same procedure as river, harbor, and flood control studies.

ESTIMATED COST

Enactment of S. 1523 would cause no increase in budgetary requirements of the Department of the Army.

SUBMISSION OF CERTAIN COST ESTIMATES FOR COMPLETION OF THE NATIONAL SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS

Mr. MUSKIE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 256, Senate bill 1416.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1416) to amend section 104(b)(5) of title 23, United States Code, to provide for the submission of certain cost estimates for the completion of the National System of Interstate and Defense Highways, and for other purposes.

Mr. WILLIAMS of Delaware. Mr. President, may we have an explanation of the bill?

Mr. MUSKIE. Mr. President, the purpose of the bill is to change the date from January 1966 to January 1965 on which estimated costs for the completion of the Interstate System must be transmitted to the Congress to be used as a basis for the apportionment of funds for fiscal years 1967, 1968, and 1969, and to provide for apportionment of funds for fiscal years 1970 and 1971.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first and second sentences of subsection (b)(5) of section 104 of title 23, United States Code, are deleted and there is hereby inserted in lieu thereof the following:

"(5) For the Interstate System for the fiscal years 1960 through 1971:

"In the ratio which the estimated cost of completing the Interstate System in such State, as determined and approved in the manner provided in this paragraph, or the Federal share thereof, bears to the sum of the estimated cost of completing the Interstate System in all of the States, or the Federal share thereof. Each apportionment herein authorized for the fiscal years 1960 through 1971, inclusive, shall be made on a date as far in advance of the beginning of the fiscal year for which authorized as practicable but in no case more than eighteen months prior to the beginning of the fiscal year for which authorized."

SEC. 2. The eighth and ninth sentences of such subsection are deleted and there is hereby inserted in lieu thereof the following: "The Secretary shall make a revised estimate of the cost of completing the then designated Interstate System, after taking into account all previous apportionments made under this section, in the same manner as stated above, and transmit the same to the Senate, and the House of Representatives within ten days subsequent to January 2, 1965. Upon the approval of such estimate by the Congress, the Secretary shall use the Federal share of such approved estimate in making apportionments for the fiscal years ending June 30, 1967, June 30, 1968, June 30, 1969, and June 30, 1970. The Secretary shall make a revised estimate of the cost of completing the then designated Interstate System after taking into account all previous apportionments made under this section, in the same manner as stated above, and transmit the same to the Senate and the House of Representatives within ten days subsequent to January 2, 1969. Upon the approval by the Congress, the Secretary shall use the Federal share of such approved estimate in making apportionments for the fiscal year ending June 30, 1971."

Mr. MUSKIE. Mr. President, I ask unanimous consent to have printed in the RECORD an appropriate explanation of the bill.

There being no objection, the extract from the report (No. 275) was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of S. 1416 is to change the date from January 1966 to January 1965 on which estimated costs for the completion of the Interstate System must be transmitted to the Congress to be used as a basis for the apportionment of funds for fiscal years 1967, 1968, and 1969, and to provide for apportionment of funds for fiscal years 1970 and 1971.

HEARINGS

The Subcommittee on Public Roads held a hearing on June 3, 1963, on S. 1416 and other measures. Testimony was received from the Department of Commerce, the American Association of State Highway Officials, and the American Road Builders' Association, with Federal Government, State and industry representatives expressing unanimous support of the proposed measure.

GENERAL STATEMENT

The present law requires submission of cost estimates to the Congress within 10 days after January 2, 1966, and annually thereafter. Yet, section 104(e) of the same law requires the Secretary of Commerce to certify to each of the State highway departments the sums apportioned for the fiscal years 1967, 1968, and 1969, on or before January 1, 1966, 1967, and 1968, respectively. Thus, the Secretary of Commerce cannot comply with the law as presently stated.

S. 1416 would change the date of submission to the Congress of the estimated costs from within 10 days after January 2, 1966, to within 10 days after January 2, 1965, and would also provide for apportionment of funds for fiscal years 1967, 1968, 1969, and 1970 on the basis of the estimate submitted in January 1965, rather than on the basis of annual estimates submitted thereafter.

The proposed bill would further provide for a final cost estimate to be submitted in January 1969, to serve as the basis for apportionment of funds for fiscal year 1971, which would constitute the final apportionment of interstate funds authorized by the Federal-Aid Highway Act of 1961.

Finally, enactment of S. 1416 would provide for the apportionment of interstate funds for the fiscal years 1967 through 1971 based on estimates of the Federal share instead of the total cost, including the State's share, to complete the designated system. This provision is offered to correct any imbalances which may have occurred in apportionments due to the application of the sliding-scale provisions, section 120(c), title 23, United States Code, to public-lands States.

COMMITTEE VIEWS

The committee is of the opinion that it is essential to enact legislation in this session of the 88th Congress providing for the submission of the next cost estimate for completing the Interstate System in January of 1965 rather than in 1966, as now prescribed by the law. Not only is this necessary in order that the Secretary of Commerce can comply with section 104(e), title 23, but also, the preparation of such a comprehensive estimate must be commenced at least a year, and preferably more, in advance of the time of submission of the report to the Congress. The committee also recognizes the desirability of such an estimate being used as the basis for apportioning funds authorized for the fiscal years 1968, 1969, and 1970, rather than requiring cost estimates to be made annually through 1968 as is the case under existing law. In addition, the committee believes that the Congress should now provide for a final cost estimate as the basis for apportionment of funds authorized for the fiscal year 1971, which would constitute the final apportionment of interstate funds authorized by the Federal-Aid Highway Act of 1961. The committee therefore recommends enactment of S. 1416.

INCREASE IN LIMITATION ON PAYMENTS FOR CONSTRUCTION ENGINEERING FOR FEDERAL-AID PROJECTS

Mr. MUSKIE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 257, Senate bill 626.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 626) to increase the limitation on payments for construction engineering for Federal-aid primary, secondary, and urban projects.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Public Works, with amendments, on page 1, line 6, after the word "exceed", to strike out "15" and insert "10"; on page 2, line 2, after the word "construction", to strike out "engineering." and insert "engineering: *Provided*, That such limitation shall be 15 per centum in any State with respect to which the Secretary finds such higher limitation to be necessary."; in line 13, after the word "exceed", to strike out "15" and insert "10"; and in line 16, after the word "construction", to strike out "engineering." and insert "engineering: *Provided*, That such limitation shall be 15 per centum in any State with respect to which the Secretary finds such higher limitation to be necessary."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (c) of section 106 of title 23, United States Code, is amended to read as follows:

"(c) Items included in any such estimate for construction engineering shall not exceed 10 per centum of the total estimated cost of a project financed with Federal-aid primary, secondary, or urban funds, after excluding from such total estimated cost, the estimated costs of rights-of-way, preliminary engineering, and construction engineering: *Provided*, That such limitation shall be 15 per centum in any State with respect to which the Secretary finds such higher limitation to be necessary. For any project financed with interstate funds, such limitation shall be 10 per centum."

SEC. 2. The second sentence of subsection (d) of section 121 of title 23, United States Code, is amended to read as follows:

"Payments for construction engineering on any project financed with Federal-aid primary, secondary, or urban funds shall not exceed 10 per centum of the Federal share of the cost of construction of such project after excluding from the cost of construction the costs of rights-of-way, preliminary engineering, and construction engineering: *Provided*, That such limitation shall be 15 per centum in any State with respect to which the Secretary finds such higher limitation to be necessary. For any project financed with interstate funds, such limitation shall be 10 per centum."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MUSKIE. Mr. President, I ask unanimous consent that an appropriate explanation of the bill be inserted at this point in the RECORD.

There being no objection, the extract from the report (No. 276) was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of S. 626, as amended, is to amend title 23, United States Code, to authorize at the discretion of the Secretary of Commerce the increase of limitation on payments for construction engineering from 10 to 15 percent of the total estimated cost of a project financed with Federal-aid primary, secondary, or urban funds. The measure would leave unaltered the 10-percent limitation on any project financed with interstate funds.

HEARINGS

The Subcommittee on Public Roads held a hearing on June 3, 1963, on S. 626 and other measures. Testimony was received on S. 626 from Members of the U.S. Senate, representatives of the Department of Commerce, and from several State highway departments. Subject to the amendment proposed by the Secretary of Commerce, representatives of the Department of Commerce concurred in the merits of the proposed measure as expressed by the Senators who testified and the testimony of the State highway officials.

GENERAL STATEMENT

The present law provides for a maximum Federal participation in engineering construction costs of 10 percent of the total estimated cost of a project financed with Federal-aid primary, secondary, or urban funds, after excluding from such total estimated cost the estimated costs of rights-of-way, preliminary engineering, and construction engineering.

Since the proposed amendment would apply only to the Federal share of payments the maximum net benefit to any State, with reference to the affected projects, would be a 2½-percent transfer to construction engineering costs of Federal funds which would otherwise be used for the Federal share of actual construction.

COMMITTEE VIEWS

During the past decade or more, highway construction costs have remained stable, while engineering construction costs have increased considerably due largely to more stringent Federal requirements and the necessity to employ more highway engineers. In Alaska, where the construction season is an unusually short one, and in some of the Western States where projects may be far removed from established housing facilities, the engineering costs have increased well beyond the 10-percent limitation for Federal participation allowed under the present law. It is the opinion of the committee that enactment of S. 626 would alleviate the difficulties incurred by some of the States under the present law, and the committee, therefore, recommends the enactment of the bill as amended.

It is, furthermore, the opinion of the committee that in the administration of the proposed measure, a State should not be required to show need for the increased limitation on every specific project. In order to minimize the repetition of routine applications, appraisals, and justifications, it should suffice to establish periodically general climatic, geographic, topographic, and engineering conditions which would justify the increase in limitation.

COST

There would be no additional Federal cost involved in the enactment of S. 626.

AGENCY COMMENTS

EXECUTIVE OFFICE OF
THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., April 15, 1963.

Hon. PATRICK V. MCNAMARA,
Acting Chairman, Committee on Public Works, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in reply to your request for the views of the Bureau of the Budget on S. 626, a bill to increase the limitation on payments for construction engineering for Federal-aid primary, secondary, and urban projects.

The Department of Commerce, in its report to your committee on this bill, is recommending against its enactment for reasons stated in the report.

The office concurs with the Department's views and recommends that the proposed legislation not be enacted.

Sincerely yours,
PHILLIP S. HUGHES,
Assistant Director for Legislative Reference.

GENERAL COUNSEL OF THE
DEPARTMENT OF COMMERCE,
Washington, D.C., May 23, 1963.

Hon. PAT MCNAMARA,
Chairman, Committee on Public Works,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in further reply to your request for the views of this Department with respect to S. 626, a bill to increase the limitation on payments for construction engineering for Federal-aid primary, secondary, and urban projects.

This bill would increase from 10 to 15 percent the limitations contained in sections 106 and 121 of title 23, United States Code, on payments for construction engineering for projects financed with Federal-aid primary, secondary, or urban funds. The existing 10-percent limitations would be preserved with respect to projects financed with interstate funds.

In relatively few States do construction engineering costs normally exceed the existing statutory limitation of 10 percent of the construction cost. In such cases, the Bureau of Public Roads reduces the claims for reimbursement of the State concerned in conformity with the statutory limitation. Should this limitation be increased by the amount proposed in S. 626, the maximum net benefit to any State, with respect to those particular projects affected, would be a maximum of a 2½-percent transfer to construction engineering costs of Federal funds which would otherwise be used for the Federal share of actual construction. Such an effect seems marginal, and would operate to reduce the mileage of Federal-aid highways constructed in the States concerned.

ACQUISITION OF ADDITIONAL LAND FOR GROUNDS OF U.S. SUPREME COURT BUILDING

Mr. MUSKIE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 258, Senate bill 254.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (S. 254) to provide for the acquisition of certain property in square 758 in the District of Columbia as an addition to the grounds of the U.S. Supreme Court Building.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Architect of the Capitol is authorized to acquire on behalf of the United States by purchase, condemnation, transfer, or otherwise, as an addition to the grounds of the United States Supreme Court Building, all privately owned real property contained in lots 2, 3, 800, 801, and 802 in square 758 in the District of Columbia, as such lots appear on the records in the Office of the Surveyor of the District of Columbia as of the date of the enactment of this Act.

Sec. 2. Any proceeding for condemnation brought under section 1 shall be conducted in accordance with the Act entitled "An Act to provide for the acquisition of land in the District of Columbia for the use of the United States", approved March 1, 1929 (16 D.C. Code, secs. 619–644), and in accordance with the Federal Rules of Civil Procedure in effect at the time of such condemnation.

Sec. 3. Upon acquisition of such real property by the Architect of the Capitol, on behalf of the United States, such property shall become a part of the grounds of the United States Supreme Court Building and shall be subject to the provisions of the Act of May 7, 1934 (40 U.S.C. 13a and 13b), and to the provisions of the Act of August 18, 1949 (40 U.S.C. 13f to 13p, both inclusive), and such Acts are amended accordingly.

Sec. 4. Upon acquisition of the real property herein authorized to be acquired, the Architect of the Capitol is authorized to provide for the demolition and removal as expeditiously as possible of any buildings or other structures on, or constituting a part of, such property, and to provide for the maintenance and protection of such property pending demolition.

Sec. 5. The Architect of the Capitol is authorized to enter into contracts and to make expenditures for grading and paving and such other expenditures, including expenditures for personal and other services, as may be necessary to carry out the purposes of this Act.

Sec. 6. The appropriation of such sums as may be necessary to carry out the provisions of this Act is hereby authorized.

Mr. MUSKIE. Mr. President, I ask unanimous consent that an appropriate explanation of the bill may be inserted in the Record at this point.

There being no objection, the extract from the report (No. 277) was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of S. 254 is to authorize the Architect of the Capitol to acquire the privately owned real property contained in five lots in square 758 in the District of Columbia, to demolish and remove any buildings or structures on such property, to make necessary expenditures for grading and paving thereon, and such property shall become a part of the grounds of the U.S. Supreme Court Building.

GENERAL STATEMENT

The Chief Justice of the United States desires that the Federal Government acquire lots 2, 3, 800, 801, and 802 in square 758 in the District of Columbia, located at the northwest corner of Third and A Streets, N.E., immediately east of the Supreme Court Building. This property consists of approximately 15,000 square feet of ground, of which approximately 11,300 square feet are now used as a parking lot by the U.S. Supreme Court under a month-to-month rental agreement. The remainder of the property is occupied by three framehouses.

The property is owned by the Marlow Coal Co., who advises that they have consulted an architect and received an estimate of cost of $750,000 for erection of a luxury-type apartment building on this site, excluding the value of the land. The company further advises that they are willing to sell the property to the Government at this time if a satisfactory price can be agreed upon.

The Chief Justice is anxious for the Government to acquire this property and that it continue to be used for the parking of automobiles of employees of the Court. He states that he has inspected the area and found that this is the only lot sufficiently close to the Supreme Court Building to afford parking space for the Court's personnel. Women constitute a large percentage of such personnel and during the winter, work until it is dark and it would be dangerous for them to have to park their cars a great distance away from the Court Building. The Chief Justice further advises that, if deprived of this lot, he knows of no other means by which the needs of the Court can be met.

The Architect of the Capitol would have the property appraised by competent appraisers prior to request for appropriations of funds for its acquisition. Upon acquisition of the property, it would become a part of the grounds of the U.S. Supreme Court Building, and subject to the act of May 7, 1934, which would place its maintenance under the Architect of the Capitol, also to the act of August 18, 1949, which would place the grounds under the protection of the Supreme Court Police force.

COMMITTEE VIEWS

The committee believes it prudent that this property be acquired at this time while it is relatively unimproved and can be purchased at a comparatively low price, rather than wait until some future date when it may be necessary to condemn it as improved land at a greatly increased value. Enactment of S. 254 is, therefore, recommended.

ESTIMATED COST

The cost of the real property involved is estimated at $200,000 at the present time.

REPEAL OF PORTION OF SECOND SUPPLEMENTAL NATIONAL DEFENSE APPROPRIATION ACT, 1943

Mr. MUSKIE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 259, Senate bill 1139.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (S. 1139) to repeal a portion of the Second Supplemental National Defense Appropriation Act, 1943, approved October 26, 1942 (56 Stat. 990, 999), as amended, and for other purposes.

Mr. WILLIAMS of Delaware. Mr. President, may we have a brief explanation of the bill?

Mr. MUSKIE. Mr. President, the purpose of the bill is to change the control and supervision, under section 317 of title 40 of the United States Code, which relates generally to the purchase and installation of air conditioning and temperature and humidity control equipment in Government owned or leased buildings in the District of Columbia. At the present time they are under the control of the General Services Administration. This bill would turn control over to the agency involved.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second paragraph under the heading "Federal Works Agency, Public Buildings Administration" in the Second Supplemental National Defense Appropriation Act, 1943 (56 Stat. 990 at 999), as amended by the Act of October 26, 1949 (63 Stat. 930), is amended by striking out all beginning with "*Provided further,* That effective on the date of this enactment" down through "without exchange of funds".

Mr. MUSKIE. Mr. President, I ask unanimous consent that an appropriate explanation of the bill may be inserted at this point in the Record.

There being no objection, the extract from the report (No. 278) was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of S. 1139 is to repeal section 317 of title 40 of the United States Code, which relates generally to the purchase and installation of air conditioning and temperature and humidity control equipment in Government owned or leased buildings in the District of Columbia.

GENERAL STATEMENT

The Second Supplemental National Defense Appropriation Act, 1943, provided that all electric fans, water-cooling units, and air-conditioning equipment obtained by a Federal agency and installed in Government-owned or leased buildings in the District of Columbia and adjacent areas, operated by the Administrator of General Services, would come under the custody and control of the Administrator. Such control would be accomplished without exchange of funds and irrespective of the appropriations from which such items were procured or the source from which they were obtained. Only appropriations to the Administrator would be available for the purchase or installation of such equipment in the buildings.

The purpose of the legislation was to prohibit the indiscriminate purchase of air-conditioning and ventilating equipment, by the various departments and agencies, for installation in buildings operated by the Public Buildings Administration which would thereby increase the operational cost of the buildings through the increased consumption of electric current. The limitation was further intended to prevent continuous and costly transfer and reinstallation of this type of equipment from one building to another in connection with moves and space adjustments for the various governmental activities. It was not intended that the restriction would apply to temperature and humidity control equipment for use in connection with special scientific, laboratory, or other peculiar operation.

A decision by the Comptroller General, in 1949, advised that agencies requiring special equipment for temperature and humidity control because of the reaction of sensitive laboratory and electronic equipment to the weather, would be required to apply to the General Services Administration for the purchase and installation of such equipment. Accordingly, the provisions of the act of October 26, 1942, were amended by Public Law 410, 81st Congress, to provide that the restrictions would not apply to ventilating and temperature and humidity control equipment for special laboratory, scientific, and research purposes, the cost of which would be borne by the Federal agency utilizing such equipment, but the installation would be subject to approval by the General Services Administration, would be subsequently maintained and operated by that agency, and remain under its custody and control without exchange of funds.

This added provision would permit a particular Government agency to utilize its funds for special equipment needed, since the General Services Administration would have no knowledge of the special requirements and projects authorized by the Congress to be undertaken by the departments and agencies, and would not be in a position to provide for such equipment in its annual appropriations.

Regulations issued pursuant to the Federal Property and Administrative Services Act of 1949, as amended, requires General Services Administration approval of air-conditioning equipment in buildings operated by it, and provides for the installation to be made by the Administration on a reimbursable basis.

This act has been subject to much misinterpretation and misunderstanding on the part of the tenant agencies and GSA. The Administrator of General Services states that the entire subject of reimbursement has recently been reviewed, that a series of guidelines have been established which are adequate to cover the problem of accepting reimbursement for air-conditioning equipment in the District of Columbia, and he recommends repeal of the provisions as he feels that they are no longer needed.

COMMITTEE VIEWS

The committee realizes that air conditioning in Federal office buildings is essential for efficient and economical operation. It believes that such equipment should be under the control of one agency, and when once installed in a building it becomes a part of the building and should remain therein for use of subsequent occupants, unless there is some compelling reason for transferring the equipment, or that such transfer will not deface, mar, or damage the building in any manner. The situation is different with respect to laboratory, scientific, electronic, and computer equipment that is purchased and used by a particular agency and is needed in its operations in whatever office it occupies.

The committee is of the opinion that when a Federal agency acquires air-conditioning or similar equipment for its own use and with its own funds, and such equipment is no longer needed by that agency, reimbursement for the equipment should not be required unless provision for such reimbursement has been provided by appropriation of the necessary funds for that purpose.

The committee understands that present regulations of General Services Administration adequately cover the problem of installing and maintaining air-conditioning and related equipment in Federal buildings in the District of Columbia, and accepting reimbursement for such equipment. Since there appears to be no need at the present time for the provisions that would be deleted by S. 1139, its enactment is recommended.

ESTIMATED COST

The budgetary requirements of the General Services Administration will not be increased by enactment of S. 1139.

AMENDMENT OF PACKERS AND STOCKYARDS ACT OF 1921

Mr. **MUSKIE**. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 261, House bill 5860.

The **PRESIDING OFFICER**. The amendment will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 5860) to amend section 407 of the Packers and Stockyards Act of 1921, as amended.

The **PRESIDING OFFICER**. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, was read the third time, and passed.

Mr. **MUSKIE**. Mr. President, I ask unanimous consent that an appropriate explanation of the bill may be inserted at this point in the RECORD.

There being no objection, the extract from the report (No. 280) was ordered to be printed in the RECORD, as follows:

STATEMENT

The purpose of this bill is to facilitate and permit the carrying out, free of Federal regulation, voluntary programs for promotion, research, and education relating to livestock, meat, and other commodities and products covered by the Packers and Stockyards Act, 1921, as amended, and the financing of such programs by producers and participating allied interests.

For the past 41 years, producers of livestock, together with cooperating market agencies and participating packers, have conducted through the National Livestock and Meat Board, a voluntary program of research, education, and promotion of meat and meat products. This program has been financed largely through small deductions from the sales proceeds of livestock at the time of its marketing. These deductions usually are made by producer agents, who have been engaged to sell the livestock, and the amounts of such deductions are shown on the accounts of sale.

Any producer who objects, is not only free to instruct his agent that he does not wish to participate in the program, but he may, upon reasonable request, obtain a refund of any deductions which may have been made. This program, throughout the years, has had continued support of livestock producers and has proved effective in keeping the public informed of the value of meat and meat food products in human diets.

This legislation has become necessary because a question has been raised whether deductions for such promotional purposes from the proceeds of the sale of livestock can be made under the Packers and Stockyards Act unless such deductions are supported in each instance by a prior written order, and unless market agencies are willing to make such deductions for any organization or organizations making the request.

The recordkeeping and costs involved in attempting to obtain current written orders would be prohibitive when compared to the small amounts involved. Furthermore, the requirement that if deductions were made for the National Livestock and Meat Board they would likewise have to be made for all other organizations, would have the effect of destroying the voluntary character of the program and of subjecting the participating organizations upon whom the producers must depend for this program to such onerous conditions as to make it virtually impossible for the program to continue. This corrective legislation will remove all doubt and ambiguity by taking promotion, research, and educational type programs with respect to all commodities and products covered by the Packers and Stockyards Act, and their financing, out from under the provisions of that act.

This action will place producers, their market agencies, and participating packers on the same footing as are the producers of other agricultural commodities, and will enable the program which has been so successfully carried out by the National Livestock and Meat Board without written authorizations to be continued on a voluntary basis free of Federal regulation, since the legislation makes it clear that the deductions which are made for financing the program are not and should not be construed to be acts or practices in commerce.

HEARINGS SHOW SUPPORT

Hearings were held on H.R. 5860 and H.R. 5861. The committee was impressed with the unanimity of support for this measure which was manifested by testimony, written statements, letters, and telegrams from all the major farm organizations and from national, regional, and State livestock organizations. The measure was also supported by the three different packer organizations whose members cooperate in the financing of the program. It also has the support of the National Council of Farmer Cooperatives and the National Wool Growers Association. Not a single witness or organization appeared in opposition.

DEPARTMENTAL POSITION

In his report on the bill, the Secretary of Agriculture stated that the Department "has no objection to the enactment of the bill in its present form." The Secretary further stated:

"It is our understanding that the purpose of this proposed legislation is to exempt from regulation under the Packers and Stockyards Act deductions made for the types of activities referred to in the bill when carried out by producer-sponsored organizations such as the National Livestock and Meat Board and that the bill is not intended to exempt from the Packers and Stockyards Act deductions which may be made for such activities carried out by organizations which are not producer sponsored. If the bill is enacted in its present form, we would so interpret and administer it."

As recognized by the Secretary, the major part of the funds of the program carried out by the National Livestock and Meat Board is derived from producers and it is at all times within their power either to participate or not to participate in the program. Under such circumstances, it is clear that the producers are in complete control through their power to grant or withhold financial support, and that no approval is required by the Federal Government either of the program or the organization carrying it out.

STOCKPILING PROGRAM

Mr. **WILLIAMS** of Delaware. Mr. President, today I call to the attention of the Senate another contradiction on the New Frontier. Fifteen months ago the President expressed great concern and astonishment over the excessive inventories that have been accumulated under our stockpiling program.

Notwithstanding the crocodile tears that have been shed on the New Frontier over the cost of this extravaganza, the administration has actually increased our national stockpile of strategic and critical materials by over $136 million since it has been in office. To complicate the situation further, under the New Frontier's freewheeling spending policies they are still buying and adding to this inventory.

On February 1, 1962, the President made large headlines throughout the country criticizing our excessive stockpile. At his press conference on that date the President said he was astonished to find that we had such a tremendous inventory of strategic materials with over half of this $8 billion inventory being in excess of our actual requirements.

Upon the request of the President, a congressional investigation was started at a cost of $125,000. A committee has been appointed to determine why so much had been accumulated and what could be done about it.

This committee has now come up with the startling conclusion that the Government has bought nearly twice as much of these commodities as we need; in fact, around $4 billion is tied up in excess inventories. There is really nothing startling about this conclusion; this is a fact which everyone has known for the past 5 years.

On February 1, 1961, right after the Kennedy administration took over, the total inventories of strategic and critical materials as stockpiled under the General Services Administration were $8,540,423,000.

The most recent report of Government inventories as released by Senator BYRD, the chairman of the Joint Committee on Nonessential Federal Expenditures, shows that as of April 30, 1963, our inventories of strategic minerals had increased to $8,676,858,000, or an increase of over $136 million during the past 2 years under the Kennedy regime.

Thus, during the past 2½ years, while the administration had been shedding its crocodile tears over the excessive costs to the American taxpayers of this extravagant stockpiling program, it has actually been adding to its inventories all the time. In addition there are presently pending on the Senate calendar two more bills the purpose of which is to expand the Frontier subsidy program to encourage the increased production of more lead and zinc, both items already in oversupply.

The GSA report of June 1962 showed that we had nearly five times as much lead on hand as was necessary and over eight times as much zinc as could possibly be used in the event of a 3-year war.

I repeat what I have been saying for the past 10 years; and that is, there is only one way that the Government can bring its inventories into proper balance and the No. 1 step must be to stop buying, and, the second step, to start an orderly liquidation of its excess inventories.

INCREASE OF LENDING AUTHORITY OF EXPORT-IMPORT BANK

The Senate resumed the consideration of the bill (H.R. 3872) to increase the lending authority of the Export-Import Bank of Washington to extend the period within which the Export-Import Bank of Washington may exercise its functions, and for other purposes.

Mr. CLARK. Mr. President, the pending bill, Calendar No. 243, H.R. 3872, is a bill to increase the lending authority of the Export-Import Bank of Washington and to extend the period within which this bank may exercise its functions, and for other purposes.

The bill before the Senate is in the form requested by the Kennedy administration. That bill was reported from the House Banking and Currency Committee, but was amended on the floor of the House to substitute for Treasury financing, which the administration desires, and which has been the method of financing the Export-Import Bank of Washington ever since it was first created in 1934, financing by appropriations, with certain qualifications.

The Senate bill restoring Treasury financing was reported by the Committee on Banking and Currency, after some discussion but with no dissenting votes, and now is the pending business.

There are five purposes for the enactment of the bill. First, to extend the life of the Export-Import Bank of Washington for 5 years to June 30, 1968; second, to increase the Treasury borrowing authority of the Bank from $6 billion to $8 billion; third, to increase the limitation on the amount of loans, guarantees, and insurance outstanding at any one time from $7 billion to $9 billion; fourth, without further increasing the capitalization of the Bank, to increase from $1 billion to $2 billion the face value of insurance policies which the Bank may write with 25-percent reserve backing; and fifth, to substitute annual for semiannual reporting by the Bank.

The Bank is primarily concerned with stimulating the sale of U.S. products overseas. It finances the purchase of U.S. capital equipment, materials, and services by foreign governments or private entities. Its loans must be spent in the United States and are repayable in dollars, with interest on terms appropriate for the goods. Besides dollar financing, the Bank provides U.S. exporters with guarantees and insurance on their foreign accounts receivable. By law the Bank is required in all lending and guarantee operations to assure itself of a reasonable ability of the borrower to meet his commitments. In addition, the law directs the Bank to supplement and to encourage private capital interests and not to compete with them.

The details of the Bank's operations and the extraordinary success with which it has functioned for a period of almost 30 years are set forth in some detail in the committee report, to which I refer interested readers of the CONGRESSIONAL RECORD.

Let me say a word about the need for the legislation. The operations of the Bank have been profitable. However, its authority expires on June 30 of this year, the end of the current fiscal year. If it is to continue, it needs a new lease on life; also, it is coming fairly close to the top authorizations in the various areas in which it is permitted to operate. It is important that these authorizations be increased, since the operations of the Bank are increasing in scope as time goes on, and therefore authorization is needed if the Bank is to be as fully useful to U.S. exporters and to our foreign trade as is desirable. Therefore, the increased authorizations are requested, as I have already stated, and it is proposed to extend the term of the Bank's charter for 5 years.

The only difference between the Committee on Banking and Currency and the House of Representatives with respect to the bill—other than the change from a semiannual to an annual report—is that the Senate committee, at the request of the administration, and after hearing the testimony of Mr. Linder, president of the Bank, and after considering and putting into its own record some of the testimony which was adduced before the House committee, restored the traditional method of Treasury financing, which has been utilized by the Export-Import Bank ever since it began operating in 1934. The hearings on the House bill brought forward unanimous testimony in support of the Treasury financing principle. Among the witnesses, all of whom had long familiarity with the Bank's operations, who specifically endorsed the continued use of Treasury financing, were, in addition to the president of the Bank itself, the president of the First National City Bank of New York City; the former president and chairman of the Central Trust Co. of Cincinnati, Ohio; the vice chairman of the Bank of America, San Francisco, Calif.; and a vice president of the Standard Oil Co. of New Jersey. In addition, two letters from the Secretary of the Treasury, one of which characterized the Treasury financing as peculiarly appropriate to the needs of the Export-Import Bank, were made a part of the record in the Senate hearings.

The practice of funding programs such as the Export-Import Bank through Treasury borrowing is a long-established, thoroughly conservative, and businesslike practice. In modern times it was first used to finance the activities of the Reconstruction Finance Corporation.

Legislation providing authority to expend from public debt receipts, whether contained in appropriation or substantive legislation, requires approval by the Congress prior to enactment.

The actual and estimated amounts of borrowings and repayments against these authorizations are included in the annual budget document.

This method of borrowing has been used in the past to finance the Government's subscription to international organizations. It has also been used by the Federal Deposit Insurance Corporation and in connection with investments in savings and loan institutions by the Federal Savings and Loan Insurance Corporation.

A rather primitive forerunner was used back in 1791, and again in 1816, to provide for the establishment of the First and Second Banks of the United States, respectively. These statutes directed the Government subscription to the stock of this bank be financed by the issuance of public debt obligations.

It is also interesting to note that the purchase of the Louisiana Territory was financed, as was the construction of the Panama Canal, through the issuance of certificates of stock in like manner as for the present domestic funded debt. Operations of the Commodity Credit Corporation are financed by borrowings from the Treasury pursuant to statutory provisions.

The assumption that the appropriations process is the sole means by which Congress can oversee the administration of Federal spending programs is wholly unfounded. In the case of the Export-Import Bank, as in all Government corporations, annual scrutiny and financial control are carried out by the Congress under the provisions of the Government Corporation Control Act. In accordance with the provisions of the act, the Export-Import Bank is required to submit an annual budget program containing a statement of financial condition and other relevant fiscal material. These data are utilized by the Treasury and by the Bank in forwarding the annual budget request to the Bureau of the Budget and they then come down from the Bureau of the Budget to Congress as a part of the annual budget.

After viewing these programs, Congress may then enact whatever legislation it deems necessary to increase or limit the appropriations or funds available for operating and administrative expenses.

There is, of course, the requirement for an annual audit by the General Accounting Office, and the Comptroller General is required to note specifically any program, expenditure, financial transaction, or undertaking which, in his opinion, has been carried on or made without authority of law.

It should be noted also that the employment of Treasury financing methods, rather than appropriation techniques, does not in itself deprive the Appropriations Committees of Congress of oversight of the programs thus financed. Although the Export-Import Bank has been consistently financed through Treasury borrowing, the Appropriations Committees have exercised control over its activities in the last 2 years by setting ceilings on the amount of loans, guarantees, and insurance which it may authorize in a fiscal year.

Moreover, neither history nor current practice justifies the assumption that the Appropriations Committees of the Congress have a legislative prerogative over appropriations or grants of obligational authority. For many years prior to 1920, most appropriation bills were recommended by legislative committees. In 1919, for example, 12 regular appropriation bills were recommended by legislative committees.

When the social security programs were first enacted, they required annual action to appropriate tax receipts and make them available to the trust funds. But automatic appropriation was provided for 1941 and has been in effect ever since.

I ask unanimous consent that a statement entitled "Authority To Use Funds Borrowed From Treasury," dated February 12, 1959, be printed in the Record at this point.

There being no objection, the statement was ordered to be printed in the Record, as follows:

February 12, 1959.

AUTHORITY TO USE FUNDS BORROWED FROM TREASURY

The following is a list of statutes that have provided financing for Federal programs through public debt transactions, rather than appropriations. The statutes cited are the original statutes granting the authority; there have been numerous later amendments. In some cases the statute listed below authorized the operating agency to borrow from RFC, which in turn borrowed from the Treasury. In each such case, however, a later statute has eliminated this intermediate step, authorizing the agency itself to borrow directly from the Treasury:

Agency and statute

Reconstruction Finance Corporation, January 22, 1932; 47 Stat. 9.

Federal Home Loan Banks, July 22, 1932; 47 Stat. 738.

Home Owners' Loan Corporation, April 27, 1934; 48 Stat. 643.

Federal Deposit Insurance Corporation, June 16, 1934; 48 Stat. 971.

Federal Farm Mortgage Corporation, January 31, 1934; 48 Stat. 346.

Federal National Mortgage Association, January 31, 1935; 49 Stat. 3.

Export-Import Bank, January 31, 1935; 49 Stat. 4.

Rural Electrification Administration, May 20, 1936; 49 Stat. 1364.

Public Housing Administration, September 1, 1937; 50 Stat. 898.

Commodity Credit Corporation, March 8, 1938; 52 Stat. 108.

International Bank for Reconstruction and Development, July 31, 1945; 59 Stat. 514.

International Monetary Fund, July 31, 1954; 59 Stat. 514.

Secretary of the Treasury (British loan), July 15, 1946; 60 Stat. 535.

Farmers Home Administration:

(1) Farm tenant mortgage insurance fund, August 14, 1946; 60 Stat. 1078.

(2) Farm housing loans, July 15, 1949; 63 Stat. 438.

Economic Cooperation Administration:

(1) General foreign aid loans, April 3, 1948; 62 Stat. 146.

(2) Loan to Spain, September 6, 1950; 64 Stat. 758.

(3) Loan to India, June 15, 1951; 65 Stat. 70.

Urban Renewal Administration, July 15, 1949; 63 Stat. 415.

Veterans' Administration (direct housing loans), April 20, 1950; 64 Stat. 77.

Housing and Home Finance Agency (college housing loans), April 20, 1959; 64 Stat. 78.

Federal Savings and Loan Insurance Corporation, June 27, 1959; 64 Stat. 259.

Agencies administering expansion programs under Defense Production Act, September 8, 1950; 64 Stat. 802.

Federal Civil Defense Administration, January 12, 1951; 64 Stat. 1257.

St. Lawrence Seaway Development Corporation, May 13, 1954; 68 Stat. 95.

Community Facilities Administration (public facilities), August 11, 1955; 69 Stat. 643.

International Finance Corporation, August 11, 1955; 69 Stat. 670.

U.S. Information Agency, July 18, 1956; 70 Stat. 563.

Federal Flood Insurance Corporation, August 7, 1956; 70 Stat. 1084.

Mr. CLARK. Mr. President, the Export-Import Bank of Washington is the most solidly established and respected lending organization of the U.S. Government. Its position with the banking and business community of the United States is in large measure the product of Congress' wisdom in consistently financing its activities, since its inception, by replenishment of its funds through the borrowing authority technique. The Bank today is a lending instrument in the critically important program for expanding and promoting American exports. This program, so vigorously pursued by the present administration, is a key factor in achieving a long-range solution to the vital problem of the balance of payments which is of so much concern today. A change in the manner in which the Congress controls the operations of the Export-Import Bank threatens to weaken the position of the Bank in the business and financial community at a crucial time in its history.

I ask unanimous consent to have printed at this point in the Record a portion of the testimony of Mr. Harold F. Linder, President and Chairman of the Export-Import Bank, which appears on page 10 of the committee report, and also the colloquy that Mr. Linder had with me.

There being no objection, the testimony and colloquy were ordered to be printed in the Record, as follows:

In my statement to the House Banking and Currency Committee on this pending legislation I have indicated the desire of the administration as well as the Bank to have the requested $2 billion of resources made available to the Bank by congressional authorization without appropriation.

I wish to restate that position. During its life, the Bank has always obtained its funds by borrowing from the Treasury on authorization of the Congress rather than appropriation. In the judgment [of] our Board of Directors, our Advisory Committee, and previous Senate and House Banking and Currency Committees, this procedure is best suited to our operations and to the interests of the Government as a whole.

(Mr. Linder then engaged in the following exchange with the chairman of the subcommittee, Senator Clark:)

Senator Clark. I am glad that you repeated that, Mr. Linder. I think this is a very important point, and of course, it is a principal difference between the Senate bill and the House bill. I am happy to know that you and your Directors are unanimously of the view that the administration proposal to continue the present method of financing is best for the Bank.

Mr. Linder. We think so, sir.

This does not mean that the Bank operates without the checks intended under an appropriation procedure, for in fact the Appropriations Committees in the last 2 years have set ceilings on the amount of loans, guarantees, and insurance which we may authorize in a fiscal year. But, if the Bank's resources were derived from appropriations we could well come under pressure to program our lending by type of financing or by countries, and to utilize all available funds regardless of the need.

Senator Clark. In other words, Mr. Linder, you think that the Treasury financing provision is really a conservative provision which gives you more liberty of action to reject as well as to accept the loan without political pressure?

Mr. Linder. Yes, Mr. Chairman (hearings, p. 9).

Mr. CLARK. Mr. President, the views expressed by Mr. Linder have the unqualified support of the President and the Secretary of the Treasury.

I ask unanimous consent to have printed at this point in the RECORD two letters from Secretary Dillon discussing the general principle of Treasury financing, so far as the Export-Import Bank is concerned. The letters appear on pages 13, 14, and 15 of the committee report.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

THE SECRETARY OF THE TREASURY,
Washington, D.C., February 28, 1963.

Hon. WRIGHT PATMAN,
Chairman, Committee on Banking and Currency, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in reply to your request of February 27 for a statement informing you "how the administration recommends that the financing for the Export-Import Bank be authorized, whether through a continuation of debt financing or through the appropriations method."

The Export-Import Bank of Washington is an independent agency of this Government and is not a part of the U.S. Treasury. The request for the authorizing legislation in H.R. 3872 was cleared with the Bureau of the Budget and I, of course, was consulted. The legislation sent forward provides for a continuation of the financing for the Export-Import Bank through the use of public debt transactions. I concurred in this approach.

The views of this Department on the question of financing through the public debt transaction method or through appropriations is set out fully in a letter to the chairman of the Ways and Means Committee dated February 1, 1962, in response to his request for our views on the proposals of the Honorable THOMAS M. PELLY. A copy of this letter is attached.

Sincerely,

DOUGLAS DILLON.

FEBRUARY 1, 1962.

Hon. WILBUR D. MILLS,
Chairman, Committee on Ways and Means, House of Representatives, Washington, D.C.

DEAR WILBUR: Thank you for extending to me the opportunity of commenting on the views of the Honorable THOMAS M. PELLY, as set forth in the letter attached to yours of January 24.

While, as you know, I have, in common with my predecessors, been generally opposed to so-called "back-door financing," I do not believe that legislation along the lines of that proposed by Mr. PELLY would be either wise or effective from the standpoint either of the Congress or of the administration. As you know, the only real effective difference between public debt transactions authorized by the back door, as distinguished from the normal appropriation process, is that the Congress acts on the matter once rather than twice and the project to be financed receives, generally speaking, the attention in each House of one rather than two committees. The use of back-door financing, as opposed to the normal appropriation process, has no distinguishing effect whatsoever on the debt limit, on the budget, or on the method by which the Treasury raises funds to finance the expenses of Government. Appropriation measures may by their terms also include the revolving fund, continuing authority, and other features that have become traditionally associated with back-door financing.

Moreover, Mr. PELLY's suggestion is aimed only at a fragment and not at a totality of Government operations in this area. The debt limit acts as a discipline upon Government borrowing and thus on Government expenditures without regard to the number of outstanding appropriations or authorizations for back-door financing. As this limit is approached, the Executive must either cut back on authorized programs or justify to Congress the necessity for raising the limit. Whether or not back-door financing is authorized for any such programs can have absolutely no effect either on the size of the debt or the amount of expenditures.

The ground of my opposition to Mr. Pelly's proposal, therefore, is twofold. First, the enactment of the proposal could create some sort of vague shadow over transactions heretofore financed by the back-door approach. Second, since the proposal in effect would be a self-imposed discipline of the Congress upon itself, its effectiveness as a restraint would last only so long as the Congress willed it. The day after its enactment the Congress could avoid it simply by expanding the limit in each authorization or by excepting the financing of a particular project from its terms. Congress has found the back-door method appropriate on about 200 separate occasions since the Reconstruction Finance Corporation Act of 1932, and has authorized raising in excess of $102 billion of funds in this fashion. Of these, some 50 or more originated in the Appropriations Committee while the balance were considered only by other committees. In the light of this history it seems more than likely that Congress will again find it desirable to utilize this method of financing. Self-imposed forbearances that the Congress or individuals adopt can be effective only so long as the forbearer is so minded. Regardless of the fervor and formality with which one declares that he will never smoke again, he has imposed nothing which will prevail against a change of mind. The vice then of imposing such a self-restraint by Congress, as I see it, is that the public may be deceived and may also get the erroneous impression that the exercise by the Congress of a perfectly legitimate power somehow lacks respectability.

While normally opposed to back-door financing, I believe that there are times when the need for speed of congressional action may make it appropriate. It has also seemed appropriate to me in instances where it is important for the United States to commit itself and yet the need for actual expenditure is remote, unlikely, or contingent upon uncertain events. In such cases, it has seemed to me better bookkeeping to have an effective authorization without an outstanding appropriation and it can contribute to speed in raising funds to meet such an obligation when and if events require it. Thus, I see nothing inappropriate and much that is appropriate in the authorization by Congress to finance our contingent contribution to the International Bank for Reconstruction and Development in this fashion. The desirability of the United States being committed is obvious, yet the likelihood of our being called upon to provide funds was remote and contingent at the time the authority was granted.

Another example where back-door financing seems to me to be peculiarly appropriate is in such cases as the Export-Import Bank where the need for funds under particular conditions is obvious and necessary to the fulfillment of the congressional objectives for the Bank. On the other hand, the funds financed by this method for loan to the Bank are repayable. The authorization thus seems to me, as a matter of bookkeeping, to provide a better image of the nature of the transaction and to save unnecessary labor on the part of the Bank and the administration and of the Congress in repeated resort to the appropriation process. Other examples are:

1. The existing authorization of $3 billion for advances to the Federal Deposit Insurance Corporation, if needed, originally enacted in 1935, which, although increased, has not been used since that date.

2. A similar authorization to advance $750 million to the Federal Savings and Loan Insurance Corporation has been on the books since June 1950 and never used.

3. Another in this category is a $1 billion authorization for advances to the Federal Home Loan Bank, which has also been on the books since June 1950 and never used.

These authorizations, however, are essential to the support of these insurance institutions and in case of extraordinary emergency afford a vehicle for placing the resources of the Government behind these insurance institutions.

4. The Commodity Credit Corporation has been financed since 1938 in this manner.

A copy of our latest summary of all back-door financing authorizations, through the end of fiscal year 1961, is attached.

In conclusion, while I have great respect for the appropriation process and feel that as a matter of orderly and responsible government it should be resorted to in normal cases, there are important kinds of governmental activity for which both the executive branch and the Congress may find it desirable, from the standpoint of accountability, time efficiency, and public understanding, to resort to what has been, perhaps regrettably, come to be called the back-door method. Since any attempt to limit or ban the process in advance of consideration of projects where it might be appropriate would be ineffective and misleading, I would hope that Congress will reject suggestions to that end.

With best wishes.

Sincerely,

DOUGLAS DILLON.

Mr. CLARK. Mr. President, the Bankers Association for Foreign Trade, under date of May 31, 1963, wrote to the Senator from Virginia [Mr. ROBERTSON], chairman of the Committee on Banking and Currency, requesting that the traditional method of financing the Bank be continued. I ask unanimous consent that the text of that letter, which appears on pages 11 and 12 of the committee report, be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

BANKERS ASSOCIATION FOR
FOREIGN TRADE,
May 31, 1963.

Hon. A. WILLIS ROBERTSON,
Chairman, Banking and Currency Committee, U.S. Senate, Washington, D.C.

DEAR SENATOR ROBERTSON: This letter is to confirm my telegram of May 29 concerning a resolution passed by our membership at its annual meeting at Bedford, Pa. The text of which is the following:

"*Resolved*, That the BAFT urge the Banking and Currency Committee of the U.S. Senate, which is now considering S. 775 providing for an increase in the limit on the loans and guarantees of the Export-Import Bank, and the Members of the U.S. House of Representatives appointed to the conference committee to reconcile S. 775 with H.R. 3872, to authorize the Bank to continue as heretofore to draw on the U.S. Treasury up to the proposed legal limit of $9 billion on its loans and guarantees in order that the Bank may give its firm commitments to exporters and commercial banks, thus enabling Export-Import Bank to contribute effectively to the national export effort by obtaining the maximum of export financing under its guarantee from private sources and thereby reducing to a minimum the actual call on the Treasury by the Bank of public funds."

As you are probably aware, the membership of this organization consists of 120 of this country's leading commercial banks who between them handle the bulk of the financing of our international trade. Some 96 of our member banks were represented at this particular meeting; I was impressed by the fact that there was not a single dissenting vote with respect to the above resolution.

Eximbank's ability to draw on the Treasury has been a well-established fact over the years to which the commercial banks have adjusted their operations. It was felt by our membership that making the Bank now subject to congressional appropriations for the additional $2 billion of lending capacity would introduce an element of uncertainty and could weaken the ability of the banks to finance increasing amounts of exports, especially where longer term guarantees of Eximbank are involved.

I trust that the articulation of the strong feelings of our association will be helpful to you and your colleagues in your deliberations concerning the current Export-Import Bank legislation.

Sincerely yours,

George H. Chittenden,
President.

Mr. CLARK. Mr. President, a number of distinguished financiers are officers and directors of the Bankers' Association for Foreign Trade, to whose letter I have just referred. I ask unanimous consent that a list of the names of those officers and directors and the banks which they serve may be printed at this point in the Record. The names appear on the letterhead of the letter to which I have already referred.

There being no objection, the list was ordered to be printed in the Record, as follows:

Officers and directors: President: George H. Chittenden, vice president, Morgan Guaranty Trust Co. of New York, New York, N.Y.

Vice Presidents: Emile W. Amardeil, vice president, Whitney National Bank of New Orleans, New Orleans, La.; Luis F. Corea, vice president, the Riggs National Bank of Washington, D.C., Washington, D.C.; John L. O'Halloran, senior vice president, Manufacturers Hanover Trust Co., New York, N.Y.

Treasurer: William A. Notten, vice president and manager, International Banking Department, the Central Trust Co., Cincinnati, Ohio.

Secretary: Edward G. Grimm, assistant vice president, Bankers Trust Co., New York, N.Y.

William T. Carey, vice president, Girard Trust Corn Exchange Bank, Philadelphia, Pa.

Edward T. Dryer, vice president, Manufacturers National Bank of Detroit, Detroit, Mich.

George W. Ebanks, vice president, National Bank of Commerce of Houston, Houston, Tex.

Louis C. Farley, Jr., vice president, International Department, State Street Bank and Trust Co., Boston, Mass.

Edwin T. Johnson, assistant vice president, Union Trust Co. of Maryland, Baltimore, Md.

Arthur C. Krymer, vice president, Chemical Bank New York Trust Co., New York, N.Y.

Frank C. Lexa, vice president, Mercantile Trust Co., St. Louis, Mo.

James H. Moulder, vice president, the First National Bank of Miami, Miami, Fla.

Max L. Pilliard, assistant vice president, Bank of Hawaii, Honolulu, Hawaii.

Harold W. Rasmussen, administrative vice president, the Marine Midland Trust Co. of New York, New York, N.Y.

Gustav Riedlin, vice president, United California Bank, Los Angeles, Calif.

Rudolf G. Zepeda, vice president and manager, International Banking Department, Valley National Bank, Phoenix, Ariz.

Mr. CLARK. Mr. President, for the reasons I have stated, I hope that the Senate will promptly approve H.R. 3872 as it has been amended by the Senate Committee on Banking and Currency, so that the bill may go back to the House for its consideration.

Mr. BENNETT. Mr. President, as a member of the minority of the Committee on Banking and Currency, I should like to speak for a minute or two about the pending measure. I appreciate the clarity with which the distinguished Senator from Pennsylvania [Mr. Clark] has explained in detail the purpose of the bill, including the reason for a 5-year extension; the fact that if this very important international agency is to continue, its funds must be increased and its outstanding limit must be increased each by $2 billion; and that it must have the opportunity to increase the limits of its insurance.

I do not believe the fifth provision, whether there should be an annual report or a semiannual report, is of any particular significance; but it is in the bill, and from this point of view there was no essential disagreement among the members of the committee when the bill was reported.

This brings us to the question of the method of financing the agency. As the Senator from Pennsylvania has stated, this is one agency which from its very beginning has been financed through its power to draw for its needs on the Treasury without first requiring appropriations. The Senator from Utah believes that that is a doubtful method of handling the financial problems of many agencies. But since this was, I think, the first instance, and since the process of Treasury financing has been so deeply ingrained in the Export-Import Bank program, I see no reason for trying to make an exception in its program at this late date. It was for that reason that the bill was reported without objection.

As the Senator from Pennsylvania has stated, however, the House, by its action on the floor, reversed the recommendation of its Committee on Banking and Currency, and the House bill requires annual appropriations. So far as I know, the House did not change the other features. The bill still allows additional money and still allows additional limits.

If the bill passes the Senate in the form in which it came from the Senate committee, the Senate will have it back as a result of a conference. We will not know whether it will come back to reconfirm the Senate's decision, or whether it will come back with the requirement that we face the fact that the House made this change. That is a part of the legislative process when we find this kind of disagreement. Even those of us who are inclined philosophically to oppose Treasury financing, and who have opposed it more or less unsuccessfully lately on many bills, see no reason for opposing it now. So I believe the Senate will do well to pass the bill as it was reported by the Senate Committee on Banking and Currency. We have a deadline. The authorities of the agency will expire at the end of this month unless they are renewed. I hope the Senate will pass the bill, let it go to conference, and give us time enough to resolve the inevitable conflict that that conference will produce.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in the nature of a substitute for the bill.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. CLARK. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CLARK. Mr. President, I ask for the yeas and nays on the passage of the bill.

The yeas and nays were ordered.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from new Mexico [Mr. Anderson], the Senator from Nevada [Mr. Bible], the Senator from Maryland [Mr. Brewster], the Senator from Virginia [Mr. Byrd], the Senator from Nevada [Mr. Cannon], the Senator from Idaho [Mr. Church], the Senator from Illinois [Mr. Douglas], the Senator from Arkansas [Mr. Fulbright], the Senator from Tennessee [Mr. Gore], the Senator from Michigan [Mr. Hart], the Senator from Arizona [Mr. Hayden], the Senator from Minnesota [Mr. Humphrey], the Senator from Hawaii [Mr. Inouye], the Senator from Massachusetts [Mr. Kennedy], the Senator from Louisiana [Mr. Long], the Senator from Minnesota [Mr. McCarthy], the Senator from Arkansas [Mr. McClellan], the Senator from Oregon [Mr. Morse], and the Senator from Rhode Island [Mr. Pell] are absent on official business.

I further announce that, if present and voting, the Senator from Maryland [Mr. Brewster], the Senator from Illinois [Mr. Douglas], the Senator from Minnesota [Mr. Humphrey], the Senator from Hawaii [Mr. Inouye], the Senator from Massachusetts [Mr. Kennedy], the Senator from Louisiana [Mr. Long], the Senator from Minnesota [Mr. McCarthy], and the Senator from Rhode Island [Mr. Pell] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Maryland [Mr. Beall], and the Senator from Nebraska [Mr. Hruska] are absent on official business.

The Senator from Arizona [Mr. Goldwater], the Senator from New York [Mr. Javits], the Senator from California

[Mr. KUCHEL], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from New York [Mr. KEATING] are necessarily absent.

If present and voting, the Senator from Maryland [Mr. BEALL], the Senator from Nebraska [Mr. HRUSKA], the Senator from New York [Mr. JAVITS], the Senator from California [Mr. KUCHEL], the Senator from New York [Mr. KEATING], and the Senator from Pennsylvania [Mr. SCOTT] would each vote "yea."

The result was announced—yeas 73, nays 1, as follows:

[No. 108 Leg.]

YEAS—73

Aiken
Allott
Bartlett
Bayh
Bennett
Boggs
Burdick
Byrd, W. Va.
Carlson
Case
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Eastland
Edmondson
Ellender
Engle
Ervin
Fong
Gruening
Hartke
Hickenlooper
Hill
Holland
Jackson
Johnston
Jordan, N.C.
Jordan, Idaho
Kefauver
Lausche
Long, Mo.
Magnuson
Mansfield
McGee
McGovern
McIntyre
McNamara
Mechem
Metcalf
Miller
Monroney
Morton
Moss
Mundt
Muskie
Nelson
Neuberger
Pastore
Pearson
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell
Saltonstall
Simpson
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Tower
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—1

Thurmond

NOT VOTING—26

Anderson
Beall
Bible
Brewster
Byrd, Va.
Cannon
Church
Douglas
Fulbright
Goldwater
Gore
Hart
Hayden
Hruska
Humphrey
Inouye
Javits
Keating
Kennedy
Kuchel
Long, La.
McCarthy
McClellan
Morse
Pell
Scott

So the bill (H.R. 3872) was passed.

Mr. CLARK. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. DIRKSEN. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, the distinguished minority leader [Mr. DIRKSEN] raised a question a few moments ago, in conversation with the chairman of the Joint Committee on Atomic Energy [Mr. PASTORE]. We have been informed by the distinguished Senator from Rhode Island [Mr. PASTORE], chairman of the committee, that the Joint Committee on Atomic Energy today unanimously reported the Atomic Energy Commission's construction authorization bill. It is the desire of the leadership to lay this piece of legislation before the Senate at this time. It will be the pending business at the conclusion of the morning hour. Following that bill, the Senate will take up the ARA bill.

Therefore, Mr. President, while I cannot lay before the Senate the Atomic Energy Commission bill, which was reported today, I serve notice that it will be taken up immediately after the conclusion of the morning hour tomorrow; and I ask unanimous consent that that be the order.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL DEBATE ON PROPOSED CONSTITUTIONAL AMENDMENT

Mr. DIRKSEN. Mr. President, on May 22, 1963, Chief Justice Earl Warren, in addressing the American Law Institute in Washington, called for a great national debate on proposed constitutional amendments. The Chief Justice urged that the local bar associations take a more active part in this debate.

On Wednesday, June 26, the Madison County Bar Association, Edwardsville, Ill., will present just such a debate. Three proposed amendments to the Constitution will be considered. The amendments deal with the amending process, State legislative districting, and the creation of a Court of the Union.

For the affirmative, the Madison County bar has selected a former colleague from the House of Representatives with whom I served on the Appropriations Committee, the Honorable Millard F. Caldwell. His public service has also included a term as Governor and justice of the Supreme Court of Florida.

For the negative the association has Arthur J. Freund, Esq., an outstanding member of the bar, fellow of the American Bar Association Foundation, and members of the American Law Institute. He is the recipient of the St. Louis Award for Extraordinary Public Service.

This Madison County Bar Association debate is the first, I believe, to be sponsored by a local bar association since the Chief Justice issued his call for such a debate. The moderator and chairman of the judiciary committee, Burton C. Bernard, and Dick H. Mudge, the presiding officer and president of the Madison County Bar Association, as well as the bar association itself, are to be commended for their quick response to the Chief Justice's appeal and for the quality of the debators selected. This demonstration of public service by two eminent members of a local bar association speaks well for the leadership of our local bar associations.

TRIBUTE TO MAJ. GEN. ERNEST L. "IRON MIKE" MASSAD

Mr. MONRONEY. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an article from the Oklahoma City Times, of June 19, 1963, dealing with the recognition of Gen. Mike Massad, commanding general of the 95th Division, a Reserve Officer. "Iron Mike," as he was known when he was a football star at the University of Oklahoma, has given a great deal of time to civic affairs and has been the head of the board of education in his home city of Ardmore. He has helped bring about many scholarships at the University of Oklahoma and has been engaged in other educational activities. He recently was recognized as this country's American-Lebanese Man of the Year by the Western Federation of American Syrian Lebanese Clubs.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MIKE MASSAD GIVEN A NEW TITLE: MAN OF YEAR

(By Mary Jo Nelson)

The 95th Division's colorful commander, Maj. Gen. Ernest L. "Iron Mike" Massad, has been honored as the Nation's American-Lebanese Man of the Year.

The honor was disclosed Wednesday by the Western Federation of American Syrian Lebanese Clubs.

The Ardmore Army Reserve general, who is an oil and real estate developer, will be cited at the federation's annual convention Saturday in Los Angeles.

"I'm real flattered, but I don't want to ham it up," the general said Wednesday.

HALABY WON IN 1962

The citation puts Massad in the ranks of many well-known persons. Among them are actor-producer Danny Thomas, and the 1962 winner, Najeb E. Halaby, Administrator of the Federal Aviation Agency.

"Iron Mike" once nurtured only the ambition to reach captain's rank in the Regular Army. Now, he is being honored as the only American of Lebanese background to rise to two-star general's rank. He also is being recognized for distinguished service to his community and other Americans.

A NATIVE SOONER

Looking on proudly when Massad is honored at two nights of celebration will be N. Massad, Ardmore, the general's 89-year-old father, who was born in Lebanon.

When he heard about his son's selection, the elder Massad had a single comment: "Can I go with you?"

Massad is a native Oklahoman. He was born in Brinkman on Christmas Day, 1909. But he has lived most of his life in Ardmore.

AN IMMOVABLE OBJECT

He picked up his nickname when he played football for the University of Oklahoma. Massad was not as large as most players, but he was such an immovable object that his mates called him "Iron Mike." The title stuck forever.

STARTED AT OU

Massad started his Army career while attending the University of Oklahoma. There, he was outstanding in the ROTC, and was commissioned a second lieutenant on graduation in 1932.

In 1940, Massad went on active duty with the Army as a first lieutenant. He admits he was scared at the prospects of a tough job, and his greatest ambition was to reach captain.

PROMOTED QUICKLY

Promotions in the Army came fast before General Massad was mustered out and back to the Reserves in 1946. His assignments included battery field artillery executive officer; logistics and recreation officer for 1st Cavalry Division artillery; executive officer and commanding officer for two different glider field artillery battalions, and personnel officer of the 11th Airborne Division.

Promotions didn't halt with the soldier's return to Reserve status. He was assigned assistant division commander of the 95th in February 1958. He became its commanding general in April 1962.

STAR ADDED

Massad's second star was pinned on in an informal ceremony last February at Camp Polk, La., while he and his general staff officers were preparing for the 95th's summer encampment.

The general has been a full-time soldier—working after his office hours as a full-time businessman and breadwinner. He has attended just about every type of Army training school, from college ROTC through command and general staff school.

General Massad's 95th became a training division when the army reserves were organized several years ago. But his superiority as a combat officer was shown at a command and general staff course in Leavenworth, Kans., this spring.

PROBLEMS SOLVED

Massad and his general staff officers worked problems in combat tactics from maps, and they defeated combat division officers in their solutions.

General Massad's 95th soldiers are spread all over Oklahoma, Arkansas and Louisiana. And he makes it a point to try to visit each major unit once a year.

He has driven thousands of miles—often at his own expense—to see his soldiers.

Besides developing oil fields and real estate, the general recently became chairman of the board and chief executive of a life insurance company that has headquarters in his hometown of Ardmore.

WIDE ACCLAIM

He has been president for a number of years of the Ardmore Board of Education, and that city's schools gained wide acclaim for courses on Americanism, and the responsibilities of being an American. These were engineered by General Massad.

He's a decorated hero, wearing the Silver Star, the Legion of Merit, the Bronze Star with an oak leaf cluster, and the Purple Heart. These were won in World War II combat duty.

The general who wanted to become a captain still has one military ambition.

While a paratrooper in World War II, he served under Maxwell Taylor, now a full general and chairman of the Joint Chiefs of Staff. Taylor, also an Oklahoman, was a colonel then, and hoped some day to rise to brigadier general.

AMBITION ADMITTED

"I want to go to Washington, as a two-star general, and see Maxwell Taylor," Massad confessed with a grin.

His new title will be conferred the night of June 22, at a big banquet in Los Angeles. The next night, the Western Federation of American Syrian Lebanese Clubs will honor the general and all Oklahomans in California, at Oklahoma Night.

VETERANS' EDUCATION: A SOUND INVESTMENT

Mr. GRUENING. Mr. President, the Veterans' Affairs Subcommittee of the Senate Labor and Public Welfare Committee has favorably reported the cold war GI bill to the full committee. I hope the Senate soon will have the opportunity to consider S. 5, sponsored by Senator YARBOROUGH and 39 cosponsors, of whom I am happy to be one, for I believe it is desirable and long-overdue legislation. It was enacted by the Senate in the 86th Congress but failed in the other body. The need for its enactment is more pressing now than then.

It has been my privilege to testify on behalf of this proposed legislation, which truly embodies sound business practices and should be termed as an investment in the United States. We know that World War II and Korean GI bill participants are earning more today and paying more taxes than they would had they not had an opportunity to learn. We are worried now because of the unemployment of our young men, because they lack the necessary training for employment. S. 5 will go far to rectify that situation.

We ask our young men and women to man our defenses today, and they do this willingly on the cold hot spots which we defend in many parts of the world. Our servicemen are on the scene in Vietnam, Laos, and West Berlin, and elsewhere, and I daresay they could tell us vividly what are the tasks and responsibilities of those whom some today term "peacetime trainees." Keeping the peace, I have noted, is also a battle, and it would appear that the battle is to be a long one.

On April 23 I appeared before the Senate Veterans' Affairs Subcommittee in support of S. 5. Subsequently I received a letter from one of the men in our Air Force who is helping to keep the peace in the Pacific. He had summed up his reasons for believing our strength lies in education. I wrote to ask if I could place the text of his letter in the RECORD. He had no objection.

It may well be that S. 5 is the only general education bill we will have an opportunity to pass this session of the Congress, although I would hope that this is not so. Under the circumstances, I ask unanimous consent that the letter to which I have referred in support of the cold war GI bill be reprinted in the RECORD at this time.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 8, 1963.

Hon. ERNEST GRUENING,
U.S. Senate,
Washington, D.C.

DEAR MR. GRUENING: I am writing this letter to thank you for your continued efforts to restore a veterans' educational bill.

I think my particular case demonstrates inequities in the present system, and I hope it can be of some use in obtaining this much-needed bill. If you desire, you may quote me verbatim.

In September 1954, I was given a 4-month deferment by the Air Force in order to await full acceptance and class assignment to aviation cadets. As a result of either an administrative error or postal delay, I did not receive the proposed January 1955 reporting date. In late February 1955, I finally questioned the delay; and after receiving full acceptance, I entered the service on March 2, 1955—just 30 days too late for the Korean bill.

During the past 8 years I have worked diligently to obtain an education, but have been most unsuccessful because of the abundance of alerts, TDY's, and additional duties that are an inherent part of a combat aircrew member's life.

Last year, after much deliberation, I decided to leave the service in order to complete my education. My resignation should be effective in May 1964. With the recent loss to the undergraduate student of obtaining an education via the Air Force Institute of Technology, I am positive I made the correct decision.

In the meantime I am flying actual combat support missions and am being fired upon with bullets just as deadly as those that were fired from the hills of Korea, yet there are people who received the Korean bill who never left the United States. Let me assure you that the foregoing is presented merely to point out the misnomer, "peacetime" G.I. bill, and to point out the alleged inequities, for it is definitely not meant to imply that I deserve compensation, since I consider my presence in this country as a duty expected of an officer.

I have been officially accepted into aerospace engineering at California Polytechnic College and fully intend to accept this honor, once discharged. My endeavors will admittedly be difficult with a wife and three small children, but I am determined to succeed.

There are many individuals who have similar cases: Each person with whom I have discussed education is aware of your assistance and is thankful that our Government contains men with your perseverance. We agree that such a bill will actually further the progress of our country, and we are baffled at the resistance.

I cannot accept any contention that your bill will drive people from the service; for if a person clearly realizes the need for education, he will take the necessary steps to achieve this goal, with or without aid. A peacetime GI bill will obviously ease my desired task, but I refuse to be thwarted if it is not passed.

I also cannot accept any contention that your bill will adversely affect national defense, because I firmly believe our strength lies in education. One of our own respected military leaders best expressed my feelings when he proclaimed that our next conflict would be fought from the neck up instead of from the neck down.

Again I wish to express my deepest appreciation and to wish you success in your endeavors.

Sincerely yours,

——— ———.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. GRUENING. I yield.

Mr. YARBOROUGH. I commend the distinguished Senator from Alaska for his very able and efficient cosponsorship of the cold war GI education bill. He was active in the 87th Congress. He has been more active in this Congress. I am certain that the 39 Senators who cosponsored the bill were encouraged by the vote in the subcommittee, which was the heaviest vote in favor of the cold war GI education bill it ever received in either the 86th, 87th, or 88th Congress. It was heavier than the vote it received in the 86th Congress, when the bill was passed in the Senate by a vote of 57 to 31.

As the distinguished Senator from Alaska has said, the full Labor and Public Welfare Committee will meet at 10 o'clock tomorrow to consider the cold war GI education bill. This is the bill on which the hopes of 5 million ex-GI's rest, as their chance to get ahead and their opportunity to get help in readjusting from the detriment of being pulled out of civilian life while 55 percent of the others were not. The committee will have an opportunity tomorrow to take steps to rectify that omission.

I commend the distinguished Senator from Alaska for his great assistance in this area in trying to help the economic, social, and governmental well-being of those concerned and this country.

Mr. GRUENING. I consider the legislation—which the able senior Senator from Texas has sponsored—one of the most important bills that has come before this Congress. I very much hope it will be reported to the Senate by the full committee and will again be enacted by the Senate and passed by the House.

Mr. YARBOROUGH. I thank the Senator. I share his concern and hope.

AUTHORIZATION FOR STAFF MEMBERS OF THE BANKING AND CURRENCY COMMITTEE TO HAVE THE PRIVILEGE OF THE FLOOR

Mr. ROBERTSON. Mr. President, certain members of the Banking and Currency Committee would like to have present on the floor, when the Senate considers the area redevelopment bill, some of the staff members. I ask unanimous consent that the limitation of four staff members to be present when the bill is being considered be waived during the consideration of that one bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXPRESSION OF APPRECIATION

Mr. MANSFIELD. Mr. President, I commend the distinguished senior Senator from Virginia, chairman of the Finance Committee [Mr. BYRD], and the ranking minority member of the Finance Committee, the senior Senator from Delaware [Mr. WILLIAMS], for the cooperation they displayed this afternoon in voting to extend the excise tax with a minimum of difficulty, and just enough legislative debate.

I also compliment the distinguished senior Senator from Pennsylvania [Mr. CLARK] and the ranking minority member of the Banking and Currency Committee, the Senator from Utah [Mr. BENNETT], for the tolerance and understanding they showed this afternoon in the consideration and passage of the bill dealing with the Export-Import Bank.

I believe the Senate has done a good day's work in a short time.

EXCLUSION OF LUMBER CARGO FROM CERTAIN TARIFF REQUIREMENTS

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 242, Senate bill 1032.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1032) to exclude cargo which is lumber from certain tariff requirements under the Shipping Act of 1916.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at this point in the RECORD an explanation of the bill be printed.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The bill would amend section 18(b)(1) of the Shipping Act, 1916 (46 U.S.C. 871(b)(1)), as amended by Public Law 87-346, which provides that common carriers by water in foreign commerce and their conferences shall file with the Federal Maritime Commission and keep open to public inspection tariffs showing all rates and charges for transportation to and from U.S. ports and foreign ports. The subsection provides, however, that the requirements as to filing such rates and charges "shall not be applicable to cargo loaded in bulk without mark or count."

This bill would add to this exemption clause the words "or to cargo which is lumber," thereby making it unnecessary for carriers or their conferences to file, etc., tariffs on lumber cargoes.

As used in the proposed amendment to section 18(b)(1), "lumber" is defined as—lumber not further manufactured than passing lengthwise through a standard planing machine and crosscut to length, logs, poles, piling, and ties, including such articles preservatively treated, or bored, or framed, but not includnig plywood or finished articles knocked down or set up.

REASONS FOR THE BILL

In its statement of the purpose of and reason for the bill, the sponsoring lumber industry group stated that it has been and is unable to meet the severe competition of Canadian lumber producers who are taking a great deal of the foreign markets reached from the United States. Particularly affected by this competition are the lumber growers of the Pacific Northwest, whose competition, just a relatively short distance away, are not required to file rates in advance, and can meet changing shipping conditions withou the delay heretofore attendant upon similar arrangements made by U.S. shippers and carriers.

Testimony at the public hearing on the bill in behalf of the West Coast Lumbermen's Association and the Pacific Lumber Exporters' Association was that—

"Lumber from British Columbia is similar to that grown in Oregon, Washington, and California. The production of the two areas is highly competitive in every market. A difference in price as small as $0.25 per thousand feet will determine who gets the order.

"Bulk commodities are exempt from the law. Lumber is in fact a heavy bulk commodity. Because it is tallied the Federal Maritime Commission cannot exempt it under the bulk exemption, they have so ruled. That is why legislation is necessary to exempt lumber."

The lumber industry witness introduced a letter from the National Traffic League, which stated that—

"The membership of the National Industrial Traffic League, at its annual meeting in 1959, adopted a policy favoring the exemption from steamship conference contracts, bulk articles, loaded and carried in bulk, without mark or count. This position has been reaffirmed at subsequent annual membership meetings. Therefore the league would support extending the present exemptions in Public Law 87–346 to include lumber."

The Federal Maritime Commission, which did not oppose a similar proposal during the 87th Congress, to exempt lumber from filing requirements, did oppose S. 1032 at the public hearing. Refuting claims of lumber producers to the effect that it usually required 5 days to effect a rate reduction to meet competition, the Federal Maritime Chairman testified that Commission procedures had been revised, to the point that under present rules a decrease in rates may be filed by telegram or cable, and becomes effective when received by the Commission. Thus, to all intents and purposes, he said, decreases can be made immediately. This, your committee feels, would put domestic producers and shipping almost but not quite on an equal footing with their competition in this respect.

Decreases in rates by U.S. carriers to meet competition also present a problem in that usually they are not intended to be permanent. However, the statute provides that any request for increase shall become effective not earlier than 30 days after filing with the Commission, and while the chairman in his testimony stated that authority for such increases can now be handled by the Commission most expeditiously, possibly the same day, again there is always a "built in" advantage for the Canadian competitor.

The chairman's report stated, "perhaps the most important single factor concerned in ocean transportation rates is that they be stable, in order that shippers can know what their shipping costs will be." While this normally is true, certainly in the liner services, it would seem to be somewhat less true where competition is as severe, and as subject to changes in existing rates, as in the case with the commodity directly involved.

The report of the General Counsel of the Department of Commerce supports enactment of the bill, stating:

"It is our understanding that shippers of lumber believe that enactment of this legislation will permit them to secure rates for the transportation of lumber in foreign trade that are more competitive with those paid by foreign producers. At present the shippers argue that carriers are reluctant to negotiate spot rate reductions with them because such spot rates cannot thereafter be increased until the increased rate has been on file for at least 30 days. We understand also that the shipping industry has no objection to enactment of the legislation."

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be offered, the question is on the engrossment and third reading of the bill.

The bill (S. 1032) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 18(b)(1) of the Shipping Act, 1916 (46 U.S.C. 817(b)(1)), is amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "or to cargo which is lumber. As used in this paragraph, the term 'lumber' means lumber not further manufactured than passing lengthwise through a standard planing machine and crosscut to length, logs, poles, piling, and ties, including, such articles preservatively treated, or bored, or framed, but not including plywood or finished articles knocked down or set up."

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate adjourns today it adjourn to meet at 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE DAR AND TAX-EXEMPT PROPAGANDA

Mrs. NEUBERGER. Mr. President, last month Mrs. Dennis E. Kent, regent of the Chappaqua, N.Y., chapter of the Daughters of the American Revolution, delivered to the membership of her chapter the following graphic account of the nature and function of the national DAR:

While the DAR professes no political purpose and claims tax exemption on the

> strength of it, its policy year after dreary year, monotonously issued from its rubber-stamp congresses, supports uniformly the position of a certain segment of American political thought. No resolution contrary to positions of the far-right wing is adopted.
>
> It is crystal clear that the DAR has been warped from its original purposes, that the membership at large has no voice of any kind in the formation of DAR policies. It is clear that a tiny band of purposeful people has distorted the patriotic basis of the DAR.
>
> It is also clear that the reason for this deplorable situation is that the membership at large has no chance to express itself effectively. This is perpetuated by the general apathy of the DAR members, the development of a compartmentalized structure to prevent communication between chapters or States except through the national society and by the use of subtle devices to insure compliance with national society aims.
>
> Any such organization is subject to easy capture by a purposeful group. The results can be seen in efforts to deny free speech, in suppression of textbooks, in smear campaigns against any who disagree as Communists, and as I have experienced, in naked intimidation.

I have just read the assorted resolutions of the recent 77th Continental Congress of the DAR. Mrs. Kent scarcely exaggerates. These ill-tempered complaints range in substance from the petty "the Domestic Peace Corps would delay the entrance of the youth of this Nation into the field of free enterprise" to the doctrinaire restatement of the John Birch Society's conspiratorial view of recent American history.

No arm of government escapes the wrath of the Daughters: Congress is tarred with the brush of "progressive encroachment upon the constitutional rights of the several States of the Union with serious impairment of their vested rights, liberties, and control of their institutions." The Federal courts are "usurping the rights and powers of the legislatures of the several States." And the administration, through "subservience" to the United Nations has "permitted communism to become entrenched 90 miles off our shore in Cuba." The DAR calls for an "end"—it is assumed that the administration has already made a beginning—to the "payment of international blackmail."

No foreign enemy, apparently, is as fearful as the U.N. which "has demonstrated itself to be a political organization of force by its attack upon and its subjugation of Katanga." We are enjoined to beware even the Council of State Governments, which is charged with the sinister espousal of such "socialistic measures" as "public housing, urban renewal, and metro government."

Mr. President, Senate Resolution 159, now on the calendar, asks the Senate to print as a Senate document the 65th annual report of the DAR which includes these very resolutions. Why?

The ladies of the DAR are of course free to adopt any mode of political expression which they choose, as indeed are members of the John Birch Society—and incidentally the National Defense Committee of the DAR warmly recommends and distributes the "Scoreboard," Robert Welch's version of Communist world domination, faithfully reprinted from the John Birch Society organ, American Opinion.

But I cannot comprehend why the Senate of the United States should undertake to foot the bill for printing and mailing rightwing propaganda masquerading as a portion of the annual report of a nonpolitical, historical, educational, and patriotic service organization. And I find it particularly offensive that we, by publishing this report as a Senate document, should thereby give the color of official approval to these flagrantly partisan views.

Propaganda aside, the printing and mailing of this document which in past years has run over a hundred pages with interminable lists of officers, State-by-State reports, and financial data, strikes me as an uncommon waste of taxpayers' money.

The DAR does indeed perform several valuable and unique functions. It supports educational institutions and encourages the interests of youngsters in our Nation's history and culture. The DAR has furnished both spiritual and physical aid to the American Indian, and has organized Junior American Citizen's clubs to teach good citizenship, with membership free and open to all boys and girls regardless of race or creed. These activities are worthy of our commendation. They justify, if justification is needed, the Federal charter of the DAR. I suggest, nevertheless, that these functions are articulately and adequately described in the space of four pages by a press release from the Public Relations Committee of the DAR entitled "The DAR in Action," which I ask unanimous consent to have printed at the close of my remarks.

There being no objection, the press release was ordered to be printed in the RECORD.

(See exhibit 1.)

Mrs. NEUBERGER. Mr. President, this pamphlet describing the DAR activities might fruitfully be printed as a Senate document. But over 100 pages of lists, reports, and data can be of real interest only to the members themselves.

Nevertheless, I do not intend to block the passage of this resolution. The political views of the DAR, however distorted, do not bear great currency in the American marketplace of ideas. Besides, there are undoubtedly grosser misappropriations of funds to concern us than the $3,000 involved in printing the DAR report.

The DAR activities, however, are symptomatic of a greater evil—an evil which merits our very serious concern: the misuse of tax-exempt, nominally apolitical, religious, or educational organizations for the tax-free funding of political propaganda. I think it is most significant that Mrs. Kent herself questioned the DAR's right to continue its tax-exempt status in the light of the bitterly partisan nature of its public utterances.

Were the DAR alone in this abuse of tax-exempt status, its actions, while deplorable, would represent no serious threat to the survival of democratic institutions. But there is mounting evidence that the last several years have witnessed the proliferation of tax-exempt organizations whose sole apparent function is to funnel the funds of rightwing business, free of taxation, into rightwing propaganda mills.

There are apparently limitless illustrations of such abuses. I cited several in a recent Portland speech which, through the courtesy of my senior colleague from Oregon [Mr. MORSE] and the junior Senator from Utah [Mr. MOSS] was recently printed in the RECORD.

Representative PATMAN's recent definitive study of tax-exempt foundations and charitable trusts, while primarily directed toward exposure of economic abuses, also furnishes disturbing evidence of the ideological abuse of our tax-exemption laws.

The Tax Foundation, Inc., for example, is a tax-exempt educational organization in New York, whose concept of education can be illustrated by the following excerpt from its Review:

> Present taxation of personal income by the Federal Government restricts the freedom and initiative of the individual, weakens its incentives and cuts down his potential earning power. Rates are too high; they unduly limit private saving and spending.

Representative PATMAN also cites the remarkable case of the William Volker Fund, which spent $8,056 for the distribution of nonpartisan presidential posters.

Nor is education the only tax-exempt guise for the extremist. There are, unhappily, also pseudo religious organizations, such as the Christian Citizens Crusade, whose prime activity is the monthly publication of Militant Truth. In the words of the Reverend Ralph Lord Roy, Militant Truth "fans the flames of racial bigotry in a deliberate effort to associate labor unions with 'mongrelization.'" Labor leadership is customarily characterized as power-crazed, Communist-minded union bosses. And the Supreme Court's 1954 desegregation decision is denounced as "not based upon constitutional principles but upon the ideologies of United Nations' perverts and the textbooks of godless, sociological, and psychological theorists."

I have concentrated upon the propaganda activities of the extreme right wing. There is no question that the same standards must apply to tax-exemption abuses by leftwing organizations. But to those who ask me why I concentrate my fire upon the extreme right, I answer that the flood of material which inundates my office daily, rarely, if ever, comes from the left.

Nonetheless, there will undoubtedly be abuses by groups displaying all colors of political persuasion. And it should follow, without comment, that any reforms instituted must be applied without regard to the ideological position of the offender.

I have requested that Commissioner Caplin review the present procedures for the security of information returns, institute such administrative reforms as may be necessary, and report to me on the steps taken by the Internal Revenue Service to assure compliance with the law.

Mr. President, I ask unanimous consent that the letter which I directed to Mr. Caplin be printed at the close of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

EXHIBIT 1

NATIONAL SOCIETY, DAUGHTERS
OF THE AMERICAN REVOLUTION,
January 1963.

The National Society, Daughters of the American Revolution, was formally organized October 11, 1890, for the purpose of providing and promoting historical, educational and patriotic service. It was incorporated under the laws of the District of Columbia in 1891. A charter was granted to the society by the U.S. Congress and signed by President Grover Cleveland in 1896. This charter provides that the national society make an annual report to the Smithsonian Institution, which in turn reports to the U.S. Congress. It is an item of interest to know that in the spring of 1890, the newly organized Sons of the American Revolution considered the question of admitting women to membership and voted adversely on the matter.

As of June 1, 1962, 489,309 members had joined the DAR since its founding. At the present time there are approximately 185,000 members in 2,861 chapters.

The full DAR story is primarily one of service and is told by emphasizing the threefold objectives as set up in the bylaws and constitution: historic preservation, promotion of education, and patriotic endeavor.

We are often asked just what are the NSDAR accomplishments. This question is difficult to answer, not because of lack of material, but because the NSDAR, in so many ways, has an outstanding record of contributions. The NSDAR embraces all interests in life: historical, educational, patriotic, and cultural.

Through the years, the Daughters have raised money, without asking for financial assistance from the outside. They have initiated and supported voluminous projects; given thousands of awards, medals, and scholarships; fully maintained 2 privately owned and operated DAR schools with an enrollment of more than 1,000 students, with a total of 53 buildings on 1,243 acres of land. This school investment alone represents nearly $2 million. Further, a whole city block comprising three handsome buildings in the most beautiful section of the Nation's Capital, worth around $8 million and debt free, were built and serve as the national society's headquarters.

Over the past 25 years, Constitution Hall has been and still is Washington's chief and largest cultural center. It is the home of the National Symphony Orchestra, and it has been the lecture platform for the National Geographical Society since 1933.

In Memorial Continental Hall, in the outstanding DAR Genealogical Reference Library, third ranking in the Nation, is housed more than 49,000 books and pamphlets and 30,000 manuscripts, some of which are available in no other library. This facility is open to the public 11 months of the year. Also in the 17th Street building are 28 individual, beautifully decorated and furnished period rooms. These are supported and maintained by the State societies.

The administration building, connecting Constitution Hall and Memorial Continental Hall, is the middle, or connecting, building of the unit. In it are located the 44 national offices; the chapel; the Americana room, which is a repository of historical documents of the early years of our Republic; and the DAR museum gallery. The museum committee dates back to 1892 and was founded for the preservation and exhibition of Revolutionary relics. Interest and contributions over the years have resulted in a collection of some 10,000 items, that are rotated throughout the year for exhibit in 80 display cases. As a public service both the library and museum are open 5 days a week the year round.

In a very true sense, the NSDAR is a dedicated service organization. Through its 28 national committees it affords great opportunity for service to community, State, and Nation. Its comprehensive program appeals to and is designed for the child, the youth, and the adult. The majority of the NSDAR national committees were established not for the DAR and its members, but to aid and benefit our country and citizens. This it has done down through the years since its founding 72 years ago. The scope of activity is devoted to the service of fellow citizens in all stages of life, in all fields of endeavor.

To many, our greatest service is in education—primarily through our DAR school committee—which aids nine schools, two of which are DAR owned: Kate Duncan Smith at Grant, Ala., and Tamassee at Tamassee, S.C. Each has an enrollment of around 500 students. To date nearly $5 million—$4,585,559.86 to be exact—has been contributed to the schools. The annual appropriation is around $200,000. Six of the DAR supported schools were visited recently—October 1962—on the sixth DAR bus tour.

Our American Indians committee established to help American Indians take their rightful place in our American way of life, aids two Indian schools: St. Marys for girls in Springfield, S. Dak.; and Bacone Indian College in Bacone, Okla. Last year $100,000 was given for scholarships and clothing.

Citizenship training and study of American government are promoted through the Americanism and DAR Manual for Citizenship Committee. Since 1920, nearly 9 million DAR Manuals for Citizenship have been given to the foreign born who wish to become American citizens. One thousand four hundred and five prizes were presented to Americanism essay contest winners last year (1962) and $24,248 was spent by DAR in carrying out the work of this committee.

The Daughters of the American Revolution founded the Americanization school in Washington, D.C., in 1913. In 1919 it was incorporated into the District of Columbia school system and now, each year, 1,500 students from 82 nations attend the school. The DAR continues its interest in the school and aids in the annual bazaar.

The NSDAR expends around $200,000 annually in scholarships, school awards, and prizes. The DAR good citizens committee, whose aim is to recognize and promote the qualities of dependability, service, leadership, and patriotism among high school students, awards annually $100 savings bond to a senior girl from each State and the District of Columbia. The Society makes awards to an outstanding graduate at each of the six Service Academies—Annapolis, West Point, Air Force, Merchant Marine, Marine Corps, and Coast Guard.

The junior American citizens committee, with its primary purpose of teaching and promoting Americanism and good citizenship to elementary age children sponsors 8,569 JAC clubs with a total membership of 338,804. These clubs, sponsored by the DAR chapters at the community level, can be organized in parochial or public schools, settlement houses, orphanages or community centers. Membership is free and is open to all boys and girls regardless of race or creed.

Last year the national defense committee presented 9,288 Good Citizenship Medals to boys and girls in the graduating classes of elementary, junior and senior high schools who possessed the four important qualities of dependability, service, leadership, and patriotism. These medals are not to be confused with the Good Citizens Awards which are given to senior high school girls only.

More than 26,000 U.S. flags and 40,000 flag codes were presented to schools, scout troops and others. This, through furtherance of the work of the flag of the United States of America Committee.

Over 5,596 history certificates of award and several thousand medals were given by the DAR to promote love of history among the young people, in fifth and sixth grades throughout the Nation.

Historic places are marked, homes restored and the location and marking of graves of Revolutionary soldiers continue. Our most ambitious undertaking in this field was the erection of the half-million-dollar Memorial Bell Tower at Valley Forge, dedicated to the glory of God and the memory of our American heroes.

American History Month and Constitution Week are very important committees doing vital work in the promotion and study and appreciation of all of our citizens for our Constitution and American history.

The conservation committee is also a very active public-service committee. Nearly 68 million (67,904,077) trees, shrubs and seedlings have been planted in public parks and roadsides. Thousands of bulbs and wildflower gardens were planted in public places. Enormous quantities of seeds and suet have been fed to the birds during the winter and migratory seasons.

To give you an idea of the Daughters' reaction to our past national emergencies: Besides helping to organize the Army Nurse Corps on April 26, 1898, it completely restored the French village of Tilloloy after World War I; collected $340,000 for the blood plasma program of the Red Cross for the Second World War; and sponsored 82 Navy landing craft, sending 16,000 pieces of mail to the men and officers of these vessels. The Daughters gave in cash and gifts $4 million for World War I and $2,800,000 for World War II. During the First World War, they purchased $130 million in war bonds and in the Second, over $200 million.

Pause a moment and attempt to total all of this expenditure of time, energy and money, through the past 72 years, by the Daughters of the American Revolution.

It certainly provides a most impressive answer to the question, "What do the Daughters Do?" Next time you are asked this question, sincerely reply: The Daughters of the American Revolution work and they work hard, many, long hours to preserve the past, to carry out obligations to the present and to build a firm foundation to safeguard the future.

EXHIBIT 2

U.S. SENATE,
Washington, D.C., June 20, 1963.

Hon. MORTIMER M. CAPLIN,
Commissioner of Internal Revenue,
Department of the Treasury,
Washington, D.C.

DEAR MR. CAPLIN: I am concerned about the volume and substance of printed material being circulated by a number of organizations which appear to have status as so-called tax exempt educational groups. My concern is based on the fact that income contributed to such an organization is exempt from taxation so long as "no substantial part of its activities" is carrying propaganda; yet my office receives a flood of pamphlets and brochures which plainly represent an organized effort to spread particular doctrines and are unmistakably propaganda.

Much of the material attempts to discredit policies of the U.S. Government, or decisions of Congress and its individual Members. Undoubtedly much of this is motivated for partisan political reasons. I staunchly defend freedom of speech and the press and the right of petition for redress of grievances. But this does not mean that the Public Treasury can be used to aid in circulation of any extremist propaganda whose main purpose is to overturn policies decided by the majority through our democratic processes.

In my opinion, the Internal Revenue Service has an obligation and responsibility to exercise much closer surveillance of material distributed by all tax-exempt groups under the guise of "education". The statute is quite clear on the point that exemption privileges shall extend only to those whose activities are substantially free of propaganda activities. I am enclosing some of the printed material received in my office during the last week or so to assist in identifying the type of propaganda I have in mind.

I will appreciate a report on steps being taken by IRS to assure compliance with the law by organizations of this type.

With best wishes, I am,

Sincerely yours,

MAURINE B. NEUBERGER,
U.S. Senator.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRINTING OF 65TH ANNUAL REPORT OF NATIONAL SOCIETY OF DAUGHTERS OF THE AMERICAN REVOLUTION AS A SENATE DOCUMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 226, State Resolution 159.

The PRESIDING OFFICER. The resolution will be stated by title.

The LEGISLATIVE CLERK. A resolution (S. Res. 159) authorizing the printing of the 65th Annual Report of the National Society of the Daughters of the American Revolution as a Senate document.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 159) was considered and agreed to, as follows:

Resolved, That the 65th annual report of the National Society of the Daughters of the American Revolution for the year ended March 1, 1962, be printed, with an illustration, as a Senate document.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Montana will state it.

Mr. MANSFIELD. Does the leadership correctly understand that at the conclusion of the morning business tomorrow the pending business will be the Atomic Energy Commission construction authorization bill?

The PRESIDING OFFICER. The Senator from Montana is correct.

ADJOURNMENT

Mr. MANSFIELD. Mr. President, if there is no further business to be transacted, I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 3 o'clock and 56 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Tuesday, June 25, 1963, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate June 24, 1963:

U.S. CIRCUIT JUDGE

Pat Mehaffy, of Arkansas, to be U.S. circuit judge for the eighth circuit, vice Joseph W. Woodrough, retired.

DIPLOMATIC AND FOREIGN SERVICE

James I. Loeb, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Guinea.

The following-named persons, now Foreign Service officers of class 3 and secretaries in the diplomatic service, to be also Consuls General of the United States of America:

Francis O. Allen, Pennsylvania
Joseph W. Schutz, of California

Russell E. Olson, of Illinois, now a Foreign Service officer of class 5 and a secretary in the diplomatic service, to be also a consul of the United States of America, to be effective March 1, 1963.

Edward H. Springer, of Oregon, now a Foreign Service officer of class 6 and a secretary in the diplomatic service, to be also a consul of the United States of America.

Thomas W. Mapp, of California, for promotion from a Foreign Service officer of class 7 to class 6.

The following-named Foreign Service officers for promotion from class 8 to class 7:

Charles A. Anderson, of California.
James Richard Cheek, of Arkansas.
Joseph R. Chesen, of Wisconsin.
Hobart Harrington Cleveland, of Florida.
Charles M. Cole, of Minnesota.
David W. Cox, of Wisconsin.
Alfred Forman Daiboch, of New Jersey.
Harold H. Dorland, of Minnesota.
Mark M. Easton, of New York.
Lloyd H. Ellis, Jr., of Nebraska.
Edward M. Featherstone, of Pennsylvania.
Robert A. Flaten, of Minnesota.
Olaf Grobel, of Tennessee.
Donald D. Haught, of California.
Miss Harriet W. Isom, of the District of Columbia.
Stephen Tillman Johnson, of California.
Robert H. Knickmeyer, of Missouri.
Roland Karl Kuchel, of Massachusetts.
Gary L. Matthews, of Missouri.
Ralph R. Moore, of Massachusetts.
William B. Pogue, of California.
Ralph C. Porter III, of New Jersey.
Douglas K. Ramsey, of Nevada.
James W. Reeves, of California.
Davis R. Robinson, of Connecticut.
P. Peter Sarros, of New York
Richard D. Scarfo, of Massachusetts.
Samuel Sloan, of New York.
Richard Henry Stock, of New York.
Peter Bird Swiers, of New York.
Peter Tarnoff, of New York.
Clyde Donald Taylor, of the District of Columbia.
William Graham Walker, of California.
Donald J. Walsh, of the District of Columbia.
Ralph Claiborne Walsh, of Texas.
Barclay Ward, of Connecticut.

The following-named persons for appointment as Foreign Service officers of class 7, vice consuls of career, and secretaries in the Diplomatic Service of the United States of America:

Richard W. Aherne, of Pennsylvania.
David Meredith Evans, of Pennsylvania.
Myles R. René Frechette, of Washington.
Richard E. Ginnold, of Washington.
Ernest H. Preeg, of New York.
Timothy L. Towell, of Ohio.

The following-named persons for appointment as Foreign Service officers of class 8, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

Edward B. Berman, of Michigan.
Paul G. Berry, of Maine.
David P. N. Christensen, of Nevada.
Jared J. Collard, of Washington.
A. Edward Elmendorf, of California.
Lowell R. Fleischer, of Ohio.
H. Alan Krause, of Illinois.
Roscoe C. Lewis III, of the District of Columbia.
James H. Madden, of California.
Shirl F. McArthur, of Washington.
Joseph D. McLaughlin, of Kansas.
Irwin Pernick, of New York.
Miss Linda Margaret Pfeifle, of Maryland.
Gordan R. Powers, of Idaho.
Jonathan B. Rickert, of Michigan.
Theodore E. Russell, of Maine.
Miss Ruth M. Schimel, of New York.
Miss Elizabeth A. Swift, of the District of Columbia.

The following-named Foreign Service Reserve officers to be consuls of the United States of America.

Arnaldo Berenguer, of the District of Columbia.
G. Tyler Byrne, of Connecticut.
Everett G. Chapman, of California.
Abol F. Fotouhi, of North Carolina.
Arthur P. Frizzell, of Maine.
Donald F. Haher, of Virginia.
Robert George Kemp, of the District of Columbia.
Merron L. Latta, Jr., of Ohio.
Frenise A. Logan, of North Carolina.
James B. Miller, of Tennessee.
Thomas J. Mulvehill, of New Jersey.
Charles G. Provance, of Pennsylvania.
Harold E. Schwartz, of Virginia.
Francis S. Sherry III, of Massachusetts.
Shephen J. Shuttack, of Pennsylvania.
Abraham M. Sirkin, of Maryland.

The following-named Foreign Service Reserve officers to be consuls and secretaries in the diplomatic service of the United States of America:

David A. McDonough, of the District of Columbia.
John W. Waltz, of Maryland.

The following-named Foreign Service Reserve officers to be vice consuls of the United States of America:

John W. Beckwith, of Virginia.
John Allen Brettell, of Pennsylvania.
James H. DeCou, of California.
Condit N. Eddy, Jr., of New York.
Hugh R. Ennis, of New York.
Robert J. Hoffmaster, of Virginia.
Edwin J. Pechous, of Illinois.
Daniel D. Webb, of Michigan.
Charles M. Willett, of Virginia.

The following-named Foreign Service Reserve officers to be secretaries in the diplomatic service of the United States of America:

Thomas M. Bartholomay, of Pennsylvania.
Paul M. Birkeland, of Virginia.
Constantine M. Broutsas, of Virginia.
Kenneth C. Cathey, of the District of Columbia.
David W. Doyle, of Maryland.
James R. Fees, of Washington.
Robert J. Francis, of Tennessee.
William F. Gelabert, of New York.
Charles S. Gordon, of California.
Irving F. Holober, of Florida.
Edward R. M. Kane, of California.
David Y. C. Lee, of Hawaii.
James R. Lilley, of the District of Columbia.
Victor M. Matsui, of New Jersey.
John E. Palevich, of Pennsylvania.
Leonard B. Pouliot, of Virginia.
Ralph W. Ruffner, of Maryland.
Charles O. Stainback, of Virginia.
Edward Melvin Starr, Jr., of Maryland.
Alan P. White, of Maryland.

The following-named Foreign Service staff officers to be consuls of the United States of America:

Mrs. Hazel O. Briggs, of Washington.
James D. Mason, of Indiana.
Jacob Snyder, of Maryland.

IN THE ARMY

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3299:

To be lieutenant colonel

Scherer, James B., O24415.

To be majors

Abbruzzese, Peter A., O62553.
Adams, Alfred M., O65721.
Adams, Dwight L., O62649.
Adams, Pritchard G., Jr., O60248.
Adams, Walter E., O62528.
Adkins, Virgil S., Jr., O59987.
Agresta, James, O84582.
Aguilar, Domingo I., O69578.
Ahearn, Charles E., O69579.
Aiken, Jamie L., O78693.
Aitken, Lowell A., O60951.
Albrecht, Erwin F., Jr., O67636.
Alexander, John T., O61609.
Alexander, Marvin L., O78695.
Allan, Abraham N., O62440.
Allen, Edwin W., Jr., O61226.
Allen, John W., Jr., O62698.
Allen, Robert A., O59986.
Allen, Robert W., O81941.
Allgood, Charles N., O61488.
Allison, James W., O78697.
Allman, Phillip H., Jr., O78698.
Alvarez, Alfred A., O78699.
Ambrose, Bernard J., O61273.
Ambrose, Wayne R., O80032.
Anderson, Charles H., Jr., O61616.
Anderson, James R., O67638.
Anderson, William A., O71755.
Angelini, Joseph, O86985.
Ankley, William J., O65259.
Apple, Clarence E., O61149.
Armeli, Jerry P., O78703.
Armstrong, Andrew J., O61102.
Arnold, George H., O61283.
Ash, Ned R., O62072.
Astarita, Orazio J., O61388.
Attmore, Charles M., Jr., O65943.
Aull, Luther B., 3d, O62428.
Austin, Thomas A., 3d, O62548.
Backus, Walter O., O61582.
Baeuchle, Alfred A., O59901.
Bagley, James E., 3d, O61619.
Baish, Charles F., O62411.
Baldwin, Daniel L., O70260.
Ball, George L., O62485.
Ball, Thomas H., O62737.
Banks, Thomas G., O78711.
Barbour, Edward L., O78712.
Barker, Arthur C., O62513.
Barkley, James R., O78713.
Barnes, Alfred, O63099.
Barnes, James C., Jr., O62704.
Barnet, John A., Jr., O62597.
Barney, Charles F., O84588.
Barry, Raymond N., O62617.
Barry, Thomas M., Jr., O62364.
Bashore, Boyd T., O62552.
Bassett, Cyrus W., O60945.
Bateman, Benjamin F., O62037.
Baughman, Richard A., O60244.
Baxley, William J., Jr., O62583.
Bean, Robert, O78715.
Beauchamp, Darwin D., O78716.
Beaumont, Robert B., O61464.
Beck, Robert H., O66134.
Beckner, David A., O61634.
Beddoe, William A., O60920.
Begley, Thomas F., O60897.
Belford, Robert E., O61411.
Bell, Allan D., Jr., O81955.
Belock, Frank, O92171.
Bennett, Karl F., O65750.
Berenbaum, Esai, O61442.
Bergstrom, Richard H., O67645.
Bernhard, Alexander H., O63419.
Berry, Elbert D. H., O62369.
Berry, William T., O61537.
Beverly, Sidney E., O69590.
Bice, William S., O63025.
Billingsley, Jack D., O61591.
Birk, Elmer L., O62305.
Bjork, Harlan L., O62850.
Black, Lorne S., O61562.
Black, Sammy J., O68326.
Black, William C., O61700.
Blair, Arthur H., O62349.
Blank, Harold L., O62472.
Blankenship, Alan W., O60125.
Bloss, William H., Jr., O62767.
Blount, John B., O61705.
Blumhardt, Howard J., O61838.
Bobzien, Gerald B., O68081.
Bohn, Donald L., O62611.
Bolduc, Lucien E., Jr., O62359.
Bolen, Charles M., Jr., O63417.
Bolson, Carl D., O61587.
Bolte, Philip L., O62407.
Boyer, Robert E., O73238.
Boyes, John H., O65269.
Boylan, James F., O62331.
Boyle, Garrison J., O71450.
Bozeman, Colon A., O84591.
Bradley, William M., O63026.
Brandes, William F., O62290.
Breed, Charles R., O65302.
Breitwieser, Albert G., 3d, O62544.
Brenner, John A., O60861.
Brent, Walter I., O61446.
Briggs, Jack L., O78735.
Brindel, Charles L., O94831.
Brinker, Joseph R., O78737.
Brinkerhoff, John R., O62287.
Brinson, Remer Y., O61980.
Broderick, John P., O67649.
Brooke, Stafford R., O65955.
Brown, Charles H., O81967.
Brown, James L., O61886.
Brown, Lloyd J., O69602.
Brown, Robert L., O61272.
Brown, Vance S., Jr., O62429.
Brumme, Gunther A., O62853.
Bryan, John A., O61163.
Bryant, James B., O65490.
Buccolo, Joseph P., O62648.
Buchanan, William J., O61439.
Buck, James H., O62845.
Buckley, Francis R., O71649.
Buckner, Garrett D., O62679.
Bull, Kenneth R., O60895.
Bunn, Dudley T., O61902.
Burack, Emanuel, O61905.
Burke, Lloyd L., O61246.
Burnop, George T., O63010.
Burns, James R., O69610.
Burns, Robert J., O65258.
Burtchett, Howard D., O62055.
Busbey, Arthur B., Jr., O78745.
Bush, Charles C., 3d, O62103.
Butler, Charles L., O62588.
Byers, Andy J., O62436.
Byrne, John P., O78748.
Caffrey, James V., Jr., O61263.
Cain, John H., O70294.
Cain, Robert O., O89792.
Callanan, John A., O78749.
Cameron, David H., O62296.
Cameron, Stephen F., O62328.
Campbell, John W., O69613.
Campbell, Wayne C., O69615.
Caraplis, Louis A., Jr., O59980.
Caras, Louis S., O61827.
Carey, Eldon W., O78751.
Carignan, Robert E., O70296.
Carney, Jonathon D., O80055.
Carrejo, Joe T., O61481.
Carrick, Julian B., Jr., O68084.
Carroll, Danford S., O65499.
Carter, Donn F., O91787.
Carter, Ircel L., O60836.
Cary, Richard L., O61389.
Casper, Paul N., O60255.
Chabot, Richard C., O69616.
Chadick, Harold M., O65963.
Chamberlain, Edwin W., Jr., O78755.
Chamberlain, Robert L., O60954.
Chamberlin, Robert G., O61354.
Chambers, Robert M., O62660.
Chandler, Malcolm W., Jr., O62618.
Chapman, Herschel E., O62471.
Chegin, Lee J., O61890.
Cheney, Robert A., O62692.
Childers, Charles N., O61646.
Childers, John C., Jr., O67655.
Chivers, John, O78759.
Christensen, Hal S., O63420.
Cicero, Raymond F., O78761.
Clark, Herbert E., O61215.
Clark, Raymond G., Jr., O67657.
Clark, Richard P., Jr., O78763.
Clement, Coleman C., Jr., O63111.
Coakley, Paul E., O62863.
Cobb, Joseph F., O59990.
Coffman, Warren G., O78766.
Colebank, Albert E., O71772.
Collins, Arthur H., Jr., O65500.
Collins, John J., Jr., O65243.
Colville, Warren R., O78767.
Comstock, Keith G., O61376.
Conners, Robert J., O78768.
Conroy, Bernard J., O61249.
Cooper, Claude W., O61542.
Cornay, Florian O., O62493.
Corsentino, Leonard J., O61461.
Coursen, Edward O., O60309.
Covach, John, O61893.
Cowden, John E., O61606.
Cox, Arthur L., O65305.
Cox, Charles P., O62877.
Cox, Joice O., Jr., O67662.
Coxe, Robert L., O61261.
Coykendall, Kenneth F., O91799.
Coyle, Marcus W., O71470.
Craft, Clayton, O61394.
Cragin, John M., O62412.
Cramer, Arthur J., O89831.
Crawford, Albert B., Jr., O62295.
Crego, Arthur V., O91800.
Creuziger, Donald P., O62386.
Cristo, Anthony B., O62849.
Crittenberger, Dale J., O62432.
Crockett, Edward P., O62497.
Cronin, Eugene J., Jr., O78777.
Crooks, Eugene F., O65971.
Culbertson, Edward L., O62886.
Culpepper, John S., Jr., O61223.
Cummings, Arthur B., O78778.
Cuneo, Victor N., Jr., O62674.
Cunningham, Charles C., O62599.
Currier, John W., O70319.
Curtis, James A., O62624.
Curtis, James W., Jr., O67665.
Daniels, Hiram E., O78785.
Darrington, Kenneth R., O62876.
Dasch, William E., Sr., O63027.
Daugherty, William L., O62546.
Davis, David H., O61765.
Davis, Edward P., O65975.
Davis, James H., O61142.
Davis, L. Conrad, O61848.
Davis, Reed E., Jr., O62623.
Davis, Walter R., O78787.
Davis, William D., O62621.
Day, Harvey C., Jr., O61433.
DeBellis, Anthony C., O60862.
DeCamara, Donald R., O61108.
DeFiori, Victor A., O71667.
DeGraf, William B., O62282.
deLatour, Louis A., O78788.
DeSilva, Rudolph H., O71339.
deVane, William L., O61887.
deZafra, Charles R., O61245.
Delavan, Patrick N., O75172.
Denison, Allen R., O70323.
Detherow, Ralph H., O62666.
DiCiro, Charles M., O59991.
DiGennaro, Michael A., Jr., O65497.
Dickerson, Charles F., Jr., O62589.
Diehl, Robert C., O65980.
Dielens, August J., Jr., O62563.
Digrazia, John E., Jr., O62602.
Dillon, Robert E., O92181.
Dissek, John, Jr., O61034.
Dixon, Louis F., O62473.
Dobbins, John P., O61146.
Dodge, Harry E., O62653.
Dolan, Pierre J., O61814.
Doleac, Philbert C., O61304.
Dolezal, Thomas R., O63120.

Dolziski, Andrew, O65983.
Donahue, Phillip H., O62441.
Donald, James W., O66146.
Donovan, James C., O62401.
Dornbush, Louis W., O83100.
Dorsey, Frank J., O78581.
Dotson, J. T., O61678.
Doughtie, Claude H., Jr., O62535.
Douglas, John J., O62080.
Douglas. Robert J., O61990.
Dowe, Ray M., Jr., O62650.
Downes. Thomas W., Jr., O61432.
Downey. Neil B., O61717.
Dreisonstok, Thomas F., O62682.
Drewry, James C., Jr., O62447.
Druener, Hanz K., O65310.
Du Bose, Grover A., O61812.
Duba, William T., O69636.
Dudley, Thomas D., O81991.
Duemler, Richard R., O95012.
Duffy, Thomas E., O62029.
Duggan, Roy H., Jr., O66147.
Duggins, Frank H., Jr., O62629.
Duke, Herbert J., Jr., O80075.
Duke, Richard J., O89910.
Dunley, James E., O61503.
Dunn, James F., O62771.
Dunn, Thomas M., Jr., O78810.
Durham, Guy, O78811.
Durham, William L., O61043.
Durrant, William L., O60858.
Durst, Jay B., O62311.
Duvall, William H., O69907.
Easley, Roy W., Jr., O62631.
Eaton, William H., O78814.
Eberhardt, Guy A., O69639.
Ebner, Kenneth R., O62505.
Edner, Lewis V., O60919.
Edwards, Ahmed T., O80077.
Edwards, Henry B., Jr., O58130.
Edwards, Robert C., O62613.
Eek, Lauris M., Jr., O62482.
Effertz, Edward H., O61413.
Eichorn, William N., 2d, O62702.
Elian, Arthur J., O60946.
Elliot, Charles W., O62727.
Elliott, Joe F., O62454.
Ellis, Calvin W., O63005.
Emerson, Henry H., O61053.
Emmert, Robert W., O62851.
Engle, Marshall G., O65747.
Ensley, George H., O61667.
Erwin, Charles E., O78823.
Eshelman, Charles O., O62283.
Estes, Clifford H., O65987.
Eustis, Thomas B., O61597.
Evans, Dell G., O78826.
Ewan, Richard, C., Jr., O62342.
Fahs, John L., Jr., O62422.
Fahy, John W., O62754.
Fallon, Robert T., O59239.
Faris, Charles A., Jr., O69643.
Farmer, Raymond L., O61668.
Farrar, Julian D., O69483.
Farrell, Peter B., O62580.
Faulkner, Oscar L., Jr., O78830.
Faust, Elmer F., O69644.
Feek, William A., Jr., O66149.
Feicht, Victor R., O61686.
Felder, Pelham L., 3d, O61036.
Fern, Albert J., Jr., O62525.
Fette, James H., O62715.
Fields, Darrel R., O62862.
Fife, Thomas W., O62388.
Fifield, George C., O62667.
Filbin, Edward J., O91584.
Fincher, Herbert A., O61353.
Finkelstein, Zane E., O73068.
Finley, Thomas O., O84606.
Fischer, Philip D., O62683.
Fisher, Alex E., O65126.
Fisher, Emil, Jr., O61759.
Fite, Richard A., O95430.
Fitts, William T., 3d, O62652.
Fitzgerald, Edgar R., O91585.
Fletcher, Tyler H., O61884.
Flynn, Allan S., O62576.
Foerster, Merlin W., O65289.
Follett, Charles V., Jr., O62003.
Forbes, Dennis L., O67677.
Ford, Charles D., Jr., O61760.
Forney, Leslie R., Jr., O61221.
Fox, Edward J., O62675.
Fox, John E., O62392.
Francis, Charles S., O65254.
Frandsen, Herbert L., O62083.
Franklin, Joseph R., O62893.
Franklin, Swayne B., O75359.
Fraser, Carlos L., O65495.
Frazier, Ernest R., O84610.
Freedman, Edward P., O62384.
Freeman, Belvin S., O69649.
French, Cecil R., O61155.
French. Seward F., Jr., O65994.
Friedlein, Charles M., O85541.
Fronczak, Edward L., O61833.
Fuller, John L., O60873.
Fuller, Marvin D., O59993.
Fullerton, George R., O62329.
Funke, Robert D., O60284.
Fye, Richard S., O62446.
Gainey, Maurice A., Jr., O61258.
Gainok, Elmer J., O65999.
Gaiter, Leonce E., O61447.
Gaither, James L., O66151.
Gallagher, Francis E., O78841.
Gallivan, William G., O61832.
Gappa, Joseph A., Jr., O62520.
Garber, Robert A., O65277.
Gard, Robert G., Jr., O62355.
Gardner, Frank K., O80088.
Garner, Francis, O65268.
Gaurnier, Paul L., O61337.
Gearan, William K., O62434.
Geist, Gerald W., O84615.
Genuario, Louis V., O62696.
George, Richard E., O61316.
Ghormley, Thomas A., O70343.
Gibson, Ross J., O61398.
Gillespie, Berkeley S., Jr., O59829.
Gillette, Stanley L., O82010.
Gilliatt, Donald L., O59994.
Glasgow, Keith A., O82011.
Glasgow, Richard J., O74697.
Glauber, James M., O61134.
Glenn, Arthur B., O69656.
Glenn, Russell A., O62375.
Glover, William D., O61673.
Godsey, James P., O65307.
Goen, Ira J., O78850.
Gojsza, William P., O78851.
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Gordanier, Robert S., O65256.
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Gorman, Paul F., O62379.
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Graefe, Carl W., O65749.
Graham, Charles P., O62354.
Grammer, William C., O71501.
Grange, David E., Jr., O69660.
Grasser, Peter G., O78857.
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Green, Calvin E., O60913.
Green, William A., Jr., O61456.
Greenberg, Robert A., O61458.
Greene, Joseph E., O61031.
Greene, Robert J., O84622.
Greer, James F., O61922.
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Gregg, Arthur J., O78860.
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Gregg, John B., O59825.
Gregoire, William N., O79311.
Griebling, Alfred L., O62360.
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Griffin, Frank L., O78861.
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Griffiths, Samuel E., O61813.
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Groves, Thurman M., O65270.
Grow, Robert M., O62570.
Guelker, Clarence W., O71795.
Guest, Marion I., O60856.
Guion, James L., Jr., O62726.
Gurnee, Paul L., O62668.
Guth, Carrol W., O67689.
Haas, Kenneth R., O61109.
Haberman, Fredric W., O62550.
Hall, Kenneth W., O62680.
Hallman, Thomas J., O59997.
Hamlin, Frederick J., Jr., O62301.
Hammerle, Robert A., O78866.
Hammes, Norman W., O70360.
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Hanks, Clinton M., O78867.
Hanline, Donald S., O84625.
Hanlon, Charles W., O61349.
Hanna, Mark J., O62760.
Hansen, Marcus W., O61377.
Hansen, Ray S., O62318.
Hanson, James M., O60999.
Hargreaves, Charles D., O60875.
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Harrell, James L., O85178.
Harris, Brady R., O61563.
Harris, Claude R., O87529.
Harris, Louis A., O61556.
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Harris, William M., Jr., O73268.
Hart, John L., O62261.
Hatch, James B., O61156.
Hawkins, Strather W., O58157.
Hayes, Donald R., Sr., O87781.
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Hayes, Robert T., O61338.
Hays, Marcus D., O67695.
Hayward, Charles W., O62495.
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Heder, Robert T., O60863.
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Heffelfinger, Edwin C., O72895.
Hefti, James C., O59830.
Heiker, Joseph H., O61133.
Heisel, Clarence L., O80103.
Helker, Albert A., O78874.
Henderson, Glenn H., O69674.
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Hendry, James B., O83602.
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Henry, Thomas M., O68112.
Henson, Virgil A., Jr., O87785.
Herbert, James M., Jr., O60159.
Herbert, Morris J., Jr., O62424.
Hergert, Louis G., Jr., O62460.
Hermes, Elmer R., O69680.
Herring, Wilton A., Jr., O66017.
Herzig, John A., O82022.
Hetz, Robert A., Jr., O62443.
Heyer, Charles J., O60245.
Hicks, David A., O61868.
Hicks, Richard G., O62033.
Hill, James G., O71513.
Hinds, Sidney R., Jr., O62772.
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Hirsch, Irvin S., O62642.
Hirsch, Peter J., O71804.
Hobson, Thomas B., Jr., O61105.
Hoch, John J., O65287.
Hodges, Robert C., O62878.
Hoey, Matthew W., O71806.
Hoff, Wilford J., Jr., O61794.
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Hoisington, Robert H., O62587.
Holbrook, Bruce, O78884.
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Holt, Paul E., O80874.
Hoppe, Robert B., O61497.
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Horton, Charles L., O78889.
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Houston, Bruce K., O61308.
Howard, Francis E., Jr., O62745.
Howard, John D., O62639.
Howden. James A., O61471.

Howe, William S., Jr., O62330.
Howell, James G., O62565.
Hubbard, George H., 2d, O62547.
Hubbard, Norman F., O62763.
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Huff, Cecil R., O60866.
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Hughes, Robert B., O62307.
Hughes, Robert I., Jr., O91876.
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Hulburt, Charles W., O61331.
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Hunt, Richard L., O62357.
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Hussey, John W., O59999.
Hutcheson, Philo A., O62459.
Hutzler, Charles T., O62016.
Hyatt, Douglas P., O70389.
Ingalls, Robert E., O61803.
Irish, Wilfred E., Jr., O65271.
Irons, James V., O62644.
Irvine, Joseph M., O60308.
Isley, George H., Jr., O61505.
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Jackley, Lawrence W., O62568.
Jackson, Marvin L., O67701.
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Jewkes, Lorus D., O61534.
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Jones, William R. D., O62596.
Joy, David D., O62685.
Judd, James J., O69704.
Jurgens, Francis M., O70397.
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Kaluf, William C., O84635.
Kaplan, Phillip, O70398.
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Kennedy, James E., O67708.
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Keyser, John M., O89524.
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King, David B., 2d, O62633.
King, Francis, O62539.
Kingston, Robert C., O71534.
Kinnaird, Ralph D., O78918.
Kinney, Ludie E., Jr., O61828.
Kirk, Richard L., O65276.
Klein, John M., O92448.
Klie, George D., O62527.
Knapp, William L., O62627.
Knauer, Glenn W., O62464.
Knipp, Arthur L., Jr., O70400.
Knopp, Daniel W., O70401.
Koehler, John J., Jr., O62756.
Koffler, Carl A., O69519.
Kolster, Jim H., O65265.
Koontz, Joseph J., O60254.
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Kramer, Richard L., O62890.
Krasko, John, O59406.
Krstulich, Karl J., O65251.
Krug, Robert W., O78926.
Kubby, Robert S., O62325.
Kuckhahn, Karl O., O62634.
LaVache, Emil J., O88278.
Laffoon, Donald M., O61478.
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Lamdin, William R., O62529.
Lamm, Warren W., O78930.
Lang, Bobby R., O91766.
Larson, Donald W., O61361.
Lassetter, Stuart H., O61521.
Laube, Thomas R., O61297.
Lawrence, Douglas M., O65275.
Lawrence, J. W., Jr., O78937.
Layster, John D., Jr., O59507.
LeTellier, Carroll N., O60118.
Lear, George E., O62374.
Leary, Robert P., O62406.
Lee, Burke W., O62294.
Lee, Carl A., O69724.
Lee, Emmett C., Jr., O62341.
Lee, James M., O62578.
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Leighty, Ralph M., O61412.
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Leishman, Carl A., O61599.
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Leroy, Charles L., O78944.
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Levitt, Robert J., O61455.
Lewandowski, Richard H., O62594.
Lewane, Leonard L., O61744.
Lewis, Bennett L., O62314.
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Lillibridge, John L., O61405.
Lindsay, Samuel M., 2d, O61682.
Lively, Charles H., O61403.
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Long, William E., O61748.
Looby, Robert W., O61586.
Loper, Thomas C., O62395.
Lounsbury, Roy E., O62438.
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Love, Richard M., O67717.
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Luse, William M., O66042.
Lynch, Hugh J., O60001.
Lynch, James E., O62362.
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Macatee, William F., O58491.
Mackmull, Jack V., O62677.
Mahan, John C., Jr., O69734.
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Malcom, Ben S., O63033.
Mangas, Cloyce L., O62343.
Mariconda, Alexander F., O59984.
Marks, Raymond A., O60991.
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Martin, Clark C., O62663.
Martin, Elmer C., O61474.
Martineau, Leo J., O80142.
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Matthiessen, Clarence J., O62523.
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Maxwell, John C., O62361.
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McCoy, Joseph L., O61243.
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McCreary, John M., O66180.
McDaniel, Dan R., O62461.
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McDowell, William R., O62391.
McFarland, Andrew J. B., Jr., O62776.
McGuire, Mark, O62593.
McHughes, Lee M., O73531.
McIntosh, Robert B., Jr., O62006.
McKeown, William L., O78971.
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McNeil, Daniel F., O60277.
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Meade, Terrence S., O61225.
Means, Charles F., O62632.
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Millener, George A., Jr., O61600.
Miller, Daniel L., O61228.
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Mitchell, Howard S., O62518.
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Moody, Charles S., Jr., O60927.
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More, Rory'o LaV., O78994.
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Morley, Richard H., O65250.
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Moye, Jack J., O78999.
Mueller, Paul J., Jr., O62288.
Mullins, Orbra G., O63353.
Mundinger, Robert G., O79001.
Mundorf, William C., O67731.
Munnelly, John E., O83612.

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Murray, Ralph E., O73475.
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Myrick, Stonewall J., O79006.
Nath, Robert E., O60002.
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Neal, William B., O61989.
Neller, Herbert F., O63003.
Nevins, Robert H., Jr., O84876.
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Newell, Henry C., O61564.
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Nix, James H., O69758.
Norris, Charles J., O65255.
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Norwalk, John W., O59833.
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O'Brien, Emmett J., O61629.
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Opdyke, Minott S., Jr., O85228.
O'Quinn, Frank M., O61049.
O'Shea, Richard, O69761.
Osterndorf, Charles J., O62358.
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Parmenter, William H., O66066.
Parr, Bertram L., O69766.
Parsons, Tarlton F., 2d, O62516.
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Passmore, Hunter W., O62519.
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Patterson, Robert W., O71854.
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Peat, Howard T., O79021.
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Peterson, George, O66190.
Petree, Bruce E., O62559.
Phares, Raymond E., O61270.
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Pierce, James M., O62050.
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Pinney, Harold D., O80170.
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Pirkl, Joseph R., O60898.
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Ploshay, Bernard J., O65309.
Poag, Alvin A., Jr., O62023.
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Polichnowski, Henry J., O67741.
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Rainville, Rodman C., O69546.
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Randolph, John R., O62109.
Rarick, David, O83617.
Rast, James F., O60117.
Rawlings, Henry W., O61393.
Ray, Morton, O62739.
Ray, Oliver A., O66079.
Raybould, Lynn R., O61709.
Read, William E., O62308.
Redford, James C., O65298.
Redshaw, Ward F., O79042.
Reed, Robert D., O62769.
Rees, Marvin W., O62490.
Reese, Emmett C., O79043.
Regan, John F., O60859.
Rehm, Harold W., Jr., O66080.
Reilly, Frank A., O67743.
Reimold, Wallace L., Jr., O61808.
Rein, Richard A., O62534.
Reiner, Raphael A., O70487.
Reinhardt, Gough C., O61754.
Reinhart, Stanley E., Jr., O62286.
Reinken, Louis A., Jr., O62678.
Renick, Roderick D., O66081.
Rennie, John C. G., O59767.
Rettstatt, Karl T., O79047.
Revels, Delzie C., O67744.
Reynolds, Tom H., O62017.
Rhoads, Mark C., O62540.
Rhodes, Nolan C., O61430.
Rice, Melvin C., O91673.
Rice, Robert H., O66083.
Rice, William H., O69776.
Rich, Roy M., O79048.
Richardson, Nehemiah E., O61790.
Richbourg, John A., O61118.
Riesterer, Lavern R., O68397.
Rising, Lucien E., O62481.
Ritter, Nelson F., O62719.
Roach, Paul A., Jr., O62605.
Roberts, Charles R., O61255.
Roberts, Claude L., Jr., O66085.
Robinson, Carleton J., O62860.
Rodgers, Thomas E., O79055.
Roehm, John F., Jr., O62410.
Roemer, Walter R., O61593.
Rogers, Manley E., O62333.
Rogers, Richard C., O70494.
Rohde, Lynn O., O65278.
Romaneski, Albert L., O62291.
Romano, Frank, Jr., O71862.
Romero, Paul V., O79058.
Romine, Aubrey L., O61402.
Roseberry, Robert A., O62078.
Rosin, Al S., O61645.
Ross, Harry R., O61391.
Ross, James R., O67747.
Ross, John E., O61321.
Ross, Marvin G., O79060.
Rothwell, Louis J., O79061.
Round, Roswell E., Jr., O62480.
Roush, Maurice D., O62348.
Rowell, Milo D., O62729.
Roy, Joseph E., O87903.
Roysden, Brunn W., O62867.
Rubin, Harry, O79063.
Ruple, Charles O., O85659.
Rupple, Lindsay C., O62647.
Rush, Benjamin, 3d, O67749.
Rushing, Robert O., O61286.
Ruskin, Daniel F., O67347.
Russell, David C., O62279.
Rutherford, Andrew M., O62608.
Rutledge, John, Jr., O62806.
Saalberg, John J., O62418.
Sachers, Henry S., O62643.
Sailer, Francis A., O62765.
Saksa, Robert E., O84668.
Salt, Terry C., O60265.
Sampson, Donald E., O62630.
Sams, James H., O82090.
Samsey, Philip B., O62397.
Sanders, Ben L., O63008.
Sanderson, Alfred L., O62479.
Sandkaut, Louis G., O57922.
Santry, John P., O61310.
Sapp, Alfred G., O61256.
Sargent, Wayne B., O61671.
Savelle, Duane H., O79069.
Sawyer, Richard H., O61979.
Scamehorn, Richard D., O61520.
Scandling, John D., O62661.
Scanlan, Francis E., O79071.
Scarborough, Wesley C., O60916.
Schall, Joseph F., O65301.
Scherer, John W., O66093.
Schiff, Erwin H., O79074.
Schlafer, Clarence J., O97195.
Schneider, Howard E., O61654.
Schnoor, Dean F., O62673.
Scholl, Allan P., O62637.
Schopper, Jared B., O62315.
Schott, Homer E., Jr., O61626.
Schrank Lawrence L., O62861.
Schungel, Daniel F., O65286.
Scithers, George H., O62363.
Scott, Joseph J., Jr., O67754.
Scovill, Thomas M., O65311.
Sedlacek, Leroy V., O65272.
Seely, Theodore A., O62458.
Seelye, Robert A., O61805.
Seideman, Charles H., O79079.
Sellers, James H., O60834.
Seltzer, Sherman M., O61666.
Setian, Zadig Y., O66095.
Severin, Roy R., O61390.
Shade, Robert A., O62421.
Shaffer, George B., O62370.
Shaffer, John R., O62762.
Shaffield, Joseph H., 3d., O60299.
Shambora, William E., Jr., O62450.
Shank Richard G., O69790.
Shanley, Irving T., O79082.
Shannon, Donald J., O61714.
Sharp, Jere W., O62316.
Shea, William L., O79084.
Shear, Harold W., O61513.
Sheehan, William D., O69555.
Shelby, Frank F., O92794.
Sheldon, Dwight M., O58601.
Shemwell, Arthur L., O62714.
Sherblom, Harry G., O65284.
Sherman, Lee M., O71597.
Shirey, Stewart, O67755.
Shiveley, Charles B., O72427.
Sibbles, Graham M., O62531.
Sibley, Nathan C., O61628.
Sidney, Wilbur A., O71599.
Siewert, Jack R., O61372.
Simmons, John W., O61305.
Simpson, Howard J., O60987.
Singer, Raymond P., O62313.
Singleton, Millard H., O62433.
Sisson, George D., Jr., O79088.
Skaggs, Ray F., O92250.
Skelton, Winfred G., Jr., O62598.
Skoien, Clarence E., O61752.
Slavins, William E., O62758.
Small, Martin J., O62701.
Smarr, Albert W., Jr., O71602.
Smaw, Daniel G., 3d, O65306.
Smeltz, John O., O79092.
Smith, Carroll W., Jr., O79093.
Smith, Charles H., O82092.

Smith, Charles R., Jr., O62891.
Smith, Clark, O62543.
Smith, Edward B., Jr., O79094.
Smith, Jerry E., O69796.
Smith, Roddy L., O66203.
Smith, Thomas E., O79098.
Smithers, Samuel W., Jr., O62579.
Snoke, Myron D., O62320.
Snyder, Charles L., O88947.
Snyder, Paul B., O79101.
Soden, Robert E., O61378.
Speer, James B., O79102.
Spence, Clyde W., Jr., O62504.
Spiller, Robert E., O61854.
Spitler, Joseph V., O66103.
Squires, John L., Jr., O61539.
Squires, Shreve D., O79103.
Stahl, Kenneth L., O61451.
Stahling, Joseph M., Jr., O88954.
Stallcup, Max R., O60279.
Stampley, Charles D., O61662.
Stanfield, John T., O89351.
Stanton, Walter C., O62734.
Stapleton, Samuel L., O62368.
Stark, Karl F., O60929.
Starker, Joseph B., O63034.
Statham, Richard W., O61313.
Steel, James H., O59324.
Steele, Sidney R., O62466.
Stefanik, Edward P., O62332.
Steinberg, William A., O62641.
Steuart, Richard G., O62712.
Stevens, Phillip H., O67763.
Stevens, Wayne M., O62090.
Stewart, Warren F., O61453.
Stith, Stephen W., Jr., O63501.
Stoecker, Francis J., O66106.
Stone, Warren C., O69807.
Storer, Ivan M., O61592.
Stough, Richard B., O71878.
Stranathan, Joseph W., O92259.
Strickland, Henry E., Jr., O62569.
Strider, Carroll D., O61363.
Strider, Thomas P., O62435.
Strohm, Hans W., O61612.
Stroman, Samuel D., O61415.
Struthers, James C., O69809.
Sturm, Earl C., O70518.
Sussel, Malcolm A., O67764.
Swain, Quentin S., Jr., O65267.
Swank, Marcell G., O82108.
Swartz, Stanley P., O63421.
Sweeney, Harvey O., O79112.
Sweet, Thomas G., O89297.
Talbott, Marshall D., Jr., O62574.
Tart, Robert W., Jr., O67767.
Tassie, Lawrence R., O60964.
Tatasciore, Joseph W., O65615.
Tate, Grayson D., Jr., O62566.
Tate, Lester K., O61574.
Taylor, Robert R., Jr., O62847.
Teese, James L., O63386.
Tenhet, Joseph N., Jr., O70123.
Therrien, Francois X., Jr., O62658.
Thibeault, James H., O69814.
Thigpen, Henry S., O60264.
Thomann, Charles E., O61005.
Thomas, Charles N., O79118.
Thomas, Grace G., Jr., O62503.
Thompson, James M., O62284.
Thompson, Nelson L., O62345.
Thurmond, George E., O61585.
Tickle, Leroy B., O87642.
Tilson, George P., O62403.
Tindall, Hal E., O60918.
Todd, William R., O61712.
Toole, Charles E., O83623.
Torgersen, Thorveld R., O69818.
Tormey, James H., O62351.
Torres, Angel L., O89391.
Tracy, Thomas E., O61573.
Trayers, James L., Jr., O62381.
Trefry, Richard G., O62572.
Trexler, Tommy P., O92139.
Triem, Paul D., O62326.
Trigg, William G., O67771.
Trim, Carl J., O94147.
Truesdale, John H., O62603.
Tubbleville, Billy C., O89302.
Turley, William D., O61479.
Turner, Edward B., Jr., O70536.
Turner, John T., O70538.
Turner, William F., O60957.
Tuttle, William H., Jr., O62455.
Twitchell, Blaine E., O60161.
Tyree, Louis A., O79123.
Tyrrell, William C., O70541.
Tyus, Willie L., O60306.
Underwood, Arthur R., Jr., O59370.
Underwood, Herbert P., O62522.
Vail, James M., O65061.
Valla, Lawrence, O70542.
Vallese, Blaise H., O79127.
Van Riper, Irving K., O69821.
Van Sant, Jesse F., O65280.
Van Sickel, Vincent T., O60257.
Vance, James W., O61454.
Vanderbleek, Jack, O61685.
Vanston, John H., Jr., O62372.
Vanture, Paul S., O62731.
Vaughn, Billy M., O60893.
Veatch, Austin K., Jr., O62506.
Veazey, Eli L., O79129.
Veteto, Hobart H., O79130.
Vickers, Willard M., O61544.
Vincent, James A., O71737.
Vinson, Euell M., O63237.
Viskochil, Ralph H., O62515.
Vorisek, Robert B., O89158.
Waddell, Thomas K., O61266.
Wade, David E., O61506.
Wagner, John E., O62390.
Wahle, Charles G. F., O61269.
Walker, Aaron E., O79132.
Walker, James B., O67775.
Walker, Luther G., O61440.
Walsh, James J., O61386.
Walz, Charles, O59216.
Wanek, Robert F., O61424.
Ward, Ira J., O62302.
Warner, Volney F., O62620.
Warnock, James F., Jr., O61524.
Warren, John W., O61452.
Warren, Wilbur M., 2d, O62557.
Wassenberg, John F., O62537.
Watson, James R., O61581.
Watson, John W., Jr., O62720.
Watson, Kenneth, Jr., O61233.
Watters, Clarence M., O62567.
Waugh, William L., Sr., O80201.
Webb, John V., O61595.
Weber, John P., O79137.
Weber, Karl B., 3d, O62346.
Weber, Warren J., O61420.
Weber, William E., O65592.
Wegner, Leonard W., Jr., O62402.
Wellborn, Charles G., Jr., O65273.
Werder, Vincent C., Jr., O67778.
Werner, Robert R., O62337.
West, Edward C., O62356.
Whan, Vorin E., Jr., O61786.
Wheaton, James R., Jr., O62773.
Wheelock, Alton R., O59834.
Whelan, William J., O60857.
White, Arthur C., O76745.
White, Ben O., Jr., O60291.
White, Charles J., O65314.
White, Charles L., Jr., O70143.
White, Francis W., Jr., O62752.
White, Robert R., O62622.
White, William E., O61465.
Whitelaw, Landon P., O61362.
Whitelaw, Robert E., O67779.
Whitlock, Harold S., O76931.
Wickham, John A., Jr., O62394.
Wiegand, Allen W., O63762.
Wilde, Adna G., Jr., O60865.
Wilder, Stuart F., O67780.
Wilkerson, Robert T., O79146.
Williams, Alton G., O60251.
Williams, Don J., O61294.
Williams, Edward T., O60958.
Williams, Edwin S., O61334.
Williams, Francis L., O61427.
Williams, Kenneth J., O63014.
Williams, Robert C., O60266.
Williamson, William G., O60010.
Willingham, Chester M., Jr., O62508.
Wilson, Charles L., Jr., O82125.
Wilson, Durward S., Jr., O62725.
Wilson, Floyd M., O58663.
Wilson, Gail F., O62614.
Wilson, Louis, O61384.
Wilson, Patrick W., O62600.
Wilson, Robert M., O62285.
Winningham, James L., O79151.
Wisdom, Selwin D., O62856.
Wise, Cecil E., O61527.
Wise, William A., 2d, O60855.
Wolf, Rene A., O62304.
Wolfe, Gerald P., O87977.
Wolfe, Walter G., O63423.
Wood, Marion M., O61128.
Wood, Marion T., O61820.
Wood, Stuart, Jr., O62486.
Wood, Walter A., 3d, O62742.
Woodrow, Ronald, O61371.
Woods, Thomas G., O67783.
Woods, Wallace H., O69837.
Wooleyhan, Robert G., O88532.
Workman, James F., O62378.
Wright, Billy R., O69838.
Wright, Floyd D., O80204.
Wright, Lawrence S., O79154.
Wright, Robert E., O61404.
Wright, William M., O70574.
Wyatt, Thomas C., O66128.
Wyllie, Douglas R., O60304.
Wyrough, Richard R., O62415.
Yacavone, James L., Jr., O60263.
Yates, Arnold R., O79155.
Yoder, Robert A., O60970.
Young, Bruce C., Jr., O61279.
Youngren, Arthur W., O65279.
Yow, Harold D., O61831.
Zartner, Bert, O67889.
Zilian, Carl M., O71635.

To be majors, Chaplain Corps

Brady, Lawrence K., O76796.
Brooks, Porter H., O80355.
Carothers, Merlin R., O78042.
Combs, Richard L., O73140.
Devanny, William G., O71913.
Kelly, Orris E., O73451.
Kildall, Wayne F., O78080.
Massey, Charles M., Jr., O73216.
Rockwell, Robert E., O75031.
Ruback, John C., O72643.
Rusnock, Michael A., O81863.
Wakefield, John F., O71966.

To be major, Women's Army Corps

Baker, Lillian E., L559.
Byrne, Elizabeth J., L526.
George, Delma G., L405.
Ledbetter, Julia E., L392.
Putman, Lois C., L343.
Riggs, Cheryle M., L399.
Weir, Frances, L406.

To be major, Medical Corps

Appleton, Budd, O73263.
Baker, George I., O72674.
Barnes, Fred W., O75094.
Bergin, James J., O72322.
Boehrer, Philip M., O72325.
Bouzard, Walter C., O72407.
Brandt, Fred A., O73948.
Burkhalter, William E., O75986.
Bushnell, Theodore L., O80240.
Canby, John P., O72327.
Capper, Robert S., O73991.
Castellot, John J., O72688.
Catlin, Frank R., O81781.
Cheitlin, Melvin D., O72385.
Cooper, Everett B., O76028.
Cox, William A., O73027.
Daniell, Harry W., O74978.
De Priest, Oscar S., 3d, O82315.
Deubler, Keith F., O72412.
Dito, William R., O75098.
Dixon, George L., Jr., O74983.
Duffield, John R., O73093.
Einarson, John, O72705.
Fukunaga, Francis H., O78583.
Gastineau, Robert M., O71921.
Gibson, Jack L., O72371.
Gimenez, Alonzo R., O74990.
Goldschmidt, Max W., O75103.
Gottlieb, M. Milton, O72880.
Gregoratos, Gabriel, O85174.
Griffin, Martin E., Jr., O72373.

Haight, Robert P., Jr., O74913.
Hebertson, Leon M., O75106.
Herrington, Peter N., O74721.
Hewitt, Wilmer C., Jr., O83922.
Hitzelberger, Anton L., O94589.
Horan, Thomas B., Jr., O74728.
Johnson, George L., O78590.
Jones, Quitman W., O82342.
Jordan, Edwin C., O75221.
Joy, Robert J. T., O72415.
Joyce, Orlando H., O85424.
Kernan, Philip M., O72612.
Kopack, Francis M., O78083.
Locke, William E., O75117.
Luekens, Claude A., O77890.
Marcarelli, Joseph L., O75016.
Marill, Irwin H., O75392.
McCarty, James E., O71835.
McGerity, Joseph L., O85042.
Mendez, Enrique, Jr., O75397.
Morris, John A., Jr., O73219.
Mosebar, Robert H., O82826.
Neimes, Robert E., O78607.
Novack, Tevor D., O74792.
Potenza, Austin D., O72397.
Rabke, Henry B., O82357.
Robinson, David M., Jr., O82359.
Rodriguez, Ariel, O72424.
Sawyer, William D., O76592.
Schonholtz, George J., O72400.
Singer, Lawrence R., O77939.
Snyder, Dale R., O73079.
Sorensen, Robert J., O75086.
Stein, Robert L., O85673.
Vernick, Clifford G., O83038.
Vitner, Saul, O77956.
Weigel, John W., O75091.
Wells, Benjamin T., O78151.
Wiley, Hugh S., O85102.

To be majors, Dental Corps

Alling, Emery E., Jr., O78032.
Anderson, Martin F., O75888.
Bangert, Sherman G., O91547.
Civjan, Simon, O88622.
Clarke, Theodore C., O78575.
Distelhorst, Frederick W., O75348.
Dobson, Charles W., O72699.
Ferguson, Dan S., O70334.
Guernsey, Louis H., O72886.
Hanson, Jay G., O68797.
Jennings, William A., O78589.
Karr, James H., O74010.
King, Thomas J., O71533.
Kuttas, George, O71691.
Lovell, Kell E., O95355.
Mandracchia, Dominick P., O78006.
Mitchell, Jesse T., Jr., O89361.
Pedersen, Gordon W., O84247.
Safar, Milo R., O69553.
Stepp, James V., O73233.
Thompson, Calvin W., O73118.
Tynes, Dwight L., O78138.
Vocke, Lester E., O81834.
Wheatley, Robert E., O69828.

To be majors, Veterinary Corps

Fountain, Edmund L., O73030.
Kepp, James C., O73042.
Lyday, James M., O73047.

To be majors, Medical Service Corps

Adams, Adam E., O69843.
Altman, Robert M., O65304.
Baxter, Roy E., O68076.
Blair, Eugene B., O67553.
Blank, Jay P., O81380.
Braveman, Milton, O65501.
Callaghan, Donald F., O65253.
Correa, Arnaldo L., O92303.
Dickinson, Francis G., O65313.
Dienel, Richard M., O65981.
Dowdy, Fred, Jr., O96962.
Drury, Orcutt P., O71914.
Duttweiler, David W., O65498.
Favorite, Frank G., Jr., O65989.
Fletcher, John L., O73499.
Greene, Philip D., O78666.
Horner, James M., O72489.
Kaufman, Paul I., O83553.
Lewis, Milton A., O70407.
Lindsey, William H., O69969.
Lovett, James H., Jr., O66040.
Lucas, Kenneth, O78653.
Maher, John R., O84832.
Marshall, Paul S., O70421.
Mason, Marshall A., O63462.
Meadows, James H., O90285.
Monahan, Fergus T., O65291.
Mueller, Louis C., O78671.
Myers, William J., Jr., O71943.
Paul, Albert L., O63461.
Pemberton, Samuel H., O78657.
Plemon, Thomas H., Jr., O66070.
Pond, Nathaniel H., O71951.
Price, Donald L., O66072.
Read, John K., O67858.
Reynolds, Daniel J., O66082.
Scanlon, John E., O62012.
Scott, Jack H., O73485.
Shellhase, Leslie J., O66096.
Therrien, Alvin A., O70527.
Thompson, Herbert J., O67625.
Tipton, Vernon J., O65299.
Wells, Robert J., O89163.
Wiest, Bernard J., O66122.
Willett, Gordon, O66123.
Wilson, John J., O70566.

To be majors, Army Nurse Corps

Marshal, Anne F., N2952.
Nees, Ruth K., N2643.
Pak, Regina, N2651.
Shields, Marion C., N2672.

To be majors, Army Medical Specialist Corps

Glidden, Dorothy I., M10155.
Hagan, Constance E., M10181.
Leath, Mary K., M10130.
Witte, Eileen B., R10144.

To be captains

Glick, Stephen A., O75594.
Stringer, Paul C., O74542.

To be captain, Dental Corps

Feuang, Matthew J., O97116.

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3298:

To be first lieutenants

Anderson, Robert P., O90643.
Arnold, Joseph V., O90645.
Benner, Carl A., Jr., O89719.
Brooks, Delbert R., O96949.
Carron, Hector A., O90704.
Castro, John P., O96954.
Coombs, John G., O90726.
Crasto, Donald L., O97101.
Degener, Wellington P., O89887.
Devlin, Edward T., Jr., O96961.
Diduryk, Myron, O89894.
Dillard, Hugh B., O97106.
Dunford, William H., O97108.
Emig, Donald K., O96828.
Emerson, Lloyd A., O97111.
Gillette, Samuel G., O96401.
Griffey, Joseph P., O96905.
Harris, David H., O96975.
Hein, Richard A., O90051.
Kilfoil, John J., O90151.
King, Stanley L., Jr., O95745.
Koentop, Thomas A., O90908.
Lagattuta, Nicholas M., O90179.
Mallory, Carlton A., O90233.
McCann, Walter P., O91327.
Meder, William A., O90961.
Menchinger, Roger L., O90289.
Millett, Warren G., O91460.
Mumford, Jay C., O96784.
Nix, John U., O90985.
O'Connor, Thomas H., Jr., O97016.
Preston, Edward G., O97185.
Schneider, John J., O91049.
Schumaker, John R., O96795.
Shelby, John F., O91061.
Sherden, John P., O91063.
Smith, Don A., O90497.
Trudell, John A., O97214.
Whatley, David T., O97269.
Wright, Jerry T., O97224.

To be first lieutenant, Medical Service Corps

Phillips, Harry V., Jr., O97182.

To be first lieutenant, Army Medical Specialist Corps

Buss, Carole J., M10195.

The following-named persons for appointment in the Regular Army by transfer in the grades specified, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, and 3288:

To be major

Ramshur, Loren C. (MSC), O78660.

To be second lieutenants

Murai, Roger N. (MSC), O94822.
Sutherland, Ian D. W. (MSC), O94652.

The following-named persons for appointment in the Regular Army of the United States, in the grades specified under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, and 3288:

To be major

Greene, Charles A., O1339263.

To be captains

Adams, Robert N., O4030863.
Alston, Charles A., O4010587.
Davies, Joseph F., O1926253.
Dixon, Charles E., Jr., O1881415.
Elliott, Richard L., O4002778.
Eye, Douglas M., O1931374.
Hayes, James B., Jr., O4006430.
Jartman, Marc R., O2300845.
Johnson, Kenneth F., O2267523.
Jones, Eugene N., O2004739.
McCarthy, James F., O4056432.
Nowak, Peter R., O4034356.
Okyen, Louis, O1926182.
Pagel, Donald J., O1341998.
Preisendorfer, Edward P., O1879080.
Schulz, Otto R., O4049780.
Setser, Fredrick, O4074325.
Traver, Thomas G., O4038968.
Vassy, Thomas M., O4023938.

To be first lieutenants

Aleksiunas, Robert A., O5507798.
Beakey, Danny J., O5409176.
Boggs, James D., O5509507.
Branagan, Brian J., O5002405.
Brunkow, Richard O., O5304181.
Granrud, Jerome H., O5511944.
Griffith, Kenneth C., O5209655.
Iverson, George R., O5505195.
Klein, Frank J., Jr., O5401889.
Koch, Gerald L., O5307098.
MacGregor, Harry G., Jr., O5208783.
Mattson, Gerald E., O5507191.
Mayhew, Ronald E., O5212841.
McClintic, Patrick W., O5202151.
Meder, Gene L., O5000724.
Neary, Edward F., O2300265.
Ogg, Paul C., O5307258.
Payne, Guy H., O5309262.
Poudrier, Gerald E., O4041266.
Scovel, Dennis A., O5505538.
Sterans, Raymond L., O5207655.
St. John, John E., O5000880.
Swenson, Louis S., O2293423.
Varley, William L., O5001953.
Weiss, James J., O5506240.
Whitacre, Dorwin H., O5506470.

To be second lieutenants

Barclay, Douglas H., O5313135.
Butler, Rudolph E., Jr., O5312015.
Collins, George G., O5405969.
Crawley, Joe B., O4059852.
Crittenden, John H., O5511283.
Danner, Malcolm A., O5310398.
Ellegood, Michael S., O5211235.
Gaun, George A., O4075397.
Giorgianni, Barbaro F., O5210934.
Green, Larry K., O5410301.
Havlu, Don R., O2299885.
Hester, David P., O5311681.
Howes, Ralph C., O5410287.
Kuntz, Edgar L., O5210781.
Magness, Charles F., O5212381.

Masotti, James J., O5208782.
Montgomery, John J., O5211913.
Morin, Michael J., O5511932.
Norwood, Thomas E., O5309135.
O'Brennan, Gerald, O5405668.
O'Bryan, James D., O5206997.
Orsa, George, O5008453.
Palmer, Richard H., O5705747.
Pendergrass, Larry L., O5515334.
Price, Ernest B., Jr., O5404222.
Roll, George E., O5511015.
Saunders, Robert C., Jr., O5307645.
Sharp, Fred A., O5706405.
Stephens, Wayne R., O5513526.
Stryker, John F., O5513243.
Tison, Weyman B., Jr., O5312043.
White, Gilbert A., O5310360.
Williams, James D., Jr., O5313209.

The following-named persons for appointment in the Regular Army of the United States, in the grades and corps specified, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, 8238, 3289, 3290, 3291, 3292, 3293, 3294, and 3311.

To be major, Medical Corps

Leitnaker, Frank C., Jr., O2105056.

To be captains, Army Nurse Corps

Adams, Margaret M., N805690.
Metcalf, Barbara E., N804832.

To be captain, Chaplain Corps

Grubb, Hugh M., O5301391.

To be captains, Dental Corps

Bowles, William F., III, O5301240.
Brudvik, James S., O5500355.
Dunley, Robert E., O4041573.
Fay, Joseph T., O5206022.
Floto, Edward E., O5210346.
Foster, Graham B., O5501430.
McCuskey, Samuel R., Jr., O4000615.
Milder, Jay J., O5518381.
Olivieri, Americo C., O5202571.
Qualman, Harold C., O4073378.

To be captains, Medical Corps

Angevine, James M., O5501339.
Arnot, John P.
Davis, Wallace R., O1858953.
Day, Robert E., O66291.
Neuhardt, Robert G., O5012929.
Pearson, Warren T., O4067820.
Pfoertner, George B., O4064614.
Randall, James R., O4004503.
Raughtigan, John A., O4065577.
Riggenbach, Roger D., O2298133.
Snider, Thomas H., O2309248.
Ward, George W., O73918.
Weber, William G., O2298172.
Wilcox, Walter J., O5706271.
Winter, Phillip E., O5518914.

To be captain, Women's Army Corps

Russell, Marilyn J., L1010701.

To be first lieutenants, Army Nurse Corps

Harris, Carmelita L., N2296780.
Hoffman, Ruby R., N2305768.
McAfee, Gayle E., N5407257.
West, Nina, N5407031.

To be first lieutenant, Dental Corps

Foster, Richard A., O2308624.

To be first lieutenants, Judge Advocate General's Corps

Adams, Allen D., Jr., O1881505.
Brown, Michael A., O5411765.
Cole, Raymond D., O5516971.
Geiser, John L., O5207504.
Kane, Peter J., O2310112.
Loudermilch, Clarence W., O5309492.
McRorie, Raymond C., O5309107.
Mullins, Jack A., O2303628.
November, Bernard L., O2310104.
Platt, Edgar C., O2303625.
Williamon, Charles, O2300988.

To be first lieutenants, Medical Corps

Black, Thomas C., Jr., O5408320.
DiLallo, Chester A., O2305382.
Haglund, Rodger B., O5207229.
Kreye, George M., O2309255.
Leatherman, Louis L., Jr., O2300126.
Mulkerin, Lawrence E., O2309262.
Norcott, Edward A., O2305360.
Rich, John D., O5505279.
Stuart, Leo D.
Ventry, Paul G., O2309260.
Wallner, Herman C., O2305356.
Young, Delosa A., O2309257.

To be first lieutenant, Medical Service Corps

Donehew, Gerald R., O5409134.

To be first lieutenants, Veterinary Corps

Johnsen, Dennis O., O2307760.
Nix, Marvin S., Jr., O2305139.
Reddin, George B., Jr., O5201036.
Vosdingh, Ralph A., O5408454.

To be second lieutenant, Army Medical Specialist Corps

Boyer, Helen C., M2305494.

To be second lieutenants, Army Nurse Corps

Jackson, Lelia J., N5411558.
Smalley, Ruth H., N5411273.
Whitman, Jacqueline K., N5219337.

To be second lieutenants, Medical Service Corps

Edwards, Joseph D., Jr., O5217097.
Garber, David L., O5505445.
Loryea, Robert S., O4063459.
Schorzman, Mark H., O5706955.
Severson, Joel S., O5512109.
Sisk, Michael G., O5515378.
Vermillion, James G., O5208403.
Weaver, John S., O2305993.

To be second lieutenant, Women's Army Corps

Groome, Sally L., L2300861.

The following-named distinguished military students for appointment in the Medical Service Corps, Regular Army of the United States in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, 3288, and 3290:

Fahey, Thomas E.
Helmbold, Richard F.
Kinnan, Donald P.
Lacy, John J., Jr.
Meuth, Michael L.
Modarelli, Robert O.
Moore, James F.
Pollard, David E.
Sanders, Joe M., Jr.
Stephenson, Thomas R.
Stocks, Robert B.
Weiser, Philip C.

The following-named distinguished military students for appointment in the Regular Army of the United States in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, and 3288:

Anderson, Robert L.
Baker, Thomas A.
Barger, Walter K.
Bartee, William F., Jr.
Bauer, Frank L.
Best, Thomas W.
Bilodeau, Nelson E.
Bollman, Allen R.
Born, Howard P.
Boukalis, Peter C.
Brown, James F.
Bryan, Edward R., III
Bryan, Hardy W., III
Budny, Joseph F.
Cassidy, Charles M.
Clausen, Linden E., Jr.
Cohen, Lester S.
Coleman, John D.
Czajkowski, Lawrence E.
Daub, Harold J., Jr.
DeCaro, Francis R., Jr.
DeFriese, Gordon H.
Desko, Alexander W.
Dippman, James C.
Doering, Archie M.
Ducheny, Martin T.
Duncan, Wendell J.
Durgin, Peter H.
Eckhardt, William G.
Eisaman, Robert R.
Evans, Donald D.
Franks, Mitchell D.
Frey, Martin C.
Fuscaldo, Leonard K.
Galten, John W.
Gaw, Michael T.
Geiger, Ronald F.
George Chalmer D.
George, Michael S.
Gill, George W.
Gillette, Robert E.
Gilligan, Francis A., O5010211
Gore, William W.
Gray, Jan M.
Greer, William B.
Griffitts, Richard B.
Groeber, Karl E.
Grogan, Irvin W., III
Haase, Harold W., Jr.
Hall, Lawrence J.
Hannemann, Richard H.
Hendrickson, Gregory A.
Hobbs, Charles E.
Hoffman, Jerry L.
Howard, Joe L.
Howard, Robert T.
Howlett, Jack R.
Huber, Clayton S.
Huber, John J.
Hughes, Clifford C.
Isely, Edwin K.
Izard, Phillips H., Jr.
Jackson, Ralph H.
Johnson, David C.
Johnson, Frank S.
Johnson, William J.
Katuzny, Walter E., Jr.
Kimbrough, Lawrence M.
Knight, Phillip W.
Krzak, Walter E.
Kuenneke, David W.
Laing, John C.
LoSasso, Harvey M.
Mace, James E.
Machina, Mark H.
Mallberg, Leon L.
McCandless, Stephen P.
McConnell, James V., Jr.
McLaughlin, Stewart S.
Mertz, Wade M., Jr.
Moon, John K.
Moreland, Harold D.
Morrison, Samuel M., Jr.
Morse, Michael M.
Murphy, Charles R.
Murray, William K.
Naughton, John F.
Necker, David E.
Nelson, Larry C.
Norris, Ronald A.
O'Brien, Lewis B.
O'Connell, James C.
O'Connor, John M.
Orlando, Eugene C.
Parker, Louis M.
Pendleton, Richard F.
Penn, Ronald W.
Perron, Owen F.
Phelps, Harvey A.
Plunket, William J., Jr.
Pride, Cadwallader J.
Pritchard, Charles E.
Quinn, Robert J., III
Rebane, George J.
Reynolds, Howard I.
Richardson, Thomas W.
Rivera, Paul A., Jr.
Roberson, Carlton F.
Rosenthal, Sidney D.
Schaible, Dennis J.
Schlegel, William F.
Schodowski, Leonard M.
Seip, Walter L., II
Sessums, Robert B.
Shackelford, Mark W.
Shea, George D., Jr.
Stahler, John C.
Stewart, Jack C.
Sturges, Scott L.
Sullivan, Gerald R.
Tarka, John E.
Taylor, James D.
Tharp, William G., II
Tiwanak, Eugene N.
Tubb, Albert H.
Vail, John S.
Verrier, Thomas L.
Wallace, Gary F.
Wandke, Richard D.
Ware, Robert P.
Watts, Aubrey V., Jr.
Whitcomb, Richard G.
White, John M., Jr.
Wilson, Robert P.
Winn, Robert E.
Woodall, John G.
Wrenn, Robert W.
Yamaoka, Jon C.
Yando, Arthur N.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 24, 1963:

ATOMIC ENERGY COMMISSION

Gerald F. Tape, of New York, to be a member of the Atomic Energy Commission for the remainder of the term expiring June 30, 1966.

Glenn T. Seaborg, of California, to be a member of the Atomic Energy Commission for a term of 5 years expiring June 30, 1968.

WITHDRAWALS

Executive nomination withdrawn from the Senate June 24, 1963:

IN THE NAVY

The nomination of Rear Adm. Morris A. Hirsch, U.S. Navy, to be director of budget and reports in the Department of the Navy for a term of 1 year, which was sent to the Senate on April 18, 1963.

HOUSE OF REPRESENTATIVES

MONDAY, JUNE 24, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

The words of St. Peter, Acts 10: 34–35: *God is no respecter of persons, but in every nation he that feareth Him, and worketh righteousness, is accepted with Him.*

Almighty God, as we go forth into the days of this new week, may we be mindful and grateful that our beloved country has a glorious history of Thy divine guidance and bountiful providence.

May we affirm and proclaim with steadfast loyalty and deepening passion our faith in the primacy of the spiritual values and principles and may these be our Nation's pride and glory.

Grant that all our citizens, in every section of our land, may be blessed with a more fraternal feeling of unity and may we march forward together in the great adventure of building the kingdom of peace and good will in our day and generation.

Inspire us to believe that a new birth of reverence and devotion to Thy divine fatherhood and the brotherhood of man shall yet be the most magnificent and greatest victory in the annals of our national life.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, June 20, 1963, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment a bill and a joint resolution of the House of the following titles:

H.R. 5367. An act to designate the Bear Creek Dam on the Lehigh River, Pa., as the Francis E. Walter Dam; and

H.J. Res. 82. Joint resolution to change the name of Short Mountain lock and dam and reservoir in the State of Oklahoma to Robert S. Kerr lock and dam and reservoir.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 220. An act to amend section 704 of title 38, United States Code, to permit the conversion or exchange of policies of national service life insurance to a new modified life plan.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 130. An act to change the name of Fort Randall Reservoir in the State of South Dakota to Lake Francis Case;

S. 131. An act to change the name of the Big Bend Reservoir in the State of South Dakota to Lake Sharpe;

S. 142. An act to designate the lake to be formed by the waters impounded by the Clark Canyon Dam in the State of Montana as Hap Hawkins Lake;

S. 453. An act to change the name of the Memphis lock and dam on the Tombigbee River near Aliceville, Ala.;

S. 850. An act to change the name of the Bruces Eddy Dam and Reservoir in the State of Idaho to the Dworshak Dam and Reservoir; and

S.J. Res. 17. Joint resolution to designate the lake to be formed by the waters impounded by the Flaming Gorge Dam, Utah, in the States of Wyoming and Utah, as Lake O'Mahoney.

TERMINATION OF MASS DEMONSTRATIONS

Mr. WATSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. WATSON. Mr. Speaker, I have just introduced a resolution calling for the termination of all mass demonstrations and violence. We have heard the President make this request. I think it is high time that the Congress speak on this particular matter. I believe in view of the civil rights measures that have been introduced in this Congress we have the right and we should have the privilege of considering these matters in an air of domestic tranquillity and peace. I believe the American people are fed up with the loss of life, the bloodshed, and the resulting racial discord that have plagued our communities over the past few weeks. I want it clearly understood that even if we should have demonstrations all the way from Washington, D.C., to the State of Washington it will not alter one iota my unalterable opposition to the measures that have been introduced. However, I believe Congress is entitled to consider these matters in an atmosphere free of violence and lawlessness.

NATIONAL SERVICE LIFE INSURANCE

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, I was very happy to hear the reading of the message from the other body, which has just announced to the House that the other body had taken action with reference to the national service life insurance reopening. This was done through an amendment to the House bill H.R. 220. I think this is a very constructive action. Of course, there are bills before the Veterans' Affairs Committee of this body which would do the same thing, including H.R. 793 which I have filed myself. This one-shot reopening will not cost the Government any substantial amount nor will it do any damage to private insurance companies, as was demonstrated in the original insurance. It simply gives an opportunity to our veterans to exercise a right originally granted to them which, through no fault of their own, they were unable to take advantage of. I hope that the committee will take favorable action either through conference or direct action and will report this bill to the House very promptly so that we may take action here to pass this bill into law.

MEXICAN LABOR SUPPLY

Mr. HAYS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS. Mr. Speaker, I would like to point out a couple of errors in the logic of the gentleman from Arkansas who just addressed the House. He talks about the Congress failing to act. The Congress did not fail to act. The Congress turned down the Mexican labor bill, which was an affirmative action.

In the second place, he connected the shortage of Florida fruit with the shortage of Mexican labor, but I believe the facts would show that in a number of cases the shortage of Florida grapefruit and oranges had more to do with the freeze than with the shortage of Mexican labor.

Mr. GATHINGS. I did not mislead the House. I said that the freeze was a result. As a matter of fact, the same situation would occur if we did not have enough labor to do the job.

Mr. HAYS. I listened closely, but I did not hear him say anything about the freeze. But if it did, that is fine. I do not think the shortage of Mexican labor had much to do with it.

THE MEXICAN LABOR BILL

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, I take this minute to direct the attention of the House to the interesting colloquy between the gentleman from Arkansas [Mr. GATHINGS] and the gentleman from Ohio [Mr. HAYS]. I especially wish to commend the gentleman from Ohio [Mr. HAYS] for pointing out to the House that a defeat of a bill is an affirmative action. Very often I find myself among those in the minority voting against measures. I am pleased to have the gentleman from Ohio point out this is a good constructive means of acting on legislation.

Mr. HAYS. The passage of a bill is affirmative action. It is affirmative if the House takes action one way or the other.

Mr. DERWINSKI. The gentleman did say the defeat of a bill is an affirmative action.

Mr. HAYS. A vote against the bill on migrant farm labor was an affirmative action.

Mr. DERWINSKI. I thank the gentleman. We agree in principle.

PROTECTING CITIZENS RIGHT TO VOTE IN PRESIDENTIAL ELECTIONS—STATE RESIDENCE REQUIREMENTS

Mr. RUMSFELD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, there is a large segment of our population that is being deprived, every 4 years, of the opportunity to vote for the candidates of their choice for the offices of President and Vice President of the United States.

This group of potential voters consists of citizens who are obliged to change their residence prior to a presidential election and in so doing, lose their right to participate in the election because of State residence requirements.

The number of such persons, Mr. Speaker, is not negligible. The Census Bureau reports that during the period March 1960 to March 1961, the latest figures available, out of a total civilian population of 177.4 million persons, 35.5 million, or 20 percent of the civilian population, had moved at least once.

In recent years, only nine States—Arizona, California, Colorado, Idaho, Missouri, Ohio, Oregon, Massachusetts, and Wisconsin—have passed new residency laws which permit new arrivals to vote for the President and Vice President, while two States—Connecticut and Vermont—have enacted statutes to provide that persons who had moved out of the State and who cannot qualify in any other State to vote in such elections can retain their right to vote for the offices of President and Vice President for a period of 24 and 15 months, respectively.

Mr. Speaker, I am introducing today a joint resolution proposing an amendment to the Constitution to insure that the right to vote for the President and Vice President of the United States shall not be denied to any eligible voter because of State residence requirements. Should the introduction of this resolution encourage the enactment of new residency laws in additional States, it will have served its purpose.

CHARGES BY MR. McNAMARA

Mr. BECKER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BECKER. Mr. Speaker, in the last couple of days I have read two charges by the Secretary of Defense, Mr. McNamara. One was to the effect that if we did not pass his fallout shelter program, he will not proceed with the anti-missile-missile program that the Armed Services Committee and the Congress has wanted for years. The second charge is against the Committee on Appropriations, that if they cut his budget by some $2 billion, as is anticipated, he will not proceed with other factors that the Congress has wanted, and he may cut the armed services 60,000 men.

I think it is about time Mr. McNamara awakened to the fact that the Congress is an integral part of the three branches of the Government, and that the Congress is not subservient to the executive department of the Government or Mr. McNamara. This seems to be one battle following after another as who is going to have the last word—either Mr. McNamara or the Congress. I say that the Congress representing the people of the United States has put in years of study on these questions. The Members of Congress do not challenge the executive branch and Mr. McNamara should learn that these threatening tactics on his part are out of place and ill becomes a Secretary of Defense.

EXTENSIONS OF REMARKS IN THE APPENDIX OF THE DAILY RECORD

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. JONES of Missouri. Mr. Speaker, I take this occasion to call attention to three extensions in the Appendix of the daily Record on last Thursday which appear on pages A3938, A3950, and A3951.

Mr. Speaker, in the Appendix of the daily Record for that day we find the extension of three identical newspaper articles. In my opinion that represents the height of ridiculousness for someone to permit a thing like that to happen. I am not criticizing the three Members who requested the extension to include the same article, as neither knew the others were making a request for the same article.

Mr. Speaker, I am informed that they have abandoned the rule of avoiding duplications. I think this could be handled, if when Members ask permission to extend their remarks, instead of asking for inclusion of extraneous matter, they would identify the extraneous matter, it would make it easier for the people at the desk to find these duplications and not have three identical articles appear in the same issue of the Congressional Record.

DISTRICT OF COLUMBIA BUSINESS

The SPEAKER. This is District of Columbia Day. The Chair recognizes the gentleman from South Carolina [Mr. McMillan], chairman of the Committee on the District of Columbia.

CALL OF THE HOUSE

Mr. COHELAN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 86]

Adair
Ashbrook
Ashley
Baring
Barry
Bolling
Bolton, Oliver P.
Brooks
Brown, Calif.
Buckley
Casey
Colmer
Dingell
Downing
Dulski
Dwyer
Edmondson
Edwards
Farbstein
Finnegan
Fino
Forrester
Friedel
Giaimo
Gibbons
Gonzalez
Grabowski
Gray
Gubser
Halpern
Hanna
Healey
Hébert
Hechler
Herlong
Hoffman
Jarman
Jennings
Keith
Keogh
Kilburn
Kluczynski
Lankford
Lesinski
Lindsay
Lloyd
Long, La.
Long, Md.
McCulloch
McDade
McDowell
Macdonald
Martin, Mass.
Minshall
Moorhead
Morris
Morrison
Morton
Murphy, N.Y.
Nix
O'Brien, Ill.
Osmers
Patman
Pepper
Poage
Powell
Pucinski
Reifel
Reuss
Rhodes, Ariz.
Roosevelt
Roybal
St. George
St Germain
St. Onge
Saylor
Schadeberg
Shelley
Sheppard
Sibal
Stephens
Sullivan
Taft
Talcott
Thompson, N.J.
Vinson
Weltner
Whalley
White
Widnall
Wilson, Bob
Wilson, Charles H.

The SPEAKER. On this rollcall 338 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

INCREASING AUTHORIZATION FOR THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6177) to amend section 2 (a) of article VI of the District of Columbia Revenue Act of 1947 relating to the annual payment to the District of Columbia by the United States and, pending that motion, I ask unanimous consent that the debate be limited to 40 minutes, to be equally divided between the majority and the minority.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from South Carolina.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 6177, with Mr. Aspinall in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the unanimous-consent request the gentleman from South Carolina [Mr. McMillan] will be recognized for 20 minutes, and the gentleman from Virginia [Mr. Broyhill] will be recognized for 20 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. McMILLAN. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I asked for these 2 minutes for the special purpose of thanking the members of Subcommittee No. 6 of the District of Columbia Committee who so efficiently handled the nine revenue bills that were pending before our committee.

Mr. Chairman, this subcommittee has held hearings continuously since January on these revenue bills. It has given consideration to all persons and all bills that were pending before the committee. In fact, some of the members of the Committee may have read in some of the newspapers that consideration was not given to the formula that was sent up here from the White House.

If the Members will take the time to read the hearings, I am sure they will find that about half of the time in the joint hearings was taken up on the President's formula. We have heard of this formula as if it was something new, but may I say this proposition has been considered by the Congress on several occasions since I have been a member of the Committee on the District of Columbia. The reason we could never give consideration to the proposal was because of the fact we would be setting a precedent for placing an assessment on Government property in the District of Columbia while permitting all of the Government property in the States to be tax free.

We realize that every State in the United States, every city in the Union, could use much more money for schools and other purposes. If we are going to set a precedent here by adopting a bill that would tax Government property in the District of Columbia, we certainly should do the same thing for our own districts and our own States.

I would like to state also that the Congress has been treating the District of Columbia, in my opinion, very well in the last 10 years. The District of Columbia has built 53 new schools in the past 8 years. The Congress has spent some $50 million on school buildings alone in the District of Columbia, and we believe that is much more than has been spent on school buildings in any other city of comparable size in the United States.

This bill, H.R. 6177, increases the maximum, authorized, yearly Federal contribution to the District of Columbia by $13 million, and thus raises the ceiling from the present authorized Federal payment of $32 million to a total of $45 million.

The District of Columbia Board of Commissioners in the last Congress requested that the Federal contribution to the District be increased by only $4 million, or from $32 to $36 million. However, in this Congress, the Commissioners requested a jump in the Federal contribution from $32 to $53 million plus. The Bureau of the Budget approved both of these requests.

The committee believes that the amount of $45 million as authorized in the reported bill is quite adequate. It further believes that this bill, considered with the other fiscal bill reported herewith—H.R. 4277, which doubles the District of Columbia borrowing authority from $75 to $150 million—and considered in the light of the tax increases levied for the District of Columbia in the last session, provides more than ample funds to meet the needs of the District of Columbia for some time to come.

As the District of Columbia spending authorized to be appropriated under these bills appears wise and practical, of course, funds therefor will be approved by the Appropriations Committees of the two bodies and by the Congress.

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The committee and the Congress have, in the past years, provided, and will in the future provide, every necessary and reasonable authorization of funds for the operation of the District of Columbia government. The Constitution places the burden upon the Congress to "exercise exclusive legislation in all cases whatsoever" for the Nation's Capital. As one of the legislative committees of the Congress for the District of Columbia, the committee is charged with the responsibility of studying the District's problems and making recommendations to the Congress. In carrying out this function, the committee as well as the Congress have endeavored to recognize the interests of both the local residents of the District of Columbia and of the people in all of the States who share with those living within the city of Washington a mutual interest in the welfare of the Capital City of all of the people of the United States.

The primary concern of the committee has been to provide the necessary funds with which the District of Columbia government can meet its obligations and needs. The committee and the Congress have been just as intent in protecting taxpayers in the District of Columbia from wasteful expenditure of their tax moneys as they have been in protecting the taxpayers of all the States when supplying funds to the District of Columbia by way of Federal contribution.

Joint hearings with the fiscal subcommittee of the Senate District of Columbia Committee were recently concluded on 12 various bills dealing with the financial problems of the District. The pros and cons of these bills have been fully debated, and the reported bill represents the conclusions of a substantial majority of the committee as to the most appropriate and justifiable method of providing necessary authorization to meet the District's financial requirements.

CONGRESSIONAL POLICY ON DISTRICT OF COLUMBIA FINANCES

While the Congress has never adopted a specific statement of policy on the financing of the District of Columbia, on the basis of the record over a long period of years, a congressional policy might be inferred from the actions of the Congress.

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The Federal Government has been contributing toward the expenses of the District of Columbia since its inception, with Federal financial participation varying in amounts and in percentage of the District's costs ranging from 8 to 50 percent thereof.

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The District of Columbia Revenue Act of 1954 (70 Stat. 83; D.C. Code, title 47-2501b) provided for a "Federal contribution" to the general fund, in addition to the $11 million, or a total of $20 million. This was amended in 1957 to a total of $23 million, and finally in 1959 to a total of $32 million, which is the present law.

FEDERAL CONTRIBUTION FOR THE DISTRICT OF COLUMBIA, AUTHORIZED AND APPROPRIATED

Congressional authorizations for annual Federal contributions to the District of Columbia general fund, and the amounts actually appropriated by Congress each year under that authority, for fiscal years 1955 through 1963, are as follows:

Note that beginning in fiscal year 1955 a certain amount of the Federal appropriation to the District of Columbia general fund has been specified each year as available for capital outlay only, on a basis of dollar-for-dollar matching by the District of Columbia government.

Fiscal year	Authorized	Appropriated	For capital outlay	For other purposes
	Millions	*Millions*		
1955	$20	$20	$7	$13
1956	20	18	6.25	11.75
1957	23	20	7	13
1958	23	20	7	13
1959	32	25	7	18
1960 [1]	32	25	0	25
1961	32	25	0	25
1962	32	30	5	25
1963	32	30	5	25

[1] In 1960, the appropriation language was changed to specify that all the Federal appropriation in excess of $25,000,000 would be earmarked for capital outlay. The reason for this was that the borrowing authority of $75,000,000 for the District of Columbia public works construction program was granted that year.

WHAT THE FISCAL HEARINGS SHOWED

Because there has been a complete misrepresentation by certain news media throughout the country to the effect that the city of Washington has been mistreated from a financial viewpoint by the Federal Government, a summary of some pertinent data presented at your committee's recently held joint hearings is presented. Testimony there established that the District of Columbia has fared better than any other city of comparable size in the United States.

First. Of 13 U.S. cities of which the District of Columbia is one, with population between 500,000 and 1 million, in a tabulation of census figures showing population changes from 1950 to 1960, and the changes in the number of city government employees per 1,000 population, the District of Columbia leads all these cities in the number—34.5—of city employees per 1,000, and in the increase in this number—9.6—per 1,000, over the 10-year period.

Second. Significantly, the tremendous increase in number of District employees has been in positions from grade 6 upward, clearly indicating a tendency to add more and more to the number of administrative personnel in the District of Columbia government, far out of proportion to the similar increase in the number of lower salaried, clerical personnel. Again, as compared with 12 other cities of comparable size, the District of Columbia leads them all in the increase in such expenditures for personnel services during this 10-year period. Actually, in the case of the District, expenditures for personnel services constitute some two-thirds of the entire operating expenses of the District government—and has reached the figure of $176,132,000 in the District of Columbia budget estimate for fiscal 1964.

Third. Congress has appropriated over $50 million to the District of Columbia for school construction in the past 8 years, with which have been built 53 schools, or 942 classrooms with the capacity of 27,967 pupils. No other city of comparable size in the United States anywhere nearly approaches the expenditures of Congress for the District of Columbia school construction in this period.

Fourth. While there are still instances of individual schools—among Washington's total of 187—being overcrowded in some areas of the District, or becoming obsolete, or in need of repair—just as there are in any school system throughout the country—Congress can hardly be charged with neglect of the schools of the District of Columbia in light of the foregoing appropriations. The conditions referred to are not untypical of conditions in many parts of the country. Further, there are presently in the District 56 elementary school standard classrooms standing vacant and unused in 26 sound, usable school buildings. Such vacancy, it is claimed, is attributable to shifting population in the District in recent years—but nevertheless unused although having a capacity of 1,680 pupils. In addition, 60 other school classrooms in the District, with a capacity of 1,800 pupils, are presently being used as administrative offices.

Fifth. Whereas the District of Columbia ranked seventh among the 13 cities of comparable size in school year 1956–57 for current expenditures per pupil in average daily attendance, yet for the school year 1960–61 the District ranked second in current expenditures per pupil. Likewise it ranked second in the increase in this figure during the 5-year period referred to.

These and other figures presented at the joint hearings clearly illustrate that expenditures for public education in the District of Columbia over the past 7 years have more than kept pace with similar expenditures in other cities of comparable size in the United States.

TAXES

The committee has not considered any proposed tax increases for the District of Columbia because it is not presently convinced that there is any need for such increases. As stated, your committee believes that the two reported fiscal bills, this one increasing the Federal contribution, and H.R. 4277, increasing the borrowing authority, together provide generously for present and future needs of the District of Columbia. Hence, the committee hopes there will be no necessity for tax increases in the near future, particularly in the light of the increases in taxes enacted by the Congress in the past session.

Moreover, since 1955, the District of Columbia Board of Commissioners have increased the real estate tax rate in the city by a total of 35 cents per $100 of assessed value, in steps as follows:

Fiscal year:	
1955	5 cents per $100 assessed value.
1957	10 cents per $100 assessed value.
1962	20 cents per $100 assessed value.

In addition, the District of Columbia Commissioners in recent years had all the real property in the District of Columbia reappraised and established higher valuations on practically all properties in the District.

In view of these facts and the further fact that the District of Columbia has the lowest median family income of any jurisdiction in the Washington metropolitan area, this committee hopes that the 40-percent increase in the authorized Federal contribution to the District provided in this bill will obviate the necessity for any further increase by the Commissioners in the real estate tax rate in the near future.

CONCLUSION

It was urged upon the joint committee by the Deputy Director of the Bureau of the Budget that "more adequate Federal payments would reduce the future reliance required on borrowing to finance new capital facilities."

While a backlog of capital outlay needs has developed in the District, for which additional borrowing authority may be necessary, the Appropriations Committees and Congress may well find that the 100-percent increase over present District of Columbia borrowing authority by the other fiscal bill, H.R. 4277, may not be as urgent in view of the recommended increase by this committee in H.R. 6177 of the maximum authorized Federal contribution from $32 million per year to $45 million.

Your committee believes that if the Congress approves this bill, as reported, it will have provided for a liberal Federal contribution to the District of Columbia, and by what to a substantial majority of the committee seems the most appropriate and justifiable procedure.

Mr. BROYHILL of Virginia. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I rise in support of H.R. 6177, which increases the Federal payment to the District of Columbia by the amount of $13 million each year, to a total of $45 million a year. I feel this is a reasonable bill, it is fair legislation, and it does, in effect, provide a way for the Federal Government to meet its financial responsibility to the Nation's Capital.

There are three prime reasons for the Federal Government having a responsibility to the District of Columbia. The first is article I, section 8, clause 17 of the Constitution, which reads as follows:

> The Congress shall have power to exercise exclusive legislation in all cases whatsoever over such district as may become the seat of the Government of the United States.

That is very simple, clear, elementary language, stating that the Congress does have exclusive legislative jurisdiction over the District of Columbia.

Furthermore, this is, in fact, the Nation's Capital, the Capital of all the people of the United States. They have an interest in the Capital, they are concerned about what goes on in the Capital City. Millions of American citizens come here every year to visit its historic shrines, and we have a responsibility to see that these shrines and these historic public buildings are properly preserved.

Third, the Federal Government owns or causes approximately 50 percent of the land area to be taken off the tax rolls of the District of Columbia. Therefore, there is some fiscal responsibility due to the Capital City on the part of the Federal Government.

Over the years I believe the Congress has met this responsibility. For approximately 50 years, from 1878 to 1924, the Congress appropriated 50 percent or provided a Federal payment in the amount of 50 percent of the total operating expenses of the Nation's Capital.

Since 1924, however, we have reduced the Federal payment somewhat. We have reduced that from a payment of $9 million out of a $23 million budget, a 39 percent payment, in 1924, down to what amounts to a 12 percent payment for the fiscal year 1963.

The authorized Federal payment has increased in 1924 from $9 million to an amount of $30 million. However, during that period, while we have increased the Federal payment approximately threefold, the expenses of operating the District Government have increased tenfold. In other words, while the expenses of the Federal Government have gone up 10 times in 40 years we have reduced our percentage of Federal payment or contribution to the operation of the Nation's Capital by one-third.

Even though we have cut our percentage of contribution during the past 40 years, the Congress has in effect underwritten the District budget from year to year. We have made certain that the District had adequate funds to operate and to maintain a good clean city government.

I would like to point out that over the history of this Nation's Capital, particularly during the last 90 years, since we have had control of the District government, the record will show we have had one of the cleanest of any city in the United States. You hear very little about malfeasance, incompetence, or misconduct in office. We have provided ample funds for operating the Nation's Capital to the extent I think it may be factually stated that the District of Columbia lacks in no major improvement or major capital facility. We have increased our authorized Federal payment from $6 million a year in 1940 to $32 million a year, which was authorized back in 1959.

During those years, and in fact during the entire history of the Nation's Capital, we have tried to insist that the citizens of the District of Columbia make a taxpayment comparable to that of other communities in the metropolitan area and other communities in the United States.

During the past 5 years there have been three real estate tax increases placed upon the people of the District of Columbia. Since 1955 there have been three tax increases on alcohol and neutral spirits. Since 1955 there have been three increases in the sales taxes and two increases in income taxes.

However, the cost of operating the Nation's Capital has gone up in recent years just as the cost of government in every city in the United States has done. As a matter of fact, we have had an increase in the cost of government here in the District of Columbia since 1957 of approximately 66 percent, for a total cost of $147 million. A large part of that increase in cost could be considered to be the result of direct action on the part of Congress because we have increased during the past 6 years the pay of the District of Columbia employees, the policemen, the firemen, and the schoolteachers, in a total amount of $44.6 million.

During the past fiscal year, or the current fiscal year ending June 30, 1963, the total increased cost as a result of pay raises amounted to $17.4 million.

Then on the other side of the ledger in this fiscal problem is the fact that during the 1950's, from the 1950 census to the 1960 census, the District of Columbia suffered a loss of population amounting to approximately 40,000 people. While suffering a reduction in population of 40,000 people we had an increase in the District of Columbia in our school population of 23 percent.

It does not take anyone experienced in municipal government to know that the higher the percentage of the school population the greater the cost of operating the municipal government.

Furthermore, while we have had increases in our school population we have also had an increase in the elderly population. That has increased, during this 10-year period I am speaking about of the 1950's, by 22 percent. We know in the management of any municipal government that the older part of the population does not bring in quite the same revenue as do those in the middle-aged group.

Then we have quite an elaborate and costly capital improvement program in process, which will continue over the next 6 years, which will amount to something in the neighborhood of $180 million, $73 million of which will be for the construction of additional schools and additional classrooms. We predict here during the next 6 years a 25 percent further increase in the population of our school-aged persons. We have held extensive hearings on this problem and we finally came up with a reasonably good answer which would provide a proper payment, or a way in which the Congress and the Federal Government would meet its proper responsibilities to the Nation's Capital. We felt that increasing the authorized Federal payment from $32 million to $45 million would do the job, because the budget as estimated for the coming fiscal year, 1964, is estimated to be $283,700,000. There is a surplus from last year of $9 million and we expect taxes to bring in $210 million. The present Federal payment will bring in $32 million. The increased Federal payment will bring in another $13 million and we expect to have increased borrowing authority here that will be taken care of by another bill which is to be brought up today, which will provide $10 million of this next year's budget. It is proposed from time to time further to raise taxes in the amount of approximately $8.9 million.

If this present estimated budget of $283 million holds up and is approved in its entirety by the Appropriations Committee when it comes up here and if there is no fat whatsoever in the proposed budget of $283 million, then this legislation we have before us will provide ample funds to meet that budget.

The CHAIRMAN. The gentleman from Virginia has consumed 10 minutes.

Mr. BROYHILL of Virginia. Mr. Chairman, I yield myself 1 additional minute.

Mr. Chairman, if there is any reduction whatever made in the proposed budget of $283 million then we will find actually that it will not be necessary for the Appropriations Committee to appropriate the full $45 million which is authorized in this legislation.

Mr. MONAGAN. Mr. Chairman, will the gentleman yield?

Mr. BROYHILL of Virginia. I yield to the gentleman.

Mr. MONAGAN. I understand the suggestion has been made that in trying to arrive at a measure for taxes that the buildings of the embassies and other buildings be treated as if they were taxable and an appropriation be made on that basis. I wonder what the gentleman thinks of that as a possible solution?

Mr. BROYHILL of Virginia. I understand that there will be an amendment offered later on to this legislation to provide for an automatic formula.

The CHAIRMAN. The time of the gentleman from Virginia has again expired.

Mr. BROYHILL of Virginia. Mr. Chairman, I yield myself 1 additional minute.

We did consider the proposal in the committee and it was considered thoroughly. In fact, a large part of the testimony presented to the committee was based on a proposed valuation which would automatically set the Federal payment for the District of Columbia based on the value of this Capitol Building, and the White House, and all other Federal buildings here in the District of Columbia.

We did not think it was the proper way of arriving at what the authorized amount of Federal payment should be, in addition to the fact that it was a really complicated formula. We therefore voted that proposal down in the committee. I will have more to say about it at the time the amendment is offered.

Mr. Chairman, for emphasis, I should like to repeat some of the specific reasons why this legislation should be approved.

Over the years, the Congress has recognized that the Federal Government has a unique responsibility to the District of Columbia, to provide a share of the fiscal requirements for the operation of the District of Columbia government commensurate with the fact that the Federal Government occupies more than 50 percent of the taxable land in the Nation's Capital City.

From 1878 until 1924, the Federal Government paid half the cost of operation of the District of Columbia government. Since that time, however, the Federal payment has dwindled steadily in relation to the total appropriation to the District, as is illustrated in the following table, which traces this relationship at 8-year intervals from 1924 through 1956, and for 1962:

Fiscal year	Total District of Columbia appropriations	U.S. share	Percentage U.S. share
1924	$23,903,755	$9,440,425	39.49
1932	43,840,022	9,500,111	21.67
1940	41,777,885	6,000,117	14.36
1948	81,744,086	11,000,000	13.46
1956	143,179,303	18,000,000	12.57
1962	233,626,683	30,000,000	12.84

Thus it is seen that over this period of years, while the total cost of operating the District of Columbia government has increased nearly tenfold, the Federal Government's annual contribution has increased only about threefold—and the percentage of the cost borne by the Federal Government has decreased by 26.65 percent.

Aside from the annual Federal payment, the District of Columbia's sole source of funds is of course its own tax revenues. On this subject, I wish to state that in my opinion the citizens of the District of Columbia have consistently been taxed as highly as sound financial practice would permit. One evidence of this fact is that, according to statistics released by the U.S. Bureau of the Census, the District of Columbia ranks first among the U.S. cities of populations between 500,000 and 1 million in total tax revenues. As for the District of Columbia tax rates, increases in the city's major areas of taxation since 1955, all of which have resulted from acts of Congress with the exception of the real estate tax rates, are shown in the following statistics:

INCREASES IN THE MAJOR AREAS OF TAXATION IN DISTRICT OF COLUMBIA SINCE 1955

Real estate tax:

In 1955: Rate increased 5 cents per $100 assessed value.

In 1957: Rate increased 10 cents per $100 assessed value.

In 1962: Rate increased 20 cents per $100 assessed value.

Spirits tax:

In 1955: Rate increased 25 cents per gallon.

In 1957: Rate increased 25 cents per gallon.

In 1962: Rate increased 25 cents per gallon.

Sales and use tax:

In 1955: 1 percent tax on sale of food for human consumption off the premises; rate on rental of rooms to transients increased to 3 percent; and restaurant meal exemption reduced.

In 1957: Restaurant meal exemption eliminated; and rentals of tangible personal property taxed.

In 1963: Rate on rental of rooms to transients increased to 4 percent; and rate on sales of tangible personal property other than groceries increased to 3 percent.

Individual income tax:

In 1955: Rates on taxable income increased.

In 1957: Personal exemptions reduced; rate increased; new brackets established.

The following statistics will serve to place the District of Columbia tax burden into perspective with that in the other jurisdictions of the Washington metropolitan area:

Tax burden in District of Columbia compared to that in the other 7 jurisdictions of the Washington metropolitan area, for a typical family of 4, during fiscal year 1962

Gross income	Tax in District of Columbia	Rank among 7 other jurisdictions
$5,000	$308	2
$7,500	420	3
$10,000	573	6
$15,000	922	8

The above-quoted statistics are the more significant in view of the fact that the District of Columbia ranks lowest, by a very considerable margin, among the eight local jurisdictions in median family income, with an average figure of $5,993 in 1960.

These facts all combine to offer incontrovertible evidence that the taxes presently imposed upon the citizens of the District of Columbia cannot be materially increased without a serious risk of running into diminishing returns.

This financial situation has become critical as a result of soaring costs of operation of the District of Columbia government. Since fiscal year 1957, for example, this cost has risen from $147 to $244 million, or by 66 percent.

One major factor in this increase in cost of government has been salary increases, voted by the Congress in keeping with rising costs of living. These increases in the District of Columbia since 1953, in the several categories of employees, are shown as follows:

Salary increases in District of Columbia government since 1955

[In percentages and by employee category]

Year granted	Classification act	Police and firemen	Teachers and school officers
1953		13.7	14.0
1955	7.5	7.5	14.9
1958	10.0	13.8	14.0
1960	7.5	7.5	7.5
1962	5.5	11.6	10.6
Total	30.5	54.1	61.0

The impact of these salary increases on the financial burden of the District is exemplified by the fact that the 1962 increases alone are estimated to cost $14,138,000 annually.

Since 1940, the annual Federal payment to the general fund of the District of Columbia has been appropriated on the basis of a specific authorized amount as a limit. This ceiling was set originally at $6 million per annum, was increased to $11 million in 1948, to $20 million in 1955, to $23 million in 1957, and has been at $32 million since 1959.

Since 1955, however, the Federal contribution actually appropriated to the District of Columbia has never been as great as the amount authorized.

Hon. Walter N. Tobriner, President of the District of Columbia Board of Commissioners, informed us at a recent hearing that under present financial circumstances the District is facing a deficit of some $32 million in fiscal year 1964.

In view of these facts, I am convinced that the need for additional financial resources for the District of Columbia is immediately urgent, that the citizens of the District cannot support any great increases in their present level of taxation, and that the Federal Government is not paying its fair and reasonable share of the cost of operation of the District of Columbia government. For this reason, I urge the passage of H.R. 6177, which would increase the authorization of the Federal payment to the District of Columbia to $45 million, as an acceptance by the Congress of its fair and proper responsibility toward the Capital City.

Mr. McMILLAN. Mr. Chairman, I yield the remainder of my time to the gentleman from North Carolina [Mr. WHITENER], chairman of the subcommittee that handled this bill.

Mr. WHITENER. Mr. Chairman, as the chairman of the full committee said, Subcommittee No. 6 of the House District Committee held rather exhaustive hearings upon the legislation relating to the fiscal policies and programs of the District of Columbia. The fiscal subcommittee of the District of Columbia Committee of the other body sat with us and participated in these hearings.

It was very interesting to me to see some of the misinformation which has been cast abroad here about the hearings and how someone was not given an opportunity to be heard, and that other proposals, we read, were not given adequate attention. I can assure you that if you will read the transcript of the hearings entitled "District of Columbia Fiscal Authorizations" you will find that these allegations are unfounded.

The bill under consideration raises the Federal payment from the former level of $32 million to a new level of $45 million. We are told by some that this is a harsh sort of thing to do, that we should open up the sky and go higher than we do.

I point out to my colleagues that in the last Congress the District Commissioners made a request that this figure be raised by only $4 million; that is, from $32 to $36 million. The District of Columbia Committee is now recommending to the House that this figure be increased to $45 million. It seems to me that any allegation that the District Committee is dealing harshly with the local government is unsupported by the facts.

I realize that some of our colleagues will recommend that we raise this figure to $53 million. They will have two different ways in which they will approach this, but when you look at the record you will find that as recently as 1955 the Federal appropriation was $20 million. This has continued to grow until 1959, when the Congress authorized $32 million. The authorization figure has not changed in that period. The Congress has appropriated less than the amount of authorization during each of these years since 1955. So the District of Columbia Committee has been more generous in this matter of Federal payment than has the Appropriations Committee of the House.

In order to bring into focus another interesting matter that was determined at the hearing, I would call to your attention that you have read a great deal about how the District Committee and the Congress have dealt so severely with the public schools of the District of Columbia. During the hearings the statistics were somewhat inadequate. We asked that the Board of Education supply us with the full record, showing what requests had been made by the Board of Education, what requests had been approved by the District Commissioners, and what the Congress has done with those requests.

Our colleague, the gentleman from New York [Mr. HORTON], on page 140 of the hearings, announced his computation based upon the record. He said this:

> Mr. Chairman, I just made a computation here. I added up the amount appropriated by Congress for the years 1958 through 1963, in rounding it off to $10.6 million, rather than taking all the figures, and it adds up, in my fast figuring, to $49.7 million.
>
> And the amount approved by the Commissioners for that same period is $52.4 million.
>
> So there is a $2.7 million difference in the amount approved by the Commissioners and that approved by Congress.

So you see this great hue and cry about the public schools—admitting that there is a necessary expenditure in the field of improving the schools—has not been properly directed to the Members of the Congress of the United States. The problem has been that the District Commissioners have refused to go along with the Board of Education on their requests. The Congress has gone along to the extent of only reducing educational requests about $2 million in about 10 years, as I remember it, below the amount approved by the District of Columbia Commissioners.

This bill increases the maximum, authorized, yearly Federal contribution to the District of Columbia by $13 million, and thus raises the ceiling from the present authorized Federal payment of $32 million to a total of $45 million.

The District of Columbia Board of Commissioners in the last Congress requested that the Federal contribution to the District be increased by only $4 million, or from $32 to $36 million. However, in this Congress, the Commissioners requested a jump in the Federal contribution from $32 to $53 million. The Bureau of the Budget approved both of these requests.

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The primary concern of the committee has been to provide the necessary funds with which the District of Columbia government can meet its obligations and needs. The committee and the Congress have been just as intent in protecting taxpayers in the District of Columbia from wasteful expenditure of their tax moneys as they have been in protecting the taxpayers of all the States when supplying funds to the District of Columbia by way of Federal contribution.

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Any cost for the operation of the District of Columbia which exceeds the tax revenues derived from reasonable local taxes is an obligation of the citizens of the rest of the nation to be provided for by the Congress.

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The District of Columbia Revenue Act of 1954 (70 Stat. 83; D.C. Code, title 47-2501b) provided for a "Federal contribution" to the general fund, in addition to the $11 million, or a total of $20 million. This was amended in 1957 to a total of $23 million, and finally in 1959 to a total of $32 million, which is the present law.

FEDERAL CONTRIBUTION FOR DISTRICT OF COLUMBIA AUTHORIZED AND APPROPRIATED

Congressional authorizations for annual Federal contributions to the District of Columbia general fund, and the amounts actually appropriated by Congress each year under that authority, for fiscal years 1955 through 1963, are as follows—note that beginning in fiscal year 1955, a certain amount of the Federal appropriation to the District of Columbia general fund has been specified each year as available for capital outlay only, on a basis of dollar-for-dollar matching by the District of Columbia government:

Fiscal year	Authorized	Appropriated	For capital outlay	For other purposes
	Millions	*Millions*		
1955	$20	$20	$7	$13
1956	20	18	6.25	11.75
1957	23	20	7	13
1958	23	20	7	13
1959	32	25	7	18
1960 [1]	32	25	0	25
1961	32	25	0	25
1962	32	30	5	25
1963	32	30	5	25

[1] In 1960, the appropriation language was changed to specify that all the Federal appropriation in excess of $25,000,000 would be earmarked for capital outlay. The reason for this was that the borrowing authority of $75,000,000 for the District of Columbia public works construction program was granted that year.

WHAT THE FISCAL HEARINGS SHOWED

Because there has been a complete misrepresentation by certain news media throughout the country to the effect that the city of Washington has been mistreated from a financial viewpoint by the Federal Government, a summary of some pertinent data presented at the committee's recently held joint hearings is presented. Testimony there established that the District of Columbia has fared better than any other city of comparable size in the United States.

First. Of 13 U.S. cities of which the District of Columbia is 1, with population between 500,000 and 1 million, in a tabulation of census figures showing population changes from 1950 to 1960, and the changes in the number of city government employees per 1,000 population, the District of Columbia leads all these cities in the number—34.5—of city employees per 1,000, and in the increase in this number—9.6—per 1,000, over the 10-year period.

Second. Significantly, the tremendous increase in number of District employees has been positions from grade 6 upward, clearly indicating a tendency to add more and more to the number of administrative personnel in the District of Columbia government, far out of proportion to the similar increase in the number of lower salaried, clerical personnel. Again, as compared with 12 other cities of comparable size, the District of Columbia leads them all in the increase in such expenditures for personnel services during this 10-year period. Actually, in the case of the District, expenditures for personnel services constitute some two-thirds of the entire operating expenses of the District government—and has reached the figure of $176,132,000 in the District of Columbia's budget estimate for fiscal 1964.

Third. Congress has appropriated over $50 million to the District of Columbia for school construction in the past 8 years, with which have been built 53 schools, or 942 classrooms with the capacity of 27,967 pupils. No other city of comparable size in the United States anywhere nearly approaches the expenditures of Congress for the District of Columbia school construction in this period.

Fourth. While there are still instances of individual schools—among Washington's total of 187—being overcrowded in some areas of the District, or becoming obsolete, or in need of repair—just as there are in any school system throughout the country—Congress can hardly be charged with neglect of the schools of the District of Columbia in light of the foregoing appropriations. The conditions referred to are not untypical of conditions in many parts of the country. Further, there are presently in the District 56 elementary school standard classrooms standing vacant and unused in 26 sound, usable schoolbuildings. Such vacancy, it is claimed, is attributable to shifting population in the District in recent years—but nevertheless unused although having a capacity of 1,680 pupils. In addition, 60 other school classrooms in the District, with a capacity of 1,800 pupils, are presently being used as administrative offices.

Fifth. Whereas the District of Columbia ranked seventh among the 13 cities of comparable size in school year 1956–57 for current expenditures per pupil in average daily attendance, yet for the school year 1960–61 the District ranked second in current expenditures per pupil. Likewise it ranked second in the increase in this figure during the 5-year period referred to.

These and other figures presented at the joint hearings clearly illustrate that expenditures for public education in the District of Columbia over the past 7 years have more than kept pace with similar expenditures in other cities of comparable size in the United States.

CONCLUSION

It was urged upon the joint committee by the Deputy Director of the Bureau of the Budget that "more adequate Federal payments would reduce the future reliance required on borrowing to finance new capital facilities."

While a backlog of capital outlay needs has developed in the District, for which additional borrowing authority may be necessary, the Appropriations Committees and Congress may well find that the 100-percent increase over present District of Columbia borrowing authority by the other fiscal bill, H.R. 4277, may not be as urgent in view of the recommended increase by this committee in H.R. 6177 of the maximum authorized Federal contribution from $32 million per year to $45 million.

The committee believes that if the Congress approves this bill, as reported, it will have provided for a liberal Federal contribution to the District of Columbia, and by what to a substantial majority of the committee seems the most appropriate and justifiable procedure.

EXPLANATION OF AMENDMENT

Since 1955, there has been a provision in the District of Columbia law stipulating that $7 million of the annual Federal payment to the general fund of the District of Columbia, if the entire authorized amount be appropriated, must be used only for capital outlay purposes. That is, the last $7 million of the authorized payment or such part of that $7 million as may be appropriated, shall be so used. Thus, when the authorized Federal payment was increased to $32 million beginning with fiscal year 1959, it was specified that all of this amount appropriated in excess of $25 million must be used for capital outlay only.

The reason for this restriction on the Federal payment in past years undoubtedly arose from the fact that although a 10-year program of public works construction for the District of Columbia, estimated to cost some $145.3 million, was approved in 1954, no provision for financing this program aside from revenues to the general fund was made until 1958, when the District was authorized to borrow as much as $75 million from the U.S. Treasury to aid in financing the remaining part of the construction program.

Inasmuch as H.R. 4277 will increase this borrowing authority to a maximum of $150 million, this committee feels that the above-described restriction on the expenditure of the Federal payment will no longer serve a useful purpose. For this reason, H.R. 6177 has been amended so as to remove this limitation at the end of fiscal year 1963, and thus permit the Commissioners and the Appropriations Committees to allocate the entire Federal contribution at their own discretion. The committee wishes to make it clear, however, that this amendment is not intended to prohibit the use of any part of the Federal payment for capital outlay purposes.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman.

Mr. HALEY. I just wondered if the gentleman from North Carolina could inform the House what the taxpayers of the United States, where this money comes from, gets out of the expenditures made in the District of Columbia. I am getting a little tired, and I think a lot of other people are getting tired, when we look down here and see these redevelopment programs in the District where land and improvements that were producing revenue is not being used, and where millions of dollars could have been collected in taxes. Yet, this bunch of people downtown are constantly complaining, about what the general taxpayers of the United States should do for the District of Columbia. I do not see where we are getting anything from the District of Columbia for this money that we are asking the general taxpayers to expend.

Mr. WHITENER. I will say to the gentleman, and I had intended to mention this earlier, that in the last Congress the taxes were increased in the District of Columbia so as to bring an additional yield of $15 million for use by the District government.

Now as to what the people in your district and other districts of the Nation get, I think the members of the Committee on the District of Columbia have the common feeling that the people of the Nation have a responsibility here because this is the Nation's Capital. A great deal of the property here in the District of Columbia is occupied by Federal buildings and, certainly, there should be some participation in the affairs of the District of Columbia by the average taxpayer.

Mr. HALEY. May I ask the gentleman this? Do we not, as a government, pay for police protection? Do we not pay our water bills and do we not pay our light bills? What do we get for this money? I realize this is a Federal Capital but what would the District of Columbia be if it were not for the expenditures of the taxpayers' money here in the District of Columbia, where they have the highest per capita income of any part of this whole United States and, yet, they are constantly crying for more and more and more.

Mr. WHITENER. I am sure the gentleman is familiar with the many factors that go into this picture.

Mr. Chairman, in view of the limitation of time, may I conclude by saying that the subcommittee and the full committee gave careful consideration to this legislation. We feel it should be enacted without the amendments which I understand will be proposed by my friend, the gentleman from New York [Mr. MULTER] and others.

Mr. WHITENER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include additional information.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BROYHILL of Virginia. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. DEROUNIAN].

Mr. DEROUNIAN. Mr. Chairman, I ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DEROUNIAN. In today's issue of the Washington Post, amongst other things, the usually inaccurate Drew Pearson has this to say about me:

> DEROUNIAN is the same Congressman who, according to two members of U.S. military intelligence, coddled Edward V. Sittler, who deserted the United States of America to broadcast propaganda for Hitler during the war. Sittler renounced his American citizenship in 1939, was captured at the end of the war and given special privileges by Captain DEROUNIAN, now Congressman DEROUNIAN, then in command of a prisoner-of-war camp in Germany.

This ridiculous charge was made by this same Washington columnist before. The fact of the matter is that I never heard of Sittler until his name appeared in local papers, some time in 1959, during a controversy in one of the colleges in my district.

A review of my official orders shows that I was assigned to the 66th Infantry, and on November 28, 1945, was placed on special duty at Altenstadt, Germany, as camp commander of the civilian internment camp No. 10 and the Altenstadt prisoner enclosure No. 1, in addition to my other duties; that I departed Europe on March 3, 1946, and arrived in the United States March 11, 1946.

No prisoner of war received any special favors or courtesies from me because such were not within my duties. After being shot at by the Germans during combat, I was not about to turn soft on these people, especially an American turncoat.

The only passes I gave out were those ordered by higher authority. At one time, around Christmas, I took the camp commanders of both camps with me to a German orphanage, where they presented toys that the prisoners had made and these were either given to the orphaned children, or sold. I have a letter of thanks from the head of the Bavarian Red Cross concerning this incident.

Just to be sure, I have checked the personnel files for the period I was camp commander. Nowhere in them does the name of Sittler appear. I know he was not one of the leaders because, had I known of an American turncoat who spoke fluent English, he certainly would have come to my attention.

This same slanderous charge was made during the campaign of 1960, by my opponent. Newsday, a newspaper in my district usually opposing me for Congress, had this to say about my opponent and his attempt on this same type of smear, on October 26, 1960:

> Drury not only lacks experience but also normal decency. He attempted to link DEROUNIAN with Dr. Edward Sittler because—as the post-World War II commander of a prisoner-of-war camp containing thousands of Nazis—DEROUNIAN might have come into fleeting contact with Sittler. That Hitlerite was mistakenly hired by C. W. Post College, but quit under pressure when exposed. To rake up the case is about as low a smear as we have seen in a long time. Drury has disqualified himself.
>
> DEROUNIAN should be reelected.

And he was.

Mr. McMILLAN. Mr. Chairman, I yield 4 minutes to the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Chairman, with the usual fairness of our distinguished chairman of the Committee on the District of Columbia, the gentleman from South Carolina [Mr. McMILLAN], he sought to divide the time equally between those who are supporting the bill as reported and those who seek to improve the bill by amending it.

Mr. Chairman, at the outset I would like to indicate that there is no difference of opinion as to what must be done. The principles are agreed upon by all. We can take the majority report almost in full up to its conclusion. We could then substitute the proposal that the bill should be amended so as to provide for the full amount called for by the proposed amendment that will be offered by the gentleman from California [Mr. COHELAN], or even go further and substitute H.R. 4592, which is a formula which would apply for the next 10 years in the District of Columbia.

Every bit of reasoning in the majority report would sustain that conclusion.

Mr. Chairman, there is not any doubt that the Congress, as stated in the majority report, desires to provide every necessary and reasonable authorization of funds for the operation of the District of Columbia government. There is not any doubt that, and again I quote the majority report, the costs for the operation of the District of Columbia which exceed the tax revenues derived from reasonable local taxes is an obligation of the citizens of the rest of the Nation, to be provided for by the Congress. That is precisely what we seek to do here. The amendment, as indicated by all of the testimony adduced both at the joint hearings and at the hearings conducted by the House Committee on the District of Columbia, indicate that the amount now called for in the bill as proposed is insufficient and inadequate. Whether the Congress has done its full job in years gone by or not is unimportant in assessing now what must be done in the District of Columbia to keep up the kind of a capital the United States should be proud of and that the District of Columbia and its residents need.

For the first time in my history of service in this Congress, I find that every civic group in the District, every group that is at all interested in the welfare of the citizens of the District, every board of trade, every chamber of commerce, both the Republican and Democratic committees within the District of Columbia all came in and said that they were in favor of the President's formula as submitted by the District Commissioners, as indicated and called for by H.R. 4592, which, unfortunately, the District Committee rejected.

Mr. LAIRD. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Wisconsin.

Mr. LAIRD. I would like to ask the gentleman one question that has to do with the educational funds made available for the District of Columbia. I note in the bill his approach, which is the administration's approach, and also in the majority report of the committee, none of the increased funds are earmarked for educational purposes. Those of us who serve on the Appropriations Committee handling the Department of Health, Education, and Welfare, realize that there is a crying need as far as the District of Columbia is concerned in the area of education. I do not believe that we should use the vehicle of impacted aid for the District of Columbia; however, I do feel we should make more funds available in a direct grant to the District for its schools. In the gentleman's approach, and in the majority committee report, the earmarking of educational aid, the No. 1 need of the District of Columbia, is not looked upon with favor. Why are not these funds earmarked for educational purposes?

Mr. MULTER. I believe the feeling of the majority of the committee, as it is the feeling of the Commissioners, is rather than earmarking specific funds for specific purposes, they should come in before the Committee on Appropriations, and make out each year precisely what they need for each of these items, then the Committee on Appropriations will do the appropriating.

In each of these bills, H.R. 6177 we are considering now, and H.R. 4277 which we will consider when we get through with this, all we do is enact an authorization. We authorize payment by the Federal Government in lieu of taxes as a general contribution to the upkeep and management of the District affairs. In the other bill we will authorize a lending from the United States Treasury to the District of Columbia for capital improvements. In each instance, whether we do it from year to year or take the President's formula of a 10-year period, the Commissioners have to come before the Committee on Appropriations and prove what they need, both by way of a grant and by way of lending authority; then the Committee on Appropriations will recommend to the Congress and the Congress will appropriate the money in accordance with what they can prove they need. If they can show that they need $10 million for schools this year, I hope they will get it for schools. If they do not need that much next year, then they should not get that much and I am sure they will not.

Mr. LAIRD. When we get into the appropriations part of it, there are many things the District Commissioners put a higher priority on than education. In the authorization language we should earmark funds for educational purposes, and I do not think we will have any trouble in getting a higher authorization for the District of Columbia. I think this is a crying need as far as the District of Columbia is concerned, and the No. 1 objective should be to improve the educational facilities in the District of Columbia.

Mr. MULTER. I agree with the gentleman in his general statement about education and the educational processes and the importance thereof. That should be the prime item that should get our attention. But I think the Committee on Appropriations can do a better job once we enact the authorization we seek here.

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from North Carolina.

Mr. WHITENER. The gentleman is quite correct in his answers to the questions of the gentleman from Wisconsin. It was the feeling of the subcommittee that we should merely go into the proposition of authorizing an amount of money. The Board of Education, or the majority of that Board, the District Commissioners, and the Committee on the District of Columbia of the House all felt that the usual procedure should be followed. The Board of Education should justify its request to the Commissioners, then the Commissioners and the Board of Education justify them before the Committee on Appropriations.

It seems to me that this is, as the gentleman from New York said before, the proper approach to the problem.

Mr. MULTER. I think that is much the better way of handling it. I thank the gentleman for his comments.

The CHAIRMAN. The time of the gentleman has expired.

The gentleman from South Carolina has 2 minutes remaining. The gentleman from Virginia has 3 minutes remaining.

Mr. BROYHILL of Virginia. Mr. Chairman, I yield 1½ minutes to the gentleman from Iowa [Mr. SCHWENGEL].

Mr. SCHWENGEL. Mr. Chairman, fellow members of the school board, fellow members of the largest city council in the world, and fellow members of the State legislature: I begin my speech in this way because I believe we are sitting as members of a school board and members of a city council, and serving in the office of State legislature at the same time.

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. SCHWENGEL. I wish I could yield. I want to comment first on the fact that we just do not have time to do the kind of job we ought to do as school board members and in large measure we are sitting as school board members today. If we were actually serving on a school board at home we would spend 100 times more time than we are spending today, just on dealing with education alone. And, this is so important. Since I have been a member of the District Committee, and because I have some strong beliefs with regard to education and because I served as a schoolteacher for 7 years, I believed maybe I could make a contribution by visiting the schools. I have done so and I want respectfully to disagree with my chairman and those who say that we have been good to the school system here, for we have not.

The condition of the school classrooms, physical condition, and these facilities of the District of Columbia, my friends, is a disgrace to America, and it is high time that we in the Congress began to realize our responsibilities toward the school system here. With the propositions to be offered we can help. I hope you will.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman from Virginia has 1½ minutes remaining.

Mr. BROYHILL of Virginia. Mr. Chairman, I yield 1½ minutes to the gentleman from California [Mr. COHELAN].

Mr. COHELAN. Mr. Chairman, there can be no question in the mind of anyone who lives in Washington, who sits on the District of Columbia Committee, or who serves in this Congress, that Washington is a city in trouble. Not only do those who live and work here recognize this fact, but it has been analyzed and reported to the Nation during the last 3 months by at least one noted newspaper—the New York Times—and three leading magazines—Look, the Saturday Evening Post, and U.S. News & World Report. Each of these publications has stated in essence that our National Capital is in a posture which makes the Nation ashamed, and that it is in such a posture largely because it has inadequate funds to do a decent job of governing.

It is significant, I believe, that the committee in reporting the bill before us today, recognized the fact that something more must be done—that the Federal payment as a measure of the Federal Government's unique responsibility to the Nation's Capital, must be increased.

Unfortunately, the increase to $45 million recommended by the committee is far from responsive to the extremely difficult fiscal situation which confronts the District in the coming year.

Merely to maintain present levels of service—to meet pay raises, to maintain fire service, and to complete construction already underway—the District will have to increase its spending by $26,736,000. The District Commissioners have already indicated their intention to raise the real property tax by 20 cents per $100 to yield an added $5 million. This will still leave a gap of $21 million—the amount which would be provided by raising the Federal payment to $53 million—but in this light such an increase must be considered modest, not excessive.

The District cannot recover, however, from the long neglect of its civic obligations in a single year, or by this means alone. What is required is a program by which the city can look and plan ahead—a financial plan whereby it can improve its schools, its welfare services, its police protection and other vital community services. Such planning is not possible under the committee's bill, but it is possible under the formula contained in title I of H.R. 4592.

While this formula has been attacked as vague, and as depriving Congress of its powers, neither in fact, is the case. The formula, in fact, is a simple, equitable procedure which would authorize the Federal Government to appropriate each year an amount equivalent to that which it would pay to the District if it were a private business, subject to real property, personal property, and business income and related taxes. Under this formula, the Federal payment authorized for fiscal year 1964 would be approximately $53 million—an amount which is estimated to increase by about $3 million each year thereafter to $67 million in 1969.

The obvious equity of this formula—of placing the Federal payment on a businesslike basis—is enhanced by the fact that the amount of the authorized appropriation would be adjusted annually depending on relevant conditions in the District. For example, whenever the Federal Government, by the acquisition of real property in the District, removes that property from the tax rolls, the authorized Federal payment would increase. Conversely, when the Government relinquishes property in the District, thus returning it to the tax roles, the authorization would decrease. The same would also apply with respect to a raising or lowering of local tax rates.

This formula, Mr. Chairman, would allow and encourage planning which is essential for the solution of local problems. It would not, however, diminish the authority or responsibility of this body. In the first place, Congress can review, alter, or abolish the formula at any time. Second, we are only talking about authorization. Appropriations will continue to be made on an annual basis. The Appropriations Committees will continue to make line-by-line analysis of the proposed District budgets, and I am confident they will insure that not one penny of an increased Federal payment will be spent needlessly.

In brief, Congress need not fear that it is legislating itself into a straitjacket. Rather, it would be working a vast improvement while retaining full and ultimate authority.

Mr. Chairman, this formula has been endorsed by the Bureau of the Budget and the District Commissioners. It has been endorsed by such citizen groups as the Metropolitan Board of Trade and the Federal City Council.

As the Washington Post stated on Saturday:

> With the general acknowledgment of both current and future needs, the House ought to return to the President's formula. It is not designed to give the District a special favor but simply to discharge the Government's obligation as the leading enterprise in this Federal enclave.

Mr. Chairman, this is a sound and thoroughly justified proposal, and I urge its adoption so that both the District and the Federal Government can meet their responsibilities to the people of our Nation's Capital in a realistic, constructive manner.

Mr. NELSEN. Mr. Chairman, will the gentleman yield?

Mr. COHELAN. I will be glad to yield to the gentleman.

Mr. NELSEN. The point made relative to the earmarking of funds for schools in my judgment is, as far as I am concerned, well taken. It will be necessary when you offer your amendment to earmark a certain portion of that to the school system. I think we all recognize there is a very definite need in the District and I would be happy to support such an earmarking of funds for the school system.

Mr. COHELAN. I am very friendly to that idea, but I would rather allow my amendment to be voted simply on its merits. Perhaps the gentleman would want to offer an amendment to accomplish that purpose.

The CHAIRMAN. The time of the gentleman from California has expired, all time has expired.

The Clerk will read.

The Clerk read as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subsection (a) of section 2 of article VI of the District of Columbia Revenue Act of 1947 (D.C. Code, sec. 47–2501b) is amended by striking out "and the sum of $21,000,000 for the fiscal year 1959 and for each fiscal year thereafter" and inserting in lieu thereof the following: "the sum of $21,000,000 for each of the fiscal years 1959 through 1963, inclusive, and the sum of $34,000,000 for the fiscal year 1964 and for each fiscal year thereafter."

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

> Page 2, line 1, strike out the period and insert a comma and the following: "and in the proviso in such subsection (a) by striking out 'and subsequent fiscal years' and inserting in lieu thereof 'and for each subsequent fiscal year through and including fiscal year 1963'."

Mr. COHELAN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. Is it to the committee amendment?

Mr. COHELAN. No; it is not.

The CHAIRMAN. The question is on the adoption of the committee amendment.

Mr. MULTER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MULTER. As I understand it, the amendment sought to be offered by the gentleman from California [Mr. COHELAN] is to change the amount as reported by the committee and which is contained within the amendment. My question is, Will he be precluded from offering that amendment if the committee amendment prevails?

The CHAIRMAN. He will not.

Without objection, the committee amendment is agreed to.

There was no objection.

Mr. COHELAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COHELAN: On page 1, line 9, strike out "$34,000,000" and insert $42,000,000".

Mr. COHELAN. Mr. Chairman, the $53 million in Federal payment to the District of Columbia, provided for in this amendment, is absolutely essential if the Federal Government is to meet its fair responsibilities to our Nation's Capital, and if the District in turn is to meet its own mounting obligations.

From 1950 to 1960—the decade of the 1950's—the total population of the District of Columbia declined by almost 40,000. During the same period, the number of school-age children rose by 30,000—an increase of 23 percent—and the number of elderly, those 65 and over, by 12,500—an increase of 22 percent. In other words, at the same time that the age groups requiring heavy public expenditures for such services as education, welfare, health, and recreation continued to increase, the wage earning group requiring a minimum of these public services, while providing a solid source of tax revenues, decreased by 16 percent.

Mr. Chairman, the increase in Federal payment to $45 million contained in the committee's bill is encouraging. It is recognition that the Federal Government has not been meeting its unique responsibilities to our Nation's Capital.

It is, however, an increase which is far from responsive to the extremely difficult financial situation confronting the District in fiscal 1964. It is a payment so limited as to condemn the District to further deterioration in existing programs at the very time when Congress should be lending strong affirmative support for their improvement.

Commissioner Tobriner pointed out during the joint hearings held by the Senate and House District Committees:

> Justifiable demands for expenditures now exceed available revenues to such an extent that the District is facing one of the most serious financial crises in its history.

From the hearings also came the significant fact that merely to stand still—to maintain fiscal 1963 levels of performance—the District will require an additional $26,736,000 in the coming year. The Federal pay raise, for example, added $12 million for exactly the same number of employees. Congress also added $1.2 million to the expense of maintaining fire protection by reducing the fireman's work week and thus requiring additional firemen to maintain service.

The imperative need, however, is not to stand still and there is substantial evidence that the funds available to date have not been adequate.

Take the matter of schools. By 1970, some 165,000 children will be enrolled in the public school system—about 24 percent more than the present total. The District must undertake both primary and secondary school construction to catch up with and prepare for this growing school population, to eliminate part-time sessions, to replace inadequate facilities, and to provide suitable facilities for the years ahead. New text books will be needed, and new teachers to maintain, or possibly improve, the pupil-teacher ratio.

Mr. Chairman, the enormity of the task involved merely to stand still—for the District to hold its own—let alone to move ahead in the many areas of civic responsibility where attention is desperately required, make it clear that our amendment to provide a Federal payment of $53 million is modest and justified. It would truly be tragic if the House were to condemn the District to continuous deterioration, or if the House were to tie the hands of the Appropriations Committee in areas where need can clearly be demonstrated, but such would be the case if the authorized payment were to be limited as the committee has proposed.

Mr. Chairman, I urge that this amendment be supported and overwhelmingly approved as a matter of justice and equity.

Mr. WHITENER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the amendment offered by the gentleman from California, as I understand it, would raise the amount of the Federal contribution from the $45 million figure to $53 million. This is based, as the gentleman says, upon the legislation recommended by the White House.

I think those who have read the hearing will agree with me that this figure of $53 million is based on a rather nebulous computation. Even the proponents of the Multer plan, if I may call it that, would not even positively state the amount of the yield to the District from the application of the formula set forth in the plan.

We had as our first witness the Assistant Director of the Budget, Mr. Staats. Senator BIBLE, in interrogating him before the joint committee hearings asked him to state how they arrived at the figure of $52,600,000. A reading of Mr. Staats' testimony will indicate to anyone that the proponents of the plan were merely pulling a figure out of the hat.

In the administration proposal which we referred to as the Multer bill, you will note that subsection C of the formula which would be used to determine what the Federal payment would be, is in itself a rather strange creation. It says Federal Government agencies shall be related to private business and that the revenue coming under this Federal payment shall be computed as if, for instance, the Congress was a business operating in the community.

Now I asked Mr. Staats what business he would consider the Department of Agriculture to resemble in the District of Columbia. You could ask that about any other department. He said, we would have to go to the General Services Administration and get help from them. He said that in figuring out this subsection C part of the formula that a man working in a service station would be considered just as the president of the largest insurance company or the largest bank in the District of Columbia. So this figure of $53 million is just an arbitrary figure that has been pulled out of the hat as support for a rather peculiar formula which has been sent up here for consideration.

The District Commissioners cannot be very serious about asking now that the Federal payment go up to $53 million from the present $32 million. Oh, we have had a lot of support for raising it to $53 million, as the gentleman from New York has said, but I will guarantee you if the gentleman from New York had proposed that we raise it to $100 million, he would have more support for his proposition because this is just standard operating procedure. The same thing would be true in almost any area of the United States. But we say to you, the approach of the subcommittee, as supported by the full committee, is sound and it ought to be supported and the amendment ought to be defeated.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BROYHILL of Virginia. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I join with the gentleman from North Carolina [Mr. WHITENER] in opposition to the pending amendment, which will do nothing else but to increase the authorized Federal payment by an additional $8 million per year over that which has been approved and recommended by the Committee on the District of Columbia.

Mr. Chairman, I should like to state that I do not want to get into a bidding contest with the gentleman from California or anyone else as to what should be the Federal contribution or Federal payment to the District of Columbia. I do not believe that there is any Member of this body who has more interest and more concern about the welfare and the efficient operation of the Nation's Capital than does the gentleman who is presently standing in the well of the House.

Mr. Chairman, I would want the most liberal amount possible authorized and appropriated to operate the Nation's Capital. But I realize, as all of the Members of the House must realize, that there must be a ceiling, there has got to be some compromise as to what this amount should be. Of course, it is strictly a matter of opinion as to what is the correct and fair amount. However, I believe the committee after holding lengthy hearings and extensive deliberations, did come up with a reasonable, practical compromise. In effect, by raising the authorizing payment from $32 million to $45 million we doubled or rather increased the Federal payment by 50 percent, because during the current fiscal year the Committee on Appropriations only appropriated $30 million of the present authorized amount. We are increasing the authorization up to $45 million. Therefore, if the Committee on Appropriations appropriates the full amount, the Federal payment to the District of Columbia for next year will be 50 percent higher than it was this year.

Mr. Chairman, I should like to also point out that in the present authorized Federal payment of $32 million, of which $30 million was appropriated last year or, rather, during this current fiscal year, there will be a surplus in the amount of $9.3 million.

Mr. Chairman, it is interesting enough to point out that the Commissioners last year in requesting a greater Federal payment asked only for an increase of $4 million or rather an increase in the authorized amount from $32 million up to $36 million.

Mr. Chairman, I pointed out earlier in my remarks that in the present proposed budget this amount authorized in the bill or recommended in the bill by the committee will provide a balanced budget, even if the Committee on Appropriations appropriates the full amount, and they have historically found ways of cutting the District of Columbia budget, just as they have historically found ways of cutting the budget for every Federal agency.

Mr. Chairman, reference was made to the so-called Multer proposal, the proposal to establish a formula for assessing the value of federally owned property here in the Nation's Capital. If that formula were adopted and if we could arrive at a value of the federally owned property, in keeping with what the District of Columbia Commissioners think it should be, the real property taxes on all federally owned property or taxable federally owned property—if the formula were adopted—it would not provide the amount of revenue that the bill contains. In other words, if the real property tax were set at the same rate that other people in the District of Columbia are paying, all of the real property taxes from Federal property would only amount to $29 million. So, we are actually authorizing here in the bill, before amendment, 50 percent more than the Federal-owned property would yield if they were paying taxes like all private industry in the Nation's Capital were paying.

Mr. COHELAN. Mr. Chairman, will the gentleman yield?

Mr. BROYHILL of Virginia. I yield to the gentleman from California.

Mr. COHELAN. The gentleman will agree with me, I am sure, that the District Commissioners urged the Federal payment of $53 million; is that correct?

Mr. BROYHILL of Virginia. That is correct. This year they did recommend $53 million.

Mr. COHELAN. And if the gentleman will yield further, all of the civic and political organizations in the District of Columbia testified in favor of the $53 million Federal payment.

Mr. MULTER. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I tried to indicate during the course of the general debate that there is no real disagreements in principle here. Our disagreement arises over how to apply that principle. I think that all will agree that the District of Columbia does need more money and all agree that it cannot raise all of that money by taxation. As part of the package that was sent up here by the Commissioners and as was introduced by me is a tax bill, H.R. 4598, unfortunately under our legislative process we cannot have it before us at the same time.

Mr. Chairman, this is the first time that I can recall that any community has indicated its willingness to pay more taxes. If the additional money is authorized for the District of Columbia and the additional money is paid into the general fund out of the Treasury as called for by this bill, even to the extent of the $53 million, and if the additional money is authorized to be lent to the District of Columbia as called for in H.R. 4277 that still would not be enough. The people in the District indicate that they are willing to go along with the tax bill which I have introduced and take an additional burden upon themselves to pay more taxes in order to do the things that must be done in the District of Columbia for health, education, welfare, and all the other necessary items that must be paid for, in order to give the District of Columbia good, decent, and proper government.

Let me call your attention to the fact that in 1924, with a total appropriation of $23 million. The U.S. share was $9 million, or approximately 40 percent. In 1964 the estimated budget is $236 million, 10 times more with the share of the U.S. Government only 13 percent.

On that basis, we would have every right to come in here and ask for 10 times the $9 million we contributed in 1924, or $90 million. We are asking for only $53 million.

Bear in mind in the last few years this Congress has mandatorily required the District of Columbia to spend on salaries $44 millions more than in prior years, each year $44 million additional. During the same time, the Congress has appropriated a total of $33 million less than the amount that was authorized by the Congress.

Our responsibility in this Congress is to make sure that we at least give them for fiscal year 1964, the $53 million called for by the Cohelan amendment.

Mr. COHELAN. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from California.

Mr. COHELAN. I merely want to commend the gentleman on the statement he is making and associate myself with his remarks and to announce to the House that at the proper time I will ask unanimous consent to put in a set of tables which will support the gentleman's argument.

Mr. MULTER. I believe some of those tables are a part of the hearing record as printed under the title District of Columbia fiscal authorizations.

Mr. YOUNGER. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from California.

Mr. YOUNGER. What kind of a study has been made recently on comparable real estate taxes of the District of Columbia with other cities?

Mr. COHELAN. If the gentleman will yield, the very thing I am referring to, may I say to the gentleman from California, has to do with comparable tax rates. The rate in the District, I am informed, at the present time is $2.50 per hundred of assessed valuation, the assessed valuation being on the basis of 55 percent of the fair market value. When the gentleman compares this with comparable rates in cities of comparable size, in California, New York, Pennsylvania, and other jurisdictions, he will find it falls below the rates in other cities, I include the following table:

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF GENERAL ADMINISTRATION
FINANCE OFFICE

Tax burden in the Washington metropolitan area for fiscal year 1963 (family of four with residence and car)

The major direct taxes, namely, sales, income, real and personal property, and motor vehicle registration are calculated for a family of four in each of the jurisdictions under the following assumptions:

(1) Applicable exemptions, deductions, and income tax rates in each jurisdiction were applied at each assumed income level.

(2) Property tax rates adjusted to account for local assessing practices in each jurisdiction were applied to values assumed for each income level as follows:

Income level	Residences (market value)	Personal property (assessed value)
$5,000	$13,500	$700
$7,500	15,000	1,000
$10,000	20,000	1,600
$15,000	30,000	2,500

(3) Sales taxes were computed by a uniform expenditure formula applied to each income level.

(4) All applicable motor vehicle registration fees were used.

The schedules below compare the tax burden in summary form. Jurisdiction-by-jurisdiction comparisons follow.

Income	Present District of Columbia tax	Metropolitan area including District of Columbia		
		Low tax	Median tax	High tax
$5,000	$308	$277	$283	$346
$7,500	420	372	381	468
$10,000	573	567	579	661
$15,000	922	922	990	1,045

Income	Proposed [1] District of Columbia tax	Metropolitan area including District of Columbia		
		Low tax	Median tax	High tax
$5,000	$322	$277	$283	$346
$7,500	445	372	381	468
$10,000	620	567	588	661
$15,000	1,046	961	999	1,046

[1] Proposed burden includes 20-cent increase in the real estate tax rate and the application of present income tax rates to $2,000 taxable income brackets rather than the present $5,000 brackets.

Tax comparison of major taxes in the Washington metropolitan area for fiscal year 1963

[Tax burden of a family of 4 owning a residence and a car]

INCOME, $5,000

Taxes	District of Columbia		Maryland		Virginia				
	Present	Proposed [1]	Montgomery	Prince Georges	Arlington	Alexandria	Falls Church	Fairfax	
								County	City
Income	$38	$38	$39	$39	$47	$47	$47	$47	$47
Real estate	186	200	247	209	188	192	197	181	186
Personal property	0	0	0	0	30	24	24	29	29
Sales	62	62	45	45	0	0	0	0	0
Auto tags	22	22	15	15	20	20	11	20	20
Total	308	322	346	308	285	283	279	277	282
INCOME, $7,500									
Income	$94	$102	$114	$114	$112	$112	$112	$112	$112
Real estate	206	223	274	232	208	213	219	201	207
Personal property	0	0	0	0	43	30	30	41	42
Sales	88	88	65	65	0	0	0	0	0
Auto tags	32	32	15	15	20	20	11	20	20
Total	420	445	468	426	383	375	372	374	381
INCOME, $10,000									
Income	$155	$180	$189	$189	$225	$225	$225	$225	$225
Real estate	275	297	366	310	278	284	292	268	276
Personal property	0	0	0	0	70	39	39	66	67
Sales	111	111	83	83	0	0	0	0	0
Auto tags	32	32	23	23	20	20	11	20	20
Total	573	620	661	605	593	568	567	579	588
INCOME, $15,000									
Income	$310	$400	$339	$339	$475	$475	$475	$475	$475
Real estate	412	446	549	465	417	426	438	402	414
Personal property	0	0	0	0	109	66	66	102	105
Sales	168	168	134	134	0	0	0	0	0
Auto tags	32	32	23	23	20	20	11	20	20
Total	922	1,046	1,045	961	1,021	987	990	999	1,014

[1] Proposed burden includes 20-cent increase in the real estate tax rate and the application of present income tax rates to $2,000 taxable income brackets rather than the present $5,000 brackets.

GOVERNMENT OF THE DISTRICT OF COLUMBIA,
DEPARTMENT OF GENERAL ADMINISTRATION

FINANCE OFFICE

Tax burden in the 21 largest cities of the United States, 1962 (family of four with residence and car)

The major direct taxes, namely, sales, income, real and personal property, and motor vehicle registration are calculated for a family of four in each of the jurisdictions under the following assumptions:

(1) Applicable exemptions, deductions and income tax rates in each jurisdiction were applied at each assumed income level.

(2) Property tax rates adjusted to account for local assessing practices in each jurisdiction were applied to values assumed for each income level as follows:

Income level	Residences (market value)	Personal property (assessed value)
$5,000	$13,500	$700
$7,500	15,000	1,000
$10,000	20,000	1,600
$15,000	30,000	2,500

(3) Sales taxes were computed by a uniform expenditure formula applied to each income level.

(4) All applicable motor vehicle registration fees were used.

The schedule below compares the tax burden in summary form; another schedule shows the city-by-city comparison.

Income	District of Columbia tax	21 cities including District of Columbia		
		Low tax	Median tax	High tax
$5,000	$308	$124	$308	$594
$7,500	420	153	391	726
$10,000	573	227	545	1,006
$15,000	922	296	877	1,550

December 1962.

Tax burden in the 21 largest cities of the United States

INCOME $5,000

[Family of 4 owning a residence and a car]

	Baltimore	Boston	Buffalo	Chicago	Cincinnati	Cleveland	Dallas	Detroit	Houston	Los Angeles	Milwaukee	New Orleans	New York	Philadelphia	Pittsburgh	St. Louis	San Antonio	San Diego	San Francisco	Seattle	District of Columbia
Income	$39	$34	$28	0	$50	0	0	$50	0	$4	$83	0	$28	$81	$50	$63	0	$4	$4	0	$38
Real property	311	544	173	$228	187	$184	$81	275	$104	209	315	$117	317	286	253	168	$108	222	182	$123	186
Personal property	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	27	0	0	0	0	0
Sales	45	0	15	117	44	44	29	122	29	63	39	86	53	65	65	61	29	63	63	116	62
Auto tags	15	16	17	26	10	10	14	12	14	20	16	3	17	10	10	11	14	20	20	15	22
Total	410	594	233	371	291	238	124	459	147	296	453	206	415	442	378	330	151	309	269	254	308
Rank	6	1	17	8	13	16	21	2	20	12	3	18	5	4	7	9	19	10	14	15	11

***Tax burden in the 21 largest cities of the United States*—Continued**

INCOME $7,500

[Family of 4 owning a residence and a car]

	Baltimore	Boston	Buffalo	Chicago	Cincinnati	Cleveland	Dallas	Detroit	Houston	Los Angeles	Milwaukee	New Orleans	New York	Philadelphia	Pittsburgh	St. Louis	San Antonio	San Diego	San Francisco	Seattle	District of Columbia
Income	$114	$95	$109	0	$75	0	0	$75	0	$26	$185	$1	$109	$122	$75	$123	0	$26	$26	0	$94
Real property	346	605	192	$254	208	$204	$90	306	$115	232	350	129	352	318	278	186	$120	247	203	$144	206
Personal property	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	38	0	0	0	0	0
Sales	66	0	22	155	67	67	44	161	44	95	56	115	74	98	98	82	44	95	95	157	88
Auto tags	15	26	18	26	10	10	19	12	19	23	16	3	18	10	10	11	19	23	23	18	32
Total	541	726	341	435	360	281	153	554	178	376	607	248	553	548	461	440	183	391	347	319	420
Rank	6	1	15	9	13	17	21	3	20	12	2	18	4	5	7	8	19	11	14	16	10

INCOME $10,000

	Baltimore	Boston	Buffalo	Chicago	Cincinnati	Cleveland	Dallas	Detroit	Houston	Los Angeles	Milwaukee	New Orleans	New York	Philadelphia	Pittsburgh	St. Louis	San Antonio	San Diego	San Francisco	Seattle	District of Columbia
Income	$189	$154	$215	0	$100	0	0	$100	0	$69	$323	$37	$215	$163	$100	$200	0	$69	$69	0	$155
Real property	462	807	256	$338	277	$273	$121	407	$154	309	467	173	470	424	376	248	$160	329	270	$192	275
Personal property	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	61	0	0	0	0	0
Sales	85	0	27	188	86	86	85	197	85	119	69	143	105	124	124	101	85	119	119	200	111
Auto tags	23	45	21	47	10	10	21	14	21	28	16	3	21	10	10	20	21	28	28	23	32
Total	759	1,006	519	573	473	369	227	718	260	525	875	356	811	721	610	630	266	545	486	415	573
Rank	4	1	13	10	15	17	21	6	20	12	2	18	3	5	8	7	19	11	14	16	9

INCOME $15,000

	Baltimore	Boston	Buffalo	Chicago	Cincinnati	Cleveland	Dallas	Detroit	Houston	Los Angeles	Milwaukee	New Orleans	New York	Philadelphia	Pittsburgh	St. Louis	San Antonio	San Diego	San Francisco	Seattle	District of Columbia
Income	$339	$266	$543	0	$150	0	0	$150	0	$146	$723	$112	$543	$244	$150	$382	0	$146	$146	0	$310
Real property	692	1,210	384	$507	416	$409	$181	611	$231	464	700	259	705	636	564	372	$240	493	405	$288	412
Personal property	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	95	0	0	0	0	0
Sales	130	0	44	264	140	140	93	275	93	197	111	201	168	200	200	143	93	197	197	288	168
Auto tags	23	72	22	52	10	10	22	14	22	41	16	3	22	10	10	25	22	41	41	36	32
Total	1,184	1,548	993	823	716	559	296	1,050	346	848	1,550	575	1,438	1,090	927	1,017	355	877	789	612	922
Rank	4	2	8	13	15	18	21	6	20	12	1	17	3	5	9	7	19	11	14	16	10

Mr. YOUNGER. The gentleman well knows because of his experience in municipal government that the assessment has not anything to do with it. I have compared property values here with homes that sell for $30,000, with homes that sell for $30,000 in my territory, and I find in every case the tax here is about 20 percent less than the tax paid by homeowners in my district. It is a matter of that kind of comparison, and that is the only kind of comparison that should be made.

The CHAIRMAN. The time of the gentleman from New York has expired.

(By unanimous consent (at the request of Mr. MULTER) he was allowed to proceed for 2 additional minutes.)

Mr. MULTER. Mr. Chairman, on that very point, if the tax part of this program as sent up by the District Commissioners were enacted, it would then bring the District of Columbia tax up to a tax rate comparatively equal to that existing in Virginia and Maryland in the metropolitan district. But comparing what we pay here as real estate taxes in the District of Columbia as against what we pay in the city of New York, the real estate tax in the District is almost twice as high. In the State and city of New York our assessed valuations are usually fixed at 90 percent of fair value, which is about the highest in the country. On that basis we are still paying less in the way of real estate taxes in the city of New York than is paid in the District of Columbia.

We are not getting into the formula problem here, we are not getting into H.R. 4592, which seeks to provide a 10-year program. We are dealing only with this fiscal year, and we are dealing only with an attempt to authorize $53 million by way of contributions to the general fund. The Commissioners still must go to the Committee on Appropriations and make out a case. Thereafter the Congress, when the appropriation bill is brought in, must decide exactly how much money shall be spent and what it shall be spent for. This is a very modest request, this $53 million request, but that is the minimum we need for the District. If we authorize less than $53 million the Congress is continuing the perpetration of an injustice on the District of Columbia.

In saying that I do so without impugning the good faith of any of the members of any of the committees of Congress or of the Congress. They have used their best judgment. However, I appeal to them now to view this on the basis of what the District needs today. This is an opportunity to correct some of our past mistakes.

Mr. MATHIAS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of this amendment. It has been said here a few minutes ago the attempt to increase the recommendation of the committee is standard operating procedure. I would respectfully submit that it is not standard operating procedure in this instance and offer as evidence to support that statement, the facts which were contained at page 55 of the hearings. They show that there has been a very marked increase in the fiscal demands on the District of Columbia during the past year as a result of certain enactments of Congress and as a result of certain built-in increases which are going to cost a lot more money than the District of Columbia has been spending in the past. Those figures are all detailed on page 55 and I will not go over them line by line now, but they amount to some $26,736,000. This being so, I believe we have to consider that the District of Columbia needs a larger increase in authorization than the committee recommended. This was the position I took at the committee hearings. I do not believe, of course, the entire increase that is brought about by these built-in expenditures required by the various acts of Congress and the various governmental procedures should be a burden of the Congress or a burden of the United States. The community ought to bear its share of it. Taking into account this very large increase in built-in expenses, however, a Federal expenditure for the District of Columbia of $53 milllion would be appropriate. It is the minimum required if we are to fight the battle against crime, and fight the battle to increase the level of education. Incidentally, I understand there will be an amendment to the amendment which will specify that some of the increase should go for education. I would look favorably on such an amendment.

Mr. COHELAN. Mr. Chairman, will the gentleman yield?

Mr. MATHIAS. I will be glad to yield to the gentleman.

Mr. COHELAN. I commend the gentleman for his fine statement and would merely like to call his attention to the fact, as I am sure he may know, that the Commissioners did in fact recommend a tax increase which would yield upward of $9 million. Unfortunately, as we read from the committee report, they said that they do not feel such an increase is required at this time. I am in disagreement with the view of the committee and I feel the gentleman would want to have this known.

Mr. MATHIAS. Mr. Chairman, I yield back the balance of my time.

Mr. GROSS. Mr. Chairman, I move to strike the necessary number of words.

Mr. Chairman, I am pleased to have the testimonial from the gentleman from New York [Mr. MULTER], that taxes are so low in the State of New York, or the city of New York. Was it the city of New York to which the gentleman referred?

Mr. MULTER. The city of New York, yes.

Mr. GROSS. I am pleased to have that testimony because there will be a bill here shortly to provide housing allowances for the poobahs of the United Nations in New York, and one of the alleged reasons for that is because of the high cost of living in the city of New York, and the high taxes they have to pay there, and all that sort of thing. You have made an excellent argument toward the defeat of that bill, and I want to thank the gentleman for his contribution.

Mr. MULTER. Mr. Chairman, will the gentleman yield to me?

Mr. GROSS. Yes, briefly.

Mr. MULTER. For just one sentence. The gentleman overlooks the fact that we have many other taxes in the city and State of New York besides real estate taxes.

Mr. GROSS. We will deal further with this property tax business when we get to the bill. I rise in opposition to the pending amendment and to the bill. I cannot understand the necessity for such an increase in the Federal handout to the District of Columbia. Last year the District Commissioners, according to the report on this bill, asked for an increase of $4 million, in other words, from $32 to $36 million. Without any valid reason, so far as I can find in this report, without any valid reason the committee now comes along and submits very easily to an increase of $9 million to be provided by the poor taxpayers of the entire country. It is not $4 million as was requested 12 months ago by the Commissioners but $9 million. And now come the gentlemen who support the amendment, and who seem always to be free with the taxpayers' money, and they want to put it up to $53 million, or an increase of $17 million.

I just do not understand this kind of financial manipulation. Is it because the District is going to need money to take care of that financial white elephant, the $20 million Washington, D.C., Stadium? Is that the reason why they want so much more money for the District of Columbia? Or is it to get the proposed Cultural Center off the ground? It is now on dead center, with an awful lot of money being spent to promote it. Apparently they have obtained thus far only about $2 million of the $35 million to $75 million that is sought for that project. Why is the District of Columbia so in need of these increased millions?

Mr. MULTER. Mr. Chairman, will the gentleman yield to me?

Mr. GROSS. Certainly.

Mr. MULTER. There was not a word of testimony adduced in connection with any of these bills to indicate that even a single dollar would be used either for the stadium or the Cultural Center. This is for the operation of the Government, for the health, education and welfare programs of the District of Columbia.

Mr. GROSS. I would not expect that it would be found in the report or in the hearings on this bill. But we will wake up some fine, lovely July or August morning around here and find that the taxpayers of the entire country are being raided for the Cultural Center and to pay off the debt on that $20 million stadium.

Mr. MULTER. I am sure the gentleman knows that this is just an authorization, and that they will have to justify every dollar that they expect to get before the Committee on Appropriations. And I am sure that if they request any money to be used either for the stadium or the Cultural Center, it will be knocked out.

Mr. GROSS. The gentleman well remembers when the stadium bill came before the House of Representatives we were assured that it would not cost the taxpayers of the United States one thin dime. That is the record. Yet the Government made a $2 million contribution and donated land to this outfit and today the Government is backing the money borrowed by the District of Columbia, are we not? Is not that the story?

Mr. MULTER. Not in connection with the stadium.

Mr. GROSS. Oh, yes. Those who promoted the stadium cannot meet their interest and principal payments and so the Government is providing the money borrowed from the Federal Treasury. Some such financial finagling as that is going on.

Mr. MULTER. My information may be wrong but I understand from the Appropriations Committee that they have not appropriated any money for that purpose, and without an appropriation, you cannot do what you say.

Mr. GROSS. I did not say that. I said that they were using the good faith and credit of all the taxpayers of the United States on the loans that the District of Columbia has made for the money, that they borrowed from the Federal Treasury, in order to meet the principal and interest payments. That is all that I am saying.

Mr. MULTER. I do not follow the gentleman. If the District of Columbia has heretofore had money authorized and appropriated for borrowing from the U.S. Treasury for the District, then the District pays it back to the U.S. Treasury.

The CHAIRMAN. The time of the gentleman from Iowa [Mr. GROSS] has expired.

Mr. LAIRD. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. LAIRD to the amendment offered by Mr. COHELAN: After the sum insert "of which at least 50 percent shall be available for the public schools of the District of Columbia."

Mr. LAIRD. Mr. Chairman, we are discussing here the payment of federally impacted aid to the District of Columbia. It seems to me, that in the discussion of this impacted aid to the District of Columbia, education should be given preference. Whether the Appropriations Committee will go along with the full payment to the District as authorized in this bill, or by the Cohelan amendment, is open to serious question. If we are going to consider any increases in the impacted aid payments to the District of Columbia the emphasis should be given to the proper area; that is, education here in the District of Columbia and the District school system. I feel that this amendment should be adopted earmarking 50 percent of all impacted Federal aid to the District of Columbia for educational purposes. I will support a higher authorization if such earmarking is insured by this amendment.

Mr. COHELAN. Mr. Chairman, will the gentleman yield?

Mr. LAIRD. I yield.

Mr. COHELAN. I wonder if the gentleman can explain just what he means in order that I may understand his amendment with the hope and the object possibly of agreeing to it; 50 percent of what figure?

Mr. LAIRD. At least 50 percent of the amount of money in Federal impacted aid as provided in your amendment would be earmarked for the public school system. If we are to increase the amount of authorized funds by your amendment, it seems to me at least half should be earmarked for educational purposes.

Mr. COHELAN. I am not necessarily in disagreement with the gentleman except I am not quite sure this is the right way to do it.

Mr. LAIRD. This is the only way we can dramatize the issue and assure that a higher priority be assigned to education by the District Commissioners. Oftentimes it seems to me that the lowest priority is assigned to the District educational system and all of its problems.

Mr. COHELAN. Mr. Chairman, I move to strike out the last word, and I take this time to continue our colloquy. If the gentleman will help me out, I am trying to find a basis for supporting his amendment. My first impression is that we should not support the amendment, in order that we may get the issue squarely before the House. I am just as interested in emphasis on education as is the gentleman. If this would accomplish that goal I would be glad to go along, but I am just confused as to what part of the appropriation the gentleman is talking about. Would the gentleman give me an absolute figure?

Mr. LAIRD. I would say at least half of the appropriations. It would be impossible to give the gentleman the exact figure because we cannot estimate at this time what the District budget will be as approved by the Appropriations Committee. But this would be putting the emphasis in the proper place, giving the proper direction and the highest priority to education as far as the District of Columbia is concerned.

Mr. COHELAN. The gentleman has brought in another figure, this impacted area figure. Can the gentleman tell me what that figure was last year?

Mr. LAIRD. It was $53 million. It would be half of $53 million. If there is an increase of $8 million, it would be half of the 8. The gentleman well knows this particular amendment cannot be drafted with a specific amount because we are dealing with authorizing language here, not an appropriation. I believe it is necessary to include this in the authorization language to give the proper emphasis to education I can only support an increase such as proposed by my friend from California, if this earmarking is assured.

Mr. COHELAN. I am afraid this is a very poor way to legislate on this particular issue. I would hope that the gentleman would indulge my opposition to the amendment, on the ground that I feel that to get the $53 million presented before the House clearly without any strings attached would be the best way of handling it. As far as the gentlemen's amendment is concerned and what he is trying to accomplish, if it could be introduced separately and I would be glad to support it, but frankly I have not had an opportunity to study the gentleman's proposal. This is my difficulty.

Mr. LAIRD. There are Members in the House, I believe, on both sides of the aisle, who would not object to increasing the payment as far as the District is concerned above that appropriated last year or provided by the committee bill, provided we had some assurance it was going into the educational area. I believe the gentleman is making a great mistake by not accepting this particular amendment.

Mr. MULTER. Mr. Chairman, I move to strike out the last word.

May I say to the gentleman who has just offered the amendment that he consider not making it one-half of the $53 million, which is the total now sought to be authorized for this purpose, bearing in mind that as of now the total is $21 million, with no part of it allocated to schools or education. Will you limit it to one-half of the amount that is sought to be increased?

Mr. LAIRD. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman.

Mr. LAIRD. I would like to state to the gentleman at the present time if you were to break down the District budget, you would find a considerable portion of these funds are presently being used for education. I would like to earmark all of this impacted aid in the area of 50 percent for educational purposes—and this applies to the $53 million and it would apply if the Committee on Appropriations goes along with say a $40 million payment and half of it would be earmarked. I would like to add at least this 50 percent to apply all the way down the line and all the way up the line.

Mr. MULTER. I believe the gentleman is allocating too much money at this point for that purpose on the basis of present requirements.

Mr. LAIRD. I do not believe, if you will check the District of Columbia school budget for the fiscal year 1963 that the statement you have just made that that would be allocating too much for educational purposes with the 50-percent amendment will be borne out.

Mr. MULTER. If you were not limiting this to the one fiscal year, I think the gentleman would be quite right if we spend that $28 million or $26.5 million and more in addition in the District of Columbia. But can we spend that much in the fiscal year 1964? That is the point I raise, and if we limit it as you propose and we need it for these other purposes, we cannot use it all. We will not be able to spend that much money in 1964 for the purpose to which you seek to limit it. This requires a tremendous amount of planning and I doubt whether with all the planning that they can do, once we authorize this money, that they can come up with a plan calling for the expenditure in 1 year of $26 million for the one purpose, to which you limit it. This is for the 1 year, 1964, only.

Mr. LAIRD. I think it is important to keep this escalator clause in so that as you go up or as you go down, the 50 percent does apply.

Mr. BROYHILL of Virginia. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think all of us are wholeheartedly in favor of schools. And we want to do whatever is reasonable and necessary to provide the best we can provide for the schools of the District of Columbia. I do not believe, however, that the gentleman's amendment will do what he wants it to do or thinks it will do by inserting language into the bill requiring that half of the Federal payment go to the operation of the school system.

The Committee on Appropriations can merely reduce the amount provided for the school system from the general revenues of the District of Columbia. There is included in the pending budget for the fiscal year 1964 the amount of $67 million for operating the school system for that fiscal year. We could insert a proviso in this legislation requiring that the entire $45 million or $53 million payment, whichever it may be, go toward the operation of the school system. It would not necessarily change the amount which would be appropriated for operation of the school system one iota, but merely earmark this portion of the revenue that comes into the District of Columbia budget.

I should like to point out that the amendment that the Committee of the Whole just adopted, which is on page 2 of the bill, does exactly the opposite of what the gentleman's amendment seeks to do. When the authorized Federal payment was increased to $32 million, beginning with fiscal year 1959, it was specified that all of this amount appropriated in excess of $25 million must be used for capital outlay only. The committee in considering this legislation and providing for an additional Federal payment felt that that somewhat complicated the legislation and it somewhat tied the hands of the Committee on Appropriations and rather confused the picture and, therefore, we approved the amendment which is now on page 2 of the bill which provides that the entire payment can be appropriated without any restrictions whatsoever in the authorization.

Now, after the Committee of the Whole has adopted the committee amendment here, we have an identical type of amendment now pending before the Committee in which strings are tied on the authorization insofar as operating the school system is concerned, and as I pointed out before, it would not accomplish one single objective in providing more funds for the operation of the District of Columbia school system, any more so than it would not have provided 1 nickel more for capital improvement if the Committee of the Whole had not adopted the committee amendment on page 2.

Mr. Chairman, I hope the amendment will be voted down.

Mr. McMILLAN. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

Mr. COHELAN. Mr. Chairman, reserving the right to object, could the gentleman extend that time limitation to 15 or 20 minutes? We have quite a few people who want to be heard on this.

Mr. McMILLAN. We have several other bills which are scheduled to come up this afternoon. We cannot spend all of the time on this one bill.

Mr. COHELAN. Mr. Chairman, I would suggest that since we have quite a few speakers and since we are trying to process an amendment, that it would take at least 20 minutes.

Mr. McMILLAN. Mr. Chairman, I move that all debate on this amendment and amendments thereto close in 10 minutes.

Mr. SISK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SISK. Mr. Chairman, I would like to know what the gentleman is talking about. He is talking about the Cohelan amendment and it is my understanding that we have pending an amendment to the amendment which has been offered by the gentleman from Wisconsin [Mr. LAIRD]. I am curious to know what his limitation goes to.

The CHAIRMAN. The Chair will state that the motion is to close the debate on the amendment and all amendments thereto within 10 minutes.

The question is on the motion of the gentleman from South Carolina.

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. QUIE], for 1 minute.

Mr. QUIE. Mr. Chairman, I rise in support of both the Cohelan amendment and the Laird amendment to the amendment.

Mr. Chairman, it is my opinion if we are ever going to provide the kind of education aid that is necessary in the District of Columbia, it is going to be necessary for us to earmark money in the authorization bill for educational purposes. That is the only way we will be able to follow through and see that this money is expended for quality education in the way that it ought to be. Any time we just put up money and hope that the Commissioners will expend what they see fit to expend for education, I do not think we will ever get the kind of education for District of Columbia young people which we ought to have.

Mr. Chairman, if one will look at the District of Columbia fiscal authorization hearings and see the request of the District of Columbia Superintendent of Education, Dr. Hansen, for funds to handle the District schools and see how much such request was pared down by the Commissioners—and that gets pared down again in the Congress—I think the members of the Committee will see that it is necessary for us to attack and approach this problem of adequate education in the District of Columbia separately, and this is the way we can do it, in the Laird amendment.

The **CHAIRMAN.** The Chair recognizes for 1 minute the gentleman from California [Mr. Cohelan].

Mr. **COHELAN.** Mr. Chairman and members of the Committee, I have had an opportunity to examine the proposal made by the distinguished gentleman from Wisconsin [Mr. Laird], and I now feel that while I think it is imperfect in some of its aspects, it is now my opinion that we can accept this amendment. My shortrun analysis of it is that it will provide more money than is requested in this fiscal year, but in the interest of showing our interest and our concern and commitment to education and also to the $53 million payment I now reverse my original position of opposition to the amendment and I rise in support of it. I ask for an "aye" vote on the amendment to the pending amendment.

The **CHAIRMAN.** The Chair recognizes the gentleman from Iowa [Mr. Schwengel].

Mr. **SCHWENGEL.** Mr. Chairman, I rise in support of the Cohelan amendment and the amendment offered by the gentleman from Wisconsin [Mr. Laird].

As I said earlier, I have taken the time to visit the schools in the District of Columbia, and I find there a sad state of affairs. There is great need for counseling service, there is great need to improve the vocational training departments, there is great need to improve the library facilities, and to upgrade the entire teaching facilities and faculties of the schools for the boys and girls in the District of Columbia so they may have the same advantages that most of the boys and girls in America have, to prepare themselves for a citizenship in a difficult and complex period in which we live.

I hope the Committee will support both the Laird amendment and the Cohelan amendment.

The **CHAIRMAN.** The Chair recognizes the gentleman from Michigan [Mr. Diggs].

Mr. **DIGGS.** Mr. Chairman, I take this time to associate myself with the analysis which has been made by the gentleman from California, and at the same time to compliment the author of the amendment for focusing attention through this amendment on the No. 1 problem in the District of Columbia. I trust that the higher amount will prevail this afternoon, because the problems in the District of Columbia are going to require the kind of expenditures that have been indicated by this amendment in order to settle some of the problems that have been talked about in the well of this House from time immemorial.

The **CHAIRMAN.** The Chair recognizes the gentleman from Minnesota [Mr. Nelsen].

Mr. **NELSEN.** Mr. Chairman, I rise in support of the Laird amendment to the Cohelan amendment, and I intend to support the amendment as amended.

Mention has been made of the building program in the District of Columbia. The stadium has been mentioned. We can travel around the city and see the beautiful buildings that are being built, but if we examine the school system in the District we must admit there is a great need for expansion of the school system.

I am perfectly willing to support greater funds for the District of Columbia, provided they go in the direction that I think is most needed. I believe the school system of the District of Columbia needs more money, and also it should be earmarked so that it will go in the right direction.

The **CHAIRMAN.** The Chair recognizes the gentlewoman from Oregon [Mrs. Green].

Mrs. **GREEN** of Oregon. Mr. Chairman, I rise in support of the Cohelan amendment.

Earlier this afternoon, one of the opponents of this increase apparently took great pride in the fact that in 1921 Congress contributed 50 percent of the operating costs of the District of Columbia, and in 1954 only 8 percent, and now only 12 percent.

The inadequate funds have been a major factor in the tragic neglect of our schools in the Nation's Capital. Today, 53 public elementary schools and 2 junior high schools need major repairs or replacement.

Half-day attendance in elementary schools, because of overcrowding, continues to climb. In October 1961, 11 schools, representing 60 classes and 1,969 students, were on double shifts. Today this has climbed to 16 schools with 94 classes in which 3,016 pupils are enrolled. Half-day sessions defraud the city's youngsters of an opportunity for a decent, adequate education.

The District has more than its share of the country's million high school dropouts. These youngsters, untrained and unemployed are part of the group that James B. Conant referred to as "social dynamite ready to explode at any minute."

At the junior high school level, I am told there is an average of 1 guidance teacher for every 862 pupils. In some schools, the ratio is obviously higher. Just last week, I talked with a guidance counselor in one school who had the responsibility for 1,200 pupils.

Dr. Hansen, the Superintendent, told me that there is a waiting list of 2,000 children at the child guidance centers—and that a youngster in trouble may have to wait for months or sometimes over the summer and into a full year. For a child in trouble: guidance delayed is help denied.

As long as the Congress has complete jurisdiction over the District—and I wish it were otherwise—then it is the responsibility of the Congress to see that the District schools are adequately financed, that good education is provided.

The District of Columbia, as I stated, is beset by financial problems that its citizens want to solve. But the legislative power lies with the Congress and the District has no elected Representatives of its own in this Hall to plead its cause.

As long as we deny home rule—and, therefore, must act as City Council and School Board—I think it is disgraceful to take only this very limited time to consider the budget and the urgent educational, recreational, and other needs of a city of about a million people.

But under the gag rule, in the minute allotted, may I again urge that the Cohelan amendment be adopted.

The **CHAIRMAN.** The Chair recognizes the gentleman from Maryland [Mr. Mathias].

Mr. **MATHIAS.** Mr. Chairman, I rise in support of the Laird amendment. It is a necessary indication here of the interest of the Congress in the District of Columbia educational system. Although it was my intention to offer a different amendment to accomplish the same purpose, the principle is the same and this amendment ought to be favorably considered.

The **CHAIRMAN.** The Chair recognizes the gentleman from Iowa [Mr. Gross].

Mr. **GROSS.** Mr. Chairman, I wonder if in earmarking funds for educational purposes in the District of Columbia, attention will be given to earmarking $120,000 to $130,000 a year to replace window and door glass that is rocked out of the schoolbuildings in the District of Columbia each summer. I wonder if some attention ought not to be given to that by those who are grieving so deeply over the educational system in Washington, D.C.? It is hard to believe that such an amount of money is spent annually for such wanton destruction instead of the education of schoolchildren.

The **CHAIRMAN.** The Chair recognizes the gentleman from New York [Mr. Multer].

Mr. **MULTER.** Mr. Chairman, I will vote for the Laird amendment to the Cohelan amendment, and the Cohelan amendment, hoping they will both prevail. I am not satisfied in my own mind that the limitation is correctly worded. Of course, the principle is good, and under the circumstances I could not bring myself to vote against the amendment. I suggest that both the Cohelan and the Laird amendments should prevail.

The **CHAIRMAN.** The Chair recognizes the gentleman from South Carolina [Mr. McMillan].

Mr. **McMILLAN.** Mr. Chairman, I oppose this amendment. We took all these matters into consideration during the consideration of the bill and we felt $45 million was sufficient.

The **CHAIRMAN.** The question is on the amendment offered by the gentleman from Wisconsin [Mr. Laird] to the amendment of the gentleman from California [Mr. Cohelan].

The question was taken; and on a division (demanded by Mr. LAIRD) there were—ayes 82, noes 49.

So the amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. COHELAN] as amended by the amendment offered by the gentleman from Wisconsin [Mr. LAIRD].

The question was taken; and on a division (demanded by Mr. WILLIAMS) there were—ayes 72, noes 86.

Mr. COHELAN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. COHELAN and Mr. MCMILLAN.

The Committee again divided, and the tellers reported that there were—ayes 75, noes 111.

So the amendment was rejected.

Mr. McMILLAN. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. ASPINALL, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 6177) to amend section 2(a) of article VI of the District of Columbia Revenue Act of 1947 relating to the annual payment to the District of Columbia by the United States, had directed him to report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. McMILLAN. Mr. Speaker, I move the previous question on the bill and the amendment thereto to final passage.

The previous question was ordered.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. COHELAN. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. COHELAN. I am opposed to the bill in its present form, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. COHELAN moves to recommit the bill H.R. 6177 to the House Committee on the District of Columbia with instructions to report the same back forthwith with the following amendment: Page 1, line 9, after "the sum of" strike out $34,000,000," and insert "$42,000,000".

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

Mr. COHELAN. On that, Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 99, nays 237, not voting 98, as follows:

[Roll No. 87]

YEAS—99

Barrett
Blatnik
Boland
Bolling
Brademas
Burke
Byrne, Pa.
Cameron
Celler
Cohelan
Collier
Conte
Corman
Daddario
Daniels
Delaney
Diggs
Duncan
Edwards
Flood
Fraser
Frelinghuysen
Gallagher
Garmatz
Giaimo
Gill
Green, Oreg.
Griffiths
Hagen, Calif.
Halpern
Hansen
Harding
Hawkins
Hays
Healey
Hechler
Holifield
Holland
Joelson
Johnson, Calif.
Karsten
Karth
Kastenmeier
Kee
Kelly
King, Calif.
Leggett
Libonati
McClory
McFall
Macdonald
MacGregor
Mathias
Matsunaga
Miller, Calif.
Morgan
Morse
Mosher
Multer
Murphy, Ill.
Nedzi
Nelsen
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
Olson, Minn.
Patten
Perkins
Pike
Price
Quie
Rhodes, Pa.
Rivers, Alaska
Rooney
Rostenkowski
Ryan, Mich.
Ryan, N.Y.
St. Onge
Schwengel
Senner
Shelley
Shipley
Sickles
Sisk
Slack
Smith, Iowa
Staebler
Staggers
Stratton
Thornberry
Toll
Tollefson
Trimble
Udall
Ullman
Van Deerlin
Vanik
Wydler
Young

NAYS—237

Abbitt
Abele
Abernethy
Albert
Alger
Anderson
Andrews
Arends
Ashmore
Aspinall
Auchincloss
Avery
Ayres
Baker
Baldwin
Baring
Barry
Bass
Bates
Battin
Becker
Beckworth
Beermann
Belcher
Bell
Bennett, Fla.
Bennett, Mich.
Berry
Betts
Boggs
Bolton, Frances P.
Bonner
Bow
Bray
Brock
Broomfield
Brotzman
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Bruce
Burkhalter
Burleson
Burton
Byrnes, Wis.
Cahill
Cederberg
Chamberlain
Chelf
Chenoweth
Clancy
Clark
Clausen, Don H.
Cleveland
Cooley
Corbett
Cramer
Cunningham
Curtin
Curtis
Dague
Davis, Ga.
Davis, Tenn.
Dent
Denton
Derounian
Derwinski
Devine
Dole
Dorn
Dowdy
Elliott
Ellsworth
Everett
Evins
Fallon
Fascell
Feighan
Findley
Fisher
Flynt
Ford
Foreman
Fountain
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gary
Gathings
Gavin
Glenn
Goodling
Grant
Gray
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Haley
Hall
Halleck
Hardy
Harris
Harrison
Harsha
Harvey, Ind.
Harvey, Mich.
Hébert
Hemphill
Henderson
Hoeven
Horan
Horton
Hosmer
Huddleston
Hull
Hutchinson
Ichord
Jensen
Johansen
Johnson, Wis.
Jonas
Jones, Ala.
Jones, Mo.
Keith
Kilgore
King, N.Y.
Kirwan
Knox
Kornegay
Kunkel
Kyl
Laird
Landrum
Langen
Latta
Lennon
Lipscomb
McIntire
McLoskey
McMillan
Madden
Mahon
Mailliard
Marsh
Martin, Calif.
Martin, Nebr.
Matthews
May
Meader
Michel
Miller, N.Y.
Milliken
Mills
Minshall
Montoya
Moore
Murray
Natcher
Norblad
Nygaard
O'Konski
Ostertag
Passman
Pelly
Pilcher
Pillion
Pirnie
Poff
Pool
Purcell
Quillen
Randall
Reid, Ill.
Rhodes, Ariz.
Rich
Riehlman
Rivers, S.C.
Roberts, Ala.
Roberts, Tex.
Robison
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Roudebush
Roush
Rumsfeld
Schadeberg
Schenck
Schneebeli
Schweiker
Scott
Secrest
Selden
Short
Shriver
Sikes
Siler
Skubitz
Smith, Calif.
Smith, Va.
Snyder
Springer
Stafford
Steed
Stinson
Stubblefield
Taylor
Teague, Calif.
Teague, Tex.
Thompson, La.
Thompson, Tex.
Thomson, Wis.
Tuck
Tupper
Tuten
Utt
Van Pelt
Waggonner
Wallhauser
Watson
Watts
Weaver
Westland
Wharton
Whitener
Whitten
Wickersham
Williams
Willis
Wilson, Ind.
Winstead
Wright
Wyman
Younger
Zablocki

NOT VOTING—98

Adair
Addabbo
Ashbrook
Ashley
Bolton, Oliver P.
Bromwell
Brooks
Brown, Calif.
Buckley
Cannon
Carey
Casey
Clawson, Del
Colmer
Dawson
Dingell
Donohue
Downing
Dulski
Dwyer
Edmondson
Farbstein
Finnegan
Fino
Fogarty
Forrester
Friedel
Gibbons
Gilbert
Gonzalez
Goodell
Grabowski
Green, Pa.
Griffin
Hanna
Herlong
Hoffman
Jarman
Jennings
Keogh
Kilburn
Kluczynski
Lankford
Lesinski
Lindsay
Lloyd
Long, La.
Long, Md.
McCulloch
McDade
McDowell
Martin, Mass.
Minish
Monagan
Moorhead
Morris
Morrison
Morton
Moss
Murphy, N.Y.
Nix
O'Brien, Ill.
O'Brien, N.Y.
O'Neill
Osmers
Patman
Pepper
Philbin
Poage
Powell
Pucinski
Rains
Reid, N.Y.
Reifel
Reuss
Rodino
Roosevelt
Rosenthal
Roybal
St. George
St Germain
Saylor
Sheppard
Sibal
Stephens
Sullivan
Taft
Talcott
Thomas
Thompson, N.J.
Vinson
Weltner
Whalley
White
Widnall
Wilson, Bob
Wilson, Charles H.

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Keogh for, with Mr. Kilburn against.
Mrs. Dwyer for, with Mr. Herlong against.
Mr. Monagan for, with Mr. Hoffman against.
Mr. Lindsay for, with Mr. Downing against.
Mr. Rodino for, with Mr. Bob Wilson against.
Mr. Sheppard for, with Mr. Talcott against.
Mr. Minish for, with Mr. Osmers against.
Mr. Addabbo for, with Mr. Reifel against.
Mr. Farbstein for, with Mr. Colmer against.
Mr. Fogarty for, with Mr. Forrester against.
Mr. Green of Pennsylvania for, with Mr. Gibbons against.
Mr. Friedel for, with Mr. Weltner against.
Mr. Buckley for, with Mr. Stephens against.
Mr. O'Neill for, with Mr. Del Clawson against.
Mr. Thompson of New Jersey for, with Mr. Casey against.
Mr. White for, with Mrs. St. George against.

Until further notice:

Mr. Hanna with Mr. Ashbrook.
Mr. Grabowski with Mr. Lloyd.
Mr. Roybal with Mr. Morton.
Mr. Nix with Mr. Reid of New York.
Mr. Long of Maryland with Mr. Saylor.
Mr. Lankford with Mr. Oliver P. Bolton.
Mr. Dingell with Mr. Fino.
Mr. Donohue with Mr. Goodell.
Mr. Philbin with Mr. Martin of Massachusetts.
Mr. Carey with Mr. Whalley.

Mr. Ashley with Mr. Widnall.
Mr. Finnegan with Mr. Bromwell.
Mr. St Germain with Mr. Griffin.
Mr. Rains with Mr. Taft.
Mr. O'Brien of New York with Mr. Sibal.
Mr. Charles H. Wilson with Mr. McDade.
Mrs. Sullivan with Mr. Edmondson.
Mr. Jennings with Mr. Long of Louisiana.
Mr. Brooks with Mr. Morrison.
Mr. Dawson with Mr. Morris.
Mr. Roosevelt with Mr. Vinson.
Mr. Moss with Mr. Gonzalez.
Mr. McDowell with Mr. Pucinski.
Mr. Kluczynski with Mr. Lesinski.
Mr. Dulski with Mr. Jarman.
Mr. O'Brien of Illinois with Mr. Brown of California.
Mr. Rosenthal with Mr. Pepper.
Mr. Gilbert with Mr. Thomas.
Mr. Murphy of New York with Mr. Moorhead.
Mr. Powell with Mr. Reuss.
Mr. Patman with Mr. Thomas.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

INCREASE IN DISTRICT OF COLUMBIA BORROWING AUTHORITY

Mr. McMILLAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 4277 to authorize an increase in the borrowing authority for the general fund of the District of Columbia; and pending that motion, I ask unanimous consent that general debate be limited to 40 minutes, the time to be equally divided between the majority and the minority.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 4277, with Mr. Aspinall in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. McMILLAN. Mr. Chairman, I yield to the gentleman from North Carolina [Mr. Whitener] 5 minutes.

Mr. WHITENER. Mr. Chairman, this bill, H.R. 4277, authorizes the District of Columbia to increase the limit of its borrowing from the U.S. Treasury for the general fund from $75 to $150 million, for the purpose of financing capital construction projects, and to extend the cutoff date for such loans to June 30.

This is the same increase which was requested by the District of Columbia Board of Commissioners and the Bureau of the Budget last year, and was approved by the Senate too late in the session to receive action by the House.

BACKGROUND OF LEGISLATION

By 1958, at the end of the first 4 years of a 10-year program of public works construction launched in 1954 and originally estimated to cost $145.3 million, a total of $71.7 million had been appropriated for the program. At that point, however, the District of Columbia Commissioners found it advisable to expand the plans for the final 6 years of the program so as to require an estimated $145.5 million for completion. Despite the fact that the Congress recommended at that time that this program be revised downward to a cost of about $112 million, it was apparent that under any conditions it would be impossible to finance the remainder of this construction program out of revenues alone. In consideration of this fact, Public Law 85-451 was approved on June 6, 1958, authorizing the District of Columbia to borrow a maximum of $75 million from the U.S. Treasury for the District of Columbia general fund, to be used for capital construction purposes only. It was specified in the act that all such loans must be specifically requested of Congress as a part of the District budget, with a full statement of all proposed construction, including a justification of the need therefor, presented for congressional approval. It was provided further that these loans shall bear interest at rates to be determined by the Treasury, and that principal and interest shall be repaid in substantially equal installments over a period not to exceed 30 years, beginning July 1 of the second year after the advancing of the loan. The final stipulation was that no such loans may be appropriated subsequent to June 30, 1968.

The formula for determining the rate of interest is as follows:

At the beginning of each 6-month period, the Treasury would determine the current private market interest rate on outstanding Government securities which will mature 15 years from that date. This is one-half the time period for which the proposed 30-year loans would be outstanding. To date, this has been working out to a rate of approximately 4 percent.

During the period from fiscal year 1959 through 1963, a total of $119.8 million was appropriated to the District of Columbia general fund for capital outlay purposes. The $75 million authorized to be borrowed from the U.S. Treasury, which of course is included in the figure quoted above, has been appropriated and will be actually borrowed in its entirety by fiscal year 1966, according to the following figures furnished this committee by the Budget Office of the District of Columbia Department of General Administration.

[In millions of dollars]

Fiscal year	Appropriated authority	Cash borrowing
1960	[1] 20.0	
1961	[1] 15.9	
1962	[1] 20.4	[1] 17.0
1963	[1] 18.7	[2] 10.0
1964		[2] 20.0
1965		[2] 20.0
1966		[2] 8.0
Total	75.0	75.0

[1] Actual.
[2] Estimated.

PURPOSES OF THE BILL

The Commissioners review the proposed public works program each year and revise the plan to represent the most essential projects for the next 6 years, in order to maintain the planning on a current basis.

At public hearings held jointly by subcommittees of the House and Senate District Committees on May 28, 29, and June 4, the District of Columbia Commissioners revealed that they presently anticipate a public works construction schedule for the next 6 years, from fiscal year 1964 through 1969, which is estimated to cost $179.3 million. Of this amount, $76 million is earmarked for school construction, and $23 million for a west administration building.

Other projects include new physical facilities for the police and fire departments, libraries, and the Departments of Recreation, Health, Welfare, and Corrections. Not included, however, are construction of highways and sanitary sewage facilities, which are financed through other sources.

The Commissioners have advised this committee that it will be necessary to utilize all anticipated increases in the city's revenues in the foreseeable future to offset operating costs, and hence none of this increase will be available to finance capital outlay projects. The Commissioners maintain that in view of this situation, efforts to keep the public works construction program apace of the needs for adequate public services are absolutely dependent upon additional financial resources.

The committee has been informed that this request for additional $75 million loan authority is within the limits of debt which may be safely incurred by the District of Columbia. In general, debt limits are to be gaged by the amount and quality of the resources of a city and its practical ability to draw upon these resources for payment.

In cities with populations of 500,000 or more the ratio of gross debt, less sinking fund, to estimated full valuation of taxable real and personal property, ranges from 2 to 20 percent with a median ratio of about 8 percent. The Commissioners policy in regard to limit of indebtedness provides that the aggregate of indebtedness should not exceed 12 percent of the average assessed value of the taxable real and tangible personal property of the District of Columbia as of July 1 of the 10 most recent fiscal years. This is the equivalent of a rate of 6.6 percent based on full valuation of taxable real and personal property. The average assessed valuation of taxable real and personal property in the District of Columbia for the last 10 fiscal years is $2,401,104,056 and 12 percent of this valuation would set the limit of indebtedness at $288,132,847.

At the present time, the unliquidated authorized indebtedness of the District, including Federal obligations of $28 million, amounts to $219 million. An additional $75 million authorized indebtedness would not exceed the 12-percent limit of indebtedness set by the Board of Commissioners when consideration is given to the fact that the assessed valuation is steadily increasing and debt service payments are steadily decreasing the amount of indebtedness.

It is the opinion of this committee that increased borrowing authority is essential for the financing of a public works construction program which will meet the needs for public services in the District in the foreseeable future, and for this reason we recommend such increased authority in the amount of $75 million which the Commissioners assured us less than a year ago will be adequate for the purpose.

Mr. BECKER. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I am happy to yield to the gentleman from New York.

Mr. BECKER. As I understand it, this bill would increase the borrowing capacity of the District from $75 to $150 million and that that additional borrowing would come from the Treasury of the United States?

Mr. WHITENER. That is correct.

Mr. BECKER. And does the District borrow this then at the 2-percent rate of interest as does REA?

Mr. WHITENER. I am sorry I cannot answer the gentleman's question on that. Perhaps my colleague, the gentleman from Virginia [Mr. BROYHILL], can answer the gentleman's question.

Mr. BROYHILL of Virginia. The rate on the existing loan of $75 million is approximately 4 percent. The original authorizing legislation requires the Secretary of the Treasury each year to determine what the rate of interest is on 15-year debts and that is the rate that was set.

Mr. BECKER. In other words, it is the going rate of interest based on a 15-year average?

Mr. BROYHILL of Virginia. Yes, 15 years.

Mr. BECKER. Will the gentleman answer this question for me, please? We discussed previously here the budget for the District of Columbia and discussed the question of how much it would be. Can the gentleman tell me why the District of Columbia does not have the same taxes on liquor and cigarettes and other items that we pay in the other cities and States of this Nation?

Mr. WHITENER. I would say the answer to that is quite clear—because the Congress has not imposed such taxes.

Mr. BECKER. It would seem to me that if the tax were imposed on these items in the District of Columbia as they are in New York and in other States, then they would have no difficulty, in my opinion, in raising another $10 or $20 million and they would be justified in doing so on the basis that it is done throughout the country.

Mr. WHITENER. Of course, if we are going to get into the field of supposition, if the District of Columbia would distribute whiskey as we do in our State—through government-owned stores—they would also have a greater amount of income. There has been some suggestion that that be done, and I personally think if we are going to have liquor stores, it is better that they be operated by the government.

Mr. BECKER. I think it would be a much better source of income than taking the money from the Treasury of the United States.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BROYHILL of Virginia. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I rise in support of H.R. 4277 which, as just stated a moment ago, would increase the borrowing authority of the District of Columbia from the Treasury of the United States by $75 million a year, to a total of $150 million.

Mr. Chairman, in the colloquy just a moment ago between the gentleman from New York and the gentleman from South Carolina the question was asked, why did we not increase other forms of taxation in the District of Columbia rather than possibly the need to borrow additional money from the Federal Treasury.

I have here a list of a comparison of the various taxes here in the District of Columbia with other States. It says, for example, that the taxes on spirits are provided for in 32 States, which have a form of taxation on spirits. Ten States have taxes lower than the District of Columbia; four have taxes the same as the District of Columbia, and eighteen have taxes higher than the District of Columbia. The same thing, in general, applies to beer, wine, and other forms of comparable taxation.

Mr. Chairman, I shall attempt to set forth a little bit of the background on this borrowing authority. It goes to 1954 when the Commissioners came before the Committee on the District of Columbia and asked for authorization for a 10-year public works program, a 10-year program which was estimated to cost $145,300,000. This was a public works program for capital improvements such as educational facilities, health, public safety, recreation, and things of that sort. It did not include the highway programs, sanitary and storm sewer programs, because there were other public works programs which authorized construction in those fields.

Mr. Chairman, the Congress authorized the Commissioners to proceed with that public works program back in 1954. But in 1958 the Commissioners came before the committee again and said they would have to revise their estimate and their estimated cost of the program for the remaining 6 years. At that time, in 1958, after the program had been in process for 4 years, $71.7 million had been appropriated and had been expended toward the program, which left a remaining cost of $73 million on the original estimate. However, the Commissioners felt that in order to complete the program at that time they would have to have further authorization and a further revision of the estimate of the cost. It was estimated it would cost $145 million at that time to complete the program. The Congress disagreed, and the committee disagreed, and reduced their authorization in that program down to $112 million, making a total cost of the original 10-year program $183 million. But in increasing the cost of the public-works program it was felt that there would not be enough revenue from general funds to actually complete it. It was at that time that we inaugurated this loan program and authorized a loan of $75 million from the Federal Treasury. In order to borrow the money, however, the loan must be included as a part of the budget and must be approved by the Committee on Appropriations. Each job, each bit of work, has got to be justified and approved by the Committee on Appropriations. After all this is done, then the loans can be credited to the account of the District of Columbia to be spent as needed.

Mr. Chairman, the rate of interest is set by the Treasury each year after reviewing the current cost of loans which would become due in 15 years, and that rate of interest has amounted to approximately 4 percent. The loans are made over a period of 30 years with payments beginning on the 1st of July following the year in which the loans were authorized. Furthermore, at that time, back in 1958 when the original loans were authorized, we set a cutoff date for those loans to be June 30, 1968.

Mr. Chairman, continuing the history of this loan authority, during the years or following the year 1958 when we authorized this $75 million loan—the years of 1959, 1960, 1961, 1962, and 1963—there was a total expenditure from the public works program, or capital outlay program, of $119 million, just about $6 million over what we predicted or estimated would be the cost back in 1958.

The $75 million which was authorized in 1958 has been approved, the money appropriated, and the money has been spent. Now we have the Commissioners before us stating that they have to revise the estimates of the public works program again, and now estimate a cost of $179 million for the next 6 years. This is necessary for we need to spend $73 million for new schools, because we predict that in the next 6 years there will be a 25-percent increase in school enrollment. The other $106 million is for a new administration building, recreational facilities, and various other improvements.

It is felt we have to revise that loan authority in order to have enough funds to complete the needed public works program in the next 6 years. They cannot get all of the funds from current revenue, and since most of these capital improvements will be used by people in the future, it is felt that they should be paid for as they are used and enjoyed by the citizens of the District of Columbia.

That is the reason we come before you now with this legislation, which merely doubles the loan authority, increasing it by another $75 million and extending the cutoff date from 1968 up to June 30, 1972. We feel this is a reasonable proposal, we feel it is consistent with what the borrowing authority would be in comparable municipalities, which runs anywhere from 4 to 20 percent of the assessed valuation of the property. If this full loan authority is exercised, it would amount to about 12 percent of the total assessed value of all property in the District of Columbia. We, in committee, felt this was a reasonable ratio and a reasonable proportion. We hope and we do feel this will do the job, and we hope the House will approve the recommendation of the committee.

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield?

Mr. BROYHILL of Virginia. I yield to the gentleman from California.

Mr. TEAGUE of California. I wonder if the gentleman can tell us if the House approves this increased borrowing authority there is any chance there will be money available to get that hole filled down on Independence Avenue next to the New House Office Building so that possibly after all these months of one-way traffic we might get the benefit of two lanes along Independence Avenue.

Mr. BROYHILL of Virginia. I am sorry, the gentleman in the well cannot answer that specific question, but the answer can be obtained for the gentleman, I am sure. I do not believe we can look forward to the orderly processes, including repairs and improvements of capital facilities in the Nation's Capital, unless we do something about revising the fiscal formula here. That is what we are asking today.

Mr. TEAGUE of California. I hope if the bill is passed that something will be done to try to encourage Independence Avenue being opened up so that we will not have traffic jams every day down there.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BROYHILL of Virginia. I yield to the gentleman from Iowa.

Mr. GROSS. When the gentleman speaks of additional borrowing authority for the District of Columbia, what is taking place as we know from past experience with the Federal Government is an increase in the debt ceiling for the District of Columbia. Is that not about right?

Mr. BROYHILL of Virginia. That is in substance correct. We are borrowing that money from the Federal Government that is borrowing it from the rest of the taxpayers of the country.

Mr. GROSS. More government by credit card.

Mr. BROYHILL of Virginia. I think the gentleman should be used to that now.

Mr. GROSS. But there is a limit to how much the gentleman from Iowa can absorb in this matter of government by credit card.

Mr. McMILLAN. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Chairman, the House may not realize it but I think by their action a few moments ago in connection with the passing of H.R. 6177 and their voting down the motion to recommit to increase the amount that the U.S. Government shall pay out of its Treasury to the District of Columbia for its operations, it is now more necessary than ever that the amount called for by way of lending authority in this bill be increased to the amount that was sought originally by the administration and by the Commissioners when they sent up their bill, H.R. 4592.

I do hope when the gentleman from California [Mr. COHELAN] offers the amendment he intends to offer to amend this bill and increase the lending authority to $225 million instead of the $150 million now called for by the bill, that the Committee of the Whole will see fit, and the House later will see fit, to go along with it. The fact of the matter is, that the District can get money in only one of three ways. These three ways are: First, by taxation; second, by borrowing; and third, by the grant or subsidy from the U.S. Government or the U.S. taxpayers on the national level. You have decided you are going to limit the amount of the contribution by the Federal Government to the operation of the District of Columbia for fiscal 1964 to the sum of $34 million. You are now going, if you adopt this bill as it is now before you, to limit the lending authority to an additional $75 million, when the fact is that they will probably need a minimum of twice that amount.

Again I want to emphasize that this is merely an authorization. There is no Treasury financing in this bill. It is an authorization to borrow, conditioned—and it is only for 1 year, that is, for the fiscal year 1964—but conditioned upon the Commissioners coming before the Committee on Appropriations and making out a case for precisely what they want to use the money for, which they will borrow. Then when the Committee on Appropriations appropriates the money, they may borrow that money and use it for those purposes and no other purpose. Of course, the money then must be paid back.

To the gentleman who asked the question about taxes let me say that part of this program was an increase of taxes for the District of Columbia so as to make it comparable with taxation throughout the country and particularly in the metropolitan area of Washington. If that bill should prevail, once it is brought out by the committee, it will impose an additional tax burden on the people of the District of Columbia. They are willing to assume that additional tax burden in order to get for the District that which it needs.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I will be glad to yield to the gentleman from Iowa.

Mr. GROSS. There is one alternative the gentleman did not mention; that is, the District of Columbia might well stop spending so much money. This would help, would it not?

Mr. MULTER. I have no doubt the gentleman is right and the District of Columbia could stop spending money, and the United States could stop spending money, and his State and community could stop, and my State and community could stop. The whole country and each community could stop spending money, but are you going to stand still or make progress? Are you going to make progress? Are you going to educate the children of the country? Are you going to provide for the health and welfare of the community? Are you going to provide a police force and a fire department, et cetera, and water supply and sewage disposal, et cetera, et cetera, or let all of these things come to a standstill? Are you going to let all of these buildings continue to deteriorate and let them collapse and not replace any of them and not build any new ones? This authority in this bill is to borrow money required for capital improvements to replace that which is no longer usable, and to put up new structures that the District of Columbia needs.

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I will be glad to yield.

Mr. WHITENER. I am sure my colleague from New York was guilty of an inadvertence when he said this was merely increasing borrowing authority for 1 year. The language of the bill is that it would extend this until June 30, 1972.

Mr. MULTER. I am glad you called that to my attention. You are absolutely right and I was wrong if I created that impression. Both the present act as it is now written and as it is sought to be amended will carry this lending authority over into each of the successive years, as the gentleman indicates until 1972, and if the amendment of the gentleman from California [Mr. COHELAN] prevails it will continue the same principle.

The point I sought to emphasize is that each year, the Commissioners must come before the Appropriations Committee and get a bill reported to and passed by the Congress for a specific sum to be lent each year for a specific purpose within the limitations of the law. I urge that the maximum amount should be $225 million and not $150 million as in the bill before us.

Mr. BROYHILL of Virginia. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. KYL].

Mr. KYL. Mr. Chairman, I think perhaps this gentleman from Iowa has as sympathetic a view toward the District of Columbia as any Member of the House or of the other body. We talk about alternatives in this program. I think maybe it is time we took a little broader view to see what has happened and what is continuing to happen in the District of Columbia. We need look only at the area just east of what we now call the Cannon Building for a prime example. There we removed acres of good, taxpaying property and transformed it to a rye grass plot, which provides no tax funds for the District of Columbia. Apparently we have no immediate plans for replacing this taxpaying property with any kind of worthwhile building on that site. In the meanwhile we propose to build underground garages south of the new Rayburn Building, to landscape the top, and then when we need additional space for building we are going to buy and clear some more taxable property, thus again increasing the burden of the District.

In Iowa this is not much of a problem. If we find that the city has outgrown its boundaries, we annex another cornfield and take care of the situation in that fashion. The District of Columbia cannot do that. We have a boundary here which is tight, it is statutory. Every time we take hundreds of acres for new highway interchanges, for urban renewal programs which are never finished and which drive people from one area of blight to blight another area, we complicate the problem, and we have not provided adequate housing facilities to replace those we destroyed.

All we propose to do in legislation such as that before the House right now is complicate the problem, to cover up the problem, to go ahead and spend the money instead of trying to solve the basic problems which face us here. We say that we are getting all of the taxes that we can get now. But there are two logical alternatives in regard to taxation methods employed. First of all, the District should either adopt a program such as has been adopted in other areas where land is assessed on the basis of maximum use, so that we discontinue this practice of making slums profitable, or we should begin a constructive program of giving tax relief to those people who are willing to improve their property and thus engage in a program of restoration, rather than renewal. This can be done and it has been done by private funds all over the country.

Mr. Chairman, let me point out one other thing here. We have had some talk about the efficiency of the District government. I do not say all here are inefficient but I say unequivocally that the people in charge of building permits in the District of Columbia are at the very least, most inefficient. I can cite many illustrations. For instance, there is one case where a permit was given for a picket fence. The entire plumbing of the house was taken out and redone and the house refurbished and reconstructed. Then the picket fence was torn down. The people downtown said that in this instance the owner did not need a permit. Why is this important to taxes? If you do not have a permit, if you do not know what is going on, you cannot have an actual answer as to how much that building should be taxed. There is another case where the entire plumbing of the house was torn out and new plumbing put in. The Department said that the owner did not need a permit for that, but in another part of town a little plumber's helper paid a $300 fine because he put a sink in a house, without having a permit.

The code is not enforced uniformly in the same area of the city—or among areas in the city.

The local newspapers have pointed out at great length what is going on here in the matter of building permits in the slum areas. I think the time has come when instead of just talking about providing more borrowing authority, we ought to try to get at the root of this thing, at what causes the problem.

Mr. McMILLAN. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. COHELAN].

Mr. COHELAN. Mr. Chairman, although proposals to finance the cost of capital expenditures in the District of Columbia budget go back many years, it was not until 1957 that a blue-ribbon committee composed of four of the city's leading businessmen in commenting on the District's public works program said:

> Borrowing for the purpose of carrying out capital improvements is sound financial procedure. While pay-as-you-go financing is excellent where it can be followed, it is not proper to deny the community adequate permanent facilities in order to avoid debt. Facilities such as those contemplated in this program are used over a period of many years; and, it is, therefore, not necessary nor equitable to saddle this particular generation of taxpayers with their entire cost.

It is submitted that the need to increase the District's borrowing authority up to the $225 million level for capital outlays in the general fund is no less critical today than it was 6 years ago when this statement was made and when the Congress first authorized the $75 million borrowing authority.

Business leaders, together with representatives of every citizens and civic group within the city, have been unanimous in their statements before the House District Committee that the borrowing authority must be increased to the $225 million level.

This proposed increase in District borrowing power will still leave the city considerably less in debt than the level of debt which is typical of the rest of the country, where voters determine how much debt their local and State governments shall have. Throughout the country, State and local government debt combined now averages well over $400 per person. According to the Bureau of Census report "Government Finances in 1961," at page 41, in 1961, State and local government per capita debt was $366; 1960, $339; 1959, $332; 1958, $310; and, 1957, $279.

If the present $400-per-person average were allowed to the District its outstanding debt would total more than $300 million, rather than the $225 million that would result from the application of the formula proposed by the President in his budget message for the District to the Congress, or from the amendment proposed by the minority report of the House District Committee.

According to the same report of the Bureau of the Census only eight States in the Nation have a lower total State and local government indebtedness than does the District of Columbia: Alaska, Idaho, Nevada, New Hampshire, North Dakota, South Dakota, Vermont, and Wyoming. And, indeed, the current issue of Moody's Municipal and Governmental Manual shows that for the 21 cities in the United States over half a million in population there has been a median increase in debt trend between 1950 and 1960 of 53.1 percent. In that decade also, Milwaukee, for example, increased its indebtedness by 1540.0 percent, Honolulu by 253.7 percent, Cincinnati, Ohio by 177.6 percent, St. Louis by 140.5 percent, Chicago by 113.8 percent, Buffalo by 111.3 percent, and Akron, Ohio by 100 percent.

The largest city in my own district, Oakland, Calif., has a bonded indebtedness of some $27 million on an assessed valuation of $661 milllion, and the Oakland school district has an additional indebtedness of some $40 million. If the same ratio of indebtedness to valuation is applied to the District, the District's permissible debt limit would be some $301 million rather than the $225 million which is proposed in this amendment.

The $225 million ceiling proposed for the District is, moreover, based on an indebtedness of 6 percent of the total valuation of all taxable property within the District. This percentage may be compared with Los Angeles, 15 percent; Minneapolis, 10 percent; New York City, 10 percent; St. Louis, 10 percent; Philadelphia, 13½ percent; and, indeed, with the debt limitation permitted counties in the Commonwealth of Virginia of 18 percent of assessment value of real property.

Since we are prone to compare the District's tax structure with that of the adjacent suburban jurisdictions, it might be well also to look at the suburban governments' indebtedness for comparison purposes. Montgomery County has an $80 million general fund bonded indebtedness, plus a $13 million State school loan for a total of $93 million, on a taxable assessed valuation just half of that of the District of Columbia's. Applying the same ratio of debt to valuation in Montgomery County, would yield an indicated general fund indebtedness in the District of $272 million rather than the $225 million proposed in this amendment. The same ratio derived from Prince Georges County's $60 million bonded indebtedness plus $13 million State school loan on a tax base one-third of that of the District's would of course yield a proportionally larger indicated bonded indebtedness for the District.

Finally, taking just one of the adjacent Virginia counties—Fairfax County—we find an assessed valuation of all property of $721 million and a general fund bonded indebtedness of $84 million. The application of this ratio of indebtedness to valuation would indicate a debt ceiling for the District of over $320 million.

From the foregoing it should be patently clear that the $225 million ceiling proposed in this amendment is not only a conservative one but one which is moreover consistent with the fiscal practices in the metropolitan area of which the District is a part, as well as throughout the country as a whole.

Before closing I should like to comment just briefly on the need to increase the District's borrowing authority to the indicated level, by citing one example of what the failure to provide an adequate borrowing authority means for the District.

According to latest available census figures, the District of Columbia had 11,495 elementary school pupils in excess of normal capacity of school plant in use and 4,215 secondary school pupils in excess. According to the Bureau of the Census, the District in 1962 needed 786 additional classrooms, of which there were scheduled for completion in 1962 only 84, or 11 percent of actual need at that time. Now how does this compare with the rest of the country? For the United States as a whole, 127,165 classrooms were needed, of which 62,737, or 49 percent, were scheduled for completion in 1962. The State of Maryland had 40 percent of its school construction needs scheduled for completion in 1962; Virginia 48 percent; and the South Atlantic region as a whole—eight States plus the District of Columbia—30 percent of classroom needs scheduled for completion in 1962. As against this, the District's record was 11 percent in 1962, and next to nothing projected for fiscal 1964 despite obvious needs.

Census figures, too, show that during the 10 years—1952 through 1961—capital outlay for public education—construction, land, and equipment—totaled about $62 million in the District of Columbia. This is equal to about $8 per year per District resident.

In the same 10 years, the census reports show nationwide capital outlays for public education totaling more than $30 billion, or an average of $18 a year per person, more than double the District average.

Last, the proposed increase in the District's indebtedness to $225 million will permit the city government to enter into long-range construction programs rather than financing capital items on a hand-to-mouth basis out of operating funds. This broader authority will permit sounder planning decisions, and by so doing will stretch the taxpayer's dollar as well as the Federal contribution dollar further by permitting the elimination of many existing inefficient, high-cost operations. Borrowing, limited not by arbitrary ceilings, but by the city's ability to repay and geared to the useful life of the assets acquired and built through the borrowed funds both reduces total cost and apportions the total burden fairly. The $225 million ceiling, well within the District's ability to repay, will have this much to be desired salutary effect, not only on the District's fiscal structure but on its social needs as well.

Mr. BROYHILL of Virginia. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. SCHWENGEL].

Mr. SCHWENGEL. Mr. Chairman, I rise to indicate my support of this bill and to tell you also I supported the amendment proposed by the gentleman from California [Mr. COHELAN] in committee and I will do so again on the floor. I have an amendment that I will offer to add to the bill. It is an amendment that would provide that requests by the School Board in the District for improvement of buildings, for new buildings and for equipment and additions and replacements be met before other requirements for capital improvements are met. I offer this amendment because I believe very strongly that the greatest need for capital improvement in the District is the improvement of the school buildings.

As I indicated earlier, I visited 15 of the 170 schools in the District so far and I found some situations that are a disgrace. Let me just touch on a few of them. Hines School has been in the press and was mentioned earlier here. I remind you that that school was built in 1877. Today with the expansions that have been made to the school and from areas that have been taken away from the playground area, the school now has room for 700 but actually has 1,140 children. This is a school that has no auditorium. If they want to have a meeting with the students to make an announcement or give them some special program, they have to have four different meetings. They have no room for intramurals and they have no programs to get the boys' and girls' attention and keep them off the streets and hence almost force them into crime situations.

I found inadequate classrooms. I found a library room which is less than half the size that they should have for a school of this size. That library room was being used three periods a day for classes. I found a completely inadequate vocational training program in an area where they need it probably more than any other area in the United States.

At Randall Junior High I found almost the same thing.

At Dunbar we found where they have a swimming pool that has not been used for 4 years just because they have not found the money to make the necessary repairs so that it can be used by the boys and girls in the school and also during the summer session and during the summer vacation period which would give them something to keep their time occupied and away from temptations and keep them out of and away from crime.

So much can be said about the need of the school system that time just does not permit, but I just want to reiterate what I said earlier, and that is our school system is, I believe, the most neglected school system that you will find in any community of this size anywhere in the United States.

Now I want to point out that in the adopting of this amendment we are not asking for a vast increase in the expenditure of Federal money, because 85 percent at least under the present formula of this money will be repaid by the people who live in the District of Columbia.

Mr. Chairman, I have talked to a lot of people who live here and who have a great interest and who know these problems here, and I have found none of the substantial citizens who are in opposition to this bill but who would very much like to have it passed by the House.

Mr. Chairman, I sincerely hope that the Committee will give serious consideration to the passage of this legislation and give consideration to the adoption of my amendment.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. SCHWENGEL. I yield to the gentleman from Illinois.

Mr. McCLORY. Mr. Chairman, the Republican Party holds to the principle that individual and governmental rights go hand in hand with individual and governmental responsibilities. Local and State governments which demand authority to act are expected also to assume the responsibility and obligation which such authority entails.

With respect to the District of Columbia the Congress has asserted virtually complete authority to administer the municipal, educational and other community affairs of our Capital City. Correspondingly, the Congress should assume its full responsibility to assure that the municipal, educational, and other community needs of the Nation's Capital are fully met.

Criticism directed at the Congress for a failure to meet the educational, law enforcement, recreational, public health, and other essential services of the District of Columbia appear to be fully justified.

Our Capital should be a model to the Nation and the world—which it is not. The principle of matching authority with responsibility should be respected.

Mr. Chairman, I feel confident at this moment that the people of the Nation want the Congress to retain its constitutional authority in the management of the affairs of the District of Columbia. I am confident, too, that the people of the Nation want their Representatives in Congress to carry out their full responsibilities—including the national financial responsibility and obligation—which accompany this authority.

Mr. McMILLAN. Mr. Chairman, I yield myself 1 minute. That will conclude the balance of the time left on this side for which we have requests.

Mr. Chairman, I would like to state before we close this debate that it is the hope and wish of all the members of the Committee I am sure that the Appropriations Committee will go through every request that is made by the Commissioners to that committee with a fine-tooth comb.

Mr. Chairman, we find it rather difficult to understand why the expenses of the District of Columbia should increase and almost double in 7 years. We find it also difficult to understand why the employees should increase from 18,000 to 27,000 in approximately 7 years when the population of the District of Columbia has not increased.

Mr. Chairman, that is all I have to say.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 1 of the Act entitled "An Act to authorize the Commissions of the District of Columbia to borrow funds for capital improvement programs and to amend provisions of law relating to Federal Government participation in meeting costs of maintaining the Nation's Capital City," approved June 6, 1958 (72 Stat 183), is amended by striking "$75,000,000" and inserting in lieu thereof "$150,000,000".

Mr. COHELAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COHELAN: on page 1, line 10, strike out $150,000,000 and insert $225,000,000.

Mr. COHELAN. Mr. Chairman, I am not going to detain the House with any further elaborate argument on this point. I think it is pretty clear, as we have indicated in our earlier remarks, what we consider to be the various reasons for raising this amount to $225 million; an amount which we believe is a most reasonable figure.

Mr. Chairman, I would state for the benefit of those who might feel concerned that somehow this is too large an amount, that all of these items are very carefully gone into by the Appropriations Committee. What this would do—and it is a very important thing for the District of Columbia—is to help them get their forward planning underway.

Mr. Chairman, while I have the floor I cannot help but comment on some of the concluding remarks of our distinguished chairman, the gentleman from South Carolina [Mr. McMILLAN], in which he referred to various alleged problems in the District of Columbia. There is one thing I want to remind the members of the Committee of, and that is this: Any comparisons that are made of the District of Columbia with other communities of comparable size must take into account the peculiar relationship that exists where we, the Members of the Congress of the United States, are actually sitting, and devoting this kind of time to municipal details and even legislating on the floor that we all witnessed today. This, I think, is a very poor way to legislate. It is really ridiculous when you think about it and we should invent some other way to do it. I suggest home rule for the District as recommended by both the Eisenhower and the Kennedy administrations would be a good beginning.

May I remind you that the District has the characteristics of not only a city but a State and a county as well. When we speak of personnel requirements in the District of Columbia it should be remembered they have an income tax collection program. They administer the Federal highway program. The same thing is true in relation to the school problem.

The question is frequently raised, and it is made in the committee report, that somehow or other the people here are getting more money than people are getting elsewhere. But the money they are getting is commensurate with their problems because their problems are monstrous. They have more special problems involving everything from retarded children, atypical classes, schools for incorrigibles, and a variety of other stubborn social facts, beginning with segregated-desegregated schools, all of which combine to increase school requirements.

A point is made in the report on the bill recently acted on, and I am constrained to speak to that point because I did not have the opportunity earlier. I plead with the Committee to consider raising the amount by supporting the pending amendment because this will be one way that the District can help itself.

We hear consistently from both sides of the aisle that the District is not doing enough for itself. As long as I have been here, both Republican Commissioners and Democratic Commissioners alike have come in with proposals to increase the District tax rate, but they have been consistently refused. They have not been granted permission to do this by this House.

A number of speakers have spoken on the percentage of total expenditures and appropriated amounts in the District. All of them are listed. I realize most of us do not have time to go into these elaborate details. The requirement is present, however, and I hope you will support this amendment and increase the amount in order to help the District do some of the things that so urgently need to be done.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. COHELAN. I yield to the gentleman from Iowa.

Mr. GROSS. If we allow the District $225 million, will this take care of the $75 million stadium down here?

Mr. COHELAN. I will say to the gentleman from Iowa it is my understanding it would not. I again remind the gentleman this is for forward planning. The data I inserted shows that over 6 years the requirements for capital improvements are going to increase. This would be a great advantage to the District. However, the main point is that these items are all going to be checked by the Committee on Appropriations and we all know how carefully the distinguished chairman of that subcommittee and his committee colleagues look into these matters.

Mr. BROYHILL of Virginia. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from California [Mr. COHELAN].

Mr. Chairman, as I stated during general debate on the previous bill, I am very reluctant to get into an argument with the gentleman from California or anyone else in connection with liberalizing the payment to the District or a formula for the District of Columbia. But I certainly share his interest and concern for the efficient management of the District of Columbia.

My district is a part of the metropolitan area of Washington. We share general problems, and we look for ways of finding general solutions to these problems. So it is with great reluctance that I take the well to oppose any amendment that would increase the Federal payment or increase the bond authority that may make it easier to solve some of the problems here in the District of Columbia.

But we had hearings on this matter. We discussed all of the pros and cons, and the majority of the committee felt this was a reasonable compromise and that the bill reported by the committee would do the job. If it does not do the job, we will be here next year and the year following, and we can come back and reconsider all of the proposals that the District Commissioners may make.

The gentleman from California made a correct statement, if I understood him, when he said it was difficult to make comparisons between the District of Columbia and other communities in the Nation. That is true. The District of Columbia has the problems that all States have. It has the problem of education, highways, roads, and welfare payments that the States have, as well as county governments and local governments. But I should like to point out the District of Columbia has the same taxing power that a State, a county, and a municipality collectively have.

It has the collective taxing power to collect revenues coming in, and they do not have as many expenditures and obligations as the States have that have the wide, vast rural areas that historically have not supported themselves.

As I said a moment ago, the committee approved legislation that will double the authorized borrowing authority. The gentleman's amendment, as I understand it, would just double that once again, increasing it up to a maximum of $225 million. We are still continuing this public works program and capital improvement program authorized back in 1954 which was estimated to cost $145 million. We revised that estimate in 1958 to make it cost $183 million. At that time we authorized the first $75 million. Last year the Commissioners came before the committee and said another $75 million loan will do the job. This year they came before the committee and said it takes another $150 million to do the job. Actually, the way these figures constantly are being revised and changed it is very hard to know actually how to get an accurate estimate on what these capital improvements will cost.

This is one of the reasons why the committee felt we should proceed rather cautiously and we are now actually doubling the loan authority. We can come back next year, or some time in the future and review our actions of this year. It was pointed out a moment ago by the gentleman from Iowa that this is not merely an authorization for the District government to borrow money from the general lending market or the general bond market but authorizes them to borrow money from the Federal Treasury. It is money being borrowed from all of the U.S. taxpayers. In effect it is an advanced Federal payment. We authorized an increase in the Federal payment in the last bill that the House acted on, up to $45 million. This actually advances that Federal payment in the future even though it will be paid back. We cannot permit the District of Columbia to have an unlimited borrowing authority because it does not make any difference whether they borrow it from the Federal Treasury or they issue bonds in the regular market.

The Congress of the United States will have to underwrite the credit of the District government just as it has underwritten it on the construction of this new stadium here.

We feel it is a reasonable bill that is before us and it will do the job, and that the total loans on the books after this loan is approved will amount to $292 million. The gentleman from California stated that his bill or his amendment would make the total borrowing authority $325 million. Actually, we have on the books right now total loans of $219 million for these other public works programs.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. MULTER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I hope the gentleman from Virginia [Mr. BROYHILL], who just addressed the Committee, did not intend to convey the thought that this lending authority is an advance to the extent that we lend it today, and tomorrow the Federal Government wipes out the loan or forgives the loan. Thus far the history of this legislation has been that every dollar of lending by the U.S. Treasury to the District of Columbia has been or will be paid back. The obligations are still there for the unpaid balances and every part of this authorization, whether for an additional $75 million or an additional $150 million will be loans and strictly loans with no idea of ever forgiving it, but with every intention and expectation that it be repaid. It will have to be repaid out of revenues that the District of Columbia will collect from taxation. The people in the District of Columbia realize this. Nevertheless, they are behind the bill and willing to assume the additional tax burden. If the Congress will advance the additional moneys called for by the bill that we passed a little earlier and authorize this lending power either to the extent called for in the bill or in the Cohelan amendment it will all be paid back out of the taxes now being raised under the present rates, as well as those that will be collected under new rates when enacted. Let me say again this lending authority is one that requires proof before the Appropriations Committee as to the amount to be lent, together with justification of what it will be used for.

Only to the extent that they can prove it is going to be used for a good capital construction purpose, and that it can be repaid—only to the extent of the amount that they can use in each year, will they be able to get an appropriation directing the lending of that money by the U.S. Treasury to the District of Columbia.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield.

Mr. GROSS. If they have many more riots at this stadium I predict to the gentleman that they will be completely in default.

Mr. MULTER. That will not happen because of this bill or the bill that we passed earlier in the day. Mr. Chairman, I urge the adoption of the Cohelan amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. Cohelan].

The amendment was rejected.

The Clerk read as follows:

Page 1, line 11:

"Sec. 2. Subsection (f) of section 1 of such Act is amended by striking out 'June 30, 1968' and inserting in lieu thereof 'June 30, 1972'."

Mr. SCHWENGEL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Schwengel: On page 2, after line 2, add a new section to H.R. 4277 reading:

"Sec. 3. The request by the School Board of the District for improvement of school buildings, for new buildings and for equipment for the new additions and replacements shall be met before the requests for other capital improvements are met in the District of Columbia."

Mr. SCHWENGEL. Mr. Chairman, I think everybody has made up his mind as to what he is going to do, but all that this would do is to put emphasis on the school needs here. It would direct that the budget of the School Board, which is estimated to be $23 million a year be met first before we spend any money for any other capital improvements.

I said earlier and I believe from the depth of my heart that schools have been neglected here. The greatest need for capital improvements in the District is in the school system. I believe we can do a distinct public service for the people of the District, and I think it would be good policy, to adopt this amendment. I ask that the amendment be supported.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. Schwengel].

The amendment was rejected.

Mr. McMILLAN. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the recommendation that the bill do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Aspinall, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4277) to authorize an increase in the borrowing authority for the general fund of the District of Columbia, had directed him to report the bill back to the House with the recommendation that the bill do pass.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. GROSS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. GROSS. I am, Mr. Speaker.

The SPEAKER. The gentleman qualifies. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Gross moves to recommit the bill, H.R. 4277, to the Committee on the District of Columbia.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

ADDITIONAL AUTHORIZATION FOR RIVER BASIN PLANS

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 411 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6016) authorizing additional appropriations for prosecution of projects in certain river basin plans for flood control, navigation, and other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. MADDEN. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. Smith], and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 411 provides for the consideration of H.R. 6016, a bill authorizing additional appropriations for prosecution of projects in certain river basin plans for flood control, navigation, and other purposes. The resolution provides an open rule with 1 hour of general debate.

H.R. 6016 provides increased authorization for the prosecution of river basin plans for flood control and related purposes under the jurisdiction of the Secretary of the Army and the Chief of Engineers. The appropriations intended to be covered by these increased authorizations are those for fiscal years 1964 and 1965. Allowance is made for the amount of monetary authorization carried over on June 30, 1963.

The first national flood control act was the act of June 22, 1936. In that act and in subsequent acts the Congress was faced with the problem of dealing with large comprehensive river basin plans containing numerous individual projects. Congress dealt with the problem in many cases by approving the entire plan but authorizing only the appropriation for a part of the total cost, so that it could have the opportunity to examine from time to time the work which was being accomplished in the basin and any modifications that might be desirable. As the appropriations approached the total monetary authorization ceilings, the Congress increased the basin authorization for these partially authorized plans.

At the present time there are 21 basin plans in this category. Of these it is estimated that 10 will experience deficits between estimated appropriations and total authorization over the next 2 years.

Mr. Speaker, I urge adoption of House Resolution 411.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, I agree with the statement made by the gentleman from Indiana [Mr. Madden] in explanation of this particular bill. The rule does provide for 1 hour of open debate for the consideration of H.R. 6016. I think I should add, Mr. Speaker, that at the time we are considering H.R. 6016, we should also give consideration to the next bill which is H.R. 5312. The Committee on Rules also granted an open rule providing for 1 hour of consideration of that bill.

Incidentally, this bill comes out of the Committee on Public Works while the bill that follows is out of the Committee on Interior and Insular Affairs. It is my understanding that the Committee on Interior and Insular Affairs feels that they have the responsibility, the duty, and the obligation to review these various projects as they go on from year to year and as more units are added to them. As an example, in connection with the Missouri River Basin project, it is my understanding that some 58 units have been constructed or started and that 48 units were completed in some other manner; that 69 had been determined not feasible and 20 are presently necessary, and there remain about 142 units on which the Department has not yet decided whether they should be acted upon or whether or not they are necessary. So between the two committees, I think they have worked out a unanimous agreement that the language in H.R. 5312 will be offered as an amendment to the bill under consideration at this time, H.R. 6016, and if the amended language is adopted and placed into that bill where the Interior Department will have the opportunity to review these projects in the future—or new projects—then there will be no necessity for the passage of H.R. 5312. It is my understanding that both committees are unanimous in this and the language will probably be accepted by the Public Works Committee. I believe we are talking of an authorization here of some $684 million. May I state for the information of the Los Angeles County members in particular, that this bill, H.R. 6016, does contain additional funds for the Los Angeles-San Gabriel flood control project which is very important to the area and which has been going on for some period of years. I understand that unless the bill is passed, work may well have to be stopped on June 30 of this year. Whether or not this bill will get through by June 30 remains a question in my mind because I remember that there was a bit of a hassle on this subject matter in the closing days of the last session between the Senate and the House.

In any event we do need the bill to carry on these 10 projects mentioned on page 2 of the report.

Mr. Speaker, I know of no objection to the rule and I know of no objection to the bill. I urge the adoption of the rule and the passage of the bill.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman.

Mr. JENSEN. Do we understand correctly that this is simply an authorization to allow additional funds for these projects and that there is no additional responsibility or duties imposed on the respective agencies by virtue of this legislation?

Mr. SMITH of California. I will say to the gentleman that is my understanding. These projects are originally authorized and certain amounts of money have been authorized and then whatever funds the Appropriation Committee sees fit to appropriate, that is the money to carry out the project for such period of time as the authorization and the appropriation will go. But new units come in. The engineers come along with new units and say that they have to have an additional authorization to continue the completion of projects. I do not think there is any further responsibility placed on the agencies than they had at the beginning.

Mr. JENSEN. Then the basic act which establishes these projects is not to be changed in any way, shape, or manner by this legislation?

Mr. SMITH of California. I yield to my colleague, the gentleman from Alabama [Mr. Jones], to answer the gentleman's question.

Mr. JENSEN. I asked the question whether the basic act which establishes these projects is changed in any way, shape, or form by this proposed legislation.

Mr. JONES of Alabama. No; there is no change in the original authorization. These are merely extensions of the basic authorizations as adopted in 1936 on the basin projects. This only implements the projects set up in the original authorization.

Mr. JENSEN. I thank my colleague.

Mr. Speaker, I must say that this bill is a just and proper bill. Without such legislation as is provided by this bill, many of these projects that are of such great value to the American people would come to a quick stop at the termination of the present authorization.

I am sure that no one would want that to happen.

Mr. SMITH of California. Mr. Speaker, I reserve the balance of my time, but I have no further requests at this time.

Mr. MADDEN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

MAKING IN ORDER CONSIDERATION OF H.R. 5795, WITHDRAWAL FROM TREASURY OF POSTAL APPROPRIATIONS

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 410 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5795) to repeal the provisions of law relating to the fixing by the Postmaster General, with the consent of the Interstate Commerce Commission, of rates of postage on fourth-class mail, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Post Office and Civil Service, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the substitute amendment recommended by the Committee on Post Office and Civil Service now in the bill and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit, with or without instructions.

Mr. MADDEN. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. Smith], and, pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 410 provides for consideration of H.R. 5795, a bill to repeal the provisions of law relating to the fixing by the Postmaster General, with the consent of the Interstate Commerce Commission, or rates of postage on fourth-class mail, and for other purposes. The resolution provides an open rule with 2 hours of general debate.

The purpose of H.R. 5795 is to provide for the continuance of essential postal services by granting the Postmaster General temporary relief from an existing statutory requirement which can operate to prevent the withdrawal from the Treasury of funds for any postal operation unless such relief is granted. This existing statutory requirement is the paragraph contained in chapter IV of the Supplemental Appropriation Act, 1951.

Enactment of this legislation is necessary to assure that all postal services now available to the American public will be provided without interruption due to lack of necessary funds or other causes. The postal establishment faces a critical situation in this respect. The Postmaster General has officially reported, in effect, that the existing law requires him to perform an impossibility and that, under the appropriation limitation cited above, he will be unable to withdraw any funds from the Treasury to operate the postal establishment after June 30, 1963, unless granted relief from the limitation.

In summary, a combination of several different statutes lays down a mandate that expenses on fourth-class mail may not exceed revenues by more than 4 percent, but at the same time bars the postal establishment from profitable traffic in large packages between first-class post offices which otherwise would tend to make up for losses incurred in handling small packages originating at or destined to other classes of post offices. This leaves the Postmaster General but one possible means, under his parcel post reformation authority (39 U.S.C. (1958 ed.) 247), to gain needed additional revenues, and that is to increase parcel post rates with the consent of the Interstate Commerce Commission.

Although by law expenses may not exceed revenues by over 4 percent, the extraordinary changes that have taken place in the national economy and the national transportation complex have brought the parcel post operation to a point where in the fiscal year 1962 parcel post expenses exceed revenues therefrom by 24.6 percent. Thus, it is evident that a rate increase—the only avenue open to the Postmaster General—averaging at least 20.6 percent would be necessary to comply with the 4-percent limitation, even if it could be assumed—and it cannot—that an increase of such magnitude would not price the parcel post service out of a substantial part of its traffic and cause an even greater deficit.

Parcel post volume has decreased to a marked extent in each recent year under the present parcel post rate structure, and it is evident from experience following earlier rate increases that the rate of progression of decrease in volume will be sharply accelerated with any new parcel post rate increase. The Postmaster General and other postal authorities testified that the point of diminishing returns for any new rate increase—beyond which resultant losses from diversion of traffic would outweigh any possible new revenues—is in the close neighborhood of a 13-percent average increase. That is to say, any parcel post rate increase averaging more than 13 percent at this time would be self-defeating since the resultant traffic loss would increase the deficit rather than reduce it.

Mr. Speaker, I urge the adoption of House Resolution 410.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as stated by the gentleman from Indiana [Mr. MADDEN], House Resolution 410 will provide 2 hours of general debate under an open rule for the consideration of H.R. 5795, a bill to provide for a 3-year suspension of restrictions on withdrawal from Treasury of postal appropriations.

Mr. Speaker, I think the bill is pretty easy to understand, but I confess that it took me quite a while in the Committee on Rules to understand this overall situation as to how this was arrived at over the years. My basic understanding of it is this, and if I am incorrect I would appreciate some of the experts on the committee correcting me.

It seems that some years ago a law was passed requiring that fourth-class mail, parcel post operate within 4 percent of its cost, either 4 percent in the black or 4 percent in the red.

As a matter of fact, over the years it has not worked out that way. I think in the last year the deficiency was around 24.6 percent rather than 4 percent.

Then the question comes up, Why does this take place if the law requires it to operate within 4 percent, when in fact the deficiency is more than that?

It seems that a problem developed because the Postmaster General is required to go before the ICC and ask for appropriate rate increases. This seems to present a problem of several different situations; one, the question arises if the rates are increased to the extent of taking care of the 24.6 or even 20 percent, in the long run will the Post Office lose more business by the senders not paying this additional amount of postage for the fourth-class mail than they would if they had not requested the increase to be that high?

A request was made last year for an increase, but tied to that particular increase was a request for a change in the size and weight of the packages in parcel post. Congress heretofore has taken the authority of determining the size and the weight, and also has set first-class postage rates. The ICC, as I understand it, did not approve a rate increase, because it was tied into a request for a change in the size and weight of the packages, holding it was improper to tie the two together.

I understand that a request will be made probably in the amount of 13 percent. In the meantime certain bills were considered by the committee. The committee could not agree on several bills so decided that the best thing to do was to ask for this 3-year extension so the Postmaster General, the Post Office Department, the Interstate Commerce Commission, and the Congress could study this matter and determine how it should be worked out.

I know of no objection to the bill. The gentleman from Virginia [Mr. GARY] did present a statement to the Rules Committee to the effect he felt 2 years was a long enough period of time to work this out, and he did not think it necessary to have the entire 3 years. Whether or not an amendment will be offered to that effect, I do not know.

As I stated, I know of no objection to the rule, and so far as I am concerned I have no objection to the bill itself, other than the thought that maybe 2 years is long enough.

Mr. MADDEN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

ADDITIONAL AUTHORIZATION FOR CERTAIN RIVER BASIN PLANS

Mr. JONES of Alabama. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6016) authorizing additional appropriations for prosecution of projects in certain river basin plans for flood control, navigation, and other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 6016, with Mr. LANDRUM in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. JONES of Alabama. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it is not my intention today to prolong debate on this bill which has been reported out by the unanimous vote of the House Public Works Committee. I invite the attention of the members of the committee to page 2 of the committee report which lists the basins that would be covered in the event this bill is approved. This bill covers some 10 river basins. They are the Arkansas, Brazos, central and southern Florida, Columbia, Los Angeles-San Gabriel, Missouri, Ohio, upper Mississippi, the west branch of the Susquehanna River, and the White River of Missouri and Arkansas.

Mr. Chairman, this is a pursuit of a policy which we have adopted since the Flood Control Act of 1936. That act authorized the general scheme of development of the major river basins but they must have a periodic enactment of the Congress to increase the original monetary ceilings for work by the Corps of Engineers, and in the Missouri River by the Department of the Interior.

As I stated before that has been our purpose. We have followed it very faithfully to see that the Congress is apprised of what these construction agencies were doing in furtherance of the original authorization. Last year you will recall we did not bring to the House a request for this extension because of the lateness of the session. These authorizations we seek here are vitally necessary. The projects are all underway at the present time. In the California Los Angeles-San Gabriel project, as the gentleman from California [Mr. SMITH] just pointed out to the House a few moments ago, this authorization, if it expires, will mean that there would be a cessation of works that are necessary and needed, and which are vital to the continuation of that project. Therefore, if the work does stop it will mean we will have a vast loss incurred because we will have to initiate contractual obligations all over again and the work will have to be commenced just as it did originally. The same reason can be cited with regard to the other basin authorizations to prove the imperative necessity for the approval of this bill.

I now refer to a proposed amendment which has been suggested by the gentleman from Colorado [Mr. ASPINALL], chairman of the Interior and Insular Affairs Committee.

In the original Flood Control Act of 1944—and when I say the original act I mean as far as the Missouri River Basin development is concerned—the development of this particular basin was to be a joint enterprise by the Department of the Interior and the Corps of Engineers. Since that time the request for this particular authorization has been made to the Committee on Public Works.

This time the Interior and Insular Affairs Committee received a request from the Department of the Interior, and the Public Works Committee has agreed to accept the amendment proposed. There is no disagreement between this committee and the Committee on Interior and Insular Affairs.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. JONES of Alabama. I yield to the chairman of the committee.

Mr. ASPINALL. Mr. Chairman, I thank the gentleman for yielding.

May I advise the Committee that the Committee on Interior and Insular Affairs of the House has authorized the chairman of that committee to offer this amendment to the bill now before us. We are very pleased that we can cooperate in this particular matter and again have a dual authorization so far as funds are concerned for the Missouri Basin project.

Mr. JONES of Alabama. The Public Works Committee accepts this amendment.

Mr. BOW. Mr. Chairman, will the gentleman yield?

Mr. JONES of Alabama. I yield to the gentleman from Ohio.

Mr. BOW. Mr. Chairman, I have been looking through the record of the hearings and the report of the committee and it is difficult to see just how this money is being allocated. May I refer the gentleman to the Ohio River Basin? Going through that I see a number of projects. I see one in Ohio, the Deer Creek Reservoir and the Berlin Reservoir. Can the gentleman tell me what funds are being used in these particular areas?

Mr. JONES of Alabama. On page 6 there is given an estimated total cost of the projects in the Ohio Basin plan.

Mr. BOW. But it does not give us any information as to how much is being used on the particular ones that are specified.

Mr. JONES of Alabama. If the gentleman will let me explain, the total estimated cost of the Ohio River Basin project is $1,235,600,000. These are the projects that will require funding by the Appropriations Committee. We hope that amount in the bill will carry us through the fiscal year 1965. The selection and the priority that will be assigned to these projects will rest with the gentleman's committee.

Mr. BOW. Do I understand that there is no way of determining these amounts? In other words, we have a total here of $1,235 million. Then there is a list of projects, but there is no indication what will be the cost of each project.

Mr. JONES of Alabama. The estimated cost is difficult to give at the present time. Therefore we authorize this monetary increase but the individual projects are seasonally examined by the Appropriations Committee for them to determine how much will be spent on each project.

Mr. BOW. If the gentleman will yield further, may I make inquiry as to whether or not his distinguished committee had any information as to what projects and the amount in each project would make up this total plan?

Mr. JONES of Alabama. Let me point out that the total cost of the Ohio Basin is estimated to be $1,235 million. We will need additional authorization in future years and it will be necessary for the Congress to authorize further for the Ohio River Basin. The reason the figures are not given, as I said earlier, is that we do not have specific amounts that we could submit to the House at the present time.

Mr. BOW. This is an overall estimate, this is the whole pie before we cut it. We do not know who is going to get the big pieces and the little pieces of the pie.

Mr. JONES of Alabama. These apply to several projects but to make sure that it did not exceed a certain amount we have authorized $749 million to date of the total cost of $1,235 million for the Ohio Basin.

Mr. BOW. Could the gentleman tell the House how much more we are going to have to appropriate to complete these projects than was the original estimate given by the Corps of Engineers at the time of the original authorization?

Mr. JONES of Alabama. That is the whole reason and justification for being here today, that we want to make those figures as reasonable in time as we possibly can.

Mr. BOW. Do I understand, then, that this total amount of some $600 million has been brought about because of an underestimation by the Corps of Engineers?

Mr. JONES of Alabama. No. As stated in the explanation, starting with the Flood Control Act of 1936 we authorized certain work to be done, for instance, in the Ohio River Basin. The Ohio River Basin was authorized with only a partial monetary amount for the work to be done.

Mr. BOW. Do I understand, then, that this amount which the gentleman's committee is asking for is all on projects previously authorized? My question is, then, How much more are they going to cost than the estimate at the time of the original authorization?

Mr. JONES of Alabama. It depends on the rise in price levels and other factors.

Mr. HARSHA. Mr. Chairman, will the gentleman yield?

Mr. JONES of Alabama. I yield to the gentleman from Ohio.

Mr. HARSHA. Perhaps I may answer the gentleman's question as to the Ohio River Basin projects. The Ohio Basin is one that does not have sufficient monetary authorization to cover the funds requested in the fiscal 1964 budget, so this authorization has to be passed to meet the budgetary request. There is the amount which the Corps of Engineers will supply to the Appropriations Committee when they apply requesting the amount in their budget for these projects; that is, the Big Darby, $213,000, Paint Creek, $266,000, and Deer Creek, $160,000. Those sums go in to make up the $150 million for the various projects in the Ohio River Basin, but this is for fiscal 1964 and 1965. These projects are only authorized. The plan is approved in general subject to the monetary authorization. Every fiscal year the corps comes in and justifies what their feasibility is and how much money they should receive year by year. That is the reason we are asking for this authorization.

Mr. JONES of Alabama. I agree with the explanation the gentleman from Ohio [Mr. HARSHA] just made in response to the question of the gentleman from Ohio [Mr. BOW].

Mr. BOLAND. Mr. Chairman will the gentleman yield?

Mr. JONES of Alabama. I yield to the gentleman.

Mr. BOLAND. All of the projects provided for in this bill have been previously authorized. The problem is that we do not have enough money. There is a monetary restriction involved here. The question I would direct to the able chairman of the subcommittee is this. What is the attitude of the committee going to be if this bill gets to the Senate and the Senate puts in projects for which there has not been additional authorizations? This is a real danger here and I would hope we could have some assurance as to what the attitude of the committee is going to be.

Mr. JONES of Alabama. The same fears and apprehensions were expressed last year with reference to our omnibus bill that we sent to the other body. We were able to prevail in that instance and I would give the gentleman from Massachusetts the same assurances that we gave to the House last year, that we would go to conference and will remain steadfast to the mandates that you have given us.

Mr. BOLAND. There is not any question about the fact that if additional projects are inserted by the Senate, which projects have not been previously authorized, then this is going to tie this bill up in committee and these projects that have already been authorized are really going to run into some difficulty moneywise.

Mr. JONES of Alabama. We are aware of that danger and we shall do everything we possibly can to see that these circumstances do not come about.

Mr. BOLAND. I thank the gentleman.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. JONES of Alabama. I yield to the gentleman from Florida.

Mr. HALEY. With reference to page 6 and with reference to the projects for which the requested authorizations are planned to be used, you have the Alleghany River Reservoir. Do I understand that that is the Kinzua Dam project?

Mr. JONES of Alabama. Yes.

Mr. HALEY. Can the gentleman give me any idea or does he have any idea of the ultimate cost of this project?

Mr. JONES of Alabama. My recollection is that that project cost comes to around $60 million.

Mr. HALEY. May I say to the distinguished gentleman and his committee, I think that probably the authorization of this project was one of the worst things this Congress ever did, in building the Kinzua Dam. There is good reason to believe the engineering studies pointed out that this project was not feasible. As a matter of fact, the Engineers' study over a long period of time plainly stated that this was not a feasible project. There was an alternative proposed and I think this committee should have gone very carefully into that when the Conewango Valley project was considered.

May I say to the gentleman that in the construction of this Kinzua Dam project, this Congress violated one of the solemn and binding obligations we made with the Seneca Nation. The first President of the United States had sent to the Congress of the United States a treaty with the Seneca Nation. By the construction of this project, you violated that treaty and the first President of the United States, George Washington, thought so much of keeping the solemn word of the United States inviolate that he wrote to the great Indian Chief Cornplanter a five-page personal letter in which he promised that nothing would ever take away from this nation, that had been a friendly nation, the lands that we guaranteed they could always have. I say that if this had been put before the

Congress of the United States, I have serious doubts that the Congress would have ever authorized this project.

Mr. JONES of Alabama. I can appreciate the gentleman's feeling. When we originally considered the proposal, I do not think it has received national attention it has since received. It was brought to us with the approval of the Chief of the Corps of Engineers with the assurance that the people who would be dislocated by the constructions of this dam and reservoir would be treated fairly and would receive such attention as would protect their interests.

Mr. HALEY. Mr. Chairman, will the gentleman yield further?

Mr. JONES of Alabama. Yes.

Mr. HALEY. I hope that this committee and the entire Congress, when this project is finally completed and its gates are closed and you take away from this Indian tribe their homesteads which they have had for hundreds of years, I hope that this Congress will be generous to those people and see if some way, somehow, we can put them back on an economic base at least comparable to what they have enjoyed. We are spending today $270 million per year supposedly to benefit the economic conditions of the American Indians. This takes the very heart out of the reservation and throws them to the four winds, so to speak.

Mr. JONES of Alabama. I want to assure the gentleman from Florida [Mr. HALEY] that no member of the Public Works Committee wanted to visit any injury upon the Indians or to violate any sacred covenants. There was a desire on our part at that time in the examination of the proposal to see that they were properly taken care of and that they were properly safeguarded.

My recollection is that a more extensive examination was made by the Committee on Appropriations than we had given to these people. The reason why that was true is because there was not as great appeal made to us as was made to the Committee on Appropriations.

We now have the dam under construction. It is going to cost, as I stated earlier, around $60 million. We have already expended around $40 million on it. So I do not see how we could vacate the work that is being done.

Mr. HALEY. If the gentleman will yield further, I do not mind the city of Pittsburgh using the Allegheny River to flush out the river and push away the waste that they are now putting into that river. They should have done something earlier. This project, as I say, I do not believe it was feasible in the original instance for the purpose for which it was built because this dam will only give Warren, Pa., and other cities along the Allegheny approximately 40 percent protection, if this was to be built for a flood prevention or flood protection project. In other words, you could have gotten the same thing for a little less money and 100 percent protection by going through the Conewango Valley.

I will say to the gentleman from Alabama that I have just visited the dam a few weeks ago, and if you get out of the cost of the construction of this project with $60 million, then I will go up there and eat half of it, because I think it is going to cost somewhere between $80 and $100 million.

Mr. JONES of Alabama. I will say to the gentleman from Florida that I did not say specifically that its cost would be $60 million. I said, based on my recollection—I do not have the figures here—and it may be $100 million—but I am not wedded to that figure because, as I say, I am going into the recesses of my mind for all of these various dams that were authorized and I cannot keep them all properly indexed in my mind.

Mr. HALEY. If the gentleman will yield further, I hope the gentleman from Alabama does not get wedded to any figure of the Corps of Engineers because if you do, just add about 50 percent to what they say and you will be lucky to come out.

Mr. JONES of Alabama. If we can examine these figures every 2 years, I think we would be warranted in coming to the Congress and making this proposal. If we have any other engineering institution in the Government to give us a better calculation of cost, I do not know about it. We have certainly got to rely upon their proven capability of supplying us with the technical engineering information that we might need.

Mr. BALDWIN. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, this bill has come from the Public Works Committee with the unanimous vote of the members of that committee.

As has been stated before, it is a bill to provide additional authorizations for the fiscal year 1964 and the fiscal year 1965 for 10 of the 21 river basin authorizations that exist in this country.

As most Members know, individual projects normally are authorized by maximum amounts required for that project, but historically the Congress, as far as the river basin authorizations are concerned, originally authorized the river basin projects as defined by the Corps of Engineers in a report that itemized in the report the various projects to be built within that basin. The Congress only authorized funds in part to construct those projects, because many of these river basin authorizations were a long-range plan. Because of this historic development, at approximately 2-year intervals the Congress has found it necessary to pass authorization bills providing for the additional authorization to carry forward the work on these basins for an additional 2-year period.

I think it should be noted that these funds can only be utilized for individual projects which are specifically already authorized. In the original river basin authorizations they have to appear in the report of the Corps of Engineers as part of the original river basin program. There is one exception, the Columbia River Basin, which has not been authorized as a basin project exactly. In the Columbia River there are a series of separate projects that have been individually authorized by the Congress. A lump sum has been authorized by the Congress for work on those projects. These funds cannot be used for a project unless it has been previously specifically authorized by the Congress, either individually or in a river basin authorization.

On our side of the committee, we have no objection to the proposed amendment to be offered by the gentleman from Colorado [Mr. ASPINALL], of the Committee on Interior and Insular Affairs. I hope very much that the House will pass this bill today. It is essential that the bill be passed promptly, because the appropriations for fiscal year 1964 for these 10 river basins are now pending before the House Committee on Appropriations. They would be subject to a point of order unless this bill first passes and becomes law before the public works appropriation bill reaches the House floor.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN. I yield to the gentleman from Iowa.

Mr. GROSS. I am surprised at the Public Works Committee coming to the House floor with a bill to authorize anything. You have pretty well locked up the authorization of public buildings in your committee, and in so doing have short circuited the House of Representatives in the consideration of public buildings. I suppose we should be thankful for small favors, in that you bring this bill to the House floor today.

Mr. BALDWIN. If the gentleman will check the legislation, the House and Senate authorized the procedure followed in the case of the Public Buildings Act. So the House Public Works Committee is not acting independently. They are acting in accordance with legislation passed by the House and Senate and signed by the President.

Mr. GROSS. Very unfortunately did the House turn over to one committee the sole authority to authorize public buildings.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. BALDWIN. Mr. Chairman, I yield 5 minutes to the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, the reason why this omnibus authorization bill for river basin authorization is here now instead of in the omnibus rivers and harbors bill of last session is because of the shortness of time available in 1962 and the lateness of the session and the lack of hearings on these particular basin authorizations. Action had to be held over to this year.

Customarily these authorizations are included in the omnibus rivers and harbors bill. That is the explanation as to why the bill is before us in this form, which is rather unusual. The committee in reporting the bill did state that in the future it is hopeful that these authorizations will be included in the omnibus rivers and harbors bill, and that that shall be done soon enough, as a matter of fact, for the Appropriations Committee to properly consider them in advance of submission of budget messages to the Congress and consideration by the Committee on Appropriations.

As an example, there is included in this increased authorization bill as a part of the $684 million a $21 million increased authorization for central and southern flood control project in Florida made necessary by the fact there will be a deficit in the monetary authorizations for fiscal year 1964 of $3.073 million. There is a deficit in the 1965 fiscal appropriations as estimated, of $17 million which necessitates this increase of $21 million in authorizations for 1964 and 1965 for the orderly progress of the project.

Of course, this is before us in the form of authorization at a time when the Committee on Appropriations is presently considering the request from the Executive for increased money. For orderly procedure the authorization should be approved by the Congress before the appropriation matter is considered either by the committee or for recommendation by the Executive. It is before us this year in this form at this time for the reason I previously explained. Next year, in next year's authorization of a flood control bill, undoubtedly these basin authorizations will, as they should, properly be included.

I understand that there is consideration going to be given to an amendment with regard to a $100 million increase in authorization concerning the Missouri River Basin. I understand this does not concern the problem that I am aware of personally, and apprehensive of, which is the problem presented by the program of the Secretary of the Interior that the administration and construction of a number of these river and harbor projects be turned over to the Secretary of the Interior rather than be under the administration, as is presently the case, of the Army Engineers. I understand that this issue is not involved in this amendment, as I said, but I hope that Congress is aware of that problem which presently exists and which will become of greater importance in the future. I oppose turning such projects involving rivers and harbors and flood control elements over to the Bureau of Reclamation and taking them from the Corps of Army Engineers.

Mr. FOREMAN. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I will be glad to yield to the gentleman.

Mr. FOREMAN. In the report of the committee you have the various river basin projects, and the available monetary authorization, the proposed and actual funding through fiscal year 1965, the deficit, and then the additional authorization required. For instance, looking at one area like the central and southern Florida project it shows that you have a proposed funding of $126,373,000, and a deficit of $20,073,000. Yet you show an additional monetary authorization of $21 million, which is $927,000 more than your deficit. In each instance, in each river basin area, you have an additional monetary authorization above what is required under the deficit. Why is this?

Mr. CRAMER. It is just a very small amount. In central and southern Florida the deficit was $20,073,000 for fiscal years 1964 and 1965, but it was rounded out to a $21 million figure, which is the basis on which all of these were considered, that is, round figures, in order to give just a little leeway in their consideration by the Committee on Appropriations.

Mr. BALDWIN. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. Yes, I will be glad to yield.

Mr. BALDWIN. I think it should be pointed out that the ovarall total authorization for all of these projects is much larger than the amount required for the next 2 years so that the fact that we authorized an amount for the next 2 years slightly above their estimated requirements will just carry over the amount required for the following 2-year period, because the overall authorization required to complete the basin in each case is far greater than the amount authorized in this bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ALBERT. Mr. Chairman, I ask unanimous consent that the gentleman from Florida [Mr. ROGERS] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ROGERS of Florida. Mr. Chairman, I rise in support of this legislation. The bill, H.R. 6016, contains an additional monetary authorization for the Central and Southern Flood Control District in the amount of $21 million. This increase is needed in order that this project, originally authorized in 1948, can keep pace with the rapidly increasing population and economy of the 18-county area which it covers.

Available monetary authorization for the Central and Southern Florida Flood Control District presently total $106,300,000, while appropriations available through June 30 of this year total $95,373,000, leaving a monetary authorization of $10,927,000. However, the Bureau of the Budget has recommended that $14,000,000 be appropriated for the flood control district for fiscal year 1964. Appropriations in this level would leave a deficit of over $3 million unless there is an increase in the monetary authorization for the project.

Mr. Chairman, the area covered by the Central and Southern Florida Flood Control District holds some 29 percent of the population of the State of Florida. In 1950, the population within the project numbered approximately 800,000. As of June 30, 1962, the population figures had risen to over 2 million, and these figures are rising even today.

This growth was not envisioned when the project was first authorized in 1948. Each subsequent authorization act containing additional authorizations for the project have attempted to provide adequate levels for the project, but growth within the project has been too rapid.

The 1963 session of the Florida Legislature has just appropriated some $10 million to match Federal appropriations for the project through fiscal years 1964 and 1965. At the same time the Central and Southern Florida Flood Control District is able to provide an annual sum of approximately $5.5 million to fulfill its responsibilities in the project.

Therefore, Mr. Chairman, because of the growth and expansion of the area covered by the project, and because local and State interests are able to continue to fulfill their responsibilities, I urge that the Congress again recognize the merits of this project by enacting this legislation.

Mr. JONES of Alabama. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. Does the gentleman from California have additional requests for time?

Mr. BALDWIN. No, Mr. Chairman.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the monetary authorizations for the following river basin plans, under the jurisdiction of the Secretary of the Army, are hereby increased as follows:

WEST BRANCH SUSQUEHANNA RIVER BASIN

An additional sum of $2,000,000 for the prosecution of the comprehensive plan for flood control and other purposes in the West Branch of the Susquehanna River Basin, authorized by the Flood Control Act of September 3, 1954.

CENTRAL AND SOUTHERN FLORIDA

An additional sum of $21,000,000 for the prosecution of the comprehensive plan for flood control and other purposes in central and southern Florida, authorized by the Food Control Act of June 30, 1948, as amended and supplemented.

BRAZOS RIVER BASIN

An additional sum of $30,000,000 for the prosecution of the comprehensive plan for flood control and other purposes in the Brazos River Basin, authorized by the Flood Control Act of September 3, 1954, as amended and supplemented.

ARKANSAS RIVER BASIN

An additional sum of $8,000,000 for the prosecution of the comprehensive plan for flood control and other purposes in the Arkansas River Basin, authorized by the Flood Control Act of June 28, 1938, as amended and supplemented.

WHITE RIVER BASIN

An additional sum of $8,000,000 for the prosecution of the comprehensive plan for flood control and other purposes in the White River Basin, Arkansas and Missouri, authorized by the Flood Control Act of June 28, 1938, as amended and supplemented.

MISSOURI RIVER BASIN

An additional sum of $80,000,000 for the prosecution of the comprehensive plan for flood control and other purposes in the Missouri River Basin, authorized by the Flood Control Act of June 28, 1938, as amended and supplemented.

OHIO RIVER BASIN

An additional sum of $150,000,000 for the prosecution of the comprehensive plan for flood control and other purposes in the Ohio River Basin, authorized by the Flood Control Act of June 22, 1936, as amended and supplemented.

UPPER MISSISSIPPI RIVER BASIN

An additional sum of $11,000,000 for the prosecution of the comprehensive plan for flood control and other purposes in the Upper Mississippi River Basin, authorized by the Flood Control Act of June 28, 1938, as amended and supplemented.

LOS ANGELES-SAN GABRIEL RIVER BASIN

An additional sum of $30,000,000 for the prosecution of the comprehensive plan for flood control and other purposes in the Los Angeles River Basin authorized by the Flood Control Act of August 18, 1941, as amended and supplemented.

COLUMBIA RIVER BASIN

An additional sum of $195,000,000 for the projects and plans for the Columbia River Basin, including the Willamette River Basin, authorized by the Flood Control Acts of June 28, 1938, August 18, 1941, December 22, 1944, July 24, 1946, May 17, 1950, September 3, 1954, July 3, 1958, July 14, 1960, and October 23, 1962.

Mr. JONES of Alabama (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ASPINALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ASPINALL of Colorado: Page 4, after line 2 add a new section reading as follows:

"SEC. 2. In addition to previous authorizations, there is hereby authorized to be appropriated the sum of $100,000,000 for the prosecution of the comprehensive plan adopted by section 9(a) of the Act approved December 22, 1944 (Public Law Numbered 534, Seventy-eighth Congress), as amended and supplemented by subsequent Acts of Congress, for continuing the works in the Missouri River Basin authorized to be undertaken under said plan by the Secretary of the Interior: *Provided,* That no part of the funds authorized to be appropriated by this section shall be available to initiate construction of any unit of the Missouri River Basin project, whether included in said comprehensive plan or not, which is not hereafter authorized by Act of Congress."

Mr. ASPINALL. Mr. Chairman, the amendment which I have offered will continue a procedure we have followed since 1944 in providing for the authorization of funds for the Missouri River Basin project.

H.R. 6016 authorizes additional appropriations for continuing construction work by the Corps of Engineers in certain river basins. One of these basins is the Missouri River Basin. The amendment which I have offered authorizes additional appropriations for the Department of the Interior to continue its reclamation construction program in the Missouri River Basin. The work of both the Corps of Engineers and the Bureau of Reclamation in the Missouri River Basin is on a single comprehensive, coordinated project.

The Missouri River Basin project was authorized by the Flood Control Act of 1944. Construction work was divided between the Corps of Engineers and the Bureau of Reclamation in the Department of the Interior. The 1944 act did not authorize a sufficient amount to complete the entire project. It authorized $200 million to initiate the Corps' portion of the project and $200 million to initiate Interior's portion of the project. Therefore, it has been necessary to increase the limitation on authorizations from time to time for both the Corps of Engineers and the Department of the Interior. The authorizations for the Department of the Interior subsequent to the 1944 act have increased the amount authorized to be appropriated to $810 million.

In previous years, these increases in the limitation on authorizations for the Department of the Interior have been taken care of in an omnibus rivers and harbors bill along with the increases to the Corps of Engineers.

In this Congress, the Department of the Interior recommended to Congress legislation to authorize the additional appropriations needed for continuing the Department's program in the Missouri Basin. This legislation was referred to the Interior and Insular Affairs Committee and was introduced as H.R. 5312. H.R. 5312 was studied by the Interior and Insular Affairs Committee and reported favorably with certain amendments. At the time the committee favorably reported H.R. 5312, it also authorized me to offer the language of H.R. 5312 as an amendment to H.R. 6016. While the responsibility for Interior's program rests with the Interior and Insular Affairs Committee, it seemed desirable to continue the same procedure followed heretofore with respect to authorizing legislation and include in one bill the authority for additional appropriations to both the Corps of Engineers and the Department of the Interior. Neither the Public Works Committee nor the Rules Committee raised objection to this procedure. Therefore, I have offered the amendment.

Briefly, the amendment will permit the Department of the Interior to continue its reclamation construction program in the Missouri Basin without interruption. The additional amount that would be authorized to be appropriated is $100 million. This amount will meet the estimated fund requirements of the Department of the Interior for the Missouri River Basin project for fiscal years 1964 and 1965. This additional money can be used for "going" construction work only. It cannot be used to start construction of new units in the Missouri Basin.

It might be well to have some understanding of the definition of "unit." The term "unit of the Missouri River Basin project," as used in H.R. 5312, has the same meaning as "unit of the Missouri River Basin project" as used in the comprehensive plan for development of the Missouri River Basin authorized in 1944, as modified and brought up-to-date since the original authorization. In other words, as used in the bill the word "unit" refers to all those units included and named in the comprehensive plan. To make it even more specific, it should perhaps be stated this way. At the present time, 58 of the units which were described in the comprehensive plan authorized in 1944 have been constructed or are under construction. Forty additional units included in the original comprehensive plan have either been constructed by non-Federal agencies, inundated by mainstem flood control reservoirs, or are otherwise not possible of development. An additional 69 units of the original group have been determined to be either physically or financially infeasible. There are 20 units of the original group on which the Department has determined that reauthorization is necessary. There are bills in the Congress at the present time on several of these 20 units. There remain 142 units in the Interior Department's portion of the comprehensive plan for the Missouri Basin on which determinations have not yet been made. The language in H.R. 5312 says, in effect, that none of these 142 units will be constructed without reauthorization by the Congress. As for individual power transmission lines they are authorized as a part of a particular unit. In other words, when a power unit is authorized it carries with it the authorization for transmission lines to integrate the power capacity into the power system.

Mr. CHENOWETH. Mr. Chairman, will the gentleman yield?

Mr. ASPINALL. I yield to my colleague from Colorado.

Mr. CHENOWETH. Mr. Chairman, I would like to state to the distinguished Chairman of the Committee that we have no objection, on this side, to the amendment. We are in full accord and give it our full support.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Alabama.

Mr. JONES of Alabama. Mr. Chairman, we accept the amendment.

Mr. HOSMER. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I rise in support of the amendment. If we pass it, we will not have to take up the next bill because it takes care of the same thing. That will be of considerable help. But I did not want to get any further into this multi-multimillion-dollar authorization without rising in some sort of protest on behalf of the poor taxpayer who must, over the years, year after year, bear the beastly burden of these projects, some of which keep the ocean from flooding into Florida and others keep the rivers from flooding other areas and causing damage. Therefore, they serve a useful purpose. But there are additional numbers of them that serve simply to add kilowatts to the Federal capacity, at the expense of every American citizen and to the derogation of the tax collectors of the Federal, State, and local governments, to socialize the power industry of the United States of America and embark us upon the dark journey into the experiments of the old world from which there is no safe return.

I think it is incumbent upon the Secretary of the Interior, I think it is incumbent upon the other agency and department heads of the Federal Government, and I think it is incumbent upon the President of the United States to give the American people some reasonable explanation of where in the world we are going in this public power program.

We have the Bureau of Reclamation, we have the Army Engineers, we have generating facilities, we have transmission facilities, we have the Rural Electrification Administration, we have heaven knows what other functions inside the Government which are taking a little piece and a part and another bite of kilowatts to add up into some kind of, I suspect, a rather well planned pattern here in Washington eventually to dominate the power resources of the United States of America in complete accord with Fabian Socialist theories.

In a very few years there will be linked together all of the power resources of the United States of America into one gigantic national grid and that grid will, because of its massive overall coverage of the 48 continental United States, at least, give whoever controls it a very substantial control of the economy of our country.

Today we find that already there is a fight for control of that grid going on, not between the Federal power people and the private power people but among the Federal people in the Government itself. The Bureau of Reclamation and the Federal Power Commission are beginning today to get into a squabble as to which one of the two is going to control this.

I point these things out. I realize it is rather futile to do so. I do not think any demand from this floor is going to bring a reply from those who occupy the back rooms of these agencies and bureaus downtown, who sit in conspiracy, I believe, with each other to bring about this pattern of Federal kilowatts, who manipulate those who may be the agency heads and department secretaries out in front according to whoever the temporary occupant of the chair is, but the power is in the hands of those attempting this conspiracy.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado [Mr. ASPINALL].

The amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. LANDRUM, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 6016) authorizing additional appropriations for prosecution of projects in certain river basin plans for flood control, navigation, and other purposes, pursuant to House Resolution 411, he reported the bill back to the House with an amendment, adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

The SPEAKER. Without objection the resolution, House Resolution 409, will be laid on the table.

There was no objection.

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, this bill carries with it renewed evidence of the strong support which this body continues to give to the Arkansas River multipurpose development program.

I deeply appreciate the overwhelming vote of confidence in this great water program, which means so much to the future of my State and to our sister States of Arkansas and Kansas.

Funds invested in this great undertaking are indeed an investment in the future of America, and will assure the continued growth of the great Southwest, and the constructive harnessing of the tremendous water resources of our area.

THREE-YEAR SUSPENSION OF RESTRICTIONS ON WITHDRAWAL FROM TREASURY OF POSTAL APPROPRIATIONS

Mr. MURRAY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 5795, to repeal the provisions of law relating to the fixing by the Postmaster General, with the consent of the Interstate Commerce Commission, of rates of postage on fourth-class mail, and for other purposes.

The SPEAKER. The question is on the motion of the gentleman from Tennessee [Mr. MURRAY].

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 5795, with Mr. LANDRUM in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Tennessee [Mr. MURRAY] will be recognized for 1 hour and the gentleman from Pennsylvania [Mr. CORBETT] will be recognized for 1 hour.

The Chair recognizes the gentleman from Tennessee [Mr. MURRAY].

Mr. MURRAY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, H.R. 5795, as reported by your Post Office and Civil Service Committee, is urgently needed legislation which should receive the overwhelming approval of this House. The bill was reported unanimously.

Final approval of this legislation by June 30, 1963—that is, next Sunday—is essential to permit the Postmaster General to draw funds from the Treasury for operation of the postal establishment.

The Post Office Department faces a critical situation at this time because of the heavy deficits which are being incurred in the fourth-class mail operation. The fourth-class mail matter involved consists of parcel post and catalogs. In summary, unless suitable legislation, such as H.R. 5795, is enacted into law by June 30, 1963, the Postmaster General will be prohibited by law from withdrawing funds from the Treasury to carry on any postal service.

This condition arises because of certain mandates imposed by law on the Postmaster General. The Postmaster General is directed, by the act of July 28, 1916, as amended, to reform rates, sizes, and weights, and other conditions of mailability of fourth-class mail matters whenever he finds on experience that costs of such service will exceed revenues on a permanent basis. Fourth-class mail matter when that law was passed consisted, in general, of all mail matter not included in first-, second-, or third-class mail. During the ensuing years, however, the Congress has, by law, provided special rates for a number of categories of fourth-class mail, such as mail for the blind, books and educational materials, library books and materials, and controlled circulation publications. As a result, to all intents and purposes the authority and responsibility contained in the 1916 act, as amended, now applies only to the residual fourth-class matter for which the Congress has not provided special rates—that is, zone rate parcels and catalogs.

The 1916 act was not in fact carried out for a number of years until enactment of a limitation in chapter IV of the Supplemental Appropriation Act, 1951. The limitation in that act prohibited the withdrawal from the Treasury of any funds for postal operations unless the Postmaster General shall have certified that he has petitioned the Interstate Commerce Commission for reformations, as provided by the 1916 act, which will assure that fourth-class mail expenses do not exceed revenues therefrom. The limitation was relaxed somewhat by section 213 of the Postal Rate Increase Act, 1958, which permits variations not in excess of 4 percent between fourth-class revenues and expenses.

The official financial records of the Post Office Department disclose that revenues from parcel post and catalogs for the fiscal year ended June 30, 1962, amounted to $594.7 million, compared to expenses in the amount of $741.2 million, or a net deficit of $146.5 million. This calculation is made after exclusion of the "public service allowance" provided for by the Postal Rate Increase Act, 1958, as amended by Public Law 87–793.

The parcel post deficit has been growing larger each year, as volume decreases. For the fiscal year 1961, revenues totaled $596 million, compared to expenses in the amount of $717.6 million, or a net deficit of $121.6 million, representing a 20.4-percent loss. For the fiscal year 1960, revenues were $634.9 million, expenses were $723.9 million, and the deficit was $89 million, or a 14-percent loss.

The excess of parcel post and catalog expenses over revenues for the fiscal year 1962 represents a 24.6-percent loss—or six times as great as the 4-percent loss permitted by the appropriation limitation. Under the law, therefore, in the light of these serious deficits, consideration twice was given by the Postmaster General to a petition before the Interstate Commerce Commission for rate increases which might meet the 4-percent limitation.

The consideration of such possible rate increases demonstrated, and the Postmaster General so informed the committee, that any such monumental increases would, in practice, be self-defeating. Parcel post volume has been declining in recent years even under the present rate structure, and experience with past rate increases clearly shows that the decline would be materially accelerated by a heavy new rate increase. Moreover, such a further loss in volume would mean even greater revenue losses, since rate increases tend to adversely affect parcel post traffic in the heavier and larger packages, on which there is little or no loss—or even some profit—while having a lesser effect on the parcel post service in smaller and lighter weight packages which historically have been loss operations.

Accordingly, the Postmaster General testified, in substance, that a request for excessive fourth-class rate increases would be a complete contradiction in that it would aggravate, rather than improve, the existing deficit situation in parcel post and catalogs. In consequence, it is clear that the present statutory limitations on the Postmaster General in effect call upon him to perform an impossibility, and will deny him funds for all postal activities because he cannot perform the impossible.

The committee bill before you affords the Postmaster General essential relief so that he can meet the immediate emergency and continue to draw needed funds from the Treasury for postal operations. This is accomplished by a suspension, for a 3-year period, of the 4-percent limitation in the Supplemental Appropriation Act, 1951, as amended. This also will allow the Post Office and Civil Service Committees, and the Congress, an adequate period of time to thoroughly review and analyze fourth-class operations and develop a sound and lasting policy with respect to the cost-revenue limitations and the postal rate structure for such operations.

The Post Office and Civil Service Committee conducted exhaustive hearings on this very important legislation and, after completing the hearings, met for 2 days in executive session to reach unanimous agreement on the reported bill. I should like to take this opportunity to commend all members of our committee for their diligence and cooperation in working out a solution to this very urgent problem.

I hope that this legislation will be approved by the House, and have been assured that a House-passed bill will receive very prompt consideration in the other body, so that it may become law within the very limited time remaining before the end of the fiscal year.

Mr. CORBETT. Mr. Chairman, I yield myself such time as I may desire.

Mr. Chairman, the bill before us comes under the head of a high necessity. As the situation exists, the Postmaster General must by June 30 of this year certify he has sought rate increases in parcel post sufficient to bring the revenue from parcel post handling to within 4 percent of the total cost of handling the parcels. This, the Postmaster General has testified, is impossible, because of the operation of the law of diminishing returns.

The history of rate increases in parcel post over recent years shows very clearly that as the parcel post rates have gone up, the parcel post business is forced into other media of transportation, carriage, or delivery, or it ceases to exist.

The net effect is that if the Postmaster General tries to comply with the law by raising the rates, he has in recent years caused a decrease in total revenue; hence he is further away from his goal and further away from obeying the law than if he might have cut the rates.

Consequently, after much in the way of hearings, and much testimony, and after 2 days of executive sessions, it was decided by the committee to suspend the operation of this 4-percent law for a period of 3 years. This was done and it was passed out of the committee by a 24-to-nothing vote in order to give the Postmaster General, his Department, the Interstate Commerce Commission, our committee, and the Congress, the time to try to find some solution to this problem. It is going to be difficult in any case to do it within this period of time because there are going to have to be requests made by the Postmaster General to the Interstate Commerce Commission. They are going to have to have hearings and make a decision and then there will have to be a period of experimentation under these new rates that may be agreed on. Consequently for a period of time here nobody is sufficiently an expert to determine what these rates shall be for the benefit of the country, the users of the mails, and the receivers of parcels.

So, Mr. Chairman, and members of the committee, I sincerely urge that this bill be passed and moved along to the Senate because it must be signed into law by June 30, and it is a sound piece of legislation.

Mr. MURRAY. Mr. Chairman, I yield 5 minutes to the gentleman from Louisiana [Mr. MORRISON].

Mr. MORRISON. Mr. Chairman, I join with the remarks of the distinguished chairman and the distinguished ranking minority member of our committee to say that this is a compromise piece of legislation that will give a 3-year moratorium. I think in that 3 years, the Postmaster General will be able to work out many problems as far as rates are concerned on parcel post with the Interstate Commerce Commission, and to perform all of the necessary details that are required in order to obtain the data and information necessary to present this matter to the Interstate Commerce Commission.

I would say that I do not believe on this compromise that passed unanimously out of our committee that there was one vote against this bill which is now before us. As I see it, the only issue that will develop here this afternoon is that there will be an amendment made, or offered at least, by a Member of this House who is not a member of the committee, asking that the period be shortened to 2½ years instead of the 3 years as provided for in the bill now before us. In other words, it is going to be an issue as to whether you go along with the committee that passed it unanimously for a 3-year period or whether you are going to shorten it to 2½ years, which the Postmaster General says he does not want and which the rural mail carriers say they do not want, and which the letter carriers and other postal workers say they do not want. These people who run the Post Office Department, from the Postmaster General on down, want the 3 years and not the 2½ years. So it is a question of whether you are going to stay with the unanimous decision of the committee, after they have met for weeks, and then met in executive session and heard the Postmaster General who came in from time to time, and heard the very Member who will introduce the amendment as well as all other interested persons. The committee voted out unanimously with a bill which is before this Committee now.

I would like at this time to take just a minute or two to read a telegram I received from the president of the National Rural Letter Carriers Association:

JUNE 21, 1963.

Hon. JAMES H. MORRISON,
House Office Building,
Washington, D.C.:

A sound parcel post system is vital to 35 million rural patrons and 200,000 small businesses served by rural delivery. Respectfully urge your support for H.R. 5795 without amendments as unanimously reported by House Post Office and Civil Service Committee.

MAX H. JORDAN,
President,
National Rural Letter Carriers Association.

I have another telegram reading as follows:

JUNE 24, 1963.

Hon. JAMES H. MORRISON,
House Office Building,
Washington, D.C.:

On behalf of 165,000 members of National Association of Letter Carriers I urge you to support H.R. 5795 as reported by committee without amendment.

JEROME J. KEATING,
President,
National Association of Letter Carriers.

Then I received this letter today from the Postmaster General.

JUNE 24, 1963.

Hon. JAMES H. MORRISON,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: Several members of the House Post Office and Civil Service Committee have asked me my reaction to the bill on parcel post which was voted out by the committee on June 13 with provision for a 3-year moratorium until June 30, 1966.

I have advised each of them that I feel the bill as amended with a 3-year moratorium represents a very constructive approach to making possible consideration of a long-term solution of the parcel post problem and that I hope that the House will pass the bill without any further amendments.

Best wishes.
Sincerely,

J. EDWARD DAY,
Postmaster General.

It is my understanding that one reason for offering this amendment to shorten the time is that it will come up, in an election year with this 3-year moratorium. This Congress handled increases of postage rates on first-, second-, and third-class matter in an election year. There is no reason why Congress cannot handle this matter if it comes before us in an election year, 3 years from now.

Frankly, as far as I am concerned, I favor the arguments made for a 3-year moratorium and I favor the passage of this bill without any amendments.

Mr. CORBETT. Mr. Chairman, I yield such time as he may require to the gentleman from Virginia [Mr. BROYHILL].

Mr. BROYHILL of Virginia. Mr. Chairman, I rise in support of the legislation, H.R. 5795, a bill to provide a 3-year suspension of certain restrictions in the Supplemental Appropriation Act, 1951, on the withdrawal from the Treasury of postal appropriations which was approved unanimously by the Committee on Post Office and Civil Service. I subscribe to the statements made by our distinguished chairman, the gentleman from Tennessee [Mr. TOM MURRAY], and the distinguished ranking minority member, the gentleman from Pennsylvania [Mr. CORBETT], on the grounds that this legislation affords temporary relief for the Postmaster General in an area which requires additional careful and deliberate study.

The Postmaster General requested favorable action on legislation which would have returned to the Congress fourth-class ratefixing responsibilities and would have repealed the 1951 amendment to the Supplemental Appropriation Act which was sponsored by our distinguished colleague, the gentleman from Virginia [Mr. GARY]. The effect of this amendment, as amended in 1958, requires the Postmaster General to certify to the Treasury Department that he has asked the Interstate Commerce Commission for fourth-class rate increases to provide that revenues from fourth-class mail are within 4 percent of the total cost of handling such mail before the Postmaster General is able to use funds appropriated for the fiscal year beginning July 1, 1963—which is only a week away.

During the comprehensive hearings on this matter, strong opposition developed from private enterprise to the Postmaster General's bill, as introduced, and when the committee met in executive session a deadlock developed and each proposal which was offered was defeated except the language in the bill as amended by the committee and now under consideration.

I shall not burden the Members with a lengthy discussion concerning the history of this legislation dealing with fourth-class mail except to say that the parcel post law was enacted about 50 years ago to provide a small parcel transportation service in an area where private enterprise could not adequately serve the needs of the general public. There was no intention at that time for parcel post to become competitive with private enterprise. Later the Congress determined that fourth-class mail should pay its way and in 1958 the 4 percent tolerance band was approved.

From 1951 to 1961 the two Postmasters General who served during that 10-year period complied with the law and from time to time submitted parcel post rate increases to the Interstate Commerce Commission which were approved and which did provide sufficient revenues in fourth-class mail to come within the 4 percent tolerance band. In April 1961, however, the present Postmaster General determined that it was necessary to propose size and weight changes in parcel post along with a proposed rate increase to the Interstate Commerce Commission. After a lengthy legal tangle the Federal courts decided that the Postmaster General did not have authority to change the size and weight limits of parcel post since that authority was vested exclusively in the Congress.

From the time the Postmaster General originally submitted his fourth-class rates and size and weight changes to the Interstate Commerce Commission, the annual deficit in fourth-class mail rose from about $86 million to approximately $146 million where it is today. Then, when the Postmaster General was confronted with raising fourth-class rates this year he determined administratively that the rates which he would be required to request would be so high that the law of diminishing returns would result in loss of parcel post volume, which in turn would create a larger deficit. I am not going to judge whether the Postmaster General was right or was wrong in this matter. This was an administrative decision with which men of good will have disagreed and they are entitled to their opinion just as the Postmaster General is entitled to his. The fact that in April 1961 when he made his original fourth-class rate proposal, the Postmaster General could have requested a moderate rate increase in compliance with the law is something which unfortunately we have no way to alter at this time. Two years have passed and the fact is that the Postmaster General is faced with what he declares to be an emergency situation.

Apparently, he decided in April of this year to come to the Congress for relief and on April 23 the distinguished chairman of our committee introduced legislation requested by the Postmaster General which as I have explained was rejected by the committee.

In my opinion, since April 23 the committee has not had sufficient time to consider this serious problem with the careful measure of attention to which it is entitled. In my opinion, there are many unanswered questions. Thus, rather than take drastic and precipitous action in an area where there is violent disagreement between certain segments of private enterprise and the Postmaster General, I believe that the wisest course is to establish a moratorium as was agreed to by the committee and approved in this legislation which is before this body today.

It is my understanding that an amendment will be proposed to reduce the 3-year moratorium to a 2-year or 2½-year moratorium. I do not seriously object to this kind of amendment since I believe that this important problem should be and can be resolved in the next 2 to 3 years.

It would be my earnest hope that in resolving this question our committee and the Congress will seek the views of all segments of private industry, consider the rights of the general public who experienced a recent rate increase in all other classes of mail and who are now paying for the $146 million deficit in fourth-class mail and finally weigh seriously the views of the Post Office Department.

In my opinion, one of the primary reasons this legislation which was originally proposed by the Postmaster General did not receive the approval of our committee was the fact that it provided for returning to the Congress the rate-fixing authority in fourth-class—parcel post—mail. I am unconvinced at the present time that this rate-fixing authority should be returned to the Congress and the fact that the committee was unable to agree on anything more than a 3-year moratorium on this matter is evident of the fact that it cannot deal effectively and expeditiously with matters of this kind. I would hope that this entire fourth-class mail rate-fixing authority would stay out of the realm of politics.

Mr. Chairman, if the Members read the 359 pages of the hearings on this bill, I think they would be convinced that this bill is the best possible solution which could have been achieved in the short space of time in which we have had to consider this problem. To overturn a 50-year-old precedent in favor of untried and questionable new procedures requires more than a few days' deliberation.

I urge my colleagues to support the bill as approved by our committee as the only sensible approach to this matter at this time.

Mr. CORBETT. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan [Mr. JOHANSEN].

Mr. JOHANSEN. Mr. Chairman, I rise in support of H.R. 5795. On the opening day of the hearings on this legislation I offered the analogy that we have a situation with respect to parcel post and parcel post rates comparable to that of a house that needs some repairs to its foundation but concurrently has a fire in the attic. The fire in the attic is represented by the June 30 deadline which has been explained by the gentlemen of the Committee who have preceded me. It seemed to me during the hearings and during the debate in committee that it was unwise to attempt greatly to alter, to change the foundation of the structure under the limitations of time and under the pressures involved in this deadline—the fire in the attic.

The action taken unanimously by the committee makes it possible to deal with the immediate emergency and it provides abundant time for the committee to address itself to the matter of the foundation of parcel post rates and related policies.

In that connection I quote from the report of the committee:

> This relief, through temporary suspension of the statutory limitation on withdrawal of

> funds from the Treasury, will have the great value of substantially maintaining the status quo in parcel post operations until the Congress can complete a thorough study of the entire parcel post operation and arrive at an appropriate decision with respect to parcel post cost revenue relationships, methods of adjusting parcel post rates, and other pertinent related matters.

I hope that the Committee and the House will approve the bill as reported out by the committee.

Mr. MURRAY. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia [Mr. Gary].

Mr. GARY. Mr. Chairman, I rise in support of the bill H.R. 5795. I think, however, what this bill does ought to be explained.

When the Congress in its wisdom initiated the parcel post law, it realized that for the first time the Post Office Department was getting into competition with free enterprise and, therefore, it put in the bill a requirement that the Postmaster General should fix such weights, sizes, and rates as were necessary to make the service self-sustaining. In my judgment, the reason for that provision was that the Congress did not want the Government of the United States to compete unfairly with private enterprise.

That provision remained in the law for a long period of time, and no postmaster general ever paid any attention to it. I remember when Postmaster General Donaldson came before our Appropriations Subcommittee in 1950 he was asking the Congress to increase the parcel post rates, with other rates. I asked him why he did not increase them himself. He said that the Congress ought to do it. I said, "You have no choice in the matter. This is a mandatory provision, and it says you must do it." He replied that he was not going to do it. So we simply put a provision in the appropriation bill that he could not withdraw any money from the Treasury until he had done what the law required him to do. Since that time the postmaster general has fixed these rates, subject to approval by the Interstate Commerce Commission, as required by law, and parcel post has been kept on a self-sustaining basis.

There have subsequently been some changes by the Congress in the provisions regulating the sizes and weights of packages. Now the Postmaster General says he can no longer fix rates that will be self-sustaining. Frankly, I think he is correct. What this law does is merely to suspend until June 30, 1966, that provision in the law which prevents him from withdrawing money from the Treasury unless he fixes rates to make parcel post self-sustaining.

The fixing of rates is a very complicated and controversial matter. I appeared before the Post Office and Civil Service Committee. I testified that I did not believe the Postmaster General could work out a solution by July 1, the date he must have his money from the Treasury. I suggested a temporary delay to give the committee and the Post Office Department an opportunity to study the problem and work out a solution. But it does not require 3 years to make a study of that kind. It can be done in much less than 3 years.

In all this talk about a unanimous report of the committee, I have been told by members of the committee that this 3-year provision was a mistake; they intended to make it 2 years. The person who offered the motion told me he made a mistake in fixing the date. He intended to make it 2 years. This bill would bring a recommended solution of the problem. This would bring it up on June 30, to the floor in 1966, during an election year, when everybody would be subject to various pressures, and you would have more difficulty in giving the matter serious and proper consideration. It is my intention to offer an amendment to change the date to December 31, 1965, simply move it up 6 months. That would certainly give plenty of time to make a study and yet will bring it up in an off-election year. In my judgment, it would help the bill and we would get better results from the study and better results so far as action on it is concerned when it comes before the Congress again.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. GARY. I am glad to yield to the gentleman.

Mr. JENSEN. This bill is a very simple bill.

Mr. GARY. Yes, it is unusually simple.

Mr. JENSEN. And the bill simply provides for an investigation into the possibility of changing this procedure. But would the gentleman explain just what this bill does?

Mr. GARY. It simply grants the Postmaster General temporary relief for 3 years from an existing statutory requirement that the Postmaster General cannot withdraw operating funds from the Treasury unless he fixes rates to make parcel post self-sustaining. The idea is that this is simply extended to give the committee and the Post Office Department an opportunity to study this problem and work out a solution. When they come back any recommendation is going to be complicated and controversial. My suggestion is that they could work out a solution much better in an off-election year than during an election year.

Mr. JENSEN. In the meantime then, as I understand it, the Postmaster General will not have the authority to change weights and measurements.

Mr. GARY. He does not have that authority now under the law.

Mr. JENSEN. He does not have that authority now?

Mr. GARY. That is correct.

Mr. JENSEN. In other words, it will be left as it is?

Mr. GARY. He can change the rates subject to the approval of the Interstate Commerce Commission.

Mr. JENSEN. And he does not have to come to the Congress for permission to do that?

Mr. GARY. No.

Mr. JENSEN. That is a pretty broad authority; is it not?

Mr. GARY. He has had that authority since the parcel post law was first enacted.

Mr. JENSEN. That is one of these gimmicks that circumvents the Congress of the United States.

Mr. GARY. But he has to do it subject to the approval of the Interstate Commerce Commission and he is required to fix rates that will make the service self-sustaining—that is the purpose of it.

Mr. CORBETT. Mr. Chairman, I yield 5 minutes to the gentleman from Nebraska [Mr. Cunningham].

Mr. CUNNINGHAM. Mr. Chairman, this is a simple bill. It was not simple when it was sent down from the Department. What the original bill did was to change the law so that fourth-class parcel post rates would be determined by the committees of the Congress and this would be different from the present law which says that the Postmaster General shall propose increases in parcel post rates and they shall be subject to the approval of the Interstate Commerce Commission. There is nothing more technical and harder to understand than postage rates. I think we can all understand first-class rates—that is the rate applying to the letters that we use so often. But when you get into second-class and third-class rates for magazines, newspapers, catalogs, advertising mail and so on, and including the zone rates and all that sort of thing, there are very few of us who really are in a position to make a determination as to what those rates should be. We have never in our committee, therefore, set fourth-class parcel post rates in recent years. The reason for this is that it is such a technical business when you get into the business of regulating transportation rates for the transportation of parcels or anything else which is a very highly technical field as any member of the Committee on Interstate and Foreign Commerce will recognize.

I also happen to be a member of that committee, and we know how technical it is when you set transportation rates. If this Congress did ever take on the responsibility of setting fourth-class parcel post rates it would take on a real headache. So I was opposed to the original bill.

Mr. Chairman, another thing to which I was opposed was any change in the size and weight limits because parcel post serves a very useful purpose. However, there are people in private industry who employ thousands of people who make a living in the delivery of parcels. This includes the Railway Express and other private parcel delivery companies. Incidentally, the legislation is vigorously opposed by all of the Railway Brotherhoods and by the National Labor Railway Executive Association.

Mr. Chairman, the bill in its original form was opposed vigorously by the Teamsters Union. So, there are many members of organized labor who have been opposed to this legislation all along, because lurking back in the background is the possibility that the Congress, if this law were changed in its original form, would be subjected to some influences that would cause the Congress to increase the size and weights of these parcels. In that event it would mean the ruination of all those people who are making their living in the field of transporting these parcels in private business.

Mr. Chairman, there is a very great fear on the part of many of us that this legislation in its original form may eventually lead to a relaxation of the size and weight limits. The Postmaster General has said he did not plan to increase the size and weight limits.

Mr. Chairman, I would like to ask the chairman of the full committee, the distinguished gentleman from Tennessee [Mr. MURRAY] if it is not the gentleman's understanding that this legislation will not lead to an increase in the size and weights of these parcel post parcels within the parcel post system?

Mr. MURRAY. Mr. Chairman, if the gentleman will yield, I think the gentleman is entirely correct. It has no effect on the weight and size limits.

Mr. CUNNINGHAM. Did the gentleman receive any assurance from the Postmaster General that he would not propose a change in the law as to increasing the sizes and weights?

Mr. MURRAY. The Postmaster General said he had no plans to ask for any change in the size and weights.

Mr. CUNNINGHAM. Would the ranking minority Member, the gentleman from Pennsylvania [Mr. CORBETT], give me his views as to whether he has had any assurance from the Postmaster General or has noted any pronouncements of the Postmaster General to the effect that he would not increase size and weights in spite of this legislation?

Mr. CORBETT. If the gentleman will yield, I was not able to hear the gentleman's question clearly. But if it was did I have any assurance from the Postmaster General I can tell the gentleman I have had no such assurance.

Mr. CUNNINGHAM. Does the gentleman recall any testimony during the hearings as to this matter of increasing the size and weights?

Mr. CORBETT. I believe that I was present at all of the hearings most of the time, and I heard no testimony that I can recall that the Postmaster General was going to try to change sizes and weights.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. CORBETT. Mr. Chairman, I yield 2 additional minutes to the gentleman from Nebraska.

Mr. DANIELS. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. Yes, I yield to the gentleman from New Jersey.

Mr. DANIELS. I recall specifically asking Assistant Postmaster General Belen the question that you have just asked of the gentleman in charge of the management of this bill, and he said that he not only spoke for himself but he spoke for the Postmaster General himself, and the Postmaster General stated he did not intend to ask the Congress for an increase in size and weight. In fact, the Postmaster General himself subsequently appeared and made the same statement.

Mr. CUNNINGHAM. That was my understanding. I wanted to have the members of the committee who were there to make these observations as a part of the legislative history.

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman from Michigan.

Mr. JOHANSEN. I agree with the gentleman from New Jersey. I would state categorically that I recall such assurance from Mr. Belen.

I also direct attention to the statement in the letter addressed to the distinguished chairman of the committee from the Postmaster General which appears on page 6 of the report in which he said as follows:

> I do not plan to propose any change in that law nor in the size and weight limits.

Mr. CUNNINGHAM. I thank the gentleman from Michigan. That is the thing which concerns me a great deal, because if there is an attempt to increase the size and weights, then if they should be successful you will see the end of literally hundreds of thousands of jobs in private industry because they cannot compete with subsidized rates in the parcel post system. That is the reason why organized labor, involving all of the railroad brotherhoods, have been opposed to this legislation in its original form.

Mr. GARY. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman from Virginia.

Mr. GARY. That is one of the problems that might come up after the expiration date. That is one reason I am suggesting that it ought to be considered calmly and quietly in an off-year election rather than come up in an election year where there would be pressure brought to bear on various sides.

Mr. CUNNINGHAM. I agree with the gentleman from Virginia, and I plan to support his amendment.

Mr. MURRAY. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina [Mr. HENDERSON].

Mr. HENDERSON. Mr. Chairman, without taking up too much time with the Committee, I would like to point out two things.

All of the speakers have agreed on the necessity for this legislation. Second, I do not think we ought to overlook the importance of passing this legislation this afternoon, in order that the other body may act on this bill and the President may sign it into law before the expiration date of June 30.

This is important legislation in connection with the operation of the Post Office Department and the functions of the Postmaster General.

Mr. Chairman, H.R. 5795, as reported by the Post Office and Civil Service Committee, warrants the strong support of the Members of the House. The bill is reported on a unanimous vote of our committee members, after very thorough hearings during the period May 2 to June 5, followed by two executive sessions on successive days to reach final agreement.

As our distinguished committee chairman, the gentleman from Tennessee [Mr. MURRAY], has so ably demonstrated, the Post Office Department faces a critical situation. Unless this bill becomes law by June 30 of this year, the Postmaster General will be denied any funds to operate the Postal Establishment because of a limitation in the Supplemental Appropriation Act of 1951, as amended.

That limitation prohibits the withdrawal from the Treasury of any money for postal operations unless the Postmaster General shall have first certified that he has petitioned the Interstate Commerce Commission for fourth-class mail reformations which will assure that parcel post expenses and revenues do not vary by more than 4 percent.

Parcel post expenses exceeded revenues by $146.5 million in the fiscal year ended June 30, 1962—a 24.6 percent loss. There was a 20.4 percent, $121.6 million loss in the fiscal year 1961. In 1960, the loss was 14 percent, or $89 million.

Thus, there is evident a continuing pattern of constantly increasing deficits in parcel post, even under the existing rate structure. The deficits are largely due to losses in volume over the past 10 years. For example, in 1953 over 1 million pieces, weighing 6 million pounds, moved by parcel post. Six years later, in 1959, this had fallen off to 857,000 pieces weighing 5.2 million pounds. In 1962, there were only 792,000 pieces weighing 4.7 million pounds.

The rise in deficits has been generally inversely proportionate to decline in volume—with parcel post rate increases and other limitations on parcel post traffic forcing profitable large-package business over to other means of transportation, while leaving the residue for parcel post to handle at a loss.

Our committee hearings demonstrated the impracticability—indeed, the impossibility—of correcting parcel post deficits by rate increases alone. But, yet, statutory limitations on the size and weight of parcel post, plus the requirement to furnish parcel post service to rural and sparsely populated areas, leave the Postmaster General no means except rate increases with which he may try to reduce the deficit. I believe that our committee members, without exception, are satisfied that any attempt to correct the parcel post deficit by rate increases alone certainly would fall of its own weight. The record shows, on experience, that a major new rate increase would drive so much more business away from parcel post that the deficit would be aggravated rather than reduced.

The enactment of H.R. 5795, as reported by our committee, will have the great value of maintaining, as nearly as is practicable, the status quo in parcel post operations until the Congress, during the 3-year moratorium provided by the bill, can give the matter the necessary further study and arrive at a decision as to how parcel post rates shall be fixed and adjusted in the future and as to the appropriate cost-revenue relationships for parcel post.

Approval of this legislation is definitely in the public interest. Prompt action is essential to prevent interruption of postal service beginning July 1. The enactment of H.R. 5795 injures no one. Representatives of private enterprise package carriers testified without exception that they are operating profitably and are expanding their activities.

There will be no unfair competition with private enterprise. Postal services, including parcel post, will continue to be provided throughout the Nation without undue burden from exhorbitant rate increases on the millions of Americans who depend heavily on this service.

Mr. Chairman, I hope that this very necessary legislation receives the overwhelming approval of the House.

Mr. CORBETT. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. HORTON].

Mr. HORTON. Mr. Chairman, the bill (H.R. 5795) we are considering would permit a 3-year suspension of certain restrictions relating to the cost of fourth-class mail service.

Specifically, the restrictions which this bill would suspend were adopted as an amendment to the Supplemental Appropriation Act of 1951. This provision required the Postmaster General to keep within a 4-percent limit the revenues and the costs of the Post Office Department's parcel post operation. Further, the limitation provided that no Treasury withdrawal could be made from the funds appropriated to the Department until there was certified in writing to the Interstate Commerce Commission that the 4-percent limitation was being met.

Now, I understand the Postmaster General has testified that to maintain this statutory limitation would necessitate a rate increase averaging at least 20.6 percent. To so increase the costs of fourth-class mail service, he states, would price parcel post service out of a substantial part of its traffic and result in an even greater deficit.

Because of this problem, the House Committee on Post Office and Civil Service has unanimously recommended that the relief contained in this bill be enacted. This relief, it is reported by the committee, will allow the status quo to be maintained in parcel post operations while Congress undertakes a complete study of the entire fourth-class mail system. This study should seek an appropriate decision with respect to parcel post cost versus revenue relationships, methods of adjusting and reforming rates, and other pertinent matters.

It is especially important, Mr. Chairman, that in any and all considerations of fourth-class mail, we give careful attention to the interests of private enterprise which might be affected. For that reason, I would like to include with these remarks a pertinent section from the committee report on this bill:

> Private enterprise carriers of package traffic will be afforded equal protection since they, too, will continue in the status quo in relation to parcel post service. It is noteworthy, in this connection, that representatives of many such carriers testified before the committee as to their very profitable and expanding business operations, and one of the large private enterprise carriers, REA Express, disclosed that within the last 2 years it has improved its position from a serious loss operation to one promising reasonable return on investment.

I also feel it should be noted that this proposed legislation, if enacted, would have no effect on the statutory size and weight limitations imposed on parcel post mail service.

Mr. CORBETT. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois [Mr. DERWINSKI].

Mr. DERWINSKI. Mr. Chairman, in supporting this measure I wish to point out that H.R. 5795 in its original form was an uncalled for attempt by the Post Office Department to eliminate private enterprise operators in the parcel delivery field. The bill before us is a compromise between those Members of Congress who support the present parcel post service in its rightful place in the parcel delivery field, and those who would use parcel post as a vehicle to eliminate private parcel delivery service. The original H.R. 5795 was an anti-free-enterprise measure and in its wisdom, the full Committee on Post Office and Civil Service rejected it.

Personally, I feel the 3-year suspension of the present law as called for in the bill before us is an unnecessarily lengthy period. I would have preferred to establish the cutoff date for this suspension either on June 30, 1965, or December 31, 1965. In either event, I trust that the Congress will review the results achieved under this suspension early in the first session of the 89th Congress, so that restoration of the Gary amendment in its basic form might be obtained.

My purpose in directing the attention of the Members in this fashion is to help write the legislative history of this bill so that it cannot be interpreted as an outright rejection of the present law. What we are doing is temporarily suspending the present law as a result of fierce pressure from the Post Office Department. As a member of the Post Office and Civil Service Committee, I emphatically repeat the hope that we will reconsider this measure as early as possible in 1965.

Mr. Chairman, I speak in mild support of this bill since I wish to reemphasize that the bill before us is an unhappy compromise.

I would like to make the record clear that the original H.R. 5795 was completely unacceptable, and the committee version is a compromise that was developed.

I also wish to point out that the gentleman from Virginia [Mr. GARY] appeared before the committee and stated his views on the general subject. In view of his years of experience in handling appropriations for the Post Office Department, I think very careful consideration should be given to his amendment.

I would also like to point out that in the practice of legislation we get all sorts of compromise measures. A unanimous vote in committee does not mean complete support of the bill. It means acknowledgment of an acceptable compromise. That is what you have before you, something that no one is really happy with, but something that has been worked out.

The gentleman from Virginia, when he does offer his amendment, deserves our support.

I would like to point out also that the gentleman from Nebraska [Mr. CUNNINGHAM] struck a responsive note that we should ponder, which is, that the intent of the original H.R. 5795 was to expand the operations of the Post Office Department at the expense of our free-enterprise parcel carriers. That was a boldfaced attempt in the original bill that we could not accept. We could take this unhappy compromise and make it more compatible to our free enterprise system, by the Gary amendment, and I hope we all support the gentleman from Virginia and his amendment.

Mr. BARRY. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from New York.

Mr. BARRY. I want to commend the gentleman for his statement and to say he has expressed my views and I am sure the views of some of the members of the committee. I wish also to point out that this legislation is indeed only half way going down the road to responsible legislation. I agree that with the Gary amendment it would be acceptable, so far as I am concerned, but it is not the kind of free-enterprise legislation we like to see on this side of the aisle.

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from California.

Mr. TEAGUE of California. The gentleman stated that no one is completely happy with this bill. I noticed that Drew Pearson has had something to say on this subject lately.

Can the gentleman tell me whether the committee has conferred with Drew, and whether he is happy about it?

Mr. DERWINSKI. I would not want to comment on that subject. I am not a confidant of the columnist mentioned, but maybe some other Member can answer the question.

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from Michigan.

Mr. JOHANSEN. I want to say to the gentleman, and I am sure he will recall it, that I voted for some alternatives to this particular one. I wonder, though, if the gentleman will not agree that the original bill, for which this is a replacement, would have left the gentleman a great deal more unhappy, as it certainly would the gentleman from Michigan?

Mr. DERWINSKI. Yes, but I also wish to state that the present law would leave me much happier than the bill before us, so the retention of the present law with the amendment, which we refer to as the Gary amendment, would be the best thing for the country.

Mr. MURRAY. Mr. Chairman, I yield 5 minutes to the gentleman from Montana [Mr. OLSEN].

Mr. UDALL. Mr. Chairman, will the gentleman yield?

Mr. OLSEN of Montana. I yield to the gentleman from Arizona.

Mr. UDALL. I thank the gentleman. I have sensed a misunderstanding on the part of some of the Members who are not members of this committee, of one very basic thing, and I would like the gentleman to confirm this situation for me. I think it might be helpful. While this bill is very simple and just a straight 3-year moratorium, the situation that brings it about is very complex. We have a rigid requirement that the Postmaster must take in not less than 96 percent of his cost and not more than 104 percent. Is that correct?

Mr. OLSEN of Montana. That is correct.

Mr. UDALL. This rigid requirement is enforced by a law which says he cannot draw money from the Treasury to pay for his gas, or pay his clerks, or any of the expenses of the Post Office Department unless he certifies that he is doing it. Is that right?

Mr. OLSEN of Montana. That is correct.

Mr. UDALL. The moratorium is not on the rigid requirement that he says it is between 96 percent and 104 percent, but the moratorium is only upon this rigid sanction that he cannot draw money for any kind of operation unless he does that. Is that correct?

Mr. OLSEN of Montana. That is right.

Mr. UDALL. I thank the gentleman for clearing that up.

Mr. OLSEN of Montana. And with that clearing, I wish to say the real question is not whether or not there will be a moratorium. Now I understand from the discussion here that the question becomes not whether or not there will be a moratorium, because I believe everyone who has spoken is supporting the moratorium and a suspension of this rigid requirement, but the question becomes how long.

I think it would be interesting for all of this Committee to know that the Committee on Post Office and Civil Service in the other body, in their hearings last week, had no dissenting voices from the employee groups. The committee in the other body that has jurisdiction over this legislation, in hearings last week, heard no opposition to this bill, the committee bill, from any of the employee groups, including the Railway Express Agency, or the parcel delivery services. There was complete support of the position of the House committee that the moratorium be for 3 years. Why 3 years? First of all, we believe the Postmaster General when he says that he will set new rates by going to the Interstate Commerce Commission under the law to get new rates established in an attempt to improve the revenue from parcel post. The experience of the Post Office Department has been that the revenue decreases by increasing rates because of a decrease in volume, but the Postmaster General is going to go to the Interstate Commerce Commission to experiment in attempting to have increased revenue through increased rates. Will he get increased rates before next winter? I doubt it, and the committee doubts it. We think probably it will be next spring before it will be effective on the rates for parcel post. Then there ought to be at least 1 year of experience with the revenue that comes from the new rates. That certainly gets us far into June of 1965. That would get us a year from June 1964 into June of 1965. Certainly the Congress has to have some consideration of what the experience of the Postmaster General and the Post Office Department is.

After a year's experience this committee of your House will review the experience of the Postmaster General. Should we not have several months? If we take just 2 months we would be at adjournment and we would not be able to pass a bill out soon enough for the other body to consider it. If the other body is going to have any chance to deliberate on what we might deliberate certainly we must have the whole 3-year moratorium. That is the simple arithmetic that we have in our committee.

Mr. Chairman, I urge that we adopt this bill as recommended by our committee unanimously, without amendments.

Mr. Chairman, as my distinguished chairman, the gentleman from Tennessee [Mr. MURRAY] has so ably explained, the immediate purpose of this legislation is to assure that there will be no interruption to our postal service by reason of an existing appropriations limitation. The temporary suspension of that limitation will permit withdrawal from the Treasury of funds necessary to operate the postal service beginning July 1 of this year.

But there is another far-reaching and extremely complex postal problem, the solution of which requires more time and study—time which will be provided by this legislation. This is the matter of fourth-class mail activities, and more specifically parcel post and catalogs. The issue is the establishment of a sound and up-to-date policy governing parcel post—and, in fact, whether there will be any parcel post service at all.

In fiscal year 1962 the Postal Establishment moved over 792 million pieces of parcel post. I do not believe precise valuations are available but if each parcel post package was only worth $10 it is readily apparent that parcel post is providing an essential service to a $7,920 million segment of our national economy.

Moreover, this multibillion-dollar business makes a particularly important contribution to the lives and the welfare and the economy of millions of Americans served by second-, third-, and fourth-class post offices and rural routes. It is unthinkable that the continued efficient operation of our parcel post system should be seriously threatened.

The weight of evidence at our committee hearings conclusively demonstrates that the parcel post deficit—or, rather the excess of that deficit over the 4-percent variance allowed by the appropriations limitation—could not possibly be cured by increased rates.

In view of the critical emergency faced by the Postal Establishment regarding withdrawal of operating funds from the Treasury, time did not permit the development of a final policy directed to the fundamental issues of parcel post activities. H.R. 5795 will provide this needed time for review and analysis of parcel post policy, while at the same time clearing the way for withdrawal from the Treasury of postal operating funds until the Congress arrives at a final solution.

Mr. Chairman, I recommend passage of H.R. 5795 as unanimously recommended by the Committee on Post Office and Civil Service of this House.

Mr. CORBETT. Mr. Chairman, I yield such time as he may require to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, the bill H.R. 5795 which is under consideration today comes to the House floor under rather strange circumstances. Despite the fact that the bill was approved unanimously by the committee it does not, I am convinced, represent the views of the majority of the members of the committee insofar as the correct solution to the problem is concerned.

Therefore, what I am about to say should be viewed in light of the fact that if the members of the full committee were polled on this issue today, a majority would support a 10-percent leeway between the fourth-class postal revenues and costs in lieu of the 4-percent tolerance band in present law which was enacted by Congress in 1958.

The history of this legislation begins in January 1961 when the deficit in fourth-class mail was approximately $86 million annually. At that time, the Postmaster General could have requested a reasonable increase in fourth-class rates and we would not have the problem with which we are faced today. However, he did not do this. What he did do was in direct conflict with existing law in which Congress had established size and weight limitations on parcel post.

The Postmaster General flaunted the will of Congress by requesting the Interstate Commerce Commission for approval of fourth-class rate adjustments together with a proposal which would change size and weight limits on parcel post. This request was made on April 27, 1961.

Postal officials well knew—or should have known—that this proposal would never be approved in view of the fact it directly conflicted with existing law and the heretofore recognized fact that Congress and Congress alone could change size and weight limits on parcel post.

So, when the Postmaster General comes to our committee and talks about how "in good conscience" he cannot request increases in fourth-class rates from the Interstate Commerce Commission in compliance with existing law, I am curious as to how he was able to flaunt existing law for 2 years and then say he could not comply with the law "in good conscience."

When the Postmaster General filed fourth-class rate increases together with size and weight adjustments with the Interstate Commerce Commission in April 1961, interested parties immediately appealed. After a long legal battle involving appeals to the Federal courts, it was determined that the Postmaster General did not have the authority to change size and weight limitations on parcel post. Of course, this did not come as any great surprise to the Congress because it was obvious he did not have such authority. As a matter of fact, the distinguished chairman of our committee petitioned the Interstate Commerce Commission and stated that the Postmaster General had no such authority.

What has occurred in reality is a crisis which was created by the Postmaster

General. By attempting to include size and weight adjustments in parcel post rate increases, a fourth-class rate increase has been prevented.

After having watched the fourth-class mail deficit increase from $86 million annually to $146 million annually while ignoring the law, the Postmaster General then came to the Congress in April 1963 and requested the chairman of our committee to introduce legislation which would repeal all existing laws with respect to fourth-class rate-fixing authority which have been in existence for over 50 years and frantically requested the committee and Congress to take action before July 1, 1963. His alleged justification for this request was the fact that he could not "in good conscience" file fourth-class rate increases with the Interstate Commerce Commission in compliance with the 1951 amendment of our distinguished colleague from Virginia [Mr. Gary] which requires him to certify to the Department of the Treasury that the Post Office Department has requested fourth-class rates sufficient to pay 96 percent of costs before the Post Office Department appropriations can be used.

To put it another way, in 2 years and 3 months the Postmaster General built a crisis and caused a situation to develop which he now seeks to have Congress remedy for him in a little more than 2 months—from April 23 to July 1, 1963. In my judgment, this is just a little too much to ask the Congress to do.

To make matters worse, the Post Office and Civil Service Committee conducted lengthy hearings in 1961 on postal rate adjustments for first-, second-, and third-class mail and a bill was finally approved in 1962 which became effective in January 1963. Not once to my knowledge during these lengthy hearings or during the consideration of this legislation by the Congress did the Postmaster General intimate or even imply that he was experiencing any difficulty in connection with fourth-class rate adjustments. The committee could have well considered this entire matter at the time it considered postal rate adjustments on other classes of mail but for some strange reason this matter was not brought to the attention of the committee until April 23, 1963.

During the hearings on H.R. 5795, the Postmaster General indicated that as soon as his requested bill became law which would provide that Congress should set fourth-class rates, he would request a 13.1-percent increase in fourth-class rates. Here again, I detect a tongue-in-cheek attitude because he could have included in his requested bill provisions for increasing fourth-class rates which would become effective when the bill became law.

Thus, the dilatory tactics of the Postmaster General continue and the deficit on fourth-class mail grows steadily and the taxpayers of the country are still paying for this deficit.

Since the beginning of this administration the aggregate or cumulative deficit in fourth-class mail has amounted to approximately $250 million in spite of existing law which clearly states that the cost of fourth-class mail service shall not exceed the revenues therefrom by more than 4 percent. Yet in all other classes of mail, the annual deficits are being reduced by reason of the enactment of the postal rate increase law of 1962.

Therefore, there is an air of mystery about this whole situation. Several things are clear, however. The Postmaster General has been able to avoid securing a postal rate adjustment in fourth-class mail for 2 years and 3 months, whether by design or by accident. He has flaunted the will of the Congress and he has tried to stampede the Congress into enacting a law about which the members of our Post Office and Civil Service Committee have serious questions. The other body seems to have the same serious doubts about this proposal of the Postmaster General, because the Senate committee has not approved a bill and we are only a few days away from the Postmaster General's deadline of July 1, 1963.

Mr. Chairman, I shall support the legislation which was approved by the Post Office and Civil Service Committee declaring a 3-year moratorium on this matter. But between now and July 1, 1966, it is my earnest hope that our committee will get to the bottom of this matter and determine the real story and the real facts behind the machinations of Post Office Department officials in connection with this serious situation.

Mr. MURRAY. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey [Mr. Daniels].

Mr. DANIELS. Mr. Chairman, I support H.R. 5795, with the committee amendment that was approved unanimously on a record vote in the Post Office and Civil Service Committee.

I think it has been amply demonstrated that enactment of this legislation is necessary to permit the Postmaster General to withdraw money from the Treasury for postal operations, and to provide time for the Congress to work out a final solution to the very difficult and complex problems involved in our parcel post service.

However, there is yet another most important aspect of this legislation that should be brought to the attention of the membership. This is the disastrous impact that failure to approve this legislation could have on our 586,000 postal employees—certainly among the most loyal and conscientious and efficient of all public servants.

I shudder to think of the irreparable damage to our postal employees and their families should we not approve this bill today, so that it can proceed to enactment in the other body and final approval by next Sunday. It is no exaggeration to say that failure of the Congress to act at this critical point would threaten a stoppage of pay for every single postal employee, with bitter hardship on their wives and children resulting.

With respect to the time needed to work out a sound solution to the parcel post problems, here again there is a direct concern to the postal employees and their families. Any serious damage to the parcel post operation—or a failure on our part to act when, as now, action is essential—would almost guarantee the loss of thousands of jobs by postal employees.

Every major postal employee organization strongly supports our committee bill without amendment—the National Association of Letter Carriers, the National Federation of Post Office Clerks, the National Postal Union, the National Rural Letter Carriers Association, the National Association of Postal Supervisors, the National Association of Postmasters of the United States, and the National League of Postmasters. No doubt many of the Members here today have received—as I have—telegrams from these great and public-spirited postal employee organizations, urging enactment of our committee bill without amendment.

I hope that this very worthy legislation will be approved by the House.

Mr. MURRAY. Mr. Chairman, I yield such time as he may require to the gentleman from Alaska [Mr. Rivers].

Mr. RIVERS of Alaska. Mr. Chairman, I rise in support of H.R. 5795, to enable continuance of fourth-class mail service, which I consider essential in all the States, and particularly vital in my State of Alaska. Since Alaskans are preponderantly rural patrons of the post office, for whom parcel post service was especially intended, many living in remote places, to which Railway Express, for example, has not been extended, would be shockingly discommoded if parcel post service were to be discontinued.

Of over 4,000 first-class post offices in the United States, only 6 are in Alaska. Of the 33,000 post offices in the United States which are second-, third-, and fourth-class, about 220 of them are in Alaska. This shows the heavily rural character of Alaska.

Not only have untold thousands of Alaskans living in remote places shopped by mail with outside merchants and depended upon parcel post for delivery of the merchandise, but in fact, many small merchants in these outlying areas have also shipped in considerable merchandise by parcel post in the course of serving their customers.

Looked at from a broad national standpoint, I am informed that the parcel post system is vital to approximately 35 million rural patrons and 200,000 small businesses served by rural delivery. This highlights the widespread need of adopting this legislation at this time.

Mr. CORBETT. Mr. Chairman, we have no further requests for time.

Mr. MURRAY. Mr. Chairman, we have no further requests for time.

The CHAIRMAN. Under the rule, the Clerk will read the substitute committee amendment as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the paragraph under the heading "General Provisions" under the appropriations for the Post Office Department contained in chapter IV of the Supplemental Appropriation Act, 1951 (64 Stat. 1050), as amended by section 213 of the Postal Rate Increase Act, 1958 (72 Stat. 149; 31 U.S.C. 695), shall not be in effect during the period beginning on July 1, 1963, and ending June 30, 1966.

Mr. MURRAY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MURRAY: On page 3, line 1, strike out "149" and insert in lieu thereof "143".

The amendment was agreed to.

Mr. GARY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GARY: On page 3, line 3, strike out "June 30, 1966" and insert "December 31, 1965".

Mr. GARY. Mr. Chairman, I am sorry we had to take up this matter so late in the afternoon, but it is late and I do not want to burden the Members of this House any longer.

I have stated the purpose of this amendment. It merely shortens the moratorium 6 months. Under my amendment the moratorium would expire on December 31, 1965, instead of June 30, 1966.

The purpose of the amendment is to bring the matter up in an off-election year, when it may be more calmly and deliberately considered. To me, it is absolutely ridiculous for this Congress to tell the people of America that it would take us 3 years to work out this problem. It is not a problem of great magnitude. How can we expect the people to have any respect for the Congress if we tell them it will take us 3 years to work out a small problem dealing with parcel post? I have a feeling they are going to wonder how long it will take us to work out some of the more serious problems facing us. All this amendment does is step this up just 6 months.

In my judgment this debate has been much ado about nothing, because the committee itself intended to make it a 2-year extension in the first place, I was told.

Mr. BARRY. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentleman from New York.

Mr. BARRY. I should like to compliment the gentleman on pointing out the problem that would result if we did not amend the bill in the way the gentleman has suggested. I also would like to ask him if this moratorium works, would there be anything to prevent us from limiting it to 1 year?

Mr. GARY. Nothing. Increase it 1 year or 3 years or eliminate it altogether. If the moratorium results in a satisfactory solution, then there would be no need for working out a further solution.

Mr. BARRY. I think everyone here can have his way, because if it is the wish of this body in 2½ years to continue this thing we can do it.

Mr. GARY. Surely.

Mr. BARRY. We are not bound by the gentleman's amendment in doing that.

Mr. GARY. That is correct.

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentleman from Michigan.

Mr. JOHANSEN. Would it not be conversely true that if the committee had sufficient information within a year or 18 months from June 30 of this year the committee could take such action? It is not mandatory that Congress wait for the full period of 3 years to act. The converse is also true.

Mr. GARY. The gentleman is absolutely correct. You can work it out any time you see fit. Here you are establishing a precedent in extending the time. I think we ought to be careful not to make it too long, because if we do we are postponing a proper solution that much longer.

Mr. CORBETT. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentleman from Pennsylvania.

Mr. CORBETT. I should like to commend the gentleman on his judicious outlook on this whole matter during this lengthy discussion. I was inclined to be rather indifferent as to whether the amendment passed or did not pass. However, what the gentleman may have overlooked is this. When he made the date December 31, it really means you are decreasing the period of the moratorium by 8, 9, or 10 months instead of 6 months, because if Congress is not in session it cannot act. Secondly, some change would have to occur in the 4-percent allowance prior to the time Congress adjourns. So what the gentleman is suggesting is much more than 6 months.

Mr. GARY. According to the prospects this year, I do not think we will adjourn much before December 31, 1963, and that would not make it any longer.

Mr. CORBETT. If the gentleman wants to criticize the leadership of the majority, it is perfectly acceptable to me.

Mr. GARY. I am not criticizing anybody. I am simply stating the facts. From what I can see, it looks to me that we are liable to be here until December 31.

Mr. CORBETT. What you are talking about is 1965, and by that time there is apt to be a change in the majority party in the House and things could move along with reasonable speed.

Mr. GARY. I think the gentleman is unduly optimistic.

Mr. MURRAY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I do not think this amendment would help this legislation and I ask that the amendment be voted down.

Mr. O'HARA of Illinois. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I wish to retain a few friendships in this House so I am only going to talk for about 1 minute.

Mr. Chairman, I expect to be a candidate for reelection the next time and I expect to be a candidate for my ninth term 3 years from now. I am not afraid of any issue that comes up at election time. I voted with the committee.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. GARY].

The question was taken; and on a division (demanded by Mr. GARY), there were—ayes 46, noes 87.

So the amendment was rejected.

The CHAIRMAN. The question is on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. LANDRUM, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5795) to repeal the provisions of law relating to the fixing by the Postmaster General, with the consent of the Interstate Commerce Commission, of rates of postage on fourth-class mail, and for other purposes, pursuant to House Resolution 410, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

The title was amended so as to read: "A bill to provide a three-year suspension of certain restrictions in the Supplemental Appropriation Act, 1951, on the withdrawal from the Treasury of postal appropriations."

A motion to reconsider was laid on the table.

MISSOURI RIVER BASIN PROJECTS

The SPEAKER. Without objection, H.R. 5312 will be laid on the table.

There was no objection.

WATERSHED PROJECTS—WATERSHED PROTECTION AND FLOOD PREVENTION ACT

The SPEAKER laid before the House the following communication from the Committee on Public Works, which was read and referred to the Committee on Appropriations:

COMMITTEE ON PUBLIC WORKS,
HOUSE OF REPRESENTATIVES,
CONGRESS OF THE UNITED STATES,
Washington, D.C., June 21, 1963.

Hon. JOHN W. MCCORMACK,
The Speaker,
House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Pursuant to the provisions of section 2 of the Watershed Protection and Flood Prevention Act, as amended, the Committee on Public Works has approved the work plans transmitted to you which were referred to this committee. The work plans involved are:

Maryland: Upper Rock Creek watershed (Ex. Com. No. 642), approved June 19, 1963.

Kentucky: Buck Creek watershed (Ex. Com. No. 642), approved June 19, 1963.

Arkansas and Oklahoma: Poteau River (Ex. Com. No. 939), approved June 19, 1963.

Sincerely yours,

Charles A. Buckley,
Chairman,
Committee on Public Works.

ADDITIONAL PROGRAM

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I take this time to advise the House of an addition to the program. The gentleman from Arkansas [Mr. Mills] has advised that on Thursday he will call up nine bills which have been unanimously reported by the Committee on Ways and Means. These bills will be called up under unanimous-consent requests. They are as follows:

H.R. 6246, by Mr. Mills, relating to the deductibility of accrued vacation pay.

H.R. 6011, by Mr. Betts, to continue for 3 years suspension of duty on certain istle or Tampico fiber.

H.R. 5712, by Mr. Boggs, to suspend for 3 years the import duty on heptanoic acid.

H.R. 2675, by Mr. Keogh, to extend for 3 years the suspension of duty on certain tanning extracts and extracts of hemlock of eucalyptus.

H.R. 3674, by Mr. Burke, relating to polished steel.

H.R. 3781, by Mr. Mills, relating to panama hats.

S. 1359, by Senator Douglas, additional Assistant Secretary of the Treasury.

H.R. 3272, by Mr. Stephens, orthicon image assembly for Medical College of Georgia, free entry.

H.R. 2221, by Mr. Gubser, spectrometer for Stanford University, free entry.

MEXICAN LABOR

Mr. GATHINGS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. GATHINGS. Mr. Speaker, should the American people be denied vital foods, including vegetables of various kinds, oranges, lemons, grapefruit, strawberries, and other items at reasonable prices because this Congress fails to act? That is what will happen if there is a short supply of labor available at the time that these crops are harvested. Ask yourself this question, "Do you want to be a party to any movement that will result in your people and mine paying 25 to 50 percent or more, additional, for various food items because the Congress had not given our Government the authority to negotiate with our sister Republic of Mexico for bringing in a supply of supplemental labor in those instances where there is a shortage of domestic farmworkers to do this work?"

If this law is not extended, a shortage of workers will result, forcing food prices upward appreciably. We have but to look at the actual facts in comparing the price of Florida oranges in the year 1963 as compared to 1962. In the year 1962 for the week ending May 5, there were 508 carlot equivalents in 41 cities available, and the cost was $4.55 a box. For the week ending May 4, 1963, there were only 190 carlot equivalents in Florida oranges and the price was more than doubled. They cost $9.63 a box. This was due to a shortage of supply due to inclement weather which was the result of a spring freeze. The same price rise will occur due to a short labor supply. The gentleman from California [Mr. Teague] and I are introducing bills calling for a 3-year phaseout of this program. This type of proposal was presented by Mr. McGovern of South Dakota in 1960, which provided for a 5-year phaseout. It is most urgent that Congress act at this session on extending this most essential law.

Let us look at snapbeans: For the week ending April 30, 1963, there were 249 carlot equivalents in 41 cities. The price was $4.50 a bushel. In the week ending May 1, 1962, there were 167 carlot equivalents in these cities and the price was $6 a bushel.

Let us look at cucumbers now where the situation by years was reversed. The carlot supply in 41 cities in 1963 was 317, and the price was $5 a bushel, but a year earlier, for the week ending May 1, 1962, there were only 157 carlots available in the same cities, and the price was $9 a bushel.

These figures were taken from the USDA Weekly Summary of Shipments.

These are indications of what will happen if Public Law 78 is not extended which would give these Mexican workers an opportunity to come to America and pour back the dollars to the various provinces in the Republic of Mexico. Without this legislation, there would be a loss to Mexico of some $35 million per year, based on the number who entered this country in 1962. No wonder the Mexican people and its Government are troubled over the failure to enact Public Law 78 extension, which has built strong the good will and understanding between the two friendly countries.

The bill and calculations of the average number of workers to enter the country for various years follow:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 510 of the Agricultural Act of 1949, as amended, be amended to read as follows:

"Sec. 510. For the calendar years 1964, 1965, and 1966, the number of workers made available for employment under this title shall not exceed 50 per centum of the average number of workers made available in the three immediately preceding fiscal years, and in no event more than 150,000 in 1964, 120,000 in 1965 and 90,000 in 1966, and no workers shall be made available hereunder after December 31, 1966."

Approximate limitations under proposed bill

Fiscal year	Workers	3-year average	Available
1961	363, 242		
1962	328, 526		
1963 (estimated)	225, 000	305, 589	1964—152, 795
1964 (estimated)	188, 000	247, 175	1965—123, 568
1965 (estimated)	138, 000	183, 666	1966— 91, 833

CUBA

Mr. BATTIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include the text of a joint resolution on Cuba.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. BATTIN. Mr. Speaker, I have today introduced a House joint resolution dealing with Cuba and subversion in the Western Hemisphere.

The resolution is simple and direct. It reinstates the Monroe Doctrine and declares that Soviet presence in this hemisphere is a violation of the Monroe Doctrine.

This resolution was adopted in Denver by the Republican National Committee.

We can no longer, as a government, hesitate with a policy on Cuba. We must reassert our leadership in the field and follow the actions of Presidents Franklin D. Roosevelt, Harry Truman, and Dwight Eisenhower, in stating that the Monroe Doctrine is fundamental to our foreign policy.

I reject completely the idea that in our time the doctrine is dead or modified.

The joint resolution follows:

TEXT OF HOUSE JOINT RESOLUTION ON CUBA

Joint resolution expressing the determination of the United States with respect to the situation in Cuba and the Western Hemisphere

President James Monroe, announcing the Monroe Doctrine in 1823, declared that the United States would consider any attempt on the part of European powers "to extend their system to any portion of this hemisphere as dangerous to our peace and safety."

In pursuance of this application of the Monroe Doctrine, the United States protested against the movement of Spanish troops into Santo Domingo in 1861 and demanded the withdrawal of French military forces from Mexico in 1866.

The Government of the United States warned in 1940 that assumption of control of any part of the American continents by Axis Powers would violate the Monroe Doctrine.

The American States agreed at Caracas May 28, 1954, that "the domination or control of the political institutions of any American State by the international Communist movement, extending to this hemisphere the political system of any extracontinental power would constitute a threat to the sovereignty and political independence of the American States, endangering the peace of America."

Secretary of State John Foster Dulles asserted June 30, 1954, that "the intrusion of Soviet despotism (in Guatemala) was a direct challenge to our Monroe Doctrine, the first and most fundamental of our foreign policies," and with the assistance of the United States, loyal Guatemalans removed their Communist rulers forthwith.

Secretary of State Christian A. Herter declared on August 24, 1960, at San José "any Communist regime established in any one of the American Republics would in effect constitute foreign intervention in the Americas."

The foreign ministers of the Organization of American States at Punta del Este in January 1962 declared: "The present Government of Cuba has identified itself with the principles of Marxist-Leninist ideology, has established a political, economic, and social system based on that doctrine, and accepts military assistance from extra-continental Communist powers, including even the threat of military intervention in America on the part of the Soviet Union."

The international Communist movement has increasingly extended into Cuba its political, economic, and military sphere of influence.

In the light of the foregoing facts: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled—

(a) That the United States regards the Monroe Doctrine as continuing to be fundamental to its foreign policies;

(b) That the United States regards the existence of a military base in Cuba supported by Soviet equipment and Soviet personnel as a clear violation of the Monroe Doctrine;

(c) That the objectives of the policy of the United States with relation to Cuba must be—

1. Termination of Soviet intervention;
2. Establishment of conditions under which the Cuban people may freely exercise their right of self-determination;
3. An end to Communist subversion, sabotage, and guerrilla warfare against the people of the Western Hemisphere.

RESTATEMENT AND FULL IMPLEMENTATION OF MONROE DOCTRINE RELATING TO CUBA AND COMMUNIST SUBVERSION CALLED FOR

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CRAMER. Mr. Speaker, I am happy to join with the gentleman from Montana [Mr. BATTIN], chairman of the Republican Task Force on Cuba and Communist Subversion in the Western Hemisphere, having the privilege myself of being vice chairman of this task force, in calling for the restatement and full implementation of the Monroe Doctrine. The Republican policy committee and the Republican National Committee have recently endorsed this position.

I am particularly encouraged that this position, as reaffirmed by the resolution introduced by the gentleman from Montana, is firmly anounced by the Republican Party, having introduced a similar resolution, House Joint Resolution 227 on February 4, 1963. It is becoming more and more obvious that the New Frontier is seeking "accommodations" with the Communists throughout the world as well as in this hemisphere.

The aim of today's resolution and House Joint Resolution 227 is the implementing of such political, diplomatic, economic or military action as may be necessary to enforce the Monroe Doctrine throughout this hemisphere.

The failure of the President to take any firm and meaningful action with regard to the Communist threat in Cuba and throughout this hemisphere makes it incumbent upon the Congress to express its position in a resolution of this nature.

I do not believe the American people or the Congress can long condone the New Frontier apathy that exists toward this very real threat to the peace and security of all the Americas—which is leading the United States toward a coexistence accommodation with communism.

The President has recently called for a "reexamination of our attitude toward the Soviet Union." Our reexamination should be one looking toward a tougher policy.

In light of the recent reports by the Organization of American States, the Stennis committee and Selden subcommittee reports, pointing to Communist infiltration and subversion in this hemisphere, a reaffirmation and implementation of the Monroe Doctrine would be an obvious necessary start toward a tougher, more realistic policy toward Soviet influence in this hemisphere.

I am gravely and deeply concerned about the signs that point toward seeking an "accommodation," an expression used by the President at his American University commencement address this year in redefining the New Frontier foreign policies, in calling also for a reexamination of our attitude toward the Soviet Union—in Cuba and elsewhere.

I am concerned when we open up commercial air corridors to nonscheduled airlines owned and operated by Castro's Communist government over the United States as was done a few weeks ago by a regulation of the FAA—so long as these planes going to and from Canada, trading with Canada which is a country for transshipment from many of the Iron Curtain countries, stop in one of our major cities for inspection—one of which is Dulles Airport outside Washington, D.C. Thus, Castro's planes can be flying over and landing within a few miles of the Nation's Capital. Apparently the quid pro quo for this "accommodation" is that Cuba will now guarantee safety of U.S. commercial airplanes over Cuba and the FAA has issued an order permitting such flights.

Perhaps this is why the New Frontier is so unconcerned about Russian trawlers violating our territorial waters.

Perhaps this is why little is being done to discourage other free nations from trading with Cuba—a practice that is ever increasing in recent weeks. I cite as justification for this Monroe Doctrine resolution introduced today and House Joint Resolution 227 the second interim report of the Subcommittee on Special Projects on Cuba and Subversion in the Western Hemisphere which follows:

SECOND INTERIM REPORT OF THE SUBCOMMITTEE ON CUBA AND SUBVERSION IN THE WESTERN HEMISPHERE—A TASK FORCE OF THE REPUBLICAN POLICY COMMITTEE, SUBCOMMITTEE ON SPECIAL PROJECTS

PREAMBLE

Within the past week the President of the United States has made a foreign policy address calling for a reexamination of the attitude of Americans toward the Soviet Union. The theme of this address was that the Soviet Union could be led to adopt a more enlightened attitude if the United States changed its attitude toward peace and put aside its belief that the Russian people are lacking in virtue.

It must be presumed that the purpose of the President in making his remarks of June 10 was to indicate the direction of American foreign policy. We believe that the President is completely wrong in believing that the attitude of the American public toward the Soviet Union is a major cause of the Nation's conflict with communism and that Khrushchev's heart can be melted if this Nation adopts a more cordial attitude toward him.

It seems to us tragically irrelevant for the President to urge upon the Nation a deeper admiration of the Soviet Union for such attributes as courage and industry at a time when the ink is hardly dry on an OAS report declaring "intervention by Sino-Soviet powers in this hemisphere, by way of Cuba, has increased considerably during the past year."

The report which follows is offered in the hope that it will direct attention back to the type of basic decision that must be made by the leaders of this Nation in order to win the cold war.

SECOND INTERIM REPORT

The Nation needs a Cuban policy. It has no Cuban policy primarily because the President and the Democratic Congress have failed to make up their minds about the Nation's goal.

To a President who is fond of nautical metaphors, we say that a course cannot be charted until the port which we want to reach has been determined. Until the destination has been firmly fixed, the Nation will continue to drift.

The statements so far issued by administration leaders to define the goal of Cuban policy have been ambiguous, inconsistent, and incomplete. The joint congressional resolution signed by the President on October 3, 1962—perhaps the most authoritative statement of the national policy goal—is deficient in clarity, in comprehensiveness, and in courage.

Consequently, the Congress should adopt, and the President should sign, a new joint resolution stating the goal of the policy of the United States toward Communist Cuba.

THE AMBIGUITY OF THE GOAL OF CUBAN POLICY

The joint congressional resolution, like the President's statements of September 4 and 13, 1962, expresses opposition to the establishment in Cuba of an offensive military capability which threatens the security of the United States or of other nations in the hemisphere. It expresses opposition to the export of communism to other Latin American nations by force or the threat of force.

It is silent, however, on the attitude of the United States toward a Soviet military presence in Cuba which is defensive in character or which does not immediately threaten the security of the United States or of other American nations. It is silent on the attitude of the United States toward Communist subversion carried on by means other than the use or threat of force.

Many of the statements that relate to our Nation's goals are open to the interpretation that this Nation is ready to coexist with a Communist Cuba if it or Cuba does not seek to impose communism on other nations.[1] They suggest that a Soviet presence in Cuba which does not involve offensive weapons, though abnormal, is something which our Nation can live with.

Confusion about the objective of our national policy is reflected in the utterance of the President as well as in those of lesser leaders of the administration. The President has refrained from reaffirming or repudiating the Monroe Doctrine but has offered a truncated version of the doctrine, which one administration lieutenant called the Kennedy doctrine.[3] The President spoke boldly before the released Cuban prisoners about the return of their flag to a free Havana in Miami in December 1962. But, less than 3 months later, at San José he omitted from his remarks the statements in his prepared text calling for a restoration of freedom to Cuba. The Vice President said, "We want to get rid of Castro," only to have this declaration revised by McGeorge Bundy to read "we cannot sympathize" with Castro's "course of policy" and "we must range ourselves" against it.[3]

From time to time the administration has given the impression that the presence of Soviet troops and military equipment in Cuba produces important advantages for the United States. Sometimes it is said that the Soviet presence makes Cuba "a showcase of Communist failure" and turns the people of other Latin American states away from Communists. Sometimes it is said that the maintenance of Soviet forces in Cuba imposes an economic strain on the Communist world. Sometimes it is said that the Soviets exercise a restraining influence on the volatile Cuban Government.

The inadequacies of statements of policy would be less important if the actions of the administration revealed a consistent and purposeful movement toward a clearly recognized objective. But the actions of the administration have been as inconsistent as its words.

The Attorney General, who said in April 1961, "The neutrality laws were never designed to prevent individuals from leaving the United States to fight for a cause in which they believe" has confined a score of Cuban exile leaders to the Miami areas. He has shown great vigor in providing immunity from exile attack to Cuba and to Cuban shipping. The President, who declared that the quarantine of last October would be maintained until United Nations inspection of the withdrawal of Soviet missiles was obtained, ended the quarantine without securing onsite inspection to verify the removal of the missiles.

There can be no doubt that the administration would prefer that the Soviet Union pull out of Cuba and that it hopes that Castro will disappear. This wishful thinking, however, does not constitute a policy goal. There is a world of difference between a wish that the existing situation change and a determination to do all within our power to bring about a change.

A PROPOSAL FOR A NEW CUBAN RESOLUTION

This Nation has a historic policy opposing intervention in this hemisphere by despotism based in other parts of the world—a policy laid down on December 2, 1823, by James Monroe.

President Monroe asserted that "we could not view any interposition for the purpose of oppressing" Latin American states "or controlling in any other manner their destiny, by any European power, in any light, than as the manifestation of an unfriendly disposition toward the United States." He warned that "we should consider any attempt" on the part of European powers "to extend their system to any portion of this hemisphere, as dangerous to our peace and safety."

The Monroe Doctrine barred any further "interposition" by European powers to extend their system or exercise control in this hemisphere. It said simply, "Hands off." It made no distinction between offensive and defensive weapons or between forcible and pacific means of intervention.

The purpose of the Monroe Doctrine, as Elihu Root once explained, was to prevent the development of a situation that could endanger hemispheric security. The Kennedy doctrine, by contrast, appears to permit intervention by non-American states in this hemisphere up to the point at which a danger to security has reached an acute stage. The difference between the Monroe Doctrine and the Kennedy doctrine is the difference between preventative medical care and treatment which begins after the development of a high fever.

In earlier periods of our history the Government of the United States asserted that the Monroe Doctrine barred the presence of Spanish troops in Santo Domingo and the establishment of a French puppet emperor in Mexico. In 1940 Secretary of State Cordell Hull served notice that the Monroe Doctrine prohibited the exercise of any authority by Axis Powers over any part of the hemisphere.[4] In 1940, Franklin D. Roosevelt extended the Monroe Doctrine to Greenland and sent American troops to that island to forestall Nazi occupation.

In 1912, when Mexico proposed leasing to a Japanese fishing company, a port area in Lower California, the U.S. Senate, relying on the Monroe Doctrine, asserted, "* * * when any harbor or other place in the American continents is so situated that the occupation thereof for naval or military purposes might threaten the communications or the safety of the United States, the Government of the United States could not see without grave concern the possession of such harbor or other place by any corporation or association which has such a relation to another government, not American, as to give that government practical power of control for national purposes."

In 1954 Secretary of State John Foster Dulles declared that "the intrusion of Soviet despotism (in Guatemala) was a direct challenge to our Monroe Doctrine, the first and most fundamental of our foreign policies." With the assistance of the United States, loyal Guatemalans removed their Communist rulers forthwith.

Along with the United States, the other nations of the hemisphere have used the language of Monroe to serve notice that trespassing is forbidden to communism. The Ninth Inter-American Conference at Bogotá in 1948 condemned "interference by any foreign power, or by any political organization serving the interest of a foreign power, in the public life of the nations of the American Continent." The 10th Inter-American Conference at Caracas in 1954 declared that "the domination of control of the political institutions of any American State by the international Communist movement, extending to this hemisphere the political system of any extracontinental power, would constitute a threat to the sovereignty and political independence of the American States, endangering the peace of America."

Three years ago Khrushchev told the world that the Monroe Doctrine was dead, saying "the remains of this doctrine should be buried as every dead body is, so that it does not poison the air by its decay." The Eisenhower administration replied, "* * * the principles of the Monroe Doctrine are as valid today as they were in 1823 when the doctrine was proclaimed." The Kennedy administration has so far failed to contradict Khrushchev either by word or by deed.

What is needed is the positive policy of the Monroe Doctrine. The Monroe Doctrine is being violated by the presence of Soviet troops in Cuba—whatever their strength, whatever the nature of their equipment.

The doctrine is being violated as long as there is any type of Soviet intervention in Cuba.

The removal of Soviet troops and the elimination of other types of Soviet intervention in Cuba is an urgent policy objective.

The ultimate objective of U.S. policy must be the elimination of the Communist regime in Cuba and its replacement by a government freely chosen by the Cuban people.

Let the President and the Congress act.

APPENDIX I—ATTITUDES ON THE SCOPE AND STATUS OF THE MONROE DOCTRINE BY RESPONSIBLE SPOKESMEN OF THE LAST FOUR ADMINISTRATIONS

Franklin D. Roosevelt (1933–45), Cordell Hull, July 5, 1940:

"The Monroe Doctrine is solely a policy of self-defense, which is intended to preserve the independence and integrity of the Americas. It was, and is, designed to prevent aggression in this hemisphere on the part of any non-American power, and likewise to make impossible any further extention to this hemisphere of any non-American system of government imposed from without. * * * It made clear that the future transfer of existing possessions to another non-American state would be regarded as inimical to the interests of this hemisphere. This has become a basic policy of the Government of the United States."

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[1] The uncertainty about the Nation's objectives is evidenced in a recent report from Freedom House entitled "What Can We Do About Cuba?" The report, stating the consensus of the deliberations of 25 experts on Cuba in late April 1963, declares that the following are troubling questions: "Is American Cuban policy geared to a negotiated accord with Khrushchev on the kind of Cuba with which the United States could coexist?" Is the administration "looking toward some kind of reconciliation, perhaps on the basis of a Tito-type arrangement for Cuba?"

[2] "The President has been careful not to declare openly that the Monroe Doctrine either does not apply in the Cuban case at this particular time or that it is an obsolete political concept in terms of present-day realities. But the administration spokesmen have made it fairly clear that the President does not believe that the Monroe Doctrine is really applicable under the present circumstances," Ted Szule, New York Times, Sept. 23, 1962.

[3] "Issues and Answers" ABC–TV Oct. 14, 1962.

[4] It is interesting to note that the argument used by Hitler's government and rejected by Hull in 1940, contending that U.S. participation in the affairs of Europe made the Monroe Doctrine obsolete, was adopted by Senator JOHN SPARKMAN.

"The nonintervention in the affairs of the American Continent by European nations which is demanded by the Monroe Doctrine can in principle be legally valid only on condition that the American nations for their part do not interfere in the affairs of the European Continent," Von Ribbentrop, July 1, 1940.

"This change has greatly altered the conditions governing our implementation of the Monroe Doctrine, which was based in part on the assumption that the nations of the Western Hemisphere would remain uninvolved in the conflicts of Europe," Senator JOHN SPARKMAN, Sept. 20, 1962.

Cordell Hull, April 12, 1940:

"There is an express application of the Monroe Doctrine by the United States regarding Greenland. There appears to be no serious question about Greenland forming part of this hemisphere as contradistinguished from the European side of the Atlantic. * * * The German forces occupying Denmark could easily cause the Government of Denmark to issue orders about Greenland, as they could about Danish shipping throughout the world. For this reason it's important that Greenland should receive our attention under the Monroe Doctrine."

Public Law 32, 77th Congress, approved April 19, 1941:

"*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* (1) That the United States would not recognize any transfer, and would not acquiesce in any attempt to transfer, any geographic region of this hemisphere from one non-American power to another non-American power."

Harry S. Truman (1945–53), President Truman, December 27, 1945:

"We believe that the sovereign states of the Western Hemisphere, without interference from outside the Western Hemisphere, must work together as good neighbors in the solution of their common problems."

President Truman, April 5, 1947:

"When we hear the cry of freedom arising from the shores beyond our own, we can take heart from the words of Thomas Jefferson. In his letter to President Monroe, urging the adoption of what we now know as the Monroe Doctrine, he wrote: 'Nor is the occasion to be slighted which this proposition offers of declaring our protest against the atrocious violations of the rights of nations by the interference of any one in the internal affairs of another.'

"We, like Jefferson, have witnessed atrocious violations of the rights of nations.

"We, too, have regarded them as occasions not to be slighted.

"We, too, have declared our protest.

"We must make that protest effective by aiding those peoples whose freedoms are endangered by foreign pressures.

"We must take a positive stand. It is no longer enough merely to say, 'We don't want war'. We must act in time—ahead of time—to stamp out the smoldering beginnings of any conflict that may threaten to spread over the world."

Dwight D. Eisenhower (1953–61), John Foster Dulles, June 30, 1954:

"This intrusion of Soviet despotism [in Guatemala] was, of course, a direct challenge to our Monroe Doctrine, the first and most fundamental of our foreign policies."

John Foster Dulles, June 30, 1954:

"If world communism captures any American state, however small, a new and perilous front is established which will increase the danger to the entire free world and require even greater sacrifices from the American people."

John Foster Dulles, March 4, 1954:

"It is time to make it clear with finality that we see that alien (i.e., Communist) despotism is hostile to our ideals, that we unitedly deny it the right of prey upon our hemisphere and that if it does not heed our warning and keep away we shall deal with it as a situation that might endanger the peace of America * * *. There is no place here for political institutions which served alien masters."

Henry Cabot Lodge, June 20, 1954:

"I say to you, representative of the Soviet Union, stay out of this hemisphere and don't try to start your plans and your conspiracies over here."

Department of State, July 14, 1960:

"The principles of the Monroe Doctrine are as valid today as they were in 1823 when the Doctrine was proclaimed."

John F. Kennedy (1961 to date), John F. Kennedy, September 13, 1962:

"Question. Will it require force to contravene the Monroe Doctrine or does the presence of a foreign power in any force, but not using that force in this hemisphere, amount to contravention of the Doctrine?"

"The President. Well, I have indicated that if Cuba should possess a capacity to carry out offensive action against the United States, that the United States would act. I have also indicated that the United States would not permit Cuba to export its power by force in the hemisphere."

Congressman Wayne Hays, Democrat, of Ohio, September 26, 1962:

"I think if a determination is made that the buildup in Cuba reaches a point where it is a threat to the United States, then it is a violation of the Monroe Doctrine.

Senator John Sparkman, Democrat, of Alabama, September 20, 1962:

"This change has greatly altered the conditions governing our implementation of the Monroe Doctrine, which was based in part on the assumption that the nations of the Western Hemisphere would remain uninvolved in the conflicts of Europe. But in discharging our obligations under the Monroe Doctrine, we must act with full regard for the fact that the problem of Cuba and of Communist designs in the Western Hemisphere is not an isolated one but part of our worldwide struggle against Communist imperialism."

Senator Dennis Chavez, Democrat, of New Mexico, September 20, 1962:

"* * * how can we justify saying we object to the Russians being in Cuba when we have a base within 60 miles of the Russian border in Turkey? I have been at our airbase in Turkey, 60 miles from Russia. How can we justify that and at the same time object to the Russians being in Cuba?"

Senator Stephen Young, Democrat, of Ohio, September 20, 1962:

"The Monroe Doctrine has been altered because we have foreign commitments and responsibilities.

"I submit, therefore, that we can neither morally nor realistically take action which would jeopardize the security and independence of our allies.

"It is not the same Monroe Doctrine as that of 1823; and our historians have been reporting that fact to us for some decades. They are correct."

Congressman Cornelius Gallagher, Democrat, of New Jersey, September 26, 1962:

"The Monroe Doctrine of 150 years ago has been amended by the necessity of a Kennedy doctrine which recognizes that a few sailing ships and men armed with muskets differs critically from a thoughtless armed action which can escalate into a nuclear holocaust and incinerate the Western Hemisphere."

Congressman Elmer J. Holland, Democrat, of Pennsylvania, September 28, 1962:

Mr. Holland inserted in the Congressional Record an editorial which was entitled, "Monroe: Obsolete Doctrine." The editorial said, "The Monroe Doctrine is Dead." Congressman Holland called it (p. A 178) "An excellent editorial on the present 'hot' cold-war situation. * * * It is good to know that we have responsible and levelheaded publishers and editors throughout the Nation who are dedicated to reporting the facts."

ARA, SUGARBEETS AND PEANUTS

Mr. LANGEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. LANGEN. Mr. Speaker, I recently called your attention, and to the attention of my colleagues, how the Area Redevelopment Administration was getting into the sugarbeet business by granting technical studies designed to prove the feasibility of growing beets in areas of questionable suitability, while proven beet areas continue to beg for acreage allotments.

Mr. Frank L. King of Long Prairie, Minn., took note of the situation and promptly sent me the following letter which, even with tongue in cheek, portrays the foolish and unwarranted actions we have noted from the Area Redevelopment Administration since its inception. I respectfully submit Mr. King's letter.

June 13, 1963.

Hon. Odin Langen,
Longworth Office Building,
Washington, D.C.

Dear Congressman Langen: I have been giving some thought to means of replacement of the loss that the Red River Valley will sustain, and is sustaining, as a result of the Department of Agriculture and the Area Redevelopment Administration withholding a 50,000-ton sugarbeet allotment for the purpose of experimenting with sugarbeet raising in Cayuga County, N.Y., and I have suddenly found the answer.

While poking around in my garden last evening, I dug up a peanut. Now if I can dig a peanut out of the ground in my garden without even having planted one, just think of what would happen if I planted them. Instead of the ARA making a grant of $118,000, as it did to experiment with beets in Cayuga County, N.Y., I would be willing to conduct an extended experiment with peanuts in Todd County, Minn., for $118. Perhaps with a slight additional grant I could experiment with the idea of growing a peanut already salted in the shell, or perhaps with a further grant I could experiment with growing preroasted peanuts. Now, at first blush you may not consider my ideas as practical, but I beg of you to give them serious consideration with a view toward submitting to the Department of Agriculture and the Area Redevelopment Administration, because if these departments can be convinced that the ideas are feasible, then they have to be feasible, if you will but consider the infallibility of the New Frontier's ideas of "getting this country moving."

Now the question arises: What will we do with all of the peanuts we will raise in Todd County? I have that problem solved also. My idea should gain very popular support from legislators who are so dependent upon and are dictated to by labor leaders. Instead of spending $20 million for a plant, to be paid for with taxpayer's money, we could find lots of space for the employment of many people to hand-shell the peanuts, and the finished product could then be purchased by the government and the many thousands of additional employees that are being taken on by the Department of Agriculture since the inauguration of the New Frontier could be paid their monthly salary with the finished product. This would in no way detract from the Cayuga County project, because peanuts will not serve as a substitute for sugar.

Respectfully yours,

Frank L. King.

LABOR-MANAGEMENT STEEL CONTRACT

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MADDEN. Mr. Speaker, despite continued charges that collective bargaining has broken down the United Steelworkers of America has concluded an unprecedented agreement in that it was conducted without the threat of a strike. The union and the industry have been experimenting with a labor-management committee—a joint study committee—whereby negotiations could be carried on without the pressure of the termination of the agreement. This built-in contractual procedure emphasizes that collective bargaining is a continuing process and should not be left to the tension generated during the last few weeks prior to the end of the labor contract.

President McDonald of the United Steelworkers of America should be congratulated for leading his union in this pioneering endeavor to perfect the institution of free collective bargaining without reliance upon Government intervention. It has certainly broken with the procedures followed in past negotiations with the steel industry and should reassure the American people that the public interest can be best served by collective bargaining. I enclose a copy of the statement passed by the wage policy committee which spells out the terms of the agreement.

STATEMENT OF INTERNATIONAL WAGE POLICY COMMITTEE, UNITED STEELWORKERS OF AMERICA, JUNE 20, 1963

I

After the great steel strike of 1959, the United Steelworkers of America and the major steel companies came to realize that a drastic change would have to be made in the nature of their relationship if a repetition of that experience was to be avoided. Accordingly, it was agreed that a joint study committee would be established, to be known as the human relations research committee, which would attempt during the term of the agreement to study the mutual problems of the parties and to arrive at mutually satisfactory solutions. It was hoped that this device would make possible a more thorough exploration of problems in a more cooperative atmosphere, free of the pressure of imminent deadlines. The wage policy committee wholeheartedly endorsed this effort to find a new approach to collective bargaining.

This imaginative experiment bore its first fruits in 1962. In that year, the United Steelworkers of America and the 11 major steel companies made a historic agreement—months in advance of the expiration date of the 1959 agreement—which was based in large part upon the work which had been done by the human relations research committee.

Not surprisingly, the 1962 agreements provided for the continuation of the human relations research committee, under the name of human relations committee, on a greatly expanded basis. A number of very broad, difficult and important problems were specifically referred to that committee for study.

Since the principal problem facing our members is the problem of unemployment, most of the issues which were referred to the human relations committee were issues affecting job and income security. These included the following:

1. The creation of employment opportunities through vacations of longer duration.
2. The contracting out of work which could be performed by bargaining unit employees.
3. The scheduling of overtime work for some employees while others are on layoff or working less than a full 40-hour week.
4. The performance by supervisors of work normally performed by bargaining unit employees.
5. The assignment to employees outside the bargaining unit of work which has been or could be performed by bargaining unit employees.

Closely related to the problem of job security—which of course is largely attributable to the rapidly changing technology of the industry—is the problem of preserving income security by adapting the job classification system to the new technology. Both sides agreed in 1962 that an updated and uniform job classification manual had to be developed, in the 10 companies which have the "Cooperative Wage Study" manual, for production and maintenance as well as office and technical employees, in order to preserve the integrity of the wage and salary structure of the industry and to eliminate inequities and obsolete provisions. This monumental task also was referred to the human relations committee.

The agreement directed the human relations committee to study these problems, and to attempt to arrive at mutually acceptable solutions. It was further agreed that if the human relations committee was unable to find answers to these problems, either party could formally reopen negotiations on these matters by written notice any time after May 1, 1963, with the right to strike or lockout 90 days after such reopening.

Almost as soon as the ink on the 1962 agreements was dry, the human relations committee began working on the subjects listed above, as well as the others which had been referred to it for study. Each issue was studied in depth by a separate subcommittee of experts, in consultation with local union representatives, and each subcommittee reported regularly to the top-ranking member of the human relations committee on the progress that was being made.

The problems, however, were not easy of solution. Despite a good-faith effort on both sides, by the time May 1, 1963, arrived there were still wide areas of differences on every issue. The international officer and executive board, however, decided to continue the work of the human relations committee for a few more weeks, in the hope that recommended solutions might be found which, if accepted by the parties, would make reopening of the agreement unnecessary.

II

Today, President McDonald has reported to us that the human relations committee has arrived at joint recommendations on all of the issues referred to above, as well as certain other issues to which the committee directed its attention. These recommendations are as follows:

1. Extended vacations: We have finally achieved our long-held goal of expanding employment opportunities by giving senior employees periodic 3-month vacations. The human relations committee has recommended a dramatic expansion of the existing savings and vacation plan, in order to provide employees in the top half of the continuous service roster at each company (the senior group) a 13-week extended vacation once every 5 years. Employees in the lower half of the continuous service roster (the junior group) would continue to receive the benefits of the existing plan, on an accelerated basis, until such time as they join the senior group. Employees in the senior group would also receive their regular vacation in the years in which they do not receive the 13-week extended vacation, and will receive one additional week of vacation benefit under the savings and vacation plan each 5 years, to be deferred, however, until retirement.

The plan would be financed by increasing the present 3-cent-per-hour contribution to the financial availability account to 12.5 cents per hour, beginning January 1, 1964. The additional money will not only finance the new benefits, but will also speed up the operation of the cycle under the old plan so as more nearly to approach the objective of 1 additional week of vacation every other year for the junior group.

The revised plan would operate in the following manner. On January 1, the work force will be divided into the senior group and the junior group. During the following 5 years, 5 percent of the members of the senior group will become entitled to the 13-week extended vacation benefit every 3 months, to the extent that there are sufficient funds in the account, so that at the end of 5 years (20 quarters) each eligible employee will have become entitled to one extended vacation benefit. Unless the employment situation becomes drastically worse, the amounts to be contributed should be sufficient to finance the benefits as they come due.

All employees in the top half of the continuous service roster who retire after June 1, 1963, will be eligible for the benefit. The portion which is in excess of the present savings and vacation plan benefit will be payable to them on January 1, 1964.

After January 1, 1964, senior group employees who retire on pension will become entitled to the benefit immediately upon retirement. As of each quarterly calculation date under the plan, an additional number of senior group employees, sufficient to complete the 5-percent quota for that quarter, will become entitled to their 13-week vacation, which will be scheduled for some time before the end of the following calendar year, subject to operating requirements. Employees who are eligible for pension when they become entitled to the 13-week benefit will receive the benefit only upon retirement.

An employee who becomes eligible for pension after having become entitled to an extended vacation will, upon retirement, receive an additional partial benefit on the basis of 1 week for each 6 months of service since his entitlement date, up to a maximum of 9 weeks. Accrual of partial benefits will stop upon attainment of full pension eligibility (age 65, 15 years of service).

As under the existing plan, any employee in the senior group who is age 65 or over and who does not retire upon becoming eligible for a pension will have any benefit which is payable only upon retirement under the plan reduced by 10 percent for every 3 months by which he delays retirement.

Employees who are age 63 or over at the time they become entitled to an extended vacation will have the option of taking the vacation in the normal course, taking it just prior to retirement, or taking it in the form of a lump-sum payment upon retirement.

Employees in the junior group will continue to receive benefits as under the existing savings and vacation plan. It is expected that sufficient funds will be available to provide this group with 1 week of vacation every 2 years.

The plan contains a provision insuring that the full 12.5 cents per hour (and, in addition, any spillover from the SUB plan up to 25 percent of the cost of the new plan) will be used to pay benefits. If more money is available than is needed to pay the benefits described above, junior group employees will be moved into the senior group to make up for employees who have not received an extended vacation benefit and have left the work force, and to expand the size of the senior group in proportion to any increases in the size of the total work force. Beyond this, additional weeks of vacation pay will be provided for all employees under the plan so long as funds are available.

The pay for that part of the 13-week extended vacation which is in addition to regular vacation will be based upon a 40-hour week. Extended vacation pay will be payable weekly or in a lump sum at the employee's option.

At the end of the 5-year period, the then existing work force will again be divided into a senior group and a junior group and the entire process will begin again.

2. Insurance: In addition to the substantial economic improvements described above, the human relations committee, as the result of its study of medical care and insurance, has recommended that the present insurance program be greatly improved by increasing hospitalization protection under our insurance agreements from 120 days to 365 days, increasing sickness and accident benefits by $10 per week, and increasing the life insurance benefits by $500. The committee has further recommended that in companies which have a different pattern of insurance benefits the parties should make equivalent improvements by mutual agreement.

3. Experimental agreement: In an effort to work out a fair accommodation of the interests of the parties with respect to the other job security issues, the human relations committee has recommended the adoption of the following new contract provisions, on an experimental basis, for the period August 1, 1963, through December 31, 1964.

(a) With respect to the contracting out of bargaining unit work, the committee has drafted a provision which, in addition to preserving all existing protections, spells out certain specific restrictions in order to improve or clarify, as the case may be, the existing protections for bargaining unit employees. The new provision would provide, among other things, the following:

(1) Production, service, and day-to-day maintenance and repair work which by established practice has been performed by bargaining unit employees will not be contracted out for performance within the plant except by mutual agreement.

(2) Production, service and day-to-day maintenance and repair work which has in the past been performed by bargaining unit employees in some circumstances and outside contractors in other circumstances will not be contracted out for performance within the plant except in accordance with existing practice, except by mutual agreement.

(3) Intermittent maintenance and repair work not falling in the above categories, and installation, replacement and reconstruction of equipment and productive facilities which do not involve major new construction, replacement or reconstruction may not be contracted out for performance within the plant unless the company demonstrates that to do so is more reasonable than performing the work with bargaining unit employees, taking into account all the relevant factors.

(4) A special joint committee on contracting out will be established at each plant, to resolve problems in connection with the operation and application of the agreement, as well as any other problems relating to contracting out. In addition, the committee will be notified before any work is contracted out within the plant, and at the request of the union members the matter will be discussed in an effort to reach agreement before action is taken. In the absence of agreement in such a situation, the matter may be processed as a grievance under the grievance and arbitration procedure.

(b) With respect to the matter of supervisors performing bargaining unit work, the committee has recommended contract language which would flatly prohibit such conduct unless the work is experimental, is performed in connection with a demonstration for the purpose of instructing and training employees, is required by emergency conditions, or is negligible in amount and, under the existing circumstances, cannot reasonably be assigned to a bargaining unit employee. The prohibition would not apply to work which is incidental to supervisory duties on a job normally performed by the supervisor.

(c) With respect to the matter of the assignment of bargaining unit work to nonbargaining unit employees, the committee has recommended adoption of a provision designed to assure that new or changed jobs will not be excluded from the bargaining unit, when they involve a significant amount of bargaining unit duties, even though they may also involve duties not normally performed within the bargaining unit.

(d) With respect to the overtime problems, the committee has recommended adoption of a provision that if qualified laid off employees are available and it can reasonably be foreseen that those employees could be recalled for a period of 2 or more weeks to perform the work in question, overtime will not be assigned unless management first notifies the union and upon request discusses its decision, and any suggested alternatives, with the appropriate grievance committeeman.

The recommendations as to the experimental provisions are applicable to the units covered by the basic steel labor agreements. As to units covered by separate agreements, the committee recommends that serious consideration be given to the adoption of these provisions, so as to permit recognition of the circumstances applicable in the particular situation.

4. Job Classification Manual: Although the committee has not completed the job of developing a uniform, updated job classification manual, great progress has been made and an agreed-upon procedure has been worked out for finishing the job by June 30, 1963. The updated manual shall be applied to the description and classification of all jobs newly established or changed since January 1, 1963. Claims for retroactive pay in connection with any pending grievance dealing with a job established or changed after January 1 shall be determined on the basis of the April 6, 1962, agreement with respect to the period prior to June 30, and on the basis of the new manual for any subsequent period.

5. Vacation scheduling: The human relations committee has recommended the addition of a new provision to the 1962 agreement concerning scheduling of the extra week of vacation for an employee having 10 but less than 15 years, or 25 or more years of continuous service. Under the 1962 agreement such weeks could be scheduled throughout the calendar year. The recommended provision makes it clear that the intention of this scheduling provision was to remove any time limitation as to the scheduling of these vacations without affecting the other rules, including seniority preference, which are applicable to all vacation weeks.

6. Human relations committee: The committee has recommended that it be continued in effect during the term of the agreement and has added to the committee functions a study to determine the problems of fabricating, manufacturing, and warehousing operations in relation to basic steel collective bargaining. The committee has further recommended modification of the human relations sections of the agreements so as to provide for review of experience under the recommended experimental agreement.

7. Clerical and technical units: The committee has recommended experimental provisions covering contracting out, overtime, supervisors working, and scope of the bargaining unit applicable to clerical and technical units. The committee also recommends that the savings and vacation plans for such units be revised in the same manner as the plans for production and maintenance units, except as may be otherwise mutually agreed.

8. Term: The committee has recommended that the above terms constitute a settlement of all issues which shall be reopenable in 1963 and that the agreement as amended should be extended so that they may be reopened on 120 days' notice served on or after January 1, 1965. The committee has also recommended that those manufacturing, fabricating, and warehousing operations which in the past have had contracts with delayed expiration dates should provide for an equivalent delay in the termination provisions of their new agreements.

9. Other recommendations: On several issues the human relations committee has recommended that settlements be worked out by the respective negotiating committees. The committee has not recommended that the entire settlement be made contingent upon resolution of these issues but it has urged that every possible effort be made by the negotiating committees to reach agreement on the following issues:

(a) Certain contracts contain provisions on the subjects covered by the recommended experimental agreement. In some cases these provisions place restrictions on the companies which are more strict than those contained in the proposed experimental agreement. The human relations committee has urged that the respective negotiating committees at the companies where this situation exists make every effort to conform their contractual provisions to those contained in the experimental agreement so that a uniform basis for further progress in those areas can be obtained.

(b) The committee has recommended that the negotiating committees at fabricating, manufacturing, and warehousing operations whose agreements now expire at the same time as the basic steel agreements shall give serious consideration to the question of whether delayed expiration dates, similar to those found in other nonbasic steel operations, should be provided in their new agreements.

(c) The establishment of the new 13-week extended vacation so affects the vacation scheduling situation that the committee has recommended that each negotiating committee seriously consider that desirability of enlarging the period for regular vacations to the entire calendar year, so as to permit the scheduling of extended vacations for senior employees in the more desirable months.

III

The recommendations of the human relations committee have already been reported to the Steel Companies Coordinating Committee, which has the authority to negotiate agreements on behalf of the 11 companies. President McDonald has reported to us that the companies are willing to accept these recommendations as a basis for the settlement of all issues which are reopenable in 1963.

As the elected representatives of the members of the United Steelworkers of America, charged with the responsibility of establishing the union's collective bargaining policy, this Wage Policy Committee enthusiastically endorses this proposed settlement, which represents enormous progress in meeting the needs of steelworkers.

The new extended vacation plan, long a goal of our union, will create at least 15,000 new jobs in the basic steel operations of these 11 companies alone, and many more thousands when applied throughout our jurisdiction. At the same time, it will reward long service employees with a periodic extended vacation for rest, recreation, and self-improvement. It will also provide employees with greater opportunities for training and promotion, and will encourage the voluntary retirement of older employees. This plan will be living proof to the world that free collective bargaining, while unable to solve all the economic problems of our society, can make substantial contributions toward achievement of the national goal of full employment for all.

The improved insurance program will provide significantly greater financial security to steelworkers during periods of serious illness, and greater security to their families upon the death of the breadwinner.

The new experimental agreement represents real progress toward a fair solution of the problems created by contracting out, supervisors working, loss of jobs through erosion of the bargaining unit, and the assignment of overtime while employees are on layoff.

The revised, uniform job classification manual will, when completed, help assure achievement of our goal of equal pay for equal work, under a fair and equitable wage structure which is adapted to the changing technology of the industry.

We take great pride, not only in the substantive achievements of the human relations committee, but in the human relations committee itself. This concept, developed by this union and the steel industry, has now been adopted in many other companies and industries, and holds great promise for the achievement of greater industrial peace and more productive collective bargaining. It is a resounding answer to those who say that collective bargaining has lost its creativity, or is unable to meet the needs of the times.

We salute the international officers and the executive board, who had the vision to realize that the human relations committee could produce results, without formal reopening and who had the skill and perseverance needed to bring those results about.

We direct the international officers to instruct the negotiating committees at these 11 companies to meet with their respective managements for the purpose of revising their agreements in accordance with the human relations committee recommendations.

IV

The human relations committee recommendations are, of course, applicable only to the 11 major steel companies represented on the committee. The international officers and the chairmen of the negotiating committees at other basic steel companies should make the necessary arrangements for implementing these recommendations, to the extent applicable, at those companies.

Steps should also be taken to achieve the same benefits, where appropriate, or equivalent improvements, at other companies within our jurisdiction whose contracts have similar reopening provisions.

At those companies where the entire collective bargaining agreement is to expire this year, an effort should also be made to implement the goals set forth in prior wage policy statements. These goals include, in addition to the ones set forth above: the achievement of high living standards and greater economic security through higher wages and improved pension and insurance, the establishment of a shorter workweek, the establishment or improvement of SUB plans, the improvement of seniority provisions to provide maximum security to longer-service employees, the elimination of racial and religious discrimination, the improvement of grievance and arbitration procedures, the establishment or improvement of training and apprenticeship programs, the full union shop, increased premiums for holiday and weekend work and overtime, increased shift premiums, severance pay, jury pay and supplemental workmen's compensation. We reiterate the necessity of eliminating all remaining wage, salary, and fringe benefit differentials, of negotiating a master agreement for each multiunit company, and providing for automatic incorporation under the agreement of newly certified or recognized plants.

Each negotiating committee at those companies shall review all the provisions of its agreement, to the extent contractually appropriate, for the purpose of making progress toward the attainment of these objectives and in order to remedy deficiencies which have been disclosed by experience or arbitration awards.

Every effort should be made to incorporate in the new agreements beneficial provisions previously made part of some of the basic agreements and those set forth in prior wage policies.

LEGISLATION TO ESTABLISH A PERMANENT ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Speaker, I have introduced today four bills, all of which have the same objective, namely to establish a permanent Administrative Conference of the United States. I would like to explain why I have introduced several bills on this subject. The first bill might be referred to as the administration bill. It incorporates essentially the recommendations submitted by the temporary Administrative Conference, which was created on April 13, 1961, by Executive Order No. 10934, with regard to the organization of a permanent Administrative Conference. These recommendations were contained in its final report to the President dated December 15, 1962.

The second bill incorporates the recommendations of the American Bar Association with regard to the establishment of a permanent Administrative Conference. The second bill differs from the first bill primarily with regard to the membership of the Conference and the responsibilities of the Director of the Administrative Conference.

The first two bills are general bills dealing with all administrative agencies including independent regulatory agencies, executive departments, and any other Federal agency which carries out an administrative program.

The third bill is an adaptation of the administration bill but it is limited to those independent regulatory agencies which come within the legislative jurisdiction of the Committee on Interstate and Foreign Commerce; namely, the Civil Aeronautics Board, Federal Communications Commission, Federal Power Commission, Federal Trade Commission, Interstate Commerce Commission, or the Securities and Exchange Commission.

The fourth bill is an adaptation of the bill favored by the American Bar Association and again it is limited to the aforementioned six independent regulatory agencies within the jurisdiction of the Committee on Interstate and Foreign Commerce.

It is my hope that the Judiciary Committee will give favorable consideration to the first two bills and that a permanent Administrative Conference will be established which will cover all administrative agencies as provided in these two bills.

However, I consider the establishment of a permanent Administrative Conference so important that I would prefer seeing it established on a limited basis rather than having no permanent conference at all. Therefore, I have introduced the third and fourth bills having in mind that such a conference should deal at least with the problems common to the independent regulatory agencies which come within the jurisdiction of our Committee on Interstate and Foreign Commerce.

Mr. Speaker, I feel that the temporary Administrative Conference did a very worthwhile job indeed, and it did a very important job in connection with ex parte communications which at times have been a serious problem in connection with the proceedings of several of the independent regulatory agencies within our jurisdiction.

The temporary Administrative Conference adopted a set of recommendations with regard to ex parte communications and several of the independent regulatory agencies have already carried out these recommendations and have adopted specific agency regulations which implement the recommendations on the Conference in this field.

Mr. Speaker, the problems faced by administrative agencies and particularly the independent regulatory agencies are very real. Several astute observers of the administrative process as for example a former member of the Civil Aeronautics Board, Mr. Hector, and the former chairman of the Federal Communications Commission, Mr. Minow, have been highly critical of the organization and procedures of the independent regulatory agencies, of which they were members.

It is my conviction that the questions which these two men and others have raised in connection with the administrative process can be dealt with appropriately, at least in part, by a permanent Administrative Conference. I consider such a conference as an aid to the Congress and I do not believe that the authority to make recommendations which would be granted to such a conference in any way derogates from the power of the Congress to exercise legislative oversight.

Mr. Speaker, it is my hope that a permanent Administrative Conference of the United States will be created by statute in this session of the Congress and I am confident that the differences which exist with regard to the membership, organization, and procedures of such a conference can be worked out without too much difficulty.

IMMEDIATE STUDY OF FEDERAL INTERSTATE HIGHWAY MILEAGE ALLOCATION IMPERATIVE

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FASCELL. Mr. Speaker, the National System of Interstate and Defense Highways was established in 1944 with an authorization of 40,000 miles. The only other action the Congress has taken was in 1956 when an additional 1,000 miles for the Federal Interstate Highway System was authorized.

Today, with the enormous expansion in the number of automobiles in the United States and the corresponding increase in use of the Nation's highways, this Congress should give careful consideration to an increase in the allotted mileage of the National System of Interstate and Defense Highways. This increase should be designed to cope effectively with the expansion in automobile and truck traffic on the Nation's highways and the Nation's growing defense requirements.

Congress has recognized that this problem cannot be effectively coped with on the local or State level. The magnitude of need and the corresponding cost requirement make Federal participation mandatory.

In my own State of Florida there is a pressing need for a large limited access highway between Tampa on the west coast and Miami on the east coast. So as to call attention to this need I introduced bills in the 85th, 86th, and 87th Congresses to provide for an increase in the authorized mileage in the National System of Interstate and Defense Highways.

Other members of the Florida delegation have also introduced similar bills to provide for the inclusion of this highway link in the approved Federal Interstate System.

However, Congress has not and it is obvious that it should not consider piecemeal additions to the Interstate System.

Piecemeal additions could only produce a haphazard conglomeration of hodgepodged concrete that would relate itself only to local needs and not in any way service the original and continuing congressional determination to construct a nationwide network of technically approved interconnecting serviceable highways.

The construction of this highway between Tampa and Miami is of considerable importance to the citizens of south Florida as well as to those persons throughout Florida and the rest of the Nation who use Interstate 75 to travel along the west coast of Florida to and from Miami.

Interstate 75 now ends in Tampa. For a distance of approximately 250 miles between Tampa and Miami motorists are forced to travel on U.S. 41, which is an antiquated, narrow two-lane highway hemmed in by many bridge abutments, narrow shoulders, deep canals and marshlands of the Everglades. In other areas it wanders through the confining streets of commercial districts. This ancient two-lane highway is dangerous, congested, and totally inadequate in meeting rapidly growing traffic demands.

The seriousness of the traffic safety problems involved on U.S. 41, which is one of the most heavily used highways in the Nation, has been recognized by a number of the prominent newspapers throughout Florida. The Miami Herald, the Miami News, the Sarasota Journal, and the American Automobile Association Florida Explorer are among those who have repeatedly expressed concern, forcefully recommending the construction of a large limited access highway between these urban communities.

The chambers of commerce of many States and cities also are on record as supporting the inclusion of this highway link in the Federal Interstate System. Many municipal governments within Florida, the Florida State Highway Department, and the American Automobile Association have recommended the immediate extension of Interstate 75 southward to Miami.

The interest of other sectors of the United States is due primarily to the fact that U.S. 41 connects Miami with the Midwest and intersecting Federal highways of the Gulf and Northern States.

The Cincinnati Automobile Club is one of the more ardent supporters for the continuation of Interstate 75 into Miami.

In a letter to me dated June 3, 1963, Mr. Ralph Peters said:

> As you are no doubt aware, Interstate 75 runs from Sault Ste. Marie, Mich., to Tampa. The route traverses through the very thickly populated Middle West including the territory served by the Cincinnati Automobile Club.
>
> We are especially interested in this legislation because of the thousands of motorists from this area who visit Florida each year. Many of our more-than-80,000 members prefer to go down one coast of Florida and return via the other coast. Since Interstate 75 dead ends at Tampa, this causes an inconvenience on the part of these motorists.
>
> In all probability the linking of Tampa and Miami would be the least costly 200 miles in the entire Interstate System.

Mr. Peters raises several valid points especially the one concerning the cost factors. A direct link between the two cities would traverse areas in which land could be procured at an extremely low cost.

Other organizations, which serve motorists who travel to Miami, have also expressed concern about the inadequate and dangerous highway facilities between Tampa and Miami.

The Nation's defense is an important factor in this proposal. There are many defense installations in south and central Florida whose primary objective is to guard the southeastern approaches to the U.S. mainland.

The highway network in central and south Florida must be adequate to facilitate the ever enlarging military and defense industry traffic. This need was highlighted during the recent Cuban crisis. The warning should be heeded without delay.

This proposed highway would link the Strategic Air Command Base in Homestead, Fla., the Key West naval and air installations and the Hawk and Hercules missile sites in Dade and Monroe Counties with the other military installations on the west coast of Florida and along the Gulf of Mexico. The extension of Interstate 75 would vastly improve the defense posture of these military installations. There is every reason to believe that military authority will readily agree.

Since 1956 when the Congress last increased the authorization under the Interstate System, a large number of defense industries have located in Tampa and Greater Miami. The most important of these industries is Aerojet General which has been contracted to build two solid-fuel rocket engines for the Air Force. Aerojet-General is now constructing, manufacturing and testing facilities which will be completed in October 1963.

Aerojet-General and the other industries in south Florida, which have been expanding rapidly during the last 5 or 6 years, need a dependable and rapid transportation network. The continuation of Interstate 75 between Tampa and Miami would greatly facilitate the operation of these industries and the Nation's defense effort.

The Dade County Redlands agricultural area which supplies a large part of the Nation's vegetable and fruit market is dependent on adequate highways to transport fresh produce to the rest of the Nation. Truck farms cannot operate efficiently without an adequate and easily accessible transportation network. Construction of this highway would accelerate and insure a steady flow of fruits and vegetables from the Redlands area to all points of the South, North, and Midwestern States.

I am sure my colleagues here today are aware of somewhat similar highway needs in their districts and States. This Congress should recognize this need and give early and serious consideration to a sizable increase in the authorized mileage in the national system of interstate and defense highways.

A resolution has been introduced in the House—and another in the Senate—calling for studies of the Nation's present and future highway needs. I have cosponsored this legislation and urge this House to give these resolutions serious thought for an expeditious enactment. There is a need in Florida and many other States for additional highways, and this proposed study is the first realistic step this Congress can take in alleviating this need.

FAILURE TO EXTEND PUBLIC LAW 78, THE BRACERO PROGRAM

Mr. GUBSER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GUBSER. Mr. Speaker, when this House recently refused to extend Public Law 78 I am confident that many Members who voted against the bill did not realize the serious chain reaction which was set in motion. Already it is evident that the farmers themselves were not the only persons to be hurt by the termination of the bracero program. As each day passes I receive more letters from small businessmen and the employers of industrial-type labor, including many union members.

I submit herewith a letter from a small businessman in the farming community of Watsonville, Calif.:

WATSONVILLE, CALIF.,
June 17, 1963.

Hon. CHARLES S. GUBSER,
House Office Building,
Washington, D.C.

DEAR SIR: I am a small businessman engaged in the sale of agricultural supplies. Since the defeat of the extension of Public Law 78 I have received cancellation on future business to the extent of about $50,000.

During the harvest season my supply business provides work for approximately 30 people. I would estimate that next year this number will be cut in half. Incidentally the type of people I hire are not agriculture-type labor.

A car dealer friend of mine told me he had a cancellation on two trucks to a berrygrower. If you wanted to trace this through, it even affects General Motors, though in a small way, that I'm sure General Motors can survive without Public Law 78.

I could go on and on explaining how in my opinion and those I have talked to, how the termination of Public Law 78 will affect the economy of this community.

Mr. GUBSER, I strongly feel that this bill should be reintroduced and that Public Law 78 be extended for a minimum of at least 2 years. During this 2 years a determination could be made to find out if there is sufficient domestic workers of the "stoop labor" class to handle the harvest of crops in California. If it develops that there is not enough domestic help then Public Law 78 could be extended beyond 1965.

Again, may I urge you to vigorously support this measure that so affects the economy of this and other districts of California.

Sincerely,

EDWARD A. SILVA.

COMMITTEE ON THE CAPTIVE NATIONS

Mr. LANGEN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, many Members of the House have united in a bipartisan effort to establish a special Committee on the Captive Nations. At the present time there are over 40 individual resolutions pending before the Committee on Rules, and our distinguished colleague from Pennsylvania [Mr. FLOOD] and I have requested an early hearing on these proposals.

The Soviet oppression of millions of previously free people behind the prison walls of the Iron Curtain continues a great weakness of the Soviet Union. It is unfortunate that this fact has been either ignored or disregarded by State Department officials in their analysis of conditions behind the Iron Curtain. In order to emphasize the weakness of the Soviet empire, brought about by the continued nationalistic spirit of the oppressed peoples of communism, I wish to direct to the attention of the Members a number of items which dramatize this fact.

The first is an article by C. L. Sulzberger in the June 5 edition of the New York Times, which describes racism in the Communist orbit, which I make a part of my remarks at this point:

RACISM IN THE COMMUNIST ORBIT

(By C. L. Sulzberger)

The racial issue in the United States casts an inevitable shadow over our foreign policy by making it unquestionably more difficult to spread concepts of freedom and democracy among newly independent lands in Africa and Asia.

This problem is increasingly understood by thoughtful Americans. They recognize the embarrassment caused as we seek to develop such oversea friendships when excruciating incidents accompany the long-delayed implementation of equal rights in the United States. And even if this awareness produces no easy answers, the mere fact of its existence is of some help.

A less obvious aspect of the racial revolution that accompanies this era's national and social revolutions is its impact on the Communist orbit. However, the argument about "color" and its implications in terms of classical Marxist concepts of imperialism is now widening the split between Russia and China and their own private power competition.

Hints of this dispute became more evident after the 1955 Bandung Conference. Moscow and Peiping then first showed they could not work easily in harness to gain ascendancy over an Afro-Asian bloc. In recent years China, although economically hard pressed, has directly competed with Russia for influence in newly freed countries.

Now, to Russia's acute embarrassment, the Chinese cleverly report U.S. Negro discontent and unsavory incidents of violence—to Soviet disadvantage. Peiping takes pains to remind its propaganda clientele that the U.S.S.R. is predominantly "white" and, by inference, in no position to preach theory to "colored" lands.

The Russians have become sufficiently irritated by such tactics to publish open complaints. After an Afro-Asian conference in Tanganyika they began to warn against distorting the movement against colonialism and imperialism into a movement against all white people. An effort was made to distinguish between progressive and imperialist whites. A Soviet diplomatic journal admitted the growth of some distrust in Africa of all whites in general.

UNRELINQUISHED DOMAINS

Even an implied racial issue is of particular embarrassment to Russia for reasons that transcend its global ambitions. Vast areas of the U.S.S.R. were acquired by czarist imperialism from weak Asian rulers in precisely the same way that other vast areas were acquired by other imperialisms. The salient difference is that other imperialisms have, for the most part, relinquished such conquered domains. The Russians have not.

After the revolution, Moscow, despite initial doubts, decided not to grant independence to the immense region between the Caspian Sea and China inhabited primarily by Asian peoples. And although racism has since been officially taboo, it has never been erased.

Any visitor to Tashkent, the central Asian metropolis, cannot but be struck by the separation of Slavic minorities and Asian majorities, somewhat like those cantonments of British India where English officials once dwelled. Troop battalions marching to martial music comprise almost uniformly European, not Asian, Russians.

Does China, by pressing this issue, hope to stir in the U.S.S.R. a new anti-colonial resentment among Eastern peoples who, not too long ago, claimed their own national if dilapidated rule? Not since the period immediately following World War I has there been among these peoples any important earnest of an independence movement. But should such ideas be fostered in a Communist land by another Communist state and in communism's name, trouble could well come.

How this may effect next month's Sino-Soviet talks cannot possibly be imagined. There is already speculation concerning the nature of the agenda to be discussed by their ideologues and whether, in the end, the two Communist powers may accommodate each other by dividing the world into western and eastern spheres of revolutionary interest.

Such a cynical solution would be fatal to Russia. The insanity of racism is a blemish that transcends political forms. Should there be even inferential Kremlin admission that people of differently shaded skins should be grouped in separate blocs, the very structure of the U.S.S.R. itself is doomed. For communism, like democracy, loses any of its claims to merit if tarnished by the prejudice of pigment.

Further dramatizing this issue, and pointing out that the ethnic resistance against Soviet colonialism is extending into the cultural and religious fields as well, I include an article by Columnist Ralph McGill, which appeared in the June 6 edition of the Washington Star, directing special attention to the Moslem minority in the Soviet Union:

ISLAMISM IN THE SOVIET UNION

(By Ralph McGill)

A news item out of Ashkhabad, capital of the Turkmenian Republic of the U.S.S.R., stirred a memory. In Teheran, Iran, in February of 1945, a young Iranian took a couple of visitors on a walk about the city. We went into a Shiah mosque. Close by the pool a group of perhaps 60 camel drivers and street hawkers sat listening to a mullah reading from a book. The mullah looked at us with hot-angry eyes. He paused in his reading. The seated men turned their heads.

"We go—quickly," said the Iranian. And we did.

"He, that mullah fellow, was reading to them about the passion of Husein," explained our guide. "Sometimes they become quite dangerous. A week ago they killed one of your GIs who intruded on them, unaccompanied. When they hear about Husein's passion some become wildly irrational."

We visited no more Shiah mosques when mullahs were reading out loud.

WILD DEMONSTRATION

The story from the distant Soviet Republic said that last June at the annual period of mourning for the death of Husein, moans and hysterical wails could be heard for hundreds of yards. A sect leader was described as removing his shirt and lashing his body until it was covered with bloody welts. Scores of others joined in. Hysteria mounted. Children screamed and ran. Others looked on in awe.

The newspaper was asking that Moscow order local authorities to forbid and suppress any commemoration of the event in this current June. Authorities were reminded that the new criminal code gives the Government the right to prosecute anyone who uses fraud to implant religious superstition and extort material goods for playing on the feelings of the believers.

Self-flagellation was described as illegal self-torture and the sect was denounced as antisocial because during the month of June it fasts and forbids visits to places of amusement and recreation.

It will be interesting to watch the news. Iman Husein has been dead since the year 680, but his power is still strong, largely because its strength grows out of persecution. Soviet law may be tested.

The Sunni sect of Islam is the largest. Its members viewed the caliphate as elective. The Shiites insisted on the office going to a descendant of the founder. They therefore regarded Mahomet's cousin Ali and his descendants as the legitimate source of the rightful heads of all Islam.

A battle took place near the town of Kerbala, in what was then Mesopotamia, about 55 miles southwest of Baghdad. Ali's son, Husein, was killed. He and his followers defended desperately and bravely. They were cut off and without water for a long period of time. This was a part of his suffering and also explains why every Shiah mosque has a pool of water in its courtyard.

TWENTY-FIVE MILLION MOSLEMS

Followers of the Caliph took the body of the dying Husein and rode their horses back and forth over it, abusing it terribly. The head was then cut off and carried in triumph to show the populace. It is the reading of the story of this death—of the horses galloping over the body and the mutilation of it, that so arouses the faithful. They begin to finger their knives or reach for a rifle if an infidel or unbeliever is in sight.

The Soviet Union includes more than 25 million Moslems and about 4 million are of the Shiah sect. They are located chiefly in the Azerbaijan Republic, which adjoins Iran, a center of Shiah strength, and in two central republics.

Mr. Speaker, we are especially cognizant to the plight of the Baltic people. The previously free nations of Lithuania, Latvia, and Estonia which prior to World War II were models of democracy, have since been incorporated into the huge prison that is the Soviet Union. I include as part of my remarks, a letter of June 14, to the President of the United States from the Chicago Lithuanian Council, containing resolutions adopted at the observance of the June 15, 1940, anniversary of the Soviet occupation of Lithuania:

CHICAGO LITHUANIAN COUNCIL,
June 14, 1963.

Hon. JOHN F. KENNEDY,
President of the United States,
White House,
Washington, D.C.

DEAR MR. PRESIDENT: Gathered at the Lithuanian Youth Center in Chicago to observe the anniversary of the June 15, 1940, Soviet occupation of Lithuania and the subsequent mass arrests and deportations of Lithuanians to Siberia and elsewhere in Russia, which acts are continuing to this day, we Chicagoans of Lithuanian descent address you, Mr. President, with a restatement of the following facts:

1. Whereas the Soviet Union, in signing secret agreements with Germany on August 23 and Sepatmber 28, 1939, aimed at annexing Lithuania to its territory, and whereas, by signing these secret agreements and carrying them out—occupying Lithuania on June 15, 1940, and continuing this occupation to this day—Soviet Russia has violated and is still violating a whole series of international agreements and treaties.

2. Whereas Lithuania today has been factually made into a Soviet Russian colony, where the Moscow-imposed and directed Communist regime has deprived the inhabitants of their civil and political rights, as well as the freedoms of the individual person, of religion, of a free press and free speech, which are the inherent rights of all peoples.

We therefore request you, Mr. President, to take every possible measure to help to bring about the withdrawal of the foreign regime forced upon Lithuania by Soviet Russia, so that Lithuania could again independently exercise her political sovereignty and here citizens could again freely use all their political and civil rights and freedoms.

Respectfully yours,
CHICAGO LITHUANIAN COUNCIL,
——— ———, *President.*

Mr. Speaker, I urge all Members of the House to join in a bipartisan request for a special House Committee on the Captive Nations.

REGIONAL PREFERENCE FOR FEDERAL POWER

Mr. LANGEN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. MARTIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. MARTIN of California. Mr. Speaker, under unanimous consent, I include in the body of the RECORD an article "Regional Preference for Federal Power," by our esteemed colleague, the Honorable CRAIG HOSMER:

REGIONAL PREFERENCE FOR FEDERAL POWER?

(By Hon. CRAIG HOSMER, U.S. Representative from California)

(NOTE.—The many knotty problems raised by the proposed Northwest regional power preference bill are now before Congress, including the role of the U.S. Bureau of Reclamation. The author seriously doubts the value of such legislation.)

Modern developments in electric transmission technology have opened up new vistas of a truly national U.S. power pool. Within less than a decade, extra-high-voltage, long-line interconnections between regional power pools can bring to the entire Nation benefits similar to those now enjoyed from power pooling within regions of the Nation.

Two years ago, the Edison Electric Institute unveiled far-reaching plans by America's investor-owned utilities to build some 100,000 miles of interconnections at a cost of $8 billion. It said the national grid would be completed by 1970.

Publicly owned utilities also have recognized a responsibility to foster and help finance the interties according to statements by American Public Power Association officials and others.

Despite these bold plans and despite the will and the financial abilities of their sponsors to implement them, completion of the national grid within the 1970 time scale is seriously threatened. The threats are political in nature and stem both from considerations of regional self-interest and from an ideological conflict over who shall exercise the vast influence inherent in controlling the flow of the Nation's massive electrical resources.

For almost three-quarters of a century, dedicated believers in nationalized control of American economic life have fought relentlessly for ever-widening Federal jurisdiction over the stream of commerce. In the field of electric power, their activities have centered in, but have by no means been limited to, the Bureau of Reclamation in the Interior Department. Some attribute the Bureau's zeal to a longstanding Fabian Socialist plot to rule the Nation through control of its power resources. Others write it off as diagnostic evidence of an ever-present empire-building psychosis in middle- and top-level Government officialdom. Yet another explanation calls the effort an accelerated application of Parkinson's law on the self-prolification of bureaucracy.

Whatever is behind it, under a succession of Interior Secretaries the Bureau of Reclamation has moved deeper into the generation, transmission, and marketing of electric power. The pace has been almost unbroken. Preference laws benefiting public and nonprofit bodies in the purchase of Federal power since 1906 have given the Bureau the lever it needed to speed its expansion.

Purchase preferences, combined with low-interest-rate Rural Electrification Administration loans, tax exemption of cooperatives, and other devices for Federal largess, constantly have spawned an ever-increasing number of public bodies holding a vested, preferred interest in Federal power programs. In some marketing areas, like that of the Bonneville Power Administration, new public power-consuming bodies mushroomed all over the Pacific Northwest. In others, like the TVA empire, investor-owned utilities were driven out and replaced by public bodies.

Over the years, these groups have dutifully marshaled powerful lobbying organizations behind congressional appropriations financing the Government's expanding electric power role. Today, the U.S. Government owns and operates generating facilities producing well over 100 billion kilowatt-hours of electricity annually. The Federal investment in transmission lines totals nearly $1,750 million. Federal tax dollars invested by the Bonneville Power Administration total approximately $1.7 billion, and the end is not yet in sight.

The direct cost of these operations to taxpayers at large in the form of the annual Federal subsidy for interest alone is staggering. On April 9, 1963, the U.S. Treasury paid 4.09 percent net interest for its latest long-term borrowing. By contrast, interest returned to the Treasury by the Bureau of Reclamation is at the rate of 3 percent. Such agencies as Bonneville and the Southwestern Power Administration pay only 2½ percent. REA borrowers pay only a minuscule 2 percent. Sales preference and low interest rates are the bonds which have kept the adherents of Federal control and the public power groups in a happy, mutually productive union for many years.

PACIFIC GAS & ELECTRIC CO. PROPOSAL

A snake appeared in the garden in 1958, however, in the form of an offer by California's Pacific Gas & Electric Co. to buy large blocks of BPA's surplus power and wheel it on its own lines to its California marketing area.

Although still ahead of its treasury payback schedule at the time, BPA had begun to incur annual deficits which were whittling away at its overall financial position. Future prospects for improvement were dismal for many years ahead. The Pacific Gas & Electric offer seemed an ideal means to bolster sagging BPA fiscal fortunes by exporting power for which the Pacific Northwest had no regional customers. It meant that the prospect of raising BPA rates could be postponed, possibly eliminated entirely.

The Pacific Gas & Electric proposal created some consternation among Bonneville's regular Pacific Northwest consumers. Possibilities of continued export of power in decades ahead, when regional demands might more closely approximate BPA's capacity, had to be balanced against the more immediate probability of an unwelcome rate boost. But the regional consumers' consternation was mild, indeed, in relation to that in Federal power circles in Washington, D.C., who were quick to see adverse implications in establishing a precedent for the interconnection of large regional electric power pools by privately owned and controlled utilities.

By that time, 1959, feasible long-line a.c. and d.c. electrical transmission was shifting from the realm of expectation to practical reality. Dreams of the Public Ownership League envisioning giant tie lines across the Nation, born in the 1920's and fostered for so many vocal years by the late Leland Olds, once chairman of the Federal Power Commission, were getting to the hardware stage.

To those promoting centralized control, the coming of regional interties lacing together a national power grid, could mean opening up vast new Federal power-marketing areas. It could also mean opening up vast new possibilities for Federal control by forcing private power companies to do business largely on Federal terms. But these meanings could be given only if the lines were brought under effective Federal management—directly by Federal construction and operation or indirectly by tight Federal regulation.

If Pacific Gas & Electric Co. proposed private intertie should set a pattern for knitting together the Nation's power pools on non-Federal terms, then the politico-economic power potentialities of managing the national grid, for which Washington's bureaucracy had so long and patiently waited, would be irretrievably lost. Little delay was consumed in launching a concerted effort to drive this snake from the garden.

Not too many months after the Pacific Gas & Electric Co. offer, the Senate Interior and Insular Affairs Committee instructed the Department of the Interior to order Bonneville's Administrator not to close the Pacific Gas & Electric Co. deal. He was told to await the making of a major study of the feasibility and desirability of an intertie between the Pacific Northwest and areas to the south.

Early in 1961 Congress approved funds for the study and soon thereafter the Interior Department's own Bureau of Reclamation was assigned to conduct it. The very Bureau whose systems are most directly involved—which would be affected most by the outcome of an impartial and unbiased study—was given free rein to make the assumptions on which the study was based and to come to the conclusions it finally reached.

The five-man task force chosen for the job was headed by BPA Administrator Charles F. Luce and included two other BPA officials, and REA engineer, and a Reclamation Bureau regional official. Predictably, its December 15, 1961, final report surprised no one. A "Pacific Northwest-Pacific Southwest extra-high-voltage common carrier interconnection" based on "new horizons in transmission technology" was strongly recommended.

The task force carefully skirted the question of who should build and operate the interconnection. This "sticky wicket" was assigned to more politically skillful lieutenants of the new Interior Secretary Stewart L. Udall. They comprised a sometimes shifting, somewhat anonymous, but always enterprising informal group which, for lack of another name, will be designated Task Force II.

GOVERNMENT MARKETING

Parameters of the problem faced by Task Force II were first defined publicly during hearings of the Senate Subcommittee on Irrigation and Reclamation in May and June 1960. The hearings record contains testimony, letters, and opinions of then Interior Secretary Fred Seaton, the department's solicitors and the attorneys general of Oregon, Washington, and California affirming that Pacific Gas & Electric Co. intertie would insulate BPA's historic preference customers as well as its nonpreference customers from preferred demands from California public bodies. The latter would be buying Pacific Gas & Electric Co.'s power, not Uncle Sam's, they said. Preference applies only when the Government markets the power.

The obvious converse of this reasoning was noted quickly by Senator HENRY M. JACKSON, of Washington: Should the intertie be federally constructed, the Government would be marketing directly to California and preference would follow the transmission lines.

Among public groups everywhere outside traditional Federal marketing areas the situation raised happy hopes for vast new supplies of cheap power via Federal construction of long-line interties. For public power groups inside the traditional areas, it conjured up only dismal nightmares of massive raids against their comfortable regional cheap power monopolies. These bad dreams might soon become fearful facts unless interties were privately constructed or unless Congress could be persuaded to impose regional superpreferences on federally constructed lines.

Publicly owned utilities and co-ops, heretofore the dependable solid phalanx of support for Federal generating and transmission programs, were now splitting between the "ins" and the "outs." Fierce internecine warfare was brewing—pitting unadulterated preference against regional preference, impeding congressional appropriations for transmission lines and other power programs.

Tension was heightened by threatened demands for "equal protection" of other origin centers of Federal kilowatts if the Pacific Northwest got its superpreference. Senator BARRY GOLDWATER, of Arizona, claimed rights to it for States on the Colorado River where hydroelectric generating facilities are located. Senator KARL MUNDT staked claims for the two Dakotas. California's Representative CHARLES GUBSER saw reason to demand it for that State's Central Valley Authority. Senator ROMAN HRUSKA, of Nebraska, a power-short State, particularly deplored the greed of more fortunate neighbor States, while New York's Senator KENNETH KEATING generally deplored sending eastern taxpayers' money to pay for anything "out West."

Rural Electrification Administrator Norman M. Clapp addressed a convention of the American Public Power Association meeting in Puerto Rico, pleading: "We must not overlook the responsibility of the Federal Government to serve all regions. The taxes which develop Federal projects from which low-cost power is generated come from all regions. The ultimate benefits should be available with equal impartiality * * *. We cannot afford provincialism and parochialism in our power supply planning * * *. We must plan ahead for the ultimate utilization of our power resources on a national, not regional scale."

Less redundantly, Senator HENRY M. JACKSON from the opposing camp hurled the terse ultimatum: "No regional preferences, no interties."

Federal Power Commission Chairman Joseph C. Swidler expressed misgivings about regional preference legislation, at least until the facts are in on FPC's National Power Survey, and Federal Power Commissioner Charles R. Ross found the whole preference idea abhorrent.

Many other examples of concern might be given, but the foregoing are sufficient to indicate the magnitude of the disarray among traditional supporters of public power programs which Task Force II had been assigned to tidy up. Unless it performed its task effectively, over half a century's efforts to concentrate power and control in Washington ultimately might go for naught.

THE MASTER PLAN

Task Force II fully realized that accomplishing its mission involved goring somebody's ox. It knew the choice must be made after calculating what injuries to whose animal would least delay restoration of order in the ranks of public power groups. Task Force II's careful analysis of the facts evolved a two-phase master plan for peace and reconsolidation.

Phase I called for eliminating the preference insulation feature of private interties. Objective: Destroy the reason regionalist public groups had for opposing Federal participation in interties.

Phase II called for granting the demands of the regionalists of the Pacific Northwest, public and private, for special protection, while denying those of all others. Objective: Quiet the noisiest regional group, regain its support for Federal interties, and expect "nonsuper preferred" regional groups to follow suit after comparing the disadvantages of going it alone against uncooperative Federal power officials with the advantages of going along with cooperative ones.

In short, the ox goring was to be done on a highly selective basis, making the shallowest possible wounds to which the healing balm of prospective benefits from Washington would be quickly applied.

Understanding the master plan removes the apparent inconsistency in Assistant Secretary of the Interior Kenneth Holum's speech in Nebraska on August 2, 1962, in which he observed: "While we have recommended regional preference legislation to meet the Northwest's special problems, we just as strongly assert that we firmly oppose the establishment of regional preference fences around any other portion of the United States."

Holum's nonsuper preferred public bodies in regions outside the Pacific Northwest, according to the master plan, were to get theirs out of new supplies of public power to be made available by Washington control of the interties coupled with Stewart Udall's other plans for enhancing the quantity of Federal kilowatts. All they had to do was get back in line to receive it.

During the last week of March, this year, phase I and phase II of the master plan were both passing milestones in their implementation.

On March 24 the Department of the Interior, in cooperation with the Department of Agriculture, promulgated a new regulation governing rights-of-way grants for non-Federal transmission lines over federally owned lands. Henceforth, no right-of-way shall be granted except on the condition of "the applicant making surplus transmission capacity available for wheeling power for the Government." This effectively removes the preference insulation heretofore provided by private interties because it makes possible direct interregional Government power sales to preferred customers even over private lines. As a consequence, private interties no longer hold out an advantage over Government interties to consumers in a region worried about raids on their Federal power by public groups outside.

A substantial bonus feature of the new regulation is seen in the fact that large amounts of public lands exist in almost every State. Inevitably, such private interties as may be built in almost any part of the country will pass through some Federal land.

This will extend Washington's long arm to almost all interties, even though nonfederally constructed and operated.

On March 29 Interior resubmitted to Congress the administration's firm endorsement of pending legislation assuring BPA's present customers a preferred position over any new preference customers brought into the market for BPA power by long transmission lines to other regions.

In quick response to Udall's nudge, the Senate Interior and Insular Affairs Committee held brief hearings on S. 1007, the Northwest regional preference bill, just 3 days later, on April 1. By April 23, the bill had passed the Senate on voice vote and was sent to the House of Representatives. All that is needed now to complete phase II and drive the snake out of the garden—to restore tranquillity to the marriage between Federal control exponents and preferred public power consumers—is action by the House on S. 1007, or similar bills introduced by Representatives JACK WESTLAND and JULIA BUTLER HANSEN, both of Washington.

FEELINGS IN CONGRESS

Public bodies outside the Pacific Northwest that receive second-class preference under the legislation neither bitterly opposed the bill nor pressed demands for Senate amendments giving them their own regional preferences. The master plan was clicking. It had been made crystal clear by speeches, press releases, and attitudes of Interior's officialdom that the best interest of these groups lay in "going along" with task force II's strategy.

Reassurances to these groups that they "had done the right thing" were given by Secretary Udall within a week after the Senate acted. In a major speech on April 30 he called for Federal interties between the Missouri basin, Upper Colorado, and the Parker and Davis Dams in southern California, plus a hookup with the Southwestern Power Administration. Public power even for the "second preferred" would, indeed, be plentiful. Udall also called for legislation to strengthen the FPC's control of high-voltage lines, wherever located. This control over transmission could be expected to benefit public bodies, even to the extent that steam-generating plants on the new grids might be constructed by private investor-owned companies. The latter would have to do business under Federal terms and subject to Federal control, both legal and economic.

Fortunately, the House is unlikely to act on the Northwest Regional Preference bill as precipitously as did the Senate. Last year it sought ample time to review the many implications of the regional preference precedent and was still conducting its studies when the Congress adjourned. The mood of the House in 1963 is close to that of 1962, despite major changes in memberships on its Committee on Interior and Insular Affairs.

Admittedly the story told thus far by this article may not be exactly how it all happened, but it is sufficiently close to the mark to illustrate this point: Much more is involved in S. 1007 and related bills than simply perpetuating the monopoly of Pacific Northwest citizens and industry over BPA's low-cost taxpayer-subsidized public power and that area's competitive advantage in attracting new industry with BPA's unchanged 1938 rate of 2 mills per kilowatt-hour for electricity at 100-percent load factor.

A Pandora's box of basic questions on Federal power policy and Federal power programs is tucked inside these bills. The House Interior and Insular Affairs Committee and its parent body, the House of Representatives, have a duty and obligation to open the box and investigate its contents thoroughly.

In doing so, the legislators will be aware that the energy problems of the United States in the decades ahead will be much different from those of the past. America's need for electrical energy is calculated to double during each decade until well into the 21st century. Meeting that need will cost many, many billions.

Savings in capital investment in regional firm and peaking capacity, to be made possible by border to border interconnections, will not be net savings, in the sense that the investments will never be made. They will be savings only in the sense that the time of making the investments will be delayed somewhat. In the end, ever-increasing basic demands for energy still must be met by continuous purchases of the hardware needed to produce and distribute it.

In a recent letter to the author, BPA Administrator Luce contended, in effect, that these needs can be best met by arbitrarily designating regional marketing boundaries, maximizing production capabilities within each region, and then skillfully managing the regional parts making up the whole national grid. Opposed to Luce's idea of "Balkanizing" the grid is the proposition that the country should become one single power pool. This is based on the argument that only the free, unimpeded flow of electrical energy from points of generation to points of maximum beneficial utilization, irrespective of regional considerations, can best serve the Nation as a whole.

A LARGE INVESTMENT

These opposing viewpoints are not likely to be resolved quickly or easily. Perhaps they can never be resolved on a permanent basis. Electric utility economics involve extremely complex factors. These, in turn, vary as developing electrical generating and transmission technologies interplay with changing patterns of economic development and shifting resource requirements. These may alter quite suddenly. International as well as domestic events exercise influence. Unanticipated limitations of nature also play a role.

Dwindling water resources in relation to needs is an example. Recently the Joint Committee on Atomic Energy was told that possible dual-purpose use of energy from large nuclear reactors for both electrical generation and saline water purification is in the offing. This development would bring about a drastic relocation of energy production concentrations and consumption centers. Its massive feedback effect on preexisting electrical power structures can be imagined, but not now calculated.

In any event, the sheer magnitude of investment required to meet burgeoning electrical energy requirements over the years ahead will strain both private and public resources. Friction between public and private power forces will have to be minimized and enlightened cooperation maximized to keep up with needs. Such wasteful incidents as the long, politically inspired delay in interconnecting the Pacific Northwest with other regions—costing BPA a substantial part of its $18 million loss this fiscal year—cannot be tolerated in the future.

Questions of who shall build our interties, who shall control them, who shall pay for them, and who shall benefit from them must be subordinated to get the job done at all. Private power and public power forces must work together smoothly in harness. Inescapably this means a substantial checkrein will have to be placed on the Department of the Interior's hyperthyroid tendency to charge off repeatedly in the direction of electrical czardom. Some thoughts on this problem may occur to House Members considering S. 1007.

Also the House surely will want to explore the implications of a rumored peace pact calculated to restore speaking terms between the Pacific Northwest and California on matters electrical. Supposedly, its terms involve a go-ahead for four California electric utilities, including Pacific Gas & Electric Co., jointly to build a private 650-mile, 500,000-volt alternating-current connection with BPA in return for a green light to the Reclamation Bureau to build a high-voltage direct-current intertie between Bonneville and its Colorado River generators. Would this kind of a compromise between Federal and private intertie builders set a good or a bad precedent for the future?

In evaluating this question, the House should not brush under the rug other basic issues it raises, including:

How much federalizing and deenterprise can American electric power stand?

How much deprivation of taxes from investor-owned utilities can States and other government units stand because of tax-exempt Federal intrusion into the business?

Is the whole legislative philosophy of power preference now an anachronism?

Perhaps the last is the most basic issue of all those raised. Conditions of isolation which hampered competitive development of remote regions of the country in earlier days largely have been eliminated by modern communications and transportation. The broad economic gap between rural America and urban America has almost entirely disappeared. These conditions formed the underpinnings of power preference and other philosophies of special privilege. Economically, culturally, politically—in almost every way—the United States today is a remarkable unity. The benefits which can flow from such unity to all the people are apparent. Europe is striving manfully to achieve them and in the process is burying centuries' old regional, political, economic, and cultural preferences of many kinds.

The circumstances which prompted special preferences for special groups and special regions of the United States have disappeared. This Nation has zealously prided itself on rapid development and adaptation of technological advances for the benefit of all. These have given us the greatest standards of abundance of any nation on earth. Yesterday's sure-win gimmicks of power preference, co-op tax exemptions, and bargain basement government loans well may be sure-lose gimmicks today.

This possibility deserves full examination by the House of Representatives during its consideration of the Northwest regional preference bill, but it may turn out to be just too hot to handle—yet.

THE CIVIL RIGHTS ACT OF 1963

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. BOLAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BOLAND. Mr. Speaker, the Civil Rights Act of 1963 recommended by President Kennedy is now before us. It comes at a turning point in our history as a nation. We are now faced with the choice of moving forward as a nation where all men hold their heads high, or backward as a nation divided into first- and second-class citizens. If we choose to ignore the urgent demands of our fellow citizens, we do so at our peril. We must decide which thread of our heritage we will follow—that of equal opportunity for all, or that of subservience and exploitation of minorities. We must carefully consider the consequences of our decision, both internal, and with regard to our relations with a primarily nonwhite world.

If equal rights for all is not what we believe in, if equal protection under the laws is not what we mean, let us admit it to ourselves and to the world which watches our Democratic experiment with such great interest.

The civil rights legislation we are now considering does not grant any new rights. It seeks to reinforce old rights. It seeks to end all forms of discrimination in education, public accommodations, employment, and voting. It does not make Federal intervention mandatory in all cases; in each area local authorities are urged to deal adequately with situations which arise. This legislation sets up new procedures for Federal intervention when necessary. It makes it possible to expedite legal proceedings in the field of civil rights. These rights are, as the Supreme Court has said, present rights.

> They are not merely hopes to some future enjoyment of some formalistic constitutional promise. The basic guarantees of our Constitution are warrants for here and now.

"Here and now" are crucial words. For the first time in decades Americans are fighting each other in the streets. If we do not guarantee enforcement of basic rights, what are we to do now? Build more jails to house our fellow citizens who prefer imprisonment to their present status? This should not be the reason for passing this long overdue legislation, nor should fear of economic disaster nor what the people of the world will say about the United States. It should be passed because it is morally right. That is the most important reason. The present situation presents the most important moral crisis to face the Nation since the Civil War and the American Revolution before that. In both cases, after much struggle and soul searching, the path forward was chosen. Again we have a choice of moment. We may either live up to our democratic heritage or turn our backs on it. If our present form of government is to survive, we must rise above economic and political jealousies and make our Constitution a truly living Constitution, not a mere collection of imposing but empty phrases.

Mr. Speaker, the City Council of Springfield, Mass., my home city, last week adopted a resolution endorsing the stand taken by President Kennedy in his address to the delegates to the national conference of mayors at Honolulu on June 9. The Springfield City Council resolution follows:

Whereas the President of the United States in his address on June 9, 1963, to the delegates to the national conference of mayors at Honolulu indicated his intention to present to the Congress new legislation concerning the subject of civil rights, particularly as it involves the problem of race relations; and

Whereas the President stated that "The final responsibility, both now and after such legislation is enacted, will rest with you at the local level"; and further that "The problem is growing. The challenge is there. The cause is just. The question is whether you will do nothing, thereby inviting pressure and tension and possible violence, or whether you will anticipate these problems and move to fulfill the rights of your Negro citizens in a peaceful and constructive manner"; and further that "We face a moment of moral and constitutional crisis, and men of generosity and vision must make themselves heard in every part of the land"; and

Whereas the President made certain specific suggestions for local action and urged local civic officials to set up in their communities a four-step program, as follows:

"First, they should establish biracial human relations committees;

"Second, insure that local ordinances and customs are in accordance with constitutional law;

"Third, eliminate discrimination in local government employment;

"Fourth, enact local equal opportunity ordinances"; and

Whereas the people of the city of Springfield have always shown their interest in and concern for the welfare of all people, both within and without the United States, regardless of race, color, or creed; and

Whereas there has been discrimination throughout the country against the Negro, which has varied in the several States and local communities only in respect to the habits and methods of discrimination therein prevailing; and

Whereas the action of Negro people generally throughout the country has forced to the front the subject of discrimination to the extent that it has become the chief moral issue of the time; and

Whereas it is the desire of all people of just and unbiased intent that this issue be dealt with vigorously and without restraint or reserve, to the end that discrimination in whatever form it exists shall no longer be countenanced or tolerated or practiced; and

Whereas the people of the city of Springfield, Mass., share in this desire and generally have importuned their official representatives to give it formal and active expression: Now, therefore, be it

Resolved by the City Council of the City of Springfield, Mass. (in formal meeting assembled), That this council gives its support to the program suggested by the President of the United States in respect to dealing with the problem of race discrimination and urges upon the mayor such action as is contemplated in the President's program to the extent that such action has not already been taken, and the council further urges upon the mayor the advisability of a survey and review of existing agencies and programs to avoid overlapping and duplication of effort, to the end that the problem of discrimination as it exists in the community of Springfield, Mass., may be dealt with wisely and effectively in all its ramifications and with a view to its elimination; and further, be it

Resolved, That a copy of this resolution be sent to the President of the United States of America and to each Senator and Congressman representing Massachusetts in the Federal Congress.

Mr. Speaker, also editorials on civil rights taken from the June 13 edition of the Boston Herald, the June 14 edition of the Springfield Daily News, the June 20 edition of the Boston Herald, and the June 20 edition of the Boston Globe, follow:

[From the Boston (Mass.) Herald, June 13, 1963]

NOT THROUGH LAW ALONE

It is not true, as the segregationists assert, that laws cannot change the hearts and minds of men. Laws create social institutions which, in turn, shape the feelings and beliefs of the people.

The Jim Crow laws enacted in the various Southern States around the turn of the century provide a good example. The systems of across-the-board segregation which they established have served over the years to promote emotions and ideas of white supremacy and to suppress countervailing tendencies toward equality.

Similarly, of course, laws enacted to enforce systems of integration can and do affect the hearts and minds of men. It is no accident that white northerners, on the average, are more liberal on the issue of racial equality than white southerners. White northerners are products of an environment in which integration is promoted through law (albeit imperfectly) and segregation suppressed.

But this is not to say that the Nation's current turmoil in race relations can be magically solved by the passage of new civil rights legislation in Congress. The law's power to change man is not immediate, but gradual and cumulative.

President Kennedy's eloquent statement following the Federal-State showdown at the University of Alabama Tuesday gives recognition to the fact that, while law is necessary, it is not enough.

The issue today, as the President suggested, is primarily a moral one. What is needed even more than law is an earnest self-reexamination on the part of all white Americans who cherish their democratic freedom yet would withhold it from their fellow citizens of the Negro race.

The President has served the country well in placing the Nation's race question in the context of morality.

[From the Springfield (Mass.) Daily News, June 14, 1963]

CIVIL RIGHTS LEGISLATION

President Kennedy in his recent statesmanlike address to the Nation said that the racial crisis has raised a moral issue which transcends party lines. In this, of course, he is incontestably right and the point will be made again and again in the months to come.

However, in the pragmatic atmosphere of partisan politics the civil rights issue is and will increasingly be a red hot one. While the moral aspects are recognized, the recognition will not, and in fact, cannot dilute the demands of practical politics upon its practitioners in the Halls of Congress. Never, even for one moment, can they be unmindful of next year's congressional and presidential campaigns.

To this end southerners may soon launch a slowdown campaign against the President's legislative program with the object of delaying a showdown on civil rights legislation in order to improve the chances of a successful Senate filibuster. A filibuster on civil rights starting in September or October would be less wearing on the southern Senators than one starting in July or August, since there would be less time before adjournment.

Aware of which way the wind is blowing and that the row over civil rights could endanger other segments of the President's program, top Kennedy legislative advisers are reported to be badly split over how strong the new bill should be.

A vital factor in the mounting racial crisis is the growing conviction that the time for legislative moderation is past. So fast and so dangerously has the unrest among Negroes developed that what would have been a strong civil rights bill last year is far from it today.

If the President moves to appease the South with a soft rather than a hard measure, the Kennedy Democrats in the densely populated North will make their dissatisfaction heard loudly and clearly. The President's decision, however, is regarded as swinging closer to the line of the northern liberals. If this should be so, if he is indeed, after 30 months of caution, leaning away from a soft stand on civil rights, southern retaliation is sure to follow.

The southern stalling program is expected to be launched in the House, where it is believed the battle over civil rights will be started, and it may be underway already. The administration's mass transportation bill is in the Rules Committee and there is no inclination to hurry a vote on it. Still to come before the rules group are bills dealing with foreign aid and tax revision, among others. Hearings on them could be prolonged.

[From the Boston (Mass.) Herald, June 20, 1963]

"BECAUSE IT IS RIGHT"

The last four words of President Kennedy's civil rights message declare the standard by which the President's program ought to be judged: "because it is right."

The drastic measures the President proposes cannot be well justified simply because they promote economic efficiency, or because they brighten the image of the United States before the world or because racial violence will otherwise ensue. These may be good lashes to scourge a balky Congress into doing what is right for oppressed American citizens; they should not be used to whip up by crisis legislation not acceptable under calmer consideration.

Mr. Kennedy calls for the enactment of laws more sweeping in their effect on the States and on the citizens of the States than any proposed since F. D. Roosevelt assumed his vigorous leadership against the depression. The same thread of acute urgency runs through the Kennedy message as ran through Roosevelt's early papers.

It is true that the racial conflict today is also dangerous and justice for the Negro drags intolerably. But it can be asked whether the situation is so serious that what would not be adopted under more tranquil circumstances must now be desperately seized upon.

Federal aid to education has been rejected by several Congresses, and school classrooms and teaching staffs have considerably improved by the efforts of the States and local governments. Has the racial emergency changed that?

Federal aid to help meet the cost of integrating segregated schools is a reasonable proposal, for it recognizes the stress of an unusual situation, as in the case of impacted areas. But general Federal aid has no such justification.

Turning to another field, measures to spur the national economy are exactly as valid or invalid today in the shadow of Negro unemployment as they were yesterday in the shadow of general unemployment. This paper has contended that tax reduction designed to increase buying power will not improve economic conditions, that reform should be in the direction of incentives. We hold this still to be true.

In general, an implication of the Presdent's message is that the Federal Government—and more particularly the judicial and executive branches of the Federal Government—fully grasps the situation today and must, therefore, take over more and more from the States. Thus, he would stretch the commerce clause and the equal protection clause of the Constitution to provide Federal power over hotels, restaurants, places of amusement, and retail establishments.

But, much more important than the questions we raise about his program, is the fact that the President has taken over a courageous and vigorous leadership in this crucial stage of final Negro emancipation, and mostly with wise legislation.

The end he seeks he seeks "above all, because it is right."

Congress must heed his admonitions.

[From the Boston (Mass.) Globe, June 20, 1963]

BECAUSE IT IS RIGHT

A hundred years after the Emancipation Proclamation of Abraham Lincoln, President John F. Kennedy has acted to put it into effect in terms meaningful to this century. His message to Congress on civil rights stands as his administration's most important State paper on domestic affairs.

But whether Congress will agree with him is another matter. Leaders of both parties in both Houses were consulted. But key Republican leaders are described as taking a cautious approach.

It is clear that the coming debate will make or break the coalition of southern Democrats and northern Republicans which in the past has stymied so much legislation. It is interesting that Senator KENNETH B. KEATING, Republican of New York, has called for a "civil rights coalition" to counter the strength of the other alliance.

The President is right in saying that the problem is not a sectional one, but is nationwide, and that it is not a partisan problem. He recalled that members of both parties supported the civil rights measures of President Eisenhower, and added that "a national domestic crisis also calls for bipartisan unity and solutions." This was his challenge to the coalition.

But there was also, and properly so, a warning against demonstrations in Washington that would attempt to put pressure on Congress and could lead to violence. They could, in fact, lose precious votes for the proposed legislation. The President, whose experience of Congress is great, said that "unruly tactics or pressures will not help and may hinder."

The language of his message is eloquent and compelling: witness, "There are no 'white' or 'colored' signs on the foxholes or graveyards of battle."

Under the commerce clause of the Constitution, his program would bar racial discrimination in all places of business open to the public, with power for the Attorney General to intervene if settlement cannot be reached. Thus it would reach the 20 States without such antidiscrimination laws.

It would give the Attorney General new powers in litigation to desegregate public schools, and enlist Federal financial assistance in solving the resulting school problems. This could speed up the snail's pace of conforming to the Supreme Court decision of 9 years ago.

But the message is also meaningful with respect to Negroes' joblessness—twice that of labor as a whole. Here the President brings up again his area redevelopment program, which the coalition had narrowly defeated in the House but which is now up in the Senate. And he stresses more education and job training of unemployed Negroes.

Important, too, is the proposal to create a Federal Community Relations Service to work with biracial committees in local communities. This can do much to ease tension. And withholding Federal funds from any programs in which discrimination occur can diminish racial recalcitrance.

The civil rights program ought to pass, and, as the President put it, not only for reasons of "world diplomacy and domestic tranquillity—but above all, because it is right."—UNCLE DUDLEY.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. WELTNER (at the request of Mr. DAVIS of Georgia), for today, June 24, and tomorrow, June 25, on account of official business.

Mr. OLIVER P. BOLTON (at the request of Mr. HALLECK), for June 24, on account of official committee business.

Mr. MORTON (at the request of Mr. HALLECK), for June 24, on account of official business.

Mr. DULSKI (at the request of Mr. MULTER), for Monday, June 24 and Tuesday, June 25, on account of illness.

Mr. FRIEDEL (at the request of Mr. GARMATZ), for Monday, June 24, on account of official business.

Mr. LONG of Maryland (at the request of Mr. GARMATZ), for Monday, June 24, on account of official business.

Mr. MINISH (at the request of Mr. MULTER), for Monday, June 24, on account of official business.

Mr. PATMAN (at the request of Mr. BURLESON), for today, June 24, and tomorrow, June 25, on account of official business.

Mrs. DWYER (at the request of Mr. HALLECK), for June 24, on account of official committee business.

Mr. LINDSAY (at the request of Mr. HALLECK), for June 24 and 25, on account of official business as delegate to NATO Parliamentary Conference.

Mr. GONZALEZ (at the request of Mr. ALBERT), for today, June 24, on account of official business.

Mr. LANKFORD (at the request of Mr. ALBERT), for today, June 24, on account of official business.

Mr. HERLONG (at the request of Mr. HALEY), for Monday, June 24 and Tuesday, June 25, on account of death in family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HEMPHILL (at the request of Mr. ALBERT), for 60 minutes, on Tuesday, June 25.

Mr. WHITENER (at the request of Mr. ALBERT), for 60 minutes, on Tuesday, June 25.

Mr. MATHIAS, for 30 minutes, on Thursday, June 27.

Mr. WEAVER (at the request of Mr. NELSEN), for 1 hour, on Tuesday, July 16, 1963.

Mr. FLOOD (at the request of Mr. ALBERT), for 1 hour, on Thursday, June 27, and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. RIVERS of South Carolina and to include an address by his distinguished colleague from South Carolina, the Honorable WILLIAM JENNINGS BRYAN DORN, on the occasion of the launching of the SBN 630, the Polaris submarine named in honor of the greatest American who ever trod the Halls of the Congress of the United States, John Caldwell Calhoun.

Mr. GROSS.

Mr. TUCK (at the request of Mr. ALBERT) and to include a speech made by Mr. WILLIS.

Mr. COHELAN (at the request of Mr. ALBERT) and to include in his remarks on H.R. 6177 relative tables consisting of tax data matter.

(The following Members (at the request of Mr. LANGEN) and to include extraneous matter:)

Mr. ALGER.
Mr. MORSE.
Mr. HARSHA.
Mr. PELLY.
Mr. BOW.

(The following Members (at the request of Mr. ALBERT) and to include extraneous matter:)

Mr. WICKERSHAM.
Mr. POWELL in four instances.

SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 130. An act to change the name of Fort Randall Reservoir in the State of South Dakota to Lake Francis Case; to the Committee on Public Works.

S. 131. An act to change the name of the Big Bend Reservoir in the State of South Dakota to Lake Sharpe; to the Committee on Public Works.

S. 142. An act to designate the lake to be formed by the waters impounded by the Clark Canyon Dam in the State of Montana as Hap Hawkins Lake; to the Committee on Interior and Insular Affairs.

S. 453. An act to change the name of the Memphis lock and dam on the Tombigbee River near Aliceville, Ala.; to the Committee on Public Works.

S. 850. An act to change the name of the Bruces Eddy Dam and Reservoir in the State of Idaho to the Dworshak Dam and Reservoir; to the Committee on Public Works.

S.J. Res. 17. Joint resolution to designate the lake to be formed by the waters impounded by the Flaming Gorge Dam, Utah, in the States of Wyoming and Utah, as "Lake O'Mahoney"; to the Committee on Interior and Insular Affairs.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 5367. An act to designate the Bear Creek Dam on the Lehigh River, Pa., as the Francis E. Walter Dam; and

H.J. Res. 82. Joint resolution to change the name of Short Mountain lock and dam and reservoir in the State of Oklahoma to Robert S. Kerr lock and dam and reservoir.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills and a joint resolution of the House of the following titles:

On June 19, 1963:

H.R. 2821. An act to authorize modification of the repayment contract with the Grand Valley Water Users' Association; and

H.R. 6441. An act to amend Public Law 86-272, as amended, with respect to the reporting date.

On June 20, 1963:

H.R. 131. An act to provide for the renewal of certain municipal, domestic, and industrial water supply contracts entered into under the Reclamation Project Act of 1939, and for other purposes;

H.R. 3574. An act to provide for the withdrawal and reservation for the use of the Department of the Air Force of certain public lands of the United States at Cuddeback Lake Air Force Range, Calif., for defense purposes; and

H.J. Res. 180. Joint resolution to authorize the continued use of certain lands within the Sequoia National Park by portions of an existing hydroelectric project.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 29 minutes p.m.) the House adjourned until tomorrow, Tuesday, June 25, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

954. A communication from the President of the United States, transmitting amendments to the budget for the fiscal year 1964 in the amount of $60 million for the Federal Aviation Agency and $310,000 for the Veterans' Administration (H. Doc. No. 126); to the Committee on Appropriations and ordered to be printed.

955. A communication from the President of the United States, transmitting a proposed provision affecting a limitation and a supplemental appropriation in the amount of $1,100,000 for the Department of Labor for the fiscal year 1963 (H. Doc. No. 127); to the Committee on Appropriations and ordered to be printed.

956. A communication from the President of the United States, transmitting an amendment to the budget for the fiscal year 1964 in the amount of $1,900,000 for the Corps of Engineers, civil, Department of the Army (H. Doc. 128); to the Committee on Appropriations and ordered to be printed.

957. A communication from the President of the United States, transmitting drafts of proposed bills as follows: (1) "A bill to amend the Manpower Development and Training Act of 1962"; (2) "A bill to provide assistance to States for experimental projects to provide constructive work experience and training related to securing and holding employment"; (3) "A bill to strengthen and improve the quality of vocational education and to expand vocational education opportunities in the Nation", and (4) "A bill to assist the States in providing necessary instruction for adults not proficient in basic educational skills through grants to States for pilot projects, improvement of State services, and programs of instruction"; to the Committee on Education and Labor.

958. A communication from the President of the United States, transmitting a report on natural resources research in the Federal Government, which was prepared by the Federal Council for Science and Technology with the assistance of its Committee on Natural Resources; to the Committee on Interior and Insular Affairs.

959. A letter from the Comptroller General of the United States, transmitting a report on the installation of unnecessary equipment for measuring consumption of electricity and gas in low-rent housing projects administered by the Public Housing Administration, Housing and Home Finance Agency; to the Committee on Government Operations.

960. A letter from the Comptroller General of the United States, transmitting a report on unnecessary costs incurred by the Department of the Navy in the procurement of RPM comparators; to the Committee on Government Operations.

961. A letter from the Chairman, Franklin Delano Roosevelt Memorial Commission, transmitting the seventh interim report of the Franklin Delano Roosevelt Memorial Commission, pursuant to 69 Stat. 694 and 76 Stat. 1079; to the Committee on House Administration.

962. A letter from the Chairman, Federal Power Commission, transmitting a draft of a proposed bill entitled "A bill to amend the Natural Gas Act with respect to the importation and exportation of natural gas"; to the Committee on Interstate and Foreign Commerce.

963. A letter from the Attorney General, transmitting a draft of a proposed bill entitled "A bill to amend title 28, United States Code, to establish jurisdiction and venue for appeals from orders of the Interstate Commerce Commission in judicial reference cases"; to the Committee on the Judiciary.

964. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 1, 1963, submitting a report, together with accompanying papers and an illustration, on a letter report on the improvement of a dredged channel in the vicinity of Sunshine Skyway, Tampa Bay, Fla., authorized by the River and Harbor Act, approved July 3, 1958; to the Committee on Public Works.

965. A letter from the Chairman, Joint Committee on Internal Revenue Taxation, transmitting a report by the Joint Committee on Internal Revenue Taxation, dated June 20, 1963, covering refunds and credits of internal-revenue taxes for the fiscal year ended June 30, 1961, pursuant to section 6405 of the Internal Revenue Code of 1954 (H. Doc. No. 129); to the Committee on Ways and Means and ordered to be printed.

966. A letter from the Deputy Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics of the House of Representatives pursuant to section 3 of the National Aeronautics and Space Administration Authorization Act for the fiscal year 1963 (76 Stat. 382, 383); to the Committee on Science and Astronautics.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of June 19, 1963, the following bill was reported on June 21, 1963:

Mr. MAHON: Committee on Appropriations. H.R. 7179. A bill making appropriations for the Department of Defense for the fiscal year ending June 30, 1964, and for other purposes; without amendment (Rept. No. 439). Referred to the Committee of the Whole House on the State of the Union.

Under clause 2 of rule XIII, pursuant to the order of the House of June 20, 1963, the following bills were reported on June 21, 1963:

Mr. McMILLAN: Committee on the District of Columbia. H.R. 4277. A bill to authorize an increase in the borrowing authority for the general fund of the District of Columbia; without amendment (Rept. No. 437). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 6177. A bill to amend section 2(a) of article VI of the District of Columbia Revenue Act of 1947 relating to the annual payment to the District of Columbia by the United States; with amendment (Rept. No. 438). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 3674. A bill to amend the Tariff Act of 1930 to provide that polished sheets and plates of iron or steel shall be subject to the same duty as unpolished sheets and plates; without amendment (Rept. No. 440). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 3781. A bill to amend the Tariff Act of 1930 to provide a uniform rate of duty for certain headwear; without amendment (Rept. No. 441). Referred to the Committee of the Whole House on the State of the Union.

[Submitted June 24, 1963]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CHELF: Committee on the Judiciary. H.R. 4897. A bill to repeal subsection (d) of section 2388 of title 18 of the United States Code; without amendment (Rept. No. 442). Referred to the House Calendar.

Mr. O'BRIEN of New York: Committee on Interior and Insular Affairs. H.R. 6481. A bill to permit the government of Guam to authorize a public authority to undertake urban renewal and housing activities; without amendment (Rep. No. 443). Referred to the Committee of the Whole House on the State of the Union.

Mr. FASCELL: Committee on Foreign Affairs. House Joint Resolution 324. Joint resolution extending an invitation to the International Olympic Committee to hold the 1968 winter Olympic games in the United States; without amendment (Rept. No. 444). Referred to the House Calendar.

Mr. DAWSON: Committee on Government Operations. Seventh report on consumer protection activities of State governments. Part I—the regulation of drugs and related products (Rept. No. 445). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOLIFIELD: Joint Committee on Atomic Energy. H.R. 7139. A bill to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes; without amendment (Rept. No. 446). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. Sixth report on the investigation and study of the Federal Home Loan Bank Board (Rept. No. 447). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, pursuant to the order of the House of June 19, 1963, the following bill was introduced on June 21, 1963:

By Mr. MAHON:

H.R. 7179. A bill making appropriations for the Department of Defense for the fiscal year ending June 30, 1964, and for other purposes.

[Introduced and referred June 24, 1963]

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS:

H.R. 7180. A bill to amend Public Law No. 177, 62d Congress, approved June 4, 1912; to the Committee on Interior and Insular Affairs.

By Mr. BENNETT of Florida:

H.R. 7181. A bill to impose an annual quota on the quantity of softwood lumber which may be imported into the United States; to the Committee on Ways and Means.

By Mr. BLATNIK:

H.R. 7182. A bill to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in education, to establish a Community Relations Service, to extend for 4 years the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes; to the Committee on the Judiciary.

By Mr. BYRNES of Wisconsin:

H.R. 7183. A bill to phase out the use of Mexican agricultural workers under title V of the Agricultural Act of 1949, as amended; to the Committee on Agriculture.

By Mr. FORD:

H.R. 7184. A bill to phase out the use of Mexican agricultural workers under title V of the Agricultural Act of 1949, as amended; to the Committee on Agriculture.

By Mr. GATHINGS:

H.R. 7185. A bill to phase out the use of Mexican agricultural workers under title V of the Agricultural Act of 1949, as amended; to the Committee on Agriculture.

By Mr. GUBSER:

H.R. 7186. A bill to phase out the use of Mexican agricultural workers under title V of the Agricultural Act of 1949, as amended; to the Committee on Agriculture.

By Mr. HORAN:

H.R. 7187. A bill to phase out the use of Mexican agricultural workers under title V of the Agricultural Act of 1949, as amended; to the Committee on Agriculture.

By Mr. MARTIN of California:

H.R. 7188. A bill to phase out the use of Mexican agricultural workers under title V of the Agricultural Act of 1949, as amended; to the Committee on Agriculture.

By Mr. RHODES of Arizona:

H.R. 7189. A bill to phase out the use of Mexican agricultural workers under title V of the Agricultural Act of 1949, as amended; to the Committee on Agriculture.

By Mr. TALCOTT:

H.R. 7190. A bill to phase out the use of Mexican agricultural workers under title V of the Agricultural Act of 1949, as amended; to the Committee on Agriculture.

By Mr. TEAGUE of California:

H.R. 7191. A bill to phase out the use of Mexican agricultural workers under title V of the Agricultural Act of 1949, as amended; to the Committee on Agriculture.

By Mr. UTT:

H.R. 7192. A bill to phase out the use of Mexican agricultural workers under title V of the Agricultural Act of 1949, as amended; to the Committee on Agriculture.

By Mr. CELLER:

H.R. 7193. A bill to provide for the striking of medals in commemoration of the 50th anniversary of the founding of the first union health center in the United States by the International Ladies' Garment Workers' Union; to the Committee on Banking and Currency.

H.R. 7194. A bill to amend the Copyright Act by repealing the jukebox exemption, and for other purposes; to the Committee on the Judiciary.

By Mr. FALLON:

H.R. 7195. A bill to amend various sections of title 23 of the United States Code relating to the Federal-aid highway systems; to the Committee on Public Works.

By Mr. FRASER:

H.R. 7196. A bill to provide for the establishment of a National Council on the Arts and a National Arts Foundation to assist in the growth and development of the arts in the United States; to the Committee on Education and Labor.

H.R. 7197. A bill to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in education, to establish a Community Relations Service, to extend for 4 years the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes; to the Committee on the Judiciary.

H.R. 7198. A bill to amend section 4216(b) of the Internal Revenue Code of 1954 relating to the determination of constructive sale price for purposes of applying manufacturers excise tax; to the Committee on Ways and Means.

By Mr. HOEVEN:

H.R. 7199. A bill to extend expiring conservation reserve contracts; to the Committee on Agriculture.

By Mr. HARRIS:

H.R. 7200. A bill to provide for continuous improvement of the administrative procedure of Federal agencies by creating an Administrative Conference of the United States, and for other purposes; to the Committee on the Judiciary.

H.R. 7201. A bill to provide for continuous improvement of the administrative procedure of Federal agencies by creating an Administrative Conference of the United States, and for other purposes; to the Committee on the Judiciary.

H.R. 7202. A bill to promote the fair and efficient operation of the Civil Aeronautics Board, the Federal Communications Commission, the Federal Power Commission, the Federal Trade Commission, the Interstate Commerce Commission, and the Securities and Exchange Commission, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 7203. A bill to promote the fair and efficient operation of the Civil Aeronautics Board, the Federal Communications Commission, the Federal Power Commission, the Federal Trade Commission, the Interstate Commerce Commission, and the Securities and Exchange Commission, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. KARTH:

H.R. 7204. A bill to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in education, to establish a Community Relations Service, to extend for 4 years the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes; to the Committee on the Judiciary.

By Mr. MAILLIARD:

H.R. 7205. A bill to enforce constitutional rights, and for other purposes; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H.R. 7206. A bill to provide that the Government of the United States shall furnish no aid or assistance to any foreign nation or citizen thereof in carrying out any activity under which American citizens will be discriminated against; to the Committee on Foreign Affairs.

H.R. 7207. A bill to amend section 102 of the Foreign Assistance Act of 1961 to provide that increases in armaments beyond those necessary for defensive purposes or possession of weapons of aggression shall be taken into account in determining eligibility of foreign countries for assistance from the United States; to the Committee on Foreign Affairs.

By Mr. OLSON of Minnesota:

H.R. 7208. A bill to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in education, to establish a Community Relations Service, to extend for 4 years the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes; to the Committee on the Judiciary.

By Mr. PERKINS:

H.R. 7209. A bill to amend section 120 of title 23 of the United States Code to increase the Federal share payable to certain States on account of Interstate System projects; to the Committee on Public Works.

By Mr. PIRNIE:

H.R. 7210. A bill to prohibit the exclusion of dog guides for the blind from certain public carriers, transport terminals, and other places of business which operate in interstate commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. RAINS:

H.R. 7211. A bill to provide for the extension of the reclamation acts, as amended, to the Appalachian Mountain region in the State of Alabama, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ROOSEVELT:

H.R. 7212. A bill to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in education, to establish a Community Relations Service, to extend for 4 years the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes; to the Committee on the Judiciary.

By Mr. SLACK:

H.R. 7213. A bill to amend the Rural Electrification Act of 1936 in order to require hearings with respect to loans for generating plants and electric transmission lines and systems and to change the rate of interest payable on such loans, and for other purposes; to the Committee on Agriculture.

By Mr. SNYDER:

H.R. 7214. A bill to amend the National Defense Education Act of 1958 to provide for the eligibility under titles III and V–A of schools under the administrative control and direction of State agencies or institutions; to the Committee on Education and Labor.

By Mr. STEED:

H.R. 7215. A bill to authorize the Secretary of the Interior to convey certain lands to the United States in trust for the Citizen Band of Potawatomi Indians of Oklahoma and to convey certain other lands to the United States in trust for the Absentee-Shawnee Tribe of Indians, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. VINSON:

H.R. 7216. A bill to amend the Central Intelligence Agency Act of 1949, as amended, and for other purposes; to the Committee on Armed Services.

By Mr. WILLIAMS:

H.R. 7217. A bill to prohibit trade with Communist nations; to the Committee on Interstate and Foreign Commerce.

By Mr. BURTON:

H.R. 7218. A bill to add certain lands to the Cache National Forest, Utah; to the Committee on Agriculture.

By Mr. CELLER:

H.R. 7219. A bill to amend sections 3288 and 3289 of title 18, United States Code, relating to reindictment after dismissal of a defective indictment; to the Committee on the Judiciary.

By Mr. DON H. CLAUSEN:

H.R. 7220. A bill to phase out the use of Mexican agricultural workers under title V of the Agricultural Act of 1949, as amended; to the Committee on Agriculture.

By Mr. CRAMER:

H.R. 7221. A bill to modify the flood control project for Four River Basins, Fla.; to the Committee on Public Works.

By Mr. DERWINSKI:

H.R. 7222. A bill to amend the Anti-Dumping Act, 1921; to the Committee on Ways and Means.

By Mr. GILBERT:

H.R. 7223. A bill to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in education, to establish a Community Relations Service, to extend for 4 years the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes; to the Committee on the Judiciary.

By Mr. HEALEY:

H.R. 7224. A bill to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in education, to establish a Community Relations Service, to extend for 4 years the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes; to the Committee on the Judiciary.

By Mr. HEMPHILL:

H.R. 7225. A bill to amend the Anti-Dumping Act, 1921; to the Committee on Ways and Means.

By Mr. ROONEY:

H.R. 7226. A bill to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in education, to establish a Community Relations Service, to extend for 4 years the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes; to the Committee on the Judiciary.

By Mr. ANDERSON:

H.J. Res. 496. Joint resolution proposing an amendment to the Constitution of the United States permitting the right to read from the Holy Bible and to offer nonsectarian prayers in the public schools or other public places if participation therein is not compulsory; to the Committee on the Judiciary.

By Mr. ANDREWS:

H.J. Res. 497. Joint resolution proposing an amendment to the Constitution of the United States permitting the right to read from the Holy Bible and to offer nonsectarian prayers in the public schools or other public places if participation therein is not compulsory; to the Committee on the Judiciary.

By Mr. BATTIN:

H.J. Res. 498. Joint resolution expressing the determination of the United States with respect to the situation in Cuba and the Western Hemisphere; to the Committee on Foreign Affairs.

By Mr. FASCELL:

H.J. Res. 499. Joint resolution to provide for a study of needed Federal-aid highway programs for 10 years following the termination of the present interstate and defense highway program by requiring the Secretary of Commerce to make a comprehensive investigation and study of highway traffic and needs based upon 20-year projections, and the changes determined necessary in the Federal-aid highway systems as a result thereof, and to report the results of such study and his recommendations for a 10-year highway program commencing June 30, 1972, to Congress; to the Committee on Public Works.

By Mr. FLYNT:

H.J. Res. 500. Joint resolution proposing an amendment to the Constitution of the United States permitting the right to read from the Holy Bible and to offer nonsectarian prayers in the public schools or other public places if participation therein is not compulsory; to the Committee on the Judiciary.

By Mr. HOEVEN:

H.J. Res. 501. Joint resolution proposing an amendment to the Constitution of the United States permitting the right to read from the Holy Bible and to offer nonsectarian prayers in the public schools or other public places if participation therein is not compulsory; to the Committee on the Judiciary.

By Mr. KILGORE:

H.J. Res. 502. Joint resolution designating the poinsettia as the national flower of the United States of America; to the Committee on House Administration.

By Mr. RUMSFELD:

H.J. Res. 503. Joint resolution proposing an amendment to the Constitution of the United States relating to the eligibility of certain persons to vote for any candidate for elector of President and Vice President; to the Committee on the Judiciary.

By Mr. BARING:

H.J. Res. 504. Joint resolution proposing an amendment to the Constitution of the United States permitting nonsectarian prayer in public schools or other public places if participation therein is not compulsory; to the Committee on the Judiciary.

By Mr. HEMPHILL:

H.J. Res. 505. Joint resolution proposing an amendment to the Constitution of the United States to preserve and protect references to reliance upon God in governmental matters; to the Committee on the Judiciary.

H.J. Res. 506. Joint resolution proposing an amendment to the Constitution of the United States to permit the reading of the Holy Bible and the offering of prayer in public schools; to the Committee on the Judiciary.

By Mr. LEGGETT:

H.J. Res. 507. Joint resolution proposing an amendment to the Constitution of the United States permitting the right to read from the Holy Bible and to offer nonsectarian prayers in the public schools or other public places if participation therein is not compulsory; to the Committee on the Judiciary.

By Mr. HALPERN:

H. Con. Res. 185. Concurrent resolution favoring observance on July 4 of each year by the ringing of bells throughout the United States, of the anniversary of the signing of the Declaration of Independence; to the Committee on the Judiciary.

By Mr. WATSON:

H. Con. Res. 186. Concurrent resolution expressing the sense of the Congress with respect to the preservation of an atmosphere of peace and order during consideration by the Congress of civil rights legislation; to the Committee on the Judiciary.

By Mr. FRASER:

H. Res. 412. Resolution amending the Rules of the House of Representatives to redesignate the Committee on Foreign Affairs as the Committee on International Affairs; to the Committee on Rules.

By Mr. HARVEY of Indiana:

H. Res. 413. Resolution extending the greetings of the House of Representatives to the people of Connersville, Ind., on the occasion of their 150th anniversary; to the Committee on the Judiciary.

By Mr. PHILBIN:

H. Res. 414. Resolution extending greetings and felicitations of the House of Representatives to the people of Medway, Mass., on the occasion of the 250th anniversary of their community; to the Committee on the Judiciary.

By Mr. PRICE:

H. Res. 415. Resolution authorizing the printing of the U.S. Defense Policies in 1962 as a House document; to the Committee on House Administration.

By Mr. WYMAN:

H. Res. 416. Resolution creating a Select Committee on Fiscal Organization and Procedures of the Congress; to the Committee on Rules.

By Mr. HEMPHILL:

H. Res. 417. Resolution providing for the consideration of the joint resolution (H.J. Res. 9), proposing an amendment to the Constitution of the United States pertaining to the offering of prayers in public schools and other public places in the United States; to the Committee on Rules.

By Mr. FRIEDEL:

H. Res. 418. Resolution authorizing the transfer of funds from "Miscellaneous items, 1961," to "Miscellaneous items, 1963," contingent fund of the House of Representatives; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By Mr. CANNON: Memorial of the Missouri House of Representatives relative to the food stamp program; to the Committee on Agriculture.

Also, memorial of the Missouri House of Representatives relative to benefits to veterans of World War I; to the Committee on Veterans' Affairs.

Also, memorial of the Missouri House of Representatives relative to cattle prices; to the Committee on Ways and Means.

By Mr. LIBONATI: House Joint Resolution No. 46 of the 73d General Assembly of the State of Illinois, favoring the repeal of the excise tax (Federal retail) on ladies' handbags, toiletries, cosmetics, fur-trimmed cloth coats and men's wallets; to the Committee on Ways and Means.

By the SPEAKER: Memorial of the Legislature of the State of Florida, memorializing the President and the Congress of the United States relative to urging the relinquishment of income taxes collected for State's use in education; to the Committee on Education and Labor.

Also, memorial of the Legislature of the State of Florida, memorializing the President and the Congress of the United States to authorize the U.S. Corps of Engineers to make a survey for a shallow water channel form deep water to Spring Creek, Wakulla County, Fla.; to the Committee on Public Works.

Also, memorial of the Legislature of the State of Florida, memorializing the President and the Congress of the United States to amend the social security law; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Illinois, memorializing the President and the Congress of the United States to repeal the Federal retail excise tax on ladies' handbags, toiletries, cosmetics, fur-trimmed cloth coats and men's wallets; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States to enact legislation to increase allowable earnings of persons receiving social security benefits from $1,200 to $2,000; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States to enact legislation providing for public assistance for mental and tubercular patients in public institutions; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BELL:

H.R. 7227. A bill for the relief of Nubar Zoryan; to the Committee on the Judiciary.

By Mr. FRASER:

H.R. 7228. A bill for the relief of Dedrick A. Maanum; to the Committee on the Judiciary.

By Mr. HEALEY:

H.R. 7229. A bill for the relief of Vladimira Saveri; to the Committee on the Judiciary.

By Mr. MacDONALD:

H.R. 7230. A bill for the relief of Dr. Thomas R. Klein; to the Committee on the Judiciary.

By Mrs. MAY:

H.R. 7231. A bill for the relief of Lawrence Ben Huie; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 7232. A bill for the relief of Pantelis Smirlis; to the Committee on the Judiciary.

By Mrs. REID of Illinois:

H.R. 7233. A bill for the relief of Jose Carrasco Hendy; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

166. The SPEAKER presented a petition of Larry Ball, clerk, board of supervisors of Solano County, Fairfield, Calif., relative to urging adoption of Senate bill 1275, relating to Federal-State conflict over water rights, which was referred to the Committee on Interior and Insular Affairs.

EXTENSIONS OF REMARKS

Congressman William H. Harsha Announces Results of Public Opinion Poll of Ohio's Sixth District

EXTENSION OF REMARKS

OF

HON. WILLIAM H. HARSHA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 24, 1963

Mr. HARSHA. Mr. Speaker, for the past several months, I have been conducting a public opinion poll in the Sixth Congressional District of Ohio, which I have the honor to represent here. It has been my purpose to solicit the opinions of the people to determine their feeling about important issues that are awaiting action by the House of Representatives so that I could give the best representation possible. Participation in the poll was not limited to any special group. Through the mailing of a questionnaire and the cooperation of district newspapers, which kindly reprinted the questionnaire as a public service, the opportunity to participate was made available to all of those interested in expressing their views.

The poll contained 12 questions relating to matters of domestic and foreign policy. The results of this opinion survey are now available. It is surprising that the tabulation indicates such definite trends in the thinking of the people of the district. The results show that opinions on over half of the questions registered more than 65 percent support or opposition.

The people expressed great concern over the weakness of our foreign policy and the concessions being offered to the Soviet Union by relaxing inspection requirements on nuclear testing.

Another issue of vital importance and concern to the citizens of the Sixth District is the proposed tax cut. Apparently, the great majority answering the questionnaire felt a comparable reduction in Federal spending should accompany any tax cut.

Of course, there was considerable opposition to the Federal Government entering the field of education at the elementary and secondary level. Apparently, the citizens of the Sixth District feel this is a matter of local concern that should be handled by the communities and school districts primarily involved.

Likewise, considerable opposition was expressed to the large expenditures in foreign aid.

Every survey has its limitations. Brevity in questioning does not permit comprehensive answers embracing all facets of an issue. It is extremely difficult to answer a question by a simple yes or no.

Many thousands of persons returning the questionnaire added comments discussing the issues. Although these comments are extremely helpful to me in assessing the feelings of the people of the district, it is not possible, unfortunately, to reflect them in statistical form. However, I wish to point out that a very large proportion of those making comments expressed serious concern and outspoken opposition to increasing the powers of the President and greater Federal expenditures that are producing mounting deficits and adding to the burden of the national debt.

Following are the detailed results of the poll:

[In percent]

	Yes	No	Undecided
1. Do you favor an across-the-board cut in your income taxes?			
(a) If there is a comparable reduction in Federal spending?	82.6	9.0	8.4
(b) If there is not a comparable reduction in Federal spending?	11.7	49.2	38.1
2. Do you favor Federal aid in the form of loans and grants to colleges?	38.9	52.0	9.1
3. Do you believe the Federal Government should provide Federal aid for local teachers' salaries?	12.2	84.2	3.6
4. Do you believe the Federal Government should provide Federal aid for local elementary and secondary school construction?	29.0	65.0	6.0
5. Do you favor the establishment of a Youth Conservation Corps?	42.4	43.4	14.2
6. Do you favor a domestic Peace Corps?	22.7	61.3	16.0
7. Do you favor the passage of the Urban Mass Transit Act, involving $500,000,000 in grants for urban transportation facilities?	8.9	77.1	14.0
8. Do you favor further U.S. concessions to obtain a nuclear test ban?	12.7	78.1	9.2
9. Do you favor the extension of the Feed Grain Act?	12.6	49.5	37.9
10. Do you favor an extensive reduction in our foreign aid expenditures?	88.3	8.3	3.4
11. Do you favor continued U.S. financial support of so-called United Nations peace-keeping operations?	20.4	66.3	13.3
12. Are you satisfied with our policy toward Cuba?			
(a) Would you favor a complete blockade?	65.6	13.3	21.1
(b) Would you favor an invasion of Cuba?	29.2	32.6	38.2

Et Tu, Brute

EXTENSION OF REMARKS

OF

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Monday, June 24, 1963

Mr. THURMOND. Mr. President, my weekly newsletter dated June 24, 1963, makes reference to two legislative proposals pending before the Congress and also to the recent Supreme Court decision against the Lord's Prayer and Bible reading. I would like to share these comments, Mr. President, with the Members of the House and the Senate, so I ask unanimous consent that this newsletter entitled "Et Tu, Brute" be printed in the RECORD.

There being no objection, the newsletter was ordered to be printed in the RECORD, as follows:

ET TU, BRUTE

Labels do not provide a sufficient basis for judging a product. For instance, the goals of communism are evil; but they are not evil just because they are advocated by the Communists. The goals of communism are evil in themselves, and are no less evil and despicable when promoted by other than Communists.

Two principal goals of communism are to destroy private property and to "dethrone God." According to Marx, the institution of private property is the economic tool for enslavement of the masses, and religion is the opiate of the people. Americans are aware that communism is evil, but are often less perceptive when others, neither foreigners nor Communists, seek to achieve the same evil ends—particularly when these evil ends are hidden behind ostensibly noble causes and purposes.

Efforts from within and without the National Government are now being directed at eroding both property and religious rights in the United States, with varying degrees of success.

The tax bill proposed by the administration provides one example of such efforts. Under existing law, taxpayers may deduct from the amount of their income all of the interest paid and the amount of contributions to churches and charities which does not exceed 30 percent of their adjusted gross income. The administration has proposed that only the amounts of contributions and interest which exceed 5 percent of adjusted gross income be deductible.

The nondeductibility of the first 5 percent includes the bulk of all contributions and interest. According to the Internal Revenue Service, based on the returns filed in 1963, only on 19 percent of the returns filed were interest deductions in excess of this first 5 percent claimed. Also, only on 15 percent of returns filed were deductions for contributions in excess of this first 5 percent claimed.

A taxpayer who has an income of $8,000 can now deduct all the contributions he makes up to $2,400, and all the interest he pays. Under the administration's proposal, however, he could not deduct the first $400 in contributions which he makes, nor could he deduct the first $400 in interest which he pays. If this taxpayer made contributions of $400 or more, and paid interest of $400 or more, he would have to pay taxes on this additional $800. Under this proposal, the taxpayer would not only have less incentive to make contributions to his church and charities, and to own his own home, but he would also have less money with which to do these things.

There are other examples. The recent decision of the Supreme Court that Bible reading and the Lord's Prayer in public schools is unconstitutional, even when anyone who objects to participation can be excused, struck a major blow at the religious heritage of our people. And already the American Civil Liberties Union, which financed and conducted the lawsuit in the prayer and Bible reading case, has commenced a lawsuit in California seeking to have the words "under God" in the pledge of allegiance declared unconstitutional. These suits are brought in the name of freedom of religion, but what they are designed to insure is not freedom of religion, but freedom from religion.

The latest assault on private property takes the form of a "civil rights" proposal sent to the Congress by the administration. Under this proposal, private owners of hotels, motels, restaurants, places of amusement, and retail businesses would be prohibited from exercising their property rights to refuse admission to their property or service on their property, to anyone they desire. Previous laws have limited the use of property by forbidding its use in certain ways which might hurt others, but this new proposal would prescribe affirmative ways in which people must use their property. In simple language, it changes the tenor of the law from do not's to do's.

There is no consolation in the fact that assaults on property and religious rights are made piecemeal, through the process of "gradualism." Once the precedents are established, as was evident from the prayer decisions of the Supreme Court, the pace of erosion increases.

Evil is no less evil when perpetrated with a "noble" motive or by a nice "respectable" person or group; and a man who loses his liberty is no less deprived because his liberty was taken from him by natives of his own country who profess high motives, rather than by foreigners who profess an alien ideology.

Sincerely,

STROM THURMOND.

Independence of the Philippines

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 24, 1963

Mr. POWELL. Belatedly, Mr. Speaker, we wish to take this opportunity to send warm felicitations to His Excellency the President of the Republic of the Philippines, Diosdado P. Macapagal; and His Excellency the Philippine Ambassador to the United States, Amelito R. Mutuc, on the occasion of the anniversary of her independence.

It was on June 12, 1898, that General Emilio Aguinaldo proclaimed the Philippines independence from Spain, after centuries of subjugation. Although that independence was soon eclipsed by several decades of U.S. rule, that rule was in the nature of political tutelage which was terminated as soon as it became clear to all concerned that the people of the Philippines were indeed fully capable of standing on their own feet.

The Philippines received its independence from the United States in 1946, but in view of the transitory nature of the period of American rule, it is fitting that the independence of the Philippines be dated from 1898, when its people first breathed the exhilarating air of freedom. No one can phrase this point more eloquently than President Macapagal has done when he said:

> A nation is born into freedom on the day when such a people, molded into a nation by a process of cultural evolution and sense of oneness born of common struggle and suffering, announces to the world that it asserts its natural right to liberty and is ready to defend it with blood, life, and honor.

It was almost 187 years ago that our American Declaration of Independence was signed. Our forefathers, like yours, were ready to defend their natural right to liberty with their blood, life, and honor. Thus both our nations, through their respective struggles for independence, have earned the right to the title of defenders of freedom.

But another equally important reason for referring to our two nations as defenders of freedom is that we are both stanch advocates of the representative form of government, believing in the fundamental principles that government shall be based on the consent of the governed, and that man has certain unalienable rights, among which are the rights to life, liberty, and the pursuit of happiness.

In addition to these solid moral, ideological, and political bonds between our two nations, there is the unforgettable shared experience of Americans and Filipinos fighting shoulder to shoulder on Bataan and holding on to Corregidor; the shared experience of the Bataan death march and the prison camps; and the shared experience of together liberating the Philippines from the Japanese conqueror. What a magnificent demonstration of the mutual respect and mutual loyalty between our two nations, when in the darkest days of World War II the Filipinos, whom we had then been governing for four decades, stood side by side with us, even to the bitter end in those situations where no other end was available.

Our shared experiences in World War II, and our more recent experiences with the multitude of military, political, and ideological challenges facing us in the post-war world, have served to remind us that freedom can never be taken for granted. To preserve freedom under the challenge of alien ideologies, we must be ever willing to defend and strengthen our free institutions as ardently as our forefathers worked to establish them. The American people are proud to have been associated with the Philippine people in this noble venture in the past, and look forward to a continued association for this purpose for years to come.

Ohio State Employment Service May Close Due to Lack of Funds

EXTENSION OF REMARKS

OF

HON. FRANK T. BOW

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 24, 1963

Mr. BOW. Mr. Speaker, I have been informed that the offices of the State Employment Service in Ohio and several other States may be closed for the balance of the fiscal year because the Administrator of the U.S. Employment Service has exhausted his funds and cannot pay the various States the full amount that is due them for administrative expenses.

In Ohio, for example, I am told that $454,000 is due the State employment service from U.S. Employment Service and cannot be paid.

Fortunately, Willard P. Dudley, the new director of the Ohio agency, has been trying to save money and has budgeted so that he would have had a surplus of $206,000 on June 30 if he had received the full amount due from the Federal Government. In so doing, he has resisted the efforts of Federal representatives who, only a few weeks ago, were urging him to spend more so that he would not show a large surplus at the end of the year.

The default on the part of the U.S. Employment Service leaves Mr. Dudley $248,000 short of the amount he must have, mostly for payroll, for the rest of this month, even after all savings from nonpersonnel items have been transferred to the payroll account.

He will have no funds to pay his employees after tomorrow unless Mr. Robert C. Goodwin, the Administrator of U.S. Employment Service, is able to work a miracle and produce the money.

Mr. Dudley is asking his employees to volunteer to maintain service for the unemployed, even though they have no assurance they can ever receive payment for such services for the rest of June.

If the Administrator of the U.S. Employment Service has obligated his agency beyond its appropriations, I am certain the House will wish to have a full investigation. This is a very serious situation indeed.

It is a serious situation for men and women who are out of work or who become unemployed in the next 10 days. Unless volunteers work without pay, these people will not be able to register and report as required by law. They will not be eligible for their weekly checks. And the newly unemployed will not be able to register and begin to draw compensation.

I would like to suggest that Members refer to my speech in the House April 30 which appears on pages 7412–7419 of the CONGRESSIONAL RECORD for that date. They may find therein some explanation of why the U.S. Employment Service is now unable to completely fulfill its obligation to the State services in Ohio and elsewhere.

In that speech I revealed how the Goodwin agency here in Washington has insisted that the State agencies turn their backs on the unemployed, who should be their primary responsibility, and are spending large sums of money to lease new buildings and furnish new offices in elegant fashion so that they may attract professional and white-collar people who are looking for better jobs. The bureaucrats who staff these agencies explain that the clients they wish to attract do not like the atmosphere of an unemployment compensation office. In short, they consider the unemployed unfit to associate with those who have jobs and this is a disgrace and an outrage.

An explanation of the U.S. Employment Service deficiency may be found also in the thousands of inches of classified advertising that have been inserted in the newspapers of this Nation, most of it for the purpose of recruiting people who are employed.

I am certain that there would be no question of a deficiency today if U.S. Employment Service were not trying to take over the work of college placement officers, and going into the field of high school counseling for which its employees have no competence.

By way of explanation for those who may be unfamiliar with the arrangements between the State and Federal agencies, let me say that the States collect through their own taxes on employers the amounts required to pay unemployment compensation. The Federal Government also taxes these employers and it is from the Federal collection that funds are dispensed to the States to pay for the administration and operation of the system. Thus, the Federal authorities have a great deal of purse string control over the States, and they have used this control to insist that the States expand services into areas not related in any way to the primary responsibility of serving the unemployed.

It is a crying shame that this empire building now results in cutting off services to the unemployed for the remainder of the fiscal year unless, of course, employees in Ohio respond to the appeal for volunteer help and similar or other arrangements can be made in other States.

It should be made crystal clear that closing these offices is a Federal responsibility and it is not the result of any State government program. The Federal agency has defaulted on its obligation to the States. It has failed to provide the funds that are due the States and which the States have been urged to spend.

Incidenally, it may be of interest that the total Federal payment to Ohio this year for administration of the employment service is about $17 million, while Ohio employers contribute over $26 million to the fund from which this money is distributed.

Independence of Mali

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 24, 1963

Mr. POWELL. Mr. Speaker, on June 20, the Federation of Mali celebrated her third anniversary of independence. We wish to take this opportunity to send warm felicitations to His Excellency the President of the Mali Federation, Modibo Keita; and His Excellency the Mali Ambassador to the United States, Oumar Sow.

On June 20, 1960, the Mali Federation, comprising the former French Soudan and Senegal, became an independent state within the French community. The federation was not a lasting one, for historical and immediate differences led to its breakup by August. The two member states amicably parted, with Soudan retaining the name Mali.

The new Republic of Mali, proclaimed on September 22, 1960, was the heir of an ancient and brilliant empire which flourished in Africa around the time the European continent was experiencing what historians have popularly called its "dark ages." The Mali empire extended over a large portion of West Africa, and its Islamic civilization was dynamic and prosperous. The people and government of the new Mali are determined to emulate the Mali of the past.

The Republic of Mali shares common borders with Mauritania, Senegal, Guinea, Ivory Coast, Upper Volta, and the Sahara. It has always been a crossroads on the trans-Saharan trade routes, and its age-old settlements such as Timbuctoo conjure up images of the Arabian Nights.

But Mali is as much of the 20th century as of the past. It has been a center of political activity since World War II when Modibo Keita, now the President of Mali, the late Mamadou Konate, and several other prominent Soudanese were among the cofounders of the regional political movement, Rassemblement Democratique Africain.

Since achieving independence Mali has been an active force working toward greater unity on the African continent, in the Ghana-Guinea-Mali union, as one of the founders of the Casablanca group, and recently at Addis Ababa as a stanch supporter of an inter-African unity charter. Reporting back to the people of Mali after the Charter of the Organization of African Unity had been signed, President Keita stated that an important step had been taken to frustrate attempts at division and crystallization of Africa into antagonistic blocs.

The spirit of the new Mali is accurately reflected in the constitution of the republic. Reaffirming the rights and liberties of man and of the citizen, the preamble provides that the republic "shall create the conditions necessary for the harmonious development of the individual and the family as the center of a modern society, with full respect for the African personality." The preamble enumerates certain rights: the right to employment and to rest, the right to strike, and the right to assemble into organizations of cooperation or organizations created by one's choice for the promotion and defense of professional interests.

The new Mali deserves our congratulations for its dynamic resurgence. President Modibo Keita is one of Africa's rising young political leaders who is becoming known and who is being listened to throughout the African continent. Mali's economy is being transformed by carefully thought out development plans. The people of Mali are engaged in building schools and working the land in a huge national investissement humain—human investment—development program.

On this third anniversary of independence we salute the people of Mali and President Modibo Keita for 3 years of noteworthy accomplishments and express our best wishes for Mali's continuing development and prosperity.

Report From Washington

EXTENSION OF REMARKS

OF

HON. VICTOR WICKERSHAM

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 24, 1963

Mr. WICKERSHAM. Mr. Speaker, under leave to extend my remarks in the Record, I include the following:

Report From Washington

THE COMMITTEE AND THE BILL

Each month I get many letters urging me to support or oppose various legislation. Since lawmaking is the primary duty of a Congressman, I carefully consider each letter. Some write urging me to vote "no" on a particular bill when it hasn't yet been introduced in Congress. Others, seeing that a particular bill has been introduced, write the next day urging me to take a stand on it and give them my opinion on the bill.

Many times I immediately know my own feeling on the subject matter of a particular bill. But my 18 years' experience in Congress has taught me that it is far wiser and more responsible to wait until the bill is reported out of committee before taking a position. When I reply to a constituent that my position on a bill is not yet firm, I am accused of being wishy-washy.

When a bill is introduced in Congress, it is referred to a particular committee where it receives much detailed study. Here the merits of a measure are put into workable form, much more easily than could be accomplished before 435 House Members. What goes into a committee does not always come out; what does come out often differs considerably from the original bill.

Take the President's tax reform bill, for example. Of 37 specific tax reform measures presented to the Ways and Means Committee, 22 have been approved, 6 have been rejected, and 9 are still under study. Any of the approved or rejected items can be changed at any time. When the tax reform measure was first introduced, I received a deluge of letters urging me to vote against the measure because of several items contained in the bill. To date, the committee has rejected several of the President's proposals, including the charitable contribution deduction, travel expense deduction, and others. After having rejected the President's proposal on a section of the oil depletion tax law, the committee reversed itself and approved it.

When I answer a letter stating that I have not yet formed an opinion on a particular bill, I am not being wishy-washy or evasive. A doctor cannot treat a patient until he knows all the symptoms, and I cannot vote on a bill until all the changes in it have been made. It is possible, while a bill is in committee, to support a bill one day and be against it the next, in light of committee action.

FEDERAL LOANS APPROVED

Improved electrical service is due for rural consumers in my district with announcement this month of approval of a $980,000 loan by the REA to Northwest Electric Co-op, Inc., Woodward. The loan is for construction of 143 miles of distribution line to serve 320 consumers, and other system improvements.

Also approved was a $49,000 study by the Area Redevelopment Administration on developing tourist facilities in eastern and south central Oklahoma. A total of 41 counties are involved. The Bureau of Indian Affairs will provide $5,000 for the study, to be carried out in Grady, Jefferson, and Stephens Counties in my district.

Speaking of ARA, five votes defeated the bill to authorize appropriations of $455.5 million to continue the program. Since the program was begun 2 years ago, $3.8 million has been spent in my district alone, creating jobs for almost 1,000 persons. It takes time to get applications processed and it takes time to build factories and plants. It can't be done overnight. Opponents who charged that the program "failed to produce" should have realized this.

PROSPECTS FOR NEW WHEAT LEGISLATION

Letters from farmers this month talk of one thing—new wheat legislation. Some say "let the farmer stew in his own juice," others want new legislation. "Support the new wheat bill," they say, although there are three different wheat bills before Congress.

One bill would continue the present wheat program for 2 years and call for a new referendum. Another would set up a voluntary program with wheat acreage being added to the feed grain base. Farmers would get acreage payments for diverting wheat. A third bill would wipe all bills off the books and start over. Supports would be set at the average world market price for the past 3 years. Supplies would be brought down by a major voluntary cropland retirement program, with payments on a bid basis.

This part of the bill is seen as the trouble spot. Farmers generally grow all they can and few worry about surpluses, observers feel. It is feared that a return to the Benson farm program and high surpluses would result. At this time, there does not seem to be much inclination on the part of Congress to enact new wheat legislation. Hearings are due, but when they will be held is uncertain. The urban Congressman, who has always gone along with the farmer, may be tiring of helping the farmer at the expense of the city dweller. As for myself, I will work for whatever legislation is best for the wheat farmers in my district. More than 12,000 farmers voted against the referendum, but more than 10,000 voted for it. Some kind of legislation will be needed.

SOMEONE IS NUTS

Former President Eisenhower said this month that "anyone who would spend $40 billion to put a man on the moon is 'nuts.'" Well, the Russians must be nuts because they are working like crazy to get there first. Anyone who wants to live on earth with a Russian man-in-the-moon is nuts. Militarily, a moon-based rocket force would be impossible to cope with. Economically, the new metals or minerals yet undiscovered by man would certainly prove advantageous to science. Let's not kid ourselves into believing the Russians would give us one-half of the moon if they claimed it first. They haven't done so on earth, by any means. It has always been part of many to seek out, to explore. Imagine a conversation between King Ferdinand, Queen Isabella, and Christopher Columbus: The date, 1492:

"King Ferdinand. Chris old boy, I understand you want to take your boat out into the ocean and go exploring.

"Columbus. That's right Ferdy, I believe there is something out there besides a lot of water.

"Isabella. Anyone who would take a boat to the edge of the ocean and risk falling off the world is nuts. You can sit here on your soft cushion and eat peeled grapes. Anyway, if we want to increase our world prestige we can send the Vice King down to southern Spain on a good-will tour.

"Columbus. That wouldn't work. They would probably throw eggs at him.

"King Ferdinand. I'm against this ocean trip because of the cost.

"Columbus. At least you don't have to worry about a congress. Just give me three ships, three crews, some pocket change and I'll be off.

"King Ferdinand. Why can't we send an instrument over there in a bottle and get information about that land?

"Columbus. We can, but how are you going to get samples of minerals, forest, and vegetation and all that jazz if you don't send a man. Besides, everyone knows Prussia is exploring, they may get there first.

"King Ferdindand. Nope, sorry Chris. You can't go. In the first place, there is nothing worth having out there, and in the second place I've got to stand recoronation this fall and there has been entirely too much junketing lately. Let's spend our money on bubonic plague research.

"Columbus. OK, maybe the history books will give me credit for the trip anyway.

"King Ferdinand. Maybe, but they will long remember me as the King that stood for 'lazy faire,' individual individualism, and what's good for General Engine is good enough for me."

Anytime I may be of service to you, please call on me.

Cordially your friend,

Victor Wickersham,
Member of Congress.

Washington Report

EXTENSION OF REMARKS

OF

HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 24, 1963

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the Record, I include the following newsletter of June 22, 1963:

Washington Report

(By Congressman Bruce Alger, Fifth District, Texas)

CIVIL RIGHTS UNDER THE CONSTITUTION

The fifth amendment: "No person shall be * * * deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation."

The 10th amendment: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

The 14th amendment: Section 1: "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. * * * Nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

To bring some reasonableness from the current political and emotional controversy on civil rights, it is necessary to examine the question within the framework of the Constitution and the 5th, 10th, and 14th amendments which bear directly upon it. Much of the difficulty in the present situation is because the President, the Attorney General and those who aspire to leadership of the Negro race now want discrimination in favor of the Negroes and against the whites.

Equal justice under the law as defined by the Constitution is the only safe guarantee of the rights of all our people including the Negroes. In a speech in the House this week I pointed out: the scales of justice must be balanced for the protection of all law-abiding citizens of every color, race, and national origin. We cannot allow white men to die at the hands of Negroes without just as vigorous protest and all-out effort to bring to justice the murderers as when a Negro dies. I called to the attention of the House the murder in Hoboken, N.J., last week of Walter Glockner, a 27-year-old truckdriver who was shot in the back and killed because he was fighting for more democracy and better treatment for the members of his local union. In contrast to the murder of Medgar Evers, the Negro leader in Mississippi, there was no public outcry at the murder of Walter Glockner, no message to his wife and two small daughters from the President, no announcement by the Attorney General that the full force of the FBI would be used to track down his murderers. The entire country was shocked at the brutal and cowardly murder of Medgar Evers. Murder is a dastardly business and its perpetrators should be run down and punished whether the victim is a Negro leader such as Medgar Evers, or a union member, Walter Glockner, or a young white soldier who was run over by a group of Negroes in a drunken brawl in Washington this week. (These people have now been arrested and it is hoped a full investigation and proper punishment will be made.) Medgar Evers was fighting for a cause in which he believed as was Walter Glockner and they will have died for no reason at all at the hands of depraved assailants and they will have lived and died in vain, as will others both black and white, unless the forces of law and order and the power of Government dispenses justice equally and does not make martyrs out of slain Negroes, and just statistics of white men who die at the hands of Negroes. To insure the rights of all, let us pray that the God-fearing people of America, both colored and white, will rise in justified anger at using death as a political weapon and demand that all the forces of law and order be brought into play to bring to justice those who defy the laws, those who commit murder.

Essential, too, in the protection of civil rights is to keep in mind the constitutional guarantees in the 5th and 14th amendments calling for the protection of property rights. Property rights can easily be called the theme in the economic struggle in the world today between free people and communism. The basis of capitalism, our system of individual freedom, is founded in the right to the private ownership of property, the right to do what one will with one's own. We must do nothing in this country tc jeopardize the precious human right of property ownership. In this area, therefore, it is completely proper for me to own and operate a facility which sells goods or serves food or houses just redheaded people or one-legged people, or any criteria which I, the owner, determine. It may be poor economics and I may go out of business, but this, too, is my precious right, the right to serve whom I please, to associate with whom I please, to hire whom I please based on the qualifications and ability I determine necessary in the people I employ.

In the area of public ownership, where the money of all the taxpayers is used to maintain and operate the facility, such facilities must be opened and integrated and all served equally because all the people pay taxes. There is a grave question of the right of the Federal Government to be in the business' of supporting recreational facilities, swimming pools, etc., but once we have accepted the right of the Government to spend the taxpayers' money thus, then all taxpayers must be permitted to participate in the benefits.

As to a Federal FEPC, again we cannot demand through Federal legislation that private employers hire on the basis of race. Employment is a matter of hiring those who are able to do the job the employer must have done and who have the skills, the knowledge and the ability to perform the job. To demand hiring practices on any other basis will lead to greater injustices and even more intolerable inequities. No man should be held back in Federal employment because of his race, but he should not be hired or advanced on the basis of race alone. Important also is the fact that while the Negroes comprise only 10 percent of the population of 186 million people in this country, they already hold jobs, especially in government, far beyond this percentage. In Washington in such agencies as the Post Office Department, General Services Administration, etc., employment for Negroes runs as high as 40 to 50 percent. The danger in the current climate of mob action, violence and weighting the laws to favor the Negro is the breakdown in constitutional guarantees of civil rights with the inevitable reaction that could lose for the Negro all the gains he has made and he, along with all our other citizens suffer because of the weakening of our system of society.

CURRENT ISSUES

The "hot line" agreement, is frightening in its implications. It could lead to the ultimate failure in the long list of Kennedy failures—the destruction of our country and victory for the Communists. This could happen because of the Communist's admitted lack of honor in keeping agreements and in using lies in international relations.

Those supporting the decisions against reading the Bible and prayer in public schools seem unaware of the religious heritage of this Nation, the fact that it was founded by those who believed in the Deity and interwove into our basic concept of government faith in God. The real danger in the recent decisions is seen in a new move in a suit filed by the American Civil Liberties Union to eliminate the words "under God" from the Pledge of Allegiance. There is evidently a planned and organized drive to eliminate the religious beliefs of our forefathers from all phases of our national life. This move will be successful unless we who continue to hold our faith in a Supreme Being take steps now to protect our religious heritage from the atheist and antireligious.

Independence of Kuwait

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 24, 1963

Mr. POWELL. Mr. Speaker, on June 19, Kuwait celebrated the second anniversary of her independence. We wish to take this opportunity to send warm felicitations to His Highness, the Amir of Kuwait, Shaikh Sir Abdullah al-Salim al-Subah; and the Honorable Talaat Ghoussien, Chargé d'Affaires ad interim of Kuwait to the United States.

A progressive nation, a welfare state, a modern metropolis—these are the titles which would be used when speaking of Kuwait. As a progressive nation, a constitution was recently promulgated by the ruler to give his subjects a say in the running of the government. This document established a National Assembly, to be freely elected by the people, as was the case in the recent elections held last January.

It is a welfare state since many public services are given free to the people. Modern schools, including primary, secondary, and college, have been built to stress the desires of the head of state to have the people of Kuwait educated. And in each degree of education, all is paid for by the government. Modern hospitals and clinics, too, have been erected to care for the ills of the people. And as with education, all expenses are paid for by the state.

It is a modern metropolis, for rising from the desert sands along the Persian Gulf is the city of Kuwait. Well planned with wide streets, parks, government buildings, and housing developments, the city now boasts air conditioning, movies, and electrical equipment, which we in the United States take for granted but which are scarce in other parts of the world, to make living quite comfortable for both foreigner and citizen.

These improvements, though, have been recent innovations to Kuwait. Recognized as an independent sheikdom in 1899 by Great Britain, but under the protection of British forces and allowing its foreign affairs to be handled by London, Kuwait was thus preserved as a separate entity from the encroaching claims of the Turkish and German empires. During the early years of the 20th century, the populace continued in their old ways, as exporters of dates and pearls, and go-betweens for goods arriving through the Persian Gulf route, a peaceful people living their lives as their fathers did. Modernization came suddenly and swiftly with the discovery of oil in 1938. Today everything one sees in Kuwait is derived from oil. It is estimated that under the sands of Kuwait is located the richest and largest oil deposit in the world. After World War II, when oil production in the Middle East surged ahead, money flowed into the country. With the wisdom of a benevolent leader, Sheik Abdullah as-Sabah, who was elected ruler in 1950, initiated his programs of reform and development.

Even with the development projects for the state, oil royalties continued to increase too rapidly for the country to absorb. Foreign investment programs were begun so that the idle capital would be useful to others. And when this proved insufficient, there was established a fund for Middle East development, to abet the progress of the countries in the Middle East. To date, there have been loans granted to Jordan, the Sudan, and Libya, with several others under consideration.

Kuwait is a shining example for the other oil countries of the Middle East to follow. Everyone in Kuwait benefits from the liberal policies of the government. As fourth largest oil producer in the world, its security is assured for many years. Yet the government is looking ahead to the time when their oil pools will have been depleted. New industries have been inaugurated to diversify the economy. Harbor facilities were improved so that its ports will once again become a lure for world commerce.

Amicable relations with the United States has been the rule since gaining complete independence from British protection on June 19, 1961, with our Navy using its harbors and port facilities several times a year. Mutual respect and admiration has grown up between American oil personnel and Kuwaitis, further cementing a strong bond. It is thus with pride that we may claim Kuwait as our friend. On this their second anniversary of independence, let us express our sincere admiration for their success and hope for their continued prosperity and good will.

Canada's 12-Mile Limit Proposal

EXTENSION OF REMARKS

OF

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, June 24, 1963

Mr. PELLY. Mr. Speaker, Canada and the United States have a community of interest in many economic areas. Likewise, we have conflicts of interest. However, I believe that every Canadian, just as every American, knows that the welfare of each country is linked closely and our economies are dependent one upon the other.

Recently, Mr. Speaker, I had the privilege of writing an article on Canada's proposal for a 12-mile fishing limit and I have urged that our Government explore Canadian Prime Minister Pearson's proposal in this regard.

Because it is timely, under leave to extend my remarks, I include the newspaper article which appeared in the June 23, 1963, issue of the Seattle Times:

FISH RIGHTS OFF CANADA NOT EXPENDABLE

(By Representative THOMAS M. PELLY)

WASHINGTON.—On June 4, the Prime Minister of Canada announced the unilateral extension of his country's claimed territorial waters. A 12-mile fishing zone, established on the so-called straight-baseline principle, will take effect in mid-May 1964. This Canadian action could have serious effects upon the fishing industry of the American Pacific Northwest.

The announcement was not unexpected. Since the U.N. General Assembly on the Law of the Sea in 1956, when a Canadian official supported the concept of a narrow territorial sea and a broader contiguous zone for fishery control, Canadians have urged extensions of their jurisdiction in waters close to the coast of Canada. Although the Canadians have in the past endeavored to achieve new and wider fishery and territorial limits through negotiations, failure to achieve an agreement strengthened the position of those Canadians advocating unilateral action.

For many years, U.S. fishermen have been fishing in waters close to the west coast of Canada. The first were fishermen who worked the rich halibut grounds off British Columbia. Although the halibut fishery has since expanded north and west along the coast to the Bering Sea, these grounds—early discovered—are still of considerable importance to American fishermen. If U.S. fishing for halibut within the Canadian 12-mile limit is eliminated, a maximum of 330 vessels and 1,500 fishermen will be affected.

American salmon trollers have also conducted a fishery in waters along the west coast of Vancouver Island. The catch of salmon from this fishery within 12 miles of the coast annually yields about 1,700,000 pounds, or $535,000, to U.S. fishermen.

A major development since the Second World War has been the expansion of the trawling industry in the Pacific Northwest. Today, some 120 vessels working out of Washington ports, land 40 million pounds of fish annually, valued at over $2 million to the fishermen. In 1962, out of a total Pacific Northwest trawl catch of 75 million pounds, about 18 million pounds (valued at $900,000) came from within the Canadian 12-mile limit.

The U.S. fisheries off the Canadian coast in the Pacific Northwest have been carried on for such a long time that U.S. fishermen, in our judgment, have established certain historic rights. We would consider it neither just nor equitable for Canada to abolish these fisheries by fiat, as it were. We would fully expect our own Government to take measures consistent with the long history of U.S. participation in these fisheries and to prevent injury to U.S. fishermen who presently fish those waters.

The consequences of such a move on Canada's part would not be felt in the Pacific Northwest alone. Important U.S. fisheries based in New England ports are carried on off the Canadian coast in the Atlantic Ocean.

But our historic rights are so well-established and our tradition of working out fishery problems amicably with Canada so firm, that I have no doubt that the two Governments can solve these problems. It seems to me the Canadian Government is prepared to recognize these rights and, therefore, that our Government should accept the Canadian invitation to find a mutually agreeable solution to the serious problem now before us.

In connection with these negotiations my chief concern from past experience is a wishywashy attitude on the part of our State Department, which seems to feel that the American fishing interests are expendable in consideration of the so-called broad picture.

It should be pointed out to the Canadians that vast quantities of the Canadian fish catch are marketed in the United States. During the 5-year period from 1956 to 1960, inclusive, Canadian exports of fishery products to the United States averaged about $101 million annually, or 70 percent by value of Canada's exports of fishery products. We should let it be known that the sharing of this U.S. market by Canadian fishermen is a privilege, not a right.

Furthermore, it is a privilege that U.S. fishermen and other Americans are asking the U.S. Congress to withhold from any nation which takes unjust action against American fishermen.

But I do not suggest that we threaten, because there is no room for threats between Canadians and Americans. I mean, rather, that we make sure that Canada is aware of the realities of the situation, just as we are when we recognize that we cannot change history by ignoring the 12-mile limit problem and hoping that it will go away.

Hon. William Jennings Bryan Dorn: The Launching of the "John C. Calhoun"

EXTENSION OF REMARKS

OF

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 24, 1963

Mr. RIVERS of South Carolina. Mr. Speaker, on Saturday June 22, 1963, at

Newport News, Va., the SSB(N) 630—the U.S.S. *John C. Calhoun*—was launched.

This Polaris submarine bears the name of one of the most illustrious men ever to grace the Halls of the Congress of the United States. President Kennedy, in his book "Profiles in Courage," said "who formed with Webster the most outstanding triumvirate the Senate has ever known, Henry Clay and John C. Calhoun."

Harriet Martineau, the English spinster, referred to Calhoun as the "cast iron man who looks as if he had never been born and never could be extinguished."

> He could have—

Said Webster—

> demolished Newton, Calvin, or even John Locke as a logician.

President Kennedy, in his book above referred to, had this to say—

> His speeches, stripped of all excess verbiage, marched across the Senate floor in even columns, measured, disciplined, carrying all before them.

It is little wonder that President Kennedy, at my request, designated such an important instrument in our arsenal of freedom for a man who championed in cause so dear to the heart of every living South Carolinian.

The speaker for the occasion was the brilliant orator, our beloved colleague, the gentleman from South Carolina, the Honorable WILLIAM JENNINGS BRYAN DORN. Mr. DORN's magnificent address, delivered in his inimitable oratorical style, brought round after round of spontaneous patriotic applause. No one could have suppressed Mr. DORN on this occasion. Mr. Speaker, South Carolina was proud of Mr. DORN's performance for her favorite son. South Carolina is proud of Mr. DORN.

I want the Congress of the United States and America to read his address. Capt. G. A. Wright, chaplain for the 5th Naval District delivered a most appropriate prayer for the occasion. I want to insert this prayer just before Mr. DORN's address:

PRAYER BY CAPT. G. A. WRIGHT

Almighty and Ever-loving God, whose way is in the sea and across the ocean waves, whose path winds silently through the dark, deep waters, at this solemn moment we invoke Thy devine blessing upon this launching ceremony. In Thy mercy, O God, help us to lift this occasion to a level where we may experience the triumph of the best within us. We confess that we are not always ready to acknowledge either Thy sovereignty or our dependence upon Thee. Too often have we failed to recognize Thy power, even when the evidence around us—and within us—was remembering. Give us, therefore, the insight to demonstrate Thy praise not only in words but in deeds, and may we never, never fail Thee. For all who have contributed to the total effort—human and material—essential to the making of this exciting occasion a present reality, we readily raise our gratitude and appreciation. Especially do we remember with thanks the unnamed Americans who in one way or another shoulder the higher cost of keeping the free world free. We commend to Thee the officers and men who share the awesome responsibility of manning and controlling this mighty Polaris submarine. May they and all who follow ever serve with loyalty, courage, and devotion as *John C. Calhoun* fulfills whatever mission assigned. "Eternal Father, stay and save, whose arms doth bind the restless wave," save us from the temptation to place our security and trust in ships, in arms alone, when our real strength lies in the determination to place patriotism before self-interest, truth before propaganda, law before tyranny and faith in God before unbelief and self-sufficing. We who love freedom more than life pray this prayer in the name and for the sake of the Prince of Peace. Amen.

ADDRESS OF WILLIAM JENNINGS BRYAN DORN, DEMOCRAT, OF SOUTH CAROLINA, AT THE LAUNCHING OF THE POLARIS SUBMARINE U.S.S. "JOHN C. CALHOUN," NEWPORT NEWS, VA., JUNE 22, 1963

England in the year 1500 was a small dot on the map of the world. Her population and land area were insignificant when compared to the populations and land masses of Eurasia. England had experienced invasion and conquest by the Romans and Normans. Around the year 1500 British leaders were aware there would be future attempts at conquests of their native land by foreign powers. These were men of great foresight. They had imagination and vision. They had keen insight into future eventualities and future dangers. They formulated a policy for survival. They took an inventory and found that England could muster no great land armies and had access to limited natural resources. These intrepid leaders turned to science and technology as a means of survival. England turned to her skills and to the industrial arts. England did the things she could do best. She built a navy—the superior of any in the world. She destroyed the Spanish Armada and for nearly 400 years Britannia ruled the waves. Her great navy controlled the seven seas of the world. She led the world in commerce. The sun never set on the English language, English art, literature, and culture. British law, the Christian religion, and dignity of the individual followed the British fleet to the very ends of the earth. The British Navy with their Union Jack was the symbol of peace and civilized power. Our country today is much indebted for our own freedom to the imperial British Navy.

The United States, as it faces the future, is confronted with a similar problem. We are outnumbered numerically, and in the face of Communist expansion we are small geographically. We cannot muster the largest land armies in the world to insure freedom and peace. Our only hope of survival and our only hope to maintain free world leadership and to preserve the peace is through superior leadership in science and technology. Only as long as we stay ahead of our potential enemies in the field of scientific research and development, can we hope to remain the arsenal of democracy and the heart and core of freedom. The hopes and aspirations of all free peoples look to this Nation for leadership during these critical times. We must accept the challenge. We have no alternative.

The launching of the *John C. Calhoun* here today is a manifestation of our determination to keep the sea lanes of the world open to all nations and to all people. We must police the waterways of the world so that freemen can remain free and continue active in the cause of spreading freedom. There will be attempts in the future to control the seas of the world for evil, for conquest, and for slavery. There will be attempts by the forces of totalitarianism to control the air, the winds, the air currents, and the weather. There will be attempts by these forces of autocracy to control the currents of the sea. We are on the threshold of the greatest challenge in all the history of civilization. We must be first. There is no place in the world of today for second best. The nation that controls the seas of the world and is first in space will control the world for the next 1,000 years. The choice is for good or for evil. We have no other. We must lead and insure freedom, ethics, morality, and peace even beyond our own time.

Science and technology, control of the sealanes, control of space, leadership, science and technology for what? To preserve the fundamental principles enunciated in the Magna Carta, the Declaration of Independence, the Constitution of the United States, and its Bill of Rights. The importance and dignity and worth of the individual, a basic belief that man is more than a grain of sand on the seashore of time to be shoveled by the masters of the state for their own selfish glory and power. Millennial days have not come. Oppression, slavery, poverty are abroad even in this modern world. These evils flourish and grow in the areas under control of dictators and those seeking to infiltrate and conquer the world. In those areas of true representative government, those with a republican form of government with majority rule, we find on the other hand a maximum of liberty, tolerance, understanding, law and order, culture, and a higher standard of living. This is still the world of the strong and the weak, of the oppressor and the oppressed, and until the millennial years, the United States must remain invincible on the sea, on the land, in the air, and in the space beyond the air. Our Armed Forces will be truly peace forces.

This nuclear powered *John C. Calhoun* is a magnificent instrumentality of peace. It will embody the traditions, the heritages, and and the esprit de corps of the U.S. Navy. The U.S. Navy from John Paul Jones down to this hour has played a major role in the freedom and growth of this Republic. The glorious history of the U.S. Navy will be exemplified in the *John C. Calhoun* and in its crew, its officers, and those industrial artists of this great shipbuilding yard who no less than those in uniform are making a contribution to the cause of peace and freedom.

In the budding days of this Republic, John C. Calhoun, the statesman, played a leading role in the emergence of the new Nation as a growing world power. It was John C. Calhoun, the nationalist, serving in Congress as one of the famous war hawks who was determined that the United States would take its rightful place among the great powers of the world. It was in this era of Calhoun that the world first realized that a new and powerful nation was developing. As Secretary of War under President James Monroe, Calhoun reorganized our national defense and gave it dignity and respect. He was far ahead of his time and advocated measures of military preparedness which were adopted 100 years later.

Calhoun was a member of the President's Cabinet when the famous Monroe Doctrine was formulated and became the cornerstone of American foreign policy in the Western Hemisphere. This great policy which has served this Nation and the free world so admirably for 150 years is not dead. It could become the springboard from which a worldwide Monroe Doctrine could be established. In reality our foreign policy today opposing aggression anywhere is a modern extension of this fearless policy of Monroe and Calhoun. When the Monroe Doctrine was declared, the United States was a comparatively weak Nation. Our military weakness was overcome by our courage. Our determination, our courage, and the cooperation of the English Navy preserved the Western Hemisphere from foreign aggression. In facing the problems of the world today, we must exhibit this same courage. We must resist aggression anywhere and everywhere.

The submarine *John C. Calhoun* will play an important role in implementing, preserving, and enforcing our foreign policy of resistance to aggression. Cuba in the possession of a powerful foreign power is a violation of the time-honored policy as enunciated in the Monroe Doctrine. Cuba, under the domination of a foreign power and with instrumentalities of scientific warfare, is in a position to challenge our control of the most vital sealanes of the world. It dominates the Panama Canal, the link between the Atlantic and the Pacific. This strategic island, the Formosa of the Atlantic, divides the western Atlantic. It separates North America from South America. It is strategically the most important spot in the Western Hemisphere and cannot be permitted to remain in the hands of those sworn to destroy Western civilization. The peaceful withdrawal of these foreign forces of aggression in Cuba can only be accomplished through American determination and strength. Any implementation of our policy to compel withdrawal of these aggressors from Cuba must necessarily be largely a function of the U.S. Navy. The *John C. Calhoun* and more to follow are a necessary and vital part of American plans to preserve the peace in the Western Hemisphere and insure the security and peace of the world.

The courage, integrity, statesmanship, and leadership of John C. Calhoun was again manifested when he was Secretary of State under President Tyler. While Secretary of State, Texas was admitted to the Union. The Nation experienced great territorial expansion, national growth, and increased international prestige. John C. Calhoun realized that the United States must become a great continental power stretching from the Atlantic to the Pacific. As a continental power today, our influence is felt in the Atlantic and the Pacific as well as throughout the world.

The career of John C. Calhoun typifies the opportunity open to all Americans today regardless of station in life. John C. Calhoun believed in opportunity. He believed in duty. His life was dedicated to national service. John C. Calhoun was born in Abbeville District on the western frontier of South Carolina at the close of the Revolutionary War. He attended the famous log cabin school of Dr. Moses Waddell where discipline, physical labor, the classics, and Bible study created leadership which influenced the destiny of the United States.

Calhoun left the rugged frontier and completed his education at Yale and the Litchfield, Conn., Law School. He became a member of the South Carolina General Assembly, Congressman of the United States, Secretary of War, and Vice President under John Q. Adams and Andrew Jackson. He resigned the Vice Presidency to represent South Carolina in the U.S. Senate where he became a member of the great triumvirate with Henry Clay and Daniel Webster. After his tenure as Secretary of State under President Tyler, Calhoun again returned to the U.S. Senate where his career ended in 1850.

John C. Calhoun was recently selected as one of the five greatest U.S. Senators of all time. This committee of selection was headed by Senator John F. Kennedy, now President of the United States. John C. Calhoun's son-in-law, Thomas G. Clemson, provided for the donation of the old Calhoun plantation to the State of South Carolina for a State college. Clemson College today is a monument to John C. Calhoun and Thomas G. Clemson. The Calhoun mansion on the Clemson campus is a national shrine visited by thousands.

With this environment, this heritage, and Calhoun's example of devoted service, it was natural for Clemson to furnish more officers to the Army during World War II than any American college with the single exception of Texas A. & M.

John C. Calhoun was a champion. He was no common man. He was an uncommon man. Calhoun excelled in his defense of principle and in his denunciation of wrong.

The Calhoun family and my fellow citizens are greatly honored to have this great instrumentality of defense and peace named in honor of our greatest statesman. It is indeed gratifying to know that the name of John C. Calhoun, a missile in his day, will be launched again in the cause of freedom, justice, and national honor.

Independence of Senegal

EXTENSION OF REMARKS
OF
HON. ADAM C. POWELL
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, June 24, 1963

Mr. POWELL. Mr. Speaker, on June 20, Senegal celebrated the 3d year of its independence. We wish to take this opportunity to send warm felicitations to His Excellency the President of the Senegalese Republic, Leopold Sedar Senghor; and His Excellency the Senegalese Ambassador to the United States, Ousmane Socé Diop, on this memorable occasion.

Senegal became independent, first as a member of the Mali Federation, composed of Senegal and the former French Soudan, and then as a republic. In its 3 years of independence Senegal has proved its responsibility, both as a modern democratic state and as a respected voice on the African scene and in the world community.

Under French sponsorship the Republic of Senegal was admitted to the United Nations on September 28, 1960. As a member of the United Nations Senegal has cast its vote with the West on important issues. At the 17th General Assembly, for example, Senegal opposed the seating of Communist China and accepted the World Court opinion on financing U.N. peacekeeping.

On the African scene Senegal has continually been a strong supporter and leader of movements for African unity—as a member of the Brazzaville group of former French Africa, as a supporter of the larger Afro-Malagasy Union, and as a signatory of the Charter of African unity which emerged from the recent Addis Ababa conference of African states. This succession of steps toward inter-African unity follows the thinking of Senegalese President Senghor, who has often repeated that the first stage toward African unity had to be the establishment of regional unity.

Senegal has a modern educational system and an expanding university at Dakar. Located in a beautiful natural setting on the shore of the Cape Verde Peninsula, Dakar University offers instruction equal to that of European universities and makes it possible for African students who could not afford study abroad to receive higher education in their own country.

Senegal has public health and preventive medical services similar to those in Europe. Every large town has a clinic, and mobile health units have been organized to meet the needs of the rural population.

Senegal's economy is prosperous and is expanding. The basis of the economy is agriculture—peanuts is the main cash crop—but Senegal has succeeded in diversifying its economy. There is a growing processing industry centered in Dakar, and mining is also being developed. The port of Dakar is an essential factor in Senegal's prosperity, for it lies at the crossroads of three continents: Africa, Europe, and America; it is a leading port in Africa south of the Sahara. Senegal's relatively extensive road, rail, and air system also contributes significantly to the country's vigorous economic life by facilitating the transportation of produce from the interior to the coast. The growing number of processing plants, chemical plants, and building concerns make Senegal the most highly industrialized country of former French West Africa.

The Senegal success story cannot be recounted without giving due credit to the dramatis personnae—the energetic Senegalese and, above all, Senegal's statesman president, Leopold Sedar Senghor. Even prior to independence M. Senghor had achieved a noteworthy reputation in politics, as Deputy for Senegal in the French National Assembly, as Secretary of State for Scientific Research in the French Government, as founder of an African political party. Since independence President Senghor's reputation has become worldwide. Statesman, intellectual, the author of numerous volumes of poetry and essays, Leopold Sedar Senghor is a president of whom the Senegalese people may be very proud.

Our best wishes, President Senghor and the people of Senegal, on this anniversary of your independence.

Communism in the Himalayas—Threat and Response

EXTENSION OF REMARKS
OF
HON. F. BRADFORD MORSE
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Monday, June 24, 1963

Mr. MORSE. Mr. Speaker, in October and November of last year the Chinese Communists launched massive attacks along India's long northern border. The Indian Government urgently requested military assistance from the West to bolster its faltering military forces. That aid was forthcoming by airlift, and it has continued under the Nassau agreement with Great Britain. But the threat of Chinese Communist aggression of India—the danger of further Communist expansion in south and southeast Asia remains. Senator LEVERETT SALTONSTALL, ranking minority member of the Senate Armed Services and Appropriations Committees, has devoted his most recent newsletter to his Massachusetts constituents to this problem. It is entitled "Communism in the Himalayas—Threat and Response." In it Senator SALTONSTALL supports continuing U.S. military assistance for India and gives the reasons why. He also emphasizes our traditional relationship with Pakistan and calls for a unified approach on the south Asian subcontinent to the Communist threat. I consider his steady thoughts on this urgent subject extremely persuasive as we attempt to fashion our national policy in this area of the world, and therefore call the attention of my colleagues to this newsletter by placing it in the RECORD today.

COMMUNISM IN THE HIMALAYAS—THREAT AND RESPONSE

In October and November of last fall Communist China launched massive attacks on India's northern border. This threat to the destiny of freedom in south Asia remains a serious one, and upon India's ability to hold her ground successfully rests the free world's chances of resisting another thrust of Communist expansion.

This presents the United States with a challenge and an opportunity—a challenge to our pledge to do what we can to contain Communist expansion, and an opportunity to help a newly conscious democracy grow stronger as a nation capable of maintaining her freedom. Yet in its response the United States faces an intricate problem, given our own limited resources and our traditional friendship with Pakistan.

Since her independence in 1947, India has struggled for political unity among peoples of divergent linguistic and regional groupings, and painfully sought for them real economic growth and an improved standard of living. In foreign affairs, Prime Minister Nehru has followed a nonalinement policy on the grounds that neither East nor West has a monopoly on right and that India, with her limited resources, could play a more helpful role in the cold war if she kept herself free from entangling alliances. At times, this policy has brought her into disagreement with the interests of the United States.

But last fall, Indian illusions about Chinese Communist friendship were rudely shocked with the invasion by her giant neighbor to the North. Faced with overwhelming defeats suffered by her own army and no certain knowledge of how far the Chinese would drive, Mr. Nehru requested immediate and extensive Western military aid. Assistance in winter clothing, medical supplies, communications, ammunition, and other equipment was provided by U.S. airlift, proving anew the Western commitment to the cause of freedom.

At Nassau in December of last year, Britain and the United States agreed to a joint program of $120 million in military aid, equally divided, to prepare India in priority areas for possible renewed Communist aggression in the near future. Twelve U.S. Air Force C-130's were sent to help India lift troops and supplies to the forward areas. A U.S. team was dispatched to study India's indigenous defense production requirements and possible external assistance in this area, and a Joint United States-Commonwealth military team studied India's air defense capability and requirements in light of the possibility of Chinese Communist air attacks in the future. U.S. Defense and State Department officials are currently studying possible ongoing aid as the Nassau program is being completed, and our Government continues to consult closely with the British on the problem.

What has happened in India as a result of the Communist aggression and the unhesitating Western support? First, there is a passionate public resolve to meet the threat to India. Personal jewelry was contributed to the Indian National Defense Fund by villagers throughout India. There are many more volunteers for the Indian military than can effectively be inducted. In the parliament as well as in the responsible ministries of the Indian Government there is an urgent program underway for rebuilding the Indian Military Establishment.

Second, there is a new awareness, a seriousness, in New Delhi concerning the nature of the Communist threat. Defense Minister Khrishna Menon was forced out of the cabinet and his political influence has strongly declined. Although India has stated her firm reaffirmation of nonalignment, this policy is now cast in more disciplined terms with a greater emphasis on the ideals of democracy. India's President Radhakhrishnan during his recent state visit to the United States said: "We are pledged to adopt the democratic way of life, and we will not be deterred from that pledge. Nonalignment does not mean any equivocation or giving away of the fundamental principles of democracy."

But where does all of this leave Pakistan? There are persistent noises of discontent coming from Karachi to indicate that our old friend and steadfast ally is not only unhappy about the amount of Western military aid for India, but also genuinely fearful of the possibility of future deployment of India's expanding military against Pakistan. A number of objective observers feel India did not coopérate in the recent unproductive talks on the India-Pakistan Kashmir dispute. Indo-Pak difficulties remain unsolved, and persist as a serious obstacle to any effective and continuing defense of the subcontinent. Although our Government has attempted to help in efforts to resolve the Kashmir problem it does not wish to tie military assistance to such a solution. The Communist menace is too real; the implications of India's resolve to fight back too important for the future of south and southeast Asia.

On the other hand, we must honor Pakistan's legitimate concerns. And we cannot in any respect—morally, fiscally, militarily—afford to support the military establishments of two nations inimical to each other. This is the nub of the problem. It is not unsolvable, but it is extremely difficult. The United States can neither abandon Pakistan because it has not been attacked by Communist China nor ignore India's call for help because its military strength poses a potential threat to Pakistan.

As in most of the pressing international dilemmas we encounter, the United States must, in cooperation with the United Kingdom and other countries, seek sensibly and creatively to find the right formula to serve the valid mutual interest of both countries. This is crucially in our own interest, given the strategic importance of south and southeast Asia.

We must seek to serve the basic priorities within the Indian military in our aid program, encouraging a gradual buildup closely tailored to the specific nature of the threat faced and the capacity to absorb outside help, and avoiding the waste incurred by too rapid a pace or too sophisticated materiel. At the same time, India must be convinced absolutely of U.S. convictions concerning subcontinentwide defense and our inviolate friendship for Pakistan. We must keep in closer touch with Pakistan about military aid to India and general matters affecting the subcontinent, and seek to find additional ways to assist Pakistan without at the same time pushing an arms race in south Asia.

No one is sure of the next moves by the Chinese Communists in south Asia, but it is certain they will maintain as many alternatives as possible leading to political intimidation or actual physical conquest, and act as soon as weakness presents itself. Western assistance is needed to provide both a firm deterrent to further totalitarian adventurism and the means to effectively combat the enemy. The type and quantity of U.S. aid to India and Pakistan in the future cannot help but be influenced by how well they can work together against the common threat of Communist China.

LEVERETT SALTONSTALL.

Cold War Education

EXTENSION OF REMARKS

OF

HON. WILLIAM M. TUCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 24, 1963

Mr. TUCK. Mr. Speaker, on last June 15, our colleague, the gentleman from Louisiana, the Honorable EDWIN E. WILLIS, delivered an address before the National Conference on Cold War Education at Tampa, Fla., an organization established by recent action of the National Governors Conference. It is my understanding that Gov. Farris Bryant of Florida, is, along with the National Governors Conference, very much interested in this subject. The gathering consisted of a large number from many sections of the country to discuss and consider this most important study. The address of our colleague, Congressman WILLIS, is an able and outstanding one characteristic of his public utterances. I commend the address to the attention, not only of the Members of Congress, but to others who subscribe to and read the CONGRESSIONAL RECORD.

I have known Hon. EDWIN E. WILLIS for a long time. He has recently become chairman of the Committee on un-American Activities of the House of Representatives to succeed that other great American, the late Honorable Francis E. Walter. I have worked with EDWIN E. WILLIS ever since I have been a Member of Congress, and have had the privilege and the opportunity of serving with him on the Judiciary Committee of the House of Representatives, as well as on the Committee on un-American Activities.

I know him to be one of the ablest and one of the most devoted public servants. We are fortunate to have a man like Congressman WILLIS in the House of Representatives and particularly fortunate to have him succeed to the chairmanship of the committee which he heads.

In the address which the Congressman delivered at Tampa, Fla., before the conference hereinbefore referred to, he cites some of the important truths which are brought out by the activities of the committee he steers. They involve factors that every American should be aware of and concern himself with. For this reason, I hope that his remarks will be widely read. The address is as follows:

ADDRESS OF HON. EDWIN E. WILLIS, CHAIRMAN, COMMITTEE ON UN-AMERICAN ACTIVITIES, 1963 CONFERENCE ON COLD WAR EDUCATION, TAMPA, FLA.

Governor Bryant, distinguished guests, ladies and gentlemen, it is truly an honor for me to address so noted an audience on so vital a subject. I first wish to extend my congratulations and my appreciation to you, Governor, and to the Institute for American Strategy, for undertaking—and successfully carrying out—a project so important to the preservation of all freedoms in which we believe and to the welfare not only of our country, but of humanity itself. I say this because, as we all know, the fate of the world depends so largely on what the United States does—or does not do—today, particularly in the field of foreign relations. And—there can be no question about this—conferences such as this can, and will, ultimately have great influence in shaping the future policies of the United States.

My congratulations, also, to all those who have attended this conference. By your very presence you have demonstrated your comprehension of the most important truth of our time—the truth that our country, our civilization, and freedom itself, face a most serious threat, a threat different from any we faced before, a new type of adversary whose operations must be understood, studied, and analyzed if we are not to fall victim to his rapacity as so many millions of other people have.

As successful as this conference has been, it is my sincere hope that there will be many more of them, and that each one will be successively bigger and better. These conferences are, in truth, the key to victory in the cold war which, our heritage dictates, we must fight to a successful conclusion.

Knowledge is the beginning, the essential first, in finding the answer to any problem, whether it be the development of a cure for disease, a means for preventing economic disruption, for correcting educational deficiencies, or eliminating crime. All these things are enemies of mankind and of nations. We must find a solution to them, we must war against them—and it is enlightening in this respect to consider that the first rule of warfare—know your enemy—is really the first rule of all human attempts to solve any problem.

The American people have actually been following this rule of warfare for years in attacking the problems they face. Of late, for example, they have contributed millions of dollars for cancer research and, for this very reason, great progress has been made in the field. Cases formerly declared incurable are cured today, and we are getting closer and closer to the achievement of our ultimate goal—an actual cure for cancer.

We must do the same about mankind's deadliest enemy—communism—a cancer which destroys not only men's bodies, but which also warps, corrupts, and degrades their minds, in addition to killing their souls.

We have lagged in this field in the past, but there are definite signs that we are now on the way. This meeting, the formation of the Committee on Cold War Education of the National Governors' Conference, the introduction of courses on Americanism versus communism in many schools all are indications that the American people are waking up to what they must do to preserve their freedom—study communism. They are beginning to realize, as does any competent military commander, that they cannot meet and defeat their enemy—except by pure luck—unless they know him well. They are beginning to understand that this country will not have any real security until the bulk of its citizens and its officials understand the basic philosophy and doctrines of communism, its objectives and—equally, or more important—the means, the strategy and tactics, the tricks and deceptions, the falsehoods and half-truths the Communists use and will use to achieve those objectives.

Understanding all these things is a large order, because the Communist effort is a total effort—national and international—political, economic, military, diplomatic, cultural, propagandistic, agitational, subversive—covering every facet of human activity. In addition to what has already been done, there must be further study and the most careful distillation of the facts developed in order to cram all the information needed into relatively simple, practical and effective courses on communism that can be taught in our high schools and colleges, and also made available to adults.

This, as I said, is a large order; but we can do it, and we will do it—you will do it.

Some excellent study courses have already been developed, as here in the State of Florida. But this is a new area we are exploring, and much work, research and experimentation remains to be done in it. Improvements and refinements will be made—with your help and that of others who have a sincere and intelligent interest in the field.

You will pardon me, I hope, for saying a few words at this point on the subject of Congress and cold war education, and paying tribute, not to myself, but to many past Members of the Congress—some of them still serving in the House—for their alertness on this subject.

It was 25 years ago that the House of Representatives took official and effective notice of the Communist threat to this country by establishing the Special Committee on Un-American Activities. Eighteen years ago it made the committee a standing one. On two occasions before 1938—in 1930 and again in 1934—the House established special committees to investigate Communist activities and propaganda.

The House Committee on Un-American Activities functions basically in the same manner as all other congressional committees do. All have a primarily legislative function. It is their duty in their respective fields—agriculture, labor, banking, subversion and internal security, and so forth—to hold hearings in order to develop the facts that will assist them in weighing the pros and cons of proposed legislation, and determining whether particular bills merit being reported to the full House for action. When a bill is so reported, the committee hearings and report on it stimulate debate and provide information that helps the other Members of Congress determine how they will vote on the bill. Committees, of course, also have the duty to recommend new legislation as it is needed and to propose amendments to existing laws to correct deficiencies or weaknesses in them.

Although the Committee on Un-American Activities has often been attacked—usually through distortion—on this as on other issues, the fact of the matter is that its record in the legislative area compares favorably with that of any other committee. Over 40 of the legislative recommendations made by the committee in the field of national security over the years have been enacted into law.

In the very nature of things, the committee has not made many recommendations in the policy field, the area covered by executive action rather than by law. Despite this fact, over a dozen of its recommendations in the policy area have been adopted by the executive branch of the Government.

All committees, too, have a watchdog or "oversight" function—keeping an eye on the administration of the law by the executive branch of the Government. Here too, the committee has performed creditably. A recent example of effective committee action in this field was its investigation of security practices in the National Security Agency, following the defection of two NSA mathematicians to the Soviet Union.

Because of the supersecret nature of NSA and its operations, these hearings were held in executive session. There was no fanfare or publicity attached to them. This investigation, however, led not only to 22 reforms in NSA security procedures, but to the dismissal of the Director of Personnel, the "resignation" of the Director of Security, and two other employees in the Office of Security Service—and also to the ouster of 26 other NSA employees for reason of sex deviation.

More important, perhaps, is the fact that, just a few weeks ago, the House passed a bill, drafted by the committee on the basis of facts developed in its investigation, that will guarantee the implementation of better security procedures in the NSA in the future. Through this investigation the committee carried out both its oversight and its legislative functions.

The Committee on Un-American Activities differs from all other committees except one, however, in that it is specifically designated an investigating committee. It has a mandate to continually keep its eye on, to investigate subversive activities, and the dissemination of Communist propaganda in this country and to report its findings to the House. Only the Government Operations Committee has similar, continuing investigative authority. The House perceived, when it established the Committee on Un-American Activities, that the problem it faced was such that extensive use would have to be made of Congress' power to investigate, if the problem of internal subversion was to be dealt with effectively. History has often demonstrated that when dealing with some problems, revelation of the truth—giving the public the facts it cannot itself uncover—has as much, or more, corrective value than does legislation.

Criticism has been made of committee investigations. It has been charged that its procedures or methods are unfair or violative of constitutional rights. Some of this criticism has come from well intentioned but misinformed persons, and some from those with ulterior motives.

The truth of the matter is that in the area of procedures or methods, the Committee on Un-American Activities has actually been a congressional pacesetter. It was the first committee in the House to publish specific rules of procedure. It has followed these rules for several years before they were published. It has had a subcommittee on rules of procedure which has worked over the years to refine and improve committee procedures. All Members of the House have been invited by this subcommittee to submit any recommendations they cared to make. The sparcity of the suggestions received is an indication of how firm the House is in its belief that the committee's methods are eminently fair.

The Special Committee on Communist Strategy, Tactics, and Objectives of the American Bar Association, after each one of its members had reviewed a varied selection of committee hearings, issued the following report:

> "The congressional committees investigating communism, and in particular the House Un-American Activities Committee, have been attacked on the ground that they have engaged in smear campaigns and have invaded the constitutional rights of persons investigated. Your committee is impressed with the fairness with which the hearings before that committee have been conducted. * * * We are satisfied that the witnesses called to testify before the committee are being treated fairly and properly in all respects and we also feel satisfied that each witness is accorded full protection so far as his constitutional or other legal rights are involved."

What I would like to stress today, however, in talking about the committee, is the relationship of its activities to cold war education.

In a certain sense, the committee, like other congressional committees, is basically an educational institution. Its function, through investigation, research, and interrogation of witnesses is to develop facts—primarily as I stated before, for legislative purposes. But facts are facts, and they are educational no matter what purpose they are developed for. For this reason, the committees' hearings, reports, and consultations—and over 500 volumes of them have been published over the years—have served a very definite educational need. I believe it can be truthfully said that they have played a major role not only in alerting the American people to the dangers of communism but also in stimulating interest in the study of communism.

All of you, I am sure, have heard or read statements or implications to the contrary. A very definite effort has been made by some persons and groups to create the impression that the work of the Committee on Un-American Activities is basically shallow, not too informative, on the extremist or flamboyant side and, therefore, of little value to the scholar or to any person who really wishes to understand communism.

Again, there is much evidence that the opposite is true. Not only Members of the Congress, but educators, clergymen, civic leaders, businessmen, and officials of the executive branch use committee publications as sources of material for public addresses. The committee's documents are also used as texts and as supplemental reading material in high schools and colleges, seminars, in the training of Government personnel, and even by foreign governments.

I don't want to take too much time proving this point, but assert as a fact that dozens of scholars, as the footnotes and indexes of their books indicate, have made extensive use of committee documents.

The facts—as briefly as they have been outlined here—indicate that the publications of the committee are useful source material for cold war education. They are not, of course, prepared as textbooks; nevertheless, they contain much information of value in the preparation of courses and for supplemental reading. The fact that, largely in response to popular demand, about 7½ million copies of the committee's publications have been distributed throughout the country, is an indication of their value and the real role they have played in educating the American people on the subject of communism and the threat it poses to our way of life.

The very concept of cold war education is controversial. This neither surprises nor dismays me, and I am sure it will not deter any of you from the pioneer role you have assumed in this field. Cold war education is a new concept and new concepts often are controversial. There is resistance to them from those not fully informed, those who are not forward-looking, and those who have an ax to grind. Most of this resistance can and will be overcome, just as obstacles to worthwhile innovations of the past have been.

The point has been made and much emphasized of late that courses in communism must be thoroughly objective and must not be mere indoctrination against communism. Generally speaking, I agree with this completely. Such courses must be factual and objective. If they are not, we are merely miseducating ourselves and our children about the enemy we face and are thereby reducing the chances of success in resisting his attack. It would be foolish, to say the least, to do that. No rational person can object to the idea that cold war education must be thorough, objective, sober, and that it should not be composed of mere ranting against communism, with no constructive answers, and suggestions.

But I view with caution the warnings put forth by some against any indoctrination at all in teaching about communism, and especially as they apply the word indoctrination.

Communism proposes a way of life vastly different from our own. Our students are presented with a way of life proposed by the Communists. Is it just as good as our own? Is it better? Is it worse?

Are our Federal prisons better or worse than Soviet slave labor camps?

Which judicial system is better—ours or the Soviet's?

Which property ownership system is better—ours or the Soviet's?

Is our concept of freedom of the press, freedom of speech, and freedom of religion better or worse than that which prevails in the Soviet Union?

The student must make a judgment, and, given the facts on both sides of these and other questions, he usually comes out with sound answers. But there comes a point when he seeks and looks to the experience and wisdom of his teachers and elders for help and guidance. It appears to me that they have an obligation in this respect. There are some who call this indoctrination. I regard it as mature and educated assistance to the student in making a proper judgment.

Hand in hand with education about communism—if we are to have effective cold war education—we must have thorough education in Americanism. We cannot expect our students to love their country and institutions deeply and, therefore, to act in their defense, if they are ignorant of them. They must know and appreciate the principles on which this Nation is founded, its history, its institutions, its great traditions and heroes. Only if they know these things, will they be able to appreciate how real and how serious the threat of communism is.

I am certainly no advocate of jingoism or excessive nationalism, but I do know that concentration on muckraking and the debunking of American heroes and institutions is no way to develop loyalty. I know that this kind of teaching weakens loyalty, undermines patriotism and, therefore, aids those who would destroy our freedom.

Our country is not perfect. It has its weaknesses and imperfections. There are some not so noble events in its history. But, at the same time, when compared with any other country on earth—and when our system is compared with any other—we have nothing to be ashamed of and much to be proud of. I am not appealing for suppression of all that is not good in our past. I am appealing for objective teaching of both the good and the bad, because the good, the great and the glorious so far outweigh the bad that objective teaching cannot help but instill pride and love of country.

Too often in the past, the teaching of American history and government has been neglected in some institutions and, when it has been given, it has not been objective; there has been overemphasis on the debunking and failure to give fair time and consideration to all that is glorious in our past. The result has been the development of the apathetic, uncommitted citizen, the political neutralist who exists in a vacuum as far as patriotism is concerned.

We must face the reality that the man who stands for nothing, can fall for anything, that nature abhors a vacuum, that the Communists and other totalitarians are always eager to fill politically empty minds with their insidious philosophy, and they can fill such minds much more easily than any others. Our youth want and need belief. If we don't give it to them, someone else will.

We face a great challenge today. But we are a great Nation. We have great public officials, great educators, great citizens. We will meet that challenge in a great way—as we have met all such challenges in the past. There is no question in my mind but that we will achieve victory in the cold far—through education and through educated action.

Conflict of Interest

EXTENSION OF REMARKS

OF

HON. H. R. GROSS

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 24, 1963

Mr. GROSS. Mr. Speaker, two problems of conflict of interest have come to public attention recently as a result of investigations by congressional committees. Although the basic goal of each of these investigations is an examination of the procurement procedures in the Pentagon, the possibility of a conflict of interest is strong in both cases on the basis of evidence that is already clearly established in the records of the McClellan Permanent Investigating Subcommittee and the Stennis Preparedness Subcommittee.

I am not stating that the men involved—Deputy Defense Secretary Roswell Gilpatric and Navy Secretary Fred Korth—have been involved in acts that are a violation of the criminal law on "conflicts of interest." The question of law violations remains to be determined by the evidence the McClellan subcommittee and the Stennis subcommittee may produce in the next few weeks.

It is clear from the evidence produced that Deputy Defense Secretary Gilpatric and Navy Secretary Korth have been careless with the ethical standards that must govern the conduct of all high governmental officials. This is a careless pattern that is improper, even if the men involved have somehow been able to rationalize and justify their activities to themselves.

Such carelessness should not and cannot be tolerated in any governmental activity. This is particularly true of the activities of two of the highest officials in the Pentagon—Gilpatric, the No. 2 man in that establishment, and Korth, the topman in the Navy.

It is time for Defense Secretary Robert S. McNamara to speak out clearly on this issue to inform all officials of the Pentagon that he does not condone questionable or improper activity, even if that activity may not constitute a pattern that justifies criminal prosecution. The Defense Secretary must set the tone for an agency that spends more than $50 billion a year—more than half of our total budget. It is not enough for him to say that no law is violated.

When Secretary McNamara appeared before the McClellan subcommittee on March 21, 1963, he commented on the possibility of "conflicts of interest" in answer to questions by Chairman McCLELLAN:

> I want to say we share the same objective as the committee. We desire that there be no influence whatsoever of self-interest in the decisionmaking process of the Pentagon. To the best of my knowledge, there is none. I have insisted that others in the Department adhere to the same standards I do. And I think any investigation of the committee will show that those are the highest in the Government.

Since that testimony by Secretary McNamara, there has been considerable evidence and testimony that has demonstrated the careless pattern of ethics. It is now time for Secretary McNamara to speak out forcefully with regard to the activities of Gilpatric and Korth in the TFX warplane contract award and the X-22 award for the vertical short takeoff and landing craft.

Gilpatric, former lawyer for General Dynamics, did not disqualify himself from a large role in the TFX contract competition that pitted General Dynamics against Boeing. The high-level Source Selection Board was unanimous in recommending Boeing on the basis of superior performance and a lower price. Yet, we find that Gilpatric, Korth, Air Secretary Eugene Zuckert all joined in promoting selection of General Dynamics by Secretary McNamara.

General Dynamics was awarded the contract on a program that may total $6.5 billion. It should be clear to everyone that Gilpatric should have disqualified himself from any role in this contract competition. This is particularly true when one notes that the McClellan subcommittee evidence also establishes:

First. Gilpatric's law firm, Cravath, Swaine & Moore, has continued to represent General Dynamics up to the present time and has received law fees of more than $300,000.

Second. One of Gilpatric's law firm partners has been named a director of General Dynamics.

Third. Gilpatric is leaving the Government this summer and has indicated he will return to the law firm which still represents General Dynamics.

Fourth. Gilpatric has refused to tell reporters of the fees he has received from his law firm since joining the Government in January 1961, and he has specifically refused to discuss whether any of the General Dynamics fees have been directly or indirectly routed to his pocket.

This case alone demands close attention by the House and Senate. It demands close attention by the American people. It demands that President Kennedy speak out and take the kind of action that indicates he has meant what he has said about establishing high ethical standards in Government. Silence on the part of President Kennedy and Secretary McNamara amounts to condoning this type of relationship which is careless and unhealthy at best. Certainly, we should be on guard so that this is not another case of careless Government ethics being rewarded with a medal and a commendation as happened under the Truman administration and the Eisenhower administration.

Navy Secretary Korth told the Senate Armed Services Committee on January 18, 1962:

> I do retain stock in several banks, in one small children's garment manufacturing company in Jamaica which does no business with the Government or with the Defense Establishment, and, likewise, own certain real estate ranches.

The severing of relationships with all firms that have direct relationships with the Defense Department is commendable. However, the investigation of the X-22 contract by the Stennis Preparedness Subcommittee has demonstrated the problem of retaining any interest in a large banking institution that may indirectly have an interest in the award of large defense contracts.

Korth was president of Continental National Bank, Fort Worth, Tex., at the time he was named Navy Secretary. He was also a director of Bell Aerospace Corp., and the Bell company used the Continental National Bank as a financial institution. Korth says he plans to return to the bank.

This past relationship, and his plans to return to the Continental National Bank, does create a problem of a conflict of interest when the Bell Aerospace Corp. or any other firm doing business with Continental Bank is involved in a contract competition that must be considered by the Navy.

Testimony before the Stennis subcommittee involved just such a competition between the Bell company and the Douglas Aircraft Co. for construction of an experimental vertical takeoff plane. Examine the documented facts:

The Navy source selection team was unanimous for the Douglas Co. on the basis of a superior technical proposal and a lower price by about $350,000. The Bell company proposal was rated as "unacceptable" on four major areas.

Navy Secretary Korth stated that he was disassociating himself from the X-22 decision, which he certainly should have done in the light of his prior relationship with Bell. However, he continued to keep abreast of the X-22 negotiations, and sat in on the briefings by the technical experts.

Deputy Defense Secretary Gilpatric made the decision to give the contract to Bell. He admitted the superior technical proposal by Douglas. He said he had no information on the lower price proposal by Douglas. He said he had no information that Bell was unacceptable in four areas. Gilpatric said he decided, without research or documentation, that Bell was better from a standpoint of management and experience. He said he consulted only one man on this—Navy Secretary Korth.

Certainly at this point, Gilpatric should have known he should not have consulted a man who had disqualified himself. If Gilpatric was so insensitive to the problem of ethics involved, Korth should have informed him that he would have nothing to say on the subject. Even with no consultation, this type of an arrangement is difficult to handle to avoid the influence of Korth's past relationship with Bell as a banker and as a director. Somehow, Gilpatric failed to recognize the problem and assured the Stennis subcommittee that Korth could be "objective, since I had to make the decision, and he did not."

The ridiculous reasoning of Gilpatric in this case is best demonstrated by simply calling your attention to the questioning of Gilpatric by Committee Counsel James Kendall:

> **Kendall.** Now, as I understand it, Mr. Secretary, Secretary Korth entirely disassociated himself from this award because of his previous connection with Bell in the banking business, and as a member of the Bell Board of Directors, is that correct?
>
> **Gilpatric.** Yes.
>
> **Kendall.** Then why did you go back to Secretary Korth to ask information about Bell's management?
>
> **Gilpatric.** Well, I approached him in a different capacity than in a capacity as Secretary of the Navy. I asked him for a personal opinion on a matter with which he had had knowledge and experience. I did not ask him to help advise me in making a decision. I asked him to give me a judgment on certain facts. And I felt that I could rely on his judgment as being objective, since I had to make the decision, and he did not.
>
> **Kendall.** And he gave the Bell management a higher rating, is that correct?
>
> **Gilpatric.** He told me that I could have confidence in the present management as contrasted with the competence of previous managements.

It is my judgment that the Government could terminate either the TFX contract or the X-22 contract on the basis that it is infected with a conflict of interest that is against public policy. Even with the evidence that is in the record at this stage, this case would seem to be comparable to the Dixon-Yates case in which the dual role of a financial adviser was the issue. I believe that President Kennedy, McNamara and others in the administration should read that Dixon-Yates opinion by the Supreme Court—United States against Mississippi Valley Generating Co., January 9, 1961—relative to the high standard that must be retained.

The Court stated:

> Section 434 is one of several penal conflict-of-interest statutes which were designed to prohibit Government officials from engaging in conduct that might be inimical to the best interests of the general public. * * *
>
> The statute is directed at an evil which endangers the very fabric of a democratic society, for a democracy is effective only if the people have faith in those who govern, and that faith is bound to be shattered when high officials and their appointees engage in activities which arouse suspicions of malfeasance and corruption. * * *
>
> The question is whether the Government may disaffirm a contract which is infected by an illegal conflict of interest. As we have indicated, the public policy embodied in section 434 requires nonenforcement, and this is true even though the conflict of interest was caused or condoned by high Government officials. The same policy which prevents an administrative official from exempting his subordinates from the coverage of the statute also dictates that the actions of such an official not be construed as requiring enforcement of an illegal contract.

When the pattern of activity by Gilpatric and Korth is measured against the opinion of the Supreme Court in the Dixon-Yates case, it would appear to be found wanting. It might be well for President Kennedy to make a sincere effort to measure the Gilpatric role against the standards of ethics in his campaign speeches and in his comments since taking office.

If he fails to do this he will be negligent. If he awards Gilpatric a medal or other commendation when Gilpatric leaves office, it will amount to administration approval of a highly questionable affair.

HOUSE OF REPRESENTATIVES

TUESDAY, JUNE 25, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Psalm 33: 12: *Blessed is the nation whose God is the Lord.*

Eternal and ever-blessed God, we are approaching Thy throne of grace in the faith that Thou who wert the God of our fathers, art also our God and shall be the God of all succeeding generations.

May the democracy and the lofty ideals for which we are striving and laboring, as a nation, be those which will bring peace and prosperity to all our people.

We earnestly beseech Thee that our minds and hearts may go out with kindness and sympathy, with service and sacrifice to the vast multitudes who are still wandering in life's wilderness with very few of the blessings which others so richly enjoy.

Grant that here, in our Republic, the opportunity to enter upon the highways to education, position, and honor and the chance to go as far as their abilities and capacities will warrant and permit, may be open to all alike.

Help us to hasten the dawning of the day when all who live under the Stars and Stripes shall be welded into a solid and compact nation and work as one strong army to do Thy will and seek humanity's welfare.

Hear us in the name of the Prince of Peace. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 5860. An act to amend section 407 of the Packers and Stockyards Act of 1921, as amended; and

H.R. 6755. An act to provide a 1-year extension of the existing corporate normal-tax rate and of certain excise-tax rates.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 3872. An act to increase the lending authority of the Export-Import Bank of Washington, to extend the period within which the Export-Import Bank of Washington may exercise its functions, and for other purposes; and

H.R. 6791. An act to continue for 2 years the existing reduction of the exemption from duty enjoyed by returning residents, and for other purposes.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 254. An act to provide for the acquisition of certain property in square 758 in the District of Columbia, as an addition to the grounds of the U.S. Supreme Court Building;

S. 535. An act to extend the principles of equitable adjudication to sales under the Alaska Public Sale Act;

S. 622. An act to improve and encourage collective bargaining between the management of the Alaska Railroad and representatives of its employees, and to permit to the extent practicable the adoption by the Alaska Railroad of the personnel policies and practices of the railroad industry;

S. 626. An act to increase the limitation on payments for construction engineering for Federal-aid primary, secondary, and urban projects;

S. 1032. An act to exclude cargo which is lumber from certain tariff filing requirements under the Shipping Act, 1916;

S. 1122. An act relating to the exchange of certain lands between the town of Powell, Wyo., and the Presbyterian Retirement Facilities Corp.;

S. 1139. An act to repeal a portion of the Second Supplemental National Defense Appropriation Act, 1943, approved October 26, 1942 (56 Stat. 990, 999), as amended, and for other purposes;

S. 1416. An act to amend section 104(b)(5) of title 23, United States Code, to provide for the submission of certain cost estimates for the completion of the National System of Interstate and Defense Highways, and for other purposes; and

S. 1523. An act to make certain changes in the functions of the Beach Erosion Board and the Board of Engineers for Rivers and Harbors, and for other purposes.

HON. EMANUEL CELLER

Mr. CANNON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON. Mr. Speaker, It is a great and enlightening experience to serve in the House of Representatives, and especially because you meet here, every now and then, men of remarkable talent and statesmanship.

But none of them in the last half century has been more remarkable and talented than the distinguished Member from the Empire State, our own EMANUEL CELLER.

Many men have passed through these portals, on the way in and on the way out, but none who have been of greater service to the Nation, or who has been more beloved by their colleagues than MANNY CELLER.

It has been my good fortune, my pleasure, and my privilege to serve with him here from the first day of our respective terms and my admiration for him and my devotion to him have grown with the years. His congressional district had consistently and insistently returned Republicans to the House from the time of his illustrious predecessor, Peter Stuyvesant—who was perfectly willing to give New York back to the Indians, a policy advocated by some of his compatriots even to this day. MANNY is the first, last and only man of his party elected from that great and historic district for more than 40 years.

Mr. Speaker, I love the Republicans—the Republicans of this House and especially the Republicans of my district. I always vote with them when they are right—a situation lamentably rare—but it is a notable statistical fact that for the last more than 40 years that district has favored us and the Republic by sending MANNY CELLER to Congress with gratifying regularity. And I yield to no man in my admiration and appreciation of his friendship and his political acumen, and his indispensable and patriotic contributions to the national economy and general welfare.

And yet my good friend, Drew Pearson—who is always more kindly and more charitable in his comments about me than I deserve—says this morning in his highly entertaining column—that I have written a book. Neither Drew Pearson nor King Solomon ever wrote a truer aphorism than when they—one or the other of them—exclaimed: "Oh that mine enemy had written a book."

This book is interpreted as questioning some minor feature of Chairman CELLER's administrative program. If this be true—and I never presume to differ with any of Drew's prescient conclusions—then the book is wrong, the rule is wrong, the principle is wrong—and MANNY is right.

EMANUEL CELLER, chairman of the most dignified committee of either House or Senate, does not make mistakes. No bill or resolution reported out by him from the Committee on the Judiciary has ever been rejected by the House in the entire four decades since his accession to that learned and scholarly body.

Both MANNY and Drew live by the side of the road and are friends of all mankind. But if choice must be made, I am constrained to bow first to the majesty and dignity of the judiciary.

Here is to Chairman CELLER. May he, like his fellow New Yorker, Rip van Winkle, "live long and prosper."

CONSTITUTIONAL DEBATE

Mr. PRICE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, on Wednesday, June 26, the Madison County Bar Association in the 24th Illinois Congressional District will sponsor a debate on three proposed amendments to the U.S. Constitution that have evoked a great deal of controversy. These amendments include establishing a Court of the Union, curbing the Federal judiciary's jurisdiction in State apportionment cases, and amending article V of the

Constitution regarding the amendatory process.

This debate will feature the Honorable Millard Caldwell, justice of the Florida Supreme Court, arguing for the proposals and Mr. Arthur Freund, a distinguished lawyer from St. Louis, Mo., who has been a leading opponent of the proposed amendments. The moderator of the debate will be Burton C. Bernard, an attorney of Granite City, Ill., and chairman of the Madison County (Ill.) Bar Association Judiciary Committee. Other members of the committee include Emerson Baetz, Alton, Ill.; Charles Godfrey, Alton, Ill.; Roland Griffith, Alton, Ill., and Gilbert Rosch, Granite City, Ill.

The president of the Madison County (Ill.) Bar Association is the Honorable Dick Mudge, State's attorney for Madison County, Ill.

In an address to the American Law Institute convened in Washington, D.C., on May 22, 1963, Chief Justice Warren called for "a great national debate" on the proposed amendments. It is fitting that the first debate be held in Madison County, Ill., which upon its creation September 14, 1812, was named for President James Madison, "Father of the Constitution."

CONSTITUTIONAL AMENDMENT DEBATES

Mr. FUQUA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FUQUA. Mr. Speaker, the Madison County Bar Association of Madison County, Ill., will hold on Wednesday, June 26, an outstanding program when three proposed amendments to the Constitution of the United States will be debated. These amendments have passed partially or altogether in a great number of State legislatures, and it has been said that a great national debate should be held regarding their merits, that the general public is not fully aware of what is being proposed.

Both sides of this question agree that the people need to discuss these matters, and in answer to this call for debate, the Madison, Ill., County Bar Association is staging this debate, in hopes that like events may be staged across the country.

Speaking for the adoption of these amendments will be one of Florida's most distinguished sons, the Honorable Millard Caldwell, who will be appearing in his role as chairman of the Florida Committee on Constitutional Government.

In him we have one of my State's great statesmen, a man of unquestioned integrity and ability. He is a former Governor of Florida, served as a Member of the House of Representatives 1932–40, served as Administrator of Federal Civil Defense, and now is a justice of the Supreme Court of Florida.

I commend the Madison County Bar Association in staging this debate, which will serve to enlighten the people on what is being proposed in the way of these constitutional amendments.

EXTENSION OF REMARKS

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. JONES of Missouri. Mr. Speaker, on yesterday I called attention to a situation wherein it is possible for three identical articles to appear in the same issue of the RECORD. I would also report that this same article appeared again yesterday. In other words, on 2 consecutive legislative days we have four identical articles appearing in the RECORD.

I would just suggest that I think we could avoid much of this if we would follow the example of the gentleman from New York, [Mr. KEOGH], who, in extending his remarks in the Appendix of the daily RECORD, identified the extraneous material. I think if we would all identify the extraneous material we intend to insert, the desk would be helped in avoiding this duplication, which is costly and annoying.

BEECHER E. HESS

The SPEAKER laid before the House the following communication:

WASHINGTON, D.C.,
June 21, 1963.

HON. JOHN W. MCCORMACK,
Speaker, House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Since I have spent some 25 years on Capitol Hill and am far past retirement age, I request that my services in the House of Representatives be officially terminated as of June 30, 1963.

I wish to thank you for your kindness and the many courtesies extended to me over the years.

In my retirement it will be my purpose to extol the Members of the House and further congressional good will.

Very truly yours,
BEECHER E. HESS.

MINORITY EMPLOYEE

Mr. HALLECK. Mr. Speaker, I offer a resolution (H. Res. 419) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

> *Resolved*, That pursuant to the Legislative Pay Act of 1929, as amended, Tommy Lee Winebrenner is hereby designated a minority employee effective July 1, 1963 (to fill an existing vacancy), until otherwise ordered by the House, and shall receive gross compensation of $13,918.03 per annum.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON THE JUDICIARY—SUBCOMMITTEE NO. 5

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that Subcommittee No. 5 of the Committee on the Judiciary may be permitted to sit during general debate on June 26 and 27.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PROPOSED AMENDMENT TO THE CONSTITUTION PERMITTING READING OF THE HOLY BIBLE IN PUBLIC SCHOOLS

Mr. BAKER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. BAKER. Mr. Speaker, I have today introduced a joint resolution proposing an amendment to the Constitution of the United States permitting the right to read from the Holy Bible and to offer nonsectarian prayers in the public schools or other public places if participation therein is not compulsory.

The effective part of the resolution, section 1, is as follows:

> The right to voluntarily offer, receive and to participate in the saying of nonsectarian prayers or the right to voluntarily read from and listen to the reading of the Holy Scriptures in the public schools and other public places shall not be denied or abridged.

I urge affirmative vote of two-thirds of the membership of the two Houses of Congress at this session and I urge the legislatures of three-fourths of the States to expeditiously ratify this proposed amendment to the Constitution of the United States.

The recent decision of the Supreme Court of the United States is based upon the first 16 words of the first amendment to the Constitution of the United States which is as follows:

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.

It is my considered judgment that our Founding Fathers after due consideration inscribed these words into the first amendment to prevent the establishment or recognition of any particular denomination as the official religion of the United States of America. The domination of the Church of England was one of the reasons that impelled the Pilgrims to leave their mother country and to migrate to the New World.

Our Founding Fathers were deeply religious persons. They recognized God as omnipotent in their public and private lives.

We are faced with the fact that the only constitutional way to overrule this decision of the Supreme Court is by this proposed amendment to the Constitution of the United States.

I believe my amendment can and will be expeditiously adopted and ratified.

CONTINUING APPROPRIATIONS, 1964

Mr. CANNON. Mr. Speaker, pursuant to an order of the House, granted last Thursday, I call up House Joint Resolution 508 making continuing appropriations for the fiscal year 1964, and for other purposes, and I ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of the Government, for the fiscal year 1964, namely:

SEC. 101. (a) (1) Such amounts as may be necessary for continuing projects or activities (not otherwise specifically provided for in this joint resolution) which were conducted in the fiscal year 1963 and for which appropriations, funds, or other authority would be available in the following appropriation Acts for the fiscal year 1964:

Department of the Interior and Related Agencies Appropriation Act;

Department of Labor, and Health, Education, and Welfare Appropriation Act;

Legislative Branch Appropriation Act;

Department of Agriculture and Related Agencies Appropriation Act;

Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriation Act; and the

Department of Defense Appropriation Act.

(2) Appropriations made by this subsection shall be available to the extent and in the manner which would be provided by the pertinent appropriation Act.

(3) Whenever the amount which would be made available or the authority which would be granted under an Act listed in this subsection as passed by the House is different from that which would be available or granted under such Act as passed by the Senate, the pertinent project or activity shall be continued under the lesser amount or the more restrictive authority.

(4) Whenever an Act listed in this subsection has been passed by only one House or where an item is included in only one version of an Act as passed by both Houses, the pertinent project or activity shall be continued under the appropriation, fund, or authority, granted by the one House, but at a rate for operations not exceeding the current rate or the rate permitted by the action of the one House, whichever is lower: *Provided,* That no provision which is included in an appropriation Act enumerated in this subsection but which was not included in the applicable appropriation Act for the fiscal year 1963, and which by its terms is applicable to more than one appropriation, fund, or authority, shall be applicable to any appropriation, fund, or authority, provided in this joint resolution unless such provision shall have been included in identical form in such bill as enacted by both the House and Senate.

(b) Such amounts as may be necessary for continuing projects or activities which were conducted in the fiscal year 1963 and are listed in this subsection at a rate for operations not in excess of the current rate or the rate provided for in the budget estimate, whichever is lower, and under the more restrictive authority:

Foreign assistance and other activities for which provision was made in the Foreign Aid and Related Agencies Appropriation Act, 1963;

Agencies for which provision was made in the Independent Offices Appropriation Act, 1963;

Activities for which provision was made in the District of Columbia Appropriation Act, 1963;

Activities for which provision was made in the Public Works Appropriation Act, 1963;

Activities for which provision was made in the Military Construction Appropriation Act, 1963;

United States Arms Control and Disarmament Agency;

Department of State,

Acquisition, operation, and maintenance of buildings abroad.

(c) Such amounts as may be necessary for continuing projects or activities for which disbursements are made by the Secretary of the Senate, and the Senate items under the Architect of the Capitol, to the extent and in the manner which would be provided for in the budget estimates for the fiscal year 1964.

SEC. 102. Appropriations and funds made available and authority granted pursuant to this joint resolution shall remain available until (a) enactment into law of an appropriation for any project or activity provided in this joint resolution, or (b) enactment of the applicable appropriation Act by both Houses without any provision for such project or activity, or (c) August 31, 1963, whichever first occurs.

SEC. 103. Appropriations and funds made available or authority granted pursuant to this joint resolution may be used without regard to the time limitations set forth in subsection (d) (2) of section 3679 of the Revised Statutes, as amended, and expenditures therefrom shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 104. No appropriation or fund made available or authority granted pursuant to this joint resolution shall be used to initiate or resume any project or activity which was not being conducted during the fiscal year 1963. Appropriations made and authority granted pursuant to this joint resolution shall cover all obligations or expenditures incurred for any project or activity during the period for which funds or authority for such project or activity are available under this joint resolution.

Mr. CANNON. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, this is the usual continuing resolution to which, unfortunately, the Congress has become accustomed in these later years.

Mr. Speaker, the situation could be arranged—and it would not be a difficult matter—under which continuing resolutions would be unnecessary. All these appropriation bills should be processed and sent to the President before the start of the new fiscal year. It can be done and it would expedite the legislative business of the Congress.

Mr. Speaker, this joint resolution provides, in brief, for keeping open the doors of the Government until the regular bills are enacted in final form. It is fully explained in the accompanying committee report.

To date, the committee has reported seven of the regular 1964 appropriation bills. Five regular 1964 appropriation bills remain to be reported in addition to the usual closing supplemental bill.

A principal reason that these five bills have not been reported is that the Committee on Appropriations cannot under the House rules process them because they contain appropriations not yet authorized by action of the legislative committees. The Committee on Appropriations cannot, under the rules, bring in a bill appropriating a single dollar until it has been authorized by law. We could have processed all the appropriation bills before July 1 but for the lack of authority for certain items in the five bills not yet reported. I hope we will soon reach the day when we can get all the bills to the President by July 1.

STATUS OF THE APPROPRIATION BILLS—88TH CONGRESS, 1ST SESSION

Mr. Speaker, for the information of the House, I am including a tabulation on the current status of the appropriation bills of the session.

As the table shows, the Treasury-Post Office appropriation bill is the only regular 1964 bill enacted into law. In the last two sessions of Congress, no regular bill was enacted before the start of the new fiscal year.

This year, seven bills for fiscal 1964 and two bills for fiscal 1963 entailing budget requests for about $73,630,000,000 have been reported to the House. Five additional regular bills for 1964 and the usual closing supplemental, prospectively involving roughly $26,000,000,000 in budget requests, are yet to be reported to the House. They are:

First. The independent offices bill, $14,620,000,000, on which hearings have been completed for some weeks except for the space agency; annual authorization legislation is delaying completion of this bill.

Second. The public works bill, $4,560,000,000, on which hearings are completed. Annual authorization legislation for the atomic energy program could also delay this bill.

Third. The military construction bill, $1,978,000,000, on which hearings are in progress, but for which the annual authorization bill is not yet finalized—committee hearings have not commenced in the other body.

Fourth. The foreign aid bill, $4,840,000,000, on which hearings are well along toward completion but for which the annual authorization bill has not yet been reported in either House.

Fifth. The District of Columbia bill, $34,000,000 in Federal requests, on which hearings are completed.

Sixth. And, finally, the closing supplemental bill, amounts not yet submitted by the President.

The foregoing amounts exclude approximately $11,800,000,000 in permanent authorizations—mostly interest on the public debt—for 1964 on which annual congressional action is not required.

The tabulation follows:

Table of appropriation bills, 88th Cong., 1st sess., as of June 24, 1963

[Does not include back-door appropriations or permanent appropriations under previous legislation. Does include indefinite appropriations carried in annual appropriation bills]

Bill No.	Title	House							
		Budget estimates to House	Date reported	Amount as reported	Amount reported compared with budget estimates	Date passed	Amount as passed	House action compared with—	
								Budget estimates	Amount reported
	1963 SUPPLEMENTALS								
H.J. Res. 284	Supplemental, Agriculture	[1]$508,172,000	Feb. 26	$508,172,000		Feb. 27	$508,172,000		
H.R. 5517	Supplemental	1,641,507,106	Apr. 5	988,756,506	−$652,750,600	Apr. 10	1,438,691,506	−$202,815,600	+$449,935,000
	Public works acceleration	(500,000,000)		(..................)	(−500,000,000)		(450,000,000)	(−50,000,000)	(+450,000,000)
	All other	(1,141,507,106)		(988,756,506)	(−152,750,500)		(988,691,506)	(−152,815,600)	(−65,000)
	Total, 1963 supplementals	2,149,679,106		1,496,928,506	−652,750,600		1,946,863,506	−202,815,600	+449,935,000
	1964 APPROPRIATIONS								
H.R. 5279	Interior	998,009,000	Mar. 28	929,690,200	−68,318,800	Apr. 2	922,625,200	−75,383,800	−7,065,000
	Loan authorization	(13,000,000)		(6,000,000)	(−7,000,000)		(6,000,000)	(−7,000,000)	
	Contract authority	(17,500,000)			(−17,500,000)			(−17,500,000)	
H.R. 5366	Treasury—Post Office	6,146,842,000	Apr. 1	5,997,026,000	−149,816,000	Apr. 4	5,997,026,000	−149,816,000	
H.R. 5888	Labor—HEW	5,759,489,000	Apr. 25	5,449,988,000	−309,501,000	Apr. 30	5,449,981,000	−309,508,000	−7,000
H.R. 6754	Agriculture	6,368,755,000	June 3	5,979,457,000	−389,298,000	June 6	5,979,457,000	−389,298,000	
	Loan authorizations	(855,000,000)		(855,000,000)			(855,000,000)		
H.R. 6868	Legislative	[2]148,580,245	June 6	[2]140,038,919	−8,541,326	June 11	[2]140,038,919	−8,541,326	
H.R. 7063	State, Justice, Commerce, Judiciary	2,159,891,900	June 14	1,851,269,900	−308,622,000	June 18	1,851,269,900	−308,622,000	
H.R. 7179	Defense	49,014,237,000	June 21	47,092,209,000	−1,922,028,000				
	Total, 1964 appropriations	70,595,804,145		67,439,679,019	−3,156,125,126		20,340,398,019	−1,241,169,126	−7,072,000
	Total, all appropriations	72,745,483,251		68,936,607,525	−3,808,875,726		22,287,261,525	−1,443,984,726	+442,863,000
	Total, loan authorizations	(868,000,000)		(861,000,000)	(−7,000,000)		(861,000,000)	(−7,000,000)	
	Total, contract authority	(17,500,000)			(−17,500,000)			(−17,500,000)	

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[1] Shifted from budget for 1964, which was reduced accordingly.

[2] Excludes Senate items.

Bill No.	Title	Senate							Final action			Increase or decrease compared to budget estimates to date
		Budget estimates to Senate	Date reported	Amount as reported	Date passed	Amount as passed	Senate action compared with—		Date approved	Amount as approved	Public Law No.	
							Budget estimates	House action				
	1963 SUPPLEMENTALS											
H.J. Res. 284	Supplemental, Agriculture	$508,172,000	Feb. 28	$508,172,000	Mar. 4	$508,172,000			Mar. 6	$508,172,000	88-1	
H.R. 5517	Supplemental	1,652,300,456	Apr. 24	1,486,096,841	May 1	1,488,683,841	−$163,616,615	+$49,992,335	May 17	1,467,430,491	88-25	−$184,869,965
	Public works acceleration	(500,000,000)		(450,000,000)		(450,000,000)	(−50,000,000)			(450,000,000)		(−50,000,000)
	All other	(1,152,300,456)		(1,036,096,841)		(1,038,683,841)	(−113,616,615)	(+49,992,335)		(1,017,430,491)		(−134,869,965)
	Total, 1963 supplementals	2,160,472,456		1,994,268,841		1,996,855,841	−163,616,615	+49,992,335		1,975,602,491		−184,869,965
	1964 APPROPRIATIONS											
H.R. 5279	Interior	998,009,000	May 22	979,093,400	May 28	979,693,400	−18,315,600	+57,068,200				
	Loan authorization	(13,000,000)		(6,000,000)		(6,000,000)	(−7,000,000)					
	Contract authority	(17,500,000)					(−17,500,000)					
H.R. 5366	Treasury—Post Office	6,146,842,000	May 3	6,074,216,250	May 8	6,069,466,250	−77,375,750	+72,440,250	June 13	6,045,466,000	88-39	−101,376,000
H.R. 5888	Labor—HEW											
H.R. 6754	Agriculture											
	Loan authorizations											
H.R. 6868	Legislative											
H.R. 7063	State, Justice, Commerce, Judiciary											
H.R. 7179	Defense											
	Total, 1964 appropriations	7,144,851,000		7,053,309,650		7,049,159,650	−95,691,350	+129,508,450		6,045,466,000		−101,376,000
	Total, all appropriations	9,305,323,456		9,047,578,491		9,046,015,491	−259,307,965	+179,500,785		8,021,068,491		−286,245,965
	Total, loan authorizations	(13,000,000)		(6,000,000)		(6,000,000)	(−7,000,000)					
	Total, contract authority	(17,500,000)					(−17,500,000)					

NOTE.—Totals reflect amounts approved and comparisons at latest stage of congressional action on each bill.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield to the distinguished gentleman from Iowa [Mr. JENSEN], the ranking minority member of the Committee on Appropriations.

Mr. JENSEN. Mr. Speaker, I rise to confirm what our chairman has said about this joint resolution. It is a continuing resolution such as this House and the Congress have passed on many previous occasions. I presume we will find it necessary to pass another continuing resolution during the present session of Congress, since I understand the Senate will insist that the resolution expire a month sooner than was proposed in our original draft.

The original draft resolution provided that the power of the continuing resolution should cease on September 30. The Senate desired to reduce that to August 31. We were told informally this morning that it would not be possible to get a 3 months' continuing resolution through the Senate of the United States, so we have agreed to a month sooner, as this resolution now provides.

Other than that, Mr. Speaker, I have nothing to say, and as a practical matter I suppose there is nothing for the House to do except pass this resolution in order that the various departments, bureaus, commissions, and boards of the Government may continue to carry on their duties.

Mr. CANNON. Mr. Speaker, supplementing what the gentleman from Iowa [Mr. JENSEN] has said, and he is one of the great men of the House and has been especially helpful in the work of the committee this year, as in previous years. Last year we finally had to pass four continuing resolutions. The period of time covered by each resolution was so short—1 month—that we had to pass a continuing resolution every month for 4 months—hardly conducive to speed and expedition in handling the national budget.

SUMMARY OF NET BUDGET RECEIPTS AND EXPENDITURE TRENDS (THE ADMINISTRATIVE BUDGET) IN CURRENT FISCAL 1963 (AS OF MAY 31, 1963) COMPARED TO FISCAL 1962 AND TO BUDGET ESTIMATES FOR 1963

Mr. Speaker, in conformity with leave granted I include, for the information of Members, the fifth monthly synoptic tabulation of the trend of net budget receipts and expenditures in the current fiscal year 1963 as of May 31, 1963, including comparisons with the official budget estimate for the fiscal year 1963 and corresponding actual data for the previous fiscal year 1962.

BUDGET RECEIPTS

Budget revenues are officially estimated by the President at $85,500,000,000 for the fiscal year 1963 ending this week—a projected increase of $4,091,000,000 over actual budget revenues in fiscal 1962. Through the first 11 months—to May 31, 1963—actual budget revenues exceeded the corresponding 11 months of fiscal 1962—May 31, 1962—by $4,521,000,000.

To reach the official budget revenue prediction of $85,500,000,000 for all of fiscal 1963 will require net revenues of $11,185,000,000 in the current month of June 1963. In June of fiscal 1962, net budget revenues amounted to $11,615,000,000.

According to the committee report on the recent debt limit bill, the administration, as of April, apparently adheres to the full year revenue estimate of $85,500,000,000.

In contrast with budget expenditures which tend to recur more evenly throughout the fiscal year, the pattern of budget receipts shows the months of September, December, March, and June as the peak months; and receipts in the second half of the fiscal year, January–June, are usually higher than in the first half.

BUDGET EXPENDITURES

Budget expenditures are officially projected in the President's January budget at $94,311,000,000 for fiscal year 1963 ending this month—an increase of $6,524,000,000 over actual budget expenditures for fiscal year 1962, of which $1,901,000,000 is for national defense and $4,623,000,000 is for other than national defense.

Through the first 11 months—to May 31, 1963—actual budget expenditures in fiscal 1963 exceed the corresponding 11 months of fiscal 1962—to May 31, 1962—by $5,243,000,000, of which $2,071,000,000 is for national defense and $3,172,000,000 is for other than national defense.

AVERAGE MONTHLY EXPENDITURES

Using straight averages in both instances, the table discloses that budget expenditures during the first 11 months of fiscal 1963 averaged $7,721,000,000—somewhat less than the projected budget average of $7,859,000,000 for the full fiscal year of 1963 based on the January official budget estimate of expenditures—a little less for national defense items and also slightly less for nonnational defense items.

To reach the January net budget expenditure prediction of $94,311,000,000 for fiscal 1963, net budget expenditures in the current month of June 1963 would have to aggregate at least $9,384,000,000 as against the actual monthly average of $7,721,000,000 in the first 11 months of fiscal 1963. Budget expenditures in the last month of fiscal 1962—that is, June of 1962—totaled $8,102,000,000. The table discloses that expenditures for all of fiscal year 1963 are officially budgeted at a monthly average $544,000,000 greater than the actual monthly average of all of the preceding fiscal year 1962 and that, in comparison to this, in the first 11 months of fiscal 1963 the actual monthly average exceeded the corresponding 11-month average of fiscal 1962 by a little less—namely, by $477,000,000. Stated in another way, in the first 92 percent of the fiscal year about 80 percent, or $5,243,000,000 of the officially projected $6,524,000,000 expenditure increase, fiscal 1963 over fiscal 1962, has been realized.

But in connection with expenditures, it is pertinent to note from the committee report on the recent debt limit bill that, as of April, the administration apparently expects budget expenditures for fiscal 1963 to total $93,907,000,000—which would be $404,000,000 less than the January budget estimate from the President—$564,000,000 less for other than national defense, partially offset by $160,000,000 more for national defense.

BUDGET DEFICIT

The January official budget estimate of the deficit for all of fiscal year 1963 is $8,811,000,000, or $2,433,000,000 larger than the actual deficit for all of fiscal 1962. But as noted above, a more recent official administration view, according to the report from the Committee on Ways and Means on the debt limit bill, is that the fiscal 1963 deficit will approximate $8,407,000,000.

Through 11 months of fiscal year 1963, the actual deficit is $10,612,000,000—or only about $722,000,000 larger than the actual deficit during the corresponding 11 months of fiscal year 1962.

The figures seem to suggest that the budget deficit for all of fiscal 1963 may be even less than the $8,407,000,000 mentioned in the report of the Committee on Ways and Means.

THE PUBLIC DEBT

The official January budget projection is that the public debt at the end of fiscal 1963—on June 30, 1963—will be $303,494,000,000, a projected increase of $5,293,000,000 from the actual debt of $298,201,000,000 at the beginning of the fiscal year on July 1, 1962. But the Treasury's more recent estimate, according to the report from the Committee on Ways and Means on the recent debt limit bill, is that the debt on June 30 next will approximate $305,300,000,000.

The actual public debt on May 31, 1963, stood at $305,203,000,000—or $6,029,000,000 above the corresponding date in fiscal 1962—at May 31, 1962—and $7,002,000,000 above the total of the debt at the start of the fiscal year on July 1, 1962.

The table follows.

Net budget receipts and expenditures (the traditional administrative budget), 11 months of fiscal 1963 versus 11 months of fiscal 1962 and comparison with full-year estimates

[In millions of dollars]

	Actual for 11 months			Budget estimates for all of fiscal 1963 compared to actual for all of fiscal 1962		
	Fiscal year 1963	Fiscal year 1962	1963 compared to 1962	Budget estimate, 1963	Actual, 1962	Estimate, 1963 over actual, 1962
1. Budget receipts (net)	$74,315	$69,794	+$4,521	$85,500	$81,400	+$4,091
2. Budget expenditures (net)						
(a) National defense (per official budget classification)	48,139	46,068	+2,071	53,004	51,103	+1,901
(b) Other than national defense	36,788	33,616	+3,172	41,307	36,684	+4,623
3. Total expenditures (net)	84,927	79,684	+5,243	94,311	87,787	+6,524
4. Net surplus (+) or deficit (−), (line 1 minus line 3)	−10,612	−9,890	−722	−8,811	−6,378	[1] −2,433
5. Average monthly expenditures:						
(a) National defense	4,377			4,417		
(b) Other than national defense	3,344			3,442		
Total monthly average	7,721	7,244	+477	7,859	7,315	+544

[1] That is to say, the January official budget projects an estimated increase of $2,433,000,000 in the size of the deficit in fiscal 1963 as compared to the actual deficit in fiscal 1962.

NOTE.—Report on recent debt limit bill indicates administration expectation, back in April, that budget expenditures in fiscal 1963 would be about $404,000,000 below the January figure of $94,311,000,000.

Sources: Budget for 1964 and monthly Treasury statement for May 31, 1963.

Mr. CANNON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include tabulations on appropriation bills and the status of the budget.

The **SPEAKER.** Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. LAIRD. Mr. Speaker, I move to srike out the last word.

Mr. Speaker, there have been many questions asked by Members in the last few days concerning the status of the employment security offices in each of our 50 States and in the territories. The Department of Labor's Bureau of Employment Security has committed all of the $400 million that was appropriated out of the unemployment fund, and is unable to make additional allocations to the States that they had led the States to believe would be forthcoming. There are some 20 States that are affected by this deficiency that presently exists. According to the Bureau of Employment Security, several of these States have had to lay off all of their employees during this week. I think it should be understood that the executive branch did not submit any supplemental request to Congress until yesterday. The continuing resolution, however, that is before us today will put all of these people back on the payroll as of next Monday. When this particular resolution is adopted today those employees, some 18,000 that are affected, will be placed back on the payroll starting on next Monday. This resolution is significant in that regard.

Mr. Speaker, some have tried to pin the blame for this week's situation on Congress. But here are the facts. Congress appropriated $400 million for these activities in the regular Labor-HEW Appropriation Act for 1963. These funds are for regular salary and expense items which are readily controllable. At no time has Congress been advised that spending was proceeding on a deficiency basis, and the Anti-Deficiency Act requires such advice if spending is proceeding at a deficiency rate. It was not until yesterday that the executive branch requested a supplemental appropriation, a request that appears only to be paying lipservice for if the Committee on Appropriations were to meet today and report out a joint resolution it could not be taken up in the House without a special rule from the Committee on Rules or by unanimous consent.

Mr. Speaker, the plain fact is that this situation results from incredibly poor control of appropriated funds. I feel quite certain that either the Bureau of Employment Security or the Bureau of the Budget, or both, have violated the Anti-Deficiency Act and I think an investigation should be made to determine the full facts leading to this fiscal fiasco so that we can know what changes should be made to prevent a recurrence.

I have here a table that the Bureau of Employment Security prepared 1 week ago today which purports to show the situation in each State with regard to this deficiency and the personnel actions that are necessary because of it. I do not have complete faith in the accuracy of this table—for instance it shows that some States would have to close their entire operations for 2 weeks but I am informed that this is not the fact. However, for what it may be worth, I will place it in the RECORD for the information of all Members.

Bureau of Employment Security, Department of Labor, State fund deficiencies based on allocations from available funds and State estimated required staff adjustments

	State estimated deficiency [1]	Personnel reduction required to absorb deficits	
		Number	Duration
Alabama	$66,000	758	1 week.[3]
Alaska			
Arizona ES	34,000		
Arizona UI	20,000		
Arkansas			
California	[2] 800,000		
Colorado			
Connecticut appeals	1,400		
Connecticut agency			
Delaware			
District of Columbia ES			
District of Columbia UI			
Florida	97,000	1,206	2 weeks.[3]
Georgia	95,000	798	1 week.[3]
Guam			
Hawaii	20,000		([6]).
Idaho			
Illinois	80,854		
Indiana	73,604		
Iowa	65,000	515	1 week.[3]
Kansas	20,000	150	Do.
Kentucky	165,000		
Louisiana	70,000	387	2 weeks.[4]
Maine			([6]).
Maryland	55,000	369	
Massachusetts			
Michigan	170,400		([5]).
Minnesota			
Mississippi	47,000	516	1 week.[3]
Missouri	51,900		
Montana	10,000	44	2 weeks.
Nebraska			
Nevada	35,000		
New Hampshire	500		
New Jersey	270,000	1,504	Do.[4]
New Mexico	15,000	66	Do.
New York	613,000	3,540	Do.
North Carolina			
North Dakota ES			
North Dakota UI			
Ohio	273,000	2,762	6 days.[3]
Oklahoma	70,000	300	2 weeks.[4]
Oregon	38,388	700	2 days.
Pennsylvania	288,000	1,632	10 days.
Puerto Rico	40,200	330	2 weeks.[4]
Rhode Island agency	4,000		
Rhode Island treasury	1,400		
South Carolina	88,000	553	7 to 8 days.[3]
South Dakota			
Tennessee	54,000	848	1 week.[3]
Texas	82,000	465	2 weeks.
Utah	43,600	156	Do.
Vermont	14,000	55	1 week.
Virginia	24,500		([6])
Virgin Islands			
Washington	73,780	1,000	3 days.
West Virginia			
Wisconsin	30,329		
Wyoming			
Total	4,000,855	18,654	

[1] Estimates received by wire from individual States as of June 15, 1963.

[2] Bureau estimate (no wire received from State).

[3] Entire agency must be closed.

[4] Layoff ineffective as leave must be paid.

[5] Civil service will not permit layoff.

[6] 2 weeks' notice required.

The **SPEAKER.** The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time and was read the third time.

The **SPEAKER.** The question is on the passage of the joint resolution.

The joint resolution was passed.

A motion to reconsider was laid on the table.

TRANSFER OF FUNDS WITHIN THE CONTINGENT FUND OF THE HOUSE

Mr. BURLESON, from the Committee on House Administration reported the following privileged resolution (H. Res. 418, Rept. No. 449), which was referred to the House Calendar and ordered to be printed:

Resolved, That such funds as may be necessary to liquidate the 1963 obligations may be transferred, within the contingent fund of the House of Representatives, from "Miscellaneous Items, 1961", to "Miscellaneous Items, 1963".

Mr. BURLESON. Mr. Speaker, I call up House Resolution 418 and ask for its immediate consideration.

The Clerk read the resolution.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BURLESON. I shall be glad to yield to anyone who has a question.

Mr. GROSS. You are here dealing with 1961 funds. If so, give us a brief explanation, if you will.

Mr. BURLESON. This situation is similar to the transaction which just occurred with reference to a continuing appropriation, that is, to meet the end of the fiscal year needs. Appropriations are made to the contingent fund of the House on a fiscal year basis, but remain available to pay authorized obligations for a period of 3 years before reverting to the Treasury. It so happened that in 1961 there was a surplus. In the fiscal year 1962, there was no surplus. At the end of this fiscal year, since the legislative appropriation bill has not become effective, it is proposed to transfer funds available out of the 1961 miscellaneous items account of the contingent fund to meet obligations of approximately $246,000, which would occur before the expiration of this fiscal year. That is what we propose to do here. We have done this before in similar situations.

Mr. GROSS. This is contingent funds of the House?

Mr. BURLESON. That is correct.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. FORD. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 88]

Ashley
Blatnik
Bolton,
  Oliver P.
Brown, Calif.
Buckley
Colmer
Davis, Tenn.
Dawson
Diggs
Dulski
Forrester
Gray
Hanna
Hays
Healey
Henderson
Herlong
Kilburn
Lindsay
Lloyd
Long, La.
McDade
Martin, Calif.
Monagan
Morris
Nix
O'Brien, Ill.
Patman
Powell
Rains
Reuss
Rodino
Roosevelt
Roybal
St Germain
Shelley
Staebler
Talcott
Vinson
Watson
Widnall
Wilson, Bob
Wilson,
  Charles H.

The SPEAKER. On this rollcall 389 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

DEPARTMENT OF DEFENSE APPROPRIATION BILL, 1964

Mr. MAHON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7179) making appropriations for the Department of Defense for the fiscal year ending June 30, 1964, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate continue not to exceed 5 hours, the time to be equally divided and controlled by the gentleman from Michigan and myself.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 7179, with Mr. KEOGH in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. MAHON. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman, we begin now the consideration of the $47 billion defense appropriation bill required for the fiscal year ending on June 30, 1964.

All the bills which Congress passes are important to somebody. The bill before us today is important to everybody—to everybody in the United States, and to all the peace-loving people of the entire world. This is true, because this is the legislation which, more than any other, enables the United States to maintain its position of military superiority over the Soviet Union.

Mr. Chairman, the military strength of the United States has reached an all-time high. It is greater today than it has ever been before. No major war could be fought now without great losses on both sides, but without doubt the United States is the greatest military power in the world today. Our military strength will not necessarily insure peace, but insofar as military strength can avert and deter war, this Government has what it takes.

The program which this bill supports will make sure that the President of the United States and the Secretary of State can continue to deal at the conference table from a position of military strength. Of course, it is true that limited and even general war cannot be ruled out, but the primary object of our defense program is to deter war and support efforts in the direction of peace.

Mere weapons alone cannot insure peace or, if war comes, victory. We not only have to have the military hardware, we have to have the manpower and the leadership.

The Secretary of Defense is the top man in the Defense Department. He and the Commander in Chief, the President, have the final say in the executive branch; and that is the way it is supposed to be under the American system. That is the American system of civilian control. It is true that we could change the law and the Constitution and give the military final control, but no one recommends this and our military leaders today, as in the past, are strongly in support of the traditional principle of civilian control.

The Secretary of Defense is on top of the job; the job is not on top of him. His job is understandably difficult and quite controversial. But under the law he is required to assume the responsibility for a $50 billion operation in a field which has become unbelievably complex as a result of the world situation and as a result of technological advances, unbelievable technological advances in the art of war.

Secretary McNamara is devoting his enormous talent and energy to the public interest and deserves the respect and the admiration of the American people. And in this same moment I want to add that our military leaders, our men in uniform in positions of leadership, are men of wide experience, great dedication to public duty, and unquestioned integrity and ability.

I make the point, Mr. Chairman, that the top civilian and military team is a strong team, and while I do not always agree with them and they do not always agree among themselves, I, for one, have full confidence in them. I believe that our military affairs today, at this critical moment in our history, are in good hands. Of course, the state of perfection has not been reached and it will never be fully achieved. But progress is being made and there is no question in my mind as to the high quality of the top level leadership which we have in this area.

The military people do not always agree among themselves and the civilian and military leadership at the Pentagon do not always agree. They do agree most of the time. Everybody has his say under the present system and the Joint Chiefs of Staff are getting into military management and budgetary problems in greater depth today than ever before. The lack of complete unanimity, the existence of some discord, should not be considered as unduly disturbing. This, indeed, is just another indication that the democratic process is still operating in the United States.

TFX AIRCRAFT

Among the controversial items which have arisen this year is the so-called TFX aircraft. The proposed TFX program is a program for the development of an aircraft to be known, really, as the F-111. The TFX will be a tactical fighter aircraft which has a variable wing. This means that the wings can be moved forward when the pilot wants to fly at slow speeds and swept sharply back when he wants to fly at high speeds. No aircraft today possesses this ability. I believe that this ability will be important and useful in that the same aircraft can achieve high speeds to fight enemy aircraft and then fly efficiently at slower speed to offer close support for ground troops.

Other performance characteristics of this aircraft including its ability to fly great distances without refueling in order that it may be quickly deployed to trouble spots, make it appear to be a worthwhile program.

The Secretary of Defense was asked by both the Air Force and the Navy for a new aircraft. It was decided that one aircraft should be built and used by both the services. I am sure that the taxpayer applauds this idea. The savings are obvious, both in the development, production and in the later maintenance and operation of the aircraft.

Several major companies competed for the job of developing the TFX. The competition was narrowed down to two proposals—a joint proposal by General Dynamics and Grumman Aircraft Co., and a proposal by the Boeing Co. The whole issue was studied in the Pentagon over a period of months. Finally, the Secretary of Defense selected General Dynamics and Grumman for the development of the aircraft.

It is not possible to prove conclusively that the Secretary was right or that he was wrong. Many judgment factors were involved as is often the case. The TFX will represent a long step forward in aircraft production. The complexities are many and every knowledgeable person knew in advance of the selection that the company selected to do the development work would encounter many complex and difficult problems. Mr. McNamara knew this. He undoubtedly selected the General Dynamics-Grumman proposal because he felt it would be in the best interest of defense and the taxpayer. Undoubtedly, the company selected will have difficulty and there will be delays in the development of the plane. The Secretary must have believed, as I do, that the Boeing Co. design would have been even more difficult to develop. It is pretty obvious that if we had known how to build a TFX-type aircraft without difficulty, we would not be proposing to spend $1 billion for its development.

As I have stated, the Boeing design is more complicated. In addition to the complexity of a variable wing, it introduces other innovations which, it is thought, would increase the development time, cause the cost to mount, and not achieve the primary goal of producing one aircraft for all the services.

No sympathy need be wasted on these gigantic companies. Both have had their successes and both have had their failures and both have received a tremendous amount of Government business, approximating, during the 5 years an average of more than $1 billion each per year.

COMPLEXITY OF WEAPONS

In my discussion of the TFX I have mentioned the matter of complexities of defense weapons. Understandably both the military and the civilians in the Defense Department want the finest, most modern weapons that can be conceived. In the very early stages of research and design we can launch out into the wild blue yonder, but in the actual development of weapons we must get down to earth and make sure that the weapons to be developed are feasible and practicable of operation by the men of the armed services. Simply stated, often the plans and designs are beyond the state of the art. There are a lot of examples which would be cited.

A few years ago it was thought by the Air Force and other agencies of the Government that a nuclear powered airplane should be constructed. After over a billion dollars was spent on the project, it was decided that such an airplane was currently beyond the state of the art.

The Navy tried to build a jet-powered seaplane called the Seamaster. After an investment of about one-half billion dollars in this program, it was canceled. Earlier, the Air Force undertook development of a pilotless bomber-type missile called the Navajo. Before it was terminated in 1957, almost $700 million was down the drain. Some benefits accrued to the Defense Department but they were not worth the cost.

I am not pointing this out because I think that we should never try to develop a difficult weapon. We not only should, we must. But, we must also be very careful to define the capabilities of the weapon we want and to be as certain as we can that the state of the art is such that the weapon can be developed before it is obsolete.

We have had considerable difficulty in having weapons developed that were so complex that the military men assigned to operate them could not properly do so. We all applaud the technical and scientific accomplishments and capabilities of this age, but we just cannot let weapons become so complicated that they can only be operated by Ph. D.'s and men with degrees in engineering. We have good and intelligent people in the services but most of them are not technical geniuses. The Navy's three T's, the Terrier, Talos, and Tartar antiaircraft missiles are a prime example of what I am talking about. Although these weapons have been installed on ships for some time, they are not foolproof enough to be satisfactorily operated by the crews of the ships. A seasoning of practical thinking must be included in the technical planning of weapons.

RS-70

The RS-70 aircraft development program provided for in the bill as presented to the House, is the program recommended in the budget. It is proposed to obligate $81 million in fiscal year 1964 of the $155,800,000, available from prior year appropriations for the RS-70. The $81 million which the Defense Department plans to obligate in fiscal year 1964, leaves a remainder of $74,800,000 held in reserve, which is available only for the RS-70 program and which can be utilized for the program as the need arises. The Appropriations Committee included language in the bill which will make any part of the $125 million allocated to the Dyna-Soar program, and not used for that program, available for the RS-70.

Also, there is about $53 million budgeted for components which, if developed, would be useful on the RS-70.

While the Congress has supported the RS-70, and I have supported it and recently voted for additional authorization for the program, I think it is fair to say that the future of the manned strategic bomber in our defense inventory does not depend exclusively upon the RS-70. Funds are provided in the bill before us for studies of other types of aircraft which might either replace or accompany the RS-70. Three possible future types of strategic manned bombardment aircraft are being studied. The first reports from these studies will be available in July. This fall the Air Force will analyze them and study the possible application of these various types of aircraft to various 1970 situations.

In order to provide continuity in our manned bomber forces, we must develop and deploy an aircraft to replace the B-52 before it is phased out of the inventory. Testimony before the committee indicated that if a decision to develop a specific aircraft is made within the next 1 or 2 years, it can be developed in time to replace the B-52.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. MAHON. Mr. Chairman, I yield myself 10 additional minutes.

Mr. ARENDS. Mr. Chairman, would the gentleman care to yield at this point?

Mr. MAHON. I yield to the gentleman from Illinois.

Mr. ARENDS. I might ask the gentleman, for informational purposes, I recently read that there was a study going in the Pentagon to the effect that they should further explore the possibility of again opening up the production lines of the B-52 or the B-58 bomber and that such further studies and evaluations are presently being made. Would the gentleman care to make any comment on that?

Mr. MAHON. The Defense Department is not making any study, of which I know, about reinitiating the production of the B-52 or the B-58. I believe that some segments of the industry have been giving consideration to this sort of proposition in the event that this matter should develop. I personally do not believe that it will be desirable or that the Defense Department will recommend the additional production of the B-52 or the B-58. Under the present program for these aircraft they will be in the inventory in 1970. Many of them will be in the inventory through a large portion, in my judgment, of the 1970 period. So we will have to make some decision fairly soon in this matter, because we do want a balanced force and we must not rely exclusively on the intercontinental ballistic missile. But officials who appeared before our committee—and their testimony is in the record—said that we have 1 year or possibly 2 years in which to make a determination as to just what should be done about a follow-on weapon to the B-52 and the B-58.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Florida.

Mr. SIKES. I think it might be helpful in clarifying the question asked by the distinguished gentleman from Illinois on the interest of the Air Force in further production of the B-58's. This came about through an informal inquiry from within the Air Force to industry as to the cost of producing an additional 200 B-58's if this should be found desirable.

Mr. MAHON. I thank the gentleman for this additional clarification.

REDUCTIONS MADE IN BUDGET

Some statement should be made on the reductions made in the budget by the committee and recommended to the House. I read a headline in a paper this morning, which was published last week, saying "House slashes defense program." I looked in the dictionary for the meaning of the word "slash" and I found it meant cutting with a sweeping action, or making a drastic reduction.

Let me assure you that the press announcement is exaggerated, because in my judgment, and I think it can be substantiated, the committee did not slash the budget. It made very studious efforts to bring about reductions and modifications in such a way that we would save money, that we would accentuate the public clamor and the congressional demand for better management and economy.

In the bill authorizing appropriations for certain procurement and research and development, the President's military budget was, in effect, cut by $408 million and the pending appropriation bill was reduced in this amount.

Additional reductions of about $1.5 billion are described in the committee report. These reductions are designed to generate more competition and more efficiency in procurement, require firm and reliable plans prior to the initiation of the procurement of new weapons and equipment, reduce excess amounts allocated to specific programs, and stimulate greater discrimination in the selection of research and development projects.

This about covers, in a very general way, the reductions in the President's budget which are recommended in the bill before us.

I will give you an example which will be crystal clear to you. There has been talk about a mobile medium range ballistic missile. It is not certain just where this missile would be used, and before it can be deployed in a friendly country the consent of that country could be required. In my idea the concept of such a weapon is good.

Last year the Defense Department asked us for $100 million for this project. We studied the situation, we made inquiry, and we said: You do not need a hundred million dollars. We do not want to cripple a program as important as this, but we will lop off $20 million and give you $80 million, which we did.

We were advised a short time ago that the Defense Department was utilizing only $25 million of the $80 million which we provided. A reduction of the kind we made could not be called a slash. The Defense Department came before us this year and said: Now, for the forthcoming year we would like to have about $143 million for the mobile medium range ballistic missile. Looking at the past, and undertaking to benefit by the past, we said, We will recommend a reduction of $100 million, because we do not believe you would use the $143 million requested. We will leave in the bill $43 million that you may use for development.

There are no funds requested for production, only for the development of the missile. Mere development will cost over $400 million. That is one example.

Another example I might give, of reductions made, is the $140 million reduction we made in the overall appropriation for personnel. We also provided for a portion of the funding of this account from additional transfers from the stock and industrial funds.

We found that the Departments had transferred from these accounts, or used from these accounts for unforeseen developments, which had not been presented to the committee, a total of over $400 million in a 2-year period. So we concluded that we could safely eliminate from the budget request $140 million. That is not a reduction which would bring about the elimination of one single man in the Armed Forces.

It is impossible to describe, in a brief statement in the House all of the various actions taken on a bill of the magnitude of the defense bill, but I commend the report to you for the details in which you might be interested.

In my opinion, most Members will applaud the efforts of the committee to maintain control of the purse by the Congress.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. MAHON. Mr. Chairman, I yield myself 5 additional minutes.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I will be glad to yield to the gentleman.

Mr. SIKES. Would it not be well to stress the fact that the reduction in personnel funds definitely does not mean a reduction in the numbers of personnel in the armed services? Even the Secretary of Defense is quoted as having said that a reduction of 60,000 would result from this cut. No such reduction in numbers of personnel is intended by the committee; nor is it necessary.

Mr. MAHON. The gentleman is eminently correct. I am not sure what the Secretary of Defense may have had in mind.

INCREASED DEGREE OF READINESS

The reductions should not be interpreted to mean that defense programs have been slashed; far from it. This is the second highest peacetime defense bill in the history of the Nation.

The bill is $7 billion higher than the Defense Appropriation Act of 3 years ago. During the past 2 years, we have appropriated $15.5 billion more for defense than during the prior 2 years.

This bill represents the continuing determination of the House that we shall maintain our military superiority and expand our military capabilities, that we support a policy of strength and firmness.

I have mentioned the increase in appropriations in the past 2 years. It should be pointed out that we now have three times as many nuclear weapons on the alert as we had in 1961. We have 16 combat-ready Army divisions compared with 11 at that time. We have three full Marine Corps division teams and the nucleus of a fourth as compared with three slightly understrength groups.

The number of tactical wings of the Air Force has increased from 16 to 21. Our capacity in terms of airlift, which is important to the mobility of our forces needed to protect our vital interests in many areas of the globe, has increased by 60 percent.

Our Army Special Forces which are designed to cope with the very limited and guerrilla-type warfare have increased threefold since 1961 and are to be expanded under the terms of this bill. Similar increases have taken place in Navy, Marine, and Air Force elements devoted primarily to these forms of special warfare. Thus, although we all earnestly hope for peace, we are obviously stronger and better prepared for coping with a wider range of military situations than we have even been in time of peace.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I will be glad to yield to my colleague from Oklahoma.

Mr. EDMONDSON. The gentleman just stated we increased our airlift capability by 60 percent. Can you tell us over what period of time that increase was?

Mr. MAHON. We really effectively started in fiscal year 1961. Congress put a special appropriation in the Defense Act and appropriated $200 million above the budget. We said to the Joint Chiefs of Staff and the Secretary of Defense, "You have not been providing adequate airlift. Now we are going to put this money in the bill and make it available only for that purpose, and will you get on your horses and do something about it." They did, and this was the first time we had been able to accomplish that objective. It is a part of recent history of which the Congress can be proud.

Mr. EDMONDSON. I certainly want to agree with the gentleman on the importance of improving our readiness and reducing this time lag, and I congratulate the committee on its efforts in that direction.

Mr. FLOOD. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to my distinguished colleague, a member of the committee.

Mr. FLOOD. Mr. Chairman, I was just going to say that I would not want the gentleman from Oklahoma to feel, on the question of airlift, that everything is as hunky-dory as he has been led to believe.

As a matter of fact, what the chairman has said is true, but by no means is the airlift adequate; by no means will it be adequate even under our present planning for at least 3 or 4 more years, although we are doing probably as much as we could do under all the circumstances.

Mr. MAHON. I think that a word of caution is in order. We have a long way to go to be ready to project our forces quickly to a number of areas simultaneously. This is one of the problems with which we are confronted. We have made rapid strides forward but there are other problems ahead.

DEFENSE VERSUS NONDEFENSE SPENDING

The question of defense versus nondefense spending often arises in the debate on the Defense appropriation bill. In examining the situation, I think it would be fair to fix July 1, 1953, as a starting point, the beginning of fiscal year 1954. The Korean war had just concluded.

From fiscal year 1954 through fiscal year 1961, ending June 30, 1961, defense spending rose 1 percent over fiscal year 1954. During the same period nondefense spending increased by 65 percent.

Following the Berlin crisis in 1961, defense spending began to move upward rather sharply. It is estimated to rise during the current fiscal year to a level of 12 percent above fiscal year 1954, and through the coming year, the fiscal year ending June 30, 1964, it is estimated to increase to a level of 18 percent above 1954. The comparable percentage increases for nondefense spending during the fiscal years 1963 and 1964 are 101 and 111 percent, respectively. The figures for fiscal years 1963 and 1964 are estimates and are subject to slight change when final compilations are made.

In making the foregoing comparisons, I have used spending figures rather than appropriations figures and I have included in defense spending not only those resulting from regular military functions of the Defense Department, but expenditures for foreign military assistance, atomic energy, stockpiling, selective service, civil defense and emergency preparedness, and expansion of defense production. I shall include a table of figures on both expenditures and new obligating authority:

Analysis of new obligational authority and budget expenditures for the fiscal years 1954–64

[In millions]

Fiscal year	National defense functions				Other than national defense				Budget totals	
	New obligational authority		Budget expenditures		New obligational authority		Budget expenditures			
	Amount	Percent of budget totals	Amount	Percent of budget totals	Amount	Percent of budget totals	Amount	Percent of budget totals	New obligational authority	Budget expenditures
1954 actual	$38,901	62.1	$46,986	69.6	$23,864	37.9	$20,551	30.4	$62,765	$67,537
1955 actual	33,656	59.0	40,695	63.2	23,420	41.0	23,694	36.8	57,076	64,389
1956 actual	35,903	56.8	40,723	61.5	27,295	43.2	25,501	38.5	63,198	66,224
1957 actual	40,234	57.3	43,360	62.9	29,945	42.7	25,606	37.1	70,179	68,966
1958 actual	40,448	53.0	44,234	62.0	35,897	47.0	27,135	38.0	76,345	71,369
1959 actual	45,517	55.9	46,491	57.9	35,848	44.1	33,851	42.1	81,365	80,342
1960 actual	44,761	56.3	45,691	59.7	34,813	43.7	30,848	40.3	79,574	76,539
1961 actual	45,994	53.1	47,494	58.3	40,681	46.9	34,021	41.7	86,675	81,515
1962 actual	52,414	56.4	51,103	58.2	40,448	43.6	36,684	41.8	92,862	87,787
1963 estimate	54,490	52.8	53,004	56.2	48,702	47.2	41,307	43.8	103,192	94,311
1964 estimate	56,702	52.5	55,433	56.1	51,225	47.5	43,369	43.9	107,927	98,802

NOTE.—The data on this table corresponds to the classification used in the 1964 budget. "National defense functions" include Department of Defense military functions, including foreign military assistance, Atomic Energy Commission, stockpiling of strategic and critical materials, Selective Service System, expansion of defense production, civil defense and emergency preparedness activities.

Mr. Chairman, I have no disposition to take too much of the time. I have discussed, with your indulgence, some of the important matters.

Mr. BALDWIN. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to my friend from California.

Mr. BALDWIN. Mr. Chairman, I would like to ask a question dealing with section 539 on the last page of the bill. This section reads:

> Of the funds made available in this Act for repair, alteration, and conversion of naval vessels, not to exceed $352,752,400 shall be available for such repair, alteration, and conversion in privately owned shipyards.

It is my understanding that a similar provision in last year's act was worded in a different way to say that not less than 35 percent of these funds would be allocated to private shipyards. May I ask for an explanation of the reason for the change in wording?

Mr. MAHON. The gentleman has asked a very good question. The House last year provided a rigid requirement that a certain amount, 35 percent, of ship repair, alteration, and conversion should be done in the private yards.

The House voted on this, after some considerable controversy, and approved the position of the committee. But when the bill went to the other body, the House language was changed and a loophole was inserted to enable the Secretary of Defense in the event of an emergency to set aside this allocation of business to private yards. It was established, we thought, before the committee, that the private yards were more economical and saved considerable funds in this program, but the language in the bill of last year would be subject to a point of order because of the addition in the other body, so we came up with the language of section 539. However, the objective of this language, and we have made this known to the Secretary of Defense and others, is to create the same situation we had last year, which would allocate on a 65–35 basis this type of work to the public yards and to the private yards. That is the history of the situation.

Mr. Chairman, I commend to the House the reading of the report. I think that when you vote for this bill, as I believe all of you will, you can go to your people and you can say, "For myself, I stand for firmness and military superiority on the part of my Nation. When I voted for $47 billion for the Department of Defense for the forthcoming fiscal year I thought then and I think now that these funds will enable us to continue to be the most powerful country in the entire world."

That is the way we want it, and in my judgment that is the way the people at home want it.

Mr. FORD. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, we have before us this afternoon $49 billion of the $54 billion requested for the major aspects of our national security program. The total requested for the Defense Department and related agencies of our national security in the President's budget for 1964 is approximately $54 billion.

Any program as comprehensive as this one, involving as many dollars, and concerning as many people in civilian and military capacities, could hardly be unanimous. One evidence of a lack of unanimity is the fact that all three military services when they made their budget requests to the Secretary of Defense in total requested approximately $67 billion of new obligational authority for the fiscal year 1964. The Secretary of Defense in his wisdom in the final analysis recommended to the President and the President has recommended to us $54 billion in new obligational authority for 1964 in this area of our national security program.

The Secretary of Defense on more than one occasion has spoken with some pride about his recommendations for reductions in the budget requests made to him by the respective military services. He indicated to the subcommittee that he took a long hard look at the $67 billion of departmental requests and finally reduced it some $13 billion—to $54 billion.

May I say parenthetically at this point, although I have great respect for the

Secretary, he is not the only Secretary of Defense in the last 12 years or more who has gone through precisely the same process. As a matter of fact, the record will show that even during the Korean war, former President Truman indicated publicly at one time that he had been requested by the various services to make available in his budget $104 billion for a fiscal year. Former President Truman indicated that he and his Secretary of Defense had made reductions in that budget to a level of approximately $60 billion.

The record also shows that in 1953 the Secretary of Defense and the President at that time made reductions of $16 billion in the original budget figures proposed by the respective services.

In 1957 the services requested $4½ billion more than the Secretary of Defense and the President allowed.

In 1958 the various services, Army, Navy, and Air Force, asked for $6 billion more than the President and the Secretary of Defense recommended.

Secretary McNamara should be commended for finding a way to reduce funds originally requested by the Army, Navy, Air Force, and Marines by $13 billion and at the same time provide sufficiently for our national security. However, he has been following this year, last year, and the previous year, much the same process in this regard that his predecessors have done in a similar situation.

During the consideration of this budget, as the report shows, we had a substantial number of Department of Defense witnesses. We had a number of outside witnesses. The report indicates we had more outside witnesses than any time in the past. We had, for example, witnesses who covered the spectrum. On the one hand, we had Prof. Seymour Melman, a professor at Columbia University. Professor Melman and a group of his associates in the academic world came before the committee and recommended a military budget for fiscal year 1964 of $34 billion in contrast to the budget submitted by the President and Mr. McNamara. This was a budget Professor Melman categorized as a budget for the maintenance of present forces. He had another budget in this document which is entitled "A Strategy for American Security" called the finite deterrent budget. Under this heading, the amount he would recommend would be $9 billion plus. This would be a reduction of about $45 billion in the President's recommendation.

On the other hand, and at the other end of the spectrum, we had the American Legion and other similar organizations proposing that the committee approve far more funds than proposed by the Secretary, Mr. McNamara, and the President.

These organizations favored more money for the RS-70, for the Nike-Zeus, and for a number of other weapons systems, plus additional funds for added personnel.

Mr. Chairman, the committee in its wisdom analyzed the recommendations by the President and Mr. McNamara as well as the proposals by these various organizations such as the American Legion and the group headed by Professor Melman. We came to the conclusion that the budget submitted by the President and Mr. McNamara could be bona fidedly and legitimately reduced to the extent of $1.9 billion against a request in this appropriation bill of $49 billion. This is a reduction of 3.9 percent.

Mr. Chairman, I would like to point out at this point that this reduction below the figures proposed by Mr. McNamara and the President constitutes the greatest dollar cut and the largest percentage cut since the consideration of the fiscal year 1958 budget for the Department of Defense. The overall reduction is $1,922,028,000 and let me assure you these dollar reductions are meaningful. For example, in fiscal year 1958 the House of Representatives, under the leadership of the chairman, the gentleman from Texas [Mr. MAHON] reduced the military budget by $2,565 million. This was a reduction against the total request of $36,128 million. Almost without exception since 1954 this committee has recommended to the House of Representatives reductions in appropriation bills for the Army, Navy, and Air Force. But I say again this cut this year is the largest dollarwise or percentagewise since the consideration of the 1958 fiscal year Defense Department budget.

Mr. Chairman, during the hearings this year Secretary McNamara was before the committee for a week or more. He had a very comprehensive statement. In some instances I took exception to programs that he recommended and dollars that he proposed in the budget. For example, I took exception to a statement made by the Secretary of Defense concerning our strategic retaliatory forces. Permit me to read what the Secretary said, in part, in his prepared testimony. It appears on page 311 of part 1 of the hearings:

> We are approaching an era when it will become increasingly improbable that either side could destroy a sufficiently large portion of the other's strategic nuclear force either by surprise or otherwise to preclude a devastating retaliatory blow. This may result in mutual deterrence, but it is still a grim prospect.

Mr. Chairman, these two sentences seriously disturbed me.

On page 312 of the hearings I asked Secretary McNamara this question:

> When do we reach this period of mutual deterrence which is a grim prospect?
>
> Secretary MCNAMARA. I think the date on which we reach it is difficult to pinpoint with any accuracy because in part deterrence is a frame of mind.
>
> Mr. FORD. Why must we assume that this is going to come to pass?
>
> Secretary MCNAMARA. Well, I have not assumed it. I have said "We are approaching an era when it will become increasingly improbable." I do not assume it is coming to pass. I believe we are approaching that era.
>
> Mr. FORD. Why do we have to approach that era? Are we so unimaginative, lacking in skill and diligence, to permit this to be upon us relatively soon?

After the response by the Secretary, I went on:

> Mr. FORD. In other words, you are saying that for technical reasons, scientific, engineering reasons, we have to assume that we are moving into an era of mutual deterrence.
>
> Secretary MCNAMARA. Again, when you add the word "assume," I am not trying to be excessively technical now, but I do not assume it; I believe it.
>
> Mr. FORD. I think that is even worse than assuming it.

In other words, if you read carefully what the Secretary has said in his prepared statement to the committee, he is telling our committee, the Congress, and the American people that we have reached a position of mutual deterrence as we confront the Soviet Union. I do not want to get into an argument as to whether one word or another or one phrase or another more accurately spells out what we are talking about; but there are many people who will say that mutual deterrence is identical with the phrase "nuclear stalemate" and other phrases that imply or infer the same thing.

I want the record perfectly clear. In my judgment, we are adopting the wrong attitude, a bad frame of mind, when we concede that we are inevitably in a period of mutual deterrence, regardless of what we do programwise and dollarwise.

As I read the Secretary's statement, and, furthermore, based on my interrogation of him, I had the distinct impression he is personally convinced that regardless of what we do we cannot avoid this condition of mutual deterrence or nuclear stalemate. I reject that philosophy, attitude, or frame of mind. I am convinced that American ingenuity, American initiative, and American industry can prevent this condition from taking place.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. FORD. Mr. Chairman, I yield myself an additional 15 minutes.

Mr. Chairman, the money provided in this bill will permit an end year military strength for all branches of the services of 2,695,000. This will provide an end strength for the Army of 975,000, the Navy 670,000, the Air Force 860,000, and the Marine Corps 190,000. It will also provide for a paid drill strength for all the Reserve forces of 969,900.

The total active duty manpower for the Army, Navy, Air Force, and Marines, although it is a figure of 2,695,000, the end strength will actually be 8,334 less than the end strength on June 30 of fiscal year 1963.

In my opinion, the reductions which have been made in the personnel account will in no way whatsoever prevent the Department of Defense and the various services from carrying out their planned personnel programs. In other words, each of the services, with the dollar reductions we have made, can maintain the active duty strength set forth in the President's budget.

Over the last 3 or 4 years, perhaps longer, in the personnel account for the Army, Navy, and Air Force, there has apparently been a dollar cushion. What is the evidence to substantiate that statement? For the last 3 or 4 years the Department of Defense and the various services have been able to absorb the added costs of various emergencies such as the Cuban crisis and the Berlin crisis.

In addition, the services have been able to take some obligational authority out of personnel accounts and transfer it to the emergency account for utilization elsewhere. Our committee looked at the past history and, based on the facts of the past made reductions in fiscal 1964 in the personnel accounts. If an emergency arises in fiscal 1964, an unforeseen contingency, and they need money, the proper procedure for the Defense Department is to come to Congress with a supplemental. Then all the facts can be determined on their merits. There should not be any water in this bill to meet contingencies and unforeseen circumstances for the future.

In the personnel accounts we made some extra reductions by transferring obligational authority from the stock and industrial funds to the personnel accounts. I know that the various services will complain that we have in effect depleted their inventories in the stock and industrial funds; that we have withdrawn too much cash. I formerly listened to those complaints with some sympathy. However we have made these transfers over the last 7, 8, and maybe 10 years. Each year the services said these transfers would create hardship on their inventories and would interfere with the efficient and proper utilization of the inventories and our cash balances. The facts then seem to be the contrary when the committee hears testimony the following year. Almost without exception, despite these withdrawals from the stock and industrial fund, the Secretary of Defense in the succeeding year recommends additional transfers. The committee in this bill simply says that the proposals for transfer by the Secretary and by the President were insufficient and, therefore, we recommend greater transfers. I do not think that the various departments can justify any criticism of this proposal.

The chairman has made some comments about the RS–70. The facts are set forth, I think fairly well, on pages 4 and 5 of the committee report. Through fiscal 1963 $1,750 million has been made available for the RS–70. Last year we provided $191 million over the budget request. Because of this overfunding last year, there is about $155 million available for fiscal 1964 and succeeding fiscal years for the completion of the RS–70 three-aircraft prototype program.

However, I am not sure they can complete the three-aircraft prototype program with $155 million. There have been extensive overruns, dollarwise. There have been extensive slippages in the overall program. I am convinced the Air Force will need more than $155 million to complete the three-aircraft prototype program. In order to take care of that situation we have a provision in the research and development part of the bill giving authority to use part of the Dyna-Soar funds if there is such a need.

Mr. MacGREGOR. Mr. Chairman, will the gentleman yield for a point of information on the RS–70?

Mr. FORD. I yield to the gentleman.

Mr. MacGREGOR. The gentleman has referred to certain slippages in the program. I think members of the committee would be interested in knowing from the committee on which the gentleman from Michigan serves when we might anticipate the first prototype RS–70 model to fly.

Mr. FORD. It is very difficult to be precise. If you ask the Department of Defense they would probably tell you in September. If you ask the Air Force they will indicate August. Based on the slippages of the past my own forecast is that the first flight will take place in October.

Mr. MacGREGOR. I thank the gentleman.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman.

Mr. MAHON. It might be pointed out that it was stated last year that the first flight would be in December 1962.

Mr. FORD. So there is almost a 9-month delay in the flight of the first aircraft.

Mr. LAIRD. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield.

Mr. LAIRD. If I were a betting man I would wager that it would not be until December.

Mr. COHELAN. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman from California.

Mr. COHELAN. The gentleman knows of my interest in this problem and my previous testimony as a member of the authorizing committee. I want to share the feeling of the gentleman from Wisconsin. I predict December, but I would like to ask the gentleman quite seriously if he can tell the committee a little more about what the problems are in connection with the slippage.

Mr. FORD. The principal technical problem in the aircraft is the fuel problem. They have had great difficulty with the sealing of the fuel tanks and fabrication of the aircraft. As a consequence, the authorities felt they could not fly the plane with safety. Until they lick these problems, they will not fly the first aircraft. I hope it is flown in October. The Department should finish the other two aircraft as rapidly as possible. We can derive tremendous benefit from the program. On the other hand to some extent, the program has been overcome by the passage of time, new technical developments, and tactics. In my judgment, we must complete the three aircraft RS–70 program, and Secretary McNamara has assured us this will be done. From the RS–70 we go on into new high performance, long-range, long-endurance, manned aircraft. There is a need and a serious need in this area even though it now appears that the RS–70 is not the particular plane for the responsibility.

Mr. COHELAN. Mr. Chairman, will the gentleman yield briefly?

Mr. FORD. I yield.

Mr. COHELAN. Mr. Chairman, I want to say that I concur heartily in what the gentleman is saying. I believe there is great benefit to be derived from the present planes that are in this research and development program. But again I commend the committee for its prudence.

Mr. AVERY. Mr. Chairman, will the gentleman yield before he reaches that particular point?

Mr. FORD. I yield to the gentleman from Kansas.

Mr. AVERY. I am sure the gentleman realizes that this particular subject is of more interest to more Members than any other he might touch on this afternoon. Can the gentleman tell us if there is any coordination in the research that has taken place at the defense level on the RS–70 or the B–70, call it what you may and the effort that we are reading about in the papers that is being expended by the FAA and the CAB in the development of a mach 2.5 or 3 commercial aircraft? Is there any coordination in the research or their two programs?

Mr. FORD. I happen to know that at the time the final decision was under consideration by the President, the Defense Department, NASA, FAA, the Commerce Department and other agencies were present to make the final recommendations. Yes, there will be some benefits derived from the RS–70 program in the development of the supersonic aircraft for commercial utilization. Most of the benefits, however, will be in the area of the airframe. The powerplants that are being produced for the RS–70, the engines, most likely will be of very little benefit to the supersonic commercial aircraft.

The RS–70 engines have been developed only for military purposes, where fuel consumption is a different problem, where noise is not a factor. When you build a supersonic commercial aircraft you have to land and take off in commercial airports. Noise is a factor under these circumstances. A supersonic commercial aircraft also has to be designed so that it will be commercially profitable. It cannot have an excessively high fuel utilization because if it does the operating cost goes up. So the powerplant in the supersonic commercial aircraft will be quite different from the RS–70 plane. I am told that of the $750 or $800 million that will be needed for the development of the supersonic commercial aircraft, almost $500 million of it will be for the development of the new engine to take care of these two points I mentioned.

Mr. AVERY. I thank the gentleman for yielding.

Mr. GUBSER. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman from California.

Mr. GUBSER. I was thinking of all programs development for weapons systems. The RS–70 is one. It has been decelerated or slowed down from what was originally contemplated. My understanding is that the Dyna-Soar program has been slowed down to some extent. The Skybolt program has been canceled. The Nike-Zeus program has been slowed down. I wonder if the gentleman could tell me of any additional development programs for weapons systems which have been slowed down, and if he could also tell me of any that have been speeded up.

Mr. FORD. The gentleman has asked a very important question. I must say at the outset, however, he has oversimplified several of the statements he made before he asked the question. On the other hand, I am concerned, and my concern is reflected in the committee hearings, that there have not been any major weapons system breakthroughs in the last several years. I did ask some questions on this point. The responses indicated that the Defense Department and the various services were trying to finish up some of the important programs that had been started in years preceding. On the other hand, the Department of Defense did provide a list that was prepared by the Director of Research and Development of so-called new weapons systems that had been initiated or speeded up or completed within the last several years. However, in my opinion none of these are what you might call a big dramatic weapons system breakthrough. This situation really bothers me when I look back at what the Secretary of Defense said about the condition of a mutual deterrence and the grim prospect of the situation we face.

Mr. GUBSER. I was about to ask whether or not it was the gentleman's opinion that this situation we have been alluding to might not be caused from a reliance on the mutual deterrent philosophy. I should like to ask the gentleman if reliance upon this delicate state of balance called mutual deterrence is not very easily upset by such a simple thing as, for example, deployment of as few as 41 missiles to Cuba and 41 IL-28 bombers to Cuba. Cannot the mutual deterrence theory be upset by the simple deployment of a very few weapons?

Mr. FORD. To honestly answer the question of the gentleman from California, I would have to take more time than I have on the floor today. Certainly, the deployment of Soviet forces and Soviet military hardware to Cuba within the last year have created a serious new problem in addition to the problems we already had. Certainly, the missiles that were deployed and erected and that were in the process of being erected in Cuba in September and October of 1962 created serious—dreadfully serious problems to the military security of the United States. How this situation relates to the overall problems of mutual deterrence is hard to be precise about at this time. But, it was certainly not healthy then and it would be a lot healthier now if all Soviet personnel and all Soviet hardware were out of Cuba right now.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I share the concern of the gentleman, if I read his feeling correctly, from his remarks about the fact that the past 2 or 3 years have seen no significant breakthrough in the field of weapons' systems. I just wonder if the gentleman would comment on the understanding which I believe exists, that the military role in space has been restricted, and that the license for deployment of weapons' systems in space have been very severely curtailed for the Armed Forces, and would the gentleman tell us whether he thinks this understanding is limiting the capacity of the Armed Forces to make a breakthrough in the weapons field?

Mr. FORD. There are many people in the military, particularly those in the Air Force who feel that we should be doing more in space. I think the facts are that our defense budget for fiscal year 1964 contemplates about $1,200 million for space programs in all three services, most of it going to the Air Force. What concerns me primarily is a tendency on the part of many people to say there is no military potential in space and, therefore, we are not going to do as much in space as we should. When you deny there is a military potential and seem to brush the problem aside, this attitude tends to hamper the imagination that many people would like to utilize in looking at the problem and finding solutions to it.

For example, about the only real space vehicle with any potential military value in the whole Defense Department program is Dyna-Soar. I concede it has no military potential right now. However, it is maneuverable. It is a program that our committee for the last 2 or 3 years has strongly urged for action by the Department of Defense. However, the Committee in February, when Secretary McNamara was before it, was astounded to find that there was a feeling in the Department that the program ought to be canceled and that the Air Force should go for Gemini. Subsequently Secretary McNamara and his advisers looked at the Dyna-Soar program at Boeing's plant. Apparently they came back impressed. So we have had less and less talk in recent weeks about the cancellation of Dyna-Soar. On the other hand, in this period from February to June, the alternative program, Gemini, which is not maneuverable has slipped badly. NASA has not been able to keep up the Gemini schedule. So the net result, in my opinion, it would be very unwise to cancel Dyna-Soar and to put all our chips on Gemini. In my judgment, if NASA wants to proceed with Gemini and if the Air Force wants to be a partner in Gemini, that is fine.

Mr. Chairman, on the other hand, it would be most unwise to cancel Dyna-Soar and put all our eggs in the Gemini basket. This would not make sense as far as I am concerned.

Mr. EDMONDSON. Mr. Chairman, if the gentleman will yield further, I certainly appreciate the gentleman's remarks along that line. I hope that the gentleman would agree with me that advanced technological programs designed to provide the ability to maneuver in space are a very essential part of our preparedness picture for the future and should be pressed progressively by the Armed Forces and supported further by the Secretary of Defense.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. FORD. Yes, I yield to the gentleman from Texas.

Mr. MAHON. In order to have the point made at this place in the remarks, there is in the bill $1.2 billion for space activities to the military.

Mr. FORD. I agree that we have a substantial amount in the bill for military space programs. There is $125 million of it in Air Force research and development for Dyna-Soar. As I said a minute ago, I hope we continue with Dyna-Soar.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman from California.

Mr. MILLER of California. I am quite interested in the gentleman's remarks, because they leave the connotation that the space effort is perhaps trying to limit what the military is doing. I am certain that the gentleman from Michigan does not want to leave that thought, but that there is coordination between the two and that NASA works very closely with the Air Force. I am sure that the gentleman would not want to see a duplication of effort just so that one branch of the Government can say that it is ahead of the other in some program.

Mr. FORD. I do not want the inference left that we should not have a sound civilian space program. On the other hand, the facts are that in many respects there has been a lack of cooperation and excessive duplication between the defense program and NASA. There is a Department paper available, prepared by responsible people, which clearly sets forth that as far as the Atlantic Missile Range is concerned, NASA and the Defense Department were spending money, wasting effort that could not be justified. Each department or agency wanted the same facilities and the same responsibilities. This duplication cannot be condoned. I hope and trust that something is being done about it. We have been assured that there is an effort in that direction.

Mr. LAIRD. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Wisconsin.

Mr. LAIRD. I would like to call to the attention of our colleagues in the committee a series of questions that the gentleman from Michigan [Mr. FORD] directed to Dr. Brown, head of research and development for the Department of Defense on this very question of coordination between NASA and the Department of Defense. The colloquy begins on page 157 of part 6 of the hearings. The gentleman from Michigan [Mr. FORD] went into some detail in this particular area. Anyone reading this hearing record could come to no other conclusion than that the Department of Defense and NASA do not have proper coordination, as Dr. Brown felt that it was not his responsibility to review NASA programs and facilities and he did not think it was their responsibility to review his.

Mr. Chairman, I would commend the reading of this particular record to every interested person here in the Congress, because the gentleman from Michigan [Mr. FORD] has made a very good and clear record on this subject of coordination between Defense and NASA.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. FORD. Mr. Chairman, I yield myself 10 additional minutes.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield further?

Mr. FORD. I yield to the gentleman from California.

Mr. MILLER of California. I am sure that the gentleman is familiar with the fact that NASA and Department of Defense have worked out an agreement for the use of their respective activities at Cape Canaveral; that NASA has acquired land at Cape Canaveral perhaps greater in extent than the original cape, and that part of this will be used by the Air Force; that they have worked out these agreements and that it has taken some time, but on the working level they have worked them out.

All we are interested in in NASA is to keep the program for the peaceful use of outer space going, and to make sure there is no duplication on the other side. We have heard a lot about Gemini and the Defense Department being interested in Gemini. Now, Gemini, in no sense of the word can be compared with Dyna-Soar. It is not supposed to be, and we hope to bring about through main space vehicles that will make space stations.

Mr. FORD. May I say to the gentleman from California I am in favor of the civilian space program, but I do not want NASA taking over, and dictating and running the Defense Department space program. When the Authorization Act, the basic law, for NASA was drafted, I was on the select committee that drafted it. We were very careful to make certain that NASA would not take over the proper responsibilities of the Department of Defense in space. I do not want NASA, with its growing pains, overreaching itself. Unfortunately, there is some evidence it has.

Mr. GUBSER. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman from California.

Mr. GUBSER. I would like to cite a case in point. A few months ago members of the Armed Services Committee went to the Redstone Arsenal in Alabama to study a proposal by the Army for a guidance control laboratory. I was surprised to find that at this Army installation more than $51 million in assets had been transferred to NASA, along with 3,100 competent scientific personnel. A tremendous complex has been built there by NASA at the Marshall Space Center. Now we are being asked to build duplicate laboratories for use by the U.S. Army in its missile program, when right across the street we have NASA doing the same kind of work. I think that is an example of lack of coordination between the NASA and the Defense Department.

Mr. FORD. I would like to say a word now about Nike-Zeus.

Nike-Zeus, as all of you know, is our only serious antimissile weapon program. Thus far through fiscal 1963 we have made available to the Defense Department $1,454,600,000 for the Nike-Zeus program. In the bill that you have before you there is an additional amount of $88,955,000 for Nike-Zeus. On the other hand, there is $245 million requested for the follow-on program of Nike-Zeus, now known as Nike-X.

It has been determined that Nike-Zeus would not be capable of handling air defense problems presented by the newer version of ballistic missiles. It was therefore determined that improvements had to be made in the basic concept.

Within the last 6 months or a year we have developed a better missile for Nike-Zeus, called Sprint, and we have developed a far better radar. Both the new radar and the better missile are not hardware yet.

When they do become hardware we will be in a position to determine whether or not we should go from research and development in either Nike-Zeus or Nike-X to procurement and production.

May I add this footnote, and this is important: Look at the testimony given by Dr. Harold Brown, Director of Research and Development. He categorically says that we should not spend one penny on procurement for Nike-Zeus or Nike-X unless we go into a big civilian defense program of fallout shelters. It is in the testimony categorically—no Nike-X, no Nike-Zeus procurement unless the Congress is willing to embark upon a big fallout shelter program. So, if there are enthusiasts for Nike-X or Nike-Zeus, they had better be enthusiasts for a fallout shelter program of considerable magnitude.

One comment or two about Army modernization. I think we are going too fast. In fiscal 1962 the Army had in the account for the procurement of missiles and Army hardware $2,500 million. In fiscal 1963, in the Pema account there was approximately the same availability. In fiscal 1964 the Department asked for $3,200 million. This is about a $700 million increase in funds for the Army in the procurement area. I think this is proceeding at too rapid a rate. In this bill before you there are reductions in the Army Pema account of $232,906,000. In my judgment the reduction could have been greater. We could have slowed the modernization program without any serious handicap to our military capability. We do not have to modernize in 1 or 2 years. We can do it over a slightly longer period of time. This would not necessarily save any money but it would have a better impact in my opinion on our overall fiscal situation.

In this program before you, this bill that you are about to vote on tomorrow, I indicated there were approximately 1 million men in a paid drill status for the various Reserve Forces. In the Army National Guard we have provided language in the bill and language in the report which calls for a program strength of 400,000. In the Army Reserve we recommend in the bill and in the report a program strength of 300,000. However, it is not anticipated that in the Guard or the Reserve they will reach 400,000 or 300,000. We have not put money in to finance the total of 700,000. The President requested and the Secretary of Defense recommended funds only sufficient for a Guard strength of 384,400 and a Reserve strength of 281,000, or a total strength of 665,400.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. FORD. Mr. Chairman, I yield myself 5 additional minutes.

On the other hand, the committee says on page 10 of the report that if the Guard and the Reserve can meet the higher figures, that a supplemental request should be made to the Congress, and the committee would be sympathetic in its consideration of the proposal.

The reason the President and the Secretary of Defense opposed more money for the Guard and the Reserve is that new criteria have been established for recruiting. At the present time the Guard and the Reserve when recruiting must meet the same standards that are imposed on men seeking to join the active Army. In addition, the Guard and the Reserve cannot have overstrength in certain areas and understrength in others. Both of these criteria in my opinion are sound. I, therefore, subscribe to the dollar amounts and the program that we have submitted to you in this bill.

May I add a word or two about section 539 of the bill? It is the provision that refers to 35–65 for Navy ship repair, alteration and conversion. Last year at the time this bill was considered we had a real donnybrook on the floor because the committee at that time had recommended a very rigid program of 35 percent for private yards and 65 percent for Navy yards in the area of repair, alteration, and conversion. The gentleman from Georgia, the distinguished chairman of the House Committee on Armed Services, objected to this provision. We had extensive debate. We had a teller vote and on the teller vote the Committee on Appropriations was upheld by a vote, as I recall, of 130 to 64—better than 2 to 1.

When the bill went over to the other body the Senate made a change in the language and provided an escape clause. In conference we in the House agreed to the original language with the escape clause to provide the Secretary of Defense certain flexibility, whereby he could set aside this 35–65 formula if there was an emergency.

As the chairman, the gentleman from Texas, indicated, the provision that was in the 1963 law which President Kennedy and which Secretary of Defense McNamara endorsed could not be brought to the floor of the House because of a parliamentary situation. If this language which is in the 1963 law were before you today and tomorrow it could be stricken on a point of order because of the escape clause. In order to avoid this problem, the committee has written new language which is not entirely satisfactory to me. On the other hand, the language in the committee report is very categorical; the Secretary of the Navy and the Department of Defense are to live up to the allocation of 35–65. As the chairman, the gentleman from Texas [Mr. MAHON], indicated, we have assurances from the Secretary of the Navy that the Navy will live up to the 35–65 split. There is no mistake about these assurances.

What is the justification of 35–65, the allocation of 35 percent of the repair, alteration and conversion funds to private yards and 65 percent to Navy yards? There is ample evidence to justify the

35-65 provision. Admiral James in testifying before the committee on the bill for fiscal year 1963, part 4 of the hearings, pages 248 and 249, said that if they took all of their Navy shipbuilding program and put it in private yards and put none in Navy yards the Bureau of Ships could save $70 million.

Admiral James, who was the head of the Bureau of Ships in testifying on the fiscal year 1962 bill, part 5 of the hearings, page 271, estimated that savings of 8 to 15 percent could be made if repair, alteration and conversion were done in private yards in preference to Navy yards.

This issue was so controversial last year that the Navy decided it would make a check and produce an unbiased report. The Navy hired the very reputable accounting firm of Arthur Anderson & Co., of Chicago. They spent $200,000 to have an unbiased judgment made of the relative cost between private yards and Navy yards.

Here is a copy of the Navy analysis, for which they paid $200,000. This report categorically says that the Navy yards—the 11 of them—are far more costly to the taxpayers than the private yards in every category whether it be new construction, repair, alteration, or conversion. This report indicates that the Navy yard costs compared to the private shipyards ranged in excess of 5 percent for alterations to over 30 percent for types of new construction, and includes a 10-percent add-on for ship repair.

The Secretary of the Navy endorses this report; the Secretary of Defense is impressed with it. Once and for all it proves that Navy yards for some good reason are more expensive, more costly than private shipyards. Therefore, how can anybody argue legitimately that we should not provide that the private yards have at least 35 percent of the repair, alteration, and conversion funds?

I should like to say a word or two in anticipation of some comments that might be made by other Members of this body later on. In the fiscal year 1963 the naval shipyards, despite the 35-65 distribution, had more dollars assigned to them for repair, alterations, and conversions than they have had in any year since 1959. According to the Navy's own figures, in this current fiscal year the Navy shipyards will have almost $602 million in the Navy yards for repair, alterations, and conversions. This is a larger figure than any year since 1959.

If the appropriation bill before you is approved as it is, in fiscal 1964 the Navy shipyards under a distribution of 35-65 will have more funds available than any year since 1957.

It was inaccurate to say, that under the fiscal 1963 35-65 program there would be a cutback of 5,000 Navy shipyard employees. This was the prediction last year as we debated the bill. Furthermore, under the fiscal 1964 program there can be no cutback in personnel in Navy shipyards because of 35-65 alone.

The Bureau of Ships will have much more money than they have had in past years. The division of funds based on 35-65 in and of itself will not interfere with the shipyard employment in the Navy shipyards.

The CHAIRMAN. The gentleman from Michigan has consumed 1 hour.

Mr. FORD. Mr. Chairman, I ask unanimous consent to proceed for an additional 5 minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. WHITTEN. Mr. Chairman, will the gentleman yield?

Mr. FORD. I am glad to yield to the gentleman.

Mr. WHITTEN. In this connection, and I think the gentleman has made a very fair presentation of the division of the funds made available, I would hate for this subject to close without making it clear that involved here is the defense of the country and the necessity of keeping the Government Navy shipyards open and available. Also, I would point out that there is involved here the matter of whether strikes can be carried out or whether they cannot.

Further, the committee, as an arm of the Congress, is faced with the necessity of keeping both the Government Navy yards and the private shipyards available and in healthy condition so that if strikes do come along, we can turn to the Navy Government yards and, on the other hand, if they do not come that we keep the other yards alive and available. I suggest that the question of the money involved and the question of employment is not the sole criterion on which the committee must act.

Mr. FORD. I am sure the gentleman from Mississippi knows very well I am not interested in trying to gut, so to speak, the Navy shipyards.

Mr. WHITTEN. I think the gentleman has been most fair in his attitude. But I just want to point out here that it is not a case of who works and who does not work and who gets money and who does not get money. The question is, how to keep both the Government Navy yards and the private yards available in a time of real need.

Mr. FORD. We do need an adequate—a wholly adequate—Navy shipyard program. But, on the other hand, they must be competitive with private yards if the taxpayers are to get a fair break. We need Navy shipyards in order to have a base in time of war. We also have a need for Navy shipyards in case there is a nationwide strike in the private yards. On the other hand, we must point out in fiscal year 1963, this year, the Navy yards in repair, alteration, and conversion are going to have almost $602 million. Furthermore, if the Department divides the proposed funds in fiscal year 1964 on the basis of 35-65, the Navy yards will get approximately $655 million which is a bigger amount than they have had since 1957.

Mr. Chairman, in conclusion I want to say without hesitation or qualification that despite the reductions made by this committee in the consideration of the military budget, in my judgment, the Defense Department in every respect will be fully prepared and totally adequate to provide this country and the free world with sufficient strength to meet any emergency. I am convinced also that the reductions that we have recommended will help Secretary McNamara in his diligent and conscientious efforts to achieve economy and to achieve efficiency in the Department of Defense. It would have been a mistake to rubberstamp his recommendations and the recommendations of the President. The Congress has a responsibility to act independently on Defense Department programs, policies, and dollar requests. Defense Department views are not sacrosanct. We want to help the Secretary. We want to aid him. We want to cooperate with him in his desire to achieve maximum results with the funds available. I am convinced that by these reductions of about 4 percent—selective reductions and across-the-board reductions, he can do a better job than he would have been able to do with the larger amount and furthermore these reductions will help, not impair, our defense programs.

Mr. SHEPPARD. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. COHELAN].

Mr. COHELAN. Mr. Chairman, while the bill before us today does not include all the items in the degree to which the Armed Services Committee felt necessary, I would like to commend the distinguished members of the committee for the excellent job they have done.

In particular I would like to commend them for their wisdom in refusing to recommend additional appropriations for the RS-70 aircraft over and above the $155,800,000 which already remains available in that account.

Mr. Chairman, as the House will remember, several of us on the committee strongly opposed the addition of $363 million for this program, when the authorization was debated earlier this year. We opposed this addition on the ground that the limited amount of added defense value would not warrant the enormous ultimate expenditures required.

I am delighted that the Appropriations Committee, following their extensive appraisal, has seen fit to confirm our judgment.

Mr. SHEPPARD. Mr. Chairman, I yield 20 minutes to the distinguished gentleman from Florida [Mr. SIKES].

Mr. POOL. Mr. Chairman, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from Texas.

Mr. POOL. I would like to have some comment on the legislative intent of this "not to exceed" and "not less than" argument which has been going on with reference to this 65-35 percent formula.

Would the gentleman care to give us some comment on that at this point?

Mr. SIKES. That argument has been going on now for some 15 or 20 minutes. I think possibly the Committee would like to have this in broken doses and would just as soon hear about something else for a little while. But, in substance, the crux of the matter is this: Regrettably the American merchant marine has just about priced itself out of business worldwide. There is less commercial shipbuilding in this country, there is less commercial ship repair work in this country. The private yards very seriously need additional work. So they are trying to move into the fields previously done largely by the Navy shipyards. That has brought about the controversy. I do not think there is too much question about a desire on the part of the committee to have both of them participate. There is fairly general agreement that the 65-35 percentage split is a fair division. There is some concern about the ability of the Navy to keep a proper in-house capability, under these terms and I would not want to see this go any further than it goes now. We must realize that a Navy in-house capability is essential because the Navy must undertake a lot of cats and dogs of ship repair work that the private yards do not want to bother with. Therefore a broader range of skills and more equipment are necessary in Navy yards. The Navy yards must be able to perform any requirement. That is the principal reason it costs more to do work in a Navy yard. The private yards get the pick of the work.

There are many aspects of this, but obviously it is essential to preserve an in-house capability in Navy shipyards. Here there is an accumulation of skills acquired over many years and not surpassed anywhere.

When we seek to insure a continuation of the availability of these in-house skills, we are not thinking of jobs alone. We are thinking of careers, of useful service, of homes, and families. We are thinking of people who pay taxes just as do corporate interests and their employees. We are thinking of the times when private yards may be closed by strikes; a situation impossible in Navy yards. We are thinking of emergency periods when shipbuilding and repair is accelerated, when such contracts are more remunerative, and when private yards no longer want Navy work. Then if our in-house capability were not available the situation would be serious indeed.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. SIKES. I am happy to yield to the distinguished gentleman from Texas.

Mr. MAHON. I thank the gentleman for making a clear statement, as I see it, of this provision. Saying it another way, I would say to the gentleman from Texas that it is the purpose of the proviso to which he referred to carry on a program of ship alteration, conversion, and repair on the basis of 65 percent to the public yards and 35 percent to the private yards. This will be the rule unless a national emergency of some kind should come about requiring the setting aside of this division of work in the interest of national defense.

Mr. SIKES. And there was testimony by Navy witnesses that had the Cuban crisis continued just a little longer, it would have been necessary to set the limiting proviso aside; that in a national emergency it just is not workable.

Mr. POOL. If the gentleman will yield further, the gentleman thinks this is the best possible percentage figure, 65-35?

Mr. SIKES. That is the conclusion of the committee.

Mr. Chairman, this bill comes to you nearly $2 billion below the recommendations of the Department of Defense and the Bureau of the Budget. I am concerned that in some areas the cuts may be too great. Particularly is this true in the field of research and development. Now I know there can be and there probably is waste in research and development. But, I know too that tomorrow's weapons are being developed today in the field of research and development. I know that the improvements which can keep some weapons current and avoid the costly process of scrapping and replacement are taking place in research and development. So, this is a field about which I am disturbed.

Nevertheless, we are providing a great deal of money for defense; $47.092 billion can undoubtedly make a substantial contribution to the defense of America and the free world. Yet, for the first time in a number of years we are appropriating less than in the prior year. We have followed a pretty definite pattern of appropriating a little more each year than we did the year before. Now this has been reversed. I hope it is not a temporary situation and that world conditions will permit a continuation of the downward trend.

The increasing expenditures of the past few years have not been in vain. We have clearly made significant improvements in our defenses in that period. This has been reflected in a new spirit and a new confidence on the part of the free world alliance. While our allies have gained in confidence, the picture of world communism has begun to fade and tarnish. Today America has the best balanced defense, the most complete defense, the most modern and effective defense we have had since World War II. This was best illustrated last October at the time of the Cuban crisis. There America was able to carry out the most significant buildup ever attempted in peace time. It showed an amazing degree of coordination between the services and proved that we could launch a devastating attack within days. We had known for a long time that we could launch air and missile strikes of tremendous magnitude almost instantaneously. Now we know that we can also launch land and sea attacks without the long, slow buildups which previously have accompanied America's military efforts.

I can state categorically that the military strength poised for a strike against Cuba, had it been necessary, was in the magnitude of a major military operation. Even so, we are not out of the woods. The Air Force called in a substantial part of their Reserve Forces for this operation. The Army and Navy both testified in these hearings that a similar callup would have been necessary had the operation been expanded or had there been a second such operation simultaneous with the Cuban buildup. We have made very considerable progress in giving America an absolutely first-class defense. We cannot relax in our efforts. We must keep those efforts moving. Defense does not stand still. There is no such thing as a second best defense. We must constantly raise the standards of our fighting men and the weapons with which they fight. Our enemy is not standing still.

Achieving tomorrow's defense today, or even achieving today's defense today, is much more than a matter of holding hearings and passing appropriations bills. There are some areas which simply refuse to respond, no matter how great the effort. One of these has been in the area of antisubmarine warfare. The committee has repeatedly urged a more vigorous effort on the part of the Navy in coping with the problem of antisubmarine warfare. There is no reason to believe that there is any lack of effort on the part of the Navy or the Department of Defense to master the problems in this field. Yet, those problems continue. This is the area of our greatest weakness and greatest danger. Science simply has not been able to cope with the problems of undersea detection. There have been improvements, but Russian submarines are improving faster than detection methods.

This year the committee has again provided all the money that has been requested other than the percentage cuts. And we have again urged greatest effort in coping with the problem. Perhaps an entire new look is indicated—with new minds and new thoughts and new techniques. Whatever is required, we must provide a way to meet this challenge. It could be our undoing.

The inability of the Navy to locate the sunken atomic submarine, *Thresher*, for such a long time points to the extreme problems encountered in submarine detection. The menace of submarines to the security of the United States cannot be underestimated. Though progress has been made in submarine detection, it is less substantial than in any other field of warfare. Instead of significant new breakthroughs which have characterized nearly every field of warfare, there have been only limited improvements in systems in use 20 years ago.

The difficulty lies in the fact that submarines operate in water where sound is the most reliable device for detection and sound transmittal in water is slow, limited, and affected materially by the thermal layer. Two factors are of particular consequence in the tragedy of the unfortunate *Thresher:* great depth, much below normal operating depths of submarines, and the fact that she is dead in the water. No sounds are being given off for detection devices to pick up.

Another area which may have equal significance within a very short time is that of defense against missiles. The Russians have made strong claims about their antimissile weapons. They have demonstrated a superiority in some fields of space activity; it would be unwise to discount too drastically their claims on missile defenses. The nation which first develops an effective defense against missiles has neutralized the missiles of every other nation and in effect, has other nations at its mercy. For a number of years we have sought to develop an antimissile capability, primarily through Nike-Zeus. Now there is a feeling in the Pentagon that this weapon will not give us a sufficiently satisfactory capability to defend against missiles and bypass weapons and their variations are being studied. There is doubt in many quarters that enough effort is being placed in this field. There is a feeling by such top nuclear physicists as Dr. Edward Teller that there is too much go-it-alone on missile defense efforts; that we should enlist the scientific minds of our allies in a command effort to develop an effective defense. If we do not go ahead vigorously and successfully in this field, we may soon be left far behind. This would be an invitation to disaster.

In the past year or two there has been a reorganization of Reserve components. New requirements have been imposed to bring them up to the same standards that are observed by the Regular Forces. All of this is intended to sharpen the effectiveness of the Reserves and to make them more immediately available in time of emergency. They have taken these requirements in stride. They stand ready to rally to the Nation's defense at any moment. But, because of the new standards which they must live up to, there has been a drop in the number of people participating in drill pay activities. We now have fewer than the 700,000 which has been considered a standard for a number of years. There is, however, a change in the picture. For years we have had to fight for an agreement that the Reserve components would be maintained at a level of 700,000. This year the Department of Defense has agreed that this is the desired goal and that funding for this figure will be made available as needed. This is a definite improvement in the field of understanding between Congress and the Secretary of Defense.

One of the important areas discussed in this bill is that of research and development on tomorrow's aircraft. There is considerable doubt that the United States is placing sufficient emphasis on the new mach 3 concept of aircraft. Usually we think of the RS-70 when we discuss aircraft in this field, but it should be stressed that mach 3 aircraft are not limited to the RS-70. Stepping over into the commercial side of the picture, President Kennedy's statement that the United States should proceed immediately on the development of a U.S. supersonic plane is gratifying. Aviation experts in this country have been disturbed by the fact that there has not been enough emphasis from Government on commercial aircraft development. France and Britain have been stressing such a program and aircraft engineers concede their superiority today. The Russians have, of course, stressed jet development, and they were among the first in the field. While the President spoke of an aircraft that would reach twice the speed of sound, aviation officials long have stressed the need for the United States to build up a mach 3 transport to travel at 2,000 miles per hour. U.S. airlines already are buying British and French transport aircraft. This is an indication of the superiority achieved through stress of advanced design by government in those countries. A capability achieved in military fields on mach 3 aircraft will, of course, have value in the commercial field as well. This we help to provide through money in this bill.

In defense, as in warfare, no one can say what tomorrow will bring, or what tomorrow's requirements will be. Without proper weapons and equipment, bravery and skill may fail. But, regardless of the adequacy of the weapons, there cannot be victory unless there is a will to win and unless there is skill in handling the complex weapons which are associated with modern defense requirements. The United States is doing far more for its military personnel and their families than any other nation has ever done. But in this country the contrast is not in what is being done by other nations, but with what is being done by industry. In thousands upon thousands of instances, personnel trained at Government expense for the military forces have been lured away by high pay and attractive working conditions in industry. In many of those cases, the higher cost of personnel is charged back to the Government on cost plus contracts by industry, but that is another story. We want to keep service in the military forces attractive as a matter of national pride. We have to do so as a matter of simple necessity to secure qualified personnel for national security. A pay raise bill is one essential feature. It has passed the House. Good living conditions may be the next most overlooked area of military service. This comes under another bill. There should be greater emphasis throughout on patriotism, prestige, and the great traditions of the service. Pride of organization and pride in the service should have greater recognition in and out of the military forces.

The military forces are, of course, a prime target for those who write sensational stories. I read a recent column entitled "Billion-Dollar Blunders" in one of the Sunday supplements. It has started heads to shaking and tongues to wagging with such statements as this:

> Men have even died in South Vietnam—on the altar of service jealousy—merely to win an advantage over a sister service.

This is a reprehensible statement which I challenge on its face.

Mr. FORD. Mr. Chairman, will the gentleman yield?

Mr. SIKES. I yield to the distinguished gentleman from Michigan.

Mr. FORD. I read the article that appeared in one of the Sunday papers last weekend. I was astonished; I was appalled at the looseness of the charges which were made. In my judgment—in most if not all of the instances—the charges, the allegations were unfounded and without proof. I think it is tragic and unfortunate that a headline like that, an article like that will cast a wrong impression on the fine people, both military and civilian, serving in the Department of Defense in each of the military Departments. All America should be extremely proud of our men in uniform. They are patriotic, dedicated, well trained and extremely competent. I am certain Secretary McNamara would agree. America is fortunate to have these men heading up our military services.

Mr. SIKES. The gentleman is so right. There are no people more dedicated than those who serve in the Armed Forces. There are no people more honorable than those who serve in the Armed Forces. They constitute a group whose integrity is essential to the safety of this Nation. To charge that men who serve in uniform have caused their brothers in the service to be killed through service jealousy is inexcusable and wholly without foundation.

In this same column there is this statement:

> Behind the military maneuvering on Capitol Hill is a story of appalling waste, of misspent millions, which have disappeared down the Pentagon drain like so much green garbage.

Mr. Chairman, everyone knows there is waste in war. There is waste in preparation for war. It is a built-in liability which will never be stamped out. This is an era of sophisticated weapons. Their effectiveness cannot be determined without testing, and oftentimes it costs great amounts of money to reach the testing stage on today's complex weapons. Sometimes they have to be washed out and the investment is lost. But even so we cannot rely on yesterday's weapons. We must continue to develop new ones even though it costs a lot of money and some of it is lost. But, I happen to know that the tightest rein in modern history is being exercised over expenditures in the armed services by Secretary McNamara and his staff. I happen to know that congressional committees, House and Senate, are constantly seeking ways to eliminate waste. A lot of progress has been made. For anyone to make a wild statement which indicates waste is predominant in the armed services is ridiculous. But, I can say that any charges of waste, which have the slightest substantiation, will be promptly and thoroughly investigated both on Capitol Hill and in the Pentagon. Unfortunately, you can not investigate a blanket charge.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. SIKES. I yield to the gentleman.

Mr. ANDREWS. The gentleman will recall that Secretary McNamara invited members of our committee or any other Members of Congress to call his attention to any specific cases of waste or fraud and that those cases would be given his personal consideration.

Mr. SIKES. That is correct. I think the same invitation is extended to the press.

In the article is this statement:

> Storerooms hold nearly $5 billion worth of spare parts for canceled and antiquated weapons alone.

Of course, there are unneeded spare parts, not all of them for canceled and antiquated weapons. But, if war were to come tomorrow, there would be a desperate need for spare parts. In most instances they cannot be bought off the shelf. They have to be manufactured on special order. War is a great consumer of materiel. Once war breaks out, it is too late to order spare parts. Spares now are being purchased at the lowest levels in modern history. This is a deliberate gamble to avoid an unnecessary buildup in spare parts, but it is also a gamble that could get us into trouble. The military forces do not buy spare parts for the sake of having them on hand. They are bought so our forces can have weapons and equipment with which to fight when war comes. Some, inevitably, will be left over.

The author takes a slap at the use of helicopters in Vietnam. Every Army man and I think every serviceman who has had duty in Vietnam blesses the day the decision was reached to use them. It has given the Vietnamese a mobility which could not have been achieved in any other way; it has eliminated the necessity of foot slogging across rice paddies and jungles which would have crippled the activities of anti-Communist Vietnam operations; it has saved the lives of many Americans by giving Government forces advantages over the Communists they could not have had in operations limited to ground movements. The fact that one bad estimate exposed helicopters to heavy enemy fire, with loss of lives and equipment, does not mean hundreds of other helicopter operations were not a success and in fact, they have been tremendously so. The article is riddled with inconsistencies which cast doubt on the whole structure and personnel of the Armed Forces and undeservedly so.

Mr. Chairman, Americans are being killed in Vietnam. On tomorrow the dogs of war may be unleashed in other parts of the world. This committee has brought you a bill which will give our people the weapons with which to fight and help to give them the will with which to fight. There is not much more than that which we can do, but let us be sure that we have done what we can. Let us be critical of them when there is reason for criticism. Let us insist on standards of the very highest order. But, let us also be sure that our servicemen know we have pride in them, confidence in them, dependence on them.

Mr. FORD. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. OSTERTAG].

Mr. BOW. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Fifty-three Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 89]

Ashley
Baker
Bass
Blatnik
Bray
Brown, Calif.
Buckley
Burkhalter
Celler
Clark
Colmer
Davis, Tenn.
Dawson
Diggs
Dulski
Edmondson
Edwards
Forrester
Hanna
Harris
Harvey, Ind.
Hays
Healey
Hébert
Herlong
Kilburn
Lindsay
Lloyd
Long, La.
McDade
Miller, N.Y.
Monagan
Morris
Nix
O'Brien, Ill.
Patman
Pepper
Poage
Powell
Quillen
Rains
Riehlman
Rodino
Roosevelt
St Germain
Shelley
Sullivan
Talcott
Taylor
Trimble
Vinson
Watson
Widnall
Wilson, Bob
Wilson,
Charles H.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. KEOGH, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 7179, and finding itself without a quorum, he had directed the roll to be called, when 376 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. OSTERTAG].

Mr. OSTERTAG. Mr. Chairman, I assume that the quorum call was made on the basis that this tremendously large appropriation bill, amounting to some $47 billion, was worthy of the attention of the Members of the House.

At the outset, I want to take this opportunity to pay tribute to the chairman of our subcommittee, the gentleman from Texas [Mr. MAHON], and to the ranking minority member of our committee, the gentleman from Michigan [Mr. FORD], along with the gentleman from California [Mr. SHEPPARD], the gentleman from Florida [Mr. SIKES], the gentleman from Mississippi [Mr. WHITTEN], the gentleman from Alabama [Mr. ANDREWS], the gentleman from Pennsylvania [Mr. FLOOD], and the gentleman from Texas [Mr. THOMAS], as well as the gentlemen on my side of the aisle on the committee, in addition to the gentleman from Michigan [Mr. FORD]; namely, the gentleman from Wisconsin [Mr. LAIRD], the gentleman from California [Mr. LIPSCOMB], and the gentleman from Ohio [Mr. MINSHALL].

Mr. SIKES. If the gentleman will yield, I want to be sure nobody overlooks the gentleman from New York who now has the floor. He does a great job also.

Mr. OSTERTAG. I thank the gentleman.

Mr. Chairman, the work of this subcommittee is long, arduous, and taxing. As you can well imagine, in the consideration of the defense appropriation bill for 1964 it required many, many hours of hearings.

As a matter of fact, it represents not only many months of strenuous hearings, but the testimony involves some six volumes which has been reported and made available to the House. I might say, too, we bring to you today a unanimous committee report and our recommendations are predicated on a unanimous basis. As has been indicated, Mr. Chairman, the original budget request, the defense budget for 1964, amounts to $49,014 million. Your committee has approved and brings to you, a bill amounting to $47,092 million which is a net reduction in the overall Department of Defense appropriation bill, 1964, of $1,922 million.

Mr. Chairman, although the subject has been rather capably discussed and described here today, in breaking down the reductions made by your committee, I might point out that it calls for a reduction of $387 million in the field of personnel. But that is achieved mostly by transfer of some $247 million from the stock fund and a net reduction of $140 million in personnel funds. The operation and maintenance fund was reduced by $114 million. But the largest reduction made in this budget is in the field of procurement which amounts to $1,048 million and in the field of research, development, test and evaluation the reduction amounts to $373 million.

Mr. Chairman, in this world struggle between communism and freedom we have constantly recognized, I am sure, the dangers of an all-out nuclear war and our security has been our prime and major concern. We, the people of the United States, as the leader of the free world, have been and must continue to be in the forefront in military capability and supremacy. Many far-reaching and fantastic developments have taken place in recent years—costly developments which have held the defense appropriations at a relatively high level for the past decade. This is an important factor which has enabled the United States to maintain a position of military superiority over any other nation or power in the world. I am confident, Mr. Chairman, that this defense appropriation bill now before us will provide for the security of our country through the means of its continuing support of the policy of military supremacy. The Secretary of Defense spent several days before your committee followed by the Chiefs of Staff and the civilian and military heads of the respective services.

Mr. Chairman, the Secretary presented a very comprehensive statement and report on the military picture, the strategy, the change in roles and missions, as well as an assessment of the international situation as it bears on policies and programs. Testimony covering the several areas of the world can be found in the transcript of our hearings, including such subjects as strength and weakness of the Communist bloc, impact of the defense program on the economy, balance of payments, present U.S. strategic retaliatory capabilities and our future strategic retaliatory force.

Our report, Mr. Chairman, and the defense appropriation bill which is before us is divided into what might be termed four titles; namely, "Military personnel," which amounts to about $12.9 billion; "Operation and maintenance of our Military Establishment across the board," which amounts to $11.7 billion; "Procurement—that is the hardware—and our weapons as well as general procurement, which amounts to nearly $16 billion. Last but not least is "Research, development, test, and evaluation," which amounts to about $7 billion.

Mr. Chairman, the subject relating to military personnel has been covered thoroughly, although I might point out to the Committee that this subcommittee made no change in the end strength of our military personnel, which I believe the figure comes to somewhere in the neighborhood of 2,695,000 in military personnel of all services. I shall not discuss it further except to point out that the bill does not include funds which will become necessary to meet the pending military pay raise now before the Congress. I believe the estimates of that increased cost to meet the military pay raise which will eventually become law amounts to about an additional $1.4 billion in annual costs. But this bill does include $1,163 million which is estimated as the amount required to meet the obligation of military retired pay. Incidentally, I might mention that the testimony before our committee projects the annual cost of retired pay by the year 1970 to be about $2 billion. I repeat that by the year 1970 our obligation in meeting the military retired pay will reach the $2 billion mark.

Now, Mr. Chairman, I want to say a word about defense procurement, which takes the biggest chunk of our defense dollar. This is the area where your committee applied the largest reduction in the budget estimates. As has been stated previously, the committee has made certain specific reductions coupled with an overall reduction in procurement funds of 1 percent.

Mr. Chairman, our report deals with the areas of direct procurement reductions adequately. However, there has been considerable room in the past to effect percentage cuts across the board, and there is certainly room here, by employing better procurement practices, by efficiency, and a greater return for our defense dollar.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. FORD. Mr. Chairman, I yield 5 additional minutes to the gentleman from New York [Mr. Ostertag].

Mr. OSTERTAG. I thank the gentleman from Michigan.

Mr. Chairman, may I say again that our report deals with the areas of direct procurement reductions adequately. However, there has been considerable room in the past to effect percentage cuts across the board, and there is certainly room here in this bill. By employing better procurement practices, by efficiency and a greater return for our defense dollar, I am confident that our Defense Establishment can provide the required materiel, hardware, and weapons for less money.

Secretary McNamara, in his presentation to the committee as well as that of his testimony, emphasized the possibility of large savings in military procurement by means of substantial shift from noncompetitive to competitive procedure. The Secretary pointed out that the Department of Defense has established specific goals for each military department expressed in terms of percentage of procurement contracts awarded competitively in each commodity category. The record shows that in 1961 the overall competitive procurement amounted to 32.9 percent; in 1962 it was 35.6 percent. The Secretary indicated that in fiscal 1963 competitive procurement will increase to 37 percent and in the year of 1964—for which this appropriation is applicable—the estimated competitive contracts will be about 38.4 percent. This means a gradual decrease in the so-called cost-plus and price-fixed contracts and by virtue of this shift alone, an annual savings of nearly a half billion dollars can be achieved. Further, the Secretary told your committee in discussing the 5-year cost reduction program:

> Our goal for end fiscal year 1965 is to initiate actions which will increase the rate of savings to over $3.4 billion per year.

So you can readily see that the reduction made by the committee in the overall procurement area is justified and by the application of improved management and policies can be met without impairing the defense program in the slightest degree.

Now, may I say a word about the national space program? There has been, and I believe will continue to be, speculation as to duplication, conflict of interests, and other aspects as between our Defense Department and NASA in relation to space programs and their missions. Believe it or not, more than $1.5 billion of this appropriation is for space, and I might add that the military space program accounts for more than 20 percent of the total 1964 research and development program. The Secretary advised us of a directive clarifying the procedures for insuring a proper meshing of the military and civilian space programs and that all basic agreements for Department of Defense support of NASA undertakings would be made in writing between the heads of the two related agencies.

These relationships apply to such matters as the conversion of Gemini into a national manned space program. Among other principal efforts in which both agencies share a great interest are the Titan III and the Dyna-Soar.

I refer to this situation merely to point out that all funds and efforts in connection with the space program are not reflected in the NASA authorization and budget. Second, to indicate the dual relationship and the great need to coordinate such efforts and expenditures in a proper manner.

All in all, Mr. Chairman, your committee has prepared and presented to the House a sound and proper Defense appropriation bill.

I heartily endorse and recommend this Defense appropriation bill for 1964 as it has been reported by your subcommittee and I hope it will receive the unanimous support of the House. It represents the continuation of our national security and our military supremacy and we must not underestimate the importance of this measure.

Mr. MAHON. Mr. Chairman, I yield 10 minutes to the gentleman from Mississippi [Mr. Whitten].

Mr. WHITTEN. Mr. Chairman, my colleagues have covered the details of this bill, however I wish to join with them in saying that the people in the Armed Forces and in the Defense Department are second to none in ability, in patriotism, and in their desire to protect our great Nation. I wish to say too that if our Nation is to follow its present policies I do not know how our chairman, the gentleman from Texas [Mr. Mahon], or our subcommittee or any other could have done a better job in developing the needs and in allocating the various funds that were requested by the Defense Department. As you know, through the years I have tried to point out some other facets of this overall problem, and when I realize that we have not only the job of defending our country from attacks abroad, but we have the responsibility of trying to keep our country from following a policy which leads us into untenable positions which in turn invite us into situations where we can at best not be sure that we can control it, I must rise to point these things out.

DEFENSE SPENDING—EVERBODY WANTS A SHARE

In this bill before you there is something like $47 billion. As I say, if our present policy is to be pursued in spite of the lessons we should have learned, doubtless this amount is essential. I do not second-guess my subcommittee. I went along with the figures that are here. However, personally it is my belief that the American people have been built up to the point that if you want to be sure something is spent in your district and in your State, get it under the listing of "defense," and then everybody who is sincerely disturbed about spending will say, "Don't cut defense"—and thereby protect the project. In my opinion quite a part of what is involved in this bill is a matter of dividing the spoils and being sure that everybody gets cut in on it. I speak for myself only. If you listen to the debate on the 65–35 division of money spent with Navy shipyards and private yards, the discussion and testimony largely centered around who is going to make money out of defense spending, which area is going to have most employment and which company is going to make the most money. I had a man approach me and say, "I am not going to build a drydock in your State unless you keep that provision in there."

I told him it was not our job to put somebody in business, and I mean it.

Through the years you have heard me point out the tremendous wastes that have existed and the fact that defense spending has gotten far away from true defense. The Congress stopped the services from making bread, and served Bolling Field by a caterer from down town, and there were other things of that sort to which you have heard me object throughout the years.

I grant you that nobody especially wants to be wasteful, but I point these things out so you might stop and listen.

May I say we are continually investigating procurement practices, trying to bring about improvement.

As former Congressman Rich, of Pennsylvania, used to ask, "Where are you going to get the money?"

That might well be asked here, for Secretary McNamara said his projected plan for 5 years included an anticipated 5-percent inflation each year.

The further question today is, "Who is going to get the money?"

It is easy to believe that is the real basis of the controversy over the TFX, a $6½ billion contract. Not only is there the question of which company gets the contract but in which State the $6.5 billion will be spent.

WE MUST CHANGE OUR POLICY

I thoroughly believe that this Nation of ours needs to change its overall international policy in the defense of our country, and I will tell you why. In the name of making the world safe for democracy, we are doing directly the opposite. We are busy making people knuckle under to Central Governments of our choosing. Take Vietnam. Friends, we are not trying to protect the people of south Vietnam in their right to live as they please. We are trying to make villages that never heard of a Central Government subject themselves to a Central Government of our choosing.

Take Thailand, and numerous places around the world, or look at the Congo. I know the instrument for our doing this is the United Nations. I happened to be in New York City and attended the United Nations when I saw Khrushchev run the entire length of the floor to put his arms around Castro, and I heard the votes counted. Many of these are people who represent "tribes" we put there to vote so we could buy their vote today and have to buy them every session hereafter. In the Congo, the only Province or the only part of it that had shown any ability to govern itself was Katanga. Do we ask that the rest of the Congo be put with Katanga so they can learn and have the benefit of Katanga Province in trying to supervise the Congo? No, we insist Katanga subject itself to an area that has never shown an ability to govern or control itself. So it is around the world. In the name of protecting peoples we are insisting they subject themselves to the people that we designate. And in the process—and most of this happened when we had the atomic bomb and Russia did not—we went around the world, helter-skelter saying, "We will defend you, we will protect you," and now we find that the enemy has the atomic bomb and we cannot live up to those promises. What is the result? The result is Cuba.

Here our Nation is so bound by its commitments, financed in this bill, which we have before us, that this Nation of Washington and of Jackson has to stand by and let Castro take American lives and property in Cuba, right off our shores, releasing some few because we paid ransom.

Yes, and let me tell you what happened in this committee—and if it were not so serious it would be funny. In the midst of the hearings—and I can tell this, because it was presented on television the same day—we were told that we had pictures taken of Cuba weeks before any pictures showed the Russian missiles. It was said that those earlier pictures did not show the buildup in Cuba, but we never saw those pictures. We saw only the later pictures which did show the Russian missiles. We had these pictures shown with the word "secret", inches high, on top of them. And in the middle of the afternoon the Secretary of Defense received a call to present the same information and pictures on television all over the country that day. So you saw it within 30 minutes after we did.

Then the next day, at the door of the committee room, after the official meeting had closed, Secretary McNamara said, "Gentlemen, if we delete any of this secret testimony I have given you from the printed record and you think it ought to be put back, just let me know." That led us to say to him, "Mr. Secretary, if we delete anything from our side which you want to use on television, you go ahead." He replied, "Touché."

Mr. Chairman, right off our shores we have the greatest threat in Castro, Russia, and Cuba. We have already paid ransom for the first time in our proud history because we are following a policy that is getting us deeper and deeper and deeper in areas we cannot hold. In Europe we see the Common Market. The President is even now pleading with the Common Market countries to treat us fairly. It was the United States which promoted and actually created the Common Market and made it strong enough for them to stand up to us. And now our leaders are surprised that they use their new power, which we promoted. We are the ones who made them strong enough to keep us out, not even asking for any agreement that they would treat us fairly, and now we are paying the penalty.

Mr. Chairman, we have spent over $100 billion in foreign aid and our position in the world is worse in many respects than before. My colleagues on the subcommittee for foreign aid gave me these figures:

In 1950 a number of countries that we were helping had about $13½ billion in gold. The United States had $24 billion in gold. Since 1950 your Nation and mine has continued to help those same countries, and today they have $17½ billion in gold and we have only $14 billion in gold. And we are borrowing money today from the very nations that we are helping. How ridiculous can you get? How unwise can you be?

ON THE HOME FRONT

We destroy ourselves at home in an effort to run our country to suit the members of the United Nations, in an effort to appease these people abroad, we see the Supreme Court break down local self-government here at home. We all regret the unfortunate occurrences in my State. In the hearings you will see the orders that were issued, sending about 28,000 soldiers into my area of Mississippi. When? After the President had federalized the State militia, which is the only law-enforcement body that our Governor has. You will see those orders in part 1 of the hearings. There is no State police force in my State after the National Guard and the militia are taken by the Federal Government. Is it any wonder that law and order could not be maintained? Is it not a sad commentary when all these things are done on what the Attorney General "reads between the lines of the Constitution?"

Mr. Chairman, I say to you that if those agitators are to retain direct lines to the Attorney General and the ear and support of the President, it will set in motion forces which are uncontrollable and it will lead to the ruin of this Nation, as it has the Congo. Clearly the forces set in motion will never be satisfied until they are in the saddle. What the President and the Attorney General believe will solve the problem will only begin it.

A hundred years ago it was my section which felt the whiplash of destruction. But today, if the present course of events is followed, it will not be nearly so much my area, but it will be Cleveland, Detroit, New York, Philadelphia, Chicago, St. Louis, Los Angeles, and all the rest. You cannot destroy local self-government; you cannot turn the reins of your Government over to those who as a group would agitate, who have little self-restraint, who lack self-discipline and make demands such as we have been reading about in every paper here, without setting loose a whirlwind.

May I say to our leaders who try to appease the groups which are making demands accompanied by threats on the home front today, that is the way we dealt with Castro, and look what happened there.

As I have said before, not since the Civil War have our people faced a more trying time. Our problems today call for the best within us. The attack on the Constitution and on our way of life is insidious. It comes under the guise of government. It is offered with an appeal to the natural tendency of Americans to be law abiding. It appeals to religion, is presented in the name of world peace, but creates strife, dissension, and disturbance. It is said to be necessary to protect the rights of individuals, but is itself based on usurpation of power. We are told it is necessary in order to maintain our form of government; yet its starting point is the destruction by judicial decree of the rights of the States, of the Congress, and of the people. Yes, it begins with destruction of the Constitution itself. It can only lead to complete ruin.

Mr. FORD. Mr. Chairman, I yield 30 minutes to the distinguished gentleman from Wisconsin [Mr. LAIRD].

Mr. LAIRD. Mr. Chairman, at the outset I should like to express a few of the remarks which I expressed in the full committee as we consider this bill and the report of the committee.

ANTISUBMARINE WARFARE

The report which you have before you today is a fine 70-page narrative report. I should like to emphasize the word "narrative" because I do not believe it shows any real direction as far as the Defense Establishment of our country is concerned. It lacks direction in several very vital areas where I think we need to get this country moving forward to provide a proper defense posture as we face the 1970's.

During the past 4 or 5 years the House Subcommittee on Defense Appropriations has considered at some length and given very thorough consideration to our whole problem which we as a Nation face in the area of submarine warfare. In this particular area it is my belief that we as a nation face the most serious threat that we face in any area of defense for the national security of our country.

The House Appropriations Committee over the period of the last 4 or 5 years in each of its reports on the defense appropriation bill has spent a considerable amount of time and given considerable emphasis to the whole area of antisubmarine warfare. In our report of 3 years ago and in our report of 2 years ago and in our report of last year we directed the Department of the Navy to establish a single manager over the area of research and development as far as antisubmarine warfare was concerned. During this period of 4 years the Navy has failed to put in operation a single manager over antisubmarine warfare research and development. They have gone halfway. They have established a coordinator over antisubmarine warfare research and development, but this is not enough.

We had one of the top Navy admirals testify before our committee, one who did a tremendous job as a single manager over the Polaris program, Admiral Raborn, who is now in charge of research and development for the Navy. He testified before our committee this year stating emphatically and positively that what is needed in this area is a single manager with full responsibility to move forward in this most vital area of antisubmarine warfare. What has happened? The Department of Defense, the Navy, have not fully implemented the recommendation of our committee. It seems to me this report is lacking in not being critical of the Department of Defense and of the Navy for not implementing this very important recommendation, which I feel is very vital as far as our whole antisubmarine warfare work is concerned if we are going to move forward and face up to the Soviet submarine threat, which this Nation is going to have to consider if we are going to maintain military superiority during this cold war conflict.

It is regrettable that in the committee report this year, Mr. Chairman, there is no strong language indicating the subcommittee's displeasure with the managership of the antisubmarine warfare program. This committee has long been interested in seeing the Navy establish a single-managership for antisubmarine warfare similar to that for the Polaris program under Admiral Raborn. In the hearings this year, beginning on page 390 of the research and development section and going on for several pages, several members of this committee expressed deep dissatisfaction with the rate at which this concept is being implemented. In fact, Admiral Raborn testified:

> I think the Navy has recognized that the complicated nature of weapons systems requires single management. Inasmuch as antisubmarine warfare embraces about everything we are doing in the Navy, we have been somewhat nonplused as to how to grab hold of creating a second CNO because it has to do with just about everything in the Navy as far as the R. & D. and producer's side is concerned.

Mr. Chairman, for the last 3 years this committee has singled out antisubmarine warfare in its report and made clear that it was the definite sense of this committee that antisubmarine warfare be put under single management because of the crucial nature of its development for U.S. security. This year the report is strangely silent on this important aspect of the defense picture. It does not even deliver a mild slap on the wrist to the Navy Department for not fully implementing the committee's recommendation first made 3 years ago.

At this point in the Record, I insert Admiral Raborn's comments on this matter and excerpts from the committee report of the last 2 years which I quoted in the hearings this year:

Admiral Raborn. May I make a few remarks on the situation as I see it?

Following the advice of this committee, the Navy 3 years ago, as today, had no mechanism other than the Office of the Secretary of Navy, to draw together inside the bureaus concerned a special projects-type office for antisubmarine warefare. The then Secretary of the Navy considered that the proper place to bring together all aspects of the Navy's research and development in antisubmarine was in the Office of the Assistant Secretary for Research and Development, Dr. Wakelin's office, so they created the post which Admiral Hooper now holds. He is the director of all research and development in the Navy, across the board in all bureaus, for antisubmarine warfare.

Mr. Laird. A step in the right direction?

Admiral Raborn. Yes.

Mr. Flood. This we know.

Admiral Raborn. This was the first approach by the then Secretary of the Navy to draw together all aspects of the research and development part of antisubmarine warfare. When Mr. Korth became Secretary, it was clear to him that some method of tying together the material bureaus that had collateral work in projects like antisubmarine warfare was necessary. He created the group which has been mentioned before, and one of the recommendations of that report is the creation of a ———.

This then provides an ideal mechanism, when it is established, to create in the bureau organization proper, an additional support organization which can tie together things such as antisubmarine warfare on the producer's side which would support and embrace the job Admiral Hooper is doing for antisubmarine warfare. It can carry it across from research and development into procurement. I think the Navy has recognized that the complicated nature of weapon systems requires single management. Inasmuch as antisubmarine warfare embraces about everything we are doing in the Navy, we have been somewhat nonplused as to how to grab hold of creating a second Chief of Naval Operations because it has to do with just about everything in the Navy as far as the research and development and producers' side is concerned.

I believe the idea Dr. Wakelin has mentioned of creating a Chief of Naval Support will be the missing link which this committee has so wisely counseled.

Mr. Sheppard. I think I can understand the problem you have. This does not take away from the Chief of Naval Operations his authority. This is merely adding by narrowing down the determination point. I think it can be done.

COMMITTEE RECOMMENDATIONS ON ANTISUBMARINE WARFARE MANAGEMENT

Mr. Laird. I do not want to go back more than 2 years, but if we go back 2 years our report states:

"The development work in this area is not being divorced from control of the semiautonomous bureaus in the Navy Department. Until a single manager similar to that provided for the Polaris ballistic missile system, with delegated responsibility, and the full backing of top officials, is established, it is doubtful that antisubmarine warfare will attain the goals so urgently required. The committee recommends that such action be taken immediately."

A year ago—and I quote under antisubmarine warfare—the committee last year recommended:

"In its report last year the committee recommended that the Navy assign a single manager to direct the research efforts in antisubmarine warfare. The Navy did not follow the committee's wishes in this matter and in the hearings this year opposed the creation of such an assignment.

"The committee is still of the opinion that there is much merit to this proposal and that the organization and management of the antisubmarine warfare research and development efforts in the Navy would be considerably improved if such a plan were to be adopted.

"The committee has been informed that the initial Chief of Naval Management Office has been requested to conduct a study of the management of research and development efforts of the Department of Navy in connection with all antisubmarine warfare programs. The committee feels that such a study is important and urgent and expects to be informed of the results of this study. The committee insists that this study comport with the committee expression on study groups found on page 33 of this report."

We made this recommendation 2 years ago, and we have a reply back from the Navy and the Navy's reply tried to becloud the whole recommendation with the fact you could not get tied up with the operating fleet. This has nothing to do with the operating fleet. The statement that was supplied to the committee last year I thought was unacceptable.

It seems we are still just talking about this.

There are two other aspects of this problem which I feel we have not dealt with adequately. In the immediate years ahead the Soviet submarine capability will pose one of the most serious threats to this Nation's security. In my opinion, it is time to select those areas in antisubmarine warfare that have the greatest potential of providing a significant breakthrough and place those programs on a crash basis. To my mind there is infinitely more sense attached to this type of a crash program than there is in our present crash programs to get a man on the moon.

The second aspect has to do with getting new developments in antisubmarine warfare equipment into the fleet. We have come a long way in some areas of antisubmarine warfare but it does little good to have improved weapons such as the MK-46 torpedo or improved detection devices if they are not delivered to the fleet in a timely manner. We seem to be dragging our feet in this respect.

In this particular area I would also like to point out another deficiency.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. LAIRD. I would be happy to yield to the distinguished chairman of our subcommittee.

Mr. MAHON. I applaud the gentleman from Wisconsin for making reference to the very serious threat which exists today and which will continue to exist with increasing seriousness in submarine warfare.

I do not think the Navy has done an adequate job in responding to demands of this committee in the past. While there is no specific reference in the report, as the gentleman says, I think it is fair to point out, that the members of the committee are unanimous insofar as I know in feeling that this area of warfare must be given the very highest priority and that a better management situation must be worked out than we have today, if we are to expect maximum results from the program.

As the gentleman knows, of course, there is a reorganization plan being considered by the Navy. I certainly hope, as I know the gentleman does, that in any reorganization of the Navy, adequate strength will be given to that portion which has to do with the direction of research and development in the area of antisubmarine warfare. I want to compliment the gentleman and the other members on the committee for the interest that they have shown and for the drive and energy they have exhibited over a period of a number of years in this important area.

Mr. LAIRD. I thank the gentleman from Texas, the chairman of our subcommittee.

Mr. Chairman, it is my intent to point out certain deficiencies which I believe need to be called to the attention of the Congress and discussed in this discussion of the defense appropriation bill today. I also plan to go into some areas where there are no deficiencies, but I would first like to point out these deficiencies so far as our report is concerned.

OVERHEAD COST RESEARCH GRANTS

On page 52 of this committee report, you will see discussed the matter of overhead costs of research grants. Last year this Congress took it upon itself to enact a limitation on the defense appropriation bill which provided that on any grant made to a college or university throughout the United States no more than 20 percent of that grant could be used for overhead costs. This was a provision which was carried in the HEW appropriation bill and in the Independent Office appropriation bill as well as this defense appropriation bill for 1963. The Department of the Army used a very clever technique to violate the intent of this provision. Knowing full well that contracts which are made are not subject to the overhead limitation, the Department of the Army went out and negotiated contracts to replace some 57 grants that were made to colleges and universities in order to get around the grant limitation which this Congress wrote into the defense appropriation act last year. In the full committee I pointed out that the language on page 52 does not even slap the Army on the wrist for violating the expressed intent of the Congress in the grant limitation which was written into this bill. I point this up for one reason. It seems to me, the executive agencies of our Government have a responsibility to live up to the intent as well as the law as written by the Congress.

Mr. Chairman, if we as congressional committees condone the use of subterfuge to get around this kind of a limitation, I think we are making a great mistake and it will come back to haunt us in the years to come.

DEFENSE CONTRACTING

Mr. Chairman, there are several other features of this defense bill which I would like to call to the attention of my colleagues. At the outset, I would like to address myself to some misconceptions that have arisen about the awarding of defense contracts. Widespread confusion exists in this area. Many of our citizens and, unfortunately, a not inconsiderable percentage of our elected State officials, have some misconceptions about how defense contracts are awarded to the various firms in different States. The misconception is that political strings are pulled in the awarding of these contracts and that therefore, Congressmen should be able to influence the awarding of these contracts. To help clear up these confusions, I include at this point in the Record a colloquy conducted between Secretary of Defense McNamara and myself during the hearings.

In addition, however, I will also insert a discussion concerning the setting of an unfortunate precedent in the awarding of defense contracts. In this case, a firm in Dallas, Tex., was awarded a $100 million missile B contract—the Lance missile. However, there was a stipulation in the contract to the effect that the work had to be done in a plant in Detroit, Mich., at an increased cost of $11 million to the taxpayer. The committee did reduce the request for the Lance missile by $5 million in order to insure that the cost of the work, if done in Warren, Mich., will not exceed the cost had the work been done in Dallas, Tex. This particular example, I would hope, will not be repeated in the future.

The material referred to follows:

AWARDING OF DEFENSE CONTRACTS

Mr. Laird. I would like to discuss with you for a moment the whole problem of Defense contract awards. During the past few weeks the Governor of our State has put out several statements in which he has indicated that it is necessary for a State to set up a lobbyist in Washington in order to secure Defense contracts because Wisconsin has slipped in the past 2 years from 2 percent of the total Defense contracting to 1 percent.

Personally, as a member of this committee, I have never felt it was any of my business to get into this whole question of Defense contract awards other than to see that they were awarded competitively.

He has indicated our congressional delegation has been derelict in its duty in not channeling more in the area of Defense contracts into our State.

I am interested in finding out what you think is proper for a congressional group or congressional delegation to do? What should a congressional delegation do to see that awards are made to this company within a given State?

If the bidding were on a comparable basis I can see where there might be some basis for a congressional delegation to move into this field. If there were two bids that were just the same and the award balanced on just that kind of basis I can understand active aggressive interest by our delegation.

Many of these bids—they are on a competitive basis, are they not?

Secretary McNamara. Most of the contracting is not done on a full competitive basis in the sense in which you use the term, as I outline on the charts in my prepared statement (p. 200 of these hearings). We are increasing very substantially the percentage of the contracting done on a competitive basis above that of prior years, and we expect to achieve major savings as a result.

If I may answer the question, "What do I believe to be the proper role of congressional representatives in relation to Defense contracting?" I would say this:

I believe it is quite appropriate for a Member of Congress or a group of Members of Congress to inquire as to why an award is to be made to one company instead of another company. I don't believe it would be appropriate for the Members of Congress to seek to change the award from company A to company B contrary to the intent of the law under which we procure, and the law is very clear. We are to procure from the lowest price source, other things being equal, subject to certain special situations, such as set-asides for small business, and in certain cases labor surplus areas.

I think the most important function that a congressional representative or delegation can perform in relation to Defense contract awards is not to try to influence the award, because, frankly, we will not be influenced——

Mr. Laird. I hope you are not.

Secretary McNamara (continuing). By any representations made to us unless they bear on the extent to which we are complying with the law. If we have failed to examine a fact or have lacked information that can properly be taken into account within the meaning of the law, then we will certainly correct any error in our activity. Beyond that we will not be influenced by anyone's representations to us, whether they be Members of Congress or others.

However, I do believe it is appropriate for the Members of Congress to bring to our attention information we may not otherwise have had, to inquire as to the basis on which the awards are made, and most importantly to then go back—having learned why a particular company, which may have been in their State, did not receive a contract—to go back to their State and seek to modify the conditions so that companies in their States or districts will be better prepared to bid effectively on the next occasion. This can be done by a variety of actions. It may mean insuring those companies greater access to information or explaining to them how they can obtain information on future awards. It might mean——

Mr. Laird. Those things have all been done by both of our Senators, Senator Proxmire and Senator Wiley. I am sure our present Senators will be doing that. I am sure each of the 10 Members of the Wisconsin congressional delegation have been doing that, both Democrats and Republicans alike.

The problem which bothers me is that there is an implied connotation here that somehow or other we can influence the award and that awards are being made on a political basis. Certain statements made by the President in Pennsylvania during last fall's campaign have been brought into this discussion within the past few weeks.

I hope that you do not operate the Department of Defense that way.

Secretary McNamara. Awards are not made on a political basis, and I think one of the best evidences of that is that the States which are increasing their percentage of awards to the best of my knowledge have no special representatives here in Washington at all. I think particularly of California, for example.

Mr. Laird. They have quite a few good representatives in both the House and Senate.

Secretary McNamara. No lobbyists, as the term is used.

Mr. Minshall. Is it possible for you to give us a rule of thumb of what a particular State might do to increase its defense contracts?

Secretary McNamara. No, sir; I cannot give you a rule of thumb. You need people of imagination and initiative. That is all I can say.

Mr. Minshall. Certainly it is not the Congressman's fault if they do not get it.

Secretary McNamara. This is a clear responsibility of private business in the State. It is a matter that I think the congressional delegations can contribute some information on to their local business groups, but it is primarily a problem for private business in the State to face and meet. They may need some local assistance from State and local governments in the sense of increasing expenditures for research activities in universities or elsewhere in the area, but it is primarily a private business problem.

NUMBER OF CONTRACTS IN EFFECT DURING 1964

Mr. LAIRD. General Beach, I would like to know the total number of research and development contracts which the Army will have in effect in fiscal year 1964.

Dr. LARSEN. May I supply that for the record?

General BEACH. We have between 3,000 and 4,000 tasks and investigations.

Mr. LAIRD. Contracts?

Dr. LARSEN. Yes, we will supply the number.

Mr. LAIRD. Outside contractors in research and development?

Dr. LARSEN. Yes, the information will be supplied.

Mr. LAIRD. How many do you have in weapon systems?

How many do you have in medical research?

How many with private organizations and how many with nonprofit organizations?

How many with universities and colleges?

In other words, I would like to have the total number and a breakout and how they were placed.

General BEACH. Yes.

(The information, to be supplied, follows:)

"It is estimated that the Army will have 7,100 research and development contracts in effect in fiscal year 1964. These contracts will be placed as follows:

With profit organizations	4,000
With nonprofit organizations	300
With universities and colleges	2,800
For weapon systems	150
For medical research	500"

STIPULATION OF PLACE OF CONTRACT PERFORMANCE

Mr. LAIRD. How many of these research and development contracts include a proviso as to where the work will be performed by area of the United States?

Perhaps you can give me that now.

Dr. LARSEN. The only research and development contract I know of with this exact proviso is the Lance missile.

(Additional information follows:)

"It is the policy of the Army to stipulate the place of contract performance as a part of the agreement in contracts for research and development when the location of the worksite or the use of particular facilities is of material effect or concern to the parties. In this connection, ASPR requires a disclosure of the contractor's intentions in his response to the request for proposals (ASPR 3-501(b) (xxvi)) and in make-or-buy agreements (ASPR 3-902.1).

"Agreement in this area is generally necessary to define cost considerations and may be occasioned by such factors as available Government facilities, proximity to other related work, available trained labor force, and potential for future production effort. When the place of contract performance is of essential interest to the Government the procurement action may direct that the work be performed in a specific place, as was the case with the proposed Lance missile system."

There is presently a procurement request out for bids on three different vehicles—the 195 which is a self-propelled gun, and the 196 which is a self-propelled gun, and the M-114 which has a specific plant designation for their production.

Mr. LAIRD. But on these three bids in question, you were advising the prospective bidders in advance of this proviso?

Dr. LARSEN. That is correct, Mr. Laird.

Mr. LAIRD. Do you know of any case where you have never advised the prospective bidders of the particular spot that the work must be done at other than the Lance?

Dr. LARSEN. "Never" is a very strong word. We would have to have the record searched.

Mr. LAIRD. General Beach, who is responsible for the letter of September 28, addressed to the Chance Vought Co.?

I may be off a day or two. It is an Army letter advising Chance Vought that if they want the work it will have to be done at a specific location in the United States.

Dr. LARSEN. I do not believe that is correct, sir.

The first Army request of this nature was made by me on September 17. I have checked the records. This was an oral request to Mr. Gifford Johnson asking him if they had considered doing the work in any place other than Dallas, Tex.

He said "No," but immediately took steps to take a look at the facilities of the Warren, Mich., plant.

Mr. LAIRD. I do not have my notes here with me because I have just sent them back over to the office so my dates may be incorrect, but I think if you will check there is a letter that was sent by the Army.

Dr. LARSEN. I certainly will, sir.

Mr. LAIRD. And there was a reply to that letter, and I believe the reply was dated October 20, which was sent by the Army to the contractor. The contractor was convinced in his own mind, after conversations with the Army, and also on the basis of a letter of inquiry sent to him, that he had better do this work in a particular location. I believe that he responded on the 20th of October, or thereabouts.

Dr. LARSEN. I believe that is the 22d, and that is the letter that accompanied his proposal.

Mr. LAIRD. Is this not a little unusual, this kind of procedure?

This is the only contract that has ever been handled this way. Are you going to make that a regular practice?

Dr. LARSEN. We certainly are not going to make it a regular practice. We do not have that many plants, sir.

Mr. LAIRD. Well, whether it be a Navy plant in Texas, or an Army plant in Michigan, that does not make any difference to me.

I would think the people from California and from New York and other sections of the country would continue to insist that these contracts be based on price evaluation along with quality and performance.

Dr. LARSEN. That is precisely what we took into consideration, sir.

Mr. LAIRD. We are not getting into this today.

I understand the Secretary of the Army is going to be before us to discuss this matter at a later time.

Mr. SHEPPARD. Does the gentleman have possession of the letter?

Mr. LAIRD. I have the information in my office. I sent the material back because I thought we were not going to have the hearing.

I notice in this document this morning we are considering the funds for the 1964 portion of this program, and I thought there should be something in the record because it does come before us this morning.

Mr. SHEPPARD. As far as the funding is concerned?

Mr. LAIRD. Yes.

Mr. OSTERTAG. The 1964 programs, but not the reprograming.

Mr. SHEPPARD. Is there any reluctance on the part of you gentlemen to furnish the committee a copy of the letter to which the gentleman refers?

Dr. LARSEN. The letters that are available. We have no objection to that.

(The information follows:)

"LING-TEMCO-VOUGHT, INC.,
"Dallas, Tex., October 22, 1962.

"Hon. FINN J. LARSEN,
"Assistant Secretary of the Army,
"The Pentagon, Washington, D.C.

"DEAR DR. LARSEN: On Friday, October 19, our key missile B program personnel, together with Mr. Paul Thayer and his aeronautics and missile division general manager, Mr. R. E. Galer, visited Redstone Arsenal for a verbal presentation of our missible B phase I program definition and development plan. The written report has also been submitted. A copy of the letter transmitting this report is attached herewith for your information. I believe you will find the planned performance will more than meet the requirements and the trade-off studies are particularly interesting.

"In line with our discussion on the Warren Ordnance Plant, we have received general information about this facility. Studies of the plant layout, show that placing missile B and other Army projects in that plant is indeed practical. I would like to repeat my verbal offer to you to negotiate with the Army not only the building of missile B in that plant, but all other Army ordnance and vehicular projects now under negotiation, under contract and underway in our own research and development program.

"May I call your attention to paragraph 6 of the attached transmittal letter which offers the possibility of producing this project in an Army facility.

" 'Chance Vought has investigated the possibility of performing the design, development, test, and production of missile B in other Government-owned facilities which are administered by the Department of the Army. In the event it should be judged desirable for this contractor to do so, he would be quite willing to negotiate on such a basis. Should the decision be made to place missile B in an Army Ordnance facility under the direction of Chance Vought, it would then be logical and desirable to consider placing all related ordnance and vehicles contracts plus future Army contracts, in these facilities. These projects would include the XM-561 truck and its production potential of 10,000 vehicles per year; the PATA development (plenum air trend amphibian); and other subcontracts we hold, such as the Sergeant launcher, in order to achieve a greater utilization of the total area and equipment available.'

"If the Warren plant were assigned to LTV to produce these type projects, we would establish an Army Ordnance and Vehicles Division and move all projects research and development work and required personnel to that division so as to make it an operating entity in every way. In addition, the missile B rocket motor manufacturer would place his production in this facility. It would be our objective to vigorously pursue other prime and subcontract Army work to fill that plant to capacity and to allocate a substantial portion of our company research and development program to such work. This would remain a prime objective of our corporation.

"Anticipating what would then result, in terms of employment, by this new division (including offsite testing personnel), and floor space utilization, I would expect employment to average 765 and floor space utilization would be approximately 20 percent within 1963. In 5 years, with missile B and Gama Goat well into production, expecting an increased level of subcontract project work such as the Sergeant launcher is underway, and anticipating that we have won a new program to place in this facility (as a result of our vigorous research and development activity), I would expect employment to average 5,085 and floor space utilization to rise to 68 percent. You will find more detailed information on employment and floor space utilization enclosed.

"I have sent General Beach a copy of this letter as I had expressed to him the same willingness to utilize the Warren Ordnance Plant.

"Sincerely yours,
"G. K. JOHNSON."

"LING-TEMCO-VOUGHT, INC.,
"Dallas, Tex., November 3, 1962.

"Hon. FINN J. LARSEN,
"Assistant Secretary of the Army,
"The Pentagon, Washington, D.C.

"DEAR DR. LARSEN: I am herewith enclosing copies of the announcements which appeared in the Dallas morning and afternoon papers following the announcement of the contract awards by the Army to Ling-Temco-Vought. The Dallas Times Herald evening paper carries what I consider to be a fairly good straight-forward story. The Dallas Morning News front cover story is, in the opinion of our people, not a good piece of reporting. It is written by their Washington reporter and based on a telephone interview he held with me very early the morning of the announcement of the award and does not accurately reflect the offhand remarks I made to that reporter. The business section of that same paper carried another article which much more accurately reports the written position we took. Unfortunately, however, it carries some inaccuracies, evidently influenced by Gov. John B. Swainson's announcement in Michigan. The inaccuracies include statements that LTV has an agreement with Chrysler and it also conjectures that there are political implications in the award. I feel that Governor Swainson may have either not completely understood the relationship (i.e., this was a contract by the Army with Ling-Temco-Vought and Chrysler is not involved) or else he was misunderstood in his press conference. It is not particularly important at this point.

"With respect to any observers choosing to read political implications into this announcement, I must say that our negotiations have been with the Army, on a straightforward, competitive, and business basis and the decision to place the business in Detroit is as explained in the business section article of the Dallas Morning News—nothing more, nothing less. Inevitably there are some politicians, civic leaders, reporters, and others who may choose to read political implications into such a decision either by stepping forward to claim the credit or by stepping forward to condemn, depending on the person's point of view.

"All in all, this announcement of the award has gone very well and I have every reason to believe that we will receive the cooperation of the people involved in the Michigan area in making this move. We are making some very quiet and preliminary checks on conditions there, being careful to avoid any publicity. We are using such data to further develop our planning for the move.

"I hope we can look forward to an official visit to the city of Detroit and the Michigan area in about 2 weeks. It would be to our mutual advantage for the Army, represented by the Secretary and yourself, together with the writer and others to make this first official visit so as to properly set the stage for what we expect to be a long, continuing and successful relationship with that community and between the Army and my company.

"We will, of course, adapt ourselves to your plans and desires. We look forward to early advice from, or through your office as to how best to proceed with our planning for the Michigan trip and when to sit down with appropriate Army personnel to discuss and negotiate on the broad aspects of assuming the occupancy of this Warren, Mich., facility.

"Meanwhile negotiations are continuing by personnel involved on the 1¼-ton vehicle and on missile B to bring these two projects under contract. The Army personnel involved in each project (particularly the missile B group) are anxious to conclude and are naturally interested in the aspects and timing of the move to the Warren plant which will affect their programs. This serves only to further illustrate the desirability of discussing the plans and terms for occupying the plant, as such, at the earliest opportunity.

"We will await instructions on this matter. Until then I remain,

"Sincerely,

"G. K. JOHNSON."

"[From the Dallas Times Herald]

"WORK'S IN MICHIGAN—ARMY GIVES CV MISSILE CONTRACT

"Chance Vought, Inc., Thursday was selected as prime contractor for a $100 million Army missile—but the research, development, and employment on this specific contract will be done at a Chrysler Corp. plant in Michigan.

"The new contract for missile B means that Chance Vought will move a limited amount of management, personnel, and research facilities from its Dallas area plants to the Warren Ordnance Plant in the Detroit area.

" 'The new contracts are expected to involve the transfer of less than 150 key technicians and management people to the new facility in Detroit with the remainder, under 1,000 people initially, to be hired in the Detroit area during 1963,' Gifford K. Johnson, president of Ling-Temco-Vought, said in Dallas.

" 'We anticipate further growth in this facility during the years ahead.'

"LTV spokesmen said the Army made the decision to locate the new programs in the Detroit area, apparently based on the fact that it had, in the Warren plant, an Army-owned facility specifically equipped to handle development and production of the type of defense systems involved.

"Company spokesmen emphasized that placement of the programs in Detroit would not alter LTV's traditional aerospace and electronics activities in the Dallas area. Anticipations were, they said, that resident divisions here will participate in the new programs.

"Michigan Gov. John B. Swainson boasted Thursday that employment at the Chrysler plant is expected to reach 1,000 by 1963 and 5,000 in 5 years.

"EMPLOYS 429 NOW

"This plant in the Sterling Township southwest of Mount Clemens has only 429 employees now. By contrast, Ling-Temco-Vought employees in Dallas County alone number 10,000.

"In addition, Chance Vought was selected prime contractor for development of a $2.5 million 6-wheeled Army transport vehicle and this work, too, will draw most of its major assemblies from automotive centers in Michigan, the Army announced.

"Chance Vought and the Chrysler Corp. were the only two firms left after a bidding field of several companies had been narrowed.

"In Dallas, Mr. Johnson said that the contracts 'launched the corporation into a new and important field of endeavor, supporting the Department of Defense and the Army in their counterinsurgency and tactical battlefield missions through the production of modern combat equipment and supplementing and expanding LTV's position in aerospace and electronic.'

" 'This substantial penetration of a new market is the result of more than 5 years of research and development work by LTV,' he said.

"Gov. Swainson said Thursday in Detroit that he had received assurances from Mr. Johnson that the missile B work would be done in Michigan.

"The Governor said he was told by Johnson that it would be 'logical and desirable to consider placing all related ordnance and vehicle contracts, plus future Army contracts, in the Michigan plant.'

"Chance Vought, said Governor Swainson, will establish an Army ordnance and vehicle division at the plant near Warren and move all projects, research and development and required personnel to that division to make it an operating entity.

"Missile B, a tactical weapon, will be the first Army weapon to use prepackaged liquid fuel for propulsion.

"In an announcement Thursday, the Army said: 'Missile B is one of several Army missile programs selected for specialized management by the Army Materiel Command.'

"The missile will use a new guidance concept developed by Army Missile Command engineers at the Redstone Arsenal in Alabama.

"Governor Swainson said formal contracts are yet to be negotiated. While actual occupancy of the Michigan plant has not been set, he anticipated work will begin early next year."

"[From the Dallas Morning News]

"WORK ON CV JOBS SET FOR MICHIGAN

"(By Rudy Rochelle)

"Chance Vought Corp. of Dallas was selected for one of the largest single jobs in the company's history Thursday, but its direct economic impact on the Dallas area is questionable.

"Work on the $100 million contract for an Army missile will be done in Detroit, Mich. An estimated 150 employees are scheduled to be transferred from Dallas to Detroit to oversee the job.

"Another $2.5 million contract was announced for Chance Vought Thursday. It is for a 1¼-ton, all-purpose vehicle, but the development of the vehicle will also be accomplished in Detroit.

"Some observers read political implications into the Michigan angle of the Army contracts.

"Announcement of the $102.5 million in contracts was made by Michigan Gov. John B. Swainson Thursday morning. This was a departure from the procedure usually followed in such announcements.

"Governor Swainson stressed that Chance Vought, a division of Ling-Temco-Vought, had entered into an agreement with Chrysler whereby most of the work on the missile contract is to be done in Michigan.

"He said employment at the Chrysler plant is expected to reach 1,000 by 1963 and 5,000 in 5 years.

"Chrysler and Change Vought bid in competition for the missile B contract.

"Concerning this aspect, Governor Swainson commented that he regretted sincerely that the great effort put forth by Chrysler Corp. did not result in the contract for that company.

"Then he added that he had been in contact with G. K. Johnson, LTV president, and had the assurance of Mr. Johnson that it would be logical and desirable to consider placing all related ordnance and vehicle contracts plus future Army contracts in Chrysler's Warren plant.

"The Warren plant is a U.S. Army-owned facility which has been used in the past for the development and production of major Army weapons systems.

"LTV's reasons for choosing the Michigan plant for the missile and vehicle development were outlined in a statement issued by the company Thursday afternoon.

"In discussions with the Army with respect to the optimum approach to designing, testing, and production of these programs from the standpoint of organization and available resources, the Warren Ordnance Plant in Detroit, Mich., was considered desirable for the following reasons:

" '1. The Warren plant is a Government facility equipped and particularly suited for the development and production of missiles. Further, it is located in the heart of the automotive industry where sources of automotive supply and skills are close by.

" '2. The facility occupied by the Chance Vought Corp. in Dallas and under the cognizance of the U.S. Navy contains programs under contracts with the Navy, Air Force, and National Aeronautics and Space Administration. To place these Army ordnance and missile developments in the Dallas plant would require additional facilities peculiar to this type of production.

" 'In consideration of the above factors it was determined to be desirable to conduct both Army programs in the Warren plant by establishing a separate LTV division devoted to these and similar Army programs, and to carry out research and development directed toward this objective.'

"Perhaps even more significant was a statement from the LTV president: 'We anticipate further growth in this facility during the years ahead.'

"The missile B contract is the largest Chance Vought has received since late 1957 when it was awarded a $200 million Navy job for F8U Crusader fighter planes.

"The missile is planned as a simple, low-cost weapon system. It will be the first Army missile to use a prepackaged liquid fuel for its propulsion system.

"The cargo truck will be a six-wheeled vehicle which can 'swim' inland waters and move over rough terrain easier than other wheeled vehicles. The contract calls for development of several prototypes.

"The Army said it expects that most of the major assemblies for the vehicle will be obtained from auto centers in Michigan.

"The elimination of all contractors except Chrysler and Chance Vought was announced 2 months ago when each was awarded $1 million to refine their proposals.

"Six companies submitted proposals on the cargo trucks after 50 were solicited for them.

"Mr. Johnson said the contracts would be signed later."

"[From the Dallas Morning News]

"CHANCE VOUGHT G. ARMY MISSILE PACT

"(By John Mashek, Washington Bureau of the News)

"WASHINGTON.—Chance Vought, a division of Ling-Temco-Vought in Dallas, was awarded Thursday two Army research and development contracts totaling $102,500,000 with a potential for bigger production contracts in the future.

"Work on the projects will be done in Detroit, Mich., a development that injects political overtones into the contract. First word on the contract announcement came early Thursday from Democratic Gov. John B. Swainson, of Michigan, 5 days before his crucial election day test against Republican George Romney.

"The Army awarded Chance Vought a $100 million research contract on the new missile B, expected to be the service's battlefield support weapon of the future.

"The second contract is $2,500,000 for developing a new 1¼-ton cargo truck capable of complete battlefield mobility. The truck is called the XM561 and is based on the 'Gama Goat' which was developed by Chance Vought on its own initiative.

"Gifford Johnson, president of LTV, said a 'small cadre' of LTV employees would go to Detroit for work on the two jobs. He estimated that 300 local workers in Detroit would be employed initially.

"Governor Swainson, at a press conference in Detroit, said that while the contracts went to a Texas firm, they would increase employment in Michigan. He talked of as many as 5,000 employees by 1965. The work on the contracts will be performed at the Warren Ordnance plant, an Army facility used in the past for development of major weapons systems.

"(Employment is a major issue in Swainson's campaign for reelection in Michigan. The Governor is given no better than an even change against Romney in a race that can have national repercussions. Romney has been tagged as a possible GOP presidential nominee in 1964).

"Representative OLIN TEAGUE, of College Station, meanwhile, said it looked to him like some 'pressure move to get more work done in the Midwest.'

"Johnson said the Army approached LTV and asked if it would do the work in Michigan where facilities were ready. Johnson said the decision was with the service since LTV was working for them.

"The LTV president said the work could have been done in Dallas after a short period of preparation.

"Johnson said the truck contract could be a bigger one in the long run for the Dallas firm although much smaller in the research phase than the missile B.

"The missile is a long-range project which is several years away from full-scale production. Also, a contract of this type is eventually spread around with many subcontractors necessarily coming in on the work.

"The cargo truck, however, if it is accepted and standardized by the Army, could bring in fat production contracts.

'The Army calls the missile the 'long offensive punch of the division commander.' It will replace the Honest John and LaCrosse as the increased fire support weapon for combat divisions."

Mr. OSTERTAG. What is the relationship between the 1964 programing that is here and the 1963 reprograming which is also in the mill.

Dr. LARSEN. The 1964 program is a continuation of the 1963 program, sir. We have made no adjustment in the 1964 program, as far as any locations are concerned, as far as one location or another is concerned. We have abstained from finalizing the contract and therefore committing the company to any move until after this committee is satisfied in regard to this matter, and this is what I assumed we were going to discuss at the program change proposal hearing.

Mr. OSTERTAG. My point is, that your 1964 program is contingent to a certain extent on approval of the reprograming.

Dr. LARSEN. Yes, sir.

IMPLICATION OF POLITICAL INFLUENCE ON DEFENSE CONTRACTS

Mr. LAIRD. The reason I brought up these questions—I do not believe there is anything wrong as far as this Lance contract is concerned, as far as the evaluation by the Army is concerned. This is a different matter from TFX.

I notice some people have tried to tie the Lance problem up with the TFX problem. There is no relationship between the two.

I read an article by Allen and Scott trying to show that the Army evaluation proceedings had been set aside.

Dr. LARSEN. That is not true at all.

Mr. LAIRD. I know that is not the case at all.

The only question that I have, as far as the 1964 program is concerned, is that this is the only time, to my knowledge, that I have ever heard of such a proviso being put into a contract. If we start this sort of a procedure when we know it does increase costs, it seems to me we are more or less getting the Defense Department into a depressed area program.

I have always felt that the Defense Department should not be used in this sort of a way. I also have been one of those under the Eisenhower administration, and under the Kennedy administration, who has thought we make a mistake by trying to give people the impression that Defense contracts are handed out on a political basis.

I believe, in fact, that there is a very, very small percentage of the Defense business that is handled on that kind of basis. I think many of us on both sides of the aisle have always felt we wanted to keep it that way.

It seems to me that some of the procedures being used, not only in research and development contracts, but also in procurement contracts, and the manner in which the announcements have been handled, the manner by which it has been processed by the various services and Department of Defense, are trying to give the opposite impression to the American public. This is a very dangerous thing for your shop to be engaged in, the procurement activities to be engaged in, not only in the Army, but in the Navy and the Air Force as well.

I would hope that you do not become a party, Dr. Larsen, to that kind of an operation.

Dr. LARSEN. I would like to state, sir, that the fiscal year 1964 funds are required for the Lance program no matter where the contractor carries out the task.

We have not committed the move because we do recognize this is something this committee does have the right to explore with us.

Mr. Vance and I expect to appear before you and I believe we will establish to your satisfaction there will be a net lower cost to the Government by moving to Detroit than carrying the work out in Dallas.

You asked quite a few questions. The manner of making releases is not under the control of the individual services. We actually are asked to go through a certain routine in notifying.

We had, to the best of my knowledge, no part in making the announcement a political one.

Mr. LAIRD. I am notified about these things.

Dr. LARSEN. In advance of of the published release?

Mr. LAIRD. I have always been notified.

The Army, Air Force, and Navy have always notified me on all contracts in Wisconsin.

Dr. LARSEN. Right.

Mr. LAIRD. I have never used one of these releases at any time since I have been in Congress, or since I have been a member of this committee, because most of them I did not even know anything about.

It just looks ridiculous, I think, to make announcements on things you do not know anything about. You do not know anything about the bid procedure. You are not necessarily certain it will go to the lowest bid.

We had this same problem in 1959 and 1961, in the matter of research contracts for the National Institutes of Health, where Members of Congress on both sides of the aisle were notified. We stopped it in 1959. Our subcommittee was able to stop it.

It started up again in 1961 and our subcommittee got in trouble because an announcement was made by one Member on a monkey research program and several Members of Congress started jumping on this. We downgraded the researcher.

There was a lot of bad publicity that resulted because the person who made the announcement was not familiar with the kind of research being carried on. So we were able to stop this once again last year in our bill. We stopped this announcement procedure.

People that are qualified and can talk in detail about the particular award are given the responsibility for making the announcement.

My only problem is that I think we are trying to give the impression to the public that there are strings that have to be pulled on defense contracting, and I do not think that helps the Congress, and I do not think it helps the Defense Department.

I was notified in January that on procurement contracts they were going to start notifying my office on the subcontracts. I immediately got in touch with the Department of Defense and tried to impress upon them it was a mistake to start notifying congressional offices of subcontract awards and giving us 48 hours' advance notice on these subcontracts.

I understand Mr. Gilpatric has now put out an order stopping that procedure.

You understand the problems involved, do you not?

Dr. Larsen. I certainly do, sir.

I think the only appropriate answer I can give is, the Army will be glad to follow whatever instructions we have in regard to the manner of giving out information and news releases.

Mr. Minshall. What are those instructions you have presently, Mr. Secretary, for announcing the award of contracts?

I agree wholeheartedly with Mr. Laird. He has made an excellent statement here regarding the procedure, and the onus is certainly on those who have prescribed the manner in which you announce the contracts. It makes it look like political pull is involved, and certainly no Member of Congress has been instrumental to my knowledge in ever determining how a contract award should be made.

Mr. Laird. I can see where if there are two bids exactly alike, a Member of Congress may be able to be of some influence, but I cannot see, when you are making selections on a competitive basis, why we should play a party line.

Dr. Larsen. I understand.

Mr. Minshall. What is your system now? Can you recount it very briefly for us?

Dr. Larsen. Yes, sir.

The system is that the Army prepares an actual news release after an award is made. It sends this to the Department of Defense.

Mr. Minshall. How soon after an award is made?

Dr. Larsen. Immediately, the same day, or the following day.

It submits this to the Office of the Secretary of Defense, and I believe Mr. Sylvester's office must clear this news release. Then, on the day on which the normal public announcement is to be made, those Members of Congress who are affected are notified.

If for example, it is in a particular State, the Senators of that State and the Congressmen from the district affected are notified.

Mr. Minshall. Are they all notified at the same time?

Dr. Larsen. Yes, sir.

Mr. Minshall. That is where I disagree wholeheartedly with this whole system. The announcements are made on a political basis and they have been for the last 2 years.

Mr. Laird. The Senators from my State have always been notified about the same time I have.

Mr. Minshall. Not in my case. I can give you a case in point.

I have several plants in the Cleveland area. I have the Thompson-Ramo-Wooldridge plants and I have the Cleveland Ordnance Tank Plant. In each instance in which I get an award notice of the contract, I call up the newspapers or the AP or the wire services or the television stations to tell them and they say, "We had that from your Democratic colleague 6 or 7 hours ago."

Mr. Sheppard. I was just going to comment, that insofar as the political aspect is concerned, I think that while this has merit, nonetheless you will find about 80 percent of the time the newspaper will tell you first about anything before you get it.

Mr. Laird. That is why I have never used one word of these releases.

Mr. Sheppard. You only get into trouble if you get your chin out too far.

Mr. Ostertag. Dr. Larsen, if I understand correctly, Defense contracts, generally speaking, are awarded only to the degree of less than 30 percent on a competitive basis, is that correct, so far as the Army is concerned?

Dr. Larsen. No, sir. There is a misunderstanding of terminology here. It is probably 30 percent on open advertising. We have competition which is limited to a smaller number of qualified contractors occurring on almost every single contract, certainly on all development work and much of our research work where there is competition.

There will be anywhere from 3 to a dozen or 15 contracts competing.

Mr. Sheppard. Is this not the situation: In the total picture, if you are going to bring it down to a percentage basis, you have two approaches. One is the open-competitive advertised bid and the other is the negotiated bid?

Dr. Larsen. Yes, sir.

Mr. Sheppard. You figure them both in the competitive status?

Dr. Larsen. Yes, sir.

Mr. Sheppard. Some Members of Congress feel the competitive bid and advertised bid is the most solid and I think, in general, it perhaps is if you can definitize your requirement.

Dr. Larsen. Yes, sir.

Mr. Sheppard. In the absence of being able to do that, you have a bigger problem on your hands, in order to get your procurement accomplished. Your total percentage is a combination of those two insofar as the competitive concept pertains?

Dr. Larsen. Yes, sir.

Mr. Ostertag. How can you negotiate something you cannot define?

Dr. Larsen. If you cannot define it at all, you cannot, of course.

There are times, of course, when we can define to a degree in the research and development process. Whenever we can do that, we do have competition wherever we can, sir.

Mr. Ostertag. My only point was that you speak about competition in bids but yet a very limited percentage of your contracts are made on that basis?

Dr. Larsen. I believe a very high percentage of our contracts are on competition. In fact, I would like to supply the percentage for the record because I think there is competition with the Army on a much higher percentage than that.

Mr. Laird. On the original procurement?

Dr. Larsen. Yes, sir. This will have to be that.

Mr. Laird. You would have to include that.

Dr. Larsen. Thank you.

Mr. Laird. Your reorders are not on a competitive bid basis.

(The requested information follows:)

"Approximately 99 percent of all research and development 'original procurements' are made competitively (more than one offeror), and less than 1 percent by sole source procurement. Of these original procurement contracts, 5 percent are placed as a result of formal advertising. In original research and development procurement, competition should not be confused with the type of competition normally associated with formal advertising used in procuring supplies and hardware. In research and development procurements qualified sources are requested to submit proposals to undertake research and development projects. These proposals are evaluated and the contractor submitting the best approach is selected for further negotiation. Occasionally the Army negotiates with a sole source but this is the exception rather than the rule for original procurements. Sole source procurement is used when a particular contractor has the only competence in a specific area."

Mr. Minshall. Mr. Secretary, I think in the case of announcements of contract award, an awful lot of manpower is being wasted. Each time they make one of these announcements, a colonel comes up to my door and hand delivers to me an announcement and says, "Here it is. You get it the same time everybody else does."

This to me is ridiculous.

Dr. Larsen. Sir, we get requests from many Members of Congress. I did not add earlier when you were asking me to describe the process, but in addition to the affected Senators in the State and district, we also notify all Senators and Congressmen who request notification. We regularly get requests of this kind. You can understand that when the Army gets requests from Congressmen we would find it very difficult to refuse them.

Mr. Minshall. My only comment to your remark is that maybe you do not know it, but some of them get 4 or 5 hours' priority. To me, it is patently wrong.

I do not think it should be done that way because it gives the general public the feeling that Mr. Laird so ably brought out, that these contracts were originally awarded on political influence bases. They are not at all, as you well know.

Dr. Larsen. If you know of specific instances, I would be very happy to have this looked into, Mr. Minshall.

Mr. Sheppard. Gentlemen, this committee will stand adjourned until 2 o'clock this afternoon.

On the question of the additional cost of the Lance program, Mr. Chairman, I insert a portion of the transcript of the hearings in which Dr. Harold Brown testified:

Mr. Mahon. With respect to the project known as Lance, a missile required by the Army, we have considerable conversation and testimony. It is not my object at this point to rehash that testimony. You are probably familiar with the testimony we have had.

Did you, or anyone in your office, direct the Department of the Army to develop the Lance missile in the State of Michigan?

Dr. Brown. No, sir; no such direction was issued from my office.

Mr. Mahon. To your knowledge, did anyone in the Department of Defense, in the Office of the Secretary, do this?

Dr. Brown. No, sir; I do not think any such direction was issued, to my knowledge.

Mr. Mahon. Are you prepared to testify in regard to how much more the development will cost in Michigan than it would cost in Texas?

Dr. Brown. I am prepared to discuss that matter, Mr. Chairman.

My own conclusion, after looking at it in some detail, not as much detail as the Army has looked at it, is one can expect offsetting savings from the development in Michigan which will equal the added costs due to the transfer of personnel from Dallas to Detroit. There are a number of offsetting factors which I believe prompted the Army decision and which I believe to justify the decision.

Mr. Mahon. The Army would necessarily, it seems to me, be the best witness in this case if the Army made the decision.

Mr. Laird. We heard the Army, and they were not very good witnesses.

Mr. Mahon. We have not heard the Secretary of the Army.

Mr. Laird. They talked of the costs of mothballing a plant and used some doubtful figures.

Dr. Brown. There is some additional information which can be provided to you by the people who made the actual judgments and used information which has not been presented to the committee.

Mr. Laird. Did you read the transcript of the Army testimony?

Dr. Brown. Yes, I did.

Mr. Laird. Was it not rather weak?

Dr. Brown. It is not the whole story. I think by itself it is not an adequate story.

Mr. Laird. I hope now that they have had a couple of weeks to work on it, they have been able to find some better reasons.

Dr. Brown. I can give you some better reasons, and I am prepared to do so, or I can just mention them and you can wait to hear from the Army.

Mr. Mahon. You might mention them and save us some time here. We shall have the Secretary of the Army before us to discuss this matter with the committee and we will thereby get the complete viewpoint of the Army.

I would like to have your reactions to what you know about the decision, and what the facts seem to be.

Dr. Brown. It seems to be a reasonable decision based on the following facts—the Warren Ordance Plant in Detroit is a Government-owned facility which is partially occupied now. The whole thing has to be heated and maintained. That means putting the Lance development, and if there is production possibly the production, into that plant will essentially save 1 or 2 million a year just because you are already heating and maintaining a large part of the plant that is empty.

A second item is, there is tooling which is in that plant which, to the extent of about $10 million, will be suitable for this development. It is Government-owned.

If Ling-Temco-Vought had gone ahead in Dallas, they would have bought the tooling. On the other hand, that would have been depreciated against the contract and would have shown up in overhead in a few years.

The tooling in Detroit is Government tooling. Much of it cannot be moved. It consists of environmental chambers twice the size of this room, and so on. There will not be any charge for that because that is Government-owned.

Finally, had the development not been done in Detroit, additional plant space would have had to be acquired. There is a Navy facility in Dallas, I believe, and it is not fully occupied. On the other hand, not all the space is suitable and the judgment of the Army is additional space would have to be acquired there.

Mr. Laird. Is that the Army's judgment or Chance Vought's?

Dr. Brown. I do not know whether it is Chance Vought's. It may also be Chance Vought's.

Mr. Mahon. You are not a competent witness in that area?

Dr. Brown. That is right.

That also amounts to several million dollars.

When you add these things up, it appears that more than offsets the $11 million additional cost coming from higher labor rates and the transfer of critical personnel. That is the story as I understand it.

I believe you can get more details from the Army. It has been a convincing story to me.

Mr. Mahon. Do you believe that the Government should let contracts in areas where there is unemployment even though additional costs are thereby incurred?

Upon what basis do you think we should proceed, and upon what basis are we proceeding with respect to that point?

Dr. Brown. I think we must follow; in fact, we have followed, and we are following, the policy that the Government should get work done where it will be done best and at the lowest cost to the Government. These additional factors such as labor surplus, economic distress, and so on, I think are social ills, and it is legitimate for the Government to try to cure them.

That happens to be my personal philosophy of government. But I do not think the legitimate way to do it is by allocation of defense contracts. If other things are exactly equal, and they never are, then I think this could be a factor that the Government could use to decide. I have not seen it so used. I really do not see how it can be easily used because things are never equal. I believe once you take the step of allowing that, anything but the best job at the lowest cost to influence the determination of a contract, you are in a morass. There is no good stopping point under those circumstances.

Mr. Chairman, at one time or another, each member of our subcommittee has had misgivings about the desirability of this or that defense program. Back about 5 years ago we faced a hard decision on the Polaris program and finally decided to appropriate more than was requested for the leadtime items. That decision, as we all know, greatly enhanced the Polaris program.

In another instance, we faced a hard decision concerning the Titan program. Hindsight tells us we should have gone directly from the Atlas to the Minuteman instead of developing the Titan in between. The total cost of the Titan has been about $12 billion. A substantial amount of this could have been saved had we faced up to that decision. If I recall correctly, none of us on the committee at that time felt that we should bypass the Titan and go directly to Minuteman, although subsequently I did try to knock off the last five squadrons of Titan.

At this point, Mr. Chairman, I include as a portion of my remarks, a partial transcript of my discussion with Dr. Harold Brown, Director of Defense Research and Engineering, in which the question is raised whether the Department of Defense is often reluctant to go ahead with a needed program unless its people are absolutely sure it will be successful.

The material referred to follows:

Mr. Laird. Dr. Brown, I remember in 1958 when this committee did not follow the Defense Department's recommendation as far as the Polaris submarine was concerned. We increased that program in research and development over and above the recommendation of the Defense Department.

Finally the funds were released and made available. That has been a dramatic weapons system which has been developed.

Don't you think that people in your position are reluctant sometimes to stake your reputation on some of these projects? You want to be absolutely sure, don't you?

Dr. Brown. It depends on the importance of the project and how much it can contribute.

If it is a new capability, as was Polaris, then I think error on the side of oversupport is perhaps desirable.

If it is a small change, then I think conservatism is indicated.

Mr. Mahon. Off the record.

(Discussion held off the record.)

Mr. Mahon. We would like the best information you can supply for us on these issues, Dr. Brown.

Mr. Laird. It seems to me that in the area of space there are tremendous opportunities for military weaponry.

Dr. Brown. I shall treat that in my prepared statement. I think that may lead to a number of questions which will bring that out, Mr. Laird.

TFX CONTRACT FUNDING

Mr. Chairman, today a similar situation exists. We may be making the same mistake with the TFX that we did with the Titan. The TFX tactical aircraft has a speed of 2½ times the speed of sound or mach 2.5. The F-4B and the F-4C tactical aircraft have a speed of mach 2.4. In the procurement budget we will be buying approximately 2,000 of these mach 2.4 aircraft for the Navy and Air Force. It seems to me that the TFX is a doubtful venture at best and one that will cost at least $6 or $7 billion. It would seem the better part of wisdom to leapfrog from the F-4B and F-4C tactical aircraft and go directly into development of the mach 3 or a faster aircraft. The greatest consideration in this matter is the development of jet engines and material that can attain this speed. Many aerodynamic engineers feel that the materiel problem is about licked but there are still problems as far as development of engines is concerned.

Mr. Chairman, we have faced hard decisions before—some successfully, others not. Today we have a unique opportunity to take a hard look at the TFX program. The difference between a mach 2.5 and a mach 3 could become a decisive difference in the not-too-distant future. A $6 or $7 billion expenditure for a mach 2.5 may become a mistake we can ill afford. The bill before us today provides $257 million for fiscal 1964 on research and development costs of the TFX. Within the committee I offered an amendment earmarking these funds for mach 3 aircraft rather than the mach 2.5 aircraft supported by Secretary McNamara. It is my hope that the Secretary will revaluate his position and use this $257 million R.D.T. & E. money for mach 3 or better tactical aircraft.

We did provide in this bill we have before us $125 million in research and development money requested for the Dyna-Soar program. In view of the possibility that Secretary McNamara may stop this program, we earmarked these funds for mach 3 aircraft. This limits the discretion of the Secretary with these funds. Either he uses the $125 million for the Dyna-Soar or the mach 3 aircraft or the money is not available.

In another area that is much less costly than the Titan or the TFX, we may again be missing the boat. I am referring to the Comet roll-on, roll-off cargo ship, designed for special operations. We have funded in this bill $20,500,000 for another new Comet roll-on, roll-off cargo ship. We presently have one new and one converted Comet. The Department of Defense has ordered a trial head-on test for August of this year between the Comet and the Challenger lift-on lift-off cargo ship. The Challenger is a conventional ship costing approximately $10 million to construct. The total cost to the Federal Government for constructing a Challenger would be $5 million. I offered an amendment in committee to delay funding the Comet at least until the trial tests have been completed. By funding tne Comet before these tests have been completed, we are saying in effect, that the trial test is irrelevant.

This is the priority problem again, Mr. Chairman. I find it extremely difficult to see why a cargo ship that is in the process of undergoing evaluation tests should be given priority over, say, the leadtime items for two additional attack submarines. The attack submarines have already been tested out and proven to be a practical and extremely valuable addition to our defense program. It would cost $15 million to fund the necessary leadtime items for two additional attack submarines. This would ensure their delivery to the fleet 15 months sooner than would otherwise be the case. This is similar in many respects to my Polaris amendment 5 years ago in which the funding for the leadtime items in that case made possible a marked speedup in the timetable by which the subsequent Polaris submarines have joined the fleet.

There are other areas that need hard decisions. In the military uses of outer space, we are not doing nearly enough in my view. The Secretary of Defense stresses the fact that we have many programs in the space field, that most of them are programs that deal with the peaceful uses of space, but that they also provide us with valuable information which can later be used for military applications if that becomes necessary or desirable.

In past wars in which this country has been engaged, we placed the primary emphasis on the development of military weapons that would insure victory. Many concepts developed under wartime conditions later were found to be very useful for peaceful purposes. In war, peaceful uses can be the byproduct of military developments. To reverse the process under present cold war conditions is rather risky.

We are engaged in a so-called cold war. Nevertheless, it is very decidedly a war that could tomorrow become the hottest war in history. So long as this possibility exists, we owe it to ourselves and our successors to provide every instrument that will win a cold war turned hot. Military space capabilities will very probably become an indispensable factor in the very near future and one we should not lightly dismiss.

These are not easy questions, Mr. Chairman. They are hard decisions. And these decisions are related in a very intimate manner to the whole question of strategy formulation. To my mind, there are three important levels in defense matters that are interrelated and interdependent, one upon the other. They are not, however, interchangeable. One must be resolved before the next can be faced. The first level, of course, is the strategy level. Next comes tactics. And the third is the weapons, materiel, and manpower in the proper mix that is necessary to carry out the tactics of U.S. strategy.

The members of the Defense Appropriations Subcommittee—and for that matter, any other committee that deals with defense and security matters—must be fully aware of all three areas. Without knowing the ultimate goal of our strategy, we could not conceivably fund the appropriate defense programs best designed to implement that strategy.

Why, for example, should this committee appropriate billions of dollars to develop and eventually deploy all of the ships, planes, weapons, missiles, and related equipment necessary to destroy hardened ICBM's or Polaris-type submarines, if it is the unequivocally stated policy of this country that "we will never strike the first blow in any attack"? Obviously, if the only capability we are serious about is a second strike capability, there seems to be no logical reason for spending the vast sums of money necessary for first strike weapons. In a second strike posture, our retaliatory blow, in most cases, will be destroying targets such as missile sites that have already discharged their missiles.

We should not deny ourselves the capability to destroy hardened missile sites or Polaris-type submarines, Mr. Chairman. This committee has been on record since 1961 in favor of a first strike posture under certain conditions and I fully subscribe to that view. Yet there were a number of disturbing comments in Secretary of Defense McNamara's statement before our committee. Under the section entitled "Strategic Retaliatory Forces," the Secretary said:

> We have not found it feasible, at this time, to provide a capability for insuring the destruction of any very large portion of the fully hard ICBM sites, if the Soviets build them in quantities, or of missile launching submarines. Fully hard ICBM sites can be destroyed but only at great cost in terms of the numbers of offensive weapons required to dig them out.

The very serious implication here is that we currently have no plans to prevent the Soviets from attaining nuclear parity with the United States. The day we stop attempting to neutralize Soviet weapons by developing a capability to destroy them—which day apparently has already arrived—we insure the coming of nuclear parity. Such a situation, Mr. Chairman, in which nuclear parity becomes a fact is neither in the long- nor the short-range interest of the United States.

At this point in the Record I insert a transcript of part of the colloquy between the Secretary of Defense and myself on this and related matters of strategy.

The material referred to follows:

NUCLEAR PARITY

Mr. Laird. The other day in the discussion I had with you, I outlined four strategy phases which I think this country has gone through since World War II—the first phase was—and this has to do with nuclear delivery capabilities and its influence on our strategy—the first phase was the post-World War II phase, or the monopoly phase. We had nuclear power and the Soviets did not.

In phase 2, the United States had in any action in Western Europe a vast nuclear preponderance. In addition, we could reach the Soviet Union by virtue of the fact we could reach the Soviet Union with our aircraft and bases.

During phase 2, however, the Russians could not reach us.

It seems in 1957 or 1958 phase 2 ended and the Soviets developed their large numbers of intermediate range missiles to meet our nuclear capability in Western Europe.

In phase 3, the Soviet Union developed the capability to destroy sizable numbers of key U.S. cities, but not the United States. In this phase, nuclear parity has still not been obtained because the United States, unlike Russia, continues to possess a strong margin of nuclear dominance even in a second strike and an overwhelming dominance in a first strike.

Phase 4 is the phase of nuclear parity, or, worse yet, Soviet superiority. Do you not think we are in phase 3 at the present time?

Secretary McNamara. Mr. Laird, I presume you are referring to the four phases outlined in your book. I do not recall them described in the book exactly as I understood you to describe them today. But my memory may be in error because I do not have the book in front of me.

Responding to your description of them as you have outlined them today, we definitely are not in phase 4. I will certainly agree with that. In no sense of the word is there Soviet nuclear superiority today, nor is there nuclear parity measured in terms of numbers of weapons.

Mr. Laird. I never referred to the question of mutual deterrence. I have always talked about nuclear parity or superiority. It does not seem to me we have reached nuclear parity during this time period.

Secretary McNamara. I do not mean to overly emphasize semantics, but I do not know how you define nuclear parity. I say if you do define it in one way, as it might well be defined, that is to say, numbers of weapons, we in no sense of the word are in a state of nuclear parity today. Our number of nuclear weapons in any category I am familiar with far exceeds the number of weapons in a similar category in the hands of the Soviet Union, in my opinion.

Mr. Laird. If we were to have an exchange with the Soviet Union at the present time, in the discussion yesterday you talked about ——— getting through. Is that correct?

Secretary McNamara. No, sir. I do not believe so. The specific terms I used——

Mr. Laird. I may be wrong on the exact numbers.

Secretary McNamara. The point I am emphasizing is, I did not speak in terms of getting through. Rather, I spoke in terms of "launched" or "targeted" against. I was very careful to do that, and here is the specific sentence:

"I think for rough purposes you can assume there would be a minimum of ——— such warheads launched against us, and for rough purposes, you can therefore assume there would be something on the order of ——— megatons targeted and launched against our Nation."

I differentiate between launched on the one hand and getting through on the other because with respect to the figure of ——— and you are quite correct in saying it would vary between ——— there is a difference between launched and getting through. A percentage of the missiles would be unreliable and would not get through.

Mr. Laird. What degree of destruction do you estimate as far as number of people are concerned?

Secretary McNamara. I would hesitate to give you a precise figure because I think it depends so much, as I believe I stated yesterday, upon the targets against which those warheads were launched. I cannot conceive, however, of the launch against us of ——— warheads from the Soviet Union, or their submarines, without fatalities in this Nation under today's conditions exceeding, at an absolute minimum, 10 million, and I would say the much more probable figure would be on the order of several times that.

Mr. Laird. What is the comparable situation as far as the Soviet Union is concerned?

Secretary McNamara. Off the record.

(Discussion off the record.)

Mr. Minshall. A year ago we talked about the Soviet Union being able to receive unacceptable damage and we being able to accept "unacceptable damage." Is that not what we are talking about: We reached a damage parity, so to speak?

Secretary McNamara. No; I do not believe it is damage parity either. Maybe it is a question again of semantics.

Our force today can create far greater damage in the Soviet Union than their force can in the United States.

Mr. MINSHALL. Will not the damage they inflict on us be unacceptable?

Secretary MCNAMARA. I think that is for you to decide. I can only give you the level of damage I think they can inflict upon us. Whether that is acceptable or not I think depends upon the circumstances and your own judgment.

Mr. MINSHALL. What does the Defense Department think of it?

Secretary MCNAMARA. We are not prepared to state what is unacceptable. This is a non-Defense issue.

Mr. MAHON. The committee will stand adjourned until Monday morning.

MONDAY, FEBRUARY 11, 1963.

Mr. MAHON. We will resume the hearing.

When we adjourned the committee last Friday, Mr. Laird was interrogating the Secretary and General Taylor. He has some additional questions. I will yield to Mr. Laird at this time. Will you proceed, Mr. Laird?

SOVIET SUBMARINE THREAT

Mr. LAIRD. Mr. Secretary, when we quit on Friday we had had some discussion about the threat of the Soviet submarines.

As you project through 1968 the submarine will perhaps be the major threat of the strategic forces of the Soviet Union; is that correct?

Secretary MCNAMARA. I would not say "the major threat" in the sense that there was no other important threat. I believe it will be a serious threat in fiscal year 1968. I also believe that the ICBM's which the Soviets will very probably have in a hardened condition in substantial numbers at that time will be a very serious threat.

Mr. LAIRD. I was not really trying to downgrade the Soviet ICBM's at a hardened site.

Would it be all right to say that the submarine will be a major threat, or one of the major threats of the 1968 period?

Secretary MCNAMARA. I believe it will be one of the major threats at that period.

Mr. MINSHALL. What period?

Secretary MCNAMARA. Fiscal year 1968.

FISCAL YEAR 1964 BUDGET FOR ASW

Mr. LAIRD. I have had a longtime interest, along with other members of the committee, in ASW because we felt a major strategic striking force of the Soviet Union would, in the future, be the submarine.

This committee has increased over and above the recommendations of the Department of Defense funds for ASW on several occasions. Last year in the budget presentation we were given the program as far as ASW was concerned, and purchases for ASW purposes, through the fiscal year 1966.

In looking over the program for this year I find that the ASW program has been cut back substantially from the program that was set forth in the budget presentation just 1 year ago.

I refer particularly to the cut in carrier ASW airplanes. In the fiscal year 1963 budget presentation there were 60 S2-E's and 42 SH3-A's and for fiscal year 1964, ——— of the first were programed and ——— of the second were programed.

In the fiscal year 1965, ——— of the first were programed and ——— of the second. So it goes on down this program.

The same thing is true when we look at the P3V's. This is perhaps the best ASW patrol plane in the eyes of the Navy. Many people in this area of ASW work think it is the best that has been developed. We are still using P2V's to a large extent. I have been out on P2V patrols. I do not see how effective ASW work can be done in the P2V with its overcrowding and search capabilities.

In the program you presented last year, for fiscal year 1965, it was projected that we would buy ——— P3V's. In fiscal year 1966, ——— P3V's would be purchased. In the presentation this year this program has been cut to a ——— purchase right straight down the line.

In view of the threat of the Soviet submarine in this particular period of time what is the reason for the cutback in this ASW program? I use aircraft procurement as an example of the cutbacks in the ASW program. Later I will use the submarine figures. Is it a budget consideration entirely?

Secretary MCNAMARA. No, not at all as a matter of fact. The change is simply a better balance between the various elements of the ASW force—the destroyers with their potential helicopter operations; the carriers with their antisubmarine air groups; and the patrol aircraft operating from land bases. While it is true we have reduced the number of P3V's tentatively planned for procurement in subsequent years compared to what had been projected last year, you will notice from the schedule that the P3V program is increasing very rapidly to a total of ——— planes and it will give us a much greater search capability through those patrol aircraft than that which we had in 1962 before the P3V's came into service.

The problem is not merely one of obtaining additional P3V's.

(Statement off the record.)

Secretary MCNAMARA. The Navy has recognized this problem and has endeavored to correct it in two ways; first, by concentrating their antisubmarine warfare research and development activities under one man; and second, by expanding their budgets for antisubmarine warfare research and development activities.

There are several major antisubmarine warfare research and development activities included in the research and development program.

Off the record.

(Discussion off the record.)

Mr. LAIRD. The Navy made the request. Take the HSS-2. The Navy program was a different program than is presented in this budget. The cutback in the HSS-2 is quite a major cutback from the Navy's recommendations. If you use the HSS-2 and the S2F3 you will see this cutback.

Secretary MCNAMARA. I did not understand the question.

Mr. LAIRD. The Navy's request was somewhat different from the request in this budget. The Navy must have felt there was capability in these particular ASW vehicles that are going to be used on carriers.

Secretary MCNAMARA. I do not recall the specific Navy request for fiscal year 1964 procurement versus———.

Mr. LAIRD. Mr. Secretary, it seems to me that No. 1 priority should be given to getting new ASW developments into the fleet and operating. The vast improvements in ASW will mean nothing if not in the hands of the operating fleet.

Secretary MCNAMARA. The Navy request for HSS-2 aircraft was ——— reduced ——— in order to achieve better balance between those aircraft and the other elements of the antisubmarine force with which they would operate.

I would be quite happy to be more responsive on this. I do not have all the information with me at the moment.

Mr. LAIRD. We will go into that when we get into the general purpose area.

The only reason I brought it up in the strategic section was because such great importance was placed on the threat we faced from the Soviet Union in the 1968 time period and the cutbacks here in this ASW area will effect that particular timetable.

Secretary MCNAMARA. Yes. I think the question is not whether they were cut back from what the Navy requested, but rather if they had not been cut back would our ASW potential have been greater. I do not think it would have been. I think if you increased our antisubmarine force in the fiscal year 1964–68 period by a substantial percentage, far more than they requested—and let us assume we increased it by 25 percent as an illustration—I do not believe we would have substantially changed our ability to combat the Soviet missile-carrying submarine threat at that time.

Mr. LAIRD. Mr. Secretary, it seems to me in this ASW area, if we are going to face up to this problem, that it is necessary for us to go forward with a crash program on certain items.

It does not seem to me that the Mark 46 torpedo in this particular budget is put on a crash basis. Was any thought given to picking out two or three of the real breakthroughs we have had in ASW and putting them more or less on a crash basis to meet this Soviet threat?

Secretary MCNAMARA. We have asked the Navy to increase their expenditures on every item of ASW research and development that appears to offer any reasonable likelihood of increasing our capability. My recollection is the Mark 46 torpedo is funded at the rate proposed by the Navy. I would have to check the details of the Navy budget.

Mr. LAIRD. That is correct. In this budget the Navy has been given their request as far as the Mark 46 is concerned.

Secretary MCNAMARA. I thought that was the case.

Mr. LAIRD. This committee last year increased the Mark 46 funding above your recommendation on its own. This additional money was released for the Mark 46. There is no quarrel here. It just seems to me when you have the Mark 46 developed as far as it has been developed it might not be a bad idea to take a chance on something like that.

Secretary MCNAMARA. ——— is the amount requested and approved for the Mark 46.

Mr. LAIRD. It is a long way from the fleet. We are talking about research and development money here. We are postponing the possibility of getting this to the fleet. At this rate we would be doing good to get it generally in the fleet by ———.

Secretary MCNAMARA. Off the record.

(Discussion off the record.)

Mr. LAIRD. That is true. This torpedo goes a long way toward improving our position. Coupled with more and better listening platforms it will make a major contribution to ASW.

Secretary MCNAMARA. I do not disagree with your point of view. It is a problem that has disturbed me from the first day I came to the Department. I asked the Navy Secretary, Mr. John Connally, to address himself to it very early, which he did. We have changed the organizational structure of the Navy to put more emphasis on antisubmarine warfare research and development. I must confess we are still facing a situation where the offense has the advantage over the defense, as best we can tell.

Mr. MAHON. Off the record.

(Discussion off the record.)

Mr. LAIRD. Mr. Secretary, I will get off this ASW subject.

CONTROL OF ESCALATION OF ARMED CONFLICT

In your opinion, with the forces being as they are in the world today, meaning the Soviet Union and the United States, in any conflict who would control escalation?

Secretary MCNAMARA. I cannot answer the question. I think the control of escalation in an armed conflict between the Soviet Union and the United States is a very difficult matter to predict. I would hope we would be in a position where we could exercise control over escalation, but such control depends so much on the other person's mental attitudes I could not predict we would achieve such control.

Mr. LAIRD. Has not history shown us that the superior power usually controls escalation?

Secretary MCNAMARA. No, I do not believe it has. I think in many cases an inferior power acting in desperation has escalated the conflict. In any case the problem here is one of the type of force and the situation in which that force is being applied.

There is no question in my mind but that we have nuclear superiority, measured in numbers of warheads, and I am certain the Soviets realize that. I can visualize situations where acting in desperation, and with lack of reason they escalate nonetheless.

NUCLEAR STALEMATE

Mr. LAIRD. In a Saturday Evening Post interview that you had with Mr. Alsop the impression was given—and this may not be correct—that we were in a position of an almost stalemate with the Soviet Union. I wrote a letter to the President asking him certain questions on the 19th of January. This letter was not made public in any way. I wrote this letter for my own information. In that letter I tried to find out what kind of strategy we were following in the present world situation. I have here a copy of that letter.

(The letter follows:)

JANUARY 19, 1963.

The PRESIDENT,
The White House,
Washington, D.C.

MY DEAR MR. PRESIDENT: Events of recent years in the areas of the foreign and military policies of the United States have caused me a great deal of concern.

I have recently written a book "A House Divided: America's Strategy Gap," Henry Regnery Co., Chicago, a copy of which I enclose, which attempts to analyze policy and strategy formulation in recent years. In my analysis, I endeavored to divorce myself completely from partisan considerations in the hope that a true and meaningful dialog could be stimulated by its contents.

Knowing of the immensely heavy burdens on your time, I hesitated to send the book to you since I am aware that you can only concern yourself with matters of the gravest consequences.

However, I overcame my reluctance because I feel very strongly that grave mistakes are being made today and that only a President of the United States can provide the leadership and direction needed for a successful formulation of right policy.

Specifically, Mr. President, I write this letter to pose a question which I feel goes to the very heart of the problems we face today.

As a distinguished Senator in August of 1958, you delivered a notable speech on the floor of the Senate. It dealt with the foreign policy problems of the United States for the immediate years ahead.

In that speech, Mr. President, you, like many other well-informed leaders of the day, assumed that a missile gap would exist during the 1960–64 period. For that reason you called upon the United States to follow an "underdog strategy" for the duration of the missile gap period.

In recent months your statements and those of other distinguished members of your administration have unequivocally indicated that no missile gap exists now and that no missile gap ever existed.

If this is correct, the question raised in my book, and the question I ask now, is this:

Why, for the last 2 years, have we been pursuing an underdog strategy although we have never been and are not now the underdog?

By an underdog strategy I mean a strategy of response rather than one of initiative.

A strategy of initiative, in my view, would act when the possibility of a given situation getting out of control first arises.

A strategy of response, on the other hand, would go into effect only after the situation has deteriorated so far that a nation must take extraordinary steps even to salvage a return to status quo.

Cuba, of course, illustrates this rather dramatically.

But a more subtle illustration of our continuing reliance on a strategy of response came from your very able Secretary of Defense, Mr. McNamara. In his recent interview with the Saturday Evening Post, Secretary McNamara seemed to be calling for the development of a second strike capability by the Soviet Union.

I quote from the Secretary:

"I believe myself that a counterforce strategy is most likely to apply in circumstances in which both sides have the capability of surviving a first strike and retaliating selectively * * *. But today, following a surprise attack on us, we would still have the power to respond with overwhelming force, and they would not then have the capability of a further strike. In this situation, given the highly irrational act of an attempted first strike against us such a strike seems most likely to take the form of an all-out attack on both military targets and population centers. This is why a nuclear exchange confined to military targets seems more possible, not less, when both sides have a sure second-strike capability. Then you might have a more stable 'balance of terror.' This may seem a rather subtle point, but from where I'm sitting it seems a point worth thinking about."

Mr. President, one staggering implication of these words is that the strategy of the United States does not include the objective of a Communist defeat. For with nuclear parity a stalemate of fact rather than policy would exist.

In short, Secretary McNamara seems to be saying that although we are not "underdogs" as we once feared, perhaps we should become "equidogs."

If a more stable balance of terror by the expedient of permitting the Soviet Union to develop an adequate second strike capability is now the wish of the United States, my question is: What strategy will we pursue when that happens?

If, as a superior power, we pursue the "underdog strategy" Mr. President, what strategy will we pursue when we are "equidogs?" When nuclear parity has become a fact?

The necessity for clarification of these points is, I think, obvious. It is my sincere hope that you and your advisers will study the apparent confusion of our recent strategies and that you will seek to clarify them for my benefit and for the benefit of my colleagues and the American people.

With best wishes and kindest personal regards, I am,

Sincerely yours,

MELVIN R. LAIRD,
Member of Congress.

Mr. LAIRD. You do not believe we have anything near a nuclear stalemate at the present time, do you?

Secretary MCNAMARA. As we discussed last week I am wary of tagging a word like "stalemate," or "nonstalemate" onto our present condition. I would rather describe our present position as fully as I can and then allow you to draw your own conclusion.

Mr. LAIRD. I think you have done well explaining your position in detail in answer to Mr. Ford's question. I am sure people will take that answer of yours to Mr. Ford and make out of it a nuclear stalemate.

Secretary MCNAMARA. I do not personally believe the word "stalemate" is the proper word to apply. "Stalemate" implies lack of action and I visualize our military program leading to quite the contrary. I visualize it leading to action in the foreign policy field. That is why we have increased the budget in the last 3 fiscal years.

It is particularly for this reason that I do not like to see a single noun or adjective applied to what is really a very complex set of relationships. I do not think "stalemate" describes our present position.

Mr. LAIRD. I certainly do not say that it does.

Secretary MCNAMARA. I know it.

Mr. LAIRD. Other people did after listening to you.

Secretary MCNAMARA. This morning the New York Times had an editorial in its western edition in which it uses the word "stalemate." After having read my statement, it concluded we are not in a position of nuclear stalemate. Now this is one reason why I hate to see a single word applied to a very complex set of relationships. I believe we have sufficient power to absorb the first strike of the Soviet Union and, even then, destroy the Soviet Union. I also believe they have today, and will have increasingly in the future, the power to cause severe damage to the Western World, including the United States, in the event of a nuclear exchange. I do not believe I would call that a position of stalemate. Particularly, it does not lead in my mind to a stalemate in foreign policy. This, I think is the important conclusion I wish to emphasize.

Mr. LAIRD. You talked in your interview about a more "stable balance of terror." This is a quotation attributed to you from the Post article. Perhaps it is incorrect. I am not sure. It would seem to me from reading that particular paragraph in which you refer to "balance of terror" that the implication is that strategy of the United States does not include the objective of eventual defeat of the Communists in this cold war challenge with which we are faced. If nuclear power were near a stalemate, or a balance of terror, however you want to describe it, I am not sure what kind of policy we would then pursue as compared to the policy we are presently pursuing.

Secretary MCNAMARA. I do not believe I said, and I certainly did not wish to imply, that our objective does not include eventual defeat of the Communists. Quite the contrary. Our objective is the defeat of the Communists. I do not believe we can achieve that victory by engaging in strategic nuclear war. I think that kind of stalemate will become increasingly more controlling with the passage of time. That was the point that I was trying to make in my response to Mr. Alsop's questions.

Mr. LAIRD. I am glad to have your answer.

Secretary MCNAMARA. I think that was specifically the point at issue in the article. Implicitly the question was, "Can we achieve defeat of the Communists by engaging in strategic nuclear war? You have said we have superior nuclear forces measured in terms of numbers. Can we not use those superior nuclear forces to achieve defeat of the Communists?"

My answer is, I do not believe we can achieve defeat of communism by engaging in strategic nuclear war. There are some who do believe that. I do not. I think it is very dangerous, as a matter of fact, for any significant number of our people to believe we can achieve defeat of communism by engaging in strategic nuclear war.

Mr. LAIRD. But at the same time, Mr. Secretary, if we are forced to engage in that kind of an activity we must maintain our present superior position in order to win? Are we not in that position?

Secretary MCNAMARA. No, sir; I do not believe we are, not in the normal sense of the word "win," because in my opinion there would be such severe damage done to this country that our way of life would change, and change in an undesirable direction. Therefore, I would say we had not won. In another sense of the word "win" we would win. We would win in the sense that their way of life would change more than ours because we would destroy a greater percentage of their industrial potential and probably destroy a greater percentage of their population than they destroyed of ours. By "ours" I am speaking of the United States. I suspect that in terms of facilities the amount of industrial destruction in the West would exceed that of the Soviet Union. This is so because you would have to add to the destruction in the United States the probable destruction of Western Europe. My personal opinion is—and I think you should hear from General Taylor on this subject because it is so important—we cannot win a nuclear war, a strategic nuclear war in the normal meaning of the word "win." I think you should hear from General Taylor.

General Taylor. I can only add that throughout history men have waged war presumably because they felt that at its conclusion their country would be in a better position than had they not waged war. In other words, they acted in accordance with the old Clausewitzian theory that war is the pursuit of national policy objectives by forceful means. The kind of war we are talking about is not that kind of war at all.

I quite agree with the Secretary, that when you talk about "winning" a general nuclear war it is usually in a sense I do not understand. The losses on both sides would reduce these two world powers to secondary or tertiary powers. Certainly in a general nuclear war we would lose many of those things which have been thought worth fighting for in the wars of the past.

Mr. Laird. Mr. Secretary and General Taylor, you do feel it is necessary as we go forward to maintain our superior force in this area in order to deter and in order to prevent destruction by the Communist forces?

Secretary McNamara. Always.

Mr. Laird. And to prevent the Communists from imposing their will on us as well as the entire free world?

Secretary McNamara. Absolutely. We can never be complacent about this. Going back to the word "stalemate," "stalemate" suggests that we are satisfied with an impasse that will not change. But change occurs continually. Technical factors which may change this offsetting capacity which now exists pretty much on both sides are constantly revealing themselves. We must watch pretty carefully and pursue all the research and development programs you are concerned with. We do not have a balance. We have a dynamic offsetting situation which may change, not overnight, but in the course of a few years.

FISCAL YEAR 1964 ASW BUDGET

Mr. Laird. Since I have been on this committee there was the big drive for the manned bombers. We had to get going on the bombers. We were going to be behind.

Now I listened to you, Mr. Secretary, the other day say really the money we are spending on these bombers today is not important from the standpoint of the targets we are planning to use these bombers for. It is secondary, or down the line somewhere. This keeps changing all the time.

In this budget we have a great deal of money for these bombers, for the maintenance of these bombers to keep them flying, to fly alerts, to train the crews, to keep them up to date, and yet I find a downgrading of this ASW problem which seems to be of much greater significance than all the money we are spending on these bombers.

We are in a crash program to go to the moon. As far as outer space is concerned we are spending 10 to 1 in dollars as compared to inner space. It seems we are neglecting the inner space program. We should have some sort of crash program to solve our defense problem right here on the earth surface and under the oceans. This should be given a much higher priority than our present crash program to the moon. Those are personal opinions.

Secretary McNamara. The inner space expenditures I assume would include missile expenditures.

Mr. Laird. I am talking about under the ocean and on earth surface when I am talking about inner space.

Secretary McNamara. I would simply say that we are spending large amounts for "inner space"—as I distinguished from "outer space"—with particular emphasis being given to missiles. In ASW I have one ground rule and that is that money is no limit whatever on research and development projects associated with increasing our ability to detect, track, and kill Soviet submarines, including particularly Soviet missile launching submarines. I do not feel the Navy—and you can check this statement with them—would testify that their research on ASW is limited in any way by lack of funds. Quite to the contrary.

Mr. Laird. They did not get as much as they asked for and several ASW procurement programs have been cut back. If we don't get newly developed equipment to the fleet it serves no useful purpose.

Secretary McNamara. In the case of ASW research and development, they were not cut because of any fund limitation. We are not going to approve wasteful expenditures which do not appear to lead to an increase in potential capability. There may have been some reductions along that line, but even there, the amounts must have been small because I do not recall the specific reductions.

INCREASE IN SOVIET SUBMARINE THREAT

Mr. Laird. This is the first year any Secretary has come before us with as large a number of Soviet submarine launched missiles for the period of 1968 that you have indicated in your presentation.

Secretary McNamara. I think last year we had roughly similar figures. I can tell you approximately what they were last year. The submarine threat estimates have increased, but the character of the threat and the extent of our capability to meet it effectively has not materially changed since last year. It was a problem last year; it is a greater problem this year as we look into the period ahead. Moreover, the national intelligence community has somewhat increased its estimate of the submarine threat, since last year. The number we are estimating now is larger for end 1968. This is a very rough approximation because we are out beyond the leadtime period of the Soviet decisions. They may not have yet decided on everything that affects their fiscal year 1968 forces. These are rough estimates. I think they are reasonably reliable estimates. They are based on the best intelligence evaluation we have.

Mr. Laird. Even in your statement you refer to the Soviet submarine missile capabilities as a "significant change."

Secretary McNamara. You are quite right. That was a very substantial threat last year—Soviet missiles in submarines. The threat has increased, but it is essentially the same type of threat.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. LAIRD. I yield to the gentleman from Iowa.

Mr. GROSS. Did the committee go into the TFX to any great extent?

Mr. LAIRD. May I say to the gentleman I will be very happy to comment on the TFX contract. We went into the TFX contract. The present title of it now is the F-111. We went into that in some detail within our committee.

Personally, I think we are making a mistake in Congress to get involved in the area of which contractor should have gotten this particular contract. Whether it should have been Boeing or whether it should have been General Dynamics I do not think is the point we should be investigating. After listening to the testimony before our committee this year, I think the question the Congress should look into is whether the TFX should be funded at all.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. FORD. Mr. Chairman, I yield the gentleman from Wisconsin 10 additional minutes.

Mr. LAIRD. Mr. Chairman, the big issue here is not whether contractor A or contractor B gets this particular contract. The big question here is whether we should go forward and spend the $257 million that is authorized in this bill under research and development in the fiscal year 1964.

Let me develop that a little bit for the gentleman from Iowa. In this bill we are authorizing the procurement of over 1,800 F-4-B and F-4-C tactical fighters. Those particular fighter planes have a speed of mach 2.4. These have already gone through research and development. They are now in procurement. We have a contract. We are going forward, and we are buying the F-4-B's and the F-4-C's. The TFX is the follow-up plane from the F-4-B and F-4-C. It has a speed of mach 2.5, one-tenth of a mach greater. The mach 2.5 is two and a half times the speed of sound. We are going forward in a research and development effort, and we are not gaining enough by this research and development over the F-4-B and the F-4-C to justify the long-term cost of this particular plane, which is $6½ billion if we go into a procurement program. I would like to predict right here on the floor of the House today that the TFX will never go into production, it will never be manufactured. This particular plane will not be built because we have reached a state in aerodynamics in this country today where we can go forward with tactical aircraft of at least mach 3 speed. We should be going from our present planes in production to the F-4-B and F-4-C and jumping forward to a speed of mach 3, or better.

There are many side factors and many important defense considerations which I believe the committees of Congress should be giving greater consideration to than as to whether it went to this contractor or that contractor, because the TFX will be an obsolete aircraft as far as the 1970's are concerned.

Mr. GROSS. I agree completely with the gentleman that it is important that we get the most useful and effective products for the money we spend. But how those responsible arrive at the awarding of the contracts is also tremendously important.

Whether they are dealing from the top of the table in the Defense Department, or whether they are dealing from under the table is tremendously important. In my opinion they did not deal from the top of the table with respect to TFX. The Secretary of Defense, on the basis of testimony of the Comptroller General of the United States, dealt in figures out of his head and nowhere else. So I say it is tremendously important to know in the light of contracts to be awarded in the future, how the contracts have been awarded in the past.

Mr. LAIRD. I agree with the gentleman that it is important to see that these contracts are properly awarded. I have questioned the Department about the manner in which the contract on the TFX was awarded, but I do not want those questions to outweigh the important defense considerations which I believe that the Congress should look over; that is, whether the TFX should be built at all, or whether we should not leapfrog this particular type of aircraft and go forward to the kind of plane we can now build for the future. Let us not build an obsolete plane. This plane does not give us enough of an additional value in defense potential to justify the expenditure, in my opinion.

Mr. GROSS. Mr. Chairman, will the gentleman yield briefly?

Mr. LAIRD. I will be glad to yield.

Mr. GROSS. The gentleman also mentioned the announcements of the awarding of contracts and other procurement on the part of the Defense Department. In connection with the TFX contract, and even though the policy was abandoned in January of this year——

Mr. LAIRD. That was on subcontracting it was abandoned. On contract it is still being followed.

Mr. GROSS. All right. The newspaperman from Houston, Tex., who appeared before the McClellan committee in the other body, made it quite evident that these decisions as to procurements are being made available to a favored few, apparently.

Mr. LAIRD. We had no evidence that they were favoring the Senate over the House, or anything along that line, but it is the whole practice that I object to. I believe that this should be looked over very carefully by the Secretary of Defense with an effort made to stop this procedure, because the public image that is presented in this area of defense contracting is bad and it is not in the best interest of our national security.

The gentleman from Iowa raises the question about the proper awarding of contracts. In our hearings we did develop information in respect to the development of the Lance and the peculiar procedure that was used on this particular contract. I will place this material in the RECORD at the conclusion of my remarks.

Mr. GROSS. Mr. Chairman, will the gentleman yield very briefly again?

Mr. LAIRD. I will be happy to yield to the gentleman from Iowa.

Mr. GROSS. Does the gentleman know of any reason why the General Dynamics Corp. would be interested in the congressional districts in which it may put out awards to subcontractors? Would the gentleman know of any reason why this information would be so important to General Dynamics with respect to the TFX contract?

Mr. LAIRD. I assume that General Dynamics might feel that that would have a little greater influence in regard to the TFX. This whole particular question of the industrial defense complex is one which needs very careful examination.

Mr. Chairman, in still another crucial area, every member of this committee has expressed various degrees of concern over what may be becoming the primary emphasis of our strategy. As everyone knows, when this administration took office, the Eisenhower-Dulles doctrine was all but shunned and in its place was substituted what many now call the strategy of controlled response. In addition to this, we seem to be trying to build up our conventional capabilities and our special warfare capabilities in order to be able to play the game the way the Soviets want to play it anywhere in the world. The distinguished chairman of our subcommittee, the gentleman from Texas [Mr. MAHON] raised a very pertinent question at the outset of the hearings. He said:

> We are doing more and more to improve our conventional weapons and our weapons for special operations in guerrilla warfare and counterinsurgency. * * *
>
> Could it be that by this modification of course of policy that we are taking some steps that might encourage a nuclear war by indicating too strongly a reliance upon conventional weapons?

This is a deep concern of many of us, Mr. Chairman. It was subsequently brought out in the hearings, especially by General Wheeler, Chief of Staff of the Army, that as soon as the two Army divisions we added last year are fully modernized, this subcommittee can expect, probably next year, another request for two more divisions, presumably to give us a capability to wage a conventional war in Europe. Mr. Chairman, the wisdom of this country's attempting to develop a capability to wage a successful conventional war in Europe is open to serious question. The geography of West Berlin, the conventional military and manpower advantages the Soviets hold in that area of the world, and the many other considerations that work to the disadvantage of the West in a conventional war, argue quite persuasively that we would be foolish to abandon our successful nuclear strategy for a very doubtful conventional strategy. If we are going to supply the manpower for a conventional war in Europe, perhaps we should abandon our military assistance programs. Also, I think it is an inescapable conclusion that if we fought a conventional war in Europe, we would have to escalate the conflict.

A second point was brought out by the distinguished chairman's question. He said he hoped the Secretary could observe his thinking here and give his views "in such a clear way that there can be no doubt about our position."

To me, Mr. Chairman, this is the crux of the problem we on this committee face. The distinguished chairman is not alone. There has existed and there continues to exist a very definite doubt in the minds of many of my colleagues both on and off the committee as to what we are trying to accomplish. This is crucial. It represents an exercise in futility to get up on the floor of this House and try to defend expenditures of some $50 billion when, at the same time, none of us can give a satisfactory definition of what our positive strategy is, of what we are trying to do.

It has been amply spelled out for us what we are trying to avoid. We are trying to avoid further Communist expansion anywhere in the world; we are trying to avoid the holocaust of a nuclear war; we are trying to avoid offending the neutralists; we are trying to avoid driving these so-called neutralists into the waiting arms of the Communists; we are trying to avoid the further commitment of our troops in southeast Asia; we are trying to avoid the proliferation of nuclear weapons among our allies; and, perhaps worst of all, we are trying to avoid the responsibility of facing up to the Communists in those areas where it has become crystal clear that we should face up to them, namely in Cuba, in Berlin, in Laos, in South Vietnam, and in a number of other areas.

Mr. Chairman, at this point in the RECORD I insert the partial transcript of a colloquy between Secretary McNamara and myself in this year's hearings on the subject of our ultimate objective in the cold war.

The material referred to follows:

ULTIMATE OBJECTIVE OF MILITARY STRATEGY

Mr. LAIRD. Mr. Secretary, your presentation and the statement which was prepared for the committee I think is superb. I read it over with a great deal of interest and commend you for it. I do, however, have some policy questions which bother me. I do not think the statement deals with them in any great detail, although the statement goes into various systems and procurement in a very adequate manner. I think some things are decisions that have to be left to the Department of Defense and to you and your experts rather than to a congressional committee.

I think in the area of policy there are certain questions which we in the Congress should have a better understanding of and should become familiar with. I am not sure in my own mind what the objectives of our present defense policy are. What is the overall objective? Is it to deter war, to avoid war, to destroy communism, to coexist peacefully, or what?

Secretary McNAMARA. The basic objective is to, of course, protect our national security and our vital interests. I think, to be more explicit, it is to prevent, in association with other Government policies, the advancement of communism to the control of areas not now controlled by it. That is a foundation upon which we have calculated our military force requirements.

Mr. LAIRD. Is the long-range ultimate objective of our strategy containment, then?

Secretary McNAMARA. I think the long-range objective is, of course, the spread of freedom throughout the world. I personally believe our policy is accomplishing that objective. It is not an objective that can be achieved primarily through the development of military force or the application of military force. But I think that it is quite clear that we as a nation and, as a matter of fact, as the Western World, have standards of values, standards of behavior, economic power, and a record of accomplishment in the political and economic fields such that, given the opportunity to exist in a peaceful world, the advancement of our forms of society is almost certain to occur over a long period of time.

> Mr. Laird. Is our strategy one of merely reacting to Soviet probes?
>
> Secretary McNamara. Of course not.
>
> Mr. Laird. Our strategy was not that in Cuba?
>
> Secretary McNamara. Our strategy does preclude reaction to Soviet probes, but it is not limited to reaction to Soviet probes.
>
> Mr. Laird. What is our strategy as far as Vietnam is concerned? Was not that a reaction to a Soviet probe?
>
> Secretary McNamara. We have for a considerable time in the previous administration and in this administration sought to expand the base of freedom in southeast Asia. We have had that as our objective in South Vietnam.
>
> With that as our objective, we of course increased our assistance to that nation when it came under covert attack by Communists operating out of North Vietnam and with the obvious support of the other members of the Communist bloc.
>
> Mr. Laird. It seems to me that we are engaged in a war now. Some people call it a cold war, and other terms are used in referring to it. I think our Secretary of State has referred to it as a cold war, as have former Secretaries of State.
>
> I am not sure in my own mind what our objective is in this cold war. In all past wars, whether hot or cold, we have had an overriding objective to win, to defeat the enemy. Sometimes it seems to me that when we talk about our present strategy—and I am not limiting this to the last 2 years or the last 4 years—it seems to me that we place major emphasis in our strategy to avoid war. Is that the case or not?
>
> Secretary McNamara. I do not believe it is. I think that, quite clearly in the case of the Cuban crisis of last October, we acted in a way we hoped would avoid war but certainly we exposed ourselves to the risk of war.
>
> As to our objective, I think it is quite clear—it is to me—that it is to advance the cause of freedom throughout the world and to do this in a way that protects our own national security, which means we are not prepared to destroy our Nation in the process of attempting to advance freedom elsewhere in the world.
>
> Mr. Laird. We have to be willing to take that risk?
>
> Secretary McNamara. I do not believe we should embark upon a course of action that is almost certain to destroy our Nation when that course of action can be avoided without substantial penalty to us.
>
> Mr. Laird. Did we take that risk in Cuba?
>
> Secretary McNamara. The problem there was to avoid a situation developing which increased the risk of destruction to our Nation, increased the danger of nuclear war, and to act in such a way as to nip that development in the bud before it reached a point of higher risk.

At one point in this colloquy, I asked the Secretary whether in our strategy we do not place a major emphasis on the avoidance of war. He said he did not think so and cited last October's Cuban crisis as one place where we risked war. Mr. McNamara said that the problem in Cuba "was to avoid a situation developing which increased the risk of destruction to our Nation, increased the danger of nuclear war, and to act in such a way as to nip that development in the bud before it reached a point of higher risk."

Mr. Chairman, I quite agree with the Secretary that this Nation should always take appropriate action to prevent a situation developing which will—and I want to emphasize these words of his—which will "increase the risk" to the United States. This is precisely the basis upon which I feel this Nation should act at all times. Where I depart from the Secretary, however, is at that point where the time element comes in—in other words, When do we act to prevent such a situation from developing?

I venture to suggest that the basic difference between a strategy of initiative and one of response derives from the time element. Initiative would apply if action were taken at one particular point in time; response would apply if action were taken at a different point in time. To spell this out, a strategy of initiative would act whenever the possibility of a given situation getting out of control first arises—the Bay of Pigs, for example, if that had been successful. A strategy of response, on the other hand, would go into effect only after the situation had deteriorated so far that the United States had to take extraordinary steps even to salvage a return to the status quo—last October's Cuban confrontation, for example.

In both cases, action was indicated to prevent an increase in risk. The abortive action at the Bay of Pigs automatically meant that the subsequent action last October was undertaken at far greater risk. Last October's failure to press the advantage when we had it simply means that the next Cuban crisis will hold even greater risks. This is what I like to call true escalation—each postponed or unsuccessful action means escalation to a higher plateau of risk.

Mr. Chairman, these are only a few of the many problems that have caused me great concern as we went through this year's hearings. This committee's prime function is to pass on the various programs presented to it by the Department of Defense and the services. To do this we must have a clear picture of what our strategy is attempting to accomplish. There is some considerable doubt in my mind that we have a strategy that is designed to win the cold war with the Communists. Rather, we appear to be looking toward long-range coexistence with the Communists, which to my mind is impossible of attainment. I would hope, Mr. Chairman, that this committee and the Members of this Congress will participate in a thoughtful and penetrating dialog designed to determine what we want to accomplish in this so-called cold war. On the basis of that consensus, I would then hope we would look at our defense programs in the light of clearly defined strategy objectives.

Mr. MAHON. Mr. Chairman, I yield 10 minutes to the gentleman from Alabama [Mr. Andrews].

Mr. BARRY. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from New York.

Mr. BARRY. I would not like this moment to pass without commending the gentleman from Wisconsin for the remarkable and thought-provoking statement he made.

I thank the gentleman for yielding.

Mr. ANDREWS. Mr. Chairman, there are many things that could be discussed during the consideration of this bill, because it is the biggest appropriation bill that comes before the House. In fact, it is a bill that directly affects the lives of all Americans and it covers many, many subjects. There is no department of the Government anywhere like the size of the Defense Department.

I want to talk to you about our Polaris fleet ballistic missile weapon system, which in my opinion is the greatest deterrent weapon that we have in our arsenal.

Mr. Chairman, the Polaris fleet ballistic missile weapon system is now completing 3 full years of deployed operational capability. This system continues to be an increasingly powerful instrument of national policy in maintaining peace and stability in our world today. The realization of how vital this deterrent system is to our national defense posture was dramatically reemphasized during the international Cuban crisis last fall. The Polaris program has from its conception been of great interest to our committee and will continue to receive the fullest support of the committee in meeting the greater production challenges of the future. Starting this month, June 1963, the fleet ballistic missile program is to deliver the newest class of submarines at an unprecedented rate of one per month. By 1967, the total number will have grown to 41, the currently planned total Polaris force. Thirty-five of these submarines were funded through fiscal year 1963 and funds were provided also in fiscal year 1963 for procurement of long leadtime items for six additional submarines, which are being requested in this budget. Nine submarines with 144 Polaris missiles are now deployed overseas and 3 more will join them before the year is out.

The Special Projects Office of the Navy Department richly deserves special praise for delivering a fully operational Polaris system years ahead of schedule. Both directors of the Special Projects Office have done a superb job in devoting their untiring efforts to this duty. The first director was Vice Adm. W. F. Raborn; the current director is Rear Adm. I. J. "Pete" Galantin. Assisting the Director is an imposing team of Navy missile experts, major industrial firms, and scientific leaders. Admiral Galantin has also been designated as the U.S. project officer for the United States-United Kingdom Polaris sales agreement.

Significant achievements have marked the continuing success of the Polaris program during the past year. The U.S.S. *Ethan Allen* operating in the Pacific successfully fired a tactical Polaris missile with a nuclear warhead in the first full system test of any modern missile weapon system. A successful nuclear detonation was achieved, thus completely simulating actual conditions. The U.S.S. *Lafayette*—SSBN 616—was launched and christened by Mrs. John F. Kennedy. This lead ship of the third generation class of Polaris submarines is the largest ever built and includes improvements based on the invaluable patrol experience of her predecessors. The *Lafayette* submarine length of 425 feet and displacement of 7,000 tons make this class of ship virtually equivalent in size to a World War II light cruiser. The 16 Polaris missiles which are carried aboard have a TNT equivalent greater than all the bombs dropped in World War II. The first flight test of the 2,880-statute-mile Polaris A-3 took place at Cape Canaveral in August 1962. A new all-inertial guidance system, only one-third the size and weight used in A-1 and A-2 missiles, gives added range and increased accuracy for the longer flight of the Polaris A-3 missile. The test schedule is proceeding on a plan to make the A-3 missile fully operational in 1964.

Three Polaris submarines with 48 missiles are taking up station in the Mediterranean Sea replacing the 15 Jupiter missiles in Turkey, and 30 in Italy. The Kremlin has shown its acute concern and awareness of this new deterrent force in the Mediterranean. Since the Nassau Pact, the U.S. Navy has begun work with the Royal Navy in preparing for the United Kingdom Polaris force to consist of four British-built nuclear submarines armed with Polaris A-3 missile systems purchased in the United States.

Support force capability continues to keep pace with the increasingly larger Polaris operational force. Missiles are assembled, checked out, and loaded at the Naval Weapons Annex, Charleston, S.C. A similar assembly facility is being constructed at Bangor, Wash., to support Polaris submarines in the Pacific. Pearl Harbor is the home port for Polaris Pacific submarines; construction for a team trainer facility similar to Charleston and New London is underway. Naval shipyards at Portsmouth, N.H., and Bremerton, Wash., are being equipped to handle Polaris submarine overhauls. APRA Harbor, Guam, will be the anchorage for the fleet ballistic missile submarine tender supporting Pacific operations just as Holy Loch, Scotland, is for Atlantic Polaris operations. A force of six tenders has been programed to insure that at least five of the six will be available throughout the overhaul cycle to support the five squadrons into which the Polaris force will be organized. Four tenders and three supply ships were funded through fiscal year 1963. The fiscal year 1964 bill provides funds for the fifth tender and for the conversion of a resupply ship and a floating drydock. Communications facilities for the Polaris system maintain continuous contact with patroling Polaris submarines while they are completely submerged.

The most important element in the entire Polaris system is carefully selected and thoroughly trained manpower. Without it, all the sophisticated, technically advanced hardware equipment is just so much deadweight. The nuclear missile submarine is the first machine which we have built that has considerably more endurance than the men who man and operate her. For this reason and also to achieve maximum "on station" deterrent effectiveness each fleet ballistic missile submarine has two fully-trained crews, one called the blue crew and the other gold, of about 130 men and officers each. The crews alternate on the long 60-day submerged deterrent patrols. While one crew is at sea the other crew is engaged in extensive refresher training and enjoying some well-earned recreation and vacation leave.

A Polaris crewman may spend as much as 2 years at Navy schools before he ever sees his submarine. He may be in a 38-week electronics technician course at Great Lakes, Ill.; a 24-week missile technician course at Dam Neck, Va. He then must spend 8 weeks at submarine school, New London, Conn., and up to 39 weeks at Fleet Ballistic Missile School at Dam Neck, Va. Only then will he go to his submarine. The chances are good that the keel of his ship was laid about the time he started training. This man is trained as no mere technician qualified on one piece of hardware. The interrelations between subsystems is such that he must be a systems man, able to think in terms of all the associated parts of the system. His training is designed to equip him for just that.

The investment in a trained man is high. His reenlistment is important to retain that investment in training plus the experience one tour of duty has given him. The Navy is doing all it can to encourage these exceptional young men to reenlist, to continue in the service of their country. I think it behooves the Congress to pay special attention to the problems all military services have today in retaining skilled, expensively trained young men in the service. Polaris submariners are well aware of the important strength their submarine adds to our Nation's defense as they are of the challenges posed by their unusual life under the sea. Above all, they know beyond doubt that they are personally contributing in a large measure to the peace of the world and the safety of their own wives and children. They are performing the same service for all of us.

A major consideration in all new hardware design for the advanced A-3 missile and the *Lafayette* class submarine has been the obvious, but frequently overlooked, fact that submarine sailors, not white coated Ph. D.'s, must be able to operate and maintain the system in a perpetual environment of alert. "Downtime" means targets are not being covered for that period. It must be kept to an absolute minimum in a submarine on patrol. The operational record has been excellent. An average from patrol experience shows that the submarines have been ready to fire 15 missiles 99 percent of the time; 16 missiles 95 percent of the time. The desired goal: even higher percentages.

While I am not at liberty to disclose in detail the accuracies achieved by the Polaris submarines firing in near operational mode, I can state that they have done extremely well and the entire system is highly reliable. There is every reason to believe that continued improvement both as to quality and performance will be achieved as the Navy continues to bring more of these powerful ships into being on an accelerated schedule. To me, the Polaris system is an indication that as we go more and more into the time area of these tremendous weapons. satellites, space travel, and like, it seems that the seas, the open oceans of the world, become increasingly attractive as a place in which to base these tremendous weapons of war. If the United States seeks to exert its power for peace on a global basis, it must increasingly exploit that 72 percent of the globe which is water. There great submarines moving beneath the water cannot be detected by satellites circling around this globe and their ability to move from one part of the world to another via the open oceans, make it a most powerful weapon indeed. The significance of this weapon in our arsenal can hardly be over estimated. Cruising silently and quietly in the great depths of the oceans with thousands of square miles available to them the Polaris submarines can be considered relatively invulnerable to surprise attack. The long 20-year life of the Polaris submarine is a welcome contrast to the high obsolescence rate of most weapons. Thus, this highly survivable weapon system should do much to stabilize the large expenditures which this country necessarily must make to provide an appropriate major war defense capability.

Mr. Chairman, my prayerful hope is that it will never be necessary to fire a single one of our Polaris missiles in anger. It is sobering to know that right now 2,400 men are spending half of each year below the sea so that we may all continue to live in peace in a free Nation. We are all indebted to them. Through the years ahead the increasing number of missiles will further strengthen this first completely proven, concealed, mobile, virtually invulnerable deterrent system. It means that when these Polaris missile submarines are deployed and when they are complemented by other U.S. forces we have a situation in which America's assured power of retaliation will even further deter and reduce an enemy's incentive to attack.

Mr. Chairman, an American cannot mention the words "atomic-powered submarine" without thinking of Admiral Rickover, one of the great scientific geniuses of this age. I was happy to note recently that the Navy announced that he would remain in the service. No man in America has done more for the defense of our country than Admiral Rickover.

Admiral Rickover has done me the courtesy of sending a letter from each new submarine as soon as she had been launched. On May 6, 1963, I received a letter dispatched at sea from the North Pacific. I would like to read that letter:

U.S.S. "ANDREW JACKSON" (SSBN-619),
VALLEJO, CALIF.,
At sea, North Pacific, May 6, 1963.

The Honorable GEORGE W. ANDREWS,
U.S. House of Representatives
Washington, D.C.

DEAR MR. ANDREWS: We have just successfully completed the first sea trials of the U.S.S. *Andrew Jackson*. The *Andrew Jackson* is our 13th Polaris type nuclear submarine; with this submarine we will have the capability of launching 208 missiles from hidden, mobile platforms. We also have in operation 17 attack type nuclear submarines, making a total of 30. When all nuclear submarines in approved programs are completed, we will have 41 Polaris and 47 attack submarines.

The trials of the *Andrew Jackson* are the first since the sad loss of the *Thresher*. There went down with her many fine young men; fine husbands, fathers, sons—a cross section of the flower of American youth. I knew many of them personally; I helped select them for the Navy's nuclear program; they had been trained at our nuclear schools and land prototypes. As a reminder of man's dependence on God I present to each submarine captain as he completes his training in nuclear power a bronze plaque. On it is inscribed the prayer which has been used by Breton fishermen for hundreds of years:

"Oh God, Thy sea is so great
And my boat is so small."

I pray that those of us responsible for submarines will learn to design, build and operate them in a manner worthy of the men who gave their lives in the *Thresher*.

Respectfully,

H. G. RICKOVER.

Mr. FORD. Mr. Chairman, I yield to the gentleman from Ohio such time as he may desire.

Mr. OLIVER P. BOLTON. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. OLIVER P. BOLTON. Mr. Chairman, last Saturday, the Washington Evening Star ran an editorial entitled "Speaking of Blackmail." The editorial said:

> Defense Secretary McNamara is saying that if Congress won't give him his fallout shelter program he won't approve an anti-ICBM program—even though such a defensive weapon might be technically feasible.

The editorial concluded—

> Perhaps Mr. McNamara is trying a bit of political blackmail of his own, hoping to frighten Congress, which favors anti-missile missiles, into approving a shelter program, which it does not favor. If this is the case we do not think he should be permitted to get away with it.

At this point in the record, I insert the editorial of June 22, 1963, from the Evening Star.

Speaking of Blackmail

> Defense Secretary McNamara is saying that if Congress won't give him his fallout shelter program he won't approve an anti-ICBM program—even though such a defensive weapon might be technically feasible.
>
> To us, this makes no sense. Mr. McNamara's view, as we understand it, is that even if a reasonably effective anti-missile missile were developed and placed around our cities, the Russians could aim their nuclear weapons at undefended areas, thereby kicking up a lot of fallout which, without shelters, would still kill a large number of people. Consequently, if he doesn't get the shelters he won't approve the defensive missiles.
>
> This sounds something like the case of the boy who owned the ball and who wouldn't play unless he could pitch. If it makes sense to ban a defense against ICBM's in the absence of a shelter program, why not scrap our whole defensive program—planes, warning systems and what not? Perhaps Mr. McNamara would favor this. But where will the United States, stripped of its defenses be, on the day, which will surely come, when the Russians have developed an effective anti-missile missile of their own?
>
> We will be at their mercy—a pushover for blackmail. Perhaps Mr. McNamara is trying a bit of political blackmail of his own, hoping to frighten Congress, which favors anti-missile missiles, into approving a shelter program, which it does not favor. If this is the case, we do not think he should be permitted to get away with it. The Defense Secretary's responsibility is to do what he can to provide this country with maximum protection. He is not supposed to chuck it just because he doesn't get everything he would like to have.

Frankly, Mr. Chairman, I think this editorial pinpointed one of the most significant problems to emerge from this year's hearings before the Subcommittee on Department of Defense Appropriations. What this editorial left unanswered, however, was why Secretary McNamara chose to leave himself open for such criticism.

On page 56 of the committee report accompanying H.R. 7179 is the recommended appropriation of $554,301,000 to the Army for research and development of missiles and related equipment. Of this amount, more than half is earmarked for the anti-intercontinental ballistic missile effort.

This program is newly reoriented. The Nike-Zeus development program is being phased down and is being replaced to a large extent by the Nike-X program.

The Nike-X program involves the use of a new, shorter range missile called the Sprint as the primary battery and the use of the older Nike-Zeus missile for longer range intercepts. As I understand it, the Nike-X will increase the rate of fire and increase the speed of the missile, thereby allowing the point of intercept in the atmosphere to be lower, thus decreasing the degree to which an enemy decoy system could be used effectively.

Secretary McNamara testified that $1½ billion already had been spent on the development of Nike-Zeus, but that in its present configuration Zeus could not properly defend against either a saturation or a decoy type of attack on our cities. According to the Secretary, these are the types of attacks we must anticipate in the future. For this reason, the Department of Defense apparently has decided to proceed on an "urgent" basis with the development of Nike-X incorporating the Sprint missile and advanced radars, and deferring for the time being the decision to actually deploy the system. The Chairman of the Joint Chiefs of Staff, Gen. Maxwell D. Taylor, on this point, disagreed with Secretary McNamara during the hearings, in that he feels Nike-Zeus should be deployed as rapidly as possible at a cost penalty of $2.8 billion vis-a-vis waiting until Nike-X is developed and then deploying.

The nub of the developing controversy over the question of interrelationship of the anti-ICBM program with civil defense can be found on page 439 of the hearings when, in an exchange with the gentleman from Michigan [Mr. FORD] Secretary McNamara said: "I personally will never recommend an anti-ICBM program unless a fallout program does accompany it." This, together with the Secretary's statement on pages 438 and 439—also in an exchange with Mr. FORD—that our own anti-ICBM's would create a fallout problem of their own, precipitated a long series of talks between the Secretary's Office and myself, culminating on June 3 with a letter to me from Secretary McNamara.

MAY 13, 1963.

HON. ROBERT S. MCNAMARA,
Secretary of Defense,
U.S. Department of Defense,
Washington, D.C.

DEAR MR. SECRETARY: During the course of the fiscal 1964 Defense Department hearings conducted by the Subcommittee on Department of Defense Appropriations, you were quoted on page 438 as saying: "I would say the quickest way to provide for a saving in lives under these circumstances is to advance the civil defense program at an expenditure which is just a small fraction of this. As a matter of fact, any one of these programs demands a complementary civil defense program, because there will be such a huge amount of fallout generated by our own anti-ICBM system and the incoming warheads of the strike that it would be foolhardy to spend funds of this magnitude without accompanying it with a civil defense program."

Under further questioning on this point by Congressman FORD, the hearings have you quoted as saying: "* * * I think I am right in saying that our own program will create a fallout problem."

Shortly thereafter, on page 439, you made what I consider to be one of the strongest statements ever made by a Secretary of Defense in support of the current, relatively modest fallout shelter program when you said: "I personally will never recommend an anti-ICBM program unless a fallout program does accompany it. * * * On this point, may I add one further thought: If we had a Nike-Zeus or X system in being, the Soviets almost certainly would target some of their missiles outside the range of those systems. They would know where the defense systems were located and they would target their missiles outside the range of those systems with ground bursts to insure that we had a substantial degree of fallout even though the defense system might have been successful in intercepting some or even a majority of the warheads targeted against the urban areas themselves."

You went on to conclude on page 440, as follows: " * * * I am not so certain we have gotten this point across before as thoroughly as we should have, but it is a point we have mentioned before, and I wanted to mention it again now."

As one who is in general sympathy with your concern over the interrelationship between our anti-ICBM and fallout programs, as evidenced by the attached news release, I fully concur with your feeling that "I am not so certain we have gotten this point across before as thoroughly as we should have." Moreover, if the point is unclear with members of the appropriate congressional committees, I believe this vital matter has been completely lost on the part of the public.

In this regard, with your interest in the strategic importance of an adequate fallout program, would not better understanding of the existing and proposed shelter programs result from a frank acknowledgment of the interrelationship of our anti-ICBM and fallout programs?

With this in mind, Mr. Secretary, would you kindly comment in greater detail on the above statements, especially with regard to your assertion that "I personally will never recommend an anti-ICBM program unless a fallout program does accompany it."

With every best wish,
Ever sincerely,

OLIVER P. BOLTON.

THE SECRETARY OF DEFENSE,
Washington, June 3, 1963.

HON. OLIVER P. BOLTON,
House of Representatives.

DEAR MR. BOLTON: Your strong and consistent support of the civil defense program is most appreciated and I welcome the opportunity your letter affords me to discuss in greater detail the relationship between civil defense and the antiballistic missile program.

In your letter you quote my remarks before the House Subcommittee on Department of Defense Appropriations to the effect that any antiballistic missile defense program "demands a complementary civil defense program, because there will be such a huge amount of fallout generated by our own anti-ICBM system and the incoming warheads of the strike that it would be foolhardy to spend funds of this magnitude without accompanying it with a civil defense program."

You underscore, however, only the first source of fallout I mentioned. Actually the fallout generated by our own anti-ICBM would be of minor significance compared with that generated by the incoming warheads. I elaborated on this aspect of the problem on the very next page of the hearing from which you quoted. I pointed out the danger that the Soviets in an all-out nuclear attack upon the United States might deliberately ground burst some of their missiles outside the range of our antiballistic missile system and that this type of burst would result in a great amount of fallout even though the defense systems might have been successful in intercepting some or even a majority of the warheads targeted against the defended urban areas themselves. This last is the most important point to keep in mind and it is in that context that I said "I personally will never recommend an anti-ICBM program unless a fallout program does accompany it."

Thus, the statement in your April 26 press release, "According to information provided me by top Pentagon officials, even a high degree of success in aerial intercept of incoming enemy missiles by Nike-Zeus or X systems deployed around such industrial targets as Cleveland, Columbus or Akron could be easily overcome by the Soviet's ground bursting weapons downwind (or upwind) and outside the range of our anti-ICBM system, thereby achieving by fallout the destruction and loss of lives that could not be attained by bursting within these target areas," is entirely correct. It is principally for this reason that an effective fallout shelter program is a necessary complement to an anti-ICBM system.

And, a I pointed out in my prepared statement to the House Defense Appropriations Subcommittee, " * * * the effectiveness of an active ballistic missile defense system in saving lives depends in large part upon the existence of an adequate civil defense system. Indeed, in the absence of adequate fallout shelters an active defense might not significantly increase the proportion of the population surviving an all-out nuclear attack. For this reason the very austere civil defense program recommended by the President * * * should be given priority over any major additions to the active defenses." For example, if we were to consider the cost of our current shelter marking and stocking program as equivalent to one, the relative cost per additional survivor of other possible programs would be as shown in the table below:

Program	*Approximate relative cost*
Complete shelter marking and stocking program	1
Provide fallout shelters for entire population	15
Provide blast shelters for urban population	30–50
Improve air defense and provide ballistic missile defense for large cities	30–50

As shown above, the cost of providing a ballistic missile defense system for large cities would be anywhere from 30 to 50 times more than the cost per additional survivor of the currently approved shelter, marking and stocking program. In fact, such an active defense system for our major metropolitan areas would cost two to three times more than fallout shelters for the entire population of the United States, including the cost of building new shelters. That is why we have so strongly recommended to the Congress that the completion of the current shelter survey, stocking and marking program be given first priority. The second essential step is to initiate a shelter development program to provide the shelter spaces needed to care for the rest of our population. Only then should we consider other major programs to limit the effects of a possible attack.

I hope these comments will assist you in your efforts to create a wider public understanding of the civil defense problem.

Sincerely,

ROBERT S. MCNAMARA.

Mr. Chairman, because the Nike–X system contemplates a lower altitude intercept of incoming enemy missiles, the Defense Secretary's February testimony might erroneously lead one to believe that any resulting self-created fallout problem would be still more acute than it would have been with deployment of the older, higher altitude intercept Nike-Zeus program. In answer to Mr. FORD's assertion on page 439 of the hearings that he was the first witness ever to testify that our own anti-ICBM program would create a fallout problem, Secretary McNamara said:

> I cannot speak with accuracy about the past [testimony], but I think I am right in saying that our own program will create a fallout problem. We are using nuclear warheads, of course, and there are literally hundreds of them that would be detonated under these circumstances.

Both my talks with competent Pentagon officials, as well as the Defense Secretary's letter to me of June 3 point to the fact that Secretary McNamara during this year's hearings inadvertently overstated the danger of fallout that would be created by our own anti-ICBM systems. In his letter, Mr. McNamara himself conceded that:

> Actually the fallout generated by our own anti-ICBM would be of minor significance compared with that generated by the incoming warheads.

On this point, at least, Mr. Chairman, I personally do not believe there exists a significant degree of interrelationship between our civil defense fallout shelter program and any future decision on the part of the Defense Department as to whether or not to recommend funds for full deployment of either Nike-Zeus or Nike–X.

On the other hand, Mr. Chairman, the underlying logic for Secretary McNamara's warning to the Appropriations Committee that he would never recommend all-out deployment of an anti-ICBM system unless accompanied by a good civil defense fallout protection program appears to me to be based on some very compelling statistics. During last February's hearings, the Defense Secretary was requested to furnish to the committee a set of figures, based upon varying assumptions as to the size and type of an enemy nuclear missile attack, which would indicate the relative cost for a civil defense program and anti-ICBM program as far as lives saved are concerned. The Pentagon complied with this request, but unfortunately these figures had to be classified and deleted from the printed text of your hearings.

Secretary McNamara did, however, include a relative cost "per additional survivor" table in his letter to me of June 3. This table, declassified for purposes of my letter, indicates that the cost of providing a ballistic missile defense system for large cities would be anywhere from 30 to 50 times more than the cost per additional survivor of the currently approved shelter, marking, and stocking program. Similarly, the cost per additional survivor for an anti-ICBM system around large cities would cost two to three times more than would fallout protection for our entire population, which program has not as yet received congressional approval. Yesterday, Pentagon officials assured me that the relative cost tables provided in Secretary McNamara's letter of June 3 were based on a recently concluded major Defense Department study, the results of which were not available at the time the preliminary relative cost figures were supplied to the Appropriations Committee.

More important, perhaps, was the Defense Secretary's statement in his letter to me that:

> The Soviets in an all-out nuclear attack upon the United States might deliberately ground burst some of their missiles outside the range of our antiballistic missile system and that this type of burst would result in a great amount of fallout even though the defense systems might have been successful in intercepting some or even a majority of the warheads targeted against the defended urban areas themselves. This last is the most important point to keep in mind and it is in this context that I said (before the Subcommittee on Department of Defense Appropriations) "I personally will never recommend an anti-ICBM program unless a fallout program does accompany it."

Both from the letter of June 3, as well as from informal conversations with Pentagon officials, I have determined that not only Nike-Zeus and Nike–X are, in the eyes of the Defense Secretary, dependent for their usefulness upon adequate fallout protection, but also involved are advanced continental defense interceptors as well as future deployment of Nike–Hercules and Hawk surface-to-air missiles.

[From the Washington (D.C.) Evening Star, June 19, 1963]

NEW INTERCEPTOR PLANE KEYED TO SHELTER PLAN

(By Richard Fryklund)

The Air Force proposal for a hot new interceptor plane will never get beyond the talking stage unless the fallout shelter program is a success, according to defense officials.

It would be futile for the Air Force to have the plane if the public does not have the shelters, the reasoning goes.

This is the second major defensive weapon proposal to be made contingent on the success of Defense Secretary McNamara's shelter program. The other is the Nike–X rocket system being developed to intercept enemy intercontinental missiles.

Mr. McNamara has said flatly that he will not order a go-ahead on the Nike–X—even if it proves technically feasible—unless the shelters are built.

He has not yet taken a personal stand on the new interceptor, but Defense Department sources say it is clear the same principle applies.

MUST PROVE ITS VALUE

Even if the shelters are built, the interceptor still will have to prove it is a better lifesaver per dollar invested than other pending projects.

Here is the problem, in brief:

Officers at the North American Air Defense Headquarters at Colorado Springs say the day is coming when we will no longer have interceptor planes capable of catching, inspecting and, if necessary, destroying high, fast intruder aircraft.

In a few years, for instance, the monitors at the Air Defense Headquarters could get word that radar has detected a plane flying over American-Canadian defenses in the far north at, say, 60,000 feet and 1,500 miles an hour. It might be a spy plane or a new supersonic airliner off its course and altitude.

Headquarters would order interceptor planes to check it out, but the pilots would be unable to do it because of the planes' superior speed and altitude.

The commanders then would have to decide whether to order the unidentified plane shot down blind by missiles and risk the possibility of its being an airliner or let it go and risk the possibility of its being a Soviet "U-2" that has photographed our defenses.

TWO INCIDENTS CITED

American interceptors have been embarrassed twice in public by such incidents.

Last fall, just before the Cuban crisis, American U-2 planes on highly secret missions were chased by fighter planes guarding the east coast. The fighters could not catch up, and the pilots started the rumors that Communist spy planes were flying with impunity over this country.

Early this year unknown planes were spotted by radar flying over the Aleutian Islands. Again interceptors could not catch them, and, presumably, Red spy planes got away unseen.

Now the French and British Governments are joining to build a commercial airliner that will cruise at twice the speed of sound. There is no interceptor plane on the drawing boards which will be able to do that.

Even the projected TFX fighter will be able to make only a short dash at that speed. Even it will not be able to inspect an off-course airliner unless it just happens to be at a favorable spot along the plane's course.

ASK FAST, NEW INTERCEPTOR

To patrol the skies and defend against supersonic bombers the Russians may be building, and fast air-borne missiles they now have, Air Force officers are asking Mr. McNamara for permission to build an Improved Manned Interceptor (or IMI in Pentagonese).

It would cruise at three and one-half times the speed of sound (about 2,300 miles an hour) at 100,000 feet, have an operational radius of about 1,000 miles and carry all the electronic gadgetry necessary to make it independent of any ground station.

If there is no fallout shelter program, civilian defense officials say, military defenses on the American continent will be pretty much beside the point. Some enemy missiles and planes will always get through, and even if the enemy tries to spare civilian lives the fallout dusted on unprotected people could well break the country's back.

It would be futile to spend several billion dollars to produce an IMI if the civilians get no protection. The same goes for the billions it would cost for a Nike-X antimissile missile.

But if the civilians are protected from fallout, then, under most of the possible kinds of thermonuclear wars now foreseen, the country could expect to survive.

If survival is possible, then it would be worthwhile to study the value of an IMI, defense officials believe.

If the shelters are approved by Congress, the civilians will then compare the IMI with other proposals on the basis of lives saved per dollar spent.

Defense dollars are limited, so the improvements that promised the most lives saved per dollar would get first approval by the civilian bosses.

Mr. Chairman, I have provided this additional information today in hopes that any national debate concerning the interrelationship of our active defenses—anti-ICBM's, and so forth—and our passive defense—civil defense and fallout protection—might avoid such emotional charges as "blackmailer" against either advocates or detractors of our anti-ICBM program. At the same time, I hope a meaningful debate takes place, both here in the Congress and throughout the rest of our Nation.

In conclusion, perhaps Secretary McNamara is threatening to delay or veto future deployment of an anti-ICBM program unless adequate national fallout protection is approved and implemented. Because civil defense is so relatively unpopular except in time of panic, some have suggested that the Secretary is merely using this as a convenient excuse for disposing of the anti-ICBM program. Personally, I think his February testimony as well as the recommended urgency for developing Nike-X belies this line of reasoning.

But, if adequate protection for our population against future nuclear missile attack is dependent upon, as Secretary McNamara has said, a combination of active as well as passive continental defenses, then why have the American people not been so advised before this? Why has the Defense Secretary laid himself open to charges of "blackmailing Congress" without hardly a murmur of support from the administration which he represents.

Mr. Chairman, this complex subject deserves some straight answers. It might very well involve the lives of millions of Americans in addition to their hard-pressed dollars.

Mr. FORD. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. MINSHALL].

Mr. MINSHALL. Mr. Chairman, I should be a welcome sight here in the well; my appearance here means we are nearing the end of a long train of speakers. Almost everything that can be said about the bill has already been brought to the attention of the House. However, there are one or two points I would like to make. In the past there were many key defense issues to be discussed: the so-called headlines; issues on which opinions were strongly divided pro and con; the B-52, the RS-70, Bomarc, aircraft carriers, on down the line. The committee discussions about them took days of hearings—floor discussions hours. Yes, there were many specific issues we debated in previous years.

Fiscal 1964 presents a different picture. This year there is only one key issue—how much the defense budget has been cut. As you know, the administration requested an alltime high peacetime budget for military spending, $49.014 billion. Our committee, after long and careful deliberation, decided that this request was excessive. They cut the amount by almost $2 billion—to $47.092 billion.

The question at once arises, have we by any cuts endangered America's security. I believe, most sincerely, that we have not in the slightest.

The subcommittee considered this aspect most carefully. I may say that we "bent over backward" to assure America of the best in the military. We let items stand if there was any question that their omission would hurt our defenses. Yet still we were able to make the huge cut we did. I am convinced that America's defense has been helped, not harmed, by our judgment. It is my personal opinion that the defense budget could have been cut to an even greater extent than it was and still preserve our national security. Deeper cuts could have been made and we would still have remained the world's strongest military nation. Yes, I believe that the present budget of $47.092 billion could have been cut further. Like most of you, I am economy minded. I am most definitely against excessive spending of the taxpayers' money. But I am also not going to jeopardize in any way our defense posture.

The committee, during its 5 months of intensive hearings, listened to testimony from the top experts in all fields of our Defense Department. At the conclusion of the hearings, when we marked up the bill several weeks ago, there were naturally differences of opinion among the committee. Some wanted bigger cuts, some less. Compromises were reached in the interests of bipartisanship and committee harmony.

It is for this reason that I hope the House in its wisdom will adopt the recommendations we have made for the coming year's massive defense budget.

Mr. MAHON. Mr. Chairman, I yield 15 minutes to the gentleman from Pennsylvania [Mr. FLOOD].

Mr. FLOOD. Mr. Chairman, frequently you hear my colleagues come down to this spot in the well and say how happy they are to be here. In most cases they are telling the truth. You have no idea how happy I am to be here. One year ago when we finished this bill I walked off the floor and went to Georgetown University Hospital for a most serious operation. There the greatest surgeons in the world opened me up, and I think they just helped themselves, and there was grave doubt as to what the outcome would be. But thanks to your good wishes and all of your prayers and to those surgeons and Almighty God I am back to belabor you about this appropriation bill again.

I am delighted to see the distinguished gentleman from New York [Mr. KEOGH] in the chair. For the benefit of the new people here, he has been presiding over this bill I believe since shortly after the War Between the States. It is always great to see him in that position of responsibility.

As President Kennedy said properly, "there is no discount for defense." I embrace that. There is not. And the speakers on both sides of the aisle have made that abundantly clear. What was not clear, and knowing this bill, if you forgive me, as I know it, I could not for the life of me understand what in the world the Secretary of Defense meant when he said we were seriously striking at the purchase of tactical air for support of our ground forces. I do not think, and I never thought until then, that anybody would live long enough to be able to say that Mr. McNamara did not know what he was talking about. But I assure you he did not know what he was talking about and by this time even he will not be surprised. He was completely in error. We did not do anything about damaging tactical air for ground forces. I will say to the older Members that they know that I would be yelling bloody murder if anybody dared touch tactical air support for ground troops. One of those flat-heeled, long-haired jokers down there that he surrounds himself with gave him this information. I am sure Mr. McNamara is surrounded with them, and he is so absolutely busy how in the world he gets to the bathroom I do not know. But on this detail it was unfortunate, because the press played it up and there were a dozen Members even today who asked me about it. But it is not true.

We did cut some of this $325 million; and in the coalfields where I come from, I never saw numbers like that in my life, except on the boxcars going by on the railroad trains—$325 million. Why, on my subcommittee if you are not talking about at least $100 million, we leave it to the clerks to pick up in a $50 billion budget. We cut this $325 million on air procurement $25 million. Why? Simply because the state of the art has so developed, or has not developed, that the electronic hardware cannot fill the gap. And it dealt not with tactical air, but with reconnaissance, which, as far as Mr. McNamara's statement was concerned, had nothing to do with the case—as "the flowers that bloom in the spring tra la."

Now, how wrong can you get? I do not like to pin his ears back on that, but I have to act as a friend. I am his friend. I think he is the greatest thing that has happened in the United States since canned beer or sliced bread, but he made a mistake on that press release.

He also made a second mirabile dictu. Imagine McNamara making two mistakes in one press release, but he did. He said the action of the subcommittee would necessitate the reduction of uniformed personnel by 60,000. That is not true, period. I have heard of exercises in semantics being engaged in at the administrative level, but this was a very low level exercised in first-grade arithmetic, not even the IBM machines they push buttons with down there, strictly 2 and 2 are 4. I was always very bad in fractions. That is why I am on the Appropriations Committee, I suppose.

We cut, yes; $102 million was involved. Let me show you how they had to torture this big press release. These were the two big things you heard. Sixty thousand people had to be cut from the Armed Forces, and tactical air endangered.

We in a round figure say, for want of something better to say, sometimes, that it costs us about $4,000 a head to put a soldier in uniform in the field in the Active Forces. That is pretty generally about right, $4,000. You take $4,000 and put it into $120 million and you come out with 30,000—how is that?—in a round figure. This is where they begin on the end-strength picture. You must extend that to the end-strength picture of the forces with which you begin. Right off the left field wall you pick 60,000. Now, that is quite a trick. That is like walking across Niagara Falls on a rope. It is a good trick whether you do it or not. That is the 60,000 cut. There just "ain't no such animal." So throw that press release away. It just was not so.

Mr. LAIRD. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. I yield to my friend from Wisconsin, yes, indeed.

Mr. LAIRD. Does not the gentleman from Pennsylvania feel that that press release, however, is a rather typical kind of press release to come from the Department after the Appropriations Committee reports out the appropriation bill?

Mr. FLOOD. Yes, I do, and I was waiting all this week to see a big press release and on television and radio saying, "Unidentified aircraft over Alaska." They have been dusting that one off every year before this bill gets on the floor, "Unidentified aircraft over Alaska." They just change the date. Ever since the Wright brothers took off, I guess, they have been doing that.

Then about 48 hours later, not to be outdone south of the Mason-Dixon line, "Unidentified submarine off the Florida coast"—same business, same source. You are right both ways, but I miss my two old friends from Alaska and Florida.

Now there is nothing more obnoxious—unless it is me—than a Monday morning quarterback or a Tuesday afternoon—late—quarterback. I have been coming down to this well for 15 years at least abusing this subcommittee—criticizing the House—saying to everybody—except Mrs. Flood and my cocker spaniel dog—"Why don't you do something about the Army or you will not have any; modernize the Army; beef it up; what about guerrilla warfare—you are behind the times. There is not going to be any missile warfare. There is going to be a war, the Good Book says there will be a war and rumors of war until the end of time. There will be. You are getting ready for the wrong war."

Well, now, after all these years I come happily before you—I do not have to introduce any amendments for you gleefully to knock my head off. I have been trying to raise the Army to 20 divisions for 20 years. We have it at 16 divisions with 16,000 men in the special force for the 17th division. And it is just a question of time, thank goodness, that we will have 20 divisions for the Army. I said to you 6 years ago, please give us eight Strac divisions for the Army—and you trooped up the aisle and I think I got my vote and the vote of two elevator operators. Well, this year I have eight Strac divisions. I would come to you with amendments here—they used to be thumb-printing because the chairman would have them and he would take them up to New York with him and bring them back every year. But they are not there this year. I would say, when are you going to set up the Army air arm? When are you going to get chopper fighters? When are you going to have helicopters? When are you going to take away the Key West agreement of 5,000 tons limitation for the fixed-wing aircraft for the Army? You must give the Army its own tactical fighter support in guerrilla war. When are you going to do this? Same vote—Flood against the Government. I think the last vote on a teller vote was something like 210 to 4. This year—no problem—thanks to the wisdom of whoever finally listened to me. You are going to have a great Army, air arm—thousands of aircraft. This year we will train more pilots for the Army than we will for the Air Force. Choppers, chopper-fighters—we will have chopper-fighters in South Vietnam—and prepared in the years ahead carrying up to 20 rockets—50-caliber machineguns—any one of them carrying more firepower than any fighter aircraft in World War II. It should be—this is the way it is going to be.

Finally—listen—there go my amendments and that is the end of beating my breast for the Army unless—and I am their best friend—I have a right to be the severest critic they ever had—and I say to the Army now, with money coming out of their ears and with airplanes coming out of my mustache, finally, I hope and pray that they do not fall into the evil and into the trap that the Navy and the Air Force did ever since they started to fly and buy spare parts so that, as the Air Force now has, a $2 billion stockpile of spare parts and most of them will never be used—and the Navy is just as bad, if not worse. If the Army does that, and I expect you people with me to watch them—I see all the signs—oh, the Army, after being low man on the totem pole around here for 20 years, are feeling their weight and they are flexing their muscles and they are eating high on the hog before you even give them the dough—I know the signs, believe me, they are going to go wild. You watch them. You watch them. Let us make sure they do not do it. But I am so afraid they will try.

Let us not have them do that now. Let me tell you one more thing: This has to do with the Navy. This is not going to make you feel very good. This is not security. I have just checked with the clerk of the committee. This is not classified. Much of it is, but what I am going to say is not, or I would not say it. Do you know that oceanography, to all intents and purposes, until the last very few years was neglected by the U.S. Navy to an extent and degree that was criminal? Down through the years, instead of increasing their retirement pay and in other areas of defense forces as well, they ought to bring back some of these admirals with stars in their eyes as well as on their necks and court martial them.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MAHON. Mr. Chairman, I yield 5 additional minutes to the gentleman from Pennsylvania.

Mr. FLOOD. You will be surprised. I am going to use them. I thank the gentleman.

Now, Mr. Chairman, the reason we cannot develop oceanography—and oceanography, my friend, is absolutely a condition precedent to the successful targeting and operation of this entire Polaris missile fleet—and you are going to have 41 of them, and thank God you had the wisdom, thank God you had the vision, thank God you had the intestinal fortitude, faced with pressure from back home on the tax on the economy during these last few years, and if you die tomorrow, remember that you are the men and women who voted the money to build 41 Polaris submarines—you were taking a chance when you started this program. You were brave. But you were so right.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. Oh, yes; to the gentleman from Oklahoma. That is where we get most of the oil with which to run these submarines.

Mr. EDMONDSON. I certainly agree wholeheartedly with what the gentleman is saying about the importance of the Polaris submarines and oceanography. However, would the gentleman agree with me that if we were going to start having courts-martial on lack of oceanographic progress, that a lot of us here in the Congress would probably have to be lined up for court martial as well as the people in the Navy?

Mr. FLOOD. Only the Reserve officers, only the Reserve officers. In that case, yes. Now, this, if I can use a localism, this situation just "ain't good," because the Russians have every outboard motorboat, every fishing trawler, everything that will float on all the seas of the world, multiplied, multiplied almost by asexual reproduction and are doing oceanography from anything that will float, almost up to the back door, off Canaveral, off Vandenberg, off all your coasts. Our people tell me that the reason that we cannot do better than we are doing—and I believe this—is because the state of the technical art has bottlenecked the hardware. This is too bad. But it shows that down through the past years lack of interest, lack of pressure, lack of drive has been wanting. Whenever the genius of this Nation hit a bottleneck we have been able to break it in any area. In defense we broke it. Witness the solid fuel propellant for the Polaris submarine overnight, without which there would have been no Polaris. But we did not break the bottleneck on the hardware for oceanography, and we are stuck. We have improved a great deal.

Mr. Chairman, we now have two special ships doing oceanography. There is another one in this budget. However, half the job is not done. This is too bad. Why are you going to bring back these people to court-martial them for dereliction? This is parentheses to what I am talking about.

However, when you have problems in procurement, and you all know what they are, it is like picking up a handful of quicksilver from a desk or a marble top to try to reach this barrel of worms that is procurement in defense. That is a mixed metaphor, if I ever heard one. Withdraw which one part you do not like.

Whoever heads up these procurement divisions and bureaus, one, two, and three stars, or whatever is par for the course that year for the Bureau, the error is committed, the evil is done, by design, indifference, negligence, incompetence or a combination of them all, that officer's tour of duty is finished and he moves to some other job. He gets promoted. In the next year we find out that it cost us a billion dollars in the way of a loss to the taxpayers. Nobody is responsible, nobody is recalled, no letters of censure are issued, nobody criticizes. Somebody may say "Oops, sorry for your trouble," and we go on with the hearings.

I do not know whether this will take law or what it will take, but it is the Achilles' heel in your procurement program. In some way you people who can do it find out how to stop this and legislate, if necessary, and you will plug the biggest and most fatal gap in the whole procurement program. Do not let these characters get away. Bring them back from Germany, bring them back from England, bring them back from Formosa, or wherever they are, and make them account for these derelictions and these disgraceful performances in procurement and in other areas of command. Try that and watch some of these bubbles burst.

Mr. Chairman, believe me, this is a good bill. Nobody in good conscience could vote against this bill tomorrow. No matter how mad you might be about something, you take a look at this bill from its four corners and if this vote is not unanimous tomorrow I will be astounded.

We had our differences in committee. I fought the gentleman from Wisconsin on something. He fought me. It is hard for me to fight with the gentleman from Michigan [Mr. Ford] and I know it is hard for him to fight with me. But we rolled all over the floor and there was a lot of blood there for 2 or 3 days. This is none of your business, but we admire and respect each other tremendously. You put a finger on Ford and you put a finger on me, and that goes on down the line from Mr. Mahon on, and applies to both sides. This is no game for boys.

So we came out with a unanimous report, because we want the nations of the world to understand and realize, Mr. Chairman, the United States of America is the leading nation in the world today, whether anybody likes it or not. I could not care less. Washington, D.C., is not only the Capital of the United States, Washington, D.C., today and from now on in is the capital of the world, whether anybody likes it or not, and I could not possibly care less.

So, I would like us to go before the world tomorrow with this bill, unanimous, our hands joined in approval. This is the appropriation bill for the Department of Defense, of the United States of America, and the world—if they want to stay around in one piece.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. FORD. Mr. Chairman, I yield 10 minutes to the gentleman from Indiana [Mr. Wilson].

Mr. WILSON of Indiana. Mr. Chairman, I apologize for taking the time of the House at this late hour, and I do so because I feel very deeply about the subject which I am going to discuss.

Mr. Chairman, every Member of this body is interested in economy. Our debt has reached astronomical proportions. Our tax load is almost unbearable. To find a place to save money you must look where money is being spent. That takes me to the defense—defense procurement, if you please. There is $15 billion-plus for that purpose in this bill. Now that whole field of defense procurement is too large for me. Therefore, I have confined myself to electronics. I take this time because I have worked hard and worked long hours with an extremely competent staff of volunteer help to explore some of these cases in defense procurement and procurement of electronics. Many cases I have documented and placed in the record of this House. I have many names, numbers, dates, and so forth.

I must at this point make it clear that I am not in any way casting any reflection upon the members of this subcommittee. They have done a fine job, but to properly safeguard an expenditure of some $55 billion is a job that is too big for all of us put together to accurately do the job that ought to be done. The committee has done fine work. It has been extremely helpful to me. It has cooperated with me and assisted me in getting bid sets so that I might stand there and scrutinize very carefully some of the items which the military procures.

All that I want and all that I ask, and I am sure you all agree, is one dollar's worth of defense for one dollar's worth of expense. Our taxpayers will go for that. It is one hundred percent impossible to enforce prudence as we would have it under the present circumstances. It is too big and too unwieldy. There are too many loopholes. Our local cities, town, countries, and municipalities rely on specifications and plans and, of course, always on competitive bidding. Were it not true we could not operate them either. We have too little of that competition in defense spending now. In many instances it is a mockery or it is completely nonexistent.

The Secretary of Defense, Mr. McNamara, himself said last year that $3 billion could be saved by more competitive bidding in defense procurement. Let me recite a few cases. I hope you will agree that the amount requested for electronics could be and should be cut materially without in any way crippling our defense. I will go back and review a few cases that are old cases. I will review the history of them, and then I have some new ones which are somewhat classified and, therefore, I cannot give you the name and number.

Case No. 1—and I am going to be extremely brief, and these are all documented in the record, and some of them have 10 or 12 pages in the CONGRESSIONAL RECORD, but this is a brief, sketchy review.

Case No. 1 is PP-2100, power supply: In the study requested by me the General Accounting Office proved that the Navy overpaid the manufacturer—and I have the manufacturer's name—more than $100,000 for a power supply unit. The General Accounting Office recommended sending the case to the Justice Department. This was done. The Justice Department stated it could not act. They suggested the Navy make a request for the overcharge. They referred it back to the Navy. The overcharge still has not been collected.

Case No. 2—AN/DRW-29 drone radio: Complete manufacturing drawings exist. Competition could have been secured, but Assistant Secretary of the Navy Kenneth M. BeLieu rammed through a sole source deal. In consummating the purchase he violated Public Law 87-653 by issuing a bid document before signing the required determination and findings which determined that only one company could supply the radio. I asked for an opinion of the Comptroller General and was told June 11 by Mr. Joseph Campbell that BeLieu violated a law enacted by this Congress.

Case No. 3—USM-61 multimeter: Navy listed it as a "Qualified products list" item, which means you must build one to the satisfaction of the Navy before you can bid on it. On bid document, however, was stipulation that only successful bidder would get set of drawings. It was impossible to get plans to build model for Navy's approval unless you won contract and you could not bid on contract until you built model. You could not get from here to there—unless you were the favored company already building the equipment. I contacted the Navy and forced these drawings out in the open for industry.

Case No. 4—USM-117 multimeter: Same type of case as the USM-61 multimeter. The Navy said prospective bidders must build an acceptable model, but plans could not be secured unless a bidder won the contract. I contacted the Navy Department and after much redtape and discussions the drawings were made available. Industry was given a change to bid on the manufacture of these units.

Case No. 5—VRC-12 radio: The Army spent $35 million on the first sole-source—no competition—purchase of this radio with the understanding the second purchase would be competitive. Assistant Secretary of the Army Courtney Johnson said this. Shortly after Johnson left Government for last time his successor, Paul Ignatius, changed plans to obtain VRC-12's by competitive bidding and awarded a second $65 million sole source contract. A third, competitive purchase, proved that at least 27.6 percent of the $65 million—$17 million—was wasted on the second sole-source purchase. Courtney Johnson is now employed by the sole-source supplier.

Case No. 6—MRN/12 mobile radio control tower: I have not completed my findings on that, but the Department of Defense literally threw away more than $650,000. In a first contract, the Defense Department supplied many of the materials that went into this special piece of equipment. When the company started supplying, building costs and prices jumped astronomically.

Case No. 7—AN/UPM-98, tape recorder: Bought for a maximum price of $4,800 each. Navy wanted it miniaturized and transistorized and the sole-source price was to be $77,000 for production of the miniaturized model. This procurement was forced into competition and the price per unit fell to $1,833.13 each. There is a drop from $77,000 to $1,000. Webcor in Chicago got that contract on competitive bids.

Case No. 8—AN/APS-88; radar: Purchased at prices of from $28,000 to $30,000 for two companies bidding and alternating in winning contracts. Two months after last negotiated purchase it was forced into competition and the price fell to $11,319. The winning bidder was the same company that bid $28,000—2 months earlier.

Mr. Chairman, I know I am not going to have time to go into all these cases, but I would like to go into some recent cases at this time.

Case No. 1—Radio transceiver: The present builder, which won the contract in a competitive bidding situation, was denied a new contract because its bid did not contain a formality called a technical dissertation. Its bid was lower by 20 percent than other bidders. That is one of the gimmicks, one of the ways they wipe out competition. I asked the General Accounting Office for an opinion, and it decided this firm should get this contract despite the fact that it did not live up to every comma and period in the Government redtape. Consequently, the award was given to this company, and it saved the taxpayers more than 20 percent of the total purchase price.

Case No. 2—Repair of World War II-type aircraft: The gentleman from Texas, Congressman KILGORE, and I, worked on that and we brought it out to competitive bidding. That is not going to be let on noncompetitive bidding and I know money will be saved there.

Case No. 3—Variable resistor for the AN/ASA-13 computer system: This was to be bought competitively but with no drawings or description of equipment. After I talked with Capt. John Scott, I was called by Capt. H. E. Beckmeyer, who said procurement was being halted until plans could be made available, at which time everyone would get to see the drawings. Competition here will force this price down, in my opinion, by 25 percent-plus.

Case No. 4—AM/ASM-61; test set for gyro compass: The Army planned a sole-source procurement because, it said, it did not have drawings. After I inquired into this and found drawings had been ordered and paid for back in 1960 I contacted Gen. Allen Stanwix-Hay at the Army Electronics Materiel Agency, Philadelphia. He canceled the procurement and promised to make it competitive when it was reissued, and ordered a full-scale investigation of the case by the Army's Inspector General. Competitive bidding when this purchase is solicited will save the taxpayers many dollars.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. FORD. Mr. Chairman, I yield 5 additional minutes to the gentleman from Indiana.

Mr. WILSON of Indiana. Case No. 5: On June 3—this one makes me sick. I will not have time to go into some of the new procurement. Most of it is classified information, anyway, but this one case in regard to the ID-999/ASN attitude indicator, type J-8, we found out that these were to be bought sole source in the amount of 421 units. I immediately inquired as to why it should be bought sole source, and where they had got it before. I discovered 12,000 of these obsolete sets were stored in warehouses; 9,000 of those were 100-percent operational. On June 7 General Stanwix-Hay told me they had called the order off. They are going to have 11,500 of them to junk, because the new one is coming out very soon and they will not have use for more than 421 of the 12,000 they have on hand. The Army planned to spend $388,000 on this one procurement, so you can see where it was possible for one Congressman, on his toes, to save $338,000 in one typical case.

In addition, I have spot checked 10 items that the committee has in its files, items which the military says it plans to buy in the next fiscal year. I am not at liberty to identify the equipment by nomenclature due to security reasons and I will not do so.

I will only say that of the 10 items I checked yesterday at a late hour, I was able to learn that the military misrepresented the probable cost on 4. Three of the items appear to have been properly budgeted. I could develop no information on two other items due to the limitations of time; and the 10th item, according to my information, is not going to be purchased at all.

Therefore, four out of the seven items I could check were not as reliable as the military would like you to think and I feel that it is a significant percentage. I might say I tried for some months to get this so-called shopping list in order to compare the prices the military says it will pay with the prices it is actually paying. I want to be kind to the top paperpushers at the Pentagon by saying simply that I was given the runaround. Now that I know a small portion of what is in that shopping list I wonder what I would really find if I could, like Alice in Wonderland, slip through the Defense Department looking glass and see what is really going on at McNamara's tea party.

One item I checked was a radio. The Army wants 10,000 of a certain type next year and says it plans to spend $2,200 per radio. This is a false certification since, just 2 weeks ago, in a competitive bidding situation, $843 was the unit price bid for this same radio. Mr. Chairman, here is waste of over $10 million on one radio that has not happened and, if I am able to stop it, will not happen.

On another item—a radiac set that measures radiation—the Navy says it will pay $915 each for the equipment. It is paying $365 right now. The Navy says it plans to spend $300,000 for this equipment next year—and my figures prove it has overstated its requirements by over $150,000. That is how the military values the dollar and how reliable is some of the information it gives this Congress. There are other examples, but I regret I do not have the time to go into them. Suffice to say that I would like to have a crack at that shopping list for just 1 day. What I would uncover would curl the hair on your neck.

I think that is sufficient indication from my little study—my small study—that much money can be saved. We can very carefully guard this procurement. I hope the committee will see fit to materially cut this appropriation for electronics equipment. I would like to inquire what the committee is offering in the way of reducing the amount of this appropriation for electronics equipment.

Mr. FORD. The committee in the report and in the action taken on the dollar shows that we have reduced electronics funds available in the magnitude of about $50 million. We have made cuts of approximately 5 percent in this specific area. The committee, as the gentleman knows, heard testimony by him on the 10 or 11 contracts in which he was particularly interested. We, also at his suggestion, had testimony by the Comptroller General and some of his staff. It is my opinion that the reductions the committee has recommended for the cutbacks in electronics procurement are sound, and stem from the examples he gave of single-source procurement.

Mr. WILSON of Indiana. Has the committee taken into consideration these various other overcharges that have been paid to these various companies and especially cases where excuses were made to the effect, "Well, we have an unusual situation here, we have to have it quick," and so on?

Mr. FORD. If you have the opportunity to read the extensive hearings that were conducted in this area on procurement practices, I am sure you will be convinced that the committee went into these problems in great depth and we condemned the Army, Navy, and the Air Force procurement people where they had not opened the bidding to competition to an adequate degree and where there had been, as we thought, unwise utilization of single-source procurement.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. MAHON. Mr. Chairman, I have no further requests for time.

Mr. FORD. Mr. Chairman, I yield such time as he may desire to the gentleman from Washington [Mr. Pelly].

Mr. PELLY. Mr. Chairman, on January 21, 1963, I introduced H.R. 2423 to declare as the policy of the United States that foreign vessels which trade with Cuba or certain other Communist countries may not participate in the carrying of U.S. Government-generated cargoes. Under the provisions of this bill no vessel which engaged in this trade with Communist-controlled areas, and all other vessels under the same ownership or control as the one which engaged in such trade, would come under the ban. My proposal was to discourage foreign-flag ships from disregarding the U.S. shipping boycott of Cuba and Red China, and so forth.

A few days after this legislation was introduced the White House released a statement to the effect that by administration order steps had been taken to assure that U.S. Government-financed cargoes were not shipped in foreign vessels engaged in trade with Cuba.

This Executive action to limit Cuban trade with the free world covered only the specific ship rather than all vessels of the same company. It applied only to cargoes shipped from the United States and established January 1, 1963, as the date since when a ship would have visited a Cuban port rather than February 1, 1962, as provided in my bill.

Mr. Chairman, on February 7, 1963—after the Government's shipping order was released—the American Maritime Association immediately termed it weak and inadequate. Maritime Association president Max Harrison said the regulations were "fraught with loopholes" and described them as State Department "bureaucratic whitewash." He pointed out that the regulation would permit any foreign steamship company owning more than one vessel to continue to trade with Cuba and enjoy the privilege of carrying U.S. Government financed cargo so long as different ships were used.

The House Committee on Merchant Marine and Fisheries, on February 14, 1963, asked for reports on my bill from various Government agencies and departments including Departments of State, Commerce, Agriculture, the Agency for International Development, and General Services Administration.

On May 15, 1963, the Agency for International Development reported to the committee it did not dissent from the policy of the bill but in view of the executive branch action already taken it questioned the necessity of enacting it. This Agency report pointed out that my bill goes beyond the executive branch action and believed such extension could be accomplished without recourse to legislation.

Meanwhile, the other departmental reports have not been received, and of course, it is obvious the administration does not want the legislation.

Last week 21 more free world and Polish ships which made calls in Cuban ports were listed by the Maritime Administration, bringing the total number of vessels which have engaged in Cuban trade since January 1, 1963, to 118. Through June 14, 1963, these 118 vessels included 37 British, 30 Greek, 19 Lebanese, 7 Italian, 7 Polish, 5 Yugoslav, 6 Norwegian, 2 Spanish, 2 Swedish, 1 West German, 1 Japanese, and 1 Moroccan.

President Kennedy, over 1 year ago, called on our friends and allies to join in a voluntary economic boycott of Cuba. In response we have had some cooperation but mostly lipservice while foreign shipowners have continued to move cargo to Cuba. But as always our Department of State takes a weak position which allows loopholes so as to avoid any international head-on dispute.

The Department of Defense has complied with the President's order with respect to ocean shipments of military assistance materials from the United States and their approval must be obtained by a recipient country for use of any foreign-flag vessel.

To me it is highly desirable to broaden the limitation so that the ban extends not only to individual foreign ships listed by the Maritime Administration as having transported cargoes to Castro and Communist Cuba, but also to extend the ban so as to prevent U.S. cargoes being transported in other vessels controlled by the same operators of such individual ships.

I wish I could offer an amendment so as to place a limitation on Defense Department funds and prohibit their use in a way to discourage continued unwillingness of other nations to cooperate with us in the U.S. economic boycott of Cuba. Especially I would wish to stop use of these foreign ships from carrying offshore military procurement not now covered by the President's order.

Mr. Chairman, it is time to firm up our Cuban policy. In this connection, closing loopholes in our economic boycott is essential. Unfortunately, such a proposed amendment would be subject to a point of order, but on some later bill where legislation is in order I will seek to accomplish my objective.

Mr. FORD. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1964, for military functions administered by the Department of Defense, and for other purposes, namely:

TITLE I

Military personnel

Military Personnel, Army

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty (except those undergoing reserve training); $3,785,000,000, and, in addition $125,000,000 which shall be derived by transfer from the Army stock fund and the Defense stock fund, and $65,000,000 which shall be derived by transfer from the Army industrial fund.

Mr. MAHON. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Keogh, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 7179) making appropriations for the Department of Defense for the fiscal year ending June 30, 1964, and for other purposes, had come to no resolution thereon.

GENERAL LEAVE TO EXTEND

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members may revise and extend their remarks in the Record in connection with the general debate on the Defense appropriation bill, and also that Members speaking on the bill may have permission to insert tables, pertinent tabulations, and appropriate extraneous matter in connection with their remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

UNANIMOUS-CONSENT REQUEST

Mr. AVERY. Mr. Speaker, I have requested to be excused from the session on Wednesday, June 26. I have submitted this request because I am returning to Kansas to attend a funeral service for a close personal friend. My being so absent will preclude me from voting on the Department of Defense appropriation bill. Had I been here, I would have voted "aye."

CONTINUING FOR 2 YEARS EXEMPTION FROM DUTY BY RETURNING RESIDENTS

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 6791) to continue for 2 years the existing reduction of the exemption from duty enjoyed by returning residents, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments and request a conference with the Senate on the disagreeing votes of the two Houses.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The SPEAKER. The Chair appoints the following conferees: Messrs. Mills, King of California, O'Brien of Illinois, Byrnes of Wisconsin, and Baker.

FIFTH ANNIVERSARY OF THE ESTABLISHMENT OF THE SMALL BUSINESS INVESTMENT COMPANY PROGRAM

Mr. HALPERN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HALPERN. Mr. Speaker, we are approaching the fifth anniversary of the establishment of the small business investment company—SBIC—program. Within this short period, the SBIC concept has proved to be a sound and significant addition to this Nation's financial resources, serving as it does the critical needs of America's small businesses.

This program is a unique experiment in business-Government partnership where the Federal Government provides certain incentives for private individuals to organize and operate private SBIC's to invest in small business.

As one who hailed the passage of the Small Business Investment Act of 1958, I have followed its progress with satisfaction. As one whose district embraces thousands of independent business firms, however, I believe that the SBIC program has only begun to meet its full potential. Today, the 650 SBIC's licensed throughout the United States possess total resources of less than $1 billion and have committed less than $400 million of that amount to the growth of worthy small businesses.

Since the Federal Reserve Board study submitted to Congress in 1958 estimated the total long-term credit and equity capital needs of small business of at least three times the present assets of all SBIC's now in operation, I believe that we who support needed small business legislation should not be content to rest upon the present record.

It is for that reason that I am today introducing a bill which would go far toward equating the resources of the program with the calls made upon it. I believe that the proposal would serve to channel millions of private investment dollars into the SBIC program.

An extremely brief summary of the provisions of my bill follows:

First. Increases matching section 302(a) funds from $400,000 maximum to $1 million. SBIC's would be given 5 years to draw down 302(a) subordinated debenture funds, rather than present 3 years.

Second. Retains limit on direct SBA loans to SBIC's under section 303(b) to 50 percent of capital and surplus with top limit of $4 million. On the other hand, where bank lends to an SBIC under standby program, SBIC may borrow up to 100 percent of capital and surplus with maximum of $8 million.

Third. Removes limitation of $500,000 on loan or investment by an SBIC in any one small business.

This bill, Mr. Speaker, is a companion measure to H.R. 799 which was introduced earlier this year by the distinguished chairman of the House Banking and Currency Committee, the gentleman from Texas [Mr. Patman].

As a member of the House Banking and Currency Committee, I shall work with my chairman in pressing for early approval of the provisions contained in this bill. I am pleased that the measure has the support of all members of the House Small Business Committee, as stated in the final report of that committee for the 87th Congress.

I sincerely believe that this bill, if enacted, will hasten the maturity and growth of the SBIC industry and multiply its ability to fill the pressing needs of qualified small businesses.

Everyone who believes that the free enterprise economy of the United States is the essential feature of our strength and wealth should support the furtherance of this young industry which holds such promise for contributing to the continued vitality of our economy. I hope that there will be prompt and favorable action by the Banking and Currency Committee and by the House on this proposal.

WHO SPEAKS FOR AMERICA?

Mrs. FRANCES P. BOLTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. FRANCES P. BOLTON. Mr. Speaker, recently a Member of the other body speaking on a nationwide television program commented that in his opinion some of the governments of Africa and at least one Western Hemisphere republic were incapable of self-government.

His remarks gave deep offense to many of our good friends in those countries and in the newly independent countries of Africa and resulted in the adoption of a resolution by the African ambassadors in Washington deploring statements by public figures claiming racial superiority based on ethnic differences.

Lest there be any misunderstanding here and abroad as to whether this one individual was speaking for the Congress, let me categorically state, Mr. Speaker, that the Senator did not speak for me. I am sure that he did not speak for any group or committee of the Congress. Nor did he speak for the Government of the United States.

His was a solitary voice proclaiming an obsolete canard which has been disproved by both science and history.

The late, great anthropologist of the Smithsonian Institution, Ales Hrdlicka, spent the better part of a lifetime in a comparative study of various ethnic groups. His conclusion was that on the basis of all the scientific evidence available no claim could be substantiated for the ethnic superiority of any single group. I will stand by the findings of Dr. Hrdlicka and his distinguished associates. And I still subscribe to the principles of the Declaration of Independence.

Africa is the new world of the 20th century and as such has vast importance. The final political orientation of the emerging nations of Africa and their ability to establish stable, economically viable, free, self-governing societies may well be the final determining factor in the struggle of the free world against international communism. These fledgling nations need and deserve our support and encouragement. They deserve better than public insults and invidious comparisons.

The world—free, Communist, and unalined—watches with deep interest our internal struggle with our racial problems. The manner in which we solve them will have a profound effect on our foreign relations in the future. Intemperate and inaccurate statements by persons in public life cannot help toward a solution and serve only to complicate our problems at home and around the world.

I am sure, Mr. Speaker, that with good will, with forbearance and restraint on the part of all concerned we can proceed to a solution of these problems in a manner consistent with law and the principles of freedom and justice.

TO PROVIDE FOR REIMBURSEMENT OF TRANSPORTATION EXPENSES FOR MEMBERS OF THE HOUSE OF REPRESENTATIVES

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I ask unanimous consent for the immediate consideration of the bill (H.R. 4946) to amend the Legislative Branch Appropriation Act, 1959, to provide for reimbursement of transportation expenses for Members of the House of Representatives.

The **SPEAKER.** Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last paragraph under subheading "Administrative Provisions" under the heading "Senate" in the Legislative Branch Appropriation Act, 1959 (2 U.S.C., sec. 43(b)), is amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "and the contingent fund of the House of Representatives is hereafter made available for reimbursement of transportation expenses incurred by Members (including the Resident Commissioner from Puerto Rico) in traveling, on official business, by the nearest usual route, between Washington, District of Columbia, and any point in the district which he represents, for not to exceed two round trips in each fiscal year."

Mr. FRIEDEL. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Friedel: On page 2, line 4, after the word "each" strike out the word "fiscal".

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AFRICA

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I am not informed what were the conditions of life in what is now the State of Louisiana in the years 193 to 211 nor am I informed as to the social and political structures, if any, that graced at that far away period, what is now the great State of Illinois. I am very sure, however, that we did not have any skyscrapers on the spot that is now the metropolis of Chicago or on the site of the present city of New Orleans. It was a long, long time ago. I do not know what my ancestors at that time were doing nor the ancestors of any of my colleagues from Louisiana and the other great States of our Union.

But I have read, as I am sure all of my colleagues have read, that Rome was then the first nation of the world, and when we visit Rome we have proof of what Rome was when our United States of America was an untracked wilderness. We drive over the old Appian Way, we look at the ruins still standing, and we are filled with wonderment.

Mr. Speaker, I must take issue with a colleague of mine in the 88th Congress in the statement attributed to him that the Africans had never shown any ability to build and to govern. I would suggest to him that when his ancestors and my ancestors may have been wandering around in the darkness, reaching out for a better life, that an African was Emperor of Rome and according to John Gunther was of Negro blood.

The Emperor Severus ruled the world from A.D. 193 to A.D. 211. He was the first man in the world in power. He was the first man in the world in social standing. By the standards of the times we are told that he was a good emperor. He was an African, I repeat, Mr. Speaker. And, John Gunther, who is widely regarded as a careful and accurate writer, says that he was of Negro blood.

Mr. Speaker, in our great United States of America we have the precious right to speak our minds. The only limitation is in the law of libel and the law of sedition. We in the United States understand that when a Member of Congress is speaking his mind on any subject, as an individual, he is merely exercising his constitutional right of free speech. Unfortunately, this is not as well understood in other countries, especially in the countries that recently have come into independence. What a Member of the Congress says as an individual they are apt to accept in some measure as an expression of the Congress and of the American people.

I cannot speak for the Congress, but I can speak for myself, and as the chairman of the Subcommittee on Africa I can speak with some knowledge of the subject. I know many of the leaders in Africa. I have visited them in their native countries and I have visited with them on the occasions of their visits to Washington. I also know many of the men and women in many of the countries in Africa who belong to what we would call in this country the rank and file.

Mr. Speaker, I have never known a more dedicated people. I have found in African leaders with whom I have talked and visited, here in my office in Washington, in the African embassies here in Washington, and in their native lands—I have found in them a political maturity, an intellectual grasp, a statesmanship of the highest quality. I am certain that the deep sense of appreciation of Africans that I hold is shared in very large measure by all my colleagues and all the American people.

The new African nations are working with us to build a free world in which all men can live in contentment and in dignity and in peace. They are making progress perhaps more rapidly than has ever been accomplished in all recorded history. In the few years of their freedom they have made giant strides against the odds that would have stopped the less timid and less dedicated in their tireless drive against poverty, disease, and illiteracy. I have said time and time again that as Africa goes, so will go the world.

I hope that the friendship between the peoples of the new lands recently freed from colonialism and our own people who in the 180 years since our freedom from colonialism have built the mightiest nation in the world, I hope and I pray, Mr. Speaker, that this friendship will grow stronger and warmer with every passing year as together we march forward as brothers on a basis of human equality to a better world than ever we have known.

I was deeply moved by the words of the distinguished and highly respected Ambassador from Liberia when he spoke on television to the American people on Sunday last. I can assure him and the peoples of the new African nations that when he had finished, in millions of American homes, in the cities, in the hamlets, and on the farms, from American lips came the word "Amen."

ANIMAL DRUG AMENDMENTS ACT OF 1963

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Nelsen] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. NELSEN. Mr. Speaker, I have introduced legislation today for a proposed Animal Drug Amendments Act of 1963. It is the purpose of my proposal to amend the Federal Food, Drug, and Cosmetic Act to consolidate in a separate section the provisions concerning the safety and effectiveness of new animal drugs, and I ask that an analysis of my proposal be printed in the Record at this point in my remarks.

PURPOSES OF LEGISLATION

It is the principal purpose of the legislation to better protect the public health and to promote the public welfare by consolidating the diverse, contradictory and overlapping sections of the Federal Food, Drug, and Cosmetic Act dealing with the preclearance of new animal drugs into one section of that act specifically planned for animal drugs. Incidental changes from current administrative procedure consistent with the above mentioned purpose are also proposed as well as appropriate effective date and transitional provisions.

TRIPLICATION OF CONTROLS

The continued use of pharmaceuticals is absolutely imperative to the continuation of modern methods of livestock and poultry production. In fact, much of the improvement in the nutritive level of the American diet in recent years is attributable to the efficiencies which have resulted from the tremendous strides made in the use of pharmaceuticals in the animal industry. However, the enactment of recent legislation affecting but not directly pertaining to animal drugs may limit further improvements in livestock and poultry production.

A major problem shared by drug manufacturers, the veterinary medical profession, feed manufacturers, livestock and poultry producers, and, ultimately, the consumer, is the triplication of controls under the Federal Food, Drug, and Cosmetic Act as presently interpreted and administered. Such triplication threatens to destroy the incentive to conduct research and to develop new animal drugs, and unnecessarily increases the cost of such drugs to the farmer and of food products to the consumer. It has created a topheavy superstructure of administrative regulations. It is not necessary in order to adequately protect the public health, and is completely unjustifiable from the point of view of public welfare or sound legislation. This frustrating situation does not exist for human drugs and food, and cannot be justified for animal drugs and animal feeds containing them.

New animal drugs are subject, first of all, to the clearance provisions of the new drug section, section 505, of the act. As applied to animal drugs, this section requires manufacturers to demonstrate the safety and effectiveness of new animal drugs under the conditions of use proposed for such drugs, which includes establishing their safety when mixed in animal feeds and fed to animals.

Second, the same new animal drugs, when used in combination with certifiable antibiotics, must also be cleared under the regulations promulgated pursuant to the antibiotic section, section 507 of the act. This section requires the batch certification of certain specified antibiotic drugs. It does not purport to create duplication in regulations, but it has led to this result, even though the statute authorized FDA to exempt any drug or class of drugs from the requirements of section 507. We believe this statute has been distorted because the FDA regulations on the one hand do exempt animal drugs from batch certification but on the other hand subject many of them to detailed clearance procedures, even when such drugs have already been cleared under section 505.

As the law is construed and applied by FDA, every feed formulation must be cleared under regulations promulgated under section 507, if it contains, among other drugs, a certifiable antibiotic drug. The feed formulation thereupon becomes exempt from batch certification and only then may it be marketed.

Third, new animal drugs are subject to the clearance procedures contained in the food additives section, section 409, of the act. This section was intended to apply mainly to chemicals added to human food, which are not otherwise subject to any clearance procedures. Like the antibiotic section, the food additives section was not designed to produce duplication in regulations. Thus, the statute exempts from food additives regulation, articles which have been granted prior "sanction or approval" under the act. However, this exemption is so strictly construed that drugs having such a "sanction or approval" by virtue of prior clearance under sections 505 or 507 nevertheless must be cleared under section 409 when used in animal feeds in combination with new drugs not having such an exemption. And the exemption does not apply to any drug whatsoever developed after 1958.

Accordingly, animal drugs are subject to three separate statutory procedures for the same uses involving three separate regulatory divisions of the FDA. These three sections of the law have differing provisions, are subject to differing interpretations, and the actions taken under one are not always consistent with the actions taken under the others.

Not one of the three preclearance sections of the act was designed primarily to cover the use of animal drugs. However, their combined operation in this field has produced unreasonable delays, overlapping jurisdiction, and extreme confusion within the drug and animal feed manufacturing industries. Because of the excessive cost and time involved to obtain the multiple-type clearances presently required by FDA, animal health products of a demonstrable utility will sometimes die at their inception.

Section 101 of the proposed bill would consolidate and appropriately integrate in a new section 511 of the Federal Food, Drug, and Cosmetic Act premarketing clearance requirements as applied to animal drugs and medicated feeds. The new section 511 deals solely with new animal drugs without regard to the method or route of their administration. It would alleviate present difficulties and at the same time continue full protection of the health of consumers of animal products and of the animals themselves.

The new section 511 governing the preclearance of animal drugs is patterned after the new drug law, section 505 of the act, as amended by the drug amendments of 1962 so that the firm intending to market a new animal drug would be required to present evidence of safety and effectiveness for the proposed use or uses of the drug and obtain approval of a new animal drug application prior to marketing the drug. Other provisions necessary to fully protect the public health have been incorporated in this section.

Because of the new section's provisions, the act would be further amended by virtue of the proposed bill to exclude animal drugs from the provisions relating to new drugs—section 505—food additives—section 409—and antibiotics—section 507. The needed safeguards of these sections as applied to animal drugs are rewritten in the new section, No. 511. The bill also contains the necessary conforming amendments.

By enacting this proposal, Congress can establish a proper basis for the accomplishment of both of the following purposes: First, to protect the health of consumers by requiring manufacturers of new animal drugs to pretest the safety of any drug for use in animals other than man; second, to advance agricultural technology by permitting the use of animal drugs at levels demonstrated to be safe. At the present time, the second of these purposes is being unreasonably thwarted. This second purpose should be specifically recognized by Congress, in substantially the same manner that Congress adopted a similar purpose in connection with the Food Additives Amendment of 1958. See House Report No. 2284, 85th Congress, second session, July 28, 1958. Under present circumstances, it is imperative for Congress to take positive steps to reestablish its intention to provide for advancement of agricultural technology.

MULTIPLE FILING OF ANIMAL DRUG APPLICATIONS

The Food and Drug Administration construes existing law to require feed manufacturers, as well as drug manufacturers, to file new drug applications. In effect, this enables FDA to license the use of individual feed formulations of individual feed manufacturers even though the drugs used in those formulations have previously been cleared as safe for such use. Thus, the regulations go beyond the establishment of safety of drugs in animal feeds and actually undertake the licensing of the feed manufacturing industry.

The drug amendments of 1962 provide for the registration of all establishments in which drugs are manufactured. They also provide that a drug is deemed to be adulterated if the methods used in, or the facilities or controls used for, its manufacture do not conform to current good manufacturing practice. These provisions clearly apply to manufacturers of medicated feeds. It is no longer necessary, therefore, to require the filing of new animal drug applications for individual feed formulations by individual feed manufacturers once the safety of the drug and combinations of drugs has been established, and the feed manufacturer has demonstrated that each of his establishments conforms to and is operated or administered in conformity with current good manufacturing practice. The proviso to section 511(a), set forth in section 101(b) of the proposed bill established this principle.

RESTRICTIONS ON SCIENTIFIC JUDGMENT

Under the existing administrative procedures, the exercise of scientific judgment in the consideration of applications and petitions for new animal drugs is subordinated to other considerations. Those scientists within the FDA most informed as to animal drugs located in the Division of Veterinary Medicine do not have ultimate responsibility for making scientific decisions affecting new animal drugs. This responsibility is shared with other personnel within FDA not primarily concerned with animal drugs.

It would be expected that under the proposed legislation the Division of Veterinary Medicine of the FDA would be elevated to status equivalent to the Bureau of Medicine with respect to animal drugs. Primary responsibility for the administration of the new section 511 dealing with the clearance of new animal drugs would in all likelihood be vested with the veterinary medical staff within FDA. In this way the veterinary scientists would be given fuller opportunity to use their scientific knowledge and judgment in making decisions involving new animal drugs.

In addition, the proposed legislation would eliminate an intolerable situation which now operates to limit the professional judgment of the veterinary medical profession. Veterinarians may not in all cases prescribe or use drugs which have been shown to be safe for administration through animal feeds. Under the proposed legislation, however, such drugs may be prescribed and used freely by veterinarians once safety and effectiveness have been proven and the basic drug cleared for distribution.

SECTION-BY-SECTION ANALYSIS

The first section of the bill would provide that the act may be cited as the "Animal Drug Amendments of 1963."

Section 101(a) of the bill would amend section 501(a) of the Federal Food, Drug, and Cosmetic Act—hereinafter referred to as the "basic act"—to deem any new animal drug to be adulterated if it is unsafe within the meaning of section 511 (a) of the basic act as added thereto by section 101(b) of the bill. Thus, the provisions of chapter III of the basic act, entitled "Prohibited Acts and Penalties," would apply to a new animal drug in interstate commerce to the same extent as any other adulterated article unless an approval of an application filed pursuant to proposed new section 511(b) is effective with respect to that drug.

Section 101(b) of the bill would add a new section to the basic act—section 511—entitled "New Animal Drugs." This new section 511 provides for the approval or refusal and withdrawal of approval of new animal drug applications by the Secretary and requires the sponsor of a new animal drug to demonstrate the safety and effectiveness of the proposed use or uses of that drug. It is patterned after the new drug section of the basic act—section 505—as amended by the Drug Amendments of 1962, and it consolidates the preclearance provisions applicable to new animal drugs presently contained in the food additive section—section 409—and the antibiotic section—section 507—as well as section 505. Thus, uniform administration of preclearance requirements for animal drugs is reasonably assured.

Accordingly, proposed section 511(a) of the basic act would deem a new animal drug to be unsafe unless an approval of an application filed pursuant to subsection (b) is effective with respect to such drug. There is a proviso, however, exempting from this subsection (a) animal feeds containing new animal drugs for those users for which approvals of applications filed pursuant to subsection (b) are effective. This exemption, however, would only be available to those feed manufacturers who had previously demonstrated that their establishments conform to and are operated or administered in conformity with current good manufacturing practice. Without this proviso individual feed formulations containing new animal drugs would be subject to clearance separately under section 511 even though such medicated feeds had already been cleared for the same uses. Manufacturers of medicated feeds, in addition, are now subject to registration and inspection under sections 508 and 704 of the basic act as amended by the drug amendments of 1962 and are required to observe current good manufacturing practice under section 501(a)(2)(B) as added by the drug amendments of 1962. No proper purpose is served by additionally requiring them to file new drug applications for individual feed formulations.

Proposed section 511(b) of the basic act, like section 505(b) thereof, specifies the information to be included in a new animal drug application. Clauses (1) through (6) require the same information as is required in section 505(b). Additionally, clause (7) is derived from section 409(b)(2)(D) of the basic act and clause (8) is derived from section 408(d)(1)(F) of the basic act. The latter two clauses are desirable in the event residues of the drug remain in the tissues of animals used for food production and a tolerance or withdrawal period is proposed.

Proposed section 511(c) of the basic act is substantially identical with section 505(c) thereof in setting forth the procedure for action by the Secretary upon a new animal drug application.

Proposed section 511(d) of the basic act, like section 505(d) thereof, sets forth the grounds upon which the Secretary may refuse to approve a new animal drug application. Clauses (1) through (6) are substantially identical to clauses (1) through (6) of section 505(d), including the definition of the term "substantial evidence" which appears in clause (5) thereof. Clause (7) of section 511(d) is derived from section 409(c)(3)(A) of the basic act and would operate to require the Secretary to refuse approval of an application for an animal drug which induces cancer when ingested by man or animal or after tests which are appropriate for the evaluation of the safety of such drug. Clause (7) is substantially identical with the proviso in section 409(c)(3)(A) as amended by the drug amendments of 1962 except for a procedural amendment permitting review of certain determinations by the Secretary. The next to the last sentence in proposed section 511(d), specifying certain factors to be considered by the Secretary in determining whether an animal drug is safe, is derived from section 409(c)(4)(A) and section 409(c)(5). The purpose of this sentence is to give the Secretary added authority in determining the safety of animal drugs to consider safety questions resulting from residues of animal drugs remaining in the tissues of animals used for food production.

Proposed section 511(e) of the basic act is based upon section 505(e) thereof. The Secretary is authorized to withdraw approval of a new animal drug application on grounds relating to safety and effectiveness or if the application contains any untrue statement of a material fact. As in the case of section 505(e), the proposed section 511(e) would give the Secretary summary powers to act if he finds that there is an imminent hazard to public health. However, several additional grounds for withdrawal of approval of an application added to section 505(e) by the drug amendments of 1962, unrelated to safety or efficacy, were not included in proposed section 511(e) because they are not necessary to assure the safe and effective use of animal drugs.

Proposed section 511(f) of the basic act is substantially identical to section 505(f) thereof.

Proposed section 511(g) of the basic act is substantially identical to section 505(g) thereof.

Proposed section 511(h) of the basic act adopts the appeal procedures set forth in section 505(h) thereof.

Proposed section 511(i) of the basic act requires the Secretary to publish the conditions of use and the name of the applicant for every new animal drug application which is approved. This is a new subsection, inasmuch as there is no provision for such publication in section 505 of the basic act. However, in view of the practice of mixing two or more drugs, which may be purchased from different sources, in animal feeds, this provision has been included so as to enable feed manufacturers to ascertain those combinations of drugs which have been approved for use in animal feeds. This is necessary because the labeling for a particular drug may not indicate such combinations.

Proposed section 511(j) of the basic act provides for the promulgation by the Secretary of regulations for exempting from section 511 new animal drugs including medicated animal feeds intended solely for investigational use by qualified experts. This subsection is based upon sections 409(i) and 505(i) insofar as these sections are pertinent to the investigation of new animal drugs. Of particular importance, the last sentence authorizes the Secretary to set forth the conditions upon which animals treated with such drugs may be marketed. The amendments made to section 505(i) of the basic act by the drug amendments of 1962 relate to the clinical testing of new drugs and are not pertinent to the investigation of new animal drugs. Therefore, they have not been included in proposed section 511(j).

Proposed section 511(k) of the basic act is based upon the last sentence of section 409(a) thereof. The purpose of this subsection is to provide for an appropriate exemption from this section 402(a)(1) of the basic act for approved uses for new animal drugs.

Section 102 (a) and (b) of the bill would amend section 201(p) of the basic act so as to exempt new animal drugs from regulations as new drugs under section 505 of the basic act. Henceforth the regulation of new animal drugs would be covered by section 511 of the basic act.

Section 102(c) of the bill would amend section 201(s) of the basic act so as to exempt new animal drugs from regulation as food additives under section 409 of the basic act. The reason for this provision is that section 511 is intended to provide for the exclusive regulation of new animal drugs.

Section 102(d) of the bill would add a new paragraph (v) to section 201 of the basic act defining the term new animal drug. The definition is patterned after that contained in section 201(p) of the basic act for the term "new drug." Henceforth, these terms would be mutually exclusive.

Section 103 of the bill would amend section 301(j) and 301(l) of the basic act. The effect of these amendments is to provide for the confidentiality of certain information contained in new animal drug applications and to limit the making of representations or suggestions in labeling or advertising based upon the approval of a new animal drug application.

Section 104(a) of the bill would amend section 402(a)(2) of the basic act to provide for appropriate exemptions for approved uses of new animal drugs.

Section 104(b) of the bill would amend section 409(c)(3)(A) of the basic act by deleting therefrom the amendments to the cancer clause added by the drug amendments of 1962. These amendments would be obsolete because they deal solely with medicated animal feeds and because proposed section 511 would deal exclusively with this subject matter. As indicated above, proposed section 511(d) contains the cancer clause substantially as set forth in section 409(c)(3)(A) of the basic act.

Section 105 of the bill would amend sections 502(l) and 507(a) of the basic act by exempting therefrom animal drugs. The effect of these amendments is to limit the certification of all antibiotics to drugs for human use. The drug amendments of 1962 operated to extend the certification of antibiotics from the five antibiotic drugs originally listed in the basic act to all antibiotics. However, the extension of certification to newly discovered antibiotics is limited to those intended for use by man. The certification of the five named antibiotics should now be limited to those intended for use by man. Section 105 of the bill accomplishes this purpose, so that proposed section 511 would provide for the exclusive regulation of animal drugs.

Section 106 of the bill contains effective date and transitional provisions. Under this section, the bill would take effect immediately. This section also contains provisions under which regulations in effect under sections 409 and 507 of the basic act at the enactment date, and effective or approved new drug applications as of the enactment date, are deemed to be approved applications under section 511. Furthermore this section provides that applications or petitions pending on the enactment date shall be deemed to be applications pending under section 511, and the filing date shall be deemed to be the date on which the petition or application was actually filed. Proof of effectiveness would not be required for any animal drug covered by an effective application so far as the uses and conditions stated in the approved labeling are concerned. Animal drugs in commercial use prior to the enactment date and which had never been the subject of a new drug application are not subject to proof of effectiveness so long as there is no change in their formula or in the recommendations for their use.

PERSONAL EXPLANATION

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. CURTIS. Mr. Speaker, in a recent issue of Broadcasting magazine and in a followup story carried by the Associated Press, my name is listed as trustee of radio station WCDR. I should like to make my relationship to this station clear for the Record.

I am a trustee of Dartmouth College and WDRC is the student radio station at this college. Because of FCC regulations it is not possible to vest title to this station in the students who operate and control it. For this reason the trustees of Dartmouth College are listed as trustees of the radio station. I have no financial interest in this station and I have no control over its routine operations.

AMENDMENT TO IMMIGRATION AND NATIONALITY ACT

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. CURTIS. Mr. Speaker, I have today introduced two bills, one of general application and the other a private bill dealing with our immigration laws. Both of these proposals act in the field of the waiver of the 2-year foreign residence requirement for those who are in this country as exchange visitors.

I agree with the basic philosophy of our exchange program; namely, that visitors who come to this country as exchange students are here to learn a skill which they can take back to their home country for the use of that country and its people. I believe it would undermine this important program if we were to be too liberal in allowing those who have come to this country to remain here and thus to deprive their native countries of their talents. Nevertheless, this should not be an inflexible rule and, indeed, some exceptions to it have been developed. There are exceptions in two specific areas, one where the 2-year foreign residence would create an extreme hardship on a citizen of this country or an alien here on a permanent resident visa and the second is in the case in which some governmental agency will sponsor the specific individual because of their need of him in the agency's work.

What I am suggesting today in my general law is that a further area of exception be recognized. Basically it would permit those who have come to this country as exchange visitors to remain here without having to reside in a foreign country for 2 years when, due to a change in their home country, it would be dangerous or impossible for them to return. Perhaps the best example of this would be in the case of an exchange student in this country from Cuba at the time of the rise of Castro to power in that country. To order one outspokenly anti-Communist to return home in such a circumstance might mean his death. As the law presently reads it does not require that the exchange visitor return to his native country for this 2 years of foreign residence. It permits him to go to any other cooperating country in the program. The theory of the exchange program is to permit the native country to benefit by the training given one of its citizens. I do not believe that it would be harmful to our program of exchange education if we were to say that when the person cannot return to his native country he will not be forced to go to some third country where he has no roots simply because we feel that our exchange program is better served by helping his native land. When these visitors cannot return to the country of which they are citizens and their skills can be used in this country, I see no reason why we could not retain them in the United States to benefit by the training which they have had.

The second bill which I mentioned is one which fits into the general principle which I have outlined above. It is for the relief of Dr. Leo Hsueh. Dr. Hsueh is a native of China, who fled from the Chinese mainland at the time of the Communist takeover of that country. Since that time Dr. Hsueh has been traveling throughout the world. He came to this country on an exchange program from West Germany. He has no roots in West Germany. He has no roots in any land to which he could now return. This is one example in which I believe the general policy which I mentioned above could well be applicable. There are others and I have sponsored private legislation for a number of these individuals. However, I believe that it would be wiser to make a general exception in this area and leave determination in the individual cases to the proper administering authorities.

URBAN RENEWAL

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Alger] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ALGER. Mr. Speaker, I have spoken about urban renewal several times on this floor. I have tried to be very accurate about my facts and have never knowingly made any misstatement. In my opinion the evidence which I have been able to gather has constituted a very substantial indictment of the federally subsidized urban renewal program.

Now a question has been raised about the accuracy of a reference to Richmond, Calif., made in a speech delivered before the annual meeting of the Chamber of Commerce of the United States on April 30, 1963. Substantially the same reference was made by me on the floor of this House on October 5, 1962, and in an article published by Human Events magazine in its recent supplement on urban renewal.

The information on which I based the reference to Richmond was contained in a story about that city published by the Urban Renewal Administration of the Housing and Home Finance Agency in the July–August issue of Urban Renewal Notes. The following excerpt from that story was used in my statement:

> In 1954, when Harbor Gate project was conceived, the assessed valuation of land and improvements in the area was $260,000, bringing in annual tax revenues of $24,000. The area has been redeveloped for industrial use, and part of the land is already occupied by new structures housing food distribution facilities. Although only a portion of the contemplated redevelopment is completed, the current assessed value is $2.5 million, yielding tax revenues 10 times those of 1954. When the additional facilities are completed it is expected that the assessed value will rise to $6.5 million, with revenues 25 times that received in 1954.
>
> Richmond will be the first city in California to liquidate the cost of an urban renewal project financed under the terms of a 1952 amendment to the California constitution. The amendment is based on the assumption that an area will bring in more taxes after it has been renewed or redeveloped than it has yielded in its rundown state. Any increased revenues are earmarked to pay off the local cost of the project.
>
> This involved the setting up of a revolving fund to pay for the local share of the city's urban renewal activities. The revolving fund advances the money which, after it is repaid to the fund, can be used for the financing of other projects or activities, thus providing a constant source of funds for defraying local costs. As increased taxes from a renewed area are collected, they are paid into the revolving fund until the amount advanced to the particular area has been repaid. Once the advance has been liquidated, the earmarking of the increased revenues ceases; they no longer need be paid into the fund and can be used by the city or other local governmental unit for any purpose it wishes.
>
> In most cases, the money to finance the local share of urban renewal activities is raised through the sale of bonds. These bonds are variously called tax increment or tax anticipation bonds. Under this type of financing, the amount of real estate taxes collected at the time the renewal is undertaken is established as the base, and any excess revenue from real estate taxes above this amount; that is, the tax increment, is allocated and used for the repayment of the bonds. During the period of repayment the city continues to collect the amount it collected prior to the renewal. In addition, it receives all revenues from other nonproperty taxes, such as taxes on sales and business licenses.
>
> Normally, these bonds are issued on the assumption that they will be repaid over a period of 30 to 40 years. Richmond's ability to pay off its $600,000 debt in the short space of 4 years underscores the potentialities of the increased tax income which redevelopment makes possible. Furthermore, Richmond was particularly fortunate that its fiscal position made it possible to avoid levying an additional tax rate to support the financing of urban renewal. Unlike most other California cities, the costs were advanced from general government sources.

Mr. Speaker, you will note in my previous remarks my entire reference to Richmond was based on this statement in the report of the Urban Renewal Administration of the Housing and Home Finance Agency. As this report deals with the accomplishments of the Federal Agency, I was naturally misled into the belief that there was Federal participation, else why include the project in a Federal report? I was further misled by the two references to the "local share" in this official Federal report. To me the reference to a "local share" implies that there was a nonlocal or Federal share, a well understood and frequently used expression. Accordingly, I assumed that the governing body of Richmond, Calif., had made a certification of need and had received Federal assistance on the Harbor Gate project. I stated publicly that any such certification was fraudulent.

Actually, the information which has since been made to me indicates that no such certification was ever made. The false impression was not created by me, however, but by the Housing and Home Finance Agency report which assumed credit for the agency, at least by implication, which it did not deserve. So the officials of Richmond should quarrel with the HHFA, not me, for the error in publicizing the wrong impression of the financing of the Harbor Gate project.

I want to take this occasion to congratulate Richmond on its initiative in accomplishing this project on a local basis and to express my regret for having been misled by the HHFA. I am asking HHFA officials to account for their use of the Harbor Gate project in a report supposed to be detailing their own activities.

The officials of Richmond, Calif., and the people have shown that urban renewal can be accomplished without Federal aid and that progress can be made through local vision, local initiative, local financing, and I hope the Harbor Gate project could be a pilot for additional local activity which would end Federal urban renewal and return this responsibility to the States and local communities where it rightfully belongs.

Now that Richmond has been brought into the discussion and the matter of the Harbor Gate project put into its proper perspective, I think it is justified to add, at this point, additional information I have been able to gather about Richmond.

Richmond, Calif., is percentagewise one of the largest recipients of Federal funds for urban renewal. The Federal Government has allocated more than $12 million in grants and has already paid Richmond nearly $3 million. The Federal Government has approved $784,416 for the planning of these projects and has actually paid Richmond more than $500,000 in planning money.

From information supplied by the redevelopment agency of the city of Richmond, certain other interesting facts appear. The land, on which the Harbor Gate project is located, was used as a temporary housing site during World War II. The Federal Government sold the land to the redevelopment agency. Moreover, the pattern of planning cost for the Harbor Gate project is completely different than that used on the federally subsidized project. The total cost of planning the Harbor Gate project was less than $75,000. Of that cost the redevelopment agency paid $773. The city government paid the rest.

To conclude while Richmond's heavy reliance on Federal aid might indicate their belief in its effectiveness, their recent efforts in Harbor Gate not only reflects this conclusion but also points out comparatively the good sense of local effort, planning, and financing.

In spite of these surprising contracts, no certification of need for Federal funds was made by the governing body of the city of Richmond and therefore no basis exists for the charges of fraud which I made against that body.

Mr. Speaker, I offer my apologies to the city of Richmond, Calif., and congratulate the city and the redevelopment agency on an outstanding example of locally financed redevelopment. In this Harbor Gate project the city has set an example which it might well copy in some of its other project areas and which might be applied to projects all over the United States.

Richmond carried out this one self-liquidating project under a special provision of California law which allows communities to pledge future increases in tax revenues as security for revenue bonds with which to finance the improvement. A similar law enacted and vigorously applied in all States could eliminate a large majority of the urban renewal projects from the Federal subsidy program.

The extent to which such action is feasible is suggested by two different statements which have been called to my attention.

In New York a report prepared by a special committee on tax policy organized by the Citizens Housing and Planning Council of New York, Inc., with respect to the first 10 urban renewal projects—involving a $56 million Federal subsidy—contained the following:

> These data show that under the present real property tax system, after making full allowance for some $75 million in except properties, these projects will produce a net tax gain of $5 million a year, sufficient to repay the city's costs in 6 years and all public costs in 18 years. If the net taxes could be dedicated to a special land-acquisition fund, the title I program could be made self-liquidating.

In the September–October 1960 issue of Urban Renewal Notes published by the Urban Renewal Administration, the following statement appears:

> A URA study, covering projects in the United States and Puerto Rico, indicates that assessments will be three times and revenues will be more than four times as much after redevelopment as they were before in these particular areas.

Mr. Speaker, while I am happy to make this correction in the record and to give Richmond due recognition for its local initiative and action, I have to be concerned lest someone interpret this correction as an admission of weakness in the indictment made against federally subsidized urban renewal. Supporters of the Federal subsidies may say that my argument against the need for such subsidies has been destroyed.

Nothing could be farther from the truth. Evidence of improper and even fraudulent certifications of need is being uncovered every day. More—much more—will be revealed if and when a full-scale investigation of renewal on a national basis can be instituted.

One striking example of improper certification of need has been revealed by the subcommittee of the District of Columbia Committee of this House. That committee, headed by a fellow Texan to whom I wish to pay tribute, is doing a tremendous job. In spite of great pressures being brought on members of the subcommittee, its members have persisted in their investigation of malpractice in the District urban renewal and are revealing administrative practices in both the local and Federal Governments which should be of gravest concern to all Members of this legislative body.

The example to which I have just referred involves the Columbia Plaza urban renewal project in the District of Columbia, located a few blocks west of the White House.

Before Columbia Plaza was made an official urban renewal area, a private corporation had acquired approximately 75 percent of all the property and was in process of redeveloping it in accordance with the same legal building and zoning requirements which applied to the entire city. This firm stated in writing its intention to acquire the entire area and redevelop it without any subsidy. As structures were acquired they were demolished and the land was devoted to an interim use of parking.

The Redevelopment Land Agency of the District of Columbia was dissatisfied with this pattern of redevelopment. The RLA asked to have the area declared an urban renewal area. Such designation would enable the Agency to acquire all the land in the area, raze the structures, establish its own urban renewal plan for the area, and resell the land for redevelopment in accordance with its plan.

Several questions were involved. One was whether or not the area was sufficiently blighted or deteriorating to justify a local certification of need for Federal help. To support its claim for eligibility the governing body of the District of Columbia had to ignore the fact that the area was already under redevelopment according to citywide standards and to accept the arbitrary ruling from the local planning commission that the land already cleared and devoted to parking could be defined as blighted or deteriorating. Neither of these actions had any specific legal justification. They could be defended only as a permitted exercise of planning discretion.

A second question was whether or not the HHFA Administrator would accept the District of Columbia certification of need and approve Columbia Plaza as appropriate for an urban renewal project. The Administrator's approval was necessary before Federal funds could be made available to carry out the project and underwrite the major portion of a project loss estimated to be well in excess of $1 million. Clearly he would have been within his statutory rights had he determined either that no need existed or that this particular project was ineligible. In his discretion he chose to approve the project. In this action the Administrator seems to have been following a pattern, well established by his predecessors in office, or accepting local certifications of need without question.

There may be some excuse for the Administrator. There is no specific requirement in the law that he make a determination of the absolute need of a city for Federal funds before he approves a project. The law states simply that the governing body of a locality, among other things must make a finding that Federal aid is necessary to enable the project to be undertaken.

Other provisions of the law, however, do place upon the Administrator a heavy responsibility to exercise his discretion in the public interest. Take for example section 110(a) of the Housing Act of 1949, as amended. It defines an urban renewal area as a slum area or a blighted, deteriorated, or deteriorating area in the locality involved which the Administrator approves as appropriate for an urban renewal project. Does the Administrator believe that it is in the public interest to commit the Federal Government to participation in a project which was being readied successfully for redevelopment by private enterprise and where the only excuse for Federal intervention is to substitute the judgment of certain planners for the orderly controls on area development provided by zoning and building laws? That is the denial of government by law. It is placing the discretion of one class of citizens, the planners, above the law. It is government by men, not of law.

Mr. Speaker, the case against Federal urban renewal grows stronger every day. The work of the subcommittee of the District of Columbia is contributing mightily to the building of that case. So are those in high places in the administration of the Federal program who are guilty of misuse of their discretion.

The indictment which I made initially when a Republican administration was in power is doubly applicable today. Errors such as the misstatement about Richmond, Calif., do not defeat our attack. They simply serve to make us redouble our effort. We will persist until this evil is corrected.

EXCISE TAXES

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, this week the other body passed a 1-year extension of the Korean war excise taxes and the related corporate taxes. Evidence was presented on the floor during the debate that these so-called temporary taxes were rapidly assuming the nature of permanent segments of the Federal tax structure.

I direct the attention of the Members to a most appropriate House joint resolution passed by the Illinois State House of Representatives which I include at this point as part of my remarks:

HOUSE JOINT RESOLUTION 46

(Offered by Mrs. Saperstein, Messrs. Rink, Vitek, Marks, Peskin, Svalina, Elward, Napolitano, Pierce, Wiktorski, McDevitt, Lenard, Kaplan, Shaw, Lyman, Saal, and Miss Piotrowski)

Whereas the 10 percent Federal Retail Excise Tax on ladies' handbags, toiletries, cosmetics, fur trimmed cloth coats and men's wallets is both unfair and discriminatory; and

Whereas the tax on ladies' handbags, toiletries, cosmetics, fur trimmed cloth coats, and men's wallets is economically and socially unjustifiable; and

Whereas the elimination of this tax will increase the net income of the average taxpayer: Therefore, be it

Resolved by the House of Representatives of the 73d General Assembly of the State of Illinois (the Senate concurring herein) That this general assembly respectfully urge the Congress of the United States to repeal the Federal Retail Excise Tax on ladies' handbags, toiletries, cosmetics, fur trimmed cloth coats, and men's wallets; and be it further

Resolved, That a duly attested copy of this resolution be immediately transmitted by the secretary of state of Illinois to each Member of Congress from this State, the Speaker of the House of Representatives of the U.S. Congress, the President of the Senate of the U.S. Congress, and to the Secretary of the Treasury of the United States.

Mr. Speaker, it is especially appropriate for me to point out that the sponsors of this resolution are all members of the Democratic Party serving in the Illinois House, and I would certainly hold out the hope that they use their natural influence within party circles to help the administration here in Washington accept the practical and long overdue step of eliminating the wartime-imposed excise taxes in preference to a controversial tax bill.

Mr. Speaker, I have long urged that a removal of the excise taxes would be the most practical, appreciated, and fair form of tax reduction. I would hope that in the next year we can achieve enough economies in the operations of the Federal Government to give the American taxpayer this type of tax relief.

NEED FOR REDEDICATION ON THE PART OF EACH INDIVIDUAL TO THE VIRTUE OF SELF-RELIANT TRUSTWORTHINESS

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHWENGEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, our times make many demands on us as citizens of the United States of America, but none of these is more pressing than the demand for a rededication on the part of each individual to the virtue of self-reliant trustworthiness.

In an address to the American Iron and Steel Institute in New York City, May 23, 1963, former President Dwight D. Eisenhower commemorated a man who exemplified this quality. General Eisenhower's remarks serve as guidelines for us all as we try to live up to this high standard.

The full text of the address follows:

TEXT OF ADDRESS BY GEN. DWIGHT D. EISENHOWER AT BANQUET OF AMERICAN IRON AND STEEL INSTITUTE IN NEW YORK CITY, MAY 23, 1963

It is with a sense of high personal distinction that I receive the award, established by this Institute in memory of the life, services and accomplishments of the late Benjamin Franklin Fairless.

Because I share with the members of this distinguished institution a deep admiration, respect and affection for Ben Fairless—sentiments which led the Institute to perpetuate his name in this fashion—I am signally complimented by my selection to be the first recipient of the honor.

Manifestly the governing officials of this organization were not moved to create this memorial to Ben Fairless merely because he was a highly successful businessman; or because he rose from unpromising beginnings to head the business enterprise that for many years has been the world's largest producer of steel; or even because he became the acknowledged leader and spokesman of the steel industry and often of the entire business community in public forums and in the counsels of government.

These things he did, and in so doing, he earned the gratitude and acclaim of his associates.

Nevertheless, if these told the full story of his remarkable career, I cannot believe that the Iron and Steel Institute would have felt impelled thus to memorialize his name.

Rather, I conclude, it was because of all the positions he filled.

In all the responsibilities he carried, in all the authorities he exercised, he proved himself a man of exemplary character, rock-like integrity, indestructible courage and down-to-earth wisdom.

It was his moral stature rather than his material accomplishments that we revere today.

Though, considering his meteoric rise to eminence, he could readily have been forgiven instances of arrogance, he was forever humble; though a lesser man could have fallen prey to self-centered ambition, Ben Fairless never failed to think first of others—not merely of his company—of which he was so proud—but always of the Nation.

What was right was the question he sought always to answer.

What was merely expedient or temporarily gainful he ignored in his search for the surer guide to the public good.

Once, visiting me in the White House, he brought up the subject of a tax that I had decided—against some considerable political opposition—to keep temporarily on the books.

He said, "The decision you have made and published is disappointing to many, for example, it will cost my own company many millions of dollars.

"My purpose in coming here is to tell you that I believe you have done right, and I will support your decision to the limit of my ability."

This was one of my earliest meetings with him, and, heartwarming as his words were to me and as appreciative as I was of his thoughtfulness in coming with such a message, my instant and dominant reaction was that I had met an unusual and admirable individual.

Though the occasion seemed mainly to call for an expression of my gratification, there flashed instead, across my mind the thought, "What you have just said evidences your caliber as a business statesman and your patriotism as an American citizen."

In this audience are individuals who could recite many more instances of such self-revealing statements than I possibly could, but this one alone was proof to me that I was dealing with a man of character—from that moment onward I never once hesitated to call upon him for any service or word of counsel that I thought might be useful: never did he let me down.

And in every contract my recognition of his integrity, abilities, and selflessness became all the keener.

As a leader it was not in him to indulge in the flamboyant, the pseudodramatic and the egotistical.

Instead of desk-pounding or similar theatrics, he used the soft voice patiently to assure among his assistants their full understanding of the instructions he had to give.

By his own testimony he trusted far more in thorough study and serious conference with his advisors, subordinates, and associates rather than in preconception or flash impulse as he arrived at important decisions.

It was, then, through character and moral strength that he impressed himself unforgettably upon others; therein was a greatness that far transcended his ability, drive, endurance, and experience, exceptional as these were.

Today if we should attempt to express our admiration and affection for Ben Fairless merely in eulogy, then I think we would show ourselves to be scarcely aware of the true lessons that his life holds for us.

But for us who knew him, almost inescapably there comes to our minds the wish that we might be able to bring to the solution of our problems, each day, the same qualities of spirit that he so clearly displayed in his own.

Moreover, as we made such an attempt I suspect we would reach the conclusion that the problem most concerning us at this moment—and should concern the Nation—is the seemingly widespread deterioration in our moral strength.

We seem to be losing our capacity to bear our own responsibilities unflinchingly: that is to stand solidly for what we know in our hearts to be right, decent and fair, and important to the Nation's future.

Of course, there are many other and possibly more specific issues to face.

We are for example critical of high taxes; but we don't like to see taxes revised in such fashion as to relieve others 1 cent more than it does us of part of the tax burden.

The vast majority believes that governmental expenditures are too high: but we insist upon excluding from any program of reduction all those that seem to profit us individually.

We deplore deficit spending in time of prosperity as a policy of government, believing that it is not unnecessary but eventually ruinous.

In addition, deficits incurred in these conditions can scarcely conform to our concept of morals in that it deliberately presents to coming generations the bills for things we get for ourselves today.

What does this do to our self-respect?

We criticize costly governmental farm programs; we oppose unfair regulations applying to expense accounts; we urge the application of logic and reason to projected international contests into outer space.

We question the wisdom of certain details in medicare programs and we grow irritated when some world-touring Congressman spends our tax money in music halls and night clubs, immune from any disciplinary action by the Government.

We are horror-stricken by mounting crime waves—especially the sometimes almost inexplicable delinquencies of our youth—not only in the gangs of our city streets, but too often in some of our institutions of higher learning.

All these are serious matters, and they call urgently for practical solutions.

But they do not define the root of our true problem.

They are indeed symptomatic, but they are primarily the effects rather than the causes of our basic difficulty.

That difficulty is the weakening of our sense of duty—or moral obligations—to ourselves, to our children, to what is right.

We seem to be losing too much of our readiness to move against the tide, too much of the sturdy independence that should reject any unfair governmental advantage for ourselves as quickly and emphatically as we reject another for our contemporaries.

Through love of ease, or sheer lethargy, we shut our eyes to the weaknesses within us—sins of omission and commission.

We lose our capacity to be righteously indignant:

We fail to do what we know to be our duty—not deliberately, but rather through a subconscious desire to avoid extra effort or sacrifice or to escape criticism and ridicule for supporting unpopular ideas.

Worse, by word and example we impart these habits to our children, apparently and blindly hoping that a new generation will display a courage that we do not ourselves possess in facing forthrightly the problems that baffle us, both those of a weakened spirit and those that are outgrowths of our neglect.

Possibly then the true potential of this evening's meeting will be measured by the degree in which we, in renewed inspiration achieved through reflection on the lives of such leaders as Ben Fairless, experience real rejuvenation of our readiness to face head on, both the basic, and the symptomatic diseases of our time.

Opportunities to do so are numberless.

In the home, in the schools, in the business conference, on public platforms, at luncheon clubs, and in association, including those of political parties, we can make our influence felt. And that influence will rise like a flood if we refuse to allow embarrassment to still our tongues or the hope of immediate gain deter us from efforts designed to improve the long term good of family and Nation.

The process of self-examination is difficult, sometimes secretly embarrassing.

But permit me to hint at some of the questions that frequently bother me as I ponder these matters.

Although the personal examples we set for our children within our own homes may have little to do with juvenile delinquency—in our eyes they are always paragons of virtue—how much time and effort are we ready to spend to eradicate it?

How much should our city taxes be raised to produce a police force adequate to make our streets safe for the peaceful pedestrian?

How much more are we ready to pay to increase the efficiency of educational systems—both juvenile and adult—aimed at elimination of causes of this scourge?

How are we to set about the enlightenment of a population when we see so many special groups eagerly embracing the cloying effects of governmental subsidy at the expense of others and the loss of their own self-reliance?

Unfortunately, such groups are many.

Indeed, few of us can show a clean record in this matter.

In problems of many kinds from tariffs to taxes; from slum clearance to farm surpluses and subsidies; we far too often seek special Federal help rather than refusing it except only as it applies across the board—to 180 million Americans.

Correction for this and similar ills calls not just for money—they will succumb only to determined efforts reaching the intensity of a crusade.

Possibly the most important question each of us can ask himself is, "How can I help to keep alive, healthy and effective, the concept and practice of self-government, given to us by the framers of our Constitution in 1787?"

To answer this one we must first ask ourselves some preliminary questions.

First, do I actually participate in self-government?

Most of us vote, some give money to political campaigns—but do I, as a citizen, do all I can to further the measures in which I believe, in opposing proposals to which I violently object?

If not, am I effectively participating in self-government? Do I still thrill to the words of Patrick Henry, "Give me liberty or give me death"?

Or Nathan Hale saying, "I only regret that I have but one life to lose for my country."

Or Ben Fairless who once said: "The most important thing is to do what is right for the Nation as we understand it."

But if we are ready to admit the worth and timeless inspiration to be found in contemplation of these examples—rather than to dismiss them as rubbish to be discarded by the overly sophisticated—then there is much that each can do.

An obvious one is to participate actively as a member of the political party of our choice.

Delve deeply into our fund of commonsense, our knowledge of our own history, and the development of the American economy; study the words and deeds of Washington, Franklin, Lincoln, and Jefferson and out of all this develop an individual and simple political philosophy.

Why not refuse to listen to the political aspirant that promises a special favor to me, but, instead, join and support the party whose platforms, programs, and actions for national progress seem best to coincide with my own beliefs. And work, every day, for that party?

Why not participate in private associations and organizations whose missions and efforts are calculated to promote better understanding of America and better fulfillment of the obligations of self-government?

Indeed, should not our hearts, our hands, and our pocketbooks be dedicated to promoting what is right for America?

Tonight as we salute the memory of a distinguished American I trust we shall recall and deeply contemplate the principles by which he lived.

So long as we do, and particularly if we work as hard as Ben Fairless did to further his concepts of good of country, individual liberty and moral integrity—then indeed we need not fear the threats we see about us, but shall, instead, assure for America a bright and glorious future.

Mr. Speaker, there appeared in the Herald Tribune of June 5, 1963, an excellent letter by WILLIAM E. MILLER, chairman of the Republican National Committee, entitled "Why Dodge the Cuban Question?"

I commend this letter to the attention of my colleagues and of all those interested in seeing what the minority party is up against when it attempts to constructively criticize or even elicit information from the majority on a subject of crucial importance to the American people.

The full text of the letter follows:

WHY DODGE THE CUBAN QUESTION?

To the Herald Tribune:

You are to be commended for your forthright editorial supporting the right of conscientious persons to raise questions on our Cuba policy.

The lesson of Cuba seems to be that until hindsight takes over, the administration tags as "mischievous nonsense" all constructive suggestions on vital national problems.

It is unbecoming of administration officials to downgrade conscientious attempts to obtain information. The questions I posed for President Kennedy were honest queries, designed to elicit facts on problems which are deeply troubling to many individuals. My queries were legitimate points raised by revelations of the Stennis subcommittee report and reliable newspaper accounts. Nevertheless Senator HUMPHREY tagged my queries "mischievous nonsense."

Throughout the Cuban military buildup last fall the same phrases were used by highly placed administration officials, including Senator HUMPHREY, in an attempt to quash legitimate questions concerning establishment of a Communist base in the Western Hemisphere. Republicans were tagged "warmonger," "jingoists," "mischief makers." Criticisms never were accepted as constructive—only as "politically motivated."

Like a broken record, Senator HUMPHREY used this tired phrase on the Senate floor on September 11, 1962. "It is misleading and mischievous," he stated, "to say that Cuba represents a military threat."

On October 19, 5 days after the administration had photographs of Cuban medium-range missile installations, HUMPHREY told a Minneapolis audience: "All this chitchat about Cuba is nothing less than the lowest, cheapest form of politics * * *. We know more about what's going on in Cuba than we do about Minneapolis."

In the September 11 Senate speech, HUMPHREY had admitted the existence of missiles in Cuba. He said, "I do not underestimate the fact that there are missiles, intermediate and short range." While the Senator was "fessing up" on the miscilles, the White House was vehemently denying their existence.

Yet on October 22 President Kennedy responded to repeated Republican urgings for firm action and to repeated evidences that the American people felt action was long overdue. He clamped down with the quarantine, telling the Nation that Cuba is "* * * an important strategic base * * *" and "* * * an explicit threat to the peace security of all the Americas * * *" that the Soviet buildup "* * * had been planned some months ago."

All this is most interesting when set beside Senator HUMPHREY's September 11 comment that "communism is sinking pretty rapidly in the quicksand of their own mismanagement." By Senator HUMPHREY's definition the recent report of the Stennis Preparedness Subcommittee also falls into the category of "mischievous nonsense."

WILLIAM E. MILLER,
Chairman,
Republican National Committee.
WASHINGTON, D.C.

Mr. Speaker, I wish to call the attention of my colleagues to the activities of a group of enlightened citizens who are doing an excellent job of extending the range of constructive thinking on political issues and principles, the Republican Citizens Committee of the United States. Below, follow excerpts from the remarks by C. Wrede Petersmeyer, chairman of the Republican Citizens Workshop, at the plenary session, Thursday, June 13, in Hershey, Pa. This workshop was sponsored and conducted by the Republican Citizens Committee:

This workshop will not include a discussion of candidates and no one here, to my knowledge, has personal political ambitions. We are concerned solely with exploring as citizens what we might do to strengthen the two-party system by furthering Republican beliefs, principles, and candidates. I hope you will find the meeting as exciting and useful as those of us who have worked on it believe it will be.

The target of the Republican Citizens Committee effort is the voter * * * in particular, winning support for the party, its ability to solve the critical problems that concern the voter and for Republican candidates. Our aim is to supplement the work being done by the party. Incidentally, I personally have visited with 24 leaders of the party on the Hill, and at the national committee in connection with this citizens workshop. In no quarter did I find comment that this was not a constructive effort, and in many quarters it met with great enthusiasm.

The citizens committee is proceeding on two fronts: One is in the area of organization of manpower and effort, both in major cities and behind candidates once they are nominated. The other front is in the area of ideas * * * a creative effort that will win support for Republican principles and Republican solutions to problems. This effort is fundamental and will build a base under any Republican candidate nominated.

This workshop will be led by General Eisenhower. The need for this workshop (Critical Issues, led by General Eisenhower) stems from a conviction that there is inadequate discussion today among voters of critical problems from a Republican point of view. The objective of this workshop is to discuss the major issues from a partisan standpoint and determine what might be done to further public discussion of them.

Mr. Speaker, on Sunday, May 26, 1963, former President Dwight D. Eisenhower gave the commencement address at Defiance College, Defiance, Ohio. His inspiring words were addressed to the graduating class, but in these difficult times of national progress and international unrest their message speaks to all of us.

The full text of General Eisenhower's address follows below:

NOTES FOR COMMENCEMENT ADDRESS, THE DEFIANCE COLLEGE, DEFIANCE, OHIO, BY DWIGHT D. EISENHOWER, 34TH PRESIDENT OF THE UNITED STATES, SUNDAY, MAY 26, 1963

The significance of a college or university commencement is the annual renewal it provides the country—and the wide world—in fresh energy, new knowledge, keen insight, spirited idealism.

This season, by the hundreds of thousands, young Americans—women and men—are departing their campuses with dreams of productive, constructive, creative lives throughout the land.

To the long future of the Republic, theirs is a mightier and vaster contribution than wealth in gold or power in machines or material strength on the world scene.

Out of their works, all these things shall be added to America; and, of vastly greater significance, if they fulfill our hopes, they will add to our way new greatness in soul and in heart.

The pace of America's growth, since the first graduation at Harvard College more than 300 years ago, has been measured by the steady increase in number of those who entered into the Nation's life, armed and fortified in the disciplines of higher learning.

Through all the years, of course, innumerable individuals—out of their own genius and commitment and without the benefit of higher education—have achieved for their fellows great breakthroughs in all the realms of human life; in politics; in sicence; in commerce.

Instantly, we call to mind George Washington and Benjamin Franklin and Abraham

Lincoln, Fulton of the steamboat, Edison of the light, Ford of the automobile.

To recall their names and deeds should be for us, who have been given so much advantage, a spur and a goad to our spirit to be a little like them who—on their own—overcame so much disadvantage.

For the irresistible march of America has been primarily powered by the thousands who, to their natural talents, added the knowledge and the skills and the visions of thorough academic education.

Today a Nation, approaching 190 million in population, committed to a leadership role in a world of 3 billion, cannot depend on the chance genius. Each of its young people must be given the opportunity to demonstrate genius.

Your commencement and a thousand like it this month and next constitute the Nation's recognition of this fact. The consequent tidal flood of talent, each year pouring into all the areas of national life is a guarantor, of a new acceleration of a progress beyond accurate prediction. In our past—in the past of all humankind—we have no parallel to this flood, in its immensity in numbers, its competence in every educational discipline, its breadth and depth in understanding.

And there is this uniqueness about it: This tidal wave is not the product of political design or the byproduct of political statecraft. Rather, in its origins and its swelling sweep, it is the expression of the American purpose that to each individual shall be given freedom and opportunity to learn and to inquire and to search. It is the manifestation of the American belief that to each individual, under God, belongs the responsibility and the reward of so using his talents and his time and his energy that he may live—to the limit of his capacity—the fullest and best life.

Unique too, is this swelling flood in that—not destined to serve the ends of dictated government policy—each individual within it is free to shirk entirely the challenges before him or to travel the easy road of mediocrity. But he is privileged also, to strive greatly, daringly, exhaustingly that his imprint for good may become an enduring evidence that he has used freedom well and profitably.

You, at this moment of your lives and your fellows in all like commencements, are the heirs to scores of centuries of human enterprise and sacrifice; of exploration on earth and in space of adventure in ideas and in deeds; of history's recorded thinking and accomplishments.

If you are to add nobly to this record there will be on you an insistent responsibility to cast out of your heritage prejudice, hate, ignorance; an equally insistent responsibility to conserve and expand all that is good and useful. What you think and speak and how you act will stand, finally, as the measure of your value to your Nation and humankind far more than will the amount of the world's goods you may accumulate.

You will be the leaders of people; you will mold, shape and build the Nation's 21st century. No burden could be heavier; no opportunity more bright. As a conscientious citizen of this great Nation, there is one truth that must ever stand as a guidepost for all your dreams. It is this: In self-governing America, power belongs to and is generated by the people, not by any clique, individual or government agency. That power will grow and be ever used for good only as the people grow in knowledge, understanding, and in dedication to the concept of human liberty, rights and dignity.

Two hundred years ago, in 1763, to those prepared for leadership, the call was to Revolution: That old ties and old ways be abandoned, however dear they might be; that a new system of government be constituted; that a new goal in human purpose be enunciated.

One century ago, in the year 1863, to those of like preparation for leadership the call was to preservation: That a divided nation, torn by war, be reunited in peace; that the revolutionary principles of the earlier century be fully realized; that the government be truly of and by and for all the people.

In this year of 1963, the call to you is twofold—restoration and reformation.

Insofar as we may have lost any of the fervor that moved the Founding Fathers as they established for us freedom and self-government and opportunity, this fervor of dedication must be restored. Likewise required is constant renewal of devotion to the conviction that a basic duty of government is to protect the individual in his God-given right to work, to earn, and to husband his resources for the benefit of himself, his family, and his community. If, through the cloying effect of governmental subsidy we have lost any measure of self-reliance, independence of spirit, and love of liberty, then restoration of all these is part of your task.

The need for reformation rises out of the new and complex problems that confront us daily requiring new and even revolutionary solutions; many of them rising out of a mushrooming citizenry, concentrating as never before in densely peopled areas, living in a fiercely divided world. In reaching appropriate answers to these problems the words of the true leader must be so clearly spoken, so courageously supported that all citizens will still continue to live as fully free individuals, their voices and wishes must be accurately represented in the government, and their equality of opportunity assured.

Reformation means abandonment of what has grown obsolete, ineffective, and wasteful. It means changes in attitudes and practices and mechanisms to meet changes in the economy, in the social fabric and in political relations within the country and within the world.

Beyond this, in a world where the force of nationalism and the conflicts of ideologies and the passion for power will not soon diminish, the United States must be neither slow nor hesitant nor weak in advancing and supporting measures that will inspire all men that they can, without hurt to the aspirations, pride, and rights of any other nation, achieve a stable peace with justice and freedom. Progress toward this goal will, among other things, be furthered by expansion of our alliances with other free nations for mutual security and mutual profit. It will be accelerated by liberation of the United Nations from subservience to pressures of arrogant dictators and by its elevation to a genuinely world-representative body, able to do—as well as to talk and dispute.

These responsibilities, falling upon national leaders, must by the very nature of successful self-government be shared by every citizen. Those who wrote our Constitution designed a government that would be a servant, responsive to the people, managed by the people. Their foresight was equal to their faith in the people. And through decades of growth and change their work—after the Bill of Rights—required few amendments.

But the Founding Fathers could not foresee that, in the space of three lifetimes, the Republic would extend from the Atlantic 3,000 miles out into the Pacific, or overleaping an independent neighbor would reach into the Arctic; or that an economy of small farms and large plantations, whose cities existed mainly as ports of entry and exit, would be transformed into massive concentrations of people forming communities without regard to county or State lines. They could not know that in less than two centuries the immensity of domestic and international affairs would tend to create in us a feeling of individual helplessness and even lead us into an unthinking abandonment of personal and local responsibility to a few men in government, giving to them a frightening power for good or evil and almost certain to invite error or abuse.

Through all these developments government more and more escapes the control of the people. Though in townships and villages, school districts and towns, citizens still make decisions for themselves, the room for decision daily shrinks because each must be made in the context of responsibility and power lost to a distant bureaucracy.

Framers of the Constitution could not foresee the exact causes that might bring about such a trend but they knew that the potential danger existed. And, against the possibility that ordinary and customary processes of self-government might weaken or be found ineffective, or later laws and interpretations of original constitutional intent might conflict with the mass convictions of Americans, they provided a final and decisive means of reformation and restoration by the people themselves. Through their State legislatures and without regard to the Federal Government, the people can demand and participate in constitutional conventions in which they can, through their own action, adopt such amendments as can and will reverse any trends they see as fatal to true representative government. I do not here refer to any amendment presently proposed, or under consideration by the several States.

Moreover, constitutional amendment is not to be lightly undertaken. But if you and your generation fortified by a superb education, with access to the knowledge and wisdom of the ages, and imbued with the spirit of our founders, decide that reformation of a radical kind becomes due—then I say, let nothing stop you. Study, examine, survey, think, consider, decide and then—by all means—act. No discovery in science or in space for which you may be responsible, no art that you may create, no fortune that you may amass can ever faintly approach in importance what you do to America's political heritage. Remembering this, may you be a generation that a half century hence can proudly say:

We maintained and furthered the American experiment born in 1776 and confirmed in 1789; we made certain that in our time freedom's flag would be more firmly nailed to the masthead of self-government—in short, we helped the Nation to march on—in faithful dedication to her own ideals—to fulfillment of her destiny.

God speed you—except for the inescapable obstacle imposed by 50 years' difference in our ages, I would be proud to follow where you will lead.

Mr. Speaker, on May 27 an editorial appeared in the Washington Star entitled "Devil's Advocate in Space." The editorial's suggestion is a good one, but what the space program needs even more than it needs a Devil's advocate is more technically competent staff, particularly minority staff on the Science and Astronautics Committee. This committee at present has only 10 professional staff members, yet NASA, whose budget it is the committee's task to review, has the fourth largest budget of any executive agency.

With the smallest technical staff on Capitol Hill, the Science and Astronautics Committee has a tremendous responsibility to see that billions of dollars of the taxpayers' money is wisely spent.

I commend to my colleagues this thoughtful and thought-provoking editorial:

DEVIL'S ADVOCATE IN SPACE

At this juncture, one of the things most sorely needed in the American space program may be a Devil's advocate. This would be a member of the Government, well qualified in science and engineering and well advised on the doing of lawyers and publicists. He would be provided with a small staff (and an admonition in his charter to keep it small) and funds adequate to the workload.

Thus supplied, this official would be charged with building the strongest possible case against every space proposal—before it becomes sanctified as a line item in the Federal budget. He would have clearance for topmost secrets and be given a need to know. It would be reasonable to expect that this unblinded by secrecy and unimpressed by propaganda, he would be in a position to give the sort of negative advice the space program, by its very nature, now lacks.

This functionary would almost certainly be damned as a brake on the wheel of progress. But given a thick enough hide plus a genuine desire to watch out for the public's interest (as opposed to something called the public interest) in space, he might well save the country a good deal of money and enhance the progress of the space program at the same time.

We do not share the view, expressed recently by some scientists, that the space program is a sort of boondoggle endlessly soaking up funds which should go instead for science projects closer to home. Space is the real new frontier. We have got to go there—and as things are presently constituted back here on earth it behooves us to get their first.

But one essential ingredient in any undertaking of this size and complexity is a healthy measure of practical skepticism.

If the Devil's advocate for space could make some of this skepticism stick—just enough to cut out one unnecessary or marginal program, he could reimburse the Government for his expenses for a good many years.

Mr. Speaker, in an article which appeared in the summer issue of Advance magazine entitled "Whatever Happened to the Grand Design," Dr. John S. Saloma, assistant professor of political science at MIT, presents a thoughtful analysis of the conduct of foreign affairs to date under the Kennedy administration. He concludes:

> We have had the illusion rather than the substance of a foreign policy.

And he blueprints the role and method for responsible partisan criticism with this statement:

> Sympathy is not a sufficient basis for a responsible opposition role.

Dr. Saloma views the fulfillment of Republican requests for increased minority committee staffs as essential to the development of "a mature opposition response" to problems in the foreign policy field.

The full text of this article is worthy of the attention of everyone seriously concerned with the conduct of our foreign policy, and I commend it to their attention:

WHATEVER HAPPENED TO THE GRAND DESIGN?

(By John S. Saloma III)

Cuba has recently sketched in bold relief the dilemmas of the opposition role in foreign policy. Yet Cuba is only a facet, albeit an important one, in the overall picture of U.S. diplomacy. We run a serious risk of distorting the issues involved by narrowing our focus and discussion. Our diplomacy should be viewed as a composite, as a strategic design with a purpose and style, and it should be evaluated and criticized as such.

Our current situation underlines the need for a broad critique. The winter of Kennedy's discontents has stretched well into the spring. The confidence and exuberance of November is no longer in evidence as Washington prepares to face the heat and humidity of another summer. The new era in relations between East and West, which the President anticipated after Cuba, has yet to emerge from the all too familiar pattern of extended negotiation, frustration, and more extended negotiation. The victory in the Cuban confrontation seems strangely hollow in retrospect. Even the building of the Atlantic Alliance, the cornerstone of long-term American strategy, has been postponed indefinitely in the face of Western disarray which we have helped to precipitate. With the sharp vacillations in our policy, the North Atlantic allies have wondered whether the leader of the alliance has a strategy at all.

The cleavage in the East and the opportunities it affords the West have been all but eclipsed. The publication of the Clay report has called into question the American approach to the developing nations. One wonders whatever happened to the grand design.

In the face of such setbacks in our foreign policy it may seem unsporting or even dangerously disloyal to level serious partisan criticism at the administration. It is perhaps only natural that most of the national commentators and the attentive public in the area of foreign policy have sympathized with the President as he faces seemingly intractable problems with a limited range of maneuver. But sympathy is not a sufficient basis for a responsible opposition role. The opposition cannot be content to accept fatalistically the ebbs and tides of history and to rally behind the President in the name of national interest. What then is the proper place of partisanship in foreign policy?

RESPONSIBLE PARTISANSHIP

Without answering this question the opposition runs the risk of missing the mark in much of its discussion and criticism and of becoming ineffectual if not irresponsible in its role. Perhaps most important to a definition of "responsible partisanship" is the requirement that the opposition role be based on a broad foreign policy consensus regarding both goals and means. The opposition challenge cannot be shaped as an extreme ideological alternative to administration policy with radical objectives and radical strategies for achieving them.

The Republican Party can no more adopt a strategy of total victory with its logical concommitants of limited nuclear war and rollback by nuclear blackmail (see "Victory in the Cold War: How?" Advance, June 1962) than the Democratic Party can adopt a strategy of unilateral initiative and disarmament. This does not mean that there are not elements of value in either of these extreme positions. But in the context of American politics, these ideological statements of foreign policy are unlikely to become dominant.

Free debate, discussion, and compromise are the basis of policymaking in a democratic society. In maximizing public support for its foreign policies, an administration will of necessity have to dilute partisan ideological overtones to its policy. Ultrapartisan foreign policies would be divisive. They would polarize opinion in the public at large as well as within each of the parties. With the possibility of divided control of the executive and the branches of the legislature, they would invite paralysis. In addition there is the overriding danger of disjunctive shifts in foreign policy that would accompany changes in administrations. Extreme ideological stances in foreign policy might in theory offer greater clarity, coherence, and efficiency, even a bolder, more imaginative foreign policy, but it is hard to see how they could achieve these results without a fundamental restructuring of our political parties and constitutional system.

THE NATIONAL INTEREST

Even if we ignore the internal political problems posed by ultrapartisanship, a kind of working consensus is imposed by the necessities of our external situation. "National interest," defined as the preservation of core values of the society, will dictate that our foreign policy possess both continuity and flexibility, that it can be capable of acting and responding on a number of dimensions with reference to a basic long-term strategy. Competing ideological policies are unfit for this task. It is also unlikely that the range of maneuver open to us or the constraints of previous commitments and limited resources will permit radical departures from the stream of our past policies.

It follows that responsible partisan criticism will be more nearly a disagreement on the emphasis to be attributed to and the appropriate means for achieving policy goals on which there is essential agreement than a call for a radical new approach to our foreign policy. While there are ideological extremes in either party that would impose their view of reality on the world scene with possibly catastrophic results, the debate on foreign policy should focus essentially on approach and technique. Both parties should aim for a foreign policy most appropriate to the realization of American national objectives in a changing international context. The party in power attempts to shape and implement that policy—the opposition party reviews this performance and offers constructive criticisms where the party in power has failed.

Admittedly this is a simplistic ideal. The extremes of left and right will inevitably add coloration to the party roles. More important, it is unlikely that any administration could shape such an ideal policy. In reality, the national policymaker can never foresee all the contingencies. Policy will still be made in large part off the cables. Even in the absence of crisis the policymaker will not face unambiguous situations. He cannot read the intentions of his adversaries with any degree of certainty. The opposition is even more disadvantaged, having to read policy after the fact and not having the benefit of the intelligence apparatus, essential to a dependable evaluation of policy.

ASSISTANCE THROUGH CRITICISM

If one excludes intense ideological debate from the practice of responsible partisanship, there still remains an important role for the opposition. Within the context of the current consensus there is ample room for Republicans to emphasize their greater concern for the soundness of the American economy as it bears on our foreign policy; the problems of negotiation with the Soviet Union; the intractability of cold war issues; the importance of power in diplomacy; and the possibilities for encouraging free enterprise abroad through our foreign aid program.

Moreover, given the continuing and perhaps inevitable problems of the administration in the attempt at an ideal foreign policy, it should be the function of the opposition to assist the administration through independent criticism of its efforts. As President Kennedy himself observed while his party was in opposition, "The Nation's interest must come first in foreign policy; and as a part of that, it seems to me, it's up to the minority party to present realistic and constructive alternatives when they believe it in the national interest." Thus contrary to the Cassandras who deny any partisan criticism as divisive, responsible partisanship is essential to the national interest.

Responsible partisanship should direct itself toward a range of questions: Has the administration clearly articulated U.S. goals and a strategic design for realizing them? How effectively has the administration sensed and interpreted the longterm historical trends that will bear on our policy? How well has it evaluated the ever-shifting nature of the Communist challenge? Has the administration given full consideration to all relevant factors in determining its objectives and designing its strategies? Has it defined and can it defend the assumptions underlying its policies? Is the President organizing and mobilizing his policy staff resources effectively to achieve these objectives? Is he recruiting the best talents available and is he matching them to the needs of policy formulation and implementation? Do we have a scale of priorities in our policy or means for assessing the achievement of our policy goals?

This entire range of questions is a legitimate area for the attention and concern of the loyal opposition. A serious examination of our current situation affords little ground for complacency.

WHATEVER HAPPENED TO THE GRAND DESIGN?

A broad critique of the Kennedy record in foreign policy—from the position of responsible partisanship—reveals some basic flaws that may escape a partial critique or that may be ignored by an ultrapartisan critique. First, the Kennedy administration, while relatively successful in articulating the outlines of a grand design, has in the process confused image with reality with disastrous consequences. We have had the illusion rather than the substance of a foreign policy as our setback in Europe vividly illustrates. Not unrelated to the illusion of policy is the cyclical exaggeration of mood to which this administration seems prone in its assessment of our policy and international position. The second flaw in the Kennedy record is its style of operation or more precisely the excesses of that style with the resultant effects on the policymaking machinery of the State Department. After examining each of these flaws, we shall consider the implications for a responsible opposition strategy.

The illusion of policy: The grand design

The role of articulating long-term strategy for the New Frontier has been delegated to W. W. Rostow, as confirmed in his assignment as Chairman of the Policy Planning Council of the State Department. Rostow has argued that the administration has a clear and constructive strategy that goes beyond the merely defensive reaction to crises that are forced upon us. American strategy by his definition has five dimensions: (1) Strengthening the bonds of association among the more industrialized nations in the northern portion of the free world, and mobilizing their resources for worldwide tasks; (2) helping to maintain the integrity and the independence of the vast modernization process going forward in Latin America, Africa, Asia, and the Middle East; (3) fashioning new links, a new north-south tie between the more developed and the less developed areas; (4) in the military sphere, closing off areas of vulnerability to minimize the number and effectiveness of Communist probes; and (5) drawing the nations now under Communist regimes toward the free world community both by interdicting Communist expansion and by exploiting special areas of overlapping interest.

These dimensions of strategy have found expression in the proclamation of bold policies, the Alliance for Progress, the decade of development, counterinsurgency, the Atlantic Alliance, etc. But what have they meant in substance? How are we proceeding to implement our strategy?

Take for example the Atlantic Alliance, the basic dimension of our strategy. The single major policy speech on the alliance prior to the crisis of British exclusion from the Common Market was the President's observation that: "It would be premature at this time to do more than to indicate the higher regard with which we view the formation of this partnership. The first order of business is for our European friends to go forward in forming the more perfect union which will some day make this partnership possible." Our policy proceeded on the assumption of European integration. The Trade Expansion Act for instance contained a special EEC negotiating authority that would be fully operable only if Britain joined the market. At the crucial juncture in British negotiations with the market, we precipitated a major political crisis for the Conservative Government (which was pledged to British entry, unlike the Labor opposition) by unilaterally canceling the Skybolt missile—a decision that circumvented the normal State Department channels. The subsequent Nassau agreement with the British (at which the Secretary of Defense and not the Secretary of State was the chief policy adviser to the President) ignored the political sensitivity of the French and was the immediate cause of the rejection of the British membership bid. (See George Gilder, "Why the United States Is Failing in Europe," Advance Notice, January 29, 1963.)

With economic unification thwarted for the time being, we continued apace with our "design" for a NATO military strategy. Again there was no evidence that the administration had thought through the substance of its proposals to the allies. First we suggested a multinational nuclear force, with separate national contingents, to Britain and France. Then we added a separate multilateral nuclear force for NATO. The NATO force was to consist of a polaris submarine fleet. Then we shifted to surface ships. We were willing to discuss majority control. Now we insisted on the veto power. To fill out our defenses to the North we brought diplomatic pressure to bear on Canada (again out of State Department channels) bringing down the Government of one of our allies in the process. And to add insult to injury the Secretary of Defense later publicly declared that the Bomarc missiles which had been the focus of the Canadian controversy were obsolete but would serve to draw fire from the Russians. The record reads like a comedy of errors. But it is a tragic commentary on the illusion of our policy. The record could be reviewed in other areas—the Allianza, or southeast Asia—with equally distressing conclusions.

Administration failures should not be used, however, as an excuse to reject the responsibilities implied in the grand design. The opposition should reaffirm the objectives of our policy but it should also ask why we have met with the temporary setbacks.

Part of the reason for our failures can be traced to the optimistic assumptions underlying our strategy. In the words of Assistant Secretary of State Harlan Cleveland, U.S. foreign policy can be "confident in its course because the record of the cold war, the current behavior of the Soviet Union, an assessment of its own strength, and a reasoned view of the 'third world' of the future all contribute to a picture of a world in which many elements—including time—are working on the side of freedom." In a similar vein is Walt Rostow's view that the underlying forces of history are working in our direction.

The illusion of a foreign policy lends itself to bold pronouncement and optimistic forecasts. A policy of substance will be more cautious in the objectives it sets and the claims it makes. It will not be as likely to fire the imagination of the people nor will it be as likely to disappoint them. It will not be as subject to fluctuations of mood. It will not indulge in orgies of self-congratulation after success nor brood darkly in frustration and despair at its failures. One would have hoped that the experience of more than 2 years in office would have educated the administration to the fact that policy is defined both in conception and in implementation.

The style of operation: Kennedy and his advisers

Perhaps a more basic reason for the failure of the grand design is the President's mode of operation. Each President brings to his office a distinctive style of administration and operation. The organizational pattern of the White House staff, executive office, and line departments will reflect this style. In the area of foreign policy; Presidential style will bear especially on the use of the Secretary of State, National Security Council, and State Department policy machinery. An understanding of Presidential style is essential for an intelligent analysis of foreign policy performance.

John F. Kennedy assumed the Office of President with a distrust bordering on contempt for the institutionalized Presidency of the Eisenhower era. The emphasis of the New Frontier was action; the slogan, "Let's Get the Country Moving Again." The Kennedy style as it developed involved two elements: (1) an increased centralization of decision making power in the person of the President; and (2) the infusion of Presidential energy into the administrative system through his personal initiative, supplemented by a personalized White House staff.

The Kennedy style found theoretical justification in the writings of Richard E. Neustadt and Arthur Schlesinger, Jr. The centralization of decision making power under the President was to be effected through what Neustadt termed "action-forcing processes"; i.e., "recurrent circumstances or procedures that assure a flow of concrete issues to the President for definite decision by a certain date." Closely related to Neustadt's theory was what Arthur Schlesinger, Jr., defined as the competitive theory of administration of the Roosevelt administration. Schlesinger and apparently the new President as well were impressed by the Roosevelt model. Schlesinger writes that Roosevelt "deliberately organized—or disorganized—his system of command to insure that important decisions were passed to the top. The favorite technique was to keep grants of authority incomplete, jurisdictions uncertain, charters overlapping. The result of this competitive theory of administration was often confusion and exasperation on the operating level; but no other method could reliably insure that in a large bureaucracy filled with ambitious men eager for power, the decisions, and the power to make them, would remain with the President."

A second aspect of the Kennedy style, a corollary to the process of forcing decision up through the administration hierarchy to a focus at the presidential level, was the free use of the President's personal initiative and a small, unspecialized staff of Presidential assistants. The White House aids were to perform the troubleshooting and intelligence functions necessary to keep the system operating smoothly. The President could employ them to short circuit administrative bottlenecks at lower levels, to break the logjams in the upward flow of policy decisions. As Schlesinger has noted, the competitive theory of administration retains room for administrative maneuver on the part of the

President. In Roosevelt's case it made flexibility easy.

In the early days of his administration the President proceeded to implement these theories. The various staffs that Eisenhower had added to the National Security Council machinery were eliminated or transferred to the State Department. The President surrounded himself with a highly intelligent and articulate group of advisers, including McGeorge Bundy, W. W. Rostow, and Arthur Schlesinger, Jr. Special Assistants were added in response to crises: Maxwell Taylor (after the Bay of Pigs) and Lucius Clay (after the wall). The President relied closely on other advisers—Ted Sorensen and his brother Bobby—in important problem areas related to the State Department and CIA. Implicit in his staffing and in the infrequent use he made of the National Security Council or Cabinet was a lack of confidence in the formal machinery of Government.

The Bay of Pigs marked the first major crise de confiance within the administration and it prompted a reassessment of the Kennedy style. The major focus of attention was the top level of the State Department.

THE PRESIDENTIAL ASSISTANTS

When the President appointed Dean Rusk, it was suspected by most observers that John F. Kennedy intended to be his own Secretary of State. The organization of the White House staff and the selection of a large part of the State Department before Rusk's appointment appeared to confirm this. Cuba illustrated the extent to which the White House and not the Secretary of State or State Depatrment had become involved in policymaking. Three Presidential assistants, Richard Goodwin, Adolf A. Berle, Jr., and Schlesinger had responsibility for Cuba and Latin American affairs during the early months of the new administration. The position of Assistant Secretary of State for Inter-American Affairs was not filled until June, after more than 20 candidates had been considered. One of the major reasons for the difficulty in filling this key post was reportedly the fear that White House intervention would undercut the authority of the Office.

Secretary Rusk took a passive attitude toward the CIA operation as it developed. Tad Szulc and Karl Meyer in their lucid account, "The Cuban Invasion: The Chronicle of a Disaster," note that Rusk's conception of his job was that of an implementer and not an originator of policy; Rusk actively discouraged subordinates from getting involved. Thus the State Department's intelligence unit and policy planning staff did not participate in the formative policy stage.

Dean Acheson has warned that "unless the Secretary has the President's most intimate and abiding confidence and respect, he is only a diplomatic bureaucrat." The Kennedy style implied such a role from the outset.

On November 26, 1961, the President announced a major shift of personnel, including the transfer of three important White House staff members to State. The Kennedy style was apparently swinging back to a more traditional mode of operation. Greater reliance was to be placed on the State Department with its professional and diplomatic resources. Walter Lippmann referred to the move as "heartening evidence of the President's uncommon ability to learn from experience." The assignment of Rostow as chairman of the policy planning staff, of Fred Dutton as Assistant Secretary for Congressional Relations, and of Goodwin as Deputy Assistant Secretary for Inter-American Affairs all suggested a significant change in emphasis in the President's thinking. Under Secretary of State, Chester Bowles, who had been given a rather nebulous jurisdiction in rethinking American policies was replaced by George W. Ball with the assumption that Ball would play the stronger role of alter ego to the Secretary that Douglas Dillon had ably filled under Secretary Herter. It appeared at last that the President was concerned about the problems of administering the huge State Department bureaucracy.

The third and most recent phase of the President's approach to foreign policy has been marked by a decline in the position of State, a greater reliance on the advice of Secretary of Defense Robert Strange McNamara, and the renewed importance of the White House staff under McGeorge Bundy. A New York Times feature article last December, in speculating on who was the real Secretary of State in the Kennedy administration, mentioned Bundy, Robert Kennedy, and the President (Dean Rusk was conspicious in his absence). It is an open secret that the Bundy staff prefers the efficient executive operation of Defense under McNamara to the Rusk administration of State.

The new Bundy-McNamara axis has recreated the problems of the pre-Bay of Pigs period. The swift movement of decisions through action-forcing processes may force premature policy decisions without sufficient staff work. The Skybolt and Bomarc affairs point out the costs of ignoring the political implications of military questions of a supposedly technical nature. There still remains the risk of usurpation of power from the line agencies by Presidential assistants, not confirmed by the Senate, operating in anonymity, responsible to no one but the President. Who drafted and approved the message to Canada that forced the resignation of the Diefenbaker Government? There can be little question that extensive policy involvement by White House staff in agency affairs weakens the position of the responsible Cabinet officer and causes confusion and demoralization within the Department.

Thus after 2 years of experimenting with the administration of foreign affairs the President has not resolved the dilemmas posed by his own style of leadership. The State Department remains an enigma to the New Frontier yet it is hard to see how the President can translate the ideals of the grand design into a coherent, thoughtout, strategic plan without fully mobilizing the foreign policy staff resources of the Department. In the absence of such a mobilization we shall continue to generate the illusion but not the substance of policies. It may well be that this flaw in our policy is the inevitable result of a style of administration that places a premium on action for action's sake.

One final reservation should be raised about the Kennedy style. Its greatest limitation is the burden it places on the Chief Executive. Schlesinger warned that "only a man of limitless energy and resource could hold such a system together. Even Roosevelt at times was hard put to keep it from flying apart." The burdens of the Presidency in the foreign policy area are infinitely greater in 1963 than they were in 1933. The expectations of Kennedy and his advisers in the personalized Presidency have been far too optimistic. There are unfortunately no indications that the expectations are being scaled down.

A review of the record of the past 2 years should leave little room for doubt that there are serious deficiencies in the administration of our foreign affairs. Kennedy supporters argue however that the gain in creativity and new ideas since the Eisenhower era more than compensates for the mistakes made. Arthur Schlesinger, Jr., goes even further in assigning a positive value to administrative disorder. Order stifles creativity. The creative process is almost always disorderly, he notes. However it is one thing to argue for creativity and quite another to excuse chaos—any degree of chaos—as essential to it. The test of policy is in its results.

The lessons: A responsible opposition strategy

What should the Republican response be to the demonstrated weaknesses in our diplomacy? Admittedly some of the problems are endemic to the Kennedy administration itself. But beyond that there are steps that the opposition can urge in the Nation's interest.

First in long-term importance is the strengthening of the State Department and the career foreign services. The Herter Committee report, "Personnel for the New Diplomacy," sets forth a number of proposed reforms: an Executive Under Secretary, Foreign Development and Foreign Information Services to parallel the Foreign Service, transfer of civil service personnel to Foreign Service status, and a National College of Foreign Affairs. The opposition should evaluate these proposals on their merits and urge the President to implement the most promising. In light of the disinterest that the President and Secretary Rusk have shown toward the actual administration of the Department, Republicans may be able to make a substantial contribution in this area. Further studies should be made into the organizational structure of the Department. Critical observers such as George Kennan and Stewart Alsop have commented on the problem of laying and overstaffing.

There will not be much political capital in State Department reform. The demonology of the McCarthy era (I have the names of 57 card-carrying Communists in the State Department) may have produced short-term electoral gains for some irresponsible politicians but its major effect was to demoralize and weaken the career foreign service. The U.S. Information Agency was virtually destroyed in the process of exorcising the demon. The Republican Party must not yield to the radical discontent of its rightwing. Rather, it should apply itself quietly and maturely to the questions of how better to administer the affairs of state.

Second, a responsible opposition criticism should go beyond the immediate crises or errors in our diplomacy to discover and illuminate basic weaknesses in our policy machinery. For instance, the Bay of Pigs illustrated the lack of executive control over the intelligence establishment. The opposition should have pressed for a full congressional investigation of the CIA role in the Cuban operation, if necessary in executive session. The proposed joint committee of Congress to oversee the CIA and intelligence community should have been discussed in this context. Other errors, such as the Canadian note, should be investigated to determine where the malfunctioning occurred. The opposition may have to pursue such investigations by themselves but they will have the minimum salutary effect of keeping the President aware of the opposition's concern for higher standards of performance. The British system affords the opposition the vehicle of question time in the House of Commons. A mature opposition response in our system will probably have to rely on some variant of the technique of congressional investigation. The current campaign for minority staff in the Congress should equip the opposition with better staff resources for such a role.

Finally, a responsible opposition strategy should offer alternative approaches where the administration has failed or is frustrated. These alternatives should be thought out carefully in terms of our overall strategy. They should be internally consistent and their implications thoroughly understood. They should serve as a point of reference for intelligent policy debate. These strict requirements may mean that the opposition will have no responsible alternative in some instances. It may serve the national interest better on such occasions to be silent. An example, however, where mature thought and criticism is needed is our alliance policy. Governor Rockefeller has in this regard suggested a three-point program to avoid a paralysis in our Atlantic policy: (1) a comprehensive trade agreement with Britain and the Commonwealth to increase free world trade; (2) amendment of the Trade Expansion Act now that the assumption of British membership in the Market has not been realized; and (3) the creation of a political body to set common goals and to develop common policies for the Atlantic alliance. A responsible opposition should attack these and other problems—the deteriorating situation in southeast Asia, the Alliance for Progress, Cuba—in a constructive fashion. This approach will win the greatest respect among the electorate. But the final test of its success will not be partisan gain but a strengthening of America's position of international leadership and the processes of government necessary and appropriate to such a role.

STRONG-ARM TACTICS USED BY KENNEDY TO INFLUENCE NEWS MEDIA ON RECENT WHEAT REFERENDUM

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the Kennedy administration has clearly used Federal licensing power to blackjack radio and TV stations into publicizing the administration viewpoint on the wheat referendum.

Ray Fitzgerald, Deputy Administrator of the Agricultural Stabilization and Conservation Service, wrote a letter—given below—urging local agriculture officials to make use of free radio-TV time since stations have to have their licenses renewed by the Federal Government.

This grab for public service radio-TV time is a flagrant example of Government brainwashing, and reflects a contempt for traditional independence of the news media. Either that, or it reflects an incredibly self-righteous notion that the public interest and Kennedy interest are one and the same.

The arrogant effort to club licensed news media into accepting the party line or suffering the consequences is even more frightening than the acreage shackles the referendum proposed for wheat farmers.

Mr. Fitzgerald's thinly veiled demand for free time or else states:

U.S. DEPARTMENT OF AGRICULTURE,
OFFICE OF THE ADMINISTRATOR,
Washington, D.C., April 12, 1936.

To: State executive directors.
State committeemen.

From: Deputy Administrator, State and county operations.

Subject: Public service time on radio and television for wheat program information.

The purpose of this memorandum is to encourage you to make full use of radio and television public service time in getting to farmers the facts they need to have before voting in the national wheat referendum on May 21. Radio and television have special advantages in communicating to farmers because of their timeliness and their broad availability to rural people wherever they live.

An additional advantage is that broadcasting stations have a special obligation to the public which does not exist in the case of publications.

Stations have an obligation to provide free time for the presentation of public service information—especially in the field of agriculture. This is spelled out in the laws governing the licensing of stations by the Federal Communications Commission. These stations must renew their operating licenses every 3 years, and they want to make a good record in public service programing because this is a factor in renewal.

Radio and television stations, in applying for licensing and renewal, make this promise (of public service programing) in return for two special favors granted by the Government: (1) The exclusive use (in an area or in the Nation) of a frequency within a broadcast band which is the property of the Government and the American people, and (2) the policy of the Government not to establish federally-operated stations in competition with stations being operated commercially. (Federal stations are the rule in many other countries.)

This does not, of course, make the stations subject to dictation.

A given station does not have to devote any specific share of its broadcast time to public service programing. Nor is it required to give attention to any particular government program or any particular government agency.

Nevertheless, a station does have the general obligation to provide its listeners wtih information on public programs of importance to them. This has been particularly emphasized in the case of farm listeners, which have been a special concern of the Congress. (Service to agriculture is a special function of the clear-channel broadcasting stations, under their establishing legislation. Also, power to serve areas outside a city implies an obligation to meet the needs of rural areas.)

Information on the 1964 wheat program, including the issues involved in the national wheat referendum, is clearly public affairs material which a station can legitimately be asked to broadcast on a free basis at hours convenient to rural listeners and viewers.

The program was developed, and the referendum provided, by an act of Congress. This is the same Congress under whose laws commercial radio and TV stations are permitted to operate. Moreover, this is not a political campaign, which stations have historically and legitimately regarded as a market for the sale of commercial time. It is rather a public matter of concern to all the people and of paramount economic interest to an important part of the Nation's radio and television audience.

State and county offices and farmer committees should therefore feel no hesitation in asking for adequate free time for the presentation of information relating to the national wheat referendum.

It should be pointed out that most stations are eager to carry out their public service obligation, as well as to program material of wide interest (which the referendum is). Many stations are already using tape recordings and other material on the referendum, issued from the Department. In the case of most other stations, the lack of participation is the result—not of their unwillingness—but rather of our failure to enlist their help and to provide them with good material and speakers. We should, of course, make every effort to fit into the station's programing pattern.

As I indicated, we are in no position to insist on a station's cooperation, and should, of course, use extreme care to avoid giving the impression of coercion, threats, or the like. However, it is not out of order to suggest that information on the referendum might be within the public service policy of the station—and to explain that the legislation which provided for the referendum is the law of the land and fully deserving of the station's attention. In this respect, it is on a par with information about the Federal income tax, Government bonds, and Federal research results. It might also be explained that many of the station's listeners have an economic stake in the question and are entitled to consideration. Also, it is important for stations to realize that the statutory obligation to disseminate this information rests with the Department of Agriculture. The referendum is merely a legally prescribed part of the program through which farmers are given veto power on marketing quotas after quotas are proclaimed under the law but before they are applied to farms.

We should not be expected to buy commercial time and cannot legally do so. Nor should we be limited to using purchased time made available by some other organization or firm. This would be contrary to the American system of broadcasting. Although we may participate in commercially sponsored programs under appropriate conditions, we must not be limited to such programs.

As you know, interests representing one point of view in the referendum are blanketing radio and television stations with material in heavy quantities. It is not expected that we can match the flood of material from this group, which is also in a position to buy time. But it is essential that we act aggressively to make use of public service time on radio and television stations at times of day when farm people are listening.

May I emphasize in closing that you will find that the overwhelming majority of commercial broadcast people are cooperative to the Department of Agriculture, and we should always approach them with this in mind.

RAY FITZGERALD.

Does this power play represent the status between Government and freedom of the news in contemporary America? Control of the news is unquestionably a Kennedy objective.

THE FIGHT AGAINST THE GLOBAL MENACE OF COMMUNISM

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BARRY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BARRY. Mr. Speaker, we are justly proud of the efforts of our servicemen in cold war situations occurring in such places as Vietnam. Yet, through an oversight in our current laws, a grateful nation cannot award its highest decorations to these men for their acts of heroism and gallantry in the fight against the global menace of communism.

Under existing laws, the Medal of Honor, the Distinguished Service Cross, the Navy Cross, the Air Force Cross, and the Silver Star may be conferred only for acts which occur during periods of wartime when the United States is actually engaged in armed conflict with an enemy of this country. No provision is made for recognizing those who distinguish themselves under conditions short of an actual conflict in which the United States is formally engaged.

Therefore, Mr. Speaker, I am today introducing legislation which extends the authority to award these honors to those men who bring glory upon their country and upon themselves while engaged in cold war actions against hostile foreign forces.

Acts of military bravery are not limited to situations in which war has actually been declared. While the cold war continues we must realize the sacrifices our boys continually make to preserve peace and democracy in the world.

WATER RESOURCES RESEARCH NEEDED

The SPEAKER. Under previous order of the House, the gentleman from Oklahoma [Mr. EDMONDSON] is recognized for 30 minutes.

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, I have today introduced H.R. 7234, a bill to establish water resources research centers at land-grant colleges and State universities and to promote a more adequate national program of water research. This bill, identical in its provisions to S. 2 as passed by the other body, is designed to carry into effect one of the major recommendations of the Senate Select Committee on Water Resources.

Mr. Speaker, every student of water problems and water legislation is familiar with the work of that great committee, which was led with outstanding ability by one of the greatest congressional authorities in this field, the late Senator Robert S. Kerr, of Oklahoma.

Mr. Speaker, the Senate Committee on Water Resources, which was organized in 1959 and considered the entire field of water needs over the period of approximately 2 years, made a report in January 1961 which indicated some of the fields of research in which work really needs very badly to be accelerated.

Quoting from that report, I find the following language:

> (a) The committee believes that substantial research efforts are justified looking toward acceleration of all possibilities for increasing usable water supplies, for making more efficient use of present supplies by such means as reducing evaporation from the surface of reservoirs.

Mr. Speaker, this is one point on which there is very serious concern about the need in the State of Oklahoma.

Further quoting from the report:

> (b) Elimination of water-loving vegetation along the edges of water courses and reservoirs.
>
> (c) Changing or modifying a forest and vegetative cover on watersheds to reduce evapotranspiration.
>
> (d) Reducing seepage losses in irrigation canals and other water distribution systems and other wasteful practices.
>
> (e) Reduction of dilution requirements for pollution abatement by development of improved methods for treatment or control of waste materials that are disposed of in water.

Mr. Speaker, this is another one that vitally concerns us in Oklahoma and I am sure in every area where there is a pollution problem.

> (f) Waste water salvage.
>
> (g) Reuse, recycling, and elimination of wasteful use by industry.
>
> (h) Desalting of saline or brackish water.
>
> (i) Weather modification.
>
> (j) More accurate quantitive forecasting of meteorologic events.
>
> (k) Application of nuclear products in research.
>
> (l) Improved use and control of ground water.

Mr. Speaker, there is no question about the fact when you look at what is being spent today on water facilities and compare it with what is being spent in the field of research, that research is a very neglected area.

The Secretary of the Interior, Mr. Udall, testified today before the House Committee on Interior and Insular Affairs:

Let me remind you that expenditures on water facilities in the United States are now more than $10 billion per year but we know that this will have to be multiplied very substantially to meet rising water requirements. In the multibillion-dollar water expenditures, research is only three-fourths of 1 percent of the total.

No progressive industry can remain healthy with such inadequate attention to research. Let me cite a few figures from industry for comparison.

The oil and gas industry annually spends on research and development the equivalent of about 3 percent of its sales revenue, and in the chemical industry the figure is about 6 percent. In 1959, the latest year for which I have data, research and development expenditures by industry amounted to $9½ billion. For example, the electrical and communications industries spent $2¼ billion on research and development. The automotive industry research and development expenditures of $866 million equaled over 12½ percent of the investment in production plant, property, and equipment.

By way of comparison, the value of water resources plant, property, and equipment may be estimated to be somewhere between $10 and $30 billion, or more. If only 3 percent of that plant value were available for water resources research, it would be at least $300 million a year. For fiscal year 1964, the Federal water resource research program amounts to about $76 million, including $9½ million for research and training facilities.

The Federal Government, the States, and local governments need vigorous research programs to maintain the efficiency of their operations in the water resources field. Doubling or tripling of water research is certainly necessary.

This was the testimony today of the Secretary of the Interior on this subject.

The bill I have introduced, which is identical to Senator ANDERSON's bill, and very similar to a bill introduced by our colleague from New Mexico [Mr. MORRIS], and others, is a bill which approaches this problem at a more modest level, yet does contain some salutary provisions to improve the research effort which is being made at State and local levels as well as at the Federal level. Title I of the bill authorizes payment of a sum, starting at $75,000 and increasing to $100,000, annually, to a land-grant college, State university or other institution of higher education in each State to establish a water resources research institute or center, to do competent research, investigations, or experiments in the broad field of water and related resources, and so forth.

Section 100(b) authorizes an additional $1 million appropriation increasing $1 million annually to $5 million in fiscal year 1968, and thereafter, to match, on a dollar-for-dollar basis, funds made available to the State institutes or centers for water research projects.

Title II of the bill establishes a second grant, matching, and contract fund through which financial assistance may be provided to any educational institutions, private foundations, private firms or individuals, or with local, State, and Federal agencies to undertake research in water resources problems on which work is deemed desirable and which are not otherwise being studied.

Section 200 authorizes appropriation of $5 million to the Secretary of the Interior in 1964, increasing $1 million a year for 5 years and continuing at $10 million annually thereafter, for the purpose of making the grants, contracts, matching, or other arrangement for water resources research.

Now, Mr. Speaker, I do not think there is any question about the need, when you look at the overall problem, for an expanded effort in this field. The Department of Commerce has estimated that the necessary investment which we must have in the United States in the way of water facilities from 1959 to 1975, a 16-year period, is a total of $171 billion. The Council for Science and Technology estimated that by A.D. 2000 we will require water to meet the needs of our society here in the United States equal to 75 percent of the total runoff in this country. That compares with today's use and requirement for 25 percent of the total runoff in the United States. I do not know of any better way to close these remarks pointing to the need for this program than to quote from the report of the Council for Science and Technology outlining the very serious need for this program. The language of the report is as follows:

> Technological and economic developments leading to marked reductions in future requirements for water withdrawal, to lowering of the unit cost of water structures, and to greater utilization of underground storage are clearly desirable. Otherwise, both the economic and social costs of meeting future water needs will be painfully high.

Research offers increasing opportunities to reduce the funds which are going to be necessary to meet our water needs in this country and to effect genuine savings in this field.

I earnestly hope we will soon see a favorable report on this legislation by the House Committee on Interior and Insular Affairs, and its overwhelming adoption by this body.

Mr. McCLORY. Mr. Speaker, will the gentleman yield?

Mr. EDMONDSON. I will be glad to yield to the gentleman.

Mr. McCLORY. I want to commend the gentleman for calling attention of the Members of the House to the cause of research in conserving our water resources. Also I want to call the attention of the gentleman and the Members to the work which is now being carried on by the Subcommittee on Natural Resources and Power of the Committee on Government Operations headed by the gentleman from Alabama [Mr. JONES], on which I serve as a member. We have been conducting an extensive series of hearings on the subject of water pollution and water resources. There has come to my attention as a member of that subcommittee, in the hearings, the importance of coordinating research activities in this area and to prevent the overlapping of effort on the part of the numerous Federal agencies primarily. I have sensed an existing lack of coordination which is going to take the effort of all the Members of this Congress to see we get the maximum result from it when we appropriate for this purpose.

Also, I want to commend the gentleman for the aspect of his bill which as I understand it would delegate to the States and to the State universities an important part of this research activity, because I do feel research with regard to the subject of water resources and water pollution is going to have to be conducted in local areas where we find the problems affecting our water resources and water pollution that occurs in these different areas.

I would hope that the effort which is being exerted by the gentleman may be coordinated with other efforts being exerted to the end that we can secure the maximum result, and in a manner which is going to be the most efficient and most consistent with our system.

Mr. EDMONDSON. I thank the gentleman very much for his contribution. I have the highest regard for the gentleman from Alabama, the chairman of the Subcommittee on Natural Resources and Power of the Committee on Government Operations, and I am quite sure that that subcommittee is making a splendid contribution in this field.

I neglected to mention title III of this bill directs under section 300 the Secretary of the Interior to arrange for the regular advice and cooperation of all agencies of the Federal Government concerned with water problems and of State and local governments and private institutions, to the end that work conducted under the act does not duplicate established water research programs. I am aware of the recognition in this proposal of the need which the gentleman pointed out.

H.R. 3297

Mr. ALBERT. Mr. Speaker, I should like to advise the House that the gentleman from Arkansas [Mr. MILLS] has advised that in addition to the bills previously announced he will call up on Thursday next, under unanimous consent, H.R. 3297, to amend the Internal Revenue Code to exempt from income taxation certain nonprofit corporations and associations organized to provide reserve funds, and for other purposes.

CAMPAIGN AGAINST PUBLIC EMPLOYMENT SERVICE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'HARA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, the misinformation which Members of this Congress have been subjected to in the current campaign being waged by a public relations firm for the private, fee-charging agencies against the public employment service and the State agencies affiliated with it heaps discredit, rather than credit, on the private agencies.

I am astounded at the implication that we, in the Congress, would not see through their inaccurate accusations, and further, that we are so ill informed of the operation of Government programs that we would cooperate in efforts to scuttle the public employment system.

To illustrate the reasons for my astonishment, I want to repeat two of the charges being made in this campaign. I repeat them not to honor them, but to discredit them for what they are, misrepresentation of the facts.

The fee-charging agencies, inaccurately advised, contend that the public employment offices were established to serve only the unemployed, and that their services should be limited only to the unemployed.

Those who envisioned and created the public employment service did not intend to impose such narrow and discriminatory limitations. The Wagner-Peyser Act of 1933 says, and I quote:

> It shall be the province and duty of the Bureau to promote and develop a national system of employment offices for men, women, and juniors who are legally qualified to engage in gainful occupations.

This does not say some men, women, and juniors. The public employment offices have always made their services available to all who request them.

But suppose the wishes of the fee-charging agencies were carried out.

What would happen to the man who, studying in his spare time, has improved his skills, and qualified himself for a better job, while working full time at a job demanding lesser skills? If he comes to the public employment service for job assistance, is he to be told to stay where he is, that nothing can be done for him because he is already employed? Ridiculous.

I am not deluded into believing that this sudden concern on the part of the fee-charging agencies is for the welfare of the unemployed worker. But I am deeply concerned that the agencies should be encouraged to realize fully that employed workers who are unhappy at their work or who are underemployed and not working at their highest skills can create an unhealthy economic-social condition in our country. These people often feel imprisoned in a land of freedom.

Another charge made by the private agencies is that the employment service is trying to put them out of business. The public employment service has no mandate, and it better have no intention or desire to put these agencies out of business. There is a great need for continuing to expand employment channels. There is more than enough room for both public and private employment agencies in meeting the need for solving our unemployment problems. And the people through the Congress, not the Federal or State agencies, will decide if or when the private agencies shall be restricted in interstate commerce.

But the most serious distortion of fact being repeated over and over in this unscrupulous campaign is the charge that 60 percent of the people placed in jobs last year by the public employment service were people already employed. This is patently and unequivocally not true. The charge is a deliberate distortion of a statement made by the Administrator of the Bureau of Employment Security. In his statement, the Administrator referred to a 1959 household survey performed by the Bureau of the Census. This study showed that of every five workers newly hired by employers all over the Nation from all hiring sources and through any and all hiring channels three of them were employed, one was unemployed and one was a new entrant into the labor force.

But these figures have been twisted. The charge says 60 percent of all public employment service placements last year were of workers already employed. The figures quoted had absolutely no relationship to public employment service placements; not last year, not any other year.

The twisting of fact by any person petitioning the Congress does that person a great dishonor. It is most unfortunate when that petition is written in innocence and on reliance of the petitioner's own agent. I am sure the great majority of owners of private fee-charging agencies would not with malicious intent misinform any Member of the Congress.

Mr. Speaker, I urge the Congress to support an appropriation to continue the valuable service of assisting all persons to find jobs which will utilize their skills to the greatest capacity.

LET GOOD WILL HAVE A CHANCE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. DOWDY] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. **DOWDY.** Mr. Speaker, I have just had the privilege of reading a sound and well-reasoned editorial from the Palestine (Tex.) Herald-Press of June 14, 1963, relating to the mob-incited violence in our country today.

I feel all the Members should be interested in this comment. The editorial was written prior to the brutal slaying of the young white soldier here in Washington, and the barbarous ambush slaying of the young white lawyer as he was riding in an automobile near Washington on the Baltimore Freeway.

As the editorial points out, tensions and violence are aggravated by and will continue to increase so long as Federal officialdom encourages and abets the mob demonstration in violating the laws of the land which forbid trespassing, breach of the peace, and violence.

Our law enforcement officers need support in upholding law and order.

I include the mentioned editorial as a part of my remarks:

LET GOOD WILL HAVE A CHANCE

President Kennedy says he is appalled by the "barbarity" of the ambush slaying of an NAACP official in Jackson, Miss.

So is every other decent American, Negro or white. But as they are appalled along with the President, many of them also can reflect on the fact that they, if not the President, could see what was coming.

This is not the last death that will take place in the silly period this country is in, when the President of the United States in effect endorses the law of the jungle, then is "appalled" at the result. If the President, without playing political favor, had simply upheld the law, and encouraged local authorities to uphold the law, the dangers over which he now wrings his hands would never have presented themselves.

There are people of low character in both Negro and white races who will quickly resort to violence when they are thwarted, confused or frustrated. It is those people who fight it out on the streets when local law and order fall down as the result of intimidation from the Department of Justice and the Federal courts.

The record of recent racial violence, North and South, in this country shows that the blame for bloodshed is about equally divided between the races, with the thugs of one race not one bit better or worse than the thugs of the other.

But there is a measure of responsibility, shared by the President, his brother Robert, and a variety of agitators in both Negro and white organizations, for stirring up the thugs by refusing to uphold law and order.

Until the President becomes as colorblind as he says justice ought to be, and until the President carries out his oath of office to uphold the laws, instead of playing politics with a highly explosive emotional issue, bloodshed is going to be an increasingly shameful phenomenon in this country.

It is high time for people of good will, of both races, to point out to the President that racial harmony and trust are being destroyed, not enhanced, by a Presidentially endorsed flaunting of the law. It is time to cut out agitations, riots and demonstrations and get down to the business of being decent Americans. In that atmosphere good will might have a chance.

If the President intends to be President of all the people, as he claims, then let him get at the job in truth and not merely in voice. Impartial law enforcement is the answer to today's tensions, and there is no other. The increasing wave of violence across the country is ample proof of the fact.

SAN FRANCISCO FARMERS' MARKET OBSERVES 20TH ANNIVERSARY

Mr. **ALBERT.** Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. SHELLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. **SHELLEY.** Mr. Speaker, a unique experiment in urban-rural relations that was begun 20 years ago in San Francisco in the form of a farmers' market has succeeded beyond all expectations. There are farmers' markets in many parts of the Nation, but only in San Francisco is the farmers' market a city-owned fruit and vegetable market where the farmers who grow the produce sell it at reduced prices direct to the housewife who prepares it for eating. Other farmers' markets operate in conjunction with wholesale produce outlets, or are privately owned institutions.

This year the San Francisco Farmers' Market is observing its 20th anniversary. In these two decades it has paid off capital costs of $260,000 from earnings and now makes an annual profit for its owner—the city. Proceeds come from fees charged farmers for use of sales stalls.

The market's first location was Duboce Avenue at Market Street, where it began by selling surplus pears and apples. Four years later it moved to its permanent quarters at Alemany Boulevard and Bayshore Freeway. The market has prospered, always under the guiding hand of its founder, John G. Brucato. Total sales since its beginning have now passed the $49 million mark.

The market operates Tuesdays through Saturdays. A grower may sell only the products that he has grown himself. The leading commodities offered for sale are—depending on the season—potatoes, tomatoes, lettuce, carrots, corn, cauliflower, squash, onions, apples, apricots, pears, plums, melons, grapes, oranges, grapefruit, and all varieties of berries.

Mr. Speaker, during the peak production season, the number of farmers using the market varies from 30 to 50 on Tuesdays to a high of about 120 on Saturdays. They come from 40 California counties ranging from Siskiyou to San Diego.

Peddlers are not permitted to sell at the market. No resales of any kind are permitted. Only fresh fruits and vegetables, nuts, honey and dried fruits—the latter brought to the market and sold in unbroken packages—may be sold at the market.

The Farmers' Market has helped improve urban-rural relations. It has led to a closer and better understanding between the city consumer and the farmer.

The San Francisco Farmers' Market continues to operate as a service to all who may wish to avail themselves of this unique effort in bringing urban consumers into direct contact with rural fruit and vegetable producers.

ACTION IS NEEDED NOW

The **SPEAKER** pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from South Carolina [Mr. HEMPHILL] is recognized for 60 minutes.

Mr. **HEMPHILL.** Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. **HEMPHILL.** Mr. Speaker, I rise again today to speak on a subject on which I have found it necessary to discuss on many occasions. It is a sad reflection that I do have to come here so often and address the House, in the hope of bringing to the attention of the Nation a problem which has not been solved and which needs solving. If there is any title I would have for my remarks, it would be "Action Is Needed Now."

Mr. Speaker, H.R. 6196 has been reported out of the Agriculture Committee, and Report No. 366 reflects a lot of hard work, some controversy and a salutary effort on behalf of the Department of Agriculture and the Committee on Agriculture to correct the inequities of the two-price cotton system. Very frankly, I would not prefer the approach of H.R. 6196, but I am going to support the legislation because it appears to me that this is the only possible solution in this Congress and action is needed now. Rather than plagiarize, I include an editorial from the Camden Chronicle, Camden, S.C., of June 12, 1963:

ACTION IS NEEDED

Legislation before Congress is aimed at relief for the hard-pressed cotton industry, the industry which supports numerous jobs in Kershaw County and South Carolina.

Since 1960, cotton has lost almost a million and a half bales in its domestic market. Exports have fallen from a 5-year average of 6 million bales annually to around 4.5 million bales.

With markets dropping off, surpluses are mounting and the threat of a drastic acreage cut looms. This cutback would affect not only the grower whose sound operation depends on sufficient acres for efficient use of his resources but also millions of other people in the cotton industry and in businesses supplying goods and services to the industry.

Cotton's big problem is that it's being priced out of its markets. It needs emergency assistance to enable it to become competitive.

The cotton industry, however, can't expect Government subsidies permanently nor is it asking this. It's asking for alleviation of the price situation, coupled with a massive research effort so farmers can lower costs quickly and thereby meet price competition on their own.

Cotton consumption in the free world is at a level of more than 33 million bales annually and is rising. If U.S. cotton can become competitive, its share of the increase can average more than 500,000 bales annually.

The cotton industry is a vital one and deserves a fair chance to become competitive.

I note, but not for the purpose of criticism at this time, that all the Republicans on the Senate Agriculture Committee voted against this legislation. I do hope they will change their minds because one of the most prominent Republicans of the United States and a distinguished and patriotic citizen who was formerly a Cabinet Officer, made a significant statement before the Senate Committee on Commerce on the 23d of May 1963, and while he did not back H.R. 6196, he pointed to the need for some provision, and he talked about many problems of the textile industry. I would hope that he would back the legislation because his backing of it would help the textile industry, and we are in need of some legislation now in order to maintain our status quo. If H.R. 6196 is not the correct approach, we have to have some vehicle in which to travel in the right direction until we find such an alternative as may be proposed. I enclose the statement at this point:

STATEMENT OF ROBERT T. STEVENS, PRESIDENT, J. P. STEVENS & CO., INC., BEFORE U.S. SENATE COMMITTEE ON COMMERCE, TEXTILE SUBCOMMITTEE, WASHINGTON, D.C., MAY 23, 1963

Mr. Chairman and members of the subcommittee, my name is Robert T. Stevens. I am president of J. P. Stevens & Co., Inc., producers of textile products from cotton, wool, and manmade fibers. We have 55 manufacturing plants in nine States from Maine to Alabama. I am currently serving as first vice president of the American Textile Manufacturers Institute, Inc. In the normal course of events I will become president for a term of 1 year beginning in October. The ATMI does not embrace the woolen and worsted industry; therefore I appear today as an individual businessman.

Stevens' 35,000 employees are keenly interested in the deliberations of this subcommittee and, on their behalf, I take this opportunity to thank each member of the subcommittee, especially the chairman, for the sustained interest which you have shown in the problems of the American textile industry and the fine workers who look to it for their livelihood and that of their families.

Textile industry problems have been the subject of three studies by this sucommittee. The present hearing is the fourth. As the record indicates, this is my third appearance before this distinguished subcommittee. I have made every effort to cooperate with you. Your official reports in 1959, 1961, and 1962 were models of objectivity and they focused much needed light on our problems.

As a result of your efforts, as well as the outstanding efforts by others—particularly the President's milestone, seven-point textile program of May 2, 1961—some progress has been realized. This progress is well known to this subcommittee and to others familiar with the textile industry. I need not discuss it at this time unless, of course, it be the desire of the subcommittee that I do so. Instead, I would like to focus primary attention on the very serious and steadily deteriorating situation with regard to the woolen and worsted segment of the overall textile industry.

In my opinion we are in serious trouble. American wool manufacturing is in a precarious state. Congress, in passing the Wool Act of 1954, did so as a "measure of national security" and declared that wool is an "essential and strategic commodity." Congress acted wisely but let us bear in mind that before raw wool actually acquires strategic value it must be fabricated into wool products for military and essential civilian demand. Without adequate wool manufacturing facilities in the United States and the necessary skills available in time of overriding national need, of what value is raw wool?

Woolen equipment, processing and skills are greatly different from the machinery, processes and skills prevailing in other segments of the textile industry. The average cotton manufacturing plant, for example, cannot possibly produce the wool goods needed by the military. Since Congress really passed judgment on the combined wool situation in the Wool Act of 1954, it seems ironic that 9 years later and scores of mill liquidations later there still has not been one single action to control the devastating growth and impact of imported wool products from cheap-labor foreign countries.

In 1947, the wool industry had 36,972 broadlooms in place. By 1962, this figure dropped to 15,136. In 1947, the industry had 3,331,000 spindles in place and by 1961 (latest figure available) spindles dropped to 1,170,000. In 1947, the United States could count on 2,656 combs, an absolute key machine in the worsted manufacturing process. By 1961, this figure dropped to 1,564.

Meanwhile, during 1947, imports of woven fabric in chief value of wool were just 4,635,000 square yards and, by 1962, they increased to 65 million square yards. In addition to this increased yardage, imports of wool products in every other major category have also mounted astronomically. It is estimated that total wool product imports during 1962 amounted to 20 percent of domestic consumption.

Statistics available thus far in 1963 indicate imports for the year will be still higher. These are the dismal facts which confront the American woolen and worsted industry. These are the facts which have led to the great deterioration of this industry. And, with these facts in mind, it is not difficult to understand why so many wool mills have gone by the boards during the past several years, although effective controls over wool textile imports could have prevented the major portion of these losses.

In 1961, at least nine woolen and worsted mills were liquidated. The largest of these, the Peerless Woolen Mills of Rossville, Ga., was a lamentable loss to the country's mobilization base. It had been a prime source of woolen cloth for America's armed services in World War II and in the Korean war. In 1962, eight additional mills were forced to liquidate. And, thus far in 1963, 10 have announced their closing, showing an accelerated rate of liquidation.

One of these is owned by J. P. Stevens & Co., Inc. It is the Marland plant located in Andover, Mass. The decision to close the plant was not arrived at lightly. The company has owned the Marland plant since 1879. During World War II and the Korean war, this mill produced desperately needed uniform cloth and blankets for the military. In recent years, the Stevens Co. made large capital expenditures in the Marland plant both in modernization of the building and on the latest type of equipment in order to remain competitive. The machinery is modern. But, imported fabrics, particularly those from Japan, similar to the fabrics manufactured at the Marland plant were offered in the American market in the case of one very important line at about 40 cents a yard below our actual cost. This is not competition—it is legalized economic piracy.

In the Stevens Co. we are struggling very diligently to keep our remaining six New England woolen mills and eight southern woolen mills in operation. If this distressing wool import situation is not reversed, it is extremely difficult to give assurance to this subcommittee that these thousands of jobs and million dollar payrolls can be continued unimpaired. Without effective action by our Government to control wool textile imports, it is crystal clear that additional mills in this industry will be liquidated.

The members of this subcommittee are, of course, keenly aware of the disastrous effects foreign textile imports have had upon the entire American textile industry. The President, on May 2, 1961, indicated in point six of his seven-point program that he was directing the State Department to arrange an international conference to seek an understanding between the principal textile exporting and importing countries to "provide a basis for trade that will avoid undue disruption of established industries."

On June 30, 1961, the President in a letter to Congressman VINSON, dean of the House and chairman of the Armed Services Committee, said:

"It should be borne in mind that the contemplated (cotton textile) negotiations are designed as one of a series of efforts to assist the textile industry. Our objective is to assist the industry to overcome all of the handicaps which it faces. The State Department is being instructed to get the best possible relief, not only for cotton, but for other fibers."

In a letter from the special assistant to the President to the chairman of this subcommittee in January 1962 it was stated:

"After the conclusion of the permanent (cotton) textile agreement the problem of the wool and manmade fiber industries will certainly be attacked."

Sixteen months have passed and as yet no action has been taken. In testimony before this subcommittee last year, on January 16, the Assistant Secretary of State for Economic Affairs testified regarding a possible international arrangement to control wool textile imports and apparel. On page 86 he said:

"I think it is a matter of implementation of the President's seven points that was put in the hands of the interdepartmental textile committee at the cabinet level. The appropriate answer is that they have not taken the decision to proceed in the wool field."

One paragraph beyond, the Assistant Secretary added:

"What we have learned here will be of great help to us if and when we decide to tackle the problem of wool."

Unlike the President's letter to Mr. VINSON and the special assistant to the President's letter to the chairman of this subcommittee, the Assistant Secretary of State left considerable doubt as to what, if any, action would be taken with respect to wool.

The international cotton textile arrangements, both short and long term, have been implemented. I repeat, the situation with regard to wool is deteriorating rapidly—action is needed. It is needed now. Commitments with regard to this problem have been made and, respectfully, I submit that these commitments of the President of the United States were made in good faith and I am convinced that he intends to carry them out.

Having had some experience in the service of our country, an order by the President of the United States, to my way of thinking, should be sufficient to move mountains. It seems strange to me, therefore, that somewhere, somehow, and for some reason within our Government, there is a reluctance—and an unwillingness—to implement the President's seven-point textile program. Why? I do not know.

According to stories appearing in the trade press, the State Department feels that it would be difficult to obtain an international arrangement on wool textile and apparel imports similar to the international cotton arrangement. Apparently, no reasons for this have been made public. I personally do not understand why such an agreement could not be obtained, particularly so if there were a concerted effort and a deeply felt conviction that such an arrangement is both desirable and necessary.

Almost 1 year ago, on July 3, 1962, the National Governors' Conference took a strong position regarding textile imports. I shall read only one paragraph from the resolution but the entire text is a part of my statement:

"RESOLUTION ADOPTED BY THE NATIONAL GOVERNORS' CONFERENCE, HERSHEY, PA., JULY 3, 1962.

"*World trade*

"Whereas encouragement of world trade and commerce is essential to friendly relations with the people of other nations and to the economy of our own country, and this should be continued with due regard to the ultimate effect on our domestic economy and national security; and

"Whereas employment security and job opportunities of millions of American citizens in major segments of our economy have already been seriously affected by excessive imports: Now, therefore, be it

"*Resolved*, That the Governors urge further development and complete implementation of international arrangements on trade in cotton, wool, synthetic and silk fiber textile products with due regard for the impact on American industry and agriculture; and be it further

"*Resolved*, That this 54th annual meeting of the Governors' conference hereby urges and requests the executive and legislative branches of the Federal Government to give full effect not only to the provisions of our trade acts which are designed to promote increased trade with other nations, but also those provisions which are designed to prevent excessive imports of any goods or commodities which would endanger the national security or the domestic economy of the United States."

Members of the subcommittee, I am the great-grandson of the founder of the Stevens Co. Throughout its 150-year history, many Stevenses and literally hundreds of dedicated men have gradually built the company to its present size and diversification within the textile industry and within the American economy.

We in Stevens are builders. We always have been. Our policy is to build, not destroy. We are interested in progress, not stagnation. We feel that our 35,000 employees are our most valuable asset and our greatest responsibility. We want to provide more employment opportunities, not take them away. Parenthetically, I would like respectfully to commend Senator COTTON of this subcommittee for a statement he made in the Senate 1 week ago yesterday. He said:

"Personally, I am a little tired hearing the constant reference to industries and manufacturers. I think the time has come when we should begin to refer to them as jobmakers, because they are the ones who produce the jobs in this country."

Yet, what can we do? How can we plan for future expansion when cheap imports reduce the potential so drastically. Imports have forced us to close an important Massachusetts woolen mill such as Marland. Are woolen jobs more important for Japanese workers than for American workers?

On January 16 last year, in testifying before this subcommittee, I mentioned the liquidation of A. D. Ellis Mills, Inc., of Monson, Mass. In announcing the liquidation of this fine 99-year-old company, Mr. Ellis laid the blame squarely and solely on unrestrained wool textile imports. He said that these imports, produced under conditions prohibited by law in the United States, rendered continuance of his business enterprise "economically infeasible." Thus, another important producer of wool frabic for the military fell by the wayside, but, if the demise of the Ellis mill pained our Government as it should have, the sympathy outside of this committee was barely audible.

Since then, many additional wool mills, as I mentioned earlier, have been lost to the American economy and the mobilization base. One such mill, the Cyril Johnson Woolen Co. of Stafford Springs, Conn., announced its closing on April 26 to take effect in the next few months. The president of the company, Mr. Ronald A. Mitchell, said that in spite of the efforts by its 250 employees to continue in business, "the tremendous and uncontrolled increase in imports from low-wage countries has disrupted the markets for the high-quality fabrics produced by Cyril Johnson."

During World War II, this woolen company produced 3 million yards of woolen goods primarily for the Navy. This was enough fabric to manufacture about 1 million garments. During the Korean war, Cyril Johnson produced 650,000 yards of woolen goods—again for the Navy.

During these two national emergencies, practically every woolen plant was manufacturing essential fabrics for the military. Should a similar international crisis arise, to which woolen manufacturer will the military turn? Will these goods have to come from Japan or from Europe?

The announced liquidation of the Cyril Johnson Woolen Co. came as a surprise to many persons in and out of the industry. However, Mr. Mitchell, who made the announcement, appeared before this distinguished subcommittee on September 22, 1958, during hearings in Hartford, Conn.

He cited nearly 5 years ago the difficulties his company was having in meeting competition from the Japanese based upon Japan's cheap wages. The question was asked, "In which * * * categories do you find the keenest competition from Japan." Mr. Mitchell's answer was straightforward. He said, "There is no competition, they have just taken the business away." His answer is one which we in Stevens recognize as an absolutely true statement because similarly the Japs took away most of our fine quality flannel business. The warnings and danger signals to the wool industry have been posted a long time but thus far to no avail.

By any calculation, by any stretch of the imagination, by any lopsided logic—no reason—no good reason exists for denying the American wool industry fair treatment against unrestrained wool imports. Fair treatment would be in keeping with the spirit and intent of the President's seven-point program. Is it unreasonable to ask that the American wool industry and the American workers be given some consideration as the deluge of imports increases?

There is a challenging article in the June issue of the Reader's Digest which reached the news stands yesterday. It deals primarily with the raw cotton and cotton textile industries under the title "Costly Chaos in Cotton—Time To End It."

The final paragraph of this article seems just as pertinent to the woolen industry as it does to the cotton. It reads as follows:

"The people of the United States, in the hope of promoting prosperity and peace, have assumed enormous burdens, both economic and military, around the globe. Our commitments have been based on confidence in the Nation's unprecedented economic strength. To allow that strength to be undermined by carelessness or lack of foresight—as it has been in dealing with the cotton problem—is to invite disaster. We cannot improve the world's economy by weakening our own."

Words used to describe the present state of the American wool industry import problem have been strong, forceful, and frank. The problem is not new. It has been the bane of this essential defense industry for several years. Two important questions confronting the industry and its employees need prompt answers. When will the facts of this situation be recognized? When will the remedial action be taken?

Surely, responsible officials realize that should an all-out international emergency occur, the total production of the industry as presently constituted would not be sufficient to satisfy military and essential civilian requirements. This being the case, the elementary conclusion to be reached is that hindsight won't solve the problem and surely it is no substitute for the wool fabrics which will be needed.

Mr Chairman, in a letter to you dated January 30, 1959, from the OCDM (now Office of Emergency Planning) the Assistant Director submitted a lengthy statement regarding the American textile industry and its relationship to national security. It said, in part:

"The subcommittee indicated particular interest in receiving an expression as to the OCDM's position on the essentiality of the domestic textile industry. On this point there need be no equivocation. The OCDM regards the textile industry as an essential industry and considers it an essential part of the Nation's mobilization base."

The statement just quoted has remained in the record of this subcommittee during the past 4 years and 4 months. It has not been rescinded by the OEP or its Director. For more than 2 years, the Office of Emergency Planning under the Executive Office of the President has been studying the question of the textile and apparel industries' essentiality to national security. In my opinion, the facts warranted a favorable finding long ago. With a favorable finding, the industry—more particularly the wool manufacturing segment of it—would have looked forward to a halt in the erosion process which has taken place in the last few years. The continued loss of these jobs would have ceased. Our mobilization base in wool manufactures would have been strengthened. America's military posture would have been enhanced.

The petition with supplemental information seeks the recommendation of the OEP Director and approval by the President to establish quotas on textile imports under the national security provisions of our foreign trade law. In view of the clear-cut finding by the OCDM, predecessor agency of the OEP, that textiles constitute an essential industry, and in view of the crisis confronting the American textile industry, particularly the wool segment thereof, I do not think it inappropriate for me to urge this subcommittee to request a status report from the Director of the OEP regarding the investigation being conducted. Two years seems to me to be a very long time to determine the outcome of an investigation of conditions in an essential industry.

If there is any doubt—even now—as to the outcome, surely it is far wiser to err on the side of import controls rather than on the side of no restrictions. Considerations of America's national security should be controlling at all times.

I think the American people expect our national security to be protected in simple things like food and clothing just as much as in the complicated field of modern weapons systems.

I thank you.

On May 28, 1963, the Southern States Industrial Council which calls itself "the voice of the conservative South," made a significant statement on the cotton subsidies, and I include that statement at this time in the RECORD:

STATEMENT ON COTTON SUBSIDY

The Southern States Industrial Council at its annual meeting held at Hot Springs, Va., on May 21-22, 1963, unanimously approved the following statement on the plight of the cotton textile industry:

"This industry is deeply ailing. Beset by the large and growing competition of foreign imports and synthetic fibers, both employment and profits continue to decline. New investment and modernization are inhibited due to artificial conditions created by Government and which the present administration has solemnly promised to remove.

"The most serious of these is the 8½ cents per pound ($42.50 per bale) differential in the price of raw cotton. This differential operates against domestic manufacturers and in favor of their foreign competitors. This has been recognized by the administration and the Department of Agriculture as an indefensible inequity which should be speedily corrected.

"On the grounds that this 8½ cents per pound ($42.50 per bale) subsidy on export cotton is highly discriminatory against the textile industry in our Nation, we urge its speedy removal.

"We believe that such action will benefit the cotton farmers by increasing consumption, stimulating employment, and profit not only the cotton textile manufacturers but their customers as well through more attractive prices for a very important part of the family budget."

I am mindful of the fact that certain people of the textile industry have made statements that Senator Talmadge's bill with some features of the Cooley bill would solve the cotton problems. Perhaps, then, this offers an avenue to solution. Perhaps if the Cooley bill were passed, and I again urge and beg my Republican friends for their support if they are sincerely interested in helping, that when it gets to the Senate to be amended there would be amendments from Senator Talmadge's bill and then everybody could vote for the legislation when it came out of conference, and others would note that we have really been the congressional architect of a legislative monument heralding and assuring the future of cotton textiles. To give the benefit of some of the thinking, I insert in the Record at this point an editorial on "Cotton Comments," of Robert Moore and Co. I may not agree with all of it but I think the Congress is entitled to have the benefit of all the thinking we can collect.

Senator Talmadge's Bill, With Some Features of Representative Cooley's Bill, Will Solve the Cotton Problem

On May 23, Senator Talmadge addressed the Senate as follows:

"Mr. President, the existing Federal cotton program—when studied in the cold light of present-day economics and commonsense—is so utterly foolish and financially disastrous as to defy the imagination. Any reasonable appraisal of the program can lead to only one conclusion: The program is an abject failure. Its injustice to the cottongrower is incredible. Its effect on the textile manufacturing industry is devastating. Its cost to the American people is such that—if the facts were fully known and understood—it would cause a great public outcry. I submit, Mr. President, that unless this ill-conceived program is abandoned, we will see the end of cotton in the United States.

"Although cottongrowers and the textile industry, with its hundreds of thousands of employees, already are staggering under this ruinous program, there is still time to save cotton. If the facts are faced and if bold and positive action is taken by the Congress, this vitally important segment of the national economy can be revitalized and put back on the road to recovery. Mr. President, the American public is entitled to know the truth about the miserable plight of cotton. The people should know the facts about a cotton program which costs them approximately $1 billion a year—including some $600 million in price-support payments, over and above the world price. And this is not including almost $2 billion in tax funds tied up in the more than 10 million bales of cotton in Government storage. What we have, Mr. President, is a costly and unsound cotton program which benefits only a few, at the expense of a great many. It is a program which doles out pittances to the needy and makes gifts of millions of dollars to those who do not need Government aid. It is a program which is driving the small and the medium-sized cottongrower off his farm. It is a program which is closing hundreds of textile mills and is throwing hundreds of thousands of workers into the ranks of the unemployed. It is a program which is causing cotton acreage in the United States to shrink while encouraging foreign production. The purpose of any farm program is to help the farmer, to guarantee him a profitable position in the competitive, free enterprise economy of this country.

"Let us see, Mr. President, what the Federal cotton program accomplishes to achieve this desired aim. Let us see how it helps the farmer. According to the latest figures available, in 1961 more than $600 million in public subsidies were distributed among cottongrowers. How was this public money distributed? Three hundred and twenty-two growers averaged $113,000 in support payments, while 650,000 small farmers received $63 on the average. To break the figures down even further: Approximately 280,000 small farmers received an average subsidy of $142, while 13 large growers received an average of $649,753 for their cotton. This can be expressed another way: Only 3 percent of our cotton farmers produce 56 percent of the national crop and receive 56 percent of the support payments. Thus, hundreds of thousands of small farmers, struggling for a bare existence, are given little, if any, incentive to grow cotton. Conversely, a few hundred growers, receiving handsome subsidies, whether they need it or not, find cotton farming profitable indeed.

"The existing cotton program is highly popular with large growers. In 1961, 99 percent with 200 or more acre allotments, planted their acreage. On the other hand, more than 50 percent of the farmers with allotments under 10 acres planted no cotton. Mr. President, if the aim of the Government is to help small farmers, the cotton program is failing miserably. It is likewise a failure if the cotton program is meant to aid the textile industry. It is ironic that the Government would spend $450 million for public works to stimulate the economy, and at the same time force the country to pay out $600 million in a cotton subsidy program which is wrecking cotton production and the textile industry, the Nation's second largest employer.

"The cotton situation has become so critical that it demands a fresh and sensible approach. My proposal for cotton legislation, the Cotton Domestic Allotment Act, in which the distinguished majority whip joined in sponsoring, is the least expensive, the most workable, and the simplest solution of this complex problem. My bill is designed to meet the needs of the small and medium cottongrowers, to insure them their fair share of the national income and to put cotton back on a free enterprise basis. It would eliminate the inequitable two-price cotton system and allow our mills to once again buy cotton at the same prices foreign mills pay. The Federal Government would be taken out of the business of buying, storing, transporting, selling, and giving away cotton which is done at great cost to the taxpayers. Farmers would be free to farm as they please. Small growers would be insured a decent income while the large farmers could produce as much cotton as they wished for the world market without Government restrictions. Under my compensatory direct-payment plan, the largest supports would go to the small farmers, who need it the most, with lower price supports paid large growers.

"Mr. President, the present situation must be corrected without further delay. The existing cotton program is in such a shambles that it cannot be built upon, added to, or even slightly modified. It must be relegated to the scrap heap. Any approach to cotton legislation which fails to fill the needs of the farmer and textile employees and manufacturers will serve only to perpetuate what we all know to be a mess and will result in a dismal end for cotton."

The large producers and cooperative associations oppose the Talmadge bill because of fear of a lower loan, liquidation of surplus stocks—which could cause lower world prices during the adjustment period—and possible problems in financing cotton production for the world market. While the United States produces one-third of the world supply, the producers acknowledge that under present laws the United States is a residual seller. In other words, our producers "eat at the second table."

Stable world prices, so lauded by the growers, have been promoted by CCC's holdings of large stocks of cotton financed by U.S. taxpayers. This has caused our producers to lose cotton markets to foreign growers and to manufacturers of synthetics.

The Cooley bill, H.R. 6196 (S. 1151), will be workable only if the payment goes to either the producers or when cotton enters trade channels. The producers keep on insisting that the payments should go to the last seller or the mills. If they are successful in this attempt, the law will not solve, but will add, to the cotton problem. All cotton not in immediate demand will go into the loan, where the cream of it will be siphoned off, leaving the CCC to carry the culls. Merchant trade cannot carry cotton in competition with the CCC. The futures market cannot function if the last seller provision is enacted. Thus, the private enterprise system and free market approach will be stifled and the unsuspecting taxpayers will again be taken to the cleaners. They have only anted up over $21.5 billion for unworkable farm programs, or about one-fifteenth of our towering national debt. Cotton losses comprised 20 percent of the $21.5 billion.

At this point I enclose an article from the State newspaper, Columbia, S.C., of Tuesday, May 21, 1963, entitled "USDA Official Backs Talmadge Cotton Bill."

USDA Official Backs Talmadge Cotton Bill—Would End Restrictions on Planting

Washington.—An Agriculture Department spokesman expressed preference Monday for a cotton bill which would provide direct, graduated payments to cotton farmers.

Charles S. Murphy, Under Secretary of Agriculture, testifying before the Senate Agriculture Committee, said he believed that of all the bills before the group, the one by Senator Herman Talmadge, Democrat of of Georgia, would make the greatest contribution.

Talmadge's proposals would end all Government restrictions on planting and growing of cotton.

It would, however, provide price support payments to farmers on their share of the domestic market.

In his prepared statement to the committee, presided over by Chairman Allen J. Ellender, Democrat of Louisiana, Murphy said the Talmadge proposal would permit cotton to move freely through private trade channels at world prices, would be the lowest cost way of achieving a one-price system for cotton and would be simpler to administer than the present program.

Murphy estimated the Talmadge approach would cost $667 million the first year, compared with an estimate of $461.5 million for the present program. But he said the cost should decline to $486 million in 2 or 3 years.

Talmadge challenged the Department's estimates of the cost of his bill as being too high.

Ellender told Murphy he did not see how the committee could present the Senate with a cotton proposal which would be more costly than present law and at the same time ask for decreases in costs of other farm programs.

Talmadge's bill would permit a farmer to grow all the cotton he chose for sale on the world market at world prices, which are substantially below domestic prices.

Each farmer would be given a share of the domestic market—in bales rather than in acres—on which he would receive a payment in the form of a loan or in cash.

This payment, Talmadge said, would be 32 to 36 cents a pound on the first 15 bales of production, 30 to 34 cents on the next 15 bales and 28 to 32 cents a pound on all over 30 bales.

He figured the cost of the bill would be a maximum of $650 million yearly and might be as low as $300 million. And, he added, a return to a one-price system for cotton should save consumers from $400 million to $600 million yearly.

The Joanna Cotton Mills Co. of Joanna, S.C., is not in my district, but I have the highest regard for the officials and the people who work there, and I have been the grateful recipient from time to time of their magazine entitled, "The Joanna Way." In the June 1963 issue of that publication is an excellent article on the two-price cotton system and I insert that article in the Record at this point:

Two-Price Cotton Is Your Problem Directly or Indirectly Whoever You Are—Do You Own or Operate a Business? Do You Use Textile Goods? Do You Pay Taxes?

If so, the sad plight of the textile industry as a result of the two-price system of cotton costs is important to you.

Of course it is to us at Joanna Cotton Mills—every one of us—because it affects our jobs, our benefits, our profits.

We are concerned enough about the need for prompt removal of this "unique burden," as President Kennedy calls it, that we postponed for a month all copy prepared for the June Joanna Way. This issue of the magazine is devoted solely to a thorough presentation of the cotton and textile situation with the hope that every person who sees it will realize that he or she is affected by the problem.

In addition to our regular mailing list, thousands of our customers and friends throughout the Nation will receive this June issue. The problem is vital to every one of them. It can be solved only by their active aid and support.

The support needed is for the Cooley bill, H.R. 6196, expected to be introduced in the Congress this month.

This bill, sponsored by Representative Harold D. Cooley, Democrat, of North Carolina, chairman of the House Agriculture Committee, was evolved on the basis of conferences with various elements of the cotton industry—producers, the trade, and the mills. It is designed to fill a need described by Mr. Cooley thus:

"Cotton is losing its markets. This is hurting everyone concerned with cotton, and the general economy as well. The situation is serious. It commands the serious consideration and cooperation of cotton producers, cotton millers, and the cotton trade."

If, as Mr. Cooley said, the situation is hurting the general economy, it is hurting every resident of the United States.

When a segment of the agricultural economy and a segment of the industrial economy lose, the Nation suffers. And the textile industry is second highest in the United States in employment. The effect of less income affects otherwise unrelated businesses, whether goods or services. The loss of corporate taxes and personal income taxes reduces Uncle Sam's tax take proportionately.

All this affects you, whoever you are. Please read the facts and then put on the pressure for passage of the bill. And please encourage relatives, business associates, neighbors, and other friends to do the same.

THE UNIQUE BURDEN

"The inequity of the two-price system of cotton costs remains as a unique burden upon the American textile industry, for which a solution must be found in the near future" (President John F. Kennedy).

THE PROBLEM

1. U.S. mills must pay about one-third more for U.S. cotton than do foreign mills.
2. U.S. mills use U.S. cotton almost exclusively, and only a trickle of foreign cotton is allowed to enter this market.
3. Cotton constitutes more than 50 percent of the cost of manufacturing a typical cotton textile fabric, and an even higher percentage of yarn costs.

THE RESULTS

1. Spectacular increases in imports of foreign textiles into the United States.
2. Substantial losses of domestic cotton textile markets to paper, plastics, man-made fibers, jute, and other materials.
3. A shrinking market for the output of U.S. cotton farms.

THE REMEDY

1. Each citizen informs himself on the problem.
2. Each citizen, thus becoming concerned about the problem, informs his Senators and his Representatives that the Cooley bill is the best solution presently feasible.

Also in that issue of the Joanna Way, was an article entitled "Cotton—To Go at Two Prices," and I enclose that article:

Cotton—To Go at Two Prices

COTTON: A NATIONAL PROBLEM

Cotton is in a crisis situation. And the situation poses a major problem not only for the cotton industry, but also for the Nation.

The trouble results from Government actions and policies. Only Government action can remove it. And the key to successful Government action lies in widespread public understanding.

Necessarily U.S. textile manufactures have a vital interest in any changes in the Government's cotton programs.

This is because they are dependent upon, and the principal consumers of, American cotton.

Most interested groups, including producers, acknowledge that U.S. cotton has been and is now priced too high—not in terms of farm income, but in terms of meeting competition.

U.S. cotton moves abroad only under the stimulus of an export subsidy. Even so, exports are lagging.

U.S. consumption of cotton is pursuing a sharp downward trend. Markets once held by cotton are being taken over by manmade fibers, paper, plastics, jute, and a variety of other competing materials. Price is responsible chiefly.

American textile manufacturers find themselves bearing an unfair burden. It is imposed by the Government's two-price cotton-marketing system.

Upland-type cotton accounts for 98 percent of all cotton used in the United States. Barred by law from using more than about 30,000 bales of such foreign-grown cotton a year, American mills must rely on American cotton. And they are required to pay about one-third more than foreign mills pay for any cotton, including American-grown cotton.

Naturally, the U.S. textile industry seeks an end to the two-price cotton-marketing system. It seeks an elimination of the inequity. It seeks only the privilege of buying American cotton at the same price at which it is made available for sale to foreign mills.

HOW THE TWO-PRICE SYSTEM WORKS

Recently, a cotton merchant in one of the Nation's major marketing centers found buyers for two bales of cotton. The bales, for all practical purposes, were identical. Both went to textile mills, one in the United States and the other in a foreign country.

The American mill paid $162.50 for its bale reflecting a Government-supported price of 32.5 cents per pound. The foreign mill paid only $120 for its bale of cotton, but the seller got the same price for it as he did for the bale sold to the American company.

The difference—$42.50—was paid by the U.S. Government as a subsidy to bridge the difference between cotton prices in the Government-supported American market and the so-called free market in the rest of the world. The $42.50 subsidy is paid on every bale of American-grown cotton sold for export.

This means, of course, that American cotton textile manufacturers must pay about one-third more for American cotton than do foreign mills.

By any judgment, the system is unfair and inequitable.

ORIGIN OF TWO-PRICE COTTON

Two-price cotton—one price for American mills, and a lower price for foreign mills—as a practical reality has existed since the middle 1950's, but the system's roots are laid deeply in the agricultural commodity price support programs adopted in the 1930's.

Through the years, because of support prices, American cotton has been pegged at artificially high price levels at home and abroad. This has resulted not only in recurring surpluses of American cotton, but also in stimulated production and consumption of foreign-grown cotton. Under the U.S. price support "umbrella," the production of cotton in the foreign free world has risen from 16.3 million bales in 1955–56 to approximately 21.1 million bales in 1962. The U.S. share of total world production during this period has fallen.

This foreign-grown cotton, although available to mills in other nations, is kept out of this country by a very strict import quota, established in 1939, which limits imports of upland-type cotton to less than one day's supply.

As a result of the Government's cotton-price policy, the United States all but lost its export market when, in 1955, exports fell to the lowest peacetime level since 1871.

Thus, to counter the twin problems of American surpluses and increased foreign movement into traditional American export markets, the United States, in 1956, set up a special export subsidy program. The subsidy represents the difference between the price of U.S. cotton and the so-called world price for cotton. It may vary from year to year, but since August 1, 1961, it has remained at 8½ cents a pound, or $42.50 for a 500-pound bale. And beginning August

1, 1963, in compliance with a recent official announcement, American cotton will be offered for sale for export on a bid basis and move at a possibly lower price.

(The variation in bale prices—$172.50 against $130, $182.50 against $140, $162.50 against $120—is not inaccuracy in facts. Price depends on the quality, staple length, and the current market. In all examples the differential in the cost paid by American mills and by foreign mills is $42.50.)

At inception it was recognized that such an export subsidy would create two disastrous impacts on the domestic textile-producing industry, both of which would require immediate corrective action: (1) it would kill off the textile export market, and (2) it would invite unfair-priced textile imports.

To prevent the first of these, provision was made for the payment of an equalization fee on cotton textile exports on the same per pound basis as the raw cotton subsidy. However, efforts made at the time, and repeated since, have failed to provide an offset for the far more important element of the problem—imports.

IMPACT ON IMPORTS

U.S. cotton textile imports made from lower priced cotton have increased spectacularly since 1956 while the export subsidy has lowered the price of American cotton to foreign textile mills.

In 1955, immediately prior to the inception of the cotton-export subsidy, imports of cotton products amounted to a 363,487,000-square-yard equivalent. The current level is even higher. In the succeeding year the volume rose to a 451,350,000-square-yard equivalent. By 1960 this figure had risen to 1,033,610,000 and in 1962 such imports amounted to a 1,165,878,000-square yard equivalent, more than triple the imports of 1955.

Most of these increases in cotton textile imports have been in categories of products in which the raw cotton cost is the predominant one in manufacturing costs, such as in yarns and gray goods. For example, imports of carded and combed yarn, produced with a minimum of labor, have increased from 142,000 pounds in 1955 to 28,453,000 pounds in 1962.

Cotton textile imports have taken over markets that otherwise would have been supplied by American-grown cotton processed by the American industry.

COTTON'S COMPETITIVENESS

The U.S. textile industry's success or failure hinges upon its ability to obtain raw materials at a reasonable price, manufacture goods at the lowest possible production cost, and offer finished products to potential consumers at competitive prices.

This ability shapes the textile industry's role as a customer for the American cotton farmer and manmade fiber products.

Over the past 2 or 3 years cotton prices by Government action have been trending upward. Prices for manmade fibers and other competing materials have been dropping.

In December 1961, the price of a key grade of cotton was 31.60 cents a pound. By mid-August the price had moved to 34.90 cents, an increase of 3.3 cents a pound.

Following an increase in the cotton price-support level in 1961, the price advantage rayon held over cotton at the initial processing level increased from approximately 6½ cents a pound to about 14 cents.

Other manmade fibers, which also can be handled on cotton textile manufacturing equipment, have scored price reductions in recent years, too. And a range of nonfiber products, such as paper and plastics, have taken over markets once held exclusively by cotton—chiefly because of price.

Cotton now accounts for less than two-thirds of all fibers consumed, having experienced during 1961–62 a competitive loss of 1,150,000 bales.

Clearly, one conclusion is inescapable. The competitive character of cotton is coloring the future of the vast American cotton industry—from the growers through the manufacturers.

MEANINGFUL MEASUREMENTS

U.S. cotton consumption for the current crop year is expected to total 8.3 million bales, as compared with 9 million in 1961–62, and trending downward sharply.

Cotton exports are expected to amount to less than 4 million bales, as compared with 4.9 million last year.

U.S. cotton allotments have been reduced by the Government from 18.5 million acres in 1962 to 16.3 million acres in 1963.

Production from the 16.3 million acres is expected to exceed the current level of U.S. consumption and exports, unless a new price policy emerges.

Foreign free world cotton production is expected to total 21.1 million bales as compared with an estimated 19.3 million in the 1961–62 crop year and 19 million in 1960–61.

Foreign free world cotton consumption is expected to fall to 22.8 million bales from an estimated 23.5 million bales in 1961–62 and 23.4 million in 1960–61.

U.S. cotton stocks are expected to amount to 10.6 million bales as compared with 7.2 million bales last August 1.

As of March 15, 1963, the Commodity Credit Corporation owned or held as collateral against price-support loans a total of 10.2 million bales as compared with 5.4 million bales a year before, and it is anticipated will own 8½ million bales on August 1 as compared to 1½ million bales on the same date 2 years ago.

Of the 10.2 million bales, CCC held 5.5 million as collateral against loans as compared with 3.9 million a year ago.

CCC investment in cotton has risen from $300 million to $1,750 million.

A revision of the Government's cotton program appears to be in the broad public interest.

The program is of vital importance to the economic future of millions of men and women whose livelihoods are linked to the production, handling, and manufacturing of cotton.

It is of considerable concern to the economies of countless communities and cities from Maine to California.

It has a direct bearing on the fiscal situation of the U.S. Government—tax receipt, Federal expenditures, international payments.

And it merits the attention of other agricultural interests for the simple reason that acreage no longer used for cotton can be planted to other crops. Present policies have reduced planted cotton acreage from 16.3 million acres in 1962 to an indicated 14.8 million for 1963. Further reductions are in prospect. Cotton cannot be produced in other areas of the Nation but wheat, corn, soybeans, cattle, etc., can be produced in the Cotton Belt. Cotton-acreage reductions pose a threat to the already burdensome surpluses experienced by other important agricultural commodities.

A need for a solution to the problem has been voiced by President Kennedy, Cabinet officers, Members of Congress, spokesmen for cotton-producing organizations and other segments of the cotton industry, and editors of trade and general newspapers and magazines.

A DESIGN FOR A SOLUTION

An end to the unfair results of the two-price cotton system conceivably could be achieved in several ways:

1. The Government could impose an import fee on the cotton content of textile-product imports to equalize or offset the difference in cotton costs between foreign and U.S. mills. Such action would remove the inequity imposed regarding cotton textile imports, though it would leave untouched the domestic market impact.

The U.S. Tariff Commission, however, has twice rejected requests for such a remedy in recent years. This route has been shut off.

2. The support price for cotton could be eliminated so American cotton would sell at the free-world price.

No segment of the cotton industry, including textile makers, has advocated such a move, which would bring disaster to cotton farmers and severe economic repercussions to the national economy.

But this question is academic because the Government already has announced a continuation of the present support price of 32.5 cents a pound for the new cotton crop, August 1, 1963–64.

3. The Government could adopt a program under which some kind of payment could be made into the marketing structure of the cotton industry so cotton for domestic consumption could sell at the same price as cotton for export.

The textile industry historically has opposed any sort of payments program; reluctantly it has agreed to support such a program now only because there seems to be no other way to achieve a one-price system in the foreseeable future, and, at the same time, maintain a price to domestic growers in excess of the world price.

However, the decision to support a payments program is made easier by the fact that a payment-in-kind approach can be used—that is, payments in Government-held cotton rather than in cash from the Federal Treasury.

THE PAYMENTS-IN-KIND APPROACH

As of today CCC owns 4.689 million bales of upland cotton; it has loans outstanding on 5.511 million bales, making a total of 10.2 million bales.

Because there is not enough free cotton in the normal channels of trade to satisfy domestic and export requirements, a portion of the loan cotton will be redeemed prior to the beginning of the new crop year, August 1, 1963. It is estimated that on August 1, after CCC takes title to the remaining portion of these loan stocks, it will own outright 8½ million or more bales of cotton, representing an investment of approximately $1.4 billion.

By law, none of this cotton is available for domestic consumption except at 115 percent of the support price, plus carrying charges. Under the export program, however, it may be sold at 8½ cents a pound below the domestic market price. Thus the disparity to the domestic industry will be substantially greater than the 8½ cents differential.

Except in the event of a national emergency or highly unusual crop circumstances, virtually none of this cotton is likely to be withdrawn for domestic consumption. The price, under the 115-percent withdrawal feature of the law, is completely prohibitive.

Thus, CCC will never realize more than the world price for practically all these burdensome stocks. This being true, the question immediately arises as to how the stocks, on which CCC will take heavy losses anyway, can be utilized to achieve the objective of a one-price system for American cotton, and, at the same time, create maximum dollar returns to CCC's treasury.

A very broad cross section of the entire American cotton economy strongly recommends the immediate utilization of these CCC stocks for a payment-in-kind program to make cotton available to domestic mills at the same price it is sold for export.

A NEED: CONFIDENCE

Because of the terrible uncertainty and lack of confidence that has prevailed throughout the raw cotton and textile industries, normal pipeline inventories have been drained to the absolute minimum—among merchants, handlers, and consuming establishments. In addition, domestic consumption is down approximately 3,000 bales daily below the level of the same period last year.

However, in the event of a one-price system, the uncertainty would be removed and a completely new range of confidence established throughout the whole structure. Merchants would substantially increase their inventories, textile mills would increase their working stocks to normal levels, and domestic consumption and exports would be sharply stimulated. The combination of these factors would result in very substantial withdrawals from Government-held stocks.

The net of these transactions would increase Treasury receipts somewhere in the range of $350 to $400 million in addition to about $200 million which would be realized from the sale of cotton between now and August 1, in the absence of a program.

The payment required to bring the domestic price down to the export price could be made with cotton that has already been acquired by the Government, and cotton that is not likely to be disposed of at more than the world price anyway.

With a competitive one-price system and restored confidence, domestic consumption and exports for the year beginning August 1, 1963, almost certainly would exceed substantially the prospective 1963 crop.

The quantity of CCC cotton used as payments to equalize the domestic price would be needed by merchants and mills to satisfy requirements for the increased domestic consumption and exports.

Accordingly, the domestic program could be financed during the 1963–64 season with CCC's assets—cotton—rather than cash from the Treasury.

This reduction in CCC's cotton inventory would reduce substantially storage and interest costs.

Adoption of a cotton program ending the two-price marketing system could reasonably be expected to produce these results:

1. Restore confidence of all segments of the American cotton economy, which will lead to increased cotton consumption, increased investment and employment in cotton production, textile manufacturing, and apparel manufacturing.

2. Encourage normal trade channels to retain cotton that otherwise would go into Government stocks thereby increasing CCC funds immediately by several hundred million dollars.

3. Reduce drastically CCC expenditures for storage and interest on Government-held cotton.

4. Assist in the U.S. administration of the International Cotton Textile Trade Arrangement.

5. Initiate a movement toward reducing the cost of the Government's overall cotton farm program.

In short, a revitalization of the whole American cotton industry would occur with the elimination of the two-price system.

It would restore confidence in cotton and open the way for increased textile manufacturing and apparel manufacturing.

It would enable the cotton industry to get out of the doldrums and make an important contribution to the Nation's economy.

I. PROFILE OF THE AMERICAN COTTON ECONOMY

Textile employment

The textile industry is one of the largest manufacturing industries in the Nation. It, with the apparel industry, provides jobs for more than 2 million men and women. Since 1955 and despite a population increase of about 20 million, there has been a loss of nearly 200,000 jobs in these combined industries.

Cotton farms

The U.S. cotton farm population is about 3.3 million. In 1961 there were about 762,000 farms with effective cotton allotments covering 16 million acres which produced 14 million bales of cotton valued at about $2.5 billion. Cotton farm land, itself, is valued at more than $10 billion.

Cotton handlers

An estimated 90,000 to 100,000 persons are employed by cotton gins, cottonseed oil mills, warehouses, and cotton merchants in the United States.

Plant investment

The investment in textile-manufacturing establishments amounts to about $8 billion, and an additional $5 billion is currently invested in apparel-manufacturing plants.

Textile sales

Mill sales of textile products made from all fibers total about $13 billion annually. Cotton accounts for about 60 percent of U.S. fiber consumption.

These facts indicate the significance of the textile-apparel industry, not only to the agricultural sector of the economy, but also to the manufacturing industries and in turn to the strength of the U.S. industrial economy as a whole.

Textile profits

The textile industry in recent years has not kept pace with other manufacturing industries in the United States. While increases in productivity have occurred in the textile industry since 1947, the squeeze on textile prices and textile profits has forced profits far below the all-industry average. Textile industry profits on sales averaged only 2.5 percent in 1962 while the all-manufacturing average was 4.8 percent.

Textile prices

The wholesale price index of cotton products shows a substantial downtrend since 1947 when it stood at 103 percent of the 1947–49 index base. At the year-end 1962, the index had declined to 92—a decline from 1947 of 11 percent. On the other hand, the wholesale price index for all industrial commodities increased from 96 in 1947 to 120 in 1962 or about 24 percent.

Cotton costs and cloth prices

An examination of the relationship of raw cotton costs to unfinished cotton cloth prices over the last 37 years reveals an extraordinarily close correlation. Invariably as cotton costs rise and fall, cotton cloth prices rise and fall. The explanation lies in the fact that raw cotton costs account for about 55 percent of the manufacturing cost of unfinished cotton cloth. A return to a one-price cotton system that would reduce cotton costs would bring a reduction in cloth prices and be reflected at the consumer level. A Department of Commerce official recently estimated that a one-price cotton system would result in savings to American consumers of more than $700 million.

Spindle activity

Raw cotton is spun into yarn on cotton-system spindles in U.S. textile mills. A measure of fiber use in the amount of time such spindles are used for cotton alone or other fibers or blends.

In 1958 about 92 percent of the spindle-hours were for the production of all-cotton yarn. By early 1962 this percentage had fallen to 86. In other words, more and more spindle-hours were spent in producing yarn from blends of cotton and man-made fibers or man-made fibers alone.

And by March 1963 there were 16 million cotton-system spindles assigned to cotton alone and 2.5 million used for other fibers. Comparative figures for 1958 were 17.6 million and 1.6 million.

II. GOVERNMENT POLICIES

There are three Government policies which, in combination, are responsible for the American cotton textile industry's finding itself in difficulties which can be removed only by Government action.

1. Since the 1930's the Government has supported the price of American cotton generally at an artificial level.

2. Since 1939 U.S. mills have been required to limit their purchases of foreign-grown upland-type cotton to less than 30,000 bales annually—a volume which would not equal 1 day's mill consumption.

3. Since 1956 the United States has exported cotton under a subsidy to bridge the gap between the U.S. price of cotton and the world price. This has amounted to 8½ cents a pound or $42.50 a bale since August 1, 1961. This means that U.S. mills are required to pay about one-third more for cotton than foreign mills pay for any cotton, including U.S. growths.

III. CONSEQUENCES

Costs: Cotton up, competing materials down

In 1961 the Government raised the support price on Middling 1-inch cotton for the 1962 crop to 32.47 a cents a pound. As a result, the market price rose about 3½ cents a pound from January to October. For the 1963 crop the same support level and higher market price remained in effect.

Prices of man-made fibers and other competing materials have been dropping. For example, the price of rayon staple—a synthetic fiber that can be handled on cotton manufacturing equipment—fell to 26 cents a pound from 34 cents in 1955.

U.S. consumption of cotton declining sharply

U.S. textile mills currently are consuming cotton at a rate of 8 million bales a year—an 11 percent decline from 9 million bales consumed in 1961–62. At the beginning of the current cotton year, the Government estimated domestic mill consumption would total 8.8 million bales for the year. Since then, the Government has revised the estimate; in April the Government estimated mill consumption would reach 8.3 million this year.

Cotton surplus rising

The Government-owned Commodity Credit Corporation on March 15, 1963, owned or held, as collateral against price support loans, 10.2 million bales of cotton. This amount was 5.4 million above a year earlier.

The Government expects cotton stocks to amount to 10.6 million bales on August 1, 1963, reflecting an increase of 2.8 million over the 1962 date.

Cotton exports shrinking

Despite the $42.50 a bale export subsidy, U.S. cotton exports during the present crop year are expected to amount to less than 4 million bales, a reduction of 900,000 bales from last year. Foreign cotton production and synthetic fiber output expanded in 1961 and again in 1962.

Cotton textile imports continue upward

During 1955, the year before the advent of the two-price system, cotton textile imports into the United States were equal to 363 million square yards of fabric. In 1962, they exceeded 1 billion yards, and were more than three times as large as the 1955 total.

Cotton textile exports continue downward

In 1955, the United States sent into foreign markets cotton textile goods equal to 1,095 million square yards. In 1962, such exports amounted to an equivalent 921,800,000 square yards.

Always in the shadows are the threats posed by imports—the threat to jobs, the threat to the textile industry, the threat to the cotton producers, and the economic threat which hangs over the head of every business and professional man either living in textile communities or dependent upon textiles directly or indirectly for the production of a consumer market in the particular area. To emphasize this I insert in the RECORD at this point an excellent editorial from the Gaffney, S.C., Ledger of June 20, 1963:

THE PRICE OF A SHIRT

A recent newspaper advertisement for a large department store told of a coming sale of "special purchase" merchandise, including a group of men's white dress shirts.

The shirts were priced at $1.99 each. They were, as advertised, strictly first quality.

The labels pointed out that they had been made in the British Crown Colony of Hong Kong.

Less than 20 feet away from them in the store's men's department was a line of first-quality American-made shirts. They were priced at $5.95 each.

The real difference in the two lines of shirts—measured by almost $4 in the retail price—could be traced to two factors: the price of the raw material in them and the cost of the labor which produced them.

Hong Kong textile manufacturers, like all foreign textile producers, can buy raw material, including American-grown cotton, for $42.50 per bale less than American manufacturers. Since the cost of raw material accounts for more than half the total cost of a textile product, the $42.50 per bale difference is a major competitive factor.

In terms of wage costs, however, there is an even more striking difference between Hong Kong and the United States. In November 1961 (the latest month for which official reports are available), Hong Kong manufacturers paid their male spinners and weavers an average of 15 cents an hour. During 1961, American spinners and weavers were paid approximately 11 times this amount.

This amazing difference in wage costs was pointed out recently in testimony offered to a committee of the U.S. Senate, as part of a presentation showing how foreign-made textiles can undersell American goods in American stores.

The testimony also showed that in May 1962, when U.S. textile production personnel were receiving an average of $1.69 per hour, Japanese plants employing more than 30 production workers were paying an average of 19 cents per hour.

Belgium, an important producer of textile products, including carpets, paid its textile people an average of only 54 cents per hour in October 1961. This is less than a third of the average American rate at that time. France, in April 1962, paid only 57 cents on the average, while Italy's average in April 1962 was 40 cents. West Germany, which has had a miraculous economic recovery since the end of World War II, had an average textile wage of 68 cents per hour in May of last year, while the United Kingdom (Great Britain) paid its woolen and worsted workers 69 cents an hour in October 1962.

All of the foreign wage rates were converted from local currencies at the official exchange rates. Information for the report to the Senate committee came from the U.S. Department of Labor.

Everybody has recognized that something must be done and I am beginning to get a lot of letters urging me to support H.R. 6196. Frankly, I would prefer the complete abolition of the two-price cotton system, but lacking that, however, I intend to support H.R. 6196. But the point is, let us do something now.

Mr. WHITENER. Mr. Speaker, will the gentleman yield?

Mr. HEMPHILL. I yield to the gentleman from North Carolina.

Mr. WHITENER. I commend my neighbor and colleague, the gentleman from South Carolina [Mr. HEMPHILL], on his very splendid statement on this technical problem, and say to him that I know that his diligence in this matter is bearing fruit. I hope that the message he has brought will fall on receptive ears on the Congress.

Mr. HEMPHILL. I thank the gentleman for his inspiring support of my efforts. I will try to cooperate with him in his efforts. Our districts are predominantly textile and our economies are predominantly textile. Our hope for a progressive and healthy economy in the future lies in our success in solving some of these problems, including the two-price cotton system.

Again I thank the gentleman.

THE MICA-PRODUCING INDUSTRY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from North Carolina [Mr. WHITENER] is recognized for 60 minutes.

Mr. WHITENER. Mr. Speaker, the Government program of purchasing mica for the national defense stockpile terminated in July of 1962. The value of the production of mica in 1962 was $1,200,000. Following the termination of the stockpiling program, production became negligible throughout the mica-producing areas in the Nation.

Of the mica-producing areas in the country North Carolina supplied 65 percent of the mineral. The remaining 35 percent of mica came from New Hampshire and seven other States. At the time thousands of North Carolinians were engaged in the production of this critical mineral.

Two counties in my congressional district were particularly hard hit by the termination of the mica stockpiling program. The Counties of Avery and Mitchell, N.C., located in the heart of the North Carolina producing area, suffered a great loss of job opportunities. The counties have been classified as a depressed labor area, and efforts are being made by the Federal Government through various programs to rehabilitate their economies.

In order to relieve the critical economic situation existing in the mica industry of North Carolina and in other mica-producing areas in the Nation, I introduced legislation in the 87th Congress to set up a Government mica purchase and auction program. No action was taken on my bill in the 87th Congress. I reintroduced the measure in the 88th Congress.

The Interior and Insular Affairs Committee, to which the bill was referred for action, requested reports on the measure from the Department of the Interior and the General Services Administration. On June 4, 1963, the Department of the Interior rendered an adverse report on my bill, and on June 6, 1963, the General Services Administration also made an adverse report.

I regret very much the action that these two agencies have taken on my bill. The reasons advanced by both agencies for rendering adverse reports on the legislation were practically the same. It was contended that there is no longer a need to purchase mica for defense or mobilization purposes and that our inventories of mica presently exceed the current maximum stockpile.

The General Services Administration was fearful that additional purchases of mica which could not be sold would add to the excesses of the mineral. The Department of the Interior advised the Interior and Insular Affairs Committee that my bill would place the Government in the position of a mineral broker and in competition with private industry.

In view of the position taken by the Department of the Interior and the General Services Administration on my bill to provide some relief for our domestic mica industry I was astounded, Mr. Speaker, to learn recently that the U.S. Department of Agriculture, under the barter and stockpiling provisions of the CCC Charter Act and Public Law 480 of the 83d Congress, intended to furnish Brazil with about 200,000 tons of CCC-owned wheat in exchange for Brazilian metallurgical grade manganese ore, ferro manganese produced in the United States from manganese ore from Brazil, and muscovite block mica and beryl ore also from Brazil.

Mr. Speaker, I find it difficult to understand how we can barter for approximately 240,000 pounds of muscovite block mica from Brazil at a time when the Department of the Interior and the General Services Administration state that we have no further need for mica and during a period when our domestic mica mines are fighting a battle for survival.

The Minerals and Metals Commodity Data Summaries, publication of the Bureau of Mines for February 1963 advises that we now have 124.5 percent of our maximum muscovite block mica stockpiling objective.

During 1962 the total value of U.S. production of mica was only $1,200,000. The average import price of mica has ranged from $1.50 to $25 per pound. At a price of $5 per pound, and its value could conceivably be more, the 240,000 pounds of mica which will be brought into the United States under the barter agreement will have a value of $1,200,000.

It will be seen, therefore, that the barter arrangement will bring into this country from Brazil mica with a value equivalent to the value of the total mica produced in the United States during 1962.

Mr. Speaker, I find it impossible to understand how we can import a supply of mica from Brazil equal to a year's domestic production of the mineral at a time when two Federal agencies state that there is no further need for mica in the national stockpile. I believe that this case is a graphic example of what happens when Federal agencies go off in different directions on an identical problem. The Department of the Interior and the General Services Administration say that there is no need to pass legislation to provide additional mica for American industry and our stockpile program. On the other hand, the Department of Agriculture is announcing a program to bring in 240,000 pounds of the material from Brazil.

It is little wonder that our domestic mica miner is confused and disheartened over the action of his Government. He has seen his job disappear through a termination of the national mica stockpiling program. In the barter arrangement for the purchase of 240,000 pounds of Brazilian mica he sees no hope of any relief in the immediate future.

Mr. Speaker, the Department of Agriculture, the Department of the Interior, the General Services Administration, and other agencies of our Government concerned with the preservation of American industry and the jobs of our people should make a thorough investigation and reexamination of the decision announced by the Department of Agriculture on May 29, 1963, to enter into the barter arrangement with Brazil for the acquisition of additional mica. Until such time as our mica miners are given employment I suggest that our Government curtail its barter activities for Brazilian mica.

THE SUGAR SITUATION

The SPEAKER pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from Iowa [Mr. HOEVEN] is recognized for 15 minutes.

Mr. HOEVEN. Mr. Speaker, one of the basic purposes of the Sugar Act of 1948 is to protect the interest of U.S. consumers of sugar and sugar-containing products. Unfortunately, this very basic purpose of the act has not been met in 1963.

Why?

That is a question that many housewives are asking when they buy a 10 pound bag of sugar at the grocery store for $1.69 after recalling that a year ago the same 10 pound bag of sugar cost only $1.10.

It is a question that soft drink manufacturers, candy makers, and other industrial users are asking when they find they must pay 13.9 cents a pound for refined sugar (New York) after recalling that a year ago the same sugar cost only 9.4 cents a pound.

It is a question that U.S. sugar growers are asking when they realize that they are not receiving benefits from this sharp increase in price.

It is a question that the entire sugar industry is asking.

And finally, it is a question which Congress through three separate committee investigations, is trying to answer. Furthermore, whereas the administration alleges we have a plentiful supply of sugar, I would like to know where it is—making such statements is not enough.

As a member of the Committee on Agriculture which holds the sole constitutional and legislative authority to initiate sugar legislation, I feel that our Committee should delve into this question thoroughly to find not only the answer to why this rapid price advance occurred, but also to make an attempt to correct it.

Anyone who has experienced even the slightest acquaintance with the sugar program cannot help from being immensely impressed with the complexity and depth of this vast program. To those of us from nonsugar areas who serve on the Committee on Agriculture, the program must be judged by its general effect on the Nation, our consumers, and our overall domestic agriculture policy.

It is therefore in this context that I would like to discuss the events that have occurred in 1963 leading up to the present situation in the sugar market.

As a basic fact, we must realize that increased prices in 1963 have already cost U.S. consumers some $100 million in price increases since the 1962 amendments took effect last fall and that it will cost these same consumers about $570 million more this year than they were paying last January, if sugar maintains its current price level.

What then are the factors that have caused this situation to come about, and what can be done to correct it?

As I have stated, in any program as complex and broad as that governing sugar, there are bound to be a multitude of factors which cause any set of circumstances to be in existence. The current sugar price, for example, has been influenced in varying degrees by such factors as: The 1962 change in the sugar law, crop failures in Europe, market speculation, hoarding, the failure of Communist agriculture in Cuba, actions of foreign nations in delivering sugar to the United States in a timely fashion, failure to support expanded domestic production of sugar since the advent of Fidel Castro in Cuba, and the playing of "sugar politics" in the U.S. Department of Agriculture.

Whatever weight each of these factors may deserve, I would like to address the balance of my remarks to the 1962 amendments.

Prior to the 1962 amendments, foreign sugar was obtained on a country quota basis. That is, each nation which held a quota was allowed to sell its allocated amount of sugar in the United States at the U.S. price, regardless of the world price of sugar—which ordinarily is much lower.

These foreign quotas were determined in this manner:

After the Secretary determined overall requirements, each domestic and foreign producing area supplying the United States with sugar was assigned a quota representing its share of the market as specified by the act.

Under amendments enacted in July 1960 and March 1961, President Eisenhower and Kennedy cut off the quota for Cuba in the national interest. The quantities thus provided for under the proclamations of the President were called allocations and authorizations of nonquota purchase sugar to distinguish them from the quotas established under the longstanding provisions of the act.

Under the quota provisions, the domestic sugar-producing areas were assigned a base of 4,444,000 short tons, raw value, plus 55 percent of requirements in excess of 8,350,000 tons. Specific quantities of the domestic share of the increment between 8,350,000 tons and 8,691,818 tons were allocated to individual domestic areas. The domestic share of requirements in excess of 8,691,818 tons was prorated among domestic areas on the basis of their quotas at that level.

The quota for the Republic of the Philippines was fixed at 952,000 tons of sugar—980,000 tons, raw value. Quotas for Cuba and "other foreign countries"—the latter are sometimes called full-duty countries to distinguish them from Cuba and the Philippines—varied each year, the exact amount depending on the tonnage set by the Secretary's sugar requirements determination.

Most of the quotas for the domestic offshore and foreign supply areas could be filled only with raw sugar, which is defined as sugar which is to be further refined or improved in quality on the mainland. Other sugar is called direct-consumption sugar, and included primarily white refined and other types of sugar familiar in home consumption.

Last summer the House of Representatives passed an extension and revision of the Sugar Act continuing this system of country quotas. The Senate, however, passed a different version, which was advocated by the Kennedy administration, calling for the abolition of country quotas and the substitution of a global purchase system.

Under the global purchase concept the U.S. sugar industry would rely entirely on the world price of sugar for its supply. The theory last summer was that since the U.S. price was higher than the world price, the U.S. Government would benefit from a recapture of the quota premium—that is, the difference between the U.S. and world prices—rather than the producers of sugar in nations holding sugar quotas.

In the House-Senate conference on the sugar bill, the administration's view prevailed and commencing in 1963 we began to depend on the world price for a significant portion of our sugar supply. Even before the ink was dry on this bill, the Congress in the "honeybee rider" bill had to change the law to meet pressing diplomatic problems.

As the Communist system continued to paralyze Cuban agriculture, that nation's sugar crop fell to nearly one-half of its pre-Castro production. That in turn had a substantial effect on the world price for sugar—which is fundamentally a residual price.

Since U.S. consumers are now dependent on the world price, the price of sugar in the United States began to advance until it reached 40-year highs in 1963.

At this point, I think it is worthwhile to recall that one of the chief advantages of the "country quota" system of obtaining foreign sugar was that the Sugar Act required these foreign nations to meet their U.S. commitments regardless of the world price. If they failed to do so, they would lose their quota. In other words, they had to stay with us in "thin" as well as in "thick" times. That advantage is lost under the "global purchase" system. The United States must bid in the limited world market for every pound of global purchase sugar.

Mr. Speaker, it is my hope that the administration will see the error of its ways in embracing the "global purchase" concept and recommend a return to the system which has operated in the past.

Under the country quota system U.S. consumers were fully protected and sugar for many years enjoyed stable and modest prices. This was true even during times of national emergency such as World War II, the Korean war, and the Suez crisis when the world price for sugar was in excess of the U.S. price. Today we again face a situation where world prices are in excess of U.S. prices, but consumers no longer enjoy the price stability of the "country quota" system.

The claimed advantages of the "global purchase" system have failed to materialize and U.S. consumers are now paying a half billion dollars for that policy mistake.

Finally, let me say that in my opinion, many Members of Congress supported the 1962 changes in the sugar law as the result of a series of public incidents involving the action of various sugar lobbyists. In this regard, I would point out that the global purchase system has merely transferred the situs of their activity from the public halls of Congress to the private corridors of the executive branch of the Government.

As we approach the next legislative action on the sugar program, it seems to me to be appropriate to add an amendment to the Sugar Act prohibiting sugar lobbyists from receiving contingent fees for their services. This type of an amendment would in no way prevent the payment of full and adequate wages for actual work performed, but it would remove the temptation for trying to use undue influence in an attempt to shape the size of various country quotas. At the same time it would place the committees of Congress charged with the responsibility for this important legislation in a stronger position to legislate fairly, impartially, and intelligently on sugar.

LET FREEDOM RING

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, I rise to commend the House Judiciary Committee for favorably reporting Senate Concurrent Resolution 25 calling for the observance of the anniversary of the signing of the Declaration of Independence each year by ringing of bells throughout the United States. I wish also at this time to commend the junior Senator from Connecticut [Mr. RIBICOFF] for initiating this idea into congressional action.

As one of the sponsors of this resolution in the House, my bill being House Concurrent Resolution 185, I am delighted the committee acted in time for House action so that it is still possible for the resolution's implementation by July 4. I trust that the House will take prompt action and vote its overwhelming approval so that we can hear the bells next Thursday.

Under the provisions of Senate Concurrent Resolution 25, Mr. Speaker, bells in Government buildings, church bells, and carrillon bells in colleges and universities and other bells in buildings throughout the Nation would ring on Independence Day at 2 p.m. e.d.t. for 4 minutes to memorialize the exact time of the momentous event of freedom's victory 187 years ago. Radio stations would broadcast the sounding bells followed by the reading from the Declaration of Independence.

"Let Freedom Ring" should be emphasized as the theme of this bellringing and should effectively serve as a reminder that the Liberty Bell first boomed out the news of America's birth. By adopting the resolution both Houses of this Congress are helping to revive the oldtime spirit of America. Unfortunately, Independence Day has lost some of its significance as a fitting and solemn reminder that freedom was fought for and won by the brave men and women who were determined not to live under tyranny.

Mr. Speaker, I believe this ceremony of commemorative bellringing nationwide would be an audible reminder to Americans everywhere that today we face a fight to preserve freedom just as the courageous revolutionists faced a battle to win it.

Today, we hear much of freedoms and rights. Perhaps the tumultuous ringing of the Nation's bells, on the anniversary of our emergence as a force for freedom, will remind all of us that we must preserve, protect, and extend these rights to all our citizens.

NATIONAL EDUCATION ASSOCIATION VERSUS THE SCHOOL BOARDS

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. ASHBROOK] is recognized for 30 minutes.

Mr. ASHBROOK. Mr. Speaker, for over a year now the National Education Association—NEA—that powerfully persuasive teachers' lobby for Federal aid—has been quietly preparing an all-out war against the Nation's school boards, last bulwarks of traditional American local self-government. The NEA is proposing that, by State statute and/or school board rule, the local boards share their decisionmaking authority on all matters including curriculum, with the NEA's local affiliates—or else.

This is not to be a war of words only, Mr. Speaker. The NEA is planning the use of labor union tactics, including adaptations of collective bargaining, the strike and political action to reach its goals.

I have here on my desk the documentary evidence to prove these allegations and I feel the Members of Congress should have the opportunity to study this evidence before considering additional Federal aid to the public schools.

First of all, Mr. Speaker, I should point out that the National Education Association spokesmen do not admit that they are advocating the use of labor union tactics. On the contrary, they say they want—

First. Recognition of their professional autonomy and professional status. They want no part of the craft status of the AFL–CIO, nor of the private employer-employee relationship, nor do they want even to be school board employees. They want teacher-association representatives to be recognized as coequals with school board members in running the public schools.

Second. They want the right of what they call professional negotiation—in effect professional collective bargaining.

Third. They want the right of what they call professional sanctions—in effect, in ultimate form, a teachers' strike.

Fourth. They want to drastically change and formalize the relationship of teachers associations, school administrators, and school boards, by State statute if possible, otherwise by school board ruling. They want professional negotiations written into law and/or administrative regulations.

Fifth. However, they want teachers to remain outside the restrictions of Federal or State labor law.

PROFESSIONAL NEGOTIATIONS AND PROFESSIONAL SANCTIONS

Now, Mr. Speaker, neither professional negotiations nor professional sanctions are altogether new. A number of local school boards have negotiated informally with representatives of their local teachers associations for years. Also, the NEA, in 1947, invoked sanctions in Ohio by declaring that the school system under sanction by its affiliate the Ohio Education Association "to be one where no professional person would want to seek employment." Subsequently, State education associations imposed one form or another of sanctions in Kelso, Wash.; Paulson, Mont.; West Haven, Conn.; Little Lake, Calif.; and now in the State of Utah.

More significant than any of these sporadic incidents is the present NEA policy, implemented by a vast educational drive, to obtain nationwide acceptance of professional negotiations and the right to apply sanctions.

At its 100th annual convention in Denver, Colo., July 1962, the NEA overwhelmingly approved resolutions on professional negotiations and professional sanctions, making them official NEA policy. The resolutions which may be found on page 64 in the NEA Handbook, 1962–63, follow:

RESOLUTION 18—PROFESSIONAL NEGOTIATION

> The teaching profession has the ultimate aim of providing the best possible education for all the people. It is a professional calling and a public trust. Boards of education have the same aim and share this trust.
>
> The National Education Association calls upon boards of education in all school districts to recognize their identity of interest with the teaching profession.
>
> The National Education Association insists on the right of professional associations, through democratically selected representatives using professional channels, to participate with boards of education in the determination of policies of common concern, including salary and other conditions of professional service.

> Recognizing both the legal authority of boards of education and the educational competencies of the teaching profession, the two groups should view the consideration of matters of mutual concern as a joint responsibility.
>
> The seeking of consensus and mutual agreement on a professional basis should preclude the arbitrary exercise of unilateral authority by boards of education and the use of the strike by teachers.
>
> The association believes that procedures should be established which provide an orderly method for professional education associations and boards of education to reach mutually satisfactory agreements. These procedures should include provisions for appeal through designated educational channels when agreement cannot be reached.
>
> Under no circumstances should the resolution of differences between professional associations and boards of education be sought through channels set up for handling industrial disputes. The teacher's situation is completely unlike that of an industrial employee. A board of education is not a private employer, and a teacher is not a private employee. Both are public servants. Both are committed to serve the common, indivisible interest of all persons and groups in the community in the best possible education for their children. Teachers and boards of education can perform their indispensable functions only if they act in terms of their identity of purpose in carrying out this commitment. Industrial disputes conciliation machinery, which assumes a conflict of interest and a diversity of purpose between persons and groups, is not appropriate to professional negotiations in public education.
>
> The National Education Association calls upon its members and upon boards of education to seek State legislation and local board action which clearly and firmly establishes these rights for the teaching profession.
>
> ---
>
> #### Resolution 19—Professional Sanctions
>
> The National Education Association believes that, as a means for preventing unethical or arbitrary policies or practices that have a deleterious effect on the welfare of the schools, professional sanctions should be invoked. These sanctions would provide for appropriate disciplinary action by the organized profession.
>
> The National Education Association calls upon its affiliated State associations to cooperate in developing guidelines which would define, organize, and definitely specify procedural steps for invoking sanctions by the teaching profession.

SEMANTICS OF NEA STRATEGY

Since these resolutions are a little vague, and lest there be any misunderstanding on the score of NEA goals—what they are driving at through professional negotiations and professional sanctions—let me read from the NEA pamphlet, "Classroom Teachers Speak on Professional Negotiations," report of the Classroom Teachers National Study Conference on Professional Negotiations, November 23–24, 1962:

> Professional education associations have the right to participate with boards of education in decision making.
>
> Procedures to effect this right must be through educational channels and not labor channels (p. 5).
>
> Professional negotiation rights cannot unilaterally be resolved into being. As leaders in the profession of teaching, we have to establish these rights.
>
> Machinery for professional negotiations is necessary because unilateral decision falls short of the stimulative power of involvement (p. 5).
>
> Professional negotiation * * * would include negotiations regarding personnel policies, working conditions, fringe or nonwage benefits, salaries, employment standards, inservice education of personnel, class size, teacher turnover, communications within the school system, curriculum planning, and teaching methods (p. 6).

Please note that the NEA frankly states they want teacher associations to be in on curriculum planning and teaching methods; and this is control of education by whatever name.

NEA spokesmen make a big hoop-deedoo about the alleged difference between professional negotiations and collective bargaining. I submit, Mr. Speaker, that the principal difference between the two, is indeed more than one of semantics. Professional negotiations would go beyond collective bargaining and infringe the school board's prerogative of the administration and direction of education. Professional negotiations would even go beyond teacher association sharing of this control—because if the teacher associations should not get the curriculum they, in their opinion, believe the children should have, the NEA proposes sanctions, including the withholding of services.

Under the heading "Reflections" in the NEA pamphlet on professional negotiations we find this remarkable observation:

> Those who make peaceful resolutions impossible, make violent revolutions inevitable (p. 10).

Now to shed more light on what the NEA really means by sanctions, let me read from a paper presented by the NEA assistant executive secretary for professional development and welfare at the Classroom Teachers National Study Conference on Professional Negotiations at NEA headquarters, November 23–24, 1962:

> Although this conference is not intended to deal in detail with professional sanctions and their use, it is necessary to consider these to get proper perspective regarding professional negotiations.
>
> The commonly applied sanctions against a school district are public censure and the withholding of service of members of the profession, where conditions are such as to defeat the possibility of high-quality service to children.
>
> In either case, such sanctions would only be invoked after a careful, fair investigation reveals intolerable conditions. Previous experiences indicate that censure, based upon exposure of the offending conditions in a district, generally result in public reaction demanding remedial action. As an ultimate resort, there is the withholding of services. There are several steps or degrees in the invoking of such a sanction.
>
> The first is the relatively simple one of withdrawal of placement services, that of the appropriate State education associations and such other agencies as can be persuaded to cooperate. A second step is to advise members of the State association, or NEA, or both, who are employed elsewhere or who are beginning teachers, not to apply for or accept employment in the offending school district until and unless the ban is lifted. The third step is to request both members employed in the offending district and elsewhere not to accept employment there in the ensuing year.
>
> The fourth and final phase, the ultimate one, is for the association to declare it a violation of professional ethics for any of its members to remain in the employment of or to accept the proffer of employment in the school district, until the ban is lifted.
>
> What about the charge that this weapon is as bad or worse than the strike? If the charge were worded to mean "as effective or more effective," I think I would not quibble over that.

I submit that the principal difference between sanctions in ultimate form and a strike is one of semantics. The effect on the children is the same.

GUIDELINES FOR ACTION

Further, I have here two so-called developmental documents, approved as working papers by the NEA board of directors and slated to be revised and finally approved at the NEA convention in Detroit, June 30–July 6, 1963, "Guidelines for Professional Negotiation," dated March 1963, and "Guidelines for Professional Sanctions," dated June 1963. The latter, according to a statement printed on its cover "is intended only for the consideration of officials of the NEA and affiliated organizations, and is not for general release or publication since it is subject to alteration, additions, or deletions before it is finally approved."

> #### Guidelines on Professional Negotiations
>
> ##### PROFESSIONAL NEGOTIATION
>
> A set of procedures to provide an orderly method for teachers associations and school boards through professional channels to negotiate on matters of common concern, to reach mutually satisfactory agreement on these matters, and to establish educational channels for mediation and appeal in the event of impasse.
>
> Professional negotiation procedures should have six basic provisions:
>
> 1. That the board of education recognize teaching as a profession and the local professional organization as the representatives of its members.
> 2. That education association representatives use professional channels to discuss matters of common concern.
> 3. That education association representatives and the board of education meet and exchange views.
> 4. That each, in good faith, listen to the views of the other and take the other's views into consideration in coming to a decision, and that both negotiate problems on which they do not at first agree.
> 5. That a procedure be set up to deal with an impasse.
> 6. That before adoption of policy, final decisions be jointly determined by the association representatives and the school board, with, when necessary, the assistance of other educational agencies.
>
> ##### SUBJECTS OF PROFESSIONAL NEGOTIATION
>
> The matters of joint concern to a local professional organization and a local school board are included in the broad aim to achieve better schools and a better education for every child. This includes, but is not limited to, setting standards in employing professional personnel, community support for the school system, inservice training of personnel, class size, teacher turnover, personnel policies, salary, working conditions, and communication within the school system. All or any one of these may be the subject of professional negotiation.
>
> ##### DIFFERENCES BETWEEN PROFESSIONAL NEGOTIATION AND COLLECTIVE BARGAINING
>
> Is there a difference between professional negotiation and collective bargaining?
>
> The answer is "yes." There are several differences between professional negotiation procedures devised specifically for public education and private collective bargaining

procedures adapted to public education. Here are five basic ones:

1. Removal from labor laws and precedent: Procedures for professional negotiation will remove teachers and school boards from the operation of labor laws; the adaptation of collective bargaining procedures from private industry will not.

Hundreds of State and Federal labor laws, court decisions, and labor-board rulings have grown up around collective bargaining. Whether these labor laws and precedents are good or bad is not debated here. The issue is that since these precedents were designed to apply to private employment, it is unwise for teachers and school boards to become embroiled in all of the past decisions and labor laws which were established without reference to the public schools and their problems. The purpose of any law is important; public-school employment was not a part of the purpose of labor laws designed for private employment.

2. Inclusion of all members of the profession: Professional negotiation includes all members of the professional staff. Under collective bargaining "supervisors" are excluded from the protection of the laws. Because some members of the profession, such as supervising teachers and administrators, are "supervisors," they could, if the teaching profession were placed under labor laws, be unprotected and might be excluded from the bargaining group.

On the other hand, under professional negotiation procedures, all professionals employed by the board could decide who is to be included in the group. This decision might vary from community to community depending upon past experience. In communities in which all-inclusive professional associations have for years been working successfully with school boards, the primary change necessary would be to formalize the procedures they have used. In other communities, experience may have shown that negotiations are more successful if carried on by an association of classroom teachers. If the professional personnel decide to continue in this manner, they could do so under professional negotiation—but voluntarily. Later, if the professional employees thought their aims might be accomplished better by an all-inclusive group, under professional negotiation procedures they could make the appropriate change. Also, professional negotiation procedures would permit the formation of joint committees, for example, of a classroom teachers association and a principals association for negotiation purposes.

3. Using professional channels: Professional negotiation includes the use of the regular administrative channels at appropriate stages in the negotiation process. Collective bargaining bypasses these channels.

Under professional negotiation, for example, association representatives and administrative staff may meet to discuss proposals and come to preliminary agreement, where possible, before meetings with the board of education. This procedure could also include meetings with school-board committees, as well as administrative staff, to do some of the time-consuming work involved in the details of complicated proposals. Collective bargaining procedures either bypass these channels completely, or relegate the school administrator to the single role of an "agent of management" and the man to "bargain" with.

4. Preventing fragmentation of the profession: Procedures for professional negotiation will prevent fragmentation of the profession. Under professional negotiation machinery, it is recommended that the classroom teachers employed by the board never be divided according to grade level or subject taught. This is extremely important. A troublesome problem in private employment is a dispute over the composition of the bargaining unit. If collective bargaining is adapted to the teaching profession, it is reasonable to believe that this will continue to be a problem.

Here are recent examples:

A State labor conciliator took jurisdiction of a dispute over what was a proper bargaining unit for teachers. The teachers union contended that the proper unit was limited to high school classroom teachers.

A teachers' union contended in one community that the bargaining unit consists of vocational high school classroom teachers only.

Thus, not only has the attempt been made to split the teaching profession between classroom teachers and school administrators, but also to divide the classroom teachers themselves. Conceivably, should this line of reasoning be followed, the kindergarten teachers could establish themselves as a separate bargaining unit, and so could the junior high school teachers, the senior high school teachers, and perhaps even the English teachers.

5. Using educational channels of mediation and appeal: Procedures for professional negotiation will establish educational channels for mediation and appeal from an impasse. Such procedures are an extremely important part of professional negotiation. Mediation and appeals procedures under professional negotiation would be established through educational channels. Under collective bargaining procedures, appeals would be taken through existing labor channels, with extensive legal precedent from industrial employment which would be imposed upon the teaching profession.

If teachers wish to establish formal mediation and appeals procedures, the wiser course would allow the profession to decide on the procedures, involve the profession and boards of education in the precedents which will affect the future of public education, and assure the public, along with the profession and the school boards, that the procedures and precedents affecting the schools will be oriented to education and not to labor. These recommendations do not evaluate labor channels for labor problems, but they do mean that precedents for private disputes between labor and management do not logically apply to public education (pp. 7, 8, and 9).

* * * * *

TEN PRINCIPLES OF NEGOTIATION

1. Proceed carefully at all times. First attempt to agree on principle; then discuss specific proposals for change and their implications.

If the issue is salary, the committee first discusses the broad general purposes of education and education associations and the common concern of the board and the professional staff to provide for quality education for all children. The committee then discusses salary theory as related to the educational objectives of the school system. Following this, discussion centers on the specific money proposals.

2. Show that all parties have a mutuality of interest—not necessarily an identity of interest.

Local associations, school administrators, and boards of education are interested in maintaining good schools and improving them when possible. However, they may have different pressures put on them.

3. Demonstrate sincerity of purpose. This is as important as skill and knowledge. Attitudes speak louder than actions.

It should be evident that the association's proposals are presented in the best interests of the school system and community even though it may at first appear to some that the proposals are founded on self-interest only.

4. Know and admit the impact of your requests.

The association's representatives should be aware of the costs of proposals, and the effect of them on the educational system. Reports of the research committee supply them with background.

5. Always remember that it is easier to persuade a man to make up his own mind than it is to change it for him.

Approach the negotiations in the spirit of seeking agreement through persuasion rather than in a hostile spirit.

6. Remember that you are trying to win an agreement, not an argument. Satisfactory accommodation of the proposals of the local association in consideration of the interests of the community and good schools is the desirable end and principal criterion of negotiations. Assuming a position of expected hostility and argumentation wastes time and diverts positive energies.

7. Remember that agreement pressures agreement—if you can agree on one item, it will have a salutary effect on the settlement of other issues. Do not insist on positive answers to all points in your presentations at one time. It is better to proceed from point to point, hoping for agreement on each one to accelerate agreement on ensuing requests.

8. Never confuse opposition with hostility. Teachers must be ready to prove themselves as negotiators, as they must be ready to prove themselves to their own students. For example, opposition to salary requests is often based on considerations over which board members feel they have little or no control, rather than hostility to increases under any conditions.

9. Negotiate in good faith—your intellect will tell you when you're negotiating and your conscience will tell you when you are showing good faith. An association must present its case with an assumption there is good faith on the part of the board.

10. Remember that the ability to separate fact from opinion is the mark of a clear mind and reflects intellectual honesty. It may be the opinion of the teachers association that the current local teacher turnover rate of 10 percent is too high, but it may be a fact that the teacher turnover rate of 10 percent in that community is no more than the average for the Nation and may even be lower than the community's average has been in recent years.

TEN RULES FOR NEGOTIATIONS

1. Don't lose your temper—you'll lose your point.

2. Never maneuver anyone into a position from which he cannot retire with grace.

3. Don't imply superior knowledge or power.

4. Stay with your point—pursue your objective, and don't deviate.

5. When there is clear and unimpeded agreement on an item, accept it. Your action will demonstrate good faith, honesty, and sincerity.

6. Don't quibble—say what you mean and mean what you say.

7. Admit it when you're wrong—even on a minor matter.

8. Acknowledge with grace the significance of the other's comment or statement of fact.

9. Don't dwell on the legality or the propriety of your approach—dwell on the logic of your approach to the appropriate authority.

10. Avoid setting up impediments to further negotiations tomorrow (pp. 15–17).

Mr. Speaker, more illuminating is the 14-page "Guidelines for Professional Sanctions" which is "intended only for the consideration of officials of the NEA and affiliated organizations," just as if we do not count as mere taxpayers and parents. On page 3 a very interesting quote indicates the doubletalk which is involved here. Under the heading

“Guidelines for Professional Sanctions” we see the following:

I. DEFINITION OF SANCTIONS

Sanctions are a means to impel an object toward moral action. In education it is moral that a community should support its schools; that school boards will discharge their functions with integrity and impartiality; that administrators will use the procedures essential for the democratic administration of good schools; that teachers will make every reasonable effort to provide the best possible learning experiences for students. Against those who are immoral by this standard, teacher organizations may impose sanctions.

Let me repeat that last sentence, Mr. Speaker. After setting up the framework of what is right and wrong and implying that they are to judge what meets and what does not meet these tests, it is arbitrarily alleged:

Against those who are immoral by this standard, teacher organizations may impose sanctions.

Now a little more about this sanctions business. This report gives some fine insight into this matter. Note the following direct quotes:

IV. SANCTIONS APPLIED BY LOCAL EDUCATION ASSOCIATIONS

A. Sanctions may (could) be applied against individual members guilty of unethical or unprofessional conduct through private or public censure, or through suspension or expulsion from membership in the local association.

B. Censure may be applied against (of) public agencies responsible for permitting development or continuation of conditions detrimental to education (could be taken by). Public notification of censure may be made through (such actions as) distribution of printed statements, use of radio and television, purchase of newspaper advertising space, and public meetings.

C. Contracts may (might) be withheld during negotiation of salaries and other conditions of employment. “Intent to return” notices should be used, particularly where a tenure status is involved.

D. Whenever any form of sanctions is invoked by a local association, notice of such action and the reasons therefor should be sent to the State association and to the National Education Association. Under usual procedures the related State association should be consulted before sanctions are applied, and its cooperation and advice sought.

V. SANCTIONS INVOKED BY STATE ASSOCIATIONS

A. Against a member—private or public censure; suspension or expulsion from membership; recommendation for removal of certificate or license to teach; notification to placement agencies and to school districts of action taken and reasons therefor. This action would usually be taken in cooperation with the local association.

B. Against an affiliated association—private or public censure; suspension or disaffiliation.

C. Against a school district school board or other public agency responsible for the welfare of the schools—

1. Censure through articles in State association magazines, special study reports, newspapers or other mass media of communication announcements or advertising;

2. Notification to the State department of education, and other State agencies, public or private, responsible for or dedicated to the welfare of education;

3. Notification to State and National accrediting agencies of professionally unsatisfactory conditions in a school district;

4. Withholding of placement services, when the State association maintains a placement office; notice to public and private placement agencies of unsatisfactory conditions in a school district and request to observe professional disapproval.

5. Notification to members of association of unacceptable conditions for employment in such district and the (and) professional significance of accepting or refusing employment in a school district against which sanctions have been invoked;

6. Notification to the National Education Association, and other national organizations concerned, of the invoking of sanctions and the reasons therefor;

7. Seeking State department of education or legal action to compel improvement of conditions threatening the welfare of the schools or members of the education profession (pp. 5 and 6).

* * * * *

VII. APPLICATION OF SANCTIONS BY THE NEA AGAINST A SCHOOL DISTRICT OR OTHER NONPROFESSIONAL AGENCY

A. Following a formal request from a State or local affiliated association or from a member of the NEA, an investigation or field study will be made by an appropriate NEA agency, usually the commission on professional rights and responsibilities, before sanctions are applied.

B. When in the course of an investigation an official investigating committee finds conditions to be so clearly unsatisfactory (reports) that application of sanctions by the NEA appears likely, notice of such likelihood may be sent by the NEA executive secretary or his deputy to the principal parties affected by the application of sanctions. The usual procedure would not include any notice to the press or other publicity from the national office.

C. Types of sanctions applied against a school district or a community and their official bodies may (would) include:

1. Censure through public notice including release of investigation report; articles in National and State journals; reports through various mass media of communication.

2. Notification to State departments of education of findings concerning unsatisfactory conditions.

3. Notification to certification and placement services of unsatisfactory conditions of employment for educators.

4. Warning to members that acceptance of employment as a new teacher in the school district would be considered as unethical conduct and could lead to discharge from and future refusal of membership in the national professional association.

5. Advice to members presently employed that, if their private arrangements permit, they should seek employment elsewhere.

D. When the application of sanctions has been approved by the NEA executive committee, the following steps will be taken:

1. A statement will be authorized to include (1) the name or names of the districts, schools, agencies, and persons against whom the action is taken, (2) the cause or causes of the action, and (3) conditions or actions that would be conducive to action lifting the sanctions by the executive committee of the National Education Association.

2. The authorized statement, with a covering note, will be sent by the NEA executive secretary or his deputy to the members of the school board, the superintendent of schools, the president of the local teachers association, the mayor or city manager of the community, the chief State school officer, the president and executive secretary of the State education association, the newspapers of the community, the national wire services, the public and private placement services for educators and such other individuals and agencies as may appear to be appropriate in the particular case.

3. Sanctions will be lifted on recommendation of the investigating committee that originally recommended their application by the Commission on Professional Rights and Responsibilities * * * and action will occur only when there is clear evidence that conditions have materially improved and there is assurance of a continuance of conditions that promote an effective program of education. In some instances the evidence of improvement may be so clear that it will not be necessary to have the recommendation of the investigating committee. When professional sanctions are removed, notice will be sent to the same persons and agenices as were addressed when sanctions were applied.

E. Every reasonable effort should be made to secure a representative public meeting in the community at which the application of sanctions will be announced, the reasons for their application, their significance and the actions or conditions necessary for the removal of the sanctions (pp. 10–12).

Mr. Speaker, it is perhaps of more than passing interest that the NEA Commission on Professional Rights and Responsibilities which prepared the “Guidelines for Professional Sanctions” was called before June 1961 the national commission for the defense of democracy through education. Of this commission, the council for basic education wrote in its October 1960 bulletin, under the caption “Big Brother Is Watching You”:

The NEA Defense Commission has some strange ways of “defending and advancing democracy through education,” which is its declared purpose. In the NEA Handbook for 1960–61, the commission makes this announcement:

“A major step forward during 1959–60 was the initiation of a 4-year project in which the commission's extensive files on the critics of education will be reorganized and reclassified. An additional staff member has been secured to prepare fact sheets on all the major critics of education.”

While the defense commission is engaged in this shabby gathering of dossiers of anybody who disagrees with it, the parent body, the NEA, goes on record as welcoming “constructive criticism of education * * * and recognizes that growth and development of American schools and colleges throughout their history have come in response to honest criticism and community thinking.”

Let not thy left hand, etc. (p. 4).

THE NEA CHICKEN OR THE UTAH EGG?

Mr. Speaker, there are many who believe that the NEA distribution of these guidelines was triggered in the main by two developments—the AFL–CIO American Federation of Teachers strike in New York and the Utah Education Association notice in March of this year that the schools will not open in the fall unless the NEA demands are met.

Considering the facts that the NEA passed its resolutions making professional negotiations and professional sanctions official NEA policy nearly a full year ago and considering the detail and complexity of these guidelines which must have been “in the works” for many months, the questions arise: Did NEA inspire the Utah Education Association sanctions? Which came first, the NEA chicken or the Utah egg?

It may be the purest coincidence, but John C. Evans, Jr., executive secretary of the Utah Education Association, was formerly a member of NEA board of directors as State director for Utah and is currently a member of the NEA executive committee.

NEA VERSUS AMERICAN FEDERATION OF TEACHERS

To be fair to the NEA—and I want to be scrupulously fair—the American Federation of Teachers, an affiliate of the AFL–CIO, is breathing hot on the NEA's neck. The AFT pulled a dramatic 1-day teachers' strike in New York and won impressive gains. The AFT with its roughly 80,000 members seemed to be doing more for teachers than the NEA with its 859,000 members lobbying for and failing to get Federal aid for teachers' salaries. NEA's T. M. Stinnett, assistant executive secretary for professional development and welfare, puts it this way:

> The inroads of labor legislation already in four States which, in effect, place teachers and school boards within the confines of labor techniques, in matters having to do with salaries and other welfare considerations, presumably against their will, simply force the teaching profession to seek professional approaches through law. The obvious interest to extend this labor legislation to other States, leaves no choice except to get there first with the most and best procedures, or find that it is too late.

Undoubtedly, Mr. Stinnett and other NEA officials are sincere in their determination to keep the AFT from organizing teachers into unions subject to labor law. However, in effect, to copy and refine union methods and call them by other names, does not change the nature of those methods nor the NEA purposes for which they are being employed.

In this connection, Mr. Raymond Moley, whom I am sure needs no introduction here, writing in the New York Herald Tribune, June 22, 1963, says:

IS THE NEA A UNION?

(By Raymond Moley)

Considerable note has appeared in the press across the Nation about the controversy in Utah between the public schoolteachers and Gov. George D. Clyde and the State legislature. Early this year the Utah Education Association, a unit of the National Education Association, asked for an increase of $24.7 million in State spending for the public schools. The legislature granted $11.6 million. Thereupon, the UEA threatened that at the opening of schools this fall teacher members would not return to their posts.

In this case, and in others across the Nation in earlier cases, the teachers' associations are careful not to use the word "strike" for such a refusal to work. They use "sactions," which is a United Nations word meaning pressure or coercion. There is essentially no difference between a strike and sanction. In the former, teachers quit work. In the latter, they do not begin to work when schools open.

There are probably two reasons why the word "sanction" is used. One is that the NEA does not want to come under the jurisdiction of the labor laws. The other is to maintain its status as a professional association and that of its members as professional men and women.

For a long period of its life of more than 100 years the NEA was essentially a professional organization. It published information helpful in the work of a classroom teacher. It worked for the improvement of the teaching art. Its annual conventions and meetings of State and local units offered lectures, inspirational and informative. Its efforts were to improve the quality of teachers and teaching.

But in recent years it has consolidated itself into a very powerful pressure group working in Washington and in States for legislation favorable to schools and teaching. It is now essentially as much a political organization as is the AFL–CIO. And since the war, its concentration has been on Federal aid for school construction and teachers' salaries.

This effort to get Federal money for the schools, to be distributed by the U.S. Office of Education, is the ostensible purpose of the NEA. But it has become more and more clear that its real objective is to take more and more control of education away from school boards and official school administrators. Its hope is that, by exploiting its close contact with the U.S. Office of Education, it will in fact determine matters such as working conditions, class size, curriculum planning, teaching methods and philosophy.

In short, it regards education as too important a matter to be left to the direction of lay school boards and legislatures. It is dedicated to the idea of government by an elite of professional educator-politicians.

Within the NEA's operating group and bureaucracy, plans are going ahead rapidly. Two documents which are called "developmental" and "tentative" and which show the nature of such plans have come to the attention of this writer. One is called "Guidelines for Professional Negotiations"; the other, "Guidelines for Professional Sanctions." These are carefully labeled "intended only for consideration of officials of the N.E.A. and affiliated organizations." They are "how-to-do-it" directives, as clever and detailed as the AFL–CIO's Committee on Political Education literature instructing its members how to win elections in practical politics. These are presumably scheduled for action at the July convention of the NEA.

One reason for the energetic actions of the NEA is its fear that unless it gets deeply into collective bargaining and coercive action, its membership will drift into the AFL–CIO American Federation of Teachers.

Utah will be a big test in this new conflict. For that State is politically conservative, with strong feelings about local control of its schools. The two leading institutions of higher learning, the University of Utah and Brigham Young University, are opposed to the sanctions, as are the school administrators and the State government. Nationally, this is a power struggle between local boards and professional associations. Money is only incidental to the controversy. It is a matter of management and control of the public schools.

PROPONENTS AND OPPONENTS

Mr. Speaker, in the State of Utah, although the Governor, the State legislature, the school boards, and the Brigham Young University—which represents the elders of the Mormon Church—are opposing the Utah Education Association declaration that teachers will stay away from the schools this fall unless they get what they want, the NEA has received some encouragement from local groups. For example, the University of Utah chapter of the American Association of University Professors has OK'd the NEA.

Nationally, the most concerned of the opposing organizations is, of course, the National School Boards Association which at its annual convention in May of this year adopted a resolution reaffirming NSBA's existing policies on teacher-board relations and spelled it out:

> The NSBA is opposed to sanctions, boycotts, strikes, or mandated mediation against school districts and does not consider them to be proper remedies for use in problem situations. The authority of the board of education is established by law and this authority may not be delegated to others.

The American Association of School Administrators, the third most directly concerned group in the coming struggle for power, upholds the decisionmaking authority of the Nation's school boards and offers an alternative plan to avoid any arbitrary action. In a brochure entitled "Roles, Responsibilities, Relationships of the School Board, Superintendent, and Staff" the American Association of School Administrators asserts:

> We believe that the right to discuss pros and cons and to participate in developing a program does not imply the right to make decisions. Although consensus should always be patiently sought and will often prevail between staff and school board, the board must retain its responsibility and legal right to make decisions (p. 13).
>
> We believe that there is an intrinsic value in local decisionmaking which is worth preserving to the maximum extent consistent with the obligations of citizenship in the State and Nation (p. 13).
>
> We believe that in those exceedingly rare situations where the professional staff believes that the school board or some other legal fiscal control body has denied reasonable requests for conferences, for study, and for presentation of welfare proposals, or has demonstrated flagrant unwillingness to provide reasonable salary contracts or other welfare provisions, the professional staff has the right to present all the facts to the public and to their professional associates in other school districts. On the other hand, where the staff obstinately holds to an unreasonable position which disrupts or seriously impairs the operation of the schools, the school board has comparable rights and obligations.
>
> We believe that both the board and the professional staff—teachers, principals, and other administrators—should, at a time that is free from tension and controversy, develop together a plan to be used in case of persistent disagreement. In those few, highly unusual instances where major controversy threatens to disrupt the schools, an appeal to an unbiased body should be available to either the board or the teachers, or both. The function of this third party should be limited to fact finding and to advisory assistance. Its identity might vary from State to State, but it should always be an agency which has responsibility for some segment of public education in the State. Included among such organizations might be a State board of education, a State department of education, a State university, or a State public college. It should be made clear that such a study would be conducted without disruption of the schools. A report should be made to both the board of education and the staff. Alternatives to such an appeal procedure which have been tried include: strikes, demagogic appeals, threats, withheld services, and sanctions or threatened sanctions by teachers; withholding of contracts, blacklisting, failure of promotion, and other punitive action by school boards; and yielding to undue influence of vested interests on the part of both school boards and teachers.
>
> We believe that such arbitrary action by either staff or school board is not likely to lead to lasting and satisfying resolution of disagreements.

IN CONCLUSION

Responsibility for the orderly and fruitful conduct of public education is shared by the local district and the State. Therefore, a fair and reasonable plan of appeal, which is acceptable to school board and staff and is consistent with policies for the settlement of disagreements in other educational matters, should be worked out in each State and district (pp. 14 and 15).

WORLDWIDE SANCTIONS

Mr. Speaker, already the NEA is carrying out a form of sanction against the Federal Government as represented by the U.S. Department of Defense which operates the oversea dependents schools. Listen to this letter, dated February 1, 1963, marked "Urgent advisory," addressed to all State and local NEA affiliates and signed, William G. Carr, executive secretary, NEA:

National Education Association,
Washington, D.C., February 1, 1963.
(Urgent advisory.)

To affiliated associations:

This letter is to inform teachers who are considering teaching positions for the 1963–64 school year in the oversea dependents schools operated by the Department of Defense about the serious problems that exist in these schools. We are taking this step in the interests of the teaching profession in general and of the oversea dependents schools in particular.

A comprehensive survey of these schools was conducted in the fall of 1962 by the Department of Defense, after repeated requests by us. While the report had some compliments for the system, in general it criticized the schools severely. The report indicated that the schools attended by the children of military families are, in relative terms, in the horse-and-buggy era, while the Military Establishment is geared to an age of space exploration. The survey found shortages of supplies and current textbooks, lack of needed specialist personnel, principals bogged down in paperwork, an excessive teacher turnover rate, little provision for handicapped or superior children, inadequate and unsafe school facilities in many locations, unsuitable housing for teachers at some posts, and unprofessional salaries for teachers.

The survey report recommended that the administration of the schools be unified, that the educational program be substantially strengthened, that school facilities be improved, and that teachers be paid professional salaries. The survey report emphasized that increased funds are a basic prerequisite to most of the improvements proposed.

Teachers in the oversea dependents schools have not had a salary schedule increase since September 1960. At that time, their starting salaries were fixed in large U.S. school systems in September 1959. This was in line with a law passed in 1959 by the Congress, Public Law 86–91, Defense Department Overseas Teachers Pay and Personnel Practices Act. The directive issued by the U.S. Department of Defense which established the September 1960 salary rates recognized this mandate in providing for an annual review and adjustment of the schedule. This directive, the "Salary Determination Procedures," has not been followed because funds have not been provided.

If the salary directive had been fully implemented, the starting salaries of oversea teachers would be at least 9.6 percent higher in 1962–63 than they are. As a group, oversea teachers have lost more than $4 million in the past 3 years by the failure of the Department of Defense to pay the salaries rightfully due them. During the period that teachers' salaries have stood still, other civilian Federal employees have had two pay raises averaging 13 percent.

The annual teacher resignation rate overseas is over three times the national average.

Yet, on January 17, 1963, the Department of Defense asked Congress for a modest increase of less than 2 percent in the funding of its oversea schools for 1963–64. This request, even if authorized by the Congress, will be insufficient to bring about the justified pay increases for teachers and the educational improvements long recommended by the Overseas Education Association, the National Education Association, and the recent survey.

At this time, after consultation with representatives of the Overseas Education Association, it has been jointly determined that because of the repeated refusal of the Department of Defense to make any serious effort for a period of 3 years to remedy the problems described, the NEA has an obligation to advise its members of these facts. Please notify all educators of these problems inasmuch as recruitment interviews for oversea positions are now well underway.

Teachers who have already signed agreements should keep their commitments.

You will be notified again when appropriate action is taken on the educational improvements recommended by the school survey.

For additional information concerning the educational and salary problems of the oversea dependents schools and their teachers, ask your Congressman for a copy of the oversea school survey.

Sincerely,

William G. Carr,
Executive Secretary.

FEDERAL CONTROL OR PROFESSIONAL CONTROL OF EDUCATION

In conclusion, Mr. Speaker, I want to return to the reasons why every Member of Congress has an enormous stake, in the name of his or her constituents, in what the NEA does or is able to do to put across their present plan of action.

As I see it, if the NEA convention approves these guidelines on professional negotiations and sanctions, while NEA lobbyists will continue to pressure Congress for Federal aid, NEA's State and local affiliates backed by the NEA will threaten State and local officials with ultimate strike unless they give in to their demands to share decisionmaking and/or cry "Uncle"—that is, cry for aid from Uncle Sam. This amounts to a pincer movement on the part of the NEA. It means eventual professional, if not Federal, control of education and in any case the end of local, lay control of the State and local school systems.

The last Commissioner of Education, Sterling McMurrin, speaking at the annual meeting of the Council for Basic Education warned of the dangers of this very eventuality. Dr. McMurrin said:

> But, while we guard against Federal control, we should not lose sight of the possibility of national control—control of education by the bureaucracies of large and powerful educational organizations. These bureaucracies are just as real, and exhibit all the vices of a government bureaucracy. Their control of the schools is not beyond possibility * * * and there is no reason for believing that such control would be any more desirable than Federal control.

I might add, Mr. Speaker, that considering the degree of Federal control we already have and the interchange of personnel between the Office of Education and the NEA, what we are more likely to get is both Federal and professional control of education with the school boards reduced to rubberstamp administrators. Long before we arrive at this point, however, we here in Congress will have to face the question: Will professional sanctions be tolerated against a federally aided local school system? We should start our deliberation on this subject and the others mentioned here without delay.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Watson (at the request of Mr. Ashmore), for Tuesday, June 25, 1963, on account of official business.

Mr. Brooks for June 26, 1963, on account of death in family.

Mr. Talcott (at the request of Mr. Halleck), for June 25, on account of official committee business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Edmondson, for 30 minutes, on Thursday, June 27.

Mr Whitener, for 60 minutes, tomorrow, June 26.

Mr. Hoeven (at the request of Mr. Schadeberg), today, for 15 minutes; and to revise and extend his remarks.

Mr. Halpern (at the request of Mr. Schadeberg), today, for 5 minutes; and to revise and extend his remarks.

Mr. Ashbrook (at the request of Mr. Schadeberg), today, for 30 minutes; and to revise and extend his remarks.

Mr. Marsh (at the request of Mr. Albert), for 60 minutes, on July 16, to revise and extend his remarks; and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Rhodes of Pennsylvania.

Mr. Laird and to include extraneous matter tables and charts during general debate on the defense appropriation bill and the continuing resolution on appropriations.

(The following Members (at the request of Mr. Schadeberg) and to include extraneous matter:)

Mr. Conte.

Mr. Fino.

(The following Member (at the request of Mr. Albert) and to include extraneous matter:)

Mr. Flood.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 254. An act to provide for the acquisition of certain property in square 758 in the District of Columbia, as an addition to the grounds of the U.S. Supreme Court Building; to the Committee on Public Works.

S. 622. An act to improve and encourage collective bargaining between the management of the Alaskan Railroad and representatives of its employees, and to permit to the extent practicable the adoption by the Alaskan Railroad of the personnel policies and practices of the railroad industry; to the Committee on Post Office and Civil Service.

S. 626. An act to increase the limitation on payments for construction engineering for Federal-aid primary, secondary, and urban projects; to the Committee on Public Works.

S. 1032. An act to exclude cargo which is lumber from certain tariff filing requirements under the Shipping Act, 1916; to the Committee on Merchant Marine and Fisheries.

S. 1139. An act to repeal a portion of the Second Supplemental National Defense Appropriation Act, 1943, approved October 26, 1942 (56 Stat. 990, 999), as amended, and for other purposes; to the Committee on Public Works.

S. 1416. An act to amend section 104(b) (5) of title 23, United States Code, to provide for the submission of certain cost estimates for the completion of the National System of Interstate and Defense Highways and for other purposes; to the Committee on Public Works.

S. 1523. An act to make certain changes in the functions of the Beach Erosion Board and the Board of Engineers for Rivers and Harbors, and for other purposes; to the Committee on Public Works.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 5860. An act to amend section 407 of the Packers and Stockyards Act of 1921, as amended; and

H.R. 6755. An act to provide a one-year extension of the existing corporate normal-tax rate and of certain excise-tax rates.

ADJOURNMENT

Mr. WHITENER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 21 minutes p.m.) the House adjourned until tomorrow, Wednesday, June 26, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

967. A letter from the Secretary of State, transmitting the 10th report of the Department of State on its activities under the Federal Property and Administrative Services Act of 1949 (Public Law 81-152, as amended), for the calendar year 1962, pursuant to Public Law 81-152; to the Committee on Government Operations.

968. A letter from the Chairman, Federal Power Commission, transmitting a draft of a proposed bill entitled "A bill to amend the Federal Power Act with respect to foreign commerce in electric energy"; to the Committee on Interstate and Foreign Commerce.

969. A letter from the Chairman, U.S. Atomic Energy Commission, transmitting a draft of a proposed bill entitled "A bill to amend various sections of the Atomic Energy Act of 1954, as amended, and the Euratom Cooperation Act of 1958, as amended, and for other purposes"; to the Joint Committee on Atomic Energy.

970. A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of a proposed bill entitled "A bill to simplify, modernize, and consolidate the laws relating to the employment of civilians in more than one position and the laws concerning the civilian employment of retired members of the uniformed services, and for other purposes"; to the Committee on Post Office and Civil Service.

971. A letter from the Secretary of the Treasury, transmitting a report on the activities of the National Advisory Council on international monetary and financial problems during the period January 1 to June 30, 1962, pursuant to the Bretton Woods Agreements Act (H. Doc. No. 130); to the Committee on Banking and Currency and ordered to be printed.

972. A letter from the Comptroller General of the United States, transmitting a report on the Government's loss of capability to competitively procure replacement spare parts for military gas turbine engines developed under contracts with United Aircraft Corp., East Hartford, Conn.; to the Committee on Government Operations.

973. A letter from the Director, the American Legion, transmitting the financial statement of the American Legion up to and including the period ending December 31, 1962, pursuant to Public Law 47, 66th Congress; to the Committee on Veterans' Affairs.

974. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics of the House of Representatives pursuant to section 1(c)(ii) of the National Aeronautics and Space Administration Authorization Act for the fiscal year 1963 (76 Stat. 382); to the Committee on Science and Astronautics.

975. A letter from the Deputy Administrator, National Aeronautics and Space Administration, transmitting a report to the House of Representatives pursuant to title 10 United States Code section 2304(e), listing certain required information with respect to contracts made by the National Aeronautics and Space Administration under title 10, United States Code, section 2304(a) (11) and (16); to the Committee on Science and Astronautics.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CANNON: Committee on Appropriations. House Joint Resolution 508. Joint resolution making continuing appropriations for the fiscal year 1964, and for other purposes; without amendment (Rept. No. 448). Referred to the Committee of the Whole House on the State of the Union.

Mr. BURLESON: Committee on House Administration. House Resolution 418. Resolution authorizing the transfer of funds from "Miscellaneous Items, 1961," to "Miscellaneous Items 1963," contingent fund of the House of Representatives; without amendment (Rept. No. 449). Ordered to be printed.

Mr. BARING: Committee on Interior and Insular Affairs. H.R. 6218. A bill to amend the act of June 29, 1960, to authorize additional extensions of time for final proof by certain entrymen under the desert land laws and to make such additional extensions available to the successors in interest of such entrymen; without amendment (Rept. No. 452). Referred to the Committee of the Whole House on the State of the Union.

Mr. BARING: Committee on Interior and Insular Affairs. H.R. 6689. A bill to extend the principles of equitable adjudication to sales under the Alaska Public Sale Act; without amendment (Rept. No. 453). Referred to the Committee of the Whole House on the State of the Union.

Mr. DOWDY: Committee on the Judiciary. H.R. 394. A bill to amend sections 1, 17a, 57j, 64a(5), 67(b), 67c, and 70c of the Bankruptcy Act and for other purposes; with amendment (Rept. No. 454). Referred to the Committee of the Whole House on the State of the Union.

Mr. DOWDY: Committee on the Judiciary. Senate Concurrent Resolution 25. Concurrent resolution favoring observance on July 4 of each year, by the ringing of bells throughout the United States, of the anniversary of the signing of the Declaration of Independence; without amendment (Rept. No. 455). Referred to the House Calendar.

Mr. DAWSON: Committee on Government Operations. Eighth report on survey of selected activities (Rept. No. 456). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. Ninth report on survey of selected activities (Rept. No. 457). Referred to the Committee of the Whole House on the State of the Union.

Mr. POWELL: Committee on Education and Labor. H.R. 7161. A bill to amend Public Law 87-276, so as to extend its provisions for 3 additional years, to expand the program under that act to provide for the training of teachers of all exceptional children, and for other purposes; without amendment (Rept. No. 458). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 3297. A bill to amend section 501(c)(14) of the Internal Revenue Code of 1954 to exempt from income taxation certain nonprofit corporations and associations organized to provide reserve funds for domestic building and loan associations, and for other purposes; without amendment (Rept. No. 459). Referred to the Committee of the Whole House on the State of the Union.

Mr. ASHMORE: Committee on the Judiciary. H.R. 6910. A bill to provide for the settlement of claims against the United States by members of the uniformed services and civilian officers and employees of the United States for damage to, or loss of, personal property incident to their service, and for other purposes; with amendment (Rept. No. 460). Referred to the Committee of the Whole House on the State of the Union.

Mr. SHRIVER: Committee on the Judiciary. H.R. 5728. A bill for the relief of the county of Cuyahoga, Ohio; with amendment (Rept. No. 470). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRIEDEL: Committee on House Administration. H.R. 4946. A bill to amend the Legislative Branch Appropriation Act, 1959, to provide for reimbursement of transportation expenses for Members of the House of Representatives; without amendment (Rept. No. 471). Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BARING: Committee on Interior and Insular Affairs. H.R. 2942. A bill to direct the Secretary of the Interior to adjudicate a claim to certain land in Marengo County, Ala.; without amendment (Rept. No. 540). Referred to the Committee on the Whole House.

Mr. BARING: Committee on Interior and Insular Affairs. H.R. 5076. A bill relating to the exchange of certain lands between the town of Powell, Wyo., and the Presbyterian Retirement Facilities Corp.; with amendment (Rept. No. 450). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 1179. A bill for the relief of Basilio King, his wife, and their children; without amendment (Rept. No. 461). Referred to the Committee of the Whole House.

Mr. POFF: Committee on the Judiciary. H.R. 1398. A bill for the relief of Margaret Barker; without amendment (Rept. No. 462). Referred to the Committee of the Whole House.

Mr. CHELF: Committee on the Judiciary. H.R. 1499. A bill for the relief of John (Ivica) Beg Farkas and Ann (Anka) Beg Farkas; with amendment (Rept. No. 463). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 1731. A bill for the relief of Eva Baker; with amendment (Rept. No. 464). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary. H.R. 2450. A bill for the relief of Lucia Carta Gallitto; with amendment (Rept. No. 465). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 5094. A bill for the relief of Geoffrey Howard Smith; without amendment (Rept. No. 466). Referred to the Committee of the Whole House.

Mr. POFF: Committee on the Judiciary. H.R. 6308. A bill for the relief of Gerard Puillet; without amendment (Rept. No. 467). Referred to the Committee of the Whole House.

Mr. POFF: Committee on the Judiciary. H.R. 5507. A bill for the relief of Michal Goleniewski; without amendment (Rept. No. 468). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 6567. A bill for the relief of Anthony Harry Glazikis; without amendment (Rept. No. 469). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. EDMONDSON:

H.R. 7234. A bill to establish water resources research centers at land-grant colleges and State universities, to stimulate water research at other colleges, universities, and centers of competence, and to promote a more adequate national program of water research; to the Committee on Interior and Insular Affairs.

By Mr. CELLER:

H.R. 7235. A bill to amend sections 671 and 672 of title 28, United States Code, relating to the Clerk and the Marshal of the Supreme Court; to the Committee on the Judiciary.

By Mr. CURTIS:

H.R. 7236. A bill to amend the Immigration and Nationality Act to permit the waiver of the 2-year foreign residence requirement in the case of certain exchange visitors who cannot return to the country of their origin because of fear of persecution on account of political beliefs; to the Committee on the Judiciary.

By Mr. GILL:

H.R. 7237. A bill to assist States and their political subdivisions in desegregating their public schools; to the Committee on Education and Labor.

By Mr. HALPERN:

H.R. 7238. A bill to amend the Small Business Investment Act of 1958; to the Committee on Banking and Currency.

By Mr. JOHNSON of California:

H.R. 7239. A bill to establish water resources research centers at land-grant colleges and State universities, to stimulate water research at other colleges, universities, and centers of competence, and to promote a more adequate national program of water research; to the Committee on Interior and Insular Affairs.

By Mr. LATTA:

H.R. 7240. A bill to amend the Agricultural Adjustment Act of 1938 to exempt certain public institutions from the obligation to pay penalty marketing penalties with respect to certain wheat produced by them for their own use; to the Committee on Agriculture.

By Mr. McINTIRE:

H.R. 7241. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. MORRISON:

H.R. 7242. A bill to increase to 15 percent the night duty differential of postal field service employees; to the Committee on Post Office and Civil Service.

H.R. 7243. A bill to correct an inequity with respect to overtime compensation for postal field service employees; to the Committee on Post Office and Civil Service.

H.R. 7244. A bill to equalize compensation for overtime; to the Committee on Post Office and Civil Service.

By Mr. POWELL:

H.R. 7245. A bill to assist States and their political subdivisions in desegregating their public schools; to the Committee on Education and Labor.

By Mr. RIVERS of Alaska:

H.R. 7246. A bill to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in education, to establish a Community Relations Service, to extend for 4 years the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes; to the Committee on the Judiciary.

By Mr. ROBERTS of Alabama:

H.R. 7247. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to consolidate in a separate section provisions assuring the safety and effectiveness of new animal drugs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SIKES:

H.R. 7248. A bill to change the designated use of certain real property conveyed by the Department of the Air Force to the city of Fort Walton Beach, Fla., under the terms of Public Law 86-194; to the Committee on Armed Services.

By Mr. WHITENER:

H.R. 7249. A bill to authorize the prosecution of a transit development program for the National Capital region; to the Committee on the District of Columbia.

By Mr. HULL:

H.R. 7250. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to consolidate in a separate section provisions assuring the safety and effectiveness of new animal drugs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. NELSEN:

H.R. 7251. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to consolidate in a separate section provisions assuring the safety and effectiveness of new animal drugs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ASHMORE:

H.R. 7252. A bill to provide for the inscription in the courtroom in the U.S. Supreme Court Building of the phrase "In God We Trust"; to the Committee on Public Works.

By Mr. BARRY:

H.R. 7253. A bill to amend titles 10, 14, and 38, United States Code, with respect to the award of certain medals and the Medal of Honor Roll; to the Committee on Armed Services.

By Mr. CLEVELAND:

H.R. 7254. A bill to authorize the Secretary of the Interior to establish programs for research, development, and sales to insure the increased use of mica and mica products; to the Committee on Interior and Insular Affairs.

By Mr. DANIELS:

H.R. 7255. A bill to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in education, to establish a Community Relations Service, to extend for 4 years the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes; to the Committee on the Judiciary.

By Mr. DERWINSKI:

H.R. 7256. A bill to protect postal patrons from obscene mail matter and Communist propaganda; to the Committee on Post Office and Civil Service.

By Mr. FULTON of Tennessee:

H.R. 7257. A bill to amend section 218 of the Social Security Act; to the Committee on Ways and Means.

By Mr. GRAY:

H.R. 7258. A bill to establish water resources research centers at land-grant colleges and State universities, to stimulate water research at other colleges, universities, and centers of competence, and to promote a more adequate national program of water research; to the Committee on Interior and Insular Affairs.

By Mr. GREEN of Pennsylvania:

H.R. 7259. A bill to amend the Internal Revenue Codes of 1939 and 1954 with respect to the apportionment of the depletion allowance between parties to contracts for the extraction of minerals or the severance of timber; to the Committee on Ways and Means.

H.R. 7260. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. JOHNSON of Wisconsin:

H.R. 7261. A bill to amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, and to encourage adjustments in milk marketing, and for other purposes; to the Committee on Agriculture.

By Mr. KING of California:

H.R. 7262. A bill to provide assistance to States for experimental projects to provide constructive work experience and training related to securing and holding employment; to the Committee on Ways and Means.

By Mr. MOORE:

H.R. 7263. A bill to amend section 5 of the Federal Alcohol Administration Act to provide for a definition of the term "age" as used in the labeling and advertising of whisky, and for other purposes; to the Committee on Ways and Means.

By Mrs. REID of Illinois:

H.R. 7264. A bill to amend the National Cultural Center Act to extend for an additional 3 years the period during which construction funds must be received and to increase the number of general trustees; to the Committee on Public Works.

By Mr. ROBERTS of Alabama:

H.R. 7265. A bill to prevent the use of stopwatches, work measurement programs, or other performance standards operations as measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mr. SHELLEY:

H.R. 7266. A bill to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in education, to establish a Community Relations Service, to extend for 4 years the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes; to the Committee on the Judiciary.

By Mr. ULLMAN:

H.R. 7267. A bill to amend the Internal Revenue Code of 1954 to authorize partial refunds of gasoline taxes directly to aerial applicators with respect to gasoline used by them in providing services to farmers in farming operations; to the Committee on Ways and Means.

By Mr. CANNON:

H.J. Res. 508. Joint resolution making continuing appropriations for the fiscal year 1964, and for other purposes; to the Committee on Appropriations.

By Mr. BAKER:

H.J. Res. 509. Joint resolution proposing an amendment to the Constitution of the United States permitting the right to read from the Holy Bible and to offer nonsectarian prayers in the public schools or other public places if participation therein is not compulsory; to the Committee on the Judiciary.

By Mr. DEVINE:

H.J. Res. 510. Joint resolution expressing the determination of the United States with respect to the situation in Cuba and the Western Hemisphere; to the Committee on Foreign Affairs.

By Mr. HARRISON:

H.J. Res. 511. Joint resolution proposing an amendment to the Constitution of the United States permitting the right to read from the Holy Bible and to offer nonsectarian prayers in the public schools or other public places if participation therein is not compulsory; to the Committee on the Judiciary.

By Mr. CHENOWETH:

H.J. Res. 512. Joint resolution proposing an amendment to the Constitution of the United States permitting the offering of prayers and the reading of the Bible in public schools in the United States; to the Committee on the Judiciary.

By Mr. PURCELL:

H.J. Res. 513. Joint resolution authorizing the President to proclaim the week beginning July 28, 1963, as Veterinary Medicine Week; to the Committee on the Judiciary.

By Mr. MOORE:

H.J. Res. 514. Joint resolution proposing an amendment to the Constitution of the United States permitting nonsectarian prayer in public schools or other public places if participation therein is not compulsory; to the Committee on the Judiciary.

By Mr. SHORT:

H.J. Res. 515. Joint resolution proposing an amendment to the Constitution of the United States with respect to certain nonsectarian religious observances; to the Committee on the Judiciary.

By Mr. CAREY:

H. Con. Res. 187. Concurrent resolution favoring observance on July 4 of each year by the ringing of bells throughout the United States of the anniversary of the signing of the Declaration of Independence; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By Mr. ALGER: Memorial of the Texas State Legislature proposing the calling of a constitutional convention for the purpose of drafting amendments to the Constitution dealing with apportionment and the electoral vote; to the Committee on the Judiciary.

By Mr. PRICE: House Joint Resolution No. 46 of the 73d General Assembly of the State of Illinois, favoring the repeal of the 10 percent Federal retail excise tax on ladies' handbags, toiletries, cosmetics, fur-trimmed cloth coats and men's wallets; to the Committee on Ways and Means.

By the SPEAKER: Memorial of the Legislature of the State of Wisconsin, memorializing the President and the Congress of the United States relative to declaring that the State of Wisconsin shall participate in the inauguration of a new national bell-ringing observance of American Independence on July 4, 1963; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CAMERON:

H.R. 7268. A bill for the relief of Mrs. Ingrid Gudrun Schroder Brown; to the Committee on the Judiciary.

By Mr. CURTIS:

H.R. 7269. A bill for the relief of Leo Hsueh; to the Committee on the Judiciary.

By Mr. CLEVELAND:

H.R.7270. A bill for the relief of Charles F. Leahy; to the Committee on the Judiciary.

By Mr. GIAIMO:

H.R. 7271. A bill for the relief of Antonia Romano; to the Committee on the Judiciary.

By Mr. GILL:

H.R. 7272. A bill for the relief of certain individuals employed by the Department of the Air Force at Hickam Air Force Base, Hawaii; to the Committee on the Judiciary.

By Mr. GRANT:

H.R. 7273. A bill for the relief of Wu Chien Chung; to the Committee on the Judiciary.

By Mr. KIRWAN:

H.R. 7274. A bill for the relief of Sister Mary Benigna (Maria Penta); to the Committee on the Judiciary.

By Mr. SHELLEY:

H.R. 7275. A bill for the relief of Svetoslav Viducic; to the Committee on the Judiciary.

H.R. 7276. A bill for the relief of Herbert F. Kenyon; to the Committee on the Judiciary.

By Mr. TOLL:

H.R. 7277. A bill for the relief of Elaine Ganderson Michaelson; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

167. By Mrs. ST. GEORGE: Petition of the Delaware County Pomona Grange No. 18 opposing increase in social security tax and medical care under social security; to the Committee on Ways and Means.

168. By the SPEAKER: Petition of Ursin Perkins, chairman, Board of Supervisors of the County of San Luis Obispo, San Luis Obispo, Calif., petitioning consideration of their resolution relative to urging adoption of Senate bill 1275, relating to Federal-State conflict over water rights; to the Committee on Interior and Insular Affairs.

169. Also, petition of Floyd A. Hicks, clerk of the Board of Supervisors of the County of Tehama, Red Bluff, Calif., petitioning consideration of their resolution relative to urging adoption of Senate bill 1275, relating to the Federal-State conflict over water rights; to the Committee on Interior and Insular Affairs.

170. Also, petition of Barbara Hargraves, deputy clerk, Board of Supervisors of the County of Placer, Calif., petitioning consideration of their resolution relative to urging adoption of Senate bill 1275, relating to Federal-State conflict over water rights; to the Committee on Interior and Insular Affairs.

SENATE

TUESDAY, JUNE 25, 1963

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

Rev. Wilson Canafax, pastor, First Methodist Church, Hamilton, Tex., offered the following prayer:

Almighty God, our Father, we make no apology as we implore Thy divine guidance. We are humbled in gratitude that we have the privilege of working with Thee in the continuing process of creation. We thank Thee that we can use our best abilities, sound reason, firm conviction, and true faith for the benefit of all mankind. We are grateful for a sensitive attitude that compels us to be concerned about the plight and the needs of people everywhere.

We are sincere in our efforts to understand Thy will in order to be of the greatest benefit to those we seek to serve. We are grateful for this day and the strength given to live and to labor in it. We make our prayer humbly in Thy name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, June 24, 1963, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 4277. An act to authorize an increase in the borrowing authority for the general fund of the District of Columbia;

H.R. 5795. An act to provide a 3-year suspension of certain restrictions in the Supplemental Appropriation Act, 1951, on the withdrawal from the Treasury of postal appropriations;

H.R. 6016. An act authorizing additional appropriations for prosecution of projects in certain river basin plans for flood control, navigation, and for other purposes; and

H.R. 6177. An act to amend section 2(a) of article VI of the District of Columbia Revenue Act of 1947 relating to the annual payment to the District of Columbia by the United States.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 4277. An act to authorize an increase in the borrowing authority for the general fund of the District of Columbia; and

H.R. 6177. An act to amend section 2(a) of article VI of the District of Columbia

Revenue Act of 1947 relating to the annual payment to the District of Columbia by the United States; to the Committee on the District of Columbia.

H.R. 5795. An act to provide a 3-year suspension of certain restrictions in the Supplemental Appropriation Act, 1951, on the withdrawal from the Treasury of postal appropriations; to the Committee on Post Office and Civil Service.

H.R. 6016. An act authorizing additional appropriations for prosecution of projects in certain river basin plans for flood control, navigation, and for other purposes; to the Committee on Public Works.

LIMITATION OF STATEMENTS DURING MORNING HOUR

On request of Mr. Mansfield, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. Mansfield, and by unanimous consent, the Air and Water Pollution Subcommittee of the Public Works Committee; the Permanent Subcommittee on Investigations, of the Committee on Government Operations; and the Subcommittee on Constitutional Amendments, of the Committee on the Judiciary, were authorized to meet during the session of the Senate today.

On request of Mr. Humphrey, and by unanimous consent, the Subcommittee on Education of the Committee on Labor and Public Welfare was authorized to meet during the session of the Senate today.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

OBJECTION TO COMMITTEE MEETINGS DURING SENATE SESSIONS

Mr. MANSFIELD. Mr. President, I should like to clear up, if possible, a misconception, which has appeared in the press, relative to a letter addressed to me on yesterday by the distinguished Senator from South Carolina [Mr. Thurmond]. In the letter the Senator from South Carolina indicated that he would be opposed to giving consent for the Commerce Committee to meet during the sessions of the Senate, but, as I understand, only during the time when the public-accommodations civil-rights measure is being considered by that committee.

It is my further understanding that a meeting of the Commerce Committee on that subject will not be held until next Monday. If that is correct, it means that the Senator from South Carolina has indicated to me that he would not enter objection, at least for this week, to the giving of consent for the committee to meet during the sessions of the Senate—provided, of course, such meetings meet with the approval of the minority leader and any other Senators on the floor.

Mr. DIRKSEN. In other words, while the Senate is in session?

Mr. MANSFIELD. Yes.

Mr. DIRKSEN. Mr. President, I believe I would have to reserve the right to object, in order to have opportunity for a little further study. I presume I should talk about this matter with my associates, before I could agree not to enter an objection, if the Senate were in session and if there were a matter which at the time demanded the attention of the Members of the Senate.

So I shall be glad to advise the distinguished majority leader later in the afternoon.

Mr. MANSFIELD. Mr. President, I merely wish to set the record straight as regards the interpretations placed in the press of the country on the letter written by the Senator from South Carolina [Mr. Thurmond] to me. I endeavored to indicate, I say to my distinguished friend, the minority leader, that he—or any other Senator, for that matter—could object to a request for permission for the committee to meet at any time during a session of the Senate. I merely wish the record to show clearly that there is no such request at the moment. Of course, any such request would have to be cleared first with the distinguished minority leader, before it was submitted on the floor.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following communications and letters, which were referred as indicated:

Report on Research and Development on Natural Resources

A communication from the President of the United States, transmitting, pursuant to law, a report of the Federal Council for Science and Technology, on research and development on natural resources, dated May 1963 (with an accompanying report); to the Committee on Interior and Insular Affairs.

Report on Modification at Atlantic Missile Range

A letter from the Deputy Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the modification of Launch Complex No. 36 at the Atlantic Missile Range; to the Committee on Aeronautical and Space Sciences.

Amendment of Federal Power Act With Respect to Foreign Commerce in Electric Energy

A letter from the Chairman, Federal Power Commission, Washington, D.C., transmitting a draft of proposed legislation to amend the Federal Power Act with respect to foreign commerce in electric energy (with an accompanying paper); to the Committee on Commerce.

Report of the American Legion

A letter from the director, the American Legion, Washington, D.C., transmitting, pursuant to law, a report of that organization, as of December 31, 1962 (with an accompanying report); to the Committee on Finance.

Report of National Advisory Council on International Monetary and Financial Problems

A letter from the Secretary of the Treasury, transmitting, pursuant to law, a report of the National Advisory Council on International Monetary and Financial Problems, for the 6-month period ended June 30, 1962 (with an accompanying report); to the Committee on Foreign Relations.

Report on Activities Under Federal Property and Administrative Services Act of 1949

A letter from the Secretary of State, transmitting, pursuant to law, a report on activities under the Federal Property and Administrative Services Act of 1949, for the calendar year 1962 (with an accompanying report); to the Committee on Government operations.

Report on Unnecessary Costs Incurred by Department of the Navy in Procurement of RPM Comparators

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the unnecessary costs incurred by the Department of the Navy in the procurement of RPM comparators, dated June 1963 (with an accompanying report); to the Committee on Government Operations.

Report on Government's Loss of Capability to Competitively Procure Replacement Spare Parts for Certain Military Gas Turbine Engines

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the Government's loss of capability to competitively procure replacement spare parts for military gas turbine engines developed under contracts with United Aircraft Corp., East Hartford, Conn., dated June, 1963 (with an accompanying report); to the Committee on Government Operations.

Report on Anthracite Mine Water Control and Mine Sealing and Filling Program

A letter from the Secretary of the Interior, transmitting, pursuant to law, a report on anthracite mine water control and mine sealing and filling program, for the period 1955–62 (with an accompanying report); to the Committee on Interior and Insular Affairs.

Dual Compensation Act of 1963

A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of proposed legislation to simplify, modernize, and consolidate the laws relating to the employment of civilians in more than one position and the laws concerning the civilian employment of retired members of the uniformed services, and for other purposes (with accompanying papers); to the Committee on Post Office and Civil Service.

Report of Franklin Delano Roosevelt Memorial Commission

A letter from the Chairman, Franklin Delano Roosevelt Memorial Commission, Washington, D.C., transmitting pursuant to law, the seventh interim report of that Commission (with an accompanying report); to the Committee on Rules and Administration.

Amendment of Atomic Energy Act of 1954

A letter from the Chairman, U.S. Atomic Energy Commission, Washington, D.C., transmitting a draft of proposed legislation to amend various sections of the Atomic Energy Act of 1954, as amended, and the EURATOM Cooperation Act of 1958, as amended, and for other purposes (with accompanying papers); to the Joint Committee on Atomic Energy.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of Illinois; to the Committee on Finance:

“HOUSE JOINT RESOLUTION 46

“Whereas the 10-percent Federal retail excise tax on ladies' handbags, toiletries, cosmetics, fur-trimmed cloth coats, and men's wallets is both unfair and discriminatory; and

“Whereas the tax on ladies' handbags, toiletries, cosmetics, fur-trimmed cloth coats, and men's wallets is economically and socially unjustifiable; and

“Whereas the elimination of this tax will increase the net income of the average taxpayer: Therefore, be it

“Resolved by the House of Representatives of the 73d General Assembly of the State of Illinois (the Senate concurring herein), That this general assembly respectfully urge the Congress of the United States to repeal the Federal retail excise tax on ladies' handbags, toiletries, cosmetics, fur-trimmed cloth coats, and men's wallets; and be it further

“Resolved, That a duly attested copy of this resolution be immediately transmitted by the secretary of state of Illinois to each Member of Congress from this State, the Speaker of the House of Representatives of the U.S. Congress, the President of the Senate of the U.S. Congress and to the Secretary of the Treasury of the United States.

“CHARLES F. CARPENTIER,
“Secretary of State.

“Adopted by the house, May 28, 1963.

“JOHN W. LEWIS, JR.,
“Speaker, House of Representatives.

“Concurred in by the senate, June 11, 1963.

“SAMUEL H. SHAPIRO,
“President of the Senate.”

A resolution of the Legislature of the State of Florida; to the Committee on Finance:

“SENATE MEMORIAL 274

“Memorial to the Congress of the United States to amend the social security law so as to provide an offset for social security disability benefits with respect to claimants who are at the same time eligible for workmen's compensation disability benefits

“Whereas since the amendment by the Congress of the Federal Social Security Act authorizing the payment of social security benefits for disability a substantial number of workers have been found to be eligible for and are receiving such benefits while also receiving State workmen's compensation disability benefits; and

“Whereas the total of the benefits from both sources is in many cases more than total wages for full employment, thereby resulting in a deleterious effect upon the rehabilitation of such workers; and

“Whereas it is believed that it was not the intention to provide payments to individuals under any such circumstances in excess of wages for full employment; and

“Whereas the best way to correct this undesirable situation is proper amendment to the Federal Social Security Act in order that all Americans might be treated fairly: Now, therefore, be it

“Resolved by the Legislature of the State of Florida, That the Congress of the United States be and it is hereby requested to speedily enact appropriate legislation amending the Federal Social Security Act in order to offset or decrease disability benefits payable thereunder during such time as the persons eligible for the same are receiving State workmen's compensation benefits for disability; be it further

“Resolved, That in order to preserve necessary and desirable incentive for the purpose of encouraging rehabilitation that such decrease be in an amount sufficient to insure that claimants will not be paid benefits in excess of their wages for full-time employment; and be it further

“Resolved, That copies of this memorial be dispatched to the President of the United States; to the President of the U.S. Senate, and to the Speaker of the U.S. House of Representatives.”

RESOLUTIONS OF FLORIDA LEGISLATURE

Mr. HOLLAND. Mr. President, I present for appropriate reference, and insertion in the RECORD, three memorials adopted by the Legislature of the State of Florida.

They are Senate Memorial 196: A memorial to the Congress of the United States urging the relinquishment to each State a portion of income taxes collected for State's use in education.

Senate Memorial 637: A memorial to the U.S. Bureau of Commercial Fisheries and the U.S. Public Health Service, urging cooperation to the fullest extent with State agencies in the control of the red tide in Florida's gulf waters.

House Memorial 1936: A memorial to the Congress of the United States to authorize the U.S. Corps of Engineers to make a survey for a shallow water channel from deep water to Spring Creek, Wakulla County, Fla.

There being no objection, the resolutions were received, appropriately referred, and ordered to be printed in the RECORD, as follows:

To the Committee on Finance:

“SENATE MEMORIAL 196

“Memorial to the Congress of the United States urging the relinquishment to each State a portion of income taxes collected for State's use in education

“Whereas the problem of financing education at the elementary, secondary and higher levels is a problem which faces each of the Nation's 50 States; and

“Whereas the problem of Federal aid to education has been debated for a number of years without noticeable progress toward resolution of the divisions which prevent its adoption; and

“Whereas the future growth and progress of this country is dependent upon our youth receiving the education which they rightfully deserve; and

“Whereas education being our paramount consideration assistance could and should be made available in spite of any objection that might exist: Now, therefore, be it

“Resolved by the Legislature of the State of Florida, That the President of the United States and the Members of the House and Senate of the U.S. Congress take appropriate steps to relinquish to each State, in addition to present grants, an amount equivalent to 5 percent of the individual income tax collected within the State, for the purpose of education and other programs which are subjects of Federal educational contributions; and be it further

“*Resolved,* That copies of this memorial be dispatched to the President of the United States; to the President of the U.S. Senate; to the Speaker of the U.S. House of Representatives; to the ablest congressional delegation in the U.S. Congress, the Florida delegation; and to the Governor of the great State of Florida.

“Approved by the Governor June 13, 1963.

“Filed in office, Secretary of state June 13, 1963.”

The PRESIDENT pro tempore laid before the Senate a resolution of the Legislature of the State of Florida, identical with the foregoing, which was referred to the Committee on Finance.

To the Committee on Commerce:

“SENATE MEMORIAL 637

“Memorial to the United States Bureau of Commercial Fisheries, and the United States Public Health Service urging cooperation to the fullest extent with State agencies in the control of the red tide in Florida's Gulf waters

“Whereas the proliferation of certain noxious microorganisms in the waters of the Gulf of Mexico, popularly known as the red tide, is occurring on Florida's west coast with ever increasing frequency and severity; and

“Whereas this pernicious organism annually destroys a staggering and ever increasing quantity of marine life, thus depleting a valuable natural resource of the State and Nation; and

“Whereas the red tide each year renders increasing areas of Florida's waters and beaches unwholesome and unsightly, creating thereby a serious economic problem due to the decline of tourism; and

“Whereas the presence of large quantities of putrifing organic matter upon Florida beaches is a hazard to the health of the people of the State and Nation: Now, therefore, be it

“Resolved by the Legislature of the State of Florida: That the U.S. Bureau of Commercial Fisheries and the U.S. Public Health Service are urged to cooperate to the fullest extent possible with the Florida Board of Conservation and the Florida Board of Health in finding a method of controlling the red tide: Be it further

“Resolved, That copies of this memorial be dispatched to the U.S. Bureau of Commercial Fisheries, the U.S. Public Health Service, to each of the Members of the Florida delegation, to the U.S. Congress and to the Governor of the State of Florida.

“Filed in office, secretary of state, June 17, 1963.”

To the Committee on Public Works:

“HOUSE MEMORIAL 1936

“Memorial to the Congress of the United States to authorize the U.S. Corps of Engineers to make a survey for a shallow water channel from deep water to Spring Creek, Wakulla County, Fla.

“Be it resolved by the Legislature of the State of Florida: That the Congress of the United States be and it is hereby requested to authorize the U.S. Corps of Engineers to make a survey for a shallow water channel from deep water to Spring Creek, Wakulla County, Fla.: Be it further

“Resolved, That copies of this memorial be dispatched to the President of the United States; to the President of the U.S. Senate; to the Speaker of the House of Representatives of the United States and to the Members of the Florida delegation to the Congress of the United States.

“Filed in office, secretary of state, June 18, 1963.”

The PRESIDENT pro tempore laid before the Senate a resolution of the Legislature of the State of Florida, identical with the foregoing, which was referred to the Committee on Public Works.

JOINT RESOLUTION OF OREGON LEGISLATURE

Mr. MORSE. Mr. President, the Honorable Howell Appling, Jr., secretary of state of the State of Oregon, has provided me with a copy of enrolled House Joint Memorial 4 adopted by the House and Senate of the Legislative Assembly of Oregon.

This memorial proposes that the Congress of the United States study the possibility of providing Federal matching funds in Federal highway projects to be used in securing rights-of-way for mass transportation purchased in conjunction with rights-of-way for Federal highways.

I ask unanimous consent, on behalf of my colleague, Senator Neuberger, and myself, that this memorial be set forth at this point in the Record and that it be referred to the appropriate Senate committee for consideration.

There being no objection, the joint resolution was referred to the Committee on Public Works, as follows:

Enrolled House Joint Memorial 4

To His Excellency, the Honorable John F. Kennedy, President of the United States, and to the Honorable Senate and House of Representatives of the United States of America, in Congress Assembled:

We, your memorialists, the 52d Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

Whereas the mass transportation of people is essential in alleviating the smog and vehicular traffic problems of urban areas of the United States; and

Whereas modern mass transportation systems would cut down the traffic in urban areas; and

Whereas the mass transportation of people is as important as vehicular traffic in urban areas; and

Whereas the right-of-way for mass transportation can be more economically obtained at the same time as right of way for highway construction: Now, therefore, be it

Resolved by the Legislative Assembly of the State of Oregon:

1. The Congress of the United States is memorialized to study the possibility of providing Federal matching funds in Federal highway projects to be used in securing right-of-way for mass transportation purchased in conjunction with right-of-way for Federal highways.

2. The secretary of state shall send a copy of this memorial to the President of the United States, and to each member of the Oregon congressional delegation.

Adopted by house March 15, 1963.

Readopted by house May 20, 1963.

Cecil L. Edwards,
Chief Clerk of House.
Clarence Burton,
Speaker of House.

Adopted by senate May 17, 1963.

Ben Musa,
President of Senate.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MONRONEY, from the Committee on Appropriations, with amendments:

H.R. 6868. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1964, and for other purposes (Rept. No. 313).

By Mr. BYRD of Virginia, from the Committee on Finance, without amendment:

H.R. 2651. An act to extend for 1 year the period during which responsibility for the placement and foster care of dependent children, under the program of aid to families with dependent children, under title IV of the Social Security Act, may be exercised by a public agency other than the agency administering such aid under the State plan (Rept. No. 307):

H.R. 2827. An act to extend until June 30, 1966, the suspension of duty on imports of crude chicory and the reduction in duty on ground chicory (Rept. No. 308); and

H.R. 4174. An act to continue until the close of June 30, 1964, the suspension of duties for metal scrap, and for other purposes (Rept. No. 309).

Mr. MANSFIELD subsequently said: Mr. President, I send to the desk 3 bills, which were reported unanimously by the Finance Committee. I do so with the approval of the chairman of the Committee on Finance, the Senator from Virginia [Mr. Byrd], the ranking minority member, the Senator from Delaware [Mr. Williams], and the distinguished minority leader, the Senator from Illinois [Mr. Dirksen], and I ask for their immediate consideration.

The PRESIDING OFFICER (Mr. McIntyre in the chair). The bills will be stated by title.

EXTENSION OF PERIOD RELATING TO PLACEMENT AND FOSTER CARE OF DEPENDENT CHILDREN

The Legislative Clerk. A bill (H.R. 2651) to extend for 1 year the period during which responsibility for the placement and foster care of dependent children, under the program of aid to families with dependent children under title IV of the Social Security Act, may be exercised by a public agency other than the agency administering such aid under the State plan.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

CONTINUED SUSPENSION AND REDUCTION OF DUTY ON CHICORY

The PRESIDING OFFICER. The next bill will be stated by title.

The Legislative Clerk. A bill (H.R. 2827) to extend until June 30, 1966, the suspension of duty on imports of crude chicory and the reduction in duty on ground chicory.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

CONTINUED SUSPENSION OF DUTIES ON METAL SCRAP

The PRESIDING OFFICER. The next bill will be stated by title.

The Legislative Clerk. A bill (H.R. 4174) to continue until the close of June 30, 1964, the suspension of duties for metal scrap, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

UNIFORM SYSTEM OF TIME STANDARDS AND MEASUREMENT—REPORT OF A COMMITTEE—ADDITIONAL COSPONSORS OF BILL

Mr. MAGNUSON. Mr. President, from the Committee on Commerce, I report favorably, with amendments, the bill S. 1033, to establish a uniform system of time standards and measurement for the United States and to require the observance of such time standards for all purposes, and I submit a report (No. 312) thereon.

I ask unanimous consent that the names of the following Senators be added as cosponsors to the bill, S. 1033: Mr. Cotton, Mr. McGee, Mr. Pastore, Mr. Thurmond, Mr. Engle, Mr. Hart, Mr. Beall, and Mr. Bartlett.

The PRESIDING OFFICER. The report will be received and printed, and the bill will be placed on the calendar; and, without objection, the names of the additional cosponsors will be added, as requested by the Senator from Washington.

REPORT ENTITLED "AMERICAN GUILD OF VARIETY ARTISTS"—REPORT OF A COMMITTEE (S. REPT. NO. 310)

Mr. McCLELLAN. Mr. President, on behalf of the Committee on Government Operations I submit a report, made to it by the Permanent Subcommittee on Investigations, entitled "American Guild of Variety Artists."

The conclusions of the report are based upon testimony at hearings held by the subcommittee during June of 1962, when it was demonstrated that the American Guild of Variety Artists has failed in its basic and primary function of seeking to improve the wages and working conditions of its membership, who are principally entertainers of various types. The report declares also that the guild has not only neglected the rights of its members, but in many cases has operated against their interests.

Mr. President, the subcommittee within the past week sent a letter to the Secretary of Labor urgently requesting that he take swift action to force the American Guild of Variety Artists to comply with the provisions of the Labor-Management Reporting and Disclosure Act of 1959. Both the letter to the Secretary of Labor and the report of the subcommittee declare that the act is still not being enforced with respect to this union. The report and the letter state that the union's adherence to the act has been in form rather than in substance, and that democracy and local autonomy have been denied to the membership through the seizure of power and authority by a small, self-perpetuating group of members and paid employees.

The letter was sent to the Secretary of Labor because the subcommittee is convinced that the guild officials will not undertake corrective measures of their own volition, and that it is therefore incumbent upon the Department of Labor strictly to enforce the act and to require the guild to comply with its provisions.

The report further concludes that officials of the guild are guilty of collusive actions with hoodlums who operate establishments employing so-called exotic dancers. The union makes "sweetheart" arrangements with these underworld figures, a policy which leads to the failure to enforce the provisions of the guild's own bargaining contract. Certain key violations of this contract, called the minimum basic agreement, tend to destroy its effectiveness as a protection for the membership.

The contract provides that welfare fund contributions must be paid by the employer. It provides that a cash bond be deposited by the employer to insure payment of his financial obligations to the employees; it directs that local, State, and Federal laws will be observed in the establishments; it states that performers are employees and not independent contractors, thus requiring the employer to deduct Federal employment taxes, including income tax and social security tax. As a result, a large proportion of the membership are not covered for social security benefits. These clauses have been widely disregarded by the union and the club operators, except for occasional token compliance.

The subcommittee report concludes that the guild's failure to enforce its own bargaining contract deprives the Federal Government of revenue and denies to the union members those benefits that are guaranteed to them by law. By its "sweetheart" operations, the American Guild of Variety Artists continues to collect dues and other payments, while permitting the hoodlum employers to act illegally behind the false front of legitimate union participation.

The conclusion is inescapable that the union officials' prime objective from the very beginning has been to obtain money through dues and initiation fees. So far as the nightclubs and the members who work in them are concerned, this union is nothing more than a dues-collecting agency.

The subcommittee report also concludes that the American Guild of Variety Artists has even encouraged violations of the law. A union representative appeared before the city council of Miami, Fla., to plead that clubs which were operating outside the law be permitted to remain open so that the union members might be able to retain employment. The illegal activities were not even contested.

The report also shows that the guild officials were aware of convictions for immoral and illegal acts among its members who work in the joints owned and operated by hoodlums. The union has taken little action to expel them. On the contrary, its policy is to recruit these so-called B-girls into its ranks in order to enlarge its treasury.

The subcommittee's report shows that if the union lost its revenue from membership of this kind, it would have to close all but a few of its branch offices, cut its staff, and decrease the salaries of its administrators.

To gain the revenue contributed from these sources, the American Guild of Variety Artists has paid a price no labor organization can afford, or should even contemplate.

The report further states that the effect of union policy is beneficial to the underworld operators who run the clubs and who exploit the union members. The policy is also harmful to legitimate and authentic performers who cannot get bookings into the clubs of this type without consenting to degrade themselves.

The subcommittee report also calls attention to the failure of Internal Revenue Service to collect taxes from both the operators and the employees of the clubs. The report recommends that the Service undertake strict and realistic enforcement of the tax laws and the rules and regulations of the Treasury Department as they apply to these underworld club owners and the people who work for them.

Finally, the subcommittee states its intention, after a reasonable length of time, to examine again the conditions existing within the American Guild of Variety Artists to determine whether the union has taken steps to eliminate the abuses and improper activities that this report describes.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. JAVITS. Mr. President, I shall be very brief. I have filed a statement of views with respect to the "American Guild of Variety Artists" report, to which I invite the attention of the Senate. I did not sit on the Permanent Investigations Subcommittee when this inquiry was made. I was not a member of it. But I did have an opportunity to review the report, and I stated I could not join in the findings except as to certain improvements of government, internal revenue, and labor, which I thought were clearly shown to be required.

I emphasized, and I wish to emphasize again to the Senate, the urgent need for the preservation of this union. The very points made by my distinguished colleague, the Senator from Arkansas [Mr. McClellan], and his Investigating Subcommittee show how these poor folk in the entertainment field, in countrywide strata, are being imposed upon, and demonstrates better than anything else how much they need the protection of a union.

I therefore hope very much that the thrust of the governmental activities in this field at all levels—and the Senator from Arkansas has said that his committee will have another look at it—will be directed toward preserving the union, and toward bringing about more democracy within the union and better relations with respect to the members of the union, but that in no way will any action be taken which will jeopardize the existence of an organ, to wit, the union, which will provide the protection which these people so urgently need.

Mr. McCLELLAN. It is not the purpose of the investigation to try to destroy the union. The facts have brought out that it is a new union that needs to do away with some practices in which it has engaged, and which have brought about this imposition on its members. The union could correct these practices immediately, if it wished to do so.

Mr. JAVITS. I thank my colleague from Arkansas very much.

The PRESIDING OFFICER. The report will be received and printed.

CONTINUATION OF REDUCTION OF EXEMPTION FROM DUTY FOR RETURNING RESIDENTS—REPORT OF A COMMITTEE

Mr. BYRD of Virginia. Mr. President, from the Committee on Finance, I report, with an amendment, the bill (H.R. 6791) to continue for 2 years the existing reduction of the exemption from duty enjoyed by returning residents, and for other purposes, and I submit a report (No. 305) thereon. I ask unanimous consent for the immediate consideration of the bill, inasmuch as an emergency is involved, in that the existing legislation which reduces the exemption from duty expires on Sunday night.

The PRESIDING OFFICER. Is there objection to the request for immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H.R. 6791) to continue for 2 years the existing reduction of the exemption from duty enjoyed by returning residents, and for other purposes, which had been reported from the Committee on Finance with an amendment to strike out all after the enacting clause and insert:

> That paragraph 1798(c)(2) of the Tariff Act of 1930, as amended (19 U.S.C., sec. 1201, par. 1798(c)(2)), is amended by striking out "July 1, 1963" each place it appears in subdivisions (A) and (B) and inserting in lieu thereof "July 1, 1965".
>
> Sec. 2. (a) Paragraph (c)(2)(A) of the Tariff Act of 1930, as amended (19 U.S.C., sec. 1201, par. 1798 (c)(2)(A)), is amended by striking out "(or $200 in the case of persons arriving directly or indirectly from the Virgin Islands of the United States, not more than $100 of which shall have been acquired elsewhere than in the Virgin Islands of the United States)".
>
> (b) The amendment made by subsection (a) shall apply with respect to persons arriving in the United States after June 30, 1963.

Mr. BYRD of Virginia. Mr. President, the legislation which will expire on Saturday night has made a temporary reduction from $500 to $100 in the amount of goods purchased abroad which a returning resident of the United States may bring duty free into this country.

The House adopted an amendment which would allow $200 worth of goods purchased aboard to be brought duty free into this country by returning residents, in the case of those returning from the Virgin Islands of the United States, American Samoa, Wake Island, Midway Islands, Kingman Reef, Johnston Island, and the Island of Guam. There is already a $200 exemption in the case of the Virgin Islands.

The Senate Finance Committee, by what was almost a unanimous vote, struck out the House amendment, and provided a $100 limit in the case of the Virgin Islands and our other insular possessions, in line with the limitation applied to all the other countries.

Mr. President, it is necessary that the bill be considered at this time, because if the Senate committee amendment is agreed, there will have to be a conference with the House; and if the conference is not concluded immediately, then at midnight on Sunday, June 30, the prior $500 limitation will go into effect, instead of the $100 limitation provided by this measure. In short, a considerable loss of revenue to the Treasury would be involved and considerable customs confusion will result.

The committee adopted the amendment with only two dissenting votes, and reported the bill unanimously.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill (H.R. 6791) was read the third time, and passed.

The title was amended, so as to read: "An Act to provide two-year extension on a uniform basis of the temporary reduction of the exemption from duty enjoyed by returning residents."

Mr. WILLIAMS of Delaware. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. BYRD of Virginia. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent that a general statement on the bill and the reasons for the committee amendment be printed in the RECORD at this point.

There being no objection, the general statement and reasons for the amendment were ordered to be printed in the RECORD, as follows:

GENERAL STATEMENT

Under the existing provisions of paragraph 1798(c)(2) of the Tariff Act of 1930, as amended, a U.S. resident who returned to this country before July 1, 1963, is allowed the following personal exemptions from duty on articles he has purchased abroad:

1. If the returning resident remains outside the territorial limits of the United States for at least 48 hours, he may claim an exemption from duty for $100 worth of articles acquired abroad. (If he returns through a port of entry on the Mexican border, he need not have been absent from the United States for any specific length of time before claiming the exemption.)

2. In the case of persons arriving directly or indirectly from the Virgin Islands of the United States, a duty exemption of $200 is allowed, not more than $100 of which shall apply to articles acquired elsewhere than in the Virgin Islands. No absence from the United States for any specific time is required before the duty exemption may be claimed with respect to articles acquired in the Virgin Islands. With respect to articles acquired elsewhere than in the Virgin Islands by such persons, an absence from the United States of 48 hours is required before an exemption may be claimed.

These exemptions from duty may be claimed once every 30 days.

PROVISIONS OF AND REASONS FOR THE BILL

The present law is temporary in nature and expires on June 30, 1963. It was approved August 10, 1961, and became effective with respect to persons arriving in the United States on and after September 9, 1961. Prior thereto, returning residents could generally bring back from abroad $500 worth of purchases duty free. Unless the temporary reductions are extended, residents returning to the United States after June 30, 1963, will again be able to claim up to $500 in personal duty exemptions.

Under the permanent provisions of section 1798, if the return resident remains outside the territorial limits of the United States at least 48 hours, he could claim an exemption from duty for $200 worth of articles acquired abroad. If, however, he returned through a port of entry on the Mexican border, he need only have been absent from the United States for such time (not to exceed 24 hours) as the Secretary of the Treasury has by regulation provided with respect to such port. The exemption from duty described in this paragraph could be claimed once every 30 days.

If the returning resident remains outside the territorial limits of the United States for 12 or more days, he could formerly claim an additional exemption from duty for $300 worth of articles acquired abroad. This exemption, which could be claimed together with the basic exemption described above, could be utilized only once in every 6-month period.

The existing temporary legislation was enacted on the recommendation of the President who had originally requested a statute of 4 years duration, to expire in 1965. In his letter dated February 24, 1961, to the Speaker of the House of Representatives, the President pointed out that the then existing personal exemptions had been increased after World War II from their previous $100 level as a measure to aid foreign countries faced with a dollar shortage. He stated:

"In the light of the existing balance-of-payments problem, this more liberal customs exemption, designed to encourage American expenditures abroad, is not presently warranted."

Congress enacted the bill, but in doing so reduced the terminal date to June 30, 1963, rather than in 1965 as had been asked for by the President. It was felt that an earlier review may be warranted if the balance-of-payments situation should improve.

The Secretary of the Treasury has now recommended continuation of the reduced exemption for another 2 years. In so recommending, he has indicated that the effect of reducing the exemption was to reduce U.S. expenditures abroad by $123 million during 1962. The Bureau of Customs estimates that during 1962, foreign purchases by returning U.S. residents amounted to $297 million as compared to $420 million during the year 1960, the last full year before the reduction of the exemption.

The Secretary of the Treasury also stated that American travelers did not, as some had feared, balance off their reduced purchases by increased expenditures on night clubs, restaurants, tours, or other forms of spending. Department of Commerce statistics indicate that average expenditures abroad per tourist, which previously had been steadily increasing, rising from $531 in 1957 to $612 in 1960, dropped to $604 in 1961 and to $585 in 1962. The Secretary of the Treasury is of the view that but for the reduction in the duty exemption the steady rise in per capita tourist expenditures abroad would have continued and such expenditures would have risen much above the $612 figure of 1960. He pointed out also that the savings calculated by customs are not fully reflected in the Department of Commerce figures, inasmuch as those figures do not include expenditures in Canada and Mexico.

The temporary duty exemption reduction has proved to be a useful tool in the program of actions taken to reduce the balance-of-payments deficit and that its continuation for another 2 years as a component part of that program is warranted. Our balance-of-payments position is a matter of continuing concern inasmuch as the committe was advised that our overall international payments deficit rose to $3.5 billion in 1958, followed by deficits of $3.7 billion in 1959, and $3.9 billion in 1960. These payments deficits were accompanied by substantial drains on our gold stock, amounting to $4.7 billion for the 3-year period, 1958–60.

The deficit was reduced to $2.4 billion in 1961 and in 1962 amounted to $2.2 billion. Gold losses were $857 million in 1961 and $890 million in 1962. We are informed that while there are signs that our balance-of-payments position can be expected to improve over the long run, it appears that 1963 will be another year of deficit with further gold losses.

The reduced amount of tourist exemption, which is now granted and which this bill continues for 2 additional years, leaves the United States in the position of extending to its returning tourists more favorable duty-free treatment of items purchased abroad than do most other countries of the world.

REASONS FOR THE AMENDMENT

The Finance Committee struck from the bill the provision that would give special treatment to our insular possessions. Whereas the bill, as it passed the House would have permitted returning tourists to bring back free of duty $200 worth of goods from these areas, as against the $100 allowed from all other countries, the committee amendment provided for a limit of $100 from all areas.

The committee calls attention to the fact that returning residents who have visited foreign countries or our insular possessions may bring back into the United States any amount of goods they may desire. The amendment of the committee does not, therefore, preclude returning tourists from purchasing or bringing into the United States any amount of goods they may wish. On all amounts above $100 they must pay the regular duties, whatever those duties may be on the kind of goods purchased. It is also pointed out that many types of commodities may be brought into the United States free of duty, for the tariff law assesses no duties on many articles.

The taxes collected by our possessions remain in those areas. They receive other benefits from the United States. Other areas adjacent to those possessions which may be under the jurisdiction of other countries would be placed at a disadvantage if special treatment were accorded to only those belonging to the United States. The committee amendment would therefore tend to make more friendly our relations with other of our neighboring countries.

The following statement is taken from the report of the Tariff Commission:

"It is believed that the majority of U.S. travelers do not purchase and import foreign articles in excess of the $100 allowance. There have been relatively few complaints arising from the initial reductions in the duty exemptions."

This would indicate that relatively few citizens returning from trips to our insular possessions would be affected by the committee amendment. The Tariff Commission also points out that it is the practice of the Bureau of Customs to deduct a 40-percent allowance from the retail purchase price of articles when determining the value (foreign wholesale value) of such articles for purposes of extending the $100 exemption.

The committee urges the adoption of the amendment.

SUSPENSION OF RESTRICTIONS ON WITHDRAWAL OF POSTAL APPROPRIATIONS—REPORT OF A COMMITTEE (S. REPT. NO. 311)

Mr. JOHNSTON. Mr. President, from the Committee on Post Office and Civil Service, I report favorably House bill 5795, to provide a 3-year suspension of certain restrictions in the Supplemental Appropriation Act of 1951 on the withdrawal from the Treasury of the postal appropriations; and I submit thereon the committee's report.

Mr. President, at this time I request the immediate consideration of the bill.

The **PRESIDING OFFICER.** Is there objection?

There being no objection, the Senate proceeded to consider the bill (H.R. 5795) to provide a 3-year suspension of certain restrictions in the Supplemental Appropriation Act, 1951, on the withdrawal from the Treasury of postal appropriations.

Mr. JOHNSTON. First, Mr. President, I should like to say that this bill has been cleared on both sides of the aisle, because the passage of the bill at this time is absolutely necessary, in order that the bill can be signed by the President before the 1st of July.

Mr. President, the Post Office Department is operating under a statutory obligation which restricts the cost-revenue relationship of the parcel post system. Under existing law the Postmaster General is required to certify that costs of fourth-class parcel post do not exceed revenues by more than 4 percent, and, if this relationship does not exist, that he has petitioned the Interstate Commerce Commission to approve a rate adjustment which will bring costs and revenues within this 4 percent tolerance.

Under existing law, if he does not make this certification to the Department of the Treasury, he may not make withdrawals from the Treasury of funds appropriated for the operation of the Post Office Department.

The Postmaster General has stated that he cannot in good conscience petition for a rate increase on parcel post because Department studies show that rate increases for parcel post would be self-defeating. Rate increases, according to Department calculations, would reduce volume and thus increase the gap between costs and revenues. Accordingly, the Department urgently requires relief from the strictures of existing statutes by July 1, 1963, if disruption of postal service is to be avoided.

Mr. President, the Committee on Post Office and Civil Service has unanimously reported favorably H.R. 5795, a bill to provide a 3-year suspension of restrictions on withdrawals from the Treasury of postal appropriations.

This measure will provide the Postmaster General with authority to continue operation of the Department as in the past, with the exception that no certification concerning the parcel post cost-revenue relationship will be required. It will provide a reasonable period of time during which the Congress can study the parcel post system with a view of finding an equitable solution to the problems of that class of mail.

It is my hope that H.R. 5795 will be favorably considered by the Senate, so that the Nation's postal service will not be disrupted on July 1, 1963.

The **PRESIDING OFFICER.** The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 5795) was ordered to a third reading, read the third time, and passed.

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. JOHNSTON, from the Committee on Post Office and Civil Service:

Sidney W. Bishop, of California, to be Deputy Postmaster General.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HUMPHREY:

S. 1766. A bill for the relief of Dorinda Barrosa; to the Committee on the Judiciary.

By Mr. WILLIAMS of Delaware (for himself and Mr. BOGGS):

S. 1767. A bill to authorize the Secretary of the Army to convey a certain parcel of land to the State of Delaware, and for other purposes; to the Committee on Armed Services.

By Mr. BENNETT:

S. 1768. A bill to amend section 613(b)(2)(B) of the Internal Revenue Code; to the Committee on Finance.

By Mr. JAVITS:

S. 1769. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits under such title; to the Committee on Finance.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS (for himself and Mr. KEATING):

S. 1770. A bill to increase, in the case of children who are attending school, from 18 to 21 years, the age until which child's insurance benefits may be received under title II of the Social Security Act; and

S. 1771. A bill amending title II of the Social Security Act to permit certain children to receive benefits thereunder on the basis of the wages and self-employment income of an individual who has supported them; to the Committee on Finance.

(See the remarks of Mr. JAVITS when he introduced the above bills, which appear under a separate heading.)

By Mr. KEATING:

S. 1772. A bill to extend preferential third-class postage rates to volunteer fire departments; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. KEATING when he introduced the above bill, which appear under a separate heading.)

By Mr. BARTLETT:

S. 1773. A bill to amend the Merchant Marine Act, 1936, as amended, to encourage investment in the American merchant marine by providing a program of assistance in the construction of vessels, to correct inequities, to stimulate the domestic commerce of the United States, and for other purposes; and

S. 1774. A bill to amend title V of the Merchant Marine Act, 1936, in order to authorize construction differential subsidy for certain qualified operators in the coastwise, intercoastal and noncontiguous domestic commerce of the United States, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. BARTLETT when he introduced the above bills, which appear under a separate heading.)

By Mr. BEALL:

S. 1775. A bill to amend the Life Insurance Act for the District of Columbia relating to annual statements, and for other purposes; to the Committee on the District of Columbia.

S. 1776. A bill for the relief of Chick Tung Kung Chin; to the Committee on the Judiciary.

By Mr. McGEE:

S. 1777. A bill for the relief of Lia Novelli; to the Committee on the Judiciary.

By Mr. SCOTT (for himself and Mr. DODD):

S. 1778. A bill to amend the Wool Products Labeling Act of 1939 to authorize the Federal Trade Commission to exclude from the provisions of that act wool products with respect to which the disclosure of wool fiber content is not necessary for the protection of the consumer; to the Committee on Commerce.

(See the remarks of Mr. SCOTT when he introduced the above bill, which appear under a separate heading.)

By Mr. SIMPSON:

S. 1779. A bill for the relief of certain veteran entrymen, their heirs and other owners of farm units on the Third Division Irrigation District, Riverton Reclamation Project, Wyoming; to the Committee on the Judiciary.

By Mr. CASE:

S. 1780. A bill to provide Government transportation on a space-available basis to certain members of the Glassboro State College International Relations Group; to the Committee on Armed Services.

S. 1781. A bill for the relief of Antonio Credenza; to the Committee on the Judiciary.

By Mr. MAGNUSON:

S. 1782. A bill for the relief of Loo King Ling; and

S. 1783. A bill for the relief of Tou Sha Yin (also known as Yun Shu Yin); to the Committee on the Judiciary.

By Mr. FONG:

S. 1784. A bill for the relief of Kaati Fonua; to the Committee on the Judiciary.

CONCURRENT RESOLUTION

EXPRESSION OF SENSE OF THE CONGRESS RELATING TO EXPORT MARKET FOR OUR AGRICULTURAL PRODUCTS

Mr. HUMPHREY (for himself and Mr. DIRKSEN) submitted a concurrent resolution (S. Con. Res. 51) to express the sense of Congress that negotiators to the European Economic Community obtain assurances as to export market for our agricultural products; which was referred to the Committee on Finance.

(See the above concurrent resolution printed in full when submitted by Mr. HUMPHREY, which appears under a separate heading.)

RESOLUTION

TO PRINT AS A SENATE DOCUMENT THE REPORT ENTITLED "THE ARTS AND THE NATIONAL GOVERNMENT"

Mr. PELL submitted the following resolution (S. Res. 167); which was referred to the Committee on Rules and Administration:

Resolved, That there be printed as a Senate document the report entitled "The Arts and the National Government," submitted to the President on May 28, 1963, by August Heckscher, Special Consultant on the Arts; and that there be printed five thousand additional copies of such document for the use of the Committee on Labor and Public Welfare.

AMENDMENT OF SOCIAL SECURITY ACT RELATING TO OUTSIDE INCOME

Mr. JAVITS. Mr. President, I send to the desk a bill to remove from the Social Security Act the requirements with respect to a certain level of earnings as penalizing social security recipients for the amount that they receive under the social insurance plan.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred.

The bill (S. 1769) to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits under such title, introduced by Mr. Javits, was received, read twice by its title, and referred to the Committee on Finance.

AMENDMENT OF THE SOCIAL SECURITY ACT

Mr. JAVITS. Mr. President, on behalf of myself and my colleague from New York [Mr. Keating] I send to the desk for appropriate reference two bills which would affect the Social Security Act. The first is a bill to amend the act so as to raise from 18 to 21 years the maximum age of children receiving survivors' benefits who are attending schools; the second is a bill to amend the definition of "child" under the Social Security Act so as to permit the payment of survivors' benefits to foster children who have not been legally adopted, but who have been cared for by a person who assumed full parental responsibility.

The proper education of our youth is as vital to our Nation's welfare as defense in the national interest, and the 16 to 21 age group faces some of the most acute problems in education. The mounting school dropout rate in this age group is causing us much concern; this is also the age group which shows the highest rate of unemployment. The intimate relationship between education and employment is well established. Therefore, it is essential that we give our youth every opportunity to receive a maximum amount of education.

Under our present social security laws, benefits may be received if a child is in school and if one or both of his parents are deceased or disabled, provided that the child has not passed his 18th birthday. This now has the effect of cutting off assistance when the need for it is greatest and tends to discourage the youth from completing his education. It is necessary to extend this age limit to 21 because in our society education has become a prerequisite for vocational success in most colleges. Furthermore, a child is entitled to complete the education which he has started, and which has been paid for by the deceased parent. By making it possible for our youth to attend educational institutions, we shall be fulfilling our obligations and at the same time we shall be helping to cut down the rapidly expanding unemployment among those who are not yet 21.

A parallel measure in the civil service field, which I introduced as S. 1337 in the 87th Congress, was enacted into law as a part of Public Law 87–793 and is a valuable precedent for recognition of the public policy involved here.

Reforms in our social security laws are essential if we are to make them more humane in their application. This bill will give us an opportunity to profit from the experience we have had in the administration of the law. For these reasons I believe it to be essential that we take action on this legislation at the earliest possible opportunity.

The second bill would amend the definition of "child" under the Social Security Act so as to permit the payment of survivor's benefits to foster children who have not been legally adopted but have been cared for by a person who assumed full parental responsibility. This bill would fill a gap in the encouragement of the foster care program at very little cost but with considerable benefit.

Situations in which children find themselves dependent upon workers other than their parents include those where a child of divorced parents lives with close relatives or a family friend; where a child has been deserted or is illegitimate; and where for a variety of reasons parents cannot assume responsibility for their child. In these situations the child is cut off from benefits when the person who has been supporting him dies or becomes disabled. This bill would correct this unfortunate situation at what the Department of Health, Education, and Welfare has reported to be very low cost.

The **PRESIDING OFFICER.** The bills will be received and appropriately referred.

The bills, introduced by Mr. Javits (for himself and Mr. Keating), were received, read twice by their titles, and referred to the Committee on Finance, as follows:

S. 1770. A bill to increase, in the case of children who are attending school, from 18 to 21 years, the age until which child's insurance benefits may be received under title II of the Social Security Act; and

S. 1771. A bill amending title II of the Social Security Act to permit certain children to receive benefits thereunder on the basis of the wages and self-employment income of an individual who has supported them.

Mr. KEATING. Mr. President, I am happy to join with my distinguished colleague, the senior Senator from New York, in offering, once again, two bills to amend the Social Security Act to provide certain benefits to dependent children. We have offered these bills before, and the Senate has passed them, but they have not been considered by the House. One measure, the bill relating to children over 18 who are continuing their education becomes more urgent each year as the large number of postwar babies reach college age. I hope therefore, that we will not waste any time in enacting the bills into law.

At the present time, 18 is the maximum age for receiving dependent child benefits under title II of the act. This means, of course, that just as a child reaches college age, his benefits are discontinued, often making it financially impossible for him to continue his education. In many instances, in fact, children reaching 18 are forced to drop out of high school and go to work to support themselves. The Office of Education estimates that about half the students in the 12th grade are 18 or older. Because today's job market is limited for those without a high school diploma, it is obvious that national policy should be to encourage, in every way possible, the continued education of these potential dropouts. We simply cannot afford, as a nation, to waste academic talent, and fail to educate each child to the maximum extent possible. Passage of this bill—which provides that benefits be made available until age 21 to children who are full-time students, would encourage higher education, and would make it financially possible for dependent children to have an equal opportunity to attend college.

The second bill would permit certain children to receive survivors' insurance under title II of the act, on the basis of the wages and self-employment income of an individual who has stood in loco parentis with respect to them for a period of at least 1 year preceding his death. At the present time these benefits are payable only to natural children and stepchildren. Other relatives, and unrelated persons who care for children, do not have the security of knowing that, should anything happen to them, the dependent child would receive social security benefits which they have earned.

The Department of Health, Education, and Welfare has, in the past, expressed its support of both these bills. Certainly, Mr. President, both are aimed at carrying out the broad intent of Congress in enacting the Social Security Act; that is, to provide a floor of protection for the older citizen, the disabled worker, and the dependent child. I urge prompt action by the committee and the Congress.

BULK MAILING PRIVILEGES FOR VOLUNTEER FIRE DEPARTMENTS

Mr. KEATING. Mr. President, I introduce, for appropriate reference, a bill to extend bulk mailing privileges to volunteer fire departments.

Mr. President, those of us who were brought up in smaller communities appreciate the fact that there are few men so important to the public safety as volunteer firemen, men who selflessly, efficiently, and without recompense protect our smaller communities from the disaster of fire. These men embody the finest traditions of our Founding Fathers; they exemplify that selfless community spirit which has persisted in this country since its colonial days. While professional fire companies perform a dangerous, courageous, and highly commendable function, many of the smaller communities, both in my own

State of New York and across the country, feel that they cannot afford a full-time organization of firefighters. For these areas the only answer lies with the volunteer firemen, who, out of a desire to protect their communities, fulfill this dangerous but essential function.

Early in 1961 I introduced S. 1548, which would extend the privilege of a bulk, preferential, third-class mailing rate of 1¼ cents apiece to volunteer fire companies. The mailings of these companies are primarily concerned with fire safety rules and regulations, appeals for assistance and other matters closely related to the proper functioning of the fire departments. Certainly, in my judgment, we should encourage mailings of this sort—mailings which, if heeded, could save millions of dollars in property as well as the incalculable cost of human life. Every year in this country roughly 1 million fires claim over 11,000 lives while doing more than a billion dollars' worth of damage; any measure which might diminish this tragic cost would clearly be desirable.

Third-class mailing privileges are currently extended to numerous nonprofit groups, including agricultural, educational, fraternal, philanthropic, religious, scientific, and veterans' organizations. The Post Office has, under its interpretation of the law, repeatedly and—I feel—erroneously excluded volunteer firemen from such privileges. It is time to remedy this situation by appropriate clarification or modification of the existing law. I have inquired into the needs of the volunteer fire departments; they are unquestionably deserving of this legislation.

Mr. President, the motto of the volunteer firemen is one for all public servants to observe: "Unselfish public service, courage, duty." These dedicated men embody the richest and finest of the American spirit. I salute them and express the deepest appreciation for their unswerving and selfless dedication to the safety and well-being of their fellow citizens.

Mr. President, I ask unanimous consent that the bill may be printed in the Record.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1772) to extend preferential third-class postage rates to volunteer fire departments, introduced by Mr. Keating, was received, read twice by its title, referred to the Committee on Post Office and Civil Service, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4452(d) of title 39 of the United States Code is amended by inserting after the word "associations" in the first sentence a comma and the following: "or volunteer fire departments,".

CONSTRUCTION SUBSIDY FOR DOMESTIC WATER CARRIERS

Mr. **BARTLETT**. Mr. President, I introduce, for appropriate reference, two bills concerning our domestic merchant marine.

The first bill authorizes a construction subsidy for vessels operating as common carriers in the deepwater domestic trade and on the Great Lakes. In addition it would permit established operators to build in foreign shipyards in those instances where the Maritime Administrator takes no affirmative action on an application for subsidy. I introduce this bill with the belief that unless something is done now for the common carriers in the domestic American merchant marine, there will be no common carriers within the next few years.

This industry, which has been recently held so vital to our national defense and so many times commended for its vital role as the lifeline of supply in the beginning of World War II is now practically defunct as a result of lethargy on the part of the Federal Government.

No industry that I know of is so fraught with the dilemma that this industry faces. The domestic shipping industry must, by law, build its vessels in the United States and acquire its equipment in the United States. The competitive cost between building abroad and in the United States is too well known to repeat now. Yet, its competitors are not so restricted. Domestic airlines may buy their equipment abroad. It is well known that airplanes from England and France are now used by U.S. domestic airlines. Competing railroads may buy their equipment abroad, and it is well known that diesel engines are now coming in from Europe. The same is true for the automobile competition. Whether these competitors actually buy abroad is unimportant, since the right to buy abroad constitutes a sufficient price leverage to keep their new equipment costs fairly consistent with the rest of the national price structure. The domestic shipping company, however, has no such leverage.

The restriction on purchases of new equipment by the domestic shipping industry has been upheld for the reason that no foreign competitor can violate our coastwise trade. Parenthetically this is true of the domestic airlines who have no such restriction. It is no longer true in that foreign shipping companies may not penetrate our domestic trades. Witness foreign-owned and foreign-flag ships carrying lumber from the Pacific Northwest to Puerto Rico. This is a privilege extended to foreigners that is denied to our own domestic shipping industry.

Now is the time that both the legislative branch and the executive branch of our Government make a final determination. Do we want a domestic shipping industry? Should this industry survive? If the determination is to be "Yes," then construction subsidy must be granted if the industry is to continue.

I want to make it clear that we do not wish to have the Department of Commerce, or any other department, coming to us concerning the bill and saying that they desire, before commenting or recommending action, to do a study of the problems over the next few months. There have been over 12 studies in the last 18 years. To date, not one study has resulted in any single productive action toward the improvement of the situation. A definitive stand must be taken now. The present Maritime Administration has at long last set up an office concerned primarily with the domestic industry. This is laudatory, but is it too late? Time is running out for this industry, and words will not toll the clock.

The second bill is more broadly based and includes all segments of our domestic trade. However, no provision is made whereby an operator may, under any circumstance, build in foreign shipyards.

This bill is designed to provide incentives for modernizing and upgrading the U.S. merchant fleets serving Great Lakes and coastwise commerce. To accomplish this purpose the bill authorizes the Secretary of Commerce to make a realistic appraisal of the needs of these essential segments of the merchant marine and to enter into building agreements with vessel owners and operators for the rehabilitation of their fleets according to such needs.

Incentives to encourage construction of new vessels and the reconditioning or modernization of existing vessels would be provided through one or more aids such as vessel trade-in allowances, construction assistance and the establishment of special construction reserve funds. The procedure of utilizing building agreements as a vehicle for promoting vessel construction and reconstruction for Great Lakes and coastwise trade deviates from the present provisions of the Merchant Marine Act, 1936, as amended, but follows a precedent established in connection with the payment of operating subsidies to certain American-flag vessels in foreign trade, whereby an operator receiving such a subsidy is usually required to plan for and specify in an agreement with the Secretary his future replacement needs.

Coastwise shipping is the backbone of the American merchant marine. However, fewer vessels are engaged to day in coastwise trade than at any other time in our history. Of those vessels that remain in the coastwise trade, most are of World War II vintage and thus relatively inefficient and obsolete by present-day standards.

On the Great Lakes, where the movement of essential bulk commodities such as iron ore, limestone, coal, grain, and petroleum predominates, the problem is largely one of replacing the older, inefficient vessels. More and more foreign deposits are supplying basic iron ore requirements for the American steel industry. On the Great Lakes, foreign-flag vessels, including Canadians, now predominate in the carriage of ore imports. Canada has seen fit to provide substantial construction subsidies for its own vessels, both in domestic and foreign trade. It is of utmost national concern that there be maintained on the Great Lakes a modern efficient bulk carrier fleet under the American flag adequate to assume any emergency demand that might be made upon it should ore from oversea sources be cut off by enemy action, particularly if coastwise shipping is also in danger.

There is an essential need for a sound long-range modernization program for coastwise carriers and the Great Lakes bulk cargo fleet. Such a program is also needed to provide work for shipyards so as to preserve necessary skills and maintain adequate shipbuilding and repair capabilities, as well as better merchant ships. The second bill provides such a program.

Each building agreement entered into by the Secretary would specify the number and approximate characteristics of the vessels which the particular owner or operator would acquire, construct or reconstruct. In determining the need for such vessels, the Secretary would be required to follow one of two principles. If the purpose is to replace an obsolete vessel or vessels currently operated in coastwise trade or on the Great Lakes, then it must be determined by the Secretary that in his judgment such replacement is warranted because the obsolete vessel is inadequate for successful operation in such trade. If, however, new construction or reconstruction is contemplated which is not for the purpose of replacing obsolete tonnage, then the Secretary must determine that such construction or reconstruction is necessary to provide essential services in a trade which is not presently being adequately served by U.S. vessels. In each instance, however, the the Secretary must find that the persons with whom he contracts possess the ability, financial resources and other qualifications necessary to operate the vessels.

The bill would add a new section 512 to the Merchant Marine Act, 1936, as amended, the pertinent provisions of which would provide, in substance, as follows:

Subsection (a) sets forth various definitions, including the terms "new vessel," "reconstruction," "obsolete vessel," and "domestic waterborne commerce." With respect to new vessels constructed under a building agreement with the Secretary, it is anticipated that such vessels would be of a type, size, and speed as are suitable for use on the high seas or the Great Lakes in carrying out the purposes of the Merchant Marine Act of 1936. It would not be necessary, however, that such vessels be suitable for conversion into naval or military auxiliaries, as the present-day merchant marine requires the addition of many large bulk cargo vessels, particularly on the Great Lakes. For purposes of the legislation, the term "domestic waterborne commerce" would include the transportation of merchandise and/or passengers by water between points in Canada and the United States on the Great Lakes, since it is characteristic of Great Lakes vessels that they be utilized both in the domestic coastwise trade of the lakes and in foreign trade with Canada.

Subsection (b) would authorize the Secretary of Commerce to enter into building agreements with citizens of the United States other than contractors—shipowners—who presently hold an operating differential contract under title VI of the act. The vessels provided by the building agreement, if not for the replacement of obsolete tonnage, would be limited to operation in domestic waterborne commerce where such vessels are needed to provide essential services in a trade which is not adequately served. New construction or reconstruction to replace obsolete vessels now operated in domestic commerce or on the Great Lakes could also be authorized by the Secretary if, in his judgment, such obsolete tonnage should be replaced because inadequate for successful operation. The Secretary would be precluded, however, from entering into a building agreement unless he finds that the citizen with whom he contracts possesses the ability, financial resources, and other qualifications necessary to enable him to operate the vessels.

Subsection (c) would limit a building agreement to a period of not in excess of 25 years. It also provides that the building agreement shall specify the number and approximate characteristics of the vessels which are to be acquired, constructed, or reconstructed by the owner, together with the approximate dates of acquisition, construction, or reconstruction. Extensions of the date or modification of the numbers of vessels would be provided upon a showing to the satisfaction of the Secretary that the owner is financially unable to comply with the terms of his agreement.

Subsection (d) would authorize the Secretary to make provision in any building agreement for—

First. Acquisition by the United States of an obsolete vessel or vessels in exchange for an allowance of credit to be applied upon the purchase price of a new vessel or the reconstruction of an existing vessel. The amount of the allowance of credit would be fixed at the time the owner contracts for any new construction and would reflect the fair and reasonable market value of the obsolete vessel. An obsolete vessel acquired by the United States would be placed in a national defense reserve fleet unless, in the opinion of the Secretary, it is of insufficient value for commercial or military operations to warrant its further preservation.

Second. Payment by the United States of a subsidy on the construction of a new vessel or the reconstruction of an existing vessel. This subsidy would reflect the difference between the cost of construction in a shipyard in the United States, based upon the lowest responsible domestic bid, and the cost of such construction in a foreign shipbuilding center furnishing a representative example of the lowest construction cost of such vessels. The subsidy could not exceed 55 percent of the domestic cost except in the case of reconstruction, where a 60-percent limitation would be imposed. All construction performed under a building agreement would be subject to the terms and conditions of section 505 (a) of the Merchant Marine Act of 1936, as amended. However, the restrictions of section 506 of the act, limiting vessels constructed with the aid of a subsidy to foreign trade, would not apply to any new vessel constructed pursuant to a building agreement, whether or not constructed with the aid of a subsidy. Any restriction on the use of a vessel in specific trades would be provided by the terms of the building agreement.

Third. Creation and maintenance of a construction reserve fund in which the owner would deposit, with respect to specified vessels, annual earnings equal to depreciation and other earnings from the operation of vessels specified by the Secretary. In the fund also would be deposited the net proceeds of sales or requisitions or net indemnities for actual or constructive total losses of specified vessels. Deposits could be withdrawn only for the purpose of making downpayments or retiring purchase money indebtedness on new vessels acquired pursuant to the building agreement or the cost of reconstructing existing vessels unless the Secretary authorizes capital improvements to other vessels of the owner.

Fourth. Such further conditions as the Secretary determines are not inconsistent with the intent and purpose of the act, including such restrictions as are necessary to preclude employment of the vessel in any trade which the Secretary has determined is being adequately served by existing U.S. vessels. In this respect the term "trade" as employed in the proposed legislation does not have the restricted meaning of an "essential trade route" or an "essential service." Rather, what is meant is overall trade such as that in bulk commodities on the Great Lakes or the trade in general commodities between Alaska and the west coast of the United States, for example.

Subsection (e) deals with the financing of new construction. It provides that in the event a vessel is acquired from the United States, a first preferred mortgage to the United States must be executed to secure payment of any sums remaining due. A downpayment of not less than 25 percent of the cost to the owner would be required upon the purchase of any new vessel, but an allowance of credit for an obsolete vessel could be applied by agreement with the Secretary toward such down payment. Interest at the rate of 3½ percent per annum would be required on all unpaid balances. The Federal ship mortgage insurance provisions of title XI of the act would be available to all operators desiring to finance the purchase of vessels privately.

Subsection (f) deals with the tax consequences resulting from the purchase or acquisition of vessels with construction reserve funds. It provides that the basis of any newly constructed or reconstructed vessel would be reduced for Federal tax purposes by that portion of the cost paid out of construction reserve funds which represent gain or income not previously recognized for the taxpayer. In the event a newly constructed or reconstructed vessel is acquired on the basis of an allowance of credit for an obsolete vessel or vessels, then the basis for Federal tax purposes of the newly constructed or reconstructed vessel would be the same as the basis of the vessel or vessels exchanged for credit, increased in the amount of the actual cost to the taxpayer other than that cost represented by any construction subsidy or expenditures from reserve funds on which gain or income has not been previously recognized.

Section 2 of the proposed legislation makes certain changes in section 605 of the Merchant Marine Act of 1936, as amended. That section presently provides that no vessel operating on the Great Lakes shall be considered, for purposes of the Act, to be operating in foreign trade. Thus Great Lakes vessels trading between the United States and Canada on the Great Lakes are presently excluded from either construction or operating subsidies. Section 2 of the proposed legislation would delete from section 605 this restriction on Great Lakes vessels engaged in foreign trade with Canada. Consequently, any Great Lakes vessel which could meet the present requirements of the Merchant Marine Act would be made eligible for construction and operating differential subsidies under present law. However, it is important to note that any Great Lakes vessel which would qualify for an operating differential subsidy under existing law, after section 605 of the act is amended, would not be eligible for the benefits of this bill. Thus, insofar as the lakes are concerned the purpose of this bill is only to aid those vessels and operators who could not otherwise qualify for construction and operating subsidies under the present act if section 605 were amended.

Mr. President, the Senate Committee on Commerce, at the instigation of the chairman (Mr. MAGNUSON), held hearings on the coastwise and intercoastal shipping industry in 1960 and on the domestic offshore shipping in 1961. A full documentation of the general problem is, therefore, available now.

In April of last year the President sent to Congress his transportation message. The President said:

> The Secretary of Commerce has undertaken a study of the current problems of the American merchant marine. This review will involve such specific issues as the state of coastal and intercoastal shipping and the costs of service to our noncontiguous territories.

I believe the State of Hawaii and State of Alaska were intended to be included within the term "noncontiguous territories." In any case, no recommendations have been presented to the Committee on Commerce; no proposals have been forthcoming from the Secretary of Commerce, concerning our domestic maritime trade.

Mr. President, these two bills are not introduced as a final solution to this critical problem. They are introduced in the sincere belief that a real and immediate problem exists and that the introduction of this legislation will provide a forum before which these and other recommendations can be heard.

It is my earnest hope that the bills, as introduced, will be brought to early hearings and that this body will take some positive action to revive an industry so important to our overall economy.

In closing, Mr. President, I would like to bring to the attention of the Senate the recent appraisal by Vice Adm. John Sylvester to my distinguished colleague, Senator MAGNUSON, chairman of the Commerce Committee, which was submitted on behalf of the office of the Chief of Naval Operations. In that study, the Department of Defense makes it clear that domestic deep-water shipping is vital to the defense of our Nation. The Department of Defense points out that in the event of nuclear war, the domestic deep-water freighter may be uniquely fitted to serve as the transportation link between our coastal cities during a period of time when land transportation is at the best an uncertainty. The Navy Department feels that since a large percentage of domestic ships would be at sea they would escape damage, and their availability is vital.

The statement by Admiral Sylvester makes it mandatory for this body to take action to preserve this industry.

The PRESIDING OFFICER. The bills will be received and appropriately referred.

The bills, introduced by Mr. BARTLETT, were received, read twice by their titles, and referred to the Committee on Commerce, as follows:

> S. 1773. A bill to amend the Merchant Marine Act, 1936, as amended, to encourage investment in the American Merchant Marine by providing a program of assistance in the construction of vessels, to correct inequities, to stimulate the domestic commerce of the United States, and for other purposes; and
>
> S. 1774. A bill to amend title V of the Merchant Marine Act, 1936, in order to authorize construction differential subsidy for certain qualified operators in the coastwise, intercoastal and noncontiguous domestic commerce of the United States, and for other purposes.

AMENDMENT OF WOOL PRODUCTS LABELING ACT

Mr. SCOTT. Mr. President, on behalf of myself and the Senator from Connecticut [Mr. DODD], I introduce, for appropriate reference, a bill which would amend the Wool Products Labeling Act to provide the Federal Trade Commission with discretionary power to exempt products from the necessity of disclosing wool fiber content on their products where such is not necessary in the opinion of the FTC for the protection of the consumer.

Such discretionary power is already available to the FTC in the case of the more recently enacted Textile Fiber Products Identification Act, which is not applicable to products required to be labeled under the Wool Products Labeling Act of 1939.

Favorable consideration of this legislation could be of substantial benefit to the wool felt hat industry which is faced with dwindling demand, particularly for millinery, and which now comprises only four factories, one of which is located in Connecticut and the other three within a 6-mile radius of each other in Lancaster County, Pa.

Wool felt hats compete with other headwear materials such as fur felt and various types of cloth which are exempt from equivalent labeling requirements.

The fiber content of headwear, including wool felt hats, is not a factor of special importance to the performance of the fabric.

The fiber content of headwear is not a factor of primary importance in consumer acceptance.

Hats are the only item of wearing apparel not subject to abrasive wear and tear and the fiber content is, therefore, unimportant to the consumer from this standpoint.

Consumers purchase hats on the basis of style, color and price with little, if any, consideration as to the specific fiber content.

Similar legislation has been introduced in the House of Representatives by my colleague, Representative DAGUE.

I strongly urge, Mr. President that the appropriate committee give immediate and careful consideration to this legislation.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1778) to amend the Wool Products Labeling Act of 1939 to authorize the Federal Trade Commission to exclude from the provisions of that act wool products with respect to which the disclosure of wool fiber content is not necessary for the protection of the consumer, introduced by Mr. SCOTT (for himself and Mr. DODD), was received, read twice by its title, and referred to the Committee on Commerce.

NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENT TO LEGISLATIVE APPROPRIATION BILL

Mr. MONRONEY submitted the following notice in writing:

> In accordance with rule XL, of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 6868) making appropriations for the legislative branch for the fiscal year ending June 30, 1964, and for other purposes, the following amendment, namely: On page 22, line 11, insert: ": *Provided*, That the proviso to the paragraph entitled 'Extension of the Capitol' in the Legislative Appropriation Act, 1956, as amended, is amended by striking out 'and to obligate the additional sums herein authorized prior to the actual appropriation thereof'."

Mr. MONRONEY also submitted an amendment, intended to be proposed by him, to House bill 6868, making appropriations for the legislative branch for the fiscal year ending June 30, 1964, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

LEGISLATIVE APPROPRIATION BILL, 1964—AMENDMENTS

Mr. PROXMIRE submitted amendments, intended to be proposed by him, to the bill (H.R. 6868) making appropriations for the legislative branch for the fiscal year ending June 30, 1963, and for other purposes, which were ordered to lie on the table and to be printed.

AMENDMENT OF AREA REDEVELOPMENT ACT—AMENDMENTS

Mr. SCOTT submitted amendments, intended to be proposed by him, to the bill (S. 1163) to amend certain provisions of the Area Redevelopment Act, which were ordered to lie on the table and to be printed.

Mr HOLLAND (for himself and Mr. Smathers) submitted amendments, intended to be proposed by them, jointly, to Senate bill 1163, supra, which were ordered to lie on the table and to be printed.

ADDITIONAL COSPONSOR OF BILL

Mr. KEFAUVER. Mr. President, I ask unanimous consent that the name of the Senator from Illinois [Mr. Douglas] be added as a cosponsor of the bill S. 1613.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF SECTION 315 OF COMMUNICATIONS ACT—ADDITIONAL COSPONSOR OF BILL

Mr. HARTKE. Mr. President, I ask unanimous consent that the name of the senior Senator from West Virginia [Mr. Randolph] be added as a consponsor of S. 1696, a bill I introduced on June 11, 1963, to amend section 315 of the Communications Act of 1934 so as to eliminate the statutory requirement of affording equal time for use of broadcasting stations by candidates for public office.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSOR OF BILL

Mr. PROXMIRE. Mr. President, I ask unanimous consent that at the next printing of S. 1721, a bill to amend the Small Business Act to prohibit certain discriminatory practices by business enterprises receiving assistance under such act, the name of the Senator from Pennsylvania [Mr. Clark] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bills:

Authority of June 17, 1963:

S. 1721. A bill to amend the Small Business Act to prohibit certain discriminatory practices by business enterprises receiving assistance under such act: Mr. Cannon, Mr. Dodd, Mr. Dominick, Mr. Gruening, Mr. McIntyre, and Mr. Nelson.

Authority of June 19, 1963:

S. 1731. A bill to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in education, to establish a Community Relations Service, to extend for 4 years the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes: Mr. Kuchel, Mr. Humphrey, Mr. Keating, Mr. Morse, Mr. Scott, Mr. Douglas, Mr. Beall, Mr. Symington, Mr. Fong, Mr. Clark, Mr. Javits, Mr. Hart, Mr. Case, Mr. Young of Ohio, Mr. Cooper, Mr. Dodd, Mr. Bayh, Mr. Brewster, Mr. Burdick, Mr. Engle, Mr. Gruening, Mr. Hartke, Mr. Inouye, Mr. Jackson, Mr. Kennedy, Mr. Long of Missouri, Mr. Magnuson, Mr. McCarthy, Mr. McGovern, Mr. McIntyre, Mr. McNamara, Mr. Metcalf, Mr. Muskie, Mr. Nelson, Mrs. Neuberger, Mr. Pastore, Mr. Pell, Mr. Proxmire, Mr. Randolph, Mr. Ribicoff, Mr. Williams of New Jersey, Mr. Dominick, Mr. Church, Mr. Moss, and Mr. McGee.

S. 1732. A bill to eliminate discrimination in public accommodations affecting interstate commerce: Mr. Kuchel, Mr. Humphrey, Mr. Keating, Mr. Morse, Mr. Scott, Mr. Douglas, Mr. Beall, Mr. Symington, Mr. Fong, Mr. Clark, Mr. Javits, Mr. Hart, Mr. Case, Mr. Young of Ohio, Mr. Cooper, Mr. Dodd, Mr. Bayh, Mr. Brewster, Mr. Burdick, Mr. Engle, Mr. Gruening, Mr. Hartke, Mr. Inouye, Mr. Jackson, Mr. Kennedy, Mr. Long of Missouri, Mr. McCarthy, Mr. McGovern, Mr. McIntyre, Mr. McNamara, Mr. Metcalf, Mr. Muskie, Mr. Nelson, Mrs. Neuberger, Mr. Pastore, Mr. Pell, Mr. Proxmire, Mr. Randolph, Mr. Ribicoff, Mr. Williams of New Jersey, Mr. Dominick, Mr. Church, Mr. Moss, and Mr. McGee.

S. 1750. A bill to enforce the constitutional right to vote, to establish a Commission on Equal Employment Opportunity, to authorize the Attorney General to institute suits to protect constitutional rights in education, to establish a Community Relations Service, to extend for 4 years the Commission on Civil Rights, to prevent discrimination in federally assisted programs, and for other purposes: Mr. Dominick, Mr. Fong, Mr. Jordan of Idaho, Mr. Kuchel, Mr. Miller, Mr. Morse, and Mr. Saltonstall.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961—ADDITIONAL COSPONSORS OF AMENDMENTS

Under authority of the order of the Senate of June 17, 1963, the names of Mr. Bartlett, Mr. Bible, Mr. Cannon, Mr. Douglas, Mr. Ervin, Mr. Gruening, Mr. Morse, Mr. Moss, Mr. Mundt, Mr. Nelson, Mr. Proxmire, Mr. Simpson, Mr. Talmadge, Mr. Yarborough, and Mr. Young of North Dakota were added as additional cosponsors of the amendments submitted by Mr. Church on June 17, 1963, intended to be proposed by them, jointly, to the bill (S. 1276) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed a joint resolution (H.J. Res. 508) making continuing appropriations for the fiscal year 1964, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

H.R. 5860. An act to amend section 407 of the Packers and Stockyards Act of 1921, as amended; and

H.R. 6755. An act to provide a 1-year extension of the existing corporate normal-tax rate and of certain excise-tax rates.

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H.J. Res. 508) making continuing appropriations for the fiscal year 1964, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

Mr. HAYDEN subsequently said: Mr. President, from the Committee on Appropriations, I report favorably without amendment, the joint resolution (H.J. Res. 508) making continuing appropriations for those functions of the Government for which appropriations have not been enacted for the fiscal year ending June 30, 1964, and I submit a report (No. 306) thereon. I ask unanimous consent for the immediate consideration of the joint resolution.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Arizona?

There being no objection, the Senate proceeded to consider the joint resolutions.

Mr. HAYDEN. Mr. President, this joint resolution is similar to continuing resolutions which are agreed to every year, with one exception. The exception to which I refer is that this resolution provides appropriations for a 60-day period and all authority under the resolution will terminate on August 31, 1963.

In those instances when bills have passed both bodies and the amounts or authority therein differ, the pertinent project or activity shall be continued under the lesser of the two amounts approved or under the more restrictive authority.

When a bill has passed only one House, or when an item is included in only one version of the bill as passed by both Houses, the pertinent project or activity shall be continued under the appropriation, fund, or authority granted by the one House, but at a rate of operations not exceeding the fiscal 1963 rate or the rate permitted by the one House, whichever is lower.

In instances when neither House has passed appropriation bills for fiscal 1964, amounts are approved for continuing projects or activities conducted in fiscal 1963 not in excess of the current year's rate or at the rate provided for in the budget estimate, whichever is lower.

The PRESIDING OFFICER. The joint resolution is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the joint resolution.

The joint resolution (H.J. Res. 508) was ordered to a third reading, was read the third time, and passed.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. KEFAUVER:

Address of Representative CELLER, on the subject of "Law Observance," delivered at Exhibition Hall, New York, June 17, 1963.

ADDRESS BY ASSOCIATE JUSTICE TOM C. CLARK AT INSTITUTION OF LOGOPEDICS

Mr. CARLSON. Mr. President, the Institute of Logopedics, at Wichita, Kans., is an institution that is nationally and internationally known. It was established, as a part of the Wichita University on June 1, 1934, as a nonprofit corporation dedicated to the alleviation and prevention of communicative handicaps.

The ever-increasing growth of this institution is the result of the dedication of Dr. Palmer and his determination to be of assistance to those who are afflicted with difficulties of speech. The record speaks for itself.

By 1962, 27,000 individuals had received help from the institution. They came to the institute from all 50 States and from 15 foreign countries. At the present time, approximately 15,000 individuals, with all types of communicative problems, are enrolled. Five hundred of these are at the Wichita Clinic, with the rest receiving training at the 21 field service centers throughout the State of Kansas.

The Institute of Logopedics is more than a treatment center. It is also an institution where professional training is given. Since 1934, more than 700 students have taken courses in the Department of Logopedics. Over 30 master's degrees have been earned since 1944; and presently there are 186 students majoring in the field of logopedics.

Graduates from the department of logopedics are bringing communication to persons in 27 States and four foreign countries.

On June 16, the Honorable Tom C. Clark, Associate Justice of the U.S. Supreme Court, participated in the dedication of a new interfaith chapel at the institution.

In his dedicatory address, Justice Clark stated:

> Not only was the institute the first language habilitation center in the world to be designed and built expressly for the care and training of the speech handicapped; but this is the first chapel ever to be erected for the specific purpose of making available—in the appropriate atmosphere—religious education to such children.

I ask unanimous consent that Justice Clark's speech of dedication be printed at this point in the RECORD, in connection with my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY MR. JUSTICE CLARK, AT THE INSTITUTE OF LOGOPEDICS, WICHITA, KANS., JUNE 16, 1963

I deem it to be a great pleasure and a high privilege to participate in the dedication of this beautiful interfaith chapel of the Institute of Logopedics. It is indeed a significant occasion. Not only was the institute the first language habilitation center in the world to be designed and built expressly for the care and training of the speech handicapped; but this is the first chapel ever to be erected for the specific purpose of making available—in the appropriate atmosphere—religious education to such children.

I come from Washington to speak at this service of dedication. It is but fitting that on behalf of those who are speechless I first say a few words of appreciation and gratitude to Sigma Alpha Sorority.

It is often said that there are no frontiers left today to explore and no pioneers left to explore them. Yet, we see right here before us the accomplishments of a great pioneer, Dr. Martin F. Palmer. His eyes light up when he relates the plans that he proposed for these silent children—an action program based on the philosophy that one's complete personality cannot be developed unless his experience includes the religious factor in life. As a result, an important part of the physical plant of the institute is this beautiful chapel that we dedicate today. It is significant that it is part and parcel of the same building where are housed the other facilities of the institute that are devoted to the educational effort to develop in these children the faculties that will enable them to carry on a normal life.

Thus, the functions of the institute are housed under one roof just as Dr. Palmer conceived that the course of instruction offered every student should result in the development of the whole child. Simple in design but truly reflecting the dignity of man and his dependence upon God, it has been built through the hard work, persistent efforts and loving devotion of Sigma Alpha. It shall stand as a monument to those who accepted the challenge of Dr. Palmer and his staff to bring to these children the teachings of Jesus so that their lives might be so blessed.

But this is not all that you have done. It takes more than mortar and boards and bronze and glass to make a chapel; you have supplied a togetherness of spirit that gives to this edifice life and love, reverence and faith. This is the more true because you and others have provided scholarships for professional students to come here and to learn the methods of habilitation of this great institute. Thus you have made it possible for its ministrations to be extended not only throughout the United States but in many countries of the world. And so to you, Sigma Alpha, on behalf of the thousands of human beings who have been helped through the assistance of this institute, and on behalf of its board of governors, its director, Dr. Palmer, and his staff, together with the patrons and patronesses of the institute, I say thanks and may God bless you for your great work. You have, indeed, rendered a good deed to a suffering fellow man. May others emulate your example and, in the song of the poet, join your effort in the realization that—

"Through this toilsome world, alas
Once and only once I fear
If a kindness I may show
If a good deed I may do
To a suffering fellow man
Let me do it while I can
No delay, for it is plain
I shall not pass this way again."

I have been greatly disturbed over the apathy of our people toward the 9 million souls among us who are unable—through no fault of their own—to lead normal lives because of a lack of communication. We take our facility for granted but one need only go on a short tour of inspection of the facilities of the institute to quickly realize the enormous handicap one has when he is unable to communicate readily with his fellow man. Just yesterday I took such a tour under the guiding and capable hand of Mrs. Barritt of the institute staff. I wish that every American, particularly the Congressmen and Senators as well as the President and Vice President, could see what I saw. I am sure that their hearts would go out in deep appreciation and lasting gratitude to the staff of the institute who, under the genius of Dr. Palmer, have built here in Wichita the greatest human habilitation center in our country. I know because I have been in them—all the way from Boston to Los Angeles, from Rochester to Austin. On this dedication day I speak for every American, who, I am sure, would want me to express to Dr. Palmer and his devoted staff the appreciation that is in my heart. What impressed me yesterday was the skill with which that staff works, the devotion that they give to their work, their dedication to its accomplishment, and the tremendous gains that they are making in this field. The life of Dr. Palmer, of Mr. Wurth, of Mrs. Barritt, and all of the others, reminds me of the life of Dr. Carpenter of Lexington, Va. When I was a student at VMI there was a doctor who had his office in an old two-story building in town. He was a fine doctor and undoubtedly could have practiced in the finest hospitals in the largest cities in the world. But he never thought much about money or prestige, and he chose instead to practice in the little town of Lexington, driving through the mountains in his old horse-and-buggy and caring for the needs of what he liked to think of as "his" people.

When any of the cadets at VMI had an ailment—or, for that matter, any other problem—which was too serious to be taken care of at school, they would go to see Dr. Carpenter. His office was on the second floor, and at the base of the old outside staircase was a weatherbeaten, wooden sign that read simply, "Dr. Carpenter—Upstairs." Finally, the long hours and age and the strain that comes from caring deeply about the problems of others took their toll, and Dr. Carpenter died. He had no family of his own, so the townspeople arranged the funeral. But when it came to finding an inscription for his grave, they could think of no words adequate to describe what he had meant to them or done for them. Some of the cadets had been allowed by the superintendent to attend the funeral, though, and they asked the mayor if they could not provide the marker for his grave.

A few years ago I was back at VMI for a reunion, and I went to the cemetery. There at the head of his grave is the sign which now, as in his lifetime, provides the only directions needed as to the doctor's whereabouts. It reads simply, "Dr. Carpenter—Upstairs."

It was only a few years ago that the cerebral palsied were thought to be mentally retarded because they could not talk—and they looked "that way," as the expression often went.

It has been the philosophy of Dr. Palmer and, through him, his staff that most of "these children can be taught to talk." It was that philosophy which developed this great model center which you have here in the heart of America.

Back in the thirties Dr. Palmer took these children and adults who had handicaps and put his philosophy to work. He started a professional training department at the University of Wichita, so that there would be many skilled hands and minds to help these forgotten ones. He developed a program to meet their needs—not attempting to squeeze them into an already set pattern but molding the pattern to each individual. He taught the brilliant child, the average child, and he sought to find the answer for the child who could not seem to learn. His was the effort to find a way of overcoming this retardation.

And just what is meant by retardation? The dictionary says, "Slow in the development of progress; obstacle." It does not state that progress cannot be achieved; simply that there is some sort of obstacle impeding progress. Exactly, what is this obstacle? That is what the institute has been attempting to discover for 30 years. Then when the obstacle is discovered, to reduce or eliminate or to circumvent it so that progress can continue at somewhere near a normal rate.

Through scientific techniques we have seen the cerebral palsied brought out of the classification of the mentally retarded. We have seen the aphasic or brain-injured child being brought out of the same classification. And now at the institute we are seeing the multihandicapped being recovered through the efforts of these dedicated people.

There are fine schools in this country for the blind, for the deaf. We have one of the best in Washington—Gallaudet College. There are also fine rehabilitation centers for the physically handicapped. These are known quantities and good answers have been developed for them. Not only have the blind, deaf and halt been give expert training but our society has also made great strides toward placing these individuals vocationally, so that they might function with 100-percent efficiency.

But there was no place in these institutions for the thousands that have a combination of problems or conditions for which no adequate answer has been found. These children and adults were then just lumped together and hidden in the recesses of the mentally retarded. This dumping of all of the so-called "nonlearners" presents a sad commentary on our national life and a great danger to the accomplishment of our national purpose. We thank God this morning that the Institute of Logopedics has never had this attitude. Dr. Palmer insists that his professional students in the Department of Logopedics learn about every type of communication problem. The result is that any multiplicity of problems presented by a given case can be approached with this insight. As he developed a special education program for those who could not profit from public school, he separated the cases according to type or multiplicity thereof so that proper techniques for their learning could be utilized. Today there are 40 classrooms and the number is continually growing. Existing ones are being subdivided as the staff attempts to get even better programing to fit each child's need, in the effort to bring him to independent, contributing adulthood through communication.

The ability to deal with these multihandicaps is the result of the unique nature of the institute's threefold program of clinical services, professional training and research, together with separate home facilities where children and adults may find that normal support, security, and family responsibility which is present in our average American home.

Let us consider ourselves for a moment. We are assumed to be normal. What is the main ingredient enabling us to serve society? Is it our minds, our bodies, or our ability to communicate? I say to you that a good mind and a healthy body are of small use if one cannot communicate. It is of the speechless that we speak and think today.

How many children in this country are in schools for the mentally retarded or mentally ill who could be restored to normal living if their problems were correctly understood? And let us add to these thousands of souls those in our penal institutions. Did you realize that there are 50 percent more speech difficulties in the prison population than in normal life? What causes this? Are the speech defectives prone to criminal tendencies? No. But let us ponder over what happens when one has continuing failures in communication in this speaking world. He may become aggressive or he may withdraw—even to the point of becoming mentally ill. And what happens to the families of those who fail? They, too, become emotionally upset. What happens to society when it fails to care for these failures? It deteriorates to that extent. No wonder a distinguished leader in the promotion of mental health stated that the Institute of Logopedics was ably performing one of the most important functions in American life today.

To perform this laudable purpose Dr. Palmer, his wife and his staff have dedicated their all; 27,000 children have been examined at the institute. Thousands have been returned to society as normal, articulate, good citizens. Indeed, three children each day are discharged from the institute and return to normal activity in life. Even more important, through the professional training department here, students trained in logopedics have served in 27 States and 7 foreign countries. We cannot count the numbers of lives that those devoted to the institute have touched. From this great center of learning there has emanated knowledge, hope and inspiration to children in all 50 States and well over a dozen foreign countries.

I mention only one person who comes to mind. He serves as I do on the bench of a State court. When he came here in the thirties he suffered helplessly from cerebral palsy—today he is a judge. And his recovery is due alone to this man, Dr. Palmer, who believed that the palsied, too, can be habilitated to normal living.

And so today we come here to dedicate this chapel to the advancement of the Holy Spirit into the lives of these dear children. That such is indispensable to their whole being cannot be gainsaid. Today we have through the good deeds of Sigma Alpha the culmination of Dr. Palmer's dream that these children would have a beautiful chapel in which to worship, simple in design, quiet in dignity and affording each religious order an opportunity to worship as it chooses. Tomorrow, I hope that he may have not only the continued help of you who are here, but also more converts, more devotees to the institute, more people to join in his crusade to bring communication to these 9 million unfortunate fellow citizens of ours. To this end let us pray that millions of us—the fortunate who can communicate—will get this "Palmer religion" as I call it and get this job done.

In this spirit we now dedicate this chapel with the fervent supplication to that Almighty Being who rules over the universe and whose providential aids can supply correction to every earthly defect; that this chapel be forever consecrated to the use of those who suffer speechless among us; that through His divine blessing they be returned to normal living and to His glory forever; and may all those who work in togetherness in this cause to achieve this miracle of our age likewise receive His blessing and benediction.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

BERLIN UPRISING

Mr. JAVITS. Mr. President, June 17 is known in Germany as the "Day of German Unity" and for good cause. It was on that day in 1953 that workers in the Soviet-occupied zone of Germany joined in spontaneous movement against the Soviet-backed Communist dictatorship that was—and is—ruling them with an iron hand.

Their demands for free elections and an end to the Communist dictatorship were answered with Russian tanks and troops. But despite the fact that their bid for freedom was denied by brute force, the martyrs of June 17 established a dramatic precedent of revolt and of protest in Soviet-controlled East Europe and spearheaded the ultimate drive of the Central European Communist satellites for freedom.

The deeds of these brave men, women, and children, and the cause for which they fought and died, is remembered every year. This year, the 10th anniversary of that heroic effort, an observance was held in New York City at which the speakers were Dr. Eugen Gerstenmaier, president of the German Bundestag, and our distinguished colleague, the senior Senator from Connecticut [Mr. DODD]. I ask unanimous consent to have their addresses on this historic occasion inserted in the CONGRESSIONAL RECORD.

There being no objection, the speeches were order to be printed in the RECORD, as follows:

ADDRESS BY DR. EUGEN GERSTENMAIER, PRESIDENT OF THE GERMAN BUNDESTAG

When I first came to your country in the winter of 1947–48, there was no German in the world authorized to speak for Germany. I was then a man indebted to American troops for his freedom and had come to thank them and your churches for carrying out a great rescue operation for hundreds of thousands of homeless refugees and other war victims. I came here as a guest of the Lutheran churches. A few weeks later I was received at the White House by your President, Harry Truman. My reception then, and the talk I had with the President, inspired me and prepared me for the extraordinary difficulties which confronted my country.

I can't tell you how grateful I am for the foresight of the American Government, not only under President Truman but also under General Eisenhower and President Kennedy. Together with the patience and generosity of the American people, they made it possible for us to carry out our policy despite great obstacles. The United States thus made loyal allies out of wartime enemies. You bridged the tremendous gulf between us and also made possible a great change in the German people.

This change is a fact; it is indeed the foundation of the enduring relationship between Germany, the United States, and the rest of the free world. It is a stable and reliable foundation and Dr. Adenauer will bequeath to his successor an auspicious achievement that will survive changes in governments.

One thing, however, was not achieved. Germany is still divided. Indeed, the Iron Curtain between us in West Germany and the 17 million people in the rest of Germany has become more impenetrable in the last 15 years, and the Berlin wall has grown higher. That is why the 17th of June, now being observed for the 10th time, is not a day of national rejoicing in Germany but rather a subdued commemoration of the anniversary. It is marked by a kind of melancholy that from year to year grows deeper. It casts its shadow over an event which Germans have special reason to honor and cherish.

Our history, as you know, includes many wars, but popular uprisings, bloody mass insurrections, have been rare. And whenever they did break out, they usually failed. In the history of our own generation the revolt against Hitler on July 20, 1944, failed; many Germans paid for it on the gallows. The uprising of June 17, 1953, against Moscow's henchmen in East Berlin and East Germany also failed. On both occasions the attempts did not stem primarily from material need or necessity, but from a hunger for freedom and human rights.

The response 10 years ago today—and 3 years later in Hungary—was Soviet tanks. The result: dead and wounded and many merciless executions. Other struggles for freedom, more or less bloody and more or less publicized, have taken place in Eastern Europe where men have stood up to demand justice. In this sense the 17th of June should remind us of the common cause we share with those beyond our own borders who seek their freedom.

Many have died in this cause, but we, the living, are obligated to live for our convictions. That is why the melancholy that darkens this day in Germany is uncalled for. By the same token, the reverence with which we remember the many victims of the division of Germany—and these include, incidentally, more than 30 Americans who died in the airlift—should not make this just a day of mourning. That kind of memorial day is suitable only for what is lost forever. This memorial day, for Germans, at least, should be an inspiration for the unfinished task that lies ahead.

Despite the responsibility the German people must bear for Hitler's crimes, we believe we have the right to be together. The vast majority of people in both parts of Germany give heartfelt approval to the unification of Europe. They also believe in the enduring association of a unified Germany with the North Atlantic community. But we cannot and will not forever relinquish our right to the integration of our own people.

We do not believe that the movement toward supranational integration is strengthened if it encompasses nations which themselves are not integrated. The unification of Europe will not be advanced, rather it will be inhibited by the division of Germany.

Moreover, the 52 million Germans in the Federal Republic owe it to the other 17 million in the Soviet-occupied zone of Germany to do everything conceivable to make it possible for them to live as human beings should.

Our policy today, as far as the German question is concerned, has three goals.

These are, one, a thoroughgoing humanization of living conditions for the people of the Soviet zone. This includes making it possible for the many divided families to go through the wall and the Iron Curtain and visit each other freely.

Two, establishing the right of self-determination in accordance with the United Nations Charter.

Three, the restoration of Germany's unity as a nation. I know that not a few people in the world regard all this as a hopeless German illusion. We disagree. All German political parties represented in the Bundestag concede that these goals cannot be reached by a unilateral German approach to the East. But we do not believe that setting these goals is in itself illusory. We maintain that it is an obligation. And at the same time, we hold that it is one of the legitimate tasks of world statesmanship in our time.

We Germans have decisively rejected war as a means to reunify our country. But this does not discharge us from the responsibility to investigate every possibility and to use every means within the framework of peaceful diplomacy, to make progress in negotiations with the East.

Some people may regard this only as national egoism or stubborn German resistance against the trend of history. Ladies and gentlemen, thoughtful and conscientious people in my country have never entertained any illusions about the bitter price the entire German nation has to pay for the suffering and crimes that occurred in the Hitler period.

But I must say to some so-called realists such as British philosopher Bertrand Russell and Hromadka, the Czech theologian, I must say to them that we Germans, although we have changed, and although we are now dedicated to peace and freedom, are not morally free to say Amen to a situation that denies millions of Germans their basic rights. Neither are we free to rest content with a condition in the heart of Europe which presents a continuing danger to the peace of the world. The danger is not that someone intends to start a war because of it; the danger is that the division of Germany itself lends itself to accidents that could bring about a world conflict.

It is not realistic to demand of us that we accept this situation and in addition that we establish diplomatic relations with the Communist satellite regime in East Berlin. Despite a readiness for compromise and conciliation, we consider such a demand not only politically unrealistic; we also see in it an imposition that is truly immoral. That is why, regardless of our readiness to live in peace with all men, we break relations with states which, by recognizing the Communist regime in East Berlin, in effect accept the division of Germany as final.

This situation is not comfortable, and it earns us anything but world praise. We understand perfectly well that people would like to relax. We understand, too, that divided Germany, with its Berlin problem and its troublemaking wall is not regarded by you as the center of the world. The 17th of June observance is not intended to suggest this. On the contrary, it should remind us Germans again and again that our most burning national problem, in the last analysis, is only a part of the historic conflict between the ideologies of totalitarian police states and the philosophy of freedom and human rights.

We Germans are not a very harmonious people and we have many internal disagreements. But from one end of the country to the other, with few exceptions, we agree on this: we have you to thank for saving most of Germany from being submerged in the Communist flood. The gratitude for this in Germany is great and deep. I am certain that President Kennedy will become clearly aware of it when he honors us with his visit next week.

World communism, as aggressive now as ever before, has two important allies in the free world today. One is the illusion that we can easily afford to let the Soviets practice their "salami" tactics. They will never be satisfied. The other ally—and this is much more dangerous because it is far more widespread—is complacency. We Germans know from experience how much a totalitarian state can force its people to accomplish—and even to bear the strain for some time with enthusiasm. Thus we have every reason not to underestimate either the Communist world or the danger it holds for us. But neither should we overestimate it. One course leads to inertia, the other to defeatism.

We can avoid both by being watchful, by being faithful to our allies and by fulfilling our commitments to the free world.

I would like to add in this context that we are not thinking only in military and financial terms. It is time for us to make an additional contribution in the form of political ideas. Perhaps we can help develop new formulas for resolving the problems facing us all. In my opinion, a true partnership requires that the parties concerned frankly express their views. I say this with the conviction that our alliance is fundamentally so firmly grounded and secure that it can tolerate temporary differences of opinion, as is the case now, for example, with regard to the Common Market.

We Germans have had the good luck to meet a number of extraordinary Americans who worked in Germany and left us with a clear image of American fairness, generosity, and determination. Some of them are with us here today. I am certain that the effort and sacrifice they and your great country made in Germany and everywhere else where freedom is at stake have not been in vain. As far as we Germans are concerned, I am just as certain that my pepole—after the terrible experience they went through—are dedicated to freedom with all their hearts. It is no exaggeration to say that this is also true for the overwhelming majority of the oppressed Germans behind the Iron Curtain. And for this reason, too, we shall not forsake them. And therefore, it is not only on this day that we appeal to you, to the peoples of the free world: do not forget them; do not write them off; do not give them up. They belong to us; they belong to you.

Many times in many countries I have been asked, "Where are you Germans going; what do you have in mind for the future?" I would like here and now to answer in the words of Abraham Lincoln. We intend to live "with firmness in the right, as God gives us to see the right."

This, indeed, was the motive of the 20th of July 1944, when Germans rose against Hitler. And this was the motive of the 17th of June 1953, which we commemorate today. And this must henceforth motivate Germany as part of the free world.

Remarks by Senator Thomas J. Dodd at Commemoration of the East German Uprising

The course of human history is uneven, and the events of tomorrow have in every generation been unpredictable. Since mankind first began to record its story, there have been periods of progress, periods of stagnation, and periods of disastrous retrogression. But there is, in this varied history, a central moral pattern which makes it possible to foresee the general outline of the future, even though the details may remain obscure.

Despite the periods of stagnation and retrogression, the broad tendency of history points ever upward to the goals of human equality, of brotherhood between the peoples of the world, of peace between the nations, and of free societies whose laws stem from belief in the dignity of the individual.

In this long, upward struggle there are several dates that have enduring and universal significance because they represent historic turning points.

Such a date was June 19, 1215, on which the Magna Carta was signed in ancient England.

Such a date was July 4, 1774, when the American colonies issued their Declaration of Independence from British rule, invoking the belief that all men are created equal, that they are all entitled to life, liberty, and the pursuit of happiness and that it is the function and purpose of government to protect these rights.

Such a date, too, was June 17, 1953, when the workers of East Germany, ignoring the pundits who said that revolt against Communist dictatorship was impossible, rose up against their Communist rulers and against the military might of the Soviet Red army.

I think it important to recall certain facts about the uprising of June 17 because these facts constitute the best answer to those pessimists who believe that Communist power is permanent and unassailable and that Western policy must therefore seek to devise an accommodation with Soviet rule in Central Europe.

The uprising of June 17 began simply enough with a march of some 5,000 East Berlin workers, protesting against the new work norms.

Within hours, what began as a demand for the abolition of the work norms, turned into a demand for free elections.

Within a day, over 200,000 workers throughout East Germany had joined the revolt.

In Magdeburg, Görlitz, Brandenburg, and other cities, the workers stormed government offices and freed prisoners from Communist jails. They tore down and burned the hated Red flag of communism, which they regarded as the symbol of their oppression. And when the Red army sent its tanks in to crush the revolt, they fought against the tanks with rocks and with bare hands.

At this juncture in history it was a foregone conclusion that the workers of East Germany could not prevail against the massed might of the Red army. Their revolt was doomed to defeat; and it was also inevitable that they would have to pay a dreadful price for their temerity. In the fighting itself, several hundred East German workers died and thousands were wounded. In the repressions that followed, 50,000 East Germans were reported arrested. Almost 200 were executed, and 7,000, it is estimated, disappeared.

But even in defeat, the revolt of June 17 represented a signal victory for the cause of freedom.

At one stroke it destroyed the myth that Communist dictatorships are inherently stable and that uprisings against them are impossible. It demonstrated how utterly without support these dictatorships are. It demonstrated the total failure of 7 years effort to indoctrinate the youth of East Germany in Marxist dogma. It set a precedent for the Poznan uprising in Poland and the mighty Hungarian Revolution of October 1956 which shook the satellite empire to its very foundations.

The revolt of June 17 set off a historic process which will some day bring the entire structure of Soviet colonialism tumbling down. For freedom and not communism is the wave of the future. This is the central lesson of history. And it is the central lesson of the East German revolt.

As it was in 1953, the city of Berlin remains today the fulcrum of the struggle between the forces of freedom and the forces of slavery in the continent of Europe.

There are some who became discouraged, especially after the erection of the Berlin wall, by an apparent weakening in the Allied position and by voices of compromise in this country and in Great Britain. I am, myself, unhappy over some of the concessions we have made, or offered to make, on the question of Berlin and over our failure to react more energetically to the erection of the Berlin wall. But I am as certain as I am of anything that the West will never abandon Berlin.

Our commitment to defend Berlin has been stated and restated by three successive Presidents and by five Secretaries of State. It has been confirmed by congressional resolutions. It has been supported by the American people in successive Gallup polls, by the incredible majority of 8 to 1.

It was reconfirmed to the people of Berlin by Vice President LYNDON B. JOHNSON, acting as special emissary for President Kennedy in August 1961. His words on that occasion are worth quoting because I firmly believe that they represent the policy of our Government.

"I have come to Berlin by direction of President Kennedy. He wants you to know—and I want you to know—that the pledge he has given to the freedom of West Berlin and to the rights of Western access to Berlin is firm. To the survival and to the creative future of this city we Americans have pledged, in effect, what our ancestors pledged in forming the United States: 'our lives, our fortunes, and our sacred honor.'"

Finally, our continuing commitment to Berlin was made clear beyond the possibility of doubt by the fact that President Kennedy assigned Gen. Lucius D. Clay as his special representative in Berlin. General Clay's name has rightly become a symbol of Western determination to defend the freedom of Berlin and of its refusal to yield to threats and blackmail. The meaning of General Clay's appointment was, I am certain, not lost on the Soviets. It may very well be the reason why the Soviets are blustering far less this year than they were a year ago at this time.

There are those who say that the West was not even able to prevent the erection of the Berlin wall. How then, they ask, can the West possibly hope to persuade the Soviets to agree to the reunification of Germany, short of a war which no one wants?

I believe that there are many actions that we could have taken, short of war, to prevent the completion of the Berlin wall; and I believe that there are courses of action open to us which would make the democratic reunification of Germany a realistic objective, achievable by peaceful means.

First of all, I believe that the conventional forces under NATO's command in Europe must be dramatically increased. There has been far too great a tendency to rely on the shield of American nuclear retaliation; and, because of this tendency, our European allies have limited themselves to military efforts that are proportionately far below the American level.

To be sure, the free world must have the ability to respond to thermonuclear attack with thermonuclear missiles of its own. But thermonuclear missiles can have little impact on the internal political situation in satellite Europe and can exercise little restraint on the Red Army if it should come to another East Berlin or Poznan or Budapest.

The mere existence of conventional forces, in the adjoining free territories, on the other hand, does exercise a political influence, and this influence varies in direct proportion to their size and power. If NATO had achieved the Lisbon Conference goal of 50 divisions at the time of the Hungarian crisis, there is strong reason to believe that the Red Army might not have intervened again in Hungary after its withdrawal in late October 1956.

The second area in which we must concert our policies and increase our efforts, is trade with the Soviet bloc.

I believe that the free world must use its tremendous economic power, as the Soviets used their power, to bolster their diplomacy.

It is not merely that we have at our disposal vast annual agricultural surpluses, while the Communist bloc suffers chronically from agricultural shortages. The Herter-Clayton report of November 1961 pointed out that the West, possessing 18 percent of the world's population, commands two-thirds of its industrial capacity. "The way in which this preponderant power is used," said the report, "will be a major factor in determining the issues and outcome of the cold war."

Despite a few highly publicized technological successes the industry of the Soviet bloc is incredibly weak in many areas. The Soviet machine tool industry suffers, in particular, from a chronic inability to produce high precision equipment. To overcome their weaknesses, the Soviets have been desperately shopping for precision machine tools and chemical processing equipment and entire industrial plants of various kinds.

Although the NATO allies have imposed some restrictions on shipments to the Soviet bloc, these restrictions have been very unevenly applied, and the Soviets have been able to obtain an increasing amount of equipment which adds significantly to their industrial-military potential.

There is nothing that the Soviets desire more than increased imports of industrial equipment from the West and credit to finance these imports. Conversely, there is nothing that would hurt the Soviets more than the drastic curtailment by the free world of the present shipments of industrial equipment to the Communist bloc. Such a curtailment would play havoc with the Soviet economy because of the rigidity of its planning. It would make it more difficult for the Soviets to meet its economic commitments to the satellites, and thus increase the stresses within the bloc.

Our great industrial and agricultural superiority gives us leverage which we can exercise in a positive or a negative direction. The starting point should be a general tightening up on trade with the Soviet bloc. Beyond this point, we should meet aggression or threat of aggression by carefully calculated sanctions starting first, perhaps, with a ban on certain categories of industrial equipment; then extending this, if necessary, to cover all machine tools and chemical processing equipment; and finally, if the Soviets persist in their attitudes, cutting off all trade with the Soviet bloc.

Conversely, if the Soviets ever show themselves disposed to seriously bargain for a relaxation of the situation in Europe, we are in a position to offer meaningful concessions on trade and credit in return for political concessions from the Soviet side. It is not inconceivable that against a background of recurring discontent within the satellites and internecine strife within the Kremlin, the Soviets might some day be willing to exchange free elections in Germany for substantial credits and shipments of equipment from the West. For my own part, I believe this would be a legitimate quid pro quo.

I do not underestimate the difficulties in the way of implementing such a policy. It will involve the voluntary abandonment of profitable sales by Western industry, and a far greater degree of cooperation than today exists between the NATO nations. But if we are not prepared to forego a small percentage of our profits in the interest of freedom, then the future of freedom is, indeed, uncertain. And if we are not prepared to use our great economic leverage as an instrument of deterrence against Soviet aggression, then the future of peace is equally uncertain.

It is not enough that we should come together every year at this time to pay homage to the heroism of the East German uprising of June 17, 1953. We owe it to the martyrs of the East German uprising and of the Polish and Hungarian uprisings which succeeded it, to pursue the goal for which they gave their lives by making it the prime objective of our diplomacy.

I am confident that this goal is achievable. I am confident that it can be achieved by peaceful means. But it will require all the persistence, all the resourcefulness, and all the dedication of which we are capable.

If we so dedicate ourselves to the task before us, then the heroes of the June 17 uprising will not have sacrificed their lives in vain.

TRADE EXPANSION ACT

Mr. JAVITS. Mr. President, on May 17 I made a speech in which I set forth certain recommendations as to how the United States could deal with its trade policy in the face of the rebuff which the whole world has suffered in respect of her trade policy when Britain's application for admission to the Common Market was rejected. There have been most unusual comments and analyses upon these recommendations which call for changes in the Trade Expansion Act.

Mr. President, I have been watching with great concern developments in

Western Europe which tend to negate our basic foreign trade policy objectives: the gradual expansion of worldwide trade through the mutual elimination of trade barriers. The failure of Britain's admission to the EEC and the unfavorable results of the first ministerial meetings in Geneva under the Trade Expanson Act, call into question the adequacy of our negotiating position at the coming trade talks. By unduly concentrating on our trade with the EEC to the exclusion of our other major trading partners such as Canada, Latin America, the United Kingdom and Japan, we are acting against our own national interest as well as the interest of the free world.

With these thoughts in mind, I made a statement on this floor on May 17 calling for a reappraisal of the Trade Expansion Act and the elimination of contradiction from our foreign trade policy. My remarks received wide national circulation, generating comments from businessmen, trade associations, foreign governments and plain citizens. I believe these replies indicate the existence of a national consensus behind the national effort to reduce trade barriers and the adjustment of our economy to the competitive realities of the day. Increased productivity not protectionism is the rational answer to import competition.

I believe a sampling of these comments will be of interest to my colleagues. I therefore ask unanimous consent that copies of some of the more outstanding letters received by me commenting on my May 17 foreign trade statement on the floor be printed in the RECORD at the conclusion of my remarks.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

CALIFORNIA WOOD PRODUCTS, INC.,
Santa Rosa, Calif., June 11, 1963.

Hon. JACOB K. JAVITS,
U.S. Senator,
Washington, D.C.

DEAR SIR: I read with extreme interest your statement to the Senate entitled "United States Must Play New Role at Worldwide Trade Talks."

For many years, our firm has fought for stronger alliances with countries of the free world through liberalized trade. Our most recent foray upon protectionist groups who threaten the Nation's world trade future is included in a letter to DON CLAUSEN, Congressman, First District, State of California. Our wish is that Congressman CLAUSEN consider the international implications of his actions before being led down the "protectionist path."

Many thanks to you and your colleagues who clearly understand the role the United States must play in the economic cold war with the communistic bloc.

Very best regards.

Sincerely,

E. M. CRITCHFIELD, *President.*

THE TOBACCO INSTITUTE, INC.,
Washington, D.C., June 12, 1963.

Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR JACK: I have just had an opportunity to read carefully your letter of June 3 and its enclosure, which is a copy of your speech in the Senate of May 17 proposing certain amendments liberalizing the Trade Expansion Act of 1962.

I concur most heartily in the views you have expressed and proposals you have made. As president of the Tobacco Institute, I testified before the House Ways and Means Committee last year, presenting the full support of the tobacco industry, including manufacturers, leaf dealers, and growers, in support of the bill. I would be happy to express similar support for your present proposals.

I was also glad of an opportunity recently to testify before the House Foreign Affairs Committee on behalf of the proposal to eliminate the so-called Mills amendment, enacted last year, which will impose heavy restrictions against our trade with Yugoslavia and Poland if allowed to stand. I hope very much that you will do everything in your power to advance this project.

With every good wish,

Sincerely,

GEORGE V. ALLEN.

JUNE 7, 1963.

Senator JACOB JAVITS,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: Thank you for the reprint of your recent address in the Senate on world trade and U.S. trade policy. As former Special Assistant to Secretary Hull, subsequently for 13 years a member of the U.S. Tariff Commission (11 years as vice chairman) and a member of the U.S. delegation at the Geneva Conference in 1947 which adopted the GATT, I am naturally much interested in this subject and in your address.

Let me congratulate you most sincerely on the splendid contribution that you, as a U.S. Senator, have consistently and most ably been making over the years to liberal trade policy. Your contributions exhibit a thorough understanding not only of its broader implications but also of its technical aspects and problems in practical administration, and commendable initiative and imagination in suggesting ways of making it more effective. With practically everything that you suggest in your address I find myself in agreement. Since, however, you invite comments, you may find the following to be of some interest.

First, I have some observations to make regarding that part of your address in which you discuss adjustment assistance. I quite agree with you that the Trade Expansion Act should make clear that the purpose of adjustment assistance is not to avoid disturbing the status quo but, quite the contrary, to facilitate maximum utilization of the Nation's human and material resources. But it also seems to me that the retention in the act of the proviso that the increase in imports must have resulted in major part from the trade agreement concession greatly weakens, if indeed it does not substantially preclude actual use of, the adjustment provisions. It was my experience as a member of the Tariff Commission that in most cases, if not all, it is quite impossible to differentiate at all closely between a tariff concession and other factors as the cause of increased imports. This particular provision threatens to make a virtual dead letter of the adjustment provisions. Unless this feature of the act can be made genuinely operative in deserving cases, either tariff cuts that ought to be made cannot be made or, if made, will result in the accumulation of increasingly formidable opposition to continuance of our present policy and, possibly, its reversal.

Second, while recognizing that the amendments you have suggested would greatly increase our bargaining power in the coming negotiations and are most desirable, I have serious misgivings—especially if they are not adopted—regarding the prospect of our obtaining anything remotely approaching the kind and magnitude of concessions from the Common Market that we ought to seek and that you envisage. These apprehensions were not greatly lessened by impressions I received from attending a small meeting recently at which Mr. Jean Royer—formerly a top official of the GATT and presently, I understand, tariff consultant for the International Chamber of Commerce and the World Bank—was the speaker.

In an able and well-informed talk, he emphasized at the outset that the Common Market countries were not greatly impressed with the value of the concessions we could offer. Partly this seems to have been based on our loss of bargaining power by reason of the exclusion of the United Kingdom from the Common Market—thanks, I might add, to his fellow countryman, President De Gaulle—your proposals would, of course, broaden and activate this feature of the act. He was also concerned about possible agreement by the United States to a tariff-cutting formula that would go beyond reciprocal horizontal reductions and permit lopping off the higher peaks in our tariff structure; for example, chemicals. He was hopeful that an acceptable compromise could be arrived at. Our subsequent agreement at Geneva not to exclude this idea has helped for the time being to tide over this difficulty.

But in respect of the deadlock over agricultural protection in the Common Market, he was not at all reassuring, merely suggesting that some accommodation might be achieved through international commodity agreements. He had previously suggested that the negotiations might be advantageously confined, largely or wholly, to nonagricultural commodities.

Coupling his earlier expression of skepticism regarding the value of concessions we could offer with his emphatic statement at this point that, in his view, no substantial change in the Market's agricultural policy could be expected, I asked whether the threat of withdrawal on a wide scale by the United States of concessions already enjoyed by the Common Market would induce it to make really worthwhile modifications of its present attitude. Or, if it came to a showdown, would it elect to engage in a trade war? Needless to say, I explained that I held no brief for the penalty method of tariff bargaining and would deplore such an outcome as costly to both sides. But suppose, I continued, matters should come to this pass, what would be the result?

I was not greatly heartened by his reply. He felt certain that no appreciable modification could be expected in its agricultural policy. This seems to have been a sacrosanct fait accompli so far as he was concerned, though I observe that negotiations in this area are not precluded by the broad and very general agreement on bases for negotiation subsequently approved at Geneva. On the subject of trade war he sidestepped somewhat by suggesting that the Common Market might not elect to retaliate.

If Royer's views are well founded, and especially if your proposals are not adopted, can we be quite sure that, in the absence of the penalty method of obtaining concessions (or perhaps even with it), we can achieve a satisfactory agreement? May we not be in need, while "speaking softly" but not too softly, of "carrying a big stick" and somehow getting across the idea that it may, indeed, have to be used. If they are not impressed by what we have to offer, might they not be a little more impressed by what we can take away?

I came away from the Royer meeting more convinced than ever that the Common Market is going to be an extremely hard bargainer. Most emphatically we shall need the additional bargaining power envisaged in your address in order to achieve a really good agreement. Unfortunately, I am not entirely sure that even this will suffice. But it would surely help.

Sincerely,

LYNN R. EDMINSTER.

WASHINGTON, D.C.

GESTETNER CORP.,
Yonkers, N.Y., June 10, 1963.
Senator JACOB K. JAVITS,
U.S. Senate.

DEAR SENATOR JAVITS: Thank you very much for sending us the copy of the CONGRESSIONAL RECORD which printed your statement on foreign trade, which sets forth with singular wisdom and clarity the position which all thinking men will support.

Meanwhile, in spite of the Government's expressed stand with general bipartisan support for more liberal trade, the Department of Defense has seen fit under the guise of the national security to impose regulations which have the affect of eliminating imported merchandise as a competitive factor in Defense Department procurement to the detriment of the import and export industry at large and the Government itself.

The elimination of this area of competition has already led to needless increases in costs in the vast area in which the national security is clearly not at stake.

In our own State of New York, the "Buy American" regulations put into effect in the parlous days of the depression still serve to deny to the State economies that could be affected by the introduction of imported merchandise, and this in a State whose very prosperity depends so much on the vitality of its imports and exports and the great port of New York City.

Sincerely yours,
D. ZEALAND.

SYRACUSE UNIVERSITY,
COLLEGE OF BUSINESS ADMINISTRATION,
Syracuse, N.Y., June 11, 1963.
Senator JACOB K. JAVITS,
Senate Office Building,
Washington, D.C.

DEAR SENATOR JAVITS: Thank you for your letter of June 3 and for your splendid speech given on the floor of the Senate on Friday, May 17, 1963 The sentiments expressed in your speech are such that I can endorse them without exception. I believe that the Congress of the United States should amend the Trade Expansion Act of 1962 so as to eliminate the limitations presented by the 80-percent provision clause. I endorse the idea embodied in your bill S. 602.

I entirely endorse your remarks with respect to the need for further liberalization of American trading regulations to include in the GATT negotiations the commodities now entirely excluded and also the reduction and removal of the many import quotas that are in existence.

The negotiations presently being conducted at Geneva have already made it clear that the EEC is going to drive a hard bargain. I believe that they are bargaining from strength, and that this is no time for the United States to argue as it does within the endorsement given the Trade Expansion Act by the Congress, that the United States is in favor of freeing world trade and increasing its trade with the Common Market if, at the same time, it covers its retreat in the face of hard bargaining with a whole series of restrictions that are outside the tariff negotiating machinery. You will no doubt have read of the complaints made by the French Chamber of Commerce with respect to the trade restrictions that limit French access to the American market. You will also have seen in the April issue of the First National City Bank newsletter an effective documentation of the hypocrisy that surrounds the stand taken by the United States and its representatives with respect to the reduction of restrictions on agricultural countries. It is well to remember that the United States already has a favorable balance of trade with the EEC, and that EEC has a right to demand additional opportunities to expand its trade with the United States. If we are to persuade both the EEC and the free world that we believe in the advantages that accrue from the free working of comparative advantages, if we are to persuade the uncommitted countries that we are as much concerned for our poor relations as we are for our relations with our richer friends, then we must put aside hypocrisy and take positive steps to make our domestic market available to those who can compete successfully in it. It would be well for the United States to begin the liberalization process by making still further concessions to the Japanese, who have shown the path to development that is possible under the free market system, the path that may or may not be traveled by other developing countries. Japan financed its own economic development very largely through the pursuit of the most efficient methods of production. In the face of American and British competition, Japan was able to compete successfully and earn the foreign exchange that is required to accelerate further economic development. We cannot advocate the free market system as the better alternative to the Soviet system of development if we positively discourage Japan and the developing countries from looking to the developed free markets for potential customers.

Thank you again for your letter and accept my support in your efforts.

Sincerely yours,
MICHAEL J. THOMAS,
Instructor, International Marketing Management.

NEW YORK, N.Y.,
June 13, 1963.
Hon. JACOB K. JAVITS,
Senate Office Building,
Washington, D.C.

DEAR SENATOR JAVITS: Thank you for sending me your letter of June 3, 1963, and the enclosed address on U.S. trade policy.

There are two comments that I should like to make. In the first place I am bound to say that the European position with respect to the inadequacies of the present law to remove the disparity between "very high" and "very low" duties seems to me to be entirely reasonable. I would hope that enough flexibility could be put into our law to make it possible to meet them at least part way. The old French plan of 1951, which provided for negotiations on the basis of reductions in an index number of duties in predefined groups of items always seemed to me rather attractive, but the U.S. could not accept it then as a basis for negotiation. We shall now probably have to accept something similar but less favorable.

Secondly, I would draw your attention to the relationship between the whole complex of negotiations centering around GATT and the forthcoming U.N. World Trade Conference. I feel that the United States may face a very bad time in that conference. I have been told that there was an opportunity to have a competent Indian chosen as Secretary General and that the State Department, thinking to please Latin America, refused to go along with a deal to that effect and supported Prebisch. I cannot think how anyone who knows either Latin America or Prebisch could imagine that this could yield any favorable results. I am very much afraid that the conference will turn into an all out attack on GATT, the trade policies of the Atlantic countries and the United States in particular.

I can see that it may have a number of bad effects but I cannot see that it could have any good ones. But the point is that if the underdeveloped countries are convinced before the conference meets that they are getting something of benefit to them through the GATT machinery, the more sensible among them may very well be persuaded not to join a united front against the United States.

Finally, may I say that, after admiring your approach to and judgement about these important commercial policy matters for a good many years, I expect from about the middle of 1964, to be able to express my support in more concrete manner as I shall probably become a constituent of yours at that time.

With best wishes,
Sincerely,
MICHAEL L. HOFFMAN.

CONSOLIDATED PAINT & VARNISH CORP.,
Cleveland, Ohio, June 12, 1963.
Hon. JACOB K. JAVITS,
U.S. Senate, Committee on Labor and Public Welfare, Washington, D.C.

SIR: Thank you for sending us a transcript of your speech regarding reduction of tariffs, reprinted in the CONGRESSIONAL RECORD of Friday, May 17, 1963.

We would like to state that we are fully in favor of tariff reduction in the largest scale possible, as we feel certain that this will contribute enormously to the increase of export business of our company in particular and the United States in general.

In many instances, we find that certain of our materials (roofcoatings and specialty paints) are excluded from many markets because of the high tariff and duty exacted for these materials. Although our customers are convinced of the superior quality and usefulness of our products, this in many cases is an obstacle impossible to surmount.

Thank you for your efforts.

Very truly yours,
I. M. HYNCIK,
Export Manager.

CONGRESS OF THE UNITED STATES,
Washington, D.C., June 18, 1963.
Hon. JACOB K. JAVITS,
Old Senate Office Building,
Washington, D.C.

DEAR JACK: That was an able speech of yours on foreign trade. I agree with nearly all of the views expressed and fought for most of them inside the committee.

With best wishes.
Faithfully,
PAUL H. DOUGLAS.

STANDARD OIL CO., NEW JERSEY,
New York, N.Y., June 18, 1963.
Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JAVITS: I have read with the greatest of interest your speech to the Senate on May 17, 1963, which you were kind enough to send me with your letter of June 3, 1963. My associates and I were in full accord with your efforts last year to give the President broader authority in the administration of the Trade Expansion Act of 1962 and certainly wish you success in the renewed effort which you are making.

I greatly appreciate your thoughtfulness in writing me on this matter.

With best regards,
Sincerely yours,
M. L. HAIDER,
President.

KELLOGG CO.,
Battle Creek, Mich., June 18, 1963.
Hon. JACOB K. JAVITS,
Senate Office Building,
Washington, D.C.

DEAR SENATOR JAVITS: We have your letter of June 3, 1963, and we agree with you that we must amend the Trade Expansion Act of 1962, to provide authority for the President to negotiate for the reciprocal across-the-board elimination of tariffs with all fully developed free world nations in specified categories of items to replace the present authority which has been emasculated by the rejection of United Kingdom membership in the European Common Market.

Yours very truly,
E. L. HARDING, Sr.,
Vice President and General Counsel.

Merchants National Bank & Trust Co.,
Indianapolis 9, Ind., June 12, 1963.
Hon. Jacob K. Javits,
U.S. Senate,
Committee on Labor and Public Welfare,
Washington, D.C.

Dear Senator Javits: I appreciated very much your letter of June 3 with the abstract from the Congressional Record. A freer trade among the nations of this world can increase our gross national product, our trade balance has always been favorable.

The question of a liberal trade policy is closely related to the strength of the U.S. dollar. If in defense of the dollar there must be restrictions on its international use, the dollar-sterling basis of the free world's trade and finance will weaken to the detriment of Western civilization.

I appreciate your understanding of the problems of Latin America, Asia, and Africa. We cannot let the poor nations become poorer as a result of Common Markets of the developed countries. I will appreciate being on your mailing list.

Very truly yours,
G. I. Gibbs,
Assistant Cashier.

International Shipping Co.,
Portland 4, Oreg., June 10, 1963.
Hon. Jacob K. Javits,
U.S. Senate,
Washington, D.C.

Dear Sir: I have read with great interest your speech as recorded in the Congressional Record of May 17. I quite agree that the Trade Expansion Act of 1962 is inadequate to cope with conditions as they exist at the moment and that the President with proper guidance should be given broader authority to deal with changing conditions which affect the welfare of the whole of the United States and not a particular group. We are faced with a situation in the world today where this Government must be prepared from its knowledge of world affairs to act in the best interests of all of us in this country and those countries who directly affect our security and trade interests.

I feel sure that most businessmen and those who are sincerely interested in the general welfare of our country will wholeheartedly agree with your ideas.

Yours very truly,
R. W. Cabell,
President.

United Nations,
New York, June 18, 1963.
Senator Jacob K. Javits,
U.S. Senate,
Senate House Building,
Washington, D.C.

Dear Jack: I read with great interest the statement you delivered on the floor of the Senate on May 17, under the title "United States Must Play New Role at Worldwide Trade Talks." How right you are.

Yours sincerely,
Paul G. Hoffman,
Managing Director.

June 12, 1963.
Hon. Jacob K. Javits,
U.S. Senate,
Washington, D.C.

Dear Senator Javits: I have the honor to thank you very much for your letter dated June 3, 1963, concerning the U.S. trade legislation.

The Austrian Federal Government is also aiming at an increased economic cooperation between the nations of the world and is, therefore, following with great interest the developments in regard to the U.S. Trade Expansion Act 1962.

I have, therefore, transmitted your letter to the competent Austrian authorities, in order to receive their view in the matter, and I shall certainly not fail to let you know their comment to your suggestions.

With best personal regards,
Yours very sincerely,
Dr. Wilfried Platzer,
Austrian Ambassador.

British Embassy,
Washington, June 10, 1963.
The Honorable Jacob K. Javits,
U.S. Senate,
Washington, D.C.

Dear Senator Javits: Thank you so much for your letter of June 3. I am most grateful to you for sending to me and to other members of the commercial department of this Embassy, copies of the statement you delivered to the Senate on May 17. I think myself that if the four lines of action you propose were followed there would be a response from Europe.

I was interested in your remarks about the rigidity of the rules that, under the Trade Expansion Act, must be applied when application is made for adjustment assistance. We in this Embassy have watched with interest the progress of the adjustment assistance applications that have come before the Tariff Commission. I am bound to say that we regard the new criteria prescribed in escape clause investigations as helpful to Britain and other countries seeking to develop their exports to the United States, not because they would give any additional advantage to foreign goods but on the contrary because they tend to maintain the value of trade concessions bargained by the United States. In the past there has been a tendency in other countries to regard with apprehension escape clause procedures as they could lead, through the imposition of increased tariffs, to penalization of the success of a firm or an industry in developing new trade with the United States.

Sincerely yours,
John Chadwick,
Commercial Minister.

House of Representatives,
Montgomery, Ala., June 8, 1963.
Senator Jacob K. Javits,
Senate Office Building,
Washington, D.C.

Dear Senator Javits: I received your letter of June 6, 1963, along with your statement delivered on the floor of the Senate on May 17, 1963, concerning the worldwide trade talks. I was very much impressed with your views and agree with you wholeheartedly.

I have long thought that the United States has not used its economic strength properly or adequately in leading the free world. I am hoping that Senate bill 602 is enacted into law.

Thank you very much for your letter and the copy of your speech.

Sincerely yours,
Gary F. Burns.

League of Women
Voters of California,
San Francisco, Calif., June 17, 1963.
Senator Jacob K. Javits,
Senate Office Building,
Washington, D.C.

Dear Senator Javits: Thank you very much for sending me a copy of your statement delivered on the floor of the Senate on Friday, May 17, 1963, entitled "United States Must Play New Role at Worldwide Trade Talks."

I found your remarks very interesting and worth while. I agree heartily with your comment that in our preoccupation with the Common Market, we tend to overlook the importance of our trade with other parts of the world and even of other regional groupings like the ECC.

The information made available on page 2 of your statement concerning Latin America is particularly useful in view of Californian interest in that area. Recently I have, for instance, received requests from three different leagues of women voters in this area for information or speakers about economic development in and trade with Latin America.

Your list of the Philippine commodities on which the United States imposes tariff quotas seemed to me to explain a point which had puzzled me during the recent hearing in Los Angeles of the Senate Commerce Committee Subcommittee on trade with the Pacific; namely, that the Philippines impose a variety of restrictions on American citrus fruits and citrus products.

I trust that your bill introduced January 30 (S. 602) is moving successfully through Congress.

Sincerely yours,
Mrs. Robert G. Neumann,
Director.

Tampa, Fla.,
June 20, 1963.
Senator Jacob K. Javits,
Washington, D.C.

Dear Senator: Thank you so much for sending me the copy of your fine address of May 17. Your reminder to the Senate that we have long passed the time when separate national interests are the only criterion, was so timely and so vitally necessary. I particularly like your fourth point about easing the trade barriers for the less developed countries. Surely it is idle to urge them to go ahead on one hand and at the same time restrict them in the limited markets they now have.

People are so reluctant to acknowledge and adapt to a changing world. Yet in the long run it is necessary for our ultimate survival. We should be most grateful to you for your insight and the courage to raise your voice to awaken others to a great need. Thank you again and success to your efforts.

Sincerely,
Mark Dunnell.

Utica, Mich.,
June 11, 1963.
Hon. Jacob K. Javits,
U.S. Senator,
Washington, D.C.

Dear Sir: Thank you for your letter of June 3, 1963, and the copy of your statement delivered on the floor of the Senate, May 17, 1963.

You are to be commended for your aggressive attitude toward the enactment of liberal foreign trade legislation.

President Kennedy recently said, "Peace and progress cannot be maintained in a world half-fed and half-hungry." And certainly we live in the day of "the shrunken mile" manmade trade barriers that hinder the free exchange of materials and goods must be removed. We are our brothers keepers.

I wish you success in your crusade for economic progress in freedom. Just think, 10,000 human beings will die this day of starvation and malnutrition.

Sincerely,
Burton E. Stevens.

CIVIL RIGHTS AND THE REPUBLICAN PARTY

Mr. JAVITS. Mr. President, for a minute or two I wish to address myself to an article entitled "Inside Reports of a White Party Label," which appeared to the New York Herald Tribune today, and is printed also in the Washington Post.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may have an additional 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. In the column, by reporters Roland Evans and Robert Novack, the point is made that, based upon the talks which one of the reporters has had at the meeting of the Republican National Committee in Denver, they are tending to a conclusion that "These Republicans want to unmistakably establish the party of Lincoln as the white man's party," or to a party which at least is tending toward something of a neutral position on the segregation issue.

I do not question the good faith of these reporters or their responsibility as journalists, but I certainly question very strongly their seeming conclusions derived from those to whom they talked. I do not believe that what this article says will change the party of Lincoln from being what it is—a party which was founded in the fires of war over a century ago in connection with the very issue which the country faces as a national crisis today.

So I reject any idea that the party of which I am a member will take on a white party label, or seek to become a white supremacy party in any sense. That would be the greatest disservice to my party. It would represent a great disservice to the Nation, which has the right to look at us, as the party of Lincoln, to be one of the most stalwart advocates of civil rights legislation in our land.

I refer to the fact that during President Eisenhower's administration the first two civil rights bills in 85 years went on the statute books. They were bipartisan acts, but they were enacted at that time. The temper of the Republican administration was for them.

Also an analysis of the votes from 1957 on shows the strong dependence which must be placed upon votes on this Republican side of the aisle if we are to have any civil rights legislation at all. I call specifically to the attention of the Senate the vote on the motion for cloture with respect to amending the rule XXII which permits of filibusters, in which a majority of Republicans, or 18 out of 33, voted for cloture. That was in my opinion a very recent and a very acid test.

So I reject any idea that my party has changed its coloration or its character from being the party of Lincoln. I think that point will be demonstrated in the coming struggle on civil rights legislation.

I believe that the country cannot believe any such report as this. It represents a grave disservice to my party and a great disservice to its character and the way in which it can best serve America. I hope that any Republicans who entertain such ideas will speedily dispel them, because I believe they would tend toward the destruction of my party should Republicans ever undertake any such line of policy.

TVA COOPERATION TO REHABILITATE AREAS AFFECTED BY STRIP MINING

Mr. KEFAUVER. Mr. President, last March I was pleased to add my name as a cosponsor of S. 1013, a bill principally sponsored by the distinguished Senator from Ohio [Mr. LAUSCHE]. This bill provides for a study by the Secretary of the Interior of strip and surface mining operations in the United States, and for a report to the Congress of the results of such study not later than 2 years from the date of enactment of the legislation.

While I concur in the aims expressed and implied in this bill, recent visits to my own State of Tennessee convince me that 2 years may be too long to wait before we begin to correct a problem that is growing every day. The time for corrective action, I feel, is now. Strip mining is scarring vast acres of once-beautiful mountainsides and hillsides and will continue to do so until definite steps are taken to protect these natural resources.

In this connection, I have been conducting a correspondence with the Chairman of the Tennessee Valley Authority, Aubrey J. Wagner. As is well known, TVA is a large purchaser of coal for the steam plants that produce TVA electricity. Indeed, in the five States where TVA buys coal—Kentucky, Tennessee, Illinois, Virginia, and Alabama—TVA bought 18.5 million tons of the 157 million tons produced in 1961. Of this amount purchased by TVA, about half came from strip mines. In Tennessee, the coal purchased by TVA amounted to well over half of all coal produced in the State.

Since TVA is such a significant purchaser of coal in the Tennessee Valley, I believe it may be possible for TVA to institute a policy of requiring reclamation of strip mine areas in connection with contracts for the coal it purchases, and that this would go a long way toward establishing a pattern of reclamation of scarred strip mine areas. If reclamation requirements were put into effect by TVA as part of its coal purchase contracts, the coal producer, not being sure whether coal from a particular mine would go to TVA or to another consumer, would eventually find it desirable to institute reclamation procedures at all of his mines. Thus even though TVA does not purchase all, or even a majority of the coal produced in the Tennessee Valley area, a policy of required reclamation should eventually have a beneficial effect on strip mining throughout the entire area. The cost of restoration should not place an unreasonable burden on the coal producers since it has been estimated that the job can be done for an average of some 1 to 3 cents per ton of coal mined. This certainly seems like a reasonable price to pay to bring an end to scarred landscapes, polluted streams, unproductive soil and eroding mountainsides. It is my hope that once the TVA has instituted a program of required restoration of existing strip mine operations, scientists and foresters of TVA, the Forest Service, the Bureau of Reclamation and similar agencies can then coordinate their actions in an all-out campaign to eradicate the scars which now exist as a result of past strip mine operations.

It has always seemed to me that half the battle in eradicating any undesirable feature of our modern civilization, such as strip mine scars, is getting the facts fully and clearly in our grasp, so that we can act on clear and certain knowledge of exactly what the problem is and what the best solutions are. I want to pay tribute to TVA for the excellent work it has done in providing the facts about the strip mine situation. The excellent report TVA put out in March of this year concerning strip mining is filled with important and useful facts, statistics, programs, and proposals for the advancement of strip mine reclamation. I urge all of my colleagues who are interested in the strip mine problem who have not already given this fine TVA report careful study to do so. You will find it is a most beneficial factual reference in this area of strip mine reclamation.

I personally hope that TVA will follow up this fine accomplishment with another of equal importance, and require that all its suppliers of coal from strip mines take reasonable steps to rehabilitate their mines. For the information of my colleagues, I ask that my latest letter to Chairman Wagner discussing this proposal be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JUNE 5, 1963.

Hon. AUBREY J. WAGNER,
Chairman, Tennessee Valley Authority,
Knoxville, Tenn.

DEAR MR. CHAIRMAN: I am writing to request your most careful and sympathetic consideration to implementation of an immediate program by TVA to encourage and promote reclamation of coal strip mining areas in Tennessee and neighboring States. As you know from our previous correspondence, the problems of strip mining and the challenge of reclamation are subjects in which I have long been interested. Similarly, I know of the keen and sincere interest of yourself and your fellow directors of TVA in finding solutions to this difficult and growing problem.

Several important steps have already been undertaken in this area. I know, for example, that TVA foresters are engaged in demonstration and research programs to determine improved methods of reforestation, drainage, soil conservation and similar techniques for reclamation. Additionally, legislation was introduced in the Senate on March 7, of this year, of which I was a cosponsor, to authorize a comprehensive study and a report to the Congress by the Secretary of the Interior on strip and surface mining operations and methods of reclamation.

Nevertheless, I believe that although these appropriate steps have been taken to seek a long-range solution to the strip mining problem, there are procedures which could be implemented to initiate immediate action toward reclamation of existing strip mining areas.

I have studied your excellent report on coal strip mining issued on February 21 of this year, with great care, and I believe the facts developed therein indicate that TVA could initiate a policy of requiring, as a part of its contracts for the purchase of coal, that strip mined areas be improved by the coal mine operator to a reasonable standard of reclamation. I note from your February report that TVA is already bearing the costs of reclamation as part of the price of coal purchased from areas where reclamation is required by State law, and, further, that estimated costs for a reasonable program of reclamation run as low as 1 to 3 cents per ton of coal mined. Finally, as your report points out, the basic techniques of reclamation are already well known, and most strip mined areas could be protected during the mining operation and restored thereafter by sensible and inexpensive planning of access roads, drainage of roads and cuts, partial levelling of dirt mounds and reforestation. Even though strip mine operations and site conditions may vary from State to State, or even from mine to mine, it should be possible for TVA to prescribe basic reclamation standards as part of its contract to purchase coal, and permit the individual mine operator to choose the technique best suited for the reclamation of his particular area.

I believe that in the States where reclamation is not required by law such a program by TVA would provide the flexibility and the stimulus needed to get a sound, workable reclamation program under way. I would very much like to see TVA initiate such a program in the near future, before thousands of additional acres of land are ruined by unplanned, poorly executed, and unrestored strip mining.

Please be assured of my continuing interest in this matter, and my desire to initiate and support such legislation as may be required to authorize this much-needed program by TVA.

With kindest regards.

Sincerely,

ESTES KEFAUVER,
U.S. Senator.

THE 162D ANNIVERSARY OF THE NEW YORK NAVAL SHIPYARD

Mr. KEATING. Mr. President, 162 years ago, about the time of the inauguration of Thomas Jefferson for his first term as President, the U.S. Government purchased an obscure shipyard located on the mud banks of Wallabout Bay at the west end of Long Island, near where the infamous British prison ships had been anchored during the War of Independence. No one could have believed that the United States would eventually become the greatest naval power in the world. And no one would have predicted that this $40,000 acquisition would become the world's largest naval shipyard, worth at least $1 billion.

This year on its 162d anniversary I salute the New York Naval Shipyard, commonly known as the Brooklyn Navy Yard, for the vital part it has played and continues to play in the Nation's security. Throughout the years it has earned the reputation of a shipyard that can get things done, and in a hurry if necessary. Its motto is "Can do." As such it is symbolic of the American tradition of determination, optimism, and self-reliance. The employees at the shipyard today live up to the highest traditions of preparedness, patriotism, and skill.

No job is considered impossible. Once, during the Second World War, the undamaged sections of two torpedoed destroyers were spliced together by the men at the Brooklyn Yard to make one whole ship. This was a fantastic feat of engineering and construction.

In the days before the United States maintained a large Navy, war emergencies often found the Government forced to purchase and convert passenger or cargo ships into armed craft. One typical example is the coastal passenger steamer *Monticello* in 1861, which was rumored a target for a raid. It was sent to the Brooklyn Navy Yard which put all its resources into the job. It was finished and heavily armed within 24 hours of its arrival. On its first voyage it beat off a surprise rebel raid in the Potomac.

A total of 23 ships were constructed in the yard during the Civil War and the work force increased to a peak of 6,200 men. In World War I it went up to 18,000, and in World War II, to 71,000. Today the work force numbers 12,000. In times of war the yard is the scene of feverish activity.

In time of peace, there is sometimes a most regrettable tendency on the part of the Pentagon to forget or downgrade the vital role that this installation and its loyal and determined workers play in our national defense. Navy yards have a critical role in keeping our ships fit for all types of activity at a moment's notice. They offer, moreover, not only the facilities for the ships, but also for crews and other Navy personnel that must be berthed and provided for when a ship is in port.

Today, as the importance of the peacetime Navy increases, there can be no doubt in anyone's mind as to the vital role played by the Brooklyn Navy Yard and the skilled, hardworking force that mans it.

Versatility is another characteristic of this great enterprise. In addition to repair and conversion work, it can construct all sizes of ships from small torpedo boats to huge battleships and aircraft carriers. The biggest construction project in its history was begun in 1952 when its first supercarrier was started—the U.S.S. *Saratoga*. Since then it has completed the *Independence* and the *Constellation*, also of the *Forrestal* class.

The New York Naval Shipyard has a great record of service to the country. We expect it to continue to be our "can do" shipyard as long as our Navy is needed.

CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a call of measures on the calendar to which there is no objection, beginning with Calendar No. 251 and ending with Calendar No. 270.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Montana? The Chair hears none, and it is so ordered. The clerk will state the first measure.

YEAR-LONG NAVIGATION OF THE GREAT LAKES AND ST. LAWRENCE SEAWAY

The Senate proceeded to consider the bill (S. 530) to provide for an investigation and study of means of making the Great Lakes and the St. Lawrence Seaway available for navigation during the entire year, which had been reported from the Committee on Public Works, with an amendment, on page 2, line 10, after the word "necessary.", to strike out "The Chief of Engineers may submit such interim reports to the President and the Congress with respect to such investigation and study at such time or times as he deems advisable, and shall submit to the President and the Congress, not later than January 1, 1964, his final report of the results of such investigation and study, together with his recommendations, including his recommendations for such legislation and administrative actions as he may deem advisable." and insert "The Chief of Engineers may submit such interim reports as may be deemed advisable, and shall submit his final report, together with his recommendations for such legislation and administrative actions as he may deem advisable, not later than two years after funds are made available for the study."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in view of the fact that the winter ice blockade of the Great Lakes and the Saint Lawrence Seaway is one of the most serious obstacles to the economic advancement of our country, particularly the Midwestern United States, and thereby presents a hindrance to our national defense, the Chief of Engineers, Department of the Army, under the direction of the Secretary of the Army, shall make a full and complete investigation and study of waterway deicing systems, including a review of any previous pertinent reports by the Department of the Army, any available information from any of the other departments of the Government, and waterway deicing methods in use by private concerns and foreign governments, for the purpose of determining the practicability, means, and economic justification for providing year-round navigation on the Great Lakes (including connecting channels and harbors) and the Saint Lawrence Seaway by eliminating ice conditions to the extent necessary. The Chief of Engineers may submit such interim reports as may be deemed advisable, and shall submit his final report, together with his recommendations for such legislation and administrative actions as he may deem advisable, not later than two years after funds are made available for the study.

SEC. 2. There are authorized to be appropriated such amounts as may be necessary to carry out the provisions of this Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 270), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of S. 530, as amended, is to authorize the Chief of Engineers, under the direction of the Secretary of the Army, to make a full and complete investigation and study to determine if there is means and economic justification for providing year-round navigation on the Great Lakes, including connecting channels and harbors, and the St. Lawrence Seaway, through elimination of ice conditions; to submit interim reports as considered advisable; and to submit the final report, with recommendations for such legislation and administrative action as he may deem advisable, not later than 2 years after funds are made available for the study.

GENERAL STATEMENT

The Great Lakes system comprises five bodies of fresh water, Lakes Superior, Huron, Michigan, Erie, and Ontario, which with their connecting channels extend almost halfway across the North American Continent. These lakes and their tributaries above Ogdensburg, N.Y., drain an area of about 298,000 square miles, and constitute the major portion of the St. Lawrence River Basin. The Great Lakes and their connnecting channels have a total water surface area of about 95,000 square miles, of which about 60,950 square miles are in the United States. The distance from Duluth at the western end of Lake Superior to Ogdensburg on the St. Lawrence River is 1,216 miles. Navigation on the Great Lakes and their connecting channels is closed from about mid-December until early April as a result of ice conditions.

The matter of maintaining winter navigation throughout the Great Lakes and St. Lawrence Seaway has developed widespread interest during recent years. There is considerable information available on deicing harbors and waterways in this country and at foreign ports. Use of such deicing methods has been largely restricted to anchorages, short canal sections, and limited areas. The problem in the Great Lakes area assumes tremendous proportions, when the large mileages are considered. The restricted channels above Montreal total about 373 miles in which heavy ice is prevalent from December through March each year. To this must be added ice problems in the Great Lakes themselves, the approach channels to the harbors and the harbors also, and the channel of the St. Lawrence River below Montreal, which is also icebound throughout the winter months.

The investigation would include a study of waterway deicing systems, including a review of any previous pertinent reports by the Department of the Army, any available information from any other departments of the Government, and methods in use by private concerns and foreign governments. Interim reports would be submitted by the Chief of Engineers from time to time as he deems advisable. The committee recommends an amendment to the bill to provide for submission of the final report, together with the recommendations of the Chief of Engineers for such legislation and administrative actions as he deems advisable, not later than 2 years after funds are made available for the study. This proposed time period for submitting the final report was considered more realistic than the date included in the original bill.

COMMITTEE VIEWS

The committee realizes the extent of the problem involved in keeping the channels of the Great Lakes and the St. Lawrence Seaway open for navigation the entire year, but believes that the matter should be fully explored because of its economic and national defense aspects. Present information indicates that large capital investment and maintenance expense would be involved, but the possibilities that further research and investigation might lead to methods that are technically economical and feasible warrant full and complete studies of the particular problem.

The committee notes the comments of the Bureau of the Budget, which does not recommend enactment of S. 530, as it sees no realistic hope for positive accomplishment. Of course, the committee does not imply, in recommending the enactment of this legislation, that the 2-year study, as outlined above, will result in a final solution for maintaining year-round navigation on ice-clogged lakes. In fact, the committee cautions those with an intense interest in improving the navigation on the Great Lakes not to anticipate or expect miraculous accomplishments as a result of this study. However, considering the vital role which navigation on the Great Lakes plays on the total economy of this Nation, any new information which ultimately leads to a further understanding of the control of our water resources would be of national benefit. At best, it might be hoped that the studies could lead to an extension of the navigation season of perhaps several weeks at the beginning of winter and at the end of winter. The most pressing argument for undertaking the study, the committee believes, is that if no work is continued in this area there never will be a chance of making a technological breakthrough. The committee is of the opinion that a simple solution is not possible at this time, but believes that the need exists to compile, develop, and evaluate competent and complete information on the problem, and recommends enactment of S. 530.

POLE MOUNTAIN DISTRICT, WYOMING

The bill (S. 51) to authorize the Secretary of Agriculture to relinquish to the State of Wyoming jurisdiction over those lands within the Medicine Bow National Forest known as the Pole Mountain District, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of Agriculture is authorized to relinquish to the State of Wyoming such measure as he may deem desirable of legislative jurisdiction heretofore acquired by the United States over lands within the Medicine Bow National Forest constituting the area known as the Pole Mountain District, created by Executive Order Numbered 4245, dated June 5, 1925, as amended by public land order numbered 1897, dated July 10, 1959.

(b) Relinquishment of jurisdiction under the authority of this Act may be made by filing with the Governor of the State of Wyoming a notice of such relinquishment, which shall take effect upon acceptance thereof by the State of Wyoming in such manner as the laws of such State may prescribe.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 282), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

This bill would authorize retrocession to the State of Wyoming of such measure of legislative jurisdiction over the Pole Mountain District of the Medicine Bow National Forest as the Secretary of Agriculture may deem desirable. The Department of Agriculture recommends enactment of the bill, since lack of clear legislative jurisdiction by the State in certain matters creates problems of protection and administration for the national forest.

The bill is identical to S. 3370 which passed the Senate on October 2, 1962. No objections or requests for hearings were received by the committee.

The need for the bill is fully explained in the attached report of the Department of Agriculture.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., March 12, 1963.
Hon. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry, U.S. Senate.

DEAR MR. CHAIRMAN: This is in reply to your request of January 18, 1963, for a report on S. 51, a bill to authorize the Secretary of Agriculture to relinquish to the State of Wyoming jurisdiction over those lands within the Medicine Bow National Forest known as the Pole Mountain District.

There are other problems of legislative jurisdiction involving a number of areas administered by this Department, which indicate that there is a need for a general authorization for retrocession of legislative jurisdiction, such as would be afforded by S. 815, a bill to provide for the adjustment of the legislative jurisdiction exercised by the United States over land in the several States used for Federal purposes, and for other purposes.

The particular situation regarding the Pole Mountain District of the Medicine Bow National Forest in Wyoming makes prompt action desirable to authorize the retrocession of certain legislative jurisdiction held by this Department over that area to the State of Wyoming. Therefore, we recommend the enactment of S. 51.

A similar bill S. 3370, was introduced in the 87th Congress. On September 11, 1962, this Department recommended the enactment of that bill with clarifying amendments. The recommended changes have been incorporated into S. 51.

S. 51 would authorize the Secretary of Agriculture to relinquish to the State of Wyoming such measure as he may deem desirable of legislative jurisdiction heretofore acquired by the United States over lands making up the Pole Mountain District of the Medicine Bow National Forest. Under the bill, a notice of relinquishment filed with the Governor of the State of Wyoming would take effect upon acceptance of jurisdiction by the State of Wyoming as prescribed by State laws.

The lands comprising the Pole Mountain district of the Medicine Bow National Forest formerly were a part of the Fort D. A. Russell Military Reservation which subsequently became a part of the Francis E. Warren Air Force Base. They were set apart and reserved for military purposes by a series of Executive orders beginning in 1869. They became a part of the national forest by Executive Order No. 4245 of June 5, 1925, and Public Land Order No. 1897 of July 10, 1959, issued pursuant to section 9 of the act of June 7, 1924 (16 U.S.C. 505). The previous military withdrawals as to these lands were revoked by Public Land Order No. 2446 of July 20, 1961, leaving the lands in national forest status.

By act of February 17, 1893 (Laws of Wyoming, 1893, p. 43), exclusive jurisdiction was ceded by the State of Wyoming to the United States over certain military reservations, including Fort D. A. Russell, and any lands thereafter acquired or held by the United States for military purposes. The revocation of the military withdrawals does not clearly have the effect of terminating the exclusive jurisdiction of the United States over these lands.

Lack of certain legislative jurisdiction by the State creates problems of protection and administration for the national forest. For example, the State of Wyoming lacks authority to regulate or control hunting and fishing under State laws on the Pole Mountain district. It also lacks authority to apply State laws relating to forest fires, theft and property destruction, taxation of personal property, and other matters normally covered by State laws. Authority for State officials to enforce State and local laws is often beneficial in the protection and administration of national forests, particularly where some offense of a minor nature has occurred.

Generally the Federal Government does not exercise exclusive jurisdiction over national forest land but has in such lands a proprietorial interest only. The Federal Government, through the Department of Agriculture, under S. 51 would, by reason of its proprietorial interest, retain the power under article IV, section 3, clause 2 of the Constitution and legislation enacted by Congress pursuant thereto to administer and protect these lands in accordance with the laws, rules, and regulations applicable to the national forests. This Department, therefore, is of the view that a proprietorial interest in its properties is satisfactory to its functions. Both this Department and the State of Wyoming desire that the State have authority for the enforcement of the State's hunting and fishing and other laws on the Pole Mountain district just as it does on other national forest lands in the State.

Provisions contained in the Organic Administration Act of June 4, 1879 (30 Stat. 36), and the Weeks Act of March 1, 1911 (36 Stat. 963), make it clear that the jurisdiction, both civil and criminal, over persons within national forests shall not be affected or changed by reason of their existence, except so far as the punishment of offenses against the United States therein is concerned. An intent of such provisions in these acts is expressed as being that the State wherein any such national forest is situated shall not, by reason of the establishment thereof, lose its jurisdiction. It, therefore, is evident that the provisions of S. 51 would be consistent with the basic national forest legislation cited.

The Bureau of the Budget has advised that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

ORVILLE L. FREEMAN,
Secretary.

ADDITION OF LANDS TO CACHE NATIONAL FOREST, UTAH

The bill (S. 1388) to add certain lands to the Cache National Forest, Utah, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the exterior boundaries of the Cache National Forest, Utah, are hereby extended to include the following described lands:

A tract of land in the north half of the northeast quarter of section 24, township 6 north, range 1 east, Salt Lake base and meridian, being more particularly described as follows:

Beginning at the northeast corner of said section 24, and running thence south following the east line of said section 24 522.4 feet; thence north 65 degrees 16 minutes west 250.3 feet; thence along a regular curve to the left with a radius of 3,743.2 feet, for an arc distance of 1,606.0 feet; thence north 0 degrees 08 minutes east 78.9 feet to the north line of said section 24; thence south 89 degrees 52 minutes east along the section line 1,783.4 feet to the point of beginning, containing 10.2 acres.

A tract of land in sections 18 and 19, township 6 north, range 2 east. Salt Lake base and meridian, being more particularly described as follows:

Beginning at the southwest corner of said section 18 and running thence north 0 degrees 21 minutes east along the west line of said section 18, 3,960.0 feet; thence north 88 degrees 39 minutes east 150.0 feet; thence south 1 degree 22 minutes east 318.2 feet; thence north 86 degrees 38 minutes east 15.0 feet; thence south 1 degree 00 minutes east 137.0 feet; thence east 280.0 feet; thence south 159.0 feet;

thence north 88 degrees 49 minutes east 406.0 feet; thence south 51 degrees 20 minutes east 96.1 feet; thence south 71 degrees 13 minutes east 158.4 feet; thence south 54 degrees 15 minutes east 162.6 feet; thence south 25.0 feet; thence south 41 degrees 53 minutes east 233.7 feet; thence south 57 degrees 04 minutes east 408.1 feet;

thence north 88 degrees 39 minutes east 120.0 feet; thence south 1 degree 21 minutes east 64.0 feet; thence south 67 degrees 27 minutes east 144.4 feet; thence north 1 degree 21 minutes west 59.1 feet; thence north 89 degrees 14 minutes east 58.7 feet; thence south 3 degrees 43 minutes east 228.1 feet;

thence east 55.5 feet; thence south 18 degrees 28 minutes east 139.2 feet; thence south 27 degrees 28 minutes east 332.6 feet; thence south 89 degrees 11 minutes east 131.3 feet; thence south 4 degrees 30 minutes east 494.1 feet; thence south 43 degrees 29 minutes east 307.2 feet; thence south 85 degrees 12 minutes east 145.9 feet;

thence south 4 degrees 45 minutes east 769.2 feet; thence south 3 degrees 48 minutes west 300.0 feet; thence westerly 70.0 feet, more or less; thence south 6 degrees 15 minutes east 235.0 feet; thence south 42 degrees 00 minutes east 115.2 feet; thence east 164.5 feet; thence south 9 degrees 00 minutes east 1,025.2 feet; thence south 54 degrees 00 minutes east 365.7 feet;

thence along a regular curve to the right with a radius of 1,850.08 feet for an arc distance of 1,126.0 feet, the tangent at the beginning of the curve bears south 64 degrees 09 minutes west; thence north 5 degrees 00 minutes east 61.8 feet; thence north 9 degrees 15 minutes east 400.0 feet; thence north 85 degrees 14 minutes west 1,191.0 feet; thence north 401.0 feet; thence south 82 degrees 20 minutes west 256.0 feet; thence south 31 degrees 38 minutes west 231.8 feet.

thence west 120.0 feet; thence south 1 degree 30 minutes west 204.6 feet; thence north 65 degrees 16 minutes west 766.7 feet to the west line of said section 19; thence north 522.4 feet to the point of beginning containing 246.0 acres.

A tract of land in the northwest quarter of the northeast quarter of section 13, township 6 north, range 1 east, Salt Lake base and meridian, being more particularly described as follows:

Beginning at the southwest corner of said northwest quarter northeast quarter, from which point the north quarter corner of said section 13 bears north 0 degrees 57 minutes east 1,320.0 feet, and running thence north 0 degrees 57 minutes east along the west line of said northwest quarter northeast quarter 195.0 feet; thence north 65 degrees 04 minutes east 361.3 feet;

Thence south 51 degrees 18 minutes east 284.6 feet; thence east 322.0 feet; thence south 170.0 feet, more or less, to the south line of said northwest quarter northeast quarter; thence north 89 degrees 57 minutes west 875.0 feet, more or less, to the point of beginning, containing 4.4 acres.

A tract of land in the southeast quarter of the southeast quarter of section 12 and the northeast quarter of the northeast quarter of section 13, township 6 north, range 1 east, Salt Lake base and meridian, being more particularly described as follows:

Beginning at the northeast corner of said section 13 and running thence south along the east line of said section 13 576.0 feet to a point on the north line of First Street of the Huntsville townsite; thence south 88 degrees 39 minutes west 473.3 feet; thence north 0 degrees 07 minutes east 75.0 feet;

thence north 61 degrees 26 minutes west 496.4 feet; thence north 4 degrees 53 minutes west 284.7 feet to a point on the south line of section 12; thence continuing north 4 degrees 53 minutes west 349.3 feet; thence north 9 degrees 37 minutes east 196.5 feet;

thence east 40.0 feet; thence north 2 degrees 47 minutes east 120.0 feet, more or less, to the north line of the south half southeast quarter southeast quarter of section 12; thence east along said line, 900.0 feet, more or less, to the east line of said section 12, thence south 0 degrees 21 minutes west 660.0 feet to the point of beginning, containing 24.9 acres.

A tract of land in the southwest quarter of the southwest quarter of section 6 and in the west half of section 7 and in the north half of the northwest quarter of section 18, township 6 north, range 2 east, Salt Lake base and meridian, being more particularly described as follows:

Beginning at the southwest corner of said section 7 and running thence north 0 degrees 21 minutes east along the section line 5,280.0 feet to the southwest corner of said section 6; thence continuing north along the section line 1,320.0 feet, thence east 1,320.0 feet; thence south 1,320.0 feet to the north line of said section 7;

thence south 3,960.0 feet; thence north 88 degrees 43 minutes east 500.0 feet; thence south 3 degrees 00 minutes east 1,232.0 feet; thence south 71 degrees 24 minutes west 301.3 feet to the north line of said section 7; thence south 24 degrees 44 minutes west 310.2 feet; thence south 130.5 feet; thence south 88 degrees 39 minutes west 335.25 feet;

thence north 130.5 feet; thence south 88 degrees 08 minutes west 121.5 feet; thence north 76.0 feet; thence south 88 degrees 27 minutes west 414.9 feet; thence south 6 degrees 45 minutes east 192.0 feet; thence west 100.0 feet; thence south 34 degrees 02 minutes west 220.0 feet; thence south 88 degrees 39 minutes west 419.1 feet to west line of said section 18; thence north 576.0 feet to the point of beginning, containing 230 acres, more or less.

A tract of land in sections 1, 2, 3 and 12, township 6 north, range 1 east, Salt Lake base and meridian, being more particularly described as follows:

Beginning at the northwest corner of said section 2 and running thence east along the section line 5,280.0 feet to the northwest corner of said section 1; thence east along the section line 5,280.0 to the northeast corner of said section 1; thence south along the section line 5,280.0 feet to the northeast corner of said section 12; thence south along the section line 1,320.0 feet;

thence west 1,320.0 feet; thence north 1,320.0 feet to a point on the south line of said section 1; thence west along the section line 1,320.0 feet; thence north 3,960.0 feet; thence west 2,640.0 feet to a point on the east line of said section 2; thence south along the section line 2,640.0 feet; thence west 1,320.0 feet; thence south 1,320.0 feet to a point on the south line of said section 2;

thence west along the section line 1,320.0 feet; thence north 3,960.0 feet; thence west 2,640.0 feet to the east line of said section 3; thence west 3,960.0 feet; thence north 1,320.0 feet to the north line of said section 3; thence east along the section line 3,960.0 feet to the point of beginning, containing 920.0 acres.

A tract of land in the south half of the south half of section 36, township 7 north, range 1 east, Salt Lake base and meridian, being more particularly described as follows:

Beginning at the southeast corner of said section 36 and running thence north along the west line of said section 36 1,320.0 feet; thence east 3,300.0 feet; thence south 1,320.0 feet to the south line of said section 36; thence west along said south line 3,300.0 feet to the point of beginning, containing 100 acres.

A tract of land in the south half of section 34, township 7 north, range 1 east, Salt Lake base and meridian, being more particularly described as follows:

Beginning at the southeast corner of said section 34 and running thence north along the east line of said section 34 1,980.0 feet; thence west 3,960.0 feet; thence south 1,980.0 feet to the south line of said section 34; thence east along said south line 3,960.0 feet to the point of beginning, containing 180 acres.

SEC. 2. All lands of the United States within such extended boundaries together with all federally owned lands within the former forest boundary which are included within the enlarged Pineview Reservoir site in sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 16, and 24 township 6 north range 1 east sections 6, 7, 18, and 19, township 6 north, range 2 east, and sections 34 and 36, township 7 north, range 1 east, Salt Lake basin and meridian, and including any lands within such boundaries hereafter acquired by the United States in connection with the Weber Basin project, shall hereafter be national forest lands subject to the laws, rules, and regulations applicable to lands acquired pursuant to the Act of March 1, 1911 (36 Stat. 961), as amended: *Provided*, That none of these lands shall be sold, exchanged, or otherwise be disposed of by the Secretary of Agriculture without the approval of the Secretary of the Interior and any revenue from disposal so authorized shall be credited pursuant to reclamation law.

SEC. 3. (a) The Secretary of Agriculture shall make available, from the lands referred to in the foregoing sections of this Act, to the Bureau of Reclamation of the Department of the Interior, such lands as the Secretary of the Interior finds are needed in connection wih the Weber Basin and Ogden River reclamation projects, and shall include particularly as a minimum area needed for such project, all the normal water surface area of the Pineview Reservoir and an adjacent border strip extending out from such water surface area a minimum horizontal distance of 100 feet around said reservoir, and in addition all the reclamation acquired land in section 16, township 6 north, range 1 east.

(b) The Secretary of the Interior is authorized to enter into such agreements with the Secretary of Agriculture with respect to the relative responsibilities of the aforesaid Secretaries for the administration of, as well as accountings for and use of revenues arising from, lands made available to the Bureau of Reclamation of the Department of the Interior pursuant to subsection (a) as the Secretary of the Interior finds to be proper in carrying out the purpose of this Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 283), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

This bill would extend the boundaries of the Cache National Forest to include lands in and near the Pineview Reservoir site, Weber Basin project, and provide for the administration of such lands as described in the attached letter of the Secretary of Agriculture requesting this legislation. The bill does not increase Federal ownership, but provides for better management of the lands which have been or will be acquired in connection with the reclamation project.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., April 16, 1963.
Hon. LYNDON B. JOHNSON,
President of the Senate.

DEAR MR. PRESIDENT: Transmitted herewith, for consideration of the Congress, is a draft bill, to add certain lands to the Cache National Forest, Utah.

This Department recommends enactment of the draft bill.

The draft bill would: (1) extend the exterior boundaries of the Cache National Forest in Utah to include about 1,700 additional acres in and near the Pineview Reservoir site, Weber Basin project; (2) give national forest status to lands within this extension now owned (about 750 acres) or later acquired by the United States in connection with the Weber Basin project, with the proviso that none of such lands would be sold, exchanged, or otherwise disposed of by the Secretary of Agriculture without the approval of the Secretary of the Interior and any revenue from disposal so authorized would be credited pursuant to reclamation law; (3) direct the Secretary of Agriculture to make available to the Department of the Interior such lands as many be needed for the Weber Basin and Ogden River projects; and (4) authorize the Secretaries of the two Departments to enter into agreements with respect to the administration of, and accounting for and use of revenues from lands made available to the Department of the Interior.

The Pineview Reservoir is created by a dam in the Ogden River in sec. 16, T. 6 N., R. 1 E. in Utah. The area immediately surrounding the original reservoir has been within the Cache National Forest for more than 20 years. Recently the storage capacity of the reservoir has been increased and additional lands have been acquired by the Bureau of Reclamation.

The addition of these lands to the Cache National Forest would facilitate their management. They are very similar to and offer the same uses and resources as do the adjacent lands now being administered by the Forest Service. Recreation development programs, wildlife habitat management, and fire control all can be more simply and economically administered by a single agency. National forest personnel are located in the immediate area and can do this effectively. It would put under the jurisdiction of one agency the Federal lands which are similar in character and serve common purposes and which require similar management. Giving national forest status to the lands which have been acquired by the Bureau of Reclamation in connection with the expansion of the storage capacity of the reservoir would permit uniform development and protection of the recreation and other resources of the area and would facilitate effective and economical administration of these lands under the principles of multiple use and sustained yield as directed in the act of June 12, 1960. At the same time the needs for reclamation purposes would be fully met.

The bill would not increase Federal ownership. By extension of the Cache National Forest boundaries the bill would give national forest status to lands which have been acquired or will hereafter be acquired in connection with the reclamation project.

A similar letter is being sent to the Speaker of the House.

The Bureau of the Budget advises that there is no objection to the presentation of this proposed legislation from the standpoint of the administration's program.

Sincerely yours,
ORVILLE C. FREEMAN,
Secretary.

PENALTIES FOR MISUSE OF FEED MADE AVAILABLE FOR RELIEVING DISTRESS OR PRESERVATION AND MAINTENANCE OF FOUNDATION HERDS

The bill (S. 400) to establish penalties for misuse of feed made available for relieving distress or preservation and maintenance of foundation herds, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 407 of the Agricultural Act of 1949, as amended, is hereby amended by adding after the sixth sentence the following: "Any person who disposes of any feed, which has been made available to him for use in relieving distress or for preservation and maintenance of foundation herds, other than as authorized by the Secretary, shall be subject to a penalty equal to the market value of the feed involved, to be recovered by the Secretary in a civil suit brought for that purpose, and in addition shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than $1,000 or imprisonment for not more than one year."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 284), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

This bill provides the same penalty for misuse of feed made available under section 407 of the Agricultural Act of 1949 to relieve distress or preserve foundation herds as is now provided for misuse of feed made available under Public Law 86-299. That is a civil penalty equal to the market value of the feed and a criminal penalty of not to exceed $1,000 or imprisonment for not more than 1 year. The offense would be a misdemeanor.

This bill was requested by the Department of Agriculture to provide uniform administration of these similar programs. No objections or requests for hearings were received by the committee.

The bill is further explained in the attached letter from the Department.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., January 4, 1963.
Hon. LYNDON B. JOHNSON,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is transmitted herewith for the consideration of the Congress a draft bill entitled "A bill to establish penalties for misuse of feed made available for relieving distress or preservation and maintenance of foundation herds." If enacted this bill would further amend section 407 of the Agricultural Act of 1949, as amended.

Under Public Law 86-299, there is imposed a statutory penalty if CCC-owned grain sold to a farmer in a designated emergency area at the current support price is disposed of by the farmer other than by feeding to his livestock. There is no such penalty if a farmer misuses CCC-owned grain made available to him at a lower price under section 407 for the purpose of relieving distress or for the preservation and maintenance of his foundation herd. Instead, in such situation CCC's measure of recovery is the customary measure of damages.

The livestock feed program of this Department uses the authority of both statutes, the authority of section 407 to provide feed for foundation herds and the authority of Public Law 86-299 to provide feed for the farmer's other livestock. If there is a misuse of grain it may involve purchases by the recipient under both statutes. We believe it advisable that CCC have a uniform basis of recovery for such violations. The proposed legislation would provide a statutory penalty for feed sold and misused under the applicable provisions of section 407 which is similar to that now contained in Public

Law 86–299. An identical recommendation is being transmitted to the Speaker of the House of Representatives.

No increase in administrative expense or appropriation will be necessitated if the proposed amendment is enacted. The Bureau of the Budget advises that, from the standpoint of the President's program, there is no objection to the submission of this proposed legislation and explanatory letter to the Congress for its consideration.

Sincerely yours,

ORVILLE L. FREEMAN,
Secretary.

EXTENSION FOR 2 YEARS OF THE DEFINITION OF "PEANUTS" UNDER AGRICULTURAL ADJUSTMENT ACT OF 1938

The bill (S. 582) to extend for 2 years the definition of "peanuts" which is now in effect under the Agricultural Adjustment Act of 1938, as amended, was announced as next in order.

Mr. KEATING. Mr. President, I ask that the bill be passed over for the time being.

The PRESIDING OFFICER. The bill will be passed over.

LEASE AND TRANSFER OF TOBACCO ACREAGE ALLOTMENTS

The Senate proceeded to consider the bill (S. 581) to amend the Agricultural Adjustment Act of 1938 to extend for 2 years the present provisions permitting the lease and transfer of tobacco acreage allotments, which had been reported from the Committee on Agriculture and Forestry, with an amendment, to strike out all after the enacting clause and insert:

That (1) subsection (a) of section 316 of the Agricultural Adjustment Act of 1938, as amended, is further amended—

(1) by striking out "and 1963" and inserting in lieu thereof ", 1963, 1964, and 1965";

(2) by striking out ", and for the 1963 crop year, other than" and inserting in lieu thereof "or"; and

(3) by striking out the last sentence and inserting in lieu thereof the following: "In the case of Maryland (type 32) tobacco, no farm shall be eligible for lease of 1962 or 1963 allotment from the farm unless at least 75 per centum of the allotment for the farm was actually planted during each of the years 1960 and 1961, nor shall a farm be eligible for lease of 1964 or 1965 Maryland tobacco allotment from the farm unless at least 75 per centum of the allotment for the farm was actually planted on such farm during each of the two immediately preceding years."; and

(2) Subsection (b) of such section, as amended, is amended to read as follows: "(b) Any lease shall be made on an annual basis and on such terms and conditions, except as otherwise provided in this section, as the parties thereto agree."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill to amend the Agricultural Adjustment Act of 1938 to extend for two additional years the provisions permitting the lease of tobacco acreage allotments."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 286), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of this bill is to authorize, for 2 additional years, the transfer, by lease, of tobacco acreage allotments from one farm to another within the same county. The law does not apply to burley tobacco or cigar filler and cigar binder, types 42, 43, 44, 53, 54, and 55. Under the existing law, an allotment for Maryland (type 32) tobacco could be leased only if at least 75 percent of the allotment for the farm was planted in 1960 and 1961. As introduced, the bill would have permitted leasing of any Maryland tobacco allotment, but on the recommendation of the Department of Agriculture the committee amendment would preclude the leasing of any Maryland tobacco allotment unless at least 75 percent of the allotment for each of the 2 preceding years was planted on the farm.

NEED FOR LEGISLATION

In many areas, tobacco acreage allotments have become so small that producers holding such allotments frequently, in any particular year, neglect to plant their allotment because it is an uneconomic operation, or for other reasons.

For the crop years 1964 and 1965 only, this bill would authorize the holders of such small allotments to transfer their allotment to another tobacco producer in the same county if they chose to do so.

COMMITTEE AMENDMENT

The committee amendment to the text of the bill would prohibit the leasing of Maryland tobacco allotments unless at least 75 percent of the allotment was planted on the farm during each of the 2 preceding years. This amendment was developed in order to carry out the recommendations of the Department of Agriculture as outlined in their report which follows.

AGRICULTURAL LAND DEVELOPMENT IN ALASKA

The bill (S. 623) to provide for a program of agricultural land development in the State of Alaska was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Alaska Farmland Development Act of 1963".

DEVELOPMENT OF POLICY AND PURPOSE

SEC. 2. In order to provide more adequately for the sound, efficient, and orderly development and utilization of agricultural land resources of the State of Alaska; to facilitate and assure the establishment of family-type farms as economic units of production and to encourage, promote, and strengthen this form of farm enterprise; to provide for Alaska's future economic growth by promoting a sound and stable agriculture, thereby insuring a more adequate and dependable food supply for the present and future population of the State; and in recognition of the strategic position of the State of Alaska in relation to national security and defense, it is hereby declared to be the policy of Congress, and the purpose of this Act shall be, to provide for a program of agricultural land development in the State of Alaska which will assist agricultural producers to develop and utilize more effectively the productive capacity of the State's land resources for agricultural purposes.

SEC. 3. The Secretary of Agriculture is hereby authorized to formulate and carry out a land development program, which, subject to such terms and conditions as the Secretary determines will best effectuate the policy and purpose expressed in section 2 of this Act, shall provide for the making of payments or grants to agricultural producers in the State of Alaska for carrying out specified farmland development or treatment measures including, but not limited to, clearing, draining, shaping, and otherwise conditioning land for the production of crops or for pasture.

SEC. 4. In carrying out the provisions of this Act, the Secretary is authorized, within the amounts of such appropriations as may be provided therefor, to enter into agreements or other arrangements extending for a period of years with producers determined by him to have control of the farms and ranches covered thereby. The Secretary shall not enter into any such agreement or agreements the effect of which would be to grant to any single producer more than one-fifth of the total amount of funds appropriated for the Alaska land development program for the year in which the agreement is made.

SEC. 5. The Secretary is authorized and directed to issue such rules and regulations as may be necessary to carry out the provisions of this Act.

SEC. 6. In carrying out the provisions of this Act, the Secretary may utilize the committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended.

SEC. 7. There is hereby authorized to be appropriated, without fiscal year limitations, such sums as may be necessary to carry out this Act: *Provided,* That the total cost of the program (excluding administrative costs) shall not exceed $1,250,000 and for any program year payments shall not exceed $125,000. The program authorized by this Act shall be in addition to, and not in substitution of, other programs in the State of Alaska authorized by any other Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 287), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

This bill, which is identical to S. 2805 as passed by the Senate on September 28, 1962, provides for payments to assist agricultural producers in Alaska to carry out farmland development measures. Maximum payments in any year would be $125,000, and the total cost of the program, exclusive of administrative costs, could not exceed $1,250,000. Assistance in Alaskan farmland development is needed because of expanding population and the high cost of conditioning land in Alaska. A high percentage of the food consumed in the State is imported.

Attached is the report of the Department of Agriculture favoring enactment of S. 2805. No report has been received as yet from the Department on S. 623, but except for the final sentence of section 4, which was added to S. 2805 after the Department had reported on it, S. 623 is identical to the bill on which the Department reported.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., May 24, 1962.

Hon. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry, U.S. Senate.

DEAR MR. CHAIRMAN: This is in reply to your request of February 7, 1962, for a report on S. 2805, a bill to provide for a program of agricultural land development in the State of Alaska.

This Department recommends that the bill be passed.

The purpose of this bill is to provide for a program of land development which will assist agricultural producers in the State of Alaska to develop and utilize more effectively the productive capacity of the State's land resources for agricultural purposes. The bill would authorize the Secretary of Agriculture to formulate and carry out a land development program under which payments or grants would be made to agricultural producers in Alaska for carrying out specified farmland development measures. Such measures may include, but would not be limited to, clearing, draining, shaping, and otherwise conditioning land for the production of crops or for pasture. In making this assistance available, the Secretary would have authority to enter into agreements with agricultural producers extending for a period of years.

Provision is made for utilizing the farmer committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act in the administration of the proposed program. The program authorized in this bill would be in addition to other programs in the State of Alaska now provided by law. There is authorized to be appropriated, without fiscal year limitations, a maximum of $1,250,000 for the entire program, excluding administrative costs, but not to exceed $125,000 is to be expended in any one program year.

We believe the program authorized in this bill is a desirable long-term approach in the needed expansion of agriculture in Alaska. The agricultural economy of the State has not kept pace with its rapid growth in population. Data from the Bureau of the Census show that the population of Alaska increased by 75 percent between 1950 and 1960. While the population as a whole is still predominantly rural (62 percent rural to 38 percent urban), the urban centers increased by 150 percent, as against less than 50 percent in the farming areas.

At present a high proportion of the food consumed in the State of Alaska must be imported. Such importation is costly and acts as a deterrent to orderly economic growth. Lack of local agricultural production could also pose serious problems in maintaining the health and well-being of the people in this strategic area of national security and defense.

The Department recognizes the need for building a stronger agricultural base in Alaska and believes that the proposed legislation would prove a valuable and practical addition to other programs now in operation in the State. There are ample land resources which could be developed into family-type farms as economic units of production under the assistance authorized in this bill. Such development would prove of value not only to the people of Alaska but would serve the national interest by providing the means by which Alaska's growth would be better assured in an orderly and well-balanced manner for the benefit of the Nation as a whole.

Conditioning land for production in Alaska is expensive because of high labor and equipment costs. The program authorized in this bill would provide for the development of probably 20,000 acres during its authorization with a maximum in any year of 1,500 to 2,000 acres, assuming a cost-sharing arrangement whereby landowners would pay a part of the cost. This amount of land would help to only partially fill the gap between food needs and supply in the State. It would not affect materially the total demand for agricultural products. The demand for fresh produce (vegetables, and dairy and poultry products) is so pressing that expansion in farming would be expected to take place in those directions. The expected expansion would not be great enough to offset the expanded need for these products for the projected increase in population.

It is believed that the enactment of this proposed legislation would result in a total need for $1,250,000 additional for the entire program, but that an initial appropriation of about $125,000 would be sufficient for the first year after the bill is enacted. Since the presently established agricultural stabilization and conservation committees may be used to operate the program, the additional administrative costs would be much less than if a new organization were required.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely,

ORVILLE L. FREEMAN,
Secretary.

Mr. BARTLETT subsequently said: Mr. President, Alaska is in the very early stages of economic development. The program contemplated under S. 623 will aid immeasurably the further economic development of this infant State.

The Alaska Farmland Development Act provides for the establishment of program of land development on a continuing and stable basis. Stability is, perhaps, one of the most important economic benefits Alaska will gain from this program.

Agriculture in Alaska has suffered from the vast changes which have taken place in the Nation and in the world in the last 30 years. Farming declined in the 1930's, almost vanished during the 1940's when all of our attention was devoted to the war effort. There was an upsurge of farming shortly after the end of World War II but this declined again during the Korean war. Now farming is struggling to regain its position and take its proper place in Alaska's economy.

Because the development of an agricultural base in Alaska was delayed or postponed due to prior national interests, Alaska farmers now must try to make up their lost ground. They are faced with an entirely different world than existed in the 1930's. They are faced with a world of rapid transportation, high costs, and intense competition.

The Senate, in passing S. 623, recognized the necessity of providing Alaska with at least a minimum of stability in its agricultural endeavors. The program provides that not more than $1,250,000 will be spent over a period of not less than 10 years. This is hardly a major effort as compared with the vast expenditures on the national agricultural industry. However, it is sufficient to do that which must be done, sufficient to promote the kind of private development which has always characterized American farming and made American farmers the finest the world has seen.

It should be remembered—it must be remembered—that Alaska farmers share in very few benefits that are granted to others in the agricultural community. Indeed, they are not included at all in most of the Federal programs, and this despite the fact that the man starting out in farming in most cases is most urgently in need of help. S. 623 will help.

The benefits to Alaska's economy and, consequently, to the Nation's economy which will grow from this program will show that the Senate's confidence in Alaska's farmers is well placed.

BILL PASSED OVER

The bill (H.R. 40) to assist the States to provide additional facilities for research at the State agricultural experiment stations was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

ACQUISITION OF GREAT FALLS PROPERTY, VIRGINIA

The Senate proceeded to consider the bill (S. 1039) to authorize the Secretary of the Interior to acquire through exchange the Great Falls property in the State of Virginia for administration in connection with the George Washington Memorial Parkway, and for other purposes, which had been reported from the Committee on Finance with an amendment, on page 3, line 14, after the word "are", to strike out "deficient." and insert "deficient: *Provided*, That not more than $1,000,000 may be appropriated for the acquisition of land under this Act."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior (hereinafter called the "Secretary" may accept title to, and administer in connection with the George Washington Memorial Parkway, pursuant to the Act of May 29, 1930 (ch. 354. 46 Stat. 482), as amended, the lands, and interests in lands, commonly known as the Great Falls property, more particularly described as follows, to wit:

All of that land in Fairfax County, Virginia, depicted on the drawing designated "NCP 117.1–471B," filed among the land records of National Capital Parks, said drawing being Potomac Electric Power Company's drawing numbered 77345–E of June 20, 1949, as revised by National Capital Parks on October 14, 1960, which land is comprised of 521.-292 acres shown on the drawing as area 1, 53.446 acres shown as area 3, and 208.899 acres shown as area 4 on said drawing, the aggregate of which is 783.637 acres.

SEC. 2. In exchange for the conveyance to the United States of the lands and interests in lands described in section 1 of this Act, the Secretary may convey to the Potomac Electric Power Company all the right, title, and interests of the United States in and to the following described portion of the lands commonly known as the Blue Ponds area:

All that land situated in the county of Prince Georges, State of Maryland, depicted on the drawing designated NCP 123–375, dated October 17, 1960, filed among the land records of National Capital Parks, containing approximately 391 acres, less that land occupied by the reconstructed section of Muirkirk Road under permit of the Department of the Interior, dated September 3, 1954, issued to Prince Georges County, Maryland.

SEC. 3. The Secretary may convey to the county of Prince Georges, State of Maryland, all the right, title, and interest of the United States in and to the following described portion of the lands commonly known as the Blue Ponds area:

All that land occupied by the reconstructed section of the Muirkirk Road under permit of the Department of the Interior, dated September 3, 1954, issued to Prince Georges County, Maryland.

SEC. 4. The Secretary shall consummate the exchange authorized by this Act on the basis of the fair market value of the properties. If the value of Federal properties does not approximately equal the value of privately owned properties, the Secretary may make up the difference by payment from donated funds or appropriated funds if donated funds are deficient: *Provided*, That not more than $1,000,000 may be appropriated for the acquisition of land under this Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 289), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The Government acquired 391 acres of detached land at Blue Ponds, Md., in connection with the construction of the Baltimore-Washington Parkway which is now surplus to its needs. A 250-foot right-of-way across this property is presently leased and being used by the Potomac Electric Power Co.

The power company owns a tract of 783 acres adjoining the small Virginia State park at the Great Falls of the Potomac River a few miles outside the District of Columbia on the route of the George Washington Memorial Parkway. The tract contains remains of the Potowmack Canal, built by Gen. George Washington and his associates to provide a skirting channel around the falls for boat traffic up the Potomac River to the west.

Ruins include the turning basin and remains of the town of Matildaville, which was based on the canal operation.

The canal is an outstanding remaining example of colonial engineering, and historical evidence of the efforts of General Washington and his associates to establish routes for commerce and communication that would open up the interior areas of the United States to development.

The Great Falls tract has geologic, botanic, wildlife, scenic, and recreational values which add to its worthiness for development and would provide the National Capital area and its many visitors an unduplicated attraction in conjunction with the George Washington Memorial Parkway.

The property is now under 50-year lease by the National Capital park system. It has long been recognized and desired as a worthy part of the system, but was not available until negotiation of the lease in 1960. The lease includes a provision that it may be purchased at any time during the life of the lease for "fair market value."

Development of the property while on lease cannot, of course, equal development which would be justified if owned by the Government.

Construction of a sewer to serve the Dulles Airport and surrounding area, and consequent spread of suburban developments, appear certain to increase the value of the Great Falls property in the commercial market in the near future.

It is estimated that the land can be acquired at this time by the National Capital park system by exchange of the Blue Ponds property in Maryland and payment of not to exceed $975,000 to the company.

Following subcommittee hearings on S. 1039, full committee action was postponed on the bill to permit new members to inspect the Great Falls property.

The committee is strongly convinced that the tract should be acquired to preserve the great and varied values it contains, and that large savings will result from prompt acquisition. The bill was reported out favorably by unanimous action.

AMENDMENT

In keeping with committee policy, a limit on appropriations authorized has been added to the bill. The maximum authorization is fixed in this instance at $1 million to cover the full estimated cost of completing the exchange of the Blue Ponds and Great Falls properties.

Appropriations required may be reduced by contributions from individuals and groups interested, but this is not certain and the committee therefore has authorized appropriation of the full amount needed, if it is necessary.

Mr. MANSFIELD. Mr. President, that concludes the call of the calendar.

EXTENSION FOR 2 YEARS OF DEFINITION OF "PEANUTS" UNDER AGRICULTURAL ADJUSTMENT ACT OF 1938

Mr. MANSFIELD. Mr. President, after consultation with the distinguished Senator from New York [Mr. KEATING], and a very thorough and detailed explanation of the bill, I am now empowered to ask unanimous consent that the Senate proceed to the consideration of Calendar No. 265, S. 582.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 582) to extend for 2 years the definition of "peanuts" which is now in effect under the Agricultural Adjustment Act of 1938, as amended.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Montana?

There being no objection, the bill (S. 582) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last paragraph of the Act entitled "An Act to amend the peanut marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended, and for other purposes", approved August 13, 1957, as amended (7 U.S.C. 1359 note), is amended by striking out "and 1963" and inserting in lieu thereof "1963, 1964, and 1965".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 285), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

This bill extends for 2 years the present exemption of peanuts for boiling from marketing quotas. The present exemption, which has been in effect since 1957, would otherwise expire with the 1963 crop.

The report from the Department of Agriculture favoring this legislation is attached.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., March 5, 1963.

Hon. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in reply to your request of January 31, 1963, for a report on S. 582 to extend for 2 years the exemption of boiled peanuts in the definition of "peanuts" which is in effect through the 1963 crop year under the Agricultural Adjustment Act of 1938, as amended.

The bill provides for a 2-year extension of the exemption of boiled peanuts in the definition of "peanuts" as contained in section 359(c) of the Agricultural Adjustment Act of 1938, as amended. This definition excludes from the provisions of acreage allotment and marketing quotas any peanuts which are marketed before drying or removal of moisture, either by natural or artificial means, for consumption exclusively as boiled peanuts. Such peanuts do not enter the market in competition with salted peanuts or other peanut products. Experience under the exemption during the past 6 years has shown that it does not adversely affect the supply adjustment and price-support programs for peanuts.

On January 4, 1963, this Department addressed a letter to the Honorable LYNDON B. JOHNSON, Vice President of the United States, in which we recommended that the present definition of "peanuts" be extended without a time limitation. A copy of this letter and proposed draft bill mentioned therein is enclosed.

The Department would prefer permanent extension of the present authority, but would have no objection to extending it for a 2-year period if Congress so determines.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,
ORVILLE L. FREEMAN,
Secretary.

The PRESIDING OFFICER. Is there further morning business?

Mr. BARTLETT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CIVIL RIGHTS—COMMONSENSE

Mr. TALMADGE. Mr. President, the editor of the Columbus, Ga., Enquirer has written a thoughtful column concerning the administration's package of civil rights legislation now pending in Congress. He points out that the problem here involved is one with which the South and the Nation have worked steadily and earnestly to resolve, and that this commonsense atmosphere must be allowed to prevail over all the racial strife and coercion now sweeping the country.

I ask unanimous consent that Mr. Grimes' column be printed in the body of the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

IS THIS TRAGEDY NECESSARY?

(By Millard Grimes)

The South is about to catch the heaviest barrage it has ever suffered on the racial question. There is no sense in deluding ourselves. The Federal Government is rolling up the big guns and they are aimed at every facet of the problem.

A couple of the columnists who share this page, Joe Alsop and Walter Lippmann, called the turn earlier this week. Lippmann is plainly panicky. He wants the Government to ride down on the South—and the North too, for that matter—and demand an immediate end to all racial barriers.

Alsop sees the fight taking on aspects of the struggle between Africans and the old colonial powers. He believes the protests that have dotted the South are going to spread North as Negroes become more ambitious in their demands.

A leader of the National Urban League may have set the pattern in a speech made last week in Cleveland. "Negroes need more than equal rights," he argued. "They deserve extra rights as compensation for the 300 years of lost opportunity." He said industries should hire Negroes because they are Negroes and that preferential educational opportunities should be provided.

A factor which has undoubtedly shaken the Kennedy administration is the surprising protest from certain Negro circles that "Kennedy is not doing enough."

Attorney General Bobby Kennedy came away shaken from a meeting recently with Negro leaders in Harlem. He was disturbed at the depth of their demands and they had proven impatient with his restraint, such as it is.

So, the harvest approaches, not just for the South, but also for those northern cities where Negroes have now settled in large number. The siege guns, of course, will be aimed at Dixie, but the most compelling drama may be enacted on metropolitan sidewalks.

But is it all necessary? Must the Nation play out this incredible tragedy? Is it too late to lower the emotional thermostat and restore perspective and commonsense to a problem mankind has been wrestling with since the dawn of time?

Can't some national leader summon the guts to stand up and say that the racial problem is not the most important matter facing the Nation today? Can't he say that despite real and imagined wrongs committed, the Negro has fared well by his relocation on this continent and that those "300 years of lost opportunity" the Urban League man mentioned would have been spent in the brushland of middle Africa if the Negro's ancestors had not been slaves?

This is not a perfect world—not for anyone, white, black, yellow or otherwise. But it's the only world we've got, and the United States is still the Nation that provides the best opportunity for the greatest number of its citizens, and I'm tired of hearing a lot of people who know better intimate that it doesn't.

Now, we're just going to have to make the best of this problem—white and Negro alike—but we're not going to use dictatorial methods to force open doors that private citizens prefer be closed, and in so doing corrupt the democracy to the point where it won't be worth saving.

Some national leader should say all that. A lot of them probably feel that way but are afraid.

We're trying to act properly in the South, I believe. The handicaps have been enormous. Both races have lived with poverty and privation. Their problem is economic far more than racial. It is social far more than political. It is sincere far more than vicious.

If the clock has run out on moderation, the entire Nation is in serious trouble. It is all like a bad dream that happened once before, about 103 years ago. Moderation lost out and the cost was terrible.

It must not lose out again.

SPREAD OF NUCLEAR WEAPONS DEVELOPMENT

Mr. PROXMIRE. Mr. President, in his great speech at Bonn yesterday, the President of the United States cautioned on the necessity of nations using all of their influence to persuade countries which do not now have nuclear weapons not to develop such weapons. I think the argument by President Kennedy is a very, very important one. I think it should be discussed and considered very widely.

If we are to have a test ban agreement between Russia and the United States, many persons raise the question as to what is to prevent other countries from developing nuclear weapons and a proliferation of such weapons? This argument is answered with great clarity by Howard Simons in an article in the Washington Post this morning. I ask unanimous consent that the article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A-ARMS PROLIFERATION—HOW TEST BAN MIGHT PREVENT SPREAD

(By Howard Simons)

Once again President Kennedy has declared that without a treaty to halt nuclear testing, atomic arms will spread inevitably to other nations and that this would be a "disaster."

But in Bonn, as so often before, Mr. Kennedy grappled ineffectively with the central question: How can a test ban involving the United States, the United Kingdom and the Soviet Union slow down and perhaps even halt the spread of nuclear weapons?

Though any such treaty would be open to signature by all nations, both France and Communist China have said they would not sign. France already possesses atomic bombs and China is working feverishly to develop them.

The persistent atomic aspirations of these two dissidents from the major power centers are largely responsible apparently, for the President's reluctance to explain fully how a test ban might slow the spread of nuclear weapons.

This is so because any such discussion must touch upon internal affairs in France and China's relationship with the Soviet Union. And, presumably, Mr. Kennedy holds the view that the less said out loud about those subjects the better, especially in the absence of a treaty.

Nonetheless, the President has heard all the arguments on how a ban might affect the spread of atomic arms and the arguments have been persuasive. In effect, the arguments amount to this:

Just as a parent cannot effectively command a teen-age child to stop smoking as long as the parent continues to smoke, so, too, the major nuclear powers cannot insist that other nations refrain from building and testing nuclear weapons as long as the major powers themselves continue to test.

Once the major nuclear powers—a distinction not yet accorded to France—agree to halt nuclear testing, it would then become possible for those powers to bring economic, technical, diplomatic and psychological pressures to bear on other nations, including perhaps even France and Red China.

This is obviously not possible now. But, in the view of administration experts, a test ban agreement could make it possible and essentially for two reasons.

The first reason is that a test ban would lessen tension between the United States and the Soviet Union. A lessening of tension might reduce the present incentive of many nations, such as Egypt and Israel, to acquire atomic arms.

By the same token, there is ample evidence that a test ban would be welcomed by many other nations, such as Italy, Sweden and Switzerland, as a bona fide excuse not to develop their own atomic arms.

The second reason why a test ban agreement might deter the spread of nuclear arms is that it would open a door to concerted action by the United States and the Soviet Union to halt such a spread.

Thus, for example, in France's case a test ban coupled with joint United States and U.S.S.R. actions might lead a post-De Gaulle government to merge its independent nuclear force with a NATO nuclear force.

There are also technical reasons why a test ban could slow the spread of nuclear weapons development. These have to do largely with the fact that continued weapons development by the major powers will bring the world closer to cheap and plentiful weapons. For the present, at least, atomic arms are immensely expensive to come by.

Ironically, though it is in the interests of both the Soviet Union and the United States to keep atomic arms from other nations, the longer both nations continue to develop such arms the easier it becomes for those other nations to acquire them.

Whether persuasion by the major powers will be able to slow the spread of atomic weapons, if and when a test ban are agreed to, is not known. But as Mr. Kennedy noted in Bonn yesterday: "Quite obviously, they may not accept this persuasion, and then, as I say, they will get the false security which goes with nuclear diffusion."

IN DEFENSE OF CONGRESS

Mrs. SMITH. Mr. President, on May 25, 1963, I spoke in defense of the Congress, particularly in answer to a telecast that I felt was extremely onesided and unfair.

I made my statement on the Deena Clark National Broadcasting Co. "A Moment With" program at 6 o'clock the afternoon of May 25, 1963. That program was shown a week later on June 2, 1963, on WNBC-TV in New York.

Subsequently I made the same statements on radio programs on WABI, Bangor, Maine, and WGAN, Portland, Maine.

I believe that it is time for more to speak up in defense of Congress and against the ever increasing pattern of those forces which would discredit and undermine public confidence in Congress until it is driven to complete subjugation and subservience to the President to automatically rubberstamp each and every request that he makes.

I ask unanimous consent that my statement be placed in the body of the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

I want to express my deep appreciation to Deena Clark, WRC-TV and the National Broadcasting Co. for inviting me to appear on this excellent public service program and speak from the bottom of my heart and the top of my head on some subject on which I feel very strongly—on something I mentally would like to get off my chest.

There are many things on which I have such strong feelings but on several of them, others who are far more articulate than I, have spoken eloquently—far more eloquently than I could.

However, there has been a thunderous silence on one subject on which many should have spoken by now. Thus far, the discussion on this subject has been completely one-sided. And apparently the heavy targets of this one-sided subject—Members of

Congress—have been reluctant to defend themselves and to answer their critics.

We all know of the greatly publicized abuses by some Members of Congress with respect to junketing and misuse of Government funds provided by the taxpayers and shocking abuses of the privileges and powers of their positions. I agree wholeheartedly with much of that criticism. I agree that some action should be taken to curb and prevent these abuses and misuses. I agree that they should be exposed to the public light.

I not only believe this but I have voted time and again for measures to do it—measures such as those proposed by Senator JOHN WILLIAMS, of Delaware, the foremost Senate watchdog against abuses and misuses, whether they be in Congress or out.

For example, I have voted for the Williams proposals on restricting the use of counterpart funds by Congressmen on junkets and for requiring full and public accounting of expenditures.

But I saw a television program recently which went far too far—and beyond the bounds of fairness. It is a program that is billed as an objective documentary type of program. But if I ever saw slanting and stacking the cards, this program really did it.

It was not objective. Instead it was a very heavyhanded editorial program. And it was reckless in its heavyhanded editorialism. For example, the commentator—more properly he should be called editor—featured the abuses and misuses of one Member of Congress and then, in shotgun manner, equated most all other Members of Congress with this one Member that he highlighted in his scathing editorialized program. He went even so far as to make the sweeping indictment of Members of the House and Senate as to charge that 90 percent of all Members of Congress were guilty of some of the abuses and misuses as that one particular Member of Congress he singled out for dissection and starring role.

June 1, 1963, is the 13th anniversary of the Declaration of Conscience address that I made in the Senate on June 1, 1950, when I denounced the tactics of a fellow Republican in the U.S. Senate who had indulged on the Senate floor in character assassination and practiced trial by accusation. In that address I took issue with his shotgun methods in which he invoked the dubious guilt by association technique and attempted to indict large groups of people by the record of one or two persons in such groups.

Well, in my opinion the recent TV so-called documentary against Members of Congress employed the same shotgun method when the commentator on that program indicted practically all Members of Congress when he equated 90 percent of all Members of Congress with the one Member he had singled out for his dissection of abuses and misuses. He left his audience to guess as to whom might be the very few in the 10 percent innocents. He did not identify them. Instead by his sweeping 90-percent indictment, he left his viewing and listening audience with the impression that when they next looked at their own individual Senator or Congressman that chances were 9 to 1 that he or she was guilty of some of the abuses and misuses attributed to the featured Congressmen on that program.

Under the guise of objective documentary, this 90-percent indictment was no less character assassination, trial by accusation, guilt by association and the application of reckless shotgun methods than what I took issue with 13 years ago in the Senate in my Declaration of Conscience.

As an individual Member of that group, I resent this not just for myself but also for the many, many of my colleagues in the Senate and House, who are scrupulously honest, conscientious, and hard working.

Since no one has risen in defense of them, I take this opportunity to do so. And I will speak of my own case only because I think it typifies the majority of the Members of Congress instead of just a narrow 10-percent minority.

I will take very briefly some of the standards raised by the commentator who sat in such righteous judgment of 90 percent of Congress. He implied that taking a campaign contribution let the contributor own a Member to some extent. Well, in my last campaign I did not take a single individual contribution in either the primary or the general election—my only contribution being the standard and minimum and automatic contribution made by the Republican Senatorial Campaign Committee to each Republican nominee for the Senate. Yet, I do not doubt the integrity of my colleagues who did take contributions.

The commentator raised the standard of world junketing at taxpayers' expense. Well, in the 14 years I have been in the Senate, I have taken only one Senate committee foreign trip at the expense of the American taxpayers. Yet, I would not condemn those of my colleagues who have taken many foreign trips on official business for the very simple reason that I know how hard they work on those trips—I saw it in the one committee trip I made—and I know how their efforts result in wiser and more efficient use of our foreign aid funds to other nations.

The commentator raised the condemnation of nepotism. Well, I am a product of nepotism myself. I would not be in the Senate now if it were not for nepotism. I worked very hard and earned every cent I received in the salary I got as the secretary to my late husband when he was Congressman. I was elected to succeed him in the House and then later elected to the Senate greatly because of the work I did as his secretary and wife. And I know from my own personal observation and experience of how the wives of many Senators and Congressmen work very hard and for very long hours for every cent of salary they get.

The commentator raised the standard of a "full day's work" with the strong implication that Members did not put in a full day's work for the pay they received and the strong implication that they were guilty of excessive absenteeism. Well, I wish he would just spend 1 day at work with any Senator.

I would take him to my office before 8 o'clock in the morning and he would find that probably I would not leave the office before 7 that evening and would take work home with me. As for absenteeism I will let you judge just how valid the criticism is. I have not missed a rollcall vote for over 8 years—not since June 1, 1955—and not for, 1,415 consecutive rollcall votes. Yet, I certainly would not infer that any Member who missed a rollcall vote during this 8-year period was guilty of not giving a "full day's work" or working any less on such day of missing a vote than I was working when there to vote.

Why have not Members spoken up in defense of themselves against such sweeping 90-percent indictments as the TV so-called documentary program I have referred to?

Because they know that they are immediately discounted for defending themselves and make themselves all the more suspect, under the "guilty until proved innocent" attitude commentators pass on to their viewers, all the more suspect that they are guilty of all such charges merely because they do defend themselves.

I welcome this opportunity to defend the majority of the Members of Congress. But I do wish that others outside of Congress would rise in defense of the honest, conscientious and hard working Senators and Congressmen, who do constitute a majority of Congress.

MADISON COUNTY, ILL., DEBATE ON "SILENT AMENDMENTS"

Mr. DOUGLAS. Mr. President, the Madison County (Ill.) Bar Association and its judiciary committee deserve high commendation for their public spirit and leadership in planning a major debate of national importance on the three amendments to the U.S. Constitution which are quietly being pushed through the State legislatures. These three proposals would, if adopted, amend article V of the Constitution so as to make obligatory the submissions for ratification of amendments sponsored by two-thirds of the State legislatures, eradicate the Supreme Court's recent decision in Baker against Carr, and establish a Court of the Union with power to overrule decisions of the Supreme Court.

On May 15, I suggested in a Senate speech that these proposed amendments present an attack on the fundamental principles of our Federal system and require the most careful examination. The largely unnoticed progress of these amendments through many of the State legislatures, with the support of powerful interests, has alarmed many thoughtful citizens. These proposals are now beginning to be the subject of thorough public discussion.

It is appropriate that the first major public debate on this matter should be sponsored by an association of lawyers, for in the early days of the Republic the legal profession was the foremost defender of the Constitution.

Recently, Chief Justice Earl Warren stated in an address before the American Law Institute in Washington, D.C., that "any serious effort to amend the Constitution of the United States should provide the occasion for a great national debate. Every bar association, National, State, and local, should take cognizance of the proposal."

The Madison County Bar Association's debate to be held tomorrow night, June 26, at Holiday Inn on Bypass 66, near Edwardsville, Ill., is in direct response to this challenge and will be the first major public debate on these issues of national importance.

The speakers will be Mr. Arthur J. Freund, the St. Louis attorney and critic of the three amendments who is in large part responsible for alerting the country to them and the Honorable Millard Caldwell, justice of the Supreme Court of Florida and former Governor of that State. The debate will take place before members of the bar and the bench of Madison County, observers from various bar associations and law schools, and representatives of the news media.

Illinois is famous for the Lincoln-Douglas debates of more than a century ago, one of which was held only a few miles from Edwardsville in Alton. I hope very much that tomorrow's debate on issues of great importance to the future of our federal system similarly receives the attention it deserves and that it will initiate a number of similar debates throughout the country.

JOB PLACEMENT OF TRAINEES

Mr. FONG. Mr. President, the Manpower Development and Training Act enacted by Congress has had an encouraging start in Hawaii. A great deal of its initial success there can be attributed to the painstaking care and skillful administration applied by officials of the State department of labor and industrial relations, in cooperation with the State department of education, during its early stages.

I have particular pride in calling attention to the contributions of Mr. Frank Damon, who was the State director of labor and industrial relations, at the inception of the program in Hawaii. He assumed the duties of labor director in Hawaii after serving ably as my administrative assistant in Washington. Since leaving the labor department several months ago, he has entered the private practice of law in Honolulu. His successor as labor director is Mr. Alfred Laureta, who is carrying forward the fine work begun by Mr. Damon in implementing the Manpower Development and Training Act in Hawaii.

A progress report on the success of the program in Hawaii was published in an article in the Hawaii Press newspaper of May 8, 1963.

I ask unanimous consent that the article titled "Hawaii Tops All Other States in Job Placement of Trainees" be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HAWAII TOPS ALL OTHER STATES IN JOB PLACEMENT OF TRAINEES

(By Nadine Wharton)

Hawaii is the only State in the Nation with a 100-percent job placement record under the Manpower Development and Training Act.

In fact, Hawaii is one of the few States where the revolutionary MDTA is accomplishing its purpose.

This purpose is to give America's workers training in new and superior skills so they can fill the jobs which will open in the years ahead.

In Hawaii this means vocational training for garment workers on power sewing machines.

It means teaching people to be good waitresses and waiters and carpenters.

It means giving a man a chance to get off unemployment and take a new lease on life

SAVES MONEY

As the act is applied here it is saving the State a good deal of money in unemployment insurance payments. And more important, it is saving an important portion of the labor force from months of idleness.

On Maui two canneries consolidated to become one operation. As a result, 86 persons were out of a job. Luckily, Sheraton Maui was just completing a new hotel, and would need waiters and waitresses and a complete staff.

Employment service staff worked with the department of education to set up classes for the former cannery workers in hotel jobs.

All who entered the classes graduated. And all were hired to work at Sheraton Maui.

On Kauai, 18 men are taking a 52-week course to qualify as beginning carpenters. Remainder of their training will be on the job.

In Honolulu, 12 young men are taking a 12-week course, learning how to be bank tellers.

There are six new students working toward a practical nurse degree.

There are nine women training as sewing machine operators, taking an 8-week course to qualify for employment in Hawaii's growing garment industry.

TRAINING COST

It costs $650 to train an average MDTA student in Hawaii. But the national average, and the amount allotted by the Federal Government per trainee is almost twice that amount—$1,200.

Most of the trainees in Hawaii are not heads of households, and are therefore not eligible for weekly training allowances. This means the trainees care enough about their future to go to school on a no-income basis.

Average male trainee is more than 35 years of age and has been gainfully employed for as much as 10 years. Most of the trainees have been unemployed for a maximum of 26 weeks—and collecting unemployment insurance.

Of five veterans taking the training, three are handicapped.

Some of the trainees are high school graduates. Some did not reach the eighth grade. One or two have college training.

PRIORITIES

First priority for training is given to unemployed heads of households who have had 3 years gainful employment, and to farmworkers with less than $1,200 net family income.

Second priority is for unemployed youths 19 to 21 years old who can benefit from further schooling. Second category of unemployed youths, including school dropouts, are between 16 and 18.

Employment service workers, and no additional staff has been hired to administer MDTA, work with unions, industry and business to determine where shortages of workers exist. They identify occupations, test and counsel and select the persons to be trained, and try to place the trainees in jobs.

FACILITIES

The department of education, through the division of vocational education, develops courses and provides training facilities, equipment and instructional staff for the courses.

No training can be given unless the person intends to work in the occupation for which he is trained. Otherwise there are practically no restrictions on who may participate in the program. Employed persons whose jobs are below their level of performance may retrain to acquire new skills.

Alfred Laureta, director of the employment service, said he can take pride in the way MDTA works in Hawaii.

PRESERVATION OF THE NENE OR HAWAIIAN GOOSE

Mr. FONG. Mr. President, I wish to call to the attention of my colleagues and of conservation-minded Americans Hawaii's latest unique contribution to the preservation of the almost extinct Hawaiian nene goose.

As described in the New York Times of June 20, 1963, the conservation program to save the Hawaiian goose—Branta Sandwicensis—or nene—pronounced nay-nay—from extinction has been successful. Two Hawaiian geese have just arrived at the National Zoological Park in Washington, D.C.

This is more than a passing interest. The nene is the official State bird of Hawaii, having been adopted as the bird emblematic of the State by the 29th Territorial Legislature May 7, 1957.

The bird is one of the world's rarest species of water fowl. It is endemic to the Hawaiian Islands, native only to Hawaii and found nowhere else in the world in its wild habitat. The estimated world population in 1962 was 292. Less than 100 wild birds are believed to lead a precarious existence on the volcanic slopes of Mauna Loa, and there are an additional 200 in captivity, including a captive stock in Europe, having descended from three birds sent to the Wildfowl Trust, England, in 1950 and 1951.

Both male and female of these rare birds look alike. Head is black. Neck is creamy with a dark brown band at the bottom of the neck, and depressed diagonal lines with black under the white. The top part of the body of the bird is brown. Sides and belly are light brown. Tail and wings are black. Bill and feet are black. Feet are partially webbed. One might describe the color of the whole bird as gray-brown.

Over a century ago, the nene roamed in great flocks on the plateaus of the Islands Hawaii and Maui. People of old Hawaii hunted and killed them for food, and at one time the shippers exported them by the barrel to San Francisco during the gold rush days. By 1949, this Hawaiian goose was threatened with extinction. Some people thought the bird actually was extinct. Then five of them were discovered at that time. They had declined almost to extinction due to indiscriminate and wanton hunting and killing in the early days and by the ever-present wild animals preying on them. Now, under the protection of State law, a concerted effort is being made to conserve the nene.

The systematic program for nene restoration began in 1949 when Herbert Shipman, a rancher on the Island of Hawaii, lent the Board of Agriculture and Forestry a pair of nene with which to start a propagation project. Mr. Shipman had the only captive flock of nene in existence at that time.

The Legislature of Hawaii initially financed $6,000 for the project. The purpose of the project was to conduct an ecological study with a view to finding the nesting grounds of the wild nene; to set aside 8,100 acres of Keauhou Ranch as a sanctuary by negotiating a cooperative agreement with C. Brewer & Co. and the Bishop Estate; and to breed the captive birds and release the offspring in former known wild habitats.

In 1958 Congress authorized annual appropriation of $15,000 for a period of 5 years—which will expire in 1964—for the program of research, propagation, and management of the Hawaiian nene. The U.S. Fish and Wildlife Service is participating actively in this highly success restoration project and is doing a splendid job in reestablishing the rare birds in the Hawaiian tropic wilds. The Hui Manu—Bird Society—Bob Krauss of the Honolulu Advertiser, and the Honolulu Star-Bulletin have done and are doing commendable work in arousing interest in the restoration project and soliciting enthusiastic support for the continuation of congressional aid in the preservation and restoration of these rare birds.

A bill is in the Senate with the wholehearted support of the Hawaii delegation to increase the annual appropriation from $15,000 to $25,000, and to extend the program to 1968.

This program has attracted worldwide interest and is being watched very closely by wildlife conservation organizations throughout the world.

Up to 1963 over 150 nene bred in Hawaii have been successfully released into the wilds of Hawaii's volcanic slopes.

I ask unanimous consent that the entire article be reprinted in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York (N.Y.) Times, June 20, 1963]

HAWAII PAMPERS NENE GEESE TO SAVE THEM FROM EXTINCTION

(By Lawrence E. Davies)

POHAKULOA, HAWAII.—A small flock of pampered nene, sometimes called the rarest waterfowl in the world, will be released in July in a program to save the Hawaiian goose from extinction. Fifty-four goslings burst out of eggs in carefully tended pens of the State fish and game division here on a slope of the extinct volcano Mauna Kea this spring.

This is the most successful hatch reported since a project was instituted in 1949 to preserve the remnants of the rapidly disappearing wild population by breeding the birds in captivity and then turning them loose to mate wild nene.

Only a few years ago biologists estimated the number of wild nene at 25 to 50. The number now is believed to be at least 50.

The population has been decimated over the years by the mongoose, the wildcat, and the wild dog.

Wild pigs, of which around 70,000 now are believed to roam the island of Hawaii, along with goats and sheep, have trampled the nene's nests. Hunters have shot down the adult birds during the breeding season.

The nene is now Hawaii's official bird and protected by law.

The site of the nene (pronounced nay-nay) project is 34 miles from Hilo and only a mile below Camp Pohakuloa, which is used by the Army, the Marines, and the National Guard for training maneuvers.

The nene project is under the supervision of Ronald L. Walker, a biologist. Ah Fat Lee, a nene propagation specialist, spends virtually every hour—waking and sleeping—with the nene during the breeding and hatching season.

The goose lays four or five eggs of a light cream color. A typical one measures 3⅝ inches long and 2⅛ inches in diameter.

THE OREGON DUNES NATIONAL SEASHORE

Mrs. NEUBERGER. Mr. President, more and more national publications are recognizing the need for adequate protection of the Oregon Dunes area so as to preserve the unique scenic beauty for public enjoyment and recreation. An able and educated conservationist in my State, Mr. J. Michael McCloskey, recently wrote an article on the dunes which appeared in the April-May 1963 issue of the Sierra Club Bulletin. I ask unanimous consent to include in the RECORD with my remarks the text of the article by Mr. McCloskey entitled "The Sands That Time Will Not Save."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE OREGON DUNES: THE SANDS THAT TIME WILL NOT SAVE

(By J. Michael McCloskey)

Saharan dunes, large and longitudinal, are normally found on deserts. But on Oregon's coast they are, anomalously, piled high by humid Pacific winds in a land dense with vegetation. These dunes, between Florence and Coos Bay, are the highest coastal dunes on the North American Continent, nearly 300 feet high and reaching almost 3 miles inland.

The winds and currents of time created these dunes, but man has already begun to take them apart. They are the product of geological time—of a cycle of balance between moving, eroding sand and natural stabilizing vegetation. The cycle built them and it also controlled them—but man in his first 50 years of knowing them has not cared. He has logged up to their edges, encroached on their drift path, and planted exotic sand-binding grasses to stop their movement. In his brief acquaintance with them, he has profoundly disturbed the balance of forces which created them. The leading authority on these dunes, botanist William S. Cooper, foresees that man's activity may have already "changed significantly the character of the whole dune complex."

But man has also begun to perceive that he can act to save these dunes. In its 1959 Pacific Coast Recreation Survey, the National Park Service adjudged the Oregon Dunes to be of national importance, warranting permanent preservation. The Park Service said there is no area on the Pacific coast "possessing a comparable association of dunes, seashore, fresh water lakes, and forest." It proposed establishment of a 32,000-acre national seashore. The late Senator Richard L. Neuberger promptly introduced legislation to establish such a seashore. His wife, who succeeded him, introduced similar legislation in the following Congress, but failure to gain House sponsorship and lack of united support in Oregon left the proposal without the impetus that carried other companion seashore proposals, Cape Cod, Mass., Port Reyes, Calif., and Padre Island, Tex., to enactment.

But now, with a new Congressman representing the district, House sponsorship has been assured, as well as support of the State administration. In an interdepartmental agreement in late January the Departments of the Interior and Agriculture agreed that the seashore should be established and the proposal has now been made a part of the administration's program. Secretary of the Interior Stewart Udall is reported to be more otpimistic about its chances than he was about the prospects for the seashores established by the last Congress.

Two bills are now before the 88th Congress, S. 1137 by Senator MAURINE NEUBERGER, and H.R. 5186 by Congressman ROBERT DUNCAN. Senator NEUBERGER's bill would establish a 40-mile-long seashore of some 42,000 acres, while Congressman DUNCAN's bill would establish a seashore of about 30,000 acres.

Hearings were held on Senator NEUBERGER's bill on May 4 in Oregon and on May 8 and 9 in Washington, D.C. Senate action on her bill is expected some time this summer, with House hearings in Oregon expected this fall. The Senate is expected to act favorably, the main question being whether or not to include the southern 9 miles, an area with an industrial water supply (now within S. 1137 boundaries—see map). In a preliminary master plan presented at the Senate hearings, National Park Service officials regarded inclusion of this section as highly desirable. The House bill does not contain the southern area.

Both bills, however, will accomplish three important objectives for conserving the natural features of most of the area. First, they will put management in the hands of the National Park Service which will make preservation of the natural cycle of dunes activity, for public appreciation, a paramount aim. Much of the area is now under the administration of the U.S. Forest Service, which is conducting an extensive program of dunes planting and stabilization. (In response to criticism from conservationists, the Forest Service recently cut back its planting program from the originally planned 6,622 to 3,300 acres.)

Second, by putting management in the hands of the Park Service, the bills will make it possible to preserve more of the wild mood of the dunes, for the Park Service has indicated that it is not likely to build as many roads through the dunes as the Forest Service, and it will be likely to exercise more control over cross-country dunes vehicles.

Third, both bills will restrict cluttered private developments along the dunes. However, Congressman DUNCAN's bill (H.R. 5186) provides less protection of this sort. His bill protects only 17,100 acres of dunes while Senator NEUBERGER's bill protects 24,077 acres of dunes, and Senator NEUBERGER's bill also provides more of a protected scenic corridor along Highway 101, which runs along the area (14¼ miles of corridor in comparison to 5½ miles). Moreover, her bill has more forest area for moving space for the dunes and for seashore facilities (12,180 acres in comparison to 8,320 acres). Congressman DUNCAN's bill has excluded much abutting private land and provides for a seashore only about 30 miles in length.

Both bills, however, will save the sands that time is no longer saving—no longer since man has intervened to subdue them. He can now, equally as well, intervene to protect them—to restore their natural freedom to move southerly with the longshore currents of summer and with the crosswinds of the seasons, carrying the sands of interior rivers back onshore, building the patterned piles of transverse dunes and the high ridges of oblique dunes running inland, meeting the undergrowth on ancient dunes, the barriers of ponding streams, and the persistent push of pioneering shrubs, continuing the timeless circle of advance and overgrowth and reawakening. This can all exist again in an Oregon Dunes National Seashore.

INVASIONS AND ESTIMATES

Mr. SIMPSON. Mr. President, press reports last week, alluding to an invasion of Cuba by exile forces, are indeed a tragedy, for in final analysis what was reported by some exiles in Cuba as an invasion was in fact only an increase in the guerrilla tactics that have been going on since the crisis last October.

It is regrettable that the invasion reports leaked out, as the Cuban Revolutional Council attempts to regain the prestige lost in its association with the administration. It should be noted that the invasion reports did not originate with the council's leadership.

There is some cause for thanks, however, that an invasion did not occur last weekend, because if precedent is a valid indicator, there would have been another Hungary on the beaches of Cuba while the administration sent protests to Russia and mouthed its peace-at-any-price platitudes.

Another point that bears mention concerns the State Department's instantaneous reaction in terming invasion reports "inaccurate and highly colored." And they fired their blast in jig time.

It is pleasing to note the State Department has—to use a now famous word—"sophisticated" its intelligence apparatus enough to say in reverberating tones that fewer than 50 exiles had invaded Cuba. This highly precise estimate, bear in mind, comes from the same State Depart that has been unable to estimate to within several thousand the number of Soviet troops in Cuba. But, perhaps the State Department is less concerned with the Russians already in Cuba than with Cubans fighting valiantly to return there.

The question must be asked: In view of "State's" newly found precision, whether our foreign policy experts are now prepared to announce, to a tolerance of 50, the total number of Soviet troops in Cuba. I should ask that this utterance of accuracy become retroactive to May of this year when 8,000 Soviet troops were landed at Santiago, Cuba, and that news of this landing be given as much publicity as the stories alleging the withdrawal of Communist soldiers from the Russian satellite off our shores.

FIFTY YEARS OF USDA MARKETING SERVICE

Mr. BURDICK. Mr. President, the U.S. Department of Agriculture is observing its 50th year of organized marketing service to farmers, industry, and consumers. It is appropriate that during the year there will be a number of special events in which public and private organizations will join to recognize and pay tribute to the enviable progress we in this country have made in the marketing of farm products.

Last week in the Administration Building of the Department of Agriculture, I saw an outstanding exhibit tracing the development of our marketing system during the past 50 years and depicting the marketing services that today help bring to us better food and fiber in greater variety at less cost.

Although some of the USDA marketing services, such as the collection of statistics, had their beginnings much earlier, it was in May 1913, that the first marketing agency, the Office of Markets, was established. This was the predecessor agency of today's Agricultural Marketing Service, whose broad assignment in the USDA is to help advance orderly and efficient marketing and effective distribution of the Nation's farm output.

When the first formal work in agricultural marketing was started in the Department of Agriculture in 1913, there was no such thing as a milking machine or a mechanical cottonpicker. The sawdust-floored meat market, the open pickle barrel, the live or New York dressed chicken were commonplace. A network of high-speed highways to transport prepackaged meat or frozen foods and the supermarket were still dreams of the future. Yet to come were a nationwide market news service for agricultural products, Federal-State inspection and grading, our present laws to protect the interests of farmers marketing livestock and fruits and vegetables, a national school-lunch program, and an extensive program of marketing research.

Marketing farm products is now the Nation's biggest business—one that annually moves and transforms 135 million tons of foodstuffs with a retail weight and value of more than $60 billion. It likewise handles nonfood products of agriculture worth several billion dollars more. Moreover, this marketing system does this job well.

A few figures dramatically spotlight the importance of agricultural marketing in the American economy:

Consumer expenditures for farm-derived products—food and nonfood—are equal to one-fifth of the gross national product.

For every person at work on a farm growing farm products, two persons are employed off of farms in marketing those products.

Out of every dollar spent to buy products of farm origin, two-thirds of it pays for marketing them.

This is because marketing has taken over many jobs from the kitchen, as well as from the farm. And for our society of abundance, American agricultural marketing is providing consumers with services unmatched anywhere else in the world for variety, as well as for quality and quantity.

A report on consumer protection activities of Federal agencies, issued in 1961 by the Committee on Government Operations, shows that of all the Federal people engaged in service to consumers, nearly half are in the Department of Agriculture. This fact may come as a surprise to most people.

But consider these facts:

We can rely on the safety and wholesomeness of our meat and poultry, because all of it that crosses State lines has been carefully checked by USDA inspectors.

We can rely on the quality of produce, meat, butter, eggs, poultry, and many other foods, because of the grades and grading services provided by USDA.

We can get these foods in infinite variety—incomparably clean and fresh—because of the remarkable private marketing system developed with the aid of USDA marketing research and service.

In this country we can buy these foods at less real cost than can any other people in the world or in history. For this, we can thank both efficient production and marketing and the help of our public servants in the Department of Agriculture.

Our children or our neighbor's—one-third of all the schoolchildren in the Nation—get well-balanced lunches every day to help them develop robust health and good eating habits for a lifetime. This, too, is provided through the help of USDA.

These are some of the marketing services that have grown up during the past 50 years. They are of direct benefit to the consumer. Yet they also serve the farmer and the marketing industry which acts to bring the consumer and his food supply together.

How well our marketing system works in serving as the connecting link between the producer and the user concerns practically everyone. The efficiency and effectiveness of the marketing systems largely determines the ease with which products flow from the distant highly specialized producing areas to the consuming centers, the returns received by the producer, and the prices paid by the consumer.

There are two basic ways in which order is maintained in our marketing system—ways which not only promote market stability but also are capable of changing to meet the growing needs of our dynamic economy. One is the so-called regulatory laws which have been passed by Congress to guarantee fair play in agricultural marketing. The other is marketing agreements and orders, which are self-help programs by which producers and handlers of agricultural products can stabilize buying and selling conditions in the marketplace.

Several regulatory laws are in effect to insure proper functioning of the marketing system by safeguarding individual rights, supervising marketing practices, or assuring honesty in dealing. The regulatory measures establish rules of fair business practice in marketing and help to preserve the free and open competition upon which our economy is based.

One of these laws is the Federal Seed Act—a truth in labeling law—which traces its beginning back to the original Seed Importation Act, passed in 1912, a year before the first USDA marketing agency was established. The Federal Seed Act, which was passed in 1939, requires proper labeling of seeds and prohibits low quality seed from interstate and foreign commerce. This law protects the interests of both farmers and individual homeowners.

Another regulatory statute is the U.S. Warehouse Act—passed in 1916—which provides assurance of safe storage for farm products and preservation of the integrity of warehouse receipts. Under this law, more than 1,800 public warehouses are licensed, bonded, and supervised to foster economic marketing of agricultural products.

One of the most important of the regulatory laws is the 42-year-old Packers and Stockyards Act. This act which provides for more orderly marketing in the livestock and packing industries is not only a fair business practice and antimonopoly law, somewhat simulating the Federal Trade Commission Act, but also is a public utilities type of law.

As a fair-business practice and antimonopoly act, it provides safeguards against restriction of competition and price manipulation and discrimination in livestock, poultry, and meat marketing.

As a public utilities type law, the Packers and Stockyards Act provides for registration and bonding of livestock dealers and commercial agents, maintenance of correct livestock and meat scales, and just rates at stockyards and auction markets for reasonable services and facilities.

Another important regulatory law is the Perishable Agricultural Commodities Act, an enforced code of ethics for the fruit and vegetable industry. This law is almost as broad an act in its field as the Packers and Stockyards Act is in livestock and meat. Fruits and vegetables are highly perishable, so people in the fast moving produce industry are especially dependent on the honesty and good faith of those with whom they deal. This law is designed to protect the individuals in the industry from such unfair practices as unwarranted rejection of shipments, failure to pay, and misbranding of produce. Interstate traders in fresh and frozen fruits and vegetables are required to have licenses. USDA is authorized to suspend or revoke a trader's license for violating the act.

Another means by which our marketing system has developed is through marketing agreements and orders which regulate the handling of various agricultural commodities. These are designed to improve returns to producers by establishing orderly marketing conditions. They are self-help programs through which producers can work together to solve marketing problems they cannot solve individually.

Although the first marketing orders date back to the Agricultural Adjustment Act of 1933, which used the term licenses, these programs are now authorized under the Agricultural Marketing Agreement Act of 1937.

Producers in 27 States are now using 45 Federal marketing agreements and orders to maintain orderly marketing conditions for fruits, vegetables, tree nuts, and shade-grown tobacco by restricting the quantity or quality that can be marketed. There are also Federal milk marketing orders which establish minimum prices for producers in 83 of the Nation's large milk markets.

All of the USDA marketing services came into being in response to public needs and public demands—at the direction of Congress which wisely recognized that what happens to farm products after they leave the farm is just as important as their production.

This marketing work—and in fact the whole marketing process, all of the buying and selling, shipping and storing, processing and packaging—all this seems to be very little known to the general public.

Apparently there is good reason for that. The reason is that we do have a good marketing system and good marketing services. They do a good job day after day. But they are not glamorous or spectacular like shooting a rocket to the moon. So, we can—and do—look on the whole marketing process as routine—something that we just expect as a part of our way of life. When we stop to think about it, this really is one of the best things about our marketing system—that our food supply is so ever present, so readily available that we never have to give it a second thought.

The American farmer today, under our system, produces enough for himself and 27 others. This high level of productivity and an efficient marketing system serve the well-being of all of us. The result is reflected in our high standard of living.

Most of us are inclined to give little or no thought to the fact that because of our agriculture's productivity and the efficiency of our marketing system, we have available in this country, the largest quantity and variety of the most nutritious foods ever known to mankind. These foods are placed in our local supermarkets before we even decide we want them and are there for sale to us at the lowest percentage of income in history. We expect and get fresh strawberries and other fruits in the middle of the winter, potatoes already peeled and perhaps cooked, even company dinners prepared so that we only have to warm them and watch TV or rush out for the evening. We give little thought to how all this happens, and the children of most families know only that milk comes from the refrigerator and that it is always safe to drink.

In less fortunate parts of the world, from one-half to three-fourths of the working people must devote their lives to food production alone. Too many people are trying to stave off hunger. In our country we have freed nearly all our people from food production and at the same time virtually freed everyone from hunger.

Our people and other resources thus released from food problems pursue those activities which constantly give us a rising standard of living, providing not only for ourselves, but also enabling us to supply large quantities of food for needy, less fortunate people in other parts of the world. As a recent study of the Food and Agriculture Organization of the United Nations concluded, one of the major reasons why the United States is a land of plenty, while other countries are witnessing mass hunger, is this country's highly developed and efficient marketing system.

Thus it is only fitting that this 50th anniversary of the start of marketing service work in the Department of Agriculture should afford us with the opportunity to consider the benefits we all derive from this marketing system—and from the USDA services that help to make it efficient—and orderly—and economical.

We can also realize that our marketing system—good as it is—can be improved much more. We can further improve quality and the keeping properties of our foods. We can find new and better ways of handling and transporting farm products. We can cut the costs of marketing—to help farmers get better returns and keep down costs to consumers.

As USDA starts its second half century of marketing work, we can confidently expect still greater progress in marketing. Working together with State departments of agriculture, the State universities and colleges, and with private industry, as it has in the past, the Department of Agriculture will continue to seek out improvements in marketing—improvements that can bring undreamed of advances in the years ahead—and can mean a still better life for all of us.

"THE INEQUITIES OF SOCIAL SECURITY—WHAT YOU MAY NOT KNOW"

Mr. METCALF. Mr. President, over the years we have witnessed attacks on the social security system from various sources. Recently we have heard and read criticism from those who would convince us the social security approach to hospital insurance for the aged is unsound.

I feel it is imperative for supporters of social security to keep the record straight. Therefore, I asked the Library of Congress to analyze a recent critique of our social security system which was inserted in the CONGRESSIONAL RECORD of May 9, on page 8172.

The critique, by Mr. Alvin L. Levine, of Perfect Fit Industries, Inc., New York, was entitled "The Inequities of Social Security—What You May Not Know." The article also contained some proposed amendments to the law, which deserve close scrutiny.

I commend to my colleagues the Library of Congress study, undertaken at my request, and ask unanimous consent that the analysis of "The Inequities of Social Security—What You May Not Know," by the Education and Public Welfare Division of the Library of Congress be printed in the RECORD at this point.

I do not maintain that our social security system is perfect. Almost every Congress, whether Republican or Democratic, has adopted amendments to improve the program. I do not necessarily disagree with some of the proposals made by Mr. Levine but I do strenuously disagree with the context in which they are offered.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

THE LIBRARY OF CONGRESS,
Washington, D.C.

To: Hon. LEE METCALF.
From: Education and Public Welfare Division.
Subject: Analysis of "The Inequities of Social Security—What You May Not Know."

The following analysis was prepared in accordance with your request as to (1) whether there are any factual inaccuracies or omitted argumentation in the article, and (2) the cost of the amendments which were proposed.

An article entitled "The Inequities of Social Security—What You May Not Know," appeared in the CONGRESSIONAL RECORD of May 9, 1963. It offers seven amendments to the Social Security Act in order to eliminate what its author believes to be inequities in the present law. The fact that there is not a direct relationship between benefits and contributions, the lack of a money-back guarantee provision, and the existence of such restrictions as the retirement test, the prohibition against individuals' receiving full benefits for each type of benefit for which they may be eligible, and the age limits for dependents' and survivors' benefits constitute inequities, according to the article.

In its discussion the article is not completely accurate in the details of the social security system. It states that the maximum combined employer-employee tax is now $360, and will be $400 in 1966 and $450 in 1968. The actual figures are $348, $396, and $444, respectively. It states that the maximum benefit for a retired worker and his wife is $204. Actually, it is $190.60. During the first 13 years, the social security tax rate for employer and employee combined was not the 3 percent stated in the article. It was 2 percent. The article claims that the maximum monthly benefit for a husband and wife under the original act was $80. The original act contained no provision for a wife's benefit and set the maximum primary benefit at $85 a month. The comparison of the present maximum benefit and maximum tax with the original ones to show that benefits have not increased as fast as have contributions might be questioned because it fails to consider that under the original law an increasing contribution rate was scheduled. The article inaccurately states that the original act provided for total disability.

The article attempts to show that it would be more advantageous financially for workers to bank the equivalent of the social security contribution than to put it into the system. This can be readily demonstrated statistically, depending upon the assumptions adopted. The example presented in the article, however, contains an erroneous assumption; namely, that the worker would have available for deposit in the bank the equivalent of his employer's contribution on his behalf to the social security system. The example, assuming that the worker between ages 21 and 65 would have available for deposit in a bank at 4¼ percent interest compounded quarterly the equivalent of not only his social security contribution but also that of his employer, points out that by the time the worker reached age 65 he would have in the bank about $50,000, or $20,000 more than would a couple who received $30,000 in social security benefits over a period of 12 years. On the basis of the equivalent of his own social security contribution only, the worker at age 65 would have accumulated interest and principal of only about $25,000, or $5,000 less than the aged couple at the benefit level assumed in the article. It might be argued that without the social security system the employer would pass on to the worker the amount he now pays on him in social security taxes. The worker, however, normally would have to pay 20 percent or more of his higher wage in taxes, and therefore could not deposit it entirely.

The Chief Actuary of the Social Security Administration has made the following rough estimate for the level cost (long-range cost) of the amendments proposed in the article. Adoption of these proposals would increase the present combined employer-employee tax rate by approximately 50 percent, from 7¼ to 11 percent. In terms of dollar cost on a long-term basis, the cost of these suggested changes in the law would add up to around $12 billion a year.

1. Elimination of antiduplication provision—1.40 percent of taxable payroll.

2. No retirement test after age 65, and no employee taxes after age 65—1.05 percent of taxable payroll.

3. No age limit for widow's benefits—0.75 percent of taxable payroll.

4. Guaranteed minimum return of employee contributions—0.25 percent of taxable payroll.

5. No age limit for wives of old-age beneficiaries—0.50 percent of taxable payroll.

6. Benefits for disabled widows, regardless of age—0.05 percent of taxable payroll.

7. Husband's and widower's benefits, regardless of dependency, for men who are not insured on their own earnings record—0.10 percent of taxable payroll.

The cost of the entire package of benefits listed above (excluding item (6), since it is already included in item (3)), is 4.05 percent of taxable payroll. This means that to put this proposal into effect would require the immediate increase in the employee contribution rate of 2 percent of taxable payroll, and a corresponding increase for the employer.

INDIVIDUAL CONSCIENCE AND CIVIL RIGHTS

Mr. BAYH. Mr. President, I am happy to inform my distinguished colleagues that the citizens of my home State of Indiana have recently benefited from another timely radio editorial on the subject of interracial fellowship. On June 14, station WXLW of Indianapolis spoke out forcefully and perceptively on this vital human problem.

The editorial particularly stressed the need for an emotional climate on the part of both races free from unreasoning hate and the terrible violence this sometime begets. The WXLW editorial also quite properly reiterates a point which cannot be overemphasized: The creation of such an emotional climate liberated from destructive hysteria must begin with the individual's searching of his own conscience.

Mr. President, the message contained in this editorial speaks to all Americans. I therefore ask unanimous consent that it be inserted into the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

EDITORIAL

(By Robert D. Enoch)

Just a few months ago, Americans from one coast to the other were holding their collective breath over the Berlin crisis. We, again, skirted national danger and chaos as the Cuban problem came into sharp focus last October.

But, the most dangerous and most explosive situation of all is right here and now—within the borders of our country.

The bombs have been placed. The timing devices have been set, and the fuses are attached. Some have already been lighted. The shot that was heard around the world will be as nothing compared to the blast that will be heard if nothing is done to stop it.

We speak of the civil rights issue.

For too long, we have failed to speak on this problem. There is no easy answer or solution. In truth, there is no easy method by congressional action, Supreme Court decision, or planned and executed desegregation campaigns that can be effective on a permanent basis.

The final answer must come from and be a determined position of all the people.

The great danger in today's situation is the fault that is evident in the thinking on both sides of the problem.

Negro leadership is principally in the hands of brilliant, aggressive, and sincerely dedicated men, and we commend that leadership. Opposition to the campaign being waged is in the hands of equally dedicated, honest men in positions of authority.

Both sides are laboring under the false impression that the results of their negotiations, either backed up by civil law or moral law, can be and will be all that is necessary.

The fallacy of this position does not take into consideration personal feelings of the individual peoples on either or both sides. The problem is not academic. If it were, the Emancipation Proclamation of 100 years ago would have resolved it.

Of course, it is outrageous that, because of color, any citizen is denied the right to vote and of life, liberty and the pursuit of happiness. It is appalling that anyone from either side resorts to murder and destruction. But, the facts are there—and, if wisdom, judgment, and calm consideration is not the watchword of the moment, hell will break loose, and irretrievable damage to the rights of all individuals will result.

Hate is a horrible word. No man can hate, and turn it off or on at will. No man can hate without eventually destroying himself and everything he touches. Heated controversy does not beget love, helpfulness, or calmness, in either the educated or uneducated mind. It is at this point that we face our greatest danger.

Many years ago, a high school chemistry teacher attempted to find a responsive attitude in this poor mind. Only one classroom demonstration has stayed and that concerned a beaker partially filled with water, to which the instructor added a quantity of oil. Of course, the oil and water immediately separated. He then stirred, first slowly, and then with great vigor. But, the result was the same. The oil and water still separated.

Then, the chemist added just a bit of soft soap, and gently stirred the mixture—and behold—an emulsion was formed that did not settle out. Yet, each drop of water and each drop of oil retained its individual identity—all because of a little soft soap.

To the leaders of both sides in the march to first-class citizenship, we say don't light the fuses, don't turn the land into bedlam. Add a little soft soap to the mixture.

THE CONNECTICUT STORY

Mr. HILL. Mr. President, no one in the U.S. Senate has done more to further the cause of the mentally retarded men, women, and children in the United States than Senator ABRAHAM RIBICOFF.

People in the field have told me over and over again how he, as Governor of Connecticut, encouraged them in their efforts, and later of his interest in their problems as Secretary of Health, Education, and Welfare.

As we are about to take new steps forward in behalf of the mentally ill and mentally retarded people of our land, I would like to share with all my colleagues the story of Connecticut's progress in this field. Therefore I ask permission to insert in the RECORD at this point an extensive tribute to the Connecticut program for the mentally retarded which was largely achieved during Senator RIBICOFF's tenure as Governor. The tribute appeared in Children Limited, the publication of the National Association for Retarded Children, and is appropriately entitled "The Connecticut Story."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE CONNECTICUT STORY—CONNECTICUT'S DEVELOPING PROGRAM FOR THE MENTALLY RETARDED

(By Bert W. Schmickel, deputy commissioner of health)

We in Connecticut are excited about the advances that we have made in the last 3 years, fully realizing that our ultimate aims and objectives are still to be fully realized in the distant future.

To clearly define what progress we have made I must describe Connecticut's program in mental retardation as it existed approximately 3 years ago. As I describe the concepts and program elements of our new statewide total approach to the problem, I would want you to realize that we in Connecticut do not feel that we have all of the answers. Solutions at which we have arrived, philosophies and programs that we have devised might be very apt for Connecticut and not at all appropriate for Ontario, or New York State, or Montana, or Prince Edward Island.

In order that you might be in a position to make some comparisons, I should tell you that Connecticut is the second smallest of the States in area; it has a population of 2½ million; it covers about 5,500 square miles and is only approximately 60 miles from the north to south border and about 90 miles from the east to west border. Generally speaking, we have two very large centers of population and four or five somewhat less concentrated centers of population.

Three years ago the total State-involved program for the mentally retarded consisted of two training schools each serving the total needs of its respective area. The first training school, Mansfield, was built in 1917, and remained under the administration of one superintendent until 1941 and a second superintendent from 1941 to date. It was the only institution for the retarded in Connecticut until 1940 when due to a waiting list of approximately 1,200, the Southbury Training School was constructed.

Southbury Training School differed from the beginning from its predecessor in that it is a "cottage type" institution and that the emphasis from Southbury's inception was on training and education leading toward return to the community. The Mansfield State Training School has long since also established an excellent program of education and training. The population in each school in 1959 was approximately 1,800. The waiting list at this time had again reached approximately 1,200. Because of the pressures of this waiting list as well as rising pressures from the parents of those retarded children who remained in the community, and along with the reticence on the part of the Southbury Training School to increase its capacity, it behooved us to critically examine our position with the view of developing a comprehensive, long-range State plan.

This analysis revealed three major and basic weaknesses. First was the lack of an authoritative, central administration; second, there was a total disregard of the important role of the community. Unfortunately, Connecticut's institutionally oriented program had tended to encourage the growth of the waiting list because institutionalization had been our sole answer to parents of the retarded; and third, an urgent need for mandatory education for both the trainable and the educable within the public school system.

With the strong support of the staffs and the boards of trustees of our two institutions, plus the dynamic and dramatic lobbying of the parent associations the State passed three major pieces of legislation in its 1959 session—one, public education for both the trainable and the educable was made mandatory; two, an office of mental retardation was created within the State department of health; and three, a program of grants-in-aid for day care, vocational training, and diagnostic clinics was established.

The responsibility for special classes rests with the individual municipalities and their boards of education. They are not under the supervision of the office of mental retardation but under the supervision of the State department of education, bureau of pupil personnel, and special educational services. There is a strong liaison and working relationship between this bureau and the office of mental retardation.

CONCERN FOR INDIVIDUAL

Perhaps the one most important step to be taken by the office of mental retardation was to establish a basic philosophy upon which to base its program. The philosophy we have developed consists of three basic concepts centered upon concern for the individual, and the inherent rights of the retarded child. First, the need for his individual fulfillment; second, the preservation of his personal dignity; and, third, provisions for his happiness.

Each individual's mental health depends upon his ability to use his capacities to the best advantage in terms of vocational, social, and personal success. It is our responsibility and the responsibility of society to furnish maximum opportunity to allow for this process of self-fulfillment.

The most difficult to define of the three concepts is that of dignity leading to enhancement of self-worth. Retarded persons are particularly subjected to a host of experiences which tend to degrade them and hamper the development of their abilities. Institutional regimentation and discipline subject the individual to powers beyond his control and often lead to a loss of that most precious human feeling: self-esteem.

Happiness is a state of well-being brought about by physical comfort (e.g. good food, pleasant surroundings, a clean body, a warm bed), and a sense of acceptance by others. The feeling of belonging to a group and of being loved is essential to a state of happiness. In light of these concepts two very basic principles loomed forcefully before us:

IMPORTANCE OF HOME

To the retarded child the security of his home and the affection of his family is perhaps even more meaningful than to the normal child for he has less understanding and fewer other sources of affection. As long ago as 1909 the first White House Conference on Children, called by President Theodore Roosevelt, made the pronouncement that home care was vastly better than the best of institutional care. The child who from birth is handicapped so that he cannot compete on the same level with other children should not be further deprived of what every child needs most—the love, warmth and security of home and parent.

UNTAPPED RESOURCES

We knew we must not only recognize the danger that lies in the loss of community and public interest in an institution that is far removed from them but that we must take active steps toward the full utilization of all community assets in providing programs and services for our retarded children.

Experience in Connecticut has shown us that the quality of programs and services gradually diminish as an institution's population expands. Although additional cottage staff is supplied to meet the growth in population, seldom, if ever, is the ancillary staff increased proportionately.

Security of home and family affection is often more meaningful to the mentally retarded than to the normal child. The handicapped child should not be further deprived of what every child needs most, the love and care of home and parent. The institution, far removed from the community, not only deprives these patients of community services but withdraws them from community interest.

At the Seaside regional center, a regional training program has already shown that remarkable progress can be made particularly with the severely retarded and mentally retarded in a small well-staffed center. Parents were encouraged to take their children home for visits at frequent intervals with minimal red tape. Local doctors and other professional people were anxious to provide clinical services. There was an adequate supply of well-qualified personnel applicants and a superabundance of well-qualified volunteers. Educable children are graduated from the Seaside Center into special class programs in their community schools. The adult training program is now training 35 young men and women for social adjustment in the community and such vocational work as domestic and maintenance services. Instruction includes spending and saving of their money and use of such community resources as churches, theaters and libraries.

SEASIDE

In our excitement over the acquisition of Seaside all of us were very naive in that we expected equal appreciation by the community in which Seaside was located. Our prospective neighbors we found were afraid that these retarded children would be destroying their flower beds and breaking into their homes and that their teenage daughters would not be safe on the streets and beaches. We found that they were circularizing a petition against our use of this facility with the intention of submitting it to the Governor. This brought dramatically to our attention a fourth very serious weakness in our total program—the need for a comprehensive, all-inclusive program of public education. Of course, the office of mental retardation immediately started such a program in the New London area. You might be interested in knowing that the leader of this opposition and instigator of this petition (which was later withdrawn) was the volunteer Santa Claus at Seaside's Christmas celebration and we have a picture of him with a retarded child on each knee.

We view the Seaside Center as a regional entity. Not only does it admit or accept admissions for residents but it acts as the clearing house for all the problems of families residing in that district. After careful consideration of such problems, if residence is indicated the family is referred to the central office. The program today consists of (1) a residential program, (2) a day care program, (3) a residential trainee program, (4) a day pretrainee program and (5) summer day camp program.

The residential program has shown us that remarkable progress can be made particularly with the severely retarded and emotionally disturbed in a small, well-staffed permissive center such as Seaside.

We have discovered that when such centers are located near or in large cities, the problems of recruitment are minimal. We have substantiated our thinking that there is available in such cities a superabundance of well-qualified volunteers and that they can perform admirably not only in the more superficial activities of the center but in such areas as feeding, child care, and habit training.

We have discovered that the local physicians—the dentists—the psychologists—the general hospital and the social agencies are not only willing but anxious to assist in providing full clinical service. We have found that a State agency can work hand in hand with the local parent association and with the local board of education.

TRAINEE PROGRAM

Young men and women who were never able to meet the standards of the community work placement programs at our two institutions or were unsuccessful on such a placement are in our trainee program at Seaside. They receive assignments in the kitchen, dining rooms, janitorial services, maintenance and grounds service, or in child caring activities. They live in what was formerly the nurses' quarters in individual rooms under the supervision of a housemother and housefather. They are given a great deal of individual guidance and attention both on and off the job. They receive a biweekly paycheck of $20. Once they have proven their ability and trustworthiness, they are free to go into town on the local bus and even arrange visits to their homes in other cities. They are given instruction and assistance in the spending and saving of their money and in proper attitudes and conduct in the utilization of the community's resources such as the churches, YMCA, the theater, the library, the bowling alley, etc. Every effort is being made to see that this program does not become a static one.

INTEGRITY OF FAMILY

Within a matter of weeks, we began to get reactions from the parents of our newly admitted Seaside children. Some families who had had their child in an institution for many years reacted as though in a daze; they couldn't believe that they could be enjoying the close relationship with their child that had developed at Seaside. The freedom to come and go; the freedom to participate in the activities of the center; the ease with which they could see their child; spend time with him, or take him home for short or long periods—seemed miraculous. This situation was one which they had only dreamed could be possible.

Our consideration and emphasis on the need to keep our residential facilities near the communities and near the homes of our residents' family was often made light of. Such comments were heard as "Connecticut is a very small State; it is easy to get around; everyone has a car today; if a family were truly interested in their child they would find a way." We have found that these expressions are unsound and not based on fact.

With the opening of Seaside we received almost 100 letters requesting transfer from other institutions. The major point in the great majority of such requests was to be closer to their child and have their child closer to his home and family.

We are on the brink of some very exciting developments for the retarded in Connecticut. If we are to make the most of our opportunity we must be quick to recognize our weaknesses and have the flexibility to do something about them, even as we must be strong, and uncompromising in defending our basic objectives and concepts.

I REMEMBER WELL

(By Mrs. R. Sargent Shriver, Jr.)

The problem of institution design and management has been with us for over 100 years. In that time some progress has been made in meeting the needs of States, of families and of the individual retarded who require residential care. My own experiences have led me to a mixed appraisal of existing conditions in this area.

I remember well one State institution we visited several years ago. There was an overpowering smell of urine from clothes and from the floors. I remember the retarded patients with nothing to do, standing, staring, grotesque—like misshapen statues. I recall other institutions where several thousand adults and children were housed in bleak, overcrowded wards of 100 or more, living out their lives on a deadend street, unloved, unwanted, some of them strapped in chairs like criminals. In the words of one expert, such unfortunate people are "sitting around in witless circles in medieval prisons." This is all the more shocking because it is so unnecessary. Yet institutions such as these still exist.

One sun-drenched morning last summer, my husband and I visited a completely different sort of center—the Southbury Training School near Waterbury, Conn. As we arrived, a fishing contest was taking place around a pond. In another area, a group of girls sat knitting. Nearby another group sat crosslegged, engaged in spirited community sing. A wooden "Toonerville" train plied the grounds, filled with laughing children. A coachman in red silk livery conducted pairs of children around green meadows in a burro-drawn cart.

Every person in this scene, old and young, was mentally retarded. The teenager leading the group in songs was retarded. So were the children in the train, the passengers in the burro cart and their liveried coachman.

Here for once, at Southbury, the mentally retarded were participating as human beings, with all the privileges of work and play that the nonretarded enjoy. We saw a 30-year-old man, with an IQ of 25, hard at work cleaning up the yard. In many institutions, he would have been sitting uselessly, permitted to do nothing, or even strapped in a chair. The children, we learned, had helped to build the train, and the school swimming pool. Adults go into neighboring communities on Saturday to cut lawns and do other household chores before returning to Southbury with some spending money.

Southbury is a community for the retarded, rather than an institution. Its 1,540 acres contain many of the elements of everyday life—a farm, a bakery, a shoe repair shop, beauty shops, barber shops, a clothing store, and a cafeteria, most of them arranged on a typical smalltown Main Street. For the most part they are manned by the retarded. The emphasis is on rehabilitation rather than indefinite confinement. A team of first-rate doctors does all it can to prepare residents for a return to the outside world.

There are 2,000 residents of the picturesque cottages at Southbury, which is one of the five or six best State installations we have ever toured. Even though it has expanded greatly since it was founded in 1940, Southbury is far from able to meet the demand for admissions. Happily, there is a growing number of outstanding facilities, although the supply still falls far short of the need.

The Seaside, New Haven, and Hartford regional centers will emulate the Southbury pattern. Over 2,400 retarded will be served by these three centers at one-fifth the cost of a conventional central institution. There will be savings in human anguish, too. The regional centers will afford frequent home and community contacts, normalizing the lives of the residents in the centers.

I congratulate the Governor, mayors, members of city councils, and the community funds for their support of this, in many respects, internationally new and forward-looking concept of service and research in mental retardation; not only other States but other nations will benefit from what the dedicated public servants and energetic citizens of Connecticut are doing for the mentally retarded youth of their State.

Connecticut is in the vanguard. Nowhere, at the present, is there a more concerted, coordinated, well-designed plan at a State level to match this one. The new concept in decentralization has been put into action, the citizenry has responded, State leadership has been effective. Not only the retarded but all the Connecticut Yankees will benefit from it.

ROLE OF PARENT GROUPS

(By Robert W. Fletcher, president, Connecticut ARC)

The Connecticut way, which won the commendation of the President's Panel on Mental Retardation as well as leading authorities in many parts of our country, is the result of strong conviction, perseverance, and united effort by residents of Connecticut.

The regional center is not an approach or concept that has developed overnight in Connecticut. It reflects the experience and thinking of parents and friends of the retarded who took upon themselves the responsibilities of aiding, fostering, and increasing the social and vocational development of the retarded.

Our experience is not just an "ask and you shall receive" process with our State legislature. There has been a continued educational program which was begun 10 years or more ago by a few determined parents and friends of the retarded. Our Connecticut General Assembly has responded to this grassroots education of the citizens of Connecticut by its legislative acts in 1959 and 1961. In 1959, through the planning and evolutionary thinking of leaders in this field, who were the backbone of the Connecticut Association for Retarded Children, legislative bills were drafted and the concepts were presented and supported by friends and parents of the retarded.

One of these bills that was enacted into law, created OMR and gave it liberal statewide authority under the commissioner of the department of health. In addition, CARC wrote another section of this legislation allotting funds to OMR for distribution as grants-in-aid to local associations to assist and improve day care centers, vocational training programs, and diagnostic clinics.

As the office of mental retardation is the creation of CARC, it is natural that the relationship of OMR to CARC should be close and coordinated. When the Connecticut Legislature enacted this bill into law, it unfortunately did not allocate sufficient funds to staff this new department adequately. This staff shortage, as well as CARC contacts with local associations, further fostered the coordination between OMR and CARC at the beginning. This staff relationship between them from the time of CARC's part-time executive director to our third executive director (who is on a full-time basis) is progressing through the guidance of the leaders of OMR and CARC. Both realize the importance of this relationship. For through cooperation, duplication of effort can be eliminated, progress of various State and local institutions can be furthered and inactive areas can be developed and stimulated.

CARC and OMR worked together last year on a successful program to upgrade standards in local day care centers. We are planning to do the same for sheltered workshops in the near future. Other areas of coordination include joint sponsorship of institutes for the clergy, institutes for dentists, workshops for local treasurers, and a U.S. Public Health Service Institute for Public Health Nurses. These latter areas have been one-shot programs, but plans are being made to revamp and schedule these programs as time and needs permit. Another area of cooperation is just being developed in our relationship at Camp Harkness, where residential camp programs of the two State training schools and CARC are now being developed to the mutual advantage of all the retarded.

The "Connecticut way" is only beginning. Our work will not really be underway as long as a single parent or retarded human being remains in the Dark Ages atmosphere. The road to enlightenment is through education of parents and the general public, through fostering coordinated research, and through the development to the fullest, the capabilities of all retardates.

PRESIDENT'S PANEL CHAIRMAN COMMENTS ON CONNECTICUT

(By Leonard W. Mayo, Chairman, President's Panel on Mental Retardation)

The important thing about Connecticut, insofar as the future of its mentally retarded is concerned, is not only that it has a master plan—and a good one—but that it has the structure, the administrative arrangement, the public support, and the philosophy that can produce plans and implement them.

As long as this situation obtains, Connecticut will never be without a program. It will never be sitting on its hands waiting for help or for the right moment to take action. It will always be working toward well-conceived goals and playing just a bit over its head—and that is one of the secrets of progress and achievement.

If States are going to emulate one another in this field, let them emulate not so much a specific plan but the structure and procedure that gives some promise of producing a plan. States differ, and each one should develop a program to meet its own needs; but unless the stage is set properly and the right climate developed, nothing of merit is likely to eventuate. On the other hand, with the essential ingredients of sound planning, including local initiative and drive, and a responsive State administration you have a winning combination.

BASIC INGREDIENTS

What were the basic ingredients in Connecticut's planning? There are many, but the following come quickly to mind:

An articulate and skillful parents group;

An interested State administration;

The realization that not all of the official activity in behalf of the mentally retarded in the State should or can be included in any one department;

The act of bringing local communities into the planning process;

An appreciation of the contribution and continuing value of high-quality residential care and its relation to other services; and

The conviction that a wide variety of services for the retarded is required; that all should be of high quality; and that the central focus of planning should be the retarded person himself and his family—not any one form of care.

A DECISIVE STEP

Connecticut took an important and decisive step when it appointed an able man on a full-time basis to be responsible for the development of a plan and its implementation. This is far different from giving one man administrative responsibility for the operation of all State programs for the retarded. By its very nature, mental retardation is an integral part of many and varied State and local, public and private activities and responsibilities.

The assignment given to Bert Schmickel when he was appointed and placed in the Department of Health in Connecticut, was to weave the various threads of mental retardation throughout the State into one fabric—the type of high-level coordinating function that frequently carries with it major responsibility but very little authority. Actually, the best and most skillful coordination is accomplished through the skill, patience, and knowledge of the coordinator, not through authority vested in him.

One of the first steps taken by the office of mental retardation was to establish a basic philosophy based on three concepts centered on the individual and his inherent rights: the need for his individual fulfillment; the preservation of his personal dignity; and provision for his happiness.

Not only do Connecticut's planning methods and personnel commend themselves but the master plan itself merits thoughtful analysis. The regional center concept, as interpreted by Connecticut, places responsibility for admissions in each region on the center in that region. That center, in turn, will provide inpatient and outpatient service, day care, consultation to parents, flexible policies of admission and discharge, and short- and long-term care as indicated. Seriously retarded infants are cared for in nursing homes licensed and supervised by the State; these should be extended to locations where they are not now available. The relation established between hospitals and the office of mental retardation whereby the latter is notified at once of the birth of a severely retarded child is excellent.

Under the center plan, when it is in full operation, the present residential institutions in Southbury and Mansfield will receive some of the profoundly retarded and those with serious emotional and other complicating problems. This does not mean that the regional centers will deal only with the mild and moderate cases. It has already been demonstrated that it is possible and desirable to care for many of the seriously retarded in the regional center at Waterford, the first to be established.

The Citizens Committee on Mental Retardation, appointed by the Governor and responsible to him, is a sound idea and is working well. A coordinating committee within the State government—also responsible to the Governor and composed of top representatives of the department concerned with mental retardation—is equally essential and Governor Dempsey has the appointment of such a group under consideration. The President's Panel on Mental Retardation supported committees of both types in general principle.

NEED FOR RESEARCH

There are some pieces missing in the jig-saw puzzle of the Connecticut plan; research, for example. If the program contemplated for the placement of the multihandicapped at Southbury and Mansfield is realized, they could become productive research laboratories with affiliations with institutions of higher learning. There is an awareness of these and other opportunities as yet unmet, and Connecticut has the modus operandi for working on them.

It is fortunate at this point in time that there are a number of States that can be enthusiastically cited for outstanding work in mental retardation. It should be noted that Connecticut is among the front runners—and still moving.

PETROLEUM IN THE SPACE AGE

Mr. McGEE. Mr. President, the American oil industry has contributed in large part to the very high standard of living we enjoy in America today. This industry symbolizes the initiative, industry and tenacity that has made our Nation great.

Mr. President, an example of the strides now being made by the oil industry to make sure that we are first in the future is contained in an article in the Humble Way, the magazine of the Humble Oil & Refining Co., in its spring edition. I ask unanimous consent that this article, "Petroleum in the Space Age," be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Petroleum in the Space Age—Exciting New Era Spurring Growth and Progress in Alert Oil Industry

Those of us old enough to remember when the family car was a hand-cranked "flivver" somehow find it a little difficut to realize that we now live in an age of atomic energy and space exploration. In the days of our youth, the atom was inviolate, and space travel was a Jules Verne fantasy. We recall, too, that someone was always predicting that the oil industry wouldn't be able to supply enough gasoline for all those cars the auto manufacturers were turning out in ever-increasing numbers.

Yet, man has smashed the atom and harnessed its incredible energy for useful work. Astronauts have soared into space and orbited the earth. The oil industry has supplied plenty of gasoline for millions of autos and other vehicles. Furthermore, oil companies are still seeking new customers, not only for gasoline but for a multitude of petroleum products, many of them undreamed of a few decades ago.

Now the petroleum industry is adjusting its sights to the changing needs of the new space age. This is not a sudden thing; the industry's research scientists, management, and economic planners have long been preparing for the new era. They know that petroleum will not be a victim of space age progress, but rather an important contributor to it.

Astronauts may soon streak silently through the blackness of outer space to explore distant planets, but for most of us the developments of the space age will unfold along less dramatic lines. The use of petroleum as an energy source will continue to expand at a steady pace. There will be increasing competition from other energy sources, to be sure, but the total energy needs will provide room for growth for all.

Nuclear energy, of course, is a potentially strong competitor. Oil industry scientists foresee that by the end of this century about 20 percent of the world's total energy needs will be supplied by atomic power; some nuclear scientists put the figure even higher, around 40–50 percent. Perhaps the actual figure will be somewhere between these two estimations. At any rate, it seems likely that about 70 percent of the nuclear power used will be for stationary electric generating plants, replacing coal more than oil and gas. The remaining 30 percent will be used for ships and submarines.

Even nuclear-powered engines must be lubricated, perhaps by special types of oils and greases not yet developed. Significantly, it has already been demonstrated that petroleum products can provide shielding for nuclear reactors.

The familiar applications of petroleum energy for automobiles and home heating promise to endure for a long time. Cars use a multitude of petroleum products. Various new types of automotive propulsion have been proposed—fuel cells, solar batteries, nuclear power—but none yet seriously challenges the practical economy of the gasoline engine. The gas turbine seems to hold considerable promise, but it too uses petroleum fuel.

Chemicals derived from oil will continue to play an increasingly important role in the space age. Oil companies manufacture the basic building blocks of chemistry and in many cases turn out finished chemical products. Today, only about 5 percent of a barrel of crude oil finds its way into chemical goods. But some forecasters see a day when much larger percentages of petroleum will be devoted to chemicals.

Many petroleum-based materials have already found places in the infant space industry. Among these are the thermoplastics, the new fluorocarbons, polypropylene, and nylon—all tough, durable, and versatile. Polyurethane foams, commonly used by florists and for packaging fragiles, keep liquefied gases cold in space flight. As superior insulators, these foams figure prominently in a new low-temperature science, called cryogenics. Synthetic fibers originating from hydrocarbon molecules are being used for space suits and spacecraft insulation.

Synthetic rubber from petroleum is finding wide application in the space industry. Oil-based fluids are vital to complex hydraulic systems in radar installations, gantries for launching space vehicles, and ground-based guidance systems. Oil for electrical transformers and cooling fluids also has a direct and growing usage in the space industry. Oil industry research is constantly improving these products for high reliability and stability under severe conditions of heat and cold. The search for new oil uses is never ending.

Before manned flights to the moon become reality, winged aircraft will be traveling through the earth's upper atmosphere at speeds of 2,000 miles per hour. The military requires a supersonic fuel for the RS–70 aircraft, which will fly three times the speed of sound, well over 1,500 miles per hour. A highly refined petroleum product must be formulated to withstand temperatures of 500 degrees Fahrenheit and still not freeze at 70 degrees below zero.

Barring an increase in international tensions, the potential volume requirements for supersonic jet fuel for military use is limited. But fuel for supersonic commercial jetliners (which will whisk passengers across continents and oceans at about 1,400 miles an hour) will be needed in great quantity. Lubricants for supersonic jets, as for today's slower aircraft, are almost all synthetic products derived from petroleum. Aircraft manufacturers doubtless will continue to find many uses for oil-based plastics and fibers.

To penetrate the earth's encircling atmosphere and steer toward the moon, man will still depend greatly on petroleum. The first-stage propellant that thrust NASA astronauts into earth orbits and which will launch the coming moon shot is RP–1, a rocket fuel similar to kerosene. (Many people think liquid oxygen pushes the craft through space but "lox" simply provides the oxidizer to burn the petroleum rocket fuel.)

The second-stage booster for most NASA systems, including those still on the drawing boards, is powered by hydrogen. Hydrogen is highly attractive as a rocket fuel because it is the lightest of all the elements and provides the most push per pound. The oil industry is not a volume supplier of hydrogen at the present time, but as demand grows, it could easily become one. Many refining processes use hydrogen to improve the color and odor of certain petroleum products, as well as to change their chemical nature. The refinery complex is thus accustomed to making and handling hydrogen for its own use and can be specifically designed to make larger volumes of hydrogen as an end product.

Space vehicles will require special lubricants, hydraulic fluilds, and cooling fluids. Lubrication problems connected with space machinery are among the most challenging facing science and the aerospace industry. Besides the temperature extremes, outer space imposes a near total vacuum and zero gravity; oils and greases either vaporize or simply creep away from the component they need to lubricate. Someone has suggested it may be easier for man to reach the moon than to close the door of his spacecraft after he's crawled out. These obstacles will be hurdled, of course, as petroleum research develops new techniques for lubrication.

Development of new energy sources, spurred by space vehicle requirements, may appear to jeopardize petroleum's future. Instead, they will probably open new oil industry markets. One such development is thermionic power, the direct conversion of heat to power. Using heat supplied by natural gas or petroleum-derived propane, the power package can already run small electrical home appliances. Another promising energy source is thermoelectric power, in which a semiconductor, when heated, causes electric current to flow. The same process can produce extreme cold, and this could be harnessed for refrigeration.

The fuel cell, which generates power directly from chemical reaction, is attracting more attention than other energy-conversion devices. A workable fuel cell exists and is being used for specialized applications, but it is far from being a perfected and economical apparatus. The basic advantage of the fuel cell is that it operates at about 80-percent efficiency, as compared with 35- to 50-percent efficiency of the internal combustion engine. That is why scientists and engineers of more than 50 companies are working feverishly to perfect a practical fuel cell. Humble, through its scientific affiliate, is a leader among oil companies engaged in this field of research, seeking to make sure that when the fuel cell finally does become practical, it will operate on petroleum fuel.

The oil industry, which now supples almost three-fourths of the mineral energy produced in the United States, has played an important role in the rise of America to a world power, helped make possible an unprecedented standard of living, and helped transform the economy of many underdeveloped nations. The space age poses some special challenges, but the industry's past progress and its current contributions to space technology point to a bright future. The needs for petroleum as an essential resource will continue to soar as man reaches for the stars.

THIS REFORM IS PLAIN DOUBLE TAXATION

Mr. McGEE. Mr. President, the problem of devising a tax structure that will create the greatest incentive for economic expansion and at the same time be fair in its application to all taxpayers is indeed difficult.

We must always work toward the goal of a tax as nearly perfect as we can make it but I strongly believe that it is a mistake to try to perform all the reforms in our tax system at one time. We must establish a priority in order to accomplish first things first.

The problems engendered by trying to do too much at one time are aptly illustrated in an editorial that appeared in the June 20 edition of the Denver Post. I ask unanimous consent that this editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

This Reform Is Plain Double Taxation

The House Ways and Means Committee has been busy in Washington putting together, at President Kennedy's request but not in his best interest, a package of what are loosely called tax reforms. The assembly job has not yet been completed, but from the looks of some of the pieces, the committee is putting together a monster.

The latest piece of this Frankenstein product agreed on by Congressman Wilbur Mills' committee is the scheme to raise (mind you, this is part of the Kennedy tax reduction package) $500 million in new revenue by curbing itemized tax deductions for individuals.

Under the proposed restrictions, individual taxpayers would no longer be allowed to take deductions from taxable income for State and local taxes paid on gasoline, auto tags and drivers licenses, cigarettes and beverages or on a variety of selective sales taxes (like levies on hotel bills) or special taxes.

So far, congressional and administration tax writers have not proposed eliminating the deduction of such big items as State and local real estate taxes, income taxes or general sales taxes. But the direction they are taking is clear, and it would only be a short step through this open door for the elimination of such deductions as well.

Thus the general taxpayer would be paying on already-taxed income, one more instance of double taxation and a rather blatant one at that.

Just how widespread would be the effect of the tentative Ways and Means Committee decision to restrict the itemized deductions for taxes paid is indicated by Treasury figures which show that deductions were itemized on 24 million of the 61 million individual income tax returns filed in 1961.

These tax-on-tax provisions are supposed to be committee substitutes for the so-called reforms proposed by the administration which would have disallowed itemized deductions unless they exceeded 5 percent of a taxpayer's income. Administraton proposals could have had an adverse effect on charitable donations, persons paying mortgage interest and so on. The committee's provisions are less severe, particularly as they affect certain groups—like real estate interests. The committee is also being more gentle on the oil industry.

This newspaper warned when the President tied his tax cut proposal to a tax reform package that he was hobbling chances for both a meaningful tax cut (one that could spur both investment and consumption) and real reform.

We foresaw that every so-called reform would affect some interest or group and that each would have to have its chance to make its case. Obviously, the lobbyists have been active. The committee's work to date shows that.

One thing we didn't foresee was that the committee, faced with the choice of reforming against a group which could actively lobby and reforming against the general taxpayers, would give the works to the latter. But the tax-on-tax proposal which has now been put in the projected bill is that kind of reform.

The recent curb on expense account deductions, plus the wavering doubletalk about tying tax reform to tax reduction, has made Americans more tax-conscious than at any time in our history since the Boston tea party.

So, if the general taxpayers don't have a lobby, they do have a way of fighting back. They can do so at the polls on election day, and it is there that they may pay Mr. Kennedy back for the work of a democratically dominated committee.

We don't know whether this thought will give the tax writers pause. But their progress toward reform to date certainly should. If this is the best they can do, they ought to give up the effort.

COURT SPOKE TWICE ON RELIGION

Mr. McGEE. Mr. President, we have heard many persons express the opinion that the Supreme Court of the United States has been overly zealous in preventing any sort of infringement upon our freedom of religion.

I do not share that criticism, Mr. President, and I would question why those who are so quick to criticize the Court on this issue have not noticed a decision which upholds the right of an individual American to practice her religious beliefs as she sees fit.

An excellent editorial on this question appeared in the June 23 edition of the Denver Post. Mr. President, I ask unanimous consent that this editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[The Denver Post, June 23, 1963]

Court Spoke Twice on Religion

On the same day that the U.S. Supreme Court outlawed prayers and ceremonial reading of the Bible in public school programs, the Court handed down another decision on religion, which ought not to be overlooked or neglected.

In the prayer decision, the Court broadened and strengthened that part of the first amendment forbidding a government establishment of religion. In the other decision—the one given less public attention—the Court broadened and strengthened that part of the amendment which forbids government interference with the free exercise of religion.

The free exercise case involved a woman in South Carolina who was denied unemployment benefits by the State on the ground that she refused to accept suitable work when it was offered to her.

The rejected jobs required work on Saturday, a day regarded as the Sabbath by the Seventh-day Adventist Church and a day on which members of the church are prohibited from working. The woman in the case was a member of that church.

The Supreme Court found that the policy of the State forced the woman to choose between following the precepts of her religion and forfeiting benefits, on the one hand, and abandoning one of the precepts of her religion to accept work, on the other hand.

"Governmental imposition of such a choice," the Court said, "puts the same kind of burden upon the free exercise of religion as would a fine imposed against appellant for the Saturday worship."

The burden on the free exercise of religion, the Court said, is not justified in this case by any compelling State interest.

The Court shows no less zeal in this case in preventing government from burdening the exercise of religion than it does in the prayer case in preventing government from espousing religion through officially promulgated prayers and Bible reading in the public schools.

Under the first amendment, the Court says, the Government is obliged to protect religious rights without fostering a State religion; the free exercise of religion must be respected, even as the establishment of religion is to be avoided.

Considered together, as it was obviously intended that they should be, these decisions give an impression of a Court much more understanding of, and even favorable disposed toward, America's religious tradition than some of its critics would credit it with being.

Mr. HUMPHREY. Mr. President, is morning business concluded?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

AUTHORIZATION OF APPROPRIATIONS FOR ATOMIC ENERGY COMMISSION

The PRESIDING OFFICER. Under the order of yesterday, the Chair lays before the Senate the bill (S. 1745), which the clerk will read by title.

The LEGISLATIVE CLERK. A bill (S. 1745) to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

AGRICULTURE AND THE COMMON MARKET

Mr. HUMPHREY. Mr. President, in September of 1961, I spoke in the Senate of the European Economic Community and its implications for American agriculture. At that time I pointed to the fact that the United States had given strong support to the Community on the assumption that it would develop a liberal trade policy, not only within the Common Market, but also in its relationships with third countries.

It was my hope that the European Economic Community would develop an agricultural policy internationally oriented, promoting efficient production on a competitive trade basis. It was obvious that the Community's agricultural policy also could affect the entire course of free world commercial policy. Agricultural and industrial trade have a close interrelationship. It would be extremely shortsighted to try to maintain high protection barriers in one and free competition in the other.

Since my speech of September 22, 1961, I have closely observed activities of the European Economic Community because I feel it has great potential for good. Also, the United States has demonstrated its commitment to a liberal trade policy in the passage of the Trade Expansion Act.

The tremendous productivity of the American farmer is enabling us not only to eat better than any country in the world, but also to be the world's largest exporters of agricultural products—20 percent of the world total. Our $5 billion export market is of great significance not only for our farmers, but also to many business and laboring men and women who market, transport, store, and process these commodities. In addition, agricultural exports are of major importance to our international balance of payments, as President Kennedy has pointed out.

Currently, the Common Market is our largest outlet for farm products. Its present and potential importance in the foreign trade field is being made increasingly aware to us. In 1962, we exported to the Common Market about 23 percent of our total agricultural exports. However, more importantly, the Common Market purchased over one-third of all U.S. agricultural exports sold for dollars.

Every segment of American agriculture has expressed the sincere desire that the Common Market follow liberal trade policies as its common agricultural policy evolves.

Mr. President, how the Community reaches its goal of a common agricultural policy will be the major factor in determining whether the nations of the free world develop their agricultural policies within an international context, or within the framework of narrow nationalistic interests. On the decision of the EEC depends not only the course of agricultural trade, but of international trade generally. I do not think it is either in the interest of the Common Market or in the interests of the friendly agricultural exporting countries that international trade be sacrificed by the EEC in achieving a common agricultural policy. Inward looking highly protectionist policies inevitably raise food prices to consumers. Resources which could be more productively applied elsewhere would be encouraged to stay in farming. The economic growth of the Community would be reduced.

I am deeply concerned by the growing evidence that the EEC is moving toward a protectionist trade restrictive policy oriented toward itself. The Community has refused to give fixed tariff bindings on agricultural imports of most competitive agricultural products. These include wheat, feed grains, rice, poultry, dairy products and most meat products. The EEC has indicated that these items will be subjected to variable levies, and for many products there will be minimum import prices in addition.

By the use of a variable levy there is assurance that imports can enter the market only at prices higher than the level of domestic support prices. Using wheat as an example, if EEC domestic support prices are at $2.75 a bushel, and imports are offered at the frontier for $2 a bushel, a levy of at least $0.75 per bushel would be collected on imports. If import prices dropped to $1.75 a bushel, the variable levy would increase to $1.

The Common Market's protective system for broilers is a complex of levies and charges.

First of all, the EEC established a "gate price"—a minimum import price. The purpose of the gate price is a protective wall. While our negotiators were told it was based upon production costs in third countries, such as Denmark and the United States, actually there was no relationship between the gate price and our own costs. The gate price was established at a landed price of about 33 cents a pound for ready-to-cook broilers. Our domestic prices for broilers have not reflected a landed price as high as this figure for many years.

In addition to the gate price, the EEC Commission established what it called the poultry levy. For outside countries, such as the United States, this levy consists of three parts: First, the old ad valorem tariff existing prior to the issuance of the poultry regulation, but with a slight downward adjustment; second, the difference in value of feed grains needed to produce a pound of broilers inside and outside of the Community; and, third, a 2-percent ad valorem duty, to give a preference to producers within the Community.

When you wrap it all up, it means simply this: A few years ago, German consumers were able to buy U.S. poultry by paying a 5-cent-a-pound import duty. At that rate, U.S. producers could compete with other suppliers. Today, the total import fees have jumped to over 14 cents a pound. Because our exporters can land broiler chickens at Hamburg for roughly 30 to 31 cents a pound, these levies figure out at about 45 percent ad valorem—a highly excessive rate.

What have been the effects of this complicated system on trade?

First of all, this system has really worked to limit imports from outside countries to the markets of the Community, particularly West Germany. Our trade has suffered the most. For the first 9 months of the new system, West German imports of poultry from all sources have dropped to 70 percent of the previous year's comparable 9-month period.

I mention poultry primarily because this situation is indicative of what the future may offer unless a change is made in the temporary adjustments and levels which have been provided with respect to the importation of poultry, and unless there can be a reversal of this trend; because unless that is done we shall find that American agricultural imports will be under an almost unsupportable burden, and under limitations and protectionist policies that will cripple our agricultural export business.

Sharp gains have been achieved by Belgium and France, and the Netherlands has about held its own. So the drop in trade has been at the expense of outside countries—particularly the United States. Imports of U.S. poultry were only about 40 percent of the 1961–62 level and only about 75 percent of the 1960–61 level.

U.S. flour millers have been adversely affected by Common Market regulations through loss of exports. Practically all U.S. flour exports to the EEC have been going to the Netherlands. These were valued at about $7 million in 1961–62.

This is what happened: First, there was set a threshold price. Then, there was added a margin for milling plus an additional amount to protect EEC millers, less an allowance to offset returns from bran sales, less a consumer flour subsidy. This is quite a complicated formula. It means that, first, the Common Market levy which had been $14 per ton was more than tripled, and, second, it practically shut off this export business.

I know the executive branch is going to bat to obtain a substantial reduction in this levy.

I wish to make the record clear that prior to President Kennedy's journey to Western Europe, certain Senators signed a letter which was given to the President. I personally delivered it to him last week. The letter stated our deep concern over the trade tariff policies or protectionist policies of the Common Market countries. We wanted the President of the United States to have that letter as an indication of the deep concern on the part of Congress itself; because, after all, foreign trade is not merely a matter that is in the hands of the executive branch of the Government. Congress makes trade policy. Congress passed the Trade Expansion Act. We can alter that act and can affect the administration of it by amendments and by reductions.

The countries of Western Europe and their finance ministers, trade ministers, and industrial and agricultural representatives ought to know that the Congress of the United States cannot afford to stand idly by while vast areas of the United States are adversely affected economically by the protectionist, nationalistic, restrictive policies of the Common Market countries as they are being currently developed.

I also wish to stress my great concern about the proposed increase in import duty on crude soybean and cottonseed oil entering the Common Market. The proposed levy will double the rate from 5 to 10 percent ad valorem. European oilseed crushers have accesss to U.S. soybeans with no import duty. This provides them with a basic source of raw material which can be converted into both oil and meal. It would appear equitable that no special favors should be made for European crushers, and that soybean and cottonseed oil should enter free of duty, just as soybeans do.

The crucial elements are the internal target prices or support prices to be established for grains by the Community. These prices will give us another signal as to the direction agricultural policies of the Community take. If these price targets are established at unreasonably high levels, the result will be uneconomic production within the Community rather than imports from friendly supplying nations. Consumer prices for animal products within the Community will be unnecessarily increased, and imports of feed grains, dairy and livestock products gradually will disappear.

I call the attention of the Senate to the economic implications of such a development. Already our country is burdened with surpluses which are price depressing. If such surpluses are increased merely because we are unable to sell at reasonable prices in international markets, the economic consequences for American agriculture can be disastrous and there can be no bailing us out by more price support programs at home.

We must fight with everything at our command for a fair share of the international market. The only way I know to do that is to speak frankly, forcefully, and effectively to the European Common Market officers who are responsible for trade policy.

If the United States and other agricultural exporting nations are to be assured an opportunity to sell in the EEC markets, it is of major importance that these price goals be set at moderate levels.

In the Trade Expansion Act of 1962, the United States will bring a new tool to future negotiations with respect to trade matters with other nations. This act provides the framework for U.S. participation in trade negotiations. One of the mandates of this law is to maintain access to export markets for all our products—agricultural as well as industrial.

Mr. President, this Congress stated its purpose in passing the Trade Expansion Act, as follows:

> Through trade agreements affording mutual trade benefits to stimulate the economic growth of the United States and maintain and enlarge foreign markets for American products, to strengthen economic relations with foreign countries through the development of open and nondiscriminatory trading in the free world, and to prevent Communist economic penetration.

Broad authority is given the President to negotiate tariff reductions of 50 percent and even up to 100 percent, in some cases. There are special provisions which will facilitate negotiating tariff reductions with the EEC in broad categories of products. All members of GATT will benefit since the reductions negotiated under this authority will be applied on a nondiscriminatory basis. The broad concessions authorized to be negotiated by this act can bring about a great era of more liberal trade with mutual benefits.

However, I wish to call attention to section 252 of the Trade Expansion Act. This section directs the President to take all feasible and appropriate steps to eliminate unjustifiable import restrictions maintained by any country against U.S. agricultural products. Such steps may include retaliatory action against imports from the country in question and withholding of concessions and most favored nation treatment from that country.

Furthermore, where we see discrimination in the treatment of trade and products, we can go to GATT and insist that the rules of the organization be applied. It seems to me that this will be one of the logical developments if the present trend of the EEC continues.

I am opposed to an apparent increase in agricultural protectionism by the Common Market. I believe that the EEC fully understands our determination to work for expanding trade opportunities for efficient agricultural exporters. This is one of the things the administration is doing—informing the EEC in a vigorous and forthright manner just how we feel about those actions which have a strong flavor of protectionism.

Mr. President, trade must be a two-way street. It would function best if those items on which the Common Market countries have a competitive advantage are exported to us and, similarly, if we exported those items on which we have a competitive advantage.

American officials also have been forthright in their expressions. I have been pleased by the fact that not only Government people but also representatives of farm, processing, export, and other groups have given voice to their concern in trips abroad. For example, I received a detailed report on a meeting in Brussels where representatives of the soybean processing industry met with EEC officials.

What can we in Congress do about this situation?

First, I wish to congratulate the executive branch in its choice of Christian Herter as chief trade negotiator. He is doing an outstanding job for the United States. Second, I would suggest to the executive branch that the personnel assigned to do the negotiating not be those men and women that the various departments just happen to be able to spare at that particular time. There are not necessarily the best for this purpose. There is no greater service that the most competent Government officials can provide the American people than a willingness to accept an assignment in the forthcoming negotiations. This corps of officials should go forward with the same zeal as the members of the Peace Corps. Actually, and fundamentally, they are a Trade Peace Corps. Let us send the best. Third, I would urge the support by the Congress of a resolution I am introducing jointly with the distinguished minority leader, the distinguished Senator from Illinois [Mr. DIRKSEN]. It urges the executive branch to exert strenuous efforts to obtain continued export outlets for our agricultural products and to employ its energies to assure opportunities for export trade for U.S. agricultural commodities in the European Economic Community.

Mr. President, this is a matter which deserves bipartisan support. I was pleased to read the following from a statement by the Republican members of the House Committee on Agriculture:

> We support a unified and bipartisan effort to hold and expand markets for U.S. agricultural commodities in the European Common Market. We have already taken the initiative in this regard by pledging our full cooperation to the chairman of the House Committee on Agriculture.

Let the negotiators go forward in the full knowledge of the support of the Senate.

Mr. President, I ask unanimous consent that the concurrent resolution I have submitted today, which is cosponsored by the Senator from Illinois [Mr. DIRKSEN], the minority leader, be printed at this point in the RECORD.

There being no objection, the concurrent resolution (S. Con. Res. 51) was ordered to be printed in the RECORD, as follows:

> Whereas the Trade Expansion Act of 1962 directs the President to take all appropriate and feasible steps to eliminate unjustifiable import restrictions maintained by any country against United States agricultural products; and
>
> Whereas United States agriculture has a vital stake in the European Common Market, and while wishing to see it prosper, desires to share in this market; and
>
> Whereas a significant part of our $1,200,000,000 export earnings from sales of agricultural commodities to the European Economic Community is threatened with resultant adverse effects on our balance of payments; and
>
> Whereas there is evidence that the European Economic Community is taking actions which impair agricultural exports from the United States and other third countries; and
>
> Whereas there is a need for reduction in trade barriers affecting the ability of United States farmers to export, and this can be achieved by using the rules and principles of the General Agreement on Tariffs and Trade; and
>
> Whereas the continued unity and strength of the free world is fundamentally involved in these actions of the European Economic Community which affect world trade in agricultural commodities; Now, therefore, be it
>
> *Resolved by the Senate (the House of Representatives concurring)*, That it is the sense of the Congress of the United States that United States negotiators with the European Economic Community obtain adequate assurance that access to export markets for our agricultural products be maintained, so as to result in an expanding mutually beneficial system of world trade; and be it further
>
> *Resolved*, That the Congress urges the executive branch to continue to use all its resources to expand trade in agricultural commodities on a nondiscriminatory basis, and to take whatever action may be necessary to require all signatories to the General Agreement on Tariffs and Trade to abide by its standards and provisions.

Mr. HUMPHREY. Mr. President, I send the resolution to the desk and ask that it be appropriately referred.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 51) was referred to the Committee on Finance.

Mr. HUMPHREY. Mr. President, today the negotiations begin in Geneva on the matter of poultry markets in the GATT organization. It will be a very critical meeting. It will affect every area of our country. I am hopeful that our Government will persist and prevail in its determination to apply fair standards of economic competition in the world markets.

ORDER OF BUSINESS

Mr. PASTORE obtained the floor.

Mr. PASTORE. Mr. President, I yield to the distinguished Senator from South Carolina, without losing my right to the floor.

Mr. JOHNSTON. Mr. President, I make the point of no quorum. I ask unanimous consent that there be a quorum call with the understanding that the Senator from Rhode Island will not lose the floor and will have the floor at the end of the quorum call.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION OF APPROPRIATIONS FOR ATOMIC ENERGY COMMISSION

The Senate resumed the consideration of the bill (S. 1745) to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

Mr. PASTORE. Mr. President, the bill before the Senate, S. 1745, authorizes appropriations for the Atomic Energy Commission for plant and facility construction for the fiscal year 1964.

It was reported by the Joint Committee on Atomic Energy without dissent. I shall briefly review the highlights of the bill and shall be happy to answer any specific question that may be raised by any Member.

The Atomic Energy Commission requested authorizations in the amount of $233 million for the fiscal year 1964. The Joint Committee has allowed a total authorization of approximately $216 million—or, in other words, a cut of about 7 percent below the Commission's request.

Section 101 of the bill authorizes appropriations of $172,562,000 for new construction projects. The Commission had requested $184 million under this section. The cut of $12 million reflects the Committee's decision to defer authorization of the so-called military compact reactor project.

After very lengthy hearings before the Joint Committee, it was determined that, because of budgetary limitations, the military compact reactor program would be stretched out by almost 2 years. In summary, the committee decided that deferring the authorization of this project would not affect the schedule for developing a mobile, compact source of nuclear electricity to meet the Army's needs.

In general, the sum of $172 million authorized under section 101 provides for a relatively modest construction program which is necessary in order to keep atomic energy facilities up to date with the latest developments in both the military and peaceful applications of atomic energy.

Next, I should like to turn to two programs of foreign cooperation in the peaceful uses of atomic energy which are covered in sections 103 and 106 of the bill.

Section 103 authorizes the appropriation of an additional $7.5 million for the joint research and development program with the European Atomic Energy Community, a group of six nations working on the peaceful uses of atomic energy. I think it is important to note that all of these funds are spent in the United States, and that the nations of the European Atomic Energy Community will match the contribution of the United States. On the basis of testimony before the Joint Committee, I think it can be said that this has been a very successful program which in effect permits the United States to obtain twice as much for its research dollar.

Section 106 covers another significant program of atomic cooperation with a foreign government. Under this section, $5.5 million is authorized for a cooperative program, with West German authorities, which we hope will lead to the development of a new and improved nuclear fuel for generating power from the atom.

The West Germans will provide and operate a reactor plant at a total estimated cost of $20 million to $25 million. The United States, for its part, will spend up to $5.5 million for the development and procurement of the nuclear fuel, which will then be tested in the German reactor. If the United States carried out this program by itself, an estimated additional $10 million would be required for construction of a test reactor.

In general, this appears to be a promising research program which should operate to the benefit of both governments, and advance the peaceful uses of atomic energy.

Returning to our domestic program for the development of civilian nuclear power, let us look briefly at sections 104 and 105. Under section 104(a), an additional $709,000 is authorized for research and development on the fast-breeder reactor concept. This is a program aimed at the development of a reactor which may produce as much fuel as it consumes, or even more. In addition, under section 104(b), the Commission is authorized to waive charges for the use of nuclear fuel under the cooperative power reactor demonstration program. This waiver of the Commission's normal charges has proved to be an important stimulus to the construction of private reactors.

It is important to note that the Commission requested the authorization of $5 million in additional appropriations for the cooperative power reactor demonstration program, as well as greater latitude in using funds under the program. On the basis of a very searching review, the Joint Committee was able to conclude that funds were generally available within the cooperative power reactor demonstration program, and sufficient to meet the foreseeable needs of the program. Accordingly, the additional funds and authority requested by the Commission were not allowed by the committee.

Another highlight of the domestic civilian nuclear power program is the authorization of $30 million for the construction of a prototype spectral shift nuclear reactor, provided in section 105 of the bill. The spectral shift is one of the five or six prototypes which the Commission recommended for construction in its comprehensive report to the President of the United States, in November of last year, on the civilian nuclear power program. Very briefly, the spectral shift is a type of reactor which has the potential advantage of making more efficient use of nuclear fuel and reducing the costs associated with the fabrication and reprocessing of such fuel. Under the terms of the legislation, the reactor can be constructed under a cooperative arrangement with either a public or private utility or industrial organization.

The Commission has testified that it will proceed with the construction of the reactor under the most economically attractive conditions consistent with the objectives of the Government.

In summary, Mr. President, I think this bill represents the best thinking of the Atomic Energy Commission and the Joint Committee on Atomic Energy, arrived at after very extensive and searching hearings. It is a modest, but very necessary, bill; and I urge its favorable consideration by the Senate.

In considering this bill, Mr. President, and what I have said here today, I think it is important to keep in mind that the bill before us now authorizes appropriations only for construction and for the Cooperative Power Reactor Demonstration Program. All other appropriations made to the Atomic Energy Commission are made pursuant to a "blanket" authorization which is contained in section 261 of the Atomic Energy Act of 1954.

To give some perspective on this matter, I point out that this bill authorizes $216 million in appropriations, as compared with overall funds of $2¾ billion requested by the Atomic Energy Commission for the fiscal year 1964. In other words, the Joint Committee on Atomic Energy has been able to review only about 8 percent of the funds requested for the atomic energy program. These figures point up a problem which is becoming more grave every year.

Under the provisions of the Atomic Energy Act of 1954, the Congress created the Joint Committee on Atomic Energy as its specialized arm for dealing with atomic energy matters. For the past 18 years, the committee has endeavored to fulfill its vital responsibility as the congressional "watchdog" over the atomic energy program. An examination of the record shows that the committee has been conscientious and generally bipartisan in its handling of atomic energy affairs.

But now, after 18 years, we have run up against a problem which is seriously impairing the ability of the Joint Committee to carry out its statutory responsibilities under the Atomic Energy Act of 1954. We have run up against the ironic fact that while the committee has a wide and sweeping responsibility for the review of the entire atomic energy program, it lacks the authority to review over 92 percent of the funds requested for the atomic energy program.

Mr. President, the current state of the law is simply not in accord with proper principles of political and fiscal responsibility. If the Joint Committee on Atomic Energy is to properly fulfill the trust vested in it by the Congress and the American people, it must have authority at least equal to the heavy responsibilities imposed upon it by law.

After extensive deliberation, the members of the Joint Committee on Atomic Energy, without dissent, voted to add a new section 107 to this authorization bill which will require the authorization of all appropriations to the Atomic Energy Commission.

I believe that the enactment of this provision will enable the Joint Committee to be of greater assistance to the Appropriations Committees of both Houses in their complex task of handling the atomic energy budget.

It will provide the Joint Committee with the authority it needs to do the job called for by the Atomic Energy Act of 1954.

The end result can only be better, more meaningful control over the atomic energy program, to the benefit of the Congress, the taxpayers, and the Nation.

Mr. President, I urge the enactment of S. 1745 in the form reported by the Joint Committee on Atomic Energy.

Mr. AIKEN. Mr. President, there is little I would add to the comprehensive discussion of S. 1745 as presented by the distinguished Senator from Rhode Island, chairman of the Joint Committee on Atomic Energy.

In general, I believe that the bill has received the most careful scrutiny by the Joint Committee's Subcommittee on Legislation. The cut of 7 percent below the authorization requested by the administration is indicative of the careful review to which this bill has been subjected. In general, I would say that the "fat" has been trimmed from the budget, where the "fat" could be trimmed without seriously affecting the Nation's atomic energy program.

I believe that the bill enacted in the form recommended by the committee will provide the authorization necessary for a modern atomic energy establishment.

I would like, however, to stress the importance of section 107 of this bill which would amend the Atomic Energy Act of 1954 to require prior congressional authorization of all appropriations for the Atomic Energy Commission. This is a requirement which is, in my view, long overdue.

In the early days of the atomic energy program, it was possible for the Congress to exercise a significant degree of control over the program through the requirement for authorization of construction funds. But now that the basic capital plant is in being, the heart of the atomic energy program may be found in the extensive operating budget, and it is precisely here that the Joint Committee on Atomic Energy has no authority.

As the senior Senator from Rhode Island has stated, the Congress, in the Atomic Energy Act of 1954, entrusted the Joint Committee on Atomic Energy with unusual and far-reaching powers in order to make it an effective "watchdog" over the atomic energy program. In furtherance of this responsibility, the Joint Committee held extensive hearings this year on the proposed AEC authorization bill which covers only construction items and the cooperative power reactor demonstration program. It is ironic that these extensive hearings cover a bill which represents only about 8 percent of the overall atomic energy budget of almost $2¾ billion.

But the simple irony of this situation is not the only cause for concern. The fact is that although the Joint Committee is responsible to the Congress and the American people for surveillance of the entire atomic energy program, it lacks the statutory authority to review over 90 percent of the atomic energy budget.

Mr. President, I believe that the time has arrived when some remedial action must be taken. The Joint Committee is rapidly finding it impossible to fulfill the responsibility imposed upon it by the Atomic Energy Act of 1954. The committee has developed an unusual degree of experience in the field of atomic energy over the past 18 years. Commonsense indicates that the Congress should be able to avail itself of the accumulated knowledge and experience of the Joint Committee in making decisions about the atomic energy program. The Appropriations Committees of both Houses should have this type of service—and the Congress and the American people, above all, deserve nothing less.

Therefore, Mr. President, I join with the chairman of the Joint Committee and with the Members from both sides of the aisle in urging the enactment of this bill in the form reported by the Joint Committee.

Mr. PASTORE. I thank the Senator from Vermont for his excellent contribution to the consideration of the bill. I join him in saying that the Joint Committee on Atomic Energy, consisting of Members from both the House of Representatives and the Senate, strongly supports the sentiments expressed by the Senator.

Mr. JOHNSTON. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. JOHNSTON. First, I thank the Senator from Rhode Island for the work that he has done on the bill. He has done an excellent piece of work. The program is very much needed. Naturally, I am pleased to find on page 2, line 8, of the bill the following:

> Project 64-A-4, additional waste storage facilities, Savannah River, South Carolina, $7,700,000.

I believe that is the language of the bill.

Mr. PASTORE. The Senator from South Carolina is absolutely correct.

Mr. JOHNSTON. Also, on page 4, line 20, I notice the item:

> Project 64–e–10, modifications to radioactive materials handling facilities, Savannah River, South Carolina, $1,000,000.

I thank the Senator for including those items in the bill. I know that we will use the facilities, and they will be very beneficial to all the people of the Nation.

Mr. PASTORE. I thank the Senator from South Carolina.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. CARLSON. For those Senators, including the senior Senator from Kansas, who did not have an opportunity to go into all the details in regard to the proposed legislation, I commend the senior Senator from Rhode Island and the other members of the committee for the rather extended hearings which have been held. I have glanced through them briefly. As a Member of the Senate who is not on the committee, I feel that we can well depend upon the recommendations of the committee. Therefore, I shall support the approval of this authorization.

Mr. PASTORE. I thank the Senator from Kansas.

Mr. CURTIS. Mr. President, I rise for two purposes this afternoon. A little later I shall discuss the Cuban situation and then repeat a concrete suggestion. However, before I enter into that discussion, I want to comment a bit about the atomic energy authorization bill which is before the Senate this afternoon.

Our atomic energy program has accomplished a great many things. It is not my purpose to review those accomplishments at this time, nor to speak with authority concerning the legislation. I happen to be the most junior member of that joint committee. However, I wish to make some general observations about it.

This is my first opportunity to have served on a joint committee composed of Members of the House and the Senate that has legislative authority. That experience has not only been interesting and gratifying, but the idea of a joint committee has worked very well. The cooperation between Members from the House and Members from the Senate has been excellent. The rules of the procedure that they follow recognize both bodies as coordinate ones in the legislative branch. No difficulties in respect thereto, and no jealousies, have arisen. I also wish to pay my respects to the chairman of the Joint Committee, the Senator from Rhode Island [Mr. Pastore].

This bill carries a new provision which I believe is very much in the general interest. Prior hereto only about 8 percent of the budget for the atomic energy program came before the Joint Committee for annual authorization. The original law had a continuing authorization for a great part of the atomic energy program. The requests for 92 percent of the amount of money being spent in that field would come only before the Appropriations Committee. The legislative committee, the committee which has the staff specialists in this one field, the committee that is devoted to the problems and programs of atomic energy, had no opportunity to periodically review those requests.

This authorization bill carries an amendment to the substantive law. It will now provide that expenditures for substantially all of the atomic energy program will have to be authorized annually. This is good budgeting. It is necessary if we are to have coordinated programs. It is necessary if we are to operate under a system of reasonable control over expenditures. In making this statement, I voice or imply no criticism whatever of the Appropriations Committees. The Appropriations Committees and the various subcommittees are well equipped with competent staffs. The members are devoted to their jobs. They spend long hours at their work. They have to consider a variety of subjects—public works, military, health, Government operations, costs of the departments, legislative appropriations, and countless other matters. So what is being done today is no reflection upon those fine committees. I believe it will enable them to perform their work easier. It will mean there will be two committees to review our atomic energy program. It will mean the Appropriations Committee will not be faced with a request for money that the Commission must have right now. The committee will be in a position to ask the question, "Has this been authorized? Has the Committee on Atomic Energy gone into it?"

I hope this bill, when it passes the House, will carry this provision. I think it is a step forward in good budgeting. I wish to express my concurrence with the entire committee, and particularly the chairman, the Senator from Rhode Island [Mr. Pastore], in this recommendation.

The PRESIDING OFFICER. The bill is open to amendment. If there is no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Sec. 101. Plant or Facility Acquisition or Construction.—There is hereby authorized to be appropriated to the Atomic Energy Commission in accordance with the provisions of section 261a. (1) of the Atomic Energy Act of 1954, as amended, the sum of $172,562,000 for acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, as follows:

(a) Special nuclear materials.—

Project 64–a–1, modifications to production and supporting installations, $5,000,000.

Project 64–a–2, waste fractionization facilities, Richland, Washington, $3,700,000.

Project 64–a–3, additional waste storage facilities, National Reactor Testing Station, Idaho, $3,400,000.

Project 64–a–4, additional waste storage facilities, Savannah River, South Carolina, $7,700,000.

(b) Special nuclear materials.—

Project 64–b–1, additional boiler for heating plant, Richland, Washington, $700,000.

(c) Atomic weapons.—

Project 64–c–1, weapons production, development, and test installations, $10,000,000.

Project 64–c–2, explosive component plant, Mound Laboratory, Miamisburg, Ohio, $1,590,000.

Project 64–c–3, radiography facility, Sandia Base, New Mexico, $275,000.

Project 64–c–4, nuclear safety facility, Rocky Flats, Colorado, $1,500,000.

Project 64–c–5, fabrication building addition, Rocky Flats, Colorado, $2,140,000.

(d) Atomic weapons.—

Project 64–d–1, theoretical and computations building, Lawrence Radiation Laboratory, California, $3,500,000.

Project 64–d–2, additions to administration and computer buildings, Los Alamos Scientific Laboratory, New Mexico, $2,400,000.

Project 64–d–3, technical area utility improvements, Los Alamos Scientific Laboratory, New Mexico, $865,000.

Project 64–d–4, steamplant addition, Sandia Base, New Mexico, $655,000.

Project 64–d–5, test range improvements, Tonopah, Nevada, $760,000.

Project 64–d–6, base construction, Nevada Test Site, $4,000,000.

Project 64–d–7, manufacturing standards laboratory, Rocky Flats, Colorado, $720,000.

Project 64–d–8, instrument maintenance and standards addition, Y–12 plant, Oak Ridge, Tennessee, $590,000.

Project 64–d–9, addition to development laboratory, Y–12 plant, Oak Ridge, Tennessee, $1,700,000.

(e) Reactor development.—

Project 64–e–1, modifications to reactor facilities, $3,000,000.

Project 64–e–2, fast reactor test facility, National Reactor Testing Station, Idaho, $17,000,000.

Project 64–e–3, SNAP development and test facilities, Santa Susana, California, $500,000.

Project 64–e–4, nuclear safety engineering test facilities, National Reactor Testing Station, Idaho, $19,400,000.

Project 64–e–5, expansion of expended core facility, National Reactor Testing Station, Idaho, $3,000,000.

Project 64–e–6, support facilities for advanced space power systems, National Reactor Testing Station, Idaho, $1,800,000.

Project 64–e–7, thorium-uranium fuel cycle development facility, Oak Ridge National Laboratory, Tennessee, $7,275,000.

Project 64–e–8, modifications to CANEL facilities, Middletown, Connecticut, $1,455,000.

Project 64–e–9, research and development test plants for Project Rover, Los Alamos Scientific Laboratory, New Mexico and Nevada Test Site, $3,000,000.

Project 64–e–10, modifications to radioactive materials handling facilities, Savannah River, South Carolina, $1,000,000.

Project 64–e–11, high temperature lattice testing reactor, Richland, Washington, $2,500,000.

(f) Reactor development.—

Project 64–f–1, heating plant boiler No. 5, Argonne National Laboratory, Illinois, $1,500,000.

(g) Physical research.—

Project 64–g–1, accelerator improvements, Lawrence Radiation Laboratory, California, $750,000.

Project 64–g–2, accelerator improvements, Argonne National Laboratory, Illinois, $500,000.

Project 64–g–3, accelerator and reactor additions and modifications, Brookhaven National Laboratory, New York, $1,250,000.

Project 64–g–4, Tandem Van de Graaff facility, Brookhaven National Laboratory, New York, $12,000,000.

Project 64–g–5, accelerator improvements, Cambridge and Princeton accelerators, $700,000.

(h) Physical research.—

Project 64–h–1, modifications and additions to cafeteria, Lawrence Radiation Laboratory, California, $250,000.

Project 64–h–2, steamplant addition, Brookhaven National Laboratory, New York, $850,000.

(i) Biology and medicine.—

Project 64–i–1, low-level radiation counting facility for clinical research, Brookhaven National Laboratory, New York, $430,000.

Project 64–i–2, additional animal quarters, Lovelace Foundation, Albuquerque, New Mexico, $500,000.

Project 64–i–3, addition to agricultural research laboratory, Oak Ridge, Tennessee, $685,000.

Project 64–i–4, molecular biology laboratory, Oak Ridge National Laboratory, Tennessee, $330,000.

(j) Community.—

Project 64–j–1, water distribution system, phase II, White Rock, Los Alamos, New Mexico, $625,000.

Project 64–j–2, classroom additions, Barranca Mesa Elementary School, Los Alamos, New Mexico, $224,000.

Project 64–j–3, additional water well, Los Alamos, New Mexico, $194,000.

(k) General plant projects.—$40,649,000.

Sec. 102. Limitations.—(a) The Commission is authorized to start any project set forth in subsections 101 (a), (c), (e), and (g), only if the currently estimated cost of that project does not exceed by more than 25 per centum the estimated cost set forth for that project.

(b) The Commission is authorized to start any project set forth in subsections 101 (b), (d), (f), (h), (i), and (j), only if the currently estimated cost of that project does not exceed by more than 10 per centum the estimated cost set forth for that project.

(c) The Commission is authorized to start a project under subsection 101(k) only if it is in accordance with the following:

1. For community operations, the maximum currently estimated cost of any project shall be $100,000 and the maximum currently estimated cost of any building included in such project shall be $10,000.

2. For all other programs, the maximum currently estimated cost of any project shall be $500,000 and the maximum currently estimated cost of any building included in such project shall be $100,000.

3. The total cost of all projects undertaken under subsection 101(k) shall not exceed the estimated cost set forth in that subsection by more than 10 per centum.

Sec. 103. Cooperation With European Atomic Energy Community.—There is hereby authorized to be appropriated to the Atomic Energy Commission, in accordance with the provisions of section 261a. (2) of the Atomic Energy Act of 1954, as amended, the sum of $7,500,000, in addition to the sum of $15,000,000 previously authorized, which shall be available for carrying out the purposes of section 3 of Public Law 85–846, providing for cooperation with the European Atomic Energy Community.

Sec. 104. Cooperative Power Reactor Demonstration Program.—

(a) Section 111 of Public Law 85–162, as amended, is further amended as follows:

1. By striking out the figure "$3,600,000" in clause (2) of subsection (a) and inserting in lieu thereof the figure "$4,309,000".

2. By striking out the date "June 30, 1963" in clause (3) of subsection (a) and inserting in lieu thereof the date "June 30, 1964".

(b) The maximum amount of the program authorization, specified in subsection 110(b) of Public Law 86–50, section 109 of Public Law 86–457, section 109 of Public Law 87–315, and section 110 of Public Law 87–701, is increased by $10,000,000.

Sec. 105. Spectral Shift Power Reactor.—

(a) The Commission is hereby authorized to enter into cooperative arrangements with privately, publicly, or cooperatively owned utilities or industrial organizations for participation in the development, design, construction, and operation of a Spectral Shift Nuclear Powerplant for which the sum of $30,000,000 is hereby authorized to be appropriated. The Commission is also authorized to waive use charges in connection with this project in an amount not to exceed $10,000,000.

(b) The cooperative arrangements authorized under paragraph (a) of this section may be entered into in accordance with either (i) the criteria for the third round of the Commission's power reactor demonstration program: *Provided, however,* That under any such arrangement the Commission may furnish funds for design assistance without regard to the provisions of section 169 of the Atomic Energy Act of 1954; or (ii) an arrangement under the following terms and conditions.

(1) The Commission shall provide for the manufacture and construction of the nuclear reactor plant. The Commission may obtain such participation by the cooperating utility or organization as is consistent with Commission ownership and operation of the nuclear reactor plant.

(2) The cooperating utility or organization shall furnish the site and all equipment, facilities, and services necessary for a complete and operable nuclear powerplant except those furnished by the Commission as part of the nuclear reactor plant.

(3) The Commission may enter into a contract with the cooperating utility or organization for the operation of the nuclear reactor plant, including the training of personnel and other relevant matters. Any such contract may be for such period of time as the Commission may determine to be advisable for research and development purposes and for such additional period as the Commission may determine to be necessary in the best interest of the Government. Upon the expiration of such period, the Commission is authorized to offer the nuclear reactor plant for sale to the cooperating utility or organization at a price to reflect appropriate depreciation, but not to include construction costs assignable to research and development; or the Commission may dismantle and remove the reactor plant and its appurtenances.

(4) The Commission, without regard to the provisions of section 44 of the Atomic Energy Act of 1954, as amended, is authorized to sell to the cooperating utility or organization the steam produced in the nuclear reactor plant. The price of such steam shall be based upon the current or projected cost of steam from conventional sources in the area in which the powerplant is constructed. Such steam may be used by the cooperating utility or organization for the generation of electric energy and any other industrial purpose.

(5) There are authorized to be appropriated such additional funds as may be required for the operation of said nuclear powerplant in accordance with any such arrangement.

(c) Before the Commission enters into any arrangement or amendment thereto under the authority of subsection (a) of this section, the basis for the arrangement or amendment thereto which the Commission proposes to execute (including the name of the proposed participating party or parties with whom the arrangement is to be made, a general description of the proposed powerplant, the estimated amount of cost to be incurred by the Commission and by the participating parties, and the general features of the proposed arrangement or amendment) shall be submitted to the Joint Committee, and a period of forty-five days shall elapse while Congress is in session (in computing such forty-five days, there shall be excluded the days on which either House is not in session because of adjournment for more than three days): *Provided, however,* That the Joint Committee, after having received the basis for a proposed arrangement or amendment thereto, may by resolution in writing waive the conditions of, or all or any portion of, such forty-five day period: *Provided further,* That such arrangement or amendment shall be entered into in accordance with the basis for the arrangement or amendment submitted as provided herein: *And provided further,* That no basis for arrangement need be resubmitted to the Joint Committee for the sole reason that the estimated amount of the cost to be incurred by the Commission exceeds the estimated cost previously submitted to the Joint Committee by not more than fifteen per centum.

Sec. 106. Cooperative Research and Development Program With West German Authorities.—There is hereby authorized to be appropriated to the Commission, the sum of $5,500,000, for use in a cooperative program of research and development with any person or persons in connection with Arbeitagemeinshaft-Versuch Reaktor at Juelich, Germany, to be conducted either under the Agreement for Cooperation Concerning Civil Uses of Atomic Energy Between the Government of the United States of America and the Government of the Federal Republic of Germany signed on the 4th day of July 1957 as now or hereafter modified, or the additional agreement between the United States of America and the European Atomic Energy Community signed on the 11th day of June 1960 as now or hereafter modified.

Sec. 107. Section 261 of the Atomic Energy Act of 1954, as amended, is amended to read as follows effective January 1, 1964:

"Sec. 261. Appropriations.—

"a. No appropriation shall be made to the Commission, nor shall the Commission waive charges for the use of materials under the Cooperative Power Reactor Demonstration Program, unless previously authorized by legislation enacted by the Congress.

"b. Any Act appropriating funds to the Commission may appropriate specified portions thereof to be accounted for upon the certification of the Commission only.

"c. Notwithstanding the provisions of subsection a., funds are hereby authorized to be appropriated for the restoration or replacement of any plant or facility destroyed or otherwise seriously damaged, and the Commission is authorized to use available funds for such purposes.

"d. Funds authorized to be appropriated for any construction project to be used in connection with the development or production of special nuclear material or atomic weapons may be used to start another construction project not otherwise authorized if the substituted construction project is within the limit of cost of the construction project for which substitution is to be made, and the Commission certifies that—

"(1) the substituted project is essential to the common defense and security;

"(2) the substituted project is required by changes in weapon characteristics or weapon logistic operations; and

"(3) the Commission is unable to enter into a contract with any person on terms satisfactory to it to furnish from a privately owned plant or facility the product or services to be provided by the new project."

Mr. PASTORE. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. AIKEN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AREA REDEVELOPMENT ACT AMENDMENTS OF 1963

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 230, S. 1163, which is to be made the unfinished business.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The Legislative Clerk. A bill (S. 1163) to amend certain provisions of the Area Redevelopment Act.

The PRESIDING OFFICER. The question is on agreeing to the motion by the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 1163) to amend certain provisions of the Area Redevelopment Act, which had been reported from the Committee on Banking and Currency with amendment to strike out all after the enacting clause and insert:

That this Act may be cited as the "Area Redevelopment Act Amendments of 1963."

Sec. 2. Experience has shown that certain modifications and increased appropriations are necessary to achieve more fully the purposes for which the Area Redevelopment Act was enacted. It is the purpose of this Act to make these changes in order to insure a continuing and effective program of Federal economic assistance to areas distressed by substantial and persistent unemployment and underemployment.

Sec. 3. The first sentence of section 5(b) of the Area Redevelopment Act is amended by inserting "Federal or State" after "including".

Sec. 4. Section 6(b) of the Area Redevelopment Act is amended—

(1) by striking out "$100,000,000" wherever it appears in paragraph (1) and inserting in lieu thereof "$250,000,000"; and

(2) by striking out "only after" in subparagraph 9(B) and inserting in lieu thereof "in no shorter period of time and at no faster an amortization rate than", and by striking out "has been repaid in full" and inserting in lieu thereof "is being repaid".

Sec. 5. Section 7(c) of the Area Redevelopment Act is amended by striking out "$100,000,000" and inserting in lieu thereof "$150,000,000".

Sec. 6. Section 8(d) of the Area Redevelopment Act is amended by striking out "$75,000,000" and inserting in lieu thereof "$175,000,000, to remain available until expended when so specified in appropriation Acts,".

Sec. 7. Section 7(c) of the Area Redevelopment Act is amended—

(1) by striking out "$4,500,000" and inserting in lieu thereof "$10,000,000"; and

(2) by inserting before the last sentence the following: "The Secretary, in his discretion, may require repayment of the assistance provided under this section and prescribe the terms and conditions of such repayment. Receipts from such repayments shall be credited to the appropriation available for assistance under this section which is current at the time of repayment."

Sec. 8. Section 12(10) of the Area Redevelopment Act is amended—

(1) by striking out "(not in excess of six months) service" and inserting in lieu thereof "(not in excess of one year) or intermittent services"; and

(2) by striking out "allowed transportation and not to exceed $15 per diem in lieu of subsistence and other expenses" and inserting in lieu thereof "paid actual travel expenses and per diem in lieu of subsistence and other expenses at the applicable rate prescribed in the standardized Government travel regulations, as amended from time to time".

Sec. 9. The first sentence of section 21 of the Area Redevelopment Act is amended by striking out "and undertaken by public applicants".

Sec. 10. Section 23 of the Area Redevelopment Act is amended by striking out the period at the end thereof and inserting in lieu thereof the following: ", and when so specified in appropriation Acts such sums shall remain available until expended. Funds appropriated for the purpose of extending financial assistance under sections 6 and 7 shall be deposited in the area redevelopment fund in the Treasury of the United States. The fund shall pay into the general fund of the Treasury, at least annually, interest on the net amount of the capital so deposited which is used for such assistance, computed in such manner and at such rate as may be determined by the Secretary of the Treasury in accordance with this section. The rate for capital used under section 6 shall not be greater than the current average yields on outstanding marketable obligations of the United States of comparable maturities as of the last day of the month preceding the time when the money is used. The rate for capital used under section 7 shall not be more than the higher of (1) 2½ per centum per annum, or (2) the average annual interest rate on all interest-bearing obligations of the United States then forming a part of the public debt computed at the end of the preceding fiscal year and adjusted to the nearest one-eighth of 1 per centum."

Mr. GRUENING. Mr. President, I rise to support the passage of S. 1163, the Area Redevelopment Act Amendments of 1963.

The original act has been very beneficial to the State of Alaska, as I know it has been to many other States. Added funding is essential if it is to continue its worthwhile actions to relieve the many substantial pockets of unemployment persisting in the Nation. There were 4.5 million men and women unemployed in March of this year—6.6 percent of our total labor force. Even though this percentage is high, it has been higher. The real danger to our economy, however, is the fact that it has persisted.

During a 1-year period from March 1962, the percentages of unemployed in the United States have been as follows:

March 1962, 6.7 percent; April 1962, 6.6 percent; May 1962, 6.6 percent; June 1962, 6.6 percent; July 1962, 6.7 percent; August 1962, 6.7 percent; September 1962, 6.8 percent; October 1962, 6.6 percent; November 1962, 6.9 percent; December 1962, 6.6 percent; January 1963, 6.8 percent; February 1963, 7.1 percent; March 1963, 6.6 percent.

Mr. President, we have grown and prospered because we have acted as one country. When we cease to do so, we shall begin our decline. The hungry, persistently unemployed worker in West Virginia is and should be as much a concern of the employed worker in Alaska as if he himself were unemployed. If we have learned anything from the depression of the 1930's it should have been that unemployment in any area of the Nation spreads like the plague to all the other portions of the Nation. No part of our country can contemplate with complacency unemployment in another part of the Nation and say "That's their problem, not mine."

I am not saying, Mr. President, that a portion of our country, struck by persistent high unemployment can sit back and say that is the problem of the rest of the country and not its own. Self-help is a vital part of its recovery as it is a vital part of the area redevelopment program. But there is a limit to what an unemployment stricken area can do.

The Area Redevelopment Act has been good for the State of Alaska. Through its loans and grants more than 700 jobs will have been created in Alaska that were not there before. That means there will be more than 700 men and women who will be taken off the unemployment rolls and made taxpayers, not tax eaters. And that does not include the jobs that will be created in the future as a direct result of the technical assistance furnished the various localities in Alaska by the area redevelopment program. The total ARA investment in Alaska to date has been $3.7 million.

Pockets of persistent unemployment in Alaska reach really high levels. For example, during the week ending June 15, 1963, the insured unemployment rate in Nome, Alaska, was 24.7 percent, in Anchorage it was 8.3 percent, while at Fairbanks it was 7.9. Yes, I will admit that, except for Anchorage, these figures are lower than last year. The statewide unemployment rate last year was 7.5 percent for the corresponding week. This year it is down one-tenth of 1 percent. This is progress but not of a significant kind.

But for the 7.5 percent who have been unemployed for weeks and weeks, who must return each night to their families to report "no job", this one-tenth of 1 percent drop is no great consolation.

From my own personal knowledge I can attest to the fact that ARA has proven itself in Alaska. It needs the wherewithal to do more—much more. And I therefore urge the support of S. 1163 to give the program the additional means of creating more jobs for those unemployed who are in desperate need of them.

Mr. McGEE. Mr. President, the Area Redevelopment Administration represents a new departure in the relationship between the Federal and State Governments. Those States which have appreciated the real significance of this innovation and undertaken the reciprocal steps at the State level, put themselves in a position to benefit their people. Wyoming is one of the States to have done so; and for this reason, ARA is doing much for my State's economy.

ARA's enabling legislation puts considerable emphasis on local participation. This is a sound approach because it assures responsiveness to local needs and minimizes centralization and authoritarian planning. Realistically, however, those areas which need ARA's help most are frequently unable to raise the funds needed to cement this partnership between the Federal and local effort.

Awareness of this inability has prompted the Wyoming House of Representatives to enact, on February 2, 1963, legislation to make such funds available from the Wyoming Natural Resource Boards. Up to $300,000 was authorized for this purpose.

This legislation has made it possible for ARA to consider participation in the launching of a key tourism development in one of the country's most magnificent scenic areas—the Jackson Hole Valley at the foot of the Teton Range. I know that ARA has been subjected to considerable criticism for its participation in tourist projects. It is possible that some of this criticism is warranted. I do not know all the facts; but I do know the facts about the Jackson Hole project which are now being investigated by ARA. At a cost to it of $845,000 ARA will make possible, over a 6-year period, a total investment estimated at over $6 million. ARA is thus providing for employment, for business profits, as well as a major contribution to the tourist industry which serves the American public as it acquires firsthand knowledge of the magnificence of our country.

Few States are able to undertake all the tasks that are essential for the development of their economies. Nor can the Federal Government do these things. Together, State and Federal Governments can accomplish much. Essential to this accomplishment, however, is a mechanism which links and makes possible coordinated action. ARA is this link. Without it, the people of my State would not be able to plan a new $3,152,000 gypsum wallboard producing plant, nor hope for an associated satellite industrial complex which will provide numerous employment opportunities, and add to the gross national product.

Further, the projects contemplated would provide a direct benefit in the form of 219 jobs. This figure may not seem large in terms of the national population but translated to a State with just over 300,000 inhabitants it represents sizable gains.

I believe that ARA has more than amply demonstrated its worth for the people of Wyoming. I believe, moreover, that ARA can also help other States that are willing to help themselves with such local action as is needed to provide ARA with a proper working chance.

Mr. PELL. Mr. President, on May 1, 1961, the President signed into law the Area Redevelopment Act, of which I was a cosponsor in the Senate, one of the most significant pieces of economic development legislation ever enacted by the Congress. In Rhode Island we not only applauded the philosophy behind the act, we actively supported it, are doing the best we can to implement it, and fully intend to continue to do so.

Rhode Island, an urban State, has a high degree of industrial sophistication. But, as in many such areas, we are beset by pockets of hard-core unemployment, which, despite our most strenuous efforts, continue to blight our economy. The Area Redevelopment Administration, with its three basic programs of financial assistance, already has made an appreciable contribution toward helping us help ourselves in achieving our objective of economic stability and orderly growth. How has it done this?

In Rhode Island in a population of more than 868,000, approximately 24,900 or 7.1 percent of the labor force, are unemployed. As this situation and worse situations had existed for a number of years, the Providence-Pawtucket labor market was immediately designated as an area eligible for area redevelopment assistance.

Rhode Island communities have only as yet received approval of four vitally important project proposals involving loans and grants, totaling a Federal investment of $1,579,305. But, this moderate beginning is expected to lead directly to the creation of 1,454 new jobs and to many more jobs in the secondary and peripheral industries that supply goods and services consumed by the direct jobs. For example, on the 25th of June 1962, 1 year ago today, the Industrial Development Foundation of Woonsocket was given a grant of $136,000 and a loan of $50,000, which will eventually lead to the creation of more than 255 new jobs. On the 29th day of June, 1962, the city of Providence was given a grant of $375,000 and a loan of $696,000, for access roads, to the Mashapaug Pond industrial redevelopment project, which will in due time provide employment for over 1,045 people. Furthermore, in April of this year the city of Pawtucket, R.I., was awarded a technical assistance project for the purpose of studying the drainage problem and soil bearing capacity of the Moshassuck Valley. This contract was negotiated by the Area Redevelopment Administration at a cost of $36,630. Within the last 2 weeks, on the 13th of this month, an industrial and commercial loan of $285,675 was made to the American Boat Building Corp. of Warwick, R.I., which will eventually provide 154 more jobs for that community.

Moreover, recognizing that they had only begun to scratch the surface of their economic rejuvenation, Rhode Island citizens have either submitted or are about to submit 19 additional project proposals which will require financial assistance and which eventually will lead to many thousands of jobs.

These do not include proposals submitted under the Accelerated Public Works Act or the Manpower, Development, and Training Act. But, financial assistance is not the only service provided Rhode Island by ARA. The State has made a number of requests that the Agency enter into contracts to study specific economic problems of local and regional concern. This ARA has done. For example, an edible fish study is under consideration.

Finally, ARA has helped Rhode Island train 751 previously unskilled or unemployable workers, who previously did not have jobs, at a cost of only $660,458. More than 70 percent of these retrained workers have already found jobs. The savings in unemployment compensation and welfare payments alone will more than adequately compensate us within a year, to say nothing of the added productivity and new tax contributions that will be made by these new workers.

Therefore, Mr. President, I sincerely hope that the Senate will favorably consider the pending legislation with regard to the Area Redevelopment Administration.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

A PACIFIC BLOCKADE OF CUBA

Mr. CURTIS. Mr. President, I rise today to express my congratulations and thanks to my two distinguished colleagues, the junior Senator from Kentucky [Mr. MORTON] and the senior Senator from Colorado [Mr. ALLOTT] for their excellent statements on Cuba. I am delighted to accept the invitation of the Senator from Kentucky to join in a discourse about American policy on Cuba, and I heartily endorse the bold and imaginative proposal offered by my good friend from Colorado. Present administration policy on Cuba is inadequate, in my opinion, and therefore is unlikely to achieve its stated objective of removing Communist power from this hemisphere. Likewise, it is clear to me that mere criticism of that policy is an unsatisfactory antidote to its deficiencies. Constructive alternatives should be proposed. One such alternative has now been proposed and the Senator from Colorado deserves our thanks for offering it.

I believe, Mr. President, that the peoples of the Western Hemisphere have reached their moment of truth. Cuba firmly controlled by a Communist regime and supported by Soviet military power is a clear and present danger to the security of this hemisphere, especially to the security of the nations in the Caribbean region. This point was clearly established in the recent outstanding report released by the Preparedness Investigating Subcommittee of the Committee on Armed Services. The subcommittee, we will recall, called for the elimination of the "evil threat" represented by the Soviet occupation of Cuba "at an early date." An official arm of the U.S. Senate has conducted an investigation on Cuba and has made its pronouncement in unequivocal terms. This is the undisputed finding of the Preparedness Investigating Subcommittee of the Senate Committee on Armed Services. This subcommittee is made up of men of stature—patriotic men not influenced by partisanship. Their words have been stated by the distinguished Senator from Colorado [Mr. ALLOTT], and by the distinguished Senator from Kentucky [Mr. MORTON], but I cite them again as the official and undisputed findings of the Preparedness Investigating Subcommittee's "Interim Report on the Cuban Military Buildup," Cuba is "an advanced Soviet base for subversive, revolutionary, and agitational activities in the Western Hemisphere and affords the opportunity to export agents, funds, arms, ammunition, and propaganda throughout Latin America." It "serves as an advance intelligence base for the U.S.S.R." It "provides a base for the training of agents from other Latin American countries in subversive, revolutionary, agitational, and sabotage techniques."

The report goes on:

> Our friends abroad will understandably doubt our ability to meet and defeat the forces of communism thousands of miles across the ocean if we prove unable to cope with the Communist threat at our very doorstep.
>
> This evil threat—

The report concludes—

> must be eliminated at an early date.

In what better way can this objective be achieved than by Cubans themselves? Thousands of Cubans throughout this hemisphere are anxious to return to their homeland. Together with thousands of their oppressed brethren remaining on that unhappy island, they only await the call to colors to free their country from Communist rule and return it to the inter-American family of nations. The proposal by my colleague from Colorado appears to offer to those Cubans the best opportunity to liberate their nation from Communist rule.

Let me point out, however, that the Cubans will need all the help they can get from the American States. Establishment of a free Cuban government at Guantanamo is but a first step on the road to liberating Cuba. Additional measures must be implemented to support that government's liberation campaign.

One such measure is a pacific blockade. This measure, unlike that suggested by the senior Senator from Colorado, is not a new proposal. It has been discussed from time to time by various Senators. I first proposed it in August 2 years ago and repeated it in March 1962. I now reiterate my support of a pacific blockade of Cuba as a measure designed to assist the Cubans in their efforts to free their homeland.

On August 24, 1961, I first spoke in this Chamber advocating a pacific blockade of Cuba. I have repeated that recommendation and in a sense this objective was approved in some degree by President Kennedy's quarantine of Cuba last October. The authorities on international law generally agree that a pacific blockade is not an illegal action nor is it an act of war, and that under it the blockading nation has a right to reject traffic to and from a blockaded nation which originates in third-party states. We know, of course, that neither the United Nations nor the Organization of American States has approved of pacific blockades as a means of protecting the integrity of a member nation but the present Legal Adviser of the Department of State is of the opinion that under the Charter of the United Nations the obligation to refrain from the use of force is not absolute. This, of course, approves the legality, under international law, of President Kennedy's quarantine of last October and the precedent for a blockade of Cuba is thus well established.

Mr. President, I ask unanimous consent that a summary of the leading and authoritative opinions on the pacific blockade be inserted at this point.

There being no objection, the material was ordered to be printed in the Record, as follows:

Citations of Definitions and Other Material Relating to Pacific Blockades

Charles Cheney Hyde's "International Law Chiefly as Interpreted and Applied by the United States," volume II, pages 1667 and 1668: "The term pacific blockade refers to the cutting off of access to or egress from a foreign port or coast by naval operation designed to compel the territorial sovereign to yield to demands made of it, such as the granting of redress for the consequences of its wrongful conduct, and by a process whereby the blockading state does not purport to bring into being a state of war. Such action is deemed to be pacific merely in the sense that the blockading state is disposed to remain at peace, while the state whose territory is blockaded does not elect to treat the operation as producing war or as compelling it to make war upon its adversary."

Hyde, "International Law Chiefly as Interpreted by the United States," 2d revised edition, volume 2, page 1654: "International law recognizes the use of nonamicable measures short of war to check the commission of such acts of aggression."

Prof. Pitman Potter, one of the most respected American writers on international law, in an editorial comment (on the proposal to use pacific blockade against the Chinese Communists at the time of the Communist intervention in Korea) in the American Journal of International Law for April 1953, concluded: "In short, the idea of using the weapon of blockade against Communist China, without war, is not excluded by international law, although that depends largely on the reaction of Peiping—or of Moscow. It has little to do with the Charter of the United Nations or the Constitution of the United States."

Pacific Blockades

(Memorandum discussing pacific blockades prepared by one of our contemporary scholars in the field of international law:)

A pacific blockade is an operation involving the use of force against the blockaded state, but which the blockading state nevertheless does not consider to be an act of war. Since blockades prior to the early 19th century had been associated invariably with belligerent activity, a tendency to regard them in any form as a use of force short of war was viewed with skepticism. Doubts were expressed as to the legality of a so-called pacific blockade. As recently as 1952, the seventh edition by Lauterpacht of Oppenheim's International Law, although citing numerous instances of pacific blockades going back to 1827, noted that "no unanimity exists among international lawyers as to whether pacific blockades are admissible according to the principles of international law." A year earlier, however, the second revised edition of Hyde's work on International Law, referring also to the frequent resorts to pacific blockades by European states, found that "the instances have sufficed in number to justify the conclusion that such procedure does not necessarily constitute internationally illegal conduct." After all, as Lauterpacht had noted, "all cases of pacific blockade are cases either of intervention or of reprisals." Since the practice of European states (but Hyde observed that "the United States has never had recourse to pacific blockade") had made use of these forms of retaliation for many years, what less could be said for the pacific blockade?

* * * * *

Nevertheless, in the imposition of pacific blockades certain rules were generally recognized. One of the requirements of a blockade in time of war was that in order to be binding it must be effective. This was enacted by the Declaration of Paris of 1856. There has been no disposition on the part of other authorities to disagree with the comment by Lauterpacht that "There can be no doubt that pacific blockades ought likewise to be effective."

With reference to the respective rights of the blockading and blockaded states, there also has been general agreement that the blockading state may seize and sequestrate any ships of the blockaded state which try to break the blockade. Such ships however may not be confiscated; they must be returned when the blockade is raised.

A more troublesome question has concerned the effect of a pacific blockade on the shipping and commerce of third states. As far back as 1887, a resolution adopted by the Institute of International Law prescribed as one of the conditions of a pacific blockade that "ships under a foreign flag shall enter freely in spite of the blockade." Secretary of State Hay declared in 1902 that the United States did "not acquiesce in any extension of the doctrine of pacific blockade which may adversely affect the rights of states not parties to the controversy, or discriminate against the commerce of neutral nations." Secretary of State Lansing repeated this declaration in 1916, and during his tenure as Legal Adviser to the Department of State, Hackworth said in a memorandum on the pacific blockade: "If no attempt is made to extend the measures to citizens and property of a third state there is nothing exceptionable from a legal point of view."

Possible qualifications of so broad a statement should be noted. In a résumé which appeared in 1932, the Naval War College said that while a blockading force "may not take vessels of third States as prize, it may prevent their entrance; and for such detention the blockading State assumes no liability, though notice must be given the vessel of the third State at the line of blockade or in an unquestionable manner." Returning to the subject again in 1938, the Naval War College stated: "The United States has consistently denied the legality of interference with vessels of third States by a squadron applying a pacific blockade. As there is no war and therefore no belligerent rights, legally there can be no visit and search, but a blockading vessel has the right to identify ships attempting to pass the blockade." This later statement would appear to limit the scope of the earlier résumé.

A fair conclusion in regard to the rights of third States under a pacific blockade might be prefaced by the words of George Crafton Wilson that "from the nature of pacific blockade as a measure short of war, its consequences should be confined only to the parties concerned," with the addendum that the blockading State has the right to require identification of vessels seeking to pass the blockade.

* * * * *

Up to this point pacific blockades have been discussed in the light of long standing international practice and by citing the opinions of some of the leading authorities on international law. It now becomes necessary, however, to consider the effect on the preexisting situation of certain significant developments in the present century. Throughout this period there has been an increasing tendency, by means of international conventions and otherwise, to deplore and in some cases even to forbid the use of certain types of force in the settlement of international disputes. To mention a few examples: The so-called Drago Doctrine, adopted at the Hague Conference of 1907, prohibited "recourse to armed force for the recovery of contract debts"; in 1928 the Pact of Paris, to which there were ultimately 63 signatories and adherents, renounced war as an instrument of national policy and undertook to settle all disputes by pacific means; the Montevideo Convention of 1933 provided that "no State has the right to intervene in the internal or external affairs of another"; it remained for the Charter of the United Nations to register one of the latest and most significant advances in this direction, providing in the fourth paragraph of article 2 that "all members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations"; the Charter of the Organization of American States, adopted at Bogotá in 1948, followed very similar lines.

In spite of various qualifications written into these arrangements, it is apparent that signatory or adhering states are likely to be restricted in the choice of methods of retaliation against other states hitherto taken for granted. Such operations as interventions and reprisals, for instance, are definitely less practicable—and it already has been noted that all recorded cases of Pacific blockades have been either interventions or reprisals.

* * * * *

Notwithstanding such restraints on the use of force short of war, there is another approach which continues to be unaffected, the right of self-defense, a right which is recognized throughout the world as "inherent in every sovereign state." What is important in the present connection is to emphasize the possible application of the doctrine of self-defense under circumstances which go beyond those encountered in the traditional use of the Pacific blockade. The case of Cuba, for instance, involves not only blockading and blockaded states, the rights of innocent third states, the use of collective action, but also the incidental or calculated effect of the measures taken on third states not so innocent.

On the question of collective action, for example, it is interesting to note that the present Legal Adviser to the Department of State, Abram Chayes, feels that the actions taken against Cuba have ample justification under international law. After stating that the "Charter (of the United Nations) obligation to refrain from the use of force is not absolute," he goes on to cite article 52(1) of the Charter which prescribes the use of "regional arrangements or agencies for dealing with such matters relating to the maintenance of national peace and security as are appropriate for regional action." A regional arrangement of the kind contemplated, the Organization of American States, was brought into being by the Rio Treaty, and as Chayes indicates: "The quarantine action was authorized under" that Treaty, "whose primary purpose was to organize law-abiding states for collective action against threats to the peace." In full accordance with the terms of the Treaty, the organ of consultation met on October 23, 1962, and recommended that member states "take all measures, individually and collectively, including the use of armed force, which they may deem necessary to insure that the Government of Cuba cannot continue to receive from the Sino-Soviet powers military material and related supplies."

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The foregoing paragraph is concerned in the main with collective action. It is clear, however, that the measures taken by the Organization of American States, on the recommendation of the organ of consultation, were directed just as much against certain activities of "not so innocent" third states as against those of Cuba. There is thus presented in concrete form the question whether these steps and their deliberately intended effects can be defended as in accordance with international law. This writer is convinced that the answer is affirmative. So long as the circumstances are such as to make it permissible to invoke the doctrine of self-defense—and it is noteworthy that the Legal Adviser to the Department of State referred to the actions in regard to Cuba as "defensive"—two conclusions are inevitable. In the first place, collective action may be employed; and in the second place, the incidental effects in or to the states against which defensive measures are taken, to adapt the words used by Hyde, do not constitute internationally illegal conduct.

EXCERPTS FROM MESSAGE OF THE LATE FRANKLIN D. ROOSEVELT TO THE CONGRESS ON JANUARY 4, 1939

"The mere fact that we rightly decline to intervene with arms to prevent acts of aggression does not mean that we must act as if there were no aggression at all. Words may be futile, but war is not the only means of commanding a decent respect for the opinions of mankind. There are many methods short of war, but stronger and more effective than mere words, of bringing home to aggressor governments the aggregate sentiments of our own people" (84 CONGRESSIONAL RECORD, p. 74).

Mr. CURTIS. Mr. President, we can engage in profound discussions about the propriety of using a pacific blockade to effect the removal of Russian military support from the island of Cuba. If we are completely complacent and support Cuba status quo we accept an alternative to blockade which weakens Western Hemisphere nations and promotes the total revolution in the Western Hemisphere which Premier Castro has repeatedly stated he will invoke. A daily reading of our newspapers indicates that his efforts are identified by belligerent acts in many of our Latin American nations.

An effective blockade is not inconsistent with but, on the contrary, a necessary and helpful action to carry out the proposal of the distinguished senior Senator from Colorado [Mr. ALLOTT] to establish a provisional Cuban government at Guantanamo.

It seems clear to me that the Kennedy administration's measures to isolate Castro's Cuba, laudable as far as they go, are likely to fall short of their aim of bringing about the downfall of the Castro regime. As the junior Senator from Kentucky pointed out in his remarks the other day, food shortages and an exodus of refugees have not caused any Communist regime to collapse yet. Additional and more stringent measures are required.

As I have pointed out before, a blockade on all supplies except essential foods and medicine could deal a severe blow to the Castro regime.

An embargo on trade relations between non-Communist countries and Cuba can cause some difficulties for that regime, but not many, because it is dependent largely upon the Communist bloc for its necessities. Such a blockade should not be difficult to establish and maintain in full effectiveness. Our experience last autumn bears this out. And we can count on material assistance from a number of Latin American states.

I am cognizant of the objections that have been raised against a blockade. The same objections are being raised against the proposal of the senior Senator from Colorado [Mr. ALLOTT]. That is, it is said that a blockade is an act of war, and we cannot afford at this time to risk another American-Russian confrontation on as large or even larger scale as the one last October unless a direct threat to the United States exists in the form of reestablishment of Soviet strategic nuclear bases in Cuba. We are constantly reminded of the worldwide commitments of the United States and the jeopardy in which these might be placed were we to take forceful action now against the Soviets and their puppets in Cuba.

Let me point out that the blockade I am discussing would be pacific. Its purpose is not to destroy the Castro regime by force and violence, but rather to weaken it and to persuade its Soviet mentors that their military presence in this hemisphere must be withdrawn. The blockade would be an act of war only if it were challenged, and I do not believe that the Soviets are ready or willing to initiate general war over Cuba, especially in view of the fact, constantly stressed by the Secretary of Defense, that American strategic power is overwhelmingly preponderant.

Moreover, such a blockade can be legally justified. Self-defense is a prerogative recognized in international law as exemplified in the charters of the United Nations and the Organization of American States. That was the legal basis for the blockade of last autumn. Even though it is believed that all strategic weapons systems have been withdrawn from Cuba, we cannot be absolutely certain without onsite inspection. In any event, Cuba as a Soviet base, with or without missiles, remains a clear and present danger to the security of this hemisphere.

The forces required for a blockade are readily available. What is needed is the resolve to see it through. I am aware that measures such as those proposed by my good friend from Colorado and by me are not without risks, but I am convinced that the risks involved in the passive policy of procrastination being pursued at present far outweigh the risks of the alternatives that are now being proposed. More forceful measures are clearly required if we really intend to bring about the end of Communist rule in Cuba and the consequent danger to the entire hemisphere. Of course, there is the risk of another confrontation with the Soviet presence so near to our shores, but we must be prepared to take risks or follow a course of vacillation which might well invite disaster. Blockade is not the sole solution to our problems in the Caribbean, but it, as a corollary to the use of Guantanamo by free Cubans, can contribute to their solution. Once again, Mr. President, I urge serious consideration of this course of action.

Mr. BENNETT. Mr. President, will the Senator from Nebraska yield?

Mr. CURTIS. I yield to the distinguished Senator from Utah.

Mr. BENNETT. I congratulate the distinguished Senator from Nebraska upon raising this particular question, not only with relation to the suggestion made last week by the distinguished Senator from Colorado [Mr. ALLOTT], but also because this is one program that the administration has already demonstrated its willingness to use. It seems to me that if the President was willing to impose what he called a quarantine, but what everyone else called a blockade, on Castro last October, there is every reason to consider it now as a long-range instrument to be used in solving this problem. There is every precedent for it, even within the administration's own policies. The Senator from Nebraska has rendered a real service in pointing this out to the Senate today.

Mr. CURTIS. I thank the distinguished Senator from Utah. I commend to all Senators and to all readers of the CONGRESSIONAL RECORD the memorandum which I did not take the time to read, but which I placed in the RECORD, in support of the legality of a Pacific blockade. Not only is it legal; it is not an act of war.

The complacent, do-nothing, vacillating policy which seems to prevail has caused some observers to state that the Monroe Doctrine now belongs to Khrushchev; that Khrushchev is enforcing a policy of "hands off Cuba," instead of the United States saying to the world, "Keep your hands off Cuba."

I might point out to the distinguished Senator from Utah that in the partial blockade or quarantine—whatever one chooses to call it—of last August, no one rose up and agreed with Khrushchev's statement that the Monroe Doctrine had been repealed or done away with, by consent or otherwise. The self-interest of the United States and our rights under the Monroe Doctrine were clearly recognized by the entire world.

Mr. BENNETT. That is a very important point, because there are those who say that if we impose such a blockade now, it will start a war. But such a blockade did not start a war last fall, and the forces are the same: Cuba, Khrushchev, and ourselves.

I have the impression that the world applauded the United States when we took a firm stand and imposed that blockade. Would the Senator from Nebraska say that the blockade last fall was a pacific blockade?

Mr. CURTIS. I think so. That is a matter of definition, but I believe the Senator is correct. Certainly the nations of the Western Hemisphere applauded it. We are told by reliable observers that our friends in Latin America are puzzled. They wonder why the United States does not use its strength in their protection, in our protection, and in the defense of our principles.

I take this position with regard to the blockade and in regard to a strong policy concerning Cuba because I think that is the way to avoid war. Certainly if we let the Communists go on and on, to take one country after another, that will not contribute, in the ultimate, to a peaceful world, the avoidance of war, or the preservation of liberty and self-government.

Mr. BENNETT. Mr. President, will the Senator from Nebraska yield for another question?

Mr. CURTIS. I yield.

Mr. BENNETT. Is it not true that Khrushchev himself accepted our action as a pacific blockade? He did not attempt to fight his way into Cuba.

Mr. CURTIS. That is my understanding. Not only in reference to a blockade, but whether we were acting as we did in the case of Formosa, under the Formosa Resolution, or whether we took a firm stand in Greece or Trieste, or anywhere else, every time the West has moved with strength and determination in defense of principle, the Soviets have backed down. They will choose their own timetable, as has been said so many times. That statement is not original with me, but certainly it is true.

Mr. BENNETT. Does the Senator agree with me that, in a sense, Khrushchev had more incentive and more reason to resist that blockade than he might have today, because at that point our objective was to get rid of certain missiles which he had brought to Cuba and which could be very useful to him from a military standpoint; and he agreed to take them out of Cuba.

Mr. CURTIS. It was a demand for a retreat, in the eyes of the world; and he did not choose to contest it.

Mr. BENNETT. He did not contest it either in the United Nations or anywhere else in the world.

Mr. CURTIS. The Senator's point is very well taken.

Mr. BENNETT. I thank the Senator from Nebraska.

Mr. LAUSCHE. Mr. President, will the Senator from Nebraska yield to me?

The PRESIDING OFFICER (Mr. RIBICOFF in the chair). Does the Senator from Nebraska yield to the Senator from Ohio?

Mr. CURTIS. I yield.

Mr. LAUSCHE. For whatever the information may be worth, I should like to state for the record that:

First. In 1946, after a sharp U.S. note, the Reds vacated Azerbaijan.

Second. The Truman doctrine opposed the Communists in Greece and Turkey.

Third. The United States fought a war in Korea, and kept it limited.

Fourth. The United States garrisoned Europe and encircled the Soviet Union with bases.

Fifth. The Reds cut off Berlin's supplies. We mounted a massive airlift.

Sixth. During the Red Chinese attack on Quemoy, the United States participated in convoying supplies.

Seventh. In 1956, at the time of Suez, the United States landed troops in Lebanon.

Eighth. The United States blockaded Cuba while the Reds were arming Castro—although subsequently we marched down the hill.

Ninth. The United States now is fighting Communists in southeastern Asia.

I wish to make the point that we cannot avoid the conclusion that every time we took a firm stand, it brought the results we intended.

Mr. CURTIS. I thank the distinguished Senator from Ohio. I greatly appreciate his remarks. What he has said is absolutely correct. Furthermore, his statement that now we are marching down the hill is also correct; and that position by our country does not strengthen our hand, does not preserve the peace, and will not deter the Communists.

Mr. MUNDT. Mr. President, will the Senator from Nebraska yield?

Mr. CURTIS. I yield.

Mr. MUNDT. I think the Senator from Ohio [Mr. LAUSCHE] has made a significant contribution by the recital of the instances of firmness of position by the United States and the reactions thereto of the Communists.

I suggest that there be stated, as an addition to the list, the fact that when there seemed to be shaping up an attack by Red China on the channel islands of Quemoy, Matsu, and Amoy, President Eisenhower sent to Congress a request for a resolution which would make it clear that the United States would protect with its fleet and its other forces the sanctity of Formosa; and the resolution clearly indicated that we would also protect the freedom and independence of the channel islands of Quemoy and Matsu. As a consequence, instead of launching their attack or stepping it up, the Chinese Communists immediately began a program of reducing the threats to both Formosa and the channel islands. It was not long thereafter that they even went on the basis of bombing Quemoy on alternate days, and indicated in advance the days; and those bombings, instead of increasing in intensity, decreased consistently thereafter.

So whether considered from the standpoint of Russian communism or Chinese communism, the result is the same; namely, a program of firmness has always tended to safeguard freedom and to decrease the aggressive threats of communism. I wonder whether the Senator from Nebraska concurs in that statement.

Mr. CURTIS. I certainly do. I believe that if we turn back to the newspaper files and those of other media for the period just prior to the time of the passage of the Formosa resolution, which stated in substance that Congress authorized the use of the entire armed might of the United States to defend Formosa and the Pescadore Islands, it will be found that just prior thereto the invasion of Formosa was expected daily—in fact, almost hourly. But the resolution was passed, with only three votes in opposition in the Senate, and with only a handful of votes in opposition in the House; and then the administration implemented the resolution. We stood firm. Years have passed; and what was predicted by the keenest observers as about to happen at any moment has not yet happened.

Mr. MUNDT. Furthermore, the reverse side of the coin is equally obvious—namely, that on the occasions when we have appeased communism and retreated from a firm stand, the consequences have been highly detrimental to the cause of collective security and freedom.

For purposes of illustration, we should note what happened in connection with our attitude toward Cuba. In October of last year we hit our high point. It was the only time—except for the unfortunate Bay of Pigs incident—when we developed a policy and stood by it firmly and clearly for several weeks.

But beginning with the first week after the election of 1960, we began a steady retreat and marched down hill from the high plateau enunciated by President Kennedy on October 22. What have been the consequences? One very serious consequence, it seems to me, is the disaffection of a great ally of ours—the French—from the standpoint of the collective security complex. General de Gaulle—unhappily and unwisely, in my opinion, but understandably—after observing our failure to protect freedom 90 miles from Florida, in Cuba, where communism had established a beachhead, began to rearrange his defense systems on the basis that the French might have to defend themselves and could not rely upon the forces of the United States to give them the atomic punch, the type of striking power, and the kind of secure national defense that any sovereign country desires for itself—reasoning from the standpoint that a country which was unwilling to protect itself against communism in Cuba, 90 miles away, conceivably might not be available to protect France—thousands of miles away—from communism.

Now we are concerned about the course that De Gaulle and the French are taking. In my opinion, the French decision is most unwise and most unfortunate from the standpoint of collective security against communism. But it is understandable. This kind of disenchantment and this type of disaffection can occur in other countries, unless we demonstrate a determination and an ability to eliminate the Communist cancer so close to our shores.

I am concerned about the whole trend of American foreign policy. We now hear that our goal is to make the world safe for diversity. I recall that some 45 years ago, in 1917 or 1918, a great Democratic President by the name of Woodrow Wilson called upon Americans in their efforts to resist aggression "to make the world safe for democracy."

To me what we now see is a big retreat; it has come in a half century. I like the concept of making the world safe for democracy a great deal better than I like the concept of making the world safe for diversity.

What is meant by "diversity"? Would we make the world safe for an individual like the dictator of Haiti, one who disregards his constitution and public opinion, and establishes himself as a military dictator while we do nothing? Is that what is meant by diversity? Does it mean that there will be a Cuban Government controlled by the Communists so close to home? Is that what is meant by diversity? Does it mean that we should continue to countenance as a permanent status the type of situation that exists in the Balkans, in the Baltic States, and in the countries which have been overrun by communism in Eastern Europe? Is that the kind of diversity we wish to protect by our billions of dollars of expenditures in foreign aid, through our steady annual appropriations of $3 billion, $4 billion, and $5 billion in connection with the foreign aid program?

Or by making the world safe for diversity does the administration mean to continue the diverse and divided conditions existing on the opposing sides of the Berlin wall?

The time has arrived when we are entitled to have from the present administration a declaration of what it believes our foreign policy should be. We should have a clarification and enunciation of that policy, and then we should provide some support to implement that foreign policy.

What does the Senator from Nebraska conceive to be our foreign policy goals, now that they have been redefined as an attempt to make the world safe for diversity?

Mr. CURTIS. I agree with the Senator from South Dakota. Though I do not rise to settle all the problems of the world—and I am not disputing the statement generally—in the Western Hemisphere we have a responsibility to the free peoples and those who long to be free. They have a right to say, "Why does the United States adopt a hands-off policy? Why does the United States refuse to speak with clarity and firmness, and fail to use its strength to back up such statements?

Mr. MUNDT. We certainly have not been fulfilling our responsibilities in the Western Hemisphere vis-a-vis Cuba or vis-a-vis Haiti. I wonder what responsibilities we have as the Castro Communists, the Russian Communists, and the indigenous Communists of British Guiana are in what is virtually a riotous situation under a Communist leader at the present time?

It seems to me that we must redefine our policy. Our public purpose and national security are not served by the preachment of a series of pretty phrases, pious proclamations, and brave words, without a followthrough providing a clearcut outline as to what our policy is, or without arranging a program to enforce such aspects of the program as we have always thought to be established American policy—for example, the Monroe Doctrine.

I congratulate the Senator for bringing the subject to the attention of the Senate and for making a concrete proposal. On earlier occasions the Senator from South Dakota has advocated a somewhat different approach. He has advocated using the power of economics for the destruction of communism in Cuba—a type of program of economic sanctions which would not necessarily involve a blockade. But surely the time has come when we must do something to keep the free world from crumbling apart as increasingly other countries, looking at a do-nothing program of appeasement on America's part, tend to strike out on their own to protect themselves.

I hope that this discussion of foreign policy, both as it relates to the Western Hemisphere and the Communist threat in toto, will continue until, if necessary, there is hammered out in Congress a foreign policy declaration, which should preferably be forthcoming from more adequate leadership at the other end of the avenue.

Mr. CURTIS. I thank the Senator. I now yield to the distinguished Senator from Kentucky.

Mr. MORTON. I thank the distinguished Senator from Nebraska. I commend him on the points that he has made. First, I should like to ask a somewhat technical question. Exactly what is the Senator's understanding of a pacific blockade?

Mr. CURTIS. Pacific refers to the organic meaning of the word "peaceful" blockade. It is not for the purpose of aggression. It is not for the purpose of landing troops. It is for the purpose of controlling ingoing and outgoing traffic, the same as economic sanctions; only in that case if we should apply economic sanctions and get other countries to agree not to send Castro the things he needs, the Communist world would pay no attention to it.

I again call attention to a document, which was not prepared by me, but by one of the leading contemporary scholars, on the legality of a pacific blockade. We have ample naval and air force to enforce it. But Americans could by choice—and I am sure they would—permit the flow of foods and medicines to the people in those countries. We could weaken the Castro government to the point at which the Cubans and all others who desire to make a fight for their liberty would have a reasonable chance of winning.

Mr. MORTON. That was my understanding. However, I thought the record should be complete in that regard. I have read that much of the machinery of Cuba, including agricultural machinery, factories, and so forth, is reaching a high degree of inefficiency because of a lack of American spare parts for most of the machinery. Would not the proposed pacific blockade described by the Senator from Nebraska shut off the flow of military spare parts from the Communist community to Castro's armed forces, and would that not weaken his power to prevail as the leader of a police state?

Mr. CURTIS. Very definitely. We could shut off petroleum, all kinds of aviation fuel, which, of course, is a petroleum product, repairs, component parts, and other things that are being used in the Cuban industry to oppress the people and maintain the Castro government. Such action would also include stopping the flow of conventional arms to the island; and it could also stop the flow both in and out of Cuba of Communist personnel.

Mr. MORTON. Several days ago we pointed out in colloquy on the floor that no police state as strong as the Castro police state will be overthrown by any number of well-meaning people, even though they may be hungry. We think of East Germany, Hungary, and other countries as witness to that fact. But if we could cripple that military machine through cutting off supplies and especially spare parts for their industrial machines, including their agricultural machinery, which would affect their ability to harvest sugarcane, then, indeed, the pacific blockade would have served the worthy end of an overthrow, or a possible overthrow, at least, setting the climate for an overthrow by the people of Cuba themselves, with such help as they could get from the exile community and through the underground, and the moral support that they would get through the suggestion of the Senator from Colorado [Mr. Allott]—the establishment of a government-in-exile, which we in turn would recognize, on Cuban soil.

Mr. CURTIS. The Senator is correct. No group of people, whether they be hungry or dissatisfied, unhappy, angry, or whatever their condition may be, have been able to overthrow Communist control with their bare hands.

The least the United States could do—and I think it would be sufficient—would be to create a situation in which the Cubans could speak and act for themselves. That is why I hope serious consideration will be given to the proposal to allow the Cubans to have temporary space on Guantanamo for a provisional government. Then, if we should see to it that the Communist forces do not reinforce the island with implements of war and the sinews of their industry, and other things, it is entirely possible that the Cubans might free themselves. Without that they do not have a chance. The whole history of the past quarter of a century proves it.

Mr. MORTON. The Senator has been very generous in yielding, I should like to conclude with one comment.

In the colloquy between the Senator from South Dakota and the Senator from Nebraska the question of the so-called Formosa Resolution was discussed. I was not a Member of Congress at that time, but I was an officer in the State Department with some responsibility for getting that resolution through the Congress.

It was recognized by the administration at that time—the Eisenhower administration, and by Secretary Dulles in particular—that if the resolution was to be an effective instrument for peace it had to pass the Congress with virtual unanimity, for it was the American people speaking through their representatives, and not merely a statement by an American President or by an American Secretary of State. Secretary Dulles time and again pointed out, as did President Eisenhower, that the three great conflicts of our memories—World War I, World War II, and the Korean conflict—came about as a result of miscalculation; miscalculation on the part of the aggressor as to what would be the response of the people of America, how effective would be that response, how quick it would be, and how dedicated it would be in its determination to achieve victory.

The Formosa resolution was sought from the Congress and passed by the Congress almost unanimously. As the Senator pointed out, there were only three defecting votes in each House. So, loud and clear we spelled out to the Chinese Communists where we stood before the fact, rather than after they had taken Formosa, when we would have had to send marines in to get it back.

It strikes me that in Cuba today we must watch out for the factor of miscalculation. The Russians might say, "They are not going to bother us 90 miles offshore, so we can take over a government and build it up. Why not do it 400 miles offshore in area A, B, C, or D around the Caribbean perimeter?"

It seems to me there is an added danger, that there might be a buildup of the miscalculation in the minds of the Communist community, especially in the Kremlin, which could plunge us into a controversy far worse than the risks entailed in taking such bold action as the Senator from Nebraska and the Senator from South Dakota have recommended.

Mr. CURTIS. I thank the distinguished Senator. I think the greatest risk which this Government could take would be to do nothing. The greatest risk we could take would be to decide it was not worth the risk to act. Safety lies in the direction of positive action in this field, as it always has in all fields, in dealing with the Communists or any other aggressor.

I thank the Senator.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. CURTIS. I am happy to yield to the distinguished Senator from Colorado, to whom I have referred many times, and to whom we are indebted for the suggestion of one of the very important and to my mind most worthwhile and beneficial steps which could be taken.

Mr. ALLOTT. I appreciate the remarks of the distinguished Senator from Nebraska. Does the Senator feel that the proposal he has made today with respect to a blockade is entirely consistent with the proposal made by the senior Senator from Colorado last week with respect to the establishment of a provisional government—not a government in exile, but a provisional government—of the Cuban people on Cuban soil at Guantanamo?

Mr. CURTIS. Most decidedly so. In one instance, we would make it possible for free Cubans to have a place on their homeland to set up a government. In the second instance, we would say to those people who do not represent the true government of Cuba, to the Castroites, "We are not going to permit a flow of goods into this country to destroy the true representatives of the people or the people themselves."

Mr. ALLOTT. I am sure the Senator has heard speeches made by various Senators, and statements made by the State Department—even by the President himself—with respect to the fragmentation of Cubans who have either been exiled or have had to exile themselves from their own homeland. Can the Senator point to a single positive, constructive step which has been taken by this administration to provide a unification of these fragmented groups?

Mr. CURTIS. I cannot. I am sure that every student of current events is aware of the fact that the implication, at least, to all Cubans has been, "Do not make a move. We will not help you."

Mr. ALLOTT. Is it not a fact that the resignation of Dr. Cordona within the past month or 6 weeks was predicated upon the indecisiveness, lack of understanding, or lack of action—one of the three—of this administration during the Bay of Pigs incident, plus the failure of the administration to follow through last October on the withdrawal of Russian troops from the island of Cuba?

Mr. CURTIS. I think that is correct.

Mr. ALLOTT. So far as the chronology is concerned, the fragmentation brought about by the policy of this Government has been increasing day by day.

Mr. CURTIS. Not only that, but this administration is fragmenting the entire Organization of American States by permitting Castro, backed up by the U.S.S.R., to strike terror throughout the Western Hemisphere.

Mr. ALLOTT. The Senator has spoken about a lack of confidence on the part of other nations. I think the Senator has noted the deterioration in our relationships with France in the past 2 years. Our own President is in Europe today, talking with the leaders of European governments, but the diplomatic relations between the United States and France have broken down so badly that even a courtesy call upon President de Gaulle of France is not now considered advisable.

I think of our relationships with Germany, which occasioned the President's trip to Europe today. I think of what has happened with respect to England and the deterioration of relations with England.

I think of the growth of communism in Italy in the past 2 years, and even in Greece, which was protected under the Truman doctrine, by which we took a hard line. Even there the situation is deteriorating. I think the same is true of Turkey.

It is difficult today to point to a spot in the Near East where propaganda, bloodshed, strife, and infiltration are not more dominant than they have been at any other time in the past 10 years.

I think of Laos. I think of Vietnam, where our policy is falling apart under our fingers. I think even of our great ally, Thailand, which now seems to be feeling the impact of all these things.

Is it not a fact that, when we consider the infiltration of communism in South America and the instability of all governments there, the one place in the whole world which seems to be tight for the moment is the Quemoy-Formosa area, with respect to which Preesident Eisenhower in 1955 requested a resolution from the Congress, and with respect to which we have implemented a hard, tight policy and convinced the Communists that we are not going to yield an inch.

Mr. CURTIS. That is correct. There are many ingredients, but one basic ingredient that is needed for the United States to be respected around the world is for the United States to stand for something and to back it up and let the whole world, including the Communists, know where we stand, and that we intend to support our position with all our strength. That not only leads to respect among governments which represent the free people all over the world; that, in my opinion, is the only road to peace.

Mr. ALLOTT. I have in my hand an article from this morning's Washington Post, written by Dan Kurzman, which is a very excellent summary of this subject. It discusses the resolution offered by Representative James F. Battin, of

Montana, in the House of Representatives. This article states:

> U.S. officials were reluctant to discuss seriously this effort to place Congress on record, as Representative WILLIAM C. CRAMER, Republican, of Florida, put it, against any policies "leading the United States toward a coexistence accommodation" with Russia on the Cuban situation.

I do not know how others feel. I used the little story in the Senate last week that anybody who believes in coexistence believes the lion can lie down with the lamb and that the lion will become a vegetarian.

Nothing in this world, no state of politics nor international relations, can contribute more to the advancement of the Communist cause than can a state of coexistence. I hope to see the day when every American will quit using the word, because it implies getting along on the basis of mutual accommodation. This is what it does not do. It is under the theory of peaceful coexistence that Khrushchev has made every bit of progress he has been able to make.

This article goes on to say:

> "There's nothing wrong in saying that the Monroe Doctrine isn't dead," one official commented. "But such a statement will be meaningless unless we are ready to go to war over Cuba."

I believe the President has uttered some words to this general intent—I am not certain—but here is a statement which in effect says, "We believe in liberty—ha ha. We are not ready to do anything about it. It will be meaningless unless we are ready to go to war."

So we are now saying to the world, as the President did last fall, and as he did before, that we are not willing to use the force and might of the United States to stop this takeover within our own hemisphere.

Cuba no longer has a Cuban Government. It has not even a Cuban Communist government. By every source from which we can ascertain the facts, it is a government that is completely dominated and controlled. The strings are pulled, not by Castro, but directly by the Communists from Russia, and that means Khrushchev. So how do we expect to make progress?

This same official goes on to say, as quoted in this article:

> This idea is a little more insane than the usual ones made by administration critics.

Has the distinguished Senator from Nebraska ever seen one act by this Government—and I will limit it first to the time since the crisis of last fall—which would lead him to believe that our Federal Government has any policy toward Cuba?

Mr. CURTIS. I am afraid that I must agree with the Senator's thesis. If the Government has a policy, no one knows what it is. It is not being implemented. It appears to be a policy of compromise, vacillation, and acceptance of the idea that there can be a Communist sanctuary in the Western Hemisphere. That policy is the policy of those who must ultimately bear the label of "warmonger," because if Communists are permitted to take over in Cuba now, the same thing will happen to one country after another. As the Preparedness Subcommittee of the Committee on Armed Services pointed out, one by one the Western Hemisphere nations will be taken over by Communists and the United States will be isolated. The lack of a policy is leading either to the necessity of a very costly war or the necessity of surrendering to the Communists; and the latter will never be done.

Mr. ALLOTT. I thought this interview with a member of the administration in the State Department, although he seems to be Mr. Anonymous, was very enlightening. It confirms what I have thought, from examination and cross-examination of witnesses before the various committees of Congress, and particularly the Appropriations Committee, namely, that the administration, if it has a policy, is limited to a half-hearted policy of containment.

I wonder if this great, elucidating interview with a member of the State Department could possibly have been with the young genius, Richard Goodwin, the 29-year-old genius who was the President's special adviser on Latin American affairs at the time of the Bay of Pigs occurrence, and who had never been in Latin America in his life—which may account for some of the mistakes we made—and if this could be another product of his fertile mind.

I wonder why the cloak of anonymity? Why do Senators suppose this administration is concerned lest Castro charge us with violating a treaty, and that therefore, there would be a valid objection to the suggestion of the provisional government? After all, Castro refuses to recognize the treaty, anyway. So how could this be a violation when, according to Castro, no treaty exists?

As I pointed out previously, and will point out again, this question has been researched by some of the best legal brains in the country, and they have come to the conclusion that the proposal would not be a violation of the treaty. I wonder why an anonymous spokesman of the State Department addresses himself to a vilification campaign, saying this is "insane," and that it makes no sense. Why that instead of coming forward with a counter proposal? After all, is the answer not that these people could and should come forward with a counter proposal? I do not assert that the plan offered by me is a perfect one, but one fact is certain: We have seen no action. We have seen a deterioration in Cuba and in South America. I wonder where Mr. Anonymous was at the time of the Bay of Pigs or at the time of the Berlin wall.

I ask unanimous consent to have printed in the RECORD at this point the article to which I have referred, written by Dan Kurzman and published in today's Washington Post, containing an interview with this anonymous official in the State Department.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GOP RESOLUTION IN HOUSE HITS AT POLICY ON CUBA

(By Dan Kurzman)

> House Republicans, in a new attack on President Kennedy's Cuban policy, yesterday submitted a resolution declaring that the presence of Soviet troops in Cuba is a "clear violation of the Monroe Doctrine."
>
> Representative JAMES F. BATTIN, of Montana, headed the Republican task force that drew up the resolution. He told the House that it should tell the world in unmistakable terms that the Monroe Doctrine "is not dead."
>
> Submission of the resolution, which was approved by the House Republican Policy Committee, is the latest GOP move to keep the Cuban issue alive as a 1964 campaign issue.
>
> U.S. officials were reluctant to discuss seriously this effort to place Congress on record, as Representative WILLIAM C. CRAMER, Republican, of Florida, put it, against any policies "leading the United States toward a coexistence accommodation" with Russia on the Cuban situation.
>
> "There's nothing wrong in saying that the Monroe Doctrine isn't dead," one official commented. "But such a statement will be meaningless unless we are ready to go to war over Cuba."
>
> Administration officials were even less reluctant to discuss a proposal made to the Senate last week by Senator GORDON ALLOTT, Republican, of Colorado, that the United States should establish and support a Cuban provisional government at Guantanamo Naval Base—an idea that has been praised by Senators BARRY GOLDWATER, Republican, of Arizona, KARL MUNDT, Republican, of South Dakota, and other leading Republicans.
>
> The provisional government, ALLOTT said, should be authorized by the United States to station on the base Cuban exile soldiers now being trained in this country.
>
> "This idea is a little more insane than the usual ones made by administration critics," one official said.
>
> It was pointed out that if the base were used as the site of a provisional government, the Fidel Castro regime might have grounds for charging that the United States was violating the treaty under which it is occupying Guantanamo.
>
> The United States-Cuban treaty, which grants this country a lease in perpetuity, states that Guantanamo may be used simply as a coaling and naval station.
>
> Aside from this possibility, U.S. officials said, the usual reasons for the impracticality of a Cuban government-in-exile would apply. No group represents all or even a majority of the exiles, or for that matter, the Cuban people themselves.
>
> Administration officials agreed with Senator FRANK CHURCH, Democrat, of Idaho, who said that many exiles came from "families that owned or controlled almost all the land or wealth of Cuba and are not likely to be greeted as liberators."
>
> Senator THRUSTON MORTON, Republican, of Kentucky, however, disagreed with this view, expressing the belief that a provisional government could be set up without violating the treaty. ALLOTT added that Castro does not recognize the treaty anyway.
>
> In calling for a congressional resolution confirming the validity of the Monroe Doctrine, Representative BATTIN asked that President Kennedy simply follow in the footsteps of Presidents Roosevelt, Truman, and Eisenhower.
>
> Congress should demand, he said, an end to Soviet intervention in Cuba, a termination of Communist sabotage, subversion, and guerrilla warefare in the Western Hemisphere, and the right of the Cuban people to determine their own destiny.

Mr. ALLOTT. Mr. President, we know who vilifies us from abroad. I have before me the text of a radio message from Moscow to Cuba. It was intercepted at 1400 Greenwich mean time

on the 19th of June 1963. It was in Spanish. It reads:

> ### GUANTANAMO CUBAN EXILE BODY PROPOSED
>
> (Moscow in Spanish to Cuba 1400 G.m.t., June 19, 1963—L)
>
> NEW YORK.—Senator GORDON ALLOTT has proposed to Congress the creation inside the U.S. naval base of Guantanamo of the Cuban provisional government, which should be formed by the heads of the Cuban counterrevolutionary emigres in the United States. From the Senator's statement it can be deduced that the main aim of his plan is to (encourage?) subversive activity and, in the end, armed intervention in the Cuban Republic. Senator ALLOTT's proposal shows that the rabid Members of the U.S. Congress are not giving up their designs of pushing the United States into worsening the situation in the Caribbean zone, which could entail the most dangerous consequences for the entire world.

These reports always end with a threat, and we always bow and vacillate, in the face of what we are told the Communists will do, despite the fact that we have learned from experience over and over again that the Communists back off every time we stand up to them.

Mr. CURTIS. I thank the Senator. I point out that the fact that the Senator's proposal has caused the U.S.S.R. to react adversely is the highest compliment that could be paid the Senator. They have their government in Cuba. They do not want to be disturbed. The Senator from Colorado has offered something concrete, something legal and workable. The responsibility is on the administration. If they do not like what has been said here or what the distinguished Senator from Colorado said on the floor the other day, or what the Senator from Kentucky [Mr. MORTON] said the other day, they should come forward with an alternative plan of action, or else concede that they have no objection to the Communist sanctuary and control in Cuba.

Mr. ALLOTT. I should like to ask the Senator one final question. He is aware, of course, that almost 2 years ago we committed ourselves at Punta del Este for what turned out to be between $12 billion and $14 billion for assistance to Latin American countries. It was advertised in the press and publicized all over the world as being $20 billion. Actually, in the fine print it was shown that it was something like $12 billion to $14 billion. Can the Senator point to even one country in Latin America or in the Caribbean area where there has not been an intensified effort on the part of the Communist infiltrators and where the governments today are not more unstable than they were 2 years ago or at any time before that?

Mr. CURTIS. I regret that I must concur in that statement. I point out that, on the other hand, when the President of the United States acted with determination last October, that time was the high point in support by the governments and the people of the Western Hemisphere for the United States.

Mr. ALLOTT. The Senator is entirely correct. It is necessary to point out that immediately prior to the Cuban crisis we could not have counted on the firm support of five or six governments in Latin America, and then when the President made his brave speech and stated what we would do, we were able to solidify 21 governments in the Organization of American States behind us, and get their signatures on the dotted line in a matter of about 24 hours.

Mr. CURTIS. That is correct. There is one thing that we must learn as a nation, and that is that there are problems in the world that cannot be solved with a check. There comes a time when principle must be the guide.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. CURTIS. I yield.

Mr. DOMINICK. I wish to add my voice to the congratulations being extended to the Senator from Nebraska. His speech seems to me to be part and parcel of a series of constructive programs that have been brought forward on the floor of the Senate on this subject; and I hope that they will continue. I have some facts and figures which will support the impact of what the Senator has been saying, in economic terms. Many problems are confronting Cuba today. For example, it costs between $4 and $5 for ham and eggs for breakfast in Cuba. Butter is now selling for $8 a pound. If we should enforce a pacific blockade, but still allow food and medicine necessary for the health and welfare of the Cuban people to go into Cuba, we would be cutting off the tools with which they are keeping a bare survival existence level going in Cuba.

I gather that it is the Senator's basic idea that we could clamp down on Cuba so that it could not go ahead economically and keep itself economically strong.

Mr. CURTIS. The plan involves using the force of the United States to make our economic sanctions work and to enforce them.

Mr. DOMINICK. Some interesting statements have been made concerning the medicines which we have sent into Cuba in exchange for prisoners. I thought it might add to the record of these debates to cite some of them. The first one is as follows:

> Only a small quantity of the medicine sent to Cuba has been made available to the public in the drug stores. Not even the most simple medicaments can be obtained by the sick among the Cuban population.

That statement was made by members of the faculty of the School of Medicine of the University of Havana.

The next one is:

> The supply of medicines received by the Castro regime in the exchange for the members of the 2506 Brigade has not reached the Cuban people, except for a small amount of Alka-Seltzers and aspirins that are sold to the public at very high prices. There are different versions as to the destination of the shipment. Reliable sources ascertain that the medicines are being sent to the U.S.S.R. by sea and air.

That is the statement of Dr. Enrique Huertas, president of the Cuban Medical Association.

I have before me a number of similar statements. The point I am making is that when we act as though we are trying to do something for the people, not for the Castroites, and when we try to do it by any means other than by following the suggestions that have been made by the Senator from Colorado or the Senator from Kentucky or the Senator from Nebraska, the result is to do nothing except to strengthen the Communist world as such, and not to strengthen the democratic people.

Mr. CURTIS. I agree with the Senator. What has been proposed, especially by the Senator from Colorado [Mr. ALLOTT], is that we recognize a provisional government that represents the real Cuban people, and withhold our assistance from Communist agents, who will either sell it or divert it or take it to their homeland and use it as a weapon to enforce their iron will upon those enslaved peoples.

Mr. DOMINICK. I have some further information. I do not know whether these are facts or estimates. I assume that most of the figures are estimates, but they come from intelligence sources within Cuba. They point out the absolute necessity of doing something about a government in Cuba which is impressing its people with torture and terrorism.

Since January 1, 1959, a total of 10,717 persons have been killed in action or executed by firing squads or are missing in Cuba. More than 4,000 have been killed without any trial whatsoever. More than 2,800 were shot as the result of being found by military tribunals to be guilty of crimes against the state. There is no law or order. The persons in control of the Cuban Government merely say, "We are in charge. We do not like what you are doing. We will shoot you." According to this estimate, since January 1, 1959, 10,717 have been killed or executed by a firing squad of Cuba's Red regime.

It is estimated that 965,000, or more than 14 percent of the island's population, have been arrested for political reasons. Approximately 81,000 are still in jails, prisons, and concentration camps. The result, according to the report, has been a mass exodus from Cuba. Since January 1, 1959, approximately 449,450 Cubans have left the island. About 230,000 additional persons are at present in Cuba awaiting the opportunity to leave. They are in possession of passports and are trying to get out of Cuba. Approximately 385,000 are trying to fulfill the requirements for leaving the island.

This is another situation in which communism has imposed its will on people who want to leave but are required to stay against their will. It is similar to the wall in East Berlin.

Mr. CURTIS. I thank the Senator from Colorado for his recitation of the facts. They leave me with this thought: In the name of humanity, we ought to withdraw recognition of this false, foreign, Communist government of Cuba. As of today we have not done so.

Mr. DOMINICK. I completely agree with the Senator from Nebraska. This information is quite interesting to me. We have been called warmongers because we have proposed to do certain things for the people of Cuba. Those who do not agree with us have said we are advocating war in one form or another. As happened recently when my distinguished senior colleague from Colorado

[Mr. ALLOTT] made his proposal, it was said, "This means war."

The interesting thing is that of the more than 449,000 refugees who have left Cuba, 385,000 have been located in the United States.

The United States has been a haven for them, because here they can exercise their freedom once again. Our country has provided a haven for them, even to a greater extent than have their Spanish-speaking and Portuguese-speaking brothers in Latin America.

So it seems to me that, having provided a haven and having witnessed at firsthand what has taken place among the refugees, it is up to us to make positive proposals, such as the Senator from Nebraska and the senior Senator from Colorado have been making, to do something about the conditions in Cuba, in order to give them recontrol over their own government in Cuba.

Mr. CURTIS. I thank the Senator from Colorado for his contribution to the discussion. I yield the floor.

FOREIGN AID AND THE ALLIANCE FOR PROGRESS

Mr. MORSE. Mr. President, I continue today with my critical—and I hope, constructive—analysis of the foreign aid bill.

One of the key sections in the foreign aid bill is that dealing with the Alliance for Progress. It carries authorization of a very large sum, and it deals with one of the most difficult geographic areas in American foreign policy.

The foreign aid request contains a proposed budget of $925 million for the Alliance for fiscal 1964. This compares with $707 million appropriated for fiscal 1962 and $751 million appropriated for fiscal 1963.

As one of the early advocates of an economic aid program for South and Central America, I have been as disappointed as anyone by its seeming lack of achievement to date. The special report by the former Presidents of Colombia and Brazil, Mr. Lleras and Mr. Kubischek, should be a warning signal to Congress that substantial changes are needed in the Alliance for Progress, and they should be made before the United States commits large new sums of money to it.

In the fall of 1960 Senator HICKENLOOPER, of Iowa, and I had the pleasure of participating in the Bogotá Conference, along with the then Under Secretary of State, Douglas Dillon, where the foundation was laid for the Alliance for Progress.

We said in our report that the Conference could prove to be a turning point in history. We continued:

> We say "perhaps" because the true significance of the Bogotá Conference can be measured only as its agreements and recommendations are implemented. What is proposed in the Act of Bogotá is a hemispherewide program of social reform to accompany the existing programs of economic development.
>
> This is properly described, not as a U.S. program, but as an inter-American program. Subject to appropriation of funds by the Congress—which we hope will be promptly forthcoming—the United States has agreed to provide an initial installment of $500 million to finance the program. But an equal, perhaps even a greater, responsibility rests on the Latin American countries. All of our technical assistance, all of our economic aid will fail of their purpose—in fact, may only make matters worse—if they are not accompanied by vigorous efforts and far-reaching institutional changes on the part of the Latin American peoples themselves.

To me, it was in 1960 and is today completely self-evident that the Alliance for Progress is not an American program to subsidize the status quo in Latin America. We are not making available $700 million a year to its countries just to keep the Communist wolf, in the person of Fidel Castro, from the door.

The sole and single purpose of the American capital is to finance reform. I stress that. The concept that the United States will continue to put money into feudal, oligarchic, inflation-ridden, or military regimes in South and Central America just to keep them from falling into the hands of Communists is one that should be dispelled in both hemispheres.

If that is the idea that the Latin American critics have, and if that is the foundation for their criticisms of the United States that we are not making money available fast enough, then I say we might as well stop the Alliance right now. I am not at all interested in any such American aid program. I am not at all interested in preserving governments whose policies make the rich richer and the poor poorer despite American aid.

I make these comments today as the chairman of the Subcommittee on Latin American Affairs of the Committee on Foreign Relations.

That is happening in some of these countries, and all we are doing is subsidizing them. We are subsidizing a continuation of a good many activities in Latin America that cannot be reconciled with democratic processes.

To the extent that we do subsidize these policies, there can never be an end to our aid because such countries are the true foreign aid "rathole." There is not enough capital in the whole United States to fill them up. Communism will always be a specter hovering over them and there will never be an indigenous barrier to it. The only barriers will first be U.S. economic aid, and then U.S. military aid.

Already, the level of military aid to Latin America is increasing. Seventy-seven million is programed this year, just to maintain internal security. But in most instances, an internal security problem in Latin America will continue until economic freedom and democratic procedures are granted to their masses.

However, the point I want to make today is that the Congress, in passing a foreign aid bill, must reemphasize that our contribution to the Alliance for Progress is only one to help them in the economic and social reforms they want to undertake. If they do not want to adopt land reform, housing, education, and resource development programs, and if they do not want to accompany them with the fiscal and financial policies needed to make them work, there is nothing for the American taxpayers to finance.

This leads me to the common criticism that we have conducted many bilateral arrangements with the governments of this hemisphere, when we should have worked through a hemispheric organization, or panel, to make the decisions about where the money is to go and under what circumstances. I have great sympathy for that point of view. I am sorry that the Alliance funds have not been handled on a multilateral basis. But I believe the principal objection to such a procedure has come from some of the governments themselves, who feel their bargaining power might be diluted through such an arrangement.

I think we should make a new effort, anyway, to operate the Alliance for Progress through a board of participating countries. I think it should be up to all the partners of the Alliance to decide what projects shall be financed, and what conditions must be met by the recipient country.

Moreover, I should like to see the United States put a definite ceiling on the total that will be expended for the Alliance for Progress. We should be able to say that an amount in the general neighborhood of $1 billion a year will be available for the next 8 years, and that when that money is gone, there will not be any more, and that if Latin America has little or nothing to show for it, it will be because of their own failure, not ours.

I think we may need some definite ceiling, because we do not have clear-cut economic goals in mind for the Alliance, as we did with the Marshall plan. Under the Marshall plan, we reconstructed an economic plant that had been destroyed. We helped rebuild going institutions.

In Latin America, we are trying to build something that was never there before. Our program is not one of reconstruction, but of development. Reconstruction carries a built-in tapering off and conclusion; but development is open ended. Unless it is wisely planned, and accompanied by financial and economic policies that maximize the effect of the capital, there may be only expenditure and no development at all.

I do not believe that the United States can run the risk of assuming financial responsibility for the whole of South and Central America, simply to keep it out of the hands of communism. To do that would be to pick up a bear by the tail; and each year the cost to us merely to hang on to it would be greater, although, even so, we probably would not be able to forestall violent revolutions.

In considering the bill this year, I hope Congress will work out the means of tying U.S. aid more specifically to the financing of reform, and will find ways of encouraging the formation of a council of recipient countries to decide how a specific and limited amount of money shall be spent for the Alliance.

Therefore, Mr. President, in closing my remarks, I state, as chairman of the Subcommittee on Latin American Affairs, that I shall not support the Alliance for Progress program in the foreign-aid bill, in its present form. I shall support economic aid to Latin America if the specific amounts are related to specific reforms and specific projects.

Furthermore, I shall not support anywhere near the amount of money called for by the Alliance for Progress recommendations of this administration as regards military aid for so-called internal security. In my judgment, we can save money, in connection with the foreign aid bill, by making clear to the Latin American countries that we are not going to continue to help them build up their military programs, which, in my judgment, in most instances they do not need at all, and which all of us know would be of no help, anyway, to the United States in case of a war with Russia, for if we got into a war with Russia, the United States would be the one to protect Latin America; in a nuclear war, Latin America would not be of any particular aid to us, by virtue of the military aid which is called for in this bill.

Therefore, the time has come for us to say, in behalf of the American taxpayers, "Little more for military aid, but plenty more for economic aid, provided you do two things: one, relate such aid to specific reforms which are so sorely needed in Latin America; two, relate the aid to specific projects in Latin America that will help raise the standards of living of the masses of the people in Latin America"—for Latin America will obtain her greatest security and protection when the governments of the Latin American countries take the reform steps that must be taken in order to make it possible to raise the standards of living of the masses of the people in Latin America. That means tax reform, land reform, judicial reform, medical aid, and all the other aid necessary to better the economic lot of the masses of the people there, so they can enjoy economic freedom of choice for the individual. Once that day arrives, we shall not have to worry about political freedom in Latin America, for a people who are economically free are always politically free.

Mr. President, I yield the floor.

VISIT TO THE SENATE OF PARLIAMENTARY DELEGATION FROM INDIA

Mr. HUMPHREY. Mr. President, I wish to introduce to the Senate a very distinguished delegation from the Parliament of India.

The delegation is led by the Speaker of the House of the People, Hon. Hukam Singh, and also by the Deputy Speaker of the Council of States, Mrs. Violet Alva.

The group consists of six parliamentarians, plus the Secretary of the House of the People.

Today, certain Members of the Senate had the good fortune to participate in an informal luncheon with this able and distinguished delegation, and to have an exchange of thoughts and views on problems relating to our respective countries.

The members of the delegation are the following:

The Speaker of the House of the People, Hon. Hukam Singh; the Deputy Speaker of the Council of States, Mrs. Violet Alva; Hon. R. K. Khadilkar, Member of the House of the People; Hon. Diwan Chand Sharma, Member of the House of the People; Hon. Surendra Nath Dwivedy, Member of the House of the People; Hon. Gopal Swarup Pathak, Member of the Council of States; and the Hon. Maheswar Nath Kaul, Secretary of the House of the People.

I ask my colleagues to join me in extending a very warm welcome to all of these distinguished visitors.

[Applause, Senators rising.]

Mr. COOPER. Mr. President——

Mr. HUMPHREY. Mr. President, at this time I yield to the Senator from Kentucky [Mr. COOPER].

The PRESIDING OFFICER (Mr. RIBICOFF in the chair). The Senator from Kentucky is recognized.

Mr. COOPER. Mr. President, as a member of the minority group in the Senate, those on the Republican side, it gives me great pleasure to join in welcoming to the Senate this distinguished group of parliamentarians from the Republic of India.

It is a personal pleasure for me to welcome them, because during my short service in India, in 1955 and 1956, I had the honor of meeting most of them.

But, Mr. President, aside from the personal interest I have in their visit, I wish to say that I believe all of us welcome them because of the country they represent and because of the principles for which their country stands.

I know there are differences of thought and differences of approach to certain domestic problems and differences in attitude toward some of the international questions. However, there are very substantial similarities between our country and India, and I believe we should always take them into account.

India, like our country, but years later than our country, is establishing her political institutions of freedom. India is also undergoing an industrial revolution, years after our country and the other Western democracies had that experience, and under much more difficult circumstances.

As India now faces these problems, there hangs over India the shadow of aggression from her northern neighbor.

Yet I point out to my colleagues and to my countrymen that, despite all of these difficulties, India has never faltered in maintaining her adherence to her democratic institutions and values.

These men and this distinguished woman are the representatives of a parliamentary institution. In their own work they pursue the same type of democratic procedures that we pursue in the Senate and in the House. One who visits in their country finds the same democratic values, appreciation of the work of the individual, freedom of the individual, freedom of the press, and free elections, which we have valued for so long in our country. So today it is my great honor and pleasure to join with my colleague in welcoming here the distinguished representatives of a democracy in the East.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield to the Senator from Alabama.

Mr. SPARKMAN. I join with my colleague in extending a word of welcome to the distinguished visitors who are honoring us today. I had the good fortune to be with them in the informal luncheon that was referred to. There was a very helpful and informal discussion there of questions in which both countries are interested. It is a very fine thing that they have come our way. I express the wish that they may have a most successful and happy tour of the parts of the United States they visit. I join in greeting them here today.

Mr. HUMPHREY. Mr. President, I should like also to acknowledge the presence of the Ambassador of the Republic of India, who through his service in the city of Washington has brought honor not only to himself but to his country and to the cause of freedom. These visitors continue the fine exchange that exists between our respective countries. Only recently the President of India was with us, and then the Minister of Defense. These were very important visitors, and they have added a great deal to our knowledge of the problems of India and our understanding.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield to the Senator from New York.

Mr. JAVITS. I shall be very brief. I believe our colleague has spoken so eloquently for us on this side of the aisle that his statement needs no addition by me. But I have so much regard for Mr. B. K. Nehru, the Ambassador of India to the United States, who is in the Chamber, and his colleagues, some of whom I visited myself in India 7 years ago, that I desire to say that if freedom is to triumph in that nation, it will be because of the sense of democracy in India as contrasted to China. I rise today to join with my colleagues in welcoming these distinguished visitors, and to assure them that they have in the United States a vast reservoir of good will, affection, and a desire to help upon which to draw.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that a biographical sketch of each of the visitors be printed at this point in the RECORD.

There being no objection, the sketches were ordered to be printed in the RECORD, as follows:

GOVERNMENTAL AFFAIRS INSTITUTE,
Washington, D.C.

Biographic information concerning the Indian Parliamentary Delegation, participants in the foreign leader exchange program of the Office of Cultural Exchange of the U.S. Department of State, Washington, D.C.

HUKAM SINGH

Present position: Speaker of the House of the People (Lok Sabha), the Lower House of the Indian Parliament.

Date and place of birth: Montgomery, India (now Pakistan), August 30, 1895.

Home address: Paramjit Ganj, Kapurthala, Punjab.

Family: Married; one daughter.

Academic background: B.A., Khalsa College, Amritsar; L.L.B., Law College, Lahore.

Previous position: Manager, Khalsa High School, Montgomery, 1941 and 1943–45; chairman, governing body, Khalsa College, Delhi; president, bar association, Montgomery District; Puisne Judge, State High Court, Kapurthala, 1947–48; member of the Indian Constituent Assembly, 1948–1950.

Memberships: Member of Akali Party.

Travels abroad: Member Indian Parliamentary Delegation to Russia and Yugoslavia, 1956; Commonwealth Parliamentary Conference, Canberra, 1959; United States (foreign leader grant), 1960.

MRS. VIOLET ALVA

Present position: Deputy Speaker of the Council of States (Rajya Sabha), the Upper House of the Indian Parliament.

Date and place of birth: April 24, 1908, Ahmedabad, India.

Address: 3, Ashoka Road, New Delhi.

Academic training: M.A., L.L.B., University of Bombay; diploma of Social Service League, Servants of India Society; Honorary Professor of English, Indian Women's University.

Other present positions: advocate of the supreme court since 1951; first woman advocate to argue a case successfully before the full bench of the High Court of India.

Past positions: Deputy Home Minister, Government of India, 1957–62; legal practice, 1937–1945; member, Bombay Municipal Corporation 1946; member, Bombay Legislative Council 1947–1952; honorary presidency magistrate, Bombay; justice of the peace, Bombay; jail visitor and presiding justice of juvenile courts; elected member of executive of Congress Parliamentary Party; member, public accounts committee, 1954–56.

Membership in organizations: President, International Federation of Women Lawyers; member of the senate of the Indian Women's University; member of standing committee, All India Newspaper Editors Conference.

Publications: Founded and edited the Begum (later the Indian Woman).

Travel abroad: Egypt, Ceylon, Burma, Brazil, Mexico, United States (leader grant), 1962.

R. K. KHADILKAR

Present position: Member of the House of the People (Lok Sabha), the Lower House of the Indian Parliament.

Place and date of birth: Ratnagiri, Maharashtra; December 15, 1904.

Academic training: B.A., Fergusson College, Poona; LL.B., Law College, Poona.

Past positions: Member, Lok Sabha, 1957–62; editor of various newspapers, 1938–48.

Travel abroad: United Kingdom, France, Germany, Switzerland, Italy, Czechoslovakia, China, U.S.S.R.

SURENDRA NATH DWIVEDY

Present position: Member of the House of the People (Lok Sabha), the Lower House of the Indian Parliament.

Place and date of birth: Cuttack, Orissa State: February 11, 1913.

Past positions: Member, Lok Sabha, 1957–62; Member, Rajya Sabha (the Upper House of the Indian Parliament), 1952–56.

Other present positions: Deputy chairman, Praja Socialist Party.

GOPAL SWARUP PATHAK

Present position: Member of the Upper House of the Indian Parliament (Rajya Sabha).

Place and date of birth: Bareilly, U.P.; February 26, 1896.

Academic training: B.A. Government College, Lahore; M.A., Agra College; LL. B., Allahabad University.

Past positions: Delegate, Indian delegation to UNGA, 1946–1959; Senior Advocate, Supreme Court of India.

Membership in professional organizations: Executive council, Allahabad University; executive president, Indian Society of International Law; member, Indian Commission of Jurists.

Travel abroad: United Kingdom, France, Switzerland, Czechoslovakia, United States of America, South America (as Special Representative of the Prime Minister with personal rank of Ambassador).

DIWAN CHAND SHARMA

Present position: Member of the Lower House of Parliament (Lok Sabha).

Place and date of birth: Gujarat, West Pakistan; March 8, 1896.

Academic training: M.A., Presidency College, Calcutta; B.A., D.A.V. College, Lahore.

Past positions: Professor and head of English Department, Punjab University, Chandigarh, 1949–52.

Membership in professional organizations: President, University Teacher's Association, Punjab University.

Publications: "Men and Manners," "Our Indian Heritage," "Life of Mahatma Gandhi," "The Prophets of the East," "Tales of Friendship," "The Makers of Today."

Travel abroad: Malaya, Korea, Japan, China, Turkey, U.S.S.R., Netherlands, France, United States of America, United Kingdom, Switzerland.

MAHESWAR NATH KAUL

Present position: Secretary of the Lower House of the Indian Parliament (Lok Sabha).

Place and date of birth: Srinagar, Kashmir; September 16, 1901.

Academic training: B.A., Punjab University, Lahore; Bar-at-Law, Cambridge University, England.

Past positions: Deputy Secretary, Central Legislative Assembly, 1937–47; practiced law at Allahabad High Court 1927–36.

Travel abroad: Eastern and Western Europe; United States of America and Canada, 1952; Japan, Burma, China, Thailand, and Malaya.

SENATE RULES

Mr. DOUGLAS obtained the floor.

Mr. DOUGLAS. Mr. President, before I yield briefly to the distinguished Senator from West Virginia [Mr. RANDOLPH], I hope I may be pardoned for making an observation with respect to the proceedings of the Senate during the past 2½ hours. These proceedings furnish additional evidence of the need for a rule of germaneness to be applied to the debates.

At approximately 1 o'clock the distinguished majority leader had laid before the Senate the very important bill, S. 1163, which would amend certain provisions of the Area Redevelopment Act, and would provide authorization for an additional $455½ million.

That action was followed almost immediately by recognition of the Senator from Nebraska [Mr. CURTIS] to discuss the Cuban question. His colloquy with his Republican colleagues consumed approximately 2 hours. Such a procedure would not be tolerated in any other parliamentary body in the world. In any of the other parliamentary bodies in the world, when a bill is laid before the body, discussion proceeds upon it. Amendments are considered and voted upon. Then there is a vote upon passage of the bill. But there are very few irrelevant comments. At the conclusion of the discussion upon the bill, or at a stated hour in the day, discussion of general topics is permitted.

I have no criticism of Senators who take advantage of the existing rules to make speeches at an early hour in order that they may make the afternoon newspapers. I suppose that is an inevitable consequence of what can happen under the present rules. But I do think that the experience we have had this afternoon furnishes additional evidence supporting the need for adoption of a rule of germaneness. I am informed that the distinguished Senator from Rhode Island [Mr. PASTORE], who has been urging such a change for many years, is holding hearings on that subject this week. The Senator from Pennsylvania [Mr. CLARK] has urged such a change in the rules. I very much hope that it may be accomplished.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. PASTORE. I agree wholeheartedly with the distinguished Senator from Illinois. The committee has accorded me the privilege of appearing before it at 10:30 on Thursday morning. I hope that the Senate will adopt the proposed rule. I went through the same procedure the other day when I was in charge of a bill. It is a crying shame that a Senator charged with the responsibility of handling a bill should have to sit in the Senate hour after hour and be interrupted in the way custom has dictated. I hope that the Senate will do something about the situation.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. MANSFIELD. I wish to express my full accord in the sentiments expressed by the distinguished Senator from Illinois [Mr. DOUGLAS], who is the Senator in charge of the ARA bill now pending before the Senate, and the distinguished Senator from Rhode Island [Mr. PASTORE], who is the author of a proposed rule of germaneness, which I hope will be adopted shortly. Many subjects have been debated today. Senators have spent a great deal of time on one particular subject—Cuba. If the distinguished Senator from Illinois would permit me to proceed for 2 or 3 minutes, I should be most happy to further the cause of confusion and bring home the emphasis which needs to be placed on a proposed rule of germaneness, as far as the conduct of this body is concerned.

Mr. DOUGLAS. I am most happy to yield.

PROPOSED CUBAN BLOCKADE

Mr. MANSFIELD. Mr. President, I did not hear all the remarks made by the distinguished Senator from Nebraska [Mr. CURTIS] today, but I was intrigued by his reference to a "pacific" blockade. That is something new in the annals of history, I believe. It is worth looking into, especially in view of the explanations which have been made in relation to it. It is my understanding that the Senator asserted that last fall's "quarantine" of Cuba by the United States was in effect a pacific blockade.

Further he said—and I think I state a direct quotation:

> The blockade would be an act of war only if it is challenged—and I do not believe that the Soviets are ready or willing to initiate certain war over Cuba.

That statement is quite interesting. As I listened to the speech, I thought that the word used was a "specific" blockade. I looked at the news ticker, and I found the word was "pacific" blockade.

After listening to the distinguished Senator from Nebraska, it was my further understanding that, in response to questions asked by the distinguished Senator from Kentucky [Mr. MORTON], he said that a "pacific" blockade was a "peaceful" blockade, and that it was not an "aggressive" blockade.

Mr. President, under any circumstances a blockade is an act of war. It is so regarded in the rules of international law. We cannot quibble about words and meanings. We cannot utter those words out of both sides of our mouths. If what is being considered is alternatives to the present policy, the consequences of such alternatives must be faced.

A blockade is an act of war. An invasion is an act of war. If one adopts either one of these policies then I think he had better be prepared to go all the way.

And what would be required if we were really going to war over Cuba? That is the alternative to the present administration policy, and not declarations which express only the sense of the Congress. A week or 10 days would be required to build up the kind of force needed for an invasion. At least six American divisions would be required.

Castro could be defeated, and he would be forced to flee to the hills. What would happen then? There would be a type of guerrilla activity. We know what that is, based on what has happened in Cuba previously, what is happening in Vietnam today, and what has happened and is happening elsewhere in the world.

After that is put down, what would follow? Surely an occupation force in the hundreds of thousands, and the spending of billions of dollars to rehabilitate that country, because that is how wars are won nowadays. The victors do not win, but the losers usually do, in the form of economic assistance, rehabilitation, and reconstruction.

We can pass resolutions in this body—one every day, or every hour on the hour—but they are not policy They are merely expressions of what the Congress thinks. They are, in effect, "sense" resolutions as to how and what the Congress feels. Under the Constitution, the final and real responsibility for action lies with the President of the United States.

We can fulminate easily, quickly, and on the slightest provocation; but we all know, as practical Senators, that while we are free and easy with what we say we also are, or should be, fully aware of where the awesome, final, and terrible responsibility lies.

I find it a little difficult to listen in this Chamber to fellow Senators tell the rest of us what is wrong with our country and how much they admire our gallant allies in Western Europe or southeast Asia or elsewhere. They can justly be praised, but I think we ought to recognize that some of the things we do are right, even in the field of foreign policy, and even under President Kennedy. The same was true under Eisenhower.

Speaking personally, I have made some recommendations on Cuba, too, which I think are entitled to consideration, but that consideration will have to be given by the executive branch of the Government, where ultimate responsibility for policy toward Cuba lies.

I have, for example, recommended:

First. A hemispheric quarantine of Cuba on the same model as that recommended by the Organization of American States in imposing economic sanctions against the Dominican Republic in 1960—which was successful in that case.

Second. Prevention of communication between propagandists and agents between Cuba and Latin America, thus lessening contact between Communist leaders and parties in Latin America with their counterparts in Cuba and reducing Cuba's role as a training base for subversives.

Third. Recognition of a Cuban government-in-exile, but only if and when—I repeat, only if and when—the various anti-Castro groups can get together under a responsible and recognized leadership.

Fourth. The Organization of American States should not only proclaim principles and adopt resolutions, but also should undertake the leadership in a matter which is not only a U.S. problem, but a hemispheric problem as well. The charter of the OAS, if fully utilized, would give that Organization, in my opinion, a great deal more in the way of authority and bring to it a great deal more in the way of responsibility.

Cuba is not solely an American problem. Cuba is a hemispheric problem. The sooner the Western Hemisphere realizes that, the better off we all will be.

Mr. CURTIS. Mr. President, will the distinguished Senator yield?

The PRESIDING OFFICER. The Senator from Illinois has the floor.

Mr. CURTIS. The distingished majority leader made reference to my remarks.

Mr. DOUGLAS. Mr. President, I am glad to yield, but I point out that this entire discussion is extraneous to the bill before the Senate. I am glad to yield, however, to the Senator from Nebraska.

Mr. CURTIS. I thank the Senator from Illinois. I shall be very brief.

I commend the majority leader for the positive steps he has taken. If the Senator will read the RECORD as to what the junior Senator from Nebraska had to say, whether he agrees with it or not he will see it was an affirmative suggestion for debate and consideration throughout the country, including consideration by the Executive.

I did not detect any fear and trembling or gnashing of teeth on the part of anyone, in office or out of office, when President Kennedy imposed his quarantine, which was along the same line, though not exactly the same as a pacific blockade. He had the support of the American people. He had the support of people throughout Latin America who hoped for freedom.

I resent the suggestion, which, though not made, might possibly be implied, that we criticize administration policy and suggest that the only alternative at this time is an invasion, costly in human lives. That is the very thing we wish to avoid. We want this country to explore every possibility that is legal and that the experts say is not an act of war. That includes a pacific blockade, to see what might be done to stop the Communist growth in the Western Hemisphere.

Again I thank the Senator from Illinois for yielding. I commend the majority leader for the positive suggestions he has made. I know he has made them, or he would not so report to us. I wish that the question of dealing with communism before bloodshed becomes inevitable could have the priority in the executive branch to which it is entitled.

I thank the Senator.

NUCLEAR TEST BAN NEGOTIATIONS

Mr. CLARK. Mr. President, in this morning's New York Times the text of a news conference held by President Kennedy in Bonn appeared.

I have been greatly heartened by the renewed interest shown by the President in negotiating a test ban agreement with the Soviet Union. I was happy to note that Under Secretary of State Averell Harriman will go to Moscow about the middle of July for the purpose of reopening test ban negotiations.

Two of the questions which were asked of the President yesterday have a direct bearing on the test ban problem. I ask unanimous consent that questions Nos. 9 and 11, and the answers thereto, as they appear on page 10 of this morning's New York Times, may be printed in the RECORD at this point in my remarks.

There being no objection, the questions and answers were ordered to be printed in the RECORD, as follows:

Question 9. What meaning do the talks scheduled in July—in Moscow—have in relation to the Federal Republic's role in any multilateral atomic forces? Is there any possibility that these Moscow talks will be concerned with the nonspreading of the use of atomic weapons?

Answer. The—yes, I think they will be concerned with the nondiffusion of nuclear weapons. But we have felt that the organization of the multilateral force as discussed between the Federal Republic and the United States does not provide for a diffusion which would threaten the peace. In fact, I think it would give greater security and more satisfactory conditions of control.

The purpose of the talk, basically, of course, is to get a test ban. I believe it essential that we get a test ban this year or otherwise I think it greatly increases the prospect that there will be additional nuclear powers throughout the world in the months in 1964, 1965 or 1966. Now I would regard that as a disaster.

I do not regard the atomic weapons and the prospect of it spreading and the realization that war has been the constant companion of mankind throughout our history and the conflict between the Communist system and the free system.

When you mix all these tactics together, you have a highly explosive and a highly dangerous situation. When Pandora opens her box and the troubles spew out, all that is left in is hope. Now in this case if we have a nuclear diffusion throughout the world, we may even lose hope.

Question 11. With regard to an earlier answer, if a test ban agreement were signed by the United Kingdom, the United States, and the Soviet Union, if this test ban agreement were signed, how then would this prevent France, for example, or China, or any other country that wasn't a signatory to the pact, how would this prevent them from going on and making nuclear weapons?

Answer. Well, as you know, it's posed in the treaty that those who sign the treaty would use all the influence that they had in their possession to persuade others not to grasp the nuclear nettle. Now it's up to those countries. Quite obviously they may not accept this persuasion and then, as I say, they will get the false security which goes with nuclear diffusion.

Mr. CLARK. It will be noted that the President, in referring to the problem of obtaining a test ban agreement and the difficulty of persuading nations other than the U.S.S.R. and our own, which have nuclear capability, to agree to such, said:

> When Pandora opens her box and the troubles spew out, all that is left in is hope. Now in this case if we have a nuclear diffusion throughout the world, we may even lose hope.

While the President's statement indicates that there is a very close connection between negotiating a test ban agreement and preventing the spread of nuclear weapons, his statement does not indicate how such a treaty would deter other nations from acquiring nuclear arms.

However, I think the argument is clear, and there are perhaps good reasons why, speaking at Bonn, the President did not feel inclined to speak out on the need, in my opinion—and I hope in his—to persuade the French, and perhaps later the Chinese Communists, not to acquire nuclear weapons.

This reasoning is spelled out in an intelligent and persuasive article by Howard Simons in this morning's Washington Post, entitled, "A-Arms Proliferation: How Test Ban Might Prevent Spread." I ask unanimous consent that this article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A-ARMS PROLIFERATION—HOW TEST BAN MIGHT PREVENT SPREAD

(By Howard Simons)

Once again President Kennedy has declared that without a treaty to halt nuclear testing, atomic arms will spread inevitably to other nations and that this would be a disaster.

But in Bonn, as so often before, Mr. Kennedy grappled ineffectively with the central question: How can a test ban involving the United States, the United Kingdom, and the Soviet Union slow down and perhaps even halt the spread of nuclear weapons?

Though any such treaty would be open to signature by all nations, both France and Communist China have said they would not sign. France already possesses atomic bombs and China is working feverishly to develop them.

The persistent atomic aspirations of these two dissidents from the major power centers are largely responsible, apparently, for the President's reluctance to explain fully how a test ban might slow the spread of nuclear weapons.

This is so because any such discussion must touch upon internal affairs in France and China's relationship with the Soviet Union. And, presumably, Mr. Kennedy holds the view that the less said out loud about those subjects the better, especially in the absence of a treaty.

Nonetheless, the President has heard all the arguments on how a ban might affect the spread of atomic arms and the arguments have been persuasive. In effect, the arguments amount to this:

Just as a parent cannot effectively command a teenage child to stop smoking as long as the parent continues to smoke, so, too, the major nuclear powers cannot insist that other nations refrain from building and testing nuclear weapons as long as the major powers themselves continue to test.

Once the major nuclear powers—a distinction not yet accorded to France—agreed to halt nuclear testing, it would then become possible for those powers to bring economic, technical, diplomatic, and psychological pressures to bear on other nations, including perhaps even France and Red China.

This is obviously not possible now. But, in the view of administration experts, a test ban agreement could make it possible and essentially for two reasons.

The first reason is that a test ban would lessen tension between the United States and the Soviet Union. A lessening of tension might reduce the present incentive of many nations, such as Egypt and Israel, to acquire atomic arms.

By the same token, there is ample evidence that a test ban would be welcomed by many other nations, such as Italy, Sweden and Switzerland, as a bona fide excuse not to develop their own atomic arms.

The second reason why a test ban agreement might deter the spread of nuclear arms is that it would open a door to concerted action by the United States and the Soviet Union to halt such a spread.

Thus, for example, in France's case a test ban coupled with joint United States-U.S.S.R. actions might lead a post-De Gaulle government nuclear force with a NATO nuclear force.

There are also technical reasons why a test ban could slow the spread of nuclear weapons development. These have to do largely with the fact that continued weapons development by the major powers will bring the world closer to cheap and plentiful weapons. For the present, at least, atomic arms are immensely expensive to come by.

Ironically, though it is in the interests of both the Soviet Union and the United States to keep atomic arms from other nations, the longer both nations continue to develop such arms the easier it becomes for these other nations to acquire them.

Whether persuasion by the major powers will be able to slow the spread of atomic weapons, if and when a test ban is agreed to, is not known. But as Mr. Kennedy noted in Bonn yesterday: "Quite obviously, they may not accept this persuasion, and then, as I say, they will get the false security which goes with nuclear diffusion."

Mr. CLARK. Mr. President, I have no doubt that if we can agree with the Russians on a test-ban agreement, the two great nuclear powers will be able to exercise pressure along the lines indicated by Mr. Simons, which will deter the Chinese Communists from going far with nuclear experiments and which, in due course, will persuade the French likewise to refrain from exploding nuclear devices. Of course, we shall have no difficulty with Great Britain, which will be a party to the agreement.

On the same subject, earlier this year Senator SCOTT and I received a letter from several hundred Pennsylvania educators stating their support for the efforts of the administration to achieve an agreement with the Soviet Union on a nuclear test ban.

Among the signatories are faculty members of Albert Einstein Medical Center, Bryn Mawr College, Drexel Institute of Technology, Haverford College, Lincoln University, Temple University, Swarthmore College, and the University of Pennsylvania. A number of Philadelphians who are faculty members of the Camden, N.J., branch of Rutgers University are also among the signers, and so are some faculty members of Villanova University and Muhlenberg College, which are in Pennsylvania.

The letter makes reference to an exchange of correspondence between President Kennedy and Premier Khrushchev which, it will be remembered, took place last December.

In the period which followed, the Soviets hardened their line at Geneva, and hopes for a test ban faded.

Then on June 10, in an address at American University, President Kennedy announced that a new high-level effort would be made to negotiate a nuclear test ban. This was extremely heartening news. I think that it has had a beneficial impact on the Nation, and I can only hope that it will have an equally favorable effect upon the climate of opinion in the Senate, which must ratify a test ban treaty if our negotiators are successful in their efforts.

In view of this change in circumstances, I consider this affirmation by the Pennsylvania teachers and scholars and scientists who have signed this letter, as most timely.

I therefore ask unanimous consent that the letter of the Pennsylvania educators be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

Senator JOSEPH S. CLARK,
Senator HUGH SCOTT,
Senate Office Building,
Washington, D.C.

As concerned citizens, we, the undersigned faculty members of universities and colleges in the Philadelphia area, have followed the pattern of disarmament negotiations, and are now greatly encouraged by recent developments disclosed in the exchange of correspondence between Premier Khrushchev and President Kennedy. It appears that the differences have narrowed to the point where an agreement on a nuclear test ban is now conceivable.

It is our conviction that such an agreement is desirable for at least four reasons:

1. To stop the spread of nuclear weapons to additional countries.
2. To prevent further contamination of the environment of human life through fallout.
3. To provide a possible first step in the process of arms control.
4. To restore confidence in the ability of governments to solve the complex problems of the modern world.

We understand from the correspondence between heads of state that the role of the U.S. Senate has been emphasized in the negotiations and may have an important bearing on their outcome.

We urge you to use every opportunity to assure our Government that it can count on your support for an appropriate nuclear test ban, and to encourage your senatorial colleagues to join with you in this action.

Mr. CLARK. Mr. President, as a further indication of the widespread support in Pennsylvania for the administration's efforts to negotiate an effective nuclear test ban, I ask unanimous consent to have inserted in the RECORD at this point a petition prepared and circularized by the eastern Pennsylvania committees of SANE. I have been informed that close to 1,500 Pennsylvanians have signed this petition.

There being no objection, the petition was ordered to be printed in the RECORD, as follows:

PETITION SUPPORTING TEST BAN NEGOTIATIONS

To the President of the United States and the U.S. Senators From Pennsylvania:

The United States and the Soviet Union each possess sufficient nuclear weapons to destroy any possible enemy nations;

Nuclear testing in the past has been harmful to human health; additional testing will only multiply the hazards;

All nations agree that nuclear testing, with the exception of underground tests, can be detected by existing national systems;

The Soviet Union has accepted the principle of on-the-site inspection and the installation of tamperproof automatic seismic stations (black boxes) for inspection of underground testing. The main differences between the nations is the number of annual inspections to be permitted;

Since a nuclear test ban treaty will serve the best interests of the United States by:

1. Stopping the spread of nuclear weapons to other countries.
2. Slowing down the arms race and setting the stage for worldwide disarmament under international inspection.
3. Preventing further radioactive contamination.

We, the undersigned, affirm our support to our Government's efforts to resolve the few remaining differences and to conclude and approve a treaty to end nuclear weapons tests by all nations for all time.

MINUTES OF SENATE DEMOCRATIC STEERING COMMITTEE

Mr. CLARK. Mr. President, after a number of other Senators and I engaged in a debate on the so-called Senate Establishment early in this session, I received a letter from Mr. William S. Jenkins, who is the director of the Bureau of Public Records Collection and Research at the University of North Carolina at Chapel Hill. Mr. Jenkins expressed his concern about the fact that the minutes of the Senate Democratic steering committee are kept under lock and key and may not be examined even by members of Senate staffs. He makes the interesting suggestion that for the sake of historians, and in the interest of preserving such records, the originals be deposited in the Library of Congress, and that copies be made available for use by scholars.

I ask unanimous consent that the relevant portions of Mr. Jenkins' letter be printed in the RECORD.

I hope the Senate leadership will give careful consideration to this suggestion.

There being no objection, the extracts were ordered to be printed in the RECORD, as follows:

THE UNIVERSITY OF NORTH CAROLINA, BUREAU OF PUBLIC RECORDS COLLECTION AND RESEARCH,
Chapel Hill, April 2, 1963.

Hon. JOSEPH S. CLARK,
Senate Office Building,
Washington, D.C.

DEAR SENATOR CLARK: I have followed with keen interest both the recent discussions that have taken place in Congress concerning actions that should be taken on rules and, also, the broader inquiry of "What is wrong with Congress?" as analyzed by editorials in the Washington Post. I think that your energy in encouraging a thoughtful study of the situation is much to be commended. I was particularly impressed with the note in the Washington Post of February 22, 1963, "For History's Sake," in which you make an effort to open up some of the secret files of the Senate: "Why should the minutes of the Senate Democratic steering committee remain indefinitely under lock and key? Why should the members of even Senate staffs be denied access to the proceedings of the Democratic conferences? * * * These records * * * are part of the history of our times."

The preservation of records of this sort should by all means be stressed. Why does not the Senate have the originals deposited in the Library of Congress from time to time, and have the Library of Congress furnish them with photostat positive copies for use? We need to stir some of your enthusiasm in the establishment of a national legislative society of American legislative and related problems.

In 1941 the Library of Congress and the University of North Carolina began a joint enterprise—known as the State records microfilm project—to compile on microfilm the official public records of all of the American States, records which reflect the organic growth of American institutions of representative government. The core materials for this microfilm compilation were the session laws and legislative journals arranged serially State by State. It was thought that the assembly of this large body of documentation would be a great resource for the study of legislative processes, rules, and customs. In 1956 the bureau of public records collection and research was established at the University of North Carolina for the purpose of utilizing this facility of research. Since that time, the bureau has engaged in a 5-year project to present RSUS as a pattern of usefulness in other areas of the world to follow. It is the objective of this program to form an encyclopedic world source for comparative studies of legislative processes by providing for international exchanges between scholars of various countries.

* * * * *

Sincerely yours,

W. S. JENKINS.

AREA REDEVELOPMENT ACT AMENDMENTS OF 1963

The Senate resumed the consideration of the bill (S. 1163) to amend certain provisions of the Area Redevelopment Act.

The PRESIDING OFFICER. The Senator from Illinois has the floor.

Mr. DOUGLAS. Mr. President, after 2½ hours we are now considering S. 1163.

The distinguished Senator from West Virginia [Mr. RANDOLPH], who has been a tower of strength in this program, has been waiting patiently during this time to open the debate. With the permission of my colleagues, I should like to yield to the Senator, and I assure all Senators that he will make a germane speech.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. RANDOLPH. Mr. President, yesterday in this body, by a vote of 73 to 1, we passed H.R. 3872, an act to increase the lending authority of the Export-Import Bank and to extend the period within which that institution may exercise its functions. I wish to add, in the presence of the Senator from Illinois [Mr. DOUGLAS], that measure provides for Treasury financing—the controversial so-called backdoor financing. I emphasize that the vote was 73 "yeas" and 1 "nay."

The Export-Import Bank is, of course, one of five agencies providing loans and grants to other countries, but denying our own people the right to apply.

Today, Mr. President, we have before us for consideration legislation vitally important to our country, and especially to hundreds of redevelopment areas—both chronic labor surplus urban communities and underdeveloped rural and semirural areas.

In the Area Redevelopment Act, and now in S. 1163, a bill to amend certain provisions of that act, our less fortunate areas have instruments of hope and opportunity. When we vote on the pending measure, will the same ratio of ayes to nays obtain that prevailed yesterday on the measure renewing the authority of the Export-Import Bank? Why should not S. 1163 receive support in this forum equivalent to that accorded to an instrumentality to which our citizens cannot even make application?

Mr. President, I am a witness for the ARA program and I am a proponent of the pending bill to improve the basic structure we fashioned in 1961 with too many imperfections in its legislative fabricating.

The State which I have the privilege to represent here is one which, by reason of its difficult economic problem, the ARA legislation was intended especially to assist, along with sister States, and areas in those States, in relatively similar circumstances.

It has never been my contention that the Area Redevelopment Act would be the panacea—the single answer to the problems of the pockets—they are much larger than that—of economic distress in this country. I have not claimed to see only perfection either in the program or its administration. It is an instrument which was passed after much amending and compromise. The frailties of human beings are inherent in the administrative process, but I believe that experience is improving very materially the quality of the administration of this relatively young program.

I have said—and I reemphasize—that the imperfections can be corrected if we have patience and if we persevere.

Careful pruning and feeding can revitalize a tree, but the woodsman's ax will destroy it. Let us "prune" and "feed" the ARA program through wise action on the bill before us; let us not ax it into a distorted mess or a lifeless form. ARA is today and will continue to be a vital aid to those communities and areas which need this program as a staff on which to lean as they first limp and then stride forward to redevelopment and recovery.

Revitalized former depressed areas add materially to our national posture and to the Nation's economic growth. Those which continue to languish in economic stagnancy sap our national vitality.

Mr. President, I know that there are those Members of Congress and other citizens who charge that ARA is only a scheme for spending economically unhealthy areas back to prosperity. I disagree with this evaluation.

If I agreed with it, I would find it necessary to be against the agricultural subsidy programs for cotton, peanuts, tobacco, and other commodities—and I am not opposed to these, even though they are of little assistance to the economy and the citizens of West Virginia.

Mr. PASTORE. Mr. President, will the Senator yield on that point?

Mr. RANDOLPH. I am glad to yield.

Mr. PASTORE. Does the Senator see any distinction between helping people by way of reclamation projects in some parts of this country and helping people who are unemployed in distressed areas, and in connection with urban renewal projects? Is there any distinction?

Mr. RANDOLPH. There is no distinction. I am in agreement with the Senator when he says, in effect, that we have a responsibility to go over the entire spectrum in order to have meaningful legislative programs enacted and carried out. It should be done, without regard to the differences in the types of assistance.

Mr. PASTORE. What precisely disturbs the senior Senator from Rhode Island is the fact that most of the opposition to this program is coming from representatives of States which have asked Congress to help them when they have been in trouble. All we are doing is saying that when people are unemployed in America, when people working in mines and mills lose their jobs, they are as much disturbed as are farmers who cannot sell their crops. The time has come when one hand must wash the other. Congress has enacted legislation to help people through hydroelectric projects and reclamation projects. When it comes to helping people who have lost their jobs in mills and other plants, there is talk to the effect that there are too many people of that kind and, therefore, we should forget about them. I say the time has come when what is good for the goose is good for the gander.

Mr. RANDOLPH. I thank the Senator. He is correct in the assertion he has made. His comments are cogent and timely.

If I agreed with the spending charge lodged against ARA, I would likewise find it necessary to oppose aid for education in selected sections known as federally impacted areas; but I support this program even though West Virginia's participation is infinitesimal.

I do not concur in the allegation that ARA is a spending scheme. With a few exceptions, dollars disbursed under the ARA program return to the Government many times over in such forms as new tax yields on the profits of businesses helped to expand or brought into being as new ventures; in increased taxes growing from levies on the incomes of persons provided with employment; and in reduction of the costs of unemployment compensation and welfare programs.

Under the authorizations of the act, 75 percent of ARA disbursements are loans which are repayable to the U.S. Government with interest.

There are individuals who claim that ARA is in conflict—this is almost unbelievable, but it is charged that ARA interferes with the free enterprise system and is stifling local initiative, as well as supplanting local responsibility. I emphatically dispute such charges. I disagree with a blanket charge of that type. The fact is that ARA is based on the private enterprise, profitmaking system, and its every action must stem from and be based on local initiative.

The initiative is not in Washington. The action begins in a community, in hundreds of communities, as indicated on the map which is in the rear of the Chamber for Senators to study during this debate.

Without local action—locally conceived plans and applications—there can be no ARA reaction at the Federal level. These are programs that do not originate on Pennsylvania Avenue, or in any building within the Federal system. Such projects are initiated by applications from back home, where people are unemployed, as they are in West Virginia. Within the past 15 years West Virginia has suffered an actual decrease in employment. We know the problem of unemployment in a State like West Virginia. We know that people desire to work, and that projects under the ARA program can move forward and will not only sustain, but also strengthen, the State in which our people hope to continue to live and work.

We have lost population in the past 25 years. Arkansas is the only other State which has lost population. The loss is 7½ percent in West Virginia and about 7⅜ percent in Arkansas. I say in all good humor to my friend from Florida [Mr. HOLLAND], that sometimes, as I travel around the country and stop off pleasantly in Florida and in other sections of the country, I do not consider that we have lost population in West Virginia; we have merely sent missionaries to other States. In other words, West Virginians are helping in other parts of this country to carry on industry and business. The main reason they are in other States is that they have not been able to find gainful employment in our own State. I repeat, they want to work; I repeat, they are ready to work; I repeat, projects under ARA help to sustain and strengthen our State, as I have indicated.

ARA does indeed promote and strengthen the free enterprise system and local initiative by enabling independent ventures to develop and exist in areas where there is enough local determination to have something done in the way of redevelopment to replace economic stagnation.

We will not say much about it for perhaps a few months in this forum, but there are areas in this country today, so-called prosperous areas, in which we will find, not under automation, but under cybernation that we shall have to do what I am doing this afternoon, namely, pleading for the employment of human beings in the areas that some Senators represent.

If we go to New York City this afternoon, and walk into R. H. Macy's, we will find an electronic salesgirl. It is a machine. The electronic salesgirl is capable of selling 36 items in 12 different patterns and sizes. If we buy an article with a $5 bill, and the article costs $3.40, we will receive the correct change of $1.60. If we give the electronic salesgirl a dollar bill for a purchase of 60 cents, we will have returned to us the correct change of 40 cents.

In other words, from automation we have come to cybernation, whereby decisions are made by machines. It is no longer automation but cybernation, a word taken from the Greek word for steersman.

Under cybernation logical decisions are made by machines. If we go to Martinsburg, W. Va., we find there a floor space which is not more than five or six times the size of the floor space of the Senate Chamber. There we will find 50 or 60 employees processing Federal income tax returns. Approximately 4,000 persons have been displaced by that computer system. The Internal Revenue Service operates that plant with only a few workers.

In 1950 the U.S. Census Bureau employed 4,000 persons to do a specific job. Today 50 statisticians are carrying forward the work which was carried on by 4,000 workers in the Census Bureau only 12 years ago.

Talk about automation. Automation is nothing, frankly, compared with what has come into being, namely, cybernation.

Mr. President, I will witness specifically for the area redevelopment program in West Virginia. Progress has not been sensational, but it could not be under the provisions of the basic act. The very nature of the law and the administrative procedures prevent sensationally quick results.

Nevertheless, in West Virginia we have made some modest projects gains, some really extraordinary ones. We have also had our share of disappointing project results.

We are convinced that the youthful ARA program is growing to maturity and that our prospects for redevelopment are progressing commensurately.

This would be a tragic time for the area redevelopment program to be stymied or retarded. For Congress to impose a condition of stymie or to inflict retardation would be not only faulty, it would be folly. It would be as foolish as amputating a human limb at a time when it was healing and knitting according to a well-conceived treatment plan.

What about West Virginia? I said I would be specific, and I shall be. In our State, 51 of our 55 counties have been designated as redevelopment areas; and of the 51 a total of 50 have completed overall economic development plans. The people of those counties know their problems more intimately and they have much clearer and more purposeful objectives. Most of our counties are working diligently for problem solutions and are seeking means for the attainment of their worthy objectives.

As in other parts of the country, so it is in West Virginia that numerous sections are not suited for major industrial development because of location, topography, and other factors. But in many instances—as, for example West Virginia—there is natural beauty—scenic grandeur—which, with proper development, would be attractive to tourists, conventioners, and other visitors, not by the hundreds or thousands, but by the hundreds of thousands, who seek rest and recreation.

These areas, lacking in industrial potential, have a right to attention and aid—we cannot block them off—so that they may develop their economies through service activities and ventures. It is not always possible to have manufacturing, which, like industries, also can provide jobs, both direct and indirect.

Call it tourism or some other name, the fact remains that ARA can be and properly is of assistance in this field of activity.

In the State of West Virginia the prospect of providing new jobs at reasonable capital investment rates is growing brighter and brighter.

It is gratifying that in West Virginia thus far there has been a meritorious blending of industrial projects with others which are calculated to provide new employment in the service-type enterprises.

I emphasize, however, that there are numerous project applications under investigation and processing in the ARA and related and allied agency pipelines. It would be a depressing circumstance if the ARA would be stifled by a failure of Congress to act swiftly and affirmatively on this measure to amend the Area Redevelopment Act and to extend authorizations in important categories of expenditures.

Mr. President, I do not know of a State that can paint a picture in such a way as West Virginia and have it understood. In recapitulating our progress in West Virginia under the ARA activities, I report that the first 19 approvals were for projects with estimated total costs of $14,541,557, and with the ARA subscribing $9,791,819 of funds under its control—$5,226,319 in loans, and $5,565,500 in public facility grants. Admittedly, the ratio of loans and grants is not altogether satisfactory in this experience. It reflects, however, the severity and the duration of the economic problem West Virginia has been experiencing. We are pleased that we have been able to subscribe as much local public and private capital as has been provided, both under the ARA and accelerated public works programs, and the other regular items which require matching.

In the administration of the total ARA program in our State, including approvals announced prior to the time of this debate, a total of $11,050,779 of ARA funds has been committed, in categories as follows:

From loan funds, $5,226,319, and from public facility funds, $4,565,600 for 19 projects to provide at least 1,900 new, direct jobs and many more indirect jobs after the projects have been completed and the enterprises have been in operation 1 year;

From training and subsistence funds, $1,030,460 on 28 approved projects for the training of 2,298 unemployed persons in new vocations, using their inherent skills;

And from technical assistance grant funds, $228,500 for feasibility studies and investigations on 12 projects, several of them possibly to have high degrees of jobmaking potential in the future.

We have no doubt that, on the whole, salutary results will be brought by these significant commitments of ARA loan, grant, and training funds. All estimates will not be on target, and there will be some mistakes. On balance, I associate myself with those who believe and predict that the program will have been justified as reassessments of results are tabulated in the future.

Mr. President, among the projects approved by ARA in West Virginia is one for the establishment of a new particleboard, veneer, and plywood manufacturing plant in rural Braxton County at a site near Gassaway, population approximately 1,250. This is a section 5(b) designation, and the significant addition to the employment rolls there is estimated to reach 347 workers when the plant comes into full operation.

Perhaps no project in the whole ARA program—and certainly none in West Virginia—has had a more pronounced stimulating effect on a community than has this project at Gassaway, W. Va.

Since the approval of the application was announced, with ARA making a $1,320,000 loan on a $2,125,000 total cost project, and making a $98,000 public facility grant on a $196,000 bridge for access to the plant site, businesses and service activities in that community have been spurred to modernize and expand, as a spontaneous reaction.

A new optimism prevails. This is factually and picturesquely described in a news article, written by George Lawless, and published in the March 24, 1963, issue of the Charleston (W. Va.) Sunday Gazette-Mail. I briefly summarize developments in Gassaway, as noted in the account written by Mr. Lawless: A ladies' furnishings store is completely remodeling at a cost of approximately $6,000—that was not Federal money; it was an indirect benefit to the community; the Gassaway Hospital is building a $100,000 addition—this is not a direct result, but certainly it is an important indirect result; a new $19,000 restaurant is being constructed; a $20,000 wholesale parts store is being built; the Gassaway Bank is being renovated; and a 5- & 10-cent store is expanding into an addition which is estimated to cost $25,000. So, Mr. President, when we speak of the direct benefits of ARA, we should realize that there are also these important and valid indirect benefits which accrue.

And, Mr. President, it should be kept in mind that the Braxton County project is approved for a section 5(b) rural redevelopment area.

So that we may sense the new spirit which prevails in the Gassaway community, and so that we can visualize what ARA really can mean to many other similar areas, I request unanimous consent to have printed in the Record, at this point in my remarks, the news article from the March 24, 1963, issue of the Charleston (W. Va.) Sunday Gazette-Mail, to which I have referred.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Charleston (W. Va.) Sunday Gazette-Mail, Mar. 24, 1963]

Gassaway Gets Help, Bootstrap Takes Over

(By George Lawless)

Gassaway, W. Va.—To many West Virginians, this little Braxton County town is known as a convenient stop en route to Morgantown.

But in the months ahead the almost rustic face of Gassaway's main street will acquire a shining new look. Behind this facade lies a dramatic story of local bootstrapism spurred by State and Federal aid.

Less than 2 years ago, Gassaway (population 1,223) was a town with no industry and little future. The Baltimore & Ohio Railroad had moved its division shops to Cowen, leaving Gassaway a waystop for coal trains.

That spurred the Braxton County Redevelopment Corp., an interested group of business and community leaders, into action.

One day in October of 1961, N. B. Hamric, president of the Bank of Gassaway and civic primemover, received a telephone call. It was from Ray DePaulo, senior field coordinator in West Virginia for the Area Redevelopment Administration. DePaulo had been approached by a group interested in establishing a plant to make flakeboard, plywood, and veneer. He asked Hamric if he could arrange a meeting with a few of the town's citizens.

More than 250 of the town's residents showed up for the meeting, and out of it grew the West Virginia Forest Products Co. The $2.4 million plant doesn't exist yet. But in a few short months, here's what the citizens of Braxton County did to assure its existence:

Within 2 weeks, 891 residents pledged more than $400,000 toward the project.

BCRC officials obtained a $313,500 loan from the West Virginia Industrial Development Authority.

Raised another $149,000 in matching funds to secure a $1.3 million loan from ARA.

With financing assured, construction will start this spring on the plant to be located on a 10-acre tract midway between Gassaway and Sutton. When it gets into production there will be 350 employees within the facility, and another 150 jobs in timbering operations.

The real story of Gassaway is the effect the new plant's announcement has had on private enterprise. The multimillion-dollar venture has assured the entrepreneur. It served as a catalyst for economic revival and kicked off a modest wave of expansion and remodeling.

Here are some local projects underway:

Turnstall Co.: Ladies' Furnishings has completed a $6,000 remodeling of its store. Walter L. Boggess' Wholesale Parts Store is going up at a cost of $20,000. Walker's Drug Store spent $3,000 on remodeling. Dixie 5- & 10-Cent Store will tear down an old building adjoining its store and build a $25,000 addition.

On news of the new plant, Troy J. Carr and his wife marched across the street to Hamric's bank and applied for an $18,000 loan to build a new restaurant. Hamric himself made plans for a $150,000 remodeling and expansion of his bank and placed it in the hands of an architect. Incidentally, the bank's deposits jumped $1.1 million last year.

The private Gassaway Hospital announced a new $100,000 addition. Drs. Carl Fisher and George Heyleman explained that the addition had been tentatively planned previously, but the plant announcement removed all doubts.

So, in addition to the half-million dollars Braxton Countians raised to match Government loans for the plant, $190,000 in private money already has been ploughed into the business section of the community.

If U.S. Senator Henry Gassaway Davis was alive, the famed old entrepreneur for whom the town was named would be proud of the citizens today.

Mr. RANDOLPH. Mr. President, in this concluding minute I say to my colleagues that I believe there is a constituent conviction—not only in West Virginia, but also throughout the Nation, and especially in the areas to which this bill gives assistance—that it should be passed by the Senate.

I am not one who is prone to predict; but I feel sure that the necessary votes will be forthcoming in this body, and that, following affirmative action by the Senate, this measure will go to the House; that the House will reconsider what I believe it misguidedly did; and that we shall send to the President a measure providing the necessary funds to carry forward this work in the interest of communities of people now suffering from lack of employment.

Mr. DOUGLAS. Mr. President, I thank the distinguished Senator from West Virginia for the very able and moving speech he has made. He has been a tower of strength in the debates and discussions about this subject, and he was exceedingly helpful in obtaining passage of the original bill in 1961. I hope his prediction about an overwhelming victory will come true.

Mr. RANDOLPH. I did not say an overwhelming victory; I say a significant victory.

Mr. DOUGLAS. Mr. President, the Senator from West Virginia gives me heart which I had not previously possessed.

Mr. McNAMARA. Mr. President——

Mr. DOUGLAS. Mr. President, I yield to the distinguished Senator from Michigan

The PRESIDING OFFICER (Mr. BAYH in the chair). Without objection, the Senator from Michigan is recognized.

Mr. McNAMARA. I thank the Senator from Illinois.

Mr. President, I wish to speak briefly in support of S. 1163, the proposed amendment to the Area Redevelopment Act of 1961.

The bill before us proposes some minor technical changes in the ARA program, but deals principally with ARA authorizations for the next 2 years.

The bill has been reported by the Senate Committee on Banking and Currency, with a recommendation that it be passed.

In addition to the technical changes, it would increase the ARA authorizations in five separate programs by $455.5 million over 2 years. This compares with an original ARA authorization of $379.5 million, also for a 2-year period.

Under the provisions of this bill:

First. The ceiling on industrial and commercial loans for urban areas would be increased from $100 millions to $250 millions.

Second. The authorized ceiling for industrial and commercial loans in rural areas also would be increased from $100 millions to $250 millions.

Third. The ceiling on public facility loans would be increased from $100 millions to $150 millions.

Fourth. The ceiling on public facility grants would be increased from $75 millions to $175 millions, and

Fifth. The authorization for technical assistance programs would be increased from $4.5 millions to $10 millions.

What this all means is that we are being asked to more than double the authorization for the ARA program during the next 2 years.

Let me preface my remarks in support of this proposition with a candid admission that the ARA program, during the first 2 years of its life, has not been a complete and unqualified success.

At times, it has appeared to impatient observers that the ARA program was strangling in a welter of bureaucratic redtape. Approval of projects seemed to be exasperatingly slow.

In fairness, however, it must be noted that ARA's troubles have not been entirely of its own making. The law has required it to deal with several other Federal agencies. It had to assemble a staff, draft rules and regulations, and establish procedures.

The ARA Act specified that a number of preliminary conditions had to be met by the State and local governments before Federal assistance could be extended to distressed areas.

But there are now firm indications that the agency has completed its administrative "shakedown cruise," that it has learned from its mistakes, and that it is ready to move forward effectively on its assigned task—which is to help the economically distressed areas of the United States get back on their feet.

Let me detail briefly what the ARA program has meant to Michigan:

The State of Michigan at the present time has 53 areas designated as eligible for ARA assistance. This includes all of Michigan's Upper Peninsula, most of the northern part of the Lower Peninsula, and the Detroit metropolitan area.

Up to the present time, 10 industrial and commercial projects have been approved in Michigan, for a total investment of $5,960,000. This, in turn, translates into 1,070 direct new jobs.

In addition, public facility loans and grants, totaling $741,000 and accounting for another 390 jobs, have been approved.

Two technical assistance projects, in the amount of $406,000, with important, long-range economic impact, are underway.

And 1,254 Michigan workers have been trained, under 21 ARA-sponsored projects, in new work skills.

But even more important is the fact that there are pending at the present time, in the State of Michigan, an additional 19 industrial and commercial projects, worth $12,666,000; and three public facility grants and loans, totaling $624,000.

This means a total of 22 pending projects, totaling $13,290,000. And this, in turn, translates into 2,135 new jobs for the people of Michigan.

Much has been made of the fact that a large share of the ARA commitment in Michigan has been to finance motels, hotels, and tourist resorts. This criticism, I think, overlooks the fact that tourism is one of the most important growth industries in our State. It is an area where private investment is increasing—and seeks to increase even more with ARA assistance—because it is going to be profitable, and it will provide jobs.

There has been criticism of the fact that one of the largest ARA projects in Michigan involves a loan of $1,894,000 for construction of a new convention-type hotel on Detroit's waterfront civic center. The criticism overlooks the fact that private enterprise regards this new hotel as such a sound investment that it is putting up 80 percent of the $9 million total, and that ARA is participating only to the extent of 20 percent, instead of the 65-percent maximum allowed under the law.

As Mayor Cavanagh of Detroit pointed out recently:

> The tourist and convention industry is a growth industry in Detroit.
>
> It offers hope for the future of Detroit's economy to replace manufacturing jobs which have been lost.

The Detroit metropolitan area, despite a dramatic and recent improvement in employment, is in a state of transition that is recognized by all responsible observers.

The auto industry continues to automate and decentralize, with the resultant loss in job opportunities in Michigan.

Other areas of the Nation have experienced similar distress as the technological revolution continues to shatter conventional employment patterns.

The Area Redevelopment Act of 1961 was an affirmation by the Congress that the Federal Government has a direct responsibility to the many economically distressed areas of the Nation—both urban and rural.

In the bill before us today, we shall decide whether to continue to meet this responsibility through the ARA.

I hope our answer will be in the affirmative.

I thank the Senator from Illinois for yielding to me.

Mr. DOUGLAS. Mr. President, we are waiting for the junior Senator from Arkansas [Mr. FULBRIGHT], the distinguished chairman of the Foreign Relations Committee, to speak. Since he is not present, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that further proceedings under the quorum call be suspended.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOUGLAS. Mr. President, I am glad to yield to the distinguished junior Senator from Arkansas [Mr. FULBRIGHT].

Mr. FULBRIGHT. Mr. President, first, I wish to express my appreciation to the Senator from Illinois for yielding to me. I could not be present to hear his statement because our committee was holding an executive meeting.

I will support the pending bill to expand the area redevelopment program. It happens that I was chairman of the Senate Committee on Banking and Currency when the first area redevelopment bill was considered in the Senate. The concept of aiding depressed areas has followed a long and tortuous path since that first bill but at long last the objectives sought then are now beginning to be realized.

At that time, and every time since, the Senator from Illinois has been one of the principal supporters and advocates of the program. I pay him a tribute for having lent his efforts and wisdom to the origination and passage of the proposed legislation.

I urge Senators to look behind the dollars-and-cents figures and statistics while considering this bill. This is actually a program to help people and I believe it is doing a good job in meeting that basic objective. I know that it is in my State. Through this program we are, of course, attempting to improve the economy in depressed areas of the Nation. But in the final analysis what we are doing is trying to create a little better way of life for the underprivileged people in these sections who are not enjoying their fair share of the fruits of our economy. So, we must consider this program in a spirit of compassion and with regard for the welfare of our fellow man. I do not want to imply that this is a program of charity. It makes sound economic sense—but to really appreciate its potential you must have faith in people and understand what they can do when given a little help.

In Arkansas the area redevelopment program has created a renewed spirit of pride and initiative in communities throughout the State. There are people working together to advance ARA projects who have never worked together before—on anything. This has been a good program for both the people and the economy of Arkansas.

ARA funds have been referred to as "seed money." I think this is a proper description of their purpose and effect. The development of projects financed through the ARA will result in most cases in substantial economic development which would not have occurred had the ARA not undertaken to sponsor the initial project. The Congress each year by a substantial margin supports this seed-money concept through the foreign aid program. If Congress recognizes the soundness of this approach in underdeveloped countries, it should not object to trying this technique in underprivileged areas in our own country. We realize, of course, that unless we help the underdeveloped nations to build up viable economies they will be ripe for Communist infiltration and subversion. Providing seed money through loans and grants for foreign economic development is in the national interest. Surely, the concept is just as valid here at home. I believe it is most important to our national economy, on which national security depends, to eliminate the many pockets of poverty in cities and rural areas throughout the land. No Senator could have received more complaints than I have along the lines of "Why don't you take care of folks here at home before you take care of those foreigners." Expansion of the ARA program is one good way we can help some of our people, who have had little opportunity to help themselves.

As the Senator with the responsibility for handling the foreign aid authorization bill for a number of years, I have some understanding of how criticism of individual projects, sometimes justified, but often not, can be used to cripple or destroy the effectiveness of an otherwise good program. There have been, and there will continue to be mistakes in both the ARA and the foreign aid program. It would be foolish for me or anyone to try to convince the Members of this body that the ARA program is perfect, and that every loan has been a sound investment of the taxpayers' money. There would be no need for the ARA program if it made only what are generally thought to be sound loans.

If no mistakes had been made in the 2 years the program has been in operation the organization would not be doing the job that Congress told it to do. By giving the ARA the task of helping to create new jobs in, and to improve the economies of, depressed areas, both urban and rural, we gave it a formidable task—calling for decisions on many questions never faced by a Government agency. Humans, being somewhat lesser than angels, may not always make the right decisions when confronted by a new problem.

I wish that the ARA had a nickel for every dollar that has been wasted in the last 10 years through mistakes, inefficiency, or duplication in the Department of Defense. If it did I believe we would have enough to finance this program adequately without having to be concerned about increasing its authorization. If we add the costs of developing nuclear airplanes that never get off the ground, supersonic bombers that soar only in the congressional imagination and all the other cases of misspent tax dollars in our defense program and put them into this effort it would finance a very substantial attack on the problem of rebuilding depressed areas. It always seems strange to me that very little is said in the Congress about billion dollar mistakes in the Defense Department, but we never hear the last of it when a bad loan, infinitesimal in comparison, is made under a program such as this.

If this Nation can afford to spend $53 billion on defense in the next fiscal year surely we can afford to advance—I do not say "spend"—$750 million over a 4-year period to create an opportunity and a better way of life for hundreds of thousands now living on the edge of poverty. We often forget that in this most prosperous nation of the world some 32 million people are living in, or close to, poverty. This program will provide the chance for many of these underprivileged to better their lot in life. Time will prove the wisdom of investing the taxpayers' money in this effort—because it makes good economic sense—without regard to the human factor which is basic to this approach. Through this program we are creating jobs for people who did not have jobs. Who can put a dollars-and-cents value on what this is worth to the thousands of individuals who have been given renewed hope and self-respect by a job made possible by ARA assistance.

I am not an expert on the nationwide ARA program, but I am familiar with the operation of it in Arkansas. I know the communities that have received help, the communities that have applications pending, and the people who have worked so hard to put these projects over. These communities are not looking for a Government handout. All they want is a chance—an opportunity to borrow the seed to start the first crop. If the ARA program throughout the country compares even closely with the program in Arkansas there is no doubt that the Congress original objectives will be achieved and that the taxpayer will have made a killing on his investment.

Arkansas had the distinction of having the first ARA project in the Nation—a combination loan and grant to help finance construction of a water system at Gassville to service a shirt factory which now provides employment for 700 people.

The Cooper Tire & Rubber Co. plant at Texarkana, which will ultimately employ 380 people, was the recipient of the largest loan—$7 million—made under the program. I might point out that although the plant is to be constructed in Arkansas, the loan, for administrative purposes, is chargeable to Texas. This project will not be included in the statistical analysis of the ARA program in Arkansas which I shall discuss a little later on. I mention these two projects to show that my State is a leader in using the tools for development made available under the Area Redevelopment Administration Act.

The Gassville loan has been singled out for criticism by the United States Chamber of Commerce as being an example of the wastefulness of the ARA program. In actuality this is one of the finest local development projects—from any standpoint—ever assisted by the Federal Government. With a combination loan and grant totaling $160,000, construction of an industrial plant was made possible resulting in jobs for 700 workers who did not have jobs before, thus pumping an annual payroll of $2 million into the economy of the area. The additional Federal taxes paid by these workers in one year alone will repay the Government for the entire cost of its investment in the project, and the cost will be repaid again and again in future years. Anyone who would criticize this project either does not know the facts or has no compassion for those who live in these underprivileged areas.

The ARA has approved public facility and industrial and commercial loans on Arkansas projects totaling approximately $8,400,000. This includes a $7 million loan for the Cooper Tire & Rubber Co. plant which I mentioned earlier. Technically, this is chargeable to Texas, not Arkansas. In addition, it has approved public facility grants of slightly more than $1 million. When all of these projects have been completed a few months from now they will have created nearly 3,200 new jobs and payrolls of over $10 million. This gives Arkansas' economy a big boost and we are happy to have these new industries and jobs.

This particular area is one of the poorest mountainous areas in the whole State, where there was literally nothing for the people of the area to do.

It is difficult to appreciate how much this means to an underdeveloped State like Arkansas, or what it means to those who now have or will soon have a job who did not have one before. For a State where more than 15 percent of the total population draws surplus commodities during the nonfarming months almost any type of new industry is welcome. But what these ARA projects mean in terms of total economic growth and as an investment of the taxpayers' money is even more impressive than the bare job and payroll statistics. I had an analysis made of the impact of these projects on the economy and the Federal budget which I believe will be of interest to other Senators. I ask unanimous consent to have this analysis printed in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. FULBRIGHT. Mr. President, this analysis excludes from consideration the loan to the Cooper Tire & Rubber Co. in Texarkana which, as I said earlier, is chargeable to Texas. It is estimated that of the 10 Arkansas projects included in this analysis ultimately there will be total direct and indirect employment of 6,700, which amounts to an ARA investment per job of $340. The probable annual returns from the projects through reduction in unemployment compensation costs, reduction in relief costs, and creation of new Federal personal income taxes amounts to $3,120,000. New Federal personal income taxes alone generated by this additional economic activity is estimated at $1,540,000. It should be remembered that the total ARA investment in these 10 projects was less than $2,300,000, and 58 percent of this was in the form of loans. At this rate the total investment made by ARA in all of these projects will be returned to the public in the form of reduced welfare costs, or increased taxes, in only 9 months time. I doubt that any other Government program can show this rate of return on the taxpayer's investment.

Mr. President, I think that a good case has been made for expanding the ARA program to enable it to help in a more positive way in creating industrial growth in depressed areas, both rural and urban. I know that in my State the program has been well received, has made good loans and enjoys the cooperation and support of community leaders. We live today in an economy where a pocket of poverty in West Virginia, or Arkansas, ultimately affects the New Yorker or Californian just as the frustrations and pent-up tensions of a slum dweller in South Side Chicago, or Harlem, will eventually make their imprint on the most unconcerned suburbanite. We, as a nation, cannot afford to let prosperity bypass the hundreds of thousands of citizens in depressed areas who need only to be given a chance for a better way of life.

It does not make good sense from an economic or a humanitarian point of view to continue pouring in relief and unemployment funds without making a much more substantial effort to get at the underlying causes of this poverty.

The ARA program has proven to be one effective way that we can enable some of these underprivileged people to share in the fruits of our society and at the same time help create a more prosperous national economy. I hope that the bill will be approved by an overwhelming margin.

Again I pay tribute to the Senator from Illinois [Mr. DOUGLAS], who has been one of the principal sponsors of this program for many years, from the time some years ago when I was on the Committee on Banking and Currency. I recall for the record that at one point there was a difference of opinion between the Senator from Illinois and myself which, as he will recall, revolved primarily around whether the program might be extended to be of assistance to the rural areas, which provision has been of a special significance to my State. I am most happy that although there was some difference of opinion, the ultimate compromise—and I think that is the proper way to describe it—which was finally arrived at resulted in the enactment of this program, which has proved eminently satisfactory to my State, as I hope it has to the State of the Senator from Illinois and to other States.

The Senator from Illinois deserves most of the credit for the origination and passage of this legislation, and I also wish to thank him for yielding to me at this time.

EXHIBIT 1

ARA projects in Arkansas

Project	ARA loan or grant amount	Type of project	Estimated direct employment
1. Gassville, Baxter County (water works system)	$31,000 129,000	Sec. 7 loan Sec. 8 grant	700
2. Sevier County (Rubber Corp. of Arkansas)	331,500	Sec. 6 loan	240
3. Lincoln County (for a plant for National Wire Fabric Co.)	69,377	do	50
4. Clarksville, Johnson County	477,500	do	250
5. Independence, Izard, Stone, Sharp, Fulton, Cleburne, Van Buren Counties (land and buildings).	15,600	do	40
6. Cleburne County, Heber Springs sewer line extension, etc	72,000	Sec. 8 grant	350
7. Izard County, Calico Rock (city)	7,040	do	25
8. Conway County, Morrilton (city)	66,000 188,300	Sec. 7 loan Sec. 8 grant	770
9. Van Buren County, Clinton for road access, etc	191,000 284,000	Sec. 7 loan Sec. 8 grant	150
10. Independence County, Batesville	140,300 281,700	Sec. 7 loan Sec. 8 grant	105
Total			2,680

1. Economic impact of 10 ARA projects in Arkansas: Total ARA investment in 10 projects, $2,284,517; estimated total direct employment from 10 projects, 2,680; estimated total indirect employment stemming from 10 projects, 4,020; investment per direct job in 10 projects, $850; investment per job, direct and indirect, in 10 projects $340; investment per job in section 6 (industrial loan) projects only, direct employment, $1,540; employment, direct and indirect, $620.

2. Compilation of probable effects of 10 projects on public revenues and expenditures.

Effects from the creation of direct employment, only:

1. Probable annual reduction in unemployment compensation costs, $440,000.

2. Probable annual reduction in relief costs, $187,000.

3. New Federal personal income taxes, $620,000.

4. Total of foregoing cost reductions and new taxes, annually, $1,247,000.

5. Total ARA costs for 10 projects, $2,284,517 (58 percent loans).

Effects from employment created, direct and indirect:

1. Probable annual reduction in unemployment compensation costs, $1,110,000.

2. Probable annual reduction in relief costs, $470,000.

3. New Federal personal income taxes, $1,540,000.

4. Total of foregoing cost reductions and new taxes, annually, $3,120,000.

5. Total ARA costs for 10 projects, $2,284,517 (same as above).

Effects of four section 6 (industrial loan) projects, only, or total annual cost reductions and new taxes, from direct employment, $270,000; from employment, direct and indirect, $675,000; total section 6 project costs, $893,977 (all loans).

Thus, every dollar expended by ARA in the four section 6 Arkansas projects, is returned to the public in the form of reduced welfare costs or increased taxes by the effects of direct employment, only, in 3.3 years; by the effects of employment, direct and indirect, in 16 months; by the effects of all 10 Arkansas projects, direct employment only, in 22 months; direct and indirect, in 9 months.

Direct employment is that created at the project itself or created in support of a project (employment in the woods in support of a forest products industry, employment at industrial supply and maintenance services establishments, are examples).

Indirect employment is that created by the respending of the wages of direct employees, the "multiplier effect."

Other benefits derived from the 10 Arkansas projects, but not assigned a monetary value in these estimates, include: Greater return to Federal Government from corporate income tax; increase in State income sales tax (if any); increase in local property values and hence local tax receipts.

Mr. DOUGLAS. Mr. President, I thank the Senator from Arkansas for his very generous remarks. The whole country is indebted to him for his support of this program. I have always believed that the bill would have the results which he has described for his particular State, and that faith gave me strength during the very difficult years we had in the Banking and Currency Committee and in the Senate. I am delighted that time has brought such a reconciliation of opinions and that experience has demonstrated the correctness of the original proposal.

Mr. President, I yield now to the distinguished senior Senator from Indiana [Mr. HARTKE].

Mr. HARTKE. Mr. President, I wish to make a short statement about the bill which is now under consideration.

In Indiana we are proud of the accomplishments of the Area Redevelopment Administration thus far. Frankly, I confess that when this act came into being, we had our misgivings about how much it could accomplish in some of our hard-hit areas. We have now found out, and we are proud.

We are proud that in the city of Evansville ARA made a loan to the city to help it with a sewer problem. This help made it possible to establish a modern shopping center which has now created over 500 new jobs, and this center is still growing with still more new jobs in the offing.

On April 6, 1962, the town of New Providence, which was formerly known as Borden, Ind., had a disastrous fire destroying its only industry. This fire destroyed the jobs of about 200 of its citizens. This fire was directly attributed to an inadequate water supply, which the citizens of Borden had struggled with for years. Thanks to the efforts of ARA, this plant has now been rebuilt, with about 40 additional jobs being created, and the plant now has an adequate water supply. How much did it cost? Under section 8 of the Area Redevelopment Act, the town of New Providence received a grant of $16,600 to provide water to this plant. Under section 6 of this act, Borden Cabinet Co. received a loan of $577,000 to help rebuild this plant, with the balance of the needed money coming from the citizens of Clark County and the Insurance Claim fund. We thus saved the jobs of about 200 people and created about 40 new ones.

I was told last week that the number of 40 new jobs will be lifted to 101 new jobs. So, instead of despair, and a destitute community, we have rekindled a new spirit, reviewed their faith in America, and these people are now moving ahead to further improve their community. We proudly say "Thanks to ARA."

In Corydon, Ind., the first capital of our great State, something new is happening. A new industry is about to be born. This industry will utilize the natural silica sand deposits which we all knew were there. Through the painstaking efforts of ARA and with the cooperation of the Bureau of Mines, the U.S. Department of Agriculture, and others, a plant is being built to beneficiate this sand for use in the glass manufacturing industry. Not too many jobs at the outset, only about 40, but a new economic base on which to build. Again, how much did it cost? A section 6 loan of $411,000. A loan which will be repaid with interest.

What effect can 600 new industrial jobs have on a low income agricultural area? We in Indiana are about to find out. Last Friday, June 21, 1963, a new plant was dedicated in Salem, Washington County, Ind. This is the Bata Shoe Co. plant, which will employ about 300 women and about 200 men. It is my understanding that average earnings for women will be about $65 per week and the men will earn about $85 per week.

Early in 1962, the Bata Shoe Co. decided that it had a great need to service its midwestern market with a plant in that section of the country to manufacture canvas shoes. It contacted State officials of various midwestern States and, after exploring various sites, decided to locate in Indiana. Responsible leaders of Washington County—Salem—convinced Bata that they had an ample labor supply, suitable plant sites and, with ARA assistance, could develop a successful venture for the community and the company. Applications were filed with ARA to help build the building and to provide the necessary facilities. ARA approved a loan of $441,923 to help with the building, with local banks and the community providing the balance of $277,987. ARA also made a loan to the city of Salem for $105,000 and a grant of $130,000 to provide needed public facilities. At the request of local committees, a training program was instituted. The cost of this training program is $35,204, plus $29,248 for subsistence pay.

There are now about 200 people working in this plant and within 1 year, Bata expects to employ 600 people.

I was there last week. In the crowd there was a 4-month-old baby. The employment which was being provided to this baby's father was directly the result of the work being done there in this field. At the same time, there was in the audience a 93-year-old man, Mr. Otto Zink. I was corrected and told that he was 93½ years old, and not 93 years old. He had lived in Salem all his life; and he wanted to say what a wonderful thing had been done for the town of Salem in Washington County, Ind.

I asked him specifically whether he had any interest in it. He said that as a citizen of Salem he was delighted that it would provide employment for his community. He said that this was the greatest thing that had happened to him. I asked him whether the people resented the fact that the Federal Government was involved in giving assistance to a community of this type. He said it was the greatest thing that had ever happened to them.

These are only four projects with a total of 1,378 jobs created or saved which might otherwise have been lost to Indiana. There are others either already approved or pending with ARA.

These are the tangible results. What about the intangibles?

There are now 20 counties in Indiana which have submitted an overall economic development program—OEDP—to ARA; programs which they fervently hope can be achieved. Programs which will help them out of the economic doldrums which they find themselves in, through no fault of their own. For the first time in their history, these people are working together—business, labor, farmers, educators, public officials, et cetera—to do some soul searching, taking inventory of their assets and liabilities to try and find out what needs to be done. The fact that these groups are working together is no accident. These groups were organized and assisted by ARA personnel. We feel certain that more worthwhile projects will be developed. Many of these projects may not need any assistance from ARA, but will have been born because of the work done by ARA.

Much has been said about the impact of the rapidly developing tourist industry on our economy. We in Indiana have our share of tourist attractions; Santa Claus Land, Lincoln Land, the Wabash Valley, Indianapolis Speedway, and so forth, just to mention a few. Much time and effort has been spent by various individuals to develop these attractions. Each of these has had its own degree of success. But we know there are many more. We know that, with a properly coordinated tourist program, we could attract more tourists. We would like to play host to many more of our neighbors. We want to play host not in a hit-or-miss haphazard manner, but, in a well-organized, efficient way. Here again ARA has taken the initiative, not by forcing a program on unwilling participants, but by getting together groups of people within our State interested in tourism. As a result of these discussions, ARA has before it a request to study the tourist potential of Indiana and out of this study, to come up with a coordinated program which will create additional jobs, particularly in those areas that need it most.

I point out that last week, while I was conducting a seminar with the Presiding Officer of the Senate [Mr. BAYH], at Anderson, Ind., where more than 70 communities were represented, I received a call from the former president of Indiana University, Mr. Herman B. Wells. He asked that we do everything possible to make it possible for the university to receive $75,000 so that it could help in developing recreational and tourist attractions in southern Indiana. The highest type of man would be put in charge of the project. He is an old friend of mine, who worked in the recreation department of the city of Evansville, and who is now on the staff of the university. He is recognized as one of the top recreational experts in Indiana. He is Dr. Garrett Epley.

Our people need this program, our unemployed will not be satisfied with meaningless rhetoric, our communities need assistance and while ARA may have made some mistakes, it has "created new permanent jobs" as Congress had intended that it should.

In Indiana we feel that ARA is just beginning to hit its stride, and it should be given additional funds to assist our citizens to fulfill the plans, to which so much time and effort has been devoted.

Two projects were brought to my attention while I was touring through my State. These are the things which affect one's heart and make him realize that doing a job in Congress is really worthwhile. First there is the Storrs Wood Products project in Troy, Perry County, Ind., which is still awaiting approval. The original loan requested was for $1,743,300. The plans have been revised, and it is hoped that the project will be approved.

The other project is the Howe Cabinet Plant, in Sellersburg, Ind., which recently burned down. The owners have said that unless they can get assistance for a loan they will not be able to go ahead. They can provide some money for a plant, but they will need additional money for equipment, because some of the facilities were not insured. They are looking to the Federal Government to work with the local community, and they have been working with the local banks. We need help to give these people an opportunity to develop projects.

At the dedication of an ARA project, the Bata Shoe Co. plant in Salem, Washington County, Ind., two noteworthy speeches were delivered. I feel that these speeches should be inserted in the RECORD so that those Senators who are interested in the discussion of the ARA authorization bill may read them.

The first is by Mr. Clyde William Goen, president of the Salem Redevelopment Corp. His remarks give a clearer picture of the worth of ARA to a community suffering from unemployment than could any number of statistics. They show a just and intense pride in his community in general and in the redevelopment corporation is specific for the part they have played in bringing this plant to Salem, and they indicate how grateful he and his community feel toward the ARA for supplying the capital which the community was unable to raise.

The second speech is an explanation of the role the ARA played in making this plant possible, by Mr. William L. Batt, Jr., Administrator of the ARA. On this occasion Mr. Batt made all of us present more fully aware of the great debt of gratitude which Indiana owes the ARA for the new industries which have been made possible through ARA loans and grants.

In addition to these two speeches, I would like to bring to the attention of my colleagues an excerpt from the papal encyclical, "Mater et Magistra." In his short reign Pope John XXIII gained the respect of people the world over, and in this statement he makes clear his view that the government of any country should make concerted efforts to minimize regional imbalances in its economy. I think everyone will realize the relevance of this excerpt to the issue we are discussing. The excerpt from "Mater et Magistra" was cited in an article from the May 25, 1963, issue of Ave Maria entitled "Mater et Magistra and Regional Imbalances." This article discusses the area redevelopment program.

I ask unanimous consent that these two speeches and the article from Ave Maria be inserted in the RECORD.

There being no objection, the speeches and article were ordered to be printed in the RECORD, as follows:

REMARKS OF CLYDE WILLIAM GOEN, PRESIDENT, SALEM REDEVELOPMENT CORP., AT DEDICATION OF BATA SHOE CO., SALEM, IND., JUNE 21, 1963

Thanks Mr. Brown, Mr. Batt, Senator Hartke, distinguished guests, ladies and gentlemen, this is indeed a memorable occasion for Salem and Washington County, as well as adjoining counties. This new industry along with our present industry will certainly raise the economic standard in our community and on behalf of the Salem Redevelopment Corp. of Salem and Washington County, we want to welcome you. This new industry, the Bata Shoe Co., locating here, was not by accident; it was the foresight of the leaders of Salem and Washington County the past several years.

It started by getting our community ready for industry. By this I mean improvement of county and State roads, swimming pool, a full-time recreation director, city street improvement, water and sewage expansion and buildings on the square being remodeled. All this was done through the cooperation of city and county officials as well as the civic leaders of this community. This was done by our local efforts.

When we heard about the ARA program in June 1961, we formed in Washington County a committee of some 54 members to formulate our OEDP and to the many members of this committee, we are deeply grateful for their untiring efforts.

Our first inquiry on the Bata Shoe Co. came about by a telephone call from Mr. Schulenberg of the State Department of Commerce. From this first call on April 10, 1962, until an agreement was signed on October 12, 1962, the local community combined their efforts to the fullest extent because we certainly were in competition with surrounding communities.

Now, when we were aware of the need of this industry as to training program, additional finances for the building, water and sewage expansion and knowing we had exhausted our finances, where could we turn? Naturally, as we were designated an ARA county, we applied for assistance.

This certainly was our answer, as a training program was set up; our local banks loaned what money they could (a portion coming from Bata Shoe Co.); and, of course, the balance came from the ARA. Not only did they assist in the building, but came through with a water and sewage grant and loan.

As I mentioned at first, this industry just didn't happen, but started on the local level of getting our community ready; and the cooperation of the people, local business and civic leaders all working together. After we did all we could locally, then joining in with the State and Federal Government for their assistance.

This ARA program has not only assisted us in securing industry but has taught us if we help ourselves first, we can secure help from the ARA.

The important objective we did accomplish is "working together." So, on behalf of Washington County and Salem Redevelopment Corp. we are very proud to have a part in this dedication and wish to extend to each person here an invitation to visit us again.

(By W. L. Batt, Jr.)

It is good to be out here where you can see the area redevelopment program at work, where you can see some of the results of what the program is trying to do, and where you can begin to appreciate what it can accomplish.

Two related projects are involved in this beautiful new plant, representing a joint local-Federal investment of $969,910. A total of 500 jobs will be created at this plant, where rubber-soled shoes will be manufactured. The projects are:

A $441,923 ARA industrial loan to help the Salem Redevelopment Corp. purchase land and erect a building for lease to Bata Shoe. In addition to the ARA financing, the State Bank of Salem and the Salem Building Loan Fund and Savings Association will participate in a loan of $170,000 and the Salem Redevelopment Corp. will put up $113,700 as equity, for a total project cost of $719,910.

$235,000 financial assistance for water and sewer facilities to serve the new shoe factory. The grant is for $130,000. The $105,000 loan will run for 40 years at 3½ percent a year. In addition, the city of Salem will put in $15,000 for a total project cost of $250,000.

$64,000 for training 3,423 boot and shoe workers for 2 or 3 weeks each. This is what I call cooperation and teamwork.

How has ARA helped Indiana?

Twenty-seven of Indiana's 92 counties—29 percent—have unemployment problems serious enough so that they qualify for assistance under the ARA program. Washington County is one of these. It was designated eligible to participate in the program because of substantial and persistent unemployment.

ARA has approved 15 projects in Indiana thus far, representing a Federal expenditure of almost $4 million, generating nearly 3,000 direct and indirect jobs and retraining 522 jobless workers for available jobs in their areas (project details attached).

That's not the whole story. ARA has applications for eight other Indiana projects. If and when these are approved, they will help create another 1,500 direct and indirect jobs at a Federal investment of $4.8 million.

Under the accelerated public works program, 63 projects have been approved for Indiana. These represent a Federal investment of $6,069,000 in the acceleration of needed public works and the generation of 8,425 man-months of direct, on-site employment—and about the same amount in supplier and service industries.

You have all probably read that the program suffered a setback last week by the margin of five votes in the House of Representatives. A switch of three votes could have given the program new life. One of them could have been your Congressman's. ARA comes before the Senate next Tuesday, and if they vote for it (and your two farsighted Senators, HARTKE and BAYH, have pledged their support) the House may have another chance. Whether the program lives or dies may well depend on whether you people here today can persuade your Congressmen to switch their votes and support the act.

Let me explain why. The present ARA law places a ceiling on the amount of loans and grants that ARA can make. These are called authorizations and they amount to about $400 million. When the Congress set these authorized ceilings, nobody had a very accurate idea of what the demand would be for loan funds—in other words, how many new and expanded business enterprises these hard-hit communities could develop similar to Salem's Bata Shoe plant expansion. Now that we have been in operation for 2 years, people have become acquainted with the ARA program and how it makes investment money available for factory buildings and other facilities which will create jobs. Accordingly, people who want to establish factories and other businesses in redevelopment areas are sending to us a steady flow of applications for loan assistance. Based on our experience and the rate at which these investment proposals are submitted to us, we have estimated that to continue to do the job for the next several years we will need an additional authorization from Congress for $445 million. Even after this money is authorized, there must be another step before we can begin to use it. Each year, after authorization, ARA must justify to the Appropriations Committees of Congress how much of this amount will be needed for that particular year. Next week, we will exhaust our grant funds, and we already have applications on hand which will more than use up our entire loan authorizations.

The fact that we will need more money is in itself proof that the program is working out as it was intended. The basic idea behind the ARA was that it makes more sense and costs far less to help put people back on the payrolls of private enterprise through investments, in growth industries, than it does to subsidize them endlessly in debilitating idleness through compensation on public assistance, as essential as both are. One ARA job means a Federal investment one time of $3,000. One family on relief or unemployment compensation costs $1,200 or more each year, to say nothing of the cost in self-respect. Furthermore, the Nation can ill afford to lose the wealth that the unemployed can produce if given the opportunity to engage in useful work. Every other country in the industrialized world, with the possible exception of Canada, is making fuller use of their labor force than we are. And Western Europe has found that no nation can have full employment until it meets and masters its chronic area unemployment.

Some people add up the figures contained in our legislation and then say ARA will spend this amount. Now I want to make clear that this is investment money we are talking about. The jobs it generates are not make-work, temporary jobs but private industry jobs that will go on year after year, like you will have here in Bata Shoe.

Now of the $455 million which we are asking the Senate to authorize, $350 million are for loan purposes; $100 million are in matching grants to help build an access road or a water supply or a sewer line in order to make a new factory possible in those areas which can't otherwise raise money for such public research purposes.

This is a modest program, and remember, 80 percent of this money will be ultimately returned directly to the U.S. Treasury with interest. If you count in additional benefits, like the taxes to be paid by the reemployed workers, the savings in unemployment insurance and public assistance, the gains in the Nation's economy as we gradually eliminate pockets of chronic unemployment in the country, the program more than pays for itself in dollars alone. Perhaps the greatest gain to the Nation cannot be measured in dollars. And this is the revolutionary improvement in the self-respect and the morale of a family when the husband and father gets a job and can go off of relief or U.C. Something like this is happening in 90,000 families in the United States, thanks to ARA. If the Senate supports ARA next week, and if the House reconsiders its action, and your Congressman and a handful of others reverse their negative votes of June 12 to hamstring ARA, we can help not just those 90,000 families, but some 300,000 more.

The benefits of the ARA program are not purely local. Everyone knows the value of local factory payrolls. The workers benefit, but so do the grocery stores, the filling station, the dentist and the bank. This Bata plant is going to mean increased sales to the businessmen of Salem and of the county. The town gets more tax money with which it can finance schools and other municipal services. But when Bata Shoe hires several hundred workers who hadn't been able to find a job before, the Nation as a whole makes a tremendous gain.

We measure national prosperity by the amount of goods and services we produce each year—this is called GNP, gross national product. Economists estimate that each new job adds $9,000 to $10,000 to this GNP figure. Five hundred jobs add $4,500,000 to our gross national product each year. The Department of Commerce estimates that if we could generate enough jobs to bring the unemployed and underemployed in our eligible areas down to 4 percent, we would be adding over $8 billion to national wealth each year.

I would like to close by quoting my boss, Secretary of Commerce, Luther H. Hodges who made these remarks at his press conference the other day when he was asked about the action of the House on ARA's requested authorizations. The Secretary said:

"I said at the time of the testimony for this bill—you remember it had been tried by previous administrations several times and was passed by the Congress and vetoed by previous Presidents, and I said—and people raised their eyebrows because I was supposed to be a conservative southern Governor coming to the national scene—that I favored this thing but wanted it run on a business like basis.

"I thought it a rather crazy idea to think we could spend $95 billion since the war to help everybody else on their depressed areas, and not spend a little bit of money to help the depressed areas of this country. I still feel that way."

Yes, my friends, we can wipe out chronic area unemployment in the United States. We can achieve full employment, which Sir William Beveridge once defined as "more jobs than men, rather than more men than jobs." Whether we do or not depends on the action of you and your Representatives in Congress.

Mater et Magistra and Regional Imbalances—An Interview With Thomas P. Bergin, Head of Business Organization and Management, University of Notre Dame

Question. Mr. Bergin, you are currently engaged in a study of regional economic imbalances in the United States. What do you mean by regional imbalances?

Answer. Simply this, and it is a paradox of our modern economic society, that technological advances and socioeconomic progress have, on the one hand, provided increased prosperity and a higher standard of living in some regions while, at the same time, other areas have remained stagnant or have actually declined. These areas have been plagued by economic conditions which are the by-product of progress, of changing times and changing technologies, of plant migration and the exhaustion of natural resources.

Question. America is considered an affluent country. Even where imbalances exists, aren't the people in the depressed areas still fairly well off, generally speaking, when compared to, say, the Latin-American peasant?

Answer. Yes, generally speaking this is true. However, by comparison with their fellow citizens, many people in the U.S. are living under submarginal conditions—conditions which are unwarranted and which impede our over-all economic progress.

Question. Obviously, to correct imbalance on a national level, it will take Federal action. Is the situation so bad that large programs should be undertaken?

Answer. There are today many areas and communities of the Nation suffering from substantial and persistent unemployment and underdevelopment. Such conditions cause severe hardship to many individuals and their families. This is a waste of vital human resources which detracts from our national welfare. Action has to be taken somewhere. If the community or State fails to act or is totally unable to meet the challenge, then Federal assistance becomes inevitable. These areas simply cannot be ignored.

Question. Do you have statistics to support your contention that this is, indeed, a most serious matter?

Answer. Yes, I have them with me today. At the present time, there are some 800 urban and rural areas, embracing more than 35 million people with a labor force of 13 million—1 million of whom are unemployed. These areas have 27 percent of the Nation's unemployment but only 18 percent of our national population and labor force. Average unemployment in these areas is 8.3 percent in contrast to 5.6-percent national unemployment rate. Joblessness runs as high as 20 and 30 percent in some of these areas. To these figures it is necessary to add the widespread underemployment which is prevalent.

It should also be kept in mind that this is not entirely an urban problem. These figures include 129 counties where the median farm-family income was less than 25 percent of the national median. The median family income—not the per capita income—in these rural areas is less than $1,170 a year.

Question. Is there a single cause for these pockets of poverty? What are a few concrete examples?

Answer. No, not really a single cause. In some areas there may be a major cause—such as the West Virginia and Appalachian area, or the southern Illinois area, where the coal-mining industry has all but disappeared. As a result, some grave economic problems have been created for the area.

For the most part, however, these imbalances have come about for a variety of reasons which relate to history, resources, people and geography. The South is a good example here.

Question. Isn't this a matter for these communities, for those States? In other words, why should I, as a citizen of this community, have to pay extra tax dollars to help people 1,000 miles away from me?

Answer. In appraising the problem of regional imbalances for any economy it is important to keep in mind that the regions under consideration do not somehow represent isolated parts of the Nation which can therefore be singled out and studied as separate problems. This is not the case at all.

It is essential that such areas be considered as vital representative parts of the total and that only as they grow and prosper will the nation itself progress. The desired equilibrium and further growth of the economy will come only when the prescription for such growth has been offered and administered to all segments of the nation.

Catholics should realize that Pope John makes this perfectly clear in Mater et Magistra.

Question. I notice you have a copy with you. Where does he say that?

Answer. In many places and in many ways, really. I have this particular passage in mind:

"It often happens that in one and the same country citizens enjoy different degrees of wealth and social advancement. This especially happens because they dwell in areas which, economically speaking, have grown at different rates. Where such is the case, justice and equity demand that the government make efforts either to remove or to minimize imbalances of this sort. Toward this end, efforts should be made, in areas where there has been less economic progress, to supply the principal public services, as indicated by circumstances of time and place and in accord with the general level of living."

Question. Now, it's one thing to tell me that I'm to be concerned as a Christian for others. But how can a Christian principle be translated into legislation affecting all the citizens of a country?

Answer. As individuals and as a nation, we have a traditional humanitarian concern for the welfare and well-being of people everywhere. Legislation is simply the vehicle which accommodates the translating of the principles, ideas and desires of the citizenry into action.

As citizens, we have to do what is required in simple justice and equity on behalf of our fellow man. We must assess the realities of economic disorder in our own country as well as around the world. In looking at these hard historical facts of human suffering, we are compelled, as Christians, to design a program or course of action which will relieve this suffering and ultimately have meaning for the entire Nation.

Question. What is the principal legislation at the national level to solve this problem?

Answer. The Area Redevelopment Act.

Question. When was it passed?

Answer. 1961.

Question. Did this act create the Area Redevelopment Administration?

Answer. Yes. As a result of the act the ARA was set up.

Question. The ARA has been criticized as just another bureau in an immense bureaucracy, and as a vehicle for added patronage for the incumbent party. Taking the second objection first, is there any truth in it?

Answer. It would, indeed, be a difficult position to take and ultimately to defend the fact that another bureau does not create at least some additional bureaucracy. However, after having spent 6 months with ARA as a consultant, I honestly do not feel it is bureaucratic. There are a limited number of people devoting their time and productive effort in the administration of this program.

The law itself requires that, wherever possible, already existing agencies be used as the vehicles of implementation. Such agencies as the Department of Labor; of Health, Education, and Welfare; Small Business Administration, and others have been working very effectively with the Area Redevelopment Administration.

Question. Now for the first objection—it has been operating for only 2 years, so it might be difficult to determine with certainty. But, in your opinion, is the ARA worthwhile? That is, has it justified its formation?

Answer. With only 20 months of operation, I would say the ARA has been doing a good job in helping to solve the unemployment and underemployment problems of the depressed regions of the Nation. In some areas the progress has been first-rate; in others it has perhaps been slow and plodding. Yet, on balance, I feel it has been reasonably successful and provides us with considerable promise for the future.

Since President Kennedy signed the Area Redevelopment Act into law on May 1, 1961, more than 150 financial-assistance projects have been approved to create 43,000 direct and indirect jobs. During this period ARA also approved more than 125 technical-assistance contracts which could lead to the development of thousands of additional jobs. More than 250 job-retraining programs have been approved to help 14,500 worker-trainees gain new and marketable skills. This represents more than $67 million in Federal funds, most of which is in the form of loans, repayable, with interest, to the U.S. Treasury.

Question. What has it accomplished?

Answer. January 1, 1963, marked the beginning of ARA's 20th month of operation. On the books for that period were 161 approved financial-assistance projects, for a total of 26,864 direct new jobs and more than 18,000 indirect jobs. The last 6 months of 1962 showed nearly a 150 percent gain in ARA financial-assistance activity over the first half of the year. A total of 161 financial-assistance projects were approved for more than $57 million. These Federal funds were used for commercial-industrial loans and public-facility loans and grants. (Approximately four-fifths of these loans will be repaid to the Treasury with interest.)

Technical assistance and research projects rose to a total of 137 at year's end, with an investment of $4.9 million. A total of 261 training and subsistence projects were providing 14,915 worker-trainees with new skills, thereby permitting them to return to the country's working force.

The combined total of all ARA projects for this period was 559, involving more than $71 million.

Starting the new year, the pipeline held 381 projects which involve $193 million in Federal investments, and offer prospects of 52,000 direct new jobs and 36,500 indirect jobs.

AS CHRISTIANS, WE HAVE NO OTHER ALTERNATIVE—WE MUST HELP THOSE IN NEED

Question. As you suggested in a previous answer, we don't make laws because the Pope said so, but natural concern for human welfare precipitated the formation of the ARA. However, would you say that the ARA has acted in accord with the admonitions of the papal social encyclicals—although, of course, from another motivation?

Answer. ARA by its very design is intended to bring about new economic activity and thus relief of human suffering. It is this very type of program, it seems to me, which embraces the principles and concepts contained in the passage of Pope John's message which asserts that when this situation exists (that is, marked socio-economic inequalities among citizens of the same country) justice and equity demand that public authorities try to eliminate or reduce such inequality.

Question. So far we have stressed imbalances in economic affluence in a geographic sense. What about imbalances between the two major divisions in our society, the rural and urban areas?

Answer. While we have been speaking of these imbalances in a geographic sense, they also represent, to a large extent, the sharp dichotomy in standard of living. Hazarding a guess, I would say that probably at least 75 percent of the areas currently being assisted by ARA are outside the standard metropolitan areas.

Question. What is ARA's orientation in the rural areas? Does it encourage retraining of farmworkers for jobs in urban areas?

Answer. ARA has been, to a considerable degree, involved in rural areas. For example, there are vast regions in the South and Southwest (designated ARA areas) where technical advances have long been reducing the need for farmworkers. The ultimate effect of this has been the continual creation of a surplus labor supply in relation to the availability of capital.

In addition to this, birth rates in southern rural areas have consistently been the highest in the country. This naturally aggravates the situation and ultimately creates new problems of unemployment for the rural areas. It is in these same rural areas that the ARA has been attempting to generate new economic activity and thus help relieve this chronic problem of unemployment.

Question. In the funds used for ARA we have an example of diverting funds from consumer spending to public spending to improve the quality of the national community, a theme Arthur M. Schlesinger was writing on half a dozen years ago. John Galbraith has called for the same type of greater spending in the public sector. Do you think that more is still needed?

Answer. This, of course, is a very mercurial question and one on which we could spend a great deal of time. It is my opinion that the problem of regional imbalances within our own Nation is a very serious one and that we should spend the necessary money and effort to remedy the problem. I would not be as concerned with how much is to be spent as I would be with the problem of how effectively and judiciously the programs are carried out.

I do not necessarily think there will have to be more money spent and more people hired—but rather that the right people be selected and given the appropriate budget to carry out the program. People who possess the ability and imagination necessary to generate the economic activity the community so badly needs.

Question. How does this greater expenditure in the public sector of our economy help stimulate economic growth—in relation to the work that ARA is doing, that is?

Answer. Simply stated, such a program helps put people back to work and takes them off relief. It creates new purchasing power which ultimately stimulates new and additional production, and the Nation falls heir to these human resources and utilized capacities.

Question. This is, of course, one sign of what has been derisively called a "planned economy." Do you think that more planning is needed today, and will more be needed in the future?

Answer. To answer this briefly, I might say that as long as there are areas of unemployment and regions which are not able to utilize our natural resources and raw materials, the Nation is the loser. In such instance the Government has a real obligation to take the necessary remedial steps.

Question. How does a regular paycheck for an ex-miner now a retrained machinist in a mining town in West Virginia, affect the social and economic well-being of, say, a shipping clerk in Los Angeles?

Answer. Conceivably, the shipping clerk in Los Angeles may find he is paying lower taxes because the ex-miner in West Virginia is now paying taxes himself and is no longer receiving unemployment compensation.

The ex-miner will, perhaps, be producing a product which may affect the well-being of the shipping clerk in Los Angeles through, let us say, an increase in our gross national product.

The miner may, with his savings, conceivably take a trip to Los Angeles. He will spend money in Los Angeles. He might purchase some oranges—these might be sent back to West Virginia through this shipping clerk.

Question. Is it not demeaning to the coal miner in West Virginia—I hope I am not belaboring this one example—to beg for handouts from the Federal Government? I would not call this Christian——

Answer. First of all, he is not begging. He has been given an opportunity to contribute to his own livelihood and that of his community—and ultimately his country.

In many instances he finds himself in these dire economic conditions through no fault of his own. For example, the impact of natural gas upon the coal industry and the mechanization of coal mining has resulted in extensive unemployment in the coal-mining regions. In the true Christian spirit, we, as citizens, have no real alternative but to assist him in his hour of need and help him plan for the future through some sort of new economic activity.

BY STIMULATING NEW ECONOMIC ACTIVITY, ARA BRINGS RELIEF TO HUMAN SUFFERING

Question. You stated that now 568 areas have been under ARA's scrutiny since it was established. What are the concrete results?

Answer. We all agree there is no single yardstick with which to measure economic impact, for circumstances alter cases considerably. Much depends, for example, on the nature and size of the new industry, on the existing level and character of local economic activity, and on economic conditions in the neighboring region. However, useful estimates can be made of economic impact in individual cases.

Question. Can you give us an example?

Answer. Recently, the Area Redevelopment Administration made a $455,000 loan to the

Carbondale Industrial Development Corporation of Carbondale (Jackson County), Ill. This loan stimulated an additional local private and public investment of $2.6 million to enable a tape-manufacturing concern to open a midwestern branch in the community.

ARA has prepared a study of the impact that this project is expected to have on the Carbondale area in terms of new jobs, additional income, and reduced expenditures for unemployment insurance and public welfare payments—all of them key points of interest in an area long afflicted by excessive unemployment.

Employment in the tape firm, itself, is expected to include 700 permanent jobs and, for about 4 months each year, 300 part-time jobs——

Question. Isn't there a snowballing effect? That is, when one man is employed, doesn't this help create another job?

Answer. On the basis of 700 full-time workers, it was calculated that secondary employment would be provided for another 280 persons. Seventy-five of these secondary-employment jobs will be provided in the operations of two of the tape firm's suppliers that have already decided to open facilities in the Carbondale area. The remaining 205 workers would be engaged primarily in retailing, wholesaling and service activities.

The largest single benefit would be the $4.3 million each year in new payrolls: $3.2 million at the tape firm, $273,000 at the two suppliers, and $799,500 in other secondary employment.

Question. So individual workers are helped, the community benefits—what effect does this have on the State and Nation?

Answer. This payroll will produce annual Federal income taxes of $225,000, in addition to State and local tax revenues, and Federal tax revenues on the company's operations.

The new employment will help reduce the drain on the Illinois Unemployment Insurance Fund and on county welfare resources. The 980 new jobs will eliminate about 60 percent of Jackson County's total unemployment. Assuming a reduction in the same proportion of the unemployment insurance payments in the county, this would produce an annual saving of $363,000.

Local conditions suggest that as many as one-fourth of the 980 permanent new jobholders would each be receiving close to $400 yearly in welfare payments; creation of the new jobs would cut these expenditures by about $96,000 each year.

In addition, Carbondale will receive $30,000 a year in rental on the community-owned factory building being used by the tape concern—a building which has been empty for years—and the original loan will be repaid to the Federal Government over a 20-year period at 4 percent interest.

Question. How do you help out an area and, as Pope John says, get the residents of that area to "feel themselves to be the ones chiefly responsible for their own progress"? How is ARA help administered?

Answer. In those ARA-assisted areas which I have had some exposure to, I feel there is a genuine spirit of accomplishment and a sense of their own involvement in this bootstrap operation. I think the people in the communities have come to know and understand what has to be done.

The Government, in coming to their assistance, has asked them to take a long, hard look at the economic problems of their area. The communities seem to realize that the Federal help is simply to get them going again and that sustained progress and prosperity will be forthcoming only through their own determined, imaginative and unrelenting efforts.

IT'S NOT HOW MUCH IS SPENT—RATHER, IT IS A QUESTION OF HOW EFFECTIVELY IT'S SPENT

Question. Does ARA concern itself with migration from areas of high unemployment?

Answer. ARA's primary concern is to bring the resources of the Federal Government to bear on the economic problems of those areas suffering from substantial and persistent unemployment and underemployment. In some instances, this will involve encouraging workers in high unemployment areas to move or commute to new areas of employment. In other cases, where feasible, it will involve stimulating new activity in the area itself. Let me give you a specific illustration.

The ARA people met on January 10 in Texas with the leaders from Laredo and neighboring Eagle Pass, and announced details of a project designed to retrain 600 jobless workers with new skills for identifiable job opportunities in the area.

Emphasis will be placed on helping solve the unemployment and underemployment problems of migrant farm workers. Training will be given in the operation of all types of farm machines, because the more skills these workers have, the more readily they will be able to find year-round employment at substantially higher levels of income. Jobless workers in the Laredo area will receive training as machine-tool operators, automobile mechanics, clerk-stenographers and irrigators, as well as all-round farm-machine operators.

Employment of these newly trained workers will have considerable impact on the Laredo economy. Taking 600 workers off unemployment compensation and public-assistance rolls will make a sizeable dent in the 2,300 workers currently unemployed—more than 10 percent of the total work force.

Earlier ARA retraining projects—10 thus far in Texas—are providing nearly 200 jobless workers in redevelopment areas across the State with new and marketable skills, through a Federal investment of $138,151. Seven of these projects are in the Laredo area.

Question. This is a typical ARA activity?

Answer. Yes. ARA tries to create a working partnership with private enterprise, community leadership and State governments in attempting to get the job done.

Question. Will ARA seek a larger budget from the present Congress?

Answer. Yes, I would think so. In fact, I'm sure it will. Its problems persist, and it is continually being made responsible for additional programs designed to generate the economic growth we desire. For example, a good portion of the accelerated public works program is to be administered by ARA. This program alone will provide thousands of new jobs and increased purchasing power in many of the ARA-designated areas.

Question. What are its chances of getting more funds?

Answer. I think congressional attitude toward the ARA is, by and large, favorable. Although some feel it was slow in getting underway, I maintain the majority are reasonably happy with its success to date and feel it offers considerable promise.

Question. What forces are opposing ARA's wishes?

Answer. I suppose all those who oppose Government spending in the public sector—those who fear governmental bureaucracy, and those who still hope someday to return to the rugged individualism of, say, the twenties.

Seriously, all of us have to scrutinize the use and effect of such public moneys upon our national welfare. If this program is not bringing about the desired results with reasonable expenditures, then all of us must oppose it.

Question. Can we be complacent? That is, is ARA doing enough, or is there a great deal more to be done?

Answer. There is an immense amount of work to be done—and it cannot all be done by an Area Redevelopment Administration. In considerable measure, our present economic growth and advancement is being determined by local and regional programs for economic development. It is at the regional and local level where business actually operates, where people live and where the economic activity is initiated.

It is also at this same level that much of the drag on our economic progress can be traced.

Question. What is the effect of this drag?

Answer. It is because of this drag that pressure has been brought to bear upon the Federal Government. Pressure which has resulted in an Area Redevelopment Act, a $900-million accelerated public works program, and a manpower training program. These programs, while Federal in scope, are still subject to the initiation, planning and execution of State and local officials. The work to be done is still at the local and regional level and must be initiated there.

I think the stark realization of these facts and their significance upon economic activity is gradually forcing a new kind of leadership in these areas—a leadership which is willing to join forces with the local and regional authorities in looking at the basic economic problems of their area on a broader spectrum.

It is only through such effort that they will be able to design the most appropriate program for long-range corrective action.

Mr. DOUGLAS. Mr. President, I thank the senior Senator from Indiana for the very constructive speech he has made. He has spoken about specific projects in his State. What he has said will help very much to pile up evidence to show that the captious criticisms which have been made by Members of this body and by some members of the public are relatively ill-founded. I thank the Senator for his fine and constructive contribution.

Mr. HARTKE. I thank the Senator from Illinois. I wish some of those who are critical of the program would come with me to Indiana. I would be glad to go with them to observe what is being done. We have not solved all our problems. However, I will be glad to show what we have accomplished thus far, so that others may understand what the program means to a community.

Mr. DOUGLAS. I thank the Senator.

Mr. President, I am glad to yield now to the distinguished senior Senator from Wisconsin [Mr. PROXMIRE], who has been of valuable assistance in the passage of the existing legislation and in the framing of proposed amendments. The Senator from Wisconsin is an able member of the Committee on Banking and Currency, which has considered the proposed legislation. His support has been keen; his criticism has been sharp, yet friendly. He has been a most constructive force in the development of the proposed legislation.

Mr. PROXMIRE. Mr. President, I thank the distinguished Senator from Illinois. There are many reasons why I favor the bill, but there are two principal reasons. Before I mention them, I should like to say that I also am enthusiastically in support of the bill because the only professional economist in the Senate, the man who has by far the greatest competence in economic matters in the Senate, the distinguished Senator from Illinois [Mr. DOUGLAS], is the author of the legislation—not only this particular bill, but the basic legislation, as well. He fought hard for a number of years for this legislation, before he won its passage. He has drafted a bill which, it seems to me, conforms with his own excellent record of fighting for full value for the taxpayer and, at the same time, achieving the human values and goals which we all so earnestly desire.

A FREE ENTERPRISE PROGRAM

I favor additional authorization for this program, and the program itself, first, because it is a free enterprise effort. It is not designed to build up a colossal Federal bureaucracy. It is not a bill which emphasizes public works. It is not a bill which would put people to work for the Federal Government. It is not a bill which would build great reclamation projects and dams of questionable value. It is not a bill which provides for centralized Washington control. It is not a bill which would provide for Government enterprise, tax-free enterprise, with advantage over private enterprise. It provides for positive reliance on individual free enterprise.

Furthermore, the bill primarily provides loan money. It provides loan money, money that will have to be repaid to the Government, to the taxpayers, with interest.

There is much criticism, and very thoughtful and proper criticism, of the danger of big government and of the possibility that government may become so powerful that individual citizens and individual lawmakers or administrators cannot really control it. I believe that such criticism is just, fair, and honorable. It is proper. It is criticism that we must be aware of.

The proposed legislation, it seems to me, would help us to encourage and develop our economy to provide jobs by building up the private sector of the economy. It would do so by encouraging individual businessmen to take advantage of favorable Government terms to borrow capital and to develop their enterprises or businesses in areas where surplus labor is available. It would do so by providing training for people who are out of work in those areas, who have very little skill, but who are looking for work.

SOUND LOCAL PLANNING REQUIRED

Above all it would do so—and this is the second reason why I favor the bill so enthusiastically—by requiring local communities and local businessmen to devise programs or plans that are sound.

For many years there have been complaints about depressed economic conditions in the northern part of my State of Wisconsin. I believe it is nationally known that northern Wisconsin has suffered from a cutover of our timber resources. For many years there has been a situation of underemployment, of the gradual degeneration of one community after another, of people without work, of people having inadequate incomes or part-time jobs, and looking for steady work. For years, proposals have been made to remedy the condition.

Democrats and Republicans, ranging in office from town board chairmen or side supervisors, to mayors, assemblymen, and State senators, to U.S. Senators and Representatives, and even candidates for the Presidency who have come to Wisconsin, have made proposals to improve the economy; but nothing really constructive and regionwide has been done until now.

Now, at long last, after years of waiting, there is action in northern Wisconsin. A number of projects are now being started, not leaf-raking or public-works proposals on the part of Washington to put people on the payroll, but individual, private enterprise, locally initiated efforts to build the communities and to establish local business.

The promises which were unfulfilled for so long are now slowly and gradually being realized.

There is no question that one of the weaknesses of a free enterprise economy, such as ours—and I believe the strengths greatly outweigh the weaknesses—is that there is less planning for local communities than many persons feel there should be. We oppose, and rightly so, rigid planning on a broad, national basis, a master plan. For then we may move into a controlled economy or into a socialized or even a communized economy.

The kind of proposal envisaged in the bill encourages local communities to do their own planning, to analyze their own resources, to determine what labor supplies are available, what transportation facilities can be utilized, and what other resources are available, and then to propose a program. The State university can be of assistance. That has been done under the ARA legislation.

In my State, experts from the University of Wisconsin have assisted in the planning. The State resources commission assisted in improving the programs and plans. These activities are necessary to provide long-term, sustainable growth, and permanent jobs.

We in Wisconsin are very proud that we have had local development programs in our State for many years. They antedate the proposed legislation. One such program is in Elkhorn, Walworth County, Wis., a politically conservative area. Their planning program has succeeded in providing a very diversified economy in the little city of Elkhorn. The local city planners have provided for industrial sites, railroad spurs, and utilities. They have built small factory spaces which are available for small firms, because they have found that when a big firm moves out, the vacant plant may be idle and the resulting unemployment serious for years. But when a small firm moves out, it is not difficult to secure a new enterprise to provide employment for 20 or 30 persons. That is the kind of program that we are trying to popularize in Wisconsin.

Until ARA came along, there was not that kind of practical basis in terms of available capital and training to make such a program work. Now we have such facilities. ARA has been able to make the Elkhorn type of program work well throughout the State of Wisconsin.

PROGRAM ONE-TENTH OF FOREIGN AID PROPOSAL

The bill is criticized because, it is said, it provides too much money—$450 million. That is a whale of a lot of money. Together with many other Members of the Senate, I believe we should not spend if it is not necessary to spend. But let us put the $450 million provided in the bill into perspective. The fact is that this amounts to about one-tenth—10 percent—of what the President is asking for foreign aid this year. It amounts to one-half the cost of one aircraft carrier. An aircraft carrier—its hull and its equipment, including planes and antiaircraft batteries—costs about $1 billion. This ARA authorization bill, which would stimulate the economy and, in my judgment, be a rifleshot at the really depressed parts of our economy, will cost one-tenth of 1 percent of our gross national product—much less.

It will cost one-half of 1 percent of our Federal budget. Furthermore, when I say "cost," I should make clear that I am referring to the fact that three-fourths of this program is made up of loans at 4 percent interest. There is some question as to whether 4 percent interest is a high enough charge against those who borrow from the Federal Government under this program. I hold in my hand a chart which shows the loans made by the Agency for International Development—AID—which is in charge of the foreign aid program; the chart is a summary of the loans authorized for the fiscal years 1962 and 1963. It shows a total, during those 2 years, of $1,954 million or loans, $1,799 million or 90 percent of these loans are made at three-fourths of 1 percent interest, not 4 percent.

Mr. President, Americans who wish to borrow money in order to build up their local communities under this bill pay back interest at a rate more than 5 times as high as the amount our Government provides for foreign governments which borrow from us. I repeat that it is a fact that 90 percent of the loans made under the foreign-aid program for development loan purposes in the last 2 years have been at three-fourths of 1 percent interest, whereas this area redevelopment program requires a taxpayer who borrows money under the Area Redevelopment Agency program to pay 4 percent interest.

This is not a spending program; it is a loan program, repayable with interest, and the Federal Government will get back what it loans, with the exception, of course, of approximately one-fourth of the authorization, which is provided as grants to local communities, to enable them to provide the facilities necessary for the industries which move there—to provide, for an industrial plant, the necessary sewer system, the water system, and so forth, all of which are necessary in order to encourage industry to take advantage of the local opportunities.

ARA CORRECTS MOST TRAGIC KIND OF UNEMPLOYMENT

Mr. President, yesterday the Washington Daily News published the first of a series of articles, by Samuel Lubell, which deal with the unemployment problem. I am chairman of the Economic Statistics Subcommittee of the Joint Economic Committee, and my subcommittee has made a series of studies of unemployment and what it really means. In the article Mr. Lubell asks what I regard as some challenging and appropriate questions about unemployment. He, together with many other persons, would challenge the notion that our unemployment statistics, which include all those who are out of work, give a really valid picture. Apparently he has in mind the fact that when it is said that there are 4½ million unemployed, the reference is to 4½ million heads of families or to 4½ million persons who are on relief, because they are out of employment. I believe we should put this matter in its proper perspective. Mr. Lubell points out that in the depressed areas the people really suffer, but can do nothing about it. In short, the Federal Government must take action in these areas, because if it does not act, no action can be taken.

In the article, Mr. Lubell says that some of the unemployment involves teenagers living at home, who are looking for work. He says their situation is unfortunate, but not as tragic as that of whole families who are out of employment.

I quote from the article by Mr. Lubell:

> In contrast, in Wheeling, W. Va., where 12 percent of the work force was jobless, nearly a third of the persons I talked with had exhausted their unemployment benefits and were living on relief or hand-me-down jobs like apple picking or farm chores.

Mr. President, these are the people who need help, and deserve it. For months and for years they have been trying to find work. Through no fault of anyone in these communities, they are suffering and entire communities are dying.

In Minnesota and in northern Wisconsin the mining industry and the timber industry have sharply diminished. In West Virginia and in southern Illinois the coal-mining industry has largely disappeared from some areas; in others, it has dwindled so sharply or has been automated so completely that the jobs which were the support of many families no longer exist. These unemployed people have established their roots in these communities. Many of the unemployed have moved away; but those who wish to have wholesome lives in these communities surely should be given opportunities to borrow the needed money and to repay it with interest. Basically, that is what this program provides.

Mr. President, in conclusion, let me say that I enthusiastically support this program because it provides for individual local initiatives. It requires those concerned to provide sound, workable plans. I also support the program because it is based squarely on free enterprise, and it will enlarge and expand the free-enterprise sector of our economy.

Those who oppose the encroachments of socialism, and who say that under these circumstances the Government should not act, should propose an alternative program. But what do they want us to do, Mr. President? If they do not favor this program, what do they want? Do they suggest only relief? Do they want the people to sit around without work, and waste their lives? Of course, an economy based on such waste is insufferable.

Mr. President, I conclude by requesting the Senate to support this bill; and I commend the Senator from Illinois [Mr. DOUGLAS], who over the years has worked so hard for this program, which provides so wisely, and so thoughtful a basis, for our free enterprise system.

Mr. DOUGLAS. Mr. President, I thank the Senator from Wisconsin, who has presented some of the testimony which is pouring in this afternoon from all sections of the country about the concrete benefits of the Area Redevelopment Act and its administration.

I see in the Chamber at this time the distinguished junior Senator from Maine [Mr. MUSKIE] who comes from what is popularly termed "Down East"—an area which also has its problems. At this time I am very happy to yield to him.

Mr. MUSKIE. I thank the Senator from Illinois.

Mr. BARTLETT. Mr. President——

Mr. MUSKIE. Mr. President, if I may do so, I should like to yield now to the Senator from Alaska.

Mr. DOUGLAS. I shall be glad to have that done; but if the remarks of the Senator from Alaska are on a subject other than the Area Redevelopment Act, I ask that they be printed in the RECORD following the remarks on this subject, because we are trying to keep the RECORD as coherent as possible in so incoherent a body.

Mr. BARTLETT. Mr. President, it so happens that the contrary is the case. I desire to speak—although briefly—precisely on the bill now before the Senate.

Mr. DOUGLAS. I am delighted to know that. To have Maine and Alaska join indicates that the common principles of this program operate in widely separate and disparate economic communities.

Mr. BARTLETT. That is true.

Mr. President, I join the Senator from Wisconsin in heaping praise upon the distinguished Senator from Illinois [Mr. DOUGLAS] for his original work in connection with this law, which has served so many useful purposes throughout the Nation.

Mr. DOUGLAS. Mr. President, I appreciate the courtesy of the Senator from Alaska; but let me say that he does not have to "lay it on with flowers."

Mr. BARTLETT. Mr. President, I insist upon it, because I mean it most sincerely. We are greatly indebted to the Senator from Illinois for bringing before the Senate the bill we are now considering.

Mr. President, the Area Redevelopment Administration is now an inseparable part of Alaska's growth and development. It is helping to make a reality the dreams Alaskans shared through the long years as a territory. Alaskans waited for many years for the chance to develop their own industries by themselves. The Area Redevelopment Administration, created in 1961, has been able to step in immediately with the kind of assistance which the people of Alaska have long needed, but which had never been made available to them.

Mr. President, it is vitally necessary that the programs instituted by the Area Redevelopment Administration be allowed to continue, not only for Alaska's sake, but also for the sake of all of the areas in the other 49 States which, for one reason or another, are unable to build their economies alone.

Let me give a few examples of the kind of basic and necessary work the Area Redevelopment Administration is doing in Alaska.

The State spent $15 million to develop a marine highway from Ketchikan to Haines and Skagway. The ferry system carries freight, passengers, and automobiles. In the short time it has been in service it has operated at a capacity well beyond expectations.

Not only will it bring into Alaska thousands of people as tourists and visitors, but also it will open up new possibilities for new business and industry. However, we need to be sure that the industrial development is of a kind best suited to the needs of the State, and that accommodations built for the influx of new people traveling on the ferry and into Alaska are the right kind and in the right places.

The State and the ARA together are planning for a technical study to determine the economic impact of the new ferry system and the industrial growth possibilities that it will provide. Funds for this kind of study, if the request is approved, will be the seed out of which more business and more and new jobs will grow.

The State, Bureau of Commercial Fisheries, University of Alaska, private industry, and ARA are working together to provide a research institution that can study the best ways to utilize the fish resources that abound in the Alaska seas, rivers, and lakes; markets, transportation costs, methods of harvesting, processing, and packaging, species not now widely used are all matters which require study and research before we can make full use of our potential, and provide new wealth and jobs for our people.

The ARA program for loans and growth can provide a part of the funds that are not available from private and State sources, and a segment of our State population can be put to work in year-round employment.

The city of Kodiak will be well on its way out of the classification of "persistent and substantial unemployment" because of the impetus from the expansion of the Alaska Ice & Cold Storage plant through an ARA loan of $260,000. The plant can now receive many tons more of fish than it has been able to. This means that fishermen can unload at Kodiak and return to the fishing grounds, without having to travel days to find facilities in which to unload and store their catch.

This development has required the expansion of Alvine's Marine Repair with an ARA loan of $86,665, and local investment of $133,333. Ten new jobs are created and repairs can be made without long trips to the next nearest repair yard.

The prospects of new jobs and new income into this area have caused one of the Alaskan banks to establish a branch in Kodiak, and the direct benefits to trades and services in the area will be great.

The combination of local planning and interested private operators, with funds provided by Kodiak people, an Alaska bank, and the ARA, will give new life to the Kodiak area.

Seldovia, located in the Cook Inlet area of Alaska, is entirely dependent upon the fishing and seafood industries for support of its people.

The most vital necessity for seafood processing is a safe and abundant supply of water.

The town faced a critical water problem when pressure dropped and waterlines broke. The four plants canning shrimp, crabs, and salmon were faced with closing or removal to other places unless they could be assured of adequate water and water pressure. Two additional plants which planned to come into the area could not come without a proper water supply.

Local funds were not sufficient to bear the total cost of the additions and improvements required. An ARA loan for $168,000 which will be repaid from revenues, and a grant of $75,000 will save the canneries and will bring in two new ones. This means jobs now existing will be saved, and from 75 to 100 new jobs in canneries and the fishing fleet will be created.

The city of Wrangell has a wornout and inadequate power system. It is not eligible for any loan from REA nor from other traditional loan sources.

A new mill is to be built in Wrangell which will require power during its construction and from time to time afterwards. Other demands on the power system will grow from the logging operations that will be needed to supply the mill.

The city's funds on hand, and expected revenues from the power system will pay part of the cost of expansion but the city will still be short $20,500 of sufficient funds.

The ARA public facility loan and grant program is fulfilling this need, by a loan of $77,000 repayable from revenues, and a grant of $20,500 for the part that cannot be obtained from any other source.

The development of Wrangell and the neighboring area will have taken a big step forward because of the ARA assistance in financing the mill and the power system.

Saxman, a small native village near Ketchikan, will become a major wholesale distribution point for southeastern Alaska through the assistance of the Area Redevelopment Administration.

The cost of living in Alaska is well known to be higher than in any of the other States. One of the major reasons for this is that Seattle acted as the wholesale warehouse for almost all of Alaska. Shipments were made up for individual cities and because the population was small and facilities unavailable, Alaskans were unable to take advantage of carload lots of various commodities. The installation of the Saxman facility, with its storage area, will permit shipment from southern points to a distribution point in Alaska. Commodities can then be transshipped on an "as needed" basis.

In addition to lowering the cost of living for all residents of southeastern Alaska, the Saxman project is providing year-around employment for the people of the community. People in the nearby Ketchikan area are now seeking ways to establish more industry in the area to take advantage of improved transportation.

This one installation at Saxman will be the base upon which a thriving, diversified economy can be built.

Mr. President, the Area Redevelopment Administration is doing an excellent job in Alaska, and it must be allowed to continue. It is my hope that the ARA will work itself out of a job, because if it does, it will have served the Nation well. It will have stimulated our economy, renewed our faith in new starts, and brought jobs and prosperity to all corners of our land.

I ask unanimous consent to have printed in the Record at the close of my remarks the text of a radiogram which I received a few days ago from Dr. George Rogers, an eminent Alaska economist, urging that the bill be passed, and likewise the text of a letter on the same subject and to the same effect which came to me only today from Mr. Walter Kraft, a businessman of Kodiak, Alaska.

There being no objection, the radiogram and letter were ordered to be printed in the Record, as follows:

Juneau, Alaska,
June 21, 1963.

Senator E. L. Bartlett,
U.S. Senate,
Washington, D.C.:

Continuation ARA program critical in Alaska's future. Realization anticipated major developments requires considerable time. Unless bolstered by intermediate and transition developments such as provided by ARA projects, present economy will fall during waiting period causing loss skilled labor and local capital and immediate hardship many Alaskans.

George W. Rogers,
Economist.

O. Kraft & Son, Inc.,
Kodiak, Alaska, June 21, 1963.

Senator E. L. Bartlett,
U.S. Senate,
Washington, D.C.:

Dear Senator Bartlett: Thank you for the copy of H.R. 4996 that you forwarded to me on May 8.

I was disappointed in the vote this week concerning the ARA program. Alaska really needs this type of program to develop its economy.

I sincerely hope that the Senate will vote in favor of this program.

The Governor's office phoned me today concerning the new project under our ARA program. This project would be a great step forward for Alaska and Kodiak. The project started with a Marine Science Institute for the University of Alaska. They were requesting a grant of $630,000. The State has added to this program a Fishery Research Center and they have raised the grant to $1,100,000. This project would really help the economy of Alaska, particularly the coastal areas.

I am sure that you can understand what this program would mean to the entire fishing industry in Alaska. This program could possibly help in getting the Russian and Japanese fishing fleets out of Alaska waters.

Any support that you can give us on this project will be greatly appreciated by the community and the State of Alaska.

With best wishes, I am,
Sincerely yours,
Walter O. Kraft,
Chairman, Kodiak OEDP Committee.

Mr. BARTLETT. I thank my friend from Maine for having yielded to me.

Mr. MUSKIE. I was happy to yield to my distinguished friend from Alaska.

Mr. President, I am happy to yield to the distinguished Senator from Alabama [Mr. Sparkman].

Mr. SPARKMAN. With the understanding that the Senator from Maine does not lose his right to the floor, and with the understanding that my remarks will come at the conclusion of his remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPARKMAN. Mr. President, I am grateful to the Senator from Maine for giving me this opportunity to say a very few words. I shall be brief. I must leave the Chamber soon. Therefore I am doubly indebted to him for letting me get in my word of testimony this afternoon.

I am pleased that the bill is before the Senate today for consideration. I hope that when it comes to a final vote, it will be passed by an overwhelming majority. The bill contains a continuation of a program that Congress passed previously. It has well proved itself, even in the short time that it has been in operation. Undoubtedly some mistakes have been made, but that is only to be expected in an agency that is carrying out a program in an uncharted field.

I commend the Senator from Illinois for the great interest he has shown in the program for many years. He worked hard on it before it ever became law. He has continued his interest in it. He performed a masterly job in making a record before the Banking and Currency Committee of the Senate, and is doing so now on the floor of the Senate.

The Senator from Illinois [Mr. Douglas] started his interest in the program many years ago. He did not grow weary in well doing, but continued to work at it until the bill became law. I take some pleasure in the enactment of the measure because I supported it from the beginning.

As the Senator from Illinois may remember, back in 1950 and 1951, as chairman of the subcommittee of the Joint Economic Committee, I held hearings first on low income families and then on rural families. At that time I introduced a bill that would have established a nationwide program in the thousand counties of lowest income.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. DOUGLAS. I wish to pay tribute to the Senator from Alabama, not only for his general excellence, but also for the fine specific work which he did in developing information as to the extent and depth of rural poverty, and the amount of time which is lost in the rural regions, and then proposing a constructive program. As I shall later show, the program started primarily for the urban and industrial areas. The contributions of the Senator from Alabama helped us weld the rural problem to the urban industrial problem and produce an integrated program for the Nation as a whole.

So the Senator from Alabama is really a coauthor of the bill. He has been of great help in the difficult times which we had within the committee and on the floor, about which, in the interest of harmony, I shall not speak further.

Mr. SPARKMAN. Mr. President, I am indebted to the Senator from Illinois. I was not relating the fact for the purpose of gaining credit. I remember very well when the Senator from Illinois first suggested to me that he incorporate in his bill provisions related to the rural areas, in order that the program might be made universal. While my State is growing in industry, it is still primarily a rural, agricultural State. I have seen the program in operation in my State. I have seen it in some of the small rural areas. I have seen it in small towns. I have seen it in some sizable places. For example, I happen to think of one place in which a foundry that had formerly employed several hundred people had gone out of business. There was a great deal of unemployment in that area. It was one of our greatest labor surplus areas in the State of Alabama. By combining the program with the SBA program, through the cooperation of the banks and the people in that area we were able to work out a proposal that was adopted by the agencies concerned.

The plant was opened and has been doing a thriving business since that time, giving employment to several hundred people. When employment is given to several hundred people, that means that several hundred more persons benefit in a community. This means a great deal.

The program, in the short time it has been in existence, has well proved itself. I am glad to endorse its continuance and to express the hope that the Senate will approve it by an overwhelming vote.

I thank the Senator from Illinois and the Senator from Maine.

Mr. DOUGLAS. Mr. President, I thank the Senator from Alabama. He has been a great help, not only with the votes and with his moral presence on the Banking and Currency Committee, but also with his constructive suggestions, which, as I have said, were largely responsible for combining a rural program with an urban and industrial program.

This is a clear indication that the chamber of commerce was mistaken when it said it was never envisioned that this program would reach out into the countryside. The provision for a rural program, as well as an industrial program, has been in the law ever since 1957.

Mr. SPARKMAN. One has only to look at the list of projects approved to see how many are in rural areas or predominantly rural areas.

Mr. DOUGLAS. And how many of them are in southern areas. As Senators well know, many felt the program was going to be a Northern and Western program. I am very happy that it is a national program, helping the countryside, the cities, the small towns, and coal mining communities, as well as the rural regions.

Mr. SPARKMAN. The Senator is correct.

Mr. DOUGLAS. Helping the South as well as the North, the West as well as the East.

Mr. President, having heard from the State of Alabama and from the State of Alaska, we should hear from the State of Maine.

ORDER FOR ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, will the Senator from Maine yield to me with the understanding that he will not lose his right to the floor, with the concurrence of the distinguished Senator in charge of the bill, so that I may make two unanimous-consent requests?

Mr. MUSKIE. Mr. President, I am happy to yield to the majority leader.

Mr. MANSFIELD. Mr. President, these requests have been cleared all around.

I ask unanimous consent that when the Senate adjourns tonight, it adjourn to meet at 10 o'clock tomorrow morning.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 6791) to continue for 2 years the existing reduction of the exemption from duty enjoyed by returning residents, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MILLS, Mr. KING of California, Mr. O'BRIEN of Illinois, Mr. BYRNES of Wisconsin, and Mr. BAKER were appointed managers on the part of the House at the conference.

AREA REDEVELOPMENT ACT AMENDMENTS OF 1963

The Senate resumed the consideration of the bill (S. 1163) to amend certain provisions of the Area Redevelopment Act.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I have a proposed unanimous-consent agreement which I shall read myself, because it might be difficult for the clerk to decipher the writing:

Ordered, That, effective on June 26, 1963, at the conclusion of routine morning business and following a speech by the Senator from Utah [Mr. BENNETT] during the further consideration of the bill, S. 1163, to amend certain provisions of the Area Redevelopment Act, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to one-half hour in the case of the amendment to be offered by the Senator from Colorado [Mr. DOMINICK], to be divided 15 minutes to a side; 40 minutes in the case of the amendment to be offered by the Senator from Iowa [Mr. MILLER], to be divided 20 minutes to a side; 1 hour in the case of the amendment to be offered by the Senator from Pennsylvania [Mr. SCOTT], to be divided 30 minutes to a side; one-half hour on any other amendments, to be divided 15 minutes to a side; to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided,* That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 2 hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided,* That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

Mr. President, I also ask that the time allocated to the majority leader be transferred to the control of the distinguished Senator from Illinois [Mr. DOUGLAS] who is in charge of consideration of the bill.

The **PRESIDING OFFICER.** Is there objection to the proposed unanimous-consent agreement? The Chair hears none; and, without objection, the unanimous-consent agreement is entered.

The unanimous-consent agreement, as subsequently reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective on June 26, 1963, at the conclusion of routine morning business, and following a speech by the Senator from Utah [Mr. BENNETT], during the further consideration of the bill (S. 1163) to amend certain provisions of the Area Redevelopment Act, debate on any amendment (except an amendment by the Senator from Iowa [Mr. MILLER] which will be limited to 40 minutes equally divided, and an amendment by the Senator from Pennsylvania [Mr. SCOTT] which will be limited to 1 hour to be equally divided), motion, or appeal, except a motion to lay on the table, shall be limited to one-half hour, to be equally divided and controlled by the mover of any such amendment or motion and the Senator from Illinois [Mr. DOUGLAS]: *Provided,* That in the event the Senator from Illinois is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 2 hours, to be equally divided and controlled, respectively, by the Senator from Illinois [Mr. DOUGLAS] and the minority leader: *Provided,* That the Senator from Illinois [Mr. DOUGLAS] or the minority leader may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

Mr. MUSKIE. Mr. President, over the past two decades, we have witnessed one of the most remarkable—and almost unnoticed—revolutions in world history. That revolution—accomplished without barricades or bloodshed—continues today. It is the spectacular improvement in the American standard of living. Rising steadily to new and unprecedented heights, our standard of living dramatically demonstrates the success of our democratic form of government and our economic system of free enterprise.

But in the midst of this affluence, we are repeatedly confronted with the paradox of unemployment, poverty and misery. As our prosperity has increased on a national scale, our unemployment patterns have become rigid, and certain areas have been chronically burdened with high levels of unemployment and economic stagnation. Frustrated in their efforts to share in the national prosperity, many Americans have watched their children leave to seek opportunity elsewhere, and have retreated into despair.

For some years, many States have recognized the uneven nature of economic development. In my own State, for example, in an effort to coordinate our development programs—industrial and recreational—we organized the department of economic development in 1955. This was followed by the Maine Industrial Building Authority, established in 1957, to guarantee industrial building loans. Both of these programs represent an effort by government to provide the means by which local communities can utilize local initiative and local resources to solve their economic problems. I am proud that both of these measures were enacted while I was Governor of Maine. Cooperation between local and State officials has been excellent, and some advances have been made.

But a great need remained. Thus, it seemed both logical and necessary that additional assistance be made available by the U.S. Government. This was forthcoming in the Area Redevelopment Act of 1961. In its 2 years of operation, ARA has been of immense assistance to large areas which need help. In Maine, six entire counties—Aroostook, Piscataquis, Washington, Hancock, Knox, and Lincoln—most of York County and part of Penobscot County have been designated as eligible for assistance from ARA. Those counties cover roughly one-half of the geographic area and contain over one-third of the population of the State. In each case, designation was requested by local citizens. This was not forced upon the people of Maine. They wanted it—they asked for it—they have used it—they need it if they are to continue to improve their economic condition.

Each of our eight counties eligible for assistance has submitted and obtained approval of an overall economic development plan. In itself, this is a positive and encouraging result, because it requires each area to appraise its resources and to channel its energies into those avenues which will best develop those resources. Some of our counties have not yet had a chance to implement their development plans, and curtailment of this program will be a cruel blow to the hopes which have been raised by this program. Others have already made significant strides.

One of these is Aroostook County, located at the extreme northern tip of Maine. As large in area as the combined States of Connecticut and Rhode Island and with a population of about 100,000, Aroostook County is a largely undeveloped area. It is rich in natural resources, but concentration on one source of income—potato farming—has made the county's economy subject to the violent fluctuations of the potato market. With the steady decline of that market in recent years, the economy of Aroostook County is in critical condition. Added to this was the loss in 1961 of the Presque Isle Air Force Base, which had been a major source of income to the city of Presque Isle, largest in the county.

Although it has not provided a solution to all of the county's problems, ARA has made a very substantial contribution to the economic recovery now taking place there. Three industrial loans, totaling $1,746,000, have been made. These loans, for expansion of a potato processing plant and two wood-products factories, are the kind of help needed in Aroostook County, for they are directed at development of the natural resources of the area. They will account for over 400 direct new jobs.

ARA was of direct assistance in meeting the problems created by the closing of the Air Force base at Presque Isle. Through its training program, some 300 workers are being retrained to meet the need for skilled workers to supply two industries moving into the former base.

ARA is also helping the potato farmers of Aroostook County to meet their problems. As I mentioned earlier, one industrial loan has already been approved for expansion of a potato-processing plant. More important, perhaps, is the help which can only be forthcoming if additional funds are made available to ARA.

A consensus is growing in Aroostook County that the first step toward solution of the problems of the potato industry is the establishment of centralized storage and packing plants. At this time, four applications are pending at ARA for construction of such plants. Yesterday, I received a letter from the executive vice president of the Maine Potato Council, which represents the potato farmers of Aroostook County. He said:

> At a meeting of the board of directors, Maine Potato Council, held last evening, the board requested management of the council to contact our congressional delegation urging them to support any bills that would provide for additional funds for the Area Redevelopment Administration.
>
> The board wishes to point out to our congressional delegation that the whole concept of the development of centralized storage and packing plants in Aroostook County, believed by the council to be one of the prime needs for correcting the potato situation, revolves around the use of ARA funds for the construction of such plants. At the present time, four groups in Aroostook County have applications for loans pending with the ARA. Already ARA funds have been extremely beneficial to the self-help program of the potato industry.
>
> We urge your support of this legislation that has proven most beneficial to the Maine potato industry.
>
> HAROLD E. BRYANT,
> *Executive Vice President,*
> *Maine Potato Council.*

The chairman of the Aroostook County Rural Area Development Committee wired me as follows:

> On behalf of the Aroostook County Rural Area Development Committee, I would like to express my deep concern over the possibility that the ARA program may not be extended beyond this year. Although I realize that you are acutely aware of Aroostook County's problems, I will refer to them for background.
>
> The recent closing of the Presque Isle Air Force Base accentuated the lack of industrial payroll for the area and created some temporary unemployment. The decline of the market for potatoes and the deterioration of the price for this product has resulted in severe under employment and marginal wages in the area.
>
> The rural area development programs in conjunction with the assistance provided through ARA has made significant progress in changing this picture. The initiative of local businessmen has been stimulated by the availability of Federal money resulting in many applications for loans for some lumber mills such as cedar and planing mills, as well as one of the largest proposed long lumber mills in the area. Although the agricultural picture in potatoes has not significantly changed, many farmers have been given new incentive to try to solve the marketing program through the use of ARA funds in providing central packing and processing plants, potato services in Presque Isle have used ARA funds to increase the size of their operation and expect to double their employment up to a figure of 500 or 600.
>
> Events such as these have given our area a more optimistic outlook on the future. I strongly urge on behalf of Aroostook County that you urge your fellow Senators to consider the good that has been accomplished by ARA and the many opportunities for more effort in these fields that are still available. We are very grateful for your assistance in the past and wish you good fortune in your present efforts."
>
> JOHN TIERNAN,
> *Chairman, Aroostook County Rural Area Development Committee.*

Perhaps of even greater significance to the economy of the county—and of the State—is a possible technical assistance grant. For some time, I have been working closely with local citizens in an effort to determine the feasibility of developing the sugarbeet industry in Aroostook County. This requires extensive sample planting, and an analysis of the crop once harvested. The State of Maine has already made some funds available, and the people of Aroostook County have contributed to their limit. However, additional funds are necessary, and an application for a technical assistance grant will be filed with ARA shortly. Such a grant would make it possible to make a proper analysis of the sugarbeet potential.

It should be made clear that these people are not running to the Federal Government for a handout. They have worked diligently and have raised locally and through the State over half of the total study cost. But their resources are limited. With just a very modest assist from ARA, this project may become a reality.

And it is of the utmost significance. It can provide the answer to the problems which have beset Aroostook County farmers because of their concentration in one crop.

The importance of this project to the long-range economic growth of Aroostook County—and indeed the entire State of Maine—cannot possibly be overstated. And yet, it will be stillborn if this measure is defeated, and no grant funds are available. Today, I received a telegram from the chairman of the local committee organized to move this project, and it reads as follows:

> We urge your help toward the establishment of a technical assistance grant for the sugarbeet program in Aroostook County. A supplemental crop is imperative to the economy of this area and sugarbeets fill this category excellently. Success of this venture would mean capital expenditures of $20 million plus substantial annual net income to the county's business and farmers. The 260 acres of beets now growing are being financed by local contributions and the Maine Department of Agriculture. Technical assistance grant is urgently needed to complete crop harvest and economic feasibility study for hearings late this fall. Your continued support on additional authority for area redevelopment program for coming fiscal year is requested. The program has done much in helping people of Maine to improve their economic status and its continuation will be of great value to this county. May we have your continued help toward the extended ARA program and in establishment of a grant for the sugarbeet project. Thank you.
>
> J. ROGER ERSKINE,
> *Chairman, Sugarbeet Committee.*

It seems to me that this technical assistance grant—which will probably be for less than $50,000—if approved, will be doing precisely what we intended should be done when ARA was created in 1961. It will provide the means by which a major industry may be located in an undeveloped area where it is badly needed. This will be the establishment of a new industry, creating new jobs—the internal growth so necessary to support our expanding population.

My reference to Aroostook County as an undeveloped area leads me to recall other programs designed to assist undeveloped areas. In 1862—over 100 years ago—President Lincoln signed the Railroad Land-Grant Act. The purpose of the law was to encourage private railroad corporations to extend their operations into then undeveloped areas of the West, in an effort to stimulate their development. Under that act, the U.S. Government, in the midst of a great Civil War, operating at a fiscal deficit, gave away—free—130 million acres of public lands to private companies. That is roughly equivalent to the total land area of 12 Northeastern States—Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, New Jersey, Delaware, Maryland and most of Virginia. I want to emphasize that this land was given away, while 75 percent of the funds distributed by ARA are loans, repayable with interest.

Mr. President, we can imagine the field day our present-day prophets of doom would have had attacking the Railroad Land-Grant Act. Socialism—giveaways—Government control—the charges would fly fast and free. And yet, I submit that that law, enacted by a Republican Congress and a Republican President, was one of the most visionary and farsighted pieces of legislation ever enacted by any Congress. No other single factor played as important a role in the development of the great West, which has contributed so much to our national development since then.

And yet, was this not a giveaway of Federal funds—for who can begin to calculate the value of those 130 million acres of land? Was this not giving the railroads receiving land an unfair advantage over those that did not? Was this not legislation helping the people in one section of the country at the expense of those in another?

The arguments are familiar, and they should be, for these very same arguments are being used today against ARA. They represent a negative, shortsighted view, which demonstrates a lack of confidence in America. And they deny to large numbers of Americans the helping hand needed if they are to help themselves. They say to those Americans in undeveloped areas like Aroostook County: "You have your problems and you are stuck with them; it is up to you to solve them; you can't expect any outside help." What could be more shortsighted, more out of keeping with the American tradition?

The failure of the Articles of Confederation proved conclusively that this country is not a series of separate economic units, each independent and concerned only with its own problems. Ours is a national economy; economic stagnation and poverty in one area adversely affect us all. Our obligation to our fellow Americans is thus more than moral; it is economic, and in our own self-interest.

Mr. President, this Chamber will hear the voices of opposition to this measure. We will hear predictions of dire results if we approve this measure. We heard similar predictions 2 years ago when we were considering founding this program. I would like to recall just one such prediction, which may serve to place in perspective some of the statements we shall hear now.

As we know, the U.S. Chamber of Commerce opposes S. 1163 as it opposed establishment of ARA in 1961. As part of that opposition, in the March 1961 issue of its Monthly Activities Report, the Maine State Chamber of Commerce published an article entitled "Area Redevelopment Bill Would Create One New Job in Maine." The article asserted that the cost of the program to Maine would be $430,000, while the State could expect in return a total of $10,000, which would create one job in the one area eligible for assistance. Well, I have seen bad guesses in my day, but I have rarely seen anything like this. The facts are—2 years later—that 8 areas in Maine have been designated as eligible, not 1 as predicted; that approval has already been given to over 25 projects—including 9 industrial loans—calling for an investment by ARA of over $3 million, not $10,000, as predicted; that this investment will result in the creation of approximately 1,000 direct new jobs, not 1 as predicted.

But, in many areas, we are just beginning to move. For example, there are presently pending 18 projects which will result in the creation of 915 more new jobs. And I am advised by the ARA representative in Maine, that within 30 days, it is expected that 14 more applications, calling for the creation of 860 new jobs, will be filed. The chairman of the redevelopment committee for the Biddeford-Sanford area, a hard-hit former textile area located at the southern end of Maine, said in a wire to me this morning:

> We are greatly concerned over Congress' apparent failure to provide ARA with the additional funds needed to assist our local organizations in continuing to provide new facilities, equipment and training needed to replace our former textile businesses with modern industries. As you know, an economic study of this area originally started under ARA to cover only the 22 towns designated in 1961 as the Biddeford-Sanford redevelopment area is now receiving official local support from all 28 towns in the country. It is being supervised by a committee serving entirely without compensation. The study has already shown new ways of improving business in agriculture and in clam and lobster fisheries. Other constructive findings are indicated in subjects still in process. Biddeford-Sanford and other smaller communities have already benefited greatly through increased employment and physical improvements accelerated by ARA grants and loans which supplement local investments in new industries. It seems clear that this ARA program is just beginning to be of real assistance in improving the economy here as well as in other depressed areas of the State. It would be most unfortunate to have it seriously curtailed at this time. In view of your continuing interest, we are taking the liberty of calling it to your attention hoping that reconsideration of the recent action may be possible.
>
> LEWIS K. MARSHALL,
> *Chairman, Biddeford-Sanford Area Redevelopment Committee.*

To reject this bill will be to cut short the recovery which ARA is helping to bring about. But of even greater concern to me is the psychological impact which will inevitably result. For many people in many parts of the United States, ARA's most valuable contribution has been the infusion of a sense of vitality, of awakening local initiative, of a sense of purpose and achievement. With its heavy emphasis on local planning, local initiative, local contribution, ARA provides assistance for those willing to help themselves.

Testifying on S. 1163, before the Production and Stabilization Subcommittee of the Banking and Currency Committee, the president of the Northern National Bank—by far the largest bank in northern Maine and serving an area designated under ARA—said:

> ARA has provided the opportunity and the stimulus for the citizens of this county to forge ahead to help create a bright future for themselves and their children, and they have done so with tremendous local initiative and cooperation. It certainly has had a positive and encouraging effect upon our area.

ARA has widespread support throughout Maine, as evidenced by recent newspaper articles.

I submit for insertion in the RECORD at this point, and ask unanimous consent to have printed, an editorial, a newspaper article, a letter, and several telegrams received in my office supporting this bill.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Portland Sunday Telegram, June 16, 1963]

THE WRONG DIRECTION

Walter Lippmann last week, in probing for a meaning in the social upheaval that is taking place in the heavily Negro sections of the country, saw it as a manifestation of the broad problems that face the Nation as a whole. These are the problems of low income and poverty, unemployment, lack of education, inadequate housing, and the lack of many other amenities of civilized life. And looking into his crystal ball, Mr. Lippmann saw dimly in the future a massive attack on these problems. If the need is to be met, among the whites as among the Negroes, the remedy will have to be massive, for millions of American citizens are involved. The aim will have to be to increase economic opportunity for them, so that they can become the consumers who will, in turn, keep the American economic machine running in high gear.

But the massive attack has not been mounted yet. What remedies are at hand are a kind of patchwork, but they are the best available. In the forefront is the Area Redevelopment Administration, with its aid to depressed areas, sections with chronic unemployment. This program is of special import to Maine because half the State is eligible for its aid.

For that reason, the vote of the U.S. House last week rejecting the President's request for an additional $450 million to extend the ARA program is to be regretted. Desertion of some southern Democrats from the administration fold was apparently a kind of punishment for the President's stronger stand on desegregation. Their vindictive action made it the more unfortunate that northen Republicans like Congressman MCINTIRE, of Maine, could not find their way clear to vote for the measure, which, according to one estimate, might have created more than 1,000 jobs here in this State. Maine's GOP Congressman TUPPER, be it noted, was for the bill.

Another attempt to get funds for the program's extension may yet be made, with more favorable results. Otherwise the massive attack may be launched in the wrong direction.

[From the Christian Science Monitor, May 23, 1963]

AID TO BUSINESS FIGHTS JOBLESSNESS

(By David G. Mutch)

Private enterprise in high-unemployment areas in the United States is getting a boost from a mixture of two Federal agencies.

The mixture is the Area Redevelopment Administration (ARA) and the Small Business Administration (SBA)—or, more specifically, it is their joint effort to carry out the goal of the Area Redevelopment Act, passed by Congress early in 1961.

The purpose of this act is to help create new jobs in areas with continuing serious unemployment.

The work is carried out with the cooperation of local banks, local business groups, and the private businessmen who take advantage of the SBA's and the ARA's loan and technical assistance program.

ECONOMY STRENGTHENED

Fort Kent, Maine, now has a privately owned and privately operated company making cedar fences. Without the help of the ARA and the SBA, this community probably would not have had this company, which has strengthened the area's economy greatly.

The story of the Dumond Cedar Co., Inc., illustrates the results of the Area Redevelopment Act. Fort Kent is in an area of severe unemployment. The natural resources of the area, which borders Canada, are largely undeveloped.

The ARA, established under the Department of Commerce in 1961, worked with the Department of Labor and reckoned that underemployment in the Fort Kent area was serious enough to designate it as a "redevelopment area."

PROGRAM PREPARED

To qualify for ARA assistance, a group of local business leaders, including bankers, prepared an overall economic development program. This program described the area's current economic situation, surveyed its potentials for economic growth, analyzed the resources, and spelled out a program for action that would create employment opportunities.

Such programs must be approved by a State agency appointed to coordinate State participation. Once the State and the ARA have approved an economic plan, individuals in the area are eligible to submit requests for assistance on specific projects.

The ARA assists redevelopment areas in five ways: First, with loans to help businesses get started or to expand; second, loans or grants to finance new public facilities necessary to new industries; third, programs to train or retrain workers, usually in connection with a new industry coming in the area; fourth, subsistence payments, supplementing the State's unemployment compensation benefits, to workers receiving training; fifth, technical assistance from personnel in Federal agencies to help an area plan its program of economic development.

CAPITAL NEEDED

The idea of starting a cedar-fence company in Fort Kent had its roots in the needs and potentials of the area. The major need of the individual who started the company was capital.

To qualify for ARA and SBA loans under the Area Redevelopment Act the business, or proposed business, must have been refused the necessary loan from local capital sources. This was the case of the company in Fort Kent.

The Dumond Cedar Co., employs more than 40 people. Although this sounds like a small amount, the population of Fort Kent is only 5,000, and the company's payroll is the largest the town has ever had.

As in all such cases, the Federal Government supplied only 65 percent of the necessary capital, which totaled over $98,000. A local bank in Fort Kent supplied 20 percent of the capital, the local businessmen supplied 10 percent, and the owner provided 5 percent. The bank gets an exclusive first mortgage in these arrangements.

LOCAL RESPONSIBILITY

Because of the percentage of local capital required by the ARA program, the brunt of responsibility lies with the locality and not with the Federal Government.

The SBA provides loans for working capital, while the ARA provides loans for the fixed assets. It is the SBA which does the credit check and processes both their loans and those from the ARA. This is because the SBA had necessary facilities for credit work existing prior to the Area Redevelopment Act, which obviated duplication of such facilities as already existed in other Federal agencies.

Every attempt is made to fit the new industries into the economic possibilities of the particular area. Care is taken not to create unfair competition in an area by duplicating existing industries.

BEGINNING MADE

The work of the Area Redevelopment Act is just getting off the ground, says Edward J. Stewart, director of the SBA office in Boston. The beginning that has been made, he continues, is strong and indicates further progress.

One problem, he says, is that the usually scarce capital put into projects by the local businessmen is tied up, under present regulations, for the life of the loan. Mr. Stewart says he hopes that the act can be amended this year so that this money can be returned more quickly to be used in further investments.

If the work of the ARA were not so successful already, he explains, there would be no attempt to make this amendment, which in effect liberalizes the plan, allowing for more loans and quicker progress in redevelopment areas.

MAINE POTATO COUNCIL,
Presque Isle, Maine, June 20, 1963.
Hon. EDMUND S. MUSKIE,
U.S. Senate,
Washington, D.C.:

DEAR ED: At a meeting of the board of directors, Maine Potato Council, held last evening, the board requested management of the council to contact our congressional delegation urging them to support any bills that would provide for additional funds for the Area Redevelopment Administration.

The board wishes to point out to our congressional delegation that the whole concept of the development of centralized storage and packing plants in Aroostook County, believed by the council to be one of the prime needs for correcting the potato situation, revolves around the use of ARA funds for the construction of such plants. At the present time four groups in Aroostook County have applications for loans pending with the ARA. Already ARA funds have been extremely beneficial to the self-help program of the potato industry.

We urge your support of this legislation that has proven most beneficial to the Maine potato industry.

Cordially yours,
HAROLD E. BRYANT,
Executive Vice President.

CARIBOU, MAINE,
June 25, 1963.
Senator EDMUND S. MUSKIE,
Senate Office Building,
Washington, D.C.:

Continuation of ARA activities extremely vital to northern Maine due to low agricultural returns on potatoes during past few years and need of more industrial activities.

JAMES H. PAGE.

PRESQUE ISLE, MAINE,
June 25, 1963.
Senator EDMUND S. MUSKIE,
Senate Office Building,
Washington, D.C.:

We urge your help toward the establishment of a technical assistance grant for the sugarbeet program in Aroostook County. A supplemental crop is imperative to the economy of this area and sugarbeets fill this category excellently. Success of this venture would mean capital expenditures of 20 million plus substantial annual net income to the county's business and farmers. The 260 acres of beets now growing are being financed by local contributions and the Maine Department of Agriculture. Technical assistance grant is urgently needed to complete crop harvest and economic feasibility study for hearings late this fall. Your continued support on additional authority for area redevelopment program for coming fiscal year is requested. The program has done much in helping people of Maine to improve their economic status and its continuation will be of great value to this county. May we have your continued help

toward the extended ARA program and in establishment of a grant for the sugarbeet project.

Thank you.

J. Roger Erskine,
Chairman, Sugarbeet Committee.

Presque Isle, Maine, *June 24, 1963.*

Senator Edmund S. Muskie,
Washington, D.C.:

On behalf of the Aroostook County Rural Area Development Committee, I would like to express my deep concern over the possibility that the ARA program may not be extended beyond this year. Although I realize that you are acutely aware of Aroostook County's problems I will refer to them for background.

The recent closing of the Presque Isle Air Force Base accentuated the lack of industrial payroll for the area and created some temporary unemployment. The decline of the market for potatoes and the deterioration of the price for this product has resulted in severe underemployment and marginal wages in the area.

The rural area development programs in conjunction with the assistance provided through ARA has made significant progress in changing this picture. The initiative of local businessmen has been stimulated by the availability of Federal money resulting in many applications for loans for some lumber mills such as cedar and planing mills, as well as one of the largest proposed long lumber mills in the area. Although the agricultural picture in potatoes has not significantly changed, many farmers have been given new incentive to try to solve the marketing program through the use of ARA funds in providing central packing and processing plants. In addition to the many small processing plants, potato services in Presque Isle have used ARA funds to increase the size of their operation and expect to double their employment up to a figure of 500 or 600.

Events such as these have given our area a more optimistic outlook on the future. I strongly urge on behalf of Aroostook County that you urge your fellow Senators to consider the good that has been accomplished by ARA and the many opportunities for more effort in these fields that are still available. We are very grateful for your assistance in the past and wish you good fortune in your present efforts.

Respectfully,

John Tiernan,
Chairman, Aroostook County Rural Area Development Committee.

Presque Isle, Maine,
June 24, 1963.

Senator Edmund S. Muskie,
Washington, D.C.:

ARA program has been of great benefit to Central Aroostook. Potato service real asset to us. Give ARA your 100 percent endorsement.

Harry B. Hedrich,
President,
Greater Presque Isle Development Corp.

Tenants Harbor, Maine,
June 23, 1963

Edmund S. Muskie,
U.S. Senate,
Washington, D.C.:

We respectfully request that you earnestly address yourself to the successful passage of bill S. 1163 covering increased authorization for ARA funds for the area redevelopment administration program. Our letter follows.

Kenneth F. Wilson,
Chairman,
Knox County Regional Planning.

Jonesport, Maine,
June 25, 1963.

Senator Edmund Muskie,
U.S. Senate,
Washington, D.C.:

We urge your support of bill S. 1163, ARA amendments of 1963. Washington County has four areas attempting to improve economic conditions and such funds are needed to add to local support.

Vern McFadden.

Presque Isle, Maine,
June 24, 1963.

Senator Edmund S. Muskie,
Washington, D.C.:

ARA has aided us in turning our former military base into stable industrial community. Please give ARA your full endorsement.

Wendell Phillips,
President,
Presque Isle Industrial Council.

Van Buren, Maine,
June 21, 1963.

Hon. Edmund S. Muskie,
U.S. Senate,
Washington, D.C.:

Van Buren Industrial Development Committee urges full support for additional ARA funds vital to economic rehabilitation and industrial potential this area.

Robert Marquis,
Chairman, Van Buren Industrial Development Committee.

Rockland, Maine,
June 26, 1963.

Senator Edmund S. Muskie,
Senate Office Building,
Washington, D.C.:

Rockland Chamber of Commerce and citizens of Rockland, Maine, strongly urge your support of Senate Document S. 1163 relative to funds for allocations to the Area Redevelopment Administration. On June 14, 1963, the city of Rockland filed an application to the ARA for a deepwater pier terminal on a 50-percent grant and loan basis for $2,570,000 the approval of this project would be a tremendous boost to the economy of Rockland and would bring substantial new employment to the area. Your support of this program will help us to help ourselves to improve the economy of Rockland, Maine.

Thomas LaPointe,
City Manager.
Jerome H. Barnett,
Executive Secretary,
Rockland Chamber of Commerce.

Kennebunkport, Maine,
June 24, 1963.

Senator Edmund S. Muskie,
Senate Office Building,
Washington, D.C.:

We are greatly concerned over Congress apparent failure to provide ARA with the additional funds needed to assist our local organizations in continuing to provide the new facilities, equipment, and training needed to replace our former textile businesses with modern industries. As you know, an economic study of this area originally started under ARA to cover only the 22 towns designated in 1961 as the Biddeford-Sanford Redevelopment Area is now receiving official local support from all 28 towns in the county. It is being supervised by a committee serving entirely without compensation. The study has already shown new ways of improving business in agriculture and in clam and lobster fisheries. Other constructive findings are indicated in subjects still in process. Biddeford-Sanford and other smaller communities have already benefited greatly through increased employment and physical improvements accelerated by ARA grants and loans which supplement local investments in new industries. It seems clear that this ARA program is just beginning to be of real assistance in improving the economy here as well as in other depressed areas of the State. It would be most unfortunate to have it seriously curtailed at this time. In view of your continuing interest we are taking the liberty of calling it to your attention hoping that reconsideration of the recent action may be possible.

Lewis K. Marshall,
Chairman, Biddeford-Sanford Area Redevelopment Committee.

Mr. MUSKIE. Mr. President, nothing could be more damaging to the spirit which this program has created than rejection of S. 1163. This is a good program; it has not and will not work miracles, but it has and will make a positive and substantial contribution toward meeting the economic problems of our undeveloped areas. I strongly urge its favorable enactment.

Mr. DOUGLAS. Mr. President, I commend the Senator from Maine not only on his eloquent testimony as to the need of ARA, but for the constructive work which he has accomplished in promoting it. I only hope the contrast between the predictions of the Maine Chamber of Commerce and the realizations may be borne home to everyone, from Kennebunkport east.

Mr. MUSKIE. I thank the Senator. It has been a privilege for me to work under his leadership in developing and pushing this measure to its enactment 2 years ago and now. The program was well started before I came to the Senate. It has been a pleasure to follow the leadership of the Senator from Illinois.

Mr. DOUGLAS. The distinguished Senator from Maine has been a member of the Banking and Currency Committee ever since he joined this body. He has been of great help to us in the formulation of the legislation and very constructive plans. I am glad he has urged the cause of the Old Town Indians so that the needs of those on the Penobscot may be well cared for.

I am now glad to yield to the junior Senator from Michigan [Mr. Hart].

Mr. HART. Mr. President, passage of the Area Redevelopment Act in 1961 was the effort of Congress to answer in part one of the paradoxes of our modern society: the existence, in the midst of plenty, of geographic pockets of chronic joblessness or pitifully low family income. These are areas that, irrespective of the national rhythm of recession and recovery, have been unable to develop sufficient local economic strength to keep pace with the rest of the Nation. They are the victims of changing times, changing consumer tastes, and changing technologies—the victims of inadequate or exhausted resources—the victims of overreliance on a single declining industry.

Regardless of the cause of the economic plight of any particular area, there are actions which can be taken to alleviate this condition. Potential economic growth resides in all of these areas. None are doomed to lasting deprivation.

The economies of these areas did not deteriorate overnight, and obviously they are not going to be regenerated overnight. The Area Redevelopment Administration offers aid which is unique in assisting these areas to recognize the potential they have and to reach enduring solutions to their longstanding problems. By stimulating community analysis of their economic assets and liabilities, by lending risk capital on a participating basis with private enterprise and local development groups, by providing funds to determine the feasibility of locally conceived projects, the ARA makes it possible for these areas to reenter the mainstream of American economic life.

The accomplishments of the ARA in Michigan have been real and valuable. They have not realized all the hopes of those of us who have supported the legislation, but clearly the value of the program has been established.

The popular image of Michigan is that of a wealthy, highly industrialized State. Yet in both the Lower Peninsula and throughout the Upper Peninsula we have counties which have experienced severe and prolonged unemployment extending over several decades. All 15 counties of the Upper Peninsula qualify for assistance under the Area Redevelopment Act. Recognizing that their prospects for economic improvement would be enhanced by cooperative planning and action, 14 of the counties formed a regional organization and applied to ARA for technical assistance in developing and executing a program for economic improvement. ARA provided the assistance requested and through it the counties of the Upper Peninsula are being helped to organize for self-help and are being mobilized to participate in regional economic programs. County planning groups are initiating projects designed to create employment. Industry groups are cooperating to improve the utilization of available resources.

As in so many redevelopment areas, the principal bases for growth lie in the further exploitation of forest products, minerals, and the recreation potential. As an area of declining employment in the deep iron ore mines, the future in mining is largely dependent upon developing technologies in beneficiating the low grade ores of the area and in upgrading the production of the deep mines. Stimulated by the ARA, programs to achieve the necessary breakthroughs are underway. The cut-over forest lands of the Upper Peninsula have now achieved a substantial level of regrowth, and their exploitation holds great promise of expanded employment. The ARA has provided funds for a photographic survey of the Upper Peninsula from which the Forest Service will prepare a current inventory of forest resources. This is a necessary preliminary to attracting timber-using industry to the region.

As a result of economic analysis undertaken by the ARA technical assistance project in the Upper Peninsula, a private company with large forest holdings has recently developed a portion of its land as a summer home colony. The response to its initial advertisement in the Chicago press has been startling. An ARA loan to assist in the purchase of an abandoned railroad spur to be operated as a tourist attraction, near Marquette, has resulted in the plan for an enormous vacationland development which will use the railroad and its right-of-way as the heart of a tourist complex.

With ARA financial assistance the Northern Michigan Development Council and Central Michigan University are developing an economic center to serve 28 counties of Michigan's Lower Peninsula in expanding tourism, business, and industry. Here, as in these other efforts, local leadership of high quality has pointed the way. These men and women are rewarded only in the satisfying and rich knowledge that they are making their region stronger and sounder.

The recreation potential of the Upper Peninsula constitutes one of its greatest and most readily exploitable resources. This resource appears to have been derided in the debate in the House of Representatives as a dubious source of economic benefit. I would like to point out that recreation is the basis for one of the great growth industries of the next three decades. Responsible sources have forecast a doubling of recreation demand in Michigan by 1970. Tourism resulting from this demand can be expected to bring enormous economic gains to those areas which are geared to meet it; indeed, tourism is now close being Michigan's No. 2 industry. Tourists will spend their dollars in areas which provide prime recreational opportunities only if these are supported by attractive modern accommodations and good food in attractive surroundings.

For this reason I do not find myself in complete agreement with the comments regarding hotel and motel projects incorporated in the Senate committee report on the amendments to the Area Redevelopment Act.

Every redevelopment area in the country has aspirations to attract manufacturing industries. For many of these areas, however, disadvantages of distance from markets or inadequacy of resources and technical services make it unlikely that any substantial industrial base can be developed. Often the only resource on which an area can build is its recreation potential. Without attractive facilities for the housing and feeding of tourists, exploitation of this potential is impossible. The jobs produced by tourist accommodations are a very small part of the benefits which tourism brings to an area. While experience can suggest improved safeguards and standards, I feel the basic policy which ARA has pursued with respect to this category of loan is prudent, and I urge that they continue to assist in the establishment of well-conceived motel and hotel projects for which a need can be established. Be it remembered, the local community leadership has the clearest view and is given the strongest voice in determining the need and soundness of any loan project.

A region which can provide a complex of these facilities to support its natural surroundings, and which can in truth claim to be a vacationland with many types of recreational opportunities, will benefit. It is not just the jobs created in facilities which entertain the tourists. It means expanded trade activities and new businesses and industries geared to the expanded tourist advantage.

Without attempting to review all of the contributions which ARA has made to the regeneration of Michigan's areas of acute and protracted unemployment, I would like to comment on the attack made in the House on an ARA loan to the builders of the Pontchartrain Hotel in Detroit. The people of Detroit have invested $55 million in a unique, unexcelled convention complex. It is known as the Civic Center. It is situated along the riverfront and includes the facilities of the Ford Auditorium, the Veterans' Memorial Building, and Cobo Hall. All of these were undertaken in the hope of building a substantial convention and tourist industry, thus lessening the dependence of the city upon its great single industry.

Now to the ARA loan in question. By investing $1,894,000, ARA encouraged private investors to put in an additional $7 million to complete a modern hotel immediately adjacent to the new Civic Center convention hall. The investment of ARA in 432 new hotel rooms in a city where hotel occupancy is at present only 54 percent was cited as an example of maladministration.

My judgment might well be questioned by critics. Certainly, the new lodging facility can serve only a small portion of the visitors attracted to Detroit by a convention.

Certainly the critics would be far more reluctant to challenge and to indict the caliber of Michigan men who have been guiding, in large part, the ARA development program in that State.

As we recall, when we enacted the Area Redevelopment Act, we required local participation and direction. In the case of Detroit, there was organized the Detroit Metropolitan Industrial Development Corp. to assist in the implementation of the act. Who comprise the Detroit Metropolitan Industrial Development Corp.? Without exception, outstanding men of Michigan. The chairman of the board of directors is Walker L. Cisler. Mr. Cisler is the president of the Detroit Edison Co. He has served this Government in assignments overseas with respect to the rehabilitation of the power industry of many nations friendly to the United States.

Mr. President, I ask unanimous consent to have printed at this point in my remarks a list of the officers and board of directors of the Detroit Metropolitan Industrial Development Corp. These men and their records are widely known in Michigan and in many cases will be recognized in any corner of the country.

It might also be well, as one analyzes the wisdom, prudence, and judgment of the ARA in advancing the construction of the Ponchartrain Hotel, to place in the Record a part of the letter dated June 21, 1963, which was transmitted to me by Walker L. Cisler and Oliver D. Marcks, who is president of the Detroit Metropolitan Industrial Development

Corp. I ask unanimous consent that the excerpt from the letter be printed at this point in my remarks.

There being no objection, the list and the excerpt were ordered to be printed in the RECORD, as follows:

LIST OF OFFICERS AND BOARD OF DIRECTORS, DETROIT METROPOLITAN INDUSTRIAL DEVELOPMENT CORP.

OFFICERS

Walker L. Cisler, chairman of the board; Oliver D. Marcks, president; Edward Cushman, vice president; Walter Reuther, vice president; W. Calvin Patterson, treasurer; Albert K. Jacoby, secretary.

BOARD OF DIRECTORS

Richard H. Austin, Richard H. Austin & Co.; Al Barbour, Wayne County AFL–CIO; Peter Bellanca, Detroit East Side Redevelopment Corp.; H. Glenn Bixby, Excello Corp.; Louis Blount, Great Lakes Mutual Life Insurance Co.; Irving Bluestone, UAW–AFL–CIO; Walker L. Cisler, Detroit Edison Co.; Edward L. Cushman, American Motors Corp.; E. H. Graham, Chrysler Corp.; James B. Grant, H. M. Seldon Co.; Willis Hall, Greater Detroit Board of Commerce.

C. Allen Harlan, Harlan Electric Co.; Raymond J. Hodgson, Sr., National Bank of Detroit; Joseph L. Hudson, Jr., J. L. Hudson Co.; Albert K. Jacoby, city of Detroit; Richard L. Johnson, Ford Motor Co.; Oscar A. Lundin, General Motors Corp.; Marion M. Cioci, Detroit Building Trades Council, AFL–CIO; Oliver D. Marcks, attorney and counselor; Ralph McElvenny, Michigan Consolidated Gas Co.; W. Calvin Patterson, Michigan Bell Telephone Co.; Walter Reuther, UAW–AFL–CIO; Craig Smith, Sullivan & Smith Realty Co.; Father Celestin Steiner, University of Detroit; Walter J. Williams, American Motors Corp.

EXCERPTS FROM LETTER WRITTEN BY WALKER L. CISLER AND OLIVER D. MARKS

The development of the civic center resulted in the creation of important and perfectly adequate facilities to accommodate exhibitions and conventions. These when properly conceived bring an influx of people into the community with all of the direct and incidental business benefits. One of the objections voiced against using Detroit as a convention and even tourist center was the inadequacy of hotel and motel facilities. To this end and in anticipation of this problem early in 1956 a group of outstanding citizens conceived the idea of erecting a hotel on a site contiguous to the civic center. These men did so at a land cost acquisition expense to them in excess of $2 million, but at all times construction was delayed because adequate financing was not available. This problem did not correct itself and construction would not have been possible except for the utilization of secondary financing which could be made possible only under the Area Redevelopment Act. Needless to say when completed, it will create many employment opportunities for the people represented in the most challenging labor surplus market. The records of the Pontchartrain application for such hotel as filed with the Area Redevelopment Administration establish by appropriate documentation the necessity and wisdom of the Pontchartrain Hotel as a business enterprise. This is so on a short- and most emphatically on a long-term basis. Of the $9,100,000 to be expended in the construction of the Pontchartrain Hotel only 20 percent of that amount will be represented by a loan made possible through the Area Redevelopment Administration, whereas the act permits a 65-percent Area Redevelopment Administration participation. Here again Demidco emphasizes not the most but the least possible use of public funds.

Demidco has carefully examined into many programs and none have been approved except after most careful scrutiny. This is our announced policy. We are fortunate in having identified with our organization those upon whom we may call for assistance in inquiring into the feasibility and economic soundness of the situations presented. We naturally want to know, in addition to the foregoing, that the operation of the facility will assist in alleviating the unemployment situation, and we are naturally at all times mindful that it will at the same time be a contribution to the general well-being of this community.

Mr. HART. Mr. President, this new hotel could serve only a small portion of the visitors attracted to Detroit by a major convention. Most of those attracted to Detroit for such a major convention would seek to find accommodations in the established hotels of our city. But this new hotel, this luxury Pontchartrain, as the critics would describe it, and which the ARA has made possible, serves as an additional attraction which may enable Detroit to bring to the city conventions of such size as will improve the occupancy rates of hotels in our area. Why blink at the fact? It is true enough that when conventions are not in attendance in Detroit, some of the existing hotel facilities, which would otherwise be used by visitors, will not be used, because those visitors will go to the new Ponchartrain.

But on balance, it is the judgment of these outstanding men of Michigan that both the short-term and long-term interests of Detroit and the economy of the country prudently are served by this kind of program, by this kind of investment, by this kind of economic stimulus.

It is my opinion, too, as I said at the outset, that the position of the men who are on the ground in Michigan can most properly be accepted. I am delighted that my judgment coincides with theirs. I regret the discomfort of my colleagues in the House who find themselves in disagreement with these outstanding men of Michigan.

Although appreciative of the accomplishments of the ARA in Michigan, I am not blind to the shortcomings of the program. The delegation of so many of the agency's responsibilities to other agencies has reduced the efficiency of the operation and occasioned serious delays in processing requests for assistance. Our experience in Michigan has been extremely unfortunate in this respect. Hence, I am in full accord with the report of the Committee on Banking and Currency, which urges the Area Redevelopment Administrator and the Secretary of Commerce "to carefully review the existing system for delegating functions of the Area Redevelopment Administration to see if there may not be ways of both simplifying and speeding up the processing of requests for assistance under the Area Redevelopment Act." To this I can only say "Amen, and let us get on with the job immediately."

Apart from the problems created by the delegate agencies, there does not seem to be a sufficiently clear and direct chain of command and decision within ARA itself. While this is not surprising in an agency which has had so short a time in which to gear itself to meet great and complex burdens, I would urgently recommend that the Administration take prompt steps to clarify lines of responsibility, a clarification which is necessary in order that the purpose of the act may be achieved.

In spite of these administrative problems, I do not share the criticism that ARA has accomplished little in its 2 years of existence. To the contrary, I believe it has done wonders in this short space of time. To equate its accomplishments to the number of jobs created to date would be little short of demagogery. To expect this or any other program to remedy in a matter of months the problems of years and often decades, is to ask for miracles. In the scant 2 years of its operation, more than 800 areas in this nation have established citizen committees which have given freely of their time to raise funds and to plan and prepare their communities for redevelopment, for new jobs, and for new industries. A momentum has been created. Now that a momentum has been achieved, it is only prudence that we extend and support the agency that is the key to the maintenance of this momentum. Indeed, the momentum has increased applications for assistance to a point where they outstrip by far the ceilings placed upon ARA disbursements. Are we to tell those communities and their unemployed citizens that Congress will not authorize additional funds which will help them to bring their plans and efforts to fruition?

Mr. President, I urge Senators to vote for the bill, a bill which will make it possible for the underprivileged areas of the country to help themselves.

Mr. President, I ask unanimous consent that the following documents be printed at this point in the RECORD:

First, a description of the Northern Michigan Economic Center; second, the June 18, 1963, statement by Mayor Jerome P. Cavanagh of Detroit; third, the letter addressed to me on June 21, 1963, by the Detroit Metropolitan Industrial Development Corp.—Demidco—signed by Walker L. Cisler and Oliver D. Marks; and, fourth, a letter from the Adrian Area Chamber of Commerce, urging favorable action on this legislation.

There being no objection, the documents were ordered to be printed in the RECORD, as follows:

ECONOMIC CENTER, NORTHERN MICHIGAN

Eight years ago, a group of businessmen, industrialists, and educational leaders formed the Northern Michigan Development Council to look into the problems of the 33 counties lying to the west and north of Saginaw Bay. The basic problems weren't hard to find. Resource depletion—this was a cutover region—had led to large scale decrease in population. As forest-based industry declined, supporting business and agriculture also declined. The population and the general economy were consistently declining.

The basic answers were not hard to find: Attract new business and industry, strengthen existing enterprises, and expand tourist and resort development in the area. The question: How to do it?

The Northern Michigan Development Council and Central Michigan University found an answer. It was apparent from their experience that for business, industry, and tourism to become successful in the area, management practices had to be improved and a center for consulting services had to be provided to assist in breaking bottlenecks in production, marketing, and customer service. There were no local resources to finance this activity.

This proposal was brought to ARA. Twenty-eight of the 33 counties have been designated as eligible for ARA assistance because of persistent and substantial unemployment.

With ARA financial assistance, the resources of Central Michigan University, the contributions of experts on management, marketing, production control, chemists, certified public accountants, legal specialists, and biological scientists can be focused on the problems of the area.

The center will have a small full-time expert staff to provide field guidance in tourism development, and industry and community development.

For an ARA expenditure of $100,000, resources of incalculable value are being made available to the region. Local talent and know-how are being harnessed to solve the immediate, as well as long-range, economic problems of upper Michigan.

STATEMENT BY JEROME P. CAVANAGH, MAYOR, CITY OF DETROIT, JUNE 18, 1963

Detroit's long-range plans for economic recovery have been dealt a harsh blow by the rejection by the House of Representatives of the extension of the Area Redevelopment Administration program.

From the outset, Detroit has supported the extension of ARA and the additional financing required to expand its role to meet the needs of America's distressed areas. As a member of the National Public Advisory Committee of the ARA, I have observed the work of ARA staff members and their dedication has been an inspiration to me. Detroit has also been directly involved in various benefits flowing from ARA programs. We have already had approved projects which were carefully screened and evaluated by the Detroit Metropolitan Industrial Corp.—Demidco—the local development corporation which must approve and participate in ARA loans. As a direct result of ARA loans, five new organizations have been formed, which will provide jobs for over 600 people. Research will be stimulated. Convention and tourist business will be aided by the construction of needed hotel and motel facilities. As a result of these few projects, more than $13 million has been put to work in Detroit. Even more important, projects which are awaiting our very thorough review process may eventually result in an additional $20 million invested in Detroit and more than 2,000 new jobs will be generated.

In order for Detroit to assure its future, it must strive to develop a diversified base for industrial and commercial activity. The people of the city of Detroit have invested over $55 million in a convention complex, but additional investments had to be made by the private sector of the economy.

There is wide agreement that additional hotel and motel accommodations were needed if Detroit were to be able to compete effectively for national conventions.

The ARA has helped us to encourage investment by providing the seed money to get the projects underway. For example, some criticism was voiced in Congress with regard to the $1,894,000 loan by the ARA for the Pontchartrain Hotel. This investment has encouraged private investors to put in an additional $7 million to complete this badly needed modern hotel immediately adjacent to Cobo Hall. The tourist and convention industry is a growth industry in Detroit. It offers hope for the future of Detroit's economy to replace manufacturing jobs which have been lost because facilities were outdated or companies were eliminated by the effects of fierce competition.

Soon a technical study of Detroit's waterfront needs, now and for the future, will be completed as a result of funds provided by the ARA for a technical assistance study. Similar studies are under review in other areas of local concern. For example, Detroit's Research Park is in need of very careful planning in order to encourage investors and scientists to set up shop there. Without the guidance which we hope to receive from specialists hired by the ARA to do this study, we will be proceeding on projections and estimations which are not backed by solid fact.

Another phase of the ARA program which has had a local impact is the retraining provision of that act. This gave us the experience and knowledge which has enabled us to move quickly into the massive retraining program available under the Manpower Development and Training Act.

There are a number of specific programs where ARA retraining can more nearly meet the needs of a manufacturer or a businessman who is establishing a new enterprise or expanding his activities.

The scope and variety of ARA programs is illustrated in the fact that among the pending applications for loan assistance are ventures in space research, aluminum extruding, jet propulsion for boats, tubing operations, and steelmaking. As a result of these efforts, Detroit will be able to chart many industrial and commercial activities and work toward the creation of the diversified economic base.

I have said before that the ARA program is a program for America. It not only has helped us to meet the special problems of an aging city based on a major industry, but it also works effectively and energetically in rural areas. The last field trip of the National Public Advisory Committee took the members through West Virginia and eastern Kentucky. Amazing things were happening. People were gaining new hope. Local investors with imaginative programing and determination were working toward the revival of an economy which has been beset with fundamental ills for too long. The special Appalachian task force established by President Kennedy in cooperation with the Governors of those States and Cabinet members is shaping an effective tool to resolve the ills of that area. Any new program needs time to get underway. We know from our own experience here in Detroit that community support can be mobilized for a worthwhile program and the ARA program is extremely worth while.

To allow the ARA legislation to end would be a disservice not only to the people of Detroit but to all the people of the United States. Illness in one section of the country inevitably will have its impact on other sections. The United States is a community and we must work together to solve the needs of the great American community. The ARA program is an important part of that great cooperative effort.

ADRIAN AREA CHAMBER OF COMMERCE,
Adrian, Mich., June 21, 1963.

Hon. PHILIP A. HART,
U.S. Senate, Washington, D.C.

MY DEAR SENATOR HART: By carefully reading the attached letter you will become aware of the possible damages that would accrue to the city of Adrian, Mich., if the Congress of the United States were to abruptly terminate the financial assistance programs now available to new industries in areas of high unemployment via the Area Redevelopment administration of the U.S. Department of Commerce.

While we thoroughly subscribe to appropriate economies in Government at all levels, the projects offered by our current industrial prospects are neither fatuous nor whimsical but designed to strengthen the economy of Adrian, the State of Michigan, and the Nation. We trust that you and your congressional colleagues, together with the administration, can devise a program to protect the interests of the industrial prospects with whom we are presently conducting negotiations. If necessary, we can divert subsequent prospects into other forms of financing. Meantime, we look forward to your reactions to this proposal.

Sincerely yours,

MERVYN V. PALLISTER,
Secretary-Manager.

ADRIAN AREA CHAMBER OF COMMERCE,
Adrian, Mich., June 20, 1963.

DON KOHLER, Esq.
Field Coordinator, Area Redevelopment Administration, U.S. Department of Commerce, Detroit, Mich.

DEAR KOHLER: This will confirm my telephone conversation last Friday morning, wherein I related to you the apprehensions of the city of Adrian, the Greater Adrian Industrial Development Corp., and the Adrian Area Chamber of Commerce over press reports that the House of Representatives had defeated the bill to authorize $450 million more in grants and loans to encourage jobmaking industries in high unemployment areas. We are especially alarmed at the remarks credited to Congressman WRIGHT PATMAN, chairman of the House Banking and Currency Committee, that "ARA must immediately stop accepting applications for new loans and grants and that ARA must stop before long, certainly within a year, unless another bill is passed."

As you know, since April 1 of this year, the Adrian Area Chamber of Commerce has placed emphasis upon industrial development. I am happy to report that we are currently servicing several industrial prospects, including three who have stuck with us because we sold them on the merits of the community and ARA financing.

The first prospect to reach the stage of formally presenting his project, is meeting this week with the Review Committee of the Greater Adrian Industrial Development Corp. If both the review committee and the board of directors approve this project, representatives of the Industrial Development Corp. will be on the streets of Adrian within 30 days to raise the community's share of the necessary funds. Even earlier, of course, our first client will seek your assistance and guidance in preparing his formal application for an ARA loan.

Rather than go to the public each time a project comes to the forefront, the Industrial Development Corp. plans to raise in excess of $100,000, so that it can move promptly on behalf of this and the other two or succeeding industrial prospects.

At present, our clients are unable to formally submit their applications for ARA assistance. Two may not come through before the end of this year. However, they are currently costing their proposed operations within the ARA framework, with the result that their prospects—and Adrian's—will go down the drain if the ARA financial assistance program becomes a closed door by congressional action.

We hope that you and your superiors can somehow find the means of leaving the door open to receiving the formal applications of our clients who are now depending upon ARA assistance, even though such applications may not reach your desk for several months.

There follows a brief rundown on our existing clients who are banking on ARA assistance. You will, I am sure, appreciate that our revelation of names at this time would only jeopardize this community's welfare and, possibly, that of the individuals involved. Moreover, for much the same reasons, we neither seek publicity for these clients nor the nature of their proposed undertakings.

Client A proposes to manufacture hard goods, consisting of agricultural spraying machines, replacement and spare parts therefor, pumps for high pressure orchard spraying equipment, firefighting fog guns, and gears for transmissions used in lawn mowers, garden tractors, and similar machines. The total investment in mortgageable items, such as land, buildings and machinery, will be approximately $250,000. Apart from his investment of 5 percent or $12,500 in these items, our client's equity capital is to be used for inventory and operating expenses. Subject to its approval, the IDC will invest $25,000 in the mortgageable items, conventional banking institutions another $50,000, and the ARA, $162,500. Our client plans to utilize a number of local goods and services from the community. Initially, he expects to employ about 25 new industrial workers, mostly in the semiskilled category, and approximately 50–55 by the end of 1 year.

Client B proposes to manufacture hardwood particle or flake board for boxes, crates, pallets or flat boards that he will also fabricate. Happily, for the effective conservation of our Nation's natural resources, he will utilize wood-waste, such as sawmill residue, scrub growth, second growth timber, and wood shavings. The total investment in mortgageable items will be an estimated $500,000 or more, of which the local IDC will raise approximately $50,000. New employment figures vary but are certain to come within the ARA minimum of 50 workers.

Client C proposes to manufacture metal moldings and stampings utilized mainly in Michigan's automobile industry. The investment in mortgageable items will run to approximately $400,000, of which the Industrial Development Corp. will put up $40,000. Our client envisages as many as 140 workers within a year.

Your attention is invited to the fact that we have other prospects interested in Adrian for an industrial site. While they are considering the ARA approach to their financial problems, we cannot, in all conscientiousness, place them in the urgency category outlined above.

At the risk of boring you by the length of this letter, I feel obliged to mention that the industrial development campaign initiated by the Adrian Area Chamber of Commerce is having a salutary effect in knowledgeable sectors of the community. For example, the Industrial Development Corp. has taken a renewed interest in the industrial prosperity of Adrian. It is on the verge of spending much time and money to bring about improvements in the local industrial climate. The city of Adrian is also enthusiastic about the prospects of putting its long-dormant industrial park on the tax rolls and it is even seeking the means to enlarge this site. More significant to those of us who are devoted on a full-time basis to the welfare of our community, is the recent decision by the city commission to earmark a portion of tax revenues for industrial development. This move should produce $7,000 to $9,000 a year for such purposes. Little publicity has been given to our work thus far. However, with an open appeal for funds pending, we have every reason to expect the widest public support within a few days.

While my colleagues and I have no intention of entering the political arena, I am taking the liberty of sending copies of this letter to several Senators and Congressmen to alert them to our possible plight. Meantime, it would be reassuring to hear from you that some means will be devised by the ARA and the Congress to consider the applications of our current prospects as their plans mature.

Sincerely yours,
Mervyn V. Pallister,
Secretary-Manager.

Mr. HART. Mr. President, it would be insensitive for any of us who feel that this legislation represents sound progress for our economy to omit what sometimes we sense is expressed with tongue in cheek, namely, praise and appreciation of the Senator who is in charge of the bill, the distinguished senior Senator Illinois [Mr. Douglas].

Mr. DOUGLAS. Mr. President, I appreciate the comments of the Senator from Michigan; but I have already been grossly overpraised this afternoon. I must beg Senators to cease and desist, and let us save our efforts for getting the bill passed unabridged and unamended. Nonetheless, I am most grateful to the Senator from Michigan.

Mr. HART. I modify not a single word of my statement.

Mr. DOUGLAS. Mr. President, I am glad to yield briefly to the Senator from New Jersey [Mr. Case], for I understand he wishes to submit an amendment which I shall probably accept.

Mr. CASE. Mr. President, I appreciate the courtesy of the Senator from Illinois. Despite his admonition to his colleagues, I join the Senator from Michigan [Mr. Hart] and other Senators who have spoken this afternoon, expressing not only our high regard for the Senator from Illinois, but also appreciation for the generous manner in which he has dealt with all of us in connection with this bill.

Mr. DOUGLAS. I only wish that might be true.

Mr. CASE. Mr. President, on behalf of myself and Senators Javits, Keating, and Williams of New Jersey, I submit the amendment which I send to the desk. I ask that the amendment be printed in full at this point in the Record, and that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment submitted by Mr. Case, on behalf of himself, Mr. Javits, Mr. Keating, and Mr. Williams of New Jersey, is as follows:

On page 6, after line 14, insert the following new section:

Sec. 9. Section 16 of the Area Redevelopment Act is amended by adding at the end thereof the following new subsection:

(g) No training or retraining authorized under this section shall be carried out in order to assist an establishment which itself would not be eligible for assistance under section 6 of the act by reason of relocating from one area to another. The Secretary of Labor shall not approve any training or retraining assistance unless he is satisfied, and unless the appropriate State employment or vocational training agency has certified, that such training (1) will not assist any company or its affiliate, subsidiary, or other business entity under its direct or indirect common control that has relocated from one area to another after the date of the enactment of this act, and within 2 years prior to the date of such approval, and (2) will not assist any business entity to expand in such a way as to cause the unemployment of its regular employees in any other area where the business entity conducts business operations.

And renumber succeeding sections.

Mr. CASE. Mr. President, I should like briefly to explain the amendment. I have discussed it with the chief sponsor of the bill, who is in charge of it on the floor. I am happy to state that he has indicated his feeling that the amendment makes sense, and that he will be willing to accept it.

The amendment deals with the part of the Area Redevelopment Act which provides for an occupational retraining program.

First, I should say that under another section of the act—section 6—there is also a program under which the Secretary is authorized to make loans to enterprises in redevelopment areas, and there is a provision that such loans may not be made if their effect will be to take business away from other areas. This is a rough paraphrase of the purpose. Apparently, so far as my experience goes, this provision has worked well. The reports I have received from New Jersey indicate that New Jersey has not suffered from pirating by reason of that section of the Redevelopment Act.

Unfortunately, the same is not true insofar as the retraining program is concerned. In several cases New Jersey has lost industry as a result of area redevelopment programs in other States under which people in those States were retrained to take jobs, with the results that jobs formerly provided to residents of New Jersey were moved to those States. The problem is general, and it also occurs under other acts. One of them is the Retraining Act, which most Senators support fully.

As to section 16, which provides for redevelopment training, it seemed to a number of us that there should be in it some provision comparable to section 6 which provides for the loan program. So in the amendment we provide as follows:

No training or retraining authorized under this section shall be carried out in order to assist an establishment which itself would not be eligible for assistance under section 6 of the Act by reason of relocating from one area to another. The Secretary of Labor shall not approve any training or retraining assistance unless he is satisfied, and unless the appropriate State employment or vocational training agency has certified, that such training (1) will not assist any company or its affiliate, subsidiary or other business entity under its direct or indirect common control that has relocated from one area to another after the date of the enactment of this Act, and within five years prior to the date of such approval, and (2) will not assist any such business entity to expand in such a way as to cause the unemployment of its regular employees in any other area where the business entity conducts business operations.

I have stated that in New Jersey there has been specific experience of this sort. I shall mention two instances. One involves the Mack Truck Co., which a year or so ago moved to Maryland. I am quite certain that at the time when the move was made, we were given assurances, from the Redevelopment Agency in Washington, that the act would not be used to assist in retraining people for work for the Mack Truck Co. in its new location. Certainly those who gave such assurances meant them, and I believe they tried to do what they could under the laws then existing. But retraining did occur by means of the funds made available under the Redevelopment Act; and jobs formerly held by people in

Plainfield, N.J., were taken by people in Maryland who were retrained under that act.

Another instance of this sort involves the RCA, in Camdem, N.J. The RCA has many plants throughout the country. Another of its plants is located in Cambridge, Ohio, where there is an area redevelopment program which includes a retraining program. Engineers employed by the RCA in New Jersey have made the very specific charge that area redevelopment retraining has produced new employees for RCA in the Cambridge, Ohio, area, to do work which the company formerly had done in Camden, N.J. It seems to me that this is unfortunate and is not intended. I mention this for the sake of the record, to explain that although we are not opposing this program and although I intend to vote for it, I believe this correction should be made. I am happy to state that, after conferences with the Senator from Illinois, I find him sympathetic to the amendment.

Mr. DOUGLAS. Mr. President, not only am I sympathetic toward the amendment; I most wholeheartedly agree with the amendment of the Senator from New Jersey. He has two real grievances about which to complain.

In the first place, the two retraining programs involved in the complaints he has presented did not come from the Area Redevelopment Administration. The section of the act under which those retraining programs were instituted is not under the control of the Area Redevelopment Administration. Instead, it is under the control of the Department of Labor and, to a lesser extent, it is under the control of the Department of Health, Education, and Welfare; and the local employment offices and local training officials and State authorities were responsible for training the workers at the Mack Truck plant in Hagerstown, Md.

I believe the same is true in the other instance the Senator from New Jersey has mentioned.

So I am very glad to accept this amendment, which is to be incorporated in the bill as section 16(g).

Mr. CASE. Mr. President, I am very grateful to the Senator from Illinois for his cooperation, his courtesy, and his willingness to accept the amendment to deal with this problem. That attitude on his part is not at all surprising, of course.

In this connection I ask unanimous consent to have a statement printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CASE IN OFFERING HIS AMENDMENT INCORPORATING AN ANTIPIRACY PROVISION FOR TRAINING PROJECTS UNDER THE AREA REDEVELOPMENT ACT

Like most members of this Chamber, I am interested in doing everything possible in a legislative way to reduce the heavy burden of unemployment in our Nation. The State which I have the honor to represent has been hard hit by substantial and persistent unemployment running almost steadily higher than the national average.

I have been troubled by the effect of the Area Redevelopment Act on urban States whose economic well-being is threatened by movements of industry and workloads to other States. In cases where the Area Redevelopment Act has assisted in providing trained employees for this relocated work, I feel that the interests of the working men and women of my State have been definitely harmed.

It is untenable for the taxes of a worker in Plainfield, N.J., out of work because of the decision of the Mack Truck Co. to move to Hagerstown, Md., or for the taxes of a worker who has lost his job in the RCA plant in Camden because much of its usual work is to be performed in another State, to help subsidize the exodus of such employment opportunities.

I mention these examples because in both cases, despite an existing antipiracy provision in the Area Redevelopment Act, these job shifts occurred. The language which I am offering now is intended to close a major gap in the workings of the Area Redevelopment Act. The amendment would forbid the use of funds to assist or encourage industry to move from one State to another or to assist industry which has moved to expand in such a way as to cause unemployment in its former location. The basic intent of the Area Redevelopment Act is to solve unemployment where it exists, not to create new unemployment by pirating jobs or plants from one State to another.

We who represent urban States have a particular reason to be sure that such provisions are incorporated in the law and are effectively administered. The impact of such moves out of State is substantial. In the case of Mack trucks, 3,200 workers, many of them older men who have found employment opportunities extremely limited, were thrown out of work. The city of Plainfield lost about $2,400,000 a year in local taxes, and the businessmen of Union County lost the business resulting from a payroll of about $300,000 a week. This has been a substantial loss to Plainfield, to Union County, and indeed to the State of New Jersey. It is painful, therefore, to learn that area redevelopment funds, contrary to the assurances at the highest levels of the Area Redevelopment Administration, have been used to train some workers for the new Maryland plant of the Mack Truck Co.

Similarly, in the southern part of our State, where unemployment has reached substantial levels and has persisted over many months, work on products which have been developed in the Camden plant of RCA, is now being done in part in a Cambridge, Ohio, plant of RCA. This plant has been the recipient of a grant for training of part of its work force. RCA employees have told me of the substantial and growing unemployment resulting from the shifting of production contracts on these products to the lower wage rate plant in Cambridge, Ohio.

The intent of my amendment is to block the use of ARA funds to assist in removal of plants and jobs from our State to other States.

Mr. DOUGLAS. Mr. President, I congratulate the Senator from New Jersey for being so alert to this national problem, as well as to the difficulties suffered by people in his own State.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Jersey to the committee amendment.

The amendment to the amendment was agreed to.

Mr. DOUGLAS. Mr. President, at this time I am very glad to yield to the very eminent junior Senator from New Hampshire [Mr. MCINTYRE], who in the few months he has been in the Senate has won our friendship, our admiration, and our respect, and has been of great help in the Banking and Currency Committee. both in connection with this bill and in connection with other bills.

Mr. McINTYRE. Mr. President, I thank my distinguished colleague from Illinois for his fine remarks. I am glad to join in the fight for the ARA. In defense of the program, and on its behalf, I should like to state that the bold program of area redevelopment launched by the Congress in 1961 is the object of a vicious and misleading rightwing propaganda barrage. It is becoming increasingly clear to me, however, that the people will not be misled, because the benefits to be expected from this program are so very basic and fundamental to all Americans. There is no political advantage in advocating economic depression. There are no political rewards in joblessness. And the repetitious drumfire from the right about economy and cutting expenditures is going to outrage the American public when the existence of depressed areas, the low rate of consumer demand, inadequate schools, declining tax revenues of local and State governments, and the other so-called benefits of this kind of so-called economy are brought home to a nation that puts a priority on progress.

I cannot speak as an expert about the difficult questions of industrial relocation, labor mobility, retraining, and economic development that are involved in this bill. I am a simple man, but I have not closed my eyes to experience. I am not an economist, but I cannot close my eyes to economic realities. I am not an expert on the labor market, but I have not turned away from the plight of the unemployed. Our national rate of functional illiteracy—those with less than five grades of primary school—is over 8 percent among those over 25 years of age. One-quarter of our people live in relative poverty. In some sections of the country children cannot attend school because they lack shoes. The area redevelopment program has as its principal object the provision of an opportunity to do useful work to those who ask nothing more than a chance to earn their living. This is the purpose that the rightwing attacks. This is the program that they seek to replace with "business as usual."

In New Hampshire, Mr. President, we have learned all too well what this negative outlook entails, because we have felt its effects. For almost 2 entire years the program was neglected. Two county applications languished as though local political officials considered it presumptuous on the part of civic leaders to entertain any thoughts of economic betterment. One county designated for redevelopment was blithely ignored by those in State and national office who might have been expected to take an interest. Over the last 9 months an area coordinator has been appointed and five project applications have already arrived. The prospect of low-interest, long-term for public projects and business developments has begun to exert a warming influence, dispelling the chill of distrust, neglect, and the brutish satisfaction with things as they are, which constitutes the central creed of rightwing negativism. In the short space of time that we have had an effective area redevelopment program we have realized hidden benefits far in excess of what might be expected from the money that would be committed to actual projects.

THE HIDDEN BENEFITS OF AREA REDEVELOPMENT

The three northern counties of New Hampshire, Mr. President, have experienced drastic losses in employment, a declining market for lumber, and tragically falling expectations for careers among our youth. This is rugged country, where transportation presents awesome difficulties. Winter winds and subzero temperatures can make luxuries of even the necessities of life.

Communities are isolated from the busy commercial life of the southern part of the State. But despite these harsh natural conditions, our north country people have always combined hardihood and industry and made the most of every opportunity. Under the area redevelopment program, a $40,000 grant would have been made to find uses for low-grade hardwood. This is the kind of research that turns a handicap such as large tracts of poor second-growth timber into an opportunity for useful work. Five applications for loans have been submitted from the north country under the ARA program. Each represents new hope for the region. But what is most important is that the availability of area redevelopment loans has sparked a more hopeful attitude throughout the region and given a multitude of worthwhile civic plans a new lease on life. John Wilson, secretary of the White Mountains Region Association, who knows this country well, sums up this hidden benefit very well indeed. He said:

> For the first time in many years the north country has had an opportunity to move ahead. Never has there been so much local determination and work to improve the economy as there has been under the ARA program. We would have had finances available which would have made it attractive for industry and recreation to locate in the area. Without this help from the Federal Government, the job of raising our economy will be much harder.

I say, Mr. President, that nothing is more heartening than the growth of enthusiasm and a determined quality of optimism in our redevelopment areas. This makes hash out of the partisan contention that ARA is Government trying to do for people what they ought to do themselves. ARA is not preempting local initiative, but is instead setting off a whole chain reaction of local plans, rural area development committee work, and contributing to a revival of the intensity of civic spirit all across the Nation. I sympathize completely with Mr. Wilson, who concluded his statement:

> I am hopeful that the U.S. Congress will reconsider its actions.

I, too, Mr. President, hope that the unfortunate outcome of the vote in the House of Representatives may be reversed.

I want it made absolutely clear in the course of this debate that the despair lobby which opposes this bill is asking the American people to accept rural poverty, social deprivation, the bankruptcy of local governments, and a decline in civic spirit as uncontrollable facts of life. Have we really come to the point in our national life where counsels of complacency, stated in sterile copybook maxims about the need for self-help, can prevail over the promise of hope? Low tax yields, unemployment, and poverty do not add up to economy in any meaningful sense of the word. The people are not helpless before these problems, as we have seen through the successes of ARA to date, and the hidden benefits of initiative, hope, and civic action which have appeared in our own north country.

Without a program of redevelopment, what is to be the fate of these areas? I recently read some disturbing statements showing the outlook which gains ground when plans for economic betterment are frustrated. I am not going to cite the views of professors, government economists, or industrial planners. Let us go instead to the young people whose future concerns us most. For it is here that the effects of our action or inaction will really be felt. We are debating today not the future of some kind of economic development doctrine, but the very real hopes of our young people all across the Nation. Try to imagine how I feel, Mr. President, as the Senator from New Hampshire, when I read a comment like that of the valedictorian of this year's graduating class at Bishop Bradley High School in Manchester, N.H.:

> There's no future here in southern New Hampshire. Not enough opportunity for me to settle here permanently.

The salutatorian of Memorial High School told an interviewer:

> I doubt if I'll return here after college, as there seems to be so little opportunity here.

The valedictorian of St. Anthony's High School said:

> I'd like to return to Manchester after completing my education, but only if some new corporations come into the city which could provide me with a good career opportunity.

Well, Mr. President, if this is the attitude that the opponents to area redevelopment are trying to inspire, I can only report with sadness that they have met with success in my State.

I can say that nothing is more important to the people of a small town or a small city than their hopes for youth. A high school commencement in my home city is an occasion for the whole town to celebrate, and the good wishes of all merchants, employers, and townspeople flow out to the graduating class. I am sure that my colleagues in the Senate have seen this wonderful outflow of feeling all across the Nation this June. But without constantly rising levels of opportunity, these bright good wishes dry up like water in the sand as the graduates leave town to seek work elsewhere. Our New Hampshire communities want their young people to stay, but not at the price of an adequate life, which invariably means a decent chance for a job. Our young people do not ask for Federal handouts, and I resent the imputation by the opponents of this bill that they do. They ask only for a chance, and I am determined to try to fight for this important legislation to see that they get it.

ARA AND OUTDOOR RECREATION

There is one argument that seems to be the favorite of some opponents of this program. They have trained their fire on the fact that area redevelopment programs have been drawn up to support the recreation industry.

The principal point to be made about area redevelopment and recreation is that not every area in the country is suitable for industry. Lack of electricity, water, transportation facilities, and other disadvantages tell heavily against industrial prospects for every part of the Nation. In my own State of New Hampshire, the White Mountain Region and the North Country are not heavily industrialized but enjoy bright promise in recreation development. The expansion of our recreation industry bears a direct relation to the purposes of the area redevelopment program. I would like to make this point clear, in terms of employment and the contribution of recreation to aggregate consumer demand. I would then like to show that the national interest in the expansion of the private recreation industry cannot be fulfilled without the continuation of the area redevelopment program.

EMPLOYMENT AND OUTDOOR RECREATION

New Hampshire has but a small share of the $30 billion business that outdoor recreation has become in the postwar years, but it is an important and rapidly expanding sector of our economic life. Since 1946 that portion of the New Hampshire lodging business serving primarily vacationers has increased from 13,287 to 18,130 jobs, a growth of about 36 percent. The total number of tourist lodging establishments has grown by about 12 percent, from 1,975 to 2,205 in the same period. These jobs have been created in areas of the countryside and smaller towns where manufacturing employment is difficult to encourage. Not infrequently, the development of a genuine tourism potential is the only or decidedly the most promising hope of restoring economic health to an area of serious unemployment. Tourism offers the only handle that can be grasped to lift such an area out of an economic backwater.

It may be objected that lodging employment is so largely seasonal. This is certainly true in New Hampshire, where there are 2½ times as many jobs in summer as in winter. But this overlooks the fact that many summer jobs are taken by students and others who are financing their education. Under the surface of the broad seasonal swing, we can point to increasing winter employment in connection with skiing. Anyone who has lived in a recreation area knows that the slack periods between the summer and winter season are periods of high employment for general contractors and the recreation supply industry in preparing for each new wave of visitors.

A study of the vacation travel business in New Hampshire, prepared by the State's department of resources and economic development, has revealed a very interesting statistic on the subject of seasonal employment. While 18,000 are employed by our lodging industry, some 9,000 are employed in vacation-travel serving businesses, such as restaurants. And in these supporting occupations, the seasonal fluctuations are much less violent, involving only 20 percent.

AGGREGATE DEMAND

We cannot overlook the fact, Mr. President, that the operation of private tourism facilities creates an immense demand for cameras, fishing tackle, camping equipment and other materials which support in turn thousands of workers. To the extent that we can provide facilities for the millions of tourists who will be using our national vacation sites, we shall contribute to this immense nationwide demand in a variety of important industries.

A PROPER ROLE FOR PRIVATE BUSINESS

Mr. President, the very significant study published by the Outdoor Recreation Resources Review Commission showed that the largest single problem faced by the private businesses in the outdoor recreation field today is a lack of capital. Any number of these businesses reported their difficulties in this field.

That report concludes, on page 143:

> Although few of the case-example operators mentioned financing as a limiting factor in their plans for the future, frequently, it is very important. Private bankers and governmental lending agencies alike apparently are reluctant to finance the recreation industry.

Mr. President, I think it is worth emphasizing that the immense demand we can foresee for recreational facilities in this country cannot be met without the flexibility of private enterprise. But private capital, quite understandably, is difficult to obtain for recreation. An outdoor business is so affected by year-to-year differences in weather that it is very difficult to devise a repayments schedule. The report "Outdoor Recreation for America" makes it plain that the population of the United States will virtually double, from about 180 million today to about 230 million by 1976, to 350 million by the end of the century. Population will probably be more concentrated, incomes will be higher, and the gross national product will multiply. People will have more free time, as the scheduled workweek drops down to perhaps 36 or even 32 hours. As America becomes more populous and more mobile, the demands on vacation travel businesses and our recreational resources as a whole will spiral. It is for this pressing human need for recreation that we should provide today.

Yet, a further point, Mr. President, is that the States and our local governments will be forced to undertake these needed recreational developments with public funds, unless we provide for the future of the area redevelopment program today. I think private industry has a legitimate and a very creative role to play in meeting our recreational needs. But in light of the evidence that has been discovered about the difficulties of financing, we simply cannot expect private sources of capital to meet the need without help.

It is worth noticing also, Mr. President, that the Department of Agriculture, through a variety of rural loan programs; the Department of Interior, Bureau of Outdoor Recreation; and the Small Business Administration loan programs all have concentrated on the ability of private industry to help this Nation meet its pressing needs for outdoor recreation facilities.

I simply cannot understand, Mr. President, how the opponents of this bill can argue that private recreation has no part to play in achieving the economic goals of our society. Far from being a weakness, the ARA plans for private recreational developments are a fortress of strength for the area redevelopment program as a whole. These programs extend the benefits of area redevelopment far beyond the limits of urban depressed areas to reach areas of rural stagnation. At the same time they help to meet a significant and spiraling national need for more outdoor recreation resources. And they meet that need by stimulating private industry to do the job.

I know I speak for New Hampshire, Mr. President, in laying great emphasis on the part to be played by private recreational industry in the area redevelopment program. It is a triumph of cooperation between our localities, private business, and the Federal Government. The bill deserves to pass, Mr. President, and our less developed counties desperately need the assistance it can provide.

Mr. DOUGLAS. Mr. President, I thank the very able junior Senator from New Hampshire for the excellent speech he has made, which I believe is his maiden effort in the Senate. I can only say it gives promise of a very distinguished and able career, for which we all rejoice.

Mr. McINTYRE. I thank the Senator from Illinois very much.

Mr. DOUGLAS. Mr. President, I am now very glad to yield to the junior Senator from West Virginia [Mr. BYRD]. Both Senators from West Virginia [Mr. RANDOLPH and Mr. BYRD] have been moving spirits in this legislation. They come from a State which perhaps has the most intense problem of unemployment of any area in the country. They have devoted themselves with energy, unselfishness, and imagination to dealing with this issue for their people and for the people of the country as a whole. I am frank to say that through them West Virginia has made contributions of great value to this whole program.

Mr. BYRD of West Virginia. Mr. President, I am grateful to the Senator from Illinois for yielding to me.

On behalf of my senior colleague the Senator from West Virginia [Mr. RANDOLPH], and myself, I express gratitude to the Senator from Illinois [Mr. DOUGLAS] for the kind remarks he has made on our behalf.

ARA IS BREATHING NEW LIFE INTO DISTRESSED AREAS

Mr. President, I rise in support of S. 1163, which authorizes an additional $455,500,000 in loan and grant moneys for use by the Area Redevelopment Administration. This is a vital piece of legislation, the enactment of which could continue and strengthen the good work that is being done to end economic distress in many areas of our country.

Shakespeare has said:

> The miserable hath no other medicine but only hope.

But if hope is a medicine, then I submit that the Area Redevelopment Administration has been the necessary prescription with the best possible ingredients for changing discouragement and despair to hope and encouragement.

As one who supported the Area Redevelopment Act, during my previous service as a member of the Senate Banking and Currency Committee, I have stated on several occasions that the legislation is not a panacea for the economic ills which beset my State of West Virginia. But I have also stated that the act extends the kinds of assistance which are stimulators of economic activity, and creators of employment opportunities.

During the 86th Congress, as a member of the Senate Banking and Currency Committee, I held hearings in West Virginia on area redevelopment legislation which was then pending before the Senate. At those hearings I was deeply impressed by the pleas of community leaders for some kind of Federal assistance which would afford them opportunities to undertake their own economic development.

While the 87th Congress was considering the Area Redevelopment Act—a measure which I cosponsored—I arranged a meeting with West Virginians in order to aid them in understanding the forms of assistance provided for in the act. The meeting was held on April 19, 1961, in the auditorium of the New Senate Office Building. Some 500 West Virginia State, county, and municipal officials attended that meeting, at which 27 Government officials representing many Federal agencies presented information regarding the kinds of assistance programs they were prepared to offer.

I followed up this meeting with one on June 16, 1961, at the Woodrow Wilson High School auditorium in Beckley, W. Va. That meeting was attended by more than 700 persons from all corners of my State. It was a workshop meeting, at which Government officials sat down with State, county, and local officials, as well as with business leaders and civic leaders, and explained what could or could not be undertaken in the way of economic development plans under the Area Redevelopment Act. Secretary of Commerce Hodges and William Batt, Jr., Administrator of the ARA, participated in the Beckley meeting.

These two meetings spurred local West Virginia communities to action, and overall economic development plans expressing the hopes and aspirations of localities began to take shape. A new spirit was evident in West Virginia. A friendly hand was brushing aside the darkness of despair.

There is too much at stake—too much hope, faith, time, and effort on the part of thousands of communities throughout the country which worked hard on formulating local development plans—to discard or curtail the assistance which the Area Redevelopment Administration has been providing our economically blighted areas.

As a new tool in the fight to alleviate unemployment and to stimulate local initiative, the Area Redevelopment Administration has been doing a noteworthy job. I have watched its work in West Virginia, and I can say that, without its timely assistance in many instances, locally financed projects would not have been able to proceed to completion and many new jobs would not have been effectuated.

One of the first projects which ARA approved was the National Seating & Dimensions plant in Mingo County. This was a woodworking plant in a coal-mining area. An ARA training program was established to retrain these men with new skills needed in the woodworking industry. Mature men traveled as far as 15 miles over poor roads and in bad weather to take this training. Many more applied than were needed and, unfortunately, many who did apply could not pass the basic qualifications, but other projects are under consideration for which they may qualify. National Seating & Dimensions currently employs 83 workers. In July, employment will increase to 103, and within a year, employment is expected to reach 200. These new jobs could not have been created without ARA financial assistance, both for the construction of the new plant and for training the workers needed in the plant. The establishment of this plant and the actual creation of new jobs have given hope to the people of that area.

ARA training has a far greater impact than the mere employment of those individuals who successfully complete their training courses. Training programs financed with ARA funds have proved to be a major factor in the establishment of the FMC Corp., in South Charleston. FMC officials have stated that 350 employees trained with ARA funds have made possible the jobs for 1,000 supporting employees. Their present plans indicate a need for 500 to 700 additional trained welders, machine tool operators, and assemblers during the calendar year of 1963 which would support 1,500 to 2,000 additional workers—all made possible through ARA.

In Logan County, ARA helped develop a project for a garment manufacturing company—a new industry for that area. During the initial processing of the request for ARA financial assistance in constructing the new plant, the community was able to raise sufficient funds without an ARA loan, and withdrew the request. However, after the building was completed and the garment company had started operations with approximately 100 new workers, it was discovered that there was a serious fire hazard due to the lack of a water storage tank. The company advised the city that it would have to curtail its plans for expanded employment, and another company which was planning to construct a new building on the same industrial tract, also advised the city that its expansion was dependent upon adequate fire protection. Due to the heavy indebtedness incurred in constructing the new plant for garment manufacturing, no additional funds could be obtained for providing the water storage facilities. ARA assistance was requested and a public facility grant was approved to provide these facilities. As a result of this grant, approximately 400 new jobs will be made possible.

A new building for the expansion of a health clinic was constructed on the outskirts of a small community in Wyoming County. In addition to increasing its professional staff, the clinic would employ eight new workers. The community's water line did not extend to the new building and it was essential to extend the line. The community, due to existing indebtedness, did not have the financial capability of providing the $10,000 needed for this project. ARA assistance was requested and a public facilities grant was approved. This not only resulted in eight new jobs and additions to the professional staff of the clinic, but it also helped to provide better health services to the people in that general area.

With technical assistance funds furnished by ARA, Concord College is establishing a center for economic development which will serve a 10-county area in southern West Virginia. The center will provide assistance to small businessmen in the area which they hope will lead to business expansion. Assistance will be provided in the field of manufacturing and production methods, personnel procedures, research and development of products, marketing, financial control and management, design improvement, preparation of cost estimates, and other related services. Without ARA assistance this center could not have been established.

One of the best examples of how ARA is benefiting our State is what is known as the Braxton County project. In this case, ARA is providing a section 6 loan to assist in the construction of a new plant and the purchase of machinery and equipment for the manufacture of particle board, veneer, and plywood. Good industrial sites are not too plentiful in West Virginia and, in many areas, they are practically nonexistent. In Braxton County, a suitable site was available near the town of Gassaway. However, in order to have access to the site, it was necessary to bridge the Elk River. The State road commission was unable to fund the entire cost of the bridge under its allocations for secondary roads and the new industry could not have been established had it not been for ARA. A public facilities grant to supplement the State's funds will insure access to the new plant. Based on the assurance of access, the company will start construction of its new plant on August 1, 1963. Machinery will be ready for installation on November 1. The plant will be in operation shortly after the first of the year and plans to employ 347 workers when it becomes fully operational.

Although construction of this plant will not actually begin for about another month, the announcement of its approval has already stimulated local action. Two stores are remodeling and a third is constructing a new building. The bank is completely remodeling; the hospital is building a $100,000 addition and a new restaurant is being constructed. These community improvements will all lead to increased employment. Without ARA, none of this would have taken place.

So, Mr. President, the ARA has stimulated local initiative in my State of West Virginia. It takes time to get the economy moving when it has been stagnant for many years—stagnant due to the absence of programs offering the type of assistance which can be afforded communities and businesses under the Area Redevelopment Act.

But with the ARA now extending a helping hand, our economically depressed areas have new hope and new incentive to prepare and support programs for economic progress. Apprehension and despair are giving way to optimism and activity in West Virginia.

The hills of West Virginia hold the promise of innumerable fulfillments, and with the assistance of the ARA these could be realized.

The needs of the economically depressed areas of our Nation cannot be ignored. The additional $455,500,000 authorization of loan and grant moneys to the Area Redevelopment Administration will assure these distressed areas that we intend for them to become economically healthy areas in an otherwise strong and sturdy America.

I wholeheartedly support the legislation before us today. I also salute and commend Senator Douglas, the author of the original act.

His fight for this legislation over a long period of years has been rewarding to the people of my State and other States plagued with areas of faltering economies. My people have benefited from his vision and his determined leadership. On behalf of my people, I express gratitude to the senior Senator from Illinois.

Mr. DOUGLAS. I thank the Senator from West Virginia for his compliments, which are largely undeserved, but which I must admit are pleasant. I also want to thank him for the work he has done in behalf of this legislation, both in the Senate and in the House of Representatives, when the Senator was a distinguished Member of that body, and also across the country and back home in his State of West Virginia.

Mr. President, we are nearing the end of a long day. It is 20 minutes of 7 in the evening. This measure has been under consideration for approximately 3 hours. Many excellent speeches have been made. I think it is apparent that, in their short period of existence, the Area Redevelopment Act and the Area Redevelopment Administration have struck roots and have made great contributions to reducing unemployment, and that they give promise of still further improvements.

I suppose the thought necessarily occurs to the relatively few persons who are in the Chamber as to why, after all this discussion, I should rise at so late an hour and attempt to deal with this subject.

Perhaps the handful of persons in the galleries and less than a handful of Senators on the floor, and the Record itself, deserve an explanation. The Congressional Record is an important document. It is read by most Senators and by all their staffs, by the clerks of committees, and by newspaper correspondents. It is the special favorite of the pundits who do not come on the Hill but get their knowledge for the most part by reading. It also has a circulation throughout the country of approximately 40,000 copies. It is read by the opinion makers in various communities. It is not only found in the libraries of the communities and of the colleges, but it also is read in many newspaper offices.

Thoughtful attorneys read it. The trade unions are reading it in ever-increasing number. Presidents and public relations experts of corporations are on the mailing list, as are trade associations. Schoolteachers read it. Members of the League of Women Voters, the Federation of Women's Clubs, and the American Association of University Women, and the like, are on the mailing list.

So, in a very real sense, the Congressional Record is an opinion maker. Of course, there is always history. We in Congress fondly believe that history will be interested in what we are doing. Sometimes I am inclined to believe that it is a false hope and an illusion; nevertheless, the printed word is the best means for one generation to communicate with another.

So in a sense I have no feeling of inferiority in taking the floor at this late hour to discuss the general aspects of the area redevelopment bill and the problems which created it.

If I had spoken earlier at great length and had prevented other Senators from speaking, I would have felt bad. However, since I do not imagine there will be any other Senators who will wish to speak on the area redevelopment program after I have concluded, I do not feel that I am displacing any of my colleagues.

Let me summarize very briefly the specific changes which the proposed amendment to the act would make.

In the first place, it would increase the amounts which are authorized to be outstanding for industrial or commercial loans for projects in urban areas from $100 to $250 million, and therefore, of course, is an additional authorization of $150 million.

It would increase the amount authorized to be outstanding for loans in rural areas of an industrial or commercial nature also from $100 million to $250 million, representing an increase of $150 million in the authorization for this purpose.

In the third place, it would increase the amount authorized for public facility loans from $100 million to $150 million, an addition of $50 million.

In the fourth place, it would increase the authorization for appropriations for public facility grants from $75 million to $175 million, or an addition of $100 million.

In the fifth place, it would increase the annual authorization for appropriations for technical assistance from $4.5 million to $10 million—an addition of $5.5 million.

If we add all of these increases together we get a total increase of $455.5 million.

I do not need to add for this sophisticated body, but perhaps I should do it for the Record, that of course these are authorizations or ceilings. They will have to be followed by appropriation bills, and the final amount may be different from the amounts in the bill, but cannot exceed them.

This explanation which I have made is particularly important in view of the fact that the Appropriations Committee has blocked the Treasury borrowing authority provision in the Area Redevelopment Act, and requires appropriations for what otherwise would have been Treasury financing. In this connection, it is ironical that yesterday the Senate passed the Export-Import Bank bill, which provided $2 billion in Treasury financing for loans made to countries and projects abroad. It was passed by a vote of 73 to 1. We provided an authorization for $2 billion of Treasury financing to benefit people abroad and big business at home. I am somewhat struck by the names of the Senators who oppose and thus far have been able to block any Treasury financing for poor communities and the unemployed at home. I do not believe in holding individuals up to too close scrutiny, but I am struck by the fact that if we look over the yea-and-nay vote on page 11374 of yesterday's Congressional Record, we find the names of every one of the Senators who signed the minority report denouncing the area redevelopment bill and the amounts of money contained therein. Billions of dollars may be drawn by Treasury financing to help American export concerns, but not 1 cent, it is said, for amounts to be spent at home.

I ask unanimous consent that the yea-and-nay vote to which I have referred be included in the Record at this point in my remarks.

There being no objection, the excerpt from the Congressional Record was ordered to be printed in the Record, as follows:

The result was announced—yeas 73, nays 1, as follows:

Yeas—73: Aiken, Allott, Bartlett, Bayh, Bennett, Boggs, Burdick, Byrd of West Virginia, Carlson, Case, Clark, Cooper, Cotton, Curtis, Dirksen, Dodd, Dominick, Eastland, Edmondson, Ellender, Engle, Ervin, Fong, Gruening, Hartke, Hickenlooper, Hill, Holland, Jackson, Johnston, Jordan of North Carolina, Jordan of Idaho, Kefauver, Lausche, Long of Missouri, Magnuson, Mansfield, McGee, McGovern, McIntyre, McNamara, Mechem, Metcalf, Miller, Monroney, Morton, Moss, Mundt, Muskie, Nelson, Neuberger, Pastore, Pearson, Prouty, Proxmire, Randolph, Ribicoff, Robertson, Russell, Saltonstall, Simpson, Smathers, Smith, Sparkman, Stennis, Symington, Talmadge, Tower, Williams of New Jersey, Williams of Delaware, Yarborough, Young of North Dakota, Young of Ohio.

Nays—1: Thurmond.

Not voting—26: Anderson, Beall, Bible, Brewster, Byrd of Virginia, Cannon, Church, Douglas, Fulbright, Goldwater, Gore, Hart, Hayden, Hruska, Humphrey, Inouye, Javits, Keating, Kennedy, Kuchel, Long of Louisiana, McCarthy, McClellan, Morse, Pell, Scott.

So the bill (H.R. 3872) was passed.

Mr. DOUGLAS. There are other provisions in the ARA bill before the Senate.

There is a provision partly aimed to get away from some of the difficulties imposed by the elimination of Treasury financing. Funds appropriated for the area redevelopment program are to remain available until expended. If after having been appropriated they are not expended within a fiscal year, they may be carried over to subsequent years. This is a provision similar to the one for foreign aid. There is no reason why we should not have it for foreign aid and for technical assistance abroad. Similarly there is no reason why we should not have it for domestic aid.

S. 1163 also permits the required State or local contribution of 10 percent that is required for industrial or commercial projects to be repaid concurrently with the repayments of the financial assistance extended by the Area Redevelopment Administration. We require a minimum of a 10 percent contribution by State or local groups in addition to the amounts loaned by the Area Redevelopment Administration. But this 10 percent has always been at the bottom of the totem pole. Under the present act, it has to be repaid only after all other loans have been repaid. This provision was placed in the original act in order to require localities to take some risks. But I think that in its present form it is too stringent, too severe, because it gives to the local people the possibility of getting their money back only after 20 or 25 years. That is too long to wait. I think the repayment of the local contribution should be permitted to be made concurrently.

There are two other minor changes which S. 1163 would make in the Area Redevelopment Act.

One amendment, which was adopted unanimously—I heard no opposition from the Republican side of the committee—requires that construction workers on any private project financed by ARA are to be paid the prevailing wages as required by the Davis-Bacon Act.

The other minor but important change was made at the suggestion of the Senator from Maine [Mr. Muskie]. It provides that not only Federal Indian reservations would be eligible for designation as redevelopment areas, but also State Indian reservations. That means that the great Iroquois Nation in New York State would be eligible and, as I mentioned earlier in the debate, the Penobscot Indians and, I believe, the Passamaquoddy Indians in Maine will now become eligible.

I believe those are the main features of the bill, S. 1163, that is now before the Senate. But for the sake of the Record, I believe some concerted statement ought to be made as to why the Area Redevelopment Act was ever introduced and why it was passed in the first place.

It became obvious to many of us in the early 1950's, when the overall employment in the country as a whole was at a low percentage rate, that there were certain areas of the country where unemployment was high and where—even then—it had existed for a considerable period of time. These pockets of unemployment became more and more marked as the 1950's wore on. There were periods of prosperity in 1955 and 1956, but unemployment was still high in those areas.

So it became apparent that there were causes of unemployment unconnected with general factors. There were, of course, overall causes of unemployment which at times produced business recessions and depressions, and which might in certain cases produce a form of more or less permanent stagnation. But these were not the sole causes for all unemployment. I do not wish to deprecate for one moment the importance of monopoly and imperfect competition in depressing and repressing production by charging higher prices than would be true under competitive conditions. Monopoly and imperfect competition necessarily restrict demand; and, in restricting demand, restrict production and employment, and hence either help to create unemployment or divert labor into areas where work is less productive. This is a very important factor in retarding growth and employment.

The failure of the monetary and banking system to expand the monetary medium as output increases—repressing a potential employment increase by failure to provide adequate credit or the charging of high interest rates, thus depressing business borrowing at a time when unemployment is high and industrial capacity is not fully utilized also brings about general unemployment. These are all causes; and frankly I think they are at work today.

But there are also specific causes that create structural unemployment—unemployment which weighs heavily on particular localities.

The most conspicuous case is in the coal-mining areas. There used to be half a million coal miners in the Nation. The great State of West Virginia had 150,000 coal miners. My State of Illinois had between 80,000 and 90,000 coal miners. But the number of coal miners has diminished very greatly everywhere. This is due to the coming into use of other fuels, such as oil and gas, and also to automation in cutting, the carrying of the coal through the mine to the shaft or slope and up to the mine mouth, and loading. The result is that in my State, which once had 90,000 coal miners, there are now about 9,000. Almost comparable reductions have been made in other States.

The output per man-day in a coal mine, which used to be between 3 and 4 tons, now averages 13 tons. In some mines, it is as high as 30, 40, or 50 tons. In a strip mine, it can run into well over 100 tons of coal per man-day.

This is not the fault of the workers who have been thrown out of work. It is due to the fact that other fuels have been substituted and the output per man-day has been increased. Thus fewer workers are needed. But the consequence of all this is unemployment. Coal-mining communities have been burdened with this heavy load of unemployment, which is not the fault of the people who live there, but is inevitably the consequence of improved industrial methods.

Consider the regions of the country where natural resources have been largely exhausted. This is true in the cutover regions of upper Michigan, Wisconsin, and Minnesota, and through sections of Maine and New Hampshire. These were formerly great forest areas, and the lumbering industry was a very important one. Trees were cut down, but new crops were not grown. Timber barrens were created, and the population was left stranded without hope of reemployment in the lumber industry.

Consider copper mining in Tennessee. It spread ruin over the countryside. That industry has closed down and no longer provides the employment which it did before.

Down East, due to the increase, for a time, of 3° or 4° in the temperature of the Atlantic Ocean, the fishing industry has deteriorated. This is not the fault of the fishermen. They did not heat up the Atlantic Ocean. They were hurt by the change in the type of fish which inhabited the nearby seas.

Then, of course, there are shifts in demand which can cause widespread and severe unemployment. I remember as a boy working in the twin cities of Gloversville and Johnstown, N.Y., a great glove center of the country. In a sense, gloves are now passé. But in the old days, women wore gloves up to their elbows. A man did not dare to go out and make a call without wearing a pair of gloves; or if he did not wear them, they must at least have been folded in his vest pocket. This is a fashion that has gone by the boards. Gloversville and Johnstown, N.Y., are no longer the great glove centers they once were.

Hats are going in much the same way. Danbury, Conn., which was the center of the hat industry, has been hit by the bareheaded fashion which has swept over the country—a fashion assisted by our Chief Executive. This has created unemployment in Danbury and other places. Probably it is good for health and has increased sturdiness, but it also increases unemployment.

Carpets, which formerly were essential for every middle-class home, also are passé.

The family piano, which previously was a requirement, and upon which the daughter would play and practice, and which she would use as a musical instrument to accompany her dulcet tones as she sang, is not going out the window, but it is going out of fashion. Therefore, the piano industry has suffered.

These are merely a few illustrations, which I take from the record of industrial change, and I cite them to indicate how people are thrown out of work by shifts and changes in demand, by the exhaustion of natural resources, and by improvements in technology and the development of substitute products.

Next to the coal-mining area, probably the textile regions of the country have been most severely hit. This is due to a variety of reasons, but is chiefly due to the decrease in the total demand for textiles. The American flapper played a great part in that development. The decrease in the length of skirts increased the demand for silk stockings, but diminished the demand for cotton and for wool. The heating of homes and apartments, and the use of closed automobiles diminished the necessity for warm clothing in the wintertime. As a result, the total demand for such products, particularly for wool, decreased. Then there were the substitutions for silk and cotton and wool of the synthetic fabrics made from cellulose.

One who travels through the Merrimack Valley, in Massachusetts and New Hampshire, sees the vacant mills along the Merrimack River, at Lowell, Lawrence, Nashua, and Manchester. These were abandoned for two reasons: The shift in demand and the movement of industry south. This change occurred not merely because of the lower wage scale in the South, although that was very real, and not merely because of the inducements the southern communities held out by their own redevelopment plans, by making loans to firms which would come there. They were pirating industry. But equally important the northern mills tended to use three-story, four-story, or five-story buildings, originally erected close to waterfalls, but extremely uneconomic and inefficient in terms of production layout. Raw materials had to pass back and forth and up and down, and the plant layouts were highly inefficient; whereas in the South the new plants could be located outside the towns, in single-story factories which could have straight-line processes, and could have the advantages which could not be had in the North, with the old mills and the obsolete construction and layouts.

So New England, in particular, suffered extremely from the shift in the textile industry. Many of the small woolen mills of Maine had to close. So did many other northern New England mills and the larger textile mills of Massachusetts. And the same decline in textile production come to pass in upper New York State, in New Jersey, and elsewhere.

Thus, coal mining and textile communities were the hardest hit.

Therefore it became apparent that there were structural causes of unemployment, unaffected by the broader determinants of unemployment such as monopoly pricing and inadequate banking, monetary, and fiscal policies.

Furthermore, in recent years another factor—automation—has been at work in the unemployment picture. There has been a great amount of automation on the farms. Tractors have displaced mules and horses. As a result, fewer people are needed to plow, to harrow, to harvest, and, in the case of cotton, to pick cotton; and also fewer are needed in connection with the production of other crops.

So there has been a great displacement of farm labor; and from the cotton fields and the tobacco fields of the South hundreds of thousands of Negroes and whites have poured into the cities of the South and also into those of the North and the Midwest—for example, into St. Louis, Chicago, Detroit, Philadelphia, New York, and Washington. All of these cities have experienced this in-migration. Also, from the small farms of the Midwest and from the farms of the West which have grown feed grains, wheat, vegetables, and other crops, have also come millions of people. In the last number of years probably 2 million families have left the farm; 10 million people have come into the industrial and urban centers, seeking work. This created real problems in the cities, because the adjustment of those migrating was not immediate and automatic.

What was the answer of the dominant business groups in the country to these problems? What was the answer of the National Association of Manufacturers, of the Chamber of Commerce of the United States, and of the American Farm Bureau? Their answer was "Do nothing"—the modern equivalent of laissez faire, which meant just that—"Let nature take its course." They relied on automatic forces to solve the problem, which would drive down the standard of living in depressed and distressed areas, until millions of people would be forced to leave home and seek work elsewhere.

This assumption disregarded several important facts. In the first place, men are not machines. Men have attachments to their homes, to their families and relatives, to their neighbors and their friends, to their churches, and their lodges, and to their gardens and their communities. Are these to be entirely disregarded? Certainly they are not disregarded in practice, and I do not believe they should be disregarded. Man is not an automaton or a machine, thank God. Man has sentiments which attach him to the place of his birth.

Even the founder of laissez faire, Adam Smith, himself said, "Man of all commodities is the most difficult to be transported."

Secondly, a large proportion of the people in depressed and distressed areas owned their own homes. They had a financial as well as an emotional stake in their communities which made them reluctant to leave home and seek employment elsewhere. Men would have to give up their homes, sell them, and undergo great financial sacrifice.

In the third place, it was costly for the unemployed to go to centers of expanding employment. The costs of moving are high. It was by no means certain that one could obtain a job. The period of waiting created doubt and uncertainty, and was itself costly. Frankly, that was responsible for much of the frustration in our cities today. People have come North hoping and expecting to find jobs, and they have not found jobs. They feel frustrated. They want to lash out at the world. That is particularly true in the case of youth, and particularly Negro youths from the South and from the mountains.

I suppose people do leave the countryside, and there is no home left to which they can go back. Robert Frost has said that home is the place where they have to take one in when there is no place for one to go. But suppose the home itself has more or less disappeared? There is no place to which one could return. On humane grounds alone the facts would have justified an effort to bring some work to areas of high and persistent unemployment, rather than mercilessly forcing people out as they were forced in England under the enclosure acts.

But there was another factor to justify the Area Redevelopment Act from a purely materialistic and economic point of view, namely, that the depressed communities had social and individual capital which could be utilized if the population were stabilized, but it would have to be duplicated if that population were forced into other cities and other places. All those people had homes, and therefore housing.

If they journeyed elsewhere, they would have to have new housing provided for them, either in the form of houses themselves or additional apartment space or lodging space. The communities had schools already constructed to which their children could go, but, if they moved, schools would ultimately have to be duplicated in places to which they were going. Similarly new churches would have to be built to accommodate these masses of migrating unemployed.

Local communities have streets and sidewalks. Those would have to be duplicated if the people moved elsewhere. Communities have water systems, telephones, and electric light connections. They have parks and community halls. They have a system of retail stores already constructed and ready to serve the people.

I have sometimes tried to find out the amount of social capital which is attached, so to speak, to each person as compared to the per capita amount of industrial or production capital. It is my belief that it runs into many thousands of dollars per person, and that in all probability it is approximately as great as, if not greater than, the investment in factory buildings, machinery, and fixed capital required to provide a job inside a factory, a mine, a store, or an office. Therefore, if we can economically retain those people in their communities the great advantage, is that we would utilize the existing social capital, and it would not require duplication elsewhere, thus enabling the savings which are made to be used in productive enterprise, increasing the total flow of goods and services, and not merely duplicating what already exists.

Therefore, in the long run, attempts to bring work to the distressed areas were not only humane, but economical in dollars and cents.

This program of assistance to distressed areas was sneered at as being sentimental. It was derided by the hardboiled. But many of us have been greatly cheered by the recent words of the late noble pontiff of the Roman Catholic Church, Pope John XXIII, which were quoted earlier today by the Senator from Indiana [Mr. HARTKE]. I speak as a Protestant, so I think I can properly praise Pope John, not only for the two magnificent encyclicals which he sponsored, but also for the fact that his benign eye had noted that these problems exist all over the world. He looked upon the efforts being made here and elsewhere, and wanted to have work brought to the people, and not merely force people to go elsewhere for work.

I point out that we are not proposing to freeze the population. We are not proposing to keep every community intact. We know there are processes of growth and decay, and that such processes must go on. We merely say that it is inhumane and uneconomic to stand aside and allow mighty impersonal forces to throw farmers out of work and wreak destruction upon millions of persons.

HISTORY OF ARA

As far back as 1954 I asked a group of friends to set up a task force which would draft a bill to assist those areas of high and persistent unemployment. I pay tribute to those who have worked so faithfully and anonymously throughout the years. There is Mr. William Batt, who is now the Administrator, and Mr. John Edelman. There is Mr. Sol Barkin, the great former Senator from Michigan, and now president of the Detroit Edison Co.; Mr. Charles S. Murphy, now Under Secretary of Agriculture; and Mr. Frank McCullough, my former administrative assistant. For months we worked, and in 1955 the first bill was introduced. But we quickly became aware of the fact that that first venture was only a part of the problem. As was brought out today in colloquy with the junior Senator from Alabama [Mr. SPARKMAN], it became apparent that rural poverty was probably worse than urban poverty.

It also became apparent that there was a vast amount of underemployment among rural folk. After harvesting in the wintertime, farmers and their families had a great deal of time on their hands. In this day in which modern methods of harrowing, cutting and baling hay are used in the harvesting of crops, the number of hours the farmer must work has been greatly decreased. Milking machines have reduced the work required in attending dairies. Replacing the horse with the motor tractor has decreased the amount of work necessary to take care of the farm. The REA has brought light to houses, pumps for water, and motive power for the grinding of feed, which has saved a great deal of time heretofore consumed in such chores. All those factors, plus the displacement of the farm trained labor, resulted in loss to the farmers and members of the farm family. It was recognition of that fact which caused us relatively early in our struggle to include a program for rural rehabilitation on an equal basis to that which was provided for industrial and commercial areas.

The Appalachians, I suppose, are a prime example of economic distress in rural areas. The Appalachians are one of the most depressed areas in the country. Starting in Pennsylvania, going down through West Virginia and Kentucky, touching Virginia itself, moving down into the western slopes or northern slopes of North Carolina, South Carolina, and indeed even Georgia, there are from 4 to 5 million Americans of complete Anglo-Saxon stock—the purest Anglo-Saxons in this country, if that is a recommendation—who live on one of the lowest standards of living in the Nation. They are mountaineers, retaining the language, the speech, and songs of Elizabethan England, whose incomes are extraordinarily low because their farms are not large enough to enable them to earn a decent living and because other industries have not been brought in to help them. With the decline of coal mining, their lot is even worse.

Southern Illinois and the lands of the Great Lakes region are other examples of the same tendency.

Let me emphasize that none of those who were sponsors of the area redevelopment bill ever claimed it was a cure-all for unemployment. I can truthfully testify that I constantly warned against such a belief. All we claimed was that the area redevelopment bill could be of some help in dealing with structural unemployment and that we should make a beginning, because this was a measurable program upon which we could work.

I shall not go into the tangled history of the long battle which we had to pass the bill. I prefer to let bygones be bygones. Suffice it to say that we got the bill through the Senate in 1956 in almost the concluding hours of the session, and the opposition party refused to allow it to be considered or brought up in the House.

We tried again in 1957, and at one time I was so discouraged that I was about to give up. Frankly, I thought that I ought to abandon the effort. Then the group of men whom I have named gave me such encouragement that I had renewed hope. We went to work. In 1957, the bill passed in the Senate. In 1958, after a struggle, it was passed through the House, in the concluding days of that Congress. It went to President Eisenhower, and he exercised a pocket veto.

Like the old game of going to Jerusalem, we had to go back to the start.

We tried again in 1959. The bill passed in the Senate. In 1960 it was passed by the House. This time President Eisenhower could not give it a pocket veto. Time did not permit him to do so. He could not kill the bill by silence. He killed it by an outright veto, in what I think was one of the most illogical, most incorrect, most hardhearted presidential messages ever issued by a Chief Executive.

Along the way many things were developed that we realize were a part of a complete program. We did not want subsidies. We know the dangers that brings in. But we did believe that the Government could make low interest loans available to decent industries in areas of high and persistent unemployment.

So the program basically was founded on the principle of loans, at rates which we hoped would meet the cost of borrowing, but which we believed would be much lower than the ordinary commercial rate and therefore would help to stimulate industry and to reduce unemployment, with all its consequent byproducts.

So a fund of $100 million was set up for the depressed, industrial and urban areas; and $100 million for the rural areas of high unemployment and low income.

Then we realized that a community should have some industrial facilities; that it was not sufficient merely to make a loan for a factory or for machinery, if a community did not have industrial water to attract new industry.

In many cases what are called industrial parks are advantageous, for thereby one can construct a series of interconnected small places which can be subdivided, where small industry can come in to take a given area, with common facilities in the form of access roads, water and sewer, electricity, light, and telephone service. Then a small industry can rent a certain amount of space without having the heavy initial cost, which otherwise would be crushing. In other words, the community can provide what the great English economist Alfred Marshall called "external economies." We provided $100 million for loans to communities for such public facilities.

We knew that some communities would not be able to borrow and repay, and so we provided for appropriations of $75 million for grants.

Of course, we realized that frequently these two forms of assistance—a loan and a grant—could be combined.

As we went further along it became apparent that something else was needed. One cannot transform coal miners into textile workers without some training. One cannot transform farmers into sewing machine operators without training. So we provided a training program. In order to provide fully for this we provided not only for the cost of instruction, but also for subsistence during the period of training.

I am proud to say that this training feature, which was adopted in 1961, was the pilot project which stimulated the first manpower retraining program on a much larger general scale, which shortly followed.

CONDITIONS FOR ASSISTANCE

Those were some of the main features. Now, I wish to say a word or two about our attempts to protect the public Treasury.

We did not want these amounts given or loaned indiscriminately. We wanted them only in urban and industrial areas of high and persistent unemployment. I emphasize that. We tried to establish objective criteria which the administrators could use to determine whether a given locality was qualified.

First we provided that unemployment must be at least 6 percent. Then I concluded that this was not rigid enough, that great numbers of young people would come onto the labor market, and it was not certain that industry could absorb them, and therefore we should have a further qualification.

So we provided that in order for an urban area to be classified as eligible for area redevelopment it must have had 50 percent above the national average of unemployment for 3 of the preceding 4 calendar years, or 75 percent above the national average for 2 of the preceding 3 calendar years, or 100 percent above the national average for 1 of the preceding 2 calendar years. In other words we aimed to take in areas which, in comparison with the remainder of the country, were in the greatest of difficulty.

We had some trouble in establishing criteria for the rural areas. But there was a series of standards which we considered together—areas of low income, areas of low farm income, where the volume of production in terms of dollars was low, where there was substantial and persistent unemployment and underemployment, and where the Eisenhower administration itself had designated certain counties as being distressed and as needing assistance.

We also provided that the amount of Federal loans for industrial and commercial projects should never exceed 65 percent of the project cost. Loans could be used for buildings, and, in certain circumstances, for machinery and equipment, but never for working capital. The communities or States had to provide at least 10 percent. Five percent of the total cost, as a minimum, from nongovernmental cost was to be repayable only after the ARA loan had been repaid.

The emphasis was on trying to get local banks, local industries, the firms themselves, and the communities, to put in money to get the industries started, and the Federal Government was to give the basic help which would be a sort of seed which would enable other plants to grow.

Roughly, that is the program which was put into effect, and which the ARA has been carrying out. They have designated 142 urban and industrial areas as eligible for redevolpment.

This has been done only after there has been cooperation with the local communities. Eight hundred and seventy-nine rural areas have been designated. There is a total of approximately 1,021 of such regions. Fifty-four Indian reservations have been designated.

These areas are shown on the big map in the rear of the Chamber, the red being the industrial areas, the pink being the rural areas, and the blue being those which are teetering on the edge, which have high unemployment, but which have not passed the time test of persistent unemployment. The distribution can be seen. It is not confined to a few States. It extends over a large portion of the country.

There are approximately 37 million people living in these two groups of areas. That is 20 percent of the country. The people in these areas form one-sixth of the work force of the country, and they form one-third of the unemployed.

As the Senator from Wisconsin [Mr. PROXMIRE] mentioned earlier in the afternoon, it is in areas of persistently high unemployment that the problem is most intense.

It is estimated that there are 1,300,000 unemployed persons in these areas. If we take 4 percent as the minimum toward which we are at the moment working—and we hope it will go below that, but this is our tentative target—there are approximately 700,000 unemployed in excess of the 4 percent point. We are trying to reduce that total of 700,000.

ARA PROGRESS

Now I wish to report the progress which ARA has been making. Congress did not enact the law until 2 years ago. Then there was a delay in making appropriations. The staff had to be assembled, and preliminary rules and regulations had to be established. The program probably has not been in force, effectively, for more than 18 months.

I ask unanimous consent to have printed in the RECORD at this point table No. 1, showing the financial assistance projects which have been approved.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF COMMERCE, AREA REDEVELOPMENT ADMINISTRATION

TABLE 1.—*Financial assistance projects approved, as of June 15, 1963*

[Dollar amounts in thousands]

States	Industrial and commercial			Public facility loans/grants			Technical assistance		Training		
	Number	Investment	Jobs	Number	Investment	Jobs	Number	Investment	Number	Investment	Trainees
Alabama	7	$1,204	550	10	$1,450	851	1	$29	5	$242	638
Alaska	5	2,225	451	2	1,772	675	4	150	5	124	125
Arizona							5	86	2	59	60
Arkansas	4	895	523	6	1,449	2,365	3	93	16	446	637
California	1	126	21	1	458	100	1	7	1	44	24
Colorado							1	54	5	78	101
Connecticut	3	1,154	1,332				3	53	9	407	1,007
Delaware											
District of Columbia											
Florida	4	3,592	566	1	28		4	62	2	62	107
Georgia	5	1,988	890	6	2,457	810	9	243	3	90	220
Hawaii	1	351	36	1	437	300			1	2	20
Idaho	2	463	140				1	36	3	32	32
Illinois	7	1,540	820	2	786	750	5	921	20	584	1,244
Indiana	6	1,804	1,021	4	1,714	650			5	386	522
Iowa							1	50	1	21	20
Kansas	1	1	5						4	38	58
Kentucky	14	2,307	1,006	7	3,122	1,133	9	159	33	451	1,036
Louisiana	3	194	60				1	14			
Maine	8	2,571	672	1	165	11	5	81	9	126	176
Maryland	2	765	552	2	772	1,075	1	25	7	302	421
Massachusetts	6	756	330	2	587	500	5	244	14	376	407
Michigan	10	5,968	1,070	2	741	390	7	406	21	806	1,254
Minnesota	9	488	185	1	3,000	26	13	826	9	319	972
Mississippi	3	1,162	325	2	189	810	3	79			
Missouri	1	81	100	3	1,750	435	4	84	5	129	225
Montana	1	188	62	1	337	73	5	132	11	284	389
Nebraska											
Nevada				1	75	5	2	43	3	51	60
New Hampshire							1	5			
New Jersey	4	2,341	530				1	30	14	407	845
New Mexico	1	195	35				5	83	10	287	610
New York	7	3,381	573	2	375	183	4	227	2	44	92
North Carolina	3	697	360	2	235		3	42	19	263	541
North Dakota							1	10	8	124	185
Ohio	5	567	173				5	265	15	299	442
Oklahoma	12	5,446	1,191	5	11,907	1,325	8	166	24	657	1,339
Oregon	1	1,307	320	2	1,199	160	4	32	1	8	50
Pennsylvania	16	4,763	2,021	14	3,334	2,604	13	569	34	1,125	1,939
Rhode Island				2	1,257	1,300	1	37	6	660	751
South Carolina	5	2,690	463	2	405	650	1	24	3	75	57
South Dakota							1	41	4	49	96
Tennessee	2	455	130	9	2,126	3,276	4	161	5	331	379
Texas	12	9,115	1,334	2	664	607	11	260	18	235	325
Utah	4	1,889	516				3	41			
Vermont											
Virginia	1	30	50	1	25	125	5	52	1	12	96
Washington	4	773	202	1	146	6	10	193	3	35	150
West Virginia	9	3,838	1,462	9	2,503	522	12	227	29	1,049	2,314
Wisconsin	1	418	38	1	65	45	4	89	28	479	536
Wyoming	1	357	110				1	18			
American Samoa							2	14	1	35	20
Guam											
Puerto Rico	1	1,600	302				2	61	3	116	299
Virgin Islands											
Total	192	69,685	20,527	107	45,539	21,762	195	6,524	422	11,749	20,821

Mr. DOUGLAS. Mr. President, virtually every State is included—192 projects have been approved, which call for a total investment by the Government of $69,685,000, or approximately $70 million. They will create 20,527 jobs.

As to the public facility loans and/or grants, 107 of these have been approved. There is an investment of $45,539,000, with 21,762 jobs created, or a combination of about $115 million and a little more than 42,000 direct jobs.

If the figures are carried through, the average amount of capital per job is approximately $2,760.

These are only the direct jobs. When these persons are put to work, they will have more money in their pockets; they will buy more, which will put others to work in stores and elsewhere. They will contribute to their churches and charities. There will be a stimulative effect.

In our calculations on the banking, monetary, and tax policy of the country, we have used the basic multiplier of four. Thus, a $10 billion tax cut would result in a net increase in demand of $40 billion. I think that figure is relatively reliable. But we are not using any such multiplier as this for our purposes. We know that reduced employment has caused unemployment in local stores, and that there will not be the net stimulative effect that there would be in the case of a tax cut or a general program of public works. We have adopted the multiplier which the "right wing" says is true.

The Chamber of Commerce uses the multiplier of 1.65, the figure 1 being the direct employment, and the .65, or two-thirds, being the indirect. We shall adopt, for the sake of argument, the Chamber of Commerce's multiplier. If 42,000 jobs were created, 65 percent of those jobs would amount to a little more than 27,000. That is the indirect effect. There would be 70,000 jobs in all—42,000 plus 27,000, with spare hundreds.

We are trying to reduce or eliminate the 700,000 excess of unemployment in the distressed areas. Therefore, we are one-tenth on our way. But this is not all. These represent only the jobs and projects which have been approved. All of us who deal with Government agencies know there is a pipeline of projects which have been submitted, which have not yet been approved, but which are being examined.

I have in my hand a table—table 2—which I ask unanimous consent to have included in the RECORD at this point, on pending projects, classified by States, type, amounts, and jobs.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 2.—*Pending projects*

[Amounts in thousands]

State	Number eligible areas	Industrial and commercial		Public facility loans and grants		Total		Jobs
		Number	Amount	Number	Amount	Number	Amount	
Alabama	40	5	$5,325	3	$301	8	$5,626	1,373
Alaska	22	14	5,777	1	98	15	5,875	512
American Samoa	1	1	476			1	476	150
Arizona	13	1	217			1	217	25
Arkansas	48	2	1,044	10	3,421	12	4,465	878
California	10	9	6,429	2	1,799	11	8,228	1,180
Colorado	9	1	380			1	380	72
Connecticut	3	3	4,031			3	4,031	330
Delaware	2							
Florida	12	3	1,290			3	1,390	354
Georgia	73	10	10,804	3	520	13	11,324	1,867
Guam	1	1	728			1	728	61
Hawaii	1	3	3,452			3	3,452	287
Idaho	9	4	2,596			4	2,596	334
Illinois	18	8	1,468			8	1,468	539
Indiana	27	6	4,352	2	477	8	4,829	908
Iowa	2							
Kansas	2	1	40			1	40	10
Kentucky	54	13	6,734	11	14,979	24	21,713	5,251
Louisiana	25	12	20,408			12	20,408	1,915
Maine	11	13	1,722	1	40	14	1,762	701
Maryland	7	6	5,616			6	5,616	639
Massachusetts	10	2	1,917	1	149	3	2,066	630
Michigan	53	19	12,666	3	624	22	13,290	2,135
Minnesota	18	15	3,205	3	6,367	18	9,572	1,278
Mississippi	60	3	1,196	2	863	5	2,059	615
Missouri	23	6	3,284			6	3,284	540
Montana	16	1	429	1	51	2	480	38
Nebraska	13							
Nevada	3							
New Hampshire	3	3	$737			3	$737	89
New Jersey	6	4	1,888			4	1,888	385
New Mexico	23	4	6,950	1	$73	5	7,023	1,387
New York	13	3	14,929			3	14,929	549
North Carolina	34	13	12,396	3	702	16	13,098	1,765
North Dakota	5			1	50	1	50	4
Ohio	10	12	3,661	3	581	15	4,242	841
Oklahoma	33	15	5,523	4	1,717	19	7,240	2,228
Oregon	9	7	1,477	3	1,547	10	3,024	419
Pennsylvania	41	15	7,363	4	379	19	7,742	2,320
Puerto Rico	56	9	8,803			9	8,803	1,360
Rhode Island	1	0	0	1	45	1	45	10
South Carolina	24	4	4,754	2	823	6	5,577	1,426
South Dakota	7	2	1,033			2	1,033	161
Tennessee	45	10	5,866	3	152	13	6,108	800
Texas	54	16	26,962	2	190	18	27,152	2,638
Utah	11	3	738			3	738	108
Vermont	3	2	153			2	153	80
Virginia	15	3	182			3	182	181
Virgin Islands	1							
Washington	16	4	978	1	349	5	1,327	1,994
West Virginia	37	9	18,499	13	45,144	22	63,643	5,192
Wisconsin	21	9	4,032	2	211	11	4,243	1,087
Wyoming	4	2	2,894			2	2,894	219
Total	1,058	311	235,504	86	81,652	397	317,156	47,865

Mr. DOUGLAS. This table shows pending industrial and commercial projects numbering 311, amounting to $235,504,000. Public facility loans and grants, 86 pending, amounting to $81,652,000. The total number of projects is 397, and the total amount is $317,156,000; 47,865 additional jobs are involved.

Applying the same 65 percent ratio, we get about 30,000 additional jobs indirectly created—30,000 plus 47,000 is 77,000. We can be conservative, and say 75,000.

There is an additional 11 percent of unemployment above the 4 percent mark that we may reduce. Of course, not all of these ARA projects will be approved.

Those are the jobs in the Federal pipeline. However, out in the country there are projects incubating which will shortly be put into the pipeline by application and which will be passed upon during the coming 2 years.

I asked the Area Redevelopment Administration to give me some figures on the jobs which they knew about and projects being planned for submission to ARA. I have before me table 3. I ask unanimous consent that it may be printed in the RECORD at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 3.—*Potential projects being planned for submission to ARA*

[Amounts in thousands]

State	Secs. 6, 7, and 8				Sec. 11			Sec. 16	
	Number	Total amount	ARA amount	Jobs	Number	Amount	Jobs	Number	Jobs
REGION I									
Maine	8	$3,388	$1,882	420					
New Hampshire	13	7,423	4,678	300					
Vermont	5	1,125	732	175					
Massachusetts	47	16,652	9,952	3,102					
Rhode Island	4	587	467	105					
Connecticut	3	1,200	780	135					
New York	14	8,705	4,458	1,802					
New Jersey	1	350	228	350					
Delaware	4	1,450	935	250					
Pennsylvania	35	20,519	16,839	1,013	5	$195	300		
Maryland	14	10,787	5,982	2,640	1	49			
Puerto Rico and Virgin Islands	24	24,741	14,427	4,234					
REGION II									
Michigan	31	21,492	13,340	1,790				5	120
Ohio	32	8,544	5,263	688				3	65
Indiana	6	1,458	949	287					
Illinois	20	16,999	11,050	728					
Wisconsin	16	7,773	4,978	1,172					
Minnesota	13	3,387	2,223	532					
REGION III									
West Virginia	24	11,478	8,250	1,464					
Virginia	7	737	483	475					
Kentucky	14	3,118	2,031	321					
Tennessee	11	15,270	7,002	750					
REGION IV									
North Carolina	16	22,142	12,505	1,968	11	200			
South Carolina	6	7,090	4,080	1,065					
REGION IV—con.									
Georgia	9	$3,411	$1,991	985					
Florida	7	940	815	283					
Alabama	14	1,918	1,408	1,131					
Mississippi	27	20,093	13,143	3,870					
Arkansas	31	57,048	38,398	4,225	3	$90	195		
Louisiana	15	6,630	2,613	362					
REGION V									
Washington	22	8,100	5,326	336	2	51	50		
Oregon	10	5,982	3,881	553	1	12			
Montana	18	10,070	6,027	637					
Wyoming	5	6,690	3,478	266					
North Dakota	2	80	50	7				5	92
South Dakota	4	1,802	864	171				1	30
REGION VI									
California	6	2,960	1,914	568					
Nevada	1	1,000	650	150					
Utah	6	2,928	512	486					
Arizona	6	1,700	1,072	1,175					
Oklahoma	23	9,308	6,370	1,869					
New Mexico	11	5,930	3,855	825					
Kansas	2	475	271	100					
Texas	97	95,849	57,989	4,818					
Missouri	10	1,636	1,113	768					
Hawaii	4	3,500	2,455	268					
American Samoa	1	1,500	900						
Guam	1	150	100	20					
Colorado	12	5,117	1,141	295	1	40			
Total	712	471,232	289,855	49,934	24	637	545	14	307

Mr. DOUGLAS. In brief, this table shows the projects which are already known, and which are incubating but which have not been submitted to ARA, amounting to 712 in total and amounting to $471,232,000. The estimated ARA share is approximately $290 million. Approximately 50,000 jobs will be created if the plan is carried out, and if authorizations and appropriations are made. This means creation of an additional 50,000 jobs, plus 33,000 jobs, or 83,000 more jobs.

In short, we are on our way. It would be cruel to cut this program off or to seriously abridge it at this point.

I also have before me table No. 4, showing the distribution of jobs which could be created under increased funds authorization and jobs anticipated under current funds authorization, with a brief explanation of the method used.

I ask unanimous consent that this explanation and table be printed in the RECORD at this point.

There being no objection, the explanation and table were ordered to be printed in the RECORD, as follows:

EXPLANATION OF TABLE "DISTRIBUTION OF JOBS WHICH COULD BE CREATED UNDER INCREASED FUNDS AUTHORIZATION, AND JOBS ANTICIPATED UNDER CURRENT FUNDS AUTHORIZATION"

The table was prepared under the following assumptions:

1. Jobs are distributed proportionately by State according to the degree of unemployment and underemployment in each State.

2. It assumes equal and active participation by each State.

3. It assumes that the current authorization will be completely absorbed by projects already submitted—either approved or in process.

4. The number of jobs to be created are based on an estimate that each job will require an ARA expenditure of $3,000.

5. The numbers of indirect jobs generated are based on the factor of 0.65 for every direct job.

TABLE 4.—*Distribution of jobs which could be created under increased funds authorization and jobs anticipated under current funds authorization*

State	Jobs possible under $450 million increase			Jobs anticipated under current authorization		
	Direct	Indirect	Total	Approved	Pending	Total
Alabama	3,060	1,990	5,050	1,301	1,297	2,598
Alaska	510	330	840	1,146	537	1,683
Arizona	315	206	521			
Arkansas	3,285	2,135	5,420	2,888	1,013	3,901
California	1,215	791	2,006	121	1,223	1,344
Colorado	375	245	620		72	72
Connecticut	660	429	1,089	1,235	310	1,545
Delaware	480	312	792			
District of Columbia						
Florida	375	245	620	566	354	920
Georgia	3,000	1,950	4,950	1,650	1,625	3,275
Hawaii	210	138	348	336	205	541
Idaho	525	341	866	140	232	372
Illinois	4,385	2,850	7,235	1,570	430	2,000
Indiana	2,730	1,776	4,506	1,671	908	2,579
Iowa	120	78	198			
Kansas	195	128	323	5	16	21
Kentucky	8,450	5,494	13,944	1,939	2,853	4,792
Louisiana	2,580	1,677	4,257	66	1,358	1,424
Maine	630	411	1,041	631	353	984
Maryland	1,365	887	2,252	1,627	534	2,161
Massachusetts	2,115	1,376	3,491	730	660	1,390
Michigan	22,360	14,534	36,894	1,460	2,087	3,547
Minnesota	2,220	1,443	3,663	211	650	861
Mississippi	3,830	2,491	6,321	1,135	438	1,573
Missouri	1,365	887	2,252	535	540	1,075
Montana	885	575	1,460	135	38	173
Nebraska	375	245	620			
Nevada	15	11	26	5		5
New Hampshire	360	234	594		89	87
New Jersey	6,035	3,924	9,959	530	285	815
New Mexico	1,125	731	1,856	35	402	437
New York	3,420	2,223	5,643	756	612	1,368
North Carolina	2,880	1,872	4,752	360	1,702	2,062
North Dakota	285	185	470		4	4
Ohio	3,300	2,145	5,445	159	1,339	1,498
Oklahoma	2,940	1,911	4,851	1,944	2,957	4,901
Oregon	580	377	957	480	444	924
Pennsylvania	28,875	18,766	47,641	4,620	3,589	8,209
Rhode Island	1,650	1,074	2,724	1,300	154	1,454
South Carolina	2,610	1,698	4,308	1,113	510	1,623
South Dakota	285	185	470		161	161
Tennessee	3,075	2,000	5,075	3,181	1,400	4,581
Texas	3,225	2,096	5,321	1,941	2,362	4,303
Utah	285	185	470	516	41	557
Vermont	195	128	323		80	80
Virginia	930	606	1,536	175	342	517
Washington	1,935	1,259	3,194	186	1,957	2,143
West Virginia	10,337	6,719	17,056	1,984	4,600	6,584
Wisconsin	1,020	663	1,683	83	1,342	1,425
Wyoming	145	94	239	110	219	329
American Samoa	45	33	78		150	150
Guam	165	107	272		61	61
Puerto Rico	6,540	4,250	10,790	302	1,360	1,662
Virgin Islands	90	60	150			
Total	150,000	97,500	247,500	40,878	43,895	84,773

CRITICISMS OF ARA

Mr. DOUGLAS. Mr. President, the hour is late, and I know that the distinguished senior Senator from Oregon [Mr. MORSE] has been waiting for a long time to make his speech. I do not wish to delay him unduly. I have tried, by making my speech at the end of the day, to cause my colleagues the least possible embarrassment.

However, I wish to deal with a few criticisms, if the Senator from Oregon will permit me, so that we may have an answer in the RECORD to the criticisms. When the program was started the criticism was made that the administration would scatter money lavishly. Now the complaint is being made that the administration has been too slow in passing on projects. It is to the credit of Mr. Batt and his associates that they have moved cautiously, in the main.

I point out that not only have we been compelled to start late, but that a great amount of prior work is required before a project is approved by ARA.

First, other Federal and State agencies must provide the unemployment and income data which the Area Redevelopment Administration will use in designating areas eligible for Federal assistance. Although unemployment data were available for many urban areas, special studies were required to establish the eligibility of many other areas, particularly the rural areas, for assistance.

Second, after an area has been designated, the local community must establish a broadly based local organization representing a cross section of all elements of the community to assess the economic conditions of that area and to act as the local coordinator for redevelopment activities.

Third, the local development group must prepare an overall economic development program—OEDP—for that area: that is, a local plan of action for creating new jobs in that area.

The importance of this point has been stressed by a number of Senators this afternoon. There is a local plan for creating new jobs in the particular area.

The OEDP describes the economic characteristics of the area, assesses the problems which the area faces in generating new industrial and commercial activity, states the potential for economic growth in that area, and on the basis of that information maps out a program to regenerate economic growth and create new employment opportunities in the local community.

I cannot stress too much the fact that these plans are not produced from above; they come from below.

Fourth, the OEDP must be approved by the appropriate State redevelopment agency.

Fifth, the OEDP must be reviewed and approved by the Area Redevelopment Administration before any project can be approved for Federal financial assistance in that area.

Sixth, an application for assistance for a specific project must receive State or local approval prior to its submission to the Area Redevelopment Administration.

Seventh, a State or local agency must agree to supply the local 10 percent project cost contribution required by section 6(b) (9) (B) of the act.

Eighth, the Area Redevelopment Administration must review the project application for general compliance with the act prior to its submission to a "delegate" Federal agency for investigation.

I now come to a very important point. The Area Redevelopment Administration farms out specific investigations to a series of agencies. The Small Business Administration makes the investigation and preliminary recommendation on industrial and commercial loans. The Department of Agriculture makes recommendations on rural projects. The Community Facilities Division of the Housing and Home Finance Administration passes on community facilities. The Department of Health, Education, and Welfare and the Department of Labor pass on the training projects. So a great deal of work is farmed out. While this is advantageous, it also slows down the process. Our committee, in its report, recommended that a study be made to see whether the administration of the ARA program can be simplified.

Ninth, after receipt by ARA of the delegate agency's recommendations in regard to the particular project, ARA must make the final determination either by approving or disapproving the assistance requested.

Tenth, if approved, the terms of the loan or grant agreement must be complied with before any ARA funds can be disbursed. For instance, any local fund-raising drives, bond issue referendums, or stock subscription efforts must have been completed, and in the case of business loans, adequate working capital must have been secured.

While things have moved somewhat slowly so far as disbursements are concerned, the record has been a good one.

Another complaint is that in many projects too much money has been spent for each job created. I would be the last to maintain that every project which has been approved is wise. There are some projects with respect to which the ratio of capital to jobs created is excessively high.

I fully appreciate the importance of tourism. I realize that it is important for the White Mountains, for New Hampshire, for the Upper Lake Region, and for the Appalachians; but I also know that motels represent one of the most expensive types of investment that can be made in terms of jobs created. They require a very high ratio of capital directly to jobs. So we included in our report a caution that the Area Redevelopment Administration should be careful in approving motel and hotel loans, and that, if possible, they hold them to somewhere near the average ratio of capital to jobs—somewhere near $3,000 per direct job. This may be an impossible goal. We are not insisting that it be followed in every instance, but we think it is a good general rule.

I shall leave for tomorrow a consideration of criticism the interest rate now being charged on loans by ARA. I merely remark that the Small Business Administration does not charge more than 4 percent. The Small Business Administration takes the better loans and gives the poorer economic loans to Area Redevelopment. Frequently applications will come to Area Redevelopment, and that agency will submit them to the Small Business Administration, which will approve them under their regular program and claim credit. Frequently Area Redevelopment flushes the bird and Small Business Administration bags the bird and leaves to ARA loan requests which, from a business standpoint, might be less attractive. The act requires that that be done.

I hope Congress will not increase the interest rate for area redevelopment loans above the rate for small business. The indirect effects should also be considered. When unemployment is reduced, relief payments are reduced, and local tax receipts are increased. The amount of surplus food that is given away is diminished. The crime rate is diminished. Community benefits are enormous. Such benefits should also be considered in fixing the interest rate.

I have spoken at length only because of what I regard as the importance of the Congressional Record. I still entertain the belief that people read the Record and that it is in the interest of a wise judgment and in the interest of a better writing of history that the Record should be made complete.

I deeply appreciate all the kind things that have been said about me this afternoon. I know that Senators are excessively courteous and friendly, but I appreciate it. I have completed what I wish to say today.

I ask unanimous consent that a table comparing the ARA program with the SBA program be inserted in the Record at this point.

There being no objection, the material was ordered to be printed in the Record, as follows:

	Small Business Administration	Area Redevelopment Administration
1. Term of loans	Sec. 7(a)—Business loans in urban rural development areas—10 years. Sec. 7(b)—Disaster loans—20 years. Sec. 501, Small Business Investment Act—State development companies—20 years. Sec. 502, Small Business Investment Act—State and local development companies—10 years (under certain conditions can be 20 years). No authority for public facility loans.	Sec. 6—Commercial and industrial loans—25 years. Sec. 7—Public facility loans—40 years.
2. Maximum amount of loan	Sec. 7(a)—$350,000 maximum on Federal Government's share of business loans to any one borrower. Sec. 7(b)—Disaster loans, actual tangible loss suffered as a result of disaster. Sec. 501—As much as development company's total outstanding borrowings from all other sources. Sec. 502—$250,000 for each identifiable small business to be assisted (also prerequisite to obtaining SBA financing, development company should be able to provide at least 20 percent of cost of project).	No limitation on amount of loan. Under sec. 6, ARA will finance not to exceed 65 percent of the aggregate cost to the applicant (excluding all other Federal aid in connection with the undertaking) of any qualified project. The remaining funds, or 35 percent, are to be available to pay aggregate cost. At least 10 percent of the aggregate cost must be supplied by the State or subdivision, community or area organization as a loan; and not less than 5 percent of the aggregate cost must be supplied by nongovernmental sources.
3. Loan purposes	Sec. 7(a)—For construction, conversion, or expansion, purchase of machinery and equipment, facilities, supplies or materials; and working capital. Sec. 7(b)—To restore a home, business, or nonprofit institution as nearly as possible to its predisaster condition. Sec. 501—To stimulate and supplement the flow of equity capital and long-term funds to small business concerns. Sec. 502—To help a development company buy land and build a new factory, or expand or convert an existing plant, provided the project will assist a specific small business.	Sec. 6—To finance any project within a redevelopment area; for the purchase or development of land and facilities (and in case of demonstrated need, machinery and equipment). For industrial and commercial usage, including the construction of new buildings, the rehabilitation of abandoned or unoccupied buildings, and the alteration, conversion, or enlargement of existing buildings. Area Redevelopment Act under sec. 6 prohibits loans for working capital. Also prohibits, under certain circumstances, to assist establishments relocating from one area to another.
4. Interest rate	Sec. 7(a)—Maximum of 5½ percent on SBA's share of regular business loans to small businesses not located in classified area of substantial or substantial and persistent labor surplus. 4 percent on SBA's share of regular business loans to small businesses located in areas of substantial or substantial and persistent labor surplus as classified by Department of Labor. Sec. 7(b)—3 percent on SBA's share of loan. Sec. 501—5 percent on SBA's share of loan to small businesses not located in classified area of substantial or substantial and persistent labor surplus. 4 percent on SBA's share of loan to small businesses located in areas of substantial or substantial and persistent labor surplus as classified by Department of Labor. Sec. 502—Maximum of 5½ percent on SBA's share of loan to small businesses not located in classified area of substantial or substantial and persistent labor surplus. 4 percent on SBA's share of loan to small businesses located in areas of substantial or substantial and persistent labor surplus as classified by Department of Labor.	Sec. 6—Interest rate shall be equal to rate of interest paid by the Secretary of the Treasury plus ½ of 1 percent to cover administrative expenses. Sec. 7—Interest rate shall be equal to the rate paid on funds obtained from U.S. Treasury plus ¼ of 1 percent per annum.
5. Eligibility	Independently owned and operated and nondominant in their fields; and they qualify as small under SBA's size standards which are generally based on dollar volume or business for wholesale or retail establishments, or number of employees for manufacturing establishments. Also, small businesses are eligible if they cannot obtain private financing on reasonable terms and are not eligible for financing from other Government agencies.	No limitation as to size of business. Applicant must show that financial assistance is not otherwise available from private lenders or other Federal Government agencies on reasonable terms. ARA may lend up to 65 percent of aggregate cost to applicant of the project under sec. 6. Under sec. 7 ARA can lend up to 100 percent of cost of project to applicant but no loans shall be made to any public facility which would compete with an existing privately owned public utility unless State regulatory body determines there is need for increase in service.

	Small Business Administration	Area Redevelopment Administration
6. Collateral	Sec. 7(a)—Real estate or chattel mortgage; assignment of certain types of contracts or warehouse receipts for marketable merchandise. In some instances assignment of current accounts receivable and inventories. Sec. 7(b)—No specific collateral requirement. Applicants must pledge whatever collateral they can provide. Sec. 501—Collateral shared equally on funds borrowed by development company from other sources. Sec. 502—Collateral that will reasonably assure repayment. 1st lien on the project.	Sec. 6—Loans to commercial and industrial projects secured by a mortgage or such other form of security agreement customary in the jurisdiction in which the project is located to secure real estate and equipment loans.
7. Grants for public facilities	Cannot make grants.	Sec. 8—Empowered to make grants for land acquisition or development for public facility usage, and the construction, rehabilitation, alteration, expansion, or improvement of public facilities within a redevelopment area after certain findings are made by the Secretary of Commerce.
8. Technical and production assistance.	Sec. 8—Empowered to provide technical, production, and managerial assistance to small businesses. Gives guidance and counsel in connection with Government procurement, and property disposal and on policies, principles, and practices of good management. Makes a complete inventory of all production facilities of small business concerns. Ascertains the means by which productive capacity of small business concerns can be most effectively utilized. Consults with other Federal agencies and obtains appropriate technical and production information and reports concerning utilization of productive capacity of small business concerns.	Secs. 10 and 11—Furnishes to individuals, communities, industries, and enterprises in redevelopment areas and other areas, technical information, market research, information, or advice obtained from other Federal Government agencies which will be useful in alleviating or preventing excessive unemployment or underemployment in such areas. Provides technical assistance to redevelopment areas through studies evaluating needs of and developing potentialities for economic growth of such areas.
9. Urban renewal	Secs. 7(a), 501, and 502—Assists small business concerns affected by urban renewal projects and by federally supported highway relocation projects by (1) counseling on marketing, distribution, managerial, production, and financial problems; (2) assisting in the Government prime contracting and subcontracting fields; and (3) financial assistance on loans approved to small businesses because of urban renewal and Federal highway project loan terms and conditions provide for a moratorium on principal payments during the first year after disbursement and small amortization payments during the first few years with increased payments in later years. Priority established for processing loan applications in connection with urban renewal projects and Federal highway projects.	Sec. 14—Secretary certifies to Urban Renewal Administration any county, city, or municipality as a redevelopment area for purpose of assistance under ARA and for assistance under urban planning grants—Title I of Housing Act of 1949.
10. Occupational training	No authority.	Sec. 16—Secretary of Labor in consultation with Secretary of Commerce and Secretary of Agriculture determines the occupational training or retraining needs of unemployed and underemployed individuals residing in redevelopment areas. Secretary of Labor cooperates with Secretary of Health, Education, and Welfare on vocational training programs for such individuals.
11. Retraining subsistence payments.	No authority.	Sec. 17—Secretary of Labor in consultation with Secretary of Commerce and Secretary of Agriculture may enter into agreements with States in which redevelopment areas are located for Secretary of Labor to make payments to States for retraining payments to unemployed or underemployed in redevelopment areas who are undergoing occupational training or retraining.

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Mr. MORSE. Mr. President, I thank the distinguished Senator from Illinois for the able, scholarly analysis of the area redevelopment legislation that is pending before the Senate. Once again, the Senator from Illinois has been a great educator in the Senate, for he has taken a most difficult subject and has explained it in simple and understandable language. His explanation will be most helpful to Senators who recognize their obligation to read the RECORD tomorrow before they cast their votes on this important piece of proposed legislation.

The account given by the Senator from Illinois of the long, hard fight that extended over a period of years to pass area redevelopment legislation is a great lesson for young people to read these days, because it teaches again the lesson of perseverance and also a great lesson that those in political life and in the legislative process must never forget; that is, that more often than not great pieces of legislation are finally passed on the basis of platforms of repeated defeats. But finally the public takes note, as the public did in connection with the area redevelopment program, and makes its will known. Then Congress is inclined to follow the will of the public.

During the course of his remarks, the Senator from Illinois paid deserved tribute to Mr. William Batt, Director of the Area Redevelopment Agency. I know Mr. Batt very well and consider him to be an outstanding, dedicated public servant.

I am proud that at the very beginning of the area redevelopment program two able Oregonians were in on the ground floor, so to speak, to help to develop the policies of the area redevelopment organization, policies which, in my judgment, have stood all the tests of criticism and have proved to be sound procedures. I refer to Mr. Daniel L. Goldy, who is no longer with the Area Redevelopment Administration, but is now with the Department of Commerce; and to a former student of mine, an able lawyer, Mrs. Cecelia Galey, who has done remarkable work in analyzing the various project application proposals that have been submitted.

Before I turn to the subject I rose to discuss, I point out that my State, as the map posted in the Senate Chamber shows, includes a rather large area of serious economic disruption. For some time it has had a great amount of unemployment. I know that pending at the Area Redevelopment Administration are some applications for assistance under the program. Our State has one area which, in my opinion, is unquestionably the most depressed area in the Nation.

We hear much about the Appalachian region. It certainly is a seriously depressed area; and I shall do everything I can, as I have in the past, to bring to it all the assistance that any Government program, such as the area redevelopment program, makes available to it. I shall support new and additional programs to relieve this depressed area.

But my own State of Oregon is not without serious depressed areas, too. One of them is the Astoria area. I do not intend to let this opportunity pass, in view of the fact that Senators are discussing the area redevelopment program, without pointing out that the present administration, as was the case with the previous one, continues to have a great responsibility to do what Government should do to come to the aid of the people in the Astoria area.

The Government has caused that depression; the Government is responsible for the exceedingly large number of vacant stores on the main streets of Astoria; the Government is responsible for the moving out of that area of many hundreds of families; and the Government is responsible for the frantic pleas which the Oregon congressional delegation receive week in and week out from the people of this area for assistance from the Federal Government—not for assistance by way of charity or by way of aid they do not deserve, but by way of asking the Federal Government to do something to correct a situation which the Federal Government itself has caused, for in recent years the growth of the economy of this part of the State was caused by the Federal Government when it located at Astoria a naval base known as Tongue Point. This base cost the Federal Government more than $14 million. It has family housing units which will accommodate more than 500 families. It has many houses which I would love to own and to live in, for ranking naval personnel know how to see to it that adequate homes for their use are built. That is particularly true of admirals. These are permanent homes. They are spacious; some of them are luxurious. The buildings on the base are as permanent as the Government buildings along Constitution Avenue in Washington, D.C. They are magnificent buildings. But the base is now vacant. Various manipulations in an attempt to junk it are under way, while this administration, through its various departments, is calling for new installations, elsewhere, for new Government activities, the building of which will cost the American taxpayers huge sums of money.

In all fairness to the President of the United States, I wish to say he has come to recognize this problem. On numerous occasions the Oregon congressional delegation has impressed upon him the unfairness of the Federal Government itself in its handling of the Tongue Point base. In fairness to the President, I wish to say that he appointed Mr. Ralph Dungan, one of his aids at the White House, to do everything he could to see whether a Federal use for this property could be found. Also in fairness to the President, I wish to say that when we presented to him incontrovertible evidence that the General Services Administration seemed to be bound, determined, and bent upon junking this property for a small fraction of its value, the President issued an order to stop that until at least further opportunity was given the White House and the administration to find a Federal use for the property.

Mr. President, I have been very unhappy, and still am, about the handling of this matter by the General Services Administration, for although we have been able to stop the General Services Administration from practically giving away the property—from selling it for a small fraction of its true worth, while using the alibi, which invariably is used by Government agencies which want to dispose of so-called surplus property—namely, that there is a high cost of maintenance—I repeat that it would be better for the Federal Government to pay the maintenance cost—in other words, the cost of heating the buildings and keeping supervisory personnel there—for another year or more, until a Federal use for the property is found, rather than sell the property for only a fraction of its true value.

Let me say, Mr. President, that in Oregon this became a heated political issue, as well as a very serious economic issue. Some Oregon business interests sought to obtain the property for but a small fraction of its true value; but thus far I have succeeded in persuading the President of the United States to intervene and to prevent the General Services Administration from disposing of the property at such a ridiculously low price—$950,000. In fact, I have called for an investigation of the true investment of the Federal Government in the property, for although the figures given to me show that the Federal Government invested in excess of $14 million in the property, recently I have been advised by former Government officials, who were in on the building of Tongue Point in the first place, that stored in some Federal depository are records which will show that the Tongue Point base cost at least twice that much, and may have cost as much as $40 million.

So I shall do all I can to run down those allegations and to ascertain the extent to which they are factual.

A few days ago the Governor of Oregon was in my office in the Senate Office Building. He came to this city at the invitation of the President, to attend the luncheon the President gave for a group of Governors, for the purpose of discussing with them some of the problems in connection with civil rights. The Governor came to see me in advance of that meeting with the President. The Governor and I cooperate on all matters involving Federal-State problems. Although he is a member of the opposite political party, I have never permitted partisanship to enter into the situation—and I am pleased to say he has followed a similar course of action in our relationships—when it comes to doing all we can for our State on the basis of the merits and the facts in connection with all Federal-State matters. The Governor told me that he thought it was of the greatest importance that we try to work out a satisfactory solution of the Tongue Point issue which would be to the economic benefit of our State; and he expressed to me appreciation for the work which I and my colleagues on the Oregon congressional delegation have been doing in connection with the attempt to get a Federal use assigned to the Federal installation at Tongue Point.

I was advised that it was subsequently made clear to the President of the United States that the representations I had made with regard to the importance of Tongue Point to the economic welfare of my State, and particularly the depressed area in Astoria, were completely accurate. I understand that the President gave assurances that he so understood, and that he was urging his aids to do everything possible to find a Federal use for Tongue Point.

Subsequently, I received a letter from Mr. Ralph Dungan, who is the aid to the President assigned to the task of doing everything possible to find a Federal use for Tongue Point, assuring me of the President's continued interest in and concern about Tongue Point and its relationship to the economy of Oregon, and the effect that Federal use of the installation would have on resolving some of the economic depressed problems that confront the people of the Astoria area.

Mr. President, some weeks ago GSA publicly announced that bids would be received on June 24 from concerns, individuals, or industries that might be interested in buying the Tongue Point property. Speaking for a unanimous Oregon delegation, including the Democrats and the Republican in the delegation, I protested that procedure of the GSA. I was afraid that it would create a false impression and arouse false hopes, because GSA was asking for bids on the property and it was feared GSA would sell the property to the highest bidder.

As I read the advertisements issued by GSA, I felt that that would be a justifiable interpretation that the average citizen who did not read the fine print of the Surplus Property Act might very well assume. On the basis of the vigorous protestation of the Oregon delegation, a meeting of the delegation was held in my office several weeks ago with Mr. Dungan and Mr. Boutin, the head of GSA. We were given assurance, first, that under the law GSA was under no obligation to accept any bid, including the highest bid, to sell property merely because bids had been called for. Second, we were assured that under no circumstances would Tongue Point be disposed of at sale until late next fall, and that there was no assurance that it would be sold then. Third, in the meantime, Mr. Dungan, representing the White House, made it very clear to the Oregon delegation that every possible effort would be made for the Government to find a Federal use for this very excellent installation, which is sorely needed in order to do economic justice to the people of this area.

I make these statements because I think they are very apropos to the area redevelopment debate. I make them because we continue to receive telegrams, letters, and some telephone calls expressing great concern on the part of the people in the area who fear that because these bids are being taken, it means the fight for Federal use of Tongue Point has been lost.

On the floor of the Senate tonight I assure the people of my State that it has not been lost. I assure the people of my State that the taking of these bids creates no right whatsoever in the high bidder that he will automatically be awarded the property because he made a high bid. If it should come to pass that no Federal use of the property is found by the Federal Government, the property, of course, will be sold at what is referred to as a private sale or to a private individual or company. The senior Senator from Oregon and his colleagues in the Oregon delegation at such a time, in crossing that bridge, if we must take that fork in the road, will do our very best to see to it that the property goes to some private purchaser that can make available to the economy of our State the greatest possible employment flowing from a private use of the property.

But no proposal for private use of the property has been submitted yet that would come anywhere near benefiting the State as would Federal use of the property for a needed Federal installation.

This morning I listened to Commissioner Keppel testify before the Subcommittee on Education, of which I happen to be chairman, about the great need for a mass vocational training program in this country. If we are going to meet the crisis being created by automation and if we are going to do the job of retraining people to acquire new skills so that the unemployed can be reemployed, we must act. As was pointed out by the Senator from Illinois [Mr. Douglas] a few minutes ago, a large percentage of those people are not employable for the reason, as he said—and I paraphrase him correctly—that we cannot make textile workers out of farmers until they are retrained, and we cannot make mechanics out of coal miners unless they are retrained. It is very difficult to say that this problem in education is more important than some other problem in education, because they are also important. But I am not sure that if anyone should put me on the spot and say, "All right, now, we will give you just one program by way of an education bill this year," I am not sure that I might not answer that request by proposing that we adopt Commissioner Keppel's recommendations for a mass vocational training program, because we must put people to work.

The area redevelopment program, of which I have been an ardent supporter from the beginning, seeks to do that. A vocational training program likewise would do it.

So when Commissioner Keppel was making this plea for substantial appropriations for the establishment of a major vocational training center, I asked him if he would permit me to interrupt for a "commercial" for a moment. I said:

> I not only heartily endorse the Commissioner's proposal, but I wish to state there is one such program in being. There is one which, with a small expenditure for a little refurbishing, would give you that vocational training center; and that is the Tongue Point installation.

As I said at the hearings this morning, I have also suggested, as a member of the Committee on Foreign Relations, that one of the greatest foreign aid programs we could indulge in, rather than the many wasteful features of foreign aid on which I have been commenting daily on the floor of the Senate in short speeches—as I shall continue to do until the final vote is taken on foreign aid—would be to carry out the recommendation of the chairman of the board of International House at the University of Pennsylvania in Philadelphia who, some months ago, appeared before the State Department and pleaded for the establishment of a vocational training center on the west coast, of one in the Middle West, and of one on the east coast; urging, on the east coast, the expansion of a pilot program that was started a year ago this summer at Lincoln University. His name is Mr. Frederick Rarig, general counsel of Rohm and Haas, of Philadelphia, who is one of the most brilliant lawyers whose mind I have ever seen work. He pointed out that our foreign exchange student program is a fine thing, but misses its mark in many, many instances, and that what is needed is to go into Africa, into Latin America, and into southeast Asia, into the villages and hamlets, and bring from them to the United States able young men and women.

These young men and women, we know, are not trained or prepared to go to college, but they possess the capacity, the intellect, and the ability for training themselves in vocational fields in various skills. They could go back to their hamlets and villages both as teachers and as doers, to teach others in underdeveloped areas the skills they learned in the United States and to take positions of economic leadership in their communities, also carrying with them the prestige and the good feeling and understanding of the American way of life that such a sojourn of 6 to 9 months or a year in such vocational training centers would bring.

I am keenly disappointed that there is such a lack of imagination in the State Department with respect to such a proposal as that which Mr. Rarig has made. I think what the State Department needs in connection with the whole foreign aid program is some vision, some imagination, and some determination to see to it that we do something for the benefit of people and get away from so much government-to-government relationships.

There are such facilities as Tongue Point made to order, which should not be wasted, which could be used for a combination of a vocational training center for young men and women taken from the underdeveloped areas of the world, as well as for a vocational retraining center for many of the unemployed in our own country and for many of the school dropouts whom Commissioner Keppel was talking about this morning.

We cannot run away from the school dropout problem. If my colleagues in the Senate will take a look at the cold, hard, ugly statistics which Commissioner Keppel presented to the committee this morning—and I shall discuss them later this week or next week, to show their relationship to unemployment problems in this country—they will see that there is no answer other than the answer Commissioner Keppel suggested. We must provide the necessary facilities and means for taking care of the school dropout problem.

I relate that to my President, and to Mr. Dungan—to the Tongue Point issue, also—because it gives another opportunity, if we put the recommendations of Mr. Keppel to work, to find a productive use for Tongue Point.

Mr. President, I shall now turn to the subject I rose to discuss. The comments of the Senator from Illinois inspired me to present the subject matter that I have presented on this whole problem of the Federal Government's responsibility to see to it that we get on with the program of doing something about retraining the presently unemployables in this country, who are made unemployable because of the great forward march of automation.

CONTINUANCE OF EXISTING REDUCTION OF EXEMPTION FROM DUTY ENJOYED BY RETURNING RESIDENTS

The **PRESIDING OFFICER** laid before the Senate a message from the House of Representatives announcing its disagreements to the amendments of the Senate to the bill (H.R. 6791) to continue for 2 years the existing reduction of the exemption from duty enjoyed by returning residents, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. DOUGLAS. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agree to; and the Presiding Officer appointed Mr. Byrd of Virginia, Mr. Long of Louisiana, Mr. Smathers, Mr. Williams of Delaware, and Mr. Carlson conferees on the part of the Senate.

WELCOME TO ATLANTIC CITY IN 1964

Mr. WILLIAMS of New Jersey. Mr. President, today the Democratic National Committee selected Atlantic City, N.J., as the site of the next Democratic Convention. We of the Garden State are looking forward to our welcome responsibilities as hosts to the convention delegates, the working press, and the many thousands of other persons who will come to our fine seaside resort next year.

Atlantic City has already proved to be a splendid site for some of the greatest conventions held anywhere. Now, for the first time, it will become the scene of a national political convention. No better choice could have been made. Anyone who has been to Atlantic City knows that it offers excellent facilities for the hard work of a convention, as well as attractions for relaxation, too.

The convention hall itself, recently modernized at a cost of $3.5 million, offers 320,000 square feet of space, 34 meeting rooms seating 125 to 35,000, a new weather-protected traffic tunnel, escalators serving 3 levels, and personnel who know how to help make a convention pleasant and productive.

Motels and hotels are close to the convention hall; and they are close, too, to the famous sea, sand, and surf of Atlantic City. The Atlantic Ocean is one of the best assets that a convention could have, and the Democrats will have it in 1964.

Next year had already promised to be a memorable year for the Garden State because we will celebrate the 300th anniversary of our State. The welcome mat was already out for tercentenary visitors and for those who will stop in New Jersey when they visit the New York World's Fair of 1964-65. Those who come to the convention can thus make their trip serve three memorable purposes.

New Jersey will be ready to greet all visitors in 1964. Governor Hughes and all those who worked to bring the convention to New Jersey are proud that our invitation has been accepted. We will be looking for our guests on the boardwalk of Atlantic City.

THE EXPANSION OF THE PEACE CORPS

Mr. HUMPHREY. Mr. President, on June 24 the President participated in the official inauguration of the West German

Peace Corps, which is called the German Development Service. The new Peace Corps unit, which is patterned on the American Peace Corps, will in the near future place 1,000 volunteers in the underdeveloped countries of Africa, Asia, and Latin America. Commenting on the achievements of our own Peace Corps, the President eloquently stated:

> It has given us an opportunity to harness the idealism which is I think in all free people, has given us an opportunity to be of assistance, not merely in the cold field of economic help, but in the human relations which must exist for a happy understanding between people.

The establishment of the Peace Corps program in other countries is, I believe, a great tribute to the remarkable success of our own Peace Corps program. In addition to the German Peace Corps, others will soon be launched in the Netherlands, Denmark, Norway, and Argentina. As the first phase of its new program, Argentina next year will supply several hundred teachers to other Latin American countries. This is but the first stage of a long-range program to provide large-scale assistance in the educational field to other Latin American countries where an acute shortage of teachers exists.

I would like once again to congratulate the international Peace Corps movement and those responsible for the success of our own Peace Corps. The Peace Corps in the United States is now 2 years old and the Director, Mr. Sargeant Shriver, has recently given us an excellent account of the first 2 years' work. In an article in the current issue of Foreign Affairs entitled "Two Years of the Peace Corps," Mr. Shriver describes the achievements and problems encountered and surmounted in establishing this bold new program, truly one of the pioneering programs of the New Frontier.

Mr. President, I am honored to have had a part in the development of this program. I recommend this article and ask unanimous consent that it be inserted in the RECORD at the conclusion of my remarks. I also ask unanimous consent that an article appearing in today's New York Times giving the President's remarks at the inauguration of the Peace Corps in Germany be included at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

TWO YEARS OF THE PEACE CORPS

(By Sargent Shriver)

Oscar Wilde is said to have observed that America really was discovered by a dozen people before Columbus, but it was always successfully hushed up. I am tempted to feel that way about the Peace Corps; the idea of a national effort of this type had been proposed many times in past years. But in 1960 and 1961 for the first time the idea was joined with the power and the desire to implement it. On November 2, 1960, Senator John F. Kennedy proposed a Peace Corps in a campaign speech at the Cow Palace in San Francisco. Thirty thousand Americans wrote immediately to support the idea; thousands volunteered to join.

The early days of the Peace Corps were like the campaign days of 1960, but with no election in sight. My colleagues were volunteer workers and a few key officials loaned from other agencies. "I use not only all the brains I have, but all I can borrow," Woodrow Wilson said. So did we. Letters cascaded in from all over the country in what one writer described as "paper tornadoes at the Peace Corps." The elevators to our original two-room office disgorged constant sorties of interested persons, newspaper reporters, job seekers, academic figures, and generous citizens offering advice. Everywhere, it seemed, were cameras, coils of cable, and commentators with questions.

An organization, we know, gains life through hard decisions, so we hammered out basic policies in long, detailed discussions in which we sought to face up to the practical problems and reach specific solutions before we actually started operations. We knew that a few wrong judgments in the early hours of a new organization's life, especially a controversial Government agency, can completely thwart its purposes—even as a margin of error of a thousandth of an inch in the launching of a rocket can send it thousands of miles off course. And we knew the Peace Corps would have only one chance to work. As with the parachute jumper, the chute had to open the first time. We knew, too, that a thousand suspicious eyes were peering over our shoulders. Some were the eyes of friendly critics, but many belonged to unfriendly skeptics. The youthfulness of the new administration, particularly the President, enhanced the risk; an older leadership would have had greater immunity from charges of "sophomorism."

Even the choice of a name took on serious overtones. The phrase "Peace Corps" was used in the original San Francisco speech, but many of our advisers disliked it. "Peace," they claimed, was a word the Communists had preempted, and "Corps" carried undesirable military connotations. We did not want a name contrived out of initials which a public relations firm might have devised; nor did we want to restrict participation in the program by calling it a youth corps. What we did want was a name which the public at large could grasp emotionally as well as intellectually. Whatever name we did choose, we would give it content by our acts and programs. We wanted it, also, to reflect the seriousness of our objectives. We studied dozens of other names and finally came back to the original. Peace is the fundamental goal of our times. We believed the Peace Corps could contribute to its attainment, for while armaments can deter war, only men can create peace.

The ambitiousness of the name, of course, was only one reason for early skepticism about the Peace Corps. Fears were voiced that it might be a "second children's crusade." I was astonished that a nation so young had become so suspicious of its youth. We had forgotten that Thomas Jefferson drafted the Declaration of Independence at age 33. Forgotten also was the fact that more than half of the world's population is under 26, the age of the average Peace Corps volunteer. Sixteen of the nations in Africa have heads of state under 45; five have leaders in their thirties.

Of course, youthful enthusiasm and noble purposes were not enough. They had to be combined with hardheaded pragmatism and realistic administration. In the early days of the Peace Corps we were looking for a formula for practical idealism. The formula worked out by experience has the sweet smell of success today, but it was far less clear 2 years ago.

Would enough qualified Americans be willing to serve? Even if they started, would they be able to continue on the job despite frustration, dysentery and boredom? Could Americans survive overseas without special foods and privileges, special housing, automobiles, television and air conditioners? Many Americans thought not. The Washington correspondent of the respected Times of India agreed with them in these words:

"When you have ascertained a felt local need, you would need to find an American who can exactly help in meeting it. This implies not only the wherewithal (or what you inelegantly call the know-how) but also a psychological affinity with a strange new people who may be illiterate and yet not lack wisdom, who may live in hovels and yet dwell in spiritual splendor, who may be poor in worldly wealth and yet enjoy a wealth of intangibles and a capacity to be happy. Would an American young man be in tune with this world he has never experienced before? I doubt it.

"One also wonders whether American young men and tender young girls, reared in air-conditioned houses at a constant temperature, knowing little about the severities of nature (except when they pop in and out of cars or buses) will be able to suffer the Indian summer smilingly and, if they go into an Indian village, whether they will be able to sleep on unsprung beds under the canopy of the bejeweled sky or indoors in mud huts, without writing home about it."

At a time when many were saying that Americans had gone soft and were interested mainly in security, pensions, and suburbia, the Peace Corps could have been timorous. Possible ways of hedging against an anticipated shortage of applicants could have included low qualification standards, generous inducements to service, cautious programing, a period of duty shorter than 2 years, an enforced period of enlistment such as the "hitch" in the Armed Forces, or draft exemption for volunteer service in the Peace Corps. We deliberately chose the risk rather than the hedge in each case and created an obstacle course. The applicant could remove himself any time he realized his motive was less than a true desire for service. This method of self-selection has by now saved us from compounded difficulties abroad.

Our optimism about sufficient recruits was justified. More than 50,000 Americans have applied for the Peace Corps. In the first 3 months of this year, more Americans applied for the Peace Corps than were drafted for military service. This happened notwithstanding the fact that young men who volunteer for the Peace Corps are liable to service on their return.

Selection was made rigorous. The process was fashioned to include a searchingly thorough application form, placement tests to measure useful skills, language aptitude exams, 6 to 12 reference inquiries, a suitability investigation and systematic observation of performance during the training program of approximately 10 weeks. We invite about one in six applicants to enter training, and about five out of six trainees are finally selected for oversea service.

We debated hotly the question of age, and whether or not older people should be eligible. We listened to proposals for an age limit in the 30's and then in the 60's and finally decided to set no upper age limit at all. Our oldest volunteer today happens to be 76, and we have more grandparents than teenagers in the Peace Corps. Some older volunteers have turned out to be rigid and cantankerous in adapting to a standard of living their parents took for granted, but the majority of them make a lot of us in the New Frontier look like stodgy old settlers.

From the beginning we decided that effective volunteers abroad would need systematic administration support and direction. Leaders of several developing nations, eager to have the assistance of trained manpower, warned against repeating the experiences of other highly motivated volunteer workers who had failed abroad for lack of cohesive leadership. A good program would need good people—not only as Peace Corps volunteers but as Peace Corps staff members abroad. There was no counterpart in the U.S. Government of civilian leaders serving abroad on a volunteer basis. There was no precedent for what these men would have to do in programing, logistics and personal support for the volunteers in their charge. We needed the ablest of leaders in each position. Could we attract them even though we did not offer post differentials, cost-of-living allowances, commissary or diplomatic privileges?

Fortunately, the answer has been a continuing "Yes." The Peace Corps has attracted intelligent and dedicated men to all positions on its oversea team. Ironically, the same critics who once complained that we would unleash hordes of uninstructed adolescents on the world are now complaining that we spend substantial sums to provide instruction and adequate direction.

Some of my colleagues proposed that Peace Corps volunteers act as technical helpers to ICA technicians, "extra hands" for the more experienced older men. Peace Corps practice has moved in another direction. A natural distinction between the AID adviser at a high level in Government and the Peace Corps volunteer making his contribution as a "doer" or "worker" at the grassroots soon became apparent. It also became clear that the Peace Corps volunteer had a new and perhaps unique contribution to make as a person who entered fully into host-country life and institutions, with a host-country national working beside him, and another directing his work. This feature of the Peace Corps contributed substantially to its early support abroad.

Discussion of the possibility that the Peace Corps might be affiliated with the ICA led into the question of its relationship to U.S. political and information establishments overseas. The Peace Corps in Washington is responsible to the Secretary of State. Volunteers and staff abroad are responsible to the American Ambassador.

Nevertheless, the Peace Corps maintains a distinction between its functions and those of embassies, AID and USIA offices. There was a design to this which Secretary Rusk has aptly described: "The Peace Corps is not an instrument of foreign policy, because to make it so would rob it of its contribution to foreign policy." Peace Corps volunteers are not trained diplomats; they are not propagandists; they are not technical experts. They represent our society by what they are, what they do, and the spirit in which they do it. They steer clear of intelligence activity and stay out of local politics. Our strict adherence to these principles has been a crucial factor in the decision of politically uncommitted countries to invite American volunteers into their midst, into their homes, and even into their classrooms and schoolyards to teach future generations of national leaders. In an era of sabotage and espionage, intelligence and counterintelligence, the Peace Corps and its volunteers have earned a priceless yet simple renown: they are trustworthy.

Another contested issue in the early days of the Peace Corps concerned private organizations and universities. We were advised by many to make grants to these institutions, then to leave recruitment, selection, training, and oversea programing in their hands. That road would have led to an organization operating very much like the National Science Foundation. For better or worse, the Peace Corps chose not to become a grantmaking organization and those decisions which give character to our operations—selection, training, programing, field leadership, and so on—are still in our possession.

Nevertheless, the involvement of private organizations and universities has been crucial to the Peace Corps success. America is a pluralistic society and the Peace Corps expresses its diversity abroad by demonstrating that the public and private sectors can work cooperatively and effectively. We consciously seek contracts with private organizations, colleges and universities to administer our programs. We gain the advantage of expert knowledge, long experience, tested working relationships and often even private material resources. For example, CARE has contributed more than $100,000 worth of equipment to the Peace Corps in Colombia. Initially, there was suspicion by some of these agencies that the Peace Corps, with the resources of the U.S. taxpayer behind it, would preempt their own work abroad. Suspicion has turned into understanding, however, as the U.S. Government, through the Peace Corps, has facilitated the work of private organizations and has focused new attention on the needs and opportunities for service abroad.

In our talent search we went to government, academic life, business, the bar, the medical profession and every other walk of life where leadership was available. We deliberately recruited as many Negroes and representatives of other minority groups as possible for jobs in every echelon. We knew that Negroes would not ordinarily apply for high-level policy jobs, so we decided to seek them out. Today 7.4 percent of our higher echelon positions are filled by Negroes as compared to 0.8 percent for other Government agencies in similar grades; 24 percent of our other positions are filled by Negroes, compared to a figure for Government agencies in general of 5.5 percent.

How big should the Peace Corps be? Everyone was asking this question and everyone had an answer. Advice ranged from 500 to 1 million. There were strong voices raised in support of tentative pilot projects, looking to a Peace Corps of less than 1,000. However, Warren W. Wiggins, an experienced foreign aid expert, took a broader view. He pointed out that ultracautious programing might produce prohibitive per capita costs, fail even to engage the attention of responsible foreign officials (let alone have an impact) and fail to attract the necessary American talent and commitment. Furthermore, when the need was insatiable why should we try to meet it with a pittance?

There were also arguments in those early days about saturation of the foreign country, either in terms of jobs or the psychological impact of the American presence. I have since noticed that the same arguments made about a 500- to 1,000-man program in 1961 were also made about our plans to expand to 5,000 volunteers (March 1963), to 10,000 volunteers (March 1964) and to 13,000 (September 1964). I am not suggesting that the Peace Corps should continue to grow indefinitely. But I am proposing that much time and energy are wasted in theoretical musings, introspections and worries about the future. Peace Corps volunteers are a new type of oversea American. Who is to say now how many of them will be welcome abroad next year, or in the next decade? Our country and our times have had plenty of experience with programs that were too little, too late.

The question of the health of the volunteers concerned us from the beginning. The Peace Corps represents the largest group of Americans who have ever tried to live abroad "up country." Even in World War II our troops were generally in organized units where safe food and water could be provided and medical care was at hand. This would not be the case for the Peace Corps. And an incapacitated volunteer would probably be worse than no volunteer at all. How could we reduce the risks to a rational level? The Surgeon General studied the problem at our request. We then worked out a solution by which preventive health measures are provided by public health doctors assigned to the Peace Corps, while much of the actual medical care is handled by doctors of the host country. Of the first 117 volunteers returned to the United States, only 20 came back for medical reasons (21 returned for compassionate reasons, 71 failed to adjust to oversea living and 5 died or were killed in accidents). Our medical division's work is already showing up in the pages of scientific and medical journals. As an example, we recently decided to use large injections of gamma globulin as a preventive for hepatitis, which has presented one of the worst health problems for Americans overseas. Since then, there has not been a single case of infectious hepatitis reported among those who received the large injection in time.

II

Many of the original doubts and criticisms of the Peace Corps have not materialized. On the other hand, substantive problems have emerged which were little discussed or expected 2 years ago. One of the most difficult is the provision of adequate language training. This was foreseen, but most observers thought that the exotic languages such as Thai, Urdu, Bengali, and Twi would give us our main problem, while Spanish and French speakers could be easily recruited or quickly trained. The opposite has been true. The first volunteers who arrived in Thailand in January 1962 made a great impression with what observers described as "fluent" Thai. As the volunteers were the first to point out, their Thai was not actually fluent, but their modest achievement was tremendously appreciated. Since then, of course, a large proportion of the volunteers there have become truly fluent.

On the other hand, a considerable number of volunteers going to Latin America and to French Africa have been criticized for their mediocre language fluency. Expectations are high in these countries and halting Spanish or French is not enough. We have learned that America contains rather few French-speaking bus mechanics, Spanish-speaking hydrologists or math-science teachers who can exegete theorems in a Latin American classroom. Can we devise more effective and intensive language training, particularly for farmers, craftsmen, construction foremen, well drillers, and other Americans who never before have needed a second language? Should we take skilled people and teach them languages, or take people with language abilities and teach them skills?

We still need more volunteers, especially those who combine motivation and special skills. The person with a ready motivation for Peace Corps service tends to be the liberal arts student in college, the social scientist, the person with "human relations" interests. The developing countries need and want a great many Americans with this background, but they also want engineers, agronomists, lathe operators and geologists. We cannot make our maximum contribution if we turn down requests for skills which we have difficulty finding. There are presently 61 engineers in the Peace Corps, 30 geologists and 236 nurses, respectable numbers considering the ready availability of generously paying jobs in the domestic economy. But requests still far outnumber the supply.

Other industrialized countries may soon supplement our efforts by providing volunteers to developing countries with languages and skills we lack. The motivation to serve is not distinctively American, and half a dozen industrialized nations have established equivalents of the Peace Corps within the past few months. These programs grew out of an International Conference on Human Skills organized by the Peace Corps and held in Puerto Rico last October. The 43 countries represented at the meeting voted unanimously to establish an International Peace Corps Secretariat to help spread the concept of voluntarism as a tool of economic and social transformation. The response to this initiative is a reflection of the innate vitality of the Peace Corps idea.

We face increasingly difficult choices as we grow. Should we concentrate in the future on the countries where we now have programs and resist expanding to new areas? We are already committed to programs in 47 nations. Should we favor a program where there are relatively stable social conditions, good organization and effective leadership? Or should we take greater risks and commit our resources in a more fluid and disorganized situation, usually in a poorer country, where the Peace Corps might make a crucial difference or find a great opportunity? Where should we draw the line between adequate material support to the volunteers and the perils of providing them with too many material goods? Where is the equilibrium between safeguarding the volunteer's health and morale and protecting the Peace Corps' declared purpose that he should live as does his co-worker in the host country, without special luxury or advantage?

When is a particular program completed? In Nigeria the answer is relatively easy. The country's coordinated educational development plan projects a need for 815 foreign teachers in 1965, 640 in 1966, 215 in 1968, and none in 1970. By then enough Nigerians will have been trained to fill their own classrooms. Progress may not follow so fine a plan, but the Peace Corps can look ahead to a day when its academic, teaching work in Nigeria will be done.

The answer is not so simple in Colombia, where volunteers are working on community development in 92 rural towns. There is no lack of change and progress: the Colombian Government has trebled its own commitment of resources and staff to this progressive community development program. Scores of individual communities have already learned how to organize to transform their future. When volunteer John Arango organized the first town meeting in Cutaru almost 2 years ago, for example, not one soul showed up. Twenty months later almost every citizen turns out for these meetings. The townsmen have changed an old jail into a health clinic; they have drained the nearby swamps; they have rebuilt wharves on the river; they have cleared stumps out of the channel to make it navigable; and they are now building the first 18 of 72 do-it-yourself houses designed by the volunteer.

John Arango's Colombian coworker is equally responsible for the results in Cutaru. In community development, particularly, the ability of the host organization to provide able counterparts is crucial to a program's success. I might also mention that most countries have in every case made voluntary contributions to the Peace Corps programs. In Africa alone, they have supported the program to the value of $2,500,000. During and after the Puerto Rico conference, three countries in Latin America announced plans to establish home-grown Peace Corps organizations; when implemented these will help solve the shortage of counterparts. We believe North American and Latin American volunteers will complement one another and increase the total effectiveness.

The first replacement group in the Peace Corps is about to complete training for service in Colombia. Should we send these volunteers to fill the shoes of their predecessors in the villages which are now moving ahead, albeit shakily? Or should we send the volunteers to new communities where nothing has been done? We know that more is needed than 2 years of work by a North American and his Colombian coworkers to effect self-perpetuating change. On the other hand, we do not want the volunteer to become a crutch in a community's life. Some of the new volunteers in Colombia will, therefore, try to follow through with their predecessor's work, but others will take on villages where no American has served. In the meantime we are planning to study what happens in those towns where volunteers are not replaced.

Earlier I mentioned there has been a change in the nature of comment and criticism about the Peace Corps. In the beginning, the doubters worried about the callowness of youth and the ability of mortals to make any good idea work. The more recent criticism is more sophisticated and more substantive. Eric Sevareid recently observed: "While the Corps has something to do with spot benefits in a few isolated places, whether in sanitizing drinking water or building culverts, its work has, and can have, very little to do with the fundamental investments, reorganizations and reforms upon which the true and long-term economic development of backward countries depends." Mr. Sevareid acknowledges that "giving frustrated American youth a sense of mission and adding to our supply of comprehension of other societies fatten the credit side of the ledger." He adds: "If fringe benefits were all the Corps' originators had in mind, then this should be made clear to the country." I do not agree with him that the second and third purposes of the Peace Corps Act—representing America abroad in the best sense and giving Americans an opportunity to learn about other societies—are fringe benefits.

Fulton Freeman, the U.S. Ambassador in Colombia, believes the whole Peace Corps program could be justified by its creation of a new American resource in the volunteers who are acquiring language skills and intensive understanding of a foreign society. Former volunteers will be entering Government service (150 have already applied to join USIA), United Nations agencies, academic life, international business concerns and a host of other institutions which carry on the business of the United States throughout the world. Others will return to their homes, capable of exerting an enlightened influence in the communities where they settle. Many trite euphemisms of the ignorant and ready panaceas of the uninformed will clash immediately with the harsh facts that volunteers have learned to live with abroad.

Is the second purpose of the Peace Corps Act—to be a good representative of our society—a fringe benefit? Peace Corps volunteers are reaching the people of foreign countries on an individual basis at a different level from the influence of most Americans abroad. The Peace Corps volunteer lives under local laws, buys his supplies at local stores and makes his friends among local people. He leaves to the diplomat and the technicians the complex tools which are peculiarly their own while he sets out to work in the local environment as he finds it.

I am not suggesting that life for the volunteer is always hard. A visiting Ghanaian said: "The Peace Corps teachers in my country don't live so badly. After all, they live as well as we do." I agree that this is not so bad; nor is our objective discomfort for discomfort's sake, but rather a willingness to share the life of another people, to accept sacrifice when sacrifice is necessary and to show that material privilege has not become the central and indispensable ingredient in an American's life. It is interesting to note that the happiest volunteers are usually those with the most difficult living conditions.

Although I disagree with Mr. Sevareid's emphasis in dismissing two of the three purposes of the Peace Corps Act as fringe benefits, he does get to the heart of an important question when he compares the direct economic impact of the Peace Corps to fundamental investments, reorganizations and economic development. The Peace Corps' contribution has been less in direct economic development than in social development—health, education, construction and community organization. We are convinced that economic development directly depends on social development. In his valedictory report this past April as head of the Economic Commission for Latin America, Raul Prebisch observed that there are not "grounds for expecting that economic development will take place first and be followed in the natural course of events by social development. Both social and economic development must be achieved in measures that require the exercise of rational and deliberate action. There can be no speed-up in economic development without a change in the social structure." While they have their differences, Theodore W. Schultz and J. Kenneth Galbraith have no disagreement on the essential role of social development in economic progress. In contrast, some who argue from the European-North American experience overlook the vital need for social development which had already been substantially achieved in the countries of the Atlantic community. This is the basic difference between the problem of the Marshall plan, which was concerned with economic reconstruction in societies with abundant social resources, and the problem of forced-draft economic development in much of Asia, Africa, and Latin America.

Notwithstanding the Peace Corps' primary emphasis on social development, volunteers are making a direct economic contribution in a variety of situations. They are helping to organize farmers' cooperatives in Chile, Ecuador, and Pakistan; credit unions and savings and loan associations in Latin America; demonstration farms in the Near East. A group of volunteers in the Punjab sparked the creation of a poultry industry of some economic significance (using ground termite mounds for protein feed). These are grass roots projects. More of them will someday cause us to look back and wonder why it took so long to discover that people—human hands and enthusiasms—are an essential part of the relationship of mutual assistance which we must establish with our neighbors abroad.

The Peace Corps is not a foreign aid agency. Two of the three purposes of the Peace Corps as defined in the act deal with understanding, not economic assistance. Moreover, our financial investment is in the volunteer who brings his skills and knowledge home with him. Seventy-five percent of the Peace Corps' appropriated funds enters the economy of the United States; of the remaining 25 percent, more than half (57 percent) is spent on American citizens, the Peace Corps Volunteers themselves.

A Jamaican radio commentator recently asserted that "a great distance between people is the best creator of good will. Jumble people up together on a sort of temporary basis of gratitude on one side and condescension on the other, and you'll have everyone at each other's throat in no time." If I believed this were inevitable, regardless of the attitude, preparation and mode of life of volunteers, I would advocate disbanding the Peace Corps—as well as most other programs oversea. But I have greater faith in the universality of men's aspirations and of men's ability to respect each other when they know each other. It is the American who lives abroad in isolation and the thoughtless tourist who create distrust and dislike.

I believe the Peace Corps is also having more impact than we may realize on our own society and among our own people. To take an example of the Peace Corps' impact on an institution, the president of the State University of Iowa, Virgil M. Hancher, recently observed:

"The Peace Corps project—training volunteers for Indonesia—is already having salutary effects upon this university, and these seem likely to be residual. The members of our faculty are having to come together across disciplines. They are having to think through old problems of education freshly and to tackle new ones. Along with the trainees, they are learning—learning how to teach languages in the new method, how to teach new languages, how to teach area studies better, and how to adapt old and test new methods. The project is deepening the international dimension of the State University of Iowa. This international dimension is being shared in various ways, with the people of the State, the eastern area in particular."

American schools and students may soon benefit from the Peace Corps' initiative in another fashion. Two countries, Ghana and Argentina, have expressed interest in making the Peace Corps a two-way street by sending volunteer teachers of special competence to interested American high schools or colleges. Ghana would provide experts in African history and Argentina teachers of Spanish. Other countries may follow suit.

Our own Peace Corps volunteers are being changed in other ways in the acquisition of languages and expertise. They will be coming home more mature, with a new outlook toward life and work. Like many other Americans, I have wondered whether our contemporary society, with its emphasis on the organizational man and the easy life, can continue to produce the self-reliance, initiative and independence that we consider to be part of our heritage. We have been in danger of losing ourselves among the motorized toothbrushes, tranquilizers, and television commercials. Will Durant once observed that nations are born stoic and die epicurean; we have been in danger of this happening to us.

The Peace Corps is truly a new frontier in the sense that it provides the challenge to self-reliance and independent action which the vanished frontier once provided on our own continent. Sharing in the progress of other countries helps us to rediscover ourselves at home.

The influence of the Peace Corps idea might be described as a series of widening circles, like the expanding rings from a stone thrown into a pond. The inner, most sharply defined circle represents the immediate effect of the program—accomplishments abroad in social and economic developments, skills, knowledge, understanding, institution-building, a framework for cooperative effort with private organizations, research and experiment in oversea Americanship, language training, and improvements in health.

The second ring moving outward on the water might be the Peace Corps' influence on our society, on institutions, and people on the creation of a new sense of participation in world events, an influence on the national sense of purpose, self-reliance and an expanded concept of volunteer service in time of peace.

There is still a wider circle and, being farthest from the splash, the hardest to make out clearly. Perhaps, I can explain it by describing the relationships I see between the Peace Corps and our American Revolution. The Revolution placed on our citizens the responsibility for reordering their own social structure. It was a triumph over the idea that man is incompetent or incapable of shaping his destiny. It was our declaration of the irresistible strength of a universal idea connected with human dignity, hope, compassion, and freedom. The idea was not simply American, of course, but arose from a confluence of history, geography, and the genius of a resolute few at Philadelphia.

We still have our vision, but our society has been drifting away from the world's majority: the young and raw, the colored, the hungry, and the oppressed. The Peace Corps is helping to put us again where we belong. It is our newest hope for rejoining the majority of the world without at the same time betraying our cultural, historic, political, and spiritual ancestors and allies. As Pablo Casals, the renowned cellist and democrat, said of the Peace Corps last year: "This is new, and it is also very old. We have come from the tyranny of the enormous, awesome, discordant machine, back to a realization that the beginning and the end are man—that it is man who is important, not the machine; and that it is man who accounts for growth, not just dollars and factories. Above all, that it is man who is the object of all our efforts."

PRESIDENT URGES WEST GERMANS TO AID LESS DEVELOPED NATIONS—ASKS FOR GREATER EFFORTS AT INAUGURATION BY BONN OF ITS OWN PEACE CORPS—AIM IS TO LIGHTEN BURDEN ON UNITED STATES

(By Gerd Wilcke)

BONN, June 24.—President Kennedy made a vigorous plea to West Germans today to share their wealth and knowledge with people in the less developed nations.

"I cannot think of any people that can serve this cause with greater success and more devotion than the German people," he said. "I believe that you are greatly needed."

He said the Germans would "find your greatest reward in a service in these very difficult times."

The President made the appeal during ceremonies marking the official inauguration of a West German peace corps. The ceremonies were held while the President was visiting President Heinrich Lübke at the latter's official residence, the Villa Hammerschmidt in Bonn.

The President's words reflected his concern over the fact that the United States bears the major burden, financial and otherwise, of helping less developed nations in Asia, Africa and Latin America.

The United States has prodded West Germany to expand its foreign aid programs.

Mr. Kennedy said he hoped that the United States Peace Corps and its West German equivalent would be joined by "representatives of dozens of other free countries in a great international effort in the 1960's for peace."

According to present Government planning, the German peace corps, officially known as the Oversea Teaching and Aid Development Service, will eventually consist of 1,000 volunteers. The first group of 250 young men and women is to be ready by late next year. The service will cost the Government the equivalent of about $6,250,000 annually.

However repugnant the Communist system is, the President continued, "it nevertheless has been able to enlist the devotion of a good many people all around the globe. I hope it is possible for us to demonstrate an even greater devotion in the free society."

He recalled that the U.S. Peace Corps was founded in 1961 and said that 9,000 Americans would be serving overseas in the Corps by the end of this year.

"I believe it (the Peace Corps) has given us an opportunity to harness the idealism which is, I think, in all free people, has given us an opportunity to be of assistance not merely in the cold field of economic help, but in the human relations which must exist for a happy understanding between people," Mr. Kennedy said.

The President added that he was confident and hopeful that German youth and older citizens "will find their greatest reward not here, pursuing merely their private pursuit, but in some far-off country."

TEXT OF AID SPEECH BY PRESIDENT KENNEDY

Mr. President (Heinrich Lübke), Chancellor (Adenauer), Mr. Ministers, I want to express our warm congratulations to the Federal Republic, to the people of the Federal Republic, for the effort that they are now undertaking.

The U.S. Peace Corps commenced in 1961, and I believe it has given us an opportunity to harness the idealism which is, I think, in all free people, and has given us an opportunity to be of assistance not merely in the cold field of economic help, but in the human relations which must exist for a happy understanding between people.

Western Europe and the United States really are islands of prosperity in a sea of poverty. South of us live hundreds of millions of people on the edge of starvation, and I think it essential that we demonstrate, we in the United States, we in the Atlantic community, that we demonstrate our concern for their welfare. However repugnant the Communist system is to all of us, it nevertheless has been able to enlist the devotion of a good many people all around the globe. I hope it is possible for us to demonstrate an even greater devotion in the free society.

GERMAN ABILITY PRAISED

Nine thousand Americans will be serving overseas by the end of this year. In some countries of Africa, nearly half of the high-school students are being taught by Peace Corpsmen. I cannot think of any people that can serve this cause with greater success and more devotion than the German people. High-skilled and understanding of the great issues which tear the world apart, I believe that you are greatly needed and that you will, as the (West German) President said, find your greatest reward in a service in these very difficult times. Dante once said that the hottest places in hell are reserved for those who in a period of moral crisis maintain their neutrality. This is a moral crisis. This is an opportunity, and I am confident that the German youth will find their greatest reward not here, pursuing merely their private pursuit, but in some far-off country. In some small village they will lay a seed which will bring a rich harvest for us all in later days.

I hope that these Peace Corpsmen of America and the members of the German Development Service will be joined by representatives of dozens of other free countries in a great international effort in the 1960's for peace. I congratulate the people of Germany on their commitment to this cause.

A TALENTED AND ABLE DIPLOMAT: MRS. EUGENIE ANDERSON

Mr. HUMPHREY. Mr. President, the United States is fortunate to have as its Minister to Bulgaria the talented and gracious Eugenie Anderson. Mrs. Anderson has been my close friend and associate for many years. A native and leading citizen of Minnesota, she has displayed an extraordinary grasp of international problems, including the human problems that lie at the bottom of all weighty matters of state.

I was gratified when my good friend Eugenie Anderson was appointed American Minister to Bulgaria. In her brief term of office she has repaid the confidence of her well wishers many times over. The proof of this, I believe, can be seen in the text of her address of June 14 at the commencement exercises of Carleton College in Northfield, Minn. Without in any way condoning totalitarian rule in Eastern Europe, Mrs. Anderson shows that she can recognize change when it occurs.

Contrary to popular belief—

She says—

> Eastern Europe today is characterized not by homogeneity but by disparity, not by identity of policy but by contrast. In fact, reality today in Eastern Europe underscores Moscow's loss of its former claims to monolithic unity.

Later in her address, Mrs. Anderson observes:

> Few of us at the time of Stalin's death could have predicted that 10 years later, the

Soviet Union itself would be involved in a raging ideological dispute over freedom for the writer and artist, that Poland would have all but abandoned agricultural collectivization, that a Hungarian Premier could declare that "whoever is not against us is with us," and that Albania would side with Communist China against the Kremlin.

* * * * *

The peoples of Eastern Europe are aware of the disarray in the Communist world. And whether they know it or not, they have contributed to their own welfare by the pressure they have brought against their governments. Whether by passive resistance or occasional overt action, the people themselves have forced changes and concessions from their governments.

Mrs. Anderson's words reemphasize the bond between the American people and the spiritually unconquered peoples of Eastern Europe. They constitute a pledge that the welfare of our Eastern European brothers have not been, and never will be, forgotten by the American Government.

I salute Mrs. Anderson for her realism, for her humanity, and for the skill with which she is doing her job in Sofia. She has been home with us too briefly. She returns to her post with our warm thanks and our continued good wishes.

Mr. President, I ask unanimous consent that excerpts from Ambassador Anderson's speech of June 14 be printed at this point in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

EXCERPTS FROM A COMMENCEMENT ADDRESS BY THE HONORABLE EUGENIE ANDERSON, AMERICAN MINISTER TO BULGARIA, AT CARLETON COLLEGE, NORTHFIELD, MINN., JUNE 14, 1963

Now I want to talk for a few minutes about that part of Europe where I am serving. It seems fitting to discuss developments in Eastern Europe within the context of our rapidly changing times, because that area today is in transition. Most Americans have tended to think of the Iron Curtain countries in static terms. Such assumptions do not apply today to Eastern Europe. Significant changes have occurred, and will continue. U.S. policy, too, has become more flexible and active, vis-à-vis the Soviet bloc.

Until recently, the United States avoided a close involvement in European political affairs. We tried to remain only as interested observers in the gradual process by which European states fought for, and gained, their freedom and independence. Yet our heritage inevitably led the United States to give its encouragement to Eastern European peoples striving for freedom from foreign rule. Whether in freedom or in subjugation to a foreign power, they have retained their national memories and pride in their traditions; they have created, defended and developed a rich, cultural background; they have cherished their past successes and suffered from their failures; and they still maintain their failures; and they still maintain their faith in individual freedom and national independence.

Contrary to popular belief, Eastern Europe today is characterized not by homogeneity but by disparity, not by identity of policy but by contrasts. In fact, reality today in Eastern Europe underscores Moscow's loss of its former claims to monolithic unity.

Of course, the countries of the eastern European bloc are still, in the last resort, subject to the ultimate control of Soviet military power. The bloc leaders adhere to Soviet foreign policy and ideology. They are working out with varying degrees of divergence their internal and economic development.

For example, Poland permitted in 1956–57 a reversal of the collectivization process in agriculture. Today only about 10 percent of Polish agricultural land is collectivized, while in Bulgaria the figure is 90 percent. So also in Poland, and to some extent in Hungary, consumers have fared better as a result of the events of 1956 and of conscious government policy. Throughout the bloc, including Bulgaria, some liberalization of internal rule has occurred. Poland, more than other countries in the area, shows the benefits of increased freedom. But there is mounting dissension in Czechoslovakia these days. Rumania seems to be reluctant to subordinate its economy to the planning decisions of the Soviet bloc. By way of contrast, look at Stalinist Albania's anomalous position. It supports Communist China in its conflict with Moscow. It defies the Soviet Union and has no diplomatic relations with it, yet it maintains relations with the eastern European countries.

Great economic progress has been claimed by all the eastern European regimes during the past years. The governments proclaim that they have over-fulfilled their gross industrial production plans. Clearly, the successful fulfillment of economic plans is an attractive subject to Communist propagandists. Yet, at the same time, severe, persistent, and chronic food shortages haunt most of these countries.

U.S. policy has been and remains consistent in its desire to see governments in eastern European countries—as elsewhere—which will promote the full independence of their nations. We wish to see governments which will guarantee and promote all the essential internal freedoms and which will work peacefully for normal and constructive relations with all countries.

At the end of the last war when Stalin brought down the Iron Curtain, he tried to reduce or eliminate all contacts between East and West. He hoped thus to simplify his assimilation of the nations of Eastern Europe into the Communist system. United States policy has always encouraged the drawing aside of this barrier. We want Eastern European countries to associate with us on equal terms.

We should seek new ways to remind the peoples of Eastern Europe, Communists or not, that they are a part of the West and that we look forward to a day of even closer association. We want them to know how well the West has prospered with free systems. We want them to be able to see for themselves that the West is strong, dynamic, and united. We want them to know that we are completely dedicated to world peace, but to understand, too, that the West is also capable of defending itself.

We want them to see how our agriculture is flourishing. We want them to compare our farm system with that of collectivization.

We want them, Communists and non-Communists, to see for themselves that our people work hard because our incentive under a democratic system is always before us: the opportunity for a higher standard of living, a better education for their children, more leisure and a richer life.

It is heartening that today, increasing numbers of Americans are visiting eastern European countries. Some go as tourists out of curiosity; others to see their families and friends; still others go to exchange knowledge in professional fields under private or official arrangements. We support these contacts. They help people to understand the problems of bridging our differences. These scientific, cultural, and educational exchanges also help to keep the eastern European intelligentsia in touch with important developments in the United States. I have found in Bulgaria a profound hunger for communication with Americans.

We, too, welcome the chance to visit with people everywhere in the world. The more Americans the world meets, the greater will be the understanding of American principles. The more we know of others, the richer we will be.

And what about our economic relations? The United States permits trade in nonstrategic goods with Eastern European countries. At present it is limited but we look forward to the day when our relations with these countries will allow such trade to be more significant. We want these people to share the benefits of our industrial and agricultural wealth and know-how. Cultural influences invariably accompany and follow trade between nations.

Our policy toward Eastern Europe has drawn a distinction between those countries which are independent and are striving for independence and those which subordinate their interests to Moscow. Yugoslavia, while a Communist country, is not alined with the Soviet bloc despite Khrushchev's wooing and the policies it follows are those which it believes best meet its national interests. I have already mentioned some ways in which Poland has liberalized its internal rule. As a result of the distinctive developments in these two countries, both have most-favored-nation tariff treatment for the goods they export to the United States—that is to say, the tariff duties levied on their goods are as low as those on goods coming from any other country.

Under a provision of the Trade Expansion Act of 1962, Congress required the President to withdraw "as soon as practicable" most-favored-nation treatment from all Communist countries, in effect, from Yugoslavia and Poland since they were the only ones enjoying this status. This requirement goes completely against the policy toward Eastern Europe followed by President Kennedy and his predecessors. It would slam the door in the face of those two countries which have most emphatically rejected Stalinist-type rule and have tried to evolve policies according to their national interests. It would mean lumping them together with all the other Communist countries as if there were no differences among them. It would mean discouraging all Eastern European countries from developing meaningful associations with the United States. It would ignore our vital interests in the area, since it would prevent us from pursuing a constructive policy. Instead it would have the effect of reducing our relations to purely formal diplomatic contacts of the least effective kind. Instead of demonstrating our interest in the welfare of the peoples of Eastern Europe, we would appear to be writing them off.

The President has already indicated his wish to see this provision of the Trade Expansion Act amended so that he might have flexible authority to continue most-favored-nation treatment for Yugoslavia and Poland. Our vital interests in Eastern Europe require this authority for the President.

Few of us at the time of Stalin's death could have predicted that 10 years later, the Soviet Union itself would be involved in a raging ideological dispute over freedom for the writer and artist, that Poland would have all but abandoned agricultural collectivization, that a Hungarian Premier could declare that "whoever is not against us is with us," and that Albania would side with Communist China against the Kremlin. Of greatest moment, however, is the impact which the Sino-Soviet conflict will have on the loyalties of eastern European parties.

The people of Eastern Europe are aware of the disarray in the Communist world. And whether they know it or not, they have contributed to their own welfare by the pressure they have brought against their governments. Whether by passive resistance or occasional overt action, the people themselves have forced changes and concessions from their governments.

We believe that Eastern Europe is today in a State of flux. No one can predict what will evolve. Meanwhile we intend to maintain an active policy which will expand our contacts with Eastern Europeans. We persistently wish to demonstrate that we are concerned with the welfare of these people. We are interested in their national aspirations for independence. We want to keep them informed about Western thought in all areas of science and culture.

The process of change in Eastern Europe is bound to continue. The ideological rift between the Soviet Union and Communist China must necessarily have a strong impact on the Communist world. The Common Market factor in European and world trade will add some hardship to the eastern European countries. Already they are trying to avoid the anticipated disequilibrium by integrating their own economies. At the same time they continue to be fascinated by the possibilities of trade contacts with the West. In the light of all these shifting forces, the United States must pursue a complex policy which can take account of the area's new dynamics.

We wish to respond to the aspirations of the Eastern European peoples, which are basically akin to our own revolutionary ideals. They, too, dream of being able to enrich their lives, to enjoy the responsibility of liberty and to pursue the goal of happiness. They too believe in the dignity of man.

Let us maintain our confidence in these peoples, who through the centuries have endured so much. The tides of change which now encompass the globe are at work in Eastern Europe, too. Meanwhile the present phase of ferment throughout the Communist world requires imaginative, active U.S. policies. These can be effective only if understood and supported by the American people.

And what of your own personal role in these years of unremitting change? For ultimately, the carrying forward of American ideals depends on individual Americans: What kind of ideas move us; what values we cherish; whether a humane morality guides us; with what courage we act; what kind of children we raise; what sort of schools and communities we sustain; what quality of arts, literature, theater and music we create; how we nourish the sciences; what standards of excellence inspire us; whether we relate ourselves as friends and brothers, regardless of color, religion or nationality; how we resolve our personal and national crises; and finally, whether we as individuals accept America's responsibility to the world.

There are, of course, many ways in which you can work for the triumph of American ideals. But underlying any life course you may choose must be an enduring commitment to the cause of freedom.

I would hope that many of you will discover that politics are the central means we Americans have for preserving freedom, for continuing our unfinished revolution.

We can surmount our enormous difficulties at home and abroad, but only if enough educated men and women engage themselves in the struggle of politics. It does not matter which party you choose. It is imperative to infuse a new responsibility in both parties. Recently a national survey showed that only 4 percent of Americans belong to any political organization. How can we hope to improve our democracy if our political parties are run by such a few?

There are many explosive and compelling needs and conflicts in America. Indeed the present confrontation in race relations is of epic proportions—certainly sharper, deeper, and broader than any since the Civil War. Now we must achieve full racial equality not only in civil rights but in all areas including education, housing, and employment. Progress must be accelerated in all sections of our country—North and South, East, West, and Middle West, too. Resolving this major crisis without further violence now—not tomorrow—today—is an imperative for us all. Our consciences, as individual Americans, cannot continue to carry the burden of indifference, brutality, and wrong against our fellow man. Our Nation—as the leader of the free world—cannot afford more tragedies like Birmingham and Little Rock. I should add that many Americans are now working hard to eliminate segregation in those areas, as elsewhere.

Finally, I submit that American foreign policy also depends on American politics. It is important that some of you will enter the American Foreign Service, the Peace Corps, AID. Indeed I would urge you to consider giving several years of your lives to serving your country abroad.

But fully as urgent is the need for inspired, courageous men and women at home to help shape American politics, which in turn molds our foreign policy.

American politics needs more young leaders who know the times into which you have been born. Our country needs more young men and women who understand the infinite worth of the individual and his freedom. We need more young Americans who want to share our liberties, our abundance, our dreams with others. For it is the unfinished American Revolution which is still the hope of mankind.

As Lincoln said so well, when pondering the meaning of our Revolution:

"It was not the mere matter of separation of the colonies from the motherland—but something in that Declaration giving liberty, not alone to the people of this country, but hope to the world for all future time."

COLLECTIVE BARGAINING DOES WORK—STEELWORKERS AND STEEL COMPANIES REACH FULL ACCORD

Mr. HUMPHREY. Mr. President, the institution of collective bargaining has become the established method of insuring industrial peace between management and labor. However, lately there have been repeated attacks upon collective bargaining with regard to its ability to perform this function in the face of the increased pace of automation and heavy unemployment. At times the union movement itself has been criticized for the breakdown. It is for that reason that I wish to call to the attention of the Senate the recently negotiated agreement between the United Steelworkers of America and the steel industry. This agreement is unprecedented not only because of the terms of the agreement but because of the manner through which it was derived.

The Steelworkers Union has been pioneering in the field of collective bargaining with a human relations committee, a labor-management committee built into the contract for the purpose of continuous contact between the union and the companies. Bargaining was not left to the feverish activity of the last few weeks prior to the termination of the agreement. Issues were discussed many months prior to the reopening date of the contract. The union and the industry were so far advanced in preliminary discussions that it was not felt necessary to file for an official reopening. Hence the negotiations which were taking place in the last few weeks in Pittsburgh, were not conducted under a deadline of a threatened strike.

The Steelworkers Union and the steel industry are to be congratulated for developing this new method of collective bargaining. It is indicative of the statesmanship of Union President David J. McDonald and the executive officers of the major steel companies. It also ushers in a new era of mature relationship in labor-management affairs. It strengthens the role of free private collective bargaining in our society without reliance upon or interference by government. I praise this union and the industry for devising this method of perfecting collective bargaining; it should reassure the American people that the public interest is best served by free and independent bargaining. I ask unanimous consent to insert in the RECORD a copy of the statement passed by the wage policy committee of the United Steelworkers of America in regard to the recent accomplishments of the human relations committee.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF INTERNATIONAL WAGE POLICY COMMITTEE, UNITED STEELWORKERS OF AMERICA, JUNE 20, 1963

I

After the great steel strike of 1959, the United Steelworkers of America and the major steel companies came to realize that a drastic change would have to be made in the nature of their relationship if a repetition of that experience was to be avoided. Accordingly, it was agreed that a joint study committee would be established, to be known as the human relations research committee, which would attempt during the term of the agreement to study the mutual problems of the parties and to arrive at mutually satisfactory solutions. It was hoped that this device would make possible a more thorough exploration of problems in a more cooperative atmosphere, free of the pressure of imminent deadlines. The wage policy committee wholeheartedly endorsed this effort to find a new approach to collective bargaining.

This imaginative experiment bore its first fruits in 1962. In that year the United Steelworkers of America and the 11 major steel companies made a historic agreement—months in advance of the expiration date of the 1959 agreement—which was based in large part upon the work which had been done by the human relations research committee.

Not surprisingly, the 1962 agreements provided for the continuation of the human relations research committee, under the name of human relations committee, on a greatly expanded basis. A number of very broad, difficult, and important problems were specifically referred to that committee for study.

Since the principal problem facing our members is the problem of unemployment, most of the issues which were referred to the human relations committee were issues affecting job and income security. These included the following:

1. The creation of employment opportunities through vacations of longer duration.
2. The contracting out of work which could be performed by bargaining unit employees.

3. The scheduling of overtime work for some employees while others are on layoff or working less than a full 40-hour week.

4. The performance by supervisors of work normally performed by bargaining unit employees.

5. The assignment to employees outside the bargaining unit of work which has been or could be performed by bargaining unit employees.

Closely related to the problem of job security—which of course is largely attributable to the rapidly changing technology of the industry—is the problem of preserving income security by adapting the job classification system to the new technology. Both sides agreed in 1962 that an updated and uniform job classification manual had to be developed, in the 10 companies which have the cooperative wage study manual, for production and maintenance as well as office and technical employees, in order to preserve the integrity of the wage and salary structure of the industry and to eliminate inequities and obsolete provisions. This monumental task also was referred to the human relations committee.

The agreement directed the human relations committee to study these problems and to attempt to arrive at mutually acceptable solutions. It was further agreed that if the human relations committee was unable to find answers to these problems, either party could formally reopen negotiations on these matters by written notice any time after May 1, 1963, with the right to strike or lockout 90 days after such reopening.

Almost as soon as the ink on the 1962 agreements was dry, the human relations committee began working on the subjects listed above, as well as the others which had been referred to it for study. Each issue was studied in depth by a separate subcommittee of experts, in consultation with local union representatives, and each subcommittee reported regularly to the top-ranking members of the human relations committee on the progress that was being made.

The problems, however, were not easy of solution. Despite a good faith effort on both sides, by the time May 1, 1963, arrived there were still wide areas of differences on every issue. The international officers and executive board, however, decided to continue the work of the human relations committee for a few more weeks, in the hope that recommended solutions might be found which, if accepted by the parties, would make reopening of the agreement unnecessary.

II

Today, President McDonald has reported to us that the human relations committee has arrived at joint recommendations on all of the issues referred to above, as well as certain other issues to which the committee directed its attention. These recommendations are as follows:

1. Extended vacations: We have finally achieved our long-held goal of expanding employment opportunities by giving senior employees periodic 3-month vacations. The human relations committee has recommended a dramatic expansion of the existing savings and vacation plan, in order to provide employees in the top half of the continuous service roster at each company (the senior group) a 13-week extended vacation once every 5 years. Employees in the lower half of the continuous service roster (the junior group) would continue to receive the benefits of the existing plan, on an accelerated basis, until such time as they join the senior group. Employees in the senior group would also receive their regular vacation in the years in which they do not receive the 13-week extended vacation, and will receive 1 additional week of vacation benefit under the savings and vacation plan each 5 years, to be deferred, however, until retirement.

The plan would be financed by increasing the present 3-cent-per-hour contribution to the financial availability account to 12.5 cents per hour, beginning January 1, 1964. The additional money will not only finance the new benefits but will also speed up the operation of the cycle under the old plan so as more nearly to approach the objective of 1 additional week of vacation every other year for the junior group.

The revised plan would operate in the following manner: On January 1 the work force will be divided into the senior group and the junior group. During the following 5 years, 5 percent of the members of the senior group will become entitled to the 13-week extended vacation benefit every 3 months, to the extent that there are sufficient funds in the account, so that at the end of 5 years (20 quarters) each eligible employee will have become entitled to one extended vacation benefit. Unless the employment situation becomes drastically worse, the amounts to be contributed should be sufficient to finance the benefits as they come due.

All employees in the top half of the continuous service roster who retire after June 1, 1963, will be eligible for the benefit. The portion which is in excess of the present savings and vacation plan benefit will be payable to them on January 1, 1964.

After January 1, 1964, senior group employees who retire on pension will become entitled to the benefit immediately upon retirement. As of each quarterly calculation date under the plan, an additional number of senior group employees, sufficient to complete the 5-percent quota for that quarter, will become entitled to their 13-week vacation, which will be scheduled for some time before the end of the following calendar year, subject to operating requirements. Employees who are eligible for pension when they become entitled to the 13-week benefit will receive the benefit only upon retirement.

An employee who becomes eligible for pension after having become entitled to an extended vacation will, upon retirement, receive an additional partial benefit on the basis of 1 week for each 6 months of service since his entitlement date, up to a maximum of 9 weeks. Accrual of partial benefits will stop upon attainment of full pension eligibility (age 65, 15 years of service).

As under the existing plan, any employee in the senior group who is age 65 or over and who does not retire upon becoming eligible for a pension will have any benefit which is payable only upon retirement under the plan reduced by 10 percent for every 3 months by which he delays retirement.

Employees who are age 63 or over at the time they become entitled to an extended vacation will have the option of taking the vacation in the normal course, taking it just prior to retirement, or taking it in the form of a lump-sum payment upon retirement.

Employees in the junior group will continue to receive benefits as under the existing savings and vacation plan. It is expected that sufficient funds will be available to provide this group with 1 week of vacation every 2 years.

The plan contains a provision insuring that the full 12.5 cents per hour (and, in addition, any spillover from the sub plan up to 25 percent of the cost of the new plan) will be used to pay benefits. If more money is available than is needed to pay the benefits described above, junior group employees will be moved into the senior group to make up for employees who have not received an extended vacation benefit and have left the work force, and to expand the size of the senior group in proportion to any increases in the size of the total work force. Beyond this, additional weeks of vacation pay will be provided for all employees under the plan so long as funds are available.

The pay for that part of the 13-week extended vacation which is in addition to regular vacation will be based upon a 40-hour week. Extended vacation pay will be payable weekly or in a lump sum at the employee's option.

At the end of the 5-year period, the then existing work force will again be divided into a senior group and a junior group and the entire process will begin again.

2. Insurance: In addition to the substantial economic improvements described above, the human relations committee, as the result of its study of medical care and insurance, has recommended that the present insurance program be greatly improved by increasing hospitalization protection under our insurance agreements from 120 to 365 days, increasing sickness and accident benefits by $10 per week, and increasing the life insurance benefits by $500. The committee has further recommended that in companies which have a different pattern of insurance benefits the parties should make equivalent improvements by mutual agreement.

3. Experimental agreement: In an effort to work out a fair accommodation of the interests of the parties with respect to the other job security issues, the human relations committee has recommended the adoption of the following new contract provisions, on an experimental basis, for the period August 1, 1963, through December 31, 1964.

(a) With respect to the contracting out of bargaining unit work, the committee has drafted a provision which, in addition to preserving all existing protections, spells out certain specific restrictions in order to improve or clarify, as the case may be, the existing protections for bargaining unit employees. The new provision would provide, among other things, the following:

(1) Production, service, and day-to-day maintenance and repair work which by established practice has been performed by bargaining unit employees will not be contracted out for performance within the plant except by mutual agreement.

(2) Production, service and day-to-day maintenance and repair work which has in the past been performed by bargaining unit employees in some circumstances and outside contractors in other circumstances will not be contracted out for performance within the plant except in accordance with existing practice, except by mutual agreement.

(3) Intermittent maintenance and repair work not falling in the above categories, and installation, replacement, and reconstruction of equipment and productive facilities which do not involve major new construction, replacement, or reconstruction may not be contracted out for performance within the plant unless the company demonstrates that to do so is more reasonable than performing the work with bargaining unit employees, taking into account all the relevant factors.

(4) A special joint committee on contracting out will be established at each plant to resolve problems in connection with the operation and application of the agreement, as well as any other problems relating to contracting out. In addition, the committee will be notified before any work is contracted out within the plant, and at the request of the union members the matter will be discussed in an effort to reach agreement before action is taken. In the absence of agreement in such a situation, the matter may be processed as a grievance under the grievance and arbitration procedure.

(b) With respect to the matter of supervisors performing bargaining unit work, the committee has recommended contract language which would flatly prohibit such conduct unless the work is experimental, is performed in connection with a demonstration for the purpose of instructing and training employees, is required by emergency conditions, or is negligible in amount and, under the existing circumstances, cannot reasonably be assigned to a bargaining unit employee. The prohibition would not apply to work which is incidental to supervisory duties on a job normally performed by the supervisor.

(c) With respect to the matter of the assignment of bargaining unit work to nonbargaining unit employees, the committee has recommended an adoption of a provision designed to assure that new or changed jobs will not be excluded from the bargaining unit, when they involve a significant amount of bargaining unit duties, even though they may also involve duties not normally performed within the bargaining unit.

(d) With respect to the overtime problems, the committee has recommended adoption of a provision that if qualified laid-off employees are available and it can reasonably be foreseen that those employees could be recalled for a period of 2 or more weeks to perform the work in question, overtime will not be assigned unless management first notifies the union and upon request discusses its decision, and any suggested alternatives, with the appropriate grievance committeeman.

The recommendations as to the experimental provisions are applicable to the units covered by the basic steel labor agreements. As to units covered by separate agreements, the committee recommends that serious consideration be given to the adoption of these provisions, so as to permit recognition of the circumstances applicable in the particular situation.

4. Job classification manual: Although the committee has not completed the job of developing a uniform, updated job classification manual, great progress has been made and an agreed-upon procedure has been worked out for finishing the job by June 30, 1963. The updated manual shall be applied to the description and classification of all jobs newly established or changed since January 1, 1963. Claims for retroactive pay in connection with any pending grievance dealing with a job established or changed after January 1 shall be determined on the basis of the April 6, 1962, agreement, with respect to the period prior to June 30, and on the basis of the new manual for any subsequent period.

5. Vacation scheduling: The human relations committee has recommended the addition of a new provision to the 1962 agreement concerning scheduling of the extra week of vacation for an employee having 10 but less than 15 years, or 25 or more years of continuous service. Under the 1962 agreement such weeks could be scheduled throughout the calendar year. The recommended provision makes it clear that the intention of this scheduling provision was to remove any time limitation as to the scheduling of these vacations without affecting the other rules, including seniority preference, which are applicable to all vacation weeks.

6. Human relations committee: The committee has recommended that it be continued in effect during the term of the agreement and has added to the committee functions a study to determine the problems of fabricating, manufacturing, and warehousing operations in relation to basic steel collective bargaining. The committee has further recommended modification of the human relations sections of the agreements so as to provide for review of experience under the recommended experimental agreement.

7. Clerical and technical units: The committee has recommended experimental provisions covering contracting out, overtime, supervisors working and scope of the bargaining unit applicable to clerical and technical units. The committee also recommends that the savings and vacation plans for such units be revised in the same manner as the plans for production and maintenance units, except as may be otherwise mutually agreed.

8. Term: The committee has recommended that the above terms constitute a settlement of all issues which shall be reopenable in 1963 and that the agreement as amended should be extended so that they may be reopened on 120 days notice served on or after January 1, 1965. The committee has also recommended that those manufacturing, fabricating, and warehousing operations which in the past have had contracts with delayed expiration dates should provide for an equivalent delay in the termination provisions of their new agreements.

9. Other recommendations: On several issues the human relations committee has recommended that settlements be worked out by the respective negotiating committees. The committee has not recommended that the entire settlement be made contingent upon resolution of these issues but it has urged that every possible effort be made by the negotiating committees to reach agreement on the following issues.

(a) Certain contracts contain provisions on the subjects covered by the recommended experimental agreement. In some cases these provisions place restrictions on the companies which are more strict than those contained in the proposed experimental agreement. The human relations committee has urged that the respective negotiating committees at the companies where this situation exists make every effort to conform their contractual provisions to those contained in the experimental agreement so that a uniform basis for further progress in those areas can be obtained.

(b) The committee has recommended that the negotiating committees at fabricating, manufacturing and warehousing operations whose agreements now expire at the same time as the basic steel agreements shall give serious consideration to the question of whether delayed expiration dates, similar to those found in other nonbasic steel operations, should be provided in their new agreements.

(c) The establishment of the new 13-week extended vacation so affects the vacation scheduling situation that the committee has recommended that each negotiating committee seriously consider the desirability of enlarging the period for regular vacations to the entire calendar year, so as to permit the scheduling of extended vacations for senior employees in the more desirable months.

III

The recommendations of the human relations committee have already been reported to the steel companies coordinating committee, which has the authority to negotiate agreements on behalf of the 11 companies. President McDonald has reported to us that the companies are willing to accept these recommendations as a basis for the settlement of all issues which are reopenable in 1963.

As the elected representatives of the members of the United Steelworkers of America, charged with the responsibility of establishing the union's collective bargaining policy, this wage policy committee enthusiastically endorses this proposed settlement, which represents enormous progress in meeting the needs of steelworkers.

The new extended vacation plan, long a goal of our union, will create at least 15,000 new jobs in the basic steel operations of these 11 companies alone, and many more thousands when applied throughout our jurisdiction. At the same time, it will reward long-service employees with a periodic extended vacation for rest, recreation, and self-improvement. It will also provide employees with greater opportunities for training and promotion, and will encourage the voluntary retirement of older employees. This plan will be living proof to the world that free collective bargaining, while unable to solve all the economic problems of our society, can make substantial contributions toward achievement of the national goal of full employment for all.

The improved insurance program will provide significantly greater financial security to steelworkers during periods of serious illness, and greater security to their families upon the death of the breadwinner.

The new experimental agreement represents real progress toward a fair solution of the problems created by contracting out, supervisors working, loss of jobs through erosion of the bargaining unit, and the assignment of overtime while employees are on layoff.

The revised, uniform job classification manual will, when completed, help assure achievement of our goal of equal pay for equal work, under a fair and equitable wage structure which is adapted to the changing technology of the industry.

We take great pride, not only in the substantive achievements of the human relations committee, but in the human relations committee itself. This concept, developed by this union and the steel industry, has now been adopted in many other companies and industries, and holds great promise for the achievement of greater industrial peace and more productive collective bargaining. It is a resounding answer to those who say that collective bargaining has lost its creativity, or is unable to meet the needs of the times.

We salute the international officers and the executive board, who had the vision to realize that the human relations committee could produce results, without formal reopening, and who had the skill and perseverance needed to bring those results about.

We direct the international officers to instruct the negotiating committees at these 11 companies to meet with their respective managements for the purpose of revising their agreements in accordance with the human relations committee recommendations.

The human relations committee recommendations are, of course, applicable only to the 11 major steel companies represented on the committee. The international officers and the chairmen of the negotiating committees at other basic steel companies should make the necessary arrangements for implementing these recommendations, to the extent applicable, at those companies.

Steps should also be taken to achieve the same benefits, where appropriate, or equivalent improvements, at other companies within our jurisdiction whose contracts have similar reopening provisions.

At those companies where the entire collective-bargaining agreement is to expire this year, an effort should also be made to implement the goals set forth in prior wage policy statements. These goals include, in addition to the ones set forth above: the achievement of high living standards and greater economic security through higher wages and improved pension and insurance, the establishment of a shorter workweek, the establishment or improvement of sub-plans, the improvement of seniority provisions to provide maximum security to longer-service employees, the elimination of racial and religious discrimination, the improvement of grievance and arbitration procedures, the establishment or improvement of training and apprenticeship programs, the full union shop, increased premiums for holiday and weekend work and overtime, increased shift premiums, severance pay, jury pay and supplemental workmen's compensation. We reiterate the necessity of eliminating all remaining wage, salary, and fringe benefit differentials, of negotiating a master agreement for each multiunit company, and providing for automatic incorporation under the agreement of newly certified or recognized plants.

Eash negotiating committee at those companies shall review all the provisions of its agreement, to the extent contractually appropriate, for the purpose of making progress toward the attainment of these objectives and in order to remedy deficiencies which have been disclosed by experience or arbitration awards.

Every effort should be made to incorporate in the new agreements beneficial provisions previously made part of some of the basic agreements and those set forth in prior wage policies.

OVERSEA DEPENDENTS SCHOOLS

Mr. MORSE. Mr. President, in our concern for the crisis in which our schools find themselves at the present time, we may overlook a group of these schools because they are removed from our everyday contacts. I refer to the oversea dependents schools operated for the children of service personnel by the Department of Defense. Inasmuch as this body will soon be giving consideration to appropriations for their maintenance during the next fiscal year, I think the remarks of William J. Davis, president of the European Congress of American Parents & Teachers, before the National PTA convention in Miami Beach recently, are especially pertinent at this time.

I ask unanimous consent to insert the remarks in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Statement of William J. Davis, President of European Congress of American Parents and Teachers (ECAPT)

I am W.J.D., the J.F.K. of the PTA in Europe, the Middle East and North Africa, an area of American children overseas extending 4,000 miles south from Iceland to Ethiopia and 2,000 miles east from Spain to Turkey, a mere 2,500,000 square miles, or the size of the Roman Empire at its peak in A.D. 117.

Here is our basic problem area: We are entirely dependent on Federal aid for the education of our children overseas. I represent the PTA; the Congress of the United States is our school board, located some 5,000 miles away. In effect, except for one or two trips a year like this, the National Congress of Parents and Teachers is our only means of contacting the Congress of the United States.

Here are our six basic problems:

1. Do you have kindergartens in your school system? We don't.

2. Do you have an adequate number of classrooms for your children (which are not located, in some instances, in old quonset huts, office buildings, officers' clubs, etc.)? We don't.

3. Do you have teachers who consider their salaries to be adequate, and as stated in a Public Law (86–91) which keep them in consonance with those salaries earned in the previous year in certain portions of the United States? We don't.

4. Do you have adequate specialists, especially in the fields of guidance counseling and remedial reading (which is extremely important to children who average one move per year)? We don't.

5. Do you have adequate physical education facilities, where your children can attempt to carry out the dicta of the President's Council on Youth Fitness? We don't.

6. Do you have a continuing health program in school for your children? We don't.

If your answer to any of these questions is yes, then you know the basic flaws in our system, which contains 160,000 children who are actually ambassadors to all of our United Nations today, not just a dream of tomorrow.

We in the European Congress are not standing still while awaiting solutions. We are extemporizing. We are using field expedients. Local PTA's hire school nurses, counseling, reading and language specialists; buy playground equipment and use NATO gyms for outside school activities; have our own ECAPT scholarship fund which will give 11 scholarships of $500 each this month; improve classroom facilities and such.

But, physical environment itself is not the key to oversea schools. The key is, and always will be, whether in civilian education or military training, the teacher. If the teacher is not adequate to the task, the latest in stateside model schools would be of little use to us out here on the periphery of the area falling within my purview. Professional or not, teachers require, desire and deserve a reasonable standard of living, be they in the middle of metropolitan London, or on the outskirts of centuries-old Izmir (Turkey).

Americans appeal to oversea countries for exchange students on the university level, yet our elementary and secondary school program overseas is so limited that, in addition to offering less than the best in education to our own children, we are obliged to turn away the English-speaking children of NATO officials who would welcome the opportunity to learn the doings of democracy and its educational system at this age. This is in sharp contrast to the local Communists who welcome every opportunity to teach them at this tender age, rather than when they have reached manhood or womanhood.

Your part is basic: for this congress to request the Congress of the United States not to miss this tremendous opportunity for true international relations, to gain better teachers through higher salaries, and then to insist on constant improvement of our entire oversea school system. Let us emphasize education today—peace tomorrow.

This is the place to begin. This is the time.

ADDRESS BY THE HONORABLE FRANCIS KEPPEL, U.S. COMMISSIONER OF EDUCATION

Mr. MORSE. Mr. President, Mr. Edmund J. Gleazer, Jr., executive director of the American Association of Junior Colleges, has kindly drawn to my attention an excellent speech by the Commissioner of Education before the Midwest Junior College Conference on June 17.

Hearings on S. 580 and related bills before the Education Subcommittee are rapidly being completed. Today the subcommittee was privileged to hear from the Commissioner on all phases of the President's education bill. Included in it, as Senators are aware, are provisions for strengthening the public junior and community colleges of our Nation's educational system. In view of this, it is my judgment that Senators will find Commissioner Keppel's timely remarks of great interest.

Mr. President, I ask unanimous consent that the address, entitled "Standards of Excellence in the Junior College," which was delivered by the Commissioner on that occasion be printed at this point in my remarks.

There being no objection, the address was ordered to be printed in the Record, as follows:

Standards of Excellence in the Junior College

(By Francis Keppel, U.S. Commissioner of Education, Department of Health, Education, and Welfare)

The junior college, this 20th-century phenomenon in American education, is a result of man's inventive genius in devising ways to meet society's increasing demand for accessible and appropriate education beyond the high school. In speaking of the dimensions of the junior colleges, I am referring to the various standards of excellence by which society judges success in education for today's and tomorrow's world.

Junior colleges have a role and integrity of their own; and society has imposed upon them a challenge and a responsibility to provide both broad and specific educational opportunities for those who can benefit from them.

The unique characteristic of the junior college is its contribution to the community in particular and to society in general. Excellence in certain academic programs is one measure of success. But from the community viewpoint, the junior college provides an upgrading of skilled personnel, and improves the educational, cultural, and artistic climate of the area. Success is measured in terms of responsiveness to local needs.

The junior college stands as a cooperating institution between the high school and the 4-year college. Students may speed up progress by taking certain courses simultaneously with completion of high school programs. "Late bloomers" may find opportunity to repair certain academic deficiencies before taking bachelor's programs. The junior college also has within it the potential for removing geographic, financial, and motivation barriers to post-high school education.

The junior college creates its own self-identity by providing terminal and adult programs of greater depth and requiring greater maturity than can be offered in high school. Its programs can be coordinated with local needs to a greater degree than is usually possible for 4-year institutions serving larger geographic areas.

Faculty influence standards of excellence. Study and research by faculty is likely to be oriented toward relationships between the educational needs of a community and the programs to meet these needs. Follow-up studies and efforts to improve teaching are likely to be related to student success in higher education institutions, to occupational success in local industries or service agencies, or to evidence of local social and cultural growth. Guidance of students is likely to be more practical than in institutions serving broader geographic areas. The extent to which the junior college faculty can help students make realistic decisions and prepare for appropriate and satisfying careers is a measure of the institution's success.

Most important is the extent to which the college serves students and contributes to their success. Excellence for the students is measured by the institution's contribution to the maximum development of personal abilities and talents, within the context of the student's aptitudes, interests, and motivations.

The student perceives the junior college as somewhat less selective in admissions than the typical 4-year college; he judges its standards of excellence on how far its program can take him toward realization of his potentialities. Selectivity in the junior college, therefore, is likely to be in programs rather than in initial admission of students, and evaluation of success is likely to be on individual growth.

The accelerating expansion of knowledge, the growing complexity of the world, and the rapid advance of technology provide phenomenal demand for persons with high levels of education. There has been a consistent upgrading of jobs, and the increasing use of the products of scientific technology clearly calls for a higher degree of education and technical skill.

Education for the future must fit the individual for the world of change he will inherit and help to shape. It must be appropriate not just for the job he hopes to take next year or for the community in which he plans to live, but for other jobs and other places at other times.

The degree to which the junior college develops this kind of climate for learning is an important element in its drive to reach high standards of excellence.

Today, with the spread of junior colleges, we may be on the brink of another educational revolution, one which brings appropriate educational opportunities within the financial and geographic reach of the many at the same time that it supplements and strengthens the programs of 4-year institutions and advanced professional schools. The spread of such a zest for learning can contribute to consistently rising standards of excellence, in society as well as in schools.

Good education demands that we recognize differences in individuals and that we accommodate those differences and apply our standards of excellence in terms of individual growth. It is the sheerest kind of folly to expect every student to progress at exactly the same rate and depth as every other student. Standards of excellence demand a climate for learning in which intellectual capacities are viewed objectively and in which each student is encouraged and expected to do the best of which he is capable.

While education must first of all serve individuals, educational standards of excellence and methods of reporting student competence must be such that, with our highly mobile society, students can move from one level of education to another and from one geographic area to another without detriment of their total learning program. The standards of excellence the junior college is able to achieve depend upon quality in schools at lower levels. The quality of education offered by junior colleges affects standards at 4-year institutions. Weak schools at one level or in one area are a drag on all levels and all areas.

For that reason, if for no other, it is imperative that the American public find a way to provide resources for education so opportunity will be unlimited. There is a need for urgency in improving educational opportunity.

The junior colleges of our Nation have a position of growing importance in our educational enterprise. For them, as for all educational institutions, standards of excellence must be such that what the student learns and the way he learns it can meet every test of tomorrow's world. And we cannot wait until tomorrow to educate for tomorrow's needs.

NATIONAL FOREST ACCESS REGULATIONS

Mr. MORSE. Mr. President, on June 10, Secretary of Agriculture Freeman signed road access regulations which will measurably assist in the application of the policy of multiple use on the national forests. The Secretary is to be commended for this action.

On February 1, 1962, the Attorney General issued an opinion which told the Department that it did not have to let lumber companies cross national forest lands when the companies denied the Government access to public lands.

Draft regulations to implement this decision were published in August 1962. Comments were sought and a revised draft was published in March 1963. Assistant Secretary of Agriculture Baker held open public hearings during April of this year—one in Washington and one in Portland. Dr. George Selke, Secretary Freeman's personal consultant, made a further field review and report to the Secretary in May. The final regulations contain further modifications reflecting points raised at these hearings and Dr. Selke's observations.

Obviously, a great deal of study and deliberation have been undertaken on the access problems subsequent to the issuance of the Attorney General's opinion.

My review of the regulations as signed, taken together with Secretary Freeman's letter of instructions to the Chief of the Forest Service, Mr. Cliff, leads me to believe that the policy expressed is sound and the regulations are workable.

The results will make more national forest resources, such as timber and recreation, available for public use and enjoyment by providing better access to the national forests.

The regulations bring into close harmony the policy of the Departments of Agriculture and Interior on forest access. While some timber spokesmen objected to the regulations, the fact is that many of them have operated under similar regulations on Interior Department land since 1950. I am confident they will operate successfully with the Agriculture Department.

When the Attorney General's opinion was issued the Forest Service had reported that about 50 billion board feet of timber was unavailable for public use due to a lack of access. These were major case areas with more than 50 million board feet each.

The policy decision contained in the Attorney General's opinion, the special appropriations which provide additional access funds, and increases in the regular forest road authorization acts have brought about voluntary access agreements for almost half of this 50 billion feet of timber, according to the Forest Service. This alone will bring great economic benefits to the lumber industry.

Mr. President, I ask unanimous consent that a copy of the Department's statement on the regulations and Secretary Freeman's letter of June 10 to the Chief of the Forest Service and a copy of the final regulations be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF AGRICULTURE,
Washington, June 10, 1963.

SECRETARY OF AGRICULTURE APPROVES NEW NATIONAL FOREST ROAD REGULATIONS

Secretary of Agriculture Orville L. Freeman today approved revised regulations governing the management of national forest development roads and providing for access to the national forests by users consistent with an opinion of the Attorney General and decisions of the Comptroller General.

"The rapidly increasing use of the national forests have placed increased demands on the road systems by recreationists, hunters, fishermen, commercial haulers and others," the Secretary said. "The regulations governing the national forest development road system will help open up the publicly owned areas to meet the increasing demands and provide more efficient protection and administration of the national forest lands."

The regulations provide for cooperation with landowners where national forest land is intermingled with non-Federal land. They broaden and improve the basis for mutually satisfactory arrangements for sharing use and the cost of developing a single road system to serve the cooperating landowners and users of the national forest resources and facilities.

Hearings were held on the regulations proposed in April in Washington, D.C., and Portland, Oreg. Written and oral testimony for and against the regulations was recorded.

Major points of objection expressed were that the regulations do not provide completely reciprocal conditions by the United States to those required from the applicant owner who needs to cross national forest lands to reach and use his property; that the easements provided by the Government might not be permanent; that increased costs might result to private road owners and commercial haulers; and that full control of private roads might be taken over by the Forest Service.

Major support for the regulations voiced was that through provisions requiring easements which grant permanent unrestricted access to national forest lands, the various uses provided under the multiple use law of 1960 would become real to increasing numbers of national forest users, including hunters, fishermen, and other recreationists.

"Before approving the regulations," Secretary Freeman said, "I carefully considered the record of the hearings and a special report made to me by a departmental consultant, Dr. George A. Selke, who reviewed several road systems in the West suggested by the forest products industry.

"I am adopting the regulations as proposed at the hearings, with some changes resulting from suggestions made during and after the hearings.

"I am keenly interested in providing the Forest Service with the means of obtaining the best possible management of the many resources dependent on the national forest development road system," the Secretary said, "in conformity with the several basic authorities and interpretations of law including the multiple use law of 1960, the Attorney General's Opinion of February 1, 1962, and the several Comptroller General decisions on road programs."

NOTICE: FOREST SERVICE, DEPARTMENT OF AGRICULTURE, WASHINGTON, D.C.
JUNE 10, 1963.

Enclosed for your information are:

1. The National Forest access regulations directed toward management of the forest development road system serving the National Forests. These regulations were approved for publication in the Federal Register by Secretary Freeman on June 10, 1963.

2. Secretary Freeman's letter of June 10 concerning administration of the regulations to the Chief of the Forest Service.

3. News release concerning the regulations.

The regulations in draft form were distributed initially for review in August 1962. A new draft was sent you in March 1963.

Hearings were held on April 23, 1963, in Washington and April 29, 1963, in Portland, Oreg.

A. W. GREELEY,
Acting Chief, Forest Service.

TITLE 36—PARKS, FORESTS, AND MEMORIALS

CHAPTER II—FOREST SERVICE, DEPARTMENT OF AGRICULTURE

Part 212—Administration of the Forest Development Transportation System

Section 212.7 is revoked and part 212 is amended by adding the following sections:

"§ 212.7 Road system management

"(a) Traffic rules

"(1) General: Traffic on roads under the jurisdiction of the Forest Service other than "special service roads" shall be subject to State traffic laws where applicable: Provided that use of such roads shall be subject to rules prescribed by the Chief, notice of which has been given by publication in a newspaper having general circulation in the locality and posting at the entrances to the roads, covering uses of or operations on the road as to which the State laws and rules are not applicable or are not deemed adequate for the safety and protection of users of the roads and the national forests.

"(2) Special service roads: The Chief shall issue traffic rules governing the use of "special service roads" or adopt in lieu thereof traffic rules promulgated for comparable roads of the State in which the road or segment of road is located, provided that where local traffic rules are adopted they shall be supplemented by him to the extent necessary to adequately govern special traffic uses and conditions, including but not limited to load weights and widths, size of vehicles, speed limits and provisions for the safety and protection of users and the national forests. Notice of such rules shall be given in the manner prescribed in section 212.7(a)(1).

"(b) Special service roads: The Chief may designate a forest development road or a segment thereof a "special service road" and control or regulate the use of the road as necessary in the public interest and safety: Provided, that the road is not a part of the highway system of a State, county, or other public road authority: Provided further, that the United States controls the right-of-way.

"(c) Cost recovery on special service roads: Where the Chief determines that a share of the cost of acquisition, construction, reconstruction, improvement, or maintenance of a "special service road," or a segment thereof, used or to be used for commercial hauling of non-Federal forest products and other non-Federal products, commodities and materials should be borne by the owners or haulers thereof and where such owners or haulers have not shared in the cost of acquisition, construction, reconstruction or improvement and have not made contributions to pay their proportionate cost shares, the Chief may condition the permission to use the particular "special service road" or segment thereof upon payment to the United States of the proportionate share of such cost and bearing proportionate maintenance as has been determined by him to be attributable to such owner's or hauler's use in accordance with section 212.11.

"§ 212.8 Ingress and egress

"(a) Actual settlers and other persons residing within the boundaries of national forests: Actual settlers and other persons residing within the boundaries of national forests shall be permitted ingress and egress over the national forests and use of existing roads and trails in order to reach their homes and to utilize their property: Provided such ingress and egress or use shall conform to rules and regulations governing the protection and administration of the national forests and the roads or trails to be used.

"(b) Others: Entering upon the national forests and use of existing roads and trails shall be permitted for all proper and lawful purposes, subject to compliance with rules and regulations governing the national forests and the roads or trails to be used.

"§ 212.9 Access procurement by the United States

"(a) Policy: The Chief shall obtain as promptly as is feasible needed road and trail access to national forest land to assure effective protection, management and utilization of such land and its resources and for the use and development of the resources upon which communities within or adjacent to the national forests are dependent. Such access shall include procurement of interests in existing non-Federal roads and road systems, as well as rights-of-way for roads and trails over non-Federal land. Consideration shall be given in each case to the needs of the owners to use the existing roads in the protection, management, and utilization of their lands and industries.

"(b) Existing or proposed forest development roads which are or will be part of a system of a State, county, or other local subdivision: Forest development roads which are or will be parts of a system of a State, county, or other local subdivision road system and are on rights-of-way held in the name of the State, county, or other local subdivision may be constructed, reconstructed, improved, or maintained by the Forest Service when there is an appropriate agreement with the State, county, or other local subdivision under authority of 23 U.S.C. 205; provided such construction, reconstruction, improvement, or maintenance is essential to provide safe and economic access to national forest land.

"(c) Acquisition of easements and rights of use: Except as otherwise provided in these regulations, easements for road and trail construction across non-Federal lands and easements or rights of use over non-Federal roads and trails will be acquired in the name of the United States of America and its assigns. The easements or rights of use may be acquired by purchase, condemnation, donation, or as a reciprocal for permits or easements for rights-of-way for roads or trails to be constructed or for easements over or permits to use existing roads or trails.

"(d) Methods of compensation for easements and rights of use acquired by the United States: Compensation in negotiated acquisitions may be: (1) by payment from appropriated funds; (2) pursuant to reservation in the grant of easement to the United States whereby the grantor reserves the right to require haulers of Federal timber or other Federal products over the road conveyed or thereafter constructed by the grantor to make payments to the grantor in accordance with the terms of the reservation; (3) by granting reciprocal rights; or (4) by a combination of these methods. Compensation will be limited to the fair market value of the easement or right of use."

"(e) Cooperative construction and use agreements: Where areas, partly National Forest and partly private or other ownership, are undeveloped or inadequately developed by roads, the Chief will, to the extent feasible and advantageous to the United States, join in planning, constructing, reconstructing, improving, maintaining, and using an adequate road system on the basis of each party bearing the proportion of the cost attributable to the anticipated benefits as set forth under 212.11.

"(f) Condemnation: Where access across non-Federal land or over a non-Federal road or trail cannot be obtained through negotiations with reasonable promptness, condemnation will be undertaken when: (1) such action is necessary or advantageous to the United States; and (2) funds are available for payment of the anticipated award.

"(g) Access over non-Federal land and use of non-Federal roads or trails on a temporary basis: The Chief may negotiate a temporary agreement for access over non-Federal land and for use of an existing non-Federal road or trail where there is immediate need for temporary access for limited purposes that can be economically met by such procedure, or where the foreseeable need does not justify the expenditures necessary to provide a permanent road or trail.

"(h) Use and control of interests in roads, trails and easements acquired by the United States: Interests in roads, trails and easements acquired by the United States shall be under the control of the United States, subject to approved reservations, limitations and other provisions set forth in the deed, permit or other indenture. This control by the United States may include restricting or conditioning the use of the interest owned by the United States in the road, trail or easement where necessary.

"§ 212.10 Permission to cross National Forest land and assignable rights-of-way owned by the United States

"(a) Permission to construct and use roads across National Forest land and assignable rights-of-way owned by the United States: If a reciprocal benefit is needed by the United States, permission to construct and use a road across National Forest land and across assignable rights-of-way owned by the United States and administered by the Forest Service will be conditioned, except as provided in this subsection, for any applicant who seeks a permit to construct and use a road across the same, upon the grant to the United States of a reciprocal benefit. Such benefit shall bear: (1) a reasonable relation to the management of the National Forests; and (2) a value substantially similar to the value of the permission to cross National Forest land or right-of-way applied for. In those instances where the values of the interests needed by the United States exceed those applied for by the applicant, the additional interests required by the United States will be acquired as provided in sections 212.9 (c) and (d). Where values needed by the applicant exceed those needed by the United States, the difference in values will be determined under principles set forth below and in sections 212.7(c) and 212.11. If a reciprocal benefit is not needed by the United States, or the applicant shows good cause why the reciprocal benefit needed by the United States cannot or should not be granted by him, or the applicant declines to grant the reciprocal benefit requested by the United States or if a bona fide emergency exists, permission to construct and use a road across lands owned by the United States may be conditioned for any applicant upon reasonable charges and all other terms and conditions required by the Chief to protect the interest of the United States. Permits for road construction and use will be nonexclusive and will be conditioned upon compliance with their terms and conditions and with the rules and regulations governing the protection and administration of the National Forests and those applicable to such roads.

"(b) Permits for commercial hauling on special service roads: Except for minor or occasional use, permits will be required for commercial hauling on "Special Service Roads" of non-Federal forest products, and other non-Federal products, commodities, and materials when the Chief determines that such owners or haulers should provide: (1) proportionate maintenance; (2) an equitable and reasonable needed reciprocal benefit to the United States; (3) a share of the cost of construction, reconstruction or improvement of such road or segment thereof; or (4) any combination of these. When such owners or haulers have not provided to the United States the needed reciprocal benefit, or borne their share of the cost, permission to use a road will be conditioned for any applicant upon the terms and requirements and subject to the like conditions and changes as prescribed in sections 212.7(c), 212.10(a) and 212.11(d) for permission to construct or use such roads.

"(c) Easements and stipulations for roads crossing national forest land having the status of land reserved from the public domain: Applications for easements over national forest land having the status of land reserved from the public domain, and over roads thereon, with appropriate stipulations will be approved by the Chief for those applicants who have conveyed or provided permanent multiple-use easements over roads and lands owned or controlled, directly or indirectly, by them to the United States of America and its assigns and who have already constructed, or will, as scheduled by the agreements, construct their proportionate share of the road or road system concerned. Such applications for easements shall be approved by the Chief only when they are for nonexclusive easements which retain in the United States all rights in the road or road system except the rights of the applicant to use and maintain the road or road system in the administration, protection, and utilization of lands and the resources thereof owned or controlled by the applicant, and when the rights applied for are limited to the share of use commensurate with the applicant's contribution to, or performance of, a share of construction or other improvement as set forth in the cooperative agreement or cooperative understanding covering the road or road system. Applications for easements in appropriate form, together with required plats showing the national forest land having the status of land reserved from the public domain to be crossed, shall be forwarded to the Forest Service. When the Chief has determined that the applicant has satisfactorily constructed his determined share of the related road or road system, or is committed by appropriate agreement to deposit funds or construct his share of the road or road system, and has granted or provided the easements or other interest required by the United States under such agreement, the Chief after approval of the application, will attach thereto the stipulations agreed to by the applicant and the Chief covering the use of the easement applied for, and forward the same to the designated officer of the Department of the Interior for the purpose of obtaining the required easement under the authority of the Secretary of the Interior. When the easement is approved and returned by the officer of the Department of the Interior to the Forest Service for entry in its records, it will be entered and thereafter delivered to the applicant pursuant to agreement.

"§ 212.11 Principles for sharing use of roads

"The use of roads under arrangements for sharing costs or performance shall be in accordance with the following:

"(a) Road improvement: Use of a road for commercial hauling, except occasional or minor amounts, will be conditioned upon improvement or supplemental construction of the road to safely and economically serve the contemplated use, unless the Chief determines that the safety and economy of the established and foreseeable use by the United States, its users and cooperators will not be impaired by the use for which application is being made. With the consent of the Chief the applicant may deposit funds in the estimated amount required for the improvements or supplemental construction in lieu of performance. Such funds will be used by the Forest Service to do the planned work. The cost of the improvements or supplemental construction will be taken into account in determining any otherwise required contribution to cover the proportionate share of the cost of road acquisition, construction, reconstruction or improvement attributable to the use.

"(b) Corresponding benefits: Corresponding benefits which may be accepted by the Chief for sharing road use will be those which bear a reasonable relation to the management of the national forests. They may be in the form of: (1) deposit of funds with the Forest Service for use in paying the cost of road construction, reconstruction or improvement to be borne by the user; (2) the grant of a reciprocal right of substantially similar value to the road use sought; (3) construction over applicant's property of a new road needed for access to and use of national forest land and the conveyance to the United States of America and its assigns of the needed rights in such road; or (4) any combination of these.

"(c) Cost determinations for roads cooperatively constructed under agreements: When roads are constructed under cooperative agreements to meet mutual needs of the United States and others for access, determinations of the shares of costs to be borne by the United States and the cooperating parties will include consideration of: (1) the standard of road required for the planned hauling; (2) the share of planned use; (3) the location and volume of tributary timber owned by each party and expected to be hauled over the road or roads; (4) the tributary areas owned or controlled by each party; (5) expected use by the public; and (6) other appropriate considerations.

"(d) Cost recovery by the United States from others on special service roads: When roads designated as 'special service roads' are used under permit for commercial hauling instead of under cooperative agreement any cost to be recovered by the United States will be calculated in proportion to the planned use of the road. The road cost used in such calculation will be the amount or estimated amount expended in the acquisition, construction, reconstruction, and improvement of that capacity of the road required to serve the use needs of all parties that are or reasonably can be expected to use the road. Such road share cost payments will be through deposits in advance of use unless the user provides a payment bond satisfactory to the Chief guaranteeing that payments will be made promptly upon billing by the Forest Service.

"(e) Cost sharing with a cooperator: The costs to achieve the agreed upon road or road system may be met by: (1) use of appropriated funds; (2) construction, reconstruction, or improvement of roads or segments of roads by timber purchasers or other users; (3) use of deposits made by cooperator with the Forest Service to cover cooperator's agreed share; (4) agreement with cooperator pursuant to which cooperator does more than his agreed share of constructing, reconstructing, or improving a road and recovers costs incurred in excess of his agreed share by charging national forest timber purchasers and other commercial haulers using the road an equitable amount within the limits and to the total amount specified in the agreement; or (5) a combination of the aforementioned methods.

"(f) Road maintenance and resurfacing: Cooperators, and permittees using 'special service roads' will share the road maintenance and resurfacing costs under suitable agreements to perform, arrange for performance by others, or by making deposits with the Forest Service which will be used to pay the costs of work performed for efficient use and for the preservation and protection of such roads from all elements, and to prevent erosion to adjacent lands: *Provided*, That purchasers of national forest timber shall perform an agreed upon amount of maintenance work representing their proportionate share of necessary maintenance, or at their election in lieu of actual performance thereof, make payments to a specified maintainer of the agreed amounts for maintenance.

"(g) Interests to be acquired by the United States in roads or easements therefor: Where the United States is to bear or share the cost of constructing, improving, or acquiring a road system, a road, or a segment thereof, or acquires an easement therefor, the interest acquired will: (1) be for perpetual use unless the road use falls within the limited classes where temporary roads or roads for limited periods are acceptable; (2) provide adequately for foreseeable national forest management, protection, and utilization needs; and for the use and development of the resources upon which communities within or adjacent to the national forests are dependent; and (3) not be subject to conditions, reservations, or covenants unrelated to the road use, or which seek or might tend to direct or limit national forest management policies and procedures."

Regulation U-14 (36 CFR 251.5) is superseded insofar as it conflicts with the above. (26 Stat. 1103, 16 U.S.C. 471; 30 Stat. 35-36, 16 U.S.C. 478, 551; 30 Stat. 1233, 16 U.S.C. 525; 72 Stat. 885 as amended, 23 U.S.C. 101, 205; 38 Stat. 430, 16 U.S.C. 498; 25 Stat. 357, 40 U.S.C. 257; 46 Stat. 1421, 40 U.S.C. 258a et seq.; 64 Stat. 82, 16 U.S.C. 572; 74 Stat. 215, 16 U.S.C. 528-531; 42 Atty. Gen. Op. No. 7; Comp. Gen. B-65972, May 19, 1947; 40 Comp. Gen. 372; 41 Comp. Gen. 1; 41 Comp. Gen. 576, and Comp. Gen. B-150239, April 24, 1963, 42 Comp. Gen. —.)

DEPARTMENT OF AGRICULTURE,
Washington, D.C., June 10, 1963.

Mr. EDWARD P. CLIFF,
Chief, Forest Service,
Department of Agriculture.

DEAR MR. CLIFF: I have approved the proposed national forest access regulations which have been carefully considered in conjunction with the record of the hearings held on April 23 and 29, the analysis of the testimony, and a special report made to me by Dr. Selke after reviewing some selected road systems in the West.

In framing the regulations much weight has been given to the Attorney General's opinion of February 1, 1962, the several Comptroller General's decisions which bear on cost recovery and cooperation, and to the Multiple Use Act of June 12, 1960. This, of course, is proper.

It is evident in virtually every case that multiple use access to national forest lands is needed for the proper protection, administration, and utilization of the national forests or, where necessary, for the use and development of the resources upon which communities within or adjacent to the national forests are dependent. Only where there is immediate need for temporary access for limited purposes that can be economically met by such procedure, or where the foreseeable need of the United States does not justify the expenditure necessary to provide a permanent road or trail, will use of temporary agreements or rental arrangements be considered.

Much road construction in the national forests has been and will continue to be by national forest timber purchasers and, therefore, is presently limited to the prudent operator concept. Such roads will later require improvement to meet multiple-use needs for management of all the land resources and to better serve all the people who use the national forests now and in the years to come. Therefore, nonrestrictive permanent easements are initially necessary to meet the foreseeable use. This includes use of recreationists, hunters, and fishermen as well as haulers of timber and other products and meeting the attendant needs of other permittees such as stockmen, water users, and miners. Since the long-time purpose of national forest roads is to accommodate mixed traffic or all anticipated kinds of traffic at various times, it is essential that the Government be in a position to regulate the traffic it plans to accommodate.

Whenever possible and feasible, the Forest Service should avoid duplicating existing roads and road systems as a land and timber-growing conservation policy by making a single road system serve all tributary ownerships.

Under these principles the guiding objective will be to work cooperatively with forest users, neighboring landowners, and other agencies of Government, including States, counties and local subdivisions for the mutual benefit of them and the Federal Government.

Some forest landowners have expressed concern over the possibility they may be unwilling to agree with decisions made by the Forest Service involving the value of private road rights and the rules of use under which the road will be operated. Within the framework of these regulations, local issues should be settled on local grounds so far as practicable. Where agreement cannot be arrived at in the field with reasonable dispatch, the chief's office should review the issues and propose a solution. Until an appropriate body of experience has been accumulated in conducting these negotiations, I stand ready to arrange for review at the departmental level of those individual case decisions which cannot be resolved between the Forest Service and the other party. This will be an informal, administrative review requested by a party willing to enter into a cooperative agreement but unwilling to agree to the value proposed by the Forest Service to be used in the agreement or the rules proposed for use of a road. It would not replace existing formal appeal procedures.

A person who feels aggrieved by an administrative action or decision of an officer of the Forest Service relating to the administration of these regulations is entitled to understanding consideration and prompt action on an appeal.

When negotiations to acquire access fail, the issues should be judicially settled by prompt use of condemnation.

The Forest Service has several obligations in administering these regulations. One is to protect the resources and productivity of the national forests. Another is to develop and extend the use of national forest land resources to the fullest extent consistent with sustained productivity. A third is to recognize the rights and privileges of the owners of the intermingled and related lands in private and other ownerships. Consistent with laws and regulations, the Forest Service will be expected to assist and cooperate with the private owners in development and use of access for their lands and property.

Reasonable application and interpretation of these access regulations are important steps in meeting these obligations. Unless a particular owner wants to negotiate on a different basis, road systems for which reciprocal benefits will be sought should be limited to roads within or adjacent to one national forest. Where charges for recovery of road costs are to be made, rates of collections should be reasonable for the circumstances and fair in comparison with amounts generally being charged by other road owners under similar circumstances for road use in the area. It is important to recognize the vital interest which other users of a road have in the way the road is maintained and in the way traffic is kept moving. Obligations assumed by the Forest Service under these regulations for road maintenance or for traffic control and movement must conscientiously be met.

As part of normal handling of public and private business, I expect the Forest Service to reach prompt decisions as to action to be taken on applications to use roads or occupy national forest lands under these regulations.

Problems involving use of these roads by the public must be met in a realistic manner. Roads having a legal status permitting it, are to be available for use by the public unless you or an official to whom you delegate this responsibility determine that use by the public must be restricted for public safety, or to comply with the terms of the easement under which the United States may use the road.

Administering these regulations will require special attention to careful selection and development of skilled personnel to effectively meet the varied technical requirements involved in working out agreements and in managing roads with equally effective attention to human relations.

It is recognized that more detailed instructions under these regulations will be necessary to provide guidance to field officers and to users of the national forests. These will have to be updated and improved as experience and further knowledge is gained in developing and managing the forest development road system. However, the regulations as now approved should go a long way in providing the framework for effective, efficient, and safe management and use of the national forest development road system. I want you to seek the suggestions of affected users when major changes in policy or procedures are indicated.

The rapidly increasing use of the national forests has placed increased demands on the road systems by recreationists, hunters, fishermen, commercial haulers, and other users. These regulations will be of significant benefit in helping in an orderly way to meet these increasing needs. They are approved with full confidence that their use will assure for future Americans continuing optimum benefits from the resources of the national forests.

Sincerely yours,

ORVILLE L. FREEMAN,
Secretary.

LUMBER IMPORTS FROM RUSSIA

Mr. MORSE. Mr. President, on May 23 the junior Senator from Idaho [Mr. JORDAN] discussed lumber problems and included in his statement a letter from Mr. R. E. Broderick on the subject of possible lumber imports from the U.S.S.R.

On May 24 I made an inquiry of the Honorable Christian A. Herter, the President's Special Representative for Trade Negotiations, on this subject.

I ask unanimous consent that my letter of May 24 and Mr. Herter's reply, dated May 31, be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

MAY 24, 1963.

Hon. CHRISTIAN A. HERTER,
Special Representative for Trade Negotiations, Office of the Special Representative for Trade Negotiations, Washington, D.C.

DEAR MR. HERTER: On page 9295 through 9297 of the CONGRESSIONAL RECORD for May 23, Senator JORDAN of Idaho discussed certain lumber problems. Included in his discussion was a letter from Mr. R. E. Broderick in which he made two points. First, he asserted he has seen sample shipments of lumber from the U.S.S.R. and, second, that the Russians may decide to export their lumber to this country.

I would appreciate your advice on these points: (1) Whether or not lumber from Russia has entered the United States and if so, the quantities; (2) whether marking the country of origin on lumber which might be imported from Russia is required by Federal law, and (3) whether, under our current trade policy, lumber may be imported from Russia.

Your early advice on these matters would be deeply appreciated.

With kindest regards,

Sincerely,

WAYNE MORSE.

THE WHITE HOUSE,
Washington, D.C., May 31, 1963.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: This letter is merely to confirm the information that Addison Parris of our office conveyed to your assistant May 29 by telephone. The answers to the questions you raised in your letter of May 24 are as follows:

1. There were no imports of lumber from the U.S.S.R. in calendar years 1960, 1961, and 1962. There is no information available at present on lumber imports so far in 1963 by country of origin.
2. By law, marks of origin are not required on lumber or logs from any country, including the U.S.S.R.
3. Under our current trade policy lumber may be imported from Russia. It is my understanding that raw logs enter the United States mostly duty free. Sawed logs, however, are almost all dutiable. On dutiable items generally the U.S.S.R. and other Soviet bloc countries, except Poland, have a higher rate of duty imposed on their exports to the United States than other countries. This applies to dutiable lumber products as well as to many other items. As you know, the U.S.S.R. and other Soviet bloc countries have been denied most-favored-nation treatment by the United States since 1951.

Most sincerely yours,

CHRISTIAN A. HERTER,
Special Representative for Trade Negotiations.

AUTHORITY OF THE FEDERAL POWER COMMISSION TO LICENSE

Mr. MORSE. Mr. President, I wish to discuss very briefly the authority of the Federal Power Commission to license.

Recent developments in an important proceeding before the Federal Power Commission cause me concern that the Commission may feel inhibited from doing what it is supposed to do under the Federal Power Act—provide for comprehensive development of the Nation's waterways and, at the same time, give qualified public bodies preference to carry out such development.

Pending before the Commission is a controversy involving the middle Snake River, a river reach that offers the last remaining huge potential for low-cost hydroelectric power in the Pacific Northwest. Competing for a license before the Commission are, first, the Washington Public Power Supply System, a municipal corporation of the State of Washington, comprised of 16 public utility districts of that State and supported in this undertaking by some 30 additional nonprofit utilities of the Pacific Northwest, and, second, the Pacific Northwest Power Co., a private utility subsidiary of the four major utility companies in the region. The Supply System has applied for a license for the Nez Perce project which would fully develop the entire undeveloped stretch of the middle Snake, harnessing both the Snake and the Salmon Rivers, and has alternatively applied for a license to build the High

Mountain Sheep project a lesser project which would develop solely the waters of the Snake but which would have a lesser impact on the anadromous fish runs using the Salmon River for spawning. Pacific Northwest Power Co. has applied for a license solely for the High Mountain Sheep project. These competing applications have been pending for over 3 years; they have been subjected to an exhaustive hearing lasting close to a year, and have now been submitted to the Commission for its technical determination as to which project qualifies for licensing under the standards of the Federal Power Act, and which applicant shall be licensed to build it.

What concerns me is not the choice of the project so much as the impact of collateral events in the courts upon the Commission's choice of a licensee. The choice of the project is entirely within the technical competence of the Commission, and it will make this choice in due course. But, during the final stages of this controversy, a legal concept has arisen that could interfere with the proper choice of a licensee and, hence, with the proper administration of the Federal Power Act.

A Federal district court in Oregon has issued a declaratory judgment, stating in effect, that the public body involved in the Commission proceeding—the Washington Public Power Supply System—is not authorized under its Washington State enabling legislation—RCW 43.52.260; RCW 43.52.300(1), (2), (3), (4), (5), and (9); RCW 43.52.391—to go outside the State to build either of the projects proposed. (*Washington Public Power Supply System* v. *Pacific Northwest Power Company*, Civil No. 62-110 (District Court, District of Oregon, Mar. 18, 1963)). But the Federal Power Act has a very special statutory scheme of its own. Its framers did not intend the Commission to be bound by court proceedings to which it was not a party and which are outside the specific administrative and appellate procedures established by the act. Thus, I fear if misinterpreted by the Commission, this declaratory judgment could have the effect I have mentioned of inhibiting the Commission from doing what this Congress meant it to do: Provide for comprehensive development and for its achievement preferably through public bodies.

So that there may be no doubt on the part of the Commission as to what position the senior Senator from Oregon takes in regard to this subject matter, I say most respectfully that, in the opinion of the senior Senator from Oregon, the decision of the District Court of Oregon has no bearing whatsoever, no relevancy whatsoever, upon the obligation of the Federal Power Commission to carry out its obligations under the act passed by the Congress.

It is not my purpose here to say that the Oregon Federal district court is wrong in its view of Washington law, although I have read the Washington statute and it seems completely logical to conclude that this statute permits construction by the Supply System outside of Washington, in Oregon and Idaho, where either project would be located—indeed, even in Canada if the occasion arose. The language and intent of the statute are manifest on its face; the Oregon court was far too restrictive in its view of what the Washington Legislature intended by this enactment. But the point is that the Federal Power Commission must not allow this pronouncement by the Federal district court to interfere with the powers that the Congress has given to it as an independent instrumentality of the Congress, for over those powers the court has no jurisdiction.

Under sections 4(e), 7(a), and 10(a) of the Federal Power Act—title 16, United States Code, sections 797(e), 800(a), and 803(a)—Congress has given the Commission plenary authority to select the project and the licensee who would implement the policies of the act. And no Federal court could stop the Commission from exercising that congressional mandate.

Congress has made clear, and the courts have confirmed, the Commission's independent jurisdiction to determine the qualifications of license applicants to carry out the purposes of the act. To be sure, section 9(b)—title 16, United States Code, section 802(b)—of the act requires that applicants file with the Commission such information as the Commission requires to show compliance with State laws. But beginning with *First Iowa Hydroelectric* v. *FPC* (328 U.S. 1152 (1946)); and, most compelling, in *City of Tacoma* v. *Taxpayers of Tacoma*, (357 U.S. 320 (1958)), the courts and the Commission have asserted; first, that the Commission can independently determine whether an applicant is adequately qualified under local law, and, second, that neither the Commission's choice of a project nor of an applicant can be defeated by bars imposed by State law.

That is why the senior Senator from Oregon seeks in this speech tonight to make perfectly clear to the Federal Power Commission that no Federal court decision, such as the one I have referred to, can possibly impinge upon the power of the Federal Power Commission acting under this congressional act.

But the possibility that the Oregon decision might be misinterpreted to allow the upsetting of one of the other of these principles in the present controversy gives me much concern.

If we examine the statutory scheme of the Federal Power Act, the conclusion is inescapable that the Commission has full, independent jurisdiction to determine whether a public body meets the very limited qualifications established by the act for preference applicants. Sections 3(7) and 7(a) make it clear that the sole qualifications under State law that the Commission need consider is whether the public body is a municipality and whether, as such, it is empowered to generate and distribute electric power. If it qualifies in these respects, it is entitled to preference as a licensee under the Federal Power Act, and no artificial bars that the States may put down—whether explicit or implicit—can interfere with the Commission's grant of a license.

But the applicant competing with the Washington Public Power Supply System has taken the decision of the Oregon court and has gone to the Commission and said in effect, "You cannot license the supply system at all because, although it is a municipality and generally authorized to generate and distribute electric power, it is not expressly authorized to build outside of Washington and this should be dispositive of its application." This argument means that the Commission should be bound by a holding in litigation to which it was not a party, should be bound to forgo the licensing of a public body in defiance of the policies of the Federal Power Act, and should be forced to turn its back on the consistent line of cases which recognize the Commission's constitutional right to provide for waterway development without interference from the States.

I am convinced that the Commission, if it wishes to be conservative in the use of its powers, can at the very least assert its independent jurisdiction to look at the Washington statute and make up its own mind as to whether the Legislature of Washington intended as narrow and restrictive a view of the supply system's powers as that adopted by the Oregon court.

This is the independent power and jurisdiction of the Federal Power Commission, granted to it by the Congress of the United States in the Federal Power Act.

That is one of the crucial elements involved in this situation: The Commission's recognition of its coordinate jurisdiction with the courts where the courts have acted without the Commission being a party to the litigation and in proceedings outside those provided by Congress as the exclusive means of settling legal issues arising under the Federal Power Act. For the Commission not to recognize this coordinate jurisdiction would be to harness itself to the limitations that local courts anywhere might impose upon its powers to implement the statutory scheme entrusted to it. In any event, if the Commission should determine on its own that the supply system has not been granted extraterritorial authority under Washington State law, it should and must apply the principle of supersedure that the U.S. Supreme Court has so wisely brought into play to insure that the will of Congress will not be defeated. I have examined the authorities available on the question and find it inconceivable that there should be the slightest doubt of the right of Congress—and hence the Commission—to supersede State bars in picking either its agent or the project necessary to accomplish full water resources development.

Apparently a good deal of semantics has been invoked in an attempt to take the present case out of the rule laid down in First Iowa case, supra, and City of Tacoma against Taxpayers of Tacoma, supra. Those cases, which I had assumed to be settled law and dispositive of attempts of the States to inhibit the Commission's delegation of Federal rights to construct dams on navigable waterways, make it clear that no prohibitions by the States can impede the licensing of the project or the applicant found eligible and qualified by the Commission under the Federal Power Act. Now, however, it is argued that the Commission is faced not with a bar or prohibition imposed by the States—such as was struck down in First Iowa and Tacoma—but rather with a lack of capacity or lack of corporate authority on the part of an applicant under its local enabling legislation. If we assume that this argument correctly interprets Washington law—this point is open to debate—but if we make this assumption, anyway, then the cases already decided and binding on the Commission make it quite clear that this very distinction has been repeatedly urged upon the Commission and the courts in the past and has been just as repeatedly rejected. I perceived the insidious nature of this artificial distinction when it was first asserted in this case and felt that it involved an attempt to lure the Commission away from settled law. To be entirely assured, I then examined the proceedings before the Commission and before the courts in the Tacoma litigation and found that every one of the distinctions now being argued to the Commission in the present case was submitted to the Commission and the courts in that case and rejected.

Therefore, on the floor of the Senate tonight, I say to the Federal Power Commission, "Read the Tacoma case over and over again if you entertain the slightest doubt of your independent authority to select the vehicle that shall be used by you as the entity to carry out the objective of Congress, namely, the maximum development of the river resource of this country.

The city of Tacoma, faced with a State fish sanctuary law, was disabled—or so the State argued—from building its proposed Cowlitz project because, as a municipal corporation, it is a mere creature of the State, disabled from acting in defiance of State laws; and the FPC cannot, by granting a license to a municipality to build a dam, enlarge the powers of that corporation or remove its disability to act in opposition to the will of the State. The Commission rejected that argument, found specifically that Tacoma was a municipality—or preference body under the act—and issued it its Cowlitz project license. Again, on appeal to the Ninth Circuit, the State attempted to have the license set aside by arguing that the Commission could not license Tacoma to proceed in violation of the laws of the State of Washington. But the court of appeals held otherwise and confirmed the binding affect of earlier decisions by ruling that "consistent with first Iowa, supra, we conclude that the State laws cannot prevent the FPC from issuing the license or bar the licensee from acting under the license to build a dam on a navigable stream since the stream is under the domination of the United States" (*State of Washington Department of Game* v. *FPC,* 207 F(2d) 391, and 396 (1953)).

Undoubtedly the decision of the district Federal court in Oregon will go through the various appeal procedures. However, the point I wish to stress is that the Federal Power Commission has the independent authority and jurisdiction to select its licensees to carry out the mandate entrusted to it by Congress in the Federal Power Act, irrespective of the decision of the Federal district court in regard to a matter which is irrelevant to the issue before the Federal Power Commission, and a decision which in effect says that the particular applicant in that case did not have the authority to do what it would do under the law of the State of Washington.

It is a legal entity, and the Federal Power Commission, if it decides that this entity is competent and capable to carry out the purposes of a licensee under the Federal Power Act, has the independent authority to grant the license, the argument of the private utilities to the contrary notwithstanding. The senior Senator from Oregon rests his legal position on the Tacoma case and on the decision I have just cited, that of *State of Washington Department of Game* v. *Federal Power Commission* (207 F(2d) 391).

Not satisfied with the repeated and consistent assertions of this principle, the State carried parallel litigation against Tacoma's Cowlitz project from the Washington State Supreme Court to the U.S. Supreme Court.

The highest court of Washington had held that another bar against Tacoma's construction of its project—this time, a bar against condemnation of a State hatchery—precluded the city from proceeding with construction under its Federal license. The holding of the Washington State Supreme Court could not be closer to that now being argued to the Commission in the present attempt to oust the supply system. The State court held, at 307 P2d 567, 577:

> The subject matter—the inherent ability of the city to condemn lands dedicated to public use—does not present a question of State statutory prohibitions; it presents a question of lack of State statutory power in the city. It does not present a Federal question; it presents a question peculiarly within the jurisdiction of the State of Washington. The Federal Government may not confer corporate capacity upon local units of government beyond the capacity given them by their creator, and the Federal Power Act, as we read it, does not purport to do so. If it be held that the Federal Government may endow a State-created municipality with power greater than those given it by its creator, the State legislature, a momentous and novel theory of constitutional government has been evolved that will eventually relegate a sovereign State to a position of impotence never contemplated by the framers of our Constitutions, State and Federal.

Mr. President, I quote the language of the Washington court in order to make it clear beyond any doubt that the question now before the Commission was posed by the holding of the Washington Supreme Court in Tacoma. Rather than bow to these alleged threats of Federal inroads into State powers, the U.S. Supreme Court recognized that something far different was involved; namely, Federal control of navigable waterways, and wholly rejected the position adopted by the Washington State Supreme Court. It did so by quoting, with approval, the language of the ninth circuit which I have already cited.

Let us not forget that the issue involved is the issue of Federal control over navigable streams. Let us not forget, and let the Federal Power Commission not forget, that under the Federal Power Act the Federal Power Commission was directed by Congress to exercise independent jurisdiction in carrying out the purposes of Congress in respect to the use of navigable streams. That is what the U.S. Supreme Court sustained in the case I now discuss, citing the decision of the Ninth Circuit Court of Appeals in the Tacoma case.

So I say again to the Federal Power Commission: The decision of the Federal district court in Oregon is completely irrelevant to the issue that is before the Federal Power Commission in the determination of what legal entity shall be selected as a licensee to carry out the intent of Congress in respect to the maximum development of the navigable streams of this country in accordance with the objectives of the Federal Power Act.

In passing, I should note that the Commission itself filed a brief before the U.S. Supreme Court in which it took the position—in forceful and sweeping terms, that its jurisdiction to pick and choose the recipients of Federal licenses to construct dams on waterways reserved to Federal control was plenary and totally independent of any powers that the States might confer—or attempt to withhold. The Commission would be well served to follow in the present case the position it asserted in Tacoma—a position which, incidentally, was subsequently clearly upheld by the U.S. Supreme Court. But it may be said, "Senator, in view of that precedent and that decision, why are you concerned?" I will say why I am concerned. We are not talking about the same Federal Power Commission. It is as simple as that. But we are talking about the same law. We are talking about the same mandate of Congress. We are talking about the same inherent power of the Federal Government over navigable streams. I would have the present Federal Power Commission never forget those legal realities.

Finally, I think the significance of what is occurring before the Federal Power Commission in this case involving the Middle Snake should be evaluated so that the importance of independent action on the part of the Commission—consistent with the settled law—can be clearly seen by Congress. The Commission has before it the question whether it will license a vast project—larger in size and capacity than any now existent in this country. It must decide this question in the public interest. Beyond the question of maximum development, beyond the question of the economic future of the Pacific Northwest, both of which will be inextricably involved in what the Commission does, are policies lying at the heart of our national water resources policy.

In recent years, a tragic blunder was committed by Congress. Some who were the participants of the blunder at the time already recognize it. They gave little heed to the warning of those of us who said, "Do not scuttle the greatest remaining hydroelectric damsite in the Nation—Hells Canyon."

The Senate passed the Hells Canyon bill. The bill was scuttled in the House. The loss to the United States is almost impossible of calculation in terms of the longtime loss that we suffer, because in place of the high Hells Canyon dam there was subsequently authorized the building of three puny dams by Idaho Power Co.

What happened? There was a surrender of a great multiple-purpose damsite to scuttling by a private utility. The time will come, and in the not too distant future—for 35 to 40 years is not long in the history of the Nation—when those dams will have to be torn down and Hells Canyon dam built. Serious proposals are already being made that we should not wait 35 years; that we should act much sooner; that the country take the loss that was suffered or created by this shocking mistake; and that we get on with the job of developing to the maximum extent possible the hydroelectric potential of this country.

The same problem is involved in this case. I am discussing it tonight for the record because I well know that what I say on this subject will be a matter of discussion in many important places in this country among utility groups, public power groups, and industries that need increased quantities of low-cost power if we are to expand the economy; and also there will be a discussion of it in certain Government offices. I would have the record show tonight that we cannot afford another major mistake in regard to hydroelectric power development. For the time being, the potential of Hells Canyon Dam has gone. But we are talking now about the remaining greatest hydroelectric power area in the country. There must not be another surrender to the private utilities, for here we must proceed with a program of hydroelectric power development that will afford the maximum use of the area. It can be done and must be done without irreparable injury to fisheries and the fishing industry; although one of the ironies and paradoxes of the great Hells Canyon Dam blunder was that after Hells Canyon Dam had been scuttled and the program of the Idaho Power Co. was approved, some conservation groups became very much alarmed, fearing that the Idaho Power Co. dams might do great damage to the salmon industry.

That was denied. Assurances were given that they would be able to build the dams, the fishways, and the fish ladders in a way which would not harm the fisheries industry. But the expert advice was to the contrary. Of course, Mr. President, the construction of Hells Canyon Dam would not have involved a single fish. But the three puny low-head dams, which ultimately were awarded to the Idaho Power Co., were in a stretch of the river that did affect fish. The Idaho Power Co. entered into commitments, in the form of assurances that it would follow an engineering course of action which would protect the fish. But, Mr. President, lo and behold, recently there has been conducted in Portland, Oreg., a hearing on what amounts to a request by the Idaho Power Co. to be relieved from its commitments to protect the fish, because the policy it has followed has killed millions of fish, and now the Idaho Power Co. has the audacity to seek to be entirely relieved of that responsibility and obligation. There is no limit to the selfishness and greed of the private utilities of the country when their selfish interests come into conflict with the public interest; and in the future, when the findings of these fish hearings are issued, I shall be speaking in the Senate on this particular subject. Tonight, I utter these words of caveat because I want the Federal officials concerned to know that we have our eyes on them; and I will not remain silent if they follow a course of action which does a wrong to the public interest in connection with this issue—just as I want the Federal Power Commission to know we have our eyes on them in regard to the course of action they follow in connection with the problems of the Middle Snake which I am discussing tonight.

Mr. AIKEN rose.

Mr. MORSE. Mr. President, I yield to my friend, the Senator from Vermont.

Mr. AIKEN. Mr. President, I have been listening to the frequent references by the Senator from Oregon to the Idaho Power Co. I am afraid some persons may get the idea that that company was organized by the people of Idaho.

Mr. MORSE. Oh, no; it is a private company.

Mr. AIKEN. That is true. Is it not a fact that the majority of the stock of the Idaho Power Co. is held by Boston and New York investment companies?

Mr. MORSE. Yes. It is an eastern financial mart utility.

Mr. AIKEN. And it is controlled by the same people who for a generation have been trying to get complete control of the water resources of New England.

Mr. MORSE. The Senator from Vermont is correct. The problems I am discussing in regard to the Pacific Northwest concern the attempted control by eastern private-utility forces—the group that has been trying to do the same thing in the Senator's part of the country.

Mr. AIKEN. I may advise the Senator from Oregon that they have added a new project, insofar as New England is concerned; not only do they want to control the water resources, but they also want to control the related land resources—which means every acre in my State and in the other northern New England States.

Mr. MORSE. I have never discovered the limits of their appetite for avarice. It is simply shocking.

Mr. AIKEN. Mr. President, I am enjoying the speech being made tonight by the Senator from Oregon. Sometime in the not too distant future I intend to elaborate considerably on what is occurring in the northeastern part of the country.

Mr. MORSE. I want the Senator from Vermont to be sure that I am notified in time to be present when he makes his speech, because I wish to hear all of it.

Mr. President, by way of sincere tribute, I wish to say that I am greatly honored to have the Senator from Vermont [Mr. AIKEN] listen to this discussion of utility and power problems. I have served for many years with him in the Senate. He has been one of the great crusaders in this body for the protection of the public interest in the entire field of power development. The Senator from Vermont has been among those who could always be counted upon to take the position that the private utilities should be treated fairly and with justice, but that we should see to it that they were checked whenever they sought to lay claim to advantages to which they were not entitled. I have always appreciated the great support the Senator from Vermont gave me during the historic fight on Hells Canyon Dam. On a great many occasions the Senator from Vermont has insisted on the proposition that although we will do what we can to help them in their objectives to build low-head dams, we will oppose any effort by them to scuttle the construction of multiple-purpose dams, with the result that areas along the rivers cannot be used to serve their best purposes.

In making this speech tonight, my purpose is to guarantee to the American people that the navigable streams of the Nation which fall under the jurisdiction of the Federal Government will be developed in such ways that their maximum potential will be made available to the people of the Nation. However, the sad fact is that too frequently the private utilities have sought to prevent the attainment of that objective. I am making this speech tonight because I want the Federal Power Commission to know that I think it would be tragic if that principle and purpose of the Federal Power Act were not carried out by the present Federal Power Commission, as they were carried out by the Federal Power Commission which was in office when the great Tacoma case was decided and when the principle I am discussing was sustained by the U.S. Supreme Court, as I have set forth in the course of this speech.

Mr. President, the Congress has acted to foster development of our navigable waterways, preferably by public bodies. Section 7(a) of the Federal Power Act is an unmistakable mandate to that effect. This is a very meaningful legislative policy. It means the utilization of a national resource, navigable waterways, so that the resulting hydroelectric benefits will be available at the lowest possible cost to the Nation's consumers of electric power.

That is what the public-body preference in the Federal Power Act means—preference in favor of low-cost, low-interest-rate-financed projects so that the consumers may be fully benefited.

I shall always be proud of the fact that a great Senator from Oregon, Senator Charles McNary, was one of the leaders in the historic battle that finally resulted in the enactment of the Federal Power Act.

This congressionally established preference is not to be defeated by artifice or confusion. It is not to be defeated by a lack of understanding of the Commission's full independent jurisdiction to insure its effectuation. That is what is involved in the pending proceeding before the Federal Power Commission.

I have followed this proceeding with interest from its outset. There have been many efforts to obscure the relatively simple but basic matters of Federal policy which are involved. However complicated and technical the determination of the Commission may be, however complex the litigation before it may have become, the essentials of what Congress has entrusted to the Commission must not be obscured when the Commission makes up its mind. It would be a disservice to the Congress, to the people of the Pacific Northwest and to the Nation if the Commission were to be led mistakenly into abandoning the congressional insistence upon the public-body preference. Such an aberration, of monumental damage to the Pacific Northwest in this case, would become an ingrained burden on our national power policy if it flowed from a misconception of the Commission's independent, unfettered legal authority to act consistently with its own and judicial precedents in evaluating the applicants and the projects now before it for licensing. The Pacific Northwest and the resources of the country simply cannot afford the luxury of agency error with so much at stake.

I am not urging that a case sub judice before the courts has been wrongly decided. What I am urging is that an instrumentality of the Congress do what the Congress intended it should do: assert its own jurisdiction and powers and grant a license to the public body applicant before it—Washington public power supply system—so that the essential policies of the Federal Power Act may be fully and properly implemented and the legal precedents so carefully enunciated by our highest court sustained.

A great deal is at stake in this case. The economic expansion of the Pacific Northwest is involved, and the economic expansion of the Pacific Northwest is of value to every other section of the country, as economic expansion of the Northeast is of vital importance to the Northwest. Thus I could mention every section of the country. We cannot afford to waste a single potential kilowatt-hour of electric power.

I close by saying that Russia would not make such a mistake. Russia is not making such a mistake. Russia recognizes that the maximum development of her hydroelectric power is vital to her security. Thus a few months ago we had a report from a group of our distinguished colleagues that traveled through Russia and inspected those hydroelectric power developments that Communist Russia would let them see. Read their report. They came back and reported to us that Russia is proceeding with a hydroelectric power development far in excess of plans for future hydroelectric power development in this country.

Therefore, as a representative of one of the great States and one of the great areas of our country where there is so much hydroelectric power that can be developed, I have raised my voice tonight urging that the Federal Power Commission recognize the economic potential that is involved in the problem that it has been called upon to decide—the selection of a licensee, authorizing it to carry out the mandate of the Congress under the Federal Power Act consonant with independent jurisdiction that the Federal Power Commission has granted to it by the Federal Power Act over the navigable streams of our country that belong, not to any State, not to any private utility, but to all the population of our country, east to west, north to south.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MORSE. Mr. President, if there is no further business to come before the Senate, I move, pursuant to the order previously entered, that the Senate adjourn until 10 a.m. tomorrow.

The motion was agreed to; and (at 9 o'clock and 16 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Wednesday, June 26, 1963, at 10 o'clock a.m.

EXTENSIONS OF REMARKS

The 200th Anniversary of Warwick, Mass.

EXTENSION OF REMARKS

OF

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 1963

Mr. CONTE. Mr. Speaker, it is my pleasure today to call the attention of my colleagues to a birthday of considerable significance that is being celebrated this year, 1963—the 200th anniversary of the founding of the town of Warwick, Mass. The celebration of the anniversary of any birthday is a noteworthy event, yet the anniversary of the incorporation of this outstanding Massachusetts community commands special consideration for Warwick's record of civic achievement extends back into history to pre-Revolutionary days.

The original territory of Warwick consisted of a tract of land granted in 1735 to the descendants of 39 soldiers who took part in the Canadian expedition of 1690. The men were under the command of Capt. Andrew Gardner. All of them except Samuel Newell perished on the expedition. The grant was known as Roxbury Canada and Gardner's Canada until the incorporation of the tract as the town of Warwick.

The first meeting of the proprietors was held at the house of James Jarvis in Roxbury on September 22, 1736. A committee was chosen to lay out the house lots, each lot to contain not less than 50 nor more than 60 acres.

Although the lots were laid out as early as 1737, they remained unsettled until shortly before 1744. The exact date of the first settlement is not known because the proprietors' records were lost for several years. Among the first settlers were Joseph Goodell, Samuel Bennett, Deacon James Ball, Amos Marsh, Solomon Eager, Thomas Rich, Moses Leonard, Col. Samuel Williams, Deacon Silas Towne, Col. Joseph Mayo, Caleb Mayo, Capt. John Goldsbury, Mark Moore, and Jonathan Moore.

It can be assumed that the settlement did not proceed rapidly because in 1749 the proprietors offered a bounty of £20 to each settler, £10 to be paid in advance, £5 after 1 year, and £5 at the end of the second year. In 1751 the bounty was increase to £30. This action resulted in an increase in the number of inhabitants, and in 1753 the proprietors raised £50 to build a sawmill, chose a committee to build a meeting house, and named another committee to lay out and clear a road to Pequeage.

The sawmill committee contracted with Ebenezer Locke to erect the structure but was dissuaded from the undertaking by reports of Indian depredations. A second attempt to build the mill was successful and it was put in operation in 1759. In the same year £26 13s. 4d. was appropriated to build a gristmill. It was located on Black Brook, and was completed in 1761.

On July 6, 1757, the proprietors appropriated £8 "to fortify Mr. Samuel Scott's house, by making a good, picketed fort, encompassing the same 4 rods square, for the safety of the inhabitants." This fort was the only one ever built in Warwick.

On December 3, 1760, the First Congregational Church was organized with 26 members. On the same day, the Reverend Lemuel Hedge, a graduate of Harvard in 1759, was ordained as the first pastor. Suspected of Tory sympathies during the Revolution, he was persecuted relentlessly and died in 1777. His successor, the Reverend Samuel Reed, settled in 1779 and served as pastor until his death in 1812. After Mr. Reed's death the church became Unitarian and the Reverend Preserved Smith was pastor from 1814 until 1844. The Second Congregational Church was organized in 1829 with 30 members. The Baptist Church was set off from Royalston and organized as a separate church in 1843.

On December 27, 1762, the proprietors of the tract joined with the inhabitants in petitioning the General Court to designate the plantation as a town, and on February 17, 1763, the town was incorporated. The name of the town has been ascribed to a desire to honor Warwick, England, or Guy, Earl of Warwick, but there is no record to establish definitely the origin of the name. The first town meeting was held on May 9, 1763, with Seth Field as moderator.

When the tract was granted to the original owners in 1735, 1 of the 63 equal shares of land was ordered set apart for schools. The first move made by the town toward the support of education was in 1768, when £10 was appropriated for that purpose. It was decided to have a moving school, with a master in the winter and a mistress in the summer. The first teacher seems to have been Mrs. Hannah Rawson, who was employed to teach the summer school at 4s. 6d. per week.

Warwick took an active part in our revolutionary struggle. In September 1774 the town meeting voted to procure for the town a stock of powder and lead, and "to adhere strictly to our chartered rights and privileges and to defend them to the utmost of our capacity, and that we will be in readiness to afford relief forthwith should our brethren in Boston or elsewhere be distressed by troops sent to enforce a compliance with the unconstitutional and oppressive acts of the British Parliament."

In the autumn of the same year, 25 Warwick men joined a company of Minutemen organized at Northfield under the command of Capt. Eldad Wright. They marched to Cambridge with the company soon after the clash at Lexington and Concord.

The majority of the people of Warwick were opposed to the War of 1812, but the town sent a number of volunteers into the armed service. Warwick furnished 79 soldiers in the Civil War, 26 of whom died in the service.

Warwick is largely an agricultural area. However it has had various industrial enterprises at different times throughout its history. Among those industries were sawmills, shops for the processing of wooden articles, a boot factory, and a short-lived glass plant.

This year Warwick pauses to review its past with pride. Patriotic devotion to American ideals is not measured by size alone. In the two centuries that have passed, Warwick has exemplified much that is best in our American heritage.

Law Observance

EXTENSION OF REMARKS

OF

HON. ESTES KEFAUVER

OF TENNESSEE

IN THE SENATE OF THE UNITED STATES

Tuesday, June 25, 1963

Mr. KEFAUVER. Mr. President, the distinguished chairman of the Judiciary Committee of the House of Representatives, the Honorable EMANUEL CELLER, delivered a very excellent brief address at Exhibition Hall, Rockefeller Center, during the ceremonies attendant upon "Law Observance" by the Federal Bar Association. I ask unanimous consent that his very excellent and inspirational speech be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

LAW OBSERVANCE

(By Hon. EMANUEL CELLER, of New York)

The history of civilizations is the history of law. The obverse is equally true. What is law, after all, but sensitivity to the rights of others—civil rights, civil liberties, personal and property rights. Where there is a wrong, there must be a remedy, and it is this search for the remedy that distinguishes civilized man from man who embraces the law of the jungle.

The Ten Commandments, the Golden Rule, the Magna Carta, the Bill of Rights in our Constitution are fundamental laws that propelled man forward.

Robert Frost said, "Good fences make good neighbors." The law is the fence that defines the rights and privileges and immunities of each of us so that we can live securely in understanding of our own rights as well as those of our neighbors. Every infraction of the law injures the fabric of society, which means it injures you as an integral part of that fabric.

To many, the concept of anarchy is attractive. Unfortunately, the facts of life belie that concept every day, if not every hour. Man has not reached that degree of perfectability. For the anarchist himself this may be an ideal state but what if his next door neighbor turns anarchist on him?

Law is the resolution of conflicting interests. Where there is a lawlessness, there is chaos, confusion, lack of definition, and more often than not, the letting of blood—indeed war.

Thus, as civilized people, we pursue the ideal, some day to realize a world of law and order where adjusting claims are achieved through the due process of law and not by way of the dust of an exploded atom bomb.

The law would be useless unless observed—as useless as whispering into the ear of a corpse. It would only be a pious declaration.

We are a government of law—not of men. All men, high or low, must respect and observe the law. No Governor like a Wallace can be above the law. As Lord Coke informed King James, there is a law above the King.

"Equal justice under the law" is the ringing slogan on the facade of the U.S. Supreme Court Building. The law must be color blind. Black and white alike must observe it. All are equal under the law.

House Resolution 14: Special Committee on Captive Nations

EXTENSION OF REMARKS

OF

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 1963

Mr. FLOOD. Mr. Speaker, on March 8, 1961, I introduced a measure calling for the establishment of a Special Committee on Captive Nations in the House of Representatives. During the 87th Congress it was known as House Resolution 211, and earlier this year I reintroduced it and in the present 88th Congress it is known as House Resolution 14.

Mr. Speaker, there are not sufficient words to express my profound gratitude and personal delight to the more than 20 Members of the House who joined with me in that most stimulating and very enlightening discussion which took place on the subject of the captive nations—CONGRESSIONAL RECORD, volume 107, part 3, pages 3518–3544, "Russian Colonialism and the Necessity of a Special Captive Nations Committee."

The popular response to House Resolution 211, now House Resolution 14, has been so enthusiastic and impressive that I feel dutybound to disclose the thoughts and feelings of many Americans who have taken the time to write me on this subject. These citizens are cognizant of the basic reasons underlying the necessity of the proposed committee. They understand clearly the vital contribution that such a committee could make to our national security interests. In many cases, they know that no public or private body is in existence today which is devoted to the task of studying continuously, systematically, and objectively all of the captive nations, those in Eastern Europe and Asia, including the numerous captive nations in the Soviet Union itself.

Because their thoughts and sentiments are expensive and valuable, I include the following responses of our citizens to House Resolution 14 in the RECORD:

SPRINGFIELD, ILL., *June 14, 1963*.

Hon. HOWARD W. SMITH,
Chairman, Committee on Rules,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE SMITH: It is our understanding that several measures have been introduced in the House of Representatives to authorize the establishment of a Special Committee on Captive Nations.

We urge you to take quick action on House Resolution 14 and to support any measure which would enable the United States to aid captive nations.

Sincerely,

STANLEY SIDLAUSKAS.

RACINE, WIS., *May 29, 1963*.

Congressman DANIEL J. FLOOD,
House of Representatives Office Building,
Washington, D.C.

DEAR MR. CONGRESSMAN: The Racine chapter of the Armenian Revolutionary Federation informs you that a resolution has been passed by our unit supporting passage of House Resolution 14, submitted by you, which calls for the formation of a Special Committee on Captive Nations.

Recent developments worldwide and in Washington make the formation of such a committee imperative to the security and welfare of the United States, and will bring added hope to the tyrannized peoples of the once free nations today in Soviet bondage.

We are, in addition to this letter, contacting our Congressman as well as Congressman HOWARD W. SMITH, head of the Rules Committee, urging him to release your resolution to the House floor for quick debate and passage.

May I take this opportunity to commend you for your stand in this regard, and to assure you of our every support of your measure?

Sincerely,

JACK KAMALIAN,
President.

DOUGLAS, MICH., *June 15, 1963.*

Representative DANIEL J. FLOOD,
House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE FLOOD: I heard you on the "Manion Forum," June 2, 1963, and what you said startled me. As you suggested I wrote my Congressmen, and told them of this situation.

I am interested in the bill you have introduced to create a Captive Nations Committee. I think that such a committee would give great hope to the people of these nations. Also it could inform the American people of what is happening in the captive countries.

Would you please send me a copy of this resolution, and several of the speeches you have given on the floor explaining it?

Keep up the good work in keeping our Republic free.

Yours truly,

PETER R. CHASE.

SUPREME COMMITTEE FOR
LIBERATION OF LITHUANIA,
New York, N.Y., June 15, 1963.

Hon. HOWARD W. SMITH,
Chairman, Committee on Rules, House of Representatives, Washington D.C.

DEAR CHAIRMAN: The Soviet Government knows well that the colonial rule under which it holds Lithuania and other captive European nations oppressed and exploited cannot last forever. The world movement for abolition of colonial systems will sooner or later compel the U.S.S.R. to restore the rights of self-determination to the nations which Soviet Russia has enslaved during the last decades. Moscow leaders also are aware that the captive nations are struggling for their liberation from the Soviet colonial system.

The Kremlin is therefore very sensitive to the official steps taken by the free countries in favor of freedom to men and nations. Under pressure of such steps, the Soviet Union already has brought certain changes in its empire of slaves. Moscow would do more in this sense if demanded by the United States and other Western Powers.

In this conjunction the House Resolution 14, if passed, appears of paramount importance. The Special Committee on Captive Nations will be able both to keep the House informed on the developments within the Communist camp as well as to promote the cause of freedom.

I, therefore, respectfully request your authoritative support of the House Resolution 14 to establish a Special Committee on Captive Nations, which will witness for years to come of the American interest in the restoration of the inalienable right of men and nations to live under governments of their own free choice.

Respectfully yours,

Dr. A. TRIMAKAS,
President.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., June 5, 1963.

Mr. WALTER TUSTANIWSKY,
Ukrainian Congress Committee of America, Inc., Detroit, Mich.

DEAR MR. TUSTANIWSKY: Thank you for your letter of May 25 regarding Congressman FLOOD's House Resolution 14 which would create a Special Committee on the Captive Nations in the House of Representatives.

I am familiar with this resolution and believe that all the ethnic groups are in full accord with the purposes of it.

You may rest assured that when it is presented to the House of Representatives for action, it will have my fullest support.

It was a pleasure to learn of the interest and views of your fine organization concerning this matter.

Sincerely yours,

HAROLD M. RYAN,
Member of Congress.

Government Lotteries of Czechoslovakia, Denmark, the Dominican Republic, and Nepal

EXTENSION OF REMARKS
OF

HON. PAUL A. FINO

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 25, 1963

Mr. FINO. Mr. Speaker, today, I would like to tell the Members of this House about four more foreign countries which utilize government-run lotteries to not only yield high revenues but to control and regulate the normal human urge to gamble.

Out of 77 foreign countries Czechoslovakia, Denmark, Dominican Republic, and Nepal are included as those nations which recognize and accept the gambling spirit of its people and operate government-run lotteries for the people's welfare and the government's need.

Czechoslovakia is one of the few Communist nations to operate a lottery and has found it very productive as far as profits are concerned. Last year, the gross receipts came to over $8⅓ million. After payment of prizes and expenses of running the lottery, the net income to the government was about $2½ million. The profits are used for construction of new factories, and hospitals, and cultural purposes.

Denmark, like the other countries where government controlled and operated lotteries are legal and proper, has reduced gambling to an orderly minimum by state control. They have no underworld problems and illegal betting is not the source of difficulty to the police as it is here in the United States.

The gross receipts for 1962 were $7,812,000. After prizes, the net income to the government was $652,000. The above figures are higher than the previous year. The profits to the government were applied to the general fund of the treasury.

Dominican Republic is a small nation but derives monetary benefit from its recognition of the fact that people like to gamble.

In 1962, the gross receipts came to over $34¼ million. The government's income, some $6⅓ million, was not earmarked for any particular project but was rather applied to the general fund of the treasury.

Nepal, although a small and poor country, has two privately-run lotteries which are supervised by the government. The gross receipts from running both lotteries were $53,288. The net income came to about $20,000 which was earmarked for the Tuberculosis Association of Nepal and Funeral Association.

Mr. Speaker, we can derive a tremendous revenue here in the United States if we copied a page from the story of these foreign countries. We can, through a national lottery in the United States bring into the coffers of our Treasury over $10 billion a year in needed additional funds. Only a national lottery can provide us with added moneys to give a tax cut to our hard-pressed taxpayers and start reducing our national debt.

Mr. Speaker, why can we not follow the wisdom of our foreign friends? Why cannot we even follow the example of New Hampshire?

The Pennsylvania Dutch

EXTENSION OF REMARKS
OF

HON. GEORGE M. RHODES

OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 25, 1963

Mr. RHODES of Pennsylvania. Mr. Speaker, the homeland of the Pennsylvania Dutch will be visited over the July 4 holidays by people from all over the United States. They will come for the annual Pennsylvania Dutch festival in little Kutztown, in the heart of the Dutch country near Reading, Pa.

From foreign lands too, they will come. Ambassadors and representatives of foreign nations have planned to participate in the festivities. The visiting guests will share the hospitality of the Dutch community and will visit farms and historic shrines.

The folk festival will begin next Saturday, June 29. It will run from June 29 through July 6. Last year more than 175,000 persons came from all over the country to sample the famous Pennsylvania Dutch cooking, to observe skilled craftsmen at work and to take part in such distinctive Pennsylvania Dutch customs as jigging, hoe-downing and free-for-all square dancing.

The Pennsylvania Dutch Folk Festival is the only one of its kind in America, where the traditions of the forefathers are presented as they were more than 250 years ago when these "Dutchmen" came from Switzerland and the Palatinate areas in search of religious and political freedom.

In view of the historic importance of the Dutch country in Pennsylvania as the place where the Americanization process had its initial beginning and as a glowing example of the nonconformist tolerance characterizing our free Nation, I am pleased to extend invitations to all my colleagues and their constituents to attend the 14th annual Pennsylvania Dutch folk festival.

Many of my colleagues have asked for information about Pennsylvania Dutch folks, where they live, and how to get to the Dutch country from Washington.

The heart of the Pennsylvania Dutch country is 150 miles from Washington. One route is the Baltimore-Washington Parkway to the Baltimore Beltway exit. North on the Beltway to the exit for Interstate 83. North on Interstate 83 to exit for U.S. 30 on the York, Pa., bypass. Route 30 east into Lancaster. Kutztown is 58 miles from Lancaster on Route 222.

Another route is by way of the Baltimore-Washington Parkway to Route 40; east on 40 to Route 222 through Lancaster and Reading to Kutztown.

WHO ARE THE PENNSYLVANIA DUTCH?

First of all, they are not Holland-Dutch. They have no connection with Holland-Dutch culture. They are the descendants of the 18th century German and Swiss wave of migration across the Atlantic, with a few German-dialect-speaking Alsatians and Lorrainers in the bargain. In most cases the ancestors of the present Dutch were prerevolutionary Americans, colonial German dialect-speaking immigrants.

After 200 years in America there can be no question of pure Dutch strains. Intermarriage with the Quaker, the Scotch-Irish, and other strains began in the colonial period, and in areas where the German dialect known as Pennsylvania Dutch predominated—as for instance the Eisenhower country of Lykens Valley in Dauphin County—the Scotch-Irish and English minority was absorbed into the Dutch majority and adopted the Dutch tongue.

Hence in that valley, northward of Harrisburg, we have in 1956 Dutch-speaking families of Dunleavy (Scotch-Irish name), Davis (Welsh name), and Buffington (English Quaker name) all as Dutch as sauerkraut—an expression which in the Dutch country is an affectionate rather than a derogatory one—but with family names and family heritages that go back to the British Isles.

Radically more important than blood in a definition of Dutchness is culture. Pennsylvania Dutch is not a blood-based, DAR-type, restricted-membership organization. Pennsylvania Dutch is—or better, was—a culture, a curious mixture of continental and British Isles folkways that was created here in the Dutch country and is to some extent still preserved in the cultural aspic of the dialect.

Actually the elements of the culture which we today call "Pennsylvania Dutch" are very much of a mixture. Pennsylvania was never a "Little Germany" where pipesmoking and beer-drinking peasants transplanted their entire homeland way of life. There was always, from the very beginning, the interplay of culture with the Scotch-Irish and Quaker neighbors, an interplay which spread both ways.

The typical "Pennsylvania barn"—the Swiss or bank barn—that two-story affair with stables on the ground floor and the threshing floors and mows approached from a drive-in entrance from a higher level—is a Continental adaptation. The Quakers and Scotch-Irish borrowed this barn pattern, and Pennsylvanians spread it as far west as Iowa. On the other hand, the typical Pennsylvania farmhouse was English Georgian in pattern—and the Dutchman borrowed it from his English-speaking neighbors. It was an even trade.

Through migration from Pennsylvania, these mixed patterns, American rather than European, were transplanted elsewhere. There was from Pennsylvania, beginning before the Revolution and continuing throughout the 19th century, a three-fold migration. Southward the Conestoga Wagons rolled into Maryland and Virginia—the western parts, which therefore became different in culture from the slavebound tidewater areas—and Dutch-speaking Pennsylvanians got as far south as the Carolinas by Revolutionary times.

Westward they went into Ohio—whose rural culture is half Pennsylvanian—straight through the Middle West, reaching Kansas by Civil War times. Northward they went too—into the Genesee country of western New York, and across the King's border into Ontario. While the Dutch dialect was spoken for years in these secondary settlements, it is (except for the Amish settlements of the West) defunct in West and South, but in Ontario, through cultural lag fostered by religious difference (again among "plain" Mennonites) it is still very much alive.

Hence the term "Dutch country," as we use it, means basically the dialect-speaking areas of Pennsylvania. Within Pennsylvania the Dutch country is roughly southeastern Pennsylvania—the triangle you can draw yourself by connecting Stroudsburg with Somerset. It overlaps however into parts of central Pennsylvania—Centre and Clinton, Union and Snyder Counties—and spilled over originally into the counties of western Maryland and the upper Shenandoah Valley of Virginia which were until 1850 culturally part of the Dutch country, the Mason and Dixon line notwithstanding. It was this area where the "Pennsylvania Dutch dialect was spoken and where the Dutch culture developed—all by 1800."

The Dutch culture was transplanted southward, westward, northward, into isolated areas where the Dutch dialect lasted for a time and then—with the exception of Amish and conservative Mennonite communities—disappeared.

Two Pennsylvania Dutch customs are now part of the national heritage—the Christmas tree and the Easter bunny. But without the 19th century German emigration—which came to all parts of the country—it is difficult to say whether these customs would have won their way into general acceptance from the colonial emigration to Pennsylvania alone.

The nearest claimants to national renown are log architecture, which spread from the Delaware Basin to all of frontier America; the Conestoga wagon, which became the covered wagon of the moving frontier; and the Pennsylvania or Lancaster rifle, which, known popularly as the "Kentucky rifle," helped materially in making possible the westward expansion of the frontiersman.

The national renown of the Pennsylvania Dutch which is apparent today, inspired chiefly by tourist interest which has come principally since the Second World War, centers on three separate facets of the historic Dutch culture: Pennsylvania Dutch folk art, Pennsylvania Dutch cookery, and the Pennsylvania Dutch plain people.

Interest in the plain Dutch, is, basically, from the tourist standpoint, interest in a past way of life which has disappeared in other parts of the country. In areas or cultures isolated by geography, language, or religion, older patterns have a way of hanging on when they are dead elsewhere. This is what the sociologists call cultural lag—the survival of earlier ways into a changed situation—and this always interests the tourist, whether he finds it in isolated parts of Europe or in Pennsylvania Dutchland.

The most important fact of the present national interest in things Pennsylvania Dutch is that the plain Dutch have captured the imagination of the American outsider, and the Amish have become the symbol of everything Pennsylvanian.

The Pennsylvania Dutch timed their activities by almanac. The exhibit at the folk festival will show how the almanac—next to the Bible—was the most important book in Pennsylvania Dutch farm homes.

It hung then—and hangs today—on a peg in a prominent spot in the farm kitchen, and was the key to "moon farming."

The exhibit will also show farm activities and how their timing was determined by the phase of the moon or the sign of the Zodiac; from the proper moon phase for felling a tree, splitting it into rails, and setting the fence to the sign of the Zodiac indicating the time to sow grain, even to the time to put the meat in the smokehouse so it would not lose weight.

Exhibits will show laying 18th century tile; a dryhouse in operation; a village blacksmith at work; shaving shingles for roofing; linen making; preparing flax; hex sign painting; an old-fashioned country store; churning cream into butter; lye making; playing party games, and an old-time "lumpa" party.

Portrayal of horse-and-buggy travel in the Dutch country and of the life of the Amish and other plain people add to the interest of the pageant which illustrates the life and activities of the sturdy Pennsylvania Dutch and the role they played in the history of the State and Nation.

The visit of U.N. delegates from 30 different nations will add international interest and glamor to the event. The U.N. group will arrive at Kutztown on July 3. The Pennsylvania Dutch Society will be host to U.N. delegates and their wives. The U.N. group will appear for the July 4 program and activities which will be the highlight of the festival which will run from June 29 to July 6.

SENATE

Wednesday, June 26, 1963

The Senate met at 10 o'clock a.m., and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father, God, in all the loveliness of this June day our hearts are singing, "This is my Father's world!"

As the shadows of the night flee away, we thank Thee for the dawn, as it softly steals across the darkened earth. Our glad hearts rejoice for roads made clear again, for fields revealed again, for the song of the birds, for the glory of the gardens, for the beauty of rivers, lakes, and hills—and most of all, for the lovelit faces of dear ones in the homes we hallow.

Make us partakers of the sacrament of light, sharing the mystic secret of the very soul of things. We come with hearts grateful for the effulgence that no darkness can put out, for beacons flaming in the sky blazing with the radiance of truth, and love, and duty, in whose glory we walk and in whose shining splendor we toil. Steady us with the assurance that our labor for a new earth, where all the chasms separating man from man will be bridged by eager cooperation, is not in vain if we but open our minds and hearts to that life which is the light of men, and if we but listen to a voice, not faint and far in fields of Galilee, but passionately pleading, calling to us in today's want and woe—

"O brothers, I make the world one kin,
Open your hearts and let Me in,
That the reign of My Father may begin."

We ask it all in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, June 25, 1963, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed a bill (H.R. 4946) to amend the Legislative Branch Appropriation Act, 1959, to provide for reimbursement of transportation expenses for Members of the House of Representatives, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 4946) to amend the Legislative Appropriation Act, 1959, to provide for reimbursement of transportation expenses for Members of the House of Representatives, was read twice by its title and referred to the Committee on Rules and Administration.

LIMITATION OF STATEMENTS DURING MORNING HOUR

On request of Mr. Mansfield, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the new report nomination on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The PRESIDENT pro tempore. If there be no reports of committees, the new report nomination on the Executive Calendar will be stated.

POST OFFICE DEPARTMENT

The Chief Clerk read the nomination of Sidney W. Bishop, of California, to be Deputy Postmaster General.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

The PRESIDENT pro tempore. Morning business is in order.

COMMITTEE MEETINGS DURING SENATE SESSION

Upon request of Mr. Bennett, and by unanimous consent, the Air and Water Pollution Subcommittee of the Public Works Committee, and the Reorganization and International Organizations Subcommittee of the Committee on Government Operations were authorized to meet during the session of the Senate today.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report on Review of Voluntary Agreements and Programs

A letter from the Attorney General, transmitting, pursuant to law, his report on review of voluntary agreements and programs, as of May 9, 1963 (with an accompanying report); to the Committee on Banking and Currency.

Federal Deposit and Share Account Insurance Act of 1963

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to provide for an increase in the maximum amount of insurance coverage for bank deposits and savings and loan accounts, to protect further the safety and liquidity of insured institutions, to strengthen safeguards against conflicts of interest, and for other purposes (with an accompanying paper); to the Committee on Banking and Currency.

Amendment of Natural Gas Act With Respect to Interconnection of Facilities for Transportation of Natural Gas

A letter from the Chairman of the Federal Power Commission, transmitting a draft of proposed legislation to amend the Natural Gas Act with respect to the interconnection of facilities for the transportation of natural gas, and for other purposes (with an accompanying paper); to the Committee on Commerce.

Amendment of Natural Gas Act With Respect to the Importation and Exportation of Natural Gas

A letter from the Chairman of the Federal Power Commission, transmitting a draft of proposed legislation to amend the Natural Gas Act with respect to the importation and exportation of natural gas (with an accompanying paper); to the Committee on Commerce.

Amendment of Section 7(b) of Natural Gas Act

A letter from the Chairman, Federal Power Commission, transmitting a draft of proposed legislation to amend section 7(b) of the Natural Gas Act (with an accompanying paper); to the Committee on Commerce.

Disposition of Executive Papers

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The PRESIDENT pro tempore appointed Mr. Johnston and Mr. Carlson members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, and referred as indicated:

By the PRESIDENT pro tempore:

A concurrent resolution of the Legislature of the State of Oklahoma; to the Committee on Foreign Relations:

"House Concurrent Resolution 576

"Concurrent resolution urging the appointment of Mr. Jake Simmons, Jr., of Muskogee, Okla., as an Ambassador of the United States of America to one of the African countries in view of his background of travel and cooperation with officials of those countries; and directing distribution of this resolution

"Whereas the significant record of public service and civic activities of Jake Simmons, Jr., is singularly deserving of recognition; and

"Whereas the Honorable Mr. Simmons was elected a full delegate to the Democratic National Convention in Los Angeles, Calif.; and

"Whereas a man of high integrity, a leader in his community and a graduate of Tuskegee Institute, this outstanding citizen descends from one of Oklahoma's pioneer families which played a conspicuous and resourceful part in development and progress of territorial government of the Creek Indian Nation prior to statehood; and

"Whereas Mr. Simmons is carrying out his many assignments in the Democratic Party, has demonstrated dynamic patriotism and ardent, unselfish devotion to the principles upon which this Nation is founded; and

"Whereas Mr. Simmons has achieved great success as a businessman and as a civic-minded citizen who holds his country in highest esteem and gives it his greatest love; and

"Whereas he is to be commended for the fine work he has done in helping build among other nations a better and closer understanding of our country and its aims during the several trips he has made to the African Continent; and

"Whereas our State Department could well use the talent, understanding, and service of this great Oklahoman and American: Now, therefore, be it

"*Resolved by the House of Representatives of the 29th session of the Oklahoma State Legislature (the Senate concurring therein)*:

"SEC. 1. That the 29th Legislature of the State of Oklahoma does hereby recommend to the President of the United States that the Honorable Jake Simmons, Jr., be appointed to the rank of Ambassador to serve in one of the countries where his background and ability would best serve his beloved country, with the firm conviction that such appointment and designation would do much to cement the good relations existing between the United States and the country designated for his service.

"SEC. 2. That authenticated copies of this resolution be forwarded to the Honorable John F. Kennedy, President of the United States, members of the Oklahoma congressional delegation, and to the Honorable Jake Simmons, Jr.

"Adopted by the house of representatives the 13th day of June 1963.

"J. D. MCCARTY,
"*Speaker of the House of Representatives.*

"Adopted by the senate the 14th day of June 1963.

"HAROLD J. GAVIN,
"*Acting President of the Senate.*"

A concurrent resolution of the Legislature of the State of Oklahoma; to the Committee on Post Office and Civil Service:

"SENATE CONCURRENT RESOLUTION 62

"Concurrent resolution requesting the U.S. Post Office to issue a memorial stamp in memory of the late Honorable Senator Robert S. Kerr of Oklahoma; and directing the distribution of this resolution

"Whereas the late Honorable Robert S. Kerr served the State of Oklahoma with honor and distinction as Governor; and

"Whereas the Honorable Robert S. Kerr was three times elected by the people of Oklahoma to serve as a member of the Senate of the Congress of the United States of America and held the respected and eminent title of Senior Senator from the State of Oklahoma; and

"Whereas the life and activities of the Honorable Robert S. Kerr from the fireside of an Indian Territory log cabin to the council tables of the most exalted and influential leaders of men reflected and epitomized the great dream and image instilled into the heart of every American who breathes the perfumed air of liberty and swells with pride at the melody of freedom in action; and

"Whereas the Honorable Robert S. Kerr fully represented all the people of the State of Oklahoma with courage, conviction, and tenacity; and through boundless energy, commonsense, intelligence, and decisive debate he established a position of our time; and

"Whereas the Postal Department of our great Nation has established a policy whereby a selected few of our great Americans have been memorialized by the issuance of a memorial stamp with their image; and

"Whereas the late Honorable Senator Robert S. Kerr is singularly deserving of such a memorial: Now, therefore, be it

"*Resolved by the Senate of the 29th Legislature of the State of Oklahoma (the House of Representatives concurring therein)*:

"SECTION 1. That the Legislature of the State of Oklahoma, now in session, requests that the Postmaster General cause a memorial stamp for the late Senator Robert S. Kerr of Oklahoma to be printed and issued.

"SEC. 2. That the Secretary of the Oklahoma State Senate prepare authenticated copies of this resolution to be forwarded to the Honorable John F. Kennedy, President of the United States of America; to U.S. Postmaster General Edward Day; and to the Oklahoma congressional delegation in Washington, D.C.

"Adopted by the senate the 13th day of June 1963.

"ARTHUR G. MCCOMAS,
"*Acting President of the Senate.*

"Adopted by the house of representatives the 14th day of June 1963.

"WILLIAM H. SKEITH,
"*Acting Speaker of the House of Representatives.*"

A resolution of the Senate of the State of Florida; to the Committee on the Judiciary:

SENATE RESOLUTION —

"Senate resolution deploring and condemning the decision of the Supreme Court of the United States banning Bible reading and recital of the Lord's Prayer in public schools

"Whereas the Supreme Court of the United States on Monday, June 17, 1963, ruled unconstitutional the reading of the Bible and recital of the Lord's Prayer in public schools in cases from the States of Maryland and Pennsylvania; and

"Whereas the ruling ignores the pronouncements of this same Court in 1892 in the case of *Holy Trinity Church* v. *United States* where it said, "This is a religious people. This is historically true. From the discovery of this continent to the present hour there is a single voice making this affirmation," and again in 1951 in the case of *Zorach* v. *Clauson* this Court said "we are a religious people whose Constitution presupposes a Supreme Being"; and

"Whereas this ruling amounts to a mandate to public schools in all States; and

"Whereas this senate and the vast majority of our countrymen hold fast to the belief that the United States of America became a great nation and will remain freedom's stronghold only if she remains true to her religious heritage and tradition and that a godless nation cannot survive; and

"Whereas the Court's decision based upon the complaint of an atheist is offensive and contrary to our way of life and can only result in injustice and discrimination against the great majority of our people to the comfort and pleasure of agnostics and to the comfort and pleasure of this country's enemies: Now, therefore, be it

"*Resolved by the Senate of the State of Florida*, That this senate go on record as deploring and condemning this unwarranted and arbitrary restriction of the reading of the Bible and recital of the Lord's Prayer in our public schools as pronounced in the recent decision of the Supreme Court of the United States; and be it further

"*Resolved*, That the Congress of the United States be and it is hereby requested and urged to immediately take the necessary action to minimize the damage done by this decision either by submitting a constitutional amendment or whatever else is deemed appropriate; and be it further

"*Resolved*, That a copy of this resolution be dispatched to the President and Secretary of the U.S. Senate and to the Speaker and secretary of the U.S. House of Representatives, and to each member of Florida's congressional delegation.

"Attest:

"WILSON CARRAWAY,
"*President of the Senate.*
"ROBT. W. DAVIS,
"*Secretary of the Senate.*"

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. CLARK, from the Committee on Banking and Currency, without amendment:

S. 879. A bill to provide for the striking of medals in commemoration of the 150th anniversary of the building of Perry's fleet and the Battle of Lake Erie (Rept. No. 314).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PROXMIRE:

S. 1785. A bill to amend section 407 of the Agricultural Act of 1949, as amended, so as to extend for a period of 1 year the authority of the Secretary of Agriculture under such section to assure the Nation an adequate supply of milk free of contamination from radioactive fallout; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. PROXMIRE when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of Delaware:

S. 1786. A bill relating to mining claims on lands within the national forests; to the Committee on Interior and Insular Affairs.

S. 1787. A bill to strengthen the law with respect to bribery and graft; and

S. 1788. A bill to amend section 284 of title 18 of the United States Code so as further to prohibit former officers and employees of the United States from acting as counsel, attorney, or agent in matters connected with their former office or employment; to the Committee on the Judiciary.

By Mr. AIKEN:

S. 1789. A bill to amend section 4539(e)(2) of title 39, United States Code, so as to extend to publications of State development agencies the postage rates applicable to publications of nonprofit organizations; to the Committee on Post Office and Civil Service.

By Mr. TALMADGE:

S. 1790. A bill to amend the Watershed Protection and Flood Prevention Act, as amended; to the Committee on Agriculture and Forestry.

By Mr. CURTIS (for himself and Mr. CARLSON):

S. 1791. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from the gross estate for the value of property passing to children; to the Committee on Finance.

By Mr. ELLENDER (by request):

S. 1792. A bill to facilitate the work of the Department of Agriculture, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. KEATING:

S. 1793. A bill for the relief of Elie Sarkis; to the Committee on the Judiciary.

By Mr. BARTLETT:

S. 1794. A bill for the relief of Mrs. Olive M. Van Dine; to the Committee on the Judiciary.

By Mr. PASTORE (by request):

S. 1795. A bill to amend various sections of the Atomic Energy Act of 1954, as amended, and the EURATOM Cooperation Act of 1958, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. RANDOLPH (by request):

S. 1796. A bill to amend subsection (b) of section 109 of title 23, United States Code, relating to design standards for the Interstate System; to the Committee on Public Works.

(See the remarks of Mr. RANDOLPH when he introduced the above bill, which appear under a separate heading.)

By Mr. KENNEDY:

S. 1797. A bill for the relief of Lillian Chu Sung; and

S. 1798. A bill for the relief of Pablo Cordero; to the Committee on the Judiciary.

By Mr. ROBERTSON (by request):

S. 1799. A bill to provide for an increase in the maximum amount of insurance coverage for bank deposits and savings and loan accounts, to protect further the safety and liquidity of insured institutions, to strengthen safeguards against conflicts of interest, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. ROBERTSON when he introduced the above bill, which appear under a separate heading.)

By Mr. DOUGLAS:

S. 1800. A bill relating to the appointment of the Architect of the Capitol; to the Committee on Rules and Administration.

(See the remarks of Mr. DOUGLAS when he introduced the above bill, which appear under a separate heading.)

By Mr. MORSE (for himself, Mr. INOUYE, Mr. FONG, Mr. YOUNG of Ohio, Mr. YOUNG of North Dakota, and Mr. BARTLETT):

S. 1801. A bill to effectuate the provision of the sixth amendment of the U.S. Constitution requiring that defendants in criminal cases be given the right to a speedy trial; to the Committee on the Judiciary.

(See the remarks of Mr. MORSE when he introduced the above bill, which appear under a separate heading.)

By Mr. MORSE (for himself, Mr. FONG, Mr. INOUYE, Mr. YOUNG of Ohio, and Mr. BARTLETT):

S. 1802. A bill to protect the integrity of the court and jury functions in criminal cases; to the Committee on the Judiciary.

(See the remarks of Mr. MORSE when he introduced the above bill, which appear under a separate heading.)

EXTENSION OF MILK CONTAMINATION AMENDMENT

Mr. PROXMIRE. Mr. President, I introduce, for appropriate reference, a bill to extend a provision of the Agriculture Act of 1949 which makes Commodity Credit Corporation feed available to milk producers, to assure a supply free of radioactive fallout contamination. My bill would extend the termination date of this provision, which now is December 31, 1963, to December 31, 1964.

Under present law, the Secretary of Agriculture can provide CCC feed, on such terms and conditions as he may prescribe, to farmers whose pastures have been contaminated by radioactive fallout. Recent nuclear tests have added to the amounts of fallout in the atmosphere, and this is likely to be a continuing problem over the next year and one-half. An extension of this provision to December 31, 1964, will assure dairy farmers that a future disaster caused by radioactive fallout will not impose excessive costs on them or any economic penalty in securing ample feed for their herd.

Mr. President, it seems to me that the economic consequences of radioactive fallout should be a responsibility of all Americans, because all of us benefit from the tests which may be essential and necessary. So it seems to me that it is most unfair to impose the consequences of these tests on farmers whose incomes are already very low. Certainly they should not be required to suffer these consequences.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1785) to amend section 407 of the Agricultural Act of 1949, as amended, so as to extend for a period of 1 year the authority of the Secretary of Agriculture under such section to assure the Nation an adequate supply of milk free of contamination from radioactive fallout, introduced by Mr. PROXMIRE, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

AMENDMENT OF SUBSECTION (b) OF SECTION 109, TITLE 23, UNITED STATES CODE, RELATING TO DESIGN STANDARDS FOR INTERSTATE SYSTEM

Mr. RANDOLPH. Mr. President, by request, I introduce, for appropriate reference, a bill to amend subsection (b) of section 109, title 23, United States Code, relating to design standards for the Interstate System.

The proposed measure refers to that provision of the Federal-Aid Highway Act of 1956 which stipulates that geometric and construction standards of the Interstate System are to be adequate to accommodate the types and volumes of traffic forecast for the year 1975. Since this measure was enacted there has been some ambiguity regarding the interpretation of the term "adequate"—that is, whether it should be construed as establishing a maximum or minimum standard.

In practice, the interpretation has generally been such that highways serving low-traffic areas are being designed, with full Federal Interstate fund participation, to include ample provision for expansion after 1975 and, to the extent practicable, all known features of safety and utility both before and after expansion. In contrast, Federal Interstate fund participation in the design of highways serving high volumes of traffic is being allowed only for those features needed to serve 1975 traffic and to provide some degree of flexibility and safety for traffic anticipated after 1975.

Engineering authorities generally agree that the maximum period for reasonably estimating traffic as the basis for highway design should be in the range of 15 to 25 years, with 20-year forecasts being the prevailing practice.

Thus, the closer we approach our terminal planning date of 1975 the less economical and realistic are the plans that are now being designed under the provisions of the present law. This proposal would amend the Federal-Aid Highway Act of 1956 to delete, with respect to projects undertaken on and after the date of enactment of the proposed legislation, the requirement relating to the year 1975. Instead, it would substitute language which would provide for geometric and construction standards adequate to accommodate traffic forecasts for such future periods and under such planning criteria as may be deemed appropriate by the Secretary of Commerce. The pending measure would, therefore, provide a more flexible and realistic basis for the geometric design standards for future Interstate System projects, and for participation of Federal-aid Interstate funds in such projects.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1796) to amend subsection (b) of section 109 of title 23, United States Code, relating to design standards for the Interstate System, introduced by Mr. RANDOLPH, by request, was received, read twice by its title, and referred to the Committee on Public Works.

FEDERAL DEPOSIT AND SHARE ACCOUNT INSURANCE ACT OF 1963.

Mr. ROBERTSON. Mr. President, earlier in the day I introduced, by request, Senate bill 1799, a bill to provide for an increase in the maximum amount of insurance coverage for bank deposits and savings and loan accounts, to protect further the safety and liquidity of insured institutions, to strengthen safeguards against conflicts of interest, and for other purposes.

I ask unanimous consent to have printed in the RECORD at this point a letter from Secretary of the Treasury Dillon, addressed to the Vice President, transmitting the bill, together with an explanation thereof.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 1799) to provide for an increase in the maximum amount of insurance coverage for bank deposits and savings and loan accounts, to protect further the safety and liquidity of insured institutions, to strengthen safeguards against conflicts of interest, and for other purposes, introduced by Mr. ROBERTSON, by request, was received, read twice by its title, and referred to the Committee on Banking and Currency.

The letter presented by Mr. ROBERTSON is as follows:

THE SECRETARY OF THE TREASURY,
Washington.

HON. LYNDON B. JOHNSON,
President of the Senate,
Washington, D.C.:

DEAR MR. PRESIDENT: I am transmitting herewith a bill entitled the "Federal Deposit and Share Account Insurance Act of 1963."

This bill is designed to accomplish two inter-related objectives. First, the maximum insurance coverage for deposit accounts in a commercial or savings bank insured by the Federal Deposit Insurance Corporation, and for share accounts with a savings and loan association insured by the Federal Savings and Loan Insurance Corporation, would be raised from $10,000 to $15,000.

At the same time, a number of steps would be taken to protect further the safety and liquidity of those financial institutions whose ability to attract funds from the public would be enhanced by the increase in deposit and share insurance coverage, thus bulwarking the stability of the financial system as a whole. These objectives are fully supported by the conclusions of the Committee on Financial Institutions, which reported to the President on April 9, 1963.

The proposed bill recognizes that deposit and share insurance performs an important role in our financial system, and that increases in the maximum limit for insurance coverage of individual accounts are justified from time to time to assure that the basic purposes of this insurance will continue to be served effectively. These purposes include the preservation of public confidence in those financial institutions responsible for maintaining the bulk of our money supply and for handling most of the liquid savings of our citizens, and particularly in their ability to discharge their responsibility for providing cash to account holders fully and promptly.

Without adequate deposit and share insurance, the failure of even a single institution potentially can seriously disrupt the economy of a community and bring individual hardship. Moreover, there would also be a danger that failure, or even the suspicion of failure, of one institution might set off contagious and disruptive runs which even fundamentally sound institutions could not readily withstand. Another purpose of deposit and share insurance is to provide families and individuals of moderate means, frequently unable themselves to appraise accurately the soundness of available outlets for their funds, with an opportunity for fully and conveniently protecting their savings.

Clearly, these purposes can be met with full effectiveness only if the maximum limits of deposit and share insurance are high enough to provide full protection for the bulk of all accounts and for a large share of the total liabilities or share capital of the institutions concerned. While judgments may reasonably differ on the precise proportion of accounts and total funds that must be covered to assure an effective insurance program, it seems clear that prudent limits in this respect are not in danger of being breeched today. But, it is also clear that maintenance of appropriate relationships may require increases in coverage from time to time in response to such factors as significantly higher price levels or increases in average income or wealth, changes in average deposit or share account balances, and similar factors; and these increases should be made before any critical problem becomes evident. A limit of $15,000 will be ample to take account of any changes in these factors since the insurance limit was last raised from $5,000 to $10,000 in 1950, and will assure maintenance of a level of protection over the foreseeable future clearly adequate by standards of past experience and practice.

However, at a time when such increases in insurance coverage are being considered, we are also particularly conscious of the need to introduce measures to strengthen the supervisory framework in other respects. These measures—desirable in themselves whether or not insurance coverage is increased—would provide needed protection against certain possible dangers associated with such an increase in coverage. In particular, pressures to maximize the immediate returns that can be offered to customers, at the expense of liquidity and safety, might increase, since potential depositors and account holders will themselves have less incentive for carefully appraising the safety, stability, and investment practices of the institution holding their funds.

For these reasons, the Committee on Financial Institutions urged, and we strongly believe, that increases in insurance coverage be considered only within a context of complementary action to strengthen the supervisory framework within which these institutions operate, and to enable the responsible Federal authorities to oversee more effectively certain practices with important implications for the safety and liquidity of financial institutions. To this end, the bill would provide additional safeguards in three broad areas:

(a) Standby authority would be provided to the Federal Home Loan Bank Board for establishing ceilings over the rates of interest or dividends that may be paid by members of the Federal Home Loan Bank system (other than those insured by the Federal Deposit Insurance Corporation). This would provide protection against the possibility that, at some point, unsound competitive practices in that industry could arise and so erode lending standards as to undermine the safety and stability of the affected institutions. In view of the need for awareness of the possible implications of such ceilings for general credit flows and for competitive relationships among financial institutions, these limits would be imposed only after consultation with the Board of Governors of the Federal Reserve System and the Board of Directors of the Federal Deposit Insurance Corporation, and when consistent with the policy declaration of the Employment Act of 1946 to promote "maximum employment, production, and purchasing power" in a manner calculated to foster free competitive enterprise and the general welfare.

The current authority of the Federal Reserve with respect to establishing ceilings on payment of interest on time and savings accounts of Federal Reserve member banks, and of the Federal Deposit Insurance Corporation with respect to insured nonmember commercial and savings banks, would also be placed on a standby basis, with a similar requirement for prior consultation with other relevant supervisory agencies. This is consistent with the conclusion of the Committee on Financial Institutions that continuous regulation of rates paid by commercial banks, as practiced since the mid-1930's, is no longer necessary or desirable.

In each case, it is contemplated that the standby authority provided will be exercised only when the authorities find affirmative evidence that such ceilings are required to prevent unsound competitive practices in bidding for funds that would endanger the safety of institutions under their supervision, or that flows of funds domestically or internationally, in response to prevailing competitive practices are in serious conflict with the aims of national monetary and economic policy. The authority would, of course, be available for use in time of emergency conditions.

(b) Added authority would be provided the Federal Home Loan Bank Board to assure maintenance of liquidity by member and insured institutions in amounts and forms appropriate to assure their soundness and to meet the specific circumstances of that industry. Changes from existing authority are designed to remedy a number of inadequacies in present law that limit its effectiveness. The Board would, under the terms of the bill, be able to define more precisely and fully the kinds of liquidity instruments eligible for fulfilling the specified general liquidity requirement; the accounting and enforcement provisions would be substantially improved; the upper limit of the general liquidity requirement would be set at 10 percent instead of the 8-percent limit for the analogous provision in current law; and this general liquidity requirement, ranging at the discretion of the Board from 4 to 10 percent, would be applied to the total of withdrawable accounts and borrowings rather than to withdrawable accounts alone.

In addition, the Board would be permitted to impose an additional special liquidity requirement on any member or members if required, on the basis of specified criteria, to protect further the safety of such member or members. Thus, the Board would be provided with explicit supplementary powers of a kind that have, in practice, long been exercised in the banking industry on the basis of established traditions and supervisory authority. In no case, however, could such special liquidity requirement, in combination with the general requirement applicable to members generally, exceed 15 percent of withdrawable accounts and borrowings.

(c) New safeguards would be provided against possible conflicts of interest of directors and officers of insured nonmember banks similar to those now in force for member banks; the discretionary regulatory powers of the supervisory authorities with respect to conflict of interest situations for both member and nonmember banks would be further strengthened; and roughly analogous safeguards would be instituted for member and insured savings and loan associations, tailored to the special conditions of that industry. The proposed safeguards for member and insured savings and loan associations are, insofar as criminal penalties are not involved, modeled in large part on regulations now applicable only to federally chartered savings and loan associations. Existing provisions in the criminal code applicable to member and insured nonmember banks, as well as to a number of other credit agencies operating under U.S. laws, would be extended to include member or insured savings and loans.

In addition, existing limits on loans to officers of member banks or to bank examiners would be liberalized in certain instances where current provisions are unduly restrictive and where dangers of abuse appear limited or nonexistent. The definition of bank affiliates would be tightened for purposes of limitations on loans to such affiliates, and restrictions on transactions with affiliates now applicable only to member banks would be extended to all insured banks.

Each of these provisions parallels conclusions of the Committee on Financial Institutions, but not all the relevant conclusions of that Committee have been encompassed in this bill. In particular, the Committee had concluded that a modest cash reserve requirement for mutual savings banks and savings and loan associations would be a further helpful step in strengthening the supervisory framework and in assuring more effectively the solvency and safety of individual institutions. However, extension of cash reserve requirements to these institutions inevitably raises important questions of equitable treatment of competing institutions (including nonmember commercial banks) and other considerations of regulatory policy and monetary controls extending well beyond the limited objectives of this bill. These include the interrelated problems of broadening Federal requirements for cash reserves against demand deposits to nonmember commercial banks, which the Committee on Financial Institutions concluded would be desirable for the purpose of strengthening monetary policy.

These are complex issues, and methods of implementing the committee proposals for extending cash reserve requirements to savings institutions and to demand deposits of nonmember commercial banks need further study. Accordingly, legislative consideration of this matter might preferably be deferred until these important proposals can be evaluated separately and in the full context of their implications for monetary policy and for competitive relationships between institutions. Meanwhile, the provisions of this proposed bill will provide the supervisory authorities with more effective powers in other areas where the need is apparent—interest rate ceilings, liquidity provisions, and conflict of interest safeguards. The supervisors would thus have authority to enable them to meet effectively their potentially increased responsibilities as the insurance coverage is increased in the amount suggested.

The provisions of the proposed bill are summarized more fully in the attached section-by-section analysis of its provisions. In addition to the substantive areas covered above, a number of technical changes are included that would bring affected existing legislation up to date, and in certain other respects ambiguities or deficiencies in existing law are remedied.

It would be appreciated if you would lay the proposed bill before the Senate. I am today transmitting an identical bill to the Speaker of the House of Representatives.

The Bureau of the Budget has advised that enactment of this bill would be consistent with the objectives of the administration.

Sincerely yours,

Douglas Dillon.

INTERSTATE PUBLIC ACCOMMODATIONS ACT OF 1963—AMENDMENTS

Mr. DIRKSEN submitted amendments, in the nature of a substitute, intended to be proposed by him, to the bill (S. 1732) to elminate discrimination in public accommodations affecting interstate commerce, which were referred to the Committee on Commerce and ordered to be printed.

SENIOR CITIZENS COMMUNITY PLANNING AND SERVICES ACT OF 1963—ADDITIONAL COSPONSOR OF BILL

Mr. SMATHERS. Mr. President, I ask unanimous consent that on the next printing of S. 1357, the proposed Senior Citizens Community Planning and Services Act of 1963, the name of the Senator from West Virginia [Mr. Randolph] be added as a cosponsor.

The PRESIDENT pro tempore. Without objection, it is so ordered.

PROPOSED AMENDMENT TO CONSTITUTION, RELATING TO BIBLE READING IN PUBLIC SCHOOLS—ADDITIONAL COSPONSORS OF JOINT RESOLUTION

Mr. BEALL. Mr. President, I ask unanimous consent that the names of the Senator from South Dakota [Mr. Mundt], the Senator from Indiana [Mr. Hartke], and the Senator from West Virginia [Mr. Byrd] be added as cosponsors of Senate Joint Resolution 92, proposing an amendment to the Constitution of the United States to permit the reading of the Bible and the offering of prayer in public schools, introduced by me on June 19, 1963.

The PRESIDENT pro tempore. Without objection, it is so ordered.

A PROPOSED CONSTITUTIONAL AMENDMENT RELATING TO PRAYER IN PUBLIC SCHOOLS—ADDITIONAL COSPONSORS OF JOINT RESOLUTION

Under authority of the order of the Senate of June 19, 1963, the names of Mr. Jordan of Idaho, Mr. Mundt and Mr. Simpson were added as additional cosponsors of the joint resolution (S.J. Res. 91) proposing an amendment to the Constitution of the United States to permit the offering of prayer in public schools, introduced by Mr. Williams of Delaware (for himself and other Senators) on June 19, 1963.

WHAT I'VE LEARNED ABOUT POLITICS

Mr. McGEE. Mr. President, as most of us have discovered, the life of a politician has both its satisfactions and its disappointments. But there is something about being involved in the democratic process that more than compensates for the rigors of the profession.

Just what that something is is very well described in an article in the June 23 issue of This Week magazine by our Ambassador to the United Nations, Adlai E. Stevenson. Mr. President, I ask unanimous consent that this article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

What I've Learned About Politics

(By Adlai E. Stevenson)

(Should a young American today tackle a political career, a college girl asks. A man who has had his share of the grueling battles of public life says "yes" and tells why.)

Question: "Politics is one of the most challenging professions open to college graduates today. But many people have told me it's one that offers few rewards and often demands compromise with one's principles. How true is this?" Margaret Locke, Wellesley College, Wellesley, Mass.

Answer: "We thought Miss Locke's question a provocative one, and took it to Adlai Stevenson, U.S. Representative to the U.N."

Mr. Stevenson. Politics is the people's business, the most important American business there is. The great satisfaction of my life is that I have experienced its joys, its sorrows, and above all its exhilaration.

Indeed, as I look back on nearly a quarter of a century spent in the turbulence of public service and politics, I would emphasize that I relished my past political exposure even as I now relish my diplomatic immunity—if you can call it that. I would not change many moments of those years.

Frequently, however, I am asked, but what of the drawbacks? What of the criticism, the abuse, the misrepresentation that may be the not so occasional lot of men in public life? With such annoyances—which have been with us, I might add, since the days of the Boston Tea Party—is politics still worth while?

My answer is drawn from my political faith—or, I should say, my faith in politics. This has been shaped by my travels through this land of ours, and strengthened by encounters and experiences with citizens who, regardless of party or partisanship, share with me this belief: Good government is the best politics.

Actually, my education in politics first began in a boyhood home where political issues and public affairs were constant topics of conversation; and it began for me in earnest when my beloved friend, the late Col. Frank Knox, the Chicago newspaper publisher who had become Secretary of the Navy, asked me to join him in Washington.

IRONY AND ABSURDITY

I recall Colonel Knox gave me leave of absence in 1943 to undertake at President Roosevelt's request a mission to Italy. There, in the midst of the agony of war, I happened to read a news report about a public opinion poll back home. It said seven out of ten American parents did not want their sons to enter politics or public service. One couldn't help being struck by the irony and absurdity. Young Americans were fighting and dying in war for the very thing their parents did not want them to work for in peace.

I asked myself, what better way to preserve the peace when it came than by working to strengthen the institutions of our American life? Certainly, the more successful our young people were on the battlefields of democracy the less would be their chance of dying on the battlefields of war.

If I were to search for a turning point in my life, one that resulted in my entering "combat" politics, I would say that incident in Italy looms large. I feel it was a decisive factor in my saying yes in 1948, when some of my friends were kind enough to ask me to run for Governor of Illinois. Most assuredly, the reason was not that in the 90 years before only Democrats had been elected to that office.

I would say also, I was not lured by other hard facts of political life. For most people, a political career brings (1) little recognition, (2) tenure that is uncertain, (3) pay that is inconsistent with private life, and (4) work that is hard and unremitting.

But, I was to discover, such disadvantages do not begin to balance the satisfactions of a career in politics. The thousands of interested friendly letters I still receive from people all over the country; the warm shake of the hand by a farmer, a laborer, a taxi driver, a businessman—and it happens to me every day. These are among the satisfactions that make public life very worthwhile, and I recommend them to all who want to serve their country.

A BALANCE OF SATISFACTION

The drawbacks, the annoyances of politics are the fires that temper the steel of our convictions. In a democracy such as ours, a man should be able to inquire, to probe, to dissent without incurring instant accusations of bad motives, bad faith, and doubtful patriotism. But democracy is not perfect in practice, and perhaps that is what helps make it so challenging. If annoyances dissuade our public figures from holding firm to what they believe to be right and in the public interest—if they do not have the courage of their political convictions—they will go under. And just as well, I might add. For they have failed the test of democracy.

But those who don't falter, those who can take the arrows with the plaudits, will find politics "the noblest career any man can choose." I believe politics is just that, and, because I do, I have no regrets, only gratitude for my opportunities to engage in it at various times. To paraphrase John Barrymore, if I had to do it all over again, I would have started a lot sooner.

Large numbers of Americans, however, not only think otherwise, they regard politicians with a cynicism usually reserved for the town loafer and persons of doubtful repute. They use the word "politician" as a term of opprobrium, disrespect and dishonor. I would remind them of an axiom of political science: People get the kind of government they deserve. And so it follows that they also deserve the kind of politician they get as a result of their own interest or lack of it.

In these days, when the world's fate depends on how well or ill we conduct even the least of our affairs, we cannot afford to leave the business of democracy to the kind of politician we get if we don't care. Political apathy must be made to give way to the enlightened interest of devoted hearts, inquiring minds, and dedicated purposes.

This can be done—not alone by working actively to put good men into office (and defending them there, incidentally) but by broadening our understanding of the elaborate mechanism that is politics. If in the process some citizens enlist in the political ranks, if they end up "infected" and running for office themselves, that would be very good indeed. They will learn then that in its highest expression, politics is adult education—often frustrating, always time-consuming, brain-consuming, energy-consuming, but always rewarding.

For the far-seeing politician must be an educator of the people. He must make problems of government and politics as relevant and familiar to the citizen as the private problems of housekeeping. He must teach that good politics is not just a burst of enthusiasm at election time, but between times left to the so-called professionals. Rather it is a larger part of our life, the very heart of our democracy.

IMPACT OF A LESSON

The lesson of democracy is an important one, and I see its impact every day at the United Nations. It is one reason why I believe it fortunate that the U.N. has its headquarters in the United States. For nothing teaches representatives of other countries so much about our form of government and its ideals as does the American political system in action. They see it—in all its ramifications, good and bad—every day they are here.

I can't say it doesn't puzzle them. Indeed, it still puzzles me at times. But what they do see—and not even cleverest propaganda can distort it—is that freedom's strongest weapon is the will of the people.

And politics, the American brand of politics, not only offers all the people the chance to exert their will all the time, but, by example, it illuminates the path for all the world's citizens who would walk in dignity and peace.

TRIBUTE TO LT. WESLEY HOCH, U.S. NAVY

Mrs. SMITH. Mr. President, a young man from Maine—the son of one of Maine's most able women, Mrs. Ruth Hoch, of Glen Cove, Maine—is rendering outstanding service to his country and the cause of freedom on the other side of the world in South Vietnam.

He is Lt. Wesley Hoch of the U.S. Navy. I ask unanimous consent that an article about him in the Portland (Maine) Sunday Telegram of June 23, 1963, be placed in the body of the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

Red Vietnamese Put High Price on Maine Man

Glen Cove.—A young Navy officer from Glen Cove and his companion, a gunner's mate, regard as "a dangerous compliment" the reward of 500,000 piasters placed on each of their heads by the Vietcong (Communist Vietnamese).

Lt. Wesley Hoch, 31, son of Mrs. Ruth Hoch, of Glen Cove, and Gunner's Mate First Class Joseph Pritchard, of Georgia, are advisers to a Vietnam junk fleet, and the only Americans on the 40-mile-long island of Phu Quoc at the southerly tip of Vietnam.

For nearly 4 months they have been working closely with Lt. Iran Binh Sang, commander of the 161-boat junk fleet consisting mainly of small, low-powered craft, with an occasional larger, better armed boat.

Their job is to advise the Vietnam force in stopping Vietcong junks and troop transports bent on amphibious assaults. Sometimes the South Vietnamese, chests tattooed with "Sat Cong" (Kill Communists) attack shore villages.

At the same time Hoch and Pritchard have to defend their island with about 30 sailors, knowing there are over 250 men of the Vietcong ready as they often do to attack at the first sign of relaxation.

Stars and Stripes reported Al Kramer, who visited the navymen, found that out. They tried to entertain him with a movie shown on a bedsheet. In the middle of the picture the Vietcongs blew up the powerlines in a harassment raid. There was a delay in the film while the Americans went off to battle.

With the advice of Hoch and Pritchard, who insist on living in the same quarters and eating the same food—some of which would be questionable back home—as the Vietnamese, the junk force in 1 month captured more prisoners than an entire army corps.

The pair also spend much time at sea with the junks, keeping the Vietnamese at bay.

Their success hardly has gone unnoticed by the Vietcong.

It wasn't long before the Vietnamese learned their American advisers had become very valuable—presumably dead or alive—to the Vietcong, which has set the price of half a million piasters on their heads.

That's $7,000 in American money—a lot of money for the Vietcong.

FRONTIER AIRLINES—SUCCESSFUL USE OF THE AMERICAN WAY

Mr. MUNDT. Mr. President, in the Wall Street Journal for June 25 there appears a story about the success of Frontier Airlines under the direction of President Dymond, in increasing its operations through the use of the good old American system of private enterprise and promotion of a product. The success of Frontier Airlines is a success story we are all proud of in the Midwest. This success story points out what can be done by American business when it uses the American ingredients for success in its operations.

Mr. President, I ask unanimous consent to have the news story which appeared in the Wall Street Journal for June 25, 1963, printed in the Record.

There being no objection, the news story was ordered to be printed in the Record, as follows:

Frontier Airlines' Profit Climbs Sharply as Cut-Price Promotions Boost Traffic

Denver.—In the past month Raymond Moore of Stone Park, Ill., has traveled 15,725 miles on planes operated by Frontier Airlines. At standard airline rates, this mileage would have cost Mr. Moore $1,283.55. But it cost him only $100.

By offering a growing series of cut-price promotions—such as a $100 ticket good for 30 days of unlimited air travel—Frontier is filling enough previously-empty seats to score some eye-popping gains in traffic and earnings.

"We're getting a lot of passengers who never even thought of flying before," says crewcut Lewis W. Dymond, 43-year-old Frontier president. The record supports Mr. Dymond's claim. In the 5 months ended May 31, Frontier's profit climbed to $309,246 from $127,018 a year earlier. Its revenue increased 23.8 percent as 36.5 percent more passengers piled aboard its planes. The line's costs per seat-mile fell 16 percent through the increased use of its aircraft.

CITIES RESCUE SERVICE

The improvement in Frontier's fortunes shows up in other ways. Five of seven Nebraska cities, previously facing a Civil Aeronautics Board ultimatum to "use or lose" their air travel facilities, now generate air traffic well above CAB-set minimums. Frontier's system extends over parts of 10 Western States, from Arizona to North Dakota, and 74 percent of the cities served have fewer than 40,000 in population.

For all 1963, Mr. Dymond predicts the Denver-based airline's net will climb to $750,000 or $800,000 from $574,749 in 1962. Total revenue is forecast at about $19 million, up from $15,983,558 last year.

All this is in sharp contrast to Frontier's outlook back in April 1962, when Goldfield Corp., a mining concern seeking diversification, bought 67 percent control of the airline and installed new management. Earnings and traffic were declining, the line had the highest percentage of empty seats of any U.S. airline and its officers were embroiled in controversies with officials in many of the communities it serves.

DISCOUNT PLANS LAUNCHED

Rejecting arguments that the quickest path to higher earnings lay in dropping many small cities from the airline's routes, Mr. Dymond, as the new president, decided to cut fares, improve scheduling, and strive for better community relations. Last September he launched a plan of guaranteed reservation seats at a 50-percent discount. The discount is given to youths 21 years old and under who buy an annual identification card for $5. Through May 31, this plan attracted 22,500 passengers and $348,642 in revenue, according to Frontier officials.

In another move, Frontier last November expanded its family discount plan by offering it every day instead of only 3 days weekly. At the same time, discounts for wives were increased to 50 percent from 33 percent and persons 21 and under were permitted to fly at 25 percent of regular fares. Frontier officials say the expanded plan has brought in 23,948 passengers and $411,438 in revenue.

Other discount plans have also been launched. A 50-percent reduction for clergymen, first offered 6 weeks ago, has already attracted 600 clerics. Several large companies have recently been lured to Frontier planes by a new group rate that provides a free ticket for each seven paid for in group travel. Frontier now is seeking permission to give teachers a 40-percent discount.

Mr. Dymond hopes the new $100 unlimited travel ticket used by Stone Park's Mr. Moore, as well as special excursion discounts for resort travelers, will stimulate traffic in the extensive vacation areas of Frontier's system, which contains 8 national parks and 13 national monuments.

TOURIST FACILITIES PLANNED

In addition, a plan to build various tourist facilities in Frontier's area, announced yesterday by Goldfield Corp., should spur the airline's vacation business, Frontier officials predict. Under the plan, Goldfield Corp. hopes to raise about $60 million for a 4-year program to build resorts offering swimming pools, restaurants, stores, and convention facilities. As part of the plan, Frontier will rent automobiles and mobile homes to vacationers.

Goldfield has already acquired sites for five resorts—near Durango, Colo.; Flagstaff, Ariz.; and Gallup, Taos, and Albuquerque, all in New Mexico. Construction of these five resorts is expected to start in October and it is hoped they will be ready by next summer.

The plan calls for 27 additional centers to be built later in Montana, North Dakota, South Dakota, Utah, and Wyoming. In all, the centers would accommodate 24,800 people.

Richard Pistell, Goldfield Corp. chairman, says $10 million will be needed to prepare the first five resorts. Of that, the company hopes $5 million will be lent by the Government's Area Redevelopment Administration and $5 million will come from other sources probably insurance companies, according to the official. Negotiations for this money are in progress, Mr. Pistell says. The remaining $50 million called for in the program, Mr. Pistell anticipates, will come from future earnings and more borrowings.

ADDRESS BY SENATOR ENGLE BEFORE AFL–CIO COMMITTEE ON POLITICAL EDUCATION

Mr. McCARTHY. Mr. President, Senator ENGLE, speaking recently in San Francisco at a conference of the AFL–CIO Committee on Political Education, gave an excellent and balanced analysis of current problems and tensions, and outlined the prudent and progressive way to respond in the face of extremist charges of the rightists. I ask unanimous consent that his speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REMARKS BY SENATOR CLAIR ENGLE

I am delighted to be here today.

Throughout my public life I have had the friendship and support of organized labor. I enjoyed the endorsement of a substantial segment of labor in all eight races for the House of Representatives—and in most cases I had its complete support. In my race for a seat in the U.S. Senate in 1958, again it was my good fortune to have labor's support.

George Meany describes labor's involvement in politics as its most important activity for advancing the interests of the entire people. "We are in politics," Mr. Meany says, "to preserve the American trade union movement and, by doing that, to make a tremendous contribution toward preserving the American way of life."

Just before I sat down to prepare my notes for this speech, I looked over a booklet containing the policy resolutions adopted by the AFL–CIO at its last convention. The table of contents alone tells the story of American labor. It lists something like 100 resolutions. Less than one-third of them deal with goals directly affecting the workingman. The rest have to do with education, health, the national economy—with foreign affairs—and with civil and human rights. This is no recent development. For many years organized labor in this country has taken the lead in the battle for social and economic progress.

And for many years American labor has resisted the extremist movements in this country—both from the left and the right. No organization contributed more toward turning back the Communist tide in this country than the AFL–CIO. When the Communists attempted to infiltrate American labor, it was organized labor itself that took a vigorous hand in the matter and threw them out.

And now there is a movement from the extreme right that is receiving the attention of the AFL–CIO. I refer, of course, to those rightwing, wrong-minded extremists—whose tentacles have taken root particularly in the western part of the United States.

We can no longer dismiss these extremist groups as cranks. They are concentrating their campaign of fanaticism in the sparsely settled Mountain States. Their strategy is to use every device of propaganda and intimidation in areas where a few votes can swing an election.

In the process they are sowing distrust for all American institutions—its schools, its courts, its government.

What do they stand for? They stand for nothing. They are against everything. They accuse everyone who disagrees with their brand of "Americanism" of being a Communist. They want to wreck the integrity of the Supreme Court. They want to destroy the American trade union movement. They stir resentment against our participation in the United Nations. They damn our tried and true social security system as socialism. They want the income tax repealed. They try to block all foreign aid. They vilify the foreign-born and minority group Americans. They spread seeds of suspicion everywhere. They breed contempt for fellow humans and contempt for authority.

And they do this insidious work wearing masks of respectability and labels of super patriotism.

The American labor movement needs no reminder that it has been a prime target of these groups. But I wonder if the working people of this country realize that they are—with their tax money—indirectly subsidizing the poisonous activities of these organizations.

What I am talking about is the shocking misuse and abuse of the tax laws that permit extremist groups, under the cloak of "educational" or "religious" activity, to enjoy the privilege of tax-exempt income.

The record is full of examples. But two or three will serve to make the point.

Let us take a look at the American Economic Foundation. It attacks the income tax. It urges that labor unions be brought under the antitrust laws lest they "seriously injure or destroy business." It calls social welfare legislation a result of the "enervating psychology of something-for-nothing." And it gets $600,000 in tax-free income.

Here's another—"Life Lines." This is a radio-television program sponsored by Texas oilman H. L. Hunt. "Life Lines" broadcasts almost daily over more than 300 stations in 42 States. It equates all social legislation with socialism. It attacks foreign aid. It attacks the United Nations. It opposes aid to education. It opposes medical care for the aged. It opposes urban renewal. And for this religious activity it enjoys the privilege of tax-exempt income.

Contrast this to Internal Revenue's withdrawal of the tax-exempt privileges of a legitimate, highly respected interfaith organization known as the Fellowship of Reconciliation—an old and established peace group. This privilege was revoked on the ground that peace is not a religious purpose but must be achieved through legislation alone.

On the other hand, there seems to be no question as to whether the activities of certain tax-exempt extremist groups are truly religious.

It is a great comfort to know that there are in this country many individuals and many organizations who use every opportunity to speak out against these dangers from the right. Newspapermen across the Nation are doing a good job of denouncing them. One very fine reporter, Julius Duscha, of the Washington Post, returned recently from the Mountain States and wrote a series of articles exposing the John Birchers and their allied organizations.

Here are just a few examples of the kind of pressure tactics Mr. Duscha found in the Mountain States:

In Idaho, a Republican radio station owner who criticized the Birch Society's views lost his advertisers after rightwing radicals put the pressure on them to withdraw their business.

In Utah, rightwing groups tried to prevent the State University from holding its 10th annual Model United Nations Assembly.

An editor in Wyoming who is out of sympathy with these groups agreed to talk to the reporter only when he was assured his name would be withheld.

Teachers in Wyoming are known to be carefully watching what they say. And they are staying away from discussions of even mildly controversial issues.

Fear of attack and economic retaliation is gripping the people of the Mountain States. This is the most disturbing aspect of the rightwing resurgence in that area.

In our democracy there is room for differences of opinion. As a Nation we exercise our right to dissent. But there is no room for the betrayal of our ideals. The John Birch Society and like groups are avowed opponents of our democratic principles and our American traditions. They are entitled to full freedom for the expression of their views. But they would if they had their way to do away with all freedom.

Under normal circumstances these demagogs attract only the lunatic fringe. But during a crisis men with extremist panaceas become a real threat to democracy.

There is one antidote to their poison. Relentless publicity. The press has a special obligation here. We must make use of every forum, every means, every opportunity to expose these peddlers of fear and hate. Organizations like COPE are doing their part. Others should follow their example. Everyone should be angry about this growing pestilence.

We have the means to inform the people. Let us use them. With the people informed, I have no doubt that this totalitarianism of the right will be rejected.

We must not permit these rightwing extremists to obscure the constructive programs before us. While we fend off these fanatics, let us not forget that we must move ahead on matters of great importance to the American people.

Medical care for the aged is of the highest priority.

For nearly 30 years Americans have been striving through insurance under a system of Federal social security to guard against the vicissitudes of old age. The wonder is that we have not long ago included in this program provision against the hazards of illness in later years.

Illness among the elderly is inescapable and ruinously expensive.

The 20th century has brought dramatic changes in the Nation's health. In 1900, the average American was expected to live 47 years. Today his life expectancy has jumped to 70 years. The major communicable diseases have been conquered. Tremendous progress has been made in the battles against even such stubborn enemies as cancer and heart disease.

The preservation of life does not necessarily mean the reduction of illness. Our average life expectancy has increased. But the Nation's morbidity rate—the measure of our illnesses and impairment—has risen. This is, of course, due to the fact that so many people now survive to the late years—when they are most susceptible to illness.

Most people today reaching retirement age are haunted by the fear of an overwhelming hospital bill that will wipe out their savings. Hand in hand with this fear is the dismal prospect—after a lifetime of independence—of having to turn to public charity or their children for help.

We know the harsh realities that underlie the problem. They can be stated very simply. Elderly people need three times as much hospital care as young people do. The cost of hospital services in the last 12 years has jumped 110 percent. Consider this against the fact that one-half of all aged couples have incomes of less than $2,500 a year—and that the average aged person living alone has an income of not much more than $1,000 a year.

What about private medical insurance?

Private medical insurance cannot solve the problem alone. The evidence is indisputable. Most aged people are considered too high a risk to be accepted by private medical insurance companies. And most of those who are accepted cannot afford to purchase this insurance.

There is only one answer to this formidable problem. It is contained in the administration's program providing for hospital and nursing care for the aged under social security. It is just elementary commonsense to provide—through tax deductions from earnings during the productive years—for the inordinate medical costs that confront the aged in their retirement years.

The great historian Arnold Toynbee said that a society's quality and durability can be measured "by the respect and care given its elderly citizens." Illness among the aged and its aftermath of financial ruin wait for no one. We would be woefully remiss if we put off action on this program another year.

There are several bills of special interest to labor that I would like to touch on today.

I regard of the highest importance legislation to extend the minimum wage provisions of the fair labor standards law to agriculture workers. This year again I have introduced a bill to accomplish this purpose.

It would establish for the first time a national minimum wage for farmworkers.

The average earnings of farmworkers are far below that of workers in other industries. This is true whether the comparison is made on a nationwide basis or limited to a particular region.

In 1959 the average annual wage of workers engaged in manufacturing was $5,215. The average annual wage in 1959 for farmworkers was only $1,038.

The relative position of the farmworker has not improved. It has deteriorated.

In 1947 the median annual income of farm laborers and foreman was 31 percent of that for craftsman, foreman, and others in nonfarm industries. By 1959 it had dropped to 22 percent.

Strangely enough, this decline occurred during a period in which output in other industries increased by one-third whereas output in agriculture had doubled.

I cannot see how anyone can argue against the need for a national minimum wage for farmworkers. The facts speak for themselves.

I would like at this point to say something of special interest to the agricultural community in California.

Agricultural workers in California get higher wages than any other agricultural workers in the Nation. With the possible exception of Arizona, we stand almost alone in paying a decent wage to farmworkers. Here in California, we are trying to maintain an adequate living standard for them. But our agricultural products have to compete against crops produced in States where farmworkers get only a half or a third of the wages we pay in California.

There is growing support in the farm community in California for the bill that I have introduced to create a national minimum farm wage. We are sick and tired of having to sell our farm products in competition with producers in States which do not meet fair labor standards.

I think it is important to note here before this labor organization that today I have more support in the farming community of California for a national minimum farm wage than I have ever seen in my experience.

Two other items of labor legislation are long overdue.

First, the need to repeal section 14(b) of the Taft-Hartley law, the so-called right-to-work provision. I have joined Senator WILLIAMS of New Jersey in his bill to repeal section 14(b).

The American economy should function equally under law on a nationwide basis rather than under a complicated mixture of conflicting statutes. Right-to-work laws not only condone the Balkanization of our national economy—they actually invite it.

The effect of the authorization of right-to-work laws in the Taft-Hartley Act is the reverse of long-established Federal labor-management policy. Federal law should not pit State against State for economic advantage. It should bring about national unity.

Repeal of section 14(b) would prevent State laws from being applied to workers covered by the Taft-Hartley Act. These are workers engaged in interstate commerce. It would not prevent States from restricting the union shop in intrastate commerce.

The proponents of right-to-work laws claim that these laws attract industry and enrich communities. Instead, they are used by States as part of cutthroat competition for plants—at the exepense of workers and the communities themselves. Instead, they only help to create conditions of wage competition endangering living standards across the Nation.

The prices of most basic items are set on a national basis. The price of an automobile, a tube of toothpaste, an electric light bulb is about the same in New York as it is in Nevada, a right-to-work State. Wages in right-to-work States are generally far below those of other States. But the working people of Nevada must pay the same price for an automobile or a tube of toothpaste as the working people in New York.

Right-to-work laws are not only destructive of unions and stable collective bargaining. They are destructive also of the public interest. The philosophy of right-to-work laws is that labor-management relations are a form of combat. It is a philosophy that anticipates a return to the dog-eat-dog era of labor relations from which the public interest suffers as much as the involved parties.

Here, too, I want to pause to say something to the California industrialists, manufacturers, and businessmen.

Over 4 years ago the people of California resoundingly repudiated a right-to-work program. Our business people in California are required to meet the conditions of fair union employment. We suffer. Our businessmen suffer when we have to compete against industries operating under right-to-work laws that make it possible for them to undercut us with low wages and poor working conditions.

And I say to them—the least we can do is to insist that in the areas of interstate commerce the rules and regulations be uniform in order that we may all compete on the same basis.

If we are going to continue to expand the business community in California we must create 250,000 new jobs a year. We cannot do that unless we are able to compete on an equal basis with other States.

Governor Brown has set up the California Economic Development Agency. This agency is working closely with local committees to develop action programs that will help local industries expand and help to bring new industries into California. We want to do that on the basis of equality of wages paid and conditions of employment. But we cannot do that if some States can enact right-to-work laws and entice industry with low wages and poorer working conditions.

Another labor measure that is long overdue is an amendment to the Davis-Bacon law to boost payments to construction workers hired by Government contractors. I joined Senator HUMPHREY in a bill this year to bring the Davis-Bacon law in line with the changing conditions in the construction industry.

Under this bill the Secretary of Labor would predetermine—and Government contractors would be required to pay—not only the prevailing hourly rate in an area but also the prevailing contractor payments to health and welfare, retirement, and apprenticeship funds.

These payments—which run as high as 12 percent of the basic hourly wage in many communities—cannot be ignored or discouraged. They exist to benefit workers for whom they are made. Day after day, the law is extending an open invitation to outside contractors to bring low wages and cheap labor into higher wage communities because these lower wage costs give them a successful bidding advantage on Government work.

This type of unfair wage competition was the very reason for enactment of the Davis-Bacon Act. It is the purpose of the amendment we introduced to upgrade the law so that it will once more carry out its original purpose.

One item of labor legislation that I will strongly oppose is the proposal for compulsory arbitration.

The longshore dispute early this year, the disputes in the missile industry, the disputes involving the railroads—all these have created a climate of concern over the adequacy of the emergency strike provisions in the National Labor Relations Act and the Railway Labor Act.

There are some elements in the transportation industry who advocate with increasing vigor the substitution of a system of compulsory arbitration for the procedures now available.

The curious fact is that in the last 10 years the strike itself is becoming less frequent. Nevertheless, public tolerance for strikes appears to be decreasing in inverse ratio to the decrease in the use of the strike weapon. The year 1961 marked a postwar low in time lost through work stoppages. Yet every time we have a strike of any size, the public concern appears to reach fever height. Good examples of this are the recent newspaper strikes in New York and Cleveland, and the longshore strike. In each case, rumbles were heard around the country in favor of compulsory arbitration.

In these national emergency strike situations, Congress gets its share of bills. This year Senator DIRKSEN has introduced a bill to set up emergency procedures for disputes in that section of the maritime industry covered by operating differential subsidies. The terminal procedure called for in this bill is, of course, compulsory arbitration. A similar though somewhat broader bill has been introduced in the House by Congressman BONNER.

The general subject of the emergency strike procedure has received intensive study by the President's Committee on Labor-Management Policy. In its report last year the committee explicitly rejected the idea "that there should be any legal requirement that disputes be resolved through compulsory arbitration." The committee's report had the support of all its members. And that includes such representatives of business as Henry Ford II, Joseph L. Block, of Inland Steel, Richard Reynolds, of Reynolds Metals, and Thomas J. Watson, of IBM. In its report the committee emphasized that "in the institution of free collective bargaining, the objective is voluntary agreement arrived at through the process of reasoning and persuasion."

It is unnecessary for me to tell this audience about the destructive effects that compulsory arbitration would have on our institution of free collective bargaining. Nor is it necessary for me to tell you that compulsory arbitration would deprive labor of its most vital resource—the right to withhold its labor in support of its position in a labor dispute.

Neither labor nor management wants compulsory arbitration. Major segments of organizations representing business as well as organized labor oppose compulsory arbitration. They oppose it because they know that in the final analysis every decision will go to compulsory arbitration—and we will end up, as they have in Australia and other places, with the Government being the final arbiter in every labor-management conference on wages and working conditions. A system of compulsory arbitration simply boils down to this: Nothing is ever settled at the bargaining table and a final decision is left to and made by the Government arbiters. I do not believe that this would be in the interest of a free American competitive system or good government.

To summarize my remarks:

First. We must not allow ourselves to be taken off course by the sound and fury from the right. We must fight these extremists with great vigor.

Second. We must go forward with the programs that spell progress for this country. Those I have mentioned today are medical care for the aged, a national minimum wage law for farmworkers, the repeal of section 14(b) of the Taft-Hartley Act, and the upgrading of the Davis-Bacon Act.

Let us remember that the frightened and frustrated few may make the most noise. In our society we are all free to make as much noise as we can. It is our tradition to tolerate extremists of many hues. But it is also our tradition not to follow them. The future of the Nation and of individual liberty depend on the calm, sensible, and levelheaded. Our forefathers kept their wits about them, their heads clear, and their powder dry. I am confident that we will do the same.

A POLICY FOR THE MIDDLE EAST

Mr. KEATING. Mr. President, events in the Middle East are giving rise to new fears and new dangers. The blatant efforts of Egypt's President Gamal Abdel Nasser, to extend his influence and control over other Arab States as well as his continued belligerence toward the State of Israel, make it more imperative than ever that the United States provide adequate reassurance to Israel and the other Middle Eastern states. Our policy of so-called "even handedness" has not assuaged Nasser's ambitions in the slightest whereas it has undoubtedly increased the anxiety and tensions of the Israelis who see new menaces to their security.

Mr. President, needed now above all are new and realistic measures to make clear to the Arab States our own determination to defend the peace in the Middle East. I have joined in support of a Senate resolution for a U.S. security pact with Israel. This is certainly one approach which would be very helpful. I have also suggested that President Kennedy consider a visit to Israel on his present European trip—or as that is obviously no longer possible, to consider a trip to Israel in the near future—to make unmistakably clear the concern which the United States feels at the Arab military buildup now taking place in the Middle East.

Mr. President, the inconsistency of U.S. policies in aiding Nasser, our enemy, while refusing to reassure Israel, our friend, is increasingly apparent. I have specifically introduced amendments to the foreign aid bill to deny U.S. aid to Nasser as long as he continues to expend his own resources on Soviet arms and military preparation. U.S. interests in the Middle East are increasingly in danger as long as we continue to subsidize our enemies and reduce our assistance to our friends.

Mr. President, I ask unanimous consent to include following my remarks an article by Milton Friedman which appeared in the Jewish Ledger of Rochester, N.Y., of June 7 entitled "Washington's Topsy-Turvy Perspective."

There being no objection, the article was ordered to be printed in the Record, as follows:

Washington's Topsy-Turvy Perspective

(By Milton Friedman)

Washington.—Alice would not be sure whether she were in wonderland or Washington.

Fantasy prevails in the capital's balmy spring. Such events as the following transform the news scene into a world of unreality.

Egypt's Nasser acquires Soviet arms and Nazi technicians for the announced aim of destroying Israel. The State Department studies the situation and concludes that Nasser is increasingly peaceful.

The Jewish War Veterans, heeding U.S. Government advice, seek to alleviate the plights of Soviet Jewry by appealing to world public opinion. The anti-Zionist "American Council for Judaism" condemns the veterans, whose membership includes Congressional Medal of Honor recipients and battlefield amputees, for "cowardice" and "pro-Zionism"—questioning the veterans' Americanism.

State Department officials condemn Congressmen for allegedly catering to Jewish voters by backing Israel. Representative Wayne Hays, Ohio Democrat, on the House Foreign Affairs Committee responds that "I have more Arabs in my district than Jews." He assails State Department appeasement of Nasser.

The State Department accuses the people of Yemen of aggression against the Nasser-imposed, Communist-supported puppet regime. Nasser reneges on his agreement to withdraw forces from Yemen. Soviet pilots fly troop transports leased by Nasser from Russia.

When Nasser threatens aggression against Israel, the State Department says, "We do not expect an attack." But when a question arises of Israel making a defensive move into Jordan, if Jordan collapses to Nasserite pressures, the State Department has ready a "contingency plan" to restrain and punish Israel.

Israel is gravely concerned over a missile buildup in Egypt aided by Nazis and other Germans. The State Department feels Israel should be pleased the Germans are there because, in their stead, the Russians might be invited.

Nasser spends $700 million for Soviet bloc munitions. The United States will continue economic aid to Egypt, allowing continued diversion of Egyptian resources for Soviet arms purchases. Simultaneously, American soldiers die in battle in southeast Asia against Communist-equipped forces.

Egypt, threatening her neighbors but threatened by no one, spends more of her gross national product for arms than America—proportionately. The American taxpayer is asked to make up Nasser's deficit.

Racist outrages in Birmingham and elsewhere shock civilized humanity. The United States continues to defer ratification of the United Nations convention on genocide.

America goes further into space. But thinking on many issues seems less down to earth. Perhaps the spring fever has brought some of our thinkers and policy makers to the cuckoo land of the clouds.

THE RESPONSIBILITY OF GOVERNMENT TO CONSUMERS

Mrs. NEUBERGER. Mr. President, no administration or no Congress has done as much for an important segment of our population—the consumer—as has President Kennedy and the 88th Congress. Recently a Consumers' Day symposium, in which I was pleased to join, was held by a number of my colleagues. At that time the legislation now being considered by committees, as well as some which has already been acted upon, was called to the attention of the country. President Kennedy's role has been expressed in his consumer message delivered to the Congress on March 15, 1963, at which time he outlined certain basic rights which have affirmed the responsibility of Government to consumers, and in order to carry out the achievement of these rights, he appointed a Consumer Advisory Council. This Council has now been working for the past year, and some of its problems, as well as its accomplishments, are ably discussed in an address by Dr. Helen G. Canoyer, dean of the New York State College of Home Economics at Cornell University and Chairman of the Consumer Advisory Council, when she spoke on June 17 in Kansas City, Mo., before the International Consumer Credit Association. In her address, Dr. Canoyer emphasized the fact that the consumer has a role and a responsibility in spending the family income. Hard-earned wage increases can quickly be frittered away in the marketplace unless the consumer, or the buyer in this case, has information regarding the pitfalls and blandishments he may encounter.

There was a time when the extension departments of State colleges in the field of home economics concerned themselves mostly with the farm wife or the rural family. A shift is needed, with such information in adult education going to the girl preparing for marriage and the low-income household where every penny is so important.

Mr. President, I call attention to the thorough discussion of the lack of consumer education, as well as other work in the area, by asking unanimous consent that a portion of Dr. Canoyer's address be printed in the Record.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

The Consumer Advisory Council: Its Origin, Purpose, and Problems

(Excerpts of an address by Dr. Helen G. Canoyer, dean of the New York State College of Home Economics at Cornell University, and Chairman of the Consumer Advisory Council)

I should like to describe the origin, purpose and problems of the Consumer Advisory Council. Since its organizational meeting at the White House on July 19, 1962, the Council has held five 2-day meetings—in September, November, January, March, June—and is scheduled to meet again in August. Because there have been but a few short press releases concerning our activity since the original announcement of our appointment in July, I shall use this occasion to give an accounting of our first year's experience, indicating some of our difficulties as well as some of our accomplishments. A balanced view requires, however, that we see this Consumer Advisory Council in historical perspective.

THE NEED FOR CONSUMER REPRESENTATION

The theory upon which all of the consumer representation experiments have been based is that there is a meaningful distinction between consuming and producing, and between individual and group needs as consumers and as producers. Furthermore, there is a meaningful distinction between the public interest as stated and defined by the total process of government and the consumer interest.

In addition, consuming (that is, the final using up of goods and services) has become recognized by other than economists as a distinctive process in our society; one that calls for specialized skills and knowledge on the part of the individual consumer; and one that also calls for a special role for government in protecting and promoting the consumer interest. Just as government protects and promotes the interests of business, farmers, and laborers, so should it protect and promote the interests of the consumer. However, there is one further point that is advanced in support of the idea that there should be special consumer representation. This is that, unlike many producer and labor groups, the ultimate consuming public is relatively unorganized and unrepresented—its wishes and needs are practically unspoken in the halls of government. Indeed they may not even be verbalized or articulated. The consumer is mute and ineffective partly because he is uninformed of his plight or of ways to resolve it. Moreover, because all persons are consumers there are no clearly defined bases upon which they can organize into manageable groups having recognizable mutual concerns. Consumers, as distinct from longshoremen, printers, steelworkers, advertisers, retailers, credit managers, etc., comprise a huge, unwieldy, heterogeneous group, and each individual member feels overwhelmed by the size and extensiveness of this group to which he belongs. Hence, he should be and needs to be represented by designated and informed intermediaries between him and the Government, who look both ways—interpreting the consumer to appropriate parts of government and vice versa.

PRESIDENT'S CONSUMER MESSAGE

The plight of today's consumer was recognized by President Kennedy in his consumer message of March 15, 1962, when he said:

"Marketing is increasingly impersonal. Consumer choice is influenced by mass advertising utilizing highly developed arts of persuasion. He usually does not know how much he pays for consumer credit; whether one prepared food has more nutritional value than another; whether the performance of a product will in fact meet his needs; or whether the 'large economy size' is really a bargain."

The President undoubtedly voiced a widely held conviction when he affirmed the responsibility of Government to consumers in the exercise of certain basic rights. The rights which he enunciated in that message, include the "right to safety," the "right to be informed," the "right to choose," and the "right to be heard." It is the last of these rights; namely, the "right to be heard," which relates to the Consumer Advisory Council. In his consumer message the President noted "* * * the failure of governmental machinery to assure specific consideration of the consumers' needs and point of view." With this in mind (he directed):

"First, that the Council of Economic Advisers create a Consumers Advisory Council, to examine and provide advice to the Government on issues of broad economic policy, on governmental programs protecting consumer needs, and on needed improvements in the flow of consumer research material to the public; this Consumers Council will also give interested individuals and organizations a voice in these matters;

"Second, that the head of each Federal agency whose activities bear significantly on consumer welfare designate a special assistant in his office to advise and assist him in assuring adequate and effective attention to consumer interests in the work of the agency, to act as liaison with consumer and related organizations, and to place increased emphasis on preparing and making available pertinent research findings for consumers in clear and usable form."

APPOINTMENT OF CONSUMER ADVISORY COUNCIL AND SPECIAL ASSISTANTS

That statement which was made in March 1962, led to the appointment of the members of the Consumer Advisory Council in July. Those appointed were: David W. Angenvine, Public Relations Director of the Cooperative League of the U.S.A.; Dr. Persia Campbell, Head of the Economics Department, Queens College and former Consumer Counsel to the Governor of New York; Stephen M. DuBrul, a partner in Lehman Brothers; Mrs. John G. Lee, former president of the National League of Women Voters; Dr. Edward S. Lewis, Executive Director of the Urban League of Greater New York; the Honorable Walter F. Mondale, Attorney General of Minnesota; Dr. Richard L. D. Morse, Head of the Department of Family Economics, Kansas State University; Mrs. Helen E. Nelson, Director of Governor Brown's Office of the Consumer Counsel, State of California; Sylvia Porter, syndicated newspaper columnist on financial affairs and family economics (Miss Porter has since resigned); Dr. Caroline Ware, Consultant; Dr. Coston E. Warne, President of Consumers Union of the United States, Inc., and Professor of Economics, Amherst College; and Dr. Helen G. Canoyer, Chairman, Dean of the New York State College of Home Economics, Cornell University.

Also appointed were the Special Assistants for Consumer Affairs in the 22 Federal departments and agencies "whose activities bear significantly on consumer welfare." These assistants have served as liaison between the Consumer Advisory Council and their departments and agencies.

Although the powers of the Consumer Advisory Council are only advisory, it is the first time in the history of our country that the consumer has been represented at this high a level in the executive branch of the Federal Government. It is a broad responsibility that President Kennedy has given to this new Consumer Advisory Council—to advise the executive branch of the Government on (a) issues of broad economic policy, (b) governmental programs protecting consumer needs, and (c) the flow of consumer research material from the Government to the public; and to give a voice to interested individuals and organizations.

CONSUMER ADVISORY COUNCIL ORGANIZATION AND WORK

The Consumer Advisory Council has regarded the Presidential Message of March, 1962, as its charter, so to speak, and with the help and guidance of the Council of Economic Advisers, we have undertaken to translate it into a workable program.

First, we are to advise on issues of broad economic policy—and we set up a committee on consumer credit and economic welfare; and another on consumer standards, grades, and labels.

Second, we are to provide advice on governmental programs protecting consumer needs—and we set up a committee on interrelations among Federal agencies and between Federal and State agencies in areas of consumer protection.

Third, we are to provide advice on needed improvements in the flow of consumer research material to the public—and we have a committee on two-way flow of information and opinion between Government and consumer.

Fourth, we are to "give interested individuals and organizations a voice in these matters"—and we have a committee on effective consumer representation in Government.

Although the committee work outlined above has consumed much of our time, we have also responded to specific requests for advice put to us by the administration, and have devoted considerable thought, time, and energy to learning what Government presently does to advance and protect the consumer interest. Our principal tutors and guides in this learning process have been the special assistants for consumer affairs in the Federal departments and agencies and I suspect that we have gained more from them than they have from us.

The Consumer Advisory Council has issued statements favoring truth in packaging and truth in lending, and they have urged the administration to take additional steps to combat the denial of consumers' rights on the grounds of race. The council has expressed its opposition to the principles and purposes of the quality stabilization bills. These statements in whole or in part have been officially released to the press. The council has endorsed proposals to assure the safety, effectiveness, and reliability of therapeutic, diagnostic, and prosthetic devices, and to extend to cosmetics the premarketing testing for safety that is in effect in the fields of drugs and food additives. They have also urged new requirements for cautionary labeling of hazardous substances and containers regulated under the Food, Drug and Cosmetics Act. The council has set out a list of principles which they would like to see used as guides in housing policy including a massive education program for prospective home buyers. They have called for more funds for consumer research and information work by the several departments and agencies. This council has also evaluated and made recommendations to Federal departments on the basis of the pilot project carried out by the Government Printing Office and the Post Office whereby over a quarter of a million special order blanks for consumer publications were distributed through a sample of 100 out of the Nation's 35,000 post offices.

The Consumer Advisory Council has urged that certain studies or investigations be undertaken on a number of topics. Among these are the following, some of which, it is gratifying to note, are now the subject of active inquiry: The nature of guarantees and warranties within major areas of consumer expenditure; the establishment of standards for sizes of clothing and clothing patterns, especially for children's clothing and knit garments; the possible adoption of Federal safety standards for electrical equipment; the possibilities for more intensive and extensive work by private and governmental agencies in strengthening and unifying standards and simplified practices programs; the promotion of national standards in the field of highway safety; and the development of uniform warning labels in the form of pictorial symbols on toxic substances.

To sum up our accomplishments to this date—we have set our sights on a limited number of long-range study topics on which we have made interim recommendations and will present annual reports and final recommendations; we have responded to specific requests for advice from the Administration; we have learned at least how much there is to know about Government activity in the consumer field; and we have established working relations with consumer assistants in several Federal departments and agencies. After a certain amount of spinning of wheels, some of which is bound to happen by the very nature of a pioneer effort, we have the show on the road. I am confident that we have ended our first year with a record of accomplishment and I hope it will be a sufficiently strong record as to warrant the continuance of consumer representation of some permanent kind at a high level in the Federal Government. There are, however, problems inherent in our job which I would like to share with you.

SOME GENERAL PROBLEMS

There is, first, the vagueness and open-ended character of our subject matter. It is, as the saying goes, as big as all outdoors. Under the headings of broad economic policy, programs protecting consumer needs, and consumer research material, there is virtually no limit to the problems we could choose to study and/or on which to advise. What standards should we apply in deciding what we will look into and what we will not? This problem is the one we are gradually resolving on a case by case basis.

Secondly, there is the issue of where the initiative lies. Does the Consumer Advisory Council operate as a prime mover, do we wait for Government agencies to bring questions to us, or do we wait for—or seek—guidance from (as the consumer message characterizes them) "interested individuals and organizations" who would like a voice in these matters. Here again we have had to "play by ear."

Thirdly, there is the troublesome question about our relationships with the public—which as we have found includes numerous specialized "publics." The President's consumer message does include the phrase about giving interested individuals and organizations a voice. He also pointed out to the Consumer Advisory Council in January that the council should attempt to direct Government attention to consumer problems. He indicated his interest in having the council develop closer relations with nongovernmental consumer organizations. The President wants not only to hear the voice of the consumer, but also to make the consumer aware that the consumer's voice is heard. How can we give consumers a voice, tell them about questions and issues on which they could help us, and provide a way for receiving opinions, etc.? As you well know, to reach the relatively unorganized consumer in this huge country, is a really tremendous public relations undertaking—one that would easily swallow up more than 100 percent of the time of all 11 council members and cost many, many times the small budget allotted to us. Yet, we see a great need for being in touch with the consumer public if we are to carry out our primary charge of providing advice to the Government.

In order to make some progress along this front we recently decided to hold an open meeting of the Council next fiscal year to which we plan to invite a small number of strongly committed representatives of consumer groups. Also, the President is interested in better utilizing the consumer assistants in Government as liaison with consumer groups throughout the country. We have in mind, in this connection, a newsletter—the joint product of the Council and the consumer assistants. This is at a standstill at present awaiting the solution of problems of legality, preparation, and dissemination.

A fourth overall problem which has confronted the Council during its first year of existence is the uneasy question of who is the consumer and in what sense do we represent him. All of us, of course, are consumers, and all of us are spoken for, as it were, by numerous private organizations and branches of government at various levels. Although there is a meaningful distinction between consumers and producers, it is not always easy to point out where our interests as consumers separate from our interests as producers or citizens. The Consumer Advisory Council wants to present a consumer point of view, but it obviously cannot claim that it represents all consumers on all matters. This is the reason why we are planning to have an open meeting and why we are seeking other ways to make possible two-way communication between the Council and consumers.

In connection with this last question—I want to make an appeal to individual consumers and to consumer organizations. The Consumer Advisory Council needs to know—if we are to do our job well—what the consumer is interested in and what matters are troubling him. The International Consumer Credit Association can be helpful in giving some thoughtful attention to that question and communicating your thoughts to us.

Incidentally, I should like to recognize the fact that there has been some criticism in the public press during this past year concerning the dearth of information made available on the Council's activities and progress. This, I believe, is due largely to the fact that certain matters have not been kept in mind. May I mention several important factors in the present situation which bear upon this point.

1. The President, in his March 1962 consumers' message to the Congress of the United States, clearly went on record in support of effective consumer representation in the Federal Government. No other President had done so before. Moreover, throughout the year President Kennedy has given time, attention and encouragement to the Council.

2. The President requested the Chairman of the Council of Economic Advisers to create the Consumer Advisory Council. Furthermore, the Chairman, Dr. Heller, believes wholeheartedly in consumer representation in Federal Government and has given his enthusiastic support to the Consumer Advisory Council.

3. A start has been made in calling the attention of top administration to the consumer's interests. This beginning may or may not be unanimously believed to be the best kind of a start but it is an effective beginning and, I believe, merits the support of the press, business and consumer groups.

4. The present Council was conceived as being and, in fact, is clearly advisory in function. That is, advisory to the Chairman of the Council of Economic Advisers and, through him, to the President and the 22 Federal departments and agencies. It is neither the role nor the prerogative of such an advisory group to announce positions, decisions or recommendations it has made. The effectiveness of its work will depend upon whether it influences the decisions of those to whom it gives advice. Moreover, this Advisory Council is different from many traditional advisory groups in the Federal Government in that it must select the majority of matters on which it believes advice should be given. It has created most of the program of work on which it concentrated during the past year.

5. An adviser (individual or group) to the President of the United States and others in the executive branch of Government has a unique role to play and perhaps should not (cannot) be the action person(s) or department. Both are needed.

NEED FOR EDUCATION ON CONSUMPTION

Back of all attempts to voice the consumer interest, lies the need for understanding and awareness on the part of consumers themselves to better perform their role in the economy. For example, the consumer must understand his role in spending the family income—that in doing so, he is responsible both in terms of family welfare and of the proper functioning of the economy. The money he receives in exchange for labor has no value in itself. There must be a second exchange; an exchange of money into satisfying goods and services. Unless this second exchange is competently made, some of the labor that went into earning the money is wasted as is, also some of the material resources; the wrong signals go back through the economic system.

When you ask the typical consumer what his consumer problems are, he is not likely to have any very fundamental matters (trivial matters, yes) on the tip of his tongue. In short, he does not have a well developed sense of the nature and responsibilities of consuming. This is because he has not been educated to tie together a set of isolated experiences into a generalized point of view, which could, in turn, be the basis for a mobilization of the political and economic power of consumers.

It is my conclusion from a good many years of experience in the fields of economics and home economics, that the basic problem underlying all so-called consumer problems is the lack of education. It is not enough, in fact it is impossible, to represent consumers in a meaningful way if they are ill informed and irresponsible. It is not enough to offer them isolated pieces of information about specific problems if they do not have a broad framework of understanding about their role in our economy as responsible consumers and citizens. I have crusaded over the years for more education in consumer economics in our schools at all levels and in adult education programs.

Educators and many private and professional organizations, including the American Home Economics Association (which was among the first organizations to champion the cause of the consumer) can through their members or their organizational facilities either lobby or more directly work for an increase in courses in consumer economics of both formal and informal types. There has been some progress over the years. For example, today more consumer economics is taught than when I was an undergraduate. But it falls far short of what is needed.

In conclusion, I should like to call your attention to a deep concern of mine which I discussed at the July 1962 meeting of the Consumer Advisory Council underscoring what I consider to be the fundamental importance of education of the consumer.

It is my opinion that volunteer consumer organizations and past Government attempts at representing the consumer have been identified too generally with the narrow area of consumer protection such as mail fraud, labeling legislation, food, drug, and cosmetic legislation. I believe this is an important area. But today it is not the only important need which consumers have. I believe that the main reason why there has not been a strong and lasting consumers' organization and why attempts at representing the consumer, both at the State level and the Federal level, have not attracted vigorous and vocal support from consumers, is that the majority of consumers do not identify with programs which are aimed at protection unless something unpleasant happens to them personally and they need this protection. We must direct attention to all parts of consumer education, and especially to consumer economics. This is necessary not only because every citizen in this country should be an intelligent voter, but also because a knowledge of consumer economics is important to us in our everyday living.

I am convinced that if our economic system is to survive, it will come not only by training specialists and leaders but primarily by acquainting the average citizen with simple basic economic truths. For the first time in human history, a world without poverty and without war is technically possible. But it would be the greatest of all tragedies if in our ignorance and fear we should turn this into an age of mass suicide. Ideas can keep pace with technical advancement. But if our Nation is to continue to take advantage of the great opportunities offered by our own form of free enterprise; if we are going to help a free world to survive; then ideas and understanding must spread beyond the circle of the experts, and the leaders to every single individual.

Our judgment cannot be better than our information. Our ignorance of simple economic principles is both shocking and frightening—especially when we realize that well over one-half of government decisions at any level are economic decisions and that our decisons will control not only our Nation's situation but the world's. This means that every American citizen should know more about elementary economics. There is a crying need for economic education in our schools and in adult programs so that the people of the United States may realize and appreciate the great opportunities and advantages of this free economy of ours; understand how the economy operates and be made to see the effect on the operation of the economy of the individual's actions. Thus I am interested not only in the science of private housekeeping but also in the science of public housekeeping. I share the conviction of others that knowledge is better ultimate protection of our economy than guns.

Now it is obvious that the Consumer Advisory Council cannot undertake a mass education campaign. However, the Consumer Advisory Council does have a significant educational role to play by its very existence; by being a visible evidence of the fact that there is a distinct consumer interest in what is going on in this exciting world. The consumer's job is not an easy one, especially since the consumer, generally speaking, has had no instruction in understanding the importance of his role, and the conditions for its competent performance. However, education and knowledge will form the basis for more effective consumer representation in the future. I speak for myself when I say that it is because of this conviction that I am committed to do all that I can to make possible the success of the Consumer Advisory Council.

OUR POLICY TOWARD CUBA

Mr. HART. Mr. President, the Halls of Congress again are ringing with criticism of our policy toward Cuba. It strikes me that the critics, though well intentioned, may be undermining our Government's day-by-day struggle to eliminate the Communist menace from the Western Hemisphere.

Are those asking for more action prepared to face the consequences of an all-out invasion of Cuba? Are they willing to commit the armed might required for the offensive and the subsequent occupation? Are they prepared to put this Nation on a course that may lead to a world nuclear holocaust? Have they weighed the toll of human lives that may result? Will they have policies ready for the reaction of other Latin American nations to the picture of the United States occupying Cuba with military force? I think not.

To those who propose the recognition of Cuban Government-in-exile, I say recognition of a government that may not have the support of the oppressed people of Cuba would not only be fruitless, but a damaging blow to those brave forces now on the island daily fighting Castro. The rebel groups on the island must be aided and encouraged, but they must be free to select their own destiny.

Our Nation's policy of isolation of the island and continuing encouragement of positive anti-Castro activity may be slow but it will be sure and lasting.

Assistant Secretary of State Edwin M. Martin, testifying at the recent hearings of the Judiciary Subcommittee on Refugees and Escapees, of which I am chairman, clearly enunciated our position when he said and I ask leave to quote him:

> In moving to a brief outline of our present Cuban policy I wish to express it in terms related to some of the arguments raised by the exiles. It is not coexistence. We want to get rid of Castro and Communist influence in Cuba. It is not passive. We are engaged in a variety of measures, unilateral, bilateral and multilateral, which are designed to increase the isolation of Castro; to increase his serious economic difficulties; to prevent by military means, if necessary, any export of aggression from Cuba; to thwart Cuban-based and supported subversion of Latin American governments; to increase the costs to the Soviets of their maintenance of Castro; to persuade the Soviets that they are backing a losing and expensive horse; to effect the withdrawal of Soviet military forces in Cuba; and to maintain surveillance of Cuba to insure that it does not again become a military threat to the United States or its allies in this hemisphere.
>
> Our actions go well beyond Cuba itself. Through the Alliance for Progress we are endeavoring, in cooperation with the Latin American governments, to eradicate the social, economic, and political conditions in which communism flourished before Castro and in which, unless corrected, it will continue to flourish long after Castro is gone. By enhancing the internal security capabilities of police and military forces in Latin America, we are helping those governments meet and overcome the threat of Communist subversion and violence.
>
> To sum up briefly, we are executing essentially a two-front policy with respect to Cuba; on the one hand, we are moving to weaken Castro with a view to his eventual collapse; on the other, we are strengthening the Latin American countries which he and his Soviet masters are intent upon capturing. I can say that in the net our policy is progressing. We face a long, hard road, and I would mislead you if I were to say that the end is in sight, but we are advancing.

The alternative to this policy may be war. As the President said on April 19 to the American Society of Newspaper Editors:

> For the present, and for a great power which carries worldwide responsibilities, I think our present policy is the right one.
>
> If the American people decide differently, then, of course, they have an obvious remedy, but for now, we intend to follow this policy.

With this I agree.

WE ARE A RELIGIOUS PEOPLE WHOSE INSTITUTIONS PRESUPPOSE A SUPREME BEING

Mr. ERVIN. Mr. President, the able and distinguished junior Senator from Alabama [Mr. SPARKMAN] made a most illuminating speech at today's meeting of the Capitol Hill chapter and the Younger Lawyers Committee of the Federal Bar Association upon the recent decision of the Supreme Court in the first amendment cases and the place of religion in the life of our people. His excellent address merits the widest possible dissemination. For this reason, I ask unanimous consent that Senator SPARKMAN's address be printed at this point in thee body of the RECORD.

There being no obection, the address was ordered to be printed in the RECORD as follows:

> Mr. President, Mr. Krasnow, and fellow lawyers assembled at this, a combined meeting of the Capitol Hill chapter and the Younger Lawyers Committee of the Federal Bar Association.
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> I appreciate the opportunity of appearing before you today on the general subject of the separation of church and state, and I commend the younger lawyers committee for its selection of this subject for a series of meetings. It is both appropriate and coincidental that we are meeting here today in the hearing room of the Appropriations Committee of the Senate. Were it not for our historic and traditional separation of church and state, there might conceivably come out of this very room official recommendations for appropriations of taxpayers funds for the support of an established church or religion. This has never been the case, and I think that we are in no danger of such a situation arising.
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> It is a real pleasure for me to speak again to a group of lawyers. I recall an address that I made to a national meeting of the Federal Bar Association here in Washington 16 years ago, only a year after I had come to the Senate to fill the unexpired term of the late Senator Bankhead.
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> I have followed with interest the growth of the Federal Bar Association which has expanded, just as the Federal Government has expanded, to its present strength of approximately 10,000 members. I was pleased to see a chapter of the association established here in Congress. From the start, I encouraged its founders to proceed with the establishment. After I attended an annual meeting 2 years ago, I concluded that the chapter was well established. It is my belief that an active bar association on Capitol Hill performs a fine function in drawing legislators and staff together, irrespective of political beliefs, in the interest of holding high the standards of our profession.
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> I was in the active practice of the law for 11 years in Huntsville, Ala., prior to coming to the House of Representatives in 1936. During 2 of those years, I served as U.S. commissioner in my district where I saw many Federal cases developing in their early stages. In retrospect, I can say with all candor that both the active practice of the law and my legal education have meant much to me.
>
> The ever-increasing complexity and scope of governmental problems make it altogether fitting that 370 out of 534 present Members of Congress are lawyers. This is 69.3 or approximately 70 percent. I can assure you also that we Members of Congress draw heavily in aid and reliance on the legal members of our staffs, with the general feeling that a good and true lawyer, dedicated to his profession, will go as thoroughly as time will permit him into both the law and the facts in a professional manner.
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> You have asked me to make some observations on the case of *Engel* v. *Vitale*, 370 U.S. 421 (June 23, 1962), and the subsequent Pennsylvania and Maryland cases recently decided on June 17, 1963.
>
> I am concerned about these cases and about future cases that might further the doctrine of the Engel case because I think it is unfortunate that our Supreme Court has

opened up this avenue of extreme disassociation by State and local school authorities with any form of religious or spiritual recognition. Where to draw the line on our official governmental recognition of God as our Supreme Being has been in somewhat of a confused state since the Engel decision was handed down.

Unfortunately the newspapers and various church bodies caused more extreme public interpretations to be placed on the Engel decision than the Court intended, if you read the majority opinion carefully, but, nevertheless, the case was a crucial landmark case in our governmental history. Now that a year and a day have passed, as we have heard in the courtroom so much, we can view the case with somewhat less spontaneous exuberance and analyze its full meaning.

Up until the time of the Engel case, I felt a good sense of security on this subject because, as a nation, we had been carrying out the spirit and meaning of Thomas Jefferson's and George Mason's statute of religious freedom, and the subsequent first amendment to the Constitution in the context of their origins without so drastic a departure from our concept of being one Nation, under God, indivisible with freedom and justice for all. This was stated clearly by the Supreme Court itself only 11 years ago in the case of *Zorach* v. *Clauson*, 343 U.S. 306, at page 313 when it stated: "We are a religious people whose institutions presuppose a Supreme Being."

On July 3, 1962, shortly after the Engel decision, Senate Joint Resolution 206 was introduced in the Senate by Senator STENNIS, and I was one of its sponsors. This resolution would have proposed an amendment to the Constitution providing that nondenominational religious observances could be held through the invocation of the blessing of God or the recitation of prayer as a part of the activities of any school, or other educational institution supported in whole or in part from public revenues, if participation therein is not made compulsory.

In my remarks on the floor of the Senate concerning the Engel decision, I pointed out that, if the decision is carried to the extremities of its implications, it should not be allowed to stand in a Government whose very foundations are based upon the existence and the guidance of an allwise Supreme Being. My feeling is in sharp contrast to the provisions governing the Government of Soviet Russia where there is such a complete separation of religion and Government that the Communist part reserves the right to issue propaganda against religion. I look with disfavor on a step that draws us closer to that concept. The Supreme Court apparently was trying to attain a position of neutrality toward religion. This is indeed most difficult.

If godly institutions are felt to be not neutral, then godless institutions likewise are certainly no more neutral. Secularism is based on something that is difficult for me to understand—namely, an image of human beings and material things without God, of time and history without eternity. Secularism in itself, whether by accident or not, is a faith. Any American is entitled to hold it, but I see no reason why it should be imposed upon all of us any more than a brief school prayer in New York should have been imposed on pupils with the provisions that those who wished might join in its recitation.

The Engel case involved the use of the following 22-word nondenominational prayer: "Almighty God, we acknowledge our dependence upon Thee, and we beg Thy blessings upon us, our parents, our teachers, and our country."

This simple and beautiful prayer should not be construed as a governmental act establishing a church or a religion.

The New York Board of Regents did not require local school boards to use this or any other prayer for recitation in classrooms. However, each local school board might, if it wished, prescribe this prayer for its own students. Recitation by the students was on a voluntary basis—any child could remain silent or with the written consent of his parent or guardian, be excused from class during the prayer.

The facts in the Maryland and Pennsylvania cases, decided last week by the Supreme Court, also involve the same elements of voluntarism. In the Pennsylvania case, religious readings were broadcast into classrooms through an intercommunication system and students were asked to stand and join in repeating the Lord's Prayer in unison. On the Maryland case, the schools opened each day with a Bible reading and recitation of the Lord's Prayer.

Whether the Court's decisions are interpreted narrowly or broadly, I believe that—in either case—they misconstrue what the framers of the 1st and 14th amendments envisioned. I agree with noted constitutional law scholars, such as Dean Griswold, of Harvard Law School, that the establishment clause of the first amendment, as well as the free exercise clause, were not intended to prohibit public religious exercises in the States, and that they should be taken in the context of history in which they were written.

Mr. Justice Black, in writing the majority opinion in Engel, stated that New York "by using its school system to encourage recitation of the Regents prayer * * * has adopted a practice wholly inconsistent with the establishment clause," *Engel* v. *Vitale*, 370 U.S. 421, at 424 (1962). As a lawyer, I was disturbed that the majority opinion in Engel did not cite a single case in support of the conclusions reached by it. In my judgment, the Engel decision should be remembered for its failure to cite—much less discuss—earlier opinions dealing with the interpretation of the establishment limitation.

I was also disappointed at the majority opinion's failure to discuss a point which served as the basis of the New York trial court's decision. The trial court's extensive and well-documented opinion, written by Justice Meyer, used a fundamental rule of constitutional interpretation; namely, that the meaning of a constitutional amendment is to be determined by the sense of the Nation at the time of its adoption. Mr. Justice Black recognized the religious background of our Nation but disregarded completely the long history of our country with respect to prayers in public and in schools.

I agree with the New York trial court that our history clearly demonstrates that recitation of prayers in public life was not an establishment of religion in the sense used in the Constitution or as understood by men such as Jefferson or Madison, and James Madison was the main author of the first amendment.

While failing to cite court decisions, Mr. Justice Black does quote Thomas Jefferson for the proposition that the clause against establishment of religion was intended to erect "a wall of separation between church and state." Jefferson's concept of church-state relations seems quite different to me than enunciated by eight of the nine Justices of the Supreme Court.

Thomas Jefferson saw no harm in holding religious worship in a county courthouse, which symbolizes, much more than the classroom, the power and majesty of the State. In 1822, Jefferson wrote to his friend Thomas Cooper: "In our village of Charlottesville * * * we have four sects without church or meetinghouse. The courthouse is the common temple, one Sunday in the month to each."

It was Thomas Jefferson who penned these familiar words in our Declaration of Independence: "All men are endowed by their Creator," "with a firm reliance on the protection of divine providence," words which undoubtedly would be struck down by the present Supreme Court if used in a nondenominational school prayer.

The Supreme Court has failed to draw a distinction between laws which establish a religion and laws which merely affect religion. In writing the establishment clause, the authors of the first amendment wanted to prevent Congress from establishing a tax-supported church similar to that of England and other continental countries. There was never an intention to bar the enactment of laws which merely affect religion * * * it was under this understanding that Congress has enacted legislation such as making the words "In God We Trust" our national motto

I was a Member of Congress when we enacted the words "one Nation under God" in our pledge of allegiance to the flag. We did that sincerely and for my part we intend to leave it there.

The authors of the Constitution intended the first amendment to apply only to the Federal Government and not to the States. The wording of the first amendment is clear: "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof." The first Congress adopted this provision and defeated James Madison's proposal which declared: "No State shall violate the equal rights of conscience."

In 1845, the Supreme Court in *Permoli* v. *Municipality of New Orleans*, 3 Howard 389, declared that it had no jurisdiction to determine whether an ordinance of New Orleans infringed the petitioner's religious freedom. Speaking for a unanimous court, Mr. Justice Catron stated: "The Constitution makes no provision for protecting the citizens of the respective States in their religious liberties; this is left to the State constitutions and laws; nor is there any inhibition imposed by the Constitution of the United States in this respect on the States."

From the adoption of the Federal Constitution until the ratification of the 14th amendment in 1868, the power of the States to regulate religion, free from national control, went unchallenged. When this subject was discussed in Congress, there were no serious suggestions that the first amendment was to be construed as a limitation on the State's power.

The 14th amendment was intended by the Reconstruction Congress to extend to former slaves existing State guarantees of basic rights which were being extended to whites only. The language of the 14th amendment clearly militates against incorporating the first eight amendments.

In 1876 James G. Baline introduced an amendment in the House of Representatives which, in effect, would incorporate the 1st and 14th amendments. This proposal, and a similar one introduced in the Senate, failed to pass, indicating a congressional purpose to leave the 14th amendment shorn of all religious connotation.

This interpretation received general judicial and popular acceptance until 1925. Then the Supreme Court, in what has been described as "a curious bit of legerdemain" suddenly discovered that the 14th amendment contained some of the liberties of the 1st amendment. From freedom of speech and press—declared in *Gitlow* v. *New York*, 268 U.S. 652 (1925)—it was only a short hop, skip and a jump to freedom of religion, *Cantwell* v. *Connecticut*, 318 U.S. 296 (1940). Thus, what was not accomplished by attempts to amend the Constitution was "legislated" by the Supreme Court which opened vast new areas of jurisdiction foreign to the original intention of the constitutional fathers and the authors of the 14th amendment.

I feel that we are in a dangerous era which may promote the cause of atheism and secularism. The Engel case started this era, and it may very well touch our national foundations more deeply. Mr. Justice Douglas' concurring opinion in that case caused alarm that perhaps the use of the word "God" anywhere in our official life is improper.

The majority opinion in the Pennsylvania and Maryland cases of June 17th attempted to offset this by dictum in giving recognition to the prayers of our chaplains in Congress and to other traditional official references to the Supreme Being. The opinion also stated that the Bible could be taught in schools as a course of study, just as mythology is taught, which might lead a number of school children to feel that the Supreme Court thinks that the Bible is entitled to about as much credence as mythology.

Lord Bryce in his "American Commonwealth" 80 years ago said of us:

"Of what might befall this huge yet delicate fabric of laws and commerce, and social institutions were the foundations it has rested on to crumble away?

"The more democratic republics become, the more the masses grow conscious of their own power, the more they need to live, not only patriotism, but by reverence and self-control, and the more essential to their well being are these sources whence reverence and self-control flow."

I feel as though Lord Bryce were talking about the instant cases in the above quotation. The inevitable answer seems to be that a great source of national inspiration, reverence, and self control is crumbling away when, in order to strike down State action in the diminishing era of States rights, we turn history about as though it were flexible. We seem to forget that what is past may be prologue.

TEXTILE IMPORTS

Mr. DODD. Mr. President, all of us are aware of the tremendous problems faced by the American textile industry, problems due primarily to the vast increase during recent years in imported textile goods and wearing apparel.

Members of Congress and officials in the executive branch have devoted much time and effort to studying ways of obtaining adequate relief for textile producers. And those whose livelihood depends on a healthy and prosperous domestic textile industry have made a strong case in support of protection from excessive amounts of low cost foreign imports.

But despite all the work that has been done, and despite the general knowledge among officials and the public that the textile industry is in trouble and needs help, the competitive position of our domestic textile industry has steadily continued to deteriorate.

The dire predictions made on the basis of information developed during the extensive hearings the Special Subcommittee on the Textile Industry conducted in 1959, 1960, and 1961, are substantially confirmed by recent figures on imports.

Let me cite some statistics to illustrate this point.

In 1947 wool textile imports amounted to 1 percent of our total domestic production. This figure had risen to 25 percent by 1962, and no doubt it will be even higher for this year.

The American people are now buying more foreign woolen products. In 1962, 15 to 16 percent of the woolen yarns, fabrics, knit goods, and woven apparel purchased in the United States was imported. As early as March of this year, the figure had gone up to 20 percent, and since nothing has been done as yet to limit the importation of wool manufactures, domestic producers will undoubtedly continue to lose more and more of the American market.

The seriousness of the situation confronting domestic woolen mills is further attested to by the record number of closings during the past year.

In November, 1962, the Grosvendordale Woolen Mills, a fine Connecticut producer of woolen cloth, had to announce that its factory would be closed down.

Just last month, the Cyril Johnson Woolen Co., of Stafford Springs, Conn., announced that its plant would be closed. 1963 is the 75th continuous year of operation for the Cyril Johnson Co., and even though a concerted and imaginative effort was made to improve its position, the adverse trend of recent years could not be reversed by the company officials and employees.

As a result of factors largely beyond their own control, 250 experienced textile workers will lose their jobs as Cyril Johnson phases out its operations by fulfilling previous orders and commitments.

The announcement by the president, Mr. Roland Mitchell, explaining to the Cyril Johnson employees the decision to close down is a poignant and tragic revelation of the hopelessness of the situation, from the point of view of an employer and mill owner who is well aware of the effect the closing will have on his employees and on the town in which they live and work.

One of the reasons cited for the decision to discontinue operations at Cyril Johnson, and I am sure this is true on other cases as well, is that nothing has been done by the Government to control excessive imports of woolen fabrics and garments "and there seems to be little hope that effective action will be taken."

I hope that this pessimistic prediction does not prove to be true. But I am afraid that many more companies will suffer the same fate if the Commerce Department does not soon live up to the commitment made in 1962, that "limitation of textile imports to prevent market disruption is an essential element of administration policy. We intend to implement this policy with regard to all textiles." And I emphasize that all textiles are included, not just some.

Through an international quota arrangement, agreed to by 23 nations, steps have been taken to limit cotton imports which will last until 1967. This agreement is just becoming operational, and I sincerely hope that it will start to provide some of our textile manufacturers with adequate relief, so that domestic companies will be able to keep a fair share of the American market for cotton goods.

We need similar action, and we need it soon, to help wool textile companies. The situation in this segment of our textile industry is extremely serious, as I have already shown, and the economic prospects of these wool producers become bleaker by the day.

But wool producers still have not received protection, in the form of import limitations similar to those worked out on cotton. I hope the recent hearings by the Special Subcommittee on the Textile Industry, and the expressions of deep concern by myself and other Members of Congress, by trade groups and labor organizations and by individual businessmen and workers, will encourage the executive branch to move more quickly toward a solution of this pressing problem.

In Connecticut there are almost 500 textile establishments, operating in 68 towns and cities throughout the State. Textiles is our fifth ranking industry, with a payroll of approximately $107 million.

Over 31,000 workers depend on the Connecticut textile industry for the jobs it creates. The welfare of these workers and their families, and the prosperity of the communities in which these plants are located, are at stake.

Those of us who represent Connecticut and other States with a substantial textile industry would be negligent in our duties if we did not do all in our power to help these companies meet, on a fairer and more realistic basis, the intensive competition of foreign countries for our domestic textile market.

The present administration is generally sympathetic to this problem, as we know from the seven-point program to help the textile industry that the President enunciated shortly after he assumed office. Additional firm commitments have been made from time to time by other administration officials.

The partial success that has been achieved with cotton, after many years of seemingly hopeless efforts to convince previous administrations of the merits of the textile industry's case, is most encouraging.

The next essential step is that wool manufacturers be assured of a fair share of the domestic market, through a quota arrangement similar to the one now in effect on cotton textile imports. Surely this is not too much for us to ask, and I know many thousands of American workers would be grateful for this help.

I wish to pledge my continued full support and cooperation toward attaining this objective.

COLD WAR EDUCATION

Mr. DODD. Mr. President, in his state of the Union message, President Kennedy said that it was urgent that the American educational system should tackle the problem of preparing our youth to confront the reality of communism.

Over the past few years, there has grown up in our country a general recognition of the need for education on communism in our school system. Many colleges across the country now offer courses on the cold war, and a substantial number of States have made such education mandatory in their high schools. The National Governor's Conference last year decided to set up a committee on cold war education. And this June 12 there took place in Tampa, Fla., the first nationwide conference on cold war education, embracing educators, community leaders, and representatives of State governments.

The moving spirit behind this conference was Gov. Farris Bryant, of Florida, who has been responsible for setting up a model program of education on communism in his own State, and who was appointed chairman of the Governor's Committee on Cold War Education.

It was my very great privilege to be invited to deliver the keynote address at this conference.

Mr. President, I ask unanimous consent to have the text of my speech before the 1963 Conference on Cold War Education inserted into the RECORD at this point.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF SENATOR THOMAS J. DODD BEFORE THE 1963 CONFERENCE ON COLD WAR EDUCATION, TAMPA, FLA., WEDNESDAY, JUNE 12, 1963

Governor Bryant, distinguished guests, 1 year ago this July, I had the honor of addressing a Florida State Conference on Cold War Education convened under the inspiration of Florida's great Governor, Farris Bryant. Since that time, the movement of which Governor Bryant was one of the most distinguished pioneers, has assumed nationwide proportions. The National Governor's Conference has set up a committee on cold war education; and, in recognition of his unique services in this area, Governor Bryant has been appointed chairman of this committee.

And now, at last, again under the guidance of Gov. Farris Bryant, we have a development that I have been waiting many years to see: a nationwide conference on cold war education attended by representatives of State government, by educators, by business leaders, by officers of civic organizations and by representatives of all segments of our national community.

I was particularly honored by your invitation to address you today because I consider this to be a conference of truly historic importance—a conference, indeed, which could prove to be a turning point in the cold war.

Out of the many defeats and humiliations which the free world has suffered since the close of World War II, there has at last emerged a recognition of the need for a clearer understanding of the nature of communism, of the meaning of freedom, and of the significance of the struggle in which we are involved.

No one has stated this more eloquently than President Kennedy in his state of the Union message. "It is most urgent," he said, "that the American educational system tackle in earnest the task of teaching American youth to confront the reality of totalitarianism in its toughest, most militant form, which is communism, with the fact and values of our American heritage * * *. We shall have to test anew whether a nation organized such as ours can endure. The outcome is by no means certain. The tide is unfavorable."

If the American educational system is to undertake the task of preparing American youth to deal with the menace of communism, as President Kennedy proposed, then it is imperative that our State governments assume this task as a prime obligation, as Governor Bryant has done in his own State and as several other distinguished Governors have already done in theirs. It is also imperative that our educators and community leaders should mobilize voluntarily, as you have done here today, so that the task of education on the cold war will assume the dimension of a truly national endeavor, of a partnership between community leaders and State governments and educators.

We must commit ourselves to this task of national education as though our very survival depends on it—because it does, in fact, depend on it.

We must seek to understand what we can do to halt the onrush of communism and to deal more effectively with Communist subversion and infiltration.

I believe that many of the blunders and defeats of the postwar period can be traced back to the simple fact that our understanding of communism was inadequate. This inadequacy has by no means been confined to the lay public: On the contrary, it has been an all-pervasive inadequacy from which our newspapers, our educators and our political leaders have suffered equally with the general public.

We must start with our high schools and colleges, because the graduates of today will tomorrow be our business and community leaders, our Government employees and foreign service officers. And the inexorable laws of time also ordain that, before too many years have passed, they will take over the task of political leadership from those who hold office today.

In mobilizing ourselves to provide this kind of education for the youth of today, our own generation is providing them with something which we ourselves did not have. Indeed, I strongly believe that, had courses on communism and the cold war been taught in our high schools and colleges during the thirties and forties, we would have avoided many of the mistakes that have brought the free world to its present perilous situation.

But what should we study and how shall we study?

I have examined several proposed curriculums for education on the cold war. All of them make good sense to me. But those that I have seen suffer from three important deficiencies.

There is agreement that we must teach our students the meaning of freedom and imbue in them an appreciation of the heritage of Western civilization and of the special heritage that we in America can claim as our own.

There is agreement that we should teach courses on Communist doctrine and on the history of communism. But while there is general agreement on this point, there are some who say that we must teach each subject "objectively," avoiding propaganda and the kind of mental conditioning which the Communists themselves practice in their education. I confess that I do not understand what these educators mean by "objectivity." If they mean by this that those who teach about communism must strive to maintain a neutral and dispassionate posture and must avoid condemning it, then I cannot agree with them. I have yet to come across anyone who has suggested that in teaching about Hitlerism and World War II, teachers must attempt to make a completely dispassionate presentation of the facts, and avoid anything that might be interpreted as a condemnation of nazism.

If a teacher sets forth the facts about the Red terror in the Communist countries, about the liquidation of the political opposition, about the manmade famines and the forced collectivization of the peasants, about the forced labor camps, about the brainwashing, about the total denial of human rights, about the campaign against religion, about the obscene confessional orgies that pass for trials in Communist countries—if a teacher sets forth all of these facts objectively and without exaggeration, then it is nonsense to talk about "dispassionate presentation" or about "avoiding condemnation."

Communism stands condemned by the unadorned facts of its own history. One would have to be somewhat less than human to remain cold and dispassionate about the inhumanity of communism, and the artificial quest to avoid the condemnation of these crimes, would, as I see it involve an abdication of the moral responsibility to condemn.

There is general agreement that instruction should include special consideration of Communist policy and action in the Far East, of Castro communism and the threat to the Americas, of Soviet policy generally in the underdeveloped countries, of current crises in world affairs, and of more effective methods of countering the attacks of international communism.

With all of these proposals, I am in agreement. And yet I believe that if we confine education on the cold war to the subject headings suggested by such curricula, the coming generation will go on blundering and retreating and conceding as their fathers have done in this generation, because they still will not be equipped to cope with the infinitely subtle and infinitely varied attacks of international communism.

In situation after situation, the Communists have achieved victory by dividing Western public opinion and thus inactivating Western policy or, better still, by completely befuddling Western opinion so that the Western nations wound up by doing precisely what the Communists wanted them to do.

If the youth of today are to escape the befuddlement which plagued their elders at recurrent intervals, it is essential that all of the well intentioned blunders of the postwar period be subjected to merciless examination in the classrooms.

Let me give you a few examples of situations in which the West has believed what the Communists wished it to believe or has done what the Communists wished it to do.

After the expulsion of the Nazis from Greece in 1945, the Communist EAM staged an uprising and embarked upon the indiscriminate slaughter of anti-Communist civilians. Thanks to the vigorous and courageous intervention of Churchill, Greece was saved from the clutches of the EAM and the Kremlin. But if you look back through the press of the period, you will find that our Government and a great majority of our newspapers berated Churchill for intervening in Greece, apparently in the belief that the EAM was simply a united front anti-Nazi resistance movement. Today, of course, everyone agrees that Churchill did the right thing in Greece. But we must ask ourselves how it came about that Churchill's action at the time encountered bitter opposition from the American Government and the American press which should have supported him.

An even more dramatic example of Communist manipulation of Western opinion and Western policy is provided by Yugoslavia. During the war in Yugoslavia there were two resistance movements—the Chetnik movement led by Gen. Draza Mihailovich and the partisan movement under Communist control, led by Josip Broz Tito. Until mid-1943, Britain and the United States supported General Mihailovich, and the Anglo-American press portrayed him as the foremost hero of the anti-Nazi resistance in occupied Europe. Toward the end of 1943, Britain and America, for obscure reasons, abandoned Mihailovich and shifted their support to Tito. In conformance with this policy, the allied press turned a complete somersault. Tito now became the foremost hero of the anti-Nazi resistance, and stories were put out that Mihailovich was, in fact, collaborating with the enemy.

In supporting Tito, Britain and America had no intention of communizing Yugoslavia. Apparently they believed the nonsense that Tito's movement was a national movement and not a Communist movement;

and apparently they accepted his assurances that he had no intention of communizing Yugoslavia. But the hard fact remains that communism was imposed on the Yugoslav peoples not by the partisan movement and not by the Kremlin or the Red army, but by the two great democratic powers, acting in united confusion. We armed Tito's forces; we airdropped supplies to them when they were attacking the nationalist forces of General Mihailovich; and we converted the British Broadcasting Corporation, the Voice of America, and the Allied press into Titoist propaganda organs.

Today we ask ourselves how this incredible perversion of Allied policy came about. Part of the answer, I am certain, is provided by the fact that the chief of British Balkan intelligence during World War II, a certain Maj. James Kluggman, later emerged as a member of the executive committee of the British Communist Party. But this is only part of the answer. If Allied intelligence on Yugoslav was falsified, as we now know it was, we must still ask ourselves how it came about that so stanch a conservative as Prime Minister Churchill accepted the falsifications without challenge, and how Churchill and the Allied press fell for the myth that the Tito movement was a representative national movement which would not communize Yugoslavia.

Our China policy disaster must be chalked up as another major success for the Communist apparatus of confusion. If you look back through the press and periodicals of the period, you will find that the only books on China that became best sellers were those which described the Chinese Communists as agrarian reformers and Chiang Kai-shek as a completely corrupt tyrant. There were major articles in major periodicals that told the same story. The story was further confirmed by repeated editorials in eminently respectable newspapers. And, finally, this evaluation of the situation in China was given currency at the highest level of government by the supposedly learned reports of the Institute of Pacific Relations, with its Wall Street financing and its impressive liberal-conservative membership.

Today we know how completely false this evaluation was. But over a period of years it was repeated so frequently by so many respectable people that even stanch conservative anti-Communists like Ambassador Hurley, accepted this evaluation as accurate until bitter experience taught them otherwise.

Our own befuddled acceptance of the "agrarian reformer" myth was perhaps more responsible than any other single factor for the Communist triumph in China and for the catastrophic penalty we have had to pay and will have to pay in the future, to prevent the Chinese Communist hordes from overrunning Asia.

We must ask ourselves how we blundered in China, and how we came to believe a myth which commonsense should have told us was a perversion of reality.

I could extend this list for many hours. But let me confine myself to one other situation in which the Communist apparatus of confusion and befuddlement has scored a signal triumph.

When Prime Minister Castro was striving for power, articles appeared in some of our leading newspapers informing the American people that, far from being a Communist, Fidel Castro was a modern blend of Thomas Jefferson and Robin Hood. Those responsible for the conduct of our foreign policy were similarly informed by subordinates at desk positions that there was no proof that Fidel Castro was a Communist or that his movement was Communist dominated—despite the fact that warnings were on file from many of our Ambassadors in Latin America and from various elements of the intelligence community.

As a result of this misreading of the nature of the Castro movement, Castro was permitted to raise funds and ship arms from the United States without interference, and at the critical juncture the State Department moved to precipitate the downfall of Batista before a non-Communist alternative to Batista had been prepared. In a very real sense, therefore, America made itself responsible, despite its intentions, for the introduction of communism to the Western Hemisphere.

Once again, we must ask ourselves how it came about that American editors, American officials and the American public were so befuddled about the situation in Cuba, that we wound up by doing precisely what the Communists wanted us to do.

I come back to the point that if we are to avoid repeating the errors of the past, we must submit these errors to an utterly frank and nonpartisan examination. I believe that the study of our foreign policy failures in the postwar period, on a case-history basis, constitutes an essential ingredient of a program of education for survival in the struggle against world communism.

This leads me to my next point. I believe that the American people, the American press, and the American Government would not have blundered in so many situations if our educational system had placed more emphasis on teaching people to think independently, had it placed a higher premium on the development of our critical faculty. There has been too great a tendency on the part of the public to accept what their newspapers tell them; too great a tendency on the part of our newspapers to guide themselves by information from official sources; too great a tendency on the part of our policymakers to be guided by position papers developed at various desks; and too great a tendency on the part of subordinate officers at desk positions to conform to official policies, once they have been established as policies.

Instead of placing a premium on independence, on dissent, and on critical analysis, the present tendency is to place a premium on conformity.

I cannot place too much emphasis on the importance of encouraging our students to think for themselves, to endeavor to get their information from a variety of sources, to weigh conflicting viewpoints where conflicting viewpoints exist, and to develop their own viewpoints where the positions taken by the press and officialdom do not satisfy them.

This proposal is not merely in harmony with our democratic traditions and with the religious belief in the dignity of the individual, but more than this, it may very well be a condition of our survival as a nation.

When we have a public that has been taught to think critically, we shall soon have a foreign service and other Government departments manned by personnel who consider it their prime duty to think and to speak independently on the issues that are presented to them.

I come now to my final proposal.

Ours has been an easygoing, affluent, hedonistic, society. We teach our youth what is right and what is wrong. On the whole, our youth is law-abiding and morally disposed. But their morality is all too frequently of the passive variety which simply avoids wrongdoing, rather than of the active variety which looks upon moral precepts as a guide to every day conduct, and which calls for dedication and self-sacrifice.

A passive morality will not suffice in the struggle against the forces of world communism. The essential strength of the international Communist conspiracy lies in the total commitment of its members to the objective of a world Communist society. They do not work at this objective part time, but every hour of every day. In the service of evil, they dedicate the whole of their lives.

I believe that our education for the cold war must have a moral function. I believe that it must call upon our youth for self sacrifice; that it must instill in them a spirit of total dedication to match the total dedication of the Communists; that it must encourage them to think of ways in which they can translate their anti-Communist and pro-democratic beliefs into concrete action.

I know that this can be done. I know that it can be done because even in the absence of an organized educational program, the young people of our country have in many instances already displayed this kind of dedication and this kind of enterprise.

One of the most dramatic programs for countering Communist influence in Latin America was conceived right here in Florida under the auspices of the Miami Herald. It is called Operation Amigos.

Operation Amigos brings planeloads of Latin high school students, carefully selected for their leadership qualities, to Florida for periods of 2 weeks, during which they live in the homes of their fellow American students, attend classes and all school activities. Then American students go to Latin America to return the visit. The Herald employs a full-time coordinator who spends half his time in the Latin country selecting and preparing the students, and the other half preparing the American community to receive them. When the first planeload of Ecuadoran students arrived for their stay in Cocoa, Fla., the Cocoa High School student body and band met them, singing the Ecuadoran national anthem in Spanish. By the time the youngsters' stay was done they had developed such ties that there was hardly a dry eye to be found on either side upon parting.

Now other newspapers, including the Scripps-Howard chain, have begun to follow the Miami Herald example and sponsor Operation Amigos exchanges.

Given an educational program which teaches the history and meaning of freedom and the history and meaning of communism, given a program which inculcates in our young people a spirit of dedication and self-sacrifice and which teaches them the art of thinking for themselves, I feel confident about the future of America. I feel confident, indeed, that it will not be too many years before we shall be able to mount a crusade for freedom that will shake the Communist world to its very foundations.

Given such a program, I am convinced that victory in the cold war will ultimately be ours.

Governor Bryant, again I want to compliment you and thank you from the bottom of my heart for your magnificent initiative.

The PRESIDENT pro tempore. Is there further morning business? If not, the Chair lays before the Senate the unfinished business.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the concurrent resolution (S. Con. Res. 25) favoring observance on July 4 of each year, by the ringing of bells throughout the United States, of the anniversary of the signing of the Declaration of Independence.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the President pro tempore:

H.R. 2651. An act to extend for 1 year the period during which responsibility for the placement and foster care of dependent children, under the program of aid to families with dependent children under title IV of the Social Security Act, may be exercised by a public agency other than the agency administering such aid under the State plan;

H.R. 2827. An act to extend until June 30, 1966, the suspension of duty on imports of crude chicory and the reduction in duty on ground chicory;

H.R. 4174. An act to continue until the close of June 30, 1964, the suspension of duties for metal scrap, and for other purposes;

H.R. 5795. An act to provide a 3-year suspension of certain restrictions in the Supplemental Appropriation Act, 1951, on the withdrawal from the Treasury of postal appropriations; and

H.J. Res. 508. Joint resolution making continuing appropriations for the fiscal year 1964, and for other purposes.

AREA REDEVELOPMENT ACT AMENDMENTS OF 1963

The Senate resumed the consideration of the bill (S. 1163) to amend certain provisions of the Area Redevelopment Act.

Mr. BENNETT. Mr. President, when the ARA bill passed 2 years ago, all of us knew it was breaking new ground. The minority members and many majority members raised some serious questions about it, and we are still raising the same questions. Yet before the program has proved itself or has answered the objections raised, the Administration is asking for more money.

The accomplishments of ARA to date have really been quite meager, taking the ARA figures themselves. As of June 15, 1963, only an estimated 42,000 jobs are expected to be created by projects approved so far. But of these, only 16,000 men were actually at work as of June 15. This represents less than one-half of 1 percent of the total U.S. unemployed, and less than 2 percent of the unemployed in depressed areas. When we consider that over the same period, total national employment rose by 2.2 million, the ARA contribution is really most meager—so small that it is almost impossible to discover. I could not obtain figures on the employment rise in depressed areas alone over the past 2 years, but I am sure the contributions of private industry far overshadow the contributions of ARA. I think the 16,000 figure represents a more realistic appraisal of ARA accomplishments to date than does the 42,000 figure, because we cannot be sure that the other 26,000 projected jobs will ever materialize. I should like to observe that these figures are probably grossly exaggerated. The local authorities, when applying for ARA funds, will naturally have a tendency to overstate employment estimates, and thus place their proposed projects in the most favorable light. I believe that as time marches on it will be shown that the claims for new employment will come nowhere near the figures claimed in the applications.

Mr. President, the first ARA loan ever approved was for a town in Arkansas. The loan was supposed to create 1,000 jobs. But the facility provided under the application will house only 500 persons. In other words, the potential jobs to be created by the first application approved was overstated by 100 percent.

Mr. LAUSCHE. Mr. President, will the Senator from Utah yield?

Mr. BENNETT. I yield.

Mr. LAUSCHE. That is to say, the loan was made on the basis of an original declaration that 1,000 jobs would be provided?

Mr. BENNETT. That is correct.

Mr. LAUSCHE. But the facilities which were made available through the loan can accommodate only 500, if all of the facilities are used?

Mr. BENNETT. That is my understanding.

Mr. LAUSCHE. I read the examination conducted by the Senator from Utah; and his description of that situation is in accord with the answers given by the witness.

Mr. BENNETT. Mr. President, I appreciate this contribution by the Senator from Ohio, in connection with the development of this program.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. LAUSCHE. I desire to read what Mr. Batt answered. He said:

> This, of course, was the first loan we made. We think our techniques have improved and are going to improve.

That was a sort of apologetic answer.

Mr. BENNETT. Another interesting thing is that the ARA in its May 31, 1963, report is still claiming 1,000 jobs for this project. Yet, again, the plant will still accommodate only 500.

The basic emotional impetus for this program 2 years ago centered around the problems of such States as West Virginia.

Yesterday the able Senator from West Virginia made a very impassioned plea for the continuation of the program on the basis of the great benefits it had brought to his State.

New Frontier-oriented news columnists have shed tears for this and other States and have promised a solution to their problems through the Area Redevelopment Act, and have said that since the House rejected the bill several weeks ago, the plight of the States of West Virginia and these other States is very pitiful indeed.

But when we examine the figures for West Virginia, we discover that the ARA program has really done very little for this State. According to the latest data available—that of April 1963—West Virginia's total employment between April 1961 and April 1963 had actually dropped from 546,800 in April 1961 to 531,000 in April 1963, a decline of nearly 16,000. The counterpart to this figure, unemployment, over that same period also dropped by about 30,000. But this reduction in unemployment is due to outmigration from the State, and not the contributions of the ARA program.

Of a total investment as of June 15, 1963, of $122 million, the ARA has invested a mere $3.8 million in West Virginia. But when we compare this figure with what private industry has spent in that State, it is a "drop in the bucket." Private industry in 1961 alone spent $110 million for manufacturing plant and equipment in West Virginia. The 1962 expenditures were at least as large, and probably larger. Though I could not obtain investment data for all business, based on past experience, it is probable that the investment for business other than manufacturing is at least three times as great as the manufacturing investment. Thus we can safely estimate that private industry has spent in the past 2 years a total of about $700 million in that State, while ARA has invested $3.8 million. The private investment is 184 times as much as the ARA investment.

This is the final startling figure. Of the 16,000 jobs that ARA claims have actually been created since the law went into operation, the jobs created in West Virginia total 350, or 2 percent of the total. With all the fuss about the value of the program to West Virginia, 350 jobs have been thus far created in that State.

One could say that the program has not had sufficient time to prove itself. This may be true, but if it is, then there is no justification for increasing the funds that are being requested at this time. It is admittedly difficult to measure the effect of the ARA expenditures to date. If we were able to hold all other things equal as is done by the theoretical economist, it might be possible to arrive at some tentative conclusions. In the real world, however, we find no evidence that the expenditures of the ARA have actually increased employment in the United States. It is true that projects have been undertaken and jobs have been provided in specific businesses and communities. There is nothing in the evidence to date, however, that would indicate that an equal or greater number of jobs would not have been provided if there had been no ARA and the funds collected from taxpayers had remained in private hands to be used in private investment.

Please note that much of this private investment is in equity capital, a much more healthy form of investment for business than Government loans. Please note also that this money goes for ventures expected to produce profits and long-term jobs, not to revive castoff situations of doubtful quality and of doubtful longevity. With all due respect to the sponsors and administrators of the Area Redevelopment Administration they have fostered a fourth-rate political bureaucracy which cannot hope to match the more efficient efforts of the private capitalistic economy in providing jobs for Americans.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. BENNETT. I yield.

Mr. LAUSCHE. On page 25 of the report I observe that of the 159 industrial and commercial projects which were approved, 16 were in Pennsylvania.

Mr. BENNETT. The Senator is correct.

Mr. LAUSCHE. Of the 85 public facility loan grants, 12 were in Pennsylvania, or 14 percent. Under the technical assistance program, of the 160 projects, 10 were in Pennsylvania, and of the 362 training programs, 20 were in Pennsylvania. I further observe on the map containing the flags where such projects have been established that there is inadequate space in the Pennsylvania area to put in all the flags. Has the Senator observed that situation?

Mr. BENNETT. Yes. I believe there is a very simple and understandable explanation for that. When the ARA bill was finally passed and became law, the President selected a man from Pennsylvania to head that particular section in the Department of Commerce. He previously headed a similar program that was being conducted in the State of Pennsylvania. So undoubtedly he came to Washington with a long list of Pennsylvania projects in his pocket which he had acquired in this previous experience in Pennsylvania.

It was quite natural that those projects would get priority because they were probably further along in development than projects in other States.

Mr. LAUSCHE. It must also be conceded that Pennsylvania and West Virginia have asserted that they have a greater degree of unemployment than other areas. But even so conceding, the percentage of allocations made seems to be a bit inordinate.

Mr. BENNETT. The ARA records indicate that 3,500 new jobs have been created in Pennsylvania. When we compare those with West Virginia, that is about 10 times as many new jobs as were created there. I thank my friend from Ohio.

In the House debate and in the House minority report examples of questionable use of ARA funds were made. Of particular interest to me is the fact that as of March 25, 1963, a total of 24 percent—or practically one-quarter—of the dollar volume of industrial and commercial loans totaling $33,700,000 made in fiscal year 1963 have gone for the financing of motels and hotels.

One example of these is a loan made on February 1, 1963, to the Pontchartrain Hotel Co., of Detroit, Mich., in the amount of $1,894,525 to assist financing of a 432-unit motor hotel with the claim it would provide 450 jobs. Since the hotel occupancy rate for Detroit in 1962 was only 54 percent below the rate at which hotels can operate in the black, it is clear that the new motor hotel will not add even one hotel job on a net basis to the economy of Detroit. At best, employment at the new facility will result in a corresponding decrease in employment at existing hotel facilities. As a matter of fact, a net decrease in hotel employment for Detroit might easily be the result if the new facility forces existing hotel facilities, already suffering for excessive unused capacity, into bankruptcy.

Rather than coming to Congress for more money which it does not need the ARA should instead operate on a even lower pilot level than it has in the past until we get some sound experience with this new shaky program.

Mr. LAUSCHE. To punctuate the facts, will the Senator repeat what percentage of loans for industrial purposes represent motel construction?

Mr. BENNETT. Motels and hotels, 24 percent, during fiscal 1963 as of March 25.

Mr. LAUSCHE. That is out of a total amount of how many millions of dollars?

Mr. BENNETT. That is 24 percent of the total industrial loans, which were $33.7 million as of that date.

Mr. LAUSCHE. Detroit has been considered an area which ought to be developed.

Mr. BENNETT. Yes.

Mr. LAUSCHE. To develop it the loan of what amount for the building of a motel was granted?

Mr. BENNETT. One million eight hundred and ninety-four thousand five hundred and twenty-five dollars.

Mr. LAUSCHE. Was that the amount loaned, or the cost of the motel?

Mr. BENNETT. That was the amount of Federal participation.

Mr. LAUSCHE. Will the Senator repeat what his search of the facts has indicated about the present occupancy of hotels in Detroit?

Mr. BENNETT. It is 54 percent.

Mr. LAUSCHE. So, in order to develop the area, a loan of $1,894,000 was made to put in another hotel service?

Mr. BENNETT. That is correct.

Mr. LAUSCHE. And at a reduced rate of interest?

Mr. BENNETT. I shall come to that in a moment; It was at a reduced rate of interest—at a rate of interest no commercial hotel operator could get from a private lender.

Mr. LAUSCHE. I thank the Senator very much.

Mr. BENNETT. Basically my objections to the ARA program center on four fronts: First, it represents poor basic economics; second, it represents poor community economics; third, it encourages and promotes poor business management; and fourth, it represents poor Government policy. I would like to discuss in detail each of these areas.

POOR BASIC ECONOMICS

First the ARA program is poor basic economics. A basic defect of this program is that it runs counter to the precepts of what is still essentially a private market mechanism, operating within a dynamic and growing economy.

The strength of the United States to a great degree is attributable to the fluidity of its resources among areas that can use them most efficiently. Unlike the economies of other countries, the economy of the United States has been able to distribute its resources into their most efficient uses without regard to State boundaries or regional areas. This has always been an essential strength of our political system—that it permitted these adjustments. And this bill would threaten to destroy that adjustment mechanism within our system.

The ARA program attempts to put business in areas where the laws of economics say it should not go. This misallocation of resources tends to slow down economic growth, and can reduce the overall level of national employment.

Our economy has grown strong because throughout our history the location of industrial establishments has been related to the basic economic considerations involved—good markets, availability of transportation, the labor supply, the accessibility to raw materials in the area, and the existence of a healthy business climate, and so forth. To substitute an artificially created, Government-sponsored program to induce industries to locate in areas which are intrinsically unsuited for them, particularly when these areas are unable to compete on purely economic grounds, is to throw a monkey wrench into the economic machine.

The very nature of the act is such that the funds cannot be as efficient as would be the case with private enterprise. It is stated that ARA funds are not to be used if the capital is available from other sources. The determining factor of capital formation is the expectation of profitable operation. If the capital markets, lending institutions and individuals are not willing to provide the funds for a project, it is only reasonable to conclude that it has doubtful value as an investment and doubtful prospects as a profit-producing enterprise.

The past 2 years during which ARA funds have been dispersed have not been periods of tight money. Rather, there has been an abundance of money for investment purposes. Savings have reached all-time highs and lending institutions have relaxed their stringency by providing money for things which they otherwise would have rejected. ARA projects were not among even those which were able to get financing during such a period. There is therefore a great possibility, even a probability, that a much higher proportion of the ARA projects will eventually terminate in bankruptcy.

The basic purpose of the ARA is to provide new jobs in areas of high unemployment. Yet nothing in this law creates a single new job. At best it can only hope to influence the location of jobs in a particular community—jobs which must be provided by decisions outside those made by ARA.

Regardless of the availability of plant sites, additional people will not be employed unless there are new ideas, new products, new markets and entrepreneurs who are willing to risk their own personal capital and time and reputation, and that of others, in order to capitalize on these new ideas. Only then will men be hired to apply these new developments. The other alternative to new private job creation comes through normal growth in our population and the demands thereby created and from the opening up of new markets either at home or abroad.

Assuming that the basic essential conditions are present to create new jobs—and this bill will not provide these—the subsequent prerequisite to make this program work is to encourage entrepreneurs to locate their operations in particular depressed communities. Does the program accomplish even this task? I said that it could not in 1961, and despite ARA claims to date, I have not changed my position.

When this legislation was being considered early in 1961, I sent telegrams to every State development agency or equivalent group organized to attract industry in the respective States, asking them to list in the general order of importance the factors which they consider are effective in attracting industry to their individual States. I received 47 replies. In all, 10 factors were cited. Of the 47 States, only 4 placed the cost of building occupancy as high as the middle of the list. Only one placed it as high as fourth. The remaining 42 placed building occupancy cost at or near the bottom of the list. This is the essential feature of the ARA program which this bill would continue a Federal subsidy to finance new factories or permanent commercial facilities. At least it was the original intent of the bill. Even the ARA is embarrassed to note that a large part of its loans have gone for such seasonal projects as hotels, motels, and recreational centers.

Referring to the list of factors influencing business location, the following is the priority given by the State development agencies in the survey I had made 2 years ago:

1. Markets.
2. Trained and adequate labor force.
3. Availability of raw materials.
4. Good transportation facilities and connections.
5. Low cost fuel and power.
6. Adequate water.
7. Favorable business climate, including both Government regulation and worker attitudes.
8. Fair tax structure.
9. Available buildings or good building sites.
10. Adequate financial sources.

Note that at the bottom of the list are the two factors which this legislation is specifically designed to assist—factory buildings and financial sources. It should also be pointed out that "adequate financial sources" does not necessarily mean at subsidized rates.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER (Mr. SIMPSON in the chair). Does the Senator yield?

Mr. BENNETT. I am happy to yield.

Mr. LAUSCHE. This tabulation of factors considered by industry in selecting sites is most interesting, and it accords with my experience, while I was the chief of State in Ohio, in my efforts to bring business into our State. I note that the seventh factor is "favorable business climate, including both Government regulation and worker attitudes." While I was Governor a strike was in process against one company situated in four, and possibly five, States. As Governor, I received a call from one of the chief officials of the adjoining, participating States, suggesting that there was a lockout, and that the several States in which the strike existed should, by agreement, subscribe to the idea that there was a lockout and that the striking employees would be entitled to unemployment compensation. I rejected the proposal. One of the States put it into effect. Through its unemployment service, it ruled that there was a lockout. The ruling was taken to the courts, and the courts finally reversed the judgment rendered by the unemployment service.

I submit that States which follow an attitude of that type will not be able to attract industry, regardless of what is tried and what is promised. I ask the Senator's opinion on that statement.

Mr. BENNETT. I appreciate the Senator's comment. The Senator from Utah remembers that when this bill was under consideration earlier, the mayor of Detroit was very anxious that the bill be passed. He told the committee how much effort was being put forth to attract new industry to Detroit. In the meantime the automobile business has revived. But the laws of Michigan are such—at least they were up until the meeting of the present legislature—that they did not create what could be called a favorable business climate. The result is that ARA loans money in Michigan for motels.

Mr. LAUSCHE. Will the Senator yield further?

Mr. BENNETT. I yield.

Mr. LAUSCHE. Chrysler established an automobile plant branch in Ohio. I went to the ground-breaking ceremonies, as Governor, with the president of Chrysler Corp. I asked him the question "How is it that you chose to come to Ohio to build this plant?" He enumerated practically the same 10 factors which the Senator from Utah has listed as reasons why industry will move into one State. It will move out of another State because of unhealthy tax climate, unhealthy atmosphere, oppression against business, threats against business, or preferential treatment to one segment of the economy. He enumerated every one of them and gave them as reasons why that plant, which I think cost $90 million, was being established in my State.

Mr. BENNETT. Those who are in the business of trying to attract industry recognize the importance of a favorable business climate. Of course, the ARA pays no attention to it. It is not considered in its study of possible programs.

Mr. LAUSCHE. I thank the Senator for yielding.

Mr. BENNETT. I appreciate the Senator's continued interest in this problem.

In the cases in which the Federal Government has provided funds to companies which have located in depressed areas, I have a feeling that most of the Federal funds have been merely a windfall to these companies. The decision to locate in an area is based on the 10 fundamental factors which I cited earlier, and not the basis of the Federal handout. To give these companies a Federal subsidy to locate is very often simply a bonus. Thus, the taxpayer is really receiving virtually no return for his money. The Federal Government is merely giving handouts to companies which would have, based on raw materials, markets, transportation, or some other major factor, located in those depressed areas anyway. The stanchest advocates of this bill admit that the financial advantage made possible through ARA is not going to be the major factor in determining where a plant is located.

Even the Federal Government tends to be choosy in locating its operations. Why has not the Federal Government established a defense installation at Beckley, W. Va., or Altoona, Pa., both distressed areas? Both communities stand at the very top, statistically, of the list of depressed areas. Obviously there are more important factors for the Government itself to influence such locations than the fact that there is an available surplus labor force in these areas.

At the present time there are about 14,000 local public and private agencies and committees engaged in the business of attracting industry to specific localities. The operations represented by these development groups are intended to get at the heart of the problem by attracting job-making business to a locality. These groups understand the strengths and weaknesses of their communities. They know how to capitalize on these strengths and at the same time are best equipped to solve their weaknesses. The Federal Government can certainly not improve, through the provisions of the Area Redevelopment Act, on the good work of these development agencies.

THE ECONOMIC INDUCEMENT IS TOO SMALL

One reason why this program does not produce jobs is because the inducement is too small. The cost of building occupancy for manufacturing concerns averages about 3 percent of the total cost of production. This includes direct rental payments, depreciation on buildings which are owned, taxes on the building, interest payments on debt, and repair and maintenance expenditures. These estimates were developed from corporation income tax returns as summarized by the Treasury Department in its "Statistics of Income."

Since this bill would offer no aid for taxes or routine maintenance and repairs, we can eliminate these items, and consider only the total annual cost of a manufacturing building which, taken alone, averages no more than 2 percent of the total cost of production. From another point of view, we may consider that the benefit of this bill is in the financing of such buildings, and not the actual cost of the building itself. How important is this inducement?

As originally intended, the Federal money provided by the bill would be available at rates currently in effect on long-term Government bonds at the equivalent maturity plus one-half of 1 percent. Later I will comment on what has since happened to this original interest rate policy. At current interest rates, this would be about 4½ percent. Private money can be borrowed, even by small companies, at the rate of about 6½ percent. This means that the Federal loans would be at rates one-third less than private rates.

Even if we assume that financing costs over the life of an industrial mortgage equal 100 percent of the original building cost, the inducement is still extremely small. Take the 2 percent figure, which represents the actual building costs and assume this to be the financing cost. Now we divide that by three, to represent a one-third reduction in financing costs, due to the subsidy of the interest, and we arrive at the final inducement under the bill. We find that the inducement is a net reduction in the costs of production of less than 1 percent, or, to be precise, 0.67 percent.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. BENNETT. I am happy to yield to the Senator from Ohio.

Mr. LAUSCHE. Is there not a further aspect of this subject which should be considered; namely, that under the Federal subsidy, even though it is in the form of a loan, these people borrow from the Federal Government at 4 percent?

Mr. BENNETT. Yes.

Mr. LAUSCHE. With that borrowing they can establish an industry that competes with another industry which has borrowed money at 6 percent or 5½ percent. Is that correct?

Mr. BENNETT. Or more.

Mr. LAUSCHE. Or more.

Mr. BENNETT. That is correct.

Mr. LAUSCHE. So there is a situation in which the Federal Government subsidizes one American citizen and gives that American citizen a preference over another American citizen. Is that correct?

Mr. BENNETT. That is correct.

Mr. LAUSCHE. Such a situation can come into existence.

Mr. BENNETT. I believe that will be found to be true for practically every ARA loan. Let us take, for example, the construction of motels in Detroit. In the case of a motel, the chief cost is the cost of building. The Federal Government is providing money at a subsidized interest rate, while a private motel operator, who may be located within a few blocks, must pay the normal commercial rate.

Mr. LAUSCHE. Does the Senator from Utah see any rationale under which that disparity can be justified?

Mr. BENNETT. A little later the Senator from Utah will point out what he considers to be the motivation for that particular attitude. I appreciate the Senator's comments.

POOR COMMUNITY ECONOMICS

I am now ready to move into my second area of criticism, that this program is poor community economics. My second objection is that the ARA program is poor community economics. The program often simply redistributes employment from one enterprise to another within the same community. A prime example is that of the Delmarva Soya Processors of Maryland application. This proposed plant would give credit to ARA for 40 new jobs in the depressed Delaware, Maryland, and Virginia Peninsula. But what the application fails to point out is that at least 42 other jobs would be lost in existing Soya processing plants. In fact, I have correspondence in my files from one producer who places the net new employment in the ARA project at a maximum of only 27, and an optimum of 22, and the layoff of workers in competing business in the immediate area of 65. The loan sought is for $1,625,000 for 20–25 years at an interest rate of 4 percent.

That is a pretty high price to pay for losing 40 jobs.

It so happens that existing producers in the area were alert to the threat of this loan and have jumped on it with vigor. It is my impression that this loan may not go through. I have a feeling, however, that in the majority of cases local competitors have little to say in the matter. They are not given "a day in court," and there is no adequate source of appeal. One serious weakness in the whole program is that adequate public hearings are not held on the possible impact of ARA-financed projects on existing competitors in an area.

In the coal-producing county of Carbon in my own State of Utah, the ARA loaned $81,000 to the Blue Flame Coal Co. to expand mining operations and $325,000 to the Colombine Coal Co. to reopen, improve, and expand abandoned mining operations. I am naturally happy for these companies and the 72 jobs they supposedly would create with these loans but I am at a loss as to what to do for the scores of other workers in other mines in that country who will be put out of work by these companies. As a matter of fact, there is a serious glut of unemployed coal miners in Carbon County, Utah. Employment in coal mining is about 500 fewer than a year ago and those who are employed are working on the average of 3 to 4 days a week. The demand for an increased coal output from this area is just not present; yet the ARA would seek to add to the woes of the people there by further increasing supply in relation to demand and thus to further depress conditions.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. BENNETT. I am glad to yield.

Mr. LAUSCHE. Is the Senator now speaking on the subject he developed in the hearings, as shown at page 127 of the hearings?

Mr. BENNETT. That is correct.

Mr. LAUSCHE. There the Senator is quoted as saying:

> We just lost 200 jobs in coal mining in the very area in which you are loaning $325,000 to create 25 jobs.

Mr. BENNETT. That is correct. This is the sort of thing that amazes me. I have some recent figures on that point. I have a letter dated May 28, 1963, from one of the officials of the Utah Department of Employment Security. There are two types of coal mines in the area. One kind is what we call the captive mines, because those mines are owned and operated by steel mills, and the coal they mine goes directly to the steel mills and never goes on the market. The other mines are called commercial mines. Let me read the figures. From April 1962 to April 1963 the captive coal mines lost approximately 350 jobs. The commercial mines lost 150 jobs. Therefore, in the entire area, in 1 year, we have seen employment in the coal mines go down by 500 jobs.

That is in one community. The market is declining. It is being absorbed by natural gas or oil or other fuels. Now we have loaned to two companies more than $400,000 to open or expand mines which were not contributing to the total coal production a year ago. In the face of the loss of 500 jobs, the claim is made of creating 72 new jobs.

The area is not going to sell one more ton of coal. Perhaps the owners of the mines may be able to persuade some customers to desert their former source of supply and give them the business, and of course they did persuade ARA to reopen the mines. The employment in the coal mining area of Utah is less than a year ago. The miners who are employed are working only 3 or 4 days a week. There is a continuing shrinkage in the demand for coal. Yet we put vast amounts of Federal money into operations which on the surface are shaky at best, because one of the mines has been closed and was probably on the way to being abandoned, and would have been abandoned, no doubt, if it had not been for the ARA loan.

Mr. LAUSCHE. Is it fair to state that the facilities for employment are present, either in the captive or commercial mines, but that they are not now fully utilized because of the lack of market, and therefore the expenditure by ARA of moneys to open new mines can under no process of reasoning demonstrate that new jobs will be available?

Mr. BENNETT. I believe that is so obvious that it hardly needs restating. The men who are working in the mines that are operating are working only 3 or 4 days a week. If they should be able to mine more coal they could improve their situation, and the 500 men who had been laid off could get their jobs back with the companies with whom they were previously employed.

POOR BUSINESS MANAGEMENT AND PRACTICE

This example brings up a corollary objection to the ARA approach. This has to do with the violation of sound business practice, my third objection to the program. I am aware that we should not expect a Government agency to operate on the same basis as a business enterprise, but there are certain basic business principles that could do the ARA a lot of good. For example, the ARA does not give adequate attention to the important area of markets and market research. The ARA is so anxious to make loans that it is willing to take any and all situations—just so it can show to Congress a large volume of loan applications approved. That is probably a strong statement. The ARA turns many applications down; but the Administrator, when he was before the committee, testified that ARA had no experience in trying to measure the markets for the products to be manufactured in the businesses that were being opened. The Administrator said they were simply concerned with the existence of raw materials.

Mr. SIMPSON. Mr. President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. SIMPSON. Does the Senator know whether any formula was devised for determining the amount of unemployment in the various districts, or did the witnesses before the committee merely give off-the-cuff estimates?

Mr. BENNETT. I assume the unemployment figures used were based on the official figures developed by the U.S. Employment Service. Even on this basis, in the past 2 years, one-half the life of this program, only 31 percent of authorized funds has been put to work.

I have available a list of ARA approved projects in the field of forest products totaling $11 million. This was as of April 10, 1963. As I understand it, the total is now up to $12 million. Many of these are for very shaky situations. In the Senate hearings, Mr. Batt, ARA Administrator, tried to gloss over this by saying that interested agencies are asked to make their recommendations on these projects.

Mr. Batt is the Bureau Chief, under the act, in the Department of Commerce. When recommendations are made, however, the advice is often not followed. Most of these forest product applications—particularly these relating to paper and containers—were turned down by the Business and Defense Administration of the Department of Commerce. But the ARA proceeded to make the loans anyway. And this type loan represents 18 percent of all section 6 loans approved by ARA to June 15, 1963.

One reason the ARA was put in the Department of Commerce was to take advantage of the talent already available there. But ARA does not seem interested in taking advantage of this talent, after all. It only seems to be interested in displaying a big dollar volume of politically appealing loans.

A further example of bad business practice is that the ARA sets up a business primarily on borrowed capital with very little equity capital. The act requires only 35 percent non-Federal participation from all sources. But of this only 10 percent need be provided by a State or local development groups and only 5 percent need be provided by nongovernmental sources. The law states that the money can be provided as equity capital or as a loan. Thus even this combined 15 percent of local money need not be in the form of equity capital. The whole enterprise could be financed by loan funds. And probably some projects are on just that basis. As a businessman I am appalled by such loose practice.

Incidentally, the sponsors have written into this year's bill a provision which would allow the 10-percent loans by State or local development groups to be repaid concurrently with the 65-percent Federal loans. Heretofore such loans were subordinate to the Federal loans and were to be repaid only after the Federal commitment had been fully repaid. The reason given for the change is that it will make it easier to raise the 10-percent money.

This to me is a clear admission on the part of the sponsors that the local public is not sold on ARA-sponsored projects. As James H. Nutter, of the Kentucky Department of Commerce, put it:

> Kentucky has actually lost industrial projects because only a portion of the 10-percent money could be raised locally.

I myself would not loan money to a low-or-no-equity project of doubtful quality and endurance, even if the Federal Government were putting up 98 percent of the money.

In addition, there is no adequate check of management ability. There have, in fact, been examples of reopening of failed businesses by failure managements. All in all, the ARA program represents one example after another of very bad business practice.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. LAUSCHE. Although I have not read the entire transcript of the hearings, I have read a substantial part of it. Is there anywhere in the evidence a disclosure that employees of ARA have solicited the filing of applications? Will the Senator discuss that at all in his remarks?.

Mr. BENNETT. I shall have an interesting comment to make in a few minutes which I think will demonstrate this attitude.

POOR GOVERNMENT POLICY

My fourth objection to the ARA program is that it violates sound principles of Government. The ARA has established a bureaucracy of 422 employees as of May of this year, but there is provision for another 100 to be added in the next fiscal year. These will be in addition to the workload of several other Government agencies. The ARA has established a bureaucracy of 422 employees as of May of this year—but 100 more will be added in the next fiscal year, plus adding to the workload of several other Government agencies. This would not be so bad if the ARA were practicing sound Government policy. But it is not. Its practices include: low standards of protection of taxpayer funds, the duplication of programs of other Government agencies, and subsidized interest rates. When I said a moment ago that ARA has 422 employees at present, it should be said that many of their problems are farmed out to other agencies. So we do not have an exact measure of the total number of employees who are on the Federal payroll, working on ARA programs.

I would like to comment on each of these practices. The first—low standards of protection of taxpayer funds—has already been illustrated by the numerous projects of doubtful quality, made to managements of doubtful quality, for projects with little or no equity capital, and for situations already rejected by other Government agencies.

ARA DUPLICATES EXISTING FEDERAL PROGRAM

The ARA is trying to do in a haphazard manner what the Small Business Administration, SBA, the Community Facilities Administration, and the Rural Area Development program in the Department of Agriculture are doing in a much more effective and sound manner, and in competition with them. In fact, if one wanted to list all Federal agencies which offer services to aid local development, more than 100 could be counted. I am interested here, however, in only the major Federal programs which ARA duplicates.

In the 85th Congress we passed the Small Business Investment Act, which provides for loans based upon private judgment with a minimum of interference from the Small Business Administration. Section 502 of that act authorizes the SBA to make loans to State and local development companies for use in assisting and attracting new business. These loans may be made for plant construction, conversion, or expansion and the construction of commercial establishments. It is true these loans are made to small business concerns throughout the Nation without regard to whether they are located in depressed areas. But by the same token such areas are not denied these funds.

Actually, as of the time of the Senate hearings, the SBA had made more loans totaling more money in ARA areas during calendar year 1962 alone than the ARA itself had made during its first 2 years. While ARA had made 254 loans and grants totaling $96 million through April 1963, the SBA, in 1962, made 2,003 business loans in ARA areas, at 4 percent interest, totaling $101,358,000. In addition, the SBA has made 45 loans, totaling $6,842,000, to State and local development companies, to be used as business loans in ARA areas. Both agencies have made additional loans since that time.

With respect to the loan programs for rural areas in the Department of Agriculture—in cooperation with other Government departments and agencies—the rural area development program is designed to promote and encourage the economic development of low-income counties. The RAD program operates through the coordinated efforts of the Department of Agriculture and other departments and agencies in the Government. The activities of the program are directed toward providing leadership and guidance to the local communities in solving their own individual problems.

I should like to emphasize that each community has a different problem; and a general Federal lending program aimed at a specific type of inducement cannot have equal application in each area. Lack of money is often not the chief difficulty faced by localities.

Mr. LAUSCHE. Mr. President, at this point will the Senator from Utah yield for a question?

The PRESIDING OFFICER (Mr. INOUYE in the chair). Does the Senator from Utah yield to the Senator from Ohio?

Mr. BENNETT. I yield.

Mr. LAUSCHE. The Senator from Utah has stated that the ARA duplicates existing Federal programs, and that at the present time there are in operation programs by the Small Business Administration, the Community Facilities Administration, the Rural Areas Development agency in the Department of Agriculture, and that substantially all of them have the same objective. Will the Senator from Utah comment on that point?

Mr. BENNETT. Yes. I think my statement was correct. All of them are trying to help solve the problem of unemployment in various communities.

Mr. LAUSCHE. The Senator from Utah stated:

> In fact, if one wanted to list all Federal agencies which offer services to aid local development, more than 100 could be counted.

Mr. BENNETT. Today, more than 100 Federal agencies are lending money, and practically all the loans can be said to help develop communities and help them to solve problems of this type.

Mr. LAUSCHE. Does the bill as it now stands or the original act contemplate any cutoff date—any date when the program will come to an end?

Mr. BENNETT. As it was passed, the program was to last for 4 years—from 1961 to 1965. In 1961 we assumed we had provided for enough money to carry the program through. But now, 2 years later, more money is being asked for the second half of the program than was requested in the beginning for the entire program.

Mr. SIMPSON. Mr. President, will the Senator from Utah yield?

Mr. BENNETT. I yield.

Mr. SIMPSON. Will the Senator from Utah indicate how much of the money appropriated by the 87th Congress has been utilized to date?

Mr. BENNETT. As of June 15 of this year, 31 percent of the amount authorized—which was $386 million—or less than one-third.

Mr. SIMPSON. I thank the Senator.

PUBLIC FACILITY LOANS AND GRANTS

Mr. BENNETT. Mr. President, section 7 of the act provides for loans, and section 8 provides grants for public facilities. The initial intent of these public facility loans and grants was for such projects as sewer, water treatment, and other public needs. Such loans and grants had to be made before industrial plants could be located in the communities. These public facilities loans of the ARA were supposed to be related almost directly to the development of industrial facilities. But now, after 2 years, we discover, as a matter of fact, that only 27 percent of these loans have gone for public utilities. The remainder has gone for industrial parks, port facilities, health institutes, recreation and tourism, research and development, and services. Of the $45.5 million which has gone for sections 7 and 8 loans and grants, more than one-third was for recreation and tourism projects.

There is a real distortion of the term "public facilities" as used in the act, which says that such community facilities loans and grants shall be designed to "improve the opportunities in such areas for the successful establishment or expansion of industrial or commercial plants or facilities."

It cannot be denied that projects for recreation or tourism have little, if anything, to do with industrial or commercial plants. They are seasonal in nature, and do not provide the sound base of employment which industrial type utility projects do.

Even if ARA public facility loans and grants were soundly based, there still is absolutely no need for this provision of the act, because loans of exactly these same types are being made by the existing Community Facilities Administration within the HHFA under 42 U.S.C. 1492. The ARA facilities program, is, therefore, simply a direct duplication of an already existing Government program.

When we look at the figures they are even more annoying. Of the $45 million of loans and grants made under these sections, only $12½ million are for utilities; the rest are extraneous.

But I should also like to add that the jobs created by work on the public facility projects are temporary jobs during the life of the construction projects; these, themselves, are not permanent jobs.

SUBSIDIZED INTEREST RATE

The ARA has as one of its essential features the lending of Federal funds at rates below comparable private levels, in an attempt to induce industrial location in depressed areas. At the present time I am not taking issue with this objective; but I do take issue with the attempt by the authors of S. 1163 to make such loans at subsidized rates below the cost to the Federal Treasury of borrowed money.

I am completely baffled by the failure of the Banking Committee to correct a legislative fault in the ARA Act which will permit the continuance of a subsidized interest rate on industrial loans by ARA and SBA to private profitmaking borrowers in depressed areas.

In the committee, I offered an amendment requiring that all such loans bear an interest rate covering the cost of the money to the Government, plus one-half of 1 percent interest for administrative costs. This amendment was rejected by the committee, despite the fact that the original 1961 ARA Act carried such a provision in a section of the act which was made inoperative by the action of the House Appropriations Committee.

Section 9 of the original act provided ARA with Treasury borrowing authority, and fixed the payment to Treasury at the average Treasury yield on Government bonds of comparable maturity.

However, in the closing hours of the 1961 session, the House of Representatives Appropriations Committee in a supplemental appropriations bill denied the borrowing authority, forcing the ARA to use appropriated funds, thus making section 9 and the interest rate provided there inoperative.

Without this safeguard, a competitive conflict between the ARA and the SBA has developed on this interest-rate issue. Each agency seems to be tying its interest-rate policy to the other agency, regardless of where this may tend to drive their interest rates.

Administrator John E. Horne, of the SBA, explained that the SBA Loan Policy Board, representing SBA, Treasury, and Commerce, set the 4-percent rate for certain substantial unemployment areas in April of 1961 in compliance with a Presidential order.

It should be noted that in 1961 the 4-percent rate of interest for both ARA and SBA came very close to the formula of "Treasury cost, plus one-half of 1 percent," since Treasury comparable bond yields at that time were about 3⅝ percent.

However, since that time yields on comparable Treasury bonds have risen steadily to a current rate of about 3.97 percent.

Despite this rise in yield, no change has been made in either ARA or SBA interest rates in the areas concerned by this legislation. As a result, the Government is losing taxpayers' money at the rate of about one-half of 1 percent on every ARA and SBA loan being made at the 4-percent rate.

A letter from the Treasury indicated the ARA rate of 4 percent was based on the SBA rate, but Mr. Horne said the continuance of the SBA 4-percent rate was, in turn, being kept to complement the ARA rate. Each agency hangs the blame of the subsidized interest rate on the other. Both are at fault.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. BENNETT. I am happy to yield.

Mr. LAUSCHE. Regardless of the argument between those two agencies, the fact is that the U.S. Government is borrowing money from persons who buy U.S. Government bonds and paying a rate of interest in excess of what the borrowers are paying to the Government.

Mr. BENNETT. I am sorry. Will the Senator repeat his question?

Mr. LAUSCHE. Regardless of the argument between the Small Business Administration and the Area Redevelopment Administration, the fact is that the taxpayer is subsidizing certain borrowers by paying a rate of interest on the money which the Federal Government borrows to make the loans in excess of what the Federal Government gets back from those who borrow the money.

Mr. BENNETT. The Senator is correct. They are being subsidized today at a rate of about one-half of 1 percent, which represents the amount below which Federal money can be borrowed and administered.

Mr. LAUSCHE. There is the same situation, except not quite as bad, as exists in relation to the 2-percent loans that we are making under the rural electrification program.

Mr. BENNETT. The Senator is correct.

Mr. LAUSCHE. That is, we are lending at 2 percent and borrowing at 4 percent.

Mr. BENNETT. Except that we have not had time yet for the difference to develop on the ARA loans. But the principle is the same.

Mr. LAUSCHE. What explanation was given for the opposition to the amendment offered by the Senator from Utah?

Mr. BENNETT. The explanation was that it is the current practice, and that to change it would upset things too much. We are not now legislating for SBA, but only for ARA. So we should not require the ARA to charge more than the SBA would charge.

My assistant has called my attention to the fact that the chairman of the subcommittee, the Senator from Illinois [Mr. DOUGLAS] who is in charge of the bill said yesterday:

> I hope Congress will not increase the interest rate for area redevelopment loans above the rate for small business. The indirect effects should also be considered.

That is a case in which the use of one rate is the reason for not making a correction in the other.

Changing the ARA Act to reinstate the original intent of Congress that ARA rates should be "Treasury costs, plus one-half of 1 percent" would not require any change in the SBA Act since SBA is permitted a flexibility rate policy up to 5½ percent, giving SBA plenty of leeway to match proper ARA interest rates.

Subsidized interest rates fly in the face of recommendations by the Committee on Federal Credit Programs, headed by Secretary of the Treasury Douglas Dillon, which submitted its report to the President on February 11, 1963. Other members of the Committee were David Bell, Director of the Bureau of the Budget; Walter Heller, Chairman of the Council of Economic Advisers; and William McChesney Martin, Jr., Chairman of the Board of Governors of the Federal Reserve System. I would like to quote the particular recommendations of this Committee with respect to Federal loan policy:

> A. Recommendations: When credit needs arise solely because of imperfections in the private credit system, direct loans (or other Government credit programs) should normally be self-supporting; i.e., cover all costs reasonably imputed to the program. Federal credit programs intended primarily to stimulate private lending will be most effective in encouraging substitution of private for public credit if the interest rates charged are comparable to those that would prevail in effectively functioning private markets.
>
> B. When Federal credit programs are used to influence the allocation of resources—

And that is what ARA does—

> intelligent choice among alternatives requires comparison, rough as it may have to be, of net additional public benefits and net costs to the Government, if any. Recommendation: As a first step, the interest charge for direct loans should be compared to the sum of (1) the prevailing market yield on Government securities of comparable maturities, (2) an allowance for administrative costs, and (3) an allowance for expected losses.

Mr. LAUSCHE. Mr. President, will the Senator yield at that point?

Mr. BENNETT. I yield.

Mr. LAUSCHE. Which, if any, of the three recommendations made by the Advisory Committee are embodied in the bill?

Mr. BENNETT. Only the first. It should be compared with the prevailing market yield on Government securities. But that is only one of three. The recommendation states the sum of the three, and does not select one of the three.

Mr. LAUSCHE. So the second recommendation, that an allowance should be made for administrative costs, and the third, that an allowance should be made for expected losses, are completely disregarded?

Mr. BENNETT. The Senator is correct. But let me elaborate further. As written, the bill contained a phrase which stated that the total cost should be no more than those three, leaving the Administrator the power which he has used to set interest rates below the sum of those three. I am not saying that the Administrator is violating the law. I am merely saying that it is poor Government financial policy to set in motion again a program of interest furnished to private borrowers for less than the cost of money to the Government.

There is one other feature of the competition between ARA and SBA which bothers me, and which I would like to call to the attention of the Senate. In addition to the fact that the Small Business Administration is furnishing a subsidized 4 percent rate in ARA areas, the SBA regulations make it possible for that agency to give the same subsidized 4 percent rate to an applicant not located in an ARA area.

The SBA regulation requires that the 4 percent applicant use only 50 percent of the amount of the loan in the ARA area.

This means that the remaining 50 percent of the 4 percent loan can be used by the applicant in a non-ARA area. It means, also, that the possibility exists that half of a 4 percent SBA loan can be used in the same area where another SBA direct loan to another borrower has been made on the regular 5½ percent rate.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. LAUSCHE. Do I correctly understand that statement to mean that the Small Business Administration can make a 4-percent loan to serve a depressed area, and that under the regulations the borrower is required to use only 50 percent of the borrowed money in the depressed area and can use the other 50 percent in whatever area he chooses?

Mr. BENNETT. That is my understanding. I assume the SBA would have some supervision over that. But that is the effect of the regulation.

Mr. LAUSCHE. I understand the Senator's statement to mean that, and that is the effect of the regulation as he understands it.

Mr. BENNETT. That is as I understand it.

For example, a company operating in two counties, one depressed and one not, could obtain a loan for its general operations but use half of the proceeds of that loan at the 4-percent subsidized rate in the nondepressed county. Another situation may arise where a company operating solely in a depressed area may obtain a 4-percent loan from SBA but use half of it to establish a new facility in a nondepressed county.

I think that our Federal lending policies on interest rates need a thorough review, and I fear that such a review would not put the ARA in a very good light.

Mr. President, I am coming close to the end.

CONCLUSION—ARA PROGRAM IS POLITICAL

My conclusion is that the ARA program is fundamentally political.

The ARA program is unsound from the standpoint of basic economics, community economics, business practice, and government policy. The agency does not need the money it is asking for in the bill. It has used only 31 percent of its authorized funds over one-half of its authorized life. Of a total of $386 million authorized for all programs, only $122 million had been committed as of the 15th of this month, leaving $264 million uncommitted. Yet the administrators and proponents of the program are requesting Congress for an additional $455.5 million.

What then is the push behind the program? To me it is obviously politics.

ARA, rather than representing the Area Redevelopment Administration, could more properly mean the "Administration's Reelection Agency." The proposed increases under S. 1163 would set its sponsors up with a nice political "slush fund" totaling $720 million available to be allocated in those areas in which it believes it could influence votes in next year's presidential election. Big as our direct presidential campaign expenditures are, they are not even a drop in the ARA "slush fund" bucket.

If Senators have any doubts about the political orientation of this program, let me give two examples.

The first example was brought out in House debate by Representative HARVEY of Michigan. He cited figures showing that the ARA has ordered from the Government Printing Office 81,300 color posters, 22 by 38 inches, to be displayed on the sides of post office trucks in many areas of our country to tell the American voters where they can go to get a part of this money. The administration is not meeting a need—it is deliberately trying to create a demand for Federal funds.

Secondly, I hold in my hand a photograph taken by an individual who happened to be driving through Sulphur, Murray County, Okla., recently. The photograph is of a billboard sign in front of a motel project, the Sulphur Community Inn, for which the Federal Government has approved an investment of $455,000.

ARA has approved an investment of $455,000. I have since learned that this picture was only one of many signs now going up all over the country. In bold type this advertisement says: "We're creating more jobs for America—produced by a working partnership of your community, your State, and the Area Redevelopment Administration, U.S. Department of Commerce."

Signed in a facsimile signature, "John F. Kennedy."

This should leave no doubt in anyone's mind that, rather than creating jobs, the

ARA is designed to create votes for the Kennedy administration.

Mr. SIMPSON. Mr. President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. SIMPSON. Did the American taxpayer sign the brochure and notice?

Mr. BENNETT. The American taxpayer is paying the bill.

Mr. SIMPSON. Whose money is it?

Mr. BENNETT. I wish I could say that the American taxpayer is supplying the money, but the people who buy the Government bonds are supplying it, because we are not living within our income. But, of course, the taxpayer is still paying it in the long run.

Mr. MONRONEY. Mr. President, will the Senator yield to me?

Mr. BENNETT. I will yield to the Senator in a moment.

Mr. SIMPSON. I should like to ask the Senator another question.

Mr. BENNETT. I yield further.

Mr. SIMPSON. Is this not another example of spending ourselves into deeper trouble with borrowed money?

Mr. BENNETT. I do not wish to open that door. But I certainly agree.

I now yield to my friend from Oklahoma [Mr. MONRONEY].

Mr. MONRONEY. Does the Senator from Utah realize that Sulphur, Okla., is a city nearest to Platt National Park? It is true that this is not one of the grandiose national parks such as Yellowstone or Jackson Hole or others, but it does receive four or five times as many people, who come to enjoy the medicinal waters and a little of the outdoors.

This town was stricken. There was destruction by fire of the only hotel, which had stood since the early 1900's. The town was left without a much needed facility. It was the only town in which to serve those who visit the national park, yet the town was left without a hotel.

The local people raised the supporting funds to begin to obtain a modern motel to take care of the visitors who come to use this national park.

It is true that the ARA, not only because it was a national park area but also because it had one of the very highest unemployment rates in the entire State of Oklahoma, tried to create some jobs in this county. The ARA is to supply that facility with a loan which will be paid off. I am sure it will be a good loan. It would not be worth anything if it were necessary to go through a regular mortgage loan department for it.

I am sure that the number of people to be employed, as this modern motel or hotel project grows, will do more for the area than would the location of a metal stamping factory or a garment factory or anything of that kind.

This is the kind of thing which is happening all over the United States. Many worthwhile projects are being put forward. The ARA people are providing hope for those who have waited 15 or 20 years for coal mines to open or for plants which used to do manufacturing to come back into existence or be reopened.

I do not like to see this program called a "handout" to try to buy an election. This will hurt us in an election, because there will be three or five times as many good projects in these areas which cannot possibly be financed. That worries me, because the money will not go far enough. All those who see a project in the town across the State line or across the county line approved when one locally is not will be resentful. Make no mistake about it. There is no "political pap" involved. It is only an effort to make jobs for people who have been waiting many years.

Mr. BENNETT. The point the Senator from Utah is making by this example is not that the motel in Sulphur is any less deserving than any other motel. Let us agree that it is the most deserving project which ARA has approved. The point to which the Senator from Utah objects is the fact that the facsimile signature and the name of the candidate for the 1964 election as President of the United States on the Democratic ticket is being put on billboards like this, which are intended to tell the people who see the billboards that this has been made available through the kindness and courtesy of a particular man, when it has been the taxpayers who have put up the money.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. BENNETT. I am happy to yield.

Mr. AIKEN. I like to consider legislation on the merits of the legislation itself, and quite vainly wish that politics could be left out of it.

I wonder why the Senator from Utah does not offer a separate amendment, similar to one which has been attached to other authorization bills, stating that "no part of the appropriation made in accordance with the authorization shall be used for promotional, propaganda, or political purposes"?

We attached an amendment similar to that the other day to the disarmament bill. It was offered by the Senator from Ohio, I believe.

Mr. LAUSCHE. That is correct.

Mr. AIKEN. We will not quarrel about who offered the amendment, but it was a good amendment.

When bills are considered on their merits, we ought to consider what the provisions of the program can do for the economy of the country rather than what the program can do to bring about the reelection of the President of the United States.

Compared to what is going on in other parts of the world today, if this is a political toy for the President, he has far more dangerous toys with which to play than this one could be.

I wonder why a similar amendment, providing, "No part of the funds appropriated in accordance with this authorization shall be used for propaganda or political purposes" could not be offered.

Mr. BENNETT. I think that is an excellent idea.

Mr. AIKEN. I would offer it as a separate amendment, however.

Mr. BENNETT. I ask my friend from Illinois, who is in charge of consideration of the bill, if he would accept such an amendment.

Mr. DOUGLAS. I shall deal with that question later, after the Senator from Utah finishes his speech.

Mr. MOSS. Mr. President, will the Senator yield?

Mr. BENNETT. I am happy to yield.

Mr. MOSS. The senior Senator from Utah met with the President in Park City, Utah, in May, along with me and many other persons, when there was a ground-breaking ceremony for a recreation project at that mining town, made possible by a loan of $1.2 million from ARA. This is a mining town that was very rich at one time. Because of the decline in the price of lead and zinc, the town has declined almost to the status of a ghost town. It had declined very rapidly until the mining company converted activities to recreation. The point is that recreation offers some of the greatest opportunities to some of our Western areas.

Since the Senator indicated in his speech that the push behind having ARA loans was politics, I ask the Senator if it is not a fact that at that groundbreaking ceremonies not only were there no posters to identify the project with the Democratic administration or with the Democratic President, but the Republican Governor of Utah turned the first shovel of dirt and made a speech, as did the Republican Senator from Utah, praising the merits of the project and pointing out the fact that it would bring employment and economic help to this area. He also turned over a shovelful of dirt. So, if there was any politics involved, it seems to me in that case it would have been of benefit to the present statewide elected officials of the State of Utah. Is that not a fact?

Mr. BENNETT. I was sure my colleague would bring up at some time this mutual experience that we had last April. My colleague is missing the point I am trying to make, that it is this effort for extension of $455 million of additional money, in order to make it available for 1964, which is the basis of the political activity. I assume ARA was proposed in reasonably good faith when it was offered, but only one-third of the money made available has been spent. Money will be available for many months. Probably the agency will not be able to allocate all of it before the next election goes by.

The sum of $455.5 million of new money is requested, in addition to the $264 million yet unspent. When that fact is added to the fact that billboards on the subject are beginning to show up—even though they have not shown up, so far as I know, in the State of Utah—the senior Senator from Utah puts two and two together and decides that this particular extension has a very real political motivation.

Mr. MOSS. Will the Senator yield for another question?

Mr. BENNETT. I yield.

Mr. MOSS. Since there are many applications for ARA loans, and since the administration is proceeding in a deliberate, careful manner, and not granting loans loosely, but has under consideration a great number of applications for loans, does not the Senator recognize that there will be a time—and it is not very far away—when all the funds that had been provided for ARA up to this point will have been committed, when the Agency must shut down and reject any loans beyond that point, and the whole program will come to a stop? According to my understanding, that is the purpose of asking for additional authorizations of funds at this time. Is that not the reason for it?

Mr. BENNETT. That is the reason assigned, but the Agency still has $264 million, having loaned $122 million in 2 years. It seems to me that the time when it will begin to run out of money could not possibly occur before Congress comes back next year. This attempt to drive another half billion into the program is of doubtful necessity and doubtful timing.

Mr. MOSS. The Senator is not accusing the ARA of being reckless or of approving loans too rapidly, without sufficient scrutiny, if only $122 million has been committed up to this point.

Mr. BENNETT. The Senator from Utah has been on his feet for nearly an hour and a half and has made some rather serious criticisms of the quality of some of the loans ARA has made, but it seems to the senior Senator from Utah that, in order to make good loans, we must proceed at a slower pace, and that additional money is not needed. There is enough money left to carry the program at least through next year. So I think we must look for another motive for the great pressure to drive through nearly a half a million dollars in new loans at this time.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. BENNETT. I am happy to yield to the Senator from Ohio.

Mr. LAUSCHE. The day before yesterday I had a conference with the second echelon official in our Government dealing with this program. He had to issue an order instructing the Deputy Administrators to desist in their practice of inducing applications for loans and help. In plain words, he stated that at various places, Deputy Administrators were calling upon the people to apply for loans.

If that is the fact, I suggest that we have the identical situation that prevailed with respect to the agricultural wheat bill, when the administration was spending money to induce support and utilization of the program.

It is on that basis that I shall not vote for these amendments.

Yesterday, I was deluged with calls pressuring me to support the proposal.

I read in the testimony the explanation by the Senator from Utah of his reason for attending these ground-breaking ceremonies at Park City. What can a Senator do, what can a local mayor do, when some individual says, "I am going to borrow money. I may be subsidized, but I would like to give you my support"?

The Senator from Utah answered. He understands the situation. He explained in the testimony that he would be present at the ground-breaking ceremonies. The transcript shows that he stated exactly what he said on the floor today—that this program is not economically sound, is not fair to the taxpayers, and is a vote-buying device.

Mr. BENNETT. Mr. President, I should like to complete my statement. I have but a paragraph left.

Because the ARA program is based on bad general economics, bad community economics, bad business policy, and bad Government policy, is there any wonder that the accomplishments to date have been meager? While ARA claims to have created 16,000 actual jobs in 2 years, the private economy, operating on sound economic principles, has created 2 million jobs. Yet the sponsors and proponents of this legislation persist in their efforts to not only continue but to expand this faulty program. The examples I have just cited make it very clear to me that the reason for this persistence is that the program makes good politics even if it does not make good jobs.

Since I rose to speak, there has been handed to me a copy of the Federal Register of yesterday, in which, on page 6485 there is this statement:

> Executive Order 11114—Extending the authority of the President's Committee on Equal Employment Opportunity.
>
> Whereas it is the policy of the U.S. Government to encourage by affirmative action the elimination of discrimination because of race, creed, color, or national origin in employment on work involving Federal financial assistance, to the end that employment opportunities created by Federal funds shall be equally available to all qualified persons.
>
> Each executive department and agency which administers a program involving Federal financial assistance shall, insofar as it may be consistent with law, require as a condition for the approval of any grant, contract, loan, insurance or guarantee thereunder which may involve a construction contract—

And so forth. Because ARA administers Federal financial assistance it will come under this order. But on January 4, 1963, the ARA had published in the Federal Register a specific regulation which ARA itself has put into effect with respect to nondiscrimination in residential property and related facilities financed by the Area Redevelopment Administration. I am not saying today whether it is a good regulation or a bad regulation. However, since ARA is doing it on the basis of the power of the Administrator, and since the President now says he wishes to make sure that this is done with respect to all Federal contracts, why do not the proponents of the bill offer an amendment to it which would write this provision into the law, and not leave the ARA Administrator to make this decision on his own authority?

Mr. SALTONSTALL. Mr. President, will the Senator yield for a question?

Mr. BENNETT. I am glad to yield.

Mr. SALTONSTALL. I did not hear everything the Senator has said, but I am familiar with his view and position on this subject.

Are there not a number of other programs in the Government today which can be of assistance in solving the problem which the pending bill is designated to solve? There is the accelerated public works program. Originally $400 million was appropriated for that program, and another $450 million has been added to it. That is a total of $850 million which has been appropriated in about 8 months. This year $428 million has been appropriated for four Federal agencies. As I understand, the Housing and Home Finance Agency has been authorized to proceed with some projects. The Small Business Administration has been given $300 million in a revolving fund, to help small business. The Community Facilities Administration has $12 million for planning and construction facilities. In addition, HEW has $90 million for community facilities.

My question is, with all these programs going forward, is not the most important effort that we can make to help solve the unemployment problem that of putting more emphasis on manpower retraining and vocational education rather than into a grant program by authorizing projects which ARA would consider?

Mr. BENNETT. Earlier in my speech I tried to say that duplication exists between ARA on the one hand and SBA and HHFA and in connection with the area development program. The Senator from Massachusetts has added a number of examples which I had not used. However I believe it is quite obvious that ARA has no power that cannot be found in existing programs.

Mr. SALTONSTALL. Is it not more important to go ahead with the programs which are now in existence, and to put more emphasis on vocational training and on manpower training rather than adding money at this time to the proposed program?

Mr. BENNETT. The Manpower Training Act has moved into a position of priority in job training and retraining. This is one area from which I believe ARA is stepping out. I am inclined to agree that those programs could be of more value than supplying subsidized loans at subsidized interest rates.

Mr. SALTONSTALL. I thank the Senator.

Mr. BENNETT. I yield the floor.

The PRESIDING OFFICER. The Chair calls attention to the fact that at this time the unanimous-consent agreement, previously entered, limiting debate, becomes effective.

Mr. DOUGLAS. Mr President, I yield myself 15 minutes on the bill.

It is no surprise that the Senator from Utah is opposed to the bill. He was opposed to it when it was originally before the Senate. I believe he voted against it every time it was under consideration. He made dire prophecies, which have not been fulfilled. He is opposed to the program—opposed to it; that is, here in Washington.

Two years ago, the Senator from Utah was saying that the program's administration would approve projects and lavishly spend enormous amounts of money, and put us heavily into debt. Now his complaint seems to be that the program is moving too slowly.

I am glad it is moving at a rate which tends to preserve due caution in the making of loans.

Yesterday during the course of the debate I pointed out the 11 steps which had to be taken before a loan was finally approved and the disbursement of funds for it made. Since the act has had only approximately 20 months in which to operate effectively, the final emergence of jobs from the pipeline has of necessity been relatively slow. I am glad that this is the case. Had the process been speeded up, I am sure that the Senator from Utah and his associates would have denounced the excessive speed with which it had moved.

The plain truth about this program is contained in the tables which I inserted in the CONGRESSIONAL RECORD yesterday, and which can be found at pages 11619, 11620 and 11621.

They show that the projects already approved amount to a total of 192, so far as commercial and industrial loans are concerned. They carry with them investments of aproximately $70 million.

These, added to the 107 public facility loans and grants, with a total of approximately $45 million, make a total of aproximately $115 million already loaned and granted, with jobs directly created of approximately 42,000. These are the jobs which have already emerged from the pipeline.

However, the pending projects of an industrial or commercial nature, as indicated in table 2, are 311. There are 86 pending public facility loans and grants. The total amount in the pipeline, in terms of amounts for industrial and commercial projects, is $235 million, and, in terms of public facility loans and grants, $82 million; or a combination of $317 million. So those approved and pending carry the total sum of $432 million.

As I pointed out yesterday, we know of projects which have not been submitted, which are being developed in the States, which amount to a total of 712, and which carry with them requests for $290 million of Federal money. More than $700 million has already been asked for.

This is only 20 months after the program was started. Applications are coming in at the rate of more than a million dollars each working day.

Before the act went into effect, the Senator from Utah—and I am sorry that he is not now present in the Chamber—prophesied that not a single dollar would be spent west of the Mississippi River; that this program was a proposal for States east of the Mississippi River. Many southern Senators said there would be nothing in the program for States south of the Ohio River.

This was said to be a northern and midwestern program. I ask the Senators from those areas to look at the breakdown by States. They will find that every State in the South has a project which has been approved or a project which is pending. There has been absolutely no discrimination against the South, despite the fact that a majority of southern Senators and Representatives voted against the bill.

It will be found that the States west of the Mississippi are receiving as much aid in proportion to their needs as are the States east of the Mississippi. The State of Utah has had approved four projects of an industrial and commercial nature, to cost approximately $1,900,000. Three are pending involving requests for $738,000. Among those that are not yet in the pipeline, but coming, are six projects to cost about $3 million. So there has been no discrimination against any of the Western States. The Western States, almost without exception, have participated. So the Senator from Utah is not only a Cassandra; he is a false Cassandra. The prophecies which he has made have not been fulfilled.

Most recently, we have heard the Senator from Utah and the Senator from Massachusetts say, "But there are other agencies to perform that work. The Community Facilities Administration could take care of these projects."

When the accelerated public works program was before the Senate, almost all Senators on the other side of the aisle voted against it, including, I believe, although I shall have to verify the RECORD and correct myself if I am wrong, the Senator from Utah. Now, when the ARA program is under consideration, they say, "Let the accelerated public works program take care of these projects." In other words, it is always something other than the program under consideration which is relied upon.

I am sure that if we ever bring up the accelerated public works program again, Senators on the other side of the aisle will say, "Let the ARA take care of this problem."

There is a division of responsibility between the accelerated public works program and the area redevelopment program. The accelerated public works program is designed to provide facilities and amenities to communities as such. The public utilities section of the Area Redevelopment Act is intended to provide public facilities which will specifically help to get jobs and industries into that particular area. It aims to provide industrial water rather than community water.

The Senator from Utah heaps scorn on the fact that appropriations are made for industrial parks. Industrial parks are one of the best forms of attracting industry. As I said yesterday, with industrial parks it is possible to acquire areas which can be subdivided into small businesses which can then be provided with the external economies of water, sewage, electric light, telephones, and access roads, so that new firms will not have to meet the overhead costs of capital to come in and locate.

Thus through sections 7 and 8 of the Area Redevelopment Act we are taking care of activities which cannot be taken care of in the industrial-commercial loan section.

Mr. MONRONEY. Mr. President, will the Senator yield for a comment?

Mr. DOUGLAS. I am glad to yield to the Senator from Oklahoma.

Mr. MONRONEY. I am deeply impressed by what the Senator from Illinois says about water development, because in sorting out the applications, which run three, four, or five to each one for which funds are available, I notice that two-thirds of them involve the use of water in one way or another. Industrial water development is the hope and prayer of many a community which is seeking to decrease a backlog of unemployment that has lasted 10 or 15 years. They are trying to solve their problem in this way because they know that in the long run it will be cheaper to redevelop than to continue a program of relief, under which more and more people who cannot find work will have to go on relief.

Industrial parks have been an important innovation in my State where many communities have a high incidence of unemployment, one place to which they can look for financing is ARA.

One further point. In a very interesting chart, the Senator from Illinois shows 396 projects for retraining more than 20,000 workers in projects already approved. The technical assistance program provides for 195 projects to retrain 6,524 employees.

In my own State, 75 to 80 percent of the persons who have been retrained have found worthwhile employment in new jobs within a month after the completion of their retraining program.

In the technical assistance program for retraining in electronics, there is a waiting list. The unemployed began the program as almost hopeless unemployables, because they had lost their livelihood in the coal mines or other forms of employment, which no longer afford them the opportunity to work. But given this chance to retrain themselves, they will succeed.

I have heard some of the more important leaders in the electronics industry say that coal miners, once retrained, do the finest work of any men they can get. That is true in West Virginia and other coal mining States. Yet without such retraining, those men are a hopeless waste today. The utilization of human resources is worth 10 times what the bill would cost.

Mr. DOUGLAS. I thank the Senator from Oklahoma. Probably we would never have had the general manpower training program unless the pilot project contained in the Area Redevelopment Act had been passed. The area redevelopment training program for specific jobs is encouraged by loans in specific communities with high unemployment or underemployment. In other words, the job is one of preparation or retraining of men for employment in new jobs. What is the use of retraining people unless jobs are ready for them? Sections 6, 7, and 8 can create specific jobs into which those who are retrained can go.

So these are not competing projects at all. They are in the field of community facilities or in the field of training. Neither do Small Business Administration and Area Redevelopment Administration compete. Small Business Administration takes the better loans, under $350,000, and can make working capital loans—which ARA cannot. SBA skims the cream of such loans. Then it passes on to the Area Redevelopment Administration the culls or those that have less security behind them. It is supplemental to the other programs. But the Area Redevelopment Administration creates additional jobs which would not exist under present facilities.

Mr. MANSFIELD. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield.

Mr. MANSFIELD. Based upon personal experience in my own State of Montana, I know that Small Business Administration and Area Redevelopment

Administration work hand in hand on certain projects. For example, I have in mind a hotel in one of the cities of my State—Anaconda, to be exact—which was on the way out and would have been destroyed had not assistance been forthcoming from ARA and SBA in the form of financial aid on the basis of loans.

That city will soon experience a very depressing economic situation because some of the concentrators of the smelter will be shifted to Butte, a mining center. Had it not been for this combination, working in accord, I am afraid the hotel would be on the way out rather than on the way up.

Mr. DOUGLAS. I thank the Senator from Montana.

The projects already approved will directly create 42,000 jobs. Using the multiplier of the U.S. Chamber of Commerce of an additional two-thirds of an additional job for every job created, this will mean 26,000 indirect jobs, or a total of 68,000, or approximately one-tenth of the surplus unemployment in those areas.

The PRESIDING OFFICER. The time the Senator from Illinois has yielded to himself has expired.

Mr. DOUGLAS. Mr. President, I yield myself 5 more minutes.

The PRESIDING OFFICER. The Senator from Illinois is recognized for an additional 5 minutes.

Mr. DOUGLAS. Mr. President, in addition, the pending projects would directly create 47,000 more jobs and 28,500 indirect jobs, or 75,500 jobs, or a combined total of approximately 144,000 jobs, or almost one-fifth of the surplus unemployment — unemployment above 40 percent in these areas—where the unemployment situation is worst; and the projects in connection with proposals which shortly will be submitted total 50,000 jobs directly, plus 32,500 jobs indirectly, or a total of 82,500 jobs, making a grand combined total of 226,500 jobs, or approximately one-third of the unemployment. Of course, some of the projects will not come through, but others will be submitted.

I submit that this money is needed in order to make an attack on unemployment where it is worst—namely, in areas which have suffered from persistent unemployment and high unemployment for long periods of time.

The Senator from Utah and the Senator from Ohio poured scorn on the low interest rate of 4 percent. I am not quite certain whether the amendment which the Senator from Utah is apparently ready to propose covers the Small Business Administration program or not. It would be anomalous if he proposed to allow SBA to keep a 4-percent interest rate for its loans, but require the Area Redevelopment Administration to charge a higher rate.

But there are other factors which the Senator from Utah and the Senator from Ohio do not seem to realize. Those are the direct advantages—the reinvigoration which comes from additional jobs, additional earnings, and the beneficial effect of additional purchasing power in a community. Not only does it mean increased trade for retail merchants and increased employment in the service industries, but also it means that many persons who now are on relief come off relief, and therefore the State and the local financial burden is diminished. It means that people now on unemployment compensation no longer receive it, and consequently the assessments upon employers of the State will diminish. It means that there is a drop in the distribution of surplus foods. It means that people who now are not paying taxes begin to pay taxes. So the indirect benefits, purely the economic, material benefits, of putting these people back to work justify, in my opinion, a 4-percent interest rate.

Mr. President, it is also extraordinary that the Senator from Utah and his cosponsors seem to be getting ready to cut the total amount authorized by this bill. They are ready to cut it, even though that would mean a reduction in the relief we can give to the unemployed. However, they had no such scruples the day before yesterday when they voted in favor of a $2 billion increase for the Export-Import Bank, to provide, not measures to directly help communities at at home, but measures to help communities abroad and to help big business firms which are getting the contracts and are being financed by the Export-Import Bank. They had no scruples then against voting in favor of the provision of such funds. The yea-and-nay vote in favor of that measure was 73 to 1. The Senator from Utah [Mr. BENNETT], whom I value personally, was one of the 73; so was the Senator from Colorado [Mr. DOMINICK], who signed the minority views with the Senator from Utah; and the Senator from Texas [Mr. TOWER] also voted in that direction. The chairman of our full committee, the Senator from Virginia [Mr. ROBERTSON], who is opposed to this act, also voted for that measure. They had no scruples about helping people abroad or helping big exporting companies; but when it comes to helping the unemployed at home, they say too much money would be required. They do not balk at voting for $2 billion for the Export-Import Bank, but they do balk at voting for $450 million for the people at home who live in these areas of economic distress.

The PRESIDING OFFICER. The additional time the Senator from Illinois has yielded himself has expired.

Mr. DOUGLAS. Mr. President, I yield myself 3 more minutes.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 3 more minutes.

Mr. DOUGLAS. Mr. President, in the course of his remarks the Senator from Utah wept copious tears because of the fact that in Oklahoma there is a plaque which states that some facilities there are being built with loans from the Area Redevelopment Administration. But what is wrong with that, Mr. President? I think the Federal Government has hidden its light under a bushel in connection with these public developments. We seldom find plaques or notices stating that certain projects were constructed by the WPA, the PWA, or the CCC; despite the good work of those agencies, and seldom do we find a plaque which indicates the sources of the works we are now discussing.

Mr. MANSFIELD. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield.

Mr. MANSFIELD. All any Senator has to do is go into almost any State, and there he will see signs stating that highway construction programs are being carried on. Who signs those notices? The Governor of the State. What impression is created by that?

Mr. DOUGLAS. Yes; the States and the localities try in general to take the credit for the Federal Government appropriations, and try to represent themselves as being the authors and the beneficent granters.

Mr. LAUSCHE. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield.

Mr. LAUSCHE. I take exception to the statement made by the Senator from Montana, because when I was a Governor, I specifically ordered that the signs not bear the name of the Governor.

Mr. DOUGLAS. The Senator from Ohio is unique among politicians; he is the most modest man one could possibly imagine—so modest, indeed, that his modesty is the greatest advertisement any Senator could have.

Mr. MANSFIELD. Mr. President, will the Senator from Illinois yield again to me?

Mr. DOUGLAS. I yield.

Mr. MANSFIELD. I would say, for the Senator from Ohio, my good friend, that Ohio was not mentioned specifically by me; I believe the words I used were "almost any State".

Mr. HOLLAND. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield.

Mr. HOLLAND. I should like to associate myself with the remarks of the Senator from Ohio. I happen to have the honor to have served as the Governor of my State, and I followed exactly the same course he did; and I know of several others who have done likewise. So I hope the distinguished Senator from Illinois will use a little discrimination. Discrimination is used in so many other ways, that I should like it to be said occasionally that there have been men who have been Governors who have been reasonably modest, as there are some today. So I hope the Senator from Illinois will not be so all-inclusive in his remarks.

Mr. DOUGLAS. There are occasionally Governors who do not do this; but they are exceptions.

I should like to ask the Senator from Ohio whether the present Governor of Ohio observes the self-abnegation which the Senator from Ohio practiced.

Mr. LAUSCHE. At this time I must answer that I am not my brother's keeper.

Mr. DOUGLAS. But does the present Governor of Ohio observe the same practice?

Mr. LAUSCHE. I do not know.

The PRESIDING OFFICER. The additional time the Senator from Illinois has yielded to himself has expired.

Mr. DOUGLAS. Mr. President, I yield myself 5 more minutes.

The **PRESIDING OFFICER.** The Senator from Illinois is recognized for 5 additional minutes.

Mr. DOUGLAS. Mr. President, I see nothing wrong about having the Federal Government mention the fact that these projects are financed with Federal funds. I see nothing wrong with attaching to such statements the signature of the President of the United States. I think such criticism comes with ill grace from one who, after opposing the act, takes credit for a project in his own State.

Mr. President, attention has been called to a project in Utah, the United Park City Mines Co., at Park City. The project involves the establishment of a year-round tourist complex at Park City, Utah, which over the years had been deteriorating into a ghost town, due to the curtailment of mining in the area. The area is ideally situated for winter sports, as well as for summer activities. The area is ideally located from the standpoint of accessibility.

Originally the request was for a loan of $2,181,000. That was subsequently reduced to $1,232,000, to cover only the first phase of the program. The first phase involves the construction of a gondola lift, several chair lifts, a T-bar lift, a restaurant, an activities center, and a golf course. The project is expected to attract private capital for the construction of motels and other types of service industries. The Utah Committee on Industrial and Employment Planning estimated that the indirect employment resulting from the project would be in the neighborhood of 1,700, as a minimum, and possibly might be as much as 3,500.

Mr. President, I ask unanimous consent that there be printed at this point in the RECORD an article on that subject entitled "Rebirth of a Mining Town Out West," published in the New York Times of June 9 on this year. This project would never have been carried through had it not been for the Area Redevelopment Act.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

REBIRTH OF A MINING TOWN OUT WEST

(By Jack Goodman)

PARK CITY, UTAH.—This once-thriving mountain community is a hubbub of activity these days. Miners are felling trees, engineers are running survey lines and many spring sightseers who come here to explore the countryside find themselves playing the role of sidewalk superintendents, watching over what amounts to the rebirth of a dying mining town.

Using the first dollars of a $1,800,000 loan to get things rolling, officials of the newly constituted Park City Development Co. have hired 100 men and are making dirt fly in a project that should bring back a modicum of prosperity to this faded, but picturesque, silver-mining center. It is a project that might spell revival and restoration elsewhere in the mountain West, too.

Lying in a narrow canyon 6,980 feet above sea level, and rimmed on two sides by Wasatch Mountain peaks rising to altitudes of 11,000 feet and more, Park City is as well situated as other area resorts, including Aspen, Colo., Sun Valley, Idaho, and even Brighton and Alta, Utah, just across the Wasatch ridge.

However, Park City, which came into being in 1869 with the discovery of silver-lead-zinc ore, never was designed with recreation in mind, although many of the 5,000 or so rough, tough miners who lived and worked here in the extremely gay nineties found plenty of fun available.

RECITAL OF EVILS

Unfortunately, along with virtually all of the West's high-living mining centers, Park City's entire way of life was tied to the prices its metals commanded in distant markets. There is no need to review the economy of the West, although quite a few Park City oldtimers can be found today on the town's cracked sidewalks who will launch into a recital of the evils of Washington and Wall Street at the drop of a hat.

Park City flourished when silver was up, and it flourished again when World War I; World War II and the Korean conflict brought new demands for lead and zinc. It has survived fires of the variety common to all Western mining towns, and has been cut off from the outside world by its share of blizzards, landslides, and the like. However, Park City has died slowly these last dozen or so years, as demand for its metals dwindled.

Although the town's State legislator and barber left for Las Vegas and a more certain supply of votes and shavable faces, and many other residents have gone to Salt Lake City for missile-industry jobs, or to Provo to work in the steel mills, 1,000 or so Park City residents remain here. Some, too old to work, are mine pensioners sitting on paint-peeled porches. Others manage to scrape by as part-time miners, as highway workers or as owner-employees of the few stores remaining in this up-hill, down-dale town.

"After all, it's pretty, and you could starve in worse places," the town's last physician said before shutting down his clinic.

Fortunately, Park City and the adjacent countryside are hauntingly beautiful. This prompted a few canny Salt Lakers—the big city is only 20 miles away—to purchase elderly Park City homes and refurbish them as rural retreats.

COMPARED TO ASPEN

Meantime, M. Walker Wallace, bank-connected scion of a family owning considerable mining property in the hills behind the town, compared the local setting with Aspen and found Park City coming off well. Also, John W. Gallivan, publisher of the Salt Lake Tribune and himself a native of Park City, began aiding an informal "study group" that was talking up a "recreational revival" for the old town. The group's members included S. K. Droubay, general manager of the mining companies still taking the last bit of ore from old underground workings.

Soon, a new breed of "engineers" was roaming the silver-laden hills. Last winter, skiers traversed the trails above Park City, map making and picture taking as they went. Representatives of little theater groups, of the Utah Symphony and of the Utah Ballet Theater arrived in the spring, poking and prying in commodious old mill buildings, a hillside theater and in an old but sturdy hotel.

Next it was formally announced that Park City's citizenry and the major mining groups had banded together to form the development company and apply for a sizable Federal loan. The community held its collective breath until word came from Washington that the $1,800,000 loan had been awarded for recreation purposes.

RESTRAINED CELEBRATION

There were no street parades because the population is too scant and most streets are too steep. However, evidence of good cheer was visible despite Utah's "no-liquor-by-the-drink" law. The region's 3.2 beer flowed fairly freely, and coffee and soda water were imbibed at gratifying rates in Pop Jenk's unpretentious establishment.

Under the initial phases of the town's recreational-development plan, a ski lift, a modest lodge, a hilltop restaurant, and trail clearing are the first construction activities scheduled. The area has an abundant water supply—so much so, in fact, that some closed mines must be constantly pumped out—and a small lake is being blueprinted, making possible ice skating, fishing, and boating in season.

Riding trails, picnic sites, viewpoints, and the like are planned along the presently unpaved, but spectacularly scenic, Guardsman Pass road to Brighton.

While the local development calls for skiing, camping, and the like on 10,000 acres of land to which the old mine companies hold surface rights, the Park City project is made more attractive because the old town is situated in an enclave between the new 26,000-acre Wasatch State Park and the much larger Wasatch National Forest.

Its site, which is just off four-lane U.S. 40, and the fact that the planned recreation area lies outside the present confines of the metropolitan Salt Lake City watershed, are expected to help the boom-or-bust mine center boom again.

TOWN REDISCOVERED

This spring, a sizable number of Utahans and sightseers from other areas have been driving, hiking, and, in many instances, just loafing around Park City. While work crews are improving roads and cutting new trails, painters and photographers have been discovering the attractiveness of the town and its setting. Real estate prices are said to be climbing, and even the cost of meat pies—a local delicacy—may be due for an increase.

Of more importance is the fact that this section of the West is liberally pockmarked with mining towns, most of them down at the heels. Aspen, of course, "has it made," with winter skiing, a summer music festival, lectures on great books and seminars on philosophy to lure vacationists.

Now, with a transfusion of Government funds, Park City is coming alive, and other high-country communities from Idaho to Colorado also may seek Federal funds for recreation. However, Park City residents are not worried about the counter attractions of other towns, for they have an ace or two in the hole.

First, the railroad tracks rimming the Park City valley would be a perfect setting for an old steam locomotive and a creaking passenger train. Such relics, if obtainable, could puff 15 miles over to the Union Pacific main line at Echo and haul passengers back to the mine town's Victorian-style wooden station. The ride would be a scenic, hour-long trip on well-maintained branchline trackage.

TUNNEL RIDE

Finally, there is the old Silver King Coalition mine tunnel. It is perfectly feasible, local mining men say, to load sightseers or skiers into enclosed mine cars just off the main approach road to Park City, carry them a quarter mile into a mountainside, transfer to a hoist and haul them straight up a mine shaft about 1,800 feet or so.

Once they were aloft, visitors could ride a ski lift or tram back down the outside of the mountain; winter vacationists could ski down the slopes.

Mr. DOUGLAS. Mr. President, if the Senator from Utah condemns ARA for saying that it financed the project, what should we say about a Senator who opposes a general project on the floor of the Senate and then goes out and turns the second shovel for this project and basks in the glory of the project, and assumes credit for it?

Letters have been published in the Salt Lake City Tribune on that very same subject. If from the opposing side of the aisle we get an amendment providing that no funds shall be used for publicity in connection with these matters, I say that that amendment should be further amended to provide that no credit should be taken by members of the Republican Party for projects and programs which they opposed. If they are going to contend that the Government cannot take credit for the projects which the Government has carried out, certainly they should not have credit for projects which they have opposed and have fought. Mr. President, that is hypocrisy, plain and simple.

Mr. SCOTT. Mr. President, will the Senator yield at that point?

Mr. DOUGLAS. I am glad to yield.

Mr. SCOTT. I point out that the Senator has by inference been good enough to exclude the State of Pennsylvania in his statement, since the Governor of my State and both of its Senators support the bill, though I shall offer an amendment.

Mr. DOUGLAS. If the Senator from Pennsylvania had been in the Chamber he would have heard the Senator from Utah say that Pennsylvania had received too many projects.

Mr. SCOTT. Of course, I cannot agree to that statement.

Mr. DOUGLAS. I am sure the Senator could not agree. I am glad that we are making friends on the other side of the aisle. I never said that all Republicans were opposed. I only wish that when the roll is called we may have more than a mere half dozen.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. DOUGLAS. I am glad to yield.

Mr. DOMINICK. I take this opportunity to point out that, after all, there is no such thing as Federal funds. They are all tax funds, and they come from all over the country. They are not manufactured in Washington. They come only from a mortgage on future earnings. It should be pointed out that there is no such thing as plain Federal funds.

The second thing I ought to say, in due deference to my distinguished colleague, is that even if the Senator from Utah opposes the bill, if it should pass, it behooves him, the Senator from Colorado, or whoever it may be, to exercise judgment on a particular project within his State to make sure that the State of Illinois does not get all the funds.

Mr. DOUGLAS. The State of Illinois has not received very much. If the Senator will look at the record he will find that we have not received very much.

Mr. DOMINICK. The State of Colorado has had only one technical assistance program.

Mr. DOUGLAS. Judging by our experience I sometimes think that the present administration does not always appreciate its friends.

Mr. DOMINICK. If the Senator would look at the list of projects, he would find that the total of technical assistance grants to Colorado has been approximately $57,000, which is small compared to the amount of taxes we have paid in.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. DOUGLAS. No. I am being pushed on time.

Mr. HOLLAND. I should like to assist the Senator.

Mr. DOUGLAS. Very well. I yield.

Mr. HOLLAND. It seems to me that a State or an area which does not have to rely upon the provisions of the bill should be congratulated because the bill is addressed to meeting situations in depressed areas. The Senator from Florida is happy over the fact that, looking at the map which the Senator from Illinois has brought into the Chamber, it is very evident that, nearly 60 of the 67 counties in the State of Florida do not require aid under administration of the act. He wishes only that all 67 counties were in that situation.

Mr. DOUGLAS. So do I.

Mr. HOLLAND. As I have stated, States which are not receiving assistance under the act should be congratulated because the act applies only where there is serious distress. However, the act cannot completely alleviate that distress because it cannot bring those distressed areas up to a state of parity of prosperity and employment with the areas which do not need the act.

Mr. DOUGLAS. I thank the Senator from Florida for his very eloquent speech in support of the bill and the measures connected with it.

Mr. President, I do not propose to take any more time. In reply to the Senator from Colorado, I shall merely say that the people are entitled to know from where the funds come, whether they come from the State government, the local government, or the Federal Government. All too often local governments, however, take credit for funds which directly come from or are transmitted from the Federal Government. The result is that there is a process of downgrading the Federal Government. Local governments frequently take part in that effort. Indeed, U.S. Senators frequently take part in it. A sense of proportion is needed.

Mr. MOSS. Mr. President, will the Senator yield?

Mr. DOUGLAS. I am glad to yield.

Mr. MOSS. I appreciate the stanch defense of the act by the Senator from Illinois. The act has been of great benefit to the entire country and of particular benefit to some of the depressed areas of the State of Utah. Mining is down; a number of our rural counties have experienced very difficult times. We have a number of projects for which we have received ARA loans. The Park City loan has been discussed. Several others are now being considered and are in various processes of being considered. We hope additional loans will be made for those projects. The program has meant a great deal to the State of Utah. I assure the Senator the people of our State strongly favor the bill.

Mr. DOUGLAS. Mr. President, I yield the floor.

Mr. MOSS. Mr. President, during the period the ARA has been in operation, I have been in close touch with the way it was going about getting the job done which it was assigned under the act. This observation has only served to strengthen my conviction that Congress wrote a good law when we passed the ARA Act, and that the objectives of the act are sound, workable and socially desirable.

The basic goal, to create jobs where none existed before, has done much to relieve some of the more serious problems of our times—nagging, chronic, severe unemployment.

As I have listened to the objections to this bill, they seem to boil down principally to the complaint that the ARA program has not brought relief fast enough.

ARA was never intended as a quickie miracle drug. Also it obviously takes time to get a program rolling when every project referred to has to be developed by an organizing committee of local people who are willing to back up their judgment with their own hard-earned cash. And even then, it is not easy to cure an ill like unemployment which has been festering for many months, or even years.

I cannot resist pointing out to my colleagues on the other side of the aisle who have complained that the ARA program has not yet done what it set out to do that much more could have been accomplished by now—5 more solid years of accomplishment, in fact—had it not been for the pocket veto of the earlier bill passed in 1958.

The charge has been made that ARA is in conflict with the free enterprise system. This is nonsense. The ARA program is based on the private enterprise, profitmaking system, and has helped establish capable businessmen and sound businesses in many areas. This is not a case of representatives of a Government agency walking into an area and saying, "We are going to give you industry whether you want it or not." This is a case of a locality seeking an industry, seeking a project, and going along on the financing of it. No project is forced on a community and no borrower can be coerced into applying for or accepting a loan or grant.

The ARA program has its beginnings far down into more than 1,000 areas of the Nation. Its success depends almost entirely on the imagination of our business leaders, on the initiative of broad segments of the local population and on the efforts of State leaders. To this, ARA adds its financial assistance and its technical advice—but only as a support to local efforts.

This is not to say that the act is perfect, that it needs no amendment, no improvement. On the contrary, from my own observation in my own State, I am convinced that what is needed is an ARA with enough funds at its disposal so that our battle against stubborn and severe unemployment can go forward more rapidly.

Many States have been harder hit by unemployment than my own State of Utah, but I am sure I am safe in saying that Utah has as great a stake in ARA pending projects as any State in the country. Nine of our counties and two of our Indian reservations have been designated for assistance under the ARA program because of substantial and persistent unemployment, or because of low farm income.

So far, ARA has approved eight projects in the State of Utah, four to help finance industrial enterprise, and four for technical assistance. There are three industrial applications pending, and one for technical assistance.

The three industrial applications are:

The Anderson Egg Co., Heber City, Utah; total cost, $785,000; with ARA loan request, $492,000. Project will create 39 jobs.

The Ephraim Sanpete Forest Products Co.; total cost, $190,000; ARA loan, 65 percent; will create 21 jobs.

The Price Plastic Peerless Products; total cost, $202,280; ARA loan, 65 percent; will create 48 jobs.

The pending technical assistance request is for $31,345, for a study of tourism and recreation on Utah's Indian reservations.

Of the four industrial loans made to Utah, two went to Carbon County, our coal county and our most depressed area, one to Juab County to reopen a turkey processing plant, and the fourth and largest loan to Summit County.

The last one, was for $1.2 million to convert a 10,000-acre area above Park City, Utah, into a recreation and tourist complex. This is the largest ARA loan yet made west of the Mississippi.

Park City is one of Utah's most famous old mining towns—in its heyday it was one of the great silver mining centers of this Nation—and it is still most colorful. The mountains around it are ideal for skiing, and plans include the construction of a 1½-mile-long aerial tramway. Ground-breaking ceremonies for the new year-round recreation center took place last month, with Governor Clyde, the senior Senator from Utah [Mr. BENNETT], and myself present. My senior colleague and I both rode in the parade before the ceremonies, and were honored with seats on the reviewing stand.

The $1.8 million total for these four projects, I emphasize, is all in loans, repayable to the Federal Treasury, with interest.

The four ARA projects approved for Utah are all technical assistance research studies: a $2,500 contract to study the feasibility of establishing a ski facility in a former mining area; and two Navajo Indian Reservation studies—a $17,500 study of the economic uses of wood byproducts; and a $14,000 contract to determine the feasibility of setting up a meat processing plant; and $25,000 to the University of Utah for a study of tourism in the ARA counties.

These projects have made a total of 850 jobs so far. To those who come from the heavily populated Eastern States, the addition of 850 jobs to the work force may not seem impressive. But when you consider that in the 9 ARA-designated counties there are only 26,000 potential workers, providing jobs for 850 workers means fewer workers on unemployment compensation, or public assistance, more families better able to supply their own food, clothing, and shelter.

There are other ARA projects in process, in the pipeline. For example, five Utah counties, in addition to Summit, and the two Indian Reservations, have overall economic development programs which have been approved by the ARA. They are the Manti area, Sanpete County; the Nephi area, Juab County; the Panguitch area, Garfield County; the Price area, Carbon and Emery Counties; and the Heber City area, Wasatch County. In addition, there are many individual projects in the mill, and these will all help stimulate Utah's economy and ease the unemployment situation still further.

We in Utah consider ourselves fortunate that only nine of our counties have unemployment problems serious enough to qualify for ARA assistance. We know, for example, that many other States have been hit much harder than Utah—and for longer periods of time.

But unemployment anywhere is serious. Being out of a job is such a serious, bitter, frustrating experience. We should do all that is possible to reduce it. And this is particularly true for those in more than a thousand areas in these United States where such a large proportion of the work force has been without jobs for so long a period of time.

Those who oppose the extension of the Area Redevelopment Act are, almost entirely, those who opposed its enactment in the first place. They said it would not work; they now say that it has not proved itself. What else can they be expected to say?

And their statements that creating jobs is a task for private enterprise misses the point completely. I am sure that private enterprise is creating jobs to the extent of its ability to do so. Depressed areas do not occur because private enterprise wants it that way. Depressed areas occur because of fundamental economic changes which usually are no one's responsibility.

Too often, the economies of such areas cannot be rehabilitated solely by private enterprise and local initiative. If they could, we would have no depressed areas, no underdeveloped regions, in America.

The Area Redevelopment Act has proved itself, but in the 2 years of its operation, we have learned ways in which the act can be improved.

The best judgment of the Banking and Currency Committee as to what alterations should be made in the act to make those improvements is represented by the bill before us. And it authorizes additional appropriations so that the program will not be throttled. I urge passage of this bill.

Mr. SYMINGTON. Mr. President, Congress passed the Area Redevelopment Act 2 years ago with provisions that the first phase of this program be sound, businesslike planning at the local level—long-range planning of what a community could do to build prosperity founded on its native resources.

Inasmuch as long and painstaking preparation lay ahead before many communities could organize specific projects, Congress supplied a conservative authorization of funds and lending authority, to start the program.

Now, 2 years later, with much of the first phase accomplished, we see more clearly how large a program of these self-liquidating projects will pay a profit to the Nation.

The bill before us, S. 1163, corresponds to that need.

The Area Redevelopment Act forbids using this program to help one community solve its problem of unemployment or underdevelopment by luring away industries established in other communities.

An Area Redevelopment community must generate its own recovery.

Toward this end, the act provides four essential elements, the lack of which was an insurmountable block to progress in many depressed communities before the Area Redevelopment Act was passed. Here are the four elements every local development worker and businessman knows are hard to come by:

First. Expert research on the possibilities for new local enterprise—what the community can produce, and where it can be sold.

Second. Modernizing town facilities such as water systems and sewer systems, when the cost of such facilities puts them out of reach of the town, but lack of the facilities rules out progress and development.

Third. Public loans for that portion of capital needed to build a plant which cannot be raised from banks or put up by private individuals, in a community where times have been hard and private resources fall short of what it takes to get development moving.

Fourth. Training people to work at new kinds of jobs, when new kinds of jobs are the only ones they can hope for.

Those basic principles of area redevelopment remain sound and no doubt the only practical plan by which many counties in my State and other States can recover from the effect of old industries dying out, or climb out of economic repression based on their never having had the wherewithal to build substantial local industries.

We should not emaciate this program. We should carry it through and insist that its administration be improved, so that meritorious projects move faster through the application processing stage.

Nearly all 28 counties of Missouri now eligible for ARA have undergone a prolonged period of population decline. Industries such as mining and timber have dropped off. Farming has required fewer and fewer people to maintain high production. The counties have not been able to furnish employment to all their people, nor adequate opportunity to their young people. The exodus from depressed rural counties has led many people only into the hardship of life on unemployment rolls in cities. The cities have been filled with newcomers faster than they could be absorbed by urban industries.

Now we are beginning to hear different kinds of reports from some of the area redevelopment counties of Missouri.

As example, Douglas County in the South Missouri Ozarks—population, 15,600 in 1940, but 9,700 in 1960—the loss averaging some 300 people a year through those 20 years when timber, canning, and railroading industries declined. Ava, the county seat, once had the largest railroad tieyard of its kind in our

State, employing 100 men. That industry disappeared. But through area redevelopment, one modern plant alone, a year-round industry making golf and football equipment, has been expanded in Ava with a loan. This has brought 100 jobs back to the community. Local business and development leaders now estimate that the long outmigration of people is coming to a halt in Douglas County, through projects related both to industry and tourism, all generated through the efforts of Douglas County people in their development program.

Citizens of our area redevelopment counties have now devoted many months of hard work to planning and organizing advancements based on this program. As they look back on that work they can testify that ARA is far from a fount of easy Federal handouts. It is a program that maximizes local effort and selfhelp, after which ARA is a source of that essential extra boost required to fire the engine and get revival going.

In many of our counties, the greatest potential lies in developing natural attractions in the field of tourism. Some new facilities now deemed possible through ARA will convert seasonal resorts into year-round centers.

The dividends from such developments are far-reaching. In one Missouri city, an important new industry is now being established through private means because—among other principal reasons—the expanding recreational facilities in nearby area redevelopment counties do so much to make the area an attractive place for families of the industry to live.

With present efforts continuing at the local and State level, and no letdown in administration or congressional provision for this program, ARA can fulfill its possibilities as a way to help erase pockets of poverty from the map of America. Our followthrough on this program is one of the actions, furthering the security and prosperity of America, that the people have a right to expect of the Congress.

Mr. LONG of Louisiana. Mr. President, today, the Senate will act on S. 1163, a bill to amend certain provisions of the Area Redevelopment Act.

There are several things about the basic Area Redevelopment Act which appeal to me strongly. I want to point up some of these things briefly.

First, I want to make it very clear that I am opposed to any legislation which puts the Federal Government in the position of robbing a State or a community of its own initiative and responsibility, or even of interfering in the exercise of that responsibility. The Area Redevelopment Act not only does not rob a local area of its responsibility, but actually requires that communities put forth more initiative and effort, that they exercise greater responsibility and control over their economic affairs than ever before if they are to participate in the privileges and aids made available by the act. It should be remembered that the act requires that eligible redevelopment areas organize on a broadly representative basis, that they develop and keep live and up to date an overall economic development plan and program, that they secure State concurrence in this plan, that they develop individual recovery projects within the range and spirit of this locally developed plan, and, importantly, that they develop very specific arrangements to utilize local funds, as well as Federal funds, in the financing of these economic growth projects.

These are statutory requirements and are sound in every way. I am fully aware of the charge in some quarters that the Area Redevelopment Act unwarrantedly interferes with the economic recovery responsibility of communities. I must say that I have not heard of any parish or community in my State being a party to this charge. On the contrary, I have heard that some of our Louisiana communities are complaining that they have to put forth too much effort and have to spend too much of their own money in order to secure Federal financial assistance under the act.

Certainly no community in my State is saying that the Federal Government, through ARA, is giving away money for economic redevelopment. That is fine. That is the way it ought to be in a free enterprise system. What we have in this act with which we will deal today is a partnership arrangement involving the Federal Government with a set of financial and technical tools, the State with its resources, and the local redevelopment areas and individual communities with their resources, both public and private. This arrangement is not automatically a full partnership, for under the act a redevelopment area must want to use the tools of the act in its own program of recovery, and must carry its own end of the load before it can use these tools. In short, this partnership becomes effective—in fact comes into being—only in terms of a voluntary and broad exercise of local home rule responsibilities.

Now, how is this partnership arrangement working out? Frankly, if I had asked myself this question a year ago with reference to my own State, I would have had to give a somewhat unimpressive answer. At that time most of the Louisiana redevelopment areas were taking their first organized steps toward understanding their economic problems and toward mobilizing their own resources to meet these problems. At that time only two of the parishes were developing projects, and they were very small ones involving the use of only $232,000 of ARA loan money, supplemented by $130,000 of their own money, producing 70 jobs. Today ARA and its delegate agencies are processing projects developed by five parishes, involving over $17 million of ARA money, and, most significantly, involving the use of more than 36 million dollars of private financing in the direct creation of over 1,700 new jobs and the indirect creation of many more than this number. In addition, I know of at least 8 other projects throughout Louisiana which I feel sure will be given serious consideration by ARA and, if approved, will greatly benefit various sections of my State.

It has taken considerable time for the people in the redevelopment areas of Louisiana to discover that the Area Redevelopment Act does not provide for unlimited and irresponsible handouts; that the act does not replace or throttle local effort or private banking and financing; that the area redevelopment program is not a miracle cure-all, but that it is an honest, hardheaded effort to make available to them some highly valuable tools which they themselves must use.

Having made these discoveries, and also having discovered that they have untapped resources which can be developed for a wide variety of job-creating purposes, the people of my State are now setting about aggressively to use the tools of recovery put at their disposal under the Area Redevelopment Act.

That this same aggressive use is now taking place in all parts of the country is witnessed by the fact that ARA has approved, or has in the pipeline, projects which exceed in dollar volume the total funds authorization in the original act. It should not have to be said that 2 years of redevelopment work with the Federal Government participating as a partner with State and local communities is hardly enough time to make more than a promising, but impressive, beginning in attacking problems of economic retardation and stagnation which have been accumulating in hundreds of areas for many years without Federal participation.

A little over 2 years ago Congress passed the Area Redevelopment Act and thereby offered to these hundreds of economically distressed areas a package of hope for the future and of opportunity to achieve a new confidence in themselves. In effect, the passage of that statute created a covenant between the Federal Government and these areas to last until June 30, 1965. Hundreds of communities have responded, and more and more are responding daily, to this overture of the Federal Government to assist them in investing in a planned and sound manner in their own and the Nation's future. In my opinion, the action we take with regard to the extension of the ARA program reflects the integrity of the Congress in keeping faith with multiplied thousands of unemployed and underemployed people for whom new and permanent jobs can be created, and with many hundreds of communities which do not have the necessary funds and resources by which to revitalize and rebuild their depressed economies.

I now urge the Senate to support with conviction and enthusiasm this program of partnership so that Congress can reaffirm its offer of hope and of valuable tools to persistent and tenacious areas of depression, and thus fulfill its obligation as set forth in the original ARA statute. We cannot afford, at this time, to repudiate the vast quantity of local initiative, planning, and investment which has been created by the passage and under the stimulus of the Area Redevelopment Act of 1961. Now is the time to move forward confidently and aggressively; not backward either by design or by neglect.

Mr. KENNEDY. Mr. President, last week the Boston Globe ran an article on the impact of the Area Redevelopment Act in the city of New Bedford, Mass.

The article stated that ARA had been the central force in the remarkable comeback to prosperity that New Bedford is now making.

I think this article should be instructive to some of the critics of ARA, in and out of Congress, who seem to think ARA, despite its limited funds and its only 2 years of operation, has not done enough to alleviate unemployment.

I believe New Bedford's experience shows that the ARA program, with additional funding authority, can do the job and meet the highest expectations held for it.

I ask unanimous consent that "How ARA Helps in New Bedford," from the June 20 Boston Globe, he inserted at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LOANS CREATE JOBS—HOW ARA HELPS IN NEW BEDFORD

(By Peter B. Greenough)

NEW BEDFORD.—Something of a contagion infects this southeastern Massachusetts community. Call it "comeback" fever.

Behind this sense of resurgence, to an increasing degree, lies the help and impetus of ARA—the Area Redevelopment Administration.

Naturally, other organizations are part of it: banks, local development interests, labor, city government, educational forces and other communal agencies. But the catalyst, as things now stand, is ARA.

No other Massachusetts city—where unemployment has been a gnawing factor—has gotten as far into ARA's program as has New Bedford.

Already there are four going ARA projects here. Six others are pending.

Only Lowell comes close with two operations in being, and a third in the works.

"There's no question about it," says Irving L. Franklin, ARA field coordinator in Boston, "New Bedford now leads the State."

What gives here? As recently as 6 months ago, bankers generally turned up their noses at ARA cooperative schemes. They simply weren't having any.

At that time the banking people generally were opposed to further Federal spending. Now there has been a major switch of sentiment, at least insofar as this particular Government program goes.

First, however, something on how ARA functions.

This arm of the Department of Commerce was established by Congress in 1961. The idea was to help develop long-term job opportunities in areas of the Nation afflicted by unemployment and/or underemployment.

In effect, the law makes the Federal Government a partner with private enterprise, communities, and the States by providing loans for establishing new industries or expanding existing ones (in troubled spots).

There is a wide variety of formulas for these loans, but most often they break down as follows:

	Percent
ARA (approximately)	65
Banks	20
Local development	10
Applicant	5

The Government gets first position in these loans, at 4 percent interest payable over 25 years.

Banks charge the going interest rate, averaging around 6 percent.

Money coming from the local (and sometimes State) level is subordinated to ARA's share. Payments on principal cannot begin until after the Federal loan is repaid.

The ARA funds are made available for plant and equipment costs. If there is also a shortage of working capital, this can be obtained from the Small Business Administration's lending authority. Usually SBA is present in most ARA development projects.

So much for the ground rules. What do they add up to in action in New Bedford? Time prevented me from visiting all the operations, but let me tell you something about Shawnee Mills.

In the south section of town, directly adjacent to New Bedford Harbor, row upon row of brick textile mills attest to former days of prosperity.

At first glance these mills on either side of Orchard Street give a forlorn impression. Their emptiness seems to symbolize the much-publicized plight of New Bedford or Fall River.

Then, to your surprise, you find they are not empty—at least, not entirely so. All sorts of activity is taking place.

An unpretentious doorway at 685 Orchard brings you to the office of William Forrest, president of Shawnee. Just beyond, the clatter of looms breaks a longtime silence, created when the old Fawcett mills went bankrupt.

"We've created 45 jobs—out of nowhere," says Forrest. "So far, that is."

Before they went back to their old textile trade (Shawnee is producing cloth on commission), most of the employees were odd-jobbers. They mowed lawns, painted houses—did anything to keep going.

Consider Forrest himself.

He had been a superintendent and vice president at the onetime Atlantic and Riverside mills.

At 63, he had intended to retire—before ARA help came along.

Shawnee was the first New Bedford operation to be rehabilitated with ARA funds. The firm also got help from the Merchants National Bank and the Greater New Bedford Industrial Foundation.

"We're highly satisfied with what's going on," Forrest says. The company has 156 looms going in 100,000 square feet of space.

While I talked with Forrest, a nearby pajama plant operator came in to inspect the second floor. He's expanding, needs more room.

A man fairly chary with words, Forrest put a great deal into one observation:

"Textiles have been our life work. It's the only thing we know worthwhile."

Shawnee acquired a bunch of old looms, but they have been renovated and modernized to the point where they do a competitive job.

If it hadn't been for ARA funds, Forrest and company treasurer John Leva couldn't have teamed up to start the venture. "We couldn't swing it alone," Forrest acknowledges.

Shawnee has been in operation 11 months now, with no signs of slack.

Has the ARA injection been successful with everyone in New Bedford? Not necessarily. But the pluses greatly outweigh any minuses. Those close to it view this government assistance as a kind of "foreign aid * * * and a lot better than sending it abroad."

Tomorrow's piece will take a further look at it.

Mr. SCOTT. Mr. President I call up my amendment No. 119.

The PRESIDING OFFICER. The amendment of the Senator from Pennsylvania will be stated.

The LEGISLATIVE CLERK. On page 4, it is proposed to strike out lines 21 through 23, and insert in lieu thereof the following:

SEC. 3. (a) The first sentence of section 5(a) of the Area Redevelopment Act is amended by inserting "having a labor force of fifteen thousand or more" immediately after "United States".

(b) Section 5(b) of such Act is amended to read as follows:

"(b) The Secretary shall also designate as 'redevelopment areas' those areas within the United States having a labor force of under fifteen thousand which do not meet the requirements of subsection (a) but in which—

"(1) the approximate rate of unemployment, on the basis of the best available data, is currently 6 per centum or more and has averaged at least 6 per centum for the qualifying time periods specified in this paragraph, and the approximate annual average rate of unemployment, on the basis of the best available data, has been at least—

"(A) substantially above the national average for the greater part of the preceding four calendar years, or

"(B) 75 per centum above the national average for two of the preceding three calendar years, or

"(C) 100 per centum above the national average for one of the preceding two calendar years, or

"(2) disaster, or the removal or the closing of a major source of employment has caused an unusual and abrupt rise in unemployment to a level which is at least twice the average rate of unemployment in the United States and the Secretary determines that such unemployment would likely continue at a rate of at least twice the average rate of unemployment in the United States for one year or more if assistance under this Act should be withheld.

Counties or other areas which qualify as 'redevelopment areas' under the preceding provisions of this subsection may be grouped into appropriate redevelopment areas; and the Secretary in his discretion may include in any redevelopment area designated under this subsection contiguous counties or parts thereof in order to form economic development areas. In making determinations under this subsection, the Secretary shall be guided, but not conclusively governed, by pertinent studies made, and information and data collected or compiled, by (1) departments, agencies, and instrumentalities of the Federal Government, (2) State and local governments, (3) universities and land-grant colleges, and (4) private organizations."

(c) The amendment made by subsection (b) of this section shall not affect the designation of any county as a "redevelopment area", if such designation was made prior to the date of enactment of this Act, and one or more rural development projects had been located in such county prior to May 1, 1961, under programs administered by the Department of Agriculture.

Renumber succeeding sections accordingly.

The PRESIDING OFFICER (Mr. EDMONDSON in the chair). The question is on agreeing to the amendment of the Senator from Pennsylvania. How much times does the Senator yield to himself?

Mr. SCOTT. Mr. President, I yield 15 minutes to myself.

Area redevelopment was a good idea when I started supporting it in 1957 and it is still a good idea today. But in the 6 intervening years men and events seem to have conspired against translating a good idea in sound action to relieve unemployment.

Twice bills were passed by Congress and then vetoed, in part because the legislation was faulty. Then when the legislation passed for a third time, eventually to be signed into law in 1961, it was so loaded with extraneous features that the best of administrations would have had trouble properly implementing the legislation.

Then since the administration of this law was far from the best—and I am being charitable here—the whole idea for providing help for communities to help themselves has been degraded into a "pork barrel" program that has been charged with poor administration and the use of partisan political considerations in dispensing money designed to help the unemployed. This is not the fault of the ARA Administrator who has had to cope with pressures from State and congressional powerhouses.

In the past 6 years I have always thought of area redevelopment legislation as a rifle that should pinpoint areas of greatest need and provide help where needed the most. That was the objective of the first bill I introduced on coming to the Senate in 1959 and of every subsequent area redevolpment bill and amendment I sponsored since that time.

But the legislation that passed in 1961 provided assistance not only for areas of chronic and persistent unemployment, but had tacked onto it a provision making equally eligible for assistance areas of underemployment. Then a provision was added that the Secretary of Commerce should "endeavor to distribute the projects widely among the several States."

As a result statistics available as of June 1 reveal that more than a thousand counties—about one-third of the total in the United States—are eligible for assistance under the act. Instead of concentrating on unemployment with a rifle, the Area Redevelopment Administration has been firing assistance like buckshot.

Some of the projects approved have been questionable indeed.

The ARA approved in fiscal 1963, through March 25, about $19 million for public facility grants and loans. Almost 22 percent was approved for one project: a convention auditorium in Duluth, Minn. It would provide only 22 permanent jobs, which becomes a cost of $277,272 per job.

I add that this project alone almost equals the amount already under expenditure in the Commonwealth of Pennsylvania, which I believe is something like $7 million, with another $8 million either committed or in process of execution.

In fiscal 1962, the ARA approved about $23 million in loans and grants for public facilities. Of that sum, 55 percent of the dollar volume of the public facility loans and 13 percent of the public facility grants were used for one project: the Oklahoma Lake Development Authority, Tourist Center.

Here is how one publication described this project:

> Clustered around the lake, like jewels in a regal crown, will be deluxe cabins, equipped with the most modern facilities and accouterments, and two main lodges, the north lodge and the midway lodge, which together boast of 286 units, and appropriate community rooms, all similarly equipped.

The bill to aid depressed areas evokes this lyrical description of one of the projects:

> Each of the lodges will nestle like a pearl in its own 2,500-acre park, and each will have its own convention halls, swimming pools, gift shops, tennis courts, golf courses, boat docks and marina.

This is quite a picture to present, for such comfort as they may get from it, to the unemployed of Wilkes-Barre, Pittsburgh, Connellsville and other areas of Pennsylvania.

In fiscal 1963, until March 25 of this year, $36.7 million in industrial and commercial loans had been approved by the ARA. Of that total 24 percent went into the financing of new motels and hotels. I understand that about 2 weeks ago the ARA established new criteria for hotels, motels, and tourism projects which will hopefully limit their number.

The geographical distribution is also questionable. We in Pennsylvania have an unemployment rate of 6.5 percent and 42 depressed areas. But according to a standard computation of the tax burden by State, Pennsylvania pays into the Federal Government $26.9 million for the ARA program had receives back only $15.3 million.

Other States, all with lower rates of unemployment, seem to fare better. Texas paid in $17.9 million and got back $37.3 million. Oklahoma paid in $3.9 million and got back $25.2 million. Louisiana paid in $4.8 million and got back $17.3 million. Lucky indeed are these "most favored" States.

Mr. President, I still believe in area redevelopment. The idea of providing "seed money" is a valid method of attacking our serious and chronic unemployment problems. As of last May, ARA had actually approved 285 financial assistance projects which would result in the creation of 42,000 new permanent jobs. It is estimated that for every 20 direct jobs that ARA assistance makes possible, an additional 13 jobs are created in supporting industries. In addition, ARA has approved 396 retraining projects to fit more than 20,000 workers for new jobs.

We have to do something for our people who are out of work and who, in many instances, wonder if they ever will return to work. There is something corrosive about chronic, long-term unemployment. You can see it in the eyes of the men and women in the stricken communities. You can see it in their children who are underfed and underclothed. In some of the cities and towns of my Commonwealth, you can almost smell the death of the economy.

I am willing to try again with this approach and hope that those who administer the ARA will try also to do better by our unemployed and our poor.

Mr. President, my amendment, I believe, will help both the ARA to better administer this law and help reassure some of the other members of the Senate who are deeply concerned about this bill.

My amendment would eliminate several categories of eligibility for ARA assistance.

Section 5(a) of the Area Redevelopment Act provides for areas of most serious and chronic unemployment, as follows:

CRITERIA FOR 5(a) REDEVELOPMENT AREAS

First. Unemployment is currently 6 percent or more of the work force, discounting seasonal or temporary factors, and has averaged at least 6 percent for the periods below, and

Second. The annual average rate of unemployment has been at least (a) 50 percent above the national average for 3 of the preceding 4 calendar years, or (b) 75 percent above the national average for 2 of the preceding 3 calendar years, or (c) 100 percent above the national average for 1 of the preceding 2 calendar years.

Section 5(a) areas are designated on the basis of data provided by the Department of Labor.

This section should remain intact because I believe that it is the primary purpose for which this act was passed. There are 147 such areas with a total population of approximately 21.5 million people.

That is why I think this section should remain. This is approximately the number of areas provided to be covered in my original bill, as against some eight or nine times as many projects covered in the present "pork barrel" approach.

Section 5(b), however, would be amended by striking out 5(b)1, areas of low income; median family income—population census of 1960—is $1,887 or less; 5(b)2, areas of low farm income, median farm family income—population census of 1960—is $1,415 or less; 5(b)4, areas of low production farming, 60 percent or more of commercial farms are "class VI"—Census of Agriculture, 1959.

In section 5(b) this amendment would retain section 5(b)3 rural development counties; listed as such before May 1, 1961.

Section 5(b)5, very small areas of substantial and persistent unemployment, less than 15,000 in the work force, with the same conditions of degree and length of unemployment outlined under the criteria for 5(a) areas, above; 5(b)6, other—areas designated to allow participation in a State otherwise excluded from the Area Redevelopment Administration program; 5(b), Indian reservation—official recognized Indian reservation areas.

Mr. President, as of June 1, there were 1074 counties classified as eligible to receive assistance under the Area Redevelopment Act. My amendment would reduce that amount by 229 counties, or 21 percent. The areas being retained are those in both urban and rural sections which have chronic or persistent unemployment, or those, such as the rural development communities, which were covered by comparable Federal programs prior to the enactment of the ARA Act.

In some of the criteria established in the law—I refer to Federal Register, October 24, 1961, section 302.20—there is a reference that certain types of areas having a condition of low income and a condition of substantial and persistent unemployment or underemployment and not designated under section 5(a) of the act will now be considered for designation as redevelopment areas under section 5(b) of the act.

The administrators ignore the conjunction of the two requirements and forget that these requirements contain the word "and"; that it, there must be persistent and continuing unemployment and the areas must be eligible for other reasons, such as being areas of low income.

The act is being administered not to attack basically the problem of distress and unemployment but, in addition to this, to attack a large overlay of areas which are deemed to have a lower income than some other areas of the country. This program is being used as an attempt to equalize so-called low-income areas of the country with so-called medium-income areas, and thereby has become a "pork barrel."

When the actual areas of distress are considered, it is significant that the really distressed areas are not being padded by the elimination of unemployment requirements, because obviously they have unemployed. They are not being padded to find a reason to give them money whether they want it or not.

The proof of that is that my amendment would not affect any of the counties now benefiting from the bill in the States of Alaska, California, Connecticut, Delaware, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Maine, Maryland, Michigan, Montana, Nebraska, New Jersey, New York, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, Vermont, Washington, West Virginia, Wisconsin, and Wyoming.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. SCOTT. I add that in numerous other States only one project, or at most two projects, would be affected, and a handful of States would continue to receive money in areas where the unemployment criteria do not actually apply.

I am glad to yield to the Senator.

Mr. KEATING. The Senator has answered, I believe, a question which was troubling me. There are now 13 areas in New York State which have been designated as eligible for assistance under this program. Naturally I would not wish to jeopardize their participation, if the Senator's amendment would have that effect. The Senator has now given assurance that none of those areas would be affected if the amendment were adopted, and that they would still be eligible.

Mr. SCOTT. That is correct. I refer to the hearings on the Area Redevelopment Act held from April 30 to May 6, 1963, at page 65, where these areas were examined by counties. No counties would be stricken out in the State of New York by this amendment.

Mr. KEATING. Let me follow that question with this question: If the eligibility were narrowed, which is the effect of the amendment——

The **PRESIDING OFFICER.** The 15 minutes of the Senator have expired.

Mr. SCOTT. I yield myself 5 additional minutes.

Mr. KEATING. If the eligibility were narrowed, which I understand is the effect of the Senator's amendment, so as to emphasize the needs of high unemployment areas, would it not also have the beneficial result of making more funds available to those designated areas of high unemployment, including, if I may speak colloquially, the 13 areas in the State of New York which now are eligible under this act?

Mr. SCOTT. That would certainly be the object of the amendment, and would, in my judgment, be the effect of its administration, for the reason that my amendment does not attack the monetary provisions of the bill or the proposal to increase it as such. The money would then become available for the vast stretch shown on the map in the exhibit on the floor, where the concentration of distressed areas is in the so-called Appalachia areas, along the mountain ranges in the Eastern United States, and running across to some of the larger urbanized areas, and, across the top of the map, where a number of counties are affected, along the northern border.

What is happening is that 6 States, by virtue of the wording of the pork barrel provision, are getting an entirely disproportionate amount of money, and the 229 counties which my amendment would eliminate, are very largely covered by these 6 States, plus 2 others where 8 counties would be affected. So the eight States have been getting a free ride. They not only have been getting a free ride because of the way the provision is worded, and because the issue of seniority is involved, and some of the most senior Members in the two bodies gratuitously seem to come from the States affected, but they are getting a free ride in an area where unemployment does not exist, or exists only in slight degree, and at the real expense of the areas of real distress, as to which so many protestations have been heard recently.

Mr. KEATING. I thank the Senator. I commend him for formulating the amendment. It seems to me very sound. Unless there is some evidence adduced to the contrary, these are the areas we are supposed to want to help, areas where the greatest unemployment exists. That is the effect of the Senator's amendment. Unless there is countervailing evidence in that regard, I shall support the amendment.

Mr. SCOTT. I thank the Senator. Substantially the same kind of amendment was introduced by Representative Oliver Bolton, of Ohio, in the other body. I earnestly hope that there may be some expression of interest. If our desire is to provide aid where it is needed, my amendment would do it. If the desire is merely to open the pork barrel to areas which do not need aid, but which would be able to rejoice over the fact that the activities of their Members in Congress have enabled them to get moneys from other States which they do not have to pay back, that is another and less fortunate approach.

The **PRESIDING OFFICER** (Mr. Brewster in the chair). The time of the Senator has expired.

Mr. SCOTT. I yield myself 2 additional minutes.

I pointed out that in one project alone, in Duluth, Minn., some $6 million have been expended, as against only $7 million so far expended in the entire Commonwealth of Pennsylvania. So this magnificent hotel is provided as a beautiful and private haven for the rich while the citizens of humbler counties, the upper and lower Yoder townships, Nanty Glo and sections of Cambria County, and distressed areas in the hard coal regions, are being denied this help, although in some other areas it has been forthcoming. The only relief for them is to get the rail fare to take them to Duluth, Minn., and into the area of this pearl among the natural beauties of the State so lyrically described in the brochures.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. SCOTT. I yield.

Mr. JAVITS. I shall support the Senator's amendment. I shall speak on my own time to discuss the bill and the Senator's amendment, but I wish to express my support of the amendment.

Mr. SCOTT. I thank the Senator.

Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

The **PRESIDING OFFICER.** The time yielded to the Senator from Pennsylvania by himself has expired. He has 8 minutes remaining.

Mr. DOUGLAS rose.

Mr. SCOTT. I reserve the remainder of my time. I hope the Senator from Illinois will proceed on his own time, because I have only 8 minutes remaining.

Mr. DOUGLAS. I thought the Senator from Pennsylvania had yielded the floor.

Mr. SCOTT. At this time, unless some Senator wishes to be heard on the amendment, I yield the floor, but reserve my 8 minutes.

Mr. DOUGLAS. Mr. President, let us determine what the Scott amendment would do. It would eliminate those areas presently designated as eligible on the basis of underemployment or rural poverty and would restrict the eligibility simply to rates of unemployment.

This amendment goes in exactly the opposite direction from one which lies on the table and is offered by the Senator from Iowa [Mr. Miller]. The Miller amendment would extend the rural areas to cover almost the entire rural regions of the country. It would expand the rural areas from about 860 counties to well over 2,000 counties.

The Senator from Pennsylvania would restrict the number of counties by 250, as he says, although I do not think anyone knows by how much they would be reduced. In other words, our Republican friends, like Stephen Leacock's heroes, have mounted their horses and are riding off in all directions. Senator Scott is riding to attack the rear. Cavalryman Miller is riding to attack the front. It will be interesting to see how the Republicans vote on these successive rollcalls if they vote for the Scott amendment, curtailing the number of counties, and then later also vote for the Miller amendment, extending the number of counties. If they do they will be like the chameleon, which changes color depending upon the background to which it is exposed.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. KEATING. Why does not the Senator accept the Scott amendment, which would assure him that a good many Republicans would vote against the Miller amendment? The Senator has been with us often on so many fine causes that it would be a wonderful gesture if he would accept the Scott amendment.

Mr. DOUGLAS. I hear the siren song of the Senator from New York, but, like the Homeric sailors, I do not intend to succumb to it.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. MANSFIELD. I hope this is not an attempt once again to penalize the small States in order to consider an amendment which will be of benefit to the larger States. I think we are entitled to consideration.

Although the Senator from Illinois has at times indicated his belief that there is a difference between the big States and the small States, I know that on this occasion he recognizes that the doctrine of equality should still hold.

Mr. DOUGLAS. I certainly do, and I have always felt that way. The Senator from Pennsylvania evidently does not understand the difference between cities and the countryside. In the cities, the vast majority of the people who are employed work for wages or for salaries. If they are not on the payroll, they are unemployed. It is therefore possible to draw a sharp distinction between the employed and the unemployed. However, in the countryside people, in the main, own their farms, and are self-employed. It is almost impossible to determine whether they are unemployed, because they work part time. It is underemployment rather than unemployment which is the primary difficulty in the rural areas, plus, as I have said, poverty and low incomes.

The first objection to the Scott amendment is that we cannot measure pure unemployment in rural areas. The amendment is, therefore, impracticable from that standpoint.

In the second place, it does not reach the real heart of the question, which is rural poverty and underemployment. It is the purpose of our rural projects, under section 5(b), to grapple with the peculiar problems of the countryside; namely, underemployment and rural poverty.

I hope, therefore, that the amendment will be defeated.

However, I like one section of the amendment of the Senator from Pennsylvania. I think it is excellent. I invite his attention to it. I refer to that portion beginning at line 25 on page 2 of the amendment and extending to the period in line 6 on page 3. This is the provision which permits the various counties to be grouped together, and permits contiguous counties or parts thereof to be joined to form economic development areas. I believe that is an excellent provision in the amendment. If it is offered separately, I shall be glad to accept it.

However, the benefit in the amendment as a whole is too slight to carry such a heavy burden of impossibility and unfairness as the Senator from Pennsylvania is proposing to saddle us with. I will cooperate with Republicans whenever they offer a constructive measure, but not when they propose to "gut" a program, as when they propose to turn loose the Appalachian counties and poverty-stricken rural counties all over the country; in such a case I certainly will not cooperate.

Mr. SCOTT. I am glad that the Senator has indicated that some good resides in his Republican colleagues in the Senate. It is an admission which I am glad to get from him. I hope he does not mean to derogate the people in the distressed Appalachian areas, in whose welfare I am interested, as I am sure the Senator is also.

Mr. DOUGLAS. I am trying to include them. The Senator would exclude them, because underemployment and low income are the primary causes of the poverty in the small country farm areas.

Mr. SCOTT. My amendment would not do that. It would not exclude even one county in my State or in West Virginia or in Ohio or in Illinois.

After a vote shall have been had on my amendment, and if it should not prevail, in line with the Senator's suggestion, which I appreciate, I shall offer the provision to which he has referred as a separate provision. I thank him for his generous understanding and the fact that he recognizes some good resides in Republicans, and that some good can be found in my argument, as I certainly can find in his. Therefore I will propose that part of the amendment to which he has referred.

Mr. DOUGLAS. I appreciate the Senator's comment. However, I wish he would be less generous with my time. I am ready for a vote. I hope the amendment which was offered in the House by Representative Oliver Bolton of Ohio, and which was voted down by a big majority in the House, will be defeated in the Senate.

Mr. EDMONDSON. Will the Senator yield to me?

Mr. DOUGLAS. I yield to the Senator from Oklahoma.

Mr. EDMONDSON. I should like to make a few remarks with respect to some of the comments which were made by the distinguished Senator from Pennsylvania [Mr. Scott] concerning one of the projects in Oklahoma. This particular project, described in the eloquent remarks of the Senator from Pennsylvania, quoting from a brochure or pamphlet which was distributed in connection with the project on Lake Eufaula, is one that was conceived and originated during my administration as Governor of Oklahoma. That position and association with the project, as well as my familiarity with the area in general, make it important for me to make several observations about the feasibility of this particular project.

First of all, in line with what the Senator from Illinois [Mr. Douglas] has said concerning the amendment on pages 2 and 3 of the proposed Scott amendment, it is worthy to note that, in connection with the five counties immediately surrounding Lake Eufaula, which would be most directly affected, these two lodges would qualify if the amendment of the Senator from Pennsylvania is adopted.

I believe we should first consider the merit of the project in this area. The question is, Does it qualify? It is not so much a question of what the project is or how it is described in brochures which are distributed to advertise it.

First of all, four of the five counties which surround Lake Eufaula, and which are most directly affected by the two lodges, qualify under section 5(a). Four of the five counties have unemployment ranging from a minimum of 10 percent to a maximum of 28 percent.

Only one of the five counties, which does not qualify under 5(a), would certainly be taken in under 5(b), under the proposed amendment, which allows, in the discretion of the Secretary, the regrouping of counties into an area development grouping.

Therefore, under either circumstance, as proposed by the Senator from Pennsylvania, this project would be qualified under the law.

This particular area, Pittsburg County and Okmulgee County, Okla., suffer from unemployment as a result of the substantial drop in coal mining operations. This is a subject with which, I am sure, the Senator from Pennsylvania is quite familiar. Both of these counties had substantial coal mining operations. These have passed, as they have passed in Pennsylvania. The same is true with agriculture. Whereas cotton, corn and other agricultural products have been grown there in the past, during the last 20 years that land has been turned back to grass and cattle. This fact also has contributed to unemployment in the area.

I should make comment with respect to the allegation that this is a project in the "pork barrel" or political category. This is not the case at all. First of all, the citation of figures about the money being approved during the fiscal year 1962 is not accurate, for the simple reason that the project was not finally approved until this year.

As I said, it originated during my term in the Governor's office. I went out of office in January. I was succeeded by the first Republican Governor that Oklahoma has had. It is true that some Democrats have gone about the State boasting about this project. We have bragged about the fact that it will definitely help in areas of underemployment. But also, I think it worthy of note that my successor, the Republican Governor of Oklahoma, took up where I left off and has sought just as vigorously to see to it that the project was completed and approved by the Federal Government. He has also gone about the State bragging equally as much about his participation in the project.

Mr. SCOTT. Mr. President, will the Senator from Oklahoma yield?

Mr. EDMONDSON. I yield.

Mr. SCOTT. The Senator has helped me to make a point, which is that Administrator Batt is not to be criticized. Nothing I have said is to be understood as criticism of him. I know him, and I know his abilities. I know he has done as well as he can in view of what I referred to as expressions from Congress and from the States.

Therefore, I think it is to the credit of the former Governor of Oklahoma and the present Governor of Oklahoma that they do a certain amount of cheering, because they were successful in securing these funds.

What I addressed my remarks to was not the conduct of ARA officials concerning little projects like putting sewerage into a borough which could not attract industries and has a high rate of unemployment.

The ARA has said it would give higher priority to little projects. It has said that when it has already given $337,000 for an area, it could not do it again. But if there was a little project requiring $50,000 or $90,000, perhaps it could help, but it does not favor providing money for big projects.

We would like to be able to report that we have given more money for numbers of smaller projects. So when I point out the size of the project, I am more concerned with what the ARA considers reasonable than I am with the glamorous aspects of the brochure.

Mr. EDMONDSON. As a former Democratic Governor of Oklahoma, who was eager and enthusiastic about seeking approval for this project, and knowing also the attitude of the present Republican Governor of Oklahoma, who is equally enthusiastic about it, I am sure I could speak for him and say we would certainly enjoy welcoming the distinguished Senator from Pennsylvania to inspect this project in Oklahoma with us.

Mr. SCOTT. I sometimes grow so weary of stressing the advantages of Pennsylvania that I may accept the invitation from the Senator from Oklahoma to visit his State.

Mr. JAVITS. Mr. President——

The PRESIDING OFFICER (Mr. BREWSTER in the chair). The Senator from Illinois has the floor. Does the Senator from Illinois yield to the Senator from New York?

Mr. DOUGLAS. I do not yield time to the Senator from New York; I yield the floor.

Mr. JAVITS. Mr. President, I desire to call up my amendment to the pending amendment.

The PRESIDING OFFICER. The Chair advises the Senator that under the precedents, an amendment to an amendment would not be in order until all time was either used or yielded back. Does either the Senator from Illinois or the Senator from Pennsylvania wish to utilize the remainder of his time, or do Senators yield back the remainder of their time?

Mr. SCOTT. If the Senator from Illinois will yield back the remainder of his time on this amendment, I will yield back the remainder of my time.

Mr. DOUGLAS. Mr. President, I should like to yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Illinois yields back the remainder of his time, and the Senator from Pennsylvania yields back the remainder of his time. The Chair recognizes the Senator from New York.

Mr. JAVITS. Mr. President, I call up my amendment to the amendment.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 1, line 10, it is proposed to strike out "$15,000" and insert in lieu thereof "$10,000."

Mr. JAVITS. Mr. President, my only reason for offering the amendment is to get time to speak upon the bill and the amendment. I asked for time, as is usual, but could not get it. I do not blame anyone for that, although it seems a little odd that time was yielded back rather than used on the amendment. But this is just as good a technique as any.

On my own time, I should like to propound a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New York will state it.

Mr. JAVITS. It is a fact, is it not, that any amendment to a pending amendment is in order by any Senator, and that Senator may then, under unanimous consent, have a half hour of time, provided he waits until the time on the amendment which is under consideration by the Senate has either expired or has been yielded back?

The PRESIDING OFFICER. Will the Senator from New York please restate his parliamentary inquiry?

Mr. JAVITS. It is a fact, is it not, that any Senator may move to amend any amendment which is under consideration by the Senate, and that under the unanimous-consent agreement he is entitled to 15 minutes of time, one-half of 30 minutes, once the time on the amendment which is under consideration has either expired or has been yielded back?

The PRESIDING OFFICER. The Chair rules that the Senator from New York is correct.

Mr. JAVITS. I say that because I served in the other body, and even there a Member can always get 5 minutes. Here, I am glad to say, even by unanimous consent, he can get 15 minutes, sometimes more. I think it is well that we all understand that we cannot be cut off at any time. I am against filibusters, but I am not against the right of Senators of the United States to speak. I prefer to get time in the usual way, by allocation from Senators who control it at the moment. But if I cannot, as I could not in this case, I wish to make it very clear that no Senator can be shut off from debating any subject in this Chamber, even under a unanimous-consent agreement.

Mr. SCOTT. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. SCOTT. I should like the Senator from New York to understand that I had 8 minutes remaining. Had he asked me for time, I would have cheerfully yielded him time.

Mr. JAVITS. I understand, but I did not wish to intrude upon the Senator because he was carrying the laboring oar. Be that as it may, I have no feeling about it, since I now have an opportunity to speak on the bill.

I shall probably vote for the bill. I came back from New York, after a very brief round trip, this morning, because I thought perhaps my vote might be necessary to pass the bill.

I understand that the situation might be a little close in some quarters, but in fairness to the State I represent, which is a great industrial State and pays a huge amount of taxes, and in fairness to those who would wish to support this idea, we should understand clearly what we are about. I think the situation gets a little fuzzy, and the amendment offered by the Senator from Pennsylvania [Mr. SCOTT] helps to make it very clear.

The bill is not our only effort to deal with unemployment in this country. My beloved colleague, the distinguished Senator from Illinois [Mr. DOUGLAS], presides over the Joint Economic Committee, which is engaged in an exhaustive effort to determine what to do about the general unemployment situation in the United States, now amounting to approximately 5 million. So far, by the commitment of resources entrusted to the ARA, the ARA says it has employed about 69,000 persons. Perhaps with the resources we propose to commit to them now, they might do better; they might bring employment up to 100,000 more. Let us assume that they will do so. That is still a drop in the bucket compared with the unemployment picture in the United States.

Therefore, as a measure to alleviate unemployment, the bill would not be justified, and I would vote against it. I think that would be the proper policy. Nor is the bill justified as a measure to deal with technological change in farming in the United States. We have rural redevelopment programs now operating under the jurisdiction of the Department of Agriculture, which has special expertise and special techniques to deal with those problems. It seems to be the popular concept in Government that every time we do something of this nature, we must do it across the board, or else it will not accomplish its purpose.

So, as the French say, we have a pour boire.

The same condition obtains in respect to Federal aid to education. The Senator from Kentucky [Mr. COOPER] and I voted for the proposition that States which think they pay the optimum for education could not make the grade for Federal aid for education. We did not get anywhere.

That seems to be the fashion, but that does not make it right. It does not mean we should continue to extend that process.

What the Senator from Illinois is trying to do is to deal with the hard core of unemployment. It is being dealt with now by a broader national policy of a tax cut, which I favor and the Senator from Illinois favors, and by other measures. I hope, too, that it may be dealt with by a revamping of the antitrust laws, to help businesses by taking some of the burden off their backs, and things of that kind. That is what we are directing toward the 5 million unemployed. In addition, the Joint Economic Committee has given a great deal of time and consideration to our fiscal policy, our money-management policy, our credit policy, and our international balance of payments.

Mr. President, we are extremely timid about using the debt of the United States in order to do something about the retardation of the economic development of our country. I think we are overtimid about that, and are hurting ourselves.

All these measures have no direct relationship to this bill, which is for the purpose of dealing with hard-core unemployment—for example, in Pennsylvania, where, technologically, vast areas have been made obsolescent by virtue of changes in the economic situation. They may again be prosperous, for example, by means of the development of thermal production of steam, underground. But the bill is intended to deal with hard-core unemployment attributable economically to the fact that a community has lost an arm and a leg or two arms or two legs. On that basis, I support the bill.

We should see to it that the bill provides the amounts needed; and we should make sure that there is fair administration which is catholic with respect to that objective.

Thus, the bill is a sound one.

I believe that the amendment of the Senator from Pennsylvania [Mr. SCOTT] is conducive to that end, and, therefore, that the bill as thus amended would be preferable to the bill without the amendment.

I wish to emphasize why I support the bill and what the bill is supposed to do. I have not heard those points articulated sufficiently.

The bill is important because it is justified in terms of using the resources of the United States to help meet the problem of unemployment, when we are dealing with hard-core unemployment, on the one hand, which is not susceptible of being dealt with by making other changes in the economic policy of the Nation. So we are justified in apportioning our resources to that extent. Furthermore, it is extremely important for us to give close attention to the administration of the act, in order to make sure that it is used for the purposes for which Congress makes the authorization.

Therefore, I hope all Senators will be cognizant of what we are doing and of why we propose to make the allocation of the resources which are pinpointed to that purpose. I also hope the administration will be true to the basic idea of the program, which is most important to the States.

New York State could live without this program, of course, although New York provides a large proportion of the tax revenue of the Nation.

I ask unanimous consent to have printed at this point in the RECORD a statement by the Area Redevelopment Administration showing approved projects in New York.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Approved projects, New York State, Area Redevelopment Administration, northeast division

[Dollar amounts in thousands]

City and type of project	Section	Aggregate cost	ARA cost	Direct jobs
Amsterdam:				
Milk plant, industrial	6	$970	$227	38
Milk plant	6		303	
Sewing machine operators, industrial	16		15	60
Auburn:				
Remove railroad tracks	8	25	[1] 25	183
Electronic plant	6	425	224	75
Cornell (pt. I) sugarbeet study	11		17	
Cornell (pt. II) sugarbeet study	11		100	
Gloversville: Sewing machine operators	16		29	32
Jamestown:				
Building for Roblin-Seaway Ind. (pt. I)	6	3,391	422	
Land for Roblin-Seaway Ind. (pt. II)	7		350	
Steel rolling mill	6		1,036	160
Flakeboard Corp	6	492	325	100
Plant utilization study	11		20	
Norfolk: Pulp and papermill	6	1,300	844	200
Willsboro: Wollastonite feasibility study	11		90	

[1] Grant.

Pending projects, New York State, Area Redevelopment Administration, northeast division

[Dollars in thousands]

City and type of project	Section	Aggregate cost	ARA cost	Jobs or trainees
Auburn: Sugarbeet plant	6	$20,000	$13,000	400
Plattsburgh: Flexible door plant	6	88	44	16
Watertown: Yacht basin motel	6	2,900	1,885	133

Mr. JAVITS. Mr. President, although I began my statement a little differently, in concluding it—with malice toward none—I ask unanimous consent that I may withdraw my amendment to the amendment of the Senator from Pennsylvania.

The **PRESIDING OFFICER.** Without objection, the amendment to the amendment will be withdrawn.

The question now recurs on agreeing to the amendment offered by the Senator from Pennsylvania to the committee amendment. All time available under the agreement, in connection with debate on the amendment, has expired.

Mr. DOUGLAS. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from Pennsylvania [Mr. SCOTT] to the committee amendment. On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD (after having voted in the negative). On this vote I have a pair with the distinguished Senator from Oklahoma [Mr. MONRONEY]. If he were present, he would vote "nay." If I were at liberty to vote, I would vote "yea." I therefore withdraw my vote.

Mr. HUMPHREY. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Michigan [Mr. HART], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Missouri [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Wyoming [Mr. MCGEE], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Connecticut [Mr. RIBICOFF], and the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

I further announce that, if present and voting, the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Michigan [Mr. HART], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Missouri [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Wyoming [Mr. MCGEE], the Senator from Connecticut [Mr. RIBICOFF], the Senator from New Mexico [Mr. ANDERSON], and the Senator from Alabama [Mr. SPARKMAN] would each vote "nay."

The result was announced—yeas 28, nays 60, as follows:

[No. 109 Leg.]

YEAS—28

Allott
Beall
Bennett
Boggs
Byrd, Va.
Carlson
Cooper
Curtis
Dirksen
Dominick
Goldwater
Hickenlooper
Hruska
Javits
Jordan, Idaho
Keating
Kuchel
Lausche
Mechem
Miller
Morton
Pearson
Saltonstall
Scott
Simpson
Smith
Tower
Williams, Del.

NAYS—60

Aiken
Bartlett
Bayh
Bible
Brewster
Burdick
Byrd, W. Va.
Cannon
Case
Cotton
Dodd
Douglas
Eastland
Edmondson
Ellender
Engle
Ervin
Fong
Fulbright
Gore
Gruening
Hartke
Hayden
Hill
Holland
Humphrey
Inouye
Jackson
Jordan, N.C.
Kefauver
Kennedy
Long, La.
McCarthy
McClellan
McGovern
McIntyre
McNamara
Metcalf
Morse
Moss
Mundt
Muskie
Nelson
Neuberger
Pastore
Pell
Prouty
Proxmire
Randolph
Robertson
Russell
Smathers
Stennis
Symington
Talmadge
Thurmond
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—12

Anderson
Church
Clark
Hart
Johnston
Long, Mo.
Magnuson
Mansfield
McGee
Monroney
Ribicoff
Sparkman

So Mr. Scott's amendment was rejected.

Mr. DOUGLAS. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. HUMPHREY. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. HOLLAND. Mr. President, I expect to offer an amendment for my distinguished colleague [Mr. Smathers] and myself. I understand the distinguished senior Senator from Rhode Island [Mr. Pastore] has an amendment to offer, consideration of which will take only a minute or two, and that the Senator is due in a committee meeting over which he must preside in a few minutes. I am willing to yield to the Senator from Rhode Island provided I am given unanimous consent to do so without losing time assigned for consideration of my amendment.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Florida?

Mr. SCOTT. Mr. President, reserving the right to object—and of course I shall not object—during an earlier colloquy the distinguished senior Senator from Illinois agreed that at the conclusion of consideration of the bill he would accept a portion of my amendment. I wonder if the Senator from Florida would consent to my making a motion and asking for the acceptance of a portion of the amendment. I have in mind no debate, but taking only about a minute.

Mr. HOLLAND. Mr. President, I shall certainly attempt to cooperate with my friend. First I should like to yield briefly to the Senator from Rhode Island. If I am given unanimous consent, I will yield briefly to the Senator from Pennsylvania under the same condition.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Florida? The Chair hears none, and it is so ordered. The Senator from Rhode Island is recognized.

Mr. PASTORE. I thank the Senator from Pennsylvania for his indulgence. We have witnesses that have come from afar. We are to meet them at a quarter of 2, as the Senator well knows, because he is a member of the subcommittee. It will take me only 2 minutes.

Mr. President, I call up my amendment, in behalf of my colleague [Mr. Pell] and myself, and ask to have it stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Rhode Island [Mr. Pastore] for himself and the Senator from Rhode Island [Mr. Pell] will be stated.

Mr. PASTORE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment offered by Mr. Pastore for himself and Mr. Pell is as follows:

At the end of the bill insert a new section as follows:

"Sec. 11. (a) Paragraph (B) of section 103(a)(2) of the Housing Act of 1949, is amended to read as follows:

"'(B) three-fourths of the aggregate net project costs of any such projects which are located in (i) a municipality having a population of fifty thousand or less according to the most recent decennial census, or (ii) a municipality situated in an area which, at the time the contract or contracts involved are entered into or at such earlier time as the Administrator may specify in order to avoid hardship, is designated as a redevelopment area under the second sentence of section 5(a) of the Area Redevelopment Act, and'.

"(b) The amendment made by subsection (a) shall apply with respect to all urban renewal projects not completed prior to the date of enactment of this Act."

Mr. PASTORE. Mr. President, this amendment would remove an inequity which affects 150,000 people in distressed areas under the urban renewal program. It applies to four cities.

I have talked with the able chairman of the committee. He has agreed to the amendment. I understand that the Senator from Illinois [Mr. Douglas] is willing to accept the amendment. I think it is a good amendment. I think the Senator from Illinois is ready to accept the amendment.

Mr. DOUGLAS. Mr. President, I am glad to accept the amendment. I ask that it be included in the bill at the appropriate point.

Mr. HOLLAND. Mr. President, has the vote been taken on this amendment?

The PRESIDING OFFICER. The vote has not been taken. Do Senators yield back their time?

Mr. PASTORE. I yield back whatever time I have.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Rhode Island.

The amendment was agreed to.

Mr. HOLLAND. Mr. President, subject to the same understanding, I yield briefly to the Senator from Pennsylvania [Mr. Scott].

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MAGNUSON. Mr. President, will the Senator yield for a moment?

Mr. SCOTT. With the consent of the Senator from Florida.

Mr. HOLLAND. Mr. President, I am under some inhibition. I had agreed to yield, in order, to the Senator from Rhode Island and the Senator from Pennsylvania. I want to be courteous to my friend from Washington. I will yield to him after I have yielded to the Senator from Pennsylvania.

Mr. MAGNUSON. Mr. President, I merely——

The PRESIDING OFFICER. The Senator from Washington is not in order. The Senator from Florida has yielded to the Senator from Pennsylvania.

Mr. SCOTT. Mr. President, I direct the attention of the senior Senator from Illinois to this request.

I ask unanimous consent that the bill may be amended by the insertion of that part of my amendment No. 119 which begins on page 2, at the beginning of line 25, and ends on page 3, on line 6, with the word "areas".

This amendment is cosponsored by the Senator from New Jersey [Mr. Case] and the Senator from New York [Mr. Javits].

I ask the Senator from Illinois to accept the amendment, if he has no objection.

Mr. DOUGLAS. Mr. President, I am very glad to accept the amendment. I think it is a constructive suggestion. I ask that it be approved.

Mr. SCOTT. Mr. President, I ask unanimous consent that a colloquy appearing on page 192 of the hearings may be included in the Record along with my remarks.

There being no objection, the extract was ordered to be printed in the Record, as follows:

A county rarely has a self-contained economy. It is usually part of an economic area. Even the labor market areas as presently defined do not include enough territory. Therefore, area planning for economic development is essential. I would urge that the Congress give consideration to encouragement of multicounty area planning organizations, perhaps through planning grant provisions similar to those in section 701 of the Housing Act.

The Area Redevelopment Act is a good instrument. It has stimulated a great deal of local initiative and planning. It has created jobs. The proposed amendments will strengthen it and help it to make an even greater contribution to the economy of the Nation in the years ahead.

Mr. AIKEN. Mr. President, if the Senator will yield, just what is the purpose of this part of the amendment?

Mr. SCOTT. The purpose of this part of the amendment is to permit the establishment by the Administrator of redevelopment areas by appropriate groupings of such areas, to avoid a certain geographical problem of a small community on the edge of an area which might be excluded. This is an attempt to bring in certain geographic areas. For example, one small community might be in another area. This amendment would permit appropriate redevelopment by geographic rules.

Mr. AIKEN. Would it mean——

The PRESIDING OFFICER. The Senator is out of order. The Chair has not heard the amendment stated. The Chair instructs the clerk to state the amendment offered by the Senator from Pennsylvania [Mr. Scott].

The Legislative Clerk. It is proposed to offer as an amendment the portion of the amendment of Mr. Scott, No. 119, beginning in line 25, on page 2, down to and including the word "areas" in line 6 on page 3, as follows:

> Counties or other areas which qualify as "redevelopment areas" under the preceding provisions of this subsection may be grouped into appropriate redevelopment areas; and the Secretary in his discretion may include in any redevelopment area designated under this subsection contiguous counties or parts thereof in order to form economic development areas.

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield back the floor to the Senator from Florida?

Mr. AIKEN. Mr. President, will the Senator yield for a question?

Mr. SCOTT. If I have the permission of the Senator from Florida.

Mr. HOLLAND. Mr. President, I ask unanimous consent that I may yield to the Senator from Vermont to ask the Senator from Pennsylvania a question and for a reply.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. AIKEN. Would this amendment mean that redevelopment areas might be created so that, if they happened to be in different States, an area in Vermont might be included along with an area in Pennsylvania or Illinois?

Mr. SCOTT. It is not intended that areas in different States shall be included, although the Senator from Illinois can explain.

Mr. DOUGLAS. I think the language would permit it to be done. I can see certain advantages to it, because it would permit the Appalachian area to be considered as a whole, which is important, because it covers parts of the States of Pennsylvania, West Virginia, Kentucky, sections of Virginia, and extends downward. So the amendment would permit an integrated program for the Appalachian region. I think this is very constructive.

Mr. AIKEN. If the granite business were in a terrific slump, would this language permit areas in North Carolina, Vermont, and Georgia, to be included together?

Mr. DOUGLAS. No; they must be relatively contiguous.

Mr. AIKEN. They have to be relatively contiguous; a few miles apart.

Mr. DOUGLAS. Yes.

Mr. AIKEN. I think the Senator knows the kind of protection I am looking for.

Mr. DOUGLAS. The language is not "relatively contiguous," but contiguous. I yield back the remainder of my time on the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Pennsylvania [Mr. Scott] to the committee amendment.

The amendment to the amendment was agreed to.

Mr. HOLLAND. Mr. President, I ask unanimous consent that I may be allowed to yield to the Senator from Washington [Mr. Magnuson] with the same understanding.

The PRESIDING OFFICER. Without objection, it is so ordered.

PERSONAL STATEMENT

Mr. MAGNUSON. Mr. President, today was the 25th anniversary of the establishment of the Civil Aeronautics Board. It has had a long, successful history as an agency of the Government in the field of aviation. The Senator from Washington happens to be chairman of the Commerce Committee, which handles aviation matters. The distinguished Senator from Oklahoma [Mr. Monroney] happens to be chairman of the Subcommittee on Aviation. A luncheon was being held, which was attended by many dignitaries in the aviation industry. We were invited to attend it. I suppose we were expected to make a few appropriate remarks. We got there, but found there was going to be a vote, so we rushed back. We were in the doorway, or at least coming off the elevator, when the regular order was called for, so we missed the vote.

I understand that the Senator from Oklahoma had a pair. For the record, I wish to state that had I been present and been able to vote, I would have voted "nay." We missed the luncheon to come back to cast our votes.

Mr. HOLLAND. Mr. President, as the Senator who asked for the regular order, I certainly would not have done so if I had known that the Senator from Washington had left a good luncheon to come a long distance in order to vote, because I would have known that that would be a deprivation. I am glad the matter has been clarified for the record.

Mr. MAGNUSON. I do not know whether the luncheon was any good, but the occasion demanded our presence.

Mr. HOLLAND. Mr. President, once more, under the same conditions, I ask unanimous consent that I be allowed to yield momentarily to the Senator from South Carolina [Mr. Thurmond].

PRESIDENT KENNEDY'S CIVIL RIGHTS SPEECH

Mr. THURMOND. I thank the distinguished and able Senator from Florida.

I call to the attention of the Senate two Associated Press articles concerning a claim by Congressman Adam Clayton Powell, Jr., that he rewrote half of President Kennedy's civil rights message to the Congress last week. One article is datelined Long Beach, Calif., and was printed in South Carolina newspapers on Saturday, June 22, 1963. The other article is datelined Washington and was printed in South Carolina newspapers on Sunday, June 23, 1963. The second article reports that the White House had no comment on Congressman Powell's claim.

Mr. President, I have received numerous communications demanding an answer from the White House as to whether Congressman Powell did or did not rewrite or even help rewrite half of the President's civil rights message. This is a burning question, Mr. President, which must be answered with either an unequivocal yes or no reply.

The American people have a right to know what part Congressman Powell played, if any, in the drafting of this, the most extreme and far-reaching civil rights program ever presented to the Congress by a President of the United States. I have asked the White House for an answer to this question. A phone call from my office this morning revealed that the "no comment" still stands at the present time.

I ask unanimous consent that both of these articles and a brief editorial from the Greenville Piedmont of June 25, 1963, be printed at the conclusion of these remarks.

There being no objection, the articles and editorial were ordered to be printed in the Record, as follows:

White House Silent: Powell Claims He Rewrote Kennedy's Rights Speech

Washington.—The White House had no comment Saturday on a claim by Negro Congressman Adam Clayton Powell, Jr., that he rewrote half of President Kennedy's civil rights message to Congress earlier this week.

Powell, speaking Friday night in Long Beach, Calif., at a banquet sponsored by the Committee for Powell and the Long Beach Community Baptist Church, said that Kennedy's message was "the greatest civil rights statement since the Emancipation Proclamation."

He added, "The President had no intention of including many of the points that he did in his message. I rewrote half of his speech for him the night before it was delivered before Congress.

Powell also criticized what he called the fragmentation of the Negro desegregation movement. He said he would issue a call for a summit meeting of Negro leaders in Washington and offer his services as moderator.

He said he approved of the Negro demonstrations planned for Monday in Los Angeles. "All of these demonstrations not only should continue," Powell said, "but should increase in frequency."

Only about 150 persons attended the banquet although provisions were made for 1,500.

Representative Powell Says He Wrote Rights Talk

Long Beach, Calif.—Negro Congressman Adam Clayton Powell, Jr. claims that he rewrote half of President Kennedy's civil rights message to Congress earlier this week.

Speaking at a banquet sponsored by the "Committee for Powell" and the Long Beach Community Baptist Church, Powell said that Kennedy's message was "the greatest civil rights statement since the Emancipation Proclamation."

"The President had no intention of including many of the points that he did in his message," Powell claimed, "I rewrote half of his speech for him the night before it was delivered before Congress."

A dinner for 1,500 was set up but only 150 persons attended.

Powell also criticized the fragmentation of the Negro desegregation movement. He said he would issue a call for a summit meeting of Negro leaders when he returns to Washington today and offer his services as moderator.

He said he approved of the Negro demonstrations planned for Monday in Los Angeles. "All of these demonstrations not only should continue," POWELL said, "but should increase in frequency."

IS THE WILL OF POWELL BEING THRUST ON SOUTH?

S-o-o-o ADAM CLAYTON POWELL rewrote half of the President's civil rights message to Congress last week?

The Negro Congressman from Harlem said that before a rally in his honor—and the White House hasn't denied it.

Hear POWELL:

"The President had no intention of including many of the points he did in his message. I rewrote half of his speech for him the night before it was delivered before Congress."

In the absence of any comment from the White House it is impossible to judge whether POWELL is telling the precise truth. But, this is clear: All of the message, with its provisions for further harassment and repression for the white South, could well have been written by POWELL, possibly with assists from Martin Luther King, Roy Wilkins, and Attorney General Robert Kennedy.

AREA REDEVELOPMENT ACT AMENDMENTS OF 1963

The Senate resumed the consideration of the bill (S. 1163) to amend certain provisions of the Area Redevelopment Act.

Mr. HOLLAND. Mr. President, I hope Senators will permit my distinguished colleague and me to now call up and dispose of an amendment which we have had pending for 2 days while we have tried to show courtesy to everyone. I ask that the amendment be reported.

The **PRESIDING OFFICER.** The amendment will be stated.

The LEGISLATIVE CLERK. On page 4, between lines 20 and 21, insert a new section as follows:

SEC. 3. Section 5(a) of the Area Redevelopment Act is amended by adding at the end thereof the following: "The Secretary shall also designate as a 'redevelopment area' any area within the United States where the Secretary of Labor determines that a condition of substantial unemployment has existed for at least nine of the preceding twelve calendar months, and the Secretary of Health, Education, and Welfare certifies to the Secretary that the number of Cuban refugees residing in such area has equaled fifty thousand or more for one of the two preceding calendar years."

Renumber succeeding sections accordingly.

Mr. HOLLAND. Mr. President, I believe Senators realize that this amendment is designed to take care of an extraordinary situation existing in Florida at the present time. I hope there will never be another such situation as that now existing in Dade County, Fla., and in a part of Broward County, Fla., due to the influx of large numbers of Cuban refugees.

The statistics which I hold in my hand were compiled by the Florida Industrial Commission, based on a survey made in March of this year, 1963. They show that in Dade County at that time—and this does not take into consideration smaller numbers in Broward County—there were 43,300 unemployed persons of employable age; 24,000 of them were our own people of employable age and 19,300 were Cuban refugees of employable age. Of the 24,000 of our own people, a very substantial number, probably much more than half, although I do not have the exact figures, represent displacement of our own people in modest positions, such as elevator operators, porters in hotels, custodial workers and positions of that kind, by Cuban refugees.

I am advised that the problem among our own people is largely among employees in those modest positions, and in domestic positions such as maids in hotels, and the like, and that it largely relates to members of the colored race who are generally employed in those positions, who want to be employed, and who live in that area.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. HOLLAND. I am glad to yield to the Senator for a question.

Mr. RANDOLPH. It has been rumored, and we have read, that the Negro workers, in the Miami area particularly, have been displaced from their jobs in hotels and restaurants by Cuban refugees. Is this a fact?

Mr. HOLLAND. To a very large extent that is the fact. I can state it from my own knowledge only in a limited way, but I have personally talked with the Cuban elevator operators in the hotel where I customarily stay in Miami, all of whom were Cuban refugees. I know that before the refugee problem arose, our own people ran these elevators, certain shifts with white people and others with colored.

I know also from my observation in the hotel that positions such as maids, which were formerly filled by Negro women are now filled by Cuban women.

I have no complaint at all about the quality of the service being rendered. However, the fact remains that large numbers of our own people have been displaced from positions of modest employment by this problem, which is not a local problem at all but a national problem, because it is under a national policy that we have accepted between 150,000 and 200,000 of these refugees. I understand that now somewhere between 100,000 and 150,000 are still in the Greater Miami area alone.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. HOLLAND. I am delighted to yield to my colleague.

Mr. SMATHERS. I wish to add further to the answer my colleague made to the question of the Senator from West Virginia. This particular problem is in my home county. I can make a categorical answer to the Senator's question in the affirmative. There is no question but that there are many numbers of Negroes who are now unemployed as a direct result of the fact that Cuban refugees have gone into these positions. They found, in many respects, what the wages were and offered to do the job for less than the Negro employee, with the result that we have this large unemployment situation. It is a problem of national concern and scope. It is the result of necessary national policy and action. The burden is a heavy load for Dade County to bear. Its facilities are and have been overtaxed. The area needs help and needs it now.

Mr. HOLLAND. I thank my colleague. I am glad to yield to the Senator from Texas [Mr. TOWER], whom I see on his feet.

Mr. TOWER. I control the time in opposition to the amendment. I am sure the Senator from Florida does not wish to yield to me.

Mr. HOLLAND. I thought the Senator wished me to yield for a question.

Mr. TOWER. I have already asked it privately, and it has been answered.

Mr. HOLLAND. I shall conclude as rapidly as I can. I wish to reiterate, the problem is a national problem, not a local problem. It has completely upset the economic employment balance in that area of my State.

We have tried through other means to obtain relief from this problem. One of our colleagues in the House of Representatives offered an amendment, proposing that an additional sum of $50 million be used exclusively in connection with this problem. The House committee turned that amendment down.

My distinguished colleague from Florida and I have offered this amendment with complete conviction that if there is any area in the country that is entitled to be regarded now as one of serious unemployment not largely related to its own economic problems at all, this is most certainly such an area.

All of Dade County and much of Broward County, which constitute the principal area that suffers from this problem—and the only area in the United States which now has more than 50,000 such refugees—and the amendment would limit relief to areas having 50,000 or more refugees—are in a difficult situation, not of their own making which must be resolved if serious economic distress is not to continue.

As I have stated, according to our most recent information, 100,000 to 150,000 refugees are still there, many of whom are displacing our own people—who need work—from their jobs.

Fortunately, we have made much progress on a major project in Greater Miami, which, with the stimulation of ARA funds, can swiftly provide a sufficient number of jobs to relieve the excessive unemployment in that area.

This project is Interama, a permanent Inter-American Trade and Cultural Center. Interama is under the close supervision of an agency of the State of Florida. Already, the city of Miami, Dade County, and the State of Florida have contributed assets worth many millions of dollars—including the site of 1,700 acres, access roads and other facilities. The State agency has floated a bond issue of $21 million with which further development of the project is now proceeding.

In my opinion, the granting of ARA funds to Interama for the construction of facilities will make every dollar of Federal funds generate many dollars of additional expenditures by non-Federal sources on this great project as well as help relieve the severe unemployment existing in that area.

In addition, there are quite a number of smaller but worthy projects other than this one. They are already in hand, with all the engineering and the specification work completed, and are ready to move if Federal loans and grants are made available by ARA.

Mr. President, it is my distinct hope that this amendment to the act may be adopted.

One other thing: I have a compliment to pass on to the Area Redevelopment Administration. When the act was first before Congress, a map was placed in the Chamber and was discussed by the distinguished Senator from Illinois [Mr. Douglas]. I called attention to the fact that four counties in Florida were included among those which were to be ministered to under the act, but which I felt had no possible justification to be included. They were the counties of Leon, where our capital, Tallahassee, is located; Gadsden, one of the most prosperous agricultural counties in the State; Alachua, where the State University is located; and Escambia, where the great naval air training station is located. I so stated on the floor of the Senate.

I am glad to note that in the administration of the act, those counties and similar ones which were included in the first classification as appropriate counties for the use of this program have been eliminated. I therefore compliment the ARA upon that.

However, in my State, there are complaints that the ARA program has been used to take away certain industrial projects from prosperous areas of the State, areas not included in the program, to be given to other areas which are included, in order to get the advantage of the low rates of interest available on Government loans.

I hope that the improvement of the program, which I have already mentioned will continue, because I believe there are reasons for seeking an improvement of the program. I am asking for this amendment with the expectation of supporting the act, and with the even greater expectation and hope that the program will be improved as its administration continues.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. DOUGLAS. First, there is a direct antipirating provision in the act, governing industrial and commercial loans. That will be carried out under section 5 or section 6.

Mr. HOLLAND. I understand that the present act contains a provision to prevent pirating across State lines. I was talking about pirating within our own State.

Incidentally, I am told by certain of my colleagues in the House of Representatives that the reason for their change of vote this time on the extension of the act, as compared with their position when the act was first passed, was that very thing—pirating from one county of our State to another. It is that fact to which I am referring, rather than pirating across State lines. I thoroughly disapprove of that, too.

Mr. DOUGLAS. The Senate accepted an amendment yesterday that is more stringent than the present provision dealing with training. It was proposed by the Senator from New Jersey [Mr. Case].

The Area Redevelopment Administration should be given instructions—and I hope this debate will create a parliamentary history—not to encourage pirating inside a State any more than pirating between States.

Mr. HOLLAND. I join with the Senator from Illinois in that hope. I appreciate his expression.

I observe my colleague from Florida on his feet. Does he seek the floor, or does he wish me to yield to him?

Mr. SMATHERS. Either way.

Mr. HOLLAND. Mr. President, I should like to yield to my distinguished colleague from Florida.

Mr. SMATHERS. I hope the able Senator from Illinois will accept the amendment and that subsequently the Senate will approve the amendment, as it has been outlined by my colleague from Florida.

This is a very serious situation, so far as the southern end of Florida is concerned. We do not feel that it is a problem that necessarily results from our own omissions or lack of commissions. On the contrary, it is an unfortunate situation which has occurred from necessary Federal action taken as the result of the Communist situation in Cuba.

A unique and serious economic condition currently exists in Dade and Broward Counties by virtue of the influx of Cuban refugees. This is the result of national policy and action. The nature of this problem is national in scope.

While we are all sympathetic with those who seek freedom on our shores, the influx of the Cuban refugees has placed a terrific burden on the citizens and the facilities of Dade and Broward Counties. At the present time there are in the Dade County area, over 100,000 Cuban refugees.

I feel quite confident that all of us can agree that the responsibility for seeking an effective solution to this program is one which should be shared not only by Dade County, but by the National Government, as well.

The present situation has reached such proportion that one of the ways in which we can begin to resolve it is to make it possible, through the pending proposal, for Dade and Broward Counties to benefit from the provisions of the Area Redevelopment Act.

Let me cite some figures to bring the existing problem of serious concern clearly into focus.

In 1961, the U.S. unemployment rate was 6.7 percent of the total work force.

In Dade County, it was 9.8 percent, or a total of 43,500 unemployed.

In 1962, the national unemployment rate was 5.6 percent of the total force. In Dade County, it was 9.8 percent, or a total of 44,500 unemployed.

Through 1962, there were approximately 105,000 Cuban refugees in Dade County who had not been resettled to other parts of the country. Of this total, 32,000 heads of families or single persons are unemployed. I might point out that the figure of 105,000 may actually be larger because it includes only those who register with the Cuban Refugee Center. Many Cubans have not done so because there is no requirement that they register.

The consequences of such a high rate of unemployment in the community is obviously clear.

It has resulted in a decline in salaries and pay earned by those able to secure work.

It has resulted in a sharp decline in housing construction. In 1959, housing construction in Dade County reached a high of 11,800 units. In 1962, it dropped to 5,000 units.

I am advised that there has also been a sharp increase in the number of mortgage foreclosures.

These are just some of the serious economic conditions brought about by the large influx of Cuban refugees in this area. I think, by and large, the citizens of Dade County are to be congratulated for the manner in which they have coped with the situation. Their facilities are taxed to the limit. They now need help.

I have been assured by the local officials that if it is possible for Dade County and Broward County to become eligible under the provisions of the Area Redevelopment Act, the county is prepared to participate fully in the program and to take immediate steps to deal with and alleviate the problems resulting from national policy and action.

More than a score of public works such as sewage systems and hospital and health facilities are ready to be activated. One project that is already underway would provide facilities needed by Interama, a permanent Inter-American Trade and Cultural Center in Miami, under the supervision of a State authority. Interama's objectives parallel those of the Alliance for Progress. When Interama becomes an operating reality it will generate more than 100,000 permanent jobs for Americans and Cubans alike.

Under the Area Redevelopment Act, the State authority could finance—for a small fraction of the cost involved—the basic facilities needed to trigger large expenditures from the other sources.

In my estimation no other project would require such small Federal funds and yet generate so many economic benefits, and at the same time substantially reduce the current large outlay for the relief of Cuban refugees for whom Interama would provide employment.

My distinguished colleague from Florida [Mr. Holland] and I feel that favorable action on the pending proposal is in line with the objectives of the Area Redevelopment Act and will assist not only Dade County and Broward County, but the Nation as well in coping effectively with a very difficult and delicate situation.

I sincerely hope that the Senator from Illinois will accept the pending amendment and that thereafter the Senate will approve his recommendation.

Mr. HOLLAND. I appreciate the comments of my distinguished colleague. This has been a joint effort on the part of both of us from the beginning.

The **PRESIDING OFFICER.** The time of the Senator from Florida has expired.

Mr. TOWER. Mr. President, I yield 2 minutes to the senior Senator from Colorado.

Mr. ALLOTT. Mr. President, I support the amendment of the distinguished Senator from Florida. I think he hit the nail on the head when he said that this is a national problem. It is just that. It is a problem that does not belong to Floridians alone. It is on the national doorstep. We must cope with it; we must work to resolve it. But it is a problem that has been created by the national policy of the Federal Government.

I am indeed sorry that I shall not be able to support the bill. I shall vote against it because I consider it to be one of the most outrageous pork barrel bills that Congress has ever passed in all its history. It lacks guidelines; it lacks definiteness. We will never get out of the money that is being proposed to be spent $1 of benefits for every $20 that will be expended. Therefore, I shall have to vote against the bill.

But I wish to make it very clear that I think the Cuban refugee situation involves a national obligation. It is too bad that the Senate cannot pass an authorization bill recognizing that this is a national problem, so as to remedy the situation in some way, because it will continue to be with us for a long time.

Mr. TOWER. Mr. President, I reluctantly oppose the amendment of the distinguished and learned Senator from Florida, whose leadership I have followed on many matters, and whose parliamentary skill and great knowledge I have always admired.

We must concede that we have some responsibility to care for Cuban refugees in this country. They are very often the victims of circumstances that are not of their own making; indeed, they are the victims of circumstances that I think we might say are somewhat of our own making, because of our own failure to deal effectively with the Cuban problem.

However, it seems to me that we must consider a broader question, namely, the question of Cuban policy. Would it not be possible, if the amendment were adopted, that the action which is proposed could be interpreted to mean that we accept the refugee status of the Cuban people as permanent? Could it not be interpreted to mean that it is the intent of the Congress to do nothing about restoring the government of the Republic of Cuba to the people of Cuba?

Perhaps this might be only another act on the part of the Government of the United States that would be a demoralizing factor to the Cuban people, because it would appear that we were accepting their situation as a permanent one. I think we ought to provide appropriate programs for the Cuban refugees, but I do not think it should be done under the jurisdiction of the Area Redevelopment Administration.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. TOWER. I yield 2 minutes to the Senator from Colorado.

Mr. DOMINICK. Mr. President, I, too, regret that I shall have to oppose the amendment offered by the distinguished Senator from Florida [Mr. HOLLAND]. However, it seems to me that we shall be in the middle of a foreign policy situation if we inject this amendment into the Area Redevelopment Act.

I have said before that I am not in favor of the bill; but I do favor trying to improve it. I am concerned that if we try to place this amendment in the bill, we will create an atmosphere which would indicate that the Cubans themselves will be in the United States indefinitely.

What we should be trying to do is to have the administration announce a policy which will give the Cubans a chance to go back to their own country. We have not done that. That is exactly what some of us have been talking about in the Senate on at least four occasions in the last two weeks. It seems to me it is imperative that we develop such a policy, but this is the kind of step which would lead us away from doing so. But we have not done it.

This is exactly what we have been talking about on the floor of the Senate on at least four occasions in the past several weeks. It seems to me that it is imperative to develop a policy; but I believe that this amendment is only one more step which would lead us away from doing so.

Furthermore, this amendment was submitted in the committee, although it was not considered there when it was first submitted. It was rejected in the committee the last time it was offered there.

So we have some precedent for saying that this problem should be dealt with by means of a separate bill, of a different type—a bill which would be supported by all Senators who are in favor of having the refugees taken care of. Thus, the vote would be taken in that context, and also in connection with a policy of providing them with an opportunity to return to their own country, which is what we really want to do.

Mr. CURTIS. Mr. President, will the Senator from Texas yield for a question?

Mr. TOWER. I yield.

Mr. CURTIS. Is it the intent of the area redevelopment legislation to provide temporary jobs, or is the objective permanent employment?

Mr. TOWER. It is my understanding that the entire concept of the ARA is to try to boost the economy generally in areas which are in a state of economic recession and distress, and that the legislation is supposed to have a long-range effect, rather than to provide a short-range program.

Mr. CURTIS. It is held out as a long-range or permanent means of providing a necessary program in the area in which it operates; is that correct?

Mr. TOWER. Yes. It is supposed to be the "seed corn" idea—to help them gain some new starts, to help their economy, and to have long-range aspects.

Mr. CURTIS. But can such legislation be included in the category of legislation for programs which deal with problems considered to be temporary?

Mr. TOWER. I think that is very definitely indicated in this case, because this amendment appears to me to provide relief in a temporary situation, whereas the entire concept of the ARA legislation is to deal with a long-range situation and to provide permanent improvement.

Mr. SIMPSON. Mr. President, will the Senator from Texas yield to me?

Mr. TOWER. I yield two minutes to the Senator from Wyoming.

Mr. SIMPSON. I, too, hesitate to oppose the position taken by the distinguished Senators from Florida.

When they made a joint statement to our committee, the following was a portion of it:

> A unique and serious economic condition currently exists in Dade County by virtue of the influx of Cuban refugees. This, as the committee knows, is the result of national policy and action.

I ask myself, What is the "national policy and action" which was testified to at our committee hearing? If there is to be a program of freedom in the Americas, such as the Monroe Doctrine proclaims, that is one thing. If it is to be a policy of appeasement and vacillation, that is quite different.

If our policy toward Cuba is never to liberate it, never to return Cuba to the status of a free nation, our country probably has the responsibility of providing assistance and development to the Dade County area.

But it seems to me this would be a dangerous precedent to establish. I believe that if we attach to a bill such as the pending one an amendment giving recognition to the unemployment status of 150,000 Cuban refugees, we shall do a disservice to the Senate and to the United States of America.

Mr. HOLLAND. Mr. President——

Mr. DOUGLAS. I yield 5 minutes on the bill to the senior Senator from Florida [Mr. HOLLAND].

The **PRESIDING OFFICER.** The senior Senator from Florida is recognized for 5 minutes on the bill.

Mr. HOLLAND. Mr. President, if I correctly understand the feeling of my distinguished friends who have spoken in opposition to this amendment, let me call their attention to several points:

First of all, Florida did not ask to be put into this situation.

Second, Florida would be very glad to be relieved of it at any time.

Florida is very close to Cuba; and refugees, to the extent of nearly 200,000, have come to Florida under the policies of this Nation. I think they are good policies. Under them, we grant asylum to such refugees. Our area, which is closest to Cuba, has appealed to the Cuban refugees as one in which they would like to stay, because they live in daily hope of returning to their nearby homes. We hope that their hope may be speedily realized.

While they are in Florida, if they are permitted to seek employment there—and they are, under our national policies—they are displacing thousands of our citizens; and those thousands of our citizens are just as much entitled, we believe, to the consideration of the Senate and to the consideration of the Nation as are the thousands of citizens who are unemployed because of other causes, in other areas of the Nation. That is the only reason why we request the adoption of this amendment.

We requested it on a different basis in the House of Representatives; our request was that a separate fund be established, to be spent in this field. That was denied.

So it seems to us that this is the only way to meet the problem.

So far as a permanent program is concerned, the Senator knows that we, more than anyone else in the Nation, want it to be only temporary, because we do not want a continuation of the situation of overcrowding and of having thousands of jobs for our people taken away from them, and having our schools crowded. Twenty-two thousand children of refugees are in our public schools, and, as was stated some time ago, approximately 4,000 of them are in our parochial schools. The situation is serious.

The only thing we can do, to help show that we understand the problem, is to take action to put our unemployed citizens there on a parity with unemployed people in other parts of the Nation. With a ratio of unemployment of about 10 percent, if we are not entitled to relief under the act, there is no appropriate field for the act to operate in.

So I hope Senators will permit this amendment to be added to the act.

Mr. DOMINICK. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. DOMINICK. I would be glad to support a bill brought within the context of this purpose and dealing specifically with this issue.

But by proceeding by means of the pending amendment to the committee amendment, we would be working through the back door and would be injecting an entirely different problem into the problem dealt with by the Area Redevelopment Act itself; and I cannot support such an amendment.

Mr. HOLLAND. Mr. President, I appreciate the Senator's attitude; but I point out that this is a program which the Nation established to take care of situations in areas in which there is heavy and continued unemployment. We have that situation in our State—not due to any fault of ours, but due to a national policy. In that situation, why should not our State participate in the program?

The PRESIDING OFFICER. The 5 minutes yielded by the Senator from Illinois have expired.

Mr. TOWER. Mr. President, I should like to say to the distinguished Senator from Florida that I concur in the views expressed by the Senator from Colorado [Mr. DOMINICK]. I would be among the first to concede the great need and the responsibility of the Federal Government. But I wonder whether it would be more appropriate to pass a more comprehensive measure which would deal with this specific problem and would cover other refugee problems. I know, of course, that no problem of the intensity of the Cuban refugee problem does exist.

Senators will remember that there was a considerable influx of Hungarian refugees after the rape of Hungary by the Soviet Union; and there are likely to be similar problems. Would it not be better to have a separate bill with which to deal with refugee problems of this type, rather than to include such an amendment in a bill in this field?

Mr. HOLLAND. Mr. President, will the Senator from Illinois yield one moment to me, so that I may answer?

Mr. DOUGLAS. I yield.

Mr. HOLLAND. It might be better to enact some provision of a long-range nature; but we did not have this problem in connection with the Hungarian refugees, because they were scattered quickly throughout the Nation, whereas that is not the case with this particular group of refugees—the largest group of refugees ever received in our country.

In the meantime, while such a program is being devised, is it appropriate to leave tens of thousands of our own people unemployed? I think it is not. I think the question answers itself.

So I hope the Senate will adopt the amendment.

Mr. TOWER. Mr. President, I should like to ask a question of the Senator from Florida; I seek information. Does the United States now contribute any funds toward the support of the Cuban refugee families?

Mr. HOLLAND. The Federal Government does contribute. It pays 60 percent of the school cost of the 22,000 school children who are in our public schools. We in Florida are paying the other 40 percent, and we are not now asking for that money back. We have some responsibilities in connection with the situation. So far as subsistence is concerned, a dole is handed out to those people. Other programs have been set up by the Federal Government to help them, such as adult education to train them in our language. The Federal Government covers that expense. But when it comes down to brass tacks, that community, which is the host community, has problems that are so much greater than the total of Federal aid that is given there is no comparison of the two. We are trying to bring that part of the country into this program because it is the only program that we have, and because I think that our people are as much entitled to consideration as anyone else if we are going to have such a program.

Mr. DOUGLAS. Mr. President, I yield 2 minutes on the bill to the Senator from Michigan [Mr. HART].

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. HART. Mr. President, I hope very much that the amendment offered by the Senator from Florida [Mr. HOLLAND] will be agreed to. The Senate Subcommittee on Refugees and Escapees has heard much testimony with respect to the problem in Miami, Dade County, and Florida.

It is all very well to talk about bringing a special bill to the Senate to provide for particular situations. Senators who have been in the Senate much longer than I will indicate that that is a very unlikely possibility. As a nation we have an opportunity to respond to a region of our country whose performance has been exceptionally fine. I would hope that any city in America would respond as warmly, as constructively and as responsibly as have Miami and Dade County if faced with a similar situation. But none save Miami has ever been put to the test. Now is the time when all of us can reflect our deep appreciation of the role that Miami has played in putting a face on America which is good and fine. I hope very much that the amendment will be agreed to.

Mr. DOUGLAS. Mr. President, the amendment was never formally presented to the subcommittee. I hope very much that it will be adopted.

Mr. TOWER. Mr. President, I yield back the remainder of my time.

Mr. DOUGLAS. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Florida to the committee amendment.

The amendment to the amendment was agreed to.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the amendment to the amendment was agreed to.

Mr. DOUGLAS. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to table.

The motion was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. DOMINICK. Mr. President, I offer an amendment which I ask to have stated.

The PRESIDING OFFICER. The amendment of the Senator from Colorado will be stated.

The LEGISLATIVE CLERK. On page 5, line 3, it is proposed to strike out "and".

On page 5, line 8, it is proposed to strike out the period and insert in lieu thereof "; and".

On page 5, between lines 8 and 9, it is proposed to insert the following:

> (3) by adding at the end thereof a new paragraph as follows:
>
> "(11) No such assistance shall be extended to any foreign concern to establish plants or facilities, or to establish or expand branch plants or facilities, in the United States."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Colorado.

Mr. DOMINICK. Mr. President, I have discussed the amendment with several Senators. It is substantially similar to one which was adopted by the House during consideration of the bill, and before the House voted the entire bill down. I think that this might be a subject of some interest to a great many Senators. What has happened is that members of the ARA, in an effort to try to make sure that it is covering the field with maximum efficiency, have gone to countries overseas and have indicated to those countries that ARA money is available for foreign industries to relocate in the

United States in competition with our own industry. I have before me the Information News Service of September 10, 1962, published by the Department of Commerce, in which the subject is gone into at some length. I believe some of the material may be of interest.

Dr. Harold L. Sheppard, who is Assistant Administrator for ARA operations, made a tour through five European countries in early August of 1962. He held a series of conferences with top-level banking and industrial groups and with commercial attaché personnel in United States embassies in Italy, Germany, Sweden, the Netherlands, and France. Mr. Frank Sheaffer, of the Department of Commerce office of International Investment, covered Belgium and Great Britain.

Dr. Sheppard said that interest in ARA and its program runs high in European commercial and industrial circles.

The article goes on to show the advantages to the European communities in having them come over here and obtain loans from the ARA, which funds are obtained from the taxpayers of the United States, at subsidized interest rates in order to enable them to locate in our country.

Senators will be quite surprised also to know that the Department of Commerce, through the ARA, has arranged conferences around the world to discuss the subject. It has published feature articles in the financial publications. Descriptions of ARA's provisions for economic expansion will also be given to information media sponsored by the various European industrial federations.

Some time ago Representative LIPSCOMB, of California, wrote to ARA to determine whether or not the act permitted loans and grants of that kind to foreign companies doing business in the United States or moving in to do business here. He received a reply under date of October 30, 1962, which reads in part as follows:

> The act neither explicitly or implicitly prohibits rendering financial assistance to foreign firms. It is generally recognized that, in the absence of an express or implied prohibition, a statute should be so interpreted as to accomplish its objectives in the most effective manner.

The letter is signed by Mr. H. W. Williams, Acting Administrator of the ARA.

A subsequent letter was sent to Representative LIPSCOMB on March 22, 1963, which was in reply to his questions as to what type of industries might be interested in coming here to establish themselves with our tax money. He received the following information:

> Some of the industries represented by companies which have made inquiries to us are: furniture, automobile, drug and chemical, hydraulic equipment for industry, construction equipment, packaging machinery, airport ground arrestors, batteries, picture frames and moldings, fancy metal boxes—candy containers, dry copy office machines, paper collater, automatic sand spreader, special valves for pipelines.

Every single one of those industries would be in competition with American firms; and, if the amendment were not adopted, every single one of them would be assisted by American taxpayers' funds to come to our country at subsidized interest rates.

I have grave difficulty in seeing why we should go this route at all. I am very hopeful that the distinguished Senator from Illinois [Mr. DOUGLAS] will support the amendment, as I feel it has real merit. As I have said, it was adopted in the House in a teller count prior to the defeat of the ARA bill in the House.

Mr. DOUGLAS. Mr. President, I am very glad to accept the amendment.

Mr. AIKEN. Mr. President, I should like to ask a question.

Mr. DOMINICK. Mr. President, I yield to the Senator from Vermont.

Mr. AIKEN. Would the amendment affect anyone who sought to acquire patent rights from a European country if the goods were produced or manufactured in this country?

Mr. DOMINICK. No. The amendment is restricted to the grant of aid to a foreign company itself.

Mr. AIKEN. The amendment would then prevent giving aid to the foreign company itself?

Mr. DOUGLAS. No punitive measure would be imposed.

Mr. DOMINICK. No punitive measure of any kind would be imposed.

Mr. AIKEN. Under the ARA funds?

Mr. DOMINICK. Under the ARA funds.

The PRESIDING OFFICER. Do Senators yield back their remaining time?

Mr. DOUGLAS. Mr. President, I yield back my remaining time.

Mr. DOMINICK. Mr. President, I yield back any time I have remaining.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the committee amendment offered by the Senator from Colorado [Mr. DOMINICK].

The amendment to the amendment was agreed to.

Mr. MILLER. Mr. President, I call up my amendment No. 111.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 4, line 23, after the period it is proposed to add the following:

> Said section 5(b) is further amended by—
>
> (1) inserting "(1)" immediately after "(b)";
>
> (2) striking out "subsection" wherever it appears in the second and fourth sentences thereof and inserting in lieu thereof "paragraph";
>
> (3) inserting after the word "factors" in the third sentence the following: "the number of farm operators or farm workers working off the farm one hundred or more days during the previous year,";
>
> (4) striking out in the last sentence "In making these determinations" and inserting in lieu thereof "In making determinations under this paragraph and paragraph (2) of this subsection,"; and
>
> (5) adding at the end thereof a new paragraph as follows:
>
> "(2) The Secretary shall also designate as "redevelopment areas" those areas within the United States which do not meet the requirements set forth in subsection (a) of this section or paragraph (1) of this subsection but which he determines, after consultation with the Secretary of Agriculture, are areas (A) in which farming is a major industry, (B) in which there has been a substantial decrease (or in which there is a continuing substantial decrease) in the number of persons engaged in farming as a major source of their income or livelihood, and (C) from which there has been a substantial migration (or from which there is a continuing substantial migration) of such persons, as a result of which a condition of substantial and persistent unemployment or underemployment exists or is aggravated in other areas."

The PRESIDING OFFICER. The Senator from Iowa is recognized for 20 minutes.

Mr. MILLER. Mr. President, I yield myself 10 minutes.

Mr. President, my amendment would add another factor to be taken into consideration by the Administrator in determining whether or not an agricultural area is entitled to consideration for Area Redevelopment Act funds. The additional factor would be the number of farm operators or farmworkers working off the farm 100 or more days during the previous year. It is a factor which is being taken into account, I understand, in other areas of our Government. That was the reason for using the phrase "100 or more days."

This would not add a great deal, but I think it is a significant factor which should be taken into account.

This is not the main thrust of my amendment. The main thrust of my amendment can be found on page 2. It was brought about by the realization that although we have a problem we have not been seeking a solution to that problem in quite a proper manner. It seems to me that not only must we work on the problem itself, but also we must work on the cause of the problem.

We all know that one of the causes of chronic unemployment has been a tremendous decline in farm population. During 1961 and 1962 1,340,000 farmers and their families left the farms. During the same period 340,000 farm operators and farmworkers left the farms.

Some of those people retired, but the great bulk of them went into the cities and towns seeking employment. It seems to me rather unwise for us to limit our area redevelopment activities only to areas of chronic unemployment. We might well direct our efforts to the source. Therefore, my amendment would provide that an eligible area would not only be the type of area heretofore covered by the law, but would also include an area which met these additional tests:

First, it would have to be an area in which farming is a major industry.

Second, there must have been a substantial decrease, or there would have to be a continuing substantial decrease, in the number of persons engaged in farming as a major source of their income or livelihood.

Third, there would have to have been a substantial migration from the area, or there would have to be a continuing substantial migration from the area, of such persons, as a result of which—and this is extremely important—the Secretary could determine that a condition of substantial and persistent unemployment or underemployment existed or was aggravated in other areas.

I liken this problem to a situation involving floods. We do not expend all of our efforts in building dams where great amounts of flood waters occur. We disperse our efforts and go to the source. We establish dams farther up stream, so that flood waters will not all descend on chronic flood areas.

I think we should do the same in this regard. The present state of the law does not cover this situation.

I had this problem brought home specifically to me in connection with a county in Iowa; namely, Carroll County. Carroll County has had a substantial decline—about 10 percent over the past 10 years—in the number of farm operators and farm workers. Many of those people have left Carroll County. There is not a substantial amount of unemployment in Carroll County, however. A survey was conducted by the Employment Service recently. I ask unanimous consent that a copy of that survey may be printed in the RECORD at this point.

The **PRESIDING OFFICER** (Mr. NELSON in the chair). Is there objection to the request by the Senator from Iowa?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF LABOR,
BUREAU OF EMPLOYMENT SECURITY,
Washington, D.C.

Hon. JACK MILLER,
U.S. Senate, Washington, D.C.

DEAR SENATOR MILLER: We have now received a report on the unemployment situation in Carroll (Carroll County), Iowa, which was prepared by the affiliated Iowa Employment Security Commission mentioned in our letter to you of February 1, 1963. This report indicates that unemployment in this area has not been sufficiently high to warrant its classification by this Department as an area of "substantial unemployment" or designation as an area eligible for assistance under the accelerated public works program (Public Law 87-658).

Unemployment in an area is considered substantial for any month when it represents 6 percent or more of the area's work force discounting seasonal or temporary factors. As you will note from the enclosed table, the unemployment rate in Carroll County has been below 6 percent for 10 of the 12 months ending December 1962.

We are sorry the area is not eligible for assistance under this program, but are pleased to report that unemployment in the area has remained at relatively low levels during most of the past year.

Sincerely yours,
ROBERT C. GOODWIN,
Administrator.

Enclosure.

Carroll (Carroll County), Iowa, labor market area total unemployment rates[1] *for 12 months ending December 1962*

	Percent
January	6.0
February	5.8
March	6.6
April	4.8
May	3.9
June	3.1
July	3.2
August	1.4
September	.9
October	.8
November	1.4
December	2.4

[1] Unemployment as a percent of the area's work force.

Source: Iowa Employment Security Commission.

Mr. MILLER. Mr. President, I also received a letter from the county extension director indicating that Carroll County needs some assistance in order to hold people in their home county, instead of permitting them to go to areas which offer possibilities of employment, but in which all too often they cannot find employment because they do not have the training and skills necessary. I ask unanimous consent that this letter may be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

COOPERATIVE EXTENSION SERVICE IN AGRICULTURE AND HOME ECONOMICS, STATE OF IOWA,
Carroll, Iowa, April 8, 1963.

Senator JACK MILLER,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MILLER: I have been asked by a citizens' committee of Carroll, Iowa, to send you some information concerning trends in agriculture and population in Carroll County. This committee includes M. R. Tan Creti, Dr. Leo Kuker, James W. Wilson, and Joe Gronstal.

I am, therefore, enclosing some charts which I will comment on briefly.

Page 1 shows the percent decrease in total number of farms in 1950-60 and the percent change in the rural farm population for the same period. You will note that the number of farms in Carroll County has decreased 8.2 percent and the farm population by 10 percent. These changes are now occurring at an accelerated rate. We are presently losing 20 to 25 farms per year in Carroll County involving a farm population loss of 100 to 125. Indications are that this trend will continue for several years. I am sure that you are well aware of the reasons for declining farm population and numbers of farms in Iowa. With modern farm equipment and with farmers caught in a cost, price squeeze, the pressure is on to enlarge operating units. This results in the bidding up of land values beyond their production value in many instances. It also means that there are less opportunities for young men to enter the field of farming.

There is very little industry in Carroll County as indicated by figure 18 on page 2. You will note that only 7.7 percent of the labor force is employed in manufacturing in this county. This means that there are few off-farm job opportunities to absorb the surplus labor force on the farm. Consequently, most of these people that are either being forced out of agriculture or leaving voluntarily, are moving out of the county and in most cases they do not have the training to compete for the better jobs in industry. Total population in Carroll County has remained fairly stable the past 10 years due to some expansion of the county seat (Carroll) as a retail center. However, the county's population would have increased at least 3,000 in the past 10 years if there had been no out migration.

The small towns of the county are having a struggle to survive as indicated in figure 5, page 3, with a decline in population of 2.2 percent in the past 10 years. They naturally will be helped by any gains in industrial employment in the area.

The lack of job opportunity in Carroll County is further borne out by figure 6, page 3, which indicates a dependency ratio of 80. Large families are typical in this county, but when the children are educated and grown, the majority of them are leaving the county to find jobs. At the other end of the scale are the old people who are staying in the county.

While Carroll County is in an area of relative farm prosperity, there were some 414 farm families with income of $2,000 or less in 1960 as indicated by figure 22, page 4. This number is arrived at by multiplying 22.5 percent times 1896, the number of farms in the county in 1960.

Median income of families by counties in Iowa in 1960 is shown on figure 21, page 4, Carroll County, with a median income of $4,380, compares favorably with surrounding rural counties but is far lower than the urban counties of the State.

Figure 23, page 5, indicates the percent of farm operators working off farm 100 days or more. You will note that the percentage for Carroll County is 5.8 percent. This reflects the lack of industry in the area. Figure 24, page 5, indicates the percent of farm operators classified as tenants.

We have a serious lack of opportunity in this area for young people to obtain technical training in fields outside of agriculture. Not all of them have the ability or the finances to obtain a college degree. Local high school graduates who do not go to college are handicapped in competing for the jobs requiring technical training.

I trust that this information will be of some value to you.

Sincerely,
W. H. BROWN.
County Extension Director.

Mr. MILLER. Mr. President, the present state of the law and regulations, if I read them correctly, is that first there must be an area of substantial and persistent unemployment or underemployment. That is basic.

I am reading, incidentally, from the Federal Register for October 24, 1961, at page 9937, which sets forth standards for designation of redevelopment areas under section 5(b) of the act.

After it has been determined that an area is one of substantial unemployment or underemployment, other factors enter into consideration. Such factors include, in the case of farming areas, the requirement that the area must be one of low income, or it must be an area of low farm income, or an area of low productive farming, or, finally, a rural development county. We know that rural development counties obtain only planning assistance.

I understand from informal conversations—and I should like to ask the Senator in charge of the bill a question in this regard—that the regulation promulgated by the Secretary, to which I have referred, has been interpreted to mean that even though an area is not an area of substantial unemployment or underemployment, if it is an area of low income or low farm income or low productive farming it still can qualify for assistance. Does the Senator from Illinois understand the interpretation to be as I have stated it?

Mr. DOUGLAS. It is my understanding that the 850 counties which have been classified as rural areas eligible for assistance, are subjected to the tests first, that there must be substantial underemployment plus low income and lower than average farm income. In other words, the section is not intended to cover the entire farming population, but only those portions of the farming population which are fartherst down, exactly as section 5(a) is not intended to cover all the unemployed but only those areas which are in the greatest distress due to high and persistent unemployment.

Mr. MILLER. Then, am I to understand the Senator's answer to be that if the Secretary finds that an agricultural area is an area of substantial unemployment and also an area of low production farming or low farm income, it will qualify?

Mr. DOUGLAS. It will be eligible. It would be eligible. Again, I emphasize that the word "low" is a comparative word. It is not intended to cover all the agricultural counties or communities, but those that are low in comparison with other agricultural areas.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MILLER. I yield myself 5 additional minutes.

As I understand, the Senator makes the point that there are two factors in connection with eligibility. One is substantial underemployment and the other is low income.

Mr. DOUGLAS. There are certain other criteria, but those are the main ones. There are certain others stated in the act itself.

Mr. MILLER. I am reading from the regulations promulgated by the Secretary, as shown on page 9937 of the Federal Register for October 24, 1961, in which it is stated:

> The following types of areas, among others, having a condition of low income and a condition of substantial and persistent unemployment or underemployment, and not designated under section 5(a) of the act, will be considered for designation as redevelopment areas * * *.

Mr. DOUGLAS. I think the Senator is reading correctly, but I prefer to go back to the language of the original act.

Mr. MILLER. I do not want to labor the point. The point I wish to make is this: Does the Senator draw a distinction between "low income" and "area of substantial underemployment"?

Mr. DOUGLAS. Yes. Let me read from section 5(b) of the act, relating to the formulation of standards:

> The Secretary shall consider, among other relevant factors, the number of low-income farm families in the various rural areas of the United States, the proportion that such low-income families are of the total farm families of each of such areas—

In other words, the extent of rural poverty in a given area—

> The relationship of the income levels of the families in such area to the general levels of income in the United States, the extent to which "rural development" projects have previously been located in any such area under program administered by the Department of Agriculture, the current and prospective employment opportunities in each such area, the availability of manpower in each such area for supplemental employment, the extent of migration out of the area, and the proportion of the population of each such area which has been receiving public assistance from the Federal Government or from the State or States in which such area is located or from any municipality therein.

In other words, a series of tests is set out, but the main tests are underemployment and comparatively low income.

Mr. MILLER. To make it clear for the RECORD, I understand the Senator's position to be that underemployment is a separate and distinct factor from the factor of low income.

Mr. DOUGLAS. That is correct.

Mr. MILLER. They are not equated.

Mr. DOUGLAS. They may be equated in the judgment of the administrative officer.

Mr. MILLER. That is the point I am making. The Senator from Illinois says they may be equated in the judgment of the administrative officer, and it is my understanding that they are so equated, and I suggest that that was not the intention of the Congress at all, because, if I read the act correctly it provides that there must be two factors. The first factor is that there must be substantial unemployment or substantial underemployment, plus the factor of low income area. When the Senator suggests that the Administrator equates these two, I think he is suggesting that the Administrator is violating the law enacted by the Congress.

Mr. DOUGLAS. Will the Senator from Iowa answer a question?

Mr. MILLER. Yes.

Mr. DOUGLAS. How many more farm counties does the Senator think would be added by his amendment, particularly from line 7 to line 20 on page 2 of the amendment?

Mr. MILLER. It is not expected that very many more would be added, because of the difficulty in qualifying or meeting all of the tests that have been set forth. I am not interested in opening up a Pandora's box, which I believe has already been opened up.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MILLER. I yield myself 2 additional minutes.

And which the Senator from Pennsylvania sought to close by an amendment offered this afternoon.

I suggest to the Senator from Illinois that the tests that are set forth here are going to be very difficult to meet; and they must be met to the satisfaction of the Secretary.

So I hope the Senator will accept my amendment, because it would not add very many counties. They must meet severe tests. I think the tests should be met. If people who are migrating out of an area are causing or aggravating a critical employment situation, I suggest these other tests should be added to the act to cover this problem.

I reserve the remainder of my time.

Mr. DOUGLAS. Mr. President, I am afraid the Senator from Iowa is guilty of a terminological inexactitude when he states there would not be many counties added as a result of his amendment. I think we should look at the second paragraph on page 2 of the amendment, which provides that the Secretary shall also designate as "redevelopment areas" those areas in which there has been a substantial decrease, or in which there is a continuing substantial decrease, in the number of persons engaged in farming as a major source of their income or livelihood, and from which there has been a substantial migration into the cities.

Virtually every farm county in the country would qualify under those conditions. Not only would they qualify, but it would be mandatory that they be included.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. DOUGLAS. No. I wish to finish my statement. Then I shall yield.

Farming has been going through a process for the past 15 years in which the number of persons employed on the farms has steadily diminished. Probably 2 million families, comprising 10 million persons, have left the farm. In hundreds of counties over the country the farm population has decreased.

We are not going to cure this difficulty with the area redevelopment program any more than general unemployment in towns and cities could be cured by the area redevelopment program. Ours is a rifle-shot program intended to deal with counties and areas in the greatest difficulty, not a general broadside to eradicate unemployment everywhere.

ARA has been criticized on the floor of the Senate and in the public press for trying to do too much. Now the Senator from Iowa is criticizing ARA for doing too little.

A little while ago the Senator from Pennsylvania offered an amendment which would have eliminated at least 250 counties from ARA assistance. Now we have an amendment from the Senator from Iowa which would add a thousand more counties to the ARA program. Mr. President, the opposition cannot play it both ways. They cannot on one hand make an appeal to the city folks by cutting off rural counties, and then make an appeal to rural folks by proposing to throw the ARA wide open to all areas suffering from unemployment.

I hope the amendment will be overwhelmingly voted down.

I reserve the remainder of my time until the Senator from Iowa yields back his time.

Mr. MILLER. Mr. President, I yield myself an additional 2 minutes.

I think the statement of the Senator from Illinois, so far as policy is concerned, is one with which I agree. I am very sorry he did not read all of my amendment. We were getting along fine when he read from page 2 of my amendment, until, for some reason or another, he neglected to read the most important part of the amendment. In addition to the factors the Senator from Illinois read, it must be shown to the Secretary that the migration out of the area by these persons has brought about a condition of substantial and persistent unemployment or has aggravated the situation in other areas.

That is a rather tough test. It would be difficult to prove, but I believe it should be proved. That is why I answered the Senator from Illinois as I did when I said I did not envision a great many areas being added as a result of the amendment. It would be most unfortunate if any Senator were to vote yea or nay on the amendment after reading only lines 7 to 17 and completely ignoring the heart of the amendment.

I ask for the yeas and nays on my amendment.

Mr. DOUGLAS. I hope the yeas and nays will be granted. I welcome a test on this amendment.

The yeas and nays are ordered.

Mr. MILLER. Mr. President, in conclusion, I understand the Senator from Illinois has suggested that my amendment was the reverse of the amendment offered by the Senator from Pennsylvania [Mr. Scott]. Such in not the case. I voted for the amendment of the Senator from Pennsylvania. I could hardly in clear conscience turn around and vote for something in complete reverse to that amendment. I am trying to bring a little order out of confusion, so that the unemployment which has been caused by exporting labor to the city will be stopped. I believe this is a perfectly sound amendment, and I hope it will be adopted.

Mr. DOUGLAS. Mr. President, I yield back the remainder of my time.

Mr. MILLER. I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment offered by the Senator from Iowa to the committee amendment. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from New Mexico [Mr. Anderson], the Senator from Idaho [Mr. Church], the Senator from South Carolina [Mr. Johnston], the Senator from Missouri [Mr. Long], the Senator from Arkansas [Mr. McClellan], and the Senator from Wyoming [Mr. McGee] are absent on official business.

I further announce that, if present and voting the Senator from New Mexico [Mr. Anderson], the Senator from Idaho [Mr. Church], the Senator from South Carolina [Mr. Johnston], the Senator from Missouri [Mr. Long], the Senator from Arkansas [Mr. McClellan], and the Senator from Wyoming [Mr. McGee] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from New Mexico [Mr. Mechem] is detained on official business.

The result was announced—yeas 17, nays 76, as follows:

[No. 110 Leg.]

YEAS—17

Aiken
Bennett
Boggs
Cotton
Dirksen
Goldwater
Hickenlooper
Hruska
Jordan, Idaho
Kuchel
McIntyre
Miller
Prouty
Russell
Simpson
Talmadge
Williams, Del.

NAYS—76

Allott
Bartlett
Bayh
Beall
Bible
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Clark
Cooper
Curtis
Dodd
Dominick
Douglas
Eastland
Edmondson
Ellender
Engle
Ervin
Fong
Fulbright
Gore
Gruening
Hart
Hartke
Hayden
Hill
Holland
Humphrey
Inouye
Jackson
Javits
Jordan, N.C.
Keating
Kefauver
Kennedy
Lausche
Long, La.
Magnuson
Mansfield
McCarthy
McGovern
McNamara
Metcalf
Monroney
Morse
Morton
Moss
Mundt
Muskie
Nelson
Neuberger
Pastore
Pearson
Pell
Proxmire
Randolph
Ribicoff
Robertson
Saltonstall
Scott
Smathers
Smith
Sparkman
Stennis
Symington
Thurmond
Tower
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—7

Anderson
Church
Johnston
Long, Mo.
McClellan
McGee
Mechem

So Mr. Miller's amendment to the committee amendment was rejected.

Mr. DOUGLAS. Mr. President, I move that the Senate reconsider the vote by which the amendment to the committee amendment was rejected.

Mr. FULBRIGHT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOUGLAS. Mr. President, I call up a technical amendment which, I understand, has been cleared with the minority. It is purely a technical amendment to renumber sections.

The PRESIDING OFFICER. The amendment will be stated.

The Legislative Clerk. On page 5, line 16, in the committee amendment it is proposed to strike out "Sec. 5. Section 7 (c)" and insert in lieu thereof "Sec. 7. Section 11".

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Illinois. Is all time yielded back?

Mr. DOUGLAS. I yield back my time.

Mr. DIRKSEN. I yield back my time on the technical amendment.

The PRESIDING OFFICER. All time has been yielded back. Without objection, the amendment to the committee amendment is agreed to.

Mr. WILLIAMS of New Jersey. Mr. President, I call up my amendment which is at the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The Legislative Clerk. On page 4, in the committee amendment, between lines 20 and 21, it is proposed to insert the following new section and renumber the following sections accordingly:

> Sec. 3. Section 5(a) of the Area Redevelopment Act is amended by adding after the last sentence thereof the following: "When the necessary facts and data with respect to areas being considered by the Secretary for designation as redevelopment areas are not available or are incomplete, the Secretary of Labor shall find the facts and provide the data needed in making the determinations required by this subsection for such areas."

Mr. WILLIAMS of New Jersey. Mr. President, I believe the amendment can properly be described as a technical amendment. There has been difficulty in gathering statistical information on unemployment on a geographical basis in labor market areas. The amendment would authorize the Secretary to gather statistical information on unemployment in areas that are not full labor market areas, but could be a part of the full labor market areas. The Senator from West Virginia [Mr. Randolph] joins me in the presentation of the amendment. He feels it to be a desirable provision.

Will the distinguished Senator from Illinois accept the amendment?

Mr. President, I believe the distinguished Senator from Illinois will accept this amendment as a technical change.

Mr. DOUGLAS. Mr. President, I am very glad to accept the amendment. It is constructive, and it meets an inadequacy of the existing act; and the amendment would be very beneficial.

Mr. WILLIAMS of New Jersey. Mr. President, I yield back the remainder of the time under my control.

Mr. DIRKSEN. Mr. President, I yield back the remainder of the time under my control.

The PRESIDING OFFICER. All remaining time on this amendment to the committee amendment is yielded back.

The question is on agreeing to the amendment of the Senator from New Jersey to the committee amendment.

The amendment to the amendment was agreed to.

Mr. TOWER. Mr. President, I submit, and send to the desk, an amendment to the committee amendment to Senate bill 1163, and I request that the amendment to the committee amendment be stated.

The PRESIDING OFFICER. The amendment to the committee amendment will be stated.

The Legislative Clerk. At the end of the committee amendment, it is proposed to add a new section as follows:

> Sec. 11. The Area Redevelopment Act is amended by redesignating section 25 as section 30, and by adding after section 28 a new section as follows:
>
> "Anti-Discrimination
>
> "Sec. 29. (a) No assistance shall be extended under sections 6, 7, 8, and 11 of this Act to any business enterprise or other entity unless the owners, partners, or executive officers of such enterprise or entity certify to the Secretary that it is the policy of such enterprise or entity to (1) employ persons without regard to race, religion, color, or national origin, and (2) provide equal treatment with respect to the facilities, services, or accommodations afforded by such enterprise or entity without regard to race, religion, color or national origin.
>
> "(b) No assistance shall be extended under sections 16 and 17 of this Act in or with respect to any redevelopment area unless the Secretary determines that the participants in, or beneficiaries of, such assistance who reside in such area will not be discriminated against on account of race, religion, color or national origin."

Mr. MANSFIELD. Mr. President, it is my intention to move, within a few moments, that the amendment of the distinguished Senator from Texas to the committee amendment be laid on the table. However, I believe he should have an opportunity to explain the amendment, as he did once before, in connection with another measure. I believe he should explain again that at that time he did not mean what he said, nor do I believe he means it now.

Furthermore, I think the amendment is subject to a point of order.

But, Mr. President, in view of the fact that the amendment is once again being offered, and perhaps will be offered again in the future, I believe it only courteous to allow the distinguished Senator from Texas to make an explanation of the proposal he has submitted to the Senate.

Mr. TOWER. I thank the distinguished majority leader. I shall be brief.

This is simply an antidiscrimination provision to be added to this measure, and is very similar to—as a matter of fact, it was drawn up after it—a proposal by the Senator from Wisconsin [Mr. PROXMIRE], which would have amended the Small Business Act. This amendment applies the same antidiscrimination provision to the area redevelopment bill.

I believe that, consistent with the requests of the President for appropriate civil rights legislation, we should spell out antidiscrimination provisions in this measure.

I know that ultimately the amendment will be tabled. Nevertheless, I think I could not salve my own conscience if I failed to offer this amendment, so that antidiscrimination provisions will be spelled out in the bill, and so that all who will be affected by the act will know precisely what is required.

Mr. MANSFIELD. Mr. President, the Senator's frankness is refreshing. Let me ask him a question: If the amendment is adopted, will he vote for the bill as thus amended?

Mr. TOWER. Mr. President, I answer in all candor by saying that I will not vote for the bill. But I presume the bill will be passed; so I am trying to improve it somewhat.

Mr. MANSFIELD. I understand.

Mr. JAVITS. Mr. President——

Mr. DIRKSEN. Mr. President, I yield 5 minutes to the Senator from New York.

The PRESIDING OFFICER. The Senator from New York is recognized for 5 minutes.

Mr. JAVITS. I thank the Senator from Illinois for yielding to me.

Mr. President, I have studied the bill from the point of view raised by the amendment of the Senator from Texas.

Although I shall vote for the bill, because I favor the bill, I believe that from the point of view of the state of the Nation it is important that we scrutinize carefully all programs, especially the new ones, and this one is relatively new—in terms of the segregation they may foster or permit.

There is no doubt that discrimination or the opportunity to engage in discrimination exists. For example, aid is being given to hotels and motels; but the Administrator's regulations do not define motels and hotels as being housing accommodations. Therefore, the Administrator does not believe they come under the President's Executive order on housing. Therefore—at least, theoretically—as things stand now, such loans could be made to motels and hotels, even though they were segregated, and the Administrator would not necessarily have to withhold the aid on that score. So far as we know, he has not done that in the case of a hotel or motel that is actually segregated; but many motels and hotels are in process of construction under the provisions of the Act.

Another activity in connection with the bill is the extension of help to industry; and some of the industries so helped may engage in segregated hiring. In addition, there are labor unions which may have racial bias in connection with employment in connection with Government-contract work.

In short, I have not been able to pinpoint an exact situation in which funds provided under this act, from the Federal Treasury, can actually be traced to a segregation or discrimination objective—as I thought we had proved conclusively in connection with the mental health field, and I, myself, then offered such an amendment, and laid down the ground rule that wherever I could do so in the future, I would offer such amendments. But under the existing circumstances, I do not now intend to proceed along that line.

However, a word of real warning should be given to the Administrator—not as a threat, but to point out that the entire program could be vitiated at a time like this, and could be vitiated in a disastrous manner, if the Administrator were to engage in the making of tautological statements of the desired intent, but at the same time were to permit loans to be made to concerns which would engage in practices of segregation or discrimination. We should point out clearly to the Administrator that such a procedure would not lend itself to the advancement of the desired ends—namely, the elimination of practices of segregation or discrimination.

In this connection, I believe the main issue arises in connection with the orders issued in connection with housing.

I feel very strongly that all possible steps to end segregation should be taken. Likewise, I point out that a continuation of segregation is a real possibility in connection with the administration of the act, even though cases of such discrimination cannot be pinpointed at this time.

Therefore, considering the state of the country and the temper of the Congress, it is necessary that we warn the Administrator—without engaging in threats—against the consequences of permitting any of the funds provided under this act to be used to perpetuate discrimination or segregation—practices which today not only fly in the face of the law, but also are the subject of heated controversy.

Mr. TOWER. Mr. President, is the Senate now operating under controlled time?

Mr. MANSFIELD. That is correct.

Mr. TOWER. Do I correctly understand that I am in control of the time available to Senators who favor this amendment to the committee amendment?

Mr. MANSFIELD. I assume that is the case—and, similarly, that the time available to Senators who oppose the amendment is in the control of the majority leader.

The PRESIDING OFFICER. That is correct.

Mr. KEATING. Mr. President, will the Senator from Texas yield briefly to me?

Mr. TOWER. I yield 5 minutes to the Senator from New York.

The PRESIDING OFFICER. The Senator from New York is recognized for 5 minutes.

Mr. KEATING. Mr. President, this amendment provides the Senate with its first opportunity since the President's civil rights message to Congress to demonstrate its support for the administration's program.

In his message the President said the following:

> Simple justice requires that public funds, to which all taxpayers of all races contribute, not be spent in any fashion which encourages, entrenches, subsidizes, or results in racial discrimination. Direct discrimination by Federal, State, or local governments is prohibited by the Constitution. But indirect discrimination, through the use of Federal funds, is just as invidious; and it should not be necessary to resort to the courts to prevent each individual violation.

No one can disagree with these principles. It is just as wrong for Federal funds to be used for segregated programs as it is for State funds to be used for segregated programs. I have been urging for years the issuance of an Executive order by the President which would on a uniform basis establish a nondiscriminatory condition for all Federal grant-in-aid programs. Some measures along these lines have recently been taken by the executive branch, but the broad action needed has not yet been instituted.

The area redevelopment program is an excellent case in point. During the current fiscal year, through April, the last date for which I have information, almost one-quarter of all commercial and industrial loans under both the urban and nonurban aspects of the program have been used to finance the construction of hotels and motels. In some States, such as Michigan, almost 90 percent of all industrial loans made have been for the purpose of constructing such facilities. Despite this heavy involvement in the hotel and motel business, nothing has been done by the Area Redevelopment Administration to make certain that grants for such construction are conditioned on assurance from the applicant that the hotels and motels will serve all members of the public without discrimination. Indeed, it can be fairly said that the regulations issued by the Area Redevelopment Administrator expressly condone the use of such facilities on a completely segregated basis.

Mr. JAVITS. Mr. President, will the Senator yield at that point?

Mr. KEATING. I yield.

Mr. JAVITS. Not only is what the Senator said entirely true, but the Administrator himself has said that he does not define hotels and motels as being housing. The regulations refer to housing. Incidentally, I shall vote, as I assume my colleague will also, against a motion to table the amendment. It is fair to say that the Administrator is not binding himsef to deny money to hotels and motels if they are segregated, and is not binding himself now. He may do so later, but he is not binding himself now.

Mr. KEATING. The Senator is correct. I have talked with him and with the Under Secretary of Commerce, Mr. Roosevelt, on that subject. My understanding is exactly as my colleague stated. They are not binding themselves. I think that if they are unwilling to bind themselves we should insist, when Federal funds are taken out of the pockets and pay envelopes of everyone, that those funds not be used to promote segregated facilities in hotels or motels.

Let me explain the situation in more detail. Last November the President issued Executive Order No. 11063 dealing with equal opportunity in housing. This Executive order provided that in the case of housing and related facilities, all executive agencies were to take all necessary and appropriate action to prevent discrimination because of race, color, creed, or national origin. Pursuant to this Executive order, the Administrator of the Area Redevelopment Agency issued regulations which did provide that housing and related facilities financed with assistance under the provisions of the Area Redevelopment Act be made available for use on a nondiscriminatory basis. The regulations, however, specifically exempted from this requirement "transient or hotel facilities or parts thereof which are intended for occupancy for period of less than 30 days."

In my judgment, these regulations are virtually an invitation to those applying for these grants to use them to build hotels and motels for white travelers and citizens only. This is, in my judgment, an unconstitutional use of Federal funds, which simply cannot be squared with either the letter or the spirit of the President's civil rights message.

One of the most important provisions in the civil rights bill proposed by the executive branch—which I was pleased to join as a cosponsor—is the provision requiring equal accommodations in public facilities. As the President said in justification for this provision:

> No one has been barred on account of his race from fighting or dying for America—there are no white or colored signs on the foxholes or graveyards of battle. Surely, in 1963, 100 years after emancipation, it should not be necessary for any American citizen to demonstrate in the streets for the opportunity to stop at a hotel * * * on the same terms as any other customer.

The **PRESIDING OFFICER**. The time of the Senator has expired.

Mr. **KEATING**. Mr. President, may I have 1 additional minute?

Mr. **TOWER**. I yield 1 additional minute to the Senator from New York.

Mr. **KEATING**. What we will decide today by our vote on this amendment is whether we are going to give real meaning to these eloquent and moving sentiments.

We have rationalized, alibied, and evaded this issue long enough. The time for pretense, I hope, is over. Are we going to insist that the Constitution be obeyed by those charged with implementing these Federal programs or are we going to perpetuate indefinitely the double standard under which such action by the State is decried by many of the same persons who defend identical action by the Federal Government.

In recent weeks we have heard of pleas to mayors, theater owners, chain stores, and even to night club proprietors to do everything possible to open up their facilities to all Americans on a nonracial basis. These pleas are fully justified, and I have commended the President for the vigorous efforts he has been making in recent weeks to advance the cause of equal opportunity for our citizens. But there is no doubt that these efforts will be undermined by any evidence that the Federal Government does not practice what it preaches.

We are on the eve of a momentous civil rights debate, and it is essential that the Federal Government act with clean hands if its proposals are to receive the equitable treatment and strong support which they warrant.

Recently I had occasion to read a brief filed by the Department of Justice in a case involving racial discrimination against doctors and patients by a North Carolina hospital supported by both State and Federal funds. Let me read a passage from this brief which I believe all members will find interesting:

> The inescapable fact is that the discrimination challenged in this action stems directly from Federal invitation—accepted by the State in its plan and by defendant hospitals in their construction projects. Defendants' discriminatory acts are an integral part of an interrelated Federal-State-private program in which each of the three entities has played an indispensable part, and in which none of the three can be exonerated from responsibilities for the resulting discrimination.
>
> It was the underlying Federal statute which unquestionably led to the North Carolina program of hospital construction and which instigated the discrimination on which this action seeks to enjoin.

Stripped of its legalisms, this passage is not only an indictment of a State hospital's segregationist practices, but of the system under which Federal funds are knowingly channeled into such unconstitutional uses. It is apparent that the hotels and motels financed by the Area Redevelopment Administration, like such hospitals, are only one of the many examples of segregated projects directly subsidized by Federal tax funds in the amount of billions each year.

The President, in my judgment, could put a halt to this situation by insisting on a policy of nondiscrimination under all Federal grant-in-aid programs, just as he has in employment under Government contracts, in Federal employment, and in other particular instances. The Department of Justice, for its part, need not confine its arguments on this subject to the courts; as the principal law officer of the Federal Government, the Attorney General, with the President's approval, could direct the Area Redevelopment Administrator and the Secretary of Health, Education, and Welfare and every other agency head to cease and desist from the practices he is actively seeking to enjoin in the courts.

Attempts to obtain assurances from the Area Redevelopment Administrator that he will revise his regulations have thus far been futile. There is not one mention of any such intention in the reams of material which has flooded the Senate in recent days in support of this program—and let me state that I do support this program. Indeed, in a letter dated as recently as June 7, the Administrator of the Area Redevelopment Administration was still attempting to defend the exclusion of hotels and motels from the nondiscrimination requirements applicable to residential properties.

Under these circumstances—only action by Congress will assure adherence to constitutional requirements under this program. For this reason I am happy to support the amendment offered by the distinguished Senator from Texas, an amendment which certainly would fulfill under the ARA one of the main principles of the civil rights legislation proposed by the President just last week.

I shall therefore vote against a motion to table and in favor of the amendment.

Mr. **MANSFIELD**. Mr. President, a point of order.

The **PRESIDING OFFICER**. The Senator will state it.

Mr. **MANSFIELD**. The amendment offered by the distinguished junior Senator from Texas is not germane.

The **PRESIDING OFFICER**. The Chair rules that there is no provision of the bill dealing with the question of civil rights, and therefore holds that the amendment is not germane.

The bill is open to further amendment. If there be no further amendment to be proposed, the question is on agreeing to the committee amendment as amended.

The committee amendment, as amended, was agreed to.

The **PRESIDING OFFICER**. The question now is on the engrossment and the third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. **DIRKSEN**. Mr. President, how does the time stand on the bill?

The **PRESIDING OFFICER**. The senior Senator from Illinois [Mr. DOUGLAS] has 22 minutes remaining, and the junior Senator from Illinois [Mr. DIRKSEN] has 60 minutes remaining.

Mr. **DIRKSEN**. Mr. President, I ask for the yeas and nays on the passage of the bill.

The **PRESIDING OFFICER**. Is there a sufficient second?

The yeas and nays were ordered.

Mr. **DIRKSEN**. Mr. President, I yield 5 minutes to the distinguished Senator from Massachusetts.

Mr. **SALTONSTALL**. Mr. President, I voted for the 1961 act, which authorized the expenditure of $394 million. Of that amount I understand that only approximately 25 percent has been used. That act does not expire until 1965.

Mr. **LAUSCHE**. Mr. President, may we have order?

The **PRESIDING OFFICER**. The Senate will be in order.

Mr. **SALTONSTALL**. If we have the act under which $394 million was originally appropriated, and of which only 25 percent has been used, and that act does not expire until 1965, why should we extend that act now and provide $455 million more? I agree that the act has helped in several cities of Massachusetts, but it has also brought about certain dangers because in some instances we are building industries that will compete uneconomically.

Mr. **LAUSCHE**. Mr. President, may we have order?

The **PRESIDING OFFICER**. The Senate will be in order.

Mr. SALTONSTALL. If we have money available under the present act, why ask for more and why extend the time at this point in the session? If the money available runs out, and if we find the program useful, we can extend it at a later date in this session or at another session, because the present act will be in existence until 1965.

As I have stated, without any question the program has helped several cities in Massachusetts, but it has not created a great many jobs. The danger of competing with existing industries by creating other or new industries that may be uneconomically run is great. At the same time that we have the ARA program we have a number of other Government programs that are working in the same general category of assistance. For example, we have the accelerated public works program. The appropriation for the accelerated public works program last October was $400 million, and only last month another $450 million was added, making a total of $850 million appropriated in about 8 months. The administration has announced that out of the recent $450 million appropriation, $428 million has been allocated to four Federal agencies as follows:

The Housing and Home Finance Agency has been allocated $250 million for public works projects.

The Department of HEW for hospital and waste treatment projects has been allocated $125,000.

Department of Agriculture has been allocated $26 million for direct Federal projects dealing with the preservation of forests and another $2 million for grant-in-aid projects.

The Department of the Interior was given $19 million for direct Federal projects dealing with the preservation of forests, and another $6 million for grant-in-aid projects.

That money and those projects are now available for purposes which would be covered under the ARA.

Aside from the accelerated public works projects there are more funds in the regular annual appropriations bills for various agencies of Government for similar programs. For example, the Small Business Administration has a $300 million revolving fund for loans to help businesses and thus create employment when such can properly be done.

Then, too, there is the Community Facilities Administration of the Housing and Home Finance Agency which has a $12 million fund, as I understand it, under which interest-free advances can be made to communities for planning sewerage and water projects. That is outside of money available for actual construction.

Also, in the Department of Health, Education, and Welfare there are funds totaling more than $114 million from which it can assist communities in such areas as water supply, water pollution, and waste treatment projects.

It seems to me that with all this money available what we should do is to concentrate on training programs and vocational education programs. As I understand the situation, under the Manpower Development and Training Act of 1962 funds are available for training people for new employment and for their better advantage. This act has largely superseded the ARA retraining effort and is more helpful. We also have provided money for vocational education.

I believe that vocational education and manpower training are more essential at this time than adding funds to the ARA program and extending it for 2 years.

For these reasons, while I voted for the program 2 years ago, I shall vote against the bill at the present time. I do not think it is a proper time to add to the program. If we need to extend the money and the aid, we can do so at a later time, because the presently available money is only 25 percent spent and the bill lasts until 1965.

I hope the bill will be defeated.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the distinguished Senator from Colorado [Mr. Dominick].

The PRESIDING OFFICER. The Senator from Colorado is recognized for 2 minutes.

Mr. DOMINICK. I thank the Senator from Illinois.

I take this opportunity briefly to express my feelings about the bill. Some of that sentiment is set forth in the minority views, which I had the honor of signing with the Senator from Utah [Mr. Bennett], the Senator from Wyoming [Mr. Simpson], and the Senator from Texas [Mr. Tower]; but there is a good deal more to it than that.

We are not dealing with our own money. We are not dealing with printing press money. We are not dealing with money which comes down from the heavens. We are dealing with the taxpayers' funds which are entrusted to us to spend as wisely as possible.

Under the presently proposed budget we shall be more than $10 billion in the red for the next fiscal year. To proceed with a program of this kind at a time when there has been spent only 25 percent of the original money allocated to the program seems to me to be absolute fiscal insanity. If we thought this would buy jobs, and a sufficient number to put everybody to work, that might be a different thing, but considering the amount of money spent and the number of jobs provided in proportion, the jobs are few and far between, as clearly shown from the record.

All we are asked to do is to use a mechanism to mortgage future earnings at a time when we are in a bad deficit position. I cannot see the need for doing so now. I cannot see the need for doing so in the next fiscal year. It does not seem to me that this is the type of legislation which should be enacted at this time in our present financial situation.

Mr. DIRKSEN. Mr. President, I yield 5 minutes to the distinguished Senator from Ohio [Mr. Lausche].

The PRESIDING OFFICER. The Senator from Ohio is recognized for 5 minutes.

Mr. LAUSCHE. Mr. President, I shall vote against passage of the bill for a number of reasons.

First, I oppose the bill because it would authorize the making of loans for commercial purposes at rates of interest lower than necessary to reimburse the Government for the expenses which it incurs in procuring the money with which to make the loans.

Second, it would create discrimination against citizens of the country by providing for one group of commercial and industrial operators loans to be made by the Federal Government through a subsidized rate of interest, when other persons engaged in commerce and industry in the particular alleged depressed area would be required to pay higher rates of interest in borrowing money from private lenders.

Third, it would impose upon the citizenry of this country a tax burden to provide finances to give preferential treatment to those who come within the largess provided by the bill.

Fourth, it would duplicate lending authority already existent in the Small Business Administration and in the community facilities program.

Fifth, it would create a situation in which one community would be penalized by being forced to provide tax money to attract to another community industries and businesses which might settle in the community which is providing the money.

With respect to my own State, the taxpayers are required to contribute to this fund, which can be given out on a political basis, especially in instances in which the grants are allowed, to the disadvantage and to the damage of my State. I do not mean to cast any reflections, but it is a most peculiar situation that the State of Pennsylvania—and a Senator from that State [Mr. Clark] is a most ardent supporter of the bill—has had nearly 60 projects approved in the short time the act has been in existence.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield for a question, since the statement related to Pennsylvania.

Mr. CLARK. Does the Senator know that there were 62 requests for projects, that 32 of them were denied and that 30 were accepted; and that the reason we had the projects is because we were ready to go and Ohio was not?

Mr. LAUSCHE. That is a fact. I understand that Mr. Batt, who is the Administrator of this program, was engaged in a similar job in Pennsylvania.

Mr. CLARK. The Senator is correct.

Mr. LAUSCHE. When he left Pennsylvania he came to Washington. But by some coincidence the map shows that Pennsylvania, for some reason or other, has had the most generous participation in the program.

I suggest to Senators that when there are grants and not loans, those grants can be given, if the people in charge are so minded, to the communities they wish to help to the highest degree.

It is a fact that Ohio has not applied, and I am proud of it. Ohio has maintained a favorable industrial area. We have not driven business out of Ohio.

We have attracted business from Michigan and Pennsylvania, and that is because we did not give preferential treatment to interests which wanted to create an unhealthy atmosphere within the State.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. LAUSCHE. Will the Senator yield me 1 more minute?

Mr. DIRKSEN. I yield the Senator from Ohio an additional minute.

The PRESIDING OFFICER. The Senator from Ohio may proceed for 1 additional minute.

Mr. LAUSCHE. King John gave the Magna Carta because of a tax question.

Charles I was beheaded because he followed a program imposing a tax burden which was unbearable.

The first problem we had in our country after Washington became President was an insurrection of the whiskey manufacturers of western Pennsylvania because of a tax burden.

Crowns have been lost—governments have been destroyed—because of excessive tax burdens.

I suggest that the time will come when demands will be made within our country, "Quit taxing us. Give us relief."

We are going to give tax relief, but obviously we will do so by creating a worse situation fiscally than existed before tax relief is given. Expenses will not be reduced but increased, as evidenced by the spending involved in this bill. Deficits will be increased. The stability of our currency further weakened. This bill—that is the area redevelopment bill—should be defeated, by an overwhelming vote. I know it will not happen. Election is too close at hand. It is next year.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. DOUGLAS. Is it not a fact that, according to table 1, which I placed in the Record yesterday, five commercial and industrial projects have been approved for Ohio, with a total amount in loans of $560,000, and that pending projects amount to 12 industrial and commercial projects, amounting to $3,661,000.

Mr. LAUSCHE. Yes. The Senator from Illinois need not hand me the Record showing that. The fact is that I probably have given support to such applications.

What is a State to do? What is a mayor to do when the money is being ladled out? Shall I tell the citizens of Ohio, "Stay away from them"? Certainly citizens come to Washington urging such loans. I am glad the Senator from Illinois brought that fact out. I want to repeat what I said this morning. A high official in charge of the administration of this program stated to me, day before yesterday, that he personally found instances in which the deputy administrators were soliciting applications under the program, and the deputy administrators complained that they could not get people to ask for loans.

Mr. DOUGLAS. The only reason I asked the question is to correct the statistical error—unintended, I am sure—made by the Senator from Ohio. The truth is that the numerous applications for loans have been made in Ohio. So the Senator's statement that no such applications were made was in error.

Mr. LAUSCHE. I did not say that. I do not think the record will bear out the statement of the Senator from Illinois. I know that Ohioans have applied. I know the record so shows. Ohioans would be stupid, if they were obliged to carry the tax burden, to stand idly by while other States were getting the money, and do nothing to get any part of it.

Mr. President, I yield the floor.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the distinguished Senator from Texas [Mr. Tower].

Mr. TOWER. Mr. President, I thank the distinguished Senator from Ohio for his remarks. I agree that there is something akin to a taxpayers' rebellion going on in this country now. I agree with his suggestion that, in effect, what we do is rob Peter to pay Paul.

The bill is insidious for other reasons. It involves a calculated attempt to reduce communities to a status of dependency on the Federal Government. It causes them to come to Washington hat in hand, and to look to Washington to solve problems which should and must be solved by people acting in their capacities as individuals and as communities.

The administration of the act sometimes tends to operate unfairly. I remember that a community in my State that did not want to be declared eligible was declared eligible for assistance under this measure. It had a good business climate. New industry was locating there. The ARA did that community a disservice by declaring it eligible, because the community felt it created a bad psychological effect for business in that community. Some suppliers in other cities even refused to extend credit to merchants in that community because they had read in the newspapers that the community was eligible for aid under ARA and was, in effect, a distressed area.

I hope the Senate will defeat this insidious bill.

Mr. President, I yield 2 minutes to the Senator from Nebraska [Mr. Hruska].

NO NEW JOBS

Mr. HRUSKA. Mr. President, all of us here are deeply concerned over the unemployment in the Nation. All of us want the problems of America's economically depressed communities to be solved. All of us want the national economy to grow.

If the area redevelopment program could accomplish these objectives, or any important part of them, this bill might well command the unanimous support of the Senate.

Unfortunately, experience has already shown that the program offers little hope in solving any of these problems. The inability of the program to make any substantial impact on national unemployment is most striking. There are over 4 million unemployed. According to the ARA's own dubious claims, a total of less than 40,000 permanent jobs have been created by ARA projects to date. There is doubt that any of these claims have firm basis.

Even if the figure is accepted as accurate, however, it is minuscule compared with the total size of the unemployment problem, or with the employment generated from other sources. In May of this year employment increased more than 850,000, compared with May of 1962, almost entirely as a result of other causes, chiefly the recuperative powers of the private economy.

Already the program has run into grave difficulties, many of which could have been foreseen, and in fact were predicted by opponents of the legislation at the time of its original enactment. Last week, the House recognized that it would be foolish to expand on this program further until these basic weaknesses are faced up to, squarely and candidly.

I hope we may emulate that example, instead of trying, by passing this bill, to force the House to reconsider its decision of last week and act again on a matter on which it has already spoken decisively.

Let me mention three of the major weaknesses in the program which, I believe, should be dealt with before we consider expanding this program.

First of all, this program finds itself constantly in the position of helping one business in competition with other similar businesses, in a manner which is fundamentally unfair to the competitors who are helping provide the tax money which supports the ARA. The hearing record and the House and Senate reports are full of examples. On the Eastern Shore of Maryland, a loan to one soybean processor has been proposed which it is said would provide 22 jobs, but at the expense of more than 20 competing grain and soybean dealers in the area, who claim that construction of the new plant will jeopardize more than 25 existing jobs.

A loan has been made to a papermill in Wisconsin for the manufacture of household tissues, which will inevitably have a competitive impact on other producers of this product, since household tissues are sold on a nationwide market. A loan for a 432-unit motor hotel in Detroit has been made, although the vacancy rate for the existing hotels in Detroit in 1962 was 46 percent.

I do not know how we can justify a Government program which helps one businessman at the expense of his competitor who is already doing his share in the matter of providing jobs and paying taxes. I think this difficulty is inherent in the program; few indeed are the lines of business which can be expanded without having a competitive impact on the firms already in existence. Businessmen expect, of course, to have to meet competition from others who are on an equal basis, but they have a right to object when the powers and the assets of their own Government are used unfairly against them.

The force of this criticism is compounded by the fact that the ARA is apparently determined to use an interest rate which not only gives an unfair competitive advantage to the borrower, but also results in an out-of-pocket loss to the U.S. Treasury on every loan made, including these which are repaid. This matter is well set forth in the minority report of the Senator from Utah [Mr. BENNETT], the Senator from Texas [Mr. TOWER], and the Senator from Colorado [Mr. DOMINICK].

It was the clear intent of Congress that the rate charged to the borrower should be equal to the rate paid by the Treasury on its own borrowings plus one-half of 1 percent to cover the costs of administration. Today the average market yield on U.S. bonds of comparable maturities is 3.97 percent; yet the ARA charges only 4 percent on loans. Clearly there is no margin to cover costs of administration, to say nothing of a reserve for bad debts. It is difficult for some of us to understand this passion of Government agencies to lose Government money wherever possible; yet, we must accept it as a fact because experience tells us that it is.

Secondly, there is the general problem of pirating industry, that is, persuading it to move from one area to another by offering special inducements in the form of Government assistance. I am willing to assume that the administrators of this program do not actually seek to stimulate such movements of industry directly through the use of Government funds. Yet the fact is that something close to piracy has occurred already. For example, it is obvious that Mack Truck, in its move from New Jersey to Maryland, benefited greatly as a result of indirect Government assistance.

Furthermore, I believe that a certain amount of such piracy is almost inevitable under this program, no matter how good may be the intentions of its administrators.

Speaking generally, the erection of a new paper mill in Wisconsin may be expected to displace the equivalent amount of employment in paper manufacture in New York State, or Michigan, or somewhere else. Most manufactured goods are sold on a nationwide market in this country.

Depressed areas must attract whatever industries they can find, and many good prospects are businesses which are already located somewhere else. If businesses are enabled to establish new plants in depressed areas through Government loans under this program, they are likely in many cases to curtail or even discontinue their production of the same item in their older plants located elsewhere.

Thirdly, I directly challenge the figures on employment supposedly created by this program. Setting up a new motel does not create additional employment, if the patronage is simply taken away from existing motels. In fact, in some areas the industry is obviously overbuilt already.

The ARA apparently has assumed that it has a roving license to lend money to anyone who wants to establish a new motel, regardless of the present capacity, and the vacancy rate of the existing facilities. I predict that, instead of stimulating employment in this industry, the ARA will simply stimulate an increase in the bankruptcy rate among those already in the business—many of them older people who have invested their lifetime savings in just such enterprises.

There are no facts to indicate more household tissues will be sold as a result of the loan to the mill in Wisconsin. In other words, this is really a program to relocate jobs from one geographical area to another, not a program to create new jobs.

That all these difficulties have been experienced should not surprise us—I believe they are inherent in the program. One businessman cannot be subsidized without hurting his competitor. If Government assistance attracts industry from one area to another, it may help the second area, but only at the expense of the first. Finally, it does the national economy no good to create additional capacity in an industry already able to supply the entire market demand from existing facilities. It seems likely that the ARA has not really created one single new permanent job, except those on its own payroll.

If the administration is serious about a "tight" budget, about holding down expenditures so that it can later justify a tax cut, this is a good place to exercise restraint. If we are not willing to face the facts on this program, it is difficult to suggest where else we will be able to do so.

I hope the Senate will support the action of the House by refusing to enact this bill.

I yield the floor.

Mr. DIRKSEN. Mr. President, I yield such time as he may desire to the distinguished Senator from New York [Mr. KEATING].

Mr. KEATING. Mr. President, when the Area Redevelopment Act in 1961 was passed, I supported it because I believed that the Congress had a responsibility to act before the already high unemployment rate became a national emergency. ARA was conceived as a bold and imaginative program to create jobs in distressed areas. It was in good faith that we gave a mandate to the executive branch to carry out this plan.

In recent weeks, with great disappointment, we have learned of individual cases of maladministration, poor judgment and questionable grants. I need not detail specific cases, as you have heard many of them described today. I commend the distinguished Senator from Illinois [Mr. DOUGLAS] for frankly considering these defects in the majority report on this bill. On page 13, for example, "the committee urges the Administrator to adopt a policy of limiting the ARA investment in tourism and hotel-motel projects to a reasonably conservative cost per job created." Further, the majority advised that "ARA should take great care to insure that any new production capacity created will not be obviously excessive or drive other efficient producers in the industry out of business." This is a rare directive in a report approving a bill and I applaud the candor of the committee.

Another abuse about which I have been disturbed is a political manipulation of this program, unprecedented in my memory.

These tactics simply will not be tolerated by the Congress or by the American people. This program was inaugurated with bipartisan support and is financed by American taxpayers without regard to party label.

Because of such abuses, many former supporters of ARA changed their votes in the House 2 weeks ago. Quite truthfully, I considered taking this action myself. It did, however, appear to be a drastic step to take in light of the aims of the entire program.

Yesterday I conferred with the Administrator of the ARA forcefully expressing my views on these abuses. He has assured me that he has personally taken steps to correct them and has promised that these political practices will be terminated.

Mr. President, because I believe in the aims of this program, I supported its creation 2 years ago and I will support it today. The unemployed men and women of Montgomery, Cayuga, Greene, Schoharie, Fulton, Chautauqua, Orleans, Franklin, St. Lawrence, Ostego, Clinton, Schenectady, Essex, Jefferson, and Wayne Counties should not be deprived of the assistance they need because of maladministration of the program. Under grants already approved, jobs and training programs have been created in the following cities: Amsterdam, 38 jobs, 60 trainees; Auburn, 258 jobs; Gloversville, 32 trainees; Jamestown, 260 jobs; Norfolk, 200 jobs.

Four more applications are pending today, and dozens are being prepared for submission.

In this connection, one other matter which has been mentioned by critics of the program should be considered—that is, the argument that ARA has not used more than 25 percent of its present authorizations, and therefore does not need additional funds. In answer to this point, I should like to emphasize the extensive planning and screening of applications which is necessary to implement the program and the amount of time involved before a grant is authorized. Each designated area must organize committees, formulate an overall economic development plan, map out a program to generate new industry and new jobs, secure the cooperation of industry, and the approval of the State coordinating committee before even submitting an application with ARA. I have been advised that the administration has already approved, or has pending for approval, applications for industrial and commercial loans which exceed the present authorization by $59 million. I want to be sure that the New York projects which are pending will not be rejected because of the unavailability of funds.

Finally, we have tightened up the "pirating" provisions of the bill by an amendment Senators CASE, JAVITS, WILLIAMS, and I offered which was adopted yesterday. This will protect New York industry by making certain that existing operations will not be jeopardized by ARA financed industry in other States. With this guarantee the program should go far toward aiding industry and the unemployed in these distressed areas.

Because I believe we must act to alleviate unemployment I intend to vote for this bill today. To destroy this program because of faulty administration would be tantamount to junking a car because the whitewall tires are dirty. I say it is a good vehicle, it is a necessary means of moving down the road to full employment and it should not be relegated to the scrap heap. I say let us clean up the whitewalls, overhall the engine, and put this program in proper running order. It has got a lot of mileage in it, and we have far to travel.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. KEATING. I yield.

Mr. SCOTT. Would the Senator care to comment with regard to the assurances from Mr. Batt, for whom I have already indicated I have a high regard, that certain political practices, or malpractices, would be eliminated from the administration of the act? Did the Senator have any discussion with Mr. Batt regarding placards or notices, mentioned on the floor, where credit for each of these programs is given to Representatives of one party, regardless of how hard Members of both parties may have worked in connection with the program?

Mr. KEATING. Would the Senator kindly repeat his question?

Mr. SCOTT. I asked the question with regard to placards. I was about to come next to the announcement of projects.

Mr. KEATING. I had some very frank discussions with the Administrator, and I called his attention to the fact that this must be a bipartisan effort. The program involves measures to combat unemployment; and the last place in the world where politics should enter is in this area. People who are unemployed are members of all parties or members of no parties. They all suffer, and they all must be aided. I have Mr. Batt's distinct, positive acknowledgment of the fact that procedures have been followed with regard to the announcement of these programs which in my judgment reflect discredit on the whole problem and which in his admission and in my judgment are entirely political in nature. He has given me positive assurance that he has taken these matters into consideration and will take steps to correct these practices. One case in point which came to my attention involved a congressional district where a Republican Member of Congress serves, in which an ARA award was announced by the Democratic county chairman before the Representative was notified.

In another district, the announcement was made the day before the election last year. It is a district represented by a Republican Representative. The announcement was made by the Democratic mayor of the city involved.

Finally, in a most outrageous case, in which a Republican Representative was a candidate for reelection, the announcement was made by his Democratic opponent on the very morning of election. The Republican was reelected and is still holding office.

Any fair-minded person will understand the inequity and impropriety of allowing such a thing to be done. I have been assured that these practices will be stopped and will not be repeated.

That is one reason why I feel I can go along with the program. There is a great deal of support for the program in New York and a great deal of opposition to it. There are at least 13 areas in New York which have been designated as distressed. I cannot turn my back on them, even though there has been political maladministration. I have faith in Mr. Batt's assurances that such action will not be continued.

Mr. SCOTT. Mr. President, our entire delegation in the House has addressed a protest to the White House regarding the experience which most of them have had, wherein programs on which they have worked have resulted in their being totally ignored in the making of the announcement of the project, and where the announcements have been made by others than those who had some interest in the work that was being done.

In one instance a Representative of my party in the House and I had secured a reversal of a refusal to aid in the installation of sewage facilities in the borough of Nanticoke. This was reversed upon our insistance, and upon our sole insistence. Yet the announcement was not made by us. Fortunately, the councilmen and the mayor, all of whom were Democrats, publicly announced that the help had been obtained by the junior Senator from Pennsylvania and a Member of the House, Mr. SAYLOR.

It seems to me that we should not be obliged to rely upon the fairness of borough or town officials, of either party. I shall support the bill, but I am supporting it in the belief that hereafter some fairness will permeate the program, and that politics, if it cannot be removed entirely, at least will be treated on a bipartisan basis.

Mr. KEATING. I feel sure that the assurances given to me by the Administrator extend beyond the geographic confines of New York State, and at least will lap over into Pennsylvania, and I am sure, also, into other States similarly situated.

Mr. SCOTT. A project will be announced next month in my State, and I hope I will be given equal notice of it with everyone else.

Mr. DOUGLAS. Mr. President, I yield 5 minutes to the Senator from Kentucky.

Mr. COOPER. Mr. President, in 1957 I became interested in legislation which would provide specific help to areas of persistent unemployment. My interest was aroused initially by the problems which existed in my State of Kentucky, and my colleagues on the Republican side will remember that President Eisenhower recommended area redevelopment legislation similar to the bill we consider today. The differences between the bills proposed by President Eisenhower and by the Senator from Illinois [Mr. DOUGLAS] went chiefly to the amount of money, and to the proportion of funds which would be furnished by the Federal Government.

I became a cosponsor of the Douglas bill. After several years of study it was passed in 1961. I supported this legislation then and I support it today. Because of the regard I have for my colleagues who filed a minority report and for the arguments they have made, and because this is a matter of interest in my State, having wide support and also opposition—I feel that I should make a brief statement on the subject before the Senate.

I would be happy if the amounts authorized in the bill were not so large. It is possible that the estimates of benefits that have been said to come from this program are too optimistic. However, I believe the basic question is—at least for me—whether the program has been of value in meeting the specific problem to which it is addressed.

I agree with my colleagues that if we are to meet the problem of unemployment, we must depend on the free enterprise system and on strengthening it—through tax reduction and stable fiscal policies, which will promote investment. However, I point out that we have the largest number of employed people in our history and the largest gross national product ever achieved. Nevertheless, over 4 million people are yet unemployed and millions have been out of work for years in certain areas. Our enterprise system, valuable as it is, and on which the country depends, has not been able to reach this hard core of unemployed people.

The proposal before us may not be the best method, but what alternative is suggested by those who oppose this bill to reach this situation of continuing unemployment, not only in my State, but in other States also? What is proposed to help gain employment for the people who have had no employment, and who have no prospect of employment? Shall we wait, and let these people lie by the wayside until the day comes when there will be full employment? I do not so hold. This is a program which at least has reached into the pockets of unemployment, and it is a program which is directed to the development of local private industry.

Plans are initiated in the local community, and the funds advanced under the act are chiefly loans. Out of the $6 million which has been made available in Kentucky, some $4 million represent loans. Over 1,000 people have entered training programs, and it is estimated that 2,200 people will be put to work through projects assisted by these funds.

I think it is natural that this program should experience difficulties. It is the kind of program which could not be developed quickly. For Area Redevelopment Administration officials have had to face the same problems that the people in the communities have been facing for years—these are the problems of lack of facilities—water, transportation, sewage, and lack of local capital, problems which have contributed to shifts in industry and which have caused unemployment.

I believe the ARA program has made reasonable progress in my State. And

I am glad that it is assisting and stimulating communities to develop their own industries, rather than to bring industries from the outside. But I must speak of the national problem of the continuing unemployment of millions of people, as well as the problem of my State. Until we reach the degree of full employment that we look forward to, I do not believe we can sit by and see people suffer because they have no opportunity to work, and to provide for their families.

What is the alternative? Our great free enterprise system is not wholly uninfluenced by what is done in Government. Otherwise I do not suppose the defense industry would be working in so many States. We must maintain it for our security, but it is not a normal industry. The development of rivers in my State and other States, financed by the Federal Government has also brought industry, and I am glad it has. This development is good for all the people, but it is also good for industry. I am willing to vote to continue this program, for some effort is necessary to encourage the redevelopment of the depressed areas of our Nation, and thus provide employment for their people.

AREA REDEVELOPMENT ACT GREAT CHARTER FOR LOW-INCOME AREAS

Mr. DOUGLAS. Mr. President, I yield 5 minutes to the distinguished Senator from Texas.

Mr. YARBOROUGH. Mr. President, as a measure of wisdom in public policy formation, the Area Redevelopment Act of 1961 is to be found in the vanguard of great American social legislation. Surrounded on all sides by examples of the almost unbelievable productivity of the American economy, we sometimes tend to forget that not all of the American people share equally in this prosperity. A recent publication of the Joint Economic Committee, defining a low-income person as one with an income equivalent to or less than that of a four-person family with total income of not more than $2,500, stated that "in line with this definition it is found that 32.2 million persons were in low-income status in 1957. This was 19 percent of all persons."

This and other recent studies have discovered certain characteristics of low-income people. Most noteworthy is that low incomes today are concentrated. A high instance is found in certain groups, for instance the elderly. The medicare bill, which was narrowly defeated in the 87th Congress, is designed to cope with one aspect of this problem. Low income is also concentrated in another way: geographically. Low income is not spread equally across the land, but is found in enclaves spotted here and there. Commonly, such low incomes are in areas which produce goods and services for which demand has not grown sufficiently, or which in some cases has actually declined. These areas must be redeveloped to compensate for this shift in demand, so that once again they may become flourishing, productive parts of the national economy. Therein lies the wisdom of the original act which recognized the need for redeveloping certain areas to enable them to meet the challenge of changed economic conditions. The American people are fortunate in having in the Senate a man with the courage and leadership of the senior Senator from Illinois [Mr. Douglas], who saw this legislation through many Congresses and two Presidential vetoes until it was signed into law by President Kennedy on May 1, 1961.

Two years of experience with the act have brought to light certain changes which are necessary to continue the program in an efficient and effective manner. S. 1163, the Area Redevelopment Act Amendments of 1963, would, first, clarify the language in the act in regard to the eligibility for designation of Indian reservations to make it clear that not only Federal but also State Indian reservations are eligible for designation as redevelopment areas; second, increase the amount authorized to be outstanding for industrial or commercial loans from $100 to $250 million for projects in urban areas; third, increase the amount authorized to be outstanding for public facility loans from $100 to $150 million; fourth, increase the authorization for appropriations for public facility grants from $75 to $175 million—these four increases total $450 million; in the country as a whole a total of 247,500 new jobs would be created, in addition to the 84,773 jobs under the previous appropriation; fifth, permit the required State or local 10 percent contribution for industrial or commercial projects to be repaid concurrently with financial assistance extended by the Area Redevelopment Administration; sixth, increase the annual authorization for appropriations for technical assistance from $4.5 to $10 million; seventh, require that construction workers on any private project financed by ARA be paid prevailing wages as required by the Davis-Bacon Act; eighth, permit funds appropriated for the area redevelopment program to remain available until expended; provide that any funds appropriated for business or public facility loans shall be deposited in the area redevelopment fund; and require payment of interest by the fund to the Treasury on any such appropriated funds used for business and public facility loans.

As one of the cosponsors of the original Area Redevelopment Act of 1961, I have watched the administration of that act with great interest. Briefly stated, the Area Redevelopment Act provides for public grants and loans for public improvements, and for longtime loans at interest for private businesses where economically feasible, in those areas of low income, unemployment, but available resources and labor supply, where technological know-how and capital alone are needed to turn a declining economy into a dynamic and growing economy. The Area Redevelopment Act has been tested and tried. It is proven good. It is a sound investment. It is no boondoggle. It is the Magna Carta of the areas needing redevelopment. It is a great economic charter for east Texas.

The act has proved its worth in east Texas, where I live, and where my people have lived for more than a hundred years. We see it at work rebuilding counties. We see counties which have lost populations for 30 years now gaining population during the past 2 years.

Mr. President, in the welter of conflicting claims and counterclaims surrounding area redevelopment legislation, one can nevertheless filter out two characteristics of our economy which make such policy important in today's world.

First, the rapidity of technological change is greater than ever before. New products, new materials, and new techniques of manufacturing are now rendering obsolete the means of livelihood which have supported people for a hundred years. It is social justice, Mr. President, which dictates that these people, who, through no fault of their own suddenly find themselves unemployed or in a dying industry, should receive assistance in getting back on their feet. This is not a dole, Mr. President; area redevelopment helps people to help themselves. It builds permanent improvements that create jobs after their construction is completed.

Second, area redevelopment is important from a strictly economic point of view. Today in the United States we have a national economy in which all parts are interrelated, much as a living organism is made of interdependent parts. If one part of a living thing is sick, the whole organism suffers. The same is true of our national economy, which can never be healthy so long as enclaves of unemployment, low income, and lack of job opportunity are allowed to remain in existence. In order that our economy be healthy, all its parts must be healthy.

Mr. President, in theory the Area Redevelopment Act is wise public policy. But like any policy, it will succeed fully only if it operates at full strength. A halfhearted program is not enough. These amendments incorporated in S. 1163 are designed to bring the program closer to full strength. It is vital to the success of the act and to the revitalization of American economy that they be enacted.

I again commend the distinguished senior Senator from Illinois, whose long and determined fight for this legislation was crowned by the passage of that beneficent law, the Area Redevelopment Act of 1961. May his days of effective leadership in this type of work increase.

Mr. DOUGLAS. I thank the Senator from Texas.

Mr. President, I yield 2 minutes to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, although I was a member of the subcommittee which reported the original Area Redevelopment bill, and am still a member of that subcommittee, I have not hitherto taken a part in this debate, because the Senator from Illinois and his supporters have presented the case so thoroughly and adequately that I saw no reason to paint the lily. Nevertheless, I should like the record to show my strong support for this legislation.

A few moments ago, the senior Senator from Ohio [Mr. Lausche] undertook to cast some aspersions on the record of my State, the Commonwealth of Pennsylvania, in connection with ARA. We in Pennsylvania are very proud of that record. We had a total of 62 applications for industrial, commercial, and public facility loans and grants. Thirty-two of them were rejected; 30 were accepted. We also had a total of 13 projects for technical assistance and 34 projects for training.

Ours has been an active State under this legislation, and with good reason. Unhappily, 10 percent of all the unemployment in the United States is located in my Commonwealth; and 20 percent of all the unemployment in redevelopment areas is in my own Commonwealth. I regret that. But I think we have received no more than our fair share of the benefits under the act. In terms of jobs per dollar expended, the Commonwealth of Pennsylvania has the best record of any of the 50 States. This is due in no small part to the political acumen and foresight of two great Democratic Governors, George M. Leader and David L. Lawrence. I commend them for their splendid activity. I am proud of what Pennsylvania has done under the ARA.

Mr. DOUGLAS. Mr. President, I yield 1 minute to the junior Senator from Alabama [Mr. SPARKMAN].

The PRESIDING OFFICER. The Senator from Alabama is recognized for 1 minute.

Mr. SPARKMAN. Mr. President, I merely wish to supplement the remarks I made yesterday when I spoke of the good results obtained in many of the smaller towns in the State of Alabama. I ask unanimous consent to have printed at this point in the RECORD a list of the Alabama approved projects, by locations.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Alabama—Approved projects

Location and project description	Section	Gross cost	ARA cost	Direct job	Approximate date
Town of Berry: Water and sewer extension	Secs. 7 and 8	(7) $139,000 (8) 187,570 326,570	(7) $139,000 (8) 187,570	143	[1] July 9, 1962
City of Fayette: Sewage disposal system	do	(7) 314,000 (8) 32,000 346,000	(7) 314,000 (8) 32,000	65	June 21, 1962
Vernon: Extension of water system	Sec. 8	37,200	27,900	55	Nov. 10, 1962.
Dora (gas board): Establishment town-owned gas system.	Sec. 7	410,000	410,000	55	Aug. 14, 1962
Dora (industrial development board): Extension of water line.	Sec. 8	42,000	42,000	(2)	Do.
Oneonta: Extension of water system	do	129,000	108,000	200	May (?).
Fort Payne	Secs. 7 and 8	110,000	(7) 58,000 (8) 52,000	160	[3] Jan. 26, 1963
Moundsville: Industrial park and water system.	do	68,000	(7) 10,200 (8) 57,800	48	Apr. 3, 1963
Stevenson: Sewage facilities	do	41,500	(7) 8,937 (8) 32,563	100	Apr. 10, 1963
Town of Springville: Water and sewer facilities.	do	51,000	(7) 26,500 (8) 24,500	100	Apr. 3, 1963
Jasper: Survey of economic potential	Sec. 11	29,000	29,000	----------	Mar. 8, 1963
City of Winfield	Sec. 8	24,300	23,500	(2)	[4] June 20, 1963
Town of Brantley	Secs. 7 and 8	86,000	(7) 30,000 (8) 56,000	105	June 24, 1962
Prattville: Terrazzo Tile firm	Sec. 6	119,079	61,600	14	Dec. 5, 1962
Hackleburg: Plant expansion	do	213,000	138,450	70	Oct. 23, 1962
Gordo: Sawmill and lumber manufacturing	do	102,326	63,500	40	July 26, 1962
Dora: Plastic toy manufacturing	do	170,091	120,000	120	Aug. 14, 1962
Demoppolis: Meatpacking	do	345,615	145,685	58	Jan. 31, 1962
Attalla: Rehabilitation of foundry	do	696,429	452,679	225	Dec. 28, 1962
Greensboro: Meatpacking expansion	do	356,108	231,470	40	Apr. 4, 1963
Alabaster: Folding paper box company	do	500,000	325,000	77	June 25, 1962

[1] Amended June 10, 1963.
[2] Listed elsewhere.
[3] Offer not yet accepted.
[4] Conditional.

Mr. DOUGLAS. I yield 2 minutes to the senior Senator from Minnesota [Mr. HUMPHREY].

Mr. HUMPHREY. Mr. President, before the vote on final passage on S. 1163 is taken, I wish to compliment the distinguished and able senior Senator from Illinois [Mr. DOUGLAS] for his skillful, informed, and fair management of this legislation. Surely this Senator is rightfully known as the father of the basic concepts contained in the original ARA legislation, and the driving force behind these pending amendments. His wisdom and experience have been invaluable assets in the struggle to combat the economic and social stagnation found in certain depressed areas of the United States.

I surely intend to vote for this legislation. Certain Senators have said that ARA has not accomplished all its original objectives and goals. Perhaps, in the narrow sense, that is true. But this Senator knows of few investments that pay off completely within a period of 2 years. And that is what the program of area redevelopment really is, a program of long range investment.

Over a period of time and with hard work these investments will begin to change the economies of many of these currently distressed regions. With the extensions we are about to approve this afternoon, I believe that ARA will have a new impetus to move forward, assuming that we can now obtain more favorable action in the other body.

In fact, I know of many Minnesota communities that are beginning to grasp the potentialities of area redevelopment, communities that have invested time, effort, and money in bringing prosperity to their respective areas. Without continued Federal assistance such as S. 1163 will provide, these communities will find their economic future most barren. Presently there are 14 ARA industrial loan applications pending in Minnesota with a total of $3 million requested. These loans would create an estimated 675 jobs.

In addition there are eight pending applications for technical assistance studies. Projects in newly designated counties which have not been filed are estimated to be about $3 million and would produce another 600 jobs.

The challenge of area redevelopment is so closely related to many other domestic matters that are before the Congress. The need for a substantial tax cut, the problem of youth unemployment, technical illiteracy, and rising unemployment are part of the same basic problem. We must willingly, even eagerly, accept every opportunity to make this Nation all that it could be. We must never be satisfied to follow only one course of action, or settle for only one answer. Let us, instead, push forward on all fronts, attacking these problems from all sides, until we achieve the America that is within our grasp.

I proudly support this legislation to extend the Area Redevelopment Administration and urge my colleagues to do likewise. I am confident that S. 1163 will win a resounding vote of confidence on the Senate floor this afternoon.

Mr. DIRKSEN. Mr. President, how stands the time?

The PRESIDING OFFICER. The senior Senator from Illinois [Mr. DOUGLAS] has 5 minutes remaining under his control; the junior Senator from Illinois [Mr. DIRKSEN] has 34 minutes remaining under his control.

Mr. DIRKSEN. Mr. President, up to this time I have not addressed myself to the bill.

Last night, I listened with rather rapt and riveted attention, for an hour and 30 minutes, to my distinguished colleague as he ventilated what he thought were the merits of the bill. In the course of those remarks he fairly fulminated with an effervescence and an incandescence which I have scarcely known to be equaled when he compared the attitude of Senators toward the bill with the attitude of Senators toward the Export-Import Bank bill; and he said he would have the yea-and-nay vote on the Export-Import Bank bill printed in the RECORD, in connection with his remarks. He probably had a good purpose in that connection; but the entire story should be told.

Mr. President, this situation reminds me of the story about the railroad flagman who was called into court to testify about an automobile accident which had occurred at a railroad crossing. In advance of his testimony, the flagman had been schooled very carefully.

He was asked, "Were you there?"

"Yes, I was there."

"Were you waving your lantern?"

"Yes, I was waving my lantern."

When he was excused, at the end of his testimony, and when he walked away from the witness stand, accompanied by counsel for the company, he said to the counsel, "By golly I'm glad you didn't ask me whether the lantern was lit." In short, Mr. President, the important part of his testimony was never reached.

Today, my colleague excoriated the Senator from Utah [Mr. Bennett] who spoke on the same subject. If "excoriated" is not the correct word to use, I strike it from the Record. But when he spoke of the Export-Import Bank, why did he not tell the whole story? After all, that Bank has built up a reserve of $804 million; last year its administrative expenditures were only $3 million; it remitted to the Treasury $57 million in interest and $35 million in dividends; and it put $70 million into its reserve account.

Mr. Batt has made clear that the loans under this program are risk loans. I have checked the testimony from time to time.

So, Mr. President, if a comparison is to be made, let the entire comparison be made, so the people will know.

Finally, Mr. President, we know what happens to the funds which the Export-Import Bank finally disburses: Virtually all of them come back to this country, in the form of purchases of machinery, goods, services, and so forth. However, that is not the important thing about which I wish to speak.

I wish to recapitulate a little: We know that in the 1961 act the agency asked for $384 million. In the 1963 act the request was, not for $384 million, but for $839 million. The request under the bill now before us is for $455 million. Either those are facts, or I cannot read the figures and the English language. So the amount requested could have reached the sky, except that it was feared that there might be an outcry in Congress.

I thought the House acted wisely when, by a vote of 209 to 204, it rejected the bill—after pointing out what the bill really is.

I ask Senators to consider the workforce the ARA has already built up: It has in Washington a permanent payroll of 466 persons. It has a temporary payroll of 56 persons. So in this short period of time it has managed to gather a force of 522 people. But do Senators think that is the whole story? I just stated that the Export-Import Bank works on a worldwide basis with an administrative expenditure of $3 million. What are the administrative expenditures of the ARA? They are more than $14 million; and the ARA farms out more that $4 million of it to the Small Business Administration and to the Community Facilities Administration. Talk about building up a large payroll and building up a great structure—and then farming these out, all over the country. I never saw an agency which so well fitted into Parkinson's law as this one does. Senators know what that law is: Establish a ceiling and the agency will grow up to it.

In July of 1961, the ARA operated in 621 areas. By November 1961—only 5 months later—the ARA had added more than 200, and had reached a total of 826 areas. By March 1962, the ARA had gotten up to 924 areas. By April 1963, the ARA had gotten up to 1,059 areas. If we give it time, it will be in every county in the country, because there are only 2,500 counties, and it is now in one-third of them.

Mr. President, this program has great possibilities. Just give the ARA time, and it will be everywhere in our country.

I have read the testimony. The witnesses for the ARA said that this is not a duplicating function. They said it is a supplementary function. What marvelous words those are, Mr. President, and what a fine distinction. There is no duplication; this program only supplements what we already have.

One who wishes to build a motel can go to the ARA and get the money, or he can go to the SBA and get the money. Do Senators think I am kidding? I have helped to secure three or four motel-construction loans for my people in southern Illinois; and Senators should see the list of the loans. I have the list. It is loaded with motels of all kinds.

One for a motel in Naples, Tex., has been approved. The Member of the House of Representatives from that district challenged the figure, when it was said that it would make work for 50 people. He said, "How do you employ 50 people on the construction of a 50-unit motel?" They replied, "If we build a restaurant, we may be able to get up to 50 people."

Mr. President, what kind of delusion and deception is this?

At Tomahawk, Wis., a loan of $418,000 for a tissuepaper factory is included. I suppose the factory also manufactures toilet paper—and properly so, I take it.

Mr. President, the pulpwood producers testify that the mills are working at 85 percent of capacity; but Senators should see the number of approved pulp loans. There are three pages of them, although the industry testifies that it is working at 85 percent of capacity.

Can we justify such things? I certainly do not.

Included in the list is a loan of $325,000 for a plywood veneer plant at Happy Camp, Calif.—what a wonderful name. But those who are engaged in that business complain that the competition is so stiff that prices have declined by 14 percent, and they are hard put to make a living.

I could read into the Record the letter which the Pulp & Paper Association sent to Mr. Batt, although perhaps there is no point in doing so.

Furthermore, in West Virginia—although I do not like to say this—there is an abandoned railroad; and someone figured out that it could be reactivated so it could take passengers up to the scenic areas which are enjoyed by tourists; and a loan for that project is included. How much is the loan? It is $762,000 of our dough—part of what all of us pay in income taxes. I ask whether my friend the Senator from New Hampshire, likes a project of that sort. Certainly I do not.

Also included in the list is a loan of $1,043,000 for a motor hotel in downtown Detroit; also a loan of more than $1 million for another one.

Mr. President, this one takes the cake: A loan of $1,600,000 for the Santurce Hotel and Club—a resort hotel—in Puerto Rico. When I was in Puerto Rico, I found that business was so good that it was virtually running out of their ears; and apartment buildings, hotels, and other buildings of all sorts were being constructed. I know the president quite well. I have known him for 20 years, at least. They need that hotel with our money like one would need a hole in his head. But the loan was approved to Colgate (Okla.) Motor Hotel, $30,000.

At Helper, Utah, there is an abandoned coal mine. A market cannot be found for the coal. But the company received $325,000 of the taxpayers' money.

At Afton, Okla.— I love the name—a loan in the amount of $650,000 was approved for the Shangri-La Motor Hotel. That is worth more than a smile.

We cannot get away from scenic railroads. At Marquette, Mich., another scenic railroad is proposed for the tourists. It had been abandoned. It was probably abandoned for a reason. But now we are going to make the railroad operate. We are going to put fancy little cars on the railroad so that the tourists can ride 24 miles. How much is the loan? $195,000.

At Bellaire, Mich., a resort hotel is proposed. There is nothing flimsy about it, for a loan of $890,000 is requested.

Next is a project at Paintsville, Ky.

I have never been in Paintsville, Ky. I have spoken all over the State represented by the Senator from Kentucky, but I have never been in Paintsville. Sometime I shall get there. But the people of Paintsville will have a motor hotel and restaurant. A loan of $150,000 has been made.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. COOPER. I should like to remind the Senator from Illinois that he has been there. In traveling on the Big Sandy we went through that town.

Mr. DIRKSEN. I am glad the Senator has refreshed my recollection. I know where it is.

Mr. COOPER. The motel is needed.

Mr. DIRKSEN. At Woodside, Tex., a community inn costing $420,000 is authorized. I could read indefinitely from the lists that I have. But I promised the majority leader I would not take too long.

I should like to allude to one other project—the Bata Shoe Co. at Salem, Ind. Everyone knows that Bata is a foreign company that is in sharp competition with every shoe company in America. Perhaps this is domestic foreign aid. I do not know. But in any event they are in. Senators will find the item on page 2 of their own brochure. A loan to Salem, Ind., in the amount of $474,300 and the water facility in the amount of $235,000 for the Bata Shoe Co. were approved.

Is there a shoe factory in the State of the Senator from New Hampshire? I know that there was. We have plenty of them. I do not know that I like to see money go out of our Treasury for that kind of competition.

I know of no reason for going any further except to allude to one more—the Arena Auditorium in Duluth. Have Senators been there? An auditorium was built which, when finished, will cost $6 million. Representative JOHN BLATNIK, with whom I served in the House and who is still there, said that he will make 22 jobs out of $6 million, and I have not seen anything to rebut him. Much can be said about using $455 million to compete with the struggling private enterprise system. But I do not know that I go for it. I am willing to go along with some facilities, but Senators should see how the list is studded with the sort of thing that I have been pointing out. I have referred to the summary report, U.S. Department of Commerce, Area Redevelopment Administration, Monday, May 6, 1963. So I was not kidding. I was merely taking it from their reports. There it is.

Mr. President, I do not propose to detain the Senate any longer except to allude to one additional point. When my friend, the Senator from Texas [Mr. TOWER] offered an amendment, we thought a motion would be made to table the amendment. Finally the amendment was ruled out of order on a point of germaneness.

But I notice in the bill an amendment to the Housing Act that was offered by the Senator from Rhode Island [Mr. PASTORE], which is as germane to the bill as a sticky sore thumb. The Senator from New Jersey offered two amendments, which were adopted, that in my humble judgment were not germane. I made no point of order. I would not do so. The majority leader must protect his bill. I do not blame him.

I allude to the action for only one reason, and that is that Senators had better be a little alert with respect to the requests of one kind or another which are made when there is a provision that the amendments must be germane. My distinguished friend from Pennsylvania has been laboring like a Trojan to have a germaneness rule adopted in the Senate. I assure him in this open forum that he will get it over my dead body, because that is the one weapon which the minority has to protect itself. I allude to it for no invidious reason except to say to Senators, you must be alert if you are going to protect your rights, your weapons, and the instrumentalities with which you have to fight. I desire to talk some day on the subject, but I will leave it where it is.

Mr. President, I shall vote against the bill, notwithstanding the propaganda—and, believe me, there has been plenty. I received 3 long distance telephone calls in my office within the space of 30 minutes from the beneficiaries of the bill back home saying, "We want you to vote for the bill." But what amazed me most was that a small town chamber of commerce should ask me to vote for it. One from Michigan got hold of me and said, "I want you to vote for the bill."

Do not think that Mr. Batt has been asleep with respect to the bill. He has been on the job. Frankly, I express admiration for an administrator who is on the job and using the telephone. I am sure they have not been using any Government funds, even though it cost $14,800,000 to run the show, and it cost the Export-Import Bank only about $3 million to operate over the whole wide world.

So we must make a choice. I suggest that Senators get the whole list. Representative PATMAN epitomized it in the RECORD when he said, "It is big enough to choke a Bengal tiger."

I refresh the recollection of Senators on one point. The program was designed to help approximately 600 areas. The number rose to 826, then to 924, and then up to 1,059. When that increase was brought to their attention, do Senators know what the answer was? In their memoranda they said that perhaps a good survey job had not been done up to that time.

We will leave them to make the survey. They will continue to survey. The list is loaded with the bitter seeds of survey. Wait until the program is wound up.

CIVIL RIGHTS—AMENDMENTS

Mr. President, before I take my seat, I must allude to one other subject. Today the Attorney General appeared before the House Judiciary Committee and discussed the so-called administration's civil rights proposal. The chairman of the Senate Committee on Commerce has advised me that on Monday next he will start hearings on what is known as title II. I have drafted an entirely voluntary title, providing no power of the Attorney General, authority to file a complaint with reference to community services. Let them go ahead and pass it. All the information is kept confidential, but it is in conformity with my estimate of the Constitution of the United States, with the Supreme Court case of 1883, and with the recent case of Lombard against Louisiana, in which I think the court has reaffirmed that old doctrine. So out of order I ask unanimous consent, because of the hearing next Monday, to submit amendments to Senate bill 1750 so that they can be printed and be before the Committee on Commerce.

Mr. AIKEN. Mr. President, may I inquire what the amendments are?

Mr. DIRKSEN. They are a substitute for title II. One that deals with accommodations, facilities, and so forth.

The PRESIDING OFFICER. The amendments will be received, printed, and referred to the Committee on Commerce.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. AIKEN. I am quite interested in the proposal of the Senator from Illinois. I assure him I shall study it very carefully.

I also read the report of the hearing before the House Committee on the Judiciary at which the Attorney General testified. I must admit that I was surprised, amazed, and somewhat resentful of the nature of his testimony.

About a week or so ago I was invited to the White House, where the civil rights bill was discussed. On the way out I advised the President that I would go along a considerable distance with him on the civil rights bill.

Then I thought of the small business people of this country—the small boardinghouse keeper, the hair dresser, the storekeeper and so forth—and I inadvertently personified them under the name of "Mrs. Murphy."

Mr. DIRKSEN. "Mrs. Murphy."

Mr. AIKEN. Somebody evidently divulged this conversation I had with the President, and the next thing I knew Mrs. Murphy's name was being spread broadcast all over the country.

I was raised in a town where there were many Murphys, and I never knew a Murphy who was not honorable, upright, God fearing, and hard working. I knew Martin Murphy, Jack Murphy, Mary Murphy, and any number of Murphys, and they were all among the solid citizens of the town.

Yet, reading the UPI ticker, I find, to my amazement, that the Attorney General of the United States, whose name is not "Murphy," suggests that Mrs. Murphy should change her name. I do not know of any more honorable name than "Murphy." It is as good a name as "Smith."

Mr. DIRKSEN. Or "Hennessey."

Mr. AIKEN. Or "Brown" or "Dirksen" or "Douglas" or anything else.

I was not only surprised but, as I say, I was resentful that the Attorney General of the United States should suggest that the Murphys change their names. I do not think that any one of them, not even Mrs. Murphy, should be asked by the Attorney General of the United States to change the name; and I hope the Attorney General will not make any such suggestion again. I hope he will make amends to the millions of Murphys in this country, if it is possible to do so, and that the Congress will support the small business people of this country, whom I personified under the general term of "Mrs. Murphy" because I could not think of any higher tribute to pay to them. I hope the Attorney General will find some way to undo the disparaging remark that the Murphys ought to change their names.

Mr. DIRKSEN. It would be as logical to ask the Irish to change County Cork or Blarney Castle or the Shamrock.

Mr. KEATING. Or County Wexford.

Mr. DIRKSEN. Or County Wexford, or the Shannon River.

Mr. AIKEN. Imagine.

Mr. DIRKSEN. I cannot imagine it.

Mr. AIKEN. I saw a notice on the ticker that the President has landed in Ireland. If the testimony of the Attorney General reaches Ireland before he leaves, I would not be surprised if he received a large delegation of Murphys.

Mr. DIRKSEN. May I ask the Senator a serious question?

Mr. AIKEN. Certainly.

Mr. DIRKSEN. Does the Senator think all this will have an impact on title II?

Mr. AIKEN. As I said, I will study the proposal of the Senator from Illinois with regard to title II. I think the small business people of this country—particularly the home businesses of this country—should receive consideration from the administration, for they deserve it. I hope the Murphys are all held in the respect in which they should be held.

Mr. DIRKSEN. Three cheers for the Murphys.

Mr. AIKEN. Yes, sir.

Mr. DIRKSEN. Mr. President, I have nothing more to say. I yield the floor.

Mr. DOUGLAS. Mr. President, we all listened, with interest, to the pyrotechnics of my colleague. It is always interesting to hear his magnificent baritone voice rising and falling with the embellishments of rhetoric. It brings back the days when I used to be in the galleries listening to the Shakespearean actors, E. H. Sothern and Robert Mantell, who made the "tank towns" for many years and who, I am sure, started the speaking style which my junior colleague has copied so well.

If I may pour a few facts upon these glowing flames of eloquence, may I say of the $14 million which my junior colleague claims to have been expended by the Area Redevelopment Administration $4½ million was spent in the field by localities developing plans and for technical assistance. Forty percent of the remaining $9½ million went to the agencies which are given investigatory roles in this matter; such as the Community Facilities Administration, the Small Business Administration, the Department of Agriculture, and various training groups. This leaves only approximately $6 million for the work of the agency itself.

Of course, some mistakes have been made. Our committee recommended that the ratio of capital to labor, particularly in the motels and hotels, be reduced. We hope very much that this instruction will be followed out by the administration, and we believe that it will be.

Many of our friends across the aisle seem to be wounded by the comparison which we drew yesterday between the $2 billion for which they voted for the Export-Import Bank, to help big business, and the $455 million for which they are refusing to vote today, with some honorable exceptions, for the people here at home.

I am glad I put that rollcall in the Record yesterday, and I ask unanimous consent that it be printed at this point in the Record today. It will be read on the stump and all over the country in the months and years to come.

There being no objection, the excerpt from the Congressional Record was ordered to be printed in the Record, as follows:

The result was announced—yeas 73, nays 1, as follows:

Yeas—73: Aiken, Allott, Bartlett, Bayh, Bennett, Boggs, Burdick, Byrd of West Virginia, Carlson, Case, Clark, Cooper, Cotton, Curtis, Dirksen, Dodd, Dominick, Eastland, Edmondson, Ellender, Engle, Ervin, Fong, Gruening, Hartke, Hickenlooper, Hill, Holland, Jackson, Johnston, Jordan of North Carolina, Jordan of Idaho, Kefauver, Lausche, Long of Missouri, Magnuson, Mansfield, McGee, McGovern, McIntyre, McNamara, Mechem, Metcalf, Miller, Monroney, Morton, Moss, Mundt, Muskie, Nelson, Neuberger, Pastore, Pearson, Prouty, Proxmire, Randolph, Ribicoff, Robertson, Russell, Saltonstall, Simpson, Smathers, Smith, Sparkman, Stennis, Symington, Talmadge, Tower, Williams of New Jersey, Williams of Delaware, Yarborough, Young of North Dakota, Young of Ohio.

Nays—1: Thurmond.

Not voting—26: Anderson, Beall, Bible, Brewster, Byrd of Virginia, Cannon, Church, Douglas, Fulbright, Goldwater, Gore, Hart, Hayden, Hruska, Humphrey, Inouye, Javits, Keating, Kennedy, Kuchel, Long of Louisiana, McCarthy, McClellan, Morse, Pell, Scott.

So the bill (H.R. 3872) was passed.

Mr. DOUGLAS. Mr. President, I hope the bill will be passed by an overwhelming vote.

Mr. DIRKSEN. Mr. President, have I any time remaining?

The PRESIDING OFFICER (Mr. Kennedy in the chair). The Senator has 14 minutes remaining.

Mr. DIRKSEN. Mr. President, I do not know that I have ever engaged in the business of comparing the voice or the gesture or the mien or the posture of a Senator with E. H. Sothern or with anybody else. That is a rather strange approach to take, as it was to start out by saying, "pour a few facts upon these glowing flames of eloquence" of the Senator from Illinois.

I made the Record abundantly clear, and the Senator knows it, because this is the administrative record.

The total money request for administrative expenses was $14.8 million. Is that what I said? Did I say that?

For technical assistance the sum was $4.5 million.

For delegate agencies—and what a dainty word to use to indicate that is going to be turned over for the spadework and the footwork of the Small Business Administration and the Community Facilities Administration—$4.1 million.

I said they farmed it out. Now I say, "Deny it, if you will."

I know my facts. I do not have to sit at the feet of the learned professor from the University of Chicago in order to marshal my logic and argument.

For general operations—loan processing, and so forth—$6.2 million.

The Senator mentioned a figure. Why did he not mention the whole figure? I got it from the ARA. It is $14.8 million for administrative expenses.

I am growing tired of petty deceptions and delusions on this floor. If any Senator wishes to take exception, let him do so. There is the figure. If the Senate wants to expunge that word from the Record, it can do so, but I stand by it.

I did not come here yesterday, and I have been through the lesson book, for a long time. All I ask is that the whole truth and nothing but the truth be told.

On that basis, I am prepared to proceed with the rollcall on passage of the bill.

Mr. HUMPHREY subsequently said: Mr. President, I desire also at this time to point out that one of the areas of controversy in the program related to a project to help the city of Duluth, Minn., to build a convention auditorium. A great deal of information has been stated on the subject, and a great deal of misinformation. I now ask unanimous consent that a telegram which was sent to me by the Northeast Minnesota Organization for Economic Education, headed by one of our most prominent businessmen, Mr. Jeno F. Paulucci, Duluth, Minn., be printed at this point in the Record.

There being no objection, the night letter was ordered to be printed in the Record, as follows:

June 24, 1963.

Congressman John A. Blatnik.
Senator Hubert H. Humphrey.
Senator Eugene J. McCarthy.

Sirs: Federal Area Redevelopment Administration can well be proud of its investment in Duluth arena-auditorium. In addition to 22 full-time jobs and more than 100 part-time jobs, arena-auditorium will provide following:

1. Approximately 147 construction jobs or 3,520 man-months of labor or 616,000 man-hours of labor in general, mechanical and electrical construction work. In addition, 30,000 man-hours of engineering are estimated and material purchased should add about $250,000 worth of additional miscellaneous payrolls.

2. Convention income, with each delegate spending an average of about $120, will help produce approximately $4 million income annually. Even with inadequate facilities Duluth generated about $1,600,000 in convention business in 1961.

3. More important than just jobs is the revenue the community will receive through hotels, restaurants, gasoline stations, wages, tickets, parking, telephone and telegrams, taxis, buses, utilities, taxes, etc.

4. Duluth visitor and travel industry has prospects of increasing tenfold and more during next 40 years and has better chance of attaining this as a result of the arena-auditorium. U.S. Department of Commerce publication (June 1, 1960), "Suggestions for Economic Development of Northeast Minnesota" points out that in next 40 years visitor dollars to northeast Minnesota could increase from $32 million in 1958 to over $300 million, 40 years hence. To generate same number of dollars through industrial growth would require; namely, 800 plants, employing 100 workers at $4,000 a year each. Arena-auditorium is perhaps most outstanding industry Duluth and northeast Minnesota could attract based on natural resources and convention activity in city and area.

Arena-auditorium will create substantial permanent employment opportunity, and further economic development of Duluth and northeast Minnesota. NEMO is proud to have suggested this facility, recommended its passage and views its future with great anticipation for economic growth.

Jeno F. Paulucci,
President, NEMO.

Mr. HUMPHREY. Mr. President, I have noted that a great deal of misinformation was stated during some of the discussion of that particular project in the other body. The facts are that the city of Duluth voted a special bond issue of $3,100,000 by over a two-thirds majority for that particular auditorium. It received a grant of $3 million from the Area Redevelopment Administration. The city of Duluth has been in great need of that particular facility. It will provide a number of jobs, approximately 147 construction jobs for the building of the auditorium and approximately 20 permanent jobs for the management thereafter.

The Area Redevelopment Administration has given to me a statement on the Duluth Arena-Auditorium. I ask unanimous consent that it be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT ON THE DULUTH ARENA-AUDITORIUM, DULUTH, MINN.

One of the most short-sighted attacks on the Area Redevelopment program has been made by those who criticize a project to help Duluth, Minn., secure a convention auditorium. Since the auditorium itself will employ only 22 people, much is made of the fact that the project is costing $277,272 per job when only the job positions connected directly with the project are counted. The opposition apparently did not take time to study the detailed economic report on this project, which was prepared by tourism experts of the well-known Stanford Research Institute. Since they do not have the facts, let us put some of them in the record.

The iron and copper miners of this region have been experiencing some of the highest unemployment rates in the Nation. While this area has an exceptional potential for tourism, little of it has been realized. This project has provided an opportunity for a major break-through in changing the structure of the area's declining economy. Let us see how this project came about.

In late 1961, a delegation of city and civic leaders from Duluth, Minn., met with ARA personnel to discuss plans for an arena-auditorium for Duluth and the possibility of ARA assistance. They described in detail the need for this type of facility in what was the only major population area in the northern tiers of Minnesota, Wisconsin, and Michigan, in order to accommodate regional conventions and to provide recreational and tourist facilities of a type which until then did not exist.

ARA pointed out to the group that it could assist the project only if it could be shown that an auditorium would contribute directly to the creation of new employment in the area. It was also pointed out that grant funds could not be provided for that portion of the facility which would provide services merely for the convenience of the local citizenry. The group was advised to prepare an economic justification for ARA's participation in this project.

Subsequently, the Duluth Citizens Arena-Auditorium Advisory Committee was established. This group commissioned the Stanford Research Institute of California to look into the need for an arena-auditorium in Duluth, the estimated future use of such a facility, the facility's general specifications, a site evaluation, and the project's estimated financial operating performance and management system and operating policy. Stanford Research completed its report in the fall of 1962 and concluded that the city had an immediate need for new public assembly facilities. On this specific point the report concluded that:

"Duluth, the regional center for northern Minnesota, Michigan, and Wisconsin, presently has inadequate auditorium facilities for the proper presentation of cultural, entertainment, community, and convention events. Nearly all types of local events are being presented in facilities originally constructed for other uses. Some desirable attractions do not even come to Duluth for lack of suitable facilities. Convention groups with exhibit space and meeting room requirements greater than those that can be met by local hotels cannot come to Duluth at present because of lack of public assembly facilities, so that Duluth is at a disadvantage in competing for conventions."

ARA's participation in this project was justified on the basis of the substantial direct and indirect benefits both in terms of employment and income which can be expected to be generated by the arena-auditorium. This facility will provide a core unit for the stimulation of private investment in the form of satellite commercial enterprises to satisfy the public needs resulting from increased convention, tourist, and recreation activity.

ARA approved a section 7 loan request in the amount of $3.1 million—afterwards, the city was able to float a private bond issue, thus eliminating need for $3.1 million ARA loan—and a section 8 grant request in the amount of $3 million. The citizens of Duluth on a referendum voted to approve the issuance of general obligation bonds in the amount of $3.1 million to support the loan request. For them, with the help of ARA, a bold dream has become a reality.

History will record this as a dramatic and intelligent contribution to the future of this area of our country.

Mr. HUMPHREY. Mr. President, we must also look to the longrun impact of this great facility to the city of Duluth. This arena-auditorium will transform Duluth into one of the great summer convention areas in the country. It will provide many jobs and bring many visitors to Duluth for conventions, sales meetings and similar gatherings. Moreover, it will be used as a great winter sports facility as well, attracting visitors and winter sports participants in ever-increasing numbers.

The construction of this arena-auditorium demonstrates the outstanding initiative of local Duluth citizens to bring longrun prosperity to this economically depressed area. These efforts are in the best tradition of local initiative and business enterprise. I commend the ARA for giving the citizens of Duluth such timely aid and assistance in the construction of the arena-auditorium.

I ask unanimous consent that my statement come prior to the vote of the area redevelopment bill.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

COMMENDATION OF SENATORS

Mr. MANSFIELD subsequently said: Mr. President, I wish to express my appreciation to the Senate as a whole on the passage of a very vital bill today.

I first want to congratulate and commend the distinguished Senator from Illinois [Mr. DOUGLAS] for the skill and understanding with which he piloted the ARA bill through the Senate today. The bill has a great deal of merit, although some Senators disagreed with its objectives and some of the agency's procedures. No bill is perfect. No Government agency is perfect. But the act has been a Godsend to certain areas of our country, and in my opinion its continuance is necessary.

I laud the distinguished senior Senator from Illinois, who fought in support of the bill all the way through, and Senators on both sides of the aisle, including the distinguished ranking minority member of the committee, the Senator from Utah [Mr. BENNETT], who fought hard and vigorously for what he believed to be right.

I also commend the distinguished minority leader for the effective leadership he showed in the debate. In addition, I must congratulate the Senator from Pennsylvania [Mr. CLARK], the Senators from West Virginia [Mr. BYRD and Mr. RANDOLPH], the Senator from Michigan [Mr. HART], and others whose faith in the ultimate value of this program has resulted in overwhelming Senate approval of it, despite its initial setback in the House. To the Senate as a whole go my thanks for a job well done.

Mr. DOUGLAS. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

The bill having been read the third time, the question is, Shall it pass?

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Idaho [Mr. CHURCH], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Missouri [Mr. LONG], and the Senator from Wyoming [Mr. MCGEE] are absent on official business.

I further announce that, if present and voting, the Senator from Idaho [Mr. CHURCH], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Missouri [Mr. LONG], and the Senator from Wyoming [Mr. MCGEE] would each vote "yea."

The result was announced—yeas 65, nays 30, as follows:

[No. 111 Leg.]

YEAS—65

Aiken
Bartlett
Bayh
Beall
Bible
Brewster
Burdick
Byrd, W. Va.
Cannon
Case
Clark
Cooper
Dodd
Douglas
Edmondson
Engle
Ervin
Fong
Fulbright
Gore
Gruening
Hart
Hartke
Hayden
Hill
Holland
Humphrey
Inouye
Jackson
Javits
Jordan, N.C.
Keating
Kefauver
Kennedy
Long, La.
Magnuson
Mansfield
McCarthy
McGovern
McIntyre
McNamara
Metcalf
Monroney
Morse
Morton
Moss
Muskie
Nelson
Neuberger
Pastore
Pell
Prouty
Proxmire
Randolph
Ribicoff
Scott
Smathers
Smith
Sparkman
Symington
Talmadge
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—30

Allott
Bennett
Boggs
Byrd, Va.
Carlson
Cotton
Curtis
Dirksen
Dominick
Eastland
Ellender
Goldwater
Hickenlooper
Hruska
Jordan, Idaho
Kuchel
Lausche
McClellan
Mechem
Miller
Mundt
Pearson
Robertson
Russell
Saltonstall
Simpson
Stennis
Thurmond
Tower
Williams, Del.

NOT VOTING—5

Anderson
Church
Johnston
Long, Mo.
McGee

So the bill (S. 1163) was passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Area Redevelopment Act Amendments of 1963."

SEC. 2. Experience has shown that certain modifications and increased appropriations are necessary to achieve more fully the purposes for which the Area Redevelopment Act was enacted. It is the purpose of this Act to make these changes in order to insure a continuing and effective program of Federal economic assistance to areas distressed by substantial and persistent unemployment and underemployment.

SEC. 3. Section 5(a) of the Area Redevelopment Act is amended by adding after the last sentence thereof the following: "When the necessary facts and data with respect to areas being considered by the Secretary for designation as redevelopment areas are not available or are incomplete, the Secretary of Labor shall find the facts and provide the data needed in making the determinations required by this subsection for such areas.

"The Secretary shall also designate as a 'redevelopment area' any area within the United States where the Secretary of Labor determines that a condition of substantial unemployment has existed for at least nine of the preceding twelve calendar months, and the Secretary of Health, Education, and Welfare certifies to the Secretary that the number of Cuban refugees residing in such area has equaled fifty thousand or more for one of the two preceding calendar years."

SEC. 4. (a) The first sentence of section 5(b) of the Area Redevolpment Act is amended by inserting "Federal or State" after "including".

(b) Section 5(b) of such Act is further amended by inserting before the next to the last sentence thereof the following:

"Counties or other areas which qualify as 'redevelopment areas' under the preceding provisions of this subsection may be grouped into appropriate redevelopment areas; and the Secretary in his discretion may include in any redevelopment area designated under this subsection contiguous counties or parts thereof in order to form economic development areas."

SEC. 5. Section 6(b) of the Area Redevelopment Act is amended—

(1) by striking out "$100,000,000" wherever it appears in paragraph (1) and inserting in lieu thereof "$250,000,000";

(2) by striking out "only after" in subparagraph 9(B) and inserting in lieu thereof "in no shorter period of time and at no faster an amortization rate than", and by striking out "has been repaid in full" and inserting in lieu thereof "is being repaid"; and

(3) by adding at the end thereof a new paragraph as follows:

"(11) No such assistance shall be extended to any foreign concern to establish plants or facilities, or to establish or expand branch plants or facilities, in the United States."

SEC. 6. Section 7(c) of the Area Redevelopment Act is amended by striking out "$100,000,000" and inserting in lieu thereof "$150,000,000".

SEC. 7. Section 8(d) of the Area Redevelopment Act is amended by striking out "$75,000,000" and inserting in lieu thereof "$175,000,000, to remain available until expended when so specified in appropriation Acts,".

SEC. 8. Section 11 of the Area Redevelopment Act is amended—

(1) by striking out "$4,500,000" and inserting in lieu thereof "$10,000,000"; and

(2) by inserting before the last sentence the following: "The Secretary, in his discretion, may require repayment of the assistance provided under this section and prescribe the terms and conditions of such repayment. Receipts from such repayments shall be credited to the appropriation available for assistance under this section which is current at the time of repayment."

SEC. 9. Section 12(10) of the Area Redevelopment Act is amended—

(1) by striking out "(not in excess of six months) service" and inserting in lieu thereof "(not in excess of one year) or intermittent services"; and

(2) by striking out "allowed transportation and not to exceed $15 per diem in lieu of subsistence and other expenses" and inserting in lieu thereof "paid actual travel expenses and per diem in lieu of subsistence and other expenses at the applicable rate prescribed in the standardized Government travel regulations, as amended from time to time".

SEC. 10. Section 16 of the Area Redevelopment Act is amended by adding at the end thereof the following new subsection:

"(g) No training or retraining authorized under this section shall be carried out in order to assist an establishment which itself would not be eligible for assistance under section 6 of this Act by reason of relocating from one area to another. The Secretary of Labor shall not approve any training or retraining assistance unless he is satisfied, and unless the appropriate State employment or vocational training agency has certified, that such training (1) will not assist any company or its affiliate, subsidiary or other business entity under its direct or indirect common control that has relocated from one area to another after the date of the enactment of this Act, and within two years prior to the date of such approval, and (2) will not assist any business entity to expand in such a way as to cause the unemployment of its regular employees in any other area where the business entity conducts business operations."

SEC. 11. The first sentence of section 21 of the Area Redevelopment Act is amended by striking out "and undertaken by public applicants".

SEC. 12. Section 23 of the Area Redevelopment Act is amended by striking out the period at the end thereof and inserting in lieu thereof the following: ", and when so specified in appropriation Acts such sums shall remain available until expended. Funds appropriated for the purpose of extending financial assistance under sections 6 and 7 shall be deposited in the area redevelopment fund in the Treasury of the United States. The fund shall pay into the general fund of the Treasury, at least annually, interest on the net amount of the capital so deposited which is used for such assistance, computed in such manner and at such rate as may be determined by the Secretary of the Treasury in accordance with this section. The rate for capital used under section 6 shall not be greater than the current average yields on outstanding marketable obligations of the United States of comparable maturities as of the last day of the month preceding the time when the money is used. The rate for capital used under section 7 shall not be more than the higher of (1) 2½ per centum per annum, or (2) the average annual interest rate on all interest-bearing obligations of the United States then forming a part of the public debt computed at the end of the preceding fiscal year and adjusted to the nearest one-eighth of 1 per centum."

SEC. 13. (a) Paragraph (B) of section 103(a)(2) of the Housing Act of 1949 is amended to read as follows:

"(B) three-fourths of the aggregate net project costs of any such projects which are located in (i) a municipality having a population of fifty thousand or less according to the most recent decennial census, or (ii) a municipality situated in an area which, at the time the contract or contracts involved are entered into or at such earlier time as the Administrator may specify in order to avoid hardship, is designated as a redevelopment area under the second sentence of section 5(a) of the Area Redevelopment Act, and".

(b) The amendment made by subsection (a) shall apply with respect to all urban renewal projects not completed prior to the date of enactment of this Act.

Mr. DOUGLAS. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. McCARTHY. Mr. President, I commend the Senator from Illinois [Mr. DOUGLAS] for his handling of the area redevelopment bill. I have supported distressed area and area redevelopment legislation since it was proposed several years ago, and I am pleased to be a sponsor of S. 1163, which amends certain sections of the act and increases the amount of funds authorized under various parts of the program.

A new program such as this gets underway somewhat slowly. It is inevitable that problems arise which could not be anticipated and that some mistakes would be made. These should be corrected but the principal question before us is whether the actions taken under the program have on the whole fulfilled the purposes for which it was established and whether the expansion of the program can contribute more effectively to meeting the problems of distressed areas.

The program is an economic one but it is also a program with social effects. The citizens in distressed areas are members of a community. They share in the traditions of their region. They have their homes and their friends there. They are closely tied to the schools, churches and other social institutions of the community. They have an interest in the area and want to restore and revitalize it. Because of automation, changes in consumer demand, Federal defense procurement, and other economic factors, they are subject to unusual forces, and may lack the means to accomplish redevelopment by themselves.

The area redevelopment program provides technical assistance by which these people and communities can survey their own needs and opportunities and work together to develop programs and it provides funds for loans for public facilities and for industrial and commercial enterprises.

The iron and lumber resources of northern Minnesota have been used to the benefit of the whole Nation, but this region has in recent years experienced depression and unemployment. This area still has great natural resources, good citizens, and community resources, but it must make some switches to new industries and new products.

The area redevelopment staff has worked with the Minnesota Department of Economic Development, with the Iron Range Resources and Rehabilitation Commission and with other State and local groups in surveying community needs and potentialities.

As of June 1 there were 18 areas in Minnesota eligible in ARA. One public facility and nine industrial and commercial loans have been approved, involving loans and grants of $6.5 million. Another 15 industrial and commercial and 2 public facility loans are pending, involving $3.1 million. These figures are modest, but they do reflect something of the very important effect of the ARA program: to provide the procedures and the stimulus for communities to examine their needs and to unite the community in a common effort to improve the well-being of all.

The disappointment of some with the program so far has come from expecting too much of it. It was not originally proposed as a single solution to all economic difficulties and it should not be expected to do the job alone. We need a variety of private and public measures to meet all the challenges, but this legislation represents one effective step.

Mr. RANDOLPH. Mr. President, the margin by which we have passed this significant measure (S. 1163) is a vote of confidence in the way the administration has performed its duty under the conditions of the basic Area Redevelopment Act. It is a privilege to extend congratulations to those who have been faithful in their administration of the program from the highest level to those who labor in its behalf in the field.

But more than this, the Senate has expressed a richly deserved tribute to the wisdom, diligence, perseverance, and leadership of the extraordinarily adept senior Senator from Illinois [Mr. DOUGLAS]. His attention over the years to the problems and the needs of the chronic labor surplus areas—the economically distressed sections of our country—has been the prime factor in the placing of the important ARA program in statute. Now, we have renewed evidence of his thoughtful and persuasive leadership. I know that hundreds of thousands of West Virginians revere him and would have me express their gratitude for his abiding interest in their welfare and in the providing of work for those of our citizens who are unemployed. It is a delight to be associated with the Honorable PAUL DOUGLAS in these endeavors, and what I have said about the esteem in which he is held by so many West Virginians is repeated in State after State.

In passing the bill to amend the Area Redevelopment Act and to increase its level of loan and grant authority, the Senate acted wisely. It has revived hope that this important national program for economic stimulation of areas with chronic labor surplus problems will not only be kept in operation but will in fact be improved. ARA is a vital instrument through which West Virginia economic development and employment stimulation are being planned and aided very substantially.

But the future of this significant program now depends on whether or not the House of Representatives will accept the Senate-passed measure as a basis for reconsidering the June 12 action in which it defeated a similar bill. On that date the House voted down its ARA measure, 209 to 204. West Virginia Democratic Members fully supported the bill on that occasion and we have their assurance that they will work to reverse the June 12 defeat in the near future.

In West Virginia we have been turning modest project gains into some really extraordinary ones and the spirit of our people and the virility of our economy reflect this improvement in our fortunes. Today we were informed that ARA approved four new major projects for our State which will provide almost $8 million in additional grants and approximately $16 million more to public facility and industrial loans approved for enterprises in West Virginia. This adds to the 19 earlier approvals in the project loan and grant section of the program and increases the total of grants to approximately $12.2 million and the total in industrial and public facility loans to $21.3.

The minimum estimate of direct new jobs to be created by these grants and loans, plus the State, local, and private capital matching investments, is 2,500. There will be perhaps three or four times as many indirect new jobs developed ultimately as a consequence of the approved ventures when they have been completed and in operation a year or so. And, of course, there will be hundreds of additional short-term jobs during the construction phases of the projects which have not yet been started or not yet completed.

There is considerable diversity in the economic base of the projects approved. Some are essentially industrial, others are for commercial expansion, and still others are for service-type activities—tourism enterprises which scenic West Virginia needs for a balanced economy, new hospitals and hospital additions, and public facilities serving job-making industrial and commercial establishments recently expanded or soon to be expanded.

THE SUPERSONIC JET AIRLINER

Mr. FULBRIGHT. Mr. President, while I cannot summon any great degree of surprise, I am chagrined by President Kennedy's recent request that this Congress provide some three-quarters of a billion dollars of the taxpayer's money to subsidize a supersonic jet airliner to fly at two or three times the speed of sound. This request came hot on the heels of the announcement that Pan American Airways is planning to buy six Concordes, supersonic planes which are being built by an Anglo-French consortium. This Congress has been asked to demonstrate that a "democratic, free enterprise system," in the President's words, can compete with Britain and France. While I had always thought that our European allies were included in that definition, I am somewhat confused by the supposition that a Government subsidy of $750 million to build a $1 billion airplane will make it a "free enterprise" product. Since the taxpayers are being asked to provide 75 percent of the money to build this supersonic craft in the hopes of inducing private industry to cough up the remaining $250 million, it seems to me that this is nothing less than a Government subsidy to commercial manufacturers. And like all Government subsidies, the Congress has the duty to ask whether it is a justifiable incursion on the Federal Treasury.

The argument is made that this Nation cannot afford to be second in the construction of commercial aircraft. But it seems to me that we have all heard this refrain before. We have been asked to appropriate $3.75 billion this year alone so that we might land a man on the moon sometime in this decade—at a total cost in excess of $20 billion. Although I have never been able to comprehend any justification for that crash project, it at least offers the excitement of a cold war competition with the Russians. But in the case of this supersonic airliner, we are not competing with the Russians at all, but with our own allies. I would have not thought that the national interest of this Nation depended on a race for prestige with Britain and France.

We have heard a great deal of talk about the need for Atlantic unity and cooperation among the NATO allies. I should think that we might begin to put this spirit into practice by not breaking into panic every time one of our allies builds a better mousetrap. If we are to subsidize a $1 billion commercial supersonic airliner simply because the French and British are building one, must we appropriate additional billions in order to defeat them in every other field of their endeavor?

It is well known that the French produce better champagne than we do here in America, and that the British brew fine scotch whisky. Does our national prestige suffer as a result? Are we to subsidize American champagne bottlers and scotch distillers so that they can save our national honor by challenging their European rivals? I think it would be a fine thing if we produced champagne and scotch in this country equal to the best foreign products; but I never imagined that it was the duty of this Government to appropriate the taxpayers' money in order to do so. I had always thought that the outstanding virtue of our free enterprise system was that it was free and that it rested on the enterprise of individuals. Thus, I fail to see how a Government subsidy of three-quarters of a billion dollars to the airplane builders is going to represent a triumphant vindication of free enterprise.

If the administration desires to demonstrate the superiority of the free enterprise system, it would do well to keep out of the supersonic airplane race and let private enterprise show its mettle. Ever since the end of the war American aircraft have dominated the airlines of the world; the vast majority of jet airliners in service today are of American manufacture. Our aircraft makers have shown that they are fully capable of deciding whether or not it is profitable to involve themselves in building various types of planes. If they should want to go ahead and build a supersonic plane, more power to them. Theirs the risk and theirs the potential profits.

But if they decide, as they seemingly have, that a supersonic plane would be unprofitable, then let others expend their money on such projects. If Britain and France desire to gain prestige, and perhaps some profit, from building a plane that can cross the Atlantic in 4 hours instead of 7, that is their business. Whether American manufacturers want to challenge them—despite their sizable head start—is their business. But it is not the business of the American taxpayer to provide nearly a billion dollars for an airplane that is unlikely to ever get off the ground before 1970—some 2 years after the Anglo-French Concordes are in service—which represents a needless duplication of our allies' efforts, and over which the American people can have no control, other than the melancholy satisfaction that they have paid for it. It does not seem to me that the sky will fall if the American taxpayer does not subsidize a supersonic airliner for private industry, or that this Nation's prestige will in any way suffer if someone else this time builds a bigger—and more expensive—mousetrap.

I ask unanimous consent that there be printed in the RECORD at this point an editorial on this subject published in the New York Times, on June 21.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SUPERSONIC SUBSIDY

President Kennedy provides a fresh example of his acute competitive instinct in requesting that Congress provide up to $750 million in public funds for developing a supersonic jet airliner. He freely admits that he was spurred by Pan American Airways' announcement that it had ordered six Concordes, the supersonic plane being developed by a government-backed Anglo-French combine. Because he feels that the United States will fall behind, the President wants Congress to show that a "democratic, free enterprise system" can compete with foreign products.

But even if Congress agrees to Mr. Kennedy's request, there is no prospect that the domestic aircraft industry can be first in the race. In the long run, it may turn out superior planes just as it has with subsonic models. It cannot, however, overcome the Concorde's lead.

Failure to be first in supersonic jets does not constitute a national calamity. Military factors may provide some warrant for arguing that American prestige will suffer a catastrophic loss if we do not compete with the Soviets in the race to the moon—a race which demands direct Government participation. We are not convinced by this argument; but in any event it does not apply to commercial air transport.

Developing a supersonic passenger jetliner is basically a commercial enterprise. Is Mr. Kennedy prepared to provide subsidies to insure American superiority in every endeavor? The Government can give the results of its technical research to private manufacturers, but it has no business offering direct subsidies. If Mr. Kennedy wants to show the merits of the free enterprise system, then he would do well to keep Government out of the supersonic race. It is up to private industry to decide whether to take the risks and reap the rewards.

THE PHILIPPINE CLAIM

Mr. FULBRIGHT. Mr. President, the New York Times of Saturday, June 22, 1963, had an excellent editorial entitled "That Philippine Claim."

The editorial supports the position which the Senate has taken by an overwhelming vote, in a most concise and accurate summary of the issues.

I ask unanimous consent that the editorial be inserted in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THAT PHILIPPINE CLAIM

Last August one would have thought a Philippine claim for $73 million in damages done by U.S. forces in the island Republic during the Japanese war had been disposed of finally and forever. Both the Senate and the House at that time approved payment of the claim, acknowledged by the U.S. Government since 1946.

But when it was discovered that lobbyists in Washington and Manila had profited richly and were to profit still more in the future from pushing the claim, payments were held up, and quite properly. The Senate and House are now deadlocked over differing approaches to the problem of how to bar further payoffs to lobbyists.

The House wants all claims paid, up to $10,000. This would achieve the laudable objective of cutting out big claimants and their capacity to share their proceeds with lobbyists. But it would also limit total payments to about $30 million. The House wants the remaining $43 million to revert to the U.S. Treasury. The Senate approach would also limit payments to $10,000, but would authorize what remained after these payments were made to go to the Philippine Government for use as it saw fit.

The Senate concept is fairer than the House proposal, which would deny the Philippines more than half of what is generally recognized as a U.S. obligation. The Senate approach would fulfill this obligation in a way most likely to benefit the Philippines while, at the same time, relieving the United States of responsibility for payments most open to abuse. Under the Senate plan, it would be up to the Philippine Government to disburse wisely the $43 million that would be left over after the United States has parceled out payments of claims up to $10,000.

LEGISLATIVE PROGRAM—LEGISLATIVE BRANCH APPROPRIATIONS, 1964

Mr. MANSFIELD. Mr. President, may I have the attention of the Senate?

The PRESIDING OFFICER. The Senate will be in order.

Mr. DIRKSEN. Mr. President, I should like to query the distinguished majority leader about the schedule for the remainder of the week and also for the week of July 4.

Mr. MANSFIELD. In response to the question raised by the distinguished minority leader, it is the intention of the leadership to proceed to the consideration of Calendar No. 286, H.R. 6868, and I now move that it be laid before the Senate and made the pending business.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 6868) making appropriations for the legislative branch for the fiscal year ending June 30, 1964, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

Mr. MANSFIELD. As to whether there will be any yea and nay votes on the pending bill, remains to be seen.

After consultation with the distinguished minority leader, it is anticipated that later this afternoon a number of unobjected to bills, or cleared bills will be brought up.

ORDER FOR ADJOURNMENT—LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, it is the intention, on adjourning tomorrow, to adjourn until 12 o'clock noon on Friday next; from Friday, to the following Tuesday, July 2; from Tuesday, July 2, to Friday, July 5; and from Friday, July 5, to Tuesday, July 9.

Mr. DIRKSEN. A further inquiry. Is it the intention to bring up the legislative appropriation bill today?

Mr. MANSFIELD. It is now pending before the Senate. I hope it will be possible to consider it this afternoon. I have discussed it with various interested Senators, and I believe I have their approval.

LEGISLATIVE APPROPRIATIONS BILL, 1964

The Senate resumed the consideration of the bill (H.R. 6868) making appropriations for the legislative branch for the fiscal year ending June 30, 1964, and for other purposes.

Mr. DIRKSEN. I was about to observe that the distinguished Senator from Delaware [Mr. WILLIAMS] intends to offer an amendment dealing with so-called junk mail, on which I believe he will ask for a yea-and-nay vote.

Mr. WILLIAMS of Delaware. That is correct. Mr. President, I spoke with the distinguished Senator from Oklahoma [Mr. MONRONEY], who is in charge of the bill, and he said that his opening statement will be very short. I can offer my amendment, so that there may be a yea-and-nay vote on it. I will make a short statement, and expect to take not more than 10 minutes. We can dispose of it very quickly.

Mr. MANSFIELD. The Senate is on notice. I suggest that all Members of the Senate remain close by.

Mr. DIRKSEN. Mr. President, a further inquiry. I wonder whether the distinguished majority leader would like now to ask for a limitation on debate on the Williams amendment.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that 20 minutes be allotted to the amendment of the Senator from Delaware [Mr. WILLIAMS] 10 minutes to a side, the time to be under the control of the Senator from Delaware and the Senator from Oklahoma [Mr. MONRONEY] the chairman of the subcommittee.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MONRONEY. Mr. President, the legislative appropriations bill for fiscal year 1964, which is the pending business before the Senate, recommends appropriations in the amount of $168,273,069. This is an increase of $28,234,150 over the bill as it passed the House of Representatives. The bulk of this increase is the appropriation for the upcoming fiscal year for the operations of the U.S.

Senate since, under longstanding custom, the House does not include Senate items in the bill. However, exclusive of these purely Senate items and exclusive of the House items which the committee does not amend except by request of the House of Representatives, the committee bill is less than the House bill in the amount of $4,976,500.

For the Architect of the Capitol, "Salaries, Office of the Architect," the committee recommends an appropriation of $442,500, which is $37,500 under the House allowance. This reduction is effected by the postponement by the Senate committee of the transfer of seven employees from the construction rolls for the additional House Office Building, as had been requested. Inasmuch as this building is not completed, it was believed that these costs should not be transferred to the Office of the Architect at this time.

For "Capitol buildings," the committee recommends the sum of $1,428,500, of which $21,500 is for the installation of exhibit wall and floor cases in the crypt of the Capitol, and $4,500 to finance the illumination of the Capitol dome from midnight until dawn, which had been the policy prior to World War II.

The committee has inserted language in the bill repealing the permanent indefinite contract authorization which was granted to the Architect of the Capitol for the "Extension of the Capitol" in Public Law 242 of the 84th Congress, amended by Public Law 406, 84th Congress. The Architect of the Capitol testified that the reconstruction of the west front of the Capitol is estimated to cost at least $20 million. Since it was the committee's opinion that Congress did not intend that any such major reconstruction work be performed without specific appropriation, the committee inserted language in the bill repealing the indefinite contract authorization contained in the 1956 Legislative Appropriation Act, as indicated on page 22 of the bill which is before you, under the item "Extension of the Capitol."

Mr. HOLLAND. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I yield.

Mr. HOLLAND. Has the Senator made it completely clear that the committee felt that the prior legislation does not provide the authority that the Architect of the Capitol believes it gives?

Mr. MONRONEY. We withdrew whatever authority might be resting in prior law; therefore, any work to be done on the west front of the Capitol must be done under an appropriation previously made by Congress.

Mr. HOLLAND. In other words, if there was any question under prior legislation, we have by our recommendation asked the Senate to vote affirmatively that there is no strength to any view that the Architect now has authority to proceed without definite additional action by Congress.

Mr. MONRONEY. The Senator is correct. The bill provides for an amendment to the existing law. The language to accomplish this purpose, which is proposed by the committee in the bill, reads as follows:

> *Provided*, That the proviso to the paragraph entitled "Extension of the Capitol" in the Legislative Appropriation Act, 1956, as amended, is amended by striking out "and to obligate the additional sums herein authorized prior to the actual appropriation thereof".

So the striking out of that language would require an affirmative appropriation by Congress before any work could be done on the west front.

Mr. SALTONSTALL. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I yield.

Mr. SALTONSTALL. What the Senator is saying is that under the present law the Architect of the Capitol could proceed, and then come to the Committee on Appropriations and say, "Here; pay this bill for planning." By the amendment, we have stopped that; and the Architect would now have to come to us for planning money before he could start.

Mr. MONRONEY. Not only that; but I believe the legislation now on the books is so broad that the Architect could, with the agreement of the Capitol Commission, commit Congress to a contract; and Congress would have only the power to liquidate the contract by paying for the work done. What we are trying to do is to prevent that. The language in the bill, if the bill passes with the amendment, would absolutely withdraw the authority of the Architect to move forward unless Congress voted appropriations specifically for that purpose.

Mr. SALTONSTALL. The committee was unanimous in that regard, was it not?

Mr. MONRONEY. The entire subcommittee and the full committee of the Senate Committee on Appropriations were in agreement on that point.

Mr. CURTIS. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I yield.

Mr. CURTIS. I commend the committee for what it has done with regard to this authority and the overconfidence on the part of the Architect of the Capitol. I believe it is a sound step and is good budgetary practice.

The distinguished Senator has stated that from now on it will be necessary for Congress to make a direct appropriation for an improvement.

Mr. MONRONEY. As to the Capitol.

Mr. CURTIS. Yes, as to the Capitol. Is it necessary under existing law that there be an authorization as well?

Mr. MONRONEY. I do not consider that that is necessary at this time, under the language of the act now in effect. In other words, the language in the act provides for a Capitol Commission composed of the Vice President, the Speaker of the House, the minority leaders, and others. But they could, if they desired, precommit by contract, and the only responsibility Congress would have would be to pass an appropriation bill to pay for the work that had been done under the precommitment.

Under the proposal in the bill before the Senate, it would be necessary for an appropriation to be carried in the legislative appropriation bill before any work could be done on the west front of the Capitol.

Mr. CURTIS. I commend the Senator for that. I think it is a sound step.

I notice on page 1 of the committee report that the total appropriation is some $17.8 million above the appropriation for last year. On page 2, I find that of that increase over last year's appropriation, $14.6 million is for the Architect of the Capitol.

Mr. MONRONEY. That is correct.

On page 19 of the report, the items of increase or decrease are broken down line by line.

The $14,677,600 is broken down as follows:

Salaries, Office of the Architect, $79,500.

Capitol buildings, $132,250.

Extension of the Capitol—this is a liquidation cost—minus $100,000.

Planning for restoration of Old Senate Chamber and Old Supreme Court Chamber in the Capitol—this is merely for planning—$37,500.

Capitol Grounds, $41,000.

Legislative garage, a reduction from last year of $12,500.

Senate office buildings, $284,150.

House office buildings, $56,000.

Acquisition of property, construction, and equipment, additional House office building—this is for the liquidation of construction contracts on the Rayburn Building—$11,500,000.

Capitol Power Plant operation, $161,000.

Library buildings and grounds, structural and mechanical care, $2,543,700. It is necessary to replace practically all the plumbing in this building, plumbing which is more than 50 years old. It will be a very expensive operation, extending out to the sewer, and the work proposed will take 2 years to complete. We saw evidences of clogged up pipes, pipes which had deteriorated to such an extent as to make their repair impossible, so replacement is necessary.

Furniture and furnishings for the Library buildings, a reduction of $45,000 from last year.

This makes a net increase in the appropriation over last year, for the Architect of the Capitol, of $14,677,600, of which the largest figure is $11,500,000 for the additional House office building, the next largest being $2,543,700 for plumbing replacement in the old parts of the Library of Congress.

Mr. CURTIS. Then can it be correctly said that the cost of the regular operation of the legislative branch itself has increased in whatever sum might be indicated for the information of those who do not read the remaining pages of the report; namely, by $17,800,000, and that $14,600,000 of that is more or less built in.

Mr. MONRONEY. Yes; part of that is to complete the House Office Building, and $2,500,000 is for replacement of 50-year-old plumbing in the Library of Congress. Many other items are for repairs to buildings.

The only increases directly attributable to the operation of the Senate, as such, will be found, practically in their entirety, in the pay increases required by the law which was passed last year—the Pay Raise Act.

Mr. CURTIS. Does that account for the major portion of the $532,000 increase for the Senate?

Mr. MONRONEY. That is correct—and for practically all of it, with the exception of the slight increase for a few individuals whose work responsibility has been increased.

Mr. CURTIS. That was required by the action of Congress when it enacted the pay raise bill?

Mr. MONRONEY. Yes. But it was effective for only part of last year—beginning with the time when the pay raise bill was passed.

Mr. CURTIS. I thank the Senator from Oklahoma.

Mr. McNAMARA. Mr. President, will the Senator from Oklahoma yield for a question?

Mr. MONRONEY. I am glad to yield.

Mr. McNAMARA. Does the bill contain any funds for the so-called extension of the west front of the Capitol?

Mr. MONRONEY. No, none. The bill provides, in a legislative provision, that without specific appropriation henceforth by the Congress, no work may be done on the west front extension. We felt it was absolutely important to make that provision.

Mr. McNAMARA. I thank the Senator from Oklahoma.

Mr. MONRONEY. Mr. President, once again this year—and I think this is a very important project—the committee recommends the sum of $37,500 for working drawings, specifications, and estimates of costs for restoration of the old Senate Chamber and the old Supreme Court chamber in the Capitol Building. The committee feels that the initial planning for this important restoration work should be undertaken as soon as possible. This was advocated by the Senator from Mississippi [Mr. STENNIS]. It was in the bill last year, but the conference cut it out. We wish to have the final design established, so the old Supreme Court chamber and the old Senate Chamber can be restored to the condition in which it was originally.

For the Senate Office Buildings, the committee recommends an appropriation of $2,535,300, which is $409,700 below the budget estimate and $284,150 over the 1963 appropriation. Included in the budget estimate was the sum of $165,000 to convert for office and storage use space in the old subway tunnel from the Capitol to the Old Senate Office Building. The committee disallowed this item.

The committee also disallowed the sum of $230,000 for the installation of an electronic clock and legislative call system, but instructed the Sergeant at Arms to consult with telephone engineers and submit a report concerning the feasibility of installing a telephone arrangement—something similar to the system employed when one dials for weather on the telephone—which would more satisfactorily meet the needs of Senators' offices, and which is explained more fully in the committee's report.

The committee refused to vote for the nearly quarter of a million dollars proposed for the electronic clock and call system.

The committee reduced to $40,000, the $50,000 requested to modernize elevator No. 10 in the Old Senate Office Building, and indicated disapproval of the proposal to convert it from manual to automatic control.

For the Botanic Gardens, the committee recommends the sum of $454,500, which is $7,500 below the House allowance; $27,500 had been requested for surfacing existing roads at the Poplar Point Nursery, which the House allowed, but the committee felt this was excessive and reduced the amount to $20,000.

Under the appropriation "Salaries and expenses" for the Library of Congress, the committee recommends $9,726,000, which is the amount allowed by the House.

For the Copyright Office, the committee recommends $1,781,000, the amount of the House allowance, but in its report expresses the hope that consideration will be given to increasing copyright fees, which have not been revised since 1948. During the fiscal year 1962, cash fees in the amount of $1,043,587 were received for copyright services and registrations. We feel that a slight increase in the copyright fees would be desirable.

The committee recommends an appropriation of $2,099,000 for the Legislative Reference Service, a decrease of $39,000 under the House allowance. The committee denied the request for seven new positions allowed by the House.

For "Books for the general collections," the committee increased the House bill by $20,000, to provide the budget estimate of $670,000 for the purchase of books.

Under the Government Printing Office revolving fund, the committee considered an estimate in the amount of $11 million to increase the fund, which had been requested to finance the increased volume of Government printing and binding and to provide for essential printing services during an emergency. The House allowed $8,500,000 for this purpose. However, the Senate committee recommends that a total of $10 million be provided, consisting of $3,550,000 in new appropriations and $6,450,000 to be derived by transfer from the appropriation "Acquisition and site and construction of annex," made available last year for a new building, and which will not now be used for this purpose. The details concerning this are described more fully on pages 12 and 13 of the committee report.

For the purely Senate items, exclusive of the Senate Office Buildings, already mentioned, the committee recommends an appropriation of $30,675,000. These items were not considered by the House of Representatives, and are an addition to the bill as passed by the House.

The House reports its version of the bill without the inclusion of any Senate items. So we are forced to add the Senate items to the bill when it comes to us.

Under the Office of the Secretary, the committee recommends $897,885, an increase of $128,565 over the budget estimate. Of this amount, $128,000 represents a transfer of the appropriation title "Legislative Reorganization." In other words, we are consolidating the old account "Legislative Reorganization" and are absorbing the jobs under that authorization under the general title "Office of the Secretary."

Additionally, the committee has included language increasing the salary of the Printing Clerk from $12,340 to $12,904.

Under the Office of the Sergeant at Arms, a recommendation of $2,704,615 is submitted. Three positions hereunder have been reallocated to supervisory status as follows: Assistant supervisory doorkeeper from $5,305 to $6,345; two assistant chief telephone operators from $5,045 to $6,345; and the Senate recording studio administrative officer from $9,726 to $12,115. In addition, certain positions with titles which did not accurately describe the jobs have been changed.

For the official reporters of debates, an appropriation of $231,555 is recommended, and modest increases in salary for three employees of that office have been approved.

For miscellaneous items, the committee recommends $2,458,860. In this appropriation is contained the subsidy for the Senate restaurants. The appropriation for fiscal year 1963 for the Senate restaurants was $106,500, and the 1964 budget estimate proposed an increase to $116,000. The committee, however, approved an appropriation of $90,000, or a reduction of $26,000 under the estimate. The committee also recommends that the dining rooms in the Capitol be closed upon the adjournment of the Senate, and urges that consideration be given to an increase in food prices to help contain estimated future deficits.

The committee also recommends an appropriation of $63,535 for postage stamps, an increase of $7,560. One thousand five hundred dollars is to increase the revolving fund in the Senate post office, to enable it to carry a larger balance of stamps; and the balance is to authorize an increase in the airmail and special delivery stamp allowances from $550 to $610, made necessary by last year's airmail rate increase.

Under "Joint items," the committee concurs in the House allowance of $4,867,374 for payment to the Post Office Department for the handling of congressional mail. This is an increase of $881,374 over the fiscal year 1963 appropriation, and represents fiscal year 1962 mailings, since this item is funded on a delayed basis.

The committee has included in the bill a prohibition against the use of the simplified mailing system and the occupant mailing system for Members of the Senate. Similar restrictions for Members of the House were incorporated in the bill last year, as well, and subsequently became law. This year, the House eliminated the restriction. The Senate committee is strongly of the opinion that, for reasons of economy and equity, as brought out in the hearings, the prohibition should again be included in the bill and enacted into law. Nevertheless, in the interest of comity and understanding between the two Houses of Congress, who are charged under the Constitution with determining the rules of their respective proceedings, the committee has made the provision applicable solely to the U.S. Senate.

Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc and that the bill, as thus amended, be regarded as original text for the purpose of amendment; provided, that no point of order shall be considered to have been waived by reason thereof.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments agreed to en bloc are as follows:

At the top of page 2, to insert:

"SENATE"

On page 2, after line 1, to insert:

"COMPENSATION OF THE VICE PRESIDENT AND SENATORS, MILEAGE OF THE PRESIDENT OF THE SENATE AND SENATORS, AND EXPENSE ALLOWANCES OF THE VICE PRESIDENT AND LEADERS OF THE SENATE

"Compensation of the Vice President and Senators

"For compensation of the Vice President and Senators of the United States, $2,471,140."

On page 2, after line 8, to insert:

"MILEAGE OF PRESIDENT OF THE SENATE AND OF SENATORS

"For mileage of the President of the Senate and of Senators, $58,370."

On page 2, after line 12, to insert:

"EXPENSE ALLOWANCES OF THE VICE PRESIDENT, AND MAJORITY AND MINORITY LEADERS

"For expense allowance of the Vice President, $10,000; Majority Leader of the Senate, $2,000; and Minority Leader of the Senate, $2,000; in all, $14,000."

On page 2, after line 17, to insert:

"SALARIES, OFFICERS AND EMPLOYEES

"For compensation of officers, employees, clerks to Senators, and others as authorized by law, including agency contributions and longevity compensation as authorized, which shall be paid from this appropriation without regard to the below limitations, as follows:"

At the top of page 3, to insert:

"OFFICE OF THE VICE PRESIDENT

"For clerical assistance to the Vice President, at rates of compensation to be fixed by him in basic multiples of $5 per month, $136,710."

On page 3, after line 4, to insert:

"CHAPLAIN

"Chaplain of the Senate, $9,430."

On page 3, after line 6, to insert:

"OFFICE OF THE SECRETARY

"For office of the Secretary, $897,885, including $128,000 required for the purposes specified and authorized by section 74b of title 2, United States Code: *Provided,* That effective July 1, 1963, the basic compensation of the printing clerk shall be $5,700 in lieu of $5,400."

On page 3 after line 12, to insert:

"COMMITTEE EMPLOYEES

"For professional and clerical assistance to standing committees and the Select Committee on Small Business, $2,731,965."

On page 3, after line 16, to insert:

"CONFERENCE COMMITTEES

"For clerical assistance to the Conference of the Majority, at rates of compensation to be fixed by the chairman of said committee, $82,740."

On page 3, after line 20, to insert:

"For clerical assistance to the Conference of the Minority, at rates of compensation to be fixed by the chairman of said committee, $82,740."

At the top of page 4, to insert:

"ADMINISTRATIVE AND CLERICAL ASSISTANCE TO SENATORS

"For administrative and clerical assistants and messenger service for Senators, $13,609,650."

On page 4, after line 4, to insert:

"OFFICE OF SERGEANT AT ARMS AND DOORKEEPER

"For office of Sergeant at Arms and Doorkeeper, $2,704,615: *Provided,* That effective July 1, 1963, the Sergeant at Arms may employ two additional assistant chief telephone operators at $2,580 basic per annum each in lieu of two telephone operators at $1,980 each, one additional messenger acting as assistant doorkeeper at $2,580 basic per annum in lieu of one messenger at $2,100, the basic per annum compensation of the administrative officer shall be $5,280 in lieu of $4,140, and the title of positions shall be changed as follows: wagonmaster to truck driver, assistant wagonmaster to assistant truck driver, two female attendants ladies' retiring room to two attendants, laborer in charge of private passage to skilled laborer."

On page 4, after line 18, to insert:

"OFFICES OF THE SECRETARIES FOR THE MAJORITY AND THE MINORITY

"For the offices of the Secretary for the Majority and the Secretary for the Minority, $135,195."

On page 4, after line 22, to insert:

"OFFICES OF THE MAJORITY AND MINORITY WHIPS

"For four clerical assistants, two for the Majority Whip and two for the Minority Whip, at rates of compensation to be fixed in basic multiples of $60 per annum by the respective Whips, $15,165 each; in all, $30,330."

On page 5, after line 2, to insert:

"OFFICIAL REPORTERS OF DEBATES

"For office of the Official Reporters of Debates, $231,555."

On page 5, after line 4, to insert:

"OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE

"For salaries and expenses of the Office of the Legislative Counsel of the Senate, $247,260: *Provided,* That effective July 1, 1963, one additional employee in the Office of the Legislative Counsel of the Senate may be designated as Senior Counsel, and the compensation of the additional employee so designated shall be equal to the gross per annum rate presently authorized for other employees so designated."

On page 5, after line 12, to insert:

"CONTINGENT EXPENSES OF THE SENATE

"Senate policy committees

"For salaries and expenses of the Majority Policy Committee and the Minority Policy Committee, $175,585 for each such committee; in all, $351,170."

On page 5, after line 17, to insert:

"AUTOMOBILES AND MAINTENANCE

"For purchase, exchange, driving, maintenance, and operation of four automobiles, one for the Vice President, one for the President Pro Tempore, one for the Majority Leader, and one for the Minority Leader, $37,840."

On page 5, after line 22, to insert:

"FURNITURE

"For service and materials in cleaning and repairing furniture, and for the purchase of furniture, $31,190: *Provided,* That the furniture purchased is not available from other agencies of the Government."

On page 6, after line 2, to insert:

"INQUIRIES AND INVESTIGATIONS

"For expenses of inquiries and investigations ordered by the Senate or conducted pursuant to section 134(a) of Public Law 601, Seventy-ninth Congress, including $380,000 for the Committee on Appropriations, to be available also for the purposes mentioned in Senate Resolution Numbered 193, agreed to October 14, 1943, $4,025,760."

On page 6, after line 9, to insert:

"FOLDING DOCUMENTS

"For the employment of personnel for folding speeches and pamphlets at a gross rate of not exceeding $2.03 per hour per person, $36,700."

On page 6, after line 13, to insert:

"MAIL TRANSPORTATION

"For maintaining, exchanging, and equipping motor vehicles for carrying the mails and for official use of the offices of the Secretary and Sergeant at Arms, $16,560."

On page 6, after line 17, to insert:

"MISCELLANEOUS ITEMS

"For miscellaneous items, exclusive of labor, $2,458,860, including $90,000 for payment to the Architect of the Capitol in accordance with section 4 of Public Law 87–82, approved July 6, 1961."

On page 6, after line 22, to insert:

"POSTAGE STAMPS

"For postage stamps for the Offices of the Secretaries for the Majority and Minority, $140; and for airmail and special-delivery stamps for Office of the Secretary, $160; Office of the Sergeant at Arms, $125; Senators and the President of the Senate, as authorized by law, $61,610, and the maximum allowance per capita of $550 is increased to $610 for the fiscal year 1964 and thereafter; for maintenance of a supply of stamps in the Senate Post Office, $1,500; in all, $63,535."

On page 7, after line 7, to insert:

"STATIONERY (REVOLVING FUND)

"For stationery for Senators and the President of the Senate, $181,800; and for stationery for committees and officers of the Senate, $13,200; in all, $195,000, to remain available until expended."

On page 7, after line 12, to insert:

"COMMUNICATIONS

"For an amount for communications which may be expended interchangeably for payment, in accordance with such limitations and restrictions as may be prescribed by the Committee on Rules and Administration, of charges on official telegrams and long-distance telephone calls made by or on behalf of Senators or the President of the Senate, such telephone calls to be in addition to those authorized by the provisions of the Legislative Branch Appropriation Act, 1947 (60 Stat. 392; 2 U.S.C. 46c, 46d, 46e), as amended, and the First Deficiency Appropriation Act, 1949 (63 Stat. 77; 2 U.S.C. 46d–1, $15,150."

On page 16, line 6, after the word "Printing", to strike out "$121,920; for expenses of compiling, preparing, and indexing the Congressional Directory, $1,600; in all,".

On page 21, line 2, after the word "law" to strike out "$480,000" and insert "$442,500".

On page 22, line 11, after the figures "$700,000", to insert a colon and the following proviso: "*Provided,* That the proviso to the paragraph entitled 'Extension of the Capitol' in the Legislative Appropriation Act, 1956, as amended, is amended by striking out 'and to obligate the additional sums herein authorized prior to the actual appropriation thereof'."

On page 22, after line 15, to insert:

"PLANNING FOR RESTORATION OF OLD SENATE CHAMBER AND OLD SUPREME COURT CHAMBER IN THE CAPITOL

"To enable the Architect of the Capitol to prepare working drawings, specifications, and estimates of cost for restoration of the Old Senate Chamber on the principal floor of the Capitol and the Old Supreme Court Chamber on the ground floor of the Capitol substantially to the condition in which these chambers existed and were furnished when last occupied in 1859 and 1860, respectively, by the United States Senate and the United States Supreme Court, $37,500."

On page 23, after line 12, to insert:

"SENATE OFFICE BUILDINGS

"For maintenance, miscellaneous items and supplies, including furniture, furnishings, and equipment, and for labor and material incident thereto, and repairs thereof; for purchase of waterproof wearing apparel, and for personal and other services; including eight attendants at $1,800 each; for the care and operation of the Senate Office Buildings, including the subway and subway transportation systems connecting the Senate Office Buildings with the Capitol; uniforms or allowances therefor as authorized by the Act of September 1, 1954, as amended (5 U.S.C. 2131); to be expended under the control and supervision of the Architect of the Capitol; in all, $2,535,300: *Provided*, That there is hereby authorized to be established and maintained, in an amount not to exceed $50, a petty cash fund for small purchases necessary for such care and operation of the buildings, which shall be reimbursed by vouchers properly chargeable to this and successor appropriations."

On page 26, line 17, after the word "Library", to strike out "$462,000" and insert "$454,500".

On page 27, line 18, after "(2 U.S.C. 166)", to strike out "$2,138,000" and insert "$2,099,000".

On page 28, after the word "Library", to strike out "$650,000" and insert "$670,000".

On page 32, line 6, after the word "Fund", to strike out "$8,500,000" and insert "$3,550,000", together with $6,450,000 to be derived by transfer from the appropriation "Acquisition of site and construction of annex".

On page 33, after line 9, to insert:

"SEC. 104. No part of any amount appropriated in this Act shall be available to finance, under authority of section 4167(a) of title 39, United States Code, the mailing and delivering of mail matter sent through the mails after October 2, 1962, with a simplified form of address under the franking privilege by any Member or Member-elect of the United States Senate to postal patrons, including those patrons on rural or star routes."

Mr. SALTONSTALL. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I yield.

Mr. SALTONSTALL. Mr. President, I commend the Senator from Oklahoma for the care and conscientiousness with which he has carried forward this year for the first time his duties as chairman of the Subcommittee on Legislative Appropriations of the Committee on Appropriations. As the senior member of the committee on this side of the aisle, I wish to say that we have joined with him unanimously in every one of the recommendations which he has made, with one exception. That is the question of so-called junk mail, on which several of us reserved our rights.

I believe the budget represents an opportunity for this body to conduct itself efficiently and conscientiously. There is no waste in the budget. So far as the Senate is concerned, we have gone over all the items carefully. So far as the House of Representatives is concerned, we have left items related to the House to them. So far as the Capitol is concerned, on the question of the Library and the Printing Office we have worked with the House, and in several instances we have agreed upon we believe are improvements over the recommendations of the House. I hope that the bill will be passed with the amendments that have been recommended by the Senator from Oklahoma, the chairman of the committee.

Mr. MONRONEY. Mr. President, I thank my distinguished colleague for his kind words, and express my appreciation for his great help and cooperation in bringing the bill to the floor of the Senate.

I believe there is an amendment which Senators would like to take up now, since undoubtedly there will be a yea and nay vote on it. I believe the Senator from Delaware [Mr. WILLIAMS] is ready to offer the amendment.

Mr. WILLIAMS of Delaware. Mr. President, I call up my amendment which is at the desk.

The PRESIDING OFFICER. The amendment of the Senator from Delaware will be stated.

The LEGISLATIVE CLERK. On page 33, line 16, strike out "United States Senate" and insert: "Congress."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, today I send to the desk an amendment to H.R. 6868, the bill making appropriations for the legislative branch for fiscal year ending June 30, 1964. The purpose of this amendment is to continue the prohibition of the use by Members of Congress of the franking privilege to send out junk mail.

Last year the Senate, in its approval of the Legislative Appropriation Act for fiscal 1963, accepted my amendment, the purpose of which was to repeal the junk mailing privileges of Members of Congress.

Prior thereto Members of Congress could send under the franking privilege unaddressed mail to postal patrons in the cities or in the rural areas, a privilege denied to businessmen.

This meant that candidates for reelection could use their franking privilege to circulate the voters of an entire State with the taxpayers paying the postage. In fact, under the old arrangement there was nothing to prohibit a Congressional Member who was running for the Presidency from using his franking privilege to circulate the entire United States with political propaganda and letting the taxpayers pay the postage merely by putting his speeches in the CONGRESSIONAL RECORD and having them reprinted.

As evidence of how important that amendment was I cite certain statistics which were obtained from the Post Office Department:

The volume of mail for the Congress for fiscal year 1961 was 88,821,000 pieces, and the cost was $3,986,000. Then there was added to the supplemental appropriation bill for fiscal 1962 a provision liberalizing the franking privilege to extend to all so-called junk mail—unaddressed mail. Significantly, the volume for Congress that year jumped to 110,944,016 pieces at an estimated cost of $4,867,374. This was an increase of $881,374.

Then last year Congress approved my amendment to the Legislative Appropriation Act which repealed this junk mailing privilege for Congress, and while I do not have the statistics for this year it is estimated that a similar savings resulted.

It is estimated that a similar saving resulted this year. The committee, for which I have great respect, did accept a part of the amendment, but this year they made the amendment applicable to the Senate only.

To me this is a matter of principle. Last year both the House and the Senate approved a prohibition against so-called junk mail for either House, and I think the prohibition should be continued on the same basis.

I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. MONRONEY. Mr. President, I yield to the distinguished Senator from Arizona as much time as he desires.

Mr. HAYDEN. Mr. President, I sincerely trust that the Senate will not agree to the amendment. There is such a thing as comity between the House and the Senate. The House can arrange and handle its own business. We have absolutely no right to tell the House what to do. If the Members of the House of Representatives desire to use the so-called junk mail in the delivery of literature to their constituents, it is their privilege to do so. The Senate has the privilege of choosing whether it will do so. But in order to get along properly with the House, we have no right to adopt an amendment that would tell Members of the House what they must do.

I know there would be trouble with this provision in conference. It might long delay enactment of the bill into law. I sincerely hope the amendment will be rejected.

Mr. MONRONEY. Mr. President, I thank the distinguished senior Senator from Arizona for explaining again the delicate balance between the House and the Senate. I served in the other body for about 12 years. Many Senators whom I now see in the Chamber served there as well.

I recognize the fact that we must share with the House joint duties which reflect both our operations. When we are involved in questions of rules, or extension of rules to housekeeping items, we should follow the advice of the most senior Member of the U.S. Senate, who has just spoken, warning us of the danger involved.

The proposed legislation goes back many years. Amendments similar to this—not quite the same, but similar—have been written into bills countless times in the Senate. Later that was done by the Treasury and Post Office Appropriations Subcommittee.

Each time the provision was a stumbling block. Two years ago the House turned down a Senate amendment in conference and then adjourned sine die before the Senate adjourned, so that the Senate could not do anything about it. As a result of this rather rude treatment of the Senate, relationships between the two Houses were strained for more than a year, and justly so.

The amendment which is offered today would put into law, as the distinguished Senator from Delaware has said, what was voted last year. What was voted in the appropriation bill last year was accepted in a motion to accept the Senate amendment on the floor of the House.

I point out to Senators that this year the committee in charge of the bill in the House omitted the language and, in a rather elaborate statement in its report, took the position that in the absence of the prohibition in this bill, the provisions of the 1961 act would prevail.

The Postmaster General may agree with the Senate or may agree with the House.

I do not think we should leave it that way. I think it is wise to make a choice. The amendment written by the committee in the bill takes care of our own Senate rules, saying to the world, "We do not want to use junk mail to send to our constituents or to other States." We should leave the decision in regard to the House to the conscience of the House, for the House has a right to make its rules in regard to the use of the frank.

I point out one other thing. When in past years we have considered the Williams amendment it was for the purpose of prohibiting the mailing of junk mail, or mail under the so-called simplified address, to residents or boxholders at offices having city or village delivery service. I think we were correct. We prohibited that type of mail from moving under the frank.

And, we prohibited simplified mailings for residents or boxholders at offices having city or village delivery service if the address was "Occupant: street address—or box number—name of city and State—or local." This was allowed for the general public. It still is.

If a mailing is legal for postage-paying users, I think we could leave to the good judgment of the House of Representatives the question whether the House wishes to prohibit it for Members of the House.

Another category of junk mail, which is for "postal patron, local," is not available to anyone at this time. We could leave it to the judgment of the House of Representatives, as to whether the House wishes to violate the principle, as well as saying to its Members, "You can mail under conditions under which no other users of the mail may."

We can set an example, and the House may follow it. I am certain the House is quite likely to follow a good example in confining use of the frank. When the matter comes up before the House, the House can be the judge of whether to impose this limitation on its Members.

I know, from the history of this legislation and of this amendment, that there has been ample proof in the past that the House has bitterly resented having the Senate tell it what it could do on the matter of mailing.

Adoption of the amendment would only tie up the conference and get us nowhere, until near the end of the session, if even then. That would be the result of adopting the Williams amendment in the legislation before the Senate.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. HOLLAND. Is it not true that if the Williams amendment is adopted, the House can accept it and, secondly, in conference our conferees can send that item back in disagreement; and these are the only ways this issue can be presented to a vote of the membership of the House, unless the conferees from the House—who come from the same committee which has taken the position in the House bill—themselves change their minds?

Mr. MONRONEY. It is my understanding that it would be possible to concur with an amendment in this section and agree to add the House provision to the Senate language.

Mr. HOLLAND. That could be done, if it were recommended by the conferees.

Mr. MONRONEY. I think a floor action would also permit that.

Mr. HOLLAND. So far as the Senator from Florida is concerned, the soundest way to have this matter in such shape that the membership of the House can with assurance have an opportunity to pass on the subject is for the Senate to make it applicable to all mail from Members of both Houses. Then certainly under the devices I have mentioned it could come up for a vote on the floor of the House.

Mr. MONRONEY. That could certainly be done by the House rejecting the conference report and then sending it back to conference with instructions to add the House to this exclusion of the use of the frank on junk mail.

Frankly, I think it is very important that we do not try to "cram down the throats" of a coequal body a matter of housekeeping privileges, on which the House feels perfectly competent to make a judgment for itself. I do not think the Senate would like it, if in the course of the handling of the legislation the House should proceed to make rules or changes in Senate housekeeping.

All Senators know that when the appropriation bill comes from the House, it does not contain any specific Senate items required for housekeeping. The House is careful not to transgress the very thin line which divides the 100 yards between the House and the Senate.

I feel that we should at least trust the House to be as patriotic and as sincere in its efforts to handle franking matters as we are.

Mr. HOLLAND. May I ask the Senator another question?

Mr. MONRONEY. I yield.

Mr. HOLLAND. Has the House membership had any opportunity to vote on this matter this year?

Mr. MONRONEY. It was before the House. It was explained in the RECORD that this limitation was taken out. The Representative who made a motion to agree to the inserted Senate provision limiting the frank by both the House and the Senate last year did not make any motion in regard to that in the House bill this year. Therefore, the House had knowledge of the omission when the bill was before it. If the Senate restricts itself, I think a precedent will be set. I think the House could be expected to consider joining the Senate in having a standard treatment of the use of the frank.

Mr. HOLLAND. If I may, I shall repeat the question, because I do not think the Senator answered it. Has the House voted upon this matter on the floor of the House this year?

Mr. MONRONEY. They did not; but in passing this appropriation bill, they failed to include what was included last year. The House report clearly spelled that out. Therefore, I think we would be well advised to take care of our own policy and let the Members of the other body, who must face the electorate every 2 years, decide whether they want their junk mail privilege. I think junk mail is bad business and bad politics. I think many Members of the Senate think so, and I think many Members of the House think so.

Mr. HOLLAND. The Senate took the opposite position from the one just now taken by the Senator from Oklahoma, and the House agreed with that position; did it not?

Mr. MONRONEY. The House agreed with that position.

Mr. WILLIAMS of Delaware. Mr. President, first, in answer to the question of the Senator from Florida, the House has not voted on this question this year, and the House will not be able to vote on it, as I understand the rules, unless we in the Senate include my amendment in the bill, because then it would be before the House for them to accept if they so desired.

As to the propriety of the Senate voting on an amendment which affects the House, I am not at all persuaded by the argument of my good friends from Arizona or Oklahoma. Last year the Senate adopted an amendment which affected both the House and the Senate, and it was accepted by the House. I call attention to the fact that the House this year in its report specifically pointed out that it was eliminating this provision for both the House and the Senate. In the report the House specifically spelled out its intention that the so-called unaddressed or junk mailing privilege should be available to all Members of Congress. They did not repeal the provision as it affected only Members of the House. They repealed the provision with respect to Members of both the Senate and the House; they said all Members of Congress.

So there is no question of propriety in the Senate's accepting this amendment. The House repealed the provision for us. They repealed the provision as it affected both the Senate and the House. We now propose to restore the prohibition for both Houses.

I will defend the use of franked mail for legitimate use, but it was never intended that Members of Congress, either of the House or of the Senate, should have available to them the privilege of sending out so-called junk mail or unaddressed mail and flood an entire State during a campaign year at the expense of the American taxpayers.

I think the Senate should adopt my amendment.

I yield back to the remainder of my time.

Mr. KUCHEL. Mr. President, have the yeas and nays been ordered on the amendment?

The PRESIDING OFFICER. The yeas and nays have been ordered. The question is on agreeing to the amendment of the Senator from Delaware. The clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Virginia [Mr. BYRD], the Senator from Idaho [Mr. CHURCH], the Senator from Louisiana [Mr. ELLENDER], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Missouri [Mr. LONG], the Senator from Louisiana [Mr. LONG], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Wyoming [Mr. MCGEE], the Senator from Georgia [Mr. TALMADGE], are absent on official business.

I further announce that if present and voting, the Senator from Louisiana [Mr. ELLENDER] would vote "nay."

On this vote, the Senator from Missouri [Mr. LONG] is paired with the Senator from Colorado [Mr. ALLOTT]. If present and voting, the Senator from Missouri would vote "nay," and the Senator from Colorado would vote "yea."

On this vote, the Senator from Wyoming [Mr. MCGEE] is paired with the Senator from Iowa [Mr. MILLER]. If present and voting, the Senator from Wyoming and would note "nay," and the Senator from Iowa would vote "yea."

Mr. KUCHEL. I announce that the Senator from Iowa [Mr. MILLER] is necessarily absent.

The Senator from Colorado [Mr. ALLOTT] is detained on official business.

On this vote, the Senator from Colorado [Mr. ALLOTT] is paired with the Senator from Missouri [Mr. LONG]. If present and voting, the Senator from Colorado would vote "yea," and the Senator from Missouri would vote "nay."

On this vote, the Senator from Iowa [Mr. MILLER] is paired with the Senator from Wyoming [Mr. MCGEE]. If present and voting, the Senator from Iowa would vote "yea," and the Senator from Wyoming would vote "nay."

The result was announced—yeas 59, nays 29, as follows:

[No. 112 Leg.]

YEAS—59

Aiken
Bayh
Beall
Bennett
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Douglas
Ervin
Fong
Goldwater
Gruening
Hickenlooper
Holland
Hruska
Jackson
Javits
Jordan, Idaho
Keating
Kefauver
Kuchel
Lausche
Magnuson
McGovern
Mechem
Metcalf
Morton
Moss
Mundt
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Ribicoff
Robertson
Russell
Saltonstall
Scott
Simpson
Smith
Sparkman
Thurmond
Tower
Williams, Del.
Young, N. Dak.
Young, Ohio

NAYS—29

Bartlett
Bible
Clark
Eastland
Edmondson
Engle
Fulbright
Gore
Hart
Hartke
Hayden
Hill
Humphrey
Inouye
Jordan, N.C.
Kennedy
Mansfield
McCarthy
McIntyre
McNamara
Monroney
Morse
Muskie
Randolph
Smathers
Stennis
Symington
Williams, N.J.
Yarborough

NOT VOTING—12

Allott
Anderson
Byrd, Va.
Church
Ellender
Johnston
Long, Mo.
Long, La.
McClellan
McGee
Miller
Talmadge

So the amendment of Mr. WILLIAMS of Delaware was agreed to.

Mr. KUCHEL. Mr. President, I move to reconsider the vote by which the Williams amendment was adopted.

Mr. WILLIAMS of Delaware. I move to lay that motion on the table.

The motion to table was agreed to.

THE AMERICAN CITY—WILL IT SURVIVE?

Mr. DOMINICK. Mr. President, today and on other days recently we have been talking about the problems of city governments. On Thursday of last week our distinguished colleague from Kansas [Mr. PEARSON] delivered an outstanding address on these problems to the Colorado Municipal League, at Estes Park, Colo. It is of such moment that I believe it would be of value to all Members if it were made available to them in the CONGRESSIONAL RECORD. I therefore ask unanimous consent that the address be printed in the RECORD at this point in my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE AMERICAN CITY—WILL IT SURVIVE?

(Address by U.S. Senator JAMES B. PEARSON)

It is my pleasure to join you upon whose shoulders rest the great responsibilities of local government of Colorado. As one who has served as a city attorney, I appreciate the importance of your task, the demands upon you—and the extent of your compensation. I, too, have spent many long evenings—sometimes tedious, sometimes controversial—seeking to satisfy the neverending parade of problems which confront each of our cities.

I am aware that municipal problems present you mayors and councilmen with many difficulties—pot holes in the streets, spilled garbage and unleashed dogs. Certainly not the least of these problems is the city attorney himself. I am reminded of the very descriptive little poem a fellow Kansan penned recently about city attorneys:

" 'If,' said the city attorney, thoughtful and wise;
'And,' he continued, rolling his eyes;
'But,' then he added, as he reflected;
'However," he was cautious, as he protested;
'Maybe,' he said, as he studied the ceiling;
'Somehow,' he brightened, 'I have the feeling';
'Or,' it was patent his thought was diverging;
'Notwithstanding, it may,' ideas came surging;
'Perhaps,' as he gestured, his manner was grave;
'I think'—here the council thought he was brave;
'Yet, who can be sure, we must take a chance.'
He hunted a match somewhere in his pants.
The councilmen beamed, quite clearly they saw
They were fully informed on what was the law."

As a member of the State Senate of Kansas representing one of the State's most populous counties I also experienced the frustration of seeking out the tools essential to meet the rising tide of urban problems. I am not at all sure that the importance of the problems or the adequacy of the solutions received the attention they deserved. However, I am convinced that some of the legislative remedies were most ingenious.

I recall a Senator who, on behalf of his city, appealed to the Kansas Senate municipalities committee for authority to increase the size of his city park board from five to seven members. His explanation was that the park board supervised the nine hole municipal golf course. The local golfers wanted to invest some of their own funds to improve the course and if they did they wanted representation on the board administering the course. After sympathetically hearing the city's case and dismissing the witnesses, the committee amended the bill to provide for a nine-man park board—one member for each hole.

We know now that the problems which confront our cities—large and small—are critical. While they frequently have their humorous sidelights, they deserve our most serious attention.

American cities are experiencing their severest test in our Nation's history. The survival of the American city as a dynamic governmental institution rests upon our ability to find answers—answers which are economically feasible, publicly acceptable, politically expedient and, of major importance, consistent with our constitutional concepts.

As we look carefully at our Federal system we recognize that the Constitution provides for two principal centers of governmental power—State and Federal. As a matter of constitutional fact, local governments are not a part of the Federal system. The States, however, either by specific delegation or by home rule, have created in the city the third key center of power.

The Federal concept, as we now know and practice it, is, in fact, a concept of shared sovereignty. It involves a balance of strengths by virtue of the sharing of power among the levels of government and—on each level—separation of powers between the legislative, executive, and judicial branches of government.

The structure itself is unique and interesting. The fact that it creates an environment for the free play of individual initiative, private enterprise and social, political and voluntary associations, and can remain responsive to public will at each level, is a wonder of the world of governments.

This system has provided the nation with stability without rigidity and security without inertia.

Our national desire to preserve the structure has often diverted our attention from this asset. The concepts and slogans associated with the structure—States Rights and Home Rule—have been used to establish rigidity and to embrace inertia. In doing so, the need and opportunity for innovation and inventiveness has been ignored.

This attitude is not difficult to explain in light of the fear of the states for the expanding role of the federal establishment. Neither is it difficult to understand the concern of these cities whose states have exploited them. The ability to explain the condition does not, however, justify its existence.

There is little doubt today but that our major domestic problems are in our urban centers. The forces which created these problems are multiplying in number and magnitude. Consider the national statistics and ponder their implication.

Suburban populations in metropolitan areas grew 41 times faster than the population of the central cities in the last decade. Well over half of the business activity in many metropolitan areas now occurs on the fringes. At the same time new migrants with special problems have moved into the central cities—the minority groups, the displaced farmer, the elderly. By 1980 there will be more people living in these urban complexes than there are in the entire country today.

For each of these 1000 persons who urbanize, we transform 100 acres of land from rural to urban use. Each new residence requires a public investment of about $18,000 for essential facilities. In the next ten years urban renewal will require $12 billion and urban transportation $100 billion in public funds, and before the century expires we will have to double the current capital investment in urban areas.

I could go on but you have heard these figures before; however, they are more than statistics. They represent human and economic problems which translate themselves into governmental problems. Eventually they end up on your desk wanting an answer—yesterday.

These problems will not go unsolved. The public will not tolerate a vacuum. If local governments fail to meet the need, another level of government will.

Now I recognize that cities suffer from severe handicaps. We finally were convinced of this fact in Kansas and while I was a member of the State Senate we granted a very broad form of Home Rule to our cities. It was uniquely designed to eliminate the irritating absence of authority and responsibility which often exists in state-local relations. I am pleased to note that in less than three years 121 cities in Kansas have used the Home Rules authority. I don't pretend that we have solved all of our municipal problems but at least one obstacle to their solution has been removed.

During most of the first half of this century the great experiments and advances in the quality of government service were the products of local government invention. Few debated the validity of the observations made by Lincoln Steffens when he published his book, "Shame of the Cities," in 1904. Yet most students of government were ready to agree, less than 50 years later, that the improved quality of local government in America provided a shining example of the vitality of our system.

Unfortunately this vitality has not been directed toward solving the new range of urban problems which typify the second half of this century. Cities have, in fact, lost the initiative and it has been assumed by the Federal Government. This, I declare, is not good for local government and it is not good for the Nation.

There is a saying in Washington that goes, "If you can't solve a problem any other way, throw money at it."

Early in this Nation's history the Supreme Court of the United States acknowledged that survival of the several power centers—the Federal and the State governments—depended upon their separate abilities to raise revenue without imposing upon the other. It then held that one unit or level of government could not tax another since ability to do so would make it possible to destroy the Federal system. It was in this case that Chief Justice John Marshall used the now famous phrase "the power to tax involves the power to destroy."

Federal money power has now replaced the power to tax as a primary threat to our Federal system. In our eagerness to resolve the pressing problems of the day the Federal Government has stepped in to fill the vacuum and in so doing has usurped the revenue resources to the point where the authority to manage the distribution of several billions of dollars each year in the form of vast Federal aid, grant and contract programs poses a real danger. Political managers at the Federal level have at their disposal sufficient quantities of money to manipulate the economy of cities, States, and regions through the allocation or withholding of funds. This money power has thus become a very real threat to our system of shared sovereignty.

Associated with the allocation of funds must necessarily be the constant reconnaissance by Federal agents to determine the eligibility and the integrity of the program which seeks the funds. This obviously produces the normal set of rules and administrative procedures which narrow local discretion, reduce initiative, and restrict experimentation.

Many of the present Federal programs might be justified, but I am fearful that our system cannot continue to function if such programs and the vast financial power associated with them dominate the pace and scope of local action. The political detection systems, as represented by the proposed Department of Urban Affairs, which seek out unmet local needs so as to direct Federal attention, influence and resources can only further concentrate power in the Federal Government.

Coupled with this has been a willingness on the part of local leadership to abdicate the responsibility for the great public decisions which will mold the future of our urban centers and rest on the record of clean streets, a snappy police department, and an attractive annual report.

It is clear to me that the initiative for meeting more of the domestic problems of the day must be assumed by local government if our Federal system is to be preserved—if local government is to survive. I do not suggest that the city will physically disappear, that it will no longer be identified on the map, that it will cease to have defined boundaries or dissolve as a legal entity. I do mean that the city is in danger of disappearing as a viable, dynamic, participating member of the Federal partnership. It is in danger of becoming a lethargic and bureaucratic arm of the national administration.

I would like to suggest that cities set out immediately to identify their problems in terms of new conditions and on a broader scale than they have heretofore. I am very fearful that many local officials, and more especially their constituents, still conceive of their city government's responsibilities as a broom and dustpan operation when, in fact, it has become a very sophisticated political structure conducting the most difficult kinds of public policy negotiations and technical functions.

Cities must, I suggest, lift their sights, broaden the range of their view and attack issues which confront them and this Nation on a much grander scale than heretofore. This may, for example, involve new or revised organizational structures or institutions. The parochial attitude that all problems must be met within existing governmental structures pits central city against suburb or city against county, when, in fact, their struggle is to preserve local government. These local disputes negate efforts to identify the basic problems and invent imaginative solutions. They serve to foster the rigidity our system of government deplores and create the vacuums our system will not tolerate.

The future of the city and its ability to perform its role in the Federal system calls for action in four areas:

1. We must mobilize local political, business, and educational leadership. This leadership must assume a more aggressive role in securing a definition of communitywide goals. No city can develop a dynamic character without a target toward which to direct its resources and energy.

2. Cities must better understand their capabilities and resources and how these resources can be mobilized to serve the defined goals. Fiscal resources of most urban areas are far greater than often assumed and more readily available when these possessing them know to what end they will be applied.

3. Cities must give greater attention to attracting personnel of the highest quality to their political, administrative, and technical positions. The problems of the city are of sufficient importance to demand the best talents.

4. We must be willing to experiment and alter traditional concepts, institutions, and procedures. While I am not terribly excited about the so-called proliferation of local governments, I do think that we must be ready to accept new arrangements which will develop more realistic public policies and better administration.

Beyond the cities' responsibilities the States and Federal Government also have a vital part to play.

States simply have to recognize the expanding responsibility of local governments and must provide support, especially financial, to local efforts to solve local problems. The States have jealously guarded any relinquishment of power to the cities. They apparently assume that to do so would reduce the integrity of the State itself. This resistance against their own institutions—the cities—has been a major factor in the deterioration of the influence of the State in our national life. I sincerely believe that the stature of the States will be enhanced in proportion to their positive attacks, with their cities, on their urban problems.

With respect to the Federal role, I am far from convinced that the Federal Government can supply the answers to all local problems. Neither am I ready to concede that it can devise a uniform solution to a single problem which will be as acceptable and/or as good as one invented locally.

Nevertheless, the Federal Government will and should remain concerned with the problems of urban areas. The extent of this interest is normally measured by the amount of Federal aid. I would suggest that Federal assistance meeting urban needs can be improved if the amount of money is confined to the support of a few limited functions. Specifically, those might properly include financial support of urban research, pilot programs, one-shot grants or the underwriting of local securities loans to stimulate local action.

Federal capital grants and Federal funds for local operating purposes should be discouraged. These, it seems to me, can only be justified where the program involved is essentially one which requires national standards or uniformity—such as highways.

In conclusion, I want to emphasize that I have tried to discuss the problems of the American cities on a national basis. I have dealt with them in terms of their critical role in the preservation of our Federal system. I do not want to infer that cities and their officials have not done a remarkable job of meeting some of the most trying of our public issues. One only need serve in public office to appreciate the difficulties you face, the sacrifices you make and the outstanding service you perform.

Neither has it escaped my attention that Colorado has had a long tradition of home rule for its cities. Since its earliest days it has been the envy of cities throughout the Nation. This important tool has been blunted and dulled on occasion, but I would challenge you to rededicate yourselves to the concept which put home rule in your early Constitution—a desire to solve local problems at the local level and a confidence in your ability to do it. Your own confidence in the rightness of your course will guarantee you the gratitude and support of your constituents; will assure your people better cities and your cities a better America.

LEGISLATIVE BRANCH APPROPRIATIONS BILL, 1964

The Senate resumed the consideration of the bill (H.R. 6868) making appropriations for the legislative branch for the fiscal year ending June 30, 1964, and for other purposes.

Mr. PROXMIRE. Mr. President, I call up my amendments numbered 121.

The **PRESIDING OFFICER.** The amendments will be stated.

The LEGISLATIVE CLERK. On page 20, it is proposed to delete lines 21 through 25. On page 21, it is proposed to delete lines 1 through 10.

Mr. PROXMIRE. Mr. President, the amendment deletes all the lines in the bill on page 20 beginning with line 23 and continuing through line 10 on page 21. It eliminates from the bill all funds for the Office of the Architect of the Capitol, including contingent expenses.

We have had much experience with the Architect of the Capitol. I believe all of it has been bad. The fact is that one building after another has been constructed in the Capitol area which fails to harmonize and is inconsistent with the rest of the architecture. The construction has been exceedingly expensive. Actual spending always soars far over initial estimates. Construction blunder has followed blunder in the buildings that have been constructed.

The New Senate Office Building was constructed for $26 million, far more than was originally intended. The east front of the Capitol was extended a bare 32 feet at a cost of some $20 million, probably the most extravagant 32 feet in construction history. Thanks to the wisdom of the members of the Senate Committee on Appropriations, the proposal of the Architect of the Capitol to extend the west front at a cost of another $20 million has been at least temporarily derailed, and I hope will be permanently disapproved.

The construction of the third House Office Building was to have been at a cost of $70 million or $75 million. The latest figures show that the cost will be at least $118 million. Think of it, $118 million for one building, the third House Office Building.

In my opinion, the Architect of the Capitol is perhaps the best living example of the tragic waste and shortcomings of socialism. He is Government salaried, spends Government money, without any of the salutary cost discipline required in private business. My proposal would contemplate having Congress in the future hire private architects, and do so on the basis of competitive bidding. This would require the employment of personnel who are competent, experienced, and are genuine, trained, experienced, professionally acknowledged architects, and not former Members of Congress, without the shadow of a whisper of qualification except the right political connection.

As it is, we have nothing but disasters to show for the enormous amounts of money that Congress has been persuaded by the Architect of the Capitol to spend.

This amendment has the great advantage, to use the vernacular—that it doesn't fool around. There may be other and more preferable methods to eliminate the Architect of the Capitol; the one I have proposed has the advantage that it is direct and immediate. The bill is before us now. The Capitol Architect would be out 5 days from now.

In looking at the budget, I find that the bill proposes $442,000 for the office of the Capitol Architect. The committee reduced the sum for the Architect of the Capitol from $480,000, which was the House figure, and $496,000, which was the original budget request. The Architect of the Capitol, who has had 35 persons on his staff, will have, under the committee's proposal, 42 employees. I recognize that many of them are supervisory and are hired for inspection purposes, and others, but the experiences we have had under the office of the Architect of the Capitol shows us that if we simply abolish the Architect's office, stop paying any salaries, and discharge the personnel in the office, we can, in a few months, provide funds in a supplemental appropriation bill for the necessary supervisory and inspection functions, without much of a loss. I suggest that we would have had an experience in those happy 2 or 3 months, without an Architect of the Capitol operating at all, which might persuade Congress that that was the best way to operate, and that we could rely in the future on privately employed, qualified, free-enterprise architects to perform the required duties of operating the Capitol.

Mr. DOUGLAS. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I yield.

Mr. DOUGLAS. I support the Senator from Wisconsin in his move. I hope the Senator from Oklahoma will accept the amendment. Paraphrasing the song from the famous opera, "Oklahoma!", if we were to wake up some morning and find that we were not graced with the presence of an Architect of the Capitol, we would all sing, "O! What a beautiful morning! O! What a beautiful day!"

Mr. PROXMIRE. I thank the distinguished Senator from Illinois. I yield the floor.

Mr. MONRONEY. Mr. President, as the Senator from Wisconsin said, his amendment strikes out all funds for the housekeeping and management of the Capitol. The Architect of the Capitol is not merely an architect. Some Senators doubt whether he is really in that category at all. But he is also the management facility for keeping the Capitol clean, maintaining and paying the bills for utilities, supervising the contracts for construction, materials, and supplies, and for supervising the charwomen who are supposed to clean the floors, for keeping the elevators of the Capitol and office buildings running, and functions of that kind. If there were a gap of even 1 day in the performance of these functions, I am afraid we would find the Capitol of the United States would be in pretty bad condition. We would have abolished an office which employs auditors and other personnel who control the expenditures necessary for keeping this establishment running. Therefore, I oppose the amendment.

I had nothing to do with the appointment of the Architect of the Capitol. I know some of the fine work he has done and some of the mistakes he has committed. But I believe he truly loves the Capitol and truly tries to fulfill what he believes to be the desires and wishes of the Members of Congress on both sides of the Capitol.

Perhaps the old Biblical admonition that no man can serve two masters puts the Architect, like a ping-pong ball, between the governors of the House and the managers of the Senate: Everyone is his boss.

I oppose the amendment. I hope the Senator will agree to terminate the debate on it at this time.

Mr. PROXMIRE. I will terminate the debate in a moment. I appreciate the position of the Senator from Oklahoma. I appreciate the reason why he has taken the position which he has.

On the basis of our experience with the New Senate Office Building, the Old Senate Office Building, and the East Front, I submit that if the Architect of the Capitol is in charge of the supervisory personnel, they would do better without such supervision. Frankly and honestly, I should like to see the Capitol and related buildings operated for a matter of a few months without this kind of supervision. Inefficient, incompetent supervision can be worse than none at all. I am convinced, since there are no persons in the office of the Architect of the Capitol who actually do the cleaning, who actually do the maintenance work, who actually hammer nails, we would lose nothing. This amendment is not a facetious one.

Mr. President, I do not ask for a yea and nay vote; I simply ask for a voice vote.

Mr. HOLLAND. Mr. President, will the Senator from Wisconsin yield for a question?

Mr. PROXMIRE. I yield to the Senator from Florida.

Mr. HOLLAND. Would the Senator be willing to dispense with air conditioning for the rest of the summer? I understand that the operation of the air conditioning system is under the direction of the Architect of the Capitol.

Mr. PROXMIRE. In the first place, I am convinced that if the amendment were adopted, we would still have air conditioning in the Capitol. Second, I suggest that a discontinuance of air conditioning might be a good way to get Congress out of Washington. I suspect that for many reasons the Senator from Florida would be delighted to see that happen as soon as possible.

Mr. HOLLAND. If we were to follow that line of reasoning, I suggest that the Senator should offer an amendment to knock out all appropriations for the payment of salaries of Members of the Senate and House and all the staffs. I suspect there would be people throughout the country who would applaud that action.

Mr. PROXMIRE. No, indeed. I do not favor an amendment that would knock out funds for personnel who do actual, positive, clear, evident, constructive, efficient work. I would eliminate funds only for those who supervise what has been demonstrated to have been done in an inefficient way.

Mr. MONRONEY. At present, there are 35 employees in the office of the Architect of the Capitol. I find it hard to believe that all 35 are as incompetent as the distinguished Senator from Wisconsin would have us believe, and that all deserve the death sentence through the amendment which the Senator proposes to the appropriation bill.

The planning and supervision of the operations required for this vast mass of historic masonry is very complicated. The plumbing and wiring date back, in many cases, for more than 50 years. The persons who have lived with the buildings on Capitol Hill and know their aches and pains and the places where they are susceptible to breakdown are included in the amendment of the Senator from Wisconsin. He seeks to abolish them.

I am afraid we would find deficiencies in our custodial work, even though the willing hands and strong backs were there, without the professional staff of the office of the Architect of the Capitol. This would not be a pleasant place to work. The plumbing would not function regularly. As the Senator from Florida has said, the air conditioning might break down.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wisconsin.

The amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. DOUGLAS. Mr. President, would the Senator from Oklahoma consider an amendment which would cut the salary of the Architect of the Capitol in half? That would amount to a vote of no confidence.

Mr. MONRONEY. The Senator from Illinois is able to offer such an amendment. I believe it could be properly drawn. The senior Senator from Oklahoma would not be willing to join in offering the amendment or to accept such an amendment at this time. We have not had any testimony on the matter, except that which the distinguished Senator gave in connection with the House Office Building.

Mr. DOUGLAS. I do not have the precise wording of such an amendment before me; but I propose, as an amendment, that the salary of the Architect of the Capitol be cut in half.

Mr. MONRONEY. Mr. President, I believe such a proposal is too indefinite. I believe that a written amendment would be required.

Mr. HOLLAND. And it would be subject to a point of order, in that it would change legislation now on the statute books.

Mr. PROXMIRE. Mr. President, I offer the following amendment: On page 20, in line 25, delete the figure "$20,700" and insert "$10,350", in lieu thereof.

According to the budget, $20,700 is the amount allocated to the Architect of the Capitol. As the distinguished Senator from Illinois has pointed out, a vote in favor of this amendment would amount to a vote of no confidence in the Architect of the Capitol. His salary would be cut precisely in two. Nevertheless, this amendment would accomplish the objective of the Senator from Illinois, and also my objective.

The PRESIDING OFFICER. The amendment of the Senator from Wisconsin will be stated.

The Legislative Clerk. On page 20, in line 25, it is proposed to strike out "$20,700", and to insert in lieu thereof "$10,350".

Mr. MONRONEY. Mr. President, I must oppose the amendment. I feel that this is a very poor way to legislate. During the months that Senators knew we were holding hearings on the legislative appropriation bill, we did not receive any such demand or request. The Senator from Illinois knew that we were receiving testimony on the appropriation items, and also testimony in regard to some difficulty with our subway and other items. I do not think the Senate would be at all wise to legislate in this way at 6 o'clock in the evening, after Senators have been told that there will be no more yea-and-nay votes today.

Therefore, I wish to ask the Senator from Wisconsin to withdraw the amendment at this time, and subsequently he might wish to make an appearance in regard to this matter before the committee—whether in connection with a deficiency bill or in connection with another bill—and also to appear before the Rules Committee, which has jurisdiction of the maintenance of the Capitol Buildings and the allocation of space in them.

Mr. PROXMIRE. Mr. President, at the suggestion of my distinguished cosponsor, Senator Douglas, I withdraw my amendment. I understand that he has an amendment to offer.

ARCHITECT OF THE CAPITOL

Mr. DOUGLAS. Mr. President, I do not have an amendment to offer. I wish to ask unanimous consent to introduce a bill; and I desire to ask that the bill be held at the desk for 1 week, to enable other Senators to join in sponsoring it. The bill provides that no one shall hold the office of Architect of the Capitol unless he is a qualified architect—and the present occupant of that office is not a qualified architect.

The original appointment of the present architect was made by the President. This bill provides that the appointment shall be made, not by the President, as is now the case, but by the President pro tempore of the Senate and the Speaker of the House of Representatives. In other words, the bill will require that the Architect of the Capitol be a qualified architect.

Of course, it is well known that the present Architect of the Capitol was appointed by President Eisenhower, not by President Kennedy. The present holder of this office has been continued in the office by courtesy and, I think, by indulgence.

So, Mr. President, I ask unanimous consent that, out of order, I may introduce this bill; and I ask that the bill be held at the desk for 1 week, to enable other Senators to join in sponsoring it.

The PRESIDING OFFICER. Without objection, the bill will be received and appropriately referred; and, without objection, it will be held at the desk as requested.

The bill (S. 1800) relating to the appointment of the Architect of the Capitol, introduced by Mr. Douglas, was received, read twice by its title, and referred to the Committee on Rules and Administration.

Mr. SALTONSTALL. Mr. President, is any amendment now pending?

The PRESIDING OFFICER. No.

Mr. MONRONEY. Mr. President, if there is no further amendment to be proposed, may we have the order for the engrossment of the amendments and the third reading of the bill?

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The question now is, Shall the bill pass? [Putting the question.]

The bill (H.R. 6868) was passed.

Mr. MONRONEY. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. SALTONSTALL. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. MONRONEY. Mr. President, I move that the Senate insist upon its amendments, request a conference thereon with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Monroney, Mr. Humphrey, Mr. Mansfield, Mr. Bartlett, Mr. Hayden, Mr. Saltonstall, Mr. Young of North Dakota, and Mr. Kuchel the conferees on the part of the Senate.

EXEMPTION FROM DUTY FOR RETURNING RESIDENTS—CONFERENCE REPORT

Mr. BYRD of Virginia. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6791) to continue for 2 years the existing reduction of the exemption from duty enjoyed by returning residents, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6791) to continue for two years the existing reduction of the exemption from duty enjoyed by returning residents, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows: That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"That (a) paragraph 1798(c)(2) of the Tariff Act of 1930, as amended (19 U.S.C., sec. 1201, par. 1798(c)(2)), is amended—

"(1) by striking out 'July 1, 1963' each place it appears in subdivisions (A) and (B) and inserting in lieu thereof 'July 1, 1965'; and

"(2) by striking out '$200 in the case of persons arriving directly or indirectly from the Virgin Islands of the United States,' in subdivision (A) and inserting in lieu thereof '$200 in the case of persons arriving before April 1, 1964, directly or indirectly from the Virgin Islands of the United States,'.

"(b) Section 2 of the Act entitled 'An Act to amend paragraph 1798(c)(2) of the Tariff Act of 1930 to reduce temporarily the exemption from duty enjoyed by returning residents, and for other purposes', approved August 10, 1961 (Public Law 87–132; 75 Stat. 335), is amended by striking out 'June 30, 1963' and inserting in lieu thereof 'March 31, 1964'."

And the Senate agree to the same.

That the Senate recede from its amendment to the title of the bill.

Harry F. Byrd,
Russell Long,
George A. Smathers,
John J. Williams,
Frank Carlson,
Managers on the Part of the Senate.

W. D. Mills,
Cecil R. King,
Thomas J. O'Brien,
John W. Byrnes,
Howard H. Baker,
Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. BYRD of Virginia. Mr. President, the conferees on the bill H.R. 6791, to continue for 2 years the reduction in the exemption from duty by returning residents, have met and come to an agreement.

The House conferees refused to concede all the way to the amendment of the Senate, but they did come most of the way and agreed to what seems to be a fair compromise.

The House had included in the bill a $200 exemption from duty for U.S. residents returning from any of our insular possessions. The Virgin Islands was the only one which has been receiving this benefit under the present law.

The Senate amendment would have removed all special exemptions of the $200, including that now extended to the Virgin Islands, leaving all exemptions at $100.

The compromise reached in conference would extend the $200 privilege with relation to the Virgin Islands until the close of March 31, 1964. This will give notice that the provision will expire at that time unless extended by Congress. This will mitigate the effect of a sudden change which would have occurred had the Senate amendment been accepted.

Also, it will give Congress time to study the effect of continuing or removing this special treatment for the Virgin Islands. This will be done by asking the proper Federal agencies to make a comprehensive report as to the effect of the extra $100 allowance.

The report will include such data as the amount and source of goods being shipped in to the Virgin Islands which may be sold to U.S. tourists; the amount of goods made or processed in that area for sale, and some indication of how many tourists normally exceed the $100 limit. This will give us information as to the real benefit to the people of the area of the $200 exemption.

We shall want to know the amount and purpose of the appropriations to the Virgin Islands and whether a continuation of the $200 limit contributes sufficiently to the economy of the area that other means of assistance might be modified.

It will be important to know whether the benefits of the $200 exemption have gone to the people of the Virgin Islands or whether only a comparatively few have benefited.

In other words, we shall ask that a careful and comprehensive study of the whole situation be made available to the Congress prior to the March 31, 1964, date when the $200 exemption would expire and a $100 exemption put in its place.

We feel the conferees upheld the Senate position very well and that the compromise is fair and equitable to all. I move the adoption of the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. KUCHEL. Mr. President, I do not rise for the purpose of objecting to the report, though I believe the Senator from Virginia and those who serve with him on the Finance Committee had no alternative but to continue the policy which has been pursued by our Government in the last few years. I rise merely to voice my regret that our two neighboring countries, Mexico and Canada, were not given different consideration than the other foreign countries. I make that statement most sincerely.

I say to my very able friend from Virginia that I recall several months ago when I had an opportunity, with a group of others from the House and the Senate, to represent our Congress at the Mexican Interparliamentary Conference. I hope that the distinguished Senator and his committee might give consideration subsequently in the present session to the possibility of treating our neighbors in a different fashion. I merely make that statement to my colleague, for I believe that our geographic neighbors to the north and to the south merit different consideration from those other countries in which Americans like to travel.

Mr. BYRD of Virginia. I should like to point out that the present legislation expires on the 30th of June. The bill came over to the Senate only about a week ago, so we did not have time to go into the feature of the bill to which the Senator has referred. I assure the Senator we will do so at the next renewal of it.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, if Senators will indulge me, at this time I wish to call up some measures on the calendar to which there is no objection. I shall do this for the purpose of expediting the transaction of the business of the Senate.

First, Mr. President, I yield to the Senator from California [Mr. Kuchel].

PADRE JUNIPERO SERRA 250TH ANNIVERSARY ASSOCIATION MEDALS

Mr. KUCHEL. Mr. President, I thank the distinguished Senator from Montana for yielding to me; I am very grateful to him for his courtesy and consideration.

Mr. President, I move that the Senate proceed to the consideration of Calendar No. 272, Senate bill 743.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 743) to furnish to the Padre Junipero Serra 250th Anniversary Association medals in commemoration of this 250th anniversary of his birth.

Mr. KUCHEL. Mr. President, I am honored to present this proposed legislation to the Senate.

I ask unanimous consent to have printed at this point in the Record the entire text of my letter to the chairman of the committee.

There being no objection, the letter was ordered to be printed in the Record, as follows:

U.S. Senate,
Committee on Appropriations,
May 16, 1963.

Hon. A. Willis Robertson,
Chairman, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

Dear Mr. Chairman: The State of California is represented in the Capitol's Statuary Hall by two eminent figures who occupy important niches in the State's history.

One of them is Thomas Starr King—preacher, patriot, and orator—who is remembered for his notable successful accomplishments in keeping California within the Union during the Civil War.

The other is Padre Junipero Serra—missionary and pioneer—whose achievements antedate by many years the settlement and formal establishment of California as a State in the Union.

This year we commemorate the 250th anniversary of Padre Serra's birth. A review of his contribution to California history would, therefore, be timely.

While Padre Serra's place in our history seems to be that of a trailblazer, a pioneer, a colonizer, he, as a person, did not actually appear during his lifetime as such. All historical records show that he did not cut the traditional dashing, glamorous figure which one easily conjures in connection with the concept of the 18th century explorer or colonizer.

Padre Serra did not wear the colorful uniform of a soldier of the Spanish Crown. He had instead donned the drab cassock of the Franciscan Order.

He did not brandish the sword. Nor did he shoulder the gun. He carried the cross, the symbol of Christianity.

His mission was not to subjugate by force of arms as was the mode of that time and day. It was one of conversion, education, settlement, and community development through peaceful methods.

Padre Serra was born on the Spanish island of Mallorca on November 24, 1713. Reared by simple, God-fearing parents, he entered the Order of Franciscan Missions in 1730, when he was but 17 years old. Nineteen years later, in the year 1749, he came to Mexico where he served in what was then the Sierra Gorda Mission. In 1767, he was appointed superior of the Franciscan missions in Baja California.

It was from Baja California that he first set out, on foot, to the then unknown and uncharted areas to the north—the area now known as California. Setting out on Easter Sunday, he reached what is now the site of San Diego on July 1, 1769. On this site, on July 16 of that year, he established the first of the 21 California missions.

Although he and his companions—both religious and lay—were plagued with sickness and a shortage of food and provisions, they did not stop with the establishment of the San Diego Mission. They proceeded, against all adversity, to Monterey and other more northern and distant points.

In 1770, the San Carlos de Carmel Mission was established in Monterey. This was followed by the establishment of the San Antonio de Padua Mission in 1771, the San Gabriel Mission that same year, the San Luis Obispo Mission in 1772, the San Francisco de los Dolores mission in 1776, the San Jose Capistrano Mission that same year, the Santa Clara Mission in 1777, and the San Buenaventura Mission in 1782.

Padre Serra died on August 28, 1784, at his beloved San Carlos Mission. It was a peaceful, serene transition from this life to the life hereafter, perhaps because he saw the fruits of his earthly labors, and he knew that the work he had started would go on even without him.

And go on it did. Even after his death, his followers went on to establish the Santa Barbara, Santa Cruz, La Soledad, San Jose de Guadalupe, San Juan Bautista, San Miguel, San Fernando, San Luis Rey, Santa Inez, San Rafael, and San Francisco Missions.

But all of these achievements have had more than just religious significance. They have likewise had social, economic, and political meaning. This I now wish to stress and emphasize by quoting the Honorable Isidore B. Dockweiler, who in 1931 said:

"For nigh 16 years, this able, simple, kindly friar toiled in California. Up and down the coast he traveled, an invalid physically. He taught the native Indian the homely arts of husbandry: he instilled into them the rudiments of government in frontier society * * *. He prepared the slopes of this western land for the advance of empire which years later was to press and fructify.

"He and his fellow friars brought thither * * * the orange, the lemon, the olive, the fig * * * other fruit trees * * * vegetable, cereals, cattle, sheep, horses * * * agricultural implements.

"In a few years he caused these natives to be taught the art of making mortar and cement and brick and tile, the hewing of stone and timber, the fashioning of iron agricultural implements.* * *

"Serra was the first to apply the science of irrigation.

"He chiefly attracted the Indian by his just and paternal treatment."

In the same vein, the historian, John Steven McGroarty, wrote:

"Within the valleys and sun-swept hills where he had found only waste and desolation, he left unnumbered flocks and herds. It is perhaps quite safe to say that there is not in all the history of civilization one other single man whose individual labors for God and humanity bore such bountiful harvest."

History also records a long, arduous 200-league trek which Padre Serra made, all the way from California to Mexico City, when he felt that the Spanish Viceroy was taking an attitude adverse to the continuance of his mission program. He undertook this journey even when he was sick and lame from his other travels within California. Such was the spirit and nature of this man that he returned not only with the Viceroy's approval and sanction, but also with badly needed food and provisions. This is indicative of his dedication to the lofty purpose he had set before himself.

The agricultural paradise that is now the State of California found its beginnings with Padre Serra. As he worked in the West, on our eastern coast blood was flowing because man oppressed man and the remedy to such oppression lay nowhere else but in a recourse to the ultimate right of revolution—the American Revolution. Padre Serra's labor of love among the Indians was already taking root. He was establishing the beginnings of an orderly, peaceful society where before there prevailed only the harsh law of the savage.

Indeed, Padre Serra's impact on California's history is so great that it may be said that the State itself found its origin in his efforts, his work, his successes.

The people of California today wish to commemorate the 250th aniversary of his birth with the issuance of a commemorative medal in his honor paid for solely from private funds. Thus, my colleague from California and I have introduced S. 743, to authorize and direct the Secretary of the Treasury "to strike and furnish to the Padre Junipero Serra 250th Anniversary Association" such national commemorative medals at not less than the estimated cost of manufacture.

I can think of no finer way to reaffirm the esteem and honor in which the citizens of California hold the missionary and man, Padre Junipero Serra, who left an indelible imprint on our State.

With kindest regards.

Sincerely yours,

THOMAS H. KUCHEL,
U.S. Senator.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 291), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

S. 743 authorizes the Secretary of the Treasury to strike and furnish to the Padre Junipero Serra 250th Anniversary Association not more than 300,000 national medals to commemorate the 250th anniversary of the birth of Padre Junipero Serra.

The medals would bear suitable emblems, devices, and inscriptions to be determined by the association subject to the approval of the Secretary of the Treasury. The size or sizes of the medals and the metals from which they would be made would be determined by the Secretary of the Treasury in consultation with the association. The medals would be made and delivered at such times as might be required by the association in quantities of not less than 2,000, but no medals could be made after December 31, 1964. The medals would involve no cost to the United States. They would be struck and furnished at not less than the cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses, and security satisfactory to the Director of the Mint would be required to be furnished to indemnify the United States for the full payment of such cost.

The bill was referred to the Secretary of the Treasury for a report, and his reply has been received indicating no objection to the enactment of the bill.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 743) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the commemoration of the two hundred and fiftieth anniversary of the birth of Padre Junipero Serra, who was born in Majorca, Spain, on November 24, 1713, and came to the west coast in 1769 where he founded the first ten missions, which became the nucleus of civilization in what is now California, the Secretary of the Treasury is authorized and directed to strike and furnish to the Padre Junipero Serra 250th Anniversary Association not more than three hundred thousand medals with suitable emblems, devices, and inscriptions to be determined by the Padre Junipero Serra 250th Anniversary Association subject to the approval of the Secretary of the Treasury. The medals shall be made and delivered at such times as may be required by the association in quantities of not less than two thousand, but no medals shall be made after December 31, 1964. The medals shall be considered to be national medals within the meaning of section 3551 of the Revised Statutes.

SEC. 2. The Secretary of the Treasury shall cause such medals to be struck and furnished at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses; and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for the full payment of such cost.

SEC. 3. The medals authorized to be issued pursuant to this Act shall be of such size or sizes and of such metals as shall be determined by the Secretary of the Treasury in consultation with such association.

The title was amended, so as to read: "A bill to furnish to the Padre Junipero Serra 250th Anniversary Association medals in commemoration of this 250th anniversary of his birth."

Mr. KUCHEL. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. MANSFIELD. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

STRIKING OF MEDALS IN COMMEMORATION OF 100TH ANNIVERSARY OF NEVADA STATEHOOD

Mr. MANSFIELD. Mr. President, I yield now to my distinguished friend, the Senator from Nevada [Mr. BIBLE].

Mr. BIBLE. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 271, Senate bill 1125.

The motion was agreed to; and the bill (S. 1125) to provide for the striking of medals in commemoration of the 100th anniversary of the admission of Nevada to statehood was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the commemoration of the one hundredth anniversary of the admission of Nevada to statehood, the Secretary of the Treasury is authorized and directed to strike and furnish to the Nevada Centennial Commission not more than twenty thousand medals with suitable emblems, devices, and inscriptions to be determined by the Nevada Centennial Commission subject to the approval of the Secretary of the Treasury. The medals shall be made of silver alloy and delivered at such times as may be required by the commission in quantities of not less than two thousand, but no medals shall be made after December 31, 1964. The medals shall be considered to be national medals within the meaning of section 3551 of the Revised Statutes.

SEC. 2. The Secretary of the Treasury shall cause such medals to be struck and furnished at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses; and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for the full payment of such cost.

SEC. 3. The medals authorized to be issued pursuant to this Act shall be of such size or sizes as shall be determined by the Secretary of the Treasury in consultation with such commission.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 290), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

S. 1125 authorizes and directs the Secretary of the Treasury to strike and furnish to the Nevada Centennial Commission appropriate national medals to commemorate the 100th anniversary of the admission of Nevada to statehood on October 31, 1964.

The bill would provide that not more than 20,000 national medals of silver alloy be struck and furnished to the Nevada Centennial Commission. These medals would have suitable emblems, devices, and inscriptions to be determined by the commission. subject to the approval of the Secretary of the Treasury. The size or sizes of the medals would be determined by the Secretary of the Treasury in consultation with the Commission. The medals would be made and delivered to the commission at such times as it may require, in quantities of not less than 2,000, but no medals shall be made after December 31, 1964. The striking of the medals will result in no cost to the United States, and security, satisfactory to the Director of the Mint, would be furnished to indemnify the United States for the full payment of the entire estimated cost of manufacture.

The bill was referred to the Secretary of the Treasury for a report, and his reply has been received, indicating no objection to the enactment of the bill.

The 100th anniversary of the admission of a State to membership in the Union is an event worthy of commemoration by the issuance of a national medal. The particular importance and significance of the admission of Nevada to statehood are set forth in the attached statements from the sponsors of the bill, Messrs. BIBLE and CANNON, which are printed as a part of this report.

STATEMENT BY SENATOR ALAN BIBLE ON S. 1125, JUNE 10, 1963

It is singularly appropriate that the Secretary of the Treasury be authorized to strike silver medallions in commemoration of the 100th anniversary of the admission of Nevada to statehood.

Nevada mines yielded almost $1 billion, and when its statehood was proclaimed by President Lincoln, on October 31, 1864, it was a foregone conclusion that the newest member of the Union would contribute greatly to strengthening the Nation's cause at a time of its gravest peril.

The fabulous mines of the Comstock Lode in Virginia City, Nev., lived up to the wildest expectations, and the wealth from this bonanza played a vital part in America's history, not only during the dark hours of the War Between the States, but in the years which followed.

These silver medallions, heralding our centennial, will give eloquent testimony to the fact that the riches of Nevada's gold and silver ores made statehood possible. The importance of mining was evidenced even before Nevada was welcomed as the 36th State. The Territorial legislature, in 1861, adopted a State seal, later modified, which depicted mountains with a stream of water coursing down their sides and falling on the overshot wheel of a quartz mill at the base. In the foreground was a miner, leaning on a pick and holding high the U.S. flag.

The same determination portrayed by those early miners has threaded itself through Nevada's history during the last 100 years as generation after generation have contributed immeasurably to the world's greatest democracy.

I am hopeful that this honorable committee will see fit to give its approval to this legislation, and that the Senate will likewise ratify the action, to the end that Nevada's centennial observance will be favored with lasting mementoes of a grateful Government.

STATEMENT OF HOWARD W. CANNON IN SUPPORT OF S. 1125

As a cosponsor of S. 1125, a bill to provide for striking of medals in commemoration of the 100th anniversary of the admission of Nevada to the Union, I urge this committee to report the measure favorably, as soon as it can be done.

As the committee knows, Nevada gained statehood October 31, 1864. During the year 1964, the people of my State expect to celebrate, with pageantry and commemoration, this centennial event.

Nevada, appropriately, has been known, historically, as the silver State. It has been one of the largest and most famous silver-producing areas of all times. In fact, the revenue resulting from silver production assisted immeasurably in the development of the West and in the industrial expansion of the entire Nation.

The Nevada Legislature, during each of the last three sessions, has memorialized the Congress and the President of the United States to authorize the issuance of silver coins commemorating this event.

I am hopeful, therefore, that the matter can be reported by the committee without delay.

AMENDMENT OF FEDERAL EMPLOYEES HEALTH BENEFITS ACT OF 1959

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 232, House bill 1819.

The motion was agreed to; and the bill (H.R. 1819) to amend the Federal Employees Health Benefits Act of 1959 to provide additional choice of health benefits plans, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 251), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

H.R. 1819 provides that Federal employee organizations may submit health-benefit plans to the U.S. Civil Service Commission for consideration so that these plans may be included among those comprising the Federal employees' health benefits program. The Federal Employees Health Benefits Act of 1959 (Public Law 86–382) stipulates that group health insurance plans sponsored by employee organizations must have been in operation for at least 1 year in order to be included in the program. This bill would eliminate the 1 year's experience requirement and would permit the inclusion within the program of employee organization health benefits plans which are submitted to the Commission during the year 1963.

At the time of the enactment of the Federal Employees Health Benefits Act, some employee organizations did not sponsor group health insurance programs for their membership. Some of these organizations now wish to sponsor such plans but may not have their proposed plans considered because of the limitations imposed by the language of the enabling act. This bill would remove those limitations and provide that from the date of enactment of H.R. 1819 until December 31, 1963, the Civil Service Commission will accept for review new organization-sponsored plans.

HISTORY

H.R. 1819 would have an effect similar to that of H.R. 10539 of the 87th Congress, which was favorably reported by the House Committee on Post Office and Civil Service on August 29, 1962. This measure passed the House on the last day of the session and was not taken up by the Senate.

STATEMENT

The Senate Committee on Post Office and Civil Service, when it considered legislation in 1959 to establish broad group health insurance coverage for all Federal employees, agreed that the program should include a Government-wide service-benefit plan, a Government-wide indemnity-benefit plan and certain comprehensive medical plans. Existing at the time were group health-benefit plans sponsored by recognized employee organizations for their memberships. If the act had been approved without recognition of the existence of these programs, the employee plans would, in effect, have been forced out of business, since no provision would have been made for the contribution of Federal funds as part of the employees' premiums. This obviously unacceptable effect was avoided by providing that, under certain conditions, existing plans would be included with those directly authorized by the act.

Among the requirements for acceptance of organizations plans was (1) that they have been in operation on July 1, 1959 (1 year prior to the effective date) and (2) that the sponsoring organization apply for approval as a carrier prior to December 31, 1959.

Thus, Public Law 86–382 protected employee-organization plans which were approved by the U.S. Civil Service Commission. While inclusion of these plans within the Federal program was intended primarily to avoid upsetting effective and beneficial plans already in existence, their inclusion greatly complicated the establishment and operation of the overall program. The history of smooth operation in administering such a widely diversified program is a tribute to the rapid and effective work of the U.S. Civil Service Commission and its employees who have established the program and have administered and coordinated it since its inception.

Subsequent events have demonstrated that possession of health benefits plans by employee organizations and the inclusion of these plans in the Federal program may have enhanced the popularity of the organizations offering them. Moreover, although this result was never intended in the enactment of Public Law 86–382, recent developments indicate that employee organizations which did not sponsor health insurance programs in 1959 or which did not, for whatever reason, choose to apply for inclusion may have suffered from the point of view of membership recruitment and retention.

The committee has heard testimony offered by the president of the National Association of Post Office Mail Handlers, Watchmen, Messengers, and Group Leaders that this national organization has lost more than 7,000 members. The mail handlers organization is ready to submit a group health plan for Commission approval but may not do so because of the restrictions written into the 1959 law. It is the belief of the president of the Mail Handlers Association that some prospective candidates for membership in his organization may choose instead to join other employee groups offering Federal health protection rather than his organization which does not and, under existing law, cannot.

The operations director of the Government Employees Council, AFL–CIO, consisting of 25 unions representing Federal employees—postal, classified, and wage board—has endorsed H.R. 1819 and has requested favorable consideration. The president of the National Association of Postal Supervisors, an organization which offered no group health insurance program in 1959, supports this legislation.

The restrictive language of the original measure was never intended, in the view of the committee, to provide any employee group with a membership recruitment and retention advantage over any other. This bill would eliminate the requirement that employee organization plans have been in operation on July 1, 1959, and it would permit any employee organization to apply for approval of its health-benefit plans between the date of enactment and December 31, 1963. In short, it would open up the program for a limited period of time to any qualified employee organization which may now wish, for whatever reason, to apply for approval as a carrier.

Because of the splendid and outstanding work by the Civil Service Commission in bringing into efficient and smooth-working operation the detailed intent of the Congress as expressed in Public Law 86–382, the committee has given careful thought to the reasons advanced by the Commission in opposition to H.R. 1819. It is apparent, however, from the Commission's testimony that the amount of administrative burden which this measure would add to the Commission's responsibilities is not a major one. It is the committee's view that any inequity resulting, however unintentionally, as between the various employee organizations, ought to be remedied. It favorably reports H.R. 1819 with a view to effectuating such a remedy.

COST

The Civil Service Commission estimates that the cost of the initial inclusion of a new plan would be approximately $20,000. Expected also is a continuing cost in subsequent years of a lesser amount per year than the initial cost.

SALE OF CERTAIN MINERAL INTERESTS IN CERTAIN REAL PROPERTY

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 233, House bill 1492.

The motion was agreed to; and the Senate proceeded to consider the bill (H.R. 1492) to provide for the sale of certain reserved mineral interests of the United States in certain real property owned by Jack D. Wishart and Juanita H. Wishart.

Mr. MORSE. Mr. President, can the majority leader show me that the bill provides for payment of the fair market value?

Mr. MANSFIELD. That is my understanding.

In the report, the following is stated:

> H.R. 1492 would direct the Secretary of the Interior to sell to the surface owners of a tract of land in Florida, embracing approximately 270 acres, the mineral rights reserved by the United States. The price would be the fair market value of the mineral rights, plus the costs of the conveyance.

Mr. MORSE. Mr. President, I am satisfied.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 1492) was ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 252), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF BILL

H.R. 1492 would direct the Secretary of the Interior to sell to the surface owners of a tract of land in Florida, embracing approximately 270 acres, the mineral rights reserved by the United States. The price would be the fair market value of the mineral rights, plus the costs of the conveyance.

Thus, enactment of H.R. 1492 would call for no appropriation nor expenditure of Federal funds. The Interior Department report states:

"Our Geological Survey states that the lands are located in the outcrop area of the Hawthorn phosphate formation but is several miles east of the general trend of the hard rock phosphate field. Although we have no information concerning possible drilling operations on these or adjacent lands, the remoteness of these lands from mineralized areas and their location off the edge of the favorable trend area for commercial hard rock phosphate production tend to indicate that the lands have only remote possibilities for mineral development."

FACTUAL AND LEGAL BACKGROUND

The lands which are the subject of H.R. 1492 and S. 73 were mortgaged to the Government on July 10, 1942, as security for certain loans made under the Bankhead-Jones Farm Tenant Act. In January 1945 the lands were conveyed to the United States in satisfaction of the indebtedness. Congress, in directing the disposal of lands acquired under the Bankhead-Jones Act, required, among other things, that the United States reserve to itself a minimum of a 75-percent interest in all minerals. Pursuant to that statutory authority the Farm Security Administration on May 3, 1945, sold part of the property involved to a Mr. and Mrs. Sims and part of the property to a Mr. and Mrs. Nichols, reserving to the United States in each instance a 75-percent interest in the mineral estate.

The act of September 6, 1950 (64 Stat. 769; 7 U.S.C. 1033), authorized the Secretary of Agriculture, during a 7-year period, to transfer to the surface owners the reserved mineral estate in all lands of the nature involved in H.R. 1492, including those that had been sold to the Sims and Nichols families in 1945. The committee was advised that the Farmers Home Administration issued regulations in February of 1951 and in general circularized information concerning the authorization for conveyance of the mineral estate to the surface owners. In addition, an attempt was made to furnish notice directly to those known to be involved. However, the committee was advised that the records do not disclose whether the owners of the surface of the lands described in H.R. 1492 actually received such notification.

The authority to dispose of the reserved mineral estate expired September 6, 1957, after which, in accordance with the 1950 act, the administration of the mineral estate was transferred to the Secretary of the Interior for leasing on November 4, 1958. Immediately prior thereto, on August 23, 1958, the property involved in H.R. 1492 was acquired by Mr. and Mrs. Wishart subject to the reservation by the United States of its 75-percent mineral estate.

The committee was informed that recently when construction was planned on the property, it was discovered that the minerals reservation of the Federal Government, with the legal right to issue leases to third parties for exploration for and extraction of any minerals that might be in the tract, constitutes a cloud on the title and renders financing difficult.

Thus, the reservation, while of no foreseeable or probable value to the U.S. Government, is in effect preventing development of privately owned land. The committee therefore recommends enactment of H.R. 1492.

TWO-YEAR EXTENSION OF BROADENED ELIGIBILITY FOR MORTGAGE INSURANCE UNDER NATIONAL HOUSING ACT

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 285, House Joint Resolution 467.

The motion was agreed to; and the joint resolution (H.J. Res. 467) amending section 221 of the National Housing Act to extend for 2 years the broadened eligibility presently provided for mortgage insurance thereunder was considered, ordered to a third reading, read the third time, and passed.

Mr. SPARKMAN. Mr. President, I ask unanimous consent to have printed in the RECORD, in connection with this joint resolution, certain excerpts from the committee report on it.

There being no objection, the excerpts from the report (No. 304) were ordered to be printed in the RECORD, as follows:

INTRODUCTION

The 1961 Housing Act broadened and liberalized the FHA section 221 program to permit the Commissioner of the FHA to insure the mortgages secured by single and multifamily housing constructed for low- and moderate-income families. Prior to the 1961 act, the Commissioner was authorized to insure under section 221 only those mortgages secured by single and multifamily housing for families displaced by urban renewal or other governmental action. The Congress took this action in 1961 because of the vital need for safe, decent, and adequate housing by the low- and moderate-income families of this Nation. It was evident at that time that families of low and moderate income could not be housed decently unless new FHA programs were developed that would encourage private enterprise, to the maximum extent possible, to serve the vast housing market created by low- and moderate-income families. Thus, in 1961 the Commissioner was given authority to insure mortgages secured by single and multifamily housing constructed for low- and moderate-income families on a 3-year experimental basis, until July 1, 1963.

The purpose for the 3-year experimental program was to give the Congress an opportunity to review these programs after 3 years of operation to determine whether they were successfully fulfilling the housing needs of low- and moderate-income groups. Although the programs took a little more time than originally expected to become popular with private enterprise groups, interest in the programs has increased significantly in the recent past and the outlook for the future seems to be most favorable. It is for this reason that the committee feels that the programs should be continued for another 2-year period prior to giving consideration toward making them permanent.

PURPOSE OF RESOLUTION

House Joint Resolution 467 would provide a 2-year extension of the FHA sections 221 (d)(2) and 221(d)(4), as they apply to low- and moderate-income families. Under present law, there is no termination date for these sections as they apply to displaced families. The committee unanimously reports House Joint Resolution 467, and urges favorable consideration of the bill promptly so that it can reach the President's desk for signature prior to the expiration date of July 1, 1963.

LOW- AND MODERATE-INCOME SALES PROGRAM (SEC. 221(D)(2))

The section 221(d)(2) program of sales housing for low or moderate income families was enacted to provide home ownership for families of low- and moderate-income. Existing law authorizes FHA insurances of mortgages on single-family homes, both new and existing, in amounts of up to $11,000, except that in high-cost areas the ceiling may be as high as $15,000. The maximum term of the mortgage is 35 years, except that where necessary to enable the home-buying family to qualify on the basis of monthly payments, the Commissioner may extend the maximum maturity up to 40 years. Currently the interest rate is 5¼ percent plus an additional one-half of 1 percent mortgage insurance premium. The minimum downpayment under the law is 3 percent which may include closing costs.

During 1962 the section 221(d)(2) sales housing program was second in volume among the FHA home mortgage insurance programs. Only the regular FHA section 203(b) home program exceeded the 221(d)(2) volume. The program rose to more than three times its volume in 1961. New construction mortgages doubled in 1962 (up to 10,443 units) and insurance on existing homes rose from 2,296 units to 12,951 units. During the first 3 months of 1963, applications have been received for insurance of 8,692 mortgages (both new and existing housing) under this program. There is every indication that the program is helping to provide housing for low- and moderate-income families and that it should be continued.

LOW- AND MODERATE-INCOME MULTIFAMILY PROGRAM (FHA SEC. 221(D)(4))

Under the section 221(d)(4) program, rental housing is provided for low- or moderate-income families. Mortgages on private rental housing can be insured in amounts up to 90 percent of estimated replacement cost in the case of new construction. Section 221 (d)(4) can be used for rehabilitation of existing rental housing.

In 1962, nine mortgages on multifamily housing projects were insured under the (d)(4) program. During the first 3 months of 1963, applications for insurance under the rental housing program that would be continued by this resolution have been received for 6 new projects with 772 units. This number of applications in a period of only 3 months shows the growing interest in this program and the need for its extension.

Mr. SPARKMAN. Mr. President, I move that the vote by which the joint resolution was passed be reconsidered.

Mr. MANSFIELD. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 274, and that the measures on the calendar be considered in sequence.

The PRESIDING OFFICER. Without objection, the request is granted. The clerk will call the items in sequence.

AMENDMENT TO STREET READJUSTMENT ACT OF THE DISTRICT OF COLUMBIA

The bill (S. 995) to amend the Street Readjustment Act of the District of Columbia so as to authorize the Commissioners of the District of Columbia to close all or part of a street, road, highway, or alley in accordance with the requirements of an approved redevelopment or urban renewal plan, without regard to the notice provisions of such act, and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Street Readjustment Act of the District of Columbia, approved December 15, 1932 (47 Stat. 747; title 7, ch. 4, D.C. Code, 1961 edition), is amended by adding the following new section:

"Sec. 11. (a) Notwithstanding any other provision of this Act, whenever any redevelopment plan or urban renewal plan approved by the Commissioners of the District of Columbia pursuant to the authority contained in the Act approved August 2, 1946 (60 Stat. 790), as amended (sec. 5–705, D.C. Code, 1961 edition), requires the closing of all or part of any street, road, highway, or alley, the Commissioners of the District of Columbia are authorized to order the closing of such street, road, highway, or alley, or such part of a street, road, highway, or alley, as the case may be, without regard to the provisions of sections 2 and 4 of this Act, if they find that the District of Columbia Redevelopment Land Agency has acquired title to all or a major part of the properties abutting said street, road, highway, or alley, or said part of a street, road, highway, or alley, and, with respect to such of the said abutting properties as may not have been so acquired, the said Agency has obtained and furnished to the said Commissioners the written consent of the owners of such properties to the closing of such street, road, highway, or alley, or such part of a street, road, highway, or alley.

"(b) No public way or part of a public way may be ordered closed by the Commissioners under the authority of this section unless the Commissioners, in giving notice of the public hearing to be held on a redevelopment plan or urban renewal plan, shall have included in such notice a statement of their intention to order the closing of all or part of certain specified public ways within the area or areas covered by any such plan."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 293), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

The purpose of the bill is to expedite the closing of public streets and ways, and parts thereof, embraced wholly within urban renewal plans approved by the Board of Commissioners in accordance with the District of Columbia Redevelopment Act of 1945.

Section 2 of the Street Readjustment Act of the District of Columbia (47 Stat. 748; sec. 7–402, District of Columbia Code, 1961 ed.) establishes the following requirements with respect to notice of the proposed closing of a public way:

"The Commissioners of the District of Columbia shall cause public notice of intention to be given by advertisement for not less than fourteen consecutive days, exclusive of Sundays and holidays, in a daily newspaper of general circulation printed and published in the District of Columbia, to the effect that a public hearing will be held at a time and place stated in the notice for the hearing of objections, if any, to such closing. The said Commissioners shall, not later than fourteen days in advance of such hearing, serve notice of such hearing, in writing, by registered mail, on each owner of property abutting the street, road, highway, or alley, or part thereof, proposed to be closed, or if the owner cannot be located the advertisement provided for above shall be deemed sufficient legal notice. At such hearing a map showing the proposed closing shall be exhibited, and the property owners or their representatives, and any other persons interested, shall be given an opportunity to be heard."

Section 4 of the same act provides that:

"If, after such hearing, the Commissioners are of the opinion that any street, road, highway, or alley or part thereof, should be closed, they shall prepare an order closing the same and shall cause public notice of such order to be given by advertisement for fourteen consecutive days, exclusive of Sundays and legal holidays, in at least two daily newspapers of general circulation printed and published in the District of Columbia, and shall serve a copy of such order on each property owner abutting the street, road, highway, or alley, or part thereof, proposed to be closed by such order, and copy of such order shall be served on the owners in person or by registered mail delivered at the last known residence of such owners, or if the owner cannot be located the advertisement provided for above shall be deemed sufficient legal notice; or if he be a nonresident of the District of Columbia, by sending a copy thereof by registered mail to his last know place of address: *Provided,* That if no objection in writing be made to the Commissioners by any party interested within thirty days after the service of such order, then the said order shall immediately become effective; and the said order and plat or plats as provided for herein shall be ordered by the Commissioners of the District of Columbia recorded in the Office of the Surveyor of the District of Columbia."

In order to comply with the requirements of sections 2 and 4 of the Street Readjustment Act, it is necessary for the Surveyor of the District of Columbia to prepare a plat showing proposed closings of public ways, and thereafter recommend to the Commissioners that a public hearing be held thereon. After the requisite advertising and written notice by registered mail to each owner of property abutting the property affected by the proposed closing, and after the required public hearing, the Commissioners decide whether to proceed with the proposed closing, and if so, they issue an order to accomplish it. This order, under section 4 of the act, must be advertised for 14 consecutive days, excluding Sundays and holidays, in at least two daily newspapers of general circulation, with a copy of such order being served on the owner of each piece of real property abutting the public way affected. If no objection to the order be made "by any party interested" in writing within 30 days, the order so advertised and so served becomes effective. The procedure established by the Street Readjustment Act involves such a degree of expense and consumes so much time that the Commissioners normally hold only about three such hearings a year.

The Redevelopment Act of 1945 requires that all urban renewal plans be submitted to the Commissioners of the District of Columbia for approval. Prior to granting this approval, the Commissioners are required to hold a public hearing and to publish notice of that hearing in a newspaper of general circulation, at least once a week for not less than 2 weeks, prior to such hearings.

In giving their approval to an urban renewal plan, the Commissioners, of course, implicitly sanction any street closing proposed in that plan. In spite of this implicit approval and the notice and hearing which must precede such approval, the Commissioners, under existing law, must go through the procedures of the Street Readjustment Act which are largely repetitious of what has gone before, in the required urban renewal processes.

S. 995 would eliminate this redundancy of procedures by authorizing the Board of Commissioners to close all or part of any public way embraced within an urban renewal plan approved by them, without regard to the requirements of sections 2 and 4 of the Street Readjustment Act of the District of Columbia, whenever they find that the Redevelopment Land Agency has acquired title to all of the property abutting the public way or part thereof to be closed, and to take like action in those cases in which they find that the Agency has acquired title to a major part of the property abutting the public way or part thereof to be closed, if the Agency has obtained and furnished to the Commissioners the written consent to such closing of the owners of so much of the property remaining in private ownership as abuts the public way or part of a public way to be closed.

The committee believes that enactment of S. 995 will result in expediting urban renewal activities in the District of Columbia and will reduce some of the expense to the District in connection therewith, without depriving owners of property of notice concerning the proposed closing of a public way on which any such property abuts. It should particularly be noted that the bill relates only to public ways embraced within urban renewal plans approved by the Commisioners in accordance with the requirements of the Redevelopment Act of 1945, as amended, and does not in any manner affect any public way not embraced in any such plan, the closing of which would continue to be subject to all the notice provisions of the Street Readjustment Act.

There was no opposition to the bill at a hearing conducted before the Business and Commerce Subcommittee on May 3, 1963.

The Commissioners of the District of Columbia favor passage of the bill and its enactment will not result in additional expense for the District of Columbia.

AMENDMENT TO "LIFE INSURANCE ACT" AND "FIRE AND CASUALTY ACT" OF THE DISTRICT OF COLUMBIA

The bill (H.R. 1937) to amend the act known as the "Life Insurance Act" of the District of Columbia, approved June 19, 1934, and the act known as the "Fire and Casualty Act" of the District of Columbia, approved October 3, 1940, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 294), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

The purpose of the bill is to make the District of Columbia perjury statute applicable to those persons who make false statements under oath when applying for licenses or renewal of licenses as insurance agents and brokers in the District of Columbia.

This legislation is made necessary by a recent decision of the U.S. court of Appeals (*Nelson* v. *U.S.*, U.S.C.A. D.C. No. 15726 decided January 12, 1961) which held that a person swearing falsely to the Superintendent of Insurance in an application for agent's license was not subject to the perjury statute of the District of Columbia.

The Superintendent of Insurance, in a memorandum to the Commissioners of the District of Columbia, dated January 16, 1961, reported as follows:

"The urgent necessity for such a bill arises from the decision * * * of the U.S. court of appeals in the Nelson case. * * * In that case, it was decided that a person swearing falsely to the Superintendent of Insurance in applying for an agent's license is not subject to the penalties of perjury.

"The danger to the public in the present situation is obvious from the facts of the case * * *. Nelson obtained from the Department of Insurance a license to act in the District of Columbia as a life insurance agent. In his application he falsely swore that he had never been convicted of any offense against the laws of the District of Columbia, or of any other jurisdiction. Actually, at the time of his application he had recently been paroled from the penitentiary where he had served a sentence upon conviction of a felony involving a money transaction, and he was still reporting to the parole officer.

* * * * *

"The business of insurance is a highly technical one, which is not understood by the average policyholder * * * (who) * * * may easily be deceived and defrauded by a dishonest salesman. There is obvious danger to the public * * * in the situation * * * whereby felons may not be convicted of perjury when they are found to have obtained licenses through false representations."

The District of Columbia perjury statute, applicable under the proposed bill, is found at section 858 of the act approved March 3, 1901 (31 Stat. 1329; sec. 22-2501, D.C. Code, 1951, ed.), and provides a penalty, upon conviction, of imprisonment in the penitentiary for not less than 2 nor more than 10 years. The perjury statute has already been made applicable by the Congress to certain violations of the insurance laws of the District of Columbia at section 27 of chapter II of the Life Insurance Act, as amended (72 Stat. 21; sec. 35-426, D.C. Code, 1951 ed., supp. VIII), and at section 9 of chapter II of said act (48 Stat. 1132; sec. 35-408, D.C. Code, 1951 ed.). The former provision declares that any person testifying falsely under oath at a Superintendent's hearing to determine whether a license should be suspended or revoked "shall be subject to the penalties of perjury." The latter provision states that any director, officer, agent, or employee of any insurance company who willfully and knowingly makes oath to any false annual statement or other statement required by law "shall be guilty of perjury."

The proposed bill makes no change in these sections. It adds the penalty of perjury in the additional cases of false, sworn statements in applications for agents' and brokers' licenses and applications for renewal of such licenses.

The Board of Commissioners favor the bill and its enactment will not result in additional expense for the District of Columbia.

An identical bill (S. 2356) passed the Senate in the 87th Congress.

AMENDMENT TO ACT ESTABLISHING A SMALL CLAIMS AND CONCILIATION BRANCH IN THE MUNICIPAL COURT FOR THE DISTRICT OF COLUMBIA

The bill (S. 489) to amend the act of March 5, 1938, establishing a small claims and conciliation branch in the municipal court for the District of Columbia was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of subsection (g) of section 5 of the Act entitled "An Act establishing a small claims and conciliation branch in the municipal court of the District of Columbia for improving the administration of justice in small cases and providing assistance to needy litigants, and for other purposes", approved March 5, 1938, as amended (52 Stat. 105; D.C. Code, 1961 edition, sec. 11-805(g)), is amended by inserting after the word "action" a colon and the following: "*Provided,* That where in any case controlled by any other statute a greater or lesser time for hearing is specified by such other statute, such other specified period of time shall be controlling".

Sec. 2. The second sentence of subsection (g) of section 5 of such Act is amended by striking "herein" and inserting in lieu thereof "therein".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 295), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

The purpose of this bill is to correct an inconsistency between two provisions of law relating to actions in the small claims and conciliation branch of the court now designated the District of Columbia court of general sessions (formerly the municipal court for the District of Columbia).

Subsection (g) of section 5 of the act creating the small claims and conciliation branch in the municipal court for the District of Columbia (act of Mar. 5, 1938, as amended, 52 Stat. 105), which relates to time for hearing of small claims, provides:

"(g) The clerk shall furnish the plaintiff with the memorandum of the day and hour set for the hearing, which time shall be not less than five nor more than fifteen days from the date of the filing of the action: All actions filed in this branch shall be returnable herein.

However, section 7 of the Motor Vehicle Safety Responsibility Act of the District of Columbia, approved May 25, 1954, as amended (68 Stat. 123), provides in part as follows:

"Section 7. Service of Process on Nonresident.

* * * * *

"The court in which the action is pending may order such continuances as may be necessary to afford the defendant a reasonable opportunity to defend the action, and no judgment by default in any such action shall be granted until at least twenty days shall have elapsed after service upon the defendant, as hereinabove provided, of a copy of the process and notice of service of said process upon the Commissioners."

The District of Columbia has occasion to file a relatively large number of cases against nonresident motorists in the small claims branch of the municipal court, and in these cases, in view of the conflicting provisions of law quoted above, the question has arisen as to which statutory period of time is applicable.

Presently, the clerk of the small claims branch sets as return day for all actions the 14th day from the date on which suit is filed, in accordance with the statute governing the operations of the small claims branch. However, in motor vehicle operation cases involving nonresident defendants, it is frequently necessary for the plaintiff to secure a continuance on the return date to comply with the longer time limitation of the Safety Responsibility Act. Thus, the plaintiff's attorney and the court's clerical staff are burdened with the work of providing two, and sometimes three, trial dates in the same case.

S. 489 seeks to reconcile the inconsistent provisions of these two statutes by the simple expedient of amending the act establishing the small claims and conciliation branch of the municipal court, to provide that the 15-day maximum period between the date of filing of an action and the date of hearing shall not apply in any case controlled by another statute specifying a greater or lesser period of time.

At a public hearing held before the Subcommittee on the Judiciary on May 22, 1963, the Board of Commissioners of the District of Columbia expressed their approval of this bill. The committee was also informed that the judges of the District of Columbia court of general sessions favor enactment of the measure. No opposition to the bill was expressed.

The enactment of the bill will involve no additional expense to the District of Columbia government.

ELIMINATION OF REQUIREMENT FOR ALPHABETICAL FILE ON LIENS ON MOTOR VEHICLES AND TRAILERS IN DISTRICT OF COLUMBIA

The bill (S. 490) to amend the act of July 2, 1940, as amended, relating to the recording of liens on motor vehicles and trailers registered in the District of Columbia, so as to eliminate the requirement of an alphabetical file on such liens be maintained was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of the Act entitled "An Act to provide for the recording and releasing of liens by entries on certificates of title for motor vehicles and trailers, and for other purposes", approved July 2, 1940, as amended (54 Stat. 736, 738; sec. 40–706, D.C. Code, 1951 edition), is amended by striking from the sixth sentence "each of two cards" and "cards" and inserting in lieu thereof respectively "a card" and "card", and by striking from the eighth sentence "each of the said cards" and inserting in lieu thereof "the said card".

SEC. 2. Section 7 of such Act approved July 2, 1940 (sec. 40–707, D.C. Code, 1951 edition), is amended by striking "cards" wherever such word appears in the first sentence and inserting in lieu thereof "a card", and by striking "each of said cards" in the second sentence and inserting in lieu thereof "said card".

SEC. 3. Section 8 of such Act approved July 2, 1940 (sec. 40–708, D.C. Code, 1951 edition), is amended by striking from the second sentence "each of the cards" and inserting in lieu thereof "the card", and by striking from the third sentence "each of the cards" and inserting in lieu thereof "the said card".

SEC. 4. Section 11 of such Act approved July 2, 1940 (sec. 40–711, D.C. Code, 1951 edition), is amended by striking from the first sentence "each of the cards" and inserting in lieu thereof "the card", and by striking from the last sentence "cards" and inserting in lieu thereof "card".

SEC. 5. Section 13 of such Act approved July 2, 1940 (sec. 40–713, D.C. Code, 1951 edition), is amended by striking "files wherein he shall file one set of the cards hereinbefore described alphabetically under the name of owner and the other", and inserting in lieu thereof "a file wherein he shall file a set of cards hereinbefore described".

SEC. 6. Alphabetical files established and maintained in accordance with the requirements of section 13 of such Act approved July 2, 1940, may, with the approval of the Commissioners of the District of Columbia, be destroyed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 296), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The Committee on the District of Columbia, to whom was referred the bill (S. 490) to amend the act of July 2, 1940, as amended, relating to the recording of liens on motor vehicles and trailers registered in the District of Columbia, so as to eliminate the requirement that an alphabetical file on such liens be maintained, after full consideration, report favorably thereon without amendment and recommend that the bill do pass.

The purpose of the bill is to amend the act of July 2, 1940, which requires the recording and releasing of liens by entries on certificates of title for motor vehicles and trailers registered in the District of Columbia. Provision is made in such act for the maintenance by the Recorder of Deeds of two card files, one an alphabetical file, the other a file by trade name and engine number of motor vehicles and trade name and serial number of trailers. The alphabetical file maintained by the Recorder of Deeds is in addition to an alphabetical file carrying identical information maintained in the Department of Motor Vehicles.

In view of the fact that the District of Columbia now is maintaining two alphabetical files relating to aliens on motor vehicles and trailers, the committee believes it would be desirable both from the standpoint of conserving space and of saving the services of personnel if one of the two alphabetical files could be eliminated. Accordingly, enactment of this bill is recommended by the Commissioners of the District of Columbia, as it will amend the act of July 2, 1940, and thereby allow the Recorder of Deeds to dispense with the maintenance of an alphabetical file.

Enactment of S. 490 will result in a saving to the District both in terms of space and in terms of personnel services.

An identical bill (S. 3013) passed the Senate in the 87th Congress, but failed of enactment in the House.

INCREASE IN JURISDICTION OF MUNICIPAL COURT FOR DISTRICT OF COLUMBIA IN CIVIL ACTIONS

The bill (H.R. 3537) to increase the jurisdiction of the Municipal Court for the District of Columbia in civil actions, to change the names of the court, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 297), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The purpose of this bill is to amend existing law so as to increase the jurisdiction of the municipal court for the District of Columbia in civil actions, to change the name of that court and the name of the municipal court of appeals for the District of Columbia, and for other purposes.

A similar bill, H.R. 12708, was the subject of public hearings by this committee during the 87th Congress. Endorsing enactment were the Commissioners of the District of Columbia, the Department of Justice, the Bureau of the Budget, the District of Columbia Bar Association, the Washington Bar Association, and the chief judges of the municipal court for the District of Columbia, the municipal court of appeals for the District of Columbia, the U.S. District Court for the District of Columbia, and the U.S. Court of Appeals for the District of Columbia Circuit.

During consideration of H.R. 12708 in the last session of Congress, the measure was amended on the floor of the Senate to provide for a 25-mile subpena jurisdiction for the newly named District of Columbia court of general sessions, in lieu of the 100-mile subpena jurisdiction provided in the bill as passed by the House.

Subsequent to acceptance by the House of the Senate amendment, a clerical error occurred in the bill's enrollment. Therefore, the enrolled bill as signed by the President, provided for subpenas to be served within a 100-mile radius of the District of Columbia, rather than the 25-mile subpena jurisdiction limitation approved by both the Senate and the House. The bill, as signed, was promulgated as Public Law 87–873 (76 Stat. 1171).

Although the enactment of H.R. 12708, now identified as Public Law 87–873, embodies a subpena provision that was not passed by the Congress, both the municipal court and the Municipal Court of Appeals for the District of Columbia began operating on January 1, 1963, under authority of the public law, and proceeded to change their names to the District of Columbia Court of General Sessions and the District of Columbia Court of Appeals, respectively. Apparently these courts determined to proceed under the legal authority contained in the United States Supreme Court case of *Field* v. *Clark*, 143 U.S. 649 (1892).

By way of explanation, in the case of *Field* v. *Clark*, the legal validity of the 1890 tariff act was placed in issue when it was determined that a section of the act, as it finally passed the Senate and the House, was not in the act authenticated by the signature of the Presiding Officers of the respective Houses of the Congress, and approved by the President.

The Supreme Court in reviewing the matter, concluded that the 1890 Tariff Act was valid, and that it was not appropriate to show from the journals of either House, and other documents printed by authority of Congress, that the enrolled act as finally passed by the Congress contained a section that did not appear in the enrolled act, and approved by the President.

In accordance with the decision of the municipal courts of the District of Columbia to operate under the authority of Public Law 87–873, certain changes have been implemented since January 1, 1963, the effective date of such enactment, the more important being (1) changing the name of the municipal court, to the District of Columbia Court of General Sessions, and the name of the municipal court of appeals, to the District of Columbia Court of Appeals; and (2) increasing the maximum ad damnum jurisdiction of such courts from $3,000 to $10,000.

However, in regard to the extraterritorial 100-mile subpena authority as provided in Public Law 87–873, the District of Columbia Court of General Sessions has advised this committee it is holding usage of such provision in abeyance until the Congress can act on the pending bill, which establishes the subpena jurisdiction of the court at 25 miles.

The committee believes that the most appropriate and effective method to correct the clerical error cited above is complete reenactment at this time of all provisions contained in H.R. 12708, as amended (87th Cong.). It is the committee's further view that full reenactment provides the opportunity for Congress to do now what the Congress had attempted to do during the 87th Congress.

The pending bill, H.R. 3537, embodies all provisions of the bill which Congress passed in the 87th Congress, and in addition thereto contains an express provision making such enactment effective as of January 1, 1963. It is the committee's conclusion that whatever effect the courts may give to Public Law 87–873 as to its validity or nonvalidity and whether such courts follow the rationale of *Field* v. *Clark* or not, the courts could not give it the precise effect Congress intended it to have. Since the legislation Congress actually passed and submitted to the President would have been effective January 1, 1963, the Congress can now do what it could have done then and actually would have done but for the clerical error.

It also takes into account the possibility that the courts might distinguish this situation from that presented in *Field* v. *Clark*. Implicit in full reenactment is the legal conclusion that a bill not passed by Congress is not law, no matter who signs it and that there are not the same reasons for Congress to avoid examining its own records and journals and correcting errors disclosed by them as there might be for the courts under the rationale of *Field* v. *Clark*.

The committee believes that enactment of H.R. 3537 in its entire text, with a retroactive effective date of January 1, 1963, is designed to have the effect of removing any legal cloud surrounding the legal validity of Public Law 87–873, and is purported to result in precise legal authority for the jurisdictional enlargement of the municipal courts for the District of Columbia, as intended and approved by the Senate and the House in the 87th Congress.

AMENDMENT TO DISTRICT OF COLUMBIA BUSINESS CORPORATION ACT

The Senate proceeded to consider the bill (H.R. 4330) to amend the District of Columbia Business Corporation Act which had been reported from the Committee on the District of Columbia with amendments on page 4, after line 16, to strike out:

(5) Section 99 of such Act is amended by striking out subsection (b) and inserting in lieu thereof the following new subsection:

"(b) Without excluding other activities which may not constitute transacting business in the District, a foreign corporation shall not be considered to be transacting business in the District for the purposes of this Act by reason of carrying on any one or more of the following activities in the District:

"(1) maintaining or defending any action or suit or any administrative or arbitration proceeding, or effecting the settlement thereof of the settlement of claims or disputes;

"(2) collecting its debts, taking security for the same, or enforcing any rights in property securing the same;

"(3) appointing or maintaining an agent for the solicitation of business not to be transacted in the District;

"(4) selling personal property to the United States within the District unless a contract for such sale is accepted by the seller within the District or such property is delivered from the stock of the seller within the District for use within the District;

"(5) holding meetings of its directors or shareholders or carrying on other activities concerning its internal affairs;

"(6) voting the stock of any corporation;

"(7) maintaining bank accounts;

"(8) maintaining offices or agencies for the transfer, exchange, and registration of its securities; or appointing and maintaining trustees or depositaries with relation to its securities;

"(9) effecting sales through independent contractors;

"(10) conducting an isolated transaction completed within a period of thirty days and not in the course of a number of repeated transactions of like nature.

"(c) Nothing in subsection (b) of this section shall be construed as affecting the amenability of any foreign corporation to the service of any process, notice, or demand to which such corporation would be amenable without reference to the provisions of such subsection (b), or as affecting the liabilities, duties, or obligations of any foreign corporation under any Act of Congress (other than this Act) or any regulation in force in the District of Columbia."

On page 6, at the beginning of line 14, to strike out "(6)" and insert "(5)"; at the beginning of line 19, to strike out "(7)" and insert "(6)"; on page 7, at the beginning of line 3, to strike out "(8)" and insert "(7)"; on page 8, at the beginning of line 17, to strike out "(9)" and insert "(8)"; on page 10, at the beginning of line 25, to strike out "(10)" and insert "(9)"; on page 11, line 8, after "(21)", to strike out "for"; in line 11, after the word "foreign", to strike out "$1." " and insert "such fee as they may, from time to time, determine to be reasonable," "; at the beginning of line 13, to strike out "(11)" and insert "(10)"; on page 13, at the beginning of line 11, to strike out "(12)" and insert "(11)"; at the beginning of line 17, to strike out "(13)" and insert "(12)"; on page 14, at the beginning of line 10, to strike out "(14)) and insert "(13)"; and at the top of page 15, to insert a new section, as follows:

SEC. 3. This Act shall become effective sixty days after the date of its enactment.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 298), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The purpose of H.R. 4330, as amended, is to amend the District of Columbia Business Corporation Act (June 8, 1954, 68 Stat. 179), so as to improve such act through clarifying language and also by making certain substantive changes that will bring it into greater conformity with the Model Business Corporation Act prepared by the American Bar Association.

The District of Columbia Business Corporation Act was enacted into law in 1954. Following its enactment, the Bar Association for the District of Columbia, through its corporation law committee, has studied continuously the Corporate Act to determine its effectiveness in actual operation. During the interim, the bar association has recommended several amendments to the basic statute which the Congress enacted into law in 1957 and 1959.

H.R. 4330, as amended, is the product of several years study by the Corporation Law Committee of the Bar Association. The bill represents the third, and possibly the last major set of changes to the basic statute. The changes sought by this legislation will bring the District Corporation Act into greater conformity with the Model Business Corporation Act prepared by the American Bar Association.

At a hearing held by the Judiciary Subcommittee on May 22, 1963, testimony was received in support of this legislation from a representative of the Commissioners of the District of Columbia, the Superintendent of Corporations, and the Recorder of Deeds for the District of Columbia, and the Bar Association of the District of Columbia.

SECTION-BY-SECTION ANALYSIS

Section 1 of the bill amends section 4(h) of the act by providing expressly that corporations organized under the act may not plead usury. This defines more clearly the intent of the present statute which provides that corporations may borrow money "without regard to the restrictions of any usury law."

Section 2 of the bill adds new subsections to section 11 of the act to provide that the registered agent of a domestic corporation, for his own purposes, may change the address of the registered office of the corporation by filing required statements.

Section 3 of the bill amends section 12(b) of the act to provide that the Commissioners shall be an agent of a domestic corporation upon whom process against such corporation may be served in the additional instances whenever, (1) after reasonable diligence, the registered agent of the corporation cannot be found at the registered address of the corporation; and (2) the articles of incorporation of any domestic corporation shall be revoked. The subsection as rewritten eliminates the last sentence of the present subsection which provides that such service had on the Commissioners "shall be returnable in not less than 30 days" since the Federal

Rules of Civil Procedure, applicable in the courts of the District of Columbia, govern the service of process on corporations.

Section 4 of the bill adds a new sentence to section 32 of the act providing that absent any restriction in the articles of incorporation or bylaws, the directors of a corporation by affirmative majority vote may establish compensation for directors for services to the corporation.

Section 5 of the bill amends section 3 of the act by striking out the proviso that "no corporation may be organized under the act unless the place where it conducts its principal business is located within the District of Columbia."

Section 6 of the bill amends section 71(b) of the act so as to require that if a corporation, which results from a merger or a consolidation of a foreign or domestic corporation, is governed by the laws of some other State then it must advise the Commissioners of a post office address to which the Commissioners may mail a copy of any process against the corporation that is served upon them.

Section 7 of the bill amends section 107 of the act to permit the registered agent of a foreign corporation to change the address of the registered office in the same manner as a resident agent of a domestic corporation may do under section 2 of this bill.

Section 8 of the bill amends section 108 of the act so that the wording of the section relating to service of process on foreign corporations conforms as nearly as possible with the provisions of section 12 of the act relating to service of process on domestic corporations. Also, the last sentence of subsection (a) (providing that "Any services so had on the Commissioners shall be returnable in not less than 30 days: *Provided, however,* That, if a period of less than or greater than 30 days is prescribed by law or by rules of a court in the District or the rules or regulations of any agency of the United States or of the District, such prescribed period shall govern") is eliminated inasmuch as the Federal Rules of Civil Procedure are applicable in the District of Columbia.

Section 9 of the bill amends section 121(b) of the act so to authorize two additional changes, namely: (1) A charge upon a resident agent who files a statement of change of address of a foreign or domestic corporation, in the amount of $5 plus $1 for each corporation listed in the statement, and (2) a charge of a reasonable fee to be set by the Commissioners for the furnishing of a certificate as to the status of a corporation, or as to the existence or nonexistence of a fact relating to a corporation.

Section 10 of the bill would amend section 127 of the act (1) by changing the language in order to make the provisions relative to the filing of petitions for reinstating proclaimed corporations conform to the provisions relating to the filing of other corporate papers.

Section 11 of the bill would amend section 130(a) of the act so as to permit a resident agent to resign despite the fact that the corporation may not have paid all fees, charges, and penalties which the corporation is required to pay.

Section 12 of the bill would amend section 136 of the act so as to permit action to be taken by a board of directors or committee thereof, by unanimous written consent without the requirement of a meeting, in the same manner that stockholders are presently permitted by section 136 to act without a formal meeting. This amendment will bring the section into conformity with other State corporation statutes.

Section 13 of the bill will add a new provision to the act which will eliminate the necessity of verifying documents under oath, but will impose penalties upon any person who signs any instrument delivered to the Commissioners knowing it to contain a misstatement of fact.

Section 2 of the bill provides that it may be cited as the District of Columbia Business Corporation Act Amendments of 1963.

Section 3 of the bill provides that the effective date shall be 60 days after the date of enactment.

DISTRICT OF COLUMBIA PUBLIC OFF-STREET PARKING FACILITY

The bill (S. 1401) to authorize the Commissioners of the District of Columbia to acquire, construct, operate, and regulate a public off-street parking facility was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Board of Commissioners of the District of Columbia are hereby authorized and directed to acquire a portion of the real properties in square 2672 located between Fourteenth Street, Fifteenth Street, Irving Street, and Columbia Road Northwest, for the purposes of constructing, maintaining, and operating a public off-street parking facility.

SEC. 2. The Commissioners, within the limits of appropriations by Congress therefor, are authorized to exercise all powers set forth in the Motor Vehicle Parking Facility Act of 1942, as amended, necessary and convenient to carry out the purposes of this Act.

SEC. 3. Appropriations to carry out the purposes of this Act, payable from the special account in the highway fund, which special account was created by section 7 of the District of Columbia Motor Vehicle Parking Facility Act of 1942, as amended by section 601 of the Act approved March 2, 1962 (76 Stat. 18), are hereby authorized.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 299), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The Committee on the District of Columbia, to whom was referred the bill (S. 1401) to authorize the Commissioners of the District of Columbia to acquire, construct, operate, and regulate a public off-street parking facility, after full consideration, report favorably thereon without amendment and recommend that the bill do pass.

The purpose of this bill is to authorize the Commissioners of the District of Columbia to acquire a portion of the real properties in square 2672, bounded by 14th, 15th, and Irving Streets and Columbia Road NW., with the intent of developing and maintaining a public offstreet parking facility thereon for approximately 110 motor vehicles.

The properties to be acquired under the authority of the bill are located in the central portion of the so-called Columbia Heights business area and consists of 18 lots. All the lots with the exception of one, are interior lots located generally behind the Savoy Theater building. The single exterior lot is occupied by a store with a 25-foot frontage on 14th Street.

The entire area to be acquired consists of 29,673 square feet, and the total cost of the proposed parking facility project, including land acquisition, clearance, and improvements (paving, landscaping, and lighting) is estimated at $292,000. Of this amount $225,000 is for land acquisition. The financing of the project will be accomplished through appropriations payable from the special parking account in the highway fund, which special account was created by a 1962 amendment to the Motor Vehicle Parking Facility Act of 1942. This amendatory provision to the act, while making certain changes in the authority of the Motor Vehicle Parking Agency to construct parking facilities, did not abrogate the authority of the Agency to use funds of the parking account for the acquisition and construction of parking facilities where the Congress provides specific authority for such acquisition and construction.

As of April 30, 1963, there was approximately $3,025,000 in the parking account of the highway fund, the greater portion of which has been accumulated through revenue derived from fees from parking meters located in the District of Columbia.

The committee was advised that once the parking facility is completed, the District of Columbia government contemplates leasing the operation of the parking lot to a private concern on a high-bid basis, and through a contractual arrangement would specify the parking rates to be charged and, in some measure, establish the method of operation to be followed by the private operators of the facility. Depending on the amount of the highest bid for the parking facilities operation, the District government expects to amortize the cost of the acquisition and construction of the project within a period of 15 years or less.

Based on studies made by the Motor Vehicle Parking Agency in 1961, and updated in recent months, the committee was informed that many potential shoppers are bypassing the Columbia Heights shopping area because of the existing deficiencies in the availability of convenient short-term parking. It was pointed out that since 1961, a considerable number of the street parking has been eliminated in the immediate vicinity of this shopping area due to curb restrictions and conversion of former offstreet facilities to other uses.

The construction of the proposed parking facility while being intended to assist the merchants, business and professional men in the area, will also meet the parking needs, particularly on Sundays, of the five churches in the immediate area, whose combined potential congregation totals approximately 4,000 members.

The Fiscal Affairs Subcommittee held a public hearing on May 13, 1963, and representatives of the Commissioners for the District of Columbia appeared and testified in support of the bill. They advised the subcommittee that the inadequacy of parking facilities in the Columbia Heights area is having a detrimental effect on the economic well-being of a large number of the establishments, and the feeling was that the proposed parking facility would be of considerable aid in stimulating the commercial activities that are available in this area. It was also pointed out that such facility would relieve the inconvenience of the persons who desire to patronize the shopping area but cannot do so for the lack of convenient parking spaces. Likewise representatives of the Columbia Heights community churches, businessmen, and the American Automobile Association appeared at the hearing and filed statements supporting the legislation. No one appeared in opposition to the bill.

CORRECTIONAL INDUSTRIES FUND FOR DISTRICT OF COLUMBIA GOVERNMENT

The Senate proceeded to consider the bill (S. 1082) to establish in the Treasury a correctional industries fund for the government of the District of Columbia, and for other purposes which had been reported from the Committee on the District of Columbia with an amendment on page 4, line 11, after the word "paragraph", to strike out "following" and insert "beginning with"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established in the Treasury a revolving fund for the government of the District of Columbia to be known as the correctional industries fund (hereinafter referred to as the "fund") to replace the working capital fund created by Public Law 493, Seventy-ninth Congress, approved July 9, 1946 (60 Stat. 514), as amended.

Sec. 2. The fund shall be available without fiscal-year limitation and shall be used for the performance of such services and the production of such commodities as, in the judgment of the Board of Commissioners of the District of Columbia (hereinafter referred to as "Commissioners"), will contribute to the rehabilitation, knowledge, and skill in trades and occupations of inmates of the institutions in the Department of Corrections of the District of Columbia, thereby equipped them with a means of livelihood upon release. The accounting for the fund shall be maintained on the accrual basis, including provision for employees' accrued annual leave and depreciation of fixed assets, and financial reports shall be prepared on the basis of such accounting.

Sec. 3. Products and services produced by utilization of the fund may be purchased, at fair market prices as determined by the Commissioners, by any department or agency of the District of Columbia government, the Federal Government, any State or subdivision of a State or any Commonwealth, territory, or possession of the United States. Receipts from the sales of products and services shall be deposited to the credit of the fund. The fund shall be used for all necessary expenses directly related to the fund, including personal services; payments to inmates, or payments to their dependents, of such pecuniary earnings as the Commissioners deem proper; purchase, repair, and maintenance of equipment; purchase of raw materials and supplies; payment of dues and expenses of attendance at meetings and conventions, as approved by the Commissioners; maintenance and repair of buildings used for fund purposes; alteration of existing facilities used for fund purposes where the total project cost does not exceed $10,000; and within the limits of amounts provided in annual appropriation Acts, acquisition and improvement of real property.

Sec. 4. Not later than six months after the end of each fiscal year, the Director of the Department of Corrections of the District of Columbia shall submit to the Commissioners a report of the financial condition of the fund and the results of operations for such fiscal year. The Commissioners shall review such report and determine the disposition to be made of realized profits. The Commissioners are empowered to authorize retention of accumulated profits for the purpose of acquiring or improving personal property, or to increase working capital to planned operating levels. In no case, however, shall such profits retained for these purposes increase the net worth of the fund beyond $2,500,000. The Commissioners are also empowered to authorize retention of accumulated profits for payments to inmates, other than those employed in industrial operations, or for payments to their dependents, of such amounts as the Commissioners deem proper. Accumulated profits not retained or used for the aforementioned purposes, or which exceed the limitation imposed, shall be deposited to the credit of the general revenues of the District of Columbia.

Sec. 5. All assets except buildings and all liabilities or other obligations which at the time of enactment of this Act are components of the working capital fund, Workhouse and Reformatory, as created by Public Law 493, Seventy-ninth Congress, approved July 9, 1946 (60 Stat. 514, ch. 544, sec. 1), shall be transferred to the fund created by the first section of this Act.

Sec. 6. The paragraph beginning with the caption "Working Capital Fund" under the heading "Audit Correctional Service" in the first section of the Act approved July 9, 1946 (60 Stat. 514, ch. 544), creating the working capital fund for the industrial enterprises at the Workhouse and Reformatory, and the proviso in the paragraph following the caption "Operating Expenses" under the heading "Department of Corrections" in the first section of the Act approved July 5, 1952 (66 Stat. 380), authorizing the retention of not to exceed $50,000 of accumulated profits in the working capital fund as additional working capital, are hereby repealed.

Sec. 7. Nothing in this Act shall be construed so as to affect the authority vested in the Commissioners by Reorganization Plan Numbered 5 of 1962 (66 Stat. 824). The performance of any function vested by this Act in the Commissioners or in any office or agency under the jurisdiction and control of said Commissioners may be performed by the Commissioners or may be delegated by said Commissioners in accordance with section 3 of such plan.

Sec. 8. This Act shall take effect July 1, 1963.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 300), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

The Committee on the District of Columbia, to whom was referred the bill (S. 1082) to establish in the Treasury a correctional industries fund for the government of the District of Columbia, and for other purposes, after full consideration, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows: Page 4, line 10, strike the word "following" and insert in lieu thereof "beginning with".

The purpose of this bill is to establish a revolving fund for the District of Columbia government to be known as the correctional industries fund, with a net worth limitation of $2,500,000 to replace the working capital fund, created by Public Law 493, 79th Congress, with a limitation of $100,000.

Such correctional industries fund shall be used for the performance and production of such services as in the judgment of the District Commissioners will contribute to the rehabilitation, skill in trades, and occupations of inmates of the institutions in the Department of Corrections of the District of Columbia.

In addition to establishing a correctional industries fund, the bill also provides:

1. Transfer of all assets (except buildings) and all liabilities or other obligations from the working capital fund to the correctional industries fund:

2. Authorization for the sale to the States and possessions of the United States at fair market values of all services and products financed by the correctional industries fund;

3. Authorization for the use of receipts from the sale of products and services for all necessary expenses directly related to the fund, including personal services, payments to inmates, purchase and repair of equipment, purchase of raw materials and supplies, maintenance and repairs of buildings, and alteration of facilities where cost does not exceed $10,000;

4. Accounting for the fund shall be maintained on the accrual basis, and financial reports shall be prepared and submitted to the Commissioners.

HISTORY OF THE WORKING CAPITAL FUND OF THE DEPARTMENT OF CORRECTIONS

Commencing in 1915, the Congress enacted legislation relating to the sale of products of the correctional institutions of the District of Columbia. Legislation enacted in 1928 provided for working capital for industrial enterprise at the District of Columbia Workhouse and the Reformatory, and designated the Commissioners to transfer to a fund, to be known as the working capital fund, such amounts that may be appropriated but not to exceed $25,000. In 1929, legislation increased that amount to $50,000. Pursuant to this authorizing authority, varying amounts ranging from $25,000 to $50,000 were appropriated for each of the fiscal years from 1929 through 1946. Since the 1928 legislation did not include a provision for any profits from the operation of the working capital fund to be returned to the District of Columbia general fund, the appropriations and profits were used to build up the amount of the working capital fund that was reflected in raw materials, supplies, equipment, and finished goods inventories. Thus, over the years, the appropriation and profits were capitalized until the net worth of the fund now amounts to approximately $900,000.

In 1946, the Congress enacted legislation (60 Stat. 514) establishing a $50,000 working capital fund to be used as a permanent revolving fund. Provision was also made in the 1946 legislation for the Commissioners to transfer all accumulated profits arising from the year's operations under the fund to the general revenue of the District of Columbia for each fiscal year. The Congress followed with legislation in 1952 that authorized the retention of $50,000 of accumulated profits from operations under the working capital fund as additional working capital, thereby increasing the authorized working cash to $100,000.

The basis for the legislation proposed in S. 1082 stems from certain weaknesses that the General Accounting Office found to exist in the financial and management controls of the Department of Corrections of the District of Columbia. An examination and review of the Department of Corrections management controls by the General Accounting Office was made pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67). After the General Accounting Office completed its management review, a report was made to the Congress by the Comptroller General which was entitled "Review of Management Controls of the Department of Corrections, District of Columbia Government, October 1958."

The report of the Comptroller General, in addition to presenting a careful analysis of the corrections institutions' management controls, also pointed out certain management deficiencies on the part of the Department of Corrections that included (1) an improper retention of working capital funds, and (2) utilization of an inadequate accounting system to control costs and work programs.

The enactment of the pending bill will serve as remedial legislation for these deficiencies. The first of the two deficiencies will be corrected by a provision of the bill providing authority for the establishment, within the Department of Corrections, of a correctional industries fund with a net worth limitation of $2,500,000.

In outlining the need for this proposed legislation, the report of the Comptroller stated the following at page 11:

"The net profits from the operation of the activities of the Industries Division have not been transferred annually to the general fund of the District in accordance with the requirement of the act (60 Stat. 514) establishing the working capital fund. A portion of the net profits were improperly retained because the District's Accounting Manual provides that the amount of the annual net profit to be transferred to the general fund shall be reduced by the excess of the expenditures for capital assets over the charge to expense for depreciation of capital assets. Thus, some of the net profits were used for the acquisition of capital assets in contravention of the act.

"The President of the Board of Commissioners was informed by the Comptroller General in a letter dated September 26, 1958 (B-75212), that the act does not permit the annual net profit to be reduced by the excess of expenditures for capital assets over depreciation expense in determining the amount of the net profit to be transferred to the general fund.

"RECOMMENDATION

"We recommend that the Department of General Administration revise the Accounting Manual to conform with the requirement of the act, and that the Board of Commissioners obtain legislative authority to increase the working capital fund for the purpose of financing any needed plant assets, improvements, or expansion costs."

The bill also implements remedial legislation to correct the second deficiency pertaining to the Department of Corrections utilizing an inadequate accounting system. The bill endeavors to correct this inadequacy by providing for the use of cost records integrated with an accrual system of accounting. The need for this change in the correctional institution's accounting system was explained in the Comptroller General's report at page 12.

"DUPLICATIVE APPROPRIATION ALLOTMENT ACCOUNTS

"Both the Accounting Division of the Department of General Administration and the Department of Corrections maintain allotment and obligation records for controlling the latter Department's appropriation allotments and funds. The Department of Corrections' records include data relating to the numerous departmental suballotments—about 140 accounts are maintained for the operating expense appropriation suballotments—and are far more detailed than the Accounting Division's records.

"Although allotment and obligation records are useful in controlling expenditures of funds, they are of little use for controlling costs and work programs because, in many cases, the ultimate disposition of commodities and services is unknown at the time of recording the obligation or expenditure. In such cases, the transactions generally are recorded in the accounts on an arbitrary basis, and adjustments are seldom made after the ultimate disposition of the commodity or service becomes known.

"We believe that the Department's detailed allotment and obligation records would be unnecessary if adequate cost records were available to provide a basis for controlling costs and capital outlay expenditures. Our "Report on Review of Management Controls of the District of Columbia Government, July 1958," contains suggestions that (1) the Accounting Division of the Department of General Administration maintain the allotment and obligation records for all departments and furnish them with periodic reports showing the status of available funds and (2) the departments and agencies control costs by use of financial cost data accumulated in cost records integrated with an accrual system of accounting.

"RECOMMENDATIONS

"We recommend that the Department of General Administration develop an accounting system for the Department of Corrections that will make it unnecessary for the latter Department to continue maintaining allotment and obligation records, that data relating to the status of the allotments be furnished to the Department periodically by the Accounting Division of the Department of General Administration, and that the Department of Corrections control its operations through the use of cost records integrated with an accrual system of accounting."

A public hearing was held by the Subcommittee on Fiscal Affairs on May 13, 1963, in connection with S. 1082. Representatives of the Board of Commissioners for the District of Columbia, and from the Department of Corrections appeared and testified in support of the bill. There was no opposition to the bill.

AMENDMENT TO ACT PROVIDING FOR MOTOR VEHICLE INSPECTION IN THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (S. 485) to amend the act entitled "An act to provide for the annual inspection of all motor vehicles in the District of Columbia" approved February 18, 1938, as amended which had been reported from the Committee on the District of Columbia with amendments at the top of page 2, to insert a new section, as follows:

Sec. 2. The first section of such Act approved February 18, 1938, as amended, is amended by adding at the end thereof the following new sentence: "The Commissioners of the District of Columbia are also authorized, in their discretion, to provided by regulation for the inspection of motor vehicles or trailers which, at the time of inspection, are not required to be registered in the District of Columbia and fees for inspection of such vehicles and trailers shall be the same as the fees for the inspection and reinspection of vehicles and trailers which are required to be inspected at the time of registration."

At the beginning of line 12, to change the section number from "2" to "3"; and at the begining of line 15, to change the section number from "3" to "4"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act entitled "An Act to provide for the annual inspection of all motor vehicles in the District of Columbia", approved February 18, 1938 (52 Stat. 78), as amended (sec. 40-201, D.C. Code, 1961 edition), is amended by striking the period and inserting in lieu thereof the following: ", and there shall also be levied and collected a fee known as the 'reinspection fee' of $1 for each and every reinspection subsequent to the initial reinspection."

Sec. 2. The first section of such Act approved February 18, 1938, as amended, is amended by adding at the end thereof the following new sentence: "The Commissioners of the District of Columbia are also authorized, in their discretion, to provide by regulation for the inspection of motor vehicles or trailers which, at the time of inspection, are not required to be registered in the District of Columbia and fees for inspection of such vehicles and trailers shall be the same as the fees for the inspection and reinspection of vehicles and trailers which are required to be inspected at the time of registration."

Sec. 3. Section 2 of said Act is amended by striking "The inspection fee" and inserting in lieu thereof "The inspection and reinspection fees".

Sec. 4. This Act shall become effective thirty days after its approval.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 301), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

The Committee on the District of Columbia, to whom was referred the bill (S. 485) to amend the act entitled "An act to provide for the annual inspection of all motor vehicles in the District of Columbia," approved February 18, 1938, as amended, after full consideration report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

Page 1, following line 10, insert the following new section:

"Sec. 2. The first section of such Act approved February 18, 1938, as amended, is amended by adding at the end thereof the following new sentence: 'The Commissioners of the District of Columbia are also authorized, in their discretion, to provide by regulation for the inspection of motor vehicles or trailers which, at the time of inspection, are not required to be registered in the District of Columbia and fees for inspection of such vehicles and trailers shall be the same as the fees for the inspection and reinspection of vehicles and trailers which are required to be inspected at the time of registration.'"

Renumber sections 2 and 3 as sections 3 and 4, respectively.

The purpose of this bill, as amended, is to amend the act providing for an annual inspection of motor vehicles in the District of Columbia, so as to: (1) Require that there shall be levied and collected a reinspection fee of $1 for each and every reinspection subsequent to the initial reinspection, and (2) authorize the Commissioners, in their discretion, to provide by regulation for the inspection of motor vehicles or trailers which, at the time of inspection, are not required to be registered in the District of Columbia.

Under existing law the Department of Motor Vehicles of the District of Columbia is authorized to collect a $1 inspection fee at the time of registration of each motor vehicle. The motorist under this law is required to have an initial inspection and upon failure to pass such inspection is then entitled to an indefinite number of reinspections with no additional fee imposed. Enactment of S. 485 would authorize the Department of Motor Vehicles to collect a reinspection fee of $1 in those instances where a motorist fails to pass the initial inspection and one subsequent reinspection.

Section 2 of the bill would amend existing law so as to authorize the Commissioners, in their discretion, to provide by regulation for the inspection of motor vehicles or trailers which, at the time of inspection, are not required to be registered in the District of Columbia. Presently, only those motor vehicles that are registered in the District are required to have an annual inspection by the Department of Motor Vehicles. This amendment will, for the most part, accommodate the automobile dealers in the District of Columbia who for one reason or another desire to have their automobiles inspected by the District of Columbia prior to registration.

The Fiscal Affairs Subcommittee held a hearing on S. 485 on May 13, 1963, at which time representatives of the District Commissioners and of the American Automobile Association appeared in support of the bill. There was no opposition to the measure.

RIGHT-OF-WAY ACROSS PORTION OF DISTRICT TRAINING SCHOOL GROUNDS AT LAUREL, MD.

The Senate proceeded to consider the bill (H.R. 5081) to authorize the Commissioners of the District of Columbia to sell a right-of-way across a portion of the District Training School grounds at Laurel, Md., and for other purposes which has been reported from the Committee on the District of Columbia with amendments on page 1, line, 9, after the word "Maryland", to insert "for the purpose of installing thereon and maintaining a high voltage transmission line on towers to be constructed by said company"; and on page 2, at the beginning of line 13, to strike out "of this Act." and insert "of this Act: *Provided*, That whenever the said right-of-way no longer is maintained by said company for the purpose specified in the preceding sentence, all right, title, and interest of the said company in and to such right-of-way shall revert to the United States.".

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 302), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The Committee on the District of Columbia, to whom was referred the bill (H.R. 5081) to authorize the Commissioners of the District of Columbia to sell a right-of-way across a portion of the District Training School grounds at Laurel, Md., and for other purposes, after full consideration report favorably thereon with amendments and recommend that the bill, as amended, do pass.

The amendments are as follows:

Page 1, line 9, strike the period after the word "Maryland" and insert in lieu thereof the following: ", for the purpose of installing thereon and maintaining a high voltage transmission line on towers to be constructed by said Company."

Page 2, line 11, strike "of this Act." and insert in lieu thereof: "of this Act: *Provided*, That whenever the said right-of-way no longer is maintained by said Company for the purpose specified in the preceding sentence, all right, title, and interest of the said Company in and to such right-of-way shall revert to the United States."

The purpose of this bill is to authorize the Commissioners of the District of Columbia to sell to the Baltimore Gas & Electric Co., a right-of-way across a portion of the District Training School grounds at Laurel, Md.

Through this acquisition, the Baltimore Gas & Electric Co. plans to meet an urgent need for electric power in this section of Maryland by constructing a transmission line between the National Security Administration substation at Fort Meade, and a proposed new substation in the vicinity of High Ridge in Howard County. The Children's Center at Laurel, Md., will also benefit from this expansion of electrical facilities as it will provide the Center with an alternate source of current in the event the main source is disrupted. This arrangement will eliminate the need for the Center to purchase standby generators for supplying power to the hospital, infirmary, and other facilities to be used when the main source of power fails.

The proposed right-of-way is 66 feet wide and parallels the easterly boundary of the ground of the Children's Center for approximately 2,900 feet, and then extends northeasterly some 2,000 feet across the northernmost portion of the ground. Under the provisions of the bill, the District would retain a right of access across the right-of-way, and in addition, the District would also retain a reversionary right to the effect that whenever the right-of-way is no longer maintained by the company for the purpose set forth in the bill, all right, title, and interest of the company to such right-of-way shall revert to the United States.

The physical location of the right-of-way is more than 1 mile from the existing facilities on the District Training School grounds. The facilities on such grounds are referred to as the Children's Center and comprise three separate institutions under the jurisdiction of one Administrator. The Administrator of the Center in a letter to the chairman of the Fiscal Affairs Subcommittee, hereafter made a part of this report, advised the subcommittee that the proposed location of the high transmission line on the proposed right-of-way will not jeopardize the safety of the inmates of the school, nor will it impair the location site for the construction of any future facilities at the Training School. The letter from the Administrator, dated June 6, 1963, is as follows:

GOVERNMENT OF THE DISTRICT OF COLUMBIA, DEPARTMENT OF PUBLIC WELFARE, CHILDREN'S CENTER,
Laurel, Md., June 6, 1693.

Hon. ALAN BIBLE,
District of Columbia Appropriations Committee, Chairman, Fiscal Affairs Subcommittee, U.S. Senate, Washington, D.C.

DEAR SENATOR BIBLE: The purpose of this letter is to assure the members of the subcommittee that the granting of a right-of-way for a high-tension line through the property of the Children's Center at Laurel, Md., will not jeopardize the safety of the residents. The location of the major portion of this transmission line is along the boundary of the property next to a fence and the Baltimore & Ohio Railroad tracks. Residents are not permitted in this area. A small portion of the right-of-way crosses a corner of the Children's Center property near the warehouse and through the tree nursery area. This area is approximately 1 mile from the cottage area where residents live.

The electric poles will have safety features which seem to offer safeguards against residents being able to climb the poles. Staff of the Children's Center have examined the poles and have been assured that the same type of pole is installed near school buildings, playgrounds, and other areas where children play without any unfortunate incidents with this type of pole.

After careful consideration by our engineering staff and the engineering staff of the District of Columbia we have decided that the granting of this right-of-way does not present a hazard to buildings and residents already at the Children's Center. It is being located in an area which will not present a hazard to future anticipated construction at the Children's Center, such as the proposed expanded facilities to replace the National Training School for Boys.

The advantages to the Children's Center of the proposed transmission line seem to far outweigh the disadvantages. The advantages include an alternate supply of current during storms or when power is disrupted in the one line which already serves the Children's Center. All equipment, including culinary, powerplants, lighting, autoclaves, X-ray, and dental equipment depend on electric current. Services at the Children's Center are critically curtailed, and security is lessened, during breakdowns in the supply of electric current. To have an alternate supply of electric current which can be used during emergencies will be beneficial to the total program of the Children's Center. This plan will eliminate the need for purchasing standby generators to be used during electrical breakdowns to supply current to the 35-bed hospital and 200-bed infirmary at the Children's Center.

Sincerely yours,
Miss WINIFRED G. THOMPSON,
Administrator.

The District government has been offered $17,500 by the Baltimore Gas & Electric Co. for the right-of-way, which consists of approximately 7 acres, based on an estimate of the value of the land made by an appraiser selected by the District. The committee was informed that the company is agreeable to amending its offer to include any increase in the fair market value of the land at the time of the sale.

The Fiscal Affairs Subcommittee held a hearing on this measure on May 13, 1963, at which time representatives of the District Commissioners and the Baltimore Gas & Electric Co. appeared and testified in support of the bill. There was no opposition to the bill at the hearing.

Mr. MANSFIELD. Mr. President, that concludes the call of the calendar.

AMENDMENT TO DISTRICT OF COLUMBIA REDEVELOPMENT ACT OF 1945

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Calendar No. 273, Senate bill 628, be considered and laid down as the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 628) to amend the District of Columbia Redevelopment Act of 1945.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

THE PEACE CORPS

Mr. HUMPHREY. Mr. President, Mr. Sargent Shriver has made a remarkable record since he came to Washington 2 years ago to head the Peace Corps.

As Senators know, the task of converting an idea expressed during a political campaign into a workable reality is ordinarily very difficult. Where that idea involves American youth, where it requires them to undergo great hardships, where its objectives are related to, and interwoven with, those of other organizations, the task of giving it life is even more difficult.

Mr. Shriver spent long weeks in consultation with experienced men and women in many walks of life, and I believe he must have talked to three out of four Members of the House and Senate. He never rejected a sensible proposal out of hand, and yet in the welter of advice he received he never lost sight of the principal goal of the Peace Corps.

The results of his planning and his administration, and the dedication of thousands of Americans who have served in the Peace Corps, are profoundly satisfying to those of us who encouraged the formation of the Corps, and it is particularly pleasing to me as the sponsor of the Peace Corps legislation.

Mr. Shriver has written a brief history of the first 2 years of the Peace Corps in the current issue of the quarterly Foreign Affairs. It is a candid and illuminating study. I should like to quote from its conclusion:

> The influence of the Peace Corps idea might be described as a series of widening circles, like the expanding rings from a stone thrown into a pond. The inner, most sharply defined circle represents the immediate effect of the program—accomplishments abroad in social and economic development, skills, knowledge, understanding, institution building, a framework for cooperative effort with private organizations, research and experiment in "oversea Americanship," language training and improvements in health.
>
> The second ring moving outward on the water might be the Peace Corps' influence on our society, on institutions and people, on the creation of a new sense of participation in world events, an influence on the national sense of purpose, self-reliance and an expanded concept of volunteer service in time of peace.
>
> There is still a wider circle, and being farthest from the splash, the hardest to make out clearly. Perhaps I can explain it by describing the relationships I see between the Peace Corps and our American Revolution. The Revolution placed on our citizens the responsibility for reordering their own social structure. It was a triumph over the idea that man is incompetent or incapable of shaping his destiny. It was our declaration of the irresistible strength of a universal idea connected with human dignity, hope, compassion and freedom. The idea was not simply American, of course, but arose from a confluence of history, geography, and the genius of a resolute few at Philadelphia.
>
> We still have our vision, but our society has been drifting away from the world's majority: The young and raw, the colored, the hungry and the oppressed. The Peace Corps is helping to put us again where we belong. It is our newest hope for rejoining the majority of the world without at the same time betraying our cultural, historic, political, and spiritual ancestors and allies. As Pablo Casals, the renowned cellist and democrat, said of the Peace Corps last year: "This is new, and it is also very old. We have come from the tyranny of the enormous, awesome, discordant machine, back to a realization that the beginning and the end are man—that it is man who is important, not the machine, and that it is man who accounts for growth, not just dollars and factories. Above all, that it is man who is the object of all our efforts."

That is an excellent article, and will do much to explain to the American people the outstanding leadership given by Mr. Shriver. I applaud the great purpose and accomplishment of the Peace Corps itself, and ask unanimous consent that the entire text of the article be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Two Years of the Peace Corps

(By Sargent Shriver)

Oscar Wilde is said to have observed that America really was discovered by a dozen people before Columbus, but it was always successfully hushed up. I am tempted to feel that way about the Peace Corps; the idea of a national effort of this type had been proposed many times in past years. But in 1960 and 1961 for the first time the idea was joined with the power and the desire to implement it. On November 2, 1960, Senator John F. Kennedy proposed a "peace corps" in a campaign speech at the Cow Palace in San Francisco. Thirty thousand Americans wrote immediately to support the idea; thousands volunteered to join.

The early days of the Peace Corps were like the campaign days of 1960, but with no election in sight. My colleagues were volunteer workers and a few key officials loaned from other agencies. "I use not only all the brains I have, but all I can borrow," Woodrow Wilson said. So did we. Letters cascaded in from all over the country in what one writer described as "paper tornadoes at the Peace Corps." The elevators to our original two-room office disgorged constant sorties of interested persons, newspaper reporters, jobseekers, academic figures, and generous citizens offering advice. Everywhere, it seemed, were cameras, coils of cable and commentators with questions.

An organization, we know, gains life through hard decisions, so we hammered out basic policies in long, detailed discussions in which we sought to face up to the practical problems and reach specific solutions before we actually started operations. We knew that a few wrong judgments in the early hours of a new organization's life, especially a controversial Government agency, can completely thwart its purposes—even as a margin of error of a thousandth of an inch in the launching of a rocket can send it thousands of miles off course. And we knew the Peace Corps would have only one chance to work. As with the parachute jumper, the chute had to open the first time. We knew, too, that a thousand suspicious eyes were peering over our shoulders. Some were the eyes of friendly critics, but many belonged to unfriendly skeptics. The youthfulness of the new administration, particularly the President, enhanced the risk; an older leadership would have had greater immunity from charges of "sophomorism."

Even the choice of a name took on serious overtones. The phrase "Peace Corps" was used in the original San Francisco speech, but many of our advisers disliked it. "Peace," they claimed, was a word the Communists had preempted, and the "Corps" carried undesirable military connotations. We did not want a name contrived out of initials which a public relations firm might have devised; nor did we want to restrict participation in the program by calling it a "Youth Corps." What we did want was a name which the public at large could grasp emotionally as well as intellectually. Whatever name we did choose, we would give it content by our acts and programs. We wanted it, also, to reflect the seriousness of our objectives. We studied dozens of other names and finally came back to the original. Peace is the fundamental goal of our times. We believed the Peace Corps could contribute to its attainment, for while armaments can deter war, only men can create peace.

The ambitiousness of the name, of course, was only one reason for early skepticism about the Peace Corps. Fears were voiced that it might be a "second children's crusade." I was astonished that a nation so young had become so suspicious of its youth. We had forgotten that Thomas Jefferson drafted the Declaration of Independence at age 33. Forgotten also was the fact that more than half of the world's population is under 26, the age of the average Peace Corps volunteer. Sixteen of the nations in Africa have heads of state under 45; five have leaders in their thirties.

Of course, youthful enthusiasm and noble purposes were not enough. They had to be combined with hardheaded pragmatism and realistic administration. In the early days of the Peace Corps we were looking for a formula for practical idealism. The formula worked out by experience has "the sweet smell of success" today, but it was far less clear 2 years ago.

Would enough qualified Americans be willing to serve? Even if they started, would they be able to continue on the job despite frustration, dysentery, and boredom? Could Americans survive overseas without special foods and privileges, special housing, automobiles, television, and air conditioners? Many Americans thought not. The Washington correspondent of the respected Times of India agreed with them in these words:

"When you have ascertained a felt local need, you would need to find an American who can exactly help in meeting it. This implies not only the wherewithal (or what you inelegantly call the know-how) but also a psychological affinity with a strange new people who may be illiterate and yet not lack wisdom, who may live in hovels and yet dwell in spiritual splendor, who may be poor in worldly wealth and yet enjoy a wealth of intangibles and a capacity to be happy. Would an American young man be in tune with this world he has never experienced before? I doubt it.

"One also wonders whether American young men and tender young girls, reared in air-conditioned houses at a constant temperature, knowing little about the severities of nature (except when they pop in and out of cars or buses) will be able to suffer the Indian summer smilingly and, if they go into an Indian village, whether they will be able to sleep on unsprung beds under the canopy of the bejeweled sky or indoors in mud huts, without writing home about it.

At a time when many were saying that Americans had gone soft and were interested mainly in security, pensions, and suburbia, the Peace Corps could have been timorous. Possible ways of hedging against an anticipated shortage of applicants could have included low qualification standards, generous inducements to service, cautious programing, a period of duty shorter than 2 years, an enforced period of enlistment such as the hitch in the Armed Forces, or draft exemption for volunteer service in the Peace Corps. We deliberately chose the risk rather than the hedge in each case and created an obstacle course. The applicant could remove himself any time he realized his motive was less than a true desire for service. This method of self-selection has by now saved us from compounded difficulties abroad.

Our optimism about sufficient recruits was justified. More than 50,000 Americans have applied for the Peace Corps. In the first 3 months of this year, more Americans applied for the Peace Corps than were drafted for military service. This happened notwithstanding the fact that young men who volunteer for the Peace Corps are liable to service on their return.

Selection was made rigorous. The process was fashioned to include a searchingly thorough application form, placement tests to measure useful skills, language aptitude exams, 6 to 12 reference inquiries, a suitability investigation and systematic observation of performance during the training program of approximately 10 weeks. We invite about one in six applicants to enter training, and about five out of six trainees are finally selected for overseas service.

We debated hotly the question of age, and whether or not older people should be eligible. We listened to proposals for an age limit in the thirties and then in the sixties and finally decided to set no upper age limit at all. Our oldest volunteer today happens to be 76, and we have more grandparents than teenagers in the Peace Corps. Some older volunteers have turned out to be rigid and cantankerous in adapting to a standard of living their parents took for granted, but the majority of them make a lot of us in the New Frontier look like stodgy old settlers.

From the beginning we decided that effective volunteers abroad would need systematic administrative support and direction. Leaders of several developing nations, eager to have the assistance of trained manpower, warned against repeating the experiences of other highly motivated volunteer workers who had failed abroad for lack of cohesive leadership. A good program would need good people—not only as Peace Corps volunteers but as Peace Corps staff members abroad. There was no counterpart in the U.S. Government of civilian leaders serving abroad on a volunteer basis. There was no precedent for what these men would have to do in programing, logistics, and personal support for the volunteers in their charge. We needed the ablest of leaders in each position. Could we attract them even though we did not offer post differentials, cost-of-living allowances, commissary or diplomatic privileges?

Fortunately, the answer has been a continuing "yes." The Peace Corps has attracted intelligent and dedicated men to all positions on its overseas team. Ironically, the same critics who once complained that we would unleash hordes of uninstructed adolescents on the world are now complaining that we spend substantial sums to provide instruction and adequate direction.

Some of my colleagues proposed that Peace Corps volunteers act as technical helpers to ICA technicians, "extra hands" for the more experienced older men. Peace Corps practice has moved in another direction. A natural distinction between the AID adviser at a high level in government and the Peace Corps volunteer making his contribution as a doer or worker at the grass roots soon became apparent. It also became clear that the Peace Corps volunteer had a new and perhaps unique contribution to make as a person who entered fully into host-country life and institutions, with a host-country national working beside him, and another directing his work. This feature of the Peace Corps contributed substantially to its early support abroad.

Discussion of the possibility that the Peace Corps might be affiliated with the ICA led into the question of its relationship to U.S. political and information establishments overseas. The Peace Corps in Washington is responsible to the Secretary of State. Volunteers and staff abroad are responsible to the American Ambassador. Nevertheless, the Peace Corps maintains a distinction between its functions and those of Embassies, AID, and USIA offices. There was a design to this which Secretary Rusk has aptly described: "The Peace Corps is not an instrument of foreign policy, because to make it so would rob it of its contribution to foreign policy." Peace Corps volunteers are not trained diplomats; they are not propagandists; they are not technical experts. They represent our society by what they are, what they do and the spirit in which they do it. They steer clear of intelligence activity and stay out of local politics. Our strict adherence to these principles has been a crucial factor in the decision of politically uncommitted countries to invite American volunteers into their midst, into their homes and even into their classrooms and schoolyards to teach future generations of national leaders. In an era of sabotage and espionage, intelligence and counter-intelligence, the Peace Corps and its volunteers have earned a priceless yet simple renown: they are trustworthy.

Another contested issue in the early days of the Peace Corps concerned private organizations and universities. We were advised by many to make grants to these institutions, then to leave recruitment, selection, training, and overseas programing in their hands. That road would have led to an organization operating very much like the National Science Foundation. For better or worse, the Peace Corps chose not to become a grant-making organization and those decisions which give character to our operations—selection, training, programing, field leadership, and so on—are still in our possession.

Nevertheless, the involvement of private organizations and universities has been crucial to the Peace Corps' success. America is a pluralistic society and the Peace Corps expresses its diversity abroad by demonstrating that the public and private sectors can work cooperatively and effectively. We consciously seek contracts with private organizations, colleges and universities to administer our programs. We gain the advantage of expert knowledge, long experience, tested working relationships and often even private material resources. For example, CARE has contributed more than $100,000 worth of equipment to the Peace Corps in Colombia. Initially, there was suspicion by some of these agencies that the Peace Corps, with the resources of the U.S. taxpayer behind it, would preempt their own work abroad. Suspicion has turned into understanding, however, as the U.S. Government, through the Peace Corps, has facilitated the work of private organizations and has focused new attention on the needs and opportunities for service abroad.

In our talent search we went to Government, academic life, business, the bar, the medical profession and every other walk of life where leadership was available. We deliberately recruited as many Negroes and representatives of other minority groups as possible for jobs in every echelon. We knew that Negroes would not ordinarily apply for high-level policy jobs, so we decided to seek them out. Today 7.4 percent of our higher echelon positions are filled by Negroes as compared to eight-tenths of 1 percent for other Government agencies in similar grades; 24 percent of our other positions are filled by Negroes, compared to a figure for Government agencies in general of 5.5 percent.

How big should the Peace Corps be? Everyone was asking this question and everyone had an answer. Advice ranged from 500 to 1 million. There were strong voices raised in support of tentative pilot projects, looking to a Peace Corps of less than 1,000. However, Warren W. Wiggins, an experienced foreign-aid expert, took a broader view. He pointed out that ultracautious programing might produce prohibitive per capita costs, fail even to engage the attention of responsible foreign officials (let alone have an impact) and fail to attract the necessary American talent and commitment. Furthermore, when the need was insatiable why should we try to meet it with a pittance?

There were also arguments in those early days about "saturation" of the foreign country, either in terms of jobs or the psychological impact of the American presence. I have since noticed that the same arguments made about a 500–1,000 man program in 1961 were also made about our plans to expand to 5,000 volunteers (March 1963), to 10,000 volunteers (March 1964) and to 13,000 (September 1964). I am not suggesting that the Peace Corps should continue to grow indefinitely. But I am proposing that much time and energy are wasted in theoretical musings, introspections and worries about the future. Peace Corps volunteers are a new type of overseas American. Who is to say now how many of them will be welcome abroad next year, or in the next decade? Our country and our times have had plenty of experience with programs that were too little, too late.

The question of the health of the volunteers concerned us from the beginning. The Peace Corps represents the largest group of Americans who have ever tried to live abroad "up country." Even in World War II our troops were generally in organized units where safe food and water could be provided and medical care was at hand. This would not be the case for the Peace Corps. And an incapacitated volunteer would probably be worse than no volunteer at all. How could we reduce the risks to a rational level? The Surgeon General studied the problem at our request. We then worked out a solution by which preventive health measures are provided by public health doctors assigned to the Peace Corps, while much of the actual medical care is handled by doctors of the host country. Of the first 117 volunteers returned to the United States, only 20 came back for medical reasons (21 returned for compassionate reasons, 71 failed to adjust to oversea living and 5 died or were killed in accidents). Our medical division's work is already showing up in the pages of scientific and medical journals. As an example, we recently decided to use large injections of gamma globulin as a preventive for hepatitis, which has presented one of the worst health problems for Americans overseas. Since then, there has not been a single case of infectious hepatitis reported among those who received the large injection in time.

II

Many of the original doubts and criticisms of the Peace Corps have not materialized. On the other hand, substantive problems have emerged which were little discussed or expected two years ago. One of the most difficult is the provision of adequate language training. This was foreseen, but most observers thought that the exotic languages such as Thai, Urdu, Bengali and Twi would give us our main problem, while Spanish and French speakers could be easily recruited or quickly trained. The opposite has been true. The first volunteers who arrived in Thailand in January 1962 made a great impression with what observers described as "fluent" Thai. As the volunteers were the first to point out, their Thai was not actually fluent, but their modest achievement was tremendously appreciated. Since then, of course, a large proportion of the volunteers there have become truly fluent.

On the other hand, a considerable number of volunteers going to Latin America and to French Africa have been criticized for their mediocre language fluency. Expectations are high in these countries and halting Spanish or French is not enough. We have learned that America contains rather few French-speaking bus mechanics, Spanish-speaking hydrologists or math-science teachers who can exegete theorems in a Latin American classroom. Can we devise more effective and intensive language training, particularly for farmers, craftsmen, construction foremen, well drillers, and other Americans who never before have needed a second language? Should we take skilled people and teach them languages, or take people with language abilities and teach them skills?

We still need more volunteers, especially those who combine motivation and special skills. The person with a ready motivation for Peace Corps service tends to be the liberal arts student in college, the social scientist, the person with "human relations" interests. The developing countries need and want a great many Americans with this background, but they also want engineers, agronomists, lathe operators, and geologists. We cannot make our maximum contribution if we turn down requests for skills which we have difficulty finding. There are presently 61 engineers in the Peace Corps, 30 geologists, and 236 nurses, respectable numbers considering the ready availability of generously paying jobs in the domestic economy. But requests still far outnumber the supply.

Other industrialized countries may soon supplement our efforts by providing volunteers to developing countries with languages and skills we lack. The motivation to serve is not distinctively American, and half a dozen industrialized nations have established equivalents of the Peace Corps within the past few months. These programs grew out of an International Conference on Human Skills organized by the Peace Corps and held in Puerto Rico last October. The 43 countries represented at the meeting voted unanimously to establish an International Peace Corps Secretariat to help spread the concept of voluntarism as a tool of economic and social transformation. The response to this initiative is a reflection of the innate vitality of the Peace Corps idea.

We face increasingly difficult choices as we grow. Should we concentrate in the future on the countries where we now have programs and resist expanding to new areas? We are already committed to programs in 47 nations. Should we favor a program where there are relatively stable social conditions, good organization, and effective leadership? Or should we take greater risks and commit our resources in a more fluid and disorganized situation, usually in a poorer country, where the Peace Corps might make a crucial difference or find a great opportunity? Where should we draw the line between adequate material support to the volunteers and the perils of providing them with too many material goods? Where is the equilibrium between safeguarding the volunteer's health and morale and protecting the Peace Corps' declared purpose that he should live as does his coworker in the host country, without special luxury or advantage?

When is a particular program completed? In Nigeria the answer is relatively easy. That country's coordinated educational development plan projects a need for 815 foreign teachers in 1965, 640 in 1966, 215 in 1968 and none in 1970. By then enough Nigerians will have been trained to fill their own classrooms. Progress may not follow so fine a plan, but the Peace Corps can look ahead to a day when its academic, teaching work in Nigeria will be done.

The answer is not so simple in Colombia, where volunteers are working on community development in 92 rural towns. There is no lack of change and progress: the Colombian Government has trebled its own commitment of resources and staff to this progressive community development program. Scores of individual communities have already learned how to organize to transform their future. When volunteer John Arango organized the first town meeting in Cutaru almost 2 years ago, for example, not one soul showed up. Twenty months later almost every citizen turns out for these meetings. The townsmen have changed an old jail into a health clinic; they have drained the nearby swamps; they have rebuilt wharves on the river; they have cleared stumps out of the channel to make it navigable; and they are now building the first 18 of 72 do-it-yourself houses designed by the volunteer.

John Arango's Colombian coworker is equally responsible for the results in Cutaru. In community development, particularly, the ability of the host organization to provide able counterparts is crucial to a program's success. I might also mention that host countries have in every case made voluntary contributions to the Peace Corps programs. In Africa alone, they have supported the program to the value of $2,500,000. During and after the Puerto Rico conference, three countries in Latin America announced plans to establish homegrown Peace Corps organizations; when implemented, these will help solve the shortage of counterparts. We believe North American and Latin American volunteers will complement one another and increase the total effectiveness.

The first "replacement group" in the Peace Corps is about to complete training for service in Colombia. Should we send these volunteers to fill the shoes of their predecessors in the villages which are now moving ahead, albeit shakily? Or should we send the volunteers to new communities where nothing has been done? We know that more is needed than 2 years of work by a North American and his Colombian coworkers to effect self-perpetuating change. On the other hand, we do not want the volunteer to become a crutch in a community's life. Some of the new volunteers in Colombia will, therefore, try to follow through with their predecessor's work, but others will take on villages where no American has served. In the meantime we are planning to study what happens in those towns where volunteers are not replaced.

Earlier I mentioned there has been a change in the nature of comment and criticism about the Peace Corps. In the beginning, the doubters worried about the callowness of youth and the ability of mortals to make any good idea work. The more recent criticism is more sophisticated and more substantive. Eric Sevareid recently observed: "While the corps has something to do with spot benefits in a few isolated places, whether in sanitizing drinking water or building culverts, its work has, and can have, very little to do with the fundamental investments, reorganizations and reforms upon which the true and long-term economic development of backward countries depends." Mr. Sevareid acknowledges that "giving frustrated American youth a sense of mission and adding to our supply of comprehension of other societies fatten the credit side of the ledger." He adds: "If fringe benefits were all the corps' originators had in mind, then this should be made clear to the country." I do not agree with him that the second and third purposes of the Peace Corps Act—representing America abroad in the best sense and giving Americans an opportunity to learn about other societies—are "fringe benefits." Fulton Freeman, the U.S. Ambassador in Colombia, believes the whole Peace Corps program could be justified by its creation of a new American resource in the volunteers who are acquiring language skills and intensive understanding of a foreign society. Former volunteers will be entering Government service (150 have already applied to join USIA), United Nations agencies, academic life, international business concerns and a host of other institutions which carry on the business of the United States throughout the world. Others will return to their homes, capable of exerting an enlightened influence in the communities where they settle. Many trite euphemisms of the ignorant and ready panaceas of the uninformed will clash immediately with the harsh facts that volunteers have learned to live with abroad.

Is the second purpose of the Peace Corps Act—to be a good representative of our society—a fringe benefit? Peace Corps volunteers are reaching the people of foreign countries on an individual basis at a different level from the influence of most Americans abroad. The Peace Corps volunteer lives under local laws, buys his supplies at local stores, and makes his friends among local people. He leaves to the diplomat and the technicians the complex tools which are peculiarly their own while he sets out to work in the local environment as he finds it.

I am not suggesting that life for the volunteer is always hard. A visiting Ghanaian said: "The Peace Corps teachers in my country don't live so badly. After all, they live as well as we do." I agree that this is not so bad; nor is our objective discomfort for discomfort's sake, but rather a willingness to share the life of another people, to accept sacrifice when sacrifice is necessary and to show that material privilege has not become the central and indispensable ingredient in an American's life. It is interesting to note that the happiest volunteers are usually those with the most difficult living conditions.

Although I disagree with Mr. Sevareid's emphasis in dismissing two of the three purposes of the Peace Corps Act as fringe benefits, he does get to the heart of an important question when he compares the direct economic impact of the Peace Corps to fundamental investments, reorganizations and economic development. The Peace Corps contribution has been less in direct economic development than in social development—health, education, construction, and community organization. We are convinced that economic development directly depends on social development. In his valedictory report this past April as head of the Economic Commission for Latin America, Raul Prebisch observed that there are not "grounds for expecting that economic development will take place first and be followed in the natural course of events by social development. Both social and economic development must be achieved in measures that require the exercise of rational and deliberate action. * * * There can be no speedup in economic development without a change in the social structure." While they have their differences, Theodore W. Schultz and J. Kenneth Galbraith have no disagreement on the essential role of social development in economic progress. In contrast, some who argue from the European-North American experience overlook the vital need for social development which had already been substantially achieved in the countries of the Atlantic Community. This is the basic difference between the problem of the Marshall plan, which was concerned with economic reconstruction in societies with abundant social resources, and the problem of forced-draft economic development in much of Asia, Africa, and Latin America.

Notwithstanding the Peace Corps' primary emphasis on social development, volunteers are making a direct economic contribution in a variety of situations. They are helping to organize farmers' cooperatives in Chile, Ecuador and Pakistan; credit unions and savings and loan associations in Latin America; demonstration farms in the Near East. A group of volunteers in the Punjab sparked the creation of a poultry industry of some economic significance (using ground termite mounds for protein feed). These are grassroots projects. More of them will someday cause us to look back and wonder why it took so long to discover that people—human hands and enthusiasms—are an essential part of the relationship of mutual assistance which we must establish with our neighbors abroad.

The Peace Corps is not a "foreign aid" agency. Two of the three purposes of the Peace Corps as defined in the act deal with understanding, not economic assistance. Moreover, our financial investment is in the volunteer who brings his skills and knowledge home with him. Seventy-five percent of the Peace Corps' appropriated funds enters the economy of the United States; of the remaining 25 percent, more than half (57 percent) is spent on American citizens, the Peace Corps Volunteers themselves.

A Jamaican radio commentator recently asserted that " a great distance between people is the best creator of good will. Jumble people up together on a sort of temporary basis of gratitude on one side and condescension on the other, and you'll have everyone at each other's throat in no time." If I believed this were inevitable, regardless of the attitude, preparation and mode of life of volunteers, I would advocate disbanding the Peace Corps—as well as most other programs overseas. But I have greater faith in the universality of men's aspirations and of men's ability to respect each other when they know each other. It is the American who lives abroad in isolation and the thoughtless tourist who create distrust and dislike.

I believe the Peace Corps is also having more impact than we may realize on our own society and among our own people. To take an example of the Peace Corps' impact on an institution, the president of the State University of Iowa, Virgil M. Hancher, recently observed:

"The Peace Corps project (training volunteers for Indonesia) is already having salutary effects upon this university, and these seem likely to be residual. The members of our faculty are having to come together across disciplines. They are having to think through old problems of education freshly and to tackle new ones. Along with the trainees, they are learning—learning how to teach languages in the new method, how to teach new languages, how to teach area studies better, and how to adapt old and test new methods. The project is deepening the international dimension of the State University of Iowa. This international dimension is being shared, in various ways, with the people of the State, the eastern area in particular."

American schools and students may soon benefit from the Peace Corps' initiative in another fashion. Two countries, Ghana and Argentina, have expressed interest in making the Peace Corps a two-way street by sending volunteer teachers of special competence to interested American high schools or colleges. Ghana would provide experts in African history and Argentina teachers of Spanish. Other countries may follow suit.

Our own Peace Corps volunteers are being changed in other ways in the acquisition of languages and expertise. They will be coming home more mature, with a new outlook toward life and work. Like many other Americans, I have wondered whether our contemporary society, with its emphasis on the organizational man and the easy life, can continue to produce the self-reliance, initiative and independence that we consider to be part of our heritage. We have been in danger of losing ourselves among the motorized toothbrushes, tranquilizers and television commercials. Will Durant once observed that nations are born stoic and die epicurean; we have been in danger of this happening to us. The Peace Corps is truly a new frontier in the sense that it provides the challenge to self-reliance and independent action which the vanished frontier once provided on our own continent. Sharing in the progress of other countries helps us to rediscover ourselves at home.

The influence of the Peace Corps idea might be described as a series of widening circles, like the expanding rings from a stone thrown into a pond. The inner, most sharply defined circle represents the immediate effect of the program—accomplishments abroad in social and economic development, skills, knowledge, understanding, institution building, a framework for cooperative effort with private organizations, research and experiment in "oversea Americanship," language training and improvements in health.

The second ring moving outward on the water might be the Peace Corps' influence on our society, on institutions and people, on the creation of a new sense of participation in world events, an influence on the national sense of purpose, self-reliance and an expanded concept of volunteer service in time of peace.

There is still a wider circle and, being farthest from the splash, the hardest to make out clearly. Perhaps I can explain it by describing the relationships I see between the Peace Corps and our American Revolution. The Revolution placed on our citizens the responsibility for reordering their own social structure. It was a triumph over the idea that man is incompetent or incapable of shaping his destiny. It was our declaration of the irresistible strength of a universal idea connected with human dignity, hope, compassion and freedom. The idea was not simply American, of course, but arose from a confluence of history, geography, and the genius of a resolute few at Philadelphia.

We still have our vision, but our society has been drifting away from the world's majority: the young and raw, the colored, the hungry and the oppressed. The Peace Corps is helping to put us again where we belong. It is our newest hope for rejoining the majority of the world without at the same time betraying our cultural, historic, political and spiritual ancestors and allies. As Pablo Casals, the renowned cellist and democrat, said of the Peace Corps last year: "This is new, and it is also very old. We have come from the tyranny of the enormous, awesome, discordant machine, back to a realization that the beginning and the end are man—that it is man who is important, not the machine, and that it is man who accounts for growth, not just dollars and factories. Above all, that it is man who is the object of all our efforts."

PRESIDENT KENNEDY'S VISIT TO GERMANY: A TRIUMPH OF VISION AND STATESMANSHIP

Mr. HUMPHREY. Mr. President, I would like to say a few words apropos of President Kennedy's visit to the Federal Republic of Germany. Every step that the President has taken on German soil has been a triumphant assertion of American leadership, of American determination to pursue a correct policy regardless of factional criticism, and of American faith in a world order based on the mutual interdependence of free nations.

At the Wahn airport near Cologne, in his magnificent address at the historic Paulskirche in Frankfurt yesterday, at his news conference on Monday, and in numerous formal and informal appearances, Mr. Kennedy has emphasized again and again the themes of unity, Atlantic partnership, common defense, America's unswerving commitment to European freedom, and the need for Europe to move with the times in order to preserve what is best in the past. As the President stated at Frankfurt's Paulskirche—a shrine to the undying spirit of German liberalism:

> We have the will and the means to serve three related goals—the heritage of our countries, the unity of our continents, and the interdependence of the Western alliance.

These words acquire even greater significance, Mr. President, when measured against President Kenedy's initial proclamation of transatlantic interdependence in his address at Independence Hall last July 4. Since that day the boat of Atlantic unity has rocked alarmingly, but the goal remains as solid and as tangible as when the President first announced it.

President Kennedy's visit to Germany has been an unprecedented triumph—a triumph of character, vision, and statesmanship. His reception in Germany has completely vindicated the President's decision to proceed despite all the doubts and dire predictions that assailed him before his departure.

I wish to make it clear that I was one of those who felt the President should make the journey. I so stated to him privately, as I stated publicly on radio and to the press. I do not believe that the timidity of approach recommended by some really reflects the spirit of this country.

Everywhere Mr. Kennedy goes he draws huge crowds and attentive, discriminating audiences. In fact, his reception has had one significant result: Chairman Khrushchev has hastily decided to speed up his own appearance in East Berlin. The real feelings of the East Berliners, of course, can be gauged by reports of the crowds massed behind the barricades in East Berlin to catch a glimpse of the President as he surveyed the monstrous Berlin wall. One can easily predict from this the sincerity of the cheers that will greet Mr. Khrushchev when he rides down the former Stalinallee next Friday. My personal opinion is that he would have been better advised to mark Walter Ulbricht's 70th birthday by a telegram or a 25-cent greeting card.

Those who doubted the wisdom of the President's trip to Europe at this time have been confounded. Equally wrong are those who have leaned over backwards to create a rift between the President and Gen. Charles de Gaulle—or, for that matter, between President Kennedy and Chancellor Adenauer of Germany. Many of the President's most heartfelt statements—notably his pledge that American troops would remain in Europe as long as they were required or desired, and that the United States "will risk its cities to defend yours because we need your freedom to protect ours"—were direct answers to the most damaging arguments of President de Gaulle and his spokesmen. But in no sense were they a "rebuke" to one of the greatest Frenchmen of modern times. President Kennedy is not engaged in a popularity contest with President de Gaulle. It is detrimental to America's position to claim that the President's forthright and positive discussion of the Atlantic Alliance is part of a "squabble" between two great men and two great nations. Rather, the President's clear and forceful expression of U.S. policy is a token of his determination to assert American leadership in the cause of Atlantic unity. He makes it clear that he is not seeking an Atlantic superstate in which the legitimate national identities of the constituent nations would be subordinated to purely American interests. Rather, he seeks a true community founded on common interests in the fields of defense, commerce, fiscal policy, political philosophies, and aid to the underdeveloped world. These aims, incidentally, are consistent with the President's emphasis on peace and a reevaluation of the cold war in his remarks at the American University on June 10.

I repeat that I think that address will go down in the history of the United

States as one of the most important and most memorable speeches of our national existence.

Peace is to be a true, worldwide peace—not a "Pax Americana" and not a sterile "coexistence" with communism. Atlantic unity is not a euphemism for Anglo-Saxon hegemony. Our "special relationship," if any, is with the entity of democratic Europe—not with specific nations, specific individuals, or specific governments.

In short, Mr. President, this visit has served to emphasize that President Kennedy is accepted in Europe as a world leader. He is equal in stature to any that have gone before him. He has stressed his belief in the advantages of the Atlantic community, in the need for continuing links between a free Europe and the United States. To call these sentiments a rebuke to a man who has forged unity and promoted economic progress in his own country is unworthy of serious comment.

Mr. President, let us not be juvenile. Let us not sow discord where harmony of purpose should prevail. Let us bring into the open the problems which beset the Atlantic alliance—like all peacetime alliances—but let us beware of chipping away the mortar of the world's greatest alliance through sensationalist reporting.

In other words, what is needed is a discourse, conversation, among the leaders of the free world on how best to perfect the Atlantic alliance and how to make it stronger politically, militarily, economically, and ideologically.

I ask unanimous consent that the text of President Kennedy's address at Frankfurt, together with other press items, be printed at this point in the RECORD.

There being no objection, the address and articles were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, June 26, 1963]

TEXT OF ADDRESS BY PRESIDENT AT FRANKFURT

One hundred and fifteen years ago a most learned Parliament was convened in this historic hall. Its goal was a united German federation. Its members were poets and professors, lawyers and thinkers, doctors and clergymen, freely elected in all parts of the land.

No nation applauded its endeavors as warmly as my own. No assembly ever strove more ardently to put perfection into practice, and though in the end it failed, no other building in Germany more deserves the title of "cradle of German democracy."

But can there be such a title? In my own home city of Boston, Faneuil Hall, once the meeting place of the authors of the Revolution, has long been known as the "cradle of American liberty." But when, in 1852, the Hungarian patriot Kossuth addressed an audience there, he criticized the name.

"It is," he said, "a great name, but there is something in it which saddens my heart. You should not say 'American liberty.' You should say 'liberty in America.' Liberty should not be either American or European; it should just be 'liberty.' "

Kossuth was right. For unless liberty flourishes in all lands, it cannot flourish in one. Conceived in one hall, it must be carried to many. Thus the seeds of the American Revolution had been brought earlier from Europe, and they later took root around the world. And the German Revolution of 1848 transmitted ideas and idealists to America and other lands.

Today, in 1963, democracy and liberty are more international than ever. And the spirit of the Frankfurt assembly, like the spirit of Faneuil Hall, must live in many hearts and nations if it is to live at all.

AGE OF INTERDEPENDENCE

For we live in an age of interdependence as well as independence—an age of internationalism instead of nationalism. In 1848, many countries were indifferent to the goals of the Frankfurt Parliament. It was, they said, a German problem. Today there are no exclusively German problems, or American problems, or even European problems. There are world problems, and our two countries and continents are inextricably bound together on the tasks of peace as well as war.

We are partners for peace, not in a narrow bilateral context, but in a framework of Atlantic partnership. The ocean divides us less than the Mediterranean divided the ancient world of Greece and Rome. Our Constitution is old and yours is young, our culture is young and yours is old, but in our commitment to freedom, we can and must speak with but one voice. Our roles are distinct but complementary, and our goals are the same: peace and freedom for all men, for all time, in a world of abundance and justice.

That is why our nations are working together to strengthen NATO, to expand trade, to assist the developing countries, to align our monetary policies and to build the Atlantic Community. I would not diminish the miracle of West Germany's economic achievements. But the true German miracle has been your rejection of the past for the future—your reconciliation with France, your participation in the building of Europe, your leading role in NATO, and your growing support for constructive undertakings throughout the world.

Your economic institutions, your constitutional guarantees, your confidence in civilian authority, are all harmonious with the ideals of older democracies. And they form a firm pillar of the democratic European community.

But Goethe tells us in his greatest poem that Faust lost the liberty of his soul when he said to the passing moment: "Stay, thou art so fair." And our liberty, too, is endangered if we pause for the passing moment, if we rest on our achievements, if we resist the pace of progress. For time and the world do not stand still. Change is the law of life. And those who look only to the past are certain to miss the future.

FUTURE OF THE WEST

The future of the West lies in Atlantic partnership—a system of cooperation, interdependence and harmony whose peoples can jointly meet their burdens and opportunities throughout the world. Some say that is only a dream, but I do not agree. A generation of achievement—the Marshall plan, NATO, the Schuman plan, and the Common Market—urges us up the path to greater unity.

There will be difficulties and delays. There will be doubts and discouragement. There will be differences of approach and opinion. But we have the will and the means to serve three related goals—the heritage of our countries, the unity of our continents, and the interdependence of the Western alliance.

Some say that the United States will neither hold to these purposes nor abide by its pledges, that we will revert to a narrow nationalism. But such doubts fly in the face of history.

For 10 years the United States has stood its watch for freedom all around the world. The firmness of American will, and the effectiveness of American strength, have been shown, in support of free men and free governments, in Asia, in Africa, in the Americas, and, above all here in Europe. We have undertaken, and sustained in honor, relations of mutual trust and obligation with more than 40 allies. We are proud of this record, which more than answers all doubts.

But, in addition, these proven commitments to the common freedom and safety are assured, in the future as in the past, by one gerat fundamental fact—that they are deeply rooted in America's own self-interest. Our commitment to Europe is indispensable, in our interest as well as yours.

It is not in our interest to try to dominate the European councils of decision. If that were our objective, we would prefer to see Europe divided and weak, enabling the United States to deal with each fragment individually. Instead, we look forward to a Europe united and strong, speaking with a common voice, acting with a common will, a world power capable of meeting world problems as a full and equal partner.

IN THE INTEREST OF ALL

This is in the interest of us all. For war in Europe, as we learned twice in 40 years, destroys peace in America. A threat to the freedom of Europe is a threat to the freedom of America. That is why no administration in Washington can fail to respond to such a threat, not merely from good will, but from necessity.

And that is why we look forward to a united Europe in an Atlantic partnership—an entity of interdependent parts, sharing equally both burdens and decisions, and linked together in the tasks of defense and the arts of peace.

This is no fantasy. It will be achieved by concrete steps to solve the problems that face us all: military, economic and political. Partnership is not a posture but a process, a continuous process that grows stronger each year as we devote ourselves to common tasks.

The first task of the Atlantic community was to assure the common defense. That defense was and still is indivisible. The United States will risk its cities to defend yours because we need your freedom to protect ours. Hundreds of thousands of our soldiers serve with yours in this continent, as tangible evidence of that pledge.

Those who would doubt our pledge or deny this indivisibility, those who would separate Europe from America or split one ally from another, would only give aid and comfort to the men who make themselves our adversaries and welcome any Western disarray.

PURPOSE OF EFFORT

The purpose of our common military effort is not war, but peace—not the destruction of nations, but the protection of freedom. The forces that West Germany contributes to this effort are second to none among European nations. Your nation is the first line of defense, and your divisions, side by side with our own, are a source of strength to us all.

These conventional forces are essential, and they are backed by the sanction of thousands of the most modern weapons here on European soil and thousands more, only minutes away, on posts around the world. Together our nations have developed for the forward defense of free Europe a deterrent far surpassing the present or prospective force of any hostile power.

Nevertheless, it is natural that America's nuclear position has raised questions within the alliance. I believe we must confront these questions, not by turning the clock backward to separate national deterrents, but by developing a more closely unified Atlantic deterrent, with genuine European participation.

How this can best be done is now under discussion with those who may wish to join in this effort. The proposal before us is for a new Atlantic force. Such a force would bring strength instead of weakness, cohesion instead of division. It would belong to all members, not one, with all participating on a basis of full equality. And as Europe moves toward unity, its role and responsibility, here as elsewhere, would and must increase accordingly.

Meanwhile, there is much to do. We must work more closely together on strategy, training and planning. European officers from NATO are being assigned to Strategic Air Command headquarters in Omaha. Modern weapons are being deployed in Western Europe. And America's strategic deterrent, the most powerful in history, will continue to be at the service of the whole alliance.

Second, our partnership is not military alone. Economic unity is also imperative, not only among the nations of Europe, but across the wide Atlantic.

ECONOMIC COOPERATION

Indeed, economic cooperation is needed throughout the entire free world. By opening our markets to the developing countries of Africa, Asia and Latin America, by contributing our capital and our skills, by stabilizing basic prices, we can help assure them of a favorable climate for freedom and growth.

This is an Atlantic responsibility. For the Atlantic nations helped to awaken these peoples. Our merchants and traders ploughed up their soils, and their societies as well, in search of minerals and oils and rubber and coffee. Now we must help them gain full membership in the 20th century, closing the gap between rich and poor.

Another great economic challenge is the coming round of trade negotiations. Those deliberations are much more than a technical discussion of tariffs and commerce. They are an opportunity to build common industrial and agricultural policies across the Atlantic.

They are an opportunity to open up new sources of demand to give new impetus to growth, and make more jobs and prosperity, for our expanding populations. They are an opportunity to recognize the trading needs and aspirations of other free-world nations, including Japan.

In short, these negotiations are a test of our unity. While each nation must naturally look out for its own interests, each nation must also look out for the common interest, the need for greater markets on both sides of the Atlantic, the need to reduce the imbalance between developed and developing nations, and the need to stimulate the Atlantic economy to higher levels of production rather than to stifle it by higher levels of protection.

We must not return to the 1930's when we exported to each other our own stagnation. We must not return to the discredited view that trade favors some nations at the expense of others. Let no one think that the United States, with only a fraction of its economy dependent on trade and only a small part of that with Western Europe, is seeking trade expansion in order to dump our goods on this continent. Trade expansion will help us all.

The experience of the Common Market, like the experience of the German zollverein, shows an increased rise in business activity and general prosperity resulting for all participants in such trade agreements, with no member profiting at the expense of another. As they say on my own Cape Cod, a rising tide lifts all the boats. And a partnership, by definition, serves both partners, without domination or unfair advantage. Together we have been partners in adversity; let us also be partners in prosperity.

MONETARY POLICY

Beyond development and trade is monetary policy. Here again our interests run together. Indeed there is no field in which the wider interest of all more clearly outweighs the narrow interest of one. We have lived by that principle, as bankers to freedom, for a generation. Now that our nations, including West Germany, have found new economic strength, it is time for common efforts here, too. The great free nations of the world must take control of our monetary problems if those problems are not to control us.

Third and finally, our partnership depends on common political purpose. Against the hazards of division and lassitude, no lesser force will serve. History tells us that disunity and relaxation are the great internal dangers of an alliance.

Thucydides reported that the Peloponnesians and their allies were mighty in battle but handicapped by their policymaking body, in which, he related, "each presses its own ends * * * which generally results in no action at all * * *. They devote more time to the prosecution of their own purposes than to the consideration of the general good—each supposes that no harm will come to his own neglect, that it is the business of another to do this or that—and so, as each separately entertains the same illusion, the common cause imperceptibly decays."

Is that also to be the story of the grand alliance? Welded in a moment of imminent danger, will it disintegrate in complacency, with each member pressing its own ends to the neglect of the common cause? This must not be the case. Our old dangers are not gone beyond return, and any division among us would bring them back in doubled strength.

Our defenses are now strong, but they must be made stronger. Our economic goals are now clear, but we must get on with their performance. And the greatest of our necessities, the most notable of our omissions, is progress toward unity of political purpose.

For we live in a world in which our own united strength and will must be our first reliance. As I have said before, and will say again, we work toward the day when there will be real peace between us and the Communists. We will not be second in that effort. But that day is not yet here.

ASKS RENEWED PLEDGE

We in the United States and Canada are 200 million, and here on the European side of the Atlantic alliance are nearly 300 million more. The strength and unity of this half billion human beings are and will continue to be the anchor of all freedom, for all nations.

Let us from time to time pledge ourselves again to the common purposes. But let us go on, from words to actions, to intensify our efforts for still greater unity among us, to build new associations and institutions on those already established. Lofty words cannot construct an alliance; only concrete deeds can.

The great present task of construction is here on this continent where the effort for a unified free Europe is underway. It is not for Americans to prescribe to Europeans how this effort should be carried forward. Nor do I believe that there is any one right course or any single final pattern. It is Europeans who are building Europe.

Yet the reunion of Europe, as Europeans shape it, bringing a permanent end to the civil wars that have repeatedly wracked the world, will continue to have the determined support of the United States. For that reunion is a necessary step in strengthening the community of freedom. It would strengthen our alliance for its defense. And it would be in our national interest as well as yours.

It is only a fully cohesive Europe that can protect us all against fragmentation of the alliance. Only such a Europe will permit full reciprocity of treatment across the ocean, in facing the Atlantic agenda. With only such a Europe can we have a full give-and-take between equals, an equal sharing of responsibilities, and an equal level of sacrifice.

I repeat again, so that there may be no misunderstanding, the choice of paths of the unity of Europe is a choice which Europe must make. But as you continue this great effort, undeterred by either difficulty or delay, you should know that this new European greatness will be not an object of fear, but a source of strength, for the United States of America.

OTHER POLITICAL TASKS

There are other political tasks before us. We must all learn to practice more completely the art of consultation on matters stretching well beyond immediate military and economic questions.

Together, for example, we must explore the possibilities of leashing the tensions of the cold war and reducing the dangers of the arms race. Together we must work to strengthen the spirit of those Europeans who are now not free, to reestablish their old ties to freedom and the West, so that their desire for liberty and sense of nationhood will survive for future expression.

We ask those who would be our adversaries to understand that in our relations with them we will not bargain one nation's interest against another's and that the commitment to the cause of freedom is common to us all.

All of us in the West must be faithful to our conviction that peace in Europe can never be complete until everywhere in Europe men can choose, in peace and freedom, how their countries shall be governed, and choose, without threat to any neighbor, reunification with their countrymen.

I preach no easy liberation and I make no empty promises, but my countrymen believe strongly in the proposition that all men shall be free and all freemen shall have this right of choice.

As we look steadily eastward in the hope and purpose of new freedom, we must also look, and ever more closely, to our trans-atlantic ties.

The Atlantic Community will not soon become a single overarching superstate. But practical steps toward stronger common purpose are well without our grasp. As we widen our common effort in defense, and our threefold cooperation in economics, we shall inevitably strengthen our political ties as well.

Just as your current efforts for unity in Europe will produce a stronger voice in the dialog between us, so in America our current battle for the liberty and prosperity of all citizens can only deepen the meaning of our common historic purposes. In the far future there may be a new great union for us all. But for the present, there is plenty for all to do in building new and enduring connections.

WORDS OF WARNING

In short, the words of Thucydides are a warning, not a prediction. We have it in us, as 18 years have shown, to build our defenses, to strengthen our economies, and to tighten our political bonds, both in good weather and in bad.

We can move forward with the confidence that is born of success and the skill that is born of experience. And as we move, let us take heart from the certainty that we are not only united by danger and necessity, but by hope and purpose as well.

For we know now that freedom is more than the rejection of tyranny, that prosperity is more than an escape from want, that partnership is more than a sharing of power. These are all, above all, great human adventures. They must have meaning and conviction and purpose, and because they do, in your country now and in mine, in all the nations of the alliance, we are called to a great new mission.

It is not a mission of self defense alone, for that is a means, not an end. It is not a mission of arbitrary power, for we reject the idea that one nation should dominate another. The mission is to create a new social order, founded on liberty and justice, in which men are the masters of their fate, in which states are the servants of their citizens, and in which all men and women can share a better life for themselves and their children.

To realize this vision, we must seek, above all, a world of peace, a world in which peoples dwell together in mutual respect and work together in mutual regard, a world where peace is not a mere interlude between wars, but an incentive to the creative energies of humanity.

We will not find such a peace today, or even tomorrow. The obstacles to hope are large and menacing. Yet the goal of a peaceful world must, today and tomorrow, shape our decisions and inspire our purposes.

So we are all idealists. We are all visionaries. Let it not be said of this Atlantic generation that we left ideals and visions to the past, nor purpose and determination to our adversaries. We have come too far, we have sacrificed too much, to disdain the future now. And we shall ever remember what Goethe told us, that the "highest wisdom, the best that mankind ever knew," was the realization that "he only earns his freedom and existence who daily conquers them anew."

[From the Washington (D.C.) Post, June 26, 1963]

CALL FOR STRONG ALLIANCE IN WEST HITS DE GAULLE

(By Carroll Kilpatrick)

WIESBADEN, GERMANY.—President Kennedy today held out the vision of "a great new union" of America and Europe as he summoned the grand alliance to build "new and enduring connections."

While he rejected the idea of an "overreaching superstate," the President dramatically appealed for speedier progress "toward unity of political purpose."

Bluntly assailing the policies of French President Charles de Gaulle, Mr. Kennedy called this stronger political unity "the greatest of our necessities, the most notable of our omissions."

URGES COHESIVE EUROPE

In words that brought back memories of the Marshall plan offer to Europe, the President said that "only a cohesive Europe can protect us all against fragmentation of the alliance." He invited Europe to choose the path that best suited its needs and he pledged strong American support.

The President's offer and appeal—and the attack on De Gaulle without naming him—were made in Frankfurt's historic Paulskirche (St. Paul's Church), known as the cradle of German democracy. The building was once a Protestant church and was used as the meeting hall of the German Assembly's abortive effort to establish democracy in 1848.

President Kennedy's speech came after another tumultuous reception, the most spectacular on this trip. Hundreds of thousands of persons cheered him in Hanau, Frankfurt, and Wiesbaden on the eve of his visit to West Berlin.

CROWD IS ENTHUSIASTIC

In three adjoining squares near the Paulskirche, dozens fainted or were treated by hospital attendants after being crushed against buildings or police barriers. For miles on the President's motor route there were cheering, friendly crowds.

Both American and German officials expressed astonishment at the size of the crowds and the enthusiasm shown.

Earlier, Mr. Kennedy reviewed American troops and a British, French, German, and Canadian honor guard at Fliegerhorst Kaserne, a U.S. Army post near Hanau.

Before leaving Bonn this morning, the President conferred with West Berlin Mayor Willy Brandt, whose city he will visit Wednesday and which Soviet Premier Nikita S. Khrushchev will visit on the other side of the wall Friday.

ERHARD GOES ALONG

The President was reported to have commented, when he learned of Khrushchev's planned visit: "I don't know if I stimulated this visit, but if I did I think it is a plus." He apparently meant that the Soviets were disturbed by the impact of his visit.

Traveling with Mr. Kennedy most of the day was Chancellor-designate Ludwig Erhard. They conferred privately here tonight.

In the Frankfurt speech and in the President's other comments since arriving early Sunday, it has become clear that he is preoccupied with the fear that Gaullism will lead to a disruption of all postwar efforts, in which the United States has invested heavily, to establish a grand alliance, economically, politically, and militarily.

Informants insisted that he was not campaigning against President de Gaulle, but affirming fundamental policies which the United States and 13 NATO nations support. Since the United States is the major military power on the continent, Mr. Kennedy feels that he can speak bluntly on any threat to the alliance.

His purpose, a high American official said, is to insure the success of the alliance at a time when De Gaulle is challenging NATO policies, the economic unity of the continent and various postwar political arrangements.

The President's other preoccupation, most clearly stated recently in his American University speech, is the necessity, as he put it today, of "leashing tensions of the cold war and reducing the dangers of the arms race."

In West Germany, where there are strong advocates of tougher cold war tactics, Mr. Kennedy emphasized America's firm defense commitments but at the same time used these words: "As I have said before, and will say again, we work toward the day when there may be real peace between us and the Communists. We will not be second in that effort. But that day is not yet here."

Members of the Bundestag and other high officials in the Paulskirche interrupted the President's speech with applause 21 times. But they did not applaud that sentence, and they listened quietly to the more outspoken but unspecified attacks on De Gaulle.

REPLIES TO DE GAULLE

"Some say," Mr. Kennedy commented, using a favorite De Gaulle phrase, "that the United States will neither hold to its purposes nor abide by its pledges."

"Such doubts fly in the face of history," the President declared. America's "proud" record "more than answers all doubts * * *. The defense of the Atlantic community is indivisible."

In another obvious reply to De Gaulle, he said that the United States "will risk its cities to defend yours because we need your freedom to protect ours."

Then, in perhaps his most caustic rejoinder, Mr. Kennedy said in measured tones: "Those who would doubt our pledge or deny this indivisibility—those who would separate Europe from America or split one ally from another—would only give aid and comfort to the men who make themselves our adversaries and welcome any Western disarray."

A reply from De Gaulle is expected soon, for he must take note of the President's charges. They are being studied carefully tonight in every European capital and being heard directly by television in most of western Europe.

OFTEN APPLAUDED

There was applause when the President spoke out against "a narrow bilateral context" in the framework of the Atlantic Alliance.

And there was applause when he said "the future of the West lies in Atlantic partnership—a system of cooperation, interdependence and harmony."

While Mr. Kennedy repeatedly emphasized the need for stronger political ties, American officials said he does not have in mind any constitutional changes. Rather, he wants an extension of ties developed in the last 18 years, such as stronger monetary arrangements, more liberal trade arrangements, new machinery for coordinating economic policies, more vigorous allied policies to aid underdeveloped countries and the proposed multilateral defense force.

In the Paulskirche address, Mr. Kennedy acknowledged that America's nuclear position has raised questions and doubts in the Western alliance. He said the multilateral force represents a major step forward, and he seemed confident the force would be created.

[From the Washington (D.C.) Post, June 26, 1963]

TOWARD ATLANTIC UNITY

President Kennedy's eloquent speech at Frankfurt, Germany, put the case for the unity of the Atlantic community in terms that should remove, as far as words can remove, the last lingering doubts about this country's irrevocable commitment to the defense of Europe. It is hard to imagine how there could be a survival of any genuine misgivings about the readiness of this country to defend its European allies. The head of a great state could hardly go farther than the President went. A government could hardly say more than that it is willing to risk its own cities to defend the cities of the countries joined to it in common cause.

Such a commitment and such a bold assertion of that commitment can only fail to dissolve the reservations of our allies in Europe if those reservations arise from a different set of misgivings. If they really spring from the fear that the United States would not respond to an attack upon Europe they ought to be removed by the Frankfurt address. Unfortunately, there is some reason to believe that France has undertaken its dissenting role, not because it doubts American willingness to defend France but because it is so sure of it that it does not think that willingness can be impaired by any course that France may take.

The President was not speaking only to France, however, or even primarily to France, but to the whole Atlantic community. And it was time he spoke as he did. He has made plain the intention of this country to persevere in its efforts to make the Atlantic community an indivisible body, militarily, economically and politically. He has made a strong, practical and vigorous plea for joint efforts to improve the lot of all the Atlantic peoples, using a figure of speech that graphically expresses the good sense of such a course—"a rising tide lifts all the boats." The President would begin by international cooperation to take the steps that in the far future may produce a great union. Some will wish for a quicker and a shorter route to union. Even those who do can hardly deplore the direction in which the President wishes to move even if they wish to move more rapidly. Common action on monetary, economic, military, and political affairs would produce finally the sort of union the most impatient desire.

The President was able to touch only in passing upon the most difficult of all the problems of collective policy—the development of "a more closely unified Atlantic deterrent, with genuine European participation." He spoke of the possibilities of a "new Atlantic force"—presumably the multilateral deterrent—of the assignment of NATO officers to Strategic Air Command, of modern weapons deployed in Western Europe and of the American deterrent which is "at the service of the whole alliance."

If the President's great design is to be wholly convincing to the entire Atlantic community, it is this broad purpose that will have to be defined with more particulars in the months ahead. The means will have to be found, the methods perfected through which our NATO allies can share more and more extensively, not just in the use of a separate European nuclear force which never will have more than a minimal deterrent role, but in the disposition of the vital, major and decisive thermonuclear power of the United States. This is the challenge to American ingenuity and as this challenge is met the President's eloquent assurances will acquire increasing credibility.

The President at Frankfurt, said the right things. It will become increasingly important for this country to do the right things—the things that show by example as well as by exhortation the Nation's belief in collective monetary and military policy.

[From the New York Times, June 26, 1963]

THE PRESIDENT ON UNITY

Employing a style of diplomacy that reminds one of an American election campaign, President Kennedy is inviting Western Europe to reject President de Gaulle's brand of nationalism and to choose instead the kind of Atlantic partnership envisaged by the United States.

The President emphasizes that no nation can by itself maintain its security, that we live in an age of interdependence and internationalism in which the destinies of Europe and North America are inextricably bound together in peace and in war. This requires as a first condition of Atlantic partnership a strong common defense, including a NATO nuclear force instead of the national nuclear deterrents espoused by France. The President again pledges the United States to defend Western Europe at whatever risk to ourselves. But his failure to offer Europe a share in the control of nuclear warheads will scarcely remove its doubts on that score, especially since he himself raises the possibility that Europe's own failures to maintain a true Atlantic partnership could break up the alliance.

This possibility arises not less from President de Gaulle's withdrawal of French force from NATO than from the protectionist tendencies within the European Economic Community. Mr. Kennedy even gives first priority to European cooperation with the United States in economic, commercial and monetary policies. As still another condition of Atlantic partnership, he calls for common political purposes. But, in an echo of his American University speech, he makes it plain that these purposes must be directed toward peace, not war, and must be to lessen the tensions of the cold war and to work toward that day when there can be real understanding between the Soviet Union and the West—which may be distant, but not so impossible as many people on both sides of the Iron Curtain like to believe.

[From the Christian Science Monitor, June 25, 1963]

UNITED STATES ON CONTINENT "TO STAY"

(By J. Emlyn Williams)

BONN.—American isolationism is now a thing of the past and the need is for closer and intensified partnership within the Western alliance, President Kennedy stated in his first speech to the German people.

"The United States is here on this continent (Europe) to stay. As long as required or desired, our forces and commitments will remain. For your safety is our safety, your liberty is our liberty, and any attack on your soil is an attack upon our own." This was the pledge President Kennedy gave to the Germans immediately after arriving at Cologne-Bonn airport June 23 to begin a 4-day tour of the West German Federal Republic and West Berlin.

ADENAUER WELCOME

He stressed that this was a crucial time in the history of the alliance when a transition was taking place in which West Germany was fast becoming a partner. He wanted interdependence in the "war against poverty, disease, and ignorance."

Chancellor Konrad Adenauer's earlier speech of welcome had described the Kennedy visit as a "mark of deep friendship which has bound the German and American peoples together for many years." And he added, "Your speech, Mr. President, is a political act. On June 10 you stated before the American University in Washington that the United States stood by its commitments to defend Western Europe and West Berlin."

The Chancellor chose to ignore that Mr. Kennedy then also offered the hand of compromise to Soviet Premier Nikita S. Khrushchev. For the German Chancellor what was important was that "in the same speech you said, Mr. President, that the United States would make no deal with the Soviet Union at the expense of other nations and other peoples."

ROUND OF VISITS

Mr. Kennedy's plane arrived at the airport on schedule—in fact 7 minutes earlier on farthest runway—and the President was welcomed by a 21-gun salute and a military guard of honor before meeting members of the Federal Cabinet.

Then began a round of visits which included the Cologne City Hall and cathedral, and the Bonn City Hall. From first to last, the President was enthusiastically welcomed by crowds estimated as the largest ever to greet a foreign statesman in Rhineland.

Helped by summery weather, the crowds along the route were estimated at more than 1 million. In addition, television and radio services gave full accounts of the proceedings.

A marked feature of speeches by the Lord Mayors of both Cologne and Bonn was thanks to the United States for its help after World War II. These remarks were enthusiastically approved by the crowds.

The President struck a happy note from the outset by his guarantee of U.S. help.

CONTRAST WITH DE GAULLE

Then, in Cologne, he mentioned that he brought greetings from the citizens of America, including the citizens of Cologne, Minn., Cologne, N.J., and even Cologne, Tex. In Bonn he pleased the crowd by reminding them that there were today more people of German descent in Chicago than the total population of the Federal capital.

Mr. Kennedy naturally is contrasted with President de Gaulle, not only because of political differences but also because the latter was the last outstanding government head to visit here. (He comes again in 10 days.)

The American President is quite a different national representative than De Gaulle, according to the independent leftist Neue Rhein Ruhr Zeitung. He is not a "father figure" but a man of our time and of the future. His presence gives new meaning to the partnership in the Western alliance.

The Germans noted a contrast between his speeches and those of General de Gaulle. The latter made a grand gesture, whereas President Kennedy was cool, realistic, and future looking. General de Gaulle was welcomed enthusiastically because of the past. President Kennedy because of a common future, according to this comment.

[From the Washington (D.C.) Post, June 26, 1963]

J. F. K.'S MESSAGE IN NEW EUROPE

(By Marquis Childs)

WITH PRESIDENT KENNEDY IN GERMANY.—Through the medium of television millions of Europeans are hearing President Kennedy call for unity within the Western alliance. His tour is a form of diplomacy undreamed of before the era of electronic communication and its success or failure will be judged by the impact he makes through the network that links 18 European countries.

The dangers in this experiment are obvious. It risks so much on the President's personal appeal and on the authority with which, as spokesman for America, he presents the case for a partnership that resists the temptations of an affluent peace, encouraging each nation to go its separate way. But the threat inherent in the current drift toward a new nationalism—a nuclear nationalism—surely justifies the risk.

What the President must cope with on his tour is the claim of a past that is rapidly receding as it conflicts with a future which is far from clear. That is nowhere more evident than in Germany. It is dramatized by the venerable figure of the German Chancellor, Adenauer, who is shortly to pass on his powers to a successor, seated alongside the youthful-looking President. Separated by 41 years, the Chancellor, with his look of an ancient and impassive mandarin, might be Kennedy's grandfather.

President Eisenhower came here on a ceremonial visit as a great wartime hero in 1959 and received generous homage. President de Gaulle is also a figure out of the great past and he is, besides, a consummate actor whose highly emotional speeches in carefully memorized German stirred his German audiences to a wild pitch of enthusiasm. The Adenauer-De Gaulle partnership has sought to annul forever the deep-rooted hostility that so many times brought the two nations into mortal combat.

As he tried to do from the moment he set foot on German soil Kennedy is saying frankly that this is a period of transition for the alliance and new ways must be found to hold it together. In every speech he makes he stresses the ties that link the free world in such a way that the security of one is the security of all.

The transition could hardly be more precarious, and this is the urgency behind a venture that puts an extraordinary strain on the Chief Executive at a time when he is confronted with a great domestic crisis. The puzzle is like the old game of jackstraws. You pull one piece out of the tangled heap and the whole mass falls into disarray.

The multilateral mixed-manned nuclear force may or may not be an appropriate instrument to bring a new kind of unity to the alliance. It may prove no answer to the rising tide of separatism. The German Defense Minister, Kai-Uwe Von Hasse, does not believe in the rule of unanimity for control over such a force.

The proposal for such a force comes as some small hope has been revived of a nuclear test-ban agreement with the Soviet Union. To Harold Wilson, who is very likely to be Britain's next Prime Minister, Premier Khrushchev expressed his strong opposition to a multilateral force in which Germany would be a partner. This would be a step toward putting nuclear weapons in German hands and the fear this arouses in the Russians is believed to be deep and genuine.

As for Wilson, he is taking an increasingly skeptical view of the multilateral force. He aroused Adenauer's wrath by stating in Moscow that everything must be done to insure that the Germans do not get nuclear weapons. The Conservatives, who continue in authority in London, insist, as high officials made plain in talks with this reporter, that Britain must have an independent deterrent.

They could not be expected to renounce it at the very time when France is in process of obtaining such a deterrent and when rumors circulate that at least one other country—reportedly Israel—is well on the way to nuclear achievement. The response of the Macmillan government to a multilateral force will be tentative and provisional.

These are the pieces of the puzzle the President is trying to put straight. He is seeking new forms of unity in a partnership with a Europe that is prosperous and once again jealous of national prerogatives and privileges.

Watching the President go through a grueling schedule—7 hours in Berlin that seemed to leave hardly time to catch his breath—you cannot but admire the drive and the determination that are behind it. That this drive, this resolution will come through to the millions throughout Europe who see and hear him is his principal aim. This is a new man in a new Europe, and while he pays tribute to the past he is looking to the future.

[From the New York Times, June 26, 1963]

Why the President Needs Two Voices

(By C. L. Sulzberger)

Paris.—Statesmen and their speech writers take meticulous pains to express themselves precisely on occasions such as President Kennedy's tour. For they are aware that public statements at such junctures receive maximum propaganda fanfare.

Similarly, Dr. Adenauer was not being haphazard in reminding the President of his recent pledge that the United States would make no deal with the Soviet Union at the expense of other nations and other peoples. This reminder not only comforted Rhinelanders but was designed for other capitals, above all Paris.

Europeans welcome the goals set by Mr. Kennedy in his strategy of peace, but many question the method by which its attainment is sought—namely, the increasing Washington tendency to deal bilaterally with Moscow. It was thus useful when, in his vibrant address today, the President again pledged "that in our relations with Russia we will not bargain one nation's interest against another's."

Since 1961 there has been a patient, persistent effort by Washington to develop a kind of negotiation with Moscow and to identify points of mutual interest. Both before and after the Cuban crisis Messrs. Kennedy and Khrushchev have been in communication in a variety of ways and still exchange intermittent letters. They have also set about establishing an emergency "hot line" link between them.

FEAR OF CONCESSIONS

Although we report to our friends on such dealings, we have not yet managed to erase a growing uneasiness that if ever there is a basic agreement between Washington and Moscow it might be founded on concessions not wholly welcome to all NATO allies.

U.S. policy was recently summarized to me accordingly by one of its principal architects: "If we thought we could get a major settlement, we would not be deterred from initially bilateral discussions with Russia. We would not make allied representation a precondition to such talks. But we consider this not an immediate problem and only theoretical. Ratification of any settlement would have to be subject to discussion with and consent of our allies."

In the East-West dialog, Moscow has always taken it upon itself to speak for its satellites and to impose its will. But this approach is unfamiliar from a Western viewpoint. Until relatively recently its negotiating method was founded on the concept of an Occidental Big Three backed up immediately by Bonn. Only since the widening rift between Paris and Washington have more direct U.S.-U.S.S.R. contacts developed with Britain acting as an offstage voice.

President Kennedy has again reassured all NATO of our determination to stand by our obligations, come what may. But he also wishes to reassure the Russians that these pledges in no way interfere with the quest for an ultimate cold war adjustment. With subtlety and finesse, the President must almost talk with two simultaneous voices like some diplomatic Janus endowed with twin sets of vocal cords.

It is understandable that Europeans should be somewhat leery of anything that approaches a direct East-West colloquy to which they can only be ex post facto partners. And yet it is difficult to see how other contacts can be attempted under given circumstances.

We would stress to Moscow—if necessary over the heads of our allies—that it is in the interest of both the United States and the Soviet Union to halt the arms race and check the proliferation of nuclear weapons. This is the foundation of the President's strategy of peace. Yet it is on the implication of this strategy that Adenauer asked for and received reassurances that we would never contemplate a deal that other nations would not willingly accept of their own free choice.

[From the New York Times, June 26, 1963]

Paris Plays Down Kennedy Censure

(By Drew Middleton)

Paris.—Informed French opinion strove tonight to play down President Kennedy's strictures against those who doubt U.S. pledges to Europe or seek to split the North Atlantic alliance.

These were freely taken by Paris newspapers and foreign diplomats as an attack on President de Gaulle and his policies. The Paris-Presse L'Intransigeant, ran the headline, "Kennedy Attacks De Gaulle" over its report on the President's speech in Frankfurt.

The view put forward by informed sources was that the Kennedy speech had made only two points.

The first was to reassure the West Germans of American support. Whether they needed it is questionable, the sources said.

The second point was that the President had stated well-known American views on Atlantic unity about which the French Government was well informed.

There is not the slightest prospect, at the moment, these sources said, that President de Gaulle will answer Mr. Kennedy either in a broadcast to the nation or in a speech when he visits West Germany next week.

The rather austere view put forward by these sources was that the visit to West Germany would be composed of "working meeting" with German leaders that would not provide an opportunity for a policy declaration.

The tendency of the French tonight to "play it cool" is in accord with General de Gaulle's own lofty contempt for political debate. But allied diplomats wondered whether the General and his entourage had yet realized the full extent of the impact upon France of President Kennedy's visit.

One phrase of Mr. Kennedy's directly contradicts the basic premise of President de Gaulle's military policy. This is the American President's statement that "the United States will risk its cities to defend yours because we need your freedom to defend ours."

General de Gaulle's backing for a French national nuclear force is predicated to a considerable extent on his belief, which is shared by many Europeans, that in a crisis, the United States would not risk nuclear war to save Europe.

The wide publicity given by Paris newspapers to President Kennedy's speech presents the French public, almost for the first time, with an authoritative rebuttal to Gaullist military policy in the expensive field of nuclear weapons.

This in itself, diplomatic observers said, may not be conclusive to the French who follow General de Gaulle. But these observers thought that eventually Mr. Kennedy's pledge of continuing American involvement in Europe might nourish a reappraisal of the present Government's policies.

Mr. Kennedy, the consensus ran, may not have won over many Frenchmen. Certainly he has not shaken or even surprised General de Gaulle's government.

What he has done, it was said, is to provide counterarguments for those Government policies that recently have been accepted here almost without question.

[From the New York Times, June 25, 1963]

Kennedy Chooses as Platform a Shrine of German Democracy

Bonn.—President Kennedy delivered his major address in West Germany today in the Paulskirche—the church of St. Paul—a structure regarded by Germans as the symbol of the best of their political history.

The round, single-towered church is revered as the birthplace of the German democratic tradition. Conscious of this symbolism, President Kennedy chose the Paulskirche as the site for an appeal to West Germany to undertake a new role as an economic and spiritual leader in the community of free nations.

To speak there he refused an opportunity to address the Bonn Parliament, which would have been an unprecedented honor to a visiting statesman. Every citizen of West Germany applauded his choice of the architecturally unimpressive church, which has served as a meeting hall for private organizations since its reconstruction in 1948.

FIRST ASSEMBLY IN 1848

The church was built in 1789, the year of the French Revolution. The French example stirred demands for social and political reforms in the autocratic 18th century German states, but not for another 59 years did these efforts come to the point of fruition. The occasion was the assembly of the Frankfurt Parliament in the Paulskirche on May 18, 1848.

It was the first Parliament representing all of Germany. The date is cited in every German history book as a milestone on the long, slow road to the creation of the German nation.

The deputies who assembled in the church had been sent from all the German kingdoms and princely states, large and small. Bloody fighting in the streets of Berlin and Vienna had convinced even Prussia and Austria that they could not resist the popular rising against the generation of repression that followed the Congress of Vienna.

The Frankfurt Parliament drew up a constitution for a united Germany, but first Austria and then Prussia withdrew, and the movement for unity collapsed when Frederick William IV, of Prussia, refused to become Emperor.

BILL OF RIGHTS A HERITAGE

The Parliament's only enduring accomplishment was to draw up a bill of individual rights for German citizens and to create a liberal tradition.

In times of tyranny and disaster Germans have harkened back to the Paulskirche ideal—above all, in the dark days after World War II.

One of the first public buildings rebuilt in ruined Frankfurt was the church of St. Paul. It was ceremoniously reopened on the 100th anniversary of the convening of the Frankfurt Parliament.

In the last 15 years it has been the site of numerous meetings of a solemn or intellectual character. Each year the West German publishing industry awards its "peace prize" there to a distinguished writer.

President Kennedy is the first international political leader to be invited to speak from the hallowed platform of the Paulskirche.

[From the Washington (D.C.) Post]

To the New Special Relationship

(By Joseph Alsop)

The warmth of President Kennedy's welcome in Germany is a significant political fact, in and of itself. It is bound to give added impetus to a highly important new trend of thought among the American policymakers.

The trend is toward the formation of a new special relationship comparable to the rather timeworn United States-British relationship and in some degree replacing it. And the people on the receiving end of this new special relationship are to be our principal enemies in the last war, the Germans.

The growing feeling that this is a good idea is highly important, precisely because such a German-American relationship, if formed, will be so important. To be sure, it is bound to be a bit amorphous; relationships of any kind, whether personal or international, are always hard to blueprint.

Yet consider the immense role played by the Anglo-American special relationship in its period of greatest intimacy and fruitfulness—which was the period before President Eisenhower and Prime Minister Macmillan came to power.

In that era, the British and American policymakers worked together almost as though they had been serving the same masters. Their collaboration influenced every development, whether within the Western alliance, or in the West's unending contest with the eastern bloc.

Very nearly the same degree of intimacy with the German Government is now being advocated by men with great leverage in the State and Defense Departments and in the White House. There are at least three reasons for this high-level support for such a major departure, which was first proposed only a couple of months ago by former Secretary of State Dean G. Acheson.

First of all, General de Gaulle has perhaps unintentionally sent German stock soaring on the international market. If the Germans follow De Gaulle, an exclusive, inward-looking Gaullist Europe will become a possibility. But if they are given the chance, as Dean Acheson suggested, the Germans will almost surely prefer partnership with President Kennedy to partnership with De Gaulle.

Secondly, the former special relationship with Britain is by now pretty frail and undernourished, being all but entirely limited to exchanges of nuclear data. Even with Prime Minister Macmillan, the Anglo-American policy disagreements currently outweigh the policy agreements. If Harold Wilson becomes Prime Minister, the position is likely to deteriorate further.

Finally, there is also a more pressing need to recast the structure of Western defense on a more realistic basis, or perhaps one should say a less fraudulent basis.

The Germans, who are making the most serious defense effort of all the Europeans, will also be the most affected by any changes in the existing defense structure. Hence they are the obvious partners of the Americans in this vital but delicate task.

The task is delicate because certain things are plainly going to need doing, which may cause disquiet abroad, and particularly in Germany, if they are not thoroughly discussed and completely understood before they begin to be done.

For example, there are the steps which will be necessitated by Secretary of Defense Robert McNamara's pledge to reduce the burden on the balance of payments of the U.S. Armed Forces overseas, from the present level of $1.6 billion to a maximum of $1 billion. For this purpose, superfluous bases will have to be closed, superfluous bodies will have to be brought home, and so on.

Whatever happens, de Gaulle's propagandists will then surely point to the steps being taken as proof of the United States intention to "abandon" Europe—which is what de Gaulle hopes we will do. But the propaganda will not matter—it will fall on deaf ears, in fact—if the American plan has been carefully staffed out with our other allies, and especially with the Germans.

A great many overseas bases of most of SAC's B-47 bombers, for instance, have long been entirely superfluous; and they also place a heavy burden on the payments balance. The supply and support system of U.S. forces in Europe can also be much slimmed down, from its present plethoric condition, without reducing U.S. fighting strength in the line. Further economies can be made in the Far East, as well.

There will be nothing to alarm anyone in all this, if the needed steps are merely understood before they are taken. But this is only the beginning of the problem. When the NATO Secretary General, Dirk Stikker, completes his Ottawa-ordered hard look at prospective NATO force levels, something will have to be done about the balance sheet Stikker presents. And once again, whatever needs doing can best be done by German-American collaboration.

[From the Washington (D.C.) Post, June 25, 1963]

K. Visits East Berlin Friday, Advancing Trip 2 Days

Berlin.—The East German Communists announced tonight that Soviet Premier Nikita Khrushchev would visit East Berlin on Friday—48 hours after President Kennedy visits West Berlin—and not on Sunday as announced in Moscow yesterday.

No immediate reason was given for stepping up the date of Khrushchev's arrival.

An announcement by the East German news service, ADN, did not say how long he would stay. American and Soviet sources both have said there was no chance of a Khrushchev-Kennedy meeting during Mr. Kennedy's 7½-hour visit to Berlin on Wednesday.

Western observers said the Khrushchev visit appeared to be an attempt to counteract the enthusiastic reception Mr. Kennedy has received in West Germany.

Diplomats believe that Khrushchev will make a major address in East Berlin. His announced reason for the trip is to honor East German Communist leader Walter Ulbricht on his 70th birthday.

Today's announcement of Khrushchev's Friday arrival came in an address to East Berliners issued by East Germany's ruling Socialist Unity (Communist) Party. The party called on all citizens to decorate their houses with flags and banners for the visit.

Khrushchev last visited East Berlin in January for the East German Communist Party congress.

In Moscow, meantime, persistent unofficial reports said Khrushchev was on his way to Rumania or was about to go there. Soviet Foreign Ministry officials and Rumanian diplomats declined to confirm or deny the reports.

One usually reliable source forecast an announcement on Wednesday.

East European Communist sources in Moscow said a top-level meeting of East European leaders may also be in the offing to prepare for the Chinese-Soviet ideological talks due to start in Moscow July 5.

A Khrushchev visit to Rumania would be no surprise as there have been differences of opinion on the extent to which Rumania should amend its industrialization plans to fall in with Soviet-backed ideas of specialization within the Communist "common market," Comecon.

In addition, the Rumanians recently republished some Chinese Communist statements and remarks by China's allies in the Moscow-Peking ideological clash. These have not been published in other East European countries "loyal" to the Soviet Union.

Diplomats said they saw no signs that Khrushchev was prepared to make the big move of "putting the final bite on Berlin" when he arrives on Friday.

Eastern specialists said he now may limit himself to answering Mr. Kennedy on the Berlin problem with threats and boasts, and may take this opportunity to disclose a possible new Soviet policy on Berlin and Germany. It was believed that this policy was revamped during the recent meeting of the Soviet Communist Party's Central Committee in Moscow.

Khrushchev may also have a few words to say about the Soviet-Chinese dispute, especially since the Chinese on Monday accused the East Germans of "trying to widen the difference in the international Communist movement."

GOVERNOR ROLVAAG KEEPS MINNESOTA IN FOREFRONT OF CIVIL RIGHTS STRUGGLE

Mr. HUMPHREY. Mr. President, President Kennedy has wisely emphasized the heavy burden that rests upon the States, local communities, and individual citizens in the national drive to secure full civil equality for every American citizen, regardless of color or race.

For this reason and, more importantly, simply because it is right, I am extremely proud of the forceful leadership in the area of civil rights that Minnesota's new Governor, the Honorable Karl F. Rolvaag, has demonstrated during his few brief months in office. As everyone with an ounce of honesty and candor will admit, the problem of racial discrimination is a national problem. No State can honestly say that all racial problems have been banished from within its borders.

Minnesota has been a traditional leader among the States in striving to abolish all forms of racial inequality, discrimination, and injustice. While we have made encouraging progress through the years, there is still room for improvement. This fact has been clearly recognized by Governor Rolvaag. One of his first official acts as Governor concerned a special message to the 63d session of the Minnesota Legislature on specific steps that must be taken to improve civil rights within the State. Governor Rolvaag indicated four problems demanding immediate attention: First, discrimination in employment; second, discrimination in housing; third, discrimination in public accommodations; and fourth, the problems of the Indian.

To meet these urgent problems the Governor proposed a four point action program to the legislature and outlined four steps he would take through executive and administrative authority. As the Governor indicated, this is a minimum program "to help accomplish what we say as Americans we believe." I know that Governor Rolvaag will recommend whatever additional steps may be needed to guarantee full racial equality as the need for such action is demonstrated.

In order that every Member of Congress may have the opportunity to study Governor Rolvaag's outstanding special message on civil rights and his recommendations for legislative and executive action, I ask unanimous consent that his speech of April 25, 1963, "Improving Civil Rights," be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Minnesota? The Chair hears none, and it is so ordered.

(See exhibit I.)

Mr. HUMPHREY. Mr. President, I also ask unanimous consent to have printed in the RECORD at the conclusion of my remarks an executive order setting up machinery to terminate public contracts with employers who illegally discriminate in the hiring of skilled and unskilled labor and a related executive memorandum.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Minnesota? The Chair hears none, and it is so ordered.

(See exhibit II.)

Mr. HUMPHREY. Mr. President, I also ask unanimous consent that another hard-hitting speech by Governor Rolvaag, "Local Government and the Civil Rights Crusade", delivered on June 13, 1963, before the 50th anniversary convention, League of Minnesota Municipalities, meeting in Mankato, Minn., be printed in the RECORD at the conclusion of my remarks. Once again, the Governor stressed the heavy responsibilities that lie with local communities in the cause of civil rights. Let me briefly quote from Governor Rolvaag's address:

> I sincerely believe that what we at the State level, can contribute to the cause of equality, is meager compared to what can be accomplished when local governments resolve to maintain and uphold the law. For as local government is closest to the people, so also is it the most promising vehicle for achieving sorely needed social adjustments with a minimum of conflict * * *. The challenge is here. If we meet it, we will fulfill our public trust; if we fail, we betray not only our duty as responsible representatives of law and order, of peace and freedom, but we will contribute to the decline of a great Nation founded by the burning desire for liberty and justice.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Minnesota? The Chair hears none, and it is so ordered.

(See exhibit III.)

Mr. HUMPHREY. Mr. President, I congratulate Governor Rolvaag for keeping the State of Minnesota in the forefront of the national struggle to make liberty and justice a reality for every American.

EXHIBIT I

IMPROVING CIVIL RIGHTS

(A special message to members of the 63d legislative session, by Gov. Karl F. Rolvaag, Apr. 25, 1963.)

Mr. Speaker, Mr. President, and members of the 63d session of the Legislature of the State of Minnesota, the principles of civil liberty, equal opportunity and equal protection are inherent in our national heritage. Putting these principles into practice has been a continuous challenge to all levels of government and to society. This challenge continues to be unmet, and may well be the most critical social and moral issue of our time.

Two centuries after the Declaration of Independence, the American dream of equality of opportunity remains, for many, an illusion. It is ironic that at this stage of our Nation's history it is still necessary for Congress to maintain a Commission on Civil Rights; for courts to be called upon to enforce a citizen's right to vote, or to go to school; for legislation to be necessary to secure for our citizens their inalienable rights as Americans. Our duty, as a government, to secure the rights of all men, requires that we give to the cause of civil rights our earnest thought and most vigorous action.

THE PROBLEM

Racial and religious discrimination is the central civil rights problem. Such discrimination sometimes results in a denial of constitutional rights. On other occasions, it manifests itself in a basic disregard for human decency and dignity.

While some may find it useful to consider separately the variety of social problems resulting from racial and religious discrimination, it is apparent that many civil rights problems occur in complex settings from which separate factors cannot readily be isolated. Discrimination in education produces inequality in job opportunities; denial of job opportunities destroys motivation to fully develop individual capacities. Racial housing restrictions result in segregated neighborhoods and schools. Segregated neighborhoods tend to become slums, and slums produce an increased crime rate among minority groups—thereby inflaming racial prejudice among those who confuse (or choose to confuse) cause and effect.

Problems which demand our immediate attention include (1) discrimination in employment, (2) discrimination in housing, (3) discrimination in public accommodations, (4) the problems of the Indian.

DISCRIMINATION IN EMPLOYMENT

As President Kennedy pointed out in his recent message to Congress, an American Negro today, regardless of where he lives, has twice the chance of being unemployed, one-seventh the chance of earning $10,000 or more per year, 7 years less life expectancy, and half as much lifetime earning power as a white man of equal talents and capacities living in the same community. This restriction of man's fundamental right to earn damages our society, and above all, is a moral evil.

In response to Governor Freeman's request in 1955, our legislature recognized that discrimination in employment was a problem that required governmental action. The legislature established a fair employment practices commission. This State commission against discrimination, as it is now called, has worked well within limited resources to reduce discrimination in employment. By education, persuasion, and conciliation, some employment opportunities heretofore closed to minority groups have been opened. But it would be less than candid to say that equal employment opportunity exists today in Minnesota.

One of the most troublesome paradoxes of our economy is that chronic unemployment often exists side by side with a shortage of skilled workers. All too often this absence of skilled workers, among minority groups, is the result of discrimination in education, training, and apprenticeship opportunities. The responsibility, of course, lies with labor and industry, as well as with government. Study after study shows a systematic pattern of exclusion or discouragement of minority group members from participation in apprenticeship training programs. Solving these problems of discrimination in employment and discrimination in apprenticeship and training requires more than pious pronouncements. The State commission against discrimination must be strengthened. It must have effective authority. A law which prohibits discrimination, but is difficult or impossible to enforce, may become a mere verbal precept, and no law at all.

DISCRIMINATION IN HOUSING

The U.S. Commission on Civil Rights has found that "housing seems to be the one commodity in the American market that is not freely available on equal terms to everyone who can afford to pay." By arrangements and understandings, often unspoken, between real estate brokers, financial institutions, and homeowners, new housing is frequently limited to white persons only. In the restricted housing market which remains open, the nonwhite must pay more for equivalent housing.

This discrimination is not limited to the South. It is nationwide. The pervasiveness of this practice was recognized by President Kennedy when he issued his Executive order prohibiting racial discrimination in publicly assisted housing. Today, in both North and South, racial ghettos burgeon in the central city, while the white population moves to the peripheral suburbs. We proceed with urban renewal and slum clearance while at the same time we create future blight by crowding and concentrating our nonwhite population into narrowly confined and deteriorating sections of our cities. In Minnesota, one survey has shown widespread discrimination against Negroes, Indians, and other nonwhites in their search for decent housing.

Solution of this urgent problem requires some supervision of the sources of home financing. While housing discrimination begins with private prejudice, it is defended by some segments of the business community on grounds of economic soundness. A homogeneous neighborhood, it is argued, is economically sound, while a mixed neighborhood is a poor financial risk. To the extent that public credit and the public treasury support these arrangements, government must bear its share of responsibility for encouraging housing discrimination.

We in Minnesota have recognized this responsibility. In 1961, we adopted a fair housing law, which has now gone into effect. Similar laws have been adopted by approximately 20 of our sister States. However, we must honestly recognize this law for what it is—a beginning, a compromise of limited application, restricted in powers, and circumscribed by elaborate enforcement procedures. The money and personnel given to the State Commission Against Discrimination have been woefully inadequate. With a full-time SCAD staff of four people, it is wishful thinking to hope for significant accomplishments in ending discrimination in Minnesota.

DISCRIMINATION IN PUBLIC ACCOMMODATIONS

The traditional policy of Minnesota has been to oppose discrimination in public accommodations. We adopted our first such civil rights law in 1885, giving to all persons, regardless of race, creed, or color the right to equal accommodations in places open to the public.

Though the right has been so explicitly recognized, it has not been universally accorded. Some of our citizens must suffer daily the indignities of open or covert discrimination. While many who operate public accommodations open their doors to all, some systematically practice racial exclusion. The existence of the 1885 penal law has had little effect in changing such attitudes.

Enforcement of this law could be made more effective if persuasion, education, and conciliation by a specialized agency were an additional enforcement remedy.

THE SPECIAL PROBLEMS OF THE INDIAN

The civil rights problems of Indians cannot be understood fully without a consideration of their unique history and culture. Off the reservation, they are subject to the same denials and deprivations of rights as are the members of other minority groups; on the reservation they are the victims of a vacillating Federal policy and a State policy handicapped by lack of original thought and lack of money.

The problems of the Indian are complicated by the fact that he is at the same time a member of his tribe, a "ward" of the Federal Government, a citizen with most of the rights and privileges enjoyed by other citizens, and a member of a racial minority. The problem has further been complicated by the inability of our Federal Government to settle on a consistent Indian policy. Frequent reversals in Federal policy have left the Indians confused and mistrustful of all Federal programs. One hundred years after our Government recognized its responsibilities to the Indian, the social and economic conditions under which he now lives are, for the most part, disgraceful.

The civil rights problems of Indians generally fall into these five categories: (1) Discrimination in the administration of justice, (2) denial of economic opportunities, (3) discrimination in housing, (4) discrimination in public welfare benefits, (5) denial of equal opportunity for vocational training.

A U.S. Commission on Civil Rights report states that "Reservation Indians have not been provided with adequate law enforcement by the States to which the Federal Government has ceded civil and criminal jurisdiction. * * * Reservation and nonreservation Indians are treated unfairly by police and courts in many localities, particularly those adjoining large reservations." The problem is complicated by the fact that the Indian, subject as he is to Federal, State, and tribal governments, often finds himself tripped by his own confused legal status. He is unable to understand that what is right under tribal law is wrong under the law of the place where he happens to be. Lacking knowledge of his rights or the justice of the white man's courts, he often does not assert those rights.

The second civil rights problem facing Indians relates to denial of economic opportunity. Probably no other group in Minnesota lives in a worse state of abject poverty. Such poverty is a shocking disgrace to our State. The problem has been studied and restudied. Scores of reports and findings have been published with plan upon plan for the economic rehabilitation of our Indian population. We now need thoughtful, deliberate action. Such action must include (1) consideration for Indian views, as expressed by their own leaders and representatives; (2) infusion of capital and credit through Government loans or private investment; (3) economic plans geared to the resources of the Indian areas; (4) coordination and expansion of existing aid programs; (5) adequate police protection for areas now abandoned by Federal policy to State jurisdiction.

CONCLUSIONS AND RECOMMENDATIONS

To improve the total civil rights climate in our State, I offer the following recommendations:

1. The full budget requests for the State Commission Against Discrimination and the Governor's Human Rights Commission should be approved.
2. The State Commission Against Discrimination should be given power to enforce the public accommodations law.
3. The State Commission Against Discrimination procedures must be simplified to assure swift action on complaints. These procedural changes must include amendment of existing law to provide that appeals to the courts from orders of the commission shall be limited to questions surrounding the legality of commission action and not so-called de novo rehearings of cases by which the proceedings before the commission become mere dress rehearsals prior to court hearings. The present means of enforcement are complex and expensive.
4. The fair housing law should be extended to forbid discrimination in all housing, whether publicly assisted or not.

On my own part, I shall take these actions:

1. I will issue an executive order setting up machinery to terminate public contracts with employers who illegally discriminate in the hiring of skilled and unskilled labor.
2. I will ask all agency and department heads to review present hiring policies and eliminate such discrimination as may be occurring.
3. I will appoint a joint labor-industry committee to study and eliminate discrimination in training programs and hiring policies.
4. I will appoint an interagency committee to coordinate existing programs of Indian assistance and to encourage Indians to participate in Government training and employment programs.

These recommendations are a minimum program. They are neither extreme nor expensive. They seek only to help accomplish what we say as Americans we believe.

EXHIBIT II

STATE OF MINNESOTA,
OFFICE OF THE GOVERNOR.

EXECUTIVE ORDER

I, Karl F. Rolvaag, Governor of the State of Minnesota, do hereby order and declare that:

1. The public policy of Minnesota prohibits discrimination against any of its inhabitants on account of race, creed, color, or national origin.

2. Pursuant to Minnesota Statutes 1961, section 181.59, every contract for or on behalf of the State of Minnesota or any of its subdivisions, for materials, supplies, or construction may be cancelled or terminated by the State or any of its subdivisions when discrimination on account of race, creed, or color exists in the hiring or employment of common or skilled labor by the contractor, subcontractor, material supplier, or vendor, performing work pursuant to a contract for or on behalf of the State of Minnesota or any of its subdivisions.

3. Upon complaint that discrimination exists in any contract for or on behalf of the State, the commissioner of administration shall investigate and, when necessary, he or his designee shall conduct a hearing to take such evidence as may be necessary to determine whether or not discrimination in fact exists.

4. If the commissioner determines that discrimination by any contractor, subcontractor, material supplier or vendor exists, he may suspend, cancel, or terminate the contract.

5. If a second or subsequent act of discrimination is found to exist, the commissioner may, in addition to suspending, canceling, or terminating such contract, declare all money due or to become due pursuant to such contract, forfeited to the State of Minnesota.

Witness my hand and seal of the State of Minnesota this 18th day of June 1963.

KARL F. ROLVAAG,
Governor of the State of Minnesota.

EXECUTIVE DEPARTMENT,
STATE OF MINNESOTA,
June 10, 1963.

MEMORANDUM

To: All agency and department heads.
From: Karl F. Rolvaag, Governor.
Subject: State hiring policies and promotion practices.

On this date I have issued an executive order which signifies the intention of this administration to fully implement and enforce the laws of the State of Minnesota in regard to discrimination in employment. More specifically, this executive order refers to chapter 181.59, Minnesota Statutes, which states that all public contracts shall prohibit, on pain of cancellation, discrimination on account of race, creed, or color.

In further keeping with my special message, "Improving Civil Rights," delivered to the legislature of the State of Minnesota, 63d session, April 25, 1963, I am at this time requesting all agency and department heads to review present hiring policies and promotion practices and to eliminate any discrimination which may be occurring.

Further, within 2 weeks of this order, I request that a written description of your action and findings resulting from this order be delivered to my office for review by me and members of my staff.

KARL F. ROLVAAG.

EXHIBIT III

LOCAL GOVERNMENT AND THE CIVIL RIGHTS CRUSADE

(Address by Hon. Karl F. Rolvaag, Governor of Minnesota, before the 50th anniversary convention, League of Minnesota Municipalities, Mankato, Minn., June 13, 1963)

For 50 years the League of Minnesota Municipalities has provided a rallying point for those dedicated to the cause of public service. Fortunately for the State of Minnesota, each of those 50 years has resulted in an expansion, an extension, a growth in this organization's scope and purpose. To commemorate this period of service to the State, I am issuing a proclamation naming October 11 as Municipal Government Day in Minnesota.

I am extremely pleased to be your guest this evening; it gives me an opportunity to repeat, reiterate, and restate a broad declaration of public policy in regard to the protection and extension of equal opportunity for every citizen of Minnesota.

I don't think there is any public official or private citizen who does not realize tonight that our Nation is undergoing a trying period, a period of stress and strain within the social system that in some areas of our Nation has reached crisis proportions. I think that it has been apparent for some time that the State of Minnesota wants to play a significant role in extending to every citizen the rights guaranteed in our Nation's Constitution. For this reason I wish to remind all of our citizens that the State of Minnesota will continue to hold its head high; that the constitutional officers of this State are going to use every constitutional means at our disposal to assure every Minnesotan of their fair share in the opportunities provided by our society.

Yesterday many of you heard the convention's keynote address given by Supreme Court Justice Robert Sheran. The title of his address was "Municipal Government—Democracy's Laboratory." I was not privileged to hear Justice Sheran give his speech; but I think that, on the basis of the title alone, it must have been a great one. Because it is so true; local government is a laboratory dedicated to working out a compact between divergent interests and influences. It is at the local level, by local officials, that the future of our State and our Nation is decided. If anyone has been confused or uncertain about the significance of strong local government or about the importance of having dedicated leadership at the local level, I think events in our Nation during the past few weeks will indicate to even the most casual observer that these are very important indeed.

It appears certain that the year 1963 will be one of deepening crisis in race relations. How long this crisis will continue, and how it will eventually be resolved, is something few can venture to predict with accuracy. Today the attention of the whole world is focused on the United States and on our attitudes toward minorities. There is no doubt that civil liberties, and our efforts (or the lack of them) to provide them for all citizens, holds the attention of untold millions. And just because we in Minnesota have not set vicious dogs upon children who are peacefully seeking to grow up strong and free, is no reason for us to become complacent. There is a little bit of Birmingham, Ala., in every city and town throughout America.

The principles of civil liberty, equal opportunity, and equal protection are inherent principles in our national heritage. Putting these principles into practice has been a continuous challenge to all levels of government and to society. This challenge, I am sorry to say, continues to be unmet and is certainly becoming the most critical social and moral issue of our time. Two centuries after the Declaration of Independence, the American dream of opportunity remains, for many, an illusion.

Racial and religious discrimination is the central civil rights problem. It sometimes results in a denial of constitutional rights. On other occasions, it manifests itself in a basic disregard for human decency and dignity. A whole host of social problems results from racial and religious discrimination. Discrimination in education produces inequality in job opportunities; denial of job opportunity destroys motivation to develop fully individual capacities. Racial housing restrictions result in segregated neighborhoods and schools. Segregated neighborhoods tend to become slums, and slums produce increased crime rates among minority groups—thereby inflaming racial prejudice among those who confuse (or choose to confuse) cause and effect.

If we are perfectly honest with ourselves, and I am certain that we all want to be honest, that we have to be honest, we must admit that discrimination is not limited to our larger cities. We know that it is not restricted to the southland, that it is not confined in narrow, widely scattered areas throughout our State and Nation.

We all know of the difficulties that minorities right here in Minnesota have in securing housing, and the difficulties they have in securing employment commensurate with their abilities, and equal educational opportunities for their children. We all know that these difficulties exist, and yet it will not help to solve them if we are only going to engage in a dialogue among ourselves and launch finger-pointing sessions all over the State. I have no knowledge or specific facts to indicate that any organization, any subdivision of government, any contractor or vendor engaged by the government is or has been engaged in discrimination. Yet we all know that discrimination exists. And while this administration will not engage in finger pointing, will not engage in witch hunting in attempts to root out discrimination, it will not stand idly by if discrimination is found. The policy of this State and of this administration, as long as I am Governor, shall be one of protecting the right to full opportunity for all peoples regardless of race, creed, or national origin. And I believe that the League of Minnesota Municipalities can, as they embark on their second half century of service, carry this message of intent and notice of this administration's policy to all municipalities and subdivisions of government throughout the State.

As I mentioned earlier, there is no way to tell how long the present crisis will last, nor how it will eventually be resolved. But one thing is becoming more and more clear: Unless those of us at all levels of State and local government provide constructive and intelligent leadership in sustaining the civil rights of all citizens, this time of agony for our Nation will be far more protracted than it ought to be.

Who among us has not noticed, has not seen the pitiful spectacles which have resulted from the willful obstructionism of the drive for freedom by local and State officials in some areas of our Nation? Those who should have led the way to a peaceful and just accommodation of social conflict are now disgraced. They chose not the way of right and duty but chose, instead, to place themselves at the head—and thereby at the mercy—of the forces of bigotry and injustice. And how disgraceful in the eyes of our descendants will we appear should some future historian relate that in the year 1963 the elected leaders of Minnesota failed to lead in the cause of justice. For my administration, I know that I will not have it said that disorder came to Minnesota because her elected officials were narrow and wanting in conscience. And I know in my heart that there is no public official in our State who would want his name engrossed by some future historian in a chronicle of shame. I am confident that this will not happen because we will not let it happen. We are a freedom-loving, law-abiding people.

But the world and times change, and we cannot move with them merely on the force of public statements. If we are to promote justice in our society and carry out our sworn duties as public officials, we must provide positive leadership and action in the crusade for equality. The times and conscience no longer allow the luxury of simply reacting to inflammations and pressures as they arise. As servants of the people, we know that the law, and our rich love of liberty, argue against procrastination.

The promotion of racial justice and religious freedom has been the public policy of this State ever since its inception. Generally speaking, Minnesota today has the best body of law and the best record of executive action against discrimination of any State in the Nation. Earlier this week I took note of one of these laws, a seldom-applied statute, which has been a part of our code since 1941. This law is particularly important to us as public officials today because it gives us the opportunity to refreshen and rekindle the spirit of liberty and equality throughout the State.

The law I am referring to provides that every contract for materials, supplies, or construction entered into by any public body—State, county, municipal, educational, or otherwise—must contain a provision by which the contractor agrees not to practice discrimination in the hiring of common or skilled labor as he carries out the contract. Violation of this antidiscriminatory provision renders the contract concellable by the public agency concerned and, on a second offense, can result in a forfeiture of money owing the contractor. Because this statute has been so little applied and fallen into disuse it is up to us, as public officials, to breathe new life into it.

The week I issued an executive order setting up the machinery by which this long-dormant legislation can be vigorously enforced, insofar as it relates to State contracts. I intend that in all cases where such illegal discrimination can be proved after due notice and hearings, the offender's contract be suspended or canceled, as the facts may warrant.

The law makes it the duty of every public official in the State to see that antidiscrimination clauses are included in all public contracts for materials, supplies, and construction. However, the strictness or laxity with which these contracts will be enforced is largely left within our discretion. Therefore, it is within our power to exercise strong, positive leadership in the cause of civil rights by implementing these clauses. I remind you again that this law is not designed to harass, but to encourage the public policy of social equality which this law is intended to promote. A conscientious effort to see that public contracts are reviewed and enforced can have a profound impact on civil rights progress in Minnesota. It is our privilege and certainly our duty, through strict, impartial enforcement of the law, to open up areas of employment hitherto closed to Negroes, Indians, and members of other minority groups. Here is our opportunity, as public officials, to lead in this new and exciting crusade for racial and religious justice rather than merely react to the inevitable clashes of interest which periodically occur. I seek, through the good offices of the League of Minnesota Municipalities, to inform the leaders in our State that the matter of discrimination is largely a matter of local law enforcement. I urge you to inform our public officials of the existence and scope of our antidiscriminatory laws so that they can take steps, if they have not done so, to see that these laws are complied with.

My administration has, and will continue to promote, a vigorous policy in regard to enforcement of all laws. In addition, much can be done by moral suasion to improve our State's civil rights climate.

At the State level, I intend to call meetings from time to time, of key leaders in religion, employment, the labor movement, education, and other areas of society to search out private and consistent ways to make progress in the field of civil rights. All Minnesotans are involved in this changing era, whether in government or out, and all citizens and interests must be given the opportunity to participate. Employers face revision of hiring policies; unions must reexamine their apprenticeship programs, and combat instances of discrimination in some locals; resort owners will, as surely as day follows night, have to open to all those facilities now restricted to whites, and often to white gentiles only. Educators must work to eliminate segregation in school districts where it occurs, and also discrimination in the hiring of teachers. In short, every law-abiding citizen must make any necessary adjustments in his mode of living which are required to eliminate injustice.

I sincerely believe that what we, at the State level, can contribute to the cause of equality, is meager compared to what can be accomplished when local governments resolve to maintain and uphold the law. For as local government is closest to the people, so also is it the most promising vehicle for achieving sorely needed social adjustments with a minimum of conflict.

This year of 1963 is the golden anniversary of the League of Minnesota Municipalities. Coincidentally, it is also the 100th anniversary of the Emancipation Proclamation. On this historic and symbolic occasion let us recognize the sobering possibilities before us: as we enter the climax of the fight for social justice, we have it in our power to allow Minnesota to become a Birmingham, or to make her light of freedom visible to all men.

The challenge is here. If we meet it, we will fulfill our public trust; if we fail, we betray not only our duty as responsible representatives of law and order, of peace and freedom, but we will contribute to the decline of a great Nation founded by the burning desire for liberty and justice.

The League of Minnesota Municipalities has, for 50 years, fostered and served in the vanguard of progress. I am certain that the handsome contributions of this organization in the past represent a prologue to better, stronger, more responsible local governments in the future. I am genuinely optimistic concerning that future and of the judgment our descendants will make of us and of our times.

EQUAL EMPLOYMENT OPPORTUNITIES LEGISLATION: A NEW APPROACH

Mr. HUMPHREY. Mr. President, as I indicated last week when President Kennedy transmitted his historic civil rights message to Congress, I am currently preparing legislation that will provide a totally new approach to the urgent challenge of securing equal employment opportunities for every American, regardless of race, color, creed, religion, ancestry, or national origin. This legislation will be introduced in the near future.

As the President made clear in his message, the task of securing full and fair employment for all Americans must be pursued simultaneously from two directions: First, by educating unskilled and untrained persons to make them capable of obtaining and holding steady employment in our industrial society; and second, by developing fair employment practices throughout our economy to provide all persons the opportunity to hold a job solely on the basis of ability and training. Neither approach can be undertaken in isolation from the other. Both must be followed simultaneously.

The President enumerated a broad program of expanded vocational education, manpower training, and welfare services in his civil rights message. Legislation to implement these education and training proposals will be introduced in the next few days. I will support these proposals as essential elements in meeting the crisis of race relations that has gripped America for generations. We must move promptly in their consideration and enactment.

Since hearings will soon be held by the distinguished Senator from Pennsylvania [Mr. CLARK] on the broad question of fair employment matters, I bring these new proposals forward in the sense that all approaches to this urgent problem should be discussed and considered.

The equal employment opportunities legislation I will introduce is designed to function as an integral part of this total process of guaranteeing full and fair employment. To achieve this integral position, the legislation will rely on a fundamentally different concept, namely the need for maximum development of equal employment opportunities for minority groups instead of the more traditional emphasis on enforcement of nondiscrimination in employment. This is far more than merely a semantic difference. It is a change so fundamental in nature that it significantly alters the administration and enforcement of the fair employment standards established by the legislation.

This bill will express the affirmative philosophy of equal job development as distinguished from the more passive approach of enforcement and regulation. It will seek to use more actively such devices as employer initiative, conciliation, and coordinated development of training, referral, and hiring policies. The legislation will, however, also contain enforcement authority to be used if all voluntary attempts to establish equal employment opportunities fail.

In order to implement the fundamental objective of developing equal employment opportunities, the administration of the employment standards established in the act will be delegated to the Department of Labor. Other versions of FEP legislation create an independent commission charged with the enforcement of nondiscriminatory employment standards through quasi-judicial processes. However, a decade of experience with various State FEP statutes has demonstrated the wisdom of not isolating the problems of equal employment opportunities from the problems of employment generally. The separation of equal employment practices from such matters as manpower training and vocational education, job referral and placement, labor standards enforcement, labor union activities, and the compilation of labor statistics sacrifices many potential opportunities to combat discriminatory labor practices in a direct and effective fashion.

This approach to equal employment opportunities grows from the assumption that much job discrimination results from institutionalized and established hiring and promotion policies, in addition to the more active and deliberate racial discrimination against Negroes and other minority groups. In other words, many employers simply fail to think in terms of Negro workers for many types of jobs. They never look for qualified Negroes, hence they fail to find them. If real progress is to be achieved through a Federal fair employment practices statute, one urgent step must be breaking these institutionalized hiring and promotional policies that automatically exclude Negroes from consideration.

By locating the administration of this equal employment opportunities bill in the Department of Labor, the Department's existing administrative machinery in its many substantive areas of responsibility will be made immediately available in achieving the objectives of this bill. The criterion of equal employment can be coordinated and correlated with the many other employment policies and decisions that come within the purview of the Department.

Let me enumerate the more obvious areas in the Department that relate directly to the problems of equal employment opportunities: The Office of Manpower, Automation, and Training; the Office of the Solicitor; the Bureau of Apprenticeship and Training; the Bureau of Employment Security; the Bureau of Labor Standards; the Bureau of Labor Statistics; the Bureau of Labor-Management Reports; the Wage and Hour and Public Contracts Divisions; and the Women's Bureau. The resources found in each of these areas will be needed if a workable, just, and effective program of equal employment opportunities is ever to become more than a distant hope.

Let me suggest the clear interrelationships that exist in this area. No employer should be expected to offer employment to persons unless they possess the necessary training and skills demanded by the particular job. But employers are able to guarantee that jobs will be made available to Negroes who currently possess the necessary qualifications or who are currently undergoing training that will qualify them for employment. Employers and unions can guarantee that apprenticeship and training opportunities will be made available without regard to race. Promotion procedures can be administered on a nondiscriminatory basis. The training of workers can be linked directly to the development of equal job opportunities in new areas of employment. Employment services can cooperate in the referral of job applicants if employers cooperate in accepting workers regardless of race. Unions can offer membership and other prerogatives, such as job retention rights, in coordination with revised employer attitudes.

These examples illustrate how intimately the criteria of equal employment opportunities relate to the broad spectrum of departmental activities generally. In recognition of this fact, authority will be vested in the Department to initiate appropriate studies, surveys, and discussions with employers, union training programs, and others to develop equal job opportunities. In my opinion, this authority to initiate such affirmative action will have greater effectiveness in actually developing equal job opportunities than the more passive responsibility vested in a Fair Employment Practices Commission of responding to complaints of job discrimination.

The objective of any fair employment statute is the creation of job opportunities where they previously had been denied on the basis of racial discrimination. Jobs are the end products sought, not confrontations between private employers and a Federal enforcement agency. By placing the responsibility for developing equal job opportunities in the Department of Labor, and by providing the authority to initiate the specific actions that will bring about such results, the potentiality for real progress seems to exist.

Although the primary emphasis of this legislation will lie with affirmative development of equal job opportunities, there will be authorization for the issuance of appropriate orders requiring compliance with the standards established by this or subsequent legislation. Complaints from aggrieved individuals will be accepted and processed with provision for prior conciliation efforts. Failing that, appropriate orders seeking compliance will be issued. In the event any respondent fails to comply with such a compliance order, the appropriate Federal court will be asked to issue an enforcement order.

To insure that all parties to a dispute are given ample opportunity for full and complete consideration, an appeals procedure will be provided for respondents receiving an enforcement order.

Extent of coverage under my bill will follow the more traditional criteria; that is, all employers engaged in interstate commerce, all Government contractors, all agencies of the Federal Government and all agencies, local and State governmental units, organizations which receive Federal funds, labor organizations having achieved recognition under the National Labor Relations Act and employment agencies, public and private.

There are several additional points which should be emphasized in this preliminary statement of purpose. First, the importance of enacting fair employment practices legislation was underscored by President Kennedy in his civil rights message. The fact of presidential endorsement should weigh heavily with the Congress and the Nation.

Second, the approach that will be embodied in the equal employment opportunities legislation I plan to introduce has resulted from years of experience with State and local FEP statutes and the experience of the President's Committee on Equal Employment Opportunities. This experience clearly demonstrates the need for coordinated and affirmative action in developing practices of equal employment opportunities among employers. I believe we should profit from this vast fund of knowledge and experience and should examine proposals outside the traditional concepts of securing the common objective of equal job opportunities for every American.

Third, the distinguished Senator from Pennsylvania [Mr. Clark] is currently engaged in an outstanding series of hearings bearing on manpower utilization. It is my understanding that he intends to consider the question of fair employment during these hearings. Hopefully he will find it possible to include in these hearings the concepts that I will soon propose in this equal employment opportunities legislation. I believe that such testimony would prove most helpful in refining and improving the various versions of fair employment practices legislation that already have been introduced or will be proposed.

In the course of the coming debate on civil rights, I hope that full consideration will be given to the urgent need for guaranteeing every American the opportunity of holding a job when he possesses the requisite training and experience. No one seeks charity or special consideration for any group or segment in our society. We seek only to guarantee equal opportunity for every person to live and to work as accepted members of society, to meet his social responsibilities and obligations, and to function as contributing members of our democratic system of government.

We ask nothing more than this, but can accept nothing less. Equal opportunity of employment is essential to the realization of this goal. For these reasons, I urgently hope that Congress will follow President Kennedy's lead in considering fair employment practices legislation this session.

PROPOSED LEGISLATION RELATING TO THE EXPEDITIOUS TRIAL OF CRIMINAL CASES

Mr. MORSE. Mr. President, I rise to introduce two bills and to discuss them in some detail. They are bills that I think are long overdue in the administration of Federal justice.

The first bill to which I refer I introduce on behalf of myself, the Senators from Hawaii [Mr. Fong and Mr. Inouye], the Senator from Ohio [Mr. Young], the Senator from North Dakota [Mr. Young], and the Senator from Alaska [Mr. Bartlett].

The first bill is to effectuate the provision of the sixth amendment of the U.S. Constitution requiring that defendants in criminal cases be given the right to a speedy trial.

I introduce the second bill in my behalf and in behalf of the Senators from Hawaii [Mr. Fong and Mr. Inouye], the Senator from Ohio [Mr. Young], and the Senator from Alaska [Mr. Bartlett].

It is a bill to protect the integrity of the court and the jury function in criminal cases.

I make these requests in regard to the bills which I introduce out of order: I request that they be printed at this point in the Record.

I should like to have the attention of the Parliamentarian as to this request: I request that they not only be printed, and that they be printed in the Record, but that they lie on the desk until next Tuesday, 5 p.m.

I want to explain my request. It is necessary to have these bills printed so that copies can be made available to other Senators. These bills are the subject of a great deal of discussion in the Senate. Many Senators want copies of the bills before they make a final determination as to whether or not they will cosponsor the bills.

So I raise the parliamentary inquiry as to whether or not it is possible to have the bills printed so that prints of the bill can be made available to Members of the Senate for their consideration between now and next Tuesday, and at the same time officially lie at the desk for final reference on Tuesday.

The PRESIDING OFFICER. The Chair has been advised that the request of the Senator from Oregon is not in order. He could have the bills printed as committee prints, but, under the regulations of the Joint Committee on Printing, it is not possible to have bills reprinted merely to add names. Therefore, the request of the Senator is not in order.

Mr. MORSE. They can be printed in the Congressional Record, so they will be available through the Congressional Record to those who wish to read them.

Therefore, I now renew my request that these bills be printed at this point in the Congressional Record.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the bills will be printed in the Record.

The bills, introduced by Mr. Morse, were received, read twice by their titles, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

By Mr. MORSE (for himself, Mr. Inouye, Mr. Fong, Mr. Young of Ohio, Mr. Young of North Dakota, and Mr. Bartlett):

S. 1801. A bill to effectuate the provision of the sixth amendment of the U.S. Constitution requiring that defendants in criminal cases be given the right to a speedy trial.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Criminal Code of the United States, title 18 of the United States Code, be amended by adding the following sections:

"§ 3291. Unreasonable Delay in Presenting Criminal Charges.

"If there has been unreasonable delay in presenting the charge to a grand jury or in filing an information against a defendant who has been held to answer in a district court, the court shall dismiss the indictment, information or complaint, even where the applicable period of limitations prescribed by statute has not yet expired. It shall not be deemed 'unreasonable delay' if the filing of the indictment or information was delayed in order to protect the national security of the United States.

"§ 3292. Voluntary Dismissal of Indictment, Information or Complaint.

"The Attorney General or the United States attorney may by leave of court file a dismissal of an indictment, information or complaint and the prosecution shall thereupon terminate. Such a dismissal, unless secured by the consentor fraud or deceit of the defendant, shall serve as a bar to a subsequent prosecution for the offense charged in the dismissed indictment, information or complaint.

"§ 3293. Multiple Indictments or Informations: Order of Trial.

"A person against whom there is pending more than one indictment or information shall be brought to trial in the same order in which the indictments were returned or the informations were filed. Whenever a case shall go to trial on an indictment or information, the court in which an earlier indictment or information is pending against the same defendant shall, on motion of the defendant, dismiss such earlier indictment or information and the dismissal shall have the same effect as a judgment entered on a jury verdict of not guilty.

"§ 3294. Speedy Trial.

"On the motion of a defendant under indictment or against whom an information has been filed, he shall have the right to be tried on that indictment or information no later than nine months after the indictment is returned or the information filed, except that a court may, in its discretion, extend the time within which the case shall be tried on good cause shown. In the event that a defendant is incarcerated pending trial, on the motion of the defendant, the case shall be tried within six months after the indictment is returned or the information filed or the indictment or information shall be dismissed.

"§ 3295. Time for Sentencing.

"A defendant who has been convicted of a crime in a court of the United States shall be sentenced for that crime by said court no later than sixty days after the judgment of conviction is entered, unless it be demonstrated to the court that postponement of sentence would be in furtherance of the national security of the United States."

By Mr. MORSE (for himself, Mr. Fong, Mr. Inouye, Mr. Young of Ohio, and Mr. Bartlett):

S. 1802. A bill to protect the integrity of the court and jury functions in criminal cases:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Criminal Code of the United States, title 18 of the United States Code, be amended by adding the following section:

"§ 1512. Contempt To Publish Information Not Properly Admitted in Criminal Case.

"It shall constitute a contempt of court for any employee of the United States, or for

> any defendant or his attorney or the agent of either, to publish information not already properly filed with the court which might affect the outcome of any pending criminal litigation, except evidence that has already been admitted at the trial, and said contempt shall be punished summarily by the court, on motion of any party to the litigation, by a fine of not less than $500 for each such publication."

Mr. MORSE. Mr. President, I renew my request that the bills lie at the desk until next Tuesday at 5 o'clock for such cosponsors as may wish to join in addition to those Senators whose names already appear on the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, I want to make a statement as to the history of these bills. I think the most helpful statement would be read to the Senate at this time a letter of June 17, 1963, which I received from Prof. Phillip P. Kurland, professor of law, University of Chicago Law School, one of the recognized authorities in the legal academic world in the field of criminal procedure and criminal law.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. HUMPHREY. Mr. President, I have asked the Senator from Oregon to yield to me for the purpose of suggesting the absence of a quorum.

The PRESIDING OFFICER. Does the Senator yield for that purpose?

Mr. MORSE. I yield for that purpose.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that further proceedings under the quorum call be suspended.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUMPHREY. Mr. President, will the Senator from Oregon yield to me again?

Mr. MORSE. I yield.

Mr. HUMPHREY. In light of the lateness of the hour—and I know of the importance of his message, because we have discussed it privately, and I personally want to be present when the Senator speaks on some of these important questions of law and civil procedures and privileges—I wonder if the Senator from Oregon would be willing to yield the floor, so that the Senate might adjourn, and set an hour certain for the Senator from Oregon to address the Senate tomorrow?

Mr. MORSE. Mr. President, I am proud of my record of cooperation with my leadership over the years, and I shall be delighted to accede to that request, with the understanding that I will be recognized to deliver this speech at not later than 1 o'clock tomorrow.

Mr. HUMPHREY. That is in accordance with my private discussion with the Senator from Oregon.

Mr. President, I ask unanimous consent that at not later than 1 o'clock tomorrow, the Senator from Oregon [Mr. Morse] be permitted to address the Senate on the subject matter he has in mind.

Mr. MORSE. Mr. President, I want the attention of the staff of the Republican side of the aisle for a moment, because this is a development I did not contemplate 10 minutes ago.

The Republican Senator who was assigned the responsibility of remaining in the Chamber tonight came to me a few moments ago, and I assured him that there was no proposal in my speech that would call for any action by the Senate. I would not want him to think tomorrow that I in any way broke my word, because my word is the most precious possession I have. I told him that no action would be taken during my speech, but it was not contemplated that the suggestion would be made that I not talk at all tonight, but talk tomorrow.

I wonder if the Republican staff member will check this matter while I turn to another matter, because I was about to accept the agreement subject to the condition that I have not more than 10 minutes to discuss a very brief item of foreign policy.

Mr. HUMPHREY. May I say to the Senator that the reason I made the request that the Senator be recognized not later than 1 o'clock tomorrow is that it is entirely probable that tomorrow the morning business may be concluded before 1 o'clock.

Mr. MORSE. I understand.

Mr. HUMPHREY. The understanding would be that, if the morning business was concluded before 1 o'clock, the Senator from Oregon would proceed immediately to speak. If the morning business was not concluded by 1 o'clock, the unanimous-consent would be as the request now is; namely, that at 1 o'clock tomorrow the Senator from Oregon be recognized to speak.

Mr. MORSE. I want to say to my whip that I postponed my speech until this hour, which I have done under the practice I have followed for years when I wish to speak on nongermane matters, so that the business of the Senate could be transacted. That is why I did not make my speech earlier. In view of the business tomorrow, I realize that the speech will be as germane at 1 o'clock as any other business of the Senate will be tomorrow. So I am willing to accede to that request.

The PRESIDING OFFICER. Without objection, the suggestions made by the Senator will be in agreement.

Mr. HUMPHREY. And if there is any objection that comes from the Republican side, we will rescind the unanimous-consent request.

The PRESIDING OFFICER. That is the understanding.

Mr. HUMPHREY subsequently said: Mr. President, a Republican staff member has informed me that there is no objection to the unanimous-consent request. I desired to make this statement a part of the request.

FOREIGN AID

Mr. MORSE. Mr. President, I want to make a very brief statement on foreign aid, which will take me not more than 10 minutes. Before I do so I wish to make a comment on the statements made by Mr. Hanson's Latin American letter of June 22, 1963.

This man Hanson writes as follows:

> MEXICO: BORDER PROGRAM
>
> The administration is now confronted with Senator Morse's challenge on foreign aid arising out of AID's refusal to provide grants for the Mexican border program in response to Morse's advocacy of the program. AID had been warned that if it refused to yield to Morse's interpretation of the desirability of using grants to finance self-liquidating foreign projects (an outrageous thesis as far as the legislative history of foreign aid and Exim Bank is concerned), it would be confronted with a challenge to all foreign aid proposals made on the Hill.

Later in this letter Hanson writes:

> If Senator Morse's new drive against AID's appropriation were to be regarded as remediable only by payment of legislative blackmail, the Mexican program might conceivably go forward with grants, but only at the cost of a very bad black eye among legislators here generally.

Mr. President, I do not know whether Mr. Hanson is a psychopathic liar, but I know that the words of the two paragraphs I have read constitute a lie. There is not a scintilla of truth in a single word that Mr. Hanson has written that I have just read to the Senate in regard to his false allegation as to the basis of my opposition to the foreign aid bill.

At no time have I advocated grants to the Mexican border program, and at no time have I taken the position that loans should be made for the border project.

As chairman of the Subcommittee on Latin American Affairs I know there was presented to our subcommittee the Mexican border program. The chairman of the subcommittee, during the discussion, and every other member of the subcommittee who was present, said they thought it was a good program. They said they thought the program probably complied in general with the Alliance for Progress program. However, we pointed out that the Mexican Government, if it wanted such a program, would have to make its case through the procedures of the Alliance for Progress program. I know, and the members of my subcommittee know, that some representations were made to the Alliance for Progress officials. Mr. Moscoso reported to us that on the basis of the presentations which had been made, the Mexican representatives had not made out a case for a loan for a border project.

Mr. Moscoso also pointed out, quite rightly, that the Mexican Government was under an obligation, in connection with the procedures followed for loans under the Alliance for Progress program, to submit a list of priorities with respect to the importance of the projects which the Mexican Government wanted to have considered in connection with any loan program which they sought from the Government of the United States in connection with the Alliance for Progress program

That is it, Mr. President. That is the whole story.

Let me repeat for the record that Hanson lies through his teeth and his pen, when he says and when he writes that the opposition of the senior Senator from Oregon to the foreign aid bill of the administration, in its present form, has any connection whatever with the border project of the Mexican Government.

It is true that I intend to urge drastic revisions in the foreign aid program, in respect to economic aid and the amounts thereof, in respect to military aid and the amounts thereof, and in respect to the number of countries now receiving military and economic aid. I have said, and I repeat, that undoubtedly the amendments which I shall in due course offer would probably reduce by approximately 25 percent the total amount of money provided in the bill, and would reduce at least by several countries the total number of countries that are covered in the bill.

I said some days ago that if I had time to prepare a statement on issue by issue of the bill, I would endeavor to make a brief statement on the floor of the Senate setting forth my reason for opposition to various sections of the bill.

Yesterday I discussed briefly my comments on the bill in respect of the Alliance for Progress provisions. I wish to add a brief chapter to that discussion in the next few minutes tonight. I discussed the memorandum I have before me in the public hearings of the Committee on Foreign Relations this morning, when the Director of AID, Mr. Bell, was before the committee. He said, in response to my request, that AID would prepare a memorandum giving me a detailed account of the allegations and criticisms that are raised in my memorandum.

The memorandum was prepared for my subcommittee by a recognized authority in this field. I explained that to Mr. Bell at the public hearings this morning. It deals with one phase of the Alliance for Progress program that I wish to stress. I pointed out last night that at the Bogotá Conference, the Senator from Iowa [Mr. HICKENLOOPER] and I, representing the Senate, stressed the point that the Alliance for Progress program, or the economic and military aid program from the United States, which became the Alliance for Progress program—because I believe the Bogotá Conference really saw the beginning of the Alliance for Progress program—had to be based upon self-help and that it had to be based upon a loan procedure, and that in order to have a self-help program it would be necessary for various Latin American countries to adopt certain reforms in the operation of their economic and political institutions. Among those reforms is tax reform.

Mr. President, in my opinion we cannot justify, as Members of Congress, imposing upon American taxpayers the burden of making available to Latin American countries the heavy expenditures in a foreign aid bill unless Latin American countries tax their taxpayers on the basis of ability to pay.

The undeniable fact is that in many Latin American countries taxes are evaded and avoided, and many properties are not taxed at all or are taxed nominally, so that the principle of taxation on the basis of ability to pay is noted for its absence of enforcement in many parts of Latin America rather than for its strict compliance.

I intend to examine very carefully the foreign aid bill from the standpoint of the Alliance for Progress proposal to Latin American countries in order to make certain that any Latin American country that is getting American taxpayer money through this program imposes upon its own people a fair tax structure based upon ability to pay.

If we do not do that, we will be guilty of a form of double taxation in the United States; we will be guilty of imposing upon our own American taxpayer an added burden, a double burden, of taxation, to take up the loss of tax in Latin American countries which the Latin American Governments in all fairness and equity ought to impose upon their own citizens.

So in this memorandum on taxes there are set out by the expert who prepared it for my subcommittee the following observations:

TAX REFORM EFFORTS IN LATIN AMERICA

Tax reforms, including substantive tax change and administrative improvement are key aspects of the Alliance for Progress. Yet, after 2 years no effective mechanisms exist in the Alliance institutions for systematically assisting the Latin American countries to undertake reforms, or to assess those reforms which have been undertaken. Not only are the activities of the variously interested organizations such as AID, the OAS, the IADB, and so forth, uncoordinated, but much of what little that has been done has been wasteful and badly conceived. None of these institutions have even undertaken in any systematic or continuing fashion the compilation and evaluation of basic legislative and statistical materials which are needed for planning tax assistance activities, evaluating country programs and development plans, or assessing the self-help performance of these countries. Indeed, the result has been considerable duplication of effort. Thus, while considerable lipservice is given to tax reform as a quid pro quo of U.S. Alliance assistance, this criterion is not applied in practice. Admittedly, tax reform may, for various reasons, be difficult to apply as a criterion in many specific instances. General ignorance of what is or is not being done in Latin America, or as to what can reasonably be expected, should not, however, be the reason for precluding these considerations from the calculus of U.S. assistance decisions. Nor should failure to comply with the tax reform side of the Punte del Este Charter be blamed entirely upon the Latin Americans, when after 2 years we at this end have not begun to effectively organize ourselves for providing the stimulus and assistance they may require.

As the following will elaborate in some detail, lines of responsibility and function between, as well as within, the various participating agencies—AID, OAS, ECLA, IADB, and so forth—are unclear and diffused. No satisfactory mechanisms exist for coordinating their activities or giving any coherence to overall Alliance tax efforts.

AGENCY FOR INTERNATIONAL DEVELOPMENT

As the major Alliance for Progress instrumentality of the United States, AID, it would seem, should bear the primary responsibility for insuring that an adequately comprehensive and coordinated tax effort is made. Various organizational weaknesses and early policy decisions, however, have prevented AID from assuming this role.

Probably most important is the dispersion of responsibility within AID for the different facets of tax reform assistance and documentation. Responsibility for tax reform is currently strewn across administratively distinct offices, in each of which it consists of only a minor and relatively peripheral function. Thus, tax administration assistance is one of the minor concerns of the Institutional Development Division. Tax policy is the part-time concern of one individual in the Programing and Planning Division. The situation in the field is even more unsatisfactory. Apart from technicians subcontracted to AID by the Internal Revenue Service, there are no more than two AID technicians in all of Latin America working on tax reform. There is no systematic collection of information in the field on tax matters, no systematic effort to discover the tax assistance needs of any of the countries, and no careful effort to stimulate appropriate country requests for assistance.

INTERNAL REVENUE SERVICE

Due almost entirely to the commendable interest of Commissioner Mortimer Caplin, and Assistant Secretary of the Treasury Stanley Surrey, the Internal Revenue Service has organized an Office of Foreign Tax Assistance, through which it has recruited from within IRS, a sizable number of high level technicians who are prepared to accept long-term assignments in Latin America. Also, the IRS is prepared to provide "on the job" training to Latin American tax administrators in the United States.

Unfortunately, these splendid facilities are generally underutilized. AID has lagged far behind in apprising the Latin American countries of their existence, and in generating requests for assistance. Indeed, it is not clear that all of the AID field offices are aware that these facilities are available.

Also, because of the bifurcation of responsibility for tax policy and tax administration, the IRS missions operate in a partial vacuum. Often, tax assistance missions require both administrative and policy components.

THE OAS–ECLA–IADB JOINT TAX PROGRAM

For all practical purposes what is said about this joint program applies to the OAS alone. The IADB and ECLA have become more or less silent partners.

Thus far—with negligible results—the United States has appropriated some $450,000 to this program.

Here, the problem has been one of sheer incompetence. The administration and conception of program activities have closely reflected all of the difficulties of the Latin American bureaucracies it presumably was intended to help. For example, a conference on tax administration, costing some $100,000, was held in October 1961. Not only was there no followup of the results of this conference, but the papers written especially for it have not yet been published. Various tax study missions, each costing roughly $30,000 to $50,000, have been sent to a number of countries. Unfortunately, their results are unusable and their impact negligible. The study teams were sent with little or no preparation, planning, or guidance.

In actuality, however, responsibility for this costly fiasco is not entirely that of the OAS. By the terms of the AID-OAS financing agreement, the OAS was to submit to a continuing review of its work. AID, however, has provided none, so I am informed. Once having made the generally recognized error of assigning the OAS major responsibility in the tax-policy field, while reserving tax administration to itself, AID left the OAS—an organization not generally respected for the caliber of its technical proficiency—to its own devices.

Finally—although AID's part-time tax policy man was aware of the situation at the OAS, his ability to rectify the matter was largely undermined by the AID organizational arrangement. Review of the OAS tax budget request is the responsibility of yet another office. No doubt, another $450,000 will be appropriated this year.

CONCLUSION

In the absence of strong congressional interest in this matter it may be doubtful if this weakness in the Alliance for Progress program will be corrected.

This administration has a solemn duty to make clear to the American people that it is doing everything it can to carry out its commitments with respect to helping Latin Americans bring about the necessary tax reforms that will justify Congress appropriating taxpayers' money to be of assistance in connection with the Alliance for Progress program.

ADJOURNMENT

Mr. HUMPHREY. Mr. President, in accordance with the order previously entered, I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 59 minutes p.m.) the Senate adjourned, in accordance with the order previously entered, until tomorrow, Thursday, June 27, 1963, at 12 o'clock meridian.

CONFIRMATION

Executive nomination confirmed by the Senate June 26, 1963:

POST OFFICE DEPARTMENT

Sidney W. Bishop, of California, to be Deputy Postmaster General.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JUNE 26, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Romans 8: 31: *What shall we then say to these things? If God be for us, who can be against us?*

O Thou God of grace and glory, we humbly confess that in these times of social unrest and discontent we are tempted to greet the new days with the shaded and downcast eyes of fear and foreboding.

Daily Thou art extending overtures to us to join the courageous and heroic, and may we believe that the forces which bless are more numerous and potent than those which blight.

Kindle our minds and hearts with a passion and a patriotism to be partners with Thee and with one another in building a civilization which has a noble and magnanimous spirit.

Make us eager to plead and champion the cause of the poor, the oppressed, and the lonely and show us how we may resist those sinister forces which stir up friction and discord and those malign elements of violence and destruction.

May our enthusiasm and our efforts to promote our own personal welfare never degenerate into selfishness or allow any decline in that lofty idealism which recognizes the debt which strength owes to weakness, the debt of knowledge to ignorance, and the debt of wealth to poverty.

Hear us in the name of the lowly and exalted Master who went about doing good. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment bills and a joint resolution of the House of the following titles:

H.R. 2651. An act to extend for 1 year the period during which responsibility for the placement and foster care of dependent children, under the program of aid to families with dependent children under title IV of the Social Security Act, may be exercised by a public agency other than the agency administering such aid under the State plan;

H.R. 2827. An act to extend until June 30, 1966, the suspension of duty on imports of crude chicory and the reduction in duty on ground chicory;

H.R. 4174. An act to continue until the close of June 30, 1964, the suspension of duties for metal scrap, and for other purposes;

H.R. 5795. An act to provide a 3-year suspension of certain restrictions in the Supplemental Appropriation Act, 1951, on the withdrawal from the Treasury of postal appropriations; and

H.J. Res. 508. Joint resolution making continuing appropriations for the fiscal year 1964, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 6791) entitled "An act to continue for 2 years the existing reduction of the exemption from duty enjoyed by returning residents, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BYRD of Virginia, Mr. LONG of Louisiana, Mr. SMATHERS, Mr. WILLIAMS of Delaware, and Mr. CARLSON to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 51. An act to authorize the Secretary of Agriculture to relinquish to the State of Wyoming jurisdiction over those lands within the Medicine Bow National Forest known as the Pole Mountain District;

S. 400. An act to establish penalties for misuse of feed made available for relieving distress or preservation and maintenance of foundation herds;

S. 530. An act to provide for an investigation and study of means of making the Great Lakes and the St. Lawrence Seaway available for navigation during the entire year;

S. 581. An act to amend the Agricultural Adjustment Act of 1938 to extend for 2 additional years the provisions permitting the lease of tobacco acreage allotments;

S. 582. An act to extend for 2 years the definition of "peanuts" which is now in effect under the Agricultural Adjustment Act of 1938, as amended;

S. 623. An act to provide for a program of agricultural land development in the State of Alaska;

S. 1039. An act to authorize the Secretary of the Interior to acquire through exchange the Great Falls property in the State of Virginia for administration in connection with the George Washington Memorial Parkway, and for other purposes;

S. 1388. An act to add certain lands to the Cache National Forest, Utah; and

S. 1745. An act to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

INCREASING THE LENDING AUTHORITY OF THE EXPORT-IMPORT BANK OF WASHINGTON

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3872) to increase the lending authority of the Export-Import Bank of Washington, to extend the period within which the Export-Import Bank of Washington may exercise its functions, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments and ask for a conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. PELLY. Mr. Speaker, I object.

VISITING DELEGATION FROM INDIA

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER**. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. **BOGGS**. Mr. Speaker, one of the significant events of recent years has been the exchange of visits by the members of the free parliaments of the world. We are very fortunate today to have in our midst a distinguished delegation of parliamentarians from the great country of India.

I am happy to say that the distinguished Speaker of the Indian House and that a distinguished lady Member of the Indian Senate and other distinguished House Members are here. We are happy to welcome them not only to the House of Representatives of the United States but to our Nation's Capital. We hope that they will have an enjoyable stay and that it will increase the bonds of friendship between our two great nations.

SPANISH FOREIGN AID

Mr. **MONAGAN**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER**. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. **MONAGAN**. Mr. Speaker, one of our common current complaints is that other countries in the Western World do not carry a foreign aid burden comparable to our own.

In view of this feeling, it was interesting and encouraging to find that Spain had offered, through the Organization of American States, 70 fellowships for the training of Latin Americans in agricultural techniques. The students honored by these fellowships would return to their home countries after their studies to promote the development of agriculture, housing, reforestation, animal husbandry, statistics, history and construction. The largest number of fellowships would cover the study of agrarian reform and colonization.

Having several times visited the Bardenas land reform and resettlement project in Spain, I am well aware of the strides that Spain has made in the study of irrigation and reclamation of arid land. I am also proud of the part that the United States played in assisting in the construction of this Spanish project.

I applaud the decision of the Spanish Government to make its technical knowledge available and I hope that this will be only the beginning of such action.

This sort of sharing of technical education will be much more valuable and have a more lasting effect than many expensive and grandiose capital projects.

MILITARY BASES IN SEGREGATED AREAS

Mr. **SIKES**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. **SIKES**. Mr. Speaker, I find it difficult to believe that I have read correctly when I see that a Presidential commission has recommended that consideration be given to closing military bases in areas which are segregated. Can it be that men sufficiently deserving of recognition to be named by the President of the United States to a commission, are completely blind on the problems of America's defense? Military bases are not located to satisfy prejudice or to keep racial problems quiescent, or for any other reason except the defense of the United States. They are located according to the desirability of training conditions or for the necessity of strategic location. This suggestion is an insult to the intelligence of the people of the United States and a disservice to the administration. It is the kind of thing that destroys confidence in the administration at a time when Americans need desperately to find a way to stand together. This commission should have the good grace to resign in a body for having made such a colossal blunder. Failing to do this, they should be fired outright by the administration.

CALL OF THE HOUSE

Mr. **SPRINGER**. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER**. Evidently a quorum is not present.

Mr. **ALBERT**. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 90]

Ashley
Avery
Bass
Belcher
Bolling
Brooks
Brown, Calif.
Buckley
Celler
Colmer
Davis, Tenn.
Dawson
Diggs
Evins
Forrester
Fulton, Tenn.
Hawkins
Healey
Hébert
Karth
Kilburn
Martin, Mass.
May
Norblad
O'Brien, Ill.
Poage
Powell
Rodino
Roosevelt
Shelley
Steed
Vinson

The **SPEAKER**. On this rollcall, 396 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

RINGING OF BELLS ON THE FOURTH OF JULY

Mr. **DOWDY**. Mr. Speaker, by direction of the Committee on the Judiciary, I call up Senate Concurrent Resolution 25, and ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

Whereas the tolling of the Liberty Bell at Independence Hall, Philadelphia, Pennsylvania, at 2 o'clock in the afternoon of the 4th day of July, 1776, proclaimed the signing of the Declaration of Independence; and

Whereas the adoption of this historic document marked the birth of our country as a free and independent nation; and

Whereas it is fitting that the anniversary of this great event should be appropriately observed in each year at the same moment throughout the United States: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress hereby (1) declares that the anniversary of the signing of the Declaration of Independence should be observed each year by the ringing of bells throughout the United States at the hour of 2 o'clock, eastern daylight time, in the afternoon of the 4th day of July, or at such other time on that day as may be determined by local authority, and (2) calls upon civic and other community leaders to take appropriate steps to encourage public participation in such observance.

The **SPEAKER**. Is there objection to the request of the gentleman from Texas?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

DEPARTMENT OF DEFENSE APPROPRIATION BILL, 1964

Mr. **MAHON**. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 7179) making appropriations for the Department of Defense for the fiscal year ending June 30, 1964, and for other purposes.

The **SPEAKER**. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 7179 with Mr. KEOGH in the chair.

The Clerk read the title of the bill.

The **CHAIRMAN**. When the Committee rose on yesterday the Clerk had read through line 13 on page 2 of the bill. If there are no further amendments at this point, the Clerk will read.

The Clerk read as follows:

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except those undergoing reserve training); $678,600,000.

Mr. **BECKER**. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am not going to discuss the bill, but I should like to take up generally the question of the deletion from the appropriation of the authorization of $360 million that was provided for the RS-70. At this point I should like to ask the chairman of the committee to answer a couple of questions, if he will.

One, I have been firmly convinced for years that we need such a plane as the B-70, later called the RS-70. I also know that there are funds left over from last year of some $155 million that have not been used by the Defense Department. I know that these three planes that were authorized and are being worked on are not weapons system planes. I also know that today the administration is advocating, and hearings are being held on a supersonic passenger plane in order to be able to compete with planes being built in European countries.

I am also aware of the fact, having gone into the RS–70 quite thoroughly that it is adequate for a supersonic passenger plane of the Mach 3 type.

I am wondering where all this money is going to if we are not going to proceed with this plane?

I am also aware of the fact that the taxpayers of this country have already put in research and development and production of the RS–70 well over a billion dollars and are going to put in more. We are now going to put more money in research and development probably, for a supersonic passenger plane to compete with the rest of the world.

I am also aware of the fact that we have discontinued the production of B–52's and B–58 bombers while in our committee we advocated the construction of B–52's and B–58's. This has not been done by the administration. But now I understand from the administration they are going to reconsider and to reestablish the production of B–58's at a very great cost to the taxpayers of this country.

I should like to direct a remark or two to the distinguished chairman of the committee, the gentleman from Texas [Mr. MAHON]; just where are we going with this program, if anywhere, and why have we taken out of the RS–70 program the $360 million?

Mr. MAHON. Mr. Chairman, if the gentleman will consult the report, as I am sure he has, he will find a statement of committee action.

Mr. BECKER. I have.

Mr. MAHON. Of course, my friend is also aware of the discussion which we had yesterday in regard to this matter. The committee did not take the $363 million out of the budget. As the gentleman knows, there were no funds in the budget for the B–70 or the RS–70, as there was a carryover of $155 million plus. We are going along with the three-plane program. As I stated yesterday, it is anticipated that there will be a more or less final determination made within the next year or the next 2 years, because I feel, as I know the gentleman feels, that we must have some sort of follow-on strategic aircraft weapon to the B–52.

Mr. BECKER. I agree with the gentleman. What I am leading up to is the threat made the other day by the Secretary of Defense that if you cut his budget as anticipated in this bill, he is not going to proceed with the RS–70.

Mr. MAHON. Let me make it clear that the Secretary has not in any way said or intimated that he would not proceed with the RS–70 three-plane program. I have the unqualified categorical statement of the Secretary that he will continue with this three-plane program. If additional funds are required to finance it, as will probably be necessary, I hope he will request them so as to continue with the RS–70.

Mr. BECKER. I am sure the gentleman's interest in this is beyond question. These three planes are merely test planes. They are nowhere near approaching the reconnaissance strike plane that we need. When is the Secretary going to use the $155 million?

Mr. MAHON. As pointed out in the report, he will use during the forthcoming fiscal year $81 million-plus and other funds will be required later, within the $155 million, for the program. It is my feeling that we will be called upon to appropriate additional money later on for the RS–70 program.

The Clerk read as follows:

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movement), expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except those undergoing reserve training), cadets and aviation cadets; $3,943,000,000, and, in addition $175,000,000 which shall be derived by transfer from the Air Force stock fund and the Defense stock fund, and $35,000,000 which shall be derived by transfer from the Air Force industrial fund.

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I wonder if someone can tell me if under the appropriation of $3,943 million for "Military personnel, Air Force," this is where the money comes from to operate the jet planes that serve the Presidential family. I ask this question because just before Easter three Air Force jets were used to move the Presidential family from Washington, D.C., to Palm Beach, Fla., for a vacation. It seems to me that this was an extravagant use of the taxpayers' money. Is this where they get the money for the operation of those planes?

Mr. MAHON. The pay of military personnel of the Air Force is covered in this military personnel account. The actual funds for the operation, such as the fuel and so forth, would be carried in the "Operation and maintenance" portion of the bill.

Mr. GROSS. It would not be contained in this provision?

Mr. MAHON. No. This is pay of personnel.

Mr. GROSS. Does the gentleman think it was necessary to fly three jet planes within a matter of hours to Palm Beach to transport the Kennedy family for an Easter vacation?

Mr. MAHON. I have not read the press notices on this, but a man who bears, along with his family, the burdens of the Presidency of the United States, as far as I am concerned is welcome to the use of Government aircraft for his purposes. This is not a precedent. It was practiced by President Eisenhower and has been practiced by President Kennedy and will be practiced by his successors, I would say. It was practiced by President Eisenhower's predecessors. I do not think we want to undertake to deny the Executive the means of transportation for his family and staff.

Mr. GROSS. I do not criticize the method of transportation, but I cannot for the life of me understand why three big Air Force jet planes should take off within a matter of hours of each other to convey President Kennedy and some four or five members of his immediate family to Palm Beach, Fla. for a vacation. I wonder if the gentleman thinks this is in conformance with the President's call to the taxpayers to "Ask not what your Government can do for you, but rather what you can do for your Government."

Mr. MAHON. I do not wish to discuss the personal affairs of the President and his family. If the trip involves even a relative short absence from the White House, in this day of complex international and domestic tensions, a certain number of top-level staff assistants probably must accompany the President. These are matters which are entirely his prerogative and at his discretion. I do not know the details of this specific jet trip, but if the gentleman thinks it is unnecessary he can have his own views.

Mr. GROSS. I would like to ask the gentleman if this bill takes into consideration the military manpower slash of some 60,000 troops that we read about these days.

Mr. MAHON. I am not quite clear as to the gentleman's question.

Mr. GROSS. I have in hand a United Press news service story which states:

> America is preparing to reduce its oversea military deployments and cut the size of its Army, Navy, and Air Force. A military manpower slash of 60,000, and perhaps more, is one of several drastic moves now in prospect.

Does the pending bill take into consideration this proposed or projected slash in military manpower to the extent of 60,000?

Mr. MAHON. No, this bill contemplates a continuation of the military manpower at identically the level which was presented in the budget, which is approximately 2,690,000 men in the several services.

Mr. GROSS. Well, it also says that it is proposed to thin out the U.S. divisions in the Far East.

The report says:

> The army may have a thinning out in the Far East including the withdrawal of one of the two divisions that have been in South Korea in addition to a reduction of forces in the European area.

Now is the committee aware of such proposed moves? Does the gentleman think this report is accurate?

Mr. MAHON. I think a discussion of these matters that have been raised by the gentleman will be appropriate at this time.

As the gentleman will understand, at the present time the Department of Defense is considering not the 1964 budget but the 1965 budget and what may be required by way of a military program.

including manpower and weapons, for the fiscal year for which we will make appropriations during the calendar year 1964.

Now I will be glad to discuss with the gentleman some of these matters which he has read in the paper. There was a story in a United Press International news release to the effect that some thought was being given to the reduction of 60,000 men. I discussed this matter with officials in the Pentagon and I find no confirmation whatsoever that there is any proposal for the reduction of 60,000 men. It is true that prior to this budget before us, a discussion came about in the Department of Defense as to the composition of our military forces for the forthcoming fiscal year and for the year beyond that. There will be discussion as to how many we may have. It was announced in February of this year that an effort would be made to bring home from Europe about 40,000 support troops who had been sent there largely as a result of the controversy in Berlin. So these people, will be brought home as the occasion will permit.

I do not think we can rule out completely that in future years some reductions would not be made. I, personally, happen to think that the NATO nations should bear a heavier portion of the load, especially from the standpoint of ground troops.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. MAHON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in view of the discussion with the gentleman from Iowa, I would like to proceed to a discussion of this newspaper story. I will insert the full UPI teletype of the story at this point:

> WASHINGTON.—America is preparing to reduce its oversea military deployments and cut the size of its Army, Navy, and Air Force.
>
> A military manpower slash of 60,000—perhaps more—is one of several drastic moves now in prospect as the Kennedy administration seeks to reverse the upward spiral of defense spending and achieve large economies.
>
> Other measures now under consideration include withdrawal of one of the Army's two divisions in South Korea and larger cuts in support forces in Europe, reduction of Navy aircraft carrier forces, and swifter junking of the Air Force's aging B-47 bomber units.
>
> There is talk, too, of a huge reduction in production of fissionable material for nuclear weapons by the Atomic Energy Commission—a step that might save $1 billion a year. The logic is that this could be done with no damage to combat strength in view of the gigantic quantities now available.
>
> The timing of actions to be taken is yet to be worked out, apparently, but they are expected to occur over the next 2 years depending on international developments.
>
> The turning point will come next January when the President sends his new budget to Congress. It is expected to end the upward trend that has seen defense outlays rise from $41.5 billion in the last year of the Eisenhower administration to an estimated $51 billion for the year starting July 1.
>
> There is a feeling that America has achieved such strength and made such technological strides that the Government may safely contemplate sharp cuts in manpower, warships, bombers, military bases at home and abroad, and missiles of the older Atlas type.
>
> Modernization will continue—rapidly in such cases as the Minuteman and Polaris missiles—but perhaps stretched over longer terms in the case of certain Army weapons.
>
> Specifically under consideration is a retrenchment in oversea deployments which now run to 1 million men.
>
> The Army may have a thinning out in the Far East, including withdrawal of one of the two divisions that have been in South Korea since the war ended there 10 years ago. The Air Force will be abandoning some oversea bases as its fleet of 600 B-47 bombers is junked.
>
> The Navy will have fewer ships around the world.
>
> The Army, as now envisioned, will not get the additional one or two divisions it would like and will lose 15,000 of its authorized 975,000-man strength. Its experimental air assault division will have to be fitted into the present 16-division structure, meaning that some other division may have to be stricken.
>
> It can be said that the Army's present force of five divisions and four separate tank regiments in Europe is not considered untouchable. This force comprises at present about 249,000 men and there has been some talk of a long-range cutback to about 200,000.
>
> The Navy is going to have fewer large aircraft carriers than its present 15 and will reduce supporting ships. It will be allowed to build in 1964 the carrier that Congress authorized for 1963, but most likely will not be allowed a new one in 1965. The 1964 carrier is expected to be the second with nuclear power, the other one being the *Enterprise*, now in the fleet.
>
> Navy manpower losses will be considerable.
>
> The Air Force is expected to drop as many as 20,000 of its authorized 860,000 men as its bombers go to the graveyard. It had hoped to hold on to the B-47's until mid-1965. This now seems most unlikely.
>
> The Air Force also is expected to rid itself of more than 50 of the oldest model Atlas intercontinental ballistic missiles since they are considered vulnerable to attack. Their warheads can be reworked for use in lighter nuclear missiles.
>
> Part of the logic behind retrenchment of oversea deployment is that there has been a remarkable increase in air mobility in the past 2 years.
>
> This mobility will become even more remarkable with the advent of the intercontinental C-141 jet troops and cargo transport plane in another 2 years. This means that American forces, based at home, now are far more flexible and can be sent rapidly wherever needed.

I could not say categorically that there is no truth to the allegation that 60,000 men are to be removed from the Armed Forces at some future time. There is truth to the fact that in planning for the next budget, some consideration will have to be given to manpower levels. It may be that a request will be made for more military manpower.

It might be less. So, there is nothing to this other than the fact that each year the military services explore various alternative military programs.

I do think it would be desirable to persuade our allies, if possible, to bear a heavier burden of the cost of the forces in the NATO countries, but there is certainly not anything additional that is being done about it very specifically at this moment.

With respect to Korea, we have two divisions there. I wish it were not necessary for us to provide those two divisions. But I do not believe we can withdraw one of these two divisions at this point in time. I know of no plan at the present time that would bring about the withdrawal of one of these divisions from Korea. But I do think, certainly, that activities in support of combat troops in Europe could be done to a greater extent by the military land forces of other NATO nations.

This story also makes reference to the B-47 bomber. The last B-47 bomber was produced about 6 years ago. The first one was produced many years before that. This fleet is growing older, and it is already contemplated that it will be phased out of our military inventory by 1966 or about that period. They will by then be too old to be very valuable, and there are plans for the gradual phaseout of this bomber. These plans have been in existence several years. But there is no plan at this time to change that program.

Mr. Chairman, another element of the press story is that a $1 billion savings may be achieved by reducing our program for the development and production of fissionable material. That is an issue which is not handled specifically in this bill, but would be funded under the atomic energy appropriations in the public works appropriation bill. A study of these requirements is in order, and I am hopeful that some savings can be made.

So, I would say again, that insofar as this bill is concerned, and insofar as the military forces of the United States are concerned, there is nothing in the news story that should affect our actions on the pending Defense appropriation bill.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Florida.

Mr. SIKES. To substantiate what my distinguished chairman, the gentleman from Texas [Mr. MAHON], has said, there was no testimony at all indicating a withdrawal of forces or a reduction in the size of forces for the forthcoming budget year. Nevertheless, this is a matter which is under continuing study. It costs considerably more to maintain a man overseas than it does to maintain the same man at home. He has in many instances his family with him, and all of this has an effect on the gold outflow problem.

Our Government is seriously concerned with this problem and we want the NATO countries to accept a greater responsibility for it. So this is a matter for study, but there is nothing definite this year on it.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman spoke of the withdrawal of forces from Korea and stated that there was nothing to this story that there would be the withdrawal of an American division from South Korea. Is that not a United Nations operation?

Mr. MAHON. To some extent it is, but as the gentleman from Iowa knows, the United States has been the principal keeper of the peace in that area of the world since the end of the Korean war.

Mr. GROSS. If the gentleman will yield further, it is supposed to be a United Nations operation. How many divisions do the other foreign countries have in South Korea?

Mr. MAHON. There are token forces there, I am sure, from other countries.

Mr. GROSS. The gentleman well knows that there is not a division of foreign troops in South Korea, does he not?

Mr. MAHON. The gentleman is correct. But that does not mean that we should withdraw our own forces and abdicate to the forces of communism in this part of the world.

Mr. GROSS. That is not a United Nations operation, is it?

Mr. MAHON. Insofar as I am concerned and insofar as this bill is concerned, it is a U.S. operation in the sense of holding our own in the contest between freedom and communism.

Mr. GROSS. If the gentleman will yield further, all of the foreign troops from other countries that are stationed there are ceremonial troops and troops of that nature?

Mr. MAHON. I have not been to Korea, but I know there are token forces of other nations there. Exactly what they are doing, I do not know. But I know we have elements of two divisions which are keeping the peace in that foreign land. I do not think they should be withdrawn at this time. However, when we can safely do so, I think we should withdraw them. I do not think we can safely do that at this time.

Mr. FORD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to supplement what the chairman has said. The allegation that the reduction made in this bill or personnel would necessitate a 60,000 cut in military personnel—that allegation is completely without fact. The chairman yesterday, the gentleman from Florida [Mr. Sikes], and the gentleman from Pennsylvania [Mr. Flood], all said correctly this allegation by the Defense Department was inaccurate and unfounded.

There is no doubt that the Defense Department in the months ahead must analyze the number of forces we have in Europe and the number of forces we have in southeast Asia. We cannot forever keep exactly the same number of forces in any area that we have kept there in the past.

As a matter of fact, the Defense Department through the Army is intending to carry out a new program in Europe in fiscal year 1964 that I think is most interesting.

They are planning to initiate in the next fiscal year a program whereby they will send to Europe a unit totaling about 5,000. This will be an Army unit. It will go there for a 6-month period. It will be highly trained and highly integrated. The unit will not take their dependents with them. They will have a 6-month assignment rather than a 2- or 3-year assignment that is now the custom. This is an effort to cut down the number of dependents in Europe. It is an experiment to find out whether a highly trained, highly integrated, outfit can move from the United States to Europe, go right to the front lines and be there for a 6-month period, then return to the United States. I think this program makes sense and it may well be they will expand it in the fiscal years 1964 and 1965.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Texas.

Mr. MAHON. We have provided hundreds of millions of dollars for additional airlift. I look forward to the time when our airlift will be sufficiently adequate that we may have a minimum of forces overseas and have a maximum capability of deploying troops to all areas of the world. We should not assume there will never be a change in the composition of these forces overseas. As the situation changes at home, it will have to change elsewhere.

Mr. FORD. We do not want a static situation. If we do, our military policy is wrong.

Mr. FLOOD. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Pennsylvania.

Mr. FLOOD. The gentleman knows as a result of the Berlin incident we sent troops into Western Europe. There will have to be a withdrawal of those because they are in excess number now and they were in excess number then. There is no intention of in any way reducing the combat or line troops of the United States committed to the NATO forces. We have withdrawn from big bomber installations in North Africa and in different parts of Europe, for that kind of installation is no longer a part of the operation as a whole. We will furnish, as the gentleman suggests, troops of various kinds, as the operation develops.

Mr. MAHON. Would not the gentleman like to make it perfectly clear in his discussion that the shifting of troops in any program in no way should be considered as a show of weakness or as a program of military retrenchment? The movement of any forces would be calculated, as far as we are concerned, to improve and not to erode the military position of the United States.

Mr. FORD. I agree wholeheartedly with the gentleman from Texas. The changes made will not cause a reduction in personnel.

Certainly we are not aiming to downgrade or to degrade our military capability in Western Europe, in southeast Asia, or anyplace else, in fiscal year 1964 or later.

Mr. HAGEN of California. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to ask the distinguished chairman of the subcommittee a question about two items in the appropriation, one with respect to the Dyna-Soar and one with respect to the X–15. As I understand it, the Defense Department requested a $125 million appropriation for the Dyna-Soar program and the committee regarding it as a continuing program provided that amount of money with a caveat to the Secretary of Defense that if he refused to spend the money on the Dyna-Soar he had to spend it on a Mach 3 aircraft. Am I correct in that statement?

Mr. MAHON. The gentleman is correct in that. As the gentleman knows, for most weapons in the development stage or otherwise, the bill itself does not specify the particular amount for the particular weapon, but with respect to the B–70 last year, and also the Dyna-Soar, and again this year with the Dyna-Soar we tied special strings on the funds provided. We said these funds are available for the Dyna-Soar, and we recommend they be used for the Dyna-Soar, and these funds can only be used otherwise for Mach 3 aircraft, which by and large would involve additional funds for the RS–70.

Mr. HAGEN of California. I thank the gentleman.

I have one more question.

Mr. LAIRD. Mr. Chairman, will the gentleman yield to me at that point?

Mr. HAGEN of California. Yes, I will yield.

Mr. LAIRD. The gentleman from California in his statement used the words that the Secretary would have to spend these funds. This particular language in the bill merely says that if he wants to spend any of this money it must be spent for either of these two purposes. It does not require that the money be spent. There is no outright directive in this area, but if this money is used it must be used for either of these two purposes.

Mr. HAGEN of California. That is my understanding.

Mr. LAIRD. And that is not limited to the RS–70. If he does not use the funds for the Dyna-Soar and we have some real breakthroughs in the area of Mach 3 aircraft, it can be used for that. Some of them are of a classified nature, but this language does not earmark it for the RS–70.

Mr. HAGEN of California. I thank the gentleman.

The Secretary of Defense in the committee hearings stated that $7 million was requested to continue the X–15 project. Further he stated that more than half of the planned program of 300 flights had been accomplished and at least another 25 major experiments remained to be conducted in the X–15 program, many of which are expected to contribute significantly to our space effort, particularly the X–20 Dyna-Soar project. Was this $7 million that the Defense Department requested, provided in this bill?

Mr. MAHON. The funds to which my friend from California makes reference are included in this bill. They were not stricken from the bill, and while no specific reference is made to the X-15 in the report, a specific reference would have been made were the funds marked for elimination.

Mr. VANIK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, at an earlier stage of the discussion on this bill, I considered the submission of an amendment which would limit defense expenditures in any one State to not more than 15 percent of the $47 billion appropriated under this act. After discussing this matter with the distinguished chairman of the subcommittee, the gentleman from Texas [Mr. MAHON], I have decided to defer the submission of an amendment until its effect could be more carefully studied.

Mr. Chairman, I am deeply concerned with the grave economic effects of the progressive concentration of defense spending in three or four favored States. This process cannot continue indefinitely without causing irreparable economic injury to those States which do not extensively participate in the defense program. To their detriment, they suffer a devastating loss in their "balance of payments" as the Federal Government drains off their wealth through taxation and then channels it off in the form of defense spending to favored States which appear to enjoy a rate of growth astonishingly related to the level of defense expenditures.

Thus, the State of Ohio, which provided almost 6 percent of Federal revenues—$5,615,013,000—in fiscal 1962, had Department of Defense payrolls, civilian and military, totaling $320 million or 0.025 percent of the $12.8 billion spent throughout the Nation for this purpose. In fiscal 1962, Ohio received 4.5 percent of the net value of Defense Department procurement. When total defense is considered, procurement and payroll, Ohio ends up with a total of $1,449 million or 3 percent of the national total. On defense spending, Ohio pays 6 percent of the bill and gets back 3 percent of the economic impact.

The future growth of the several States can be substantially predicted by the net value of military prime contract awards for experimental, development, test, and research work. In fiscal 1962, Ohio had $132,603,000 or 2.17 percent of the total, while California, the leading State, had almost 40 percent of the total of almost $2.5 billion.

Secretary McNamara from time to time endeavors to explain the concentration of defense spending as related to the concentration of scientists and research institutions in the States of heavy defense spending. This is humbug. The record will disclose that the scientists who staff the research institutions of the States favored in defense spending are substantially transplants from other States in which they were trained and educated and from which they were lured.

The present policies of defense concentration are self-perpetuating. Heavy defense spending will induce even heavier defense spending. When cutbacks become possible, favored defense spending States will qualify for continued spending as labor surplus areas.

Unless something is done soon to provide a more equitable distribution of the defense spending impact, many of our once thriving communities will become ghost towns because we permitted a reckless drain of our wealth and talents. It is my earnest hope that more equitable distribution of defense spending can be achieved within this next fiscal year.

Net value of Defense Department procurement for fiscal 1962 and combined Department of Defense military and civilian payroll compared with Fede. al tax contributed by States

[Dollar amounts in thousands]

State	DOD military payroll	DOD civilian payroll	Combined DOD payroll	Net value of DOD procurement	Total DOD expenditures	Total revenue collections	Percent of Federal tax contribution	Percent of total DOD expenditure	Percent of total DOD payments compared with Federal revenue paid by States
Alabama	$96,893	$215,290	$312,183	$154,419	$466,602	$577,534	0.006	0.012	200
Alaska	128,820	44,780	173,600	63,320	236,920	61,183	.00065	.006	900
Arizona	79,176	45,031	124,207	152,951	277,158	326,347	.0035	.007	200
Arkansas	77,729	27,064	104,793	84,798	189,591	248,166	.0026	.004	150
California	842,670	866,915	1,709,585	7,702,829	7,702,829	8,310,652	.09	.20	220
Colorado	159,019	88,920	247,939	565,279	813,218	1,157,874	.012	.02	170
Connecticut	18,403	16,264	34,667	1,213,067	1,247,734	1,622,538	.017	.032	190
Delaware	35,336	7,414	42,752	47,197	89,947	812,332	.008	.002	25
District of Columbia	68,695	172,090	240,785	181,954					
Florida	246,410	144,524	398,934	645,478	422,739	1,321,918	.014	.011	180
Georgia	331,778	200,742	532,520	337,478	1,044,412	1,051,270	.011	.027	250
Hawaii	152,769	131,773	284,542	31,875	869,998	247,609	.0026	.023	900
Idaho	25,290	2,700	27,990	26,121	316,417	157,251	.0017	.008	490
Illinois	194,350	178,797	373,147	531,008	54,111	7,371,552	.079	.001	1
Indiana	47,590	70,421	118,011	571,184	904,155	2,045,670	.02	.023	110
Iowa	6,220	3,254	9,474	179,153	689,195	711,936	.0077	.018	230
Kansas	157,617	34,331	191,948	393,507	188,627	635,706	.007	.004	57
Kentucky	199,932	75,446	275,378	43,510	585,455	1,625,647	.017	.015	90
Louisiana	161,574	44,890	206,464	244,036	318,888	710,609	.0076	.084	11
Maine	61,773	10,116	71,889	79,585	450,500	221,297	.0024	.012	50
Maryland	219,026	230,963	449,989	469,491	151,474	2,203,709	.024	.003	12½
Massachusetts	149,675	160,741	310,416	1,310,055	1,620,471	2,666,712	.029	.042	155
Michigan	93,976	64,710	158,686	677,787	836,473	6,514,972	.07	.022	130
Minnesota	24,671	11,159	35,830	297,306	333,136	1,446,341	.015	.008	173
Mississippi	129,934	34,362	164,296	100,220	264,516	236,434	.0025	.007	280
Missouri	121,814	87,762	209,576	545,553	755,129	2,160,866	.02	.019	195
Montana	38,257	7,479	45,736	31,264	77,000	144,782	.0015	.002	130
Nebraska	81,248	25,937	107,185	53,172	160,357	577,127	.006	.004	166
Nevada	36,180	16,750	52,930	8,246	61,176	163,846	.0018	.001	60
New Hampshire	39,915	61,872	101,787	58,926	160,713	194,214	.002	.004	200
New Jersey	47,198	160,517	341,802	1,063,096	1,404,898	2,859,590	.03	.036	120
New Mexico	94,226	68,679	162,905	60,729	223,634	187,776	.002	.005	250
New York	164,697	314,539	479,236	2,668,744	147,980	18,128,565	.194	.082	42
North Carolina	324,243	62,414	386,757	268,990	655,747	2,428,349	.026	.017	66
North Dakota	42,604	6,581	49,185	99,627	148,812	91,728	.00098	.003	300
Ohio	88,143	231,683	319,826	1,129,017	1,448,843	5,615,013	.06	.038	63
Oklahoma	142,010	153,765	295,775	135,825	431,600	875,273	.009	.011	120
Oregon	20,888	21,331	42,219	46,129	88,348	554,687	.006	.002	33
Pennsylvania	57,118	416,668	473,786	952,058	1,425,844	6,043,750	.065	.037	57
Rhode Island	29,878	50,099	79,977	57,966	137,943	355,647	.0038	.003	80
South Carolina	180,537	90,384	270,921	65,212	336,133	367,493	.0039	.008	200
South Dakota	23,428	10,927	34,355	112,682	147,037	123,902	.0013	.003	230
Tennessee	72,634	40,077	112,711	183,794	296,505	787,463	.0085	.007	82
Texas	778,798	361,742	1,140,540	1,006,253	2,146,793	3,329,247	.036	.05	140
Utah	16,762	15,756	32,518	298,596	331,114	248,555	.0027	.008	330
Vermont	1,919	382	2,301	16,421	18,722	93,378	.001	.0005	500
Virginia	348,074	477,413	825,487	446,183	1,271,670	1,380,061	.015	.032	210
Washington	250,619	140,395	391,012	921,115	1,312,127	1,100,087	.012	.034	280
West Virginia	2,137	5,098	7,235	133,782	141,017	297,837	.003	.003	100
Wisconsin	17,595	13,373	30,968	258,735	289,703	1,582,866	.017	.007	41
Wyoming	16,585	3,898	20,483	22,551	43,034	85,233	.0009	.001	110

Percentage of increase in population, by States, 1960 census over 1950

State	Increased population	Percent of increase	State	Increased population	Percent of increase	State	Increased population	Percent of increase
California	5, 130, 981	0.18	North Carolina	494, 226	.0176	Alaska	97, 524	.003
Florida	2, 180, 255	.078	Washington	474, 251	.0169	Oklahoma	94, 933	.003
New York	1, 952, 112	.069	Massachusetts	458, 064	.0164	Kentucky	93, 350	.003
Texas	1, 868, 483	.067	Minnesota	431, 381	.0154	Nebraska	85, 820	.003
Ohio	1, 769, 770	.063	Colorado	428, 858	.0153	Montana	83, 743	.003
Michigan	1, 451, 428	.05	Missouri	365, 160	.013	Idaho	78, 554	.003
Illinois	1, 368, 982	.048	Tennessee	275, 371	.009	New Hampshire	77, 679	.003
New Jersey	1, 231, 453	.044	Kansas	273, 312	.009	Rhode Island	67, 592	.002
Pennsylvania	821, 354	.029	New Mexico	269, 836	.009	Maine	55, 491	.002
Maryland	757, 688	.027	South Carolina	265, 567	.009	Wyoming	39, 537	.001
Indiana	728, 274	.026	Oregon	247, 346	.008	South Dakota	27, 774	.001
Virginia	648, 269	.023	Alabama	204, 997	.007	North Dakota	12, 810	.0004
Louisiana	573, 506	.02	Utah	201, 765	.007	Vermont	12, 134	.0004
Arizona	552, 574	.0197	Iowa	136, 464	.005	Mississippi	−773	----------
Connecticut	527, 954	.0188	Hawaii	132, 978	.005	District of Columbia	−38, 222	----------
Wisconsin	517, 202	.0185	Delaware	128, 207	.004	Arkansas	−123, 239	----------
Georgia	498, 538	.0178	Nevada	125, 195	.004	West Virginia	−145, 131	----------

Population in 1950	151, 325, 798
Population in 1960	179, 323, 175
Increase in population	27, 997, 377
Percentage increase	18

Mr. LAIRD. Mr. Chairman, will the gentleman yield?

Mr. VANIK. I am happy to yield to the gentleman from Wisconsin.

Mr. LAIRD. I think the gentleman was wise in not offering that amendment at this time. Yesterday I discussed this matter of defense contracting at some length in the general debate on this bill. I hope we never come to the time when we will try to turn the defense appropriation bill into another aid to depressed areas program. Certainly these contracts should be awarded on true competitive bidding. Our committee feels that with more true competitive bidding we can have a sounder procurement program for our country. The gentleman from Ohio [Mr. MINSHALL], a member of this Defense Appropriation Committee, has not only consistently and vigorously fought for economy but also for the defense plants in Ohio on this basis.

Mr. VANIK. I thank the gentleman from Wisconsin. I am sure he concurs in the need for a more equitable distribution of defense spending.

Mr. BOW. Mr. Chairman, will the gentleman yield?

Mr. VANIK. I yield to the gentleman from Ohio.

Mr. BOW. Mr. Chairman, I agree with the gentleman in much that he has had to say. I am disturbed not how defense funds are being spent in other States than Ohio, but I am disturbed quite a little bit about the amount of defense funds being spent in other countries to the detriment of industry in the State of Ohio, as I shall later in the day bring to the attention of the House.

Mr. VANIK. I thank the gentleman from Ohio.

Mr. FLOOD. Mr. Chairman, will the gentleman yield?

Mr. VANIK. I yield to the gentleman from Pennsylvania.

Mr. FLOOD. Mr. Chairman, I can see plenty of room for an amendment to this bill under what we call our matching bid program. When a contract is awarded, as it should be awarded, on the basis of merit, you strike at the cancer of unemployment in many of the distressed areas; but I see plenty of room if and when such a bid is met under certain circumstances in those distressed areas, the contract can be awarded in proportion, without disturbing the legality in the slightest.

Mr. VANIK. I agree with the gentleman from Pennsylvania.

The Clerk read as follows:

PROCUREMENT OF EQUIPMENT AND MISSILES, ARMY

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, ammunition, equipment, vehicles, vessels, and aircraft for the Army and the Reserve Officers' Training Corps; purchase of not to exceed five thousand seven hundred and ninety-four passenger motor vehicles for replacement only (including three medium sedans at not to exceed $3,000 each); expenses which in the discretion of the Secretary of the Army are necessary in providing facilities for production of equipment and supplies for national defense purposes, including construction, and the furnishing of Government-owned facilities and equipment at privately owned plants; and ammunition for military salutes at institutions to which issue of weapons for salutes is authorized; $2,969,094,000, to remain available until expended.

AMENDMENT OFFERED BY MR. MAHON

Mr. MAHON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MAHON: On page 15, line 23, strike out "$2,969,094,000" and insert "$2,958,894,000".

Mr. MAHON. Mr. Chairman, last year the Congress appropriated certain moneys for radio procurement for the Army for fiscal year 1963. This budget for 1964 had been made up many months prior to the time some of these radios were actually to be purchased. It has developed that as a result of competitive bids, and the Congress has been seeking to secure as much competitive bidding as possible, the Army has been able to buy these radios at a considerable reduction in cost, at a tremendous reduction in cost, a reduction from $2,100 to about $800.

This information developed within the past 2 weeks. So these funds, which will therefore not be used for these particular radios, cannot—if left in the bill—be used for other purposes unless the committee is notified of the action proposed to be taken by the Defense Department.

In the budget this year the Army requested additional radios at this same price of $2,100, but the price has now been established as a result of the competitive bidding and therefore we are able to reduce the bill in an amount in excess of $10 million. It is a matter of the facts which have been made available recently.

I will say that the gentleman from Indiana in the last few days in working in connection with electronics procurement matters has brought this to light and made reference to it in his speech of yesterday. Always I have reviewed his statements in regard to defense matters and sought to be cooperative. I had the Army give me a report on this matter. The gentleman from Indiana [Mr. WILSON] had made reference to the fact that the radios had been overfunded. This is an effort to react to the facts and reduce the appropriation accordingly. I commend the gentleman from Indiana for his alertness in this important matter. It will be quite helpful.

Mr. Chairman, I ask for a vote on the amendment.

Mr. LAIRD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to comment on the amendment offered by the gentleman from Texas [Mr. MAHON] reducing the procurement funds of the Department of the Army by an additional $10 million. The distinguished chairman of our subcommittee referred to the fact that a statement was made here on the floor of the House yesterday by the gentleman from Indiana [Mr. WILSON], which our committee checked through on, and found to be correct. This amendment was brought about because this was called to the attention of our committee just yesterday.

I would like further to state, Mr. Chairman, I do not believe the Department of the Army or the Department of Defense was playing fair or square with the House Committee on Appropriations in not notifying our committee of this lower procurement figure before this bill was reported from committee. They had every opportunity to give us this information on the 1963 fiscal year buy of this particular radio item.

We have heard a lot of talk about how $2 billion or $3 billion is being saved in the area of procurement by the Department of Defense, but still in each of the last few years the amount of money that is requested for procurement by the Department of Defense has been going up and up. The Department of Defense is not being honest in using these phony figures on savings. It seems to me, a greater emphasis has to be given to this whole area of competitive bidding, and if I had my way today, I would eliminate all of the funds for Army procurement for 1964 and make the Army come back here and justify every single item over again. Because the manner in which the Department of the Army and the Department of Defense have misled our committee should not be treated lightly. If this is an example of how they operate, then certainly this budget in the procurement area is not a very firm budget and has not been properly reviewed by the Department of Defense.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The amendment was agreed to.

The Clerk will read.

The Clerk read as follows:

Sec. 506. Appropriations for the Department of Defense for the current fiscal year shall be available, (a) except as authorized by the Act of September 30, 1950 (20 U.S.C. 236–244), for primary and secondary schooling for minor dependents of military and civilian personnel of the Department of Defense residing on military or naval installations or stationed in foreign countries, as authorized for the Navy by section 7204 of title 10, United States Code, in amounts not exceeding an average of $285 per student, when the Secretary of the Department concerned finds that schools, if any, available in the locality, are unable to provide adequately for the education of such dependents; (b) for expenses in connection with administration of occupied areas; (c) for payment of rewards as authorized for the Navy by section 7209(a) of title 10, United States Code, for information leading to the discovery of missing naval property or the recovery thereof; (d) for payment of deficiency judgments and interests thereon arising out of condemnation proceedings; (e) for payment of rentals for special purpose space at the seat of government and, in administering the provisions of 43 U.S.C. 315q, rentals may be paid in advance.

Mr. FLOOD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I just want to say a word or two on the subject of the oversea dependents schools. Several years ago I chaired an investigation of these schools for this subcommittee. Recently, the Department had a very high level commission of educators appointed to do the same. They filed a very exhaustive, comprehensive and informative report. The full committee of the Committee on Appropriations also had a staff investigation and report, and a very good one.

The chief problem with this operation has been down through the years lack of centralization of control by the Department of Defense of this farflung multiservice operation of the oversea dependents schools.

Mr. Chairman, the morale of the operation has been affected. The question of teachers' salaries has arisen. The question of per capita, per head, per student has been in and out of this House and the committee for many years. We are not sure just what should be the per capita or what the per student cost should be or if it should be removed. But we went into this thing in the hearings this year at great length. Mr. Katzenbach stuck his neck out by volunteering that he himself would attack this problem, with the support of all these current investigations and reports, and that he would come to this committee next year with a position one way or the other on the financing and the central control of this very important but very difficult problem of the oversea schools.

Mr. Chairman, it looks as though we will bring this to a proper head in the bill next year.

Mr. JENSEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am glad that the Committee has adopted the amendment which has been offered by the gentleman from Texas [Mr. Mahon].

Mr. Chairman, I also take this time to compliment the gentleman from Indiana [Mr. Wilson] on the work that the gentleman has been doing all during this session in going into the affairs of the military insofar as procurement is concerned. The gentleman explained in some detail on yesterday just what he had been doing and some of the things that he had ferretted out are shocking to say the least.

Mr. Chairman, the Mahon amendment is a consequence of the findings of the gentleman from Indiana [Mr. Wilson]. I appreciate the fact that the good chairman of this subcommittee, the gentleman from Texas [Mr. Mahon], offered this amendment to reduce the bill by $10 million as a result of Mr. Wilson's findings.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. JENSEN. Yes, I am happy to yield to the gentleman from Texas.

Mr. MAHON. The budget is made up quite far in advance of the actual procurement of items. We appropriated funds for these radios nearly a year, I believe, before they were actually bought by competitive bids. The Army did a poor job in estimating the cost. Officials overestimated the cost of the radios, and this is not unusual. It happens from time to time. Sometimes the estimate is too high and sometimes it is too low.

Mr. Chairman, the Committee on Appropriations, of which the gentleman from Iowa [Mr. Jensen] is the ranking minority member, had a thorough study, a very extensive study, made of procurement practices last year. As a result of these studies there was much interrogation of the witnesses in order to undertake to bring procurement practices into line and promote more efficiency. I think this is helpful, this is one bit of action, which has been taken, but eternal vigilance on the part of us all is required if we are to fulfill our responsibilities in undertaking to get a dollar in value for a dollar spent.

Mr. JENSEN. I thank the gentleman. He said it happens from time to time.

The gentleman from Indiana [Mr. Wilson] has the documentary proof showing that much of this procurement is not done on an honest, honorable, businesslike basis.

Mr. Chairman, we cannot shut our eyes to this kind of performance by any agency. All of us want more than adequate national defense and no one has a higher regard for the military officials than do I, but they are not sacrosanct. There has been too much underhanded purchasing by a lot of civilians as well as military people. I was astounded when the gentleman from Indiana [Mr. Wilson] and other Members explained in the House yesterday some of the things that have been going on year after year in the procurement branch. Facts are; a thorough investigation must be made, and let the chips fall where they may.

Mr. Chairman, I may say that a few years ago I was a member of the visiting committee to the Naval Academy at Annapolis. I discovered then that the cadets at that great Academy had never had up to that time any schooling in the act of procurement or business administration.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

(By unanimous consent (at the request of Mr. Jensen) he was allowed to proceed for 2 additional minutes.)

Mr. JENSEN. Mr. Chairman, yet these same officers later in the service spend for the taxpayers of America billions upon billions annually. I criticized the top Academy officials, after which they agreed that there should be teaching in the art of procurement and business administration in that Academy. Since that time they have held classes in procurement and business administration.

I want to say in closing, Mr. Chairman, that the Subcommittee on Military Appropriations has done a good job. It is a difficult bill to handle. I had hoped, of course, that they would find it in their good judgments to reduce the budget more. The bill comes to the floor with the unanimous approval of every member of that subcommittee. They are dedicated Members of Congress and I know they have done their very best, and I am sure the House will show its appreciation for that good service when the final vote comes on this bill.

Mr. WHITTEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise to point out some of the problems connected with a bill of this size and to recount some of the actions that have been taken by this subcommittee. Some years ago it was common practice for the Department to submit to the Congress a description of their policies in the field of procurement. It was this subcommittee that set out to investigate what the procurement practices were. As I recall, about 4 years ago we had a volume of some 1,200 or 1,500 pages, and the findings of our own investigation in the field of procurement practices as compared with policies was, at the least, most startling. It developed that in some instances contracts had been held up at great cost to the Government. I recall one was because those preparing the specifications needed to buy a cowhide and nobody knew how to draw one so far as submitting the specifications. Not only that, but we had examples then where 30,000 footlockers were procured at a tremendous cost and shipped to France and delivered to one of the services within some 10 or 15 miles of where they had some 700 in surplus in another service, and we did not need but 300 to start with.

I could go on and on. Suffice it to say that when we persuaded General Wilson, who was then Secretary of Defense, to read these findings, he said, and I quote from memory, "It makes me sad and mad to know I am the head of any such Department."

From that time on we have, as a committee, had investigatious of the procurement practices of the Department of Defense in an effort to keep up with what is going on. The example that has been brought up here today, and I am afraid there are many others of a similar nature, is one instance. I am indeed glad one has been brought up today and I say here and now I feel our subcommittee should see that all procurement, at least where there is not a definitized competitive bid, should be investigated each and every year.

Let me show you where some of this comes into it and where it is costly. You can have a competitive bid but if the specifications are drawn so as to fit a particular contractor, in effect you do not have competitive bidding. Not only that, but if you give the contract development to a particular contractor, and without any strings on making what he develops available to his competitors, it means in effect that you have set up a sole source of contract for the future. So this thing gets into a deep sort of place of trying to see that they actually do what it reads like they are supposed to do. So it does require a continuing investigation and I hope that our committee will continue to ask for and have enough people in order to keep current with all of these various aspects of procurement which are really essential to get true competitive bidding. Where the Army has not kept faith with the committee on this particular is in having made these justifications at the time they were doing it one way, and as soon as they found out they could get this at much less, then they should have come to this committee and advised them of the change. But again, this is a continuing problem; and when the Secretary of Defense, Mr. Wilson, said, "I am mad and sad to be the head of such a Department," based upon the findings of this committee through its investigation, it shows the value of those investigations. I hope we will keep them up in even greater detail in the years to come.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Alabama.

Mr. ANDREWS. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ANDREWS. Mr. Chairman, I was shocked after reading a recent news release to the effect that the President called on Secretary of Defense Robert S. McNamara to report within 30 days about integration conditions in cities adjacent to military establishments.

There is a veiled threat that if such cities do not integrate all facilities, then such bases will be deactivated.

This is dangerous. Military bases were selected on the basis of what was good for the defense effort and not to appease minority groups. Some minority groups cannot be satisfied.

This current effort to placate certain minority groups has gone entirely too far and certainly should not enter into the defense effort.

Mr. ROBERTS of Alabama. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Alabama.

Mr. ROBERTS of Alabama. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ROBERTS of Alabama. Mr. Chairman, the recently released report of the President's Committee on Equal Opportunity in the Armed Forces is a real threat to the usefulness of our military bases. It, in effect, presupposes that unless an area near a military base is integrated, the people will be punished by removal of such base.

It also calls on military commanders to take the lead in these communities in desegregation. This, I am sure, is duty not contemplated by these military officers when they entered the service of their country.

It would seem that we are going to see some very unrealistic and repulsive measures employed to force communities on this issue.

In a time when we need all of our resources and energies in a state of high level preparedness, it would be hoped that the Congress would take a hard look at any such proposals.

The Clerk read as follows:

SEC. 523. No part of any appropriation contained in this Act shall be available for the procurement of any article of food, clothing, cotton, woven silk and woven silk blends, spun silk yarn for cartridge cloth, or wool (whether in the form of fiber or yarn or contained in fabrics, materials, or manufactured articles) not grown, reprocessed, reused, or produced in the United States or its possessions, except to the extent that the Secretary of the Department concerned shall determine that a satisfactory quality and sufficient quantity of any articles of food or clothing or any form of cotton, woven silk and woven silk blends, spun silk yarn for cartridge cloth, or wool grown, reprocessed, reused, or produced in the United States or its possessions cannot be procured as and when needed at United States market prices and except procurements outside the United States in support of combat operations, procurements by vessels in foreign waters and emergency procurements or procurements of perishable foods by establishments located outside the United States for the personnel attached thereto: *Provided*, That nothing herein shall preclude the procurement of foods manufactured or processed in the United States or its possessions: *Provided further*, That no funds herein appropriated shall be used for the payment of a price differential on contracts hereafter made for the purpose of relieving economic dislocations: *Provided further*, That none of the funds appropriated in this Act shall be used except that, so far as practicable, all contracts shall be awarded on a formally advertised competitive bid basis to the lowest responsible bidder.

Mr. HORAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time to ask some questions of the distinguished chairman of this subcommittee, the genial gentleman from Texas [Mr. MAHON], regarding section 523 which I have asked be read in full in order to get it properly before the committee. I would like to repeat what this section says in its first part:

> No part of any appropriation contained in this act shall be available for the procurement of any article of food, clothing, cotton, woven silk and woven silk blends, spun silk yarn for cartridge cloth, or wool (whether in the form of fiber or yarn or contained in fabrics, materials, or manufactured articles) not grown, reprocessed, reused, or produced in the United States or its possessions, except to the extent that the Secretary of the Department concerned shall determine that a satisfactory quality and sufficient quantity of any articles of food or clothing or any form of cotton, woven silk and woven silk blends, spun silk yarn for cartridge cloth, or wool grown, reprocessed, reused, or reused, or produced in the United States or its possessions.

It goes on in this section to recount some reasonable exceptions that I think are very much in order. You have just heard them read. It gives leeway under compelling circumstances to the departments to make their procurement in the best possible way. But I should like to have the chairman of the subcommittee—and I shall offer no amendment at this time—explain to us briefly just what section 523 does mean.

Mr. MAHON. Section 523, as the gentleman knows, is the "Buy American" provision in the bill. It has been carried in the bill for a good many years. As I see it, it is relatively unimportant at this time in view of the interpretation being given to the basic Buy American Act. The basic Buy American Act requires that procurement shall be made in the United States unless certain requirements exist otherwise. There are about four of them.

Agencies are not required to buy in the United States in cases where the head of the agency finds that the public interest requires an exception from the Buy American Act. That is one of the loopholes, or exceptions.

Another is in cases where the head of the agency finds that the cost of buying American supplies would be unreasonable. If the American cost is unreasonable, then he is not required to buy American.

There are a couple of other exceptions.

Under the previous administration, the regulation was laid down that the departments would have to buy American if they could buy the item domestically for less than the foreign price plus 6 percent. In the event of a depressed area, or for small business, it could be as much as 12 percent. This has been superseded by another program brought about by the outflow of dollars.

I have some statistics here that I think are rather interesting. From July of last year through March of this year, a period of 9 months, contracts have been awarded for $133 million for domestic procurement, at an excess cost of $37 million above what the same procurement could be made for outside the United States. This has cost the American taxpayers $37 million above the price which might have been paid to a foreign supplier, but we have saved in the outflow of gold dollars $133 million.

My feeling is, and I believe I am correct, that this provision in the law now is more or less a repetition of what we have done in the past. When this gold outflow problem is solved it could become more important again. However, as of now, American procurement is being favored even though the cost is as much as 75 percent above the foreign cost. That would be my general observation in regard to this matter.

I know the gentleman is interested in wood and wood products, and rightly so, but preference is being given in a very big way to domestic producers, and should be. We do need to conserve our gold. While the costs are very often higher by reason of labor comparisons, and so forth, I think the additional costs, generally speaking, are justified.

I will insert, at this point, excerpts of material from the Department of Defense with respect to current operating regulations in this matter:

Foreign Purchases

The bulk of Defense Department purchases of foreign items consists of items which are not sufficiently available in the United States and therefore must be purchased from foreign sources—for instance, green coffee, bananas, and certain kinds of scientific equipment.

Where both foreign and domestic items are available, in advertised procurements award must be made on the lowest acceptable bid, without regard to the origin of the item offered, in keeping with the "free and full competition" requirement of the Armed Services Procurement Act (10 U.S.C. 2305(a)). The same rule generally is followed in negotiated procurements unless the procurement is restricted to domestic items in pursuance of the Defense Department's current balance-of-payments program. In all procurements, however, applicable statutory preferences for domestic items are observed and foreign items are excluded where a statute warrants. Such statutes include the Buy American Act, the "buy American" rider to the Defense Appropriation Act (currently sec. 523 of Public Law 87–577), and section 604(a) of the Foreign Assistance Act. The Buy American Act is the only statute of this kind which applies generally to all our contracts for supplies to be used in the United States.

The Buy American Act, on its face, was not intended to apply where "buying American" would result in "unreasonable" costs. Hence we are frequently confronted by low foreign bids which require a judgment as to whether the advantages of buying American are outweighed by the disadvantages of buying at more than the lowest available price. Price differentials are prescribed, by Executive Order No. 10582, as a guide in making this judgment.

Letter From Deputy Secretary of Defense (Procurement)

Your letter to Secretary McNamara requesting clarification of our current procedures under the Buy American Act, has been referred to this office for reply.

The Secretary's memorandum of August 11, 1962, to which you refer, is an internal Department of Defense memorandum which establishes procedures for the procurement of supplies for use in the United States which are subject to the Buy American Act. It is one of several memorandums issued by Secretary McNamara last summer to establish procedures for alleviating the impact of Defense expenditures on the Nation's balance of payments, with regard to procurements of foreign supplies and services, including construction and research and development, whether for use inside or outside the United States. Although these procedures do not forbid the procurement of foreign items, they do make it more difficult for foreign items to compete with American items for Defense contracts.

In order to explain the procedures under the August 11 memorandum, let us first summarize the provisions of the Buy American Act. The act itself requires that the departments and agencies of the Government shall acquire supplies manufactured in the United States. There are four exemptions from this requirement: (1) Supplies of a kind not reasonably available in the United States; (2) supplies acquired for use outside the United States; (3) cases where the head of the agency finds that the cost of buying American supplies would be unreasonable; and (4) cases where the head of the agency finds that the public interest requires an exception from the buy-American requirement.

On December 17, 1954, President Eisenhower issued Executive Order No. 10582 prescribing uniform procedures for making the "unreasonable cost" determination. Under the Executive order, a factor of 6 percent is added to each bid for foreign supplies (including transportation and duty) for the purpose of evaluating it in comparison with domestic bids. The Executive order permits use of a higher evaluation factor for the benefit of American small business and labor surplus area concerns. In the Department of Defense, as in a number of other agencies, a 12-percent factor is prescribed in lieu of the 6 percent where such concerns are involved.

The Executive order also permits the departments and agencies to make further exceptions "for reasons of the national interest," such as represented by the present adverse balance-of-payments problem. To deal with this problem as a priority matter, the President last summer formed a Cabinet Committee on Balance of Payments, and the Bureau of the Budget has undertaken a comprehensive study of the entire problem. This study is expected to involve a reassessment of Executive Order No. 10582, and of foreign procurement policies and operations throughout the Government, in the light of our balance-of-payments problems, our trade relations with other countries, changes in international economic conditions, and domestic economic considerations.

Under the procedures instituted last summer, our purchasing activities continue to evaluate bids in accordance with Executive Order No. 10582 and the 6- to 12-percent rules summarized above. Where this evaluation indicates award of a contract for foreign supplies, however, weight is given to the effect which such a procurement would have on the international balance of payments. This is in keeping with the "national interest" provisions of Executive Order No. 10582. The Secretary himself makes the determination if the procurement exceeds $100,000. For lesser amounts, the decision is made at the Secretarial level within the Military Departments or the Defense Supply Agency. As a result, in a number of cases it is decided to procure American supplies notwithstanding a price difference in excess of 6 or 12 percent. The decisions are made case by case.

The procedures in question are interim in nature. They may be modified after the Bureau of the Budget study is completed. We are, of course, hopeful that the present balance-of-payments problem will be of relatively short duration. But we are also mindful of the fact that defense commitments unavoidably work against a satisfactory balance of payments and that it therefore behooves the Department of Defense in particular to mitigate this effect, insofar as can reasonably be done.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. HORAN. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HORAN. At the outset, Mr. Chairman, I want to thank the chairman of this subcommittee for his very full answer. I have been very much interested in the German steel in the famous Panama bridge that runs across the Panama Canal and goes no place beyond that, and the Japanese mules that we have down there because these were purchased, as I understand it, according to a formula which made the Germans and Japanese the low bidders.

But, I would like to refresh the memory of the committee that the Trade Expansion Act was passed a year ago come this Friday. Now all of us are interested in world trade, I am sure, and the bill that passed a year ago was designed to increase the possibilities of world trade. It greatly expands the President's prerogatives to raise or lower tariffs and, yet, it was a measure that recognized the danger of real harm to certain American industries as yet unnamed in the bill a year ago. To abrogate this danger, the bill included certain extensive provisions designed to soften the blow to any of our industries that might be sacrificed, including ample unemployment provisions. It was an oddity the way the bill was handled a year ago. There was much said of safeguards and, yet, in my review of the debate, I find it difficult to find these safeguards and hard to understand just exactly what the safeguards really are when you come right down to actual application.

I was greatly interested yesterday when my colleague, the gentleman from Mississippi [Mr. Whitten], a member of this subcommittee took the floor, and in what I consider an excellent speech, had this to say:

> In Europe we see the Common Market. The President is even now pleading with the Common Market countries to treat us fairly. It was the United States which promoted and actually created the Common Market and made it strong enough for them to stand up to us. And now our leaders are surprised that they use their new power,

> which we promoted. We are the ones who made them strong enough to keep us out, not even asking for any agreement that they would treat us fairly, and now we are paying the penalty.

I think it safe to say we have not made very much progress in the direction in which the Trade Expansion Act was designed to take us. The bill by its nature told American producers they would have to share the American market in the interest of exchange of trade with foreign countries. Well, it is my contention that if we are to share the American market, we cannot avoid the clear use of proper import quotas.

Today we find that almost all news from the Common Market countries, for instance, infer indirectly or directly and assert a rash of protectionism in the very countries where foreign trade is most possible. Today we are considering a bill which contains a section like 523, and I am glad to have the explanation, so ably outlined by the gentleman from Texas [Mr. Mahon]. But, certainly, if we are to quit being patsy to the rest of the world, if we are to pay any attention to the proper needs of our own domestic producers, we must let it be known that we intend to do our very best to protect our own as it is evident that other nations are doing for their producers.

As the gentleman from Mississippi [Mr. Whitten] pointed out yesterday, we have spent over $100 billion in foreign aid—I believe the figure is closer to $120 billion—and our position in the world is worse in many respects than ever before. And, as Mr. Whitten pointed out, according to the Subcommittee on Foreign Aid, we are borrowing money today from the very nations that we are helping. Certainly, it is time to be factual and to write our laws in ink instead of in water and tell the rest of the world that we are out to protect our own Americans who have been so generous to the rest of the world.

In full committee, as everyone on the Committee on Appropriations knows, I attempted to offer an amendment to section 523 to include wood and wood products as well as food and clothing, but was voted down.

I do not intend, as I have said, to offer at this time this amendment again. But I do want to bring this matter to the attention of the Committee of the Whole House, because I believe the time has come to review everything in our international relations, including whatever ground rules we may wish to consider in the field of foreign trade.

The CHAIRMAN. The time of the gentleman from Washington has again expired.

Mr. HORAN. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HORAN. Mr. Chairman, I am not particularly an avid sponsor of the slogan of "Buy American." I would prefer a system of quotas so that our producers know exactly what part of our market must be shared with other countries.

Mr. Chairman, I believe that a cursory reading of the rest of section 523, which you heard read, implies just that. I do hope, however, that when the military construction bill comes before us it will include some section that will be reassuring to our American people. I would hope that section 523 of this bill before us be rewritten so as to cover wood and wood products, china, clay pipe, and any one of a long list of commodities produced so well in this country.

I believe this could be done in general terms shorter and more explicitly than set out in the section of the bill now before us. Again, I agree with my colleague, the gentleman from Mississippi [Mr. Whitten], when he said yesterday:

> I thoroughly believe that this Nation of ours needs to change its overall international policy in the defense of our country, and I will tell you why. In the name of making the world safe for democracy, we are doing directly the opposite. We are busy making people knuckle under to central governments of our choosing.

And, I must add, of our own making.

Mr. Chairman, I do trust that these measures which have been recounted by the Chairman will be brought up to date, and that we will really have some protection for the American producer in the United States.

Mr. HALL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I shall not take the 5 minutes which has been allocated to me. I simply want to ask the chairman of the subcommittee, the distinguished gentleman from Texas [Mr. Mahon], or the ranking minority member of the subcommittee, the gentleman from Michigan [Mr. Ford], if the question of American-patented drugs was considered to be listed as articles for procurement under section 523. I do this not only in view of the excellent statement which has been made by the gentleman from Washington [Mr. Horan], including the statement of the gentleman from Mississippi [Mr. Whitten], yesterday, but because as a member of the Committee on Armed Services we discussed this question with the Secretary of Defense. The Secretary of Defense has constantly said that he is required to make the best buy, including tariffs, including transportation costs, and every other means such as have been delineated here. But I do this especially because of our outflow of gold and our imbalance of payments situation, and our "buy American" stand, as well as the excellent general remarks of the gentleman from Texas [Mr. Mahon], which were made in his original reply to the gentleman from Washington.

Mr. Chairman, it would certainly seem to me that where drugs have been developed with research, some of which have been developed on the basis of grants from our research institutions and the Public Health Service and much by private enterprise, in order to develop such things as the broad spectrum antibiotics; I feel that we should limit the Secretary of Defense—or our procuring agencies—from going to foreign companies, for example, a packaging agency in Italy, and rebuying it, even though at a lower cost to the Government.

Mr. Chairman, if we do not do this, we will not protect our genius in assembly in this country or our research and development in which we have a large investment.

I wonder if the chairman of the subcommittee, the gentleman from Texas [Mr. Mahon], would care to comment on this, and I would ask the gentleman if he would be adverse to including drugs in these articles for procurement?

Mr. MAHON. If the gentleman will yield, I would say to my friend that this matter was explored in the hearings and also explored in other discussions with officials of the Department of Defense.

As the gentleman knows, the Department of Defense does not buy drugs overseas unless they are bought at a very great savings. In many instances, the cost of domestic drugs is several hundred percent above the cost of drugs which can be produced overseas. Any drugs that are bought overseas are checked very carefully for compliance with quality and purity standards. We have been assured that they measure up to our standards and in some instances are in excess of the standards which we require for our own drugs.

I believe that out of the approximately $60 million spent for procurement of drugs, about $5 million has been spent overseas. This is an off-the-cuff figure and I do not recall at the moment the precise circumstance and the precise numbers.

This means that less than 10 percent of the drugs are being purchased overseas. In some cases the companies involved perhaps do not have patent rights. If they do have patent rights, they have to pay a small royalty which would be infinitesimal as far as the overall cost is concerned.

We have undertaken to sympathetically consider this matter. I can understand the position of the drug people. I do not think there is too much concern over this insignificant oversea amount of purchase, but they just do not want it to get out of hand. I do not believe it will get out of hand. The cost of drugs is rather high in this country, as we all know.

Mr. HALL. Would not the gentleman agree, it is because of the research and development that we put into that matter?

Mr. MAHON. That is, of course, involved in the costs. I believe the Buy American Act itself does apply to the purchase of drugs. The procurement overseas is being held, I would say, to more or less of a minimum.

Mr. HALL. I certainly want to make it clear I am not speaking on behalf of any drug company or pharmaceutical manufacturer. I have no association with them. I am speaking in the interest of the armed services and the American GI. I am not quite sure that we have always been in every instance careful to see that these repackaged drugs or synthesized drugs, at best under our research and development program and in violation of our American patents, are up to the standards we would have if they were made American, bought American, and packaged American.

Mr. MAHON. We share the gentleman's concern that these standards be maintained at a high level and that wherever possible the procurement be in the United States.

Mr. HALL. As one who attended the World Health Organization, XV Assembly in Geneva, we should bear in mind that Italy does not cooperate in the matter of so-called Geneva patent rights of the world. We must be sure that our standards are high if we are going to feed these drugs into American GI's. I hope we may in the future be able to include drugs in U.S. articles of procurement.

Mr. ROUDEBUSH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I do not wish to prolong this argument. I have had the opportunity of appearing before this House on a number of occasions and speaking out for the American pharmaceutical industry and the American drug industry and against the rape of our patent system. I think I can explain to you exactly what is going on in connection with this program of procurement of military drugs.

It means just about this. First, most drugs are developed here in the United States of America. They are developed by painstaking, expensive research means. After they are developed and the formula is perfected, they are patented by our Patent Office. As a result of that, of course, the developer of such pharmaceutical products has the exclusive right to make that drug, or license its manufacture to other makers.

What has happened in connection with military drug purchases? The statement that the good gentleman from Missouri made, as well as the gentleman from Washington and others who expressed interest in "buy American" also applies to drugs.

What has really happened is that our Government in the interest of saving a few dollars in money has been willing to go to Italy, principally, and buy drugs that have actually been developed from stolen formulas of U.S. drug manufacturers. Our Government has compounded this lack of ethics by the purchase of these drugs. It is commonsense that the Italian manufacturer can undersell the American manufacturer, because he pays only a fraction of the wages paid by our American pharmaceutical companies. Also he does not have the expense of developing the drugs.

Mr. Chairman, I asked for these few minutes merely to express my concern and my complete regret that the committee did not see fit to include some sort of provisions in this appropriation act to prevent this rape of our American patent system. I do want to say I studied your committee hearings very carefully and I commend the gentleman from Michigan [Mr. FORD] for his development of this problem.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. ROUDEBUSH. I will be very happy to yield.

Mr. MAHON. I want to say that the gentleman from Indiana has been very diligent in connection with this problem. He has discussed it with me on a number of occasions and, as a result of his great interest, I have had some meetings with some people in the Pentagon and discussed the problem with them. We had certain hearings, and certain information was developed. We realize this is a serious situation, and we are grateful for the contribution of the gentleman from Indiana, even though we have not undertaken to place a limitation in the bill.

Mr. ROUDEBUSH. Mr. Chairman, I thank you for your remarks and I am happy for your contribution but, I must say that the figure given a moment ago during the gentleman's discussion with the gentleman from Missouri [Mr. HALL] would be obviously wrong because I think General McNamara testified that the Federal Government was saving something like $12 million a year in purchasing foreign-made drugs.

Mr. MAHON. If the gentleman will yield further, the figures I have on that are not related to a particular year and I shall take the necessary steps to relate them to a particular time.

Mr. BRAY. Mr. Chairman, will the gentleman yield?

Mr. ROUDEBUSH. I will be glad to yield.

Mr. BRAY. Would it not be true, if the drug manufacturers in the United States spent no money for research but merely stole patents from other countries they would be able to sell their drugs fairly cheaply?

Mr. ROUDEBUSH. That is exactly right, but other nations develop few new drugs.

Mr. BRAY. What they are doing today is encouraging other countries to take the American know-how gained by experimentation year after year and through the expenditure of hundreds of millions of dollars in research for the purpose of making a cheaper product. That is what is happening, is it not?

Mr. ROUDEBUSH. That is exactly the situation that now exists, and our Government should not be in the position of encouraging the purchase of these pirated formulas and drugs made from them by foreign manufacturers.

Mr. BRAY. If that would be continued far enough the American manufacturers may be discouraged from continuing and going into more research. Is that true?

Mr. ROUDEBUSH. That is very true. May I say further to the gentleman that I talked to a member of an Italian drug manufacturing company and he expressed the same interest and said he hoped that the Italian Parliament would put in patent laws because, as I recall it, and this is from memory only, exactly two new drugs have been developed in Italy in the last 5 years.

Mr. BRAY. It appears to me it is a very sad situation in America when our military command is taking steps to discourage research and development in drugs.

Mr. ROUDEBUSH. I say I am just as incensed as the gentleman is.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. ROUDEBUSH. I will be glad to yield.

Mr. MAHON. In March and April, and specifically in the hearings on page 1078 in part 4, I find some clarification of the $12 million to which the gentleman refers. The $12 million saving was for a 4-year period, I believe, from December 1959 to date.

Mr. ROUDEBUSH. Thank you, Mr. Chairman. But may I say in my opinion this $12 million so-called saving would have been much more than paid back by the loss of jobs by American workingmen in the pharmaceutical industry and it would certainly have averted a great loss to our companies. Then we must consider the great loss of revenue to our Government in the form of both corporate and individual tax by the resultant loss of employment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WILLIAMS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. One hundred and two Members are present, a quorum.

The Clerk read as follows:

SEC. 538. None of the funds provided herein shall be used to pay any recipient of a grant for the conduct of a research project an amount for indirect expenses in connection with such project in excess of 25 per centum of the direct costs.

Mr. MAHON. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

TACTICAL AIRCRAFT

Mr. MAHON. Mr. Chairman, from time to time during the debate on the defense bill, reference has been made to the program of tactical aircraft for the Air Force. A few words of clarification are in order.

The only tactical fighter in the Air Force procurement program for fiscal year 1964 is the F-4C aircraft. This is, for all practical purposes, the same plane developed and used by the Navy.

The bill recommends approximately $1.4 billion for the various versions of this aircraft. We made an overall 1-percent economy reduction in all procurement funds, but aside from that no change was made in the program authorized by the Congress for the Air Force tactical fighter F-4C or the Navy fighter F-4B.

Included in the total request were funds for the procurement of reconnaissance versions of the F-4 fighter aircraft. This is designated as the RF-4 aircraft. It is the basic F-4 aircraft modified to include additional electronic equipment and sensors. This reconnaissance version is not as far advanced in the development cycle as the fighter aircraft. It is encountering developmental problems, particularly with reference to the complex electronic equipment. Contracts for programs authorized in prior years have not been definitized and letter contracts are still being used.

The program before the committee requested $305,500,000 for the Air Force for this reconnaissance aircraft. We recommend a reduction of $25 million, primarily, as stated in the committee report, to slow down the procurement process, including purchase of spare parts pending development of firmer designs and specifications. Nothing is much more expensive than producing an aircraft that has to undergo multitudinous changes. It is also quite well known that one of the major problems we have faced is the procurement of excess spare parts. Spare parts based on bad or inadequate designs are probably worthless. I doubt that the action of the committee will result in the deletion of a single aircraft in the fiscal year 1964 program. It may be that the reduction made could mean the postponement in the purchase of 7 aircraft out of a program of 115. This slight reduction of numbers could enable the Air Force to purchase the same number or more aircraft in future years at lower unit costs when the design and specifications become firm. The funds approved in the bill for tactical aircraft will improve decidedly the ability of the Air Force to provide tactical support for combat ready divisions.

Mr. OLIVER P. BOLTON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have asked for this time to address a question to the committee. It was recently brought to my attention that under the procurement policies of the Defense Department contracts were let, as they probably should be, on the basis of competitive bids. However, in some instances, the lower bidder has been a foreign supplier and has taken work from areas which under other programs of the Federal Government have been designated as areas of low employment.

My question to the committee is whether they have any information of any coordination between the Defense Department and any other part of the Federal Government concerning whether a contract would take work, unnecessarily, from an area of low employment and thereby in effect cost the Government more money, although not necessarily because of defense procurement.

Mr. MAHON. I am not positive I understand fully the inquiry of my friend from Ohio. My understanding is that the letting of contracts at a higher price is not made in an area because such area is an area of unemployment and in a depressed economic condition.

Mr. OLIVER P. BOLTON. I understand that insofar as contracts within the country are concerned, but the question basically is addressed to the award of procurement contracts in areas of unemployment as contrasted to foreign countries. The case that I specifically have in mind is one where a supplier in this country was underbid, by a small amount, by a foreign bidder. The contract was awarded to the foreign bidder even though the domestic manufacturer was in an ARA county, designated as an unemployment county.

Mr. MAHON. Was this in connection with a defense contract?

Mr. OLIVER P. BOLTON. Yes, sir; it was.

Mr. MAHON. In view of the fact that the Department of Defense is paying as much as 50 or 75 percent more in order to "buy American" I am unable to understand this situation unless it happened prior to the institution of this more rigid "buy American" program in the Department of Defense. The old system, which I believe was announced in 1954, would call for a 6-percent differential, or a 12-percent differential if a depressed area in the United States were involved. That has been more or less superseded by a much more liberal program looking toward "buy American."

Mr. OLIVER P. BOLTON. I thank the gentleman.

Mr. BOW. Mr. Chairman, will the gentleman yield?

Mr. OLIVER P. BOLTON. I yield to my colleague from Ohio.

Mr. BOW. Is it true that the gentleman is referring to a case where a Canadian company obtained the contract as against an American company? And will the gentleman say whether or not the regulation to which he referred would be applicable in the case of Canada?

Mr. MAHON. Generally speaking, as far as I know, the buy-American policy at this time would be applied to that situation despite the fact that procurements might be possible in Canada at a much lower level. We would pay probably as much as 75 percent more in order to buy American. I am only quoting what has been provided to me by our procurement people. Generally speaking, this seems to be the regulation which applies, but there is no strict law on this subject and there may be exceptions of which I have no knowledge.

Mr. BOW. I have been advised that this buy-American program would not apply in the same manner in Canada as it does in the United States. I think if this is true we ought to get it out in the open and take a look at it, because here you have employees of the firm the gentleman from Ohio [Mr. OLIVER P. BOLTON] has been talking about who have been put out of work. If you figure the income tax of the corporation, the income tax of the individuals in that plant, the transportation tax, and shipping, it would not be any lower.

May I also say that in my opinion there is a real security risk here. They ship this very important part of a submarine into a Canadian plant, where there is the possibility that it would be very easy to determine the depth of our submarines. I think this is a very dangerous thing. I would hope the committee would certainly investigate this as well as the employment feature, which is a very serious situation, which the gentleman has called to your attention.

Mr. MAHON. Mr. Chairman, I want to thank the gentlemen from Ohio for the statements they have made. Of course I can, with the committee, look into this matter with a view to promoting our best interests. I shall do so.

Mr. OLIVER P. BOLTON. I thank the distinguished Chairman and my colleague, the gentleman from Ohio [Mr. Bow] for helping me bring this whole matter to the attention of the House.

Mr. BOW. Mr. Chairman, will the gentleman yield?

Mr. OLIVER P. BOLTON. I yield to the gentleman from Ohio.

Mr. BOW. Mr. Chairman, I have long been critical of the practice of obtaining U.S. Government equipment and supplies from foreign sources, and I have now come upon a case that illustrates the utter folly of such a course of action.

This case involves the construction of parts for our submarines and the nature of these parts is such that an enemy can deduce the depth to which our subs can dive as well as other matters in the realm of security information by knowing the specifications of the parts. I find that these parts are being manufactured abroad.

As usual in these cases, the granting of defense contracts to foreign firms involves the loss of employment for American men. We constantly hear that unemployment is our No. 1 national problem, yet the administration goes blithely on its way closing down American firms by permitting buying of Government equipment in foreign lands.

In this case, however, the situation is critical because the company in question is the only one that can do the job. If it shuts down, and if emergency conditions cut off our foreign supply, we will be unable to produce the vital parts of our submarines formerly produced in Ohio.

I wish to discuss this case in considerable detail, and relate to you the history of the firm in question.

This Ohio corporation started work for the U.S. Navy in 1928 when it sent two men to the central drafting office in Brooklyn to mark up drawings showing the size and type of weld required on weldments.

In 1929 to 1931 this company redesigned deck handling equipment, winches, hoists, wildcats, and so forth, so that they could be fabricated from wrought steel instead of castings. It built the equipment for about six cruisers, such as the *Portland, Indianapolis,* and the *Savannah.*

In 1935 this Ohio corporation took over the fabrication of Monel water boxes from the Burley-Morris Co. of Philadelphia and the Philadelphia Naval Shipyard. They produced water boxes for the Navy from then until the end of World War II, making over 7,600 sets for all of the capital ships. They did this without a rejection or failure.

In 1941 the firm began the fabrication of welded valve bodies, airports, deaerating tanks, and folding anchors.

In 1942 it began the manufacture of welded salt water lines from copper-nickel, and during the war produced some 900 miles for naval vessels. This firm was instrumental in developing the change from 70–30 to 90–10 copper-nickel for these salt water lines. This resulted in a large dollar savings to the Navy and Defense Department.

From 1941 to 1946 the company produced for the Navy $31,500,000 worth of fabricated alloy component parts without failure and returned in taxes and renegotiation approximately $13,500,000. All of this work was produced on fixed price bids. All required facilities were furnished without the aid of the Government. On the basis of competitive bidding the Navy saved millions of dollars.

During World War II the firm was awarded the Navy "E" and four stars for efficiency in production by the Navy. It also received a plaque from the War Finance Committee of the Mahoning Valley Industrial Council in recognition of outstanding effort in the sale of the highest dollar volume of war savings bonds per employee—by industrial organizations having less than 1,000 employees. This firm won all seven drives.

From 1951 to 1954 the company produced radar masts and periscope tubes of bimetal construction, saving the Navy large sums of money. According to the Navy's own statement, $2,566,700 was saved on one contract.

From 1958 through 1962 this Ohio outfit has been very active in the building of components for submarines. During these 5 years it has done a total of $17,590,000 business with the following shipyards:

New York Shipbuilding Corp., Camden, N.J.

Newport News Shipbuilding & Dry Dock Co., Newport News, Va.

Ingalls Shipbuilding Corp., Pascagoula, Miss.

Bethlehem Steel Co., Quincy, Mass.

Electric Boat Division, Groton, Conn.

Mare Island Naval Shipyard, Vallejo, Calif.

Portsmouth Naval Shipyard, Portsmouth, N.H.

Norfolk Naval Shipyard, Norfolk, Va.

The items produced for these yards are:

First. Complete sets of torpedo tubes and ejection pumps.

Second. Antenna masts: (a) ECM/DF, (b) IFF/UHF, (c) AT-317 BRR, (d) Puff sonars, (e) AN/WRA-2, (f) Streamlined fairings, (g) AN/BPQ.

Third. Module shields.

Fourth. Snorkel exhaust and intake masts.

Fifth. Accumulators—1,200-, 2,400-, 3,600-cubic-inch sizes.

Sixth. Guidance capsule containers.

Seventh. Periscope tubes and fairings.

Eighth. Trash ejectors.

Ninth. Signal ejectors.

Tenth. High pressure vent and supply tanks.

Eleventh. Stern and power diving cylinders and controls.

Twelfth. Welded copper nickel pipe and tubing.

Thirteenth. Welded copper nickel fittings.

This material was produced for the submarines listed below:

SSB(N) SUBMARINES

Electric Boat, March 17, 1961, SSB(N) 623, SSB(N) 626.

Mare Island, September 7, 1961, SSB(N) 619, SSB(N) 624; January 2, 1963, SSB(N) 642.

Newport News, October 23, 1958, SSB(N) 601; October 3, 1959, SSB(N) 609, SSB(N) 611; August 23, 1960, SSB(N) 618; March 6, 1961, SSB(N) 622, SSB(N) 625; August 31, 1961, SSB(N) 627, SSB(N) 630; July 5, 1962, SSB(N) 641; November 23, 1962, 644.

SS(N) SUBMARINES

Bethlehem, September 4, 1962, SS(N) 638.

Electric Boat, October 8, 1960, SS(N) 613, SS(N) 614, SS(N) 615.

Ingalls, September 9, 1959, SS(N) 596, SS(N) 607; October 18, 1960, SS(N) 621.

New York Shipbuilding, August 15, 1957, SS(N) 582; September 22, 1959, SS(N) 603, SS(N) 604; July 14, 1960, SS(N) 612.

Norfolk Naval Shipyard, February 8, 1962, training program; February 12, 1963, training program—Pearl Harbor.

The Ohio corporation received this volume of business because it was competitive with competition and capable of producing the items when they were required.

PRESENT

In 1962 more of the attack type submarines were authorized by Congress. Listed below are the submarines and the yard who received the contract to build them.

SS(N)	Received contract	Contract price of ship
637	Electric Boat	$26,371,396
638	Bethlehem	28,456,000
639	Ingalls	29,500,000
646	Portsmouth Naval Shipyard	
647	New York Shipbuilding	33,500,000
648	Ingalls	29,985,000
649	Bethlehem	33,500,000
650	Electric Boat	31,441,318
651	Newport News	26,550,000
652	Ingalls	29,985,935
653	Newport News	26,550,000

These submarines are believed to be identical, and it is assumed that the difference can be accounted for by the desire to divide the work and by the varying costs in the different yards. As of this writing the Ohio company has been awarded the torpedo tubes for the *SS(N) 638*—Bethlehem—ship. Canadian Vickers have been awarded the torpedo tubes for the *SS(N) 637*—Electric Boat—*SS(N) 639*—Ingalls—and one more set for Ingalls, not assigned to a ship as yet.

COSTS

The Ohio company cannot be competitive when it must compete with foreign countries whose average labor rate is approximately one-half of the rate in Ohio. The following figures were compiled from the U.S. Bureau of Labor Statistics and the Dominion Bureau of Statistics, Canada, for the year 1962. These figures are based upon production workers in heavy manufacturing industry. Using Youngstown as an example, we find:

	Average hourly rate	Average hours worked per week	Hourly fringe benefits	Total
Youngstown	$3.09	39.2	$1.05	$4.14
Montreal	1.76	41.7	.24	2.00

These figures do not take into consideration a comparison of the burden rate, which will run correspondingly higher in Ohio.

The present price of the Ohio firm for one complete shipset of torpedo tubes is as follows:

Raw materials	$175,000
Purchased parts and outside labor	50,000
Our labor, burden and administrative	125,000
Anticipated profit	25,000
Total	375,000

Canadian Vickers have quoted $299,300 per shipset for torpedo tubes and will probably quote the same to the other yards. Using the present exchange differential and the difference in wages between Montreal and Youngstown and equal comparison of costs would show Canadian Vickers at a higher price:

Quoted price	$299,300
Exchange differential (7 percent)	21,000
Difference in labor (one-half our labor cost)	62,500
Total	382,800

UNEMPLOYMENT

This firm is in an area classified as class D in unemployment. This is the classification as established by the U.S. Department of Labor. Class D is a rating between 6 and 8.9 percent unemployment. The average of the State of Ohio is 4.2 percent and the average of the United States is 5.6 percent. The situation will grow much worse in Ohio if this firm and its suppliers shut down.

DANGERS

The Ohio company is now considered a major source for a vital part of military production, principally torpedo tubes and antenna masts for submarines. It has spent over $300,000 in special tooling, jigs, and engineering to equip its plant for torpedo tube production. If the torpedo tube orders are placed in a foreign country, it will become necessary for this company to find new products. If the Ohio company goes out of the production of torpedo tubes there will not be a company in the United States tooled up for the production of this product. This is a bad feature for national defense protection.

I would like to call your attention to the recent Canadian legislation imposing special high taxes on U.S. investments in Canada. The legislation is designed to discourage U.S. companies from buying or investing in Canadian companies. I submit, as a supplement, a copy of the article listed in the Wall Street Journal of Monday, June 17, 1963.

CONCLUSIONS

This Ohio firm has never hesitated to give the Navy or the Government its very best and its record of performance will stand up creditably with any contractor producing naval material over these years.

The Government is constantly stating that it is trying to protect labor and improve the standards of labor. This is an opportunity to help protect some of our citizens.

I wish to point out that it is not only this small company that is being jeopardized, but there are thousands of other companies in exactly the same situation.

They do not mind competition from American companies—it is good for all. Ohio, however, cannot compete against such a large wage differential.

[From the Wall Street Journal]

Canadian Curbs on Investments From U.S. Carry Out a Campaign Pledge of Liberals

Ottawa.—Prime Minister Pearson's Liberal government was carrying through with a little-noticed campaign pledge when it imposed new restrictions on U.S. ownership of Canadian industry.

It was also putting teeth into an issue first raised by the opposition Conservative Party more than 5 years ago.

Mr. Pearson's budget, announced last week, set new bars to U.S. investment with two special taxes. One imposed a 30-percent levy on the sale of Canadian companies, large blocks of Canadian stocks, to nonresidents. The other put a surcharge on dividends paid by companies less than 25 percent owned by Canadians.

These taxes, under the Canadian parliamentary system, go into effect immediately, even before they are formally approved. The budget can be set aside only by a parliamentary vote of no confidence in the government. Such a vote, which would dissolve Parliament, is unlikely now.

United States involvement in Canadian industry had never been a serious issue in Canadian politics until the 1957 parliamentary campaign, when the Conservatives ended 22 years of Liberal party rule and advanced John G. Diefenbaker to Prime Minister.

Mr. Diefenbaker, in his campaign, had talked of the "Americanization" of Canadian industry and the need to return Canadian business to Canadian control. Mr. Diefenbaker, however, did little to disturb the existing relationship.

Walter Gordon, the Liberal Party's new Finance Minister, raised the issue anew this past spring, but it was largely unheard. Most ears during the campaign were attuned to the battle between Mr. Diefenbaker and Mr. Pearson on whether U.S. nuclear arms should be allowed on Canadian soil.

Mr. Gordon, a Toronto accountant and business consultant, had restated many Conservative arguments in advocating a halt to the U.S. encroachment in Canada's economy. Canadian subsidiaries, it was argued, couldn't bid against their U.S. parents for foreign business, thus hurting Canada's balance of payments. Canadian officials, too, couldn't advance to top management posts at U.S. companies, it was argued. In addition, most research work was done in the United States by the parent companies, depriving Canadian scientists, engineers, and technicians of needed work.

The Liberal Finance Minister, in his budget message of Thursday night, argued that foreign capital is welcome in Canada. But he implied there must be limits, which may already have been exceeded. He noted, for example, that 57 percent of Canada's manufacturing, 75 percent of its oil and natural gas industry, and 61 percent of its mining already is controlled by nonresidents.

During the past 10 years, he added, Canadian interest and dividend payments to nonresidents have exceeded income from nonresidents by $4.2 billion.

Mr. Gordon proposed to halt the "Americanization" by imposing a 30-percent tax, starting immediately on the sale of Canadian companies or the bulk of their assets, to nonresidents. The tax also was applied to blocks of stock purchased on exchanges when the sale to a single account exceeded $50,000 in one day.

The Finance Minister's budget also rearranged taxes on dividends to put a heavier burden on companies controlled by outsiders. The budget cut the tax on dividends paid to nonresidents by companies that are at least 25 percent owned by Canadians; the rate was reduced to 10 percent from 15 percent. But the tax remained at 15 percent for companies with less than 25 percent Canadian ownership. And the rate for these companies will go up to 20 percent on January 1, 1965, unless these companies become 25 percent owned by Canadians.

One sweetener, however, was provided for U.S. tax-exempt investors, such as pension funds. The budget provides that nonresident investors free of income tax in their own country aren't subject to tax in Canada. The exclusion is specifically intended to bolster sale of Canadian debt securities to tax-exempt foundations and funds in the United States and overseas.

Many Canadian business leaders were noncommittal, at least publicly, on the plan until they have had an opportunity to study it more closely. The plan, however, was believed to have been responsible for a flurry of selling of Canadian dollars in foreign exchange markets Friday morning.

The selling pushed the price of the Canadian dollar to as low as 92.59 cents in U.S. money from 92.68 cents on Thursday. But the price advanced later in the day, presumably on support buying by the Bank of Canada. The Canadian dollar closed at 92.69 U.S. cents, slightly above the previous day's close.

One immediate response on the Liberal government's plan came from Eric W. Kaerans, president of the Montreal and Canadian stock exchanges. "Attempts to penalize American investment for the reluctance of Canadians to invest will prove damaging to our growth and reputation," he declared. He was especially critical of the 30-percent "takeover" tax, which he insisted will "greatly weaken Canadian stock exchanges."

In the United States, some initial comment was mixed. Senator Aiken, Republican, of Vermont, said the Canadian Government is "making a mistake in discouraging U.S. investment," according to the Associated Press. Senator Morse, Democrat, of Oregon, said "it is within the sovereign right of Canada" to determine her own economic policy.

Comment on phases ofthe Canadian budget, both in Canada and the United States, also was mixed.

The budget overall called for spending of $6,845 million and revenue of $6,280 million for a deficit of $565 million, in the year ending next March 31. The deficit this past year was $752 million.

In addition to the provisions affecting U.S. investments, the budget also specified that:

Corporations will be required to move their taxpaying period forward by 2 months, adding $220 million of nonrecurring tax revenue through March 31, 1966.

Government tax agents will crack down on so-called dividend stripping, that is, the payment of undistributed earnings to stockholders by various methods that escape taxation.

The income tax law was amended to remove some tax benetfis under lease-option agreements, under which a company leases properties with the option to buy. Another amendment was directed at the purchase of deficit companies by other concerns that want to apply the losses as tax credits against income from other businesses.

Business tax deductions for entertainment expenses will be sharply curtailed to eliminate so-called abuses in expense-account living. One new rule disallows deductions for automobiles costing more than $5,000.

The 11-percent sales tax was extended to building materials, production machinery, and equipment except those used in farming and fishing.

The Government also announced it will pay a bonus, equal to 50 percent of a worker's pay or $75 a week, whichever is less, to all companies that add qualified extra workers this winter. The workers have to be 45 years old or older, out of work 6 of the past 9 months and not be in receipt of unemployment pay or pensions. The employer, to qualify for the bonus, also has to give the worker approved training in a new skill.

The Clerk read as follows:

Sec. 539. Of the funds made available in this Act for repair, alteration, and conversion of naval vessels, not to exceed $352,752,400 shall be available for such repair, alteration, and conversion in privately owned shipyards.

AMENDMENT OFFERED BY MR. BALDWIN

Mr. BALDWIN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Baldwin: On page 43, line 11, after the period, add the following sentence: "In the allocation of contracts for ship construction, repair, alteration and conversion, the Secretary of Defense shall give consideration to the importance of preserving an adequate mobilization base of operating shipyards, both public and private, with skilled employees, on the Atlantic coast, the Pacific coast and the gulf coast.

Mr. MAHON. Mr. Chairman, I reserve a point of order against the amendment.

Mr. BALDWIN. Mr. Chairman, the purpose of this amendment is simply to make a statement of the intent of the Members of this body that there shall be consideration given by the Secretary of Defense in awarding future contracts, whether they are for construction, conversion, repair, or alteration, to the maintenance of a mobilization base of operating shipyards on all coasts. Certainly this has been the intent of our country throughout the years past. We recognize the problem that there could always be some unfortunate event that might happen to the Panama Canal in times of emergency.

Therefore, it might take a long time for ships to get from one coast to the other. The purpose of this amendment is just to spell out the legislative intent on the part of this body, that when the Secretary of Defense has future contracts to make, one of the factors he should give consideration to—not the only factor but one of the factors—is that he should give consideration to the importance of maintaining a mobilization base of operating shipyards on each of our coasts.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN. I yield to the gentleman.

Mr. MAHON. The amendment makes reference to the maintenance of necessary mobilization reserve. We do need a mobilization reserve. I do not believe there is reference made here to Hawaii and the Great Lakes area in the gentleman's amendment, but I do not think there is any doubt but that all of these factors will be taken into consideration in connection with this problem. I would regret to see the bill further amended in connection with this highly difficult problem because the language in the committee bill gives the Navy considerable latitude, and I do not think we would want to alter that. I think the general purpose of the gentleman from California will be achieved.

Mr. BALDWIN. It is not my desire to make this amendment exclusive of any area. In other words, this was not intended to exclude Hawaii. In my opinion, the Pacific coast covers Hawaii so far as this amendment is concerned because Hawaii borders on the Pacific likewise. So this does not intend to exclude any area. If I understand the chairman of the committee correctly, even though he has reserved a point of order to this amendment, it is the intent of the committee that the Secretary of Defense in the future should give consideration to the importance of preserving a balance in the mobilization base on all of our coasts. Is that an accurate statement?

Mr. MAHON. I think that is a fair statement. We should have a balance of mobilization reserve appropriately distributed in the various shipbuilding areas on our coastlines.

Mr. BALDWIN. I thank the gentleman.

Mrs. FRANCES P. BOLTON. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN. I yield to the gentlewoman.

Mrs. FRANCES P. BOLTON. I would like to suggest that the Great Lakes be very carefully thought about, and considered. We have just recently had a disappointing verdict from the Department of Defense that they are not interested in any of the shipbuilding yards and installations of that nature on the Great Lakes. I trust the chairman of the committee will go into that matter rather seriously.

Mr. FORD. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN. I yield to the gentleman.

Mr. FORD. Just to clarify a point.

The 35–65 formula in fiscal year 1963 and again in fiscal year 1964 is aimed at achieving a proper mobilization base on all coasts including the Great Lakes. I want this clearly understood on the record that 35–65 does achieve that objective. I hope the gentleman by his amendment is not seeking to modify the 35–65 formula. He is seeking to be sure to clarify policy, but does the gentleman agree that this proposed amendment language does not modify the 35–65 doctrine?

Mr. BALDWIN. The purpose of my amendment is not to modify any language in the bill. It is purely to specify the intention of this body to maintain a balanced mobilization base on all coasts including the Great Lakes.

Mr. FORD. But you are not seeking by this amendment to modify the language in the committee report?

Mr. BALDWIN. I am not seeking to modify the language in the committee report.

Mr. FORD. I thank the gentleman.

Mr. BALDWIN. Mr. Chairman, on the basis of the assurance given by the chairman and the ranking member of the committee that it is the intention of the committee that the Secretary of Defense shall give consideration to maintaining a balance in the mobilization base on all coasts, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TOLLEFSON. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. TOLLEFSON. Mr. Chairman, I rise to voice my opposition to the so-called 65–35 provisions of the bill and the report which together direct the Navy to spend 35 percent of ship conversion and repair funds in private shipyards.

Last year I joined with a number of other Members of the House in opposing the provision in the 1963 bill. This year I desire to again register opposition. I am not convinced that any dollar savings to the Government have been made by this provision. I do know that it has resulted in a reduction in force at the various naval shipyards throughout the Nation. In my opinion, a consequent result has been damage done to the morale of the remaining employees, as well as damage to the smooth-working and efficient capabilities of such yards.

During the debate on the bill last year there was some controversy over the question of costs as between private and naval shipyards. I think it was generally agreed that private yards, especially when they were hungry for work, could construct ships cheaper than could naval shipyards. One reason given for this fact was that private yards engaged in competitive bidding whereas naval shipyards did not.

On the question of the cost of repair and overhaul there was strong difference of opinion—and some confusion. Statements of Admiral James, Chief of the Navy Bureau of Ships, were used by proponents and opponents alike. The fact is, as I read the Record, that Admiral James' last statement was to the effect that ship construction could be done cheaper in private yards, but that repair and overhaul could not. Having discussed the matter with him, and having read several of his statements, I am convinced that repair and overhaul cannot be done cheaper in private yards.

Naval shipyards are an essential part of our defense posture and, as such, must be kept in the highest state of constant readiness to serve our naval vessels. The gradual reduction of work in naval shipyards in favor of private yards will, in my opinion, weaken the naval yards' capabilities to perform their required functions. In my view, the Government will not save any money over the long haul by reducing the workloads in navy yards.

I do wish, however, to commend the committee for changing the wording of 65–35 language so as to give the Bureau of Ships a little more flexibility in administration of the policy.

The language in last year's appropriation was too stringent and gave rise to administrative problems.

Mr. Chairman, I would like to read a statement from the Puget Sound Naval Base Association relative to the 65–35 matter. It seems appropriate that the Members of the House have the point of view of the people working naval shipyards. These are the people who are most affected. The statement reads as follows:

Statement Submitted by the Puget Sound Naval Base Association to the Subcommittee on Appropriations for the Department of Defense

We oppose enactment into law of section 541 of the U.S. budget, which would contain the diversion of not less than 35 percent of public shipyards' repair and conversion to private shipyards, because:

1. Naval shipyards must be constantly ready to perform their functions. Defense requirements alone dictate this beyond question. This means that manpower—skilled technical manpower, much of which is never present in private shipyards—must be maintained at a reasonably steady level. This cannot be done on a percentage basis.

2. No money is saved through this arrangement of 35–65 split. This is the consensus of qualified people. Though private shipyards have been quick to make claims of doing the work for less, facts do not seem to support them. The built-in know-how of many years' standing in Federal shipyards, and a traditional pride in work well done and quickly executed, have combined into a unified force of morale that private shipyards have never been able to equal.

3. There are no work stoppages due to labor disputes in naval shipyards. Important.

4. In addition to their advantage of more capable manpower and incomparable morale, naval shipyards are also far better equipped to do the Navy's work from a physical standpoint. There are many facilities in our Navy yards not to be found in any private shipyard. Yet they are all essential to the proper operation of the world's greatest Navy.

5. Navy shipyards are strategically located. Their workloads should continue in order that these important locations may be perpetuated. It has been recognized that this work would gradually accrue to a few of the most efficient private yards. These yards could be concentrated in one general geographic location, such as New York or New Orleans.

6. Navy shipyards do all of their required work. A west coast private yard recently sublet part of a Navy job to a yard in Japan. Is this good?

7. In the name of efficiency (which includes saving taxpayers' money), the Chief of BuShips, charged with the grave responsibility of maintenance of our great Navy, needs the flexibility to manage, which is taken from him by the 35–65 requirement. Costs are forced upward when men and equipment are not fully utilized.

8. This matter cannot be viewed as an argument pitting the Government against private enterprise. Everything used and consumed in Navy shipyards is produced by private enterprise.

Members of Puget Sound Naval Base Association, as private citizens, can understand private industry's concern over government in business. We can understand why private industry in many fields of endeavor would seek to protect its own interests by a concerted effort to divert to itself certain activities of government. But the case in point is an entirely different matter. There are some businesses in which our Government properly belongs just as much as it belongs in the business of operating the Post Office Department, for instance. Running our Navy is certainly one of them. And our naval shipyards are definitely part of our

Navy—vitally essential parts—that must be operated by our Government, through the Navy, for the best interest of every American—perhaps, even, for our Nation's very survival. That is why we should not countenance interference with repair and conversion activity in naval shipyards. It will not be possible to keep our Navy the world's greatest on a percentage basis.

MYRLE G. BUDD,
President, Puget Sound Naval Base Association.

Mr. LIBONATI. Mr. Chairman, I ask unanimous consent that the gentlewoman from Oregon [Mrs. GREEN] may extend her remarks at this point in the RECORD and include extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mrs. GREEN of Oregon. Mr. Chairman, for many, many years private shipyard operators have taken the position that the Navy should allocate a larger share of its repair, conversion, and alteration funds to private yards.

During this time, an estimated 75 to 80 percent of such work has been performed in naval yards. The remainder of the work has been shared by private yards.

In the fiscal 1963 defense appropriation bill there was added to it a requirement that private yards receive not less than 35 percent of such alteration, repair, and conversion contracts. Private shipyards, including those in my home city of Portland, report they have felt the impact of this section in terms of increased work. However, this so-called 35–65 formula was adopted for a 1-year period.

Today, the fiscal 1964 defense appropriation bill is before us. Section 539 of this bill provides that of the $1,007 million funds for such work that an amount not to exceed $352,752,400 shall be available for privately owned shipyards.

I do notice on page 65 of the report, accompanying H.R. 7179, that in addressing itself to section 539 the committee states that it—and I quote: "expects the Department of the Navy, despite the change in language, to abide by the distribution of funds for ship repair, alteration, and conversion on a 35–65 basis as is being done in the current fiscal year."

Recently, a news article in the Wall Street Journal bore out what many shipyard builders had been saying.

The newspaper reported that a $197,000 cost study prepared for the Navy has concluded that private shipyards frequently build Navy vessels at less cost to the Federal Government and to the taxpayers than do naval shipyards. For example, the report, compiled by a private accounting firm, Arthur Andersen & Co. of Chicago, for the Bureau of Ships of the Navy Department, brought out that it cost $56.7 million less to build an aircraft carrier in an unnamed private shipyard than in a naval yard. The report stated that private yards could do the job for less on ship conversions. On alteration projects, little difference was discerned.

Edwin M. Hood, president of the Shipyard Council of America, testified this month before the Senate Appropriations Subcommittee that the Navy's own cost study showed in private yards doing new ship construction costs were 33.4 percent cheaper; in ship repair work, 20.8 percent cheaper; in major ship conversions, 17.4 percent cheaper; and in other categories, 9.2 percent cheaper. And this based on a Navy-financed study, I emphasize.

Some private operators state that if private yards had done one-half of the repair and conversion work done in Navy yards in the last 8 years or so, there would have been a saving of $490 million.

In addition, there is another factor. The skills employed both at Navy and private yards must be maintained. There should be a balance, however. If the private yards are starved, then the skills of the workers and the managerial abilities of the employers suffer thereby. Private yards should be kept in fighting trim. The 35–65 formula would accomplish this. It would permit both Naval and private yards to maintain their pool of skilled workers and managers.

The efficacy of private yards would be kept in order, while the naval yards would not be impaired.

I am informed that private yards are currently operating at less than half capacity. Navy yards, conversely, are, I am informed, operating at 90-percent capacity.

Certainly, it is not too much to ask that a 35-percent share continue to be assigned to the private yards which produced four out of five vessels during World War II. There is also, therefore, an element of national security in the 35–65 formula.

The following editorials state the case very persuasively:

[From the Oregonian, June 21, 1963]

REASONABLE PLEA FOR NAVY WORK

For a long time, operators of private shipyards have believed the U.S. Navy should spend a larger proportion of its funds for ship repair, conversions, and alterations in private yards.

In the past, about 80 percent of such work has been done in the Navy's own yards, only 20 percent going to private firms.

Last year, after many failures, shipbuilding interests succeeded in attaching a rider to an appropriations bill which required the Navy to farm out 35 percent of its work to the private yards. Portland quickly felt the benefit of this change with stepped-up shipyard employment.

But the requirement was good for only 1 year. Attempts to enact new legislation are meeting resistance in the House Appropriations Committee. But the Shipbuilding Council of America, backed by the Western Shipbuilding Association, will press for amendments on the floor.

Part of the case of the private shipbuilders is based on their claim that they can do the work cheaper. An independent study by a national firm retained by the Navy bears out this contention. Also they believe that no Government agency should compete with private enterprise to the extent the Navy does.

They are not asking for all of this work. They believe that a 35-percent share is not too high. This will still leave sufficient work to keep existing navy yards activated. However, the Navy's yards are not keeping pace with modern developments. That is why they are less efficient.

To some degree, national security is involved in maintaining the health of the private yards. They proved their worth in World War II. If they are required to meet a new emergency, they need something on which to build.

We agree with the private shipbuilders that the share of Navy work they are asking is reasonable and that their appeal is justifiable.

[From the Portland (Oreg.) Reporter]

SHIPYARDS FACE TORPEDOES

Our shipyards face the loss of extra work which Congress provided for in 1962 by requiring the Navy to turn over to private shipyards 35 percent of its ship conversion, alteration, repair and overhaul under the huge modernization program.

The Navy lobby is asking Congress to remove this mandatory directive and let the Navy put out anywhere up to 35 percent of its work on bid to private yards. Before the 1962 Congress told the Navy to give the private yards roughly one-third of the modernization contracts, they had been getting only about 20 percent. It is believed by the country's shipbuilders that if Congress doesn't renew the directive, private yards will get only their old 20 percent.

The Navy lobby is vigorously seeking elimination of the 35 percent guarantee to private yards despite the fact that President Kennedy has urged that the 1962 division be continued through the 1964 fiscal year.

The Navy lobby contends that the Navy yards must be kept running so that the country will have facilities ready in case of war. This same argument is equally applicable in the case of the private yards which produced by far the greatest amount of shipping during World War II and what is very important, developed fast new methods of construction which revolutionized shipbuilding.

The private shipbuilding industry claims it has saved the country's taxpayers $1 billion by reducing costs on the naval work it has obtained in the 5 years ending in 1960 and further that an additional $500 million could have been saved during the same period if the Navy had been operated at private yard costs.

In testimony before the Subcommittee on Defense of the Senate Appropriations Committee, Edwin M. Hood, president of the Shipbuilders Council of America, said that the Navy's own study of shipyard costs showed the Navy exceeding private industry by 33.4 percent in cost of new ship construction; 20.8 percent in ship repair work; 17.4 percent in major ship conversions and 9.2 percent in others.

Hood said that two cost studies, one paid for by the Navy itself, brought out that all types of shipwork done in Navy yards costs substantially more than in private yards.

It should not be lost sight of that private yards are the main reserve of shipbuilding capacity in this country and that they can't survive by sitting on old blueprints. Congress should be considering, not reducing private yard navy work under 35 percent, but boosting it to an even split. The private yards have the responsibility of not only keeping up to date on new construction methods but providing a trained nucleus of a working organization. This demands more work in the private yards and not less.

AMENDMENT OFFERED BY MR. TOLLEFSON

Mr. TOLLEFSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TOLLEFSON: On page 43, after line 11, insert a new section to read as follows:

"Not more than 10 per centum of the funds appropriated in this Act for the construction, conversion, alteration or repair of naval vessels shall be expended in a foreign shipyard or plant except where commitments have been made prior to the date of this Act or for emergency ship repairs."

Mr. MAHON. Mr. Chairman, I reserve the point of order on the amendment which has been offered by the gentleman from Washington [Mr. Tollefson].

The CHAIRMAN. The gentleman from Texas [Mr. Mahon] reserves the point of order on the amendment.

The gentleman from Washington [Mr. Tollefson] is recognized for 5 minutes.

Mr. TOLLEFSON. Mr. Chairman, on yesterday I spoke to the chairman of the subcommittee, the gentleman from Texas [Mr. Mahon], and the gentleman from Michigan [Mr. Ford] with respect to this amendment. The amendment which I showed to them yesterday provided that none of the funds for ship repair, conversion, or construction should be used in foreign yards.

Mr. Chairman, the members of the Committee will note that this amendment has been reworded to read:

> No more than 10 per centum of such funds shall be spent in a foreign shipyard or plant.

The reason for changing the wording, if I may say so, is that on yesterday the gentleman from Michigan asked the staff to obtain comment from, I believe, the Department of Navy on my proposed amendment. I have seen that letter today, and therefore, I have reworded my proposed amendment to make it in line with what I believe are the now views of the Department of the Navy and the Department of Defense.

Mr. Chairman, the reason for my submitting this amendment is that the Department of the Navy has, in fact, been building naval vessels in foreign shipyards and has been obtaining ship components in foreign plants. In view of the fact that our own shipyards are hungry for work and have been for a number of years, I believe we should not be building, converting or repairing naval vessels in foreign shipyards. The so-called 35-65 controversy which we have had before us for a year is indicative of the condition of our shipyards. It just seems to me that this kind of an amendment is an appropriate amendment to this bill. As I say, in my opinion it conforms to the present position of the Navy as indicated by the letter of Assistant Secretary of Navy, Kenneth BeLieu.

Mr. Chairman, I would hope that the gentleman from Texas [Mr. Mahon] would not raise a point of order, but would accept the amendment.

Mr. FORD. Mr. Chairman, would the gentleman from Washington yield?

Mr. TOLLEFSON. Yes, I yield to the gentleman from Michigan.

Mr. FORD. I think the aims and objectives of the gentleman's amendment are very worthy. We had an experience, or the shipbuilding industry had an experience, with the Navy last year on two oilers. The gentleman from Washington is very familiar with those problems that arose as a result of a Japanese bid on certain components for the enlargement of two Navy oilers.

Mr. TOLLEFSON. That is correct. That is what gave rise to this amendment and that is what gave rise to the bill which I now have pending before the Committee on Armed Services in order to deal with this subject.

Mr. FORD. If the gentleman will yield further, the only question I raise is this: Whether we want to further encumber the language of an appropriation bill when we know that the policy of the Department at the present time does conform to what the gentleman's amendment seeks to do. The gentleman from Washington [Mr. Tollefson] has pressed the Navy to adopt this policy. Mr. Tollefson's efforts have brought revision in the Navy's policy and I congratulate him.

Mr. TOLLEFSON. I am glad to have the gentleman's comments, especially with respect to my amendment conforming to the policy of the Department of the Navy, or vice versa. On the other hand, it seems to me we ought to spell it out in the law. It is not the fact that I am doubtful that the Navy will follow the policy of spending only 10 percent of its appropriated funds in foreign yards; it is just that I would like to have it spelled out in the law because they have previously departed from what I believe has been the intent of Congress with respect to the expenditure of funds in foreign shipyards for naval vessels.

Mr. Chairman, the situation that the gentleman from Michigan [Mr. Ford], described, took place earlier this year when a private yard in this country bid on the conversion of two naval vessels and got the bid simply because it subcontracted a part of the bid to the Japanese yard where they could get the work done cheaper. Other private yards around the country complained bitterly, but the General Accounting Office said that the Navy had to accept the bid and, so, the Navy did.

Mr. Chairman, this thing could happen again. The other private yards now see what the loophole is. This is designed, as I see it, to close that loophole and prevent any private yards from farming out their work in foreign shipyards.

Mr. Chairman, I would trust that the gentleman from Texas [Mr. Mahon] would change his mind.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. TOLLEFSON. I yield to the gentleman from Texas.

Mr. MAHON. We all believe in the "buy American" program. I do not think there is any danger here of a mushrooming of the incidents which the gentleman has discussed. Certainly we would oppose the undue utilization, for repair work and so forth, of foreign yards. I think the objective of the gentleman is being accomplished. He has a bill pending before the Committee on Armed Services, and it seems to me this is best handled in legislation, not as a rider on an appropriation bill.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. TOLLEFSON. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. TOLLEFSON. Mr. Chairman, I did discuss this with the gentleman from Texas and with the gentleman from Michigan yesterday and indicated to them the more appropriate way to reach this problem would be via the legislative committee. But I did say I wanted, nonetheless, to offer the amendment so that it would bring this matter to the attention of the Members of the House and maybe to the attention of the members of the Committee on Armed Services who may be present and who would act on it.

Mr. MAHON. I think the gentleman is quite correct in calling this matter to the attention of the House. It is a serious proposition. I can assure the gentleman this Subcommittee on Defense Appropriations will give the matter careful attention and consideration with a view toward not permitting the matter to get out of hand.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. TOLLEFSON. I yield to the gentleman from Virginia.

Mr. HARDY. Let me say this is a matter that has been of considerable concern to the members of the Committee on Armed Services. It is a matter we have discussed this year in connection with the references that have been made. We believe we have made some progress in connection with the policy position of the Department of Defense with respect to procuring this kind of major components from foreign yards. It is a matter with which the Committee on Armed Services is concerned and I can assure the gentleman it will continue to be our concern.

Mr. MAHON. Mr. Chairman, I insist on my point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. MAHON. Mr. Chairman, the point of order is it is legislation on an appropriation bill requiring additional duties and so forth.

The CHAIRMAN. Does the gentleman from Washington desire to be heard on the point of order?

Mr. TOLLEFSON. Mr. Chairman, I do not desire to contest the point of order. I do not agree that the point of order is appropriately made, because this is a limitation on the expenditure of funds. This very bill contains at least a half a dozen similar provisions, but I shall not dispute the point of order.

The CHAIRMAN (Mr. Keogh). Does the gentleman from Washington concede the point of order?

Mr. TOLLEFSON. Yes.

The CHAIRMAN. The point of order is sustained on the concession of the gentleman from Washington.

AMENDMENT OFFERED BY MR. GROSS

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Gross:

Page 43, immediately after line 11, add the following new section:

"Sec. 540. No part of the funds appropriated by this act shall be used to conduct or assist in conducting any program (including but not limited to the payment of salaries, administrative expenses, and the conduct of research activities) related directly or indirectly to the establishment of a national service corps or similar domestic peace corps type of program."

And renumber the following section accordingly.

Mr. GROSS. Mr. Chairman, I shall not take but a part of the 5 minutes. The Members of the House are well aware of the nature of this amendment. On three previous occasions, one of them only last week on the State, Justice, and Commerce appropriation bill, this amendment was adopted by the House.

There is no question but what the Navy Department, and perhaps other service departments affected by this bill, have assigned personnel and used funds in order to promote the study of a domestic Peace Corps or National Youth Corps, or whatever you want to call it. I would hope that the chairman of the subcommittee would accept the amendment.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes, I will be glad to yield.

Mr. MAHON. There are no funds in this bill for the establishment directly or indirectly of something related to a Domestic Peace Corps, I am sure. In order to get an official statement from the Department of Defense, I have here a letter from the Secretary of Defense in which he says:

> There are no funds for such purpose.

I will get permission later to place that in the Record.

I would oppose, as the gentleman would oppose, utilization of any of these funds in the total sum of approximately $47 billion, for the establishment of the sort of program which the gentleman has described. Therefore, I do not think this amendment is in any way required or necessary and I have no authority on the part of the committee to accept the amendment. I know it has been placed on other bills in the House and, of course, I respect the problem.

Mr. GROSS. I will say to the gentleman what I said to the gentleman from New York [Mr. Rooney], the chairman of the the Subcommittee on the State, Justice, and Commerce Appropriation last week, that no funds were provided for that purpose in his bill last year. Yet, personnel was used and funds are being expended without specific authorization of Congress. Funds are being expended by way of personnel directly out of the money you appropriated last year for this purpose. I will say to the gentleman, I would hope that the gentleman from Texas would agree to accept my amendment so that in the future there will be no money spent for this purpose from this appropriation.

Mr. MAHON. Mr. Chairman, I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. Gross].

The amendment was agreed to.

The Clerk concluded the reading of the bill.

Mr. RIVERS of South Carolina. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I just want to make an observation before this bill is passed, to let you know exactly what you are doing. By reserving at least $329 million or $359 million under the philosophy of the 65–35 which the distinguished gentleman from Michigan has vehemently defended as an adequate mobilization bill, when we preserve this philosophy I want you to know exactly what you are doing. Out of the $3 billion, roughly, that you are expending on ship construction, repair, and conversion, you are spending over 70-plus percent in private shipyards—over 70-plus percent. You cannot. I challenge anyone to prove to me that giving the Navy shipyards of this country scarcely 20-plus percent of the funds can retain these naval shipyards. You are destroying the naval shipyards of the United States. I do not care what you say. Listen to this. Last year, out of 32 conversions, private shipyards got $186 million and naval shipyards $288 million. Repairs, private shipyards, $140 million, naval shipyards $314 million. It is 65–35 right straight down the middle. New construction, 32 ships, private yards, $1,605 million; naval shipyards, 3 ships, $264 million.

And that is not all. There is an aircraft carrier that is yet to be constructed at a cost of some $280 million and that is already obligated to a private shipyard. I say to you that the records of these private yards do not entitle them to this.

Mr. FORD. Mr. Chairman, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the gentleman.

Mr. FORD. I am not advocating this, far from it. But under the Vinson-Trammell Act——

Mr. RIVERS of South Carolina. I am coming to that; I am headed toward that.

Mr. FORD. Fifty percent of new construction is to go into the Navy yards.

Mr. RIVERS of South Carolina. I am headed to that so fast that it will make your head swim.

Mr. FORD. I am not advocating taking some of this work out of private yards and putting it into Navy yards, but the President, the Secretary of Defense and the Navy have the necessary authority, the essential flexibility.

Mr. RIVERS of South Carolina. Does the gentleman object to that?

Mr. FORD. Yes, because under any criteria that you use, if you will consult the Robert Anderson & Co. report——

Mr. RIVERS of South Carolina. The gentleman is not going back to that dead horse again and beat him over again, is he?

Mr. FORD. The Navy spent $200,000——

Mr. RIVERS of South Carolina. That was an unnecessary thing to do, and I will tell you why.

Mr. FORD. What is that? I cannot agree. The Anderson report is well done.

Mr. RIVERS of South Carolina. Because they did not take into consideration things you cannot possibly consider in a report of this character. It is like coming to the Congress and saying that the SAC Headquarters is too expensive, let some private contractor run it. This is ridiculous.

Mr. FORD. This is the same old dead horse that is always beaten by Government installations and their proponents. The allegation is always made. You cannot compare them. The truth is they are not as efficient. Every objective analysis ever made shows that the Navy yards cannot compete, costwise, with the private shipyards.

Mr. RIVERS of South Carolina. They cannot compete? Well, I will tell you why. Let us take "X" Navy yard that is training crews in the operation of nuclear submarines exclusively. What private yard could carry on training of crews for nuclear submarines exclusively? What private yard could afford to put up barracks for enlisted men when a ship comes into the yard? What private yard could afford to dredge water down by the docks as you are compelled to do at naval shipyards? What private yard can clean out the drydock and put a battle-damaged ship in it? What private yard can provide a nucleus of highly specialized people for the highly technical repair of a nuclear ship that is damaged or under construction? They could not afford it.

This report does not go into that.

The CHAIRMAN. The time of the gentleman from South Carolina [Mr. Rivers] has expired.

Mr. FORD. Mr. Chairman, I ask unanimous consent that the distinguished gentleman from South Carolina may proceed for an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. RIVERS of South Carolina. I thank the gentleman very much.

Mr. FORD. Will the distinguished gentleman, my very good friend from South Carolina, yield to me?

Mr. RIVERS of South Carolina. The gentleman knows I have a very exalted opinion of him, I think a great deal of him. But all of us may be wrong at some time.

Mr. FORD. The gentleman knows very well that about half of those items are not chargeable against the cost in repair, alteration, and conversion contracts. The report speaks for itself. We ought to put the Anderson report at this point in the Record.

Mr. RIVERS of South Carolina. We ought to take this matter before our committee and go over it point-by-point. This has never been before our committee. This is a legislative program which should not be handled by the Committee on Appropriations.

Mr. FORD. The committee would perform a public service if it went into the problem, in depth and with objectivity, because I think they could convince you. You would agree I hope with the Anderson report conclusions when you got through.

Mr. RIVERS of South Carolina. If we followed this report, instead of having one Navy Yard here in the United States or in Hawaii or anywhere else, under this guide line, you would not have any naval shipyards; and that would be stupid.

Mr. FORD. If that is the conclusion, and it is not, I would oppose it. I want Navy shipyards. I think they are important. But I want them to compete with the private yards so the taxpayer and the Defense Department get full value out of his dollar.

Mr. RIVERS of South Carolina. You cannot have fringe benefits. What if you brought to a private shipyard on the west coast a carrier that was home based on the east coast? How could the dependents travel such a long distance? Or visit their loved ones? These are things you cannot enumerate. You cannot enumerate the morale on these things. You are liquidating these things. You know morale is highly important. We can only afford living conditions for officers and men alike at our naval shipyards.

Mr. FORD. Now we are going off the deep end. I do not like to hear my friend from South Carolina make that kind of statement.

Mr. RIVERS of South Carolina. I know, but I operate well in the area. Let me state this to you. You mentioned the Vinson-Trammell Act.

Mr. FORD. A very good law. I am all for it.

Mr. RIVERS of South Carolina. I am for it, too. If I were to say anything against anything with the name Vinson on it, something would be wrong with my head. The Vinson-Trammell Act, passed in 1929 or thereabouts, said this, among other things, that the battleships shall alternate between the naval shipyards and the private yards. That is what it said. In the public interest, however, the President may vary the terms of this act. Why is this so? The President has seen the plight of these private yards. But you have got to the point where the tail not only wags the dog, it endangers his future existence. Out of the 14 combatant ships that were built last year, only 3 of them were in naval shipyards.

Mr. FORD. What is wrong with that if the public yards or Navy yards cannot compete. The reason is obvious. The private yards can do a better job more cheaply. This is a hard fact of life but this does not mean there should be no Navy yards. Navy yards are needed but they should not get business without competition from the private yards.

Mr. RIVERS of South Carolina. If they can do a better job, let them do a better job, but if this is true, why take a case where you cannot estimate it? You dig up a floor and you are liable to find anything. Where can you conjecture the cost on that?

Mr. FORD. Two good accounting firms, Ernst & Ernst plus Arthur Anderson & Co., have agreed that if you compare the alteration, repair, and conversion, the Navy yards are more costly than the private yards.

Mr. RIVERS of South Carolina. These people that wrote the report cannot, to save their lives, take into consideration unforeseen expenses and costs. They can add up figures, but what do they know about the endless hours it takes to train a crew? What do they know about billeting these boys, and so forth? It cannot be done. You cannot evaluate in dollars and cents the morale of people and do it in a report.

Mr. FORD. I believe that the private shipyards should compete one against another in order for the Defense Department to get a well-constructed ship at the lowest price.

Mr. RIVERS of South Carolina. I agree fully.

Mr. FORD. We are building nuclear-powered submarines on the west coast at Mare Island. We are building them at Pascagoula, we are building them at New London. We are building nuclear-powered submarines all over the country.

Mr. RIVERS of South Carolina. Do you think the Newport News Shipbuilding Co., the greatest on earth, hurts from not having new construction?

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. GAVIN. Mr. Chairman, I ask unanimous consent that the gentleman from South Carolina [Mr. RIVERS] may proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RIVERS of South Carolina. Here is the only thing I want to give to you to remember. We have passed the point of any real or any sound approach to this when we do this by law—and the committee's report is well written and the reason I know it is well written is because it was written by my distinguished friend, the gentleman from Michigan—you have put language on your bill—and you know I know what I am talking about because I have written them too, but you have put language on your bill that so much money cannot be expended. But it is this report that nails the Navy to the cross. Now if the Navy follows the provisions—and you just got through saying it—if the Navy follows the provisions of what is happening under the Vinson-Trammell Act—65 percent to private industry—you can kiss three Navy yards in the country goodby—just remember that—and I have a good idea where they are going to be located.

Mr. FORD. Mr. Chairman, will the gentleman yield?

Mr. RIVERS of South Carolina. Certainly, I yield to my colleague.

Mr. FORD. The language which is in the bill is not the language I would have preferred. I would have preferred the language recommended to the Congress by President Kennedy, endorsed by Secretary of Defense McNamara, and endorsed by the Secretary of the Navy. That was the language I wanted in the bill we have before us today. This would have given greater flexibility to the Secretary of Defense. This would have been far better language. But, unfortunately, in the consideration of the language by the subcommittee, we had some parliamentary problems and in order to compromise differences, we came up with the language which is in the bill. I wanted the President's language in the bill. I wanted Mr. McNamara's language here. But we did not get it so we had to take care of the problem by writing this very specific language in the committee report.

Mr. RIVERS of South Carolina. Do you think, perhaps, that the Secretary of the Navy when he testified may have had a gun to his head?

Mr. FORD. I am not that close to what goes on over at the Pentagon. You probably know better than I do.

Mr. RIVERS of South Carolina. I was not talking about the Pentagon. Before our committee, however, he said he did not like this 65-35 formula. If he changed his tune to you, he changed his tune between our committee and your committee. But irrespective of your desire—irrespective of the desire of the distinguished gentleman from Michigan—and I want you to hear this—and I do not question your motives—I just would not do that because I know of your high and unimpeachable integrity—but I submit in the greatest deference to your great committee, this thing is destroying the crafts, the know-hows and the technical skills possessed in our Navy yards that you will never, ever replace. That is the one thing that we have got and what is more you had better keep your insurance policies—and they are in your Navy yards. You will live to see what I am saying here now—it may not be prophetic but it is almost exactly right.

Mr. DOWNING. Mr. Chairman, will the gentleman yield?

Mr. RIVERS of South Carolina. I am delighted to yield to the gentleman.

Mr. DOWNING. I appreciate the compliment that the gentleman paid to the Newport News Shipyard, but I would like to correct the gentleman. The Newport News Shipyard does not have a backlog of ships waiting. Until yesterday when we got one ship, we had no private shipbuilding. So I would like to correct the gentleman in that regard.

Mr. RIVERS of South Carolina. I stand corrected. You want to correct me—I am corrected. You did not want me to change the RECORD with reference to the statement that you had the best shipyard on earth; do you?

Mr. DOWNING. No, indeed.

Mr. RIVERS of South Carolina. Well, of course, I would not do that.

Mr. LIBONATI. Mr. Chairman, I ask unanimous consent that the gentleman from Maryland [Mr. FALLON] may extend his remarks at this point in the RECORD and include extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FALLON. Mr. Chairman, section 539 of the defense appropriations bill, 1964, presently before the House for consideration, reads "Of the funds made available in this act for repair, alteration, and conversion of naval vessels, not

to exceed $352,752,400 shall be available for such repair, alteration, and conversion in privately owned shipyards." As I understand it, this $352 million-plus is equivalent to the 35 percent provision initiated by the Congress last year.

The private yards contend that the Navy report's differentials are low. Nevertheless, the cost savings attributed to the private yards by the Navy's own study are convincing proof that the private yards deserve the right to compete for 35 percent of the Navy's ship modernization and overhaul work. That is the exact purpose of section 539.

The private yards' viewpoints are summarized in the following article, "How To Get More Naval Power for the Defense Dollar," prepared by the Shipbuilders Council of America.

There is no question in my mind that something has to be done to reduce the tremendous debt on the economy of the country. The savings that could be effected by the greater use of the low-cost private yards is significant. On behalf of the taxpayers of this country, who bear the brunt of the Navy's extravagant policy, and on behalf of the men who need work in the private shipyards, I commend the article to the attention of the House:

How To Get More Naval Power for the Defense Dollar

Five reasons why our Government can save millions of dollars each year by more utilization of U.S. private shipyards for construction, repair, and modernization of naval vessels; why U.S. private shipyards can build, repair, or modernize five ships for the same number of dollars needed to turn out four ships in Navy shipyards.

During World War II, when the U.S. naval fleet numbered some 10,000 vessels, the Navy operated 11 naval shipyards and 1 ship repair facility. Their peak employment during this period was 330,000, a ratio of 33 shipyard workers for each naval vessel. Today, 20 years later, the same 12 Government facilities are still in operation. Yet the U.S. Navy's fleet consists of fewer than 900 vessels. Now there are 113 Government shipyard workers for each navy vessel.

According to Navy figures, more than 70 percent of the $5.1 billion spent for conversion and repairs during the period fiscal years 1953–62 was arbitrarily allocated to naval shipyards.

REASON 1. PRIVATE SHIPYARDS CAN BUILD, REPAIR, AND MODERNIZE NAVAL VESSELS AT MUCH LOWER COSTS THAN NAVAL SHIPYARDS

The Navy admits private yards can build ships at vastly cheaper prices than can the naval shipyards. Sixty-nine percent of all new ship construction is therefore performed by private shipbuilding yards.

According to a financial study by Ernst & Ernst, certified public accountants, private yards can not only build but can also modernize (convert or alter) and repair (overhaul) naval ships for roughly 25 percent cheaper.

The taxpayer bears the brunt of the Navy's extravagant policy of purposely ignoring the additional savings it could realize by greater use of the low-cost private yards.

REASON 2. COMPETITIVE BIDDING LOWERS COST

In his "Memorandum to the President," July 5, 1962, Secretary of Defense Robert S. McNamara states categorically that, "Our studies show that each dollar spent competitively buys at least 25 percent more."

The Navy has largely ignored the savings to be gained by private yards' competition for its ship work. During the past fiscal decade, it has arbitrarily assigned over half of all its shipbuilding, modernization, and overhaul work to its own high-cost naval shipyards.

Private shipyards operate in a harsh competitive environment. Their efficiency is sharpened by open competition which makes cost consciousness a prerequisite to self-preservation.

Navy yards operate in a snug, sheltered, noncompetitive environment. They are serene in the knowledge that sufficient work will be provided by administrative directive.

REASON 3. PRIVATE YARDS PAY TAXES

Private yards contribute to the economy. They pay substantial State and local taxes, and 52 percent of their profits are returned to the Federal Government, thus, in effect, again reducing the cost of the naval ship work they do.

In spite of the fact that private shipyards must pay all these taxes and still try to make a profit—they still turn out work at far less cost than the Government yards.

Naval shipyards pay no taxes. They consume taxes. Over $6 billion in Federal funds were channeled into the naval shipyards in the past 10 years. State and local governments also lose considerable tax revenues from the presence of the tax-free naval yards on prime real estate.

REASON 4. GOVERNMENT AND TAXPAYERS ARE BURDENED BY NEEDLESS NAVAL SHIPYARD OVERHEAD

According to Fortune magazine, only four of America's biggest defense industrial companies have assets larger than the Navy's shipyard: General Motors, Ford, United States Steel, and DuPont. These shipyards are by far the largest defense industrial operation in the Nation. The physical plant is worth over $3 billion by Navy estimates, exceeding such giants General Electric, RCA, IBM, and Boeing.

Yet, late in 1961, a congressional committee noted that it was "greatly disturbed by the obvious lack of modernity in the production equipment at naval shipyards," and that, "obsolescence in production equipment at naval shipyards has affected their ability to provide for the timely and economic maintenance and repair responsiveness so essential."

Overhead costs are further increased by the practice of maintaining the Navy's shipyard work force at artificially inflated levels.

Navy shipyard operations are bold contradictions to the proven traditions of competitive enterprise by which this country has become the envy of the world.

REASON 5. PRIVATE SHIPYARDS HAVE THE KNOW-HOW, THE FACILITIES, AND THE SKILLED PERSONNEL TO HANDLE THE MOST COMPLICATED ASSIGNMENTS

The four vessels shown above are only a few of the many outstanding U.S. Navy ships which have been built by the private shipyards in recent years.

Private yards produce the world's best ships and can carry out any kind of ship repairs and modernizations.

Yet, the entire program of fleet rehabilitation and modernization (FRAM) of destroyers has been assigned to noncompetitive, higher priced, no-more-capable Government yards.

And, better than two-thirds of all naval ship repairs, and modernizations are arbitrarily assigned to high-cost, tax-free Navy yards.

WHAT THE SAVINGS COULD BUY

Savings of roughtly 25 percent accrue when private yards handle naval ship work. In the fiscal decade 1953–62 the Navy spent $3.95 billion for ship repair and conversion work carried out in its own yards.

If only half this work had instead been competitively awarded to private yards, more than $494 million would have been saved. This saving could have bought 20 new destroyer escorts, which the Navy badly needs.

But these ships are not in the Navy. A policy which permits waste of defense dollars, dries up tax sources and denies the fleet of needed vessels should not be permitted to continue.

FURTHER CONSIDERATIONS

In case of national emergency, the backbone of naval construction again would be private yards. During World War II private yards turned out 3,921,000 tons of naval vessels (in addition to merchant ships), while Government yards produced only 996,000 tons. While their capacity is still high, private yard employment had dropped to 1 percent of the World War II peak, but Navy yards have kept their levels at 30 percent. The effect on vital civilian yards is evident. Since the end of World War II, more than 20 important private shipyards have closed.

In view of private capabilities, it is as senseless for the Government to build, repair, and modernize ships as it would be for the Government to take over manufacture of aircraft, tanks, missiles, rockets, electronic equipment, and space craft. Fully 100 percent of military aircraft manufacture is done by private companies. The Army contracts out 70 percent of its aircraft depot maintenance and the Air Force 56 percent; but the Navy allows private yards only 23 percent of its repair and conversion work.

For every shipyard worker private employed on Navy contracts, the Government employs two in Navy yards. Thus the Navy yards employ 98,000 workers, but the private yards only 48,000. Because of insufficient naval and commercial volume, private shipyards operate at only 47 percent of remaining capacity. On the other hand the Navy yards have retained all their World War II facilities and are operating them at 90 percent of capacity.

In September 1962, the Special Subcommittee of the House Armed Services Committee issued a report which urged construction of 70 ships per year to offset the alarming block obsolescence of the U.S. Navy fleet. Yet it is indicated that the fiscal year 1964 budget will provide only 41 or 43 new ships.

The savings that could be derived by greater utilization of private yards for all naval ship work would enable additional vessels to be built.

Says the Hoover Commission: "Considering the idle capacity of private shipyards to construct and repair all types of vessels, the subcommittee considers that the Navy's operation of all these * * * shipyards represent a destructive intrusion into the private shipbuilding (and ship repairing) industry of this country."

PERTINENT POINTS

Private shipyards can build naval vessels for roughly 25 percent below the cost of comparable work in Government shipyards.

Private shipyards can repair and modernize naval vessels at similar savings.

Private shipyard industry operates but a fraction of the facilities it employed during World War II.

The Navy's shipyard complex today serves a fleet of fewer than 900 ships. Yet it operates the same facilities it employed in World War II, when the fleet comprised some 10,000 vessels.

The Government now has twice as many men working on naval vessels as private industry and is the largest defense manufacturing "company" in the country.

America can get more naval power for its defense dollar by insisting that Government shipyard work be reduced and better use made of private shipyard facilities for construction, repair, and modernization of naval vessels.

Mr. LEGGETT. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, in answering the remarks made yesterday by the gentleman from Michigan, I wish to be heard on behalf of our 11 naval shipyards and particularly the Mare Island Navy Shipyard which has been referred to here by the previous speakers and especially by way of the remarks of the gentleman from South Carolina [Mr. RIVERS].

Mr. Chairman, the public yards are offering no amendments. We are satisfied with the language setting forth a general direction to the Navy Department with a precise limitation. The real issue is whether the Navy will effect repairs and alterations in private yards in the amount of $290 million, or about $350 million as set forth in this legislation.

Mr. Chairman, the dollars involved are really not important. But the principles are. I agree with the principle that naval shipyards should be competitive. In order to be competitive we have to retool. We have asked the Congress and the committee for appropriations with which to retool, and we will be back in again to ask for an adequate appropriation so that we can meet any competition within the public yards or private shipyard complex.

I agree with the principle that public and private yards constitute our strategic potential and both entities should be encouraged. However, I would suggest this further consideration.

During the past 15 years the private yards have expanded their numbers from 41 to 51.

The claim is made that the Navy should not hog the whole repair dollar and that the Navy is encroaching on private yard business. It is interesting to note the private yards' encroachment into this area as established by the Shipbuilders Council record. Thirty years ago, and up until World War II, substantially all repairs were performed at naval shipyards. After World War II we find the private shipyards steadily encroaching on public yards.

Dollar volume of repair work in principal private yards (all zones)

[Thousands of dollars]

Year	Number of yards	Commercial		Naval	
		Dollars	Percentage	Dollars	Percentage
1947	47	353,301	98.6	4,957	1.4
1948	50	408,991	96.5	14,892	3.5
1949	46	197,523	96.5	7,234	3.5
1950	50	152,053	94.8	8,369	5.2
1951	50	267,389	84.1	50,426	15.9
1952	50	315,552	76.9	94,617	23.1
1953	48	234,948	72.5	89,055	27.5
1954	50	[1] 196,137	78.0	55,177	22.0
1955	52	[1] 218,814	76.1	68,904	23.9
1956	51	[1] 328,389	84.1	62,001	15.9
1957	53	[1] 398,591	91.5	36,879	8.5
1958	54	[1] 275,511	87.0	41,297	13.0
1959	53	[1] 202,688	84.2	37,957	15.8
1960	50	[1] 221,794	82.9	45,809	17.1
1961	50	[1] 213,197	70.1	90,845	29.9
1962	51	[1] 233,647	74.6	79,677	25.4

[1] Includes MSTS work.

HOW SICK ARE THE PRIVATE BUILDERS?

There is talk that the private shipbuilding industry is sick and that they need the additional income which would come from a greater percentage of the defense shipbuilding dollar. It might be observed that the enactment of section 541(65-35) of the 1963 budget came at a time when private shipbuilders had better than $1½ billion worth of new construction, one of their 3 best years since World War II.

The records of the Shipbuilders Council for 1963 show the following:

Approximate value of unfinished shipbuilding business underway in the private shipyards of the United States

[In thousands of dollars]

Date	Commercial vessels	Naval vessels	Total
Jan. 1, 1946	266,000	438,000	704,000
Jan. 1, 1947	113,000	125,000	238,000
Jan. 1, 1948	54,000	62,000	116,000
Jan. 1, 1949	407,000	240,000	647,000
Jan. 1, 1950	215,000	117,000	332,000
Jan. 1, 1951	111,000	108,000	219,000
Jan. 1, 1952	544,000	428,000	972,000
Jan. 1, 1953	476,000	615,000	1,091,000
Jan. 1, 1954	230,000	362,000	592,000
Jan. 1, 1955	100,000	596,000	696,000
Jan. 1, 1956	194,000	645,000	839,000
Jan. 1, 1957	894,000	676,000	1,570,000
Jan. 1, 1958	829,000	903,000	1,732,000
Jan. 1, 1959	623,000	1,001,000	1,624,000
Jan. 1, 1960	471,680	948,286	1,419,966
Jan. 1, 1961	472,500	948,500	1,420,000
Jan. 1, 1962	511,473	1,108,116	1,619,690
Jan. 1, 1963	354,156	1,226,110	1,580,266

The same source also reveals that private shipyards delivered more commercial tonnage last year—$336 million worth—than all but 5 years since World War II.

Respecting the condition of the private yards, General Dynamics, of Groton, Conn., recently announced that this one firm had contracts for 14 nuclear submarines, over $600 million worth, and that employment amounted to 13,500 compared with a wartime high of 12,400. Is it any wonder that 1 yard building 14 submarines at one time can show a cost savings?

Newport News, Va., the other private giant of the trade, in spite of alleged destituteness by the private shipyards, recorded a record high profit for 1962. This one company made $8.2 million net last year, which was a 16-percent increase over the previous high of 1961. A gross income of $267 million was recorded on the delivery of 11 submarines with a business backlog of $380 million.

Further evidence of the health of the private yards is evidenced by the following chart prepared by the Shipbuilders Council showing that section 541 last year had no other effect than to raise private yard employment to a near record high, while public yards were reduced by 3,800 employees.

Calendar year [1]	Average number employed	Private yards		Navy yards	
		Employed	Percentage	Employed	Percentage
1940	187,900	110,400	58.8	77,500	41.2
1941	393,900	252,900	64.2	141,000	35.8
1946	351,500	207,400	59.0	144,100	41.0
1947	246,000	159,400	64.7	86,600	35.3
1948	230,400	140,700	61.0	89,700	39.0
1949	184,000	100,300	54.5	83.700	45.5
1950	158,900	85,200	53.6	73,700	46.4
1951	237,400	116,300	48.9	121,100	51.1
1952	286,000	152,600	53.3	133,400	46.7
1953	277,400	153,600	55.3	123,800	44.7
1954	239,600	129,800	54.1	109,800	45.9
1955	231,700	124,700	53.8	107,000	46.2
1956	234,600	132,900	56.6	101,700	43.4
1957	250,800	153,100	61.0	97,700	39.0
1958	241,800	146,900	60.7	94,900	39.3
1959	239,600	146,400	61.1	93,200	38.9
1960	233,200	141,000	60.4	92,200	39.6
1961	237,300	142,500	60.0	93,800	40.0
1962	237,100	143,100	60.0	94,000	39.7

[1] War years omitted.

It is also material to note that private yard employment on Navy work has almost doubled from 1957 to 1962—26,069 to 42,100. By the end of 1962 private employees working on Navy work had jumped to 51,404.

There is no doubt that section 541 in the budget last year had the effect of reducing public yard employment contrary to the representations innocently made by the gentleman from Michigan, Congressman FORD, on the floor of the House last year. Admiral James stated the effect as follows:

> Section 541 of the Department of Defense Appropriation Act, 1963, requires that at least 35 percent of Navy conversion, alteration and repair work be made available for private shipyards. This requirement has reduced the volume of ship work available for naval shipyards, making it necessary for the Navy to schedule a reduction of approximately 2 percent in naval shipyard employment during the first half of fiscal 1963. An additional 2-percent reduction, representing the separation of a total of approximately 2,100 employees in all 10 continental naval shipyards, will be necessary during the third quarter of fiscal 1963. The Navy plans to apportion this employment reduction as equitably as possible among all of these shipyards.

As a result, 1,500 public yard jobs were lost on the west coast and only 500 private jobs were created to take their place. Also, as a result $53 million worth of work left west coast yards.

I am advised by the Navy that this was so, irrespective of increased 1963 appropriations due to the fact that many conversion projects do not immediately generate labor increases.

Further evidence of the healthy condition of the private yards is shown by the following figures prepared by the Puget Sound Naval Base showing that private yards increased their share of the total ship business from 56 percent in 1962 to 69 percent in 1963:

Repairs, alterations, conversions, new construction, fiscal year 1962 and fiscal year 1963

	Fiscal year 1962		Fiscal year 1963	
	Naval	Private	Naval	Private
Repairs, alterations	$394,300,000	$133,400,000	$296,700,000	$139,600,000
Conversions	205,900,000	32,400,000	288,300,000	186,200,000
New construction	772,400,000	1,620,800,000	365,800,000	1,796,500,000
Total	1,372,600,000	1,786,600,000	950,800,000	2,122,300,000

Respecting the preceding figures, if only repairs and conversions are considered, the Navy did perform in 1963, $584 million of work, as compared to $326 million for private yards. However, if the private yards would add in other Government work for the Military Sea Transport Service in the amount of $33 million and $107 million worth of military assistance ship repair for favored foreign nations, the figures are nearly equal. If you want to fairly consider total naval expenditures, the public yards should be fighting for 65–35 in reverse.

COSTS AN ISSUE

The main issue, however, that we must address ourselves to is costs.

At first glance it would appear that the private giants have accomplished a transposition since Vinson-Trammell days, and that they are today paragons of cost-cutting institutions.

Costs have been compared during the 1952–59 era and private industry has concluded that on a cost per ton basis, the private yards are cheaper. In this respect, the private yards forget two things: First, as testified by Admiral James, public yards give priority to repair work and necessarily produce more costly new construction; second, the additional capability of public yards to handle special and technical jobs resulted in their getting tougher assignments, they could not compete for the easy low-cost work.

There is some evidence that private yards have a capacity over the past 4 years to construct ships cheaper. There are three reasons for these figures on new construction. First, Navy cost figures are not truly representative.

The Bureau of Ships provided the following information to the House Armed Services Committee:

> Turning to naval shipyard costs, it must be recognized that the cost of many of the services provided to the personnel on board ships in the shipyards, either for new construction or repair, have been funded by a military support allotment which is not charged to the costs of the industrial work performed on the ships. However, there are at least three different broad categories of services which are reflected in the cost of constructing or repairing ships.
>
> The first category stems from the military requirements for naval shipyards and includes the costs of maintaining facilities which are used only infrequently but which would be essential to meet the expanded industrial requirements arising during an emergency. Also included are the additional costs incurred because of the need to maintain a large percentage of skilled mechanics as opposed to helpers to meet both peacetime ship repair and alteration requirements and to provide an adequate nucleus on which to build an expanded work force.
>
> The second category involves the informal services naval shipyard employees are held responsible for providing to personnel on the ships presently in the shipyard. The intent of this type of service is to help the shipboard personnel increase their ability to maintain their ship and thus improve their ability to sustain effective operational capability when deployed.
>
> These services range from the loan of tools, which must be accounted for to actual informal instruction as to just how to undertake a particular job. Both productive and overhead hours expended in this type of effort find their way into the naval shipyards' cost of shipwork.
>
> The third category in which the naval shipyards are placed at a cost disadvantage involves the fact that new construction work in naval shipyards normally carries a lower priority than the repair of active fleet ships. Accordingly, the manning of the new construction work fluctuates with the changes in repair workload, productive schedules are upset, and costs rise as the result of stoppage of work and the problems attendant with starting it again.

Reference has been made to the Arthur Anderson report. While it is true the Navy paid the costs for this report, it did not control its preparation.

In the new construction section submarines were compared which the experts agree were not comparable.

In the repair, alteration, and conversion sections, conversions and alterations according to the Navy's analysis were cheaper to the Department of Defense while repairs were eight-tenths of 1 percent higher. The composite figures showed lower Navy figures according to the Navy's analysis ignoring any possible income tax savings.

It must be noted in this regard that Admiral James has repudiated his testimony of a few years ago, and the official Navy position today is that there is no cost savings by competitive private bid in the repair field.

Competitive bids on private work presents problems as was recently discussed by the Navy in a letter to my office:

> Awards are usually made on a formally advertised competitive basis. In the interest of obtaining maximum competition, bids are solicited where practicable on a split bid basis; i.e., separate bids are requested on topside and drydocking work. This enables qualified small firms which do not control a drydock to bid on the topside work. However, split bidding is sometimes not practicable because of fleet requirements. Sometimes because of urgency or for other reasons, repair work is negotiated with a specific yard. With regard to conversion work, where definitive specifications are available, contracts are usually awarded on a nationwide competitive basis. In the case of conversion of warships, however, where complex electronics and ordnance work is usually involved, naval shipyards are called upon to do the work. Preparation of detailed specifications to serve as a basis for competitive bidding is especially difficult because of the repairs involved, unlike the conversion portion of the job, cannot be fully known until the ship is opened up and equipment is taken apart and inspected. This same difficulty is applicable to repair work only and is of course present to a greater degree in the repair of complex warships.
>
> In contracting for repair and conversion work, the chief difficulty, therefore, is that in many cases only part of the work can be the subject of competition. Whether by formal advertising or negotiation, competition can be invited only on that part of the work which is known and can be specified. Subsequently, when the ship is moved to the yard of the successful bidder, the ship is opened up and the full extent of the work is ascertained. The additional work found to be needed may exceed the amount of work on which the competition and the original award was based. This additional work must be the subject of negotiation with the successful yard, which is in a very advantageous bargaining position because the ship is already in its yard and opened up. The cost of putting a ship back in operating condition and moving it to another yard usually is prohibitive. The advantages of competition on conversion and repair work thus may be subsequently nullified by change orders negotiated at a time when the Government is in a very poor bargaining position.

VERY CHEAPEST CONSTRUCTION NEVER INTENDED

Another consideration of competition is the fact that it is no secret that certain west coast yards are farther from the steel mills than the eastern yards. Wages also vary. Congress very wisely decided many years ago that blue-collar workers should be hired at a competitive local rate. There was no attempt to establish a national production worker wage scale. Wage rates at Mare Island Naval Shipyard now average $4.15 per hour, while the average worker is paid $3.75 at Portsmouth and $3.70 per hour at Charleston. It is to be anticipated by Congress, therefore, in the strategic construction of ships that there shall be nonuniformity of costs.

FOREIGN SUBCONTRACTS SCANDALOUS

There are other factors which contribute to the unfair competitive position of the private yards. A primary factor is the foreign subcontract. The Navy yards must accept the contracts as they are presented; the private yard can select the plans he wants to work on and subcontract large portions of his work to cheap foreign manufacturers. It makes little sense to subsidize 50 percent of the construction of a private commercial ship, provided the ship is used under the American flag with an American crew and constructed in a U.S. yard, but allow foreign subconstruction carte blanche on naval vessels. Part of the private yards current 35 percent has been thus frittered away.

Assistant Secretary of the Navy Kenneth E. BeLieu recently discussed this subject with my office as follows:

> In submitting its bid for the conversion of two fleet oilers (AO), which you mentioned, the Puget Sound Bridge & Dry Dock Co., Seattle, Wash., indicated that two midbody sections for the conversions would be obtained from a Japanese shipyard. It was disclosed by the firm that this acquisition would be made at a cost constituting approximately 35 percent of the total cost of all components to be used by the firm in performing the contract. This is within the 50-percent criteria established by Executive Order No. 10582 of December 17, 1954, in implementation of section 2 of the Buy American Act (41 U.S.C. 10 a–d). The Navy determined that the lowest bidder's offer was a domestic bid, conforming in all respects to the Buy American Act, as implemented, and with other requirements of law. I am enclosing a copy of a Department of Defense press release dated March 8, 1963, which announced this award. The Puget Sound firm's bid was approximately $1.6 million lower than the bid submitted by the second lowest bidder.
>
> I regret we cannot provide you with information as to the total volume of foreign subcontracts under Navy prime contracts, since the Department's records do not include this data.

Total cost of the referenced construction was $15 million. The gentleman from California [Mr. SHELLEY], has now introduced legislation to halt this practice.

MORALE VERSUS ECONOMICS

A final factor material to our discussion is the question of morale. As mentioned before, naval costs are higher in part due to the many facilities provided at public yards. These facilities include quarters, messing, physical, education, movies, libraries, churches, dispensaries, and a host of activities that comprise a small city. A post exchange and commissary is always operating, plus good security and a housing program. As a result, naval families like to settle around naval yards. There are 50,000 to 100,000 families in the San Francisco Bay area alone. It is only natural that families having an attraction inter se like to get together when the ship comes in for repairs. All naval ships have a home port. Nothing is so important to the home port as the family. It has been said that our submarines are now stronger than the men who man them. A sailor deprived of seeing his family because of some complicated Federal rule about repairs could be a liability to the Armed Forces.

Mr. BeLieu recently commented to my office on this matter as follows:

> A naval base complex, of which the naval shipyard is part, generally has adequate messing, recreation and housing facilities for crews of ships coming in for overhaul or unscheduled emergency work. These facilities are, of course, highly important in maintaining the morale of ships' forces and in minimizing the impact upon the surrounding community. Moreover, crew members are conveniently available to receive training. Most private yards competing for naval ship repair and conversion work do not maintain facilities of this kind within the shipyard confines. Ships' forces often must be billeted in hotels or other accommodations far removed from the yard. In cases where the work is of such nature where the ships' forces may remain berthed on the ship, appropriate messing, recreational, medical and dental facilities are often not conveniently accessible. Private yards may be located in remote waterfront areas where transportation is difficult.
>
> It is true that naval ships of today, especially nuclear powered ships, have far greater endurance and range than conventionally powered ships of World War II. In the interest of maintaining health and morale, the Navy tries to insure that shipboard personnel have the opportunity at regular intervals for stateside reunions with families and friends. As you know, families usually settle at or near the ship's homeport or homeyard in order that crew members may spend maximum time at home during regular overhauls. When overhaul of a ship is to be awarded competitively to a private yard, crew members do not know in advance where the ship will be assigned.
>
> In actual practice a ship may be overhauled at a considerable distance from the homeport or homeyard. This makes family reunions difficult and costly and lowers morale. To the extent that section 541 has increased the number of overhauls awarded to private yards, this situation has been aggravated.

Mr. Chairman, I point these matters out for the information of the members of the committee.

Mr. Chairman, we are not offering any amendments. I think the private yards have had their share, and I think we should give some consideration also to the public yards.

Mr. SCHADEBERG. Mr. Chairman, I ask unanimous consent that the gentleman from Kansas [Mr. SHRIVER] may extend his remarks at this point in the RECORD and include extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SHRIVER. Mr. Chairman, I rise in support of the appropriations measure which has been recommended for the Department of Defense in fiscal 1964 by the Committee on Appropriations. I have studied the committee's voluminous hearings. I support the committee's recommendations in general; although admittedly there are certain areas of the defense budget where I am not in full agreement with the committee. We all know that total agreement on a $47 billion appropriations measure, which is certain to have great impact upon the economy of most sections of our Nation, is not possible. The most important consideration today is that the committee and the membership of this House are satisfied that the United States will be able to maintain its position of military superiority over the Soviet Union.

It is my understanding that in this budget is an appropriation of $196.8 million for continuation of the modification program of our B–52 fleet. We have been assured that the B–52 and the B–58 jet bombers will continue to be operational in our strategic retaliatory forces for the next 5 years.

Mr. Chairman, it is evident that the Department of Defense is not optimistic about placing the RS–70, which originally was planned as a follow-on for the B–52, into production. There is no manned aircraft in the planning stage at this time which can replace the B–52. It is encouraging to learn that there are studies underway on three possible future types of strategic manned aircraft.

We cannot afford to "study" manned aircraft to death. I would urge the appropriate committees of the House to encourage the Department of Defense to move ahead in planning for manned aircraft which can be operational in time to replace the B–52 fleet.

In the past few weeks, we have heard our colleagues who witnessed the Paris International Air Show tell us of the aeronautical progress which other nations have made. We know that the French and the British are working together in the developemnt of a supersonic transport. They now have a lead on the United States in this field.

It is unfortunate that it must take the experience of being surpassed, or a national or international emergency, to alert us to action.

The American taxpayers who must put up the money for these record defense appropriations, and for the balance of the Federal Government's spending, should be assured that they will not end up second best in the skies.

Mr. SCHADEBERG. Mr. Chairman, I ask unanimous consent that the gentleman from Washington [Mr. STINSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. STINSON. Mr. Chairman, the main reason for the 35–65 percentage agreement is that private shipyards can convert and repair at a significantly lower cost than can the Navy shipyards. A private report prepared by Arthur Anderson & Co., one of the Nation's leading certified public accounting firms, indicated that savings to the American taxpayers will result if private shipyards are used. These savings would amount in the neighborhood of 10 to 25 percent. The Defense Subcommittee of the Committee on Appropriations adopted language that specified that no more than $355 million would be spent in private shipyards. This is an opposite position than what was recommended by the White House. The original proposal provided that not less than 35 percent of Navy ship repair work would be performed in private yards. Under the provision so offered, the Navy Bureau of Ships is not obligated to allocate as much as 1 percent to private shipyards. I might add that Secretary McNamara has also testified that he has no objection to the 35–65 clause so long as it retains the escape clause. The escape clause provides that the Secretary of Defense can waive the 35-percent requirement in the event of an emergency. The Secretary of Defense has assured the committee as mentioned in the report that 35 percent of repair and conversion will go to private yards. There has been no loss in work performed by Navy shipbuilding yards because of the 35-percent provision. For example, total shipbuilding, conversion, alteration, and repair in the fiscal year 1962 amounted to $2,892 million. In fiscal 1963, it amounted to $2,939 million. The conversion, alteration and repair only, in 1962, amounted to $732 million; in 1963, $939 million; in 1964 it will amount to $1,007 million. The amount of this work available to the Navy in 1962 amounted to $586 million. In 1963, $610 million; and in 1964, $654 million. So it is obvious that the Navy shipyards are not declining in the amount of repair and conversion work that they are performing. It is also obvious that the Navy shipyard will enjoy a greater amount of work because of the increased repair appropriations each year. Bureau of the Budget Bulletin 60–2 still binding in all agencies, civilian and military, instructs every such agency that it shall not commit nor carry on any industrial or commercial activity when the goods and services involved can be obtained from private sources.

There is a definite need for the Navy shipyards. They should be maintained for the benefit of the Nation. They have performed many valuable services for our country. They should be kept operational in case an emergency should arise. However, there has not been one single Navy yard closed since World War II. There have been at least a score amongst the private yards, including five on the Pacific coast just since 1957. In order to keep our country as strong as possible, it is also important that the private shipyards would be maintained. If the 35–65 clause is maintained, not a single Navy shipyard will close. If it is not, there is a good possibility that many more private shipyards will close, especially on the Pacific coast.

Mr. MATSUNAGA. Mr. Chairman, I rise to associate myself with the remarks of the gentleman from South Carolina [Mr. RIVERS] and to voice my opposition to any formula which mandates the Navy to contract for its work to be performed in private shipyards.

It is an accepted fact that the repair and maintenance, as well as the building, of naval ships and crafts demand the work of specialists to a greater extent than the repair, maintenance or building of commercial ships. For one thing, weaponry poses a problem for the real specialist. The problem of unforeseeable obsolescence too is constantly with the Navy. Furthermore, much of the plans and specifications for such work are classified and security can be better maintained in a naval shipyard of security-cleared workers than in a private shipyard.

It cannot be disputed that the Navy is an emergency arm which exists principally to meet exigencies which arise out of armed conflicts, limited or otherwise, and to deter other nations from hostile acts. To serve its purpose the Navy's ships must be maintained in such operable condition that they may be dispatched to any part of the world without delay. This has been done in the past by work forces in naval shipyards in this country. Pearl Harbor in my own State of Hawaii is one such shipyard.

As it has been in the past, Pearl Harbor today is the westernmost shipyard maintained by our Navy for the repair and maintenance of its ships which sail the Pacific and help to deter hostilities in and around Asia. Pearl Harbor's strategic location has served to great advantage and will continue to do so. There is no other shipyard, private or Government owned, within 2,000 miles of it.

It is highly essential, therefore, that we continue to maintain Pearl Harbor at a high level of operation where it can help the Navy to meet any emergency. The cost factor must be relegated to secondary consideration, for as in the case of a fire station, its real value lies in meeting emergent situations and in confining the spread of any conflagration.

The existence of the 65-35 formula constitutes a continuous threat to our Nation's Government-operated shipyards, including Pearl Harbor. It has been estimated that its application has already resulted in the reduction of 3,800 employees in Government-operated shipyards. The application of the 65-35 formula to Pearl Harbor will prove especially disastrous, for it will surely mean the reduction of its work force. Because there are no large shipyards other than that at Pearl Harbor in Hawaii, skilled workers when discharged leave Hawaii for the mainland United States or go into other fields of employment and become unavailable for rehiring at Pearl Harbor. This could certainly develop into a costly situation, in more ways than one.

It has become abundantly evident that both the Soviet Union and Red China envision any Pacific or Asian hostilities as nonnuclear. The Red Chinese naval forces are composed of an unlimited number of civilian junks which could serve as landing craft and transport facilities, a large number of motor torpedo boats, a few destroyers and patrol craft, and about 20 submarines.

Nikita Khrushchev in July 1961 ordered a substantial increase in Soviet military expenditures, with the bulk of the increase devoted to conventional arms, with emphasis on submarines and conventional aircrafts. An analytical article entitled "Renewed Soviet Emphasis on Conventional Arms," which appeared in the July 10, 1961, issue of the London Times, noted the increasing importance of the submarine in the Russian Navy.

Our Navy will assume a position of critical importance in the event of hostilities conducted with conventional weapons—in both the Atlantic and the Pacific Oceans, both as a deterrent force and as a ready combat force. The ready condition of Naval facilities at shipyards is as important a factor as any other in the enemy's assessment of our readiness to wage a conventional, limited war.

To reduce our naval shipyards to a point of ineffectiveness to meet any emergency by imposition of any restrictive formula would not be in the best interest of our own security.

EXTENSION OF REMARKS

Mr. MAHON. Mr. Chairman, I ask unanimous consent that all Members may extend their remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PUCINSKI. Mr. Chairman, I believe the committee should be highly congratulated for reducing the size of this appropriation by almost $2 billion for fiscal 1964.

This committee has demonstrated that while this Nation will never try to shortchange our Defense Establishment, savings can indeed be made. Two billion dollars is an awful lot of money.

I am sure the American people will join me in congratulating the committee for this sizable saving. I should also like to congratulate the committee for its excellent report which should give all Americans a good idea of how the defense dollar is spent.

There is just one shortcoming which concerns me about this report. It is conspicuously silent on two key provisions of this legislation which seriously affects our Nation's entire defense procurement system.

It is my hope that during this next year, this committee will undertake a study to see how sections 508 and 523 of this bill are being administered. Such an investigation is necessary, in my judgment, if we are to heed the message contained in President Eisenhower's farewell address when he warned against letting the military-industrial complex get out of hand.

Section 508 provides for specific benefits to small business. The last provision of section 523 states that none of the funds appropriated in this act shall be used except that, so far as practicable, all contracts shall be awarded on a formally advertised competitive bid basis to the lowest responsible bidder.

Both of these sections give individual contracting officers of the armed services tremendous powers to decide how and where the defense dollar is to be spent.

I am certain that most contracting officers are trying to do an honest and intelligent job within the procedures adopted by their service. But it is my hope that during this insuing year, we will be able to take a hard look at the procedures adopted both by the Defense Department and the Small Business Administration in carrying out these provisions of the law.

I am confident that a more intense surveillance over these procedures will lead to a more equitable distribution of the defense dollar and will help Illinois receive more defense contracts. The present procedures have repeatedly discriminated against Chicago and the Midwest in getting a larger share of the defense dollar.

I shall begin compiling a record of these procedures under which, in my judgment, Chicago industry was shortchanged.

It is my hope to present to this committee some startling examples of what strongly points to the fact that perhaps these two provisions are not being administered as they should be.

I submit that the four words "so far as practicable" contained in the last provision of section 523, have been abused and procurement contracts have not gone to the lowest bidder.

I further submit that these four words have probably been more instrumental in creating the industrial-military complex than any other single factor.

It appears to me that this committee has a responsibility to check out completely the manner in which defense contracts are being negotiated. Such an investigation will not only save the taxpayers vast sums of money, but I think may very well lead to a completely new set of rules when this legislation comes up again in 1964.

Mr. Chairman, I am confident I shall have some extremely interesting examples to present to the committee during the next fiscal year. It is my hope that as this information is made available to the committee and Congress, we will all begin to see why serious changes are needed if we are to give all industry in America an equal opportunity to share in the distribution of the defense dollar.

I am deeply concerned that Illinois is receiving less than 50 cents per capita of the total defense appropriation while other States receive anywhere from $1.15 per capita to $3.50 and $4. Chicago is the production giant of the Midwest and deserves better treatment than this. I submit an investigation of procurement procedures by the Defense Establishment would result in substantial savings to the Government.

Mr. BURKHALTER. Mr. Chairman, I ask my good colleagues to search well their individual consciences before casting their very important vote on this bill which seeks to delete the $363,700,000 which was authorized by this very body March 13 for two additional RS–70's and the necessary armaments and electronic systems to make one plane fully operational. We have given the very important task of manning the various sophisticated weapons systems to men who have dedicated their whole lives to the protection of our liberties and our free form of government. We ask them to do this each and every hour of the night and day, and yet today we are asked to turn a deaf ear on their voices when asked to reinstate the RS–70 program so as to carry it through to a completed test program in order that it might be evaluated correctly and thoroughly in the field by actual test rather than by projected theory. The minds of our various chiefs of staff filled with the best our Nation has to offer in the way of a formal education at any one of our great service academies plus the many, many years of experience not only in the laboratory of the peacetime facilities but in the more important testing laboratory of actual war and its subsequent rigorous tests on man and machine, are being disregarded completely in this request for the Department of Defense appropriation bill for 1964 which has slashed the complete amount of $363,700,000, earlier authorized by the Congress in Public Law 88–28.

I ask you to consider the carefully weighed decision of these dedicated men of our Armed Forces whose combined fact studying on the necessity of the continuation of the RS–70 program has totaled many thousands of man-hours. Their decision was not reached lightly or hurriedly.

These dedicated men are of the opinion that the RS–70 program is necessary for the best future defense of our great country. I implore, gentlemen, that you weigh the facts and backgrounds of this group as against those in opposition to this program for future manned strategic systems. I do not claim to be an expert in the field of these new and highly developed modern weapons systems. However, after gathering the information which is so important to all of us in this legislative body before we can cast an informed vote on any of these important measures and programs, I say unequivocally that in my humble opinion we should not cast our vote today to approve this partial abandonment of this very, very important program of the RS–70. I urge the full continuation of the original authorization for two additional RS–70 planes and the final research, development and test of the same. This will give us the final information we need so very much to give us a positive answer as to what these planes will enable us to do better for the protection of peace that we do not know at the present. I ask that you all join in voting to restore the full authorization voted on by this Congress earlier this year for the additional funds to carry this important RS–70 program forward to completion.

Mr. MONAGAN. Mr. Chairman, I am happy to support this appropriation bill for the Department of Defense.

Even though this bill does represent an appropriation of $47 billion we must view the size of this bill in the light of the times in which we live.

Surely, no one would want to avoid taking any steps which might, in any way, contribute to our national security.

Cheese paring is out of place when we are deliberating the measures necessary to meet the aggressive designs of the Communist world.

There is ground for satisfaction in this bill, however, since it represents a reduction of over $1.25 billion under the actual appropriations of 1963 and a cut of $1.9 billion of the budget requests. The distinguished chairman of the subcommittee, the gentleman from Texas [Mr. MAHON], assures us that these cuts will not impair our defense program in any way, and I am perfectly willing to accept this assurance.

With this bill, we will adequately meet the needs of our national security and, at the same time, we will show our regard for fiscal soundness by making reasonable reductions in the burden which we are asking our citizens to bear.

Mr. RIVERS of South Carolina. Mr. Chairman, it is my understanding from the newspapers that some board has been established by the President whose decisions will determine the future existence of certain military installations in the Nation. Whether or not discrimination is practiced will be the only yardstick.

I know of no military installation where such is practiced.

If the future existence of our military installations will hinge on a ruling from such a board, whose whimsical notion may determine there is de facto discrimination against a minority group at certain installations, then I submit this is the time when the American Nation is on its way out.

It is quite obvious to me that this is a policy designed and directed against the South.

It is incredible that this administration or any administration would hold a cannon to the heart of the economic existence of certain areas of our military structure under such an obvious political program.

If we are to be told in the future that this is the way our Defense Department will operate, then I submit the Armed Service Committees of both branches of the Congress should take adequate steps in future Department of Defense legislation to see to it that our people south of the Mason-Dixon line will not be plunged into submission by forces determined to destroy the age-old and ageless traditions of the South.

Mr. CANNON. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I ask unanimous consent to proceed for 10 minutes, and to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON. Mr. Chairman, the committee is to be congratulated on this bill. It meets the situation as effectively as possibly could be done under the circumstances which confront us.

The distinguished gentleman from Texas [Mr. MAHON], the chairman of the subcommittee, is to be especially felicitated on the manner in which he has handled the bill both in the committee and on the floor.

In my opinion, he knows more about the needs covered by the bill than anybody on the Hill or in the Pentagon. He is an experienced parliamentarian, a practical administrator, and an expert diplomat. He secures results with the least friction of any man I know and that has been particularly true of the handling of this bill.

Mr. Chairman, this bill and the report on this bill mark a new and commendable development. When the final draft was before the subcommittee, it was realized that its significance transcended that of most bills to come before the House in this session of Congress, in that it is in effect a declaration of policy on national defense and international relations, and as such will be taken by the world, by our allies and by our enemies, as an indication of the attitude of the Congress, the administration, and the people of the United States on the course to be followed during the coming year at least.

With this in view the subcommittee agreed unanimously to report the bill with complete agreement on both sides of the aisle, and in accordance with that agreement it comes to the floor with the support of every member of the committee.

Of course, no such bill is entirely agreeable to everybody, but this bill has been so drafted as to come as near being such a bill as general agreement on the part of the committee could make it. The entire committee, composed of experienced men, naturally of many diverse opinions on minor features of the program and its achievement, present this bill for the final consideration of the House. They offer no individual amendments and it is hoped that the Members of the House will accept it and pass it with the same considered unanimity.

By way of résumé, the purpose is to support the President of the United States as the leader and spokesman of the Nation and insofar as this legislation is concerned to support the position he has taken and which he is taking and which he will take in any emergency that may arise in this connection. It is indicative of our unqualified endorsement of our Military Establishment and is to be taken as a token of our determination to support free government both at home and abroad.

The CHAIRMAN. The time of the gentleman from Missouri [Mr. CANNON] has expired.

Mr. CANNON. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON. Mr. Chairman, the several references to Secretary McNamara, the Secretary of Defense, during the course of the debate is directly in point. He is, during war and undeclared war, the most important of the President's advisers. And under his wise and stringent administration the traditional American policy of civilian control has been fully maintained.

Through the years the position has been held by some of our ablest statesmen. But too often they have been mere figureheads. The generals and admirals dictated and the Secretaries of Defense signed on the dotted line.

Generals and admirals always insist on fighting the next war with the weapons of the last war. Symbolically the generals cling to the cavalry and Maginot lines and the admirals to dreadnaughts and carriers. Realists like Gen. Billy Mitchell, Secretary Talbott, Admiral Rickover and all who urged development of missiles and nuclear submarines have been ignored and persecuted and Russia is today 3 years ahead of us. Only the nuclear-driven, missile-firing submarine perfected by Admiral Rickover against every obstacle is keeping the peace of the world.

President Kennedy and Secretary McNamara are at last bringing order to the Pentagon and security to the Nation and have the approval of the committee and, I trust the approval of the House.

Some fear has been expressed here this afternoon that we may not be providing for enough men. If the fortunes of the war are to be determined by the number of divisions in the field then we are hopelessly outclassed by China and Russia. But modern warfare is no longer a matter of massed troops. War is today a matter of mechanics and chemistry. Getting there "fustest with the mostest" is a long since discarded strategy.

This bill gives us what we need and where we need it. It is to be hoped that the House will give the bill and the committee and the President and the Secretary a unanimous vote of approval.

Mr. GILL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I merely want to concur in the sense of the remarks made by the gentleman from South Carolina [Mr. RIVERS] in regard to the problem of the 35–65 ratio. I think it can be said that we are greatly encouraged by the language which the chairman and the committee have put in the bill this year. I think it is an improvement.

I think that the chairman's statement that there will be no attempt and there is no intention to cut down the mobilization potential of our Navy shipyards is certainly very encouraging as well. As a representative of the only Navy yard in the middle of the Pacific, I think this is important not only to us in Hawaii but to you as well.

I would like to take just a minute to quote from "Scripture," the scripture being the Anderson report, in regard to conversions, repairs, and alterations. These, of course, are prime functions of most of the Navy yards and certainly the functions of Pearl Harbor. The Anderson report says on page 5 of the summary under the title "Ship Conversions":

> Since the percentage differentials are small and the adjustments required to establish comparability are both large and unusual, we can reach no conclusion with respect to the relative costs of these conversions.

The Anderson report, under "Ship Repairs" on the same page, has this to say:

> We found in our study that it was not possible to establish reasonably comparable work performed on specific ships for either a total ship overhaul or specific work items.

The Anderson report goes on to say on page 7, under the heading "Ship Alterations":

> Based on comparisons for 149 occurrences of 28 different ship alterations, it appears that there were no significant differences between naval and private shipyard costs.

Mr. Chairman, I think that states our case very well. We have a definite and important function in our public yards. We hope that under the new language of this bill the public yards will continue to thrive and even prosper.

Mr. MAHON. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. KEOGH, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 7179) making appropriations for the Department of Defense for the fiscal year ending June 30, 1964, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The question is on the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. MAHON. Mr. Speaker, on this vote I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 410, nays 1, not voting 22, as follows:

[Roll No. 91]

YEAS—410

Abbitt
Abele
Abernethy
Adair
Addabbo
Albert
Alger
Anderson
Andrews
Arends
Ashbrook
Ashley
Ashmore
Aspinall
Auchincloss
Ayres
Baker
Baldwin
Baring
Barrett
Barry
Bass
Bates
Battin
Becker
Beckworth
Beermann
Belcher
Bell
Bennett, Fla.
Bennett, Mich.
Berry
Betts
Blatnik
Boggs
Bolton, Frances P.
Bolton, Oliver P.
Bonner
Bow
Brademas
Bray
Brock
Bromwell
Broomfield
Brotzman
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Bruce
Burke
Burkhalter
Burleson
Burton
Byrne, Pa.
Byrnes, Wis.
Cahill
Cameron
Cannon
Carey
Casey
Cederberg
Celler
Chamberlain
Chelf
Chenoweth
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Conte
Cooley
Corbett
Corman
Cramer
Cunningham
Curtin
Daddario
Dague
Daniels
Davis, Ga.
Davis, Tenn.
Dawson
Delaney
Dent
Denton
Derounian
Derwinski
Devine
Diggs
Dingell
Dole
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan
Dwyer
Edmondson
Edwards
Elliott
Ellsworth
Everett
Evins
Fallon
Farbstein
Fascell
Feighan
Findley
Finnegan
Fino
Fisher
Flood
Flynt
Fogarty
Ford
Foreman
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gary
Gathings
Gavin
Giaimo
Gibbons
Gilbert
Gill
Glenn
Gonzalez
Goodell
Goodling
Grabowski
Grant
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Hagen, Calif.
Haley
Hall
Halleck
Halpern
Hanna
Hansen
Harding
Hardy
Harris
Harrison
Harsha
Harvey, Ind.
Harvey, Mich.
Healey
Hébert
Hechler
Hemphill
Henderson
Herlong
Hoeven
Hoffman
Holifield
Holland
Horan
Horton
Hosmer
Huddleston
Hull
Hutchinson
Ichord
Jarman
Jennings
Jensen
Joelson
Johansen
Johnson, Calif.
Johnson, Wis.
Jonas
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
Keith
Kelly
Keogh
Kilgore
King, Calif.
King, N.Y.
Kirwan
Kluczynski
Knox
Kornegay
Kunkel
Kyl
Laird
Landrum
Langen
Lankford
Latta
Leggett
Lennon
Lesinski
Libonati
Lindsay
Lipscomb
Lloyd
Long, La.
Long, Md.
McClory
McCulloch
McDade
McDowell
McFall
McIntire
McLoskey
McMillan
Macdonald
MacGregor
Madden
Mahon
Mailliard
Marsh
Martin, Calif.
Martin, Nebr.
Mathias
Matsunaga
Matthews
Meader
Michel
Miller, Calif.
Miller, N.Y.
Milliken
Mills
Minish
Minshall
Monagan
Montoya
Moore
Moorhead
Morgan
Morris
Morse
Morton
Mosher
Moss
Multer
Murphy, Ill.
Murray
Natcher
Nedzi
Nelsen
Nix
Norblad
Nygaard
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill
Osmers
Ostertag
Passman
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pike
Pilcher
Pillion
Pirnie
Poff
Pool
Powell
Price
Pucinski
Purcell
Quie
Quillen
Rains
Randall
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rich
Riehlman
Rivers, Alaska
Rivers, S.C.
Roberts, Ala.
Roberts, Tex.
Robison
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Rooney
Rosenthal
Rostenkowski
Roudebush
Roush
Roybal
Rumsfeld
Ryan, Mich.
Ryan, N.Y.
St. George
St Germain
St. Onge
Saylor
Schadeberg
Schenck
Schneebeli
Schweiker
Schwengel
Scott
Secrest
Selden
Senner
Shelley
Sheppard
Shipley
Short
Shriver
Sibal
Sickles
Sikes
Siler
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, Va.
Snyder
Springer
Staebler
Stafford
Staggers
Steed

Stephens
Stinson
Stratton
Stubblefield
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, La.
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Thornberry
Toll
Tollefson
Trimble
Tuck
Tupper
Tuten
Udall
Ullman
Utt
Van Deerlin
Vanik
Van Pelt
Waggonner
Wallhauser
Watson
Watts
Weaver
Weltner
Westland
Whalley
Wharton
White
Whitener
Whitten
Wickersham
Widnall
Williams
Willis
Wilson, Bob
Wilson, Charles H.
Wilson, Ind.
Winstead
Wright
Wydler
Wyman
Young
Younger
Zablocki

NAYS—1

Curtis

NOT VOTING—22

Avery
Boland
Bolling
Brooks
Brown, Calif.
Buckley
Colmer
Forrester
Hawkins
Hays
Jones, Mo.
Kilburn
Martin, Mass.
May
Morrison
Murphy, N.Y.
O'Brien, Ill.
Poage
Rodino
Roosevelt
Thomas
Vinson

So the bill was passed.

The Clerk announced the following pairs:

Mr. Buckley with Mrs. May.
Mr. O'Brien of Illinois with Mr. Kilburn.
Mr. Rodino with Mr. Avery.
Mr. Roosevelt with Mr. Martin of Massachusetts.
Mr. Morrison with Mr. Hawkins.
Mr. Murphy of New York with Mr. Thomas.
Mr. Hays with Mr. Forrester.
Mr. Brooks with Mr. Colmer.
Mr. Boland with Mr. Brown of California.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks in the RECORD on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MAHON. Mr. Speaker, I ask unanimous consent that Members speaking on the bill today may revise and extend their remarks and include tables and pertinent excerpts.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

DENMAN, ET AL. v. McCORMACK, ET AL.

The SPEAKER laid before the House the following communication:

DEPARTMENT OF JUSTICE,
Washington, June 24, 1963.

Hon. JOHN W. McCORMACK,
House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: As you are aware, this Department had been requested to represent you and the other Congressmen and House administrative officials named as defendants in *Denman, et al.* v. *McCormack, et al.,* civil action No. 62–434–J, district of Massachusetts. On May 24, 1963, an order was entered in the U.S. District Court for the District of Massachusetts dismissing this suit.

The dismissal was based on the voluntary motion of the plaintiffs, who are presently parties to a similar suit brought by the NAACP in the District of Columbia. The latter suit, however, does not name congressional personnel as defendants.

Our file in the Massachusetts action has now been closed.

Sincerely yours,
JOHN W. DOUGLAS,
Assistant Attorney General.

(Copies to Hon. William H. Bates, House of Representatives, Washington, D.C.; Hon. James A. Burke, House of Representatives, Washington, D.C.; Hon. Laurence Curtis, House of Representatives, Washington, D.C.; Hon. Hastings Keith, House of Representatives, Washington, D.C.; Hon. Thomas J. Lane, House of Representatives, Washington, D.C.; Hon. Torbert H. Macdonald, House of Representatives, Washington, D.C.; Hon. Joseph W. Martin, Jr., House of Representatives, Washington, D.C.; Hon. F. Bradford Morse, House of Representatives, Washington, D.C.; Hon. Thomas P. O'Neill, House of Representatives, Washington, D.C.; Hon. Ralph R. Roberts, House of Representatives, Washington, D.C.)

CONTINUING REDUCTION OF EXEMPTION OF DUTY ENJOYED BY RETURNING RESIDENTS

Mr. ALBERT. Mr. Speaker, on behalf of the gentleman from Arkansas [Mr. MILLS], I ask unanimous consent that the conferees on the part of the House have until midnight tonight to file a conference report on the bill (H.R. 6791) to continue for 2 years the existing reduction of the exemption of duty enjoyed by returning residents, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

LOWER NIOBRARA RIVER AND PONCA CREEK COMPACT

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. BEERMANN. Mr. Speaker, there is a great deal of precedent for the formation of interstate compacts covering water rights. Quite recently our attention was drawn by a decision of the Supreme Court to the famous compact covering the Colorado River. This and other compacts have been in effect for many years. A fairly recent addition to this list was a compact between the States of Nebraska and Wyoming called the Upper Niobrara River compact.

Since the Niobrara River continues through much of Nebraska and empties into the Missouri River, some questions arise as to proper apportionment of the waters of the tributaries of the Niobrara. To accomplish this apportionment a compact between the States of Nebraska and South Dakota has been ratified by the legislatures and approved by the Governors of both States. This compact will also cover the waters of Ponca Creek and therefore is entitled "Lower Niobrara River and Ponca Creek Compact."

Due to language of article 1, section 10 of the Constitution, it is necessary to obtain the consent of Congress before a state may enter into an agreement or compact with a sister State. In 1961, I introduced a bill to obtain the consent of Congress to this compact. Unfortunately, no action was taken.

Therefore, Mr. Speaker, as the needs in this area are still existent, I will again seek the consent of Congress by the introduction of this bill.

LEGISLATIVE PROGRAM FOR REMAINDER OF WEEK AND WEEK OF JULY 1

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I take this time to inquire of the majority leader as to the program for the balance of the week, and, if he can tell us something about next week, which of course is the Fourth of July week, we would all appreciate it.

Before I yield to the gentleman, may I say I had expressed the hope to you, Mr. Speaker, and to the majority leader, that, with regard to the program next week, while we would not be in recess and there would be enough Members here to take care of what might necessarily come before the House, Members might have some assurance that they could take some time off next week. I am sure that would be most agreeable to many of us. Certainly in view of the fact that we are going to be here for what appears to be a rather lengthy session, I just want to make this observation in order that on the RECORD I might express my view and what I am quite sure is the view on our side as to the situation.

I now yield to the gentleman from Oklahoma.

Mr. ALBERT. In response to the gentleman's inquiry, as previously announced on tomorrow the gentleman from Arkansas [Mr. MILLS] the chairman of the Committee on Ways and Means, will call up a number of bills the numbers of which have been published in the RECORD. I understand the gentleman from Arkansas will also call up a conference report, with respect to the filing of which unanimous consent was obtained just a few minutes ago.

We are hopeful that we will not have any further legislative business after we adjourn tomorrow until a week from Monday. We do not plan to program any legislative business for next week. We do expect to have up important business immediately on returning a week from Monday next. The program will be announced tomorrow. The program for the week of July 8, will include, of course, taking up the rule sending to conference the Export-Import Bank bill, providing a rule is obtained. I say that because we do expect to get a rule tomorrow, and we expect to take that matter up a week from next Monday or Tuesday.

Mr. HALLECK. May I say to the gentleman, if he will permit me at this point, that I have talked with a majority of the members of the Committee on Rules on our side, and they expect to be at the Rules Committee meeting tomorrow to report out a rule to send that bill to conference. That, of course, is on the assurance that the matter will not come up until the week after next, at which time we will have an opportunity to take whatever action is deemed necessary or advisable. I might say, as I am sure the majority leader understands, all of us are very hopeful that the operation of the Export-Import Bank will not be seriously curtailed by this slight delay in considering the conference report.

Mr. ALBERT. I would say to the gentleman, it is also my understanding that Members on this side of the aisle, I think generally, are anxious to have next week off. In view of the fact that we have been quite busy—we passed a very important bill today—and since it is planned not to program any legislative business for next week and in view of the further fact that we intend and expect to finish such program as has been announced tomorrow, I will ask that when the House adjourns tomorrow, it adjourn to meet on Monday next.

ADJOURNMENT OVER

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns tomorrow, it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

LEGISLATIVE PROGRAM

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I should like to ask the distinguished majority leader what is being done about the Consent Calendar and the Private Calendar.

Mr. ALBERT. It is our intention to ask that the Consent Calendar and Private Calendar go over until Monday and Tuesday, a week, respectively, and also that any suspensions that may be in order go over to Monday, July 8.

LEGISLATIVE PROGRAM—CONSENT CALENDAR AND SUSPENSIONS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Consent Calendar and any suspensions that are in order on Monday next may go over to Monday, July 8.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

LEGISLATIVE PROGRAM—PRIVATE CALENDAR

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the call of the Private Calendar may go over until a week from Tuesday, to July 9.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

MEDWAY'S 250TH ANNIVERSARY

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, this week marks the 250th anniversary of the incorporation of the town of Medway, Mass., in my district and I am highly privileged and honored to direct the attention of the House to the special resolution I am sponsoring to extend congratulations and greetings to this historic Massachusetts community on this outstanding event.

Actually, the history of Medway goes further back in time than the 250 years of progress which are being celebrated this week with impressive exercises. Medway is located in an area of Massachusetts which was settled by pioneer colonists in the very earliest days of American history. In fact, Medway can trace its beginnings to 1657 and the early establishments which grew up along the Charles River as the colonists sought fertile lands for their crops and new homes for their families. First, it was Boston then Cambridge at the mouth of the Charles and as the population increased, new settlements advanced slowly along the river: Watertown, Brookline and Dedham including Needham and Medfield.

Courageous bands of early settlers carved out Medway from the wilderness and today many descendants of these pioneers still reside in the community. George Fairbanks was the first to settle in the territory and town records show that his descendants to the seventh generation resided on the family farm.

These brave settlers helped to establish a civilization, a tradition, a way of life, and a history which live to this very day in the heritage which is so fortunately ours.

These early settlers of Medway helped to establish for all America the basic institutions of democratic government. They helped to forge a record of magnificent achievement that lives to this day.

It is therefore fitting, Mr. Speaker, that the House take note today of the struggles and bitter sacrifices of the pioneer people of Medway so that we and our posterity may benefit from the remarkable legacy of accomplishment these early settlers have left us.

It is not possible for me in these brief remarks to recite in full the glorious history of Medway and its many distinguished citizens, but I would like to bring to the attention of my colleagues some of the highlights of this progressive community which I have the great honor to represent in the Congress.

Like most New England communities, Medway was built up by bitter sacrifice, heavy toil and superb courage in the face of obstacles and disappointments. When the embattled farmers of Lexington and Concord on April 19, 1775, spread the alarm in their cry for freedom, Medway with 37 men and West Medway with 36 men were among the first to respond to the call for aid. These minutemen immediately marched for Roxbury for service where needed.

Before peace was proclaimed on April 19, 1783, Medway had lost 13 men in the Revolution out of its 800 population and the town was left with a $30,000 debt from costs of the war. Medway lost 52 of her sons in the Civil War from a population of 3,600. In World Wars I and II and in the Korean war, the men of Medway fought gallantly on far battlefronts all over the world. Their patriotism in all these great conflicts was an all-embracing constantly felt resolution to defend, develop and protect their sacred birthright.

It is from the town of Medfield that the General Court of Massachusetts on October 25, 1713, set off Medway on the western side of the Charles as a separate township. At the time of incorporation, Medway had a total of 9 families and a population of 45, mostly engaged in farming.

Located in a territory originally belonging to the Nipmuck Indians, a powerful tribe holding what has now become Worcester and Middlesex Counties, Medway has grown from this small settlement, often beset by Indian raids, to the thriving and active community it is today with about 6,200 people, busily engaged in such manufacturing enterprises as the awl and needle department of the giant United Shoe Machinery Corp., the Sanford Mill & Textile, Veritas Chemical Co., and others.

While primarily an agricultural community in its early days, Medway gained early fame for industrial enterprises which had their beginnings in the town. History shows that the waters of Chicken Brook in West Medway about 1825 powered the Duncan Wright woolen mill, from which grew the great and prosperous carpet shops of Lowell after the transfer of this work to that large textile center.

Medway early in the last century was the home of the famed Holbrook bells. The Holbrook bell foundry, set up in Medway by Maj. George Holbrook, claimed succession from Paul Revere's original bell foundry and during 1816–25, the Medway bell enterprise was the only one of its kind in the country. In 1880, the Holbrook patents and franchise were sold to a San Francisco group, but during its existence in Medway more than 11,000 bells were cast and sent to all parts of the world.

The first census of Massachusetts was taken in Medway in 1765, upon orders of the general court, the previous year, directing each town to make a periodic census of its people. The Medway census total that year showed a population of 785. A little more than 100 years later, the 1880 census showed 3,956 residents. Today, about 6,200 reside in the town.

Medway is the birthplace of the author, William T. Adams, better known as Oliver Optic, the famed writer of boys stories. In all, Optic wrote more than 100 volumes and the sales of his books exceeded 1 million copies. Many have become collectors' items.

The early founders of Medway were a devout and patriotic people. They placed their faith in their God and their reliance in the developing strength of their free institutions and their courageous fellow citizens. As the little settlement grew, the people of Medway zealously pursued the arts of agriculture and husbandry, wringing from the rock-strewn soil a meager hard-earned living for themselves and their families while nurturing a wholesome, loyal, family life.

They encouraged learning, the arts and sciences and diligently embraced education as a means of securing better leadership and developing their meager resources. They practiced thrift and were not confounded by grandiose schemes and economic ventures which bear the stamp of the paternalistic governments of today.

By town vote on May 28, 1783, Medway registered its opposition to unwise spending in these words, taken from the town records:

> We earnestly recommend the greatest economy and frugality with regard to the expenditure of publick monies.

Two years earlier, on May 30, 1781, Medway instructed its representative to the general court to favor a public accounting of all disbursements, reminding him that "all persons intrusted with public moneys be required to account for them."

Present-day Medway has many outstanding leaders imbued with this devotion to basic values and fundamental institutions in promoting the common interest of the town. I am exceedingly proud that this great community and its leaders and its loyal people are now part of the Third Congressional District, which I am honored and privileged to serve in Washington, and I am pleased indeed to pay deserved tribute today to the civic spirit and patriotic fervor of this outstanding community and its fine people. I am highly privileged to hail, salute, and heartily congratulate the leaders and people of this warm-hearted, hard-working, and charming New England town.

Mr. Speaker, in observance of its 250th anniversary, Medway is holding an elaborate program of events which will feature a huge 3-hour parade this Saturday, June 29. Another anniversary celebration highlight features a historical pageant staged at Legion Field with a large local cast in full period costumes to depict the growth and development of Medway from 1713 to the present century.

This well-rounded program of anniversary activities met with the enthused and wholehearted cooperation of the entire Medway community and many hours of planning and hard work have gone into making Medway's anniversary a most memorable occasion. This spirit of cooperation and civic pride is one of the great qualities of the people of Medway throughout the many generations which have transpired since the founding of the town. It is to these people, from the beginning to the present, that we pay our tribute today for what they have done in each succeeding generation down to this very hour to make this town the outstanding progressive community that it is.

Mr. Speaker, I am privileged to sponsor in the House the special resolution, extending congratulations and greetings to Medway and its people on their 250th anniversary. Under leave to extend my remarks, I include the text of my resolution in the CONGRESSIONAL RECORD.

The material follows:

H. RES. 414

Whereas the year 1963 marks the two hundred and fiftieth aniversary of the incorporation of the town of Medway, Massachusetts; and

Whereas from the time of its settlement in 1657 the people of Medway have figured conspicuously in the founding, growth, and defense of this Nation; and

Whereas the observance of the two hundred and fiftieth anniversary of Medway is being celebrated June 22 through 29, 1963, with impressive community ceremonies, large public gatherings, and widespread participation of Massachusetts citizens and visitors from other States and places; and

Whereas Medway is a beautiful community rich in historic interest, well known for its patriotic contributions, noted for its many famous sons and daughters who distinguished themselves in many fields of endeavor and many facets of American civilization: Now, therefore, be it

Resolved, That the House of Representatives extends its greetings and felicitations to the people of Medway, Massachusetts, on the occasion of the two hundred and fiftieth anniversary of this community and the House of Representatives further expresses its appreciation for the splendid services rendered to the Nation by the citizens of Medway during the past two hundred and fifty years.

CREDIT AGAINST FEDERAL INCOME TAX FOR TUITION FOR HIGHER EDUCATION

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. CLANCY] may extend his remarks at this point and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. CLANCY. Mr. Speaker, I am today introducing legislation to provide a credit against Federal income tax for tuition paid by individuals to institutions of higher education. This legislation would also allow tax credit for charitable contributions made by individuals and corporations to colleges and universities.

Tax relief proposals of this type seem to be at last gaining the serious attention they merit. Numerous bills have been introduced in the 88th Congress to provide assistance for higher education through such fiscal devices as tax deductibility, tax credit, or additional exemptions.

I have carefully studied the various approaches to dealing with the problem of rising educational costs, and in my estimation a tax credit provides the soundest and fairest assistance to those who are financing these costs.

I believe the need for such assistance is clear. The rising costs of higher education have put a college education beyond the reach of many students of high ability who are unable to meet these expenses. Others are able to begin college studies but subsequently find it necessary to drop out for financial reasons. This is not only a loss to the individual; it is a loss to the Nation as well.

Admittedly, this tax credit proposal will not eliminate all the financial burdens of obtaining a college education. It will, however, provide an incentive for remaining in school and help millions of parents provide a college education for their children. Especially deserving of such relief are families with relatively low incomes who make many sacrifices to send their children to college.

Under the provisions of my bill, the maximum amount of credit allowed a taxpayer for tuition expenses paid for his own education, that of his spouse or legal dependents, shall not exceed $400 for each individual.

The assistance provided by this bill is free from Federal control, both substantive and procedural, over educational policies. Moreover, there would be no need to expand the Federal bureaucracy to administer the program. And finally, no distinction is made between public or private universities and colleges.

In order to adequately serve their ever-increasing enrollments, this Nation's colleges and universities must continue to expand their facilities and faculties. It is well known that tuition furnishes only a fraction of a university's operating expenses. For financial assistance, they will turn to their alumni and friends for contributions.

To encourage such charitable giving, I have included a provision in my bill to allow tax credit for contributions made by individuals and corporations to institutions of higher education. This type of assistance is preferable to comprehensive Federal aid and is more in keeping with our traditions.

We can no longer ignore the pressing need for legislation of this type. I am hopeful that the 88th Congress will encourage the people of this Nation to finance their own educational system by granting tax relief for educational purposes.

CITIZEN'S WORKSHOP ON CRITICAL ISSUES BY REPUBLICAN CITIZEN'S COMMITTEE SETS FINE EXAMPLE

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHWENGEL] may extend his remarks at this point and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, on June 13, 1963, the Republican citizen's committee held a citizen's workshop on critical issues at Hershey, Pa. Stimulating and fruitful discussions were held on four main topic areas: Maintaining world leadership and peace, including such subjects as developing a strong and consistent policy to deal with Communist aggression, Cuba; reestablishing strong ties with our allies; the foreign aid program; our economic well-being including tax policy, Government spending and the mounting national debt; a sensible farm program; urban congestion; individual rights, responsibilities, and moral values including equal treatment under law for all citizens, the rising incidence of crime and lack of respect for law, raising the standards of conduct in public life; and the Democratic political strategy including the Kennedy administration's campaign promises versus current performance, and the use of controlled or fabricated news as an instrument of political power.

The discussion was led by Gen. Dwight D. Eisenhower and C. Wrede Petersmeyer, chairman of the workshop committee.

I hope that this fine example of citizen participation and education will serve as a pattern for many programs and workshops of a similar nature. The American people have the right and the responsibility to be informed and articulate on the problems which affect them as individuals and as a nation.

COORDINATED AND SYSTEMATIC REVIEW OF GRANTS-IN-AID

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Lindsay] may extend his remarks at this point and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. LINDSAY. Mr. Speaker, I am pleased to join my distinguished colleagues, the gentleman from North Carolina [Mr. Fountain] and the gentlewoman from New Jersey [Mrs. Dwyer], in introducing a measure to establish a coordinated and systematic review of grants-in-aid.

Grants-in-aid have become a permanent feature of the assistance that the Federal Government extends to the States and local units of government. Begun in 1862 the program has continued to grow, increasing in scope especially after World War II. In 1961 the Advisory Committee on Inter-Governmental Relations estimated that the value of these grants for major categories of aid would reach $7.3 billion in 1962. Grants-in-aid thus constitute an increasingly significant proportion of State and local revenues; in some States the proportion is well over 20 percent.

The grants-in-aid program is an excellent tool for cooperation between governments, but it is also beset with several serious problems. First, once established, the grants tend to remain permanent. After a few years, the States or local governments count on this revenue and do not voluntarily refuse it even after a grant sufficiently solves the problem for which it was originally given. Second, grants-in-aid, which remain unchanged in scope for more than a few years' duration, are often no longer appropriate for the varying problems which face our local governments.

We must not allow funds from the Federal Treasury to be used ineffectively; we must not permit waste. It is the duty of every Congressman to assure himself that national revenues are properly employed.

Therefore, to insure the effectiveness of grants-in-aid, to facilitate necessary revision and redirection, to permit the termination of grants which are no longer required to deal with problems for which they were first appropriated, I propose that we establish a mandatory congressional review for future grants and that we make this review periodic and uniform.

The bill includes the following provisions:

First. A grant with no expiration date which is given to two or more States or local governments will expire on June 30 of the fifth calendar year.

Second. Appropriate congressional committees shall conduct studies of grants-in-aid that have been authorized for 4 or more years to determine the validity of the continuation of the grants. A committee will begin its study during the year immediately preceding the expiration date of the grant, and it will submit its report to its respective House not later than 90 days before that date.

At this time may I commend my colleagues, the distinguished gentleman from North Carolina [Mr. Fountain] and the distinguished gentlewoman from New Jersey [Mrs. Dwyer], for their diligent and most worthwhile efforts in originating this bill in the Inter-Governmental Relations Subcommittee.

This bill presupposes no value judgment of the grants-in-aid program. To assure that the grants best serve their purpose is my only concern. It is my hope that the House will honor my concern, that it will pass this bill.

FREEMAN FARM TOUR

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent that the gentleman from North Dakota [Mr. Short] may extend his remarks at this point and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SHORT. Mr. Speaker, on June 22, last Saturday, the Secretary of Agriculture, Orville Freeman, announced he was leaving Washington, July 13 for a month-long tour of farming areas in the Soviet Union, Rumania, Bulgaria, Poland, and Yugoslavia. He will be accompanied by Department experts in the field of science, economics, and foreign agriculture. According to the press announcement, the U.S. Department of Agriculture party will leave Washington and fly directly to Moscow. Two weeks of the month-long trip will be spent in the Soviet Union and apparently the balance of the time will be spent in Soviet satellite countries.

May I observe, Mr. Speaker, that the critical situation facing the American wheatgrowers, and the entire cotton industry here at home, could better occupy the serious attention of the Secretary of Agriculture and his experts at this time?

Further, Mr. Speaker, why this interest on the part of our Secretary of Agriculture in agricultural policy in Communist countries? It is a well-demonstrated fact that compulsory socialized agriculture—as found in Russia and Communist China—does not compare favorably with the productivity of a free agriculture such as we are trying to maintain in America. I think we may well ask the question "What can our Secretary of Agriculture learn from Russia, and the other Communist countries he has announced his intention of visiting?"

Some who have seen the notice of the Freeman farm tour through Communist-bloc countries have been unkind enough to ask if Secretary Freeman could possibly be trying to learn good farming methods from the Soviets or if he was making the trip to learn better how to go about collectivizing farms, or even more unkindly, how to win farmer referendums. In view of some of the criticism, it might be well for the Secretary to make sure proper attention is given to the cotton industry and the American wheat farmers needs before his July 13 takeoff date.

In any event, I hope Mr. Freeman will see fit to give a full report to the American people on his return.

Today, Secretary Freeman, according to a press story on the wire, indicated that there will be no request for new legislation at this session of Congress. Is his visit to Communist countries and refusal to consider more moderate wheat legislation, such as some of us have introduced in Congress, the Secretary's way of chastising farmers for their refusal to accept his certificate wheat program?

I must say that I am shocked at this evidence of utter disregard for American farmers displayed by a member of the Cabinet of this administration.

INTERNATIONAL LABOR ORGANIZATION CONFERENCE

Mr. AYRES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. AYRES. Mr. Speaker, having just returned from the International Labor Organization Conference at Geneva, I have received many inquiries from Members as to my observations of that Conference. I have requested one-half hour tomorrow under a special order to explain to the Members just what I saw and to make my recommendations as to what I believe should be done regarding the International Labor Organization in the future.

DEPARTMENT OF LABOR—BUREAU OF EMPLOYMENT SECURITY DEFICIENCY

Mr. LAIRD. Mr. Speaker, I ask unanimous consent to address the House for

1 minute, to revise and extend my remarks, and to include tables and other extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. LAIRD. Mr. Speaker, I made a few remarks yesterday regarding a deficiency of funds to operate the State employment security offices. These remarks, and a table I placed in the RECORD, appear on page 11461.

Apparently, at about the same time I was making these remarks, the Bureau of Employment Security was preparing a new report on the situation. I received this report just a few hours ago.

The tabular report of the Bureau of Employment Security that I placed in the RECORD yesterday was dated June 18. The report the Bureau prepared yesterday indicates that the situation is only about half as bad. If we can look forward to continued betterment of the situation between yesterday and the end of the fiscal year at the same rate as prevailed between the 18th and the 25th, we will have no deficit at all. At least it seems rather obvious that the request for supplemental funds that the administration sent to the House just 3 days ago is already out of date.

So that all Members may know what is the Bureau's current assessment of the situation, and see the improvement in their prognosis, I will place in the RECORD the report of June 18 followed by the report of yesterday, June 25.

The reports follow:

Department of Labor, Bureau of Employment Security—State fund deficiencies based on allocations from available funds and State estimated required staff adjustments, June 18, 1963

	State estimated deficiency [1]	Personnel reduction required to absorb deficits	
		Number	Duration
Alabama	$66,000	758	1 week.[2]
Alaska			
Arizona ES	34,000		
Arizona UI	20,000		
Arkansas			
California	[3] 800,000		
Colorado			
Connecticut Appeals	1,400		
Connecticut Agency			
Delaware			
District of Columbia ES			
District of Columbia UI			
Florida	97,000	1,206	2 weeks.[2]
Georgia	95,000	798	1 week.[2]
Guam			
Hawaii	20,000		([4]).
Idaho			
Illinois	80,854		
Indiana	73,604		
Iowa	65,000	515	1 week.[2]
Kansas	20,000	150	Do.
Kentucky	165,000		
Louisiana	70,000	387	2 weeks.[4]
Maine			
Maryland	55,000	369	([5]).
Massachusetts			
Michigan	170,400		([6]).
Minnesota			
Mississippi	47,000	516	1 week [2]
Missouri	51,900		
Montana	10,000	44	2 weeks
Nebraska			
Nevada	35,000		
New Hampshire	500		
New Jersey	270,000	1,504	Do.[4]
New Mexico	15,000	66	Do.
New York	613,000	3,540	Do.
North Carolina			
North Dakota ES			
North Dakota UI			
Ohio	273,000	2,762	6 days.[2]
Oklahoma	70,000	300	2 weeks.[4]
Oregon	38,388	700	2 days.
Pennsylvania	288,000	1,632	10 days.
Puerto Rico	40,200	330	2 weeks.[4]
Rhode Island Agency	4,000		
Rhode Island Treasury	1,400		
South Carolina	88,000	553	7 to 8 days. [2]
South Dakota			
Tennessee	54,000	848	1 week [2]
Texas	82,000	465	2 weeks.
Utah	43,600	156	1 week.
Vermont	14,000	55	Do.
Virginia	24,500		([4]).
Virgin Islands			
Washington	73,780	1,000	3 days.
West Virginia			
Wisconsin	30,329		
Wyoming			
Total	4,000,855	18,654	

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[1] Estimates received by wire from individual States as of June 15, 1963.

[2] Entire agency must be closed.

[3] Bureau estimate (no wire received from State).

[4] Layoff ineffective as leave must be paid.

[5] 2 weeks' notice required.

[6] Civil service will not permit layoff.

JUNE 25, 1963.

STATES IN WHICH FEDERAL FUNDS ARE INADEQUATE TO MAINTAIN OPERATIONS AT MINIMUM LEVEL

Eight States propose to suspend operations, or furlough employees, or ask employees to work without assurance of pay from 1 to 5 days:

Iowa: Ask employees to work without assurance of pay (500 employees, 2 to 3 days); will pay if additional funds are forthcoming.

Nevada: Place 105 employees on furlough for up to 5 days; considering possibility of State funds.

New Jersey: Close agency for from 2 to 3 days. Seeking State funds.

Ohio: Furloughed all agency employees (2,900); asked employees to work voluntarily with chance of pay if additional funds are forthcoming; considering possibility of State funds.

Oregon: Furlough 700 employees for 1 day.

Puerto Rico: Furlough 350 employees for 2 days.

South Carolina: Furlough 560 employees for 1 day and ask them to work voluntarily.

Washington: Furlough 1,000 employees for 1 day.

Six State agencies have deficits which they currently have not developed plans to handle: Arizona, Louisiana, New York, Oklahoma, Pennsylvania, and Rhode Island.

Eleven States will arrange for the use of State funds: California, Florida, Georgia, Hawaii, Illinois, Indiana, Kentucky, New Mexico, Tennessee, Texas, and Utah.

AMERICAN POLITICAL SCIENCE ASSOCIATION AWARDS

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my reremarks, and to include two short editorials.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I wish to extend my congratulations at this time to four of our outstanding staff members—"the unsung heroes" of the Congress—who have been named recipients of the first Congressional Staff Fellowship Awards offered by the American Political Science Association.

Selected on June 3 by the House-Senate advisory committee of which I am a member, the four winners now are planning courses of study for the coming academic year at colleges and universities of their choice.

As my colleagues know, this program is designed to benefit both the individual winners and the members or committees which they serve. The benefits for the winners, it seems to me, are readily apparent. By spending from 6 months to 1 year in pursuing studies related to their professional responsibilities, by delving into public problems which have concerned them over the years, simply by getting away temporarily from the day-to-day pressures of their congressional duties, these award winners are enhancing their future career prospects in the public service.

While the benefits of this program to the Congress as an institution are perhaps not equally apparent, they are no less real. As I see it, the "payoff," if you will, to Congress lies in the program's implications for the development of the staff system itself. I believe that most of us would agree that the prospect for Congress is for an ever deepening involvement in the new policy areas—military strategy and defense spending, foreign affairs, space and science policy, to name several. Considering the complexity of the issues involved in these and other policy areas, I feel that Congress—if we are to be able to continue to make intelligent choices between policy alternatives—must have at its command the best-trained staff personnel, the most knowledgable experts available in the various substantive fields.

I feel that the staff fellowship program serves this interest, by providing our staff members the same kind of inservice training opportunities that have been available to executive branch personnel for several years and by encouraging thereby the further development of a permanent staff system made up of highly trained professionals.

It is my understanding that the association soon will announce the competition for the 1964-65 awards. I am sure that other members of the advisory committee—Mr. Boggs, of Louisiana, Mr. Humphrey, of Minnesota, Mr. Kuchel, of California, Prof. Charles Hyneman of Indiana University, and Claude E. Hawley, of Washington, D.C.—would want to join me in urging Members to call this program to the attention of staff personnel with whom they are associated.

I also feel sure that the other members of the advisory committee, as well as my colleagues in both Houses, would want to be included in the extending of congratulations to the four recipients of the 1963-64 awards. They are:

Ann Cooper Penning, administrative assistant to Representative MARTHA W. GRIFFITHS, of Michigan;

Douglas Gordon Dahlin, staff attorney, Military Operations Subcommittee of the House Committee on Government Operations;

Leonidas Ralph Mecham, administrative assistant to Senator WALLACE F. BENNETT, of Utah; and

Francis C. Rosenberger, staff member, Senate Committee on the Judiciary and counsel to the Subcommittee on National Penitentiaries.

Mr. Speaker, at this point I would like to include with my remarks two newspaper articles on this program. The first, from Roll Call here in Washington, describes in some detail the study plans of the four winners; the second, from the St. Petersburg Times in Florida, contains a fine analysis of the relationship between the staff fellowship program and the functions of congressional staff careerists:

[From Roll Call, June 5, 1963]

HILL EMPLOYEES REAP AWARDS

The first four winners of fellowship in a new program to strengthen the professional staff system of Congress were announced today by the American Political Science Association.

Staffers who received 1963-64 awards under the congressional staff fellowship program, and their tentative university choices, are:

Leonidas Ralph Mecham, 35, administrative assistant to Senator WALLACE F. BENNETT, Republican, of Utah. One-year fellowship to be applied in study at the Graduate School of Public Administration, Harvard University. Stipend, $14,000.

Douglas Gordon Dahlin, 33, staff attorney, Military Operations Subcommittee of the House Committee on Government Operations. Six-month fellowship, Harvard Law School. Stipend, $6,000.

Ann Cooper Penning, 41, administrative assistant to Representative MARTHA W. GRIFFITHS, Democrat, of Michigan. Six-month fellowship, London School of Economics and Political Science, London, England. Stipend, $7,000.

Francis C. Rosenberger, 48, staff member, Senate Committee on the Judiciary, and counsel to Subcommittee on National Penitentiaries. Six-month fellowship, Institute of Criminology, Cambridge University, England. Stipend, $7,000.

The program announced last January 27, is supported by a $628,000 Ford Foundation grant. Under its terms the association may each year award up to 12 fellowships—6 for a full year and 6 for 6 months of study—to any House or Senate office or committee professional employee.

Winners were selected by a bipartisan House-Senate Advisory Committee composed of Senators Hubert Humphrey, Democrat, of Minnesota and Thomas Kuchel, Republican, of California; Representatives Leslie Arends, Republican, of Illinois, and Hale Boggs, Democrat, of Louisiana; Claude Hawley, chairman of the board of American Growth Investment Co., Washington, D.C., and Charles Hyneman, professor of political science at Indiana University.

[From the St. Petersburg Times, June 9, 1963]

CONGRESSIONAL STAFF MEMBERS: THE UNSUNG HEROES ON CAPITAL HILL

(By Henrietta and Nelson Poynter)

Modern life, politics and technology require all branches of government to have a corps of experts and braintrusters, like those in other large private and cooperative enterprises in labor and industry. Congress is no exception.

These careerists function regardless of which party is in power. Their role is vital although they seldom make headlines.

Even in a small enterprise of a few hundred employees, "communications" has become a watchword. Aggressive steps are taken to try to inform workers in one department what their fellow workers are dealing with on the other side of a partition—and to keep both up to date on new developments.

The American Political Science Association has evolved a program under which experts in both administrative and congressional offices can get some grasp of each others' problems, and then take fellowships to sharpen up their knowledge in their specialized fields.

Congressmen have a preposterous amount of homework to master. But they still must rely on trained researchers and assistants who can concentrate on specific areas of legislation.

For example, WILBUR MILLS, of Arkansas, chairman of the House Ways and Means Committee, and Senator HUBERT HUMPHREY, of Minnesota, are national authorities on public finance—but they still rely heavily on professional staffs in this field.

Woodrow Wilson once said, "Congress in session is Congress on public display. Congress in committee is Congress at work."

But Wilson could not have envisaged how the load has increased and how much more technically difficult it is today than in his time. Committees cover such a wide field that they have to be divided into all varieties of special and subcommittees. To give you an idea of this, here is a list of the 14 sections of the Senate Judiciary Committee:

Constitutional Amendments; Federal Charters, Holidays and Celebrations; Immigration and Naturalization; Improvements in Judicial Machinery; National Penitentiaries; Patents, Trademarks and Copyrights; Revision and Codification; Antitrust and Monopoly; Constitutional Rights; Administrative Practices and Procedure; Internal Security; Refugees and Escapees; Trading With the Enemy; and Juvenile Delinquency.

All this on a committee which is not faced with the constant changes in policy and technology with which such committees as Aeronautical and Space Sciences, Atomic Energy and Armed Services must deal. All of them have, today, large professional staffs of dedicated people who advise the Congressmen on the latest developments, and study complicated documents for committee reports and hearings on which legislation is based. They are the unsung, dedicated public servants on whom we must depend to provide the checks and balances for the Federal Government.

Some committee chairmen still keep czarist control and use their staffs for personal patronage. Republicans have been raising a ruckus about this in their demand for minority staffs. But in many key committees such as Senate Foreign Relations the professional experts have remained over the years, despite changes in political control.

Some Congressmen delegate too much authority to their aides. An illustration occurred only the other day during a Senate hearing, when no Republicans were present. The minority counsel simply took their place in questioning witnesses, as though he were an elected official.

But such abuses are minor compared to the system of expertise developed in Congress—a system which is now spreading to such State and local groups as the legislative council at Tallahassee and the service and information center in St. Petersburg.

The growing need was recognized in the announcement last week of the first congressional staff fellowships, awarded by the American Political Science Association. The winners were selected by a bipartisan House-Senate advisory committee aided by an investment economist and a professor.

The four winners and their varied fields illustrate, in themselves, the nonscientific demands for greater knowledge. An administrative aide to a Senator will take public administration courses at Harvard. A staff attorney on a House committee will attend Harvard Law School. An administrative assistant to a Representative on the Ways and Means Committee will go to the London School of Economics. And a counsel to a Senate subcommittee on penitentiaries will study at Cambridge University Institute of Criminology.

Backed by funds from the Ford Foundation, this new fellowship program is open to all congressional staffers "to improve the knowledge and skills of administrators and researchers, encouraging thereby the further development of a permanent and highly professional staff made up of the most expert and well educated personnel."

Considering the growing number of Congressman who started their careers as assistants on Capitol Hill, this program should not only give Congress and the country more solid and less partisan government, but also provide future candidates who know why they want to run for office—and what to do when they win.

LANGLADE COUNTY PROMOTES JUNE DAIRY MONTH

Mr. LAIRD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a letter from the Antigo Chamber of Commerce.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. LAIRD. Mr. Speaker, in recognition of June Dairy Month representatives of Langlade County cooperating with the Antigo Area Chamber of Commerce have made this Wisconsin cheese available to the U.S. Congress. On behalf of the dairy farmers of this area I present this wonderful Wisconsin Cheddar cheese made in the shape of the State of Wisconsin to our Speaker of the House of Representatives, the Honorable JOHN MCCORMACK of Massachusetts. The shaded area represents Langlade County in which Antigo is located.

Dairy foods are nature's most perfect food and as the Representative in Congress of the congressional district producing more milk and cheese than in other districts in this House, I am proud to present this gift to our Speaker.

Mr. Speaker under unanimous consent, I include at this point in the RECORD a letter dated June 21, 1963, from representatives of Langlade County:

ANTIGO AREA CHAMBER OF COMMERCE,
Antigo, Wis., June 21, 1963.

Congressman MELVIN R. LAIRD,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN LAIRD: In recognition of June Dairy Month, we the undersigned representatives of Langlade County wish to present you with this gift of Wisconsin cheese. The dairy industry of Langlade County has contributed over $8 million to our local economy. This is significant evidence of how much the dairy industry means to our county and the State of Wisconsin.

We desire that you join with us for the recognition of the dairy industry during National June Dairy Month, and that you reserve a special place in your heart for the Wisconsin dairy farmer during the time of controversy and decision concerning legislation governing the backbone of our dairy industry. Dairy foods are nature's most perfect food, and we in Langlade County and the State of Wisconsin are most fortunate to be able to produce an abundant supply of dairy foods for the national consumption.

We wish that you not only recognize the dairy industry during the month of June, but include the 12 calendar months of the year.

WALTER DIERCKS,
Chairman, Langlade County Board.
ROBERT J. PERZ,
Mayor, City of Antigo.
LAVERN OLSEN,
Chairman, June Dairy Month.
JOHN R. KRIHA,
President, Antigo Area Chamber of Commerce.

THE SALINE WATER CONVERSION PROGRAM

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CHARLES H. WILSON. Mr. Speaker, recently on the floor of the House I expressed considerable dissatisfaction with the operation of the Federal bureaucracy. I believe the comments I made at that time are still valid. However, I wish to draw the attention of my colleagues to the operation of one office within our civil service which has a record of achievement so outstanding that it is worthy of study by this honorable House.

I refer, Mr. Speaker, to the Office of Saline Water of the Department of the Interior. Under the able leadership of its Director, Charles F. MacGowan, this office has made tremendous strides in solving the problem of converting salt water from the ocean and sea to fresh water for domestic consumption.

There is no doubt in my mind that the final solution to the water shortage in the western United States lies in the saline water conversion process. Only by drawing from the unlimited reservoir of the Pacific Ocean will California be able to fully meet its water demands.

The importance of the Office of Saline Water can be understood by all. It is interesting to note that for the first few years of its existence this office was required to operate on an annual budget less than that granted to the Washington Zoo. Fortunately, Mr. Speaker, this condition has been remedied and the saline water conversion program the President stated to be "more important than placing a man on the moon" is now receiving more favorable attention from the Congress.

The OSW was created in 1952 after authorizing legislation sponsored by U.S. Senator CLAIR ENGLE, then a Member of this House, was approved by the Congress. The program was expanded in 1955 and again in 1961 when Public Law 87-295—the Anderson-Aspinall Act—was enacted. Presently, the office is engaged in an accelerated program of basic and applied research that will take it through fiscal year 1967.

The Office of Saline Water is a most unusual division of our Federal Government. An authorization of $10 million was given to this office in 1958 for the building of not less than five demonstration plants. Five plants are now operating or soon will be operating, and the total cost will amount to only about $5½ million. A saving to the taxpayer, Mr. Speaker, of almost 45 percent. Here is a lesson that all branches our our Government should closely study.

The OSW is not only saving taxpayer funds on construction costs. The demonstration plants are producing more fresh water than anticipated, and overall costs of operating the plants are being reduced.

As a Californian, I am particularly interested in the demonstration plant at San Diego, Calif. This plant was originally designed to operate at temperatures of 190° to 200° Fahrenheit and to produce 1 million gallons of fresh water per day. Heat plays an important role in the conversion process at this plant, and engineering research has made it possible to boost the heat factor to 250° Fahrenheit and thereby increase the fresh water output to 1,400,000 gallons per day. The 40-percent increase in daily volume was achieved with very little added financial cost, and is a great benefit to the San Diego area water supply.

Surely, Mr. Speaker, here is a division of Government worthy of commendation. An office that can build five plants for only 55 percent of the authorized cost, and can produce 40 percent more volume of finished product at only a slight increase in the originally estimated cost.

The OSW wishes to build a larger production plant in the near future. The dedicated engineers and research workers of OSW believe they are now ready to take a major step forward. The 1 million gallon per day plants are serving their purpose well, and the stage is set for a new phase in the conversion of salt water.

Later in this session the Congress will be asked to approve the construction of a much larger conversion facility. I trust my colleagues will speedily agree to this project. Nothing is more important to the future growth and development of our Western States than an ample supply of fresh water.

The cost of converting salt and brackish water has been reduced 400 percent in the last few years. The OSW is responsible in large measure for this achievement. More reductions in cost can be expected in the future, and it is now feasible to predict that the cost of converted water will eventually be the same, or less, than water from other sources. OSW engineers have much of the know-how. All that will be needed is an ample supply of low cost fuel and this can be made available if Congress desires to act.

In closing, Mr. Speaker, I wish to commend Under Secretary of the Interior, James K. Carr, for his support and leadership of the conversion program. Under Secretary Carr, and Director MacGowen, have a maximum staff of 51 people in the Office of Saline Water. I think it can safely be said that rarely do the people of this country obtain such high service for so little cost. Full credit is due to all those connected with the program, and I trust the Congress will heed future requests from this Office with an attentive ear.

NEA VERSUS SCHOOL BOARDS—PART II

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker yesterday, I brought to the attention of the House the effort of the National Education Association to move into the last area of traditional local control, that of school board responsibility for local education. I wish to add one basic document to those which were cited at length.

It is an 11-sectioned report from NEA on professional negotiations. It is as follows:

CLASSROOM TEACHERS SPEAK ON PROFESSIONAL NEGOTIATIONS—REPORT OF THE CLASSROOM TEACHERS NATIONAL STUDY CONFERENCE ON PROFESSIONAL NEGOTIATIONS, NOVEMBER 23–24, 1962

(National Education Association stock No. 111-03758)

1. BACKGROUND—INTRODUCTION

A profession has responsibility in three directions—to its clients, to its practitioners, and to the public at large. In order to carry out these responsibilities, a profession must share in decision making with regard to policies affecting the profession and education. The teaching profession is rapidly maturing and driving toward this objective. It is demanding the means by which it can exercise rights commensurate with the responsibilities imposed upon it. Professional negotiations provides one such means.

Because of the remarkably increased activity of many local associations in the area of professional negotiations, and because of the desire of classroom teachers to have a better understanding of the problems involved in arriving at formalized procedures, the NEA Department of Classroom Teachers chose professional negotiations as the subject of its national study conference on November 23 and 24, 1962.

Fifty-four classroom teachers, recommended by presidents of State departments of classroom teachers and advisory council members, were invited to participate in the conference. They were chosen because of the variety of their experiences in professional association work, the contribution which they could make to the conference, and because they could represent classroom teachers across the country on the basis of geographical distribution, and the size and type of school systems from which they came.

In order to provide an exchange of viewpoints, representatives were invited from the American Association of School Administrators, the Association of Supervision and Curriculum Development, the Department of Elementary School Principals, the National Association of Secondary School Principals, and the Student National Education Association—all NEA affiliates—in addition to the Council of Chief State School Officers and the National Congress of Parents and Teachers. NEA staff members and State education association staff members served as consultants.

The basic purposes of the conference were to identify effective procedures for professional negotiations by which the rights and integrity of each group involved are respected, to identify appropriate roles for each, and to explore cooperative ways to develop and establish these policies. The focus of the conference was on concepts which will move teaching further along the road to true professional status, which will move the profession to higher levels of individual excellence and group responsibility, and which will avoid relegating the teaching profession to a craft status.

2. TERMS

The following summary represents a consensus reached by the conference participants.

Professional negotiation: A plan whereby a professional association, the administration, and the local employing board cooperatively consider and agree upon educational policies and practices designed in the best interests of education, the profession, and the community. In event of the impasse, the plan provides for further consideration and decision by other agencies representative of the profession, educational authority, and the general public.

Strengths of professional negotiations: Procedures are not subject to labor precedent; all members of the profession may participate; makes use of professional channels; prevents fragmentation of classroom teachers into several groups; e.g. secondary, English, etc.; uses appeal procedures through educational channels.

Collective bargaining: A method, narrowly prescribed by law and precedents, whereby management and organized labor seek to reach agreement on welfare matters, such as wages and fringe benefits. Impasses are resolved by reference to prescribed labor boards and other agencies where traditional labor mediation procedures are followed.

Sanction: A disciplinary action to be applied against an individual, a group, an agency, or a community. Sanctions include censure, suspension, or expulsion of a member; disaffiliation of a local association; the imposing of a deterrent between the profession and a board of education or a community.

Autonomy: The right to manage one's own professional concerns, and the acceptance of responsibility which attends that right.

Formalize: To make official by written agreement.

Impasse: Persistent disagreement.

Profession: An independent and self-directing occupational group which possesses the unique knowledges, skills, techniques, ethics, and attitudes necessary for practicing the profession's functions.

Professional association: An independent organization of members of a profession which is not affiliated with any one segment of the population and which, under its own leadership, advances the interests of the profession and those that it serves.

Teachers, teaching profession, teachers association: All members of the teaching profession—classroom teachers, supervisors, administrators, and specialists.

3. THE NEED

"It is imperative that classroom teachers have an opportunity to study under their leadership all the pros and cons of any action which will affect them professionally." Rita C. Jacoby, NEA-DCT president.

NEA resolution, 1962, said two things: "Professional education associations have the right to participate with boards of education in decisionmaking. Procedures to effect this right must be through educational channels and not labor channels."

It is a basic professional thesis that classroom teachers in the schools of America should have a stronger voice in negotiations designed to improve their professional status and economic welfare.

Teachers are entitled to certain rights and privileges already enjoyed by many other professional persons, including: The right to join (or not join) organizations of their own choosing, the privilege to be heard by their employer and other appropriate authorities, the right to appeal unfavorable decisions or lack of official action.

The problem of negotiations must be placed in the context of the true meaning of professional autonomy.

Professional negotiation rights cannot unilaterally be resolved into being. As leaders in the profession of teaching, we have to establish these rights.

Machinery for professional negotiations is necessary because unilateral decision falls short of the stimulative power of involvement.

Active and complete participation in policy making will lead to the assumption of greater responsibility for making the adopted policies work and, consequently, will result in higher levels of productivity on the part of the individual teachers.

If means are not spelled out establishing the professional process, then sooner or later each school board will have thrust upon it machinery, techniques, and legal precedents set up to solve problems in private industry. These are not designed for, nor can they solve problems of the nonprofit public schools.

Unless legal recognition is given to the professional approach, it will be destroyed by erosion.

4. LEGAL FACTS

The considerable legal responsibility as delegated by State law for local school policies rests with the local school board.

Teachers have a right to form and join professional organizations of their choice, or not to join if this is their decision.

Courts have not upheld the closed or union shop per se in public employment.

Judicial view at present is that public employees may not strike.

A recent Presidential Executive order (or directive) spells out the rights and procedures of Federal employers to participate in the determination of conditions under which they are to work, without the right to strike.

5. LOCAL ASSOCIATION ACTION

Professional negotiations include all those considerations which influence the achieving of a climate where the competent teacher can perform the best possible professional services for his pupils. This would include negotiations regarding personnel policies, working conditions, fringe or nonwage benefits, salaries, employment standards, inservice education of personnel, class size, teacher turnover, communications within the school system, curriculum planning, and teaching methods.

There should be a written agreement specifying the procedures to be followed by both the local association and the school board during the process of negotiation. In communities where friendly relations now exist, written procedures should be adopted in order to preserve those friendly relations. In communities where this kind of relationship has not been developed, an attempt should be made to work out a method for the consideration of matters of mutual concern.

It is not enough merely to be aware that the local association can at the present time approach the superintendent and the school board if a concern becomes great enough. Leadership in both school boards and local associations changes, and individuals change their views. Writing down the steps to be followed by both parties when one is considering a matter which will affect the other is one way to help insure a minimum of misunderstanding.

The procedures themselves must of necessity be different from community to community because of varying legal and traditional points of view. The cooperation of the local association, the administration, and the school board in the development of procedures will be of immeasurable help when the time comes to secure formal agreement.

Basic procedures to be followed

Smoothly working and freely accepted procedures of professional negotiation will in all likelihood develop only as a result of painstaking attention to the process leading to the formal adoption of the agreement. Usually the steps taken should be as follows:

1. Inform the members of the association of the meaning, implication, and importance of professional negotiations, and make them aware of their related ethical responsibilities.

2. Obtain the approval of the local association membership for efforts seeking a formal agreement with the school board on professional negotiation, the official authorization of the committee to make the request on behalf of the association, and the designation of the committee members who will be the official spokesmen for the local association.

3. Request the superintendent and the board, or representatives of the board, to sit

on a joint committee to discuss the objectives, philosophy, and need for professional negotiations; and thence, to cooperate in developing and establishing professional negotiations procedures which will be mutually acceptable. The policy agreed upon should be in writing.

4. Use the help of the State education association and the National Education Association, and secure legal counsel if needed.

5. Keep the local association members informed on progress and submit the final policy statement to them for ratification.

6. Cooperate with the board and the administration in a public relations program to acquaint the public with the aims and procedures of the agreement on professional negotiations.

7. Consider holding workshops that might include interested groups other than professional educators.

8. Be ready to accept the responsibility and the work which is necessary to successful implementation of any formal plan of professional negotiation.

9. Follow ethical channels in studying and reaching agreement on this and all other problems of common concern.

(a) The superintendent should be consulted.

(b) Opportunities should be given for all to submit their thoughts on what constitutes the problems.

(c) Information and materials should be secured and distributed.

(d) Resource persons should be utilized.

(e) Rapport should be established with the board through informal meetings.

(f) The local association should carefully plan its formal presentation to the board.

(g) Opportunities should be provided frequently for staff consideration and questions.

10. Caution. Do not formalize your plans and agreement too rigidly.

Basic facts that must be considered

The teachers, the administration, and the school board share a common goal—the best possible program of education for the children of the community. If there is a diversity of interests among the three groups, this diversity grows out of the different functions which each performs in working toward the goal, and these differences must be recognized. To this end, the following facts should be kept in mind when drawing up the procedures to be adopted:

1. The rights, responsibilities, and duties of the board of education and the laws pertaining to financing and operation of the schools.

2. The present policies and procedures for handling matters of mutual concern.

3. The present role of the superintendent as viewed by the superintendent himself, the school board, and the local association.

4. The structure, strength, status, and role of the local association.

5. The structure, strength, status, and role of the State association in relation to working with the local association in the area of professional negotiations.

Basic principles which should be written into professional negotiations agreements

School boards have powers and duties delegated to them by the State which they can neither delegate nor ignore. The teaching profession has professional responsibilities which it can neither delegate nor ignore. Professional negotiations is a means, then, of bridging the gap so that both may perform their respective duties without infringing upon the rights and responsibilities of the other. The conditions set forth in a policy statement on professional negotiations should recognize the following principles:

1. Teaching is a profession with concurrent rights and responsibilities.

2. The local professional association, representing the certificated personnel employed by the board, is the official spokesman for the profession, and the agency with which the board negotiates matters of mutual concern to the profession and the community.

3. Individuals or groups employed by the school board have the right to make their views known to the board. Differentiate between the right to negotiate and the right to be heard.

4. The superintendent has a dual role in professional negotiations. He is both a member of the profession and the executive agent of the board. His role and responsibility to each must be clearly identified.

5. A free exchange of information necessary to the negotiation process shall be maintained among the school board, the superintendent, and the local professional association.

6. Consultation between the school board and the official representative of the professional association shall be a continuing process. In order to promote the maximum of understanding and respect, frequent meetings on many matters of mutual concern should be held throughout the school year, and not just at times of crisis on controversial issues.

7. The board shall not deny the right of any person to join or not join the professional association of his choice.

8. Both parties agree to negotiate problems on which they do not at first agree. All negotiations shall be carried on in good faith; each will listen to the views of the other and take the other's views into consideration in coming to a decision.

9. The need for dealing with an impasse through educational channels shall be recognized. To cover cases of persistent disagreement, there should be a written policy establishing a time limit for decisions and action on proposals. Appeal procedures should be described in detail in writing.

10. The process of policy determination shall be shared, but the prerogative of the board of education in decisionmaking shall not be encroached upon.

11. The principles and procedures for identifying and studying problems and reaching solutions shall be established by mutual agreement.

12. Negotiations shall cover the totality of the educational field.

13. The makeup of the negotiation unit—size, character, responsibilities, and qualifications of membership—shall be defined.

6. SANCTIONS

In education it is moral that a community should support its schools, that school boards will endeavor to provide conditions for acceptable teaching and learning practices, that administrators will use the procedures essential to the democratic administration of good schools, that teachers will make every reasonable effort to provide the best possible learning experiences for pupils. Against those who are immoral by this standard, it is the right and duty of a professional association to invoke sanctions in order to protect the education of the pupils, the interests of the public, or the welfare of its members.

Occasionally, conditions deteriorate to the point where the personal performance of a few educators is detrimental to the profession, or society, or where some educators are not able to carry out their responsibilities. To keep faith with their calling, and in order to face their pupils with a clear conscience, and to match their concept of service to the public, the teaching profession must then look outside the usual channels for a corrective measure. Sanctions serve the need for such a corrective step. They may be applied by the professional association, against members and affiliates which are unethical, or against legal entities which are responsible for conditions determined by standards of the profession to be detrimental to the interests of the pupils, the profession, or the public.

The teaching profession has been applying sanctions over a period of years and for many reasons. Sanctions are of many types and may be applied by the local association, the State association, and the national association, either individually or collectively. The NEA imposed sanctions when it joined with the Ohio Education Association in 1947 in declaring a particular school system "to be one where no professional person would want to seek employment." In 1951 the Montana Education Association and the NEA announced an investigation of a school system in Montana, stating it was "not a desirable place for competent members of the teaching profession to seek positions." In 1946 the NEA expelled from membership in the profession William H. Johnson, the superintendent of schools of Chicago, because of unethical conduct. In all of these situations, as a result of sanctions, conditions were improved.

The application of a sanction is a serious step and should not be done until every other means of correction has been tried, and only after serious and deliberate thought has been given to the possible consequences.

Therefore, the local association should (a) remain alert to the quality of education in the local school system, (b) investigate conditions which appear to threaten the quality of education, (c) attempt to have adverse conditions corrected by making its views known to the individual or group responsible, be it a member of the profession, the school board, or the community, (d) take appropriate action in proper sequence depending upon the conditions, (e) keep the State and national education associations informed on conditions, and seek their assistance whenever necessary, and (f) apply or recommend sanctions only as a last resort. (Comment: A sanction is usually most effective when the local association has the support of the State association and/or the national association.)

7. REFLECTIONS

Procedures governing the relationship of teachers associations and school boards will be formalized—sometimes by local board rule, sometimes by State statute.

You cannot unilaterally bring into being the right to professional negotiations.

Partnership tops paternalism.

Those who make peaceful resolutions impossible, make violent revolutions inevitable.

Professional negotiations should go far toward eliminating many of the present teacher association-school board relationship problems.

The new role of the superintendent is one of partnership. Not "boss."

Keeping all parties talking until agreement is reached will elevate the superintendent's role in the profession. He must open the door both ways.

Professional negotiations should not be limited to salary negotiations. It may even be better to have this come later when general procedures and policies have been agreed upon.

8. STATE ACTION

The State association and/or State department of classroom teachers might consider the following as a part of their cooperative action program:

1. Develop techniques and guidelines for creating favorable climate of opinion for professional negotiations agreements.

2. Give aid to local associations desiring to formulate local professional negotiation procedures.

3. Sponsor State or regional workshops for the purpose of educating local association leaders.

4. Publicize the successes of the local associations which do secure formal negotiation procedures with their boards of education.

5. Establish machinery for the mediation of problems of persistent disagreement.

6. Determine the necessity of seeking legislation at the State level obligating boards of education to establish and work positively with professional negotiations committees at the local level.

9. THE CHALLENGE

The members of the conference agreed that general acceptance of the right of teachers to have a voice in reaching decisions affecting them was needed now more than ever before. Teachers have major public responsibilities. Teachers must be free. Teachers must have convictions and stand firmly behind these convictions. Teachers must accept their full responsibility for achieving true autonomy for the profession and be responsible for their service to society.

The teaching profession, as a profession, has a moral right to participate in the determination of conditions under which it works and pupils learn. The great strides which the profession has made in the last decade will be small compared to what it may achieve as it refines and formalizes written professional negotiations procedures in the years immediately ahead.

One factor paramount throughout the Classroom Teachers National Study Conference on Professional Negotiations was the supreme importance of developing effective, meaningful, and ongoing programs for the improvement of education by local education associations.

10. RESOURCE MATERIALS [1]

"The Conference Focus": Speech on professional negotiations delivered at the National Study Conference, 1962. T. M. Stinnett, assistant executive secretary for professional development and welfare, National Education Association.

"Professional Negotiations": An explanation of professional negotiation from a legal angle by Martha Ware, assistant director, Research Division, National Education Association.

"Professional Negotiations with School Boards": A legal analysis and review. Research Division, National Education Association, January 1962.

State plans

Report of the Committee on Working Relations, Connecticut: Recommended procedures for boards of education and teachers organizations in negotiation. Provides for appeal from impasse. Approved by the Connecticut State Board of Education, Connecticut Education Association, Connecticut Association of Boards of Education, and the Connecticut Association of Public School Superintendents.

Professional negotiation procedures, Michigan: A jointly developed set of procedures governing professional negotiations, mediation, appeal, and sanctions. Approved by the Michigan Education Association and currently being considered for adoption by the Michigan Association of School Boards.

Local plans

Statement of teacher-administrator-board of education relationships, Denver, Colo.: Adopted jointly by the Denver Classroom Teachers Association and the Denver Board of Education, it provides for recognition of the association and sets up procedures for professional negotiations.

Group contract between the Norwalk Teachers Association and the Board of Education, Norwalk, Conn.: The association and the board negotiate one contract covering conditions of work, grievances, and salaries. The president signs the contract on behalf of all the members of the association.

Policies and procedures on employee organizations, Pasadena, Calif.: Provides for recognition of the Pasadena Education Association and sets up procedures for discussion of matters of mutual concern.

Regulations for administration of employer-employee relations, San Diego, Calif.: Rules governing recognition of the San Diego Teachers Association.

11. ROSTER

Participants

Bruce Eckman, chairman, Portland Oreg.; Rita C. Jacoby, president, DCT, Washington, D.C.; Ronald Aalgaard, Wyndmere, N. Dak.; Paul Atkinson, Atwater, Calif.; Barbara Avery, Spencer, Iowa; Charles L. Bacon, Stratford, Conn.; Harriette H. Barton, Springfield, Va.; Josephine Bates, Globe, Ariz.; Morris Beider, Detroit, Mich.; Mrs. Nell Bethel, Evansville, Ind.; Ruth Buehrer, Newark, N.J.; Archie Bussell, Albuquerque, N. Mex.; Mrs. Maxine L. Chapman, Fort Smith, Ark.; Frank Davenport, Arlington, Va.; O. James Davis, Reading, Pa.; Mrs. Thelma F. Davis, Griffin, Ga.; Robert Dowling, Minerva, Ohio; Mrs. Iva Duggan, Tulsa, Okla.; S. W. Epting, Columbia, S.C.; Roger Fisher, St. Joseph, Mo.; Mrs. Margaret C. Flaherty, Bath, Maine; James J. Forcellina, South Norwalk, Conn.; Henry Goebel, Lincoln, Nebr.; Carroll L. Gonzo, Edgerton, Wis.; Hank Harrison, Anchorage, Alaska; Mrs. Selma Hayden, Miami, Fla.; Lawrence G. Hemink, Williamsville, N.Y.; Ted Hinds, North Bend, Oreg.; Elwood C. Hunt, Lehi, Utah; Camille W. Jacobs, Camden, Del.; Mrs. Elizabeth D. Koontz, Salisbury, N.C.; Anna Virginia Locke, Huntington, W. Va.; Samuel B. McDonald, West Palm Beach, Fla.; Mrs. Elsie S. McLaughlan, Bergenfield, N.J.; D. Larry McLean, Gaithersburg, Md.; Mrs. Willie Mae Magness, Mountain Home, Ark.; Laura Maltman, Westville, N.J.; William E. Melton, Clinton, Miss.; Allen R. Mitchell, Watertown, S. Dak.; Eugene M. Peshel, San Diego, Calif.; Sydney C. Roberts, Falmouth, Mass.; Anita L. Ruffing, Bellevue, Ohio; Mrs. Lina Sartor, Pachuta, Miss.; Eugene Sivertson, Spokane, Wash.; Barbara G. Smith, Denver, Colo.; Irene Smith, Idaho Falls, Idaho; Mrs. Carolyn Spurgeon, Columbus, Ind.; George W. Streby, Ventura, Calif.; Maurice E. Swanson, Shawnee Mission, Kans.; Frank J. Vara, Woodstock, Vt.; Jerome Wagner, Anoka, Minn.; Betty Ann White, Annapolis, Md.; Henry M. Williams, Tyler, Tex.; Richard M. Wirth, Detroit, Mich.; H. A. Yost, Grand Island, Nebr.

Consultants

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Representatives

Wilmer F. Bennett, National Association of Secondary-School Principals, Washington, D.C.; Margaret Berkland, Student National Education Association, Luther College, Decorah, Ia.; Natt B. Burbank, American Association of School Administrators, Boulder, Colo.; John Fletcher, National Association of Secondary-School Principals, Washington, D.C.; W. R. Fulton, National Congress of Parents and Teachers, University of Oklahoma, Norman, Okla.; Albert Gibson, Department of Elementary School Principals, Rockville, Md.; Edward O. Glaspey, Council of Chief State School Officers, Trenton, N.J.; Mrs. Helen M. Johnson, Association for Supervision and Curriculum Development, Rockville, Md.; Tim Ryles, Student National Education Association, Troy State College, Troy, Ala.; Martha A. Satterfield, Association for Supervision and Curriculum Development, Rockville, Md.; Mrs. C. Meredith Springer, National Congress of Parents and Teachers, Babylon, N.Y., and Carolyn Troupe, Department of Elementary School Principals, Washington, D.C.

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Liaison

T. M. Stinnett, assistant executive secretary, professional development and welfare, NEA.

SO-CALLED PHILIPPINE WAR DAMAGE CLAIMS—NEW REVELATIONS

Mr. BARRY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BARRY. Mr. Speaker, the Foreign Service buildings bill, H.R. 5207, contains a provision added in the Senate which amends last year's act regarding payment of Philippine war damage claims, Public Law 87–616. The Senate amendment is now before a conference committee.

According to news reports the House conferees have so far refused to accept or agree to a compromise on the Senate amendment intended to cut off further lush fees to the lobbyists and windfall payments to large claimants.

Unless the House relents, the United States will be saddled with the payment of $73 million to private claimants under a 1962 act which the Senate found was passed as a result of corrupt and immoral activities which had deceived the Congress. One Senator even said that they bordered on international blackmail.

Great American newspapers which formerly supported the 1962 act have, since the revelations in the Senate, strongly approved of amending it.

HOUSE SEEMS LESS SENSITIVE

It is ironic that the House should seem less sensitive than the Senate to the corrupt activities disclosed in the Senate investigation. It is ironic because those activities and deceptions had an even greater impact on the House than on the Senate.

Our former colleague, Hon. Laurence Curtis, of Massachusetts, has revealed same rather startling information on this subject. Mr. Curtis and I worked together on minority reports on this legislation when it was before the Foreign Affairs Committee, and I join him in the conclusions contained in the following memorandum which he has prepared. I quote:

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[1] Available from the Department of Classroom Teachers through the courtesy of the respective associations listed. Single copy free.

In the first place, the House was subjected to the same corrupt activities which led the Senate to amend the act of 1962, and which have been widely publicized.

But in addition to the corrupt activities which affected the Senate, there were special pressures on the House, not felt in the Senate and not disclosed in the Senate investigation.

It was in the House that the legislation was first considered. It was in the House that the lobbyists were successful in shaping the legislation to the form which they desired—a form providing for further payments to private claimants rather than for a payment to the Philippine Government as recommended by the then administration.

HOW LOBBYISTS SUCCEED

The legislative record in the House shows that there was a successful effort by the lobbyists to minimize the evidence in favor of the form of legislation desired by the administration, and to exaggerate and misrepresent the evidence in favor of the form of legislation which they desired.

This was accomplished by suppressions of evidence, by misrepresentations of fact, and by the constant repetition of misleading half-truths. The result was a biased and one-sided presentation which was bound to be confusing to many Members.

These statements are made without any intention of blaming any House Member or employee. Any irregularities were undoubtedly due to the activities and influence of the lobbyists.

DILLON TESTIMONY SUPPRESSED

It is a shocking fact that the principal testimony in support of the form of legislation recommended by the then administration, given by the then Under Secretary of State, Mr. Douglas Dillon, was never printed in the record of hearings, and did not come to the attention either of the full Foreign Affairs Committee or of the House. He was heard in an executive session of the subcommittee, and no résumé was released. I never learned of this testimony until this year.

Testifying on February 25, 1960, Mr. Dillon explained why the administration disproved of further payments to private claimants, but recommended settlement of the claim brought forward by the Philippine Government for additional war damages on a government to government basis. It was to be settled by the payment of $73 million to the Philippine Government, subject, however, to the setoff of a U.S. claim. The U.S. claim was in fact paid in April 1961.

The administration, he said, regarded the 1946 appropriation of $400 million as a complete act, implying no legal obligation to pay more. This denied the contentions of the lobbyists that we had promised to pay more, which was a legal obligation.

He explained that when the Philippine Government formally presented 19 claims against the United States, one of which was for additional war damages, the administration felt that misunderstandings which had arisen under the 1946 act justified a settlement on a government to government basis.

PRESIDENT SUPPORTS DILLON

The President's budget message of January 1960, for fiscal year 1961, requested an appropriation for such a settlement.

Knowledge of Mr. Dillon's testimony was essential to a fair and informed decision of the issues presented by this legislation.

Other facts and testimony favorable to a government to government settlement were minimized.

The letters from the State Department of August 5, 1959, and March 3, 1960, furnished the principal evidence, aside from Mr. Dillon's testimony, in support of such a settlement. The 1960 printed hearings did not include those letters. This came to light after the full committee had begun its final discussions of the bill. They were, at my request, included along with some further testimony heard on June 9, 1960, in the printed supplemental hearings. But as the committee voted to report the bill on June 22, 1960, this very important testimony did not receive the attention which it deserved.

The administration's draft bill, providing for a payment to the Philippine Government, submitted with the State Department's letter of March 3, 1960, was never filed as a bill, although other bills for payments to individual claimants were filed. The administration's draft appeared in the hearings of 1960 merely as Committee Print No. 2, without being identified as the bill submitted by the administration.

OTHER TESTIMONY ALSO SUPPRESSED

The testimony in 1960 of Mr. Frank A. Waring, former Chairman of the Philippine War Damage Commission, was unfavorable to some of the contentions of the lobbyists. When the 1960 testimony was reprinted for use in 1961 and 1962, the testimony of lobbyists who testified at the same time as Mr. Waring was reprinted, but Mr. Waring's testimony was left out.

Some facts were misrepresented. A glaring example related to the so-called Settlement Sheets. They were a form used by the Philippine War Damage Commission which listed several items, the last one being "Amount to be paid." In debates in the House and before committees, copies of these forms were waved in the air, and they were said to contain an official promise to make further payments to private claimants up to the full 75 percent.

This was a mistaken argument. The item on the sheet, "Amount to be paid," did not refer to the amount which would have to be paid in order to bring the payment up to the full 75 percent, but was an entirely irrelevant figure. These settlement sheets, according to reliable information, were internal records of the War Damage Commission and were not given to individual claimants.

THE 1946 ACT MISREPRESENTED

Essential provisions of the 1946 act were misrepresented. There was room for disagreement as to the intent of the act, but not as to its actual provisions. Yet Mr. O'Donnell, a former member of the Philippine War Damage Commission, testified that the carefully drafted provisions of the law were to the effect that the Philippine War Damage Commission should "make payments in full on all private property awards up to $500 and 75 percent of the awards in excess of $500"—1960 hearings, page 20.

What the law actually called for was the pro rata distribution of certain funds towards the payment of the 75 percent, and the drafters of the act anticipated that the funds would not be sufficient to pay 75 percent.

In line with this testimony, it was constantly repeated in the testimony and in the debates that there was a debt, a promise, a moral, and legal obligation, and that the money was due the claimants.

BIASED PRESENTATION

The above facts all taken together resulted in a biased and one-sided presentation which could not fail to mislead many Members. They support the assertion that the House was affected even more than the Senate by the corrupt practices disclosed in the Senate investigation.

Nothing said here should be taken as showing any lack of friendship and appreciation toward our gallant war allies in the Philippines. It seems likely that some people of that brave country were taken advantage of by the lobbyists, as were people in the United States

The above-quoted memorandum is a straightforward narrative of the issues underlying so-called Philippine war damage claims. I agree with these conclusions and commend them to my colleagues.

A word of caution: Recent news reports indicate a Senate compromise has been offered. According to these reports, the compromise would provide that all claims up to $10,000 would be paid directly to individual claimants, with the balance up to $73 million being paid to the Philippine Government.

This appears to be a reasonable suggestion when it is realized that the United States has an existing agreement with the Philippine Government to settle outstanding differences for $73 million.

The House conferees, on the other hand, are said to be demanding that all in excess of $10,000 per claimant be returned to the United States knowing full well this proposal is unacceptable to the State Department and is not in conformity with the agreement made with the Philippine Government.

If true, this means that House conferees are holding out for a compromise they know is unacceptable to the administration, thereby creating a stalemate which could well result in no further action. In this event, present law would govern and the entire $73 million would be paid to individual claimants.

Thus, Mr. Speaker, history may be repeating itself with the same forces having a vested interest in this legislation appearing to compromise but in actuality holding out for unconditional surrender.

Mr. Speaker, I sincerely hope these news reports are in error and that no such maneuvers are taking place.

THE TWO-PRICE COTTON PROGRAM AND THE TEXTILE SITUATION

The SPEAKER pro tempore (Mr. DAVIS of Tennessee). Under previous order of the House, the gentleman from North Carolina [Mr. WHITENER] is recognized for 1 hour.

Mr. WHITENER. Mr. Speaker, on several occasions I have spoken on the subject of two-price cotton and the textile situation in our country.

I am now advised that the so-called Cooley bill, which is designed to eliminate the two-price cotton problem, is still pending in the Committee on Rules. Notwithstanding the fact that some consideration has been given to it by that committee, it will be after July 4 before any final action is taken.

Mr. Speaker, it is my judgment that there is no more important legislation relating to our economy pending in the Congress than the bill designed to eliminate the two-price cotton situation.

I have pointed out heretofore that more North Carolinians work in textile jobs than in all of the other manufacturing industries in the State combined. The textile payroll is nearly five times larger than that of the next largest manufacturing industry in the State of North Carolina. There are some 222,000 textile employes who earn about $750 million a year at more than 1,000 factories in most of the State's 100 counties. There are 38,300 apparel plant workers who earn about $98 million a year.

The total of textile and apparel workers is 51 percent of about 507,000 people employed in all of North Carolina's manufacturing industry. North Carolina firms turn out about one-fourth of all broad woven cotton goods made in the United States and more than one-third of the manmade fiber products. Our spinning mills in the Tarheel State produce nearly half of all cotton yarn made in this country. Also about half of the Nation's hosiery is produced in North Carolina as is about 10 percent of the country's woolen and worsted goods. So, I think it is readily apparent to anyone who has heard these statistics that the textile industry and its economic health is vital to our State.

On a broader scope the textile industry is equally important to the people of the entire Nation. It is one of the largest manufacturing industries in the Nation. It, with the apparel industry, provides work for more than 2 million American men and women.

Since 1955, despite an increase in population of about 20 million, there has been a loss of nearly 200,000 jobs in the United States in the textile industry, including the apparel industry. The textile industry is not only important to those who work in it and its related industrial plants, but it is also important to the agricultural economy of our Nation.

The cotton farm population in the Nation is about 3.3 million. In 1961 there were about 762,000 farms with effective cotton allotments covering 16 million acres which produced 14 million bales of cotton valued at about $2½ billion.

Cotton farm lands in this Nation are valued at more than $10 billion.

There is another group that is concerned directly with the health of our cotton economy at all levels. This group may be designated or referred to as cotton handlers. It is estimated that about 90,000 to 100,000 persons are employed in America in cotton gins, cottonseed oil mills, warehouses, and as cotton merchants. So the members of this group and their families have a direct interest in the economic health of our cotton economy.

Mr. Speaker, there are some rather interesting recent developments in the field of textiles and our cotton economy. Two-price cotton has had great effect upon this great industry in all of its aspects.

Recently I read an article in America's Textile Reporter, dated June 6, in which it is said that the U.S. cotton industry lost 150,000 bales in the domestic market to manmade fibers in the past 2 years. It is said by Dr. M. K. Horne, who is chief economist for the National Cotton Council, that this resulted directly from the price advantage enjoyed by foreign textile manufacturers over our domestic manufacturers in the purchase price of cotton.

Dr. Horne has further said that the two-price cotton system threatens this country's standard as a major cotton-producing nation, despite all of the efforts of industry and agriculture to preserve the markets of our cotton farmers and producers.

This to me seems to point out something which I have on many occasions mentioned in addresses to the Members of the House of Representatives. It is clear that it is not just the textile industry and the people who work in that industry who have a stake in the solution of the two-price cotton inequity which confronts the American textile industry. The cotton farmer in America knows that his future is directly associated with a healthy domestic textile industry. We cannot expect the domestic textile industry to continue to pay for American cotton 8½ cents a pound or $42.50 a bale more than is paid for the American cotton by foreign manufacturers.

I think it is abundantly clear that there is good reason for the shift by the domestic industry to manmade fibers. We are told that in April of this year cotton consumption in America had declined to 809,472 bales as compared with 867,559 bales in 1962. Interestingly, synthetic staple consumption was up to 77,949,000 pounds in April of 1963, as compared to 62,026,000 in April 1962, according to the reports of the Census Bureau. Inventories of cotton-consuming establishments were down to 1,675,805 bales in April of this year, whereas in April of 1962 these inventories amounted to 2,116,450 bales. During the same period synthetic staple stocks rose to 67,004,000 pounds from 51,653,000 pounds in April of 1962.

Cotton is losing ground as a fiber in the domestic textile industry. Cotton lost ground to other fibers last year as its percentage of total fiber consumption dropped to 59.4 percent from 62.1 percent in 1961.

The U.S. Department of Agriculture has reported that domestic mills consumed a record 7.1 billion pounds of fiber in 1962. Manmade fibers registered the greatest increase with noncellulosic fibers percentage of total use increasing to 15.3 percent from 13.1 percent in 1961; and the percentage for rayon and acetates rose to 17.9 percent from 17.2 percent.

Wool accounted for 6.1 percent of total consumption compared to 6.3 percent in 1961.

Now, does it take any great scholar to understand, from these statistics given to us by our Government, what is happening to the cotton farmer as well as to the cotton textile industry in these recent months. Certainly no one can deny that one of the prime contributors to this increase in the use of manmade fibers, and the corresponding decrease in the use of cotton fibers is due to this inequity in the price of cotton confronting the American textile industry.

Now, there are those who say that we must have an export program. They contend that in order to have that export program we must give to the foreign manufacturers this 8½-cent advantage in price and that unless we do that our export cotton does not compete in the world market. I can understand, and I am sure everyone understands, that you cannot expect the foreign mills to pay more money for American cotton than they would pay for cotton of equal quality coming from some other part of the globe. But at the same time there are some facts and figures which the Department of Agriculture itself has given us which indicate that as we gradually reduce the market domestically for the American cotton farmer the present program is having the same effect on the farmer as far as his export market is concerned.

In the America's Textile Reporter of June 13, 1963, it is reported that raw cotton exports during the 9 months ending May 24 were down 30 percent from the same period a year earlier. This magazine states that a Department of Agriculture report based on registrations for payments in kind to exporters indicates that 3.1 million bales were shipped during the past 9 months compared with 4.3 million bales a year earlier. The Department of Agriculture, according to this article, philosophized that perhaps the trend can be explained by uncertainty surrounding the pending congressional action on the two-price system and record high cotton production throughout the world which has meant stiffer competition for U.S. cotton on the world market.

Well, of course, the two-price system and the uncertainty as to its elimination are having a disastrous effect both at home and abroad as far as the cotton market is concerned. It is for that reason that I feel it is imperative that the Congress take action at the earliest possible date to eliminate this two-price problem.

There are those who say that the so-called Cooley bill is not the answer to the problem. I would be the first to say to you that it is not the answer which I would prefer. I can say to you from meeting regularly with outstanding people in the textile industry, both workers and management, that I believe that this is not the most desirable approach to the problem from their standpoint. But we are now in a position where we cannot engage in philosophy; we have a problem which must be met. There are many of us here in this Congress who joined with industry and with labor and the Department of Agriculture in urging the Tariff Commission to place an offset fee on textile imports coming into this country so as to even up this proposition of the two-price differential. That was not done by the Tariff Commission. We lost that battle. I wish we had won it. That would have been, in my judgment, the most satisfactory solution to the problem.

But that is behind us. There is nothing we can do about that. Today we are faced with a situation that calls for positive action. I am not planning to engage in philosophical discussion as we come to consider later, I hope, the Cooley bill. I think that this bill should be passed. We have a situation which requires radical legislative surgery to remove this cancer from the body of the American economy.

I hope that as we go forward to meet this problem we can all realize that it is a problem which is national in scope. It is one which is creating a drag upon the economy in industry as well as in agriculture. We heard some of our colleagues here in the well of this House, to my certain knowledge for a period of 7 years—say that the textile people were crying "Wolf" when there was no wolf at the door. Yet, Mr. Speaker, the facts as given to us by our own Government statistical bureaus indicate that what we have been saying and what our people in industry and labor in the textile field have been saying has been borne out by the later unfortunate developments.

In my own home county just a few weeks ago one of our textile mills was sold by the folks who were then running it, local people from our area. It was a very modern plant, one which went into operation in 1960. The Charlotte Observer in a business column written by its business editor had this to say about that closing:

> If anyone still thinks the textile industry is crying "Wolf!" without reason over two-price cotton and import competition, here are two items that help translate the fight into terms of dollars and jobs:
>
> Kimberly Yarn Mills Inc. of Mount Holly, which went into operation in 1960 as one of the most modern in the world, has proven less than a success despite special efforts by more than 100 employees.
>
> We learned Wednesday that the mill had been sold to a big textile concern, unidentified as yet, that makes and uses its own yarn in a consumer product enjoying some tariff protection against imports in the domestic market.

I might say to you that that purchasing company was Fieldcrest Mills, which are owned by the Marshall Field Co. of Chicago, Ill.

I continue now with the news column:

> President P. J. Baugh, in a letter of gratitude to employees, explained why the mill was sold.
>
> During the past 2 years, he said, Government-regulated cotton prices had gone up as much as 5 cents per pound, "which represented a weekly cost increase of $5,000 for us."
>
> "Foreign mills, buying U.S. cotton for about one-fourth less than the price paid by domestic mills, increased shipments into this country to the point that the average sales price of our yarn has dropped from 66 cents to 61 cents, and in some cases to 60 cents," Baugh said. "This is a drop of $5,000 to $6,000 per week for our product."
>
> "This decrease in the market price of our product plus the increase of our cotton cost has made us labor under a $10,000 to $11,000 per week differential since 1960," he added. "This is a total of $500,000 to $550,000 per year."
>
> The other item: An announcement by Cone Mills of Greensboro that certain unprofitable activities probably will be liquidated this year.
>
> In the annual report for 1962, Cone Mills showed an increase in net sales from $214.4 to $219.7 million, and an increase in earnings per share from 73 to 81 cents.
>
> But, said President Ceasar Cone and Chairman Benjamin Cone, elimination of unprofitable operations for the year would have increased earnings 25 percent while reducing sales 25 percent.
>
> Cone Mills is known as a big producer of coarse gray goods, such as denims, which have a high cotton content. The higher the cotton content, the greater the effect of the 8½-cent-a-pound advantage enjoyed by foreign mills selling in the American market.
>
> The proposed liquidations will be made "as it becomes evident that these particular products will be unable to show a profit under the legislation and governmental policies (particularly in cotton) now in effect," the Cones said.
>
> They declined to predict what the liquidations would mean in number of jobs.

Mr. Speaker and Members of the House, this is a subject that requires a great many of us to have grave concern about the future of our country and, particularly, those of us who come from the State of North Carolina.

I have given you some of the statistics with reference to the economic impact of the great textile industry upon our State. I am sure that as Members of this legislative body each of us readily translates these facts into a consideration of how it affects the government of the State of North Carolina and how it affects the support of public institutions with tax money which must come from industry and the taxpaying citizens.

With more than 200,000 textile employees in North Carolina and with the great portion of our productive and industrial capacity in jeopardy, we in North Carolina, and I think properly so and with much justification, look to the future with a great deal of apprehension unless some remedial action is taken by the Congress with reference to the two-price cotton situation.

Mr. Speaker, I urge that all Members regardless of the type of economy that provides employment for their constituency give serious thought to this problem not as a local matter affecting only the people of North Carloina but as one which affects the entire national economy. It affects the economy of every congressional district in America which produces goods and products that are susceptible of use in the textile industry or which produces products susceptible of use by the people who earn their livelihood in the textile industry.

I speak not only for the textile people. As I have tried to indicate earlier, I am also speaking for that great number of American citizens engaged in the cotton agricultural economy. This is truly a problem which commends itself to each thoughtful American who has an abiding interest in the future of the country.

I know that when we come later to debate the bill, which I am hoping the Committee on Rules will report out shortly, we will have the understanding and cooperation of our colleagues, even though they may come from what may be called nontextile areas.

Mr. SHORT. Mr. Speaker, will the gentleman yield?

Mr. WHITENER. I would be happy to yield to my friend, the gentleman from North Dakota [Mr. SHORT].

Mr. SHORT. Mr. Speaker, I want to commend the gentleman from North Carolina [Mr. WHITENER] for his very excellent dissertation on this entire cotton problem.

As a member of the Committee on Agriculture of the House of Representatives, though not a member of the cotton subcommittee, I am somewhat familiar with his problem. Being a farmer, I am very sympathetic with the cotton growers' problem. It is kind of a $64 question as to just how we resolve this problem. I am not sure, however, that the bill which is now pending is going to solve the problem in the way that it should be solved. I am wondering—and the gentleman from North Carolina made the statement, I believe, that cotton exports were down about 30 percent this year as compared to—I do not know whether the gentleman said last year or previous years—could the gentleman give me some idea as to why they are down 30 percent this year? As I understand it, there was no change in the formula for the payment-in-kind export subsidy.

Mr. WHITENER. I shall be happy to try to answer my friend. May I say this? I appreciate his generosity and his comments with reference to my statement. I should apologize to the gentleman and to my colleagues for speaking extemporaneously and not having reduced it to writing.

Permit me to say further in connection with what the gentleman says with reference to whether the Cooley bill is the ideal solution, I tried to make it clear in my remarks that had I had my way about it it would have been solved by other action. This was not done. So now the Cooley bill happens to be the only vehicle available to us with which we hope to solve the problem.

Mr. Speaker, we do know this: that the Cooley bill will eliminate the two-price inequity unless—and I think this is an important "unless"—the sales for the export program announced, I believe, on March 29 by the Department of Agriculture, further throws our cotton price out of balance on the world market.

Some of our people predict that if our CCC cotton is dumped on the world market without real, real discretion being used, the 8.5 cent per pound price differential could very well go to as much as 12 cents a pound. So, that is another problem with which we may be confronted.

Now, getting around to the last thing to which the gentleman referred. The only reasons that I have assigned for the reduction in our export sales of raw cotton are those which the magazine article to which I referred attributed to the Department of Agriculture. USDA spokesmen said they would explain this trend by the uncertainty surrounding pending congressional action on the two-price cotton system and a record high cotton production in other cotton-producing countries of the world.

Mr. SHORT. If the gentleman will yield further right there, were the foreign purchasers fearful of the provisions that might be enacted into law, enabling them to purchase cotton cheaper than they would have been able to do through the present payment-in-kind export program? Is this what was involved?

Mr. WHITENER. I am sorry, but I did not understand the gentleman.

Mr. SHORT. Were the foreign potential purchasers fearful that new legislation which might be passed would make the price on the world market of American cotton lower than it presently is under the payment-in-kind program?

Mr. WHITENER. I am sorry that I am not in a position to answer the gentleman. I think as a member of the Committee on Agriculture the gentleman probably is more familiar than I with some of the activities that we have had under Public Law 480 and how they may affect the situation abroad. I do not happen to be familiar with that, but I have been told that there have been some rather unusual activities under Public Law 480.

Mr. SHORT. I was not thinking of Public Law 480 sales. I was thinking in terms of dollar sales we might be able to make in foreign countries that traditionally buy American cotton, thinking that a new program which might be enacted into law might—again I say "might"—provide a lower price for them to buy our American cotton than is presently available to them.

Mr. WHITENER. Is it not possible that the foreign manufacturer thinking that the Congress will do what it ought to do and eliminate the two-price cotton situation might look ahead and say, "Well, now, once that inequity is eliminated the American textile manufacturing people notwithstanding that American plants pay much, much higher wages than the foreign manufacturers, when the American cotton manufacturer can get his cotton as cheaply as the foreign manufacturer, we are going to have a terrible time keeping our American market"?

This could have something to do with the export sales of cotton. I am basing that upon what happened on the domestic scene. There are many, many mills that have not been buying cotton except for their immediate needs. Instead of buying for a quarter of the year, they try to buy just enough to be sure they will have sufficient cotton on hand to run without interruption, whereas in the past they bought ahead.

You can see why. If you were a textile manufacturer, you would not buy 3 months ahead if there was a possibility that the Congress would take action which in effect would cut the price of cotton by 8½ cents a pound. So, this probably has entered the minds of our foreign competitors. They have to take into account these possibilities.

Mr. SHORT. That is exactly the point I was getting at. While we are talking about export cotton, even though we do something in the way of cotton legislation that is going to make, theoretically, our American cotton available to the world market at a price in some conformity with the world market price, as long as we have Public Law 480 under which we sell to some of these foreign countries, and I assume we do sell cotton under title I, which is for foreign currencies that remains in the recipient country, and in some instances we even give a major portion of the funds generated back to the country. This becomes almost impossible competition.

Mr. WHITENER. Let me point out to the gentleman along that line the other side of the picture about textile imports. Cotton textile imports last year amounted to the equivalent of 645,000 bales of cotton.

Mr. SHORT. That is processed cotton?

Mr. WHITENER. In the form of textile imports, which is almost as much raw cotton as the State of Alabama produced in 1962.

Now, that Alabama production was 695,000 bales, which had a value of $114½ million, approximately. So you see, we are not only losing our export market for cotton. We are bringing in more and more cotton textiles from abroad, and at the same time we are seeing the most remarkable change in the face of the domestic textile industry as they shift to manmade fibers, thereby taking away the cotton market of the American cotton farmer.

To give you an example, one of the big companies in America is the Springs Mills, a South Carolina organization. They make Spring-Maid sheets and other well-known textile products. Recently a spokesman for that organization announced that they were shifting from an all-cotton operation to the production of blends. The president of the company just said briefly, "We cannot live on cotton alone any more."

We have another textile organization known as Deering-Milliken. Recently they have moved more heavily into the use of manmade fibers.

I suppose the biggest textile organization in the world is Burlington Industries, which has its headquarters in North Carolina. Recently Charles Meyers, the president of that company, had this to say, and I quote:

> We will use the fibers that are most economic. If cotton becomes uneconomic we won't use it.

I know that the gentleman has heard these shopworn arguments that cotton has certain qualities which one can never get out of a synthetic. My reply is that in a country planning to send a man to the moon, and where we are now, with great ease, placing astronauts into orbit, we will find it to be a very simple problem when our research chemists set their heads to it, to develop synthetic fibers which will have all of these so-called magical qualities of cotton.

I happen to have been raised in a textile village. My people work in the textile mills. I have talked to some of my relatives who are textile-trained people. They have expressed to me the thought that it may be that some of these synthetics people like American Viscose, and DuPont and Bemberg, and others, are not doing all that they could in the field of synthetics completely to replace cotton because they realize the economic impact it would have on our Nation.

I say again to the gentleman, and to his colleagues on the Committee on Agriculture who are interested in agriculture and the plight of the farmer, as I am sure that all of the rest of us who come from rural areas are interested in the man and woman on the farm, the failure to look at the clear picture that we have, can do much more injury to the agricultural economy than to the textile economy. I say that because the record already shows that while some more mills will fall by the wayside, there are many who can shift over to synthetics and the blends, and survive as far as industry is concerned. The cotton farmer, however, when his domestic market is gone, is out of business, and there is nothing we can do to breathe life back into his lifeless economy.

Mr. SHORT. Mr. Speaker, will the gentleman yield?

Mr. WHITENER. I will be glad to yield.

Mr. SHORT. If the gentleman will yield right there, in the simplest possible context it seems to me that the problem here for the processing industry and the processing part of the whole cotton enterprise in this country is the differential in price between cotton under our present price support program and the cost of synthetics. The cost of the synthetics, if I understand it correctly, more nearly approaches the world price of cotton.

Mr. WHITENER. I am told rayon today can be bought at a price of around 25 to 26 cents a pound.

Mr. SHORT. This is my understanding.

Mr. WHITENER. The gentleman, I suppose, does not have any textile plants in his area.

Mr. SHORT. He certainly does not.

Mr. WHITENER. But I am sure that from the hearings he has seen and read he realizes that where they buy rayon at a lesser price than cotton they have a uniformity of product. They have less waste. They have an easier controlled product because you can have a staple 2 feet long, if you want it, or you can have it a quarter of an inch or an eighth of an inch or a sixteenth, or whatever you like; whereas with cotton, due to climatic conditions and other things, you do have a less perfect fiber.

Mr. SHORT. Mr. Speaker, if the gentleman will yield further, I got the impression that the cotton manufacturers, the cotton processors, the textile part of the industry, were in this position. They said these synthetic fibers are available to us at a lower cost, and the other points that the gentleman mentioned, easier to handle, cleaner, less weste, no burlap to fuss with and that sort of thing; and they said we come to the simple consideration of what shall we do? We are sympathetic to the cotton farmer. If we reduce the price of cotton down to the point where it is competitive with synthetics, the $64 question is, What do we do about the farm? I think that is what the Cooley bill has tried to direct itself toward. Whether it does it in the right way is perhaps the $64 question. But I think this is something very basic in the way of farm legislation that we have to face up to.

I live in a wheat country. I would like to see our wheat farmers get better prices for their wheat. We have seen something of a failure there in the attempt to stabilize prices with the price support program because actually it does not improve to any great degree the income of the farmer because, as we try to increase the price, we have to cut back on production. It seems to me that in the cotton industry you have had the same problem.

Mr. WHITENER. We have just about been run out of production in some areas.

Mr. SHORT. That is right. You have tried to maintain the export program in the interest of keeping up volume. You have had to subsidize exports. And, as the gentleman has just said, you have had an increase of imports from foreign countries. A part of this it seems to me is because our Government, through our foreign aid program has actually helped some of the foreign countries improve their capability to produce cotton, so that they could sell it back in the U.S. market.

Mr. WHITENER. And one of the great joys of my life is to be able to tell anyone who asks me that I never voted for a penny of that in my life.

Mr. SHORT. The gentleman and I have voted similarly on foreign aid, I think. That is one of the more ridiculous things that we do.

Mr. WHITENER. That started before the gentleman and I came here.

Mr. SHORT. Apparently. Mr. Speaker, I appreciate the gentleman's yielding to me.

Mr. WHITENER. I certainly appreciate the gentleman's contribution and his interest, because I know of the very responsible role he will play in the consideration of the bill which has come from his committee will have a great deal of bearing on its outcome here in the House. It is certainly a matter of vital concern to all of us, and I pray and hope that the gentleman will assist us as we try to meet this problem headon.

Mr. BEERMANN. Mr. Speaker, will the gentleman yield?

Mr. WHITENER. I am happy to yield to the gentleman who is another member of the Committee on Agriculture and upon who we place much reliance as we face this coming issue.

Mr. BEERMANN. I thank the gentleman.

It so happens I am a member of the subcommittee on cotton.

Mr. WHITENER. I have had the pleasure of testifying before the gentleman's committee.

Mr. BEERMANN. That is right. I have enjoyed the gentleman's discussion here. I do not want to get into the philosophical field, but I think we will have to do it before we can settle this problem.

The gentleman's remarks are well taken. We studied it in the committee. Frankly, there are so many things that have happened in the past that hurt the program today that it is going to be hard to get together on a proposition. I think that Congress in its wisdom could offset the harm that has been done even this year by action, but I cannot see it in the Cooley bill.

Mr. WHITENER. If the gentleman will offer a substitute for the Cooley bill which will just wipe out this 8.5-cents-a-pound differential, I can tell the gentleman that I just do not care whose bill it is or how you go about it as long as it is consistent with the Constitution, and I will support it.

Mr. BEERMANN. I thank the gentleman for that. I have a substitute that is ready, and I will be glad to offer it when the bill comes to the House. I hope we have enough time to debate it and can pass that kind of substitute.

Mr. WHITENER. May I ask the gentleman wherein his bill differs insofar as the 8.5-cent differential is concerned? I am not talking about the side issues that have crept into the legislation.

Mr. BEERMANN. I think the Congress will have to take the responsibility in 1963 to offset the harm which was done by setting the price at 32.47. Congress in taking action in the 30-cent price support area would immediately give the mills 2.47 cents. I know it is going to be hard to do because the cotton farmers have planted their cotton and have reduced this year from 18 to 16 million acres. This is cutting them some more. But we will have to be very realistic about this proposition. I, as a farmer, would hate to see my colleagues who are in cotton have more problems.

Mr. WHITENER. There are many people both in Congress and out who take the view that had the Department of Agriculture fixed the price this year at 30 cents it would have met with acceptance on the part of a great portion of the cotton agricultural economy. However, the Secretary fixed the price at 32.47, and that is done. As I understand the gentleman, what he is proposing is that by legislation and his proposed substitute the Congress would reverse the action taken by the Secretary of Agriculture and peg the price at 30 cents rather than at the Department fixed support price of 32.47 cents.

Mr. BEERMANN. That is correct, because Congress gave the discretion to the Secretary to set the support price. If Congress does not kill the support price, and it is made for the producers, the handlers, the mills, and our export program, I think Congress has the right to control this authority, to take away that discretionary authority and tell the Secretary of Agriculture what to do.

I have not seen a popular Secretary of Agriculture for many years. If we wrote the bill so that there would be no discretionary authority, I think the Secretary of Agriculture would enjoy his job and be able to administer the law the way Congress would want to write it. This was your point on the 32.47. If that action had not been taken the night before the Agriculture Committee voted on the cotton bill I think we would have gotten legislation passed and we would not be talking about it. It would have been passed in February or March.

Mr. WHITENER. Does the gentleman have cotton producers in his district?

Mr. BEERMANN. I do not have any cotton producers but I have a lot of feed grain producers for whom you cotton Congressmen have written legislation.

Mr. WHITENER. The cotton agricultural economy is faced with a problem in that there are some people in the production of cotton who say they can produce it for 25 cents or 26 cents a pound. Then you get into other areas where the cost is much greater. That, of course, is due to the low acreage allotments and the fact that they do not have sufficient production to warrant purchasing and using expensive mass production equipment items. So, as I say, there is that problem. But there is a question which bothers me a great deal, as one who comes from a textile producing area as well as one who has in his district the second largest cotton producing county in the State of North Carolina. That is whether we are going to jeopardize the whole cotton agricultural economy by these high price-support programs. I do not have any firm decision in my own mind about it, but I do not want to see any cotton farmer put out of business any more than the gentleman from Nebraska [Mr. BEERMANN] would want to see them put out of business. But, at the same time, we are faced with a crisis for the cotton farmers all over the Nation. I am hoping that with the able assistance of the gentleman from Nebraska and his colleagues on the Committee on Agriculture, we can find a solution.

Mr. BEERMANN. I thank the gentleman for the compliment. I would say, if the gentleman will yield further that if this House of Representatives turns down this cotton bill, I am sure it will come back to the Committee on Agriculture and be written within an area that will be more representative of the wishes of all the people of the United States. I think this is what should be done.

Mr. WHITENER. I will say to the gentleman that I hope as we meet this problem we will look upon it as a problem that affects the entire Nation and not a problem with respect to any political party because a hungry textile or a hungry cotton farmer can be a member of the party of the gentleman from Nebraska [Mr. BEERMANN] or a member of the party with which I am affiliated. I am sure that the people involved do not look upon it as a matter of partisan politics. I know the gentleman from

Nebraska shares the same hope and the same view that I have in that respect.

Mr. BEERMANN. Yes, I do share the gentleman's hopes with regard to a solution of this problem and join in his views with respect to it.

Mr. WHITENER. I thank the gentleman for his contribution.

A PEACE EXHIBIT AT THE WORLD'S FAIR

The SPEAKER pro tempore (Mr. ALBERT). Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, I rise today to inform the House of a proposal I have made for a Peace Information Center as a part of the U.S. exhibit at the New York World's Fair next year.

The exhibit, as I envision it, would collect, display, and distribute materials from many sources on efforts being made toward world peace. There are international organizations, Government agencies, many large foundations and private groups all working toward a more understanding which is the prelude to a true world peace.

The United States as a Nation, as a Government, and in innumerable private endeavors has made tremendous efforts toward peace, yet, we hear little of these projects.

We hear constantly of defense measures, military problems, the arms race, our farflung outposts devoted to keeping an armed, uneasy quiet in the world.

Dissemination of information would get some of the good life publicized. The world is well aware of the evils it must combat but does not afford recognition to the attempts being made to work out peaceful means of existing in a world beset by many problems. As ideal examples there are Peace Corps, the food-for-peace program, Project Hope, the people-to-people program, CARE, and many missionary, welfare, and exchange programs all dedicated to understanding among people. If the Nation can afford billions for defense, it seems to me we can also afford to recognize the great efforts being made to settle problems peaceably.

It would be a splendid thing if a token of these efforts could be publicized to the people of the world through the showcase of the 1964 New York World's Fair to stimulate support for and inspire further undertakings aimed at spreading peace in the world.

Mr. Speaker, I have taken up this idea with the U.S. Arms Control and Disarmament Agency and I have been notified by the Agency that such an exhibit is a provocative idea and that it is being looked into with those in the Federal Government responsible for handling exhibits of this nature. It is my intention to further contact other Government agencies in this effort. I trust, too, that Members of this Congress will join in advocating such an exhibit.

We are now living in an era of the armed truce, Mr. Speaker. We know that the only eventual answer to a true peace is based on the unstoppable force of the earnest desire of mankind for peace, not on the force of arms. We should pronounce this point with all the means at our command.

NATIONAL SAFE BOATING WEEK

Mr. CHAMBERLAIN. Mr. Speaker, I ask unanimous consent to address the House for 30 minutes and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, I welcome this opportunity to report on recreational boating safety in the United States. National Safe Boating Week is again approaching. It is appropriate to review the efforts and experiences of this Government in fostering boating safety and to consider some of the problems remaining.

In accordance with Public Law 85-911 which I sponsored in the 85th Congress, the following proclamation was issued by the President of the United States on February 26 of this year:

> Whereas recreational boating is playing an increasingly important part in the lives of millions of Americans who look to it as a means of maintaining physical vigor and mental alertness; and
>
> Whereas the resulting increased use of our waterways has caused a corresponding increase in safety problems; and
>
> Whereas this healthful outdoor activity can be enhanced and loss of life and property reduced by adherence to safe boating principles; and
>
> Whereas the Congress of the United States, in recognition of the importance of such safe boating practices, by joint resolution, approved June 4, 1958 (72 stat. 179), has requested the President to proclaim annually the week that includes the Fourth of July as National Safe Boating Week:
>
> Now therefore, I, John F. Kennedy, President of the United States of America, do hereby designate the week beginning June 30, 1963, as National Safe Boating Week. In pursuance of the objectives of this proclamation, I urge all persons, organizations and governmental agencies interested in recreational boating and safety afloat to publicize and observe national safe boating week.
>
> I also invite the Governors of the States, the Commonwealth of Puerto Rico, and other areas subject to the jurisdiction of the United States to join in this observance.
>
> In witness whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.
>
> Done at the city of Washington this 26th day of February 1963, and of the independence of the United States of America, the 187th.
>
> JOHN F. KENNEDY.

Mr. Speaker, boating is big, and it continues to grow. As a fine family type recreation it has many millions of enthusiastic participants. It is big business; not only the manufacturing of boats, motors, and trailers but in the fuel, paint, plywood, plastics, metals, and insurance fields. Boating has stimulated tremendous investments in marinas, yacht clubs, and private launching facilities. In short, it has become an important segment of our national economy, particularly in the last two decades.

The safety aspects of boating have become a steadily increasing activity and a main concern of the U.S. Coast Guard which is the primary agency of the Federal Government responsible for the safety of life and property upon the water. Boating safety has, in recent years, engaged the attention of the Congress, the legislatures of every State, and of the public press. Private organizations, such as the National Safety Council, the Boy Scouts of America, and numerous others have been giving this subject greater emphasis in their programs.

THE FEDERAL BOATING ACT OF 1958

Prior to the passage of the Federal Boating Act of 1958 there were relatively few facts obtainable about boating in this country; particularly absent were those on the grim side—accidents and fatalities. That act was a milestone in boating history. It established a national program for the identification of certain undocumented powerboats; it required the reporting of accidents and delegated to the Coast Guard the responsibility of gathering the statistical information and in general, making the program effective. Of perhaps even greater importance, it so encouraged State participation that today 43 States and the Virgin Islands have boating laws which all include certain minimum requirements of this Federal law. According to the Council of State Governments, this prompt acceptance by the States of the Federal plan is unprecedented and it reflects high credit upon the Coast Guard for counseling and assisting those States desiring to cooperate. Their efforts are continuing. I am informed that among the seven States which have not yet followed the Federal plan the matter is now being considered by the legislatures of Maine and Pennsylvania and also in the Commonwealth of Puerto Rico.

Coast Guard leadership has been further displayed in the encouragement of interstate cooperation. Certain boating law administrators from all sections of the country are now members of the Advisory Panel of State Officials to the Merchant Marine Council of the Coast Guard. This panel assists in the development of the Federal regulations which govern boating. They meet semiannually—at no cost to the Federal Government. Their fall meeting is always in conjunction with a national conference to which all States are invited to send their principal boating law officials. At the conference last October most of the States were represented. Furthermore, under Coast Guard encouragement, there have been created five regional organizations of such State officials throughout the entire Nation—the Northeastern, the Southeastern, the North Central, the South Central, and the Western States. Each has a representative on the Coast Guard Advisory Panel I mentioned. These area associations have done much to eliminate friction between adjacent States and to encourage cooperation and uniformity in the enforcement of the various State requirements. All this has benefited the boating public. There are certain problems created principally by the lack of uniformity among the States as to which boats are required to be numbered. Although the Federal Boating

Act prescribes that all motorboats of over 10 horsepower must be numbered, it permitted the States to extend the scope of this requirement as they chose. At present 13 States pattern the Federal law and require numbering of only those of over 10 horsepower. However 17 States require that every motorboat be numbered; others adopted "10 or more," 7½, "over 6," "over 5," and two States—Arizona and Ohio—require that all watercraft display identifying numbers.

The organizations of State officials have consistently recommended to the State governments that uniformity be established not only in numbering but in the equipment and operating requirements thus enabling complete reciprocity between States for the benefit of all boatmen. Their efforts, I am sure, will eventually bear fruit.

Meanwhile, these organizations of State officials have done yeoman service to increase the pleasure of those who move their boats into other States. Outstanding among their accomplishments was the development and establishment—with Coast Guard cooperation—of a uniform system of navigational aids for use upon waters exclusively within State jurisdiction. This system of special shapes and markings—somewhat similar to the uniformity achieved in marking highways—has already been adopted by more than 20 States and the number is increasing yearly.

BOATING STATISTICS

The Federal Boating Act directs the Coast Guard to compile, analyze, and publish information obtained from boating accident reports. The statistical report for the calendar year 1962 was published on May 1, 1963, and it is my understanding that each Member of Congress received a copy. I would like to draw your attention to several pertinent portions of that report. Compared with 1961, there was an increase in the total of boats numbered but a decrease in accidents. I hope that this decrease can be attributed to a greater awareness by the boating public of water safety. However, it is too early to evaluate such a trend. The Coast Guard's newspaper clipping service indicates that all accidents are not being reported as required by law. Of special concern is the fact that, in 1960, 33 percent of the deaths were due to capsizing, in 1961 it was 37 percent, and in 1962 it climbed to almost 42 percent. This increase in capsizing fatalities overshadows the overall decrease in accidents. The continued rise of this type of casualty is serious and the capsizing problem involves boat design, engine horsepower, operator education, and law enforcement. It is not a problem that can be overcome in one step; however, the Coast Guard now believes that the first and most important step is the establishment of safe loading criteria.

Last year I remarked on the need for developing a practical method to reduce the frequency of overloading small boats. The technical staff of the Coast Guard has been working closely with representatives of the boating industry on this and I am pleased to learn that they arrived at a simplified formula to determine, in terms of weight and persons, what may safely be carried in a small boat. This should serve as an effective guide to proper loading.

This formula would be applicable to small boats of varying size and design. The procedure in determining limitations is dependent upon the basic dimensions of the craft and gives results which are sufficiently reliable that we may hope to reduce the frequency of these capsizings which, in some instances, have caused the drowning of an entire family. However, to be effective, the results of these studies must be presented to the small boat user in an easily understood form. A capacity plate in each boat stating the limiting load in both pounds and persons is considered best. The feasibility of revising present laws to require the posting of safe load limitations in each boat is being examined.

COAST GUARD EDUCATIONAL PROGRAM

Safety is principally a state of mind. Because the most difficult problem in safe boating is the human element, the Coast Guard—through its boating films, safety publications and auxiliary program—has long been an advocate of education in the field of boating safety. To this end, the Coast Guard is constantly producing motion picture films for use by interested boating groups. The latest "Boating Safety" series will consist of four 16-millimeter pictures.

"Boating Safety; Courtesy Afloat," is a 20-minute color-sound film. The title is descriptive. The "do" and "don't" of safe and courteous boat operation is presented, dealing chiefly with the under-26-foot outboards. Careless operation is demonstrated as well as proper safety methods; warnings are given regarding weather, refueling, and the need for special alertness in fishing and swimming areas.

"Boating Safety; Legal Requirements," a 14-minute color-sound film is nearing completion. The Federal requirements are shown, also many of the requirements prescribed by the various States. Federal, State, and auxiliary examinations are also illustrated.

"Boating Safety; Safety Equipment," an 18-minute color-sound film is also nearing completion. The proper use of safety equipment aboard pleasure craft is demonstrated.

"Boating Safety; Safe Operation," an 18-minute color-sound film is planned for production during the latter part of 1963. This film will demonstrate the right and wrong methods of operating pleasure craft, stressing the need for greater knowledge of boating safety.

The Coast Guard has many other films of interest to the small boat operator such as "Aids to Navigation," "Rules of the Road for Boatmen," and "Search and Rescue."

Last year the Coast Guard published and distributed almost 2½ million pamphlets and booklets, containing the various requirements for the information and guidance of the boating public. Included was the popular new "Recreational Boating Guide" of which 80,000 copies were sold.

COAST GUARD AUXILIARY

The Coast Guard Auxiliary, a civilian, nonmilitary affiliate of the Coast Guard, was established by Congress in 1939, to promote small boat safety and education. The principal activities of this group are the courtesy motorboat examination and public education programs. The auxiliary also participates in regatta patrols and assistance to distressed craft.

The auxiliary has continued to expand its public services while at the same time it has maintained a careful rate of growth. Flotillas are now located in 644 communities throughout the Nation and the Commonwealth of Puerto Rico. Membership was 21,500 at the end of 1962, of which over 7,000 were qualified to perform courtesy motorboat examinations. In 1962 the auxiliary was credited with saving 282 lives, with assisting in 5,738 cases, and with patrolling 1,764 races and regattas. In addition this organization conducted almost 150,000 "Courtesy Motorboat Examinations," instructed 118,000 in safe boating practices and showed boating safety films to audiences totaling 2,800,000.

The reputation of the Coast Guard Auxiliary for its efficiency in the examination of pleasure craft is such that the decal sign issued by the auxiliary to a properly equipped and maintained motorboat is officially accepted in 39 States.

The unique character of the auxiliary and its official relationship has in effect extended the reach of the Coast Guard in carrying the message of boating safety directly to the boat operator.

LAW ENFORCEMENT

Law enforcement is, in a sense, a complement to the educational program. The explosive growth of recreational boating which followed World War II, the advent of the trailer and the development of boating areas hitherto remote, continue to create problems which overtax law enforcement officials, both Federal and State. Since the personnel to fully enforce the boating laws are insufficient, measures must be developed to best utilize those available. The Coast Guard recently promulgated new regatta regulations which will permit States with adequate capabilities to patrol these activities on certain navigable waters of the United States.

The enforcement of Federal boating laws usually begins with the Coast Guard boarding officer. After stopping and boarding a boat if it is found in violation of any of the laws or regulations, the owner or operator is given a notice of violation, which is similar to a traffic ticket. The boater is furnished a form by which he may explain the violation to the appropriate Coast Guard district commander. This form has thus far proved most effective. When no violations are found, the operator receives a distinctly colored original of the boarding report. In most cases this colored report, when shown to other officers who might later stop the boat, will eliminate multiple boardings. These boardings are in a courteous and expeditious manner and the officer will advise the operator of any unsafe conditions which may have been observed during the equipment examination.

Until the advent of the mobile detachment, all boardings were conducted by personnel attached to regular Coast Guard facilities—such as major cutters—or operating small boats from shore stations. However, the primary missions of these units were search and rescue, ocean station patrols or servicing aids to navigation. These regular units are generally located along the seacoast, the Great Lakes and, in limited numbers, on the major river systems. A great many recreational boats were using inland water areas which, although navigable, were remote from the regular Coast Guard units and were not adequately patrolled. The mobile boarding teams were created to fill this void.

A mobile boarding team consists of three or four petty officers equipped with a truck, boat, and trailer. In addition to other equipment, the boat and vehicle are equipped with two-way radios which enhance both law enforcement and rescue capabilities. During 1962, 35 of these teams operated mainly on the inland navigable waters of the United States from Maine to Hawaii and Alaska to Florida. During 1962 they boarded and examined 91,459 motorboats, and found 53,357 violations. When you consider that this was almost 50 percent of all boardings by the Coast Guard for the same period, it is apparent that the mobile boarding detachments were very efficient.

In areas where there is little or no boating during the winter seasons, mobile boarding personnel have been used as instructors in boating law enforcement. These training classes, although intended for personnel of the Coast Guard, also trained 569 civilian enforcement officials from the various States during 1962. This has resulted in increased cooperation between Federal and State officials in the enforcement program.

Another function of the mobile boarding personnel has been public education. Upon arriving at an area they intend to patrol, these boarding officers arrange to show movies and to lecture on boating safety at the local boat or yacht clubs as well as at meetings of other civic organizations. During 1962, they spent 12,628 hours in this activity.

These mobile boarding teams have indeed filled a void and have generally been enthusiastically received by the public. However, these units are limited in number and time. Many requests for more frequent visits by these detachments have had to be refused. Schedules are worked out well in advance and coordinated with the various State boating officials.

FUTURE PLANS, NEEDS, AND PREDICTIONS

Many new water areas have been developed or are planned, and boating activities with their attendant problems will continue to increase. Future planning in safety education and law enforcement will require the continued cooperation and effort of all those having a responsibility in these fields.

Boating educational organizations, such as the Coast Guard Auxiliary, the U.S. Power Squadrons, the American Red Cross and the Boy Scouts of America, must not only continue their present fine efforts but will need to expand to handle this increase. In this connection the education of schoolchildren by certain State agencies and other organizations is a program designed to pay both immediate and future dividends.

The number of law enforcement officers should be increased. Also, to fully utilize the available enforcement personnel—both Federal and State—a program, under section 9 of the Federal Boating Act must be initiated. This section specifically encourages agreements and other arrangements between the Coast Guard and various States in law enforcement. This would, among other things, permit the efficient deployment of personnel and facilities and minimize the possibility of duplicated effort.

As previously mentioned, 43 States have federally approved numbering systems. It is believed that public demand will cause the remaining 7 States to enact the necessary boating laws within the next few years. However, in most of these States, if they do not act this year, the legislatures will not meet again to consider such matters until 1965.

Progress in boating safety has been rapid since the enactment of the Federal Boating Act but it will need the continued sincere efforts of Government, business, and private organizations, and, above all—the boating public.

NATIONAL SAFE BOATING WEEK

This year National Safe Boating Week which includes the Fourth of July period, will begin on June 30. As Flipper the Skipper—the adopted symbol of National Safe Boating Week—would say, "Let's stress safe boating the whole year 'round."

The continued success of this annual observance is particularly gratifying to the Coast Guard and to its civilian affiliate, the Coast Guard Auxiliary, as well as to the many others who have supported this event.

This year the National Safe Boating Week Committee, has done an excellent job of promoting and coordinating this event. This committee includes representatives from: the U.S. Coast Guard, the U.S. Coast Guard Auxiliary, the American Boat and Yacht Council, the American National Red Cross, the Boy Scouts of America, the Girl Scouts, the National Association of Engine & Boat Manufacturers, the American Powerboat Association, the National Safe Boating Association, the National Safety Council, the Outboard Boating Club of America, the United States Power Squadrons, the Yacht Safety Bureau, the American Water Ski Association, and the Young Men's Christian Association.

This program focuses nationwide attention on the problems of boating safety and helps to implant safety principles that will be lifesavers during the week, the boating season, and the lifetime of many boating enthusiasts.

To all those national and local committees actively participating in National Safe Boating Week, I extend my congratulations. I urge all other individuals and organizations interested in boating safety to join in making this, in 1963, the most profitable National Safe Boating Week we have ever observed.

ABSENT ON OFFICIAL BUSINESS

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Talcott] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

Mr. Speaker, I was necessarily absent from the House on Monday, June 24, and Tuesday, June 25 of this week as a member of the House Banking and Currency Committee, which was holding important official hearings in New York City.

I yield back the balance of my time.

EXPLOITATION OF MEXICAN FARM LABOR UNDER THE BRACERO ACT

Mr. LIBONATI. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Rosenthal] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, on Monday, a number of identical bills were introduced which would allegedly—and I quote the title of the bills: "phase out the use of Mexican agricultural workers under title V of the Agricultural Act of 1949." This apparently signals the start of a push to revive Public Law 78, the Mexican farm labor importation program.

These bills are amazingly gimmick laden. They purport to do one thing and would actually accomplish something quite the opposite.

These bills are written to sound as if they would cut down the number of imported Mexicans admitted into the United States each year to half the average of the 3 previous years. But the measures contain a number of cute tricks to avoid such 50-percent cutbacks.

In actual practice, the difference between these new bills and the one defeated by the House on May 29 is that these measures would extend the Mexican farm labor importation program for 3 years, while the defeated bill would have extended it for only 2 years.

It is time to unmask these bills. Let me describe some of the gimmicks which are used in it to maximize the number of Mexican workers who could be imported during the next 3 years.

First. The number of workers to be admitted in 1 year by the bills is not based on the number of workers admitted during the 3 previous years, but on the number of contracts and recontracts in those years. This is apparent from the statistics accompanying the principal sponsor's statement concerning the bills—see Congressional Record, June 24, 1963, page 11428.

In other words, a Mexican worker who is contracted for 5 weeks to work in Arkansas and then recontracted to work 5 weeks in Michigan and is again recontracted for another 10 weeks in Colorado would be counted as three different workers by the bills. This results in quite a sizable error since there were 68,887 recontracts in 1961 and 46,011 in 1962.

Second. The admissions in a calendar year would be based on the contracts and the recontracts of not the 3 previous calendar years but the 3 previous fiscal years.

The effort here probably is to minimize the effect of the sharp drop in the use of braceros during the second half of the 1962 calendar year due to the greatly increased use of mechanization in the cotton harvest. The contracts and recontracts of fiscal year 1962 were 328,526 as compared to the 226,948 of calendar year 1962. The number of actual admissions made in calendar year 1962 were 194,978.

I point out these technical facts because I am certain a majority of Members of the House will be amused by the gimmickry in the new bills to extend the Mexican farm labor importation program. They will be especially amazed by the great efforts made to keep the number of imported Mexicans as high as possible, even in a bill which purports to phase out the program.

But Mr. Speaker, new bills or no new bills, Public Law 78 is dead and cannot be resurrected. It would be nothing short of shameful for us to permit the continued importation of Mexican farmworkers while there is such a great need for jobs among our own people.

Strangely enough, while we in the House hear such doleful stories about the alleged shortage of farmworkers and the rotting of crops, grower witnesses are bitterly attacking in hearings in the other body a bill that would recruit U.S. farmworkers to meet any possible labor shortage. Not a single grower witness has testified in favor of S. 527, a bill to stabilize U.S. farm labor employment.

The bracero-using growers apparently do not want to hire unemployed U.S. workers. They want cheap, docile, easily exploited foreign labor and they want Congress to provide it.

THE LATE ELEANOR ROOSEVELT

Mr. LIBONATI. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Gonzalez] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, I take this occasion to praise the life of one, who lived until just a while ago working among us during this great period of history, as an exemplary example that cannot adequately be described in terms that would give completely the breadth and depth of this great woman, Eleanor Roosevelt.

This shy, gawky girl, orphaned at an early age and ingrained with a belief that she was homely, matured and embodied one of the most beautiful persons and noble souls that ever lived.

It was when she was 15 and a student at Mademoiselle Souvestre's school at Les Ruches, close to Paris, in the years between the Civil War and the Franco-Prussian War of 1870, that Eleanor Roosevelt's philosophy and attitude toward all people became acutely evident. Mademoiselle Souvestre discovered that Eleanor had an old and wise head on her young body in an essay she wrote. Eleanor said on loyalty:

> Loyalty is one of the few virtues which most women lack; that is why there are so few real friendships among women, for no friendship can exist without loyalty. With a man it is a point of honor to be loyal to his friend but a woman will kiss her best friend one moment and when she is gone will sit down with another best friend and pick the other's character to pieces.
>
> It may seem strange but no matter how plain a woman may be if truth and loyalty are stamped upon her face, all will be attracted to her and she will do good to all who come near her; and those who know her will always love her for they will feel her loyal spirit and have confidence in her, while another woman far more beautiful and attractive will never gain anybody's confidence simply because those around her feel her lack of loyalty.

This extremely sensitive and intelligent woman, who gave unabashed concern for the underdog and channeled her energies into effective service for both the Nation and the world, was destined to serve our Nation in the important role of First Lady when she married Franklin Delano Roosevelt in March 1904.

A somewhat reluctant First Lady, who emphatically told a reporter in 1933 after her husband's election, "But there isn't going to be any First Lady. There is just going to be plain, ordinary Mrs. Roosevelt. And that's that," was anything but ordinary.

The loyalty she so eloquently spoke of at 15 permeated her actions in all areas of her life as the wife of Franklin Roosevelt.

As well as an excellent wife and mother, she was an indispensable partner to a great President and one of the greatest men who ever lived. She was a confidant, an adviser, and a listener with an acutely sensitive set of ears which heard and understood the pulse beat, the problems, the aspirations, and the needs of people everywhere. She also served as an extra pair of legs for her husband, who became physically limited by polio, and set out on trips that would flatten and tire the most physically strong campaigner.

Although sometimes bitterly criticized for her liberal views, she was dauntless in her kindling of economic, labor, and civil rights reforms.

Her tireless efforts and enthusiasm carried on goodwill missions to all parts of the world, her genuine devotion to people made her loved throughout the world. Eleanor Roosevelt was truly deserving of the title which so many bestowed her—First Lady of the World.

EXPLOITATION OF MEXICAN FARM LABOR UNDER THE BRACERO ACT

Mr. LIBONATI. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Gonzalez] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, this House recently used its wisest judgment in defeating an attempt to extend for 2 years Public Law 78 which allows Mexican braceros to freely work in U.S. agriculture. I should certainly hope that in the future we will flatly reject any extension of this slavery-perpetuating law.

Proponents of the Bracero Act have often cited the valuable aid to Mexico that this act supposedly gives. In a resolution urging Congress to extend Public Law 78 the California Legislature claimed that the bracero system has "become a uniquely successful foreign aid program."

I find it difficult to remember a claim quite as preposterous as this. Let us actually heed some of the opinions and feelings of the braceros themselves. One bracero quoted in a study by Henry Anderson, said:

> We are not animals. We are human beings who have suffered much to come to the United States and work. Here we are treated like animals. I think we should not come to the United States where we are treated badly, abused, and looked down upon. Yet we still keep coming back. I think it is the hope that maybe one of these days we will never have to come again.

The braceros come to the United States only because they have to; otherwise they might starve. The bracero program, in turn, offers an excuse to the Mexican Government and society to delay action to improve the braceros' condition in their own country.

The fact is that the bracero's life is little different from that of a slave. He has no actual freedom of choice in choosing for whom he will work. He and his fellows are rounded up not unlike cattle at the contracting stations at the border. If he is at all educated and if there is any chance he will raise questions about the oppressive conditions, he is not contracted. One bracero bitterly commented:

> I had a lot of trouble getting contracted. The reason I had trouble is that they found out I had 6 years of school. They only want dumb people.

Henry Anderson noted in his work, "Fields of Bondage":

> It is inconceivable that the bracero system could endure if Americans were required to spend an hour personally witnessing the operation of a bracero center. Watching long lines of ragged, gray, parched men shuffling before a well-fed, well-dressed buyer of bodies. Watching grown men obey obsequiously when spoiled arrogant teenagers snap their fingers. Watching the youngsters push around the men old enough to be their fathers. Listening to the youngsters curse the men, calling them animals, and worse.

This is what proponents of Public Law 78 call a uniquely successful foreign aid program.

THE PROBLEM OF AIR POLLUTION

Mr. LIBONATI. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Burkhalter] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BURKHALTER. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on the important subject of air pollution, because each and every day there is a daily menace to citizens living in urban areas where there is a population concentration of 300,000 or over.

The following article entitled "Air Pollution Dangers Revealed by Scientist" appeared in the April 26, 1963, issue of the Union Gazette, the official publication of the Building and Construction Trades Union, AFL–CIO:

> Suppose there was a law requiring the planting of 10 trees for every car on the road, 100 trees for every truck, 1,000 for every conventional airplane and 10,000 for every jet?
>
> There isn't any such statute on the books, but there is such a law—a natural law—and our violations of that law are causing increasing damage to people and plant life by destroying the most essential balance of nature.
>
> That's not science fiction, it's the scientific opinion of Dr. Chauncey D. Leake, of the University of California Medical Center, San Francisco, who has made extensive studies of the problem of air pollution.
>
> Dr. Leake was guest speaker at a recent party celebrating the 23d anniversary of the California Farm Research and Legislative Committee, at the home of the committee's executive secretary Mrs. Grace McDonald, in Santa Clara. Theme of the party was "Let's Have Some Fresh Air Everywhere."
>
> Dr. Leake revealed that there is now clear-cut evidence that there are carcinogens (cancer-producing chemicals) in smog. "And there is smog," he said, "in every major city in the world, largely produced by industry," with the exception of Pittsburgh, Pa.
>
> "In that city," he said, "the industrialists several years ago realized that they had created 'a dump,' and they cleaned it up and have kept it clean since."
>
> "Smog," Dr. Leake said, "affects the lungs and heart, causes a great many respiratory and other illnesses, including the most fearful—cancer."
>
> "There is an essential balance in our atmosphere," he said, "that is being destroyed." He described the development of chlorophyl, through which plants give oxygen to the atmosphere as they absorb carbon dioxide.
>
> "Plants and people," he said, "are very much alike in their basic biochemical background. Both are being damaged now by the action of the sunlight on industrial wastes, which produces hydrocarbon combinations and ozone.
>
> "We are burning more oxygen all the time and creating more carbon dioxide all the time, as our population expands, and we're further destroying the balance of nature by cutting down all the green things.
>
> "There is a slight but steady increase in carbon dioxide all over the world. We must get ourselves together and regain this precious balance, so that we and our children can once again have fresh, clean air."
>
> The widely representative group voted unanimous support to legislation on the problem, including: S. 432 (Ribicoff) for Federal assistance, a national research and development program and acceleration of investigation for the prevention and control of air pollution. It sets up an Air Pollution Advisory Board, under the Department of Health, Education, and Welfare. Senator Kuchel's name is on this bill.
>
> H.R. 3765 (Burkhalter) prohibits the manufacture, sale or use of any motor vehicle which discharges substances into the air in amounts found by the Surgeon General to be dangerous to the public health.
>
> S. 444 (Engle) provides funds for research and control of air pollution, aids cities, counties; establishes a national resources and development program for research and training for prevention and control of air pollution, and provides for grants.
>
> Senator Clair Engle has asked Public Works Committee Chairman Pat McNamara to hold public hearings in California on these measures.
>
> There is no Federal legislation now to control air pollution and State legislation is confined to control over automobiles.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. Avery, for Wednesday, June 26, 1963, on account of attendance at a funeral in Kansas.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Halpern (at the request of Mr. Schadeberg), for 5 minutes, today.

Mr. Ayres, for 30 minutes, on Thursday, June 27.

Mr. Monagan (at the request of Mr. Libonati), for 2 hours, on July 16.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Denton and to include a speech by Congressman Randall, of Missouri.

Mr. Vanik to revise and extend his remarks made today and include tables.

Mr. Philbin in two instances and to include extraneous matter.

(The following Members (at the request of Mr. Schadeberg) and to include extraneous matter:)

Mr. Broomfield.

Mr. Hosmer.

Mr. Bow to include extraneous matter in his remarks made in Committee of the Whole today.

Mr. Curtis.

(The following Members (at the request of Mr. Libonati) and to include extraneous matter:)

Mr. Powell.

Mr. Gilbert.

Mr. St. Onge.

Mr. O'Neill.

Mr. Macdonald.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 51. An act to authorize the Secretary of Agriculture to relinquish to the State of Wyoming jurisdiction over those lands within the Medicine Bow National Forest known as the Pole Mountain District; to the Committee on Agriculture.

S. 400. An act to establish penalties for misuse of feed made available for relieving distress or preservation and maintenance of foundation herds; to the Committee on Agriculture.

S. 530. An act to provide for an investigation and study of means of making the Great Lakes and the St. Lawrence Seaway available for navigation during the entire year; to the Committee on Public Works.

S. 623. An act to provide for a program of agricultural land development in the State of Alaska; to the Committee on Agriculture.

S. 1039. An act to authorize the Secretary of the Interior to acquire through exchange the Great Falls property in the State of Virginia for administration in connection with the George Washington Memorial Parkway, and for other purposes; to the Committee on Interior and Insular Affairs.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2651. An act to extend for 1 year the period during which responsibility for the placement and foster care of dependent children, under the program of aid to families with dependent children under title IV of the Social Security Act, may be exercised by a public agency other than the agency administering such aid under the State plan;

H.R. 2827. An act to extend until June 30, 1966, the suspension of duty on imports of crude chicory and the reduction in duty on ground chicory;

H.R. 4174. An act to continue until the close of June 30, 1964, the suspension of duties for metal scrap, and for other purposes;

H.R. 5795. An act to provide a 3-year suspension of certain restrictions in the Supplemental Appropriation Act, 1951, on the withdrawal from the Treasury of postal appropriations; and

H.J. Res. 508. Joint resolution making continuing appropriations for the fiscal year 1964, and for other purposes.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day deliver to the White House for forwarding to the President, for his approval, bills and joint resolutions of the House of the following titles:

H.R. 2651. An act to extend for 1 year the period during which responsibility for the placement and foster care of dependent children, under the program of aid to families with dependent children under title IV of the Social Security Act, may be exercised by a public agency other than the agency administering such aid under the State plan;

H.R. 2827. An act to extend until June 30, 1966, the suspension of duty on imports of crude chicory and the reduction in duty on ground chicory;

H.R. 4174. An act to continue until the close of June 30, 1964, the suspension of duties for metal scrap, and for other purposes;

H.R. 5367. An act to designate the Bear Creek Dam on the Lehigh River, Pennsylvania, to the Francis E. Walter Dam;

H.R. 5795. An act to provide a 3-year suspension of certain restrictions in the Supplemental Appropriation Act, 1951, on the withdrawal from the Treasury of postal appropriations;

H.R. 5860. An act to amend section 407 of the Packers and Stockyards Act of 1921, as amended;

H.R. 6755. An act to provide a 1-year extension of the existing corporate normal-tax rate and of certain excise-tax rates;

H.J. Res. 82. Joint resolution to change the name of Short Mountain lock and dam and reservoir in the State of Oklahoma to Robert S. Kerr lock and dam and reservoir; and

H.J. Res. 508. Joint resolution making continuing appropriations for the fiscal year 1964, and for other purposes.

ADJOURNMENT

Mr. LIBONATI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 56 minutes p.m.) the House adjourned until tomorrow, Thursday, June 27, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

976. A letter from the Attorney General, transmitting a report relating to the continuing review of the outstanding voluntary agreements and programs established, pursuant to section 708(e) of the Defense Production Act of 1950, as amended; to the Committee on Banking and Currency.

977. A letter from the Comptroller General of the United States, transmitting a report on unnecessary expenditures for exterior storage facilities serving family housing by the Department of the Army at Fort Dix, N.J.; to the Committee on Government Operations.

978. A letter from the Archivist of the United States, General Services Administration, transmitting a report on records proposed for disposal under the law; to the Committee on House Administration.

979. A letter from the Chairman, Federal Power Commission, transmitting a draft of a proposed bill entitled "A bill to amend section 7(b) of the Natural Gas Act"; to the Committee on Interstate and Foreign Commerce.

980. A letter from the Chairman, Federal Power Commission, transmitting a draft of a proposed bill entitled "A bill to amend the Natural Gas Act with respect to the interconnection of facilities for the transportation of natural gas, and for other purposes"; to the Committee on Interstate and Foreign Commerce.

981. A letter from the Assistant Secretary of the Interior, transmitting a draft of a proposed bill entitled "A bill to amend the act of August 3, 1956 (70 Stat. 986), as amended, relating to adult Indian vocational training"; to the Committee on Interior and Insular Affairs.

982. A letter from the Secretary of the Treasury, transmitting a draft of a proposed bill entitled "A bill to provide for an increase in the maximum amount of insurance coverage for bank deposits and savings and loan accounts, to protect further the safety and liquidity of insured institutions, to strengthen safeguards against conflicts of interest, and for other purposes"; to the Committee on Banking and Currency.

983. A letter from the Comptroller General of the United States, transmitting a report on the overpricing of teletypewriters procured under Department of the Army negotiated fixed-price contract DA-36-039-SC-81780 with Kleinschmidt Division, Smith-Corona Marchant, Inc., Deerfield, Ill., awarded on December 31, 1959; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLS: Committee of Conference. H.R. 6791. A bill to continue for 2 years the existing reduction of the exemption from duty enjoyed by returning residents, and for other purposes (Report No. 472). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROOMFIELD:

H.R. 7278. A bill to authorize the sale, without regard to the 6-month waiting period prescribed, of cadmium proposed to be disposed of pursuant to the Strategic and Critical Materials Stock Piling Act; to the Committee on Armed Services.

By Mr. BURKE:

H.R. 7279. A bill to amend the Social Security Act to assist States and communities in preventing and combating mental retardation through expansion and improvement of the maternal and child health and crippled children's programs, through provision of prenatal, maternity, and infant care for individuals associated with childbearing which may lead to mental retardation, and through planning for comprehensive action to combat mental retardation, and for other purposes; to the Committee on Ways and Means.

By Mr. CLANCY:

H.R. 7280. A bill to amend the Internal Revenue Code of 1954 to allow an income tax credit for tuition expenses of the taxpayer or his spouse or a dependent at an institution of higher education, and an additional credit for gifts or contributions made to any institution of higher education; to the Committee on Ways and Means.

By Mr. COHELAN:

H.R. 7281. A bill to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in education, to establish a Community Relations Service, to extend for 4 years the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes; to the Committee on the Judiciary.

By Mr. MONAGAN:

H.R. 7282. A bill to provide for the reimbursement of political parties for their radio and television expenditures in presidential election campaigns; to the Committee on House Administration.

By Mr. BARING:

H.R. 7283: A bill to establish the Great Basin National Park in Nevada, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BURKE:

H.R. 7284. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. GOODELL:

H.R. 7285. A bill to provide for the inscription in the courtroom in the U.S. Supreme Court Building of the phrase "In God We Trust"; to the Committee on Public Works.

By Mr. HARRIS:

H.R. 7286. A bill to amend the Natural Gas Act with respect to the importation and exportation of natural gas; to the Committee on Interstate and Foreign Commerce.

By Mr. HEALEY:

H.R. 7287. A bill to amend the Civil Service Retirement Act to authorize the retirement of employees after 30 years of service without reduction in annuity; to the Committee on Post Office and Civil Service.

H.R. 7288. A bill to prevent the use of stopwatches or other measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mr. LINDSAY:

H.R. 7289. A bill to provide for periodic congressional review of Federal grants-in-aid to States and to local units of government; to the Committee on Government Operations.

H.R. 7290. A bill to provide that tips received by an employee in the course of his employment shall be included as part of his wages for old-age, survivors, and disability insurance purposes; to the Committee on Ways and Means.

By Mr. MARTIN of Nebraska:

H.R. 7291. A bill to consent to the Lower Niobrara River and Ponca Creek compact between the States of Nebraska and South Dakota; to the Committee on Interior and Insular Affairs.

By Mr. ROBISON:

H.R. 7292. A bill to amend the various acts providing Federal assistance for education to insure that Federal funds will not be used to assist educational institutions which practice racial discrimination; to the Committee on Education and Labor.

By Mr. BEERMANN:

H.R. 7293. A bill to consent to the Lower Niobrara River and Ponca Creek compact between the States of Nebraska and South Dakota; to the Committee on Interior and Insular Affairs.

By Mr. OLIVER P. BOLTON:

H.R. 7294. A bill to amend the Accounting and Auditing Act of 1950, as amended, to authorize and require reports of audits of the financial transactions of the House of Representatives by the Comptroller General of the United States; to the Committee on Government Operations.

By Mr. DENT:

H.R. 7295. A bill to amend the Federal Water Pollution Control Act to provide for the sealing off of certain abandoned coal mines so as to prevent the pollution of waterways, and for other purposes; to the Committee on Public Works.

By Mr. GILBERT:

H.R. 7296. A bill to prevent the use of stopwatches, work measurement programs, or other performance standards operations as measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mrs. KELLY:

H.R. 7297. A bill to provide for the establishment of Fire Island National Seashore, in the State of New York, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ROYBAL:

H.R. 7298. A bill to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in education, to establish a Community Relations Service, to extend for 4 years the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 7299. A bill to waive the repayment of advances made to finance the planning of public works if construction of the project planned is initiated as a result of a grant-in-aid made from an allocation made by the President under the Public Works Acceleration Act, and for other purpose; to the Committee on Public Works.

By Mr. HOLIFIELD (by request):

H.R. 7300. A bill to amend various sections of the Atomic Energy Act of 1954, as amended, and the EURATOM Cooperation Act of 1958, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. UTT:

H.R. 7301. A bill to amend section 341 of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. BENNETT of Florida:

H.R. 7302. A bill to further amend the Federal Civil Defense Act of 1950, as amended, to provide for shelter in Federal structures, to authorize payment toward the construction or modification of approved public shelter space, and for other purposes; to the Committee on Armed Services.

By Mr. MACGREGOR:

H.J. Res. 516. Joint resolution expressing the determination of the United States with respect to the situation in Cuba and the Western Hemisphere; to the Committee on Foreign Affairs.

By Mr. QUILLEN:

H.J. Res. 517. Joint resolution proposing an amendment to the Constitution of the United States permitting the right to read the Holy Bible and to offer nonsectarian prayers, including the Lord's Prayer, in the public schools or other public places if participation therein is not compulsory; to the Committee on the Judiciary.

By Mr. SCOTT:

H.J. Res. 518. Joint resolution proposing an amendment to the Constitution of the United States permitting the right to read from the Holy Bible and to offer nonsectarian prayers in the public schools or other public places if participation therein is not compulsory; to the Committee on the Judiciary.

By Mr. CAREY:

H.J. Res. 519. Joint resolution to authorize the President to proclaim October 9 in each year as Leif Erikson Day; to the Committee on the Judiciary.

By Mr. KING of New York:

H.J. Res. 520. Joint resolution expressing the determination of the United States with respect to the situation in Cuba and the Western Hemisphere; to the Committee on Foreign Affairs.

By Mr. DEVINE:

H.J. Res. 521. Joint resolution proposing an amendment to the Constitution of the United States permitting the offering of prayers and the reading of the Bible in public schools in the United States; to the Committee on the Judiciary.

By Mr. HAWKINS:

H.J. Res. 522. Joint resolution to authorize the President to proclaim a week in March of each year as National Health Week; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FINO:

H.R. 7303. A bill for the relief of Mrs. Vittoria Bertucci Vetro; to the Committee on the Judiciary.

H.R. 7304. A bill for the relief of Luigi Silvestri; to the Committee on the Judiciary.

By Mr. LINDSAY:

H.R. 7305. A bill for the relief of Dr. Rocio Eufrosina Papa Galves; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.R. 7306. A bill for the relief of Mr. Liem Gien Tjwan; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

171. The SPEAKER presented a petition of Arienne Conley, clerk of the Board of Supervisors of the County of Yuba, Marysville, Calif., petitioning consideration of their resolution relative to urging adoption of Senate bill 1275, relating to Federal-State conflict over water rights, which was referred to the Committee on Interior and Insular Affairs.

EXTENSIONS OF REMARKS

Dedication of Monument to Dr. Robert H. Goddard

EXTENSION OF REMARKS
OF
HON. PHILIP J. PHILBIN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 26, 1963

Mr. PHILBIN. Mr. Speaker, under unanimous consent to revise and extend my remarks in the RECORD, I include therein a speech I made on May 11, 1963, at the dedication of a monument to the world famed, Dr. Robert H. Goddard, pioneer discoverer of modern rockets and missiles which recently took place at Fort Devens, Mass., in my district:

It is a very great honor for me to be present today at this moving dedication of a beautiful monument for our great citizen, scientist, and friend, Dr. Robert H. Goddard, of beloved memory.

The Nation and the world will applaud the action of General Verbeck, his staff and the Army in making this historic dedication possible, and we are all grateful to Mr. Samuel Hopley and Miss Jean Hopley for their deep interest and many efforts in bringing this most appropriate monument and plaque to reality. We are grateful to all who assisted in this valued project.

It is especially appropriate that Mrs. Goddard, who helped her famous husband so effectively during his life, and who has taken part in many efforts to perpetuate his memory, should be with us today.

The Nation and the world has come to realize the greatness and significance of Dr. Goddard's tremendous contributions.

He has been honored in innumerable ways. The Congress of the United States has struck off a gold medal in high tribute to him. Our great space center, so meaningful to us, in terms of the national security, space exploration and the advancement of science, bears his name. Many memorials to honor him have been established in this country and elsewhere to bring enduring luster to his achievements.

And it is in our best traditions indeed that this memorial should be established here at Fort Devens, where years ago this great dedicated, gifted man performed some of his earliest and most important experiments.

No one could possibly describe, let alone evaluate, the reach, the depth and the everlasting vital importance of Dr. Goddard's work. Born in struggle and sacrifice, conceived in genius, carried out with a courage and determination that would not be denied, Dr. Goddard's contributions now rank by common concensus with the most epochal ever achieved by man.

The ideas he generated and developed have already carried us to the reaches of space. No one could predict today the extent they will permit us in the future to penetrate, indeed to conquer, problems and adventures that have challenged the human race since its inception.

If the counsel, advice and discoveries of this great man had been heeded and acted upon when first proclaimed, our mastery of space would doubtless be vastly more extended than it is today, and some of the security problems we now face would probably be much less compelling than they are.

But we must live for the future, for the enlargement of human knowledge, for progress, for advancement, for improvement in the status of man and his control over his environment, for the broad ideals of freedom we stand for, for better conditions, better relations and peace in the Nation and the world.

As we proudly and gratefully dedicate this monument, to a very great man, a neighbor and a friend, whose name will go down the unbroken channels of history through ages yet to come, we might well ponder and remember the words of Dr. Goddard at his high school graduation delivered years ago in June 1904.

"It is difficult to say what is impossible, for the dream of yesterday is the hope of today and the reality of tomorrow."

May the dreams, the hopes and the realities, which Dr. Goddard's rich fruitful life have brought to all of us, continue to be reflected in the years ahead in the knowledge, wisdom, well-being, peace and happiness of our own great Nation and the world.

Diario las Americas

EXTENSION OF REMARKS
OF
HON. WILLIAM S. BROOMFIELD
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 26, 1963

Mr. BROOMFIELD. Mr. Speaker, the Fourth of July is not only the anniversary of the independence of our great Nation. It also marks the 10th birthday of a newspaper which has become a force for unity and liberty throughout the Western Hemisphere.

The Spanish-language newspaper, Diario las Americas, started publication in Miami on July 4, 1953, a date purposely chosen to render tribute to the United States and the freedom and opportunity it affords its citizens.

Diario las Americas has constantly kept in mind the goals embodied in its mottoes:

"For a Better Understanding Between the Americas," and "For Liberty, Culture, and Hemispheric Solidarity."

Today, this newspaper is distributed in 21 capitals throughout the Western

Hemisphere from Washington to Buenos Aires. Its stories and its factual presentations are trusted and its editorial opinions are valued. It has provided a factual window to the Western Hemisphere, in depth, in focus and with clarity and understanding.

Certainly, Latin Americans have a much better understanding of the difficulties their countries are facing, and the assistance we are attempting to provide, because of this excellent newspaper.

It has explained in great detail the dangers of Castro and communism in our hemisphere and has depicted the need for a philosophy of hope, rather than despair, throughout the Americas.

May I wish Diario las Americas a most happy anniversary and my commendations to Editor Francisco Aguirre and Director Horacio Aguirre for a most excellent daily chronicle of significant happenings in the Western Hemisphere.

Free Friends of the Captive Nations

EXTENSION OF REMARKS

OF

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1963

Mr. CURTIS. Mr. Speaker, on Saturday, July 13, in conjunction with the national observation of Captive Nations Week of July 14–20, the Free Friends of the Captive Nations will parade in St. Louis as a manifestation of the fact that they have not forgotten the scores of millions of men and women who are citizens of the captive nations of the world.

It is strange, indeed, that those very nations, Soviet Russia and Communist China, which are actively undertaking a most determined program of colonialism can talk and be heard concerning the virtues of anti-imperialism and decolonization. The recent histories of Hungary and Tibet on the one hand and of the emerging nations of Africa on the other are tangible evidence of the true identity of the present-day imperialists. The facts are a firm rebuttal to the allegations of the Soviet Union, Red China, and certain self-styled neutral nations. But it is not enough to allow the facts to rebut the propaganda. In every possible way we must assert our determination to remain free ourselves and to reaffirm our unwillingness to be content as long as millions remain in bondage.

We must adopt a positive approach to the problems of our foreign policy. We cannot be content with the preservation of our own freedom, but must work to insure success and freedom for captive peoples the world over. We must make the world conscious of our belief that freedom is for all people and that true self-determination is the heart of freedom. It is for all people to choose the course of their future and to have the opportunity periodically to reassess their choice. Until the world is such that the citizens of all its nations have more than the right passively to assent to an oppressive form of government and more than the right to make a once and binding choice of government, we cannot rest content.

Accordingly, it is proper that we celebrate Captive Nations Week as a symbol of our consciousness of the present fate of these peoples and our determination that they shall not be forgotten. We are the present hope of these nations and must continue to be their hope for the future.

Withhold Federal Aid From Schools Which Discriminate Between Students by Reason of Their Race, Color, Religion, Ancestry, or National Origin

EXTENSION OF REMARKS

OF

HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1963

Mr. GILBERT. Mr. Speaker, I am including in the CONGRESSIONAL RECORD my statement to the Select Subcommittee on Education, Committee on Education and Labor, concerning my bill, H.R. 625, when the bill was under consideration. The statement follows:

Mr. Chairman and members of the Committee on Education and Labor, in January of this year, I reintroduced my bill to withhold Federal aid from schools which discriminate between students by reason of their race, color, religion, ancestry, or national origin: H.R. 625. This bill, and a number of others pertaining to this subject are now before your committee for consideration.

I am gratified to have this opportunity to speak in favor of this legislation, which would be effective in reaching our goal, to assure equal educational opportunities for all Americans regardless of their color, race, religion, or national origin.

Your committee has heard testimony by representatives of the Department of Justice and the Department of Health, Education, and Welfare; facts and figures have been given you. Our Federal Government is heavily involved in educational programs; the extent of Federal involvement is seen at a glance by these figures—Federal funds are expended on more than 150 programs costing $2 billion; programs include aid for impacted areas, school lunches, vocational education, adult education, grants under the National Defense Education Act, the Second Morrill Act, the National Science Foundation and various other research grants and contracts. There is legislation pending before various congressional committees now which would greatly increase Federal aid to education, and under present conditions, Negroes and other minority groups would be further cheated out of their rightful share of such benefits.

In a report sent me last year by the Department of Health, Education, and Welfare concerning my bill, it was stated: "There remain a number of States in which there is only token compliance with the U.S. Supreme Court decision, *Brown* v. *Board of Education*, in a few school districts, and there are three States in which no action of any kind has been taken by a public school agency. Today there are approximately 2,000 school districts in which the public schools are conducted on a completely segregated basis." Conditions remain the same today; these school districts continue to receive the benefits of Federal aid.

It is admitted that some progress is being made to end segregation and discrimination in the schools of our Nation. However, Negroes and members of other minority groups have become sick and tired of the procrastinations and the general disregard of their rights, and entitlement to education is one of them. As a result, a revolution is under way in our Nation; the Negro is demanding his rights and he wants them now; the revolution will continue until he has achieved the equal status as an American citizen which has been denied him for a hundred years. The Negro will not be satisfied, now, with long drawn out desegregation suits. He wants his children to have the same educational opportunities afforded white children at this time, not 3 or 10 years from now. Generations of Negroes have been denied full educational benefits and their progress has been halted in vocational trades, in industry, and in the professions. Millions of Negro children today are being denied the kind of education which should be the birthright of every American child. Recently, Secretary of Labor W. Willard Wirtz stated: "Excessive Negro unemployment is due to three things: unequal education, training, and racial discrimination. The disparity has been getting worse instead of better."

The President, in his message on civil rights on June 19, 1963, said that simple justice requires that public funds to which all taxpayers of all races contribute, should not be spent in any fashion which encourages, entrenches, subsidizes or results in racial discrimination. Direct discrimination by Federal, State or local governments is prohibited by the Constitution. The proposed administration bill on civil rights provides that the United States is not required to furnish financial assistance "to any program or activity in which racial discrimination occurs."

I believe that if Federal aid is withheld from schools which discriminate between students by reason of their race, color, religion, ancestry, or national origin, we shall hasten action on the part of States which are now reluctant to desegregate their schools and grant Negroes equal educational opportunities.

The Congress must lose no opportunity to show that it recognizes the present crisis and that the full weight of the Federal Government must be thrown on the side of adaptation of civil rights legislation to the end that the destructive and vicious evils of discrimination based on race, color, religion, will be eliminated wherever they are found in our country. For these reasons, I urge your committee to take favorable action on the legislation before you.

Tribute to Mrs. Roosevelt

EXTENSION OF REMARKS

OF

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1963

Mr. O'NEILL. Mr. Speaker, she was a woman for the ages. It is doubtful whether we shall see her like again. There is no doubt whatever that it is impossible to praise adequately or to describe appropriately the magnitude of her achievement.

As a wife and mother, as First Lady, as an ambassador to the United Nations, as a fighter for humanity and a crusader for justice, she filled all of these roles with wisdom, with courage, with fervor, and with dedication to the welfare of mankind.

She was beloved by all at the time of her death. Those who had criticized her when she was her eminent husband's peripatetic visitor of breadlines, orphanages, slums, and the other places of sorrow and tribulation of the years of the great depression, those critics had come in time to admire and respect her. Most of the world had come to love her.

Her causes were many, her triumphs were manifold, her sympathies were quick, her touch was sure, her commonsense was vast, and to know her friendship was indeed a blessing.

The country is poorer by her death, but richer by the contributions over the years which no one but she could have made. She was an inspiration to the women of America to exercise the power which their votes gave them. She awakened abroad a regard for America and Americans by her travels about the globe, and her terribly obvious concern for the poor, the oppressed, the spurned, and the forgotten of every creed and race, in every country, and at all times.

Her memory will never pass from our recollection.

Pensions for Veterans of World War I

EXTENSION OF REMARKS

OF

HON. WINFIELD K. DENTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1963

Mr. DENTON. Mr. Speaker, our colleague, the gentleman from Missouri [Mr. RANDALL], while a member of the House Veterans' Affairs Committee in both the 86th and the 87th Congresses introduced his own bill that would have provided for a pension for World War I veterans. He has a reputation for being a tireless worker in behalf of veterans legislation. He has been a consistent supporter over the years of a separate pension for World War I veterans.

In the 88th Congress I introduced H.R. 2332, which has been endorsed by veterans of World War I of the United States of America. Because of his support for my bill, under unanimous consent, I wish to insert in the RECORD portions of a speech Mr. RANDALL delivered before the department convention of the District of Columbia of the World War I Veterans organization at the Hamilton Hotel on Saturday, the 15th of June 1963:

LET'S BE FAIR, THEN LET'S HURRY

(By WILLIAM J. RANDALL, Member of Congress, Fourth Missouri District)

Chairman Eslin, National Vice Commander Kime, Department Commander Moore, Department President Iverson, members of the Department of the District of Columbia, ladies and gentlemen, it is very pleasant to be here with you today. I always welcome an appearance before a World War I veterans organization.

As most of you know, I was for two terms a member of the House Veterans' Affairs Committee. I know all of the members of that committee and I know they are sincere, but for some reason or other not much ever seems to happen in the way of a separate pension for World War I veterans. The veterans in my home district in years past continued to ask about inaction by the committee I have told them repeatedly I was in favor of a separate pension, but it seemed no real progress could ever be accomplished within the committee. To prove my sincerity, I signed the discharge petition which came so very close to being successful in 1962. I am sure I share the opinion of most Members of Congress that the use of a discharge petition should be resorted to most infrequently. But equally true, most of us believe that there are instances when an exception should be made and it is where bills have been introduced and have not been given a full, adequate hearing or if given a hearing, the full committee is never given an opportunity to vote the bill as it is said, up or down, which means reported favorably or tabled within the committee.

I know most of you are wondering why it is there is no favorable action on H.R. 2332 or companion bills, and I thought I would pass on to you some of the criticism of these measures which is mentioned and overheard in informal conversation among Members and others.

1. It is said that a $100 a month pension departs from the test that such a large monthly sum is only for those with substantial physical disability and further that the income limits should be set much lower than have been proposed. My answer to these critics is that they should take a look at the figures recently released by the Department of Commerce, which stated an annual income of $3,600 for a single person or $4,000 for a married couple is necessary to maintain the average standard of living in this country. These figures are, mind you, a norm, not just for the elderly with their higher medical expenses.

2. There is the objection that there would be a lot of new veterans added to the pension rolls today. It is argued that those now receiving pensions would be benefited only partially. But my friends, it is this kind of criticism that contains the implicit admission that the existing limitations on income are too low. It is unrealistic that a man should not have a pension of any kind if he has an income of over $1,800. As the Department of Commerce figures I have just related show, there is a definite need among those with an income of any amount less than $2,400.

3. No matter how the objection or criticism to World War I pensions may be expressed, it all comes back to the matter of cost. It is estimated by the VA that the cost for fiscal 1964 would be about $1 billion. While it is admitted this figure would drop in each succeeding year because of the deaths of pension recipients, we think this matter of cost should be considered in the light of our national income or correlated to our gross national product. Put in this light, the present cost of veterans' benefits is less than in the 1890's or even in the 1930's, notwithstanding the fact that the number of veterans has increased from 3 to 14 percent of the total population. Here is a fact that may cause you to ponder with surprise and even shake your head; because in the year 1963, the total veterans' expenditures consumed less than 8 percent of all Federal tax receipts compared to 30 percent in the early 1930's. Now here are some more figures that are either forgotten or for some reason are just never presented and that is if we would take the projected approximate cost of $1 billion per year for the new World War I pension program and add it to the curent total VA annual cost of $5.3 billion, this would bring the total to only $6.3 billion, which would be far less than the $8.3 billion spent on veterans' programs in 1947. If we could afford to spend $8.3 billion in 1947 with a much smaller national product, surely we can afford a little over $6 billion in 1963, with a much greater national income.

Ladies and gentlemen, I hope you will let me talk with you for a few minutes on reasons why there should be an immediate enactment of a World War I pension program. First, it is right in principle and just in purpose. The World War I veteran has fulfilled his obligation, although he regarded it at the same time as a privilege; but now that the waving of flags and the joyful parades are over, the Nation is obligated to these men. I submit to you that this obligation has not been fulfilled. Actually, it is not an obligation but an opportunity of the Nation to come to the help of these forgotten men in their greatest hour of need. Whatever is done should not be done as though it were an act of charity but with the feeling of gratitude that it is the doing of a thing that is long overdue. Second, there is strong, ample precedent for the enactment of such a separate pension. The American philosophy toward pensions for veterans is unique in all the annals of history. It was our beloved Gen. George Washington who set the precedent when he said those who serve the Nation in times of war become in a sense a privileged class; that those who risk their life and limb in the preservation of the Nation are entitled to a pension.

While any war is dreadful, we should remember that World War I was fought in trenches filled with vermin, filth, and disease and has been called the "dirtiest of wars." The doughboys of 1917–18 received only the meager sum of $21 per month and remember it was in World War I there was used a weapon that had never been used before or has not been used since, the most despicable and most cowardly form of warfare, the use of poison gas. Because of this gas, men were blinded, men went insane, and some who survived eagerly prayed for the day when the gracious Lord would free them from their suffering.

Another strong justification for the immediate passage of World War I pensions is that for the World War I vets there was no "52–20 Club" or the payment or $20 for 52 weeks as was paid to World War II veterans out of a job and seeking work. There was no GI Bill of Rights, no housing, or small business loans. All a World War I veteran received was $60 on discharge or barely enough for a suit of clothing and a pair of shoes. Third, a strong additional reason for enactment now of a separate pension is that it would accelerate the economy much in the manner of the Accelerated Public Works program and stimulate purchasing power in like manner suggested as the principle for a tax cut. Today we hear so much talk about the necessity to accelerate our economy and for good reason, but why is it that those who are interested in acceleration of our economy cannot see that money paid to veterans under a World War I pension would be spent monthly in their community and would go directly into the stream of purchasing power. It would better the economy of that community immediately and the country as a whole and yet would be subject to taxation against those where it was spent, which in turn would offset the cost of the pension. There is no doubt that pensions to veterans would increase the business tempo throughout the Nation and would go a long way to reduce our chronic unemployment problem we read so much about. It would stimulate the economy at the point where it would do the most good, that is, increasing purchasing power for the buying of consumer goods.

As we have gone along today, we have tried to inform you of some of the current objections we hear to a World War I pension, but we have also tried to tell you why we think your desire for a separate pension is both meritorious and justified. That brings us up to the big problem—why nothing happens? For my own part, I believe there should be some immediate benefit voted for those who have gone unbenefited so long. But it may be that I am in a minority, and I have tried to analyze why this may be so. Everyone in the present Congress is interested in economy and the reduction of nonessential expenditures, and rightly so. But there are always a lot of knights who seem to be crusading for economy just a little more conspicuously than the other Members. But these same Members never hesitate to vote additional benefits for the veterans of World War II or the Korean conflict, yet nothing for the veterans for World War I. Why is this so? My analysis may be cold and cruel, but I think that it is because most Members feel that by not voting for a World War I pension, in their own mind they think they are working in the national interest for economy but the truth of the matter, down deep in their hearts they think they are safe from popular reprisal because there are not enough World War I veterans around to work a reprisal against them. They fear the reprisal of World War II and Korean veterans but not that of the doughboy of 1917 and 1918.

Ladies and gentlemen, if it is true Members of Congress have no real concern or sympathy for World War I veterans, this can only mean the fight for a separate pension must be left to organizations such as yours to enlist in the Congress Members who will act because your cause is right in principle and just in purpose and not through fear of popular reprisal. I say to you that if the laws enacted for the benefit of needy veterans of World War II and Korea were good, these laws clearly imply the propriety of looking out for the World War I veterans to an equal extent. This is why I resent so strongly the charge that when a Member such as myself appears before a meeting of World War I veterans like yours here today he has an ax to grind and his purpose is political. I say that from a standpoint of numbers alone, this kind of a charge is impossible to be true. There may be around a few Congressmen whose conscience hurts them now and then because they voted for World War II benefits and yet none up to now for World War I veterans, but these personal worries are not going to help much to get your bill through Congress this session. As I have said before, if your bill could reach the House floor, I am certain it would pass the House. The big job is to get the bill from committee and to the floor of the House.

Earlier I quoted from General Washington, and now let me quote from another great President of our country, Abraham Lincoln, who said, "It is the duty of all of us to provide for those who bore the brunt of battle." I have never been opposed to the principle of foreign aid so long as it is spent in a reasonable amount. But I say that if we have money to care for others in the world we should first—let me emphasize—first care for our own needy. Let us never disown any of our own veterans.

Our past Presidents have been responsible for some of the most stimulating thoughts regarding veteran's pensions. None is more deserving of repetition than those of President Theodore Roosevelt in his first message to Congress in 1901. While he at that time referred to veterans of the Civil War, his language is equally appropriate today when he said, "No other citizen deserves so well of the Republic as the veteran. They did the one deed which if left undone, would have meant that all else in our history went for nothing. But for their steadfast promise all our annals would be meaningless and our great experiment in popular freedom and self-government a gloomy failure." This most appropriately applies to the just claim made of our country by the veterans of World War I.

I have stated publicly that I would oppose another increase in congressional salaries until we could make some progress toward balancing the Federal budget, but the fact remains that Members of Congress have voted themselves three salary increases since the close of World War II and they have never done anything at all for veterans of World War I. Regardless of how you, the Members of Congress, or any person in this country may feel about the matter of the pension for World War I veterans, the truth is, whatever is going to be done should be considered quickly because time is fleeting. There were 5 million men in World War I. Now there are only 2,300,000 veterans left today. Their average age is 69.8 years. One hundred fifty-five thousand are going on each year. In any discussion about these pensions, first let's be fair, yet frank; then let's hurry.

Independence of Malagasy

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1963

Mr. POWELL. Mr. Speaker, today the Republic of Malagasy celebrates the third anniversary of her independence, and we wish to take this opportunity to send warm felicitations to His Excellency the President of the Republic of Malagasy, Philibert Tsiranana; and His Excellency the Malagasy Ambassador to the United States, Louis Rakotomala.

Red Isle, Ile de Boeuf, Island of Mystery—these are some of the epithets that have been applied to the island of Madagascar, which achieved independence from France on June 26, 1960, as the Malagasy Republic. Fourth largest among the islands of the world, Madagascar's total area is approximately equal to that of our States of New Mexico and Colorado combined.

Island of Mystery is a fitting name for Madagascar, for the origins of the Malgache people are shrouded in uncertainty. Early historical accounts indicate that the island's first settlers probably migrated by raft or canoe from the area around Malaya and Indonesia some 2,000 years ago; the matrix of the island's culture is Malayo-Indonesian. Although Madagascar lies 250 to 500 miles off the coast of southeast Africa, its atmosphere is more oriental than African. It has, in fact, been called "Africa's Asian Island." Its language recalls Malayan rather than an African tongue. Its countryside is dotted by mile after mile of rice paddies. In Tananarive, the capital and largest city, the visitor can see rickshas pulled along the winding cobblestone streets.

The history of the world's fourth largest island has been made more interesting still by the mingling of cultures. Its coastal regions were settled by Africans who migrated from the continent. Beginning about the 12th century Arab traders established posts on the coast and added immigrants to the island population. From the 17th century on Europeans—Portuguese, Dutch, French, and British—added their settlements to an already heterogeneous civilization. Malagasy has truly been "porous to the winds of the world," as its national poet and Minister of Economic Affairs has proudly stated.

Malagasy's emergence as a modern independent state was made possible only because the country's leaders were able to weld the island's diverse cultural elements into a harmonious community. Since independence the Republic has achieved considerable success in furthering the integrating of its diverse cultures and in expanding its economic development.

In politics the Malagasy Government has been stable, moderate, and pro-Western. The Malagasy Republic has an opposition party and opposition press, and no Malagasy is in prison for his political views. In external relations the Republic's insularity has not resulted in isolationism. It became a member of the Monrovia group and the Union of African and Malagasy States, and recently at Addis Ababa signed the charter of inter-African unity. The Malagasy Republic has been a member of the United Nations since the year of its independence.

In the economic sphere the Malagasy Republic has one very important asset—it is self-sufficient. It has a rich variety of animal, vegetable, and mineral resources and has been able not only to feed a population that is growing at the rate of nearly 3 percent a year but also to increase its exports of agricultural products. Malagasy's development plan has resulted in the further improvement of agriculture and the extension of cultivation.

In the field of education exceptional advances have been made. There are now about 2,500 primary schools, and there has been a rapid increase in the number of youths receiving a secondary and higher education.

In summary, we salute you, President Tsiranana and the Malgache people, for your accomplishments in the first 3 years of independence and wish you continued success in the future.

Pomfret, Conn., Celebrates 250th Anniversary

EXTENSION OF REMARKS

OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1963

Mr. ST. ONGE. Mr. Speaker, on Saturday, June 29, the town of Pomfret, Conn., will be celebrating the 250th anniversary of its existence. Pomfret is located in my congressional district, which embraces the eastern part of the State. I am, therefore, planning to be there and to join with the citizens of the community in the festivities of the day.

Old in history and tradition, the town of Pomfret has succeeded in retaining much of its old-time charm and beauty for which many of the New England communities are so famous. It is nestled in the rolling hills of northeastern Connecticut and is one of the diminishing number of communities in our part of the country which still maintains a rustic and gentle way of life so characteristic of America a generation or two ago. The onrush of the mechanical age, the impact of the modern-day industrial society, somehow has eluded Pomfret. Nevertheless, its inhabitants are none the worse off and perhaps even a shade happier than those of us who have become adjusted to the modern age of gadgets and gimmicks.

The town of Pomfret was named and incorporated in the year 1713. It was settled by pioneer colonists in the early period of American history. Because of its beautiful location and its rural atmosphere, it has been for many years a summer resort for city dwellers. Its principal industry to this day is still agriculture. Within its 38 square miles of area are many apple and peach orchards, as well as dairy farms. Its population numbers 2,200.

The 250th anniversary of Pomfret will actually be observed over a period of 2 days, June 28 and 29, during which time many distinguished guests from all parts of Connecticut will participate. Among these are Gov. John N. Dempsey, Senator Thomas A. Dodd, Senator Abraham A. Ribicoff, and many others. Many events have been planned by the arrangements committee for those 2 days, and these include a parade, sky divers, games, an anniversary ball, a barbecue, a singing program, contests, a block dance, a fireworks display, and others.

But the historical phases of the celebration have not been overlooked. There will be a tour of the historic sites of this 250-year-old town, which lists more than 90 homes built before the year 1800 and each of these will be marked with the date of its construction. Among these houses are the following: a house built by Daniel Trowbridge around the years 1730–35, which to this day includes hardware dating back to early colonial times; the old Benjamin Hubbard home built around 1765–1800; the Carson House which dates back to 1708–57, with its beautiful furnishings; the Goodell home, an early American home, built around 1750–90; the Marcy Hollow Blacksmith Shop built in 1818 and continuously operated until 1946. Other historic buildings include the Pomfret Library which was first started in 1739, the Pomfret Congregational Church, and the Abington Congregational Church, the oldest active church in Connecticut.

All of these places, as well as other spots of historic interest, will be identified for visitors. The town library will have special exhibits for the occasion. The celebration will undoubtedly be the largest public event ever to take place in Pomfret in all the 250 years of its history.

As the Representative from that area in Congress, I want to pay a well-deserved tribute to those early settlers of Pomfret who helped build our country through their hard work, their struggles, and their sacrifices. The record of their achievements lives to this day in the hearts and memories of their descendants who can take pride in the legacy handed down to them, a legacy of patriotism and devotion to our Nation.

Mr. Speaker, I salute the citizens of Pomfret on this festive occasion. All of us in eastern Connecticut take great pride in this community and its fine families. We are confident that Pomfret's 250th anniversary will be a great and successful event, and we hope that the next 250 years in the history of this community will be as happy and prosperous for its people as it has been in the past.

In recognition of this anniversary, I am pleased to introduce a resolution in the House of Representatives to extend greetings and congratulations of this House to the people of Pomfret. The text of my resolution reads as follows:

RESOLUTION CONGRATULATING THE TOWN OF POMFRET, CONN., ON ITS 250TH ANNIVERSARY

Whereas the town of Pomfret, Conn., was first named and incorporated in 1713; and

Whereas this year marks the 250th anniversary of that incorporation; and

Whereas Pomfret's rustic beauty and gentle way of life are characteristic of America's small towns and villages, and

Whereas its many historic homes, buildings, and other places of interest are ever-present reminders of the earliest days of this Nation; and

Whereas ceremonies and programs on June 28 and 29 of this year will mark the town's celebration of this anniversary: Now, therefore, be it

Resolved, That the House of Representatives extends its congratulations and best wishes to the citizens of Pomfret, Conn., on the occasion of this anniversary, and acknowledges the many contributions this town has made during the past 250 years, and which it undoubtedly will continue to make to the life of this Nation.

Remarks at American Nuclear Society Meeting

EXTENSION OF REMARKS

OF

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1963

Mr. HOSMER. Mr. Speaker, on June 18 I addressed the American Nuclear Society in Salt Lake City. Numerous requests have been received for copies of these remarks indicating sufficient interest in the subject matter to warrant inclusion below of pertinent extracts:

THE ATOM 1963

In 1963 the atom is "on dead center," and, I believe, its forthcoming movement is up. It can be so with considerable thrust if those responsible for the political aspects of the business perform as capably as you who are responsible for its technical aspects.

This view pertains specifically to the atom in its role as a power source—that is the principle subject of your technical sessions here in Salt Lake—but also peripherally to its other potentialities.

HOW THE ATOM GOT ON DEAD CENTER

Perhaps the best way to see clearly how we can get off dead center is to take a quick look at how we got there, even after public and private expenditures of almost $2 billion on peacetime power from the atom. This figure, of course, does not include military expenditures beginning with the Manhattan project which have made substantial contributions both in know-how and physical assets which support civilian nuclear power, such as the diffusion plants providing enriched uranium, fuel element reprocessing facilities, and the like.

At least two major miscalculations—of which nobody in particular and everybody in general were guilty—played a major part in establishing today's dead centerism.

First, there was a serious undercalculation of the practical difficulties involved in converting the energy locked in the atomic mass to kilowatts on transmission lines. These problems need no elaboration—the members of this society are all too familiar with them. It is sufficient to say that in relation to initial expectations the net result has been a massive stretchout of the time scale for the promises of the peaceful atom to fall due.

Second, there was a serious overcalculation of the magnitude of economic benefits to be achieved from the peaceful atom. Following World War II, a war-weary and war-impoverished world desperately sought a magical horn of plenty as a panacea for all its ills. Practically free and unlimited power from the atom became the popular prescription.

As it all turned out, getting kilowatts out of the atom proved no easy job and once we got them we discovered they possess no inherent virtues—they must stand equally in economic competition with any other kilowatts.

The chilling disillusionments consequent on these major miscalculations inevitably brought on a confusing period of reassessment as to both the problems and the objectives of our nuclear program. During this period, our nuclear power efforts variously were aimed at "beating the Russians," or "international prestige," or just plain "salvaging the investment" with a series of Government sponsored experimental and demonstration programs to keep the U.S. nuclear capabilities and industries alive until some good use could be found for them.

Fortunately the time of "agonizing reappraisal" is now at its end and we have at hand sensible objectives, a realistic idea of the difficulties that must be surmounted to achieve them and a reasonable time schedule for bringing the whole operation to fruition. All we need do is adopt them as national policy.

THE AEC'S REPORT TO THE PRESIDENT

They were blueprinted last November in the Atomic Energy Commission's report to the President on civilian nuclear power. Someday that document may become known as the Magna Carta of nuclear energy. Today it is a powerful outline for getting some place worthwhile—in a proper manner—and at a time realistically related to the facts of economic and technical life.

Reviewing the Nation's conventional energy resources as against the rising rate of energy consumption, the report shows exhaustion of low-cost fossil fuels within a century or less. Apply to this circumstance ordinary rules of economics and it gives us this clear objective for our program as well as its desirable estimated time of arrival; namely, by the end of this century, nuclear power should supply one-half the electric energy generated in the Nation and assume all the total increase in electric energy requirements thereafter.

Next the report reviews the fission energy content of the Nation's nuclear resources and finds a portion available at reasonable cost from rich readily available ores and a portion available only at increasing costs from poorer ores more costly to extract. This means fuel for thermal converters like fossil fuels is limited and exhaustible. Apply to this circumstance the ordinary rules of economics and it gives us this clear blueprint for the technological direction of our program; namely:

Initial phase: Prompt stimulation of the use of thermal technologies now passed or passing the threshold of economic competitiveness with fossil-fuel power stations in higher cost fuel areas.

Intermediate phase: A transition stage characterized by improving nuclear plant economics through higher temperatures, longer fuel life, and other technical improvements, including the introduction of such improved converters as spectral shift, sodium graphite, gas cooled, and heavy water moderated reactors.

Final phase: A long-range program of developing breeder reactors to utilize the full potential of energy available in nuclear fuels, and thereby not just conserve our national nuclear energy resources, but actually multiply them.

We are now well into the initial phase and making progress in the intermediate and final phases. It should be emphasized that the intermediate advanced converter phase will last considerably longer than might be expected from technological considerations alone. Our electric energy requirements approximately double each decade. By the end of this century they will be tremendous. Consumption of conventional fuels will have increased by a factor of four or five. The use of improved converters will necessarily continue well into the early decades of the 21st century while the breeders are generating a sufficient supply of new fissionable materials to pick up and keep pace with the still-growing energy demands.

There are only two possible hitches in implementing the program called for by the AEC's magnificent report. One is technical. The other political.

Should somehow the mysteries of controlled fusion be solved, then our fission program would require wholesale reevaluation. But I hardly believe this technical contingency is immediate enough to change our fission plans for a long time to come.

Only in the political front is the threat, at least of delay, a little more real. When the report was issued in November, I believe the members of the Joint Committee on Atomic Energy generally shared the view that it was a commendable job and would generally have the endorsement of the administration. However, during our February "202" hearings, we were told that another study was being made of research and development in all the energy resource areas. It was quite apparent that the administration had not given its endorsement to the program proposed by the Commission. It has not yet done so.

Now, in the law, we have an old maxim which says, "There must be an end to litigation." The maxim has equal applicability here—there must be an end to studies and to studies of studies. You can hook the best turbine up to a study and it still won't produce a kilowatt of electricity.

I hope—and I believe that my colleagues on the Joint Committee share my hope—that the administration will indicate its endorsement of the Commission's recommendations on the civilian nuclear power program. Unless this endorsement is forthcoming, then I predict that the atomic energy program will drift aimlessly on a sea of inept leadership. I am sure, however, that the Joint Committee will this year, and for as long as is possible in its future authorizations of annual funds, proceed as though the report had been endorsed and make every preparation to achieve its objectives at the time they are needed.

JOINT COMMITTEE AUTHORIZATION RESPONSIBILITY

This matter of authorization power currently is a sore point with the Joint Committee and I would like to discuss it with you for a moment.

Members of the Subcommittee on Legislation have been reviewing the AEC's authorization budget for fiscal year 1964, and we are somewhat concerned.

As you undoubtedly know, the Atomic Energy Act of 1954 requires only that funds for construction or for the cooperative power reactor demonstration program be authorized annually by the Joint Committee. The entire spectrum of the remaining budget, including research and development expenditures, is not subject to review by the committee. Appropriations are made under a blanket authorization provision contained in the 1954 act.

A quick look at the AEC's budget for fiscal year 1964 gives a perspective on this matter. The Commission has requested a total of $2¾ billion. In sharp contrast, the Commission's authorization bill requests only about $200 million for construction items and the demonstration program. The hard figures show that only about 8 percent of the overall AEC budget will be subjected to the scrutiny of a formal authorization process by the Joint Committee on Atomic Energy.

Through the authorization of construction projects it was possible in the early years of the atomic energy program to exercise a quantum of control over the direction of programs roughly commensurate with the Joint Committee's responsibilities. This was true because in the early days, the Commission was just beginning to build the capital plant required for an expanding atomic program, but now, that capital plant is in being. For the most part, I think it can be said that today, the guts of the atomic energy program resides in the operating budget, and this is precisely the area where the Joint Committee has no statutory authority whatever.

Now why is this important? Here I think it is necessary to say a word about the committee and its responsibilities. It was created as the specialized arm of the Congress concerned with the field of atomic energy. The committee is now entering its 18th year of active participation in the atomic energy program and on the whole, I believe it has been remarkably successful. It has a record of conscientious and generally bipartisan handling of atomic energy affairs which is, I believe, well known to the entire industry.

In short, the Congress has entrusted some extremely grave responsibilities to the Joint Committee on Atomic Energy. But the facts are that the course of events over the years has constantly diminished the reviewing power of the committee needed to carry out those responsibilities. The incongruous fact is that although the Commission is required by law to keep the Joint Committee currently and fully informed as to all its activities, this specialized arm of the Congress at this moment has no statutory right of review over 92 percent of the expenditures of the Atomic Energy Commission.

I believe that this problem has reached the point where if something is not done in the very near future, effective congressional control over atomic energy expenditures will be seriously threatened. Every day we see practical illustrations of the problem. For instance, the Joint Committee is asked to recommend the authorization of a specific construction project. But very often substantial funds have already been committed for preliminary development work long before congressional authorization is sought. And the construction project itself may well be only a small part of an enormous overall program of research and development. I think this is especially true in the area of physical research where the authorization for the construction of an accelerator, for instance, may only represent a minute part of the research and development program built around that facility.

In short, it seems to me that once the Joint Committee authorizes a specific construction project, we are "off to the races." Its authorization of a small portion of an over-all project may signal the "green light" for a mammoth program requiring large annual expenditures indefinitely into the future.

In the field of reactor development, I think that we on the committee can see a trend toward the construction of experimental reactor facilities by private groups, the Sefor project, for instance. But it should be kept in mind that, in many cases, the AEC provides all of the funds for research and development, without which these facilities would not be built.

In general, I think that the private approach to the construction of such facilities is a good idea. I strongly support increased private initiative in the atomic energy business. However, the fact is that the Atomic Energy Commission is able to obligate literally tens of millions of dollars for R. & D. over many years without any review by the Joint Committee on Atomic Energy.

Unless the Congress is able to exercise some control, it is possible that an indefinite number of reactor facilities may be built upon the basis of enormous Government commitments for R. & D., without any real review by the Joint Committee.

Let me sum it up this way. The Congress and the American people have vested a grave trust in the Joint Committee on Atomic Energy. The committee is charged with the responsibility for legislative oversight of the Nation's atomic energy program. The committee must be given adequate authority to carry out this responsibility. I believe that my general views on this matter are shared by most other committee members. I don't think it is any secret to you that the committee has been influential in the atomic energy field, despite the restrictions imposed upon it by its limited authority under the current law. However, I think the time has come when the committee's statutory authority should be made equal to its solemn responsibilities.

With that kind of authority, to begin legislative oversight early in the game I believe the Joint Committee could have been effective at the beginning of the SNAP programs in bringing about a better organizational and administrative setup and a firmer targeting of objectives.

With that kind of early oversight, I feel the Rover program might be proceeding without some of its current frustrating delays. Pluto either would have been chopped off at an early date or given a definite green light. Instead it is being slowly strangled to death because no one really wants to take responsibility for a firm "go" or "no go."

It is also suggested that armed with increased authorization power the committee might assist considerably in accelerating decisions definitely to pursue or definitely to abandon numerous other costly areas of study and investigation. Thereby, both scientific manpower and money might be channeled more effectively into development areas of most promise.

ARMY MILITARY REACTORS PROGRAM

I have in mind here the current mess in the Army Military Reactors Program, in which there are requirements pending or threatened for small, medium, and large portable reactors—small, medium, and large mobile reactors—six different breeds in all—plus something for somewhere in the Antarctic at sometime—all with past, present, or planned efforts involving untold hundreds of millions of dollars—all for some uses or other which range from clear and specific to as ambiguous and nebulous as political party platforms.

This particular situation was brought to light during recent authorization hearings of the JCAE when a question was asked about a $12 million line item for the military compact reactor. It elicited the reply that it was just part of a $55 million project, which a few days later turned up with a new price tag of $77 million, and which by all past experience would probably end up costing at least twice that amount. Not only that, almost $10 million already had been spent on the project as of the first moment it arrived at a point where the Joint Committee had anything to say about it.

A distressing feature of the incident was the disclosure of an apparent lack of any clear coordination between these various military reactor programs. Whether mobile or portable, high, low or medium-powered, each reactor type seems automatically to bring on a totally new and costly individual program. I could ascertain no thought at all of evaluating how low-powered reactors already researched, developed and in the hardware stage might be scaled up to meet medium and high-powered requirements or more powerful hardware scaled down to meet lower power requirements.

Perhaps the most distressing feature of the incident, to my mind however, was the apparent total submission of the AEC's military reactors branch to Department of Defense performance requirements and specifications—irrespective of how drastically the cost and technical problems of producing the end product might be eased by only a modest relaxation in such requirements as time for setting up and breaking down a mobile plant, some slight easing in weight and number of package limitations, and like items. In such matters, there is a vast need during early stages of decision for a reasonable adjustment of military desires to known and predictable capabilities of the nuclear arts. Perhaps the Joint Committee is not the only authority with the knowledge to do this, but likely it is one of the few with both the knowledge, power, the will, and the courage to do so.

Right now the Army's military reactor program suffers to an extent from the same lack of reasonable objectives, reasonably defined, which plagued the civilian reactors program before the Commission's November report. It is the same kind of "we don't know where we're going" sickness which killed off the aircraft nuclear propulsion program. In contrast, a very definite objective for the naval nuclear reactors program—specified and reiterated over and over again by the Joint Committee back in the old days when circumstances placed its authorization power closer to the initiation of programs than now—plus, of course, a hard driving relentless boss—proved up the value and feasibility of intimate legislative-executive interrelationship in such matters.

U.S.S. "THRESHER" INQUIRY

The committee's relationship with the naval nuclear programs, as a matter of tradition, still remains closed today. At all times a member of the JCAE's staff was present during both public and secret hearings of the Naval Court of Inquiry on the *Thresher* tragedy. Periodic reports were made to the committee membership in executive session and the committee has reserved its privilege to take such action, if any, as it deems proper in the premises. I cannot comment at this time as to what the committee may do.

NEW NUCLEAR ATTACK SUBS

However, I would like to state my personal convictions, held long before the *Thresher's* loss, that the Navy has yet to capitalize on the full potentialities inherent in naval nuclear propulsion. It has done a magnificent job with the Polaris submarines and the aircraft carriers—ships which necessarily must be large in size and therefore follow conventional warship design patterns. Where it has failed is in respect to the hunter-killer submarines like *Thresher*.

Brute forcing materials and fabrication techniques to their limits has been employed to balloon hulls to dimensions large enough to envelope all of today's bulky antisubmarine warfare paraphernalia and to strengthen them sufficiently to cope with new operating parameters of speed, depth, and endurance. *Thresher* has proved this to be a risky business. I believe naval architects and engineers must stop magnifying old blueprints and turn to new concepts of a totally miniaturized submarine of the ASW type—miniaturizing the nuclear powerplant, all electronic fighting and navigating equipment and other internal features as well as the hull itself. I visualize an attack submarine perhaps only 100 feet in length compared with the *Thresher's* almost 300-foot length—a crew reduced from some 125 to perhaps 15—semiautomatic control of practically all functions of the vessel—and possibly the use of such wholly unconventional materials as aluminum or plastics rather than steel to construct the hull. Development would be expensive, of course, but production costs, bearing almost linear relationship to tonnage, would be vastly reduced. Within the limits of naval construction budgets, it might be possible to build four of these new miniaturized subs capable of vastly increased performance in every respect for the cost of one *Thresher*. Possibly both the size and the lethal striking power of our undersea fleet could be tremendously increased by this novel concept of development—which is the natural and logical extension of the potentialities of naval nuclear reactors.

GROWING OPPOSITION TO SITING OF REACTORS

While in the mood to pass out free advice, I would like to close with a suggestion as to how this group might make a much needed nontechnical contribution toward advancing the cause of the nuclear industry.

One of the most disturbing trends which I can detect affecting the future of atomic energy is the increasing opposition to the siting of nuclear reactors in various parts of the United States. The opposition takes many forms. There is, of course, always the opposition of some people who live in the proximity of a proposed industrial facility. But in the case of nuclear reactors, for the most part, their fears grow out of a lack of understanding. And then there is the opposition of those who really should know better. For instance, we find the former Chairman of the Atomic Energy Commission, Mr. David Lilienthal, making wild and unfounded charges concerning the location of a nuclear reactor near Manhattan. And then we find the Secretary of the Interior, "Earthquake McUdall," during an acute attack of "seismophobia" raising public hue and cry against the proposed Bodega Bay reactor because, like the Stanford linear accelerator, it will be sited near the San Andreas Fault. We find Chairman Joseph C. Swidler, of the Federal Power Commission, just a few days ago in Denver, telling the electric power industry it is spending far too many research and development dollars on nuclear technology.

Although I do not generally subscribe to the "conspiracy theory of history," I cannot help but wonder whether there is an organized campaign against atomic energy being developed by people whose motives are less than pure.

In any event, regardless of the reasons for the growing opposition to the siting of nuclear reactors, I think it is imperative that the industry take steps to create some type of independent body which could provide the concerned public witn the facts on nuclear reactor safety. I am afraid that if some action is not taken along these lines in the near future, a very major obstacle to the development of civilian nuclear power will be created.

I believe that an organization like the American Nuclear Society which is composed of individuals with the necessary specialized knowledge has a duty—acting as an organization or through individual members—to educate the layman.

Do not permit false information to stand unchallenged—do not permit the public to be inundated with false information directed toward developing public opposition to peaceful uses of nuclear energy without taking steps to correct the situation.

Each one of you in your home area, when you see a false statement made in a local newspaper or periodical about the dangers of nuclear reactors, should write to that paper or magazine and give them the true facts. You have a duty to the public as well as to your profession to do so.

Godspeed, Gen. William J. Verbeck

EXTENSION OF REMARKS

OF

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1963

Mr. PHILBIN. Mr. Speaker, on June 28, 1963, the esteemed, beloved and outstanding commanding officer of Fort Devens, Mass., in my district, Maj. Gen. William J. Verbeck, is retiring after 41 years of magnificent service to our country.

As has been so well pointed out by the Fort Devens Dispatch, General Verbeck will leave behind him a host of friends and neighbors, among them every community in the central Massachusetts area and, indeed every community where he is known.

Of a famous fighting Army family with a long background of most meritorious contributions to our national defense and security, highly trained for his important tasks, endowed by nature with great powers and ability, personality, courage and dedication, General Verbeck has made a record during his Army service that will long be gratefully remembered by the Army, the Nation, and our people.

I have taken occasion to speak briefly of some of his achievements, but, admittedly, nothing I might be able to say, could possibly encompass them all, nor could it portray the real scope, magnitude, and depth of General Verbeck's contributions to the country. I have written him on the occasion of his retirement, expressing as best I could, my feelings of pride and gratitude, mingled with sadness at his departure from Fort Devens and the Army.

Under unanimous consent, I include as part of my remarks General Verbeck's farewell message as it recently appeared in the Fort Devens Dispatch and the letter I have written him on the occasion of his retirement:

FAREWELL MESSAGE OF MAJ. GEN. WILLIAM J. VERBECK

It is time to say farewell.

As many of you know, an Army career is, in a sense, a never-ending series of good-bys—to friends you have made and may never see again; to posts you have enjoyed and to some you haven't; to episodes in your life you want always to remember, and to some you'd rather forget.

This marks my last Army goodby. I have said many in the 41 years I've worn the uniform of the United States. This is the hardest.

The Army in which I was commissioned in 1927, as a second lieutenant fresh out of West Point, was a good Army—well led and depending on good people to do its work.

The Army I leave today is a better Army. It is better equipped; better trained. It is the product of a nation more willing than we were 36 years ago to assume the role of world leadership, with all the difficult responsibilities that role entails.

The Army is better and the Nation is stronger because of battles we have fought and, from straining every resource at the very threshold of defeat, ultimately have won.

There was the civil struggle of depression in the 1930's. From it emerged a sadder but wiser—far wiser—population.

There were the early days—the black days—of World War II. We were not prepared and our Nation easily might have paid the supreme price.

And there were the first months of the Korean conflict when our soldiers again gave their blood to give the Nation precious time to prepare.

And there is today. Today missiles are poised as machetes flash in dense jungles, posing still another, a new threat to our way of life.

This time, however, I think we stand ready. Our Army has drawn heavily from the acid test of experience. Now, active units stand ready to fight nuclear, conventional, and unconventional battles—to fight these battles and to win them.

For us here at Fort Devens, this should be of especial significance. We live and work a mere dozen miles from the scene of our Army's beginnings, at "the rude bridge that arched the flood" at Concord, so many years ago.

There, an enraged citizenry took up arms for a way of life, even as each of you has done.

When the war was over, these people returned to their farms and shops—but still stood ready.

I think we stand ready today, in much the same way. Perhaps as ready as our Nation has been, during peacetime, within any of our memories.

And so my goodby to you, though difficult to say, has an aspect of gladness.

I have been here at Fort Devens nearly 4 years. In all of my commissioned service this is the longest I have been in one place. I will be sorry to leave Fort Devens. I like the people here in the nearby communities and in the command, and I like the locality.

My wife and I leave an Army which has given us a life of great reward.

We are proud to know the worth of the things and the people to whom we now must bid a reluctant farewell.

JUNE 24, 1963.

Maj. Gen. WILLIAM J. VERBECK,
Commanding,
Fort Devens, Mass.

DEAR BILL: I will always deeply treasure the copy of the Fort Devens Dispatch portraying your outstanding career in the Army.

The pictorial presentation of your military life, in association with your lovely gracious wife and so many of our national leaders, is most impressive and touched me deeply.

When it comes to talking or writing about a great fellow like you, those of us who know you and your unselfish, monumental contributions are necessarily under definite limitations. You have left a great ineradicable mark of distinction upon the history of the Army during your tenure, one attesting great ability, unreserved dedication, noteworthy, memorable contributions, and superb courage.

The Army, the Nation, and your friends are proud of you, Bill, and we all realize the greatness of your achievements, the infinite magnitude of your devotion and loyalty, the depth and penetration of your leadership, the unforgettable influence of your gracious magnanimous personality, and the kindness of your great heart.

It is with a sense of deepest gratitude as well as real loss that I hail you upon your retirement. I again tender you, Mrs. Verbeck, and your lovely family, my heartiest congratulations and deepest thanks.

As you can imagine, I have known many great men and leaders in my day, in and out of military and public life, but truly none of them, however great and noble, could ever surpass you. You stand at the very top of that fine company of loyal Americans that I have been privileged to look up to, to laud, to appreciate and admire with all my heart, and like all those who have known you, to hold you deeply in my affections.

Though your retirement leaves me sorrowful, I think it embodies a real occasion for joy, pride, gratitude, and warm congratulation for one who has done so much for our country. I don't know what your plans are, Bill, but I want you to make sure that you and your family keep in touch with me, so that whenever it is possible, I may be able to serve you and yours in every way I can.

When you leave Fort Devens you will carry our highest esteem, admiration, and affection with you everywhere you go and I hope you will always be mindful of how much we all think of you.

God keep, love, and guide you and yours always.

Warm regards and best wishes to all.

Sincerely yours,

PHILIP J. PHILBIN.

The Magnificent Restoration at Saugus of the First Ironworks

EXTENSION OF REMARKS
OF
HON. TORBERT H. MACDONALD
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 26, 1963

Mr. MACDONALD. Mr. Speaker, a major weapon in the cold war that confronts the world today—especially in the contest for the mind of men—is in the preservation of the visual and inspiring evidences of our history as revealed in the ennobling architecture and places of our history.

We must not permit the cold and unimaginative eye of the historically blind to determine the destiny of our great historic monuments. Suppose some people, insensitive to the significance of a historic scene, had wiped out our majestic statehouse in the Commonwealth of Massachusetts, or Faneuil Hall, or the Old North Church, in the name of progress? What a tremendous spiritual and economic loss our Commonwealth would have suffered. It is up to all Americans from every facet of government and private endeavor to preserve the tangible symbols and monuments of the American tradition.

A notable example of a privately achieved restoration that deserves high praise is that of the ancient iron works in Saugus, Mass. This dates back to the 17th century. The modern iron industry made this possible through the efforts of the American Iron and Steel Institute of New York. This industrial manifestation of history is significant because it was here in Saugus 3 centuries ago that "the successful, sustained, and integrated production of cast and wrought iron was first achieved within the limits of the United States."

Mr. Speaker, I wish to call to the attention of my colleagues a speech on the importance of preserving historical sites which I prepared for delivery at the 20th annual meeting of the First Ironworks Association at the Saugus ironworks restoration:

This magnificent restoration at Saugus of the first ironworks in America is a tribute to the industrial pioneers of three centuries ago.

But it is more than that. It is a monument to the love of place and country, the historical imagination, and the extraordinary capacity for hard work in the face of many setbacks of those dedicated men and women who were responsible for the restoration project itself.

Their work is an inspiration and a model for those citizens of our vast country who, too, are anxious that the sites and structures of their history not be lost to them, lost to their children, or lost to the future. Our past will have a future if the struggles of those who are called preservationists meet with success.

That success can come only with the support of the communities in which the preservationists are active. Such support can be induced only by the example of a model restoration, a masterpiece of historical recreation, such as the ironworks restoration of Saugus, Mass.

Miss M. Louise Hawkes, whose ancestors lived in the Saugus of the early Massachusetts Bay Colony, should receive much of the credit. She first fought for the retention of the ironmaster's house in Saugus when it was proposed to take it to Dearborn, Mich., and make it part of the Ford museum there. Her efforts won the support of Governor Saltonstall in 1941, and eventually of Henry Ford himself.

The Parson Roby Chapter of the Daughters of the American Revolution played a crucially important role in the early days of the project by purchasing the land on which had stood, in the years so long ago, the slag pile, a forge, and the first blast furnace in the new world.

Mr. J. Sanger Attwill of Lynn became president of an organization incorporated in 1943 to work for the restoration, the first iron works association. Mr. Quincy Bent, a summer resident of Cape Ann, and a retired steel company executive, became an enthusiastic backer of the project after attending the association's early meetings, and interested the board of directors of the American Iron and Steel Institute in restoring America's first productive blast furnace.

The results of the dedication of those early pioneers of the restoration project, and of the efforts of the skilled, talented, selfless people they enlisted to help them, are here before our eyes. The sight of their work is indeed an awesome stimulus to anyone's historical imagination.

Geologists, biologists, metallurgists, historians, archeologists, architects, educators, researchers, librarians, State, county, and town officials, citizens of Saugus, all helped, all made their contribution, and all of them deserve thanks and congratulations.

The great New England poet Longfellow said, "We may build more stately habitations, fill our rooms with paintings and sculpture, but we cannot buy with gold the old associations."

What is the purpose of saving old buildings, or restoring them? Some may ask, "Why save old places: What can they contribute to living in the world today?"

We need authentic, tangible reminders of our national and local traditions to make us feel a part of the best in our heritage. Properly presented, they breathe life into past experience. The most cleverly illustrated children's book cannot compare with a visit to this Saugus Ironworks restoration, to the Shaker Village in Hancock, Mass., to the Plymouth restoration, to colonial Williamsburg, or to any of the rest, as a means of giving boys, girls, and for that matter, their parents, the feel of the life of our past as a people, as a colony, as a young country, as a Nation. A morning at one of these places is not merely a history lesson, but an unforgettable taste of an earlier America.

Each town has something in its past worth saving, something worth noting, something worth celebrating, something worth putting up a marker about, something worth describing in the local paper, something worth making real for the children and the grandchildren to come.

There has been a marked increase in the efforts of citizens' groups to preserve historical sites. After years of struggle to make itself heard, the message of the preservationists is beginning to be understood.

The Secretary of the Interior has endeavored to assist the preservationists, and to help spread their message. He recently wrote in a quarterly magazine devoted to the current reporting of events concerning historic preservation that, "The time has come to provide machinery in our laws for the automatic preservation of historic sites when they fall into the surplus or unneeded category. Provision should be made, not for their sale, but for their addition to our great system of national parks and memorials, or their transfer to independent groups or patriotic organizations which have an interest in their preservation for time and generations to come."

We must bend every effort to preserve the great symbols of America's heritage. I believe that our historic sites and buildings are precious to us as a Nation in the same way that the documents of the Declaration of Independence and the Constitution are precious and worthy of preservation.

The preservation of the American heritage of freedom itself is involved in the necessity of keeping before our people the relics of our historic past.

This means buildings rich in historic sentiment and inspiration.

This means battlefields that tell the story of sacrifice, and hold up examples of patriotism and honor to our young people.

It means, above all, an attitude of mind that holds in reverence and esteem these monuments and mementos of our past.

In our respect for the grandeur and the glory of our past rests our survival in the future.

Although the program for historical preservation is a national one, history and geography have combined to make certain areas of our country rich and abundant in memories and mementos of the American tradition.

The area north of Boston is one of these areas.

In our State of Massachusetts, in our capital, Boston, and in the Seventh Massachusetts Congressional District which I have the honor of representing in the House of Representatives of the United States, we have a sensitivity and an awareness that makes us keenly and particularly aware of the character, the stamina, the independence, and the rugged patriotism that gave birth to our Nation.

Because the holiday on which we celebrate that national origin, Independence Day, is so close upon us, and because it would be difficult if not an impossible task to detail the outstanding events that have occurred during the many long years of the distinguished history of the towns and cities that make up the Seventh Massachusetts Congressional District, I can only speak briefly of a few incidents here that are connected with our beginnings as a Nation.

The desire to preserve and restore the sites and buildings of our historic past is a function of the exercise of a historical imagination which interests itself in the history of one's own locality. And, of course, my locality, my constitutional responsibility, and my major interest in life, is the welfare, the history, and the people of my district, the citizens of Saugus, Lynnfield, Wakefield, Malden, Medford, Arlington, Belmont, Everett, Chelsea, Revere, and Winthrop.

In colonial and Revolutionary times, Arlington was part of Cambridge and was known as Menotomy. This area has been ruthlessly altered, especially during the past half century. Almost all of the landmarks associated with the British retreat that formerly lay east of Lexington, through the present Arlington to Charlestown, are now irretrievably gone.

But a notable exception is the Jason Russell house near the corner of Massachusetts Avenue and Jason Street, just west of Arlington Center. The house is remarkable not only in its own right, but also because it is one structure out of the many that stood in the path of the Redcoats that has not succumbed entirely to the ferocious dictates of utility and change.

The old house is a monument to Arlington's colonial and revolutionary past. No better choice as a subject for historical preservation could have been found by the Arlington Historical Society in 1923.

The gray-clapboarded dwelling was erected about the year 1680. It has real worth as an architectural antiquity in addition to its unusual interest as the scene of the mass murder of a dozen Revolutionary patriots.

Through what was later to be Arlington, Paul Revere passed on his way to give warning of the approaching British expedition to Lexington and Concord. The famous ride led in later years to the naming of one of Arlington's streets as Paul Revere Road. The men of the area harassed the British on their retreat, and fierce fighting took place at Jason Russell's farmhouse.

The last Russell descendant vacated the House in 1890, and it was then turned about, and moved back from the road. The stone tablet placed at this time refers to the site of the house of Jason Russell rather than to the house itself. Though the house may have been considered as good as lost when it was moved, the Arlington Historical Society persevered in recovering it at a later date, and it survives today concealed by neighboring residences that have transformed the aspect of a colonial farm into part of a densely occupied suburb.

The early history of Arlington's neighbor, the town of Belmont, is to be found in the stories of the sections from which it was formed. It was incorporated in 1859, and was constituted of sections from Waltham, West Cambridge, and Watertown. Watertown was settled in the beginning of the Massachusetts Bay colony, and as newcomers moved out from this old settlement they seem unaccountably to have overlooked the Belmont section. Fresh Pond, on its eastern border, was an attraction for some, but even there only a few people located in the early days. However, when ice became one of the exports of New England, Fresh Pond became the seat of this industry, and ice cut from it was shipped in large quantities to the West Indies.

The region that we know as the town of Wakefield belonged to the Saugus Indians whose chief lived where the city of Lynn is now located. Land was not conveyed to the white settlers until 1686, although settlers had been there much earlier under a grant from the colony's general court which called what is now Reading and Wakefield, Lynn Village. In the French and Indian Wars, men from Wakefield were at the capture of Louisburg, and served with General Wolfe at Quebec.

Wakefield's minutemen organized and were drilling at the first signs of trouble with Great Britain, and they served with distinction at Lexington, at Saratoga, and Valley Forge. Wakefield sent more than 400 men into the Continental Army.

In Malden, at Route 1 on Broadway, there is a marker of the old Indian trail over which the first white men passed through this region in 1629. They were William, Richard and Ralph Sprague, and they journeyed from Naumkeag (Salem) to Mishawam (Charlestown).

Malden men received some military training in the Indian wars prior to 1775, and in the military companies that were formed in anticipation of the war with Britain. As early as 1770 the town voted to use none of the imported English-taxed tea, and a few years later the inhabitants stated their grievances against the English Government and their intention of resisting further oppression. The town lived up to its intentions. Although it had a population of only 983, of whom at least 400 were under 16, it sent more than 175 men to the Continental Army.

Everett, established in 1870, was originally part of Malden. One of the first things done by the very early settlers of the Everett region in colonial times was to establish a penny ferry connecting the area with Boston. This was the only direct means of reaching Boston then, and the ferry remained in service until the opening of the "Malden Bridge" in 1787.

Everett was settled more than two centuries before it became a town. The squaw-sachem of the Indians conveyed a large tract to the white settlers in 1639 which included the section. In 1649 the general court set up the town of Malden, which included the Everett section of the Mystic side as the entire area was then called.

Medford is rich in the historical associations of colonial and Revolutionary days. It was settled in 1630 by employees of Matthew Cradock, a London merchant. There is a marker at the Mystic Valley Parkway near Main Street on the site of the old ford over the Mystic River used until the building by Cradock's orders of a bridge at what was called Medford Center.

There is also a marker on the site of the lodge and lookout of Nanepashemit, the sachem of the Nipmuc Indians. His stockaded village, called Mystic, was about half a mile to the westward near High and Grove Streets in West Medford.

A marker locates the Royall House, a mansion built by Isaac Royall who came to Medford from Antigua in 1737. His son, Isaac Royall, a Loyalist during the Revolution, founded at Harvard what is now the oldest law professorship in the United States. During the Revolution, this house was the headquarters of General John Stark throughout the siege of Boston.

Medford was stanch in the revolutionary cause. Her company of 59 minutemen commanded by Isaac Hall fought at Lexington and Concord, and men, munitions, and money were supplied the Continental forces during the long and hard years that followed. Three citizens of Medford distinguished themselves as officers, Colonel John

Brooks, later Governor of Massachusetts, Colonel Ebenezer Francis, mortally wounded at Whitehall, New York, and his brother John Francis, who served continuously for 6 years in the Continental Army.

Daniel Townsend of Lynnfield was killed during the retreat of the British from the Concord fight. His body was found to have seven bullet wounds. His remains were taken to Lynnfield and according to an account written in 1875 "lay the next night in the Bancroft house, where the bloodstains remained for many years afterward."

One of the Revolutionary heroes of Saugus was Captain David Parker who mustered his company at an early hour on the day of the Concord fight, and marched it quickly to the scene where his men fought gallantly.

Although Chelsea was remote from the conflict, and the route to it circuitous, some of her citizens rendered important service. When provisions were sent to the relief of the British at Concord the convoy was intercepted at Arlington by a group of patriots led by the Reverend Mr. Payson of Chelsea.

The Chelsea company at Concord that day was commanded by Captain Samuel Sprague.

You have perhaps heard it said that history is to a nation what memory is to an individual. But this is more than a figure of speech; it contains a truth. We cannot afford to lose by neglect what is irreplaceable. We should all know our local, county, State, and National historical societies in their effort to save what is worth saving and which must be saved immediately, or lost forever.

There are many, many historical societies, and other similarly interested groups in Massachusetts. The directory of the National Trust of Historic Preservation lists the following member organizations in Massachusetts (and, of course, there are others which are not associated with the National Trust): the Balch House Associates of the Beverly Historical Society, the Beacon Hill Architectural Commission, the Beacon Hill Civic Association, the Castle Hill Foundation, the Chesterwood Studio Museum, the Colonial Society of Massachusetts, Your Own First Iron Works Association, the Gore Place Society, the Historic Districts Commission of the Town of Nantucket, the Ipswich Historical Society, the Milton Historical Society, the Nantucket Historical Association, the Old Dartmouth Historical Society, the Old South Association in Boston, Old Sturbridge Village, the Peabody Museum of Salem, the Pilgrim Society, the Plimoth Society, the Plimoth Plantation, the Porter-Phelps-Huntington Foundation, the Shaker Community in Pittsfield, and the Women's City Club of Boston.

A citizen's interest and knowledge of the history of his locality and his support of its historical society is part of his strength in these times of crisis and peril for the cause of freedom. A major weapon in the incredible and nerve-wracking cold war in which we find ourselves is the preservation of the visual and inspiring evidences of our country's career as it is revealed in the ennobling architecture and places of its history.

We must not let the ruthless hand of material progress reduce to rubble and oblivion our great national landmarks, wherever they may be.

The aspiration of the preservationists is to perform a national service for the American people and for freedom everywhere at a moment in history which is critically dangerous. Their desire is to help make the American people, themselves, conscious of their immense contribution to the Western World in the theory and practice of free political and legal institutions.

The preservationists' purpose is to thwart the propaganda that defaces the picture of our country before the world. The goal is to present visual, living, documented proof, some of it brick and stone, in hills and squares, in parks and commons, in heights and halls, in churches and statehouses, in homes and military sites, in all of these, proof that for the American people the cause of freedom was always the inner soul of their being.

Not only would our own countrymen see and learn and understand from the truths expressed in stone, mortar, and locale, but visitors by the millions from abroad would come to know the elementary facts and ideals of our tradition.

Millions of Americans plan tours abroad to look at old cities and beautiful monuments. Yet the very things that Americans seek for abroad they destroy at home. Old buildings are broken up in the United States as fast as used packing crates.

The preservation of the American heritage is thus and in fact a prodigious educational endeavor. We are not collecting museum pieces. We are not providing entertainment and picnic grounds. We are preserving American history.

If we in this area hold our unique and irreplaceable relics in the proper respect, and save them forever free from demolition, we shall have set an example that the rest of the country will gladly and rightly follow.

But it is up to us here, at the very center of these veritable reservoirs of our past, to create and emphasize this sense of history.

The current Civil War Centennial celebrations accomplish such a purpose, and do something more besides. Such celebrations are not without their proper economic side, if this aspect of the matter is intelligently motivated and wisely handled.

It is my understanding, based on information furnished to me by the report of chambers of commerce, that some 9 billions of dollars will be spent by tourists viewing historic scenes of the American Civil War during the centennial celebrations. Here are primarily educational enterprises, saturated with historical significance, that provide as byproducts highly desirable and beneficial economic gains for the localities which support them.

But, to be interesting and significant, historic places need not be associated with the Civil War, or with the battles of any war, for that matter. Every year thousands and thousands of people visit Washington Irving's mansion, Theodore Roosevelt's home in Oyster Bay, Long Island, Franklin Roosevelt's home at Hyde Park. These houses tell us something about great men. They add to our judgment and taste. They are authentic American history.

There is so much to be seen in Boston and in the areas around it. The scene of the Boston Massacre, Faneuil Hall, North Square and the old North Church, Dorchester Heights, Bunker Hill, the Capitol Building itself, the old corner bookstore, the Thomas Crease house, Shirley place and the Shirley-Eustis house, the Old South Meetinghouse, the Lexington and Concord Battle Road, the Minuteman National Historical Park in the towns of Lexington, Lincoln, and Concord, all of these constitute an historical treasure trove. Perhaps none of them surpasses in fidelity to historical detail the Saugus Ironworks restoration.

I think that we may justifiably hope that each year an increasing number of our people will become aware of what needs to be done in the field of local history and historic preservation.

As you know, and as I know, and as anyone may see by this restoration of the Saugus Ironworks, when Americans become convinced that something should be done, it will be done, and it is done, and it is well done.

HOUSE OF REPRESENTATIVES

THURSDAY, JUNE 27, 1963

The House met at 12 o'clock noon.

The Reverend Martin Canavan, pastor, First Baptist Church, Long Beach, Calif., offered the following prayer:

Heavenly Father, with gratitude for the privilege of prayer we again approach Thy throne. In the hurried lives we live we pause to seek Thy guidance for the deliberations which are ahead. Give us the wisdom to seek Thy will, and the willingness to be led by Thy spirit. Bless, we pray, the leaders of this great Nation and may dependence on Thee ever be present in the thoughts of each one. We humbly thank Thee for the heritage of the past, and seek Thy blessings for the future. This we ask, not because we are worthy, but because we come in the name of our Redeemer. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment bills and a joint resolution of the House of the following titles:

H.R. 1492. An act to provide for the sale of certain reserved mineral interests of the United States in certain real property owned by Jack D. Wishart and Juanita H. Wishart;

H.R. 1819. An act to amend the Federal Employees Health Benefits Act of 1959 to provide additional choice of health benefits plans, and for other purposes;

H.R. 1937. An act to amend the act known as the "Life Insurance Act" of the District of Columbia, approved June 19, 1934, and the act known as the "Fire and Casualty Act" of the District of Columbia, approved October 3, 1940;

H.R. 3537. An act to increase the jurisdiction of the municipal court for the District of Columbia in civil actions, to change the names of the court, and for other purposes; and

H.J. Res. 467. Joint resolution amending section 221 of the National Housing Act to extend for 2 years the broadened eligibility presently provided for mortgage insurance thereunder.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 4330. An act to amend the District of Columbia Business Corporation Act; and

H.R. 5081. An act to authorize the Commissioners of the District of Columbia to sell a right-of-way across a portion of the District Training School grounds at Laurel, Md., and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 6868. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1964, and for other purposes.

The message further announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MONRONEY, Mr. HUMPHREY, Mr. MANSFIELD, Mr. BARTLETT, Mr. HAYDEN, Mr. SALTONSTALL, Mr. YOUNG of North Dakota, and Mr. KUCHEL to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 485. An act to amend the act entitled "An act to provide for the annual inspection of all motor vehicles in the District of Columbia", approved February 18, 1938, as amended;

S. 489. An act to amend the act of March 5, 1938, establishing a small claims and conciliation branch in the Municipal Court for the District of Columbia;

S. 490. An act to amend the act of July 2, 1940, as amended, relating to the recording of liens on motor vehicles, and trailers registered in the District of Columbia, so as to eliminate the requirement that an alphabetical file on such liens be maintained;

S. 743. An act to furnish to the Padre Junipero Serra 250th Anniversary Association medals in commemoration of the 250th anniversary of his birth;

S. 995. An act to amend the Street Readjustment Act of the District of Columbia so as to authorize the Commissioners of the District of Columbia to close all or part of a street, road, highway, or alley in accordance with the requirements of an approved redevelopment or urban renewal plan, without regard to the notice provisions of such act, and for other purposes; and

S. 1163. An act to amend certain provisions of the Area Redevelopment Act.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6791) entitled "An act to continue for 2 years the existing reduction of the exemption from duty enjoyed by returning residents, and for other purposes."

The message also announced that the Vice President has appointed Mr. JOHNSTON and Mr. CARLSON members of the Joint Select Committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the U.S. Government," for the disposition of executive papers in the Report of the Archivist of the United States numbered 63-14.

CLERK AUTHORIZED TO RECEIVE MESSAGES AND SPEAKER AUTHORIZED TO SIGN ENROLLED BILLS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the House until Monday next, the Clerk may be authorized to receive messages from the Senate and the Speaker may be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found duly enrolled.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

ADJOURNMENT OF THE HOUSE FROM TUESDAY, JULY 2, TO FRIDAY, JULY 5, AND FROM FRIDAY, JULY 5, TO MONDAY, JULY 8

Mr. ALBERT. Mr Speaker, I ask unanimous consent that when the House adjourns on Tuesday, July 2, it adjourn to meet on Friday, July 5, and from Friday, July 5, to Monday, July 8.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

COMMITTEE ON RULES

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

IMPROVING ACTIVE DUTY PROMOTION OPPORTUNITY FOR CERTAIN AIR FORCE OFFICERS

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 6681) to improve the active duty promotion opportunity of Air Force officers from the grade of major to the grade of lieutenant colonel.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of September 1, 1961, Public Law 87-194 (75 Stat. 424), is amended by striking out the figure "1963" and inserting the figure "1964" in place thereof.

Mr. RIVERS of South Carolina. Mr. Speaker, there is some degree of urgency in connection with H.R. 6681, a bill to extend for 1 year the temporary authority for the Air Force to have 4,000 additional lieutenant colonels serve on active duty.

Beginning July 1, 1963, the Air Force, unless this bill is enacted, will have to eliminate all promotions to the grade of lieutenant colonel and will have to start making plans to demote or release from active duty some 1,800 lieutenant colonels.

We granted this temporary authority in the 87th Congress and had hoped by now that the so-called Bolte legislation, which deals with grade distribution and promotion opportunities, would have been considered and passed by both Houses.

However, no action has been taken on the Bolte legislation and, as a result, this bill is necessary in order to give Air Force officers a reasonable opportunity for promotion to the grade of lieutenant colonel. I might say that even with this legislation, the percentage of Air Force officers serving in the grade of lieutenant colonel compared to their total officer strength will be less than the percentage in the comparable grades in the Navy and Army.

The Committee on Armed Services unanimously supports this proposal and I urge its passage.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

LAW AND ORDER

Mr. DORN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, the greatest threat to freedom of assembly, freedom of speech, and all of our basic fundamental freedoms in the United States today is illegal assembly, illegal demonstrations, mob violence, and disrespect for law and order. Our Constitution and our very existence as a Nation is in jeopardy. Our English civilization is at stake. Under our American system of government, the Constitution has provided a means whereby wrong can be righted, grievances can be aired, and justice sought in an orderly legal fashion. The Constitution provides for lawmaking in a climate of caution and cool deliberation.

Every thinking American citizen today is alarmed and shocked at the growing tendency to force the passage of legislation—local, State, and National—by demonstrations, mob violence, and disrespect to peace officers. Even court orders and court decisions are being influenced by illegal demonstrations and surging mobs. No one is free to assemble or to speak in public when threatened by chanting mobs. Our dedicated, patriotic peace officers cannot preserve law and order and protect the right to assemble and freedom of speech under a barrage of brick bats and liquor bottles, particularly when the mobs feel that they are encouraged by the Federal Government. Our law enforcement agencies at the local and State levels have acted with great restraint, good judgment, and devotion to duty. They have kept cool in the face of insult, obscenity, violence, and harassment unparalleled in our history and almost unbelievable. Local policemen, chiefs of police, magistrates, local courts, sheriffs, sheriffs' deputies, State patrolmen, and State police throughout this Nation should be commended and honored for the magnificent way in which they have handled mob violence in the face of the most adverse and trying circumstances. They urgently need the backing and cooperation of the Federal Government. Let me warn this House that disrespect for the uniform of a local policeman today can lead tomorrow to disrespect and insurrection against the men in uniform of our Armed Forces.

Mr. Speaker, local and State law-enforcement men in every State of this Union are patriotic. They are dedicated. They often serve long hours and are called upon for extra duty. Their job is a hazardous one, and they are underpaid. The Federal Government must support these men for they are the frontline against agitation, mob violence, fascism, subversion, and communism.

Mr. Speaker, I call upon the Attorney General, the President, and the leaders of the Congress to have confidence in and support these local peace officers who are on the firing line in the battle to preserve freedom through law and order.

Mr. Speaker, I would remind the Attorney General that demonstrations in South Korea got out of hand and overthrew the National Government. Street demonstrations and mob violence overthrew the Government of Turkey. We are all familiar with the mobs of Paris. This is a sinister mob demonstration technique being adopted by the enemies of freedom all over the world. It can and will happen in the United States unless the Federal Government supports local and State governments. If this support is not soon forthcoming from the Federal Government, we can and will be on the road toward anarchy and national disaster. The Federal Government should never permit illegal demonstrations and marches upon this Capitol designed to coerce and force Congress to submit to mob rule and the law of the jungle.

LEGISLATIVE PROGRAM FOR THE WEEK OF JULY 8, 1963

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, in view of the arrangements that were developed yesterday, I am wondering whether or not the majority leader can inform us as to the program for the week of July 8 at this time.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I will be glad to yield.

Mr. ALBERT. Mr. Speaker, in response to the minority leader, the program for the House of Representatives for the week of July 8, 1963, is as follows:

Monday is District day, and there is no business.

On Monday we will call up the Consent Calendar.

In addition, on Monday we will take up suspensions. As of now there are no suspensions, but I desire to advise the House that any bills for the suspension list may be announced later. I know of none at this time.

Also on Monday we have scheduled H.R. 7139, authorizing appropriations for the Atomic Energy Commission. This will be taken up under an open rule with 2 hours of general debate.

On Tuesday we will call the Private Calendar.

Also on Tuesday, a resolution providing that H.R. 3872—Export-Import Bank Act Extension—shall be taken from the Speaker's table and sent to conference.

Also on Tuesday, H.R. 3179, judges, U.S. Court of Military Appeals. This will be taken up under an open rule with 1 hour of general debate.

Wednesday, H.R. 134, safety standards for automobile seat belts. This will be taken up under an open rule with 1 hour of general debate.

Thursday and the balance of the week, 1964 appropriations for the District of Columbia.

Of course, this is made with the usual reservations that conference reports may be brought up at any time and any further program will be announced later.

Mr. HALLECK. Mr. Speaker, may I add one observation with respect to the program for Tuesday. As I understand it, a rule was granted today to send the Export-Import Bank Act extension to conference. I think it might be well for the RECORD to show that in all probability a motion will be made on Tuesday to instruct the conferees with respect to backdoor spending. I make that observation at this time, Mr. Speaker, so that Members may be advised as to what may transpire on that day.

A NATIONAL LOTTERY

Mr. FINO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FINO. Mr. Speaker, because of our stubborn refusal to capitalize on the natural gambling spirit of our own people, millions of dollars continue to leave our shores every day in support of foreign-operated lotteries and other gambling activities throughout the world.

Ireland is 1 country among 77 foreign nations which utilizes a lottery not only as a compromise with its gambling problem but as a revenue-raising device as well.

Mr. Speaker, this Saturday, June 29, will be a very important day in the lives of hundreds of thousands of Americans across this country because the results of the 108th Irish Hospital Sweepstakes will be announced based on the Irish Derby. The total gross receipts for this drawing come to over $15 million. I venture to estimate that at least $13 million came from the pockets of our own citizens, including some Members of this House.

Mr. Speaker, it is difficult for our taxpayers to understand the double role played by Uncle Sam. While we assume a sanctimonious attitude about gambling, we continue to engage in a game of hypocrisy. Is it not pure and simple hypocrisy to frown on gambling and then in the same breath collect taxes on all sweepstakes and gambling winnings; impose a tax on all admissions to race tracks where betting is legal and proper; recognize gamblers by insisting that they buy a $50 tax stamp and pay 10 percent on their gross receipts?

Mr. Speaker, the time has come for us to be sensible and realistic about this issue. The time has come for us to remove the blinders and recognize the obvious—that the urge to gamble is normal, and a part of human nature. The time has come for us to follow the example of New Hampshire which recognized this universal, instinctive trait and decided to control and regulate it for the government's benefits and the people's welfare.

Mr. Speaker, a national lottery in the United States would not only stop the flow of gold to foreign lotteries but would pump into our own treasury over $10 billion a year in additional much needed revenue. Let us rub the luck of the Irish on our American taxpayers.

EXEMPTION FROM DUTY FOR RETURNING RESIDENTS

Mr. MILLS. Mr. Speaker, I call up the conference report on the bill (H.R. 6791) to continue for 2 years the existing reduction of the exemption from duty enjoyed by returning residents, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The **SPEAKER.** Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 472)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6791) to continue for two years the existing reduction of the exemption from duty enjoyed by returning residents, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "That (a) paragraph 1798(c)(2) of the Tariff Act of 1930, as amended (19 U.S.C., sec. 1201, par. 1798(c)(2)), is amended—

"(1) by striking out 'July 1, 1963' each place it appears in subdivisions (A) and (B) and inserting in lieu thereof 'July 1, 1965'; and

"(2) by striking out '$200 in the case of persons arriving directly or indirectly from the Virgin Islands of the United States,' in subdivision (A) and inserting in lieu thereof '$200 in the case of persons arriving before April 1, 1964, directly or indirectly from the Virgin Islands of the United States,'.

"(b) Section 2 of the Act entitled 'An Act to amend paragraph 1798(c)(2) of the Tariff Act of 1930 to reduce temporarily the exemption from duty enjoyed by returning residents, and for other purposes', approved August 10, 1961 (Public Law 87-132; 75

Stat. 335), is amended by striking out 'June 30, 1963' and inserting in lieu thereof 'March 31, 1964'."

And the Senate agree to the same.

That the Senate recede from its amendment to the title of the bill.

W. D. Mills,
Cecil R. King,
Thos. J. O'Brien,
John W. Byrnes,
Howard H. Baker,
Managers on the Part of the House.

Harry F. Byrd,
Russell Long,
Geo. A. Smathers,
John J. Williams,
Frank Carlson,
Managers on the Part of the Senate.

Statement

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6791) to continue for 2 years the existing reduction of the exemption from duty enjoyed by returning residents, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

In the case of any person arriving in the United States who is a returning resident thereof, paragraph 1798(c) of the Tariff Act of 1930 permits certain articles to be admitted free of duty if acquired abroad, as an incident of the journey from which he is returning, for his personal or household use.

Under existing law, if such person arrives before July 1, 1963, and otherwise satisfies the requirements of the law, the value of the articles admitted free of duty may not exceed $100. However, if he arrives directly or indirectly from the Virgin Islands of the United States the $100 limit does not apply but the value of the articles admitted free of duty may not exceed $200 (not more than $100 of which shall have been acquired elsewhere than in the Virgin Islands).

If the person arrives on or after July 1, 1963, the value of the articles admitted free of duty may not exceed $200 plus (if he satisfies the requirements for the additional exemption) an additional $300.

The bill as passed by both the House and the Senate extended the termination date of the present duty exemption for returning residents from July 1, 1963, to July 1, 1965. The bill as passed by the House extended the temporary $200 provision now applicable to the Virgin Islands of the United States to July 1, 1965, and included American Samoa, Wake Island, Midway Islands, Kingman Reef, Johnston Island, and the island of Guam under the provision. The Senate amendment struck out the temporary $200 provision so that a person arriving from any possession (including the Virgin Islands) of the United States would be limited to the $100 exemption.

Under the conference agreement, the temporary $200 provision is to continue to apply only to persons arriving directly or indirectly from the Virgin Islands of the United States before April 1, 1964.

W. D. Mills,
Cecil R. King,
Thos. J. O'Brien,
John W. Byrnes,
Howard H. Baker,
Managers on the Part of the House.

Mr. MILLS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS. Mr. Speaker, it will be recalled that H.R. 6791, in the form in which is passed the House of Representatives, would have continued for 2 additional years the temporary reduction, from $500 to $100, in the amount of purchases abroad that a returning resident of the United States might bring back into this country free of duty under paragraph 1798 of the Tariff Act of 1930, as amended. In addition, the House bill would have also extended to all of the insular possessions of the United States which are not part of the United States for tariff purposes the special provisions—allowing duty-free entry of up to $200—which now apply to purchases made in the Virgin Islands by returning American residents.

The other body amended this bill so as to strike the extra amounts which may be brought from all insular possessions, including the Virgin Islands, and provided in lieu thereof a straight $100 allowance that might be brought in free of duty from any source.

Under the agreement of the conference committee, the basic purpose of the bill with respect to continuing for 2 additional years the temporary reduction from $500 to $100 in the amount of purchases abroad that a returning resident of the United States may bring back into this country free of duty remains unchanged.

However, under the conference agreement, the duty exemption provisions which now apply to purchases made in the Virgin Islands by returning American residents will be extended through March 31, 1964. Also, under the conference agreement, this special duty exemption provision will not be extended to the other insular possessions of the United States as would have been the case under the House bill.

The conferees agreed, in connection with the extension in relation to the Virgin Islands until the close of March 31, 1964, that the operation of the provision as to the Virgin Islands should be studied by the proper Federal agencies. These agencies are to report back to the chairman of the Committee on Ways and Means and to the chairman of the Senate Committee on Finance prior to March 31, 1964. This report will concern itself with the overall effect of the $200 as it applies to the Virgin Islands. The report is expected to include but not necessarily be limited to the effect of this provision on employment and profits in the Virgin Islands, on the competitive situation of the Virgin Islands in reference to neighboring islands, on appropriations that are made on behalf of the Virgin Islands, on the economy of the Virgin Islands as to locally produced and imported items which are purchased by tourists, and any other direct or indirect effects of the operation of this provision.

It is noted that prior to the action in 1961 reducing the duty-free allowance of returning tourists from $500 to $100 generally and to $200 in the case of the Virgin Islands, that the $500 applied to the Virgin Islands. Thus, in effect the overall amount was reduced in the case of the Virgin Islands but to a lesser extent. With this study available to the two interested committees, a proper evaluation can be made as to the desirability of continuing this exemption beyond the March 31, 1964, date.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

DEDUCTIBILITY OF ACCRUED VACATION PAY

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 6246) relating to the deductibility of accrued vacation pay, which was unanimously reported by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 97 of the Technical Amendments Act of 1958, as amended (26 U.S.C., sec. 162 note), is amended by striking out "January 1, 1963," and inserting in lieu thereof "January 1, 1965,".

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. Baker] and I may extend our remarks in explanation of this and other bills that may be passed by unanimous consent today.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MILLS. Mr. Speaker, H.R. 6246 provides that a deduction for accrued vacation pay is not to be denied for any taxable year ending before January 1, 1965, solely because the liability for it to a specific person has not been fixed or because the liability for it to each individual cannot be computed with reasonable accuracy. However, for the corporation to obtain the deduction, the employee must have performed the qualifying service necessary under a plan or policy which provides for vacations with pay to qualified employees and the liability must be reasonably determinable with respect to the group of employees involved.

This is a continuation for 2 more years of the treatment which has been available for taxable years ending before January 1, 1963. The committee report contains a full explanation of the operation of the provision.

The Treasury Department has indicated it has no objection to this legislation, and the Committee on Ways and Means is unanimous in recommending its enactment.

Mr. BAKER. Mr. Speaker, the bill (H.R. 6246) extends for an additional 2 years the suspension of an Internal Revenue ruling which would otherwise preclude the accrual of the employer's liability for vacation pay.

The employee earns vacation pay throughout the employer's taxable year. However, if the vacation occurs after the taxable year, and the employee's rights to a vacation, or payment in lieu thereof, might be terminated if he terminated his employment before the scheduled vacation period, the Internal Revenue ruling would preclude the accrual for tax purposes of the employer's liability for vacation pay.

The problem stems from the retroactive repeal of section 462 of the Internal Revenue Code of 1954. When we adopted that provision in the 1954 code, prior rulings with respect to vacation pay were modified in order that the accrual would qualify as a deduction under section 462. The retroactive repeal of section 462 left taxpayers without any basis for accruing and deducting vacation pay. Accordingly, the Internal Revenue Service then issued a ruling which precluded such accruals, where subsequent events might defeat the employee's right to the vacation. We have been postponing the effective date of this ruling ever since.

I regret that the Treasury Department has not seen fit at this time, when we are considering a major revision of the tax laws, to propose legislative language which would permanently establish the right of the employer to accrue and deduct vacation pay. It would seem to me that after some 10 years of temporary status, a permanent rule could well have been proposed. This is particularly true since the Treasury supports this bill.

I urge favorable consideration of the bill. However, I hope that further extensions will not be necessary but that in the 2 years provided for by this extension we will bring to the House permanent legislation providing a solution to the vacation pay problem.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

CONTINUED SUSPENSION OF DUTY ON CERTAIN ISTLE OR TAMPICO FIBER

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 6011) to continue for a temporary period the existing suspension of duty on certain istle or Tampico fiber, which was unanimously reported by the Committee on Ways and Means.

The Clerk read the title of the bill.

The **SPEAKER.** Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of Public Law 85-284 (71 Stat. 609), approved September 4, 1957 (relating to the suspension for a three-year period of the duty on certain istle or Tampico fiber), is amended to read as follows:

"SEC. 2. The amendments made by the first section of this Act shall apply only in the case of articles entered for consumption, or withdrawn from warehouse for consumption, after September 4, 1957, and before September 5, 1966."

Mr. MILLS. Mr. Speaker, the purpose of H.R. 6011, which was introduced by our colleague on the Committee on Ways and Means, the Honorable JACKSON BETTS, is to continue for 3 years, until September 5, 1966, the existing suspension of duty on dressed or manufactured istle or Tampico fiber.

Istle or Tampico fiber, not dressed or manufactured, has been duty free since 1930. The dressed or manufactured fiber was dutiable under a catchall provision in paragraph 1558 of the Tariff Act of 1930; temporary provision for suspension of this duty was made in 1957—Public Law 85-284—and has been in effect continuously since that time, having been extended in 1960—Public Law 86-456—to September 4, 1963.

Istle or Tampico fiber is derived from several species of the agave plant which is indigenous to Mexico. It is one of the best known and most widely used of all vegetable brush fibers. Its principal use in the United States is in the manufacture of brushes.

The situation at the time of enactment of Public Law 85-284 was that there was no domestic production of the raw fiber and an insignificant production of the dressed fiber from imported raw fiber; that good grades of raw fiber were in short supply; and that the brush industry and other importers indicated that the prices of dressed fiber had risen, with resulting increases in the cost of production and in the price of the finished product. The purpose of the suspension was to reduce the burden of the higher prices on domestic users of the fibers. The Committee on Ways and Means is convinced that conditions continue to warrant the suspension of this duty.

Favorable departmental reports were received on this legislation, and the committee is unanimous in recommending its enactment.

Mr. BAKER. Mr. Speaker, the bill (H.R. 6011) continues to September 5, 1966, the suspension of duty on manufactured istle or Tampico fiber. This is a bristle used in the making of certain types of brushes.

At the time the duty was first suspended—Public Law 85-284—there was no domestic production of raw fiber, and no significant production domestically of dressed fiber from imported raw fiber. To my knowledge, this situation has persisted so that there can be no objection to the continuance of this suspension. Accordingly, I urge your support of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

CONTINUED SUSPENSION OF DUTY ON HEPTANOIC ACID

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 5712) to suspend for a temporary period the import duty on heptanoic acid, which was unanimously reported by the Committee on Ways and Means.

The Clerk read the title of the bill.

The **SPEAKER.** Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That heptanoic acid, provided for in paragraph 1 of the Tariff Act of 1930, shall be admitted free of duty if entered, or withdrawn from warehouse, for consumption, after the date of the enactment of this Act and before the expiration of the three-year period beginning on the day after such date.

Mr. MILLS. Mr. Speaker, the purpose of H.R. 5712, which was introduced by our colleague on the Committee on Ways and Means, the Honorable HALE BOGGS, is to continue the existing suspension of the import duty on heptanoic acid for a period of 3 years from the date of enactment. The existing suspension of duty was provided by Public Law 795 of the 86th Congress for a period of 3 years, and, in the absence of legislation, would expire on September 15, 1963.

Heptanoic acid is used in making special lubricants and brake fluids for use particularly in military aircraft. The Department of Commerce has advised that "at the present time there is no U.S. production of this acid, and U.S. consumption is dependent entirely on imports."

Heptanoic acid is classified under paragraph 1 of the Tariff Act of 1930, as amended, and is dutiable at a rate of 12½ percent ad valorem. The dollar value of present imports is low.

Favorable reports on this bill were received from the Departments of State, Treasury, Commerce, and Labor, as well as an informative report from the U.S. Tariff Commission. The Committee on Ways and Means is unanimous in recommending its enactment.

Mr. BAKER. Mr. Speaker, the bill (H.R. 5712) extends for an additional period of 3 years to September 15, 1966, the duty on heptanoic acid.

Heptanoic acid is used in making special lubricants and brake fluids, particularly for military aircraft. The United States is entirely dependent on imports. The dollar value of the imports is not significant. I know of no objection to the suspension of the duty for another 3 years.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONTINUED EXEMPTION OF DUTY FOR CERTAIN TANNING EXTRACTS

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 2675) to extend for 3 years the period during which certain tanning extracts, and extracts of hemlock or eucalyptus suitable for use for tanning, may be imported free of duty, which was unanimously reported by the Committee on Ways and Means.

The Clerk read the title of the bill.

The **SPEAKER.** Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law 86–427 (74 Stat. 54), approved April 22, 1960, is amended by striking out "September 30, 1963" and inserting in lieu thereof "September 30, 1966".

Mr. MILLS. Mr. Speaker, the purpose of H.R. 2675, which was introduced by our colleague on the Committee on Ways and Means, the Honorable Eugene J. Keogh, is to extend for an additional 3 years, to the close of September 30, 1966, the period during which certain tanning extracts, and extracts of hemlock or eucalyptus suitable for use for tanning—regardless of their chief use—may be imported free of duty.

The duty on tanning extracts was suspended temporarily in 1957—Public Law 85–235—and extracts of hemlock or eucalyptus were similarly provided for by Public Law 86–288 and Public Law 85–645, respectively. These suspensions of duty were continued for an additional 3-year period in 1960, and in the absence of legislation would expire on September 30, 1963.

Among the considerations which led to the original suspensions of duties on these extracts were the following: The domestic tanning extract industry has been dependent upon domestic chestnut wood and bark for the domestic production of chestnut tanning extract, the only vegetable tanning material which has been produced in the United States in significant quantity. Because of the blight which virtually wiped out the chestnut trees along the Appalachian Range, domestic firms producing tanning extracts have been unable to secure raw materials. The domestic availability of tanning extracts has steadily declined and the firms which had been engaged in extract production have largely gone into other fields of activity.

The Tariff Commission has advised the Committee on Ways and Means that there is no information to indicate that the considerations which led to the previous legislation are not also pertinent at the present time, and that it is unaware of any complaints against the temporary duty-free treatment of these tanning extracts, which would be continued without substantive change by the pending bill.

Favorable departmental reports were received on this legislation, and the Committee on Ways and Means is unanimous in recommending its enactment.

Mr. BAKER. Mr. Speaker, the bill (H.R. 2675) provides for an extension of 3 years to September 30, 1966, of the period during which certain tanning extracts of hemlock or eucalyptus may be imported duty free. This continues an extension approved April 22, 1960, which expires September 30, 1963.

Your committee is advised that because of a blight which destroyed the chestnut trees along the Appalachian Range, there has been an inadequate supply of domestic extracts in the United States. Accordingly, it is necessary to resort to imports. There has been no improvement in this situation. No objection was raised to the prior duty-free treatment of these tanning extracts, and I know of no objection to the proposed extension of that treatment to September 30, 1966. Accordingly, I recommend favorable consideration of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DUTY ON POLISHED SHEETS AND PLATES OF IRON OR STEEL

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 3674) to amend the Tariff Act of 1930 to provide that polished sheets and plates of iron or steel shall be subject to the same duty as unpolished sheets and plates, which was unanimously reported by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. GROSS. Reserving the right to object, Mr. Speaker, do I correctly understand that this has the effect of increasing the tariff on this particular steel?

Mr. MILLS. Yes, it does. It is done in the spirit, however, of equalizing a situation on polished sheets and plates of iron and steel which has existed since 1883.

Mr. GROSS. I think from reading the report the legislation is definitely needed. I commend the gentleman for bringing out the legislation.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph 309 of the Tariff Act of 1930, as amended (19 U.S.C. 1001), be amended by striking out "sheets and plates of iron or steel, polished, planished, or glanced, by whatever name designated, 1¼ cents per pound" and also by striking out "other than polished, planished, or glanced, herein provided for,".

Sec. 2. This Act shall take effect 30 days after the date of its enactment.

Mr. MILLS. Mr. Speaker, the committee report on H.R. 3674 explains in detail the provisions of existing law which would be amended and the manner in which this bill would operate. Without going into great detail, let me summarize this entire situation by stating that the purpose of this bill is to eliminate what plainly amounts to a tariff loophole which has developed over the years basically because of historical developments in the industry.

The situation which we are seeking to change is simply this. Under the existing tariff provisions, which date back to about 1883 on this subject, it is possible for polished sheets and plates of iron or steel to be brought into the United States at a lower duty rate than unpolished sheets and plates. Clearly, this development was unintended. In the Tariff Classification Act of 1962, we corrected this situation, but the tariff schedules which are provided for in that act have not yet been put into effect because negotiations have not been completed by the President. In this bill, we are simply putting into effect immediately the provision which will be effective at such time as the Tariff Classification Act of 1962 is finally implemented by proclamation.

Mr. Speaker, I might point out here in all candor that the State Department opposed the enactment of this bill. The Committee on Ways and Means, however, notwithstanding the opposition of the State Department, concluded it advisable that this legislation be enacted immediately.

Mr. Speaker, this is a meritorious bill and should receive the favorable consideration of the House at this time.

Mr. BAKER. Mr. Speaker, the bill (H.R. 3674) amends the Tariff Act of 1930 to provide for a uniform duty on both polished and unpolished plates of iron or steel.

The classification in the Tariff Act of 1930 provides for the entry of polished stainless steel sheets at a considerably lesser duty than sheets that are unpolished. There is no logic to this distinction.

Because of the favorable rate on unpolished stainless steel sheets, there has been a tremendous increase in imports during the past few years. Imports have jumped from 15,650 pounds having a value of $14,251 in 1959 to a current rate of more than 16,561,669 pounds having a value of more than $6.5 million. Unless this bill becomes enacted, even further increases are anticipated.

The error in classification is corrected in the tariff schedules under Public Law 87–456. However, the implementation of those schedules has been delayed. In view of the tremendous increase in imports, in obvious reliance upon a loophole in the existing classification provisions, the committee is of the opinion that corrective legislation should be enacted without further delay. I share that opinion and urge your favorable consideration of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Morgan] may extend his remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MORGAN. Mr. Speaker, H.R. 3674 is a short bill whose urgent importance bears no relation to its brevity. Its passage is essential to correct a serious situation which is doing great harm to an important segment of our domestic steel industry. Under the Tariff Act of 1930 a duty is levied on imports of unpolished sheets and plates of alloyed steel, primarily stainless steel, of up to 14 percent ad valorem. However, by simply polishing these stainless steel sheets, importers pay only 2.9 percent ad valorem. This anomaly is due to the fact that the relevant provision in existing law predates the advent of stainless steel and was probably designed to apply to high-tonnage carbon steel. Applied to the modern higher valued stainless steel sheets, it has led to major tariff avoidance.

As the committee report shows on page 2, U.S. imports of polished steel in 1958 were 42,952 pounds, and worth $11,020. Last year this figure had increased to 16,561,669 pounds, worth $6,555,205. Latest figures available through the Department of Commerce show that by May of this year imports had jumped to nearly 10 million pounds and worth almost $4 million. Congress recognized this rate loophole and last year the Tariff Classification Act was designed to eliminate it. However, the revised schedules provided by the bill passed last year are still in the negotiation stage and it may be quite some time before they become effective. The rate of imports has continued to skyrocket, reaching a total for the first quarter of this year approximating the total of all imports during 1962, and quicker corrective action has become imperative.

On February 11 I joined the author of the bill before the House in introducing identical legislation to secure prompt corrective action. I am very happy that the Committee on Ways and Means has given this problem the prompt attention and consideration justified by the circumstances. When we consider that the imports for the first quarter of 1963 represent a volume increase of practically 100 percent there can be no valid reason for continuing this anomaly which is permitting substantial injury to American industry. In my district alone, which is a very seriously depressed area, the passage of this bill will help save a number of jobs, and I urge the immediate adoption of this bill.

INCOME TAX EXEMPTION FOR CERTAIN ADDITIONAL NONPROFIT CORPORATIONS AND ASSOCIATIONS

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 3297) to amend section 501(c)(14) of the Internal Revenue Code of 1954 to exempt from income taxation certain nonprofit corporations and associations organized to provide reserve funds for domestic building and loan associations, and for other purposes, which was unanimously reported by the Committee on Ways and Means.

The Clerk read the title of the bill.

The **SPEAKER.** Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 501(c)(14) of the Internal Revenue Code of 1954 is amended by striking out "September 1, 1957" and inserting in lieu thereof "January 1, 1963".

SEC. 2. The amendment made by the first section of this Act shall apply only with respect to taxable years ending after the date of the enactment of this Act.

Mr. MILLS. Mr. Speaker, this bill, which was introduced by our colleague, the Honorable GEORGE H. FALLON, and unanimously reported, moves forward from September 1, 1957, to January 1, 1963, the date before which certain mutual deposit guarantee funds must be organized in order to qualify for income tax exemption.

Under present law section 501(c)(14) of the Internal Revenue Code of 1954, an exemption from income tax is provided for nonprofit, mutual organizations having no capital stock which are operated for the purpose of providing reserve funds for, and insurance of, shares or deposits in domestic building and loan associations, cooperative banks, or mutual savings banks. Initially this treatment was available only to organizations which had been organized before September 1, 1951. Subsequently—Public Law 86-428—this provision was extended to those organized before September 1, 1957.

These guarantee organizations provide two services for their member banks. First, they provide a deposit insurance fund to aid their members in financial difficulty and in final extremities to pay off the depositors in full if a member bank is liquidated. Second, they also maintain a liquidity fund—which may or may not be a fund separate from the deposit insurance fund—to make loans to member banks which are basically sound but short of liquid assets. The deposit insurance fund is built by premium charges and the liquidity fund deposits made with the guarantee organization. In addition, investment income is earned by the organization on both types of funds, although there is little accumulation in the case of the liquidity fund since interest generally is paid on these deposits of member banks.

As indicated by the above explanation, these guarantee organizations, although operating somewhat differently, provide essentially the same services for their members as the Federal Deposit Insurance Corporation (FDIC) and the Federal Savings and Loan Insurance Corporation (FSLIC), Federal corporations which are exempt from income tax on their investment earnings. Since they provide essentially the same services for their members, these organizations also have been exempted from income tax.

The attention of the Committee on Ways and Means has been called to the fact that a new guarantee organization, established to provide the same type of services as the exempt organizations referred to above, has been organized since September 1, 1957. The committee is of the opinion that the exemption should be extended to include this new organization, and the pending bill accordingly extends to January 1, 1963, the date before before which such guarantee organizations must be organized in order to qualify for exemption.

The Committee on Ways and Means is unanimous in recommending enactment of this legislation.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

ADDITIONAL ASSISTANT SECRETARY OF THE TREASURY

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1359) to provide for an additional Assistant Secretary in the Treasury Department, which was unanimously reported by the Committee on Ways and Means.

The Clerk read the title of the bill.

The **SPEAKER.** Is there objection to the request of the gentleman from Arkansas?

Mr. GROSS. Mr. Speaker, reserving the right to object, do I understand that this does not increase the pay of this individual who is to be made an Assistant Secretary of the Treasury?

Mr. MILLS. The gentleman is eminently correct. The Committee on Ways and Means did not report the bill until we were given that assurance, and if the gentleman will yield further, we did not report the bill until we were given the further assurance that this bill and this change would not involve one additional cent of Federal expenditure in any way.

Mr. GROSS. I thank the gentleman. Mr. Speaker, I withdraw my reservation of objection.

Mr. SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 234 of the Revised Statutes, as amended (5 U.S.C. 246), is amended by striking out "three Assistant Secretaries of the Treasury" and inserting in lieu thereof "four Assistant Secretaries of the Treasury".

Mr. MILLS. Mr. Speaker, the purpose of S. 1359 is to authorize an additional Assistant Secretary in the Treasury Department. Under existing law, provision is made for three Presidentially appointed Assistant Secretaries in the Department of the Treasury. The Treasury Department is one of the largest Departments of the Federal Government. The Committee on Ways and Means was advised that the limitation to three Assistant Secretaries has become a distinct administrative handicap in the Treasury Department, since all of the present three Assistant Secretaries have full assignments which had made it necessary for the Secretary of the Treasury to place certain other Presidential appointees who function within the Department under the general supervision of an Assistant to the Secretary, which position is not filled by a Presidential appointee. Thus, the Director of the Mint, who is a Presidential appointee, and the Chief of the U.S. Secret Service presently report to and are under the general supervision of an Assistant to the Secretary. This official, although a member of the classified civil service, must nevertheless be authorized to perform any functions relating to these bureaus which the Secretary of the Treasury himself is authorized to perform. Under the arrangement contemplated in the bill, these officials would report to the new Assistant Secretary. Moreover, the committee was advised that it has become necessary to assign to this official, because the three Assistant Secretaries currently have more than their full share of assignments, certain responsibilities of the Treasury Department concerned with the development of the Government's broad fiscal policy.

The Committee on Ways and Means is convinced that authorization of one additional Assistant Secretary in the Treasury Department would result in more efficient and expeditious administration within the Department. In a letter to the committee, the full text of which is incorporated in the committee report on this bill, the Secretary of the Treasury advised that the official concerned must be able to speak and act for him with authority and that:

> In his dealings with officials of other agencies, he must be able to make policy decisions on my behalf. * * * Appointment of the individual under civil service procedures does not lend itself to the type of performance required of the individual. In short, I consider a fourth Assistant Secretary essential to the efficient conduct of the business of the Treasury Department.

The Committee on Ways and Means was further advised by the Secretary of the Treasury that enactment of this legislation will result in no additional personnel in the Treasury Department and will not result in any additional costs to the Government, for the following reasons: First, the Secretary has advised that it is his intention to transfer the responsibilities mentioned to the official named to the newly created post. Second, since the salary now set by statute is the same for the Assistant to the Secretary as it will be for the Assistant Secretary which would be created, there will be no additional cost to the Government.

The Committee on Ways and Means is unanimous in recommending enactment of this legislation.

Mr. BAKER. Mr. Speaker, this bill (S. 1359) which authorizes an additional Secretary in the Treasury Department will not involve any increase in compensation or personnel. On the contrary, it is designed solely to permit a division of the authority of the Secretary of the Treasury on a functional basis, with all four Assistants having the title of Assistant Secretary.

The bill was unanimously reported by the Ways and Means Committee, and I urge favorable consideration by the House.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

DUTY-FREE ENTRY OF ORTHICON IMAGE ASSEMBLY FOR MEDICAL COLLEGE OF GEORGIA

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 3272) to provide for the free entry of an orthicon image assembly for the use of the Medical College of Georgia, Augusta, Ga., which was also reported unanimously by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) the Secretary of the Treasury is authorized and directed to admit free of duty one orthicon image assembly imported for the use of the Medical College of Georgia, Augusta, Georgia.
>
> (b) If the liquidation of the entry of the article described in subsection (a) has become final, such entry shall be reliquidated and the appropriate refund of duty shall be made.

Mr. MILLS. Mr. Speaker, this bill, which was introduced by our colleague, the Honorable ROBERT G. STEPHENS, JR., would direct the Secretary of the Treasury to admit, free of duty, an orthicon image assembly for the use of the Medical College of Georgia, Augusta, Ga. This assembly has been delivered and installed at the Medical College Hemodynamic Center, and the bill provides for reliquidation of the entry and appropriate refund of duty in the event liquidation of the entry has become final.

Image orthicons are photo emissive camera tubes which are used in high-quality television cameras. The assembly is used in medical diagnosis, research, or education to enlarge and display X-ray views of portions of the human anatomy. The president of the Medical College of Georgia has advised that, at the time of importation of this equipment, no instrument meeting the specifications required was manufactured in the United States.

The Committee on Ways and Means is of the opinion that this legislation is meritorious and consistent with prior congressional enactments, and is unanimous in recommending its enactment.

Mr. BAKER. Mr. Speaker, the bill (H.R. 3272) provides for the free entry of an orthicon image assembly for use by the Medical College of Georgia.

The orthicon image assembly provides for a projection of an X-ray image for medical diagnoses, research, and education.

At the time the instrument was purchased, no comparable instrument was manufactured in the United States. Accordingly, there is no objection to the passage of this bill, and I urge its favorable consideration.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DUTY-FREE ENTRY OF MASS SPECTROMETER FOR STANFORD UNIVERSITY

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 2221) to provide for the free entry of a mass spectrometer for the use of Stanford University, Stanford, Calif., which was unanimously reported by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) the Secretary of the Treasury is authorized and directed to admit free of duty the mass spectrometer (and its accompanying spare parts assortment) imported for the use of Stanford University, Stanford, California, which was entered during October 1962, pursuant to Consumption Entry 1232.
>
> (b) If the liquidation of the entry of the articles described in subsection (a) has become final, such entry shall be reliquidated and the appropriate refund of duty shall be made.

With the following committee amendment:

> On page 1, line 5, strike out "assortment" and insert in lieu thereof "assortment)".

The committee amendment was agreed to.

Mr. MILLS. Mr. Speaker, the purpose of H.R. 2221 is to authorize and direct the Secretary of the Treasury to admit free of duty the mass spectrometer—and its accompanying spare parts assortment—imported for the use of Stanford University, Stanford, Calif., in October of 1962. Provision is made for reliquidation of the entry and appropriate refund of duty in the event liquidation has become final.

The instrument for which free entry would be provided by this bill is now being used in the Stauffer laboratory of the chemistry department of Stanford University for research in inorganic chemistry. The Committee on Ways and Means was advised that this research is currently being sponsored by various governmental agencies, including the Atomic Energy Commission, the Naval Research Laboratory, and the National Science Foundation. The committee was further informed that, at the time Stanford University determined its requirements and specifications for a mass spectrometer, no domestic instrument of equivalent scientific value or adequate performance characteristics was available from domestic sources.

In these circumstances, the Committee on Ways and Means is convinced that this legislation is meritorious and consistent with prior congressional enactments, and unanimously recommends its enactment.

Mr. BAKER. Mr. Speaker, this bill (H.R. 2221) provides for the free entry of a mass spectrometer for use by Stanford University, Stanford, Calif. A similar bill was pending during the 87th Congress but failed of passage because of the adjournment. The spectrometer was actually imported in October 1962 and is being used by the chemistry department at Stanford University.

The committee is advised that, at the time the mass spectrometer was ordered by Stanford University, there were no domestic instruments available of an equivalent scientific value which would meet the performance characteristics required for certain research being conducted by Stanford University. Therefore, in the selection of a mass spectrometer, the university was forced to go abroad.

Under the circumstances, I urge favorable consideration of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DUTY ON PANAMA HATS

Mr. MILLS. Mr. Speaker, it had also been our intention today to ask unanimous consent for the consideration of the bill (H.R. 3781) to amend the Tariff Act of 1930 to provide a uniform rate of duty for certain headwear, which was reported unanimously by the Committee on Ways and Means. This matter is somewhat related to the situation involving polished steel sheets in that the action contemplated in the bill is also involved in the Tariff Classification Act of 1962 and hence in the tariff classification and simplification program presently being negotiated by the President. But, the gentleman from California [Mr. KING] called my attention to the fact earlier in the week that if this bill were called up today, he would have to, on this occasion, object to its passage. Therefore, Mr. Speaker, we are not calling the bill up today.

REACTION TO FAILURE TO EXTEND PUBLIC LAW 78

Mr. GUBSER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a letter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GUBSER. Mr. Speaker, on previous occasions I have described the serious chain reaction which was set in motion when this House decided not to extend Public Law 78. A tremendously adverse impact has been created on more citizens than the few farmers who employ bracero labor. This includes businessmen, as well as industrial and union laborers. Each day I receive letters which describe this adverse economic impact which is resulting from the recent defeat of the bracero program.

The latest letter came from Mr. Clinton Eastwood, general sales manager of Container Corp. of America, which I submit for the attention of my colleagues.

The letter referred to follows:

CONTAINER CORP. OF AMERICA,
San Francisco, Calif., June 25, 1963.

Hon. CHARLES S. GUBSER,
House Office Building,
Washington, D.C.

MY DEAR MR. GUBSER: We have just completed an analysis of the apparent effect the recent decision by the House of Representatives, regarding the importation of Mexican laborers, known as "braceros," will have on agriculture in California.

Just looking at the strawberry farmer situation in one little town of Gilroy, Calif., which has a population of approximately 6,000 people, the effect will be quite drastic. They have in the past, during a short bulge in the season equal to approximately 3 months, had as many as 3,400 to 3,500 braceros. If this labor is to be excluded and it were possible to replace them with American labor, it would mean that some 3,200 families would have to move into the Gilroy area, which would suddenly flood the town of Gilroy with approximately 9,000 people, which is, of course, 50 percent more than the existing population. These 9,000 new people would have an income only during the harvest of strawberries, the rest of the year they would be on relief.

It is certainly the desire of all to eliminate unemployment in this country but not completely at the expense of upsetting our economy and moving large numbers of families into certain specific areas, thereby throwing them all on relief during the major portion of the year.

In addition to the above and looking at the State of California in its entirety, the strawberry industry alone is contributing to business the following: local field labor, over $5½ million; cartons and shipping crates, over $5 million; Railway Express charges, over $7½ million; nursery plants, over $1½ million; fertilizers, over $3½ million; containers for freezing, over $2 million; sugar for freezing, over $2 million; and inplant labor, over $1½ million.

It is estimated that if the bracero-type laborer is not available for the short picking season, which is 3 to 5 months (depending on the area) the above economic advantage to our State in this one growing area will be practically cut in half, as it will put the California strawberry growers and shippers in an undesirable competitive situation with the rest of the country. It is expected that half of the California acreage would be plowed under. The results to an industry of this nature, I am sure would not be the desire of forward thinking politicians. A whole economy can be wrecked by careless government moves. A solution should be found first for gradual transition to mechanisms before local labor should be employed, rather than a sudden shock that would cut this particular industry in half.

We have noted that some of the growers have already made moves into cooperative group organizations into Mexico. I am sure it is not your intention to move California agriculture down the coast—across the border into Mexico—but this is what you will be accomplishing if you allow this sudden decision to stand.

We here in the industry in California certainly are against any such proposal and hope that you will, as our representative, cooperate to obtain an extension to Public Law 78, and solicit all the possible votes that you can from other areas. There are really only about 3 States that are affected, which makes 47 States, that don't care and if the economy of California is hurt—that's fine with them—their business will increase which will allow them to undercut us.

This is not so catastrophic to our company as we have a Mexican-affiliated company and if our California growers decide to move to Mexico, we can certainly follow them. As a matter of fact, some have already asked us to send specifications for our product, which is shipping containers, to our Mexican plant, so that we will be in a position to supply this material in that area. Although it would help our Mexican plant, we are "American first" and would like to fight any move that drives citizens out of the country in order to continue being progressive in their own particular fields.

Please study this situation on behalf of all of us in the industry and do all possible to obtain an extension.

Thanking you for your efforts in our behalf.

Respectfully yours,
CLINTON EASTWOOD,
General Sales Manager.

P.S.—This same situation applies to many other California farm products.

HEARINGS ON BROADCAST EDITORIALIZING

Mr. ROGERS of Texas. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ROGERS of Texas. Mr. Speaker, I am today issuing a statement regarding the format and general objectives to be pursued in a hearing on broadcast editorializing. This hearing will begin Monday, July 15, before the Subcommittee on Communications and Power. Because of the widespread interest manifested in this matter by the public, the broadcasting industry, and Members of Congress, I wish to call to the attention of the House the opportunity our colleagues will have to present testimony and statements concerning the practice of radio and television editorialization as they have observed it. A copy of the statement I have issued today will be distributed to each Member of the House. It is as follows:

Congressman WALTER ROGERS of Texas, chair of the Subcommittee on Communications and Power of the House Committee on Interstate and Foreign Commerce, announced today the format and general objectives of subcommittee hearings beginning July 15 into editorializinug practices of radio and television broadcast stations.

Congressman ROGERS said that officials of the Federal Communications Commission, representatives of broadcast industry groups and broadcast networks and stations, private citizens, and Members of Congress are expected to present voluntary testimony and statements during the hearings. Congressman ROGERS said that the length of the hearings would be determined by the extent of testimony to be received from persons who appear.

The Congressman said that the need for a careful evaluation of broadcast editorializing practices became apparent during recent hearings conducted by the subcommittee on a bill to suspend for the 1964 presidential and vice presidential election campaign the provisions of section 315 of the Communications Act of 1934. The suspension of the "equal time" requirement set forth in section 315, as applied to presidential and vice presidential candidates, was approved June 19 by the House of Representatives. During the subcommittee hearings on this matter, some Members of Congress declared that in their opinion the restraint imposed by section 315 was being at times circumvented by programs devoted to an editorial expression of views held by broadcast licensees.

In some instances, it was argued, candidates for political office have become so clearly identified with specific political issues that an endorsement or criticism of the issues themselves constituted an endorsement or criticism of specific candidates.

On June 1, 1949, the Federal Communications Commission adopted a report modifying its position on the matter of broadcast editorializing. The Commission had received testimony from 49 witnesses representing the broadcasting industry and various interested organizations and members of the public. In addition, written statements of their position on the matter were placed in the record by 21 persons and organizations who were unable to appear and testify in person.

The report issued by the Commission established the guidelines under which broadcasters have exercised the editorializing privilege to this date. The Commission declared in its report that "under the American system of broadcasting, the individual licensees of radio stations have the responsibility for determining the specific program material to be broadcast over their stations. This choice, however, must be exercised in a manner consistent with the basic policy of the Congress that radio be maintained as a medium of free speech for the general public as a whole rather than as an outlet for the purely personal or private interest of the licensee. This requires that licensees devote a reasonable percentage of their broadcasting time to the discussion of public issues of interest in the community served by their stations and that such programs be designed so that the public has a reasonable opportunity to hear different opposing positions on the public issues or interest and importance in the community."

The Commission report also declared: "Licensee editorialization is but one aspect of freedom of expression by means of radio. Only insofar as it is exercised in conformity with the paramount right of the public to hear a reasonably balanced presentation of all responsible viewpoints on particular issues can such editorialization be considered to be consistent with the licensee's duty to operate in the public interest. For the licensee is a trustee impressed with the duty of preserving for the public generally radio as a medium of free expression and fair presentation."

Congressman Rogers said that the questions involved in the subcommittee hearing include: (1) Whether the policy lines established in the Federal Communications Commission report of 1949 are being sufficiently respected by broadcast licensees, (2) Whether this is the proper policy to be established by the Government of the United States, and (3) Whether some additional safeguards should be established through legislation to insure that licensees fulfill their public obligation.

Congressman Rogers noted that since the earliest days of radio the public responsibilities of broadcasters have been defined by the Congress, by policies established by regulatory authority, and by court decisions. He said that in 1924 the then Secretary of Commerce, Herbert Hoover, whose department was the regulatory body for radio broadcasters, made a statement that has since generally reflected the Government's position regarding broadcast responsibility. Mr. Hoover said: "Radio communication is not to be considered merely a business carried on for private gain, for private advertising, or for entertainment of the curious. It is a public concern impressed with the public trust, to be considered primarily from the standpoint of public interest to the same extent and upon the basis of the same general principles as our other public utilities."

Congressman Rogers observed that the broadcast licensee is "a trustee of public property—specifically the airwaves carrying the signals emanating from his transmitter—and must be responsible to that trusteeship."

The chairman said the subcommittee is expected to consider such specific proposals as may have been introduced by that time for correcting alleged abuses in existing broadcast editorialization. But he emphasized that among major purposes served by the hearings will be an essential review of existing practices so that progress can be made in providing guidelines both for the protection of the broadcaster and the public.

"One of the difficulties in dealing with the question of broadcast editorializing is a tendency to generalize," Congressman Rogers said. "An editorial supporting the Community Chest is one thing; an editorial supporting or opposing a political candidate is quite another. In still another category are those editorials expressing positions on hotly contested political issues.

"These hearings may show that in establishing safeguards against abuses it would be necessary to differentiate among the types of editorials," the subcommittee chairman said.

Congressman Rogers said it would be the function of the subcommittee to establish for the record the varieties of editorial activity being practiced by American broadcasters and the procedures followed by their stations in soliciting or permitting an airing of views contrary to their own.

The Congressman said he hoped testimony and statements submitted to the subcommittee would be sufficiently specific to be helpful in making these determinations.

"I hope that broadcasters who engage extensively in editorializing will come forward to testify or submit statements so that the Congress can learn the nature of their activity and the public response to it," Congressman Rogers said.

As many Members of Congress as can be accommodated will be heard on the opening day of the hearings.

A further announcement will be made as to the order in which other witnesses will appear before the subcommittee, Congressman Rogers said.

THE NATION'S CAPITOL: AFTER THE EAST FRONT, THE WEST FRONT

Mr. REUSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. REUSS. Mr. Speaker, the other body yesterday passed, with amendments, H.R. 6868, the legislative appropriations bill, 1964, which had earlier been acted on by this body. An important amendment inserted by the other body repeals the permanent contract authorization which was apparently granted to the Architect of the Capitol for the "extension of the Capitol" in 84th Congress, Public Law 242, the Legislative Appropriations Act, 1956, and requires specific appropriation in a future Legislative Appropriation Act before the Capitol Architect may proceed with the so-called west front extension of the Capitol.

The language of the amendment reads:

> *Provided,* That the proviso to the paragraph entitled "extension of the Capitol" in the Legislative Appropriation Act, 1956, as amended, is amended by striking out "and to obligate the additional sums herein authorized prior to the actual appropriation thereof."

This is an excellent amendment. Without it, the cherished Capitol of all the people of the United States could be radically altered without their elected Representatives having a chance to consider, debate, and decide what was being done.

The amendment will assure that the orderly process of parliamentary government is applied to the question of the future of our Capitol. It will assure that the collective judgment of Senators and Representatives is focused on the need to change our Capitol, and the ways of accomplishing that change. It will eliminate the recrimination and mischief that will inevitably flow from a realization that our Capitol is being radically altered without the mind of Congress ever having been applied to it.

Accordingly, I urge that the conferees from this body accept the Senate amendment, and that this House then give its ringing approval to the legislative appropriations bill, 1964, with that amendment.

Second, I urge that the Commission for Extension of the U.S. Capitol—composed of the President of the Senate, the Speaker of the House, the minority leader of the Senate, the minority leader of the House, and the Architect of the Capitol—prior to requesting a specific appropriation relating to the west front of the Capitol in the future, ask that the American Institute of Architects appoint a committee of distinguished architects to give an advisory opinion on such a major alteration of the Capitol as the proposed west front extension. On the basis of such a request from the Commission for Extension of the U.S. Capitol, and in light of the recommendations of such a committee of distinguished and independent architects, the House and Senate Appropriations Committees could then make solid recommendations for future action and appropriation to their respective bodies. The matter can then be debated on the floors of Congress on the basis of a real sandstone-and-marble structure.

Mr. Speaker, I opposed not only many of the substantive changes made in the east front of the Capitol, but the way in which those changes were made. I had my say on this 6 years ago—see Congressional Record, volume 103, part 11, pages 14622–14626. I shall not repeat here the detailed story of my distress at the east front extension.

But, in essence, tearing down the historic sandstone front of the Capitol and copying it in marble 32 feet and 6 inches to the east radically altered one of the most striking masterpieces of our national architecture. The wondrous way in which the dome seemed to cascade down to the columns of the facade is no more. The charming framing of the east front by the House and Senate wings has been substantially disturbed. The fine court between the two wings has been cut in half.

It has been proposed by consultants on the extension of the Capitol, and suggested by the Architect of the Capitol, that the House and Senate wings be extended 32 feet and 6 inches each to restore the enframing relationship. What costs and concurrent esthetic disadvantages lurk behind this proposal may readily be imagined by all who have noted the extraordinary costs, monetary and esthetic, of recent construction on Capitol Hill.

Nor was the legislative history of the east front extension such as to give the public confidence that the Congress knew what it was doing when it OK'd the project. There were no public hearings on the extension in either body. There was no debate on the floor. When, belatedly, Members of Congress, prominent architects, and countless citizens spoke out against the proposed east front extension, they did so in the face of a statutory fait accompli. It proved impossible to undo a decision already taken, to which powerful interests had committed themselves.

Mr. Speaker, I do not cite these facts to renew an old controversy, but rather to prevent a new one.

With the east front project complete, the attention of the Architect is turning again to the west front.

In testimony before the House Subcommittee on Legislative Appropriations on May 17, Mr. Stewart said:

> The rate of deterioration or movement on the west side has not been lessened in any way since the work on the east front was done. I would say that now that the east front wall has been anchored, and due to oscillation of the dome, the transfer of the thrust from one arch to another which is practically impossible to determine has aggravated the condition.* * * Now, there may occur one day a ground tremor, which could cause the arch to fall * * *. I look at it this way, that the real danger comes from a tremor of any description, and nobody can tell what would happen. We have bulges in the walls and we have cracks in the walls and in the absence of any bond in the masonry, I would not dare to prophesy * * *. I am convinced that we ought to do something about the west front soon. * * * On the west side, if the west extension goes through as we propose we will add 4½ acres more (gross floor space). * * * In our studies of this project, we have made arrangements for a 1,300 seating capacity cafeteria overlooking the Mall. Also there would be a few small dining rooms. * * * Our studies reveal that our plans meet the approval of competent architects and engineers.

Mr. Campioli, the Assistant Architect, estimated the cost of the west front extension at $20 million.

This testimony by the Architect shows two things very clearly:

First. There is need for some work on the deteriorating west front.

Second. There are plans, apparently rather detailed and well advanced, for a project that would materially change and extend the west front.

Mr. Stewart's testimony did not make it clear what kinship the plans now in process have to the so-called scheme C contained in the Extension of the Capitol Report of August, 1957. Mr. Stewart said then:

> In view of the fact that the extension of the east-central front under scheme B will provide only 44,930 square feet of additional space out of a total of 139,250 square feet of additional space required, the associate architects studied the advisability of making extensions on the west side of the Capitol to provide the additional needed space.
>
> There have been no additions to the Capitol since construction of the terraces in 1884–92. With the vast growth that has occurred in the Nation, the National Capital, and the work of the Congress since that time, adequate relief from existing deficiencies in office, committee and other facilities cannot be provided simply through the extension of the east front.
>
> It is proposed to extend the basement story of the west-central portion of the Capitol, across the courtyards, to the west terrace structure. It is also proposed to partially extend the west terrace structure and to relocate the west steps and approaches. It is further proposed to extend the original north and south wings of the west-central portion of the Capitol, and the House and Senate connections, by erection of additions to these portions of the central structure, from the first floor to the attic floor, inclusive; also, to enlarge the west portico.
>
> The new extensions would be constructed of marble on a base of granite, in keeping with the Senate and House wings.
>
> As the west-central section between the original north and south wings would be retained in its present location, from the first floor level up, the present sandstone facing of this portion of the building would be replaced with marble.
>
> The proposed additions to the original north and south wings will not extend westward beyond the undisturbed central portion between the wings.
>
> Extension of the west front will provide the following or comparable additional space: 55 office rooms and 8 committee rooms with anterooms (or, in lieu thereof, 79 office rooms); 2 document rooms; 7 storage rooms; increased accommodations for the Senate library; and increased accommodations for the Senate and House restaurants.
>
> Scheme C provides not only additional office, committee and other related space, but also provides private unbroken circulation on each floor, from end to end of the building, for Members of Congress; more efficient underground service to the building and the kitchens; and a satisfactory solution to the problem of mechanical transportation to the floors of the House and Senate Chambers.
>
> Under Scheme C, it is proposed to install in the west side of the Capitol, two elevators and an ascending and descending escalator in the extended House connection; and two elevators and an ascending and descending escalator in the central portion west of the rotunda. In addition, two service elevators are to be provided—one for the House and one for the Senate.
>
> Under Scheme C, it is proposed to relocate the House and Senate restaurant facilities to the west terrace; and to provide, in lieu of present accommodations, Senate restaurant dining facilities with seating accommodations for 330 persons; House restaurant dining facilities with 440 seating accommodations; and joint restaurant facilities for 535 employees and visitors—a grand total of seating accommodations for 1,305 persons. This compares with present total seating accommodations for 622 persons.
>
> The new restaurant facilities will be provided by relocating the west-central steps from their present position to a position on the axis of the House and Senate connections and by extending to the line of the relocated steps the central marble section of the terrace, already provided with windows, and relocating the restaurant in this part of the terrace structure. Relocation of the restaurant in this section of the terrace will provide diners with an outlook over the Mall.
>
> The interior arrangements proposed are subject to further study and the subdivisions are indicated merely as a possible guide to the use of the space. The architects realize that assignment of space in the Capitol can only be accomplished by the Congress through its officers and committees. When a final scheme is decided upon, the architects would expect to work very closely with the Commission of Congress in charge of the project and the Architect of the Capitol, in order to arrive at the best subdivision of the interior space to fulfill the requirements of the Senate, the House, and the public.

This plan was then estimated to cost $16,625,000.

Now, whatever the structural condition of the west front is—and it may be very bad—and whatever the plans for changing the west front are—and they may be very good—Congress needs to have before it a clear plan, endorsed by the Commission, and accompanied by the recommendations of outside consulting architects.

The Capitol is preeminently the people's building. More than any other building it serves as the symbol of our entire National Government. It has an unparalleled position as a shrine and museum. Yet it is still the center of the vital legislative processes of our great Nation. It is still, through happy accidents, a beautiful building.

The people, who visit it by the thousands every day, have an extraordinary interest in what is done to it. Therefore, the people should be able to consider, discuss and inform their representatives of their views on changes in the Capitol. Every Member of Congress should have the opportunity to debate the proposed changes with the hope of actually influencing the course of events. Study and debate should take place before, not after, a decision is made.

Nowadays, outside consulting architects are used for the most mundane commercial building. Surely the national shrine deserves as much.

Happily, the American Institute of Architects has repeatedly offered its services to the Congress to provide, as a contribution to the Nation, consulting architectural services on the Nation's Capitol. The great majority of the Nation's 16,000 practicing architects belong to the American Institute of Architects. The resolution adopted by the American Institute of Architects at its annual convention in June 1955 in Minneapolis, Minn., reads as follows:

> Whereas the Congress of the United States is currently considering a bill for the enlargement of the central section of the National Capitol in order to obtain additional committee rooms and a new dining room; and
>
> Whereas the proposed rebuilding will involve destruction of the original form and materials of the historic and original east facade of the central block as designed and erected by William Thornton, Benjamin Henry Latrobe, and Charles Bulfinch, three of America's most gifted and famed architects; and
>
> Whereas the proposed rebuilding would destroy the authenticity and integrity of the Nation's best known historic monument, which has become the tangible symbol of national growth and struggle from early Republic to leader of the free world; and
>
> Whereas the provision of additional service facilities by such means constitutes an irresistible precedent for other denaturing alterations in the future: Therefore be it
>
> *Resolved*, That the American Institute of Architects, in convention assembled, register with the Congress its strongest opposition to the alterations of the external form of the

> National Capitol and urge the Congress to preserve intact the authenticity and integrity of the Capitol as the Nation's greatest historic monument; and be it further
>
> *Resolved*, That the American Institute of Architects offer its services to the Congress through a committee of distinguished and unbiased architects who would advise as to how to obtain more space without sacrificing these priceless historic values.

This generous offer from the American Institute of Architects is still good. I hope that the Commission will accept it.

Back in 1956 and 1957, the Commission appointed as consulting architects on the east front extension four distinguished architects: Arthur Brown of San Francisco; Henry R. Schepley of Boston; John F. Harbeson of Philadelphia; and Gilmore D. Clarke of New York. Mr. Brown and Mr. Schepley have since died. Mr. Harbeson and Mr. Clarke are no longer available as outside consultants, since they have since been retained by the Capitol Architect, Mr. Harbeson as Associate Architect of the Rayburn Office Building, Mr. Clarke as Landscape Architect of the east front.

By providing for a fresh, unhindered study by eminent American architects, and by allowing all the people and their representatives to consider the future of their most highly prized building, we can be much more certain that the solution finally adopted will make this great building more beautiful and useful, not less.

THE HONORABLE AL F. GORMAN

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, today I am filled with a deep emotion. I have just learned, belatedly, of the death of the Honorable Al F. Gorman. For many years, as an assistant corporation counsel, he had represented the interests of Chicago at the biennial sessions of the State legislature at Springfield.

During the long period of his service much legislation essential to the expanding growth of Chicago was enacted. This included enabling legislation to permit an orderly reorganization of Chicago's bankrupt local traction system. The influence of Al Gorman, his wide knowledge of urban needs and of municipal law, and the respect and affection in which he was held by the members of the general assembly, enabled him to make a contribution to the city of his birth and of his love the lasting benefit of which it is impossible to overstate. He was a great American in every sense.

My friendship with Al Gorman began when he, 37, handsome, dynamic, lovable, was the minority leader in the State Senate of Illinois over which I had the honor to preside. I have lost a close and beloved friend, the city of Chicago a native son who gave the full measure of his great ability and his dedication to her interest. Long will he be remembered.

VOTE EQUALIZATION BILL

The **SPEAKER**. Under previous order of the House, the gentleman from Maryland [Mr. MATHIAS] is recognized for 30 minutes.

Mr. MATHIAS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MATHIAS. Mr. Speaker, within the next year the Congress, and more particularly the House of Representatives, will probably be subjected to humiliation at the hands of the Supreme Court. The humiliation will be all the more mortifying because it will be largely deserved. I refer, of course, to the problem of equitable representation in this House for every American citizen.

The Supreme Court recently noted "probable jurisdiction" in eight cases dealing with the subject of legislative apportionment—WMCA, Inc. against Simon, Wesberry against Sanders, Maryland Committee for Fair Representation against Tawes, Davis against Mann, Wright against Rockefeller, Reynolds against Sims, Vann against Frink, and McConnell against Frink. Under normal circumstances I would consider it inappropriate to comment on cases pending in the Supreme Court, or any other court, but in this instance the Congress has not only a special interest but a special responsibility. In the hope that Congress may set its own House in order before there is occasion for judicial action I am taking this opportunity to speak out.

Any question of the propriety of congressional districts is originally within the prerogative of the States and the Congress, not the judiciary. It raises the issue of separation of powers between coequal branches of the Government. Though the Supreme Court has not yet clearly so ruled, there seem to be indications of the Court's inclination to invade this area. In the past year four of the present members of the Supreme Court expressed, by way of dicta, their belief that the Federal courts have jurisdiction over the subject matter of congressional districting and that the issue presented in such a case would not be a nonjusticiable political question. Three of the remaining Justices have not yet made known their views on the question.

In fairness to the Congress, it should be remembered that under existing law the fair distribution of seats in the House of Representatives among the several States is already guaranteed. With impartial regularity the House proceeds every 10 years to add to the representation of fast-growing States and subtracting from that of the slower ones in accordance with the impersonal dictates of the decennial census. Only last year this system was defended against attack by a Judiciary Subcommittee headed by the gentleman from Louisiana [Mr. WILLIS] when it resisted pressure to enlarge the House after the 1960 census. In view of this past record of accomplishment the House should be willing to complete the job by providing for equal representation within the States as well as among the States.

There is no question that the Congress has the constitutional power to make this reform. Article I, section 4, of the Constitution of the United States provides that—

> The times, places, and manner of holding elections for * * * Representatives shall be prescribed in each State * * * but the Congress may at any time by law make or alter such regulations.

This power has, however, been exercised sparingly by the Congress during the entire life of the Republic, and as a practical matter the subject has been regulated by the States.

For my own part, I wish that equitable representation in the House of Representatives would be provided now by the action of the States. In my State many citizens have been urging the Governor and the general assembly to support and enact a new plan for congressional districts that recognizes the facts of life. To date, I regret to say that no such action has been taken. Indeed, the studied indifference of local officials in a number of States to this problem has been so obvious as to lead one to despair of any timely State remedy.

As long as there was any chance that the States would act to preserve this traditional area of State legislative activity, I was reluctant to propose that the Federal Government should assume yet another role in American political life. As I have said, it now appears that there is no such likelihood. For example, in Maryland two inequitable plans for congressional districting have been rejected by the people under the referendum process. Notwithstanding this exhibition of public disapproval, the State authorities have already repeated the error and have shown no promise of any intention to adopt any other course.

Basically, the principal responsibility for the inequities that exist lie with the various State legislatures. Instead of making the periodic districting adjustments in response to population changes, far too many States have frustrated the fundamental principle of equality of representation—either through laziness or purposeful design. Many States are guilty of the usual abuses; gerrymandering or the carving of inordinately drawn district lines, the packing of single districts with opposition party voters in order to make surrounding districts safer for one's own candidates, and, in general, doing whatever possible to give the greatest political advantage to the party controlling the State legislature.

Through the years, the States have been allowed practically unbounded freedom in establishing congressional districts, but the tragic results seen today leave no doubt that such responsibility can no longer be left to their uncontrolled discretion. Even among the 22 States which have redistricted since the 1960 census, 12 still contain from 1 to 9 districts which vary by more than 20 percent, greater or smaller, from the State's average district population.

Under these circumstances, I have reluctantly come to the conclusion that the time has now come when the Congress must act. This conclusion is confirmed by the fact that unless the Congress acts promptly, its prerogative to act in its own way may, without prejudging the cases, be preempted by the action of a coordinate branch of the Federal Government.

I have, therefore, today introduced a bill intended to promote fair representation of every American citizen in the National Legislature.

Historically, the House of Representatives was intended to be the, "grand depository of the democratic principle," in that it embodied the symbol of equality of representation in our Federal Government. Even its name was chosen to be descriptive of its intended nature. Unfortunately, however, the increasing problem of malportionment of congressional districts reveals a great divergence from the original goal of true representation.

Under the Constitution, article I, section 2 provides:

> Representatives shall be apportioned among the several States according to their respective numbers, counting the whole numbers, counting the whole number of persons in each State, excluding Indians not taxed. The actual enumeration shall be made within 3 years after the first meeting of the Congress * * * and within every subsequent term of 10 years.

Clearly, the Constitution calls for the apportionment of Representatives based upon the popular census. However, even a cursory examination of the census figures, as applied to the congressional districts within each State, reveals the widespread inequality between the population segments represented by the Members of the House of Representatives.

Though relative equality of population among the districts is not specifically prescribed by the Constitution, its ideal is practically basic to our concept of American democratic government. Precise equality of representation is impractical, if not impossible, but I do urge a reform which would bring about a much greater degree of equality than exists in many States today. I am convinced that Congress must take action now to solve this problem.

Employing what I consider to be the very liberal standard of a 20-percent maximum variation above or below the average population of the districts within a given State, I would like to cite just a few examples where this maximum is now exceeded. Disproportionate representation may be seen in Arizona where two of the three districts vary from the State average by more than 52 percent. In California eight districts exceed or fall short of the State average by 20 percent, one doing so by 42.4 percent. Two of Colorado's four seats are malportioned, one being 49 percent larger and one 55 percent smaller than the average. The Fifth District of Georgia contains 108 percent more people than that State's average. In my own State of Maryland, our districts vary in population from 37 percent fewer to 83 percent more than the average. My own district happens to contain 57 percent more. In 11 outsized Michigan districts, the fluctuation runs from 59 percent under to 84 percent over the average. And in Texas 16 districts exceeded the 20 percent variation, the smallest being 50 percent underpopulated to the largest containing a staggering 118 percent overpopulation. I could go on and on, but these are typical of the situations which I hope may soon be alleviated. Make no mistake, I do not intend to score the opposing political party for the creation of these conditions. Obviously, from the examples I have given, both parties are responsible, though to differing degrees. Under leave to extend my remarks, I shall submit more detailed statistics on this point.

With a view toward ameliorating these conditions, I have introduced a bill which will lend guidance to the State legislatures in their establishment of congressional districts so that we may more nearly approach our goal of a truly representative House. In brief, the bill provides that in the 89th and subsequent Congresses, no congressional district in any State shall contain a number of persons more than 20 percent greater or less than the average obtained by dividing the population of the State, as determined by the most recent decennial census, by whichever is the smaller—the number of representatives to which such State is entitled, or the number of districts then prescribed by the law of such State. Unless or until representatives are elected from conforming districts, all representatives from that State shall be elected from the State at large in subsequent general elections until all the districts within the State have been conformed.

I am fully aware of the problems that must be faced in enacting such a law, including the distastefulness of imposing limits upon State discretion in congressional districting. Yet I find no alternative to advocating such a measure in view of the lack of initiative by the States to eliminate the existing disproportionateness. Being hopeful that the legislatures will exhibit sound leadership in drawing new district boundaries, I have intentionally not included in my bill the formerly required qualities of compactness and contiguity of territory. Although many present abuses must be eliminated, I believe the geographic plotting of the districts should be done by each legislature in response to the unique circumstances which exist within that particular State. I trust there will be no long continuation of malformed districts which might necessitate further congressional pronouncement.

Certainly, the passage of this bill will be difficult, for it will be opposed by the States which will be forced to reorganize. Enactment will certainly require a true display of statemanship.

There are those among us who would restrain the Congress from taking action now in solution of this situation, hopeful that recent court decisions and the multitude of lawsuits which they have spawned will shortly force State redistricting; that is, redistricting by the State in response to court order, or redistricting by judicial decree. I take issue with this position; Congress has already waited too long to provide a fair and equitable solution to the problems of apportionment and redistricting which now exist. I urge your most serious consideration of this proposal and your support in its enactment.

Under leave to extend my remarks, I include the following tabulation:

TABULATION OF CONGRESSIONAL DISTRICTS WHOSE POPULATIONS VARY SIGNIFICANTLY FROM THEIR STATE AVERAGES

Part I of this tabulation lists the 235 districts which vary from their respective State averages by 10 percent or more, the amount of variation, the party of the present representative from each, the party totals for each State, and the national party totals (91 Republican, 144 Democratic). Part II gives the same information for districts which vary by 15 percent or more (172: 65 Republican, 107 Democratic). Part III deals similarly with districts which vary 20 percent or more (125: 48 Republican, 77 Democratic).

The districts in part I represent 54 percent of the total in the House of Representatives. The group in part II is 39.5 percent of the House; that in part III is 28.7 percent.

Table I, below, compares the percentage of all presently held Democratic and Republican seats in the House of Representatives with the Democratic and Republican percentage of seats in the districts varying by more than 10 percent, 15 percent, and 20 percent from the State averages. Table II makes the same sort of comparison, except that it is confined to congressional districts the population of which is 10 percent or more larger than the State averages. Table III does the same for districts the population of which is 10 percent or more smaller than the State averages.

TABLE I

	Democratic		Republican	
	Number	Percent	Number	Percent
House seats, 88th Cong	258	59.3	177	40.7
House seats in districts with—				
10 percent or more variation	144	61.3	91	38.7
15 percent or more variation	107	62.2	65	37.8
20 percent or more variation	77	61.6	48	38.4

TABLE II

	Democratic		Republican	
	Number	Percent	Number	Percent
House seats, 88th Cong	258	59.3	177	40.7
House seats in districts with—				
10 percent or more plus variation	57	53.8	49	46.2
15 percent or more plus variation	40	49.4	41	50.6
20 percent of more plus variation	31	49.2	32	50.8

TABLE III

	Democratic		Republican	
	Number	Percent	Number	Percent
House seats, 88th Cong	258	59.3	177	40.7
House seats in districts with—				
10 percent or more minus variation	87	67.4	42	32.6
15 percent or more minus variation	67	73.6	24	26.4
20 percent or more minus variation	46	74.2	16	25.8

Congressional districts, 88th Cong., whose populations vary from State average by 10 percent or more, 15 percent or more, and 20 percent or more

PT. I. BY 10 PERCENT OR MORE

[R=Republican; D=Democratic]

State	District No.	Variation from average	Party of sitting member	State party totals
Arizona	1	+52.9	R	1 R 1 D
	3	−54.3	D	
Arkansas	1	−19.4	D	4 D
	2	+16.0	D	
	3	−25.5	D	
	4	+28.8	D	
California	1	+29.1	R	5 R 10 D
	3	+21.6	D	
	4	−24.9	D	
	5	−27.0	D	
	7	−19.4	D	
	10	+11.3	R	
	13	−11.0	R	
	16	+20.1	D	
	18	+23.4	D	
	21	−11.8	D	
	25	−10.0	D	
	27	−12.8	D	
	28	+42.4	R	
	33	+21.8	D	
	35	+14.5	R	
Colorado	1	+12.6	D	1 R 2 D
	2	+49.1	R	
	4	−55.4	D	
Connecticut	1	+36.0	D	1 R 3 D
	2	−18.8	D	
	4	+28.9	R	
	5	−37.1	D	
Florida	2	+10.4	D	6 D
	3	+23.0	D	
	4	+15.2	D	
	6	+60.3	D	
	8	−41.5	D	
	9	−42.5	D	
Georgia	2	−23.6	D	8 D
	4	−18.0	D	
	5	+108.9	D	
	6	−16.6	D	
	7	+14.3	D	
	8	−26.1	D	
	9	−31.0	D	
	10	−11.6	D	
Idaho	1	−22.9	D	2 D
	2	+22.9	D	
Illinois	2	−13.0	D	6 R 6 D
	4	+23.0	R	
	5	−16.4	D	
	6	−33.6	D	
	8	+15.1	D	
	10	+31.6	R	
	13	+19.9	R	
	14	+20.2	R	
	19	−16.6	R	
	21	−13.5	D	
	22	−11.0	R	
	24	+16.0	D	
Indiana	1	−21.1	D	5 R 2 D
	2	−15.7	R	
	3	+11.6	D	
	6	−21.3	R	
	7	−22.3	R	
	9	−31.4	R	
	11	+64.6	R	
Iowa	2	+12.3	R	2 R
	7	−10.4	R	
Kansas	1	+23.9	R	3 R
	3	−13.1	R	
	5	−14.3	R	
Kentucky	1	−19.2	D	2 R 3 D
	2	−17.6	D	
	3	+40.8	R	
	4	+10.3	D	
	5	−15.9	R	
Louisiana	1	+10.4	D	5 D
	2	+22.7	D	
	5	−15.3	D	
	6	+31.7	D	
	8	−35.2	D	
Maryland	1	−37.2	R	2 R 4 D
	2	+60.5	D	
	3	−33.2	D	
	4	−26.9	D	
	5	+83.4	D	
	6	+57.0	R	
Massachusetts	1	−12.3	R	1 R 1 D
	9	+11.6	D	
Michigan	1	−34.8	D	8 R 6 D
	2	+11.2	R	
	4	−15.6	R	
	6	+43.5	R	
	7	+52.9	D	
	9	−28.0	R	
	10	−28.9	R	
	11	−44.6	R	
	12	−59.2	R	
	13	−38.3	D	
	15	−22.5	D	
	16	+84.8	D	
	17	+18.0	D	
	18	±58.8	R	
Minnesota	2	−12.0	R	2 R 2 D
	4	−11.3	D	
	5	−13.2	D	
	7	−11.5	R	
Mississippi	1	−16.2	D	3 D
	2	+39.7	D	
	4	−32.3	D	
Missouri	2	+17.3	R	1 R 4 D
	3	+11.2	D	
	5	−12.4	D	
	6	−10.1	D	
	10	−11.7	D	
Montana	1	−18.7	D	1 R 1 D
	2	+18.7	R	
Nebraska	1	+12.8	R	2 R
	2	−14.0	R	
New Jersey	1	±44.8	R	6 R 5 D
	2	−21.8	R	
	4	+21.4	D	
	6	+24.7	R	
	7	+37.4	R	
	9	+11.5	R	
	10	−24.8	D	
	11	−23.7	D	
	12	−10.5	R	
	13	−36.5	D	
	14	−36.9	D	
New York	7	+12.3	D	3 R 10 D
	12	+15.1	D	
	13	+11.2	D	
	14	+13.3	D	
	15	−14.3	D	
	16	−13.8	D	
	21	−11.8	D	
	22	−12.1	D	
	23	−13.6	D	
	24	−14.4	R	
	29	+10.6	D	
	30	+12.6	R	
	31	−13.7	R	
North Carolina	1	−32.9	D	1 R 5 D
	2	−15.5	D	
	4	+11.3	D	
	6	+17.6	D	
	8	+18.7	R	
	11	−12.8	D	
Ohio	1	−10.7	R	13 R 4 D
	2	+15.7	R	
	3	+72.1	R	
	4	−15.4	R	
	5	−29.4	R	
	8	−31.1	R	
	10	−35.0	R	
	11	+21.3	R	
	12	+61.8	R	
	14	+37.2	R	
	15	−44.0	D	
	16	+16.7	R	
	17	−11.0	R	
	18	−22.1	D	
	19	−10.4	D	
	20	+10.3	D	
	22	−15.2	R	
Oklahoma	1	+34.4	R	1 R 3 D
	3	−41.3	D	
	4	−35.0	D	
	5	+42.5	D	
Oregon	1	+17.1	R	1 R 2 D
	2	−40.0	D	
	3	+18.2	D	
Pennsylvania	6	+31.8	D	8 R 4 D
	7	+31.9	R	
	8	+27.9	R	
	9	+16.6	R	
	10	−10.8	R	
	11	−17.2	D	
	13	+23.2	R	
	15	−27.7	D	
	16	−15.7	R	
Pennsylvania	21	−15.9	D	
	22	−14.6	R	
	23	−11.0	R	
South Carolina	2	+33.9	D	4 D
	3	−19.7	D	
	4	+11.9	D	
	5	−31.4	D	
South Dakota	1	+46.3	R	2 R
	2	−46.3	R	
Tennessee	1	+16.2	R	2 R 4 D
	2	+25.4	R	
	6	−18.2	D	
	7	−41.3	D	
	8	−43.6	D	
	9	+58.2	D	
Texas	1	−43.5	D	2 R 18 D
	3	−32.5	D	
	4	−50.3	D	
	5	+118.5	R	
	6	−43.0	D	
	7	−39.0	D	
	8	+30.5	D	
	9	+14.5	D	
	10	−18.8	D	
	11	−25.9	D	
	12	+23.7	D	
	13	−24.9	D	
	14	+23.8	D	
	15	+18.4	D	
	16	+31.7	R	
	17	−33.9	D	
	18	−16.5	D	
	20	+57.8	D	
	21	−39.7	D	
	22	+55.0	D	
Utah	1	−28.6	R	2 R
	2	+28.6	R	
Virginia	2	+24.6	D	1 R 4 D
	4	−11.2	D	
	5	−17.8	D	
	7	−21.1	D	
	10	+36.0	R	
Washington	2	−10.1	R	2 R 1 D
	3	−16.0	D	
	7	+25.2	R	
West Virginia	2	−11.4	D	3 D
	4	+13.4	D	
	5	−18.6	D	
Wisconsin	1	+10.0	R	4 R 4 D
	2	+34.2	D	
	3	−24.3	R	
	4	+30.4	D	
	5	+31.8	D	
	7	−19.1	R	
	9	−22.3	D	
	10	−40.1	R	
National total				91 R 144 D

PT. II. BY 15 PERCENT OR MORE

Arizona	1	+52.9	R	1 R 1 D
	3	−54.3	D	
Arkansas	1	−19.4	D	4 D
	2	+16.0	D	
	3	−25.5	D	
	4	+28.8	D	
California	1	+29.1	R	2 R 7 D
	3	+21.6	D	
	4	−24.9	D	
	5	−27.0	D	
	7	−19.4	D	
	16	+20.1	D	
	18	+23.4	D	
	28	+42.4	R	
	33	+21.8	D	
Colorado	2	+49.1	R	1 R 1 D
	4	−55.4	D	
Connecticut	1	+36.0	D	1 R 3 D
	2	−18.8	D	
	4	+28.9	R	
	5	−37.1	D	
Florida	3	+23.0	D	5 D
	4	+15.2	D	
	6	+60.3	D	
	8	−41.5	D	
	9	−42.5	D	
Georgia	2	−23.6	D	6 D
	4	−18.0	D	
	5	+108.9	D	
	6	−16.6	D	
	8	−26.1	D	
	9	−31.0	D	
Idaho	1	−22.9	D	2 D
	2	+22.9	D	
Illinois	4	+23.0	R	5 R 4 D
	5	−16.4	D	
	6	−33.6	D	
	8	+15.1	D	
	10	+31.6	R	
	13	+19.9	R	

Congressional districts, 88th Cong., whose populations vary from State average by 10 percent or more, 15 percent or more, and 20 percent or more—Continued

[R=Republican; D=Democratic]

State	District No.	Variation from average	Party of sitting member	State party totals
Illinois	14	+20.2	R	
	19	−16.6	R	
	24	+16.0	D	
Indiana	1	−21.1	D	5 R 1 D
	2	−15.7	R	
	6	−21.3	R	
	7	−22.3	R	
	9	−31.4	R	
	11	+64.6	R	
Kansas	1	+23.9	R	1 R
Kentucky	1	−19.2	D	2 R 2 D
	2	−17.6	D	
	3	+40.8	R	
	5	−15.9	R	
Louisiana	2	+22.7	D	4 D
	5	−15.3	D	
	6	+31.7	D	
	8	−35.2	D	
Maryland	1	−37.2	R	2 R 4 D
	2	+60.5	D	
	3	−33.2	D	
	4	−26.9	D	
	5	+83.4	D	
	6	+57.0	R	
Michigan	1	−34.8	D	7 R 6 D
	4	−15.6	R	
	6	+43.5	R	
	7	+52.9	D	
	9	−28.0	R	
	10	−28.9	R	
	11	−44.6	R	
	12	−59.2	R	
	13	−38.3	D	
	15	−22.5	D	
	16	+84.8	D	
	17	+18.0	D	
	18	+58.8	R	
Mississippi	1	−16.2	D	3 D
	2	+39.7	D	
	4	−32.3	D	
Missouri	2	+17.3	R	1 R
Montana	1	−18.7	D	1 R 1 D
	2	+18.7	R	
New Jersey	1	+44.8	R	4 R 5 D
	2	−21.8	R	
	4	+21.4	D	
	6	+24.7	R	
	7	+37.4	R	
	10	−24.8	D	
	11	−23.7	D	
	13	−36.5	D	
	14	−36.9	D	
New York	12	+15.1	D	1 D
North Carolina	1	−32.9	D	1 R 3 D
	2	−15.5	D	
	6	+17.6	D	
	8	+18.7	R	
Ohio	2	+15.7	R	11 R 2 D
	3	+72.1	R	
	4	−15.4	R	
	5	−29.4	R	
	8	−31.1	R	
	10	−35.0	R	
	11	+21.3	R	
	12	+61.8	R	
	14	+37.2	R	
	15	−44.0	D	
	16	+16.7	R	
	18	−22.1	D	
	22	−15.2	R	
Oklahoma	1	+34.4	R	1 R 3 D
	3	−41.3	D	
	4	−35.0	D	
	5	+42.5	D	
Oregon	1	+17.1	R	1 R 2 D
	2	−40.0	D	
	3	+18.2	D	
Pennsylvania	6	+31.8	D	5 R 4 D
	7	+31.9	R	
	8	+27.9	R	
	9	+16.6	R	
	11	−17.2	D	
	13	+23.2	R	
	15	−27.7	D	
	16	−15.7	R	
	21	−15.9	D	
South Carolina	2	+33.9	D	3 D
	3	−19.7	D	
	5	−31.4	D	
South Dakota	1	+46.3	R	2 R
	2	−46.3	R	
Tennessee	1	+16.2	R	2 R 4 D
	2	+25.4	R	
	6	−18.2	D	
	7	−41.3	D	
	8	−43.6	D	
	9	+58.2	D	
Texas	1	−43.5	D	2 R 17 D
	3	−32.5	D	
	4	−50.3	D	
	5	+118.5	R	
	6	−43.0	D	
	7	−39.0	D	
	8	+30.5	D	
	10	−18.8	D	
	11	−25.9	D	
	12	+23.7	D	
	13	−24.9	D	
	14	+23.8	D	
	15	+18.4	D	
	16	+31.7	R	
	17	−33.9	D	
	18	−16.5	D	
	20	+57.8	D	
	21	−39.7	D	
	22	+55.0	D	
Utah	1	−28.6	R	2 R
	2	+28.6	R	
Virginia	2	+24.6	D	1 R 3 D
	5	−17.8	D	
	7	−21.1	D	
	10	+36.0	R	
Washington	3	−16.0	D	1 R 1 D
	7	+25.2	R	
West Virginia	5	−18.6	D	1 D
Wisconsin	2	+34.2	D	3 R 4 D
	3	−24.3	R	
	4	+30.4	D	
	5	+31.8	D	
	7	−19.1	R	
	9	−22.3	D	
	10	−40.1	R	
National total				65 R 107 D

PT. III. BY 20 PERCENT OR MORE

State	District No.	Variation from average	Party of sitting member	State party totals
Arizona	1	+52.9	R	1 R 1 D
	3	−54.3	D	
Arkansas	3	−25.5	D	2 D
	4	+28.8	D	
California	1	+29.1	R	2 R 6 D
	3	+21.6	D	
	4	−24.9	D	
	5	−27.0	D	
	16	+20.1	D	
	18	+23.4	D	
	28	+42.4	R	
	33	+21.8	D	
Colorado	2	+49.1	R	1 R 1 D
	4	−55.4	D	
Connecticut	1	+36.0	D	1 R 2 D
	4	+28.9	R	
	5	−37.1	D	
Florida	3	+23.0	D	4 D
	6	+60.3	D	
	8	−41.5	D	
	9	−42.5	D	
Georgia	2	−23.6	D	4 D
	5	+108.9	D	
	8	−26.1	D	
	9	−31.0	D	
Idaho	1	−22.9	D	2 D
	2	+22.9	D	
Illinois	4	+23.0	R	3 R 1 D
	6	−33.6	D	
	10	+31.6	R	
	14	+20.2	R	
Indiana	1	−21.1	D	4 R 1 D
	6	−21.3	R	
	7	−22.3	R	
	9	−31.4	R	
	11	+64.6	R	
Kansas	1	+23.9	R	1 R
Kentucky	3	+40.8	R	1 R
Louisiana	2	+22.7	D	3 D
	6	+31.7	D	
	8	−35.2	D	
Maryland	1	−37.2	R	2 R 4 D
	2	+60.5	D	
	3	−33.2	D	
	4	−26.9	D	
	5	+83.4	D	
	6	+57.0	R	
Michigan	1	−34.8	D	6 R 5 D
	6	+43.5	R	
	7	+52.9	D	
	9	−28.0	R	
	10	−28.9	R	
	11	−44.6	R	
	12	−59.2	R	
	13	−38.3	D	
	15	−22.5	D	
	16	+84.8	D	
	18	+58.8	R	
Mississippi	2	+39.7	D	2 D
	4	−32.3	D	
New Jersey	1	+44.8	R	4 R 5 D
	2	−21.8	R	
	4	+21.4	D	
	6	+24.7	R	
	7	+37.4	R	
	10	−24.8	D	
	11	−23.7	D	
	13	−36.5	D	
	14	−36.9	D	
North Carolina	1	−32.9	D	1 D
Ohio	3	+72.1	R	7 R 2 D
	5	−29.4	R	
	8	−31.1	R	
	10	−35.0	R	
	11	+21.3	R	
	12	+61.8	R	
	14	+37.2	R	
	15	−44.0	D	
	18	−22.1	D	
Oklahoma	1	+34.4	R	1 R 3 D
	3	−41.3	D	
	4	−35.0	D	
	5	+42.5	D	
Oregon	2	−40.0	D	1 D
Pennsylvania	6	+31.8	D	3 R 2 D
	7	+31.9	R	
	8	+27.9	R	
	13	+23.2	R	
	15	−27.7	D	
South Carolina	2	+33.9	D	2 D
	5	−31.4	D	
South Dakota	1	+46.3	R	2 R
	2	−46.3	R	
Tennessee	2	+25.4	R	1 R 3 D
	7	−41.3	D	
	8	−43.6	D	
	9	+58.2	D	
Texas	1	−43.5	D	2 R 14 D
	3	−32.5	D	
	4	−50.3	D	
	5	+118.5	R	
	6	−43.0	D	
	7	−39.0	D	
	8	+30.5	D	
	11	−25.9	D	
	12	+23.7	D	
	13	−24.9	D	
	14	+23.8	D	
	16	+31.7	R	
	17	−33.9	D	
	20	+57.8	D	
	21	−39.7	D	
	22	+55.0	D	
Utah	1	−28.6	R	2 R
	2	+28.6	R	
Virginia	2	+24.6	D	1 R 2 D
	7	−21.1	D	
	10	+36.0	R	
Washington	7	+25.2	R	1 R
Wisconsin	2	+34.2	D	2 R 4 D
	3	−24.3	R	
	4	+30.4	D	
	5	+31.8	D	
	9	−22.3	D	
	10	−40.1	R	
National totals				48 R 77 D

NOTE.—At-large seats not included.

Sources:

Congressional Quarterly Weekly Report, pt. 2 of No. 39, Sept. 28, 1962. "Congressional Redistricting."

U.S. Bureau of the Census, "Population of Congressional Districts for 88th Cong., Apr. 1, 1960." PC(S1)—26. Aug. 6, 1962.

U.S. Congress. House. "Unofficial Alphabetical List of the House of Representatives of the United States, 88th Cong."

PERCENTAGE OF REPUBLICAN CONGRESSIONAL VOTE TO TOTAL VOTE AND PERCENTAGE OF REPUBLICAN SEATS TO TOTAL SEATS IN 1962 ELECTION, BASED UPON UNOFFICIAL RETURNS

1. ARIZONA

Republican, 170,916; 51.7 percent.
Democrat, 163.307.
Republican, 1; 33.3 percent.
Democrat, 2.

2. CALIFORNIA

Republican, 2,401,053; 47.4 percent.

Democrat, 2,665,151.

Republican, 13; 34.2 percent.

Democrat, 25.

3. COLORADO

Republican, 313,201; 52.7 percent.

Democrat, 283,097.

Republican, 2; 50 percent.

Democrat, 2.

4. CONNECTICUT

Republican, 472,538; 46 percent.

Democrat, 556,017.

Republican, 1; 20 percent.

Democrat, 4.

5. FLORIDA

Republican, 345,211; 40.1 percent (of contested seats).

Democrat, 514,487 (does not include votes of two uncontested seats).

Republican, 2; 16.7 percent (20 percent of contested seats).

Democrat, 10.

6. IDAHO

Republican, 119,905; 47.7 percent.

Democrat, 134,763.

Republican, none.

Democrat, 2.

7. ILLINOIS

Republican, 1,688,897; 50.3 percent.

Democrat, 1,670,544.

Republican, 12; 50 percent.

Democrat, 12.

8. INDIANA

Republican, 882,684; 52 percent.

Democrat, 816,826.

Republican, 7; 63.6 percent.

Democrat, 4.

9. KANSAS

Republican, 371,739; 60 percent.

Democrat, 248,287.

Republican, 5; 100 percent.

Democrat, none.

10. KENTUCKY

Republican, 190,914; 47.2 percent (of contested seats).

Democrat, 211,463 (does not include votes of four uncontested seats).

Republican, 1; 14.3 percent (33.3 percent of contested seats).

Democrat, 6.

11. MARYLAND

Republican, 315,999; 46.8 percent (of contested seats).

Democrat, 359,777 (does not include votes of 1 uncontested seat).

Republican, 2; 28.6 percent (33.3 of contested seats).

Democrat, 5.

12. MICHIGAN

Republican, 1,346,872, 48.9 percent.

Democrat, 1,406,234.

Republican, 11, 61.1 percent.

Democrat, 7.

13. MISSOURI

Republican, 498,523, 43.6 percent.

Democrat, 643,386.

Republican, 2, 20 percent.

Democrat, 8.

14. MONTANA

Republican, 117,930, 49.9 percent.

Democrat, 118,891.

Republican, 1, 50 percent.

Democrat, 1.

15. NEW JERSEY

Republican, 960,202, 49.3 percent.

Democrat, 985,729.

Republican, 8, 53.3 percent.

Democrat, 7.

16. NEW YORK

Republican, 2,646,195, 48.3 percent.

Democrat, 2,830,288 (includes Liberal Party vote).

Republican, 21, 51.2 percent.

Democrat, 20.

17. NORTH CAROLINA

Republican, 255,649, 45.5 percent (of contested seats).

Democrat, 307,311 (does not include votes of three uncontested seats).

Republican, 2, 22.2 percent (33.3 percent of contested seats).

Democrat, 9.

18. OHIO

Republican, 1,673,765, 55.7 percent.

Democrat, 1,327,346.

Republican, 17, 73.9 percent.

Democrat, 6.

19. OKLAHOMA

Republican, 242,793, 48.4 percent (of contested seats).

Democrat, 259,869 (does not include votes of two uncontested seats).

Republican, 1, 16.7 percent (25 percent of contested seats).

Democrat, 5.

20. OREGON

Republican, 286,938, 45.8 percent.

Democrat, 339,247.

Republican, 1, 25 percent.

Democrat, 3.

21. PENNSYLVANIA

Republican, 2,164,077; 50.9 percent.

Democrat, 2,090,728.

Republican, 14; 51.9 percent.

Democrat, 13.

22. SOUTH DAKOTA

Republican, 143,582; 60 percent.

Democrat, 98,396.

Republican, 2; 100 percent.

Democrat, none.

23. TENNESSEE

Republican, 215,725; 43.5 percent (of contested seats).

Democrat, 281,379 (does not include votes of one uncontested seat and one seat unreported, but does include votes of one conservative Democrat who ran as an Independent).

Republican, 3; 33.3 percent (37.5 percent of contested seats).

Democrat, 6.

24. TEXAS

Republican, 481,792; 38.6 percent.

Democrat, 768,016 (does not include vote of four uncontested seats).

Republican, 2; 91.1 percent (11.8 percent of contested seats).

Democrat, 20.

25. UTAH

Republican, 166,999; 52.7 percent.

Democrat, 150,089.

Republican, 2; 100 percent.

Democrat, none.

26. VIRGINIA

Republican, 177,969; 49.7 percent (of contested seats).

Democrat, 180,244 (does not include votes of four uncontested seats).

Republican, 2; 20 percent (33.3 percent of contested seats).

Democrat, 8.

27. WASHINGTON

Republican, 510,449; 61.3 percent.

Democrat, 323,442.

Republican, 6; 85.7 percent.

Democrat, 1.

28. WEST VIRGINIA

Republican, 268,369; 44 percent.

Democrat, 340,789.

Republican, 1; 20 percent.

Democrat, 4.

29. WISCONSIN

Republican, 613,254; 50.4 percent.

Democrat, 604,203.

Republican, 6; 60 percent.

Democrat, 4.

[From Brookings Research Report No. 12]

THE VALUE OF A VOTE IN CONGRESSIONAL ELECTIONS

(In March 1962, the Supreme Court handed down a landmark decision in the case of *Baker* v. *Carr*, ruling for the first time that the courts have a responsibility to see that State legislative districts are reasonably equal in population. This research report—based on "Congressional Districting: The Issue of Equal Representation," a new Brookings book by Prof. Andrew Hacker, of Cornell University—explores some implications of this decision and weighs the possibilities of reducing inequities in congressional districting in the 1960's. The findings and conclusions are those of the author and do not purport to represent the views of the Brookings Institution, its trustees, officers, or other staff members.)

When Americans vote for Members of the U.S. House of Representatives they are equal citizens in the eyes of the law—at least in theory. In fact, however, the votes they cast vary greatly in value; some are worth several times as much as others.

The population of a congressional district—or, in other words, the number of neighbors with whom a citizen must share his Representative in Congress—principally determines the weight of an individual's vote. A voter living in a lightly populated district has a weightier vote—and, therefore, is overrepresented—compared to a voter living in a heavily populated district who is underrepresented. In Michigan, for example, the 16th Congressional District has a population 4½ times that of the 12th District; yet each district has one Representative who has one vote in Congress. Indeed, in 21 of the 42 States that have more than one congressional district, a vote in the smallest district is worth at least twice as much as a vote in the largest district in the same State.

Especially significant is the fact that inequities in representation have been increasing in recent years because of shifts in population and the reluctance of States to redistrict. Since World War II tens of millions of Americans have left small towns and rural areas, moving to new jobs in urban centers. At the same time, there has been a corresponding exodus from the large cities into the rapidly growing suburbs. State legislatures have taken little notice of patterns of movement within their borders. Rural and small town lawmakers have continued to maintain majorities in the legislatures, and have shown little concern for the needs of either the cities or the suburbs.

HISTORICAL BACKGROUND

It is no easy task to identify an American tradition on legislative representation. There are precedents for unequal representation dating back to the colonial assemblies, as well as precedents for equality. The Constitution indicates only that each State will be allotted a certain number of Representatives according to population; it does not require that the State be divided into districts, one for each Representative. The relevant portion of section 2 of article I provides: "Representatives * * * shall be apportioned among the several States which may be included within this Union, according to their respective numbers." The interpretation of many proponents of equality of representation is that just as the States are to be represented equally in the Senate so are individuals to be represented equally in the House; they argue that there would be little point in giving States Congressmen on the basis of population if the States did not redistribute Members of their delegations on the same basis.

Opinions differ regarding the intent of the framers of the Constitution, but there is a good deal of evidence that those who framed and ratified the Constitution intended that the House of Representatives have as its constituency a public in which the votes of all citizens were of equal weight.

In the half century following ratification there was a marked tendeny toward greater political equality. Property qualifications for the vote disappeared, and during the 1830's many new State constitutions were adopted and made subject to amendment by the voters. Elections of State officials, Members of the House of Representatives, and presidential electors were made by direct vote. The democratic die was cast before the Civil War; other discriminations were removed through the 14th, 15th, 17th, and 19th amendments. While practice has lagged behind declared principles in many respects, the thrust of political development in the United States clearly has been toward political equality.

COURT DECISIONS IN THE COLEGROVE CASES

Several court cases of recent years have involved attempts to apply constitutional and political doctrines of equality to the practical issues of legislative districting. In 1946 Kenneth Colegrove, a Northwestern University political scientist, brought suit against Governor Green, of Illinois, charging that a voter in the Fifth District of Illinois, which contained only 112,116 people, had voting power worth eight times as much as his own vote in the Seventh District, which had a population of 914,053. The resulting political handicap, he claimed, was a form of arbitrary discrimination. The Supreme Court of the United States ruled against Colegrove. Associate Justice Frankfurter, in his opinion for the four-man majority, said that the judicial branch should not decide questions so clearly political in character. He suggested either of two remedies: (1) Invoke the power of Congress to regulate by law the manner in which its own Members will be elected, or (2) persuade the State legislature to create constituencies of relatively equal size; in other words, use the legislative rather than the judicial process.

The possibility of getting help from either of these sources appeared very slight, however. No Congressman has ever been denied a seat because he was elected by an undersized district, although many have obviously been so elected. As for the second alternative, Colegrove discovered greater discrepancies in the population of Illinois legislative districts than there were in congressional districts in that State. One State senate district, for example, was 16 times as large as another. There was little chance that a State legislature, itself chosen from unequal districts, would be willing to create equal-sized congressional districts.

In an effort to break this bottleneck Colegrove filed a second suit, this time against the Secretary of State of Illinois, asking the Federal courts to order the Illinois Legislature to redistrict itself more equitably. After an adverse judgment in a lower court, the Supreme Court of the United States refused to hear the case on the ground that the districting of State legislatures was outside its jurisdiction.

THE REVERSAL: BAKER *v.* CARR

On March 26, 1962, the Supreme Court reversed an earlier stand and, by a vote of six to two, decided that legislative apportionment is a proper issue for Federal courts. The case, *Baker* v. *Carr*, was an outgrowth of an unsuccessful attempt to obtain relief by following the course recommended in the first Colegrove case. Sensing that the judiciary in 1962 might be more sympathetic to the problem of urban underrepresentation than it was in 1946, a group of citizens of Nashville, Tenn., took their case to the courts.

The Supreme Court based its decision on the equal protection of the laws clause of the 14th amendment. Citizens of Tennessee who were underepresented in the State legislature could not have such equal protection because they did not have equal participation in the selection of the lawmakers.

After the decision, suits were soon filed in other States. Within 6 months about half of the States were involved in litigation growing out of *Baker* v. *Carr*. Existing State legislative apportionments were invalidated or substantially so in 14 States. Federal courts acted in five of these States: Alabama, Georgia, Tennessee, Florida, and Oklahoma. State courts acted in nine states: Vermont, Rhode Island, Maryland, Michigan, Kansas, North Dakota, Mississippi, Idaho, and Pennsylvania. State constitutional provisions on legislative representation were held invalid as contrary to the 14th amendment in at least six States. More significant, the Court decisions were both effective and respected, and they encountered little opposition.

GERRYMANDERING: VARIATIONS IN POLITICAL CARTOGRAPHY

Existing inequalities are the result not only of population changes but also of gerrymandering—the manipulation of district boundaries by the dominant party in the legislature to gain maximum voting advantage. There are several ways in which gerrymandering may be carried out:

Excess votes: Party A, the party in control of the legislature, may set up one or more districts in which candidates of party B, the opposition party, will be allowed to win. However, the votes going to party B in these districts will be far in excess of the margin required for victory; and party B's candidates in other constituencies will be deprived of votes they might have otherwise put to good use. As a result, the proportion of seats won by the gerrymandering party will be greater than the proportion of votes cast for it.

Wasted votes: Party A may create districts where its own candidates win by comfortable majorities. Thus, votes going to party B's candidates in these districts are wasted in that they are cast for candidates who ultimately lose.

Through gerrymandering, therefore, party A will seek to maximize party B's excess and wasted votes and in so doing will increase the proportion of its own effective votes. Such strategies can be carried out effectively even if all congressional districts in a State are of equal size. However, party A can add to its gerrymandering gains if, in addition, it draws unequal-sized districts and concentrates its voting support in small constituencies and that of party B in larger ones.

Gerrymandering will doubtless persist, but equalization of district populations can at least set certain ground rules that will limit the impact of gerrymandering.

UNEQUAL DISTRICTS: CHARACTERISTICS AND CONSEQUENCES

A committee of the American Political Science Association has defined as "equitable" a district that has a population within a range of 85 to 115 percent of the State norm, the norm being the State's total population divided by the number of districts it contains. In 1955, on the basis of this definition, over half of the congressional districts were considered equitable, but within 5 years the number had dropped to 43 percent.

Which Americans benefit and which suffer discrimination because of unequal representation? A study of election returns over the decade of the 1950's indicates that equitable representation may be related to certain economic and political factors, but was more clearly related to a district's urban, rural, or suburban characteristics.

Urban districts were actually better represented than is commonly believed—more than 60 percent of them in the equitable range—because large cities have been losing population.

A majority of the suburban voters, on the other hand, were underrepresented. Even when redistricting takes place after a census, the suburbs, with their rapidly growing populations, often lose out because of rural domination of State legislatures.

Almost half of the rural districts were overrepresented, partly because they have been losing population, but chiefly because State legislatures deliberately gave full representation in Congress to combinations of rural counties that fell below the population norm.

The midurban group of districts—which is the largest single group and which includes all districts that are not predominantly one or the other types—had a slightly greater share of underrepresented seats and a smaller share of overrepresented ones than either the urban districts or Congress as a whole.

The problem of rural overrepresentation, then, is very great. Rural districts had 102 Congressmen though their population would have entitled them to only 86. On the other hand, the suburbs are the most seriously underrepresented. Also strongly underrepresented are urban Democrats in the South, where the rural interests retain virtually complete control of State legislatures. The conflict in congressional districting, therefore, is primarily between two American minorities—the 36 million who live in rural areas and the 29 million suburbanites.

REDISTRICTING AND THE 1960 CENSUS

In the reapportionment following the 1960 census, 9 States gained seats in the House of Representatives, 16 lost seats, while 25 kept the same total. The 25 had gained in population between 1950 and 1960, but their rate of growth had only kept pace with the national rate.

A State that loses seats as a result of reapportionment must redistrict (or elect its Congressmen at large) simply because it has too many districts for its number of Congressmen. However, a State that gains or retains the same number of Representatives can do any one of three things: It can refuse to redistrict and elect any additional Congressmen at large. It can redistrict partially, keeping some old seats and creating new ones out of the remaining territory. Or it can draw up entirely new districts.

Eighteen of the States that neither gained nor lost congressional seats in 1960 chose not to redistrict. In many cases this meant that population movements within the State were not reflected in the distribution of seats, and what is sometimes called a silent gerrymander was the result. Four States which gained one or more Congressmen elected the added members on an at-large basis. In one or two cases, this was probably only a temporary expedient, and redistricting will take place before 1970. Of the States that gained or lost Congressmen, 11 changed the districts in only a portion of their territory. Taken as a whole, these States had more equitable districts than the States that did not redistrict at all. Only nine States actually adjusted every one of their districts.

Less than half the Members of the present House of Representatives are from newly created constituencies. As the accompanying table shows, 61.8 percent of the held-over districts are inequitable in size, though only 17.8 percent of the new districts are. The evidence indicates that if a State undertakes a complete redistricting program, it is likely to do so in an equitable manner. The problem is that so few States do a thoroughgoing job of redistricting after each census.

WHAT LIES AHEAD?

The Supreme Court has said that "gross disproportion of representation" in State legislatures must be eliminated, and it may be only a question of time before this principle will be applied to cases involving congressional districts, too. But reform will probably come slowly.

There are three possible ways of achieving remedial action:

Congressional action: No reform in districting should be expected from Congress chiefly because many Representatives now in Congress are elected, with little opposition, from small districts. They are not likely to push reforms that might jeopardize their political careers. Furthermore, if Congress passed a law requiring equitable districts, it would have to refuse to seat Members elected by inequitable ones, which would be an embarrassing step to take. Finally, many Congressmen continue to consider the creation of districts as one of the "rights" of the several States and not within the province of the Federal Government.

State action: While many States are being required to redistrict their own legislatures as a result of *Baker* v. *Carr*, the Supreme Court has been silent on congressional districts. There are no indications that the States will redistrict congressional seats until after the next census in 1970 unless they are compelled to do so. Not until the State legislatures themsleves are more truly representative and competitive will there be the kind of competition between parties and sections that can result in equitable congressional districts.

Judicial action: The Supreme Court in *Baker* v. *Carr*, which dealt only with State legislatures, made it clear that serious underrepresentation would no longer be tolerated. But as far as congressional representation is concerned, the Supreme Court's decision that the courts would not enter the field of congressional districting (in *Colegrove* v. *Green*, 1946) is still the law of the land.

However, the Supreme Court will have an opportunity soon to rule again in this area in the case of *Wesberry* v. *Vandiver*. This case, which was dismissed by a lower Federal court, deals with the size of congressional districts. A resident of the seriously underrepresented Fifth Congressional District of Atlanta, Ga., sued Governor Vandiver in an effort to obtain more equitable representation, asking that the State be compelled to redraw all districts so that each would be within 15 percent of the statewide norm.

Summary of 413 congressional districts, held over and new, 88th Cong. (Seats at large omitted)

Districts after 1960	Number of districts	Number of inequitable districts	Percentage of inequitable districts
HELD OVER DISTRICTS			
In unrestricted States (no seats gained or lost)	102	59	57.8
In unredistricted States (seats gained)	70	51	72.8
Partially redistricted States	50	27	54.0
Total held over districts	222	137	61.8
NEW DISTRICTS			
In partially redistricted States	132	26	19.7
In completely redistricted States	59	8	13.6
Total new districts	191	34	17.8
All districts	413	171	41.4

The Supreme Court may choose to reverse the lower court and order the Georgia Legislature to redistrict its congressional seats equitably; or—the more likely choice—it may tell Wesberry that since the Georgia Legislature has been directed to make itself more representative, it may be expected in turn to make congressional districts more equitable. But districting reforms would not go into effect before the 1966 congressional elections. It is not clear how representative the new legislatures will be or whether their second chambers will support equitable districting. If residents of Georgia's Fifth District do not obtain relief by legislative means, they will undoubtedly return to the courts.

The Atlanta case is a special one, however, the Fifth District of Georgia being the second largest in the country. If the Supreme Court were to decide in favor of Wesberry, it probably would do so because his district suffers a gross disproportion of representation and its residents are objects of invidious discrimination. In the whole country about 20 districts with over 600,000 inhabitants could claim some relationship to the Atlanta situation. Notable among these are Dallas, the southwest area of Detroit, the Dayton-Middletown region of Ohio, and the suburban counties of Maryland that are adjacent to Baltimore and Washington, D.C. Probably only the most glaring instances of discrimination will be done away with if *Wesberry* v. *Vandiver* replaces *Colgrove* v. *Green;* how much further the courts will go is uncertain.

Equal representation is best viewed as a question of civil rights and as such must be guaranteed under the equal protection clause of the 14th amendment. New York, Massachusetts, and Minnesota have shown that it is altogether practicable to draw districts of roughly equal proportion and at the same time preserve opportunities for partisan maneuvering.

As matters now stand, over 40 million Americans are being deprived of their full voice at the polls and full representation in Congress simply because they live in areas that have failed to secure political favor. Those who try to defend existing inequities are clearly on the defensive, and the principle of equal representation in the Nation's legislatures is closer to achievement than ever before.

The case for equal districts transcends partisan differences between Democrats and Republicans. The real problem is not to secure more liberal or conservative legislation, but to give full representation to all Americans. How they will want to use their power, what kind of congressmen they will elect, what will be the ultimate legislative outcome—these are important questions, but they should not affect the overriding issue of equal votes for equal citizens.

THE MAJOR DANGERS FACING AMERICA

The SPEAKER. Under previous order of the House, the gentleman from Oklahome [Mr. EDMONDSON] is recognized for 30 minutes.

Mr. EDMONDSON. Mr. Speaker, the House of Representatives has just demonstrated once again its abiding faith in the American traditions that "eternal vigilance is the price of liberty" and in time of danger it is a good idea to "keep your powder dry."

Yesterday's action approving the $47 billion appropriation bill for defense—the second largest defense appropriation bill in our peacetime history—provides a convincing answer to those shortsighted advocates of unilateral disarmament, and to fearful ones among us who believe we have already begun to cut back on defense.

For the record, the bill we have just passed is $7 billion higher than the Defense Appropriation Act of 3 years ago. During the past 2 years, this Congress has appropriated $15.5 billion more for defense than during the prior 2 years.

In the words of our distinguished colleague, the gentleman from Texas, Congressman GEORGE MAHON:

> This bill represents the continuing determination of the House that we shall maintain our military superiority and expand our military capabilities, that we support a policy of strength and firmness.

Further, in the words of the same Texan:

> The program which this bill supports will make sure that the President of the United States and the Secretary of State can continue to deal at the conference table from a position of military strength.

Thus, while press accounts of this bill as reported by the Appropriations Committee have emphasized the fact that the total amount provided is nearly $2 billion below the administration requests, it would be highly inaccurate to conclude that a cut of this size has been made into the bone and muscle of American defense.

The committee has made it clear that no reduction in personnel is intended or considered necessary, in view of authority provided for transfer of funds and the deferment of some procurement items.

On the decision to defer production and procurement of some weapons, and the cutback of research and development funds by approximately $400 million, there is undoubtedly room for an honest difference of opinion. In my personal view, there is more hazard in the reduction in research and development than in any other area, and I would have preferred the full funding requested by the Defense Department.

At the same time, no honest judge can question the fact that this bill provides strong support for this country's Defense Establishment.

OUR CURRENT DEFENSE PROGRAM

The gentleman from Alabama, Congressman GEORGE ANDREWS, commenting upon the progress being made in seapower under the current program, has pointed out that we are now adding one Polaris submarine a month to our naval forces.

Nine submarines with 144 Polaris missiles are now deployed overseas and three more will join them before the year is out. The total will grow to 41 within the next few years.

Completely proven as a weapons system that is ready to fire all missiles 95 percent of the time, mobile and virtually invulnerable to enemy attack, the Polaris submarine force of the United States continues to provide a major deterrent to aggression and war.

Other major deterrents are further strengthened by this week's appropriation measure.

We continue to provide for procurement of missiles other than Polaris, for use by both the Army and the Air Force.

In the terse language of the gentleman from Texas, Congressman MAHON:

> We now have three times as many nuclear weapons on the alert as we had in 1961.

The number of tactical wings of the Air Force has increased from 16 to 21, and our airlift capacity—an area of admitted need for improvement—has increased by 60 percent since 1961.

The present program continues to provide for 16 combat-ready Army divisions, compared with 11 which we had ready for action in 1961.

Three full Marine Corps division teams, and the nucleus of a fourth, are also provided.

Of particular interest in connection with these remarks, our military buildup during the past 2 years has also provided a threefold increase in Army special forces designed to cope with limited and guerrilla-type warfare.

In summary, once again in the words of the gentleman from Texas, Congressman MAHON:

> Thus, although we all earnestly hope for peace, we are obviously stronger and better prepared for coping with a wider range of military situations than we have ever been in time of peace.

THE REASONS WHY

The basic and fundamental reason for the current defense program of the United States is found in one simple fact of life: the fact that this generation of Americans must face and deal with a threat to freedom that is far more ruthless and far more deadly than any danger we have confronted in the past.

The brain and nerve center of that danger can be found in the international Communist conspiracy, with headquarters in Moscow and Peiping, and outposts in every major capital of the world—including one stronghold located since 1959 in Havana, Cuba.

From Havana to Moscow to Peiping, there can be no doubt about the constant and common goal of that conspiracy.

From the time of Lenin to the present day it has been the same, and that goal is world domination.

In today's Communist hierarchy, Nikita Khrushchev and Mao Tse-tung may disagree on tactics, but never on the long term target—Communist control of the world.

Understanding of this central truth is imperative in any careful evaluation of the dangers now confronting our country.

For, while the Russian conspirator may work and plan to accomplish conquest without war on one continent, and his Asiatic partner may pursue conquest through war on another, both are dedicated to the same basic strategy—and that is the strategy of conquest.

Within the different nations of the free world, no climate of public opinion is immune from the virus of attempted Communist conquest.

The climate of complacency and indifference can prove deadly to the friends of freedom. This is the climate in which defenses are neglected, security forgotten, and defeat almost certain. No American who loves his heritage can tolerate such a climate.

On the other extreme, the climate of fear and panic may be equally disastrous. This is the climate in which carefully planned defenses are abandoned, proven leadership distrusted, battle-tested allies rejected, and long range policies and objectives forgotten. No American who values the lessons of history can encourage this climate, either.

THE ENEMY'S STRENGTH

It is important, in the preparation of America for the test of strength in which we are now engaged, to understand and appreciate fully both the tactics of the Communist conspiracy and the Communist resources available to advance that conspiracy's objectives.

The 1961 estimate of actual Communist Party membership outside the Soviet Union—36 million in 86 countries—gives only a hard core picture of the conspiracy's strength.

Conquest—with and without war, but usually at the point of a gun—has placed more than a billion people under the Communist flag.

Khrushchev has boasted that his forces now "cover about one-fourth of the territory of the globe, have one-third of its population, and their industrial output accounts for about one-third of the total world output."

While his industrial production figures are high, his population estimates are not.

Furthermore, China's population—now in excess of 600 million—is expected to reach 1 billion by 1975.

The military power of the combined Communist countries is largely concentrated in land armies, missiles, and undersea naval forces.

Division strength of the Red bloc in Europe has been estimated at more than 150 divisions, with a high level of mechanization and mobile firepower. Additional Russian divisions not located in Europe bring this total to more than 200 divisions.

Chinese Army strength is reported in excess of 120 divisions, easily the largest single military force in Asia.

The striking power of Russia's ICBM's is a matter of keen speculation, but little doubt exists of their ability to hit targets on the North American Continent with missiles of high megaton yield.

THE SUBMARINE THREAT

A major factor in the Communist military threat is the Soviet submarine force, known to include more than 400 subs—or more than four times the number sailing for Hitler at the peak of the Battle of the Atlantic.

While the majority of these vessels are known to be diesel-powered, a growing number are nuclear-fueled and many have missile firing capability.

Vice Adm. John W. Thach, writing in U.S. Naval Proceedings, has emphasized that missiles from these subs are sufficient in range to reach America's coastal population centers.

Soviet action in lending subs to other Communist countries makes their use in limited war extremely likely, and the heavy building program now underway on Red nuclear-powered subs adds additional gravity to the seriousness of this underwater danger.

Both submarines and so-called fishing boats have figured largely in the Communist efforts to expand their Cuban beachhead in the Western Hemisphere, and an effort to establish a secret Communist submarine base in the Carribean is considered likely.

SUBVERSIVE AGGRESSION AS A WEAPON

Without in any way downgrading the military threat and the relentless economic warfare being waged by the Red bloc, an equally deadly Communist weapon in Europe, Africa, and the Western Hemisphere continues to be subversion.

Webster's definition of subversion limits it to acts "which cause overthrow or destruction."

As practiced by the Communists, subversion includes every cold war weapon from propaganda to murder.

An outstanding analysis of Red techniques in this field has been supplied by N. H. Mager and Jacques Katel, in Simon and Shuster's "Conquest Without War."

While Khrushchev is reported in this volume to have said, "It is not true that we regard violence and civil war as the only way to remake society," the words of Lenin remain to establish the true Communist ground rules:

> We say that our morality is entirely subordinated to the interests of the class struggle of the proletariat.

And further:

> Revolutionaries who are unable to combine illegal forms of struggle with every form of illegal struggle are very poor revolutionaries.

In Latin America, in recent months, there has been little doubt of the fact that Lenin's ideas still prevail.

Murder, robbery, and arson have been the acknowledged tactics of the Castro Communists in South America.

The New York Times, in 1 week's period, reported an armed attack upon the U.S. military mission in Caracas, followed by the burning of the mission, and the attack and burning of the Goodyear Tire & Rubber warehouse in the same city.

Gustavo Machado, head of the outlawed Communist Party in Venezuela, acknowledged the burning of the Goodyear warehouse and an earlier burning of a Sears warehouse and said, "We are proud of them."

In an outstanding report upon "Castro Communist Subversion in the Western Hemisphere," a subcommittee of the House Committee on Foreign Affairs reported on March 14, 1963, that our Alliance for Progress is being endangered by a "Communist offensive in Latin America that is paramilitary, relying on force and violence."

Elimination of this subversive aggression, the subcommittee reported, is essential to "the success of the Alliance for Progress or any other long-range economic aid program for the region."

THE CUBAN ROLE

The Foreign Affairs Subcommittee of the gentleman from Alabama [Mr. SELDEN] has left little doubt about the source of most aggressive subversion in Latin America.

The subcommittee declares:

> From its inception the Castro regime has sought to export revolution to other countries of the hemisphere. Direct military efforts, in the form of small rebel force landings in Nicaragua, Panama, the Dominican Republic and Haiti, failed in 1959. Cuba rapidly became a base for subversion and guerrilla training, as well as propaganda campaigns aimed at the overthrow of existing Latin American governments.

The Cuban propaganda campaign, with heavy emphasis on the "Hate America" theme, is carried out by shortwave radio throughout Latin America. Radio Havana alone, in 1961, was directing 266½ hours a week of broadcasts to Latin America, with direct appeals to listeners to revolt against their governments.

The Selden subcommittee reported that from 1,000 to 1,500 Latin Americans traveled to Cuba in 1962 for ideological and paramilitary training, with increasing numbers of Communist trainees reported in 1963.

These trainees, the subcommittee said, "represent a Communist revolutionary cadre for the establishment of Castro-type regimes in the hemisphere."

The Cuban based program for revolution is so "extensive in concept and execution," in the words of the subcommittee, "as to be branded subversive 'aggression', a modern totalitarian form of warfare, against the nations of the free world."

THE WORLDWIDE DRIVE

What the Cubans are doing in Latin America, the Russians are doing in Africa, and to a lesser degree in Europe, Asia, and everywhere else a "revolutionary cadre" can be established.

Subversive aggression—a new concept of modern war—is the Khrushchev formula for "conquest without war."

No thinking American today can belittle the menacing nature of the danger thus presented.

The stakes in this struggle are total, with life, liberty, and the pursuit of happiness in the balance.

The Communist military power, supplemented by economic warfare and subversive aggression, hangs like a sword of Damocles over all free men and women today.

The United States of America, the arsenal of democracy in World War II and the citadel of liberty in the thermonuclear age, must and shall continue to maintain a level of preparedness second to none.

On the seven seas—on land and in the air—and in space as well, the security of our Nation requires an unceasing effort to assure the excellence and readiness of armed forces capable of meeting any attack with overwhelming American power.

At the same time, it is also imperative that effective countermeasures be mounted and sustained to meet the growing menace of subversive aggression—of the conquest without war which threatens the security of many good neighbors in this hemisphere.

The recommendations of the Selden committee, ranging from economic and diplomatic measures to unilateral military action where essential to our security, should form the cornerstones for aggressive counterattack in this hemisphere.

Additional measures in the internal security field, in Latin America especially, but also in all free countries determined to resist and defeat the Communists' subversive aggression, should also be undertaken.

On this score, I have made several suggestions for changes in current hemispheric security measures, and have strongly urged increased attention to this problem within the Organization of American States.

It also seems elementary that measures which operate to improve living standards and opportunities in the critically depressed areas of the world are worthwhile in the counterattack on communism.

The exploitation of misery and distress has been a cornerstone of Communist propaganda efforts from the start, and the slogan, "to each according to his needs," is tailor-made for appeal to the underprivileged.

With more than a billion people on this earth struggling for existence on per capita incomes of less than $8 per month, the Communist conspiracy does not have to search long to find fertile soil for its insidious and misleading propaganda.

It is no accident that every Chief Executive of this Nation since World War II has recognized the need in the world for an American counteroffensive against poverty and disease in order to strengthen the forces of freedom.

Along this line, Secretary of Defense Robert McNamara testified, in the early part of this year, that programs of economic assistance are "absolutely vital to winning" in the cold war.

By maintaining and building the military strength of the United States and its allies, by strengthening our forces and measures of internal security against subversion and by aggressively continuing our full economic offensive, we can and will meet and defeat modern history's most deadly threat to freedom.

Let no American, however, conclude that mere opposition to that threat is enough. Strength—and positive, constructive measures to advance our cause—are absolutely essential.

No American today is better acquainted with the Communist danger than J. Edgar Hoover of the FBI. His testimony before the Senate Internal Security Subcommittee, in 1961, is just as true today as it was 2 years ago:

> Unfortunately, there are those who make the very mistake the Communists are so careful to avoid. These individuals concentrate on the negative rather than on the positive. They are merely against communism without being for any positive measures to eliminate the social, political, and economic frictions which the Communists are so adroit at exploiting.
>
> These persons would do well to recall a recent lesson from history. Both Hitler and Mussolini were against communism. However, it was by what they stood for, not against, that history has judged them.

Let us make certain that America continues to meet the dangers confronting us with strength, with resolution, with positive programs, with faith in our country and its great institutions, and with equal faith in the Divine Providence who presides over the destinies of all men and all nations.

INTERNATIONAL LABOR ORGANIZATION CONFERENCE AT GENEVA, SWITZERLAND

The SPEAKER pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from Ohio [Mr. AYRES] is recognized for 30 minutes.

Mr. AYRES. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. AYRES. Mr. Speaker, I wish to preface my remarks by expressing my appreciation to you for having designated me as a congressional adviser to the International Labor Organization Conference in Geneva. I say that I have appreciated this because I have gained knowledge that will be of value to me in my work here. I have an entirely new concept of international conferences.

Though I had refused to attend the Conference at the instance of the State Department, I was most pleased to serve as a delegate from Congress. As a Member of this body, my loyalty is to it.

I realize full well that the field of international affairs belongs to the executive branch of our Government. I would not change that. But far too often, Congress is unable to make its position felt. We do control the purse strings. Our problem is often to have enough knowledge to adequately form an opinion of the merit of expenditures in this field. I know that I speak for all members of this body when I say that we would not deny the executive branch any justified funds that would contribute to a peaceful solution of international problems. The question as to justification is a difficult one and can only be gathered by first hand information.

I believe the Members of Congress can be of definite service to our relations with other nations by attending these international conferences. I am most pleased to report to you, Mr. Speaker, that I was very well received by the other delegates. They seemed to have faith in our utterances. They knew that we were directly elected representatives of the people of the United States of America.

Briefly, I would review the history of the International Labor Organization. When the League of Nations was founded in 1918, a charter was given to this organization. In 1948, it became an agency of the United Nations. It is open not only to members of that organization but to any other that is accepted by a two-thirds majority of its members. One hundred and eight member nations were represented at the immediate conference. The ILO charter states that it aims to promote social justice; improve labor conditions and living standards; and promote economic stability. At the conference, labor standards are formulated and adopted. However the member nations are at liberty to ratify them or not as they see fit.

A permanent office is maintained as is a permanent secretariat. This is under the guidance of Mr. David Morse, an American.

The effectiveness of the ILO can be questioned when one considers that even the resolution forbidding forced labor has only been ratified by one-half the member nations.

The United States provides 25 percent of the total budget of the ILO. Our contribution has amounted to the sum of $5,243,136 for the past 2 years. The U.S. delegation to this year's conference consisted of the Government representatives headed by the Honorable George L. P. Weaver, Assistant Secretary of Labor for International Affairs, Department of Labor, and Mr. George P. Delaney, special assistant to the Secretary of State, Department of State.

The employers' representatives headed by Mr. Richard Wagner, chairman of the board, Chamber of Commerce of the United States.

The workers representatives were headed by Mr. Rudolph Faupl, international representative of the International Association of Machinists.

The men acting as advisers to these distinguished officials were without exception men of great ability. They were all concerned with giving the United States excellent representation. They are listed here:

Alternate delegate: Mr. John F. Skillman, special assistant to the Secretary, U.S. Department of Commerce.

Congressional advisers: Hon ADAM CLAYTON POWELL, JR., House of Representatives; Hon. WILLIAM H. AYRES, House of Representatives.

Alternate congressional advisers: Hon. PETER FRELINGHUYSEN, JR., House of Represenatives; JAMES ROOSEVELT, House of Representatives.

Senior adviser: Hon. Roger W. Tubby (liaison—Far East), U.S. representative to the U.S. mission to the European office of the U.N. and other international organizations, Geneva, Switzerland.

General advisers: Mr. Richard Conn, information officer (at Department of Labor expense), Bureau of International Labor Affairs, U.S. Department of Labor; Mr. Dale Good, political officer (with special emphasis on the governing body elections), Office of International Economic and Social Affairs, U.S. Department of State.

Area liaison advisers: Mr. William M. Steen (liaison—Africa), African area specialist U.S. Department of Labor; Mr. John L. Hagan (secretary to the delegation and liaison with Latin America), Office of International Conferences, U.S. Department of State; Mr. Irvin Lippe, attaché (liaison—Europe), U.S. mission, Geneva, Switzerland; Mr. Harold D. Snell, labor attaché (liaison—Near and Middle East), Beirut, Lebanon.

Technical advisers:

Application of conventions and executive officer: Mr. John E. Lawyer, Associate Director, Office of International Organizations, Bureau of International Labor Affairs, U.S. Department of Labor.

Prohibition of sale, hire, and use of inadequately guarded machinery (second discussion): Mr. Morris B. Wallach, international safety consultant, Division of International Cooperation, Bureau of Labor Standards, U.S. Department of Labor.

Termination of employment at the initiative of the employer (second discussion): Mr. Harry Douty, Assistant Commissioner for Wages and Industrial Relations, Office of Wages, Industrial Relations and Prices, Bureau of Labor Statistics, U.S. Department of Labor.

Benefits in the case of industrial accidents and occupational diseases (first discussion): Mr. Donald L. Ream, Chief, Workmen's Compensation Branch, Division of State Services, Bureau of Labor Standards, U.S. Department of Labor.

Hygiene in shops and offices (first discussion): Mr. John P. O'Neill, industrial hygienist, Division of Programing and Training, Bureau of Labor Standards, U.S. Department of Labor.

Representing the employers of the United States:

Advisers: Mr. John E. Branch, Wilson, Branch & Barwick, Rhodes-Haverty Building, Atlanta, Ga.; Mr. Malcolm L. Denise, vice president, labor relations, the Ford Motor Co., the American Road, Dearborn, Mich.; Mr. Richard P. Doherty, president, Television-Radio Management Corp., Washington, D.C.; Mr. Edwin R. Niehaus, director, employee relations, the Great Western Sugar Co., Denver, Colo.; Mr. George J. Pantos, labor attorney, labor relations and legal department, Chamber of Commerce of the United States, Washington, D.C.; and Mr. William G. Van Meter, program development general manager, Chamber of Commerce of the United States, Washington, D.C.

Representing the workers of the United States:

Advisers: Mr. Cornelius J. Haggerty, president, Building & Construction Trades Department, American Federation of Labor and Congress of Industrial Organizations, Washington, D.C.; Mr. Joseph D. Keenan, secretary, International Brotherhood of Electrical Workers, Washington, D.C.; Mr. George Meany, president, American Federation of Labor and Congress of Industrial Organizations, Washington, D.C.

Mr. William J. Pachler, president, Utility Workers Union of America, Washington, D.C.; Mr. Jacob S. Potofsky, president, Amalgamated Clothing Workers of America, New York, N.Y.; Mr. Bert Seidman (at AFL-CIO expense), European economic representative, American Federation of Labor and Congress of Industrial Organizations, Paris, France; and Mr. David Sullivan, president, Building Service Employees' International Union, New York, N.Y.

Mr. Speaker, I wish to state our delegates representing the Government, the employers, and the workers were at full freedom to vote on particular measures according to their beliefs on the subject. It is not unusual to find the delegates of many of the nations in disagreement on specific measures. That is why the International Labor Organization was granted delegates representing government, employers, and workers.

I was interested in investigating the position of the Union of Soviet Socialist Republics in this matter. They, too, had delegates representing Government, employers, and workers. My research could discover no occasion when their employer and worker delegates had differed in the slightest degree from the position of their Government delegate. This condition also prevailed with the Soviet satellite nations. Include Cuba amongst these satellite nations. Certainly their employer delegations have no justification for meeting with the representatives of the employer groups of the free nations. The free employers did boycott them one year but have resumed conferences with them. The International Labor Organization's Appeal Board has given them their status. It is difficult for me to see any good reason for their action.

I can but believe that the Soviet Union is a member of this organization for the sole purpose of creating a false image to the world. The image being one that would have all people believe that the Soviet Union has democratic consideration for its people. Certainly this nefarious propaganda should be exposed for what it really is—slavery under the guise of a communistic state.

Mr. Speaker, a crisis occurred during this year's meetings of the International Labor Organization. Thirty-two delegations representing the African nations rose in protest at the presence of the South African delegation. They, joined by Arab countries, left the Conference. At this time, I will enter in the RECORD the speech made by the Secretary General of the Conference, Mr. David Morse:

> I have, during 15 years, come to this rostrum to defend many interests in the interest of maintaining the universality and the strength of our organization. Today, I come again in what is perhaps my most difficult intervention, but one which must be made, since ours is a responsible organization dedicated to the struggle for peace, dedicated to improving the welfare of all men. I owe it to my member states to set the record straight and to give you the objective facts in the situation, because we are now part of the historical process, and it is important, in the writing of history, that the truth be stated so that those who follow us can benefit from our own experiences.
>
> I rise to speak because I was told yesterday by a committee officially designated to represent the African group that they had not yet prepared an agreed declaration and that before they made a declaration they would inform the Secretary General—the Director General of this organization—who, after all, is the trustee of its constitution and its welfare. I have not yet been so informed, and I am surprised that my first notice is your statement this morning, Mr. Johnson, from this rostrum.
>
> Secondly, I must put the record straight. Mr. Johnson has resigned as president of the

Conference, and, of course, it will be necessary to elect a new president. In his resignation Mr. Johnson sent me the following note:

"DIRECTOR GENERAL, ILO:

"I regret initiating a move that may bring strain and add to the already heavy work of the congress. Please accept my resignation as president of the 47th session of the ILO. It is inevitable that I should take this step, and I wish the congress every luck.

"J. M. JOHNSON."

This was delivered to me during the latter part of the morning of Saturday. It has been officially acted upon by the officers of the Conference. The selection committee was notified yesterday. Mr. Johnson is, of course, as he himself indicated, no longer president of the Conference.

Now I want you to be good enough, all of you, to sit back and hear me out. This is not easy, but I have got to do it, and I beg of you your courtesy and your patience because I speak to you from the very best of motives and from the bottom of my heart.

This Conference and this organization have been living through very difficult days. The situation has developed since last Wednesday, when a protest was made by the African delegates concerning the right of the employers' delegate from the Republic of South Africa to speak in the discussion on the Director General's report. It continued last Friday when, as you know, on the ruling of the Chair, the employers' delegate from South Africa made his statement and a number of delegates thereupon left the hall and, as you know, there was a considerable and noisy demonstration.

Since then plenary sittings of the Conference have been suspended. There have been a series of discussions and negotiations outside this hall in an attempt to find a way out of the impasse in which the Conference found itself. These were initiated by me, because of my responsibility as Secretary-General of the Conference and on the specific authority given to me by the Selection Committee of the Conference last Wednesday evening to carry out consultations with a view to a resolution of the difficulty. These consultations have, in an atmosphere of tension, been accompanied by various rumors. There have also been certain statements to the press, and, as I said earlier, I must set the record straight so that all delegates may have a correct understanding of what has transpired and so that the work of this Conference may continue.

First let me say that fundamental issues touching the very structure of civilization and human dignity are involved in this situation. There is the issue of discrimination, of a racial policy which has been condemned by a resolution adopted, without opposition, by this Conference in 1961. Also there is the issue of freedom of speech for duly accredited delegates—even for those who may hold condemned opinions.

It has been suggested that the ILO and its executive officers have approached this problem from too legalistic and procedural a standpoint and have not considered it from its moral aspects. I must be the first to dispel this idea. The ILO has always been alive to the moral aspect. Indeed, that is the foundation of its law. The ILO, alone among all the international organizations, has been persistent and able to give substance to the principles enunciated in the Universal Declaration of Human Rights, through a number of binding international conventions in the human rights field, dealing with freedom of association, abolition of forced labor, and the elimination of discrimination in employment.

Furthermore, the governing body has established a standing committee that will deal on a practical basis with the issue of discrimination. Also, the ILO has been dealing—more persistently, I submit, than any other international organization—with the basic issues of human rights and discrimination which are involved in the South African question. And may I remind you that it has been dealing with them as moral issues, not legalistic issues, and in practical ways.

I make this clear so as to stress that the ILO, its officers and its Director General have not approached and cannot approach this question in a narrow, limited, procedural way. Nevertheless I say at the same time that the Organization cannot afford to compromise its constitutional position by ill-considered action. The basic constitutional law of this Organization is the mandate it has received. And from whom has it received this mandate? It has received it from the soverign states which make up the ILO—all of you here who represent your governments. If this is violated the very existence of the ILO as an international organization is violated, and it is through. Any breach of this constitutional law would open the way for arbitrary, vicious rule which today may be turned against one party but tomorrow will be turned against another party.

I, as Director General, I tell you this, will never, never be a consenting party to any action—any supposed solution to a difficulty—which would undermine the foundations of law and of confidence on which the ILO rests.

Accordingly I considered it my duty—my solemn duty—to point out to the African delegates courses of action which would be legally possible and which might at the same time be substantially more effective means of pursuing their legitimate aims than either the sort of demonstration we had last Friday or a total withdrawal of the African delegations from the work of the Conference.

One of my difficulties during this phase, which I must point out to the Conference, was in maintaining contact with the African delegations. They were meeting—the government, employer, and worker delegates from Africa together—at various times during Saturday, Sunday, and yesterday. Several times I sent messages offering to speak with this meeting, but I was informed each time that it was not necessary. Finally, at my request to be heard I was informed that a delegation of 12, composed from the 3 groups, had been appointed to meet with me yesterday at 9 a.m. This delegation's spokesman made it clear that it was not empowered to discuss with me, but only to hear what I had to say and report back to the full meeting of African delegates.

Thus I explained to this delegation four points—I want to tell you about these four points—outlining a composite of measures that were open to the African delegations, and these were as follows:

First, the African delegations might have come to this session of the Conference with a challenge to the credentials of the South African Government delegation and, in view especially of the 1961 resolution, this could have been a basis for excluding the delegation from participating at this session. The African delegations could, however, take action to challenge these credentials at the next session if they so desired.

Second, a resolution could be submitted to this session of the Conference under the existing urgency procedure which would put this Conference clearly on record against the policy of apartheid. In addition, this resolution could ask the United Nations to become seized with this problem and to determine a policy to be adopted by the entire United Nations family on the issue of apartheid. This resolution could also request the Security Council of the United Nations to deal with the issue of apartheid on an urgent basis at its next session, which will be next month, July 1963.

Third, I stated that I would be prepared personally, in my capacity as Secretary General of the Conference and Director General of the ILO, to meet with the Secretary General of the United Nations in July, upon the close of this session, in order to clarify and put personally to the Secretary General, U Thant, such views as this Conference might decide to embody in a resolution at this session. This would insure that resolutions passed by the ILO and by the United Nations are fully coordinated and that the Secretary General is in possession of all the elements for his presentation to the Security Council when it meets in July.

Fourth, the African group could decide to undertake concerted action in the governing body of the ILO and in the governing bodies of all other international organizations, and in the United Nations itself, to obtain the specific amendment of the constitution of the ILO, the constitutions of all other international organizations, and the constitution of the United Nations itself, which would state specifically that the policy of apartheid was fundamentally contrary to the constitutions of all these bodies and that any nation practicing this policy cannot be a member of the United Nations or any of the organizations comprising the United Nations family.

In making these points to the delegation which met with me I reiterated my willingness and my desire to meet with the whole assembly of African delegations, to explain the position to them as I saw it and to discuss any question with them. The delegation's spokesman indicated, however, that they would report to the whole meeting and would inform me in due course of its wishes.

That was yesterday morning. Early in the afternoon I heard unofficial reports that the meeting of African delegates had concluded. The press, however, had word that a declaration had been adopted and that it was to be read to the plenary sitting. There was even a text of such a declaration in the hands of some journalists.

Some of the members of the delegation from the African meeting came back to see me yesterday afternoon. Their spokesman then informed me that the meeting had decided that the African delegations would cease participating in the work of the session. At the same time, it was made clear that this decision was subject to change in the light of developments that might take place—presumably any further negotiations that might lead to a different situation.

I turned to these gentlemen and I asked these spokesmen for the African delegates whether they could clarify the reports I had received concerning a declaration to be made on their behalf. In reply I was informed that the information I had received, and that I had heard, was completely inaccurate. No declaration had been approved by the delegations. Furthermore, I was assured that, as Secretary General of the Conference, I would be informed of any such declaration before it was made to the Conference. I told the Selection Committee last evening, for the record, on my word as Secretary General of this Conference, that I was informed that there was no declaration, that no declaration had been agreed and that I was not seized of one; because I believed.

Meanwhile, as I mentioned, a statement was circulated to the press purporting to be a declaration of the African delegations to the Conference. Many of you will have read the substance of this so-called declaration in today's newspapers. I have. I refer to this now as a matter of privilege because this text contains certain allegations concerning which the facts must be made clear also. It concerns the person who presided over the sitting of the Conference last Friday, Mr. Faupl, the workers' vice president of the Conference. Let me read the text which was given to the press:

"Considering the personal and anticonstitutional action of the vice president, Mr. Faupl, president of the 11th meeting, and the deplorable manner with which the representative of the Republic of South Africa was imposed on the members of the Conference in violation of the 1961 resolution decides as a protest to abstain from participating in the meeting."

What I am going to tell you now I also told the spokesman representing the African delegations and, subsequently, the selection committee. It is this: that Mr. Faupl, when he presided at the sitting of the Conference where this problem came up, was presiding after a meeting of all the officers of the Conference at which it was agreed by all the officers of the Conference that he should take the chair so that the business of the Conference could proceed. The situation was that the government vice president had already had the chair and he agreed that he should not take the chair on this occasion. It was his own view that, as he had had it, it was the next person's turn. The next person was the employers' vice president. The employers' vice president felt that, in view of the fact that he would be called upon to rule in a case involving an employer, it might be considered strange, or that his ruling might even be impugned. So, in the circumstances, it was suggested that the next person in turn take the chair; and that happened to be Mr. Faupl.

Now, Mr. Faupl stated that he did not want to take the chair; he stated that he had voted in favor of the resolution on South Africa; he stated that from the bottom of his toes he was against the whole policy of apartheid; he stated that his whole career in his country had been spent in fighting racialism and he did not want to have to be placed in the position of ruling in a case which ran against his own conscience when it came to the elements of this issue. This was the discussion which took place among the officers of this Conference. But he was prevailed upon by his colleagues, by all the officers of this Conference, to do his duty, and he said: "I will accept that; after all, it is true, I have been elected; this is an honor, being vice president, which has been conferred upon the workers. But I accept only in all these circumstances, in the interests of the organization and in the interests of complying with the constitutional requirements of the job at this session, and only on this condition, that all the officers of the Conference agree that I shall rule in this matter that the South African delegate has the right to speak." That was his position.

The government vice president then indicated that he would like to suggest an amendment to what Mr. Faupl had proposed, his amendment being that when Mr. Faupl ruled it should be very clear that he was ruling that all delegates had the right to speak, not just the delegate of South Africa, so that it was clear that we were talking about a principle which really was basic to the whole issue of freedom of speech. That, of course, was accepted unanimously by the officers, including Mr. Johnson, and it was on that basis and on behalf of all the officers that Mr. Faupl came to this rostrum and agreed to preside.

We then went back to the Selection Committee, all the officers of the Conference went to the Selection Committee, including Mr. Johnson, and I reported to the committee that the acting President would proceed in the Conference on this agreed basis.

Now, there are many other aspects of this problem that I could go into, but I thought I ought to make it clear that any public insinuation of this character in this matter concerning Mr. Rudi Faupl and concerning the manner in which he presided must be publicly, irrevocably and clearly denied. There must not be any misunderstanding about the manner in which any officer of this Conference has discharged his responsibilities. I do not want to go further into this case, but I think it important that this particular point be made.

Now let me revert to the story of the negotiations and add that on several occasions during the last few days I have been in contact with the government delegation of the Republic of South Africa in order to ascertain, in line with the resolution of 1961, whether that delegation would be prepared to withdraw from the Conference. I was given to understand that the Government of South Africa had decided, as a matter of policy, not to leave.

So much, then, for the record of the discussions. Where does this leave us? Let me recapitulate the position as I see it and let me tell you what I think should be the course of action for our Conference.

This Conference at its 1961 session adopted a resolution condemning the racial policies of the Government of the Republic of South Africa and advising the Republic of South Africa to withdraw from membership of the ILO.

The Government of South Africa has not complied with this advice, nor has its delegation consented to withdraw from this session of the Conference, and there is no provision in the ILO constitution for the expulsion of a member State.

In the face of this situation, Mr. Johnson of Nigeria, who was the mover of the 1961 resolution, as he stated this morning, resigned as president of the session, and the African delegations, as I was told yesterday, have decided to participate no further in its work.

So far, the situation would seem to be entirely negative. However, there are, in addition, more recent factors which put the situation in a different light.

The first of these is the continuing determination of the majority of delegates that the constructive work of the ILO in fulfillment of its basic objectives should not be allowed to be paralyzed. Accordingly, a new president of the Conference will be elected and under his guidance the basic work, our search for peace, based upon social justice, can continue its way to fruition.

And, in addition, a resolution has been submitted to me under the urgency provision of the standing orders, and the officers of the Conference are now seized of it. This draft resolution would reiterate the condemnation of apartheid of the 1961 resolution and refer the situation created by South Africa's noncompliance with that resolution as a matter of urgency to the United Nations. It would request the United Nations to consider the situation in relation to South Africa's continued participation as a member of the United Nations and to report action taken to the ILO. This draft resolution, which has been presented by the government delegate of Panama, thus takes up one of the suggestions I made to the African delegations. Other points could be taken up in the governing body.

Let me say, in concluding this assessment of the situation, that the ILO has had to face very grave crises in its recent history. I have been through them all, and I believe myself that from each test we have emerged strengthened, and I believe that we will do so again. There are two reasons for this: As an organization, we have never wavered, we never will waver, in our basic moral purposes; and we have never adopted, and we shall never adopt, arbitrary methods.

In 1954, when issues of a different character, but equally as grave as those which confront us today, were raised, issues concerning the right of the Soviet Union to participate fully in the work of the ILO, I recalled to the Conference that the rule of law, due process of law tempered by reason and equity, was the essence of our tradition and civilization.

Let me quote what I said then. "Yet we can never afford to take a tradition like ours for granted. The rule of law can be destroyed by any acquiescence in a violation of law. A habit of reasonable compromise can be undermined by emotional intransigence. Whatever future course this Organization may take, any abandonment of our tradition, any resort to unconstitutional means to overcome a problem in defiance of due process of law, can only be to our loss. It would drain away our constitutional strength.

"And this is an issue, let me emphasize, which does not affect us, the ILO, alone. With great care we have all helped to build a framework for international cooperation through the United Nations family organizations. Any move to break away from this acquired habit by resorting to the use of power alone, no matter what the seeming advantages, no matter what the provocation, would not only threaten the ILO, it would be a setback for the United Nations. Each of us here must continue the work of our predecessors, to nurture prudently the growth of a civilized community of nations."

That is what I said in 1954, and which I feel bound to recall in the light of our present very different circumstances, because the principle I tried to express, the feeble manner in which I tried to put my views across on this particular concept, is I believe of lasting and real validity. These are words, but there is truth in them, and I believe that if we adhere to the law it will reinforce the moral purpose of the ILO in its struggle against racial discrimination and for universal recognition of human dignity. Without law there can be no respect for dignity, no civilized recognition of equal rights and equal opportunities. The infraction of law only creates the basis for discrimination. So we must fight discrimination, but we must fight it with truth and we must fight it with the dignity that comes from truth.

My friends, you do not have to tell me about racial discrimination; I need no lessons on racial discrimination. Racial discrimination is the enemy of the civilized world community. It is a challenge to the existence of a world community, and so it is a challenge to world peace, it is a challenge to world order. We must fight this discrimination, we must fight this enemy, but we must fight it with methods which strengthen the foundations of world order. We must—I urge upon you, I pray you—engage this enemy effectively. This cannot be done by quitting the Conference, by sitting in the halls.

That is why I regret the decision of which I was informed yesterday that the African delegations were planning to take no further part in this session of the Conference. I think this is an unfortunate decision. I think it is a very unwise one. I would prefer to see Africans stay and fight on this issue, fight under the rules of law which are open to them, and show the world how men can meet a challenge and master it, and master it with the power of truth and dignity. I know from my own struggle with fascism through 5 years of war that you cannot engage the enemy when you retreat from the field of battle.

This issue of apartheid is one by which the United Nations and the other specialized agencies, as well as the ILO, are now challenged. I believe that this Conference should take a decisive step in responding to the challenge, in doing so in a way whereby the United Nations and the ILO, with the other organizations, work out together a common policy, a common action, combining their force and their effectiveness. Whether this is done depends upon the delegates present here—depends in large measure upon the African delegates.

It has been said, and it has been mentioned in the press, that some people would be ready to destroy the ILO as a protest against South Africa. Let me say this. They will not. They cannot destroy the ILO; they do not have it in their power to destroy the ILO. The ILO is too firmly rooted in the movements of workers everywhere in the world toward fuller freedom and a social order which is more just and equitable, and in the struggle of the peoples of emerging nations for a better way of life. Those who talk this way cannot destroy the ILO, but they can limit the effectiveness with which the ILO works to achieve what they themselves want. They can, if the passion of the moment so dictates, reject the weapon which the ILO can be in the struggle against discrimination.

And this is the question with which this Conference is now squarely faced. Do we lay down our weapons? Do we abandon the field of battle? De we sabotage the foundations of a civilized world community in our haste to leave? Or do we, on the contrary, go forward together to engage in the struggle and to triumph over injustice and oppression, to triumph over poverty and discrimination? That is the decision before this Conference.

Mr. Speaker, this speech was made on June 18, 1963.

That the Members of the House might be informed of the position of our Government on this problem, I do also enter into the RECORD the speech of our Government delegate, the Honorable George L-P. Weaver:

I recognize the fact that this has been a long and at times impassioned debate, one that I believe quite often has strayed from the central question and the central points at issue.

I remarked that at the outset each speaker during this long debate has seen fit (and I think properly so) to state his position on one of the central issues, and I think the context of this debate clearly illuminates that there are two basic issues involved. There have been divergencies, as could normally be expected in an issue which has within itself the possibilities for so much passion. We have listened to observations that are familiar to this rostrum, to this house, and to the delegates who are regular attendants at the Conference—issues that really have no place in a debate as serious as this, and one that runs to the heart of one of the basic reasons for the ILO's existence.

I will join those speakers who at the outset indicated their position on the question of apartheid, and I will do it not only personally (I do not think I need any personal attestation as to where I would stand on this question) but I will also do it for my Government. My Government's repugnance to the policy of apartheid has been set forth in several appropriate forums. We emphatically maintained this position when the central core of the matter was debated in this forum in 1961, as well as in the United Nations and other international agencies; and the reason is quite clear. We are unalterably and irrevocably opposed to apartheid in all aspects because we think it contains not only the seeds of destruction for South Africa, but it also contains a potential seed of destruction for the rest of the world, given the kind of world we live in. I think all delegates here, with very few exceptions, feel just the same about this issue as any of the speakers, including Mr. Johnson who opened this debate, and any of the speakers who have opposed him.

I think that the central issue was well put by the Director General and I can think of no one's eloquence or reasoning which could match the logic as well as the passion of his statement—a passion born out of experience and travail that democratic procedures and processes in the ILO had to undergo in order that the Organization might become the kind of instrument that it is for the attainment of the ideals that we all subscribe to.

It is very interesting, and I think it well to draw the attention of the delegates, particularly those who are not members of the Committee on the Application of Conventions and Recommendations, to the report of the Committee of Experts which is presented and being considered by that Committee this year, because one of the central findings was very interesting and it is well for every country, particularly every country whose representative takes this rostrum, to realize it; one of the positive conclusions that was drawn from that study of these experts is that discrimination in one form or another is to be found in every country, and, before any of us come up here in self-righteousness, let us realize this basic fact. And this is one of the purposes for this Organization. And how do we get on, and how do we go about it?

I would submit, based upon very practical personal experience as well as the experience that this Organization has undergone, that we all know that, when freedom of speech is threatened in any forum, the usefulness of that forum is ended. And this is the basic issue which is posed before us this morning: not whether we condemn apartheid—because I do not think any speaker, if he believed in it, would have the nerve, in 1963, to take any forum and seek to defend racial discrimination and particularly a system as bestial as apartheid is, so this is not the central issue—but the issue is how do we go about removing this scourge from international life? How do we best go about it?

I would suggest and submit to the delegates that the best course of action that has been suggested here is that which was outlined by the Director-General and an attempt to implement which was sought by the distinguished Ambassador from Panama, speaking for the Latin American group. We accomplish no positive purpose, we take no steps forward, by refusing to participate or by tying up the business of this Organization, an Organization to which we all subscribe, an Organization which we all believe has the capacity to take a step forward in attaining this objective in which we all believe. We cannot do that by withdrawing. We can only do it by, collectively, continually seeking new instruments and new weapons with which to do it, and I submit that we cannot do it by threatening another basic right.

The most effective instrument that we have discovered to define our position and take a proper course is that of freedom of speech.

I have a dual obligation to protest, deeply, almost bitterly, against one section of the declaration that has been referred to. I feel almost equally strongly on the previous one, because I think any implication that the executive authorities of the ILO are deliberately passive and have an inadmissible attitude on a question as important as this, a question that runs through the heart of an organization like the ILO, is unwarranted. Anyone who knows the authorities of this Organization, anyone who has had any experience in working with them, anyone who has looked at the record, cannot in good conscience and logic make this kind of statement.

This is an Organization which many of us are proud of. This is a house which has produced many social advances. It has led the family of the United Nations in these very issues, the very issue that is under debate and under consideration here. And this work has been implemented not by us delegates who come here once a year, or by the members of the Governing Body who come three times a year; it has been implemented by the executive officers and the devoted staff that make up the ILO. We do not serve our purpose by tearing down a structure.

And I have a double responsibility to take issue with the next statement, the one which refers to the personal and unconstitutional action of the Vice President, Mr. Rudi Faupl. There is little that I can add to what has been stated by the Director General and all the other officers who have taken this rostrum, because I participated in these discussions as a fellow officer, and I say that Mr. Faupl would not have been carrying out his functions, he would not have been carrying out his duties as an officer, if he had not protected the right that we all agreed on, that every delegate has a right to be heard whether we agree with him or not. He was not only carrying out his agreement as an officer but, more important, he was carrying out a much higher principle, the principle of defending and promoting the right of freedom of speech.

I would like to close by referring to a couple of, I think, basic fundamental statements that were made by previous speakers, one of which causes a good deal of concern and trepidation.

If I remember correctly, one of the speakers, in discussing this false dichotomy that I think has been set up between morality and law—because no law lasts which is not fixed on a moral basis—one of the speakers made a statement that we are not bound by the law; and I hope that I heard it incorrectly. The implications are that we are the law, and there have been more societies destroyed on this theory than on any other I know. We must establish, if we hope for continuity of the work in which we are engaged, a society of laws, not of men—I speak as one who was part of a group that has deliberately used the law as an instrument and has developed it into an instrument of social precision in terms of rectifying age-old injustices and terms of providing equality of opportunity. The American Negro has gone to the Supreme Court in the United States 38 times and has been victorious 32 times and each of those victories established another stone in the foundation of the climax that you read about and we are experiencing in the United States every day. I repeat, they have developed that law is an instrument of social precision. This has been the great protection. This has provided the means and the instrument for orderly evolution, or orderly revolution, whichever way you want to describe it.

I repeat that the central issue we have to decide here today—and if we do not decide it today we shall have to decide it tomorrow, because we shall meet it again—is how we can devise the means and the technique of advancing this cause of eliminating from the family of nations, from among decent people, the bestial system of apartheid; what tools, what techniques, we can devise collectively in order to achieve this goal dispassionately and without rancor toward one another. That is the challenge which is before us, a challenge with which this house is not unfamiliar, a challenge that must be met by democratic procedures. In my first year in the ILO, at my first conference, this house was wracked by an issue as deeply passionate, as deeply emotional, as this one. It was the first year that the Hungarian credentials were challenged. That issue was resolved; it was resolved on democratic principles by staying within the confines of our constitution and by respecting that constitution, and in this way it became not only a stronger but a more living document. That is the challenge before us here today and we can only meet that challenge through a scrupulous regard for democratic principles, not by walking away from the struggle.

Mr. Speaker, I believe that the Members of this House would be interested in the speech of our employer-delegate, Mr. Richard Wagner. At a later date I will introduce the remarks of Mr. Rudolph Faupl, the worker's delegate. Mr. Wagner's remarks follow.

Mr. President, ladies, and gentlemen, the Director General's report states that we must assess the future role and programs of the ILO.

The unhappy events of the past weeks point up forcefully the major failing of this Organization. It has not faced up to the necessity of maintaining its basic principles. Those principles are admirably stated in the Declaration of Philadelphia. The Director General in his report says in effect that these concern free labor, free employers, social justice, and economic development. In addition, there have been resounding declarations on human rights, freedom of association, on freedom from discrimination and on the elimination of forced labor and a number of other worthy objectives. But until now this Organization has closed its eyes to the necessity of fighting for and protecting these principles of human freedom. This is why we reached an impasse in conducting this conference. Like practically everyone here I am opposed to racial discrimination. But this is not the only question on which we must concern ourselves. We must insist on the elimination of repression of freedom of association, the repression of free speech, and forced labor wherever these practices are condoned or sanctioned by legislative edict or monolithic governments. Until and unless we find a way to make all of these practices where condoned by the force of laws or general practice, a mandatory basis for invalidation of credentials, this Organization will experience crisis after crisis.

The free employers have in the past undertaken to bring to your attention the importance of these matters and the necessity for action. They failed to receive support or consideration for their position. Chaos is the result.

The forthright position of the ILO on these fundamental principles is well known, and it is high time that nations which do not conform to them should either withdraw from this Organization or be relegated to the status of observers.

There is another unresolved matter which will sooner or later result in another crisis. That is the gradual breakdown of true representative tripartism. This began when the worker group and the employer group were deprived of complete group autonomy through the mockery called the appeals board. While this procedure is not sanctioned by the constitution, people who are not truly free workers or free employers but who are in fact agents of their governments have been given places on committees with the right to vote. The records of every technical committee and indeed the records of plenary sessions are full of evidence that these so-called workers and so-called employers vote only as do their governments on vital matters because they are government agents. This destroys tripartism and unbalances the relationship between workers and employers on the one hand and governments on the other. The so-called employer from the U.S.S.R. in his speech admitted state control of employers. The appeals board should be abolished and genuine group autonomy reestablished.

When the ILO was first established, there was a genuine need for a world organization which would promote sound labor-management relations, develop programs by which nations would improve the wages, working conditions, and living standards of workers and their families and provide a forum through which labor, employers, and governments might exchange mutually beneficial experience on social problems.

The purposes and objectives of the ILO were inherently sound at the time of its inception and for more than a quarter century thereafter. The essential purposes and objectives are sound in today's world, if the Organization pursued only these purposes and objectives.

The emergence of many new nations, with virtually no experience in handling their own economic and social problems, creates a new need which the ILO should be serving.

The deplorable fact, however, has been that, in the face of its new found challenges and opportunities for effective service, the ILO has been diverted by the Eastern European nations from its original purposes and has essentially degenerated into a cold war forum and an instrumentality for political propaganda.

I protested at last year's conference and again at the Asian Regional Conference against the use of this platform for such propaganda purposes. I had hoped that this year's conference would witness an objective discussion of structural and program matters without the same old propaganda cliches. But we have heard much more of the same. They accuse my country of blocking disarmament, cessation of nuclear testing—they rant against colonialism. Do they think you do not know that they themselves are the ones who are guilty of these practices? They come to this platform pretending to be champions of human rights and human freedoms—when they withdraw the foreign troops from Hungary and remove the wall in East Berlin, we may have less question about their sincerity. They mention Alabama but not attacks upon Africans in Prague and other racist incident in Moscow. Free speech is one of the cornerstones of all human freedom. The Communists not only do not permit it but anyone who voices an opinion which is not acceptable to the state receives prison terms or worse. It is a shameful travesty that these people from the totalitarian bloc stand on this platform and profess dedication to human rights and basic freedom while they continue to enslave whole nations under their own vicious form of colonialism. I am quite sure that you are not misled by the smokescreen that the Government Vice President of the Conference tried to pull over our eyes on Friday. The fact stands out clearly that he had no logical explanation for his stand in rejecting the resolutions which were a matter of urgency. It is evident that the Communist bloc pursues the policy and practice of creating chaos and confusion and division in every international body, including our own ILO. They have no regard for logic and truth.

The schism which has erupted during this 47th Conference is not the first instance of planned propaganda confusion which they have generated at the ILO, albeit it the most dramatic.

The Director General made it patently clear that the primary issue which had developed was freedom of speech and the orderly process of organizational law.

As a free American employer I would—and shall—support orderly procedures to wipe out legalized discrimination, but I shall always oppose organized movements to circumvent established rules and laws which are the product of the total conference.

It is indeed, ironic that the Socialist totalitarian bloc should advocate nonlegal procedures. In the countries under their iron control, no segment of population is permitted to challenge the supremacy of the state and the laws of the state.

I wish to make it crystal clear that I am in sympathy with the African nations, their problems and objectives. However, I cannot be in sympathy with the use by any one of methods which destroy not only the ability of the ILO to eradicate discrimination or to support other basic principles of human rights for which the ILO stands, but which would destroy the ILO itself.

As to routine matters of procedures which have been discussed at this Conference, I have the following comments:

A number of speakers, principally from the totalitarian countries have advocated divesting the governing body of some powers and vesting them in the Conference. One speaker said technical assistance programs should be the responsibility of the Conference and not the office. Another speaker proposed that the governing body should not arrange the Conference agenda. That body, he said, could make suggestions but the agenda should be established by the Conference. I submit, honorable delegates, that such proposals are completely impractical. The Conference is composed of delegates attending once a year, many of whom come only to one such session. Therefore, the Conference has no continuity and must entrust the arranging of the ILO's many activities to the governing body, the members of which serve for a minimum of 3 years, weighing not only programs, agendas, special activities, etc., but also considering budgetary proposals relating to all of these matters. Surely with 48 titular members and a like number of deputies, the delegates must have full confidence in the dedication and understanding these persons bring to ILO matters. This should be particularly so with the welcome addition of the new members in the governing body. To have just increased the governing body membership and at the same time propose limiting the governing body's authority does seem inconsistent.

One section of the Director General's report which I consider most important is his discussion of human rights and economic development. I regret that this has been referred to only by a few speakers. I believe that future policies and programs of the ILO should give a great deal of attention to this subject.

At the Asian Regional Conference on Economic Development some speakers from developing nations commenting on their problems said:

1. They need more financial assistance from industrial nations.

2. That they lack capital.

3. That their material resources are not adequate. The fact is, however, that their needs cannot be adequately satisfied by assistance from developed nations. There simply is not enough combined means in all of the major industrial nations to provide

satisfactory living standards for the nations of the world who have so little and need so much.

Some of these nations do have resources which have not been utilized adequately. This is so in a number of instances because of the lack of environment which would activate such domestic capital as is possessed by their own nationals—an environment which would attract private investment from other nations. The creation of a proper environment would help to promote economic development and provide increasing job opportunities.

Every nation has human resources. But these too must be cultivated and developed. Technical assistance—vocational training, education in skills, both worker, and managerial, are prime requisites to economic development. Education brings self-reliance and that brings initiative and ingenuity and the product of these is growth and opportunity. At first this process is gradual, but it pyramids rapidly as progress is made. That progress cannot be gained by edict—it comes through unleashing the latent capacities of people. The ILO can do much to assist in this cultivation and development of human resources.

From the wealth of ideas expressed here one thing stands out above all others. A majority of the people who attend ILO conferences sincerely advocate policies which will protect human rights and promote economic progress for men and women everywhere. We want better standards of living, freedom from discrimination, opportunities for education and economic development. The dedication, which most of you have shown toward these objectives, is a long step toward realization of them. That dedication speaks eloquently of the high purposes of the majority of the delegates. The fact is that most of the leaders in my country whether they be in business, labor, or government come from humble beginnings, and they are fully aware of the struggles our Nation had in its beginnings when it achieved its independence. Therefore, we feel kinship with the young nations of the world who have so recently attained their independence.

It was stated from this rostrum by a speaker from Eastern Europe that the Declaration of Philadelphia adopted almost 20 years ago was all right for that time, but that faced with a changing world it needs revision. It is true we have had many changes in the world—technological, in communications, in speed of travel, and in the establishment of new, free, independent nations. But may I remind you, that the Declaration of Philadelphia declares age-old principles of freedom which are fully applicable in today's world of rapid change. These are not idle words adapted to shades of meaning and interpretation. They express the desires of the emerging nations of the entire world. They represent aspirations of human beings everywhere. They reject the idea that people must be molded into a pattern of conformity and controlled thought. They reject the idea that individual desires, ambitions, decisions and actions must be forcibly submerged and that people must respond only as puppets on a string to entrenched totalitarian authority. These principles are positive—not negative.

The faults and weaknesses of the ILO pertain not to these essential principles but to the Machiavelian termites who for years have used their membership to undermine the true purposes and effective services of the Organization.

The ILO was not conceived and established as a world forum for ideological warfare. The ILO cannot survive as a forum for ideological warfare.

The challenge of this 47th Conference is to strengthen and revitalize ILO procedures and organizational methods so that its full membership shall be required to collaborate upon solving economic and social problems, generating economic growth, raising standards of living and preserving or, in many cases, reviving freedom of association for workers and for employers.

If this conference does not produce effective standards of procedure and refocus the direction of the organization's services, the ILO will most surely disintegrate from the explosion of those internal political forces which are now tearing it apart.

Mr. Speaker, before attending this conference at Geneva, I was of the opinion that the workmen of our country had advantages not enjoyed by the laboring man of other nations. I knew that the Members of this Congress had great concern with his every existing problem. Having served on the Education and Labor Committee of this House of Representatives for many years, I know that we shall make even greater progress in the future. Our standards are high and this is just. Justice to all, is ever our goal.

I have concern, Mr. Speaker, that international affairs are having an effect on our workmen. Certainly, I believe that we must provide those safeguards that would protect not only his income but his job as well. As a Member of Congress representing an industrial district, I am heedful of the job of every workingman. Too, I am worried at the ever growing list of the unemployed. With this in mind, I took the opportunity of looking first hand at the European Common Market. Certainly, we should watch its every action that might affect our citizenry.

Mr. Speaker, the potential of the International Labor Organization as an instrument of international good will is large. We have seen it reach the brink of disaster. While its potential of good will is large, recent events have shown that it also carries the seeds of its own destruction. I feel that these events foreshadow another crisis for its parent organization—the United Nations. The International Labor Organization, with its government, employer, and worker delegations from 108 nations can be a constructive force. I would say, however, that I can see no justification for our support of a Communist propaganda forum.

As I have stated earlier, the delegation representing the United States consisted of many most able men from employer and workmen organizations. I know that they will have gathered many important thoughts about our position. Therefore I have proposed to the chairman of the Education and Labor Committee that we call some of them before us that we might give serious review to our position in the international labor market, and our continuance as a member of the International Labor Organization as now constructed.

Our international problems are many and critical. I would aid those friendly nations who are in dire need but I believe that we must constantly weigh the cost. Most assuredly that cost should not include the jobs of the American workingman.

I come from a battleground—an international one. Words were the weapons used. The true words of the free nations of the world whose only concern was the welfare of the industrialists and workmen as opposed to those of the Communist bloc who would return man to slavery. I would propose that other Members of this Congress should attend other international conferences, not only to safeguard our interest but to show all nations our Congress' solicitude with the affairs of the world.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. AYRES. I yield to the gentleman from Missouri.

Mr. HALL. I should first like to compliment the gentleman from Ohio on not only representing us as an adviser to this subordinate organization of the United Nations but particularly for going in the status of a representative of this body and not our Department of State.

I, too, have been vitally interested in various of the subordinate organizations of the United Nations. I recall that I made a similar report on the World Health Assembly here a year ago. Further, I have reported to this body on many occasions about the relation that our State Department and our country have to the special and voluntary funds of the United Nations.

If I understood the gentleman correctly, we are contributing over 27 percent in the past 2 years of the total funds used by the International Labor Organization of the United Nations.

Mr. AYRES. We have contributed over 25 percent of the total budget directly and, of course, indirectly the State Department and Labor also have contributed funds.

Mr. HALL. Does the gentleman have any information about the contributions of the Communist-bloc countries as to the same percentages, and whether or not they have increased proportionately to ours since the inception of the International Labor Organization?

Mr. AYRES. No, they have not. In fact, the entire Communist bloc contributes less than 12 percent of the total operation. We are contributing more than twice the amount the Communist bloc contributes. It is also well to have in mind that we have only our vote, whereas the Communist bloc has several votes.

Mr. HALL. The gentleman means that our great State of Texas does not have separate representation on the International Labor Organization?

Mr. AYRES. No.

Mr. HALL. I thank the gentleman very much. This I have also found in the special and voluntary funds of the United Nations. I think it is time we took a good look or had an audit in this connection.

I was especially interested in a further remark of the gentleman as we relate one of the subordinate organizations of the United Nations to others, and sometimes very effective organizations. First, his statement about the Russian group using this as a sounding board for propaganda, a forum, even though they did not find cause for collateral discussion the relationship between our workers and representatives of employers and theirs, and our Government and theirs.

If, indeed, this happens, are we not, as the gentleman very well said, simply supporting this primarily in a lopsided percentage as a sounding board for Communist propaganda?

Mr. AYRES. The gentleman is absolutely correct. And that was what prompted me to suggest to the chairman of the Committee on Education and Labor that this entire operation be reviewed by the Congress. Because if we are to continue to provide funds to give the Communists a propaganda forum, then we are not living up to our duties here as Members of the Congress and Representatives of the American people.

Mr. HALL. I would simply submit that when the gentleman gets into this investigation a little further, he will find there is no built-in mechanism within the United Nations itself to provide a self-audit of its own funds, regardless of the source from whence they come. I think this is all the more reason why either the Congress should insist that the U.N. do this or our State Department—or the Department of Labor in this particular instance, involving the ILO, should insist on the same thing before we open up our purse further vis-a-vis the lack of support of the Communist-bloc nations.

Mr. AYRES. I am hopeful, I will say to the gentleman from Missouri, with other representatives as we have such as Mr. Rudy Faupl, Mr. Wagner, Mr. Weaver, and Mr. Delaney and all of the advisers for the workers headed by Mr. Meany, president of the AFL–CIO, I am confident they will have constructive suggestions to offer to the Congress because they were concerned about the operation at this last meeting.

Mr. HALL. I join the gentleman from Ohio in hoping that this can be done. I hope the chairman of the committee of this House, the Committee on Education and Labor sanctions and brings about early hearings with these people. I happen to be a personal friend of Mr. Dick Wagner, of Chicago. I know he has traveled around the world for the past year speaking on these specific questions, and I am sure, as you have well said, that he was an able representative on your delegation. Again, let me thank the gentleman for what he has brought to us and to thank him for this complete report.

I further associate myself with the thought that more of the representatives should visit these organizations and see how the U.N. functions. It is a good hope for survival. I thank the gentleman.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. AYRES. I yield to the gentleman.

Mr. BOW. I think my colleague, the gentleman from Ohio, has made a great contribution here today in his report on this organization, one which the Committee on Appropriations has been concerned about for some time. May I inquire of the gentleman if he found any reason why the contribution of the United States should be increased by $1 million this year?

Mr. AYRES. The gentleman refers to the contribution which starts with action in this Chamber?

Mr. BOW. That is correct.

Mr. AYRES. No, I see no reason why it should be increased. As I have stated, unless we can get a review as to what is expected in the future, I would be for cutting the budget even to the point where, if they continue to use this as a Communist propaganda forum, that we withdraw funds completely.

Mr. BOW. Let me ask the gentleman this question, a few days ago when some attempt was made to recover for the United States money owed to the United States from the United Nations some of these contributions which they owe us, the statement was made that if we reduced this or recovered any of it, we would wreck the United Nations and we would be playing into the hands of the Communists. Does the gentleman believe that if a realistic cut was made in this that we would wreck the United Nations or that we would be playing into the hands of the Communists?

Mr. AYRES. I do not think we would be playing into the hands of the Communists by taking away their propaganda forum. In fact, the gentleman from Ohio who is well versed in these appropriation matters would have been very much concerned, as was I, had he seen the demonstration that was put on by African nations inspired by the Communist bloc.

It was at this point that the Communists showed their real strength in attempting to maneuver these less educated persons into their orbit. Also, it was at this point that the Communists in my judgment had prearranged, over a period of time, to have Mr. Sergei Aleksandrovich Slipchenko ascend to the presidency of the organization after President Johnson, of Nigeria, resigned to walk out with the African bloc. So the latter part of the conference was controlled by a Communist sitting in the chair. This had been prearranged by the Communist maneuver.

Mr. BOW. Would the gentleman tell the Members of the House whether or not during the sessions of the conference there was any question raised about the uncollected contributions by countries participating in the ILO but which countries have not been paying their dues to the ILO? Was there any discussion as to whether they should pay their bills or not?

Mr. AYRES. That point was not discussed at all. In fact, during the major speeches in the plenary session the bulk of the conversation was made by those countries who are delinquent, and the talks that they made were critical of the United States and critical of our form of government and dealt in propaganda that were downright lies.

Mr. BOW. If the gentleman will yield further, was anything said at all in these conversations about the lopsided employment of people in the ILO where we are making the greatest contribution and some of the other countries making much smaller contributions have most of the employment of the people who are in the ILO?

Was there any discussion of that matter?

Mr. AYRES. That was not discussed. In fact, I was left with the impression that those countries which are the beneficiaries of our appropriations are not too appreciative.

Mr. BOW. Mr. Speaker, if the gentleman would yield further, I should like to ask unanimous consent that with my colloquy with the gentleman from Ohio I be permitted to insert in the Record a table showing the assessments of the various countries for the year 1963 and also showing the uncollected payments by other countries in 1963 as well as a list of employment, by countries.

The SPEAKER pro tempore (Mr. Libonati). Is there objection to the request of the gentleman from Ohio?

There was no objection.

The matters referred to follow:

International Labor Organization

Budget for the calendar year 1963

I. Ordinary budget:	
Session of the conference and other conferences	$898,827
Salaries and wages	6,646,445
Travel and removal expenses	694,890
Representation and hospitality	42,000
Property account maintenance	380,053
Printing	209,357
General office expenses	280,500
Common staff costs	804,228
Unpaid liabilities	1,000
External audit costs	10,234
Special interorganization studies	15,000
Surveys:	
Factual survey relating to freedom of association	35,000
Action as regards discrimination	22,848
Contributions to extra budgetary programs	340,500
Branch offices and correspondents	627,749
Public information	82,500
Operational activities	1,279,000
Internships and career trainee programs	68,500
Furniture and equipment	157,500
Library	46,000
Building and other capital expenditures	57,791
Total, pt. I	12,699,922
II. Pension funds	1,285,584
III. Working capital fund	241,702
IV. Facilities in additional languages	350,626
Gross expenditure budget	14,577,834
Less miscellaneous income	−571,000
Gross assessment budget	14,006,834

INTERNATIONAL LABOR ORGANIZATION

Distribution of staff by nationalities as of Sept. 30, 1962 [1]

Country	Number	Percent
Argentina	8	1. 83
Australia	6	1. 37
Austria	10	2. 29
Belgium	10	2. 29
Bolivia	2	. 46
Brazil	5	1. 15
Bulgaria	1	. 23
Burma	1	. 23
Canada	14	3. 21
Ceylon	1	. 23
Chile	5	1. 15
China	4	. 92
Colombia	2	. 46
Congo (Leopoldville)	1	. 23
Costa Rica	1	. 23
Cuba	4	. 92
Czechoslovakia	1	. 23
Denmark	2	. 46
Dominican Republic	1	. 23
Ecuador	1	. 23
Ethiopia	1	. 23
El Salvador	1	. 23
Finland	2	. 46
France	66	15. 13
Germany	21	4. 81
Greece	3	. 69
Guatemala	1	. 23
Haiti	1	. 23
Iceland	1	. 23
India	13	2. 98
Indonesia	1	. 23
Iran	1	. 23
Ireland	5	1. 15
Israel	1	. 23
Italy	10	2. 29
Japan	6	1. 37
Jordan	1	. 23
Lebanon	3	0. 69
Luxembourg	1	. 23
Malaya	1	. 23
Mexico	6	1. 37
Morocco	1	. 23
Netherlands	5	1. 15
New Zealand	3	. 69
Norway	2	. 46
Pakistan	5	1. 15
Panama	1	. 23
Paraguay	1	. 23
Peru	2	. 46
Philippines	1	. 23
Poland	3	. 69
Portugal	2	. 46
Rumania	1	. 23
Senegal	1	. 23
Sierra Leone	1	. 23
Spain	13	2. 98
Sweden	6	1. 37
Switzerland	42	9. 63
Syria	1	. 23
Togo	1	. 23
Tunisia	1	. 23
Union of South Africa	2	. 46
Turkey	2	. 46
United Arab Republic	3	. 69
United Kingdom	63	14. 45
United States	33	7. 57
Uruguay	2	. 46
U.S.S.R	6	1. 37
Vietnam	1	. 23
Yugoslavia	1	. 23
Stateless	4	. 92
Total	436	100. 00

[1] Internationally recruited. There are also 631 in the locally recruited category.

Contributions statement as of Sept. 30, 1962, for the organization's calendar years 1957–61 [1]

SUMMARY

Calendar year	Total due	Amount received	Percent received	Balance due
1957	$7, 617, 708	$7, 598, 999	99. 75	$18, 709
1958	7, 972, 901	7, 963, 333	99. 88	9, 568
1959	8, 529, 857	8, 519, 621	99. 88	10, 236
1960	9, 003, 909	8, 859, 097	98. 39	144, 812
1961	10, 054, 660	9, 685, 512	96. 33	369, 148

Contributions statement as of Sept. 30, 1962, for the organization's calendar years 1957–61 [1]—**Continued**

UNCOLLECTED CONTRIBUTIONS

Country	Calendar year 1957	Calendar year 1958	Calendar year 1959	Calendar year 1960	Calendar year 1961	Total
Argentina				$120, 956	$149, 828	$270, 784
Bolivia	$9, 141			10, 805	11, 829	31, 775
Chile					35, 265	35, 265
Congo (Brazzaville)				1, 535	11, 829	13, 364
Costa Rica					1, 732	1, 732
Ecuador				711	10, 506	11, 217
Guatemala					11, 755	11, 755
Haiti					11, 829	11, 829
Honduras					11, 755	11, 755
Hungary					41, 143	41, 143
Mauritania					6, 319	6, 319
Panama					11, 755	11, 755
Paraguay	9, 568	$9, 568	$10, 236	10, 805	11, 829	52, 006
Philippines					36, 245	36, 245
Syria					2, 029	2, 029
Uruguay					3, 500	3, 500
Total	18, 709	9, 568	10, 236	144, 812	369, 148	552, 473

[1] Contributions due prior to 1957: Bolivia, $20,785 (1953–56); China, $243,463 (1952–53); Hungary, $33,034 (1953); Paraguay, $25,621 (1920–37, 1956); Spain, $38,750 (1937–41).

Scale of assessments for calendar year 1963

Country	Percent	Amount
Afghanistan	0. 12	$16, 808
Albania	. 12	16, 808
Argentina	1. 41	197, 497
Australia	1. 85	259, 127
Austria	. 35	49, 024
Belgium	1. 37	191, 894
Bolvia	. 12	16, 808
Brazil	1. 37	191, 894
Bulgaria	. 19	26, 613
Burma	. 14	19, 610
Byelorussian S.R.R	. 45	63, 031
Cameroun	. 12	$16, 814
Canada	3. 39	474, 808
Central African Republic	. 12	16, 808
Ceylon	. 12	16, 808
Chad	. 12	16, 808
Chile	. 34	47, 632
China	2. 04	285, 708
Colombia	. 38	53, 208
Congo (Brazzaville)	. 12	16, 808
Congo (Leopoldville)	. 12	16, 823
Costa Rica	. 12	16, 840
Cuba	. 30	42, 026
Cyprus	. 12	16, 808
Czechoslovakia	. 92	128, 808
Dahomey	. 12	16, 808
Denmark	. 72	100, 821
Dominican Republic	. 12	16, 808
El Salvador	. 12	16, 863
Ecuador	. 12	16, 808
Ethiopia	. 12	16, 849
Finland	. 30	42, 008
France	6. 09	853, 008
Gabon	. 12	16, 808
Germany (Federal Republic)	4. 34	607, 808
Ghana	. 12	16, 821
Greece	. 21	29, 416
Guatemala	. 12	16. 808
Guinea	. 12	16, 897
Haiti	. 12	16, 808
Honduras	. 12	16, 808
Hungary	. 42	58, 829
Iceland	. 12	16, 808
India	3. 04	425, 808
Indonesia	. 43	60, 230
Iran	. 28	39, 219
Iraq	. 12	16, 808
Ireland	. 24	33, 617
Israel	. 12	16, 808
Italy	2. 37	331, 962
Ivory Coast	. 12	16, 808
Japan	2. 00	280, 137
Jordan	. 12	16, 808
Kuwait	. 12	16, 808
Lebanon	. 12	16, 808
Liberia	. 12	16, 808
Libya	. 12	16, 808
Luxembourg	. 12	16, 808
Madagascar	. 12	16, 808
Malaya	. 21	29, 414
Mali	. 12	16, 808
Mauritania	. 12	16, 808

Scale of assessments for calendar year 1963—**Continued**

Country	Percent	Amount
Mexico	0.76	$106,452
Morocco	.14	19,610
Netherlands	1.15	161,079
New Zealand	.48	67,233
Nicaragua	.12	16,808
Niger	.12	16,808
Nigeria	.21	29,414
Norway	.52	72,836
Pakistan	.61	85,442
Panama	.12	16,808
Paraguay	.12	16,808
Peru	.18	25,212
Philippines	.37	51,825
Poland	1.24	173,685
Portugal	.28	39,219
Rumania	.45	63,031
Senegal	.12	16,808
Sierra Leone	.12	16,808
Samolia	.12	16,808
South Africa, Republic of	.79	110,654
Spain	1.07	149,873
Sudan	0.12	$16,808
Sweden	1.62	226,911
Switzerland	1.29	180,688
Syria	.12	16,808
Tanganyika	.12	16,808
Thailand	.20	28,014
Togo	.12	16,808
Tunisia	.12	16,808
Turkey	.71	99,449
Ukranian S.S.R	1.00	140,069
U.S.S.R	10.00	1,400,684
United Arab Republic	.38	53,226
United Kingdom	9.36	1,311,040
United States	25.00	3,501,709
Upper Volta	.12	16,808
Uruguay	.17	23,812
Venezuela	.50	70,034
Vietnam	.21	29,414
Yugoslavia	.40	56,027
Total (102)	100.00	14,006,834

Mr. BOW. I thank the gentleman.

Mr. AYRES. I thank the gentleman from Ohio for his contribution.

Mr. FRELINGHUYSEN. Mr. Speaker, will the gentleman yield?

Mr. AYRES. I yield to the gentleman from New Jersey [Mr. FRELINGHUYSEN], the ranking member of the Committee on Education and Labor.

Mr. FRELINGHUYSEN. Mr. Speaker, I too would like to compliment the gentleman from Ohio [Mr. AYRES] for a provocative and thoughtful presentation of a problem which should be of real concern to us all. As a member of the Committee on Education and Labor, I thoroughly agree with the gentleman from Ohio that this entire matter needs to be reviewed. It does seem to me self-evident that we should have a current evaluation of what the ILO is doing, how it is financed, what it means to us, and if it is being used unfairly against us.

Mr. Speaker, it is for that reason that I hope we are able to make a review and have witnesses before us who can provide us with their evaluation of this situation. I hope this can be done at a relatively early opportunity.

Mr. Speaker, the gentleman from Ohio [Mr. AYRES], is to be congratulated on bringing this matter before us today.

Mr. AYRES. I thank the gentleman from New Jersey.

Mr. PELLY. Mr. Speaker, will the gentleman yield?

Mr. AYRES. I yield to the gentleman from Washington.

Mr. PELLY. Mr. Speaker, I have listened to the gentleman from Ohio [Mr. AYRES] with great interest. I may say, in all frankness, I have learned a great deal from the statements which the gentleman has made here today. Often I think, Mr. Speaker, the public is critical of Members of Congress who travel—even, I might say in my own case, I have looked askance at sending Members abroad to attend meetings of this sort. But I can only express my view today, Mr. Speaker, that if Members would be as conscientious as the gentleman from Ohio and report as promptly and in such detail, it is my opinion that much of this criticism would disappear.

Mr. Speaker, I have enjoyed hearing the gentleman, and I commend the gentleman for a very fine statement.

Mr. AYRES. I thank the gentleman from Washington. As I said in my remarks, I hope the House in its wisdom will see fit to have representatives from this body attend all of these international conferences. There is no way in which one can get the exact information, that one can get the feel of what the Communists are doing throughout the world, other than to be there and witness their operations first hand. They are clever. We are in a fight, and we had better be there to see what is going on and set up the rules so that we at least have the opportunity to refute their misrepresentations in order that the weaker nations of the world will not be misled.

THE HONORABLE JAMES A. FARLEY

Mr. CHELF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an editorial.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. CHELF. Mr. Speaker, I have always admired and highly respected that genial, lovable, capable, sincere, astute, honest and dedicated public servant, the Honorable James A. Farley. Inasmuch as my good friend, of many long years has recently celebrated his 75th birthday, I would not only like to congratulate him and wish him another 75 years of good health and good fortune, but to include herein with my remarks an editorial written by my dear friend "Billy" Mariott, editor of that splendid newspaper, the Elizabethtown News.

Mr. Speaker, it pleases me greatly that this fine little country newspaper is located in my old home county of Hardin which is a part of the Fourth Kentucky District that I have the honor to represent, the place of my birth where "the salt of the earth" people live and have their being.

FARLEY

James A. Farley, one of the chief architects of President Roosevelt's first two presidential election victories, was 75 years old yesterday.

Mr. Farley, who has not entirely relinquished his interest in political affairs, is head of Coca-Cola Export Corp., with offices in New York City.

Mr. Farley was one of two or three men who led the campaign of Governor Roosevelt's nomination for President in the 1932 Chicago convention. Both suave and industrious, he made many pilgrimages into the States in Governor Roosevelt's behalf especially into the smaller electoral vote States of the West. Before the Nation hardly knew what was going on he had many of them firmly annexed to the Roosevelt campaign.

In the convention it developed when the Roosevelt drive appeared stalled, short of victory, Mr. Farley was credited with a leading role in bringing about the historic switch of the Garner delegates from California and Texas to Roosevelt, resulting in the latter's nomination.

After the convention Mr. Farley managed the Roosevelt campaign in the final election, which was a soft snap, and got the customary reward in being appointed Postmaster General. He was even more successful as head of the party in the 1936 campaign, in which the Democrats won in all but two States.

Soon thereafter relations between the two men, Roosevelt and Farley, cooled, and there was a link suspected between Farley and the presidential ambitions of Vice President Garner in 1940, which got nowhere.

Of all the principal figures of the memorable 1932 convention in Chicago Farley and Garner are the only two who are living. Gone are President Roosevelt, Governor Smith, Gov. Albert Ritchie, of Maryland; Secretary Newton D. Baker, of Ohio; Senator Walsh, of Montana, and former Secretary William C. McAdoo.

PANAMA CANAL ZONE

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from Pennsylvania [Mr. FLOOD] is recognized for 60 minutes.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a series of newspaper articles and magazine articles on the subject of Panama.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

CRISIS IN CANAL ZONE: PANAMANIAN "ULTIMATUM"

Mr. FLOOD. Mr. Speaker, in an address to this body on April 9, 1963, I dealt at length with the grave crisis that has been generated concerning U.S. sovereignty over our territorial possession designated as the Panama Canal Zone. Explaining that since the birth of freedom parliamentary bodies have preserved the just rights of nations against the misuse of Executive power, I stressed that the Congress in meeting its responsibilities as a separate and independent agency of our Government, must save the Panama Canal. To this end, I urge prompt action on House Concurrent Resolution 105, which was introduced by the distinguished chairman of the Committee on Appropriations [Mr. CANNON] and is now under consideration in the Committee on Foreign Affairs. This resolution, which expresses the sense of the Congress, would clarify and make definite the policy of our Government concerning the question of U.S. sovereignty over the Canal Zone and Panama Canal and thus end the uncertainty that has been created.

In Panama, the significance of the indicated address was recognized in banner headlines in isthmian newspapers. In the United States, so far as I have been able to ascertain, it was ignored by all major newspapers, thereby leaving our people in virtual ignorance of crucial facts affecting their vital interests on the isthmus and giving the influences bent on destroying U.S. sovereignty over the Canal Zone an unguarded and exclusive field in which to advance their program of juridicial erosion. Such failure, Mr. Speaker, on the part of the major press of our country and the Department of State, is deplorable.

PANAMA THREATENS "RADICAL ACTION"

Those who have followed the isthmian situation closely will recall that, following the visit of President Chiari of Panama to the White House in June 1962, a joint United States-Panama Commission was designated to review points of dissatisfaction in the relations between Panama and the United States. This commission is composed of four persons, Foreign Minister Galileo Solis and Dr. Octavio Fabrega, representing Panama; and Gov. Robert J. Fleming, Jr., of the Canal Zone; and our Ambassador to Panama, Joseph S. Farland, representing the United States.

The work of this body was discussed by President Chiari with the President of the United States in March 1963 at the San Jose, Costa Rica meeting. It was also discussed by Panamanian Planning Director David Samudio during early April of this year in Managua, Nicaragua, with Director Teodoro Moscoso of the U.S. Alliance for Progress. During the latter conference, there was raised for the first time a threat of "radical action" by Panama in what was described as a "tense" meeting. What this "radical action" was to consist of is not known, but the discussion revealed that President Chiari is pressing strenuously for some form of dramatic and immediate concession by the United States to Panama as regards the Panama Canal. Why? The answer is obvious. He wishes to dangle a newly wrung surrender by the United States before the Panamanian electorate which will enable him to elect the candidate of his choice as his presidential successor. Such a surrender by our Government would undoubtedly have this effect. Hence the desperate drive for it.

SOLIS-RUSK MEETING, APRIL 23, 1963

The next move in the unfolding situation did not take long to develop—a working luncheon on April 23, 1963, in Washington given by Secretary of State Rusk. Though attended by Foreign Minister Solis, Panama's Ambassador Guillermo Arango, U.S. Ambassador Farland, and State Department officials, the people of the United States and their Congress were again kept in the dark as to what took place.

Before leaving Washington, Minister Solis left a memorandum outlining the pending Panamanian demands for Secretary Rusk, which was personally delivered to the Secretary on April 25 by Ambassador Arango. He did not enlighten our people as to its contents, nor has the Secretary of State issued any release with respect to the luncheon, the memorandum, or the "ultimatum."

Such denial of information, Mr. Speaker, calls for positive and protective action by the cognizant committees of the Congress in defense of the Constitution and the proper discharge of congressional duty. Whether the Department of State so believes or not, the Congress of the United States, as previously stated, is an equal partner in our Government. Moreover, it is charged with ultimate responsibility in national and international policy.

WASHINGTON SECRECY EXPOSED AT PANAMA

In contrast with the silence of the press in our country about the Rusk-Solis meeting on April 23 and the "ultimatum," the press of Panama gave these matters extensive coverage, publishing news stories with flaming front-page headlines that originated in Washington as well as in Panama.

The news stories published in isthmian papers show that the pending demands being pressed by the Chiari administration include:

First. Display of the Panamanian flag on all U.S. military and naval stations in the Canal Zone, and at the same level with the flag of the United States; also on all vessels in transit of the Panama Canal.

Second. Jurisdiction over a corridor across the Pacific end of the Canal Zone from Arraijan on the west bank of the canal to Panama City, consisting of the Thatcher Highway, the new Thatcher Ferry Bridge, and Fourth of July Avenue; and another corridor across the Atlantic end, the location yet to be determined. Both corridors would be carved out of the Canal Zone territory at the vital entrances of the canal and placed under foreign control—a condition impracticable in peace and hazardous in war.

Third. Use of Panama postage stamps in the "U.S.-occupied Panama Canal Zone."

Fourth. Turning over certain pier and dock installations at Colon and Balboa to Panama.

Fifth. Elimination of commercial and industrial activities in the Canal Zone.

Sixth. Recognition of Spanish, along with English, as an official language of the zone.

Seventh. Opening up the Canal Zone to Panamanian farming and cattle projects.

Eighth. Provision of free water to Panama.

Ninth. Equal employment opportunities for Panamanians in the Canal Zone, with social security and other benefits, including provision for a binational commission on labor.

More important, however, was the threat of "radical action" by Panama unless its demands are met by the deadline of mid-July or the present joint diplomatic commission, previously mentioned, is transformed into a body for the negotiation of a new canal treaty. What this "radical action" would be was not stated.

Mr. Speaker, as far as I can learn, the only information that the people of the United States have had about the doings of this secret meeting in the Department of State on April 23 and the Panamanian "ultimatum" were newspaper dispatches from Panama, of which two examples will be found in the present documentation. When the few crumbs of news given in them to the people of our country are compared with what was disclosed in Panama, it is easy to see how our interests at Panama are eroded. Certainly the situation on the isthmus is one that requires immediate and effective action by the Congress.

In these connections, Mr. Speaker, I would emphasize again that the Canal Zone is not an "occupied area" in the sense used in the isthmian propaganda, but a territorial possession of the United States acquired constitutionally pursuant to law and treaty. It is urgent that the status of the United States in the Canal Zone accorded by treaty and maintained by our country throughout its canal history be clarified and made definite by the Congress, as provided in House Concurrent Resolution 105. In the past, our Government has been forthright in the assertion of this indispensable authority granted by solemn treaty agreement, but in recent years, it has been evasive, cowardly, and, in practical effect, subversive.

CONGRESS MUST SAVE THE PANAMA CANAL

As to the Panamanian "ultimatum," such a threat by a small country that grew out of the movement for the construction of the Panama Canal is truly amazing, and would never be put forward by Panama except for the pusillanimous attitude of our Government. The danger, however, is real and cannot be dismissed as a matter of no consequence, for our Government always assumes a passive role and fails to combat effectively the excessive demands of Panama with respect to the canal.

The prolonged failure of our Government, the Congress, and Executive to reaffirm our just and indispensable rights in the premises and Panama's preemptory and wholly unjustified demands and propaganda therefore have had the undoubted effect of creating the image among all nations, especially in Latin America, of the United States as an autocratic yankee imperialism oblivious to the rights of Panama. Thus, to the south of us anti-American psychological warfare in behalf of outrageous Panamanian claims is constantly being waged and in nowise opposed by our Government. This is destructive not only of Western Hemispheric solidarity, but as well of any successful operation of the Alliance for Progress.

As I have so often said, Mr. Speaker, the only way to meet these unjustified demands is by forthright and publicly announced declarations by our Government, the Congress, and Executive, that the solemn treaty obligations our country assumed with respect to the Panama Canal will be fully met.

The Canal Zone is not analogous to a U.N. trust territory, but is exactly what the 1903 treaty provides—territory over which the United States has full and exclusive sovereignty for the construction, maintenance, operation, sanitation, and protection of the Panama Canal. Except for such grant of sovereignty as an inducement, our country would never have undertaken the great and expensive task of building the Panama Canal at the cost of our taxpayers and its subsequent maintenance, operation, and protection.

The current generation of Panamanians may be blinded by their nationalistic zeal and demagogic leadership, but they must come to realize that should the United States ever leave the Canal Zone, Colombia, led by its radicals, will inevitably, if Soviet power permits, reassert and reestablish its former sovereignty over the entire isthmus, including the Canal Zone. Also, I may add, if Cuba can be taken over by the Soviets with the aid or acquiescence of policy elements in our Department of State and major news media, then U.S. control of the Panama Canal can likewise be liquidated. The process of erosion of our rights, power, and authority must cease and the trend reversed, or we shall be compelled to leave the isthmus.

In such event, Mr. Speaker, the Republic of Panama will become only a footnote in the "ashcan of history." Thus, ruthless agitators in Panama and their collaborators in the United States are playing into the hands of the long-range Soviet strategists for the conquest of the Caribbean in which the Panama Canal is the key target.

The radical and impossible demands now being pressed by the Panamanian Government and their secret consideration by our highest officials are undoubtedly pleasing to Deputy Thelma King, Communist member of the Panamanian National Assembly, and close friend of Fidel Castro, whom she frequently visits in Cuba. To what extent is she responsible for what is now transpiring and why did she recently visit the United States?

To the people of all the Latin American nations we would commend these considerations: The Panama Canal is a great protective factor with respect to the independence of all your nations. Should the United States cease to maintain, operate, and protect the Panama Canal, the Monroe Doctrine would indeed be a dead document, as was recently and so brazenly proclaimed by Soviet diplomats on American soil. If the Monroe Doctrine is dead, then agents of revolutionary communism will inevitably infiltrate the governments and institutions of your countries and take over, however much you struggle to remain free.

In these general connections, Mr. Speaker, responsibility for recent difficulties at Panama cannot be disassociated from the leading personalities involved. Our Ambassador to Panama, Joseph S. Farland, has outlived his usefulness and should be removed from that key post. The head of the Panama Canal Organization, which is a civil agency of our Government, is an active career officer of the Army, Maj. Gen. Robert J. Fleming, Jr. In addition to the criticisms raised by me in my address of April 9 as to his conduct, the explosive situation in the Caribbean demands that he be promptly relieved and replaced by a civilian of business experience and administrative capacity. The historic reasons for assigning only active Army engineers as Governors of this civil agency has long since passed and the time has come to complete the organizational modernization of the Panama Canal that was started in 1950 under President Truman.

Finally, Mr. Speaker, there is only one way out of the dangerous situation now forming around the isthmus: the Congress must act to save the Panama Canal by forthright declarations of our historic and time-tested isthmian canal policy of exclusive sovereign control of the Canal Zone with prompt adoption of House Concurrent Resolution 105.

The documentation on which my remarks are primarily based, quoted at the end of my remarks, is commended for study by all Members of the Congress and of the loyal press, as an illustration of news suppression long current in our country about the explosive Panama Canal situation. This can be overcome only by an aroused American people who are being denied information of vital importance about the Panama Canal.

The documentation follows:

[From the Panama Star and Herald, Apr. 23, 1963]

Republic of Panama After High-Level Showdown With United States—Solis and Rusk Meeting Today in Washington—Radical Action Reported Under Consideration by Chiari; Work of Joint Commission Scored

Panama Foreign Minister Galileo Solis and U.S. Secretary of State Dean Rusk will meet in a private luncheon in Washington today amid indications that this country is seeking a showdown at the highest level over its claims for revision of the treaties between the two countries.

Solis left early Monday morning for Washington. It is understood he will review with the Secretary of State the problems of a political nature between the two countries.

He will be followed to Washington later this week by Engineer David Samudio, Planning Director in President Chiari's office, who will meet with officials of the economic section of the Department of State. Samudio will review financial questions stemming from the operation of the Panama Canal in Panamanian territory.

The announcement of the forthcoming Washington meetings are in the midst of a statement by Dr. Octavio Fabrega that he wants to withdraw from the present joint Panama-United States Commission because of discontent over the function of the Commission.

Fabrega and Foreign Minister Solis represent Panama in the Commission appointed last June by Presidents Chiari and Kennedy to review points of dissatisfaction in the relations between the two countries. The U.S. representatives are U.S. Ambassador Joseph S. Farland and Canal Zone Governor Robert J. Fleming, Jr. Both of them are in Washington now.

Fabrega said he understands that President Chiari is planning to take radical action in the situation in a short time. He did not elaborate.

Since the March meeting of the Presidents of the United States, Panama, and Central America, in San Jose, Costa Rica, Panamanian officials have been voicing displeasure over the slowness of the discussions of the joint commission.

The question was raised by President Chiari in his private meeting with President Kennedy in the Costa Rica capital.

The issue was pressed by Planning Director Samudio at a meeting early this month in Managua, Nicaragua, with U.S. Alliance for Progress Director Teodoro Moscoso. Reports from the Nicaraguan capital at that time described the Samudio-Moscoso discussions as "tense."

It is understood that at the Managua meeting the possibility of radical action by Panama was raised for the first time.

Now comes Dr. Fabrega's statement, carried in yesterday's edition of El Panama America, as follows:

"I have expressed to President Chiari my desire to withdraw from the Joint Commission which is reviewing relations between Panama and the United States, to which I was appointed by the President last June.

"My determination to resign is due to my discontent with the functioning of that Commission. I am satisfied neither with the results of the Commission nor with the conditions under which it has been operating.

"The fullness of the understanding between the Presidents of Panama and the United States notwithstanding, the Joint Commission has not been functioning as a high level commission, which was the name applied to it by President Kennedy when he appointed his representatives.

"I have not found in the Commission a propitious climate for the consideration of fundamental reforms in the relations arising from the treaties between Panama and the United States. I have found only a disposition to consider questions which are merely accessory, and even with respect to the latter, the procedure is so slow and complex that it does not lead to expect concrete solutions in a foreseeable future.

"For some time I have been expressing to President Chiari my discontent over this situation, telling him that my discontent has been increasing to the point that I consider that I must withdraw from the Commission. President Chiari has asked me to delay this decision for some time and this is the reason why I have not submitted formally my resignation.

"I understand that President Chiari, deeply concerned over the existing situation, is thinking of radical action on it in a short time."

The principal agreement announced by the Commission include the joint display of the Panamanian and United States flags in the Canal Zone, the recognition in the

Canal Zone of exequaturs issued by Panama to foreign consuls and the use of Panamanian postage stamps in the zone.

[From the Panama Star and Herald, Apr. 24, 1963]

Republic of Panama Claims Washington Delaying Talks—Dr. Solis Files Complaints at Meet With Rusk—Charges United States-Panama Commission Not Doing Its Job and Again Reiterates Republic of Panama's Grievances

(By Ben F. Meyer)

Washington, April 23.—Dr. Galileo Solis, Foreign Minister of Panama, reportedly complained to U.S. officials today that the United States-Panama Commission, named a year ago to work out problems between the two nations, is not doing its job.

In any case, he is understood to have said, the Government of Panama feels the Commission is not working fast enough, and that the delay is at the Washington end.

Dr. Solis, Panama's Ambassador Augusto Guillermo Arango, Joseph Farland, U.S. Ambassador to Panama, and a group of State Department officials were guests at luncheon today given by Secretary of State Dean Rusk. It was a working session, reporters were told, at which the whole range of United States-Panama problems was reviewed. A Panamanian source said he was told the tone of the discussions was most friendly and cordial.

Before the luncheon, U.S. officials claimed not to know why the Panamanian Foreign Minister had come to Washington. The presence here of Ambassador Farland and of Gen. Robert Fleming, Governor of the Panama Canal Zone, they said, was for other business. The two are to testify tomorrow to a congressional committee. Fleming attended a quarterly meeting of the Panama Canal Company, a U.S. Government corporation operating the canal and the canal zone, this week.

Dr. Solis could not be reached for comment and an Embassy spokesman said he had not authorized any statement.

Pieced together from what informed sources did and did not say, it appears Dr. Solis came to Washington to ask for speedier action by the U.S. Government on various matters under study by the two-nation Commission, composed of Ambassador Farland and Governor Fleming, for the United States, and Solis and Octavio Fabrega, for Panama.

Panama has suggested among other measures that the Panamanian postage stamps, rather than those of the United States should be used by the U.S.-occupied Panama Canal Zone; that promises of better opportunities for Panamanian workers in the zone are not being kept fully; that there should be opportunity for private enterprise businesses in the canal zone, rather than U.S. Government commissaries; that the United States should get out of the merchandise business in the zone altogether.

Dr. Solis plans to return to Panama tomorrow evening, the Embassy said.

[From the Panama American, Apr. 25, 1963]

United States, Republic of Panama Agree to Dissolve Joint Commission by June 1

(Foreign Minister Galileo Solis, who returned here from Washington early today, met privately for 2 hours today with President Chiari. It is understood that Solis reported to the President on the talks held in Washington with U.S. Secretary of State Dean Rusk and other State Department officials. Immediately after coming out of the meeting with the President, Solis announced he would hold a press conference at 4 p.m. today.)

Washington, April 25.—The United States and Panama have agreed in principle to dissolve a Joint Commission seeking solutions to longstanding disputes over the Panama Canal.

The four-member Commission is to conclude arrangements on matters under its consideration and then dissolve itself. The group is expected to finish its work about June 1.

This agreement to dissolve the Commission was reached during talks here between Panamanian Foreign Minister Galileo Solis and high State Department officials, including Secretary of State Dean Rusk.

The Commission was created by President Kennedy and Panamanian President Roberto Chiari during Chiari's visit here in June, 1962. On the commission were Solis, Octavio Fabrega, U.S. Ambassador to Panama Joseph Farland, and Panama Canal Governor Robert Fleming, Jr.

Solis and Farland met here yesterday before the Panamanian Foreign Minister's departure for Panama.

U.S. officials stressed that there is no dispute involved in the decision to disband the Commission. It has been suggested that Fabrega's decision to resign speeded a decision to dissolve the group.

These officials said that the Commission would be able to conclude new agreements on outstanding problems and that it has carried out a considerable amount of work.

Chiari and Kennedy had intended to have the Commission arrange for the flying of Panamanian flags on the zone, which was done, and to solve other practical problems brought out by Chiari.

Among the issues before the group were equal employment opportunities in the Canal Zone, wage matters, social security coverage and other labor questions.

Also discussed at the time was Chiari's suggestion that Panama should have access to pier facilities and increased participation by Panamanian private enterprise in the market offered by the Canal Zone.

[From the Panama Star and Herald, Apr. 26, 1963]

Republic of Panama Sets July Deadline for Canal Zone Accords—Chiari Ready To Dissolve Commission

Panama has decided to dissolve the joint commission reviewing points of dissatisfaction in its relations with the United States by mid-July unless:

1. Pending questions have been settled by then, or
2. The commission becomes a negotiating body for a new treaty.

This is what Foreign Minister Galileo Solis in effect said he told U.S. Secretary of State Dean Rusk at their meeting Tuesday in Washington.

The mid-July deadline will mark the completion of 1 year of discussions by the joint commission.

Solis said yesterday Rusk had told him that immediate attention will be given to pending matters with a view to providing a solution during the month of June. The Foreign Minister reported to a press conference yesterday afternoon 12 hours after his return from Washington.

Because of the obsolete condition of the present Panama Canal, the Foreign Minister said, which must be replaced by a new waterway by 1980, the United States will have to enter into negotiations for a new treaty in 2 years' time at the most. He said this estimate is based on the fact that such negotiations would take from 2 to 3 years to complete and that actual construction would require from 8 to 10 years.

Any new treaty, Solis said, would be on the basis of Panama's retaining jurisdiction over the Canal Zone.

Throughout his statement, Solis insisted that there was no agreement during his visit with Rusk for dissolving the present commission by mutual accord, but rather the flat statement by Panama—conveyed to the Secretary of State—that it will close the commission if by mid-July the pending issues are not settled. Solis said the commission could continue functioning beyond July if the United States agreed to start negotiations for a treaty by them.

The joint commission was appointed by President Chiari and Kennedy following the former's official visit in Washington in June 1962. It held its first meeting in mid-July 1962, and the pending issues were explained by Foreign Minister Solis.

Display of the Panamanian flag in the Canal Zone: Panama asked for such display in civilian installations, military posts and ships transiting the Panama Canal. Agreement has been reached only on display of the flag in civilian installations.

Corridors under Panamanian jurisdiction of the Pacific and Atlantic sides: Panama has asked for corridors on both sides so that people may cross from one side of the Canal Zone to the other without leaving Panamanian jurisdiction. Pending approval by the United States is the Pacific Side corridor which would extend along Fourth of July Avenue, the Balboa Bridge and Thatcher Highway to Arraijan. The location of the Atlantic Side corridor has yet to be determined.

Labor questions: The minimum wage in the Canal Zone is being raised to 70 cents an hour this July and to 80 cents an hour next July, but Panama still insists that it be fixed at $1 per hour. This is not the only aspect, however. The present wage curve in the Canal Zone develops slowly and suddenly shoots upward, with Panamanians at the low end and North Americans at the higher end. Panama would like to have a straight line rather than a curve.

On the question of minimum wage raises, the Canal Zone Government has been announcing such increases as a unilateral action, rather than as a joint agreement. This leaves the door open for future removal of such raises.

It has been agreed that a binational commission will be set up to handle labor conflicts in the Canal Zone involving Panamanians. The commission would be composed of two Panama and two Canal Zone members, appointed by the President and the Governor, respectively.

One of the first proposals made by the United States was for payroll deductions in the Canal Zone for Panama income tax from salaries of Panamanian employees. The procedure for these payroll deductions is practically worked out, but President Chiari has taken the position that it should not be enforced until after the wage raises go into effect. Panama is pressing for the 80-cent wage to become effective prior to July 1964, so that the $1 salary, if agreed upon, will start in mid-1964.

Panama wants the security classification eliminated from Canal Zone jobs, maintaining that there should be no discrimination against Panamanian citizens as to these jobs if they meet the same conditions required of U.S. citizens.

Stamps: The United States has accepted in principle the use of Panamanian stamps in the Canal Zone. Panama is of the opinion that the Taft Convention, under which Panamanian stamps exclusively were used in the Canal Zone from 1904 to 1924, should be revived. But the U.S. proposals involve conditions which are onerous and which leave the door open for the use of U.S. stamps. Panama cannot justify any agreement in this connection which would amount to less than the Taft convention.

Ports: Panama wants restitution of the ports in Panama City and Colon, which were dismantled at the time that Balboa and Cristobal were established. As to the Atlantic side, there is agreement in principle that—pending an agreement to change the Canal Zone boundaries—piers 6 and 7 in Cristobal would be turned over to the Colon Free Zone along with the France Field reservation, on the other side of Folks River Bay, to help the expansion of the Free Zone and the city of Colon, now hemmed in.

Elimination of commercial and industrial activities in the Canal Zone: This is a delicate and difficult issue, inasmuch as there are conflicting opinions in Panama. The maximum aspiration of Panama would be for the Government of the United States to quit being a merchant and that all commercial activities be in private hands under Panamanian law. This maximum aspiration would be included in a new treaty, since Panama would retain jurisdiction over all its territory and consequently there would be no commissaries.

There has been a Panamanian proposal—still unanswered—that all goods sold in the Canal Zone be purchased through Panama.

As to industrial activities, the United States has withdrawn from some but retains others. Panama feels that the Government of the United States should cease being baker, dairyman, etc., and argues that while the basis of North American economy is free enterprise, there is no free enterprise in the Canal Zone where everything is state operated.

Spanish language: Not yet formally proposed, but already indicated is Panama's demand that Spanish be recognized, along with English, as an official language in the Canal Zone.

Lands: There are large tracts of land in the Canal Zone which are not required for the operation of the Panama Canal. Panama has asked for the return of these unused lands which are suitable for farming and cattle projects and are advantageously situated to the country's principal markets.

Water: This question came up during the Solis-Rusk meeting in Washington. Rusk inquired what the problem was about and Solis replied: "It's our water and you take it and sell it to us." (The reference was to the fact that the water sold to Panama by the Canal Zone comes from the Chagres River.)

At the start of the press conference, Foreign Minister Solis gave this background:

When President Chiari visited the White House in June 1962, a joint commission was created which President Kennedy himself termed a "high level" commission. The commission began its review of treaty matters in mid-July 1962. At the time that the commission was created, no limitation was placed on what could be discussed and Panama was left free to submit any point whatever of dissatisfaction in its relations with the United States.

Hardly had the Commission begun to work than a situation arose which had not been entirely foreseen: That the U.S. Government was not ready to discuss terms for an entirely new treaty. The U.S. position was that the studies for a sea-level canal were not yet complete.

It was agreed then that in order not to delay consideration of points arising from existing treaties, the Commission would take up such questions which could be settled directly by U.S. Presidential action without the intervention of the Congress.

Panama filed its claims. The discussions developed slowly because, on the U.S. side, the Commission was not the "high level" body that President Kenedy had named, for neither U.S. Ambassador Joseph S. Farland nor Canal Zone Governor Robert J. Fleming, Jr., (the two U.S. Commissioners) had been authorized to reach conclusions, but had to refer every detail—even of language—to the Department of State.

President Chiari felt that the first phase of the Commission's work—settlement of the problems which could be solved by Presidential action—should be completed by now. So Foreign Minister Solis was sent to Washington to tell the Secretary of State that President Chiari feels that he cannot continue with the Commission after 1 whole year had been devoted to questions of small importance.

President Chiari has decided that an effort should be made to have all pending issues cleared before the Commission completes 1 year of discussions, but if this effort proves unsuccessful he has decided to close the Commission and then report to the people of Panama on the reasons for his action.

Rusk also was told in President Chiari's behalf that in addition to the fact that 1 year was more than sufficient to clear up matters of lesser importance (than a new treaty), the political campaign was underway in Panama and these matters should be out of the way by the time the campaign got in full swing.

Rusk replied, according to Solis, that he understood President Chiari's position and that an effort should be made to solve the pending matters.

Thus, Solis explained, the commission should complete its work by mid-July, when the 1-year deadline specified by President Chiari expires.

Before leaving Washington, Solis said he left a memorandum for Rusk outlining the pending questions and the memorandum was personally delivered to the Secretary of State yesterday by the Panamanian Ambassador in Washington.

On the question of a new treaty, Solis said Panama is not pressing for it now because the determination if a sea level canal will be built will have much to do with the type of treaty that is negotiated. But Panama does feel, he added, that if the commission's work is completed during June, it will be time then to make definite pronouncements with respect to the new treaty.

"I have always felt," Solis declared, "that our relations with the United States can be resolved only by one means—that of negotiation. And negotiation requires skill and tact. Many times, precipitude spoils the skill in handling negotiations * * *. It is sometimes better to get to the end slowly, than to attempt to rush through and be left at the half-way point."

He said that prior to the National Assembly's sessions in October President Chiari may be able to tell the country Panama's exact position with respect to a new treaty with the United States and do it so clearly and completely that no succeeding administration will deviate from that line.

Solis declared that he told Rusk that time is past in Panama when treaties can be signed behind the people's back, as was done in 1903, and that no administration would run the risk of negotiating a treaty which would be rejected as happened in 1926 and 1947.

Asked if Panama had fixed a deadline for the start of treaty negotiations, Solis replied that a country which proposed negotiations was in no position to set deadlines. But in this case, he pointed out, circumstances favor Panama. The present waterway is regarded as obsolete and must be replaced by 1980. If construction of a new canal will take from 8 to 10 years and negotiation of a new treaty will require from 2 to 3 years, this means that the United States will be required to enter into new negotiations at the most in 2 years' time.

Asked about Washington reports that he and Rusk had agreed to dissolve the commission by June 1, Solis denied this. He repeated that the situation is that unless the commission completes its work during the month of June or it is transformed into a treaty negotiating body, then Panama will proceed to dissolve it.

A newsman asked if Solis felt that the commission would be able to settle all pending issues by the end of June taking into account that in 9 months' time it had accomplished little. He replied that if the U.S. commissioners show a willingness to work to that end, there will be time to find solutions.

The Foreign Minister said that at President Chiari's expressed request he had told Secretary Rusk that if the United States is thinking of a new treaty for a new canal, it should propitiate a favorable climate by: (1) quickly solving all pending problems and (2) providing really effective aid for the country's economic development.

A newsman pointed out, in connection with aid, that perhaps that help has not been forthcoming because the United States feels that any assistance provided Panama would only serve to make the rich richer and the poor poorer. Solis replied that there were two distinct types of aid as far as Panama is concerned: One, the Alliance for Progress help which would be furnished on the same basis as it is provided to all other Latin American countries; the other, the aid Panama demands because it is not receiving adequate benefits from the operation of the Panama Canal in its territory. Whatever the type, however, Solis concluded, it should be utilized for the needy classes, and not for the well-to-do who are capable of looking out for themselves and required no protection from the state.

[From the Panama American, Apr. 26, 1963]

FLAG ON MILITARY POSTS, SHIPS, BRIDGE CONTROL AIMS OF REPUBLIC OF PANAMA

The Chiari administration wants to see the Panama flag flying on all U.S. military installations in the Canal Zone and on all ships going through the Panama Canal, as soon as possible.

Foreign Minister Galileo Solis said yesterday that Panama hopes for an agreement on this and other issues pending since last July will be reached by next June.

Another issue on which Panama hopes for early approval is that of jurisdiction of the Thatcher Ferry Bridge and the highway through the Canal Zone to Arraijan on the west bank of the canal?

Agreement and subsequent approval of these measures by the U.S. State Department will depend upon how much can be accomplished by the high level Commission appointed by President Chiari and President Kennedy a year ago this month.

Solis said the commission which has been meeting periodically since last July has only been able to get approval for only two of the several issues presented by Panama.

Solis said the commission—comprised of Canal Zone Gov. Robert J. Fleming, Jr., U.S. Ambassador Joseph S. Farland, Dr. Octavio Fabrega, and Solis—did not have full authority and had to get approval from the State Department to change even a comma in a press communique or agreement.

Solis made these disclosures at a press conference yesterday afternoon. He had arrived early yesterday morning from Washington, where he met with U.S. Secretary of State Dean Rusk and other State Department officials.

Before calling the press conference at noon yesterday, Solis met privately with Chiari in a meeting that lasted some 2 hours.

Solis said the only two issues which had been solved by the commission were the flying of the Panama flag at civil installations in the Canal Zone and the matter of exequaturs for foreign consuls.

Questioned about the remarks attributed to Fleming during the hearing of the House Merchant Marine and Fisheries Committee, Solis indicated that he did not feel there was any evil intent in Fleming's statement and added that he preferred to await an official report on the hearing before making any judgment.

Fleming was quoted as saying that Chiari had welched on his promise to pay Panama's water bills promptly and that it would be "dubious" if Panama would be prompt on the payment of charges if Canal Zone piers were leased to Panama.

Other unsolved issues listed by Solis, and which the commission is expected to agree upon by next June, are:

"Corridors" on both sides to enable traffic from one side of the Canal Zone to the other without leaving RP jurisdiction. The Pacific side corridor would extend along Fourth of July Avenue, the Thatcher Ferry Bridge, and Thatcher Highway to Arraijan. The location of the proposed Atlantic side corridor has not been determined.

Panama insists that the minimum wage on the Canal Zone be increased to $1 an hour. Canal Zone agencies announced that it will be raised to 70 cents in July and to 80 cents in 1964, but Solis said the administration is pressing for the 80-cent minimum to be enforced this year.

Panama also wants the establishment of a straight line wage system instead of the current curve which develops slowly and drastically skyrockets with Panamanians at the low end and U.S. citizens at the higher end.

A binational commission to solve labor disputes in the Canal Zone in which Panamanians are involved. This commission would be formed of two Panama and Canal Zone representatives, to be named by the President and the Zone Governor.

Procedures for payroll deductions in the Canal Zone for Panama income tax from the salaries of Panamanian workers have been approved. However, the RP president feels that the arrangement should not be enforced until wage increases go into effect.

Panama is striving for the elimination of so-called security jobs which he said were greatly increased in number following the approval of the 1955 treaty.

Panama wants the Taft Convention, under which RP stamps exclusively were used on the Zone from 1904 to 1924, to be revived.

Panama wants restitution of Panama City and Colon ports which were dismantled with the establishment of Balboa and Cristobal. Regarding the Atlantic side there is an agreement in principle, dependent on an agreement to change Canal Zone boundaries, that piers 6 and 7 at Cristobal would be turned over to the Colon Free Zone, along with France Field, to provide expansion of the Free Zone and the city of Colon.

Elimination of commercial and industrial activities on the Canal Zone. The maximum goal would be for all commercial activity on the Zone to be placed in private hands under Panamanian laws. This goal would be attained through a new treaty since Panama would have full jurisdiction over all its territory.

Panama has made a proposal that all goods sold on the Zone be purchased through Panama. There has been no response to this proposal so far.

Panama is also opposed to the State-operated business policy which exists on the Canal Zone. Some industrial activities have been eliminated, but Panama feels there are others which should cease.

Panama has indicated its desire that Spanish be recognized as an official language on the Zone, along with English.

Panama wants the return of large areas of unused lands, not required for the operation of the Panama Canal, which are suitable for farming and cattle projects and are situated close to the republic's principal markets.

Solis told U.S. Secretary of State Dean Rusk during the former's visit to Washington that the United States takes Panama's water and sells it back to the Republic. This was in reference to the fact that water sold to Panama by the Canal Zone comes from the Chagres River.

[From the Panama Star and Herald, Apr. 30, 1963]

Republic of Panama Mission Leaves for Washington Talks; Will Discuss Compensations Pending Treaty

A Panamanian mission leaves early today for Washington, D.C., to discuss interim compensations for Panama for the operation of the Panama Canal pending a review of existing treaties.

Planning Director David Samudio and Prof. Ruben D. Carlos, Jr., of the University of Panama, compose the mission. They will be joined in Washington by Panamanian Ambassador Augusto G. Arango.

Official sources have indicated that Panama is asking for $10 million a year during 5 years, which is the time that Panamanian officials estimate will elapse before a new Panama Canal treaty is negotiated.

President Roberto F. Chiari is understood to have outlined the proposal to President John F. Kennedy at the Presidents' Conference in San Jose, Costa Rica, last March.

Panama's official position is that construction of a new canal will require a new treaty. The estimate that about 5 years will elapse before this occurs is based on the generally accepted prospect that by 1970 the United States must have made the decision for replacement of the present waterway. Panamanian officials figure that actual treaty negotiations would take about 3 years and that in order to meet the 1970 deadline the United States would have to undertake negotiations in approximately 2 years' time.

The interim compensation, in Panama's view, would cover the fair benefits this country claims it is not receiving now under the present Canal treaties. They would be separate from any Alliance for Progress financial assistance.

The Panamanian mission is expected to start discussions with U.S. officials in Washington late this week. The proposed compensations would be invested, according to official sources, in highway construction and electrification of rural areas principally.

[From the Panama Star and Herald, Apr. 30, 1963]

Solis Says "Things Never Looked Better" for Panama

Foreign Minister Galileo Solis said yesterday "things never looked better for us" in the matter of a review of treaty relationships with the United States.

He made the statement while answering questions on whether his recent announcement that Panama proposed to dissolve the current joint Panama-United States commission by mid-July indicated a collapse of negotiations with Washington.

The Foreign Minister said that was not the case.

"Whatever the outcome of the discussions in the 2 coming months," he declared, "either of the parties may undertake the steps necessary for the negotiation of a new treaty, whether within the present Commission on itself raised to the status of plenipotentiaries, whether within a new specially appointed commission, or whether by direct government-to-government approach.

"I believe, sincerely, that the situation is not despairing for Panama, but on the contrary, never have things looked better for us.

"It is not that I believe that our Foreign Ministry is doing anything out of this world. It is simply that times have changed in international relations in favor of right and justice for the small nations, including Panama."

At a press conference last week, Minister Solis said Panama proposed to dissolve the present joint Commission by mid-July unless (1) pending issues were settled by then, or (2) the Commission became a treaty negotiating body. Asked to clarify conflicting interpretations of his statement, Minister Solis said:

"In practice, the work of the present Commission was divided into two phases, not foreseen initially: One, finding a solution to Panama's points of dissatisfaction which could be solved without entering into an examination of the basic issues of the existing treaties; and two, the basic issues which can be solved only through a new treaty that would replace those already in existence.

"I went to Washington," Solis added, "with instructions from President Chiari to inform Secretary of State Dean Rusk that the Government of Panama felt that the work corresponding to the first phase should be concluded before the Commission completed 1 year since its installation and that to this end it was necessary to make an effort to solve those questions still pending before the Commission for which a quick solution can be found.

"I must say that I found on the part of the Secretary of State a clear understanding of Panama's position and that he expressed to me his acquiescence that all possible should be done to solve the issues still pending in the Commission."

Solis pointed out that the Commission will complete 1 year July 12; hence, Panama proposes to dissolve it around that date, regardless of the outcome of the discussions during May and June.

But, he explained, after the Commission suspends discussions in mid-July, the second phase—negotiations for a new treaty—can be opened by either country. When that is done, he added, the negotiations can be carried on through the present Commission, if the Governments so desire, or through a new commission, or through direct exchanges between the Governments.

[From the New York (N.Y.) Daily News, Apr. 27, 1963]

Panama Presses Us

Panama, April 26.—Panama has given the United States until mid-July to settle differences between the two countries or open negotiations for a new Canal treaty. Foreign Minister Galileo Solis, who has just returned from Washington, said Secretary of State Rusk assured him the United States will try to solve pending matters during June. Panama demands a number of rights in the United States-controlled Canal Zone and seeks more economic aid.

[From the Evening Star, Washington (D.C.), Apr. 26, 1963]

Panama Sets Deadline for Accord on Canal

Panama, April 26.—Panama has given the United States until mid-July to settle differences between the two countries or open negotiations for a new canal treaty.

Otherwise, Foreign Minister Galileo Solis told a news conference yesterday, Panama will quit the joint commission set up nearly a year ago to work out agreements on disputes.

Mr. Solis, who had just returned from Washington, said Secretary of State Rusk assured him the United States will try to solve pending matters during June. Panama demands a number of rights in the U.S.-controlled Canal Zone and seeks economic development aid apart from what it is getting under the Alliance for Progress.

[From the St. Petersburg Evening Independent, May 7, 1963]

Equal Pay for Panama Canal Employees or Else

Panama City, Panama.—Panama is getting impatient at U.S. failure to resolve longstanding problems involving the Panama Canal.

Foreign Minister Galileo Solis has set a mid-July deadline for satisfactory conclusion of talks between the United States and Panamanian Government negotiators here.

If, by then, such matters as the salary discrimination against Panamanian employees of the U.S. Government-run Panama Canal Co. have not been solved, Panama is going to insist on a complete revision of the treaties between the two countries.

Authoritative sources here say that Solis' warning does not mean that Panama is going to seize the 50-mile-long interocean waterway, like Nasser did the Suez Canal.

But it could mean that steadily improving relations between the United States and Panama of the last 2½ years will take a turn for the worse.

The question of payment of U.S. citizens employed by the Canal Company on the "gold standard" and of Panamanian citizens, doing the same type of work, on the "silver standard" is one that has plagued the two countries for years.

"No issue has aroused more bitterness in Panama," a U.S. report on U.S. relations with Panama stated in August, 1960. The problem dates back more than half a century, to the period when the canal was being dug.

During the construction period, there were separate housing areas, schools and commissaries in the Canal Zone to cater to the Americans working there on the one hand and to the Panamanians and Negroes on the other.

It was not until 1936 that the United States agreed in a treaty then "to assure to Panamanian citizens employed by the canal or the railroad equality of treatment with employees who are citizens of the United States of America."

In 1948, officially, the gold and silver standards were dropped. But the canal company began paying at the "U.S. rate" and the "local rate." While, in theory non-U.S. citizens were eligible for U.S. rate jobs, actually only 4 percent of the positions were filled by Panamanians.

In 1953, in 1955, in 1958, in 1960, and again last year, U.S. spokesmen have pledged, in the words of the communique issued at the conclusion of last summer's talks between Presidents Kennedy and Chiari, "to solve such labor questions in the Canal Zone as equal employment opportunities, wage matters and social security coverage."

Those were among the problems undertaken by the joint Panama-U.S. committee of Presidential representatives set up last year.

In the past, it has been popular here in Panama to blame the Governor of the Canal Zone who is also the president of the Panama Canal Company for the situation.

Now, however, Maj. Gen. Robert J. Fleming, Jr., who holds the two posts, has spoken out in favor of the "slaughter (of) some sacred cows," including discrimination in salaries between U.S. citizens and Panamanians working on the canal.

Fleming has publicly voiced his objection to the "belief that any accommodation with Panama is a 'sell-out' of U.S. interests."

He protests that "legalistic adherence to 60-year-old treaties," such as that between United States and Panama which covered the construction of the vital Panama Canal, is unwise.

Fleming's statement, made prior to announcement of Panama's mid-July deadline, indicate U.S. Government representatives, on the spot, here in Panama, are aware of the urgency of the situation.

[From the Christian Science Monitor, May 20, 1963]

U.S. PACT SEEN PANAMA AIM

(By Ralph K. Skinner)

PANAMA CITY.—Panama has thrown down the gauntlet to the United States. It has set a time limit in July for the United States to make certain concessions.

The question here is whether the United States will fight the demands or concede. For the United States to ignore the veiled threat of President Chiari to bring the people into the streets would be naive.

After his return from Washington recently, Foreign Minister Galileo Solis reported to the press on his conversation with Secretary of State Dean Rusk.

Mr. Solis said President Chiari sent him to Washington to express discontent with the "high level Commission" appointed last July by Presidents Kennedy and Chiari to iron out differences between the two nations.

The Commission was composed of Foreign Minister Solis, former Foreign Minister Octavio Fabrega, U.S. Ambassador Joseph Farland, and Canal Zone Gov. Robert J. Fleming, Jr.

GROUND RULES SET

According to the ground rules announced, these high level representatives were to resolve problems existing between the two nations within the framework of existing treaties. These problems were expected to be settled on the local level.

At the outset the Panama press incorrectly described the commission as "treaty negotiators," which they were not. Local journalists vied in enumerating Panamanian aspirations to be consummated in these "negotiations."

Foreign Minister Solis reported the items presented by the Panamanian representatives which have not as yet been totally accepted by the United States. He stressed the demand to fly the Panamanian flag on U.S. military reservations in the Canal Zone and on ships transiting the Panama Canal. He mentioned use of Panama stamps in the Canal Zone.

OBJECTIVES HINTED

These are seen as patriotic symbols to win backing from the people of Panama. It is said the real objectives of the discussions are economic ones intended to benefit the ruling merchant class and the monopolistic industries owned by members of the oligarchy.

Among these points would be elimination of commercial and industrial activities in the Canal Zone, operated almost exclusively by the U.S. Government; transfer of certain lands in the Canal Zone to Panama; and a minimum wage in the Canal Zone of $1 an hour.

Panama has a minimum wage of 40 cents, paid by some concerns in the capital city, and 25 cents generally throughout the country, but the Panama Government does not pay even the minimum wages. It is reliably reported that owners of vast farms and ranches in the interior of Panama, such as the Chiari sugar interests, pay less than a dollar a day to employees.

MANAGED NEWS

The people of Panama are beginning to question the actions of their rulers, but it is hard for them to get the facts because of the misleading propaganda and information sources which are almost 100 percent controlled.

Six or seven individuals, through absolute control of Panama's press and radio, determine what the people read and hear. These few individuals have the ability to turn the public passion on or off. They did it in the deliberately directed riots against the Canal Zone in November 1959.

Some observers here see Mr. Solis' remarks about reporting to the people as an insinuation of a similar mob action.

A sign of things to come was seen when a newsman at the Foreign Minister's press conference asked if assistance from the United States would make the "rich richer and the poor poorer." Grassroots contemplation of this is growing, and the increasing discontent of the poor, both employed and unemployed, may erupt spontaneously, even though there is no capable leadership.

ECONOMIC GAINS

The Foreign Minister announced that Panama will be completely satisfied if the four-man commission becomes a negotiating body for a new treaty. A new treaty, with enormous economic advantages for Panama, is the real target of the demands, a Government official disclosed.

The United States is unlikely to agree to a new treaty until a decision has been reached about constructing a new sea-level canal at Panama, utilizing nuclear excavation methods to gain speed and effect substantial savings.

Informed sources say it may be 2 or 3 years before the United States makes a decision on this matter. Panama wants treaty negotiations to start as soon as possible. And, in the meantime, every possible concession will be wrung from the United States according to reliable local sources.

[From the U.S. News & World Report, May 13, 1963]

THE MONROE DOCTRINE: DEAD OR ALIVE?

The official Soviet view is that the Monroe Doctrine is "dead." But a group of Soviet Embassy staff members who visited the James Monroe Memorial in Fredericksburg, Va., April 30, got an argument on that score from an expert—Laurence Gouverneur Hoes.

Mr. Hoes is president of the memorial foundation, and a great-great-grandson of President Monroe. He also is the author of articles and a frequent lecturer on the subject of the Monroe Doctrine—a warning to European powers against encroachments in the Western Hemisphere, voiced by the fifth President in 1823.

Mr. Hoes presented Igor K. Kolosovsky, a counselor at the Soviet Embassy, with a copy of his ancestor's message and asked the diplomat to send it to "Mr. Khrushchev and tell him the document is very alive."

The gesture touched off a spirited discussion. Mr. Kolosovsky said "the document is completely dead." Others took up the chant.

"It got you out of Cuba," Mr. Hoes said, referring to the removal of Soviet missiles and bombers from Cuba last autumn. And he offered to bet "we'll get you Russians completely out of Cuba."

The visitors declined the bet but protested that the Monroe Doctrine was "an imperialistic document designed to keep Latin America under U.S. control."

Mr. Hoes replied that Russian diplomats and trade officials have greater freedom "to trade, barter, and sell" in Latin America than Americans are given in Iron Curtain countries.

"That took some of them aback," Mr. Hoes reported later. He also recounted this exchange during the argument:

"I don't think," Mr. Hoes said, "that Mr. Khrushchev would start firing his missiles over anything that might befall Castro and Cuba."

"I don't think so either," replied one Soviet functionary.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. I yield to my distinguished friend from Ohio, who, I assure you, knows this subject well and completely.

Mr. BOW. I have followed the leadership of my friend from Pennsylvania who really knows this problem, for many years, and I agree with him in what he has to say now and what he has said in the past. I wonder, however, if perhaps the gentleman might agree with me to one exception in what he has just said. From my experience in the Canal Zone it seemed to me that when the Governor of the Canal Zone was one, Joe Potter, that a good job was done. I remember how he used his efforts to stop raids upon the Canal Zone, and I think he did a good job.

Mr. FLOOD. There is no doubt whatsoever that what the gentleman from Ohio says is correct. But Gen. Joe Potter is the same kind of not only two-starred but two-fisted general who could be equalled in what he was trying to do and did do only by the distinguished gentleman from Ohio. Joe Potter was a great guy, and a great general, and did a great job. But he was an exception to the rule, believe me.

Mr. BOW. But I wanted that exception noted. I want to say to the gentleman that Joe Potter is now retired and a civilian. If I were picking an Ambassador to Panama, or a new Governor, and could appoint a civilian or a retired officer, Joe Potter is the type of person I would want to see in that position.

Mr. FLOOD. I would take the gentleman from Ohio [Mr. Bow] first and then Joe Potter. And then I think everything would be fine. I would like to see the gentleman from Ohio as the Ambassador and Joe Potter as the Governor. Then for the first time in 50 years the people of the United States could go to bed at night secure in the knowledge that the Canal Zone and the sovereignty of the United States would be preserved. As of now there is no feeling of certainty or security whatsoever. The sooner these two characters who are representing us there as Ambassador and Governor and on this Commission are removed the happier and better off the United States will be in Panama.

Mr. EVINS. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. Of course, I yield to the gentleman from Tennessee.

Mr. EVINS. The gentleman knows that I serve on the Public Works Appropriations Subcommittee. We had General Fleming before us this year.

Mr. FLOOD. Oh, you did?

Mr. EVINS. He tells us that the United States has yielded in its policy and now the Panamanian flag is being flown with the American flag at 14 points in the Panama Canal.

Mr. FLOOD. And if it were up to this fellow it would be flown all over the Panama Canal and the Canal Zone; because this is what happened. This House on a rollcall vote of 381 to 12 adopted a resolution declaring that it was the will of the House that the flag of Panama be not flown any place in the Canal Zone. And a week after that was passed I took the floor of this House and said to the House—we were about to adjourn and you will recall I said that within 30 days after we adjourned, the President of the United States would issue an Executive order authorizing the flying of the flag of Panama on the sovereign territory of the United States. And within 30 days after we adjourned President Eisenhower issued an Executive order; and now the present administration, to make matters worse, has permitted it to be flown in a dozen other places.

Mr. EVINS. The gentleman is correct. It was authorized first by the previous administration.

Mr. FLOOD. That is correct.

Mr. EVINS. To be flown in one place—maybe at the city hall. It is being flown in 14 or 15 spots all over the Canal Zone and there are increasing demands for other concessions.

Mr. FLOOD. The present Governor of the Canal Zone is a full-fledged butcher in the sense that he is engaged in what I refer to as salami diplomacy; he is slicing up and giving away that Canal Zone bit by bit under the ridiculous assumption that our little brown brothers to the South will be satisfied. He is just giving them more and more and more. Now we are at the bottom of the barrel and there just "ain't no more" to give away.

Mr. EVINS. An effort is being made to take over the U.S. ports and charge our American shipping for the use of our own ports. I might say that the General has too many responsibilities. He wears three hats. He is Governor of the Panama Canal. He is President of the Panama Canal Zone and he is on our Commission, appointed by the President, to serve with the Ambassador. Perhaps he has too many duties.

Mr. FLOOD. He wears three hats and as Governor he does not have brains or head enough to wear one.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. To the gentleman from Florida, of course.

Mr. HALEY. I do not think we are going to get any action in Panama or any place else until we have in Panama another Cuba. The gentleman from Pennsylvania [Mr. FLOOD] has continually warned about the situation down there. I am sure he knows as much about it as any man in the Congress of the United States, and probably more. Through his warnings he has constantly tried to bring to the attention of the Executive and the Congress what the situation is, and those warnings have gone unheeded. Regretfully I must say this; I do not think we will have any action in Panama until we have a second Cuba.

Mr. FLOOD. Of course what my friend from Florida says is so. I had the great good fortune, as he knows, to be raised in Florida, as a St. Augustinian. I am not a "damn Yankee"; I am just a Yankee, I am only half bad. So in his backyard, so to speak, as to this problem not only of Cuba but the canal, he can be assured that this beatnik in the Caribbean with that fringe around his chin, is executing the No. 1 policy of the Soviet in this hemisphere, which is to acquire the canal, which is our jugular vein for hemispheric defense.

Mr. FLYNT. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from Georgia.

Mr. FLYNT. I would just like to say that I think the gentleman from Pennsylvania has done his usual excellent job in calling to the attention of the House of Representatives and the American people the dangers which are inherent in the current situation in Panama. I have listened attentively not only today but on previous occasions when the gentleman from Pennsylvania has discussed the dangers which beset our sovereignty and the overall position of the United States with regard to the Panama Canal Zone.

Several months ago while on official business in the Panama Canal Zone I received indications that negotiations were beginning to take place then concerning the relinquishment of additional rights which the United States had by treaty and by law in the Canal Zone. The statement which the gentleman from Pennsylvania has made today bears out that those indications were indeed accurate predictions of events which have since transpired.

I think it is the duty and the responsibility of those of us who serve in the Congress of the United States not only to listen attentively to the warnings which are made here today by the gentleman from Pennsylvania but to take the necessary action to translate these feelings into official policy of the U.S. Government.

I join with the gentleman from Pennsylvania in urging early and affirmative action on House Concurrent Resolution 105.

Mr. FLOOD. The gentleman is from Georgia, one of the old 13 Colonies and our southern anchor in those days. He speaks in the very best American tradition.

You might like to know that several years ago when I was sitting on the Appropriations Subcommittee for the Department of Commerce, which involves other "cats and dogs" which they had in the Commerce Department, which my friend from Ohio knows, as he sits on that subcommittee, along with the Panama Canal Zone for budgetary purposes, the then Governor of the zone was before our committee, and it was a hot, humid Washington afternoon, just as it is today, when we did not have all this air conditioning, and out of the miasma of the heat and fog I heard this witness say something about the railroad. And coming up out of a dream or a sleep or whatever I was in at that time, I found out he was presenting to our committee evidence in which we were getting ready to give away the railroad to the Republic of Panama. I found out later on that certain trucking interests in the great State of California were interested in seeing that this was done. Now was not that just ducky? Well, it was not done—because Congress stopped it. But I will tell you what they did do. In the other body, late one afternoon, in considering a revision of the treaty with Panama, they gave away—now this you will not believe—well, you will—you have been here a long time, you will believe anything—but for the people who have not been here for a long time—there are two or three new people here—let me tell you—they gave away the terminal buildings on the Atlantic coast and on the Pacific coast. You think I am kidding. So now the United States of America owns and operates a railroad without any terminal buildings. And you ought to see the condition of those beautiful terminal buildings that we built and used to maintain. You ought to see them today. They are an unholy mess—a pig sty. Why American pig sties look like Tiffany's window compared to the terminal buildings now under the jurisdiction of the Republic of Panama.

And at the same time, and they insisted upon this as a very important sovereign right which was vital and necessary when we made the treaty in 1903, to preserve sanitation, because of malaria and diseases that you can imagine—Panama insisted more than anything else that they have the right to collect their garbage. So, by golly, we gave them the right to collect their garbage. And there is not a street in the capital of Panama today, in Panama City, that is not piled up to your nose with garbage. They want to run the canal and they cannot even collect their own garbage. The people in Panama would be tickled to death if they could relinquish this sovereign right back to us. Now by administrative action—and these two Americans on the Commission are seriously considering it, believe me, they want to give away the terminal piers in the Atlantic port and in the Pacific port—piers that are owned by us to the Republic of Panama, and we are to pay for the transaction. They want to drive a corridor through the Canal Zone at our expense, to be maintained by us, to be turned over to the Republic of Panama. A few months ago we just opened a $25 million bridge over the canal, the Thatcher Ferry. They want us and these two U.S. Commissioners are negotiating—to turn over the $20 million brandnew bridge to Panama—everything at our expense. They insist that we set up all over Panama something that we do not have in our own country—a full and complete civil defense system for the protection of the citizens of Panama—at our expense. Now there is a litany of things like this that they want. Within the last year we have agreed to permit Panamanian postage in the U.S. Canal Zone. We have permitted documentation of foreign consuls in the Canal Zone with the imprimatur of the Republic of Panama to foreign consuls. They now are insisting that there be compulsory arbitration before the World Court of any issues between the United States of America and Panama—compulsory arbitration.

In the World Court sits a distinguished statesman from the Republic of Panama. The reputation and the operation and the attitude of the World Court under circumstances like this, vis-a-vis the United States, if we go in there with compulsory arbitration we will get our brains knocked out in behalf of the Republic of Panama. Make no mistake about that.

Mr. Speaker, these are some of the many things that this commission is now negotiating seriously with Panama. And, to rub salt into the wound, the President of Panama has sent an ultimatum, if you will, in writing to the United States of America setting a deadline within which time—and it is within a week or two—these demands of this commission must be met. He did not say "or else." Do not forget that the week after Nasser took over the Suez that there were Panamanians from their foreign office in Cairo asking "How do you run a canal, Mister? You took one. How do you do this? How do you take a canal from a big empire?" Thirty days later, for the first time, Egypt had an embassy in Panama City, and it is still there and tripled in personnel.

Mr. Speaker, the president of the city council of the capital of Panama is a Communist and there is a person by the name of Thelma King, a Member of the Congress, the House of Representatives, in Panama, who has declared openly time and time again that she is a rabid follower of Castro. She is running back and forth to Havana like a Greyhound bus. I wish she would come into the zone so we could get a look at her baggage and see what is in it. I know what we have found in some of the baggage coming into that area a few years ago. You know what I mean. Thelma does. She has said on the floor of their House that if and when there is a revolution in Panama, blood will have to flow, people will have to be executed, because unfortunately that is the way those things are best done. Quite a gal, Thelma, and as Red as her petticoat.

Mr. BOW. Mr. Speaker, will the gentleman yield to me at that point?

Mr. FLOOD. To the gentleman from Ohio, yes.

Mr. BOW. Is this the same Thelma King that the U.S. Army decorated at the suggestion of the Ambassador of the United States?

Mr. FLOOD. As my friend from Georgia would say, "It sho' 'nuff is; it sho' 'nuff is."

Mr. BOW. Received a decoration from the Government of the United States, and she is everything the gentleman from Pennsylvania has said, and more. How ridiculous can we be?

Mr. FLOOD. Yowsah. Yowsah. Yowsah.

Mr. REID of New York. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from New York.

Mr. REID of New York. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I just want to associate myself with the earlier remarks of my distinguished friend, the gentleman from Ohio [Mr. Bow], with respect to the former Governor General, Joe Potter. I had the privilege of serving on the Panama Canal Company as a Director at the time Joe Potter was Governor.

Mr. FLOOD. I remember that; yes.

Mr. REID of New York. And I can only state that in my opinion he was one of the ablest the United States has ever had representing it in a key post. He showed an engineering knowledge, administrative ability, and diplomatic skill in a very sensitive post. I believe he well upheld the interest of the United States while trying to resolve those matters that were pertinent as between the Canal Zone and the Government of Panama.

If we had more Joe Potters in the Corps of Engineers, I would recommend to the gentleman most highly that he be given every consideration for appointment as Governor of the Canal Zone because, in my judgment, he is and has been outstanding.

Mr. FLOOD. That is what cost him his job. Everything that my friend has said is true. If you want to hear members from the isthmus, I could not have said that better myself, and that is a pretty high compliment, you know. But it cost Joe Potter his job. They cut his head off. They fired him because he was as good as you and I know he was.

Mr. REID of New York. I thank the gentleman for his remarks with regard to Joe Potter. I lost touch with the Panama Canal Company when I went overseas and served in Israel, but I did wish to pay a personal tribute to Joe Potter, because he was outstanding, and the record should so state.

Mr. FLOOD. I congratulate the gentleman, and I put it in your lap from now on, and this time you cannot get away from it.

Mr. CASEY. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. Yes, I yield to my friend from Texas.

Mr. CASEY. I want to commend the distinguished gentleman for calling again to the attention of the House, and it is not the first time he has done it, the gradual erosion in our sovereignty over the Canal Zone.

Mr. FLOOD. That is a good word. "Erosion" is a good word in this case.

Mr. CASEY. And I want to solicit your very vigorous support for a bill that I have introduced to stop one of these inroads. There is a proposal that the Governor has in mind to stop using Canal Zone stamps and to use Republic of Panama stamps and just overprint them with "C.Z." In my opinion, that would be a further relinquishment of our sovereignty over the Canal Zone and a further bowing down to the demands that have been continually made there.

Mr. FLOOD. My friend, that is being done now. I have taken this up with the Congressional Committee on Postal Matters and I have been advised that under existing law in the State Department they can do this administratively. That is why I know you are acting, because it has been done administratively. I will certainly support your bill, because you are trying to do in your way what I am trying to do in mine, which is stop this erosion of our sovereignty. And what is more sovereign, what in the world is a greater symbol of national sovereignty, than the flag? The flag of the United States of America is the accepted international symbol of our sovereignty. Yet in the Canal Zone the Panamanian flag flies with ours.

Mr. CASEY. If the gentleman will yield further, as you will recall, this House passed a resolution against the flying of the Panamanian flag.

Mr. FLOOD. That is correct.

Mr. CASEY. And it was again done by Executive order.

Mr. FLOOD. I commented on that a half an hour ago at some length and, if I can say modestly, vehemently.

Mr. CASEY. I am sure you did.

Mr. FLOOD. If I were not in this Hall, I would probably comment in another language, if you know what I mean.

Mr. CASEY. Again I want to commend the gentleman for his efforts.

Mr. FLOOD. I thank you.

Mr. CHELF. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. Yes, I will be glad to yield to the gentleman.

Mr. CHELF. I would like to associate myself with the distinguished and able gentleman from the State of Pennsylvania. He has been the watchdog of this very crucial, vital spot in our Nation's history. He has forgotten more accidentally than all of those fellows down there trying to run the place know on purpose. I for one am going to follow your leadership in the future as I have in the past, because, as I say, you are a great American in my book. You know what is going on, and we are behind you all the way.

Mr. FLOOD. I am glad to have my friend from Kentucky say that. I knew him when he did not wear shoes. He came here with me, I think 100 years ago it seems now, right out of the Army. I think the only clothes he had on his back were the khaki pants he was wearing when he got off the ship. But then as now a great patriotic American.

Mr. Speaker, I yield back the balance of my time.

Mr. TUPPER. Mr. Speaker, I wish to commend the distinguished gentleman from Pennsylvania for his remarks and for his untiring efforts to prevent the surrender of U.S. sovereignty in the Panama Canal Zone. This is a matter that every Member of Congress should interest himself in.

In April of this year a hearing was held on a bill introduced by the gentlewoman from Missouri, Congresswoman Sullivan, the very able chairman of the House Subcommittee on Panama Canal, which would prevent any new concessions by the U.S. Government in respect to the Panama Canal Zone without authorization of Congress.

This bill, H.R. 3999 provides that no activity included in an approved budget for the Panama Canal Co. shall be discontinued and no real property interest used in such activity shall be disposed of except to another U.S. Federal agency, unless specifically authorized through a new or revised budget program.

On April 29, I stated in a release to my constituents that the United States should not at this critical time relinquish any control or direction over piers, docks, or roads in the Canal Zone.

Any further concessions to the Republic of Panama in respect to the Canal would not diminish rising nationalism: on the contrary it would merely encourage new demands. In my opinion the United States should insist on adherence to the treaty between the United States and Panama.

As a member of the Subcommittee on Panama Canal, I urge Members to support appropriate bills and resolutions to halt the threatening deterioration of U.S. sovereignty in the Canal Zone.

PROBLEMS IN THE UNITED STATES

The SPEAKER pro tempore (Mr. Libonati). Under previous order of the House, the gentleman from Tennessee [Mr. Fulton] is recognized for 10 minutes.

Mr. FULTON of Tennessee. Mr. Speaker, the United States is the leader of the world. It is the subject of criticism and it is the recipient of praise. Peoples throughout the earth envy our prosperity and our freedom. We are indeed fortunate to have been given birth in this great Nation.

Our country, even with its rapid advancement technologically, scientifically, industrially, agriculturally, and socially, still has a multitude of yet unsolved problems of great proportions.

As Representatives in the legislative body of our Government, it is our duty to work diligently to achieve the best life for our people under a free and democratic government. It is with this thought in mind that I humbly address the House today.

All Americans have a stake in all proposed legislation. Therefore, all Americans must be considered when one discusses the effects of the proposals should they be enacted into law.

The clock of time ticks away and every 24 hours a new day is born. What transpired yesterday is history today and man's actions today are inscribed on the pages of history tomorrow.

Our wonderful Nation has contributed significantly to the annals of history. We have, through trial and error, through love and determination, made democracy work for almost 200 years. Again, now, we must join together and demonstrate to the world's anxious eyes that we, an enlightened people. can solve the problem of full citizenship for all Americans.

The narrow, crooked streets of the 18th century are being replaced by broad straight boulevards in this the 20th century. The narrow warped conception of some Americans with respect to race and creed must also be replaced by broad understanding of the rights of every person to live in human dignity.

The task cannot be solved by a few. It needs the full participation of all elements in our society. This challenge can and must be resolved. We must proceed, alert to the fact that the individual freedom of some cannot be forsaken for the individual freedom of others. The basic principles set forth in our Constitution must continue to be guideposts for the protection of all.

In this year, 1963, the complexities of the numerous serious problems confronting our still young Nation, contribute greatly to the social and economic unrest of men and women of all ages, of all races, and of all faiths. The tremendous increase in population and the rapid automation of industry have resulted in a severe scarcity of jobs, causing unrest and insecurity in the minds of millions of unemployed. Young people are flowing into the labor market where opportunities are limited for the undereducated and the untrained.

Full employment for all citizens is the solution to much of the discord of today. Congress must provide the leadership necessary to bring about jobs for all. There are many fields where such leadership and forward-looking legislation are a vital need.

For example:

First. Encouragement and aid to our domestic manufacturers to enable them to meet foreign competition by competition, not by subsidies.

Second. Aid to small business.

Third. Tax cuts to give economic incentive for business growth.

Fourth. Better educational facilities. Better training of our youth for the needs of the future.

Fifth. Solutions for juvenile delinquency and the current growth of crime.

Sixth. Greater employment opportunities for workers over 40.

Seventh. Retraining of dislocated workers—this program is in urgent need of speeding up and expansion.

Eighth. Elimination of job discrimination.

Ninth. Better mental health and rehabilitation facilities—these are needed now to correct shameful conditions in almost every State.

Full employment has been achieved in many of the Western European countries. France, Germany, and Switzerland import large numbers of workers to meet an actual shortage of labor. Some of these countries enjoy U.S. foreign aid. This money going to prosperous countries should remain here and be used to develop our country and to put Americans to work. The executive branch of our Government cannot and should not have to provide all the initiative and leadership to move our country forward. This great body of legislators must not continue to sit without action. Partisanship must not delay our pursuit of the tasks before us.

Democrats and Republicans, management and labor, white and Negro, Protestant, Catholic, and Jew—all groups, working together in the true American unity of purpose, must approach our problems seeking solutions that will strengthen our Nation against every segment that seeks to undermine and to destroy. As we approach these problems together, let us not forget that even though our Constitution is clear as to separation of church and state, it does not prohibit our being ever aware of the presence of Almighty God, who has been so generous with His gifts to our Nation.

May we so act in these perilous times that we shall continue to receive His blessings. We have accepted responsibility and we should have the stamina, the desire, and the courage to discharge the obligations of our office.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. FULTON of Tennessee. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I should like to compliment the gentleman on a very fine and thoughtful speech to the House this afternoon. His closing remarks were reminiscent in many ways of an admonition and request that was made to this House many years ago by a great and now departed Speaker of the House, the Honorable Sam Rayburn, of Texas.

I certainly commend the gentleman on his remarks today.

Mr. FULTON of Tennessee. I thank the gentleman.

BRACERO VITAL IN SALINAS VALLEY

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Talcott] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. TALCOTT. Mr. Speaker, recently here in Washington, D.C., Hard-en Krisp brand asparagus was sold for 69 cents a pound, retail. This was a quality product grown in the Salinas Valley in my district. A few braceros assisted in the production of this asparagus. Although the bracero comprised only a small percentage of the total labor force, he was vital. Other labor was not available. Without the bracero, the asparagus would not have been harvested. The return to the farmer was less than 9 cents per pound. The balance of 60 cents for every pound went to labor, braceros, shippers, manufacturers, truckers, suppliers, grocers, and so forth, throughout the United States.

This farmer and a few braceros made it possible for literally thousands of other persons throughout the United States to earn a livelihood and to enjoy healthful and delicious asparagus.

Without this farmer and these few braceros, these thousands of small and large businessmen and employees will suffer losses of employment. Consumers will be deprived of this asparagus.

May I suggest that Members of Congress inquire in their respective districts concerning the numbers of people dependent upon the row crop vegetable industry in my district for their livelihood. Also I would be interested in hearing from a housewife in any congressional district who would prefer the discontinuance of the bracero program if she knew that the supply of salad vegetables would be markedly diminished and the price increased thereby.

I would like to request the Members of Congress to open-mindedly reconsider the bracero program and its many direct and indirect consequnces upon the businessman, employee, and consumer in his own district. I believe he would then find merit in some extension of the bracero program.

U.S. ARMS CONTROL AND DISARMAMENT AGENCY

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Morse] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. MORSE. Mr. Speaker, as one of the original sponsors of the 1961 act which created the U.S. Arms Control and Disarmament Agency, I have been particularly concerned that the Agency be allowed to continue its work under the best possible circumstances.

To make this possible, I am introducing a bill that would place the Agency within the normal appropriations process and greatly simplify its procedures for handling the security clearances of its contractor personnel.

When the Agency was established in 1961, it was placed under a $15 million appropriations ceiling. This bill would remove the ceiling and put the Agency on the same footing with other departments and bureaus who request appropriations from Congress on a year-to-year basis.

The second section of the bill provides that contractors and subcontractors of the Agency and their employees may receive security clearances on the basis of an investigation, conducted by a Government agency other than the Civil Service Commission or the Federal Bureau of Investigation, providing the clearance meets the same standards.

Enactment of this section will in no way impair our overall security system. The same standards will apply. Thus, if a contractor's employee has been cleared by another agency, such as the Department of Defense, and that clearance meets the same standards as one conducted by the FBI or the Civil Service Commission, a further investigation will not be necessary.

This provision will eliminate duplication and expense and prevent delay in the effectiveness of a contract. Under present rules a duplicate clearance has consumed up to 4 months of a 1-year contract in some instances.

The bill, Mr. Speaker, will enable the Disarmament Agency to carry out the mandate of Congress with greater flexibility, efficiency, and economy.

WORLD WAR I PENSION: WHAT'S IT ABOUT?

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Findley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. FINDLEY. Our Nation has always been concerned with the welfare of veterans who fought to protect American liberty. Through the years the Congress has been generous in providing pensions, medical care, and other benefits to veterans, and their widows and dependents.

In fact, services to veterans make up the fourth largest item in the budget for the current year. After expenditures for national defense, interest on the national debt, and the Department of Agriculture, the $5.5 billion being spent by the Veterans' Administration during fiscal 1963 is next in amount.

This year there has been considerable interest from World War I veteran groups in H.R. 2332, the World War I pension bill. This bill would pay each World War I veteran or his widow $100 a month if the veteran had been honorably discharged with 90 days of service. The bill is before the House Committee on Veterans' Affairs.

Since the close of World War I, veterans of the First World War have received $33.5 billion in benefits. World War I veterans comprise 11 percent of veterans living in the Nation today and, in fiscal year 1963, are receiving 40 percent—$2 billion—of the expenditures for veterans

Many needy veterans are receiving deserved help. At the present time 1,862,865 World War I veterans and widows are receiving non-service-connected pensions because they meet certain requirements in regard to disability, unemployability, and have met the established income limits of the law. These limits are $3,000 for the veteran with dependents and $1,800 for the single veteran or widow.

Several things, I am told, have discouraged action by the Veterans Committee on H.R. 2332 and its $100 a month pension. The bill has no requirements that veterans demonstrate illness or disability. There is no specific age requirement. Under H.R. 2332, individuals could have a combined income of up to at least $6,000 per year, including a tax free pension of $100 per month.

Yet the median income of all families headed by a 65-year-old individual is only $2,897 per year. Half the male population of this country has an income of only $4,081 or less per year.

The committee seems to feel that H.R. 2332 discriminates against the real veteran hardship cases. Of the $1,266,247,000 proposed to be spent for increased pensions the first year of enactment, only $453,818,000 would go to increase pensions for the 1,862,965 low income veterans and widows now on the rolls. But $812,429,000 would go to add 713,100 new cases from the upper income groups to the rolls. In other words, one-fourth of the veterans and widows from the upper income groups would receive two-thirds of the benefits.

The difficult situation caused for older people by the squeeze of inflationary prices is due largely to increased Government spending and deficit financing. The plight of older needy veterans is very sad; but the pension proposal would ultimately add billions to Federal spending, and thus aggravate the basic cause of inflation. If we all work together in behalf of economy in Government, deficit financing and spiraling inflation can be ended. Then veterans and nonveterans alike can have the advantage of a dollar which has constant value, so the savings set aside during productive years will support a decent retirement.

SOLE-SOURCE PURCHASE OF RADIOS BY NAVY DEPARTMENT

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. Wilson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. WILSON of Indiana. Mr. Speaker, how long are we going to let the self-styled bureaucratic demigogs in the defense areas of our Government thumb their collective noses at the Members of this Congress? How long are we going to allow them to tell us one thing and do another with impunity? This is exactly what is being done right now in the Navy Department by Kenneth E. BeLieu, Assistant Secretary of the Navy for Installations and Logistics. He is acting in direct contradiction to an assurance he gave a committee of this Congress just about a year ago today and unless he is called to task severely, he will fulfill his desires.

Mr. Speaker, I am talking about another sole-source purchase of the AN/PRC-41 walkie-talkie radio by the Navy Department. This is the same radio which I said a year ago could be manufactured by any manufacturer with a reasonable degree of competence and which the Navy sole-sourced—bought without competition—at a $1 million penalty to the American taxpayer.

It is the same radio which Assistant Secretary BeLieu assured my colleague, the gentleman from Louisiana, the Honorable EDWARD F. HÉBERT, would be purchased competitively the next time around. Mr. BeLieu's words are found on page 96 of the Hébert subcommittee hearings and are plain—the Navy promised to buy the AN/PRC-41 competitively on the second buy. Now, it is ramming through another sole-source deal to the sole-source developer and manufacturer, heedless of what it said a year ago. In its view, apparently, "then was then and now is now."

Today, I want to go into this whole transaction again, to show the Members of this House the way in which our military lives up to its word. Today, I want to illustrate again the need for passage of my bill, H.R. 4409, to establish a joint watchdog committee to breathe down the necks of these high salaried name signers as they go about their task of spending more than half of our total budget.

In June 1958, the Navy Department Bureau of Ships negotiated a sole-source—no competition—contract with Collins Radio Co., Cedar Rapids, Iowa, for the development of a radio communications transmitter receiver—a walkie-talkie, if you please. Let me state here and now that I hold no grudge against Collins. It is in business to make money. It simply plays by the rules the Defense Department lays down and, I would say, follows them scrupulously. But the rules are calculated to drive an economy-minded man to distraction. They open up all sorts of avenues for waste, corruption, and worse.

Collins was paid about $1 million for the development of this radio which became the AN/PRC-41 walkie-talkie. The contract included submission of a model, drawings, plans, and specifications, and that is normal. What is extremely abnormal is that when the development work was almost complete, a Navy official wrote a confidential letter to Collins telling them the Navy had decided it was not necessary to submit plans and drawings as originally planned. The very idea. After spending $1 million for a radio development job, some Navy swivel-chair expert decides that the taxpayers are not to get the benefit of the work.

Within 30 days after the transmittal of this letter, the same Navy engineer caused to be issued an urgent procurement request to buy up to 670 units of the radio, without competition, from the Collins Co.

Here, as in so many other cases I have studied, an urgent requirement for the radios was generated near the end of a development contract. The word "urgency" is tired and overworked, and in this case, the word should be used in its most extreme application because the Navy said it needed these radios in 10 months. Please remember—10 months was to be allowed to build the first radios.

Since I do not want to bore you with past history, I shall merely sketch the next steps. I obtained enough technical data to allow a manufacturer to submit a bid for the equipment which was $1 million lower than the Collins bid. The Navy, through supposed changes in regulations which were kept in a locked drawer, through all sorts of feints, sidesteps, and elusive tactics, maintained its contention that it was going to give the contract to Collins. And it did.

While sitting with the Armed Services Committee's Special Investigating Subcommittee purely as an observer, and while unable to ask a single question or make a single comment, I was harangued in an emotional appeal by Mr. BeLieu, who wrapped himself in the flag so tight I thought he would choke. Let me insert here that I would have liked to have been asking Mr. BeLieu many questions, as well as many other Navy people, some of whom had been conveniently sent on vacation when the hearings took place.

Stripped of its emotion and appeal to the patriotism which burns in all our hearts, Mr. BeLieu's case boiled down to urgency of delivery. He tried to throw in the complicated nature of the equipment but that one evaporated.

Since the procurement laws exist as at present, no one—not even the President of the United States—could change Mr. BeLieu's decision. On procurement matters, he is all powerful. You will agree, I think, he holds an enviable position of power and is in a key position to do much good—or much harm—to this Nation's financial welfare.

During his interrogation by the chairman, Mr. BeLieu said he was going to make it his personal business to see that drawings were delivered for the AN/PRC-41 and that competition would be secured on the next contract. After all, the drawings were 90 percent complete then, even according to Navy's words.

That was that. The Navy paid $5,126 each for the radios and the taxpayers watched $1 million go sailing down the drain. An accessory kit was included that cost an additional $1,593 each. In other words, this one radio cost as much as a Lincoln Continental loaded down with extras—and American industry did not get one chance to cut the cost.

After the hearings were held, and after the contract was let, I continued to follow up this procurement. The contract for the equipment was dated July 18, 1962. I also asked for records of shipments of the radios to see how the production was moving along. Remember, Mr. BeLieu made a big thing of the fact that he needed this equipment for the military 10 months after the award of contract, so the award had to go to Collins Radio, supposedly the only firm that could produce that fast.

Mr. Speaker, that was 1 year ago—and Collins still has not delivered a single unit of the AN/PRC-41. In a letter dated June 7, 1963, Vice Adm. George Beardsley smugly said no delivery was required as yet under terms of the contract.

The reason for this is simply that, after Mr. BeLieu's allegations about a hard and fast delivery schedule that started in 10 months, a contract was signed that authorized a delivery schedule that was greatly relaxed, terminating some 17 months after the date of the contract.

Early this month, Mr. Speaker, I was reading the Department of Commerce Business Daily dated June 5, and on page 4 what did I find but that the Navy Department is currently processing another sole-source award for 143 additional units of the AN/PRC-41 because, this time, delivery is urgently required by the Air Force.

No hint of competition is mentioned. It is another sole-source deal that will slit the throat of the taxpayer a little deeper. To say I was disturbed would be putting it mildly. When an Assistant Secretary of the Navy comes to a committee of this Congress and makes a pledge, we should see he lives up to it.

Mr. BeLieu's action in sole sourcing this radio again shows what he thinks of his words uttered before this Congress. It shows the regard in which he holds this House and the position to which Members of Congress are relegated by the military.

Maybe it is no crime to waste the taxpayers' money, but it ought to be. We allow nonprofessional people such as BeLieu to supervise the spending of billions, and the result is that favored companies get fat at the Government trough while others stand outside and press their faces against the windows, hoping someone will drop a crumb out of the window.

Now, why is this the case? Why do some companies get sole-source contract after sole-source contract, fat profit after fat profit? You will remember I said earlier that the firms play by the rules.

Well, one of those rules is evidently to hire ex-service people who have friends and influence inside procurement sections. This leads to fat contracts. If you think it does not then listen closely.

At my request last year, the Comptroller General of the United States, the Honorable Joseph Campbell, supplied me with the record of naval personnel, military and civilian, who have left the employ of the United States to go to work for Collins.

By actual count there were 134 individual ex-Navy officials working on Collins' payroll. This is just ex-Navy personnel. I did not go into the Army and Air Force people on the payroll.

Virtually all of them were at the middle and top levels, in positions where, directly or indirectly, they could bring their past contacts to bear.

At this point, Mr. Speaker, I insert in my remarks the names of these people who the GAO found were working for Collins, showing the rank or grade they held at the time they left the Navy, the date they left the Navy, and the date they joined Collins. It also shows their rank at Collins.

COMPTROLLER GENERAL OF THE
UNITED STATES,
Washington, D.C., August 17, 1962.
Hon. EARL WILSON,
House of Representatives.

DEAR MR. WILSON: Reference is made to your letter of June 6, 1962, copy enclosed, requesting a record of naval personnel, military and civilian, who have left the employ of the U.S. Navy in the past 5 years and who have subsequently gone to work for Collins Radio Co.

There is attached as enclosure 1 [see exhibit 1] a list of administrative, supervisory, and engineering personnel presently employed by Collins Radio Co. at its Cedar Rapids, Iowa; Newport Beach, Calif.; and Dallas, Tex., locations, who left the active service or employment of the Navy (including the Marine Corps and the Coast Guard) after June 1, 1957. In accordance with a discussion with Mr. Philip Cole of your office, we have limited our review to these classifications of employees. We have not reviewed the personnel records of hourly rated factory employees, office clerical employees, or other classifications of subordinate employees.

During the course of our review, Collins informed us of a group of employees on its Dallas, Tex., payroll classified as employees of their "vice president government representatives department," and indicated that many of such employees have direct contacts with the Navy and the other Federal departments and agencies. We are, therefore, attaching as enclosure 2 [see exhibit 2] a list of these employees for your information.

The information in these exhibits was obtained from personnel reports furnished us by Collins Radio Co. for employees on their Cedar Rapids, Iowa; Dallas, Tex.; and Newport Beach, Calif., payrolls and from the individual personnel files maintained at these locations.

Sincerely yours,
JOSEPH CAMPBELL,
Comptroller General of the United States.

EXHIBIT 1

Collins Radio Co. administrative, supervisory, and engineering employees who were in the service or employ of the Department of the Navy within the past 5 years (since June 1, 1957)

PERSONNEL ON DALLAS, TEX., PLANT PAYROLL

Name of individual	Navy rank or grade [1]	Date of leaving Navy	Date employed by Collins	Title of position at Collins
O'Reilly, Lawrence P	Corporal (USMC)	Nov. 5, 1959	Nov. 10, 1959	Foreman II.
Miniter, John J	Librarian, U.S. Navy Underwater Sound Laboratory, New London, Conn.	Mar. 25, 1960	Apr. 4, 1960	Manager, central information services.
Brooks, Marion A	CE-1 (Navy, Seabees) (electrician and telephone repairman)	May 2, 1958	Mar. 6, 1961	Junior assistant field service engineer.
Drews, Gerald E	Lieutenant (jg.)	May 23, 1961	June 5, 1961	Systems engineer.
Byrd, Douglas M., Jr	Test aircraft and equipment for Navy, U.S. Naval Air Test Center, Patuxent, Md.	Aug. —, 1958	June 8, 1959	Junior assistant engineer.
Stephenson, George, Jr	Lieutenant (jg.)	July 2, 1959	Dec. 4, 1961	Do.
Veeck, Harry (NMI)	Chief electronic technician	Aug. 20, 1959	Sept. 8, 1959	Assistant engineering writer.
Heron, Lawrence W	Commander (retired)	Aug. 1, 1958	Aug. 11, 1958	Senior systems engineer II.
Houston, Richard H	GS-13, Naval Research Laboratory, Washington, D.C	July 12, 1957	Aug. 12, 1957	Do.
Goss, Gerald E	Lieutenant Colonel (USMC)	June 30, 1959	July 15, 1959	Project director I.
Hop, Harvey N	Commander (Navy)	Jan. 12, 1959	Sept. 1, 1959	Director flight operation.
Flanagan, Thomas G	ETNSN (electronic technician seaman)	June 19, 1959	Apr. 30, 1962	Junior buyer.
Scalise, Anthony (NMN)	SA (apprentice seaman)	Aug. 3, 1961	Sept. 18, 1961	Junior cost estimator.
Davis, Robert T	Chief storekeeper	Aug. 31, 1959	Sept. 1, 1959	Supervisor, contract analysis section.
Sewell, William B	Lieutenant (junior grade)	Jan. 28, 1960	Feb. 1, 1960	Buyer.
Bruton, Henry C	Rear admiral	Aug. 1, 1960	Jan. 16, 1961	Director, marine systems division.
Tittle, Ira O	Staff sergeant (USMC)	Oct. 1, 1957	Jan. 22, 1962	Job analyst.
Hess, Robert F	(Student electrical engineering aid)	(2)	June 15, 1961	Junior field service engineer.
Garnett, Grosvenor H	FTI (fire control technician)	Nov. 14, 1959	Feb. 15, 1961	Junior assistant engineer.
Gregory, Roland E	Lieutenant (junior grade)	Jan. 15, 1958	June 15, 1960	Do.
Rottenberg, Aaron M	Lieutenant colonel (USMC)	June 1, 1960 [3]	Apr. 4, 1960	Systems engineer V.
Bill, Robert G	Commander	Jan. 1, 1961 [3]	Jan. 6, 1961	Project director IV.
Mather, Donald I	Captain	Apr. 30, 1960 [3]	May 1, 1960	Senior field engineer.
Cuthbert, Thomas R., Jr	Lieutenant commander	Sept. —, 1956	Jan. 7, 1959	Systems project engineer.
Johnson, Richard J	Commander	Dec. —, 1954	Feb. 24, 1960	Engineering pilot.
Suratt, Richard L	(4)	(4)	Apr. 9, 1962	Senior systems engineer I.
Pels, John H., III	Lieutenant, U.S. Navy	June 30, 1959	July 1, 1959	Sales information coordinator.
Beans, Richard C.[5]	Contract negotiator, BuShips, U.S. Navy	Apr. —, 1960	June 27, 1960	Contract administrator.
Hearn, Ormond E.[5]	Commander, U.S. Navy, last assignment was U.S. Naval Research Laboratory, Washington, D.C.	Dec. 1, 1961	Dec. 12, 1961	Senior field engineer.
Coffee, John M., Jr.[5]	Technical adviser, U.S. Navy, director of communications, Washington, D.C.	Dec. —, 1959	Jan. 4, 1960	Do.

PERSONNEL ON CEDAR RAPIDS, IOWA, PLANT PAYROLL

Name of individual	Navy rank or grade [1]	Date of leaving Navy	Date employed by Collins	Title of position at Collins
Bailey, William K	RELE (W-1) Coast Guard O-I-C CG Radio Station, NOC, Bermuda.	June—, 1960 [3]	July 6, 1960	Junior assistant engineer.
Bruce, Wilbur W	AT-2 (aviation electronics technician)	July 16, 1958	June 26, 1961	Field service engineer II.
Camp, Marvin J	AT-2 (aviation electronics technician) VS-32 NAS, Quonset Point, R.I.	Sept. 23, 1959	Oct. 15, 1959	Junior industrial engineer.
Campion, Richard J	Lieutenant (jg.), assistant communications officer, U.S.S. *Newport News* (CA-148).	July 25, 1959	Nov. 4, 1959	Associate cost estimator.
Christensen, Ronald L	AT-1 (aviation electronics technician) FAS-5 NAS, Oceana, Va	June 2, 1958	July 8, 1958	Supervisor, system data section.
Cole, Benjamin I., Jr	Lieutenant (jg.), mobile audit staff, Detroit, Mich., auditor (Industrial Costs) U.S. Navy, Audit Office, Dallas.	June 20, 1958 Mar. 18, 1960	Mar. 21, 1960	Manager, parts and services.
Crain, Leo M	Staff sergeant, USMC, Radio technician	Nov. —, 1959	Jan. 20, 1960	Field service engineer I.
DeFrance, LaVerne A. W	Lieutenant (jg.), Coast Guard, district industrial manager, 9th CG District, Cleveland, Ohio.	Feb. 26, 1962	Mar. 5, 1962	Assistant cost estimator.
Eddy, Donald E	Lieutenant (junior grade), Navy, pilot with ASW squadron	Nov. —, 1959	Oct. 23, 1961	Field service engineer IV.
Ellwood, Walter L	Staff sergeant, USMC, NCOIC hydraulic shop for aircraft	Apr. 20, 1959	Feb. 12, 1962	Field support engineer II.
Fernau, Robert D	RM-2 radio operator, U.S.S. *Princeton* (CVS-37)	Sept. 21, 1957	Apr. 25, 1962	Quality control engineer I.
Gisler, Charles C	Corporal, USMC, stock requisition clerk	Feb. 16, 1957	Aug. 28, 1957	Inventory records analyst.
Gray, Woodrow W., Jr	FT-2, fire technician, U.S.S. *Gyatt* (DDG-1)	Aug. 18, 1959	Aug. 24, 1959	Field support representative.
Gulbro, Robert D	FT-2. fire technician	Sept. 25, 1959	Nov. 9, 1959	Field service engineer I.
Hall, Norman G	YN-2, U.S. Coast Guard	July 8, 1959	Aug. 24, 1959	Buyer (junior).
Hawkins, Earl A	ET-1, electronics technician, Navy, USNRTC, Cedar Rapids, Iowa.	June —, 1959	June 10, 1959	Junior assistant field service engineer.
Hunstad, Vernon D	Sergeant, USMC, Rep. Br. Bn., elect. company, M.C.S.C., Albany, Ga.	Sept. 21, 1957	Oct. 8, 195	Foreman II.
Jackson, Howard E., Jr	ET-2, electronic technician, U.S. Naval Ordnance Laboratory, Corona, Calif., GS-4, engineering aid.	Mar. 22, 1955 Sept. —, 1958	June 8, 1959	Junior assistant engineer.
Johnston, George W	Aviation electronics chief, NAS, Norfolk, Va. (instructor in electronics school).	Aug. —, 1961 [3]	Sept. 12, 1961	Field service engineer II.
Jones, John P	Commander, Navy, Head of Electronic Materials Branch, BuShips.	Sept. 1, 1961 [3]	Sept. 1, 1961	Director of field operations.
Korp, Kenneth L	CT-3, communications technician	Aug. 10, 1957	June 15, 1961	Junior engineer special distribution.
Lane, Richard C	ET-1 electronic technician, Navy, U.S.S. *Nereus* (AS-17)	June 13, 1960	July 5, 1960	Foreman II.
Love, Robert E., Jr	Sergeant, USMC, electronic technician	July 7, 1959	Jan. 29, 1962	Field service engineer II.
Luiken, Donald G	Lieutenant (jg.), electrical officer on U.S.S. *Princeton* (CVS-37)	July 1, 1958	Aug. 11, 1958	Junior assistant engineer.

See footnotes at end of table.

Collins Radio Co. administrative, supervisory, and engineering employees who were in the service or employ of the Department of the Navy within the past 5 years (since June 1, 1957)—Continued

PERSONNEL ON DALLAS, TEX., PLANT PAYROLL

Name of individual	Navy rank or grade [1]	Date of leaving Navy	Date employed by Collins	Title of position at Collins
Lutz, Richard (NMN)	AT-1, aviation electronics technician	Nov. —, 1957	June 19, 1961	Junior engineer special distribution.
Maley, Paul L	Chief warrant officer, Navy radio maintenance division, officer at NAS, Corpus Christi, Tex.	July —, 1959[3]	Feb. 1, 1960	Field support engineer II.
Moloney, William J	Electronic technician at Boston Naval Shipyard, Boston, Mass.	Jan. —, 1957	July 7, 1960	Field support engineer I.
Martin, Fenton A	CWO-2, USMC, electronics maintenance and operations officer, Quantico, Va.	Mar. 31, 1959[3]	Sept. 21, 1959	Field support engineer II.
Mathis, Mark C., Jr	Lieutenant (jg.), Navy chief engineer on U.S.S. *Dupbury Bay* (AVP-38).	Aug. 18, 1960	Sept. 29, 1960	Assistant industrial engineer.
Mulbrook, Larry L	Sergeant, USMC, instructor in guided missile fire control, San Diego, Calif.	Sept. 15, 1957	Sept. 30, 1957	Foreman II.
Muret, Lenos G	Lieutenant (jg.), Navy engineering officer on U.S.S. *Reaper* (MSO-467).	Feb. —, 1959	Mar. 2, 1959	Junior assistant engineer.
Neal, Gordon L	GS-7, design engineer, Naval Ordnance Lab., Silver Spring, Md.	Sept. —, 1960	Aug. 30, 1961	Do.
Nelsen, Michael C	RDSN, Navy, radarman	Dec. 31, 1957	Sept. 15, 1958	Foreman IV.
Nelson, Donald R	Sergeant, USMC, electronics technician	Jan. 25, 1961	Feb. 8, 1961	Field support engineer I.
Nims, John K	Petty officer 1st class, Coast Guard	June 3, 1957	Mar. 30, 1959	Field service engineer II.
O'Brien, Edward L., Jr	AT-1, Navy, radar shop supervisor, Naval Air Facility, Annapolis, Md.	Dec. 12, 1958	Jan. 12, 1959	Junior engineer writer.
Potter, Dale E	ET-2, Navy, electronic technician on U.S.S. *Shangri La* (CVA-38)	June —, 1961	June 5, 1961	Field service representative.
Rees, Morgan (NMN)	ETC, Navy, instructor of basic electricity and electronics, Navy Technical School, Great Lakes, Ill.	Apr. 2, 1962[3]	Apr. 23, 1962	Field support engineer II.
Reid, Donald O	FT-2, Navy, maintained radar on U.S.S. *Hollister* (DD-788)	July 8, 1959	July 27, 1959	Field support engineer I.
Reinhardt, Marion L	ET-1, Navy, electronics technician	July 18, 1957	Feb. 5, 1962	Junior engineer specialist distribution.
Riley, James E	Navy, Washington, D.C., assistant counsel	Nov. —, 1958	Dec. 1, 1958	General counsel—Sales.
Sands, Berne R	INSMAT, Cedar Rapids, Iowa, contract administrator	June 1, 1958	June 2, 1958	Contract administrator.
Smith, Danny F	1st Lieutenant, USMC, naval aviator	June 28, 1958	Jan. 18, 1960	Assistant systems analyst.
Soli, John E	Lieutenant (jg), Navy, electronics material officer on U.S.S. *Cogswell* (DD-651).	Oct. 25, 1960	Jan. 16, 1961	R. & D. program forecast analyst.
Soule, Craig W	AT-2, Navy, aviation electronics technician	May 11, 1958	Feb. 15, 1961	Junior industrial engineer.
Spade, Vincent E	Master sergeant, USMC, test chief at Marine Corps Equipment Board, Quantico, Va.	Oct. 31, 1959[3]	Nov. 16, 1959	Field support engineer II.
Spencer, James L	Electronic engineer at Naval Ordnance Laboratory, Silver Spring, Md. worked June–September 1960.	Sept. —, 1960	Aug. 1, 1961	Junior assistant engineer.
Stehr, Paul W	1st Lieutenant, USMC, communication officer, Recruit Depot, San Diego, Calif.	June 5, 1961	July 26, 1961	Government sales representative.
Steinbeck, Gary L	ET-3, Navy, electronics technician on U.S.S. *Fessenden* (DER-142)	May 27, 1958	July 1, 1958	Field service engineer I.
Sudduth, Joseph F	Captain, USMC, member of Electronics Section, Marine Corps Equipment Board, Quantico, Va.	May —, 1960[3]	May 16, 1960	Senior field engineer III.
Thompson, Richard L	Electronic inspector at INSMAT, Cedar Rapids, Iowa (Collins)	May —, 1960	June 13, 1960	Quality control engineer II.
Thomson, Murl H	Branch inspection supervisor at ISNMAT, Cedar Rapids, Iowa (Collins).	Oct. —, 1959	Oct. 26, 1959	Quality control eingneer III.
Treese, Ray, Jr. (NMN)	AT-2, aviation electronic technician	Sept. 11, 1959	Sept. 30, 1959	Junior industrial engineer.
Tyrrel, Sylvan F., Jr	AT-2, Navy, aviation electronics technician	Nov. 19, 1959	Nov. 30, 1959	Field support engineer II.
Van Gilder, Terry W	ET-2, Navy, electronics technician on U.S.S. *Ault* (DD-698)	Apr. 4, 1958	Aug. 8, 1960	Apprentice engineer writer.
Walters, Charles W	ATC, Navy, branch supervisor, Naval Air Weapons Systems School, NAS, Jacksonville, Fla.	Oct. 6, 1959[3]	Mar. 29, 1960	Senior field engineer I.
Westbrook, John F	CPO, Navy, supervisor inspector, electronic maintenance, NAS, Dallas, Tex.	June 14, 1960[3]	June 16, 1960	Field support engineer I.
Woodman, William F., Jr	W-3, chief communications technician, Navy, assigned to Headquarters Staff, Naval Security Group, Washington, D.C.	Feb. 28, 1959[3]	Mar. 2, 1959	Field support engineer IV.
Woods, Wilbur J	SK-2, Navy	June 19, 1958	July 15, 1958	Computer programer A.
Yakeley, Jay B., Jr	Commander (retired as captain), Navy, assistant to Director, Flight Services Division, CNO Staff, Washington, D.C.	Nov. 1, 1959[3]	Nov. 9, 1959	Senior associate engineer, special distribution.

PERSONNEL ON NEWPORT BEACH, CALIF., PLANT PAYROLL

Lamareaux, E. P	USMC corporal	Mar. 20, 1959	Apr. 1, 1959	Engineering assistant.
Stillman, G. T	GS-7	Dec. —, 1960	June 26, 1961	Junior assistant engineer.
Hanzel, A. L	Physicist	Oct. —, 1959	May 1, 1961	Associate engineer.
Williams, R. G	Lieutenant (jg.)	Feb. —, 1959	Mar. 5, 1962	Assistant industrial engineer.
Goens, D. E	MMI-P1	Dec. 2, 1960[3]	Feb. 9, 1961	Foreman III.
Dyer, D. V	AQ-2	Dec. 17, 1958	Dec. 22, 1958	Specifications writer.
Carroll, B. C	Junior engineer	Sept. —, 1958	June 15, 1959	Assistant engineer.
Wyatt, R. D	Electronic engineer	Jan. 6, 1961	Jan. 9, 1961	Do.
Morris, H. T	Lieutenant (jg.)	June 30, 1960	July 25, 1960	Associate contract administrator.
Slocum, D. R	SK-3 storekeeper	Sept. —, 1957	Jan. 5, 1959	Do.
Leeth, R. G., Jr	Contract specialist	Aug. —, 1959[6]	Aug. 16, 1959	Contract aministrator.
Nicholson, L. L., Jr	Lieutenant commander	Dec. 1, 1957	Jan. 1, 1958	Senior field engineer.
White, J. B	Electronic mechanic	Sept. —, 1959	July 11, 1960	Assistant engineer.
Parker, R. R	Electronic engineer	July —, 1957	Nov. 1, 1960	Associate engineer special distribution.
Catozza, D. T., Jr	USMC master sergeant	June 30, 1960[3]	Oct. 11, 1960	Junior contract coordinator.
Bruce, J. P	ETR2	Sept. 7, 1957	June 15, 1959	Junior engineer.
Calelli, A. D	USMC corporal	Aug. 12, 1958	Oct. 6, 1958	Foreman II.
Kesterson, R. D	AN	Aug. 3, 1959	Aug. 10, 1959	Do.
Thayer, G. E	USMC gunnery sergeant E-9	Feb. 28, 1961[3]	June 2, 1961	Engineering assistant.

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[1] Includes Marine Corps and Coast Guard.

[2] Summer 1960.

[3] Retired.

[4] From May 1958 to January 1962. Employed by Pan American Airlines, Guided Missile Range Division, Patrick Air Force Base, Fla. Deputy manager engineering and assistant plant superintendent. From September 1956 to May 1958. President and owner of R. L. Suratt, consulting engineers, New York and Washington, D.C. Duties: Collaborated with various naval architects and design agents on design criteria for special launching devices for guided missile cruisers. Performed extensive ship alterations and modifications on U.S. naval ammunition and supply ships.

[5] See exhibit 2 for additional employment details.

[6] Employed by BuShips, Washington, D.C., from March 1958 to August 1959.

EXHIBIT 2

Collins Radio Co., Dallas, Tex.—List of employees in vice president government representatives department (exclusive of secretaries and stenographers)

Name of individual	Employment location	Government or armed service		Date employed by Collins	Title of position at Collins	Government office(s) contacted
		Grade or rank	Date of leaving			
Dutton, Robert P	Washington, D.C	Lieutenant (junior grade) A-V-(s) in U.S. Naval Reserve.	Still in Reserve	Jan. 16, 1952	Vice president, government representative.	No assigned agency. May call on any agency as required throughout the United States.
Johnson, Theodore A	do	Staff sergeant, U.S. Army.	Mar. 29, 1946	Jan. 28, 1952	Director, Government representative.	Same as above. Assistant to Mr. Dutton.

Collins Radio Co., Dallas, Tex.—List of employees in vice president government representatives department (exclusive of secretaries and stenographers)—Continued

Name of individual	Employment location	Government or armed service		Date employed by Collins	Title of position at Collins	Government office(s) contacted
		Grade or rank	Date of leaving			
Sneed, James W., Jr	Dayton, Ohio	1st lieutenant, U.S. Air Force. Technician, Naval Base, Orange, Tex.	May 1945 October 1949	Aug. 2, 1954	Senior associate field engineer.	Aeronautical Systems Division, U.S. Air Force, Dayton, Ohio.
Strathern, William	Rome, N.Y	Staff sergeant, U.S. Air Force.	August 1951	Mar. 13, 1961	Associate field engineer.	Rome Air Development Center and Rome Air Material Area, Air Force.
Beller, Earl J	Los Angeles, Calif	Colonel, Signal Corps, U.S. Army.	Sept. 30, 1954 (retired).	Apr. 6, 1957	Senior associate field engineer.	West coast area, primarily Ballistics Missile Division Air Force, Space Systems Division, Air Force, Pacific Missile Range and Navy Purchasing Office, Los Angeles, Calif.
Abercrombie, Everette G	Washington, D.C	None		June 6, 1957	Principal field engineer.	Primarily Navy, including Bureau of Weapons, Bureau of Ships, Marine Corps, and Bureau of Yards and Docks, Washington, D.C.
Pels, John H., III	Dallas, Tex	Lieutenant, U.S. Navy	June 30, 1959	July 1, 1959	Sales information coordinator.	NASA, Houston, Tex., as temporary assignment.
Allott, William T., Jr	Washington, D.C	Staff sergeant, U.S. Air Force.	Jan. 16, 1956	July 27, 1959	Senior associate field engineer.	No particular account assignment but covers microwave requirements with any agency in Washington, D.C., as required.
Barnette, E. F	Dayton, Ohio	1st lieutenant, U.S. Air Force.	Oct. 15, 1959	Oct. 15, 1959	Senior assistant field engineer.	Aeronautical Systems Division, U.S. Air Force, Dayton, Ohio.
Newitt, J. H	Boston, Mass	None			Senior associate field engineer.	Electronic Systems Division, U.S. Air Force, Boston, Mass.
Judson, Robert R	Washington, D.C	1st lieutenant, U.S. Army. Contract negotiator, Bureau of Ships, U.S. Navy, Washington, D.C.	January 1954 Apr. 15, 1960	Apr. 25, 1960	Contract administrator.	No specific assignment. Covers contract administration matters with Army, Navy, NASA, USIA, and any others.
Beans, Richard C	do	Private, first class, U.S. Marine Corps. Contract negotiator, Bureau of Ships, U.S. Navy.	January 1945 April 1960	June 27, 1960	do	Same as R. R. Judson above but also covers Avionics Supply Office and Defense Supply Agency at Philadelphia, Pa.
Hearn, Ormond E	Washington, D.C	Commander, U.S. Navy, last assignment was U.S. Naval Research Laboratory, Washington, D.C.	Dec. 1, 1961 (retired).	Dec. 12, 1961	Senior field engineer	NASA, Washington, D.C.
Stitely, Allen H	Fort Monmouth, N.J.	Master Sergeant, U.S. Marine Corps.	Dec. 31, 1954	Jan. 3, 1962	do	U.S. Army Signal Research and Development Laboratory, Fort Monmouth, N.J.
Waldrup, William E	Dallas, Tex	Captain, U.S. Air Force	Aug. 16, 1952	Dec. 26, 1957	do	Various Army and Air Force bases in Texas, Georgia, Alabama, and throughout the central southern area.
Coffee, John M., Jr	Washington, D.C	Technical adviser, U.S. Navy, Director of Communications, Washington, D.C. Technical adviser, U.S. Army, office, chief signal officer, Washington, D.C. Technical planning of communications, U.S. Army Signal Communications Security Agency, Arlington Hall Station, Arlington, Va. Computer design, U.S. Army Security Agency, Arlington, Va.	December 1959 January 1958 February 1956 November 1955	Jan. 4, 1960	do	No particular account assignment. Covers data requirements with all agencies in District of Columbia area as required.
Lasley, Jonathan H	do	Lieutenant commander, U.S. Naval Reserve.	March 1946	Apr. 1, 1957	Principal field engineer.	International and nonmilitary Government agencies such as Department of State, etc.
Culp, Joe C	do	Electronic engineer, U.S. Army Signal Engineering Agency, Arlington, Va. 1st lieutenant, U.S. Army.	July 1958 February 1958	Sept. 15, 1958	Senior associate field engineer.	Primarily Army and also Defense Communications Agency, Defense Atomic Support Agency, Diamond Ordnance Fuze Laboratory, Joint Communication Agency.
Cagney, William M	Rome, N.Y	do	Dec. 28, 1945	July 1, 1959	Principal field engineer.	Rome Air Material Area, Rome Air Development Center, U.S. Air Force.
Chaires, William R	Washington, D.C	Major, U.S. Army Signal Corps.	Jan. 31, 1960	Feb. 1, 1960	Senior field engineer	Primarily Army and FAA.
Curs, Luther S	do	Lieutenant colonel, U.S. Army.	Feb. 1, 1946	June 23, 1960	Senior quality control engineer.	Assists Mr. E. G. Abercrombie and also covers Coast Guard and various Navy technical installations such as NADC and Navy Research Laboratory.
McCaddon, Joseph F	do	Major, U.S. Air Force	June 3, 1955	Jan. 6, 1961	Senior government representative.	Primarily Air Force in Washington, D.C., and Tactical Air Command in Langley, Va., and Advanced Research Projects Agency.
Potter, John	Cocoa Beach, Fla., (Cape Canaveral).	CH radio technician, U.S. Navy Reserve.	Aug. 29, 1946	Aug. 1, 1961	Senior field engineer	Air Force Test Center, Patrick Air Force Base, Fla., and Atlantic Missile Range at Cape Canaveral.

Take a good look at those people, Mr. Speaker. Let us take just two names—Robert Judson and Richard Beans. Both of these men were contract negotiators working in the Navy Department Bureau of Ships. It is possible, I am told, they processed contracts that went to Collins, and I have today asked the Comptroller General to supply me with a complete list of any and all contracts and dollar amounts they processed to Collins in their last 3 years of Navy service. When this material is supplied, it will be made public.

There is another thing that concerns me besides the fact that Collins—and other firms—have found it advantageous to hire ex-military people. This other thing is the kind of people who sometimes surround our top Defense Department officials. There is an individual, Mr. Speaker, whom I shall not name at this time because of other work currently going on in this area. This person works for Mr. BeLieu in a critical position. The Office of Naval Intelligence has a complete report on this individual and, certainly, Mr. BeLieu also has this information, or should have. The report, I understand, goes into detail as to the enormous excesses of this person whose services were terminated in the Bureau of Ships in 1951. This person's previous supervisor stated he was confident this individual gave out confidential information to certain manufacturers where in some instances negotiated bids were changed at a late date or two or three times in one day. This report goes into detail and even mentions the fact that this person was tempted by Communists at one time before breaking off contacts 6 months after they were initiated.

This is just one person, Mr. Speaker, and while one bad apple does not always spoil a barrel, it certainly can speed the spoilage process for the rest.

It might be said that personalities have no place in procurement studies, but personalities make up the Navy, Mr. Speaker, as they make up all groups. Personalities make the decisions that commit billions of tax dollars, and they should get the credit for their decisions, be they good or bad.

The only question that remains in my mind, Mr. Speaker, is just how long we Members of Congress will allow the waste, the corruption, the inefficiency, the incompetency to exist. How long will we allow these men to silently in concert help this country along the road to financial chaos before we take action?

Mr. Speaker, this is a nonpartisan question. It is the business of all Americans, regardless of political affiliation. Secretary McNamara is a good man trying to do a good job, but what chance does any Secretary have when the people below him are feathering their nests for the future, padding their cushions for today and getting the stuffing from the lifeblood of the American taxpayer?

Now is the time to start removing this malignancy that eats at the vitals of our Nation, and, in my opinion, a good place to begin is with Mr. BeLieu, who told us one thing last year and went right out to set the gears in motion to do something else. This is the same Mr. BeLieu who violated provisions of Public Law 87-653 by initiating a sole-source contract for a drone radio without first providing a justification for the act. While Mr. BeLieu can rationalize for hours at a time, he cannot deny he knew the law was being passed because he is one of the service people who opposed its enactment.

Mr. Speaker, refer to the table of former Navy employees now with Collins. You will notice that none are actually in charge of any purchasing departments as many were in the Navy. Maybe it is because Collins does not want these people to oversee any of its dollars because of their performance in this respect when they were Government employees.

This is just another reason why my bill, H.R. 4409, should be enacted. A committee of this Congress would then be watching daily and in minute detail the machinations of our Defense machinery which will spend $47 billion next year.

ECONOMY IN CONGRESSIONAL OPERATIONS

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. CURTIS. Mr. Speaker, today I have introduced a bill to repeal section 100 of title 2 of the United States Code providing a storage trunk to each of the Members of the Congress annually. The Congress has presently been cast in a poor light with regard to its own spending, and this seems an area where we could cut back expenditures without jeopardizing the functions of the Congress or seriously inconveniencing any of the Members.

The carpenter in the House Office Building indicates that there are no charges for crating and packaging various items that may from time to time need to be stored. This seems a much more effective and economical way to deal with our storage needs than to have a provision to provide a large, and often unneeded and unwanted trunk to each of the Members annually. This is a small area of waste in the ancillary functionings of the Congress which we should move promptly to eliminate.

DUTY ON POLISHED SHEETS AND PLATES OF IRON AND STEEL

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Moorhead] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MOORHEAD. Mr. Speaker, I wish to express my hopes for the passage of H.R. 3674. This bill, which amends the Tariff Act of 1930 to provide that polished sheets and plates of iron or steel shall be subject to the same duty as unpolished sheets and plates, has carried my wholehearted support; in fact, this bill is identical to H.R. 3099 which I introduced into this body. H.R. 3674, like H.R. 3099, would correct an unintended anomaly in the Tariff Act of 1930 which threatens to decimate an important American industry.

Under the Tariff Act of 1930 unpolished stainless steel is dutiable at 13½ percent ad valorem; if, however, the stainless steel is polished, it is duitable at 1¼ cents per pound, a rate equivalent to only 3 percent ad valorem. By the relatively simple process of polishing, then, foreign producers may sneak through this loophole all stainless steel sheets and plates while paying only a 3-percent ad valorem duty. Commerce Department statistics on stainless steel imports demonstrate the danger to this viable segment of domestic manufacture. Upon the discovery of this tariff discrepancy between polished and unpolished stainless steel, importation of stainless steel sheets and plates jumped ninefold from 1961 to 1962. Imports for the first 5 weeks of 1963 exceeded total stainless steel imports for the years 1955-61.

Corrective legislation is the only solution which will effectively prevent the continuation of grave injury to stainless steel manufacturing in the United States. In the Tariff Classification Act of 1962 this inequality between polished and unpolished stainless steel is eliminated. Unfortunately, implementation of this adjustment has been delayed. Meanwhile, imports continue to pour into this country. I hope the House will see the necessity of acting immediately on this issue.

The State of Pennsylvania, where serious unemployment problems still persist, is a center of the stainless steel industry in the United States. I urge the House to close this tariff inequity and save the jobs of many citizens of my State at a time when every single employment opportunity is so dear.

MIGRANT CONDITIONS

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Gonzalez] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, Public Law 78, the Bracero Act, met a possible death in this House recently when we voted down a 2-year extension of that law.

During that debate and since, some Members spoke as if the lot of the domestic migrant workers was not deplorable enough to concern us. That is a tragic and unforgivable indifference to the plight of one of the most exploited groups of our population. We should all be ashamed of such indifference in our minds.

Let us look realistically at the domestic migrant's condition. He earned only $6.25 per day in 1962, and averaged only $1,054 per year including his nonfarm labor. How can our consciences allow such a condition to continue? How could we possibly refuse to set free the market forces which would improve his condition, a step we can take by refusing to extend Public Law 78?

A director of a west coast region packinghouse union, during the hearings on Public Law 78 this year, vividly commented after describing the absence of toilet and handwashing facilities for the migrants:

> Most consumers would gag on the salad if they saw these conditions, the lack of sanitary conditions, under which these products are grown and processed.

A Texas migrant worker, told the Senate Subcommittee on Migratory Labor:

> I don't call it a good life. A fellow would call it a good life when he comes to enjoy it, when he make very good money. That is the only way he can enjoy life. When you go into the field and work 12 to 15 hours a day, do you think that is enjoying life? No, no. That is why I am crippled now, because I worked too hard in those fields. You have to understand such things as that. It is not enjoying life.

Do not these workers deserve a vastly improved economic life? Are we going to be inhumane enough to refuse them that because we are afraid to let a small sector of agriculture undergo a little free market adjustment?

SEVENTH ANNIVERSARY OF THE POZNAN UPRISING

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. PUCINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, today, June 27, 1963, marks the seventh anniversary of the heroic Polish uprising in Poznan, which produced the first serious setback to communism in Europe since World War II.

That inspiring uprising came as no surprise to students of Polish history. For more than 1,000 years, the people of Poland have demonstrated their deep dedication to the principles of freedom and human dignity.

When on June 27, 1956, a large group of students in Poznan led an uprising against their Communist rulers, these young people were writing but another chapter in the glorious book of courage which their Polish predecessors have inscribed in blood against tyranny and oppression.

Nor should it come as any particular surprise that the new Communist regime which replaced the old guard in Poland as a result of this heroic Poznan uprising moved very quickly and decisively to provide the people of Poland with a greater degree of freedom in their daily lives.

Let there be no mistake. Poland continues to be under Communist domination against her will. But the great contribution made by those who participated in the Poznan uprising 7 years ago, was to bring to the people of Poland the first significant breakthrough in the Communists' iron grip upon that brave nation.

The Gomulka regime was forced to give the press of Poland a greater degree of freedom. It was forced to resign itself to the fact that Cardinal Wyszynski and religious freedom in Poland stand indomitable. And it was further forced to acknowledge the fact that the Polish farmer would not tolerate nationalization of his farmlands.

In the wake of the Polish uprising, a whole series of other reforms were instituted.

Weighed against the complete freedom of an American, the newly won liberties experienced by the Poles after the Poznan uprising would indeed appear minuscule. But in a country which, since the beginning of World War II, has been enslaved by the most barbaric methods of suppression at the hands of both the Nazis and the Communists, these were, indeed, staggering gains. These newly won liberties following the Poznan uprising produced a rebirth of hope and inspiration that Poland would again someday rejoin the family of free nations.

Therefore, Mr. Speaker, these hard-won liberties in a sea of Communist tyranny cannot be minimized.

It is easy enough for those who have never felt the full brutality of oppression to talk of the grand plan for freedom. I wonder what their attitude would be if they had to carve out this freedom in a nation like Poland which was, prior to June 27, 1956, under the complete domination of heavily armed Soviet troops internally and surrounded on all sides of her borders by massive Soviet armies externally.

The full scope of these gallant Poles' monumental contribution on the altar of freedom in the Poznan uprising can be measured only when we recognize fully the staggering odds against their success.

The fact that this brave adventure in the cause of freedom brought to Poland a new wave of liberty demonstrated again why tyrants throughout the ages have learned to respect that undying spirit of the Poles.

Poznan was completely surrounded by Soviet tanks during this heroic uprising. Undaunted, rebellious Poles fought these steel behemoths with their hands, wooden clubs, stones, and whatever other weapons they could find.

Mr. Speaker, the world cannot let the seventh anniversary of the Poznan uprising go unnoticed, particularly as I believe that we are today on the threshold of an entirely new situation developing among the captive nations. Even though 7 years have elapsed, the spirit of the Poznan uprising continues to this day.

The Communist rulers of Poland, under tremendous pressure, have made repeated attempts to curtail the limited liberties won by the Poles in the Poznan uprising. These Communist efforts have failed and I predict they will continue to fail so long as one single Pole is denied his rightful freedom and dignity.

There is reason to hope, on this seventh anniversary of the Poznan uprising, that President Kennedy will return from his very successful journey to Europe with a new formula for the eventual liberation of the captive nations without bloodshed or internal revolt.

President Kennedy has given Western Europe his unequivocal pledge that the United States will never be a party to the suppression of freedom among our allies. He has spoken with a firmness unparalleled by any other President in the history of the United States that our Nation will never compromise on the principle of freedom for our allies in Europe or for our own people.

President Kennedy dispelled any doubts regarding his stubborn determination that freedom must reign in our own country and the world when he assured the West German people that we are willing to risk our own cities in defense of liberty. He spoke magnificently of our determination to preserve freedom for those who are privileged to enjoy it.

But having said all of this, the President quite properly observed in Berlin that restoration of freedom to those who tragically do not now enjoy it, in Europe is a slow and painstaking process. The President correctly observed that while there can be no question of the ultimate unification of the German nation, this long-awaited day will not occur tomorrow.

It is quite apparent that President Kennedy has reemphasized his determination for restoration of freedom to all the nations of Europe without the risk of nuclear war. It will not surprise me, therefore, to see a new formula emerge in Europe with the full support of the West German administration. One which will call for greater economic exchange between East and West Germany; greater cultural exchanges; a stabilizing of the Berlin situation with an assurance that our integrity and sovereignty in West Berlin will not be impaired; and finally an early recognition of the western boundaries of Poland in order to help free that nation from her complete dependence on the Soviet Union and restore closer relations between Poland and Germany.

I was among those who most bitterly opposed the abstention of the United States when the crucial vote concerning recognition of the Hungarian Communist regime credentials came before the United Nations.

But, if this action is being taken as part of a calculated risk to slowly and methodically pull all of the captive nations away from Moscow rule, then indeed the whole free world must pray for the success of this maneuver.

Perhaps we are witnessing in President Kennedy's very successful trip to Europe the beginning of this long road to freedom for all of Europe.

It would appear to me the prospects of weakening the Soviet grip upon the captive nations are more favorable today than ever before. The Soviet Union, preoccupied with its internal problems with Red China on the one hand, and seeing the great promise of Communist reforms unable to live up to expectations both in the captive nations and the Soviet Union itself, on the other hand, might very well learn that this particular time is most propitious for the West to launch a gigantic effort toward peaceful liberation of the captive nations.

Mr. Speaker, we are today paying tribute to the seventh anniversary of the Poznan uprising. Man's heroic efforts to free himself from tyranny by means of blood and sword has always provided the most inspiring pages of history. In this modern world, however, with its huge tanks, cannons, massive armies, and the overwhelming shadow of nuclear destruction, the struggle for freedom can no longer be resolved by the use of armed force.

Courageous as the Poznan uprising was, the road to freedom for the Polish people and those of all the other captive nations including the Soviet Union, lies in deliberate and determined diplomacy and a resolve that there is more vigor in defending a right than in denouncing a wrong.

Our concept of human dignity and free enterprise, as we Americans know it, is the right to ultimate victory for freedom. This is the right we must always put forward. Only through increased contacts can we convince those now suffering the tyranny of communism that their greatest hope lies in alining themselves with the West and our institutions of freedom.

This is a painstaking process. But victory is within our grasp.

It is for this reason that I feel so certain that observers of the international scene have completely misjudged the real purpose of President Kennedy's mission to Europe.

They have been beguiled by his charming 3-day visit to that lovely land of the leprechaun—Ireland. They have been awed by his spectacular welcome in Germany and West Berlin. They are waiting with great expectation his visit to historic Italy and his audience with the newly elected Pope Paul VI.

However, behind all of this, I submit, Mr. Speaker, was the President's strong desire to meet with the leaders of West Germany; to work out a new course of action for the resolution of the Berlin situation and the forging of a new plan for pulling the entire Soviet satellite complex away from Moscow rule.

On this seventh anniversary of the Poznan uprising, let us all pray, therefore, that these words are not a mere hope. Let us pray they may soon become a reality.

Unlike the heroic Poznan uprising, the final victory over Communist tyranny will not be marked by huge parades and cheering crowds because it will not happen in 1 day, 1 week, or 1 month. The ultimate victory will be won through a long painstaking and deliberate determination that the erosion which follows Communist tyranny must be replaced with fresh hope, ripe for a new harvest of freedom.

On this inspiring seventh anniversary of the Poznan uprising, I pray that President Kennedy's magnificent journey has helped to sow the first seeds for this long-awaited harvest of liberty for all the people of Europe, including the determined Poles, whose heroism is exceeded only by their mature patience and unyielding dedication to human dignity.

CIVIL DEFENSE

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, these are dangerous times, and the Government is now making a survey of all buildings which have thick and strong walls—walls which might offer protection against the deadly dangers of the radioactive fallout that would follow an atomic attack. All such shelters are marked and stocked with survival supplies.

In San Antonio, we have what might be the oldest fallout shelter in the United States. It is the famous Mission Concepcion, founded in 1754.

The mission began as a church and shelter for a few courageous priests and their charges. It had to be strong, for the mission was frequently subject to attack by marauding Apache Indians.

Today this same structure is an active church, and now is designated as a shelter for 193 persons in event of an atomic attack. Its walls are thick and strong enough to still offer protection against the enemies in my area.

Mission Concepcion required some 20 years to complete, and it has been hailed by many historians as the most beautifully proportioned of all the missions. The fortress-church was built of limestone cut from nearby quarries, and decorated with colors made of pulverized field stones and goatsmilk. The once vivid colors have long since faded, but the building is sound and in an excellent state of repair.

This Saturday, June 29, 1963, at 10 a.m., I will have the pleasure of joining with the mayor of San Antonio, Bexar County officials, and representatives of the regional, State, and local civil defense for the stocking on the mission.

Part of the survival supplies will be placed in a room once used for drying and preserving meat. The original timbers used for hanging the meat in that room are still there, set solidly into the walls.

History has turned a full circle for this ancient church. It once was a fortress as well as a place of worship. It still finds a use as both. It once protected a few settlers from Indian raids, and once again will offer safety for our citizens against raids of another, of a far more terrible kind.

THE CRUEL MIGRANT LIFE

The SPEAKER pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from California [Mr. TALCOTT] is recognized for 5 minutes.

Mr. TALCOTT. Mr. Speaker, the migrant system for providing supplemental agricultural labor should be thoroughly studied by a committee of Congress. Better yet, Members of Congress would learn much by actually visiting an agricultural area during the harvest season to personally experience the migrant's plight. I would be pleased to arrange such a tour for any interested Member.

I live in John Steinbeck's home town, Salinas, Calif. "East of Eden" is my home. The Salinas Valley is one of the most productive agricultural areas in the world. "Of Mice and Men" and "Grapes of Wrath" tell some of the story of this beautiful valley—but not the whole story, of course.

One of the cruelest phases of our social-economic life is the migrant labor family. The innocent children suffer most. Until you have lived with a migrant family or have lived in a town through which the migrant families must swarm, you cannot appreciate the cruelties imposed on them by this nomadic way of life.

We mortals cannot change, to any appreciable extent, the time when crops ripen or when harvests are required.

Migrant families, not always through their own fault, seriously disrupt a community. They cause enormous policing problems—crimes and nuisances. They increase extraordinarily relief and welfare requirements. They disrupt schools—preventing local and migrant children both from achieving a proper education.

We in Congress should not encourage this nomadic way of life. The children's deprivations are, among others, a lack of security and a normal home. They lead a disrupted life, without roots, which results in permanent emotional, social, and educational scars. They do not drop out because they are never included in. They cause problems for themselves and for society. A family needs a permanent home; a migrant never has one.

Men, without their families, can more appropriately provide the supplemental agricultural labor. If certain moralists declaim that it is more immoral for a man to work for several months away from his family than to drag his family from farm to farm, then I disagree with the moralists.

A man without his family can follow the crops for several months, earn good money and save it—without dissipating it on the high costs of travel and temporary housing—and return to his permanent home and employment during the major portion of the year.

There are many moral, decent, religious, socially conscious people who believe that the bracero program is a more moral, humanitarian, and decent solution to this very tough, difficult, social-economic problem.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. ABERNETHY (at the request of Mr. ALBERT), for an indefinite period, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Fulton of Tennessee, for 10 minutes, today.

Mr. Talcott (at the request of Mr. Schadeberg), for 5 minutes, today.

Mr. Hall (at the request of Mr. Schadeberg), for 30 minutes, on August 9.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Dorn.

Mr. Fino and to include extraneous matter.

Mr. Evins and to include an address by the Postmaster General, Mr. Day, and an announcement by the Administrator of the Small Business Administration.

Mr. Short.

(The following Member (at the request of Mr. Schadeberg) and to include extraneous matter:)

Mr. Saylor.

(The following Members (at the request of Mr. Edmondson) and to include extraneous matter:)

Mr. Teague of Texas.

Mr. Healey.

Mr. Macdonald.

Mr. Flood.

Mr. Rosenthal.

Mr. Dawson.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 485. An act to amend the act entitled "An act to provide for the annual inspection of all motor vehicles in the District of Columbia," approved February 18, 1938, as amended; to the Committee on the District of Columbia.

S. 489. An act to amend the act of March 5, 1938, establishing a small claims and conciliation branch in the Municipal Court for the District of Columbia; to the Committee on the District of Columbia.

S. 490. An act to amend the act of July 2, 1940, as amended, relating to the recording of liens on motor vehicles, and trailers registered in the District of Columbia, so as to eliminate the requirement that an alphabetical file on such liens be maintained; to the Committee on the District of Columbia.

S. 743. An act to furnish to the Padre Junipero Serra 250th Anniversary Association medals in commemoration of the 250th anniversary of his birth; to the Committee on Banking and Currency.

S. 995. An act to amend the Street Readjustment Act of the District of Columbia so as to authorize the Commissioners of the District of Columbia to close all or part of a street, road, highway, or alley in accordance with the requirements of an approved redevelopment or urban renewal plan, without regard to the notice provisions of such act, and for other purposes; to the Committee on the District of Columbia.

S. 1163. An act to amend certain provisions of the Area Redevelopment Act; to the Committee on Banking and Currency.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1492. An act to provide for the sale of certain reserved mineral interests of the United States in certain real property owned by Jack D. Wishart and Juanita H. Wishart;

H.R. 1819. An act to amend the Federal Employees Health Benefits Act of 1959 to provide additional choice of health benefits plans, and for other purposes;

H.R. 1937. An act to amend the act known as the Life Insurance Act of the District of Columbia, approved June 19, 1934, and the act known as the Fire and Casualty Act of the District of Columbia, approved October 3, 1940;

H.R. 3537. An act to increase the jurisdiction of the Municipal Court for the District of Columbia in civil actions, to change the names of the court, and for other purposes;

H.R. 6791. An act to continue for 2 years the existing reduction of the exemption from duty enjoyed by returning residents, and for other purposes; and

H.J. Res. 467. Joint resolution amending section 221 of the National Housing Act to extend for 2 years the broadened eligibility presently provided for mortgage insurance thereunder.

ADJOURNMENT

Mr. EDMONDSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 51 minutes p.m.), under its previous order, the House adjourned until Monday, July 1, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

984. A letter from the Acting Secretary of State transmitting the 11th report on the extent and disposition of U.S. contributions to international organizations for the fiscal year 1962, pursuant to section 2 of Public Law 806, 81st Congress (H. Doc. No. 131); to the Committee on Foreign Affairs and ordered to be printed.

985. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions which this Service has approved according the beneficiaries of such petitions first preference classification, pursuant to the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follow:

Mr. MADDEN: Committee on Rules. House Resolution 422. Resolution taking H.R. 3872 from the Speaker's table and sending it to conference; without amendment (Rept. No. 478). Referred to the House Calendar.

Mr. ELLIOTT: Committee on Rules. House Resolution 423. Resolution for consideration of H.R. 134, a bill to provide that seat belts sold or shipped in interstate commerce for use in motor vehicles shall meet certain safety standards; without amendment (Rept. No. 479). Referred to the House Calendar.

Mr. THORNBERRY: Committee on Rules. House Resolution 424. Resolution for consideration of H.R. 3179, a bill to provide that judges of the U.S. Court of Military Appeals shall hold office during good behavior, and for other purposes; without amendment (Rept. No. 480). Referred to the House Calendar.

Mr. ELLIOTT: Committee on Rules. House Resolution 425. Resolution for consideration of H.R. 7139, a bill to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes; without amendment (Rept. No. 481). Referred to the House Calendar.

Mr. WILLIAMS: Committee on Interstate and Foreign Commerce. H.R. 4646. A bill to declare a portion of the Benton Harbor Canal, Benton Harbor, Mich., a nonnavigable stream; without amendment (Rept. No. 482). Referred to the House Calendar.

Mr. WILLIAMS: Committee on Interstate and Foreign Commerce. H.R. 2906. A bill to amend part II of the Interstate Commerce Act in order to provide an exemption from the provisions of such part for the emergency transportation of any motor vehicle in interstate or foreign commerce by towing; with amendment (Rept. No. 483). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FEIGHAN: Committee on the Judiciary. S. 312. An act for the relief of Danusia Radochonski; without amendment (Rept. No. 473). Referred to the Committee of the Whole House.

Mr. POFF: Committee on the Judiciary. S. 380. An act to amend the act of June 29, 1960 (Private Law 86-354); without amendment (Rept. No. 474). Referred to the Committee of the Whole House.

Mr. CHELF: Committee on the Judiciary. S. 409. An act for the relief of Yeng Burdick; without amendment (Rept. No. 475). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary. S. 504. An act for the relief of Domenico Martino; without amendment (Rept. No. 476). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 787. An act for the relief of Zofia Mieclelica; without amendment (Rept. No. 477). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BAKER:

H.R. 7307. A bill to amend the Internal Revenue Codes of 1939 and 1954 with respect to the apportionment of the depletion allowance between parties to contracts for the extraction of minerals or the severance of timber; to the Committee on Ways and Means.

By Mr. BOGGS:

H.R. 7308. A bill to amend the Internal Revenue Code of 1954 to allow a deduction or credit against tax for contributions to national and State political committees; to the Committee on Ways and Means.

By Mr. CEDERBERG:

H.R. 7309. A bill to amend sections 303 and 310 of the Communications Act of 1934, as amended, to provide that the Federal Communications Commission may, if it finds that the public interest, convenience, or necessity may be served, issue authorizations, but not licenses, for alien amateur radio operators to operate their amateur radio stations in the United States, its possessions, and the Commonwealth of Puerto Rico provided there is in effect a bilateral agreement between the United States and the alien's government for such operation by U.S. amateurs on a reciprocal basis; to the Committee on Interstate and Foreign Commerce.

By Mr. COHELAN:

H.R. 7310. A bill to modify conditions for reduced rate of contributions under the Federal Unemployment Tax Act; to the Committee on Ways and Means.

H.R. 7311. A bill to provide for the establishment of a program of Federal unemployment adjustment benefits, to provide for equalization grants, to extend coverage of the unemployment compensation program, to establish Federal requirements with respect to the weekly benefit amount and limit the tax credits available to employers in a State which does not meet such requirements, to establish a Federal requirement prohibiting States from denying compensation to workers undergoing training and deny tax credits to employers in a State which does not meet such requirement, to increase the wage base for the Federal unemployment tax, to increase the rate of the Federal unemployment taxes, to establish a Federal unemployment adjustment and equalization account in the unemployment trust fund, to change the annual certification date under the Federal Unemployment Tax Act, to provide for a Special Advisory Commission, and for other purposes; to the Committee on Ways and Means.

By Mr. DELANEY:

H.R. 7312. A bill to prevent the use of stopwatches or other measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mr. DERWINSKI:

H.R. 7313. A bill to amend section 231 of the Trade Expansion Act of 1962, relating to products of Communist countries or areas, to require prompt action by the President under the provisions thereof; to the Committee on Ways and Means.

By Mr. EVINS:

H.R. 7314. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. GRABOWSKI:

H.R. 7315. A bill creating a commission to be known as the Commission on Noxious and Obscene Matters and Materials; to the Committee on Education and Labor.

By Mr. HALPERN:

H.R. 7316. A bill to amend further the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

H.R. 7317. A bill to amend title 39, United States Code, with respect to advancement by step increases of certain postal field service employees; to the Committee on Post Office and Civil Service.

By Mr. KYL:

H.R. 7318. A bill to amend title I of the Housing Act of 1949 to require that any housing constructed in the redevelopment of an urban renewal area shall be designed for middle- and low-income groups, to prevent the demolition of areas containing housing in good or restorable condition, and for other purposes; to the Committee on Banking and Currency.

H.R. 7319. A bill to amend the District of Columbia Redevelopment Act of 1945 to insure that urban renewal projects in the District will not destroy areas containing structures in good or restorable condition or result in the construction of housing beyond the means of middle- or low-income families, and for other purposes; to the Committee on the District of Columbia.

By Mr. McDOWELL:

H.R. 7320. A bill to amend title 38, United States Code, so as to increase rates of disability and death pension payable thereunder and revise the income limitations applicable thereto, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MONAGAN:

H.R. 7321. A bill to establish certain qualifications for election to the offices of President and Vice President of the United States; to the Committee on House Administration.

H.R. 7322. A bill to establish a Federal Presidential Election Board to conduct preference primaries in connection with the nomination of candidates for President; to the Committee on House Administration.

By Mr. OLSEN of Montana:

H.R. 7323. A bill to provide that court for the U.S. District Court for the District of Montana shall be held at Bozeman; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 7324. A bill to repeal the cabaret tax; to the Committee on Ways and Means.

By Mr. ROGERS of Texas:

H.R. 7325. A bill to provide for the conveyance of certain real property of the United States located at the Veterans' Administration hospital near Amarillo, Tex., to the Amarillo Hospital District of Amarillo, Potter County, Tex.; to the Committee on Government Operations.

By Mr. ROSENTHAL:

H.R. 7326. A bill to amend section 213 of the National Housing Act to place the Federal Housing Administration cooperative housing mortgage insurance programs on a mutual basis, and to authorize loans to cooperatives under such program for replacements, improvements, and repairs; to the Committee on Banking and Currency.

H.R. 7327. A bill to amend the act of June 6, 1933, as amended, to authorize the Secretary of Labor to develop and maintain improved, voluntary methods of recruiting, training, transporting, and distributing agricultural workers, and for other purposes; to the Committee on Education and Labor.

By Mr. STAEBLER:

H.R. 7328. A bill to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in education, to establish a Community Relations Service, to extend for 4 years the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes; to the Committee on the Judiciary.

By Mr. TUCK:

H.R. 7329. A bill to amend the criminal laws of the United States to prohibit any person from crossing State lines for the purpose of violating the laws of any State; to the Committee on the Judiciary.

By Mr. WHARTON:

H.R. 7330. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. WYDLER:

H.R. 7331. A bill to provide that motor vehicles manufactured after a certain date and to be sold or shipped in interstate commerce shall be equipped with seat belts; to the Committee on Interstate and Foreign Commerce.

By Mr. CAHILL:

H.R. 7332. A bill granting the consent of Congress to a further supplemental compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania concerning the Delaware River Port Authority, formerly the Delaware River Joint Commission, and for other purposes; to the Committee on Public Works.

By Mr. CURTIS:

H.R. 7333. A bill to repeal the provisions of the act of March 3, 1901, relating to packing boxes for the use of the House of Representatives; to the Committee on House Administration.

By Mr. GURNEY:

H.R. 7334. A bill to establish the Federal Housing Administration as an independent agency in the executive branch of the Government; to the Committee on Banking and Currency.

H.R. 7335. A bill to amend the act of May 21, 1928, relating to standards of containers for fruits and vegetables, to permit the use of additional standard containers; to the Committee on Science and Astronautics.

By Mr. HALPERN:

H.R. 7336. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, to provide for labeling of economic poisons with registration numbers, to eliminate registration under protest, and for other purposes; to the Committee on Agriculture.

By Mr. HARRIS:

H.R. 7337. A bill to amend the Federal Power Act with respect to foreign commerce in electric energy; to the Committee on Interstate and Foreign Commerce.

By Mr. HALPERN:

H.R. 7338. A bill to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in education, to establish a Community Relations Service, to extend for 4 years the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes; to the Committee on the Judiciary.

By Mr. MILLIKEN:

H.R. 7339. A bill granting the consent of Congress to a further supplemental compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania concerning the Delaware River Port Authority, formerly the Delaware River Joint Commission, and for other purposes; to the Committee on Public Works.

By Mr. MORSE:

H.R. 7340. A bill to amend the Arms Control and Disarmament Act in order to increase the authorization for appropriations and to modify the personnel security procedures for contractor employees; to the Committee on Foreign Affairs.

By Mr. TALCOTT:

H.R. 7341. A bill to provide for the modification of the existing project for San Luis Obispo Harbor, Calif., including its renaming as Port San Luis, Calif; to the Committee on Public Works.

By Mr. ULLMAN:

H.R. 7342. A bill to amend the Internal Revenue Code of 1954 to authorize partial refunds of the excise taxes paid on gasoline which is used by trucks hauling logs and other raw forest products; to the Committee on Ways and Means.

By Mr. MATHIAS:

H.R. 7343. A bill to require the establishment of congressional districts within any one State containing approximately the same number of inhabitants; to the Committee on the Judiciary.

By Mr. LIPSCOMB:

H.J. Res. 523. Joint resolution proposing an amendment to the Constitution of the United States permitting the right to read from the Holy Bible and to offer nonsectarian prayers in the public schools or other public places if participation therein is not compulsory; to the Committee on the Judiciary.

By Mr. PELLY:

H.J. Res. 524. Joint resolution to authorize the President to proclaim October 9 in each year as Leif Erikson Day; to the Committee on the Judiciary.

By Mr. SHRIVER:

H.J. Res. 525. Joint resolution expressing the determination of the United States with respect to the situation in Cuba and the Western Hemisphere; to the Committee on Foreign Affairs.

By Mr. WHARTON:

H.J. Res. 526. Joint resolution proposing an amendment to the Constitution of the United States permitting the offering of prayers and the reading of the Bible in public schools or other public bodies in the United States; to the Committee on the Judiciary.

By Mr. HALL:

H.J. Res. 527. Joint resolution expressing the determination of the United States with respect to the situation in Cuba and the Western Hemisphere; to the Committee on Foreign Affairs.

By Mr. KORNEGAY:

H.J. Res. 528. Joint resolution proposing an amendment to the Constitution of the United States permitting the offering of prayers and the reading of the Bible in public schools or other public bodies in the United States; to the Committee on the Judiciary.

By Mr. ANDERSON:

H.J. Res. 529. Joint resolution expressing the determination of the United States with respect to the situation in Cuba and the Western Hemisphere; to the Committee on Foreign Affairs.

By Mr. DEL CLAWSON:

H. Con. Res. 188. Concurrent resolution designating Presidents' Day; to the Committee on the Judiciary.

By Mr. STEED:

H. Con. Res. 189. Concurrent resolution expressing the sense of Congress that the Southwest regional water laboratory should be known as the "Robert S. Kerr Water Research Center"; to the Committee on Public Works.

By Mr. ST. ONGE:

H. Res. 420. Resolution congratulating the town of Pomfret, Conn., on its 250th anniversary; to the Committee on the Judiciary.

By Mr. GURNEY:

H. Res. 421. Resolution expressing the sense of the House of Representatives with respect to the retention in the District of Columbia of a master control record of the Department of the Air Force; to the Committee on Armed Services.

MEMORIALS

Under clause 4 of rulue XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Florida, memorializing the President and the Congress of the United States relative to deploring and condemning the decision of the Supreme Court of the United States for banning Bible reading and recital of the Lord's prayer in public schools; to the Committee on the Judiciary.

Also, a memorial of the Legislature of the State of North Carolina, memorializing the President and the Congress of the United States to reaffirm the State workmen's compensation system as the basic program for providing work-connected injuries and disease benefits; to the Committee on Education and Labor.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. EDWARDS:

H.R. 7344. A bill for the relief of Manuel Lopez Pedroza; to the Committee on the Judiciary.

By Mr. FALLON:

H.R. 7345. A bill for the relief of H. Ali Iravani; to the Committee on the Judiciary.

By Mr. FORD:

H.R. 7346. A bill for the relief of Cornelis Van Nuis, M.D., U.S. Public Health Service; to the Committee on the Judiciary.

By Mr. HANNA:

H.R. 7347. A bill for the relief of Teresa Elliopoulos and Anastasia Elliopoulos; to the Committee on the Judiciary.

By Mr. JENNINGS:

H.R. 7348. A bill for the relief of Frank B. Rowlett; to the Committee on the Judiciary.

By Mr. MURPHY of Illinois:

H.R. 7349. A bill for the relief of Filemon C. Yao; to the Committee on the Judiciary.

By Mr. SHELLEY:

H.R. 7350. A bill for the relief of Mrs. Anna Sun (Kuo-fang Kai Sun); to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

172. By Mr. SHRIVER: Resolution of Democratic precinct committeemen and women of the fifth ward, Wichita, Kans., endorsing and commending President Kennedy's civil rights legislative program and urging passage of that program; to the Committee on the Judiciary.

173. By The SPEAKER: Petition of Richard F. Kuehnle, Silver Eagles Rescue, International, Walbridge, Ohio, relative to transmitting the charter and constitution of the Silver Eagles Rescue, International, to the Congress of the United States; to the Committee on the Judiciary.

SENATE

THURSDAY, JUNE 27, 1963

The Senate met at 12 o'clock meridian, and was called to order by Hon. LEE METCALF, a Senator from the State of Montana.

Rabbi Harold P. Smith, of the Congregation Agudath Achim, of South Shore, Chicago, Ill., offered the following prayer:

Almighty Father, we thank Thee, O God, for the gift of another day of life.

As the Members of this august body prepare to use this day for deliberations and actions which will affect the lives and destinies, not only of their own countrymen, but of all humans everywhere, we invoke Thy gracious blessings upon them.

Bless Thou, we pray Thee, our Chief Executive, the President of the United States, and our distinguished legislators, with the good health, the courage, and the wisdom so to act this day that the crises of our world will be lessened, the tensions alleviated, the frictions mitigated, and the hatreds dissolved into love and friendship and understanding.

May the qualities of mind and soul which we, their fellow citizens, saw in them in measure great enough to entrust them with our very destinies, be reflected in their sensitivities and responsiveness to the sufferings, the struggles, and the pains of many who, as we do, seek the fundamental blessings of life, liberty, and unhampered pursuit of happiness, wherever they may be.

May they honor the deep trust we have placed in them by finding, this day, new vistas of insight which Thou alone canst supply, that they may shed a new and alleviating light upon the crucial issues which oft divide us one from another in these critical days when unity and love are so vitally needed for survival.

Help us, O Lord, help us, that we, in these glorious and blessed United States of America, shall indeed be united States, and that all of us shall approach and solve our problems, with love and understanding, in a united state. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., June 27, 1963.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. LEE METCALF, a Senator from the State of Montana, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. METCALF thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, June 26, 1963, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 1359) to provide for an additional Assistant Secretary in the Treasury Department.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6791) to continue for 2 years the existing reduction of the exemption from the duty enjoyed by returning residents, and for other purposes.

The message further announced that the House had passed a bill (H.R. 7179) making appropriations for the Department of Defense for the fiscal year ending June 30, 1964, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Acting President pro tempore:

H.R. 1492. An act to provide for the sale of certain reserved mineral interests of the United States in certain real property owned by Jack D. Wishart and Juanita H. Wishart;

H.R. 1819. An act to amend the Federal Employees Health Benefits Act of 1959 to provide additional choice of health benefits plans, and for other purposes;

H.R. 1937. An act to amend the act known as the "Life Insurance Act" of the District of Columbia, approved June 19, 1934, and the act known as the Fire and Casualty Act of the District of Columbia, approved October 3, 1940;

H.R. 3537. An act to increase the jurisdiction of the Municipal Court for the District of Columbia in civil actions, to change the names of the court, and for other purposes;

H.R. 6791. An act to continue for 2 years the existing reduction of the exemption from duty enjoyed by returning residents, and for other purposes; and

H.J. Res. 467. Joint resolution amending section 221 of the National Housing Act to extend for 2 years the broadened eligibility presently provided for mortgage insurance thereunder.

HOUSE BILL REFERRED

The bill (H.R. 7179) making appropriations for the Department of Defense for the fiscal year ending June 30, 1964, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

LIMITATION OF STATEMENTS DURING MORNING HOUR

On request of Mr. MANSFIELD, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

ANNOUNCEMENT OF POSITION ON CERTAIN VOTES

Mr. LONG of Louisiana. Mr. President, on June 24, 1963, at the time of the yea-and-nay vote—No. 107—on the Cotton amendment to the bill H.R. 6755, to provide a 1-year extension of the existing corporate normal tax rate, and of certain excise tax rates; and, on the same date, on the vote—No. 108—on passage of House bill 3872, relating to the increase of lending authority of the Export-Import Bank, I was absent on official business. Had I been present and voting, on vote No. 107 I would have voted "nay"; and on vote 108, "yea."

CONCURRENT RESOLUTIONS OF TEXAS LEGISLATURE

Mr. TOWER. Mr. President, I would like to place in the RECORD three concurrent resolutions passed by the Texas Legislature and forwarded to me for consideration by this Congress.

All three resolutions beg of Congress that a constitutional convention be called for the following purposes:

First. To alter the method by which votes of the presidential electors are apportioned.

Second. To amend article V of the Constitution as regards the amendatory processes.

Third. To remove the process of apportioning State legislators from Federal judicial review.

I ask unanimous consent to place them in the RECORD, as an expression of the Texas Legislature on these matters, and referred to the appropriate committee.

There being no objection, the concurrent resolutions were received and referred to the Committee on the Judiciary, as follows:

HOUSE CONCURRENT RESOLUTION 22

Whereas the relationship that exists between the Federal Government and the governments of the States is a matter of vital concern; and

Whereas it is important to maintain this relationship in the manner that was intended by the framers of the Constitution of the United States; and

Whereas it is considered that recent Federal judicial decisions create an imbalance of power tending to increase concentration of authority in the Federal Government over matters of local concern to the several States and the citizens thereof; and

Whereas apportionment of a State legislature is considered to be a matter of concern to the States alone and to the people thereof acting and exercising their rights inherent as citizens of their State and as citizens of the United States: Now, therefore, be it

Resolved by the house of representatives (the senate concurring), That this legislature respectfully petitions the Congresss of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States.

"ARTICLE —

"SECTION 1. No provision of this Constitution, or any amendment thereto, shall restrict or limit any State in the apportionment of representation in its legislature.

"SEC. 2. The judicial power of the United States shall not extend to any suit in law or equity, or to any controversy, relating to apportionment of representation in a State legislature.

"SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission;" and be it further

Resolved, That if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to January 1, 1965, this application for a convention shall no longer be of any force or effect; and be it further

Resolved, That a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and to each Member of the Congress from this State.

PRESTON SMITH,
President of the Senate.
BYRON TUNNELL,
Speaker of the House.

Adopted by the house on March 12, 1963.

DOROTHY HALLMAN,
Chief Clerk of the House.

Adopted by the senate on April 4, 1963.

CHARLES SCHNABEL,
Secretary of the Senate.

HOUSE CONCURRENT RESOLUTION 21

Whereas article V of the U.S. Constitution deals with the procedures by which that Constitution may be amended; and

Whereas the fact that the convention method set out in the said article V has never been employed due to uncertainty as to how the convention is to be organized and who is to participate in it; and

Whereas it would appear that the said article V should be amended so as to simplify State initiation of proposed amendments; Now, therefore, be it

Resolved by the House of Representatives of the State of Texas (the Senate concurring), That this legislature respectfully petitions the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States.

"ARTICLE—

"SECTION 1. Article V of the Constitution of the United States is hereby amended to read as follows:

" 'The Congress, whenever two-thirds of both Houses shall deem it necessary, or, on the application of the legislatures of two-thirds of the several States, shall propose amendments to this Constitution, which shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three-fourths of the several States. Whenever applications from the legislatures of two-thirds of the total number of States of the United States shall contain identical texts of an amendment to be proposed, the President of the Senate and the Speaker of the House of Representatives shall so certify, and the amendment as contained in the application shall be deemed to have been proposed, without further action by Congress. No State, without its consent, shall be deprived of its equal suffrage in the Senate.'

"SEC. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission."; and be it further

Resolved, That if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to January 1, 1965, this application for a convention shall no longer be of any force or effect; and be it further

Resolved, That a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and to each Member of the Congress from this State.

BYRON TUNNELL,
Speaker of the House.
PRESTON SMITH,
President of the Senate.

Adopted by the house on March 14, 1963.

DOROTHY HALLMAN,
Chief Clerk of the House.

Adopted by the senate on May 2, 1963.

CHARLES SCHNABEL,
Secretary of the Senate.

HOUSE CONCURRENT RESOLUTION 29

Whereas under the Constitution of the United States presidential and vice presidential electors in the several States are now elected on a statewide basis, each State being entitled to as many electors as it has Senators and Representatives in Congress; and

Whereas the presidential and vice-presidential electors who receive the plurality of the popular vote in a particular State become entitled to cast the total number of electoral votes allocated to that State irrespective of how many votes may have been cast for other elector candidates; and

Whereas this method of electing the President and Vice President is unfair and unjust in that it does not reflect the minority votes cast; and

Whereas the need for a change has been recognized by Members of Congress on numerous occasions through the introduction of various proposals for amending the Constitution: Now, therefore, be it

Resolved by the House of Representatives of the State of Texas (the Senate concurring), That application is hereby made to Congress under article V of the Constitution of the United States for the calling of a convention to propose an article of amendment to the Constitution providing for a fair and just division of the electoral votes within the States in the election of the President and Vice President; and be it further

Resolved, That if and when Congress shall have proposed such an article of amendment this application for a convention shall be deemed withdrawn and shall be no longer of any force and effect; and be it further

Resolved, That the Governor be and he is hereby directed to transmit copies of this application to the Senate and House of Representatives of the United States, and to the several Members of said bodies representing this State therein; also to transmit copies hereof to the legislatures of all other States of the United States.

BYRON TUNNELL,
Speaker of the House.
PRESTON SMITH,
President of the Senate.

Adopted by the house on May 17, 1963.

DOROTHY HALLMAN,
Chief Clerk of the House.

Adopted by the senate on May 22, 1963.

CHARLES SCHNABEL,
Secretary of the Senate.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ENGLE, from the Committee on Armed Services, with amendments:

S. 546. A bill to authorize the Secretary of the Navy to grant easements for the use of lands in the Camp Joseph H. Pendleton Naval Reservation, Calif., for a nuclear electric generating station (Rept. No. 315).

By Mr. GOLDWATER, from the Committee on Armed Services, without amendment:

S.J. Res. 51. Joint resolution to authorize the presentation of an Air Force Medal of Recognition to Maj. Gen. Benjamin D. Foulois, retired.

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 280. A bill for the relief of Etsuko Matsuo McClellan (Rept. No. 316);

S. 568. A bill for the relief of Denis Ryan (Rept. No. 317);

S. 733. A bill for the relief of Yung Yuen Yau (Rept. No. 318);

S. 753. A bill for the relief of Mrs. Giuseppa Rafala Monarca (Rept. No. 319);

S. 901. A bill for the relief of William Herbert vom Rath (Rept. No. 320);

S. 1201. A bill for the relief of Dr. James T. Maddux (Rept. No. 321);

S. 1230. A bill for the relief of Carlton M. Richardson (Rept. No. 340);

S. 1489. A bill for the relief of J. Arthur Fields (Rept. No. 339);

H.R. 1267. An act for the relief of Lawrence E. Bird (Rept. No. 325).

H.R. 1275. An act for the relief of Miss Ann Super (Rept. No. 326);

H.R. 1292. An act for the relief of Carmela Calabrese DiVito (Rept. No. 327);

H.R. 1332. An act for the relief of Mario Rodrigues Fonseca (Rept. No. 328);

H.R. 1736. An act for the relief of Assunta DiLella Codella (Rept. No. 329);

H.R. 3356. An act for the relief of Josephine Maria (Bonaccorso) Bowtell (Rept. No. 330);

H.R. 4214. An act for the relief of the Stella Reorganized Schools R–I, Missouri (Rept. No. 331); and

H.R. 4773. A bill for the relief of Leroy Smallenberger, a referee in bankruptcy (Rept. No. 332).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 296. A bill for the relief of Anne Marie Kee Tham (Rept. No. 322);

S. 538. A bill for the relief of Henry Bang Williams (Rept. No. 323); and

H.R. 1518. An act for the relief of Barbara Theresa Lazarus (Rept. No. 333).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 496. A bill for the relief of Enrico Agostini and Celestino Agostini (Rept. No. 324).

By Mr. YARBOROUGH, from the Committee on Labor and Public Welfare, without amendment:

S. 330. A bill to amend chapter 35 of title 38, United States Code, to provide that after the expiration of the Korean conflict veterans' education and training program, approval of courses under the war orphan's educational assistance program shall be by State approving agencies (Rept. No. 334).

By Mr. MAGNUSON, from the Committee on Commerce, without amendment:

S. 1064. A bill to amend the act redefining the units and establishing the standards of electrical and photometric measurements to provide that the candela shall be the unit of luminous intensity (Rept. No. 336).

By Mr. MAGNUSON, from the Committee on Commerce, with amendments:

S. 1291. A bill to authorize the Secretary of Commerce to employ aliens in a scientific or technical capacity (Rept. No. 335).

AIR FORCE MEDAL OF RECOGNITION TO MAJ. GEN. BENJAMIN D. FOULOIS, RETIRED

Mr. GOLDWATER subsequently said: Mr. President, the distinguished majority leader was talking about proposed legislation and the cleanliness of the calendar.

Earlier today Senate Joint Resolution 51 was reported from the Committee on Armed Services. I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER (Mr. BAYH in the chair). The joint resolution will be stated.

The legislative clerk read as follows:

Whereas Major General Benjamin D. Foulois (retired) enlisted in the Army Corps of Engineers on July 7, 1898, was subsequently commissioned as an officer in the Army, became associated with the aviation section of the Signal Corps of the Army in 1908, and qualified as a pilot in 1909; and

Whereas during the punitive expedition into Mexico in 1915 and 1916, he commanded the First Aero Squadron with that expedition; and

Whereas during World War I he served as Chief of the Air Services of the American Expeditionary Forces in France, was elevated to the post of Assistant Chief of the Air Corps in 1927, became Chief of the Army Air Corps in 1931, and continued in that assignment until his retirement as a major general on December 31, 1935; and

Whereas Major General Benjamin D. Foulois (retired), during his twenty-seven years of commissioned service, played a major role in the development of the role of military air power and of the military department now having primary cognizance over military air power, the United States Air Force; and

Whereas General Foulois, now nearly eighty-four years of age, has devoted twenty-seven years in a retired status to the furtherance of aviation, which matches the twenty-seven years of his active commissioned service in behalf of aviation, and totals fifty-four years of uninterrupted dedication and service to the development of aviation; and

Whereas military decorations and awards in specific recognition of aviation service were not authorized during the active military career of General Foulois and he has, therefore, never received a military decoration or award for such service: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Air Force is authorized to cause an appropriate medal to be struck, with suitable emblems, devices, and inscriptions, in recognition of more than fifty years of devoted service by Major General Benjamin D. Foulois (retired) to the advancement of aviation and to present said medal to Major General Benjamin D. Foulois (retired), together with a copy of this joint resolution engrossed on parchment.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, such sum as may be necessary to carry out the provisions of this joint resolution.

Mr. GOLDWATER. Mr. President, General Foulois, now nearly 82 years old, began his career in the Army Corps of Engineers on July 7, 1898, as an enlisted man. He was later commissioned in the Army. In 1908 he became associated with the aviation section of the Signal Corps of the Army, and he has the distinction of being the officer placed in charge of the first airplane owned and used by the Army. This assignment had its problems for General Foulois, because he had not been trained as a pilot. He secured much of his training from the Wright brothers, by correspondence. They must have furnished him with very fine instructions, because he took that airplane, learned to fly it, and proceeded to fly airplanes for the rest of his career. During the punitive expedition into Mexico in 1915 and 1916, he commanded the first aero squadron with that expedition. During World War I, he serves as Chief of the Air Service of the American Expeditionary Forces in France. After that distinguished service, he served as military attaché and as military observer in various posts in Europe. When he returned to this country, he became the commanding officer of Mitchell Field, N.Y., in 1925. He was elevated to the post of Assistant Chief of the Air Corps in 1927; and in 1931 he became the Chief of the Air Corps, a post which he held until his retirement in December 1935.

During his long career in the beginning days of airpower, he played a major role in the development of the U.S. Air Force that we know today.

Despite his role, General Foulois has never been awarded a flying award by his Nation. I feel that the time has come for this omission to be corrected.

The PRESIDING OFFICER. Is there objection to the present consideration of the Senate joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. GOLDWATER. Mr. President, the joint resolution would authorize the Air Force to strike an appropriate medal to recognize the 50-odd years of dedicated service to airpower by Maj. Gen. Benjamin D. Foulois.

Senators will recall that last year the Senate adopted a similar resolution calling for the award of the Distinguished Flying Cross. The House Committee on Armed Services will not issue existing decorations by legislation. I believe that is a very wise course to take. Therefore, a number of us in the Senate resubmitted the join resolution under the title of Senate Joint Resolution 51.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the third reading of the joint resolution.

The joint resolution (S.J. Res. 51) was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

IMPROVEMENT OF ACTIVE DUTY PROMOTION OPPORTUNITY OF CERTAIN AIR FORCE OFFICERS (S. REPT. NO. 337)

Mr. SYMINGTON. Mr. President, from the Committee on Armed Services, I report an original bill to improve the active duty promotion opportunity of Air Force officers from the grade of major to the grade of lieutenant colonel, and I submit a report thereon.

The PRESIDING OFFICER. The report will be received and the bill will be placed on the calendar.

The bill (S. 1809) to improve the active duty promotion opportunity of Air Force officers from the grade of major to the grade of lieutenant colonel was read twice by its title and placed on the calendar.

PROMOTION OF STATE COMMERCIAL FISHERY RESEARCH AND DEVELOPMENT PROJECTS—MINORITY VIEWS (S. REPT. NO. 338)

Mr. BARTLETT. Mr. President, from the Committee on Commerce I report favorably, with an amendment, the bill (S. 627) to promote State commercial fishery research and development projects, and for other purposes, and I submit a report thereon.

I ask unanimous consent that the report may be printed, together with minority views of Senators COTTON, LAUSCHE, PROUTY, and CANNON.

The PRESIDING OFFICER. The report will be received, and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Alaska.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. RUSSELL, from the Committee on Armed Services:

Adm. David Lamar McDonald, U.S. Navy, to be appointed as Chief of Naval Operations.

By Mrs. SMITH, from the Committee on Armed Services:

Eugene G. Fubini, of New York, to be an Assistant Secretary of Defense; and

Alexander Henry Flax, of New York, to be an Assistant Secretary of the Air Force.

By Mr. EASTLAND, from the Committee on the Judiciary:

Guy W. Hixon, of Florida, to be U.S. marshal for the southern district of Florida.

By Mr. KEATING, from the Committee on the Judiciary:

John M. Cannella, of New York, to be U.S. district judge for the southern district of New York.

By Mr. JOHNSTON, from the Committee on the Judiciary:

J. Lindsay Almond, Jr., of Virginia, to be associate judge of the Court of Customs and Patent Appeals; and

Harry Phillips, of Tennessee, to be U.S. circuit judge for the sixth circuit.

EXECUTIVE REPORTS OF COMMITTEE ON ARMED SERVICES

Mr. INOUYE. Mr. President, from the Committee on Armed Services, I report favorably the nomination of Maj. Gen. Winston P. Wilson, to be Chief of the National Guard Bureau, and the nominations of five flag officers of the Navy and four Air Force general officers, as well as one Military Academy cadet for appointment in the Regular Army as second lieutenant. I ask that these names be placed on the Executive Calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations, ordered to be placed on the Executive Calendar, are as follows:

Maj. Gen. Winston Peabody Wilson, a Reserve commissioned officer of the U.S. Air Force, member of the Air National Guard of the United States, to be Chief of the National Guard Bureau;

Col. William H. Clarke, Montana Air National Guard; Col. Homer G. Goebel, North Dakota Air National Guard; Col. Kenneth E. Keene, Indiana Air National Guard; and Col. Frederick P. Wenger, Ohio Air National Guard, for appointment as Reserve commissioned officers in the U.S. Air Force;

Vice Adm. Charles D. Griffin, U.S. Navy, for commands and other duties determined by the President, in the grade of admiral while so serving;

Rear Adm. Lawson P. Ramage, U.S. Navy, Rear Adm. Ray C. Needham, U.S. Navy; and Rear Adm. Paul H. Ramsey, U.S. Navy, for commands and other duties determined by the President, in the grade of vice admiral while so serving;

Vice Adm. Frank O'Beirne, U.S. Navy, to be placed on the retired list in the grade of vice admiral; and

Derwin B. Pope, U.S. Military Academy, for appointment in the Regular Army of the United States.

Mr. INOUYE. Mr. President, in addition, I report favorably a group of appointments and promotions in the Army in the grade of lieutenant colonel and below. Since these names have already been printed in the CONGRESSIONAL RECORD, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

James B. Scherer, and sundry other officers, for promotion in the Regular Army of the United States.

Mr. INOUYE subsequently said: Mr. President, as in executive session, I ask unanimous consent that the 1,466 nominations of officers for permanent appointment to the grade of major in the Regular Army, reported earlier today by me from the Committee on Armed Services, be confirmed en bloc.

These officers are being promoted under laws that require, for those selected, promotion by the 14th anniversary of their appointment. The 14th anniversary of the appointment of many of these officers occurs July 1. Through an administrative oversight these nominations were late in being processed and submitted to the Congress. Because of the special circumstances, and on behalf of the Committee on Armed Services, I ask unanimous consent that, as in executive session, these nominations be confirmed immediately.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc; and without objection, the President will be immediately notified of the confirmation of the nominations.

NOMINATION OF GEN. CURTIS LEMAY TO BE CHIEF OF STAFF, U.S. AIR FORCE

Mrs. SMITH. Mr. President, as in executive session, from the Committee on Armed Services, I report favorably the nomination of Gen. Curtis E. LeMay to be reappointed as Chief of Staff of the Air Force for a term of 1 year. Since General LeMay's current appointment expires at noon on June 30, I ask unanimous consent that this nomination be confirmed immediately. This request is made on behalf of the Committee on Armed Services.

Mr. President, it is with great pleasure that I report to the Senate the President's nomination of Gen. Curtis LeMay to a second term as Chief of Staff of the U.S. Air Force and the unanimous recommendation of the Committee on Armed Services that the nomination be confirmed.

General LeMay has served our Nation with great honor and courage and wisdom. Not only has he demonstrated outstanding physical courage in military combat, but he has also shown great moral courage of his convictions in the administration of his duties as Chief of Staff of the Air Force.

The President's selection of him for a second term is most gratifying. My only regret is that the term is not for longer duration.

The PRESIDING OFFICER. Is there objection?

Mr. SYMINGTON. Mr. President, reserving the right to object—and I shall not object—I support with pleasure and pride the request made by the distinguished senior Senator from Maine. General LeMay is one of the great military figures of our time. He has one of the most outstanding records of anyone in the history of our military services.

There has been some talk that his appointment for only 1 year was, in effect, not so much of a compliment and reward for his services as it would have been if it had been for 2 years. Knowing the facts, I assure the Senate that in no sense was this appointment for 1 year a criticism of his past activities or a reflection upon his magnificent career. Every American can be gratified at this further recognition of his dedicated service.

I join the distinguished senior Senator from Maine in asking unanimous consent that the appointment be approved at this time, and thank the Senator for her courtesy in yielding to me.

Mr. MANSFIELD. Mr. President, reserving the right to object—and I shall not object—I wish to join my distinguished colleague, the senior Senator from Maine, who is reporting to the Senate the nomination of Gen. Curtis LeMay, and also my distinguished colleague senior Senator from Missouri [Mr. Symington], who was the first Secretary of the Air Force, in saying I think this is an excellent extension of the appointment of a man who has proved himself under great stress and difficulty, a man whom we all admire, and a man who, I am sure, will have the unanimous approval of the Senate in the confirmation of the nomination now before it.

Mrs. SMITH. I thank the distinguished majority leader and also the distinguished Senator from Missouri.

The PRESIDING OFFICER. The nomination will be stated by the clerk.

The Legislative Clerk. Gen. Curtis E. LeMay, U.S. Air Force, to be reappointed as Chief of Staff of the U.S. Air Force for a term of 1 year.

The PRESIDING OFFICER. Is there objection to the present consideration of the nomination?

Mr. PROXMIRE. Mr. President, reserving the right to object—and I shall, of course, not object—I wish to say I have great admiration and respect for General LeMay. He has a brilliant record. We rely on our Air Force as the prime deterrent to attack, and it has advanced with remarkable adaptability in this very complex and difficult day.

I should like to ask the distinguished Senator from Maine why the rules are being suspended and the nomination of General LeMay is being approved now, rather than being taken up in the regular order.

Mrs. SMITH. Mr. President, by way of explanation, it was feared that the Senate would not be considering nominations at its session tomorrow.

Mr. PROXMIRE. I thank the Senator. I understand that his term therefore might expire. Is that correct?

Mrs. SMITH. His term would expire on Sunday, June 30.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mrs. SMITH. I am glad to yield to the Senator from California [Mr. Kuchel].

Mr. KUCHEL. I am delighted that our very able colleague, the senior Senator from Maine [Mrs. Smith] has asked and received unanimous consent to proceed immediately to the confirmation of the nomination of a very great and gallant American airman, who represents to the free world and to the world on the other side of the curtain the might and the vigor and the courage of the U.S. Air Force to the cause of America's freedom. I say to my colleague, as well as to the Chief of Staff of the Air Force, that now, with the enthusiastic approval of the Senate, under the leadership of the Senator from Maine, we demonstrate to the world that we intend to continue to rely on the same basic strength and dedication of purpose which General LeMay has always evidenced in his lifelong military career.

Mr. ENGLE. Mr. President, will the Senator yield to me?

Mrs. SMITH. I am glad to yield to the Senator from California [Mr. Engle].

Mr. ENGLE. Mr. President, I am especially delighted that the "Old Bomber" is being continued in his present post. I am proud of the fact that I am an Air Force Reserve officer. I have valued the friendship of General LeMay over a great many years. I have admired his impressive war record.

I think it does something, too, for our country, if those who may be our opponents know that the man we call the "Old Bomber" is Chief of Staff of the Air Force. I think it adds something to the prestige, power, and determination of this country to have the kind of leadership he would give to this country in a time of great crisis, if it should ever arise.

I am delighted indeed that the distinguished Senator from Maine has presented this nomination today. I heartily and thoroughly endorse the nomination, as did the Committee on Armed Services.

Mr. HOLLAND. Mr. President, reserving the right to object—and, of course, I shall not object—I approve everything that has been said by the Senator from Maine and the other Senators who have spoken in support of this nomination. I am so glad General LeMay is receiving a part of the credit he has so well earned.

I rise for a partly sentimental reason. I think I am the only Member of Congress whose service in the Air Force goes back to the days of the old, first Air Force under Billy Mitchell. Speaking as a member of that old, first Air Force, I want to say I am delighted to join in the request for the confirmation of the nomination of an air hero of the United States, Gen. Curtis LeMay.

The PRESIDING OFFICER. Is there objection to the consideration of the nomination? The Chair hears none.

The question is, Shall the Senate advise and consent to the nomination?

The nomination is confirmed.

Without objection, the President will be immediately notified of the confirmation of the nomination.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. RIBICOFF (for himself, Mr. Mansfield, Mr. Dirksen, and Mr. Morton):

S. 1803. A bill to provide assistance to States for experimental projects to provide constructive work experience and training related to securing and holding employment; to the Committee on Finance.

(See the remarks of Mr. Ribicoff when he introduced the above bill, which appear under a separate heading.)

By Mr. BREWSTER:

S. 1804. A bill for the relief of Sotirios John Pappathasiou; to the Committee on the Judiciary.

By Mr. ENGLE (for himself and Mr. Kuchel):

S. 1805. A bill relating to the use by the Secretary of the Interior of land at La Jolla, Calif., donated by the University of California for a marine biological research laboratory, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PROXMIRE (for himself and Mr. Cooper):

S. 1806. A bill prohibiting the Architect of the Capitol from performing certain functions with respect to plans for buildings located, or to be located, on the Capitol Grounds; to the Committee on Public Works.

(See the remarks of Mr. Proxmire when he introduced the above bill, which appear under a separate heading.)

By Mr. GRUENING (for himself, Mr. Bartlett, Mr. McGovern, and Mr. Simpson):

S. 1807. A bill to amend the Internal Revenue Code of 1954 to remove limitations on deductions for exploration expenditures; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Gruening when he introduced the above bill, which appear under a separate heading.)

By Mr. RIBICOFF:

S. 1808. A bill for the relief of Martin Gerald Freeman; to the Committee on the Judiciary.

By Mr. SYMINGTON:

S. 1809. A bill to improve the active duty promotion opportunity of Air Force officers from the grade of major to the grade of lieutenant colonel; placed on the calendar.

(See the remarks of Mr. Symington when he reported the above bill, which appears under the heading "Reports of Committees.")

By Mr. HRUSKA (for himself, Mr. Curtis, Mr. Mundt, Mr. McClellan, and Mr. Miller):

S. 1810. A bill to amend the act of October 4, 1961 (Public Law 87-383), so as to permit the use within Canada of certain funds appropriated pursuant to such act for the conservation of migratory waterfowl; to the Committee on Commerce.

(See the remarks of Mr. Hruska when he introduced the above bill, which appear under a separate heading.)

By Mr. JOHNSTON (for himself and Mr. Hruska):

S. 1811. A bill to amend the Expediting Act, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Johnston when he introduced the above bill, which appear under a separate heading.)

By Mr. HART:

S. 1812. A bill for the relief of William John Campbell McCaughey; and

S. 1813. A bill for the relief of Bela Szentivanyi; to the Committee on the Judiciary.

By Mr. MOSS:

S. 1814. A bill to amend section 2 of the act of July 4, 1955 (69 Stat. 244), to provide that distribution system loan repayment contracts may be executed contingent upon the availability of appropriated funds; to the Committee on Interior and Insular Affairs.

By Mr. HUMPHREY:

S. 1815. A bill to amend the Clayton Act to provide relief by governmental and private civil proceedings for violations of section 3 of the Robinson-Patman Act, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Humphrey when he introduced the above bill, which appear under a separate heading.)

By Mr. RIBICOFF:

S.J. Res. 96. Joint resolution providing for the apportionment to the State of Connecticut of its share of funds authorized for the National System of Interstate and Defense Highways for the fiscal year ending June 30, 1965; to the Committee on Public Works.

ASSISTANCE TO STATES FOR EXPERIMENTAL WORK PROGRAMS

Mr. RIBICOFF. Mr. President, on behalf of the majority leader, the senior Senator from Montana [Mr. Mansfield], the minority leader, the junior Senator from Illinois [Mr. DIRKSEN], the junior Senator from Kentucky [Mr. MORTON], and myself, I introduce, for appropriate reference, a bill to provide $50 million for experimental projects to encourage States to develop work and training programs for those on relief.

This bill carries out one of the less controversial but nonetheless important aspects of the President's message on civil rights. In that message President Kennedy urged changes in the public welfare laws to assist public assistance recipients or those likely to become recipients to be better prepared for employment.

As many of us who have been concerned with problems of public welfare have recognized, solving the problems of relief and dependency and providing the opportunity for greater economic security can play a crucial role in the continuing effort to end discrimination of minority groups.

One of the keys to the needed improvement of our welfare laws is greater emphasis on work and training opportunities for those on relief. Last year the public welfare amendments which I proposed to Congress as Secretary of Health, Education, and Welfare, and which Congress enacted, contained a major innovation in this field. For the first time States and communities that wanted to set up work and training programs for those on public assistance could receive Federal matching funds for the costs of these assistance payments. It was hoped that this change would encourage more States to develop these programs so that able-bodied men on relief would be required to learn a useful skill or perform useful work.

To date, however, few States have taken advantage of this change in Federal law. One of the major handicaps has been that while Federal participation is permitted in the cost of the assistance payment, all of the added costs of setting up and running these programs must be borne by the States.

The bill I offer today seeks to remedy this situation by giving the States a chance to show how successful these work and training programs can be. The bill authorizes $50 million from the sums appropriated under the public assistance titles of the Social Security Act to be used on a demonstration basis to pay the added costs of setting up these work and training projects.

For example, these funds could be used for tools and other implements needed in the performance of work, for equipment used in training, and for supervisory personnel. In the discretion of the Administrator, these demonstration funds could be used for a portion or all of these costs.

It is my hope that these funds will greatly encourage communities throughout the country to develop their own work and training programs for those on relief.

Too often in our welfare programs we have permitted an able-bodied man to remain on the dole, sitting on his back porch, waiting for his monthly handout. That kind of life creates a treadmill of dependency, and we must do everything we can to get these people off that treadmill. Just paying them money does not solve the problem. Learning a new skill and doing a day's work can restore these people to useful roles in their communities.

A relief check in the idle hands of an able-bodied man is a sign of failure—for the individual and for public welfare. If that same man receives assistance for learning a skill or doing a job, both he and the public welfare program are on the road to success.

I ask unanimous consent that the bill lie on the table for 1 week in order to give other Senators an opportunity to add their names as cosponsors, and I also ask for unanimous consent that the bill be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will remain at the desk as requested by the Senator from Connecticut, and will be printed at this point in the RECORD.

The bill (S. 1803) to provide assistance to States for experimental projects to provide constructive work experience and training related to securing and holding employment, introduced by Mr. RIBICOFF (for himself and other Senators), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last sentence of section 1115 of the Social Security Act is amended by inserting "(1)" after "In addition," and by inserting before the period at the end thereof ", and (2) not to exceed an additional $50,000,000 of such aggregate amount for any such year shall be available, under terms and conditions so established, for such payments to States to cover such costs in the case of projects for the provision of constructive work experience or training related to securing and holding employment".

BILL TO KILL AUTHORITY OF CAPITOL ARCHITECT OVER CAPITOL BUILDINGS

Mr. PROXMIRE. Mr. President, yesterday we had quite a go-around about the Capitol Architect. I offered an amendment to the legislative appropriation bill that would have eliminated all funds for the Office of the Architect of the Capitol. The amendment had the virtue of providing for a prompt, decisive end of the Office of the Architect of the Capitol within 5 days. However, the amendment did not prevail.

On behalf of myself, and the Senator from Kentucky [Mr. COOPER], I introduce today a bill that would prevent the Architect of the Capitol after the enactment of the bill, from evaluating, reviewing, giving preliminary approval to, or otherwise passing judgment on any plan for the construction, alteration, or renovation of the Capitol Building or any other buildings located, or to be located, on the U.S. Capitol Grounds.

We have had a series of disastrous experiences with the Architect of the Capitol. I think the time is long past when we should have acted on this problem. I introduce the bill for appropriate reference.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1806) prohibiting the Architect of the Capitol from performing certain functions with respect to plans for buildings located, or to be located, on the Capitol Grounds, introduced by Mr. PROXMIRE (for himself and Mr. COOPER), was received, read twice by its title, and referred to the Committee on Public Works.

MINERALS EXPLORATION AS RESEARCH

Mr. GRUENING. Mr. President, on behalf of myself and Senators BARTLETT, MCGOVERN, and SIMPSON, I introduce for appropriate reference, a bill which I am convinced will have a very far-reaching effect upon the discovery within our own country of new sources of basic minerals essential to our security and economic development.

In brief, this measure would accord expenditures for the exploration and discovery of new mineral deposits the same tax treatment that is accorded research expenditures in other industrial enterprises. Such research expenditures may be deducted in full from Federal income taxes as the business expenses they are. My bill would recognize minerals exploration as the research it is, permitting the full costs of such exploration to be deducted from taxes as research expenditures.

The present provisions of the Internal Revenue Code discriminate against research with respect to the discovery of the location and extent of mineral deposits in that, contrary to other research activities, there is a limitation, a ceiling, placed on the amount of expenditures that can be deducted as business expense. This amount is $400,000 per taxpayer at a rate of not more than $100,000 a year. With today's costs of men and machines, this amount is wholly inadequate. Such a limitation is a most serious deterrent to discovery of new sources of minerals, and unfairly penalizes investors in mining enterprise. Many mining men have already reached their $400,000 maximum, and now all further expenditures for minerals exploration must be capitalized for taxation purposes.

Mr. President, this measure brings up one of those relatively rare conflicts, or better instances of overlapping committee jurisdiction. Since it is a tax measure, amending the Internal Revenue Code, it clearly is within the jurisdiction of the Committee on Finance, and should be considered by that committee.

On the other hand the Committee on Interior and Insular Affairs has responsibility under the Legislative Reorganization Act for mining interests generally and for development of the mineral resources of the public domain. This responsibility is set forth specifically in paragraphs 2 and 10 of subsection (m) of section 102 of the act which provide, with respect to the jurisdiction of the Committee on Interior and Insular Affairs:

2. MINERAL RESOURCES OF PUBLIC LANDS

* * * * *

(L) Mining interests generally.

Therefore, Mr. President, I ask unanimous consent that this measure I am introducing be referred first to the Committee on Interior and Insular Affairs for consideration, and then to the Committee on Finance for its further consideration.

Also, Mr. President, I ask unanimous consent that the bill be held at the desk until the close of business on July 8 to enable other Senators who are interested in furthering the discovery of new sources of minerals within the United States to join as cosponsors.

Introduction of this draft of proposed legislation is a direct outgrowth of the recent hearings held by the Subcommittee on Minerals, Materials, and Fuels, which I have the honor to head, on the state of the minerals industry. These hearings will be published shortly, and I commend them to the attention of each Member of the Congress.

It is my earnest hope that this measure can receive speedy consideration and approval. It is gravely needed to assure new and continued supplies of raw materials basic to our country.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Alaska.

The bill (S. 1807) to amend the Internal Revenue Code of 1954 to remove limitations on deductions for exploration expenditures, introduced by Mr. GRUENING (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

PRESERVATION OF WETLANDS IN CANADA FOR MIGRATORY WATERFOWL

Mr. HRUSKA. Mr. President, 2 years ago, in an effort to deal with the recent serious decline in the duck population, Congress enacted Public Law 87-383, an authorization for $105 million for the purchase of wetlands for the use of migratory waterfowl. That law is, in a sense, emergency legislation. The acreage of land in swamps and other wetlands has been declining rapidly in recent years as a result of drainage and filling for agricultural and other purposes.

However, there is one major gap in the existing program. It is limited to lands in the United States, while most of the duck summer nesting areas, the producing areas, are in the Canadian prairie Provinces. It is urgent that these Canadian wetlands be brought within the program, so as to maintain the supply of ducks for the benefit of American sportsmen.

A more complete explanation of this problem appears on pages 9743 and 9744 in the May 28 issue of the RECORD, at the time of our consideration of the Interior Department appropriation bill. Probably 75 or 80 percent of the ducks are shot on this side of the border, so the matter is of even greater urgency to us than it is to Canadian duck hunters.

Therefore, on behalf of myself, my colleague from Nebraska [Mr. CURTIS], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from South Dakota [Mr. MUNDT], and the Senator from Iowa [Mr. MILLER], I am introducing a bill which would permit the use in Canada, under appropriate agreements with the Canadians and subject to such limits as may be set by Congress in appropriation acts, of the funds already authorized by the provisions of Public Law 87-383. No additional expenditures would result from enactment of this bill, since it proposes the use only of funds heretofore authorized.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1810) to amend the act of October 4, 1961 (Public Law 87-383) so as to permit the use within Canada of certain funds appropriated pursuant to such act for the conservation of migratory waterfowl; introduced by Mr. HRUSKA (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Commerce.

AMENDMENT OF CLAYTON ACT RELATING TO RELIEF FOR VIOLATIONS OF SECTION 3 OF ROBINSON-PATMAN ACT

Mr. HUMPHREY. Mr. President, I call to the attention of the Senate a bill to make section 3 of the Robinson-Patman Act subject to private enforcement and to provide for its enforcement by the Justice Department through civil proceedings as well as criminal proceedings. The subject matter of this bill is designed to improve our antitrust laws so that they will be better able to preserve our free enterprise system. In drafting this legislation I sought the assistance of experts in the antitrust division of the Department of Justice. Every precaution has been taken to remove doubts or uncertainties as to either major or minor points which could lead to unnecessary litigation. This legislation is, in part, necessitated by the Supreme Court case of *Nashville Milk Company* v. *Carnation Company*, decided on January 20, 1958, and found in volume 355, U.S. 373. There, it was decided by a 5-to-4 split of the Court that section 3 of the Robinson-Patman Act was not a part of the antitrust laws. In that case a private party, the Nashville Milk Co. sued the Carnation Co. for treble damages alleging that it was injured by virtue of respondent's sales at "unreasonably low prices." Sales at "unreasonably low prices" is one of the three categories of practices prohibited by section 3 of the Robinson-Patman Act. The Supreme Court said that a private party was not entitled to sue under section 3 because section 3 was not one of the antitrust statutes, in other words that section 4 of the Clayton Act, the section which provides for private relief under the antitrust statutes, did not apply to section 3 of the Robinson-Patman Act.

Mr. President, section 3 of the Robinson-Patman Act is a statute which had its origin in this honorable body. It deals with the subject of price discrimination but it goes beyond the better known anti-price-discrimination section 2 of the Clayton Act and covers the field of what might be aptly termed "unfair pricing."

Congress made its first attempt to outlaw price discrimination by enacting section 2 of the Clayton Act of 1914. The Sherman Act which was passed in 1890 was designed to halt combinations, conspiracies, and trusts to restrain trade. However, by 1914 individual companies had grown so large that without acting in concert they could destroy competition by certain forms of price discrimination. Although Congress, in 1887, had empowered the ICC to outlaw price discrimination as to railroad rates, the Clayton Act was the first attempt to prohibit discriminatory pricing practices generally.

In spite of the Clayton Act, price discrimination continued to plague locally owned and operated businesses in all fields of American industry and monopoly continued to grow. Big buyers continued to get better prices than small buyers. Chainstores, chain packing plants, concerns of all kinds doing business on a national basis, continued to grow. Local enterprise continued to shrink. In 1936 the FTC issued a report on the subject matter of the continuing trend toward monopoly and the growth of chainstores. This report showed that price discrimination in various forms played a leading part in the trend toward monopoly. Following this report, Congressman PATMAN, of Texas, introduced a bill in the House to amend section 2 of the Clayton Act for the purpose of making illegal certain discriminatory pricing practices specified in the FTC report such as advertising allowances, unearned brokerage commissions, the supplying of special services to some and not to others, and so forth. Senator Robinson, of Arkansas, introduced a companion bill in the Senate. These bills contained the provision already in section 2 of the Clayton Act which permitted a defense of good faith meeting of competition. There are those, who, even today, believe that without qualification this defense has and still does render section 2 ineffective. At this same time, Senator Borah, of Idaho, and Senator Van Nuys, of Indiana, had each introduced bills to deal with price discrimination as well as the problem of sales at unreasonable low prices. It was their feeling that sales at unreasonably low prices by a giant in the territory of the local independent obviously would destroy him just as effectually as would discriminatory prices. The injury to a local independent from a competitor's pricing flows from prices that are abnormal by reason of being discriminatory or unreasonably low. These two bills were consolidated and the consolidated bill became section 3 of the Robinson-Patman Act. Thus, section 3, as pointed out in the National Dairies case, prohibits three kinds of trade practices: First, general price discrimination; second, geographical price discrimination; and third, selling at unreasonably low prices for the purpose of destroying competition or eliminating a competitor. One of the most significant aspects of section 3 is that there is no good faith defense proviso to any of the three prohibited activities. The test of illegality centers, as it should, upon whether or not injury to the competitive system results. The statute takes cognizance of the fact that the health of the competitive system, in which the public has an interest, is adversely affected when one competitor is injured by having to pay more than another in competition with him, and by area price discrimination and sales made by unreasonably low prices. When done with the intent or the effect of suppressing competition or creating a monopoly. This, then, is a recognition that it is not enough to prohibit such a destructive practice as price discrimination in its various forms only when it is done by a predatory competitor.

Destruction of locally owned and operated competitors is even more certain when two or more competitors engage in price discrimination under the excuse of meeting each other or another than when one alone practices it. Section 3 of the Robinson-Patman Act also recognizes the practical fact that sales at unreasonable prices are destructive of local competitors and therefore, of the competitive system and prohibits such sales for the purpose of destroying competition or eliminating a competitor. The question becomes, Mr. President, why, if section 3 of the Robinson-Patman Act is a firmer, tougher approach to unfair trade practices, it has not been used more often? I submit, Mr. President, that there are several reasons for the failure of this law to reach its full potential. The first reason stems from a general belief that the portion of section 3 making sales below a reasonable cost illegal was unconstitutional. The second reason for its disuse is to be found in the Nashville Milk Co. case, which I mentioned earlier. That case, as I stated, held that section 3 was not a part of the antitrust laws. This meant, of course, that private parties could not sue for injuries caused by violations of section 3. The third reason is that section 3 is a criminal statute, and thus, the Justice Department has not been able to proceed civilly for violations of that section. The fourth reason is that the Federal Trade Commission has failed to realize that it could have used section 3 as a guide to determine what constituted unfair competition under section 5 of the Federal Trade Commission Act. With regard to the first reason, Mr. President, a recent case seems to have removed this roadblock. Following a great deal of activity by the National Independent Dairies Association and the House and Senate Small Business Committees, the Justice Department took action against National Dairies. In that case the Justice Department held that National Dairies violated the provision of section 3 prohibiting sales below a reasonable price by selling milk below cost. National Dairies contended that section 3 was unconstitutional because of vagueness. The circuit court of appeals agreed with National Dairies and held that the provision was unconstitutional. The Supreme Court, however, in February of this year reversed the circuit court of appeals and sent the case back for trial on its facts. The second reason I hope to overcome by the passage of this bill which I am introducing today. The antitrust laws are not self-enforcing statutes and the enforcement agencies proceed all too slowly. It is a well recognized fact that private enforcement is what gives our antitrust laws vitality.

It has been repeatedly observed by students of our society that the genius of the common law is in the meeting of common problems through procedures of private, rather than public enforcement. The advisability of applying this practice to statutory law is self-evident. The need for private enforcement of the antitrust laws is even greater than as to other categories of the law because the antitrust laws confront squarely the profit motive. It is unrealistic to expect voluntary compliance with the antitrust laws because of the conflict with the profit motive and because antitrust laws of necessity are general in nature.

It is equally unrealistic to look solely to the Department of Justice and the FTC for enforcement of the antitrust laws. The United States is a tremendous country in area, in population and in volume of commerce. These enforcement agencies can be expected to bring enough actions to provide guidelines for business behavior and private litigants but effective enforcement throughout the country can be had only with the aid of private litigants. It was the will of Congress that the aid of private citizens be solicited and encouraged as to the Clayton and Sherman Acts, the laws presently named as antitrust statutes, and I submit that section 3 of the Robinson-Patman Act, which is the last major expression of the Congress in the antitrust field, should be included with these other great charters of economic freedom so that it too will receive effective enforcement. It is well-recognized that one of the most significant consequences of a Government antitrust suit for the defendant is that it may later serve as a foundation for private actions. Witness the rash of treble damage suits following the recent, now famous, General Electric price-fixing suit. The public should be provided with this added protection as to section 3 of the Robinson-Patman Act.

The third reason listed above, I also hope to overcome by the passage of this legislation. The mechanics and details for this bill are very simple. In prior years, bills to accomplish the same purpose have been introduced in both Houses. These bills simply included section 3 of the Robinson-Patman Act within the definition of antitrust laws as contained in section 1 of the Clayton Act. The present bill goes beyond this. The simple expedient of including section 3 within section 1 of the Clayton Act would fail to provide the Attorney General with jurisdiction to institute civil proceedings to restrain future violations. The present bill amends each of the relevant sections of the Clayton Act so that section 3 of the Robinson-Patman Act is placed on a par with the Clayton and Sherman Acts as to all of the provisions of the Clayton Act. This insures that each remedial provision of the Clayton Act will apply to section 3 of the Robinson-Patman Act. The bill also provides for civil enforcement of section 3 by the Department of Justice. There are those who believe that the lack of enforcement proceedings on the part of the Department of Justice was due to the fact that section 3 as written was a criminal statute and that securing convictions in criminal proceedings would be most difficult because of the hurdles that have to be overcome under criminal law. This bill would permit the Department of Justice to bring civil proceedings, to make civil investigations, to establish a violation by a mere preponderance of the evidence, and to secure remedial decrees upon a showing of violation. In extreme cases it might even permit preliminary injunctions.

Mr. President, I believe that by giving the Department of Justice these tools, effective enforcement of section 3 would begin immediately.

The fourth reason listed above with regard to lack of enforcement by FTC, I believe, Mr. President, will be cured as soon as a history under section 3 is established by private enforcement and actions upon the part of the Justice Department.

Mr. President, my experience on the Small Business Committee of the Senate has convinced me that this bill should be enacted in this session of Congress because delay means the elimination of more locally owned and operated enterprises and I am convinced that we have reached that point in the history of this country when passing this legislation is one action we must take to preserve our competitive system so that locally owned and operated enterprises can survive. They cannot longer endure unfair pricing practices.

Mr. President, I ask unanimous consent that this bill lie on the table for one additional week in order to afford an opportunity for those who wish to cosponsor the bill and add their names to it.

I also ask unanimous consent that the text of the bill be printed at this point in the Record.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record and held at the desk, as requested by the Senator from Minnesota.

The bill (S. 1815) to amend the Clayton Act to provide relief by governmental and private civil proceedings for violations of section 3 of the Robinson-Patman Act, and for other purposes, introduced by Mr. Humphrey, was received, read twice by its title, and referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914 (38 Stat. 730 et. seq.; 15 U.S.C. 12 et seq.), commonly known as the Clayton Act, is amended as follows:

(1) By striking out the words "and also this Act" in the first paragraph of the first section thereof, and inserting in lieu thereof the words "this Act; and section 3 of the Act entitled 'An Act to amend section 2 of the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914, as amended (U.S.C., title 15, sec. 13), and for other purposes', approved June 19, 1936 (49 Stat. 1526)".

(2) By inserting in the first paragraph of section 11, immediately after the words "this Act", a comma and the following: "and section 3 of the Act entitled 'An Act to amend section 2 of the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914, as amended (U.S.C., title 15, sec. 13), and for other purposes', approved June 19, 1936 (49 Stat. 1526),".

(3) By inserting in the first sentence of the second paragraph of section 11, immediately after the words "this Act", the following: "or section 3 of the Act entitled 'An Act to amend section 2 of the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914, as amended (U.S.C., title 15, sec. 13), and for other purposes', approved June 19, 1936 (49 Stat. 1526)".

(4) By striking out the words "this Act, and it" in the first sentence of section 15, and inserting in lieu thereof the following: "this Act and of section 3 of the Act entitled 'An Act to amend section 2 of the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914, as amended (U.S.C., title 15, sec. 13), and for other purposes', approved June 19, 1936 (49 Stat. 1526). It".

(5) By inserting therein, immediately after the words "this Act" in the first sentence of section 16, the following: "and section 3 of the Act entitled 'An Act to amend section 2 of the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914, as amended (U.S.C. title 15, sec. 13), and for other purposes', approved June 19, 1936 (49 Stat. 1526)".

EXEMPTION OF DISASTER LOANS FROM AMENDMENT TO PROHIBIT DISCRIMINATORY PRACTICES OF FIRMS BORROWING FROM SBA

Mr. PROXMIRE. Mr. President, a few days ago I introduced a bill to require any firm that borrows from the Small Business Administration to certify that it would not discriminate either in its treatment of the public or in its employment practices. The bill has been referred to the Committee on Banking and Currency and to the subcommittee of which I am the chairman, the Small Business Subcommittee.

In accordance with what seems to be administration policy to exempt, under these circumstances, firms that borrow for disaster purposes, I submit an amendment to my bill. The amendment would take out of the provisions of my bill the disaster loan section of the Small Business Administration Act. I believe this is perhaps sensible, in view of the fact that loans under those circumstances have to be made under forced conditions and to firms that are undergoing serious hardship.

However, I still feel very strongly—and I think this amendment makes it even more logical—that the Federal Government should not finance bigotry, should not finance prejudice. My bill will make certain that it will not. It is a more moderate bill in view of the amendment I am submitting today.

I submit the amendment.

The PRESIDING OFFICER. The amendment will be received, printed, and referred to the Committee on Banking and Currency.

RETIREMENT OF CHARLES A. MURRAY AS PROFESSIONAL STAFF MEMBER OF COMMITTEE ON RULES AND ADMINISTRATION

Mr. JORDAN of North Carolina. Mr. President, I would like to take this opportunity to announce to the Senate the retirement of Mr. Charles A. Murray as a professional staff member of the Senate Committee on Rules and Administration.

Mr. Murray is retiring July 1 after nearly 26 years of service with the U.S. Senate.

I know that his host of friends made during his long service with the Senate join with me in wishing him every success and best wishes during his years of retirement that are so well deserved.

Mr. McGEE. Mr. President, on the occasion of the retirement of Charley Murray, as he is affectionately known to most of us, from the Senate, I want to pay tribute to the service he has performed. Charley served as administrative assistant to the late Senator James Murray for many years, and following the retirement of Senator Murray, served on the Rules Committee of the Senate. While we shall miss him, we wish him well in his retirement, and hope he will enjoy the years of leisure which he has earned.

AMENDMENT OF FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT—ADDITIONAL COSPONSOR OF BILL

Mr. RIBICOFF. Mr. President, I ask unanimous consent that at the next printing of S. 1605, a bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, to provide for labeling of economic poisons with registration number, to eliminate registration under protest, and for other purposes, the name of the Senator from New York [Mr. JAVITS] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF SECTION 131 OF TITLE 23, UNITED STATES CODE—ADDITIONAL COSPONSORS OF BILL

Mr. COOPER. Mr. President, I ask unanimous consent that the names of Senators COTTON, KEFAUVER, and RIBICOFF may be added as cosponsors of the bill (S. 1676) to amend section 131 of title 23 of the United States Code to extend for an additional 2 years the period within which the Federal Government may enter into agreements with the States for controlling the erection and maintenance of outdoor advertising on rights-of-way adjacent to the National System of Interstate and Defense Highways, introduced by me, for myself and other Senators, on June 6, 1963.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF HEARING ON NOMINATION OF PAT MEHAFFY TO BE U.S. CIRCUIT JUDGE, EIGHTH CIRCUIT

Mr. McCLELLAN. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Monday, July 8, 1963, at 10 a.m., in room 2228, New Senate Office Building, on the nomination of Pat Mehaffy, of Arkansas, to be U.S. circuit judge for the Eighth Circuit, vice Joseph W. Woodrough, retired.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from South Carolina [Mr. JOHNSTON], the Senator from North Carolina [Mr. ERVIN], the Senator from Missouri [Mr. LONG], the Senator from Illinois [Mr. DIRKSEN], the Senator from Nebraska [Mr. HRUSKA], and myself, as chairman.

MONTANA

Mr. MANSFIELD. Mr. President, in line with what the Acting President pro tempore [Mr. METCALF] and I know from years of experience, I should like to call to the attention of Senators an excerpt from the book entitled "Travels With Charley," written by John Steinbeck, the Nobel Prize-winning American novelist, who, at 58, set out on a 3-month journey to rediscover America and himself. I hope my modesty will be appreciated when I read what Mr. Steinbeck has to say about a certain State:

> The next passage in my journey is a love affair. I am in love with Montana. For other States I have admiration, respect, recognition, even some affection, but with Montana it is love, and it's difficult to analyze love when you're in it.
>
> It seems to me that Montana is a great splash of grandeur. The scale is huge but not overpowering. The land is rich with grass and color, and the mountains are the kind I would create if mountains were ever put on my agenda.
>
> Here for the first time I heard a definite regional accent unaffected by TV's, a slow-paced warm speech. It seemed to me that the frantic bustle of America was not in Montana. Its people did not seem afraid of shadows in a John Birch Society sense.
>
> The calm of the mountains and the rolling grasslands had got into the inhabitants. It seemed to me that the towns were places to live in rather than nervous hives. People had time to pause in their occupations to undertake the passing art of neighborliness.

As usual, love is inarticulate. Montana has a spell on me. It is grandeur and warmth. If Montana had a seacoast, or if I could live away from the sea, I would instantly move there and petition for admission. Of all the States it is my favorite and my love.

Mr. LAUSCHE. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. LAUSCHE. In the book does he state that he began his travels on the east coast, and traveled through Maine, and finally reached Montana? I am sure I have read it.

Mr. MANSFIELD. He went through all the beautiful States of the Union.

Mr. LAUSCHE. And especially through Montana. The book is a most delightful one, and is tremendously inspiring. I am glad the Senator from Montana has reminded me of it.

Mr. MANSFIELD. And may I say it is a most delightful State.

ORDER FOR ADJOURNMENT TO NOON, TOMORROW

Mr. MANSFIELD. Mr. President, for the information of the Senate, I ask unanimous consent that when the Senate concludes its session today, it adjourn to meet at 12 o'clock noon, tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. No business will be conducted then.

ORDER FOR ADJOURNMENT FROM JUNE 28 TO TUESDAY, JULY 2

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the session tomorrow, the Senate adjourn until 12 o'clock noon on Tuesday, July 2.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. No business will be transacted then, except if some Senators wish to make speeches.

ORDER FOR ADJOURNMENT FROM JULY 2 TO 9 A.M. ON FRIDAY, JULY 5

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the business of the Senate on Tuesday, July 2, the Senate adjourn until 9 a.m. on Friday, July 5, for a pro forma session.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT FROM JULY 5 UNTIL NOON ON TUESDAY, JULY 9

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the session of the Senate on July 5, the Senate adjourn until 12 o'clock noon on Tuesday, July 9.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD subsequently said: Mr. President, in relation to the announcement of the schedule earlier today, in order to set the record straight, I ask unanimous consent that when the Senate convenes on Friday, July 5, it immediately adjourn until July 9.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, if any questions are raised about the business before the Senate, I should like to point out that the calendar is practically clear of every measure which we are in a position to take up at the present time. On behalf of the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN] and myself, I express the hope that during the 3-day layovers the appropriate committees, which would include all committees of the Senate, will do what they can to hold hearings, consider legislation, and report bills which they deem desirable.

Mr. DIRKSEN. Mr. President, will the distinguished majority leader yield?

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. In case there is any wonderment as to why the majority leader has asked that the session on July 5 commence at 9 a.m., I point out that the Senate must conform to the 3-day rule, and the convening of the Senate at that hour will give the Senate staff a chance to leave early, rather than to spend the entire day here.

Mr. MANSFIELD. That is correct.

COMMEMORATIVE MEDALS FOR 150TH ANNIVERSARY OF BUILDING OF PERRY'S FLEET AND THE BATTLE OF LAKE ERIE

Mr. MANSFIELD. Mr. President, while I have the floor—and this matter has been cleared with the minority leader—let me state that on the calendar there is one measure to which there is no objection, and I should like to call it up at this time. Therefore, Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar 288, Senate bill 879.

The ACTING PRESIDENT pro tempore. Is there objection?

There being no objection, the bill (S. 879) to provide for the striking of medals in commemoration of the 150th anniversary of the building of Perry's fleet and the battle of Lake Erie was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in commemoration of the one hundred and fiftieth anniversary of the building of Perry's fleet, at Erie, Pennsylvania, and the Battle of Lake Erie (which anniversary will be commemorated in 1963), the Secretary of the Treasury is authorized and directed to strike and furnish to the Perry Sesquicentennial Committee, Incorporated, not more than fifty thousand medals, one and five-sixteenths inches in diameter of bronze or silver, or both, with suitable emblems, devices and inscriptions to be determined by the Perry Sesquicentennial Committee, Incorporated, subject to the approval of the Secretary of the Treasury. The medals shall be made and delivered at such times as may be required by the corporation, in quantities of not less than two thousand, but no medals shall be made after December 31, 1963. The medals shall be considered to be national medals within the meaning of section 3551 of the Revised Statutes.

SEC. 2. (a) The Secretary of the Treasury shall cause such medals to be struck and furnished at not less than the estimated cost of manufacture; including labor, materials, dies, use of machinery and overhead expenses; and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States the full payment of such cost.

(b) Upon authorization from the Perry Sesquicentennial Committee, Incorporated, the Secretary of the Treasury shall cause duplicates of such medals to be coined and sold, under such regulations as he may prescribe at a price sufficient to cover the cost thereof (including labor).

TAX CUT VIOLATES DEMOCRATIC PLATFORM PLEDGE

Mr. PROXMIRE. Mr. President, many good Wisconsin Democrats have vigorously protested my refusal to support the administration's drive to cut taxes this year. For example, the Milwaukee Democratic County Council unanimously passed a resolution calling upon me to join other Wisconsin Democratic Members of Congress in Washington in favoring a tax cut.

I have also been under fire for my amendments to reduce administration-proposed spending.

But, Mr. President, what does the 1960 Democratic platform pledge to the American people? The platform explicitly pledged, at Los Angeles, that "except in periods of recession or national emergency, our needs can be met with a balanced budget."

Mr. President, I repeat that the Democratic platform, adopted in July 1960, promised that "except in periods of recession or national emergency, our needs can be met with a balanced budget."

Mr. President, have we suffered a recession? Has there been a national emergency? Since the July day in 1960 when that platform pledge was adopted, the country has enjoyed one of the longest periods of business expansion in its history—and certainly the longest since World War II. I do not see why a Senator is less loyal to his party if he supports this platform pledge, rather than walking away from it.

Our party also pledged, as the first point of its platform program, to achieve fiscal responsibility, so that "we shall end the gross waste in Federal expenditures which needlessly raises the budgets of many Government agencies."

Mr. President, this is exactly what amendments which I have introduced—amendments to reduce proposed spending—have done.

Obviously, with an $8 billion deficit this year and with $4½ billion of increased spending proposed for next year we cannot have a balanced budget if we reduce taxes. This deliberate creation of bigger budget deficits by tax reduction in a period of economic expansion directly contradicts our platform promise.

What is un-Democratic about working to keep the promises we have made to the American people during our campaign?

I can understand why promises and platform pledges cannot be kept if conditions change. I can understand why they should not be kept if a member of the party explicitly renounces the pledge. I can understand how an honest change of heart could bring about a change. At the same time I cannot understand why a Democrat should be condemned if he supports the pledges in the platform of his party.

Frankly, I am not opposed to a tax cut merely because I feel honorbound to keep a platform pledge. I am opposed to it because, after listening to every word of testimony by the Nation's outstanding economic experts before the Congressional Joint Economic Committee last winter, I became convinced that a tax cut now is unsound public policy.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may have an additional 2 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. LAUSCHE. I commend the Senator from Wisconsin for the firmness of the position which he has taken on the subject.

I cannot help but remember that when the Secretary of the Treasury testified before the House Ways and Means Committee, he said that tax reforms and tax reductions were inextricably tied together. Either both should pass or neither should pass. He pointed out that the deficit produced by the tax cut would be $13.6 billion, to be reduced by $3.4 billion if the tax reform were adopted. Thus enthusiasm was proclaimed because the deficit would be only $10.2 billion if the reforms were accepted. The reforms are out the window. Thus, looking at it in a most optimistic light, we can expect a deficit of at least $13.6 billion. I say that our country cannot stand such a deficit at this time. The platform, rather than the attitude of today, is correct.

Mr. PROXMIRE. I thank the Senator from Ohio very much. When we already have a deficit and are increasing spending, if we reduce our revenues by cutting taxes, we obviously increase the deficit and unbalance the budget. There might be times when such action might be justified in a period of serious recession or depression. But the proposal directly contradicts the platform and our pledge made a very few months ago. I thank the Senator from Ohio.

Mr. LAUSCHE. Repeatedly, in the last 3 years, I have heard arguments about adhering to the platform. All the Senator from Wisconsin is doing is asking for consistency. I commend him for it.

Mr. PROXMIRE. I thank the Senator from Ohio.

FRANCE AND THE NATO ALLIANCE

Mr. SYMINGTON. Mr. President, one of the typically fine and thought-provoking articles of Walter Lippmann appeared in the Washington Post this morning.

The people of France have a full right to respect and admire the determination of President de Gaulle to maintain the power and glory of France in this modern world.

I hope that the relations of our own great country with our oldest ally, a country that also has done a very great deal to preserve freedom, will improve steadily in the months and years to come.

I ask unanimous consent that the article by Mr. Lippmann may be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TODAY AND TOMORROW

(By Walter Lippmann)

The President's German speeches must have been prepared as a series which was to reach a logical and dramatic climax in West Berlin. At the airport near Cologne and in his press conference at Bonn, Mr. Kennedy talked to the old guard in Germany. He did his best to convince Dr. Adenauer and his followers that the United States in general, and he as President, are reliable—which for the old guard means that not only are we prepared to defend West Germany with nuclear arms but also that the United States will give West Germany the veto on any negotiations about Germany.

After this opening phase of reassurance to the old guard, the second phase took place in the address on Tuesday at the Paulskirche in Frankfurt. Here the President was calling upon the liberal opposition, which Dr. Erhard represents, to look abroad across the English Channel and across the Atlantic Ocean.

In the third and climactic phase, at the Free University in West Berlin, the President himself looked across the Iron Curtain. In words that derive from Pope John the President looked forward to reconciliation and, then, assuming to speak for the West, said that provided the Communist States do not interfere with the freedom of other states "we are not hostile to any people or system."

It was, of course, unavoidable that in none of the speeches was there a hint of how reassurance, liberalization, and the reconciliation are to be brought about. In his news conference the President seemed to imply that the solution of the practical problems was not near enough to talk about it. For the reunification of Germany he seemed to rely on time. For the reunification of Europe he relied on "the winds of change."

But the real difficulty in making a Western policy for the unification of Germany and of Europe is not that these problems are vague and distant and shrouded in the fog of Eastern Europe and Communist Russia. The real difficulty is that there is an unresolved conflict in the Western Alliance over whether the initiative shall lie in Paris, with the support of Bonn, or in Washington.

Because the President was acutely aware of the fact that his leadership of the West is challenged, he could not and did not go beyond ideals and his general assurances to any kind of definition of the policy which might achieve what he is talking about. The fact is that there can be no definition of a European policy without an understanding with General de Gaulle. For there is not the smallest evidence that the cheering German crowd means that there is in West Germany the will or the power or the political courage to challenge General de Gaulle's primacy on the Western Continent. And even if there were such an inclination on the part of the Germans, France's strategic position and economic power are such that she is an essential partner in any Western Alliance.

The President, who was walking a slippery path, was sure-footed in Bonn and Frankfurt and he was bold in Berlin. But there is less doubt than ever that a serious discussion of trans-Atlantic affairs will have to lie between Washington and Paris.

Before such a discussion can become profitable, the President will have to dispel the idea that our conception of Europe and of the Atlantic Community is bound in the end to prevail over the false ideas of General de Gaulle. It is intoxicating to believe that the tides of history are with you, that you are the wave of the future. But history is not often a sure thing, and men living amidst it rarely know which way it is going.

General de Gaulle, who has now acquired a very important following all over Western Europe, may not be, as the administration likes to think, a mere voice of the past. For while his haughtiness and elegance are by modern standards archaic, his judgment about the cold war and his estimtae of the role of alliances in the nuclear age may be prophetic.

For myself I have come to think more and more that the revival of the Western Alliance depends upon a very good understanding of the new ideas that are coming out of France.

MR. PIERRE-PAUL SCHWEITZER, NEW MANAGING DIRECTOR, INTERNATIONAL MONETARY FUND

Mr. LAUSCHE. Mr. President, Mr. Pierre-Paul Schweitzer has been chosen as the new Managing Director of the International Monetary Fund. He has been a Deputy Governor of the Bank of France and through the selection made by the Executive Directors of the International Monetary Fund will succeed the late Per Jacobsson.

This organization's principal responsibility is the maintenance of the stability and soundness of the 85 member countries belonging to it.

It is reported that he sees little reason for panic over the U.S. international payments troubles, although he agrees they are serious.

He made the statement:

> You Americans have finally discovered you have a payments problem much as a person discovers he has a liver ailment. When you have a liver ailment, you have to follow some kind of diet. It might very well be necessary for the United States to follow a diet to readjust its balance of payments.

He gave no explanation about what he means in his advice that we go "on some kind of diet."

Contrary to general declarations, our gold reserve problem is not getting better, but worse. The number of U.S. dollars going to foreign nations is constantly exceeding the dollars that come back to our country, leaving us with an adverse imbalance in payments.

Regarding the gold reserve status the records show that we reached the high mark of possession in August 1949, with $24.6 billion of gold. On January 1, 1961, the amount was $17.8 billion; on June 1, 1963, $15.8 billion. Approximately $12 billion of the June 1 balance is earmarked for support of the obligations of the Federal Reserve Banking System thus leaving $3.9 billion in free gold to meet the potential claims of the holders of $27.1 billion in short-term foreign credits.

Basically we are not doing anything of consequence to abate this danger confronting our economy.

First. Through collaboration between business and labor leaders in stopping the cost-price squeeze, we could keep American products in a better position to compete in world markets in the sale of our goods.

Second. By the exercise of prudence, the Congress of the United States with the collaboration of the administration could adopt a fiscal policy that would reduce the frightening annual deficits facing our Government.

Third. We could trim the foreign aid program by denying or at least reducing aid to nations pretending to be neutral but which in fact in critical situations have thrown their lot with the Communist bloc—denying aid to Communist governments which when the critical hour comes, will be on the side of the Communists and not of the free West, and to those countries which demand our help under the threat of auctioning their fidelity finally to the Communist bloc countries.

Fourth. The Congress and the administration could cease placing unwarranted handicaps on business, industry, and capital investors, thus creating an unhealthy economic environment, and, in many instances, driving capital into foreign-developed countries.

Pierre-Paul Schweitzer's background fits him well for this post. His responsibilities will be great. In my opinion, he will only succeed to the extent with which he exacts from the nations asking help of the International Monetary Fund compliance with the requirement that before aid is given the fiscal and monetary policies of the petitioning nation must be put in order. I wish him good luck.

GARLIC AROUND THE NECK AS EFFECTIVE TO CURE DIPHTHERIA AS CIVIL DEFENSE FALLOUT SHELTERS TO SAVE LIVES

Mr. YOUNG of Ohio. Mr. President, recently a group of leading doctors testified before a subcommittee of the House Armed Services Committee, under the capable leadership of Chairman F. Edward Hébert, on H.R. 3516, the civil defense fallout shelter bill.

The doctors, members of an organization called Physicians for Social Responsibility, said they had studied the possible effects of a large-scale nuclear attack on this country and concluded that the devastation would present a medical problem that has no solution. Mr. President, their testimony added one more block to a rapidly forming mountain of evidence indicating that plans for a fallout shelter program, so called, are useless and could possibly achieve the proportions of a boundless boondoggle.

They put it very aptly when they said that a national shelter program is like wearing a piece of garlic around the neck to prevent diphtheria. This was a medical practice in our colonial days. For more than 4 years it has been my strong belief—and I have voiced it many times in this chamber—that civil defense today is a myth. Many times in the past I stated that civil defense is based on theories as antiquated as mustache cups, tallow dips, Civil War cannonballs, and flintlock muskets.

The civil defense program is a grand illusion. In terms of money it is ludicrous. Through diligent and relentless application of poor planning and confused thinking, the men charged with the defense of civilians in event of war have managed to squander more than $1,300 million of taxpayers' money since 1951. The time has come to adopt a realistic approach to the entire program of civil defense in this nuclear age.

Of the money spent for civil defense, approximately 40 percent is wrung from the taxpayers of States and municipalities, where tax dollars grow increasingly scarce, and where vital programs for schools, hospitals, and housing die for lack of funds. In place of a desperately needed school, many communities may receive a screeching siren, a few stretchers, some two-way radio equipment for civil defense officials to play with, and an occasional alert to confuse the citizenry as to whether in event of a nuclear attack they should run, or hide—or do both.

The residents of Portland, Oreg., realized this fact when they abolished their local civil defense agency earlier this month. The leaders of that community are to be commended on their foresight and their careful use of taxpayers' money in adopting this realistic attitude toward civil defense.

The PRESIDING OFFICER. The time of the Senator has expired. Does the Senator seek additional time?

Mr. YOUNG of Ohio. I ask unanimous consent that I may proceed for an additional 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YOUNG of Ohio. Mr. President, the conditions of modern warfare make shelters of little or no use in saving American lives. Were we to be attacked with intercontinental ballistic missiles with hydrogen warheads, the total destruction and remaining radioactive elements would be such that underground shelters in basements and backyards would be covered with deadly contamination, and the lethal effects would last not for hours or weks, but for months or even for years.

Shelter enthusiasts have pictured their subterranean suburbia as the sure-fire antidote for nuclear destruction. The fact remains that the most optimistic estimate of the devastation of nuclear attack, despite a network of shelters, places probable death at 50 million Americans, with some 20 million others sustaining serious injuries.

Assuming for the sake of argument that shelters would save lives, there is no assurance that they would not be outmoded by more advanced weapons. Today it is reported that high Government officials are forecasting privately that defense spending, now at a rate of $56 billion per year, will reach $100 billion a year within a decade if the arms race keeps up. One of the scientists now working on new weapons is reported to have said: "You ain't seen nothing yet," compared with what is coming into sight in the way of new weapons.

Furthermore, shelters would not offer any protection against an attack even more deadly than a nuclear attack—biological warfare. Shelters in basements and backyards, even if there were sufficient warning to enable persons to enter them—and there will not be—might prove to be huge firetraps in urban centers in the colossal conflagration which experts say would certainly follow an atomic attack. Does any responsible Government official wish to embark on a $20 to $200 billion questionable gamble under these conditions?

Assuming further that some Americans did have shelters that saved their lives in a nuclear war, what sort of world would they come up to? What would have happened to the buildings and the atmosphere? What would they do for food once their 2-week bomb shelter supply was exhausted? This is not a pretty picture to paint, but it is the truth—the cold, hard facts of survival in a nuclear war.

William F. Schreiber, associate professor of electrical engineering at the Massachusetts Institute of Technology, also criticized the civil defense program, as now conducted, before the House subcommittee yesterday. He stated that any potential enemy would almost certainly use high-altitude airbursts of large bombs in attacks against our cities, blasting and burning vast areas around their targets. He stated that the number of lives needlessly lost in firetrap shelters outside the circle of total devastation would probably exceed the number of lives that the so-called shelter system could possibly save.

Mr. President, these facts along with the many others presented before this committee and the Congress over the years, present a dismal and horrifying picture of what nuclear war can mean. No one can be the winner in a modern war. If it should ever come—and God forbid that it does—all mankind will be the loser. When the late Prof. Albert Einstein was asked what kind of weapons would be used in a third world war, he answered he did not know, but he did know what weapons would be used in the fourth world war—slingshots.

Mr. President, the only remedy—the only hope—is to prevent nuclear war. We must strive to the uttermost to work out nuclear test-ban agreements and agreements for disarmament with adequate safeguards, and try to find a basis for permanent peace. Peace is our only permanent shelter.

In my view, no civil defense program will adequately protect our citizenry should war strike. The survival of 180 million Americans—indeed, of all mankind—depends not on civil defense but on peace. It depends not on futile shelter programs inspired by a caveman complex, but on solid, workable international agreements to disarm. Shelter building represents a psychology of fear. It is interesting to note that many of those who talk the loudest about civil defense talk the least about peace.

In the meantime, we must maintain our armed might to deter any possible aggressor from embarking on a nuclear holocaust. The United States is the most powerful nation that ever existed under the bending sky of God. We must keep it so until men and nations have proved that they can live together with mutual tolerance.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

RATIFICATION OF THE ANTI-POLL-TAX AMENDMENT BY THE STATE OF KENTUCKY

Mr. HOLLAND. Mr. President, I am indeed happy to announce that the Kentucky Legislature yesterday ratified the anti-poll-tax amendment to the Constitution when its house of representatives approved the ratifying resolution unanimously by a vote of 74 to 0. The Kentucky Senate had approved the resolution on Monday by a vote of 29 to 2.

Thus Kentucky, the Blue Grass State, becomes the 36th State to ratify this amendment which would eliminate the requisite for payment of a poll tax for voting in national elections.

I wish to express my deep appreciation to my distinguished colleagues from Kentucky, Senator COOPER and Senator MORTON, each of whom cosponsored in the 87th Congress my resolution proposing this amendment, vigorously supported its passage in the Senate, and has worked diligently since submission of the amendment for ratification by their great State.

I also wish to express my appreciation to Gov. Bert T. Combs, of Kentucky, who included this particular objective in his call of the special session and recommended ratification, and to the leaders of both houses of the Kentucky Legislature who were responsible for the prompt action by the legislature on this matter during its special session which convened but a few days ago. This again is a fine example of the bipartisan spirit with which the respective States have acted on this matter.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. COOPER. Mr. President, I appreciate the comments of the distinguished senior Senator from Florida with respect to the ratification by the General Assembly of the Commonwealth of Kentucky of the proposed constitutional amendment prohibiting the imposition of a poll tax as a condition for voting.

By its action, the Commonwealth of Kentucky became the 36th State to ratify the proposed amendment to the Constitution. I am greatly pleased by the action of the general assembly of my State. The senate had previously approved the proposal by a vote of 29 to 2. Yesterday the house, in which I once had the honor of serving, gave its approval by a unanimous vote of 74 to 0.

The Governor of Kentucky, the Honorable Bert T. Combs, is to be commended for including, in his call for a special session of the general assembly, the proposal for the ratification of the constitutional amendment. All the members of the legislature, of both houses, of both parties, and the leadership of both parties have shown by their action and by their votes their support of the purposes of the constitutional amendment.

Kentucky does not impose a poll tax as a condition for voting. It imposes no literacy test. In its history it has not discriminated in any way against the equal right of all citizens to vote.

I am proud of my State, but I would like to say that this action by our State and other States would not have been possible except for the initiative, persistence, and determined fight of the distinguished senior Senator from Florida [Mr. HOLLAND]. Today, I pay tribute not alone to the members of the General Assembly of Kentucky, and to the people of our State, but I pay my tribute also to the great fighter, the senior Senator from Florida, Senator HOLLAND, who will deserve the chief credit for the final ratification of the constitutional amendment.

Mr. HOLLAND. I deeply appreciate the Senator's generous words. I hold him in high esteem. In my judgment, the senior Senator from Kentucky and the junior Senator from Kentucky have shown themselves to be worthy successors of the great Henry Clay. I am glad to pay my tribute to them, without whom this most happy action by the Assembly of Kentucky would not have taken place. I am also deeply grateful to the great Governor of the State of Kentucky.

Mr. KUCHEL. Mr. President, I would be entirely recreant in my duty to a fellow Senator and friend if I did not rise to say that I associate myself with every word that our friend from Kentucky, the very able senior Senator [Mr. COOPER], has said with respect to the excellent and successful exertions by our good friend from Florida. I rise to spread this tribute on the RECORD and to salute him.

Mr. HOLLAND. I thank my distinguished friend from California.

Mr. President, if I may have a few additional minutes, I should like to speak further very briefly on this subject.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLAND. Mr. President, I shall not at this time repeat the many sound arguments which exist for the ratification of the anti-poll-tax amendment so that it may become a part of our Federal Constitution. It is most encouraging to note, however, that the legislatures of 36 States of the 38 required for ratification have, by their affirmative action in ratifying the amendment, shown that they agree with the very large majorities in both Houses of Congress who submitted the amendment last year that this amendment should be speedily adopted so as to allow all of our citizens who are otherwise qualified to participate in the election of their President, Vice President, Senators, Members of the House of Representatives, and presidential electors in primaries and general elections without paying a money price to exercise that important privilege of citizenship. This affirmative action of 36 States has been taken in the period of 9 months since the submission of this proposed amendment to the 50 States in September of 1962. I am strongly hopeful that such affirmative action may be taken at an early date by at least two additional States so as to complete the ratification of the amendment by early 1964 or sooner if special sessions of the legislatures are called in the meantime.

In order to have the record show just how great a waste of time of the Congress has been involved in the effort to repeal the poll tax in the years since the attempt to accomplish such repeal was begun in 1939 and extending through 1962, I have asked the Library of Congress to prepare a careful compilation showing the exact facts as disclosed by the records of Congress. These facts are shown through a letter to me from the Legislative Reference Service of the Library of Congress dated May 6, 1963.

Among the impressive facts shown by that letter and indicating the immense amount of time that Congress has devoted to this subject, at a period in the history of our Nation and the world when so many other vital things require our time and attention, are the following facts:

1. One hundred and ninety-six bills and joint resolutions were introduced from the 76th Congress through the 87th Congress.

2. Hearings were held during eight separate Congresses on the subject (does not include bills on which hearings were held and to which poll tax amendments were subsequently offered). As a result of the hearings (a) 1,436 pages were printed; (b) 36 days were involved; (c) 114 witnesses testified.

3. Thirteen committee reports were printed and issued (three of these were in two parts holding both the majority and the minority views). One hundred and thirty-six pages were required to print these reports.

4. Senate and House floor debate on poll tax issues provides the following statistics: (a) 1,010 pages of the CONGRESSIONAL RECORD contained debate on the issue; (b) 60 days were involved on which Congress debated the poll tax issue.

5. Eighteen rollcall votes were taken in the Senate. Sixteen rollcall votes were taken in the House. (According to the office of the tally clerk of the House of Representatives and the legislative clerk of the Senate a rough estimate of the average time taken on rollcall votes is 25 to 30 minutes in the House and 12 to 18 minutes in the Senate.)

I wish it clearly to appear that these statistics do not involve numerous discussions on the floor which were held when poll-tax amendments were offered to other proposed legislation; nor do they involve references to the poll tax in many pages of hearings that were held on other subjects not directly related to the poll tax.

However, the compilation does show rather conclusively what an immense wastage of time has been involved at a time, when our Nation can so ill afford to lose the time and attention and manpower and brainpower of its Senate and its House of Representatives in the discussion of this question.

I ask unanimous consent that the letter addressed to me by the Library of Congress, dated May 6, 1963, which contains not only the essential facts but also the documentation thereof, be printed at this point in the RECORD, as a portion of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
Washington, D.C., May 6, 1963.

To: Honorable SPESSARD L. HOLLAND.
From: American Law Division.
Subject: Poll tax legislation.

In accordance with your request of April 26, 1963, for documentary evidence and statistics on major legislative actions involving the poll tax issue we have made a study of the period since the introduction of the first poll tax bill in the 76th Congress (H.R. 7534 introduced by Mr. Geyer, August 5, 1939) through the 87th Congress which enacted Senate Joint Resolution 29 abolishing the poll tax as a prerequisite for voting.

The major portion of this study is based on all actions taken by Congress on the subject subsequent to the introduction of a bill or resolution. However, for statistical purposes we have included the total number of bills and resolutions introduced in Congress during the period. We have not included incidental remarks not spoken directly to a bill or resolution and the numerous insertions in the daily CONGRESSIONAL RECORD.

In addition to the statistics included in this study the poll tax issue has been offered on other occasions to bills which were not specifically poll tax bills. For example see the Federal Voting Assistance Act of 1955 (Public Law 296, 84th Cong.; H.R. 4048) which, as enacted, contained an amendment relating to poll tax and servicemen's absentee balloting. We have included only those which were debated and on which there was a rollcall vote.

The result of our study shows:

1. One hundred and ninety-six bills and joint resolutions were introduced from the 76th Congress through the 87th Congress.
2. Hearings were held during eight separate Congresses on the subject (does not include bills on which hearings were held and to which poll tax amendments were subsequently offered). As a result of the hearings, (a) 1,436 pages were printed; (b) 36 days were involved; (c) 114 witnesses testified.
3. Thirteen committee reports were printed and issued (3 of these were in 2 parts holding both the majority and the minority views); 136 pages were required to print these reports.
4. Senate and House floor debate on poll tax issues provides the following statistics: (a) 1,010 pages of the CONGRESSIONAL RECORD contained debate on the issue; (b) 60 days were involved on which Congress debated the poll tax issue.
5. Eighteen rollcall votes were taken in the Senate. Sixteen rollcall votes were taken in the House. (According to the office of the tally clerk of the House of Representatives and the legislative clerk of the Senate a rough estimate of the average time taken on rollcall votes is 25 to 30 minutes in the House and 12 to 18 minutes in the Senate.)

With the exception of the number of bills introduced, which we have not listed, the following basic information was used as the source for the above statistics.

HEARINGS

The 77th Congress

S. 1280: Hearings before a subcommittee on the Committee on the Judiciary, U.S. Senate, 77th Congress, 2d session, on S. 1280, a bill making unlawful the requirement for the payment of a poll tax as a prerequisite to voting in a primary or general election for national officers—July 19, 1941; March 12, 13, 14; July 30; September 22 and 23, 1942; 475 pages; 7 days; 46 witnesses.

The 78th Congress

H.R. 7: Hearings before the Committee on the Judiciary, U.S. Senate, 78th Congress, 1st session, on H.R. 7, an act making unlawful the requirement for the payment of a poll tax as a prerequisite to voting in a primary or other election for national officers—October 25, 26, and November 2, 1943; 103 pages; 3 days; 4 witnesses.

The 80th Congress

H.R. 29: Hearings before the Committee on Rules and Administration, U.S. Senate, 80th Congress, 2d session, on H.R. 29, an act making unlawful the requirement for the payment of a poll tax as a prerequisite to voting in a primary or other election for national officers—March 22, 23, 24, and 25, 1948; 336 pages; 4 days; 21 witnesses.

The 81st Congress

Senate Joint Resolution 34, qualifications of electors (poll taxes): Hearing before a Subcommittee of the Committee on the Judiciary, U.S. Senate, 81st Congress, 1st session, on Senate Joint Resolution 34, a joint resolution proposing an amendment to the Constitution of the United States, relating to the qualifications of electors—May 18, 1949; 28 pages; 1 day; 1 witness.

The 83d Congress

Qualifications of electors: Hearing before a subcommittee of the Committee on the Judiciary, U.S. Senate, 83d Congress, 2d session, on Senate Joint Resolution 25, a resolution proposing an amendment to the Constitution of the United States relating to the qualifications of electors—May 11, 1954; 47 pages; 1 day; 1 witness.

The 84th Congress

Qualifications of electors: Hearings before a subcommittee of the Committee on the Judiciary, U.S. Senate, 84th Congress, 2d session, on Senate Joint Resolution 29—April 11 and 13, 1956; 71 pages; 2 days, 3 witnesses.

Civil rights proposals: Hearings before the Committee on the Judiciary, U.S. Senate, 84th Congress, 2d session, on S. 900 and others. Hearings held April 24, May 16, 25, June 1, 12, 25, 26, 27, and July 6 and 13, 1956. (These hearings on several civil rights proposals were printed in 346 pages, covered 10 days, and heard 20 witnesses. The poll tax issue was heard separately (on Senate Joint Resolution 29), but in the hearings cited above there was testimony directed to poll tax to the extent cited below); 13 pages; 5 days; 5 witnesses.

The 86th Congress

Senate Committee on the Judiciary: 86th Congress, 1st session, Senate Joint Resolution 126, Senate Joint Resolution 60, Senate Joint Resolution 71, and Senate Joint Resolution 134.

Poll tax and enfranchisement of District of Columbia: August 17 and 27, 1959; 106 pages; 2 days; 6 witnesses.

The 87th Congress

House Committee on the Judiciary: 87th Congress, 2d session, House Joint Resolutions 404, 425, 434, 594, 601, 632, 655, 663, 670; Senate Joint Resolution 29.

Abolition of poll tax in Federal elections: March 12, 1962, May 14, 1962; 105 pages; 2 days; 20 witnesses.

Senate Joint Resolution 1 and others (includes Senate Joint Resolution 58): Senate Committee on the Judiciary, Constitutional Amendments Subcommittee, nomination and election of President and Vice President and qualifications for voting, part 5, August 25, 30, September 8, 1961; 101 pages; 3 days; 1 witness.

The 87th Congress

Nomination and election of President and Vice President and qualification for voting: Hearings before the Subcommittee on Constitutional Amendments of the Committee on the Judiciary, U.S. Senate, 87th Congress, 1st session, on Senate Joint Resolution 58. Hearings held May 23, 26, June 8, 27, 28, 29, July 13, August 25, 30, and September 8, 1961. (These hearings were printed in five parts covering a period of 10 days. Part 5 containing 101 pages and covering 3 days was devoted entirely to the poll tax issue (see hearings on Senate Joint Resolution 1 and others). Other civil rights proposals made up the major portion of the other four parts. However, 51 pages of testimony involving 6 days were scattered through parts 1, 2, and 3); 51 pages; 6 days; 6 witnesses.

COMMITTEE REPORTS ISSUED

In the 77th Congress, on H.R. 1024: Senate Report No. 1662, 2d session, October 27, 1942 (2 parts), 20 pages.

In the 78th Congress, on H.R. 7: Senate Report No. 530, 1st session, 41 pages.

In the 79th Congress, on H.R. 7: Senate Report No. 625, 1st session, 16 pages; on Senate Joint Resolution 92, Senate Report No. 614, 1st session, 3 pages.

In the 80th Congress, on S. 2655: House Report No. 2438 (conference), 2d session, 5 pages.

In the 80th Congress, on H.R. 29: House Report No. 947 (two parts), 1st session, 4 pages; Senate Report No. 1225 (two parts), 2d session, 17 pages.

In the 81st Congress, on H.R. 3199: House Report No. 912, 1st session, 4 pages.

In the 86th Congress, on Senate Joint Resolution 39: Senate Report No. 561, 1st session—Alexander Hamilton Memorial (not included in statistics); House Report No. 1698, 2d session, 8 pages.

In the 87th Congress, on Senate Joint Resolution 29: Senate Report No. 1227, 2d session, 5 pages; House Report No. 1821, 2d session, 9 pages.

In the 88th Congress, on Senate Resolution 259 (87th Cong.): Senate Report No. 80 (constitutional amendments study), 4 pages (pp. 2-5 on poll tax).

NUMBER OF CONGRESSIONAL RECORD PAGES AND NUMBER OF DAYS POLL TAX WAS DEBATED IN THE SENATE AND HOUSE

H.R. 1024, 77th Congress (poll tax): 227 pages, 11 days.

H.R. 7, 78 Congress (poll tax): 170 pages, 8 days.

H.R. 7, 79th Congress (poll tax): 49 pages, 9 days.

House Joint Resolution 225, 79th Congress (submerged lands—Morse poll tax amendment): 8 pages, 1 day.

H.R. 29, 80th Congress (poll tax): 122 pages, 10 days.

H.R. 3199, 81st Congress (poll tax): 29 pages, 1 day.

H.R. 2023, 81st Congress (oleomargarine bill—Langer poll tax amendment): 8 pages, 1 day.

Senate Joint Resolution 39, 86th Congress (District of Columbia voting): 107 pages, 6 days.

H.R. 8601, 86th Congress (civil rights bill—Celler poll tax amendment): 14 pages, 1 day.

Senate Joint Resolution 29, 87th Congress (poll tax): 276 pages, 12 days.

ROLLCALL VOTES

Senate

H.R. 1024, 77th Congress:

On Mr. Barkley's motion to lay on the table Mr. Connally's appeal from the decision of the Chair, November 18, 1942; 88 CONGRESSIONAL RECORD 8933 (37-23).

On Mr. Barkley's motion to lay on the table appeal of Mr. Connally from the decision of the Chair, November 17, 1942; 88 CONGRESSIONAL RECORD 8899 (41-23).

On Mr. Barkley's motion to lay on the table Mr. Russell's appeal from the decision of the Chair, November 17, 1942; 88 CONGRESSIONAL RECORD 8899 (41-23).

On Mr. Barkley's motion to lay on the table Mr. Russell's motion to amend the Journal of the proceedings of Monday, November 16, 1942; November 18, 1942; 88 Congressional Record 8924 (39–21).

On motion to adjourn November 20, 1942, November 20, 1942; 88 Congressional Record 9014 (23–37).

On motion to adjourn until Monday, November 23, 1942, November 20, 1942; 88 Congressional Record 9015 (24–35).

On motion to close debate November 23, 1942; 88 Congressional Record 9065 (37–41).

H.R. 7, 78th Congress: On motion to close the debate in Senate May 15, 1944; 90 Congressional Record 4470 (36–44).

H.R. 7, 79th Congress: On motion to close debate July 31, 1946; 92 Congressional Record 10512 (39–33).

House Joint Resolution 225, 79th Congress: On Barkley motion to lay on the table Mr. Morse's amendment, the so-called anti-poll-tax amendment (submerged lands bill); 92 Congressional Record 9641 (54–23).

H.R. 29, 80th Congress: On Wherry motion to adjourn until August 5, 1948 (during discussion of the poll tax bill); Congressional Record, volume 94, part 8, page 9738 (60–16).

H.R. 2023, 81st Congress: On Fulbright motion to lay on the table the Langer amendment regarding the anti-poll-tax (oleomargarine bill); Congressional Record, volume 96, part 1, page 551 (59–17).

House Joint Resolution 39, 86th Congress:

On Holland amendment to add new section providing that right to vote in national elections shall not be denied because of failure to pay poll tax; Congressional Record, volume 106, part 2, page 1748 (72–16).

On Holland motion to table the Javits amendment (in nature of a substitute for the bill) to make unlawful any requirement that poll tax be paid as prerequisite to voting in a national election; Congressional Record, volume 106, part 2, page 1754 (50–37).

Senate Joint Resolution 29, 87th Congress:

Establishes Alexander Hamilton's home as a national memorial. On motion of Mansfield to proceed to consideration of resolution; Congressional Record, volume 108, part 4, page 5042 (62–15).

On Mansfield motion to table Russell point of order as to constitutionality of Holland substitute amendment proposing a constitutional amendment providing that the right of citizens to vote in Federal elections shall not be abridged by reason of failure to pay a poll tax; Congressional Record, volume 108, part 4, page 5087 (58–34).

On Mansfield motion to table Javits substitute amendment (to Holland substitute for the resolution) providing statutory authority for elimination of poll tax in election of Federal officials; Congressional Record, volume 108, part 4, page 5101 (59–34).

On passage; Congressional Record, volume 108, part 4, page 5105 (77–16).

House

H.R. 1024, 77th Congress:

October 12, 1942, poll tax bill.

On motion to discharge Rules Committee from consideration, 88 Congressional Record 8079 (251–85).

On House Resolution 110 for consideration of bill, 88 Congressional Record 8080 (250–84).

On passage, October 13, 1942, 88 Congressional Record 8174 (254–84).

H.R. 7, 78th Congress:

On motion to discharge committee from further consideration of House Resolution 131 calling for consideration of bill, May 24, 1943, 89 Congressional Record 4812 (268–110).

On agreeing to House Resolution 131, May 24 1943, 89 Congressional Record 4813 (265–105).

On passage, May 25, 1943, 89 Congressional Record 4889 (265–110).

H.R. 7, 79th Congress:

On motion to discharge the Rules Committee from further consideration of House Resolution 139 providing for consideration of bill, June 11, 1945, 91 Congressional Record 5895 (224–95).

On agreeing to House Resolution 139, June 11, 1945, 91 Congressional Record 5896 (220–94).

On passage, June 12, 1945, 91 Congressional Record 6003 (251–105).

H.R. 29, 80th Congress:

On motion to adjourn, July 21, 1947, 93 Congressional Record 9523 (85–299).

On motion to suspend the rules and passage, July 21, 1947, 93 Congressional Record 9551 (290–112).

H.R. 3199, 81st Congress:

On previous question on adoption of House Resolution 276 providing for consideration of the bill, Congressional Record, volume 95, part 8, pages 10095–10096 (262–100).

On agreeing to resolution, Congressional Record, volume 95, part 8, page 10097 (265–100).

On motion to recommit to the House Administration Committee, Congressional Record, volume 95, part 8, page 10247 (123–267).

On passage, Congressional Record, volume 95, part 8, page 10248 (273–116).

Senate Joint Resolution 29, 87th Congress (citations are to daily Congressional Record): On motion to suspend the rules and pass the resolution, Congressional Record, volume 108, part 8, page 17670 (295–86).

Edwin B. Kennerly,
Editor, Digest of Public General Bills.

A BILL OF OBLIGATIONS—ADDRESS BY DR. NORMAN TOPPING, PRESIDENT, UNIVERSITY OF SOUTHERN CALIFORNIA

Mr. KUCHEL. Mr. President, several days ago I was privileged to participate in the 80th commencement exercises of my alma mater, the University of Southern California. The president of the University of Southern California, Dr. Norman Topping, is a distinguished American educator. He addressed the several thousand graduates on the occasion of those ceremonies. He made an excellent, eloquent, and very timely presentation. In his address, Dr. Topping said, in part:

> Where are we today? We have come a long way since the Age of Enlightenment. We have enjoyed great progress toward a higher standard of living. But we have not come nearly far enough toward a higher standard—of living together with our fellow man.
>
> * * * * *
>
> What we need—what you who are graduating can in good measure provide—is a restoration of balance to our internal affairs. You can give great help in uniting our nearly divided Nation, and you may eventually help restore a wholly divided world.
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> * * * * *
>
> Perhaps our Nation's greatest danger is immoderate, inflammatory action by social and political extremists. The extremists have made the threat of violent division an almost normal hazard of the world environment in 1963.
>
> * * * * *
>
> In this Nation, we have—in addition to our two major political parties and their responsible leaders—an extreme leftwing and an extreme right.
>
> The radical left says, "Make every concession to keep the peace," and the radical right demands that we exterminate every enemy—real or imagined—before they exterminate us.
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> * * * * *
>
> What saves us and what has always saved us from lunatic courses leading to the totalitarian state is reason. Calm deliberation. Moral, social, and political balance.
>
> * * * * *
>
> Above all, we have an obligation to act. We must not act in haste or upon little knowledge and less judgment. But it is our solemn obligation to act in time—out of full understanding—upon sound judgment—and with the transcendent concern that what we do will perpetuate unity in the house we keep.

Mr. President, there is a prescription, not merely for college and university graduates in 1963, but for all Americans. We need to apply the rule of reason to the problems which plague our Nation, precisely as the president of the university urged.

I am honored to ask unanimous consent that the entire text of this splendid address, entitled "A Bill of Obligations," be printed at this point in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

A Bill of Obligations

(By Dr. Norman Topping, president, University of Southern California, University of Southern California 80th commencement, Alumni Park, June 13, 1963)

Ladies and gentlemen, it is always a great honor to be asked to serve in any way by one's own university. And it is a very special privilege, indeed, to have been asked by our board of trustees to share some thoughts with you.

I would like to congratulate each of you who, in a few minutes, will become alumni of the University of Southern California. Your time here has been well spent, I know, and you have left a heritage of high scholarship which we shall be proud to keep. You will, I am hopeful, look upon your diploma as a permanent welcome to this campus at any time.

I am confident that, in the years ahead, the quality of your work will continue to be a great compliment to this university and a great credit to yourselves. It is within your power to be distinguished by a succession of achievements. Indeed, it is within your ability to give memorable and meaningful service to men everywhere because you possess a special key.

Each of you has a vital key to continuing education beyond the academic world. You have the knowledge of how to approach knowledge. This is the fundamental benefit of higher education. It is to be hoped you will use this knowledge to your material benefit, and certainly it is proper that you should.

Of greatest importance, you are called upon to use your education effectively, for the social and political development of our Nation, perhaps to the benefit of all men.

In the past, some people have been prevented from responding to this call by two dangerous obstacles. One obstacle is a kind of paralyzing despair that no individual action can be of any real value. The other obstacle is a misplaced confidence in extreme and even violent action.

You must surmount both paralysis and extremism with knowledge, with reason, and with compassion.

There are those who find it most difficult to believe that any individual action could be effective against the powerful social and political currents of this age. There are those who find it difficult to believe that individual action could benefit one's community, much less the whole of mankind. There are those who have no faith in the individual at all.

It was during the 17th and 18th centuries—in what we call the age of enlightenment—that the individual began to come into his own. Men began to believe that the individual deserved and could secure justice, freedom, and dignity as a human being.

What happened to enlightenment in the centuries that have passed? We know it was threatened by the rise of dictatorships in our century. We know that man's regard for individual human dignity was all but smothered by the ovens at Buchenwald. We know it is threatened today by the slave camps in Siberia.

Still, man's respect for individual human dignity has not been extinguished. The great threat now is that enlightenment will flicker its last in the most subtle forms of subjugation—subjugation practiced on majorities, east of the Iron Curtain—on minorities, much closer to home.

And the great question is whether or not the educated individual citizen, in our age, can bring reason effectively to bear upon the destiny of mankind. The answer must be given voice by this Nation. The answer depends largely upon the determination of our educated citizens to accept the increasing demands of American citizenship.

While the Federal Government may be able to enforce justice for all and a precarious freedom for all—only each citizen, acting with knowledge, reason, and compassion, can maintain regard for the individual human dignity of all his fellow Americans.

The task of keeping this Nation and the world from becoming forever divided—nation by nation, race by race, atom by atom—may seem too vast and remote for any but men of superhuman power. The task may seem too great because some of us fail to regard ourselves as men of even normal ability. Scholars tell us we are oppressed by a sense of inadequacy in a massive world. Too often, our reaction to this feeling of oppression has been withdrawal from combat—from the serious debates which concern our future.

We need not be superhuman to discharge our responsibilities as citizens. Yet, some of us drop out of political organizations in our communities. Some of us either avoid the voting booth entirely or cast ballots with too little study of candidates and issues.

Others cancel subscriptions to the more profound periodicals and concentrate on the literature of escape and of escapade. Many of us have no opinions, and a few of us want none.

When the world seems beyond our control, many of us speed to our retreats in the suburbs. There at least, we can control our television sets and tune quickly away from any serious documentary or discussion. Our biggest battle is the war we wage against crabgrass.

Indeed, once we start in the direction of least resistance, we may as well give up entirely the heavy burden of individual freedom and clap on the lighter shackles of slavery.

However, you are expected to take a more difficult direction toward further knowledge, toward further analysis, and toward further participation in the life around you.

In this way, you can help control events that may mean a new stride toward world understanding.

You are not called upon for sudden, heroic action. Rather, you are asked to take up the mundane, lifelong task of heavy housekeeping. The house you must keep is the ramshackle house of mankind—and, as you must well know, the task is heavy with responsibility for each man and woman.

Your credentials for this burdensome occupation are your intelligence, your citizenship, and your education. And what will your compensation be? Perhaps it will be a full life in the light of reality instead of a half life in the electronic glare of illusion. Perhaps it will be an awareness of personal worth which comes with purposeful living—wealth not easily entered in a passbook. Perhaps it will be the reward of a parent in 1970, when his child asks, "Why has there never been a third world war?"

For many, it will be enough to know that they have been men of their time, and not fugitives from it. For each one, it may be enough to know that individual action is possible, that you have been capable of it, and that individual action is, indeed, our Nation's greatest source of strength.

Perhaps our Nation's greatest danger is immoderate, inflammatory action by social and political extremists. The extremists have made the threat of violent division an almost normal hazard of the world environment in 1963.

In 1858, at the Republican convention which had nominated him candidate for U.S. Senator, Abraham Lincoln spoke concerning the danger of division faced by our country. In his famous "house divided" speech, Mr. Lincoln advised us to act upon knowledge and with reason. He said we must ask "where we are and whither we are tending" if we would "judge what to do and how to do it."

Where are we today? We have come a long way since the age of enlightenment. We have enjoyed great progress toward a higher standard of living. But we have not come nearly far enough toward a higher standard—of living together with our fellow man.

Moreover, we are under attack. For at least the last 18 years the Western World has been under relentless, humiliating attack. Communist threats strike at our institutions. Communist walls rise to block our aims and to hide their own. Communist mockery publishes our failures and distorts our successes.

We are in a state of insecurity without precedent in the history of this Nation. Some of us are inclined to flail out in any direction—if not at our enemies on the other side of an iron curtain, then at those with whom we should be friends—at those, for example, whom we have dismissed to the other side of a color curtain.

Still further, some of us tend to group into extreme political camps. And then to fragment again into extreme religious attitudes. We have moved toward a realm of the mind where tolerance has no definition and where calm, deliberate thought has no application.

In short, we have come very close to losing our balance: our moral and intellectual balance.

Where are we? This Nation is where each citizen stands. The question is, Do enough of us stand with reason? with moderation? with compassion?

And where are we going? The house of this Nation can go nowhere but down unless our internal divisions are repaired. Moderation in social and political action is our mightiest bulwark against violent collapse.

In too much of the world, we see the extremists in power. They have not only divided nations, they have virtually drawn and quartered them. We must not permit their kind to have power here.

What we need—what you who are graduating can in good measure provide—is a restoration of balance to our internal affairs. You can give great help in uniting our nearly divided Nation, and you may eventually help restore a wholly divided world.

At its best, our democracy is sometimes imperfectly understood by many nations. We cannot expect others to understand, respect, or emulate us, so long as we allow extremists to perpetuate disunity.

Some of the seeming discords within the United States are actually the natural, peaceful, and lawful manifestations of a working democracy. Nevertheless, to much of the world, a democracy at work is a source of utter bewilderment.

Nations unfamiliar with the great aspects of our democracy cannot understand, for example, a recent dispute between our State Department and some of our citizens in the residential area of Chevy Chase, near our Nation's Capital.

The Department of State wants to build a new embassy in Moscow. The Soviets have consented, but they want permission to build a new embassy of their own in Chevy Chase. The State Department said yes to the Soviets. However, the citizens of Chevy Chase said no on the basis of zoning regulations, and began a campaign to ban the Russian Embassy.

Their campaign is legal and has been mounted with energy and determination. So far, construction in Chevy Chase has been blocked. The State Department has been somewhat embarrassed. And Soviet intelligence is struggling to discover whether the secret power behind our Federal Government might be, after all, the American people.

In this instance, where individuals of a community have acted within the law to contest an action of the State Department, we have demonstrated two things which are vital to our Nation. First, citizens acting responsibly, moderately, and within the law in their own behalf. Second, the existence of rights for these citizens which cannot be overruled by Federal whim.

Unfortunately, it is not always easy for other nations to see that lawful contest between citizens and government is not the same thing as mob defiance of the law of the land.

Unfortunately, through all our disputes, whether within the United States, or among fellow nations of the West, we can be seen by others as divided. Indeed, our division can be heard in the moderate, unbalanced, and corrosive clamor between political extremes.

In this Nation we have, in addition to our two major political parties and their responsible leaders, an extreme left wing and an extreme right.

The radical left says, "Make every concession to keep the peace," and the radical right demands that we exterminate every enemy—real or imagined—before they exterminate us.

The radical left advocates what they call a dictatorship of the people. The radical right would impose a dictatorship of an omniscient elite.

Neither of these ultimate extremes is likely to come to power. Among their many deficiencies is a total lack of reason and compassion. And yet, the likelihood would grow if the conservatives and liberals in our major parties were to move far from the moderate and balanced center.

At this vital center, calm deliberate thought precedes action. Political and social remedies are analyzed before they are allowed on the market. Poison is not mistaken for penicillin. Mob violence is not mistaken for group therapy.

The moderate man, the analytical man, the rational man, is not deceived by labels. While he stands for world peace, national security, and States rights, he does not endorse the Communist sympathizer who passes defense information in the name of world peace. He does not endorse the American Fascist who, in the name of national security, declares that all of a certain minority are traitors to our Nation. He does not endorse the segregationist who, in the name of States rights, screams profanity at schoolchildren.

Clearly, the extremists do not have at heart the equality and freedom of the individual. Therefore, they make no contribution to our national purpose or to our relations with the rest of the world.

We must show that we exalt man, the individual, but that above man we hold man's law to be supreme. In this regard, Lincoln gave us sound advice when he said:

"There is even now something of ill omen among us. I mean the increasing disregard for law which pervades the country; the growing disposition to substitute wild and furious passions in lieu of the sober judgments of courts.

"As the patriots of seventy-six did to the support of the Declaration of Independence, so to the support of the Constitution and laws let every American pledge his life, property, and his sacred honor; let every man remember that to violate the law is to trample on the blood of his father, and to tear the charter of his own and his children's liberty."

One of the most important things you, as individuals, can do is to remember Mr. Lincoln's words. Against them, the extremists become an ineffectual collection of Marxist slogans, yellowed bluebooks, and crumpled armbands.

Real unity is built upon respect for law, considered dissension, responsible discussion, and the enlightened decision of all citizens. Real unity is a balance of all these factors.

Balance is vital to us throughout our lives. As infants, we needed balance to get off our knees and walk, and so must we keep balance in thought and deed to walk as freemen. As children, we could not ride a bicycle without balance and moderation. We could not safely ride too fast or slow, lean too far back or forward, veer too sharply right or left. We had to look carefully in all directions and plot a course that would keep us upright and moving forward to our destination.

Just as we learned to use balance to confound the force of gravity, we must learn to use intellectual and political balance against the grave forces which would have our nation on its knees.

The balance we need requires considerable education and maturity. The purpose of higher education is to give an intelligent person the opportunity to read, think, discuss, and eventually to develop the tools for thinking maturely and analytically about all sides of a problem.

If this kind of thought were not essential, how much easier would be the life of the research scientist. He could throw out his electron microscope and his delicate scales and recording devices. He would need only a crucible and an alchemist's handbook. What discoveries could he not proclaim? What conclusions could he not reach? And who, in an unthinking world, could dispute him?

In a government where moderation is not applied, virtually any problem can be solved with great speed. In a State which fails to be moderate, to give a man his day in court or to hold free elections would be considered a waste of time. Government by hasty decree would replace our present methodical system of checks and balances.

Without moderation, we might not succeed in ushering in the millennium, but we should certainly be able to reach 1984 ahead of schedule.

What saves us and what has always saved us from lunatic courses leading to the totalitarian state is reason. Calm deliberation. Moral, social, and political balance.

Inherent among the goals of education in America are balance and moderation leading to central truths and away from the extremes of foolishness and falsehood. Inherent, as well, is the obligation to act as educated Americans, to maintain our rights and those of our fellow citizens.

In a recent address, the President of the United States stressed that the educated man has the greatest responsibilities. The President emphasized the need for all of us to use our education to protect the freedoms we enjoy under the Bill of Rights.

What then, must we do to protect these freedoms?

There is something of surpassing value within the ability of each one here. Each of us can, as we treasure our Constitution and Bill of Rights, take upon our conscience a bill of obligations.

The obligations we must keep are these: An obligation, under our freedom of speech, to have something to say—something meaningful and worthwhile.

An obligation, as we assemble, to meet peaceably and for good purpose.

An obligation, as we enjoy security of home and person, to respect the security of others.

An obligation, as we are protected by law, to live according to that law.

An obligation, as we, or our States, use powers reserved for us by the Constitution, to use our powers with justice and humility.

Above all, we have an obligation to act. We must not act in haste or upon little knowledge and less judgment. But it is our solemn obligation to act in time, out of full understanding, upon sound judgment, and with the transcendent concern that what we do will perpetuate unity in the house we keep.

It is a matter of reason, a matter of conscience, that educated men must do these things. This much we can do, and it may well be enough. Thank you.

ABOLITION OF DISCRIMINATION IN PUBLIC ACCOMMODATIONS IN KENTUCKY

Mr. COOPER. Mr. President, yesterday, the Governor of Kentucky, the Honorable Bert T. Combs, issued an executive order requiring public accommodations in Kentucky—that is, businesses and professions which have been licensed by the State—to be open for the public use of all citizens without discrimination. The order of the Governor follows a similar action taken earlier this year by the board of aldermen of the city of Louisville, Ky. On May 14, under the leadership of Mayor William Cowger, the board of aldermen of the city of Louisville adopted an ordinance opening all public accommodations to the equal use of all citizens, without discrimination.

I speak my own view and, I believe, the view of the majority of the citizens of my State when I say that Governor Combs deserves commendation for his courage and leadership. I believe it is always best and in harmony with our representative system of government that the substantive rights of our people be declared by legislative action—whether by the Congress, the legislature of a State, or the legislative body of a subdivision of a State. It would be best if the States would use their unquestioned legislative power to deal with the great issue of civil rights. But in saying this, I do not derogate the objectives of the Governor of Kentucky.

This action has a certain interest to me in relation to some of the issues which face the Congress. Various committees of Congress now have before them civil rights proposals made by the President of the United States. One proposal deals with public accommodations. The President's proposal with respect to public accommodations is based upon the commerce clause of the Constitution. I think this approach is constitutional, but I do not think it is the best one. If it were adopted it would confirm a kind of inequality—inequality between citizens who desire to use public accommodations, because some would be prohibited from using some public accommodations, although permitted to use others; inequality between businesses, inasmuch as some would be declared to be open to all citizens, while others, by action of the Congress, would be exempted. In my judgment, such inequalities would provoke litigation and trouble. But the chief point I wish to make is that the "commerce clause" is unworthy of the issues involved. If there is a right of all citizens to use equally public accommodations, it is a constitutional right, and it cannot be diminished by act of the Congress. It should not be based upon the economic and business aspects of the commerce clause, or upon the argument that segregation is a burden upon commerce. If it is a right, and I believe so, it is a legal right, a constitutional right, a human right, and a right of dignity which grows out of the 14th amendment.

Six weeks ago, the senior Senator from Connecticut [Mr. DODD] and I submitted a public accommodations bill, and a similar proposal introduced by Congressman LINDSAY and others is before the House of Representatives. Our bill applies to all business and facilities licensed by the State or its subdivisions, and held out for public use. It does not apply to the professions, because they do not hold themselves out to the public generally. But our bill does apply to businesses and facilities, and it is based on the 14th amendment.

I believe it clear that Governor Combs based his action upon the 14th amendment, and upon the authority of the States to deal with the subject under their licensing power. The States, in licensing businesses, exercise the police power of the States. In so acting, these businesses become affected with a State interest, and in my judgment, fall within the comprehension of a statement in one of the recent decisions by the Supreme Court of the United States—that the Congress, as well as the States, can act with respect to public accommodations, when they are affected with a State interest.

I believe the action of the Governor of Kentucky has great importance in connection with the debate which soon will commence in the U.S. Congress.

I am very proud of the continued action by my State—action which began several years ago in our schools, after the Brown decision, and even before—action which has been continued without partisanship first in the city of Louisville under a Republican administration, and now by the Democratic Governor of Kentucky.

I ask unanimous consent to have printed in the RECORD a very complete article published today in the New York Times, respecting this matter and one on Governor Combs, entitled "Unorthodox Kentuckian." Of course, I have always thought that most Kentuckians were unorthodox.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNORTHODOX KENTUCKIAN: BERT THOMAS COMBS

The Governor of Kentucky was once introduced to a political rally as "the first Baptist Governor of our State in 100 years." From the rear of the audience, a man shouted, "And if he doesn't do a little better, he'll be the last one for 100 years." Nobody on the staff of Gov. Bert Thomas Combs remembers the incident. But the Governor tells the story with delight as he roams the State, meeting people and listening for ideas.

That he issued an executive order yesterday banning discrimination in places of public accommodation is no surprise to those who know Mr. Combs. He has often said that segregation is coming to an end, and that those who fight it are only spreading bitterness.

Despite a fondness for stories, most of them self-deprecating, Mr. Combs is no orthodox politician, at least not in a State that has produced A. B. (Happy) Chandler, Alben W. Barkley and Earle C. Clements.

His opponents call him a "captive" of more experienced professionals.

He is also sometimes accused within his party of having backed away from supporting John F. Kennedy for President and the Kennedy administration. In Kentucky, where politicians say pockets of religious intolerance remain, Richard M. Nixon outpolled Mr. Kennedy, a Roman Catholic, in 1960.

Mr. Combs made his first bid for public office in 1955, seeking the Democratic gubernatorial nomination against Mr. Chandler, former Governor, who was a national figure.

"Bert had been on the State Court of Appeals, Kentucky's supreme court," a friend said recently. "He campaigned like a judge—responsibly, methodically and unsuccessfully."

Four years later Mr. Combs ran again, defeating a Chandler protege, 203,802 to 177,191. He then easily beat the Republican nominee.

In his successful campaign Mr. Combs was considerably more caustic about Mr. Chandler. As a result, when Mr. Chandler attempted a comeback last spring, he centered his attack on Governor Combs. He particularly gibed at a $50,000 floral clock planted on the Capitol lawn.

Because Kentucky law forbids a second successive term, Governor Combs backed his protege for the post, Edward T. Breathitt, Jr., 38-year-old former legislator.

Mr. Breathitt defeated Mr. Chandler in the primary. Mr. Combs, pleased, commented in an afterthought that the floral clock was paying for itself as a tourist attraction.

The Governor was born August 13, 1911, in Clay County, in the heart of Kentucky's mountains.

"He's almost the perfect man to deal with the racial situation in this State," a friend said. "In his home area, around Manchester, there's just no problem. He brought no bias or emotion to his deliberations on the issue."

Mr. Combs quit school in 1931 to work as a clerk in the State highway department. Two years later he entered the University of Kentucky and worked his way through law school, graduating second in his class.

He joined the Army in 1942 as a private and was discharged as a captain 4 years later.

Returning to civilian life, he became city attorney in Prestonburg in 1950 and the Kentucky equivalent of district attorney soon afterward.

A restless man who enjoys traveling, the Governor likes to take along his staff in visits to small towns around the State. In Calhoun or West Liberty, he would open an office for a day, listening to anyone's complaint.

With retirement from office facing him next December 9, Mr. Combs has indicated he will not accept another judgeship. "I'm going to sit back and give a lot of free advice to all of those who have been so generous with advice to me over the past 4 years," he has said.

Mr. Combs and his wife, the former Mabel Hall, have two children, Lois Ann, 19, and Thomas, 17.

Mr. COOPER. Mr. President, I also ask unanimous consent to have printed in the RECORD an article entitled "Kentucky Forbids Bias in Businesses." This article was also published today in the New York Times.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

KENTUCKY FORBIDS BIAS IN BUSINESSES—GOVERNOR'S ORDER AFFECTS ALL LICENSED ACTIVITIES—HE PRODS SCHOOL DISTRICTS

FRANKFORT, KY., June 26.—Gov. Bert T. Combs signed an executive order today forbidding racial discrimination in all businesses licensed by the State.

The order, which went into effect immediately, covers such businesses as taverns, restaurants, barber shops, beauty parlors, funeral homes, and real estate concerns.

The Governor warned that school districts which need accreditation by the State department of education, would be in danger of losing State and Federal funds if they did not integrate.

His order directed those State agencies empowered to license businesses to prepare reports within 60 days on how they planned to enforce the order.

Mr. Combs suggested that enforcement could be patterned after the procedures of the State alcoholic beverage control board.

COULD LOOSE LICENSE

After an illegal act has been charged, the board cites a licensee and orders him to appear for a hearing to show cause why he should not have his license suspended or revoked.

Hence, the Governor noted, "the penalty under this executive order also would go to a man's pocketbook."

Mr. Combs acted as a special session of the general assembly, the legislature, met here. Civil rights groups and Mayor William O. Cowger, of Louisville, had urged the Governor to broaden the special session to include consideration of a State antidiscrimination law.

The session had been called to provide State aid for four eastern Kentucky hospitals owned and operated by the United Mine Workers of America. The union plans to close the hospitals this summer because of economic reasons.

Governor Combs said he had declined to place a civil rights bill before the legislators because many had come unprepared to consider such legislation.

In addition, he said, "it is my judgment, based on contacts with key members of the legislature, that an effective bill could not be passed at this extraordinary session."

He asserted that an order "will be much more effective than filing a citation with the local court," as a State law would require.

"While Kentucky has made great strides, both for voluntary and legislative action, additional action is needed to make it possible for all Kentuckians to become first-class citizens," he declared.

He said a civil rights bill would come before the legislature, but did not specify when.

In his order the Democratic Governor declared that discrimination "in places of public accommodation is unfair, unjust, and inconsistent with the public policy of the Commonwealth of Kentucky."

The order stressed that the Governor "is charged with an obligation and duty to assure that (State) laws are thoroughly administered without discrimination."

Mr. Comb's 4-year term expires in December. He is prohibited by statute from succeeding himself. Edward T. Breathitt, Democratic nominee in the gubernatorial election next fall is supported by the Combs administration.

The order was considered broad by some civil rights leaders. Several said they would investigate the possibility that the order could include discriminatory practices in private employment.

This was the second move in 2 months to end racial discrimination in places of public accommodation.

The first occurred in May, when the Louisville Board of Aldermen passed an antidiscrimination ordinance, to go into effect within 90 days.

The Louisville ordinance and the executive order came without the pressure of demonstrations by Negro groups. In some cases, however, civil rights leaders were hard pressed to contain their followers.

Feelings in the State were intensified by the demonstrations in Montgomery, Ala., and Jackson, Miss. Negro leaders in Louisville, however, cited their record of having achieved desegregation in that city and the State by quiet persuasion.

The Louisville school system desegregated in 1956 without the necessity of court action. In the last 8 years there has been progress in desegregating parks, swimming pools, hotels, restaurants, and theaters.

In 1960 Governor Combs pushed through a law forbidding discrimination in the State's merit system for employees. He also succeeded in having legislation passed to create a State human rights commission.

Earlier this year, he signed an order forbidding discrimination in employment by State contractors and subcontractors.

Of the State's 3,100,000 population about one-eighth are Negroes. The Negro leadership is centered in Louisville. Mostly it is educated and dedicated to moral and political persuasion to achieve its goals.

CONFERRED IN WASHINGTON

WASHINGTON, June 26.—Governor Combs consulted with Burke Marshall, the Justice Department's civil rights chief, before issuing his executive order.

Mr. Marshall encouraged him to go ahead with it.

About 30 States and several localities have laws against discrimination by hotels, restaurants, and other places of public accommodation. Only Indiana previously had acted by executive order.

How effective the executive technique will be compared with legislation remains to be seen.

AREA REDEVELOPMENT ACT

Mr. METCALF. Mr. President, yesterday the Senate passed the supplemental appropriations to the Area Redevelopment Act. During the debate, there was concern expressed by some of my colleagues as to the value of the program.

While it was not part of the discussion yesterday, a very important aspect of the Area Redevelopment Act is the retraining program. Today I want to emphasize the great benefit the training program has given to those who have participated in it. There is a need for skilled workers and this act helps answer that need at a very low cost per trainee.

I received many letters from people who completed the initial classes set up in my home State and, almost without exception, the 8-week training program enabled these people to get a job where previously they could not. As I read through the letters I was deeply impressed by the change these short courses had wrought in their lives.

The excerpts from these letters do not begin to reflect the depth of feeling and gratitude which the full letter would, but will give some indication of the training course's undoubted success from the standpoint of giving these citizens a new hope in life as well as from the standpoint of upgrading our labor force.

Mr. President, I ask unanimous consent that the excerpts from the letters be incorporated at this point in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

1. Nurses aid: "I have thought many times (how) lucky I was to take the training. I am still at the Silver Bow General (Hospital)."

2. Lumber grader (had been unemployed 14 weeks) (age 28): "I finished the school on a Friday and started work for Diehl Lumber Co. at Plains, Mont., on the next Monday. It has given me and my family the opportunity to better our income and standard of living."

3. Nurses aid: "As of the result of it (the 8-week training program to become a nurses aid) I have been very successful in maintaining a job and security.

"Your program is just wonderful. Thanks again.

"It's wonderful to be able to see (the patients) get well and know I was of some help."

4. Ward attendant (unemployed 2 years) (age 38): "The ARA program helped me a great deal insofar as the field that I am in now, it gave me a lot more confidence in myself.

"Regardless of what type of work goes into on an ARA program, if the instructors and supervisors are as good as the ones we had and the students take their training seriously they can't help but come out on top."

5. Motor analyst (unemployed 20 weeks) (age 19): "(The course) has enabled me to find a steady paying educational job as a motor analyst.

"I feel through rewarding experience that this good work should be continued assisting people that wish to find work but are unable to through lack of knowledge and training."

6. Service station attendant (unemployed 26 weeks) (age 32): "I am sure very thankful that I took this training, for it has helped me very much.

"It has help me to maintain a better job."

7. Motor analyst (unemployed 18 weeks) (age 32): "This course has helped me to such an extent I cannot express my gratitude. I have gone into business for myself just because of this schooling."

8. Nurses aid: "Since completing the nurses aid course, I have been employed continuously.

"(I) am truly grateful for the opportunity afforded me through this training course."

9. Ward attendant (unemployed 5 weeks) (age 60): "(The ARA training) has advanced me in many ways.

"I know we got the best (training) because, I know, it shows up in the ward."

10. Ward attendant (unemployed 10 months) (age 20): "If not for the classes of ARA it would not have been possible for me to work at the State hospital. My husband and I were out of work and no prospects of a job but now we are both working."

11. Welder: "I have had work most always since leaving the school other than a short time between jobs due to a layoff."

12. Engineering aid: "I am still employed as an engineering aid due to the training I received in the training course that I was fortunate enough to take in Butte last year."

13. Lumber grader (unemployed over 1 year) (age 48): "I think this course is especially valuable to people in my age group."

14. Nurses aid: "I have been successfully employed since completing the course. I sincerely believe that training of this kind would be beneficial to others."

15. Engineering aid: "The program made it possible for me to acquire employment in order to secure the finances so college could be completed. I truly hope that the program can and will be continued and will continue to offer programs to our youth to fit them into America's progression."

16. Stenographer (unemployed 26 weeks) (age 44): "Thank you seems to be such an inadequate word for the good the area redevelopment stenographer course did for all of the girls including myself, but (I) will say thank you all very much for the wonderful opportunity."

17. Lumber grader (unemployed 50 weeks) (age 52): "I have been employed as a lumber grader by the Northern Timber Co. of Deer Lodge since June 6, 1962 (11 days after completing course)."

18. Ward attendants, husband (unemployed 21 weeks) (age 43), wife (unemployed 47 weeks) (age 41): "Happiest day of my life reporting to Montana State Hospital knowing that along with my husband to join in on this venture of a new jobs ahead for both of us. My husband's and my employment is working out 100 percent here. We started out at $230 per month.

"This ARA class and course gave both myself and my husband confidence in knowing we had been taught the essentials in nursing."

19. Engineering aid: "I would not have been hired for this type of work without the training that I had received."

20. Rodman (unemployed 26 weeks) (age 19): "After completing the ARA training course I have been employed by the Bureau of Public Roads. This schooling has done wonders for me as far as job opportunities go and for steady employment."

21. Stenographer (unemployed over 52 weeks) (age 40): "I cannot tell you how much I appreciate the opportunity.

"I am employed at present with the U.S. Department of Agriculture."

22. Engineering aid: "The training I received from the ARA has been the direct cause of my being employed. Through taking the course I'm working today."

TOWN OF MILLBURY

Mr. SALTONSTALL. Mr. President, I am pleased to bring to the attention of the Senate that the town of Millbury, Mass., is officially celebrating its 150th anniversary this week with an outstanding program of events to honor the fine accomplishments of the citizens of Millbury during the past century and one-half.

On June 11, 1813, the town of Millbury was incorporated by a bill approved by the General Court of Massachusetts and signed by Caleb Strong, the 10th Governor of the Commonwealth. At that time the inhabitants of Millbury numbered about 500. Many of these people were engaged directly in textile manufacturing established along the Blackstone River. The opening of the Blackstone Canal in 1828 gave an added impetus to the textile industries. When the canal closed in 1848, the Providence & Worcester Railroad provided the major transportation facilities maintaining the town's progress. Spinning of woolen yarns, weaving, wool scouring, and the manufacture of textile machinery continue in Millbury's present economy.

Today Millbury is primarily an industrial and residential community offering steady employment for many of its 10,000 residents. Manufacturing with 67.8 percent of the total employed population is the largest source of employment. Second in importance is the wholesale and retail trade. In addition, many of the townspeople are employed in the nearby city of Worcester.

Millbury proudly boasts many firsts. In the early days of the Revolutionary War, the Province of Millbury erected the only powder mill in the area. The first papermill in central Massachusetts was established there, and the first scythes made in the country were manufactured in Millbury.

Among Millbury's famed citizens is Thomas Blanchard who perfected the calm motion principle and invented the eccentric lathe for turning irregular forms. Dr. Leonard Gale, who assisted Samuel B. Morse in perfecting the telegraph, is another of Millbury's outstanding residents.

President William Howard Taft spent part of his boyhood in Millbury and attended the public schools there. In 1913, Taft attended Millbury's centennial celebration, and he was a guest speaker at the centennial banquet.

Millbury is a progressive community with a history of which not only its residents but also the country can be proud. The accomplishments of the people of Millbury are the results of the sort of civic spirit, initiative, and leadership which characterize these United States. On this, their 150th anniversary, I salute the residents, past and present, of the town of Millbury.

FEDERAL DEPOSIT AND SHARE ACCOUNT INSURANCE ACT

Mr. ROBERTSON. Yesterday I introduced a bill, S. 1799, at the request of the Secretary of the Treasury. At that time I obtained unanimous consent to insert in the RECORD the transmittal letter from the Secretary of the Treasury, in order to inform the Senate and other interested persons of the nature of the bill.

I have now had many requests for copies of the section-by-section analysis of the bill which was sent to the Senate along with Secretary Dillon's letter and I, therefore, request unanimous consent to insert this section-by-section analysis in the RECORD at this point.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

SECTION-BY-SECTION ANALYSIS OF THE PROPOSED FEDERAL DEPOSIT AND SHARE ACCOUNT INSURANCE ACT OF 1963

Section 1 would entitle the bill the "Federal Deposit and Share Account Insurance Act of 1963."

COVERAGE OF INSURANCE

Sections 2 and 3 would increase from $10,000 to $15,000 the maximum amounts of insurance coverage per deposit or share account provided by the Federal Deposit Insurance Corporation and the Federal Savings and Loan Insurance Corporation.

Section 2 also provides that in the case of a bank closing prior to September 21, 1950, the maximum amount of the insured deposit of any depositor shall be $5,000, and in the case of a bank closing on or after September 21, 1950, and prior to the effective date of this bill, the maximum amount of the insured deposit of any depositor shall be $10,000.

Section 3 provides that the higher coverage for Federal Savings and Loan insurance shall not be applicable to certain claims arising from default prior to the effective date of this bill.

INTEREST AND DIVIDEND RATES

Sections 4 and 5 would change from a mandatory to a standby basis the authority of the Board of Governors of the Federal Reserve System to limit the rates of interest that may be paid by member banks on time and savings deposits and the authority of the Board of Directors of the Federal Deposit Insurance Corporation to limit the rates of interest or dividends which may be paid by insured nonmember banks (including insured mutual savings banks) on time and savings deposits. The authority could be invoked (1) if required by general credit conditions or to prevent competitive practices that would endanger the safety and solvency of such banks, and (2) when consistent with policies to promote economic stability and maximum employment, in a manner calculated to foster free competitive enterprise and the general welfare. Such sections further provide for the exercise by the Board of Governors of its limiting authority after consultation with the Federal Deposit Insurance Corporation and Federal Home Loan Bank Board and the exercise by the Board of Directors of the Federal Deposit Insurance Corporation of its limiting authority after consultation with the Federal Reserve Board and Federal Home Loan Bank Board. However, foreign official deposits, which presently are exempted from limitation until 1965, would not be subject to this standby authority until expiration of this existing exemption. Any limitations on interest rates established under these sections could differ for different classes of deposits or banks on various bases, including the location of the depositors.

Section 6 would grant standby authority to the Federal Home Loan Bank Board, after consultation with the Federal Reserve Board and the Federal Deposit Insurance Corporation to limit the rates of interest or dividends which may be paid by members of any Federal home loan bank (other than those insured by the Federal Deposit Insurance Corporation), and by institutions the accounts of which are insured by the Federal Savings and Loan Insurance Corporation. The criteria for invoking such authority would be the same as for the Federal Reserve Board and Federal Deposit Insurance Corporation. There is no existing statutory authority in the Federal Home Loan Bank Board to limit the rates of such interest or dividends.

LIQUIDITY REQUIREMENTS

Section 7 would revise and improve the present liquidity requirement for institutions which are members of a Federal home loan bank or the accounts of which are insured by the Federal Savings and Loan Insurance Corporation. The present general liquidity requirement of 4 to 8 percent in cash and obligations of the United States of a member's obligations on withdrawable accounts would be replaced by a general liquidity requirement of not less than 4 percent nor more than 10 percent of a member's obligations on withdrawable accounts and borrowings. The Federal Home Loan Bank Board is also accorded clearer and broader authority to specify the proportion of cash and the type and maturity of obligations eligible for meeting the general requirement. The accounting and enforcement provisions are improved and made more explicit.

In addition, the Board is authorized to impose a special liquidity requirement on an institution or group of institutions if, in the Board's opinion, the asset composition or quality, the structure of the liabilities, or the ratio of its nonwithdrawable capital, surplus and reserves to withdrawable accounts of the institution or institutions, requires a further limitation of risk to protect the safety and soundness of the institution or institutions. The total of the general and special liquidity requirements could not exceed 15 percent of withdrawable accounts and borrowings. Thus, the Board would be provided with explicit supplementary powers of a kind that have, in practice, long been exercised in the banking industry on the basis of established tradition and supervisory authority.

The provisions of section 7 would continue the present authority provided by section 5A to the Federal Home Loan Bank Board over mutual savings banks which become members of a Federal home loan bank. Similarly, the Federal Deposit Insurance Corporation, for those mutual savings banks insured by it, would continue to be the primary authority in the examination, supervision, or regulation of any such bank, and nothing in this bill is intended to affect or alter that situation.

RESERVES AND DIVIDENDS OF FEDERAL HOME LOAN BANKS

Section 8 would amend the present law relating to the reserves and dividends of each Federal home loan bank so as to limit dividends to not more than 6 percent per annum on paid-in capital. It is the intent of this section that the excess net earnings of a Federal home loan bank, after its reserves have reached 100 percent of paid-in capital and all allocations and chargeoffs required by the Board have been provided for and all dividend claims have been fully met, should be paid into the Treasury of the United States.

CONFLICTS OF INTEREST

Section 9 would extend the statutory noncriminal conflict of interest and related restraints now applicable to member banks, and as strengthened by section 10, to insured nonmember banks, subject to supervision and regulation by the Federal Deposit Insurance Corporation. (Conflict-of-interest restraints for insured nonmember banks are now effectuated by administrative action of the Federal Deposit Insurance Corporation.) The statutory restraints provided pertain to specified transactions between insured nonmember banks and their directors, officers, employees, attorneys, or affiliates, including the purchase or sale of securities or other property, loans or extensions of credit and investments, and preclude, except in limited classes of cases allowed by the Federal Deposit Insurance Corporation, certain persons primarily engaged in the sale or distribution of securities from serving at the same time as officers, directors, or employees of such banks. In addition to the specific statutory prohibitions, the Federal Deposit Insurance Corporation would also be authorized to establish rules and regulations at their discretion to assure that directors and officers do not participate in transactions that would result in a conflict of their personal interest with those of the bank they serve. Such section, however, would permit a nonmember insured bank to extend credit to any executive officer thereof in an amount not exceeding $5,000, or, in the case of a first mortgage loan on a home owned and occupied or to be owned and occupied by such officer, in such amount as the Federal Deposit Insurance Corporation may prescribe, provided that the terms of any such loan are not more favorable than those extended to other borrowers.

Section 9(c) of the bill adds a new section 20 to the Federal Deposit Insurance Act dealing with transactions with affiliates. The term "affiliate," with respect to any insured State nonmember bank, is defined so as to include any organization that would be an affiliate or holding company affiliate of such bank under section 2 of the Banking Act of 1933, even though such bank is not a member bank to which the definition in the Banking Act of 1933 is limited.

Section 10 would strengthen the noncriminal conflict of interest restraints with respect to transactions between national and State member banks and their directors, officers, and affiliates subject to supervision and regulation by the Comptroller of the Currency and the Federal Reserve Board, respectively, principally by adding a paragraph permitting the relevant supervisory authority to establish rules and regulations supplementing specific present statutory prohibitions, at their discretion, in conflict of interest situations. Limitations on loans by member banks to their affiliates would be tightened in certain respects and for this purpose the definition of affiliates would be broadened. (Similar limitations would be made applicable to nonmember insured banks under provisions of sec. 9.) Such section, however, would increase from $2,500 to $5,000 the amount of credit that could be extended by a member bank to any executive officer and permit a first mortgage loan from a member bank to any executive officer on a home owned and occupied or to be owned and occupied by such officer in such amount as may be determined by regulation, provided that the terms of such loan are not more favorable than those extended to other borrowers.

Section 1 also provides exemptions with respect to limitations on investments that member banks may make in their affiliates. (Sec. 9 would provide like exemptions for insured State nonmember banks).

Section 11 would provide for noncriminal conflict of interest restraints with respect to transactions between institutions which are members of any Federal Home Loan Bank (other than those insured by the Federal Deposit Insurance Corporation) or institutions the accounts of which are insured by the Federal Savings and Loan Insurance Corporation and officers, directors, employees, or attorneys of such institutions. Prohibited transactions would include the making or purchase of any loans, and the purchase or sale of securities or other property, between the institution and any such party, or any partnership or trust in which they have any interest, or any corporation in which any such party owns, controls, or holds with power to vote more than 15 percent of the outstanding voting securities, or in which all such parties own, control, or hold with power to vote more than 25 percent of the outstanding voting securities. An institution would be permitted to make loans on the security of a first lien on a home owned and occupied by a director, officer, employee, or attorney of the institution, in such amount as may be permitted by regulation of the Board, and to make other loans of a type that it may lawfully make to any such party, in an aggregate amount not exceeding $5,000, provided that the terms of any such loans are not more favorable than those extended to other borrowers.

Section 11 would incorporate into law applying to the above member and insured associations much of the substance of current conflict-of-interest regulations governing Federal savings and loan associations, and it is also roughly analogous to the noncriminal conflict-of-interest provisions which sections 9 and 10 would extend to member and nonmember banks. In addition to the restraints specified in this section, the Federal Home Loan Bank Board is extended the right to establish rules and regulations to assure that directors and officers do not participate in transactions that would result in a conflict of their own personal interests with those of the institution which they serve. (The statement in subsec. (e) of sec. 11 that directors and officers occupy a fiduciary relationship to the institution of which they are directors or officers, and to its shareholders and stockholders, is declaratory of a common law principle which has been upheld by the courts.)

Section 12 would extend to examiners appointed by the Federal Home Loan Bank Board the same requirements, responsibilities, and penalties as are applicable to examiners under the National Bank Act and the Federal Reserve Act. Subject to such limitations as the Federal Home Loan Bank Board may prescribe, they would have in the exercise of their functions the same powers and privileges as are vested by law in such examiners.

Section 13 would make certain criminal provisions relating to conflict of interest now applicable to insured banks also applicable to officers, directors or employees of institutions which are members of any Federal Home Loan Bank or the accounts of which are insured by the Federal Savings and Loan Insurance Corporation and to examiners appointed by the Federal Home Loan Bank Board. This section would permit public examiners to obtain home loans from insured institutions which they may examine.

EFFECTIVE DATE

Section 14 would provide for the act to take effect on January 1, 1964.

PUTTING CIVIL RIGHTS LEGISLATING MANEUVERING IN PROPER PERSPECTIVE

Mr. MUNDT. Mr. President, in the June 26, 1963, issue of the Washington Evening Star there is a column by Richard Wilson which I feel sets in true perspective the coming great debate on the civil rights issue. Richard Wilson has cut through the mass of verbiage which has been written about enactment of civil rights legislation, and pinpointed most effectively the fact that if Democrats want to take credit publicly for civil rights legislation then they must also assume responsibility for any defections from their ranks which might defeat their objectives.

I commend to my colleagues this article since it certainly sets the record straight on this politically explosive issue. Mr. President, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD as follows:

PUTTING RIGHTS PROGRAM THROUGH—DEMOCRATS REMINDED THEY HAVE VOTES AND CAN'T BLAME GOP IF BILL STALLS

(By Richard Wilson)

It is little noted, but the Democratic majority in the U.S. Senate is exactly the number needed to force a vote on the President's new civil rights program.

A two-thirds vote of the Senate can break a filibuster. The Democrats have 67 votes and the Republicans 33. Yet it will be charged, in fact it is already intimidated, that Republicans will be responsible if Congress fails to pass a new civil rights law.

This is the reason Republican leaders have conferred with President Kennedy on a bipartisan approach with their fingers crossed. However sincere the President's motives, Republicans in the Senate will not be spared mendacious attack if civil rights legislation fails of passage.

Yet the reason why such legislation cannot be passed lies in the simple fact that the Kennedy administration has no control of the overwhelming Democratic majorities in the Senate and House.

The Democratic majority is like Barnum and Bailey's menagerie, a big tent housing carefully caged animals which would eat each other in the jungle. The Senate Democratic leaders say they cannot break a filibuster and pass the President's program without 20 to 25 Republican votes. Therefore, the Republicans are to blame if they don't vote to a man for the President's program.

Democratic leaders could well afford to blush while making such a confession of the ineffectuality of their powers of leadership. Nor is their ineffectuality confined to civil rights. They cannot claim that only on the racial issue are the fierce conflicts within the Democratic Party exposed. The flagrant schism is equally evident on social, economic, and labor legislation.

Whatever the President's popularity in this and other countries, his prestige in the Congress of the United States is at low ebb. According to old hands in Congress, the resentment against the President of the United States has no parallel except possibly the revolt against Franklin D. Roosevelt when he sought to pack the Supreme Court with new appointees. Roosevelt lost his hold on Congress then, though he continued to enjoy a public adulation which Mr. Kennedy has never had in anywhere near the same degree.

The congressional discontent with Mr. Kennedy is not confined to the Southern Democrats, nor the Republicans. The liberals are dissatisfied with what they consider to be half measures. Even some of the moderates think Mr. Kennedy has helped to create, by unfulfillable promises and bravura statements, the conditions for racial demonstrations of a dangerous character. When faced by this dangerous condition, the Kennedy tone quickly changes. Equality will have to come slow and not by legislation alone.

It is in this atmosphere that the President has proposed his program to hasten the inevitable advance of Negroes toward higher levels of equality. And it is a shame that this question cannot be considered apart from its political aspects.

But those political aspects exist and it is truly amazing that Negro leaders do not recognize them. Negroes made their greatest advances since their emancipation in a Republican administration. Whatever Negro leaders may think today, no civil rights legislation was recommended to Congress by Roosevelt and none was enacted. Harry Truman was the first President to offer a comprehensive program. It was not enacted. President Eisenhower offered a program in 1956 and it was enacted in major part. Again in 1960 on President Eisenhower's initiative civil rights legislation was enacted.

In spite of the urgent promises of the Democratic platform of 1960, Mr. Kennedy delayed for more than 2 years offering any kind of general civil rights legislation, and he does so now under the pressure of mounting racial demonstration, and with sentiment built up in Congress against him.

These are the facts. Now it is to be seen whether President Kennedy, with two-thirds of Congress under Democratic control, can do as much as did President Eisenhower, whose party did not have control of Congress.

And if Mr. Kennedy cannot win, then let the blame go where it ought to.

CIGARETTE SMOKING, S. 1682

Mr. MOSS. Mr. President, the schedule for publication of facts determined by the U.S. Public Health survey on the effects of cigarette smoking has now been set for the end of this year. The committee making the survey will not start drafting recommendations for action until after the factual section of the survey is made public. This means it will probably be a year, at least, before any specific legislative recommendations come to the Congress from the executive branch of the Government for action on the health aspects of smoking.

Meanwhile, the growing number of articles about the harmful effects of tobacco, and particularly cigarette smoking, indicate the growing concern of the American public with this problem. The fact that a password contestant on a national TV program immediately said "cancer" when asked what word she associated with "cigarettes" was most revealing.

I ask unanimous consent that a Time magazine article of June 28, detailing this incident, and discussing the cigarette problem, be printed in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TOBACCO: TROUBLE IS THE WORD

In a nationally televised game called Password one night last week, a contestant stared her partner in the eye and asked him for the word that people most logically associate with cigarette. Without hesitation, the partner blurted "Cancer." The audience roared with laughter and applause, and the master of ceremonies gulped, as if seeing all the leaders of the $8 billion-a-year U.S. tobacco industry frowning collectively at him. The health issue has caused the tobacco industry to slide from peaks that it may never reach again.

Though sales reached records last year, per capita smoking of cigarettes in the United States declined for the first time since 1954. Profit margins dropped for every major U.S. tobacco company except Philip Morris, and cigarette company stocks are still far below the highs set before last year's market crash. The industry finds itself under harsh fire from doctors, teachers, parents, and legislators. The U.S. Air Force has stopped distributing cigarettes in lunch packs to flight crews. U.S. Surgeon General Luther L. Terry is preparing to release a definitive smoking-and-health report that tobacco men fear will be widely damaging to them.

NO LONGER CHICKEN

The industry's big export markets have already been crimped by newly imposed restrictions on tobacco advertising in Europe. Last week, following an example set on British TV, two Canadian cigarettemakers agreed not to advertise on Canadian TV until 9 p.m., when children are presumably safely abed. After many U.S. universities banned cigarette ads from campus publications at the urging of the American Cancer Society, five major cigarette companies last week announced that they will discontinue all campus advertising and promotion.

What worries tobacco men most is the increasing difficulty, in the face of such pressure, of attracting the young smokers on whom their future depends. Though half of U.S. adults and 44 percent of all high school seniors are said to be regular smokers, a teenager no longer need feel chicken or prim for not smoking. The Cancer Society claims marked success from its stepped-up showings of cigarette-warning films in schools, and youngsters who quit find themselves in good company. Among adult quitters: LeRoy Collins, who almost lost his job as president of the National Association of Broadcasters when he expressed disapproval of cigarette ads pitched to youngsters, and President James M. Hester, of New York University, who last week asked the press to discard old photos showing him puffing cigarettes, since he has discontinued smoking.

SCRAMBLE FOR SPACE

Instead of flatly condemning reports of a cancer link, as manufacturers once did, the industry's Tobacco Institute now prefers to stress a crusade for research. While waiting for the results of that crusade, tobacco companies have stepped up their $200 million advertising campaign, which associates smoking with virility and romance. Manufacturers scramble hard for spots in vending machines, which now account for 16 percent of cigarette sales. Partly because the automatic vendors ask no questions of underage smokers (who are breaking the law in 46 States whenever they buy cigarettes), four States are considering imposing restrictions on the machines. Vending machines can stock up to 20 brands, and are so well patronized that all the cigarette companies except top-selling R. J. Reynolds (Camel, Winston, Salem) offer premiums of up to $32.10 annually per machine to vendors who agree to stock their brands.

Space is at a premium in the vending machines because of the extraordinary proliferation of new brands. Tobacco men hope not only to fit every taste and soothe every fear, but also to cater to the restlessness that is one result of the concern about smoking. Most of the new brands have a consciously antiseptic image—notably the filters (which have now captured 56 percent of the U.S. market), the lengthy kings (20 percent of the market), and the menthols (14 percent). Liggett & Myers has launched Lark with a 3-piece Keith filter, and Brown & Williamson is test-marketing Breeze filters with menthol and a "touch" of clove. American Tobacco has brought out menthol Montclair; last week Philip Morris started selling nationally its filter-menthol Paxton, which comes in a thin plastic "humidor" case. Launching each new brand costs some $10 million, but most of them seem to burn out quickly nowadays. Among the recent failures: R. J. Reynolds' Brandon, Philip Morris' Commander, American Tobacco's Riviera, Brown & Williamson's Kentucky Kings.

While they talk bravely of the future and are confident that old habits die hard, tobacco men are hedging by diversifying their interests. U.S. Tobacco now makes candy too. Philip Morris has bought out Burma Shave, Clark Chewing Gum and American Safety Razor (Personna, Pal, Gem). R. J. Reynolds has gone into several lines from fruit punch to packaging.

PUTTING THE "PARK" IN PARK CITY

Mr. MOSS. Mr. President, yesterday we discussed and this body passed a bill authorizing further funding of ARA. In that discussion the ARA loan to United Park City Mines for construction of a recreation area was mentioned. This development depends on a loan of $1,200,000 from ARA. The Deseret News, of Salt Lake City, published an editorial on May 13, 1963, approving the new recreation area. Unmentioned was the ARA loan, but I ask that the editorial be printed in the Record at this point.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Putting the "Park" in Park City

Picturesque and colorful Park City, which became a ghost town, is well on its way to becoming a boom town as it was in the days of the Old West.

The new bonanza this time is not mining as of yore, but recreation and sports, and it couldn't have happened to a more deserving community. Park City has shown that it knows how to weather a crisis.

Faith and vision have been put to work on a project designed to make Park City truly and actually a park—a vast recreational complex with ski facilities, a golf course, swimming pools, tennis courts, horseshoe pitching areas, sun terraces, riding academy, mountain restaurant, and a ride through an abandoned silver mine to the top of a gondola lift, 10,000 feet to Mount Jupiter.

Park City is a natural for the new development. It lies at 7,000 feet on the east slope of the Wasatch Mountains—cool and crisp in summer, snow-laden in winter. It is situated only a few miles from Salt Lake City—center of scenic America, the heart of a fast-growing metropolitan area and focal point of tourism, and jet, rail, and bus lines. Over the mountains on either side are the Wasatch State Park, now being developed, and the Alta-Brighton ski areas.

The rejuvenation of Park City provides a glowing chapter to one of the most dramatic stories in the annals of the Old West. Old timers, remember fires, economic slumps, epidemics, mine shutdowns, and other reverses which all but put the town out of business. One fire wiped out 200 business houses and dwellings and cost more than $1 million. The more recent mine closings throttled the town's principal source of income.

Park City residents have looked upon these adversities as just another crisis soon to pass away.

The new Park City development, as one giant recreation complex, should provide the State with a vacation and tourist facility that will be a real asset. It looms large as a product of the vision and enterprise of a community that has learned how to weather a crisis.

WHAT THE DAUGHTERS DO

Mr. THURMOND. Mr. President, on Monday, June 24, 1963, the Senate considered and approved Senate Resolution 159, a resolution authorizing, as in the past, the printing of the annual report of the National Society of the Daughters of the American Revolution for the year ended March 1, 1962. At that time, the distinguished junior Senator from Oregon [Mrs. Neuberger] made some remarks about the activities of the DAR. These remarks are printed on pages 11376–11379 of the June 24, 1963, issue of the Record.

Since that time, Mr. President, the able president general of this great, patriotic organization, Mrs. Robert V. H. Duncan, has issued a public statement in response to the distinguished Senator's remarks. I ask unanimous consent, Mr. President, to have printed in the Record the news release issued on June 25, 1963, by this great organization, which has done as much or more than any organization in this country to promote education, historic preservation, and love of country. I also ask unanimous consent to have printed in the Record following these remarks a brief brochure entitled "What the Daughters Do."

There being no objection, the news release and brochure were ordered to be printed in the Record, as follows:

Statement by Mrs. Robert V. H. Duncan, President General, NSDAR, Washington, D.C.

"There is nothing secret about the National Society, Daughters of the American Revolution, its policies, actions or purposes," said Mrs. Robert V. H. Duncan, president general. "As president general, I am glad and perfectly willing to answer bona fide questions concerning the organization," she affirmed.

"Further, any interested inquiry is welcome as it provides an opportunity to inform the public at large of the comprehensive NSDAR program—in the fields of historic preservation, promotion of education and patriotic endeavor—which has been steadfastly and conscientiously maintained and supported over more than 72 years. We are proud of this record and feel it speaks for itself."

"So far as the term 'politicking' is concerned, I am surprised at its use and am at something of a loss to know just what is meant inasmuch as the National Society maintains no lobby at National, State, or local government levels, contributes to no political party or candidates in any way, initiates no legislation, and does not—as do a number of organizations—even in its own internal setup have any legislative chairmen. Yes, the DAR being interested in the preservation and maintenance of our constitutional Republic, does urge its members, as individual good American citizens to be informed and to exercise the privilege of the franchise and vote, but how one votes is entirely up to the individual," said Mrs. Duncan.

"Relative to the 'tax-free' inference, there are several pertinent factors which have direct bearing on this and I begin with Constitution Hall. Aside from the fact that the DAR was not organized and has never been operated for profit, for the past 30 years its privately owned auditorium has been made available on an at cost basis—when no other or similar facility was available—for the furtherance of cultural and educational pursuits in the Nation's Capital. On this the NSDAR pays business taxes to the District of Columbia; last year these ran over $20,000. This year they will run more," stated Mrs. Duncan.

"As respects patriotic endeavor, the taking of stands and passing of resolutions, the recent newspaper-carried statement assigning political motivation to the activities of the NSDAR, on national and international problems, is misleading.

"The NSDAR was founded in 1890 and in 1895 chartered by the Congress of the United States for historic, educational, and patriotic purposes. It always has been and remains today just such an organization.

"The national society through the years has patriotically supported and encouraged appreciation of our American heritage and way of life wherein lie the fundamental principles and ideals that have given this Nation and its people the greatest freedom, most justice, and the highest standard of living known to man.

"This has been the unwavering course of the NSDAR irrespective of changes in political administrations, whether in the executive or legislative branches of the Federal Government, or both.

"The DAR acts independently and takes its stands alone, without affiliation or identity with any other organization. Further, whether one agrees with DAR stands or not, it is noteworthy that not once—never—in the course of its existence has it ever passed a resolution asking anything for itself—no special consideration, favor of any kind, grant or subsidy.

"In considering the overall subject, there are certain other important facts and figures which I believe have real significance to the general public, certainly to the interested and the serious-minded," continued Mrs. Duncan. She elaborated and enumerated as follows:

"NSDAR annual contributions to schools alone totals approximately $200,000 yearly. This is exclusive of the incalculable amount given direct through loans and scholarships at local and State levels to students irrespective of race, color, or creed. In addition, the DAR materially assists the American Indians; in 1962 the amount ran over $34,000. Further, the DAR owns and operates two schools in the Southeastern mountains; one in South Carolina and one in Alabama, an investment of better than $2 million.

"The DAR has a unique position in extending a helping hand to immigrants and naturalized citizens. Not only did it start, own and run the first naturalization school, over the years it has provided free copies of the 'DAR Manual for Citizenship,' a textbook of instructions to prepare new citizens to pass citizenship tests. To date, over 9 million have been distributed free of charge.

"Deserving attention is the youth activities program pursued by the DAR. This is through nationwide programs promoting good citizenship, leadership, dependability, and service. The special character of these programs—good citizens, junior American citizens and children of the American Revolution—is that all are entirely volunteer on the part of the participants; winners at local and State levels are not hand-picked by the DAR or its members, but rather by fellow students and faculty groups. Much effort and money go into this work; results of which are highly rewarding.

"In the historic field, the National Society has been outstanding in marking, restoring and maintaining landmarks of importance. It also constructed (and gave to the Valley Forge Foundation, Inc.) the famous Memorial Bell Tower in Pennsylvania at a cost of better than $400,000 and erected the Madonna of the Trail statues across country, marking the movement of America westward.

"Visitors to Washington, D.C., as well as archivists and antique lovers are familiar with the fact that the NSDAR, at its national headquarters, maintains as a public service—open daily—both a genealogical and historic research library and an Americana museum.

"The foregoing items, chosen at random," said Mrs. Duncan, "give some idea of the scope of the DAR program and activities. The record speaks for itself and speaks creditably, I think. Many people know or think of the DAR in different ways," mused Mrs. Duncan, "I have cited some typical examples.

"Should any inquiry be made the DAR will readily cooperate. Any organization that has been in existence nearly three-quarters of a century, which has made a contribution should welcome the opportunity to explain its purposes and operations. The national society's record of accomplishment is a source of pride to its members, and is open to all. Annually, as per act of incorporation by Congress in 1895, this record in condensed form but including full summary of funds collected and disbursed has been submitted to the Congress of the United States by way of the Smithsonian Institution. The decision to reprint this report at public expense has always been the voluntary act of Congresses since the national society came into being and can, I think, be taken as a recognition of the public service our society performs."

What the Daughters Do

(Compiled by Mrs. Felix Irwin, recording secretary general)

FOREWORD

Since its organization October 11, 1890, the National Society, Daughters of the American Revolution, has steadfastly pursued its threefold objectives: Historic appreciation, promotion of education and patriotic service.

Over the years, the vision and dedication of the four founding daughters—Miss Eugenia Washington, Miss Mary Desha, Mrs. Ellen Hardin Walworth and Mrs. Mary S. Lockwood—although expanded through committee work have been maintained and adhered to faithfully as evidenced by an outstanding record of accomplishment.

This booklet attempts to give the scope of activities of the national society and to set forth a brief résumé of work achieved. Condensed facts used here have been gleaned from annual reports of national officers and national chairmen. A full account of these reports is available in the published proceedings of the Continental Congress and in the annual report this society renders to the Smithsonian Institution.

The ability and foresight of the national officers and national chairmen who have directed our membership in the various phases of activity have been outstanding. It has been an inestimable service in which we take pride and for which we have overwhelming gratitude. In large measure, such dedication accounts for the strength and integrity which has typified the society for over 70 years.

The headquarters of the NSDAR in Washington—one full city block of buildings—houses an outstanding genealogical library, a lovely museum of Americana dating prior to 1830, together with 28 period-furnitured rooms, Constitution Hall (available as a center of cultural life in the Nation's Capital) and in addition, our own society's administrative offices. A visit there proclaims the ideals of women descendants of American patriots to preserve our country, its constitutional Republic and the American way of life.

Mrs. Robert V. H. Duncan,
President General, NSDAR.

The National Society of the Daughters of the American Revolution was founded on October 11, 1890: (1) to perpetuate the memory and spirit of the men and women who achieved American Independence; (2) to carry out the injunction of Washington in his farewell address to the American people, "to promote, as an object of primary importance, institutions for the general diffusion of knowledge"; (3) to cherish, maintain and extend the institutions of American freedom, to foster true patriotism and love of country, and to aid in securing for mankind all the blessings of liberty. The founders were: Miss Eugenia Washington, Miss Mary Desha, Mrs. Ellen Hardin Walworth, and Mrs. Mary S. Lockwood.

As of June 1, 1962, the active membership of the DAR was 185,146, and 2,861 chapters in the United States, Canal Zone, Cuba, England, France, Mexico, and Puerto Rico.

The DAR was incorporated under the laws of the District of Columbia on June 8, 1891; was granted a charter by the U.S. Congress, signed by President Grover Cleveland in 1896.

The society reports annually to the Secretary of the Smithsonian Institution concerning its proceedings, who in turn reports to the U.S. Congress. An important section of this report lists the location of graves of Revolutionary soldiers and their wives.

The DAR property, 1776 D Street NW, Washington, D.C., is composed of three buildings occupying an entire city block in the most beautiful section of our Nation's Capital, the largest group of buildings in the world owned exclusively by women.

Memorial Continental Hall, the original building, houses the DAR Genealogical Library and 28 period staterooms. The gavel used by Gen. George Washington when he laid the cornerstone of the Capitol in 1793, was used at the laying of the cornerstone of this building on April 19, 1904.

The administration building houses the offices of the national officers, who serve the society for 3-year terms without remuneration, and a personnel staff of over 100. An exceptionally fine museum gallery is located on the first floor and the Americana collection in the archives room on the second floor.

Constitution Hall, the third building, contains the largest auditorium in the District of Columbia. It was built to house the DAR Continental Congress, the annual meeting of the national society, held during the week of the anniversary of the Battle of Lexington, April 19, which is attended by 4,000 delegates and members from all parts of the country.

In compliance with requests for rental of the hall by the people of Washington the Daughters consented to lease it as a public service. During the concert season, Constitution Hall is used as Washington's chief and largest cultural center.

Each year our society awards a prize of a $100 U.S. savings bond, or its equivalent, to the winning classman in the following academies: U.S. Air Force, U.S. Coast Guard, U.S. Marine Corps, U.S. Merchant Marine, U.S. Military Academy, and U.S. Naval Academy.

We were first to award trophies for excellence in antiaircraft gunnery.

The DAR Hospital Corps was organized April 26, 1898, to recruit nurses for service during the Spanish-American War, and became the nucleus of the Army Nurse Corps. The national society provided pensions for these nurses whose service was not of sufficient duration to receive Government pensions.

Relief work during this period, distribution of food and clothing, cash, and nurses supplies, amounted to more than $70,000.

During World War I cash and gifts from DAR members totaled $3,730,385, including aid to French war orphans and the restoration of the water system in the village of Tilloloy, France. The DAR purchased over $130,015,230 in war bonds.

During World War II the DAR purchased bonds in the amount of $206,619,715; and gave $1,329,811 in projects, and $1,279,848 to the American Red Cross. State rooms in Memorial Continental Hall and the corridors of Constitution Hall were turned over to our neighbor, the American Red Cross, for additional office space.

The erection of the Memorial Bell Tower at Valley Forge by the DAR, at a cost of half a million dollars, represents the largest undertaking of the society to mark an historic spot. The tower houses a carillon of 56 bells and is consecrated "To the glory of God and the memory of our American heroes."

AMERICAN INDIANS

DAR aid to American Indians is coordinated through the American Indians Committee. Over $100,000 was given last year for scholarships and clothing: $21,755 to Bacone Indian College, Muskogee, Okla.; $34,000 to

St. Mary's School for Indian Girls, Springfield, S. Dak. DAR members also help the Indian help himself by buying and selling his beautiful handcraft.

AMERICAN MUSIC

Music about America and by American composers is promoted in churches, clubs, industry, through essay contests and musical programs in schools, and as therapy in hospitals. American Music Week is observed by DAR chapters.

AMERICANISM AND DAR MANUAL FOR CITIZENSHIP

Citizenship training and study of American Government and institutions are promoted through this committee.

Over 9 million copies of the DAR Manual for Citizenship have been distributed. This study book given free to foreign born applying for citizenship contains the Declaration of Independence, the Constitution of the United States, rules governing the flag of the United States, responsibilities of citizenship, and requirements for naturalization.

Thousands of aliens receive help in preparing for naturalization examinations. Throughout our 50 States and the District of Columbia members of this society have given of their time and means in teaching classes vital American laws and principles. This aid is widely commended. One Federal examiner stated that those showing the keenest intelligence in Naturalization Courts are taught by the DAR. This society believes Americanism is best fostered by friendships between aliens and citizens and by inculcating the ideals of our country in the hearts and minds of those who have made this country their choice.

Members of this committee attend Naturalization Court ceremonies and present the citizens with U.S. flags, welcome cards, and patriotic literature. Members continue to visit the new citizens following their naturalization, take them to church, to libraries and historical places, and assist them to register and vote.

This committee sponsors Americanism essay contests for children in the public schools; 1,547 prizes were presented the winners last year. The DAR assists in carrying out all phases of the program and supports it financially.

The Americanization School in Washington, D.C., was founded by the DAR in 1913 and is the only school of its kind in the United States. By an act of Congress this school was incorporated into the District of Columbia school system in 1919. Approximately 1,500 students from 80 nations attend this school.

CHILDREN OF THE AMERICAN REVOLUTION

This committee helps organize societies in the CAR. The national society, Children of the American Revolution, was authorized by the 4th Continental Congress of the DAR in 1895, "To secure * * * a perception and adoption of those American principles and institutions for which their ancestors fought and died." There are more than 18,000 members of the CAR.

CONSERVATION

This committee, authorized in 1909, coordinates the vital work of DAR chapters whose members planted 8,755,019 trees, shrubs, and seedlings last year, many in public parks and along highways. Thousands of bulbs and wild flower gardens were planted in public places. Many towns and cities were designated as bird sanctuaries through the efforts of DAR chapters.

Education of youth in conservation has been stressed. Chapters assist CAR societies, JAC, 4H, and other youth groups in planning programs; sponsor essay, poster, and scrapbook contests and junior conservation societies. Conservation literature was distributed to schools and libraries. Seventy-seven scholarships were given to students and teachers studying conservation.

DAR GOOD CITIZENS

Citizenship training is the goal of this committee. A nationwide contest open to senior high school girls is held each year, and winners are chosen for the qualities of dependability, leadership, service, and patriotism. Our society presents a certificate and pin to the good citizen in each school, a $100 U.S. Savings Bond and pin to each State good citizen, and a $1,000 scholarship to the National DAR Good Citizen for use at the college of her choice.

DAR LIBRARY

The DAR Genealogical Library, one of the finest in the world, occupies the main floor of Memorial Continental Hall, and contains more than 49,000 books and pamphlets and 22,000 manuscripts.

The library is open to the public Monday through Friday, 9:30 to 4. There is a fee of $1 a day for nonmembers. The month of April is reserved for DAR members.

DAR MAGAZINE

The DAR magazine is the official organ of the national society, first published in 1892. It contains articles of historic and national interest, as well as a message each month from the president general, the parliamentarian, DAR committees, chapter and member news, a general timely news page, and the minutes of the national board of management. Subscriptions for the magazine come from the public as well as members.

DAR MAGAZINE ADVERTISING

This committee secures advertisements for the DAR magazine, as they help finance the magazine as well as add to the interest. Many States advertise their beautiful vacation resorts, historic restorations, and their most important industries.

DAR MUSEUM

The DAR Museum is dedicated to the colonial, Revolutionary, and early Federal periods of our country's growth and in general these periods, prior to 1830, are represented by the collection in the museum and 28 State rooms. Guides are available to conduct the many visitors, including tours from out of town and many schoolchildren.

The museum is open to the public, at no cost—9 to 4—Monday through Friday, but closed except to the membership during Continental Congress, the week of the 19th of April.

DAR SCHOOL

The work of this committee began in 1903 under the patriotic education committee. Two schools depend upon DAR funds for maintenance—Kate Duncan Smith in Alabama and Tamassee in South Carolina.

Kate Duncan Smith DAR School is located at Grant, in Marshall County, Ala., on Gunter Mountain. It was established in 1924 by the Alabama Society of the Daughters of the American Revolution.

This day school with an enrollment of approximately 656 is a 12-grade school, primary through high school, and many outstanding graduates attend institutions of higher learning with DAR financial assistance. With 25 buildings, 240 acres (90 in the model farm), and thousands of dollars worth of equipment, it represents an investment of approximately $1 million. Of far greater value, however, is the contribution it makes to the life of the community, State, and Nation.

Tamassee DAR School, Tamassee, S.C., started in 1919 by the South Carolina DAR, has 30 buildings on 790 acres of land in Oconee County near the junction of South Carolina, North Carolina, and Georgia, and located in scenic mountain territory.

Tamassee furnishes food and clothing as well as education to its 250 boarders and educates 250 day students as well. To be a boarding student at Tamassee, a child must not live within walking distance of a school or highway. No child is ever turned away because of inability to pay the small fees.

DAR members contribute to seven other schools, mainly in the form of gifts and scholarships. Over $180,500 was contributed last year.

THE FLAG OF THE UNITED STATES OF AMERICA

Love and respect for our flag are taught by the DAR and more than 26,000 flags and 40,000 flag codes were presented last year to newly naturalized citizens, schools, Boy and Girl Scout troops, Camp Fire Girls, churches, hospitals and organizations.

GENEALOGICAL RECORDS

The basic work of this committee is collecting unpublished genealogical source material and preparing it for the DAR Library. This work has been augmented to include specific assistance to potential members. A total of 149,808 pages of unpublished records and 7 reels of microfilm was contributed last year.

HISTORICAL

The preservation and marking of historic sites, and the location and marking of graves of Revolutionary soldiers and their wives are interwoven with the promotion of February as American History Month, with exhibits and celebrations. Essay contests on American history are held in schools and colleges throughout the country, and last year 5,596 History Certificates of Award were given by the DAR.

Many documents of historical value were added to our collection of Americana.

HONOR ROLL

This committee serves as a guide for chapter work and recognizes chapters, attaining certain goals in carrying forward the work of the DAR.

JUNIOR AMERICAN CITIZENS

The work of the Junior American Citizens Committee is to encourage and teach all aspects of good American citizenship to our young people through JAC clubs. The program is adaptable to all age groups from kindergarten through high school and embraces children of every race, creed, or color. There are no dues in these clubs, and all material such as handbooks, song sheets, study guides and pins are furnished by the DAR. Each child wears a membership button, each club elects its own officers and conducts its meetings by parliamentary procedure. The motto is Justice, Americanism and Character. A pennant and song have also been approved.

The vast majority of JAC clubs is organized in the public schools, and at the elementary grade level. Reports show that they are also organized in private and parochial schools, community and settlement houses, boys clubs, churches, classes for mentally retarded children, as well as State and church homes for children.

JAC activities include patriotism, history, respect for the flag, good citizenship, civics and government, conservation, health, safety, parliamentary procedure, and community service, and of course parties, picnics, hobbies, projects, crafts.

DAR chapters last year sponsored 8,569 JAC clubs, with a membership of 338,804. The subject for the JAC contests was "What JAC Can Do To Help Preserve Our Freedoms." More than 200 prizes were presented.

JUNIOR MEMBERSHIP

The young women of the society form the junior membership committee and are active in all phases of DAR work, holding many chapter offices. Their special project is the Helen Pouch Scholarship Fund which amounted to over $7,000 last year.

The junior bazaar, held each year during Continental Congress, adds to the scholarship fund.

MEMBERSHIP

A constant growth in membership is the responsibility of this committee, and gains have been steadily recorded.

MOTION PICTURE

Young people make up more than half of the attendance at motion picture theaters. Therefore the motion picture committee considers that one of its most important functions is to alert our membership as to the content of every film released for commercial showing. This is done through the DAR Motion Picture Review, which contains composites prepared by the editor from reviews written by members of the previewing committee; 36 members living within commuting distance of New York City give 1 day weekly as a service to the society and screen each motion picture before it is released to the public. This assures our membership of the opportunity to check the quality of a film before it opens in their own communities. This past year 167 reviews were printed in 11 issues. Of these, only 25 were rated for family viewing and 57 were rated as suitable for adults only. The review will be printed in the DAR magazine. Listed among the subscribers are schools, libraries, hospitals, better films councils, as well as DAR members.

Last year at Continental Congress our society presented an award to the producers of the best film for children, "Babes in Toyland."

DAR chapters sponsor many 16 mm. films for use in schools, hospitals, and throughout their communities.

NATIONAL DEFENSE

The objects of this committee are both educational and patriotic and serve to alert our members to any potential danger to our Republic; to stimulate constructive action in the preservation of the Constitution of the United States of America and adequate defense for our country.

Monthly mailings and the National Defender bring to the chapters in condensed form the most interesting and timely news. Our mailing list of 8,500 includes many nonmembers interested in our resolutions and documented reports. Articles by the chairman also appear in the DAR magazine.

Good citizenship medals were awarded to 3,500 schoolchildren through this committee.

Observance of Constitution Week, September 17–23, is promoted to inspire greater appreciation of this great document, the Constitution of the United States of America, and of the sacrifices and forethought of the Founding Fathers in embodying in it the rights and freedoms which are so dear to the American people.

PROGRAM

Programs reflecting the work and objectives of the DAR are available for chapter use. The files of this committee contain papers on famous people and events in the history of our country and a splendid library of color slides of the showplaces of many States, including historic restorations.

PUBLIC RELATIONS

This committee releases to the press items of special interest regarding the work of the DAR: News of the president general and State conferences, naturalization ceremonies, presentation of flags, Governors' proclamations of February as American History Month, observances of Constitution Week, September 17 to 23; good citizenship awards, presentation of Americanism medals, awards to U.S. Service Academies, celebration of national holidays, other activities at the national, State, and local levels, and news of DAR schools.

Radio and television stations are generous in giving free time to our society for news of State conferences, programs on historic shrines, patriotic anniversaries, and celebrations.

The DAR story was carried last year in 2,600 daily and 2,000 weekly newspapers.

STUDENT LOAN AND SCHOLARSHIP

Loans and scholarships are available to deserving students through DAR chapter and State funds. Last year 556 students received over $400,000.

The Caroline E. Holt Educational Fund was established in 1913 as the Philippine scholarship fund to provide nursing training for Filipino girls, and has since been extended to Alaskan and Negro girls.

DAR scholarships are provided for medical training also.

The national society established and maintained an occupational therapy department in public health hospitals at Angel and Ellis Islands until these hospitals were closed by the Government, and now maintains several $500 scholarships annually to help train students in occupational therapy.

TRANSPORTATION

Traffic safety is an important part of the work of this committee. DAR members are active in promoting legislation in their States to increase safety on the Nation's highways. A contest was held last year.

Arrangements are made through this committee for historic tours, as well as providing transportation to chapter meetings.

STUDY TO DETERMINE EFFECTS OF ANTITRUST LAWS ON SMALL BUSINESS

Mr. HUMPHREY. Mr. President, I call to the attention of the Senate a letter that I received from Mr. John E. Horne, Administrator of the Small Business Administration, which is in relation to my recent resolution, resolution 138, calling for a White House Conference to determine the effects of antitrust laws on small business concerns. This letter points up the great need for a study of this kind. In fact, Mr. Horne stated that he considered this problem "to be one of the most important matters facing the small business community today. I would welcome such a project, for I think it could throw considerable light upon the extent to which the operation of these laws is compatible with the legitimate interests of small business concerns."

Such a study either conducted by a White House Conference on Small Business or by a special committee which would include representatives from the legal, small business, large business, and educational sectors is badly needed and would be most beneficial to all concerned.

I ask unanimous consent to have Mr. Horne's letter printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SMALL BUSINESS ADMINISTRATION,
Washington, D.C., May 29, 1963.

Hon. HUBERT H. HUMPHREY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: I was interested to read your remarks in the CONGRESSIONAL RECORD of May 8, submitting a resolution expressing the sense of the Senate that a study should be conducted to determine the effects of the antitrust laws on small business. This has long been a concern of mine, as I know it has been of yours, and I consider it to be one of the most important matters facing the small business community today. I would welcome such a project, for I think it could throw considerable light upon the extent to which the operation of these laws is compatible with the legitimate interests of small business concerns.

While I have not been in contact with either the Attorney General or the Chairman of the Federal Trade Commission on this matter, I feel sure that they too would want to insure that the laws under their respective jurisdictions are not operating to the detriment of the small business community. Perhaps you will want to explore with them the question of the most effective and feasible method of conducting a study such as you propose, and of the degree to which the executive branch might usefully participate.

My initial reaction is that the White House Committee on Small Business would be—as you indicated at the outset of your remarks—an appropriate agency to conduct such a project. In any event, I feel certain that an effective study would require the appropriation of funds for the hiring of personnel beyond those already employed by the Government agencies affected.

With warmest regards, I am,

JOHN E. HORNE,
Administrator.

PRESIDENT KENNEDY CONTINUES TO WAGE PEACE OFFENSIVE IN EUROPE

Mr. HUMPHREY. Mr. President, yesterday in Berlin President Kennedy continued bringing the words of peace and freedom to our stanch allies in Western Germany. His almost unbelievable reception by the West Berliners cannot go unnoticed by the Communist masters of East Germany. President Kennedy's pledge to defend the liberty of West Berlin also contained the words of hope that our ultimate goal remains peace and reconciliation between East and West on the basis of justice, liberty, and self-determination. This is the only possible formula for the reunification of East and West Germany. The enthusiastic response of the West Berliners to this message should serve as proof of the Allies' determination to pursue this course, however long it may take, and whatever sacrifices are asked.

Mr. President, I ask unanimous consent that President Kennedy's address at West Berlin's Free University, his speech at the West Berlin City Hall, and his short message delivered at Tegel Airport be printed in the RECORD. I also ask unanimous consent that an editorial from this morning's New York Times entitled, "The President in Berlin," be printed in the RECORD.

There being no objection, the address, speech, message, and editorial were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, June 27, 1963]

TEXT OF ADDRESS BY PRESIDENT AT FREE UNIVERSITY OF WEST BERLIN

I am deeply honored by the opportunity to address this distinguished gathering and to receive the award of honorary citizen of the Free University of Berlin. During the last hundred years, countless thousands of American students attended the famous universities in Berlin and elsewhere in Germany. I regret that I can share this opportunity only for a day.

Goethe, whose home city I visited yesterday, believed that education and culture were the answer to international strife. With sufficient learning, he wrote, a scholar forgets national hatreds, "stands above nations, and feels the well-being or troubles of a neighboring people as if they happened to his own."

This is the kind of scholar, I am certain, that the Free University is training. This university was founded by a group of professors and students who believed in education instead of indoctrination. They found that hate was being taught in the old Berlin University in the eastern sector of this city. And, with the help of American authorities, they founded in 1948 this new institution, dedicated in its motto and seal to three enduring ideals—truth, justice and liberty.

FIFTEEN TURBULENT YEARS

In these 15 turbulent years, much has changed. The university enrollment has increased more than sevenfold, and related colleges have been formed. West Berlin has been blockaded, threatened, and harassed, but it continues to grow in industry, culture, size and in the hearts of all freemen. Germany has changed. Western Europe and indeed the whole world have changed. But this university has maintained its fidelity to these three ideals—truth, justice and liberty.

I have chosen, therefore, to discuss the future of this city briefly in the context of these three obligations. Speaking a short time ago at the Rathaus (city hall), I reaffirmed my country's commitments to West Berlin's freedom and restated our confidence in its people and their courage. The shield of moral and military commitment with which we guard the freedom of the West Berliners will not be lowered or put aside so long as its presence is needed.

But behind that shield, it is not enough to mark time, to adhere to the status quo while awaiting a change for the better. In a situation fraught with challenge, in an era of rapid change, every resident of West Berlin has a duty to consider where he is, where his city is going, and how it best can get there.

The scholar, the teacher, and the intellectual have a higher duty than all others. For society has trained you to be leaders, both thinkers and doers. This community did not facilitate your education merely to give you a head start in earning an income.

This university has been built and maintained by the dedication of those who believed in the future of this city. All of you, therefore, have a special obligation to help forge that future, and to do so in terms of truth, justice, and liberty.

DEALING WITH REALITIES

First, what does the truth require? It requires us to face the facts—to cast off self-deception, to refuse to think merely in slogans. If we are to work for the future of this city, let us deal with the realities as they actually are, not as they might have been and not as we wish they were.

Reunification, I believe, will some day be a reality. The lessons of history support that belief, especially the history of the world in the last 18 years. The strongest force in the world today has been the strength of the state, of the ideal of nationalism, of a people, and in Africa, Latin America, and Asia, all around the globe countries have sprung into existence, determined to maintain their freedom.

This has been one of the strongest forces on the side of freedom, and it is a source of satisfaction to me that so many countries in Western Europe recognize this and chose to move with this great tide, and therefore that tide does serve us and not our adversaries.

But we all know that a police state regime has been imposed on the eastern sector of this city and country. The peaceful reunification of Berlin and Germany will, therefore, not be either quick or easy. We must first bring others to see their own true interest better than they do today.

What will count in the long run are the realities of Western strength, the realities of Western commitment, the realities of Germany as a nation and the Germans as people, without regard to artificial boundaries of barbed wire. Those are the realities on which we rely—and others, too, would do well to recognize them.

Secondly, what does justice require? In the end, it requires liberty, and I shall come to that. But in the meantime, justice requires us to do whatever we can, in this transition period, to improve the lot and maintain the hopes of those on the other side.

It is important that the people in the barren confines to the East be kept in touch with Western society, through all the contacts and communications that can be established, through all the trade that Western security permits.

SEES CITY MORALE HIGH

Above all, whether they see much or little of the West, what they see must be so bright as to contradict the daily drumbeat of distortion from the East. You have no higher opportunity, therefore, than to stay here in West Berlin, to contribute your talents and skills to its life, to show your neighbors democracy at work, a growing and productive city offering freedom and a good life to all.

You are helping now by your studies and by your devotion to freedom, and you have earned the admiration of your fellow students, both East and West.

Today I have had a chance to see all this for myself. I have seen new housing going up, new factories, new office buildings. I have seen examples of thriving commerce and of vigorous academic and scientific life. Best of all, I have seen the wonderful people of West Berlin.

I will tell my countrymen that morale in West Berlin is high. Your standard of living is high. Your faith in the future is high. And this is not an isolated outpost cut off from the world. Students come here from many countries. The developing nations send missions here to see freedom at work. Conventions held here draw attendance from all over the globe. And in the future, new projects of science, learning, and industry will bring more people to this city.

Those of you who may return from study here to other parts of Western Europe will still be helping to forge a society which most of those across the wall yearn to join. The Federal Republic of Germany, as I now know better than ever, has created a free and dynamic economy from the disasters of defeat, a bulwark of freedom from the ruins of tyranny.

DEDICATION DEMONSTRATED

West Berlin and West Germany have demonstrated their dedication to the liberty of the human mind, the welfare of the community, and peace among nations.

They offer social and economic security to all their citizens—good health, good homes, good schools. And all this has been accomplished through the revival not only of their economic plant but of their democratic traditions.

Finally, what does liberty require? The answer is clear: a united Berlin, in a united Germany, united by self-determination—and living in peace.

This right of free choice is no special privilege claimed for Germans alone. It is an elemental requirement of human justice. So this is a goal we shall never abandon. And it is a goal which may well be obtainable most readily in the context of a reconstitution of the larger Europe on both sides of the harsh line which now divides it.

This idea is not new in the postwar West. Secretary Marshall, soon after his famous speech at Harvard University urging aid to the reconstruction of Europe, was asked what area his proposal might cover. And he replied that he was "taking the commonly accepted geography of Europe—west of Asia."

WINDS OF CHANGE BLOW

His offer of help and friendship was rejected, but it is not too early to think once again in terms of all of Europe. For the winds of change are blowing across the Iron Curtain as well as in the rest of the world. The cause of human rights and dignity, some two centuries after its birth in Europe and the United States, is still moving men and nations with ever-increasing momentum.

The Negro citizens of my own country have strengthened their demand for equality and opportunity—and the American people and Government are going to respond. The pace of decolonization has quickened in Africa. The peoples of the developing nations have intensified their pursuit of social and economic justice.

The people of Eastern Europe, even after 18 years of oppression, are not immune to change. The truth never dies. The desire for liberty can never be fully suppressed. The people of the Soviet Union, even after 45 years of party dictatorship, feel the forces of historical evolution. The harsh precepts of Stalinism are officially recognized as bankrupt. Economic and political variation and dissent are appearing, for example, in Poland, Rumania, and the Soviet Union itself.

The growing emphasis on scientific and industrial achievement has been accompanied by increased education and intellectual ferment. Indeed, the very nature of the modern technological society requires human initiative and the diversity of free minds. So history itself runs against Marxist dogma, not toward it. Nor are such systems equipped to cope with the organization of modern agriculture and the diverse energies of the modern consumer in a developed society.

In short, these dogmatic police states are an anachronism. Like the division of Germany, the division of Europe is against the tide of history. The new Europe of the West—dynamic, diverse, and democratic—must exert an ever-increasing attraction on the peoples to the East. And when the possibilities of reconciliation appear, we in the West will make it clear that we are not hostile to any people or system, provided they choose their own destiny without interfering with the free choice of others.

WOUNDS TO BE HEALED

There will be wounds to be healed and suspicions to be eased on both sides. The difference in living standards will have to be reduced, by leveling up, not down. Fair and effective agreements to end the arms race must be reached.

These changes will not come today or tomorrow, but our efforts for a real settlement must continue undiminished.

As I said this morning, I am not impressed by the opportunities opened to popular fronts throughout the world. I do not believe that any Democrat can successfully ride that tiger. But I do believe in the necessity of great powers working together to preserve the human race or otherwise we can be destroyed.

This process can only be helped by the growing unity of the West, and we must all work for that unity.

For in unity there is strength, and any sign of division or weakness now could only tempt others into new and hostile adventures. Nor can the West ever negotiate a peaceful reunification of Germany from a divided and uncertain base.

In short, only if they see over a period of time that we are strong and united, that we are vigilant and determined, are others likely to abandon the courses of armed aggression or subversion; only then will genuine, mutually acceptable proposals to reduce hostility have a chance to succeed.

This is not an easy course. There is no easy course to the reunification of Germany and the reconstitution of Europe. But there is work to be done and obligations to be met—"obligations to truth, justice, and liberty."

[From the New York (N.Y.) Times]

TEXT OF KENNEDY STATEMENTS IN BERLIN

AT TEGEL AIRPORT

I want to express my warm thanks to Mayor Brandt for his generous welcome. I am very proud to come here and meet the distinguished Chancellor and to be accompanied by an old veteran of this frontier, Gen. Lucius D. Clay, who in good times and bad has been identified with the best in the life of this city.

I do not come here to reassure the people of West Berlin. Words are not so important, but the record of the three powers, our French friends, whose hospitality we enjoy here, our British friends, and the people of the United States—their record is written in rock.

AT CITY HALL

I am proud to come to this city as the guest of your distinguished mayor, who has symbolized throughout the world the fighting spirit of West Berlin.

And I am proud to visit the Federal Republic with your distinguished Chancellor, who for so many years has committed Germany to democracy and freedom and progress, and to come here in the company of my fellow American, General Clay, who has been in this city during its great moments of crisis and will come again if ever needed.

Two thousand years ago the proudest boast was "civis Romanus sum." Today in the world of freedom the proudest boast is "Ich bin ein Berliner."

I appreciate my interpreter translating my German.

There are many people in the world who really don't understand—or say they don't understand—what is the great issue between the free world and the Communist world. Let them come to Berlin.

There are some who say that communism is the wave of the future. Let them come to Berlin.

And there are some who say in Europe and elsewhere "we can work with the Communists." Let them come to Berlin.

And there are even a few who say that it's true that communism is an evil system but it permits us to make economic progress. Let them come to Berlin.

FREEDOM NEEDS NO WALL

Freedom has many difficulties and democracy is not perfect. But we have never had to put a wall up to keep our people in, to prevent them from leaving us.

I want to say on behalf of my countrymen who live many miles away on the other side of the Atlantic, who are far distant from you, that they take the greatest pride that they have been able to share with you, even from a distance the story of the last 18 years.

I know of no town, no city that has been besieged for 18 years that still lives with the vitality and the force and the hope and the determination of the city of West Berlin.

While the wall is the most obvious and vivid demonstration of the failures of the Communist system, all the world can see we take no satisfaction in it, for it is, as your mayor has said, an offense not only against history, but an offense against humanity, separating families, dividing husbands and wives and brothers and sisters and dividing a people who wish to be joined together.

What is true of this city is true of Germany. Real lasting peace in Europe can never be assured as long as one German out of four is denied the elementary right of free men, and that is to make a free choice.

RIGHT TO BE FREE EARNED

In 18 years of peace and good faith this generation of Germans has earned the right to be free, including the right to unite their families and their nation in lasting peace with good will to all people.

You live in a defended island of freedom, but your life is part of the main. So let me ask you as I close, to lift your eyes beyond the dangers of today to the hopes of tomorrow, beyond the freedom merely of this city of Berlin and all your country of Germany to the advance of freedom everywhere, beyond the wall to the day of peace with justice, beyond yourselves and ourselves to all mankind.

Freedom is indivisible and when one man is enslaved, Who are free? When all are free, then we can look forward to that day when this city will be joined as one and this country and this great continent of Europe in a peaceful and hopeful globe.

When that day finally comes, as it will, the people of West Berlin can take sober satisfaction in the fact that they were in the frontlines for almost two decades.

All free men, wherever they may live, are citizens of Berlin. And, therefore, as a freeman, I take pride in the words "Ich bin ein Berliner."

[From the New York (N.Y.) Times, June 27, 1963]

THE PRESIDENT IN BERLIN

On the 15th anniversary of the start of the Allied airlift that broke Stalin's blockade of Berlin, President Kennedy strode up to the Berlin wall, peered over it into drab Communist-ruled territory and denounced the barricade as a symbol of communism's failure and an offense against history and humanity. For the hundredth time, but this time to the deafening cheers of wildly enthusiastic West Berliners, he reaffirmed Western determination to defend their liberty and pointed out that, above all rifts in the alliance, French, British, and American soldiers are standing shoulder to shoulder to guard this outpost on the frontier of freedom.

Defense, vital as it is, is only one aspect of Mr. Kennedy's "strategy of peace," which he also carried to and over the wall. Precluding any possible Communist charge of provocation, he reiterated that his ultimate goal is peace and reconciliation between East and West. Such a peace, he rightly emphasized, must be based on justice, liberty, and self-determination. That is indeed the way, and the only possible way, to reunite Berlin, German and, beyond them, to create even a "larger Europe" across the Iron Curtain.

The President made it plain that he wanted to raise no illusions in German minds. To hotheads who might call for more direct action he emphasized that there is no quick or easy way to the goal and he asked his listeners to face facts, cast off self-deception and stop thinking in slogans. But the winds of change are unmistakably blowing across the Iron Curtain, undermining the anachronistic police state and creating a new climate which will some day permit a reunification of peoples. The President again reminded us that if the West remains strong, dynamic, and democratic, it will exert an ever-increasing attraction on the East.

President Kennedy thus left to Berlin, Germany and all of Europe—East and West—a message of hope and caution. No realistic German will quarrel with it. Premier Khrushchev, who is now rushing to Berlin, may dispute the course of history, but even he cannot seriously dispute the President's peaceful intent.

COMMON MARKET POLICY

Mr. HUMPHREY. Mr. President, I call to the attention of the Senate a recent action by the Council of Ministers of the European Economic Community in connection with the Common Market's policy on agriculture.

A press release from the European Community Information Service states that the Council of Ministers has decided on some moves toward eventual harmonization of grain prices throughout the Community, and to reduce the threshold price applied to poultry imports from nonmember countries.

It is significant that this action was taken just prior to the GATT negotiations on poultry, which began in Geneva June 25 and now are in progress.

It also bears significance in light of a concurrent resolution the distinguished minority leader [Senator DIRKSEN] and I submitted Tuesday. The concurrent resolution calls upon our negotiators with the Common Market to obtain adequate assurances that access to export markets for our agricultural products be maintained, and urging the executive branch of our Government to continue to use all its resources to expand trade in agricultural commodities on a nondiscriminatory basis.

While the Council of Ministers did not reduce the threshold price on poultry to the level desired by the United States or the EEC Commission, it is significant that action was taken, limited though it was.

I am hopeful this will result in a lowering of the supplemental levy on poultry imports. I also hope the negotiations now going on in Geneva with regard to poultry will result in a reduction of the levy to a point where U.S. poultry producers again can compete for markets within the European Economic Community.

Mr. President, I ask unanimous consent that the press release to which I have referred be inserted at this point in the RECORD.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

COMMON MARKET MAKES BREAKTHROUGH ON FARM POLICY—COUNCIL OF MINISTERS MOVES TOWARD HARMONIZED GRAIN PRICES, REDUCES POULTRY THRESHOLD PRICE SLIGHTLY

The Council of Ministers of the European Economic Community made a limited but significant breakthrough in the development of the Community's agricultural policy at its Brussels meeting last week (June 17–21).

Despite major difficulties in reaching agreement, the Ministers decided on some moves toward eventual harmonization of grain prices throughout the Community—an essential element of the agricultural policy.

The Council also decided to reduce the threshold price applied to poultry imports from nonmember countries, although the reduction was less than that recommended by the EEC Commission and desired by the United States.

There were in fact two Council meetings in June—one of the agricultural ministers and one of foreign ministers.

FOREIGN MINISTERS HAD HEAVY AGENDA

The foreign ministers met on June 17–18. They were expected to discuss the Community's working program for the rest of 1963—a planned agenda submitted by the permanent representatives and intended to restore the momentum lost within the Community after the suspension of negotiations with Britain.

(The working program covers the decisions to be taken on such matters as the pattern of future Community contacts with Britain and a timetable for action needed in the agricultural field to enable the Community to participate fully in the forthcoming "Kennedy round" of GATT trade negotiations. While these decisions have been accepted in principle by the six EEC governments for inclusion in the working program, other matters remain undecided, and many details have to be worked out.)

Because certain foreign ministers were unable to attend the June 17–18 meeting and were represented by deputies, discussion of the working program was postponed until the next Council meeting, scheduled for July 10–11.

At last week's Council meeting the foreign ministers did, however, empower the Commission to meet U.S. Government representatives in Geneva on June 25 to hear American complaints concerning the Community levy on poultry imports.

U.S. exports of poultry to the Community have declined sharply since the application in July 1962 of the Common Market's poultry regulations under the common agricultural policy. The U.S. Government had asked for negotiations on the basis of an agreement reached in 1962 at the close of the last GATT tariff negotiations ("Dillon round"). This agreement states that the Community undertakes "after adoption of the agricultural policy for * * * poultry * * * to enter into negotiations with the United States on the situation of exports of these products by the United States."

AGRICULTURAL MINISTERS MET A DEADLINE

At their June 18–21 meeting the agricultural ministers revised some grain prices and made changes in quality standards which now or in the future will have the effect of narrowing differences between grain prices in the member States.

By these decisions they met an important deadline. Under the original agreement on the common agricultural policy, reached by the six member countries in January 1962, it was decided that upper and lower limits for Community grain prices should be fixed by the Council in time for the 1963–64 selling period, which begins next week (July 1).

For soft wheat, the price range will remain the same for the 1963–64 selling period as it was in the previous year—from $89.43 to $118.92 per metric ton.

For barley and rye, existing upper price limits remain unchanged, but acceptance by Germany and Luxembourg of different quality standards means a price reduction in practice in these countries.

The lower price limit for barley was raised by $.75 and for rye by $2 throughout the Community. The new price ranges are: $72.17 to $103.07 a ton for barley; $67.71 to $108.17 a ton for rye.

The existing lower limit of maize prices was raised to $65.60 a ton.

The agricultural ministers also decided on the principle for fixing minimum import prices for grains imported from nonmember countries.

These come into play when the importing country has no guaranteed price for its own farmers for the grain in question—which would otherwise automatically govern import price levels.

According to the Council's decision, import prices will be keyed to the agreed range of barley prices currently being applied in the member countries. For example, Germany will be able to set the import price for sorghum in a range of 90 to 105 percent of her prevailing barley price. For other imported grains, the percentages vary, but the same principle of keying these grains to the barley price will be followed.

In addition, the agricultural ministers decided to reduce the threshold price applied to poultry imports by $0.015 to $0.71 per kilogram. This decision was taken on the basis of a change in the "conversion factor" (the number of kilos of poultry feed needed to produce one kilo of chicken meat). The Council dropped the old factor of 2.7 kilograms and instituted a new one of 2.6. The Commission had recommended 2.5, which would have meant an even lower threshold price.

The new reduction of the threshold price has the effect of modifying an earlier decision taken by the ministers at their May 30–31 meeting. At that time they decided to raise the supplementary levy on poultry imports into the Community by 10 pfennigs to a total of 30 pfennigs a kilo ($0.075). (This reversed a provisional decision of the Common Market Commission which had given preferential treatment to U.S. poultry exports by reducing the levy on imports from the United States from 20 to 15 pfennigs a kilo ($0.0375), while increasing the levy to $0.075 a kilo for imports from all other sources.) The latest action will to some extent counteract the earlier increase in the supplementary levy.

Finally, the agricultural ministers decided to abolish Community tariffs on tea and tropical timber. This concession is due to take effect on January 1, 1964, unless the Community's new association agreement with the 18 independent African countries has still not been signed by then.

COMMUNITY'S CONTACTS WITH BRITAIN STILL TO BE DECIDED

Earlier, the question of the future pattern of Community contacts with Great Britain was discussed at length at the Council's May 30–31 meeting. The ministers of Germany, Netherlands, Belgium, Luxembourg, and Italy urged that there should be periodic meetings between the Community countries' Permanent Representatives in Brussels and the head of the British Mission to the European Community, the recently appointed Sir Douglas Walter O'Neill.

This proposal was opposed by French Foreign Minister Maurice Couve de Murville on the grounds that it would give Britain a voice in the Community's internal discussions without the obligations of membership. M. Couve de Murville said that he was in favor of maintaining contact with Britain but that this would be done through existing channels—principally contacts between the Common Market Commission and the British Mission in Brussels.

The Council is expected to return to this problem at its next meeting in July, scheduled for July 10–11.

The question of contacts between Britain and the Community was also raised in Paris on June 5, at the assembly of the Western European Union (WEU), the only body currently uniting the Six and Britain. Lord Privy Seal Edward Heath, in a speech to the assembly, said that the WEU Council should hold a meeting at ministerial level in the near future. French Secretary of State for Foreign Affairs Michel Habib-Deloncle stated that the French Government would not oppose a ministerial meeting in principle, providing prior agreement were reached on an agenda which did not include questions within the jurisdiction of other organizations. Most observers took this to mean that the French Government would veto any discussion on matters affecting the European Community as such.

Common Market Commission President Walter Hallstein said, during a press conference in Brussels on June 17, that he was convinced that the most effective solution would be to increase bilateral contacts between the Commission and the British Mission in Brussels. The Commission's opposition to multilateral contacts, he added, was based on the fact that it wished to emphasize that the Community was a single unit.

Whatever the outcome of the Council of Ministers' meeting in the near future, President Hallstein continued, the Commission would remain true to its "action program," which had received the full support of both the European Parliament and the Community's Economic and Social Committee. As part of this action program (for the second stage of the Common Market), the Commission had already submitted proposals on a common transport policy to the Council of Ministers, and it would soon submit proposals on harmonizing the Community countries' monetary and financial policies, he said. "In this way, the Council's difficulties will not paralyze the Community's normal business: The Council will still have to pronounce on the proposals of the Executive (the Commission) in accordance with the Treaty rules," President Hallstein concluded.

ORDER OF BUSINESS

The PRESIDING OFFICER. Pursuant to the unanimous-consent agreement entered into yesterday, the Chair now recognizes the Senator from Oregon [Mr. MORSE], inasmuch as the hour of 1 o'clock has now arrived.

Mr. GRUENING. Mr. President, is the morning hour over?

The PRESIDING OFFICER. The Senator from Oregon has been recognized, pursuant to the agreement entered into yesterday. The Senator from Oregon may utilize the time in any way he wishes.

Mr. MORSE. Mr. President, I am delighted to yield to the Senator from Alaska.

Mr. GRUENING. Mr. President, I appreciate the courtesy of the Senator from Oregon, but I do not wish to impose upon his time.

Mr. MORSE. Mr. President, I am very glad to yield to the Senator from Alaska, to permit him to make an insertion in the RECORD.

Mr. GRUENING. Mr. President, I appreciate very much the customary courtesy of the Senator from Oregon.

LET US HAVE EQUALITY FOR WOMEN—WE ARE FLAGRANTLY DISCRIMINATING AGAINST THEM

Mr. GRUENING. Mr. President, the United States, I regret to say, has suffered a severe defeat in one very important aspect of human rights. It was a needless defeat. It need not have happened and should not have happened.

I refer to the failure on the part of the U.S. Space Agency to recognize the right of women to play an equal part in the space program. Our defeat—and it is a defeat for the whole American people—has been dramatically highlighted by the Russians' sending of Valentina Tereshkova, a woman, into orbit.

If it were not for the unfortunate tensions of the cold war and our consciousness of the ever-declared purpose of the Kremlin to impose its totalitarian tyranny on all mankind, we could rejoice in Russia's advanced and commendable attitude toward women, manifestly—I am sorry to have to say it—superior to ours.

This Russian attitude and our own shortcomings in this respect have been highlighted soundly, justly, graphically, and devastatingly by Clare Boothe Luce in her article in the current issue of Life magazine.

Mrs. Luce properly not only pays tribute to the Russians for sending a woman cosmonaut into space, but also points out how very much better the Russians have done in opening the professions and other avenues of opportunity to women.

I strongly recommend a reading of Clare Boothe Luce's righteously indignant presentation of this failure on our part.

The same issue of Life contains the pictures of a baker's dozen of American women—most of them trained and expert aviators, with a description of their qualifications and achievements—who, but for the narrow exclusiveness of our space agency, could have been vouchsafed the same opportunity that the Russian Government afforded. Their names and descriptions merit repetition here. They include, let it be pointed out, the talented wife of our own colleague, Phil Hart:

Rhea Hurrle Allison: A schoolteacher before she turned pilot, she and her husband have an aircraft brokerage business in Texas, and she delivers planes to their customers around the country.

Myrtle Cagle: A flight instructor in Macon, Ga., and is married to an ex-pupil. As a child she once jumped from the roof with only a pillowcase to slow her descent. She flew airplanes at age 14.

Jerrie Cobb: First U.S. woman to undergo tests for space flight, she has been flying 20 years—since she was 12. She is an aircraft company executive in Oklahoma City, has won many flying awards, and established four world's records.

Jan Dietrich: Company pilot for a large California construction firm, she has logged over 8,000 hours of flying time and is one of the select group of women with an airline transport pilot's rating.

Marion Dietrich: Like her twin sister Jan, she is a pilot in California. She flies charter planes, is an accomplished pianist and writes freelance articles. She also has a degree in psychology.

Mary Wallace Funk II: She is a chief pilot for a California flying service. Last year, on her own initiative, she went through centrifuge tests and a U.S. Marine high-altitude chamber.

Sarah Lee Gorelick: Trained in mathematics, physics, and chemistry, as well as flying, she left her job at A.T. & T. when her astronaut tests began taking too much time. She lives in Kansas City.

Jane Hart: Married to Senator Philip Hart, Michigan Democrat, she has often flown him around on campaign tours, frequently takes their eight children aloft.

Jean Hixson: A fifth-grade teacher in Akron, Ohio, she is an Air Force Reserve captain. Once a WASP test pilot and flight instructor, Jean flies everything from blimps to gliders to jets.

Irene Leverton: Supervisor of a flying school in California, she has independently undergone rigorous prespace flight tests at Edwards Air Force Base. She parachutes and skis to keep in shape.

Geraldine Sloan: A pilot for a Dallas aviation firm, she has an 11-year-old son:

I do pushups and watch my diet—

She says—

but I'm getting tired of staying in shape for nothing.

Bernice Trimble Steadman: A lawyer's wife, she owns and operates a charter service and flying school at the Flint, Mich., airport. She gives frequent lectures on space opportunities for youth and women.

Gene Nora Stumbough: An amateur cello player with a degree in English, she works for an aircraft manufacturer in Wichita, Kans. She formerly taught flying, now demonstrates and sells airplanes.

Doubtless there are others. In the psychological war which the Russians are waging upon the free world, their first triumph in the field of space was the launching of the sputnik. It should have been a cause of regret on the part of all Americans, although at the time officials of the Eisenhower administration sought to depreciate this great achievement and to make light of it, and dismissed it as having the unimportance of tossing a basketball into the asmosphere.

However, we are catching up rapidly in the conquest of space, and are on the way to overcoming the Russian head start. But the sending of a woman into space—and as it happens, she was not even a flier—is, in my judgment, a far greater defeat for us, because its implications are far wider.

It is a challenge to a land which traditionally has esteemed and exalted women, presumably above all other peoples. Clearly it is time that instead of putting women on a theoretical pedestal, with all the gallantry that supposedly goes with it, we launch a realistic program on every front to give them the full equality of opportunity which our space agency, in this instance, has flagrantly denied them.

And we might extend the same equality of opportunity to the professions and in public life, in which their participation has been grossly and unfairly inadequate. We should have more than two women among the 100 Senators. How admirably those two Members—Margaret Chase Smith and Maurine Neuberger—have performed both for their constituencies and for the whole Nation. There should be more than 11 women Representatives out of the 435 in the House. There should be more women in our judicial system. No woman is either on the Supreme Court or among the 78 incumbents of 10 Federal circuit courts, and the Federal district court system has 305 men judges and only 2 women. It is shocking and disgraceful. We should have more women doctors, lawyers, engineers, architects.

I ask unanimous consent that Clare Boothe Luce's article, entitled: "But Some People Simply Never Get the Message," be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

BUT SOME PEOPLE SIMPLY NEVER GET THE MESSAGE

(By Clare Boothe Luce)

Why did the Soviet Union launch a woman cosmonaut into space? Failure of American men to give the right answer to this question may yet prove to be their costliest cold war blunder. But already they are giving the wrong answers.

The first wrong answer is coming from U.S. space experts. According to the press, they hold—to a man—the view that Valentina Tereshkova was fired from the launching pad as a Soviet space program female guinea pig, and that the experiment is useless, at least for the foreseeable future.

Harold M. Schmeck, Jr., writing in the New York Times, reported: "If space exploration continues to grow * * * women are considered likely to play a part in it over the long range * * * but there appears to be no hard evidence that female physiology or psychology would confer any special advantages on a woman space traveler." Astronaut John Glenn commented more cautiously that "so far we felt the qualifications we were looking for * * * were best taken care of by men." An unidentified NASA spokesman gave much stronger vent to his prejudices. He said that the talk of an American space woman "makes me sick at my stomach."

The second wrong answer, stemming from the first (the inherent superiority of men as astronauts), is that the Russians launched Valentina as a propaganda gimmick. Lt. Gen. Leighton Davis, commander of the Air Force Missile Test Center at Cape Canaveral, dismissed the flight as "merely a publicity stunt." Brooklyn Congressman Emanuel Celler, who greatly enjoys his role as a leader against racial and religious discrimination, also called it "just a sort of stunt." The silliest and, to women, most irritating comment of all was Senator Kenneth Keating's kiss-off: "It is carrying romance to a new high."

It is easy for the American male to dismiss Russia's thrust of a woman cosmonaut into space as propaganda. The advertising fraternity has long used sex to sell everything from deodorants to automobiles. It is easy for Americans to assume that once again "sexiness" has rung the bell: the flight of the sea gull has made far bigger world headlines than a solo flight of the hawk would have done.

But neither the answer that Valentina Tereshkova is a scientific guinea pig of small worth or that she is the Moscow version of Madison Avenue's sexy publicity gimmicks is the right answer. The right answer is that Soviet Russia put a woman into space because communism preaches and, since the revolution of 1917, has tried to practice the inherent equality of men and women.

The progress of women in all Communist countries, but especially in the U.S.S.R., has been spectacular. In 1929 there were but 3,118,000 Soviet women who earned wages and salaries; in 1961 there were 31,609,000. In 1917, Russia had 600 women engineers; by 1961 there were 379,000, or 31 percent of all the engineers in the U.S.S.R. In 1961, 53 percent of the professional people in the Soviet Union were women. Of the total membership of the Supreme Soviet today, 26 percent are women. Some 20,000 village soviets are headed by women.

But the brightest example of women's advance in Russia has been in the medical profession. Of all Russian doctors and surgeons, 74 percent are women—332,400 women physicians in 1962, while last year the AMA listed only a little more than 14,000 in the United States.

The Communist system confronts the American system in a life-and-death struggle. Russia's men know it; so do her women. They do a far greater amount of manual or heavy labor than American women do. Many visitors returning from the Soviet Union point to the numbers of women who are mixing cement, driving buses, pitching hay, sweeping streets. Russian leadership utilizes to the utmost the brainpower and the musclepower of Russian women at every level of society.

It is against this background of the participation of Russian women in every effort, from sweeping the stables to combing the stars, that we must view the flight of the first woman cosmonaut.

The astronaut of today is the world's most prestigious popular idol. Once launched into space he holds in his hands something far more costly and precious than the millions of dollars' worth of equipment in his capsule; he holds the prestige and the honor of his country. These have been entrusted to him because he is deemed to possess high technical skills and even higher virtues of intelligence, endurance, resourcefulness, discipline, courage, and the capacity to make life-and-death decisions. But the astronaut is also something else: he is the symbol of the way of life of his nation.

In entrusting a 26-year-old girl with a cosmonaut mission, the Soviet Union has given its women unmistakable proof that it believes them to possess these same virtues. The flight of Valentina Tereshkova is, consequently, symbolic of the emancipation of the Communist woman. It symbolizes to Russian women that they actively share (not passively bask, like American women) in the glory of conquering space.

News reports after Valentina's blast-off said that women were dancing in the streets of Moscow while men hurled compliments and showered kisses upon them. Not so in America. The flight has become a source of bitter argument between the sexes. Miss Jerrie Cobb, one of the 13 American women pilots who have passed tests for space flight—not including the hurdle of male prejudice—warned NASA, and then the U.S. Congress a year ago, that Russia was preparing to put a woman in orbit. She said that she has been a consultant to NASA since 1961. But this high-woman-on-the-tokenpole added acidly, "I'm the most unconsulted consultant in any government agency."

Another woman pilot who has passed astronaut tests, Jane Hart, wife of Michigan's Senator PHILIP A. HART, said even more bitterly, "I'm tempted to go out to the barn and tell the whole story to my horse and listen to him laugh."

It is estimated that Elizabeth Taylor, America's current female idol, will bring $60 million clinking into the tills of Twentieth Century-Fox. But few who understand women can doubt that Junior Lt. Valentina Tereshkova delivered a performance of far greater value to at least 60 million Russians.

The United States could have been first to put a woman up in space merely by deciding to do so. Way back in February of 1960 a girl pilot named Jerrie Cobb successfully underwent the same gruelling physical examination that the Mercury astronauts had taken. By 1961, 12 other women had gone through the same battery of tests. All of them were experienced pilots with qualifications far more impressive than Valentina Tereshkova's. To a woman, they were eager to go into orbit. "I'd like to see what's up there and help America explore space," said Mary Wallace Funk. "One of us better make it fast," warned Irene Leverton, "because the Russians are darned well going to send up women."

Until Astronaut Alan Shepard made the first American flight in May of 1961, NASA steadfastly disclaimed any connection with woman-in-space training. Only then was Jerrie Cobb appointed to her job as a never-consulted consultant to NASA Administrator James Webb. Even after her appointment, any training the ladies received has been unofficial and due entirely to their own stubborn efforts.

Two years ago, when Russian space scientists visiting the United States first let on that they had a training program for female cosmonauts, Jerrie Cobb went to Washington, collaring anyone who would listen, pleading for a formal American woman-in-space program. The best she got was polite indifference. Jerrie and her 12 colleagues are exhilarated by Valentina's feat, but depressed that it wasn't American. "Now," Jerrie said, "maybe we'll get some action."

Mr. MORSE. Mr. President, I ask unanimous consent that I may yield to the Senator from Connecticut [Mr. RIBICOFF] without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RIBICOFF. Mr. President, I am very grateful to the distinguished Senator from Oregon for yielding to me at this point.

RESPONSIBILITY IN THE CIVIL RIGHTS CRISIS—A MUST FOR NEGRO AND WHITE, CITIZEN AND LEGISLATOR

Mr. RIBICOFF. Mr. President, the civil rights crisis which this country now faces imposes heavy responsibilities on us all—white and Negro, citizen and legislator. Too little has been said about these responsibilities, yet there are many things that must be said. If they are not said, and repeated often throughout the country, there will be no solution to this crisis. Indeed the possibility exists that large segments of our population who sincerely want to end the last vestiges of discrimination will lose their enthusiasm for this great cause and thus postpone for a considerable time the full achievement of equality in this land.

First of all, there is a responsibility to recognize that the securing of legal rights is just one part of our problem. Of course these rights must be protected and legal remedies must be supplied to insure that these rights are fully enjoyed. But so much more remains to be done after this has been accomplished. The root problems must be attacked: the lack of education, the lack of training, the lack of skills, the lack of decent home environment, the lack of mature guidance in a child's formative years.

The Negro must have the right to equality but it is just as important that he be able to take advantage of the opportunity for equality. Discrimination in hiring can and must be ended, but there must also be trained Negroes to apply for jobs. Barriers to promotion can and must be ended, but there must be Negroes with skills to merit increased positions of responsibility. Racial restrictions at colleges and graduate schools can and must be ended, but there must be Negroes in sufficient number who have completed high school and have the preparation to succeed in higher education.

Equipping the Negro, and every other person whose opportunities have been limited, with the education, the training and the skills he needs requires the attention—and the resources—of this entire Nation. The bill I introduced today is one small example of what must be done. It is an effort to help those on relief learn a trade and qualify for a job. It is a step forward to what must become a total effort to educate and train all the people of our country and develop their individual talents to the fullest. This means more education, more schools and more teachers, dedication to higher standards of education, vastly expanded vocational education programs, job retraining and a full-scale assault on the conditions that limit opportunity—poverty, illiteracy, slum housing, and disease. There is a Federal role in this effort, but it is by no means an exclusive role. The resources of our States, our communities, and our private organizations must all be devoted to this challenge.

The best answer to discrimination has always been equality of opportunity. When I ran for Governor of my State in 1954 there were those who said a Jew should not be Governor. As the campaign progressed, this issue was raised and it became apparent that I had to speak about it directly. I told the people of my State that whether I became Governor or not was not the important thing. What really mattered was that I had the opportunity to become a Governor of my State. What really mattered was that any person could have the opportunity to aspire to that office and be judged by his fellow men on the basis of his views, his background, his qualifications, his character, and his personality. When I ran for reelection 4 years later there was no issue of religion. I had been given an opportunity and I was judged on what I had been able to do with that opportunity.

In 1956 I saw this same issue develop again when the question arose in a smoke-filled room at the Stockyard's Inn in Chicago, whether a young Senator from Massachusetts should be the Democratic candidate for Vice President. There were many in that room who questioned whether a Catholic could be a Vice President or perhaps a President. When this question was raised, many voices in that room were silent. And so I stood alone to make the argument, against the leaders of the Democratic Party, that a Catholic should have the opportunity to seek election by all the people of this Nation.

During the next 4 years I repeated this argument to all who would listen to me. I told them that the opportunity to run was the important thing. The outcome would depend on the basic decency of the American public to judge a man on his individual merit. So President Kennedy was elected. There will be many issues which will decide on his reelection in 1964. His religion will not be one of them.

I was given the opportunity I sought. John Kennedy was given the opportunity he sought. And what more than anything else made it possible for us to have these opportunities? It was our education. It was the fact that irrespective of our religions, each of us had the education to prepare us to take advantage of our opportunities. I know there have been successful men who never had a formal education, and there will always be such men. But education was crucial to my becoming a Governor and to John Kennedy's becoming a President, and education will always be the single most important fact in the success of every individual, especially those who seek to overcome discriminations, who seek not just the prize, but the opportunity to compete.

There is a responsibility on those who seek equality of opportunity to fight to remove discrimination—all discrimination—not to make discrimination a weapon to be used in their favor.

Denying a man a job because he is a Negro is indefensible. Granting him a job if he is not qualified just because he is a Negro cannot be justified either. Those who claim that x number of jobs or y percent of jobs must be set aside for Negroes are not favoring equality of opportunity. They are saying that opportunity does not matter, that merit does not matter, that only arbitrary numbers and percentages matter. That point of view will undermine the whole effort to achieve equality in this country.

Discrimination is wrong whether it works against a man or for him. Unless the test is ability, someone will always be the victim of discrimination. But if the test of ability is to be meaningful, each person must have the full opportunity to be educated, to learn skills and to qualify for the position he seeks. White and Negro leadership must recognize that only when a person qualifies for a job can he expect to receive a job. This is what responsible Negro leaders have been pointing out for years. This is the concern they have expressed fully two decades before the current claimants to leadership appeared on the scene. And it would be a great tragedy if these responsible leaders who have been urging education and training for their own people should be ground under by those who, in their own bid for leadership, ignore the need to qualify for a job and seek only the job itself. In the long run, only after a person participates, proves his merit, will he be accepted on worth irrespective of race, color, or religion. We must continuously strive in this country to give every person this chance.

There is a responsibility on all of us to use the law to end discrimination, but there is an equal responsibility to make sure that the efforts to promote the law do not subvert the law.

We must have new laws to give meaning and certainty to the principles of equality that are announced in our Declaration of Independence and guaranteed in our Constitution. The legislation recommended by the President is urgently needed, and I have been proud to become a cosponsor of this legislation.

But I firmly believe that those who urge the need for law have a responsibility to insist that law is observed.

If the law is to protect the rights of some citizens, it must protect the rights of all citizens. The law does protect the right of any citizen to peaceably assemble and petition for a redress of their grievances, but the law also protects the right of all citizens to be secure in their homes and to be safe on the public streets.

There has been outrageous violence perpetrated upon Negroes and it has properly been condemned. But violence has come to white citizens, and too few voices of responsibility have been raised. The thrown rock, the smashed storefront, and the rifle shot that wounds or kills make the culprit a criminal, whether he is white or Negro. Yet such acts have been committed by members of both races in recent weeks.

It is just as wrong to condemn all demonstrations because some lead to violence as it is to condone all violence because some of it results from demonstrations.

When citizens peacefully assemble to make their views known, when they hold mass meetings to call attention to their grievances, they are exercising a fundamental right in the great tradition of our country. But when they disregard the rights of others, when they obstruct the peaceful activities of others, when they contribute to public disorder, they place themselves outside the law, and they forfeit their claim to achieving their own objective—the law's protection.

Let me put this squarely in the context of current news. We are told that 100,000 Negroes will come to Washington at the end of August. Some say, without reservation, this is wonderful. Others say, also without reservation, this is terrible. I say that we who will be petitioned and those who will do the petitioning have a responsibility to look at matters more critically and make more careful judgments.

The 100,000 Negroes have an absolute right to come to this city and make their views known in a peaceful, orderly way. They can hold a mass meeting or, under reasonable regulation by local authorities, as to time and place, parade or talk or sing or pray in public parks or in public streets. They can make their views known to their own Congressmen and Senators.

But there is no justification for violence or even disorder, as the leaders of the protest demonstrations have consistently counseled. Government can be petitioned by expression of views, not by massing of bodies in rooms and hallways that must be kept open for all members of the public to come and go unmolested. The very fact that 100,000 Negroes would come to Washington in support of civil rights legislation would be eloquent testimony to the deeply felt need for this bill. But if 10—or even 1—of the demonstrators commit acts of disorder, the prospects for this bill would be grievously injured.

Finally, may I be permitted a word about the responsibilities which I believe rest upon us as legislators who will be dealing with these problems in the critical days ahead.

While we deliberate we bear a heavy responsibility, one that not only affects the success of our current enterprise, but also will shape our future activity as well. It is the responsibility to match firmness of purpose with respect of person. I do not have in mind the amenities of Senatorial debate. Their observance can be presumed. I mean the attitude we of the contending sides will reflect toward each other, within this chamber and upon the understanding of the Nation.

Next to the passage of the legislation itself, I deem the most important aspect of this coming debate to be the maintenance of our mutual respect. The most fundamental difference of viewpoint and conviction must not cause disagreement to be replaced with distrust, criticism with calumny, or opposition with opprobrium.

Let no one mistake my own position in this matter. I support the full protection of the civil rights of every American by every law that may be necessary. I support the legislation that has been introduced, and I am prepared to support additional legislation if it is needed.

These basic issues cannot be compromised, and this very fact adds immeasurably to our responsibilities. I will vote in favor of these laws.

I believe those who oppose these laws are wrong—they are wrong on the legal issue of rights and the moral issue of humanity.

But those who oppose have every right to express their opposition and to expect that their arguments on the merits of these proposals will be respected. The opposition will earnestly challenge the need for many of the proposed provisions, they will dispute their constitutionality, they will question their efficacy. These challenges can all be answered. It is of the utmost importance that each one of them is answered.

But we who advance these proposals have a right to expect that opposition to them will be concerned with the merits.

Condemnation of individuals has no place on either side of this debate. Those who advance these proposals are sincere and dedicated men, acting upon principles in which they deeply believe. Those who oppose are equally sincere. Let the dispute center in the principles on which we disagree—the issue of Federal power, the need for legal remedies, and the desirability of the proposed provisions. All of us are sworn to uphold the Constitution and its guarantees. All of us take that obligation with the utmost seriousness. There is room to debate how these guarantees should be enforced. There is no room to dodge the main issues by claiming racism on one side or political expediency on the other.

Finally, let us realize that even as we stand opposed on many aspects of the President's proposals, there may well be significant areas of agreement. The sharp division on the issue of legal rights must not undermine our ability to find agreement on new programs for vocational education, for job retraining, and for work opportunities for those on relief. In the long run, the progress we make in these fields may prove to have more meaning than the securing of legal rights.

Let us also keep uppermost in our minds the important leadership roles those who oppose us today must play, in the years ahead, after the current battle has been won. These new laws will be placed on the statute books. These rights will be secured. New opportunities will be opened up. But that will not end the problems that concern us all as Americans. That will merely signal the start of a new era in which the effort to solve them can go forward as never before. And in that era one of our most urgent needs will be enlightened political leadership, precisely the type of leadership we can and must expect from those who stand opposed in the current dispute. It is my fervent hope that nothing said or occurring in the ensuing debate will impair their capacity for leadership in those areas and in those days when it will be most needed. After the statutes have been passed, there will one day be a transition of mind and even of heart. It will not come quickly. But thoughtlessness in what we do here could cause a serious delay.

There are deeply held convictions on both sides of this issue. There has also been considerable hypocrisy; some of it ill-intentioned, some based on ignorance. Many who decry discrimination have practiced or condoned it. Many who point a condemning finger at the South are unaware, for example, that in no Northern city can be found the extent and quality of private residential housing for Negroes that exists in Atlanta, Ga. Of course, quality of housing does not excuse segregation of housing whether in Atlanta or any Northern city. The point is the Northern resident had better view and remedy the slums in his own town before he decries problems of another region. Many who are quick to condemn discrimination 1,500 miles away have never looked at what is happening 6 blocks from their own homes.

I hope this debate will do much to dispel both ignorance and hypocrisy. I hope the issues will be debated frankly and honestly between men who recognize each other to be frank and honest legislators, and who respect their differences. That kind of debate will lead not only to the passage of these urgently needed measures, it will lead as well to a strengthened Nation in which the principle of equality will be more than legislated, it will ultimately be lived.

Mr. MORSE. Mr. President, I wish to commend and highly compliment the Senator from Connecticut for the great speech he has just delivered on the floor of the Senate, for, in my judgment, he struck the tone that must prevail, in the public interest, throughout the historic debate that will take place in the weeks ahead on the issue of civil rights. I would have the RECORD show today that I wish to be associated with the Senator from Connecticut in every statement that he uttered in his magnificent speech.

I truly hope that, so far as the Senate debate is concerned, each Member of the Senate will give careful heed to the code of conduct the Senator from Connecticut proposed in his speech today, because, in one sense, that is the way it could be described.

I also hope the American citizenry generally, colored and white, will give heed to the plea that he raised that they have a responsibility of citizenship and statesmanship to maintain during this very critical time when we must come to grips, at long last, with the issue of constitutional rights and the right of all citizens, colored and white, to have the same guarantees of constitutional rights delivered to them and be allowed to enjoy without any form of discrimination whatsoever.

PROPOSED LEGISLATION RELATING TO THE EXPEDITIOUS TRIAL OF CRIMINAL CASES

Mr. MORSE. Mr. President, I turn now to the subject matter of my speech today. Last night, as the CONGRESSIONAL RECORD shows, I introduced two bills and obtained consent that the bills remain at the desk until Tuesday next at 5 p.m. for receiving any additional cosponsorship from Senators who might indicate a desire to join as cosponsors of the bill.

The first bill I introduced is one to protect the integrity of the courts and the jury function in criminal cases. It is cosponsored by the Senators from Hawaii [Mr. FONG and Mr. INOUYE] and the Senator from Ohio [Mr. YOUNG], and I am authorized to say today that the Senator from South Carolina [Mr. JOHNSTON], a member of the Judiciary Committee, wishes to have his name added to both of the bills I introduced last night, as a cosponsor.

He would be here today to make that announcement were it not for the fact that he was involved in an automobile accident, and, although not seriously injured, was painfully injured. I am pleased to report to the Senate that he is making a very satisfactory recovery and probably will be with us tomorrow, or certainly in the very near future. But the RECORD should show that the name of Senator OLIN JOHNSTON should be added as a cosponsor to each of these bills.

The second bill I introduced last night is one to effectuate the provision of the sixth amendment of the U.S. Constitution requiring that defendants in criminal cases be given the right to a speedy trial.

I shall later this afternoon discuss the facts and circumstances that justify postponement for cause. Nobody is asking the prosecutor to go to trial if there has not been adequate time for preparation of the prosecution.

What we are trying to do is to apply the rules of the playground to the rules of the court. I mean just that. When all is said and done, I wonder if we ever overlook the fact that so much of our conception of justice is based upon our conception of fair play, which we have had drilled into us as little boys and girls from the time we first entered the playground. It is so typical of what we may call the American culture, the American way of life. We have built up a great system of justice that is built more on our conception of fair play than many of us realize.

Whenever we find that the rules of fair play are being violated, we seek legislative remedy. The senior Senator from Oregon this afternoon is seeking some legislative remedy, because in some particulars I am coming to believe, on the basis of the writings of the authorities that I shall cite this afternoon, not all of our Federal court procedure is bottomed upon our conception of fair play.

The purpose of the second bill that I introduced last night is to effectuate the provisions of the sixth amendment of the U.S. Constitution requiring that defendants in criminal cases be given the right to a speedy trial. It is sponsored by Senators INOUYE, FONG, YOUNG of Ohio, and JOHNSTON.

Mr. President, I ask unanimous consent that the text of these bill be printed again in the RECORD at this point in my remarks, so that anyone turning to the RECORD will have the bills in the RECORD at this point, rather than having to go to the RECORD of yesterday to find the bills.

There being no objection, the text of the bills was ordered to be printed in the RECORD, as follows:

S. 1802

A bill to protect the integrity of the court and jury functions in criminal cases

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Criminal Code of the United States, title 18 of the United States Code, be amended by adding the following section:

"§ 1512. Contempt to publish information not properly admitted in criminal case.

"It shall constitute a contempt of court for any employee of the United States, or for any defendant or his attorney or the agent of either, to publish information not already properly filed with the court which might affect the outcome of any pending criminal litigation, except evidence that has already been admitted at the trial, and said contempt shall be punished summarily by the court, on motion of any party to the litigation, by a fine of not less than $500 for each such publication."

S. 1801

A bill to effectuate the provision of the sixth amendment of the U.S. Constitution requiring that defendants in criminal cases be given the right to a speedy trial

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Criminal Code of the United States, Title 18 of the United States Code, be amended by adding the following sections:

"§ 3291. Unreasonable delay in presenting criminal charges.

"If there has been unreasonable delay in presenting the charge to a grand jury or in filing an information against a defendant who has been held to answer in a district court, the court shall dismiss the indictment, information or complaint, even where the applicable period of limitations prescribed by statute has not yet expired. It shall not be deemed 'unreasonable delay' if the filing of the indictment or information was delayed in order to protect the national security of the United States.

"§ 3292. Voluntary dismissal of indictment, information or complaint.

"The Attorney General or the United States attorney may by leave of court file a dismissal of an indictment, information or complaint and the prosecution shall thereupon terminate. Such a dismissal, unless secured by the consentor fraud or deceit of the defendant, shall serve as a bar to subsequent prosecution for the offense charged in the dismissed indictment, information or complaint.

"§ 3293. Multiple indictments or informations: order of trial.

"A person against whom there is pending more than one indictment or information shall be brought to trial in the same order in which the indictments were returned or the informations were filed. Whenever a case shall go to trial on an indictment or information, the court in which an earlier indictment or information is pending against the same defendant shall, on motion of the defendant, dismiss such earlier indictment or information and the dismissal shall have the same effect as a judgment entered on a jury verdict of not guilty.

"§ 3294. Speedy trial.

"On the motion of a defendant under indictment or against whom an information has been filed, he shall have the right to be tried on that indictment or information no later than nine months after the indictment is returned or the information filed, except that a court may, in its discretion, extend the time within which the case shall be tried on good cause shown. In the event that a defendant is incarcerated pending trial, on the motion of the defendant, the case shall be tried within six months after the indictment is returned or the information filed or the indictment or information shall be dismissed.

"§ 3295. Time for sentencing.

"A defendant who has been convicted of a crime in a court of the United States shall be sentenced for that crime by said court no later than sixty days after the judgment of conviction is entered, unless it be demonstrated to the court that postponement of sentence would be in furtherance of the national security of the United States."

Mr. TALMADGE. Mr. President, will the Senator yield at that point?

Mr. MORSE. Yes; I yield.

Mr. TALMADGE. I read from amendment VI of the Constitution of the United States:

> In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed.

Does the Senator's bill apply itself to amendment VI of the Constitution of the United States when he refers to a speedy trial?

Mr. MORSE. That is correct.

Mr. TALMADGE. Is there now no statute on the books that implements that particular provision of the Constitution of the United States?

Mr. MORSE. The bill that I am proposing would implement it more effectually than any existing law.

Mr. TALMADGE. May I ask the Senator a hypothetical question? Would it be possible now for the Government of the United States to indict me for a crime and then, even though my counsel requested a speedy trial, have the indictment remain on the docket pending, without trial, to damage my character and reputation?

Mr. MORSE. Before I get through with my speech this afternoon I hope to satisfy the Senator from Georgia beyond a reasonable doubt that that kind of administration of justice is now possible under the Federal criminal statutes.

Mr. TALMADGE. It is my opinion that anyone indicted for a crime, whether it be in a Federal court, a State court, or any other court, under amendment VI of the Constitution of the United States, should be able to demand and receive a speedy trial.

In the State of Georgia there is a State statute that authorizes anyone who has been indicted for a crime to demand a speedy trial, and when that demand is filed with the clerk of the court, if the prosecuting attorney does not proceed to try the accused by the end of the second term, the accused stands automatically acquitted. In that way, I think that statute guarantees the administration of justice.

If it is possible for anyone to be indicted for a crime and have the indictment stand on the record without trial, certainly he is in a serious situation, and certainly that does not conform, in my judgment, to the standards of the constitutional amendment that guarantees a fair and speedy trial.

Mr. MORSE. I could not agree more with the Senator from Georgia. Of course, he is far ahead of the Senator from Oregon, but I am not surprised, knowing him for the able lawyer he is. The comments he has made and the questions he has raised indicate very clearly that he has in mind the same objectives I have in mind in connection with my presentation of these bills.

Before the afternoon is over—and I am sorry this is not going to be one of my briefer speeches—I shall be discussing some of the State statutes, because, as the Senator from Georgia has indicated, the Federal Government, in the field of criminal prosecution, in my judgment, is lagging far behind a good many of our States. I shall be mentioning a good many State statutes along the line of the Georgia statute, which the Senator has mentioned, which result, in my judgment, in fairer procedure for the conducting of criminal trials than is followed, in many instances, in connection with Federal prosecutions.

That does not mean Federal prosecutors could not follow such procedures. What these bills seek to do is to impose inhibitions and prohibitions and checks upon the execution of prosecutor discretion at the Federal level. They reflect on no one. I want to make that clear. I shall have more to say about that momentarily. They are directed toward improving existing Federal criminal procedure so that such unfairness and wrongs implied by the Senator from Georgia cannot exist at the Federal level.

Mr. TALMADGE. First let me thank the distinguished Senator for his generous references. He is always far more generous than the junior Senator from Georgia deserves.

I shall read the speech of the Senator from Oregon with much interest. I wish to hear as much of it as I can, but, unfortunately, I have appointments which will take me from the Chamber. It seems only fair and proper under that provision of the Constitution that anyone who is indicted, regardless of his guilt or innocence, whatever his crime may be, or whatever the charge may be, in this day of justice, or alleged justice, in which we live, no one ought to be compelled to languish in jail without a speedy trial by a jury of his peers.

Mr. MORSE. Not only languish in jail, but languish on bail.

Mr. TALMADGE. Yes. That is certainly true—or languish under indictment.

Mr. MORSE. Or languish under indictment, because all the time that he is under indictment, his reputation is clouded. He is entitled to have it cleared up, and cleared up quickly, with a speedy trial.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. DIRKSEN. As a member of the Committee on the Judiciary, I have had some expressions of interest, in general, in what the distinguished Senator from Oregon refers to as contained in the bills he has introduced.

I have on my staff a number of young men whom I regard as topflight lawyers. One, in particular, has served as a U.S. attorney in Chicago. So that among them they bring both sides of the picture into good perspective.

I have already asked for and have had done a little work in this field, and I shall follow with interest and read with great interest the remarks of the distinguished Senator from Oregon.

Mr. MORSE. I thank the Senator from Illinois very much.

Mr. BEALL. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. BEALL. I should like to ask the Senator a question. It has come to my attention that 40 States require that an accused must be brought to trial within two or three terms of the court after the indictment is returned. Would this bill apply to the Federal courts the rule which is now in effect in 40 State jurisdictions?

Mr. MORSE. The Senator is correct. That is a correct general statement of what the second bill proposes to do. The Senator's question is in line with the observation made by the Senator from Georgia [Mr. TALMADGE], in which he cited specifically the Georgia law, which is one of the State laws, among 40, that I shall discuss later, which gives a guarantee of a speedy trial at the State jurisdictional level. That is the basic purpose of the bill that I have just mentioned.

Mr. BEALL. I have one further question. Does not trial by press release tend to subvert the protection afforded the accused by the rules of evidence which would outlaw hearsay and other types of evidence, but which the prosecutor can get across to the jury by incorporating the same release in evidence.

Mr. MORSE. The Senator is correct. To prevent such a course of action the first bill is introduced, which is probably the more controversial of the two. It raises many ancillary problems. I will undoubtedly be criticized and attacked by some persons for alleged interference with the freedom of the press. I hope to show that that is not the case.

I wish to make it clear—and I will do it now because the Senator's question causes this to flash through my mind—that I am offering the bills on the basis of evidence that I shall produce which establishes a prima facie case for them.

However, I offer the bills, as I always offer a bill, with an open mind toward any amendments that may be offered which would improve the bill. If anyone can show that either bill or both bills do not merit passage, the senior Senator from Oregon will vote against them. I would not introduce these bills if I were not satisfied that the information and the evidence that I now have sufficiently support them. So if I were asked now to answer a yea and nay vote, on the basis of my present knowledge of these bills, I would vote to pass them.

Mr. BEALL. I thank the Senator.

Mr. MORSE. Mr. President, I wish to give credit where credit is due. Although I have done a considerable amount of research on my own on these bills, and although for many years I taught criminal law and criminal procedure at the University of Oregon Law School, I am greatly indebted for much of the research material that I shall present this afternoon to Prof. Philip B. Kurland, professor of law at the University of Chicago Law School.

Of course I shall assume responsibility for the information that I present. As any student of law would do, I have checked my citations and have satisfied myself that the cases I am citing this afternoon are apropos to the subject matter. At the same time I admit that I am also a plagiarizer this afternoon in the Senate, because I could not discuss these bills this afternoon without leaning heavily upon the writings and the scholarship of Professor Kurland.

Professor Kurland, professor of law at the University of Chicago, one of the best law schools in the country, is recognized among legal scholars as a keen scholar. He is the editor of the Supreme Court Review of 1962, a volume which I hold in my hand. One need only read his writings in this volume, or read his other legal writings, to recognize that I am presenting to the Senate this afternoon through my lips a very keen witness whose legal scholarship is beyond dispute.

Mr. President, Professor Kurland has been at work in the field of Federal criminal procedure reform since long before the Hoffa cases. I want to take care of that matter at the very beginning of this speech. I know that when one stands on the floor of the Senate and discusses a subject that is general in its scope and uniform in its application to all citizens, but is also applicable to a celebrated instance that exists at the moment of the discussion, that Senator's detractors and critics will be quick to describe these bills as Hoffa bills.

I have stood in this position before in my many years in the Senate. It does not make any difference to me what a man's name is, what his record is, or who he is; if the problem involved raises questions of public policy, the voice of the senior Senator from Oregon will never be silenced because of any fear of what detractors may say.

I know nothing about the merits of the indictments and the charges against Hoffa. I remember standing on the floor of the Senate some years ago and defending the former Senator from Massachusetts, now the President of the United States, against one of the most unfair, uncalled-for attacks by a man named Jimmy Hoffa that I ever heard in my years of public life. I think I made it clear then that I follow where the facts lead. I am never deterred or motivated by ad hominem arguments.

It is true that the controversy Hoffa is having with the United States Government in the field of criminal prosecution is an instant case, an operative case, one that is necessarily involved in any discussion of the applicability of the proposed bills to existing Federal criminal procedure. But if Hoffa had never been born, the basic legal problem involved would still be the same, and it would still be the duty of the senior Senator from Oregon to participate in the subject of discussion this afternoon.

If Hoffa is guilty of any of the charges in any of the indictments outstanding, I want him to be put in prison. If he is not guilty, he is entitled to a speedy trial. He and every other American citizen who may be subject to indictment at any time are entitled to the same fair procedure.

I wish to read to the Senate a letter that I received from Professor Philip B. Kurland, Professor of Law at the University of Chicago Law School. His letter is the primary basis for my interest in the bills I have introduced. In fairness to Professor Kurland, I know from my own knowledge, as a result of my longtime interest in criminal law, its administration, and the criminal procedure involved in its administration, that he also was interested in this subject as a legal scholar long before Hoffa hit the front pages of the press of the Nation. Under date of June 17, 1963, Professor Kurland wrote to me as follows:

THE LAW SCHOOL,
UNIVERSITY OF CHICAGO,
Chicago Ill., June 17, 1963.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: I am enclosing herewith two of the six bills about which I have spoken to you, together with background memoranda on each. All six bills are concerned with the effectuation of the purposes of the sixth amendment, which purports to guarantee to a defendant in national courts a fair and speedy trial by a jury of his peers from the vicinage.

The first of the two bills is concerned directly with the provision requiring that the United States afford a speedy trial to those whom it has accused, officially or more indirectly. The second is concerned with the limitation of the all too common practice of trying prominent defendants in the newspapers rather than in the courts, with the result that no unbiased jury can be secured in the event that the case goes to trial and, if it does not, the accused has been smeared without being given an opportunity to clear his name.

Neither the remedies contemplated in these bills, nor those contained in the other four that I shall forward to you shortly, are original in concept. They represent ideas that have long been the subject of consideration by bar associations and legal scholars. With the unfortunately typical tendency of the bar toward procrastination in its usually futile efforts to reform the law, these suggestions tend to be relegated to law review and bar association committee discussion or, in these modern times, to be made the subject of extensive foundation-sponsored research projects which almost never come to reach the practical stage of legislative action, the more so since they represent inhibitions on the political use of prosecutors' offices. With neither the bar associations nor the research projects prepared to beard the lion in his den, the Douglas in his hall, it remains for a courageous legislature to stand up to the executive and direct the prosecutors in the Federal courts to behave with that minimal decency implicit in the sixth amendment of the Constitution.

With all good wishes, and with the hope that the much-needed reforms of the prosecutorial system can be brought about, I remain,

Sincerely yours,
PHILIP B. KURLAND,
Professor of Law.

Mr. President, the spring 1963 issue of the Syracuse Law Review contains an excellent note article by an obviously brilliant law student member of the editorial board of this outstanding law journal, Mr. Gerald Stern. The title of the Review's note is "The Two Forums of a Criminal Trial: The Courtroom and the Press." The subheading of the title is the quotation from the sixth amendment already referred to by the distinguished Senator from Georgia [Mr. TALMADGE]:

> In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury.

Mr. President, I ask unanimous consent that the Syracuse Law Review article be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE TWO FORUMS OF A CRIMINAL TRIAL: THE COURTROOM AND THE PRESS

(In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury.—U.S. Constitution amendment VI.)

INTRODUCTION

The constitutional rights of an accused are first jeopardized when the crime is reported in the newspapers. The victim is eulogized[1] while the perpetrator is maligned;[2] the reader feels compassion for the former and malice toward the latter. Communal fury is naturally directed at the accused upon his detention by police. After being unfavorably described,[3] "police leaks" report that he is the "prime suspect"[4] or that he had a "definite part"[5] in the crime. If he claims innocence it may be stated that he is "defiant"[6] and "admits nothing."[7] Police or FBI sources assert that this is one of the most "arrogant"[8] or "vicious"[9] persons ever encountered.

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[1] New York Post, Oct. 14, 1962, p. 3, cols. 1-3. The deceased, shown in a cap and gown—graduation picture, was described as "an obedient and respectful boy" who participated in athletics and had a part-time job. In a further attempt to draw sorrow from its readers the press showed bereaved members of the family holding a picture of the deceased. Daily News, Aug. 3, 1959, p. 4, cols. 2–3 (caption—"Heartbreak Is Written on [Deceased's Widow's] Face"). New York Mirror, Aug. 3, 1959, p. 4, cols. 3–4, showed a picture of a little girl (with one eye on the photographer who obviously set up the pose) kissing a woman. The caption read: "Carole Brush, 7, Kisses Grandmother, Whose Husband Was Fatally Beaten by Boy in Highland Park, Brooklyn." (The boy was later acquitted; it was never established that a boy committed the crime.)

[2] Daily News, Sept. 19, 1962, p. 6, cols. 1–3 ("Beast Hunted in Robbery and Rape of Widow, 71"). When a specific person is sought by the police, the press may obtain some derogatory information from anyone so that the facts may be spiced a bit. E.g., Daily News, Oct. 20, 1962, p. 3, cols. 3–5 ("Actress, 16, Is Slain; Hunt 'Mean' Stepdad"). Query: Would the commentary be admissible as evidence?

Upon arraignment of the accused, a judge delivers a sermon (reported in bold print in the newspapers) which assumes the man guilty.[10] The press refers to the accused as the person who committed the crime.[11] Rumor,[12] speculation,[13] past deeds[14] and a barrage of prejudicial information[15] are reported. The newspapers print editorials which incite bias by demanding action for a solution of the crime[16] and incriminating a particular suspect.[17] The New York Journal, in reaction to the Lindbergh kidnaping, selected 12 people at random to act as "Hauptmann's jury of peers" and reported that the "jurors" found him guilty "on the basis of the evidence deduced."[18] Since the trial had not yet begun it is not conjecture to assume that the term "evidence" referred to the material presented on the "trial by newspaper."

The purpose of this note is to survey the implications of "trial by newspaper" and to ascertain the reaction of the courts.

I. RULES OF EVIDENCE AS A STANDARD

A. Scope of the rules of evidence

Our judicial system seeks "the ascertainment of truth according to the rules of evidence."[19] In a criminal action facts are proved with "evidence which is permitted by the rules, regardless of the instrinsic worth of proof upon which [defendant] * * * relies."[20] Certain evidence is excluded because of its tendency to "confuse, mislead, or prejudice juries."[21] Mere suspicion, choice of possibility or probability, surmise, speculation, conjecture, and insinuations are not regarded as evidence in a judicial proceeding."[22] A district attorney is not permitted to introduce any evidence which does not conform to the rules of evidence. However, when the press releases a vast amount of publicity, the jurors are faced with information unchecked by the selective processes of the law. The people who supply the printed information are "unsworn * * * unconfronted * * * uncross-examined * * * [and] uncontradicted."[23]

Newspapers print information which, if offered by the district attorney, would result in a mistrial. On August 23, 1961, defendant was arrested, amidst a flurry of publicity, in Syracuse, N.Y., and charged with the murder of a woman. On the trial, the district attorney's cross-examination of a parole officer had the effect of relating that the defendant had a criminal record. A mistrial was declared on the grounds that the introduction of a defendant's criminal record is prohibited by the rules of evidence unless the defendant becomes a witness. The executive editor of the Syracuse Herald-Journal, while excoriating the district attorney for causing the mistrial, explained that, "It is established practice in this State that testimony about previous convictions is prejudicial to the defendant and that admission of such testimony is reason for appeal, in the case of conviction, as reversible error."[24] The Syracuse Herald-Journal reported on numerous occasions, including 7 consecutive days,[25] that the defendant had committed a prior felony. Query: since the members of the press recognize that certain testimony is prejudicial, can they deny that the same material read by the jurors is equally prejudicial?

B. Guilty on the "trial by press"; not guilty on the trial by jury

On July 30, 1959, an elderly man was beaten to death in Highland Park, Brooklyn. The police arrested a 16-year-old boy on the basis of statements made by his 13-year-old girl friend. The defendant was acquitted after it was learned that his girl friend had lied when she asserted that he kicked the old man to death.

The New York Herald Tribune reported the following on its front page: "Murder in Park: Boy, 15, Is Held," "Petter, Scolded, Stomps Man, 65."[26] The account described how the accused killed his victim, as related by the police. The Daily News gave a more detailed account of how the boy committed the crime and referred to the accused in its headline, as a "Hard Kid."[27] The New York Mirror reported: "As police reconstructed the story, the boy jumped up and knocked Butler's glasses off. Butler who had undergone operations for cataracts on both eyes, could hardly see. 'Mind your own business old man,' the boy snarled and started to beat Butler."[28] The newspaper in reporting that the account was a reconstruction of the gory crime, gave the distorted impression that the events definitely occurred. The accused was described by an assistant district attorney as "a tough punk * * * sullen * * * defiant," and "one of the most arrogant" he had ever encountered.[29]

The newspaper accounts contained a barrage of prejudicial and distorted information much of which was inadmissible on the trial. The jury foreman asserted: "All the stories that I read prior to the trial showed that Peter Manceri was guilty."[30] Manceri was represented by excellent defense counsel who proved that the sole witness for the prosecution had lied. It is submitted that the actions of the press might have sent a boy to his death if his innocence had not been so apparent.

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[3] Daily News, Aug. 3, 1962, p. 10, cols. 1–2 ("Nab Three Punks"); Tonawanda News, Nov. 5, 1962, p. 1, col. 4 ("Crafty Leader of One of the Nation's Most Notorious Bank Robbery Teams"); New York Post, Aug. 28, 1962, p. 1 headline ("Nab S.I. Banker, Hint Racket Tie"); New York Post, Aug. 5, 1962, p. 4, cols. 1–2 ("Believed To Be Members of a Gang Who Committed Other Crimes"). It should be noted that this information is not admissible during a trial.

[4] Syracuse Herald-Journal, Dec. 11, 1962, p. 17, cols. 5–6. A Green Bay, Wis., police chief recently called a missing suspect the "presumed killer." Syracuse Herald-Journal, Feb. 19, 1963, p. 1, col. 8. Query: Is the presumption of innocence a mere fiction?

[5] The Philadelphia Inquirer, Nov. 2, 1962, p. 1, col. 2 ("It was also disclosed that [the suspect] had a 'definite part' in the murder").

[6] New York World-Telegram & Sun, Aug. 3, 1959, p. 4, cols. 2–5. The article described the defendant's "sneering defiance" after stating that he "admitted nothing." He was later acquitted. Query: If a person refuses to incriminate himself, does this make him "defiant"?

[7] New York Post, Oct. 15, 1962, p. 3, cols. 1–3 ("the two friends admitted nothing"). New York World-Telegram & Sun, Aug. 3, 1959, p. 4 (Defendant "admitted nothing").

[8] Daily News, Aug. 3, 1959, p. 4, cols. 1–3 ("described by an assistant district attorney as one of the 'most arrogant' he has ever met"—the boy was later acquitted).

[9] *People* v. *Hryciuk*, 5 Ill. 2d 176, 125 N.E. 2d 61, 66 (1954) ("vicious degenerate").

[10] New York Mirror, Oct. 18, 1959, p. 5, cols. 3–5, reported: "'I'm not prejudging your case, but sometimes justice doesn't triumph' Magistrate Bernard Dubin told him in Ridgewood Felony Court, Queens. 'Here you are accused of a crime similar to one for which you were just acquitted. If these charges are true you have a depraved mind and a vicious character and should be taken off the streets of the city.'"

[11] New York Post, Nov. 5, 1962, p. 5, cols. 3–5 ("Bank Robber"); See *Commercial Pub. Co.* v. *Smith*, 149 Fed. 704 (6th Cir. 1907) ("Murderer Arrested"—the man was later acquitted). *Stroble* v. *California*, 343 U.S. 181 (1952). (The accused was described as a "werewolf," "fiend," and "sex-mad killer.")

[12] *Leviton* v. *United States*, 343 U.S. 946 (1952). During the trial the New York Times reported that the defendant offered to bribe an important witness and was part of a much larger ring. Neither of these charges were ever brought out on the trial.

[13] *Beck* v. *Washington*, 369 U.S. 541, 544 (1962). (Press quoted Senator McClellan who said it was his "belief that he [defendant] has committed many criminal offenses.")

[14] New York Times, Aug. 3, 1962, p. 38M, col. 5 ("arrested for rape—accused of 50 muggings"). *People* v. *Hryciuk*, 5 Ill. 2d 176, 125 N.E. 2d 61 (1954) (press claimed that the defendant boasted of attacks on 50 women). Daily News, Dec. 16, 1952, p. 1, col. 2 ("convicted bootlegger," "mobster").

[15] *Irvin* v. *Dowd*, 366 U.S. 717 (1960). New York Post, July 22, 1962, p. 1, cols. 1–5 ("Link Mob to Wall St. Hauls"—the article purported to link the crime to a "mob" by stating that the accused has a brother who is allegedly a "mob leader"). *People* v. *Hryciuk*, 5 Ill. 2d 176, 125 N.E. 2d 61 (1954). The press reported that the accused boasted of attacks on 50 women.

[16] Syracuse Herald-Journal, Nov. 28, 1962, p. 18, cols. 1–2. Id., Dec. 2, 1962, p. 44, cols. 1–2.

[17] New York World Telegram & Sun, Sept. 1, 1950, p. 20, col. 1; Holmes, "The Sheppard Murder Case," 50–57 (1961). (The press demanded the arrest of Dr. Sheppard.)

[18] Hallam, "Some Object Lessons on Publicity in Criminal Trials," 24 Minn. L. Rev. 453, 485 (1940); citing New York Journal September 1934.

[19] Conrad, "Modern Trial Evidence," preface V (1956).

[20] Id. at 3–4.

[21] Id. at 26.

[22] Id. at 2.

[23] Id. at 19.

[24] Syracuse Herald-Journal, May 4, 1962, p. 24, col. 2. Mr. Jones asserted that "This newspaper leaned backward in this case * * * to be completely objective in its reports. There certainly could not be charges of prejudiced pretrial or trial slanting of reports in these columns." The reader might survey the news reports cited in footnote 25, infra, to ascertain whether the mass publicity campaign was detrimental to the rights of the defendant.

[25] Syracuse Herald-Journal, Aug. 23, 1961, p. 1, cols. 1–8; id., Aug. 24, 1961, p. 11, cols. 1–6; id., Aug. 25, 1961, p. 19, cols. 2–5; id., Aug. 26, 1961, p. 1, cols. 4–7; id., Aug. 27, 1961, p. 1, cols. 1–8, p. 5, cols. 1–4; id., Aug. 28, 1961, p. 7, cols. 1–2; id., Aug. 29, 1961, p. 6, col. 1. On the ninth day the information was again reported. Syracuse Herald-Journal, Aug. 31, 1961, p. 2, cols. 1–8.

[26] New York Herald Tribune, Aug. 3, 1959, p. 1, col. 2.

[27] Daily News, Aug. 3, 1959, p. 4, cols. 1–3.

[28] New York Mirror, Aug. 3, 1959, p. 2, cols. 1–5.

[29] Ibid. Even the New York Times printed this prejudicial information. New York Times, Aug. 3, 1959, p. 13, cols. 1–3.

[30] See script of CBS Reports, "A Real Case of Murder: The People Versus Peter Manceri" as broadcast over the CBS Television Network, Thursday, Mar. 2, 1961.

II. THE REPORTING OF A CONFESSION

A. Inadmissible confessions

Mr. Alexander F. Jones, executive editor of the Syracuse Herald-Journal has asked: "What difference does it make in the final analysis whether a confession is prepublished or produced in evidence?"[31] The question assumes that the "confession" will be produced in evidence. There are numerous cases which show that confessions have been involuntarily extracted from the defendant and hence held inadmissible as evidence.[32] In reversing convictions because of inability to receive a fair trial, the courts have laid particular stress on published confessions, inadmissible on trial, which have convinced the jurors of the defendant's guilt.[33] The Supreme Court has presciently advised that reported confessions are not necessarily reliable.

> "In the police station a prisoner is surrounded by known hostile forces. He is disoriented from the world he knows and in which he finds support. He is subject to coercing impingements, undermining even if not obvious pressures of every variety. In such an atmosphere, questioning that is long continued—even if it is only repeated at intervals, never protracted to the point of physical exhaustion—inevitably suggests that the questioner has a right to, and expects, an answer. This is so, certainly, when the prisoner has never been told that he need not answer and when * * * he has every reason to believe that he will be held and interrogated until he speaks."[34]

Mr. Jones' question also assumes that a defendant must have confessed if the police inform the press that he has confessed. On August 2, 1962, the New York Post reported in a full-page headline: "Say Boy Admits Killing Two Brooklyn Women." A later edition of the same newspaper reported on page 5 in a small article that, "Police at first reported that the teenager had confessed two of the slaying but Capt. William Averill, of Brooklyn South Detectives, later denied this."[35]

The press has fabricated news stories relating to confessions. Two Supreme Court cases[36] indicate that the news media concoct reported confessions without receiving such information from any source. Confessions are publicized out of context and with added color and spice. After a man allegedly confessed to the murder of three persons, the press reported: "Ex-Con Admits He's 'Mad Dog' Killer of Three."[37] If the "ex-con" subsequently claimed innocence he would have faced the stigma of a "mad dog" label and would have been tried by a jury who knew of his criminal record. A published report of a defendant's statement may be an exaggeration of the police report given to the press. After police conveyed defendant's statement to the press, one newspaper reported that the defendant had confessed and another newspaper reported that he had not confessed.[38]

Innocent men have been convicted of crimes as a result of being named in the confessions of others.[39] Thus, a man may be greatly prejudiced after being implicated by the well-publicized confession of his alleged cohort.[40] Indeed, if the confederate's confession is involuntary, and found to be such by a higher court, it is obvious that the implicated party could not have received a fair trial.

B. A coerced confession and a conviction for the press

In *State* v. *Taborsky*,[41] a highly publicized murder case, the defendant's motion for a change of venue was denied. The court, admitting there had been "unusual publicity"[42] connected with the case, stated that there was no evidence before the court indicating prejudicial results from such publicity.[43]

The Hartford Times devoted its headlines and a great quantity of space to the case for five successive days. In its headline report that the suspect was being "quized,"[44] the paper quoted a police official as saying that "Taborsky's story * * * didn't hold water."[45] The newspaper reported the accused's past criminal record and referred to his release from prison after a murder conviction 4 years earlier.[46] On four other occasions in the next 4 days the reader was reminded that the suspect was released from prison and "never exonerated."[47]

On February 28, 1957, the newspaper reported in headline form: "Culombe [defendant's alleged cohort] in eight confessions says Taborsky was 'Mad Killer' in State's Crime Wave."[48] The front page expressed numerous commendations for the police. The acting Governor was quoted as lauding the police for bringing "to an end the rash of holdup murders that has plagued Connecticut."[49] Seven pictures and numerous articles referring to the suspects as "killers" were also included in the newspaper that day.[50] On the following day, the Hartford Times reported in its headline that Taborsky had planned to "Shoot way out of court."[51] The editorial that day commended the police for solving the crime wave.

The court stated that: "Undoubtedly such publicity had an impact on general public opinion and probably created indelible marks. * * * But despite the efficient publicity, it is doubtful that there are many people in the county who would be unwilling to accord the defendants a fair trial."[52] The court treated the problem as if the community could be impartial at its will despite the unconscious effects of the "indelible" marks which were created by the press. A deluge of prejudicial information was printed that would never be admitted as evidence in a courtroom. The degree of prejudice multiplied when Culombe confessed. Four years later, the Supreme Court of the United States, reversed Culombe's conviction on the ground that the confession was coerced.[53] The Court held that due to the involuntary nature of the confession it could not be admitted in evidence. It is submitted that the effect of Culombe's coerced confession was to force Taborsky to be tried by a biased jury.

C. A publicized confession: The People against Ralph Dennis

In Syracuse, N.Y., on November 24, 1962, a woman was killed when she fell and struck her head on the pavement from the resulting force of a purse snatch. Both local newspapers devoted large quantities of space to the event while reporting that war was declared on "hoods."[54] The press called the situation critical[55] and reported that the city was outraged[56] and justly aroused.[57] The afternoon newspaper listed recent undated crimes, thereby creating an exaggerated impression of the daily crime rate.[58] Ralph Dennis, a 15-year-old Negro boy, was arrested and supposedly confessed after 4 days of questioning and lie detector tests, during which time he was not allowed to contact his parents. The Post-Standard, after asserting that "the streets of the city are much safer," stated that the "punishment must fit the crime" and "the youth should be confined where he will have a very long time to repent." The newspaper then advised: "This is no time for maudlin sympathy."[59]

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[31] 26 N.Y.S. Bar Bull. 202, 208 (1954).

[32] E.g., *Culombe* v. *Connecticut;* 367 U.S. 568 (1961). Recently a highly publicized case evolved in which an airman was held for 7 months for two murders on the basis of his confession. Upon being released, after another man confessed, he asserted that he was "confused from the continued prolonged questioning and badgering." Newsweek, Dec. 17, 1962, p. 27–28, cols. 1–3. Syracuse Herald-Journal, Nov. 24, 1962, p. 5, cols. 1–2. In this regard see Rogge, "Why Men Confess," 67–73 (1959).

[33] E.g., *People* v. *Hryciuk,* 5 Ill. 2d 176, 125 N.E. 2d 61 (1954).

[34] *Culombe* v. *Connecticut,* 367 U.S. 568, 575–576 (1961).

[35] New York Post, Aug. 2, 1962, p. 5, col. 3. The newspaper chose to disregard the denial of the "confession," by later reporting what the police originally said. "He named the other two youths as his companions in a series of rape murders, police said at first." The New York Post's crime reporting policy seems to contravene its fine editorial policy. Indicative of this was a Nov. 18, 1962, editorial (p. M8, col. 1) which commented on the State liquor authority investigation by the district attorney's office. It read: "Nothing has so far been proven, there is not yet even a clear picture of the nature of the allegations. Obviously there is the intimation of payoff. * * * Mr. Hogan's inquiry should clear the air." The following day, the New York Post ran a full, front-page headline which read: "How the Liquor License Racket Works."

[36] *Shepherd* v. *Florida,* 341 U.S. 50 (1951); *Maryland* v. *Baltimore Radio Show Inc.,* 338 U.S. 912 (1950).

[37] Daily News, Aug. 14, 1959, p. 1, cols. 1–5, reported "Ex-Con Admits He's 'Mad Dog' Killer of Three."

[38] Daily News, Apr. 27 1962, p. 4 ("Father of Four Admits Strangling Love"). New York Mirror, Apr. 27, 1962, p. 5 ("admitted he put his hand on her throat during the quarrel, but did not confess killing her").

[39] An innocent man was convicted of a felony in Syracuse, N.Y., after being named by the guilty party as an accomplice. The Post-Standard, May 19, 1931, p. 8, col. 2. See, Frank, "Not Guilty" (1957).

[40] *State* v. *Taborsky,* 20 Conn. Sup. 242, 131 A. 2d 337 (1957), aff'd, 147 Conn. 194, 158 A. 2d 239 (1960).

[41] 20 Conn. Sup. 242, 131 A.2d 337 (1957), aff'd, 147 Conn. 194, 158 A.2d 239 (1960).

[42] 20 Conn. Sup. 242, 131 A.2d at 338 (1957), aff'd, 147 Conn. 194, 158 A.2d 239 (1960).

[43] Ibid.

[44] The Hartford Times, Feb. 25, 1957, p. 1, cols. 1–8.

[45] The Hartford Times, Feb. 25, 1957, p. 1, col. 8.

[46] Ibid.

[47] The Hartford Times, Feb. 27, 1957, p. 1; id., Feb. 28, 1957, p. 16; id., Feb. 28, 1957, p. 25; id., Feb. 26, 1957, p. 1.

[48] The Hartford Times, Feb. 28, 1957, p. 1, cols. 1–8.

[49] The Hartford Times, Feb. 28, 1957, p. 1.

[50] The Hartford Times, Feb. 28, 1957, pp. 16, 25.

[51] The Hartford Times, Mar. 1, 1957, p. 1, cols. 1–8.

[52] *State* v. *Taborsky,* 20 Conn. Sup. 242, 131 A. 2d 337, 338 (1957), aff'd, 147 Conn. 194, 158 A. 2d 239 (1960). The judge asserted that: "So strongly is the American system of justice embedded in the minds of our citizens that outraged feelings usually give way to a desire for orderly procedure." The judge refused to apply the Supreme Court case of *Shepherd* v. *Florida* since "no such [southern] prejudice could possibly exist in Hartford County." Id. at 339.

[53] *Culombe* v. *Connecticut,* 367 U.S. 568 (1961).

[54] The Post-Standard, Nov. 25, 1962, p. 1, cols. 1–2 ("Woman Slain in Mugging"); Syracuse Herald-Journal, Nov. 25, 1962, p. 1, cols. 1–8 ("Purse Snatched, Woman Dies"); The Post-Standard, Nov. 26, 1962, p. 1, cols. 5–8 ("Police To Crack Down on Teenage Hoods—Purse Snatch Death Brings Tough Policy"); Syracuse Herald American, Nov. 26, 1962, p. 1, cols. 1–8 ("Cops 'Take Off the Kid Gloves'—Situation Is Called Critical"); The Post-Standard, Nov. 27, 1962, p. 1, cols. 1–8 ("City Declares War on Hoods"); Syracuse Herald-Journal, Nov. 27, 1962, p. 1, cols. 1–3 ("Police Step Up War on Hoods").

[55] Syracuse Herald-Journal, Nov. 26, 1962, p. 1, cols. 1–8 (Subheadline read: "Situation Is Called Critical").

During each of the 10 days following the crime the Post-Standard printed, on page 1, the results of the crime or reports concerning the suspect. The Syracuse Herald-Journal made the accounts first-page news on 9 of the 10 days and printed seven full headlines. There were eight editorials devoted to the crime during that 10-day period.

The newspaper accounts, while assuming the boy's guilt, contained a deluge of distorted and false information.[60] The sole witness to the crime stated that she was unable to determine whether the perpetrator was Negro or Caucasian and described him as "dark" and 5 feet 2 inches tall. The press reported that the witness identified the perpetrator as "dark skinned."[61] The press described Ralph Dennis as "approximately 5 feet tall"[62] which would obviously fit the witness's description of the perpetrator. The boy is actually 5 feet 7 inches tall.

It was reported by the press the suspect admitted his crime to another youth.[63] Although such evidence is admissible on trial under the rules of evidence, the youth was not called to testify at the hearing. Another example of circumventing the rules of evidence is an article which quoted the police as saying that the boy "purchased a variety of expensive clothing on the night of November 24 after the purse-snatch death of Miss Snyder."[64] No such evidence was presented at the hearing and, in fact, the boy was charged with taking $1.25 from the purse.

Both newspapers, in printing assertions attributed to the director of Hillbrook Detention Home, stated that the boy "was involved in a number of fights with other boys at the home and ripped electrical wiring from a wall." It was also reported that the boy asked the director's wife "what she would do if her 16-year-old daughter were kidnaped."[65] This information could only have the effect of creating in the aroused community even more animosity toward the youth.

In reporting that the boy could not be tried for murder because of his age, the press, radio, and television stations never even implied that he might be innocent. The underlying implication was that due to legal technicalities a murderer would be treated as a juvenile delinquent.[66]

On the day following the confession, the boy had asserted that the statements made to the police were false, and that he had been pressured into admitting the crime. The press did not report the boy's denial of the confession. Thus, throughout the period that the crime was front-page news the press created the impression that the boy continually maintained his guilt.

The accused was held to have violated a prior probation by being absent from school for 3 days and was sentenced by the family court to a detention home for a period not to exceed 3 years. Three months later the boy had a hearing on the purse-snatch charge and was adjudicated a juvenile delinquent.[67]

As a result of the mass publicity given to the Dennis case, it would have been extremely difficult to locate anyone who had not read the biased and false reports. During the first adjudicatory hearing, defense counsel was attempting to show various Family Court Act violations by the police. The presiding judge asserted: "My recollection from reading the newspapers and watching TV was that [the suspect] was taken over to police headquarters and arraigned there."[68]

The Syracuse Herald-Journal is one of the newspapers involved in the distribution of the reports which have jeopardized the boy's guaranteed rights. Ironically, the executive editor of that newspaper, in 1954, challenged an American Bar Association representative "to produce one case where newspapers have so hounded any individual or influenced any court or jury that a man was sent to prison in a miscarriage of justice."[69]

D. The effect of a printed confession

District Attorney Hogan of New York County made an office rule in 1954 against premature publications of confessions in advance of trial. The district attorney stated that "widely disseminated information that a defendant has 'confessed' has the effect of convincing the general public that he is unquestionably guilty and that any trial will be a mere formality. * * * In its practical effect, such publication tends to destroy the presumption that an accused is innocent until he is proven guilty beyond a reasonable doubt in a court of law."[70]

It seems undeniable that the press has been guilty of printing prejudicial information which has caused those accused of crimes to face biased and hostile courts and juries.[71] When a confession is reported, any safeguards that might have been observed are abandoned and the newspaper accounts often do not contain even an implication that the accused might be innocent.[72]

III. CASE LAW

A. The effect of adverse publicity

As a result of newspaper publicity there are numerous pleas before the courts each year to: grant motions for change of venue;[73]

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[56] Syracuse Herald-Journal, Nov. 26, 1962, p. 1, cols. 1-8 ("Woman's Death Outrages City; War on Hoods").

[57] Syracuse Herald-Journal, Nov. 28, 1962, p. 18, cols. 1–2 (Editorial read: "The community is justly aroused over the death of Miss Irma Snyder * * * a kindly little woman").

[58] Syracuse Herald-Journal, Nov. 26, 1962, p. 1, cols. 7–8.

[59] The Post-Standard, Dec. 1, 1962, p. 4, cols. 1–2 (the punishment will be "a warning to other young hoodlums").

[60] Syracuse Herald-Journal, Dec. 1, 1962, p. 1, cols. 1–8, p. 3, col 2 (The boy was referred to as a "purse slayer" and a "purse murderer"). After the press convinced the people of Syracuse that Ralph Dennis was unquestionably guilty, three youths notified the local newspapers that they were in a movie theater with the suspect on the day of the crime. The deputy police chief, in reporting the arrest of the boys for "conspiracy to obstruct justice," was quoted as saying that the alibi was a "fabricated story compiled from newspaper clippings * * * (and was) full of inconsistencies." The Post-Standard, Dec. 3, 1962, p. 1, col. 8. The result of this publication was to completely demolish the veracity of the boys' stories which were later to become an essential part of defense counsel's case. Subsequently, two of the youths were charged with conspiracy to obstruct justice. The charges against both youths were dismissed for insufficiency of evidence. The press, which had reported the alibi with banner headlines and a front-page picture of the youths, reported one of the dismissals in a four-sentence article on p. 30. Syracuse Herald-Journal, Apr. 11, 1963, p. 30.

[61] Syracuse Herald-Journal, Nov. 25, 1962, p. 1, col. 5.

[62] The Post-Standard, Dec. 1, 1962, p. 6, col. 6 ("approximately 5 feet tall, [he] tried to hide his face with his hands as he was taken from Deputy Chief Ryan's office into the chambers").

[63] The Post-Standard, Dec. 1, 1962, p. 1, col. 8.

[64] The Post-Standard, Dec. 4, 1962, p. 6, cols. 6–7. The same article reported that the youth "has so far failed to aid police in the recovery of the pocketbook," and that he "may have belonged to a gang whose specialty was purse-snatching."

[65] Syracuse Herald-Journal, Dec. 11, 1962, p. 40, col. 1. The Post-Standard in reporting the story, gave the daughter's age as 6.

[66] E.g., "Youth's Age Eliminates Purse Murder Charge." Syracuse Herald-Journal, Dec. 21, 1962, p. 6, col. 5.

[67] Appeals on both cases concerning Ralph Dennis are pending before the appellate division, fourth department. In reporting the news of the hearing, the Post-Standard ironically asserted that "The youth's age prevents the mention of his name." The Post-Standard, Mar. 15, 1963, p. 8, col. 2.

[68] This statement is contained in the official record and in defense counsel's brief.

[69] The statement was made to Mr. Louis Waldman, chairman of the Committee on Civil Rights, New York Bar Association, 26 N.Y.S. Bar Bull. 202, 206 (1954). This same editor, who so stanchly defended the press wrote three editorials concerning the case. He reported in the Syracuse Herald-Journal, Nov. 28, 1962, p. 18, cols. 1–2, that "the community is justly aroused," and predicted that the perpetrator "almost certainly lived within a few blocks of where the crime took place" (essentially inhabited by Negroes). The editorial declared that a newspaper's duty was to "identify racial groups in public disorder to establish who is responsible for unlawful outbreaks." He also remarked that complaints of police brutality should all be treated "as hogwash." In the Syracuse Herald American, Dec. 2, 1962, p. 44, cols. 1–2, the executive editor called on Negroes to form street patrols to guard their area. He also challenged Negroes "to prove they are not demanding the maximum in political rights and exercising the minimum in civic responsibilty." The answer to the problems of "hoodlumism" was offered: "What is needed is a truly aroused community demanding action."

[70] 131 N.Y.L.J., No. 77, Apr. 22, 1954, p. 4, cols. 3–4.

[71] See Lofton, "Justice and the Press," 6 St. Louis L., Rev. 449 (1961); Note, 34 N.Y.U.L. Rev. 1278 (1959). Mr. Justice Douglas has observed that, "Passion and public outcry, aided and abetted by the press, have at times so possessed a community and its courthouse as to make the trial a mere mockery of justice." The press, according to the esteemed Supreme Court Justice "may so beat the drums of prejudice and passion as to make it doubtful whether a trial in the local courthouse can be fair to a particular defendant." Douglas, "The Public Trial and the Free Press," 33 Rocky Mt. L. Rev. 1, 3 (1960).

[72] E.g., New York Mirror, Oct. 6, 1962, p. 1, cols. 1–5. The headline reported: "Portrait of a Deb Who Slew."

[73] *United States* v. *Florio,* 13 F.D.R. 296 (S.D.N.Y. 1952) (motion granted); *State* v. *Taborsky,* 20 Conn. Sup. 242, 131 A. 2d 337, aff'd, 147 Conn. 194, 158 A. 2d 239 (1960) (motion denied). *State* v. *Chapman,* 103 Conn. 453, 130 Atl. 899 (1925) (affirmance of denial of motion although the press "exploited, spiced, dramatized and colored" the reports); *People* v. *Fernandez,* 195 Misc. 95,

reverse convictions;[74] or grant motions for continuance.[75] The courts have held that extensive newspaper comment does not establish inability to receive a fair trial.[76] However, in certain situations, there may appear a strong probability that bias exists in the minds of the jurors as a result of an intensive campaign by the press in publishing prejudicial material.[77] It is usually held that the defendant does not prove inability to receive a fair trial merely by showing that such publicity was read by the jurors.[78] The defendant supposedly has the burden of proving that the jurors have been actually prejudiced by such material.[79] The courts, however, have not specifically indicated how they expect the defense counsel to prove that prejudice actually exists. Indeed, attempts to show the effects of the publicity on jurors by expert testimony have been thwarted.[80]

Many courts have denied challenges for cause where an admittedly prejudiced juror states that he can lay aside his prejudices and give the defendant the presumption of innocence.[81] The Supreme Court has declared that "Bias or prejudice is such an elusive condition of the mind that it is most difficult, if not impossible, to always recognize its existence, and it might exist in the mind of one * * * who was quite positive that he had no bias, and said that he was perfectly able to decide the question wholly uninfluenced by anything but the evidence." [82] The majority of States, however, give a juror's statement of impartiality great weight and only if the court is convinced that the juror is lying will the challenge for cause be granted.[83] Indeed, many courts have held that even where a juror has a fixed opinion of guilt, he is not disqualified if he states that he can decide the case on the evidence presented.[84] In essence, the courts have believed that a juror may assume a man guilty and presume him innocent.

It has been held that prejudicial publicity did not prevent a fair trial where: the defense was given an unlimited number of peremptory challenges;[85] the jurors claimed they merely scanned the articles;[86] or the material was read by only two jurors.[87] One court reasoned that jurors tend to forget what they read.[88] Most courts have overlooked the unconscious effects of publicity and have reasoned that: the trial was "quiet and orderly;" [89] the residents of a particular county are "eminently fair and tolerant" and "capable of using discrimination in the formation and exercise of their individual judgment;" [90] and "most people are willing to give the defendants a fair trial." [91] In *State* v. *Taborsky*, the court stated: "So strongly is the American system of justice embedded in the minds of our citizens that outraged feelings usually give way to a desire for orderly procedure." [92]

Many appellate courts cite as proof of a fair trial the fact that the defendant did not: utilize all of his peremptory challenges; [93] seek a change of venue or a continuance; [94] or ask for a mistrial.[95] In *United States* v. *Rosenberg*,[96] the court characterized a press release given to the New York Times by the prosecutor as "wholly reprehensible" [97] which should be "severely condemned." [98] The court stated that a cautionary instruction to the jury "would not suffice" and the defendants should have been granted a mistrial if they had so requested.[99] The court deduced that since there was no motion made for a mistrial, the defense "obviously concluded that the prosecutor's statement to the press had not prejudiced the jury." [1] Thus, "they may not, after an adverse judgment, ask the court to reach a contrary conclusion." [2] The fact that the defendant did not receive a fair trial was admitted by the court but he was penalized for not taking advantage of a motion which was not a prerequisite for the relief sought.

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89 N.Y.S. 2d 421 (Queens County 1949) (motion granted). See 60 Colum. L. Rev. 349 (1960) where the writer states that most change of venue motions, based on adverse publicity, are denied.

[74] *Stroble* v. *California*, 343 U.S. 181 (1952). (Conviction affirmed although the defendant was described as: "werewolf," "fiend," "sex-mad killer.")

[75] *State* v. *Beck*, 56 Wash. 2d 474, 349 P. 2d 387 (1960).

[76] *People* v. *Broady*, 195 Misc. 349, 90 N.Y.S. 2d 864 (Sup. Ct. 1949).

[77] *People* v. *Sandgren*, 190 Misc. 810, 75 N.Y.S. 2d 753 (1947). In *United States* v. *Florio*, 13 F.R.D. 296 (S.D.N.Y. 1952), Judge Kaufman granted a motion for a change of venue due to inflammatory publicity. *Juelich* v. *United States*, 214 F. 2d 950 (5th Cir. 1954). The court reversed after motions for continuance and change of venue were denied since all of the jurors read the news reports and formed opinions of guilt. Query: Can a defendant receive a fair trial where less than all of the jurors have formed opinions of guilt?

[78] *Smith* v. *State*, 205 Tenn. 502, 327 S.W. 2d 308, cert. denied, 361 U.S. 930 (1959), citing *People* v. *Malmenato*, 14 Ill. 2d 52, 150 N.E. 2d 806, cert. denied, 358 U.S. 899 (1958), which after stating that due consideration should be given to the newspaper articles, affirmed the conviction. In *State* v. *Taborsky*, 20 Conn. Sup. 242, 131 A. 2d 337, 340 (1957), aff'd, 147 Conn. 194, 158 A. 2d 239 (1960), the court asserted that "Proof that derogatory articles were published * * * and publicized throughout the county * * * is not proof that a fair trial cannot be held within the county."

[79] *Morgan* v. *State*, 211 Ga. 172, 84 S.E. 2d 365 (1954). Contra, *Cox* v. *State*, 90 Tex. Cr. R. 106, 234 S.W. 72 (1921).

[80] See *United States* v. *Rosenberg*, 200 F. 2d 666, 669 (2d Cir. 1952), cert. denied, 345 U.S. 965 (1953) where defense counsel wished to offer testimony of an expert on mass psychology. The trial court declined to grant a hearing to receive the evidence.

[81] *State* v. *Johnson*, 362 Mo. 833, 245 S.W. 2d 43 (1952). (Juror acceptable although he admitted it would take evidence to change his opinion.)

[82] *Crawford* v. *United States*, 212 U.S. 183, 196 (1909).

[83] *Howell* v. *State*, 220 Ark. 278, 247 S.W. 2d 952 (1952), *People* v. *Duncan*, 53 Cal. 2d 824, 350 P. 2d 103 (1960), cert. denied, 366 U.S. 417 (1961). This principle overlooks the unconscious attitudes that cannot be set aside and the conscious attitudes of jurors who want to convict the defendant. See *People* v. *Moran*, 35 Misc. 2d 1078, 232 N.Y.S. 2d 201 (Sup. Ct. 1962). It is interesting to note that in many of the situations where jurors are said to have voiced the opinion that they can be impartial, the trial judge or prosecutor actually has led them to this conclusion. In *Lauderdale* v. *State*, 343 S.W. 2d 422, 424–25 (1961) the court conducted the voir dire:

"Question. You can and will set this preconceived opinion aside and go in the jury box with an open mind and try the case solely on the law and the evidence developed here and give both sides a fair and impartial trial.

"Answer. That's correct."

In *Howell* v. *State*, 220 Ark. 350, 247 S.W. 2d 952 (1952):

"Question. Mr. Mack, do you have such an opinion on your mind at this time as would take evidence to overcome it?

"Answer. Yes sir, I don't know if the State supports what I have read of the thing, I have that opinion if that is true now.

"Question. Could you, and would you go into the trial of this matter with an open mind and discharge any preconceived notion or opinion?"

The juror responded, "I think I could" to the question and, despite the qualification and his prior answer, the appellate court held that it was not error to allow the juror to sit in the jury box. In *People* v. *Duncan*, 53 Cal. 2d 824, 350 P. 2d 103 (1960), three jurors stated: (1) that they would not want to be tried by jurors with their frame of mind; (2) that such jurors could not be impartial; and (3) evidence would be required to overcome their opinions. The three jurors, after agreeing to act impartially, remained as jurors on the murder trial.

[84] *Geagan* v. *Gavin*, 292 F. 2d 244 (1st Cir. 1961); *Rowe* v. *State*, 224 Ark. 671, 275 S.W. 2d 887 (1955); *State* v. *Brazile*, 234 La. 145, 99 So. 2d 62 (1958); *State* v. *Johnson*, 362 Mo. 833, 245 S.W. 2d 43 (1962); *State* v. *Flack*, 77 S.D. 176, 89 N.W. 2d 30 (1958); Compare *Reynolds* v. *United States*, 98 U.S. 145 (1878) where the Supreme Court held that a "fixed and decided opinion" makes a person incompetent as a juror.

[85] *United States* v. *Shaffer*, 291 F. 2d 689 (7th Cir. 1961).

[86] *United States* v. *Carlucci*, 288 F. 2d 691 (3d Cir.), cert. denied, 366 U.S. 961 (1961).

[87] *United States* v. *Gibes*, 300 F. 2d 836 (7th Cir. 1962).

[88] *People* v. *Broady*, 195 Misc. 349, 90 N.Y.S. 2d 864 (Sup. Ct. 1949).

[89] *Owens* v. *State*, 215 Ala. 42, 109 So. 109, 111 (1926).

[90] *People* v. *Hines*, 168 Misc. 453, 470, 6 N.Y.S. 2d 15, 16 (Sup. Ct. 1938).

[91] *State* v. *Taborsky*, 20 Conn. Sup. 242, 131 A. 2d 337, 338 (1957), aff'd, 158 A. 2d 239 (1960).

[92] Ibid.

[93] *United States* v. *Moran*, 236 F. 2d 361 (2d Cir.), cert denied, 352 U.S. 909 (1956) (although the publicity was described as "inflammatory"). A note in 27 Cincinnati L. Rev. 87 (1958) criticizes the reasoning of the courts on this matter.

[94] *Palakiko* v. *Harper*, 209 F. 2d 75 (9th Cir. 1953); *United States* v. *Rosenberg*, 200 F. 2d 666 (2d Cir. 1952), cert. denied, 345 U.S. 965 (1953).

[95] *United States* v. *Rosenberg*, 200 F. 2d 666 (2d Cir. 1952), cert. denied, 345 U.S. 965 (1953).

[96] 200 F. 2d 666 (2d Cir. 1952), cert. denied, 345 U.S. 965 (1953). The New York Mirror reported the defendant's arrest with a headline which read, "Nab Fourth Man in Atom Spy ring" and then quoted J. Edgar Hoover as saying that the defendant is "another important link in the Soviet espionage apparatus." New York Mirror, July 18, 1950, p. 2, cols. 1–2. See, Daily News, July 18, 1950, pp. 1, 24, cols. 1–2, for other prejudicial remarks. In the Daily News, Aug. 12, 1950, p. 12, col. 5, an assistant U.S. attorney who was prosecuting the case blamed the Korean war on the defendant. It is extremely difficult to obtain a fair trial in a security case after the resulting adverse publicity. The Syracuse Herald American, Nov. 18, 1962, p. 1, cols. 3–5, in reporting the arrest of three Cubans stated that the suspects planned "to set off arms and explosives in New York department stores and oil and gasoline refineries." The New York Herald Tribune, Nov. 17, 1962, p. 1, as well as other newspapers also described in specific detail the plans of the Cubans. It is interesting to note that, according to the press, the suspects denied the charges and it is therefore difficult to conceive how the specific plans were known. The publicity connected with the Alger Hiss case is depicted in an excellent book by A. J. Liebling. See, Liebling, "The Press," 144–62 (1961).

[97] Id. at 670.

[98] Ibid.

[99] Ibid.

[1] Ibid.

[2] Ibid.

In *United States* v. *Dennis*,[3] the defendant had been convicted of a Smith Act violation amidst an aroused environment. The court asserted: "it is urged that it was impossible * * * to get an impartial jury because of the heated public feeling against Communists. That such feeling did exist among many persons—probably a large majority—is indeed true; but there would be no reason to suppose that it would subside by any delay * * *. The choice was between using the best means available to secure an impartial jury and letting the prosecution lapse."[4] It was further stated that there was "no reasonable hope that * * * [the prejudice] would fade" and "we must do as best we can with the means we have."[5]

It is submitted that the constitutional guarantee of an "impartial jury" trial does not merely offer "the best we can" but actually guarantees an impartial trial. If the "best we can" offer falls short of an impartial trial, the conviction is a travesty of justice. The decision is a curious one and can only be explained by the fact that it was the conclusion of a highly publicized security case.

The difficulties involved in proving that prejudice exists in a juror's mind have obviously been recognized by the Supreme Court which has found the existence of prejudice solely on the basis of the newspaper material.[6] The Court has assumed that jurors have read the newspapers in cases where the prejudicial reports were voluminous. Jurors' statements that they were able to decide the case solely on the evidence presented in court have been disregarded in recent Supreme Court decisions.[7]

B. *Marshall* v. *United States*

In the 1959 case of *Marshall* v. *United States*,[8] the Supreme Court reversed the conviction of a defendant who was held to have unlawfully dispensed certain drugs without a prescription in violation of a Federal statute. After the judge refused to permit the Government to introduce evidence of the defendant's past criminal record, the jurors received such information from reading newspapers. In granting a new trial the Supreme Court declared that the trial judge had found that the information was too prejudicial to be admitted as evidence. The Court stated that the prejudice to the defendant would be "as great when the evidence reaches the jury through news accounts as when it is part of the prosecution's evidence.[9] In reversing the conviction, the Court disregarded jurors' statements that they could give the defendant a fair trial.

C. *Irvin* v. *Dowd*

A murder conviction was reversed and remanded by the Supreme Court in the 1960 case of *Irvin* v. *Dowd*[10] after "a barrage of newspaper headlines, articles, cartoons, and pictures was unleashed against (defendant) during the 6 or 7 months preceding his trial."[11] Eight of twelve jurors indicated that they could render an impartial verdict despite their opinions that defendant was guilty. In dictum, the Court asserted that the jurors need not be totally ignorant of all the facts and issues involved. A juror can be impartial although he has "formed some impression or opinion as to the merits of the case."[12] It was recognized by the Court that it may be possible for a juror to "lay aside his impression or opinion and render a verdict based on the evidence presented in court."[13] However, the Court did not state that this judgment should be made by the jurors. The Court granted that "each juror was sincere when he said he would be fair and impartial," but declared that the "influence that lurks in an opinion once formed is so persistent that it unconsciously fights detachment from the mental processes of the average man."[14]

D. *1962 cases*

A New York court of appeals case[15] relied on the *Irvin* v. *Dowd* dictum in affirming a conviction and accepted the statements of eight jurors that the prejudicial material they had read would not be considered. The court had described the articles as revealing a "callous disregard of fair trial requirements."[16] Chief Judge Desmond, in dissent, stated:

> "Jurors who would not be influenced by accusations such as those made in the newspapers against this defendant would either be of a sort whose minds for some reason do not react at all to what they read, or those whose existing prejudices had already hardened to a point where nothing could worsen them. * * * I refuse to concede * * * that we must be satisfied by the incredible statements of jurors that they can read such stuff and then wipe it off their minds."[17]

The 1962 case which had the greatest effect on the law in this area is the Supreme Court case of *Beck* v. *Washington*.[18] The defendant had been convicted of grand larceny after having been "tried and convicted" by a Senate committee headed by Senator JOHN L. MCCLELLAN. The committee, making various prejudicial remarks to the press, accused Beck of "many criminal acts,"[19] and of having "apparently"[20] stolen money. The trial judge, in denying a motion for a continuance, indicated that the motion was an insult to the "intelligence and fairness of the high-calibered jurors" in the community.[21] The Supreme Court, in a 4-to-3 decision, affirmed the conviction and apparently disregarded prior decisions in Marshall and Irvin.

The U.S. Supreme Court denied certiorari recently to a case which appears to contravene prior Supreme Court case law. The First Circuit of the Court of Appeals in *Geagan* v. *Gavin*[22] had denied petitioner's motion for habeas corpus and had held that the jurors met the constitutional test of impartiality laid down in *Irvin* v. *Dowd*.[23] It was stated that despite the great volume of publicity there were no "feelings of rage and revulsion touching off widespread public clamor for vengeance."[24] Although some of the news mentioned that defendants were involved in other murders the court found this was not prejudicial since the "rubbing out of a few small-time hoodlums is not enough to cause any general public clamor for revenge."[25] The particular crime involved did not "arouse public passions and emotion" and the "trial * * * was conducted from first to last with dignity and decorum in a calm judicial atmosphere."[26] It is obvious that the court completely misconstrued the effects of prejudice when it implied that a biased juror is one who reeks with revenge and hate. It is no wonder that there was no mention of the leading Marshall case since that decision could not be reconciled with the present holding.

In its attempt to distinguish *Irvin* v. *Dowd*, the court noted that 90 percent[27] of the jurors called in that case formed an opinion whereas in the *Geagan* case only 72 percent of the prospective jurors formed an opinion.[28] In *Irvin* v. *Dowd* the jury panel consisted of 430 persons of whom 268 were excused for having opinions of guilt.[29] In the *Geagan* case there were 1,104 jurors called and 659 admitted forming an opinion.[30] The court mentioned in a footnote that "we can hardly assume that all those with an opinion thought the defendants guilty."[31] In holding that the jurors were impartial, the court relied heavily on the voir dire examination. One of the jurors who tried the case asserted that he formed a "tentative opinion."

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[3] 183 F. 2d 201 (2d Cir. 1950), aff'd, 341 U.S. 494 (1951).

[4] Id. at 226.

[5] Ibid.

[6] *Irvin* v. *Dowd*, 366 U.S. 717 (1960).

[7] Ibid.

[8] *Marshall* v. *United States*, 360 U.S. 310 (1959).

[9] Id. at 313.

[10] *Irvin* v. *Dowd*, 366 U.S. 717 (1960).

[11] Id. at 725. In *Reynolds* v. *United States*, 98 U.S. 145 (1878), the Court stated that "a juror who has formed an opinion cannot be impartial," however he may "entertain" an opinion and be impartial. Whether a presumption of partiality is raised on the strength and nature of the opinion is a decision for the court.

[12] *Irvin* v. *Dowd*, 366 U.S. 717, 722 (1960).

[13] Id. at 723.

[14] Id. at 727. There have been other perceptive voices which have excoriated the absurd fiction that a juror is capable of setting aside his prejudice. In *Delaney* v. *United States*, 199 F. 2d 107, 113 (1st Cir. 1952), the court stated that "One cannot assume that the average juror is so endowed with a sense of detachment, so clear in his introspective perception of his own mental processes, that he may confidently exclude even the unconscious influence of his preconceptions as to probable guilt, engendered by a pervasive pretrial publicity." Jurors have been held to be "incapable of knowing the effect which prejudicial matters have upon their unconscious minds." *People* v. *Hryciuk*, 5 Ill. 2d 176, 125 N.E. 2d 61 (1954). The court in *People* v. *McLaughlin*, 150 N.Y. 365 (1896) asserted that the influence of prejudice is "subtle, insidious, and often unconsciously warps the judgment and blinds the intelligence of those surrounded by its atmosphere."

[15] *People* v. *Genovese*, 10 N.Y. 2d 478, 180 N.E. 2d 419, 225 N.Y.S. 2d 26 (1962).

[16] Id. at 480, 180 N.E. 2d at 420 225 N.Y.S. 2d at 27.

[17] Id. at 486–87, 180 N.E. 2d at 424–25, 225 N.Y.S. 2d at 32–34. The majority expressed the New York rule as accepting a juror who has formed an opinion if he swears he can set it aside and the court is satisfied that he will. It is submitted that the court, as well as the courts in a majority of States, does not apply the rule; it merely tends to rely on the statements of jurors. The courts have generally not applied that part of the rule which expresses that the court itself is to be the final judge.

[18] 369 U.S. 541 (1962). Compare the leading case of *Delaney* v. *United States*, 199 F. 2d 107 (1st Cir. 1952) where press reports of public hearings were held to bar the possibility of a fair trial. In *United States* v. *Florio*, 13 F.R.D. 296 (1953) the press reported hearings before the New York State Crime Commission which the Daily News described as a "damning mass of testimony" against the "ruthless * * * convicted bootlegger" who manages the "rackets." Daily News, Dec. 16, 1952, pp. 1, c-3, 10.

[19] See *State* v. *Beck*, 349 P. 2d 387, 411 (1960).

[20] Ibid.

[21] Id. at 394.

[22] 292 F. 2d 244 (1st Cir. 1961), cert. denied, 370 U.S. 903 (1962).

[23] The court implied that the constitutional test laid down in *Irvin* v. *Dowd* was that a juror who swears that he can be impartial is impartial. This common error overlooks the fact that the jurors in *Irvin* v. *Dowd* were found to be biased by the Supreme Court despite their personal assertions to the contrary.

[24] *Geagan* v. *Gavin*, 292 F. 2d 244, 247 (1st Cir. 1961), cert. denied, 370 U.S. 903 (1962).

[25] Id. at 247, n. 5.

[26] Id. at 247.

[27] The correct percentage is 86.04.

[28] Ibid.

[29] *Irvin* v. *Dowd*, 366 U.S. 717, 727 (1960).

[30] *Geagan* v. *Gavin*, 292 F. 2d 244, 247 (1961), cert. denied, 370 U.S. 903 (1962).

[31] Ibid.

On the voir dire examination the trial judge asked the juror:

"Question. If you are accepted as a juror, an oath will be administered to you that you will well and truly try the issues between the commonwealth and these defendants, according to the evidence, which means that you should serve with an open mind and decide the case purely on the evidence as it will be presented here, uninfluenced by any preconceived notion, ideas, or opinions that you may now have. Do you think that you could take that oath and adhere to it faithfully?

"Answer. I do, Your Honor.[32]

"Question. Mr. Leary, if you are sworn as a juror, you will be instructed by the court that every defendant is presumed to be innocent, and that it will be your duty to bring in a verdict, return a verdict of "not guilty," unless you are convinced beyond a reasonable doubt on the evidence and the law that he is guilty.

"Now, do you think that your opinion, or whatever notion you have, will interfere with carrying out that oath. Those instructions?

"Answer. No, Your Honor." [33]

The court stated that the "voir dire examinations speak eloquently for themselves" [34] but what they seem to say is that a juror has little choice in expressing his thoughts. It is obvious that prejudice may lurk in the unconscious but even where it is in the conscious the juror is told what his obligation is and then asked whether he can perform his duty. Indeed, the question might well have been asked whether the juror loves his country.

In *United States* v. *Accardo*,[35] the Court of Appeals, Seventh Circuit, after citing *Marshall* v. *United States*,[36] stated that each case based upon the issue of adverse publicity must "rest on its 'special facts.'" [37] The court, in reversing the conviction, asserted that the published material would have been inadmissible in evidence because of its tendency to prejudice the defendant. Thus, the information must be considered prejudicial if it reaches the jury through news accounts. The dissenting opinion noted that the defendant was considered to be newsworthy and so the press "had a right to publish as news any facts pertaining to him, subject to legal redress in libel actions for any abuse in that regard." [38] Apparently the dissenting judge would give the press license to prejudice jurors with no corresponding right of an impartial jury trial guaranteed by the Constitution. The defendant would be able to recover a monetary judgment while incarcerated in prison.

The District Court of Vermont granted a petition for a writ of habeas corpus in *United States* v. *Smith* [39] on the bases of failure to accord petitioner a fair trial by a panel of "indifferent" jurors and denial of State appellate review. The court found that public disclosure of petitioner's alleged criminal record was directly attributable to the prosecutor. The petitioner's counsel offered testimony to show that the publicity, which the court expressed as having "blanketed" the county, created prejudice. Six of the twelve jurors in addition to the two alternates admitted having read the prejudicial news reports.[40] The Court of Appeals, Second Circuit,[41] in citing *Beck* v. *Washington*, reversed and held that the district court judge was speculating when he found that the jury was not impartial. The court declared that the petitioner did not prove that the jurors were biased and the *Marshall* case did not apply since the prosecutor's statements to the press occurred 3 months prior to the trial, whereas in *Marshall* the statements were given to the press shortly before trial. It is submitted that petitioner did all that he could in proving the existence of prejudice and the distinction between this case and *Marshall* is not valid since eight of the jurors admitted reading and recalling the adverse publicity.

Other recent cases, in finding that an impartial jury trial could be secured despite publicity, relied heavily on the dictum of *Irvin* v. *Dowd* and the decision of *Beck* v. *Washington*.[42] In *United States* v. *Decker*,[43] the Court of Appeals, Sixth Circuit, in affirming the denial of a motion for a continuance, saw no significance in the fact that there was only a 12-day delay between the arraignment and the trial. It would be very difficult to distinguish the *Marshall* case, if it were attempted, since the press reported a prior conviction and the fact that other indictments were pending against the defendant.

The defendant's counsel was portrayed as "passive" by the Court of Appeals, Eighth Circuit, in *Dranow* v. *United States*,[44] since he did not "challenge any juror for cause," [45] offer the judge instructions for the jury telling them to disregard the publicity,[46] or ask that the jury be interrogated concerning any publicity.[47] The counsel made motions for a continuance and for a change of venue which were denied.[48] It is submitted that counsel, in requesting a mistrial on several occasions,[49] a change of venue, a continuance and in submitting a deluge of biased and false news reports,[50] was certainly not "passive" and, indeed, did more than should be expected in order to show the lack of an impartial jury. The court relied heavily on the dictum of *Irvin* v. *Dowd* which stated: "It is not required * * * that * * * jurors be totally ignorant of the facts and issues involved." [51] The court further cited the Supreme Court's statement in Irvin that "scarcely any of the best qualified to serve as jurors will not have formed some impression or opinion as to the merits of the case * * *. To hold that the mere existence of any preconceived notion as to the guilt or innocence of accused, without more, is sufficient to rebut the presumption of a prospective juror's impartiality would be to establish an impossible standard." [52] It is indeed an anomaly that the majority of courts that have cited *Irvin* v. *Dowd* quote its dictum in support of findings which are contrary in result to that Supreme Court case. In *Irvin* v. *Dowd* the court found that a fair trial was not afforded the defendant notwithstanding that all of the jurors claimed they could afford the defendant the presumption of innocence and hear the issues with an impartial mind.

A Missouri district court,[53] in finding that a defendant received a fair trial, stated that "publicity is a problem that courts must face * * * if the courts are to say that persons charged with a crime cannot be fairly tried because of the amount of publicity they generally receive, there would be little law enforcement, or little punishment for crime." [54] Inherent in the rationale of most of the court decisions is a hopeless knowledge that although a defendant is unable to secure his constitutional rights, the courts must do as "best they can." [55] Indeed, even where convictions are reversed the defendant must be retried in the publicity-saturated community with the probability of a renewed burst of press reports.

IV. CONCLUSION

It is generally accepted that if the prosecution offers to the jurors information which is not in accordance with the rules of evidence, a fair trial cannot be granted. Thus, it would logically follow that a fair trial cannot be afforded where the jurors are confronted with published information which would be deemed too prejudicial to be admitted into evidence. It is impossible to specify what factual showing a defendant must make in order to prove that a fair trial was not received. The courts are prone to distinguish the leading cases in which convictions were reversed where the fact situations differ in any respect.[56] Since the courts do not control newspapers as they control the prosecution, they apparently are unable to cope with the problem of "trial by press."

Much has been said about employing contempt statutes in order to silence the press.[57]

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[32] Id. at 248.

[33] Id. at 249.

[34] Ibid.

[35] 298 F. 2d 133 (7th Cir. 1962).

[36] *Marshall* v. *United States*, 360 U.S. 310 (1959).

[37] *United States* v. *Accardo*, 298 F. 2d 133, 136 (7th Cir. 1962).

[38] Id. at 142.

[39] 200 F. Supp. 885 (D. Vt. 1962).

[40] Id. at 900.

[41] *United States* v. *Smith*, 306 F. 2d 596 (2d Cir. 1962).

[42] It appears that the rash of 1962 decisions which have refused to follow *Irvin* v. *Dowd* and *Marshall* v. *United States* have been influenced by the case of *Beck* v. *Washington*.

[43] 304 F. 2d 702 (6th Cir. 1962).

[44] 307 F. 2d 545 (8th Cir. 1962).

[45] Id. at 562.

[46] Ibid.

[47] Id. at 562–63.

[48] Ibid.

[49] Id. at 562.

[50] Id. at 560 n. 8.

[51] *Irvin* v. *Dowd*, 366 U.S. 717, 722 (1960).

[52] Id. at 722–23.

[53] *Wolfe* v. *Nash*, 205 F. Supp. 219 (W.D. Mo. 1962).

[54] Id. at 226.

[55] *Harney* v. *United States*, 306 F. 2d 523 (1st Cir. 1962) relied on *United States* v. *Dennis*, 183 F. 2d 201 (2d Cir. 1950), aff'd, 341 U.S. 494 (1951).

[56] E.g., *People* v. *Genovese*, 10 N.Y. 2d 478, 180 N.E. 2d 419, 225 N.Y.S. 2d 26 (1962); *United States* v. *Rosenberg*, 200 F. 2d 666, 669 (2d Cir. 1952), cert. denied, 345 U.S. 965 (1953). In *United States* v. *Shaffer*, 291 F. 2d 689 (7th Cir.), cert. denied, 368 U.S. 915 (1961), the court held that *Marshall* v. *United States* cannot be applied if all peremptory challenges are not utilized. In 41 A.B.A.J. 219, 282 (1955), the writer opposed to the exercise of the contempt power to restrict the press, states that "Liberty and restraint can never be reconciled." Query: Is it not possible that liberty may have to be restrained if it is the only means to preserve liberty?

[57] Holtzoff, "The Relation Between the Right to a Fair Trial and the Right of Freedom of the Press," 1 Syracuse L. Rev. 369 (1949). LeViness III, "Crime News," 66 U.S.L. Rev. 370 (1932). The author cites the famous news commentator, Walter Lippmann, as being "unable to believe that the press would be less free if some reasonable restraint were put upon the right to make instantaneous copy out of clues which are vital to the detection of a crime." In stating that journalistic codes of ethics break down, the author cites H. L. Mencken who declares that the much needed purge of journalism "must be accomplished by external forces, and through the medium of penalties exteriorly inflicted." Perry, "Trial by Newspaper," 66 U.S.L. Rev. 374, 375 ("Trial by newspaper * * * is a disease that does not cure itself"). The author cites Clarence Darrow in saying that "Trial by jury is rapidly being destroyed in America by the manner in which the newspapers handle all sensational cases." Mr. Perry agrees with Clarence Darrow on the premise that judges are afraid to hold the newspapers in contempt of court. In the Daily News, Jan. 31, 1927, p. 13, col. 1, the editorial writer asserted that "as long as there is more newspaper circulation in more smut, some presses will be found to roll out the smut. Some unusually ruthless manager or editor leads the parade toward smut's farthest boundary line. The others—or many of the others—follow * * *

In England, any publication having a tendency to create prejudice is a contempt of court.[58] The result has been to insure defendants a fairer jury trial than can be had in the United States. The right to a trial by an impartial jury and freedom of the press are both guaranteed by the U.S. Constitution. The conflict that may result between the two guarantees poses a serious dilemma in the administration of justice. Although a free press is a necessity in any democratic society, an irresponsible press may cause individuals to be tried by biased juries in contravention of the Constitution.

Undoubtedly, the greatest source of prejudicial information stems from the police and the prosecutor. The prosecutor should be prohibited from divulging any information on the basis of an interpretation of canon 20 of the "Legal Canons of Ethics."[59] A member of the bench described police as "the most prolific source of biased information" for the press. The judge asserted that "Police are tempted by friendship, hopes of advancement, and other considerations[60] to make accusations and to give information prejudicial to the accused."[61] Generally, the press precedes the harmful news accounts with the words, "according to police." A limitation on the right of the press to print such information involves the constitutional guarantee of freedom of the press. However, no such constitutional question exists if the police, the prime source of biased publicity, are prohibited from issuing this information. The local governing officials, being responsible for the machinery of criminal jurisprudence, must be prodded to prevent "police leaks." It is submitted that if the press is unable to solicit information from their chief sources, there will be less damaging information printed.

The courts could aid the plight of the defendant by granting motions for change of venue more freely although this practice may be of little use in some cases. The press in the "new" community may take advantage of the crime, or the publicity in the "old" community may have reached all parts of the State. Indeed, publicity stemming from a criminal trial may reach all parts of the country if it helps to sell newspapers.[62] However, at least in some instances, the defendant would be better protected in a community in which the crime was not committed.

In a city that has two or three newspapers, crime reporters could be summoned before a board of judges and reminded which evidence in a particular case is not admissible in court. The board could request omission of sensational reporting, particularly the type that might assume the accused guilty. Recently in Syracuse, N.Y., the presiding judge in a murder case requested that the reporters representing the two local papers refrain from printing certain material. The judges' initiative showed great results and many details connected with the murder trial were not printed.[63]

An ancient practice of "insuring" a defendant of a fair trial has been to instruct the jury that they should disregard the prejudicial accounts.[64] This act is a farce by itself since it obviously does not insulate the trial from hostile sentiment. Judge Frank of the Court of Appeals, Second Circuit, remarked that such an instruction "is like the Mark Twain story of the little boy who was told to stand in a corner and not to think of a white elephant."[65]

In 1900, a Pennsylvania district court declared:

"It is greatly to be deplored that a practice of which we see too many examples, should exist, and that persons accused of crime should be put on trial in the columns of the newspapers, and should be declared to be guilty and denounced as criminals before there has been a careful and impartial trial in the proper and lawful tribunal."[66]

Today, the problem depicted by the court, 63 years ago, still exists. Although great strides have been taken to insure that those people accused of crime will be amply protected in the courtroom there has been virtually no progress in eliminating the press as a criminal forum.

The Court of Appeals, Sixth Circuit, has declared that one of the "fundamental rules of criminal law is that a defendant in a criminal case is entitled to be tried by jurors who should determine the facts submitted to them wholly on the evidence offered in open court, unbiased and uninfluenced by anything they may have seen or heard outside of the actual trial of the case."[67] If the preceding statement is to be more than mere fiction, something must be done to convince the police, the prosecutor, and the press of their legal and ethical responsibilities.[68] If this is impossible, the individual's constitutional rights must be safeguarded at the sake of the rights of the press.

GERALD STERN.

Mr. MORSE. Mr. President, a number of Senators have spoken to me prior to my speech this afternoon concerning the subject of my speech, because it has generated a great amount of discussion in the cloakrooms and offices of the Senate for some time. To those who have expressed an interest in the presentation of the material that I shall offer to the Senate this afternoon, I wish to say: Start your reading with the Syracuse Law Review article.

AMENDMENT OF DISTRICT OF COLUMBIA REDEVELOPMENT ACT OF 1945

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The LEGISLATIVE CLERK. A bill (S. 628) to amend the District of Columbia Redevelopment Act of 1945.

PROPOSED LEGISLATION RELATING TO THE EXPEDITIOUS TRIAL OF CRIMINAL CASES

Mr. MORSE. Mr. President, I say to my colleagues that in reaching their final decision as to whether by next Tuesday, at 5 p.m., they will add their names as cosponsors to either one or both of these bills, I hope they will begin by reading the article in the Syracuse Law Review. It is a keen analysis of the problems which give rise to the first bill I have introduced .

As a legislator I am interested in making certain that our procedures for criminal prosecution are fair and in keeping with our concept of American justice; it is important that they be fair to Hoffa and to anyone else in this country who is charged with crime, regardless of his or her name or station in life.

In the February 1963 issue of the Progessive magazine, there was published an article, written by Sidney Lens, entitled "The Pursuit of Jimmy Hoffa." I ask unanimous consent that the entire article be printed at this point in the RECORD, in connection with my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE PURSUIT OF JIMMY HOFFA

(By Sidney Lens)

(NOTE.—Sidney Lens, Chicago labor leader and writer, attracted attention more than a decade ago with his critical survey of the labor movement, "Left, Right, and Center." His other books are "The Crisis of American Labor," "A World in Revolution," and "The Counterfeit Revolution." Mr. Lens' articles have appeared in Harper's, the Yale Review, the Commonweal, Harvard Business Review, and Fellowship.)

A hung jury in a Nashville, Tenn., Federal court which refused to convict James R. Hoffa, president of the Teamsters Union, of taking a roundabout payoff from a trucking firm recently gave Hoffa still another victory in his running battle with Attorney General Robert F. Kennedy and the U.S. Department of Justice. A review of the record of that battle raises some troublesome questions:

Has the campaign against Hoffa become a vendetta, a deliberate harassment designed to get the man, rather than to enforce the law? Is the Government, and more specifically Attorney General Kennedy, trying to put Hoffa in jail, regardless of method, because he is James Hoffa and the head of the most powerful union in the country, or does it have solid ground for its investigations and prosecutions? Does the Department of Justice have a double set of standards—one relating to Hoffa and similarly stigmatized men, and another for those regarded as respectable, or is justice being administered impartially?

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censorship of the press * * * must come." The Daily News boasts of having twice the circulation of any other newspaper. See footnotes 1, 3, 8, 27, 51, infra, for examples of its daily reporting methods.

[58] Holtzoff, "The Relation Between the Right to a Fair Trial and the Right of Freedom of the Press," 1 Syracuse L. Rev. 369 (1949).

[59] A.B.A., "Canons of Professional Ethics," canon 20 reads in part: "Newspaper publications by a lawyer as to pending or anticipated litigation may interfere with a fair trial. * * * Generally they are to be condemned."

[60] In the Syracuse purse-snatch case, supra note 56, the police chief announced in advance that the arresting officers would receive an "extra week's vacation." Syracuse Herald-Journal, Nov. 30, 1962, p. 1, col. 4.

[61] Niles, "The Power of the Court and a Free Press," N.Y.L.J. Sept. 28, 1962, p. 4, cols. 1–3.

[62] Walter Winchell played roles in both the Sheppard case and the Lindbergh kidnaping case by reporting harmful information and predictions which came to the attention of the jurors. Waller, "Kidnap," 294 (1961). Holmes, "The Sheppard Murder Case," 305 (1961). Both books describe the nationwide publicity that follows a famous crime.

[63] Syracuse Herald-Journal, Nov. 14, 1962, p. 32, col. 3. Judge Fred M. Marshall of the Erie County court presided over the case.

[64] E.g., *Finnegan* v. *United States*, 204 F. 2d 105 (8th Cir.), cert. denied, 346 U.S. 821 (1953), *Hart* v. *United States*, 112 F. 2d 128 (5th Cir.), cert. denied, 311 U.S. 684 (1940).

[65] *Leviton* v. *United States*, 193 F. 2d 848 (2d Cir. 1951), cert. denied, 343 U.S. 946 (1952).

[66] *United States* v. *Ogden*, 105 Fed. 371, 373 (D.C. Pa. 1900).

[67] *Briggs* v. *United States*, 221 F. 2d 636 (6th Cir. 1955).

[68] Mr. Edwin Otterbourg, a distinguished attorney, has warned the press that the Government has imposed mandatory legislation on "Other industries which were too slow in utilizing self-imposed regulation. See, Otterbourg, "Fair Trial and Free Press: A New Look in 1954," 40 A.B.A.J. 838 (1954) for an excellent review of attempts to voluntarily agree on codes of ethics.

This is the fourth time the Federal Government has attempted to pin some legal transgression on Hoffa. Each time the effort has failed. The McClellan committee hearings, beginning in 1957, left Hoffa bruised but not beaten. Neither the charge that he attempted to bribe a Senate investigator nor the one that he tapped telephone wires of subordinates in his own union office could be sustained in court. The Teamster leader was acquitted in both cases. In the most recent trial, known as the Test Fleet case, the Government failed to convince the jury that Hoffa was guilty of a crime.

But the Kennedy-Hoffa imbroglio is far from finished. The next chapter is expected to be the so-called Sun Valley trial in Florida. Here Hoffa is accused of misusing, for his personal benefit, a half million dollars of Teamster money intended to develop a model city for retired persons.

When the Teamster leader was acquitted in the previous court cases, it seemed as if the Government might run out of material on which to base further charges. But the Attorney General has expressed a determination to pin something on Hoffa, sooner or later. It was common knowledge in Washington that young Robert Kennedy was dissatisfied with the efforts of Eisenhower's Attorney General, William P. Rogers, to topple Hoffa; for his part, Rogers felt Kennedy's interrogations before the McClellan committee were so inept that they precluded effective court action. Senator John F. Kennedy alluded to this dissatisfaction during the 1960 presidential campaign when he said at Springfield, Ill.: "I want to make it very clear that I don't believe the Department of Justice (under President Eisenhower) has carried out the laws in the case of Mr. Hoffa with vigor."

Since January 1961, however, Robert Kennedy himself has been in the Attorney General's seat, and he brought with him into the Justice Department a number of assistants with experience in the investigation of Teamster affairs.

Both the Test Fleet and Sun Valley cases are barometers of Robert Kennedy's tenacity. The Sun Valley indictment, first returned in December 1960, was dismissed 7 months later by Judge Joseph P. Lieb on the ground that Negroes were excluded from the grand jury. Kennedy has reinstituted the proceedings, carefully avoiding further technical pitfalls. The Test Fleet case was first brought to light by Congressman Clare Hoffman's investigation in 1953, and reviewed during the McClellan hearings in 1958, but President Eisenhower's Attorney General declined to prosecute.

In his pursuit of new material on which to base a prosecution, Robert Kennedy has fanned out in several directions. One is a thorough investigation into the Teamsters' $180 million Central States, Southeast, and Southwest areas pension fund. Hundreds of businessmen across the Nation are being interviewed and some are being summoned before a score of grand juries to explain the terms under which they secured loans from this fund. According to Hoffa, "They ask each one five questions. 'Do you know Hoffa? Have you had any business with him or his fund? Did you give him any money? Did you give him any money through a third party? Has he threatened you?'"

Another facet of Kennedy's offensives is his campaign against Hoffa's subordinates. No one has kept a scorecard on the number of indictments against lesser Teamster officials, but the consensus is that about 30 are now pending and more are awaited daily. According to a Wall Street Journal estimate some months ago there were then 14 juries at work on Teamster affairs around the country and more in the offing. Hoffa recently claimed there are now at least 32.

The roster of indictments includes a charge of evasion of $1,197 in income tax by a local Teamster official in Detroit, acceptance by a Chicago Teamster of a $9,600 payoff by an employer, another indictment involving $7,584 in payoffs, and similar accusations. If these charges are true, they constitute serious crimes and should be prosecuted to protect the interests of the union membership and the public.

There are a few footnotes that must be added to this record, however. One is that this is the same kind of charge that has been leveled—and often proved—against union officials in decentralized industries ever since the turn of the century. Those industries with thousands of small employers, such as drycleaning, laundry, construction, hotel, restaurant, and many others, have been prey to rackets throughout the years. None of these rackets is excusable; but they began before Hoffa was born; they have existed in many industries other than trucking; and they are not one-sided affairs in which the employer is a harassed "good guy" and the unionist a terrorizing "bad guy." To create the impression that Hoffa has created a new kind of racketeering is a distortion of history. The old ones are bad enough.

Furthermore, if the Justice Department were somewhat less emotional about Hoffa, it would acknowledge that Hoffa's centralizing of the process of collective bargaining in the trucking industry has effectively put a stop to certain types of racketeering. The Teamsters' Union now signs multistate contracts in trucking and Hoffa hopes soon to sign a nationwide agreement. Thus an individual employer cannot make a special deal with an official in some local union.

A second footnote to the Kennedy indictments is that many of the charges seem so trivial they would almost certainly not be pressed against anyone except the Teamsters. One, for instance, involves solicitation of employers to buy tickets to a Teamster dinner. Another charges a Teamster with perjury because he denied asking his boss to buy a $100 ticket. Still another indictment accuses a Teamster official of making a long distance telephone call to a woman, and of putting his wife's air travel fare on his union credit card.

A third footnote is that in almost no instances are the employers also indicted along with the union officials it is charged they paid off. In the Test Fleet case, involving Hoffa himself, the New York Times asked critically why the trucking firm officials were not prosecuted as well. "If there were illegal payments," the Times stated, "the illegality was as much on the part of those who made them as those who received them." The Justice Department is charged with equal enforcement of the law. If a Teamster official is prosecuted for taking a bribe, so should the employer who gave it and benefited from it.

A fourth footnote carries the gravest implication of all, a threat to one of labor's most basic rights, the right to strike. It concerns the indictments against 20 striking employees of the Bowman Transportation Co. in Gadsden, Ala., the South's largest nonunion trucking firm. These men are charged with violating the Hobbs Act against racketeering, because they allegedly entered into a conspiracy to "extort" a labor contract with higher wages and better working conditions. The union had won an election covering some 300 drivers, but the company, instead of concluding an agreement with the union, hired a number of strikebreakers, some of whom, it is charged by Hoffa, were armed. Violence flared on both sides, and Teamster rank-and-file members were arrested. On being released from jail they were handed indictments charging them with "conspiracy" to "extort" a union contract.

Should this charge stick, few unions would be free from prosecution. This is similar in substance to the kind of conspiracy charges—dating back to the historic Philadelphia cordwainers' (shoemakers') strike and subsequent trial of 1806—that labor has had to resist for a century and a half.

None of these footnotes to the Justice Department's indictments is intended in any way to extenuate crime in the labor movement generally or the Teamsters specifically, but rather to place these events in a rational perspective. They compel the conclusion that however one may feel about the man, the entire campaign of the Justice Department to get Hoffa has the curious goal of removing him from his union post rather than being designed primarily to maintain law and order.

The Wall Street Journal of June 11, 1962, carried a headline, "Government's Plan To Oust Hoffa by '64." The subhead stated: "War on Teamster Boss To Stress Suspected Use of Pension Funds and Harassment of His Associates." The same newspaper, on October 20, 1959, carried a similar headline: "Anti-Hoffa Strategy. United States Tries To Topple Him by Removing Key Teamster Supporters. Grand Jury Probes of Aids Are Stepped Up; Monitors, New Law Exert Pressures. Will His Foes Get Elected?"

The lead in the 1959 story said: "The Government quietly is stepping up its efforts to topple Teamsters boss Jimmy Hoffa." The 1962 lead stated: "Though their best-laid plans have gone awry in the past, Government investigators are confident they've devised a strategy grand enough in concept to insure the ouster of James R. Hoffa as Teamster president—not this year, but maybe next, or the year after." If The Journal's estimate is accurate, it reveals a strange objective for a Federal administration. To convict a man of the commission of a crime, if it can be proved, is a legitimate goal. But to harass him and his associates in order to deprive him of his union position is hardly the proper business of the Justice Department as the law-enforcement arm of the National Government.

The "get Hoffa" theme is neither a publicity man's invention nor idle speculation by the Wall Street Journal. During the Kennedy-Nixon television debates in the 1960 presidential campaign, Candidate John F. Kennedy said: "I'm not satisfied when I see men like Jimmy Hoffa in charge of the largest union in the United States still free." Asked by a reporter why he made this statement, Senator Kennedy replied: "Because I think Mr. Hoffa has breached national law, State law. I don't think the prosecutions have been handled against him very satisfactorily."

On another occasion the future President said: "In my judgment, an effective Attorney General with the present laws we now have on the books can remove Mr. Hoffa from office. And I assure you that both my brother and myself have a very deep conviction on the subject of Mr. Hoffa." This "get Hoffa" attitude betrays an emotional involvement on the part of the Kennedy brothers that would seem to conflict with their responsibility for equal enforcement of the law. It is an attitude that has given rise to the use of tactics and techniques of legal investigation and prosecution that carry a serious threat to our constitutional liberties.

The Teamsters' troubles began soon after the AFL and CIO were merged in December 1955. Dave Beck, then the president of the union, objected to the merger. Perhaps the investigation of the Teamsters by the McClellan committee would not have taken place at all except for this fact. The AFL-CIO leadership never once objected to the methods used by the committee against Beck or Hoffa, and it is reported that some AFL-CIO unionists regularly supplied material to Senator McCLELLAN and Robert Kennedy.

In any case, the record is clear that the committee carefully chose both its victims and its facts. For example, Hoffa was charged with having rigged the elections of delegates to the 1957 convention which elected him president. Robert Kennedy claims in his book, "The Enemy Within," that only 4.8 percent of the delegates had "any clearly legal right to be at the convention and to vote." Much of this charge is based on technicalities, such as the time set for the election, but much of it may very well be true. Yet there is one union in the AFL–CIO which did not hold an election for almost three decades, and probably would not have held one yet if it were not for the Landrum-Griffin bill. This union was never called by the McClellan committee to explain.

One of the results of the McClellan hearings was that 13 members of the Teamsters' Union protested Hoffa's election, and eventually Federal Judge F. Dickinson Letts appointed a board of three monitors to supervise union affairs and prepare for another election. This was a compromise Hoffa agreed to, but it turned out to be a useless legal gesture. Seventeen times Hoffa's attorney Edward Bennett Williams, a distinguished civil libertarian, appealed a monitor and court decision; in 15 instances he was upheld. When the monitorship was finally dissolved, after costing more than a million dollars, Hoffa was elected president again—legally and unchallenged—with only token opposition.

From a trade union point of view, Hoffa is open to serious criticism for a lack of broader social vision, a lack he shares with many of his enemies in the union movement. His dealings in the Test Fleet case are open to serious question on moral grounds, even though he was not found legally guilty. Some of his friends and associates are unsavory. But there are some points to be made in Hoffa's defense:

Hoffa has negotiated far better union contracts than any of his major rivals in the union movement.

Despite widespread impressions to the contrary, the fact persists that the majority of Teamster unions—especially those which deal with big employers—have not been tainted with scandal.

Of the 150 Teamster officials against whom Robert Kennedy claims there is "derogatory information" in his files, the majority are either no longer with the union or are in reality rank-and-file members, some of whom merely drive a truck. In a breakdown prepared last year by the Teamster, official publication of Hoffa's union—obviously pro-Hoffa but never successfully challenged—16 of the accused were listed as never having belonged to the union, 9 were men required by union shop agreement to belong to a Teamster local but were not officers, 35 were former officers or employees but no longer associated with the Teamsters in any capacity, 7 were officers or employees who have been arrested but never convicted of any crime, 26 were men who were convicted before they became officials in the Teamsters' Union. Fourteen were convicted while holding office, but even of these, some were guilty only of such minor offense as disorderly conduct on picket lines or traffic violations. Even with considerable allowance for exaggeration or bias, this review presents a picture far different from the widely accepted image of a union with one and a half million members ridden through and through with hoodlums.

No balanced estimate would place James R. Hoffa among the angels. But neither do the facts prove him to be the kind of devil portrayed by the press and some AFL–CIO leaders. In contrast, in the top AFL–CIO leadership are some men with demonstrably worse records—one of them, Maurice Hutcheson of the Carpenters' Union, is appealing a conviction—but none has been subjected to the same opprobrium.

It is this opprobrium which makes it possible for the Justice Department to conduct a campaign against Hoffa in which almost anything goes. In 1957 Hoffa was tried on the charge of wiretapping the telephones of his subordinates in the Teamster office in Detroit. The first trial ended in a hung jury; in the second trial, in 1958, he was acquitted. Even if he had been guilty this was a singular charge to be made by a Justice Department which admits it is using wiretaps itself, and by a Government which is wiretapping hundreds of its own offices. A Government Operations Committee of the House of Representatives has reported that the administration is monitoring 4,790 of its own wires. The Justice Department concedes that it maintains some 80 wiretaps of private citizens.

Another charge against Hoffa was that he attempted to bribe a McClellan committee investigator, Cye Cheasty, to give him information. Again Hoffa was acquitted. A third accusation involved the instance last year when Sam Baron, a top Teamster organizer for 9 years, accused Hoffa of slugging him. This case was dropped when the prosecutor in Washington, D.C., was unable to find witnesses who would corroborate Baron's charges.

If the methods used by congressional committees and the Justice Department in the campaign to "get Hoffa" were to be extended universally, the American system of dispensing legal justice would be destroyed. It is not Hoffa, then, that is the issue, but the threat to the very roots of our judicial traditions. It is not the man that concerns us here, but the methods. Does the Justice Department have the right to go fishing into every area of a person's activities, looking for possible crime? Or should the Department investigate only specific charges where it has reasonable assurance that a crime has been committed? The Government has a right to subpena a particular businessman if it has reasonable grounds to believe that he made a payoff to Hoffa to get a loan from the Teamster Pension Fund. But it has no right to subpena a hundred businessmen, or even to send FBI agents to interrogate them, just on the chance that one of them did make such a payoff. Yet the Justice Department is following the latter course, hitting out in all directions in the hope that something will be uncovered which can be used to "get Hoffa."

Edward Bennett Williams, Hoffa's attorney, gave this account of the long campaign against the Teamsters' president. For 4 years the McClellan committee held hearings—20,000 pages of testimony, filling 59 volumes. "The victims were accused often by rumor and hearsay. If they admitted the accusation, they faced conviction. If they denied it, they faced perjury. And if they stood silent, they faced contempt." When all the accusations had been thoroughly sifted, Williams said, six of them became indictments against top Teamsters, and in each of the six cases there was an acquittal. On February 5, 1959, he recorded, Hoffa had been served with a subpena ordering him to deliver "all books and records * * * for the period from January 1, 1945, until the present time. * * *" If Hoffa had complied with this request it would have taken 100 freight cars to deliver the documents and would have cost, according to Williams, $1 million. Fortunately the request was modified, but the incident demonstrated the "fishing expedition" nature of the investigation.

In 1961 Federal Judge Fred W. Kaess of Detroit ruled that the Labor Department could not subpena the books of locals 299 and 614 merely to see if they were accurate. Although he was overruled in the higher courts, the danger Judge Kaess cited of Government indulging "itself with the luxury of a personal vendetta" cannot be dismissed lightly. "The subpenas by themselves," said the judge, "are so broad that they constitute a complete seizure unrelated to any recorded purposeful investigation. * * * The Department of Labor has refused to show, or has been unable to show, any basis for this investigation." There are a number of instances where one agency of government has subpenaed the Teamsters' books only to have a second agency issue another subpena. Each time the union must photostat what it turns over to the Government. It has difficulty keeping track of its own documents. "If any paper is lost," observed Hoffa, "we are in trouble."

On at least three occasions, according to Hoffa, Federal officials have urged Teamster employees to turn state's evidence. One employee at the Washington headquarters was allegedly told: "We've checked you out. You're clean. But you know all the facts about the operation. Give us the dope so we can put Hoffa in jail." A southern Teamster—again according to Hoffa—was advised: "We're going to indict your boss. You're going to be investigated too. But if you cooperate with us, you won't be indicted." One man was picked up in Nashville and told that the Government knew Hoffa had given him $2,500 to get a Teamster out of jail. Presumably he was to use these funds for bribery, at Hoffa's direction.

Hoffa insists that he and other Teamster officials are being followed, that their wires are tapped, that the Government has on at least one occasion, in Orlando, Fla., planted a listening device in a hotel room where four union lawyers were planning a court defense. Sid Zagri, Teamster lobbyist, claims he found a wiretap inside his telephone, and that his mail and that of other union officials is being watched. On another occasion, Zagri reported, he received a letter addressed to his home, but delivered to the union office. "How could this have happened," he asked, "if they weren't putting our mail aside for a check?"

Hoffa has expressed the belief that a considerable share of the evidence against him in the Sun Valley case was secured through wiretapping. His lawyers subpenaed Senator McCLELLAN and members of his staff to bring in all records and recordings they might have. The Senate passed a resolution that McCLELLAN need not testify; and that is where the matter stands. An employee of the McClellan committee was put on the stand in Orlando, Fla., and asked whether he had conducted any wiretapping relative to Hoffa's case. He refused to answer, claiming the protection of the fifth amendment.

Teamster officials claim that they have had briefcases stolen from their hotel rooms; that 50 FBI agents descended on a recent hotel meeting of their board of directors in the role of busboys, bellhops, and the like; that wiretap recordings were played back to a witness in the Test Fleet case in an attempt to induce him to testify against Hoffa; that a conversation between a Teamster employee and a Senator was monitored and the information divulged. They claim that a prospective employee was threatened with investigation if he took a job with the union.

The Justice Department denies these charges. It denies, first of all, that its investigations constitute a vendetta. It denies that it has tapped wires either in Teamster headquarters or in the Orlando, Fla., hotel room where the four lawyers were meeting. It denies any mail checks involving Teamster officials. But on specific questions concerning whether Hoffa or his staff are being followed, whether employees are urged to turn evidence against Hoffa, or whether businessmen who receive loans from the pension fund are being questioned, the answer is simply that the Justice Department is conducting a thorough investigation.

Even if there is only a modest degree of truth in Hoffa's charges, the implications for

> our system of justice would be grave indeed. What happens to Hoffa may be important, but it is secondary to what happens to the judicial process, which involves every American.
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> In the past two decades new techniques have undermined the traditional and constitutional legal process. They might be described this way: If the Government cannot convict a man in court by due process of law, it can convict him in the public mind through legislative investigation and then use his testimony as the basis for legal prosecution. The procedure is, in a sense, a massive policy of entrapment. This methodology has proved disturbingly successful. Reputations are destroyed, jobs are lost, men are snared for future legal prosecution—all without due process of law, the right of cross-examination, or other constitutional safeguards.
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> These extralegal techniques were first used by the House Un-American Activities Committee in its effort to "get the Communists." It is these techniques which now bedevil Hoffa and his associates. Gradually over the past decade the extralegal procedure of the congressional committee has shifted its emphasis from Communists to fellow travelers, then to former Communists, then to liberals, and finally to unpopular union officials.
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> The McClellan committee, for which Robert Kennedy was counsel, conducted itself with a greater degree of decorum than did the House Un-American Activities Committee or the McCarthy committee. Its purpose however, like theirs, was not primarily the formulation of legislation, but prosecution by Congress and the newspapers. During the McClellan committee's hearings scores of men were damned publicly without the opportunity to reply, and often through distorted evaluations of the "evidence."
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> In our society it has been axiomatic that it is better that 10 guilty men escape than that 1 innocent person suffer. Hence the numerous safeguards for the accused, the insistence that a man must be proven guilty beyond a reasonable doubt and that he must not be compelled either to prove himself innocent or testify against himself. All this is changing quietly and perniciously.
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> The damage the new approach of recent years has done to American traditions of social justice is cause for grave concern. Polls taken among teenagers indicate that they are sadly misinformed on the concepts of fair trial and judicial safeguards. Edward Bennett Williams cited a poll conducted by a professor at one of the Nation's great universities. "To the chagrin and the amazement of the professors," Williams reported, "a majority [of the students] indicated that they did not believe in the peaceable right of assembly for all Americans. They did not believe in the right of every accused to confront his accuser and subject him to cross-examination. They did not believe in the privilege against self-incrimination, nor in the principle of double jeopardy. * * *"
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> These attitudes reflect an infinitely greater danger to our Nation than James R. Hoffa could ever possibly be. Reaffirming the fundamental guarantees of our judicial system, even if it meant that Hoffa were never prosecuted, is vital to the continuation and development of the democratic process. To say this today leaves one open to the charge of being soft on Hoffa. On the contrary, the real softness is displayed by those willing to subvert our judicial traditions, to sacrifice vital civil liberties principles, for the sake of getting one man.

Mr. MORSE. The article is a typical one, similar to others we have been reading of late, which have been appearing with increasing frequency. These articles set forth allegations that our Federal criminal procedure needs modification. I think Senators should read the article. I ask that they do so—although not with any idea that they agree with the conclusions which Mr. Lens reaches in the article, because in some particulars I do not agree with his conclusions. However, my disagreement is not germane or relevant to the legal thesis which I present this afternoon. Therefore, I have no intention of arguing on the floor of the Senate any of my disagreements with the conclusions set forth in the article. However, I think Mr. Lens has performed a service in presenting in the article his point of view, and I think those who are interested in my bills would profit by reading the article.

As all Members of the Senate know, I never pass any cards under the table or never knowingly sweep anything under the rug. The next material I shall place in the RECORD was received by me from the chief counsel for the defense of Hoffa in the so-called Tampa case. I propose to read this material to the Senate because the Tampa case will be involved in any analysis of the position of the Teamsters in connection with the subject matter under discussion. So I shall read the material only for the information of the Senate. In reading it, I do not wish it understood that I approve the contentions made by the counsel for Mr. Hoffa. I read the material because in my judgment I owe it to the Senate to make this record a full one. In connection with this presentation I have the same obligation to the Senate that I would have to a judge in court; and I would owe it to the court to present all the information I might have on a particular case. So I owe it to the Senate to tell it all I know by way of background which led me to decide to introduce these two bills.

The memorandum was submitted by the chief counsel for the defense in Tampa case—Frank Ragano—and reads as follows:

> On May 17, 1963, a demand for a speedy trial or in the alternative, a dismissal of the indictment in the Florida case, the so-called Sun Valley case was filed with the District Court for the Middle District of Florida where the case of the *United States* v. *James R. Hoffa and Robert E. McCarthy, Jr.*, was pending. The gist of the demand for trial was that the case had been pending since October 17, 1961, which was the date of the return of the indictment after the first indictment which was returned on December 7, 1960, had been dismissed by the court, and that a period of some 9 years and 4 months had expired from the time of the first alleged overt act set forth in the indictment until the time of the filing of the demand for a speedy trial and that the Government had not indicated when it intended to try the Florida case, if ever, and it became obvious that the Government desired to have the case pending indefinitely.
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> On May 28, 1963, the U.S. District Court for the Middle District of Florida notified the counsel for the Government and the defendant that the defendants' demand for a speedy trial would be heard on June 6, 1963, at 2 p.m.
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> On Tuesday, June 4, 1963, the Government simultaneously with the return of an indictment in Chicago against James R. Hoffa and others, filed a motion to dismiss the Florida case. As grounds for the motion to dismiss, the Government alleged that certain segments of the Florida case were incorporated in the Chicago case.

I digress from my reading of the memorandum to state that if the counsel is correct, this means that one of the reasons for dismissing the Tampa case in Florida, for which there had been a long-standing indictment, was that the case more recently filed against Hoffa in Chicago would involve some of the elements involved in the Tampa case. That is interesting, because it is my understanding that the defendant was not consulted in connection with that dismissal, and that the result was that there was really, in a sense, a change of venue, in that he would then be required to answer in Chicago at least a part of the charges involved in the Tampa case. That is an interesting switch of jurisdiction. In that connection, Mr. President, let us forget about Hoffa, and let us refer to Mr. X. This situation raises a serious question as to whether that procedure can be considered fair play.

I read further from the memorandum by the counsel:

> On the same date the U.S. District Court for the Middle District of Florida entered an order dismissing the Florida case and at the same time canceled the hearing which was scheduled for June 6, 1963, at 2 p.m. on the defendants' demand for a speedy trial. The truth of the matter is that the Chicago case and the Florida case are altogether and entirely different, distinct and separate cases in that James R. Hoffa and Robert E. McCarthy, Jr., were charged in the Florida case with using the mails to carry out a scheme to misuse $500,000 belonging to local 299 of the Teamsters Union which is and was located in Detroit, Mich.; whereas the Chicago case charges the defendant, James R. Hoffa, with fraudulently obtaining loans from the pension fund of the Central States, Southeast, and Southwest area health and welfare fund from which loans he allegedly benefited monetarily. Proof of this statement lies in the fact that if the Chicago case did include the Florida case then why wasn't James R. Hoffa's codefendant Robert E. McCarthy, Jr., in the Florida case also indicted in Chicago?
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> It is significant and noteworthy that on May 28, 1963, at approximately 2:30 p.m., two individuals who described themselves as being Government agents called in person at the home of Robert E. McCarthy, Jr., at which time Robert E. McCarthy was not at home. The two agents talked to Robert E. McCarthy, Jr.'s wife. His wife in turn informed him that the Government agents wanted to speak to him about certain matters which would be of great benefit to him. On the following day, Wednesday, May 29, 1963, Robert E. McCarthy, Jr., telephoned a Mr. James McKeon at the telephone number that he had left with his wife with instructions to telephone him. At that time Robert E. McCarthy, Jr., was advised by Mr. James McKeon that it would be to his benefit for him to come to his office in the Federal Building in Detroit and have a talk with a Mr. William French whom Robert E. McCarthy believed was the other Federal agent who called at his home the previous day.
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> At about noon on the 29th day of May, 1963, Robert E. McCarthy did go to Mr. James McKeon's office in the Federal Building, pursuant to Mr. James McKeon's request and had a talk with Mr. James McKeon and Mr. William French in room 235 of the Federal Building. Mr. McKeon and Mr. French informed Mr. McCarthy that they wanted to talk to him about his employment at the Public Bank in Detroit and that if he spoke to him about the Public Bank he, McCarthy,

would be absolved of all responsibility in the case which was pending against him and James R. Hoffa in Florida. The gist of the conversation was that if McCarthy cooperated with Mr. McKeon and Mr. French he would be freed in the Florida case. Mr. McKeon and Mr. French then offered McCarthy immunity in the form of a "letter of good faith" which would clear him of any pending charges against him in the Florida case. McCarthy advised Mr. McKeon and Mr. French that he was innocent of any wrongdoings and that he knew of nothing concerning Mr. James R. Hoffa or anyone else that could possibly help them. Mr. McKeon and Mr. French spoke to McCarthy for a period of approximately 45 minutes during which time Mr. McKeon and Mr. French alternated in making statements to McCarthy, the gist of which was that they wanted McCarthy to talk to them about the Florida case and that they would offer him immunity if he did talk to them about the case. After McCarthy made it clear to them that he did not know of anything concerning Mr. James R. Hoffa that would be helpful to them they asked him to contact them at their office before June 4, 1963, in the event that he changed his mind. McCarthy did not thereafter contact either Mr. McKeon or Mr. French. It is significant that Mr. McKeon and Mr. French were desirous of obtaining statements from Mr. McCarthy which would be damaging to Mr. James R. Hoffa prior to June 4, 1963, which was the date that the Government filed a motion to dismiss the Florida case.

I digress from the counsel's memorandum for a moment to point out an interesting fact. McCarthy had a lawyer. McCarthy was under indictment. McCarthy's lawyer had the responsibility of protecting his interest. McCarthy's lawyer was unaware of the compact between Federal officials and his client.

I used to teach legal ethics. I taught my students—and the law is clear—that when an individual is under indictment and has a lawyer, and someone wishes to communicate with that individual, he communicates through the lawyer, or at least notifies the lawyer of his desire to communicate with the client.

Returning to the memorandum, counsel for Hoffa said:

> To illustrate the tactics employed by the Justice Department in this matter, it is to be noted that on June 5, 1962, counsel for the Justice Department filed a written announcement of "ready for trial" with the U.S. District Court of the Southern District of Florida in the Florida case. At that time the defendants also announced to the court that they were ready for trial and a trial date was set for October 15, 1962. On August 2, 1962, the counsel for the Justice Department filed a motion in the U.S. District Court for the Middle District of Tennessee requesting that the Nashville case be set for trial on the grounds that a new district would be created in the State of Florida on October 29, 1962, which motion was thereafter granted by the U.S. District Court for the Middle District of Tennessee.
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> On August 6, 1962, the chief judge for the southern district of Florida entered an order removing all cases which could not be completed before October 28, 1962, from the docket. On August 10, 1962, the defendants filed a motion to reset the Florida case for trial at the earliest possible date. A hearing was had on the defendants' motion to have the Florida case reset for trial on August 20, 1962, at which time counsel for the Justice Department strenuously objected and opposed the setting of the Florida case for trial at an early date. On August 20, 1962, the U.S. district court denied the defendants' written demand that the case be reset for trial without setting it for trial at a future date or even indicating when the Florida case would be tried. On August 27, 1962, the defendants filed with the U.S. district court a motion to dismiss the indictment for lack of a speedy trial which was denied by the court without a hearing.
>
> On October 29, 1962, a new middle district of Florida was created and thereafter counsel for the defendants began making inquiries of the U.S. district attorney for the middle district of Florida and counsel for the Justice Department as to when they intended to try the Florida case. However, although the said inquiries were made numerous times over a period of several months, counsel for the defendants were invariably told that they had no idea as to when the Florida case would be tried and in most instances the replies were simply "no comment," which prompted the defendants to file the demand for a speedy trial or in the alternative a dismissal of the indictment in the Florida case on May 17, 1963.

According to the Department of Justice press release of June 4, the Tampa case was dismissed without prejudice on the ground that elements of the Tampa case were included in the Chicago case.

Assuming that the Government is correct in its contention would it not be proper for the Government to proceed immediately in the Chicago case so that the defendant may have an opportunity to clear his name, which has been under a cloud in the Tampa case since December 1960?

Mr. President, counsel supplied me with a copy of the order of dismissal in the Tampa case dated June 4, 1963. I ask unanimous consent that it be printed at this point in the Record.

There being no objection, the order of dismissal was ordered to be printed in the Record, as follows:

[U.S. District Court, Middle District of Florida, Tampa Division—Criminal No. S132-T. Cr.]

UNITED STATES OF AMERICA
v.
JAMES R. HOFFA AND
ROBERT E. MCCARTHY, JR.

ORDER FOR DISMISSAL

Pursuant to rule 48(a) of the Federal Rules of Criminal Procedure and by leave of court endorsed hereon the U.S. attorney for the middle district of Florida hereby dismisses the indictment returned October 11, 1961, against James R. Hoffa and Robert E. McCarthy, Jr., defendants.

Telephonic authority for this dismissal was granted by the Department of Justice on June 4, 1963.

——— ———,
U.S. Attorney.

Leave of court is granted for the filing of the foregoing dismissal.

JOSEPH P. LIEB,
U.S. District Judge.

Date: June —, 1963.

Mr. MORSE. Mr. President, counsel also submitted to me for my consideration—and I pass them on to the Senate, because I think the Senate should have exactly the same material supplied to me—certain press releases of the Department of Justice on the various Hoffa cases. According to the view of counsel, they have tended to prejudice the opportunity of his client to have a fair trial before an unbiased jury. It is claimed that such press releases as these are bound to prejudice the population in an area from which a jury is to be selected—which gives rise to the type of proposal that Professor Kurland has submitted and which I have offered in bill form for hearings, consideration, and final evaluation.

These press releases, according to counsel, have the effect of prejudicing his client because, as Senators will see upon reading them, they dig up old cases, old charges, and old indictments and create the impression that the recent indictment is of an individual who allegedly has a bad previous record. They fail to point out that in those previous cases there were either dismissals or acquittals, in case after case.

I shall read one press release, and I ask unanimous consent that thereafter the others may be printed in the Record.

The PRESIDING OFFICER (Mr. KENNEDY in the chair). Is there objection to the request by the Senator from Oregon? The Chair hears none, and it is so ordered.

Mr. MORSE. Mr. President, this is a press release from the Department of Justice entitled "Summary of Past Criminal Actions Against James R. Hoffa."

> In the past, the following criminal actions have been taken against James R. Hoffa, general president of the International Brotherhood of Teamsters:
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> 1. On February 20, 1942, Hoffa and the late Owen "Bert" Brennan, a former vice president of the IBT, entered pleas of nolo contendere in Detroit, Mich., to Federal charges of violating the antitrust laws and were each fined $1,000.
>
> 2. Wiretap trials: On May 14, 1957, a Federal grand jury for the Southern District of New York charged James Riddle Hoffa, the late Owen "Bert" Brennan, and Bernard B. Spindel in a one-count indictment charging them with conspiracy to violate the wiretapping law. The indictment charged that beginning in 1953 the defendants conspired to intercept the telephone conversation of officials and employees of the Teamsters Union at the Teamsters headquarters, Detroit, Mich., who might be called to appear as witnesses before a congressional committee and a Detroit grand jury investigating labor racketeering. The first trial of this indictment resulted in a hung jury, and the jury was dismissed on December 20, 1957. The newspapers reported that the jurors stood 11 to 1 for a conviction. Upon retrial the defendants were all acquitted on June 23, 1958.
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> 3. Cheasty trial: On March 13, 1957, James R. Hoffa was arrested in the District of Columbia and charged with the bribery of John Cye Cheasty, an investigator for the McClellan committee. Mr. Hoffa was tried and acquitted during the summer of 1957 in the U.S. District Court for the District of Columbia.
>
> 4. Sun Valley, Inc.: James R. Hoffa was indicted on December 7, 1960, in the Sun Valley matter on 12 counts of Federal mail and wire fraud. This indictment was dismissed on July 12, 1961, for defect in the selection of the grand jury. Mr. Hoffa was then reindicted on October 11, 1961, on 15 counts of mail and wire fraud and one of conspiracy. This matter is awaiting trial in the middle district of Florida.
>
> 5. Assault of Samuel Baron: On May 17, 1962, James R. Hoffa was charged with assault of Samuel Baron, a former IBT official, and released on $500 bail. On May 18, 1962, he pleaded not guilty to the above charge and demanded a jury trial. Baron subsequently withdrew the charges.
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> 6. Test fleet: On May 18, 1962, Hoffa was indicted in Nashville, Tenn., on charges of accepting payments from Commercial Carriers, Inc., between May 1949 and May 1958

in violation of the Taft-Hartley Act. On June 7, 1962, Hoffa entered a plea of not guilty. Trial started on October 22, 1962, and ended on December 23, 1962, at which time a mistrial was declared due to a hung jury.

It is alleged that the issuing of such press releases constitutes a trial of the defendant in the press by the Department of Justice, which has a detrimental effect upon the defendant and makes it difficult for him to obtain a fair jury—and without a fair jury there can be no fair trial.

I have already obtained unanimous consent to have the other press releases of the Department of Justice printed in the RECORD. I enumerate them as follows: May 9, 1963; May 18, 1962; and June 4, 1963.

The press releases, ordered to be printed in the RECORD, are as follows:

DEPARTMENT OF JUSTICE PRESS RELEASE

THURSDAY, MAY 9, 1963.

James R. Hoffa, president of the International Brotherhood of Teamsters, was indicted by a Federal grand jury in Nashville, Tenn., today on five counts of conspiring and attempting to influence the jury in his recent trial on charges of accepting illegal payments from an employer.

The indictment charged Hoffa with "aiding, commanding, and inducing" specific attempts to influence two jurors and a prospective juror to vote for his acquittal, in exchange for money or favors.

The grand jury also named as defendants: Ewing King, president of Teamster Local 327, Nashville; Allen Dorfman, Chicago insurance broker, who has handled large amounts of insurance for the Teamster union; Larry Campbell, Inkster, Mich., a business agent of Teamster Local 299, Detroit, which Hoffa heads; Thomas E. Parks, Nashville, Tenn., Campbell's uncle; Nicholas J. Tweel, Huntington, W. Va., president of Continental Tobacco Co., New York City; Lawrence W. Medlin, a Nashville merchant.

Hoffa was named as a defendant in all five counts and the other defendants were named in one count each.

The indictment was based on extensive work by the FBI which began its investigation 7 months ago.

The first count, naming only Hoffa, charged he conspired to influence the jury in his trial. The remaining four counts charged him and one or more of the other defendants with attempting to influence specific jurors.

The prospective juror was offered $10,000; the son of one juror was offered the same amount—to share with his father; and the husband of the other juror was offered assistance in obtaining a promotion, the grand jury charged.

Hoffa was indicted in Nashville May 18, 1962, for accepting $1,008,057 in payments from Commercial Carriers, Inc., an automobile transport company, in violation of the Taft-Hartley Act. His trial began October 22, 1962.

A mistrial was declared December 23, 1962, when the jury was unable to agree on a verdict. At that time, U.S. District Judge William E. Miller disclosed that two jurors had been dismissed at closed hearings as a precautionary measure and that attempts to influence them apparently had failed.

Judge Miller ordered a special grand jury to investigate reported efforts to contact and influence members of the trial jury. The grand jury began sitting on January 17.

The two jurors were Gratin Fields, of Nashville, and Mrs. James M. Paschal, of Woodbury, Tenn. The prospective juror was James C. Tippens, of Nashville, who had been tentatively placed on the jury and accepted by the Government but who was approached prior to the final jury selection.

Mrs. Paschal was removed following a closed hearing December 6 and Mr. Fields was removed after a closed hearing December 20. Judge Miller made the records of both closed hearings public after the mistrial was declared.

One of the four substantive counts of the indictment charged Hoffa, Campbell, and Parks with seeking to influence Mr. Fields through his son, Carl. Parks assertedly met with Carl Fields and offered him $10,000—$5,000 for himself and $5,000 for his father, if Gratin Fields would vote for Hoffa's acquittal.

The indictment said that sometime in October or November, Parks met with Carl Fields and gave him a sum of money.

The grand jury said Hoffa also conspired to try to get Gratin Fields' daughter, Mattie Leath, also of Nashville, to influence her father to vote for Hoffa's acquittal.

King was named as a defendant with Hoffa in the count charging the attempt to influence Mrs. Paschal. The indictment charged that at Hoffa's direction, King met Mrs. Paschal's husband, James, a Tennessee State highway patrolman, at about 1:30 a.m., November 18, in the vicinity of Woodbury.

King offered to assist Patrolman Paschal in securing a promotion if he would influence Mrs. Paschal to vote for Hoffa's acquittal, the grand jury charged.

Medlin and Hoffa were named as defendants in the count charging the attempt to influence Mr. Tippens. The indictment asserted that Medlin, at Hoffa's direction, met with Mr. Tippens on October 23, 1962—the day after the trial began—and offered him $10,000 in exchange for a vote to acquit Hoffa.

Dorfman and Tweel were named as defendants with Hoffa in the remaining count. It charged them with attempting to influence jurors through Dallas Hall, of Nashville.

The indictment said that in late November, Hoffa and Dorfman entered the Louisville and Nashville Railroad Union Station in Nashville, where Dorfman made a call to Tweel, in West Virginia. Tweel assertedly called Hall, in Nashville.

It was part of the asserted conspiracy to have Hall determine the identity of acquaintances of any trial jurors. During November, the indictment said, Tweel promised money and "things of value" to Hall if Hall would contact jurors—or have others do so—in connection with their votes and opinions on the trial.

Maximum penalty for attempting to influence a jury—an offense covered by the obstruction of justice statute—is 5 years in prison and $5,000 on each count.

The Government will ask the court to call the grand jury back into session to consider related matters.

DEPARTMENT OF JUSTICE PRESS RELEASE

FRIDAY, MAY 18, 1962.

James R. Hoffa, president of the International Brotherhood of Teamsters, today was indicted by a Federal grand jury in Nashville, Tenn., on charges of accepting illegal payments from a Michigan trucking company between May 1949 and May 1958.

Attorney General Robert F. Kennedy said the two-count indictment charged that Hoffa, 49, and the late Owen Bert Brennan, former Teamster vice president, received a total of $1,008,057 from Commercial Carriers, Inc., a nationwide automobile transport company, in violation of the Taft-Hartley Act. Both Hoffa and Commercial Carriers were named as defendants.

Mr. Kennedy said one count of the indictment, naming only Hoffa as a defendant, charged that receipt of funds by Hoffa and Brennan violated the Taft-Hartley provision forbidding employee representatives to demand or receive payments from employers, except for wages or other specified reasons.

The second count, naming Hoffa and Commerical Carriers as defendants, charged they conspired from January 1947 to the present to violate the same Taft-Hartley provision.

Brennan, who was 57 when he died in Detroit May 28, 1961, after an illness, was named as coconspirator.

Mr. Kennedy said return of the indictment followed extensive investigation by the FBI.

The money, of which $242,273 assertedly was net income before taxes, was paid to Hoffa and Brennan by Commercial Carriers through a Tennessee firm, the Test Fleet Corp., established in April 1949, the grand jury charged. The firm has been known since March 1954 as the Hobren Corp.

Commercial, whose headquarters are in Detroit, established Test Fleet in Nashville and then transferred all of its stock to Hoffa and Brennan's wives—Josephine Poszywak Hoffa and Alice Johnson Brennan—in their maiden names, the indictment said.

Commercial established the firm so Test Fleet could take title to 10 trucks, lease them to Commercial, and have them all assigned by Commercial to delivering Cadillacs, the most profitable aspect of Commercial's business, the grand jury said.

Test Fleet then distributed rental earnings from the trucks to its stockholders, the indictment said.

The change to the present Hobren name was made in an effort to conceal the true ownership of the corporation and to perpetuate a scheme through which Hoffa and Brennan received illegal payments, the grand jury charged.

The indictment said Commercial employs members of Teamster Local 299 and described Hoffa, president of local 299, as a representative of those employees.

Mr. Kennedy said the conspiracy count of the indictment charged that James W. Wrape, a Memphis, Tenn., attorney and former general counsel of Commercial, incorporated Test Fleet in his name and then transferred all of its stock, in equal shares, to Mrs. Hoffa and Mrs. Brennan.

The grand jury charged that Commercial officers arranged for necessary financing—including a $20,062.80 loan from a St. Louis, Mo., bank—and arranged to buy trucks at Commercial's fleet discount rate and turn them over to Test Fleet before Test Fleet's financing was complete.

Commercial also operated the Test Fleet Corp. at no expense to Test Fleet, Hoffa, or Brennan, and agreed to lease all of Test Fleet's trucks for an unlimited period, the indictment said.

Maximum penalty for Hoffa would be a year in prison and $10,000 on each of the two counts. Maximum for Commercial, named only in the conspiracy count, would be $10,000.

DEPARTMENT OF JUSTICE PRESS RELEASE

TUESDAY, JUNE 4, 1963.

James R. Hoffa and 7 other men were indicted in Chicago today on charges of fraudulently obtaining more than $20 million in 14 loans for themselves and others from the Central States Teamster pension fund.

The 28-count mail and wire fraud indictment charged that the 8 men diverted more than $1 million from the loans for their personal benefit.

This total included at least $100,000 used to help extricate Hoffa from personal financial involvement in Sun Valley, Inc., a Brevard County, Fla., retirement homes development, the indictment asserted.

The indictment was returned by a Federal grand jury in U.S. district court in Chicago following 2 years of FBI and grand jury investigation. Related matters remain under investigation.

The grand jury accused Hoffa of violating his duty as a trustee of the $200 million pension fund, by making false and misleading statements to his fellow trustees about persons seeking loans and by using his influence as president of the Teamsters' Union to obtain approval of the loans.

Besides Hoffa, 50, who is president of Teamster Local 299 in Detroit as well as general president of the International Brotherhood of Teamsters, the indictment named these defendants: Benjamin Dranow, 55, former Minneapolis department store executive who is now serving prison terms for mail, wire and bankruptcy fraud, and tax evasion at the Federal Correctional Institution, Sandstone, Minn., and whose bail-jumping conviction is now on appeal; Abe I. Weinblatt, 67, Miami Beach retired businessman and former business associate of Dranow; S. George Burris, 65, a New York City accountant; Herbert R. Burris, 41, his son, a New York City attorney; Samuel Hyman, 69, Miami Beach, a Key West, Fla., real estate operator; Calvin Kovens, 39, Miami Beach builder and real estate operator; Zachary A. Strate, Jr., 43, New Orleans builder and real estate operator.

Dranow, S. George Burris, Hyman, Kovens, and Strate have been principals in or connected with companies which have received pension fund loans. The grand jury accused them and the other defendants of submitting false and misleading information in support of loan applications.

The indictment charged all 8 defendants with 20 counts of mail fraud, 7 counts of wire fraud, and 1 count of conspiracy to defraud the pension fund and to obtain money from the fund through "false and fraudulent pretenses."

The fund's full name is the Central States, Southeast and Southwest Areas Pension Fund, with offices at 29 East Madison Street, Chicago. It was set up in March 1955, and collects contributions from employers for retirement, disability and death benefits for more than 177,000 rank-and-file Teamsters in about 20 States.

The fund is administered by eight employer and eight Teamster trustees. Hoffa was the only trustee indicted.

The eight defendants were charged with devising and carrying out a scheme to defraud the pension fund starting sometime before July 1958.

Hoffa was charged with influencing the trustees to approve the loans sought by the other seven defendants for themselves or others, and with referring prospective borrowers to the elder Burris. Kovens was charged with referring prospective borrowers to Dranow.

The indictment said the Burrises and Dranow sought out persons needing loans and represented themselves as being in a favored position to obtain pension fund loans because of their close association with Hoffa.

Hoffa, the indictment said, used "fraud, deceit, misrepresenation and overreaching" and abused his "position of trust" as a trustee, by seeking to influence and obtain approval of the loans.

The grand jury said he personally familiarized himself with loan applications prior to their application to the trustees; personally presented applications to them; made false representations and misleading statements to the trustees and professional advisers; and spoke out and voted in favor of the loans, in conference telephone calls as well as at meetings.

The eight defendants were charged with demanding and receiving fees, stock options, and stock interests as compensation for their services in obtaining the loans from the pension fund.

The indictment cited 14 loans obtained by the defendants for the financing of companies or for construction of hotels, shopping centers, and other projects in six States—Florida, Louisiana, Alabama, Missouri, New Jersey, and California.

The false and misleading information submitted by the defendants to the trustees assertedly included representations that pension fund loans were used for construction or remodeling when, in fact, all or part of the loaned funds had been spent for other purposes.

In one of these instances, the indictment said, the defendants informed the trustees that $2 million in loaned funds was used for construction of a North Miami, Fla., hospital, while, in fact, a substantial portion of the funds had been diverted.

In another instance, the defendants represented to the board that a corporation which had applied for a pension fund loan had a net worth of more than $3,600,000 when its actual net worth was less than $5,000, the indictment said.

The indictment charged that one purpose of the fraud scheme was to obtain money with which to pay off Sun Valley's debts and permit Hoffa to extricate himself from its operations.

In conjunction with return of the indictment, the Department of Justice today will move in U.S. district court in Tampa, Fla., to dismiss a 16-count mail and wire fraud indictment of Hoffa involving Sun Valley, returned October 11, 1961.

The motion states that aspects of the Sun Valley case are necessarily embodied in the new Chicago indictment.

According to the new indictment, 45 percent of Sun Valley's stock was held in trust for Hoffa and another person, not named, and Hoffa had an option to purchase an additional 45 percent.

At Hoffa's direction, $400,000 of local 299 funds had been deposited in a non-interest-bearing account in a Florida bank as security for the bank's loans to Sun Valley, the indictment said.

In September 1959, the court-appointed board of monitors for the Teamsters challenged this deposit as a breach of Hoffa's fiduciary duties. Local 299 remained unable to withdraw the $400,000, however, because of Sun Valley's financial difficulties.

The indictment alleged that Dranow—with Hoffa's knowledge and consent—set up the Union Land & Home Co., Inc. to acquire the assets of Sun Valley, pay off its debts, and thus secure the release of the local 299 deposit.

The defendants were charged with using at least $100,000 of the money they assertedly diverted from pension fund loans to help satisfy the Sun Valley debts and to permit the withdrawal of the Local 299 deposit.

The indictment said the defendants obtained pension fund loans involving:

New Everglades Hotel, Miami; Fontainebleau Motor Hotel, New Orleans; Key West Foundation (Flagler Apartments, Flagler Village Shopping Center, Ponciana Apartments), Key West; Casa Marina Hotel, Key West; LaConcha Hotel, Key West; Four-Three-O-Six Duncan Corp., St. Louis, Mo.; Cornell Buildings and Beverly-Wilshire Health Club, Los Angeles; Miracle Plaza Shopping Center, Vero Beach, Fla.; North Miami General Hospital, North Miami; Miami International Airport Hotel; Birmingham Airport Hotel, Birmingham, Ala.; Causeway Inn, Tampa, Fla.; and Club 300, Upper Saddle River, N.J.

Hyman owns the controlling interest in Key West Foundation, LaConcha Hotel and Casa Marina Hotel. Strate owned a controlling interest in Pelican State Hotels Corp. (Fontainbleau Motor Hotel).

Kovens owns a controlling interest in Good Samaritan Hospital, Inc. (North Miami General Hospital) and Miracle Plaza Shopping Center, and S. George Burris owns a controlling interest in First Berkeley Corp. (Cornell Buildings and Beverly-Wilshire Health Club).

The conspiracy count of the indictment charged the eight men with combining to use the mails and wire communications to execute "a scheme and artifice to defraud" the pension fund. The remaining 27 counts each related to a telephone call or letter connected with specific loan applications to the trustees.

In addition to Hoffa, the present union trustees are:

Floyd C. Webb, Joplin, Mo.; Murray W. Miller, Dallas, Tex.; Gordon R. Conklin, St. Paul, Minn.; Roy L. Williams, Kansas City, Mo.; Odell Smith, Little Rock, Ark.; William Presser, Cleveland, Ohio; and Frank E. Fitzsimmons, Detroit, Mich. Fitzsimmons replaced Gene San Soucie, deceased Indianapolis union official.

The present employer trustees are: Albert D. Matheson, Detroit, Mich.; Fred W. Strecker, Jr., St. Louis, Mo.; Champ J. Madigan, Cleveland, Ohio; John A. Murphy, LaCrosse, Wis.; Charles J. Morse, St. Louis, Mo.; Thomas J. Duffey, Milwaukee, Wis.; John Spickerman, Atlanta, Ga.; and Marvin Blakeney, Jr., Dallas, Tex. Duffey replaced Cyril Wissel, Dubuque, Iowa; Spickerman replaced Joe Katz, Atlanta; and Blakeney replaced Kirke Couch, Shreveport, La.

Maximum penalty for each of the 8 defendants would be 5 years in prison and a $1,000 fine on each of the 27 substantive counts and 5 years and $10,000 on the conspiracy count.

Mr. MORSE. Mr. President, I have already referred to the comments in counsel's memorandum about the conferences between Government officials representing the Department of Justice and Mr. Robert E. McCarthy, Jr., a joint defendant in the Tampa case. I read for the Record an affidavit which has been supplied to me, signed and sworn to by McCarthy, relative to the conferences he had with the Department of Justice representatives:

[U.S. District Court for the Middle District of Florida, Tampa Division—No. 8132–T.–Crim.]

UNITED STATES OF AMERICA *v.* JAMES R. HOFFA AND ROBERT E. MCCARTHY, JR.

AFFIDAVIT OF ROBERT E. M'CARTHY, JR.

The undersigned affiant, Robert E. McCarthy, Jr., after being first duly sworn, deposes and says:

That affiant is the same Robert E. McCarthy named as defendant in the above-entitled cause;

That affiant resides at 1943 Huntington Boulevard, Grosse Pointe Woods, Mich.

That on the 28th day of May 1963, at approximately 2:30 p.m., two individuals who described themselves as being Government agents called in person at the affiant's home; that the affiant was not at home so they talked to the affiant's wife;

That the affiant was informed, and verily believes, that the names of the persons who were at his home were James McKeon and William French;

That the affiant was informed by his wife that the said Government agents informed her that they wanted to talk to the affiant about certain things; and although they did not elaborate at that time as to what they wanted to talk about they did inform affiant's wife that they wanted to talk to affiant concerning things which would be of great benefit to affiant.

That on the following day, Wednesday, May 29, 1963, affiant telephoned Mr. McKeon at the number he left with affiant's wife with instructions for affiant to contact him; and that at that time affiant was advised by Mr. McKeon that it would be to his benefit for him to come down to his office in the Federal building in Detroit and have a talk with him and Mr. French;

That about noon on the 29th day of May, 1963, affiant did go down to McKeon's office in the Federal Building pursuant to Mr. McKeon's request, and affiant talked to Mr. McKeon and Mr. French in what he believes was room No. 235;

That affiant was informed at that time that if he were to talk to them about his employment at the Public Bank he would be absolved of all responsibility in the Florida case;

That the nature of their conversation was clear; that they told affiant that if he would cooperate with them he would be free of the Florida case;

That affiant was offered immunity in the form of "a letter of good faith" which would clear him of any pending charges against him in the Florida case;

That affiant made it clear to them that he was innocent of any of the pending charges and that he knew of nothing concerning Mr. Hoffa or any one else that could possibly help them;

That affiant was with them for a period of time which he estimates to be about 45 minutes;

That Mr. French and Mr. McKeon alternated in making statements during affiant's conversation with them; that most of the conversation centered and revolved around their request that affiant talk to them about the case; that they offered the affiant immunity if he would talk to them about the case;

That when affiant was ready to leave, Mr. McKeon asked him to contact their office before the 4th day of June 1963;

That affiant then left;

That affiant requests the court in the above-entitled cause to set this case down for trial as quickly as possible;

Further deponent sayeth not.

ROBERT E. MCCARTHY, Jr.

Subscribed and sworn to before me this 31st day of May 1963.

LYDIA A. RUHL,
Notary Public, Wayne County, State of Michigan.

My commission expires June 7, 1964.

Mr. MORSE. Mr. President, I ask unanimous consent that the memorandum which was sent to me by counsel for the Teamsters Union be printed in the RECORD immediately following my reading of the McCarthy affidavit, so that I will not have to take time now to read it.

The PRESIDING OFFICER. Without objection, it is so ordered.

"SUN VALLEY, INC.—James R. Hoffa was indicted on December 7, 1960, in the Sun Valley matter on 12 counts of Federal mail and wire fraud. This indictment was dismissed on July 12, 1961, for defect in the selection of the grand jury. Mr. Hoffa was then reindicted on October 11, 1961, on 15 counts of mail and wire fraud and 1 of conspiracy. This matter is awaiting trial in the Middle District of Florida."

This press release was published in the Nashville newspapers.

A motion immediately was filed in Tampa asking that the indictment in the Sun Valley matter be set down for trial or dismissed.

This motion was listed for a hearing on June 6, 1963, at 2 p.m. in Tampa, Fla.

On June 4, 1963, by telephone, the Department of Justice authorized the entire dismissal of the Sun Valley indictment and the Court granted the dismissal of the indictment.

On the same day, June 4, 1963, the defendant, James R. Hoffa and other defendants were indicted in North District of Illinois Eastern Division on charges of mail fraud and wire fraud.

It is the position of James R. Hoffa that this new indictment on June 4, 1963, was brought solely and only for the purpose of influencing his matters in Nashville, Tenn., and that the indictment has absolutely no merit whatsoever and is brought for purely propaganda purposes. Therefore, in all fairness to the defendant since the Government claims in its press release that the Sun Valley matter has been incorporated in this new indictment—it is only fair that he should be tried on this new indictment before any trial in Nashville, Tenn. There is not the slightest doubt that this new indictment was done only to influence the course of any trial in Nashville, Tenn.

Mr. MORSE. In connection with the legal point which I raised concerning Government agents talking to a defendant under indictment, without communication with counsel and outside the presence of counsel, I wish to place in the RECORD at this point a very interesting note in The United States Law Week for February 12, 1963, commenting on a Pennsylvania tort case, decided by Judge Musmanno.

It reads as follows:

TORTS—CONTRACT INTERFERENCE

Pennsylvania lawyer retained by railroad employee injured in work accident can recover both compensatory and punitive damages from railroad claim agent and union officials who told employee he would get no more help from them until he "shed" lawyer and who helped him draft revocation of power of attorney he had given lawyer.

The employee was visited in the hospital by the railroad claim agent who informed him that it would be to his best interest to deal with the railroad company in settling his case. Several months later, when the employee's railroad retirement benefits were exhausted, the claim agent advanced him $250 to provide for living necessities, the amount to be credited against his ultimate settlement with the railroad.

The following month the employee called on a union shop steward to speak about his accident and hoped-for award. The shop steward said that he would turn the employee's case over to a union protective committeeman who would call on him the following day. The committeeman failed to make the promised call and the employee accordingly engaged the lawyer to represent him.

The next evening the committeeman called at the employee's home and, after learning of the attorney relationship, told the employee, "You did the wrong thing." He also told the employee that the claim agent "won't let you have any more money," and "you can't have any time for that lawyer. You are going to be out of a job."

The next day the employee went to see the claim agent in his office. The committeeman was there. The employee testified that the claim agent told him "we can't do anything for you as long as you have got that lawyer." The employee then asked him how he could go about getting rid of the lawyer.

The claim agent gave him a typed letter and told him to go outside the office. The committeeman went along with him and instructed him to copy in his own handwriting the words on the typed letter. He did this and the letter was mailed by the committeeman to the lawyer. The letter read as follows: "I am hereby revoking my power of attorney I signed with you as I have never wanted any attorney to represent me and my claim against the * * * railroad."

It is patently clear that the language in the letter could hardly have come from the employee, a person of extremely limited education.

TEXT

"There can be no doubt that the above cited testimony, if believed, made out a prima facie case of unwarranted interference in the business relationship between [employee] and his attorney. We have here a practically illiterate man, 58 years of age at the time, injured, unable to get around except on crutches, destitute, hoping to get funds which would assure him of food for himself and wife, being threatened that if he didn't discharge his attorney who could help him to get what he was entitled to for his injury, he would not only receive no immediate funds but he would lose his job.

"The evidence in the case justified the verdict which was rendered. Anyone has the right to advise a person in legal difficulties to change lawyers just as one concerned about a friend's health may recommend him to a doctor other than the one presently prescribing for him. Such advice, however, must not be accompanied with threats. The use of such threats, all accruing to the serious disadvantage of the persons involved, may well be interpreted as reflecting malice, vindictiveness and wanton disregard of the lawyer's or doctor's rights which would call for punitive damages."—J. Musmanno.

Ch. J. Bell, dissents.

That court decision makes very clear that the matter of lawyer-client relationship is a very important fiduciary relationship in this country. When there is an interference with it, or when it is ignored, the courts subsequently must take into account the course of action which was followed by the intervenors.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. PROXMIRE. As I understand, the Senator from Oregon has introduced two bills. One bill is to provide for the right to a speedy trial.

Mr. MORSE. That is correct.

Mr. PROXMIRE. The second bill is aimed, if I may use the vernacular, at preventing trial by press release.

Mr. MORSE. That is correct.

Mr. PROXMIRE. The Senator from Oregon has been very frank in saying that the abuse which has existed under present law has at least in some part developed out of the legal difficulties of the head of the Teamsters, Mr. James Hoffa. Is that correct?

Mr. MORSE. Those are the allegations that have been made. I have been discussing the Hoffa case only to make perfectly clear the full background of the participation by the senior Senator from Oregon in the discussion this afternoon. Although the Hoffa case is completely irrelevant to the position of the Senator from Oregon on these bills, this information has been presented to me as an example of the need for the legislation.

I stand on the legal analysis I shall present later to the Senate for the need of this kind of criminal law procedure reform, which has nothing to do with the merits or demerits of the Hoffa cases.

Mr. PROXMIRE. I understand. Is it true that Professor Kurland had something to do with the drafting of the proposed legislation?

Mr. MORSE. He is my "brain trust."

Mr. PROXMIRE. What qualifications does Professor Kurland have to draft legislation of this kind?

Mr. MORSE. Professor Kurland is a law teacher of 13 years' experience. He is a recognized scholar in the field of criminal law and procedure. He is the editor of the volume previously referred to, which I hold in my hand, the Supreme Court Review, published by the University of Chicago Press. He has written extensively in this field. He has done research on this particular subject for a number of years. He was active in his research in this field, and his interest predated any so-called Hoffa controversy.

Mr. PROXMIRE. Does Professor Kurland have any position in the American Bar Association?

Mr. MORSE. He is a very active member of the American Bar Association.

Mr. PROXMIRE. It is my understanding that he has occupied office in the American Bar Association, and that he is a recognized authority.

Mr. MORSE. He has occupied offices in certain sections of the American Bar Association. The work of the association is divided into working sections. There is a section on procedure. I have been a member, and am still a member, of several sections. For a long time I was a member of the section on criminal law and criminal procedure of the American Bar Association, which I understand is also true of Professor Kurland.

Mr. PROXMIRE. I understand that Professor Kurland has drafted the proposed law, together with the Senator from Oregon, with a universal application in mind. It is true that the Hoffa case may have provided a dramatic example, but this proposal unquestionably has universal application, and I take it there are many other instances which could be adduced to support both these bills.

Mr. MORSE. We are discussing this subject as we discuss the legal precedents that show the need for such legislation.

Mr. PROXMIRE. The Senator from Oregon has no brief for the head of the Teamsters Union, Mr. Hoffa. He is not at the moment making any brief for Mr. Hoffa. He is not taking any position in Mr. Hoffa's difficulties, pro or con. He is not attempting to try Mr. Hoffa on the floor of the Senate, or condemning or defending Mr. Hoffa.

Mr. MORSE. That is correct. I have been critical of Mr. Hoffa on the floor of the Senate in some instances, as I pointed out, when I thought he was following a course of action that justified criticism. I will criticize him tomorrow or today, if I have sufficient reason for criticizing him. But I will defend him today or tomorrow against any wrong which may be committed against him, because I am professional and impartial in this matter. That is my obligation of trust as a U.S. Senator. I am never deterred from fighting what is wrong on the floor of the Senate merely because someone involved in it may be unpopular. The Senator from Wisconsin or I may be in that position tomorrow.

Mr. PROXMIRE. I recall the Senator's great fight in the Mallory case. He has spoken often on the floor of the Senate in reference to that case, dramatizing the importance that American law shall apply to all persons, whether they are skid-row derelicts, bank presidents, university professors, convicted Communists, or labor leaders. No matter what the person's position is, he should have equal protection of the law.

Mr. MORSE. How could one support any other premise? The Mallory decision happens to deal with a Negro of subaverage intelligence. In the Mallory case we are dealing with a Negro who the record shows was recognized as having below-average intelligence. He was caused to sign a confession containing words which were beyond his vocabulary.

Mr. PROXMIRE. In the judgment of the Senator from Wisconsin, the great glory of the American system is that we apply the law equally to all people. Of course, we have a government of men as well as of law. Ideally and theoretically, it is a government primarily of law, but the law must be administered by human beings. We know the importance of prestige, family position, and reputation. We know that, after all, when the law is interpreted and decided, it is going to be applied on the basis of some human prejudice. That is why it is so important that the concept of trial by press release be stopped, because, after all, it prevents equal application of the law. A man who has not been in public life, who has no background whatsoever that is known to the public, has no basis for being incriminated in the public eye. Some other person who may have such a background is stigmatized and prevented from having a public trial and prevented from having equal treatment under the law because of trial by press release.

Mr. MORSE. The Senator is correct.

Mr. PROXMIRE. It seems to me the principle involved in the bill introduced by the Senator from Oregon is sound and solid.

Let me ask the senior Senator from Oregon a question. A speedy trial, it seems to me, is something that exists in most of our courts. Is that not correct?

Mr. MORSE. At the State level, much more; much more in our State courts than in our Federal courts, although it is guaranteed, as I said earlier, by the Constitution itself.

Mr. PROXMIRE. Yet under present law it is possible for a man's reputation to be destroyed, or at least called into very serious question, by an indictment.

Mr. MORSE. That is correct.

Mr. PROXMIRE. That man may not be able to clear his name by trial in a matter of weeks or months, or, for that matter, years.

Mr. MORSE. That is correct.

Mr. PROXMIRE. What the Senator proposes is that the trial be had within 9 months.

Mr. MORSE. Yes.

Mr. PROXMIRE. And that sentence be passed within 60 days.

Mr. MORSE. That is correct.

Mr. PROXMIRE. What could be fairer than that?

Mr. MORSE. I do not know.

Mr. PROXMIRE. In 9 months it should be possible to bring a man to trial.

Mr. MORSE. The bill provides for a continuance for cause shown, but that puts it up to the judge, and the judge must make a record.

Mr. PROXMIRE. The judge cannot continue it if there is no just basis for a continuance.

Mr. MORSE. That is correct. That rule is common in the State courts.

Mr. PROXMIRE. This is another example of the fact that whether a cause is unpopular, or politically unwise, whether it brings him political retribution, as usual the Senator from Oregon is not deterred from making the fight. It is a fight in which I am proud to follow his leadership.

Mr. MORSE. The Senator is very kind.

Mr. PROXMIRE. He is making a brilliant speech this afternoon. He has introduced two bills which have great merit.

Mr. MORSE. The Senator is very kind, as usual.

The Senator stood shoulder to shoulder with me in similar situations when the rights of the American people were involved and were debated in the floor of the Senate. He stood with me in the Mallory debate, and in the wiretapping debate. He stands with me now in this great fight which involves the problem of the legal procedural rights of the American people, supposedly guaranteed by the Constitution.

One need only walk out the front door of the Capitol a few hundreds yards and stand in front of that great citadel of justice, the Supreme Court, to be a better American every time one stands there, for having read the great inscription on that citadel of justice, and to recognize that there before one is the symbol of equality before the law, of uniform application of the law to all individuals in this country, irrespective of their guilt or innocence.

Sometimes I wonder if the American people are not almost ready to lay aside the precious guarantees that make them freemen and women.

I was shocked to read a while back about a questionnaire which had been sent out to college students. One question was whether they thought the fifth amendment to the Constitution ought to be repealed. An overwhelming majority of them said, "Yes." My response was, What in the world is happening to the educational system of this country, with an oncoming generation, if that is typical—and I refuse to believe that it is—and what is happening to our educational system if we are getting a generation that believes the right to refuse to testify against oneself ought to be taken away from Americans?

Have they forgotten our history? Have they forgotten our contest with the British Crown? Are they unaware of what happens in a police state, where a man has to prove his innocence, instead of the State having to prove his guilt? We are talking about some very basic things here today when we are talking about a speedy trial, the right guaranteed by the Constitution. However, the Constitution is not worth the paper it is written on unless we implement by legislation the rights guaranteed in it.

What is the great fight over civil rights all about? The Negroes in this country have the same rights that the Senator and I have as white men; but those rights are denied to them, because the appropriate legislation is not on the books to implement the 14th amendment, as the commerce clause of the Constitution and other parts of the Constitution are implemented. The 14th amendment must be implemented if Negroes for the first time in our history are to have the Constitution delivered to them. The white people of the United States have never delivered the Constitution to the Negroes of America.

I thank God that I am serving under a great President in the White House who sent to the Senate a few days ago a message which will go down in history as comparable to Lincoln's Emancipation Proclamation. John F. Kennedy sent us a civil rights message the other day which seeks to carry out Lincoln's Emancipation Proclamation. Until the legislation proposed by President Kennedy is written on the statute books of this country, the Constitution is a dead letter so far as the Negroes of America are concerned. That is what this great crisis is all about. That is why in the next few weeks we shall start what in my judgment will be the most historic debate that has ever taken place on the floor of the Senate since the great debates prior to the Civil War.

I wish Senators would read some of those debates. I have read them recently. They make one tremble. They make cold shivers run up one's spine. In 1963 we are hearing some of the same bigoted arguments, some of the same prejudiced arguments, based on inhumanity to man because of the color of the skin of the victims of the inhumanity.

I do not mean to imply that we are in any danger in this country of such a catastrophe as befell us at the time of the Civil War. I mean to state categorically that some of the same basic issues on the substantive side of the issue are involved in the oncoming civil rights debates.

As a member of the Foreign Relations Committee, I wish to make clear on the floor of the Senate that we cannot maintain America's prestige in the free world, to say nothing about the Communist world, until we have delivered the Constitution to the Negroes of America. How in the world can we, if we have any religious faith at all, as professed Christians or as Jews or as believers in one Deity, deny to a Negro his constitutional rights to walk into a public restaurant and be served, if his behavior is decorous; or deny him a room in a hotel; or an opportunity to swim at a public beach; or to play golf on a municipal golf course?

We had better catch up with the times. I have sat in international conferences representing my Government, and I have represented my Government in the United Nations. I have been at a loss at times for an answer—and I am not too frequently at a loss, at least for some kind of answer—when fellow delegates have said right into my teeth: "What do you mean by freedom? When are you people in the United States going to practice your preachments about freedom?"

We are charged with hypocrisy by foreign delegates in one international conference after another. They are right. We are guilty, for we are a shockingly hypocritical Nation in the field of human rights. That is involved in what we are talking about this afternoon, for what we are talking about is seeing to it that the minority is protected; that the indicted is entitled to a fair trial; and that the person indicted is given assurance of an unprejudiced jury.

It is easy for the American people to forget about these abstract principles of justice and freedom, the preservation and effectuation of which will determine completely whether they remain free men and women. Take away the abstract rights under the fifth amendment, for example, and we have destroyed a substantial part of the freedom of every American citizen. I remember that it was only a few years ago when, I say regretfully, even in the U.S. Senate some talked almost in whispers about the fifth amendment. But I shall always be proud to have my decendents read that I joined with a few other Members of this body in protesting an attempt to McCarthyize people because they exercised their precious right under the fifth amendment.

Witnesses called before Senate committees pleaded the fifth amendment, but there were Members of this body who considered them guilty because they pleaded the fifth amendment. But I did not, for years, teach law and the precious legal guarantees of freedom under the Constitution of the United States only to walk out on those teachings for political reasons merely because I walked into the Senate of the United States. The job has never been worth it, and never would be worth it.

Mr. McGEE. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I shall yield in a moment. For this digression of mine, put the blame on the Senator from Wisconsin [Mr. PROXMIRE], because he was kind enough to say undeserved complimentary things about the Senator from Oregon.

The implication of some of the things he said caused me to make these comments about how important it is that the American people sit down and reread their Constitution and constitutional history, and recognize that they must make up their minds whether they want to continue to live under our constitutional system of freedom, or whether they want to let prejudice and bigotry stalk the Nation again, as it did prior to the Civil War, and split us. We cannot afford any kind of split in this country, for the problems that will face this country in the next 25 years call for the maximum unity among us. We will not unite the country until we give to every citizen his or her full constitutional rights.

I am sorry to have taken so long by way of digression; but I intended to say it some time, so I might as well have said it this afternoon.

I yield to the Senator from Wyoming.

Mr. McGEE. Mr. President, I pay my tribute to the Senator from Oregon and remind Senators that while he has, indeed, left the halls of ivy, where he was busily inculcating the principles of constitutional law, he continues his role in this body as a teacher of us all.

As a former professor of constitutional history, I have been deeply concerned with constitutional principles. I know of no single individual who has done more to remind all of us of the essential qualities of those principles than the Senator from Oregon, whose courage is uppermost in our minds at this particular time.

I was particularly interested in his inquiry about what had happened to the younger generation, because he referred to one group of college students who apparently voted, rather overwhelmingly, to do away with the fifth amendment. I should think this might be a subject for further reflection on the zeal of our schools, because attempts are deliberately being made by certain rightwing groups to supererogate to themselves all the answers as to what is truth, the result being that they would now destroy our whole purpose in education. They are imposing their own warped principles of thought on those who are in search of truth, and are imbuing them with the cliches of the rightwing.

I suspect that what the Senator from Oregon is speaking about is the success they have met with in certain segments of our school population. I deplore that kind of attack on the educational system of this country.

I also commend the Senator for the bills he has introduced and discussed today. I wish to raise a question and have the benefit of his opinion.

Mr. MORSE. Before the Senator raises his question, I wish to interrupt him to say that I greatly appreciate his kind references to me. I do not return them merely because the Senator has made them; but the RECORD ought to show my appreciation for the courageous, brave fight the Senator from Wyoming is making against rightwing groups in this country. They seek to do exactly what he has described. They are indoctrinators. They want to tell the teachers what they can teach. They do not believe in academic freedom. They do not believe that the objective of education is to lead students to finding where the facts lead.

The Senator from Wyoming is deserving of the commendation of all of us for all the political risks he is willing to run to stand up against this kind of police state tactic, as I call it, that we find in the groups that want to destroy the fifth amendment. What they really want to do is to make the Supreme Court impotent. They are behind the proposals for the three shocking constitutional amendments which, if adopted, would change our form of government.

I am now in the midst of research on that subject. I intend within the next couple of weeks to devote myself to a major speech in the Senate on what would happen to our form of government if those three constitutional amendments, which have the support of rightwing groups, ever should be adopted and added to our Constitution.

The Senator from Wyoming [Mr. McGEE] has been one of our courageous leaders. He has stood out against such a weakening of our constitutional system.

Mr. McGEE. May I add at this point, if it is permissible, that not only are we concerned about the inroads being made in education in our schools; but the legislative body of my State is one of the very few bodies in this country that enacted all three of the proposed constitutional amendments, which would completely tear apart our Federal Government. The citizenry of my State is rightly aroused over the infiltration that has already occurred.

Here, again, is a case in which the extremist groups have come into our State and imposed ideas that are not Wyoming ideas, not grassroot ideas, but ideas that have been packaged in New York, New Jersey, Houston, Tex., and in parts of Virginia, and are peddling them 2,000 miles away. They are producing results by repeating them so often that people begin to repeat them only out of habit, because they do not always hear the alternative, and they react to them as our legislature did.

This is a complete embarrassment to people who do not really feel that way; who were taken into the action before they realized what it meant. But such action symbolizes the formula of those on the extreme right; namely, they know what they want, and they know how to get it.

They take advantage of people who are busily doing other things. Their simple formula is a declaration that 10 men who care are more than a match for 100 who do not. They have proved the devastating power of that approach to the public at the present time. We are hopeful, out our way, that an adjustment or a correction will be made that will place the record of the wonderful State and people of Wyoming on a correct level, in the right sense, before we are through with this issue in the Rocky Mountain West.

Mr. MORSE. I thank the Senator very much. I think the best way I can pay tribute to the observations he has just made is to ask unanimous consent to have printed in the RECORD an editorial entitled "Back to Freedom," which was published today in the Washington Post. The editorial was handed to me just now by able staff counsel. It deals with the great controversy on the question of academic freedom which has been occurring at the University of California; and the editorial closes by quoting Clark Kerr, a long, longtime personal friend and academic associate of mine, and a colleague, during the war, on the War Labor Board. In the editorial he is quoted as follows:

> "The university" Clark Kerr observed a couple of years ago, "is not engaged in making ideas safe for students. It is engaged in making students safe for ideas." It would be hard to contrive a better definition of a university's function. We welcome the University of California's formal return to its own high purpose.

The great constitutional guarantees we have been discussing this afternoon really were designed by the wise and farsighted constitutional fathers in order to make this country safe for its citizens, so that they could follow wherever the facts lead, and so that they could enjoy the precious rights of freedom, based upon just such abstract principles of democratic government as those the Senator from Oregon, the Senator from Wyoming, the Senator from Wisconsin, and other Senators have been discussing this afternoon.

Mr. President, I ask unanimous consent to have the entire editorial from the Washington Post printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BACK TO FREEDOM

> The whole country can rejoice that the great University of California has come home at last to the tradition of free inquiry which is the mark of a university. Its board of regents voted on Friday, 15–2, to rescind a ban which had kept Communist speakers off all of its campuses ever since 1951. Students and faculty of the university and President Clark Kerr have long sought removal of the ban which had left UC as the only major university with such a restriction on its open forum policy. There is something significant and symbolic in the step.
>
> The ban on Communist speakers was a symptom of the emotional binge commonly called McCarthyism on which much of the United States embarked in the early 1950's. The binge produced its own brand of delirium tremens in the form of imaginary Communist hobgoblins under every bed and every classroom desk and its own tragic hangover in the form of a fear of freedom. There is something happily healthy in the resolution adopted by the California regents:
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> "The regents of the University of California have confidence in students of the university and in their judgment in properly evaluating any and all beliefs and ideologies that may be expressed in university faculties by offcampus speakers. This is in the best American tradition."
>
> "The university," Clark Kerr observed a couple of years ago, "is not engaged in making ideas safe for students. It is engaged in making students safe for ideas." It would be hard to contrive a better definition of a university's function. We welcome the University of California's formal return to its own high purpose.

Mr. McGEE. Mr. President, let me ask the Senator from Oregon about the bills he has introduced. Is not one of them for the purpose of trying to prevent the trial of cases in the newspapers?

Mr. MORSE. That is correct.

Mr. McGEE. Is the bill designed to be a deliberate assist to the Teamsters Union?

Mr. MORSE. No; it has nothing to do with the Teamsters Union.

Mr. McGEE. I asked the question only because it has been asked of me. I think the RECORD should show that an important principle is at stake. Is not that correct?

Mr. MORSE. Yes. Of course the question the Senator from Wyoming has asked will be asked again and again, because probably one of the first persons who would seek the protections which such a law would provide would be Mr. Hoffa. However, we are seeking the enactment of legislation to protect all Americans, regardless of who they may be. Once an American is indicted for a crime, he should be allowed to have his case tried in a courtroom, not in the press.

Mr. McGEE. Does not the power of the Attorney General of the United States to hold an indictment over the head of an accused for an indefinite period of time likewise unfairly endanger the rights of the accused?

Mr. MORSE. Yes; that is the position I take, and it is also the position which is taken by Professor Kurland. The elimination of that danger is one of the purposes of one of the bills I have introduced. That, too, is an impersonal proposal; it makes no difference to me who the Attorney General is at any time, or whether he is a Democrat or a Republican. The guarantee to protect the rights of a defendant should be preserved at all times, regardless of what particular person may serve in the Office of Attorney General of the United States.

Mr. McGEE. And one of the reasons for the introduction of the bill, as I understand it, is the failure to bring up the indictments in the order in which they were filed.

Mr. MORSE. That is true. In some circles that procedure is called "shopping for trial time." I think it is unfair. I think the indictments should be taken up in the order in which they are filed. If a person has been indicted and if, following that indictment, he is in the process of preparing his defense, certainly it is unfair to him that he be required to defend himself in court following a subsequent indictment, at a time when he has had little opportunity to prepare his defense in the second case. Furthermore, the greater the delay the greater the likelihood that evidence of importance to the defendant will be lost or that witnesses will die or will move away.

So we seek to insure fair procedure—which exists in many States—by requiring that the trials occur in the order of the filing of the indictments.

Mr. McGEE. An opportunity for a union leader or a corporate executive to contend with a battery of U.S. attorneys is one thing; but I am thinking more of the average person who might be the victim of such a shuffling of indictments.

Mr. MORSE. Yes. The trouble is that we rarely hear of their plight.

Mr. McGEE. It is their protection that the Senator from Oregon is seeking to guarantee by means of these bills, is it not?

Mr. MORSE. Yes. One of the reasons why I have always been an ardent advocate of a public defender is that so many persons in our country become involved in the toils of the law, but are not familiar with its complexities and are ignorant of their rights. Many of them feel that they do not have enough money with which to defend themselves. Therefore, I have taken the position that another branch or division of the Department of Justice is needed—not only a branch to prosecute, but also a branch to defend—and that an American citizen should have a right to look to his Government for his defense, if he can show that he meets the conditions imposed by a public-defender law—in other words, that he is indigent, or that his means are so small that the conduct of his defense in a complicated case would bankrupt him, and subsequently would require that he go on public welfare—which, of course, would not involve any saving for the taxpayers—and that thus he has a right to have a public defender appointed to defend him.

Mr. McGEE. I thank the Senator from Oregon for his forthright answers to my questions. Again I commend him for his courage and leadership in bringing to the floor of this body his cause of justice and his bills for the protection of legal rights.

Mr. MORSE. I thank the Senator from Wyoming.

Mr. President, up to now I have sought generally to outline the purposes of the proposed legislation and, in the second place, to place on top of the table the background information which led me to introduce these bills at this time.

I now turn to a legal discussion of the substantive merits of the bills. I shall deal first with the bill which involves restrictions upon trial by press release.

As I said earlier—but I wish to repeat it now, so there will be no misunderstanding—I am relying heavily upon the research and the scholarship of Professor Kurland, who proposed the bills in the first instance, and also approved the final drafts of the bills. The bills are now somewhat different from their form when they were first submitted by Professor Kurland; but the objectives of the bills, as they are now in their final form, meet with his scholarly approval.

The remarks I am about to make, under the subject "The Problem" will deal with the so-called press release bill. I am talking now about the so-called press release bill.

I. THE PROBLEM

More than a dozen years ago, Simon H. Rifkind, who had been one of the distinguished judges of the U.S. District Court for the Southern District of New York and has since been a leading lawyer in that community, stated the problem in authoritative terms. The lapse of time has not seen the resolution of the problem, only an exacerbation of it because of the enormous development of news coverage by television. Rifkind titled his piece in the Journal of the American Judicature Society—volume 34, page 46, 1950—"When the Press Collides With Justice." This is what he had to say:

> There has been much talk lately of what is called trial by newspaper. In recent months there have been a number of cases in the courts which have aroused widespread public interest, and there has been a correspondingly widespread coverage of the details of the cases—from the first rumors of charges to the final verdict of the jury.
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> Although the problem has been accentuated recently, it is not a new one. I need not emphasize that there have been clashes between court and press at certain times long before the current controversy. There is a vast literature on the subject but, like the weather, it is something we constantly talk about but never do anything about. Now, however, that the citizens of New York are trying to do something about the weather, perhaps the citizens of our country can be induced to take some steps to resolve this conflict between court and press.
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> If one stops to inspect the collision which occasionally occurs between the courts and the press, one discovers that it is a contest, not between right and wrong, but between two rights. All contests have dramatic arts to which this particular contest belongs. I think we should find it to be that class which the Greeks called tragedy. It is a contest between hero and hero, not between hero and villain. In such a tragedy the end is always disastrous, and in those unfortunate cases where conflict develops between court and press, the result is frequently disastrous to justice itself.
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> There are many parts of the world today where judicial forms are used to accomplish results foreign to the judicial process. They have a courtroom, a bench, judges and people called lawyers. They often have persons identified as witnesses. But if you read the record of their proceedings, you feel that a great institution has been subverted and preverted to an utterly foreign purpose. Naturally we feel a revulsion when we read of that kind of activity. It is important for us, therefore, to be alert to any intrusion into the judicial process which may impair the high idealism which animates it. The process functions successfully only as long as the public feels that it grinds out what they can accept without—to use the title of a recent book—a "sense of injustice." Law loses its normative function the minute the public loses faith in the judicial process and feels that it is a mill that grinds out sometimes justice sometimes injustice. Then order can be maintained only by the force of tyranny.
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> Lawyers and judges make heroic efforts and resort to much ritual to preserve public confidence in the judicial system. We go to great lengths to make certain that our juries are free from prejudice. After they are impaneled, the judge keeps reminding the jurors, and thereby himself, that they must decide the case solely on the facts openly adduced in court and on argument openly heard in court. We proceed in an orderly manner, so that first one side and then the other is given the fullest opportunity to speak. By means of the rules of evidence, an impartial judge screens the information which is passed to the jury to make certain that nothing enters which can pollute the stream of information upon which the jury is to decide the rights of the litigants. An atmosphere of dispassionateness, of objectivity, of serenity prevails in the courtroom.
>
> That time-honored procedure, forged through the generations to the single end that issues shall be impartially determined on relevant evidence alone, works fairly well in all cases but one—the celebrated case. As soon as the cause celebre comes in, the judges and lawyers no longer enjoy a monopoly. They have a partner in the enterprise and that partner is the press.
>
> The process of erosion begins long before the trial. The area from which the jury panel is to be called is drenched with all kinds of information—some true, some false—all unchecked by the selective processes of the law, all uncleansed of the dross which it is the object of the law of evidence to exclude. By the time the panel is called to the courthouse, its members have been living in a climate surcharged with emotion either favorable or unfavorable to one of the litigants. To exclude from the jury panel all who have read about the case or heard about it over the radio is to reduce the jury to the blind, the deaf and the illiterate. So the jury must be selected from these precharged human vessels.
>
> And then comes the trial itself. Recently my colleague, Judge McGohey, told me of a simple case before him involving an injured seaman. There was something in the papers in the case about the man's origin and early history which was inflammatory, and which would have diverted the jury from its duty to decide the case on the relevant facts. Judge McGohey told me that, as a matter of course, he called counsel to the bench and secured an agreement that that material should not be disclosed to the jury. The jury never heard about it, and decided the case without reference to this prejudicial material.
>
> If that were a celebrated case, what would have happened? Judge McGohey would have had the same agreement with counsel, and the material would have been kept from the eyes and ears of the jury that afternoon. That night the 12 men and women would start for home and, 50 feet from the courthouse, they would receive a copy of their evening paper and there, on the front page, would see the excluded material. If any one of them was nearsighted, he would arrive home, turn on the radio at 7, 8, or 9 o'clock, and hear a commentator express his views on this piece of excluded evidence.
>
> The next morning the jurors, on their way to the courthouse, would open their morning papers and there read the column of a hypothetical columnist whom I shall call Sokolborn. In his column would appear the statement, conveying this thought: "I don't think this witness ought to be believed. After all, he has a bad reputation and is a convicted liar. But I think every intelligent juror should place credence in the other witness."
>
> Or it may be that in the courtroom a question is asked and objection is taken. The judge listens to the argument and during a recess consults Wigmore on Evidence. Wigmore refers him to some cases which he reads. After some meditation he returns and renders his reflected decision: "Objection sustained." The answer is not given in the courtroom. But that night, in Mr. Sokolborn's column, the jurors find the question and they find the answer—but with a difference. The answer they find is not protected by an oath and whoever supplies the answer does not take upon himself what we used to call the risk of the pains and penalties of perjury. Further, whoever supplies the information for that column does not have to confront the defendant as he would if he were a witness in the case. The informant is not subject to cross-examination, a process which has been called the greatest instrument ever invented for the discovery of truth. So we have unsworn testimony, unconfronted-witness-testimony, uncross-examined testimony going to the jurors. Moreover, it is uncontradicted testimony because the story in Sokolborn's column is not received in evidence, and therefore the poor defendant or plaintiff, as the case may be, is not afforded the opportunity to put anyone on the witness stand to contradict or explain it * * *.
>
> Certain correctives suggest themselves, but on examination are found to be unrealistic. Change of venue was all right in the days of the horse and buggy, but today, in a celebrated case, the newspapers and radio blanket the country and most communities are deluged with information and opinion about the case.
>
> Some of my colleagues caution the jurors not to read the papers or listen to the radio during the trial. Not only does the warning usually come a little late, but if you are dealing with a celebrated cause in which juror John Doe sees his name in the newspapers for the first time in his life, it is probably futile. To prevent that man from reading the papers will result in his death from frustration. You might just as well ask Katherine Hepburn not to read her press notices following an opening night.
>
> You can lock up the jury during the trial. But I doubt whether my colleagues believe they would have obtained juries in certain protracted cases if they had informed the members of the panel that they would be held incommunicado for a period of months.

Judge Rifkind's proferred solution was an attempt to work out voluntary standards for the press to adhere to and for a watchdog committee to secure enforcement of the standards. The lapse of 12 years and the absence of any such solution speaks only too well of the vitality of that solution.

II. THE ENGLISH SOLUTION OF THE PROBLEM

Lord Devlin has described the governing rule in England in his book "The Criminal Prosecution in England" 119–21 (1958):

> This process, for contempt of court, is the weapon used by the court to restrain press comment before and during the trial. It is used in a manner which I am sure would startle some (newspapermen) in the United States. What is sometimes called trial by newspaper is not tolerated in any form. Thus in 1924 it was held that when an accused person was under arrest, it was a contempt of court for a newspaper to employ amateur detectives for the purpose of investigating the facts of the alleged crime and to publish the results of the investigation (*R.* v. *Evening Standard*, 40 T.L.R. 833 (1924)). It is not only trial by newspaper that is condemned. Any comment on a matter that is sub judice and the publication of any facts, not part of the evidence, that might influence a jury one way or the other is capable of being contempt of court, even though it was done innocently or by an error of judgment or under an honest mistake. I can best describe the sort of thing that is objected to by taking three or four cases that have occurred in the last decade. In 1949 a newspaper published an article describing a man who had been charged with murder as a vampire and saying that he had murdered other people, giving their names (*R.* v. *Bolam*, 93 S.J. 220 (1940)). Evidence of other crimes is not, as I have said, ordinarily admissible, and no evidence of this sort had been given at the preliminary proceedings. The police had heard in some way of the proposed publication and a warning by them had been disregarded. The Lord Chief Justice said that it was a disgrace to English journalism and the court was satisfied that it was done not as an error of judgment but as a matter of policy in pandering to sensationalism in order to increase the circulation. The editor was sent to prison for 3 months, the directors of the newspapers were told that if it happened again they might be treated likewise, and the company which owned the newspaper was fined £10,000.
>
> In 1954 a newspaper reporter by an honest mistake attributed to one of the witnesses at the trial a piece of evidence which he did not give (*R.* v. *Evening Standard*, (1954) 1 All Eng. Rep. 1026); it was, in fact, evidence which was to have been given by another witness, but when the prosecution tendered it, the judge had rejected it as inadmissible, and the other witness was never called. The prisoner was not prejudiced, since he was acquitted. The newspaper was fined £1,000.
>
> Another case in 1957 concerned an American magazine which was compiled and edited in the United States and imported into England and distributed there (*R.* v. *Griffiths*, (1957) 2 All Eng. Rep. 379). One of the issues contained objectionable paragraphs in relation to a pending trial, reporting scandalous and prejudicial gossip concerning the prisoner. The only persons who could be brought before the court were the wholesale distributors in England. They said they were quite unaware of the prejudicial matter and that it was quite impossible for them to read all the material in the magazines they distributed. Nevertheless, the court said they must be held responsible in law. Since it was the first case of its sort, the court imposed a nominal fine of £50 but indicated that similar leniency might not be extended in the future * * *.

The English cases on the subject are summarized and set out in the appendices to Mr. Justice Frankfurter's opinion in *Maryland* v. *Baltimore Radio Show, Inc.*, 338 U.S. 912, 921 (1950). It does not have the later cases referred to by Lord Devlin but does exhaust the authorities for the period up to 1950.

III. THE AMERICAN LAW ON THE SUBJECT

A. The contempt power applied to news media.

For all practical purposes, if not as a matter of doctrine, the decisions of the Supreme Court of the United States preclude the utilization of the contempt power as a means of curbing expressions in public information media about matters which are sub judice. Each time that the Supreme Court has been called upon to pass on the question of the utilization of the contempt power to punish for publication about a matter that was sub judice, it held that the utilization of the power violated the provisions of the first amendment guaranteeing freedom of the press—see *Wood* v. *Georgia*, 370 U.S. (1962); *Craig* v. *Harney*, 331 U.S. 367 (1947); *Pennekamp* v. *Florida*, 328 U.S. 331 (1946); *Bridges* v. *California*, 314 U.S. 252 (1941). Earlier the courts did use the contempt power for the purpose of protecting the sanctity of the trial. See, for example, *In re Independent Publishing Co.*, 228 Fed. 787 (D. Mont. (1916), affirmed, 240 Fed. 849 (CA 9th 1917); *State* v. *Howell*, 80 Conn. 668 (1908); *Herald-Republican Publishing Co.* v. *Lewis*, 42 Utah 188 (1913). There have been no recent examples. And the decision of the high court of Maryland that the power was so severely circumscribed by the first amendment as to preclude its application was left unchallenged by the Supreme Court. *Baltimore Radio Show, Inc.* v. *State*, 193 Md. 300 (1949), certiorari denied, 338 U.S. 912 (1950).

B. New trial as the appropriate remedy. There is little doubt that the power exists in a Federal court for vitiating a conviction returned by a jury corrupted by newspaper accounts relating to the trial. In *Marshall* v. *United States*, 360 U.S. 310 (1959), the Supreme Court took it upon itself to reverse two lower courts that had refused such relief. There, two news accounts of previous convictions of the defendant and other deleterious information reached the jury.

> The trial judge on learning that these news accounts had reached the jurors summoned them into his chamber one by one and inquired if they had seen the articles. Three had read the first of the two * * * and one had read both. Three others had scanned the first article and one of those had also seen the second. Each of the seven had told the trial judge that he would not be influenced by the news articles, that he could decide the case only on the evidence of record, and that he felt no prejudice against petitioner as a result of the articles. The trial judge, stating he felt there was no prejudice to the petitioner, denied the motion for mistrial.
>
> The trial judge has a large discretion in ruling on the issue of prejudice resulting from the reading by jurors of news articles concerning the trial. *Holt* v. *United States*, 218 U.S. 245, 251. Generalizations beyond that statement are not profitable, because each case must turn on its special facts. We have here the exposure of jurors to information of a character which the trial judge ruled was so prejudicial it could not be directly offered as evidence. The prejudice to the defendant is almost certain to be as great when that evidence reaches the jury through the news accounts as when it is a part of the prosecution's evidence. * * * It may indeed be greater for it is then not tempered by protective procedures.
>
> In the exercise of our supervisory power to formulate and apply proper standards for enforcement of the criminal law in the Federal courts * * *, we think a new trial should be granted. Id. at 312–13.

Again, in *Janko* v. *United States*, 366 U.S. 716 (1961).

> The Court was compelled * * * to reverse a conviction in which prejudicial newspaper intrusion has poisoned the outcome. *Irvin* v. *Dowd*, 366 U.S. 717, 730 (1961).

Indeed, the Court has gone so far as to grant the writ of habeas corpus where a State convicted a defendant in an atmosphere created by the newspapers that made it impossible for him to secure a fair trial. *Irvin* v. *Dowd*, supra.

We should not forget, Mr. President, that that cost the American taxpayer a great deal of money. Every time a case is set aside because the appellate court—or, for that matter, the lower court—finds that the result was prejudiced by a newspaper which published information and evidence which was not admissible in court, there should be, and usually is, a retrial. Cases are not tried for nothing. So there is a cost in money and there is a cost in justice because, very frequently, the result is a miscarriage of justice. On a retrial a person might be acquitted when, in the first trial, without the intervention of improper evidence set forth in a news story, he might be convicted. In the intervening time between the first trial and the second trial a good many things can happen. An important witness may die. There may be a fire, and important documents may be destroyed. All sorts of things may happen. So what we have always pressed for in American justice is a speedy trial, because we know that a speedy trial affords the best prospect for a fair trial and the best opportunity for doing justice.

There are other recent cases in which judgments of convictions have been upset by reason of improper interference with the processes of the trial by public news media: *United States* v. *Accardo*, 298 F. 2d 133 (CA 7th 1962); *Coppedge* v. *United States*, 272 F. 2d 504 (CA DC 1959); see *Holmes* v. *United States*, 284 F. 2d 716, 718 (CA 4th 1960). But the effectiveness of the salutary rule is severely limited by two devices. One is a reliance on the notion that the question should be left for resolution to the discretion of the trial court judge, which means in effect permitting tainted convictions to stand. See *United States* v. *Feldman*, 299 F. 2d 914, 919 (CA 2d 1962); *Dranow* v. *United States*, 307 F. 2d 545 (CA 8th 1962); *United States* v. *Carruthers*, 152 F. 2d 512 (CA 7th 1945); *Rowley* v. *United States*, 185 F. 2d 523

(CA 8th 1950). A similar result is brought about by the proposition that the burden of showing prejudice is on the defendant, a burden of extraordinary proportion when, in some cases, jurors are prohibited from testifying that the publicity did prejudice their conclusion. *United States* v. *Crosby*, 294 F. 2d 928, 949–50 (CA 2d 1961); *Cohen* v. *United States*, 297 F. 2d 760, 763–64 (CA 2d 1962); *United States* v. *Vita*, 294 F. 2d 524 (CA 2d 1961); *Welch* v. *United States*, 135 F. 2d 465 (CA DC 1943); *Gicinto* v. *United States*, 212 F. 2d 8 (CA 8th 1954).

The proposed statute would make meaningful the standards applied by the court in Marshall, Janko, Accardo, and Coppedge, supra, by requiring the defendant to show only that the jury had access to evidence that would have been excluded from the trial because of its prejudicial nature; the burden would then shift to the prosecution to show that it had no adverse effect on the conduct of the trial.

I think it is only fair. Not only is the burden upon the Government to prove the guilt of the defendant, but, when challenged, the burden should be on the Government to show that the defendant received a fair trial. For, if the trial is not fair, there is automatic interference with the question of sustaining the burden of establishing guilt, so far as the Government is concerned.

C. The contempt power applied to litigants and counsel: One reason why it is difficult to push the notion of contempt against the news media is that the sources of the information they publish are only too frequently the attorneys involved in the litigation. It is because such conduct would be unthinkable in England that it is possible for the legal profession to tell the publicists that they must behave. It is not only the attorneys that require restriction, however, as the following materials demonstrate.

Mr. Justice Jackson in his concurring opinion in *Shepherd* v. *Florida*, 341 U.S. 50, 51–52 (1951), described a not untypical situation:

> But prejudicial influences outside the courtroom, becoming all too typical of a highly publicized trial, were brought to bear on this jury with such force that the conclusion is inescapable that these defendants were prejudged as guilty and the trial was but a legal gesture to register a verdict already dictated by the press and the public opinion which it generated.
>
> Newspapers published as a fact, and attributed the information to the sheriff, that these defendants had confessed. No one, including the sheriff, repudiated the story. Witnesses and persons called as jurors said they had read or heard of this statement. However, no confession was offered at the trial. The only rational explanations for its nonproduction in court are that the story was false or that the confession was obtained under circumstances which made it inadmissible or its use inexpedient.
>
> If the prosecutor in the courtroom had told the jury that the accused had confessed but did not offer to prove the confession, the court would undoubtedly have declared a mistrial and cited the attorney for contempt. If a confession had been offered in court, the defendant would have had the right to be confronted by the persons who claimed to have witnessed it, to cross-examine them, and to contradict their testimony. If the court had allowed an involuntary confession to be placed before the jury, we would not hestitate to consider it a denial of due process of law and reverse. When such events take place in the courtroom, defendant's counsel can meet them with evidence, arguments and requests for instructions, and can at least preserve his objections on the record.
>
> But neither counsel nor court can control the admission of evidence if unproven, and probably unprovable, "confessions" are put before the jury by newspapers and radio. Rights of the defendant to be confronted by witnesses against him and to cross-examine them are thereby circumvented. It is hard to imagine a more prejudicial influence than a press release by the officer of the court charged with defendants' custody stating that they had confessed, and here just such a statement, unsworn to, unseen, uncross-examined and uncontradicted, was conveyed by the press to the jury. * * * Newspapers, in the enjoyment of their constitutional rights, may not deprive persons of their right to a fair trial. These convictions, accompanied by such events, do not meet any civilized conception of due process of law. That alone is sufficient, to my mind, to warrant reversal.

The opprobrious conduct of the sheriff in Shepherd was not an isolated event. Nor was the equally base conduct revealed in *United States* v. *Milanovich*, 303 F. 2d 626 (C.A. 4th 1962):

> A second issue presented on this appeal relates to the conduct of the special assistant to the Attorney General of the United States, assigned to prosecute this case for the Government * * * the allegation is that the prosecutor volunteered information to a local radio station concerning Mrs. Milanovich's alleged criminal record. The prosecutor happened to be the attorney for the radio station. When there for consultation on other matters, he allegedly made the statements about the appellant at the solicitation of the news broadcaster, with knowledge that they would be repeated over the air. His assertions that Mrs. Milanovich was a woman with a long record of arrests on charges of prostitution and liquor sales were broadcast at least three times during the week preceding the second trial * * *.
>
> The Government makes no attempt to defend such conduct of a prosecutor. Indeed, it conceded that it constitutes a violation of the duties and responsibilities of his office. (Id., at 629.)

Because the defendant did not show that the jurors were prejudiced by these broadcasts, the court sustained the conviction.

In *Henslee* v. *United States* (246 F. 2d 190 (C.A. 5th 1957)), the court applied a more appropriate standard, although there was no showing that the publicity secured affected the jury deliberations or that the action of the prosecuting attorney was willful, as it so clearly was in Milanovich:

> Where, as here, unwanted publicity resulted from action taken by the assistant U.S. attorney in connection with something entirely apart from the proper conduct of the trial, however innocent he may have been of any willful purpose to influence the jury, a much higher standard prevails. As said by the Supreme Court in *Berger* v. *United States* (295 U.S. 78, 55 S. Ct. 629, 633, 74 L. Ed. 1314):
>
> "The U.S. attorney is the representative not of an ordinary party to a controversy, but of a sovereignty whose obligation to govern impartially is as compelling as its obligation to govern at all; and whose interest, therefore, in a criminal prosecution is not that it shall win a case, but that justice shall be done. As such, he is in a peculiar and very definite sense the servant of the law, the twofold aim of which is that guilt shall not escape or innocence suffer."

That is one of the great quotations in American jurisprudence. It is one of the great principles which law schools seek to drill into the heads of law students, many of whom will be prosecuting attorneys. It is the great principle of the obligation of a prosecutor representing the U.S. Government to realize, that—as the Court so eloquently said in this great quotation—as a prosecutor, he is in a peculiar and a very definite sense the servant of the law, the twofold aim of which is that guilt shall not escape or innocence suffer.

The Court went on to say in the Berger case:

> Without in any way imputing an improper motive to the prosecuting officer here, we do find that in the proper conduct of the affairs of his office it should have been apparent that for him to file this motion with the inclusion of the self-serving and irrelevant statements of offenses and crimes not comprehended in the indictment for which Henslee was on trial might well produce the highly unfortunate publicity that actually resulted. His failure to apprehend the natural result of his act is as damaging to the cause of justice as if he had failed in his duty to act with a scrupulous regard for fairness (id. at 193).

The proposed legislation seeks to incorporate the standards suggested by the fifth circuit in the Henslee case. That the courts cannot be relied upon to demand this high but necessary standard of conduct from prosecutors is revealed by the decision in *Stroble* v. *California* (343 U.S. 181 (1952)):

> We turn now to petitioner's contention that the newspaper accounts of his arrest and confession were so inflammatory as to make a fair trial in the Los Angeles area impossible—even though a period of 6 weeks intervened between the day of his arrest and confession and the beginning of the trial. Here we are not faced with any questions as to the permissible scope of newspaper comment regarding pending litigation * * *; but with the question whether newspaper accounts aroused such prejudice in the community that petitioner's trial was fatally infected with an absence of that fundamental fairness essential to the very concept of justice. * * *
>
> The search for and apprehension of petitioner was attended by much newspaper publicity. Between the time of the murder and the time of petitioner's arrest, the newspapers of general circulation in the Los Angeles area featured in banner headlines the manhunt which the police were conducting for petitioner. On the day of petitioner's arrest these newspapers printed extensive excerpts from his confession in the district attorney's office, the details of the confession having been released to the press by the district attorney at periodic intervals while petitioner was giving the confession. * * *
>
> While we may deprecate the action of the district attorney in releasing to the press, on the day of petitioner's arrest, certain details of the confession which petitioner made petitioner can show no prejudice. (Id. at 192–193.)

The habit of prosecuting attorneys trying their cases in the press is so deep that the district attorney of New York County felt it appropriate to explain why he did not disclose statements made by accused persons or make comments thereon for the benefit of the press. Mr.

Hogan, in a letter to the New York Law Journal, April 22, 1954, wrote:

> The sole purpose is to protect the right of a defendant to a fair trial by not disclosing before trial, that he may have incriminated himself * * *. It seems undeniable that widely disseminated information that a defendant has "confessed" has the effect of convincing the general public that he is unquestionably guilty and that any trial will be a mere formality. To obtain an impartial jury under such circumstances, therefore, may be a most difficult task. In its practical effect, such publication tends to destroy the presumption that an accused is innocent until he is proven guilty beyond a reasonable doubt.

Certainly the issuance of press releases by prosecuting attorneys is a violation of canon 20 of the code of ethics of the American Bar Association:

> Newspaper publications by a lawyer as to pending or anticipated litigation may interfere with a fair trial in the courts and otherwise prejudice the due administration of justice. Generally they are to be condemned. If the extreme circumstances of a particular case justify a statement to the public, it is unprofessional to make it anonymously. An ex parte reference to the facts should not go beyond quotation from the records and papers on file in the court; but even in extreme cases it is better to avoid ex parte statement.

But there are no teeth in the codes of ethics that bar associations so readily adopt but even more readily ignore. The bar has had ample opportunity to police itself. It has thus far refused to do so.

The problem is a serious one; no voluntary solutions have been proffered; no adequate sanctions have yet been developed by the courts. The appropriate action by the legislature seems evident and that takes the form of the legislation I have proposed in the first bill.

I turn now to a discussion of the second bill. First, a brief summary of its purposes.

This bill would provide that—

First. An indictment or complaint shall be dismissed, even where the statute of limitation has not run, if there has been unnecessary delay in making the presentment or filing the information;

Second. Where the Department of Justice files a dismissal of an indictment, except where the defendant consents, it shall serve as a bar to subsequent prosecution;

Third. Where more than one indictment is involved, the person shall be brought to trial on the indictments in the order in which they were returned. When a case goes to trial on an indictment, the court in which earlier indictments are pending against the same defendant shall dismiss the earlier indictments with the effect of a judgment of not guilty;

Fourth. The defendant shall be tried on an indictment, no later than 9 months after the indictment was filed, except that the court may extend the time on a showing of good cause; and

Fifth. A defendant who has been found guilty shall be sentenced no later than 60 days after judgment.

It is alleged by counsel for the Teamsters that none of Hoffa's difficulties have been characterized by untold delays, of a harassing nature. The Tampa case has been going on for an extended period, with the result that four witnesses and a codefendant in that case are now deceased.

This bill would seek to effectuate the defendant's right under the sixth amendment to a speedy trial.

Prosecuting authorities of the United States have frequently abused the rights of a defendant to a speedy trial, although that right is purportedly guaranteed by the Constitution of the United States. The States have, by experience, demonstrated that this right, if it is to be meaningful, must be enforced by legislative as well as judicial action. The proposed legislation benefits from the examples set by the States in this area and is the more necessary because the Federal courts have been less diligent than those of the States in enforcing this right.

A very able statement was made by the Senator from Georgia [Mr. TALMADGE] earlier this afternoon on this very point. He indicated that in the State of Georgia there does exist the principle under State law of the second bill I am introducing today. His statement, I consider to be of great aid to me in my presentation of my argument this afternoon; I shall show momentarily, however, as I discuss the situation in other States, that Senator after Senator could make a parallel statement to the one which the Senator from Georgia [Mr. TALMADGE] made earlier this afternoon.

The principle and the procedure that I am urging be adopted by the passage of my bill would make applicable to Federal prosecutions procedures which exist in a very large number of States.

I turn now to an analysis of the bill from the standpoint of what I consider to be a sound body of law and to the legal authority which supports it.

I. THE CONSTITUTIONAL PROVISION AND THE PROBLEM

Clause 40 of the Magna Carta provides: "To none will we sell, to none deny or delay right of justice." The sixth amendment to the U.S. Constitution provides: "In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial." And yet, as recently as 1957, our English brethren were able to point the finger of scorn at us because of our failure to make meaningful the content of these fundamental documents.

> It is axiomatic—

Said the Law Quarterly Review, England's foremost law journal—

> that justice delayed is justice denied, but little has been done in recent years to deal with scandalous delays in many criminal prosecutions in the United States. (73 L.Q. Rev. 13 (1957)).

Nor was that review relying on any lesser authority than the opinion of a Justice of the Supreme Court of the United States, Mr. Justice Frankfurter's opinion in *Ward* v. *United States,* 76 S. Ct. 1063, 1 L. Ed. 2d 25, 28:

> Nothing has disturbed me more during my years on the Court than the timespan, in so many cases that come here, between the date of an indictment and the final appellate disposition of a conviction. Such untoward delays seem to me inimical to the fair and effective administraton of the criminal law. * * * I do not mean to imply criticism of any person judge or court for what is a good illustration of the general leaden-footedness of criminal prosecutions. The fault lies with the habit of acquiescence in what I deem to be a reprehensible system.

It was the scandalous delays of such a reprehensible system that the sixth amendment was intended to avoid, but in fact this provision of the Bill of Rights has never been adequately effectuated by the national courts or the National Legislature.

II. FEDERAL JUDICIAL PRECEDENTS

There are many gratuitous statements strewn through Federal judicial opinions about the possible invocation of the "right to a speedy trial" provision of the sixth amendment. Thus, Mr. Chief Justice Warren stated, in *Smith* v. *United States,* 360 U.S. 1, 10 (1959):

> Moreover, if, contrary to sound judicial administration in our Federal system, arrest and incarceration are followed by inordinate delay prior to indictment, a defendant may, under appropriate circumstances, invoke the protection of the sixth amendment.

Even in dictum, the right to speedy trial becomes equated with a right to avoid "inordinate delay" and then only under the amorphous "appropriate circumstances." In *Pollard* v. *United States,* 352 U.S. 354, 364 (1957), the Chief Justice, this time in dissent, noted:

> Our law, based upon centuries of tragic human experience, requires that before a man can be sent to the penitentiary, he is entitled to a speedy trial. * * * These are not mere ceremonials to be neglected at will in the interests of a crowded calendar or other expediencies. They are basic rights. They bulk large in the totality of procedural rights guaranteed to a person accused of crime.

The fact of the matter is that despite the constitutional provisions, for a long period of our history, there would appear to have been a conflict over the question of power in the Federal courts to use the only sanction that is meaningful to preclude abuse of the defendant's right to a speedy trial: dismissal of the charge. As the court said in the leading case of *Frankel* v. *Woodrough,* 7 F. 2d 796, 798 (C.A. 8th 1925):

> The constitutions of most of the States have provisions similar to the sixth amendment and many of the States have statutory definitions of the time or number of court terms within which criminal accusations must be tried. Such statutes provide usually for the discharge of accused unless the trial is within the limits so defined. The United States has no such statutory provisions and we think an accused would not be entitled to a discharge even though he were denied a speedy trial within the meaning of the Constitution. His right and only remedy would be to apply to the proper appellate court for a writ of mandamus to compel trial.

There were contrary indications of the existence of the power of discharge. For example, in *Ex parte Altman,* 34 F. Supp. 106, 108 (S.D. Calif. 1940), the court said:

> It is not questioned that the court, in the exercise of its jurisdiction, has the inherent power to order a dismissal for failure to prosecute. * * * We can conceive the anarchy which would result if the power to terminate a criminal proceeding for want of prosecution did not exist. Defendants might

> have prosecutions hang over their heads, like the sword of Damocles, for years, without an effort being made to bring them to trial. And yet, if the prosecutor should refuse to try them, and the court acquiesce, they would be at his mercy. The constitutional guarantee of speedy trial * * * would be brought to nought, if, when the court set a cause for trial and the prosecutor was not prepared to proceed, the court were powerless to dismiss it for failure to proceed diligently.

The purpose of the bill is to set such time limits as are set in various State statutes, to make them applicable to Federal prosecutions; and further to provide that if the Federal prosecutors did not comply with such time limits, the cases would be automatically dismissed.

It is true that in 1944, the "Federal Rules of Criminal Procedure," rule 48, made explicit the power of the district court to dismiss for want of prosecution. And there have been a few instances where this discretion has been exercised in favor of the defendant. See, for example, *United States* v. *McWilliams*, 163 F. 2d 695 (C.A. D.C. 1947); *Petition of Provoo*, 17 F.R.D. 183 (D. Md. 1955), aff'd 350 U.S. 857 (1955). The fact is, however, that the discretionary power in the courts is obviously inadequate as a reading of the annotations to rule 48(d) readily makes apparent. Two examples demonstrate the ineffectiveness of the rule. In *United States* v. *Van Allen*, 288 F. 2d 825 (C.A. 2d, 1961), dismissal was denied under the rule although the indictment was not filed until the very end of the period of limitations and then 6 years elapsed without the case being brought to trial. In *Harlow* v. *United States*, 301 F. 2d 316 (C.A. 5th, 1962), the indictment was not filed until 4 years after the alleged criminal act occurred and 2 years later the case still had not been brought to trial. A Federal court dismissed the case where there was a delay of 8 years after the indictment was returned. *United States* v. *Dillon*, 183 F. Supp. 541 (S.D.N.Y. 1960). But where the delay was only 7 years, all that the court was prepared to do was to set the case for immediate trial. *United States* v. *Research Foundations, Inc.*, 155 F. Supp. 650 (S.D.N.Y. 1957). Certainly the Federal courts have thus given a strange meaning to the constitutional requirement of a speedy trial. Certainly the Federal courts have not given effect to the meaning of the constitutional provision so cogently stated in 1 Cooley, Constitutional Limitations, 645, eighth edition, 1927:

> In this country, where officers are specially appointed or elected to represent the people in these prosecutions, their position gives them an immense power for oppression; and it is to be feared they do not always sufficiently appreciate the responsibility, and wield the power with due regard to the legal rights and privileges of the accused. When a person charged with crime is willing to proceed at once to trial, no delay on the part of the prosecution is reasonable, except only that which is necessary for proper preparation and to secure the attendance of witnesses.

III. STATE PROTECTIONS OF THE RIGHT TO A SPEEDY TRIAL

The States, by constitutional provision, by judicial decision, and by legislative action have generally been far more cognizant of the obligations of the State to its citizens to afford them a speedy trial. From the outset, the State courts have followed the construction offered by the Pennsylvania Supreme Court in 1827 in *Commonwealth* v. *Sheriff & Gaoler of Allegheny County*, 16 Serg. & R. 304:

> I think it was intended to provide against the abuse of a protracted trial, to provide not only against the malice of the prosecutor, but against his negligence, against all his delays, whether with cause or without cause, against every possible act, or want of action, of the prosecutor; but not to shield a prisoner in any case from the consequences of any delay made necessary by the law itself.

But the States were not satisfied to leave a discretionary power in the hands of the judiciary; they generally provided by statute that unless the defendant were tried within a specified period after indictment he was to be discharged. A few examples, chosen at random, reveal the approach of the majority of State jurisdictions.

A. KANSAS

In Kansas, section 10 of the State constitution requires "a speedy public trial," words not dissimilar to those of the National Constitution. The judicial construction of the provision has been made clear:

> This is not the grant of a mere privilege; it is the grant to an accused person of a right, of which he cannot be deprived by the laches of public officers. (*In re Trull*, 133 Kan. 165; *State* v. *Brockelman*, 173 Kan. 469.) Its provisions are a directive to prosecuting officers to act, and not to delay, the prosecution of persons charged with criminal offenses. (*In re Trull*, 133 Kan. 165, 169.) The whole responsibility of seeing to it that the accused is given a speedy trial therefore rests upon the prosecution and not the accused. (*In re Trull*, 133 Kan. 165, 168; *State* v. *Hess*, 180 Kan. 472, 474 (1956).)

The legislative implementation of the constitutional provision has really effectuated the policy thus stated. General Statutes 62-1431 and 62-1432 provide respectively that a defendant who remains in prison must be tried before the end of the second term of court following information or indictment; a defendant who has been bailed must be tried before the expiration of the third term.

> These statutes supplement the Bill of Rights and render it effective (*In re Trull*, 133 Kan. 165, 167) by prescribing a definite and uniform rule for the government of courts. (*In re McMicken*, 39 Kan. 406, 408.) They constitute a legislative definition of what is, under the circumstances named, a reasonable, and proper delay in bringing the accused to trial. (*In re Trull*, 133 Kan. 165, 167.) Their purpose is to carry into effect the constitutional guaranty of a speedy trial. (*State* v. *Campbell*, 73 Kan. 688, 695.) * * * An accused need not insist upon, nor even ask for a speedy trial, nor need he protest against or object to the delay. Failure to object to continuance is not equivalent either to an application for such continuance nor to a consent to the State's request for a continuance. (*Nicolay* v. *Kill*, 161 Kan. 667, 671; *State* v. *Dewey*, 73 Kan. 739, 741.) All that a defendant needs to do to retain the protection of the constitutional guaranty is to refrain from any affirmative act, application, or agreement, the necessary and discrete effect of which will be to delay the trial. *State* v. *Hess*, 180 Kan. 472, 474–75 (1956).

B. COLORADO

The situation in Colorado is similarly reflected in *Hicks* v. *People*, 364 P. 2d 877 (Colo. 1961). There defendant's counsel relied on the legislative supplementation to the State constitutional guarantee in Colorado Revised Statutes, 1953, 39–7–12:

> If any person shall be committed for any criminal or supposed criminal matter, and not admitted to bail, and shall not be tried on or before the expiration of the second term of the court having jurisdiction of the offense, the prisoner shall be set at liberty by the court, unless the delay shall have been on the application of the prisoner. If such court at the second term shall be satisfied that due exertions have been made to procure the evidence for and on behalf of the people, and that there are reasonable grounds to believe that such evidence may be procured at the third term, they shall have the power to continue such case until the third term.

Defendant also relied on section 16 of the Colorado constitution which guaranteed a speedy public trial. The attorney general sought to excuse the delay, inter alia, on the ground that the defendant was on bail and the statute therefore not applicable and on the ground that the defendant had never demanded a trial and so had waived the right to a speedy trial.

> With reference to point 1 above, it is sufficient to say that the statute relied on * * * cannot be effective to place any limitation upon the constitutional right of an accused person to have a speedy public trial. In the instant case the trial was had, over defendant's objection, in the fourth term of court following the assumption of jurisdiction and after a delay of 14 months. We think the following language of this court in *In re Miller*, 66 Colo. 261, 180 P. 749, 750, is applicable: "The fact that he was at large under bond manifestly does not divest him of the right to that speedy trial which is guaranteed by the Constitution, and regardless of the statute he is in any event clearly within section 16, article 2 of the Constitution, and under the facts disclosed entitled to the relief prayed." * * * The defendant is not under a duty to demand trial within any specific time before he can claim the protection of a mandatory provision of the Constitution which says that he "shall have the right to a speedy public trial." 364 P. 2d at 879–880.

C. OKLAHOMA

In re Gregory, 309 P. 2d 1083 (Okla. Cr. 1957), affords a third typical example of State judicial and statutory, as well as constitutional, provisions for the effectuation of the right to a speedy trial.

> On the issue of the defendant's right to dismissal of the charges for failure to afford him a speedy prosecution, this court has expressed itself in numerous cases. In *Hembree* v. *Howell*, 90 Okla. Cr. 371, 214 P. 2d 458, 460, we quoted from *Brummitt* v. *Higgins*, 80 Okla. Cr. 183, 157 P. 2d 922, as follows: "The bill of rights of the Oklahoma constitution provides: 'Right and justice shall be administered without sale, denial, delay, or prejudice,' article 2, section 6; and further 'in all criminal prosecutions the accused shall have the right to a speedy and public trial by an impartial jury of the county in which the crime shall have been committed.' Article 2, section 20."

Title 22 O.S. 1941 section 812, provides:

> If a defendant, prosecuted for a public offense, whose trial has not been postponed

> upon his application, is not brought to trial at the next term of court in which the indictment or information is triable after it is filed, the court must order the prosecution to be dismissed unless good cause to the contrary be shown. 309 P. 2d at 1085.

The Court of Criminal Appeals then proceeded to rule that the absence of funds to provide for criminal trials at the next term of court was not an adequate excuse, nor was the failure of the defendant to demand a trial. The court's peroration, if a bit long is nonetheless worthy of repetition:

> The fact that this accused may have been charged with the commission of several heinous crimes by no means diminishes the gravity of the denial of his right to a speedy trial, in view of the fact that regardless of the charges pending against him, he too is presumed to be innocent until proven guilty. While right to a speedy trial by jury is essentially a benefit for the innocent, no governmental power may prejudge the accused and deny the right. It must, as it has always been under constitutional government, be open to all alike, the guilty as well as the innocent. The right to speedy trial being one of the imperative obligations of government in this country, it is one that must be met. It cannot be lightly regarded or entirely evaded because of inconvenience or lack of funds. It is the intention of this court to maintain the rights of every citizen, regardless of the fact that sometimes it seems the law moves with leaden feet.
>
> It has been rightfully said, the price of liberty is eternal vigilance. On many occasions since this case was published at the time of the hearing, we have been asked "How could such delay prevail in this country in the face of the constitutional provision for speedy trial?" The answer is, the remonstrative voice of an accused oftentimes. cannot be heard from behind prison walls. The people, being uninformed of his plight, have no cause to be disturbed. Hence, the accused, as a prisoner, must depend upon the judiciary and especially the local judge under whose jurisdiction he first feels the force of law. If the judge, under whose jurisdiction he falls, lacks interest, is lethargic toward his responsibilities, or is derelict to duty, "Lo freedom weeps, wrong rules the land, and waiting justice sleeps." There is no higher duty of the judiciary than to rise in preservation of the rights of those who unfortunately become enmeshed with the law, and whose rights are either being ignored or trampled underfoot. The judge, under his oath, is bound to uphold the Constitution of the United States and the State of Oklahoma, as well as the statutory rights of the people, the guilty as well as the innocent, the ignorant as well as the educated, the poor as well as the rich. Judges have no other choice under the law. They should seek no other course. The trial judge controls the setting of cases on the dockets. In fact, in so doing he is the primary bulwark between the accused and despotic delays. It should not require 16 months for judicial intervention on the local level into a situation as herein involved. For, the judge on that level is the watchman to whom those silent sentinels of constitutional safeguards repetitiously cry out, "Watchman, what of the night?" Our Founding Fathers, steeped in historical examples of abuse of power, were unwilling to rest the safeguards of the Bill of Rights alone to the uncertainties of judicial fervor which sometimes falters or may fail in the protection of sacred rights. Instead they insisted that these rights be spelled out in black and white in the Bill of Rights, U.S. Constitution sixth amendment, and in article 2, sections 6 and 20, Oklahoma constitution, which do not require a lawyer to interpret. Then, to make doubly sure, Oklahoma's founders by legislative action spelled out definitive limitations in 22 O.S.A. section 812 to the right to a speedy trial, apparently to relieve it of elasticity and prevent relaxation of its true meaning through judicial interpretation. All this they did in order that the right to speedy trial might not be frittered away and the citizen made a pawn of dictatorial government and a slave of despotic police action. Through sacrifice and bloodshed, the precious Bill of Rights was won. Jealously, these rights have been guarded through the years. To their perpetuation both judges and the laity should assert themselves with increased devotion for therein lies the security of freemen in America; men who are masters of the State and not slaves of despotic power (309 P. 2d 1087–88).

D. NEW YORK

New York provides a fourth example in the opinion by Chief Judge Desmond in *People* v. *Wilson*, 8 N.Y. 2d 391 (1960). New York does not have a constitutional provision commanding speedy trials in criminal cases. Its statutes made for some ambiguity, not about the right to a dismissal for failure of prompt prosecution but rather as to the right to reindict after the original dismissal. It was this issue that the court of appeals resolved in favor of the fundamental right to prompt trial. The court, in Wilson, said:

> Section 8 of our Code of Criminal Procedure and section 12 of the Civil Rights Law list a speedy and public trial as one of the rights of a defendant in a criminal trial. This affirmation as our Prosser opinion [*People* v. *Prosser*, 309 N.Y. 353] points out, is no less a guarantee because not written into our State constitution. The method of enforcement of the right is described in section 668 of the Code of Criminal Procedure under which this defendant won his dismissal, and which directs a dismissal on defendant's motion if the defendant be not brought to trial at the next term of the court in which the indictment is triable and no good cause is shown for the delay. This defendant moved for and was entitled to dismissal 21 months after indictment and won a dismissal more than a year after the making of the motion, only to be reindicted and brought to trial and to a guilty plea four and a half years after the original indictment had been found. Justification for this incongruous result is discovered in two statutes: section 673 of the Code of Criminal Procedure, which asserts that an order for dismissal is not a bar to another prosecution if the offense charged be a felony, and section 142 of the Code of Criminal Procedure, which sets a 5-year limit for commencing the prosecution of felonies.
>
> These statutes cannot reasonably be reconciled—or, at least, they cannot all be literally applied in cases like this. If we read section 673 as complete and automatic permission for reinstatement of a felony indictment after a section 668 dismissal, we produce a result that cannot be squared with the guarantee of a speedy trial as found in the other statutes. Everyone now agrees that the right to a prompt trial is a fundamental one. The State of New York does not present a fundamental right with one hand, and take it away with the other. As Judge Fuld wrote in *People* v. *Prosser* (309 N.Y. 353, 356, *supra*): "The speedy trial guarantee, preventing undue delay between the time of indictment and trial, serves a threefold purpose. It protects the accused, if held in jail to await trial, against prolonged imprisonment; it relieves him of the anxiety and public suspicion attendant upon an untried accusation of crime; and, finally, like statutes of limitation, it prevents him from being 'exposed to the hazard of a trial, after so great a lapse of time' that 'the means of proving his innocence may not be within his reach'—as, for instance, by the loss of witnesses or the dulling of memory." The delay in the present case was almost as long as that in Prosser's but, since the second indictment against this defendant was not less than 5 years after the crime, the long delay was held to be without sanction or remedy. Whatever may be the result under other combinations of facts, we should hold that this defendant did not get the "speedy trial" guaranteed him. 8 N.Y. 2d at 395–96.

These four examples purport to be nothing more than that. Over 40 States of this Union have constitutional and statutory protections for the right to a speedy trial that far exceed those that are now available to a defendant in a Federal court. The insistence of the legislature on the enforcement of this right has been the primary means by which the rights of the accused are protected in this area. Along with the legislatures of a small minority of States, the legislature of the United States has been laggard on this score. There is no reason why it should remain so.

Mr. President, there are such statutes in New York. But the courts of New York talk about a fundamental right, under our American system of justice, to a speedy trial. The withholding of a speedy trial with such delays as those upon which the courts have commented, and which are involved in the decisions I have cited and from which I have quoted in my manuscript, constitute a denial of justice, justifying the courts in ordering a dismissal of further prosecution or the setting aside of convictions already obtained.

All I am seeking to do in the bill is to give to American citizens, when being prosecuted by Federal prosecutors, the same precious guarantee that they have as American citizens in the States when being prosecuted by State prosecutors. Such a provision is long overdue. As I said earlier today, the fact that the question arises at a time when there is a cause célèbre, which was discussed by one of the authorities I cited, should not in any way influence us in the Senate to delay any longer seeing to it that this correction in Federal criminal justice feature is adopted. It should have been done years ago. We ought to do it now.

Before the Senator from South Carolina leaves the Chamber, I desire to say to him that I could not have had a greater encouragement paid me than to have the chairman of the subcommittee of the Senate Judiciary Committee, to which committee bills of the type proposed are usually referred, not only tell me that he was in favor of the objective that I seek in connection with the bills, but ask to be a cosponsor of them. I do not know how a man could express his convictions and beliefs better than that. As I did in his absence earlier today, I thank him in his presence for his statesmanship in connection with this subject. I do not think that we ought to let this void in our code of criminal procedure go any longer. We ought to plug the void by the passage of these bills, so that the benefit of these guarantees can be made available to all defendants—I do not care what their names are—to Communists, to anarchists, to Socialists, to murderers, to rapists, to prostitutes—all of whom may be charged with crime, guilty or innocent, for, as I tried to point out earlier today, I shall not be deterred by names of individuals to whom the bills might be applied. We are dealing with an abstract principle of justice. Congress has been derelict for decades in this matter, but not the legislatures of what I understand are nearly 40 or more States that have put into State statutes the abstract principle of guarantee of a fair trial, for which the Senator from Oregon and his cosponsors are pleading this afternoon.

Mr. JOHNSTON. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from South Carolina.

Mr. JOHNSTON. I thank the Senator for his remarks. I, too, believe that anyone who is indicted or accused is and should be considered innocent until he is proven guilty. For that reason such persons ought to have certain rights and privileges. It makes no difference who they are. I agree thoroughly with the Senator in his way of looking at the laws of our land.

Mr. MORSE. I thank the Senator very much.

Mr. President, I wish to discuss this subject under the fourth heading.

IV. THE MANY FACES OF THE PROBLEM OF DELAY OF PROSECUTIONS

Unnecessary and unreasonable, and really unconstitutional, delay in the prosecution of criminal cases in the Federal courts is to be found at almost every stage of the process of criminal adjudication.

A. DELAY IN BRINGING CHARGES

First, there are the many instances in which the Government, aware of an alleged violation of the law, fails to bring charges against the accused not because it does not intend to make the accusation but because it prefers to hold the threat of prosecution over the head of the alleged wrongdoer. The problem is spelled out in some detail in a very able note in 5 Stanford Law Review 95 (1952). This problem is probably the least amenable to legislative resolution. It can be handled by a courageous judiciary by invoking the doctrine of laches to prevent a stale prosecution brought within the period of limitations set by statute. The power would seem to have been granted by rule 48(b) of the Federal Rules of Criminal Procedure, which provides:

> If there is unnecessary delay in presenting the charge to a grand jury or in filing an information against a defendant who has been held to answer in a district court * * * the court may dismiss the indictment, information or complaint.

Despite this clear language, however, the courts have held that "delay from the time of the commission of the offense to the commencement of the criminal proceedings is controlled by the statute of limitations." *Hoopengarner* v. *United States*, 270 F. 2d 465 (C.A. 6th 1959); *Harlow* v. *United States*, 301 F. 2d 361 (C.A. 5th 1962).

The proposed statutory provisions would make clear that the court may dismiss for unnecessary delay in seeking an indictment or filing an information or complaint, even where the period of limitations has not yet run. If this proves ineffective, it may be necessary to reexamine the various applicable periods of limitations to limit the possibilities of abuse of the kind just noted.

B. DELAYS RESULTING FROM NOLLE PROSEQUI

One of the methods used, or abused, by prosecuting officials to secure delay is the voluntary dismissal of an indictment or information by the Government, which then later secures or files an indictment or information alleging the same charges. This power of repetitive accusation results from the fact that a nolle prosequi is not treated as a dismissal on the merits and is, therefore, not a bar to further prosecution. See, for example, *United States* v. *Fox*, 130 F. 2d 56 (C.A. 3d 1942), cert. den., 317 U.S. 666. Until 1948, the Federal prosecutor would appear to have had absolute discretion to secure a voluntary dismissal. See *Confiscation* cases, 7 Wall. 454, 457 (1869). The fact that the defendant has been put to considerable trouble and expense preparing the defense and is stranded without exoneration by the voluntary dismissal is no barrier to its entry by the court. See, for example, *United States* v. *New York Great Atlantic & Pacific Tea Co.*, 54 F. Supp. 257 (N.D. Tex. 1944).

The 1948 promulgation of the Federal rules took a partial step toward limiting the discretion of the prosecutor. It provides that—

> The Attorney General or the U.S. attorney may by leave of court file a dismissal of an indictment, information or complaint and the prosecution shall thereupon terminate. Such a dismissal may not be filed during the trial without consent of the defendant.

This is only a limited inroad on the abuse of power that is possible. The readiness of the courts to indulge the prosecutor by a dismissal without prejudice is apparent. See, for example, *Nesbitt* v. *United States*, 249 F. 2d 17 (C.A. 6th 1957). Correction of the evil can be effected by making the dismissal a bar to a later prosecution.

The proposed amendment to the judicial code would accomplish this end.

C. MULTIPLE INDICTMENTS

A third means of keeping a sword hanging over the head of an accused that is used by the Government is the filing of multiple indictments in different districts charging the same or related crimes or even unrelated crimes, with freedom in the prosecution to decide which indictment it will move on and at what time. The defendant is put to the necessity for preparing multiple defenses without knowing which case will be tried first or which will be tried at all.

Let us take a look at how the Government operates in the preparation of such cases. We should not forget that in my hypothetical there is only one defendant, but the Department of Justice has many lawyers. So they get the multiple indictment and say to the first group of lawyers, "You get ready and prepare this case." To the next group of lawyers they say, "You get ready and prepare this case." And to another group of lawyers they say, "You get ready and prepare the third case." But the defendant must get ready on all three. Under the existing procedures he does not have the slightest idea when the sword will fall.

What I seek to do by the bill is to provide that the indictments shall be taken in order, and that the defendant shall be allowed to prepare his defense on the first indictment; and that that indictment shall be tried before any other indictment is tried. And, if the Government wanted to dismiss the indictment, that would be all right, but that would dismiss the charge, unless the defendant joined in the motion to dismiss. The defendant is entitled, as we all know, to a reasonable time to proceed to prepare for the second batch of Government attorneys who have been working on the second indictment. And there would follow the same procedure.

What is unfair about that?

Earlier this afternoon I said that, after all, when one stops to analyze our system of American justice, he finds that it is based upon the foundations of fairplay which we learn as little children the first time we walk on the playground. It explains in no small measure why, as a people, we are so just.

We cannot reconcile the multiple indictment system with fair play. The defendant is kept in doubt as to what indictment will be tried first; or whether there will be a telephone call to the judge by the prosecuting attorney to get the indictment dismissed, without any conference with the defendant, only to have the defendant, 6 months later, reindicted on the same charge. That cannot be reconciled with fairplay.

The Senator from Oregon is introducing a fairplay bill. He is introducing a bill which is reconcilable to the rules of the American playground. He is introducing a bill which any fairminded person will say is fairplay. He is saying to the Department of Justice, "Make up your minds, boys, what case you will try first under what indictment, and bring that indictment; and then you will be bound to try that case in that order of indictment."

The other procedure, of multiple indictments, with no rule as to which indictment shall be tried first, is referred to very often in the legal field as "shopping for jurisdiction."

Get an indictment in jurisdiction X. Then get a second indictment in jurisdiction Y, involving some of the same alleged illegal conduct. Then get an indictment in jurisdiction Z; in Tampa, Chicago, and Nashville; or in any other case in San Francisco, Oklahoma, or New York City; or in any other case in New Orleans; Houston, Tex.; or Portland, Oreg. Keep the defendant guessing. Delay and delay. Dismiss an indictment without consultation with the defendant, and then reindict 6 months later.

What kind of game is that? What does this kind of procedure have to do with the concept of justice we have been talking about all afternoon? It is foreign to it.

What do I seek to do? I seek to bring the American playground into the American courtroom, for the rules of fairplay of the playground ought to be applied in the procedures of the courtroom.

So the bill says, "Bring as many indictments as you wish, but try them in the order you bring them, and if you dismiss without the consent of the defendant or the joining of the defendant, you have dismissed the charges for good."

In order to avoid a misunderstanding of my position, I want to say it is obviously undesirable to set a limit on the number of accusations the Government may properly make against a single defendant. They should be permitted to make charges wherever there is evidence sufficient to satisfy a grand jury or a magistrate that such charge might be sustained. It is equally obvious, however, that the defendant should be protected against the abuse of such procedure. Indeed, only a partial protection is feasible and that is the one preferred in the bill: the Government shall proceed against the defendant in the order in which it has brought the accusations.

D. DELAY BETWEEN INDICTMENT AND INFORMATION AND TRIAL

A majority method by which the defendant is denied his right to a speedy trial is the simple delay in commencing a trial after indictment or information. This is perhaps the most important, in terms of quantity, but at the same time the most readily curable evasion of the constitutional guarantee. The States, as described above, have cured this problem, to the extent that it is curable, by fixing the time within which the trial must take place. The proposed bill adopts this approach but, because terms of court are no longer significant in the Federal courts, it substitutes a time period broad enough to allow preparation for trial to both the prosecution and defendant, but not so gross as to permit the continuation of the denial of a defendant's rights to a speedy trial.

I think that is a very fair time limitation. I think it, too, will appeal to fair-minded people.

E. DELAY BETWEEN CONVICTION AND SENTENCE

A defendant convicted of a crime but not yet sentenced is, of course, beholden to those who might influence the terms of the sentence. By postponement of the sentence day, the prosecution is in the position to compel action or inaction by the defendant which is inimical to the proper pursuits of justice by the prosecution. It is conceded that postponement of sentence improperly could constitute a violation of the right to a speedy trial—see *Pollard* v. *United States*, 352 U.S. 354 (1957). It is not agreed as to how long it is proper to put off sentence. Both the Supreme Court, over vigorous dissent—see *Pollard* v. *United States, supra*, and lower Federal courts—see *Kaye* v. *United States*, 235 F. 2d 187 (C.A. 6th 1956)—have sustained sentences imposed as late as 2 years after conviction, in spite of the fact that rule 32(a) requires the imposition of sentence "without unreasonable delay." It had long been the rule in American courts that "it is the duty of the court on a conviction or plea of guilty to impose sentence within a reasonable time, and an indefinite postponement of sentence deprives the court of jurisdiction over the prisoner, and a subsequent sentence is without judicial authority and void"—3 ALR 1003, 1004; 97 ALR 802. Generally, this required sentence by the expiration of the term following that within which the judgment of guilty was entered. In the absence of the possibility of using terms of court in the Federal system, it is suggested that a fixed period of time be set forth in the statute, within which sentence must be imposed. The period of time must be broad enough to permit securing appropriate reports on which the sentence may be based, but not so long as to result in a deprivation of defendant's constitutional right.

That is exactly what I have provided in the bill. We say, "You must have time, of course, to make an investigation for parole or probation, but you must fix a sentence within a reasonable time, and you will not be allowed to keep this convicted person in doubt as to the final disposal of his case." Sentence is a very important part of the disposal of a case.

F. DELAY BETWEEN CONVICTION AND APPELLATE REVIEW

The bill is silent on the last of the problems of delay which plagues the Federal courts, the one to which Mr. Justice Frankfurter's quotation adverts, the delay in completing appeals. This is, perhaps, peculiarly within the province of the courts to reform. And with the example set forth by the proposed statute, it is to be hoped that the courts will give serious study to the issue. For it is here that legislative intervention should follow only after judicial abdication of the power to clean its own house.

G. CONCLUSION

The proposed legislation is necesary to give effect and meaning to the constitutional command to proceed with diligence in the trial of criminal cases. Certainly the legislation will, in some ways, inhibit the power of the prosecuting authorities. The constitutional provision was intended to limit that power. It is hard to understand how an executive branch of the Government which has been so active in seeking to impose its notions of civil liberties on the various States can refuse to convince by example when it is prepared to coerce by force. It would seem hardly possible that a President who, in his state of Union message, proclaims the need for providing counsel to impecunious defendants, would countenance the deprivation of those essential rights without which the right to counsel is only a mockery.

Mr. DODD. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. DODD. I regret that I was not present to hear the entire statement of the distinguished Senator from Oregon on this important matter. I am somewhat familiar with the two bills, and I believe it is typical of the Senator from Oregon that he would take such a deep interest in the problems he has been discussing here this afternoon. It is of the greatest importance that we make corrections along the lines he proposes.

For some time, dating back to the days when I was an assistant U.S. attorney in my own State, I have been aware of these great defects. I often thought that, somehow or other, we should remedy them.

The Senator from Oregon, in my opinion, has given us real remedies. If we are to talk about fair play and even-handed justice, it is high time that we corrected the situation.

Again, I commend the Senator from Oregon. I hope the other Members of the Senate will read what he has had to say and will join in support of the two proposals which he has submitted.

Mr. MORSE. Mr. President, I cannot begin to express my appreciation for the remarks made by the Senator from Connecticut [Mr. DODD], because the American people, or those who have become interested in this subject matter sufficiently to read the RECORD, should know that the Senator from Connecticut not only is one of the most able lawyers in the Senate, but is a man who comes to us with a long background of official experience in the field of prosecution. He knows the prosecution side. As a lawyer, he knows the defense side. He has a very able record of investigating in this field. He has demonstrated over and over again his insistence that we always do those things necessary to guarantee to the American people that their procedural rights will be protected.

In closing my statement on this subject, before I turn to the other subject which I shall discuss briefly this afternoon, I want to say in summary that I have introduced these two bills because, in my judgment, the Federal statutes have a great void in them in respect to the rights of individuals encompassed by these bills. The bills would fill that void, and there would be a fairer system of justice if the bills were enacted into law.

I thank my many colleagues who have participated with me in the discussion this afternoon. I sincerely hope, after the bills go to committee next Tuesday, that there will be early hearings. I hope many of my colleagues will participate as witnesses in those hearings.

I announce now to the Judiciary Committee that I shall submit a list of experts that I hope the committee will see fit to call as witnesses, because I am satisfied that as the legal scholars are called in to testify on these bills, I will get support in addition to the very helpful support I received this afternoon on the floor of the Senate.

COSPONSORING A BILL TO IMPLEMENT ARTICLE VI OF THE BILL OF RIGHTS

Mr. FONG. Mr. President, article VI of the U.S. Constitution's Bill of Rights provides:

> In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the crime shall have been committed.

This basic right to a speedy trial is accorded all American citizens who are accused of committing a crime. I believe the purpose of the sixth amendment to our Constitution was to—

First. Prevent the Government from delay in bringing charges against the accused;

Second. Prevent the Government from repeatedly bringing the same charge against the defendant by securing a voluntary dismissal of previously filed charges;

Third. Prevent the Government from filing multiple indictments in different districts charging the same related, or unrelated crimes, but having the freedom to decide which indictment to prosecute and at what time, thus preventing a defendant from knowing which case will be tried first, if at all;

Fourth. Prevent a long delay in beginning a trial after charges have been filed; and

Fifth. Prevent any delay in imposing sentence on the convicted defendant.

Therefore, I have joined with my colleagues in cosponsoring a bill to implement each of these sixth amendment protections.

I believe that this bill effectuates the Constitutional guarantee of fairplay in criminal proceedings, in that the Government should always proceed without undue delay.

In this regard, many have raised the question as to whether some of these constitutional standards of fairplay have not been followed in the James Hoffa case.

As a member of the Senate Judiciary Committee and as one who has the highest regard for our judicial processes, I am constrained to make a few observations.

An article appearing in the Washington Post on May 15, 1963, reports on the background of the Government's effort to bring Hoffa to trial. Since the publication of the article, an eighth indictment has been brought after a seventh indictment was dismissed.

The Department of Justice has brought criminal charges against Hoffa eight times, and in none of the cases has he been found guilty of the charges brought against him.

The Government may well have enough evidence in the eighth indictment to prove, beyond a reasonable doubt, that he is guilty as charged. If this is so, he should, of course, be brought to trial.

Until the trial has been completed, we do not know whether or not he is guilty of the charges against him. Should the evidence be insufficient for a conviction, however, then in my judgment no indictment should have been brought in the first instance. For, in my estimation, another failure to secure a conviction might lessen our people's high regard for our judicial process. It would again raise many questions—already noted in the Washington Post article—as to the propriety of the indictments and as to whether there has been fairplay in bringing these indictments.

Because of its timeliness and significance, I ask unanimous consent that the Washington Post article by James E. Clayton, entitled "Battle of R. F. Kennedy, Hoffa at Decisive Stage," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BATTLE OF R. F. KENNEDY AND HOFFA AT DECISIVE STAGE

(By James E. Clayton)

The angry battle that began 7 years ago between Robert F. Kennedy and James R. Hoffa has now reached the decisive stage.

It came on Thursday when a special Federal grand jury in Nashville charged the Teamster boss and six associates with attempting to bribe jurors during a trial held there last fall.

Kennedy and the Justice Department, long sensitive to charges that a vendetta is being conducted against Hoffa, may well have staked their last hopes of nailing him on this case.

An acquittal, Justice Department officials admit privately, would seriously prejudice any future charges that might be brought against Hoffa. It could convince many that Hoffa's claim of persecution is true.

A conviction, on the other hand, might put Hoffa out of action for a long time. Each of the five counts in the indictment against him carries a maximum sentence of 5 years in prison and a $5,000 fine.

The claim of persecution is one that Hoffa has returned to again and again in recent months.

In Los Angeles in February, when he was called before a grand jury, Hoffa said, "Bobby Kennedy is using his Office, in violation of his oath of office, to continue the persecution campaign."

SEES A GESTAPO

In Denver in March, Hoffa charged that Kennedy was trying to break the Teamsters with "a conspiracy * * * to create a Gestapo of 76 police agents, 23 prosecutors, and 32 grand juries."

In New York in April, Hoffa said Kennedy was running a vendetta because "he never in his life ran up against a situation he couldn't dominate. He's just a spoiled young millionaire."

Kennedy's response has been merely to deny any vendetta and to refuse further comment because Hoffa was under indictment. This does not mean that the Attorney General has changed his once-expressed view that Hoffa is the most sinister figure in the Nation because of his "venality, his shady business deals, his gangster connections, his roughshod abuse of democratic procedure within the union."

In almost every battle between the two, Kennedy has come out second best.

Hoffa was indicted in 1957 in the bribery of an investigator for the McClellan committee. Kennedy, counsel for the committee, said he would jump off the Capitol if Hoffa was acquitted. Hoffa was acquitted and offered to send a parachute.

Afterward came a drive aimed at ousting Hoffa from leadership of the Teamsters, a drive in which Kennedy played a major role. Hoffa is still the Teamsters international president.

A year ago, Hoffa was indicted in Nashville for accepting a million dollars in payments from a company with which his union negotiated contracts. The jury, which Hoffa is now charged with attempting to fix, was unable to reach a verdict. Seven jurors reportedly voted for acquittal and five for conviction.

Two other Federal cases have been brought against Hoffa in recent years, both of them filed during the Eisenhower administration when William P. Rogers was Attorney General. One was a charge of conspiring to tap telephones. Hoffa was acquitted. The other, a charge of mail fraud, is still awaiting trial in Florida.

LIMITED U.S. SUCCESS

In the meantime, however, Kennedy and the Justice Department have had some limited success. In the last 2 years, 126 Teamster leaders and associates of Hoffa have been indicted. Of these, 56 have been convicted and 8 acquitted. The others await trial.

This volume of cases has come out of a section of the criminal division of the Department of Justice sometimes referred to as the Hoffa section. Its jurisdiction covers more than the Teamsters, however, and it has successfully prosecuted leaders of other unions, ranging from the United Auto Workers to the old Bakery Workers Union.

It has been clear that the next case against Hoffa would be carefully selected so that the chances of a conviction would be unusually high. But the jury-tampering charge took the choice of cases out of Kennedy's hands.

Judge William E. Miller, who presided over the Nashville trial, ordered a special grand jury after hearing evidence which he said indicated attempts "by close labor-union associates of the defendant to contact and influence certain members of the jury."

During that trial, Judge Miller had removed two jurors. Hoffa and others are now charged with offering money to the son of one of these and promising to aid in getting a promotion for the husband of another if they would influence the jurors to vote for an acquittal.

Mr. KEATING. Mr. President, these two bills deal with very difficult sixth amendment problems which deserve the attention of Congress.

The right to a speedy trial is essential to the fair and effective administration of justice—and yet we know that in many cases years elapse between the indictment of a defendant and the final disposition of his case. The law's delays are not confined, of course, to criminal cases, but the burden of delay, I am certain we would all agree, is much more onerous where life and liberty are so directly involved.

The Federal Rules of Criminal Procedure authorize dismissal of an indictment for want of prosecution, and, of course, there is a statute of limitations for virtually every criminal offense. But it may well be that additional legislation is needed to discourage any unfair delaying tactics in Federal criminal cases, and certainly this bill should be given consideration by the Congress.

The right to an impartial trial stands on at least the same elevated plane as the right to a speedy trial. The legislation proposed would implement this constitutional safeguard by subjecting to summary contempt proceeding any Federal prosecutor or defense attorney who publishes "information not already properly filed with the court which might affect the outcome of any pending criminal litigation."

Under our concepts of due process, of course, cases must be tried in the courts and not in the newspapers, and public comments by lawyers on the merits of pending cases generally is condemned by the canons of professional ethics. However, the right of a free press and the people's right to know also become involved in some instances, and the American Bar Association does recognize that there may be extreme circumstances in some cases which justify a statement to the public, despite the general prohibition.

In addition, the Supreme Court has narrowed very considerably the conditions under which contempt of court cases may be tried summarily, and it may be that the bill will need revision in view of these precedents.

In general, however, both of these proposals deal with fundamental concepts of fairness in the administration of justice. As a member of the Senate Committee on the Judiciary, I will certainly cooperate in having them carefully considered by the committee on their merits.

AMENDMENT OF EXPEDITING ACT

Mr. JOHNSTON rose.

Mr. MORSE. Mr. President, I am delighted to note the presence in the Chamber of my friend, the Senator from South Carolina [Mr. Johnston], about whom I spoke earlier today. I want him to know that I have added his name as a cosponsor of the two bills I have introduced today. At the time when I introduced them, I stated—in line with my understanding at that time, because the Senator from South Carolina had been involved in an automobile accident, from which he is making a speedy recovery, I am glad to say—that he would not be here today, to join in sponsoring these bills. I am delighted that he has now returned to the floor, and we are greatly relieved to learn, from his personal appearance, that his injury was no more serious than it was.

At this time, I wish to yield to him.

Mr. JOHNSTON. First, Mr. President, let me say that I appreciate very much the kind remarks of the senior Senator from Oregon. Senator Morse is one of my closest friends, and I regard him as one of the best Members of the U.S. Senate.

Mr. MORSE. Mr. President, I appreciate the Senator's kind remarks.

Mr. JOHNSTON. Mr. President, I now wish to introduce a bill similar to the bills the Senator from Oregon has introduced.

There was published on June 24, in the Washington Post, an editorial entitled "Unnatural Burden." It calls attention to the fact that the Supreme Court has said something should be done along the lines of the bill I am now introducing.

I ask unanimous consent that the editorial be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Unnatural Burden

A footnote appended to the Supreme Court's opinion in the case of the Singer Manufacturing Co. should have prompt attention in Congress. Back in 1903 Congress provided that in antitrust suits brought by the Government appeals from the judgment of a district court would go directly to the Supreme Court. The Singer case came directly to the Supreme Court from the Southern District Court of New York, which had dismissed the Government's antitrust charges. The Supreme Court took the case, as Justice Clark noted in his opinion, only because a decision not to take it would have deprived the parties of any appellate review.

As a result the Supreme Court had to examine a record of 1,723 pages, in addition to briefs and the arguments of counsel. Eight justices joined in a most unusual declaration that such "direct appeals not only place a great burden on the Court but also deprive us of the valuable assistance of the court of appeals." If there was ever any point in imposing this special obligation on the Supreme Court, it has long since vanished with the multiplication of the Court's responsibilities. Congress should respond at once to the Court's call for relief.

Mr. JOHNSTON. Mr. President, on behalf of myself and the Senator from Nebraska [Mr. Hruska], I now introduce, for appropriate reference, the bill which I send to the desk.

This bill responsive to suggestions by two Justices of the Supreme Court—and concurred in by all but one of the Justices—that the present system of direct and automatic Supreme Court review of all district Court judgments in civil antitrust cases brought by the Justice Department operates to place an unnecessary burden on the crowded Supreme Court docket, and is no longer appropriate in most antitrust cases.

The bill is endorsed by a unanimous resolution of the board of governors of the American Bar Association; it was drafted by members of the association's section of antitrust law.

The bill would repeal the Expediting Act with respect to civil antitrust cases brought by the Justice Department. Its principal effect would be to eliminate automatic direct appeal from the trial court to the Supreme Court in such cases, thus placing them on an equal footing with other government civil litigation in which appeals from district court decision ordinarily go to the courts of appeals, with discretionary review in the Supreme Court thereafter under its certiorari jurisdiction.

The bill would leave the Expediting Act intact as to certain Interstate Commerce Commission cases to which it is also applicable.

The Expediting Act was enacted in 1903 to provide special procedures for the trial and appeal of suits in equity, brought by the United States, under the Sherman Act, the Interstate Commerce Commission Act "or any other acts having a like purpose." After the procedural merger of law and equity, the act was amended to apply to any "civil action" brought by the United States under these statutes.

Section 1 of the Expediting Act provides that, in cases to which the act applies, the Attorney General may file with the district court a certificate that, in his opinion, the case is of "general public importance," whereupon the action shall be tried before a three-judge court, assigned for hearing at the earliest practicable date and "in every way expedited."

Section 2 provides that, regardless of whether the action is originally tried by a one-judge or three-judge court under the procedure authorized by section 1, any appeal from the trial court's final judgment lies only to the Supreme Court.

Whatever valid arguments may have existed in 1903 in support of the Expediting Act, it has been clear for some time that the act is today an anachronism in the antitrust field.

Section 1 has long since fallen into disuse. With dockets as crowded as they are today, the Federal judiciary has made clear its antagonism to three-judge trial courts, and it has been many years since the Attorney General invoked such a court.

Unfortunately, however, section 2 of the Expediting Act, which routes appeals from final district court judgments directly to the Supreme Court, has not been permitted to die a natural death. This is because, as indicated, the provisions of section 2 are mandatory and operate wholly without regard to the wishes of the Attorney General, the private defendant, or either of the courts involved.

For some time strong sentiment has developed for the repeal of the Expediting Act, particularly section 2 with its mandatory direct appeal provisions.

Opposition to mandatory direct appeal is based on recognition that, whereas in 1903 antitrust cases involved pioneering questions of judicial interpretation, the majority of such cases ought not to go directly to the Supreme Court. Such cases are today largely fact cases, typically involving detailed economic inquiry and analysis of thousands of pages of record.

Careful and thorough Supreme Court review of such massive records is, considering the overcrowded docket of that Court, virtually impossible. As a result, neither party—the Government or the private defendant—may receive the thorough review of the record to which it is entitled under the Federal Rules of Civil Procedure and which it would receive, if the burden were spread among the courts of appeals, whose workloads are generally considerably less.

Supreme Court dissatisfaction with the Expediting Act stems from the same considerations, and was made explicit by two of the Justices in the recent Brown Shoe case. (*Brown Shoe Co., Inc.* v. *United States*, 370 U.S. 294 (1962)). Justice Harlan, in a concurring opinion, stated:

> I venture to predict that a critical reappraisal of the problem would lead to the conclusion that "expedition" and also, overall, more satisfactory appellate review would be achieved in these (antitrust) cases were primary appellate jurisdiction returned to the court of appeals, leaving this Court free to exercise its certiorari power with respect to particular cases deemed deserving of further review (370 U.S. at 364–365). (See also the opinion of Justice Clark, 370 U.S. at 355.)

Justice Clark expressed similar views in a separate opinion in the Brown Shoe case, 370 U.S. at 355. And in a footnote to the Court's opinion in the very recent Singer Mfg. Co. case (— U.S. —— (June 17, 1963)), in which eight Justices concurred, Justice Clark stated:

> Whatever may have been the wisdom of the Expediting Act in providing direct appeals in antitrust cases at the time of its enactment in 1903, time has proven it unsatisfactory. (See, e.g., Gesell, "Much Needed Reform—Repeal of the Expediting Act for Antitrust Cases," 1961 Antitrust L. Sym. 98.) Direct appeals not only place a great burden on the court, but also deprive us of the valuable assistance of the court of appeals.

The purpose of my bill is exactly as suggested by Justices Harlan and Clark, to return primary appellate jurisdiction of Government civil antitrust cases to the courts of appeals. This would be accomplished by section 1 of my bill, which would amend section 1 of the Expediting Act to eliminate the phrase "An act to protect trade and commerce against unlawful restraints and monopolies, approved July second, eighteen hundred and ninety," and thereby make both that section—three-judge courts—and the succeeding section—direct appeals—which builds on it, inapplicable to antitrust cases.

Section 2 of my bill makes clear that repeal of the Expediting Act as to antitrust cases is not intended to eliminate Supreme Court review of Government civil antitrust litigation, but merely to make such review discretionary with the Supreme Court under the certiorari procedures, as is the case in the vast majority of other civil actions brought by the United States.

Section 2 also makes clear that repeal of the Expediting Act leaves room even for direct Supreme Court review of trial court judgments in the rare and important case when such review would be in the public interest.

As in the case of other civil litigation to which the Government is a party, however, the Supreme Court itself would have the discretion to determine the exceptional circumstances in which such direct review, short-circuiting the courts of appeals, would be appropriate.

Section 3 of my bill provides that the interlocutory appeal procedures of 28 U.S.C. 1292(a)(1) and (b) would be available to both parties to civil antitrust cases brought by the United States. The first of these provisions, 28 U.S.C. 1292(a)(1), authorizes appeals to the court of appeals from orders of the district court relating to preliminary injunctions. Section 1292(b) authorizes discretionary review of interlocutory orders not otherwise appealable where the district court certifies that the appeal involves a controlling question of law as to which there is substantial ground for difference of opinion and further certifies that resolution of the question by the appellate court might materially advance the ultimate determination of the litigation.

If the Expediting Act were repealed as to antitrust cases, there would be no reason not to view 28 U.S.C. 1292(a)(1) and (b) as applying to such cases. However, because some doubt may currently exist with respect to the application of these provisions to civil antitrust cases brought by the United States (see, *e.g.*, *United States* v. *California Cooperative Canneries*, 279 U.S. 553, 558 (1929)), it is desirable to make the matter absolutely clear.

Both of these provisions presently apply to most Federal litigation as well as to private antitrust cases.

Section 4 of the bill would provide that the Expediting Act would still apply to any civil antitrust proceeding brought by the United States in which, in pursuance of the Act's provisions, a notice of appeal to the Supreme Court had been filed prior to the enactment of this bill repealing the Expediting Act.

Mr. President, I appreciate very much the courtesy of the Senator from Oregon in yielding to me at this time. I ask that the text of the bill I have introduced be printed at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1811) to amend the Expediting Act, and for other purposes, introduced by Mr. Johnston (for himself and Mr. Hruska), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act of February 11, 1903 (ch. 544, 32 Stat. 823, as amended, 15 U.S.C. 28, 49 U.S.C. 44), commonly known as the Expediting Act, is amended to read as follows:

"That in any civil action brought in any district court of the United States under the Act entitled 'An Act to regulate commerce,' approved February fourth, eighteen hundred and eighty-seven, or any other Acts having a like purpose that hereafter may be enacted, wherein the United States is plaintiff, the Attorney General may file with the clerk of such court a certificate that, in his opinion, the case is of general public importance, a copy of which shall be immediately furnished by such clerk to the chief judge of the circuit (or in his absence, the presiding circuit judge) of the circuit in which the case is pending. Upon receipt of the copy of such certificate, it shall be the duty of the chief judge of the circuit or the presiding circuit judge, as the case may be, to designate immediately three judges in such circuit, of whom at least one shall be a circuit judge, to hear and determine such case, and it shall be the duty of the judges so designated to assign the case for hearing at the earliest practicable date, to participate in the hearing and determination thereof, and to cause the case to be in every way expedited."

Sec. 2. This Act shall not be construed as limiting or narrowing in any respect the right of any party to any civil action brought in any district court of the United States under the Act entitled "An Act to protect trade and commerce against unlawful restraints and monopolies," approved July second, eighteen hundred and ninety, or any other Acts having a like purpose that have been or hereafter may be enacted, wherein the United States is plaintiff, from seeking direct review by the Supreme Court of a final judgment of a district court of the United States by appealing to a court of appeals and petitioning the Supreme Court for a writ of certiorari, under section 1254(1) of title 28, United States Code, before rendition of judgment.

Sec. 3. The provisions of sections 1292 (a)(1) and (b) of title 28, United States Code, shall be applicable in any civil action brought in any district court of the United States under the Act entitled "An Act to protect trade and commerce against unlawful restraints and monopolies," approved July second, eighteen hundred and ninety, or any other Acts having a like purpose that have been or hereafter may be enacted, wherein the United States is plaintiff.

Sec. 4. The amendment made by the first section of this Act shall not apply to any case in which a notice of appeal to the Supreme Court has been filed prior to the date of enactment of this Act.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Nebraska with the same understanding.

Mr. HRUSKA. I thank the Senator from Oregon for yielding so that I can express my pleasure in joining with the distinguished chairman of the Subcommittee on Improvement of Judicial Machinery in its attempt to amend the Expediting Act of 1903. That act has outlived its usefulness. Circumstances governing the trial of antitrust cases have changed vastly since 1903. Therefore, I am pleased to join as a cosponsor of the bill.

Do I understand correctly that the Senator requested that the text of the bill be printed at the conclusion of his remarks?

Mr. JOHNSTON. Yes.

Mr. HRUSKA. Mr. President, I am pleased to join with the distinguished chairman of the Subcommittee on Improvement in Judicial Machinery [Mr. Johnston], in cosponsoring the bill to amend the Expediting Act of 1903.

The Expediting Act has outlived its usefulness. It was enacted in 1903 to authorize certain special procedures in the trial of civil cases brought by the United States under the Interstate Commerce Commission Act and under the antitrust laws.

The act also provided that appeals in these cases, whether or not the special trial procedures authorized by the act were invoked, could only be taken to the Supreme Court.

I am not aware that direct appeal of Government ICC cases has provoked discontent in any quarter, and no reason appears for amending the Expediting Act insofar as ICC cases are concerned.

However, there have been complaints—from the bar and from the Supreme Court itself—that the Expediting Act has long since outlived its usefulness in the antitrust field.

Strong feeling exists that in many cases the act operates positively to impede the orderly and just disposition of antitrust cases.

The reasons relate to profound changes that have occurred since 1903, both in the workload of the Supreme Court and in the antitrust laws themselves.

In 1903, when the Expediting Act was enacted, only one civil antitrust action was filed by the Government.

The Sherman Act had been on the books for 13 years but the rule of reason, which really breathed life into it, was still 8 years away and the Clayton Act had yet to be enacted.

The importance of prompt and authoritative judicial guidance, to give content to such phrases as "contract, combination," "restraint of trade" and "monopolize" was universally recognized.

The situation is altogether different today. During the fiscal year 1962, 41 civil antitrust suits were filed by the United States.

And while the antitrust laws, like other laws, are undergoing constant modification and expansion, through the process of judicial decision, the controlling principles are well settled.

There is still uncertainty in antitrust, but this is inherent in any system whereby broad principles of law are sought to be applied in minute, detailed and extraordinarily complex factual contexts.

It is no longer necessary, or even necessarily appropriate, for the Supreme Court to rule on every civil antitrust action brought by the United States which one or the other party elects to appeal.

It is far more suitable that such cases be reviewed in the manner of the vast majority of other civil litigation brought by the United States—that is, by direct appeal of district court decisions to a court of appeals, with discretionary review in the Supreme Court under the latter's certiorari jurisdiction.

In addition to the fact that the profound changes in the antitrust laws have made the Expediting Act, as to them, anachronistic, the workload of the Supreme Court has made it impractical.

In the term of Court ending in June 1903, the nine Justices of the Supreme Court disposed of 423 cases.

In contrast, in the term ending in June 1963, the Court disposed of 2,350 cases.

It is manifest that, with the Supreme Court bearing the burden of case decision indicated by these statistics, every effort should be made to provide judicial machinery to facilitate the Supreme Court's reviewing only those cases truly appropriate for decision by the highest Court in the land.

This has been a guiding principle of legislation dealing with the judiciary since the Judiciary Act of 1925. This act drastically reduced the number and classifications of cases that the Supreme Court was required to review on appeal.

At the same time, the Judiciary Act of 1925, through its provisions relating to writs of certiorari, substituted the privilege of discretionary review of a wide variety of cases—including private antitrust suits and Government civil suits other than those specifically covered by the Expediting Act.

The proposed bill to amend the Expediting Act to make it inapplicable to antitrust cases—leaving those cases to normal certiorari procedures—is squarely in the tradition of this trend away from mandatory and unselective Supreme Court review.

THE CRISIS IN BRITISH GUIANA

Mr. DODD. Mr. President, I wish to bring to the attention of my colleagues an exchange of telegrams I have recently had with Mr. J. H. Pollydore of the British Guiana Trades Union Council and with the Department of State.

On June 20 I received the following telegram from Mr. Pollydore:

> British Guiana Trades Union Council representing 50,000 organized workers including civil service association and other government employers has been engaged in 9-week-old general strike to preserve freedom of movement against encroachments of Communist government of Premier Cheddi Jagan. Strike in danger of being broken by Soviet and Cuban shipping. Latest move is importation of Russian oil on Cuban tanker to be stored in U.S. Government-owned oil tanks at Atkinson Airfield under protection of British warship and British troops. We the workers of Guiana fighting for our freedom from communism respectfully ask if U.S. pronouncements on objectives of Alliance for Progress declarations that Castro will not be permitted to export communism from Cuba (agents and arms are sent to Guiana from Cuba regularly) are mere political propaganda or evidences of true American policy. We would appreciate any assistance your office might give us to alert the American public to the dangers of permitting the establishment of another Communist satellite in this hemisphere.

On June 22 I sent the following telegram to Secretary of State Rusk:

> I wish to congratulate State Department on its resistance, as reported in this morning's paper, to proposed use of oil storage facilities at Atkinson Field, British Guiana, for storing Soviet oil. I was all the more pleased by this move because only yesterday I received the following wire from Mr. Pollydore of the British Guiana Trades Union Council: "British Guiana Trades Union Council representing 50,000 organized workers including civil service association and other government employees has been engaged in 9 week old general strike to preserve freedom of movement against encroachments of Communist government of Premier Cheddi Jagan. Strike in danger of being broken by Soviet and Cuban shipping. Latest move is importation of Russian oil on Cuban tanker to be stored in United States Government-owned oil tanks at Atkinson Airfield under protection of British warship and British troops. We the workers of Guiana fighting for our freedom from communism respectfully ask if United States pronouncements on objectives of Alliance for Progress declarations that Castro will not be permitted to export communism from Cuba (agents and arms are sent to Guiana from Cuba regularly) are mere political propaganda or evidences of true American policy. We would appreciate any assistance your office might give us to alert the American public to the dangers of permitting the establishment of another Communist satellite in this hemisphere.
>
> I earnestly hope that Department will find means to resist effort by Jagan to requisition Atkinson base facilities. I also hope Department can persuade British authorities not to take any steps which will strengthen Jagan. The British regrettably intervened on one previous occasion to save Jagan. If they now help him to crush opposition a second time, we may soon have a second full fledged Castro regime in the hemisphere. I plan to speak on this matter in the Senate within next few days and would greatly appreciate briefing from Department on U.S. policy in the current British Guiana crisis.

After conversations with the Department of State during the course of this week I sent the following reply to Mr. Pollydore yesterday. I quote:

> Mr. J. H. POLLYDORE,
> *British Guiana Trades Union Council,*
> *Georgetown, British Guiana:*
>
> I wish to acknowledge receipt of your wire of the 20th. I have discussed its contents with the Department of State. As you know, despite the rumors that were put out, the tanks at Atkinson Field have not been used for storage of Cuban oil, and I am confident that the U.S. Government will not agree to their use for this purpose. You can take courage from the fact that the American people at all levels are increasingly aware of the significance of the British Guiana crisis for the future of freedom in this hemisphere and that you have their sympathy in the valiant struggle which you and your colleagues are waging against the efforts to establish Communist control over your free trade unions.

The contest that has been going on in British Guiana for almost 10 weeks now may well have decisive impact on the struggle between the forces of communism and the forces of freedom in the Western Hemisphere.

In August 1961, Dr. Cheddi Jagan was elected Prime Minister of British Guiana. Although a self-avowed Marxist and an admirer of Fidel Castro, Jagan did not campaign on a Communist program, nor is there any reason to believe that the bulk of his followers are Communists. As an East Indian, he appealed to the large East Indian population on frankly racial grounds against the Negro and white populations, and the two political parties which represented them.

Although he obtained only 43 percent of the vote, he won a majority of two seats in the legislature. But Communists are never troubled by the lack of a popular majority or by the fact that the votes they have garnered have not been votes for communism but votes obtained by fraud. For them all means are permissible for the purpose of achieving power. With his slim majority, Jagan has proceeded to move British Guiana into the Soviet orbit even in advance of British Guiana's complete independence from the British Crown. He has concluded trade pacts with Castro and East Germany. He has invited a Soviet trade mission and Soviet oil exploration teams to British Guiana. He has opened up his country to some 2,000 Cuban tourists—and there have been increasing reports in recent months of arms shipments from Cuba to British Guiana.

Although British Guiana is a small country, if it were ever converted into a second Cuba, as Prime Minister Jagan is endeavoring to do, it would have the gravest implications for our own security and the security of the hemisphere. It would give international communism the first political and military beachhead on the South American Continent. It would give it immediate access to the already troubled areas of Venezuela and Colombia. It would put the oil riches of Venezuela within their potential grasp. It would enormously enhance their military position and the threat to the Panama Canal by giving them military bases at both the northern and the southern entrances of the Caribbean Sea.

But to achieve these objectives, partial control is not enough for Prime Minister Jagan, he requires total control, which can only be achieved by the total destruction of the opposition.

Some 9 weeks ago, Prime Minister Jagan endeavored to force through the legislature a bill which would give his government the power to designate all labor representatives. The purpose of this move was obvious to all: Jagan could not impose a Castro-style dictatorship on British Guiana without first crushing the free trade union movement, which was solidly and militantly anti-Communist.

The British Guiana Trades Union Council responded to this challenge by calling a general strike—not on economic grounds, but for the prime purpose of forcing Prime Minister Jagan to withdraw his totalitarian labor legislation.

The general strike has been completely effective. The factories, the sugar plantations, the bauxite companies, all public transportation including the international airport, the government offices and even the schools are closed down. In order not to cut off all communications with the outside world, however, the trade unions have kept the wire services open.

I marvel that our newspapers have paid so little attention to the situation in British Guiana. Every week or so a minor article dealing with the British Guiana situation will appear in our major newspapers—but that is all. Because the press has dealt with this situation in so perfunctory a manner, the public awareness is close to nil. I venture to suggest that if it were a matter of a Communist-led general strike directed against a free government, the press would every day be carrying headline stories about developments in British Guiana. But here, for the first time in history, the general strike, which, according to Communist theory, is a weapon of the working class against the capitalist class, is being used by the working class as a weapon of self-defense against an incipient Communist dictatorship.

I fail to understand the lukewarm interest displayed by our press because to me this is an intensely newsworthy situation. It has all the ingredients that go into the making of significant news. Our national security and the security of the hemisphere are involved. There is also the aspect of Soviet-Castroite infiltration and expansion. And finally, there is the human drama of the general strike itself—the drama of scores of thousands of workers who are prepared to endure hardship and if need be, starvation, in order to protect their freedoms against the machinations of an aspiring Communist dictator.

But, in addition to its newsworthiness, I believe there is another reason why the American press should seek to devote more space to the British Guiana situation than it has heretofore. In any situation where publicity can help the cause of freedom, it is the moral duty of the press, in my opinion, to seek means of publicizing and emphasizing. The British Guiana crisis is one such situation.

Nothing would do more to encourage the workers of British Guiana to hold out against the Jagan dictatorship than the knowledge that they have the active sympathy and support of the American people. Unless the public is informed, however, it cannot sympathize and the lamentable fact is that, by and large, the American public is not informed about the situation in British Guiana and therefore does not sympathize.

While this is true of the general public, there has been one notable exception. Together with the free labor unions in other countries, the AFL–CIO has taken an intense interest in the life or death struggle which the British Guiana unions are now waging. President Meany has sent a telegram to Richard Ishmael, president of the British Guiana Trades Union Council, expressing his support and the support of his organization for the objectives of the British Guiana Trades Union Council in calling the general strike. The AFL–CIO has also contributed to the unions' relief funds, so that the striking workers will not starve.

The support of the AFL–CIO for the general strike has infuriated the Jagans. Prime Minister Jagan has appointed a commission to examine the support the local unions are receiving from the AFL–CIO. His wife, Janet Jagan, a Communist hatchet woman who hails from Chicago, and who was recently placed in charge of all internal security by her husband, further informed a press conference that the AFL–CIO has poured several hundred thousand dollars into British Guiana. By this diversion the Jagans are endeavoring to create the impression that the workers are not striking because they are opposed to his plans for the communization of the country, but because of American imperialist subversion.

Again, I want to congratulate the Department of State on the firm stand it has taken in refusing to make the oil storage tanks at Atkinson Field available to the Jagan government to help it break the general strike.

The problem is to find concrete means, short of direct intervention, of helping the people of British Guiana to assert their popular will and rid themselves of the Jagan dictatorship. The sands of time are running out, and our opportunity to help the Guianese people grows smaller every day. There are, however, certain concrete possibilities open to the free world in this situation.

As a first measure I believe that our press and our Government information services should devote far more attention than they have heretofore to the heroic struggle of the British Guiana workers. I believe that they should join with the AFL–CIO in a campaign frankly designed to stimulate public sympathy for the Guianese freedom fighters.

The second measure is essentially up to our British allies. The opposition parties in British Guiana have urged the British Government to institute a referendum on proportional representation. Such a referendum, they have no doubt, would be supported by a substantial majority of the people; and once this referendum was carried it would be impossible for Jagan to obtain a parliamentary majority. Without proportional representation, however, the chances are that Jagan still would be able to obtain a slim parliamentary majority in any new election.

I believe that if we concert our policies with our British allies and that if we clearly indicate our support for the democratic forces in British Guiana, the country can be saved from Jagan and from communism.

We cannot permit a second Castro regime to establish itself in this hemisphere and I therefore hope that the British Government will take no step that will have the effect of strengthening or fortifying the Jagan government; and I further hope that the two senior partners in the NATO alliance will take those measures which fall within the framework of democratic action and which would enable the forces of democracy in British Guiana to eliminate Jagan by their own popular action and their own popular vote.

FOREIGN AID—THE MEXICAN BORDER PROJECT

Mr. MORSE. Mr. President, I turn now to my daily discussion of foreign aid. I shall not speak at length. However, before I turn to that subject, I wish to make further comment, as a matter of personal privilege, about the false charge made against me in Hanson's Latin American letter, on which I commented yesterday. I read to the Senate his false charge, in which he stated:

> MEXICO: BORDER PROGRAM
>
> The administration is now confronted with Senator Morse's challenge on foreign aid arising out of AID's refusal to provide grants for the Mexican border program in response to Morse's advocacy of the program. AID had been warned that if it refused to yield to Morse's interpretation of the desirability of using grants to finance self-liquidating foreign projects (an outrageous thesis as far as the legislative history of foreign aid and Eximbank is concerned), it would be confronted with a challenge to all foreign aid proposals made on the Hill.

Later in this letter Hanson writes:

> If Senator Morse's new drive against AID's appropriation were to be regarded as remediable only by payment of legislative blackmail, the Mexican program might conceivably go forward with grants, but only at the cost of a very bad black eye among legislators here generally.

In response to that statment, I said yesterday;

> Mr. President, I do not know whether Mr. Hanson is a psychopathic liar, but I know that the words of the two paragraphs I have read constitute a lie. There is not a scintilla of truth in a single word that Mr. Hanson has written that I have just read to the Senate in regard to his false allegation as to the basis of my opposition to the foreign aid bill.
>
> At no time have I advocated grants to the Mexican border program, and at no time have I taken the position that loans should be made for the border project.

Because we are obviously dealing with such an unreliable person, and because people of his stripe try to take out of context statements made, I make this further statement this afternoon. When I said yesterday, that at no time have I taken the position that loans should be made for the border project, the claim may be made that the Subcommittee on Latin American Affairs, of which I am the chairman, called upon the State Department to advise us as to whether or not the border project qualified for loans.

At no time did the Senator from Oregon ever advocate grants to the border project, for the Senator from Oregon is the author of the amendment that was written into the Alliance for Progress program—it is the law of the land—that the Alliance shall be a loan program, not a grant program. I have always fought for loans, not for grants.

Many months ago, as the material that I shall shortly place in the Record will show, the Mexican Government sent to Washington its director of the border project, Senator Antonio Bermudez. He met with the Committee on Foreign Relations; we had a luncheon for him. He described and explained the program. Subsequently he met with the President of the United States, to whom he described and explained the program. It was the consensus of opinion among us that the program could be fitted into the Alliance for Progress program on a loan basis, if the Mexican Government could prove its case and make an application.

As the Presiding Officer [Mr. Inouye] well knows, there are certain procedures that any country must follow in order to obtain a loan under the foreign trade program. The form in which the Mexican Government was seeking some assistance under the Alliance for Progress program did not comply with the procedures or the conditions of the Alliance for Progress program. Mr. Moscoso explained it to Senator Bermuez. I shall shortly place in the Record the conversation I had with the President of Mexico on the subject, and which I had already reported to the Senate.

The Mexican Government has never submitted to the United States Government a list of priorities for the projects it wants to have considered under any lending program; and it has never listed the border project in a list of priorities. When this was explained to us, we all took the position that the border project would not be eligible for consideration for a loan until the Mexican Government first made its case both procedurally and substantively. That is what I mean when I say I have never advocated a loan for the border project. I have insisted that before the question of a loan for the border project could be considered, the Mexican Government would have to comply with the procedures and requirements in connection with an application for a loan.

The Mexican border project is an exceedingly worthwhile project from the standpoint of the interest of the United States. Chambers of commerce in a number of American cities along the border have said that the improvement of cities on the Mexican side of the border would prove to be of great economic advantage to cities on the American side. For example, such improvement would be a great boon to tourism. As the president of a chamber of commerce in a city on the American side of the border said:

> If we could develop this kind of program on the Mexican side, it would lead to a similar program on the American side, where needed. Thus, instead of Americans flying directly to Mexico City, they would be more inclined to drive from their homes in the United States to American cities along the border and then cross to Mexican cities across the border, before proceeding to Mexico City. That would be a great economic boon to tourism in American cities.

The Senator from Oregon has never taken the position that any grant money should be made available to Mexico, for I am opposed to grant money under the Alliance for Progress program. I have never taken the position that any loan should be made to Mexico for the border project separate and distinct from the program with which the Mexican Government would have to comply in order to obtain a loan; and it has never met the conditions, has never proved its case, and has never qualified for a loan.

Therefore, until Mexico does qualify, I stand shoulder to shoulder with the administrators of our foreign aid program and our Alliance for Progress program in saying that we cannot consider a loan until Mexico complies with the procedure and the conditions necessary to be met before any loan possibly could be granted.

Mr. President, so that it may all be at one place, I ask unanimous consent to have printed at this point in the Record an insertion I made in the Record of July 10, 1962, on the subject "Joint Planning and Development Along California-Mexican Border."

There being no objection, the item was ordered to be printed in the Record, as follows:

[From the Congressional Record, July 10, 1962]

JOINT PLANNING AND DEVELOPMENT ALONG CALIFORNIA-MEXICAN BORDER

(Extension of remarks of Hon. Wayne Morse, of Oregon, in the Senate of the United States, Tuesday, July 10, 1962)

Mr. Morse. Madam President, I ask unanimous consent that there be printed in the Congressional Record a resolution passed by the Assembly of the California Legislature in the 1962 session.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

"RESOLUTION OF THE ASSEMBLY, CALIFORNIA LEGISLATURE, 1962 (FIRST EXTRAORDINARY) SESSION RELATING TO JOINT PLANNING AND DEVELOPMENT ALONG CALIFORNIA-MEXICAN BORDER

"(By Hon. Thomas M. Rees, of the 59th district; Hon. Sheridan N. Hegland, of the 77th district, and Hon. Frank Luckel, of the 78th district)

"Whereas California is one of four States which share our Nation's southern international frontier with the Republic of Mexico; and

"Whereas that portion of the border contained within California traverses an area having many common planning and development problems, which problems require joint collaboration between Federal, State, and local government and the Mexican Government; and

"Whereas the Republic of Mexico has already initiated a comprehensive program along the entire length of its frontier with the United States, and is especially desirous of collaborating with the State of California and the county and city governments directly affected in the counties of San Diego and Imperial, and certain informal exploratory talks have already taken place; and

"Whereas there exists opportunities to utilize the Federal planning assistance grant program to permit the State office of planning, and counties, and cities, to participate in such a joint planning effort: Now, therefore, be it

"Resolved by the Assembly of the State of California, That the State office of planning in the department of finance be requested to explore in collaboration with local governments in the border zone, the possibility for joint planning with the Republic of Mexico to the end that this area of mutual social and economic interest, and of longstanding international amity may develop in the most satisfactory manner and contribute more fully to the traditional good will and social and commercial ties which have long existed between California and its great Latin American neighbor; and be it further

"Resolved, That the speaker appoint two members of this house to participate in such conferences and meetings as may be necessary to give effect to this resolution; and be it further

"Resolved, That the chief clerk of the assembly is directed to transmit copies of this resolution to the State office of planning, to the counties of San Diego and Imperial, and to the appropriate Mexican officials.

"House Resolution 63, read and adopted unanimously April 9, 1962.

"Signed Jesse M. Unruh,
"Speaker of the Assembly.

"Attest:
"Arthur A. Ohnimus,
"Chief Clerk of the Assembly."

Mr. Morse. The resolution relates to joint planning and development along the California-Mexican border of a project that has become known as the Mexican border project. It is a project that seeks to improve the living conditions in many of the Mexican towns on the Mexican side of the border. It is a slum clearance program. It is more than that. It is a program that calls for the building of schools, hospitals, and cultural centers. It is a program that has elicited a great deal of support, not only from the California Legislature but from chambers of commerce in California and in Texas. It is a project that I know the President of Mexico has made clear is one that he considers to be of high priority ranking in the projects that Mexico has in mind in connection with the Alliance for Progress program. I think it is particularly interesting that we have the resolution passed by the California Assembly of the California Legislature in dealing with the project. It is, of course, a project that would be a great showcase as to what the Alliance for Progress program can really do for millions of citizens of the United States who will see it over the years.

Incidentally, as American chambers of commerce represent, the project would be a great inducement also for similar improvements in towns on the American side of the border. Of course, there is no doubt about the fact that the American groups have a selfish interest in the project, but it is a legitimate selfish interest, for the improvement of living conditions in the Mexican towns involved in the border project would not only bring great and needed benefits to thousands and thousands of American cities, but also would be a great inducement to tourism. Some of our American friends in Texas and California have said in their communications to us, that instead of flying to Mexico City, thousands of Americans will drive to Mexico through California and Texas and through the beautiful cities in Mexico which will result from the project.

Mr. MORSE. I ask unanimous consent to have printed at this point in the Record my remarks of January 29, 1963, relating to the conversation I had with President Lopez Mateos, of Mexico.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

VISIT TO MEXICO BY SENATOR MORSE

Mr. Morse. Mr. President, yesterday, January 28, I had the privilege and the honor of representing the Committee on Foreign Relations of the Senate at the dedication of the beautiful archway that has been built between Brownsville, Tex., and Matamoros, Tamps., Mexico. The great President of Mexico, Hon. Lopez Mateos, attended the dedication.

I had the privilege of flying with President Lopez Mateos to Mexico City yesterday afternoon. Following the dedication I discussed with President Lopez Mateos some of the problems which are arising from United States-Mexican relations in connection with the Alliance for Progress program and other matters. I should like to take this moment to thank the President of Mexico for his courtesy, and also for his kind participation in and understanding of the problems of the Alliance for Progress vis-a-vis Mexico and the United States. I consider the President of Mexico to be one of the great democratic leaders of all Latin America. One could not confer with him, as I did yesterday, and not appreciate fully that we have in him a great friend of freedom in Latin America and an understanding ally in the great purposes of the Alliance for Progress program.

The major speech at the dedication was delivered by another great Mexican, Senator Antonio J. Bermudez, who, under appointment by the President of Mexico, is Director General of the Mexican national border program. Before I finish these comments, I shall ask unanimous consent to have the speech by Senator Bermudez printed in the RECORD. It sets forth in detail and with great clarity the purposes and objectives of the inspiring Mexican national border project.

Mr. President, not only is this program one which seeks to build a series of bridges and archways connecting the United States and Mexico; it is also a program which seeks to help to industrialize the cities on the Mexican side of the border. In many respects, it is an urban renewal program. It seeks to eliminate some of the troublesome and unfortunate slum areas which exist in those Mexican cities. They are areas which create many of the social and economic problems which always arise when human beings have to live in a below-standard condition. It is a program that seeks to improve the housing conditions of many of the people of low income in those Mexican border cities, who are living under the present slum environment conditions.

Senator Bermudez is one of the finest humanitarians I have ever known anywhere in the world. Although he is a man of some wealth, at least so I understand, his greatest wealth is his understanding and personal dedication to the spiritual teaching that we are our brother's keeper. He knows that each one of us has the moral obligation to face up to the human misery that many of our fellow men live in. He believes that society as a whole must assume a societal responsibility for the substandard living conditions of the victims of slums.

Senator Bermudez does not ignore the fact that communism breeds in slums and feeds upon the hopelessness of hunger, disease, and discouragement. The housing needs of the border cities of Mexico make the Mexican border program a noble endeavor if it contained none of its many other fine objectives and inspiring ideals and visions.

The problem of housing in Mexico—and, for that matter, in all of Latin America—is not only one of the most vital problems facing millions of Latin American people, but, in my judgment, it is one of the great problems facing the United States in connection with the implementation of the Alliance for Progress program. We all recognize, that if there is family farmownership in the country and private homeownership in the cities, it is not necessary to worry about communism in such a society. If I were to be asked, as chairman of the Subcommittee on American Republics Affairs, the greatest economic service we could help to perform, not only for Mexico, but also for all of Latin America, I would say: Let us place emphasis upon family farmownership in the country and private homeownership in the cities. If we give emphasis to that economic problem, we will strike a body blow into the heart of communism.

The border project on which Mexico plans to spend a good many millions of dollars for development is one of the greatest hopes for the improvement of the standard of living of a great many Mexicans who at the present time live under very substandard conditions.

But we, in the United States too, have a responsibility in connection with this border project. As Mexico improves her cities along the American border, numerous benefits will result to the U.S. economy. My subcommittee has received a series of telegrams and resolutions from one chamber of commerce after another along the entire United States-Mexican border, urging that the United States give favorable consideration to assisting Mexico in the development of this project. I think we ought to study the problem very carefully. In fact the Subcommittee on American Republics Affairs proposes to study it very carefully. We wish to make it very clear that we should give no approval at the present time, not even tentatively, other than to say that the project merits careful attention and cooperation on the part of the United States.

It was reported to me yesterday in my conference with Mexican officials that some American representatives of the Alliance for Progress program seem to be frowning on the national border program because it might help industrialize the Mexican border cities. Apparently they argue that more jobs for Mexicans in Mexico would result in Mexico selling more to the United States and buying less from the United States. Mr. President, what a silly non sequitur argument. As we build up the purchasing power of Mexicans through industrialization we increase their purchasing power to the benefit of both Mexican and United States business firms.

There is one project involved in this study about which I spoke with the President of Mexico yesterday afternoon, because it was raised by Senator Bermudez in his speech at the dedication yesterday. It is a very delicate problem. It has plagued United States-Mexican relations for about half a century. I think that all who have dealt with it realize that the time has come when this controversy between the United States and Mexico must be settled. It is imperative to settle it if we are to have good will and mutual understanding between these two great democracies in the Western Hemisphere. I refer, of course, to the Chamizal land. It is that very small area of not so many acres which has been a great bone of contention between Mexico and the United States for 50 years. The controversy is with respect to which country owns that little piece of land. In my judgment, the symbolism of this controversy has ballooned all out of proportion to its importance.

In his speech yesterday, Senator Bermudez presented a suggestion in regard to this controversy which I think deserves the very careful and, I hope, favorable attention of our State Department and our Government. It is a suggestion, as will be seen when I read that part of the speech, which has the complete approval of the Mexican Government. I discussed the problem with the President of Mexico yesterday. In his speech, Senator Bermudez said:

"Along the entire Mexican-United States border and for more than five decades only one obstacle has existed, to which I should like to refer at this point. To be able to construct the Great Gateway to Mexico between the two border cities that are the most important from a demographic and economic standpoint—Ciudad Juárez, Chihuahua, and El Paso, Tex.—the case of the Chamizal lands must be solved; and there is no legitimate reason for lack of settlement. Every Mexican resolutely supports the patriotic efforts of President López Mateos aimed at recovering this small but symbolic piece of Mexican land and applauds all his actions on behalf of such recovery, an endeavor without precedent in recent years.

"We know that the President of the United States, Mexico's friend, also earnestly seeks a settlement, which will bring great benefit to both countries—a benefit that of a surety is not of an economic or material nature. Although we Mexicans rely on the fulfillment of President Kennedy's promise regarding the restitution of the Chamizal, I am permitting myself the liberty of taking advantage of the presence of distinguished U.S. officials with whose attendance we are honored on this occasion, and of the gentlemen of the press from our neighboring country, to bring once again to the Government and the people of the United States a message to express our trust that the voice of our President will be heard, demanding that the Chamizal problem be solved, and at an early date."

Then he made a specific suggestion for its solution, as follows:

"However, in keeping with projects mapped out in principles by the President of the Republic, Adolfo López Mateos, we will go even further.

"On that plot of recovered ground, we propose to construct yet another symbol of the friendship and union between peoples; but a living and creative symbol: the Continental University, to be attended by young people from all the countries of America, without distinction as to race, ideology, creed, or social or economic group. There, within the broad outlines of freedom of instruction and investigation, and removed from all religious and political doctrines or intellectual limitations of any type, an awareness of international solidarity will be fostered, founded on the democratic ideals of fraternity and juridical equality of all men everywhere.

"Mexico will have the high honor of converting a land area that has been the object of dispute between two friendly nations into the seat of an organization dedicated to peace and union among men."

Mr. President, the area called the Chamizal lands is of small acreage. It could be used in its entirety by the campus of a great continental university. That would be in keeping with a great tenet of Jeffersonian democracy; namely, that a democracy can be no stronger than the enlightenment of its people. Yesterday afternoon I suggested that if such a university were built, it would be very appropriate to have somewhere on the campus a statue of the great Jefferson, because he also symbolizes education as one of the most effective forms of enlightening the people of a democracy. I think the suggestion being made by the leaders of Mexico is a very constructive one. Certainly it is based on a great ideal which I believe we should cooperate in putting into action. I sincerely hope the leaders of our Government will give very favorable and serious consideration to the suggestion which a spokesman for the Mexican Government made yesterday at the dedication of the great archway at Matamoros. I hope our Government also will appreciate what such a settlement could do as a great symbol of friendship in the Western Hemisphere. Our agreeing to this Mexican proposal would show that we are willing to join in erecting a great continental university of the Western Hemisphere, to which the young people from all the Latin American countries and from the United States could go for the intellectual commingling which is so important if we are to develop the continental understanding which is essential in the years ahead in order to maintain the peace and prosperity which must be maintained if we are to have in the Western Hemisphere not only a perpetuation but a strengthening of freedom.

To the President of Mexico and to Senator Bermudez, I extend from my desk in the Senate today my compliments for the foresight, the insight, and the idealism expressed yesterday at the dedication, in speeches such as the main speech given by Senator Bermudez. I believe we should give them, in return, the assurance that we intend to embrace them in the common cause of strengthening freedom in the Western Hemisphere.

I ask unanimous consent that the speech delivered by Senator Bermudez be printed at this point in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

"ADDRESS DELIVERED BY MR. ANTONIO J. BERMUDEZ, DIRECTOR GENERAL OF THE NATIONAL BORDER PROGRAM, AT THE DEDICATION, BY PRESIDENT ADOLFO LOPEZ MATEOS, OF THE 'GREAT GATEWAY TO MEXICO' IN MATAMORAS, TAMPS., JANUARY 28, 1963

"Mr. President of Mexico, Mr. Governor of the State, guests of honor, ladies and gentlemen, the presence of our Chief Executive enhances the high significance of the solemn ceremony in which we offer to the nation the Great Gateway to Mexico, in this heroic city of Matamoras. His presence also gives us cause for gratitude, for it constitutes a singular stimulus toward continuing with greater dedication the endeavor of which he is the author: the transformation and ennobling of our border areas.

"We are grateful also for the high honor bestowed on us by the presence of distinguished officials and other outstanding personages from Mexico and the United States.

"The first impression the traveler receives on entering into Mexico through the Great Gateway is furnished by the Plaza of the Flags, conceived as a monument to the unity existing between the nations of this continent, bulwark of peace, liberty, and democracy. When we watch the flags of our sister republics to the south proudly flying, we will always be reminded of the highly significant fact that this spot at which we are gathered today marks the real beginning of the Latin American frontier.

"Not too many years ago certain well-known Mexican politicians coined phrases describing the sad situation prevailing traditionally in Mexican-United States relations. We recall the famed complaint that 'we are so far from God and so close to the United States,' seconded by another motto: 'Between Mexico and the United States—the desert.'

"Today, however, we have the right of regarding the future from another perspective. Inexorable international realities demand that the old patterns of policy between countries be discarded; moreover, the Mexican Revolution, by giving us a new and sounder sense of our standing as Mexicans, has definitely erased from our minds any feeling of inferiority or fear—a circumstance which has constituted the real and true basis of the increasing and local understanding at which we have arrived with our neighbors.

"For this reason, facing the majestic Plaza of the Flags we have placed our tricolored insignia and our national coat of arms, symbols of our sovereignty and 'Mexicanness.' They stand for the thorough conviction we Mexicans have of our historic destiny, within which dealings with the other peoples of the world are governed by equality, mutual understanding, and respect.

"Only in this way is true friendship between nations possible, a friendship which we Mexicans hold in especial esteem. We believe that friendship, as a noble and generous sentiment filled with understanding and devoid of selfish interest, is the most powerful instrument for problem solving, whether between individuals or communities, for it always succeeds, even where diplomacy and politics fail.

"It is for this reason that we have firmly resolved that this great gateway to Mexico—and here I particularly address our U.S. guests—shall be a constant invitation to friendship, and an important and valuable element of cooperation in the good neighbor policy.

"Mexico's great gateway is a standing invitation for our friends to get to know us better. They will find that life in Mexico has an outline and contents that are unmistakably those of a people with a natural vocation for peace. Peace to us is a permanent ideal within our historic development, for in peace we see the fruit of liberty and social justice. We advocate peace with the moral authority and irrefutable testimony of a people that lives in peace, and for peace. And world peace, may we emphatically affirm, has in Mexico one of its most loyal and steadfast subjects; and in the person of her President, one of its most dedicated and intrepid leaders.

"The great gateway to Mexico is hence also a symbol of peace, for it bears witness to the world how two nations, so different from each other, should be, and can be, neighbors and friends.

"We are convinced that the national border program constitutes a very Mexican answer to the fact—materially quite important—that year in and year out 70 million people cross our border. This, in the first place, has stirred our traditional sense of hospitality. For the sake of courtesy and friendship, it is our duty to see to it that our guests find the cleanliness, order, facilities, and comfort that they deserve. With that aim in view, we have included within the complex forming the great gateway to Mexico certain buildings devoted to customs, immigration, health, and tourism services. These units have been designed in such way as to provide the habitual Mexican courtesy with an appropriate setting where it can be manifested in speed, efficiency, and cleanliness in our dealings with those who visit us. The basic intent is for our friends from the United States to confirm the fact that hospitality is one of the most typical Mexican characteristics.

"We are aware, however, that most of our visitors do not go beyond the border areas. Of the $770 million they spend in our country, only $170 million are spent in the interior of the Republic. This is to be regretted, for we Mexicans know of natural beauties in our country that defy description but go unvisited; of regions filled with color and folklore; of impressive monuments, the heritage of our centuries' old culture; of cities that are so different from each other, and so interesting. Proud of our native land because of its natural features as well as the trail left by the millenia of human habitation and tradition, we sincerely want Mexico to be known in its entirety. For that reason, the great gateway to Mexico should also serve by way of introduction, however brief, to what we are. We believe that the impressive incoming tide of U.S. citizens can and should be the carrier of a dual and positive message: First, letting us become acquainted, by contact with the individual visitors, with what the United States is really like; and second, by enabling those visitors to take back with them a fairer and more realistic concept of what we are.

"To round out the meaning for us Mexicans of Mexico's great gateway, may I quote the words of the President of Mexico, Adolfo Lopez Mateos:

"'Our boundary lines do not mark the end, but the beginning of our country. The frontier areas, because of their geographic characteristics and social conditions prevailing there, have been the subject of special attention on the part of the Government of the Republic.' Referring on another occasion to our border regions, our Chief Executive also affirmed: 'Just as they are a window to the outside, they must also be a showcase of the social progress of the Mexican people who, fully cognizant of their destiny, work for their own well-being and occupy a worthy and respected place in the concert of nations.'

"These two presidential statements express the essence of the work undertaken by the national border program. From the very moment of birth we Mexicans feel a complete devotion to our native land. Upon reaching individual maturity, this devotion is transformed into a true mystique, that ineffable mystique of Mexicanness that everyone who visits us experiences, as though inexplicably bewitched. And this mystique has today invaded the will and earnest endeavor of the men of the frontier, urging them to transform and exalt it, for the first firm step toward the betterment of our homeland lies in our conviction that it is within our power and up to us to do so.

"Supplying authority and resources, President Lopez Mateos' administration has, for the first time in our history, initiated the task of raising the standard of living of our border inhabitants by linking their economic, social, and cultural life with that of the rest of the country.

"Every Mexican without exception should participate in this endeavor. However, this applies most particularly to those who by virtue of their work, intelligence, and willpower have managed to accumulate resources suitable for investment in this great task. Many of these persons should repatriate their savings or capital held abroad, in the United States or Switzerland, and make such funds available to the prodigious creative effort the country demands.

"The border market represents 25 percent of that comprising the nation as a whole and has the highest economic potential in the country: Per capita income amounts to 656 U.S. Cy. per year, or 135 percent higher than the national average. Mexico needs markets to consume the output of her industries, and to capture and expand the border market constitutes a challenge to our intelligence, our ability and our patriotism.

"This conquest should favorably influence the solution of other national problems, among them, that of creating a greater number of job opportunities. (By the end of the next 6-year presidential term, we will have had to find jobs for no less than 4 million additional young Mexicans who will have joined the productive ranks.) With an eye to this problem, it is our earnest desire that the total transformation of the strip of territory constituting his frontier region will contribute to the creation of new sources of employment, and to the effective employment of our manpower, including the braceros (Mexican laborers who work in the United States).

"Bracerismo, which came into being in May 1943 as a wartime contribution by Mexico in response to an express petition by President Roosevelt, addressed to Mexico's unforgettable President Avila Camacho, has with the passage of time become a matter of embarrassment and grave concern, for instead of commodities, we are exporting men. The strong arms of the Mexican braceros should contribute to a greater Mexico, and to her agricultural and industrial development.

"National border program activities likewise qualify as an eloquent expression of the harmony that does and must exist between government effort and that of private enterprise.

"Here in Matamoras we are certain that Mexican private enterprise, however modest, will join in the endeavor underway, since the Government cannot, should not, do everything. In modern Mexico there is no time to lose nor is there room for defeatism, inferiority complexes or pessimistic attitudes.

We must not regard any problem as insuperable; there is but one motto, one conviction, and one insignia for all: the betterment of our country. For we have fought throughout our history to aggrandize Mexico and thereby make it more our own; we have learned from our elders that the first requisite for a better country is always that it be our country. It is in that spirit that we must understand the obligations inherent in frontier living.

"Today we have completed this gateway to Mexico as the first stage in the projects planned for this city. Next we will construct a commercial center and a tourist zone. As fast as the availability of resources will permit, we will continue working in order to conduct the same program in all the cities along our northern and southern borders, bringing to them the excellent features of our historic and cultural values so that they may be the true and authentic reflection of our national essence. We expect to be able very soon—in the course of the present year—to repeat this invitation in order to have the pleasure of your company at other gateways to Mexico, and at the dedication of various other projects.

"On this occasion the President of the Republic, Adolfo López Mateos, has honored us by delivering the master regulatory plans that will govern the development of five major cities within this border zone. Consequently, the projects conducted by the program will not be in the form of building groups isolated from the other population centers. These are to expand in harmonious fashion, in keeping with the most precise technical indications, and each city is to become in its entirety a worthy gateway to Mexico, the object of admiration of outsiders and a cause for satisfaction on our part.

"Along the entire Mexican-United States border and for more than five decades only one obstacle has existed, to which I should like to refer at this point. To be able to construct the great gateway to Mexico between the two border cities that are the most important from a demographic and economic standpoint—Ciudad Juárez, Chihuahua, and El Paso, Tex.—the case of the Chamizal lands must be solved; and there is no legitimate reason for lack of settlement. Every Mexican resolutely supports the patriotic effort of President López Mateos aimed at recovering this small but symbolic piece of Mexican land and applauds all his actions on behalf of such recovery, an endeavor without precedent in recent years.

"We know that the President of the United States, Mexico's friend, also earnestly seeks a settlement, which will bring great benefit to both countries—a benefit that of a surety is not of an economic or material nature. Although we Mexicans rely on the fulfillment of President Kennedy's promise regarding the restitution of the Chamizal, I am permitting myself the liberty of taking advantage of the presence of distinguished U.S. officials with whose attendance we are honored on this occasion, and of the gentlemen of the press from our neighboring country, to bring once again to the Government and the people of the United States a message to express our trust that the voice of our President will be heard, demanding that the Chamizal problem be solved, and at an early date.

"Once the new and legitimate boundary line is established, we plan to construct in Ciudad Juárez, as in other border towns, the great gateway to Mexico that will communicate with us the progressive and friendly city of El Paso, Tex.

"However, in keeping with projects mapped out in principle by the President of the Republic, Adolfo López Mateos, we will go even further.

"On that plot of recovered ground, we propose to construct yet another symbol of the friendship and union between peoples; but a living and creative symbol: the Continental University, to be attended by young people from all the countries of America, without distinction as to race, ideology, creed, or social or economic group.

"There, within the broad outlines of freedom of instruction and investigation, and removed from all religious and political doctrines or intellectual limitations of any type, an awareness of international solidarity will be fostered, founded on the democratic ideals of fraternity and juridical equality of all men everywhere.

"Mexico will have the high honor of converting a land area that has been the object of dispute between two friendly nations into the seat of an organization dedicated to peace and union among men.

"In closing, I should like to refer once again to the spirit which inspires the national border program, in keeping with the directives issued by the President of the Republic, Adolfo López Mateos—to raise our standard of living and point up our Mexican-ness. These two objectives, when achieved, will not only strengthen Mexican unity, but will facilitate genuine friendship between two great neighboring nations, for such friendship will be founded on reciprocal treatment characterized by respect, equality, and understanding."

SHORTCOMING OF AID PROGRAM FOR LATIN AMERICA

Mr. MORSE. Mr. President, for a few moments, I wish to discuss, for the third day in a row, certain features of the Alliance for Progress program as they relate to the foreign aid bill.

In recent days, I have been devoting my comments about the foreign aid program and its shortcomings to our aid program for Latin America. Today, I wish to raise more questions about whether what we are calling the Alliance for Progress is moving toward its objectives, and indeed, whether it has specific and manageable objectives.

As I said in the Senate on Tuesday, I believe there is much to be said for the recommendation of former President Lleras of Colombia that more responsibility be given to the Latin Americans themselves for the selection of projects and the setting down of conditions that must be met before loans may be extended. We know from long experience that multilaterial bodies can be and usually are much tougher and more successful in requiring conditions and reforms as a condition of financial aid.

However, there are some reservations I would suggest to such a procedure. One is that an American veto must remain over any extension of funds. Certainly the United States must be protected from the contingency of having its money go for some project that would clearly not be in our interests, however much it may be supported by our partners. I do not have any specific issue in mind, but it seems to me that this protection for the American taxpayers must be maintained by our Government.

A second reservation I would raise is the possible need for limitation on what will be available for Latin America. The possibility that the recipient nations themselves would have a free hand in the allocation of American money, with no ceiling and no limitation on what is to be dispensed or in what time period, would certainly doom the chance for a multilateral administration of the program. As I have said before, if there is no limit on the capital to be invested, there is no reason to plan for the maximizing of its effect. This has been a major defect in our aid program in Asia and the Near East, as well as in Latin America.

A third problem that is not covered by the proposals for multilateral administration of the Alliance for Progress is the aid still available from the United States outside the Alliance. I am frank to say that I am disturbed by the breakdown of aid to Latin American countries for the fiscal years 1962 and 1963, which shows several of them receiving assistance from foreign aid categories outside the Alliance for Progress. Nonproject aid has been going to several of them in the form of supporting assistance, contingency funds, and development loans.

It seems quite possible to me that the benefit of having a multilateral board process the Alliance funds would be defeated by the fact that governments which decline to meet conditions laid down by the board may still be bailed out through the contingency fund or some other form of aid.

All these questions need to be studied by the officials of the Alliance for Progress, by our Latin American partners, and most certainly, by the Congress before it votes this year on the AID bill.

The urgency of these questions is pointed up by a document which I received from the Center of International Studies of Princeton University, and which I assume was also sent to all members of the Foreign Relations Committee, and probably to all Senators. It is by Prof. Edmundo Flores, and is entitled "Land Reform and the Alliance for Progress."

In the introduction, the director of the center, Klaus Knorr, tells us:

> I frankly do not know whether the analysis presented by Dr. Flores is fully realistic. But even if it were not—and we would expect differences of interpretation when it comes to a region so complex and full of change—the fact that a person of Dr. Flores' background and experience holds these views, and holds them very strongly, seems to make this a document that should be interesting to a considerable public in the United States.

Dr. Flores holds a Ph. D. degree in agricultural economics from the University of Wisconsin, one of the Nation's leading institutions in that field. He is professor of agricultural economics at the University of Mexico, and has worked on land reform problems for the Technical Assistance Administration of the United Nations and for the Food and Agriculture Organizations.

Dr. Flores begins:

> Unless President Kennedy and his advisers are willing to accept the necessity for drastic—and sometimes violent—revolutionary change in Latin America, his ambitious Alliance for Progress will fail, no matter how many billions of dollars the United States is willing to spend on it.

It is the general burden of Dr. Flores' article that the ruling oligarchies of Latin America will not undertake the reforms needed to move their countries along the road of progress, because to do so would be a voluntary relinquishment of power, and that to relinquish it would be just as distasteful to them as to be overthrown by revolution.

He speaks of the tax-reform objective of the Alliance.

It will be recalled that yesterday I discussed on the floor of the Senate the problem of tax reform. We must insist on it in many instances before we agree to pour more money into Latin America. Senators cannot justify voting to pour into any Latin American country AID money which belongs to the taxpayers of the United States, unless the Government of that country is maintaining for its own people a tax structure based on ability to pay.

As chairman of the Subcommittee on Latin American Affairs, I wish to say that in Latin America there is place after place where tax evasion is a national pastime—great areas of land on which not 1 cent in taxes is paid, or, if any taxes are paid, on which only nominal taxes are paid. Just taxing that land would bring about a land reform although it is the thesis of Dr. Flores that even progressive taxation is insufficient to meet the economic problem of concentration of wealth.

The oligarchs who reap their harvests and profits off that land invest their money in Swiss banks and New York banks, instead of investing it in the future economic freedom of their own country. Until they bring economic freedom to their own country, there is no hope of political freedom for it, because it is impossible to have the latter until there is first the former.

We cannot begin to pour enough money into Latin America, to save Latin America from communism, if the governments of the Latin American countries leave the entire problem up to us. We do not have that much money. They should get busy with some of these needed reforms—tax reform and land reform—and they should establish the institutions of economic freedom. One of the great institutions of economic freedom is family-farm ownership. If in the rural areas of any Latin American country the heads of the families own the land they till, one does not need to worry that communism will develop there. If in the cities of a Latin American country the people do not live in the shocking slum conditions which today can be seen in one Latin American city after another, but, instead, own the roofs over their heads—in private home ownership, no matter how humble the abodes—one does not need to worry that communism will develop there.

But today the oligarchs of Latin America—and I speak generally, although some magnificent exceptions exist—simply will not, as a class, face that reality. That is what Dr. Flores is talking about. I say to this administration that this is what one authority after another on Latin America has been saying for years. That is shown by the reports which the Senate paid for to the tune of more than $100,000—the amount which was appropriated to my subcommittee, and which we used in contracts with American research foundations, universities, and Latin American scholars, in order to have them prepare the reports for us, so we would have the facts on which to base a judgment.

As Senators know, the senior Senator from Oregon, the then Senator Kennedy, of Massachusetts, the Senator from Iowa, Mr. Hickenlooper, the Senator from Vermont, Mr. Aiken, the Senator from Alabama, Mr. Sparkman, the Senator from Louisiana, Mr. Long—all my colleagues on the Foreign Relations Committee—worked for several years, prior to its final inauguration, on the Alliance for Progress program; and in the whole Senate there is no stancher supporter of the objectives of that program than the senior Senator from Oregon.

But I do not follow a dogma; I do not substitute a name or a label for facts. The fact is that the Alliance for Progress is in trouble; and it will remain in trouble until Congress appropriates more wisely in connection with it, and until the Latin American countries themselves go much further than they have gone in carrying out the clear objectives envisioned and the clear obligations stated and agreed to in the Act of Bogotá and the Act of Punta del Este. They have not gone far enough or fast enough with land reform and tax reform and interest-rate reform.

How in the world can we hope to have private ownership of hovels in Latin America with interest rates of 16 percent, 20 percent, and 25 percent? It is impossible.

So my approach to the Alliance for Progress program in the foreign aid bill this year is not the approach of one who is opposed to loans for the Alliance for Progress, but one that will insist upon sound loans. There is quite a difference between unsound loans and sound loans. We had better give heed to the Dr. Floreses. We had better give heed to the ex-President Lleras. We had better give heed to the wise men of Latin America, for they have been inclined to be much more frank and objective about the whole problem than many in our own Government, including many in the Congress of the United States.

So on the subject of tax reform, objective of the Alliance, Dr. Flores said:

> In their present stage of development, most Latin American countries cannot apply progressive income taxation for several reasons. First, the really powerful people in most of these countries do not want it, since it would be tantamount to abdicating their power. Second, underdevelopment itself precludes the possibility of efficient taxation because, for one thing, all major as well as minor appointments are political and there is hence no effective civil service to carry it out. For another, administrative corruption prevails throughout the Latin American governments that are dominated by tiny minorities of the rich, and there is a longstanding tradition of tax evasion.

Tax reform is difficult to accomplish, but the problems Dr. Flores mentions are not insurmountable. They may explain why there has been little tax reform, but they do not make a case for its economic infeasibility.

He continues:

> It should be understood that, with the possible exceptions of Argentina, Brazil, Chile, Costa Rica, Mexico, and Uruguay, there are no appreciable middle classes in Latin America and consequently there is a desperate shortage of trained personnel on the lower levels.
>
> It may not be difficult to find aggressive lawyers, cultured priests, chivalrous soldiers, and even good doctors. But trained nurses, moderately efficient stenographers, or reliable proofreaders are terribly scarce even in the more advanced countries. The rigid social structure, the lack of employment opportunities, and a tradition which equates leisure with a high social status have prevented the emergence of this new class in either industry, commerce, or the bureaucracy.
>
> Thus political opposition, administrative corruption, and the shortage of trained personnel on the lower levels create a vicious circle which can only be eliminated in the long run.

As I said yesterday, I believe our own administrators bear a great responsibility for the failure to make much progress toward tax reform even in the long run. We have done little to set up evaluation techniques for purposes of AID, much less to extend technical help to these countries in the admittedly difficult and sophisticated field of taxation.

PROBLEM OF LAND REFORM GREATEST OBSTACLE TO PROGRESS

I desire to say a few words about the problem of land reform as the greatest obstacle to progress. Most of Dr. Flores' article is devoted to an examination of his own special field—land reform. It is here that he feels are the greatest obstacles to the success of the alliance.

He tells us:

> Since in underdeveloped countries the main sources of wealth are land and mineral resources, it is obvious that their pattern of income distribution is ultimately determined by the pattern of land and mineral ownership. Therefore, the income shifts required for development must necessarily take place in these economic areas. As Professor Raymond Penn put it bluntly, "U.S. industry cannot operate in a feudal country without accepting the rules of feudalism and thus sharing the villain's role for those who want to strengthen the economic and legal position of the landless and jobless." There is no doubt that this unfortunate symbiosis will complicate tremendously the launching of land reforms in Latin America.
>
> In Mexico and Bolivia before their agrarian reforms, approximately 3 percent of the population owned 90 percent of the productive land; that meant that a correspondingly large proportion of agricultural cash income accrued to only a tiny proportion of the total population. Such a high concentration of land ownership and agricultural income prevails today in many Latin American countries and this explains precisely why such countries have lacked development.

It is quite natural that Professor Flores believes the land reform program in Mexico has been especially successful and deserves to be a pattern for similar reform elsewhere. He also feels that the consequences of land reform have been the very industrial development so desired by other nations. To quote again:

> With the land reform it became imperative to increase productivity, to diversify production, and to industrialize. Since 1930, the agricultural product has increased at an average annual rate of 5.4 percent, while the gross national product increased at a rate of 6.2 percent annually.
>
> Meanwhile the population rose from 15 million before the Revolution to 36 million today. In 1910, 90 percent of the total labor force was engaged in farming; today, only 50 percent are farmers and the rest have shifted

> to newly created urban-industrial jobs or have joined the ranks of the unemployed. Despite rapid industrialization, Mexico has not been able to create enough new jobs each year and unemployment is its most severe problem.

I should say parenthetically that Mexico is better off in respect to its employment situation than are most other Latin American countries. And the military aid we send to Mexico relative to its population is only a tiny fraction of what we must send to other countries of the hemisphere to preserve what is known as internal security.

The senior Senator from Oregon will offer amendments to the foreign aid bill that will cut drastically into the proposed military aid program to Latin America, for the reason that I am convinced such aid is not needed. I would rather spend the money for bread than bullets.

Continuing to quote from Dr. Flores:

> Undoubtedly the breakup of the hacienda was the catalyst which released and set in motion the multitude of complex forces to which Mexico owes its sustained rates of agricultural and industrial growth. It gave the rural population an opportunity for both horizontal and vertical mobility; it destroyed the "caste" system; it profoundly affected the political environment and brought the country out of the colonial impasse; it opened it up to technological progress and paved the way for the beginning of road building and irrigation programs. Urban expansion and the public works policy created a huge demand for cement, steel, and other products of the construction industry, thus setting the basis for Mexico's industrial revolution.
>
> Without the agrarian revolution, Mexico would probably be today in a situation similar to that of contemporary Colombia, Peru, or Venezuela. There would be good roads leading from ports to mines, oil wells, and plantations; industry and farming would show development along a few specific lines. One would find urban expansion, Hilton hotels, air conditioning, supermarkets, funiculars, submarines, and other conspicuous construction. In patches, the economy would display a semblance of technological sophistication. But there would be little or no evidence of the rise of new classes that accompanied the industrial growth of the advanced nations.

Professor Flores continues, by emphasizing that effective land reform must be far more drastic than anything presently contemplated by the Alliance for Progress.

> Experience indicates, therefore, that it is a serious mistake to consider land reform as merely a matter of introducing more efficient farming methods, opening new lands, and partitioning large idle estates. Land reform is much more than that, regardless of what influential Latin American landlords disguised as progressives may say about it, and regardless of the misleading and naive utterances occasionally emanating from Washington which describe it as a measure that is not going to hurt anybody.
>
> Land reform should not be confused with the introduction of efficiency in farming by means of hybrid seeds, extension services, or the like. These measures necessary as they are, do not basically alter income distribution or the social and political structure. Efforts to increase efficiency must be applied after land reform takes place, not instead of it.
>
> Land reform should not be confused with attempts either to reclaim unproductive land to settle in uninhabited areas. Here a word of warning seems appropriate, since some Latin American countries (Guatemala, Colombia,, and Peru) already are embarking upon such a travesty under the Alliance for Progress. Opening public domain lands before industrial development gets under way is inadvisable, because their fertility is highly questionable and the large capital outlays required can be put to better use elsewhere in the economy.

These are some severe criticisms of what is contemplated under the Alliance for Progress.

As chairman of the Subcommittee on Latin American Affairs, which has committee jurisdiction over this program, I am greatly concerned and I am very much disturbed.

The general conclusion this writer presents is that unless reform is really basic and deep rooted, the money that the United States spends under it will be wasted. That is a fear I have had myself, and it is growing as I see the laxity in the administration standards for making funds available and the slowness with which only superficial reforms are moving in the nations to the south.

But Professor Flores goes much further, and into another conclusion which I do not necessarily endorse. Nonetheless, it deserves to be considered and studied by all of us who have responsibility in this field. It is that land reform, to be successful, must be a capital levy upon landlords.

He put it this way:

> Land reform in fact amounts to the adoption of a new pattern of income distribution: a capital levy on a few landlords that is distributed among many peasants and the states. This initial income shift greatly facilitates the increase of the domestic rate of capital formation, as proven spectacularly in the case of Mexico, where from 1910 to 1942 all sources of foreign capital were closed owing to widespread expropriations. Nonetheless, during this period Mexico set the basis for her industrial and agricultural expansion.
>
> If the land is purchased—rather than expropriated—this represents not land reform but merely a real estate transaction. If proprietors receive cash compensation, there is an income redistribution effect only to the degree to which cash compensation is inferior to the price of land. If the government pays the large landowners in bonds, this in effect forces landowners to lend to the government an amount equal to the price they receive for the land.
>
> In other words, to be effective land reform has to take productive land (and its income) from the landlords without immediate compensation. Otherwise it is not a redistributive measure. To pretend that landlords should be fully compensated is as absurd as to expect that taxpayers of advanced countries should receive cash compensation or bonds by an amount equal to their taxes.
>
> Viewed in its true light, land reform is a very drastic measure which crushes the power of the landed elite wherever it is applied. Landlords know this and, regardless of the lip service they pay to the Alianza, they will frustrate it in every possible way. It would not be surprising if they pocketed as much of the $20 billion as they can on the grounds of political self-defense. One need only remember, for instance, that food grants to Peru and other Latin American countries under the point 4 program often failed to go to famine areas and instead were sold on the markets, and the money went into the pockets of speculators. Administrative corruption and graft is an art about which underdeveloped countries have little to learn and may even be able to teach something to developed ones.
>
> Thus the position of the U.S. Government is tragic, and perhaps absurd: it wishes to entrust what is nothing less than a revolution to the very group—the safe conservative element—which in its own interest must block it, as it always has.

It may seem from the paragraphs I have read that Professor Flores thinks that only Communist revolutions can deal with this condition and that he is recommending the solutions of communism. Yet he also rejects that approach, pointing out that the Communists have failed to champion land reform when and where it was most urgently needed, apparently because they have put purely political considerations ahead of the needs of the people.

But I do not suppose that Professor Flores' prescription will meet with any sympathy among any of the officials or participants in the Alliance for Progress. I am not sure myself that it has a sound basis.

But I do recognize that the gap between existing conditions in Latin America and what we are trying to accomplish seem to be growing, rather than diminishing. When I see that increasing amounts of military aid are going into Latin America for internal security purposes, that domestic capital is leaving these countries almost faster than the American taxpayers can put it in, that the food and housing needs of the people in many of the countries are growing instead of diminishing, serious questions arise in my mind of whether American capital in any amount can do much about what is wrong in Latin America.

If Professor Flores' article contains nothing else, it does contain a strong case for the fact that it is basic reform that is needed in these countries and that without it, the United States will merely waste its money in the Alliance for Progress.

So far as my own view on land reform is concerned, I believe that what we ought to be seeking is to influence and persuade our Latin American allies to adopt land reform programs, and to urge them to proceed much more rapidly in passing through their parliaments legislation which will call for redistribution of land on the basis of a reasonable compensation for it. I should like to see that principle tried. Although it may be true, as Dr. Flores says, that compensation would use up money that is urgently needed for other purposes, it is for this very reason that the United States stands ready to finance it.

There is no question that basic in the issue of freedom is the protection of one's property rights, and that when one is required to give up those property rights, one should receive fair compensation for them. We stand ready to help finance it. But unless and until such plans for land reform get the go-ahead in Latin American countries, I share Dr. Flores' feeling that whatever else we finance will not make much of a dent in centuries-old backlog of their problems.

I think it has already been demonstrated in some Latin American countries that land redistribution of the type I have called for does plant the seeds of economic freedom, does make it possible for family farmownership to develop, does strengthen the economy, and does thereby make possible the strengthening also of a system of political democracy.

Nevertheless, we are indebted to Professor Flores for the challenging analysis of the land reform program as he sees it, and its relationship to the other problems of the hemisphere. I hope that his point of view will be a stimulus to the oligarchs in Latin America, to give more support than they have to date to the redistribution of land under a condemnation procedure, under which the land owner receives a reasonable compensation for the land that ought to be redistributed in the interest of the general welfare of the country concerned. His views should also be a warning to the Congress and the American people that we stand to waste billions of dollars in the Alliance for Progress unless it deals with more basic issues than it has to date.

Mr. President, I yield the floor.

NEITHER WAR NOR PEACE: QUESTIONS ABOUT OUR CUBAN POLICY

Mr. McGOVERN. Mr. President, on March 15, I suggested that we had become obsessed with Fidel Castro and the Cuban problem. Considering the significance of the Cuban regime and its limited economic and military potential, I asked if we had not exaggerated this as a threat to our security. I characterized our obsession with Castro as a fixation that was causing us to lose sight of other more fundamental challenges in the hemisphere and elsewhere in the world. The real bombshells of Latin America—poverty, illiteracy, disease, feudalism, injustice—were being underestimated. Too many critics, I concluded, seemed willing to risk countless lives in a military invasion or naval confrontation leading possibly to nuclear war, while not enough courageous and thoughtful men were giving attention to the basic problems which made Castro possible. What Castro is primarily a threat to is not the United States, but the possibility of peaceful, democratic development in the hemisphere.

Recognizing the necessity for keeping the Cuban dictator under surveillance, I suggested that we devote less time and energy to his fulminations and more to removing the conditions which are the seedbed of violence and communism throughout Latin America.

But bringing the Castro threat into perspective and strengthening such constructive forces as the Alliance for Progress will not directly solve the problem of Castro's Cuba. What, then, can we do specifically about this foreign policy stickler?

There are a few who suggest that we ought to make a direct onslaught against Castro, and, indeed, we have the military force to crush his government. This course is not supported by the Kennedy administration, nor does there seem to be any indication that Congress is ready to enact a resolution calling for a war against Cuba. The American people expressed overwhelming opposition to a military invasion of Cuba in a Gallup poll taken this spring.

Most of our citizens seem to understand, even if some few politicians do not, that a war with Cuba would doubtless create greater problems than it would solve. Historically, even the most well-intentioned U.S. military interventions have poisoned our relations with Latin America for long periods. And if we were to clash with Soviet forces in Cuba, who can be sure that this would not trigger world war III?

Some have suggested that we invoke a naval blockade against Soviet oil shipments to Cuba. But here again, this means a direct clash of American and Soviet power, albeit on the high seas. To forcefully stop another nation's ships on the open seas is an act of war. Who is to guarantee that this would not balloon into a nuclear exchange?

It is true that when President Kennedy invoked a partial blockade against Cuba last October, he said that we would require the removal of offensive Soviet missiles followed by U.N. inspection as the price for lifting our naval sanction. The missiles were withdrawn, but the Cubans balked at permitting U.N. inspection unless such inspections were extended to U.S. staging areas in Florida.

Those who argue that the President capitulated by removing the naval sanction in the absence of U.N. inspection of Cuba should bear in mind that our reconnaissance planes have been permitted to fly over Cuban territory daily without interference. U.S. photo reconnaissance is fantastically effective in giving our strategists a daily picture of the situation in Cuba.

Actually, President Kennedy scored one of the most spectacular victories of the cold war when he forced Mr. Khrushchev to get his missiles out of Cuba without war. That action was successful because it was thoughtfully planned to achieve important but limited American objectives that gave our adversary enough room to maneuver short of a nuclear showdown.

Those who now call with more partisanship than prudence for precipitous action, invasion, or blockade should count the consequences of their proposals. We are no longer dealing with flintlock rifles or frigates of the early years of our Republic.

Cuba is only one of a score of tension spots around the world, any one of which could escalate into a global holocaust of unspeakable horror.

Those who propose the establishment of an American-backed Cuban government-in-exile at Guantanamo Bay are suggesting that we violate our treaty rights. The U.S. Government has a signed treaty with Cuba which gives us permission to operate a naval base on Cuban soil as a coaling and naval station only. It is both morally repugnant and politically unsound to suggest that we flaunt our treaty obligations by attempting to set up a military force at Guantanamo aimed at the overthrow of the Cuban Government. It is no excuse to say that the Cuban Government is scornful of its obligations. The United States of America did not become the world's greatest champion of human freedom and dignity by adopting the immorality and illegality of our most obnoxious enemies.

Before we condemn our President for his patient efforts to avoid war with Cuba while stimulating the forces of freedom in the hemisphere, we should look out on the world from the eyes of the White House.

President Kennedy admittedly has made mistakes in Cuba, the prime example being the ill-fated Bay of Pigs invasion. That invasion was conceived by the previous administration but it was approved by Mr. Kennedy and he courageously assumed the full blame. But to suggest now that the President is weak kneed because he does not involve us in another wild venture of this sort seems incomprehensible.

The President of the United States is charged with a higher obligation than to risk taking this great Nation into war and possibly trigger a nuclear Armageddon unless every other alternative has failed.

President Kennedy is no weakling or appeaser. He will carry to his grave painful injuries suffered in military combat. He carries in his heart the memory of his brother who died in aerial combat. He has on his shoulders the fate of 189 million Americans, and, indeed, all mankind.

He needs our help and our patience and our prayers—not the strictures of bombastic critics and careless partisans.

To reject the counsels of recklessness, however, is not to suggest that we sit on dead center relative to Castro's Cuba. There is an urgent need for constant evaluation and thoughtful, restrained criticism of American foreign policy, and especially our Cuban policy. Isolating Castro and refusing to talk to him may be a practical, temporary expedient. It is not a positive or permanent policy.

Our present position seems built on the doubtful assumption that Castro, shut off from hemispheric aid and political support, will wither away. But will he? And if he does, what then? Do we have in mind a positive political alternative to Castro? The exiles appear hopelessly divided, sharing only a hatred of Castro. Do they, or we, wish to restore the economic and political conditions that existed under Batista—the very conditions that insured the success of Castro's grab for power? If not, how much of Castro's changes will they, or we, accept? Do we accept the expropriation of the sugar and cattle lands? The seizure of the oil refineries? The land reforms? The educational reforms? Can we see beyond the Castro revolution to the conditions that would exist in a Cuba without Castro?

Aside from these longer range problems, we appear to be in a corner on the issue of Cuba even insofar as immediate goals are concerned. We will not negotiate; neither will we take aggressive action. We will not trade with Castro; yet, we resent each new trade arrangement he concludes with the Soviet bloc or other sources. We shield the exiles from Castro's tyranny, but will not suffer them to strike blows at their enemy. We resent the presence of Soviet forces in Cuba; yet, we cannot entirely deny Castro's claim that he invited them to come because of his fear of an American-assisted invasion of his island.

At home, our bipartisanship on foreign affairs is shattered as the administration comes under attack for the apparent stalemate of our Cuban policy. Our Cuban fever is bound to rise and fall with each succeeding event. We are at the mercy of every political opportunist both at home and abroad who exploits our lack of a dynamic, positive policy.

In view of these facts, would it not make sense in Prof. Roger Fisher's words to "slice up the Cuban problem"? Can we define certain limited goals in Cuba that give some realistic hope of attainment?

I believe that we can. I trust that such feasible alternatives to our present policy are now under the most active and serious consideration by our policy planners.

At a later date, I hope to suggest certain constructive steps that might be taken to open the way to a more satisfactory relationship with Cuba. Perhaps some Senators and Congressmen more experienced than I in foreign affairs will join in that effort.

Mr. COOPER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COOPER. I ask unanimous consent that the order for a quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT

Mr. McGOVERN. Mr. President, under the order previously entered, I now move that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 45 minutes p.m.) the Senate adjourned, under the previous order, until tomorrow, Friday, June 28, 1963, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate, June 27, 1963:

DEPARTMENT OF THE AIR FORCE

Gen. Curtis E. LeMay, U.S. Air Force, to be reappointed as Chief of Staff of the Air Force for a term of 1 year.

IN THE ARMY

The nominations for promotion to major beginning Peter A. Abbruzzese, and ending Frank C. Leitnaker, Jr., which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on June 24, 1963.

EXTENSIONS OF REMARKS

Foreign Gambling

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1963

Mr. FINO. Mr. Speaker, today, I would like to take the Members of this House to Europe and observe the gambling operations in four more foreign countries. These nations are among the 77 foreign countries which recognize and accept the fact that the urge to gamble is a universal, instinctive human trait which should be controlled and regulated for the Government's benefit and the people's welfare.

England has, since 1956, a premium bond lottery. Under this proposal, the interest earned on the bonds is paid in the form of prizes. In addition thereto, England does have many other forms of legalized gambling such as horse racing, dog racing, and football pools. Last year, the Government sold $199 million in bonds and awarded $43 million in prizes. This lottery device has helped England sell its bonds which prior thereto were not selling sufficiently to meet the Government's need for revenue.

Finland is a small nation of a little over 4 million people, but size notwithstanding, it is noted for cultural and artistic attainment. The Finns are not a rich people, and they find it difficult to provide for the sustenance and promotion of their cultural heritage. They are quite dependent upon the national lottery as a means to this end. There is no evidence that they find this money somewhat tainted, for unlike many Americans they are not plagued by pious hypocrisy in these matters.

In 1962, the total gross receipts came to over $6 million. The net income to the Government amounted to over $2 million. The profit was divided for the promotion of science and fine arts, the national opera and the national theater.

Gibraltar does very well with its lottery operation. The total gross receipts for 1962 amounted to $1,776,000. After payment of prizes and expenses, the total net income to the Government came to $417,000. The profits are used to help finance the building of new houses for the people.

Holland is also a small nation but its lottery operation is a very profitable one. The Dutch recognize that people love to gamble and it is better that they be able to do so under Government auspices. In 1962, the gross receipts came to almost $10 million. The Government's share was over $1 million which was turned over as general revenue.

Mr. Speaker, we, in the United States would do well to come to the same realization with our own national lottery. Gambling in this country is a $50-billion-a-year industry which is practically untapped. If we were not blind to human and financial reality, we could learn quite a bit from all of these foreign countries. A national lottery in the United States can easily and voluntarily pump into our own Treasury over $10 billion a year in new revenue which would allow a tax cut and a reduction of our national debt. What are we waiting for?

Inequities in Expense Account Law

EXTENSION OF REMARKS

OF

HON. JAMES C. HEALEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1963

Mr. HEALEY. The serious economic effects brought on by the Revenue Act of 1962 and the confusion surrounding it as it pertains to travel and entertainment expenditures have led me to introduce a bill, H.R. 6244. This bill would abolish the artificial and arbitrary standards of the present law in favor of a standard of reasonableness.

The repressive economic effects of the present law will result in the abolition of 140,000 jobs and a loss of $1 billion in sales in the food and lodging industry if allowed to continue, according to a survey taken by the National Restaurant Association. In New York City alone, an annual sales loss of $117 million and the elimination of 14,000 jobs can be expected. The Revenue Act of 1962 was designed to produce revenue; unfortunately it is causing a tremendous sales loss and resultant unemployment, the ultimate effect being the loss of revenue. Treasury Department statistics indicated that $100 million in increased revenue could be expected, but $50 million in lost income from workers can be anticipated and $30 million in lost taxes from vanished business income. When we add $126 million for unemployment compensation benefits, we can see a loss of more money than the law had intended to produce.

What is the cause of all this? Much of the loss of business in the food and lodging industry can be attributed to the confusion surrounding the law. A befuddlement among the business community as to what is, and what is no longer, deductible is heightened by the 174 pages of implementing regulations that attempt to clarify the law and set down the recordkeeping requirements.

Why is the businessman confused? Because he is faced with new and totally unrealistic artificial standards of deductibility. No longer is he safe when he incurs an ordinary and necessary expense in the business entertainment area. He must consider the surroundings not in the light of his own intentions or practices but as they will appear to the revenue agent who audits his return.

If he wants to entertain merely to convey good will, he must do so in a quiet place, for there he does not have to talk business. If the place is too noisy to talk business, the businessman can still get the deduction by talking business. The question of deductibility thus seems to center on what is noisy. Perhaps the presence of more than two musicians would constitute a noisy place. To assure compliance with the law, the restaurant owner discharges all of his musicians. They stand in the unemployment lines knowing their former employer now runs a quiet place. No one seems to have an adequate answer for them as to why it should be necessary.

I have introduced a bill that would eliminate these apparently arbitrary standards that can only ultimately bring disrespect of the law itself. My bill would adopt a standard of reasonableness as the determinant of deductibility. Such a standard can be understood by the business community. It is already present in the Internal Revenue Code. Having worked in other fields, it will work in the expense account area. Why should travel and entertainment expenditures be treated any differently from any other business expenditures? Adequate but not unduly burdensome records must still be kept. Such a standard leaves no loopholes for cheaters, but neither does it penalize the honest businessman by confusing him with artificial standards and oppressive recordkeeping.

Military Pay Bill

EXTENSION OF REMARKS
OF
HON. W. J. BRYAN DORN
OF SOUTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 27, 1963

Mr. DORN. Mr. Speaker, we are all confident that under the able leadership of Senator Richard B. Russell the military pay bill will be acted upon promptly in the other body and will soon become law. It is my understanding that the distinguished senior Senator from Georgia has appointed a subcommittee and hearings will start on this urgently needed bill at an early date. The enactment of a military pay bill is long overdue. The final passage of this bill at an early date will be a tremendous boost to the morale of our servicemen and women throughout the world.

Almost daily our weapons system grows more complex. This is indeed the age of science and technology. This fact was never more evident to me than when attending the launching of the Polaris submarine, the *John C. Calhoun,* at Newport News, last Saturday. The skill necessary to operate this magnificent instrumentality of defense is beyond comprehension. The same is true of the equipment being operated by the Army, the Air Force, and the Marines. The very existence of this country depends upon the skill, efficiency, and technical training of our armed services. The men and women in our Defense Establishment are devoted and patriotic. They deserve the highest recognition, and they deserve the very best that America can furnish in the way of adequately trained additional personnel.

The last general military pay increase was 4½ years ago. Private industry has been able to outbid our armed services through higher wages and salaries. The men and women of our armed forces are taking renewed hope from Senator Russell's leadership and sense of justice.

Addresses of Vice President Lyndon B. Johnson

EXTENSION OF REMARKS
OF
HON. WILLIAM L. DAWSON
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 27, 1963

Mr. DAWSON. Mr. Speaker, we all are highly appreciative of the great work the Vice President is doing in many areas and the solid support he is giving President Kennedy. I had the privilege of seconding the nomination of Lyndon B. Johnson for Vice President at the 1960 Democratic National Convention in Los Angeles. He has lived up to everything we said about him then.

The Vice President is dedicated to making our democracy a reality and by his stirring speeches and his chairmanship of the President's Committee on Equality of Opportunity he has carried that dedication into action.

Under unanimous consent to extend my remarks in the Congressional Record, I include an address by our distinguished Vice President Lyndon B. Johnson, to the American College Public Relations Association in Chicago, Ill., on Tuesday, June 25, 1963, and another address to the Contractors and Union Leaders Conference on E.E.O. at St. Louis, Mo., on June 25, 1963.

The addresses follow:

Remarks by Vice President Lyndon B. Johnson Before the American College Public Relations Association, Chicago, Ill., June 25, 1963

A NATIONAL CONCERN

In 1924 I stood on a platform under a warm Texas sky in a star-filled Texas night and graduated from Johnson City High School in the hill country where I was born.

There were six of us, four boys and two girls, in that graduating class.

Last month, under a sky much the same as it was 39 years ago, I spoke to the 1963 graduating class of Johnson City High School, a class of 24 strong.

I suppose those youngsters will remember as much of what I said to them as I remember of the words spoken to me on my graduation night—that is to say, nothing at all.

But in those 39 years, in that brief blink of time as we count time in the history books, the world and its ways have gone through a convulsing change.

In the life span of those young graduates, strange and wonderful things have happened.

The earth has been shrunk but its dimensions have widened. We have supersonic airplanes and manned space flights, television and Telstar. We have painkillers and pushbuttons, computers and cyclotrons, and we also have hydrogen bombs and ballistic missiles.

The winds of today's world run swifter than a weaver's shuttle.

Ninety percent of all the scientists who ever lived are living today.

More mathematics has been created since the beginning of the 20th century than in all the rest of history combined.

Ninety percent of all the drugs being prescribed by physicians today were not even known 10 years ago.

Three-fourths of all the people who will work in industry in 1975 will be producing products that have not yet been invented or discovered.

This is not a time for timid minds and torpid spirits.

It is a time for finding the best of solutions to the worst of problems.

One of our big problems is higher education.

UNHAPPY FACTS

The words of Alfred North Whitehead, that wise and prophetic Harvard teacher, come back across half a century to haunt us today:

"In the conditions of modern life the rule is absolute, the race that does not value trained intelligence is doomed. * * * Tomorrow science will have moved forward yet one more step, and there will be no appeal from the judgment which will then be pronounced on the uneducated."

Professor Whitehead's words live more vividly when you examine some of today's unhappy facts.

For example, there is our educational posture compared to the Soviet Union. Studies by the National Academy of Sciences and National Research Council show us that:

In the production of technically trained people in engineering and the physical and biological sciences, the Russians double our output.

By 1970 we'll need 1,200,000 new scientists. We'll be lucky to train three-fourths that many.

During that same period, the Russians will turn out 2,500,000 scientists and engineers.

Some 60 percent of all Soviet degrees are awarded in engineering and/or the sciences.

We award about 25 percent.

The Soviets overlook nothing in their assault on scientific illiteracy. Chancellor Litchfield of Pittsburg warns that we are not keeping pace with the Russians in the way they utilize the brainpower of women.

By his estimate, 35 percent of the engineering faculties in Soviet universities and 39 percent of the engineering students are women. By contrast, only 7 percent of U.S. scientists are women.

Moreover, the Russians are spending about 6 percent of their gross national product on education. We spend about 3.5 percent. In a truer perspective, we have at least 50 percent more students attending our colleges and universities. But the disturbing thing here is the Soviet determination to put first things first in educational emphasis.

These are facts that caused President Kennedy to describe technical and scientific education "one of the most critical problems facing the Nation.

He has, as you know, not only illuminated the problem. He's trying to do something about it in the Congress.

But there is another area of concern to me. And I know it's troublesome to you, too.

Our best estimates tell us by 1970 we'll have 7 million youngsters in colleges and universities and possibly 8½ million by 1975. That last figure happens to be just double the total for 1963. In some areas of the Nation, the number of high school graduates will almost triple in the next decade.

They are stunning statistics.

But they run alongside some other incredible estimates.

THE CHALLENGE

A recent study indicates that the United States may have to spend as much as $12 billion annually for colleges and universities by 1970.

Our needs are enormous.

Our needs are urgent.

Unless we want to go to bed by the light of a Communist moon; unless we resign ourselves to surrender and return to the tusk and the tooth; we have no choice but to meet headon this challenge.

Walter Lippman has written: "We must measure our educational effort as we do our military effort—not by what it would be easy and convenient to do, but by what is necessary to do in order that the Nation may survive and flourish. We have learned that we are quite rich enough to defend ourselves, whatever the cost. We must now learn that we are quite rich enough to educate ourselves as we need to be educated."

There are ways to do just that.

We must seize the ways and make them work for us.

PROBLEM OF PARTNERSHIP

We must attack this problem in a partnership for national profit; a partnership of colleges and universities, business and industry, State and Federal Government, and students and parents.

The colleges and universities themselves can help.

In this audience are many—and I commend them—who have worked and are working on plans of development to prepare your schools for the years of stress ahead.

The States have a role and a responsibility. They need to exercise both.

Experience over the years has made one fact clear: You pay for a proper system of higher education in one way or another. Either you pay for it positively by considering funds for this purpose as an investment in the future—or—you fail to provide enough funds and you pay negatively in lost payrolls, lost taxes, and worst of all, lost opportunities for our young citizens.

In truth, the State that demands the most from its future has no choice. It must invest fully in its institutions of higher education. It cannot turn away from this decision any more than it can turn away from tomorrow.

Students and their parents can help.

Parents can purchase higher education for their children. It is a sound investment. It is commonly agreed that an undergraduate degree adds about $100,000 to the graduate's lifetime earning power.

The Federal Government can help greatly, too.

I'm not unaware that suggesting Federal aid for education is to many good citizens the same as dining with the devil. However, I recall that during World War II Sir Winston Churchill once growled that if Hitler invaded Hell, he would rise in the House of Commons to say a good word for the Devil.

LOCAL PROBLEM—NATIONAL CONCERN

The facts are simple and the facts are these: Education is primarily a local problem. It has always been a local problem.

The Federal Government has never intruded on that province. Since the Morrill Act of 1862, the Federal Government has recognized the needs and the importance of a healthy educational system. In that 100 years of Federal participation in education, there has been no control—there has been no sinister conspiracy—there has been no menace, no threat, no skulduggery of any kind. Most of the fears of Federal domination have been either the imaginings of folks who didn't have all the facts. or demagogues who feast on fear to win votes.

While education is a local problem, it is also a national concern.

If our national posture must be stern, our national purpose must be strong.

The question is not whether we should have Federal help for local education. That was resolved 100 years ago.

The question now is how best can the National Government help the private arena and the local government keep their higher education healthy.

For these are unpeaceful and unusual times.

Today we look down the brazen throat of war, and hold our courage to the sticking place.

Today we are searching out the secrets of a lonely universe, never before explored.

Today we are advancing on the ancient enemies of mankind: disease, ignorance, and poverty.

Today we are making contact with a tomorrow that will make yesterday seem shamefully barren.

We are doing all this and we will do more.

The reason—education.

I am glad to speak my thoughts to this organization which is accomplishing much for higher education.

But there is much more to be done.

Perhaps this partnership of colleges, universities, business, industry, State, and Federal Government, and parents and students joined in common concert may be the answer.

I know it must be so. I know this because I believe in this land and its people, because we are strong and free, because we understand.

That, in its highest sense, is the reason for higher education.

REMARKS BY VICE PRESIDENT LYNDON B. JOHNSON AT CONTRACTORS AND UNION LEADERS CONFERENCE ON EEO, ST. LOUIS, MO., JUNE 25, 1963

You have been assembled here today as serious-minded men and women dedicated to a serious purpose—the fulfillment of the promises of a free society.

I congratulate you. You have come under one compulsion only—the desire to fulfill your obligations of citizenship to a country which you love.

It would be idle to ignore the background against which this meeting is being held. During the past few months, we have witnessed the strong protests of people who feel—with justice—that they have been denied their rights for too many decades.

This meeting is not being held in response to the demonstrations—in fact, it was planned before the demonstrations were conceived. But the demonstrations themselves—however controversial—have highlighted the urgency of what we are attempting to do.

No problem is ever solved until we first understand it. And I believe we must realize that we are facing not one, but two problems which are interrelated but which require separate approaches.

First, there is the problem of discrimination itself—the kind of action that says a man will be judged on his ancestry without regard to his merits.

Second, there is the problem of the impact that decades of this discrimination have had on men and women—and this problem, though less obvious, is more subtle and more difficult to overcome than the first.

Our country is making progress on a solution to the first problem. We would be less than candid if we said that the problem has been solved or that we are even close to a solution. But we have made a start and I am confident that we will make enormous strides in the period immediately—and I do mean immediately—ahead of us.

However, if those of us assembled in this room could pass a resolution that had the magic power to abolish racial discrimination totally by midnight, we would still wake up tomorrow in a highly imperfect—and highly unequal—world. We would still find 10 percent of our population battling for economic survival against handicaps that would discourage all but the stoutest and boldest.

The bars that have been erected against men because of their race, their creed and their color have not been bars against jobs solely. Even more importantly, they have been bars against the opportunity to qualify for the jobs.

And after decades in which men have been barred from jobs and barred from the training for those jobs, still a third factor arises. It is a psychological barrier that makes a man reluctant to even try to qualify for a job when a lifetime of experience—and his father's experience and his grandfather's experience before him—has demonstrated the heartbreaking futility of such efforts.

Too many young men and women, with stars in their eyes and music in their hearts, have stormed the heights only to find the last mile guarded by an implacable gate inscribed "Admission by approved ancestry only." A few—a pitiful handful—have passed the gate but only because they possessed talents and determination far in excess of that required by others for whom the gate swings easily.

And for every 1 who knocked and was denied, there were 10 others who lost heart and dropped out of the struggle.

My experience in the field of equal employment opportunity has demonstrated one thing to me conclusively. The basic issue at stake is the good faith of the majority. Until that has been proved, there will be no solution to the problem we are facing.

To find the answer, we must work together. And if we search our hearts and our souls, we must, in candor, concede that the minority has some basis for skepticism.

I believe in the good faith of the majority. Otherwise there would be no reason for us to be here today, taking time out from crowded schedules when that time might be used for individual profit and gain.

We must admit there has been lethargy; a tendency to look the other way; a preoccupation with our own individual affairs that has blinded us to what is happening to our fellow men. But I have known very few people in my life who are not men of good will and the few exceptions have been those so obsessed by their fears that they had lost the capacity for hope.

You are not men and women obsessed by your fears—you have achieved too much in this world to be fearful. You are men and women who are capable of reasoning together to reach constructive solutions. And the solutions must be reached by you in your local communities.

The Federal Government will not shirk its obligations. But the ultimate answer to the problems must go beyond the actions the Federal Government can take.

We can help. We can offer advice which you yourself must judge as to its merits. We can maintain channels of communication. We can employ Federal power to protect the constitutional rights of every American citizen regardless of race, creed, color, or national origin. We can pass laws defining those rights. We can outlaw discrimination in a broad series of fields.

It is apparent by now that we will act to the limit of our powers to enforce justice. But banning discrimination does not—by itself—create equal opportunity.

Somewhere, somehow people must sit down together and work out their problems. Equal opportunity requires more than a negative ban against evil; it requires a positive affirmation for good—and practical methods of achieving the goal.

We must find ways of making up for the lost years of educational opportunities.

We must find ways of persuading our young people that the door of opportunity is now open and that they can pass through if they only train themselves.

We must find ways of eliminating employment patterns that react—like litmus paper—to a color test.

And, above all, we must find jobs—useful, productive jobs that will strengthen America and make all our citizens full participants in our economy.

Do not think for a moment that this problem can—or should—be solved by disregarding the total job situation. We are not trying to replace a group of people who now have jobs with another group that does not. That would merely be sharing the misery—a concept unworthy of America. What we wish to do instead is to share the benefits of our economy—and spur it to new heights by adding to it productive workers whose services we have previously denied ourselves.

I do not believe we are so barren of imagination or so pauperized in initiative that we can no longer expand our prosperity. I do not believe that we lack the skill to train our people in useful occupations—and bring them together with work that has to be done.

Nor do I believe that it is an adequate answer to say that we must continue to be unfair in employment because there are not enough jobs to go around.

Here in St. Louis the community is moving. The mayor has taken the initiative and has set up a committee to act—not just to talk. That means much to me because this conference would be wasted if it amounted to nothing but pious expressions of good will.

The St. Louis committee can count upon the help and cooperation of the President's Committee. I hope we are called upon frequently. And I hope community action programs are set up in every city in our land.

There is just one thought I wish to leave with you in closing.

We are not here to do anybody a favor—and I doubt whether any favors are wanted. We are not trying to create a privileged group. Nor are we trying to create an artificial "equality."

We are trying to establish justice and to make up—as best we can—for wrongs. And we are proceeding on the assumption that where men and women have equal opportunity they will turn out to be rather equal after all.

This is an opportunity to do what is morally right and what is right for America. You have my best wishes, my full support, and my high hopes for success.

Address by Hon. J. Edward Day, Postmaster General, on the Occasion of the 25th Anniversary of the Civil Aeronautics Board

EXTENSION OF REMARKS

OF

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1963

Mr. EVINS. Mr. Speaker, the Honorable Alan S. Boyd, Chairman of the Civil Aeronautics Board was host on yesterday to a luncheon on the occasion of the 25th anniversary of the Civil Aeronautics Board at which time Hon. J. Edward Day delivered an excellent address, which I am pleased to recommend be included in the CONGRESSIONAL RECORD—believing that Postmaster General Day's remarks will be of interest to my colleagues and others and that it should receive wider circulation.

The text of Postmaster General Day's address follows:

ADDRESS BY J. EDWARD DAY, POSTMASTER GENERAL, 25TH ANNIVERSARY LUNCHEON OF THE CIVIL AERONAUTICS BOARD, SHERATON PARK HOTEL, WASHINGTON, D.C., JUNE 26, 1963

It is a great pleasure to join in celebrating the 25th anniversary of the Civil Aeronautics Board.

Yesterday at about this same time I addressed the Aero Club of Washington, so I am really flying high this week.

From my rather lofty vantage point I congratulate the members and staff of the CAB—past and present—on a successful quarter century of assistance to civil aviation. The Civil Aeronautics Board has guided American aviation through a period of phenomenal progress, change, and expansion. It has aided the airlines during the difficult transition to the jet age.

The Civil Aeronautics Act was passed by Congress in 1938 to end the economic chaos and near anarchy which prevailed in the aviation industry. The act was designed to check the uncontrolled competition of the previous decade and to give the young industry a chance to develop in an orderly manner. The act recognized that the healthy growth of aviation and reasonable rates were closely tied to the public interest.

The original act has been revised, but its successor, the Federal Aviation Act of 1958, imposes upon the CAB essentially the same declaration of national policy as the 1938 act. The CAB must consider both the needs of the public and of the aviation industry. Chairman Boyd has stated the CAB's duty in the following way:

"We must see to it that the United States has a healthy, vigorous air transportation system which meets the public and national needs. It must be safe, adequate, economical, and efficient. Its charges must be reasonable. It must be without unjust discriminations, undue preferences or advantage, or unfair or destructive competitive practices. Its development must be sound."

As you can see, this is no easy assignment. It is complicated by the fact that the CAB was not able to start with a clean slate. All 11 existing trunk carriers are the same airlines, or the successors to the same airlines, that acquired "grandfather rights" under the 1938 act. The large carriers were formed on the basis of factors other than a well-planned national air route system.

The CAB also came under great pressure from both the industry and the public to allow more routes, more airplanes, and more markets. The great improvements in airplane design and the heightened awareness of air travel brought about by World War II added to the demand. The Board had its work cut out for it in its attempt to order and channel the incredible postwar expansion in the industry.

Today, the 11 domestic trunkline carriers serve more than 600 points over routes in excess of 185,000 miles in length. Twenty-four smaller carriers provide service to some 900 smaller communities over routes in excess of 88,000 miles. Three carriers provide domestic all-cargo service to 38 points over routes in excess of 14,000 miles and another 15 carriers are licensed to provide supplemental services. Fifteen carriers are authorized to provide service to a total of 428 points outside the United States over routes in excess of 320,000 miles.

The modernization and expansion of air service is still affecting postal operations. Less than 2 weeks ago in Alaska the last of our dogsled teams that still carried mail was replaced by an airplane. I want to make clear that this was done to speed up service and not to get even with dogs for biting letter carriers.

Although the CAB oversees this vast, complex network, it has only about 800 employees, making it one of the smallest agencies in the Government. But its fine work has made it one of the best known, and it has demonstrated that size is not the best criterion of value.

The Post Office Department is considerably older than the CAB; Ben Franklin was Postmaster General under the Continental Congress and the Postmaster General has been a member of the Cabinet since the administration of Andrew Jackson.

We have 585,000 employees, making us by far the largest civilian agency in the U.S. Government. We had 150,000 employees even back in 1890. We handle 16 times as much mail today, with less than 4 times as many employees.

The Post Office Department is old but not ossified. We, too, are still vigorous, lively, and changing. The Department played an important role in the development of commercial aviation in this country, and we still give an important assist to the airlines which carry our mail.

Between 1938 and 1953, the rates the Post Office Department paid to the airlines included subsidies that were fixed by the CAB. After 1953, the subsidies were paid directly by the CAB. The Post Office Department now pays only a fair charge for the services rendered by the carriers.

The CAB's stabilization of the airline industry has greatly helped us in providing reliable and rapid airmail service. The Department will spend about $93 million on air transportation this fiscal year. Twenty-five years ago, when the CAB was founded, that figure was under $25 million. Since this earlier figure reflects a subsidy, the change is actually even larger than is indicated.

Americans today send nearly 2 billion pieces of airmail annually, an increase of 750 percent over 1938. The increase in airmail poundage in the last 25 years is twice that large, about 1,500 percent.

Like every other Federal agency, operating in a dynamic political and economic climate, the CAB has at times been enmeshed in controversy and has upon occasion been attacked. Some of the criticism has stemmed from the fact that the CAB must balance its twin functions of promotion and regulation.

It has by now become more or less expected that a member of an independent Federal commission will, upon retiring, immediately call for its abolition or substantial revision. Newton Minow followed the accepted ritual when he vacated his FCC office on the seventh floor of our Post Office Department building recently. Louis J. Hector, on retiring from the CAB in 1959, wrote President Eisenhower:

"Not with the Founding Fathers as members of its Board do I think the CAB as now organized could fulfill its obligations to the American people."

I don't know of any Postmaster General who has suggested that the Post Office Department be disbanded. However, sometimes we are told by others that the Post Office should be a private corporation operated for profit instead of a great public service agency. In this connection, the following item appeared on the front page of one of our Washington newspapers not long ago:

"A second, separate John Birch Society—calling for abolition of the 'socialistic' Post Office Department and cola beverages—is now operating with headquarters in Baltimore, it was revealed yesterday.

"The Baltimore organization, whose full name is the John Birch Chowder and Marching Society, is headed by Attorney Leonard J. Kerpelman.

"Kerpelman said the society's No. 1 aim is to wage its opposition to the Post Office Department.

"'By socialistically delivering people's messages for them,' he said, 'the Post Office Department makes people weak, dependent and without moral fiber, instead of leaving them to deliver their own messages, which would make them strong, independent and morality fibrous.'

"Kerpelman described his society as an ancient one, driven underground by prohibition: 'We regard the more recent John Birch Society, the one that hogged all the publicity, as a very late starter. Our society is better fit to deal with world problems today, because we have been underground for so long we are more completely uncontaminated by any ideas of the last millennium.'"

Of course, I don't agree with Mr. Kerpelman's Chowder and Marching Society. I think that a strong and efficient Post Office Department is indispensable to a thriving economy, just as the work of the CAB has been indispensable to the ordered expansion of American aviation.

The Port Office Department is proud of its own role in starting commercial aviation. The Department's airmail service initiated the commercial use of the airplane, which before that time had been built only for military or exhibition purposes.

Congress authorized contracts for the carriage of mail by airplane in 1911. Since the cost could not exceed other means of transportation, airmail flights did not actually begin until 1918. The first trip was not auspicious. Careful plans had been laid which called for a plane to fly from Washington to New York, with a stop in Philadelphia. On the morning of May 15, 1918, in the presence of President Wilson and other Government figures, including an obscure young Assistant Secretary of the Navy called Franklin D. Roosevelt, a pioneering aviator set out with the first load of airmail.

But he got his directional signals mixed up and wound up in Waldorf, Maryland. His mail had to be carried back to Washington and taken to New York by train.

Despite the faltering start, airmail routes were gradually established over much of the country. The Post Office Department made the first transcontinental flight from New York to San Francisco on September 8, 1920, with the plane carrying 16,000 letters and averaging 80 miles an hour.

In those days, flying was a dangerous, uncertain, and sometimes madcap business. Runways for take-off or landing did not exist and there was no air-to-ground communication, no beam to follow, and no marked course. The mail planes were converted Army DeHavilands with open cockpits, fabric-covered wooden frames, and a top speed of 100 miles per hour. Once a pilot left a field nobody knew where—or if—he was until he arrived.

The few instruments on the panel were of uncertain accuracy and adaptability. Gasoline capacity limited the plane to a few hours flight, and the motors were unpredictable and tended to stop at any time. When the motor stopped it could be started only by spinning the propeller, a difficult job which resulted in many bruises and some near decapitations.

Two hundred and twenty-one planes were used in the airmail service from May 1918, to October 1921. Only 50 of these were in flying condition at the end of the period. Another 26 were still available but undergoing repair. Of the others, 101 had crashed, 7 burned, and 37 had to be withdrawn for one reason or another.

Thirty men were killed in airmail service in about the same period. In 1920, there was one fatality for each 100,000 miles flown. By comparison, the 1962 fatality rate for scheduled domestic passenger service was one fatality for each 172 million miles flown, a fine tribute to the air safety work done by the CAB and FAA.

The men attracted to the hazardous job of flying the mail in the early days were a daring, temperamental and carefree group. The Post Office Department had no choice but to accommodate itself to their hi-jinks and eccentricities, because as one official said with resignation, "the mail must go, but who in hell is going to take it?"

The pilots seemed fond of letting the mail wait around in balmy weather, but took a kind of fierce pride in defying bad weather. One man took time off to bombard a village with toilet paper. Another arranged to buzz antelopes into a fence corner where a confederate waited to butcher them.

The most famous of all airmail pilots was Charles Lindbergh, who served on a contract route between Chicago and St. Louis. Flying northbound on this route on November 3, 1926, Lindbergh ran out of fuel and was forced to jump from his plane. Dean Smith, a colleague of Lindbergh's reported a crash landing with this terse message:

"Landed on cow—killed cow—scared me. Smith."

Another airmail pilot, one Kenneth Unger, was forced to crash land after his motor failed. Unhurt, he borrowed a horse to return to town. Evidently, he was less skillful in handling the horse than his plane, because the horse threw him for another crash landing, and this time he broke his ankle.

Lindbergh took a leave of absence from the airmail service to make his historic flight from New York to Paris in May 1927. During a Paris interview, Lindbergh said, "I am an airmail pilot and expect to fly the mail again." And, as a matter of fact, he later did fly his old route between Chicago and St. Louis once again.

Although the Post Office Department actually carried mail up to August 1927, it gradually surrendered its operations as soon as contractors with the ability and sufficient financial backing to perform the service could be secured. The Department fostered and nurtured commercial aviation and then turned it over to private enterprise.

We have other examples of a similar pattern in Post Office history. In most industrialized foreign countries, telephone, telegraph, and broadcasting facilities are owned by the government. In the United States, we feel that these functions are best left in private hands. However, the telegraph began as a Government-fostered enterprise in this country.

A telegraph line was opened between Washington and Baltimore in 1845. It was built at Government expense by its inventor, Samuel F. B. Morse. Postmaster General Cave Johnson fixed the cost at 1 cent for every 4 characters.

When Morse offered his patent to the Government for $100,000, the Post Office Department turned it down as unpromising. Postmaster General Johnson advised Morse "that the operation of the telegraph between Washington and Baltimore had not satisfied him that under any rate of postage that could be adopted, its revenues could be made equal to its expenditures."

Postmaster General Johnson's crystal ball was a mite clouded, but so were the crystal balls of later seers. Here is a story that appeared in a Boston newspaper about three-quarters of a century ago:

"A man about 46 years of age, giving the name of Joshua Coppersmith, has been arrested in New York for attempting to extort funds from ignorant and superstitious people by exhibiting a device which he says will convey the human voice over metallic wires. He calls the instrument a telephone which is obviously intended to imitate the word 'telegraph' and win the confidence of those who know the success of the latter instrument. Well-informed people know that it is impossible to transmit the human voice over wires as may be done with dots and dashes and signals of the Morse Code, and that, even were it possible to do so, the thing would be of no practical value. The authorities who apprehended this criminal are to be congratulated, and it is hoped that his punishment will be prompt and fitting, that it may serve as an example to other conscienceless schemers who enrich themselves at the expense of their fellow creatures."

The bad prophets have not been restricted to the field of communications. As late as 1901, Wilbur Wright doubted that man would fly "within a thousand years."

We need not feel superior to the bad guessers of times past. Wilbur Wright, despite his own skepticism, went on to fly the first heavier-than-air machine with his brother only 2 years later. We have a copious share of the timid and unimaginative amongst us today.

There are those who are against the attempt to fly a man to the moon because they say it would cost too much. There are those who oppose renewed efforts to reach a test-ban agreement on the grounds that we have failed before. There are those whose only answer 100 years after the Emancipation Proclamation to the demands for equality and justice of Negro Americans is more patience and further delay. The following words were written by Abraham Lincoln in 1862:

"The dogmas of the quiet past are inadequate to the story present. * * * As our case is new, so we must think anew and act anew. We must disenthrall ourselves."

Today, we must, once again, disenthrall ourselves.

I wish the Civil Aeronautics Board a happy birthday and continued success in guiding the aviation industry.

Happy landings to all of you.

Dr. Hazel K. Stiebling

EXTENSION OF REMARKS

OF

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1963

Mr. ROSENTHAL. Mr. Speaker, on June 20, Dr. Hazel K. Stiebling retired as Deputy Administrator of the Department of Agriculture's Nutrition and Consumer-Use Research, after a fruitful and distinguished career of 33 years of public service. On the same day, the Department announced that the two research divisions formerly headed by Dr. Stiebling would be consolidated with the four research divisions assigned to development of improved utilization of farm commodities.

It seems to me that this "merger," as the Agriculture Department's press release terms it, is likely to be a sad case of a whale swallowing a valiant fish. I fear that the Department's consumer-oriented research will inevitably be subordinated to its vastly larger program of commodity utilization research which is conducted primarily in the interest of producers.

I have asked Secretary Freeman to explain the steps he is taking to assure continuance of a vigorous consumer-oriented research program in spite of this consolidation. I am confident that this is his intention, but the history of his Department in this respect does not breed confidence. Hence I call this administrative "merger" to the attention of the

House to emphasize the importance of action on H.R. 6865 which would establish an independent Office of Consumers. If H.R. 6865 were enacted, a competent, independent unit of Government, acting solely in the interest of consumers, would give all of us some assurance that agencies ostensibly working for the consumer were not subordinated to others functioning in the interest of organized producers.

Ling-Temco-Vought, Inc., Research and Development of a Nuclear-Powered Low-Altitude Supersonic Vehicle

EXTENSION OF REMARKS

OF

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1963

Mr. TEAGUE of Texas. Mr. Speaker, the independent research initiated with their own funds by companies in the aeroplane field is a factor of tremendous importance in the maintenance of our national defense program.

It is with pride that I call the attention of my colleagues to an example of such research in my own State of Texas, where Ling-Temco-Vought, Inc., recently has been awarded an Air Force contract for continuation of the technology toward development of a nuclear-powered low-altitude supersonic vehicle—LASV.

The immediate objective, according to Gifford K. Johnson, LTV president, is to provide data leading to the development of a nuclear-powered ramjet. Such a vehicle, if proven feasible, would have practically unlimited range, and could lead to flight at such low altitudes as to make radar detection extremely difficult.

The point that I believe should be stressed is that LTV's aerospace division, Chance Vought, Corp., has been working on the concept of such a vehicle for the last 5 years. It was in 1958 that the corporation initiated studies on a project called SLAM—for supersonic low-altitude missile. Since then the corporation has invested more than $3 million of its own funds in research and development in connection with the project. Now a new, important step has been taken in the Air Force-sponsored program.

The new contract awarded LTV by the Air Force Systems Command's Aeronautical Systems Division at Dayton, Ohio, covers tests, studies, and investigations necessary for development of an airframe, propulsion, avionics, and systems study technology for the nuclear-powered project.

As explained by Dr. W. J. Hesse, director of the LTV project, the key to a nuclear ramjet vehicle's long-range and low-altitude capability lies in the fact that just 1 pound of nuclear fuel, when fissioned, produces as much heat as the burning of 2 million pounds of gasoline. Such a vehicle should have virtually unlimited range at sea level.

Mr. Speaker, both the Air Force and Ling-Temco-Vought deserve a commendation for their work toward developing a nuclear-powered low-altitude supersonic vehicle. It is through such cooperative effort that our defense establishment can be kept at a high point of readiness. And that, most certainly, is a must in the world of today.

Independence of the Republic of the Congo

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1963

Mr. POWELL. Mr. Speaker, on June 30, the Republic of the Congo will celebrate the third anniversary of her independence. On this memorable occasion, we wish to send warm felicitations to His Excellency the President of the Republic of the Congo, Joseph Kasavubu, and the Congolese Ambassador to the United States, Mario Cardoso.

When H. M. Stanley reached the Congo Basin over 80 years ago, the land of his discovery was one of lush but uncontrolled forests pierced by the rushing Congo River. Today the city of Leopoldville, a metropolis of over 3 million people, stands near the spot where Stanley pitched camp. The Congo has seen many changes in the intervening years, some of them creative, some of them damaging, some of them nearly tragic, but today the Congo is ready to meet a future which holds much promise.

The first 2½ years of independence were very difficult ones for the Republic of the Congo. Violence, secession, inflation, famine were among the problems the new nation had to face. It was in desperation that the young government turned to the United Nations for help on July 12, 1960, just 12 days after the country had achieved independence. The Congo's trials were just beginning; until January 1963 sporadic civil war was to continue in spite of the United Nations presence. The repercussions of political schisms and armed conflicts on the administrative organization of the country and on its fiscal situation were grave, but the Congo survived. The Congo survived its first 2½ years of tribulation, and today it is rebuilding, reorganizing, and reintegrating politically, economically, and socially into a viable federal state.

A leading actor in the drama of national reconciliation has been the Congo's able premier, Cyrille Adoula. His conciliatory policy, inaugurated after the surrender of Katanga, has offered firm hope that civil strife in the Congo is over once and for all and has provided a useful basis for reconstruction.

A new flurry of activity is going on in the Congo very different from the internecine struggles of yesterday. Today the activity is cooperative—cooperation between Belgians and Congolese, between United Nations and Congolese, and between Congolese and Congolese. Belgium has reestablished diplomatic ties with Leopoldville, and Belgian administrators and technicians have been called back to aid the Government in reorganizing its public finances and industry. United Nations technical assistance is helping to fill the gap between the demand for and the supply of skilled personnel, and the ONUC force is being slowly withdrawn while the Congo force publique is being built up. The Congolese Army is being retrained, and Congolese legislators are trying to work out the remaining political problems in parliament.

Reinvigoration of the economy is also brightening the Congo's outlook for the future. The economy of mineral-rich Katanga Province has been reintegrated with that of the rest of the Congo. During 1962 the profits of Union Miniere increased more than 50 percent and in December Union Miniere opened a new copper-concentrating plant. Belgian investments of over $3 billion have not been lost, and new investments have been made since independence. Industries in Leopoldville Province have increased their production by 30 percent as compared with preindependence days.

On this anniversary of independence we offer our congratulations to the Congolese who have worked tirelessly to reconstruct their nation and express our hopes that the path of national development will be a smooth one from now on.

Retail Gasoline Selling

EXTENSION OF REMARKS

OF

HON. TORBERT H. MACDONALD

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1963

Mr. MACDONALD. Mr. Speaker, I wish to call the attention of my colleagues to a situation present not only in my section but in many sections of the country in the field of retail gasoline selling. This was pointed out in my testimony before the Dual Distribution Subcommittee of the House Small Business Committee.

> Mr. Chairman, as a Congressman who is especially interested in the plight of small business, I am very pleased to have this opportunity to appear as a witness before your Subcommittee of the Select Committee on Small Business.
>
> In this age of big business, gasoline service station operation, as one segment of the so-called service industries, remains eminently suited to small-scale enterprise.
>
> More than 206,000 gasoline dealers throughout the Nation service about 72 million vehicles each year. These dealers are mainly supplied with gasoline and other petroleum products by huge oil companies, which frequently are also their landlords.
>
> It is no wonder, then, that small operators of gasoline service stations are continually harassed by unfair tactics used by the great oil empires to widen their stranglehold upon the entire petroleum industry. Among these devices are price fixing, price wars, and unfair economic pressures arising from the practice of dual distribution.
>
> First, price fixing is an abuse which occurs frequently in the retail gasoline field. Just recently, on March 11 of this year, the major oil companies simultaneously announced a

price increase of 5 to 7 cents per gallon in the Greater Boston area. As I stated at that time, this general hike in gasoline prices, announced on the same day and for similar amounts, went far beyond mere coincidence and appeared to amount to collusive and illegal price fixing. The Justice Department acceded to my request for an immediate investigation of this situation. John Galgay, regional head for New England of the Anti-Trust Division, has sent several investigators to probe the March 11 price hike. He has assured me that if evidence of an illegal price-fixing agreement is obtained, the Justice Department will take appropriate action under the Federal antitrust laws. It is interesting to note that during the last 10 days, when Justice Department investigators were in the Boston area, the major oil companies have lowered the price of gasoline by a substantial amount. However, as of midnight Monday of this week, Esso Standard and Mobile raised the price of gasoline 5.8 cents per gallon in most zones in the Greater Boston area. The consuming public and the gasoline station dealer are subjected to seesawing price increases and decreases at the whim and fancy of the major oil company's manipulations.

I am fully aware of the fact that the independent gasoline station operators were not responsible for the decision to raise prices. Instead, this pricing decision was made by the major oil companies. It is the independent dealer, the individual gas station operator, and the consuming public who are the victims of collusive action by the major oil companies.

Similar instances of price fixing on the west coast were discussed last year before the House Select Committee on Small Business. For example, a Shell Oil Co. dealer testified that the lease on his station had been canceled because of noncompliance with the price policy of his supplier. Although no direct threats had been made to him for failure to comply with the company's price policy, he had been warned to follow dictated prices. He stated that since Shell representatives regularly told him the price to charge, he naturally was convinced that the lease cancellation was related to his independent pricing policies. Gasoline station dealers in the Greater Boston area have told me of similar experiences.

Second, in recent years, the incidence of price wars among gasoline dealers in designated locations has been even more prevalent than that of across-the-board price-fixing.

The evils of such price cutting were vividly described in the Wall Street Journal, issue of May 2, 1962, with reference to the State of Texas.

"In the shadow of the Alamo a battle for business survival began here last June. It has been fanning out since, and is now about to engulf much of the Nation.

"On the defensive are the owners of small filling stations who buy gasoline on the open market and sell it at cut prices under brand names not identifiable with any oil company. Last summer there were 250 of these private-brand stations around San Antonio, and they sold half the area's gasoline. Then Gulf Oil Corp. chose them as the first target for a new market weapon: Economy-grade gasoline sold at Gulf pumps for the same price as private-brand gas and 2 cents a gallon below Gulf's regular grade.

"Today, a devastating price war has left fewer than 100 of the private-brand San Antonio area stations in business. They account for only 15 percent of the market. And their decline has encouraged Gulf and other major oil companies to introduce subregular economy gas in other markets—touching off savage price battles almost everywhere as private-brand stations cut pump tags in an usually vain attempt to maintain their traditional discount."

Frederick H. Moore, executive secretary of the Retail Gasoline Dealers' Association of Massachusetts, has said that the price war situation has reached the "height of ridiculousness" and the gasoline market has gotten away from wholesaler and retailer business principles to the point where destructive price wars become the normal thing. In a recent letter, Mr. Moore informed me of the pricing problems in Massachusetts: "Over the years, before we were faced with destructive price wars, the major supplying oil companies would only have three to five wholesale, or tank wagon price changes throughout the year, and they would be only what they called seasonable changes. In 1962, and so far in 1963, we have had roughly 75 up-and-down wholesale price changes so that the dealers and the consumers never know what the retail price is from day to day."

The devastating impact of price wars upon the gasoline station operator may be seen from the statement provided me by a retail gasoline dealer in Quincy, Mass. This dealer said that the oil company forced him to change the price of gasoline at his station over 100 times in 1962. He stated that gasoline is delivered on Friday; the salesman is apt to call him on Thursday and tell him to cut his prices 2 cents effective midnight. However, when his gas is delivered on Friday, the oil company only reimburses him 1 cent per gallon and then only on a half load instead of a full load. This dealer stated that prices have been changed over 25 times this year, with the salesman calling in the new price the day before.

Throughout 1962 and the early months of this year price wars continued to characterize the retail gasoline market in many regions of the country. Gasoline price wars, where the public benefits at the whim of the major oil companies, characterize the situation in the Greater Boston area.

Who are the victims of these abuses in retail marketing of gasoline? The small businessman and the consumer. Even in the case of price wars, when consumers temporarily benefit from drastic reductions in the price of gasoline, in the process, retailers are frequently eliminated from the marketplace. Eventually the old price level returns.

Mr. Chairman, I have received extensive mail from gasoline service station dealers who charge that these unfair competitive tactics will force them out of business. For fear of retribution for these dealers, I cannot divulge the names of those who have written to me on this subject. However, each and everyone is in complete agreement with my efforts to investigate such abuses and to give adequate and proper protection to small business. A typical letter which I received was written by an independent gasoline station dealer who said that "if I gave my name I would be out of business fast." His letter stated: "Congratulations on your gasoline probe. It is tremendous. This time they all raised their prices together. These prices only involve discounts which are increased or lowered at the discretion of the oil companies. In the last 2 years their 'price stabilizations' were made over 90 times. At no time has the tank wagon price been changed—only the discounts change. Why? and why the changes so many times? The public be damned say the oil companies. Gas dealers profits are down while oil company profits are up. For proof, read their profit reports. They are breaking records; dealers are breaking their backs. Don't let us down."

It is true that in accordance with existing antitrust laws and regulations, both the U.S. Department of Justice and the Federal Trade Commission have taken action to restrain the major oil companies from using unfair coercive tactics against small gasoline retailers. But governmental lawsuits and investigations are cumbersome and time consuming and evidence of wrongdoing is frequently difficult to prove.

The continued existence of abuses in the field of retail marketing of gasoline and other petroleum and allied products, in spite of our laws and regulations, demands the immediate attention of the Congress. If mere public airing does not exert sufficient pressure on the large oil companies to correct these conditions immediately, I firmly believe that legislative action by Congress will be imperative.

Much is said of the vital importance of small business in our American economy. No group of interested persons knows more intimately the continual squeeze play by big business on small business than this committee, before which I have the honor of appearing today.

House Resolution 14: Special Committee on Captive Nations

EXTENSION OF REMARKS

OF

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1963

Mr. FLOOD. Mr. Speaker, on March 8, 1961, I introduced a measure calling for the establishment of a Special Committee on Captive Nations in the House of Representatives. During the 87th Congress it was known as House Resolution 211, and earlier this year I reintroduced it and in the present 88th Congress it is known as House Resolution 14.

Mr. Speaker, there are not sufficient words to express my profound gratitude and personal delight to the more than 20 Members of the House who joined with me in that most stimulating and very enlightening discussion which took place on the subject of the captive nations—Congressional Record, volume 107, part 3, pages 3518–3541, "Russian Colonialism and the Necessity of a Special Captive Nations Committee."

The popular response to House Resolution 211, now House Resolution 14, has been so enthusiastic and impressive that I feel dutybound to disclose the thoughts and feelings of many Americans who have taken the time to write me on this subject. These citizens are cognizant of the basic reasons underlying the necessity of the proposed committee. They understand clearly the vital contribution that such a committee could make to our national security interests. In many cases, they know that no public or private body is in existence today which is devoted to the task of studying continuously, systematically, and objectively all of the captive nations, those in Eastern Europe and Asia, including the numerous captive nations in the Soviet Union itself.

Because their thoughts and sentiments are expressive and valuable, I include the following responses of our citizens to House Resolution 14 in the Record.

CHILLICOTHE, OHIO,
June 16, 1963.

Hon. HOWARD W. SMITH,
Chairman, Committee on Rules, House of Representatives, Washington, D.C.

DEAR SIR: Please support House Resolution 14 dealing with the establishment of a Special Committee on Captive Nations in the House of Representatives.

I am sure that you are well aware of the fact that the Soviet Union is a colonial empire where some 100 million non-Russians (Lithuanians, Ukrainians, Armenians, etc.) are being ruled against their will by the Russians. In my opinion this is the major weakness point of the Soviet Union and it could be utilized to a full advantage by the United States in the cold war which is to continue. Establishment of the abovementioned committee would be a very important step in this direction.

Sincerely,

Z. C. PRUSAS.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., May 28, 1963.

Mr. WALTER TUSTANIWSKY,
Chairman, Ukrainian Congress Committee of America, Detroit, Mich.

DEAR MR. TUSTANIWSKY: This will acknowledge your letter of May 25.

I strongly support Congressman FLOOD's House Resolution 14 calling for creation of a Special Committee on Captive Nations, and, accordingly, am introducing an identical bill in the House.

Sincerely yours,

AUGUST E. JOHANSEN.

WEST ROXBURY, MASS.,
May 7, 1963.

Hon. EDWARD P. BOLAND,
U.S. Representative,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN BOLAND: We appreciate your speaking in behalf of Ukrainian Independence Day observance in the House of Representatives on January 24, 1963.

I am sure you will agree with me that our support for freedom of Ukraine and other captive nations under the Communist domination must go beyond the realm of remarks and concentrate on a concrete measure—the creation of a Permanent House Committee on Captive Nations. House Resolutions 14 and 15, introduced by Congressmen FLOOD and DERWINSKI, respectively, call for the establishment of such a committee.

Presently House Resolutions 14 and 15 are pending before the House Committee on Rules.

In the spirit of your remarks, we ask and urge you to support these resolutions. Furthermore, your call or note to Congressman HOWARD W. SMITH, chairman of House Rules Committee, favoring House Resolutions 14 and 15 would stir the committee to action. The committee would open public hearings on the proposed legislation and consequently bring the measure to the floor in the House of Representatives.

Your continuing interest in this matter can and will do much for the captive nations.

Sincerely yours,

UKRAINIAN CONGRESS COMMITTEE OF
AMERICA, INC., BOSTON BRANCH
OREST SZCZUDLUK, *Public Relations.*

SAN FRANCISCO, CALIF.,
June 6, 1963.

Hon. DANIEL J. FLOOD,
House Rules Committee,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE FLOOD: I support wholeheartedly the establishment of Captive Nations Committee in the House of Representatives and urge you as a member of the House Committee on Rules to expedite the passage of all such legislation now being held up in the committee.

Very truly yours,

E. KALYIMAGI.

NEW HAVEN, CONN.,
June 12, 1963.

Hon. DANIEL J. FLOOD,
New House Office Building,
Washington, D.C.

DEAR CONGRESSMAN FLOOD: Enclosed is a copy of a letter sent by our organization to the Honorable HOWARD W. SMITH, Congressman, which is self-explanatory.

May we congratulate you on the Flood resolution and urge you to continue your work on this very worthy cause. We remain,

Respectfully yours,

JOHN I. KYZYK, D.D.S.,
President, Holy Name Society.

NEW HAVEN, CONN.

NEW HAVEN, CONN.,
June 12, 1963.

Hon. HOWARD W. SMITH,
Chairman, House Rules Committee,
New House Office Building,
Washington, D.C.

DEAR CONGRESSMAN SMITH: We, the entire membership, of the Holy Name Society, of St. Michael's Ukrainian Catholic Church, New Haven, Conn., sincerely urge you, to give your full support to submission of the Flood resolution to vote by your committee. The importance of such a Captive Nations Committee, to both our Government and the American people, we truly feel is immeasurable. What is the greatest weakness of the Soviet totalitarian system? The captive non-Russian nations so unwillingly held in slavery by the Soviet.

We are desperately in need of a Committee on the Captive Nations, which would furnish our Government with unbiased, vital, and truthful information. We feel certain that the truth will do much in stopping the Soviet system from spreading.

To such a worthy cause, we feel you will want to give your full support. Please support the Flood resolution in your Rules Committee. Thanking you, we remain,

Respectfully yours,

JOHN I. KYZYK, D.D.S.,
President, Holy Name Society.

The Wilderness Bill Means Positive Action

EXTENSION OF REMARKS
OF
HON. JOHN P. SAYLOR
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 27, 1963

Mr. SAYLOR. Mr. Speaker, a call from some lumbermen who came into my office the other day and some visits with various Members of the House have led me to believe that there is one misunderstanding about the wilderness bill that can be readily corrected. It has to do with what is being called positive action by Congress.

The wilderness bill from the very beginning has called for positive action by Congress. That has been its purpose, and that seems to be the reason why it has been opposed by some of the very people who are creating this present misunderstanding.

A few facts will be helpful and very interesting.

ADMINISTRATIVE AGENCIES NOW TAKE THEIR OWN STEPS

The first fact is that by not taking positive action in this field—by not exercising its prerogatives—the Congress has created a vacuum and as a result we have seen administrative agencies take their own steps without congressional action.

The Forest Service and the Secretary of Agriculture, with no specific authorization by Congress, have established more than 80 areas of wilderness comprising almost 15 million acres. By simply basing their action on broad authority to determine the use and occupancy of national forests, they have set up wilderness areas, and they have later abolished some of them, too.

Since we passed the Multiple Use Act of 1960 they have had a freer hand than ever. That act told them that "the establishment and maintenance of areas of wilderness are consistent with the purposes and provisions of this act."

According to a special study conducted for the Outdoor Recreation Resources Review Commission there are some 7.1 million acres in the national forests that are not now classified or protected as wilderness but are in wilderness condition and within such tracts of at least 100,000 acres in extent.

Thus, in present circumstances, in the absence of positive congressional action regarding wilderness, a Secretary of Agriculture, if he wished to, could put 7.1 million acres of presently unclassified national forest land within wilderness areas that he could now establish. Or, if he wished to, he could abolish areas within which there are now preserved more than 14 million acres of wilderness. The fate of some 21 million acres of wilderness is in his hands, in the absence of congressional directives.

CONGRESS IS RESPONSIBLE

The Constitution, however, makes Congress responsible for these lands, and it is the purpose of the wilderness bill to meet this responsibility.

Certainly not all, but certainly also a great deal, of the argument now about the wilderness bill's failure to provide for positive action by Congress comes from opponents of wilderness preservation who are trying to frustrate the enactment of wilderness protective legislation. Or, if they cannot defeat it, they want to write into it procedures that will make it possible for them to stall progress in establishing the areas of wilderness it authorizes.

WHAT THE WILDERNESS BILL DOES

The lumbermen whose visit suggested this statement were surprised when they read what actually is in the bill.

The bill, of course, establishes a national policy to preserve wilderness and sets up standards and guidelines for handling wilderness. It relates only to Federal lands and, of course, only to lands that are in a wilderness condition at present, and, furthermore, only to such lands that are within the National Park system, within wildlife refuges and ranges, or within the 8 percent of national forest lands comprising the less than 15 million acres already classified for wilderness protection.

By this bill the Congress says that these three categories of lands—these particular areas—are to be considered for inclusion in a national wilderness preservation system. It says positively also that only Congress can make any addition to this system in the future—"only after specific affirmative authorization by law."

THE ARGUMENT ABOUT POSITIVE ACTION

The argument about positive action relates particularly to a procedure that is provided for a careful review of the wilderness lands and their permanent inclusion in the wilderness system on the basis of such a review.

Bear in mind that this review relates only to the lands that Congress by the act says are to be considered, and all these lands are now in some kind of administrative status as wilderness.

The review instructions then direct the administrators to make a study of the areas and on the basis of the study to formulate recommendations regarding just what portions of these congressionally specified areas shall be permanently protected.

Then the bill—and this is in section 3(f)—says that either House of Congress may reject the recommendations, but that if neither House has done this within a specified period, the areas that have thus been nominated by Congress and found suitable upon careful administrative investigation shall automatically take their place in the wilderness system.

This is what opponents of the bill are calling a congressional veto procedure. The trouble with their alternative proposals is that the procedures they suggest would allow wilderness opponents to stall action regarding each of the particular areas involved until it might pass out of existence as wilderness by other provisions of the law. Just as some of these people have succeeded in frustrating the wilderness bill itself they would be glad to have procedures established providing for their future stalling tactics.

CONSISTENCY

Seven years ago when I introduced the first wilderness bill in the House of Representatives, it was attacked by some foresters who went so far as to say that by this measure the Congress would be usurping the privileges of the U.S. Forest Service. They were opposed to having Congress legislate on the subject.

Although their usurpation argument was ridiculous, there was some merit in their insisting that the reviews on the ground and the public hearings for the actual determination of areas to be protected could best be handled administratively.

It is in part a result of this that the wilderness bill does give to the administrative agency the task of making such studies and conducting hearings as a basis for the final recommendations regarding the areas that Congress authorizes for wilderness consideration.

Now some of the same people who 7 years ago opposed the wilderness bill for usurping bureau prerogatives are saying that it is giving the bureaus authority and surrendering congressional prerogatives.

Such people may seem to be inconsistent. Actually they are very consistent—consistently opposed to proposals that will preserve wilderness.

WILDERNESS ADVOCATES WANT POSITIVE ACTION

Let me emphasize that it is the purpose of advocates of the wilderness bill to see positive action by Congress in establishing a sound national wilderness preservation policy and a program to make this policy effective on the land.

Any proposals that provide for more positive congressional action will have our support if they likewise insure the protection as wilderness of the areas provided for in the act until Congress does take further positive action.

Congress by this act is not giving away its authority. It is giving instructions. It is not surrendering its prerogatives. It is exercising them.

BILL'S PROVISIONS DESCRIBED

Here are the provisions of the bill—H.R. 930, which I have introduced, and the other House bills that are identical with it.

After stating the national policy to preserve wilderness and establishing definitions, the measure states in section 3 the areas to be included in a wilderness system.

This is a positive provision by Congress. It provides for inclusion of three kinds of areas—national forest areas, National Park System areas, and areas in wildlife refuges and ranges. And then in section 3(h) the bill says:

> The addition of any area to, or the elimination of any area from, the wilderness system which is not specifically provided for under the provisions of this Act shall be made only after specific affirmative authorization by law for such addition or elimination.

The national forest areas placed by this measure within the wilderness system are 84 in number and include in the aggregate 14,318,575 acres—out of our national forest total of more than 180 million acres.

Forty-seven of these areas—with 8,220,043 acres—become a permanent part of the wilderness system on passage of the act. These are areas that have already been carefully reviewed by the Forest Service, subjected to the public-hearing procedures of that Service, and given a permanent status.

The other 37 areas, called primitive areas and comprising 6,098,532 acres, are to be subjected to the further review that Congress provides for in this measure. After completion of the review for each area the Secretary of Agriculture is to report his findings to the President. The President is then to make his recommendations, and if Congress does not reject them they become effective in a specified time.

This is the provision on which the positive-action-by-Congress argument is centered. It is as follows—section 3(f) in H.R. 930 and other House bills:

> Any recommendation of the President made in accordance with the provisions of this section shall take effect upon the day following the adjournment sine die of the first complete session of the Congress following the date or dates on which such recommendation was received by the United States Senate and the House of Representatives; but only if prior to such adjournment neither the Senate nor the House of Representatives shall have approved a resolution declaring itself opposed to such recommendation: *Provided,* That in the case of a recommendation covering two or more separate areas, such resolution of opposition may be limited to one or more of the areas covered, in which event the balance of the recommendation shall take effect as before provided: *Provided further,* That where a resolution of opposition to any such recommendation has been introduced, a hearing thereon shall be held within thirty days by the committee to which such resolution has been referred: *Provided further,* That any such resolution shall be subject to the procedures provided under the provisions of sections 203 through 206 of the Reorganization Act of 1949 (5 U.S.C. 133z–12—133z–15) for a resolution of either House of Congress: *And provided further,* That if Congress rejects a recommendation of the President with regard to the inclusion or exclusion of an area or portions thereof the land shall continue in status quo until a subsequent recommendation of the President with regard to that area shall have become effective or until Congress shall have determined otherwise by law.

In the Senate-passed act, S. 4, this section is as follows:

> Any recommendation of the President made in accordance with the provisions of this section shall take effect upon the day following the adjournment sine die of the first complete session of the Congress following the date or dates on which such recommendation was received by the United States Senate and the House of Representatives; but only if prior to such adjournment neither the Senate nor the House of Representatives shall have approved a resolution declaring itself opposed to such recommendation: *Provided,* That in the case of a recommendation covering two or more separate areas, such resolution of opposition may be limited to one or more of the areas covered, in which event the balance of the recommendation shall take effect as before provided: *Provided further,* That where a resolution of opposition to any such recommendation has been introduced, a hearing thereon shall be held within thirty days by the committee to which such resolution has been referred. Any such resolution shall be subject to the procedures provided under the provisions of sections 203 through 206 of the Reorganization Act of 1949 (5 U.S.C., secs. 133z–12—133z–15) for a resolution of either House of Congress: *And provided further,* That a motion to discharge the committee shall not be in order until the time for the committee to hold a hearing has elapsed.

This is the section regarding which my earlier remarks apply in offering agreement to any provisions more satisfactory to others, provided the protection of the areas as wilderness is assured while the specified procedures are being followed.

Areas within the National Park System and within wildlife refuges and ranges will be handled in a manner similar to that provided for the primitive areas, and in accordance with section 3(f).

There is little argument, however, regarding the park and refuge areas, as these lands already have been withdrawn from commercial use in commodity production.

The argument has centered recently around the 37 primitive areas, the 6,098,532 acres, within national forests, where timber production and mining may be carried on if there is not protection as wilderness.

This is a relatively small proportion of our 180 million acres of national forest land. It is indeed my hope that we can soon eliminate disagreement regarding these lands, which are of such great wilderness importance, and realize the consensus we all want in enacting our basic wilderness protection legislation. It is with this objective that I have sought the clarification and have attempted the explanations made in these remarks.

Freedom Is a Two-Way Street

EXTENSION OF REMARKS

OF

HON. DON L. SHORT

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1963

Mr. SHORT. Mr. Speaker, on Tuesday, June 25, I introduced House Joint Resolution 515, which has been referred to the Committee on the Judiciary. My resolution would have the effect of proposing an amendment to the Constitution of the United States with respect to certain nonsectarian religious observances. It contains four sections, the first three of which spell out some of our freedoms which concern many of our citizens. The last section merely provides for proper ratification as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission to the States by the Congress.

My resolution is short and to the point. I would like to take each of the three sections, step by step, and give some reasons why I felt impelled to introduce the resolution.

> SECTION 1. The right to voluntarily offer, read from, or listen to nonsectarian prayers, or to permit provision of time for prayerful meditation in public schools, public institutions, and other public places shall not be denied or abridged.

This section grew from the Supreme Court decision on June 25, 1962, by a six to one majority, that a prayer recommended by the New York Board of Regents—which the New York Court of Appeals had decided was all right as long as the schools did not compel any pupil to join in the prayer over his or her parents' objections—was inconsistent with the establishment clause of the first amendment to our Constitution. This is known as the Engel against Vitale case. Two of our Supreme Court Justices, Justice Frankfurter and Justice White, took no part in consideration or decision of this case. The opinion of the Court was delivered by Justice Black, and concurred in by all the other Justices, with the exception of Justice Stewart—who most definitely dissented.

Justice Stewart contended that the Court had misapplied a great constitutional principle. Rather than feeling the New York Regents' prayer interfered with the free exercise of anybody's religion, he felt that "to deny the wish of these school children to join in reciting this prayer is to deny them the opportunity of sharing in the spiritual heritage of our Nation."

We all know that the Constitution has always forbidden State favoritism to any religion, but when the State encourages or cooperates with religion, it—according to a 1952 decision by Justice Douglas—"follows the best of our traditions."

I do not believe the Justices were being intentionally antireligious—as some claim—but on the other hand—it is difficult to keep from gaining an impression that America is according to these Supreme Court decisions, essentially an unreligious Nation. This we know is not true, for in many many areas our Government encourages religion—as long as it is a free decision of the individual citizen to accept, reject, or choose which religion he wishes to follow or not follow. This freedom, as I have stated, is a two-way street. My resolution would simply make certain that our citizens can travel both ways on that street—in other words, the street is not entirely blocked off.

> SEC. 2. The right to voluntarily read from or listen to the reading of sacred scriptures in public schools, public institutions, and other public places shall not be denied or abridged.

This section of my resolution grew out of the most recent Supreme Court decision on June 17, 1963, involving a school district in Pennsylvania against Schempp and the Baltimore City Board of School Commissioners versus Murray—which presented the issues in the context of State action requiring that schools begin each day with readings from the Bible. In this case, Justice Clark delivered the opinion of the Court, and held that the practices at issue and the laws requiring them were unconstitutional under the establishment clause of the first amendment, as applied to the States through the 14th amendment's guarantee of liberty. All the Supreme Court Justices concurred in this decision with the exception—again—of Justice Stewart.

Justice Stewart stated that he accepted "without question that the liberty guaranteed by the 14th amendment against impairment by the States embraces in full the right of free exercise of religion protected by the first amendment." He also accepted "too the proposition that the 14th amendment has somehow absorbed the establishment clause, although it is not without irony that a constitutional provision evidently designed to leave the States free to go their own way should now have become a restriction upon their autonomy." He did not, however, agree with the "insensitive definition of the establishment clause contained in the Court's opinion, nor with the different, but, I think, equally mechanistic definitions contained in the separate opinions which have been filed." Justice Stewart further stated that "for a compulsory State educational system so structures a child's life that if religious exercises are held to be an impermissible activity in schools, religion is placed at an artificial and State-created disadvantage." Further, "Viewed in this light, permission of such exercises for those who want them is necessary if the schools are truly to be neutral in the matter of religion." Justice Stewart then clearly stated what seems to be the opinion of many as to what this case has brought about, and I quote:

> And a refusal to permit religious exercises thus is seen, not as the realization of State neutrality, but rather as the establishment of a religion of secularism, or at the least, as Government support of the beliefs of those who think that religious exercises should be conducted only in private.

In my resolution, I specifically use the phrase "reading of sacred scriptures" in place of the Bible, or Holy Writ, or Holy Scriptures. Sacred scriptures, as I have used it, can mean any sacred writing—of whatever faith, or even—if the atheist so chooses—the sacred writing outlining his atheistic belief. I would like to again quote from Justice Stewart's opinion to bolster my use of "reading of sacred scriptures":

> What our Constitution indispensably protects is the freedom of each of us, be he Jew, or agnostic, Christian or atheist, Buddhist or freethinker, to believe or disbelieve, to worship or not worship, to pray or keep silent, according to his own conscience, uncoerced and unrestrained by government. It is conceivable that these school boards, or even all school boards, might eventually find it impossible to administer a system of religious exercises during school hours in such a way as to meet this constitutional standard—in such a way as completely to free from any sort of official coercion those who do not affirmatively want to participate. But I think we must not assume that school boards so lack the qualities of inventiveness and good will as to make impossible the achievement of that goal.

Justice Stewart contended that the cases before the court contained mere prophecy, rather than proof, that children who did not want to listen to Bible reading were handicapped, or that the excusal provision was so administered as to carry overtones of social inferiority. He also felt in the case of the Maryland-Baltimore City Board of School Commissioners against Murray, that that case was before the Supreme Court on a demurrer, and the issue of whether or not a teacher could be dismissed for refusal to participate seems, among many others, never to have been raised.

He concluded that both cases should be remanded for further hearings, or in other words, for the taking of additional evidence.

Let me point out that my resolution concerns not only schools, but public institutions and other public places. I feel it is important to amend the Constitution in such a way that both mischief-makers or serious objectors, cannot take away our two-way freedoms. In protecting the one side—we must not leave the other side unprotected, or without defense. Neither must we be so neutralized that the rights of all are denied.

Section 3 of my resolution states:

> The right to make reference to belief in or reliance upon God, or to invoke the aid of God, in any governmental or public document, proceeding, or ceremony, or upon any coinage, currency, or obligation of the United States shall not be denied or abridged.

Now this may seem to be a case of borrowing trouble. Many may not think that this is necessary. I do, however, and in support of my feeling will quote from a statement made by Justice Clark in delivering his opinion to the Court on the Pennsylvania and Maryland Bible-reading cases:

> The breach of neutrality that is today a trickling stream may all too soon become a raging torrent and, in the words of Madison, "it is proper to take alarm at the first experiment on our liberties."

While Justice Clark used this statement to buttress his legal arguments forbidding the Bible-reading exercises in public schools, it is clear that it can just as easily be used by those of us whose feelings are exactly opposite. Justice Douglas, who also concurred with Justice Clark and the six others, made the statement which brought about my fear, and the fears of others on this issue when he said:

> Establishment of a religion can be achieved in several ways. The church and state can be one; the church may control the state or the state may control the church; or the relationship may take one of several possible forms of a working arrangement between the two bodies."

He went on to state:

> But the establishment clause is not limited to precluding the state itself from conducting religious exercises. It also forbids the state to employ its facilities or funds in a way that gives any church, or all churches, greater strength in our society than it would have by relying on its members alone. * * * Through the mechanism of the state, all of the people are being required to finance a religious exercise that only some of the people want and that violates the sensibilities of others. The most effective way to establish any institution is to finance it; and this truth is reflected in the appeals by church groups for public funds to finance their religious schools. * * * Such contributions may not be made by the state even in a minor degree without violating the establishment clause. It is not the amount of public funds expended; as this case illustrates, it is the use to which public funds are put that is controlling. For the first amendment does not say that some forms of establishment are allowed; it says that "no law respecting an establishment of religion" shall be made. What may not be done directly may not be done indirectly lest the establishment clause become a mockery.

This to me means that these two cases, decided by the Supreme Court, are only the beginning of "the trickling stream" that "may all too soon become a raging torrent."

Sooner or later, those who object to even the word God being used, will find some means of bringing cases before the Supreme Court to delete the word from our Pledge of Allegiance, from our currency, from our national anthem, and the Internal Revenue Service will be enjoined from permitting our churches the tax exemption they now enjoy, along with other nonsecular institutions in this country. Granted that some of our Justices have said there is no danger of some of these things being done because—in the words of Justice Brennan, in his concurrence in the Maryland and Pennsylvania cases:

> While it is not, of course, appropriate for this Court to decide questions not presently before it, I venture to suggest that religious exercises in the public schools present a unique problem. For not every involvement of religion in public life violates the establishment clause. Our decision in these cases does not clearly forecast anything about the constitutionality of other types of interdependence between religious and other public institutions. Specifically, I believe that the line we must draw between the permissible and the impermissible is one which accords with history and faithfully reflects the understanding of the Founding Fathers.

On the other hand, Justice Clark, who delivered the opinion of the Court admitted the "accord with history" in these words:

> It is true that religion has been closely identified with our history and Government. As we said in *Engel* v. *Vitale,* 370 U.S. 421 434 (1962), "The history of man is inseparable from the history of religion. And * * * since the beginning of that history many people have devoutly believed that 'More things are wrought by prayer than this world dreams of.'" In *Zorach* v. *Clauson,* 343 U.S. 306,313 (1952), we gave specific recognition to the proposition that "we are a religious people whose institutions presuppose a Supreme Being." The fact that the Founding Fathers believed devotedly that there was a God and that the unalienable rights of man were rooted in Him is clearly evidenced in their writings, from the Mayflower compact to the Constitution itself.

Yet, Justice Clark, who linked the accord with history and understanding of the Founding Fathers which Justice Brennan stated would prevent many other institutions in American life from being attacked, might find it necessary, at a future time, to decide other cases brought before the Supreme Court in the same manner he decided the Maryland and Pennsylvania cases.

I do not feel our Supreme Court Justices, as a body, to be hostile to religion in this country. I am sure their opinions are sincerely stated and they feel they are properly buttressed by legal and historical arguments. However, our Supreme Court might find itself on the horns of dilemmas in the future, and the makeup of the Court changes from time to time.

For these reasons, I feel it incumbent to introduce my resolution, embodying several aspects of our national life which are entangled with our inescapable history of being a religious people. Again, let me reiterate, freedom is a two-way street. We must not prevent it being traveled in both directions, and above all, we must not allow it to be blocked at either end of the street.

SENATE

FRIDAY, JUNE 28, 1963

The Senate met at 12 o'clock meridian, and was called to order by the Honorable LEE METCALF, a Senator from the State of Montana.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou God of our salvation, consecrate with a sense of Thy presence the way our feet may go, that the roughest places may be made plain. We pray for Thy servants who stand on the national pedestals of this Chamber of governance, that—scorning narrow partisanship—they may be eager prophets of the new dawn of righteousness which reddens the eastern sky, even when so much evil is loose in the world.

Inspire us, we pray, to follow the shining example bequeathed us from the past in the virtue and valor of those whose records within these legislative Halls have helped to make the greatness of our free land. Hasten the glad day when the sadly severed kingdoms of man's allegiance shall become the one and radiant kingdom of Thine all-embracing love.

We pray in the Redeemer's blessed name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C. June 28, 1963.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. LEE METCALF, a Senator from the State of Montana, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. METCALF thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. HUMPHREY, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, June 27, 1963, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting a nomination was communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 2221. An act to provide for the free entry of a mass spectrometer for the use of Stanford University, Stanford, Calif.;

H.R. 2675. An act to extend for 3 years the period during which certain tanning extracts, and extracts of hemlock or eucalyptus for use for tanning, may be imported free of duty;

H.R. 3272. An act to provide for the free entry of an orthicon image assembly for the use of the Medical College of Georgia, Augusta, Ga.;

H.R. 3297. An act to amend section 501 (c)(14) of the Internal Revenue Code of 1954 to exempt from income taxation certain nonprofit corporations and associations organized to provide reserve funds for domestic building and loan associations, and for other purposes;

H.R. 3674. An act to amend the Tariff Act of 1930 to provide that polished sheets and plates of iron or steel shall be subject to the same duty as unpolished sheets and plates;

H.R. 5712. An act to suspend for a temporary period the import duty on heptanoic acid;

H.R. 6011. An act to continue for a temporary period the existing suspension of duty on certain istle or Tampico fiber;

H.R. 6246. An act relating to the deductibility of accrued vacation pay; and

H.R. 6681. An act to improve the active duty promotion opportunity of Air Force officers from the grade of major to the grade of lieutenant colonel.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (S. 1359) to provide for an additional Assistant Secretary in the Treasury Department, and it was signed by the Acting President pro tempore.

HOUSE BILLS REFERRED OR PLACED ON CALENDAR

The following bills were severally read twice by their titles and referred or placed on the calendar:

H.R. 2221. An act to provide for the free entry of a mass spectrometer for the use of Stanford University, Stanford, Calif.;

H.R. 2675. An act to extend for 3 years the period during which certain tanning extracts, and extracts of hemlock or eucalyptus suitable for use for tanning, may be imported free of duty;

H.R. 3272. An act to provide for the free entry of an orthicon image assembly for the use of the Medical College of Georgia, Augusta, Ga.;

H.R. 3297. An act to amend section 501(c) (14) of the Internal Revenue Code of 1954 to exempt from income taxation certain nonprofit corporations and associations organized to provide reserve funds for domestic building and loan associations, and for other purposes;

H.R. 3674. An act to amend the Tariff Act of 1930 to provide that polished sheets and plates of iron or steel shall be subject to the same duty as unpolished sheets and plates;

H.R. 5712. An act to suspend for a temporary period the import duty on heptanoic acid;

H.R. 6011. An act to continue for a temporary period the existing suspension of duty on certain istle or Tampico fiber; and

H.R. 6246. An act relating to the deductibility of accrued vacation pay; to the Committee on Finance.

H.R. 6681. An act to improve the active duty promotion opportunity of Air Force officers from the grade of major to the grade of lieutenant colonel; placed on the calendar.

LIMITATION OF STATEMENTS DURING MORNING HOUR

On request of Mr. HUMPHREY, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

EXECUTIVE SESSION

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the new reports on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting the nomination of Ashton C. Barrett, of Mississippi, to be a Federal Maritime Commissioner, which was referred to the Committee on Commerce.

The ACTING PRESIDENT pro tempore. If there be no reports of committees, the new report nominations on the Executive Calendar will be stated.

DEPARTMENT OF DEFENSE

The Chief Clerk read the nomination of Eugene G. Fubini, of New York, to be an Assistant Secretary of Defense.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

THE AIR FORCE

The Chief Clerk read the nomination of Alexander Henry Flax, of New York, to be an Assistant Secretary of the Air Force.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

DEPARTMENT OF JUSTICE

The Chief Clerk proceeded to read sundry nominations in the Department of Justice.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations in the Department of Justice will be considered en bloc; and, without objection, they are confirmed.

Mr. JAVITS. Mr. President, in connection with the nomination of Harry Phillips, of Tennessee, to be U.S. circuit judge for the sixth circuit, I ask unanimous consent to have printed in the RECORD a letter addressed to me, from the Department of Justice, in regard to this nomination.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JUNE 23, 1963.

Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: Thank you for your letter of June 14 in which you requested my comments concerning certain allegations which had been made concerning Mr. Harry Phillips, of Nashville, Tenn., who has been nominated by the President to be a judge of the Court of Appeals for the Sixth Circuit. Prior to his nomination, Mr. Phillips' qualifications were discussed with Senators KEFAUVER and GORE, and he received their full endorsement. In addition, the Department of Justice conducted a careful and rigorous investigation of his qualifications, including the usual complete appointment investigation by the Federal Bureau of Investigation. In addition, his qualifications were passed upon by the Standing Committee on the Judiciary of the American Bar Association, which found him qualified. All of the information disclosed by these inquiries indicated that Mr. Phillips would well and faithfully perform the duties of a judge of the court of appeals, and would uphold and defend the Constitution.

Sincerely,

ROBERT F. KENNEDY,
Attorney General.

THE NAVY

The Chief Clerk proceeded to read sundry nominations in the Navy.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations in the Navy will be considered en bloc; and, without objection, they are confirmed.

NATIONAL GUARD BUREAU

The Chief Clerk read the nomination of Maj. Gen. Winston Peabody Wilson, AO398325, a Reserve commissioned officer of the U.S. Air Force, member of the Air National Guard of the United States, to be Chief of the National Guard Bureau for a period of 4 years to date from August 31, 1963, under the provisions of title 10, United States Code, section 3015.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

U.S. AIR FORCE

The Chief Clerk proceeded to read sundry nominations in the U.S. Air Force.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations in the Air Force will be considered en bloc; and, without objection, they are confirmed.

U.S. ARMY

The Chief Clerk proceeded to read sundry nominations of cadets, graduating class of 1963, U.S. Military Academy, for appointment in the Regular Army of the United States in the grade indicated under the provisions of title 10, United States Code, secs. 3284 and 4353.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

THE ARMY

The Chief Clerk proceeded to read sundry nominations in the Army which had been placed on the Secretary's desk.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and without objection, they are confirmed.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of all these nominations.

The ACTING PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. HUMPHREY. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON CONSTRUCTION OF BUILDING AT UNIVERSITY OF WISCONSIN

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the construction of a new chemistry building at the University of Wisconsin; to the Committee on Aeronautical and Space Sciences.

REPORT ON CONTRACTS FOR EXPERIMENTAL OR RESEARCH WORK

A letter from the Deputy Administrator, National Aeronautics and Space Administration, Washington, D.C., transmitting, pursuant to law, a report on contracts for experimental or research work, for the 6-month period ended December 31, 1962 (with an accompanying report); to the Committee on Aeronautical and Space Sciences.

AMENDMENT OF FEDERAL AVIATION ACT OF 1958, RELATING TO CERTAIN POWERS OF CIVIL AERONAUTICS BOARD

A letter from the Chairman, Civil Aeronautics Board, Washington, D.C., transmitting a draft of proposed legislation to amend the Federal Aviation Act of 1958 so as to clarify the powers of the Civil Aeronautics Board in respect of consolidation of certain proceeding (with accompanying papers); to the Committee on Commerce.

PUBLICATION ENTITLED "ECONOMIC INQUIRY INTO FOOD MARKETING"

A letter from the Chairman, Federal Trade Commission, Washington, D.C., transmitting, for the information of the Senate, a publication entitled "Economic Inquiry into Food Marketing" (with an accompanying document); to the Committee on Commerce.

REPORT ON U.S. CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

A letter from the Acting Secretary of State, transmitting, pursuant to law, a report on U.S. contributions to international organizations, for fiscal year 1962 (with an accompanying report); to the Committee on Foreign Relations.

REPORT ON UNNECESSARY PAYMENT BY THE UNITED STATES OF CERTAIN COSTS PROPERLY CHARGEABLE TO JAPAN

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the unnecessary payment by the United States of costs properly chargeable to Japan for administrative and related expenses of the military assistance program for Japan, dated June, 1963 (with an accompanying report); to the Committee on Government Operations.

REPORT ON UNNECESSARY EXPENDITURES FOR EXTERIOR STORAGE FACILITIES SERVING FAMILY HOUSING BY DEPARTMENT OF THE ARMY AT FORT DIX, N.J.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on unnecessary expenditures for exterior storage facilities serving family housing by the Department of the Army at Fort Dix, N.J., dated June, 1963 (with an accompanying report); to the Committee on Government Operations.

REPORT ON OVERPRICING OF TELETYPEWRITERS PROCURED UNDER DEPARTMENT OF THE ARMY NEGOTIATED CONTRACT

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the overpricing of teletypewriters procured under Department of the Army negotiated contract with Kleinschmidt Division, Smith-Corona Marchant, Inc., Deerfield, Ill., dated June, 1963 (with an accompanying report); to the Committee on Government Operations.

AMENDMENT OF ACT RELATING TO ADULT INDIAN VOCATIONAL TRAINING

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to amend the act of August 3, 1956 (70 Stat. 986), as amended, relating to adult Indian vocational training (with an accompanying paper); to the Committee on Interior and Insular Affairs.

REPORTS RELATING TO CLASSIFICATION STATUS OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports concerning visa petitions according the beneficiaries of such petitions first preference classification (with accompanying papers); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of North Carolina; to the Committee on Finance:

"RESOLUTION 81

"Joint resolution urging Congress to reaffirm the State workmen's compensation system as the basic program for providing work-connected injuries and disease benefits

"Whereas the U.S. Congress by a series of amendments to the Social Security Act, during the period between 1956 and 1962, has extended and broadened the Social Security Act to provide disability benefits for work-connected injuries and disease; and

"Whereas the workmen's compensation laws were designed to be the basic method and remedy providing benefits for work-connected injuries and diseases and their administration has, for over 50 years, been the function of the several industrial accident boards and commissions, and has been in North Carolina since 1929 the function of the North Carolina Industrial Commission, based on the accepted principle that benefits for work-connected injuries and diseases be tailored to fit social and economic conditions at the local level; and

"Whereas the social security program has been and is of great benefit to the American people, however, the extension of the Social Security Act to provide benefits for work-connected injuries and diseases has resulted in duplication of benefits; and

"Whereas legislation resulting in further intrusion into the field of work-connected injuries and diseases tends to endanger the survival of State-administered workmen's compensation programs: Now, therefore, be it

"*Resolved by the house of representatives, the senate concurring:*

"SECTION 1. That the General Assembly of North Carolina is opposed to legislation by the U.S. Congress which would infringe on the right of this State to enact and administer its own workmen's compensation laws and to further Federal encroachment into the field of State-administered workmen's compensation programs and strongly urges that the U.S. Congress again affirm that the workmen's compensation system is the basic program for compensating work-connected injuries and diseases, and the general assembly further urges the North Carolina delegation in Congress to support legislation which will tend to accomplish this purpose.

"SEC. 2. Upon adoption of this resolution, a copy thereof shall be mailed by the secretary of state to the President of the United States Senate and the Speaker of the House of Representatives of the Congress of the United States, and a copy shall also be mailed by the secretary of state to each member of the Congress from the State of North Carolina.

"SEC. 3. This resolution shall become effective upon its adoption.

"In the general assembly read three times and ratified, this the 21st day of June, 1963.

"T. CLARENCE STONE,
"*President of the Senate.*
"H. CLIFTON BLUE,
"*Speaker of the House of Representatives.*"

A resolution of the Senate of the State of Florida; to the Committee on the Judiciary:

"RESOLUTION 1417

"Senate resolution deploring and condemning the decision of the Supreme Court of the United States banning Bible reading and recital of the Lord's Prayer in public schools

"Whereas the Supreme Court of the United States on Monday, June 17, 1963, ruled unconstitutional the reading of the Bible and recital of the Lord's Prayer in public schools in cases from the States of Maryland and Pennsylvania; and

"Whereas the ruling ignores the pronouncement of this same Court in 1892 in the case of *Holy Trinity Church* v. *United States* where it said 'This is a religious people. This is historically true. From the discovery of this continent to the present hour there is a single voice making this affirmation,' and again in 1951 in the case of *Zorach* v. *Clauson* this Court said 'We are a religious people whose Constitution presupposes a Supreme Being'; and

"Whereas this senate and the vast majority of our countrymen hold fast to the belief that the United States of America became a great nation and will remain freedom's stronghold only if she remains true to her religious heritage and tradition and that a godless nation cannot survive; and

"Whereas the Court's decision based upon the complaint of an atheist is offensive and contrary to our way of life and can only result in injustice and discrimination against the great majority of our people to the comfort and pleasure of agnostics and to the comfort and pleasure of this country's enemies: Now, therefore, be it

"*Resolved by the Senate of the State of Florida:* That this senate go on record as deploring and condemning this unwarranted and arbitrary restriction of the reading of the Bible and recital of the Lord's Prayer in our public schools as pronounced in the recent decision of the Supreme Court of the United States; be it further

"*Resolved,* That the Congress of the United States be and it is hereby requested and urged to immediately take the necessary action to minimize the damage done by this decision either by submitting a constitutional amendment or whatever else is deemed appropriate; be it further

"*Resolved,* That a copy of this resolution be dispatched to the President and Secretary of the U.S. Senate and to the Speaker and Secretary of the U.S. House of Representatives and to each Member of Florida's congressional delegation.

"Wilson Conway,
"*President of the Senate.*

"Attest:

"Robert Davis,
"*Secretary of the Senate.*"

A concurrent resolution of the Legislature of the State of Louisiana; ordered to lie on the table:

"Senate Concurrent Resolution 1

"Concurrent resolution to recognize and commend volunteer firemen of the State for their unselfish and dedicated devotion to the happiness and well-being of the people of Louisiana

"Whereas the volunteer firemen of this State have for generations given unselfishly of their time in the true manner of dedicated men to provide protection to the men, women and children of their respective communities and to their homes, schools and places of work and business, all of which has promoted the happiness and well-being of our people; and

"Whereas the services of such firemen have been rendered solely out of good will and with much self-sacrifice on the part of the volunteers in their voluntary exposure to the dangers of fire-fighting and in their giving of time away from regular duties and from their leisure hours, all without any compensation or remuneration of any kind, even though these dedicated men are subject to call 24 hours each day; and

"Whereas volunteer firemen have been the unselfish, civic-minded forerunners of regular paid fire departments throughout our State and Nation and for this devotion to public service have never received the formal public recognition for their contribution to the safety and well-being of our citizens and their property which they so richly deserve; and

"Whereas it is only fitting for the Legislature of Louisiana to recognize formally the valuable contributions these volunteer firemen have made for the cause of humanity: Therefore, be it

"*Resolved by the Senate of the Legislature of the State of Louisiana, the House of Representatives thereof concurring,* That the legislature, for itself and on behalf of the citizens of Louisiana, hereby recognizes the invaluable services of all volunteer firemen who have served and who continue to serve the public good by protecting the lives and property of our citizens, all without pay, and hereby commend all volunteer firemen on their good will and their self-sacrifice in giving their time and efforts to the operation of volunteer fire departments throughout the State of Louisiana and for their dedication and their courage and bravery in voluntarily and unselfishly assuming the risks to life and limb for the safety and protection of their fellow citizens: Be it further

"*Resolved,* That duly inscribed copies of this resolution shall be sent to the Governor of the State of Louisiana, the President of the United States, the presiding officer of each of the Houses of the U.S. Congress and to each Member of the Louisiana delegation in Congress.

"C. C. Aycock,
"*Lieutenant Governor and President of the Senate.*

"J. Thos. Jewell,
"*Speaker of the House of Representatives.*"

A letter from the Secretary of State of the State of New Jersey, transmitting, for the information of the Senate, a certified copy of chapter 109, laws of 1963, State of New Jersey, which is a general revision of the military and veterans laws of that State; to the Committee on Armed Services.

HOSPITAL CARE FOR THE AGED UNDER SOCIAL SECURITY—RESOLUTION

Mr. METCALF. Mr. President, in recent weeks I have noticed another upsurge in sentiment in favor of a program of hospital care for the aged under social security. Just this week I received a copy of a resolution of the Montana State Aerie, Fraternal Order of Eagles, in support of this needed program.

I commend this resolution to the attention of my colleagues as further evidence of the broad support for a program of hospital insurance for older citizens under social security. I ask unanimous consent that the resolution be printed at this point in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

"Resolution 6

"Whereas the Fraternal Order of Eagles has in the past been the leader in promoting such humanitarian projects as old-age assistance, social security, workmen's compensation, jobs over 40, and other worthwhile legislation for the good of the people; and

"Whereas we appeal to go on record in favor of the medicare bill under social security: Now, therefore, be it

"*Resolved,* That the Montana State Aerie, Fraternal Order of Eagles, go on record as favoring the adoption as law of the medicare bill under social security and that a copy of this resolution be forwarded to the Grand Aerie Convention and to the Senators and Representatives of the State of Montana."

CERTIFICATE

I, A.D. Tognetti, the duly elected, qualified, and acting secretary of the Montana State Aerie, Fraternal Order of Eagles, hereby certify that the foregoing resolution was duly and regularly moved, seconded, and passed by a majority vote of the Montana State Aerie convened at the annual convention at Helena, Mont., on the 19th through the 22d day of June 1963. I further certify that the foregoing is a true and correct copy of the Resolution 6 as the same was adopted as aforesaid.

Dated this 22d day of June 1963.

A. D. Tognetti, *Secretary.*

CONSERVATION OF NATION'S WILDLIFE RESOURCES IN CERTAIN AREAS—REPORT OF A COMMITTEE—ADDITIONAL COSPONSORS OF BILL

Mr. KUCHEL. Mr. President, from the Committee on Interior and Insular Affairs, I report favorably, with amendments, the bill (S. 793) to promote the conservation of the Nation's wildlife resources on the Pacific flyway in the Tule Lake, Lower Klamath, Upper Klamath, and Clear Lake National Wildlife Refuges in Oregon and California and to aid in the administration of the Klamath reclamation project, and I submit a report (No. 341) thereon.

I ask unanimous consent that when the bill is printed, as reported, additional names be listed as cosponsors of this legislation along with the distinguished junior Senator from Virginia [Mr. Robertson] and me. They are: Mr. Engle, Mr. Jackson, Mr. Anderson, Mr. Allott, Mr. Bible, Mr. Moss, Mr. Burdick, Mr. Metcalf, Mr. McGovern, Mr. Nelson, Mr. Mechem, and Mr. Dominick.

The ACTING PRESIDENT pro tempore. The report will be received and the bill will be placed on the calendar; and, without objection, the additional cosponsors will be added to the bill, as requested by the Senator from California.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GRUENING:

S. 1816. A bill to conserve the offshore fishery resources of the United States and its territories, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Gruening when he introduced the above bill, which appear under a separate heading.)

By Mr. KEATING:

S. 1817. A bill to prescribe a method by which the Houses of Congress and their committees may invoke the aid of the courts in compelling the testimony of witnesses; and

S. 1818. A bill to amend section 1621 of title 18 of the United States Code to provide for degrees of perjury, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Keating when he introduced the above bills, which appear under a separate heading.)

By Mr. EDMONDSON:

S. 1819. A bill for the relief of Mrs. Jesse Franklin White; to the Committee on the Judiciary.

By Mr. EDMONDSON (for himself and Mr. Monroney):

S. 1820. A bill to authorize the Secretary of the Interior to convey certain federally owned land in trust status to the Cherokee Indian Tribe of Oklahoma; to the Committee on Interior and Insular Affairs.

By Mr. BAYH:

S. 1821. A bill for the relief of Dr. Adriano A. Agana; to the Committee on the Judiciary.

By Mr. JAVITS (for himself, Mr. Keating, Mr. Kuchel, Mr. Engle, Mr. Church, Mr. Humphrey, and Mr. Symington):

S.J. Res. 97. Joint resolution authorizing the issuance of a gold medal to Danny Kaye; to the Committee on Banking and Currency.

(See the remarks of Mr. Javits when he introduced the above joint resolution, which appear under a separate heading.)

THE 3-MILE LIMIT: AN ALBATROSS AROUND THE NECK OF U.S. FISHERMEN

Mr. GRUENING. Mr. President, the time has come for this Nation to look realistically at its questionable policy of maintaining a 3-mile territorial water, thereby permitting fishermen from other nations to deplete our fish stocks and negate our attempts at conservation and protection of this valuable resource.

Fishing vessels of other nations make themselves at home in our waters, fill their vessels with fish, and in so doing deprive U.S. fishermen of the catch.

Commercial fishing has become big business.

Some nations literally use fleets, complete with so-called mother ships which have cleaning and freezer facilities aboard. This modern method of fishing, which surpasses existing U.S. efforts, makes it mandatory for us to modernize our thinking concerning the breadth of the territorial sea. Our outmoded thinking has kept the United States in fifth place among the fishing nations of the world.

Our national policy as it concerns our commercial fishermen is quixotic. As Don Quixote tilted with windmills, we, alas, tilt with the wind. As we idealistically adhere to our antiquated and obsolete 3-mile territorial water, other nations catch our fish.

I can find no cause to grumble because Canada realistically has extended its maritime jurisdiction from the traditional 3 miles to the realistic 12 miles. Indeed, I admire and commend Canada for taking this action in behalf of its fishermen and its economy. I suggest that the United States pursue a similar course of action. I am introducing a bill today which would, under certain circumstances, extend the territorial waters of the United States to 12 miles for fishing purposes.

I suggested on April 19, 1962, when the Japanese fishing fleet had invaded Alaskan waters, that what really should be secured, besides an affirmation of U.S. fishing rights, was the extension of U.S. fishing grounds to a 12-mile limit. I said:

> The 3-mile limit is an obsolete provision dating from days when 3 miles was the approximate distance a cannonball from a shore battery could hit a hostile vessel.

More recently Russian fishing fleets have been sighted, their crews busily fishing, off Kodiak, just outside the 3-mile limit.

I asked the Legislative Reference Service of the Library of Congress to explore the possibility of extending the Alaskan territorial waters for the purposes of protection of coastal fisheries earlier this month. I ask unanimous consent that a memorandum I received from the American Law Division be printed in the RECORD at the conclusion of my remarks.

The ACTING PRESIDENT pro tempore. Is there objection to the request by the Senator from Alaska? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. GRUENING. Mr. President, it is revealing that no constitutional objection exists to an extension by the United States of its 3 miles for territorial sea. Conversely, a State is not free to proclaim the breadth of its territorial sea. But there is no reason preventing the Federal Government from extending all or a portion of this Nation's territorial waters.

The fifth point raised by Mrs. Goler T. Butcher of the American Law Division is pertinent. Mrs. Butcher, in her memorandum, writes:

> 5. In conclusion it should be stated that this whole area of the breadth of the territorial sea and of the right of the coastal sea to require the practice of conservation measures by other nations fishing near her coasts is at present in a state of fluidity. As recognized by the great legal scholar, Hans Kelson, the 3-mile limit, which was never adhered to by all nations, has become antiquated. Further reasons of justice and expediency would seem to give the coastal State the right to establish, in concert with other nations customarily fishing near her territory, conservation and protective measures.

In 1956 a report by the International Law Commission said that international practice was not uniform so far as the breadth of territorial waters was concerned.

The report of the Commission added that the Commission considered "that international law does not permit an extension of the territorial sea beyond 12 miles."

Miasma which arises from the territorial sea claimed by various nations is overpowering. Consider these inconsistencies, as stated in the report:

BREADTH OF TERRITORIAL WATERS EXPRESSED IN THE SECOND COMMITTEE OF THE CONFERENCE OF APRIL 3, 1930	PRESENT TERRITORIAL LIMITS
Brazil: Favored 6 miles.	Brazil: 3 miles for territorial sea, 12 miles for fishing.
Belgium: Favored 3 miles plus contiguous zones.	Belgium: 3 miles.
Canada: Favored a 3-mile limit.	Canada: 3 miles for territorial sea, 12 miles for fishing.
China: Favored a 3-mile limit.	China: 3-mile limit.
Chile: Favored 3-mile limit plus contiguous zones.	Chile: 200 miles.
Colombia: Favored 6 miles.	Colombia: 6 miles territorial sea, 12 miles fishing.
Cuba: Favored 6 miles.	Cuba: Originally 3 miles, perhaps now the same as Russia, 12 miles.
Denmark: Favored 3-mile limit.	Denmark: 12 miles.
Egypt: Favored 3 miles plus contiguous zones.	Egypt: 12 miles.
Finland: 4 miles and favored contiguous zones.	Finland: Not over 12 miles.
France: 3 miles plus contiguous zones.	France: 3 miles.
Germany: 3 miles plus contiguous zones.	Germany: 3 miles.
Great Britain: Favored 3-mile limit.	Great Britain: 3 miles.
Greece: Favored 3-mile limit.	Greece: 6 miles.
Iceland: Proposed 4 miles.	Iceland: 12 miles.
India: Favored 3-mile limit.	India: 6 miles territorial sea, 100 miles fishing.
Iran: Favored 6 miles if a contiguous zone were added.	Iran: 12 miles.
Ireland: Favored 3-mile limit.	Ireland: 3 miles.
Italy: Favored 6 miles if a contiguous zone were added.	Italy: 6 miles.
Japan: Favored a 3-mile limit.	Japan: 3 miles.
Netherlands: Favored a 3-mile limit.	Netherlands: 3 miles.
Norway: Proposed 4 miles favoring the idea of contiguous zones.	Norway: 4 miles for territorial sea, 12 miles for fishing.
Spain: Favored 6 miles if a contiguous zone were added.	Spain: 6 miles.
Sweden: Proposed 4 miles.	Sweden: 4 miles.
Turkey: Favored 6 miles if a contiguous zone were added.	Turkey: 3 miles, will move to 12 miles for territorial sea.
Union of South Africa: Favored 3-mile limit.	Union of South Africa: 6 miles for territorial sea, 12 miles for fishing.
Uruguay: Favored 6 miles if a contiguous zone were added.	Uruguay: 6 miles for territorial sea, 10 miles for fishing.
Yugoslavia: Favored 6 miles if a contiguous zone were added.	Yugoslavia: 6 miles for territorial sea, 10 miles for fishing.

Thus, in 33 years 17 nations who participated in the 1930 conference have concluded that the 3-mile limit is outmoded, and were we to ask all nations of the world for an opinion, that number would probably be a great deal higher.

The United States of America can continue to hold to its 3-mile limit, if it wishes, but such action can be compared to "horse and buggy" thinking. The days of 1805 have passed. Three miles was the distance that a round cannon ball could be expected to hit its target.

Earlier this month I asked the Department of State for a list of countries which claim more than 3 miles of territorial sea or exclusive fishing rights. Assistant Secretary of State Frederick G. Dutton subsequently supplied such information.

In his letter of June 17, 1963, he provided a comprehensive survey of such claims made at the two United Nations Law of the Sea Conferences held at Geneva, Switzerland, in 1958 and 1960, along with a synoptical table prepared at the conferences showing the breadth of the territorial sea and adjacent zones claimed by the various nation-states.

Assistant Secretary Dutton also provided a summary of unilateral claims made since the 1960 conference by 11 nations: Albania, Cameroon, China, Denmark, Malagasy Republic, Morocco, Norway, Senegal, Sudan, Tunisia, and Uruguay.

Further, he notes that eight nations are considering legislation to extend their territorial seas. Of importance is the fact that, says the Assistant Secretary:

> The United Kingdom has renounced certain fisheries treaties apparently as a first move toward abandoning the 3-mile limit for fisheries.

I asked the Embassy of Great Britain for additional information and learned the Department of State's reference was to the announcement in the House of Commons about 1 month ago that Great Britain intended to denounce the North Sea Fisheries Convention signed in 1882 and had given 1 year's notice of the intended action.

Further, I found that Great Britain had called for a fall 1963 conference of the nations involved. British fishermen, it appears, have suffered from being excluded from their traditional fishing grounds as well as finding their own waters well fished by others.

Mr. President, I ask unanimous consent that Assistant Secretary Dutton's letter and one enclosure be printed in the RECORD at the conclusion of my remarks.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Alaska? The Chair hears none, and it is so ordered.

(See exhibit 2.)

Mr. GRUENING. Mr. President, it should be recalled that the 1958 Geneva Law of the Sea Conference found the Soviet bloc and the Arab bloc insisting on 12 miles as the limit of territorial waters. The United States and United Kingdom led the group advocating the 3-mile limit, although evidencing some willingness to compromise.

Canada then supported the 3-mile limit and an additional 9 miles for exclusive fishing by the coastal state—a position we find that is taken by Canadian law.

When the United States proposed a compromise 6-mile limit for territorial waters, with an additional 6-mile contiguous zone in which the coast state would have exclusive fishing rights, subject only to "historic rights" for states whose nationals had fished in the area for the 5 years previous, the vote was close although it failed to garner the two-thirds required for adoption as a conference recommendation.

We are in fifth place among the fishing nations of the world. Ahead of us are Japan, Peru, Communist China, and the Soviet Union. According to a report prepared by the Department of the Interior's Bureau of Commercial Fisheries, the United States is the largest importer of fishery products. Last year we caught 7 percent of the world's catch and the same year we consumed 12 percent of the world's catch. Among our fish imports were shrimp, sea scallops, spiny lobster, frozen tuna, oysters, and ground fish fillets and blocks. Our imports were the highest in our history. It is reasonable to suggest that at least a larger portion of our imports comes from our own coastal waters, outside the 3-mile limit.

Our fishermen fish with old gear and still do a remarkably good job. Our fishermen continue the hook-and-line methods while fishermen of other nations use large-scale techniques, including trawling.

It is a wonder that our fishermen managed to stay in fifth place.

Even as they strive to keep alive, the Federal Government expends vast sums to restore and rehabilitate the fishing resources of foreign countries. In the past 8 fiscal years, the Federal Government has spent $14,587,064 in 18 foreign countries. Those countries are China—Taiwan—Indonesia, Philippines, Thailand, Vietnam, Ethiopia, India, Liberia, Pakistan, Turkey, Peru, Korea, Laos, Iceland, Yugoslavia, El Salvador, Cambodia, and British Guinea. Peru, recall, is second only to Japan as the leading fishing nation.

Personally, I consider the paradox and performance of our aiding foreign countries to rehabilitate and develop their fishing resources while we neglect our own fisheries and fishermen to be shocking and disgraceful.

The extent of territorial waters has long presented problems.

Mr. Joseph Walter Bingham, professor of law, Stanford University, discussed the complicating aspects at length in his comprehensive, readable treatise "Report on the International Law of Pacific Coastal Fisheries." In his introduction, written November 1, 1938, Professor Bingham says:

> I believe that it is of the utmost importance to the future peace and security of the United States that a definite and consistent policy be adopted at once in protection of interests off our Pacific coast that we would not surrender except under compulsion. Especially we should assert at once and unmistakably our intention to protect our coast fisheries against damaging invasion and, in proper cases, against foreign use, and to extend this protection as far from our coast as efficiency demands.

We may well ask at this point, "What is the limit demanded by efficiency?"

Professor Bingham wrote of the great importance to our economy of the Alaskan salmon fisheries—"and the need of wide control over Alaskan waters to our future defense and safety"—points he said Japan and Canada and all the States recognize more clearly than did the general American public.

Dr. Bingham continued:

> There is no phase of the history of international affairs which evidences more strikingly the part which selfish national interests play in the development of the doctrines of international law than the history of fishery claims and their effects on legal opinions concerning the law of jurisdiction over sea areas.

As far back as 1937, the Department of State, in a note to Japan, stated:

> The emphasis which has been placed in this statement upon the situation in Bristol Bay arises from the fact that the activities of Japanese fishing vessels have been chiefly observed there; it should not be inferred for this reason that a similar situation in other Alaskan waters would be of less concern to American fishing interests.
>
> Having in mind the high importance of the Alaska salmon fisheries as an industry fostered and perpetuated through the efforts and economic sacrifices of the American people, the American Government believes that the safeguarding of these resources involves important principles of equity and justice.
>
> It must be taken as a sound principle of justice that an industry such as described which has been built up by the nationals of one country cannot in fairness be left to be destroyed by the nationals of other countries.
>
> The American Government believes that the right of obligation to protect the Alaska salmon fisheries is not only overwhelmingly sustained by conditions of their development and perpetuation, but that it is a matter which must be regarded as important in the comity of the nations concerned.

In commenting on the text of the note, Professor Bingham says:

> As long as American right to control our Pacific salmon fisheries is not established, there is therefore a constant threat to our peace and the circumstances of some future fishing invasion by foreign vessels may be such as to carry the controversy beyond diplomatic control.

The United States purports to hold to the 3-mile rule yet finds reasons to make exceptions. Important exceptions seem to be in connection with smuggling.

In the United States often individual States have claimed territorial waters in excess of 3 miles.

Of the 20 Coastal States in 1942, only 3—Oregon, California, and Washington—had specific territorial waters designations, being in each instance either 3 English miles or 1 marine league in breadth. Georgia, Massachusetts, New Jersey, and Rhode Island expressly adopted the 3-mile rule. Alabama, 18 miles; Florida, 9 miles; and Louisiana, 27 miles. Texas historically claimed 3 leagues—9 miles—from land along the Gulf of Mexico. Mississippi claimed 6 leagues—18 miles—and all islands within 6 leagues of the shore. These State rules, notwithstanding their questionable validity in this area of national control, do indicate that the 3-mile rule had been neither mandatory nor uniform in the United States.

While the claims of the States to territorial waters were questionable, the issue had never been specifically adjudicated. State jurisdiction was unclear until the decision in the Tidelands Oil case—*United States* v. *California*, 332 U.S. 19, 1947. At that time the U.S. Supreme Court ruled that the submerged oil lands were property of the National Government rather than the individual States and that it is the National Government which has the ownership and control over the territorial sea.

Thus the limit is unclear. Indeed, as Professor Reisenfeld wrote:

> The problem of jurisdiction at the maritime frontier is a very complex one under American law. No uniform formula has been devised and the law is far from being well settled.

Therefore, Mr. President, I am introducing a bill which will correct the existing situation by extending the territorial waters of the United States for fishing purposes to 12 miles. I ask unanimous consent that the bill be printed in the RECORD at the conclusion of my remarks and that it remain on the table until July 9, 1963.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD at the conclusion of the Senator's remarks and will lie on the table until July 9, 1963, as requested.

(See exhibit 3.)

The bill (S. 1816) to conserve the offshore fishery resources of the United States and its territories, and for other purposes, introduced by Mr. GRUENING, was received, read twice by its title, and referred to the Committee on Commerce.

Mr. GRUENING. Mr. President, in 1945, President Harry S Truman issued Proclamation No. 2668 in which he outlined the policy of the United States with respect to coastal fisheries in certain areas of the high seas. On September 28, 1945, President Truman spoke of "an urgent need to protect coastal fishery resources from destructive exploitation, having due regard to conditions peculiar to each region and situation and to the special rights and equities of the coastal States and of any other State which may have established a legitimate interest therein."

He said that it would be the policy of the United States of America "to establish conservation zones in those areas of the high seas contiguous to the coasts of the United States wherein fishing activities have been or in the future may be developed and maintained on a substantial scale."

On the same day the President issued Executive Order No. 9633 which reserved and placed certain resources of the Continental Shelf under the control and jurisdiction of the Secretary of the Interior.

And on the same day, President Truman issued Executive Order No. 9634 in which he reinforced his Proclamation No. 2668 by ordering the Secretary of State and the Secretary of the Interior to jointly recommend from time to time the establishment by Executive orders of fishery conservation zones in areas of the high seas contiguous to the coasts of the United States, pursuant to the policies in the proclamation.

Mr. President, this action by President Truman was direct and clear-cut. I would hope that we can learn from the past, and I ask unanimous consent that the full texts of Proclamation No. 2668 and Executive Orders Nos. 9633 and 9634 be printed in the RECORD at the conclusion of my remarks.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Alaska? The Chair hears none, and it is so ordered.

(See exhibit 4.)

Mr. GRUENING. Mr. President, slightly more than 1 year ago our former colleague, Senator Ben Smith, of Massachusetts, made a speech which was outstanding in content. Senator Smith, presented a realistic program for our fisheries. He outlined the problems facing our fisheries, and he noted that fishing is our oldest commercial industry.

He reminded us that fisheries employ, directly and indirectly, 540,000 American workers. As fisheries are a major industry in Massachusetts so are they in Alaska, many thousands of miles from the Eastern seaboard. As the fisheries of Massachusetts are encroached upon by foreign vessels, so are the fisheries of Alaska and of the other coastal states threatened.

Senator Smith, now Ambassador Smith, and this Nation's fishery expert at the Ambassadorial level, bluntly described the ills which plague the industry in his May 24, 1962, speech. And he observed that the United States has a remarkable knack for building up the fisheries in foreign nations while it fails to come to the aid of its own.

I agree with Ambassador Smith and point out that the United States cannot delay any longer taking vitally needed action to protect our valuable fishing resources from continued depletion by foreign fishing vessels. The time for action has come.

Finally, Mr. President, on June 4 Prime Minister Pearson, of Canada, proclaimed Canada's extension of its exclusive fishing rights to 12 miles. His statement, released by the Canadian Embassy here, gives cogently the reasons for his action on behalf of the Dominion of Canada. The arguments he adduces apply with equal force to our own problems. I ask unanimous consent that the text of his statement be printed at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

LAW OF THE SEA

The law of the sea, a subject of considerable importance in international affairs, is of particular significance for Canada, the seventh largest fishing nation in the world and the fourth largest trading nation, possessing the world's longest coastlines. Traditionally the breadth of the territorial sea has 3 nautical miles, but the Canadian view has long been that a breadth of 3 miles is not adequate for all purposes. It was on December 7, 1956, that a Canadian representative put forth, at a meeting of the sixth committee of the United Nations, the proposal which later came to be known at Geneva as the Canadian proposal, of a continguous fishing zone beyond the 3-mile territorial sea which would extend to a limit of 12 miles.

In the light of the failure of efforts to bring about an agreement on the breadth of the territorial sea and the contiguous fishing zone, the Government has decided, after careful deliberation, that the time has come to take firm and national action to protect Canada's fishing industry. It is well known that foreign fishing operations off Canada's east coast, which have increased enormously over the past 5 years, are apt not only to deplete our offshore fisheries resources but are posing other problems. There are indications also that Canada's west coast fisheries may soon be threatened. In similar circumstances an increasing number of countries have felt themselves compelled to abandon the 3-mile fishing limit. All told, more than 40 countries have already extended their territorial limits and more than 50 countries their fisheries limits beyond 3 miles.

With these considerations in mind, the Canadian Government has decided to establish a 12-mile exclusive fisheries zone along the whole of Canada's coastline as of mid-May 1964 and to implement the straight baseline system at the same time as the basis from which Canada's territorial sea and exclusive fisheries zone shall be measured.

The Government recognizes that such action will necessarily have implications for other countries, particularly the United States of America and France, both of whom have treaty fishing rights in some of the areas affected and claims to historic fishing rights in other areas in question. In the case of Canada and the United States of America in particular, there is a long tradition of friendly and fruitful cooperation on fisheries problems and any action by Canada on these matters will, as in the past, take full account of U.S. interests, as well as of those other countries affected.

It may be recalled that in my discussions with President Kennedy at Hyannisport I informed him that the Canadian Government would shortly be taking decisions to establish a 12-mile fishing zone. The President reserved the longstanding American position in support of the 3-mile limit. He also called attention to the historic and treaty fishing rights of the United States of America and I assured him that these rights would be taken into account. Discussions will be held with the United States of America with a view to determining the nature and extent of the U.S. rights and interests which may be affected by the action Canada is taking. Discussions will also be opened as soon as possible with other countries affected, and it is our hope and belief that we will be able to reach agreement with such countries on mutually satisfactory arrangements.

EXHIBIT 1

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
Washington, D.C., June 10, 1963.

To: Hon. ERNEST GRUENING.
(Attention Miss Laura Olson.)
From: American Law Division.
Subject: Extension of Alaskan territorial waters for purposes of protection of coastal fishery.

1. Adequate discussion on the applicable principles of international law in this area is contained in the secondary material which has been forwarded. In particular, the monographs by Riesenfeld and Bingham are devoted to questions as to the protection of coastal fisheries. The verifaxed pages from Bishop's "Casebook on International Law," pages 487–498, "Jurisdiction Over Vessels," concern the recent unsuccessful attempts in the Conference on the International Law of the Sea to reach uniform theory and consistent practice on this. (See also CONGRESSIONAL RECORD, vol. 99, pt. 2, p. 2493, "The Exercise of Jurisdiction for Special Purposes in High Seas Area Beyond the Outer Limit of Territorial Waters," a paper by William M. Bishop.) The copy of a memorandum previously prepared in this division, "Foreign Reaction to the Assertion by the United States of Jurisdiction Over the Continental Shelf" (Butcher, 1963), deals with problems on the Continental Shelf. It should be noted that some of the Latin American States have claimed excessively wide territorial waters of a 200-mile breadth.

2. Are there constitutional objections to the recognition by the United States of a limit exceeding 3 miles for the territorial sea?

No, the United States is free to determine the breadth of its territorial sea as it may see fit. There are no constitutional problems involved.

3. What are the rights of a State in this matter?

The National Government has ownership, control and paramount rights in the marginal or territorial sea, that is, the coastal belt. The Supreme Court held in *United States* v. *California*, 332 U.S. 19 (1947), that the rights running to the States are "in the inland waters to the shoreward of the low water mark" and Federal rights and sovereignty exist in waters seaward of the low water mark on out to the limit of the territorial sea, whatever that happens to be, 3 miles or further.

By reason of the allocation to the National Government under our Federal system of all matters involving relations with foreign nations, all issues respecting international law are properly within the province of the Federal Government alone. Thus a State is not free to proclaim, in accordance with its own determination of its needs, the breadth of its territorial sea.

4. Notwithstanding the general rule that straits more than 6 miles in width are not subject to the jurisdiction of the coastal State, a valid claim to exercise exclusive jurisdiction over a strait may be founded upon a historical practice, whereunder the coastal State has acquired by prescription a right to include the waters of the strait within her territorial jurisdiction. Also germane here

is the fact that the proprietorship of the lands on both sides of the strait is by the same State. These considerations are relevant to the issue of the nature of the waters of Shelikof Strait separating Kodiak Island and the Alaskan peninsula.

5. In conclusion it should be stated that this whole area of the breadth of the territorial sea and of the right of the coastal sea to require the practice of conservation measures by other nations fishing near her coasts is at present in a state of fluidity. As recognized by the great legal scholar, Hans Kelsen, the 3-mile limit, which was never adhered to by all nations, has become antiquated. Further, reasons of justice and expediency would seem to give the coastal State the right to establish in concert with other nations customarily fishing near her territory conservation and protective measures.

GOLER T. BUTCHER,
Legislative Attorney.

EXHIBIT 2

DEPARTMENT OF STATE,
Washington, D.C., June 17, 1963.

Hon. ERNEST GRUENING,
U.S. Senate.

DEAR SENATOR GRUENING: A representative of your office recently requested a list of countries which claim more than 3 miles of territorial sea or exclusive fishing rights. A comprehensive survey of such claims was made in connection with the two United Nations Law of the Sea Conferences held at Geneva 1958 and 1960, and a synoptical table was prepared by these conferences showing the breadth of the territorial sea and adjacent zones claimed by the various states. A reproduction of the table is enclosed for your information.

Since that time several countries have made claims to an extended territorial sea or exclusive fishing zone. A summary of such claims since the 1960 Law of the Sea Conference, based on information reaching the Department, is also enclosed. In addition to the countries which have asserted claims, a number have indicated that they intend to do so. Legislation has been introduced (1) in Colombia to extend the territorial sea from 6 to 12 miles; (2) in Ghana to establish a 12-mile territorial sea, with an undefined protective area seaward of this, and up to 100 miles of fishing conservation zone; (3) in South Africa, Costa Rica, and Turkey to extend the territorial sea to 6 miles with a 6-mile contiguous fishing zone; and (4) in the Ivory Coast to extend the territorial sea to 12 miles. Moreover, Canada recently announced a decision to establish a 12-mile fishing zone, and the United Kingdom has renounced certain fisheries treaties apparently as a first move toward abandoning the 3-mile limit for fisheries.

I hope this informaton will be helpful to you.

Sincerely yours,

FREDERICK G. DUTTON,
Assistant Secretary.

SUMMARY OF UNILATERAL CLAIMS TO EXTENDED TERRITORIAL SEAS OR EXCLUSIVE FISHING ZONES, SINCE THE 1960 UNITED NATIONS CONFERENCE ON LAW OF THE SEA

Albania: March 1, 1960, restricted innocent passage in a 10-mile territorial sea. Fishing jurisdiction claimed to 12 miles.

Cameroon: June 23, 1962, claimed a 6-mile territorial sea.

China: While the Republic of China recognizes the 3-nautical-mile territorial sea, Communist China claims a 12-mile territorial sea.

Denmark: June 1, 1963, extended the fisheries limits for Greenland to 12 miles. A similar limit for the Faroes Islands will take effect March 12, 1964. Certain countries are exempted from the Greenland limits until May 31, 1973.

Malagasy Republic: February 27, 1963, claimed a 12-mile territorial sea.

Morocco: Extended fishing jurisdiction to 12 miles, except for the Strait of Gibraltar, for which such jurisdiction was extended to 6 miles.

Norway: Extended fisheries jurisdiction to 6 miles on April 1, 1961, and to 12 miles on September 1, 1961.

Senegal: June 21, 1961, claimed a 6-mile territorial sea, plus a 6-mile contiguous zone.

Sudan: August 2, 1960, extended the territorial sea to 12 miles.

Tunisia: July 26, 1962, extended the territorial sea to 6 miles with an additional 6 miles of fisheries jurisdiction for a portion of its coast from the Algerian border to Ras Kapoudia, and extended the territorial sea from there to the Libyan border to the 50-meter isobath line.

Uruguay: February 21, 1963, claimed a 6-mile territorial sea plus a 6-mile contiguous zone for fishing and other purposes.

EXHIBIT 3

S. 1816

A bill to conserve the offshore fishery resources of the United States and its Territories, and for other purposes

Whereas for some years the Congress of the United States has viewed with great concern the inadequacy of present arrangements for the protection, conservation and rehabilitation of the fishery resources continguous to the coasts of the United States of America and, in view of the potentially disturbing effect of this situation, has carefully studied the possibility of improving the jurisdictional basis for conservation and rehabilitation measures in this field; and,

Whereas such fishery resources have a special importance to coastal communities as a source of livelihood and to the Nation as an important food and industrial resource; and,

Whereas the progressive development of new methods and techniques contributes to intensified fishing over wide sea areas and, in certain cases, seriously threatens fisheries with depletion; and,

Whereas there is urgent need to protect coastal fishery resources from destructive exploitation, having due regard to conditions peculiar to each region and situation and to the special rights and equities of the Coastal States: Now, therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever the Governor of any State or Territory alleges by a petition to the President of the United States that fishing by nationals of other nations in some or all of the coastal waters lying within twelve miles off the shores of such State or Territory is of such intensity or magnitude that the fishery resources in such waters are in danger of depletion, the President shall appoint a Fact Finding Board (hereinafter called "The Board") consisting of three persons, one of whom shall be a resident of such State or Territory.

SEC. 2. The Board shall, within ninety days, investigate the allegations made by the Governor and report its findings of fact and recommendations for action to the President.

SEC. 3. The President, on the basis of such report and recommendations and such other information as may be brought to his attention, may by Presidential proclamation, if he finds that the allegations are sustained by the facts:

(a) Prohibit fishing in some or all of the coastal waters lying up to twelve miles off the coast of such State by any person not a national of the United States of America; or

(b) Establish conservation zones in the coastal waters lying up to twelve miles off the coast of such State or Territory, limit the amount and type of fishing which may be conducted in such conservation zones, and set forth when and by whom fishing may be conducted in such conservation zones.

SEC. 4. Members of the Board shall be appointed without regard to the civil service and classification laws and shall receive compensation at the rate of $75 per day when engaged in carrying out their duties and shall, in addition, receive reimbursement for actual expenses incurred in the performance of such duties.

EXHIBIT 4

PROCLAMATION 2668—POLICY OF THE UNITED STATES WITH RESPECT TO COASTAL FISHERIES IN CERTAIN AREAS OF THE HIGH SEAS,[1] BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

Whereas for some years the Government of the United States of America has viewed with concern the inadequacy of present arrangements for the protection and perpetuation of the fishery resources contiguous to its coasts, and in view of the potentially disturbing effect of this situation, has carefully studied the possibility of improving the jurisdictional basis for conservation measures and international cooperation in this field; and

Whereas such fishery resources have a special importance to coastal communities as a source of livelihood and to the Nation as a food and industrial resource; and

Whereas the progressive development of new methods and techniques contributes to intensified fishing over wide sea areas and in certain cases seriously threatens fisheries with depletion; and

Whereas there is an urgent need to protect coastal fishery resources from destructive exploitation, having due regard to conditions peculiar to each region and situation and to the special rights and equities of the coastal State and of any other State which may have established a legitimate interest therein:

Now, therefore, I Harry S Truman, President of the United States of America, do hereby proclaim the following policy of the United States of America with respect to coastal fisheries in certain areas of the high seas:

In view of the pressing need for conservation and protection of fishery resources, the Government of the United States regards it as proper to establish conservation zones in those areas of the high seas contiguous to the coasts of the United States wherein fishing activities have been or in the future may be developed and maintained on a substantial scale. Where such activities have been or shall hereafter be developed and maintained by its nationals alone, the United States regards it as proper to establish explicitly bounded conservation zones in which fishing activities shall be subject to the regulation and control of the United States. Where such activities have been or shall hereafter be legitimately developed and maintained jointly by nationals of the United States and nationals of other states, explicitly bounded conservation zones may be established under agreements between the United States and such other states; and all fishing activities in such zones shall be subject to regulation and control as provided in such agreements. The right of any state to establish conservation zones off its shores in accordance with the above principles is conceded, provided that corresponding recognition is given to any fishing interests of nationals of the United States which may exist in such areas. The character as high seas of the areas in which such conservation zones are established and the right of their free and unimpeded navigation are in no way thus affected.

In witness whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

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[1] See Executive Order No. 9634.

Done at the city of Washington this 28th day of September, in the year of our Lord nineteen hundred and forty-five, [SEAL] and of the Independence of the United States of America the one hundred and seventieth.

HARRY S TRUMAN.

By the President:

DEAN ACHESON,
Acting Secretary of State.

[F.R. Doc. 45-18175; Filed, Oct. 1, 1945; 11:11 a.m.]

EXECUTIVE ORDER 9633—RESERVING AND PLACING CERTAIN RESOURCES OF THE CONTINENTAL SHELF UNDER THE CONTROL AND JURISDICTION OF THE SECRETARY OF THE INTERIOR

By virtue of and pursuant to the authority vested in me as President of the United States, it is ordered that the natural resources of the subsoil and seabed of the Continental Shelf beneath the high seas but contiguous to the coasts of the United States declared this day by proclamation[1] to appertain to the United States and to be subject to its jurisdiction and control, be and they are hereby reserved, set aside, and placed under the jurisdiction and control of the Secretary of the Interior for administrative purposes, pending the enactment of legislation in regard thereto. Neither this order nor the aforesaid proclamation shall be deemed to affect the determination by legislation or judicial decree of any issues between the United States and the several States, relating to the ownership or control of the subsoil and seabed of the Continental Shelf within or outside of the 3-mile limit.

HARRY S TRUMAN.

THE WHITE HOUSE, *September 28, 1945.*

[F.R. Doc. 45-18132; Filed, Sept. 28, 1945; 2:25 p.m.]

EXECUTIVE ORDER 9634—PROVIDING FOR THE ESTABLISHMENT OF FISHERY CONSERVATION ZONES

By virtue of and pursuant to the authority vested in me as President of the United States, it is hereby ordered that the Secretary of State and the Secretary of the Interior shall from time to time jointly recommend the establishment by Executive orders of fishery conservation zones in areas of the high seas contiguous to the coasts of the United States, pursuant to the proclamation entitled "Policy of the United States With Respect to Coastal Fisheries in Certain Areas of the High Seas,"[2] this day signed by me, and said Secretaries shall in each case recommend provisions to be incorporated in such orders relating to the administration, regulation, and control of the fishery resources of and fishing activities in such zones, pursuant to authority of law heretofore or hereafter provided.

HARRY S TRUMAN.

THE WHITE HOUSE, *September 28, 1945.*

[F.R. Doc. 45-18133; Filed, Sept. 28, 1945; 2:25 p.m.]

REFORM OF CONGRESSIONAL INVESTIGATORY PROCEDURES

Mr. KEATING. Mr. President, I send to the desk two bills and ask that they be printed in the RECORD following my remarks, and appropriately referred.

The ACTING PRESIDENT pro tempore. The bills will be received and appropriately referred; and, without objection, will be printed in the RECORD as requested.

(See exhibit 1.)

The bills, introduced by Mr. KEATING, were received, read twice by their titles, and referred to the Committee on the Judiciary.

Mr. KEATING. Mr. President, the Supreme Court's recent decision overturning the contempt of Congress conviction of Edward Yellin again emphasizes the necessity for action on proposals to reform congressional investigations.

In my judgment, the following steps are required to satisfy elemental concepts of fairness in committee investigations:

First. Adoption of legislation providing for civil contempt procedures. The criminal statute now applicable to such cases has proved unworkable, inappropriate and self-defeating. It does not give either fair protection to the rights of witnesses or assist the committees in obtaining legitimate information. Congress should provide the same procedures for judicial review in its own investigations as it has provided for a host of administrative agencies in similar situations.

The proposal which I am embodying in one of these measures would authorize immediate resort to the courts for aid in requiring the attendance and testimony of a reluctant witness. Under the provisions of the bill, when a witness refuses to testify before a congressional committee, or refuses to answer a specific question, he could be required to appear that very same day in the district court in whose jurisdiction the investigation is being conducted. Upon his appearance before the court, the witness would be subject to judicial jurisdiction, and a further refusal to testify in accordance with the order of the court would be punishable as a contempt of court. This procedure should bring home to a witness that he could immediately be punished for contempt if he decides, without justification, not to testify before a committee of Congress. At the same time, if the witness is justified in refusing to testify, his vindication will be prompt and he will be spared the opprobrium of a criminal prosecution.

The present system of citing a witness for criminal contempt, getting the committee to vote on it, and a House of the Congress to vote on it, and then submitting it to a U.S. attorney for prosecution, and then convincing a grand jury to present an indictment, and later to be tried, means that it may be done a year or a year and a half later. If he is convicted, he may be fined, or he may even be imprisoned, but that is not what the committee should be trying to do or is trying to do. Oftentimes the purpose of the inquiry is entirely ended by the time that point is reached. This bill would cut that procedure short. I urge that it receive consideration.

Second. Adoption of a code of fair procedure by committees conducting investigatory hearings. I have proposed such a code for the Internal Security Subcommittee—of which I am a member—and have strongly supported, with some suggested amendments, a similar code initially proposed by the chairman of the Subcommittee on Constitutional Rights, Senator ERVIN. I am convinced that fair procedures would enhance the work of every investigatory committee and answer much of the criticism to which they are now subject. Conclusions reached after a fair hearing will always enjoy more respect than those tainted by suspicions of arbitrariness.

Third. Adoption of an amendment to the perjury statute which would distinguish between false testimony on a material issue and false testimony generally.

That is what is embodied in the other bill which I have sent to the desk.

Under the present law, every indictment and conviction for perjury must satisfy extremely technical requirements of materiality, and as a result, acquittals have resulted in cases in which there was no doubt of the witnesses' false testimony. We are all familiar with cases of "turnabout" witnesses who offer completely contradictory testimony under oath and yet avoid any offense under the present statute. This discredits the oath and demeans our concepts of justice. Under my proposal, any false testimony under oath before a duly constituted committee of Congress would be unlawful.

This distinction would be drawn between the testimony on a material issue and false testimony generally, the first of which, of course, would be a much more serious offense.

The Supreme Court was closely divided in the Yellin case, as it has been in other contempt of Congress cases, on the extent to which the courts could review proceedings before congressional committees. But a majority of the Court has made it evident in case after case that it is prepared to engage in a searching examination of procedural regularity in every criminal prosecution for contempt of Congress.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. KEATING. I ask unanimous consent to proceed for 1 additional minute.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KEATING. Mr. President, it is obvious that the longer Congress delays in meeting its own responsibilities for providing fair procedures, the more judicial intervention it invites into the operations of the legislative branch. Those who are truly concerned with the independence of Congress, therefore, should be strong allies in this effort to place our investigatory activities on an unassailable basis.

That is the reason for introducing the bills. I intend to pursue diligently the adoption of Codes of Fair Procedure by every investigatory committee on which I serve.

EXHIBIT 1

S. 1817

A bill to prescribe a method by which the Houses of Congress and their committees may invoke the aid of the courts in compelling the testimony of witnesses

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) either House, any committee or subcommittee of either House, and any joint committee of the two Houses of Congress may, by an affirmative vote of a majority of its actual membership, invoke the aid of the United States district courts in requiring the attendance and testimony of witnesses and the production of evidence, in furtherance of any inquiry such House, committee, subcommittee, or joint committee is authorized to undertake.

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[1] See Proclamation 2667, supra.

[2] See Proclamation 2668, supra.

(b) The United States district court for the district within which the inquiry is carried on may, in case of contumacy or refusal to obey a subpena issued to any person by either House, any committee or subcommittee of either House, or any joint committee of the two Houses of Congress, issue an order requiring such person to appear (and to produce evidence if so ordered) and give evidence relating to the matter in question before such House, committee, subcommittee, or joint committee, as the case may be; and any failure to obey such order of the court may be punished by the court as a contempt thereof.

(c) Attorneys of the Department of Justice upon the approval and subject to the direction and control of the Attorney General, shall furnish legal assistance in invoking the aid of the United States district courts under subsection (a) to either House, or any committee, subcommittee, or joint committee which requests it.

(d) Nothing contained herein shall be construed to deny, impair or otherwise affect any existing law, procedure, or authority relating to the attendance and testimony of witnesses and the production of evidence before any committee or subcommittee of either House.

S. 1818

A bill to amend section 1621 of title 18 of the United States Code to provide for degrees of perjury, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1621 of title 18 of the United States Code is amended to read as follows:

"(a) Whoever, having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed, is true, willfully and contrary to such oath states or subscribes any material matter which he does not believe to be true, is guilty of perjury in the first degree, and shall, except as otherwise expressly provided by law, be fined not more than $2,000 or imprisoned not more than five years, or both.

"(b) Whoever, having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed, is true, willfully and contrary to such oath states or subscribes any matter which he does not believe to be true, is guilty of perjury in the second degree, and shall be fined not more than $500 or imprisoned not more than one year, or both."

GOLD MEDAL FOR DANNY KAYE

Mr. JAVITS. Mr. President, on behalf of myself, my colleague [Mr. Keating], the senior Senator from California [Mr. Kuchel], our distinguished minority whip, the junior Senator from California [Mr. Engle], the Senator from Idaho [Mr. Church], the Senator from Missouri [Mr. Symington], and the Senator from Minnesota [Mr. Humphrey], I introduce, for appropriate reference, a joint resolution authorizing the issuance of a gold medal to one of America's best known and best loved entertainers—Danny Kaye.

Danny Kaye is much, much more than a talented comedian, able to make us laugh and forget our troubles. This man is a humanitarian in the fullest sense because he has devoted so much of himself and his time to helping others in the world who so desperately need help.

He has immeasurably aided the United Nations Children's Fund—UNICEF—by being an ambassador at large, traveling countless thousands of miles in most of the countries of the world to bring laughter to the children of the world.

This man has proved in his own way that language differences are certainly no barrier to human understanding. He has been seen by more than 145 million viewers in 28 languages in reporting on film and television on conditions of children aided by UNICEF.

He also has actively entertained U.S. servicemen, in war and in peacetime, throughout the world. These are gifts of value beyond estimate and it is for reasons such as these that I am proposing that this country honor Danny Kaye with a gold medal, letting him know that his country is justly proud and thankful.

I point out, Mr. President, that it is expected that the entire question of the issuance of medals will be considered by the Banking and Currency Committee, of which I am a member, and also by the Congress. Therefore this joint resolution is introduced, so that this very highly deserved award may be given proper consideration.

The **ACTING PRESIDENT** pro tempore. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 97) authorizing the issuance of a gold medal to Danny Kaye, introduced by Mr. Javits (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Banking and Currency.

RE-REFERRAL OF S. 1807 TO COMMITTEE ON FINANCE

Mr. GRUENING. Mr. President, yesterday, on my own behalf and that of Senators Bartlett, Engle, McGovern, and Simpson, I introduced a bill which would accord expenditures for the exploration for and discovery of new mineral deposits, the same tax treatment that is accorded research expenditures in other industrial enterprises. This measure was assigned the number S. 1807.

This bill is frankly an amendment to the Internal Revenue Code. In my introductory statement I gave clear recognition to that fact, and stated that the measure was one within the jurisdiction of the Committee on Finance.

However, the basic purpose of the bill is solely to promote mineral development, and mines and mining generally. The Legislature Reorganization Act of 1946 places responsibility for legislation respecting mining interests generally as well as responsibility for the development of the mineral resources of the public domain in the Committee on Interior and Insular Affairs.

Since, as I say, the basic purpose of S. 1807 is the promotion of mining interests generally, I thought that the committee with the responsibility for "mining interests generally" should be permitted to have a look at the measure also.

Therefore I asked, and received, unanimous consent that the bill be referred first to the Interior and Insular Affairs Committee and then to the Finance Committee for consideration by both of these units of the Senate, each of which has its own expertize in mining matters and in tax matters, respectively.

However, I have had a letter from the distinguished chairman of the Finance Committee, the Senator from Virginia [Mr. Byrd], in which he points out that a bill based on the President's tax reform proposals will shortly be out of the other body and before the Finance Committee. The able Senator from Virginia points out that the provisions of S. 1807 should be considered as an amendment to this tax bill.

In these circumstances, and with the assurance of prompt and, I hope, favorable consideration for our mining industry provision, I ask, Mr. President, unanimous consent that the Senate reconsider its action of yesterday in referring the bill S. 1807 first to the Committee on Interior and Insular Affairs and that the measure go directly to the Committee on Finance.

The **ACTING PRESIDENT** pro tempore. Is there objection to the request by the Senator from Alaska? The Chair hears none; and, without objection, the bill will be referred to the Committee on Finance.

PROPOSED AMENDMENT TO CONSTITUTION RELATING TO CASES WHERE THE PRESIDENT IS UNABLE TO DISCHARGE HIS DUTIES — ADDITIONAL COSPONSOR OF JOINT RESOLUTION

Mr. KEFAUVER. Mr. President, I ask unanimous consent that the name of the senior Senator from Connecticut [Mr. Dodd] be added as a cosponsor of Senate Joint Resolution 35, proposing an amendment to the Constitution of the United States relating to cases where the President is unable to discharge the powers and duties of his office.

The **ACTING PRESIDENT** pro tempore. Without objection, it is so ordered.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961—ADDITIONAL COSPONSORS OF AMENDMENTS

Under authority of the order of the Senate of June 20, 1963, the names of Mr. Douglas, Mr. Case, Mr. Dodd, Mr. Dominick, Mr. Hartke, Mr. Kuchel, Mr. Morse, Mr. Proxmire, Mr. Saltonstall, Mr. Scott, and Mr. Simpson were added as additional cosponsors of the amendments submitted by Mr. Keating on June 20, 1963, intended to be proposed by them, jointly, to the bill (S. 1276) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, June 28, 1963, he presented to the President of the United States the enrolled bill (S. 1359) to provide for an additional Assistant Secretary in the Treasury Department.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. MONRONEY:

Address by Postmaster General J. Edward Day delivered at 25th anniversary luncheon, Civil Aeronautics Board, Washington, D.C., June 26, 1963.

THE PRESIDENT'S PROPOSAL FOR FEDERAL COERCIVE LEGISLATION IN RESPECT TO SO-CALLED PUBLIC ACCOMMODATIONS

Mr. ERVIN. Mr. President, the Charlotte Observer, of Charlotte, N.C., for June 20, 1963, carried an editorial entitled "Congress Can't Correct One Wrong With Another," which asserts that President Kennedy's appeal for sweeping civil rights legislation constitutes a disturbing study in contradiction. Since this editorial contains some trenchant observations upon the pending civil rights proposals, I ask unanimous consent that it be printed at this point in the body of the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

CONGRESS CAN'T CORRECT ONE WRONG WITH ANOTHER

President Kennedy's appeal for sweeping civil rights legislation was a disturbing study in contradiction.

He told the American people that their response to his previous appeal had been reassuring.

"Private progress—by merchants and unions and local organizations—has been marked, if not uniform, in many areas," he declared. "Many doors long closed to Negroes, North and South, have been opened. Local biracial committees, under private and public sponsorship, have mushroomed. The mayors of our major cities * * * have pledged renewed action."

The most casual student of human relations should be able to predict the words that would follow such a statement.

More of the same? Another appeal to hasten the process of negotiation and change? An expression of confidence in the kind of spirit that had lowered longtime racial bars?

By all odds, yes. But the President went off in the opposite direction. And by doing so he and his advisers may have darkened a great and bright moment in the history of this country.

The President turned abruptly from an appeal to conscience to a demand that the Congress enact laws to force changes that a vast majority of Americans agree are desirable.

"Persisting inequalities and tensions make it clear that Federal action must lead the way," he said, "providing both the Nation's standard and a nationwide solution. The time has come for the Congress * * * to join the executive and judicial branches in making it clear to all that race has no place in American life or law."

Disraeli said that race cannot be ignored because it is the key to history. Law should not discriminate against race, but it cannot in itself resolve racial differences.

The President has been given bad advice. He has, in the bulk of his civil rights program, substituted wishful thinking for mature judgment. He has turned from leading to pushing in an area in which even the Supreme Court has refused to intrude—that of private property rights.

It ill becomes the President to talk in the same breath about the owning of slaves and the discriminatory use of private property. There is no sound basis on which to compare the operation of a lunch counter to the bondage of a human being.

Our strongest objection to the civil rights package is in the provision making it mandatory that owners of private businesses operate under policies set by the Federal Government. This would merely paper over the underlying motivations for the discrimination that now exists. Unless there is some degree of willingness and voluntarism on the part of property owners to end discrimination, the force of law only serves to mask the real problem or make it worse.

This is self-evident in a part of the President's speech. Thirty States, the District of Columbia, and many cities already have antidiscrimination laws as far as businesses serving the public are concerned. And yet we are told that there exist in many of these places situations which are more explosive than in other areas of the country.

We absolutely agree with the President when he says:

"No action is more contrary to the spirit of our democracy and Constitution—or more rightfully resented by a Negro citizen who seeks only equal treatment—than the barring of that citizen from restaurants, hotels, theaters, recreational areas, and other public accommodations and facilities."

But it will not be until we have impressed the truth of that observation on public officials, private citizens who own businesses serving the public, and on Americans in general that we will find a lasting solution to this domestic problem.

The President, as Chief Executive of this great Nation, deserves the respect of its people for speaking his convictions and offering his formula for leading us out of the racial maze.

All of his proposals must be given careful consideration and should be exposed to the fullest debate in Congress. We feel, too, that Members of Congress should be allowed to express the will of 180 million Americans without exposure to endless filibustering. Certainly, there are some segments of the package which lend themselves to compromise and passage.

But the proposal related to private property, in particular, is ill-advised legislation. It represents "an entering wedge" on personal choice in a "free" society that could lead to intolerable force by Government in the future.

In the interest of all Americans of all races, it should be rejected.

THE PRESIDENT'S OBLIGATIONS IN RESPECT TO LAW AND ORDER

Mr. ERVIN. Mr. President, the Charlotte Observer, of Charlotte, N.C., for June 21, 1963, carried an editorial entitled "President Must Emphasize Commitment to Law, Order," which makes some lucid comments upon recent events. I ask unanimous consent that the editorial be printed at this point in the body of the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

PRESIDENT MUST EMPHASIZE COMMITMENT TO LAW, ORDER

President Kennedy declared in his civil rights message that problems of race would not be solved "by clinging to the patterns of the past."

There is widespread agreement in the country on that statement. But the fact is that the patterns of the past have been widely discarded in the last few weeks as this realization has grown in the face of Negro protest movements.

Substantial progress in such areas as the Carolinas should be given fully as much recognition as the incidents of violence which pockmark the country. The President would soon have been able to boast of a remarkable transition in all of the South, with the possible exception of Alabama and Mississippi, had he done two things.

One would have been to continue his appeal to the reason and conscience of Americans who are in a position to make drastic change possible on a voluntary basis, in the interest of economic stability, law and order, human dignity, and simple justice. This would have entailed the White House's frequent emphasis on the progress made in specific localities. An accentuation of the positive would have been invaluable.

The other would have been the President's firm determination to maintain the peace with all the forces at his command wherever protests inflamed feelings to the point that public order was threatened or had broken down.

This would have been in sharp contrast to his confident prediction that the turmoil would increase—a prediction that is exceedingly dangerous when made by the most powerful man in the country without an accompanying expression of his resolve to keep national order.

But the President continued his previous tack in his message to Congress on civil rights. In calling for the country to substitute divisive laws for personal efforts by the leaders of both races to establish better human relationships, he warned that "the result of continued Federal legislative inaction will be continued, if not increased, racial strife."

This is almost inflammatory talk coming from the President of the United States. If the civil rights proposals are rejected by Congress, there could well be a compulsion on the part of some protest leaders to fulfill this prophecy, if for no other reason than to confirm the worst fears of a national leader.

There was more of the same in the President's pressure on the Congress to act favorably on his civil rights package.

"But an explosive national problem cannot await city-by-city solutions," he said, "and those who loudly abhor Federal action only invite it if they neglect or evade their own obligations."

Thus the President hauled out two clubs in one sentence and, in effect, asked Members of Congress to act on the joint fear of public disorder and Federal intervention rather than to use their best judgment on the constitutional merits of the legislative steps he proposed.

The President and many of the Negro protest leaders obviously have failed to recognize a change in the mood of the country as peaceable picketing and lawful protest have evolved into mob scenes and physical intimidation. The pendulum of feeling has been swinging steadily the other way as laws have been defied with impunity by many of those who have insisted that obedience to law, as interpreted by the courts of the land, is the only mode of conduct for a civilized people.

President Kennedy has fallen far short of the mark in making a mild appeal for restraint in demonstrations while Congress considers his proposals. There must be no question in the mind of any American that the Chief Executive intends to protect the public safety with all the resources at his command regardless of what Congress decides.

Those who proclaim the advent of the worst will get the worst, unless those able to prevent it make clear their intention to do so.

CIVIL RIGHTS PROPOSALS LOADED WITH DANGER

Mr. ERVIN. Mr. President, the Charlotte Observer, of Charlotte, N.C., for June 23, 1963, contained an editorial entitled "Part of New Civil Rights Bills Loaded With Danger." This editorial points out in accurate and eloquent fashion that many of the provisions of the pending civil rights bills vest in the Federal Government uncontrolled and uncontrollable discretionary powers which constitute an "infringement upon the prerogatives of States and individuals and provide no real solution to the problems that exist." I ask unanimous consent that the editorial be printed at this point in the body of the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PARTS OF NEW CIVIL RIGHTS BILLS LOADED WITH DANGER

Almost uniformly throughout the South, responsible and progressive newspapers have written "Dear John" letters to President Kennedy on his civil rights legislative program, with stern disapproval in particular on its public accommodations section.

But southern newspaper editors and public officials who have been in the forefront of the battle for the extension of full citizenship rights and human privileges to Negroes are not alone in their opposition to providing the Federal Government with sweeping new powers over the lives and property of individual Americans.

For instance, Arthur Krock of the New York Times greeted the President's civil rights message to Congress with these sobering words:

"The antidiscrimination laws and the provisions for their enforcement * * * would equip the Executive with discretionary powers over private property and individual freedom of choice that are comparable in magnitude only with those exercised in time of war and during the post-Appomattox period of southern reconstruction. The keys which would give the President access to these new and vast controls are supplied by certain words in the administration bill that are wide open to any desired official interpretations."

Krock discussed the possible meanings that could be given to such words as "substantial" and "reasonable" and "public interest." These words could be interpreted to mean whatever the Attorney General of the United States or his agents desired.

It must be made crystal clear that racial discrimination is not the issue as men of diverse political persuasion rise up to oppose the President's key proposals. As Krock again noted, in light of the vast new powers that would be entrusted to Federal officials:

"Small wonder that Congress, including many Members who have been active in the efforts to equalize the rights of all citizens, will take a long, critical look at the President's bill."

We can, in good conscience, support few of the eight basic courses of action proposed by the President to give "full equality" to American citizens.

The economic section of his program is designed to increase the efforts of government to train and educate more Americans to take advantage of job opportunities that exist. It should be useful in attacking the roots of the Negro's basic problem.

Congress should approve additional funds for the manpower development and training program, the youth employment bill, vocational education, adult basic education, and public welfare work-relief and training programs.

The President asks in the same section that Congress provide a statutory basis for the Committee on Equal Employment Opportunity now headed by Vice President JOHNSON. He did not spell out details of what this would accomplish in addition to the success the Committee has experienced. However, since the Committee deals only with employers handling government contracts, it might be useful to strengthen its authority.

A compromise civil rights bill might also safely include a renewal of the authority of the Civil Rights Commission as a useful agency in studying and reporting on violations of constitutional rights.

Senator SAM ERVIN, of North Carolina, has been an outspoken foe of the Commission. Opposition to it increased heavily when a majority of the Commissioners recommended several weeks ago that all Federal aid be withdrawn from Mississippi, an action which would have penalized white and Negro citizens alike.

The Commission has, however, performed a useful service in detailing the extent of discrimination by law and interpretation of the law, primarily in the Southern States. Simple renewal of its life and authority, without unjustified expansion, would not be unreasonable.

In the same vein, the Federal Community Relations Service proposed by the President could be one of the Nation's most useful devices in eliminating customer discrimination in private businesses. It would work with local biracial committees, providing advice and drawing upon wide experience across the Nation in overcoming barriers to equality of treatment.

The President can establish this agency by Executive order, however. There is no need to give it a statutory basis nor equip it with the powers of enforcement or subpena.

The other proposals of the President's are unwise, or an infringement upon the prerogatives of States and individuals and provide no real solution to the problems that exist.

Briefly, these have to do with increasing Federal activity in the field of registration and voting; Federal technical and financial assistance to school districts desegregating voluntarily, which is almost bribery to obey the law; expansion of the Justice Department's authority to bring suits on its own motion in desegregation cases; the withholding of Federal funds from areas where racial discrimination is practiced, which seems to mark a turnabout on the President's rejection of the Civil Rights Commission proposal re Mississippi, and making it unlawful for any firm engaged in a "substantial" degree in interstate commerce to discriminate by race, color, religion, or national origin in serving customers.

There must be no delay in the use of existing laws nor any stinting of local effort to obtain for all citizens the rights and privileges most of us take for granted. But the almost unlimited power asked for the Federal Government by the President could, if it were to fall into the hands of the wrong individuals, be used to abrogate the rights of all.

RACIAL IMBALANCE IN THE SCHOOLS

Mr. ERVIN. Mr. President, the Evening Star, of Washington, D.C., for June 25, 1963, carried an editorial entitled "Racial Imbalance in the Schools." I ask unanimous consent that the editorial be printed at this point in the body of the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

RACIAL IMBALANCE IN THE SCHOOLS

In the best of all possible worlds, there is no question but that the best school environment for Negro children would be one in which the students are of varied racial, cultural, economic, and religious backgrounds. It is equally clear that such an environment does not result automatically from meeting the letter of the school integration law.

This is what the education commissioner of New York State had in mind when he directed last week that integration is not enough; that racial imbalance also must be eliminated from public schools of the State. It was not a new idea, of course. A similar point, for instance, lay behind recent demonstrations by Negroes in Englewood, N.J. But the commissioner called for drastic action in New York. And for purposes of carrying out the order, he proposed to define a racially imbalanced school as one having 50 percent or more Negro pupils enrolled.

Whatever may be said for his motives, Commissioner Allen is playing an absurd numbers game. By his own admission, the cutoff ratio of 50 percent Negroes in any school is an arbitrary figure, selected because "we had to have some definition" of imbalance. The mounting reaction, moreover, demonstrates the futility of his action. The difficulty of enforcing such a policy in New York City schools, according to Calvin E. Gross, the city school superintendent, would be insuperable. He characterizes the problem of transporting students under such a plan as unbelievable. To meet Dr. Allen's definition, racial balances would have to be changed in 235 elementary schools in the city alone. Negro leaders, who generally applauded the directive, have conceded the impossibility of its total application.

The extreme example of the unworkability of this proposal is to imagine its fate in Washington. With an overall ratio of only 15 percent white pupils in public schools, the best balance Washington could possibly achieve if all the white students were distributed equally throughout the city would be 85 percent Negro in each school. The fact is, of course, that the ratio would go even higher, for such a policy would serve only to chase additional white families to the suburbs. No one would benefit.

The concept of a homogenized school system, in which the community is scientifically shaken up to provide an "ideal" social mix, is not only unworkable—it is philosophically unsound. The right position is that race should not be a factor in pupil assignment; once that principle is abandoned, an ethical Pandora's box opens up. It is better to stick to the time-proved concept that neighborhood schools should reflect the neighborhoods which they serve.

Where "legal segregation" in schools exists in cities such as Washington and New York, the answer does not lie in frantic artificial devices which attempt to make our schools shoulder all the burdens of the community. It lies—in the case of Washington, for example—in the attraction of more whites to the central city, and the accompanying spread of a part of the central city Negro population to the suburbs. The factors which eventually will accomplish these things also are clear: Urban renewal, the elimination of discrimination in housing, fuller employment, improvements in the economic status of the Negro—most of all, the growth of understanding and social maturity.

These are not the fast or easy means. But so far as we know they are the only means by which a realistic attack on this problem can be made.

Mr. ERVIN. Mr. President, I deem it appropriate to add at this point some observations of my own concerning certain provisions of title III of S. 1731, which embodies in its provisions the administration's recommendations concerning so-called civil rights legislation in the field of public education.

Sections 302, 303, and 304 of title III of this bill adopt the fallacious notion that public school students should be denied the right to attend neighborhood schools in their home communities, and should be transported long distances to schools in other communities if such action is necessary to effectuate the undefined ideas of the Federal Commissioner of Education in respect to so-called racial imbalance in public schools anywhere or everywhere in any or all areas of our country. These provisions not only vest in the Federal Commissioner of Education the uncontrolled and uncontrollable discretion to use Federal tax moneys to train school authorities "to deal effectively with measures to adjust racial imbalance in public school systems," and to use Federal tax moneys to transport schoolchildren from the neighborhood schools in their home communities to schools in other communities in order to prevent what he conceives to be a "racial imbalance" in such school systems, but also to use Federal tax moneys to employ "specialists to develop understanding of these problems by parents, schoolchildren, and the general public." So far as I can determine, this is the first time in American history that Congress has been asked to authorize the use of Federal tax moneys to persuade "the general public" of the rectitude of the policies or views of any administration in respect to any problem. Alas, the writer of the Book of Ecclesiastes was wrong when he declared that there is nothing new under the sun.

FEDERAL USURPATION IN THE REGULATORY FIELD

Mr. ERVIN. Mr. President, one of America's most knowledgeable men in the field of constitutional law is Everett C. McKeage, a member of the Public Utilities Commission of California. The Public Utilities Survey, for June 3, 1963, contains an article by Mr. McKeage, entitled "Federal Usurpation in the Regulatory Field." This article should be made available to every American who shares the view expressed by the Supreme Court of the United States in Texas against White, that "the preservation of the States and the maintenance of their governments, are as much within the design and care of the Constitution as the preservation of the Union and the maintenance of the National Government." For this reason, I ask unanimous consent that the article be printed at this point in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FEDERAL USURPATION IN THE REGULATORY FIELD

(By Everett C. McKeage)

NOTE.—Mr. McKeage is member and former president of the California Public Utilities Commission. The opinions of the author are his own and are not to be understood as necessarily representing the opinions of any of his colleagues on the Public Utilities Commission.

So that the reader will know in advance what he is in for, I wish to make it perfectly clear that I am an old-fashioned 10th amendment lawyer—an unreconstructed rebel, if you please, and getting more so all the time. Many years ago, I was an avowed centralizer, governmentally speaking. However, time and experience have "cured" me of such fantasies.

The subject of this article, "Federal Usurpation in the Regulatory Field," covers such a broad scope involving State-Federal relationships that only the sketchiest treatment may be accorded the subject in the space allotted. Only the bare fundamentals may be presented.

When the Founding Fathers gathered in Philadelphia in 1787 to undertake the herculean task of writing a Constitution creating a General Government for the 13 separate, sovereign, and wholly independent States, they fully realized that an almost miraculous compromise would be necessary. Each of the 13 States was proud and suspicious of the others. A reading of the history of the period immediately following the close of the Revolutionary War and the proceedings of the Constitutional Convention will clearly reveal the fact that neither the States nor the people were in any mood to accept a strong Central Government, not to say a consolidated or unitary one. In those days, personal liberty and local autonomy were running at high tide. However, public opinion leaned toward some form of Federal Government, it being believed that the then exigencies demanded cooperation among the States rather than the existing conflict.

COMPROMISE

In this context, the Federal Constitution was framed. It was a compromise. No strong Central Government was created. Upon ratification by a sufficient number of States in 1788, a Federal form of government came into being in 1789. Contrary to what some believe, the Civil War amendments to the Constitution did not alter our form of government. We still have a republic based upon a Federal form, although centralization has been adulterating that form by gradual erosion.

It must never be forgotten that the United States is a dual form of government, and that it is an indissoluble union of indestructible States. I agree with Thomas Jefferson that no greater tyranny could be visited upon a people than to subject them to a truly consolidated Government. The core and spirit of a free society must be nourished by local autonomy. The road to centralization and consolidation is the inevitable road to tyranny. A free society could never survive in such a frame of reference.

The American people, today, are faced, as never before, with a persistent, accelerating, and ever-growing centripetal force in government which takes from the several States and deposits with the Federal Government political substance which the spirit and intent of the Constitution demand should ever remain with local autonomy. Gibbon's "Decline and Fall of the Roman Empire" should be required reading in Washington. Federal usurpation has gained such headway in the last three decades that the historical pattern of our dual form of government has become so disturbed and distorted that the several States are fast becoming like provinces ruled over by an overweening central authority. Probably public opinion does not understand this situation because of the blandishments accompanying its gradual growth. However, the American people will realize this in the not far distant future when, probably, it will be too late to reverse this inexorable Federal encroachment.

PROMINENCE

In no field of governmental activity is Federal usurpation more prominent than in the regulatory field. It is here that the State and Federal jurisdictions constantly come into contact and conflict. This situation was envisioned by such Founding Fathers as Thomas Jefferson and James Madison. These two men realized that the resolution of these State-Federal conflicts would require statesmanship of the first order. They pointed out that there must be a wise accommodation between these two authorities to the end that the true spirit of our governmental policy might be maintained and preserved. This thought brings to mind the profound statement of James Russell Lowell in response to a question propounded to him by the French historian Guizot. The latter inquired of Lowell: "How long do you think that the present system of American Government will last?" Lowell responded: "Just as long as the spirit of the Founding Fathers resides in the hearts and minds of our people." There, you have it summed up in a brief statement. When the spirit of the Founding Fathers withers and dies in the hearts and minds of our people, the vitality of our institution of free government will vanish like the snows of yesteryear.

All will agree that the destruction of the constituent elements of an organism will result in the destruction of that organism. The several States of this Union are the constituent elements of our National Government. The destruction or serious weakening of the several States will lead to the inevitable destruction of a free society.

There are those who say that conditions have so changed from the days of the Founding Fathers that the old rules and admonitions should not apply. Such a view is tantamount to saying that moral values have fashions and that such values change because of changing circumstances. Such thinking is of a defeatist nature. It implies that the American people do not have the moral fiber to resist the erosion of their rights through the destruction of local autonomy. The statement of George Washington in his farewell address, that change in our form of Government should not be accomplished by usurpation but rather by the method provided by the Constitution is just as wise and true today as it was when he uttered it.

SUPREME COURT

The subject of this article could not possibly be discussed without discussing the Supreme Court of the United States; this, for the simple reason that the Supreme Court has been more instrumental than all other Federal agencies combined for the assaults by Federal authority upon the rights of the several States. I mean no disrespect to that Court by what I say. It is common knowledge that no agency of government is perfect or within hailing distance of being so. We know that the members of the Supreme Court, like most all public officials, are, for the most part, men of average ability and lay no claim to omniscience.

The governmental theory underlying the decision by the Supreme Court in the *Shreveport* case (decided June 8, 1914, 234 U.S. 342) stands for the proposition that, whenever it becomes desirable in the judgment of the Federal legislative authority to protect or foster interstate commerce, intrastate commerce may be regulated by the

Federal authority. Measured by that rationale, about the only activity of commerce within a State which could be said to be outside the Federal jurisdiction would be the activity of an apple vender on a street corner in some small middle western town. Even this type of activity, by sophistical reasoning, could be brought within the commerce clause of the Federal Constitution. Since the decision in the Shreveport case, all three branches of the Federal Government have not been laggard in aggrandizing the philosophy underlying that decision, until now the apple vender referred to may well find himself within the Federal orbit.

Some of the current incursions by the Supreme Court into the political realm, if done 50 years ago, would have been as amazing as if that Court should, today, undertake to sit as a court of first instance and grant a divorce. Summing up the statements made by many of the Justices of the Court in their dissenting opinions and even in prevailing opinions, we must conclude that the only restraint upon the action of the Supreme Court is the personal sense of self-restraint which the Justices of that Court impose upon themselves and, as Mr. Justice Holmes pointed out, the sky above.

ABSOLUTE POWER

So, here we have absolute power wielded by men who hold their offices for life through good behavior. In this frame of reference, we are reminded of Lord Acton's or Cardinal Richelieu's statement (both have been credited with the statement) "that all power corrupts and that absolute power corrupts absolutely."

Decisions of the Supreme Court, in effect, modify the Constitution, through interpretation, just as though that document had been amended by the process of amendment therein provided. I ask you to please read "The Supreme Court in the American System of Government," by the late Mr. Justice Jackson of the Supreme Court, and "The Bill of Rights," by the late Judge Learned Hand, former chief judge of the U.S. Court of Appeals, wherein you will find that these two noted jurists concur that the Supreme Court, by its interpretations of the Constitution, in effect, modify that document, particularly where the Court overrules its prior decisions on the subject.

The circumstances to which I have just referred clearly demonstrate that the statement "To the end it shall be a government of law and not of men," has lost much of its meaning.

A member of the Supreme Court recently was quoted as stating in a public address that "The individual faces a formidable opponent in government, even when he is endowed with funds and with courage." This Justice also observed that, "The individual is almost certain to be plowed under, unless he has a well organized, active political group to speak for him." This particular member of the Supreme Court has been outstanding in his defense of the individual rights of the citizen. Due credit should be accorded him for his robust defense of the individual. However, I should like to point out that one of the most effective and permanent ways of "plowing under the individual citizen" is by the process of encouraging the gradual erosion of the rights of the several States by the monolithic authority of the Central Government. History records that liberty does not survive under a government ruled by a central authority. On the contrary, history records that liberty flourishes under local autonomy.

How many times have we heard statements made by Presidents of the United States, leaders in the Congress and members of the Supreme Court which warn against concentrating too much power in Washington, thus giving lipservice to the principles of Thomas Jefferson, but what is the performance when they are called upon to act officially? Just why men selected out of the body of the people can so readily support concentration of authority in the Federal jurisdiction has ever been a mystery to me. If I had my way, I would require every agency of the Federal Government to have graven above its entrance these words uttered by the Supreme Court in the celebrated case of *Texas* v. *White* (7 Wall 700, 725, 19 L. ed. 227, 237, decided in 1869, following the close of the Civil War and arising out of that conflict):

"The preservation of the States and the maintenance of their governments, are as much within the design and care of the Constitution as the preservation of the Union and the maintenance of the National Government." Above the entrance to the Supreme Court, those words would be graven in gold leaf, with the added admonition "Lest we forget."

LEGISLATIVE BRINKMANSHIP

Mr. BENNETT. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an editorial entitled "Legislative Brinkmanship," which was published yesterday in the Journal of Commerce.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Journal cf Commerce and Commercial, June 27, 1963]

LEGISLATIVE BRINKMANSHIP

It may well be that House and Senate leaders will be able over the next few days to round the intricate turns and corners they must take at top speed if the Export-Import Bank is not to expire at midnight on Monday. It may be—and perhaps even at the hour these lines appear they will be well on their way. But at the time of writing prospects are sufficiently doubtful to raise the question of why such legislative brinkmanship should be practiced at all.

By getting into a familiar deadlock over the financing of the Export-Import Bank's activities, the House and Senate have let things go to the point where some of the Bank's important functions are in jeopardy, even though provision has been made for payments and repayments on existing commitments for an indefinite period after the Bank's threatened death, and even though it is pretty well understood that following such a mournful eventuality, artificial respiration would be applied and sooner or later the patient would be brought back to life.

There is little serious congressional opposition to President Kennedy's request that the life of this now venerable institution be extended another 5 years and there is apparently only moderate opposition to his request that its total lending, guaranteeing and insuring authority be raised from $7 to $9 billion, the explanation being that while the Bank has some $1.3 billion of its present authority uncommitted, it may need more room to maneuver over the next 5 years.

The trouble began when the Senate and House took opposite views (as they have done so frequently in the past) on whether the Bank should be allowed to use "backdoor" methods of obtaining funds through the Treasury rather than through direct appropriations (Export-Import Bank's disbursements are shown as outgo, but repayments of principal and interest are paid into the Treasury's general fund).

The Senate Banking and Currency Committee favors the "back-door" financing proposed by the President and got overwhelming support from the Senate as a whole on Monday when that Chamber backed the measure at issue by 72 to 1.

But the House, jealous of any Senate infringement on its primary responsibility for initiating appropriations measures, does not take kindly to this type of financing. Its Rules Committee and a number of its influential leaders appear to view the Export-Import Bank measure as only one phase of the much broader issue which they fought out in an intense struggle with the Senate last year.

And so both Houses have approached the deadline this week amid reports that some kind of patchwork continuing measure might be put through to hold the Bank together temporarily, but with no sign of a break in this fundamental deadlock.

We do not question the right of the House and Senate to do battle with each other over an issue as important as this. It is not only their right to do so, but their duty.

Nevertheless, there are two aspects of the impasse we find especially disturbing. The first is that the issue has been allowed once again to go unresolved right up to the eve of the Export-Import Bank's expiration. The second is the seeming disposition of both House and Senate leaders to consider that no real harm would be done if the Bank were allowed to lapse for a week or two while face-saving formulas and compromise agreements were being worked out—as they eventually were last year when other programs were threatened by the same type of dispute.

After all, it could be argued, will not existing commitments be maintained in any case? And so far as new financing is concerned, is any forthcoming project so urgent in nature it cannot be held up another week or two?

The answers can be pleasantly reassuring if only the Export-Import Bank's major, longer-range projects are considered. But when the spotlight is thrown on the export insurance and medium-term guarantees the bank offers, the picture is something else again.

Stability and continuity are prerequisites of these programs, especially as regards the insurance facilities operated in cooperation with the Foreign Credit Insurance Association. Even a temporary suspension of the Bank's authority to continue doing this business on a day-to-day basis could prove seriously disturbing. And the same is true in some degree of the medium-term guarantees made available to commercial banks.

If there were any valid reason why Congress had to confront these programs with such uncertainty right up to the last minute it might be said that, after all, this is one of the hazards of any Government operation. But since just about everyone seems to agree that Congress will ultimately vote to extend the Bank's life, the only real reason for this excursion into brinkmanship is that neither House really got down to the business of resolving its differences with the other until the very last minute.

Experiences such as this lend scant support to the assertions we occasionally hear to the effect that Congress ought to withdraw much of the powers it has granted to the executive branch and grapple with such day-to-day matters as setting tariffs and passing on mergers in the transportation industry. Brinkmanship may have certain tactical advantages in some situations, but there can be too much of any good thing.

AGRICULTURAL COMMODITY PRICES—SOYBEANS

Mr. DIRKSEN. Mr. President, on June 24 there was published in the Farmers Union Herald, of St. Paul, Minn., an editorial in regard to parity prices, and with special reference to soybeans and soybean oil and what is happening to that market. I think the editorial is worthy of greater currency;

and, for that reason, I ask unanimous consent that the editorial be printed at this point in the Record, in connection with my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Farmers Union Herald, St. Paul, Minn., June 24, 1963]

Short End of the Stick

Farmers, with their economic tongues hanging out as a result of the constantly-tightening cost-price squeeze, wonder why the parity ratio dropped to 77 as of May 15—the lowest for that date since 1939.

There are some important reasons for that, and one of these, of course, is that the index of prices paid by farmers is the highest on record. It stands at 311 percent of the 1910–14 average.

One of the reasons for the record index of farmers' costs is the high cost of protein meal. Now here is a matter about which the administration can really do something—and we respectfully suggest that they get on the ball about it in Washington.

The basic reason for the high protein meal cost is that the Secretary of Agriculture is following a cheap margarine policy, with resultant detriment to our farmers that is adding up to higher feed costs of about $150 million per year.

Let's examine the record, as politicians are so fond of saying:

On February 15, 1963, the average soybean price received by farmers was $2.50 per bushel—about the same as 2 years earlier. However, between these two dates crude soybean oil prices were down 3.1 cents per pound, or about the equivalent of 33 cents per bushel of beans. Soybean meal was up $11.60 per ton, or about 28 cents per bushel of beans.

Now what does this mean? As a result of the higher meal price level, farmers' net income was cut by $150 million, which when added to a loss of $75 million on the value of lard in hogs sold, results in a total reduced income of $225 million.

U.S. consumers bought 7,755 million pounds of food fats and oils at about 3 cents per pound less than 2 years earlier—a saving of about $225 million.

A "cheap margarine" policy shifted $225 million in costs from all the people to the backs of the feeder—an all too patient long-time sufferer of the ever-tightening cost-price squeeze.

It's time for a change in this policy. Synthetic urea and imported fishmeal are standing in the wings ready to grab this meal market—a meal market that is a sitting duck when a cheap margarine policy forces vegetable protein meal prices too high.

Mr. HUMPHREY. Mr. President, will the Senator from Illinois yield briefly to me?

Mr. DIRKSEN. I yield.

Mr. HUMPHREY. Through the kindness of the Senator from Illinois, I have examined the editorial to which he has referred; and I find that it is the same one which I, too, read with a great deal of interest. I read it shortly after this issue of the Farmers Union Herald reached my desk. Certainly this publication is one of our excellent farm journals.

The editorial certainly merits the thoughtful consideration, first, of the Department of Agriculture, and, second, of the Members of Congress.

Those of us who come from areas in which soybeans are a major cash crop are deeply concerned over the high prices of soybean meal, but the low prices of soybean oil.

I believe the editorial merits very favorable and very thoughtful consideration. I thank the Senator from Illinois for submitting it for the Record, and I am glad he is reading the Farmers Union Herald.

Mr. DIRKSEN. Mr. President, with further reference to this editorial, I have joined with the distinguished Senator from Minnesota in cosponsoring a resolution which has a bearing on this point, because in view of the fact that the Common Market is likely to menace the outlets for agricultural products, this subject really merits the consideration of the Congress.

Mr. HUMPHREY. Mr. President, I am most appreciative of the cosponsorship by the Senator from Illinois of my resolution, which is a sincere, bipartisan effort to lay before the President and the executive branch of our Government our deep concern in regard to the policies of the Common Market and our desire to see American products given opportunities to flow in international commerce.

U.S. INFORMATION AGENCY

Mr. JAVITS. Mr. President, one of the strongest instruments we have for bringing about better understanding of the United States and its policies throughout the world is the U.S. Information Agency. This is the major instrument by which we inform the free world as well as those in countries that are behind the Iron Curtain what we believe in and what we are doing to advance the cause of peace and freedom; and it operates in all available media—radio, newspapers, periodicals, books, movies, lectures, TV programs, exhibits, and so forth.

USIA is doing a tremendous job with what it has, but it does not have enough to compete adequately with the multibillion dollar Soviet propaganda machine or with the Communist Chinese. Last year, for example, the Communists published 40 million books in nonbloc languages and inspired the publishing of 100 million more; during the same period USIA published only 5 million books.

There is an important responsibility to be met in the developing areas of the world; in Asia, in Africa, and in Latin America, and the United States cannot afford to be second best. The cold war is an ideological war, and in this aspect of the struggle for men's minds, we should not permit the United States to be outspent by the Communist-bloc countries.

The current USIA budget request for 1964 is $157.9 million, far less than huge sums which the Soviets and Communist China are spending. In spite of this severe competition, the USIA budget request has been cut by $15 million, an amount which could have the effect of curtailing the program which USIA specialists and planners had projected in Latin America. The amount requested by USIA must be related to the many areas and heavy responsibility it must undertake for projecting ideas and information about the United States and its policies; it is considerably less than some of our big corporations spend to sell their products.

On its limited budget USIA covers a remarkably broad range of activities. USIA, for example, helps American organizations to develop new international contacts and broaden existing oversea relationships through their own communications channels in order to build confidence abroad in the principles and practices of American democracy. Through its Office of Private Cooperation it forwards informational materials on U.S. foreign policy statements to the head offices of American business firms for further dissemination to their representatives abroad. About 450 firms are cooperating in this project which involves an estimated 7,000 American business representatives overseas. Many business firms are cooperating in efforts to explain in an overseas country the value of American business investment and the American system of private enterprise.

All of these efforts—the special programs to tell the story of the betrayal of the Cuban revolution by Castro, contacts with special groups, materials for labor leaders, students, intellectuals, and the cultural elite in countries which are priority targets of Communist propaganda—these call for an adequate budget. At the very least I would hope that the Senate will restore the full amount of the requested appropriation of $157.9 million.

As part of my remarks, I ask unanimous consent to print in the Record, two news dispatches in the Washington Post, June 20 and 21 respectively; a letter by Tom M. Hopkinson, account supervisor of Milburn McCarthy Associates, of New York City, written to Representative John V. Lindsay; and the document entitled "The Eighteenth Report of the United States Advisory Commission on Information," January 1963, which analyzes the activities of USIA for the calendar year 1962.

There being no objection, the articles, letter, and document were ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post, June 20, 1963]

Murrow Scores House for Cutting USIA Funds

Atlanta, Ga., June 19.—Edward R. Murrow, Director of the U.S. Information Agency, today sharply criticized House action in cutting $15 million from his budget. He said he would seek to have the funds restored in the Senate.

In a speech to the Advertising Federation of America here, Murrow said the cut—from $157.9 million to $142.7 million for fiscal 1964—would force his agency to cut down its activites in projects such as these:

Planned opening of branch USIA posts in Latin America; planned opening of information centers in five new areas of Africa; staffing of two new television studio facilities; a regional TV production center in Mexico City; cuts of one-half in television English lessons; and a reduction by three-fourths in ability to produce special videotape programs such as President Kennedy's two recent speeches on peace and civil rights.

"The restrictive judgment of the House of Representatives forces us to painful choices in which some national interest must be compromised and some precious national opportunities cannot be seized," Murrow said.

"Most people in this country never know of our Agency unless it gets into trouble. Learn of us now, because we're in trouble now. We shall try to restore the cuts in the Senate.

"Either the House of Representatives believes in the potency of ideas and the importance of information or it does not. On the record, it does not so believe. It is the function of the Congress to decide these matters. It is the duty of those concerned with this global struggle, however, to utter warnings as to the consequences that may be expected to flow from a policy which denies the United States the opportunity to compete on equal terms.

"The U.S. Information Agency * * * is the Government agency charged with the responsibility of exporting ideas and information. More money will not guarantee success, but insufficient money will threaten failure.

"We are being outspent, outpublished, and outbroadcast. We are a first-rate power. We must speak with a first-rate voice abroad."

[From the Washington (D.C.) Post, June 21, 1963]

Murrow Asks Dollars Reds Say United States Spends

(By Murrey Marder)

To hear Soviet officials tell it, U.S. propagandists are rolling in money, with almost limitless resources at their beck and call.

To hear American officials tell it, exactly the reverse is true; it is the Communists who virtually let go of the purse strings in the world battle of ideas.

Who is right about this propaganda about propaganda?

By coincidence, two opposing propaganda chiefs had their say this week.

Soviet propaganda chief Leonid F. Ilyichev has no exact counterpart in Washington. As secretary of the Soviet Communist Party Central Committee, his "ideological" domain is as wide or wider than that of the White House's Pierre Salinger, the Defense Department's Arthur Sylvester, the State Department's Robert Manning, and U.S. Information Agency Director Edward R. Murrow, all combined.

Ilyichev's version of Murrow's resources, however, made Murrow sound almost as though his main problem was space to stack USIA money.

DOLLARS NOT STINTED

"Dollars for the expansion of the propaganda machine," Ilyichev told the Communist Central Committee "are not stinted."

"The Agency's budget for this year," Ilyichev continued, "is more than $120 million; next year it is planned to increase it by another $26 million; the Agency has 239 departments in 105 countries; the Voice of America radio stations transmit in 36 languages for 761 hours a week; the Agency employs a staff of 1,000 * * * American propaganda weighs down like a gigantic press on the minds of the people in the capitalist world, and stretches its tentacles beyond."

But, interestingly enough, Ilyichev said nothing at all about the scale or scope of Soviet propaganda resources.

Murrow did, the next day, in a speech expressing dismay with a House cut of the USIA budget request for 1964 from $157.9 to $142.7 million.

If USIA were to try to duplicate the cost of Soviet jamming of free world broadcasts, Murrow said, that alone would cost $150 million a year, or more than the total USIA budget.

Last year, Murrow noted, the Communists published 40 million books in nonbloc languages around the world, and inspired the publishing of 100 million more; USIA published but 5 million.

OUTSPENT, OUTPUBLISHED

"We are being outspent, outpublished and outbroadcast," said Murrow ruefully.

There was but one point on which Ilyichev and Murrow agreed.

"There has not been, is not and cannot be any peaceful coexistence in ideology as long as antagonistic classes remain," warned Ilyichev, "an implacable class struggle has gone on, goes on, and will go on."

Ilyichev had no discernible difficulty "selling" his audience. But Murrow, with a demonstrably skeptical response, was left saying grimly:

"Either the House of Representatives believes in the potency of ideas and the importance of information or it does not. On the record, it does not so believe."

April 3, 1963.

The Hon. John V. Lindsay,
New York, N.Y.

Dear Congressman Lindsay: As you know, the U.S. Information Agency is now presenting its budget request for fiscal 1964.

As a professional practitioner of public relations and as a person active in the work of the Public Relations Society of America, I believe I know something about the value of effective communications techniques. I am deeply concerned about the continual "money bind" of the USIA.

I think something is horribly wrong when we are spending only about one-twentieth of what Communist countries spend for overseas information activities. I think an even more damning indication of this Nation's sense of values is the fact that the $140 million that the United States allocates for overseas information is $50 million less than one company spends in the United States alone to sell its products. Something is out of balance.

I would like to ask you if you have ever gone "on record" for or against raising USIA budgets. I would be most interested in any thoughts you may have on this subject.

Sincerely,

Tom M. Hopkinson,
Account Supervisor.

The 18th Report of the U.S. Advisory Commission on Information

The United States-U.S.S.R. confrontation over Cuba in 1962 demonstrated once again to the world that Sino-Soviet aggressive intentions are worldwide. Berlin, the Chinese Communist invasion of India, Communist insurrection in South Vietnam and Laos as well as Cuba, are part of geographically separated incidents that illustrate potential threat, menace, and aggression. These events have made clear to every thinking neutral power the true ambitions and intentions of international communism.

For example, on October 25, 1962, in the midst of the Chinese Communist invasion of Indian territory, the embattled and disillusioned Nehru was finally compelled to say "we are getting out of touch with realities in a modern world. We are living in an artificial atmosphere of our creation and we have been shaken out of it."

The task of the USIA is to depict and document these "realities in a modern world" to the peoples of the world; to unmask the true designs of Sino-Soviet communism. USIA must also disseminate information which will help strengthen the economic, political and ideological bases of national independence in order to help make impossible external aggression or internal insurrection and subversion from Communist sources. This is the meaning of the cold war for the total U.S. communications effort. And it is in this context that USIA has a paramount role to play.

USIA PERFORMANCE IN THE CUBAN CRISIS

The eruption of the Cuban crisis and President Kennedy's speech of October 22, 1962, provided the opportunity for a new look at the role of the U.S. Information Agency.

What is its function? How should it operate in time of crisis? What new responsibilities does it face?

The Commission is gratified to record that USIA was among the first to be informed of the President's decisions concerning Cuba.

This early notice of impending strategic decisions at a time of national crisis gave the Agency valuable lead time which enabled it to develop its operating plans along with those of the military. Top USIA officials worked closely with the national top command and its subsidiary task forces. Drafts of the President's speech were made available to a restricted few so that radio and press would be ready with the necessary translation and pictures to move this speech to overseas audiences at the same time that it was being delivered to the American people. USIA films and television programs in multiple foreign languages were air-expressed to posts around the world for showing to audiences numbering in the hundreds of millions.

Cuba was a good example of a situation where USIA was properly used by the U.S. Government. The U.S. position was presented to the world rapidly, authoritatively, and effectively. This USIA action received national acclaim. NBC's Monitor program of October 29, carried by 150 U.S. radio stations said "USIA has once again proved its worth in getting the American point of view across to people abroad."

The advantages of such a well planned and executed foreign information program in times of national crisis are fourfold:

1. Purpose and objectives are more clearly defined;

2. Coordination within the Agency and cooperation of media and area personnel are obtained;

3. Regular and marginal programs are discarded or postponed in favor of a more streamlined operation;

4. Interagency coordination and integration with the national top command is more effective.

This Commission is pleased to report to the Congress that the USIA performance during this national crisis was exemplary. It is equally important, however, to maintain the same standards of performance at all times. It is the purpose of this report to offer recommendations which are designed to make the Agency stronger and more effective and to indicate directions for a reexamination of its role in the aftermath of Cuba.

FIVE AGENCY PROBLEMS

The Commission believes that the USIA has five problem areas which require special attention: (1) management and administration, (2) publications, (3) program content, (4) the expansion of Agency operations in underdeveloped areas, and (5) the need to coordinate and centralize in one building the scattered USIA operations and facilities in Washington.

1. Management and administration: The Commission has been making a continuous study of the management of the U.S. Information Agency. This study is concerned with such problems as improving internal coordination and communication, inspection and evaluation, personnel selection and placement, interagency relations and coordination, the role of the area directors, outside contracting to improve quality of programs and materials, domestic public relations, research, media coordination, forward planning, and the role of the Office of Policy.

The Commission's observations and recommendations to date have been communicated to the Director, who has indicated that the Agency would take steps to seek solutions to these problems.

2. Publications: The Commission has called the attention of the Director to the proliferation of Agency publications over the years. Some appear to have served their original purpose and are currently useless. The Director has agreed to reevaluate each USIA publication in relation to its purpose, content, format, cost of production, and impact. This reevaluation should make it possible to reduce the number of publications.

3. Program content: The Commission has long felt that the contents of Agency programs were in need of periodic review and evaluation. It has recommended to the Director that he establish two committees, one on print and the other on radio, for the purpose of examining programs for quality and effectiveness. It has further recommended that the membership of each committee consist of at least one and possibly two public members who have earned reputations as experts in print and/or radio. Finally it has urged that such review of the contents of Agency materials produced in Washington and in the field should be conducted at least once a year and possibly on a semiannual basis.

A principal purpose of this review should be to differentiate between the impact and volume of Agency output. For sheer quantity of output, produced frequently in routine fashion, is no substitute for effective communication and impact.

4. Expansion of the Agency in the developing areas: The emergence of many new nations in Africa and the acceleration of the Sino-Soviet threat in Latin America have made it necessary for USIA to augment its capabilities and resources in these two important areas. The Communists' use of radio, motion pictures, literature, and friendship societies for the purpose of undermining national cohesion, promoting Communist-led revolutions, sabotage, and disorder is unrelenting and constant. This is a problem that must be met.

Considerable energy and time have been devoted by hardworking officers to expand USIS facilities and to bring the U.S. story to peoples and lands that were not exposed previously to the facts about the United States, its intentions, and its people.

Visits by members of the Commission, however, have revealed that in some instances the Agency may have moved too fast and perhaps prematurely. There are indications that some areas are not yet ready to absorb the full range of USIS facilities that have been directed at them. There are questions about the wisdom of moving into certain countries with all USIS media and resources. And there are questions about the advisability of conducting USIS operations in areas far removed from the capitals of countries.

The Agency has agreed to some of these observations and has informed the Commission that it is rethinking and evaluating its practices in these areas.

5. The need for one USIA building in Washington: The U.S. Information Agency has existed as an independent Agency since 1953. The legislation authorizing its functions and activities was passed in 1948. Since that time, the USIA has become a permanent part of the U.S. Government. In the opinion of this Commission it will remain part of the permanent structure of the Government so long as we continue to exist as a nation with important strategic interests and responsibilities throughout the world.

There is, however, a long neglected need to increase its effectiveness by concentrating its facilities and personnel in one building.

A previous report of the Commission, issued in February 1954, called the attention of the Congress to this predicament. That ninth report recommended that "The Agency still finds its staff spread out in three or four buildings, one of which is of considerable distance from the others. The Commission believes that the work of this Agency would be substantially improved if its entire personnel and necessary broadcasting facilities could be housed in one building." This was in 1954.

Today, 9 years later, the Agency is in 11 buildings and the wasted man-hours spent in travel from building to building are impairing the efficiency with which this Agency and its programs are managed and directed.

This Commission renews the recommendation of 1954 and urges that the Congress provide the necessary relief to USIA. Operating in one structure would enable it to improve the coordination of all media services, areas, policy, research staffs, and administration.

In addition to these five problems, the Commission wishes to bring to the attention of Congress again, the serious need for career legislation and a substantial increase in representation funds for the Agency.

Although the Congress has granted some increase in these funds, the amount of out-of-pocket spending by USIS officers which is not reimbursed by the Agency has continued to increase. Entertainment and hospitality are accepted means of establishing and developing important contacts abroad. Officers should not be hampered year after year by having their hands tied financially.

It is important to the success of this Agency's work that its foreign service officers enjoy status and receive remuneration that is in keeping with the complexity of their work and responsibilities. They should be assured of tenure and of an opportunity to advance to the highest ranking positions that foreign service officers can reach on the basis of merit and ability. They should be encouraged to move ahead in a career service that could lead eventually to assignments as ministers and ambassadors.

Career legislation will have the effect of attracting capable young men and women who wish to make the U.S. information foreign service a lifetime career. To accomplish these purposes, the Commission requests the Congress to give serious consideration to the long-standing Agency's request for the legislation that it needs.

Recently the Committee on Foreign Affairs Personnel, constituted at the request of Secretary of State Rusk, issued its report "Personnel for the New Diplomacy." The Committee lists among its members, former Secretary of State Christian A. Herter, who served as its chairman, and George V. Allen, a former Director of USIA. The Committee's report focused on the personnel problems and needs of the Department of State, the Agency for International Development (AID) and the USIA.

The Committee is to be commended for recognizing the emergence and analyzing the dimensions of "the new diplomacy."

No longer do diplomats merely observe and report, the Committee said. They now do things overseas.

No longer can the responsibilities of the United States in world affairs be met by "generalists" alone. There is a growing need for personnel who are specialists in a wide variety of fields and they must be given greater recognition.

No longer should U.S. representatives abroad consider themselves as representatives of individual agencies. "They are first and foremost representatives of the United States."

To accomplish the goals of American foreign policy with the instruments of the new diplomacy, the Committee recommended—

1. The establishment of a family of compatible services consisting of the Foreign Service, the Foreign Information Service, and the Foreign Development Service, which would be governed by uniform statutory provisions regarding personnel management. This entails a systematic interchange of personnel, equality in conditions of service, and the consideration of senior personnel of all three Services in filling top executive posts in foreign affairs. For example, "the ranks of career minister and career ambassador should be open to qualified career officers in AID and USIA." At the same time, the Committee pointed out that "if foreign affairs officers are to be groomed to fill positions of command and leadership, they should have experience in foreign information and foreign development activities."

2. The need to improve the career opportunities for specialized personnel.

3. The establishment of a National Foreign Affairs College at the graduate level "under the highest auspices and leadership."

The report contains numerous other observations and recommendations which are worthy of serious consideration. The Commission hopes that the appropriate executive agencies in the Government will submit to the Congress requests for legislation embodying those recommendations that will strengthen, develop, and train the personnel who will become the "new diplomats."

THE U.S. INFORMATION PROGRAM IN AFRICA

This Commission has received excellent briefings from the Assistant Director for Africa on the problems and potential of the African Continent and on the challenges that face the newly created African nations.

In the summer of 1962, the Chairman of the Commission spent 5 weeks visiting 10 countries in Africa. He traveled extensively in each country and studied the USIS and related operations. He investigated especially radio, television, motion pictures, and print operations in each country that he visited. He also examined USIS libraries and problems pertaining to the exchange of persons program.

The Chairman's observations and recommendations were transmitted to the Director of USIA and to the Assistant Director for Africa and his staff. The highlights of his major findings included the following:

1. The basic problem in Africa for USIA appears to be the erroneous application of European techniques to a continent with emerging nations, multiple tribes, and many languages—a continent where the people are not well informed about the United States or Russia and appear to be not much concerned about either country.

The Agency should therefore review its material on the basis of what it expects to accomplish. It should determine which media can best accomplish its purposes in Africa. At the same time, each medium must reorient its thinking and tailor its output in relation to what is pertinent for Africans irrespective of the suitability of this output in other geographic areas.

For example, much of USIS material in Africa presupposes a knowledge of the United States. In many places, this knowledge is almost nonexistent. USIA media personnel must bear this in mind constantly as they develop their programs and materials.

2. It is difficult to communicate by radio in Africa because of the multiplicity of languages and dialects. This poses an important challenge to the Agency because it will soon place into operation a large, new, modern transmitter complex in Liberia.

USIA must make sure that the contents of its programs broadcast from this new station take into consideration the variety of local attitudes, hopes and aspirations, levels of development and literacy that characterize this continent.

There is therefore a need for a meeting of African public affairs officers for the purpose of discussing how the different media can turn out material more closely tailored to the needs and problems of the different nations of Africa. This meeting should focus especially on the new VOA African Service and the type of programs that it develops.

USIA is also planning to create a training center in Monrovia. For this it should be commended. Such a center might well serve to train people from other countries in Africa in every phase of mass communication.

3. Film, print, and photographic material should contain a more balanced presentation of whites and Negroes in the United States. There is great interest in Africa about the life and progress of the American Negro. Washington media should intensify its efforts to provide the African posts with this type of information. It is also important that USIA point out candidly civil rights issues and problems in the United States. At the same time the steady progress of the Negro in America should be underscored.

4. There is a tremendous interest and potential in sports throughout Africa. USIA should encourage private groups to sponsor the distribution of sports kits. The activities of the People-to-People Sports Committee are to be commended and encouraged. More athletic equipment, coaches, performers, and sports information would be welcomed by African schools, colleges and youth groups.

5. There is considerable and repeated criticism of the manner in which exchange personnel are handled in the United States. In particular, the training, reception, processing and hospitality for foreign radio and television managers and technicians in the United States leave much to be desired.

In addition, the present exchange practice in Africa has produced the following conditions: (1) when the best students are siphoned off for training and education in the United States, a deterioration of the student body that remains in the home country sets in; (2) a lack of incentive to teach develops; (3) too many exchangees desire to remain permanently in the United States; (4) when the exchangee returns to his native land he finds frequently that the type of training he has received cannot be adapted to his future life.

Two suggestions are presented for consideration:

(a) More on-the-job training in the use of basic technical facilities should take place in the foreign country or in some centrally located area abroad, by bringing in experts from the United States. A good example was the press seminars held in Africa in 1962. Although problems may occur and have occurred in the initial stages, this type of activity should be increased.

(b) A more comprehensive training program for foreign radio and television personnel who are qualified to come to the United States and for future managers and executives is an important opportunity that should not continue to be handled superficially. Perhaps the National Association of Broadcasters (NAB), the National Association of Educational Broadcasters (NAEB), or American universities who can offer specialized training in this area, can establish a small unit which would be responsible for arranging more adequate training programs.

The Agency's Broadcast Advisory Committee did pioneer work in this area about 10 years ago. The Committee should be encouraged to reexamine the present status of the exchanges and training of foreign radio and television personnel, including the planning of their itineraries in the United States.

6. How much should USIA do in countries which are not yet viable economically or politically? This matter was discussed earlier in the report. It bears on the question of whether it is necessary to establish USIS posts in all African countries where communications media are primitive, illiteracy is almost 90 percent of the population and horizons are tribal and parochial.

7. There is substantial overlap among U.S. agencies in the English-teaching program. There is need for more coordination on a Government-wide basis in this important activity. There is need for an overall decision to determine who is to do what with the funds that are available for English teaching.

8. There appears to be a surplus of material in English at French-speaking posts in Africa. Similarly, some of the material in French which is distributed to French-speaking areas is relevant for France but almost entirely inapplicable to Africa. There is a need to develop more French language books and pamphlets which are of greater interest to the African audience.

9. Many programs are too somber, heavy, and textual instead of being an interesting reporting of events and activities in Africa or in the United States.

In addition to the above suggestion for improvements, the chairman observed that the libraries are especially good and the USIA newsreel, Today, is a worthwhile project in the audiovisual field. Most important, USIS personnel conduct operations under serious handicaps, in many cases under severe hardship conditions and under circumstances that are difficult to comprehend by Washington media. Their high morale, optimism, and sense of mission, is deserving of the highest commendation and this applies to their families as well.

THE U.S. INFORMATION PROGRAM IN LATIN AMERICA

The conditions that exist in Latin America call for a continuous and expanded USIS effort.

An areawide revolution is exploding. The desire to reduce poverty, literacy and disease, the heritage of the masses for so many centuries, has gained increased momentum.

These conditions are being exploited by Communist forces reinforced from their base in Cuba. They conduct extensive and intensive campaigns through propaganda, infiltration of students, labor, peasant groups, and the military. They penetrate important agencies of mass communications. They consider themselves the vanguard of the world revolutionary center in Moscow.

In the 1961 issue of the authoritative Manual on the Fundamentals of Marxism-Leninism (p. 516), the Communists wrote "judging by the nature of the problems now facing the peoples of Latin America, it is a question of launching an 'anti-imperialist democratic revolution' (their emphasis). The events of recent years testify that this new stage of the national liberation struggle in Latin America has already begun and is successfully developing despite the counterattacks of the reactionary forces and the intervention of the United States."

There are, however, strong advantages on the side of freedom in this struggle. For example, the Alliance for Progress is an imaginative program designed to channel revolution in a desirable and peaceful direction.

The tasks of USIA are therefore twofold. First, to explain the Alliance for Progress, and to promote its fullest understanding by the people of Latin America so that they accept this as a joint enterprise requiring sacrifices from all. The second task is to expose the true nature of Communist penetration and infiltration originating to a considerable degree from the Communist base in Cuba.

The Commission agrees that a major effort is needed in the following areas:

1. More information centers and binational centers should be located in student and working-class quarters. The potential of the binational centers as American informational and cultural tools has not been fully realized. A review of their purpose, space facilities, financing, and personnel is in order.

2. Additional labor information officers are needed to assist in this important area.

3. Book translations should be increased sharply in order to equip USIS libraries with collections that are at least 75 percent in Spanish or Portuguese. There is need for agencies that operate book programs to maintain close working relations both in Washington and in the field.

4. Television and radio production should be geared to the tasks of USIA and targeted to Latin American audiences.

5. American-sponsored primary and secondary schools need strengthening. They are forces of positive influence and it is necessary to equip them with competent staff that can remain in a country long enough to do an effective job.

6. English teaching is increasingly in demand throughout Latin America. The American agencies need to coordinate their activities in order to insure that the United States is meeting the demands and creating a positive impact with its English-teaching program. There is need for more and better central direction, training, and advice for the grantees who supervise this program.

The Commission believes that a steady and strengthened effort in Latin America must be made by USIA. The programs and projects should be based upon comprehensive research to determine the most effective approaches and media in particular countries.

THE U.S. INFORMATION PROGRAM IN EUROPE

The USIA program in Europe has been subjected to increasing criticism from Congress in recent years.

Probably the oldest program in USIA, it emerged from World War II as a response to the information, cultural and educational needs of former enemy-occupied countries. It attempted to provide former Fascist and Nazi countries with information on a democratic society and a free economy. At the same time, it disseminated information about the rising tide of an aggressive Communist movement that was making dangerous inroads in the rich fabric of European civilization.

The formulation of the Marshall plan and the creation of NATO provided the information program with additional tasks. And the subsequent economic integration of Europe posed new important challenges.

As Western Europe recovered from its wartime devastation and chaos, as local Communist expansion receded, as the Western allies grew in strength and prosperity, and as the European countries approached the unification provided by the Common Market, questions were raised concerning the continued necessity of an information program in Western Europe.

In response to this criticism, the Agency reduced its European budgets, cut its personnel, and eliminated certain libraries and information centers. But these actions did not satisfy some critics. They believe that countries with advanced educational systems, with superior communications media, and with increased strength and prosperity did not require large information, educational, and cultural programs from the United States. They asserted that USIS in Europe served no purpose useful to the U.S. national interest.

This Commission has frequently recommended the elimination of all marginal programs in Europe. Furthermore, with the dramatic improvements in the European economy and with the resurgence of more stable governments, there has been no reexamination of the proper role of the U.S. communications program in Europe.

Recently, the Director informed the Commission that he has established a small group of experienced foreign service officers to conduct such a basic reappraisal.

The Commission believes that this action has been long overdue and commends the Director for his initiative in this important area.

The Commission believes the United States as a modern 20th century state, with worldwide interests, should continue to conduct an adequate program in Europe. What is needed is a prescription of its new role which takes greater cognizance of contemporary European conditions. Accurate explanations and official U.S. interpretations of U.S. positions and policies are as important in Europe as they are in other sections of the world.

Frequent trips to Europe by present and previous members of this Commission have revealed the importance of USIS libraries and information centers. The work they do with Europeans as well as with Asian and African students in Europe has been productive and has advanced the national interest.

Nevertheless, the location of some of these libraries should be reexamined with a view toward moving them to areas where workers and students live. And perhaps some of the USIS libraries in the embassies could be converted into specialized libraries. The experience and results that USIS has had with information centers in Rome, Paris, and London bear out this recommendation.

It is also possible that past emphasis on media output for Europe should be supplemented by more personal contact work. For there can be no question about the value of personal contact by ambassadors, ministers, public affairs officers, cultural affairs officers, and other members of the U.S. mission staffs. The U.S. representative must strive to seek out individuals and groups from all walks of life and to establish easy channels of communication with them. This is one reason why more representation funds are indicated. Placing more emphasis on personal contact might require personnel assigned to Europe whose abilities are more in line with the new tasks.

These and other USIS activities need to be reappraised. The Commission looks forward to the results of the Director's study of USIS in Europe.

THE INFORMATION PROGRAM AND U.S. STRATEGY

In addition to specific current problems this Commission also has considered the broad role of USIA. Here a brief review of the history of USIA may be helpful for it shows how the changing purpose of the U.S. information program has been directly related to the changing strategic position of the United States.

When Public Law 402 (the Smith-Mundt Act) establishing the authority for an information program was passed in 1948, it was in response to gradually stepped up Communist propaganda campaigns that were spreading throughout the world, intent on undermining the United States and free men everywhere.

Since that time three major strategic confrontations between the United States and the U.S.S.R. have occurred:

1. The first was the 1948 Berlin blockade in which the United States successfully defended the beleaguered city of Berlin and by a massive airlift repulsed a deliberate Russian effort to drive the Allies out of the city. In 1948, President Truman had charged the foreign information program with the task of portraying a "full and fair picture" of the United States. Its purpose was to present a true picture of the United States and to combat Communist propaganda, including the facts concerning Soviet aggressive intentions in Berlin.

2. The second was the outbreak of the Korean war in 1950 when American intervention changed the climate of the cold war. At that time the President called for a "campaign of truth" which led to a stepped up information program with an appropriation about three times the amount available in the previous year. Tihs was "the psychological offensive" in support of the U.S. effort in Korea.

Following the Korean war, the USIA was established in 1953 as an independent agency of Government. Its purpose and objectives as approved by President Eisenhower were "to submit evidence to peoples of other nations by means of communications techniques that the objectives and policies of the United States are in harmony with and will advance their legitimate aspirations for freedom, progress, and peace." This has remained the Agency's mission.

In 1954, with the support of the President and the Agency's first Director, Mr. Theodore C. Streibert, a "cultural offensive" also was mounted to compete with the Soviets in this arena. This emphasis on the Agency's cultural program was continued and expanded under Directors Arthur Larson and George V. Allen.

3. The third major confrontation between the United States and the U.S.S.R. occurred in Cuba during October of 1962. The results of this latest strategic encounter and the vital participation of USIA in it give a new significance to the U.S. Information Agency.

THE CHANGING MISSIONS OF USIA

The changing missions that have been assigned to the foreign information program partly because of changing U.S. strategy, are reflected in the confusion attending the information program's attempts to adjust to these changes.

There have been periods when the Agency's chief emphasis has been placed on "long-range cultural programs." And there have been other times when Agency policies, programs, and operations were organized primarily around short-range, tactical, day-to-day issues and the elimination of bush fires. Both the objective reality of international conditions and the strict reality of the budget have affected the courses that the Agency pursued at any given time.

In periods of intense crisis, such as in times of major United States-U.S.S.R. strategic confrontations, the USIA must perforce undertake important functions which are oriented around the work of the fast media and aimed at getting the American position to the people of the world. But during intercrisis periods the Agency's emphasis has fluctuated sharply.

The difficulty with these fluctuating strategies and missions has been evident in the buildup of certain operations, their drastic reductions or wholesale dismantling when conditions changed and then the long laborious need to rebuild them in one area or another when crises subside, Soviet competition increases, or relatively calm areas flare up.

Confusion over the purpose and role can perhaps best be seen by examining the mere changes in name that have characterized the Agency's central policy office during the past 10 years.

In August 1953 there was an Office of Policy and Plans.

By September 1953 this became the Office of Policy and Programs.

In March 1957 it reverted to the Office of Policy and Plans.

But in April 1958 it became an Office of Plans.

And in August 1962 it was and remains at present an Office of Policy.

During this period, in response to the views of different directors and different administrations, the Agency experimented with combining program and policy functions, planning and policy functions, abolishing "policy" or abolishing "plans."

Perhaps such experimentation was inevitable as the foreign information and cultural programs attempted to satisfy the requirements placed upon them by conflicting views, by different directors, by competing ideas of its proper role and by the objective facts of national and international affairs.

Throughout these years of changing purpose one other fact also has become evident. During the short history of the U.S. information program relatively little attention has been accorded to long-range planning and policy considerations.

This Commission believes that the Agency should have both short-range and long-range objectives. It cannot escape the duty of acting as the Government's foreign public relations arm on a daily basis and especially in times of crisis. It has performed well and continues to perform well in transmitting daily foreign policy guidance from the Department of State and in converting it to daily propaganda guidance for the benefit of the fast media.

The Commission suggests, however, that the Agency must also organize and staff itself to provide long-range forward planning that would encompass the most effective use of its information, educational, and cultural programs.

It has been said that creative men build private communications agencies, but that businessmen eventually run them. This Commission suggests that creative plans, policies, and programs are as important as effective executive management and administration. Both are necessary. But a balanced view of and attention to short-range operations and long-range forward planning are also both necessary.

The occasion of the third major confrontation between the United States and the U.S.S.R. is a good time for the USIA and the U.S. Government to review the role of the ideological, information or psychological arm of the Government. The purpose of such a review would be to further strengthen its assets and capabilities, shore up and improve its gaps and vulnerabilities, and introduce a strong, effective forward planning operation which would provide new ideas and a more carefully studied long-range stability to the total U.S. communications effort.

Another reason for the creation of a small forward planning unit, which as its first task might well start and conduct such a review, may be found in the criticisms of USIA.

USIA CRITICS

Although the U.S. information program earned the plaudits of the Nation with its performance during periods of crisis like Cuba, Berlin, Suez, and Korea, there remains considerable uneasiness among a number of thoughtful critics concerning its role and performance in intercrisis periods.

Deeply concerned critics, which include Members of Congress, certain foreign correspondents, businessmen, advertising and public relations counselors, the cold war councils, as well as this Commission have raised serious and searching questions about the adequacy of its size and the validity of its approach to the problem of communication and persuasion.

While the Commission does not agree with all the criticisms listed below, it does feel that they raise questions worthy of serious consideration. Here then are some of the criticisms of USIA that have been publicly expressed:

1. Merely purveying information is not enough. The United States must engage in ardent persuasion which by its nature is aggressive and creative. In a nation of great politicians, great lawyers, and great salesmen, it should be evident that it is necessary to advocate causes, positions, and products aggressively in order to win adherents.

2. Our most urgent job is not merely to interpret U.S. policy and the U.S. way of life, but to more pertinently establish in men's minds the basic distinction between Western and Communist concepts of society.

3. As the expansion of international operations has taken more and more U.S. publishers, advertisers, public relations counselors, communications experts, academicians, businessmen, and labor leaders into other countries, they have become more aware of the nuances of communicating with

foreign peoples. They have reported on the existence of huge gaps of information about the United States. They have recoiled from the considerable amount of distortion and misinformation about U.S. aims that exist. Many have returned home charging that the U.S. information program has been inadequate in methods and magnitude as well as in aggressiveness and imagination. They advocate that the U.S. military and economic assistance programs should be supplemented with a continuous propaganda program of proportionately comparable size and supported by a proportionately larger fiscal base.

4. Some critics have said that a much larger appropriation is necessary. Suggested amounts have ranged from doubling the present appropriation to 5 percent of the total U.S. oversea budget.

5. There is a need to develop and execute propaganda initiative strategies in order to counter and defeat the impact of Communist foreign propaganda. For this Communist propaganda disseminates Communist foreign policies and accompanies Communist actions bent on the destruction of the United States.

6. Every aspect of present USIA activities should be reexamined. Peacetime programs should be abandoned in favor of cold war needs.

7. U.S. propaganda should carry less of a "made in U.S." label and more of it should be put into the hands of dependable nationals of the countries that we are attempting to persuade and influence. Leaders of the target peoples themselves must be more involved.

8. Washington should do more about tapping the resources and talents of U.S. commercial media, public relations firms, and advertising agencies.

9. The concept of USIA is not big enough to handle the powerful instrument of propaganda.

10. Considerably enhanced research and training programs are needed in order (a) to develop firmer foundations for our foreign information programs in relation to the opinions, attitudes, hopes, aspirations, and misconceptions of the foreign audiences, and (b) to provide personnel with a more thorough understanding of Communist organization, strategy and tactics, and the most up-to-date knowledge of how to communicate and persuade more effectively. Equally important, the Agency must utilize research and the results of research much more effectively in Latin America, Africa, Asia, and Europe than it has in the past.

The Commission believes that a review of the mission of USIA should be made in the light of these criticisms and interpreted in the perspective of new directions in the cold war since the Cuban crisis. The establishment of a small forward-planning unit would enable such a reexamination to get underway.

THE TASKS AND FUNCTIONS OF FORWARD PLANNING IN USIA

The tasks of the proposed forward-planning unit would be to:

1. Study and determine the strategic priorities of USIS operations in relation to specific countries, communications facilities and media, and personnel. Which countries, for example, should require the greatest concentration of USIS energy and resources? Is an American presence necessary in all countries? Are all media and programs needed in all countries? Are USIS communications facilities adequate, modern, and effective?

2. Assist in mapping out overall strategic objectives and policies in relation to the availability of funds.

Too frequently program decisions have been predicated on budgetary and appropriations considerations. There is need for a more objective and sustained effort to formulate programs first, provide a thorough justification for them and then calculate the fiscal resources necessary to implement these programs.

3. Generate ideas concerning programs and program content in the light of the fluctuating trends of the cold war.

The growth and institutionalization of an agency frequently brings with it bureaucratic rigidity and routine. Less attention is paid to the new idea generated either from within or without the agency. A well-functioning, forward-planning unit should afford hospitality for the consideration of many ideas, and stimulate the generation of these ideas from all expert sources, public and private, that are seriously concerned with the prosecution of the cold war.

A long-range, forward-planning unit should also give impetus to a serious consideration of the following searching questions about the Government's foreign communications program that have been posed increasingly by serious and sympathetic observers of the USIA:

Should the United States continue to conduct information and cultural activities in Western Europe?

Should the United States abolish its libraries and information centers in Europe?

Should the United States depend exclusively on binational centers?

Should education, cultural and information programs remain independently administered among a half-dozen agencies in Washington? Should there be one place in the Government where all of these activities are put together? How can efforts of the Agency for International Development (AID), Peace Corps, USIA, State, Health, Education, and Welfare (HEW), Labor, Commerce, and Agriculture in the foreign ideological and psychological areas be more effectively coordinated?

How can we evaluate more realistically the results of U.S. programs on a country-by-country basis in order to reduce and eliminate marginal ones, strengthen and enhance effective ones, and introduce new ones that can help fill important gaps and remedy areas of weakness?

Are we doing enough with foreign youth, students, labor, and intellectual groups? What new instruments both private and public are available that would strengthen U.S. programs in these areas?

Have we exploited to a maximum the private resources of American business, labor, education, advertising, and public relations? For example, is there an American businessman's committee which works with USIS in helping to tell the American story accurately and authoritatively? Is there sufficient liaison established with foreign labor groups either directly or indirectly or through the good offices of American labor representatives and their contacts through the ICFTU? Is there a carefully planned effort to acquaint intellectuals and universities with the most reputable and prominent intellectuals and universities in the United States? How can U.S. Members of Congress do more either as individuals or as members of the various interparliamentary organizations?

Have we exhausted our efforts to develop interallied operation in the communications field outside of periods of crisis when a promising degree of collaboration is attained?

Are we recruiting the best available personnel?

Should we conduct operations in the hinterland of a country as well as in its capital?

What can be done to improve further the training program in the study of foreign communications, foreign languages, and Communist propaganda strategy and tactics? What types of social science investigations in the foreign field can be encouraged and channeled into studies of communications and persuasion? Is the level and type of research commensurate with the needs of the Agency and the opportunities that become available to it?

What have been the results of 14 years of USIS activities in particular countries? What are our accumulated assets and how can they be utilized more effectively?

How can the Office of Administration and its constituent elements do a more orderly job of forward planning in the light of the above and related questions?

Recently, a 3-year study of mass communications in Latin America, Africa, and Asia, completed by UNESCO, showed that two-thirds of the world population lack the barest means of being informed of news at home, let alone of events abroad. What implications do these findings hold for USIA programs, techniques, and media?

These questions and others like them require careful and continuous thought by a high-level, forward-planning group that would be staffed with the Agency's most capable senior officers. This group should be free to call in experts from academic, business, communication, labor, farm, and youth groups for suggestions, advice, and counsel.

In particular there is a need for forward planning in the new era of world communication that has been opened by Telstar.

FORWARD PLANNING IN A NEW ERA OF WORLD COMMUNICATIONS

Three important scientific discoveries and technological inventions have combined to alter significantly international relations during the past two decades and have had important influences on U.S. strategy and on the mission of USIA.

The first was the release of nuclear energy with its profound military implications and peacetime application. The creation of the Atomic Energy Commission (AEC) and the funds appropriated to develop and perfect military weapons as well as peaceful uses of the atom have received the full support of the American people. The results have had an important impact on the nations and peoples of the world.

The second was the developments and explorations in outer space with the launching of manned and other satellites which have shortened further the physical distances between nations. The establishment of the National Aeronautics and Space Administration (NASA) and the projection of space programs designed to reach the moon and the planets have electrified the world. Substantial sums of money have been appropriated to support this huge undertaking which has caught the imagination of the American people. Not all the consequences can be foreseen at this time but they promise to bring new horizons, new products, and new ways of thinking to 20th century man.

The third major invention is the recent U.S. success in launching a communications satellite capable of transmitting words, pictures, and other symbols from the United States to Western Europe. This byproduct of experiments with satellites has also required heavy investment in research, engineering, and equipment which has given us the means with which to communicate images across oceans instantaneously. This system when it is finally perfected and made more permanent will permit the transmission of information and ideology to the far corners of the world—it represents a real challenge to the U.S. information program.

If intercontinental television is to be a constructive force for world peace and international understanding, considerable research into the ideological and psychological dimensions of international communications is called for. Nations around the world have expended huge sums of money which have produced major breakthroughs in the physical and biological sciences, in technology, and engineering. Nothing comparable has even been approximated in the complicated field of international communications.

Leading research experts in social science and communications should receive support and encouragement to define and lay out the critical dimensions in international communications, to pose the proper questions and to undertake the necessary research designed to shed light on the many problems that stand in the way of mutual understanding.

This Commission suggests that the appropriate committees of Congress, consider holding hearings on what research can contribute to improving international communications which reduce tensions and promote stability and international understanding. For the problem of international communications with the advent and potential of the space satellite requires at least as much thought, attention, and support as was given to atomic energy and other aspects of space exploration.

This could also be an important task for the USIA forward-planning unit. The accumulated USIA experience in communicating with foreign audiences should be focused on the potentials that have hardly been explored. USIA can perform an important function by sharing its information, experience, and knowledge with the appropriate committees of Congress, other executive agencies, and the national networks.

It is of course clear that the U.S. Information Agency cannot do the entire job. There is a large area in which the private individual represents his country when he is abroad either as a visitor or as a long-time resident. It's up to each individual citizen to participate in his own field of interest or occupation. The citizen as tourist or as businessman, labor leader, farmer, scientist, educator, artist, and journalist (press, radio, and television), in his increasingly frequent trips abroad can help build a better understanding of the United States through his own channels of communication.

There are, however, negative elements to the U.S. foreign information programs. There are occasions when actions of individuals and the circulation abroad of movies, television programs, and paperback books give an unfavorable impression of America. Frequently the damage done cannot be easily repaired and the adverse effect cannot be easily countered by USIA with all its facilities.

The job of conveying a favorable image of the United States is a difficult one at best. In competing with the Sino-Soviet Communist powers which control their citizens and their actions, it should be understood that many factors other than USIA contribute to the U.S. standing abroad or lack of it. For example, private American citizens abroad are uncontrolled, unbridled, and uncensored. This is the pride of our system. Nevertheless it is hoped that in their conduct and in the products they distribute, Americans will take into consideration detriments as well as benefits to the national interest which result from their actions.

THE USIA ROLE IN TELSTAR AND WORLD COMMUNICATIONS

As technological developments and inventions foster the increased flow of communications among the peoples of the world, more people than ever are being exposed to different values, ideas, and information which are processed by others. There are few places left in the world where because of the press, radio, television, advertising, and the movement of people, some form of international communication hasn't taken place. And at least in the national capitals of the world what is frequently news in Paris is also news in Rio, Djakarta, or Washington.

The American success with Telstar in 1962 marked an important milestone in the establishment of a new world communications system.

The role of USIA in this revolutionary development as a purveyor of official communications and as a supplement to the work of private agencies and facilities is most important. USIA has already assisted in the development, promotion, and arrangements underlying the initial transatlantic programs transmitted by the communications satellite. In facilitating the efforts of the U.S. national networks, USIA has made an important contribution to the emergence and further development of a world communications system.

The Chairman of this Commission, on the occasion of the first successful transatlantic television transmission, commended the U.S. national radio networks as follows:

"Significant in the success of this country's Telstar program was the voluntary cooperation of highly competitive, privately owned networks. Working together ABC, CBS, and NBC encompassed in a twinkling a thesaurus of magnificent sights and sounds of the United States and its citizens.

"This was a marvelous moment of accomplishment for millions of free people throughout the world. Telstar should likewise shine as a beacon of freedom and hope to millions of enslaved peoples across the earth.

"In days to come, you will further utilize Telstar and other similar satellites to transmit the living experience of our people to all who wish to see and hear, regardless of national boundary lines, concrete walls or bamboo curtains.

"I am certain that this accurate and instantaneous reflection of our American way of life—the reporting of our failures as well as our successes, our goals unaccomplished as well as our achievements realized—will speak with unparalleled eloquence the sincere friendliness, the deep desire for peace that motivate and guide the American people and our free, democratic government.

"I am also certain that when the nations and races of the earth are constantly tuned to common sights and sounds and experiences, the cause of international understanding and peace will be notably advanced."

The networks' intense interest in the potential of this new technological marvel, are recorded in the following excerpts from their replies:

President Leonard H. Goldenson, of ABC, said, "Here at ABC we were all delighted at the results of this first test which were beyond all expectations, and naturally we join with our colleagues at CBS and NBC in their excitement over the future prospects of intercontinental television.

"I personally consider this historic event a major step toward greater understanding and world peace through space communications."

President Robert E. Kintner of NBC said, "whatever the application of this new technology may be, we are confident that it will extend the horizons of broadcast journalism on an international basis, so that we can bring instantaneously to our audiences in the United States a picture and understanding of the great news and cultural events of other countries, and conversely it will enable European and other oversea broadcasters—as well as broadcasters in the United States—to originate coverage of events and developments in this country for audiences overseas. I share your conviction that the end results will surely spread a closer understanding among the nations of each others' institutions and aspirations."

One important question faced by private carriers and USIA is what is to go on Telstar. As with all channels of communication, it is the contents that flow through them that remain a constant challenge to the imagination, ingenuity and sensitivity to audience taste and need that are displayed by producers, directors, writers, and performers.

Neither the potential nor the astronomical expense of Telstar is fully appreciated at present. The world has received only a glimpse of what is possible. The future is marked with exciting possibilities that will require considerable expenditures of funds. USIA has an important role to perform in the unfolding of this future and will require additional sums of money to participate in this international project. The Commission urges that USIA give this project the highest priority. It warrants the continued sympathetic consideration by the Congress.

CONCLUSION

In summary, the Commission believes that the Cuban crisis opened a new phase in the cold war and placed new responsibilities on USIA.

The Commission has considered the present role, functions, and operations of the USIA. It suggests that five important problems require attention. They are:

1. The need to improve management in USIA.
2. The need to reduce the number of publications that are no longer useful.
3. The need to initiate annual or semiannual reviews of program output by committees whose membership would include outside experts on print and radio.
4. The need to review the expanding programs in Africa and Latin America.
5. The need for one USIA building in Washington in order to improve the Agency's operating efficiency and management.

This report has also included the major recommendations and observations of the Chairman's report on Africa. In a continent of many nations, tribes and languages, the USIA cannot assume that techniques and material that have proved suitable in European or other areas are equally effective in Africa. The media support programs for Africa should be reviewed in order to assure that media products are tailored to the problems, interests and conditions in Africa.

Latin America represents an important challenge that must be met. The entire economy is an explosive one. Population increases steadily. Demands to reduce poverty, ignorance and illness have increased. Such conditions are ripe for the Communist agitator and organizer. This must be understood by USIA in the context of the promise of the Alliance for Progress. Exposure of short- and long-range Communist goals for Latin American countries especially as they were manifested by the Russian buildup in Cuba, is an additional task for USIA.

The Commission is pleased to report that a reappraisal of the Agency's program in Western Europe has been initiated by the Director. Its purpose is to redefine the role of USIA in Europe in the light of the emergence of the European community as a prosperous and powerful force in international affairs.

The Commission has traced the changing role and mission of the foreign information programs during the past 15 years. These have fluctuated with different national strategies and with the experience and orientation of different directors who guided and directed the program.

The Commission believes that the Agency has both short-range and long-range objectives. Although USIA has received national praise for its performance in the Cuban crisis, there is a need to develop longer range plans in the light of cumulative criticism of the Agency's role and approach to the cold war and in recognition of the fact that the United States-U.S.S.R. confrontation in Cuba has opened a new phase of this war.

The Commission has recommended that the Agency establish a high level forward-planning unit staffed with its most senior officers. This staff should deal responsibly with these criticisms and with the new challenges and opportunities ushered in by the recent crisis in Cuba and the Chinese Communist invasion of India.

Finally, the Commission suggests that the implications and repercussions of Telstar, the American communications satellite, may be as far reaching as the discovery of atomic energy and the explorations of space. It is important to the national interest that USIA exploit and develop this opportunity to the fullest. To do so effectively will require additional research into the opinions, attitudes, misconceptions, taste, and interests of foreign audiences.

With the assistance, support, and understanding of the Congress, this new mighty instrument of international mass communications can be used to educate and inform the peoples of the world about each other. It will enable the United States to disseminate accurate and authoritative information about its policies, people, and intentions through a medium that will have a powerful impact on the peoples of the world. It will demonstrate vividly the goals of the United States and the achievements of freemen everywhere.

Respectfully submitted.

J. LEONARD REINSCH,
Chairman.
SIGURD S. LARMON,
CLARK R. MOLLENHOFF,
M. S. NOVIK,
JOHN L. SEIGENTHALER,
DECEMBER 28, 1962.

MEDICAL PERSONNEL

Mr. JAVITS. Mr. President, the need for doctors, nurses, therapists and other trained professional health care personnel is growing at a rate that is increasingly urgent. The growth of population is far outstripping the ability of our schools to attract and produce the required numbers. Moreover, costs of a medical education have risen far beyond the ability of all but a relatively small number of students to meet. This shortage of health service personnel could well result in a decline of medical quality and needless hardship and suffering. Federal assistance in meeting these needs is essential, including the legislation now pending before the Congress, and a long-range program seems essential.

A provocative and stimulating paper on how to create tomorrow's health services on the basis of recognized needs and resources has been written by Marion B. Folsom, former Secretary of Health, Education, and Welfare, in his capacity as chairman of the National Commission on Community Health Services. I ask unanimous consent to have printed in the RECORD Mr. Folsom's article entitled "Today's Health Needs and Tomorrow's Services," which appeared in the Journal of Public Health, June 1963.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TODAY'S HEALTH NEEDS AND TOMORROW'S SERVICES

(By Marion B. Folsom)

A number of problems must be dealt with if Americans are to enjoy continually improving medical services in the years ahead. One of these is the lag in the application of knowledge which research and experience have already given us and will continue to give. For instance, the Public Health Service estimates that failure to use new findings results each year in 88,000 unnecessary deaths from cancer, 20,000 deaths from rheumatic heart disease, and needless suffering of countless victims of other ailments.

Another general problem needing our urgent attention is the lack of proper coordination of health activities. There is far too much duplication of effort and far too little overall planning at local, State, and national levels. Our resources of men and money could be employed far more profitably if more wisely administered and more closely coordinated.

One must also add to the list of our general problems the indifference of the individual, particularly as expressed in his failure to have regular physical checkups.

These are, as I say, some general problems, but in looking to the future it seems to me that there are three overriding problems: The education and training of the manpower needed; the provision of adequate health facilities and services; and certain problems relating to medical research. Let me comment briefly on each.

MEDICAL SCHOOLS

Several competent studies in recent years have indicated that about 20 new medical schools must be provided by 1970 if the present ratio of doctors to population is to be maintained, and if our health services and research facilities are to be adequately staffed. Existing schools would also have to increase their enrollments.

The need for additional schools is underscored by the fact that the number of physicians relative to population increased between 1930 and 1950, but has remained about constant since then. One may find it a remarkable and disturbing fact that 20 percent of the physicians entering practice in the United States during 1961 were educated abroad. Considering our position in the world, it seems strange indeed that we should have to depend upon foreign medical schools for so many of our physicians. Ought we not to be training all of the doctors we need and many more in addition to serve the needs of less well-developed countries?

Yet, of the 20 new medical schools we need, I understand that only 9 have been projected and no buildings are actually under construction, largely because of lack of funds.

The Eisenhower administration recognized this acute need in 1956 when the President recommended to Congress that $50 million a year be appropriated for a period of 5 years to be given in the form of grants on a matching basis to medical schools for research and training facilities. Altogether, this would have provided a half-billion dollars—a figure that would largely have met the need at that time for expansion of the medical schools.

In the Public Health Services Act of 1956, Congress voted matching grants of $30 million a year for research facilities, but nothing for teaching facilities. These grants were extended over a 7-year period, making a total of $210 million in Federal funds available for this purpose.

These research grants have been of great help but funds are still needed for classrooms and laboratories for teaching. The Eisenhower and Kennedy administration have both made recommendations for Federal matching grants for this purpose, but action has unfortunately been delayed. The delay results from extraneous issues rather than from any objection to aid to medical schools as such. In the past Congress, a bill was reported out by the House committee, but it did not come to the floor for a vote. It is hoped that action on a similar bill will be taken in the present Congress.

In seeking matching funds to qualify for these Federal grants, the schools must appeal to individuals, corporations, foundations, and State governments. Since 1956, they have been most successful in obtaining these matching funds for research facilities.

A problem related to the inadequate teaching facilities is the shortage of qualified applicants for medical training. Although the number of college graduates has been going up steadily, the number applying for medical schooling has been going down. Though the ratio is much higher in topflight schools, the average for all schools is less than two applicants for each one accepted. So limited a selection cannot guarantee a most highly qualified student body.

Medicine is losing its popularity as a career because of the long training required, the high cost, and competition from other rewarding careers, especially in science. Then, too, there are relatively few fellowships and training grants available to medical students, and they do not have the same opportunities for part-time jobs as do other graduate students. Little is done to interest high school and college students in the attractiveness of a medical career.

Constructive measures can be taken, however, to overcome these obstacles. Scholarships and fellowships from Federal, State, and local agencies should be expanded, and these should be made available particularly to members of lower income families. There should be an expansion of loan funds such as those provided under the National Defense Education Act.

We may note with interest that as part of last year's bill, the administration proposed a fellowship program for needy medical school students, but opponents eliminated this provision from the bill.

Medical schools, of course, occupy a key position in the health field. Not only do they train the physicians, research workers, health officers, and teachers, but the university medical center is also being recognized more and more as the real center for all the community's health needs.

In view of the increase in the older population, schools in their curriculums should give more attention to training for treatment of the chronic diseases and especially in rehabilitation techniques. Great progress is being made in vocational rehabilitation and rehabilitation of the aged to self-care, but there is a serious shortage of trained personnel.

We also have a shortage of nurses and this problem will grow with the growth of our population. The expansion of both 2- and 4-year undergraduate programs is urgently needed—and we must find ways to encourage more young women to enter the nursing profession.

In many cities, the 2-year community colleges are now conducting nurses' training programs in cooperation with the community hospitals. In my home city of Rochester, our recently organized community college is providing student nurses with first-year training in academic subjects, whereas the nurses had previously been trained entirely by the hospitals. This results both in a saving to the hospitals and in a better education as well. The school plans to begin a 2-year program for an associate degree this year.

MEDICAL RESEARCH

Under the stimulus of growing financial support, medical research has been expanding both in governmental and private fields. I recall that when I went to the Department of Health, Education, and Welfare in August 1955, the appropriation for medical research and research training was approximatley $100 million for that year. The appropriation for 1962—only 6 years later—approached $800 million, including funds for construction of health research facilities.

Much of the increase in Government-supported research has been carried on by the university medical schools with grants from the National Institutes of Health. Support for medical research comes from other sources, too. In 1961, of the billion dollars spent for medical and health-related research, 57 percent was provided by the Federal Government, 29 percent by private industry, and 14 percent by all other sources—State and local governments, foundations, general hospitals, voluntary health agencies, and other nonprofit institutions from their own resources. We must continue to expand this non-Federal support and avoid relying altogether on the Federal Government for research funds.

Here, again, the lack of trained personnel is a serious handicap. Fortunately, after World War II, the Federal Government inaugurated the policy of granting fellowships to graduate students in science and medicine. A steady increase in the number of trained workers has resulted. But if medical research is to continue expanding, the medical schools will be pressed to carry on the necessary research work and to train the needed research workers. The Federal Government's own research programs are seriously restricted because of the comparatively low salaries paid to scientists and others in responsible positions. For instance, the salaries of certain key scientists in the National Institutes of Health are substantially below those in medical schools and those for comparable positions in industry. The last two administrations, in order to attract and hold top scientists and other key people in Government, have recommended raising their salaries and we may hope that this will be accomplished. I think higher pay in the top positions would improve administration in all branches of the Federal Government.

With the rapid increase in available funds, so many projects are now being submitted for the consideration of the National Institutes of Health that the present system of review by various study units and advisory councils probably needs improvement. Some feel that greater use should be made of block grants, giving greater autonomy to the dean of the medical school or the department head for initiating and following up the individual projects. In the current year, the National Institutes of Health is awarding $20 million in general research support grants. These grants and other broader forms of support place more responsibility on the medical schools.

At the present time, while medical research seems to be adequately financed, we should remember that the costs are only about 6 percent of the total cost of development and research of all kinds. Investment in health should always command a high priority on our resources. The immediate problem is one of improving the research organization and facilities and increasing the supply of skilled research personnel.

HEALTH FACILITIES AND SERVICES

A third major problem is the utilization and cost of health facilities and services. Perhaps this problem is the most readily solved, given earnest community action.

As millions of our citizens know, medical care is very expensive. Related to the cost-of-living index, the rise in the cost of medical care is startling. For example, the overall increase in consumer prices from the 1947–49 base to October 1962, was 30 percent. During this same period, the cost of medical care rose 66 percent, or more than twice as much as consumer prices. Hospital daily services charges increased 160 percent—a significant factor in the overall increase in medical prices.

I think the sharp increase in hospital rates, when properly evaluated, can point to both the cause and the cure of many of our problems. Higher hospital rates can be explained in part by the rise of hospital wages to more realistic levels, by increased cost of food and other items, and by the increased cost of modern diagnostic and treatment services.

More laboratory procedures are used per patient and treatment costs have advanced as new technics have been developed. Relatively more people are using hospitals, particularly for the delivery of babies and in cases of terminal illness. The shortening of hospital stays results in proportionately more acutely ill patients in a hospital at a given time so that staffing requirements per bed or per patient-day have increased markedly.

But another factor of equal importance, and hard to justify, lies in the field of administration. I have particularly in mind the overutilization of beds in the acute hospitals and the lack of coordination between the hospitals and other community health agencies, both public and private. These matters are complicated in many cases by the concern of board members and administrators for the interests of the individual institution rather than for the needs of the community as a whole. This narrow concern shows up, for example, in their desire to have operating income increased by high occupancy. They also see advantages in having more beds.

But it should be recognized that for every bed added beyond the requirements of the community and for every bed occupied by a patient who could be served in a lower-cost facility, or cared for at home, overall medical costs go up for everyone and so do health insurance premiums. This form of overutilization or inappropriate utilization is a hard problem to solve, not alone because hospital administrators favor high occupancy, but because the doctor and the family often wish to have the patient in the hospital even when this is not medically necessary.

There is a great need for research in the field of hospital administration as the possibilities for improvement are considerable. Unfortunately, the funds from public and private sources have been inadequate for this purpose.

In our community planning, the general hospital should continue to play a key role in providing adequate medical care for the community, in serving as a training center for young doctors, and in conducting research. Yet there is need for several other types of health facilities, both to relieve the demand for the expensive beds and services of the general hospital and to give lower-cost service more appropriate to the needs of the individual patient. These include extended-care units for those recovering from serious illnesses, nursing homes for the chronically ill, organized home care, mental hospitals, rehabilitation centers, and homes for the aged. In only a few areas of the country are there satisfactory facilities and services of these types.

The ideal plan—and more and more metropolitan general hospitals are following this course—is to develop units within the general hospital for extended care, for the chronically ill and for mental patients, and to provide rehabilitation units and organized home-care programs in cooperation with the medical profession and visiting nurse associations, and to develop close affiliation with a home for the aged.

COMMUNITY PLANNING

A personal experience of mine illustrates the nature and extent of this problem. When I was asked some time ago to be chairman of the allocations committee of the 1962 campaign for funds for the six hospitals in Rochester, the initial requests from the hospitals were much higher than the amount which we thought could be raised in the community. I was told that there was an acute situation as far as beds in the general hospitals were concerned and that there should be considerable expansion in beds to meet the growing population in the next few years. I expressed doubt about this, based upon my experience in Washington, and I raised a question as to the real need for this expansion.

I also told the leaders of the fund that I did not want to take the responsibility of making the allocations when the only other members of the allocations committee were the administrators and presidents of the hospitals. I therefore suggested that we set up in the city an agency with wider representation to plan and coordinate the work, not only of the six hospitals, but of the other health facilities, both voluntary and governmental.

I found general agreement to this suggestion and we organized the Patient Care Planning Council, consisting of the key people concerned with the health needs and services of the community, the people who are responsible not only for planning but for putting the plans into effect.

Our first undertaking was a survey of the patients in the private hospitals to determine the type of facilities these patients needed at the particular time the survey was made. The survey covered 70 percent of the 2,000 beds in these hospitals. It was conducted by 14 teams of 2 doctors each—a surgeon and an internist, half of the doctors being from the community and half from the outside. The Medical Society and the hospitals gave complete cooperation and we had the assistance of experts from the U.S. Public Health Service, who were very much interested in the survey, and from the University of Rochester Medical School.

The survey indicated that in the surgical cases, approximately 11 percent of the beds were occupied unnecessarily on the basis of medical standards. In the medical cases, 23 percent of the beds were considered unnecessarily occupied for medical reasons. The teams of doctors also indicated that if we had other facilities available—that is, if we had the right kind of extended-care units and better nursing-home facilities—in the case of the surgical patients an additional 2 percent could have been released from the acute hospital beds and, in the case of the medical patients, an additional 8 percent could have been released. In other words, if we had had the right type of facilities and services, we could have released over 30 percent of the medical patients who were at that time occupying the acute beds. Some of these patients should have been in extended-care units, some in nursing homes, some could have been taken care of through outpatient services, some through organized home care, and some could have been cared for at home without any special services.

As the result of this study, we reduced considerably the estimated requests for acute general beds. Of the additional beds we plan to provide, about half will be in what we call extended-care units, designed to take care of those patients who are not fully recovered but who are not sick enough to require all the services given to those in acute beds. We contemplate that these beds can be provided at about half the construction cost of general hospital beds and that the services can be provided for about half the operating cost. These beds are not intended for chronic cases and if at the end of about 60 days the patient does not show recovery, he would be transferred to a long-term care facility. While the cost of this service will be less, we feel that the quality of service for this type patient will be improved since it will concentrate primarily on rehabilitation.

Thus, rather than spend larger sums for more beds in the acute units of general hospitals, which we now doubt that the community really needs, we will have released funds for replacing old and obsolete buildings and equipment with modern, more efficient, and better facilities.

As the result of the bed survey, each hospital has set up a utilization committee. These committees were not very effective at first and the medical society has now asked each hospital to conduct periodic surveys, similar to the original survey, to make sure that the utilization committees are functioning properly. In my opinion, in very few hospitals do the utilization committees do a good job.

About 2 years ago, an organized home-care service was established in Rochester in cooperation with the hospitals, the medical society, and the Visiting Nurses Association to take care of people at home who are not sick enough to require the services of a general hospital but who require some medical and nursing service. Several hundred patients have been served, with an average cost per day of only $7.63—one-fifth the daily hospital rate. The current caseload is about 100. Without this service, many of these patients would be occupying beds in the general hospitals.

Two of the hospitals had intended to buy new laundry equipment but we induced them to await the results of a study which the Regional Hospital Council had underway for a centralized laundry. This study has been completed and the hospitals have now agreed to set up a central laundry, with substantial savings anticipated. The hospitals have also engaged an outstanding management firm to study the coordination of laboratory services. They have reported that such a plan is feasible, with substantial savings in cost and improvement of service. The firm is now engaged in developing specific recommendations.

Our planning council is engaged in another study of the proper facility for an outlying community and how it should be related to a city hospital. We have had another committee studying the improvement of mental health services. We are now agreed that the next step should be the addition of a psychiatric unit in a second hospital (the university hospital already has one) for both inpatients and outpatients.

Our planning council was asked by the board of supervisors of the county and by the city officials to study the problems of the Municipal Hospital, the County Infirmary and Home for the Aged, and the county tuberculosis hospital to determine the proper functions which these governmental hospitals should perform in the community and how they can be better coordinated with the voluntary hospitals. With the aid of a panel of outstanding health authorities we brought from the outside, we developed a program under which the Municipal Hospital will be turned over to the University of Rochester Medical Center and the county will increase its payments for welfare patients to eliminate the deficit, which has been substantial. All three groups have agreed to our recommendations. Agreement has also been reached on our recommendations for the county home and infirmary, which were based largely on a survey made 5 years ago but upon which little action had been taken. We are still studying the problem of closer coordination of the infirmary and the tuberculosis hospital.

Our campaign last fall for funds for the hospitals was very successful. The contributions exceeded our announced goal by $1,500,000, which will be used to reduce the borrowings required. One important factor in our succcess was the realization by the large contributors and the general public of the thorough, objective study and careful planning which had preceded the determination of our needs and allocations.

We look upon the planning council as a permanent agency and have been pleased with the fine cooperation we have received from all agencies in the community—both governmental and voluntary. That we have been able to get action on our recommendations results to a large extent from the fact that the membership of the council consists of those who make the decisions for the individual institutions and the community. Thus the council is an action as well as planning council.

Because of the progress we have made in community planning in Rochester and the need for extending the planning to the surrounding areas, the Rochester Regional Hospital Council has recently been given a substantial grant by the U.S. Public Health Service to enable us to engage a director and staff to establish area planning for the 11 counties included in the Rochester Regional Hospital Council. The main functions of both the community planning council and the area planning council will be investigation of the present facilities and services and a comparison of these facilities and services with the needs. Based on this, we hope for agreement on a plan to meet the current situation, an outline of a master plan for future growth, and finally the implementation of such a plan.

As the result of our progress so far in Rochester, we are convinced that there is a great opportunity for reducing the cost and improving the quality of medical and health services through community planning.

NATIONAL COMMISSION ON COMMUNITY HEALTH SERVICES

Congress recently appropriated a sum under the Community Health Services and Facilities Act of 1961 to encourage such planning. The largest single grant under this act was awarded the American Public Health Association for the establishment of a National Commission on Community Health Services. The commission also received two other grants, from the W. K. Kellogg Foundation and the McGregor Fund.

The National Commission on Community Health Services is sponsored by the American Public Health Association and the National Health Council. The American Public Health Association is an individual membership organization channeling the interests and desires of professionals in the fields of public health toward considered professional goals. The National Health Council is a federation of national agencies broadly concerned with health and welfare and with related agency activities, one of which is community organization and planning for health.

The first meeting of the commission was held in New York City, September 10, 1962. Twenty-three commissioners have been appointed, representing a broad cross section of the country and of various groups concerned with health services. In addition to these, Dr. Berwyn F. Mattison and Mr. Peter Meek, representing the American Public Health Association and the National Health Council, respectively, are ex officio members. I was asked to serve as chairman of the commission.

Dean W. Roberts, M.D., M.P.H., has been selected as executive director of the commission. Dr. Roberts has had wide experience in the field of health administration, research, and planning. He directed the 4-year study on chronic illness in the years 1952–56, and comes to the commission directly from the National Society for Crippled Children and Adults.

Dr. Roberts and his staff have established headquarters at 7815 Old Georgetown Road, Bethesda, Md., and are well into the preliminary phase of developing the commission's studies.

The commission's work will embrace a series of studies and reports on community health services. The period for accomplishing its objectives is 4 years. Within that time, it will study health service needs, resources, practices, and trends in the Nation as a whole and in selected communities. The commission will be especially aware, in its studies and reports, of the many changes in community organization and makeup which have taken place in recent years, and it will direct attention to improvement in planning and delivery of health services.

The commission's work will be done in three separate projects. One of these, the community studies project, will develop studies in 20 widely separated communities throughout the country. The studies will be conducted by the communities themselves, within a general format which the community and the commission will have agreed upon in advance. The purpose of the studies will be to assess the health needs of these communities and to make recommendations for improved health services. Moreover, they will be encouraged to test their recommendations in action as soon as possible. The community studies will be assisted by the staff of the national commission, who will furnish study guides, consultation, and such assistance in the production of reports as may be indicated.

Another project to be conducted simultaneously with the community studies project will develop information nationally in certain specific subject areas, such as environmental health, mental health, the coordination of health services, and the interrelation of the various health agencies. The study implement will be a series of task forces. The purpose of these task force studies will be to place the community studies in perspective and to develop provisional reports and working papers for the third project, which is a National Conference on Community Health Services.

The conference would be held in the third year of the project operation. It will be attended by experts in various fields of public health from across the Nation, who have not participated in the studies, and who are not committed to any points of view which the studies may present. The purpose of the conference will be to provide critical analysis for the reports and to achieve consensus on the recommendations. In a sense, the national task force reports will serve as a backgroup against which to view the community studies; they, in turn, will give focus and local validation to the national study. In the meantime, many of the findings of the community studies will have been made public and will have been tested in action by the time of the national conference.

CONCLUSION

I have quite intentionally emphasized the need for a more prudent use of our resources. The funds available from the Federal Government and other sources for advancing the public health are limited. Other unprecedented demands are now placing a heavy burden on our resources. Expenditures for defense and atomic energy, foreign aid, and related security matters will be about $55 billion during the current fiscal year. There can be little hope of any significant reduction in these areas for some time. We are planning to spend between $4 and $5 billion a year on the space effort. While many people may feel that at least part of this huge sum could be more properly spent in other fields, such as health and education, it is evidently the considered judgment of our representatives in Congress that these space expenditures rate a higher priority.

We may also expect to see greater expenditures in the field of higher education. Two factors seem to make this inevitable. The high birth rate of the mid-1940's will result in a sharp increase in the college-age population beginning next year or so. Furthermore, a higher percentage of high school graduates are going on to college and graduate schools.

If the country is going to meet the essential needs in these and other areas, we shall have to avoid inefficiency and deny ourselves the luxury of unwise and unnecessary expenditures in all areas. For instance, we must see that people do not occupy expensive hospital beds in acute general hospitals merely because they have hospital insurance. We must see that less expensive care is available through extended care units, nursing homes, organized home care, and outpatient services when these are sufficient and, indeed, better suited for the patient.

No longer can we afford the haphazard construction of hospital and other health facilities resulting from inadequate community planning and organization. Nor can we afford the luxury of administrators putting the interests of their own hospitals above the interests of the community as a whole. The wise use of our resources must be a concern of government at all levels and of the private volunteer agencies and the individual citizen as well.

THE REPUBLICAN PARTY AND CIVIL RIGHTS

Mr. JAVITS. Mr. President, at this time I wish to speak in regard to a situation which is developing in the Republican Party, my party, which I think is of the utmost consequence for our Nation. In this connection, I ask unanimous consent that I may proceed for an additional 3 minutes.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I am very deeply disturbed, and I think the country has every right to be very deeply disturbed, about a debate which seems to be pending at this time as to what the intentions of the Republican Party are in regard to civil rights legislation, and especially, about the bandying about of the term "lily white" with respect to the destiny and the policy of my party.

I was deeply concerned to read in the New York Times of today a statement by Roy Wilkins, executive director of the National Association for the Advancement of Colored People, in which he said:

> It is the Republicans, not the Dixiecrats, who are the conversation pieces around the Nation.

I believe this is a mortal threat to my party. It would be a very serious threat to the country if the Republican Party went lily white. I refuse to believe at all that it will. I shall fight it with every element of my being as a grave disservice to the party of Lincoln and a grave disservice to our Nation, especially at this time, when it is very clear that the votes of Republicans will make or break civil rights legislation. At long last the moral note with respect to civil rights has been sounded by the President. But the vote will be a moral vote, and the President does not have the necessary votes in his own party to support his program. We all know it. We all know that civil rights legislation has not a prayer and cloture—which we will have to have at some stage of these proceedings—has not a prayer, unless we have Republican votes.

In the course of the discussion, which looks almost like a onesided political counteroffensive—though I do not believe it is so—the President and the Democratic leaders in respect of civil rights are as sincere as we are on this side. What is being overlooked is that Republicans have given support. For example, I have previously referred to the 18 out of 33 Republican votes for cloture last February on the effort to amend rule XXII. I have referred to the overwhelming Republican vote for the so-called part III in the 1957 civil rights bill, which we lost, but we certainly did not lose it because of the failure of Republican support.

I am not making any apologies for the party. I am pointing out only that the general impression which is now being created, that the party is fighting some sort of struggle about whether or not to be lily white, is solely attributable to the fact that more than a majority for civil rights is expected of the Republican Party. I am sure we will furnish a majority, but what is asked for is more than that. I think there is the greatest likelihood that we will meet that test, too. But I think it will call for Republicans throughout the country—and that is my reason for speaking out—to speak out upon this subject and to make clear that the Republican rank and file knows that we are the party of Lincoln and that we fully intend to support effective civil rights legislation, to demand of their legislators that they do the same, and ask the public not to be confused by the debate which now seems to be taking place in the newspapers, or by the doubts which some people entertain.

Mr. President, second and very importantly, the point about the bipartisan character of the effort, if it is to succeed at all, must be fully recognized and understood. It cannot be glossed over or fuzzed over. There is no hope for it unless the Democrats as well as Republicans support it, and unless it will be the considered, express, and articulate intention of the Democrats and their leaders to cooperate fully to respect and give dignity to Republicans who themselves are cooperating in relation to civil rights, so that the issue will not be merely a question of the President's program, but a matter of supporting the country's program and the basic needs of our Nation.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. JAVITS. Mr. President, I ask for 2 additional minutes.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from New York? The Chair hears none, and it is so ordered.

Mr. JAVITS. I pointed out—and I am not given to glossing over things—that even as to the attitude of the minority leader, it is a fact that although he opposes the public accommodations section—which I think is very important and I shall fight very hard for it—as the minority leader on the Republican side, the Senator from Illinois [Mr. DIRKSEN] has supported a number of the issues, one being the very important part III of the 1957 bill to desegregate the public school system, an issue which has not had affirmative support on the floor of the Senate, and to which his weight gives great affirmative support. I am still hopeful that we might even persuade him to be for some version of a public accommodations section. All I am pointing out is that we on the Republican side, first, do not deserve these speculative fears, but they exist. Therefore they must be recognized by two groups in our country: First, Republicans themselves, who must be more articulate on the subject, and, second, Democrats, who must recognize that the effort is a bipartisan program. It is not merely a question of supporting the President. It is a program in support of basic constitutional law, public order, and public morality.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. HUMPHREY. I commend the Senator from New York for his remarks today. As one of the Senators on the Democratic side of the aisle, serving today as the acting majority leader, I wish to make crystal clear that there is absolutely no room for partisan bickering and partisan advantage on the question of civil rights legislation, if we wish to pass the measure. It is the desire of the Senator from Minnesota, as it is the desire of my colleague and friend from New York [Mr. JAVITS], my able compatriot, the good Senator from California [Mr. KUCHEL], and others, to pass an effective and meaningful civil rights program that would embody the suggestions and proposals that were sent to Congress by the President in his message and in the bills that have been introduced. Some of those bills may be modified, because they will go through the legislative process. But the principles and substance of those bills represent what we feel is an essential program.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that I may use the 3 minutes allocated to me in the morning hour.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HUMPHREY. To make false accusations against political leaders or political parties is a disservice to the cause of civil rights legislation and to the program that our country needs.

I know that if we are to be able to close off the debate in case there is filibuster, we shall need 22 or 23—perhaps more—votes from our Republican friends. If we are to pass civil rights legislation we shall have to have help from our Republican friends.

So I should like to make it crystal clear that if the President's program is to be more than a message, if it is to be a program of action, we must have bipartisan cooperation. When I joined as a cosponsor with my colleagues on this side and on the Republican side, I took that pledge, and I will fulfill that pledge, commitment, and promise. I thank the Senator from New York for speaking today as he did. He had every right to do so. I assure him and his colleagues that the Senator from Minnesota will do everything that he can to preserve the unity, cooperation, and spirit of understanding that now exists on this very vital important subject of national policy. The problem is like fighting a war against discrimination and bigotry. This is a great national effort. We ought to have the same kind of unity and sense of purpose to overcome the bitter problems of discrimination, prejudice, and bigotry as we have in our struggle against Communist tyranny. Unless we can have that kind of unity, we shall be defeated.

So I say again to Senators on the Republican side that we need to march together. We need to learn how to work together. We need to learn how to work together on this issue if we desire victory; and the Nation needs a victory on this question.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may proceed for 1 additional minute.

The **ACTING PRESIDENT** pro tempore. Without objection, it is so ordered.

Mr. JAVITS. I wish to make myself understood. First, I am not accusing the press of fomenting something that is not so. Reporters at the Republican National Committee meeting got certain impressions. Reporters at the Young Republicans meeting in San Francisco got certain impressions. One of our leading candidates for the presidency is stating certain views about civil rights. I do not maintain that there is no foundation for what those reporters have said. What I am appealing for is that the Republicans express themselves, and that Democrats who believe in bipartisanship will state that the effort will not be a political approach. I point out that we can escalate the civil rights bill to include the FEPC program which the President sent us. He said also that he would favor discretionary authority to cut off aid to States if Federal money is used to build segregated projects. We might decide to make that requirement mandatory, though it may not be part of his program. The point is that we need a meaningful program. For that we must unite.

The **ACTING PRESIDENT** pro tempore. The time of the Senator from New York has expired.

Mr. KUCHEL. Mr. President——

The **ACTING PRESIDENT** pro tempore. Does the Senator from California seek recognition?

Mr. KUCHEL. I do.

The **ACTING PRESIDENT** pro tempore. The Chair recognizes the Senator from California.

Mr. KUCHEL. Mr. President, with fellow Republicans and my friends across the aisle on the Democratic side I placed my name on proposed legislation in the field of civil rights, which came here a few days ago from the White House. Beyond that, with a group of my colleagues on the Republican side, I introduced substantially the same group of proposals many months ago. We did the same thing in the last Congress. We have done so, generally, for many, many years. In doing so we acted as Americans. I should like to speak for a moment simply as a Republican, proud of the heritage of his own political party.

The only place I know of to find out what the Republican Party of the United States of America stands for in 1963 is to read and study the compact it made at the city of Chicago with the American people in the last presidential campaign. The 1960 Republican national platform is a progressive document. It solemnly promised that the Republican Party would work to eliminate the evil, miserable, contemptible filibuster from the rules of the U.S. Senate. I have tried to carry out that compact on more than one occasion. The Republican platform in 1960 promised to move forward in the field of civil rights—it dealt specifically with the cause of equal treatment under law for all Americans.

There is not an individual on the Democratic side of the aisle who for one moment would deny any of us over here the great pride we take in the memory of the first President of our party, Abraham Lincoln. I have followed the Lincoln philosophy. So did our great leader Dwight Eisenhower, under whose leadership we made progress, legislatively, in 1957.

There is no way that any one Member of the U.S. Senate or any one citizen can direct or order another citizen to make up his mind in any fashion. One can reason. One can attempt to persuade. In the last analysis, I suppose we should all be thankful that every American citizen can make up his mind on any public question simply as he sees the light.

So far as I am concerned, what the Republican Party pledged to the American people in 1960 I intend—as best I can—to see carried out in the U.S. Senate; and I am glad, in a bipartisan fashion, to move forward hopefully toward success legislatively so that we will not view as a sham the American theory of equal treatment under law for all Americans.

THE NEW "MARINE HIGHWAY" TO ALASKA

Mr. GRUENING. Mr. President, a new approach to Alaska is now available. It has unique aspects. In Alaska it is known as a "marine highway." It consists of an impressive ferry system composed of three mammoth vessels operated by the State of Alaska which ply daily between Prince Rupert, British Columbia, and all principal southeastern Alaska points, and thence to the interior of Alaska over highways.

The marine highway became a necessity when, 9 years ago, the only U.S. carrier abolished its passenger service between the lower 48 States and Alaska. This left as the only means of passenger transportation between the older States and Alaska the commercial air services and by automobile over the long, unpaved Alaska highway through Canada.

As long as Alaska was a territory, remedying this situation was impossible. The restrictive Organic Act fastened on the territory in 1912, by which Alaska was shackled up to the time statehood was achieved, forbade the territory to incur any debt.

But statehood once achieved, Governor Egan proposed a $23 million bond issue to establish two ferry systems in Alaska. the legislature approved; the people of Alaska ratified the proposal; and the construction of three ferries—in U.S. shipyards, of course—ordered. The first of these, the S.S. *Malaspina*, has been operating since late last winter. The prospective visitor drives through the beautiful Canadian Rockies to Prince Rupert or he can connect with the Alaska ferries through a Canadian ferry service from Vancouver, British Columbia.

These ferries, luxuriously appointed, make possible the viewing of one of the most beautiful, and yet not too well-known trips up the "Inside Passage"—a scenic waterway protected from the ocean swells by an archipelago of forested islands.

The new highway is described in the current issue of U.S. News & World Report. It is illustrated profusely and I regret that the CONGRESSIONAL RECORD does not allow the use of photographs. But I ask unanimous consent that the text of the article: "Now a New 'Highway' To Alaska By Sea" be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NOW A NEW "HIGHWAY" TO ALASKA BY SEA

You can now take a short cut to Alaska, where the 1963 tourist season is just beginning.

Motorists heading for the 49th State can save 600 miles of driving and a day's time by using the new route.

This short cut is not a road but a recently established ferry line, in which the State of Alaska has invested $15 million.

If everything works out as planned, the State will get its money back—and more.

For Alaskans, the ferry opens up a regular line of communication with the southeastern tip of their State, relatively isolated up to now. It also promises cheaper transportation of people and goods in an area where the cost of living has been high.

For visitors, the State-owned ferry line provides not only an alternate route to reach the interior of Alaska, but also some of the most magnificent scenery in the world. It is expected to give a big lift to the tourist business.

Two automobile routes now lead to Alaska.

One is the famous Alaska Highway, stretching for 1,523 miles across the northwestern corner of Canada and continuing to Fairbanks and Anchorage.

The other is the new, 450-mile marine highway through the fiords of the Alaskan Panhandle.

Many visitors to Alaska this year, it is reported, plan to go by one route, return by the other.

STOP, SEE, CONTINUE

The southern terminus of the ferry line is at Prince Rupert, in British Columbia, about 600 miles north of Seattle.

There you board a modern, 352-foot ferryboat at 9 a.m., and head north at 16 to 20 miles an hour. The narrow channel winds between snow-capped mountains that rise sheerly out of the water.

En route, there are brief stops at Ketchikan, Wrangell, Petersburg, Juneau—the State Capital—and Haines.

Travelers can break their journey at any of these places if they like, do some sightseeing, and catch a later ferry.

If you stay aboard, you arrive at Skagway at 3 p.m. on the second day of the trip. Skagway is at the end of the line. During the gold rush of '98, Skagway was the jumping-off point for miners headed for the Klondike.

At Skagway, you can put yourself and your car on a narrow-gage railway for a trip of about 100 miles to Whitehorse, in Canada's Yukon Territory. Or you can leave the ferry at Haines and drive north.

Either way, you join up with the Alaska Highway that takes you to Fairbanks and Anchorage.

During the summer months, three ferryboats will provide frequent service in both directions. Each boat can carry 500 passengers and 108 automobiles. Their normal running time for the trip will be 30 hours.

Accommodations include lounges with reclining seats and wide windows, dining facilities, a bar and a limited number of staterooms.

The passenger fare from Prince Rupert to Skagway is $30. Add $8.50 per person for a stateroom.

The charge for autos, trucks and trailers varies with their length. It works out to about $98 for a compact car, $122 for a standard-size car, $304 for a car and 35-foot trailer.

The $15 million ferry system was planned as a money-saving substitute for a modern highway in southeastern Alaska. To build an equivalent road through this rugged, mountainous country, it is estimated, would take $700 million.

The first ferryboat went into service last February, and the idea of a "marine highway" caught on fast.

So far, the ferries have been carrying an average of 175 passengers and 25 vehicles per trip.

AID TO INDIA

Mr. LAUSCHE. Mr. President, my attention has been called to an article written by Mr. Louis R. Rukeyser, out of New Delhi, India, carried in the Baltimore Sun. In this article it is stated by Mr. Rukeyser that a leading Indian official declared that the massive aid the United States has given to India will "all be spoiled" unless an early decision is made to support a publicly owned steel plant at Bokaro.

We have given, by way of aid to India, $4 billion since 1951.

India now wants $900 million with which to build a governmentally owned steel plant, to compete with private industry.

Some question has been raised about justification for taking money earned in free enterprise of the United States and sending it to India for the purpose of establishing a governmentally operated and owned steel plant to compete with private industry.

The Clay Committee, appointed by the President and consisting of 10 members, including Mr. Clay, recommended vigorously against the United States giving financial aid for the purpose of socializing industry in foreign countries. That recommendation of the Clay Committee has direct application to what is happening in India.

I am astounded to learn that this high official, Chidambara Subramaniam, Minister for Steel and Heavy Industries, has had the audacity to say that all the good we have achieved through the gifts and loans of American dollars—amounting to $4 billion—shall be washed down the drain unless we hurry up and promise to give them this additional $900 million. It does not seem reasonable to me. It does not sound fair to the taxpayers of the United States.

This gentleman went on to say that an early decision is absolutely essential. He was asked whether they would probably go to Red China to get the $900 million, and he made no comment.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. LAUSCHE. Mr. President, I ask unanimous consent to have 1 more minute.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LAUSCHE. If India is saying to our Government, "Unless you give us the $900 million promptly, we will go to Russia for aid to help establish this plant," I would say to them, "Go." Red Russia will never give them the money, and if she does, it will be on terms under which India will have to sell its soul.

FEDERAL TRADE COMMISSION

Mrs. NEUBERGER. Mr. President, one of the important regulatory agencies is the Federal Trade Commission, which has such an important role to play in enforcing and policing the provisions of the Sherman Act, the Clayton Act, and the Robinson-Patman Act.

Few consumers are aware of the importance of the Federal Trade Commission in protecting their rights. The Chairman of the Federal Trade Commission addressed the International Home Furnishings Market in Chicago on June 19, 1963, at which time he gave an appealing account of a portion of the work of his Commission.

I ask unanimous consent to have excerpts from this speech printed in the Record.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

I can tell you very quickly, gentlemen, what the Federal Trade Commission is, and what it does. To begin at the beginning, the Commission is an agency of the Federal Government, created in 1914 by the Federal Trade Commission Act. The agency itself is composed of five individual members, each of whom is appointed by the President, by and with the advice and consent of the Senate.

Much of our real expertise resides in our staff. At the present time, the Commission has a total of less than 1,200 employees. About half of these—or roughly 600—are lawyers. The others are economists, technicians, clerical personnel, and so forth. About three-fourths of the total 1,200 are stationed in the Washington, D.C., area. The remainder, or slightly less than 300, are assigned to our various field offices, and textile and fur offices, located in major cities throughout the country. Thus, we now have general field offices in 11 cities: Seattle; San Francisco; Los Angeles; Kansas City; Chicago; New Orleans; Cleveland; Atlanta; Arlington, Va.; New York City; and Boston. These various offices are staffed primarily by attorneys who assist in the preparation of cases before the Commission—those who, by the use of shoe leather and patient digging after the facts—build the groundwork for our cases. Each of these offices has an attorney in charge who will be happy to see you any time. On occasions, he'll even loan you one of his attorneys for speaking engagements.

Now in case some of you consider our nearly 1,200 employees an extravagant number, consider the fact that, with the exception of certain regulated industries—such as banks, railroads, utilities, etc.—our jurisdiction extends to every party engaged in interstate commerce. It would be very difficult, of course, to determine how many of this country's business enterprises are engaged in interstate commerce. But we know that, in 1962, the Nation had 4,752,000 operating businesses. And in fiscal year 1962, we received 1,451 complaints from businessmen who thought their freedom to trade was being wrongfully invaded by other businessmen. In addition, we had another 5,519 complaints charging various forms of business deception.

In other words, gentlemen, the Federal Trade Commission is supposed to keep virtually the entire American economy free and clear of all unfair business practices.

And while we are not always certain about the exact extent of our success, we have never doubted the soundness of our objectives. The following statement by a distinguished commentator will give you some idea of the role the antitrust and trade regulation laws play in the American economy. That comment reads, as follows:

"We have already noted that the free market is a delicate plant. Whatever businessmen may say or economists may hope, its existence depends upon the Sherman and Clayton Antitrust Acts, the policing of the Federal Trade Commission, the provisions included in numerous statutes, and somewhat more than one new antitrust prosecution by the Department of Justice in every week of the year. These operations do not merely police the free market. They maintain it."

What are these laws and what do they provide? There are four major statutes: the oldest is the Sherman Act of 1890; the next two are the Federal Trade Commission Act and the Clayton Act (both passed in 1914); and the fourth is the embattled Robinson-Patman Act of 1936.

The Sherman Act has two very brief sections: in general, the first prohibits conspiracies to restrain trade, and the second prohibits monopolizations and attempts to monopolize. The Federal Trade Commission Act has only one substantive provision, our versatile section 5. The whole prohibition is wrapped up in 19 short words. It says: "Unfair methods of competition in commerce, and unfair or deceptive acts or practices in commerce, are hereby declared unlawful." A lot of territory is covered in those 19 words, however. Business practices that violate the older Sherman Act have been held to be an unfair practice within the meaning of the Federal Trade Commission Act. Accordingly, the classical forms of collusion among competitors—such as price fixing; dividing up markets and customers; and agreements to boycott competitors, suppliers, or customers—are subject to our jurisdiction.

Our responsibilities go far beyond these so-called hard-core offenses, however. We are to stop these things in their incipiency—to catch the weed in the seed. Under the Sherman Act, except for a handful of per se offenses, an offender cannot be stopped unless it can be demonstrated that he has already caused definite damage to his competitive environment. Under the FTC Act, on the other hand, the tiger cub can be seized before his stripes, or his saber-teeth, have begun to show.

Consider, for example, the matter of false and deceptive advertising. This is a competitive device that the Sherman Act is powerless to reach. Yet this is a species of commercial unfairness that takes a terrible toll, not only from the American consumer, but from the honest businessman as well. Businessmen in another industry—and sometimes even businessmen in the same industry—frequently consider the phony ads they see as a rather harmless bit of nonsense. The thing they don't seem to understand is that every dollar taken from the consumer by a false ad is a dollar they themselves won't be able to get.

Restraints of trade are even more harmful to our economic well-being. Note, for example, the offenses dealt with by the Clayton and Robinson-Patman Acts. The Clayton Act, as originally enacted in 1914, dealt with price discrimination (sec. 2); exclusive dealing (sec. 3); mergers (sec. 7); and interlocking directorates (sec. 8). In 1936, the price discrimination provision—section 2—was amended and greatly expanded by the Robinson-Patman Act.

Now I read in the press from time to time that there is supposed to be some sort of conflict between the Sherman Act and the Robinson-Patman Act. Thus, it is said that there is "an inherent philosophical conflict" between "the hard competition philosophy of the Sherman Act and the soft competition philosophy of the Robinson-Patman Act." The business community is advised that the whole affair amounts to a "jungle" of "narrow, trap-loaded" laws that merely give it a choice as to which of the two statutes it wishes to violate.

The Supreme Court has flatly rejected this contention time and again. Only a few months ago, in the landmark case of *Federal Trade Commission* v. *Sun Oil Co.*, the Court held that our prohibition of a particular price discrimination was, and I quote, "not only consistent with the objectives of the Robinson-Patman Act but with the general antitrust policy of preserving the benefits of competition." Critics of the law, especially those who are called to the bar to answer for having injured someone else by means of a price discrimination, forget to mention that the law does not question a raising or lowering of prices so long as all customers are treated alike, and so long as the lowering isn't done to wipe out some smaller competitor. Indeed, under the act, a seller is free to charge some of his customers higher or lower prices than he charges the others if he can do so without injuring either his own competition, or the competition of those customers who got the lower price. In fact, even a discrimination that does injure competition will be pardoned by the statute if the discriminating seller can show that he was acting in self-defense (that is, meeting an attempted price raid by one of his own competitors). He will also be exonerated if he can show that the lower price to the favored customer was cost justified (that is, if he can demonstrate that selling to his favored customer is cheaper than selling to the others). This, of course, is nothing but fair; the seller who, by reason of efficiency, is able to effect savings for his customer has every right to pass those savings on to the customer. The purpose of the Robinson-Patman Act is to assure that the businessman who risks his fortunes in the marketplace shall be judged by his own economic performance, not by his ability to induce his suppliers to give him favored treatment.

Take your own industry for example. I understand that some 40 to 50 percent of your ultimate selling price for furniture reflects the price you paid for materials. And I would assume that, at least in the manufacture of case goods, a very substantial part of these materials costs—perhaps one-third of your selling price—would be the amount you spend for lumber, your basic material. If this is the situation—if your lumber costs are really such a large part of your ultimate selling price—how long could any one of you last if a competitor was able to get his lumber at, say, a 20-percent lower price than you were required to pay?

Let me tell you about a classic price discrimination case that I think is directly on point with your situation. While I'm going to change the names to protect the innocent, the case itself was very real. It was decided by a U.S. court of appeals, and a petition asking the U.S. Supreme Court to hear and reverse it was denied.

The case involved a firm we will call the Little Canning Co., a canner of beans and similar products. The principal actor in the story was the firm's chief executive officer, whom we will call Mr. Little. His principal competitor was a company we will call the Goliath Packing Co. And one of Mr. Little's largest items of cost—an item that cost him about one-third of his total production costs—was the tin cans in which he packed his products. He bought these cans from a company we will call the Gargantua Can Co.

Now Mr. Little's troubles began when he discovered that his customers and potential customers were buying canned beans just like his at a price that was below his costs. Perplexed by this situation, Mr. Little visited several other packers and compared his costs with theirs. He began to check and recheck in an effort to locate his leak. He started selling direct to the trade, eliminating his brokers, in order to save the 3 or 4 percent brokerage fee. Further, Mr. Little took to the road himself, operating a one-man sales department, in order to avoid having to pay salesmen. Despite all these efforts at cost-cutting, and despite his firm conviction that his company was just as efficient as any of his competitors, Mr. Little was never able to get his costs down to a point where he could sell in the market at a price that would give him a profit. Always the Goliath Packing Co. was underselling him.

At this point, Mr. Little was getting suspicious. He was, as I mentioned, buying his tin cans—one-third of his total costs—from the Gargantua Can Co. That supplier's representative was a gentleman we will call Mr. Seller. Each time the contract for the purchase of cans was renewed, Little asked Seller if the contract he was being requested to sign was as good a contract, and gave the same favors, as the contracts Seller was then making with his other buyers in that area.

Little was always assured that his fears were groundless. Seller assured him that nobody in the area had any better contract, that they were all the same—all the contracts were alike—big or little.

But the Goliath Packing Co. was still selling below Mr. Little's very lowest price. So he had another conversation with Gargantua Can's salesman. He told Mr. Seller that he was running into some extremely low prices made by the Goliath Packing Co., and that he had also been comparing his costs with some other packers. He explained further that he had been rechecking costs on boxes, sugar, and everything else that went into the making of a can of beans, except cans, and that he was forced to conclude one of two things—that Goliath Packing Co. would either go broke (because they were selling their goods too cheap) or they were getting concessions in can prices. In reply to this, Seller assured Mr. Little that there wasn't a word of truth in it, that everybody paid the same for cans—the same prices.

Mr. Little reported to his supplier's salesman a rumor that Goliath Packing was being allowed to use Gargantua Can's closing machines free of charge, while other customers, including the Little Co., had to pay a rental charge. To this Mr. Seller indignantly retorted that Little was out of his mind—that everybody paid rental for the closing machines, that everybody paid the same for everything.

As it turned out all of Mr. Little's fears were quite well-founded. The total concessions Gargantua Can had been giving to Goliath Packing over the years amounted to approximately 11 to 18 percent of the price being paid by other buyers, including Mr. Little. These included sums given for advertising purposes, special credits, certain monthly allowances or rebates, and the rent-free use of the supplier's closing machines.

What was the competitive result of these discriminations? The jury found that Mr. Little's company had been damaged in the amount of $30,000. Since the antitrust laws provide for treble damages in such cases, the court trebled this amount, bringing it to $90,000. In addition, Little was awarded attorneys' fees of $18,500 for a gross total of $108,500.

Mr. Little's company, however, was not the only one that got hurt. And Goliath Packing, the favored customer, had waxed prosperous.

The court of appeals noted that, while Goliath Packing's business had been almost at a standstill for the 5 years preceding the date on which it began to get the price advantage over its competitors, its business had increased 300 percent in the 5 years following the receipt of those price concessions. It was expressly found that the price discriminations in favor of Goliath Packing, and against its competitors, had helped it drive out those competitors.

Is this kind of "selective price discrimination"—to use the words of one of the statute's critics—an appropriate and reasonably fair tactic to secure as large a portion of the market that you can? I submit to you, gentlemen, that this kind of thing is neither fair nor appropriate. In the case I have just described—and as it often is in other price discrimination cases—the concessions were granted secretly, furtively, amidst a host of evasions and misleading statements made to small businessmen who were watching their lifeblood being drained away before their very eyes.

As your industry literature plainly indicates, you understand quite well that furniture competes with every other industry that is seeking the consumer's dollar. As one of your commentators has so succinctly put it:

> "The point to remember is that if they [the consumer dollars] are on the hood of a super eight, there's not much left for Chippendale, Sheraton, Wormley, Gibbings, you or me."

But have you considered that other industries can—and that, in fact, some of them do—compete against you unfairly? Thus, the size of the slice that a particular industry takes from the whole pie, that is, from the total of the consumer's disposable income, can be increased not only by honest and competitive means, but by suppressing competition between its various members. The object of price-fixing conspiracies, of course, is to exact more dollars for less goods. The result is a decrease in consumer purchasing power. If the conspiracy permits the industry to take $1 million more for its products than it would have gotten had its members been competing with each other, then the consumers who lost that money obviously cannot spend it for the products of other industries, such as furniture.

Perhaps an even greater danger here, however, is the fall in production that generally accompanies these unlawful price inflations. In sapping the consumer's purchasing power, they make it impossible for the consumer to continue buying the same volume of products. Some producer, somewhere, has to cut production. When production is cut, workers are laid off. The stopping of weekly pay checks causes a further drop in total consumer purchasing power, thus setting in motion a chain reaction that feeds upon itself. Those of you who remember the great depression can bear witness to the snowball effect of these downward spirals in buying power.

Thus, restraints of trade, regardless of the particular segment of the economy in which they occur, hurt all its other segments. No industry is an island.

Your sales are directly dependent upon the general prosperity of the American economy.

The furniture industry cannot, no matter how hard it tries, make money while 12 million men are unemployed, as there were in the great depression. Men without money are not consumers at all; they are what the economists call economic zeroes. And there is no more effective way to produce more of them than by suppressing competition and inflating prices. That is why we say that you can't cheat on the antitrust laws. Violators may escape the attention of the little band we have at the Federal Trade Commission, and they may avoid prosecution at the hands of the Justice Department. But there is no escaping from the inexorable economic law that says you can't sell furniture to a man who can hardly pay for a roof over his head.

I ask you, therefore, to support us in our efforts to see that American industry continues to compete honestly and fairly, and that it continues to give the consumer more and better goods for every single one of her precious dollars. Enrich her with an ever-higher standard of living, and you cannot fail to enrich yourselves.

PEACE CORPS VOLUNTEERS

Mrs. NEUBERGER. Mr. President, I am pleased to see the importance that various States place upon their citizens who have joined the Peace Corps. Oregon State University calls attention through its magazine, The Oregon Stater, to the large number of its alumnae who are serving as volunteers.

The Oregon State graduates and their assignments in the Peace Corps, as well as the story of a wedding which took place in Brazil, are the subject of this article.

Mr. President, I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THEY JOINED THE PEACE CORPS

On December 22, at the Union Church in Copacabana, Brazil, Myra McBride, 1959, Peace Corps volunteer, became the wife of fellow Peace Corp member Bob Anderson.

The wedding ceremony was almost a Peace Corps project because most of the families and stateside friends were unable to attend. So, as Myra described it:

"Our brother and sister volunteers did everything for us," she said.

"Our wedding party consisted of a Brazilian host sister, a volunteer from Puerto Rico, and a sister volunteer from Michigan. The men assisting were our national project leader, our medical doctor, and a fellow volunteer from Iowa. The role of Father McBride was ably handled by our Peace Corps representative.

The wedding ceremony of Peace Corp Volunteer Myra McBride came off without a hitch—thanks to the Peace Corps members. And this may simply illustrate the remarkable versatility of members of the Peace Corps. Whether it's slogging up a slippery jungle trail to a remote village, teaching children in Africa, or explaining latest agricultural techniques in East Pakistan, the Peace Corps has adapted remarkably well to conditions in foreign countries. And arranging for weddings comes under the heading of "things the Peace Corps can do."

At the time this report was made, there were 23 Oregon State alumni who are volunteers in 18 different countries. There are many Oregon State University students who are planning on entering the Peace Corps for the 2-year period of service after graduation or before they graduate.

Mrs. Mable Mack, 1928, an assistant director of extension services, is the Peace Corps representative on the campus.

Most everyone is familiar with the Peace Corps and what they are trying to do. For a governmental program established by Congress only in September of 1961, there has been a tremendous surge of enthusiasm, publicity, and actual good works in this short period of time.

Briefly, the Peace Corps objectives are to promote world peace and friendship by making available to interested countries Americans who will:

1. Help the people of these countries meet their needs for trained manpower.
2. Help promote a better understanding of the American people on the part of the peoples served.
3. Help promote a better understanding of other peoples on the part of the American people.

To do this the Peace Corps has established a realistic, tough, dedicated program which selects realistic, tough, dedicated people of all ages who have all sorts of skills and talents necessary to help people of other countries advance their standard of living.

The Oregon Stater magazine corresponded with a number of Oregon State University alumni in Peace Corps work. Not all responded to the invitation to write down some of their thoughts about the program and their life. This was understandable, since many of the Oregon Staters are living in remote areas and have few enough hours in a day to fill out another questionnaire.

Indeed, one volunteer wrote: "Please edit the slightly sarcastic tone of some of my replies but at this stage in the game most Peace Corps volunteers have had so many questionnaires thrown at them that one more sometimes seems like the last straw."

However, the information received indicates a Peace Corps volunteer to be intelligent, specialized, devoted to the Peace Corps objectives, and highly altruistic. Any romantic ideas of exotic living in foreign lands of the travel brochures have long since been knocked into a cocked hat by realistic training programs developed by the Corps.

Myra McBride Anderson majored in elementary education at Oregon State. She received her first experience living abroad in Japan as an international farm youth exchange student. After graduation, she taught school in Corvallis and then volunteered for the Peace Corps.

She obtained her first training in Washington, D.C. Her second phase of training was in Puerto Rico where she received intensive language instruction and completed a physical conditioning program. As in all Peace Corp training, Myra's training concluded with orientation in the host country before actual work began.

Myra's work first consisted of working with the 4–S clubs (4–H equivalents) in Brazil in the rural Minas Gerais country. Since marriage, Myra has started her second year in the Corps by assisting the 4–S work at the state office in Belo Horizonte.

We feel that our Peace Corps in the 4–S program is making a small but significant contribution toward helping our neighbors in Brazil. We have only 8 months in the field working with our extension counterparts but we are seeing results.

The many bumpy kilometers driven over dirt roads, the hours spent in making home visits, the countless cups of coffee drunk in rural homes, and time spent to study Portuguese, etc., is paying dividends in stronger 4–S clubs.

Another Peace Corps veteran doing important work in Kuala Lumpur, Malaya is Willard D. Weiss, 1957. Prior to volunteering, he had worked for 2 years for a Portland engineering firm and was doing graduate work at Oregon State University in structural engineering.

Weiss entered the Peace Corps training at Northern Illinois University in March of 1962 for a 12-week orientation course. He arrived in Malaya in June with a group of 31 volunteers. The Oregon State University engineer is assigned to the public works department of the Federation of Malaya and is doing bridge design.

Weiss says: "Our office is responsible for design of all Federal highway bridges for Malaya. The standards of engineering design are practically equivalent to that of a State highway department in the United States.

"My major accomplishments, besides a number of small jobs, have been the design of a highway bridge at Bentong and an overpass for a new highway junction."

Weiss makes a particular point of showing that the standards of work are high.

"As you can see, it is a far cry from the usual notion of Peace Corps work—groveling in the mud, etc. I think the popular conception of the Peace Corps is still a bit inaccurate."

Why do Americans join the Peace Corps? Well, Willard Weiss had a good reason.

"Basically, I was motivated by a desire to be of service in an area where that service is most urgently needed. Obviously, an engineer can make a valuable contribution to society almost anywhere—even in Portland.

"Rather than serve a society which is already affluent, has all its basic needs satisfied, and is now in need of a higher level of facilities—wouldn't it be better to concentrate on the society that is still struggling to get food in its stomachs, roofs over its heads, and clothes on its backs?"

Weiss acknowledges that what he says "probably sounds very idealistic." But he goes on to add that "I think it is also very realistic. The various nations of the world are now sufficiently interdependent that we Americans are directly involved with the well-being of countries such as Malaya. Therefore, my assistance in developing Malaya's highway transportation system, is, I feel, a responsibility that cannot be denied.

"They (the Malayans) harbor some misconceptions about us—mostly acquired through American movies—but these are not hostile or dangerous in any way, just require adjustment."

In Nigeria, Grace Hamilton, 1959, is teaching zoology and biology at Queen's College, a girls secondary boarding school in Yaba near Lagos. She is part of the sixth installment of a number of volunteers scattered throughout Nigeria.

Grace took her training during October, November, and December at Columbia University Teacher's College and arrived in Nigeria in early January.

She is interested in finding out what it is like to live in other cultures.

She wrote: "The Peace Corps gives more opportunity for a person to person exchange than do many assistance programs. Any exchanges for the purpose of good will and strengthening the amenities between peoples of the various countries will tend to magnify the common bonds all people have and to minimize the differences.

"It is harder for people to develop hatreds against each other when they have had first-hand contact with one another under amiable conditions. I like to think that I can have some small part in promoting a world condition in which differences can be settled without recourse to war. If I can do my part in helping the Peace Corps idea to succeed, I will be happy."

Miss Hamilton said that at first her experiences in Nigeria were a bit frustrating but that things improved rapidly.

"Odd as it may sound," she said, "my most gratifying experience was demonstrating the dissection of the dogfish brain in preparation for my zoology students doing the same. Anything which one can make real for them gives gratifying results."

She is enthusiastic about the Peace Corps idea and says "the United States can be proud that the Peace Corps concept germinated on American soil."

Volunteer Dale Martin, 1961, is one of 150 Peace Corps members assigned to the

Dominican Republic. He is living in San Juan, a farming center of 24,000. At Oregon State he majored in agronomy and animal husbandry. Now he is organizing local boys into 4-H Clubs, teaching improved farming and livestock methods in an effort to break the one-crop hold of sugar on which the economy is 70 percent dependent.

Dale remarked: "Rural people are alike throughout the world. I felt at home the first day I got here and I feel more so with each passing day."

One of 600 Peace Corps members assigned to the Philippine Islands, Courtney Lantz, 1960, joined the Peace Corps last June after doing graduate work in meteorology at Oregon State University. He took an intensive 10-week preparatory session in San Francisco before going to the Philippines.

Lantz was the first Peace Corps man to be assigned to Gapan, located northeast of Manila in the central plains of Luzon. He is teaching physics at the Neuva Ecija South High School.

"We were welcomed and accepted with open arms," he said. Lantz has 150 physics students in three classes. "Two years over here will be equivalent to 3 years in college as far as I'm concerned.

"I have no complaints about my students," he added. "I have good ones and bad ones, bright ones and slow ones, energetic ones and lazy ones—just like in the United States or anywhere else in the world."

Other Oregon Staters assigned by country include: Jim and Billie Cairns, 1959, India; Glenn Chambers, 1961, Bolivia; James Chapman, 1961, West Pakistan; Betty Ann Cline, 1957, Philippines; Richard Crist, 1965, Guatemala; Sandra Good, 1961, Peru; Irvan Guss, 1961, British Honduras.

Sandra Johnson, 1961, Malaya; William Mehloff, 1960, Philippines; Preston Minto, 1958, Chile; Ambrosia Noetzel, India; Sara Officer, 1958, Ceylon; Kent Oldenburg, 1960, Colombia; William Russell, Pakistan; Richard A. Smith, 1961, Dominican Republic; Melvin (Tobe) Zweygardt, 1962, Senegal (Africa); Saundra Silverman, Philippines.

In addition, Dr. William Unsoeld, 1951, is deputy area representative for the Peace Corps in Nepal where some 80 American teachers are helping establish vocational high schools, colleges, and agricultural extension units. He is now participating on the American mountain climbing expedition on 29,028-foot Mount Everest.

In a very short time, these alumni will be joined by other Oregon Staters. One student is Curtis Paskett, 1964, who hopes to go to the Virgin Islands.

A senior in agriculture, Dave Hipply, Akron, Ohio, feels that the Peace Corps is a good way to pass on information to others. Reading the book "The Ugly American" opened his eyes to what could be accomplished through a program such as the Peace Corps.

There are approximately 25 Oregon State University students who hope to enter the Peace Corps program within a short time. They will join almost 4,500 Americans who are now overseas. It is expected that this number will almost double by the end of 1963.

The efforts of these Oregon State alumni and the thousands of Americans like them have not passed unnoticed. Every country has asked for double or triple the number of volunteers already at work.

Colombia's President Valencia said in his inaugural address: "The mission which they (volunteers) are furthering is truly extraordinary and meritorious, worthy of continental integration that this Peace Corps which allows a young man from Chicago to know the thoughts of a man from Sabanalarga or Firavitoba."

Certainly, not everyone is enthusiastic over the Peace Corps. Some Americans still believe that this relatively new program must be tried and tested over a longer period of time. Others simply believe it to be another governmental agency which may mushroom into an unwieldy redtaped organization.

However, Oregon State University alumni reporting direct from the field believe the Peace Corps is a very worthwhile program.

"But," as Peace Corps member Willard Weiss notes, "it is a sobering fact that most of the good that is done by volunteers won't be apparent until long after they have left their host country."

CIVIL RIGHTS

Mr. MANSFIELD. Mr. President, one of the great speeches in this session was made yesterday by the distinguished Senator from Connecticut [Mr. RIBICOFF], former Governor of that State, and a former Member of the House of Representatives. I am disappointed that this speech, which I think was of major import, has received so little consideration in the press and communications media of this country.

Unfortunately, because of circumstances over which I had very little control, I was not in the Chamber at the time the Senator made his speech, but I have read his speech with great interest, and also the comment made by the distinguished senior Senator from Oregon [Mr. MORSE], with which I completely agree.

The Senator from Oregon had the following to say, which I think should be incorporated in the RECORD again:

> Mr. MORSE. Mr. President, I wish to commend and highly compliment the Senator from Connecticut for the great speech he has just delivered on the floor of the Senate, for, in my judgment, he struck the tone that must prevail, in the public interest, throughout the historic debate that will take place in the weeks ahead on the issue of civil rights. I would have the record show today that I wish to be associated with the Senator from Connecticut in every statement that he uttered in his magnificent speech.
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> I truly hope that, so far as the Senate debate is concerned, each Member of the Senate will give careful heed to the code of conduct the Senator from Connecticut proposed in his speech today, because, in one sense, that is the way it could be described.

I not only commend and compliment the distinguished Senator from Connecticut, but I wholeheartedly approve of what the distinguished senior Senator from Oregon said at the conclusion of that speech yesterday.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. MORSE. The Senator from Montana is taking exactly the same position that all of us knew he would take as our majority leader. I am very glad to join the Senator from Montana in reaffirming my praise of the speech of the Senator from Connecticut.

Mr. MANSFIELD. I appreciate what the Senator has said. I refer those who are interested to the speech of the Senator from Connecticut, which is carried in the CONGRESSIONAL RECORD beginning at page 11880. It is entitled "Responsibility in the Civil Rights Crisis—A Must for Negro and White, Citizen and Legislator."

It is often said that the equivalent of "right" is responsibility. In this country where the rights of men are greater than have ever existed in human history, the requirement of responsibility in the exercise of those rights is also greater. Democracy is clearly built on the theory that the individual will be responsible for his own action. He is responsible for law and for the rights and liberty of others.

We are indebted to the Senator from Connecticut for expressing these thoughts so clearly in his speech delivered on the Senate floor yesterday. Speaking of the President's civil rights proposals and of the entire Negro effort to obtain the rights already granted to other Americans, Senator RIBICOFF stated:

> When citizens peaceably assemble to make their views known, when they hold mass meetings to call attention to their grievances, they are exercising a fundamental right in the great tradition of our country. But when they disregard the rights of others, when they obstruct the peaceful activities of others, when they contribute to public disorder, they place themselves outside the law, and they forfeit their claim to achieving their own objective—the law's protection.

The Senator emphasized the importance of this point in connection with the proposed Washington march. As long as any assembly maintains the highest order and respect for the difficult but necessary demands of democratic procedures, it may serve a useful purpose. But if in any manner that attitude is not preserved, such assembly will do the cause it wishes to serve irreparable harm. There is no place in a democracy for legislation by intimidation.

It is my sincere hope that all Senators and all Americans will read and consider Senator RIBICOFF's words. They counsel restraint and responsibility as well as right.

A man ends by respecting those rights in others which he wishes to have respected in himself.

This is the principle we must remember in the days ahead.

Mr. HUMPHREY subsequently said: Mr. President, earlier today there was comment in reference to the civil rights program before the Senate. I wish to associate myself with the comments of the Senator from Montana [Mr. MANSFIELD] and the Senator from Oregon [Mr. MORSE] in reference to the magnificent address delivered yesterday by the senior Senator from Connecticut [Mr. RIBICOFF]. I had the CONGRESSIONAL RECORD turned open on my desk to page 11880 and had planned to make a comment concerning Senator RIBICOFF's remarkable presentation of yesterday. I have read the speech. It is one of the most thoughtful and meaningful addresses delivered in this body for many a year.

The Senator from Oregon is eminently correct when he says it is a code of conduct for the forthcoming debate, not only in Congress but throughout the American public. We are indebted to the Senator from Connecticut. I associate myself with his endeavors.

UNITED STATES-FRENCH RELATIONS

Mr. MANSFIELD. Mr. President, it is with deep regret that I noted that Information Minister Alain Peyrefitte evidently speaking for President de Gaulle made the statement that "the French Government has never doubted President Kennedy's resolution," and then continuing stated, "but it may well ask what the successor of President Kennedy may say in 10 years' time."

As one who has great admiration for President de Gaulle and who is very cognizant of his outstanding war record, his great achievement in bringing inner stability to France, and his decisive leadership in the Algerian crisis, I must say that this statement of his spokesman comes as a distinct disappointment.

What President Kennedy is trying to do is to heal the split in the Western Alliance and to bring unity in place of disarray. No man has worked harder or shown such devotion to the Western cause than the President of the United States. No country would benefit more from real Western unity and a restoration of the original intent of the alliance than France. No man could play a more significant role in that alliance than President de Gaulle.

We recognize him as a great man of France and the West and he is, potentially, a great world statesman. We appreciate his devotion to his country and his desire to restate its glories and restore its prestige. But the world has changed greatly even in our lifetime, and if we are to survive—all of us in the West—as free peoples we must accept the fact of change and adjust our outlook and policies accordingly. Indeed, the only permanent thing about this world and universe in which we live is change itself.

To imply, as Mr. Peyrefitte does, that President Kennedy is but a passing phenomenon of strong resolve in an America of weakness and irresolution is to cast a gratuitous slur which I cannot believe represents the considered sentiment of the people of France. Indeed, to follow this distorted line, one might rephrase Mr. Peyrefitte's statement to say that "the American Government has never doubted President de Gaulle's resolution but it may well ask what the successor of President de Gaulle may say and do in 10 years' time."

To do so, however, would be to compound the error. The truth is that there are ties between France and the United States and among all the nations of the West which are of such profound significance that they ought not to be jeopardized by this sort of parochialism and pettiness of phrase. The truth is that no one knows what conditions may confront the world a decade hence. What we can know, what history teaches us to know, is that irrespective of transitory personalities in government, the peoples of France and the United States and the West will be better off if these conditions are confronted in essential unity rather than in disunity. It would be most helpful if President de Gaulle would join President Kennedy in this high purpose.

Mr. JAVITS. Mr. President, I had in mind speaking on this subject today. The Senator has spoken out so clearly and so well that I would like to associate myself with what the Senator has said. He has made an excellent statement, and deserves the commendation of all of us.

I would like to say to the Senator, as I am rather active in the affairs of NATO, as is the Senator also, that one thing that struck me about this situation very forcibly was that it came at a time that France was insisting upon an independent nuclear force and demurring to the possibility of making up an all-European force; and at a time that Army divisions and Naval squadrons were being withheld from the North Atlantic Treaty Organization, in line with the policy of President de Gaulle.

France apparently is operating on the theory that the defense of Europe is viable, whereas the United States does not believe, in accordance with its commitments to NATO—and it has every right to speak from strength—that the defense of the United States is viable.

The Senator is correct in taking position that France is a sovereign country and that De Gaulle is its duly elected leader, but that at the same time it does not mean we cannot protest and call to the attention of the French people, so that they may know, that this country is ready to serve the total defense of freedom and that it does not doubt President Kennedy, who is backed not only by the Republicans and Democrats alike, but that it also supported Presidents Eisenhower, Truman, and Roosevelt, who pursued the same policy, and that we are dedicated to the cause of the defense of freedom throughout the world.

I see in the Chamber the Senator from Mississippi [Mr. STENNIS]. He knows as well as I do that New York City is just as vulnerable as is Amsterdam in this day of modern missiles and rockets.

So I join with the majority leader in expressing to him how deeply I feel about the propriety of his speaking on this subject and in speaking out to the French people, so that they may know that the American people support President Kennedy, as they supported the President before him, and as they will support the President after him, in the belief that the defense of freedom is indivisible. If the French people do not feel the same way, they are being their own worst enemy, and the enemy, as well, of the whole Atlantic Community.

Mr. MANSFIELD. I thank the Senator from New York.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point an editorial published in today's New York Herald Tribune and an article published in today's issue of the New York Times.

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

[From the New York Herald Tribune, June 28, 1963]

KENNEDY AND DE GAULLE TALK AFTER ALL

When President Kennedy set out on his grand European tour, no one failed to observe that he was making a grand detour around France, the home of President Charles de Gaulle. Mr. Kennedy would speak with the leaders of Germany, Ireland, Britain and Italy, but it was considered a certainty that he would not be speaking with the exasperatingly stubborn leader of France.

History has proved otherwise. One of the extraordinary aspects of Mr. Kennedy's European tour is that he and General de Gaulle have actually engaged in a dialog without actually meeting or seeing each other. President Kennedy addressed President de Gaulle through a speech to an audience in Frankfurt. The speech, delivered Tuesday, was carried instantaneously to Paris by the press. President de Gaulle replied yesterday through a speech delivered in Paris by his Information Minister. And this was carried instantaneously to Dublin, where Mr. Kennedy was stirring Irish hearts and memories.

Dialog by proxy, like marriage by proxy, is not exactly the best way to conduct serious matters, but it's certainly the next best thing to the real thing. And the long-distance dialog between the Presidents of the United States and France may crack the ice and open the way to direct and perhaps even fruitful exchanges.

Mr. Kennedy's statement at Frankfurt, publicly pledging the United States to risk the destruction of its own cities if necessary in defense of European freedom, struck a blow at the heart of De Gaulle's position. The French President claimed that the United States never would take this risk. The American President said it would. The majority of Europeans, including French, would prefer to believe the American rather than the French President.

General de Gaulle, thrown on the defensive, replied through his Information Minister that Mr. Kennedy may be trusted but his successor, in 10 years' time, may not be.

His reply was impressive only because of its weakness, reflecting, perhaps a deep uncertainty of the rightness of the course on which De Gaulle has embarked. If France does not know what will happen to the United States in 10 years' time, we might reply that we do not know what will happen to France and De Gaulle in 10 years' time.

We do not know because the disruptive policies of De Gaulle have made prophecy difficult.

If De Gaulle would return France to a strong Atlantic alliance, then he and we would better be able to forecast the future—security and life for the United States, France, and all other free countires of the world.

[From the New York Times, June 28, 1963]

PARIS SKEPTICAL OF KENNEDY VOW—DE GAULLE AID DOUBTS THE PLEDGE OF DEFENSE WOULD BIND LATER PRESIDENTS

(By Drew Middleton)

PARIS.—President de Gaulle's Cabinet spokesman today questioned the durability of President Kennedy's pledge to defend the U.S. allies in Europe.

The French Government has never doubted Mr. Kennedy's resolution, Alain Peyrefitte, the Minister of Information, said. But it is entitled to ask about the policy of Mr. Kennedy's successors.

This first official public response to the American President's speech at Frankfurt on Tuesday was coupled with a sharp reminder of a historic fact that lies at the root of French and European doubts about the U.S. intentions in event of war.

Mr. Peyrefitte said: "France would have wished, in 1914, to have the United States at her side, as, also, in 1939, when war broke out." But in World War II, he emphasized, "the United States came to our side only in 1941."

DETERRENTS DISCUSSED

The French spokesman gave an equally emphatic reply to the President's assertion that separate national deterrents turned back the clock. This was interpreted as applying to France's independent nuclear force and her withholding of army divisions and naval squadrons from the North Atlantic Treaty Organization.

"It is necessary for the survival of the country that France should have control of the means of her own defense," the Minister of Information said. "It is not reasonable for a country to abandon itself completely to another country for its defense."

This is basic Gaullist doctrine. Mr. Peyrefitte, it is understood, conferred with General de Gaulle before giving his views, which came in a speech to the Parisian Parliamentary Press Association.

He began his comments on French-American affairs by deploring a tendency he said he had noted in some newspapers, French as well as American, to represent the debate over the future of the Atlantic community as a prizefight. He explained:

"For example, a certain Charlot [a popular name for President de Gaulle] wins one round and a certain John wins another. They let us believe that in the third round John has taken his revenge on Charlot."

HE ATTACKS PREMISE

But the Minister of Information then began to attack the premise that John had won the third round.

The chief target for Mr. Peyrefitte's remarks and for other comments by officials is Mr. Kennedy's statement that the United States would risk its cities in a nuclear war to defend cities in Europe. The French Government does not believe such a statement would be binding on a future U.S. administration.

Even some of Mr. de Gaulle's critics found this statement hard to accept. They do not believe that should a nuclear threat come to Europe, Mr. Kennedy or any President of the United States would equate Detroit and Lille or Amsterdam and Boston.

The Government is looking forward to President de Gaulle's visit to Bonn next week as opportunity to recover lost ground.

The talks there will center, the sources said, on issues such as the prices of agricultural products. This is a main block on the road toward economic and political unity in the European Economic Community.

But General de Gaulle is expected to have an opportunity to emphasize the importance to West Germany and France of carrying out the countries' treaty of cooperation and a chance to leave the impression that, if France must pursue her national policy in isolation, she will do so without anxiety.

THE PRESIDENT'S VISIT TO IRELAND

Mr. MANSFIELD. Mr. President, in the June 24, 1963, Montana-Standard there appears an editorial which deals in a most understanding fashion with the reactions to the President's visit to Ireland. The Butte-Anaconda region of Montana, which the newspaper serves, has been one of the great immigrant melting pots of the Nation. From Scotland, Wales, England, Ireland, Yugoslavia, Scandinavia, Italy, Greece, and, indeed, from many lands men and women with strong wills and willing hands came to labor and to make a life in and around the mines of Butte and the smelter Anaconda. They came with many cultures and speaking in many tongues but the continuing process of Americanism has worked its transformation on these many strains. Out of the many there has flowed a continuous emergence of the one—of the single mainstream of Americans containing within itself a blend of the capacities and uniquenesses of all the national and racial strains which have merged in it. This drama of convergence and emergence has been enacted in the Butte-Anaconda with striking clarity as well as the State of Montana and it is one which also goes on continuously throughout the Nation. Out of it emerges an American strain which is different from any of its parts but is rooted in all of them. And, indeed, there is no more striking example of this wonderful human phenomenon than the President of the United States.

The article previously referred to is one of exceptional perception in its treatment of this subject and I ask unanimous consent that it be included at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COUSIN JACK'S BACK—IT COULDN'T HAPPEN IN BUTTE

The Associated Press informs us in a dispatch from New Ross, Ireland, that Mrs. Mary Ryan, a third cousin of President John Fitzgerald Kennedy, intends to greet her distinguished relative in a manner which would raise Gaelic eyebrows in Butte.

She intends to welcome him as "Cousin Jack."

It is hinted that New Ross and perhaps other communities in the Republic of Eire will sport banners as the President visits them, bearing the legend, "Cousin Jack Comes Back."

By this sort of thing, the Widow Ryan and the President's other cousins and relatives intend to call attention to the fact that Kennedy, whose forebears were native to Ireland, is still in a sense one of them, and that Ireland has produced a strain capable of producing in turn a man worthy of the highest office the greatest Nation on earth can bestow.

All of the people of Butte, including those of Irish descent, will understand that the Widow Ryan and the other good folks of the Ould Sod mean well. But for special reasons having to do with Butte's early history, there are elements of incongruity in the spectacle of any Irishman being greeted anywhere as "Cousin Jack."

To this day, decades after strong feelings generated by nationalistic variations have subsided in Butte to good-humored badinage or have been eliminated altogether in the melting pot of Americanism, the phrase "Cousin Jack" does not mean "My Cousin John."

First in Butte, and for a long time only in Butte, the phrase "Cousin Jack" was applied to the Cornish; sometimes to the Welsh, often to the English, and sometimes even to the Scotch and the Manx. The Cornish had it first.

In the latter years of the 19th and the early years of the 20th century, Cornish miners came to Butte, found the going good, and wrote to their relatives in distant places, advising them to give Butte a try.

It was not uncommon in those days for two Cornishmen to approach the boss at a Butte mine and for one to say:

"This 'ere's my cousin Jack from 'ome. Can thee give 'im a job?"

Thus the term "Cousin Jack" became pinned upon the Cornish, and in time even the women of their nationality were likewise set apart in Butte slang as "Cousin Jennie." They brought to Butte the art of concocting that epicurean masterpiece of pie crust, beef and onions which, respectfully designated the Cousin Jennie Pasty, is as closely identified with Butte as Big Butte itself.

Remaining fittingly proud of national origin, the descendants of immigrants from many lands who live today in Butte do not unduly emphasize their differences. Certainly there is no ill feeling between them as groups.

Still, something difficult to define remains, and because of that elusive something we are sure that President John Fitzgerald Kennedy, if ever he visits Butte, will not be hailed as "Cousin Jack."

RESOLUTION OF DAKOTA AND MONTANA PIONEERS OF THE PIONEERS OF THE WEST ASSOCIATION

Mr. MANSFIELD. Mr. President, there has come to my attention a resolution recently adopted by Dakota and Montana pioneers of the Pioneers of the West Association. This resolution urges the construction of a short segment of highway on the Montana-North Dakota line which would open up to visitors a fascinating region of historic interest in the vicinity of the confluence of the Missouri and Yellowstone Rivers. In this region are located the ghost towns of Fort Union, Fort Buford, and Old Mondak.

As the resolution so ably recalls, these places are part and parcel of the history of the Old West or the Wild West. Opportunities for preserving relics of this kind for the edification of Americans—young and old—are fast disappearing in this rapidly changing Nation of ours. I would hope, therefore, that favorable consideration will be given to the objectives of this resolution. I ask unanimous consent that the resolution previously referred to be printed at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

FORT UNION, FORT BUFORD, AND OLD MONDAK, GHOST CENTER OF WILD WEST DAYS: WHERE THE MISSOURI AND THE YELLOWSTONE FLOW, JUNE 8, 1963

Pioneers of North Dakota and Montana, in convention assembled at Sidney, Mont., passed the following resolution which refers to a statement made by the Interior Department of National Parks in their report of information covering the above, Old Mondak, in particular. This report covers Fort Union, Old Mondak, and Fort Buford. The hundred pioneers unanimously approved the following resolution:

"It is the conviction of the pioneers present that the above report did not have sufficient information. For this reason, we reject the portion of the report covering Old Mondak, a ghost town.

"The report was issued in 1962. We shall add factual data so it presents real facts as they were and as they are. R. S. "Dick" Nutt left his horse ranch and became the banker of Mondak. He didn't know anything about a bank, and Mondak didn't know how to proceed. There was no law covering banks; so they put up a sign which read, 'This is a bank.' Thieves, gamblers, robbers, cattlemen, trappers, and hunters all had banking to do. We made our own laws up until 1909; at that time, a deputy sheriff came to town. Homemade government still prevailed.

"The Great Northern Railway made a track from their coast line to the river dock, where they received freight and discharged freight for the big country across the river.

Mondak was the center of transportation. In 1908 we secured Captain Seneshall with his huge ferryboat, which was a real service to the entire country.

"The post office was established in 1904. We put up a large elevator; Mondak was a good trading place. There were 12 saloons, gambling rooms, wholesale liquor offices. North Dakota was dry and, naturally, liquor found its way over Dakota. People didn't mind shooting but, with a few drinks, bullets got careless and some people got hit hard. Mondak was the wildest town in northern Montana or western North Dakota.

"The important sequence of this entire situation is the highway from Williston, N. Dak., through the beautiful valley of Trenton and Fort Buford. Nearly all the valley land is irrigation; the final is reached at the Fort Union flag pole. This is the dead end of highways.

"Therefore, the following plan is highly embraced by engineers: Construct a primary highway beginning at a point on the Montana, North Dakota State line on Highway No. 2, directly south through old Mondak, Fort Union, and Fort Buford; thence, across a bridge to Highway 87 in the Yellowstone Valley; thence, through to Yellowstone National Park. Only 7½ miles of construction is needed. We have two States, four counties, and the U. S. Public Bureau of Roads; the cost would be very small. This connection will do big things for tourists and traffic. There is only one confluence of these two great rivers; worldwide is their fame. Millions of Americans and Canadians will use this proposed national park; the people of this country will all have this trip in their vacations. We therefore offer this additional information as strictly reliable and solicit your approval of the bill now before Congress.

"Dakota and Montana Pioneers, Pioneers of the West Association, R. S. Nutt, President; Ralph Blair, Vice President; Mrs. Viggo Andersen, Social Service; Lucy Fisher, Historian; Mary Woods; Orval J. Woods; George W. Semmis, President; Howard J. Sissel, Secretary."

TOWN OF MEDWAY

Mr. DIRKSEN. Mr. President, on behalf of the Senator from Massachusetts [Mr. Saltonstall] I ask unanimous consent to insert in the Record a statement by him on the 250th anniversary of the town of Medway, Mass.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Senator Saltonstall

This week the town of Medway, Mass., is celebrating its 250th anniversary. A historical pageant depicting the growth of Medway from the year 1713 to the present is planned.

From a territory originally belonging to the Nipmuck Indians, Medway was incorporated on October 25, 1713, by an order of the General Court of Massachusetts. At that time the total population of the town was 45.

Farming was the principal industry at first. However, in 1825, the Duncan Wright Woolen Mill utilized the waters of Chicken Brook in West Medway for industrial power. At about that same time, Medway was the home of the Holbrook Bell Foundry, established by Maj. George Holbrook. Before its franchise was sold in 1825, it was the only bell foundry in the country, and it had cast more than 11,000 bells for worldwide distribution.

Presently Medway is a residential and manufacturing town. Among its industrial establishments are the awl and needle department of the United Shoe Machinery Corp., the Sanford Mill & Textile Co., and the Veritas Chemical Co. Most of the town's 6,200 residents are engaged in these business enterprises.

Medway has always been a civic-minded community. In 1781, the town instructed its representatives to the general court to favor a public accounting of all disbursements of public funds. By a town vote taken in 1783, Medway registered its opposition to unwise public spending, recommending "the greatest economy and frugality with regard to the expenditure" of public funds.

Medway is a town carved out of the New England wilderness by a hard-working and forward-looking people. On this their anniversary, I commend the people of Medway for their outstanding record of 250 years of service to Massachusetts and to the country.

THE WORLD FOOD CONGRESS

Mr. HUMPHREY. Mr. President, I also submit for the Record a statement in regard to the World Food Congress, which ended here in Washington, D.C., on June 18. I have a feeling that the Congress of the United States, which was so instrumental in connection with that conference, by authorizing it, would like to know of its accomplishments and of the general trend of the conversations and discussions there.

Mr. President, it will be recalled that on June 4 a total of 1,000 persons from more than 100 countries gathered in Washington, D.C., for a 2-week World Food Congress. The U.S. Department of Agriculture served as the host Department to the Congress for the U.S. Government, and Secretary of Agriculture Freeman was Chairman of the Congress.

This Congress came at a crucial point. In order to meet the basic needs of the 6 billion people who will inherit the earth by the end of this century, world productivity of food and other basic needs will have to be tripled or quadrupled. This will mean an effort involving nearly three-fourths of the people who today make up the world's population—a great majority of them in the very early stages of economic development. The time left to us is barely 35 years.

The World Food Congress addressed itself to two major aspects of how this gigantic task can be accomplished: First the problem of matching the rapidly increasing needs of a fastgrowing world population with the development of national and human resources, in order to provide a life of plenty and dignity for all; and, second, the problem of matching rising expectations with a revolution in organized will. The tempo of the Congress was set by President Kennedy in his inaugural address, when he said:

> So long as freedom from hunger is only half achieved—so long as two-thirds of the nations of the world have food deficits—no citizen, no nation can afford to feel satisfied or secure. We have the ability, we have the means, and we have the capacity to eliminate hunger from the face of the earth. We need only the will.

One question that dominated the discussions was that of population growth in relation to resources. Several speakers at the World Food Congress stated that the underemployed labor in the developing countries, which now represents a threat to their stability and social peace, could become their most important resource. Physical resources, they said, should be viewed, not mainly in material terms and as fixed quantities, but in relation to man's determination and assiduity in exploiting them. They also vary according to the scientific and technical knowledge which is constantly advancing. The great scientists who addressed us opened up wide vistas of hope and achievement.

There also are the prospects for new sources of food, to which Prof. Daniele Bovet, of Italy, referred. He mentioned the systematic cultivation of marine algae; the use of fresh-water algae, particularly chlorella, and plankton; the synthesis of the elements essential to human nutrition, through chemical and fermentation processes; the production of carbohydrates and fats, and of certain of the essential amino acids now acquiring industrial importance. Prof. Henri Laugier, of France, spoke of the unlimited possibilities offered by the photosynthesis of raw materials that occur abundantly in nature—solar energy, carbon dioxide, and water.

Mr. President, the major objectives of development are to raise productivity and income, as a means of securing better levels of living and nutrition; to expand education and employment, as a step toward social equality based on mutual respect; to use renewable resources in ways that safeguard the welfare of future generations; to achieve economic, no less than political independence. In this broader sense, development involves the whole economic and social structure in each nation.

There can, however, be no standard plans for development, since in each case it must be dictated by social and economic factors in the country involved.

Until only a few years ago there was general resistance to the idea of planning, and the confusion between planning and coercion persisted in the minds of many. It now is generally accepted that to achieve the fullest use of resources, a conscious and integrated orientation of effort is essential. The techniques of planning, however, need to be given more attention; and the essential condition that success depends on persuasion and the enlistment of enthusiasm, rather than on simple dictates from above, needs to be better realized.

Investment of personnel and capital in efforts to obtain a fuller utilization of the work force in agriculture and in measures to increase agricultural productivity must be given high priority in national development plans. It also is important that plans for improved levels of nutrition are included in national development plans, not only with the object of correcting nutritional deficiencies, but through such action to improve the general economy by increasing the productivity of manpower.

If agriculture is to have primacy in the development process, the best ways to approach this problem must be found. Large areas capable of development still remain unused. If these lands remain uncultivated, in spite of the increasing pressure of population, there must be good reasons for this. In these cases, often there is the need, over a long period, for heavy investment which is not forthcoming. There also are the social difficulties which arise from internal labor migrations and the political difficulties resulting from migrations to other countries. While these problems must continue to receive the attention of both the national governments and international organizations, the immediate possibilities appear to be more in the increasing of crop yields and livestock productivity by processes already tried with success in some of the developed countries, rather than in extending acreage on any considerable scale. We should, however, not discount the possibility of dramatic breakthroughs which may come with the advance of science and technology, such as in desalinization of sea water, for irrigation.

In all countries which show the most spectacular advances in agricultural productivity, the use of fertilizers has been a crucial factor. The use of fertilizers, however, must be accompanied by the supply of a whole complex of other requisites suited to the local ecological conditions—better seeds, pesticides to control diseases and insect infestation, regulated irrigation and drainage, better tools and implements, and so on.

Simultaneously, more attention must be given to make animal husbandry more productive, through improved breeding, larger and more balanced supplies of foodstuffs, and measures of disease control. The fullest use must be made of land and water resources, through soil conservation measures, large- or small-scale irrigation schemes, improved methods of farm management, including double cropping distribution and rotation of crops, and allocation of pasture and forest to the areas to which they are best adapted. Timber trend studies show that the years ahead will be an opportune time for developing countries well endowed with forest resources or enjoying favorable conditions for the production of timber to develop these resources. Planning the fuller utilization of forest resources is, therefore, of the utmost importance for these countries.

At the international level, trade and aid are two of the most important factors now affecting the rate of overall growth of the developing countries. Urgent action is needed, on the basis of international solidarity, first, to strengthen efforts to reduce obstacles to the exports of developing countries; take initiatives for establishing commodity agreements, including new types of agreements, and a further exploration of compensatory financing or other schemes for reducing the impact of fluctuations in the foreign exchange earnings of developing countries; and, second, to undertake a world plan, in quantitative terms, in regard to nutritional needs, and to coordinate national plans in order to arrive at a better balance between export supplies and import demand, based on projections of future trends. As for external aid, there is a growing realization that, to be effective, it must be more closely linked to national development plans and adequate resource surveys. If hunger and malnutrition are to be eliminated by the end of this century, a much faster rate of economic growth than that envisaged so far appears clearly necessary. In this connection, emphasis was laid on the need for much closer coordination between international financial assistance and international technical assistance. In particular, it was stressed that international organizations should be adequately strengthened to increase the effectiveness of their technical assistance operations; that governments of both developed and developing countries should make special efforts to provide experts at all levels, and that voluntary agencies should also contribute to this end; that intercountry technical surveys covering ecological zones where the problems of agriculture and forestry are similar should be undertaken, to provide a basis for national or regional development plans; that the development of watersheds and river valleys should be undertaken under international auspices, where desirable, as in the case of the Mekong; and that a series of spearhead development zones should be established in each ecological region, to facilitate the exchange of experience and the mobilization of common efforts.

On the important question of involvement of people, Commission Four of the World Food Congress arrived at conclusions which call for special attention.

The task of eliminating the scourge of hunger and malnutrition requires continuous consultation and ceaseless exploration of every means of cooperation and development. To this end it has been suggested that the freedom from hunger campaign should be continued until the final objective is achieved, and for this purpose national committees should be established in all countries where they do not yet exist, and should be placed on a continuing basis; a World Food Congress should be held at periodic intervals; at each congress, the Director-General of the Food and Agriculture Organization of the United Nations should present a world review of the food situation in relation to population and overall development, together with a proposed program for future action. The world review and program should take into account the progress of national development programs, institutional reforms in various countries, the findings of technical and economic surveys, the scope and problems of international cooperation for the elimination of hunger and malnutrition, and the developing countries' requirements for technical and financial assistance for rural development programs; and in preparing this world review and program, the Director-General of FAO should have the assistance of high-level committees appointed for this purpose in each country participating in the freedom from hunger campaign.

Mr. President, I have touched on the major issues discussed at the World Food Congress. In the light of these discussions, there has emerged a declaration to be adopted as the final act of this congress. I shall ask that this declaration be included in the RECORD at the conclusion of my remarks.

Twenty years ago another international conference—at Hot Springs, Va.—laid the basis of a charter for the FAO which continues to remain our guide in the struggle against world hunger.

The dimensions and urgency of the problem of hunger have increased tremendously since 1943, and vast new pressures for economic and social betterment have arisen in the underprivileged parts of the world. While it is clear, as this Congress has demonstrated, that the technical difficulties have been grossly exaggerated, one also finds that many of the development programs, drawn with technical perfection, have not been implemented, for lack of adequate measures and because of the failure to mobilize mass enthusiasm for development. The condition of the rural masses in many countries has deteriorated, and social injustice continues to hamstring the efforts for progress in many lands. Independence has been accompanied by inevitable growing pains, and the burdens that the transition entails on the administration often have been aggravated by the pursuit of selfish interests and private wealth. In some countries, too, the problems of pressure on the land and of ignorance and backwardness are reflections of odious discrimination between men.

At the international level, the effort which is being made now is certainly far greater than what was being done a decade ago. But it is small in relation to the needs, and is also small in relation to what can be done. The difficulties in international negotiations on commodity agreements or on the coordination of international trade have been described as technical. Perhaps there is an element of truth in that description; the main reason, however, is the reluctance of governments to undertake measures which might weaken their national powers of control.

Yet at the same time there is, below the surface, a stirring of forces which can transform the scene. These forces distinguish the climate of 1943 from that of 1963. In the first place, we now have the certainty of possessing the know-how for abolishing hunger and malnutrition. Even in 1943, scientific advance was far ahead of application in both the developed and the developing countries. But at that time there had not been the massive drive of science which has dwarfed mankind's every previous achievement, and there had not been in some countries the staggering increases in agricultural productivity which show what may follow if ever the right policies are applied.

The concept of survey and mobilization of human and physical resources for the initiation of a process of development was hardly known. In fact, planning was associated with only one type of political regime. Administrators, technicians, biologists, economists, and scientists worked in almost complete isolation from one another, and there was little attempt at coordination at either the national level or the international level. These new concepts of survey and coordination now are regarded as commonplace, and enter into all our plans and programs.

Second, there now is a much greater awareness of the existence of world hunger. What is more important, the consequences of the growth of inequality, of the growing misery of the developing countries, and of the ever-increasing enrichment of the rich, are now better realized. The fact that "surpluses" are surpluses only in name, and the fact that they must be used to help the developing countries to help themselves, were perceived by few in 1943. It took at least 10 years for action to be initiated, and it took nearly 20 years for this philosophy to become the consensus of world opinion. Today, it is realized by public leaders, by men of good will everywhere, and by the rising elite in the developing countries, that peace or war will be determined by the outcome of the race between population and resources. This is all the more so since we have had an extension in communications which has forged the interdependence of mankind and has led to its unity as never before in history. A striking evidence of this new solidarity is the response which the freedom from hunger campaign has evoked in the developed countries, for it has strikingly shown that common people everywhere are ready to work together in the task of development.

It is not astonishing, therefore—and this is the third major difference between 1943 and 1963—that in the developed countries it has become the established policy to extend assistance to countries which are in the process of development. The questions on which agreement is yet to be reached are now more of scale and form. Principles still are to be established to insure that distribution is equitable, and that all countries participate in the task of international reconstruction.

Mr. President, the historic World Food Congress is now at an end. But in reality it is but beginning—the beginning of a new worldwide effort in the war against hunger. We have taken the measure of the situation with which we are confronted; we have discussed the strategy and tactics of the battle in which we are engaged; we have renewed our solemn pledge to work together in order to abolish hunger.

All this will be fruitless if we fail to act, for in that event we shall meet with disaster the proportions of which we can foresee even today. We stand before the bar of history. Let not future generations accuse us of failure to take action while there was time. From that great assembly, let the clarion call go forth to the peoples of the world that freedom from hunger can be won and must be won within our lifetime.

Mr. President, it was my privilege to sponsor in the U.S. Congress the resolution authorizing the World Food Congress and to encourage the U.S. Congress to provide the necessary appropriations for it. I am very much pleased also that the two Houses of the Congress of the United States served as hosts for the delegates from the more than 100 nations. We had a fine reception in the courtyard of the Old Senate Office Building, and it was well attended.

I am pleased to note that the presiding officer [Mr. McGovern] was in attendance at that reception, and also at several meetings of the World Congress. The Senator from South Dakota was looked upon by the delegates as one of the outstanding figures in American public life because of his great leadership in the food for peace program, and his understanding of the importance of food as an item of peace and social progress. The Senator from South Dakota has brought honor to himself, his State, and our country by the excellent manner in which he has provided leadership in the use of food and fiber as an instrument of social and economic progress and policy.

I ask unanimous consent that a declaration of the World Food Congress be printed at this point in the Record.

There being no objection, the declaration was ordered to be printed in the Record, as follows:

Declaration of the World Food Congress

We, the participants of the World Food Congress, assembled at Washington under the freedom from hunger campaign to take the measure of the problems of hunger and malnutrition, and to explore the means for their solution, having in mind that freedom from hunger is man's fundamental right and that all human beings—without distinction of any kind—are entitled to its realization through national effort and international cooperation; conscious that today, in spite of 20 years of effort since the Hot Springs Conference which led to the foundation of FAO, the curse of hunger, malnutrition, and poverty still afflicts more than half of mankind; alarmed by the extent to which the explosive growth of population, at a rate unmatched by adequate increases in productivity, is intensifying human needs and is giving still greater urgency to the attainment of freedom from hunger; profoundly aware that the recent attainment of political independence by many hundred millions of the world's population gives a new urgency and a new dimension to the aspiration for higher levels of living, of which freedom from hunger is the first prerequisite; convinced that scientific and technological progress now make it possible to free the world from hunger, but that such freedom can only be accomplished if all the available human and natural resources of the world are mobilized to this end through balanced economic and social development, hereby declare;

That the persistence of hunger and malnutrition is unacceptable morally and socially, is incompatible with the dignity of human beings and the equality of opportunity to which they are entitled, and is a threat to social and international peace;

That the elimination of hunger is a primary task of all men and women, who must recognize their duties as well as their rights as members of the human race, and must fight to achieve freedom from hunger in every corner of the earth; this obligation being also inherent in the pledge of the nations under the U.N. Charter to take joint and separate action, to achieve higher standards of living, full employment and conditions of economic and social progress, and development as indispensable elements of peace;

That the responsibility to free the world from the scourge of hunger lies jointly with the developing countries themselves who must take all measures within their power which are necessary to achieve this objective; with the developed nations who must cooperate with the developing countries in their efforts, realizing that freedom from hunger cannot long be secure in any part of this interdependent world unless it is secure in all the world; with the United Nations and the specialized agencies who must intensify and coordinate their efforts to assist the nations in this task; with other international organizations and with nongovernmental organizations, e.g., religious, youth, women's organizations and other voluntary groups, agricultural and labor organizations, and associations of trade and industry, who must inform and stimulate the people so that they can play their part with understanding and vigor, therefore urge:

That the task of elimination of hunger from the face of the earth should be conceived in the framework of a worldwide development dedicated to the fullest and most effective use of all human and natural resources, to insure a faster rate of economic and social growth; and

That to this effect, speedy and decisive action be taken:

1. By all governments of the developing countries (a) for a planned and integrated use of resources which at present are largely underutilized; (b) for the adaptation of their institutions to the requirements of economic and social progress; and, more specifically, to secure the most effective administrative machinery, to give incentives to increased production through insuring just and stable prices, and to reform, where required, unjust and obsolete structures and systems of land tenure and land use so that the land might become, for the man who works it, the basis of his economic betterment, the foundation of his increasing welfare, and the guarantee of his freedom and dignity;

2. For the maximum utilization of the stock of scientific and technical knowledge and the promotion of both short- and long-term adaptive research suited to the conditions and requirements of the developing countries; and

3. For the massive and purposive education of the rural populations, so that they will be capable of applying modern techniques and systems, and for universal education to expand the opportunities for all.

Further urge that to assist national efforts, and allow speedier implementation of development programs within a worldwide framework, international cooperation be strengthened, in particular so that:

1. Present adverse and disturbing tendencies in the trade of the developing countries be reversed and that for that purpose adequate and comprehensive commodity agreements be devised, development plans be coordinated, and other appropriate measures taken; and

2. The volume and effectiveness of financial, material, and technical assistance be increased; and

3. There be a more equitable and rational sharing of world abundance, including an expanded and improved utilization of food surpluses for the purpose of economic and social development.

Express the hope that the current efforts for bringing about universal disarmament will succeed and that the vast sums now being spent on instruments of destruction will become increasingly available for the elimination of hunger and malnutrition and the promotion of human well-being.

Therefore pledge ourselves and highly resolve to take up the challenge of eliminating hunger and malnutrition as a primary task of this generation, thus creating basic conditions for peace and progress for all mankind; to mobilize every resource at our command to awaken world opinion and to stimulate all appropriate action, public and private, national and international, for this overriding task, and to this end give our wholehearted support to the freedom-from-hunger campaign until its final goal is achieved.

DAVIS-BACON ACT AMENDMENTS

Mr. KEATING. Mr. President, early in this session of Congress, I joined with 11 other Senators in offering legislation to amend the Davis-Bacon Act. This bill (S. 450) is presently pending in the Labor and Public Welfare Committee, and a similar bill (H.R. 6041) has been reported favorably by a committee in the other body.

The Davis-Bacon Act was passed in 1931 and amended in 1935 to provide that the prevailing wage be paid on all Government-contracted construction. In the thirties, this was progessive legislation designed to protect the organized worker and the responsible employer from low-wage competition in bidding on Government contracts. It was, in fact, a Republican Congressman from New York, Robert Bacon, who initiated this legislation three decades ago. He cited in particular, the high labor standards prevailing in New York, and the fine labor-management relations which existed in the construction industry. These costs, however, forced the New York contractor into a disadvantaged position in bidding on Government contracts against competitors who did not pay high wages.

In 1963, however, considering only the pay envelopes of the workingman does not give us a true indication of the prevailing wage and an amendment is needed to protect the advances made by organized labor during the last two decades. Today, almost 10 percent of the value of wages is put into fringe benefits and humanitarian welfare programs which unions and management have developed to improve the living standards and insure the security of workers in the construction industries.

It is estimated that the "nonpaycheck pay"—or total cost of fringe benefits paid to American workers—now totals more than $20.6 billion a year. This is more than five times the value of such benefits paid in 1946. The increase of payments to private pension and welfare plans has been most impressive, rising nearly 700 percent since the war to a record $9.6 billion last year. Eighty percent of American workers are covered by employer-financed life insurance plans, and three-quarters are protected by some form of employer-financed health insurance.

Today there are over 5,000 welfare and pension funds in the construction industry alone covering well over 70 percent of the building tradesmen. Some provide hospitalization, retirement funds, life insurance. Other contractors contribute heavily to apprentice training programs similar to those organized by the plumbing and steamfitters union and the electrical workers union. In this latter instance, in particular, it seems incredible that we are spending taxpayers' money on manpower training and other programs to alleviate unemployment and produce a skilled labor force, yet we continue to penalize citizens of initiative and responsibility because the present Davis-Bacon Act does not encourage their private efforts to accomplish the same results. They are, in fact, hindered by the absence of this much needed amendment, since contractors who do not provide fringe benefits, including apprenticeship training, can bid on Government contracts with an unfair advantage. It should be noted that very few nonunion contractors have any type of apprenticeship programs.

Mr. President, in fiscal 1963, the Federal Government is expected to spend $8 billion for construction while civilian public works expenditures will be in the neighborhood of $6.5 billion. The prevailing wage concept is now applied to all Government construction of hospitals, airports, schools, civil defense construction, highways, water pollution facilities, and all Government housing. Because this program is so extensive, and because so many private contractors and workingmen are hindered by the application of the present law, I urge Congress to follow the lead of those progressive States, among them my own State of New York, which already include fringe benefits in the determination of the prevailing wage, and to amend the Davis-Bacon Act without delay.

Mr. President, I ask unanimous consent for an article describing the need for this legislation which appeared in the Construction Craftsman for April 1963, to be printed in the Record at this point in my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

Fringe Benefits: An Integral Part of Today's Wages—Federal Work Should Go Only to Contractors Who Include Them as Part and Parcel of Their Bids

Jobs including Federal funds should be awarded on the basis of contractor efficiency, know-how, and skill—with permission denied to depress local prevailing wage standards. Amendment of the 1931 Davis-Bacon Act should be immediately made—to include fringe benefits as an integral part of labor cost in figuring bids on federally supported construction work. Eighteen Senators sponsored S. 452 in this session of Congress, and six companion bills (H.R. 404) were introduced in the House of Representatives to provide this much needed legislative remedy.

When the Davis-Bacon Act was enacted into law in 1931, such matters as health, welfare, insurance, and pension plans were not in existence for building tradesmen. A craftsman received the sole sum of his earnings only in his pay envelope.

Since that time, the building trades unions have been in the vanguard in creating and developing funds to protect millions of construction men—who devote their lives to the industry—and their families. These funds provide such benefits as hospitalization, sickness, disability and accident insurance, life insurance, and pensions; and to maintain apprenticeship training programs.

These humanitarian welfare programs have been developed by and within the industry itself. They were initiated during World War II when a freeze was imposed on wages, and increases were permitted only on certain so-called fringe benefits because they were noninflationary.

Today these benefits are a part of virtually every construction collective bargaining negotiation.

Today there are over 5,000 welfare and pension funds in the construction industry alone. Most of these are of the health and welfare type, financed primarily by employer contributions of so many cents per hour, for each hour worked by a covered employee. Well over 70 percent of the building tradesmen are covered by welfare and pension funds.

When these plans were first started, a 5 cents or 7 cents contribution per covered employee per hour was typical. Today, during the course of collective bargaining, building tradesmen increasingly elect to take wage increases in the form of much needed welfare programs so that they can provide some benefits for their families in an hour of need.

At the present time in many areas, employers contribute 25 cents or 30 cents per hour to these health and welfare funds.

It is unfair and unjust—both to the building craftsman and to enlightened employers—that these welfare programs, which have been bargained for in lieu of wages, should not be included as wages within the meaning of the Davis-Bacon Act.

It is evident that a constantly increasing portion of the employer's labor cost is being devoted to such health, welfare, pension, and apprenticeship programs. Because these types of payments have increased tremendously in the past decade, they now represent a very significant portion of wages and of an employer's labor cost.

The Davis-Bacon Act requires the Secretary of Labor to predetermine "the minimum wages to be paid to the various classifications of mechanics and laborers which shall be based upon the wages * * * prevailing for corresponding classes of laborers and mechanics employed on projects of a character similar to the contract work in the city, town, village, or other civil subdivision of the State * * * in which the work is to be performed."

As the Davis-Bacon Act has been interpreted, these benefit programs—which in most situations constitute around one-tenth of a building tradesman's hourly earnings—are not taken into consideration in determining the prevailing hourly wages for the various classes of mechanics and laborers.

This means that contractors who do not have such welfare programs for their employees can come into a local area, and, simply because their labor costs are lower, undercut already established fair employers who do contribute to these programs for their employees.

When this happens, it means that local building tradesmen who have elected to take wage increase in the form of benefit programs in order to provide for their families are depriving themselves of work which they could otherwise obtain. The fair employer is also placed in a steadily deteriorating competitive position.

Fair contractors have a strong interest in correcting the present inequitable basis upon upon which bidding goes forward. That interest was expressed in last year's House of Representatives' subcommittee hearing by a substantial number of Representatives who supported H.R. 9656, which is identical with this year's H.R. 404. This measure was reported out (with amendments) of the subcommittee favorably. It is now before the full House Committee on Education and Labor. We expect the full Committee to act on H.R. 404 after the Easter recess.

G. R. Collins, president of the National Constructors Association, expressed the employer interest in the fringe benefits question as follows:

"Recognition of this responsibility is a part of today's world. Member companies of the National Constructors Association accept this as a social and public responsibility and have agreed, at the bargaining table, to pay their share.

"Member companies have obligated themselves not only to pay wage rates established by building trades in local contract negotiations, but also to pay fringe items such as health and welfare fund payments and so forth. These fringe items have become an increasingly important factor in the labor cost of a construction project.

"The other side—the nonunion or open shop contractor—has no such obligation, contractually to contribute to the health and welfare of his employees, or the training of replacements in the skilled construction forces of the country. He becomes in a sense, a free rider.

"As a result, the public purpose of Davis-Bacon is vitiated, and the public policy is largely nullified."

This year's H.R. 404 would in the same manner require the Secretary of Labor to include in wage predeterminations under the Davis-Bacon Act the prevailing rate of payments to benefit plans for the purpose of providing medical or hospital care, pensions or retirement, life insurance, sickness, accident or disability insurance, and unemployment benefits; or for defraying costs of apprenticeship or other training programs.

H.R. 404 would modernize the Davis-Bacon Act by eliminating the most glaring loophole that has developed in its structure. The bill would treat welfare program contributions as what they really are, an integral part of a building tradesmen's wages. It thus recognizes and protects the true, established wage scale.

Provisions similar to those set forth in H.R. 404 have been enacted by State legislatures in recent years. New York, California, Connecticut, Massachusetts, Pennsylvania, Rhode Island, Washington State, and Wisconsin already predetermine these prevailing welfare benefits by provisions in their State prevailing wage laws.

Similar protection should be provided by Congress for similar coverage of building tradesmen under the Davis-Bacon Act.

Congress must once again affirm its time-honored and tested prevailing wage principle—to insure that the purchasing power of the Federal Government will not be used either to press down the prevailing wage standards of building tradesmen; or to place fair contractors, sharing the burdens of social progress, in an unfair competitive position.

H.R. 404 reaffirms this fundamental principle. It is designed to remedy the present glaring deficiency. Its provisions are just, fair, and in the public interest.

Congress is urged to carry forth the legislative procedure with all possible expedition so that the necessary changes in this area can be made at this session.

DU PONT ESTATE TURNS OUT TO BE BANK HOLDING COMPANY AND NOT CHARITABLE TRUST

Mr. DOUGLAS. Mr. President, an extremely interesting article appeared recently in the international weekly newspaper Labor. The author, Michael Marsh, suggests that the Senate was misled in 1955 and 1956 when we were considering the Bank Holding Company Act. Senators will recall that several interests were exempted from the definition of a bank holding company under the act. One of these was the Du Pont estate which some Members of Congress argued was only a charitable trust and hence should be exempted. I will not indulge in recriminations, but I will say that the facts which Mr. Marsh has brought to light vindicate the position of those of us who questioned this exemption. It may well be that the Banking and Currency Committee should reopen this matter, and to promote consideration of whether we should do so I ask unanimous consent that Mr. Marsh's article from the June 15, 1963, Florida edition of Labor be printed in the Congressional Record along with my remarks.

Another interest exempted in that act was Financial General Corp. Chairman Martin of the Federal Reserve has strongly urged Congress to eliminate this exemption. Perhaps Chairman Martin might let us know his views on revoking the apparent Du Pont exemption.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From Labor, June 15, 1963]

Senators Misled on Du Pont Estate—Bank Law Exempted Ball, Let Him Keep the FEC — Charity Excuse Cited — Banking Empire Given Free Rein—Who Hid the Facts?

(By Michael Marsh)

Members of the U.S. Senate were deceived about who gets the money from the giant Alfred I. du Pont estate when, back in 1955 and 1956, the Senators were considering a law that might have forced the Du Pont estate to get rid of its nonbanking interests.

That fact came to light this week in the wake of last week's revelation by Labor. Those revelations showed that Mrs. Alfred I. du Pont has gotten nearly all of the Du Pont estate's huge income for over two decades.

Like nearly everyone else, the Senators back in 1955 and 1956 thought that most of the Du Pont estate's money went for charity, to help crippled children.

That mistaken belief was apparently an element in exempting the Du Pont estate from the Bank Holding Company Act, which Congress passed in 1956.

If that act had not been worded to exempt the Du Pont estate, then Edward Ball—the estate's leading trustee—would not be in charge of the strikebound Florida East Coast Railway today.

Ball and the Du Pont estate, to hold onto their $700 million banking empire, would have been forced to give up control of the FEC Railway, the St. Joe Paper Co., and their other interests.

Under the Bank Holding Company Act, bank holding companies are required to divest themselves of control of all nonbanking companies, in order to prevent monopoly and unfair competition.

LARGEST BANKING GROUP

The Du Pont estate does, in fact, act like a bank holding company. It owns a majority of stock in the Florida National group of 30 banks, with assets of $700 million. The Florida National group has advertised itself as the "largest banking organization south of Philadelphia and east of the Mississippi."

But Congress defined "bank holding company" in the act to exclude the Du Pont estate and the Florida National group of banks. Why?

That question was raised by opponents of the banking holding company bill during House debate on the bill, June 13 and 14, 1955. A leading House sponsor of the bill replied that the Du Pont estate was "a good charitable trust" and that Congress seeks to "encourage charitable gifts and purposes."

DOUGLAS RAISED QUESTIONS

The bill then passed the House, 371 to 24. Senate hearings were held in July 1955. Senator Paul H. Douglas, Democrat of Illinois asked at those hearings why the "Du Pont group" should be exempted.

Senator Robert S. Kerr, Democrat of Oklahoma, replied that, as regards the Du Pont estate, "the only uses are for charitable purposes."

Senator J. Allen Frear, Democrat of Delaware added: "The person who left the estate left it predominantly for charitable purposes. I have had it explained to me, not in detail, but in a mild form, because the person who set up the trust estate was originally from my State."

Later Senate hearings were held in February 1956. At those hearings, F. N. Belgrano, Jr., then president of Transamerica Corp., the Nation's leading bank holding company, protested against including his outfit in the act while exempting the Du Pont estate.

Senator A. Willis Robertson, Democrat of Virginia, chief Senate sponsor of the act, replied that the Du Pont estate "is quite different from your type of operation."

"Well," said Belgrano, "it is not any different from a practical standpoint, Senator, in my opinion."

"There is a lot of difference," Senator Robertson retorted, "between those who are working for Mr. Belgrano and his stockholders and those who are working for crippled children and other charities."

The following April, Senator Robertson skillfully steered the Bank Holding Company Act through the Senate. President Eisenhower signed it into law on May 9, 1956, significantly remarking as he did so that "the exemptions and other special provisions [in the act] will require the further attention of Congress."

Yet—all this time—the Du Pont estate's income has not been going to crippled children but chiefly to Mrs. du Pont, who is Edward Ball's sister. As Labor reported last week, Mrs. du Pont's income from the estate has been running between $5 and $7 million a year or more.

How were the Senators so misinformed about the Du Pont estate's income, back in 1955 and 1956? Labor put that question to Senator Robertson, who now heads the Senate Banking and Currency Committee.

CAME FROM RESERVE BOARD

Thinking back, Robertson said the original draft of the Bank Holding Company Act had been furnished him by the Federal Reserve Board (which now administers the act).

The FRB spokesman, Robertson said, explained that the draft was drawn to exempt the Du Pont estate as a "charitable trust."

Robertson added that Edward Ball had also written to him at the time, about the Du Pont estate's exemption. Ball is described by the estate as "coordinator" of the Florida National group of banks.

HAD WRONG IMPRESSION

Robertson indicated that the Senators thought at the time that the money from the Du Pont estate went primarily to crippled children, though they were aware that some annuities were paid from it also.

Mrs. du Pont's huge income from the estate is in the form of annuities. At her death, the estate's income will then go for charitable purposes. Mrs. du Pont has given generously from her income, including 12 percent to the Nemours Foundation for Crippled Children.

Ball, not his sister, has taken chief charge of the Du Pont estate from the beginning, keeping under wraps the facts about where the estate's money goes.

Ball is also board chairman of the FEC Railway. He has pleaded "poverty" in refusing the FEC's "nonoperating" employees the same 10.28 cent hourly pay increase granted by all other class I railroads a year ago. The FEC employees have been on strike for this pay hike since January 23.

CURTAIN SLIGHTLY LIFTED

One slight "lifting of the curtain" on the Du Pont estate took place at the very end of the Senate debate on the Bank Holding Company Act, on April 25, 1956.

Senator Homer Capehart, Representative, of Indiana, then submitted for the record a long legal document analyzing the late Alfred I. du Pont's will and showing that Mrs. du Pont, not crippled children, got most of the income.

But Capehart didn't mention this point in the debate, and his document was too late. The Senate a couple of minutes later passed the bill, carrying in it the exemption for the Du Pont-controlled banks.

ACCOMPLISHMENTS OF THE ACCELERATED PUBLIC WORKS PROGRAM

Mr. BARTLETT. Mr. President, a little over 9 months ago—last September 13 to be exact—the Congress enacted the Public Works Acceleration Act with an authorization of $900 million for the initiation and acceleration of public works in areas of substantial and persistent unemployment or underemployment and economic underdevelopment. The general purposes of this act are not only to increase employment where jobs are urgently needed, but also to meet longstanding public needs, improve community services, and enhance the health and welfare of citizens of the Nation.

Six weeks later—on October 24 last—$400 million was made available for this program so that it could be gotten underway at the maximum possible rate during the following 4 months with the understanding that the administration would then ask for a supplemental appropriation.

Area Redevelopment Administration of the Department of Commerce immediately activated the accelerated public works program. Within a matter of days a large number of unemployed in critical areas were at work on direct Federal projects in the national parks and forests and on needed flood control and soil conservation projects which otherwise would not have been started. In this manner, the accelerated public works program was put into effective operation in the shortest possible time, thereby helping to alleviate unemployment conditions in the face of the oncoming winter and carrying out the expressed intent of the Accelerated Public Works Act.

In the meantime, communities and local public agencies in distressed areas all over the country resurrected old plans and initiated new plans for long-needed public facilities and improvements, such as adequate water and sewage facilities, hospitals, public buildings, and other community improvements—not only essential for the public health and welfare but necessary also to attract private enterprise and capital to the area and thereby utilize the available local manpower with the resultant alleviation of local economic distress.

For localities in distressed areas, public works projects such as these have generally lain dormant because of the inability of these communities to finance them and therefore the necessary plans and specifications had to be prepared or brought into line with current community needs in support of applications for accelerated public works financial assistance. This, of course, took time. But the hope and need of these communities for such projects and the financial assistance offered under the accelerated public works program which could make them possible effectively sparked local action throughout the Nation. Project applications began to pour in for accelerated public works assistance in ever-increasing numbers with the result that within 3 months after the first appropriation was made available for this program, this impressive record had been made: As of January 24, 1963, $361 million or over 90 percent of the $400 million appropriation had been allocated to 14 Federal agencies participating in the accelerated public works program for projects in areas of substantial and prolonged unemployment. Of this amount $110 million went to 10 Federal agencies and was immediately put to work for direct Federal projects such as conservation work in our national forests and wildlife ranges, medical and sanitary facilities on Indian reservations, modernization and extension of small post offices, repairing dams and locks of flood control installations, public roads and other authorized public works; $251 million had been committed for waterworks and water pollution control, sewer and waterlines, hospital facilities, police and fire stations, streets, libraries, and other public buildings as well as other types of needed community facilities for which communities put up matching funds. Within this 90-day period, ARA-accelerated public works had cleared over 2,900 projects for construction under this $361 million, including those community facilities for which an estimated additional amount of $250 million in local funds were required; and these 2,900 projects were all in various stages of accomplishment from applications in process of approval to actual onsite activity. Projects falling within the accelerated public works grant-in-aid category, of course, require a longer period of time from initial planning to onsite activity than was necessary for direct Federal projects, most of which had been planned for some time and needed only the necessary funds to be put into immediate execution—a circumstance which enabled these Federal agencies to put thousands of unemployed to work on accelerated public works projects within a matter of a few days and during the winter months when weather conditions prevented other projects from being started.

During this same period, the local governments in most of these distressed areas quickly demonstrated their strong desire to alleviate their unemployment conditions and to undertake long-needed community improvements with the result that at the end of January 4,526 applications had been received for accelerated public works financial assistance totaling $964 million. Accordingly, in order to protect local communities from the expense of preparing plans and applications and voting bond issues for projects which it then appeared could not be funded under the initial appropriation, ARA announced the discontinuance of processing further applications of accelerated public works grants-in-aid except those for projects in the most distressed areas which were eligible for grants over 50 percent. This is the record of the accelerated public works program during its first 3 months in operation.

Before the end of February all of the $400 million appropriation, except for $3.7 million retained for contingencies, had been allocated by the President to the Federal agencies participating in the accelerated public works program.

Processing grant-in-aid projects was then well underway and, in accordance with the provisions of the published rules and regulations implementing the Accelerated Public Works Act, preference was given to approving projects for which reasonable assurance had been furnished that on-site work would be started within 120 days after accelerated public works funds were committed for it. By the first of April, virtually all of these funds had been committed to approximately 3,000 public works projects in all parts of the country and localities receiving project approvals were making every effort to complete their project plans and meet the financial obligation of matching funds.

Such preparations, including securing bids and awarding contracts in accordance with applicable local law, generally caused a lag in time between the approval of a project application under the APW program and the actual on-site start of work. In some areas adverse weather conditions prevented earlier starts of projects under contract.

Accordingly, as the direct Federal program decreased, the increasing impact of the grant-in-aid program under the initial $400 million appropriation began to show the desired results in May. Reports from the participating agencies now indicate that over 3,310 out of a total of 3,831 will have started onsite work by the end of June—at a time when the ranks of unemployed are increased by new classes finishing school.

As of June 18 the accelerated public works program administered and coordinated by ARA with the participating Federal agencies, has accomplished the results shown on the following tabulation:

Accelerated public works program—Estimated Federal cost of projects approved Oct. 29, 1962, through June 18, 1963

[In thousands]

States	Health facilities	Public buildings	Streets and repairs	Water and sewer	Conservation and others[1]	Total for States
Total	$43,513	$44,346	$48,835	$161,798	$93,326	$391,818
Alabama	1,210	3,650	448	3,275	1,778	10,361
Alaska		545	329	2,595	1,308	4,777
Arizona		115	1,945	933	2,785	5,778
Arkansas	780	550	517	3,376	2,704	7,927
California	1,552	2,945	1,126	2,331	5,795	13,749
Colorado	14	380	132	1,185	816	2,527
Connecticut	207	285	662	2,039	1,036	4,229
Delaware		14		320	26	360
Florida	2,378	825	685	2,329	207	6,424
Georgia	1,406	1,690	1,009	2,345	1,512	7,962
Hawaii		53			492	545
Idaho		155	1,677	355	1,677	3,864
Illinois	3,459	51	1,586	4,756	2,458	12,310
Indiana	1,243	522	613	3,245	452	6,075
Iowa			328	200		528
Kansas				730		730
Kentucky		3,809	2,130	11,036	2,504	19,479
Louisiana	1,325		956	9,174	3,261	14,716
Maine	105	18	261	1,334	750	2,468
Maryland			7	407	1,099	1,513
Massachusetts	3,406	478	903	4,332	329	9,088
Michigan	1,216	5,068	2,259	17,762	6,046	32,351
Minnesota	789	145	1,169	1,543	3,083	6,729
Mississippi		190	1,526	2,831	2,818	7,365
Missouri	350	49	1,034	2,267	2,253	5,953
Montana		302	677	439	2,498	3,916
Nebraska	$300	$529	$245	$153	$94	$1,321
Nevada		57			350	407
New Hampshire	370		264	359	136	1,129
New Jersey	2,613	3,647	363	9,022	3,293	18,938
New Mexico	185	1,132	2,302	866	4,156	8,641
New York	3,569	1,106	381	6,891	1,448	13,395
North Carolina	50	1,600	1,221	3,235	2,634	8,740
North Dakota			277	125	100	502
Ohio	2,809	351	1,360	5,618	810	10,948
Oklahoma	752	997	1,671	2,596	2,671	8,687
Oregon		634	2,909	1,085	3,031	7,659
Pennsylvania	7,762	5,907	2,132	15,879	3,596	35,276
Rhode Island	903	125				
South Carolina	601	1,005	522	2,159	1,240	5,527
South Dakota			146	240	678	1,064
Tennessee	76	803	665	6,366	2,769	10,679
Texas	96	875	2,300	4,514	2,627	10,412
Utah			1,114	726	2,311	4,151
Vermont				391	19	410
Virginia		53	359	1,245	676	2,333
Washington		160	2,577	2,163	3,603	8,503
West Virginia	2,800	2,534	2,972	7,427	4,065	19,798
Wisconsin	177	487	953	1,298	1,005	3,920
Wyoming			94	272	413	779
Guam		105				
Puerto Rico	1,370	400	2,029	2,585	3,584	9,968
Virgin Islands					330	330

[1] This includes conservation, rehabilitation and repairs, improvements and all the other types of projects.

NOTE.—Of the $391,818 reported above $104,473 has been reported for projects under the direct supervision of Federal agencies and $287,345 has been reported for projects involving local matching funds.

On June 4, the President allocated $428 million of the supplemental appropriation of $450 million recently passed by Congress for the continuation of this accelerated public works program. The allocations made to four Federal agencies participating in this program were:

> Housing and Home Finance Agency, Community Facilities Administration, $250 million, for public works projects; Department of Health, Education, and Welfare, $125 million, for hospital and waste treatment projects; Department of Agriculture, $26 million, for direct Federal projects for the preservation of forests and for grant-in-aid projects under the State forestry program; Department of the Interior, $19 million, for direct Federal projects for the preservation of forests and for grants-in-aid for State fish and wildlife restoration projects.

I understand that, as of June 21, 75 percent of the $375 million allocated to HEW and CFA had been programed for accelerated public works projects in eligible areas in all of the 50 States. The programing of these projects by ARA is intended to maintain the continuity of the accelerated public works program, augment its increasing effect upon the unemployment problems in distressed areas, and assure that maximum employment opportunities under this program will extend into the winter months wherever possible and within the limitations of the funds available for it.

Unfortunately, the State of Alaska with its limited construction period due to climatic conditions, was the last of all the States to feel the benefits this program offers, not only in the alleviation of unemployment but particularly in the construction of critically needed public facilities vitally affecting the health and welfare of the citizens of Alaska. However, even under these conditions, 36 projects requiring $4.8 million of accelerated public works funds were approved under the $400 million appropriation. Of these approved projects, 27 were direct Federal projects amounting to $2.2 million which were quickly put into operation. The nine grant-in-aid projects, consisting mainly of water and sewage facilities, could not be started until the construction season arrived. With matching local funds, the total cost of all of these projects amounts to $7.1 million and it is estimated that they will generate over 4,000 man-months of on-site employment in these critical areas. An equal number of man-months employment will also be created off the project sites in related fields of material and equipment suppliers, transportation, etc.

Prior to the January 24 cutoff date, 45 additional project applications totaling approximately $11.5 million were filed by distressed communities in Alaska. In this connection, the urgent need of these communities for the assistance afforded by the accelerated public works program can be seen from the conditions prevailing in the community of Dillingham. The water supply for many residents is obtained from their own wells, deep or shallow, safe or polluted. Sewage disposal for most of these residents is by septic tank or cesspool; the soil is saturated with sewage effluent and drainage in the area is very poor with the result that sewage runs down some of the streets. The Alaska Department of Health has a large file of correspondence on these conditions, which maintain a constant threat of a typhoid epidemic as well as causing constant outbreaks of diarrhea. A makeshift sewer system was begun 2 years ago, at the insistence of the department of health, which alleviates the problem of downtown sewage drainage from the main streets but which is entirely inadequate for anything else.

These are the incredible conditions existing in this distressed community. The people of Dillingham have been trying for 10 years to acquire adequate and proper water and sewage facilities but their major stumbling block has been the lack of local funds.

Additional evidence of the urgent need of other distressed communities in Alaska and the hope engendered by the accelerated public works program is shown by the resolution of the Senate of the Legislature of Alaska, which was sent to the Secretary of Commerce Luther H. Hodges on March 26, 1963, and which relates the critical need for accelerated public works assistance for water and sewage facilities in a number of communities. Unfortunately, the applications to HEW and CFA for accelerated public works assistance for these facilities were filed too late to be considered under the first accelerated public works appropriation. We are hopeful that these projects will be approved under the supplemental appropriation.

The benefits already received by the State of Alaska under the first accelerated public works appropriation are greatly appreciated by those communities which have had such financial assistance for needed public facilities. I am sure that all of the communities in distressed areas throughout the United States which have received such assistance under the accelerated public works program are equally grateful for the benefits afforded by it.

"GOOD INTENTIONS LEGISLATION" AND AREA DEVELOPMENT

Mr. MUNDT. Mr. President, during the years that the present administration has been in office this Congress—and the people of America—have had proposed to it what I think can best be described as "good intentions legislation."

This is legislation proposing to establish programs and projects which look good on paper because they are noble in purpose and sound very, very good as they are are launched from the soaring rhetoric speech writing platform down at the White House.

Recommendation of "good intentions legislation," I expect, is considered to be smart politically. I am convinced that frequently this is the primary reason for recommendations of such a proposal because so often we find that "good intentions legislation" is a highly ineffective—and frequently the least effective—way to attempt to solve a particular problem.

The practicality of a good intentions bill is left to the imagination until such a program is actually in operation. And when a proposal is in what one could best term the "imagination stage" it is difficult to refute the arguments of what great accomplishments and progress will be achieved.

Opponents of "good intentions legislation" are derided for opposing progress; for kicking the man that is down and out; for standing in the path of genuine humanitarianism.

Yet once the program is actually put into operation we find so very often that the fears and misgivings of those who suggested a cautious approach are well-founded.

Money is virtually thrown away, the particular problem remains and possibly worsens because the wrong approach has been enacted into law, and all that is left are the "good intentions" and another addition to the national deficit.

Bill Sumner, Washington correspondent for the Aberdeen, S. Dak., American-News and other newspapers served by the Ridder Publications Bureau here, puts his finger on one example of what I term "good intentions legislation"—the exhaustion of area redevelopment program which the Senate approved the other day.

His column, appearing in the June 25 issue of the Aberdeen paper, demonstrates the folly of this program which has swerved far from the course charted for the Congress when the good intentions of the ARA idea were first revealed.

Mr. President, I ask unanimous consent to place in the RECORD this excellent analysis by Mr. Sumner.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

[From the Aberdeen (S. Dak.) American-News, June 25, 1963]

AREA REDEVELOPMENT: ADMINISTRATION IS GRIEVED

(By Bill Sumner)

WASHINGTON.—There was an abundance of administration grief here the other day over the narrow defeat in the House of the $455.5 million extension of the Area Redevelopment Administration Act. Republicans combined with southern Democrats to beat it, temporarily, and have been accused of voting against the unemployed of the Nation, who now total 4.9 million.

The accusation is an appeal to the simple minded, an approach the President has found so gratifying, and no doubt we'll have another go at it here, starting in the Senate, a body whose majority likes the simple approach when it can be found.

The facts about ARA are difficult to get over. They involve astronomical sums of money, labor statistics, interest rates, and other boring topics. And the unfortunate thing about it is that these matters are decided on the basis of philosophy rather than fact. It is the Democratic discipline to be for ARA in other words, in spite of the fact that it has been so badly managed that the program is a shambles.

The Area Redevelopment Act was signed into law May 1, 1961. It provided authority for industrial loans for both urban and rural areas, public facility loans and grants, technical assistance and worker retraining in areas of unemployment.

It was approved as a 4-year program and set into action with an appropriation of $394 million. It was supposed to revitalize distressed areas, put men to work, and has generally been regarded as a boon to civilization.

In 2 years, however, with loans and grants funneled into 836 areas, the ARA has created only 35,226 new jobs. Some of the projects have cost up to $277,000 per new job. And in this vast attempt at State manipulation of the economy, plants have simply been moved from one area to another, piece-work sweatshops have been created, new industries have been created—using cheap Federal loans and minimal investments—in fields suffering from existing over-production.

Some items:

A shoe plant established in southern Indiana was made possible by an ARA loan of $474,300, a retraining program costing $64,272, and an ARA grant and loan totaling $235,000 to provide water and sewage facilities for the company. The shoe industry is one of the Nation's seriously depressed industries, with high unemployment, but this new, nonunion plant, whose piece-work employees get about $51 per week now goes into competition against companies paying substantially higher wages.

In 1961, the ARA helped the Mack Truck Co. relocate its plant in Hagerstown, Md., a redevelopment area, by providing $60,000 for the training of machine-tool operators. What has happened to the 2,000 men formerly employed at the Mack plant at Plainfield, N.J., is anybody's guess.

This past February, the ARA granted a loan of $1.8 million to a Detroit hotel corporation for a 432 unit motor hotel in a city with only 54 percent of its hotel capacity occupied.

The list of such doings is long. It adds to the picture of a badly administered program which is transplanting unemployment in response to political pressures. Such is the urge to please the various legislators, the agency has gone out of its way to start at least one project per depressed county. This last is also for the purpose of pressure on legislators less inclined to view the ARA with pleasure. It gets the mayors, the county commissioners, the real estate operators and the bankers of their constituencies on the side of the ARA in the clamor to get more and more Federal money. Some Congressmen, in fact, did not dare vote against this bill, and this included some 20 Republicans representing depressed areas.

FREEDOM'S BIRTHDAY

Mr. MUNDT. Mr. President, as we approach the 187th birthday of the signing of our Declaration of Independence, citizens throughout this Nation are moved to the expression of sentiments recalling those great deeds of our Revolutionary period when the colonists threw off the shackles of oppression imposed upon them by their British ruler.

One such expression is contained in an excellent article appearing in the June 25 issue of the Lutheran Witness, the official organ of the Lutheran Church—Missouri Synod.

It is entitled "Is Patriotism Dead?"

The article, written by Harold E. Berger, chaplain of the Veterans' Administration Hospital, Topeka, Kans., provides much food for thought in helpfully reminding us that our Fourth of July is not just another holiday but "our sacred day of freedom" and an appropriate time to again proudly proclaim our allegiance to God and country.

Mr. President, I found Chaplain Berger's article most inspirational and respectfully request that it be included in the RECORD at this point for I think others will, as I have, gain much from it as we approach Independence Day.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IS PATRIOTISM DEAD?

(By Harold E. Berger)

"I still get a real hard-to-define feeling down inside when the flag goes by." These are the words of Col. John Glenn, astronaut, after his memorable orbital flight.

In biting contrast we read these disconcerting words in a full-page advertisement by one of our Nation's great tire industries: "Of the 46 million families in the United States, it is estimated that only 10 percent own an American flag." Can this be true in a country so proud of its past, so dedicated to its future?

But there are other factors which indicate that if American patriotism is not dead, it resembles a state of suspended animation. A well-educated man remarked the other day that "patriotism is too provincial for this sophisticated day."

NOSTALGIC MEMORIES

At a joint meeting of veterans organizations there was genuine agreement that each year patriotic celebrations interest fewer citizens. Only a handful of people turn out. Generally these are the very old and the very young.

Many of us have nostalgic memories of stirring celebrations on Memorial Day and Independence Day. Nearly every home proudly displayed Old Glory. There were parades and picnics, bands and orators Veterans proudly wore their uniforms and displayed their medals.

On July 4 the bang of firecrackers sent the family dog under the bed for cover. Roman candles and colored lights brought "ohs" and "ahs" from children and adults. Tissue paper balloons powered by candle heat floated over the city.

Today many of us hear only a few sporadic sputterings of smuggled firecrackers and see only a feeble flickering of sparklers as a few of our citizens express their desire to celebrate. Instead of a "glorious Fourth" we now have a "gory Fourth" marked by murder and mayhem on our Nation's highways, with many drownings and other fatal accidents to garnish the holiday with grief and mourning.

FLAGS, BELLS

But a star of hope shines for the future. Public-spirited citizens are aware of the apparent deterioration of patriotism in our Nation. Communities, civic organizations, and even industries have set out to revive the national pride our fathers showed.

To encourage the display of the Stars and Stripes on national holidays, flags are being offered at cost by newspapers and large business concerns. Entire communities are organizing full-scale observances of national holidays, which have been consecrated to help us remember historic occasions and our blessed heritage of freedom.

Churches are being urged to ring their bells on national holidays. It is in order for churches to express gratitude to God for our form of government, which protects the rights of all churches on an equal basis and favors their work without directly supporting or governing them.

BIG KICK

Patriotism is not dead in America. The triumphant space journeys of our astronauts have revealed that beneath the tarnished surface there still remains the sterling silver of true Americanism. In time of crisis and national emergency it glistens like early morning dew.

The huge ticker-tape parades for our returning astronauts inspired these words from Col. John Glenn: "I'm certainly glad to see that pride in our country and its accomplishments is not a thing of the past. It gives me a big kick to see so many schoolchildren on the street waving the flag and being proud of it. Thank goodness, this is not old fashioned. Freedom, devotion to God and country are not things of the past. They will never become old fashioned."

The example of our spacemen will do a great deal to rekindle the waning fires of patriotism. Their words will carry much weight with our youth, for the astronauts have won youth's respect and admiration.

"FAITH 7"

It is gratifying to note that these heroic Americans who have rendered their highest devotion to their country have also given witness of their faith in God. Astronaut Glenn attends church regularly. His pastor says John generally worships at the early service. In winter he comes early enough to help shovel the snow from the walks.

Speaking of his spaceship comrades, Glenn says: "I think that all seven of us have that religious faith which we express in our own individual ways. Astronaut Malcolm Scott Carpenter talked of his faith last year before he was orbited onto space. I have what I consider an abiding faith which sustains me at all times."

In view of this unanimous testimony of religious belief it is understandable why Air Force Maj. L. Gordon Cooper named his ship *Faith 7*. It is also no surprise that the same adventurer into space closed his address before a joint session of Congress with a prayer composed in the midst of his 17th orbit.

REAL AMERICA

When Nikita Khrushchev visited our country, he was duly impressed with our military and industrial potential. In addition to our farflung agricultural and economic resources he saw something else. Undoubtedly he discovered that the United States is not what Hitler mistakenly called a decadent democracy. The supreme leader of communism must have seen the spires of our churches and the towers of our schools of learning.

Did the Red dictator discover the real source of American greatness? Did he touch the pulse of the real America? James Russell Lowell describes the undergirding foundation of our America when he portrays the mission of our Founding Fathers:

"What sought they thus afar?
  Bright jewels of the mine?
The wealth of seas, the spoils of war?
  They sought a faith's pure shrine."

MOVING SCENE

Every American is deeply impressed with his sacred heritage as he stands before the beautiful Mount Rushmore Memorial in the Black Hills. Towering 6,000 feet into the blue, carved into the solid granite mountain, each figure in proportions of a man 465 feet tall, are the sculptured likenesses of the great American patriots Washington, Jefferson, Lincoln, and Theodore Roosevelt.

Thousands upon thousands annually visit this shrine. Each visitor rediscovers his national pride and birthright as he beholds the hallowed features of our American forebears.

Similarly a moving scene is often repeated at the tomb of the Unknown Soldier at Arlington National Cemetery, before the Lincoln Memorial in Washington, and wherever Americans gather to remember the heroic leaders or our divinely blessed history.

MISSOURI PIONEERS

As Lutheran Christians we are thrilled too when we view the historic monuments of our pioneer fathers, as well as when we visit the shrines of national glory. One is deeply impressed with the courageous faith of the Perry County Lutherans who built the humble and solid cradle of our church in the Missouri wilderness.

The pages of American history are well documented with stories of valor describing our ancestors. Through the years Missouri Synod Lutherans have always been stalwart supporters and defenders of the freedoms guaranteed under our national Constitution.

Whenever the thousands of our youth have been called to the colors, chaplains of our church have marched with them. Our Armed Services Commission has written a much admired record of service to God and country for many years. The commission's seal has the emblem of Luther and the U.S. shield side by side, surmounted by the American eagle. Supporting this emblem as a foundation is the cross.

RICH RETURNS

As we observe our sacred day of freedom, the story of our courageous past unfolds before us. We have come into a heritage which we did not create, but our responsibility is to preserve it. We can maintain our heritage, or we can throw it away. We can invest it so that it will yield rich returns to our children and their children, or we can squander it in living for the moment, in dull blindness to its value, in crass selfishness.

It is a time, therefore, to raise our country's flag over our doorsteps. Independence Day is an appropriate time to proclaim our allegiance to God and country.

"I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

U.S. ASSISTANCE TO THAILAND

Mr. McGEE. Mr. President, recently I had the opportunity to read a speech made by Mr. Kenneth Todd Young, Jr., our Ambassador to Thailand made before the American Chamber of Commerce in Bangkok on June 5.

This speech is one of the most cogent and articulate explanations of just what we are trying to do in our foreign aid programs that I have ever read. Ambassador Young not only outlines the program, but, more importantly, explains the reasons behind the emphasis placed on various aspects of our overseas efforts.

Mr. President, I commend this speech to my colleagues in this body and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

UNITED STATES ASSISTANCE TO THAILAND

I

Mr. President, Your Highnesses, Excellencies, and distinguished guests, we can all appreciate the words of an author-friend of mine who wrote that "the overseas public relations of American foreign aid are a series of perplexities." We have our share of them here. Misstatements in our press perplex our Thai friends and disturb our relations. Misinterpretations of American intentions and American aid puzzle us. It almost reminds one of Shakespeare's description of his times in "Measure for Measure": "There is scarce truth enough alive to make societies secure, but security enough to make fellowship accursed."

So I think that it would be timely to describe our assistance programs for Thailand in order to try to increase understanding of them. What are their purposes and their limitations? This is by way of a factual assessment, a report to Americans and others who have a moral and financial interest in the stewardship of our program in Thailand.

II

Perplexing doubts and questions can be resolved by understanding—particularly by an understanding of our intent. Around the world there has been genuine puzzlement as to our motives. We are often asked: "Why does the United States aid us?" Many ordinary people around the world did not believe that the stated principles of our aid reflected the will of our people and revealed the true purpose of our aid.

I am sure that time and the facts have proven, and will continue to prove, that we mean what we say. We the American people speak with a community of spirit for an equality of purpose and dignity on the part of all participants in a cooperative effort. We only ask for mutuality of purpose, contribution and responsibility in self-interest and self-reliance.

Our programs here must harmonize with the cultural and moral requirements of Thai institutions as well as reflect the ideals of American democracy. We know well that "friendship which is gained by purchase and not through grandeur and nobility of spirit is bought but not secured." We do not want that kind of friendship at all.

Instead we seek the friendship of honor, dignity, and self-respect. We aim at a "decent world order of independent states." That is our vital interest. The congressional act under which we operate opens with this broad statement of policy: "It is the sense of the Congress that peace depends on wider recognition of the dignity and interdependence of men, and survival of free institutions in the United States can best be assured in a worldwide atmosphere of freedom."

The statement of policy goes on to say that "it is a primary necessity, opportunity, and responsibility of the United States, and consistent with its traditions and ideals * * * to help make an historical demonstration that economic growth and political democracy can go hand in hand to the end that an enlarged community of friendly, stable, and self-reliant countries can reduce world tensions and insecurity."

President Kennedy has recently said:

"The prospect for freedom is also endangered or eroded in countries which see no hope for a better life based on economic progress, education, social justice, and development of stable institutions.

"These are the frontiers of freedom which our military- and economic-aid programs seek to advance; and in so doing, they serve our deepest national interest."

III

For our security, the Congress authorizes us several ways to make the taxpayers' funds available overseas for technical and capital assistance.

Different types of aid are needed to do different jobs. But each type of aid is only a catalyst. Each can help convert the raw materials of economic progress and social justice to the desired purposes. So, our aid is marginal, supplemental. We are only a small part of the process, whatever mixture of aid we use.

What, then, are the tools we have for achievement of security—in the broad economic and social sense? The first is the development loan. Its purpose is to promote economic development with a minimum of burden on the recipient country by providing loans on easy terms. This is the heart of our worldwide-aid program and represents an efficient business-like approach to economic assistance. But the loan is different from a grant.

A second is the development grant. Its purpose is to develop human resources by improvement and expansion of education and other fields of human endeavor. I include technical assistance here which provides the nerve center of development.

The third tool is the combination of the investment guarantee and the investment survey. Their purpose is to stimulate both domestic and foreign private enterprise to build and operate industrial plants to create national wealth and provide jobs. These instruments can encourage American industry to bring its technicians, equipment, and managerial know-how to Thailand in situations where private corporate management would not otherwise be inclined to commit its resources.

The fourth tool is supporting assistance—a form of grants which is more in the category of an emergency operation for countries threatened with special problems of insecurity, instability or insolvency.

And finally, the extremely important instrument of military assistance continues to strengthen the defensive capability of allies and friendly countries threatened with external Communist aggression or internal Communist subversion. This is largely a grant program.

There are, in addition, project loans from the Export-Import Bank, our Public Law 480 assistance in agricultural commodities, our student and exchange programs, our own participation in the U.N., IBRD, and other international organizations' economic programs, and our Peace Corps.

Congress and the President have deliberately chosen to make the long-term development loan rather than the 1-year grant the main catalyst of Government aid in economic and social fields. The loan technique connotes dignity, self-respect and honorable relations. It equalizes the lender-receiver relationship. It avoids the sensitivities of sovereign governments and proud peoples such as the Thai and Americans. It creates a businesslike atmosphere for negotiation in the spirit of give and take. It is a precise and controllable instrument for organizing and financing projects which take several years to mobilize and complete. It is a form of aid because of its favorable terms. The loan also aids a country's economy by stimulating self-help which leads ultimately to a country's reliance on its own sustained growth.

The shift in Thailand from grants to loans and grants has required careful consideration and planning by the U.S. Government and recipient countries. I can assure you that for at least 2 years this mission has worked to alert, explain and help the Thai Government prepare in advance for this shift. We know that the shift from nonproject grant funds to loans would require increasing funds from the Thai budget to replace our grant aid. We wanted to give our Thai colleagues plenty of time to study and react to aid based on grants and loans rather than only grants. The United States postponed the effect of the shift from 1962 until 1963 or 1964 in order to soften the transition and give time to prepare for it. Thus, nonproject grant expenditures continued in substantial amount in 1963 and will not be phased out until 1964. In the meantime we have been encouraging Thailand to come forward with detailed loan applications we can consider.

V

The United States in this fiscal year of 1963 will have obligated in fact the amounts and types of programs which I proposed last October to His Majesty's Government. By our definition we have not cut, and do not intend to cut, the total of nonmilitary assistance. It remains on the order of $27 million of obligations. A development loan of $11 million is included and the total of loans could have been more if additional applications had been received. Development grants will come to about $8 million, and grants of supporting assistance to about $8 million if the road program works out. But this is a different program from before.

This program has a new look, a new personality, a new shape. The basic strategy, the plan of action and the requirements of resources have been rather well worked out on a joint Thai-United States basis. Subject to congressional approval, this program will be continued in fiscal 1964 and into the near future until its various parts are completed, and we phase out.

The "mix" of these types of programs, and forms of aid, is important in achieving the desired integrated effect. There are three-inter-related parts of the program: administrative development, social and economic development and security development. We have, together with our Thai colleagues, created several new programs and then consolidated them with others into a streamlined, simplified plan to assist the internal development and defense of the kingdom.

One of the most interesting aspects of the aid programs is in the administrative project that goes to the grassroots. Our development grants and supporting assistance help His Majesty's Government in their expanding efforts to connect remote parts of the country with the Government and to promote efficient public administration. There are schools for training village chiefs and provincial officials in national orientation, local administration, and in countersubversion. There are many new two-way radio transmitters and receivers which village leaders are now operating in their homes or offices for official communications. There are the small air strips and small roads being built in remote areas to quicken communications, take out sick people, bring in doctors and many other services.

The socio-economic strategy is now focused on accelerating rural development. I have come back from many trips to villages in the northeast and the north feeling that somehow our portion of rural assistance programs was not having adequate impact. Water, roads, medical care, school materials, more crops and markets, and even local security are the felt needs in many parts of Thailand. These are not big, costly projects. And the people understand them. I have been impressed by the small earth dam down the Peninsula at Ban Kow Pow which the villagers appreciate having sponsored by His Majesty.

So, following the Prime Minister's emphasis in the northeast development plan and the National Security Organization, we have realined our organization and retooled our programs to concentrate our resources on many small projects in target areas in rural Thailand as specified by the Thai Government. Of course, our resources are supplemental and no substitute for those of the Thais. We can only assist them in getting their people and resources mobilized.

Specifically, we did several small things in the last several months. We turned over about $200,000 worth of equipment to the first three mobile development units. We have just procured 100 tons of fertilizer for distribution by the Department of Rice to demonstrate to farmers in these areas how they can increase their yields and thereby their incomes. We have provided an additional $150,000 to accelerate our joint village health and sanitation programs. We have just begun work on the first two feeder roads under our joint program.

There has just arrived in Ubon a special U.S. Navy Seabee technical assistance team. They will help villagers with small public works such as dams and village roads, and train Thai technicians to take over this work. And Peace Corps volunteers will add needed personnel in community development and rural resettlement until Thai workers are recruited and trained. Our forces in SEATO Exercise Thanarat will undertake civic action projects in the northeast in what His Majesty and the President call Operation Friendship.

These are just some of the more recent lines of attack on rural problems which we will be executing jointly with His Majesty's Government. Many existing rural and other action programs are not mentioned here for lack of time. Some older grant programs will be dovetailed, tapered off, or converted to loan programs where possible.

For security development, a large amount of hardware has been arriving in Thailand every week to help equip the police and armed forces so that they will be ready to fulfill their missions as soon as possible. In the U.S. assistance program I have put primary emphasis on getting communications, mobility and versatility to deal with Communist guerrilla warfare. That is why more new radios, armored personnel carriers, helicopters, and aircraft are coming into Thailand.

The important thing in Thailand is to prevent Communist guerrilla incursions and "aggression by seepage" before they can occur rather than to deal with them after infected areas begin to spread as happened elsewhere in southeast Asia. This need not happen here. But that depends, as my experience in southeast Asia proves, on executing a hard-hitting compact strategy of timely administrative, socio-economic and security development.

Progress must go hand in hand with protection along the Communist periphery. Social progress without protection incites Communist attack. The better you prepare, the more diverse are their countermeasures. Therefore, it is prudent in dealing with such ruthless opponents to overmatch their moves and, above all, to build upon our past progress and success with varying mixes of programs and techniques.

Our assistance also deals in cultural and social affairs. This may sound irrelevant to some. But we believe that the contest in the world today is mainly over the hopes, fears, and affections of people. Machines and technology are the neutrals. People want to be magnetized and uplifted by what appeals to the mind and heart. People want a feeling of splendor as well as a sense of plenty. Symbols and traditions count much. So we try to do our small part in promoting an originality of mind, an excellence in traditional and contemporary arts, and a concern and caring for the welfare of the stricken and less fortunate.

We heartily support His Majesty's Ananda Mahidol Foundation for educating the brilliant and His Majesty's relief foundation for helping the victims of disaster. On request, we assign experts to the Fine Arts Department to study Thai temple paintings and help preserve Thailand's rich cultural heritage. We encourage young artists and writers in their own idioms. In these small and humble ways we seek the harmony of the spiritual and material in our changing world.

VI

What are the results? There is a well-knit, smooth-running able team in the Embassy, USOM, JUSMAG and USIS. It assures the optimum return for every effort, baht and dollar expended. We can assess these results in terms of President Kennedy's six principles for improved effectiveness of our programs everywhere.

His first objective is to improve selectivity in aid projects while emphasizing self-help and development loans in place of outright grants. By the uneasy, uncomfortable transition from all grants to grants and loans in Thailand's economic development field, more Thai resources are allocated to projects which otherwise would have been U.S. financed.

By selectivity and compaction, we are relocating and correlating mutually supporting aid projects in the same locality or region in order to get the maximum effect for Thailand.

His second objective is to move gradually to a reduction and ultimate end to U.S. assistance by enabling nations to stand on their own as rapidly as possible. Our aim here is for each project to have a "success" date, be self-liquidating by providing for a Thai team to take over, and help increase Thailand's economic resources sufficiently to attract or provide normal sources of development finance. As a small example, the U.S. support for the College of Education was ended last year because the college became perfectly capable to proceed on its own steam. I expect that the Institute of Public Administration will do the same next year.

The President's third objective is to secure the increasing participation of other industrialized nations in sharing the cost of international development assistance. During calendar year 1962 approximately $45 million worth of economic loans and grants were assigned to Thailand by sources other than the United States. These figures exclude supplier credits extended during the same period.

The Development Assistance Committee in Paris has set up a DAC Coordinating Group for Thailand, which has been working here for 6 months with the Thai Government. It has compiled a list of current and prospective programs underway for Thailand. I hope that the DAC Coordinating Group will now move for even more assistance for Thailand.

His fourth objective is to lighten the adverse effects of the aid program on the U.S. balance-of-payments. Thailand now buys about $100 million worth of goods from us each year. At the same time we have cut back on nonproject aid. While these cuts are small, each increment helps the President's determined objective of minimizing the outflow of gold.

The fifth objective is to continue to assist in the defense of countries under the threat of internal or external Communist attack. In Bangkok we all realize the increasing pressures on Thailand's borders. Subject to congressional approval, we will certainly keep on with military and supporting assistance to complete the strategy of security development in a short time. We are well on our way to meeting targets of readiness for defense.

The President's sixth objective is to increase the role of private investment and other non-Federal resources in assisting developing nations. As members of this Chamber can testify, many new investors and business representatives are coming to Thailand. We in the Embassy and USOM are devoting a great deal of attention to facilitating new business possibilities. Several new ventures have opened or are being established: Colgate-Palmolive, Bangkok International Hotels, Firestone Tire—to mention a few rapidly.

I hope that a steel plant can be established on a reasonably profitable basis and that an American firm will invest in such a significant venture. The economic chain reaction of this and related development would give the Thai economy a major boost.

A program of investment guarantees and 50–50 sharing of feasibility surveys is beginning to get underway. The Phelps-Dodge investment is the most recent example of the latter type of assistance. All should be of continuing help to the expanding Thai economy.

We are encouraging private U.S. foundations to be more active. We hope that they, instead of the American taxpayer, can help sustain the promising new Royal Institute for Development Administration. Perhaps business firms could join in this useful project.

Secretary of State Rusk a few weeks ago expressed on behalf of all of us our general approach to the aid program: "We have an obligation of conscience to make that program just as effective as possible, to enlist as much self-help from the others as we can, to have it administered with integrity and with clear sightedness, and with imagination. But we cannot abandon the effort or accept deep cuts, except with deep injury to our national interest."

VII

As I said at the beginning, we look upon the U.S. assistance program only as a catalyst, as the promoter of small changes. Our nonmilitary aid is only about 5 percent of the Thai annual budget. Our aid is only one of Thailand's many sources of outside assistance.

The Thais do most of the work and provide most of the resources for their development. The New York Times and the Wall Street Journal recently have noted the favorable outlook in Thailand which has resulted from the efforts of His Majesty's Government and the Thai people. For this reason I have called Thailand a "demonstration nation for development."

But the catalyst has an important and sensitive role to play. It needs those qualities of imagination and resolution which Justice Holmes called the power to overcome obstacles, to ride boldly at what is in front of you. It also requires the tact, integrity and magnanimity of our American heritage.

We have partaken of a high adventure of assistance with the world. Never before has any nation needed so much humility and wisdom, so much prudence and vision, in extending its generosity and responsibilities. Will we succeed, a 20th century Atlas, in rolling the rubble away from the valley of happiness and peace for hungry, tormented mankind? Or will we, like Sisyphus of ancient Greece, only keep rolling the stone up and down the hill in a perpetual declining cycle of frustration?

We will not know the answer for many years. All we can see is our intention, our purpose, our effort. Our power and resources do have some limits, but we are blessed with the company of the free to go with us. Again to leave with you the words of Justice Holmes, one of the deepest voices of the inner American spirit: "We cannot live our dreams. We are lucky enough if we can give a sample of our best, and if in our hearts we can feel that it has been nobly done."

That should be the motto today and the remembrance tomorrow of American assistance everywhere—successful endeavor of dignity, hope, and action.

Thank you all.

PHILIPPI, W. VA., SITE OF FIRST CIVIL WAR BATTLE

Mr. BYRD of West Virginia. Mr. President, I call attention to an article in the June 16, 1963, issue of the Charleston, W. Va., Gazette-Mail stating that the West Virginia town of Philippi, in Barbour County, was the site of the first land battle of our Civil War. The article points out the significant role the Mountain State played in this great conflict, which saw more than 500 military actions taking place in West Virginia.

Mr. President, I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FIVE HUNDRED CIVIL WAR ACTIONS TOOK PLACE IN STATE—PHILIPPI SCENE OF FIRST FIGHT

(By Boyd B. Stutler)

First to feel the impact of actual hostilities in the eastern theater, the area now comprised of West Virginia had a major role in the Civil War of the 1860's—one that was unique in the war experiences of the States that formed the borderland between the two contending sections. But our war was, after the first battles and campaigns in the early summer of 1861, very largely overshadowed by the greater events in the broader theaters.

It was at Harpers Ferry on the night of April 18, 1861, that Virginia militia occupied the town by force of arms in a bloodless coup, and it was at Philippi on June 3 that the first land battle of the war was fought. And it was in the Tygarts Valley, following the Philippi affair, that the first sustained campaign of the war was carried on, with subsequent battles at Laurel Hill, near Belington, at Rich Mountain and Corricks Ford. This was followed almost immediately by the Kanawha Valley campaign, the fight at Scary, and the retreat of the Confederate forces to the Greenbrier country.

There were but very few homes in the area west of the Alleghenies that did not contribute heavily in manpower and from the family resources to the war effort. Some of the young men, and a great many not so young, went to the blue, while a much smaller number went to the gray, all of which in communities divided in their loyalties made the war a very personal thing. Marauding bands of guerrilla irregulars roamed over the area, more especially in the central counties, to prey upon undefended towns and individual homes. It was a time of terror in many sections. Before the war wore itself out in the spring of 1865 there had been more than 500 actions of one sort or another in the State. Every county, with the exception of the seven Ohio Valley counties north of Wood could count from one to several armed clashes ranging from patrol actions to pitched battles.

For the 4 years of the war the country was for the most part an armed camp. But of more particular concern to the citizens of that part of the Old Dominion west of the Alleghenies, out of the series of conventions at Wheeling and the sacrificing spirit of loyal and determined patriots came a new State, the 35th in the American Union.

West Virginia's war story is, then, one of conflicting loyalties to Virginia on the one hand and to the Federal Union on the other—and it was in consequence of these conflicting loyalties that many of the most ruthless events occurred when, in the first years of the war, a great part of the State suffered through the terrors of guerrilla and irregular border warfare. Families were divided on the issues, father against son, and brother against brother—and nowhere on the battlefield was this division better exemplified than in the affairs at Bulltown, Braxton County, fought October 13, 1863, or at Droop Mountain, November 6, 1863, when some of the Union and Confederate troops engaged came from the same counties with brothers on each side of the lines arrayed against each other.

By no means was there unanimity on the political questions, or that of sustaining secession of part of the territory from seceded Virginia in order to form a new State. Fate and circumstance, as well as geographical position, made West Virginia a battleground in the early war days, and an occupied area throughout the whole 4 years. It was the buffer between the solidly held Confederate lines just east of the Alleghenies and the Ohio River; troops were ever on guard to prevent the spread of Confederate arms to the industrial cities of Ohio and western Pennsylvania.

The tremendous contribution made by West Virginia in manpower to both the Union and Confederate Armies is apparently not well understood. Out of a population of less than 400,000 men, women and children—376,688 in 1860, to be exact—the restored government of Virginia at Wheeling and later the State of West Virginia from the limited area under Federal control enlisted, armed and equipped about 32,000 soldiers and sent them into the field. Of this number 29,163 were officially credited to the State and were enrolled in West Virginia combat units. Special troops and the men who enlisted in the regiments formed in other States, including 245 Negroes who were assigned to the 45th Infantry, U.S. colored troops, amply made up the estimated 2,000 difference between the official credits and the estimate. At least two organized companies, one each from Hancock and Preston Counties, crossed the border and united with Pennsylvania and Maryland units. At the same time it must be remembered that several full companies recruited in Ohio and Pennsylvania came to West Virginia to become part of the State's combat units.

For some reason not now known—and perhaps not entirely justified—an estimate of 8,000 soldiers for the Confederate armies has become somewhat standardized. Unfortunately, but few personnel records of active Confederate units such as muster and payrolls have been preserved, and also the fact that those who entered the Confederate service were so widely scattered in so many different units that it is difficult to arrive at an approximately accurate estimate of the number. Recent research, however, strongly indicates that instead of 8,000 a more realistic figure would be 10,000 or perhaps 12,000.

There is considerable confusion, also, in the number and numerical designation of the regiments organized by the two governments at Wheeling—the restored government of Virginia under Governor Pierpont and the State of West Virginia under Governor Boreman. When one looks at the roster there are apparently 31 combat units to consider, but actually this number dwindles to 26 separate units when allowance is made for the transfer of regiments from one arm of the service to another, and by the consolidation of regiments at the expiration of the 3-year enlistment period.

There were three 1st Infantry Regiments; first, the 3-month outfit organized at Wheeling under command of Col. Benjamin F. Kelley. This is the regiment that fought at Philippi and in the 1861 summer campaign in the Tygarts Valley. Then the 3-year regiment, and lastly the 1st Veterans Infantry, which was formed by a consolidation of the reenlisted veterans of the 5th and 9th Infantry. There were two 2d Infantry outfits—the regular 3-year regiment organized in the spring of 1861, and later the reenlisted veterans of the 1st and 4th Infantry, with recruits and veterans from other units to fill the gaps.

The 2d, 3d, and 8th Infantry actually served under three designations; first under their original organization as foot soldiers; then in June 1863, under Brig. Gen. William W. Averell, they were furnished horses and became mounted infantry, and finally the three regiments were transferred to the cavalry arm, dating from January 24, 1864. The 2d Infantry became the 2d Mounted, then the 5th Cavalry; the 3d was known as the 3d Mounted and finished its war as the 6th Cavalry fighting hostile Indians in Nebraska, northern Colorado and the Dakotas. The 8th became the 8th Mounted Infantry, and then was redesignated as the 7th Cavalry. The records are somewhat confusing, but when puzzled out it is found that, not deducting the duplications, there were 18 regiments of infantry, 2 regiments of veteran volunteer infantry, 3 regiments of mounted infantry, 7 regiments of cavalry, and 1 regiment of light artillery. From first to last there were 31,884 names on the rolls of these combat outfits, some of which, of course, were duplicated by reenlistments.

These military organizations were not home guards, as many have assumed, but were soldiers of the Republic who bore their weight in battles and campaigns from Gettysburg to Vicksburg and Jackson, Miss., and from McClellan's peninsular campaign in Tidewater, Va., to the far western plains of Nebraska and the two Dakotas. The records of the 7th Infantry and the 1st Cavalry, to mention only a couple, read like a roll of the battles of the Army of the Potomac. The 1st Cavalry, for instance, is officially credited with 74 battles and skirmishes, mostly engaged while serving with the Army of the Potomac. In amassing this battle record 12 of its men won the Congressional Medal of Honor for acts of gallantry and intrepidity above and beyond the call of duty—this number is made more significant by the fact that only 39 West Virginians were awarded the medal during the Civil War. This small company of valiant men of the 1st Cavalry included the regiment's commanding officer, Col. Henry Capehart, of Wheeling, later brevette major general, and his brother, Maj. Charles Capehart, who commanded the regiment in the battle at Gettysburg.

On the Southern side there were companies recruited in the central counties which afterwards became units of the 25th and 31st Virginia Infantry, CSA, which were engaged in the Philippi affair, the first land engagement of the entire war, and finished their term of service on an April morning at Appomattox when the Army of Northern Virginia laid down its arms. These men saw 4 years of the most arduous service under Stonewall Jackson in his valley campaigns, and then under Gen. Robert E. Lee in his incomparable Army of Northern Virginia.

The battle of Scary Creek, on the Kanawha about 15 miles west of Charleston, fought on July 17, 1861, was the first engagement on the Kanawha Valley when locally recruited troops, plus a small company from Wheeling under Capt. James W. Sweeney, gained a temporary advantage—something between a victory and a defeat—over the Ohio troops under Gen. Jacob D. Cox. But the victory was not decisive enough to permit Gen. Henry A. Wise, then occupying Charleston, and commanding the Confederate troops in the Kanawha Valley to risk another battle with the blue-clad troopers pouring into the valley from Ohio and Kentucky. Wise, hopelessly outnumbered, promptly abandoned Charleston and retreated to Lewisburg and White Sulphur Springs.

Companies and men that fought at Scary were later incorporated into Col. George S. Patton's 22d Virginia Infantry; Col. John McCausland's 36th Infantry, and Col. Beuhring Jones' 60th Infantry. The cavalry companies engaged formed the nucleus of Col. Albert Gallatin Jenkins' 8th Virginia Cavalry. These are names to recall with reverence for daring leadership on hard-fought battlefields. Two of these men, McCausland and Jenkins became general officers of the Confederacy, and both Patton and Jenkins were killed in battle. These three infantry regiments and the cavalry regiment were first called the 1st, 2d, and 3d Kanawha Regiments, making up the Kanawha Brigade—all four outfits were on the firing line at Appomattox on the morning of April 9, 1865, but with ranks that were pitifully thin.

But to get back to the beginning. Virginia's first overt act of the war was at Harpers Ferry on the night of April 18, 1861, just 1 day after the passage of the Ordinance of Secession by the convention then in session at Richmond. Virginia militia under command of Maj. Gen. Kenton Harper, of Staunton, led the troops in to occupy the town and take over what was left of the extensive U.S. Government armory and arsenal. The small army was strictly Virginian under that State's militia officers; the State, though seceded, did not join the Confederacy until May 7.

Harpers Virginians met with no opposition; only a token force of U.S. soldiers were stationed at the armory and arsenal under command of Lt. Roger Jones. Recalling that discretion is the better part of valor, and with full knowledge that his 45 men could not hope to cope with the militia, no matter how poorly armed, Lieutenant Jones set fire to the Government works and with his 45 men retreated across the Potomac. It was a bloodless coup, but it was definitely an act of war.

Harpers Ferry, then considered of great military importance, was made the mobilization center for the volunteer companies of all northern Virginia under command of a certain Virginia Military Institute professor named Thomas J. Jackson, then a Virginia colonel. He was within 3 years destined to win immortal fame as Stonewall Jackson, a lieutenant general, and to die of wounds inflicted by his own men at Chancellorsville, which was perhaps his greatest battle.

Colonel Jackson formed these volunteers into regiments and the regiments into a brigade which shares the fame of its first commander—that was the Stonewall Brigade, which included 11 companies, or 1 full regiment, of West Virginians. Six of these companies: Jefferson Guards, Capt. John W. Rowan; Hamtramck Guards, Vincent M. Butler; Berkeley Border Guards, J. A. Nadenbousch; Hedgesville Blues, Raleigh T. Colston; Botts Greys, Lawson Botts, and Letcher Riflemen, J. H. L. Hunter, hailing from Jefferson and Berkeley counties, were enrolled in the 2d Virginia Infantry. In the 27th Infantry were the Monroe Guards, Hugh S. Giffany; Greenbrier Rifles, Phillip F. Frazer, and the Shriver Grays, Daniel M. Shriver, of Wheeling. The 33d Infantry had the Potomac Guards, P. T. Grace, of Hampshire County, and the Hardy Grays, Abram Spengler of Hardy County. Thus West Virginians have a claim to share in the fame of the Stonewall brigade.

The Confederates seized the initiative in recruiting and organizing for war in the counties west of the Alleghenies. On May 4, Col. T. J. Jackson, then commanding the Virginia forces at Harpers Ferry, ordered Col. George A. Porterfield, of Charles Town, to proceed to Grafton and organize an army there from the militia and enlistment of men from the western and Ohio Valley counties. It seemed to be taken for granted that the western counties were ablaze with secession sentiment and that a popular uprising would occur when the call to arms came. Porterfield had been assigned an impossible task—in addition to recruiting an army of size and strength sufficient to check local Union troops he had to consider the possibility of meeting and repelling Union troops that doubtless would be funneled into the area from Ohio. After organizing his army, the men armed with their own weapons for the most part, he was ordered to push on to Wheeling, break up the Union meetings and, above all, to immobilize the lines of the Baltimore & Ohio Railroad.

Colonel Porterfield was disappointed at Grafton. Recruiting was slow and only a few men turned up to fight under his banner. Only one regiment, Col. Ben F. Kelley's 1st Virginia (Union), organized at Wheeling, was available to check the Confederate activity around Grafton and its immediate sector, but on May 26, Gen. George B. McClellan, commanding Federal troops in Ohio, ordered four full regiments into the Clarksburg and Grafton sections, the troops crossed the Ohio at Wheeling and Parkersburg.

In the face of the advancing Union forces, Colonel Porterfield gathered his recruits and withdrew to Philippi. Union troops reached Grafton on May 30 when Colonel Kelley, whose single regiment numbered more men than were in Porterfield's entire command proposed a night march on Philippi to clear the valley. The march was delayed a couple of days, then Kelley was heavily reinforced and another column added to effect a pincer movement. Porterfield was taken by surprise and quickly routed in the early morning of June 3—the speed with which the Confederates left the town caused the affair to be dubbed "the Philippi races." Most historians are agreed that the affair, slight as it was, had historical and tactical significance of great import.

The Philippi affair was the first land engagement of the war, and as such it attracted nationwide attention, as did the campaign immediately following in the Tygarts and Cheat Valleys. Then when action moved to a wider theater, the West Virginia area was left as a buffer in the backwash of a great war.

The importance of the Philippi battle cannot be measured alone by the fact that it was the first serious land engagement of the war, nor by the number of men engaged, and certainly not by the fact that there were none killed and but few wounded. It was the tactical and strategic factor that gave the affair an importance far beyond that of many greater engagements when massed armies clashed for a temporary advantage, only to be swept away by a resurgence of the opposing army the next day. It was at Philippi—and a month later at Scary—at the very outset of the great conflict that the southern army was halted and turned back toward the east. In the subsequent campaigns in the summer of 1861 in the Kanawha, Tygarts, New and Upper Greenbrier Valleys the Confederates were pressed back to set their western frontier on the line of the Alleghenies rather than on the Ohio River and, indeed, in the State of Ohio. For the rest of the war the West Virginia section stood solidly between the Confederacy and the country west of the Ohio River.

However, the entire area was subjected time and again to quick, dashing cavalry raids led by such men as Generals Jenkins, Imboden "Grumble" Jones, W. L. (Mudwall) Jackson and others equally as able. These raids ranged all the way from Preston and Monongalia Counties on the north to Wayne and Mercer on the south and west. Favorite targets were the salt-rich Kanawha Valley, the lines of the Baltimore & Ohio Railroad, and such industrial centers as the pioneer oil field at Burning Springs, Wirt County. There the entire complex was put to the torch by Gen. "Grumble" Jones, including 150,000 barrels of crude oil which had been stored in barrels and barges awaiting a rise in the Little Kanawha River. In each raid farms were despoiled and great droves of horses, cattle, sheep and hogs, were driven off to feed or serve the Confederate armies in the field.

Philippi was only the beginning. Before the war ended in April 1865, more than 500 clashes between Union and Confederate forces occurred in West Virginia. To be sure, some were only minor patrol actions, and some were hit-and-run raids, but all were of sufficient import to get into the record of the war. The affairs are officially classified as actions, affairs, battles, engagements, skirmishes, raids, incursions, and what-not, depending entirely upon the severity of the clash, the number of troops engaged and sometimes the event was gaged by the number of casualties.

After the formation of West Virginia 44 companies of Home Guard were organized comprising about 2,500 men whose duties were to serve as an internal security force. These companies were distributed over the State, with heavier concentrations in sections where guerrillas and irregulars were most active. These roaming bands of irregulars were nominally Confederate but preyed on citizens on both sides—the Home Guards had a big job cut out to keep them in check. The Home Guards were strictly State troops and were not required to serve beyond the State lines, but they did serve at all times with Union troops within their limits.

With approximately 40,000 men in regular service on both sides which would amount to 1 man out of every 10 persons counted in 1860, or possibly 1 out of every 8 or 9, there would arise, naturally, competent military leaders in the companies, regiments and in the higher ranks. There were many who made exceptional records as combat leaders, and 21 of these men were advanced to the rank of general. Fourteen of these men wore the blue and seven wore the gray. Unfortunately, some of these general officers are almost forgotten today.

In the Union Army the system of promotion was rather complicated and involved. There were three grades of general officers: those commissioned in the Regular Army, those commissioned in the U.S. Volunteers, and brevet rank in both branches. That is, an officer would be promoted by brevet to a higher rank while still holding his commission in an inferior grade. This was done when no vacancy in the authorized tables of organizations permitted the issuance of a full commission. The Confederate Army had no such fine distinctions.

The Federal generals who were commissioned in full rank in the temporary U.S. Volunteer Army were: Maj. Gen. Jesse Lee Reno, born at Wheeling, but who entered West Point and the military service from Pennsylvania; he was killed in battle at South Mountain, Md., September 14, 1862, while commanding the IX Army Corps; Brig. Gen. Benjamin F. Kelley, brevet major general, of Wheeling, 1st Infantry; Brig. Gen. Joseph A. J. Lighburn, of Lewis County, 4th Infantry; Brig. Gen. Isaac H. Duval, brevet major general, of Brooke County, 9th Infantry; Brig. Gen. William H. Powell, brevet major general, of Wheeling, 2d Cavalry; and Brig. Gen. Thomas Maley Harris, brevet major general, of Glenville and Harrisville, 10th Infantry.

Those who held the rank of brigadier general by brevet only were Robert S. Northcott, of Clarksburg, 12th Infantry; John H. Oley, of Cabell County, 7th Cavalry; David H. Strother, of Berkeley Springs, 3d Cavalry; Milton Wells, 15th Infantry; John S. Witcher, of Cabell County, 3d Cavalry; Henry Capehart, of Wheeling, 1st Cavalry; William B. Curtis, of West Liberty, 12th Infantry; and Rufus E. Fleming, of Fairmont, 6th Cavalry.

On the southern side were Lt. Gen. Thomas J. (Stonewall) Jackson, born at Clarksburg, appointed to West Point from Lewis County, but who entered the Civil War from Lexington, Va.; mortally wounded at Chancellorsville. Others were Brig. Gen. John McCausland, of Putnam County; Brig. Gen. Albert Gallatin Jenkins, of Cabell County, mortally wounded at Cloyd's Mountain; Brig. Gen. John Echols, of Monroe County; Brig. Gen. William L. (Mudwall) Jackson, of Wood County; Brig. Gen. Edwin Gray Lee, of Jefferson County, and Brig. Gen. Birkett D. Fry, born in Kanawha County, but who entered the war from Alabama, after service in the War with Mexico, and filibustering with Walker in Nicaragua.

Probably the most important contribution to the war effort, next after the fact of holding the western counties firm in loyalty to the Federal union and to the formation of West Virginia was the preservation of the lines of the Baltimore & Ohio Railroad, which has been aptly termed "Mr. Lincoln's Lifeline." In turn, the railroad played a very conspicuous, though not vital, part in the formation of the new State. The lines were so important to the Federal war effort that it was necessary to keep them in friendly territory and under control of Federal troops. Thus the three Eastern Panhandle counties—Jefferson, Berkeley, and Morgan—through which the lines pass, literally rode into West Virginia on the cowcatchers of B. & O. locomotives.

Every county in West Virginia, and almost every community, has its own story of the Civil War in actions and incident. Some suffered more than others through ruthless excesses, house burnings, and killings, not all of which was condoned by the Union or Confederate military authorities. Romney, in the South Branch Valley, for instance, suffered greatly and its countryside was almost laid waste—it suffered because of its geographical position. Located in a natural invasion route from the Shenandoah to the Potomac, the town changed hands 56 times during the course of the war, sometimes without a fight when one army left as the other approached. But there was enough of fighting, pillage, and senseless burnings that Romney had but little left when peace came again.

CHICAGO'S URBAN RENEWAL PROGRAM

Mr. DOUGLAS. Mr. President, the Reporter magazine on May 23 published a very critical article about Chicago's urban renewal program by Miss Elinor Richey, which claimed, first, that the Negroes in Chicago are opposed to urban renewal; and, second, that Chicago's urban renewal program has increased racial segregation. This article was reprinted in the CONGRESSIONAL RECORD for May 29 of this year.

One of the finest citizens of Chicago, Mr. Edward Marciniak, executive director of the Chicago Commission on Human Relations, who for years has striven for better race relations and who is thoroughly acquainted with the facts, has prepared an annotated reply to Miss Richey's assertions. He has prepared 66 footnotes which note no less than 31 errors of fact, 20 serious omissions of relevant fact, 2 misleading quotations, and 4 false generalizations. Mr. Marciniak has striven for accuracy but confesses himself to feeling a sense of helplessness before the elements of stress, style, and argumentation which pervade this article and which do not lend themselves to direct comment. Consequently, the absence of comment does not indicate anything about the validity of a statement.

I ask unanimous consent that passages from Miss Richey's article be included with the accompanying footnotes by Mr. Marciniak.

There being no objection, the passages from the article were ordered to be printed in the RECORD, as follows:

SPLITSVILLE, U.S.A.—AN IRONIC TALE OF URBAN RENEWAL AND RACIAL SEGREGATION

(By Elinor Richey)

CHICAGO.—James Baldwin has observed that whenever trouble breaks out in Harlem, the city installs a new playground. In Chicago's Negro ghetto, they conduct a study.[1]

Characteristically, official studies on the Negro in Chicago pretend to discover and register indignation about the condition that prompted them. Two recent studies, however—private ones financed by the Ford Foundation and the Urban League—have probed their special problems of housing and school segregation deeply enough for measurement. The surveys revealed that these two forms of racial segregation have increased in Chicago since the Supreme Court desegregation directives of 1948 and 1954. The school study, covering the years 1958–62, found that segregation had increased from 88 to 92 percent over that period. The housing study shows that residential segregation rose from 92.1 to 93 percent[2] in the decade between 1950 and 1960. Not only did the trend offset the Supreme Court decisions but it paralleled Chicago's mammoth nondiscriminatory housing program—a fact that puts into question the effectiveness[3] of President Kennedy's order banning discrimination in federally assisted housing.

These discouraging statistics surprised many. Not that anyone believed[4] much progress was being made toward integration in Chicago, but the Nation's largest[5] racial ghetto has seemed sealed off from change of any kind. Federal Housing Administrator Robert C. Weaver has called the huge Negro sector extending from the Loop to the Indiana line[6] "the most segregated area in the industrial North."[7] The U.S. Civil Rights Commission[8] has termed Chicago "the most segregated city of more than 500,000 population."[9] Negroes call it simply "Splitsville."[10] Boundary lines expand but never crack.[11] Chicago's Negro ghetto has been as carefully preserved as the Chicago Water Tower—and every Chicago real estate man knows how.

THE COOPERATIVE SPIRIT

Splitsville is a product of the Chicago Real Estate Board's "rule of segregation," as strictly enforced today as when laid down in 1917. The rule decreed: "Each block shall be filled solidly [with Negroes] and further expansion shall be confined to contiguous blocks," and this shall be done "just as slowly as possible." When it drafted the rule, the board called for "active cooperation from all civic bodies," and in the 46 years since, Chicago's cooperation has never wavered. Cooperation has flowed abundantly from the city council, the police, lending institutions, newspapers, churches, and from white citizens. The latter have cooperated by bombing or burning the homes of nonconformists. In the early years of the rule a house was wrecked on an average of every 20 days,[12] nowadays, thanks[13] to mellowed tradition, this measure is necessary only two or three times a year.[14]

Citizens formerly cooperated also by inserting clauses into their property deeds forbidding resale or lease to Negroes. By the Second World War, restrictive covenants "protected" 80 percent of white residential property, virtually walling up the Negro sector. Consequently a huge wartime immigration[15] into the sector piled up a population density several times that of white residential areas. When the Supreme Court, in 1948, declared racially restrictive covenants unenforcible, Chicago Negroes hailed their liberation from the ghetto. But they underestimated the rule. The Court decision's sole effect[16] was to set the ghetto expanding again—moving contiguously, moving slowly.

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[1] Serious omission of relevant fact:

Miss Richey is right about the frequency of the studies but wrong about the reason for them. As far back as 1948, Robert C. Weaver observed that "The Black Belt in Chicago has been * * * subjected to more study than any other Negro urban community in the United States." As every social scientist knows, the basic reason was the presence of the University of Chicago whose sociologists had made the urban community their special study. But this is only half the story. Their studies—and those of others—led to reforms.

Miss Richey also ignores the improvement in housing quality for Chicago's Negroes between 1950 and 1960. In 1960, according to the department of city planning, about 75 percent of the city's nonwhite families lived in standard housing, compared to 40 percent in 1950. Even more importantly, this upgrading took place in a decade of great migration from the South, when Chicago's nonwhite population rose from 509,000 to 838,000.

[2] Factual error: The actual figures are from 92.1 to 92.6 percent and do not justify Miss Richey's conclusion. Prof. Karl E. Taeuber of the Population Research and Training Center at the University of Chicago, who compiled these residential indexes, refers to the 1950–60 change as "very slight" and as indicating, no matter what Miss Richey says, virtually no change in the overall pattern. In a paper on residential segregation, presented to the American Sociological Association in 1962, Professor Taeuber concludes: "In the North, the increasingly powerful legal and economic position of urban Negroes combined with the lesser degree of overt social discrimination may finally be overcoming the long-term trend toward increasing residential segregation."

[3] The order is only 6 months old. Thus it is premature to put "into question the effectiveness of President Kennedy's order" issued on Nov. 20, 1962.

[4] Serious omission of relevant fact:

Some did. If Miss Richey had read, for example, the July 1962, issue of Trends in Housing, published by the National Committee Against Discrimination in Housing, she would have found this:

"Chicago is a city of extremes. For decades, supporters of an open housing market have found it the epitome of segregation at its worst. * * * Yet, paradoxically, some of the Nation's best examples of successfully integrated housing are to be found in the Windy City. Carved out of the slums of Chicago's teeming Central South Side, the huge Lake Meadows and Prairie Shores developments rise near the shores of Lake Michigan to stand today as models of attractive urban housing.

"The successful experience at Lake Meadows and Prairie Shores has proved contagious. Three new developments now underway have announced nondiscriminatory rental policies." (These are: Marina City, which already has Negro tenants; Carl Sandburg Village, which to date has signed leases with nine Negro families; and Outer Drive East, a large downtown apartment being built by the Jupiter Corp., which will have Negro tenants.)

"Also, there is Webb and Knapp's racially-integrated redevelopment project in Hyde Park-Kenwood, consisting of 250 town houses and two 10-story apartment buildings. In addition, some integration is taking place in older apartment houses and individual homes on the south and southwest sides of the city, particularly in the Hyde Park-Kenwood area surrounding the University of Chicago, and more recently in the South Shore area."

Some integration is taking place in the Near North Side, Marynook, Uptown, Stony Island Heights, and other neighborhoods.

[5] Factual error: New York City's Harlem is unquestionably a larger area.

[6] Factual error: In describing the "Negro sector [as] extending from the Loop to the Indiana line" Miss Richey stretches her geographical imagination several miles to include large areas which are not Negro occupied. Despite her reference to Robert Weaver, this is Miss Richey's error.

[7] Misleading quotation: This statement was made more than 15 years ago in Weaver's book "The Negro Ghetto" (1948). Miss Richey does not quote his recent statements praising the successful steps taken by Chicago for integrated housing in urban renewal areas, including Hyde Park-Kenwood.

[8] In the second paragraph of her article Miss Richey dismisses "official studies on the Negro in Chicago" because they "pretend to discover and register indignation about the condition that prompted them." Yet we note that here, and throughout the article, she leans heavily upon these studies. These provide the best factual data available upon which to plan public and private programs in this area.

[9] This oftquoted phrase about Chicago is based upon a statement made to the U.S. Commission on Civil Rights in May 1959, by Edwin C. Berry, executive director of the Chicago Urban League.

It should also be noted that in May 1963, Arthur L. Johnson, executive secretary of the Detroit branch of the National Association for the Advancement of Colored People said that Detroit was "one of the most racially segregated cities in the Nation as far as housing is concerned." Earlier in January 1963, to a Cleveland audience Whitney M. Young, Jr., executive director of the National Urban League, said that "residential segregation in Cleveland is the highest for any major city in the United States."

About such statements Professor Taeuber had this to say: "There is no need for cities to vie with each other for the title of 'most segregated city'; there is room at the top for all of them."

[10] False generalization: We questioned 25 Negroes, all of whom are active in journalism, education, government, or politics; not one knew what "Splitsville" meant. Actually, "Splitsville" was coined by newspaper columnists to signify divorce, for example, "So and so and his mate are headed for Splitsville." It is Miss Richey, not Chicago Negroes primarily, who applied the word to Chicago's segregated housing pattern.

[11] Factual error: They have started to crack. See footnote 4.

[12] False generalization: Even though one such case is one too many, the word "wrecked," as used by Miss Richey, is too serious also to describe a broken window or a damaged porch.

[13] Serious omission of relevant fact: Thanks, actually, to the leadership and hard work of many Chicagoans. No public service is performed by overestimating the forces at work to preserve racial segregation while downgrading the forces responsible for the greatly decreasing violence in neighborhoods undergoing racial change. Credit is due the police department for steppedup efforts to maintain law and order; to a growing number of neighborhood organizations whose primary aim is to stabilize their neighborhoods by keeping property up and overcrowding down, all the while remaining, "color blind"; to the work of public bodies such as the Chicago Commission on Human Relations; and to the efforts of private organizations and church groups. To ignore these community forces (e.g., the pioneering Hyde Park-Kenwood Community Conference, etc.), as Miss Richey does, is to omit a key chapter in the Chicago story.

[14] Serious omission of relevant fact: Without minimizing incidents of violence that still occur in some changing neighborhoods, it should be noted that an estimated 100 moveins of first Negro families in a block took place last year, practically all of which occurred without any violence.

[15] This great inmigration explains, in significant part, Miss Richey's figures on school and residential segregation quoted earlier. Her blind spot is her failure to recognize the forces that are now at work remodeling the city's archaic racial design of discrimination and segregation. These forces, such as the interreligious council on urban affairs, the metropolitan housing and planning council, and the Catholic interracial council, for example, need recognition and encouragement—not the silent treatment.

Today what little residential integration there is in Chicago—now 25.6 percent Negro—exists almost exclusively along the ghetto border, and most of it in blocks undergoing transition from white to Negro. Two remarkable exceptions are the fringe neighborhoods of central Kenwood,[17] a district of older homes, and Lake Meadows, a new private apartment development, both of which are stabilized in an almost even racial balance. Elsewhere along the ghetto border, residential integration has declined markedly.[18] Whereas in 1950, 89 percent of Chicago Negroes lived in predominantly Negro districts, in 1960 the figure had risen to 95 percent.[19] Since a third of the privileged 5 percent lived in central Kenwood and Lake Meadows, integration along the ghetto borders must have been subjected to some powerful deterrent.[20]

This deterrent is no mystery to those who have perceived the effect of urban renewal on the Chicago Negro—the actual effect, as opposed to the official publicized effect. Chicago currently has 33 urban renewal projects going, but only one is far enough along to evaluate.[21] It is located in the University of Chicago neighborhood of Hyde Park. The official Hyde Park success story is a Chicago legend. Through citizen planning and participation, the publicity goes, Hyde Park was cleared of slums and rebuilt into a "model community" of gleaming town houses, apartments, and shopping centers, in whose wall-to-wall efficiency Negroes and whites share equally and amicably. The Chicago American hails it as a "monument to planning."

Part of the legend is true. Hyde Park began to run down in the 1940's, and by 1950 the Negro ghetto extended over about a third of the neighborhood, with a mixed area[22] separating white and Negro sectors. Housing clearance got underway in the early 1950's, and grew into a communitywide urban renewal program after a 1954 Federal act extended renewal assistance to commercial districts and to housing rehabilitation. One requirement for obtaining Federal urban renewal funds is that plans have "fullfledged communitywide citizens participation and support." The Hyde Park renewal plan was drawn up by a professional planner hired by the University of Chicago with a grant from the Field Foundation. The plan was underwritten with public clearance funds totaling $37.7 million ($28.5 million Federal, the rest city). Before the plan was submitted to the Chicago City Council for approval, community representatives were called in to inspect it. Though the planner refused to make any basic changes or reduce the amount of clearance, he was able to talk many critics into seeing things his way.[23]

But not all were persuaded.[24] Msgr. John Egan, representing the Roman Catholic archdiocese, and spokesmen for the Hyde Park Tenant & Homeowners Association flatly condemned the plan. The priority task, as the association saw it, was to relieve the pressing housing needs of low-income families, especially Negroes, thousands of whom had been pushed into the Hyde Park area after being evicted by a large private development. It would be unjust, many felt, to evict 20,000 low-income citizens and replace their homes with one-third as much housing designed for upper-middle-income tenancy. Ninety percent of the housing marked for clearance was of brick construction, Monsignor Egan pointed out—better than the tenants could find elsewhere.[25]

Defenders of the plan retorted that 80 percent of the existing housing would be left intact, that only deteriorated structures would be razed, and that this step was imperative if the white exodus from the neighborhood was to be halted.

With blight banished, middle-class citizens would be attracted back from suburbia. Julian Levi, of the University of Chicago-sponsored South East Chicago Commission, argued: "The university needs a compatible neighborhood, one that will permit it to do its basic job in scholarship and research. * * * You must view the project in terms of land use. Urban redevelopment is not an exercise in sociology."

The plan was approved. The city council did recommend, however, as a concession, that 120 units of public housing be included in the project, and directed[26] that all housing constructed on clearance sites be offered on a racially nondiscriminatory basis. Since Hyde Park was the first urban renewal program professing to be interracial,[27] it got national publicity as a "pilot project."

While Negro approval[28] of the project was not required, the nondiscriminatory claim won it. James Baldwin has written of the Negro's "wise desire not to be betrayed by too much hoping." But Chicago Negroes, disappointed by the lack of results of the covenant decision, did turn hopefully toward the promises of urban renewal and believed that in time the trials of relocation would bring better housing opportunities.[29]

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[16] The Supreme Court's decision also meant that those who had used restrictive covenants to support residential segregation by race had to find another leg upon which to stand. The court had sawed this one off.

[17] Serious omission of relevant fact: Prof. Morris Janowitz, of the University of Chicago, points out that without detracting from achievements elsewhere, it can be said that Hyde Park-Kenwood comes closest to being the only good sized community in the United States which is effectively integrated. It is a community with a whole range of multiracial institutions, schools, churches, and shopping centers; and where whites sell and rent housing to Negroes and Negroes to whites. (See also footnote 50.)

[18] Serious omission of relevant fact: See footnote 4.

[19] Serious omission of relevant fact: A more precise statement is that in 1960 95 percent of the Negro population resided in 194 census tracts which were more than 40 percent Negro. What these figures signify is the rapid swelling of the Negro population between 1950 and 1960 (by over 300,000) within a boom housing market that was generally divided in two; one for whites and the other for Negroes.

[20] Serious omission of relevant fact: The real "deterrent" is not urban renewal but the dual-housing market, as Miss Richey herself recognized earlier in the article. To obtain housing in the city or suburbs, whites have only to shop in any established real estate office. Since the same outlets and multiple listing services are generally closed to the Negro buyer or renter, he has to shop in the so-called Negro market—confining his housing search usually to well-defined areas in the city and the suburbs.

[21] What about other urban renewal developments, such as Carl Sandburg Village, Lake Meadows, Prairie Shores, etc.—all of which are far enough along to evaluate and are open to all regardless of race?

[22] Serious omission of relevant fact: Had it not been for the urban renewal plan the "mixed area" would certainly have become all-Negro.

[23] Serious omission of relevant fact: During the many months that the plan was being drafted hundreds of meetings were held, involving thousands of residents, including religious leaders, businessmen, and community leaders. Tape recordings of these meetings are available. More than 300 changes, many of them substantive, were incorporated during this period. James V. Cunningham, executive director of the Hyde Park-Kenwood Community Conference during this period, states: "Citizens acting through the conference were shaping the contents of the final plan in all meetings with the planner * * * in all the reports submitted [to the planner] * * * in meetings of the committee of six, and in the entire process through the years. Influence is not something that takes place only at final hearings."

[24] Serious omission of relevant fact: Miss Richey fails to mention the Hyde Park-Kenwood Community Conference, the interracial, grassroots neighborhood organization founded in 1949 to create a stable interracial community. The role of the conference is documented in "A Neighborhood Finds Itself," by Julia Abrahamson, and in "The Politics of Urban Renewal," by Peter H. Rossi and Robert A. Dentler. As Hyde Park's representative community organization, deeply involved block by block with its residents, the conference did not agree with Monsignor Egan or with the Hyde Park Tenant & Homeowners Association.

From the very beginning the conference recognized that freedom of residence—for the Negro—did not mean that a neighborhood would remain interracial; it might become all Negro. Freedom of residence also meant that whites were free to move out as others were free to move in. Hence, the conference set out to educate whites and Negroes on the advantages of a stable interracial community and to make Hyde Park-Kenwood an attractive community into which both Negroes and whites would continue to move. For many years, there was doubt that the conference would succeed in its educational program. It can now be said that success is finally in sight—though not yet achieved. (See also footnote 50.)

[25] Factual error: Monsignor Egan says he never made this statement. He also knows that the type of construction may have little relationship to the quality and safety of housing in areas with overcrowded, illegally converted buildings. Seventy-eight percent of the buildings demolished in Hyde Park were substandard.

[26] Factual error: From the very first the proposed Hyde Park plan was built around the principle that "all housing constructed on clearance sites be offered on a racially nondiscriminatory basis." This principle was not inserted by the city council upon adoption of the plan 3 years later as Miss Richey indicates; it was there all the time.

[27] Factual error: Nearby Lake Meadows, an interracial urban renewal development built upon land originally cleared by the city, preceded the Hyde Park project by more than 5 years and also received national publicity as a pilot project for its open occupancy. It is fully described in a 4-part series that appeared in the Chicago Defender, Nov. 12–15, 1962, and in the Journal of Housing for January 1961.

[28] False generalization: Here, as well as in at least eight other places in this article ("Negro repudiation," "Negro approval," "Negroes began to say," "the Negro community," etc.), Miss Richey purports to describe how the Negro felt, acted, or reacted. To lump Negro opinion, as Miss Richey repeatedly does, is to stereotype Chicago Negroes. Those who know Chicago Negroes know better than to squeeze their many and varied views into some prefabricated mold.

[29] Serious omission of relevant fact: Homeownership among Chicago's nonwhites rose 131 percent between 1950 and 1960 and is still increasing. Currently, the city has an estimated 40,000 Negro homeowners, an

NO BRONZE PHOENIX

No sooner had rubble dust begun flying than the Negro community grew alarmed. While 80 percent of the housing in all Hyde Park was indeed untouched, approximately 20,000 of Hyde Park's population of 70,000 were evicted in the clearance of entire blocks in West Hyde Park, and 14,000 of those moved were Negroes. Negroes were being evicted wholesale, cried the Negro press; forced-sale properties were undervaluated; relocation assistance was inadequate; available housing was less good and more expensive.[30] Moreover, color seemed to be the prime target of the wrecking balls.[31] Solid Negro blocks were getting a clean sweep, while integrated blocks underwent spot clearance of property that nearly always was Negro occupied. The urban league charged that 8 out of the 10 of those relocated were Negro, and that the pileup in the already overcrowded ghetto was "breeding more slums and worse slums" and causing "further concentration, enlargement and institutionalization of segregation." Negroes began to say that urban renewal was really Negro removal[32] and a process of chasing slums around.

Such discontent deserved study.[33] A University of Chicago sociology team investigated Chicago rental opportunities and found that twice as many Negroes as whites lived in substandard housing, but because of acute demand Negroes paid $15 more a month[34] for theirs—in effect, a color tax. This economic hardship (Negro income averages 30 percent lower than white) caused families to double up, overburdening facilities and services and thereby generating slum conditions.

One ghetto neighborhood where relocated Negroes were being concentrated[35] was Woodlawn, which borders Hyde Park on the south. Built to accommodate 25,000 residents,[36] Woodlawn by 1960 bulged with 82,000,[37] many disgruntled at having been evicted by clearance several times. When the white press[38] began calling Woodlawn "blight ridden" and "vice infected" and delegations began prying around with note pads, Negroes smelled another Negro removal project brewing. Convinced that population squeezing had reached the limit, Woodlawn's Protestant and Catholic clergy pooled a fund and, in 1960, hired a professional organizer, Saul Alinsky, to organize Woodlawn[39] to withstand wholesale clearance. The University of Chicago's announcement of its "south campus plan" wasn't long in coming.[40] Having applied for Federal funds under a new act designed to help colleges improve their environment, the university hoped to clear a mile-long slice of Woodlawn for an "expansion program."

More than 40,000[41] Woodlawners rallied to Alinsky's Temporary Woodlawn Organization, and at a community "congress" voted overwhelmingly to oppose any renewal program that was not approved and directed by Woodlawn citizens. Alinsky warned, "There will be people lying in front of the bulldozers if the university doesn't listen to us." Up to the moment of writing, the bulldozers haven't breached Woodlawn's borders.[42]

When pricing on Hyde Park's rising apartments and town houses was announced, Negro tempers flared. Apartment rentals ranged from $125 for efficiencies to $235 for bedroom apartments, townhouses were priced from $20,000 to $42,000. Negroes cried, "We have been priced out." Then, Hyde Park business interests succeeded in postponing indefinitely the construction of the 120 units of public housing the city council had recommended. By this time, the Negroes were sure they had been duped.[43] "Urban renewal was a false promise," declared the urban league. The Negro daily Chicago Defender summed it up ruefully: "Nothing has been more difficult to contend with than the

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increase of 23,000 over 1950. Between 1950 and 1960, according to Prof. Donald Bogue, of the University of Chicago, 29,000 nonwhites moved from the city into the suburbs.

[30] Serious omission of relevant fact: No relocation program—involving low-income families—can be accomplished without some mistakes or injustices. And Hyde Park had its share. But the description in this paragraph differs from the reality as does brass from bronze. The overwhelming majority of the families were relocated to safe, sanitary, standard housing. The heartbreak of relocation centers in a hard core of difficult, social welfare cases. Urban renewal brought to the public eye our failure to solve these social problems. Had it not been for urban renewal the human burden shouldered by these problem families would have remained hidden from view. (See also footnotes 32 and 51.)

[31] Factual error: Also the target of wrecking balls was to block inhabited by whites and nearly completely demolished to make way for the Ray School.

[32] Serious omission of relevant fact: It would be difficult to prove whether more whites than Negroes have made this charge. Miss Richey confuses the issue all the more. In putting this issue into historical perspective Robert C. Weaver performed a real service:

"The suburban building boom of the 1950's helped the Jews to escape to the suburbs. It will be the urban renewal of the 1960's that will help Negroes to escape from their ghetto. Had urban renewal been launched a generation ago it would have had its primary impact upon Jews, Italians, and Irish. Today that impact falls primarily upon Negroes. For urban renewal is directed toward rebuilding and rehabilitating the blighted areas of our cities. And it is in those areas that, today, Negroes are concentrated.

"The only way urban renewal can continue is by assuring those who are affected by it, either through relocation or rehabilitation, a better place to live. If it is to continue, therefore, it must be accompanied by greater freedom of choice for Negroes in housing."

[33] Factual error: By having her timetables reversed, Miss Richey's point evaporates. The study, which she says was prompted by the Hyde Park-Kenwood urban renewal plan, was well underway before Nov. 7, 1958—the date when the city council finally approved the plan. Furthermore, the study "Housing a Metropolis—Chicago," by Beverly Duncan and Philip Hauser, was, in great part, financed by city funds.

[34] Serious omission of relevant fact:

The figures from the sociology team of Hauser and Duncan are for 1956. How long was such a differential expected to continue? According to Gary S. Becker: "The very rapid influx of Negroes into Chicago during the last 15 years has led to temporary differences between rents paid by Negroes and whites which would be eliminated a few years after the influx ceases." ("The Economics of Discrimination," University of Chicago Press, 1957.) He goes on to conclude: "The residential discrimination observed in many northern cities is a consequence of the inmigration of Negroes and the residential segregation in these cities."

As long as the dual housing market in the Chicago metropolitan area makes 80 percent of the housing "unavailable" to Negro renters, they will have fewer places from which to choose and hence less of a chance to pick the "best buy" for their rental dollar. It would be as if suburbanites were permitted to shop in only one of six major department stores in downtown Chicago. Limited in their opportunity to look around and buy the best at the lowest price, these suburban shoppers would not be able to take full advantage of what is being offered. By restricting housing opportunities for nonwhites, the dual-housing market puts them at a competitive disadvantage.

[35] Data from the department of urban renewal indicates that only a small number of Hyde Park families were relocated in Woodlawn. Because of convenient railroad and bus terminals, and good mass transportation, Woodlawn has been a major "port of entry" in Chicago for new arrivals from the South.

[36] Factual error: Ever since 1920, when the population was 97 percent white, the Woodlawn community area has always had at least 61,000 residents.

[37] Factual error: Miss Richey neglects to differentiate between the Woodlawn census area and the Woodlawn planning area. The Woodlawn census area in 1960 accommodated 72,397 Negroes, plus 8,500 whites and 432 of other races for a total of 81,279. Between 1950 and 1960 the population of the Woodlawn census area increased by only 580 persons. Woodlawn was overcrowded before urban renewal began in the 1950's. For facts about the Woodlawn planning area (East Woodlawn) see also footnote 39.

[38] Serious omission of relevant fact:

Negroes were not on the sidelines; many were very critical, too. The Chicago Defender featured a 10-part series of articles on the people, leaders, and problems of Woodlawn. Here is one quote:

"For those exorbitant rents, families received refrigerators that wouldn't keep food cold, stoves that wouldn't work, hazardous or nonfunctioning electrical outlets and broken locks on doors and windows.

"They paid for falling plaster, refuse in the basements, and herds of rats and regiments of roaches. They paid for the right to have a mailing address and to be surrounded by four shabby walls and a leaky ceiling."

The Woodlawn Booster, the neighborhood newspaper, published this report from the staff of the Industrial Areas Foundation which said, in part: "Criminal commercial interests are forever trying to ensnare Woodlawn young people in dope, liquor, and prostitution. These immoral businesses are run by gangsters who do not live in our community. Time and again, TWO has put its finger on the saloons and hotels as gathering places for these moneymakers in human misery. The police have not been effective. We do not speak of spasmodic and sensational vice raids. We are speaking of consistent, vigilant, and effective law enforcement."

[39] Factual error: Actually the area around which TWO is organized and for which the city is planning is East Woodlawn with a population of 60,000 in 1960. This area increased by 5,000 persons between 1950 and 1960; and 10,000 since 1940.

[40] Factual error: Again, the reversed timetable: The "South Campus plan" came before TWO and helped trigger TWO into existence.

[41] Factual error: Even TWO's stanchest supporters would say that this was an extremely generous estimate of the number of Woodlawners who rallied to TWO's side. No 40,000 persons attended TWO's highly successful initial community congress. Some 1,500 persons did pack the hall.

[42] After announcing a preliminary plan for Woodlawn, the department of city planning has been working with the Woodlawn organization and other community groups to prepare more definitive proposals. Progress has been made in reaching agreement on several basic principles, such as the need for spot clearance, assistance for rehabilitation, and institutional expansion.

[43] In making this charge Miss Richey underestimates the intelligence of the hundreds of Negroes in Hyde Park-Kenwood—Negroes who for 5 years took an active part in the argument and discussion over the renewal of their community. Today, they still actively participate.

newest strategy of racial discrimination—the device called urban renewal."

This disenchantment[44] was dramatized last spring by two dissimilar events. Negro Sculptor Richard Hunt, who had been commissioned to execute a bronze phoenix for a monument to Hyde Park urban renewal, stunned Hyde Park by announcing that he had decided not to complete his work. To a plea that he reconsider, Hunt replied that he would deliver his sculpture only on condition that he be permitted to destroy it as soon as it was unveiled. (The monument was not recommissioned.) The other event was the trouncing at the polls of Mayor Richard J. Daley's $22.5 million urban renewal bond issue. Analysis of the vote showed the Negro electorate contributed strongly to the defeat.[45]

The mayor's response was to release a study,[46] a survey of real estate speculator operations that revealed new exploitation methods such as installment-plan contracts.[47] The buyer who was late in making his payment was charged a sizable "fine"; if he defaulted, his property was repossessed without refund. One buyer who had paid $800 down and $22 a month plus fines for 2 years lost all by defaulting. Since the study prompted no corrective regulations, presumably its only effect was to advertise the lucrative possibilities of "turning a neighborhood."

IF THEY CAN PAY

Negro repudiation of urban renewal has prodded the conscience of Hyde Park, which is proud of its reputation for liberalism. There has been some checking to determine if Negro accusations are valid. Checking is remarkably easy. The amount of new housing constructed on urban renewal sites is well known to be 250 townhouses and 2 apartment buildings. Twenty-seven townhouses are occupied by Negro families (the majority interracial couples);[48] an FHA survey[49] found 14-percent Negro tenancy in the apartments. It is difficult to determine to what degree this low Negro occupancy is due to pricing, how much to screening. All other construction on urban renewal land to date has been for institutional and retail commercial use; other cleared sites have been assigned for parks and playlots; much cleared land remains unpurchased. To be sure, a great deal of new housing has gone up in the project area on sites unaffected by the nondiscriminatory clause, and a great deal of the older housing has been rehabilitated. Property values have soared; so have rents. None of the promised 120 units of public housing have been constructed, nor have sites been assigned. Eighty-four units of housing for the elderly, which had been projected prior to urban renewal, were relegated to a remote corner of Hyde Park. Formerly separated by blocks undergoing racial transition, white and Negro sectors now are cleaved by an economic line of demarcation through which Negroes pass, if they are lucky, for the small quantity of housing for which they are eligible—if they can pay.

Thus, the admission of a hundred professional-class Negro families[50] to Hyde Park's urban renewal housing appears to be the replacement for the 14,000 Negroes who were evicted.

Initially touted as a national model for racially integrated urban renewal, the federally assisted "nondiscriminatory" pilot project has served to roll back the ghetto border, generating pressures that deliver displaced residents into the hands of greedy landlords and ruthless speculators. More than 150,000 Negro Chicagoans have been displaced by clearance[51] since 1948, according to the urban league. The Chicago experience stands as a dire warning of how the President's new nondiscriminatory housing order can be circumvented by planners whose goal is upgrading real estate values instead of human lives. Urban renewal has even failed in its goal of attracting suburbanites back to the city;[52] the exodus of Chicagoans to the suburbs has increased.

If clearance has promoted residential segregation, school segregation has been assisted by new construction—that is, by the construction of additional all-Negro schools. Since the 1930's the Chicago Board of Education has generally used residential segregation as its guide for school-attendance zoning (except during the 1947–53 superintendency of Harold Hunt), redrafting school districts as the color line shifted. But school segregation lagged behind housing segregation for a time because of a lack of seating space[53] in Negro schools. When Negro schools reached the load limit of 45 students[54] to a classroom, the overflow was channeled across ghetto lines until additional schools could be built.

A large school construction appropriation has had the effect of enforcing a segregation policy for which the board recently was taken to task[55] by the U.S. Civil Rights Commission.[56] The board justifies its policy

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[44] Factual error: There is no doubt about Hunt's "disenchantment." But the most surprised man in May 1963 was Hunt himself when he read Miss Richey's explanation for his not completing the phoenix. Hunt said he was surprised because he had given her his real reason for not finishing, which was personal and not the Hyde Park urban renewal plan.

[45] Factual error:

Miss Richey's thesis on "Negro opposition" to urban renewal rests on this fictitious statement. The public record shows that the vote in the wards predominantly Negro in residence was more than 3 to 1 in favor; in these wards, 1, 2, 3, 4, 5, 6, 17, 20, 24, 25, 27, and 29, the total vote on urban renewal bond issue was 94,403 yes, 27,079 no. In wards predominantly white in population, the vote on the bond issue was 2 to 1 against.

Negroes in Hyde Park and Woodlawn voted overwhelmingly in favor of the bond issue.

[46] Factual error: The mayor released no such study.

[47] Serious omission of relevant fact:

In June 1962, the commission on human relations completed a survey, begun 9 months before the urban renewal bond issue vote, on "selling and buying real estate in a racially changing neighborhood." This survey in an Englewood block explained how real estate speculators had bought homes from longtime white residents at low prices and then had resold them to Negroes at high prices. The survey did not reveal any "new exploitation methods such as installment-plan contracts." The contract sale is almost as old as Chicago and was often used by immigrants, who had only small down payments, to get a first leg on a home of their own. What the commission study revealed was how various lawyers and financial institutions had connived, through abusive contract selling, to exploit Negroes and whites.

As a result of the survey public hearings were held and a dozen steps taken to curb the abuses uncovered. Negro home buyers and white sellers were alerted to the dangers involved.

Because of the increasing availability of mortgage money to Negroes, at more competitive rates, contract sales have declined.

[48] Factual error: Whatever significance Miss Richey may attach to this statement, the fact is that the builder of the townhouses flatly denies that the majority of the couples are interracial. He noted three.

[49] Factual error: The Federal Housing Administration says it made no such study. About 90 of the 540 apartments are occupied by Negro families.

[50] Factual error: The best current estimate of the population in the Hyde Park-Kenwood urban renewal area is 65,000, half of whom are Negro. Four times as many Negroes now reside in this area as did in 1950. It is also the home of many families of Oriental background.

[51] Serious omission of relevant fact: "Clearance," as used here, must include far more than the "urban renewal" projects on which Miss Richey centers her attention. From 1948 through 1961 a grand total of 59,000 households were relocated (43,400 families and 15,300 single persons) to make way for urban renewal, expressways, building code enforcement, public housing, hospitals, medical center, parks, parking lots, elementary and high schools, colleges, etc. The best estimate is that 60 to 65 percent of these were Negro households; the rest, white.

For 1962, according to the Department of Urban Renewal, 3,200 families were displaced by governmental clearance for various purposes. Of these, 1,200 were white, 2,000 nonwhite. For the 2-year period of 1963–64, about 6,800 families will have to be relocated, 4,300 white and 2,500 nonwhite.

To date the Chicago Housing Authority has constructed 31,000 low income housing units, enough to accommodate three times as many people as were displaced on its sites. The biggest single program resulting in the relocation of households was the city's expressway program for which 17,000 households had to be relocated from 1948 through 1961.

[52] Factual error: This will be news to the thousands of suburbanites who have returned to the city to occupy the new apartments constructed along the lakeshore and in the city's central area. There is absolutely no evidence that the postwar suburban surge, which began in the 1940's, "has increased" because of urban renewal. It is obvious why the suburbs will continue to grow: the city can only hold so many people. As our metropolitan population expands, it is the suburban area that will increase in size.

Ferd Kramer, Chicago developer, noted in May 1963, that "not only have many former suburbanites moved to Prairie Shores, but some of them, such as schoolteachers, have reversed the normal commuting practice by now going from the city to the suburbs to work." (Prairie Shores has 1,700 apartments located at 29th St. and South Parkway, next to Michael Reese Hospital.)

[53] Serious omission of relevant fact: In January 1963, the board of education released a report stating that Chicago is the only major city (over 500,000) in the United States which does not have double shift classes. Their existence had been one of the chief criticisms of the board of education by civil rights groups.

[54] Factual error: It would be more accurate to say that when the load limit of 44 students to a classroom was reached, students, Negro or white, would be put on a double shift basis. The recent permissive transfer policy began at 40 pupils.

[55] Factual error: The U.S. Civil Rights Commission took no position regarding the Chicago Board of Education's policies. What Miss Richey refers to is a 1962 study made by Prof. John E. Coons, of the Northwestern University Law School. His study, with other such reports on Philadelphia, St. Louis, New Rochelle, N.Y., and Highland Park, Mich., appears in the Commission publication, "Civil Rights, U.S.A.—Public Schools North and West 1962." (See also footnote 8.)

[56] Factual error: What Coons, not the Commission, actually said was: "It might be well to reiterate that the basic problems of segregation in Chicago public education were not created by the school administration. The school system has merely accepted a pattern which is the product of other forces."

Coons quotes favorably the "1961 Report to the Commission on Civil Rights from on the basis that it is operating a "neighborhood school system," but the Commission charged[57] that "In many areas it has not been operating a neighborhood school system, but has acted as if it were."[58] Supt. Benjamin Willis recently asked for more building funds. Negro groups oppose the request,[59] saying that construction will be used for further racial separation, and that under integration the 22,000 surplus seats in white schools would take up the seat shortages of Negro schools. They say—and the Civil Rights Commission[60] concurs—that Chicago Negro schools are inferior to white schools[61] and that Negro schools are poorly supervised because of the lack of experienced teachers.[62] Awaiting more building funds, the board is maintaining segregation by assigning Negro classes[63] to mobile classrooms (dubbed "Willis wagons"), cafeterias, auditoriums, corridors, gymnasiums, basements, warehouses, vacant stores, and apartment space in public housing.[64]

Educated by a school system that seems to be striving toward the "separate but equal" Supreme Court directive of 1896, housed according to the Chicago "rule" of 1917, and disillusioned by a decade of "nondiscriminatory housing," Chicago Negroes cheered[65] neither President Kennedy's latest housing order nor Mayor Daley's latest study,[66] which explored Chicago in the year 2013 and found "all races completely integrated and absorbed."

WHO? WHAT? WHY?

Elinor Richey lives in the Hyde Park neighborhood of Chicago about which she writes. A native of Mississippi, she offers a timely reminder[1] that not all troubles of American Negroes occur in the South.

Illinois State Advisory Committee" to the U.S. Commission on Civil Rights: "It would seem, although the National Association for the Advancement of Colored People contends otherwise, that there is not a deliberate policy of discrimination."

[57] Factual error: See footnote 55.

[58] Serious omission of relevant fact: What Professor Coons did say was: "The most serious criticism of the Chicago system relates to the inflexibility of transfer policy. This suggests no criticism of the neighborhood school, which seems sensible as an abstract proposition. The telling complaint is less the logic of the neighborhood system than the illogic of its application under existing conditions. Practically speaking, neighborhood schools do not exist in many of the crowded areas of Chicago, unless the requirements of that concept are satisfied by the mere existence of a building called a school which is physically located in something called neighborhood. If the school is not adequate to serve the needs of a neighborhood, it is playing with words to label it a neighborhood school. The most serious charge against the administration seems to be that in many areas it has not ben operating a neighborhood school system, but has acted as if it were.

* * * * *

"What impact would a reasonable and impartial transfer policy have upon segregation? Probably not a great deal in statistical terms. It would not involve great numbers. Even if transfers were not limited to the nearest school having space, large numbers of Negro pupils would not transfer to schools in white areas, and if the building program should catch up, transfer would probably be terminated. Furthermore, many Negroes will prefer not to transfer for reasons of convenience, inertia, or fear of competitions with white pupils. Nevertheless, such a program would have an important consequence, for it would constitute a commitment of the Chicago school system to equality not merely in words but in action."

[59] Factual error: The board's request for more building funds is before the Illinois Legislature. No "Negro group" opposed the request before the committee considering the $25 million proposal.

[60] Factual error: See footnote 55.

[61] Factual error: What Professor Coons said was: "The attempt to pass judgment upon a school system's compliance with a constitutional standard of equal opportunity for education implies the existence of criteria by which the quality of education may be judged. Unfortunately about the only item of universal agreement is the assumption that some education is better than none, perhaps with the added proposition that more is better than less. * * * For example, the knowledge that the teachers in a given school are less experienced than the average may be a matter either for concern or gratification to the school involved. Does experienced age teach better than enthusiastic youth? And, for that matter, do experienced teachers have less enthusiasm? Is it possible that age itself irrespective of all other qualities has something to do with successful teaching? If so, which age is the optimum—the least, the most, or some stage between.

* * * * *

"The proportion of uncertified teachers on a school's staff seems to be a more reliable measure of difference in quality. This criterion is suggested by the school administration itself, and by this test the Negro schools are inferior.

"There is no evidence that the Negro schools receive less than their share of cocurricular services in the form of special teachers, truant officers, lunch programs, et cetera. Indeed, if there is a differential in these respects, the Negro schools appear to be preferred. Of course the need is undoubtedly greatest in these schools, and it may be that the extra services provided are insufficient in the light of the conditions they are intended to meet."

[62] Misleading quotation: Miss Richey to the contrary, Professor Coons nowhere makes this point.

[63] False generalization: Many Negroes and whites who have read this article have winced at Miss Richey's use of such expressions as "Negro classes," "Negro schools," "Negro districts."

[64] Factual error: A check of all schools in Hyde Park, Woodlawn, and Englewood found no Negroes assigned to classes in cafeterias, auditoriums, corridors, gymnasiums, basements, warehouses, or vacant stores as of May 15. Use of first-floor rooms in public housing projects for classrooms for small children has been hailed as a major social achievement not only in Chicago but also in New York.

[65] Factual error: The public record contradicts Miss Richey. Editorials in the Chicago Defender, spokesmen for the Chicago Urban League, Dearborn Real Estate Board, and the NAACP and Negro aldermen did cheer the President's Executive order. What disappointed some of them was that the President's order was not as broad in coverage as they had hoped.

Edwin C. Berry, executive director of the Chicago Urban League, said: "I hail the presidential order and commend the President for signing it."

A resolution introduced into the city council by three aldermen, all Negroes, was passed unanimously and stated: "We, the members of the City Council of the City of Chicago, support and applaud the executive order of President John F. Kennedy, which is in accordance with the policy of this legislative body."

[66] Factual error: There is no such study. The quoted snippet that follows seems to have been taken from an unpublished mimeographed guideline used within the department of city planning to draft current policy for the long range (50-year) general plan for Chicago. The general plan has not yet been completed or released.

[1] She offers a timely reminder that even the Reporter has troubles in consistently providing its readers with an accurate reporting of facts, events, and trends.

NATIONAL CONFERENCE ON INTERNATIONAL ECONOMIC AND SOCIAL DEVELOPMENT

Mr. HUMPHREY. Mr. President, it was my privilege on May 29 of this year to address the annual meeting of the National Conference on International Economic and Social Development, which is composed of more than 400 organizations that are engaged in furthering international development, either directly or indirectly. I would like to direct the attention of my colleagues to the fine work that this organization is doing in the area of foreign aid, and, also, to consider for a moment the implications which the support of this group has for the success of our foreign aid program. The member groups of the conference represent almost every strata of our society and are drawn from all sections of the country. It is encouraging to know that the voices which speak out for foreign aid are so numerous and so well distributed.

Many of the groups participating in the conference again put their support on record by submitting written statements, and I ask unanimous consent that these testimonials to world peace and humanitarianism be printed in the RECORD. There being no objection, the testimonials were ordered to be printed in the RECORD, as follows:

AFL-CIO, GEORGE MEANY

I want to point out that this program, from its start, has been a humanitarian one. It is an important program in a political sense, of course; but it is to at least the same degree a fundamental expression of the willingness of the American people to extend the hand of friendship and to share their good life with others * * *.

The last year has proved—at least to our satisfaction—that the need for foreign aid has not diminished * * *. We need to win the cold war, and we need to win it no matter what the cost to our Treasury * * *.

America's objective should be free societies—politically free, with the ultimate power in the hands of the people. That is the basic point. The people may choose to concentrate on Government ownership, control and planning—that is up to them. They may want a greater degree of private enterprise—that is also up to them. This country's concern should only be that their choice is freely made, and that it can be freely altered.

POLICY ADOPTED BY THE THIRD BIENNIAL NATIONAL CONVENTION, NOVEMBER 17, 1962, OF THE AMERICAN ASSOCIATION FOR THE UNITED NATIONS

DECADE OF DEVELOPMENT

The General Assembly unanimously designated the current decade as the "United Nations development decade" and challenged the member states to intensify their efforts "to mobilize and to sustain support for the measures required" to make a substantial increase in the rate of economic growth of underdeveloped countries.

The American Association for the United Nations supports this program and urges the nations to cooperate to the utmost to see the goal realized. Eight years remain of this decade. Each year should see a steady advance to the aims of the development decade on all fronts—improvement of agriculture, industrialization, housing, schools, and all the vast efforts to help underdeveloped peoples to a richer life. But it is not only the developing peoples to whom the program is directed. In a sense, the privileged nations share. Their economies will advance, and their peace and stability will be enhanced.

The United States should be prepared to contribute on a long range and increased scale to the economic development of the less developed areas of Asia, Africa, and Latin America. An increasing share of this money should be spent through the United Nations and its specialized agencies.

The case for multilateral aid through the United Nations is overwhelming. It prevents the cold war from entering these areas. The new states themselves, as members of the United Nations, are part of the technical assistance program. Furthermore, they contribute something of their own currencies and technicians to help other countries.

The AAUN supports an expansion of the United Nations program of technical assistance, additional support for the Special Fund, and an increase in the capital resources of the International Bank, International Finance Corporation, and Monetary Fund. It welcomes the establishment of the International Development Association and the Inter-American Development Bank. The program for supplying of operational and executive personnel to countries requesting such assistance from the United Nations should be carried forward vigorously.

The association points out that above and beyond, must be kept the goal of basic human rights and fundamental freedoms; for the United Nations aims at a society of free men.

The American Association of University Women

The American Association of University Women has supported the purpose for which the Act for International Development was enacted since the inception of these and similar programs under the Marshall plan.

At its last convention the association adopted legislative items supporting—

Measures for effective participation in and operation of the United Nations and its affiliated agencies.

A constructive foreign policy implemented under existing constitutional provisions and designed to develop conditions favorable to democracy, economic and social well-being, security, and peace throughout the world by working for such objectives as (a) liberalizing international trade, (b) expanding and improving programs for sound technical assistance and economic and social development for underdeveloped countries, (c) cooperating with other countries in the further development and use of atomic energy for peaceful purposes, (d) developing international understanding through dissemination of information, exchange of students, teachers, and other professional groups, and a broad reciprocal cultural relations program, (e) providing for international agreement to restrict to peaceful purposes the exploration and use of outer space.

American Library Association

The American Library Association supports a continuing program of technical aid to underdeveloped nations including the participation of professional librarians in such a program (title IV, H., International Programs, Federal Legislative Policy of the American Library Association, adopted January 29, 1959, by the ALA Council).

American Veterans Committee, Inc., J. Arnold Feldman

With the universe as well as this earth growing closer together month by month and week by week, it is sheer folly to think that we are still living in an age in which the problems of one part of the world are of really greater concern to one Western nation than to any other. What happens in Africa in the former French and British colonies is as important to the United States as what happens in Latin America.

The United States should aid and encourage uncommitted nations to maintain control of their own policies and avoid satellite status. The United States must act decisively to spur the desired economic growth and to promote more equitable allocation of national income in such nations while fostering insofar as possible development of representative government and respect for minority rights. To these ends economic aid, preferably in long term, low interest loans, technical assistance (especially in education), and subsidized cultural exchanges must be increased and wherever possible given priority over military assistance. Private investment abroad should be encouraged only if it promises to promote sound economic development in the interest of the areas concerned, and if it is welcomed by the nations themselves.

The primary aim of aid to underdeveloped countries should be to aid them to develop economically and culturally for the welfare of their peoples. Our Government should undertake to negotiate agreements covering the allocation of aid funds to specific projects or kinds of projects serving such aim.

We congratulate enthusiastically the work of the Peace Corps in this past year. Our Peace Corps has overcome many obstacles and is an inspiring example of unselfish, full-giving service to the underdeveloped countries and the peoples of the world. In addition, we call for a greatly expanded program to afford more highly trained and experienced technical, managerial, professional and other personnel in the many varied fields to aid the underdeveloped areas.

The principal economic problems of tomorrow's world are the struggle against poverty and for effective, equitable economic progress. The United States must accept a decisive role in this struggle; if we do we can match any competing economic and political system.

The need for accompanying capital investment abroad with corresponding investment in technical and management education aimed at building human skills in industrial and agricultural developments and, where the investment is made in the public sector, in social engineering, has been greatly ignored. Much of what little has been done we owe to the work of the United Nations technical agencies and to the effect of private organizations, notably the Ford Foundation. Regardless of the nature of the investment—whether grants, loans, Public Law 480 or other funds—a carefully studied and planned but dynamic program of education and technical training is needed to enable underdeveloped nations to help themselves.

To make such a program living reality requires the devoted efforts of many thousands of trained and competent Americans of above Peace Corps level experience; men and women of accomplishments in the field of education, labor, industry, agriculture, and government, who will revive the idealism of the American past to light the future. Their service will be in the noblest cause of all—winning a peace that stays won.

Americans for Democratic Action, David C. Williams

I wish to repeat ADA's longstanding support of the oversea aid program, and to make two cautionary points about it.

First, the idea has been expressed—in an official document which I shall not name—that the United States should under no circumstances aid Government undertakings which are in competition with private enterprise. This is absurdly doctrinaire—under this principle, there would have been no TVA. We think that both private and public enterprises have their role, and that they should be judged pragmatically, not dogmatically.

Second, in the same document the suggestion was made that the United States should play only a minor role in aid to Africa. I disagree, because I believe we should build upon success. American policy has scored great successes in Africa in the past 2 years; Communist efforts have suffered massive setbacks. We should seize the opportunities open to us there by a well-considered expansion of our program, rather than an ill-considered contraction.

I have, as many of you know, been active in this conference from the very beginning, 11 years ago. I have never been more confident than I am now that the aid program has been supremely worthwhile—and that, under its present leadership, it will go on to new and greater achievements.

Association of State Universities and Land-Grant Colleges, Christian Arnold

The land-grant colleges and State universities strongly believe the Federal Government has both opportunity and obligation to move further into international programs in a revolutionary kind of way. If it made sense to do so in the land-grant movement of 1862, it certainly makes sense to do so with an appropriate new kind of revolution in our own time. When one thinks of this particular juncture in history, he realizes that never again will any country be in such an advantageous position to shape the leadership of much of the world, to affect rising new nations and their economies, and to influence prevailing philosophies and international relationships. Government should be deeply and immediately involved. These institutions also believe that the international area offers challenging, rewarding opportunities for extension of the land-grant idea.

They also recognize that a moral obligation must have practical means for execution of our concern remains a rhetorical flourish. As a consequence, the association of State universities and land-grant colleges has established an office to devote full time to (1) encouraging its member institutions to expand and strengthen their oversea programs, (2) help these institutions coordinate policy considerations in this area, and (3) provide effective liaison among the institutions and between them and other organizations with commitments to and interests in international programs. It hopes in this way to demonstrate its endorsement and support through enlightened action programs.

Catholic Association
for International Peace,
February 18, 1963.

Gen. Lucius D. Clay,
Committee To Strengthen the Security of the Free World, Washington, D.C.

My Dear General Clay: It was distressing to read the New York Times (western issue) report of January 31, that a Presidential Study Group headed by you plans to recommend cutbacks in foreign aid based only on considerations of whether or not U.S. security is affected. As may be noted from the enclosed, picked at random from our files, the Catholic Association for International Peace has always taken the position that the United States, because of its wealth and leadership, has a moral responsibility to aid less privileged nations, that the people, if properly informed, would support such a program.

Sincerely,

HARRY W. FLANNERY,
President, Catholic Association for International Peace.

The following is a statement made by Mr. Harry W. Flannery, president, Catholic Association for International Peace, in 1957: "It is my humble opinion that if the full significance of foreign aid could be brought home to the American people, they would be ashamed to realize how little of our national wealth is being devoted to its cause. We have been letting the people in underdeveloped countries believe that our interest in them is derived only from our struggle with the Soviet Union. We should give aid primarily, in accordance with our traditions, in the spirit of justice, and because we have a moral responsibility to do so."

STATEMENT ISSUED BY EXECUTIVE COUNCIL OF CATHOLIC ASSOCIATION FOR INTERNATIONAL PEACE, 1961

"The executive council of the Catholic Association for International Peace is pleased to note that the substance of most of the recommendations of the CAIP in 1959 have been incorporated in the new bills. The CAIP stated at that time:

"1. That there be an adequate military assistance program designed to promote the mutual defense of the United States and its allies;

"2. That the mutual security program should be restricted to military assistance, including limited defense support; and economic assistance should be enacted in separate legislation on a long-term, continuing basis;

"3. That the objectives of economic assistance to low income countries should emphasize the national purpose of the United States to further the ends of social justice in the world community; and

"4. That social and fiscal reforms necessary to further the ends of social justice and sound development should be pursued vigorously."

We believe that the separation of the long-term social and economic objectives of the act for international development from the hopefully short-term objectives of the International Peace and Security Act is a decided gain in the direction of a more effective foreign aid program. Too many times in the past we have heard friends of the United States from the developing countries say that our aid efforts are not always fully appreciated when the peoples in these countries are led to believe that our only motivation for these efforts stems from the cold war.

It is, therefore, our conviction that if the motivations for economic assistance to the developing areas are known in terms of our advocacy of social justice, and not merely as a reaction to Communist threats, our aid efforts will be more effective—and, in the long run, our national interests will be better served. Moreover, the condition that countries receiving developmental assistance make genuine efforts toward securing social and economic justice for their own citizens is a positive measure which we strongly endorse.

The heart of the economic assistance bill is the proposed long-term authority for loans repayable in dollars. These loans will be made to assist developing countries in long-range development plans and not for a series of unrelated projects. The long-term authority will enable the United States to make an adequate commitment to help the receiving governments introduce the necessary reforms with less difficulty. With prudent congressional safeguards consistent with our traditional concept of checks and balances, the long-term authority should go far to accomplish the basic objectives of our foreign aid policies.

We do not think that the foreign economic assistance which the current bills authorize is an undue burden on the American people. Most of our aid is now tied to U.S. goods and services which will offset any adverse effects on the U.S. balance of payments from capital outflow and the total new money requested for economic assistance during fiscal year 1962 is only one-half of 1 percent of our gross national product. Of this amount more than one-third will be repaid in dollars.

It is our opinion that if the President were to go to the American people with a renewed plea for support of the aid bill, the results would be overwhelmingly favorable provided that his plea were based primarily on the startling contrast between the affluence of our society and the abject, almost unbelievable conditions under which so many millions of people exist in the developing countries of the world. This view is further buttressed by the recent encyclical of Pope John XXIII which states, among other things, "Given the growing interdependence among the peoples of the earth, it is not possible to preserve lasting peace if glaring economic and social inequality among them persists."

COMBINING IDEAS WITH DOLLARS FOR BETTER RESULTS

(By Dwight Townsend of the Cooperative League of the U.S.A.)

The cooperative league has long been identified with the national conference and has held a keen interest in the effectiveness of our foreign aid program by associating itself with all of you who look upon this as one of the important peace-keeping processes in the world.

We feel strongly the need to develop the social emphasis in proportion to the economic emphasis in this total picture. Maybe this is why economic enterprises are usually corporate in nature—to insure their continuity. But social development is definitely a personal thing, and at some place in the foreign aid program we must balance and humanize these great economic endeavors by making clear to plain people what their social importance is.

We need now a balance sheet and an operating statement that will reflect social growth so that we can measure progress. A balance sheet is just a picture of where we are now. An operating statement shows how and why we got that way. A photograph of today's world reflects conflict, contests, contradictions, and confusion. Let us not add the Clay concepts to this miserable mess of "C's." The usual operating statements indicate the typical economic programs where we invest in things, rather than persons.

Here is where the cooperative nonprofit, self-help mutual aid program enables us to get better mileage out of our foreign aid dollars. This is the one important substance that America exports to developing countries that makes more sense than our dollars, the only thing that gives meaning to those dollars.

The cooperative mechanism is a natural package of ideas ready for people who are eager to help themselves and who are willing to make an humble start. The cooperative league has always extended its technical and organizational assistance into foreign countries, especially into those new countries needing help to shore up a democracy so necessary in a wavering world. The cooperative league has today a number of people working in the field of cooperative development in emerging nations, and the cost of maintaining them is largely borne by the willingness on the part of cooperative members in this country to contribute to the league's fund for international cooperative development in sufficient amount to enable these employees of the cooperative league to organize self-help cooperatives, credit institutions, health associations, mutual insurance societies, as well as marketing and consumer cooperatives. Through these channels we believe we can fashion an operating statement reflecting the natural willingness of people to help themselves; to strengthen their self-reliance and to use their own cooperative institutions to build a better world.

We believe this was the intention of the Humphrey amendment in the Foreign Assistance Act of 1961: "It is declared to be the policy of the United States to encourage the development and use of cooperatives * * *." This simply means that an idea which has served us here so well for so long is now marked for export by our Congress.

FRIENDS COMMITTEE ON NATIONAL LEGISLATION—STATEMENT APPROVED BY GENERAL COMMITTEE AT ANNUAL MEETING IN JANUARY 1963

MEETING HUMAN NEEDS

As citizens of a privileged society, the people of the United States are called upon to exercise a deep sense of responsibility and to sacrifice for the well-being of our fellowmen around the world. A majority of the world's people suffer from malnutrition, disease, and illiteracy. Moreover, there is a great and growing gulf between the standard of living in the United States and that in much of the rest of the world.

The pressing needs of the developing world call for a much better coordinated and greatly expanded effort by the United States and other industrialized nations. The resources of all national and international agencies and of private, religious, philanthropic, and educational groups must be brought into action.

But meeting the needs of the developing nations involves much more than financial aid and foreign investment. Development involves profound changes in the social and political structure of society and in the attitudes and institutions of people. It must be founded on a widened popular base of improved education and skills, greater equality of income and opportunity, and strengthened economic incentives. It requires an acceptance of modern technology, and of individual responsibility. Developing nations need capable and responsible native leadership and a reasonably stable structure of government based on legitimacy and consent.

The assistance required from our country therefore transcends financial aid. The people of the United States need to share their technology, knowledge, institutional experience and ingenuity, in a humble, practical spirit.

Role of the U.N.: We recommend U.S. initiative in promotion of the concept of a U.N. development decade. U.S. funds for economic development, technical assistance, refugee relief and other humanitarian programs should be channeled increasingly through the U.N. and its affiliated agencies. Cooperative efforts through the United Nations mean that skilled, experienced people from many countries can be utilized. A U.N. program will be less likely than U.S. bilateral aid to be suspected of seeking to control or dominate the internal or external policies of the recipient nations. Moreover, personnel from less highly mechanized countries may well be able to make more practical suggestions for the solution of some kinds of technological and sociological problems. The U.N. can play an important part in coordinating and broadening the viewpoint of the many U.N., regional, and national development programs.

Aid to neutral and Communist states: Recognizing that national pride and traditional suspicion of great power motives often defeat efforts to win loyalty or gratitude through foreign aid, we urge that assistance and food should be offered, on the basis of need, to all people regardless of the political or ideological nature of their government. In particular, we urge continued exploration by our Government of ways, through both governmental and nongovernmental channels, of getting food to needy people of mainland China. In order to move from economic conflict and competition toward reconciliation and increased cooperation, increased efforts should be made to encourage Communist countries to cooperate in U.N. or other multilateral health and literacy campaigns in developing areas of the world.

GENERAL FEDERATION OF WOMEN'S CLUBS, MRS. DEXTER OTIS ARNOLD, PRESIDENT

The General Federation of Women's Clubs has been a consistent supporter of the foreign aid program of the United States since the inception of the Marshall plan. The success of the Marshall plan is now enabling some of the European countries to join with us in assistance to the less developed countries in order that we may all have economic stability and mutual security. However, their assistance does not mean that we here can relax our vigilance or efforts in this regard.

Economic development and social progress must go hand in hand. In the developing countries, technical innovations are uprooting many people from their traditional way of life and causing a trend of movement toward cities and towns. The low level of literacy is a much greater handicap today than it was in the industrialization of early 19th-century Europe. Today's worker needs to be able to read if he is to adjust to the requirements of the 20th century and to participate intelligently in the great changes upon which his people have embarked. Poor health from malnutrition and endemic diseases such as malaria also impairs efficiency which, in turn, can be reflected in the state of a nation's economy.

The General Federation of Women's Clubs sees the need for continued aid to those countries that have recently become independent. We would, however, like to have more emphasis placed on the educational and social welfare needs of the developing countries as opposed to some of the military aspects of aid. We think that this would provide a better balance in our efforts to help others help themselves.

HADASSAH

Hadassah, the Women's Zionist Organization of America, representing 318,000 American Jewish women in chapters throughout the United States, endorses and supports the programs of the Agency for International Development and urges full support of them and of appropriations therefor. We do this in full recognition of the significant role these programs have had in assisting the developing countries of the world and in increasing opportunity for people seeking to maintain their freedom and human dignity. We recognize equally the part these programs have in developing the industrial capacity of these countries, reflected as well in the growth of our own U.S. economy. We emphasize that in the maintenance of these programs we increase our own spiritual stature and that apart from all other considerations, as President Kennedy said in his inaugural address: "We do so because it is the right thing to do."

THE JEWISH WAR VETERANS

The Jewish War Veterans of the U.S.A., our country's oldest active veterans' organization, has consistently urged and supported U.S. foreign aid programs since the inception of the Marshall plan. On the one hand these programs have been recognized by us as a fulfillment of our national obligation to help the less fortunate peoples of the world; while on the other, the operation of extensive and comprehensive economic and military support efforts throughout the free world is a rational instrument for furthering the national security of our own country.

In the past 15 years the accomplishments of U.S. aid abroad have been the major factor in powering the non-Communist world with the necessary momentum toward making freedom and security attainable goals—and meaningful words—for all of its people. We of the Jewish War Veterans pledge our continued willingness to give of our personal means in order to continue effective programs that have proven to be in the highest tradition of American patriotism and generosity, as well as entirely consistent with enlightened self-interest.

STATEMENT ON LEAGUE OF WOMEN VOTERS WORK ON FOREIGN ECONOMIC AID

(Presented by Mrs. William H. Wood, member of the board of directors of the League of Women Voters of the United States, May 29, 1963)

The League of Women Voters has supported economic and social aid since the 1920's when we were a young organization. Our positions have not been static over the years or agreed upon at one point in our history and never reevaluated. League members have chosen to keep abreast of the changing emphasis of economic assistance to other countries and we have informed ourselves about the programs which over the years had aims of providing relief and rehabilitation, the security of the free world, strengthening of some countries against Communist pressures, and the achievement of a better life for millions of people.

In 1960 league members agreed on specific criteria—yardsticks if you will—for a sound U.S.-aid program: It should be long range; the program should be coordinated, well-staffed and efficiently administered; it should be adequately financed; more recently, we have agreed that there should be emphasis on self-help by the developing countries and on cooperation by other advanced countries through their own bilateral aid programs and through multilateral ones.

League members realize that foreign aid needs a constituency. We devote time not only to informing ourselves and understanding the issues before us on the aid program, but spend time and energy in providing opportunities in the community for other citizens to understand them, and to make up their minds.

What is our position on the current aid legislation? We feel it is not quite enough this year to simply reiterate our general support. We have related our work to the current effort to appraise the U.S. program and to formulate clearer concepts and procedures. We feel the Clay Committee report, the two reports by groups of U.S. Senators, the report of the four-man bipartisan group from the House Foreign Affairs Committee and the testimony of Mr. David Bell—have all contributed important ideas and challenges.

After evaluating in terms of the criteria league members have agreed upon, the League of Women Voters supports without reservation the economic aid features of the Foreign Assistance Act of 1963. We have so testified before the House Foreign Affairs Committee; league members are letting their Congressmen know how they feel; and leagues are working imaginatively in their communities to create a climate of opinion where the aims of the foreign aid program are understood and where there is support for those aims.

EXCERPTS FROM THE STANDING POLICY OF THE NATIONAL CATHOLIC RURAL LIFE CONFERENCE ON THE U.S. FOREIGN AID PROGRAM

As everyone here is quite aware, a great variety of reasons have been given to explain and justify our foreign aid program: Our expanding economy demands oversea markets and sources of raw material. We need to win friends and thus bolster our national security. We need strong allies to check further Communist expansion. If we don't help, the Communists will. As a last resort, appeal has been made to our fears. Our flesh has been made to creep with vivid warnings of the horrors all of us may suffer and few of us may survive if we fail to support this program adequately.

No one would reasonably question the validity and even urgency of each of these motives, for they reflect different aspects of our national interest. But it has been the discouraging experience of many of us that where we have suggested that moral motivation might be more urgent, and even more practical, patronizing realists have tried to embarrass us into silence. They clearly imply or even bluntly state that charity and justice have no real pertinence to the issues, that these virtues represent only the sentimental idealism of international do-gooders. Moral interest, they claim, has nothing to do with national interest, and they'd be happy if we wouldn't complicate the matter.

This attitude is a strange one in a nation founded by men who so clearly spelled out the moral basis of our political society. The Founding Fathers understood that our national interest is a much broader concept and reality than is embraced by military security, political stability, and economic advantage. For, unless our Nation has interests and responsibilities rooted in moral principles, just how do we differ from the arbitrary legality of totalitarian states? Unless our national interest is based upon moral interest, our society and our objectives can claim no superiority over those of the Communist nations. Unless our foreign economic policy recognizes opportunities and obligations which far transcend narrowly conceived selfish and temporary interests then do we not deserve to be weighed and judged by the world, and by God, in the same balance as Russia?

What's more, even in the terms of narrowly conceived national interest, motives of justice and charity have validity and value. It is my conviction, and I believe the results of these hearings will bear me out, that our foreign aid program will win much more sincere and practical approval from our citizens if it is explained and undertaken in terms of moral and religious conviction. In very concrete political terms, I believe that taxpayers and voters will respond more quickly and more heartily to this kind of appeal than to any other.

Moreover, again in terms of actual achievement of our goals, programs undertaken for and guided by these motives are far more likely to achieve, as byproducts, the stated aims of our foreign policy. It is the universal experience of mankind that gratitude and friendship cannot be bought. Neither individuals nor nations can be bribed into secure alliances. But disinterested service, genuine love, rarely fails to call forth a similar response. If we want friends and dependable allies, we will win them only if we can make it plain that we are interested in them for their own sake, and for God's.

On the conviction, therefore, that whether national interests be conceived either narrowly or broadly, moral and religious considerations are pertinent, I would like to explore these sources.

Start from the fact that while we and those in the world's relatively few other favored countries have been likely in our prayer to pass unthinkingly over the petition, "Give us this day our daily bread," in large parts of the world hundreds of millions have known no prayer more urgent. Hunger, poverty, disease and death have been their daily bread.

To this situation contrast the fact that we have an enormously productive economy, that as a people we possess a disproportionate share of this world's wealth, that we enjoy a standard of living almost intolerably superior to that of a great portion of the world's people.

What, then, are our moral obligations?

I'm sure that we would not subscribe to the proposition that God created the resources of this world for the exclusive benefit of those who might have had the power to seize them, or the luck to stumble upon them. or the good fortune to be born into them. I am sure we would agree that it would be supreme egoism for us to assume that God has granted us such material riches for our own use alone. We are not members of some kind of exclusive club, the sole residents of a high-walled garden of paradise, somehow specially chosen of God to enjoy the best of His creation while the great bulk of mankind struggle outside for a meager and precarious subsistence.

One of Christ's parables comes to mind: Dives and Lazarus. We have no reason to expect that the fate of a nation which might scorn the obligations which go with wealth will be any different than that of the man whose very name implies wealth, selfishly and exclusively enjoyed. In today's world no one could mistake what nation is cast in the role of Dives.

It is also a fact, and it should be a disturbing one, that in the only portrayal of the final judgment which we have from Christ's own lips, the decision of the judge is based on the very simple and direct criterion: Did you feed the hungry, clothe the naked, heal the sick? We have no reason to believe that nations will be judged on any other basis.

A simple sense of decency and just must convince us that we possess God's bounty not only that we might enjoy it ourselves but also that we might share it. In God's sight, we are His stewards. He has given us the opportunity and responsibility and privilege to use His blessings so that all might benefit. Justice suggests, demands, that wealth be administered to the welfare of all; and, if Christian teaching means anything, this is true of nations as well as of individuals.

But there are higher motives still than fear of judgment or the obligations of justice. The law of love, the law of charity, which has been taught by all great religions, was summed up in the simple but dramatic admonition of Christ, "Thou shalt love thy neighbor as thyself." And we were not left in doubt as to who is our neighbor. The lesson of the parable of the Good Samaritan is that every man is our neighbor, even the stranger by the side of the road in a faraway land. The works of charity do not demand a passport. The obligations of charity do not end at our own shores. Our neighbor is any many who needs our help wherever he may be found and reached; and when he is found loves dictates that we approach him, as it were, with an apology for having come so late to help him.

Someone who may have heard these last words of mine may agree with their religious idealism but insist, perhaps sadly, that charity is the responsibility of individuals and not of States. Such a belief is common, but it ignores the fact that States come into being to fulfill for us collectively what we cannot do individually. As individuals we are bound to charity toward all. But in a world so vast and complex, in our private capacities we cannot reach all who need and have a claim on our charity. The State, therefore, acts as our agent. When the State helps, it is ourselves helping.

One is also rebuffed by some opponents of foreign aid who with an uncompromising air of finality remark, "Well, these giveaways have to stop. After all, charity begins at home." For them that ends the argument. It is difficult to understand why, for the statement claims no more than that charity begins at home. It doesn't end there. It is not completed and perfected until it reaches out to the farthest ends of the earth, and embraces in its warmth and love all who are in need.

A number of other objections can be heard almost every day and can be read in almost every paper: We have not won friends; the countries we have helped most are still uncommitted; our generosity is not appreciated. Somehow these objections seem almost petulant and they have already been dealt with. Why should we expect friendship and gratitude, when in the past our aid has been explained and justified exclusively on the basis of our terms, our aims, our self-interests?

Others make the outraged charge that our foreign operations are shot through with inefficiency, boondoggling and graft. There have been, I am sure, cases in which this has been true, and wherever it has been found it must be eradicated and every effort must be made to prevent its recurrence. But no honest critic can make a universal indictment. The people we have sent out and the operations we have conducted have been no better or worse than we find in our own country. On the whole, a remarkable degree of integrity and success has characterized our activities up to now.

Perhaps the loudest and most persistent objection we hear these days is that our economy can't stand the strain, that we need tax cuts more than foreign handouts. Frankly, I don't think we have to pay much attention to such nonsense. Our economy has stood, and, if called upon, could again stand the much greater strain and waste of war. We have not even begun to make the kind of sacrifices, personal and national, which we can sustain, and willingly sustain if we are convinced of their necessity. Moreover, the part of our foreign aid funds which have been expended on technical assistance and economic development have been very small indeed, and even if eliminated entirely could hardly lead to a perceptible tax cut. And if it were eliminated, or even significantly cut, I think we'd have a harder time living with our consciences and with the consequences of our folly than we have now living with our budget and the necessary taxes.

In our foreign aid program, we have the opportunity of providing the world with one thing it desperately needs: A shining example of pure, undefiled and disinterested service. Our aid is, and should be recognized as, an important factor in stemming the advances of communism, but this program has an importance independent of the Communist threat. We should do the same thing and even more even if communism were to disappear tomorrow. As stewards of God's abundance we must make available to others what we ourselves enjoy. In doing so, we are not called upon to sacrifice our own prosperity. In the long run such sharing will return a hundredfold.

If we dedicate ourselves to a program for shared abundance, we may never again be called upon to dedicate our lives and our wealth to a program of shared disaster. We believe that here the United States has the opportunity and the privilege to give moral leadership to the world as it has provided political and military leadership.

National Council of Catholic Women

The following resolutions were adopted by the last convention of the National Council of Catholic Women:

"INTERNATIONAL RELATIONS

"Catholic women must take advantage of the opportunities that are theirs for promoting better international understanding and solidarity by (1) studying the encyclical, 'Mater et Magistra,' and recognizing their responsibility in charity and justice to people of other lands; (2) putting into effect the principles of 'Mater et Magistra'; (3) supporting morally acceptable international programs; (4) offering positive solutions for specific economic, social, cultural, moral, and spiritual problems of other lands; (5) extending a welcome, assistance where possible, and home hospitality to visitors, students, and refugees; and (6) working for an exchange of techniques in leadership training and programing.

"INTER-AMERICAN RELATIONS

"The people of Latin America, predominantly Catholic, but in large areas of the continent with little opportunity for basic education in the faith, present a special challenge and opportunity to the Catholics of the United States.

"We urge greater enlistments for work in Latin America—through religious congregations, mission-sending groups, and PAVLA.

"We encourage service through the Peace Corps.

"That we may know and understand better the problems in Latin America and find means of greater assistance in their solution, we recommend study of Focus: Latin America, and a continuous reading and hospitality program so that we may give realistic and needed help.

"We should become acquainted with students, trainees, and visitors to our country so that we may acquaint them with our best organization, citizenship, rural life and social action programs, and particularly with group or coordinated efforts in the community.

"OVERSEA AID

"We reaffirm our goal of extensive aid, in cooperation with Catholic Relief Services, through active participation in the programs of the foreign relief committee: Madonna plan, feed-a-family program, the Holy Father's storeroom, children in need, Operation Hong Kong, and help-a-child program.

"Mindful of the plea of the Holy Father for the plight of the church in Latin America, we will place a particular emphasis on the needs of these people."

Policy of the National Council of Churches

On the basis of Christian concern, and in keeping with actions of many of our constituent bodies, we hold that the United States should continue to develop, improve, and expand programs of technical assistance, economic aid, and international trade such as will make for stability, justice, freedom, and peace for the peoples of the newly developed areas of the world and for all nations including our own.

SOME GUIDING PRINCIPLES

Based on our experience in overseas service and our moral concerns in international affairs, the churches have evolved through the years several principles and policies which we believe essential for making our Government's mutual aid programs as effective as possible:

1. As to magnitude, for economic development and technical cooperation, it is urgent not to cut them but to expand them toward the full extent of our capabilities as a Nation and the absorptive capacities and needs of cooperating nations.

2. Both public and private programs should be strengthened and expanded.

3. These programs should help people to help themselves, with the benefited nations assuming their share of responsibility.

4. Programs of technical cooperation should be increased. Technical assistance is important because the programs deal with social needs which must be met if industrialization or urbanization or any phase of

the economic development process is to rest on solid ground. Unless social development keeps pace with economic development, we may sow the seeds for unrest that can undermine emerging political institutions.

5. Larger sums of capital should be made available for economic development. The Development Loan Fund started in 1957 moves a first step in the direction of the vast needs.

6. A long-term basis is necessary in financing, programing, and administering aid programs.

7. Greater emphasis should be placed on the use of international agencies such as regional organizations and the United Nations.

8. Although all parts of our foreign policy are interrelated, programs of technical and economic aid should be planned and administered in relation primarily not to political and military considerations but to economic and social needs and opportunities. The churches support efforts to separate military programs from economic development and technical cooperation.

THE EMPHASIS FOR 1963

World economic and social development. This includes interest in (a) the many dynamic moves in the United Nations system related to the "decade of development," (b) congressional action on what is possibly the most important major international relations issue in this session, namely, the mutual aid program. The National Council of Churches has consistently supported improvement and expansion of such work.

NATIONAL COUNCIL OF JEWISH WOMEN, INC.,

New York, N.Y., May 29, 1963.

The National Council of Jewish Women, an organization established in 1893, with a current membership of 123,000 in 325 local communities throughout the United States, strongly believes that U.S. aid for economic and social development in lesser developed nations is an essential element of our foreign policy.

The members of the National Council of Jewish Women have consistently supported programs of U.S. economic aid beginning with the Marshall plan. Our confidence in the validity of the programs as being in the best interest of the United States and world peace has been borne out by the success of many of our efforts.

We are greatly concerned that this year there seem to be efforts to narrow the scope of the program and greatly reduce its functions. We sincerely hope that Congress will agree with us that the basis for foreign economic aid must continue to be economic and political stability of the free world.

At present international economic and social development is the most pressing need of our times and we urge enthusiastic support for it.

NATIONAL EDUCATION ASSOCIATION, DR. PAUL E. SMITH

The National Education Association supported by almost a million members, has repeatedly called for expansion of international educational programs. The association stands on the principle that education is the daily practice of great ideals. Educated citizens are the resource through which society has the power to survive and flourish. In every land sound education for all people is an essential basis for economic prosperity, efficient production and wise consumption. Education is an investment not only for the individual but for the Nation.

One of the most significant changes in modern society concerns the role of the citizen and his civic competence in a democratic free society. Jefferson's profound observation that, "the greatest folly man can commit is the attempt to have a democratic nation without an educated populace." More than ever this truth shows through as we see all around us nations struggling to maintain their hard-won freedom and independence—the very continuance of which will depend upon the level of education of the people.

We and the nations we work with need to understand more adequately the functional role of education as a catalytic agent in individual social, economic, and political development.

THE NATIONAL FARMERS UNION

The 250,000 American farm families of the National Farmers Union are pleased to have this opportunity to express their strong support for the total foreign aid program as a useful tool for American interests both at home and abroad.

A STRONGER FOREIGN AID PROGRAM—TEXTILE WORKERS UNION OF AMERICA, AFL–CIO

Politically sophisticated observers have remarked on the fact that despite the special type of propaganda they have been subjected to, the rank and file of the Textile Workers Union have never wavered in their support for the most extensive and liberally administered foreign economic assistance program that could possibly be supported by the people of the United States. The argument has been made, mainly by employer groups, to textile workers that aid to distressed or underdeveloped countries abroad has resulted in serious job contraction here at home. Over and over again this story has been dinned into the ears of workers in textile plants. And the hard fact is that a phenomenal contraction of employment has occurred in this industry—much of it due to the increase in imports of textile products from many parts of the world—Asia and Europe especially.

Nevertheless, at every convention of the Textile Workers Union of America—at local union meetings, at specially called conferences—there has been no disposition whatever on the part of the membership to back down on the often-stated position of the union in favor of larger appropriations for foreign economic assistance.

Some 25 years ago the Textile Workers Union presented to Congress the idea of an international code of fair labor standards. Our idea then and now is to press for higher minimum standards of living in all countries of the world as the only sound and moral approach to the problems of world trade. Certainly, the TWUA has urged the adoption of a quota system for the limitation of imports as an essential interim measure. This does not mean, however, that we have made common cause either with high tariff advocates or the assorted isolationist movements in this country.

Specifically, the Textile Workers Union of America wishes to be on record as supporting and endorsing the vigorous statement on the question of foreign economic assistance made by George Meany, president, AFL–CIO, before the House Committee on Foreign Affairs on May 23, 1963. The Textile Workers Union wishes it to be known that Mr. Meany represented our views on this occasion as well as the views of the entire trade union movement.

The Textile Workers Union of America seeks larger appropriations for a sound program of economic assistance abroad and protests various suggestions for reduction in this type of program.

TOWARD ECONOMIC JUSTICE FOR ALL

(To be presented to the biennial assembly of the Union of American Hebrew Congregations, November 1963)

"The earth is the Lord's and the fulness thereof; the world and they that dwell therein." (Psalm 24: 1) Judaism declares that the earth's resources and mankind's creativity are divinely bestowed and that all men are entitled to an equitable share of the spiritual, cultural, and material wealth which represent the fruition of the accumulated efforts of all previous generations. The moral state of a society is determined not by its standard of living or by its rate of economic growth, but by the extent to which all its members are guaranteed equal access, commensurate with individual capacities and needs, to "the fullness of the earth"—to opportunities for an occupation, shelter, food, medical care, education, and other prerequisites for personal fulfillment.

Concern for domestic economic issues cannot be separated from concern for the economy of the rest of the world. The primary purposes of our economic policies, both domestic and international, is to improve the material well being of all men and to promote the proper utilization of human potential. The assumption by America of world leadership requires the formulation of an enlightened foreign economic policy, which should result in freer foreign competition for American markets and the reduction of tariffs. A new policy of enlightened economic internationalism may have deleterious consequences temporarily for certain segments of our population, but such consequences are the inevitable price of belonging to a worldwide family of nations.

Any American investment, either direct or indirect, in the improvement of conditions in foreign countries, manifests American faith in the unity of mankind and contributes to the eventual establishment of a peaceful world. We commend our government's efforts toward cooperative and integrated economic relations between nations. We urge the formulation and implementation of policies which will result in a more equitable distribution of the world's material goods. We affirm that the most effective way to maintain American independence is to strive for the interdependence of all mankind.

UNITED WORLD FEDERALISTS—ECONOMIC AND SOCIAL DEVELOPMENT

We urge the United States to provide an expanded program of longterm loans and grants for appropriate projects in the less economically developed areas, channeled in so far as practicable through the U.N. and its specialized agencies. We also urge measures to encourage investment in those areas.

We believe that expanded technical assistance programs are needed both through the United Nations and on a bilateral basis.

We recognize that economic aid and technical assistance should be accompanied by efforts to improve social conditions within recipient nations.

We favor the stimulation of freer world trade.

INSUFFICIENCY OF KERR-MILLS PROGRAM

Mr. KEFAUVER. Mr. President, Tennessee has a most able man as its State Welfare Commissioner Mr. Noble Caudill, an outstanding citizen and corporate official of our State.

Last Monday Commissioner Caudill reminded the people of Tennessee that the serious problem of medical care for the aged of our State is not being adequately handled, under the present laws. He stated that the Kerr-Mills medical assistance program is severely limited by its terms and is not doing enough in Tennessee.

It has been no secret that Kerr-Mills has not met requirements in Tennessee, as in the vast majority of the States. The new and refreshing aspect of Commissioner Caudill's statement is that he has spoken as the official voice of the State administration on these matters. The burden is now upon those who oppose the President's medicare program to come forward with proof of their claims that Kerr-Mills is adequate to care for the aged and ill in Tennessee.

Statistics of the Department of Health, Education, and Welfare show that Commissioner Caudill was right. In the first 9 months of Kerr-Mills in Tennessee, from July 1961, to March 1962, just 343 of the 318,000 aged persons of our State received assistance. Tennessee spent in excess of $83,000 in administering the plan, which was far more than the State paid out in benefits to aged persons.

Mr. President, it is obvious that Kerr-Mills has been practically a failure in Tennessee. I hope that Congress will proceed immediately to enact the President's medicare program, to remedy that failure.

Mr. President, I ask unanimous consent that this editorial on this subject from the Nashville Tennessean be inserted at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Nashville Tennessean, June 25, 1963]

MR. CAUDILL SPELLS OUT THE KERR-MILLS FAILURE

Mr. Noble Caudill, State welfare commissioner, is due commendation for his frankness about the insufficiency of the Federal Kerr-Mills program in particular, and more generally about the entire welfare situation in Tennessee.

Gov. Frank Clement would do well to take a cue from his welfare chief and state publicly his own position with respect not only to Kerr-Mills, but to the proposed medicare program as outlined by the Kennedy administration.

Kerr-Mills medical assistance to the aged program, according to Mr. Caudill, is severely limited by its terms and is "not doing enough in Tennessee." The same criticism of the welfare program in general is justified, he said.

This can certainly be understood when it is realized that any elderly couple earning more than $1,500 a year is ineligible for Kerr-Mills funds. That may not be a starvation wage in modern circumstances, but such compensation does not allow much, if anything, for medical expenses of the sort all of us must expect as we grow older.

Indeed, this conclusion has been borne out by a report submitted to the Tennessee Medical Association last April, but not exactly publicized by the doctors. That report, by a TMA member, showed only 9,198 Tennesseans actually receiving medical aid under Kerr-Mills, though an estimated 110,000 people need such assistance.

It is unfortunate TMA did not choose to make this report known and thus face up to the ineffectiveness of Kerr-Mills publicly as well as privately.

This month, however, the president of TMA seized upon an announcement by Governor Clement—suggesting a minor expansion of Kerr-Mills—as "further evidence of the effectiveness of the Kerr-Mills program in Tennessee." In truth the "expansion" was no such thing and added not a single soul to the eligible list.

Commissioner Caudill has now put the bunko on any such notion. If this does not endear him to the doctors and to Governor Clement, who obviously would like the simultaneous support of the doctors and their elderly patients, the public is grateful.

BANK MERGERS IN VIOLATION OF CLAYTON ACT

Mr. KEFAUVER. Mr. President, about 2 weeks ago the Supreme Court held that the merger of the second and third largest banks in Philadelphia violates section 7 of the Clayton Act. The ink was scarcely dry on that decision before my good friend, the distinguished junior Senator from Virgina, reported to us that he "was shocked to hear" of the decision and considered it "one of the most incredible cases of judicial legislation which the Court has handed down." He professed shock "both at the result and at the Court's casual disregard for congressional intent and purpose."

This was stern language used by the able Senator, and it must have curled the hair of some of the Justices a little bit.

Section 7 of the Clayton Act as amended by the Celler-Kefauver Act of 1950, prohibits all mergers accomplished by stock acquisition and such mergers accomplished by asset acquisition as are subject to the jurisdiction of the Federal Trade Commission, where the effect "may be substantially to lessen competition, or tend to create a monopoly." Commercial banks are not within the FTC's jurisdiction.

The able Senator from Virginia was a sponsor, it will be recalled, of the Bank Merger Act of 1960. That act requires that consent for a merger must be obtained from the Comptroller of Currency, the Board of Governors of the Federal Reserve System, or the Federal Deposit Insurance Corporation, depending on the types of banks involved. It says nothing about the applicability of section 7 of the Clayton Act to bank mergers and, indeed, according the Senate report, does not in any way effect the application of the antitrust laws to bank mergers.

Apparently, at the time he was working on the Bank Merger Act of 1960, the Senator from Virginia was of the opinion that the Clayton Act did not apply to bank mergers not involving stock acquisitions. From his recent remarks, it also appears that nothing had occurred to dissuade him from this view until the Court handed down its Philadelphia Bank decision, last week. And, though the Senator declared last week that "it is too early to tell just what this decision means," his rather strong remarks indicate that he now suspects that whatever the decision does mean, he will not be happy about it.

My able colleague seems to find significance in the fact that at one time or another between 1956 and 1960, Messrs. Brownell, Walsh, Barnes, Hansen, and Bicks all indicated they believed the Clayton Act's section 7 did not apply to bank mergers. Frankly, I cannot see that the fact that these five men guessed wrong is very meaningful. For it is clear that they were wrong and I am sure that they would be the first to admit it. Surely, former Attorney General Brownell would not argue that since he guessed in 1957 that the Supreme Court would hold that section 7 does not apply to banks, the Supreme Court's decision in the Philadelphia Bank case of 1963 must be wrong because it does not conform to his guess.

I see no reason why my good friend from Virginia should be embarrassed simply because he guessed wrong about the applicability of section 7 to bank mergers. Heaven knows, he is in pretty good company. I am not sure but what he and I stand together in that distinguished body of wrong guessers.

Indeed, to date we have had very little guidance from the Supreme Court on the application of section 7 of the Clayton Act as amended by the Celler-Kefauver Act of 1950. Only one case prior to the Philadelphia Bank case—the 1962 Brown Shoe decision—dealt fully and exclusively with that problem.

Thus, though the abilities of Senators as legal oracles are often very little short of miraculous, it does help to have a bit of assistance from the Supreme Court, which has not, to date, been forthcoming.

According to the distinguished Senator:

> The majority of the Supreme Court, as far as I can grasp their reasoning, simply say the Celler-Kefauver Act of 1950 was intended to prohibit mergers. Bank mergers are mergers. Therefore, the Celler-Kefauver Act applies to bank mergers. This is false logic.

Frankly, I am more concerned about the accuracy of this interpretation of the Court's opinion and of the Celler-Kefauver Act, than I am about the Senator's logic.

I think it would be well to devote a minute or two to discussing the Philadelphia Bank case since it is, without question, a highly significant decision.

The Supreme Court was confronted with the proposed merger of the Philadelphia National Bank and the Girard Trust Corn Exchange Bank, both of Philadelphia and both large and profitable financial institutions. They are, respectively, the second and third largest commercial banks in the Philadelphia area and would be the largest if they merged.

They have combined assets of $1¾ billion and account for 36 percent of the area banks' total assets, 36 percent of total deposits and 34 percent of total loans. Together with the First Pennsylvania Bank & Trust Co., now the largest bank in Philadelphia—they account for 59 percent of total assets, 58 percent of deposits, and 58 percent of net loans. The four largest banks in Philadelphia control 77 to 78 percent of total assets, deposits, and net loans.

The proposed merger, under the able legerdemain of the two banks' Philadelphia lawyers, sought to circumvent the proscriptions of Clayton Act, section 7. I have no doubt that a substantial amount of thought was given to this circumvention by these lawyers for whom Philadelphia is so justly famous.

Alas for the profitability of the banks involved, their lawyers were unsuccessful. Acquisitions, the Court pointed out, can be accomplished in an almost endless variety of ways. Stock acquisitions are at one end of the spectrum; asset acquisitions at the other. Mergers fall somewhere in between the two extremes, for when two companies merge the entire being of the merged company—both assets and stock—is acquired. So, concluded the Court:

> The specific exception for acquiring corporations not subject to the FTC's jurisdiction excludes from the coverage of section 7 only assets acquisitions by such corporations when not accomplished by merger.

Now, this reasoning squarely meets the objection raised last week by my colleague from Virginia. In my opinion, it would have been in the best interests of fairness for him to have spelled it out in his statement to the Senate.

I am fully cognizant that so far as the intent of Congress is concerned, there are two sides to the issue—as the divided opinion of the Court makes clear. Both sides can and do cite authorities for their construction of what the corporate intent of the Congress was, 13 years ago.

I do not believe, however, that the Court should in any way be depicted guilty of "judicial legislation" in its reading of the antitrust laws with respect to this case. There are two sides to the issue and a majority of the Court disagreed with Senator Robertson's interpretation of the law. Interpreting the laws we, the Congress, write is, after all, the Supreme Court's duty and obligation. It is a rare occasion, indeed, when an antitrust case comes before the Court where there is not a legal question with two sides.

Let us call a spade a spade. The Department of Justice, under the last administration, believed that the Clayton Act did not apply to bank mergers and proved this was its belief by failing to bring any actions to block anticompetitive bank mergers. The Department of Justice under the present administration, believes exactly the opposite, and has proven its belief by bringing several such actions.

Interestingly, the majority opinion was written by Justice Brennan, an appointee of the last administration, and one of the dissenters was Justice Goldberg, an appointee of this administration.

On balance, I believe the decision of the Court was clearly correct. Our financial institutions are, after all, the backbone of our competitive way of life. It is the ready availability of funds for business to invest which makes possible effective competition. Were this not so, the rich would get richer and the poor would be unable, for want of funds, to offer any competitive challenge.

Competition is not a static thing. New firms enter; some find preeminence and others do not succeed. Existing firms prosper or wane depending upon their ability to meet new challenges by both new and existing competitors.

A firm obtains a monopoly on some line of trade or product and, before you know it, there are a great number of new firms challenging it—forcing it to compete. Such challenges, however, require capital. It is vital, therefore, that a competitive capital market exist, able and willing to make the necessary funds available so that the challenge of competition can continue.

To a large extent, this is primarily the responsibility of commercial banks.

Special considerations affect the banking industry, however, which do not permeate most industrial enterprises. For example, one of the seemingly inevitable consequences of free competition is that not every participant will succeed. The price of bank failure is, however, too high to pay and so we as a nation impose regulations to prevent it.

As the Court pointed out in the Philadelphia Bank case:

> Section 7 does not mandate cutthroat competition in the banking industry, and does not exclude defenses based on dangers to liquidity or solvency, if to avert them a merger is necessary. It does require, however, that the forces of competition be allowed to operate within the broad framework of governmental regulation of the industry. The fact that banking is a highly regulated industry critical to the Nation's welfare makes the play of competition not less important but more so. At the price of some repetition, we note that if the businessman is denied credit because his banking alternatives have been eliminated by mergers, the whole edifice of an entrepreneurial system is threatened; if the costs of banking services and credit are allowed to become excessive by the absence of competitive pressures, virtually all costs, in our credit economy, will be affected; and unless competition is allowed to fulfill its role as an economic regulator in the banking industry, the result may well be even more governmental regulation.

In the Philadelphia Bank case, we are not confronted with the threat of cutthroat competition. We are not confronted with an attempt by a faltering bank to save itself through merger. Rather, what is involved is the multibillion-dollar merger of two of the three largest banks—both high profitable—of one of the financial capitals of our Nation. I do not believe that anyone can seriously contend that control of nearly 80 percent of the market by three banks is—even by the greatest stretch of the imagination—within the purview of our Nation's free enterprise, competitive system of economy.

As the Supreme Court correctly observed in Brown Shoe:

> Congress was desirous—when it passed the Celler-Kefauver Act—of preventing the formation of further oligopolies with their attendant adverse effects upon local control of industry and upon small business.

This purpose has been served, in the Philadelphia Bank case, by preserving an alternative source of funds for the small businessmen of Philadelphia who provide the competitive challenge to giant, conglomerate enterprise.

In my opinion, therefore, the Supreme Court should be commended; not scoffed.

PRICE FIXING BY AMERICAN EXPORTERS

Mr. KEFAUVER. Mr. President, all of us, I believe, are proud that our Department of Commerce, under the able leadership of Secretary Hodges, has been trying so hard to increase our exports. Our level of exports must be kept high in order to maintain a favorable balance of payments and cut down on our gold outflow.

However, I was astonished and dismayed by an article in the Wall Street Journal of June 14. The article quoted the Under Secretary of Commerce, Mr. Franklin D. Roosevelt, Jr., as saying that the Department of Commerce, in the hope of increasing exports, had under way a campaign to persuade the Antitrust Division of the Department of Justice to turn its back so that American exporters could get together to fix prices.

According to the article, the campaign was revealed by Mr. Roosevelt in a speech to the Women's National Democratic Club and in subsequent discussion with the press. Since Mr. Roosevelt's remarks on this subject apparently were off-the-cuff, I must rely on press reports for the most accurate account of what he said. For that reason, and because my own remarks today will be addressed primarily to the quotations attributed to Mr. Roosevelt, I ask unanimous consent that the Wall Street Journal article referred to be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

Roosevelt Says Commerce Agency Pushes New Policy in Two Agencies To Spur Exports

Washington.—Under Secretary Franklin D. Roosevelt, Jr., brought into the open a Commerce Department campaign to force major policy switches in two other Federal departments, Justice and Agriculture, with an aim to increase exports.

He urged that the antitrust division of the Justice Department relax its policing so American companies could formally meet together, industry by industry, and set prices on exports lower than those prevailing in the U.S. market. He reported that antitrust officials are fearful such combines would end up rigging domestic prices. "I think that objection can be overcome," declared Mr. Roosevelt.

He went on to proclaim that the Commerce Department should participate in shaping a new farm policy, radically different than that pursued by Agriculture Secretary Freeman. "In view of the wheat referendum"—in which farmers recently rejected the Agriculture Department's basic program for high price props and stiff production controls—it can be said that there is today "no firm national farm policy," Mr. Roosevelt asserted. He proposed that farmers be freed to plant as much cotton, wheat and other basic crops as they desire, selling at whatever prices they can get in a free market—but also drawing benefit payments from the Federal Government.

COMMERCE AGENCY ROLE CITED

The Under Secretary contended both these moves would help boost American exports, and he contended that the Commerce Department is entitled to be heard because it has been assigned a top role in expanding exports, in the effort to cure a chronically unfavorable balance of payments.

Mr. Roosevelt and other Commerce officials have been quietly pushing for such changes in inter-departmental meetings—and meeting heavy resistance. Yesterday he lifted the campaign into public view in a speech before the Women's National Democratic Club, and in discussion with the press afterward.

He said his plan for boosting exports of manufactured goods at cut prices could be accomplished by reactivating the Webb-Pomerene Act. This law, passed in 1918, authorizes the formation of U.S. export combines to compete with foreign cartels. But as interpreted it has offered little attraction and since 1956 has never accounted for more than 5.6 percent of American exports. Antitrust officials have contended that with European cartels being curbed by the Common Market there is diminishing reason to encourage its use.

Mr. Roosevelt would give a big push to organizing such groups, however, with the specific objective of selling in foreign markets more cheaply than in this country. To avoid charges of U.S. "dumping," selling below cost of production would be prohibited. But with growing sales abroad, he contends, present production costs would drop.

CHANGE IN JUSTICE VIEW

The departure of Assistant Attorney General Lee Loevinger from the top spot in the Antitrust Division seemingly leaves the Justice Department less resolute in opposing export price fixing under the Webb-Pomerene Act, but State Department officials are among those remaining skeptical. One of the latter commented that the Roosevelt plan could "start a vicious circle," leading foreign producers to retaliate with cutrate selling in America.

Mr. Roosevelt remarked that the Agriculture Department doubtless will be "horrified" by the Commerce Department's injecting its proposals for turning the farm program upside down. But he rated the matter urgent, declaring the United States has lost over half its export market for raw cotton in recent years through "rather senseless pricing."

With Federal price-propping eliminated, the Under Secretary said, more commodities could be sold abroad. But under his plan the Government wouldn't eliminate the expense of a farm program from its budget. To ease the pinch of lower prices, the Agriculture Department would make direct cash payments to farmers. These might be paid in proportion to each farmer's current production, or be based on his federally authorized plantings in prior years.

Mr. KEFAUVER. Mr. President, what Mr. Roosevelt proposes with respect to permitting collusion among American businessmen is outrageous, and I am frankly surprised that it has not yet been publicly repudiated by the Secretary of Commerce and others in our Government concerned with both antitrust enforcement and the promotion of free trade.

Not only does the Roosevelt proposal violate the spirit and the letter of the antitrust laws; it also contradicts the free-trade policy declared jointly by the Congress and the President in the enactment of the Trade Expansion Act of 1962. Moreover, it could not possibly ease the already difficult burdens of the President's chief tariff negotiator under this act, Mr. Christian Herter; on the contrary, it likely will multiply them. And, finally, the revelation that the arm of our Government most concerned with international trade is even considering such restrictive practices as Mr. Roosevelt proposes, must certainly be disheartening to those dedicated leaders of the European Economic Community who are endeavoring so earnestly to strike down all barriers to trade among free nations. The Subcommittee on Antitrust and Monopoly, of which I am chairman, has had many conversations with these leaders, in this country and in Europe, in recent months, and I am confident that the policy for collusion suggested by Mr. Roosevelt is contrary to the free-trade philosophy that is beginning to take hold throughout the free world.

I call attention, also, to an editorial appearing in the Wall Street Journal's June 21 issue. This editorial properly characterizes the Roosevelt proposal as an odd way to promote competition and too high a price to pay for an increase in exports.

Mr. President, I agree wholeheartedly, and I ask unanimous consent that this editorial, entitled "Competing in Collusion," be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

COMPETING IN COLLUSION

In its efforts to aid our ailing balance of payments, the Commerce Department has been trying to stir up export enthusiasm among American businessmen. But it has been running into resistance among smaller firms.

Exporting, after all, is a pretty complex endeavor, and some of the companies that have not tried it are none too eager to take the plunge. So the Commerce Department has come up with a plan to spur such firms into international competition. The plan calls for cooperation among the reluctant exporters.

Up to a point, there's a lot to be said for such cooperation. Smaller companies might get together and pool shipments, exchange information on specific markets and tariffs, perhaps even set up joint sales units overseas. Efforts along these lines could make many companies both willing and able to compete abroad.

But the Commerce Department's trade boosters would like to go well past that point. Specifically, they would like the Justice Department's antitrust enforcers to agree to keep hands off while companies, on an industry-by-industry basis, engaged in a little collusive price fixing. Export prices would be set at levels lower than those on the U.S. market—a tactic described as "dumping" when used by Europeans.

Fortunately, the scheme is meeting stiff opposition from antitrust officials. For price fixing is surely an odd way to promote competition, either at home or abroad. And it's too high a price to pay for any increase in exports.

Mr. KEFAUVER. Mr. President, there are many, many holes in Mr. Roosevelt's proposal.

First, he would "reactivate" the Webb-Pomerene Act. As we all know, this law permits American companies to merge any or all of their export trade activities; in effect, an export cartel. But while this law has been on the books for nearly half a century, and, indeed, was enacted to help American business, particularly small business, compete in foreign markets against the big European cartels of the post-World War I period, it has been only infrequently invoked. Perhaps the reason is that most American exporters prefer to rely on their own competitive ingenuity in foreign trade, rather than even the moderate protectionism that the Webb-Pomerene Act affords; at least, I would like to think so.

It is not clear just how Mr. Roosevelt would "reactivate" Webb-Pomerene to make it more attractive to American businessmen.

Presumably, on the basis of the Wall Street Journal article, Mr. Roosevelt would encourage more American firms to form Webb-Pomerene associations by assuring them that the Antitrust Division would look the other way if they came together, on an industry-by-industry basis, and fixed export prices. This is something like passing a prohibition law and then asking the cop on the corner to turn his back so the bootlegger can sell more liquor; after all, it increases sales, does not it?

But Mr. Roosevelt reaches the height of absurdity when he says that the purpose of their coming together would be to set lower prices than those prevailing for the same goods in domestic markets. I have always thought that when American business competitors got together to rig prices, they rigged them at higher rather than lower levels. In any event, if American exporters want to offer their goods at prices which are more competitive in foreign markets, what is to prevent them from doing so on an individual basis? They do not need to get together to do that.

Mr. Roosevelt would not, however, tolerate export prices set by his collusive process to be lower than production costs. Thus, he contends, charges of American "dumping" would be avoided.

Evidently, Mr. Roosevelt does not understand what is meant by "dumping." As the Wall Street Journal editorial accurately reminds us, when foreign firms sell in our markets at prices below those in their home markets, we call it "dumping." Yet, that is exactly the tactic Mr. Roosevelt proposes that American exporters employ in foreign markets. To set the limit for avoidance of "dumping" charges at a point above production costs does not reduce the risk; on the contrary, the risk of such charges would be increased.

But even if that problem did not exist, there would be another. So far as I know, the Department of Commerce possesses no special powers for requiring American businesses to reveal their production costs. Indeed, in light of our subcommittee's experience last year in trying to force the production of steel cost data, American firms would be most reluctant to part with such information and the Congress—or at least certain segments of it—would be loathe to force them to do so. Consequently, let Mr. Roosevelt explain, if he can, how this part of his proposal could possibly be enforced.

Better still, let Mr. Roosevelt reconsider his entire proposal. On the one hand, we have his proposal which seems to be very protectionist and which the Wall Street Journal has labeled "Competing in Collusion." On the other, we have the policy declared by the Congress last year and reaffirmed by the President as recently as this past week during his European tour, for the gradual elimination of trade barriers. Faced with this apparent contradiction, I am moved to ask, as did a London newspaper recently in a quite different context, "What is going on here?"

By tradition and temperament, I know that Mr. Roosevelt would not want to do anything to create unfair trade barriers and I sincerely hope that upon reflection he will withdraw his proposal.

UNDERSTANDING OF "SILENT AMENDMENTS" IS GROWING

Mr. DOUGLAS. Mr. President, several weeks ago I called attention in the Senate to the fundamental threat to the Constitution and the American Federal system posed by the three so-called "silent amendments." These three amendments, which powerful forces have quietly been pushing through many of our State legislatures, would change article V of the Constitution so as to make obligatory the submissions for ratification of amendments sponsored by two-thirds of the State legislatures, would eradicate the Supreme Court's decision in Baker against Carr, and would establish a "Court of the Union" with power to overrule decisions of the Supreme Court of the United States.

In my earlier statement, I failed to give adequate recognition to several citizens who very early saw the dangers presented by this amendment campaign and who have labored to alert the American people, the press, and the bar associations. Foremost among those who have worked to alert the country in this matter are Irving Dilliard, of Collinsville, Ill., and Arthur J. Freund, of St. Louis, Mo.

Mr. Dilliard, a former editor of the St. Louis Post-Dispatch and now the author of a very fine newspaper column which appears in Chicago's American and who also is a member of the board of trustees of the University of Illinois, has written many articles on this subject which have appeared in Chicago's American from as early as January of this year. I am trying to collect copies of these editorials and I shall place them in the CONGRESSIONAL RECORD at a later date.

Mr. Arthur J. Freund is an attorney with great public spirit, and early last year he began to study the progress of the "silent amendments" and to keep careful account of the proponents campaign. He then proceeded periodically to alert leaders and officials across the country to what was going on. His watchfulness in this matter is reminiscent of the excellent work done in the Revolutionary period of our country when public-spirited men, many of them lawyers, formed the committees of correspondence in order to keep the people of the Colonies informed of developments affecting their future.

Another force for keeping the people informed of this threat to our constitutional system is the newspaper I have mentioned, Chicago's American. Under the leadership of Mr. Stuart List, publisher, and Mr. Lloyd Wendt, editor, this newspaper practices journalism in the best tradition of public service.

I am also proud to be able to say that a small but very outstanding downstate newspaper in Illinois was one of the earliest in the country to be concerned about these amendments. The Edwardsville Intelligencer in Madison County, Ill., under the leadership of Mr. Oscar Ochs, publisher, and Mr. Hal Olree, editor, carried very early reports and critical comments on these amendments.

I wish to congratulate and to thank these men for their patriotic and very helpful work.

As a result of the early warnings of these people, public discussion of these amendment proposals is increasing but, I should add, not nearly enough attention yet has been devoted to them. Because there is no organized system of reporting the progress of these amendment applications through the State legislatures, it is difficult to say authoritatively exactly how many legislatures have acted on them.

I ask unanimous consent that there be printed in the RECORD a table entitled "State Action on Disunity Amendments," which appeared in the Machinist of June 20, 1963. This table is based on the reporting of Mr. Freund, the information given out by the Council of State Governments, and a Machinist reporter's investigation of conflicting reports. I also ask unanimous consent that an article which appeared in this same issue of the Machinist, titled "Time Bombs Under the U.S. Constitution" be printed in the RECORD.

Mr. President, I also ask unanimous consent that a fine editorial from the May 28 issue of Chicago's American entitled "Campaign to Remake Us" be printed in the CONGRESSIONAL RECORD along with an article from the same newspaper entitled "Lawyers Join Fight on Bills To Limit Federal Powers."

I also ask unanimous consent that an editorial from the East St. Louis, Ill., Daily Journal of May 27 entitled "Federal-State Warfare Is Outdated" be printed in the RECORD.

I also ask unanimous consent that an editorial from the Edwardsville, Ill., Intelligencer, of January 24, 1963, be printed in the CONGRESSIONAL RECORD. This editorial certainly is one of the earliest editorials to appear in the United States pointing out the dangers of these amendments.

There being no objection, the matters referred to were ordered to be printed in the RECORD, as follows:

[From the Machinist, June 20, 1963]

State action on disunity amendments

	Amendment 1: Bypass Congress in amending Constitution	Amendment 2: Perpetuate unfair apportionment of State legislatures	Amendment 3: Establish new supercourt
Alabama			Passed both houses.
Arkansas	Passed both houses	Passed both houses	Do.
Colorado	Passed senate	Passed senate	
Florida	Passed both houses		Do.
Idaho	do	Passed both houses	
Illinois	do	Passed senate	
Indiana	Passed house		
Iowa		Passed senate	
Kansas	Passed both houses	Passed both houses	
Mississippi	Passed house	Passed house	Passed house.
Missouri	Passed both houses	Passed both houses	
Montana		do	
Nebraska	Passed legislature; vetoed by Governor.[1]	Passed legislature; vetoed by Governor.[1]	
Nevada		Passed both houses	
New Hampshire	Passed both houses	do	
New Jersey	Senate passage rescinded	Senate passage rescinded	
New Mexico	Passed senate		Passed senate.
Oklahoma	Passed both houses	Passed both houses	
Oregon	Passed senate	Passed senate	
South Carolina	Passed both houses	Passed both houses	Passed both houses.
South Dakota	do	do	
Texas	Passed house	do	
Utah		do.[2]	
Washington		do	
Wisconsin	Passed house		Passed house.
Wyoming	Passed both houses	Passed both houses	Passed both houses.
Approval completed	12 States	15 States	5 States.
Partial approval	7 States	5 States	3 States.

[1] Nebraska has only a single legislative body. Action on the amendments is believed to be valid despite vetoes by Gov. Frank Morrison.

[2] Version adopted by Utah Legislature differs in language from that passed in other States.

Amendment 1: "The Congress, when two-thirds of both Houses shall deem it necessary, or, on the application of the legislatures of two-thirds of the several States, shall propose amendments to this Constitution, which shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three-fourths of the several States.

"Whenever applications from the legislatures of two-thirds of the total number of States of the United States shall contain identical texts of an amendment * * * the amendment as contained in the application shall be deemed to have been proposed, without further action by the Congress."

Effect: Would allow States to amend the Constitution without obtaining, as is now required, the approval of Congress or of a constitutional convention. Would provide for amending the Constitution without there having been any national debate. Would make it possible for State legislators representing only 15 percent of the U.S. population to change the Constitution.

Amendment 2: "No provision of this Constitution, or any amendment thereto, shall restrict or limit any State in the apportionment of representation in its legislature.

"The judicial power of the United States shall not extend to any suit in law or equity, or to any controversy, relating to apportionment or representation in a State legislature."

Effect: Would give the States a completely free hand in apportioning their legislative districts by placing apportionment of seats in State legislatures beyond the reach of the U.S. Constitution and the Federal courts. Would wipe out recent Supreme Court rulings requiring States to give more equal representation to city voters. Would entrench present minority rule in many State legislatures.

Amendment 3: Provides for "a court composed of the chief justices of the highest courts of the several States to be known as the Court of the Union. The sole issue before the Court of the Union shall be whether the power or jurisdiction sought to be exercised on the part of the United States is a power granted to it under this Constitution. * * *

"The decisions of the Court of the Union upon matters within its jurisdiction shall be final and shall not thereafter be overruled by any court."

Effect: Would establish a super court with power to overrule U.S. Supreme Court decisions relating to the jurisdiction of the Federal Government. Would make it possible for 26 judges, representing a small minority of the American people, to change the meaning of the Constitution.

[From the Machinist, June 20, 1963]

TIME BOMBS UNDER THE U.S. CONSTITUTION

Three proposed constitutional amendments that would radically change the U.S. system of government are moving quickly but quietly through the Nation's State legislatures.

The radical amendments, pushed by rightwing extremists, have been described by United States Senator **PAUL DOUGLAS** of Illinois as "time bombs under the American constitutional system."

A survey by the Machinist shows that one, two or even all three of the proposals have been pushed through one or both legislative bodies in 26 States, often with little or no debate. In one State, New Jersey, the State senate passed two of the amendments but later rescinded its actions.

The proposed constitutional changes, sometimes called the disunity amendments, are described in the previous item. The table on State legislative action is based on information made available to the Machinist by the Council of State Governments and by congressional sources. No single authoritative system of reporting such State actions is presently in existence.

The disunity amendments were spawned by a group of State legislators determined to overturn recent Supreme Court decisions, particularly those requiring reapportionment of State legislatures. Working through the National Legislative Conference, an organization made up of State legislators and their staff members, this group quietly circulated the amendments to the various States last December. Their goal: to get identical amendments approved by at least 34 legislatures, enough to force Congress to call a constitutional convention.

During the 6 months since the campaign began, the amendments have been introduced in as many as 40 States. Although several legislatures have rejected the proposals, others still have them under consideration.

The disunity amendments nearly escaped public attention until the AFL–CIO Executive Council and other groups sounded the alarm.

Chief Justice Earl Warren called for public discussion of the amendments, noting that they would "make profound changes in the judiciary, the relationship between Federal and State governments and even the stability of the U.S. Constitution."

Further warnings came from Senator **DOUGLAS**. Speaking on the Senate floor, the Illinois lawmaker reported that several legislatures, dominated by rightwing interests, are keeping the amendments under cover. Their strategy, **DOUGLAS** noted, is to rush approval of the amendments next year to "create a bandwagon psychology which will sweep other States into the fold."

The Nation's outstanding expert on the disunity amendments is Dr. Charles L. Black, Jr., professor of jurisprudence at the Yale Law School.

"The amendments are radical in the extreme," Black declared recently. "They aim not at the preservation but at the subversion of [the] balance in Federal-State relations."

Black warned that the amendments could take the Nation "down that ruinous road" of converting the United States back into a confederation of States. He added:

"Together, these proposals would, at one and the same time, place the amending power in the uncontrolled hands of the State legislatures, place the final construction of the Constitution in the hands of judges whose offices are created and whose salaries are paid by the State legislatures, and then exempt the same State legislatures from any effective policing, by courts or Congress, of their representative character."

Writing in Newsweek magazine, the noted commentator Walter Lippmann described the disunity campaign as "shocking and sinister."

"The package of the three amendments," wrote Lippmann, "would dissolve the Union into a mere confederacy of separate States. It would perpetuate in the legislatures of these States a system of representation which antedates the growth of modern cities, and it would strip the whole system of the Union of the great constitutional guarantees.

"The amendments strike as deeply at the foundations of the American Union as anything which has been agitated seriously since nullification and secession," Lippmann concluded.

[From the Chicago American, May 28, 1963]

CAMPAIGNS TO REMAKE US

Helped along by a strange absence of publicity, radical groups have been making considerable headway in recent months with two campaigns aimed at crippling the U.S. Government through constitutional amendments. The movements are none the less radical because their partisans call themselves conservatives. Their aim is to shatter the American system of government and remake it from the ground up; and while we can't see any real possibility of their succeeding, the attempts certainly deserve more public notice than they've had so far.

One campaign is pushing for adoption of three amendments which would virtually strip the Supreme Court of its power to interpret the Constitution. The proposals would set up a Court of the Union, made up of the chief justices of the 50 States, which could overrule the Supreme Court; create a new way of amending the Constitution that would bypass Congress; and deny the Supreme Court any authority over legislative redistricting.

The other campaign is even more wild-eyed. This one is in behalf of the so-called liberty amendment, which is the radical right's dream come true. Its four sections would (1) put a stop to all Federal activities which aren't specified in the Constitution, in the fields of business, financial or commercial enterprise or the professions; (2) declare State laws exempt from any agreement, foreign or domestic, that might affect them; (3) compel the Federal Government, within 3 years after adoption of the amendment, to drop all activities and sell all properties and facilities which "violate the intent and purpose of this amendment," and (4) within 3 years repeal the 16th amendment, which empowers the Federal Government to collect income taxes.

In general, the liberty amendment would repeal the Civil War and turn the United States into a confederacy. The two sets of amendments together would kick apart the whole Federal system of checks and balances in one grand, satisfying smash, and reduce the United States to a fifth-rate power quicker than anything Khrushchev has yet suggested. Yet, incredibly, the liberty amendment has been adopted by the legislatures of six States, and the amendments to cripple the Supreme Court have advanced a great deal further; no roundup on its actual progress is yet available.

We do not think the amendments have a real chance of success; the American public just has too much horsesense. But the public needs to know more about these campaigns than the campaigners apparently want it to know.

[From the Chicago American, May 28, 1963]

LAWYERS JOIN FIGHT ON BILLS TO LIMIT FEDERAL POWERS

(By Walter Jacobson)

The Chicago Bar Association is entering the fight against Illinois legislation that would support measures to reduce the powers of Congress and the U.S. Supreme Court.

A report opposing the measures has been adopted by the association's committee on constitutional revision and will be presented to the board of directors for formal approval. Efforts then would be made by Springfield lobbyists to prevent Illinois from going any further in adopting "States rights" legislation.

The Illinois Legislature already has joined 12 others in approving at least one measure of a three-part package designed to change the basic law of the United States.

The general assembly has approved a bill that would enable States to bypass Congress in amending the U.S. Constitution. The bill in effect would preclude national discussion of proposed constitutional amendments.

REQUIREMENTS OF BILL

It holds that when two-thirds of the legislatures propose identical amendments to the Constitution, the amendment automatically would be considered proposed without further action by Congress.

Thus, debates on the Constitution would be conducted in State capitals. When lawmakers of one State vote on a proposed amendment, they would be unaware of how people in other States view the matter, except in the case of identical bills agreed on among States.

Current law provides that when two-thirds of the legislatures petition for an amendment, Congress must call a national convention to propose the amendment. Proponents and opponents discuss the matter together, all views being represented in one place at one time.

The amendment change has been approved by Illinois and Arkansas, Florida, Idaho, Kansas, Missouri, Montana, New Hampshire, Oklahoma, South Dakota, Texas, Washington and Wyoming.

TWO MORE PROPOSALS

The Illinois General Assembly still must act on two remaining proposals in the curb-the-Court package.

The first would establish a Court of the Union composed of the chief justices of the highest courts in each of the 50 States. The supercourt, sitting in Washington, would review U.S. Supreme Court judgments to determine whether the latter has power to render such judgments.

The constitutional revision committee of the bar association warns that the proposed supercourt actually would damage States' rights by diverting the chief justices of the State supreme courts from their essential duty of determining the rights of persons within their States.

Daniel P. Coman, chairman of the committee, says the proposal is made by persons with "an unnatural distrust of Congress."

"To leave no doubt of their distrust," he continues, "they also provide that a decision of the Court of the Union may be changed only by an amendment to the U.S. Constitution instead of by congressional action."

A POWERFUL BODY

The decisions of the supercourt would be virtually free from legislative action because it is more difficult to amend the Constitution than it is to pass an act of Congress.

The bar association committee, directed by President Walter Moses to evaluate the "States' rights" proposals, points out that the supercourt would be too large to be effective, and that attendance on it would cause backlogs on the State level. Says Coman:

"With the chief justices from each State journeying to Washington, cases before the State supreme courts would have to be held up pending his return, or decided without benefit of his participation. Thus, instead of strengthening States' rights, this proposal would damage them."

The measure, approved by four States, has been introduced in the Illinois House, not yet in the Senate.

PLAN ON APPOINTMENT

The third proposal in the package would prohibit Federal courts from intervening in the apportionment of legislatures. This would allow State lawmakers to draw voting boundaries not subject to court review. Citizens would lose their right to appeal possible arbitrary establishment of voting districts, according to Coman.

The association committee report warns that abolishment of a citizen's right to test apportionment "does violence to the time-honored principle that people, in addition to the States and Federal Government, have rights."

The power structure in some States dictates that cities function at the mercy of rural political leaders, the report says.

"The brutal fact is that underrepresentation of urban and suburban areas is the policy of some States, and the minority interests now in control will not voluntarily relinquish this control."

The committee contends that if a Federal court is prohibited from reviewing apportionment by State legislators, the voting districts could be based on property ownership or on membership in a particular economic or ethnic group.

The apportionment measure has been ratified by nine States. It has passed the Illinois House and is scheduled for hearings in the Senate.

[From the East St. Louis Daily Journal, May 27, 1963]

FEDERAL-STATE WARFARE IS OUTDATED

No one who is interested in the reliable rule of law in the United States can quarrel with Gov. George Romney, of Michigan, when he speaks out against the drive for a number of reactionary amendments proposed for the Constitution of the United States.

The Council of State Governments, which is behind this attempt to cripple the Federal Government, has finally run into opposition in high quarters, and these are welcome words from a man who is now mentioned as one of the new leaders of the Republican Party. But when Mr. Romney says that the logical alternative to this is to strengthen the State governments without mutilating Federal power, he leaves his position open for discussion.

It has been amply demonstrated in recent years that some of the most difficult internal issues the United States has to tackle are of a kind that are not soluble from either the Federal or the State angle. These problems are regional rather than national or statewide, and the real tragedy here is that the country lacks properly constituted political bodies that can deal with them.

The State lines were drawn up at a time when America was very different from what it is today. The growth of industrial areas does not heed them, nor do the tendencies toward depression in other parts. The New York metropolitan area spreads into three different States. The urbanized parts of the half a dozen States that make up the northeast coastline have more problems in common than either of them has with its own rural upstate region.

The same is true of the local urban and suburban areas which are still split up into a profusion of supposedly independent communities with separate sanitary, school, police, and fire protection districts and the whole rigmarole of parallel administrative machineries, all buttressed by an outdated local rule philosophy which today simply cannot be applied in a realistic and fruitful fashion.

The most critical problems that arise from these inconsistencies between political units and geographical realities have so far been tackled through the creation of nonpolitical bodies with overall administrative authority, each in its specific field, such as the New York Port Authority. But it must be emphasized that this approach has come about solely because the boundary question has prevented the growth of proper political institutions.

These things cannot be solved through a strengthening of the State governments, as Mr. Romney says. The simple truth is that with regard to some of the most critical issues that face the Nation today, the Federal versus State power equation is antiquated. If the problems of urban sprawl and spotty depression are ever going to be solved in an acceptable fashion, the United States is going to need metropolitan governments on the local level and, perhaps, regional political bodies that disregard State lines and are given authority in fields where interstate conflicts lead either to stalemates or to ad hoc emergency solutions of the nonpolitical type. Advocacy of stronger State power or weaker Federal power both lead to neglect of the real problems involved and can in the end mean only a sharpening of the conflicts.

[From Edwardsville (Ill.) Intelligencer, Jan. 24, 1963]

STATES' RIGHTS AND WRONGS

The battle for power between the States and the Federal Government goes on. Congress and the 47 States with regular legislative sessions in 1963 are being asked to approve three striking proposals which would materially enhance State authority.

Only Virginia, Kentucky, and Mississippi do not convene their legislatures in regular session this year.

The proposals being put before the others would bar the Federal courts from acting on State legislative reapportionment, would make it easier for States to initiate amendments to the U.S. Constitution, and would establish a so-called Court of the Union which in major respects would be superior to the U.S. Supreme Court.

These propositions are the product of the General Assembly of the States, a nationwide conclave of legislators and other State officers. They are being proposed as amendmends to the U.S. Constitution.

One anonymous expert on State government says no more than three States are likely to endorse the revolutionary court plan. Most probably are Alabama and Florida, with Mississippi a prospective third State if it should call a special session for that purpose.

As for the other proposals, it is anticipated that perhaps 10 may approve the idea of simplifying procedures by which States can initiate constitutional amendments. And just five or six are expected to endorse a ban on U.S. court rulings in State apportionment.

There is no thought that any of the plans will get anywhere in Congress.

When Congress does approve an amendment, it must then gain ratification by three-fourths of the States—now 38. For the States to initiate an amendment, two-thirds of the 50 must apply for a constitutional convention. Congress must then summon the convention to consider amendments. Those approved must again have the endorsement of three-fourths of the States.

This cumbersome method never has been used. Under the new plan, whenever two-thirds of the States agree on a specific amendment, it would automatically make the ratification rounds in quest of the same three-fourths vote.

Since congressional approval of the three plans is unlikely, the States this time would have to use the cumbersome machinery to win first-stage approval. And they are presently a long way from the necessary two-thirds majority.

Remotest prospect of all is the revolutionary Court of the Union. In the States' assembly in December, it was dropped just 21 to 20. The other proposals gained heavy majorities.

The proposed new court would consist of the 50 State chief justices. It would have power to decide whether judgments of the Supreme Court affecting rights reserved to the States or the people under the Constitution were properly within Supreme Court jurisdiction.

Observers at the assembly meeting say the three proposals are the work of such stanch conservatives as William Chappell, Florida legislator, and Fred Gulick of the Kansas legislative council.

One observer suggests that many States' votes were cast by individuals not even representative of their unrepresentative legislatures. That the proposals are under study at all is perhaps stout proof of what militant, energetic believers can accomplish.

EASEMENT FOR USE OF LANDS IN CAMP JOSEPH H. PENDLETON NAVAL RESERVATION, CALIF., FOR A NUCLEAR ELECTRIC GENERATION STATION

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 289, S. 546. This action has been cleared by both the majority and the minority leadership.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 546) to authorize the Secretary of the Navy to grant easements for the use of lands in the Camp Joseph H. Pendleton Naval Reservation, Calif., for a nuclear electric generation station.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Armed Services, with amendments, on page 2, line 12, after the word "lines", to strike out "and facilities,"; in line 16, after "Sec. 2.", to strike out "Any such easement, upon application of the grantee or grantees thereof, may be amended by the Secretary, or his successor in interest, in his discretion in such manner as to change the lands affected thereby either by substitution, addition, or deletion, as well as to change the terms and conditions of the grant." and insert "Upon such terms and conditions as he deems necessary to protect the interests of the United States and within the scope set forth in section 1, the Secretary of the Navy may amend any such easement in such a manner as to change the lands affected thereby, either by substitution, addition, or deletion, as well as to change the terms and conditions of the grant."; and on page 3, line 7, after the word "thereof", to change the period to a comma and insert "their respective successors or assigns."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be and he hereby is authorized and empowered to grant to Southern California Edison Company, a California corporation, and to San Diego Gas and Electric Company, a California corporation, and to each of them, their respective successors and assigns, upon such terms and conditions as the Secretary deems necessary to protect the interest of the United States, an easement in, over, under, and upon lands of the United States of America, approximately ninety acres in area, within the Camp Joseph H. Pendleton Naval Reservation, California, for the construction, operation, maintenance, and use of a nuclear electric generating station, consisting of one or more generating units, and appurtenances thereto; and easements in, under, over, and upon such additional lands of the United States of America within the Camp Joseph H. Pendleton Naval Reservation, California, as are necessary or desirable for the purpose of constructing, operating, maintaining, and using electric transmission and communication lines, switchyards and substations, cooling water conduits, pipelines for water, gas and sewage, railroad spur tracks, access roads, and other appurtenances to said facilities and to said nuclear electric generating station.

SEC. 2. Upon such terms and conditions as he deems necessary to protect the interests of the United States and within the scope set forth in section 1, the Secretary of the Navy may amend any such easement in such a manner as to change the lands affected thereby, either by substitution, addition, or deletion, as well as to change the terms and conditions of the grant.

SEC. 3. A reasonable charge, as determined by the Secretary, or his successor in interest, based upon the fair value of each easement granted pursuant to the authority herein contained, shall be payable by the grantee or grantees thereof, their respective successors or assigns.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 546) was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed at this point in the RECORD pertinent portions of the report which relate to the purpose and background of the bill.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The bill will authorize the granting of an easement for the use of approximately 90 acres of land located in the extreme northwest corner of Camp Pendleton, Calif., to Southern California Edison Co. and San Diego Gas & Electric Co. The easement will permit the two companies to construct and operate a nuclear generating plant on the land. Additional easements will be granted for access roads, railroad sidings, and transmission lines.

BACKGROUND OF THE BILL

The Southern California Edison Co. has entered into a contract for construction of a 395,000-kilowatt nuclear powerplant—about twice as large as any U.S. atomic plant. It is estimated that the plant will cost approximately $82 million and will generate enough power to meet the electrical needs of a city of a half million population. This is a private enterprise project of the Edison Co., which will pay 80 percent of the cost, and San Diego Gas & Electric Co., which will pay the other 20 percent. The Atomic Energy Commission has allocated Westinghouse Electric Corp., one of the contractors, approximately $9,500,000 for the research and development phase of the project. In addition, the Atomic Energy Commission will waive the rental charge on nuclear fuel for the first 5 years, which will amount to something between $5 and $6 million.

It is essential to locate the plant on beach frontage since large volumes of ocean water must flow through it continuously to condense the steam flowing through the steam turbine. The 90-acre beach frontage in the northwest corner of Camp Pendleton, about 2 miles from San Clemente, Calif., is ideally suited for the location of this project.

Camp Pendleton is the major training base on the west coast for ground elements of the Fleet Marine Force. It comprises 124,806.56 acres owned in fee simple by the Federal Government. The major portion of the base, consisting of 121,987.75 acres, was acquired in 1942 and 1943 under condemnation proceedings, and the remainder was acquired by direct purchase and withdrawals from the public domain during the years 1945, 1949, and 1959.

It should be noted that the property over which the easement would extend is not excess to the needs of the Department of the Navy and forms an integral part of Camp Pendleton. Normally, property which is not in excess to the needs of a military department but which is not currently needed may be leased pursuant to the authority of 10 U.S.C. 2667, but such a lease must be revocable by the military during a national emergency and must, in addition, permit revocation by the military at any time unless the Secretary determines that the omission of such a provision will promote the national defense or be in the public interest. S. 546 provides that the easement shall be on such terms and conditions as the Secretary deems necessary, and authorizes the Secretary to charge a fair rental. However, in view of the fact that the property is to be used for the construction of a nuclear generating plant, a contractual right of revocation may not insure full military utilization of the property when it is needed.

COMMITTEE ACTION

Although the construction of this nuclear generating plant on this small portion of Camp Pendleton may preclude full military utilization of the property in question in the event of a national emergency, the committee is of the opinion the benefits to be derived by the public as a result of the construction of such a plant outweigh this consideration and approves this measure. Camp Pendleton is a vast acreage and the possibility of an actual military need for the small area to be occupied by this plant is remote indeed.

FISCAL DATA

The enactment of this measure will not entail the expenditure of any Government funds and the proceeds derived from a fair rental of this property will be covered into the U.S. Treasury as miscellaneous receipts.

DEPARTMENTAL DATA

The Department of the Navy on behalf of the Department of Defense and the Bureau of the Budget has no objections to this proposed legislation.

AMENDMENT OF DISTRICT OF COLUMBIA REDEVELOPMENT ACT OF 1945

Mr. HUMPHREY. Mr. President, I ask that the Chair lay before the Senate the unfinished business.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 628) to amend the District of Columbia Redevelopment Act of 1945.

UNITED STATES-FRENCH RELATIONS

Mr. HUMPHREY. Mr. President, I take this opportunity to join with the distinguished majority leader and the distinguished Senator from New York [Mr. JAVITS] in the comments which they have just made relating to the situation which prevails in the Atlantic Alliance and our relationships with the Republic of France.

On Wednesday of this week I addressed the Senate on the subject of the President's journey to Western Europe, particularly his great trip to West Germany and West Berlin. I stated at that time how the President of the United States had once again outlined the importance of the Atlantic Community. I said these words:

> Peace is to be a true, worldwide peace—not a "Pax Americana" and not a sterile "coexistence" with communism. Atlantic unity is not a euphemism for Anglo-Saxon hegemony. Our "special relationship," if any is with the entity of democratic Europe—not with specific nations, specific individuals, or specific governments.
>
> In short, Mr. President, this visit has served to emphasize that President Kennedy is accepted in Europe as a world leader.

This important visit by the President of the United States once again underscores what has been a fact of history; namely, that since 1941 the United States has committed its resources, its manpower, its honor, and its whole national purpose to the defense of freedom.

It seems to me that the spokesman from Paris this morning would do well to retract the words that have been uttered and to remember that the relationships between the United States and France over many decades and generations have been a warm, cordial, reassuring part of the greatness of the history of our two countries.

I have been disturbed for a long time over what appears to be a growing misunderstanding between the President of the Republic of France, General de Gaulle, and other members of the NATO alliance. I have a high regard for General de Gaulle. I have great respect for his leadership. He has performed miracles for France. He has given strength to the cause of human freedom and political independence, not only in Western Europe but throughout the world. He does not deserve our scorn or even our angry retort. He deserves respect and admiration. He will receive it from thoughtful citizens of the United States and elsewhere.

But having said that, I believe it is the responsibility of the leadership of France and those who speak for that leadership to remember the many sacrifices that the United States has made in the past for the freedom of Western Europe, including France itself, and the commitment this country is now making, has made in days gone by, and will continue to make in the years ahead. No one can really see what the future offers. We can only judge the future by the performance of the past. Every nation has a page in its history which it does not like. For example, in our history we have the unfortunate refusal to join the League of Nations; the long period of expressed neutrality in a world where neutrality really could not be a fact.

However, it is my judgment—and I believe history will bear it out as being an honest judgment—that the United States has undertaken tremendous burdens and responsibilities, both during World War II and in the postwar years, and that we have really earned the mantle of leadership. That mantle of leadership has not been worn as a luxury, but rather as a heavy responsibility.

So I would hope that our friends in France would rebuke the spokesman who this morning attempted to engage—not only attempted, but did engage—in loose talk that does little or no good except for the enemy. Only one other voice could have made a statement that was so unworthy of the great French people and of the relationships between the United States and France, and that voice would have come from the Kremlin. I cannot believe—and I will not believe—that the fraternity that exists between these two great Republics, the United States of America and the Republic of France, will wither away or vanish because of the petulant words or the unfortunate comment or the emotional outpouring of one or two spokesmen who say they speak for the Government or for the people of the grand nation of France.

ABOLITION OF DISCRIMINATION IN PUBLIC FACILITIES

Mr. HUMPHREY. Mr. President, on Wednesday of this week the Governor of Kentucky, Hon. Bert T. Combs, set a standard of governmental leadership, responsibility, coverage, and integrity that marked him as a great public servant. Governor Combs took a forthright and courageous step forward in the cause of human rights when, as Governor of the sovereign Commonwealth of Kentucky, he issued an executive order forbidding racial discrimination in all businesses licensed by the State. If more Governors would do this, the work of the Federal Government could be minimized and eased.

Governor Combs has demonstrated that State government can and will perform or fulfill its responsibilities and can take the lead. The Governor of Kentucky has set the pattern and standard for the Nation. He deserves our commendation, respect, and admiration. What he has done is precisely what was needed.

Such decisive action is demanded in every State of the Union. It is analogous to the action which President Kennedy has called upon Congress to take by enacting his omnibus civil rights package, including title II, to ban racial discrimination in public accommodations.

This most recent action by Governor Combs further establishes him as one of the Nation's most determined advocates of civil rights and human rights. In 1960, Governor Combs secured the passage of a law forbidding discrimination in the State's merit system for employees. He also successfully sponsored legislation to establish a State human rights commission.

Earlier this year Governor Combs signed an executive order banning discrimination in employment by State contractors and subcontractors. Mr. President, I remind Senators that this was done by the State of Kentucky, where there are people of many races, colors, and creeds, and where there are whites and Negroes in large numbers.

I understand that certain business interests in Kentucky are planning to challenge Governor Combs' most recent executive order. It is my personal hope that the courts will sustain the Governor and will uphold his actions in this vital area of nondiscrimination in public businesses. I predict that the courts will sustain the Governor's actions, because the Governor has seen to it that the 14th amendment is applied. He is a constitutional Governor.

I know much more will be said regarding the distinction between civil rights and property rights. Yesterday the New York Times published a short editorial that puts the distinction in proper perspective. Let me quote the crucial paragraph:

> But the distinction between what is really private and what is really public is not too difficult to draw. Under the civil rights bill there would be no invasion of private homes or private clubs and no effort to enforce "association"; these remain a matter of personal choice. That the Government would be saying under the bill is that the owner of a public business—whether a lunch counter, a movie house, a motel, or any other facility open to the public at large—cannot pick and choose among his customers for reasons of race.

This distinction is the basis for Governor Combs' executive order.

The distinguished senior Senator from Kentucky [Mr. COOPER] has demonstrated the same kind of courage; and I am sure he has somewhat eased the way for his fellow Kentuckian, the Governor of Kentucky. These men are of different political parties, but they are of like moral stature; and this kind of bipartisan cooperation is exactly the standard that is needed for all of us in the days ahead.

Speaking now of the distinction between what is private and what is public, let me say it is also the basis for public-accommodations laws in some 30 States and the District of Columbia. It is a distinction that will have to be made again and again in the coming civil rights debate in the Congress.

Therefore, I ask unanimous consent to have printed at this point in the RECORD a New York Times article reporting Governor Combs' executive order, a short biography of Governor Combs, and an editorial entitled, "Rights—Civil and Property," all from the New York Times.

There being no objection, the articles and the editorial were ordered to be printed in the RECORD, as follows:

KENTUCKY FORBIDS BIAS IN BUSINESSES—GOVERNOR'S ORDER AFFECTS ALL LICENSED ACTIVITIES—HE PRODS SCHOOL DISTRICTS

FRANKFORT, KY., June 26.—Gov. Bert T. Combs signed an executive order today forbidding racial discrimination in all businesses licensed by the State.

The order, which went into effect immediately, covers such businesses as taverns, restaurants, barber shops, beauty parlors, funeral homes, and real estate concerns.

The Governor warned that school districts, which need accreditation by the State department of education, would be in danger of losing State and Federal funds if they did not integrate.

His order directed those State agencies empowered to license businesses to prepare reports within 60 days on how they planned to enforce the order.

Mr. Combs suggested that enforcement could be patterned after the procedures of the State alcoholic beverage control board.

COULD LOSE LICENSE

After an illegal act has been charged, the board cites a licensee and orders him to appear for a hearing to show cause why he should not have his license suspended or revoked.

Hence, the Governor noted, "the penalty under this executive order also would go to a man's pocketbook."

Mr. Combs acted at a special session of the general assembly, the legislature, met here. Civil rights groups and Mayor William O. Cowger of Louisville had urged the Governor to extend the special session to include consideration of a State antidiscrimination law.

The session had been called to provide State aid for four eastern Kentucky hospitals owned and operated by the United Mine Workers of America. The union plans to close the hospitals this summer because of economic reasons.

Governor Combs said he had declined to place a civil rights bill before the legislators because many had come unprepared to consider such legislation.

In addition, he said, "it is my judgment, based on contacts with key members of the legislature, that an effective bill could not be passed at this extraordinary session."

He asserted that an order "will be much more effective than filing a citation with the local court," as a State law would require.

"While Kentucky has made great strides, both for voluntary and legislative action, additional action is needed to make it possible for all Kentuckians to become first-class citizens," he declared.

He said a civil rights bill would come before the legislature, but did not specify when.

In his order the Democratic Governor declared that discrimination "in places of public accommodation is unfair, unjust, and inconsistent with the public policy of the Commonwealth of Kentucky."

Mr. Combs' 4-year term expires in December. He is prohibited by statute from succeeding himself. Edward T. Breathitt, Jr., Democratic nominee in the gubernatorial election next fall is supported by the Combs administration.

The order was considered broad by some civil rights leaders. Several said they would investigate the possibility that it could include discriminatory practices in private employment.

This was the second move in 2 months to end racial discrimination in places of public accommodation.

The first occurred in May, when the Louisville Board of Aldermen passed an antidiscrimination ordinance, to go into effect within 90 days.

The Louisville ordinance and the executive order came without the pressure of demonstrations by Negro groups. In some cases, however, civil rights leaders were hard-pressed to contain their followers.

The Louisville school system desegregated in 1956 without the need for court action. In the last 8 years there has been progress in desegregating parks, swimming pools, hotels, restaurants, and theaters.

In 1960 Governor Combs pushed through a law forbidding discrimination in the State's merit system for employees. He also succeeded in having legislation passed to create a State human rights commission.

Earlier this year, he signed an order forbidding discrimination in employment by State contractors and subcontractors.

Of the State's 3,100,000 population about one-eighth are Negroes.

Unorthodox Kentuckian: Bert Thomas Combs

The Governor of Kentucky was once introduced to a political rally as "the first Baptist Governor of our State in 100 years." From the rear of the audience, a man shouted, "And if he doesn't do a little better, he'll be the last one for 100 years." Nobody on the staff of Gov. Bert Thomas Combs remembers the incident. But the Governor tells the story with delight as he roams the State, meeting people and listening for ideas.

That he issued an executive order yesterday banning discrimination in places of public accommodation is no surprise to those who know Mr. Combs. He has often said that segregation is coming to an end, and that those who fight it are only spreading bitterness.

Despite a fondness for stories, most of them self-deprecating, Mr. Combs is no orthodox politician, at least not in a State that has produced A. B. (Happy) Chandler, Alben W. Barkley, and Earle C. Clements.

His opponents call him a "captive" of more experienced professionals.

He is also sometimes accused within his party of having backed away from supporting John F. Kennedy for President and the Kennedy administration. In Kentucky, where politicians say pockets of religious intolerance remain, Richard M. Nixon outpolled Mr. Kennedy, a Roman Catholic, in 1960.

Mr. Combs made his first bid for public office in 1955, seeking the Democratic gubernatorial nomination against Mr. Chandler, former Governor, who was a national figure.

"Bert had been on the State court of appeals, Kentucky's supreme court," a friend said recently. "He campaigned like a judge—responsibly, methodically, and unsuccessfully."

Four years later Mr. Combs ran again, defeating a Chandler protege, 203,802 to 177,191. He then easily beat the Republican nominee.

In his successful campaign Mr. Combs was considerably more caustic about Mr. Chandler. As a result, when Mr. Chandler attempted a comeback last spring, he centered his attack on Governor Combs. He particularly gibed at a $50,000 floral clock planted on the capitol lawn.

Because Kentucky law forbids a second successive term, Governor Combs backed his own protege for the post, Edward T. Breathitt, Jr., 38-year-old legislator.

Mr. Breathitt defeated Mr. Chandler in the primary. Mr. Combs, pleased, commented in an afterthought that the floral clock was paying for itself as a tourist attraction.

The Governor was born August 13, 1911, in Clay County, in the heart of Kentucky's mountains.

"He's almost the perfect man to deal with the racial situation in this State," a friend said. "In his home area, around Manchester, there's just no problem. He brought no bias or emotion to his deliberations on the issue."

Mr. Combs quit school in 1931 to work as a clerk in the State highway department. Two years later he entered the University of Kentucky and worked his way through law school, graduating second in his class.

He joined the Army in 1942 as a private and was discharged as a captain 4 years later.

Returning to civilian life, he became city attorney in Prestonburg in 1950 and the Kentucky equivalent of district attorney soon afterward.

A restless man who enjoys traveling, the Governor likes to take along his staff on visits to small towns around the State. In Calhoun or West Liberty, he would open an office for a day, listening to anyone's complaint.

With retirement from office facing him next December 9, Mr. Combs has indicated he will not accept another judgeship. "I'm going to sit back and give a lot of free advice to all of those who have been so generous with advice to me over the past 4 years," he says.

Mr. Combs and his wife, the former Mabel Hall, have two children, Lois Ann, 19, and Thomas, 17.

Rights—Civil and Property

The principal battle over President Kennedy's proposed civil rights law—as indicated by the line of questioning yesterday when the Attorney General appeared before a House Judiciary subcommittee—will revolve around the provision prohibiting discrimination against Negroes in the use of public facilities. The proposed law would guarantee all citizens "equal access to the services and facilities of hotels, restaurants, places of amusement, and retail establishments." The general argument against this provision is that it would interfere with private property rights.

But the distinction between what is really private and what is really public is not too difficult to draw. Under the civil rights bill there would be no invasion of private homes or private clubs and no effort to enforce association; these remain a matter of personal choice. What the Government would be saying under the bill is that the owner of a public business—whether a lunch counter, a movie house, a motel, or any other facility open to the public at large—cannot pick and choose among its customers for reasons of race.

As a matter of fact, some 30 States, the District of Columbia, and many cities—covering two-thirds of the country—already have laws against discrimination in places of public accommodation. But in our mobile society and interdependent economy, protection of these public facilities has properly become a matter of national concern. Property has its obligation as well as its rights.

It is possible, as Attorney General Kennedy agreed yesterday, that certain small businesses—such as "Mrs. Murphy's" boardinghouse with a few rooms—could remain private in the ancient sense. But in the larger meaning of the law, civil rights cannot be subservient to an exaggerated claim for property rights.

WHY A DOMESTIC PEACE CORPS?

Mr. YOUNG of Ohio. Mr. President, it gives me no pleasure whatever when I announce myself very definitely as against some legislative proposal sponsored by this administration. I shall, however, continue to do just that whenever my judgment and my conscience so dictate. It is well known that I consider myself a friend and admirer of our President and a supporter of his policies.

Following careful study and research, it is my conclusion that the administration proposal to create a national service corps, termed "Domestic Peace Corps," as set forth in bills introduced in the House of Representatives and in the Senate, and supported by many of my distinguished colleagues, should not be enacted into law in their present form. My study of these legislative proposals leads me to express the hope they will not be reported from committee for debate and vote unless they are first substantially amended.

The organization to be created under these bills is commonly referred to as the "Domestic Peace Corps," which is admittedly an appealing name. One could say, following study of the proposal, that the best thing about the entire plan is the name "Domestic Peace Corps." It immediately brings to mind the outstanding work being accomplished by the Peace Corps abroad, under the very capable leadership of Director Shriver. However, the differences between the two are as wide as the oceans that separate them.

Mr. President, this proposed legislation, if enacted into law, would create another independent agency to add to our already sprawling Federal bureaucracy. The cost to the taxpayers in the long run would far exceed the $5 million a year minimum presently contemplated.

My primary objection to the proposed Senate bill is that its enactment would duplicate work of existing Federal, State, and local agencies. There is already too much waste and duplication in Government, and it would be unconscionable to add to this burden already being shouldered by American taxpayers. The proposed Corps would be created to help Indians, migratory workers, residents of depressed areas, elderly persons, disabled persons, delinquent children, dependent children, and almost all others in our society who are in need of aid and assistance. This is a worthy undertaking, but we do not need another Federal agency to undertake it.

On the Federal level, the Bureau of Indian Affairs is charged with aiding and assisting Indians; the Department of Commerce is already engaged in working with depressed areas, under the Area Redevelopment Act—which I have always supported and for which I voted the day before yesterday. The Department of Labor already has a division handling problems of migratory workers, as well as the Manpower Development and Training Act, to provide for the retraining of workers without skills required by industry today; the Department of Health, Education, and Welfare has agencies for the rehabilitation of the disabled, assistance to dependent children, and for the correction of delinquency. There is hardly a Federal department or agency which is not active in some way in the many social welfare problems of our society. Billions of dollars of the taxpayers money has been appropriated and spent for these purposes, and will continue to be appropriated and spent for these good purposes.

This year, the Senate has passed the Youth Employment Act, a section of which provides for pilot training programs and employment programs for young men and women ages 16 to 21 in local public service agencies. This is presently pending in the House of Representatives, and is likely to become law before the Congress adjourns.

On the State and local level, a myriad of public agencies are performing these necessary functions. Every State has one or more agencies charged with the responsibility of caring for the impoverished, the physically and mentally ill, needy children, and the aged. Likewise, at the local level every community has departments devoted to this end. In addition, there are virtually hundreds of private and quasi-public social welfare agencies which are performing outstanding work in this area—the Urban League; Goodwill Industries; Protestant, Catholic, and Jewish welfare agencies; the Y.M.C.A. and the Y.W.C.A.; the Red Cross; and the Salvation Army, to name a few of the major ones. Added to these are a multitude of smaller voluntary organizations, ranging from the Gray Ladies in our hospitals to Alcoholics Anonymous. We are reaching the point where if this trend continues, we shall have more guides working for government or volunteering their services than we have people to guide.

Mr. President, there is no need for the Federal Government to add another Federal department to an already elaborate structure of agencies performing this vital work. Adding one more voice to a chorus will not make it more harmonious. I am not opposed to further necessary appropriations for departments having this responsibility, but I do not believe that we need the administrative superstructure and personnel that the domestic peace corps, so called, would require.

A director would be appointed and a deputy director with salaries of $20,000 and $19,500 per annum respectively according to the Senate bill. Of course, it will be necessary for them to have an adequate administrative staff in Washington and in regional offices that will inevitably be created. We all know of the operation of Parkinson's Law and how Government agencies somehow have a way of costing taxpayers a great deal more money than was anticipated at the time of their establishment. Then members of the national service corps will be enrolled. They will receive an allowance "at a rate not to exceed $75 per each month," which may be paid at the termination of service or during the course of service. Then the bill provides for travel and leave allowance, housing, transportation, supplies, equipment and subsistence and clothing, as may be determined to be necessary for the maintenance of corpsmen and to insure their capacity to serve effectively. Then these corpsmen, so called, are to receive fringe benefits, compensation benefits, and in fact all benefits given to Federal employees under the Federal Employees Compensation Act. In addition, free health care and medical service will be provided. All of this and more at taxpayers expense.

Furthermore—and this is a good one—it is provided that consultants may be hired, paid at rates not in excess of $75 per day. I should hope not. In 1950 I was defeated for a fifth term as Congressman at Large from the State of Ohio. I thought I had served faithfully during four terms as Representative at Large, and my colleagues in the House of Representatives were good enough to recognize that service, according to my view, by electing me to serve on the powerful Committee on Ways and Means. I considered that I had become somewhat skilled and experienced, not only in the science of government, but also in the handling of proposed revenue legislation. Then the citizens of Ohio decided, as they certainly had a right to do, to relegate me to private life. I am merely mentioning that personal matter because I had given up the practice of law to devote my time as a public servant. I went back to Cleveland and started my law practice from scratch.

The present Presiding Officer of the Senate, the Senator from Oregon [Mr. MORSE], is a great lawyer. He has been dean of a law school. He knows that it is not always easy to resume the practice of law once a lawyer has given it up. I would have been delighted at that time if President Truman or some leading official of his administration had offered me employment as a consultant at a fee of $75 a day and my travel expenses.

Now in the Domestic Peace Corps, in addition to all else, the employment of experts and consultants at not more than $75 a day is contemplated. To me that represents a great deal of money. However it seems commonplace today in the Federal Government. Frankly, I feel that the practice of employing consultants is being abused.

At first there will be 1,000 employees in the Corps and eventually 5,000. Let us consider this further. It will later be claimed this is just a drop in the bucket compared to what is needed at State and local levels. To pay for this bill provides for $5 million. This is a minimum estimate.

The maximum is not set forth. That leaves plenty of latitude. We are all too familiar with the fact that once a new agency is established, it invariably costs more each year.

Prominent welfare officials in Ohio have written to, and spoken with me, regarding this bill. If it is really to be considered seriously, they made a number of recommendations. The effectiveness of performance and the value of the experience of corpsmen will be dependent upon the quality of supervision which they receive in the operating agencies to which they are assigned. By and large local agencies would require financial supplementation to secure sufficient staff to assure such supervisors. More money.

Furthermore, in view of the fact that most corpsmen will be working in conjunction with existing operating agencies, it is also important that the local agency have the prerogative of final selection of corpsmen and of supervisory personnel. It is also preferable that assignments of corpsmen be made in a community other than the individual's home community. These are all amendments proposed to me by leaders of community activities in my State of Ohio.

Instead of our spending a great deal of time on that subject, this legislative proposal ought to be kept in committee so that we do not have to worry about such questions. We have many much more important matters about which to concern ourselves.

Mr. President, my record over the years in support of humane and progressive social welfare legislation needs no defense. It is a happy personal recollection that in the other body I voted for our social security law, for the Civilian Conservation Corps, for the Rural Electrification Administration, for minimum wage laws, and for a host of other beneficent bills while serving as Congressman at Large during the administration of Franklin D. Roosevelt. In fact I supported the recovery program of Franklin D. Roosevelt in its entirety. During the administration of President Harry Truman I voted to liberalize and extend these measures for the welfare of the American people. As a member of the Ways and Means Committee of the House of Representatives I helped liberalize and expand the coverage of our social security insurance system. Since my election to the U.S. Senate, the record shows that I have voted for and urged the passage of legislation which would further provide for the betterment of all Americans in our complex industrial society today.

As a private citizen I pioneered in the effort to obtain unemployment compensation laws in Ohio and for laws to regulate the working conditions of men, women, and children.

Then as president of the Cuyahoga County Bar Association—an association of about 1,800 lawyers in my home city of Cleveland—I was the first official from any bar association to testify before the Senate Committee on Finance appealing that self-employed lawyers be covered by the beneficent provisions of our social security law. The American Bar Association never sent a representative to testify in favor of social security coverage for lawyers. At that time I testified before the Senate Committee on Finance urging that self-employed lawyers of the United States be covered by the beneficent provisions of our social security laws. I was told at that time by members of the committee—some of whom are our colleagues in the Senate at the present time—that if the lawyers had asked for this privilege many years before, they would have been included. Very shortly, a few months afterwards, self-employed lawyers were given the privilege of being covered by the beneficent provisions of the social security law. Many of them and many of their widows today receive retirement benefits as a result.

However, in this instance I cannot go along with the administration, much as

I would like to. Some smart public relations man evidently thought up this "catchy" name for this proposed independent agency which would principally duplicate work already being done, while our taxpayers sweat on, burdened by mounting expenditures of the Federal Government. I cash in my checks on this Domestic Peace Corps proposal.

CIVIL SERVICE PREFERENCE

Mr. STENNIS. Mr. President, the civil service system is now undergoing an experience which will destroy its integrity unless the situation is righted. For many years both the Congress and the American people have felt that the Civil Service was a system of fair selection of worthy applicants for Government positions. Persons in civil service have relied on the system and have gained vested rights in it.

Now the basic principles of that system are being destroyed through special orders. Thus, the faith of the public is being destroyed, and the rights of many hundreds of thousands of faithful employees are being swept away.

The evidence would appear uncontradicted. I am especially sure of its reliability, since I have called some of these items, to which I shall refer, to the attention of Chairman John Macy, of the Civil Service Commission, when he recently appeared before the Appropriations Subcommittee.

I wish briefly to document some of the special orders and their application, to which I have referred.

Recently, 3 Negro employees in the Dallas post office were promoted to supervisory positions over 53 white persons who had earned higher ratings in the competitive examinations given for the positions. Action was taken in accordance with a 1961 Executive order designed to "insure equal opportunity for all qualified persons" in Government employment and as stated by Chairman Macy of the Civil Service Commission, in order to effectuate a policy in the Post Office Department to "eradicate inequities" in employment.

In addition, at headquarters in Washington, as I understand, a Negro or other minority race member may be bypassed on the eligibility list only for reasons determined adequate by the chief of the employment section or the director of personnel. This directive states that when candidates are referred for interview the operating officers must support any nonselection action with written reasons submitted through the division head to the chief of the employment section.

Commenting on these provisions, a local newspaper columnist recently said that this is approximately the same job preference given by law to veterans who qualify for Federal jobs, and has led to reports that Negroes are being given preference over white veterans.

Mr. President, I refer to that illustration as a part of the complete picture.

Under date of June 4, 1963, the Civil Service Commission here in Washington announced that five-man teams of its representatives, acting under the direction of the Atlanta regional director, would visit a series of southern communities to assure that full opportunity is given to all citizens to compete for Federal positions. The teams were to begin their work in Jackson, Miss.; Montgomery, Ala.; and Nashville, Tenn. Later, they were to visit other southern localities. Instructions to the visiting teams require numerous positive actions to promote minority group and employment advancement.

As an illustration of some of the activities under these express and special directives, I have been told about one situation in the southeastern part of the United States, in which a department of Government received a special memorandum, the title of which was "Employment of Members of Minority Group." The memorandum advised as follows:

> Your allotment of positions has been increased by one. In connection with the above, it is understood that the additional place is to be used to bring a qualified member of the above group to a clerical position in your office.

In other words, there is a direct order from the Civil Service Commission creating an additional job in that office with the directive that the position is to be filled only by a qualified member of the minority group.

In the opinion of the Senator from Mississippi, that is a direct violation of the regulations which control; it is a direct violation of the spirit of the civil service law and, I think, a direct violation of the law itself.

My complaint is not merely at the prospect of the employment of a person who might be a Negro. My complaint is at the total abandonment of rules and regulations applicable, and the law and the principles and spirit of the law which should be applicable.

I buttress my argument and position with a quotation from the RECORD of yesterday, on page 11881, a paragraph from the speech delivered by the distinguished Senator from Connecticut [Mr. RIBICOFF], when he was speaking on the responsibilities in connection with the civil-rights crisis. I quote the Senator:

> Denying a man a job because he is a Negro is indefensible. Granting him a job if he is not qualified just because he is a Negro cannot be justified either. Those who claim that *x* number of jobs or *y* percent of jobs must be set aside for Negroes are not favoring equality of opportunity. They are saying that opportunity does not matter, that merit does not matter, that only arbitrary numbers and percentages matter. That point of view will undermine the whole effort to achieve equality in this country.

That is exactly the situation brought about by this order. Just remember, the order from which I have quoted refers to the creation of an additional position in an office. The order at the same time carried a direct mandate that the position be filled by none other than one from this minority group.

In the listings at that time, there happened to be no person of that group. Examinations were held, but no one from that group got on the list. But that is beside the point. As stated in the quotation from the speech of the Senator from Connecticut which I have read, this is a prostitution of the system itself, in order to meet a certain desired end. That end can be met within the letter and spirit of the law and in keeping with the historic principles and vested rights of persons on the civil service lists. To do it any other way not only destroys the integrity of the system, but destroys the system itself and does an injustice to all.

In further documentation, under date of January 4, 1963, the U.S. Army Corps of Engineers at New Orleans issued an "Equal Opportunity Plan of Action," purportedly in furtherance of the President's 1961 Executive order on fair employment practices. In part, the plan stated:

> In any case where a Negro is known to be within the top three on a list of available eligibles for a vacancy and such a Negro is not selected, prepare and direct to the district engineer, through the civilian personnel officer and the deputy employment policy officer, a formal letter citing the reason for nonselection. Included therein will be a comparative résumé of the qualifications, including education and experience, of the three available eligibles. In such case, no appointment will be made without the written approval of the district engineer.

Following widespread protest, the directive quoted was changed to substitute "minority person" for "Negro," but was broadened to embrace "minority persons" within the "zone of consideration."

The Department of Defense recently instituted a crash program, with special emphasis on the South in order to improve employment and advancement opportunities for Negroes. Although the civil service laws are applicable to positions in the Department of Defense as well as the other Government departments, provisions are contained in the directives in outright favor of Negroes. For example, progress reports require comparative quarterly statements of the number of Negroes employed and the sample form to be filled out shows a gain in Negro employment at September 30, 1963, over June 30, 1963, although September 30, 1963, is not yet here. In other words, the duty to employ more Negroes is spelled out in no uncertain terms.

Practices and directives of this kind go to the very vitals of the integrity of the system. It is an unlawful and irresponsible means of reaching an end that someone has in mind.

Under the special provisions directed at the South, the Pentagon will dispatch headquarters' officials to major employment headquarters in that section to make "on the spot" employment reviews. Immediate action is authorized "to correct any limited or out-of-balance utilization of minority group employees."

Mr. President, these are the undisputed, the documented facts.

I mentioned most of these examples to Mr. Macy the other day, during his testimony before the Appropriations Committee. He was familiar with some, and with some he was not, but the whole tone of his answer was that the descriptions of these cases were correct as far as the facts were concerned.

On their face they demonstrate beyond possible doubt a policy to force employment of Negroes in civil service positions regardless of applicable law and prior regulation, regardless of qualifications. Can it be doubted that on their face the procedures adopted, promulgated and put into execution are clearly in violation and even in contempt of the applicable law? How do you equate moving down 53 spaces on a civil service list for three appointments, with the provision of a merit system designed to reward and recognize only those at the top? How does one equate a merit system worthy of the name with special coercive provisions that make examiners and supervisors suspect unless they appoint a Negro?

How does one justify creating a job and then expressly saying in the same directive that it can be filled only with a Negro or a member of some minority group?

That mandate was written in express, direct terms, but the whole tone of the investigators and those who have been sending out directives to various offices is that of a mandate, saying, in effect, unmistakably, "Either do this or get out." That is the mandate under the new sweeping orders.

These acts are unworthy of the high place and position that has been accorded by the people of the country, and by the Congress, to the Civil Service System, which has long had its established rules and regulations.

By and large, the Senator from Mississippi thinks the commission has rendered excellent service. There are certain preferences under the civil service law, with which we are all familiar. Those preferences apply to minority groups and colored people, whoever the persons may be. Those preferences are embodied in what is known as the Veterans' Preference Act. Congress enacted a law expressly creating these preferences, writing into law the way such preferences should be made effective, and requiring that the selecting persons, if they did not select certain qualified veterans, document their reasons.

It has worked fairly well. It has been fair. Now this practice has come into being, without any congressional authority, without any act of Congress, taking over and proceeding as if it were the law, without any prior investigation as to whether it was justified or whether anyone had been discriminated against, with these people showing up in various offices with this demand, this ukase, saying what shall be done, regardless of the situation with respect to the list, and regardless of what the law may provide.

I called on Mr. Macy. I do not mean any reflection on him. I have a high regard for Mr. Macy as Chairman of the Commission, and I have a high regard for the other members of the Commission also. However, I have asked him to investigate his investigators, to determine what they were saying to the various administrators, what they were doing, and what was being done in connection with the entire procedure.

I asked him if he had sent investigators with special orders to other parts of the country. He said he had not. He expressed the intention to see that the law was administered in the same way throughout the country.

The demand and tone and temper of the orders are playing havoc and bringing uncertainty into the minds not only of administrators, but also of those on the list.

I do not remember when the Civil Service Act was passed, but I remember when it was in its growth, and I know how it has developed.

At one time the spoils system was used in filling Government position. It became apparent that the Federal Government needed qualified persons to perform the duties of the various offices. Of course, qualification was not a major consideration under the spoils system.

As a result, the people demanded an end to spoils politics and the corruption and abuse which it created. In 1871 Congress created the first Civil Service Commission, although it failed to make an appropriation to support it.

The cry for civil service reform, however, continued and the problem became so great that after the assassination of President Garfield, attributed at least in part to spoils politics, Congress, in 1883, adopted the Pendleton Act, providing for the appointment of a bipartisan three-man Civil Service Commission for drawing up and administering competitive examinations leading to the appointment of qualified employees on a merit basis. There have been changes in the law since then, but the Pendleton Act provided the foundation for the present Civil Service System.

We are now faced, however, with a serious threat to the integrity of the Civil Service System. An appointment system which is politically motivated is doomed to failure. If Federal employees are to be appointed solely because they are members of the Negro race, not only will the civil service law be violated, but it will discourage and prevent qualified white people from applying or even taking the trouble to apply.

The great wave of emotion which has been sweeping the country during the past few weeks, resulting in the administration apparently giving the Negro race a signed blank check, can well cause our entire system of government to crumble. Massive mob demonstrations and riots have been organized by agitators, often from outside the area, for the loudly proclaimed purpose of violating State laws.

The Congress must take effective action to restore the integrity of the Civil Service System and make it clear that the Government will not be goaded and coerced in the matter of the employment of qualified Federal employees.

Thus we see a pattern of willful and arbitrary abuse of the great Civil Service System, in which hundreds of thousands of Americans have vested rights which they have earned over many years of faithful service. This practice should, and I believe will, backfire on the political planners which order its execution. We should help make it backfire, not only in this instance, but whenever there is an abuse anywhere for personal or political purposes.

These practices can be taken up and scrutinized, of course, in an appropriation bill when it comes before the Senate. We could investigate the operation by the appropriate committee. But not even by investigations or even by cutting appropriations can we further the integrity and the spirit of the great system which means so much to many thousands of persons who are on the list, as well as to the proper operation of our system of government.

Mr. President, I am convinced beyond all doubt that if this misconduct is not stopped—and I pray that our exploring it on the floor of the Senate will result in its being stopped—it will be absolutely necessary, and the positive duty of Congress, representing all the people of the Nation as a whole, to proceed to expose the facts and to take corrective action.

CALL OF THE CALENDAR

Mr. MORSE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of certain bills on the calendar to which there is no objection, beginning with Calendar No. 290.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senate will proceed to the consideration of the bills, in order.

ETSUKO MATSUO McCLELLAN

The bill (S. 280) for the relief of Etsuko Matsuo McClellan was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Etsuko Matsuo McClellan, shall be held and considered to be the natural-born alien child of Sergeant Curtis O. McClellan and Jewell McClellan, citizens of the United States: *Provided,* That the natural parents of the said Etsuko Matsuo McClellan shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

DENIS RYAN

The bill (S. 568) for the relief of Denis Ryan was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Denis Ryan shall be held and considered to have been lawfully admitted to the United States for permanent residence as of January 1951, and to have met the physical presence and continuous residence requirements of section 316 of that Act, notwithstanding his temporary periods of absence from the United States in the employment of the United States Armed Forces: *Provided,* That he file a petition for naturalization not later than one year following the date of the enactment of this Act.

YUNG YUEN YAU

The bill (S. 733) for the relief of Yung Yuen Yau was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Yung Yuen Yau shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

MRS. GIUSEPPA RAFALA MONARCA

The bill (S. 753) for the relief of Mrs. Giuseppa Rafala Monarca was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Mrs. Giuseppa Rafala Monarca shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is avialable.

DR. JAMES T. MADDUX

The bill (S. 1201) for the relief of Dr. James T. Maddux was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, (1) in the administration of chapter 73 of title 38, United States Code, as amended, and the rules and regulations promulgated thereunder, Doctor James T. Maddux, of Narberth, Pennsylvania, an employee of the Department of Medicine and Surgery, Veterans' Administration at Philadelphia, Pennsylvania, shall be held and considered to have been promoted from associate grade, Medical Service, to full grade, Medical Service, effective as of July 9, 1961, and (2) the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Doctor James T. Maddux, an amount equal to the difference between the salary received by him as such an employee for the period from July 9, 1961, to February 17, 1962, and the salary he would have received for such period had his promotion from associate grade, Medical Service, to full grade, Medical Service, been made effective as of July 9, 1961.

ANNE MARIE KEE THAM

The Senate proceeded to consider the bill (S. 296) for the relief of Anne Marie Kee Tham which had been reported from the Committee on the Judiciary, with an amendment at the beginning of line 11, to strike out "appropriate" and insert "French", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Anne Marie Kee Tham shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the *French* quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

HENRY BANG WILLIAMS

The Senate proceeded to consider the bill (S. 538) for the relief of Henry Bang Williams which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Henry Bang Williams shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act upon payment of the required visa fee: *Provided,* That the natural mother of the said Henry Bang Williams shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

LAWRENCE E. BIRD

The bill (H.R. 1267) for the relief of Lawrence E. Bird was considered, ordered to a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 325), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to authorize and direct the Secretary of the Treasury to pay the sum of $2,517.17 to Lawrence E. Bird, 5689 Valley Street, Dayton, Ohio, in full settlement of his claim against the United States for expenses incurred in January and February of 1960, in connection with replacing a well on his property destroyed by certain construction activities at Wright-Patterson Air Force Base, Ohio.

STATEMENT

Lawrence E. Bird, beneficiary of the bill, owned a home in which he and his wife lived, and a rental house near the west boundary of Wright-Patterson Air Force Base, Ohio. Both of these dwellings depended upon a water well located on the meridian between the north and south lanes of Highway 69, which runs near and parallel to the airbase boundary. About 290 feet from the water well, and inside the boundary of the airbase, Mad River flows. On October 28, 1958, the river was deepened and straightened by the Corps of Engineers, Department of the Army, in conjunction with improvements to the airbase.

Mr. Bird notified the Corps of Engineers project manager, on October 30, that, after the deepening of the river channel near his property, his well ran dry. Mr. Bird hired a ground water consultant to determine the cause of the well going dry, and on November 9 the consultant conducted several tests. These tests were repeated on March 19, 1959, but still there was no water present.

A meeting was held on March 26 with the project manager, the ground water consultant, two State water experts, and the representative of a chemical company. It was agreed at this meeting to drill another well near the dry one. Two wells were drilled and neither produced water. However, a third well drilled some distance from the original well was productive.

Mr. Bird filed a claim with the Corps of Engineers on February 20, 1960, asking $2,867.17 damages for the expense of completing the new well and for the inconvenience of being without a well during the time the new one was being drilled. A hydraulic study made by the Corps of Engineers revealed that the original well was fed by percolating water and that it went dry as a result of the Government lowering the bed of Mad River.

The report of the Department of the Army outlines the efforts made by Mr. Bird to settle this matter administratively. The report observes that Mr. Bird had no legally enforceable claim. In interposing no objection to relief by private bill, providing the amount is reduced, the Army stated:

"The evidence shows that the loss of the water well was caused by the action of the United States. Even though under the law of the State of Ohio, no legal liability therefor accrued, had the incident occurred in the neighboring States of Indiana or Kentucky (or in perhaps one-half of the States, see 29 A.L.R. 2d 1361), it could have been considered for payment. Therefore, the Department of the Army would interpose no objection to the bill if amended to reduce the amount to $2,517.17."

The committee is of the opinion in view of the position taken by the Department of the Army and the facts in the case, that this is a proper case for legislative relief. Accordingly, the committee recommends favorable consideration of H.R. 1267, without amendment.

MISS ANN SUPER

The bill (H.R. 1275) for the relief of Miss Ann Super was considered, ordered to a third reading, was read the third time, and passed.

CARMELA CALABRESE DI VITO

The bill (H.R. 1292) for the relief of Carmela Calabrese DiVito was considered, ordered to a third reading, was read the third time, and passed.

MARIO RODRIGUES FONSECA

The bill (H.R. 1332) for the relief of Mario Rodrigues Fonseca was considered, ordered to a third reading, was read the third time, and passed.

ASSUNTA DI LELLA CODELLA

The bill (H.R. 1736) for the relief of Assunta DiLella Codella was considered, ordered to a third reading, was read the third time, and passed.

JOSEPHINE MARIA (BONACCORSO) BOWTELL

The bill (H.R. 3356) for the relief of Josephine Maria (Bonaccorso) Bowtell was considered, ordered to a third reading, was read the third time, and passed.

LEROY SMALLENBERGER

The bill (H.R. 4773) for the relief of Leroy Smallenberger, a referee in bankruptcy was considered, ordered to a third reading, was read the third time, and passed.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 332), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to provide that the Administrative Office of the U.S. Courts shall pay, out of any appropriation available for payment of salaries of referees in bankruptcy of the district courts of the United States, a retroactive increase in salary from $7,500 per year for service as a part-time referee, to $15,000 a year for service as a full-time referee, to Leroy Smallenberger, a referee for the U.S. District Court of the Western District of Louisiana, for the period July 1, 1962, through October 17, 1962, inclusive.

STATEMENT

The proposed legislation for the relief of the claimant is favorably recommended by the Administrative Office of the U.S. Courts.

In its favorable report to the Congress, the Administrative Office of the U.S. Courts has set forth the facts in the case as follows:

"Prior to July 1, 1962, Referee Smallenberger, the only referee authorized for the western district of Louisiana, served on a part-time basis and in addition maintained a separate law practice as permitted under the statute. In March 1962 it was brought to the attention of the Judicial Conference that the volume of business in the western district of Louisiana was at an alltime high and that the volume of work justified the creation of a full-time referee position. This was the recommendation of the Director of the Administrative Office, the district judges, and the judicial council of the circuit. The Judicial Conference thereupon concurred in this recommendation and changed the referee position from a part-time basis at a salary of $7,500 per annum, to a full-time basis at a salary of $15,000 per annum, to 'become effective July 1, 1962, provided appropriated funds are available.'

"On March 20, 1962, the Honorable Ben C. Dawkins, chief judge of the U.S. district court at Shreveport, La., was informed of the action of the Judicial Conference. Referee Smallenberger immediately commenced negotiations with his law partner for the disposition of his business by July 1, 1962, since under the provisions of the Bankruptcy Act part-time referees are permitted to practice law, but full-time referees are not permitted to conduct a private law practice. It was necessary for these negotiations to be conducted somewhat in advance if Mr. Smallenberger was to be free to assume full-time duties on July 1. Arrangements were in fact completed and Referee Smallenberger entered on duty as a full-time referee on July 1, 1962.

"Although funds for the payment of the salary increase to Referee Smallenberger were included in the appropriation act for the fiscal year 1963, the enactment of the legislation was delayed and the appropriation was not approved by the President until October 18, 1962. The payment of the salary of Referee Smallenberger on a full-time basis was made effective on that date. H.R. 4773 provides that the Administrative Office of the U.S. Courts shall pay, out of any appropriation available for payment of salaries of referees in bankruptcy of the district courts of the United States to Referee Smallenberger, a retroactive increase in salary from $7,500 a year for service as a part-time referee to $15,000 a year for service as a full-time referee for the period July 1 through October 17, 1962.

"The proposal contained in this bill was favorably reported to the Judicial Conference by its Committee on Bankruptcy Administration at the recent session held on March 11–12, 1963. The Conference at that time expressed approval of the proposal contained in the bill."

The bill was the subject of a hearing befor a subcommittee of the Committee on the Judiciary of the House of Representatives on March 27, 1963.

Representatives of the Bankruptcy Section of the Administrative Office of the U.S. Courts appeared at the hearing and testified on the bill.

In its favorable report on the bill the Committee on the Judiciary of the House of Representatives has commented:

"At that hearing it was pointed out that section 40 of the Bankruptcy Act (11 U.S.C. 68) provides for the creation of a referees' salary fund and a referees' expense fund in the Treasury of the United States. The amounts collected by the clerks of the courts for the services of referees and their expenses are covered into these special funds. The payment of the salary authorized by this bill would be from the salary fund. Since the bill authorizes payment from this revolving fund, it can be noted that the enactment of the bill will not result in a payment of funds derived from taxes.

"After a full consideration of the matters presented at the hearing and the favorable recommendation contained in the report of the Administrative Office of the U.S. Courts, this committee has concluded that this is an appropriate subject for legislative relief. Accordingly, it is recommended that the bill be considered favorably."

The committee believes that the proposed legislation is meritorious and recommends it favorably.

Attached and made a part of this report is a letter, dated March 25, 1963, from the Administrative Office of the U.S. Courts.

J. ARTHUR FIELDS

The bill (S. 1489) for the relief of J. Arthur Fields was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the limitation on the time for filing applications for disability retirement under section 7(b) of the Civil Service Retirement Act (5 U.S.C. 2257(b)) is hereby waived in favor of J. Arthur Fields of Tooele, Utah, former employee of the Tooele Ordnance Depot, and his claim for disability retirement under such Act shall be acted upon under the other applicable provisions of such Act as if his application had been timely filed, if he files application for such disability retirement within sixty days after the date of enactment of this Act.

SEC. 2. Notwithstanding any other provision of law, benefits payable by reason of the enactment of this Act shall be paid from the civil service retirement and disability fund.

CARLTON M. RICHARDSON

The bill (S. 1230) for the relief of Carlton M. Richardson was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the limitation on the time within which applications for disability retirement are required to be filed under section 6 of the Civil Service Retirement Act as in effect in August 1956 (5 U.S.C., 1952 ed., 710) is hereby waived in favor of Carlton M. Richardson, a former employee of the Department of the Air Force, and his claim for disability retirement under such Act shall be acted upon under the other applicable provisions of such Act as if his application had been timely filed, if he files application for such disability retirement within sixty days after the date of enactment of this Act. No benefits shall accrue by reason of the enactment of this Act for any period prior to the date of enactment of this Act.

SEC. 2. Notwithstanding any other provision of law, benefits payable by reason of the enactment of this Act shall be paid from the civil service retirement and disability fund.

CUBAN GOVERNMENT-IN-EXILE

Mr. MORSE. Mr. President, the first subject I wish to discuss are the proposals advocated in the Senate recently having to do with the recognition by the United States of a Cuban Government-in-exile, at Guantanamo Bay, and calling for the imposition of a pacific blockade of Cuba.

I wish to associate myself with the remarks already made on this subject by the distinguished majority leader, the able Senator from Montana [Mr. MANSFIELD], and by the present Presiding Officer of the Senate, the distinguished Senator from South Dakota [Mr. MCGOVERN].

I propose today to discuss the legal aspects of the two proposals. My two distinguished colleagues, Mr. MANSFIELD and Mr. MCGOVERN, discussed them from the standpoint of their broad relationship to American policy. I wish to look into their relationship to existing international law. In my opinion, both proposals are foolish, dangerous, imprudent, and ill-considered under present circumstances.

The attempt to implement either of them would strengthen Castro's position vis-a-vis the United States; yet they are naively put forward as anti-Castro policies.

PROBLEMS OF A GOVERNMENT-IN-EXILE

First, let us consider the question of a government-in-exile. Who is to decide upon the composition of such a government? From where is such a government to derive any right to claim to be the government of the Cuban people?

When the United States has recognized governments-in-exile in the past, these have been governments which were duly constituted in their own countries and which were ejected from their own countries by force majeure. The various European governments-in-exile which we recognized during World War II are examples. But no such Cuban Government exists, unless one wants to recognize Batista, and I do not know of anyone who wants to do that.

The fact remains that under our long historic policy, the only group we could possibly recognize as a Cuban Government in exile would be the government of Batista and his followers.

Furthermore, it is the recognized government of a country which one holds responsible for carrying out that government's international obligations. I do not think many people realize that as a matter of international law, the United States still recognizes the Castro government of Cuba.

I repeat, under international law and the official position that has been taken by the Government of the United States to date, the United States recognizes as the Government of Cuba the Communist government of Castro. We have not maintained diplomatic relations with the Castro government since January 1961; nonetheless, we recognize it as the Government of Cuba. Our representative in Cuba is the Swiss Embassy. The Swiss Government carries out, as our agent under international law, the relationships between the Castro Communist government and the Government of the United States. We sit with it in the United Nations, and it is the government which we hold accountable for living up to Cuba's international obligations assumed in the United Nations Charter and in all other treaties—especially the treaties giving us the right to maintain a naval base at Guantanamo.

We cannot recognize two governments of the same country at the same time; and if we recognize a Cuban government-in-exile, that is the government which we will hold responsible for fulfilling Cuba's treaty obligations. A government-in-exile would be totally incapable of meeting such a responsibility.

To recognize a government-in-exile would mean freeing Castro of all his international law obligations toward the United States. We would free Castro—and this is the ironical paradox of the proposal that we locate a government-in-exile on the Guantanamo Naval Base—of all obligations under the Guantanamo Treaty of 1903.

I say most respectfully that those who make such a proposal ought to study their international law and not propose that the Government of the United States walk out on its international law obligations in respect to existing treaties with Cuba.

We cannot recognize two governments at the same time; and if we recognize a Cuban government-in-exile, I repeat that that will be the government which we will hold responsible for fulfilling Cuba's treaty obligations. But a government-in-exile would be totally incapable of meeting such a responsibility.

Furthermore, the Castro government would be relieved of its present responsibility in this respect, at least so far as the United States is concerned. Castro's performance in meeting his international obligations has not been very good, but that is no reason to relieve him of the responsibility for doing so. Castro has respected his treaty obligations regarding Guantanamo, so far. I, for one, do not want to make it any easier for him to dodge these obligations, but that is precisely the effect that some people would bring about in the name of anti-Castroism.

EXILE GOVERNMENT WOULD NOT REPRESENT CUBAN PEOPLE

There remain all the additional objections which stem from the lack of any legitimate government of Cuba in exile. The United States would have to choose for recognition among a great many competing political elements among the refugees. Having made a selection, our ability to work with those left out would be severely inhibited.

The greatest defect of all in the policy of selecting a government to recognize comes in the lack of representation in it for the 96 percent of the people of Cuba who are still in their homeland. It is really upon them that we count for the eventual overthrow of the Communist government. On what possible basis could a refugee group which we might recognize as an exile government represent any considerable portion of the 96 percent of the Cuban people who still are in their homeland?

The effort to select a government-in-exile by some form of election by the refugees does not remove any of these objections. Moreover, if conducted by United States authorities, it would limit the electorate to those who reside in the United States or its possessions, and could not give any reflection to the desires of the refugees elsewhere in the hemisphere—and there are many of them, much less to the great bulk of the Cuban people. It would have the added disadvantage of putting into the hands of the United States the responsibility for setting up the ground rules, and for determining who shall be eligible to participate. Any such government would carry the indelible stamp of a puppet government of the United States.

DANGERS OF LOCATING GOVERNMENT-IN-EXILE AT GUANTANAMO BAY

This effect would be compounded if a Cuban government-in-exile were established in Guantanamo. The agreement of 1903 under which Guantanamo is leased to the United States provides, in Article II:

> The grant of the foregoing Article [which describes the boundaries of the base] shall include the right to use and occupy the waters adjacent to said areas of land and water, and to improve and deepen the entrances thereto and the anchorages therein, and generally to do any and all things necessary to fit the premises for use as coaling or naval stations only, and for no other purpose.

I repeat, "and for no other purpose."

That article sets forth the rights our country obtained under the treaty. Under that treaty we obtained no right to establish an exile government at the Guantanamo Bay Naval Base; and, in my judgment, if that issue reached the World Court, there would not be one vote in the World Court in support of the United States.

In article III of the same agreement, the United States expressly "recognizes the continuance of the ultimate sovereignty of the Republic of Cuba" over the areas, although the United States is given "complete jurisdiction and control" for the period of use as a naval base.

In a further treaty of 1903 dealing with Guantanamo, in article III the United States "agrees that no person, partnership, or corporation shall be permitted to establish or maintain a commercial, industrial, or other enterprise" within the area.

Finally, article IV of this later treaty provides, in relevant part, that—

> Fugitives from justice charged with crimes or misdemeanors amenable to Cuban law, taking refuge within said areas, shall be delivered up by the United States authorities on demand by duly authorized Cuban authorities.

From the standpoint of Castro Cuba, what would be the legal status of members of an exile government created by the United States out of the refugees? They would be traitors; that is what the Castro government would consider them, and to locate them at Guantanamo Bay would be to place them clearly within the solemn commitments of the United States which are set forth in that treaty, which was signed by the Government of the United States, and under that treaty we would really be duty-bound to deliver them to Castro.

The overwhelming purport of these articles is that the United States is forbidden to allow, much less to recognize, the establishment of a government-in-exile in Guantanamo. If we did so, we would clearly put our rights to the base in grave jeopardy and lend substance to Castro's demands that we evacuate the base.

PROBLEMS OF PACIFIC BLOCKADE

I turn now, Mr. President, to the question of a pacific blockade—the second proposal which has been made is to establish a pacific blockade.

> The term "pacific blockade"—

Says the authority, Charles Cheney Hyde—

> refers to the cutting off of access to or egress from a foreign port or coast by a naval operation designed to compel the territorial sovereign to yield to demands made of it, such as the granting of redress for the consequences of its wrongful conduct, and by a process whereby the blockading state does not purport to bring into being a state of war. Such action is to be deemed pacific merely in the sense that the blockading state is disposed to remain at peace, while the state whose territory is blockaded does not elect to treat the operation as producing war or as compelling it to make war upon its adversary.

The option of whether a pacific blockade remains pacific lies with the blockaded state, and the blockaded state is legally justified in construing such action as an act of war if it so chooses. Thus, the initiative passes from the hands of the blockader to the hands of the blockaded.

I digress to say that under international law, whether or not the blockade could remain a pacific blockade would be determined not only by Castro, but by any other nation in the world that might seek to send a ship into Cuban waters if the United States should attempt to impose a blockade against that ship. It would not be much of a blockade if a nation were to lift the blockade on a ship-by-ship basis at its discretion in order to avoid offending another country.

Let us face the issue. The word "pacific" added to "blockade" does not change the fact that the proposal is for the United States to lay down a blockade. We will either enforce it against all nations or we will proceed to make exceptions nation by nation. When we start doing that, we will make the United States look perfectly absurd, for it is known that there are many nations among the free nations in the world that will never lower their flag to what they consider to be an illegal U.S. blockade. If anyone thinks we could impose such a blockade only against Communist nation ships, he overlooks the history of blockades. Her Majesty's Government has made clear throughout the glorious history of the British Commonwealth that the Union Jack will never be lowered to a blockade that it considers illegal.

Under international law today we would not have a legal leg to stand upon for laying a blockade around Cuba and imposing it against the ships of the free nations of the world, or the Communist nations, either, for there exists an ugly fact of international law that we sometimes do not like to face. It is that the sovereign nation of Russia has the same international law rights as has the sovereign nation of the United States. When a fact situation had not been created, which I shall come to in a moment, such as the fact situation of aggression of October 1962, we would not get a vote either in the World Court in support of a so-called pacific blockade, for we would be found to have committed an act of war.

The senior Senator from Oregon will not walk out on the international law he knows merely because he, too, has the same feelings of hatred for the Castro Communist government that any other Senator or citizen may have. I shall not support the blockade movement, because in my judgment it would lead our country into a path of great error.

In October 1962 the situation was different. Last October we imposed a blockade of Cuba that the President first described as a quarantine. The great difference, however, is that then we were acting to meet a clear and present danger to the United States; we were exercising our inherent right of self-defense in a manner which was at once forthright and restrained; it was the legal creature of the Organization of American States; and we had overwhelming world support.

We received world support when we pointed out to Her Majesty's Government, to Canada, to France, to Italy, to our NATO allies, and to our Latin American associates that Khrushchev and Castro had crossed the line of defense which they have a right to stay behind in international law into an area of aggression and had become aggressors. We then had the right under international law to proceed to protect our security, and to invoke the Rio treaty for when the Russians put into place ground-to-ground missiles, they were no longer acting from the standpoint of national or international self-defense. They had started to commit acts of aggression that threatened the security of the Western Hemisphere, including the United States. When we presented that evidence to the free nations of the world, they supported us in the blockade.

The missiles have been removed. At the present time the Castro government is behind its line of defense, and a blockade of that government now would be an illegal blockade under international law.

A blockade is a serious affair. It is not to be imposed lightly in a fit of pique or frustration. It can be an act of war as well as of peace, and the decision as to which it will be will not rest with the United States. In my opinion, it could be justified only by the same kinds of circumstances which would justify war.

Last October the United States had cause to go to war over Cuba, was ready to do so if necessary, and made it clear to both Castro and Khrushchev. The threat to our security was clear and acute. Today, the United States does not have such cause. The scale of our actions in dealing with Cuba must be adjusted to the scale of the threat which Cuba represents.

Within recent months, the Kennedy administration has made these adjustments expertly and courageously. It deserves support.

The senior Senator from Oregon will continue to support the Kennedy administration in what he considers to be its great program of international law statesmanship in handling our difficult relations with Cuba.

THE ADMINISTRATION'S FOREIGN AID PROGRAM

Mr. MORSE. Mr. President, several days ago I said that I would endeavor to speak briefly each day setting forth my reasons, issue by issue and problem by problem, for opposing the administration's foreign aid program in its present form. I shall continue to oppose that foreign aid program unless the administration is willing dramatically to modify it.

The amendments which I shall offer in due course will seek to modify it by a reduction in the amounts provided by at least 25 percent overall and a reduction in the number of countries that the program seeks to aid. As I have been heard to say, in my judgment we are aiding a considerable number of countries that are now capable of aiding themselves. We have poured the largesse of the American taxpayers into the foreign aid program since 1946 to the amount of almost $100 billion. In order to protect the greatest security weapon we have, our own domestic economy, the bill must be substantially reformed and its amounts reduced. Last year I took that position in an election year. I voted against foreign aid. Close and dear friends in the Senate pleaded with me not to follow that course of action because they thought I was following a course of political suicide. I said that my convictions on that subject were such that I would rather not come back than to vote for what I consider to be the squandering of hundreds of millions of the American taxpayers' dollars. The voters of my State sustained my position.

(At this point Mr. BARTLETT assumed the chair as Presiding Officer.)

Mr. MORSE. Mr. President, I was greatly disturbed, as other Senators who have already spoken on this matter today were obviously disturbed, when I read in the newspaper this morning the account of the statement by M. Alain Peyrefitte, a spokesman of President de Gaulle, who added to the anti-American offerings or recent months of the De Gaulle regime.

Every history-conscious American has no doubt read with great interest the allegation of the French Information Minister that what he calls the American record of neutrality in 1914 and 1939 does not inspire confidence now in America's pledges to meet our treaty obligations under NATO.

Mr. Peyrefitte says France would have wished to have the United States at her side in 1914 and 1939, whereas we only entered those wars in 1917 and 1941.

This is certainly the most ridiculous and infantile turn that the disagreement between our two countries has taken.

If we are to continue this dialog, we will certainly want to point out to the French that the American colonies would have wished to have France at their side in 1776, whereas we were compelled to fight the British Crown an unconscionably long time before the Compte de Grasse and the Marquis de Lafayette belatedly came to our assistance. We could also point out that when France did finally enter that conflict, it was only after the American victory at Saratoga had tipped the scale in our favor, and it might well be said that France only came in to kick a dead horse.

Or we could ask M. Peyrefitte, and through him, President de Gaulle, what possible interest they think the United States could have had in the long-planned and plotted design of France to retake Alsace-Lorraine? It turned out that in 1914 Germany was more successful in pressing its demands against France than France was in pressing its demands against Germany. I am frankly appalled that the leadership of France today is putting a construction on World War I that implies there was any American interest or obligation whatsoever to aid France in the war plans and objectives vis-a-vis Germany that were the business of French governments for many years prior to 1914.

The United States got into World War I because of the German warfare against our shipping on the high seas. So we came to have a common enemy with France. To defeat that common enemy, we sent hundreds of thousands of men to fight on French soil against the Germans; we lent billions of dollars to France to keep her head above water because she was obviously in over her head.

In fact, if France wants to continue this kind of reference to the past, someone is going to bring up the $6 billion in unpaid World War I debt and interest, which she still owes the United States.

As for World War II, surely France is the last country in the world that should be deriding anyone else's performance in that conflict.

The absurdity of the statements of the French Government should make it clear to the most pro-NATO circles in Europe and in the United States that the aspersions France is casting upon American good faith are not reasons for French policy, but weak excuses.

France has a policy objective in mind; namely, to take over the leadership of

Western Europe. She knows she cannot reach that objective so long as the United States remains in Europe through the mechanism of NATO. So France must force the United States out. She is trying to do that by undermining confidence in the United States, by flatly rejecting her own military obligations to the NATO command, and by taking advantage of her strategic location to forestall as much of NATO's military planning as she thinks she can.

So we are seeing the spectacle of France withholding both Naval and Army units that are supposed to be under NATO command, while at the same time insisting that 10 years from now the United States might not live up to its NATO obligations.

We are living up to them. We are not only living up to them; but also, we are assuming a large share of France's obligations to NATO, on which France has walked out.

One of the reasons why the senior Senator from Oregon will not support the foreign aid bill this year, with its military provisions, is that he does not intend to double-tax the American taxpayers. I do not intend, in effect, to put an additional tax on the American taxpayer when such tax ought to be put on the French taxpayer. Let France pay for its own NATO obligations.

We did not ask for this quarrel with France. France asked for it. France started it. But let it be understood that there are some of us in the Senate who do not intend to follow any counseling that there must be "hush-hush" policy to save France's face. So far as the senior Senator from Oregon is concerned, I will not vote one dime to France in connection with NATO expenses until France proceeds to carry out her treaty obligations under NATO, and until France begins to live up to her treaty obligations under the United Nations Charter, for De Gaulle has thumbed his nose at the United Nations and taken the position that France will make no contribution that it is bound to make under international law applicable to the United Nations in connection with any program of which he disapproves.

Mr. President, I am not going to give the support of American taxpayers' money to a country that is following such an anti-United Nations program.

I say to my administration, "You are not going to get my vote in support of any 'snow job' on France. I do not intend to join in any playing down of France's depredations with respect to NATO, with respect to the United Nations, and with respect to her anti-U.S. policy." It is up to France, so far as I am concerned.

I repeat what I said months ago, in January, that in my opinion, the time has come—it was long overdue—for someone to stand up and say, "De Gaulle, here we go."

It is very much in the interest of the NATO alliance that the United States stay in Europe, but I do not share the view that it is essential to U.S. interests that we stay in Europe.

West Germany knows that we will come to the defense of West Germany in case of any Russian attack. The world knows that if we get into a war with Russia it will be a nuclear war and, in all probability, will be conducted over the heads of the European countries.

As I indicated in previous speeches, I am inclined to think this factor probably is very much involved in the position of De Gaulle and also in what amounts to anything but a friendly course of conduct on the part of some other NATO allies toward their NATO obligations and in the Common Market policies they have adopted, many of which are definitely anti-American in respect to their economic functions.

I am not going to join with my administration if it proposes any hush-hush program with respect to France, or any cover-up of France's intentions. I say again, "De Gaulle, it is up to you. You have followed this course of action, and if you want to go down that road that is your privilege; but there is one vote in the Senate of the United States that is not going to help pay your transportation costs down that road with any more American dollars."

Not 1 cent for France as long as she follows the course of action of violating her obligations under the U.N. charter, of violating her obligations under the NATO treaty, and, in my judgment, of violating what she ought to recognize to be her obligations of friendship to a great Nation that has come to her assistance and helped save her twice, for in half a century France has not been able to save herself.

So if France wants to continue this kind of reference to the past, she must be responsible for the responses that are going to come from the United States.

This anti-American French policy is pretty hard for most Americans to swallow, because we put our present large forces into Europe at the behest of no one but France itself.

AMERICANS WENT TO EUROPE AT BEHEST OF FRANCE

As an interesting footnote to France's present attitude toward American participation in the defense of Europe, I want to read a few paragraphs from a column by James Reston which appeared in the New York Times of March 2, 1952.

It was a great column then; it is great in its application today.

It paraphrases two memorandums sent to this country by the French Government, which Mr. Reston says "explain as well as anything else the basic decisions that have led to all the activity within the Atlantic Alliance in the last 18 months."

To continue the quotation:

> The first of these arrived here August 5, 1950, and the second August 17, 1950. In these the French, alarmed by the Communist use of force in Korea and fearful that the Russians might really be planning the armed conquest of Western Europe, asked the United States a number of fundamental questions.
>
> Did the United States think countries outside of Europe should contribute men to the defense of Western Europe and if so would the United States contribute forces of its own?
>
> Did the United States think that such forces, if formed, should be integrated or merely operate as separate national units?
>
> Did the United States believe such forces should be under a supreme commander?
>
> And what did the United States think about the economics and financing of such an operation?
>
> In explaining these questions, the French made it clear to the United States that France was not interested in an allied strategy that depended primarily upon U.S. strategic airpower. By this they meant that they did not want to be "liberated" but to be "defended." In short, they wanted the United States to adopt a policy of defending Europe on the ground "as far east in Europe as possible."
>
> Between August 17, 1950, and the middle of September, when the United States, British, and French Ministers met prior to the North Atlantic Council meeting in New York, the U.S. Government grappled with these basic questions and came out with a radically altered policy, which may very well be the subject of debate for many years.

This Reston writing in 1952. What insight and foresight about French policy he demonstrated in this remarkable column. Reston went on:

> The United States told France that it would accept the principle of sending more troops to Europe and of helping defend Western Europe "as far east as possible." It told France that it was for an integrated command under a single commander, but before the Joint Chiefs of Staff would approve these things, they insisted on one major condition: West Germany must be rearmed and brought into the defense of Western Europe.

It is another of the great ironies of today that it is France who now refuses to put its forces "as far east as possible" and who refuses to puts its assigned forces under the integrated NATO command.

UNITED STATES WILL ALSO HAVE TO LEAVE IF FRANCE WANTS US OUT

But the background of our present immersion in the defenses of Europe does not change the reality of the situation. France is entirely right about how important she is geographically to Western Europe, not to mention economically.

We must face the hard fact of life that, although we went into Europe in the 1950's because France wanted us there, we will probably have to leave in the 1960's because she wants us out.

This is true because, aside from the factors of geography which put the center of NATO command, NATO facilities, and NATO infrastructure in France, there is now the Common Market, of which she is also an integral part. As a result, France has it within her power to make it economically impossible for us to remain, as well as geographically. Judging from her statements and actions of recent months, it seems evident that she intends to use her economic power in just that way.

It is for these reasons that I do not believe Congress should now enact a foreign aid bill that continues all our past financial ties to the defenses of Europe. This is not a time for the Congress and the American people to continue a business-as-usual foreign aid program.

We need to reduce our foreign obligations, if, for no other reason, because of one paragraph in one story in the New York Times which reads:

> As of Wednesday night, the Treasury's gold stock stood at $15,733 million, its lowest level since April 1939.

I could not present to the Senate today a more vital statistic, concerning its implications on American policy, than that statistic—and I repeat it for emphasis:

> As of Wednesday night, the Treasury's gold stock stood at $15,733 million, its lowest level since April 1939.

It bears upon the point I have been making over and over again in this series of daily speeches, that our economy is our greatest security weapon; and it bears dramatically on the fact that a $4½ billion foreign aid program cannot be justified in light of the fact that our gold stock has been reduced to $15,733 million.

Once the American taxpayer comes to understand the implication of this vital statistic in relation to the $4½ billion proposal for a foreign aid bill, I say to the Kennedy administration: "Watch out, or a political bomb will explode in your face." The American taxpayer has a right to expect better protection of his domestic security, through our economy, than such a proposal for an expenditure of $4½ billion, as long as the gold stock is in this plight.

The story further indicates that on Tuesday the Treasury sold $65 million worth of gold. It continues to say that banking sources speculated that France was the likeliest buyer, with Belgium, the Netherlands, and Britain also possibilities.

Our alleged NATO allies, after we have poured largess into Europe since 1946 to the tune of more than $41 billion, now have so many American dollars that they are buying our gold with them and, in effect, putting a gold squeeze on the United States.

I do not like it. That does not conform to my definition of friendly, ally conduct. However, if our allies want to make a crisis over the gold controversy, and the American people come to understand the cause-and-effect relationships involved in that crisis, they will meet the crisis. I repeat, we can defend ourselves, to the extent that there is any defense, in a ghastly nuclear war. We will defend ourselves against former allies if they follow such a course of action.

I do not know of any time when this country should be more cautious in limiting its foreign obligations, and I do not know of any more uncertain foreign obligation today than our projected strategic aid to NATO countries in the 1964 foreign aid budget.

I shall vote against the program unless it is modified. The Senate will have an opportunity to pass on a series of amendments which will be offered, not by the senior Senator from Oregon alone, but also by some of his associates in the Senate who share his view that this proposal must be reduced by at least 25 percent, and must also be modified in a way that will make clear to our NATO allies that the time has come for them to assume a greater economic burden in this whole field of the NATO structure than they have assumed up to date.

THE JOHN BIRCH SOCIETY

Mr. KUCHEL. Mr. President, several weeks ago in the capital city of California, the Sacramento State College held a forum on the John Birch Society. One of the participants in the forum was Mr. Leonard V. Finder, editor and publisher of the Sacramento Union, an excellent newspaper in my State.

Mr. Finder is a member of the Republican Party, and the Sacramento Union is an independent Republican newspaper. His comments on the John Birch Society were incisive and penetrating. I have read the text of his speech on that occasion with very real interest. In my judgment, it constitutes a thoughtful and powerful analysis of the program and tenets of this organization. I believe that my colleagues in the Senate on both sides of the aisle will be interested to have Mr. Finder's address made available to them, and I, therefore, ask unanimous consent that the entire text be printed in the RECORD at this point.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE JOHN BIRCH SOCIETY PHILOSOPHY AND PROGRAM

(By Leonard V. Finder, editor and publisher, the Sacramento Union)

Ladies and gentlemen, in making his introductions, the chairman presented the preceding speaker as the representative of the John Birch Society but he did not say what I represent. Therefore, speaking for myself in completing my own introduction, let me say that, at least by implication, I represent the people here—in the cause of democracy.

At the outset, the issues should be made clear. This discussion is devoted to the John Birch Society; namely, its justification or why and how it is a threat to our free, traditional way of life and individual liberties. The fact that it is against communism is no exoneration of its own sins.

Communism is, of course, an enemy of the United States, but so is the John Birch Society; and the latter cannot be permitted to hide its subversive activities by always holding up communism in front of it to reflect critical disclosure—any more than it can pretend to be a decent, normal conservative group. We no more want the ideals of this Nation to be destroyed by agents of a destructive right than we do by the agents of a destructive left.

Birch propagandists invariably speak of their great concern about communism, as if they alone are concerned; or, in the alternative, as if all persons excepting themselves are Communists. They refer, for example to a Moscow directive for liquidation of all anti-Communist groups in the United States, and from that springboard blithely jump to the conclusion that the Moscow order is aimed at them alone and, further, that whoever criticizes their unfortunate shortcomings must be a Communist. This is neither logic nor fact.

To summarize the issues: since we are in agreement that communism is a menace which would destroy the United States as a free nation if it could, this is not an issue.

We disagree about the degree of Communist success and infiltration. For example, I cannot concur with the John Birch Society's writings and speeches slandering practically every notable American and organization. I cannot have such little faith in our fellow-Americans as to believe that there is a Communist under every bed or a Communist skeleton in every closet—that, as the John Birch Society would have us believe, our most distinguished public officials, educators and civic leaders are all Communists.

However, even this is not an issue, because we must be on guard and alert against communism as an enemy, whether it be big or little—even as we must also be on guard against Birchism as an enemy.

The basic issue, therefore, is whether the John Birch Society represents a reasonable or necessary cure for communism or whether it is a menace itself seeking to subvert Americanism. It proposes, in effect, that if our house is threatened by fire from the left, we should prevent that particular fire from consuming our home by building a fire from the right which will destroy it first.

We do not have to choose between evils, and we can fight both fires. We have a faith and philosophy of our own which can preserve the freedom and dignity of men without having to call in one group of gangsters to assist us—and by taking us over in the process—from another set of gangsters.

Although the Birchers claim they are against the Communists, because the Communists are murdering liberty, it seems possible that they simply prefer their own method of assassination of our free American society. To decide, the facts should be examined. Since a common Birch technique is to challenge the veracity of points made against it, most quotations made herein will be from the society's "Blue Book," which is its "bible," its entire charter, constitution, and foundation.

To understand the John Birch Society, one must realize that it is the creation and the property of Robert Welch. He is its undisputed head, its "founder," its "messiah." It was created at his instance, financed by him originally, and a series of speeches setting forth his philosophy and program make up the entirety of the "Blue Book."

Members remain members only as long as they accept unquestioningly Welch's views and leadership. As stated in the "Blue Book," men join "Because they believe in me and what I am doing and are willing to accept my leadership anyway." (What he means by "anyway" is never quite explained.) The "Blue Book" warns further, "Those members who cease to feel the necessary degree of loyalty can either resign or will be put out."

Another of Welch's writings is "The Politician," better known as the "Black Book," which also will be quoted in part. Although this volume is denied by the society as having official status, presumably because the public is not yet ready to stomach this fantastically vicious attack upon Dwight D. Eisenhower and other great Americans, it is nonetheless still the thinking of Robert Welch, undisputed head of the Birchers.

Since members must accept his thinking unquestioningly, it represents equally the beliefs of the leadership of the John Birch Society. Moreover, professional agitators for the society quote the "Black Book" extensively and publicly as an authoritative source. Their use of it makes the question of "official" academic; the point is that it is an integral part of John Birch literature and source material.

As Mr. Welch is the essence and spirit of the John Birth Society, to understand the latter, it is necessary to understand him. Because he is fantastic, nearly incredible, he should not be disregarded—like the Germans who made the fatal mistake of disregarding Hitler because he appeared ludicrous at the outset.

When humorless, would-be dictators write out their programs, we should believe at long last that they mean what they say, whether it was Hitler with Mein Kampf, Lenin with his writings, or Robert Welch with his "Blue Book."

Mr. Welch's own words suggest strongly that the man is either paranoiac or egomaniac or a traitor, unwittingly, or deliberately playing the Communist game. Whatever he is, so is the John Birch Society, which is fashioned in Robert Welch's image. Glib explanations of Birch apologists vanish before the shocking details of Mr. Welch's words.

This analysis is not an academic discussion but the exposure of an insidious conspiracy against our country. Mr. Welch's beliefs will be set forth in his own language to bring out the truth, so that you, the people, can judge for yourselves.

The Birch Society claims that people should not decide for themselves, that decisions should be made for them by an "authoritarian" leader. I believe in the workings of our democracy, which places reliance on the intelligence of citizens, and so the decision must be yours.

Any such deliberations as this have meaning only to the extent that people are stimulated to think—calmly and objectively—for themselves. You must decide individually whether the welfare of the United States can be better served by turning over our destiny to people like Welch and the Birch Society, preferring them over the power to select and elect your own government officials, or whether you believe that the United States as a free nation should be protected from all of its enemies, Communists and Birchers alike.

To facilitate your coming to independent and accurate judgment, each quotation used will be clearly identified. It should be added that some quotations might refer in the first instance to the makeup and philosophy of the John Birch Society itself, but we cannot expect that one philosophy will apply to the organization and another to government. Coming from the same people, the same principles must be assumed to apply equally to the society and to what they want to see in government.

After all, the entire purpose of the Birchers is to influence and affect government consistent with their outlook. Also, if a technique is proven successful, it is not likely to be abandoned. There never was an instance yet of an embryonic tyrant who espoused authoritarian and monolithic precepts for his own organization and then did not seek their application equally in government. Consequently, we must accept the expressions of Mr. Welch as representing his ultimate objectives, as applied to government, and not merely some halfway points.

Since communism is the pretext by which the Birchers desire to seize power, let us decide what is our ultimate goal in fighting it. Something much more than merely seeking to triumph over an adversary is sought.

Our objective is to preserve the United States as a free Nation, one which respects the integrity and dignity of the individual. We want survival, but not merely physical; we want it also of the spirit—with continuation of the ideals and the traditions of a free America.

The cure against communism is not to establish a vigilante organization or a state which, like the Communists, is also monolithic and authoritarian, excepting that it is not under Russian control; and yet that is the program of the Birch Society. The best way to preserve our liberties is to preserve them: to make America more free, to maintain our principles, to keep this as a functioning republic aspiring to give fulfillment to the equal rights of all citizens. Anything which would diminish or destroy our liberties and our democracy is the worst possible answer.

Now, to consider details of the Welch-Birch program. To begin with, it is against democracy, and presently, at least, against the republican form of government. Welch states in the "Blue Book," page 159, that the republican form of government has attractions under favorable conditions but that under "less happy circumstances, it lends itself too readily to infiltration, distortion and disruption"—meaning that we can't afford it as a luxury at this time. As for democracy, he states "that it is merely a deceptive phrase, a weapon of demagoguery, and a perennial fraud."

Webster's international dictionary's definition of democracy is pertinent: "Government by the people; a form of government in which the supreme power is retained by the people and exercised either directly or indirectly (representative democracy) through a system of representation and delegated authority periodically renewed, as if in a constitutional representative government, or a republic. * * * A democracy is a representative government where there is equality of rights * * * the principle of a system of government by the people."

But this is what, by the very language of the "Blue Book" and Mr. Welch, the John Birch Society would have us dismiss merely as a matter of demagoguery or fraud and something of no importance. Perhaps Mr. Welch's attack on our way of life can be explained somewhat by his attitude toward Americanism. He states in the "Blue Book," page 162: "The words americanism and americanist are simply semantic weapons and have no direct connection with the John Birch Society." This is our great patriot.

Consider his attitude toward government generally. He declares in the "Blue Book," page 138: "The greatest enemy of man is, and always has been government." This makes him sound like an anarchist, one who doesn't believe in any government. But actually, he likely does not mean to go that far. He merely wants a government of his own fashioning.

What kind does he want? The "Blue Book" makes clear that he wants a monolithic, authoritarian control. In counterdistinction to a republican or democratic form of government, it advocates a single authority and a single viewpoint. It sounds very much like fascism—or like communism, which also admits to being monolithic. Quoting the "Blue Book" again, page 158: "The John Birch Society will operate under completely authoritative control at all levels."

Mr. Welch acknowledges that "fear of tyrannical oppression" have been expressed regarding the society's "completely authoritarian control at all levels." He dismisses such doubts as not applying to a voluntary organization and continuing (the "Blue Book," p. 159): "What little validity they" (such fears) "do have is outweighed by the advantages of firm and positive direction in the society's energies. It is imperative that all the strength we can muster be subject to smoothly functioning direction from the top."

In other words, the penalties of dictatorship are outweighed by the gains. If this is not enough, then listen to what is proposed about parliamentary procedure, from the "Blue Book," page 161: "We cannot stop for parliamentary procedure * * * we are going to cut through the redtape and parliamentary briar patches with direct authority at every turn."

In defending the "monolithic structure," Welch declared in the "Blue Book" (p. xvi of the footnotes) that there is "one difference between the Communists and ourselves"—which he says is that when you join the Communist Party, you are stuck, whereas in the Birchers, you can refuse to obey and simply be given your membership money back. Apart from this minor differentiation, Welch makes no distinction between the organizations—because each actually is authoritarian and monolithic.

Finally on this score, let us refer to the dictionary to define authoritarian, a word used frequently by the Birchers: "Advocating the principle of obedience to authority as opposed to individual liberty." And that is exactly what the John Birch Society stands for: opposition to individual liberty.

As bad as all this is, the society has a further purpose in using communism as the whipping boy. Mr. Welch admits that he wants something more than merely defeating communism; the "Blue Book," page 169: "I have tried to establish fundamental and permanent objectives, much broader than the fight against the Communist conspiracy, because I am convinced that these ultimate long-range objectives are more important than the defeat of the Communist conspiracy."

Whatever that broader action may be is rather conjectural since he uses the phrase in the context of objecting to normal political procedures.

Next, the Birch techniques deserve consideration. The John Birch Society has developed a series of techniques which seem closely modeled after those used by the Nazis in Germany and the Communists in various lands.

The first technique is to destroy belief in government itself. We have already quoted how the Birch Society is against government and it derogates the ideals of republicanism and democracy. So, it starts out by indicating that men should not place their confidence in a government, not even one of their own free choice.

As the next step, the society tries to destroy confidence in our Government specifically by specious statements which can be intended only to create a widespread atmosphere of fear. For example, the "Blue Book" states (p. 72) that the Communist conspiracy "is so large that its tentacles now reach into all of the legislative halls, all of the union labor meetings, a majority of the religious gatherings and most of the schools of the whole world." It also charges (p. 24) that "Communist sympathies and even actual Communist subversion are daily made more respectable by the actions of our Government, our great universities, much of our press."

To create panic, so that confused people will turn to him, Welch declares in the "Blue Book" (p. 168): "You have just two alternatives. Either you * * * come into the John Birch Society * * * or in a very few years you will, by force, be devoting all to the maintenance of a Communist slave state."

To facilitate the panic atmosphere, the Birchers indulge in character assassination of practically every national leader and all who oppose it. Personal attacks have been made on me since I began my criticisms of the John Birch Society, but I will not take the time now for personal comment.

Everybody disagreeing with them is not merely wrong but is a Communist agent. They allege that the only reason for an "anti-anti-Communist" attitude in American is because of orders from Moscow. As if none of us could be doing it from conviction, because we love America sufficiently to be against all of its enemies.

The distinguished list of those who are so attacked include General Eisenhower, most particularly, Presidents Roosevelt, Truman and Kennedy, Gen. George Marshall, Milton Eisenhower, John Foster Dulles, Allen W. Dulles, Earl Warren, Justice William Brennan, former Secretary of Defense Neil McElroy, Secretary of Defense McNamara, Dag Hammarskjold who earned the hatred of the Communists for defying them in the United Nations—and all the others too numerous to memtion here. Mr. Welch makes you afraid, if you believe him, to trust any elected official.

By now it should be clear what is Mr. Welch's purpose: to substitute the John Birch Society for duly elected government, with Welch as the absolute authoritative head. And whether you call it vigilanteism, nazism, fascism, communism or by any other name, it is the substitution of gang-controlled domination for the constitutional rights of individuals. We are not to trust our Armed Forces to defend us from communism abroad; we are not to have confidence in people whose records were scrutinized when they sought election; we are not to rely upon the FBI or Senate committees or the local police authorities or others to check the Communists domestically. We are to trust none of them—only the John Birch Society.

The John Birch Society is different from other fanatical organizations, such as the White Councils down South and the American Nazi Party, in that it has substantial money behind it. By its own admission, it has over 35 fully paid organizer-propagandists, perhaps more since this number was put in the book, and well over 100 persons on a part-time basis for the same kind of job. With so large a staff, so well organized, able to print any kind of subversive literature, using the various techniques and lies and half-truths, such an organization cannot be disregarded. The only reason for my appearance here is not to publicize the John Birch Society, which I detest as subversive to America, but because for once the truth must be told.

Too many honest well-meaning people have been deluded. Their genuine concern with communism has been exploited by the Birchers. Most of these people do not understand the implications of even the words like "monolithic, authoritarian" administration. They have been led to believe that the society is an honest organization simply aimed at the Communist menace. Such deception of fellow-Americans is a horrible crime against liberty.

Now, let's deal with the specifics of Mr. Welch's sickness. I have stated that he is either paranoic, egomaniac or a traitor—and will explain why as evidenced by his own language. No psychiatrist, let alone a layman, can make an absolute diagnosis without thorough personal examination but enough evidence is before us to support at least a very justifiable suspicion.

Here is the definition of paranoia. "A chronic mental disorder characterized by systematized delusions of persecution and of one's own greatness, sometimes with hallucinations." When Robert Welch indicates that partically every high Government official, every President in recent years, the Attorney Generals, members of the Cabinet, members of the Supreme Court, Senators, and others who have long proven their devotion to the United States and their hostility to communism—that all these are part of a conspiracy from which he alone can save us, he certainly has hallucinations.

As for his delusions of greatness, after he wrote that no one else is available who can provide the kind of leadership required for the salvation of America, that not even any group of Senators can possibly save the country, and that he alone can be the savior, Welch concluded ("Blue Book," p. 122): that "there wasn't anybody else on the horizon willing to give their whole lives to the job, with the determination and dedication I would put into it, if I didn't."

Welch so very modestly concludes (p. 170): "It's just that I don't know where you, or all of us, are going to find anybody else to undertake the job * * * It is simply that, under the pressure of time and the exigencies of our need, you have no other choice, and neither do I." Only he from all the millions of Americans is the indispensable man.

As for other hallucinations, all the things he has said about various leaders should suffice. Similarily, consider his assertions that all the trouble in the South comes not because Negroes seek their constitutional rights but because it is the result of Communist agitation. ("Blue Book," pp. 28–29, footnotes p. xvi.)

When he states that World War II was started not by Hitler but by Stalin's agents ("Blue Book," p. 12), these are hallucinations.

As for his being at least a supreme egotist, he has already been quoted how there is no choice excepting him to give effective leadership to America. In the "Blue Book," without anybody else ever having proposed him as a world savior, or having said they wanted him for any office, he suddenly came out (p. 122), "There wasn't anybody else on the horizon willing to give their whole lives to the job, with the determination and dedication I would put into it, if I didn't."

Regarding the signs pointing to his treachery to American ideals, note the extraordinary parallel between Welch and the Birch Society with that of Hitler and the Nazis. Both organizations were named after dead martyrs, Horst Wessel and John Birch; Hitler wanted to be called "Der Fuehrer," Welch, "the Founder"; Hitler set forth his philosophy and plans in "Mein Kampf," Welch in his "Blue Book." Each set up comparable plans for a monolithic organization where the local members have no authority, not even to elect their own officers, and each used similar language in describing democracy as decadent.

This parallel is especially interesting in light of Welch as an apologist for Hitler and the Nazis. He gave Hitler and Hitlerism only a mild slap on the wrist as if to indicate that generally they were not too bad. World War II for example is charged with being the result of Stalin's conniving—Hitler had nothing to do with it. He declared that an immoral man like Hitler is not as bad as an amoral one because "An immoral man may lie, steal, and murder; the worst of them even without any seeming limit or hesitation. But it hurts his conscience. He is, at least potentially, susceptible to humanitarian or moral considerations," ("Blue Book," pp. 64–65).

So Hitler who murdered more than millions of human beings in gas chambers, who inspired the most fiendish tortures, who helped to rape Europe, who brought about the chaos which paved the way for the influx of communism, who did all this and more—did it even though it "hurt his conscience," according to Mr. Welch's viewpoint.

Finally, Robert Welch and the John Birch Society are traitors to America's best interests, because they are either deliberately or unwittingly playing the Communist game. Note the similarity of approach. Communists would have us lose our faith in our Government, and no one has worked harder toward that end than the Birchers.

They have outdone the Communists in their attacks upon all of our recent Presidents, the Supreme Court, and our national leaders. Each has attempted to sabotage the validity of the Constitution as a whole. The Communists have been put in the shade by the Birchers' attacks upon our free press, and I am pleased that the Sacramento Union is included within that attack which includes so many of the Nation's most respected papers.

Even so conservative an organization as the American Medical Association has been charged with having been took. An organization known as the Republican Advance started in 1950 is described by Welch (in "The Politician") as an attempt of Eisenhower and other pro-Communists to rebuild the Republican Party "in the image of the Democratic Party." Yet, this organization's founders included such terrible people as John Davis Lodge, who only a week ago delivered a vitriolic denunciation of Communists in Sacramento before the Ambassadors' Club; Walter Judd, of Minnesota, one of the most ardent anti-Communists in the land, Richard Nixon, John Foster Dulles, Christian Herter, and other great Americans. There is no limit to the fantasies.

We are confronted with an organization tainted with sickness, not believing in Americanism, hostile to our free institutions, trying to spread panic, imitating the Nazis for whom they are semiapologists, and playing the Communist game of causing divisiveness among Americans who should be united.

I pray to God that this sickness shall not be contagious and that we shall be enabled, free of its insidious and pervading influence, to concentrate in making America a greater and freer Nation where all citizens can join together, without distrust of each other, in a united front against the Communists and any other enemies who threaten us from without or from within. Let us, despite all of the beguilements of lying propaganda preserve the United States as a spiritual Nation in the pattern of Washington, Jefferson, Lincoln, and Eisenhower and not in that of Hitler, Lenin, Khrushchev, and Welch.

POPE PAUL VI TO RECONVENE VATICAN II ON SEPTEMBER 29

Mr. HUMPHREY. Mr. President, I believe that men of all religious faiths have been heartened to learn that Pope Paul VI will reconvene the Second Vatican Council on September 29, 1963. This determination to continue the work of Vatican II initiated by the late Pope John XXIII is an unmistakable indication that the Roman Catholic Church's revitalized concern for Christian unity, social, and international problems will not slacken.

More than any other member of the Sacred College of Cardinals, Giovanni Battista Cardinal Montini, archbishop of Milan, exhibited the spirit of universal brotherhood and social consciousness that so distinguished the pontificate of the great Pope John. Due to Pope John, millions of non-Catholics found themselves more concerned than ever before with the decision of the Sacred College. The universal rejoicing generated by the election of Cardinal Montini to the throne of St. Peter demonstrated the desire and the belief that Pope John's policies will be perpetuated.

We must also look for the personality of Pope Paul to make a unique impact upon the Catholic Church and the world. His intellect, experience, reputation, and ability guarantee that his pontificate will be enlightened, vigorous, and productive.

As we acclaim the election of Pope Paul VI, we cannot cease wondering over the amazing accomplishments of his predecessor. Several times in the past 2 years it has been my privilege to speak in the Senate on the work of the great Pope John, who through his service has given so much to humanity. The historic impact achieved by Pope John in 5 short years can never be forgotten by those persons who yearn for peace, social justice, prosperity, and true brotherhood.

I have recently read two remarkable studies relating to Pope John XXIII. One is entitled "Pope John: The Astonishing Catholic Pontiff," written by Joseph Roddy and published in the July 2, 1963, issue of Look magazine.

The other is entitled "Pope John: an Impact on Our Time," written by Eugene A. O'Brien and published in the Minnesota Sunday Suburban Life for June 9, 1963. Mr. O'Brien is a scholarly Catholic churchman and an accomplished journalist, having a broad background in the lay affairs of his church. I am privileged to know him as a friend and to admire him as an outstanding citizen.

His comments on the passing of Pope John are worthy of very careful reading. I ask unanimous consent that the articles be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From Look magazine, July 2, 1963]

POPE JOHN: THE ASTONISHING CATHOLIC PONTIFF—AND WHY HE STIRRED THE WORLD

(By Joseph Roddy)

"This is the right moment to enliven our courage."

On October 28, 1958, Angelo Giuseppe Roncalli, an aged Italian of peasant birth and easy manner, was elected Supreme Pontiff of the Roman Catholic Church by a conclave of cardinals who expected very little of him. His predecessor, the ascetic Pius the 12th, had governed as a strong monarch and indicated no successor to the throne before he died. John the 23d was a stopgap Pope the cardinals could settle for until they could agree later on a Pope they wanted. The man they chose was then 76, dedicated to the simple care of souls, not interested in the power politics of the Vatican.

To the amazement of most Catholics, and especially the cardinals who elected him, Pope John became the most active and controversial pontiff in centuries. All over the world, he had admirers of all faiths, and all through his own church, he had detractors. Last month, with much of his work unfinished, but all of his strength spent, Angelo Giuseppe Roncalli died as gently as he lived. It was a life that had moved at a casual pace and quickened in its last and best years. Then there was much to notice. The little priest who always liked visiting the sick had almost single-handedly transformed the reputation of world catholicism in a way that alarmed conservatives of every cult and left some Catholic prelates in the United States very perplexed. There were Popes before him who were proud to be prisoners of the Vatican, walled off from the reality of Rome. Some popes have been all piety, and a few have been unapproachable, but John the 23d was an altogether different Pope, a man of vast bonhomie.

There are students of the papacy who are sure that it was his manner that made his pontificate seem so astonishing—perhaps more astonishing than it really was. When Angelo Giuseppe Roncalli said his "Accepto" to become the 262d head of his church, he took all Christendom as his spiritual domain, and all mankind as his flock, but claimed that he would savor most the right to be Bishop of Rome. He later seemed more like Rome's gadabout parish pastor.

A fair share of the traffic jams in the city were charged to him as his black Mercedes made its way to poor areas in the outskirts that Popes before him often spoke of, but seldom from experience. Bright blankets always flapped from tenement windows to welcome him on his route, but some weeks ago, he noticed them being hastily draped over billboards, too. What they covered were movie advertisements of a famous French actress dressed for widest possible appeal, and when he learned that, the Pope was taken with a kind of holy delight to think that the flock had such pastoral concern for its shepherd. "If a man of my age," he said, "and of my position, is to be scandalized by this, then what of the rest of you?"

Another Sunday, on his way back from a small church, the wanderlust seized him, and he decided he would have a look at Rome Airport before returning to his Vatican apartment. As his car pulled up to the field, a plane landed with a load of Filipino tourists headed for the Vatican on their pilgrimage. With due reverence, they arranged themselves around the open-top car while the Pope stood and spoke to them in Italian. Among his listeners, comprehension was slight, but the principal uncertainty created that afternoon was whether this Pope was so pastoral that he went to the airport to meet all incoming tourists or only those from devout Catholic countries like theirs. But those who had never seen him were no less won over by his ways. Everywhere around Rome the walls were chalked with "Viva Il Papa, Viva La Pace"; and hardly a man in town was without his own favorite Pope story—the apocryphal ones just as reverent as the authentics.

Clearly, this Pope was a figure of exceptional appeal, and he knew it. In the simplest sense, he sought to make the best of it. "We must not boast before God," he said a while back, "but if all these manifestations are not an illusion of self-esteem, but rather something really corresponding to reality, then this is the right moment to enliven our courage and our religious zeal and to do our best to apply God's precepts on earth." The courage and zeal were so enlivened that some Catholics wonder whether all those who believe in the divine guidance of their church are set to face the consequences of what Roncalli wrought.

He had, in his recent encyclical "Pacem in Terris," taken the position that there can be no justification for a nuclear war. Odd shades of difference turned up in the Pope's statement as it emerged from the Vatican Polyglot Press in nine languages, including Russian. In the original Latin, the single official text, nuclear war is literally "alien to reason." In Italian, it became "almost impossible." By the time it got to English, it was "hardly possible," which is essentially the way it was passed to the Soviet Union. The difference between the author's unequivocal stand and the translators' muted versions may be trivial in the general semantics of catasthrophe, but it does show a knack for using modifiers down in the ranks when the speech is too clear from the top.

Along with its plea to the United Nations to become "more equal to the magnitude and nobility of its tasks," the Pope's encyclical made a case for the establishment of world government with all the cogency of his theologians' best proofs that God exists. In Vatican language, "Pacem in Terris" calls world government a "public authority," but defines it as "having worldwide power and endowed with the proper means for the efficacious pursuit of * * * the universal common good." The Pope held that such a government must be founded because all nations are now interdependent, and none can develop in isolation. A following disclaimer that this requires all member nations to forfeit sovereignty reads more like a conciliatory amendment to the argument than a part of it. But as the encyclical stands—less than World Federalists want to hear, more than right wingers ever feared—it puts an abundant papal benediction on a program for world order that up to now has had little support from parish priests.

Like most encyclicals before it, "Pacem in Terris" made its points in generalities and started a guessing game in all the parish rectories on the specifics the Pope had in mind. "Traditionally Christian nations * * * not infrequently are but slightly affected by Christian motivation or inspiration," he wrote, and that took care of the devotees of church-on-Sunday and business-is-business the rest of the week. "It is impossible to determine once and for all, what is the most suitable form of government," he said at another point, and the Russians who killed Hungarians in 1956, or the crusaders who want to restore some old order in Cuba, were to listen. In a passage the business community would like, this never quite predictable Pope wrote, "State activity in the economic field, no matter what its breadth or depth may be, ought not to be exercised in such a way as to curtail an individual's freedom of personal initiative." In another passage, the American Medical Association would not like, he wrote, "It is necessary also that governments make efforts to see that insurance systems are made available to the citizens, so that, in case of misfortune or increased family responsibilities, no person will be without the necessary means to maintain a decent standard of living." There was a section the Congress of Racial Equality would not care for, in which the Pope held that the problem of bringing social reality into line with the objective requirements of justice will never be definitively solved. And there were paragraphs that would appall both advocates of massive armaments and opponents of nuclear-test bans.

As it rambled from subject to subject, the encyclical struck experienced critics of papal prose as contrasting sharply with the style of the late pontiff's predecessor. Pius the 12th's writing showed tighter reasoning in places, but John the 23d's seemed more relevant throughout, and because of this, some theologians in Rome called Roncalli the layman's Pacelli. No other encyclical has been as widely discussed as "Pacem in Terris." It has been hailed by the Protestant National Council of Churches, the secretary-general of the U.N., the Kremlin's house organ Izvestia and the U.S. State Department. "As a Catholic, I am proud of it," John F. Kennedy recently said, "and as an American I have learned from it." It is unlikely that any public figure who begins reading it can put it down unimpressed—or uninstructed.

Though more breached than observed, there is still an antic rule of papal succession requiring that a thin pope be followed by a fat one, a scholar by a pope who is a pastor. The change from Pius to John ran according to that form, but it was also a case of a withdrawn aristocrat being followed by a simpler man who was of this world. "We have to be careful about how we say it," one Jesuit in Rome said, "but in a sense the Holy Father was something of a socialist." Remarks of this kind may stem from John the 23d's earlier encyclical "Mater et Magistra." Writing of social welfare, and of the just right of collectives to command benefits individuals cannot get, he asked, "Ought it to be concluded, then, that socialization necessarily reduces men to automatons?" His reply had no equivocation: "This is a question which must be answered in the negative."

That stand was not as sharp a turn to the left as it might seem, because ever since the pontificate of Leo the 13th in the late 19th century, papal encyclicals have been far more progressive than Catholic politics." "Pacem in Terris" was generous with its reminders of the social teachings of earlier pontiffs. The reminders, however, were not a courtesy, but part of a Vatican strategy to make the concluding section of the encyclical seem less like a change of face than it was. After carefully cautioning his readers to distinguish between error and the person who errs, John the 23d made what amounted to a faith-shaking distinction of his own. "It must be borne in mind, furthermore, that neither can false philosophical teachings regarding the nature, origin and destiny of the universe and of man, be identified with historical movements that have economic, social, cultural or political ends, not even when these movements have originated from those teachings and have drawn and still draw inspiration therefrom. Because the teachings, once they are drawn up and defined, remain always the same, while the movements, working on historical situations in constant evolution, cannot but be influenced by these latter and cannot avoid, therefore, being subject to changes, even of a profound nature. Besides, who can deny that these movements, insofar as they conform to the dictates of right reason and are interpreters of the lawful aspirations of the human person, contain elements that are positive and deserving of approval?"

Who can deny this? The long list might well begin with quite a few cardinals in the Vatican and be lengthened to include all those convinced that there is basically nothing for John Kennedy and Nikita Khrushchev to negotiate because of the Apostles' Creed and the Communist manifesto. The religion promising life after death and the religion promising heaven on earth are not to be reconciled easily. What each seems to need most is the disappearance of the other. But it was the conviction of John the 23d that in preserving world peace, Christianity and communism have one common interest larger than all their crossed purposes. Because the faithful of both creeds are "endowed with the light of reason and with a natural and operative honesty," he thought the time had come when negotiations must begin. Sic transit the rigidity of Roman Catholicism.

John the 23d was sure of the rightness of what he was doing. When he was made the Papal Nuncio at Paris near the end of World War II, Roncalli replaced Valerio Valeri, whom General de Gaulle found unacceptable because he had gone south as the Vatican's emissary to the Vichy government of Marshal Pétain. The ethics, even the diplomatic correctness, of Valeri's act of representing his church in that unsavory setting are clouded beyond easy analysis because Valeri probably did not find Vichy very unsavory. In any event, as Valeri's successor, Angelo Giuseppe Roncalli had a close look at the kind of problem his church faces when the winds shift around it. Presumably, he thought Valeri had acted correctly, even if only obediently, in doing what he did. Now a cardinal, Valeri served the Pope as Prefect of the Sacred Congregation of the Religious and a member of the Vatican Curia, the Church's executive arm.

But there was more to be learned in Paris. A combination of factors, ranging from unemployment to renewed anticlericalism, had made the Communist Party the strongest in France. To get Catholics to more masses than party meetings, dozens of young parish curates became worker-priests in factories, where they could claim that the Catholic church was at least as socially progressive as any Communist state. The program had such a thorough give-and-take spirit, however, that some of the worker-priests supported Communists causes, and two of them were among the rioters arrested in anti-NATO demonstrations in Paris.

Soon after Roncalli became Pope, the Vatican decreed that the French bishops end the worker-priest program. One explanation of the decree was that the conservatives in the Curia had slipped it past the new Pope before he knew how to refuse them, another was that popes are no more consistent than priests. In principle, the worker-priest plan seemed to be what the Pope believed in at the time. Certainly, he believed in the principle of it later: "Meetings and agreements, in the various sectors of daily life, between believers and those who do not believe, or believe insufficiently because they adhere to error, can be occasions for discovering truth and paying homage to it," he wrote in "Pacem in Terris." Later in his text, he cleared the way for the diplomatic traffic now moving between the Vatican and the Kremlin: "A drawing nearer together or a meeting for the attainment of some practical end, which was formerly deemed inopportune or unproductive, might now or in the future be considered opportune and useful."

Even before these words were published, the time was opportune. That was last October, when it seemed everything might end in a war over Russian rockets in Cuba. "Where are we going?" the Pope was heard to ask. "I am the Vicar of Christ on earth, and I have a duty to the human family to speak out now." He appealed to Kennedy and Khrushchev for restraint, and began thinking about an encyclical on war and peace to "all men of good will," not just to the Catholics, whose holy father he was.

In preparing the encyclical he had every coloration of advice, though little of it was from the cardinals of the Curia, who were there to be his advisers. Stefan Cardinal Wyszynski of Poland seems to have prevailed. The 61-year-old prelate heads a church that is enduring fairly well behind the Iron Curtain. Attendance at Sunday mass is far better now than before the country became Communist and the Gomulka regime reserved the right to approve the appointment of bishops. Having forfeited this right, the Vatican has gained a freedom of worship it values more. Cardinal Wyszynski, one of the loudest voices out of "the church of silence," told the Pope that for the Vatican to fight Marxist economics was to joust with a fantasy. The Poles did not believe a bit of it, he said, even while they marched lockstep through the formalities. He was sure that a far greater danger to Catholicism was the mounting materialistic spirit of many young Poles, who saw easy living as the highest good. That is the spiritual battle he thinks the church is losing right now. In setting out to win it, the Cardinal has lately become more troublesome to the Warsaw government than the sudden rise of a Stalinist cult could be. The recent visit to Poland of Franziskus Cardinal König of Austria, the Pope's chief mediator for Iron Curtain affairs, was to urge prudent restraint on his zeal.

For John 23d, a church existing openly under state supervision seemed preferable to a free church back in the catacombs, where its communicants might get martyred. To negotiate a Hungarian equivalent of the church's working arrangement in Poland will take a resolving of the very mixed-up Mindszenty case. Since the uprising of 1956, Josef Cardinal Mindszenty, Primate of Hungary, has chosen political asylum in the U.S. legation in Budapest to jail as an enemy of the government—which he most certainly is. The Vatican would like to lift the cardinal out of Budapest and install him in Rome, in exchange for its right to install bishops in Hungary. This time, what the Vatican wants is what the Communists want even more, because the man hiding in public is a reminder of what the government would like the citizenry to forget. But the proud cardinal is not to be moved easily from his spot in the martyr's dock. Until he is, as some Hungarians point out, the Catholics in his care will do much of his suffering for him.

In Hungary, as in Poland, while Catholics lose battles of principle, some Communist theory collapses completely, for it becomes plain to the party-est hack that atheism is not catching on as Marx promised. But neither is it agreed that this proves the soundness of Pope John's approach. The natural and operative honesty he attributed to men on both sides of the Iron Curtain, he also attributed to his critics inside the church, who thought his tactics and timing were both wrong. In their hard-line view, when the Communists grant the church anything at all, it is because religious unrest is rising. In the view of such Catholics, this is not the time for the church to concede anything. It is the time instead to make demands—and stand a fair chance of getting some of them.

On the rightness of the Pope's quid pro quo program for the church behind the Iron Curtain, ordained and lay critics were willing to wait and see. On his handling of church affairs before the recent elections in Italy, only the long-term view allowed them much reverence. Close up, it looked calamitous to Italians more conservative than Palmiro Togliatti, the country's top Communist boss. When the Pope received Khrushchev's daughter and son-in-law Alexei Adzhubei in the Vatican, the Communists picked up 500,000 new votes, they thought, because the daughter told the press that John the 23d had workingman's hands like her father's. The soft tone of "Pacem in Terris," as they read it, probably helped the Communists even more. And that's why many Italian Catholics were confounded by their Pope.

Infallibility in matters of faith and morals was not involved here, of course—only, the cynics add, matters of life and death. Speaking not from the chair of Peter, but from his own heart, Angelo Giuseppe Roncalli had tried to make clear the position he held in the light of Catholic dogma. "I am Pope John not because of my merit as a man, but because of the grace of God within me," he said, "and God is in us all. I am Pope John and he is Nikita Khrushchev, but I do not know why I should think God is showing the truth only through me."

This conception of the infinite sources of divine wisdom made the extremely conservative Alfredo Cardinal Ottaviani, a member of the Vatican curia and secretary of the holy office, as likely a spokesman for the truth too. When he was asked about Adzhubei's visit, he said the Communists misrepresented its meaning. "They succeeded in confusing this act of paternal charity with the peaceful coexistence of two ideologies in the field of action." The cardinal is not for coexistence. Facing an audience of military men a few weeks before "Pacem in Terris" was published, he said, "As for those who believe during their march toward the common good that they can reconcile methods and ideologies which are Marxist, materialistic and atheistic * * * the Italian people with their sound commonsense will condemn these men, and this condemnation will be valid both from an ethical and a historical point of view." On learning of that, John the 23d had no complaint to make. "If he is saying excellent things, maybe I can learn some of them from him," the Pope said, though it is just possible to detect some irony there.

If very right-handed conservatism is still holding on to high places around the Vatican, liberal reinterpretations of Catholic dogma are easier than ever to find in the pontificial universities throughout Rome. Not too many years ago, the talk heard there now might have been enough to reconstitute the Inquisition. A crosscut view of this new theology would show that:

1. The Catholic church is moving away rapidly from subtle dogmatic concerns toward substantial ethical ones.

2. By concentrating more on its simple Christian origins, the church will soon be free of its Latin and medieval orientations.

3. The doctrine of papal infallibility needs much sharper defining, as does its relation to the collective authority of the bishops.

4. Once the church is decentralized and its bishops become more autonomous, its codes of canon law will be different all over the world.

"There is a danger of centrifugal effects here splitting off bands of Catholics from the main body of the church," one priest admits. "But then there is the opposite centripetal effect by which a good many separated sects may be swept in." Other complete breaks with tradition are presumed, and that a succession of non-Italian Popes is forthcoming is not even disputed anymore. "What matters," another priest says, "is succession to Peter, not to Rome."

No one of these positions was attributed to John the 23d, but few of them would have risen from the level of private speculation to serious scholarly discussion if he had not been the kind of Pope he was. Because the discussions do go on without any suspicion of heresy on the part of some devout men, other devout men are worried that heresy is very close by. "In the Catholic Church now," one says, "there are Protestants who don't know it yet."

Considered in lowercase, protestantism is what some young priests from Germany and France think the church lacks most. The first-century Christian missionaries were not welcomed, they were stoned. Some missionaries of the new theology think the protesting that leads to stoning is what catholicism needs now to be more Christlike. What it needs less of is worldly property, they feel, and as they gaze about at the vast holdings of their church, they see the very worldly reasons it cannot fight the good fight against materialism. The new theology would not make life any easier for Catholics or for their church, but often harder. It seems closer in places to some views of Alfredo Ottaviani than the severe old Cardinal of the Holy Office or the young rebels of the new theology realize, for both agree that under oppression from the state, catholicism gets resolute, and without opposition, it goes slack.

In negotiations with states that are constitutionally antireligious, apologists hold that church policy has not changed, only "developed." The world Eugenio Pacelli looked upon, they point out, was not at all the world Angelo Giuseppe Roncalli faced. Moralists of every creed admit that. They also admit that the multiplication of nuclear arms has shaken the base under Christian ethics as surely as the splitting of the atom made mythology out of whole systems of physics. To cope with such change, Christian teaching may not have changed. It has at least opened up discussion so wide that black can come close to looking white. Communism, in the astonishing view of one Roman theologian with the best of credentials, has itself filled a religious role in this century because it is driving the "alienness" out of Christianity. Presumably when all of it has been driven out, the Church and the State will have the same aims, and dying for the faith will be difficult. One wise Jesuit in the United States has reminded readers that the Church has not lost any esteem for martyrdom, but does not impose it on everyone as a vocation.

Certainly, Pope John did not. Summoning the Ecumenical Council was a way of getting his liberal views before the bishops, who, he hoped, would seize on them. Publication of "Pacem in Terris" a few months before the council was to reassemble in September may have been his way to soften or dissolve opposition to the ideas in it. A risk, of course, was that close study of the encyclical might harden the belief that the Pope was going too far toward conciliation with both the separated Protestant sects and the materialists of the left.

For all their divisions on policy, the bishops agree in their bafflement over Angelo Giuseppe Roncalli. How did he get to be Pope, if he was not to be the kind of Pope the cardinals expected? Roncalli had been more consistent than they think. He had shown long ago that he believed compromise was often preferable to conflict. Early in the 1920's he wrote, "Our elders used the motto, 'I will break but not bend.' I, on the contrary, prefer this motto in reverse, 'I will bend but not break,' especially when questions of a practical character are concerned: and I think that the whole tradition of the Church is with me." Forty years later, no less guided by that view, he was an old man whose wisdom included the simple knowledge that his health was failing, and that he did not have long to live. There seemed to be a rush to lionize him before it was too late. Some weeks ago, he was given a $161,000 Balzan Peace Prize one day, and on the next was received in a state visit by the President of Italy.

Ceremonies of this sort plainly tired him, yet on Wednesday noons, when 12 sturdy papal throne bearers carried him on his sedia into the weekly general audiences in St. Peter's, he still looked like the robust peasant from Sotte il Monte, where he was born. By the time the ceremony was over, however, he looked worn beyond his 81 years. The presence of a religious monarch, even on a simple throne beside the bronze columns Bernini fashioned under the great dome Michelangelo conceived, could not help but convey majesty. Still, functional touches made the event seem drawn out, like debate in the UN. The naming of all the delegations on hand took a lot of time, and each let out an identifying whoop when it got mentioned. Through all this list reading, John the 23d glanced around from one side to the other to get a look at some of the noisemakers. As he did, he would clap his hand to his head to keep the loose-fitting papal zucchetto from slipping off. When the credits ended, he gave a short address in Italian and French, and listened to Spanish, German, and English translations of what he had said. The Pope was learning English from an Irish monsignor who did not, strictly speaking, speak it, but whose brogue could be cracked with concentration. When the monsignor took over the English translating, the Pope at times seemed to recognize a passage, and by a little gesture or change of expression added an emphasis he felt.

This was the surface of John the 23d. Under it, he seemed full of deep love for all men and one God. A few months ago, he was close to tears the day he welcomed Archbishop Josyf Slipyi, just released from an 18-year stay in a Siberian jail. Hardly a word passed between them before the Pope took his wasted caller by the arm and led him to his private chapel where, side by side, the two old men prayed their thanksgivings. Then, there was time for talk about still being alive.

John the XXIII was so casual on the subject that he kept others concerned. The few Roman cardinals fearful that his next move might be to the edge of heresy could not forget he once said that the Roncallis who make it past 80 sail on into their nineties without flagging. But those close to him heard his remarks that he might not be with them for long. "When the body gets worn out," he remarked a few weeks back, "the soul gets in shape." As a young man with a robust appetite, he was earnest about eating well, but near the end his interest in food was so slight that he sometimes dozed off in the middle of a simple meal. "I don't know how long God will let me live, and while I do live He may let me do very little," he told one old monsignor. "But the little He will let me do, I intend to do it all."

What he managed to do, by his own or divine plan, made him seem the most fatherly of Holy Fathers, and accordingly the one who knew best how to talk to a child. Recently, he was peering at a very small one in a hospital bed. He asked the boy his name. The child gave it, a long, saintly one, then added that everybody now called him Giuseppe.

"And you?" the boy asked. "What's your name?"

"My name is Giuseppe, too," the Pope answered, "but everybody now calls me John."

[From Suburban Life, June 9, 1963]

POPE JOHN: AN IMPACT ON OUR TIME—HOPE FOR PEACE IN WORLD

"The war is an enormous danger. For a Christian who believes in Jesus and His gospel, an iniquity and a contradiction. I think that from today my responsibility and my obligations of wisdom and of moderation and charity become even more serious. I must be the bishop of all, that is: consul of God, father, light, encouragement for all, nature makes me desire the success for my dear country; grace inspires me from today more than ever to proposals and efforts for peace."

Angelo Roncalli, later to become Pope John XXIII, wrote this in his diary June 10, 1940. The passage above and other excerpts from his day-to-day writings were published this week following his death in the Vatican City newspaper, Osservatore Romano and revealed his lifelong, passionate love for his fellow men and peace.

No Pope has left such an impact on his times—most of us even now lack enough sense of history to fully realize his stature. Certainly from the panegyrics written and spoken about him since his death (and before) he was the most respected and publicly liked man of all the heads of states in the world. His real contribution was a bold and optimistic view of human unity based on the fatherhood of God and of the common rights, attitudes and needs of all mankind. According to the unfortunate jargon of our times he actually changed the "image" of the Catholic Church. He pointed out by personal example and words that the church was not totalitarian or absolute—was not an "ecclesiastical fortress" bent on guarding ancient holdings but really a great fountainhead of faith and charity, anxious and willing to establish brotherly relationships, to understand and be understood. He released that which was waiting for years to be released. He opened the window, so to speak, to allow fresh air to permeate an atmosphere silent and stuffy for too many centuries. Through Pope John, "Servant of the Servants of God," the Catholic Church was prominently once more placed on record by a reaffirmation of its beliefs in human freedoms, offering once again as was its original mission, standards, principles, and guidance for the benefit of all mankind.

The legacy left us in his "Pacem in Terris" (Peace on Earth) may well be the most important encyclical ever issued from the Vatican. Unless men and their leaders everywhere heed his appeal to save humanity from nuclear annihilation, from any form of war or force, and to create peace in all nations, then Heaven help us. According to the beloved "vicar of Christ on earth," all races, all political systems can work together for man's freedom and betterment. He refused to accept the idea that the West is all virtuous and the East a beyond-redemption conspiracy, but rather saw the problem in its true perspective—that of an angry individualism (capitalism) bristling up to a growling collectivism (communism) and in his superbly charitable way said in effect, a plague on both your houses. Certainly he did not give his approval to atheistic totalitarianism but he did signify a willingness to live with it and with his deep faith in his own and his Church's principles to outlive it. The church he headed has outlived many, many "isms" over the centuries.

The substance of the encyclical is that it says to all men what few present day leaders have the courage to say—there must be a new beginning in human affairs or there could very well be a sudden catastrophic ending. He pleaded for a proposition neither newer or older than that of our common brotherhood and an end of man's inhumanity to man. "Pacem in Terris" calls for intervention to aid the helpless and poor in language easily understood, "Every man has the right to life, to bodily integrity, and to the means which are necessary and suitable for proper development of life. These are primarily food, shelter, clothing, rest, medical care, and finally, social services. Therefore a human being also has the right to security in case of sickness, inability to work, widowhood, old age, unemployment, or in any other case in which he is deprived of the means of subsistence through no fault of his own."

> This call for intervention to aid the helpless and poor not begrudgingly but with charity ought to be read and heeded by churchgoers of every faith but especially by those who resist even the most modest social reforms.
>
> Pope John's passing within hours of Pentecost Sunday significantly recalls our Lord's words in the Gospel for the feast day, "Peace I leave you, My peace I give you." The late holy father has pointed the way to make Christ's words a realization.
>
> Now called a "man of the ages," Pope John's memory can be best honored and the world saved by taking his words to heart and to act. If his cherished words of counsel and his powerful personal example are heeded and followed, if clerics of all faiths will echo his philosophy from their pulpits Sunday after Sunday and make his teachings meaningful to the people, and if leaders of all nations will accept his guidance and challenge, then there will be hope for peace in the world.

THE PERUVIAN ELECTION

Mr. HUMPHREY. Mr. President, I wish to speak for a few moments on a subject that has been of great concern to me ever since the political developments of last year in the Republic of Peru.

Two months ago leaders of this hemisphere, while assembled in Caracas, Venezuela, for the fourth annual meeting of the Inter-American Development Bank, reflected somberly on the trend of military interference with freely elected constitutional governments in Latin America during the past year. At that meeting, President Betancourt stated the concern of all:

> It has always been true in Latin America that the use of force rather than free elections to replace the government has yielded negative results which, in these times, can assume clearly menacing characteristics. From its source in Havana a violent message of hate is going out to all of Latin America. This message is promoted and financed by the Sino-Soviet axis, which has succeeded in establishing its bridgehead in our hemisphere. When our peoples lose faith in the ballot, in the regular and peaceful succession of governments by electoral means, they will be tempted to follow the Cuban example.

That was a very powerful statement on the part of the President of Venezuela. If any man knows what it means to live in perilous times and to demonstrate the kind of political courage that such times necessitate, it is the President of Venezuela, Mr. Betancourt.

On returning from this conference, I expressed the hope that the events of the past year might represent a temporary aberration, rather than a permanent trend in Latin American affairs. With the recent elections in Peru and the forthcoming prospect of a freely elected constitutional government replacing the military junta, there is now some evidence that this hope was well founded.

All those in this hemisphere who share the belief that political democracy is an indispensable basis for the success of the Alliance for Progress will rejoice that constitutional government will return to Peru at the end of next month. We congratulate the new government headed by Fernando Belaunde Terry and we commend the Peruvian people and the retiring government for their efforts to achieve a quick, orderly transition to constitutional government. President-elect Belaunde has before him a great opportunity to push ahead with the social and economic programs stipulated under the Alliance for Progress Charter.

Those of us who have been privileged to meet Mr. Belaunde—and it was my privilege to visit with him at length during a trip to Peru 2 years ago—are confident that he has ability to provide Peru with the strong leadership needed to move the Alliance for Progress forward in that country. President Belaunde will have the strong support of the U.S. Government and of the U.S. Congress in his efforts to implement the Alliance for Progress programs in his country. Just as the United States has actively and firmly supported progressive constitutional governments in Venezuela, Colombia, and the Dominican Republic, it stands ready to support a Peruvian government which shows the same resolution and determination to deal with the formidable political, economic, and social problems confronting that Andean Republic.

We in the Congress are also pleased to note the determined efforts in recent weeks by responsible leaders in Argentina to persevere with plans to hold elections which would restore a freely elected constitutional Government to the great Republic of Argentina.

Those who link political democracy with the growth of economic and social progress in this hemisphere will be following the Argentine situation closely in the forthcoming weeks. The restoration of a freely elected constitutional government in the Argentine Republic would indeed be impressive evidence that the unfortunate events of the past year represent a temporary aberration, and that the trend toward military governments is being reversed in favor of freely chosen constitutional civilian regimes. Those in the U.S. Congress who most strongly support the Alliance for Progress program would find great encouragement in such a development.

I am sure I speak for my colleagues in Congress when I say that recent events in Peru are indicative of a new trend developing in this hemisphere, a trend toward constitutional government and freely elected representative governments in all countries of this hemisphere. I make this statement today because a year ago I was subjected to a bitter attack in some of the journals in Peru because of my outspoken criticism of military junta activities in that country.

I knew, first of all, the course the President of the United States would follow. Following the coming to power of the military junta in Lima, Peru, he pursued a policy that insisted upon free elections, if the U.S. Government was to continue its program of aid and assistance to the people of Peru. The junta has kept its word. Elections were held. A forceful, vigorous, intelligent, able man has been elected as President of Peru. I predict that, if given the opportunity by the military and by persons who are owners of property and have great economic power, the government under President Belaunde can be an effective and progressive government.

WASHINGTON TO MOSCOW "HOT LINE": A STEP IN THE RIGHT DIRECTION

Mr. HUMPHREY. Mr. President, since the Senate will be having only token sessions during the next week, before today's business is completed I desire to note my particular pleasure and joy in the announcement of June 20 that the United States and the Soviet Union have agreed to establish a direct communications link between their respective capitals.

This is a subject of interest to me because, as I shall indicate in some detail, several years ago, as chairman of the Subcommittee on Disarmament of the Committee on Foreign Relations, I recommended in one of our reports that such a link of communications was essential for the peace of the world and could very well be helpful in preventing accidental war or war by miscalculation.

Following that recommendation, I wrote an article for a leading journal on the danger of accidental war. I outlined what I believed were constructive proposals that would, at least, minimize that danger.

The announcement by the White House on June 20 stated:

> This age of fast-moving events requires quick, dependable communications for use in time of emergency. By their signatures today * * * both Governments have taken a first step to help reduce the risk of war occurring by accident or miscalculation.

These words accurately sum up the significance of the so-called "hot-line" agreement. The United States and the Soviet Union have finally discovered an area—however limited—in which they can act jointly to reduce the risk of war.

I was one of those who felt that this agreement could be signed and would be signed. A little more than 2 weeks ago, speaking in Racine, Wis., at an Arms Control Conference sponsored by the Johnson Foundation, I predicted that the "hot line" agreement would be signed and that the line would become a reality. These two countries and their representatives have in mind reducing the risk of war, and they have done so without exaggerating the scope of the agreement, without sacrificing prestige, and without injecting ideological considerations into what is essentially a technological problem. The direct communications link between the Pentagon and the Kremlin is, of course, the first tangible result of the 18-nation Disarmament Conference in Geneva. Although it is basically a bilateral arrangement, it was facilitated by the fruitful atmosphere of the Geneva Conference, which has helped to revive the subject of disarmament whenever bilateral talks seemed to reach a dead end. Even if the hot line is the only product of the Geneva talks for some time to come, they will have been amply justified. I am sure that there has been a favorable reaction at the U.N., under whose auspices the 18-nation disarmament talks have proceeded.

The hot line, Mr. President, is only one of several measures proposed by the United States to reduce the risk of war through accident, miscalculation, or failure of communication. On December 12, 1962, the United States submitted a working paper to the 18-nation Committee on Disarmament—a paper setting forth in detail the steps considered necessary to provide reasonable assurance against the outbreak of a nuclear conflict which no one wanted. I commend it to the attention of Senators.

GENESIS OF THE HOT-LINE PROPOSAL

Mr. President, during the Cuban emergency it became abundantly clear that rapid, reliable communication via a so-called hot line between the highest echelons in the United States and the U.S.S.R. was and is imperatively needed in the interests of peace. Long before that critical week last October, however, the question of a direct communications link had been raised here in the United States.

On July 31, 1961, the issue of accidental Soviet triggering of nuclear conflict was discussed in detail for the first time—either inside or outside the U.S. Congress—in an address which I made in the Senate.

I pointed out that the outbreak of a nuclear war through miscalculation and escalation was a very real threat, in view of the then developing Berlin crisis.

On September 5, 1961, I submitted Senate Resolution 203, 87th Congress, requesting U.S. representatives in the United Nations to endeavor to obtain a report from the U.S.S.R. on its precautions against accidental war.

On April 26, 1962, the Department of State officially responded to an inquiry from the Senate Foreign Relations Committee on the subject.

The Department said:

> The problem toward which Senator HUMPHREY's resolution is directed is one of the most important facing our civilization.

The Department expressed the view, however, that the best chance of action on the subject lay through Soviet agreement on the measures specifically designed to reduce the risk of war by accident, miscalculation, or a failure of communications contained in the U.S. blueprint for general and complete disarmament in a peaceful world.

The United States tried to close the gap between Soviet and American attitudes toward the risk of war by proposing specific measures at the 18-nation Geneva Disarmament Conference. On April 18, 1962, the United States advocated that stage 1 of a Treaty on General and Complete Disarmament in a Peaceful World include measures leading to a substantial reduction of the risk of war. Specifically, the United States suggested the following steps:

1. Advance notification of military movements and maneuvers: Specified parties to the treaty would give advance notification of major military movements and maneuvers to other parties to the treaty and to the International Disarmament Organization.
2. Observation posts: Specified parties to the treaty would permit observation posts to be established at agreed locations, including major ports, railway centers, motor highways, river crossings, and airbases to report on concentrations and movements of military forces.
3. Additional observation arrangements: The parties to the treaty would establish such additional observation arrangements as might be agreed.
4. Exchange of military missions: Specified parties to the treaty would undertake the exchange of military missions between states or groups of states in order to improve communications and understanding between them.
5. Communications between heads of government: Specified parties to the treaty would agree to the establishment of rapid and reliable communications among their heads of government and with the Secretary General of the United Nations.
6. International Commission on Reduction of the Risk of War: The parties to the treaty would establish an International Commission on Reduction of the Risks of War as a subsidiary body of the International Disarmament Organization to examine and make recommendations regarding further measures that might be undertaken during stage I or subsequent stages of disarmament to reduce the risk of war by accident, miscalculation, failure of communications, or surprise attack.

CONCLUSION

Mr. President, point No. 5 of this 6-point proposal has now been signed by executive agreement between the United States and the Soviet Union. There was a general realization that rapid communication between heads of states, or between command headquarters in both capitals, is essential in an age of split-second crises and split-second responses. No longer, as was the case in the prewar crisis of July 1914, could military planners on both sides count on a fortnight during which to get their forces ready for action. Today, in both Moscow and Washington, military planners can contemplate, not the mounting of an attack, but the actual obliteration of enemy cities, within 35 minutes. Thirty-five minutes after a button is pressed, whole nations will be reduced to the rubble of ancient Carthage.

In short, the "hot line" is no guarantee against war by miscalculation or accident, but it could be one important means of preventing such a war. It certainly could help avoid the drift toward catastrophe which was apparent to both sides during the Cuban crisis last October. The officials who negotiated this important step at Geneva are to be warmly commended. Their accomplishment could be a significant step toward world security. We should continue our efforts to build the most careful safeguards into existing weapons and surveillance systems. Both men and machines must be alterted to a wide variety of possible causes of accidental conflict; and I believe that today the real danger of conflict lies in the possibility of miscalculation or what we call accidental conflict. Along this road the hot line agreement is an encouraging step in the right direction.

Mr. President, I ask unanimous consent that the following materials be printed at this point in the RECORD.

First. The White House statement of June 20, announcing agreement on a direct communications link between the United States and the U.S.S.R.

Second. The Memorandum of Understanding Between the United States of America and the Union of Soviet Socialist Republics Regarding the Establishment of a Direct Communications Link, signed on June 20, 1963, at Geneva, Switzerland.

Third. "The United States Working Paper on Reduction of the Risk of War Through Accident, Miscalculation, or Failure of Communication." ENDC/7C, December 12, 1962.

Fourth. An address by William C. Foster, entitled "Possibilities for Reducing the Risks of War Through Accident, Miscalculation, or Failure of Communication," delivered before the Foreign Policy Association of Pittsburgh, Pa., on December 20, 1962.

There being no objection, the documents were ordered to be printed in the RECORD, as follows:

WHITE HOUSE STATEMENT OF JUNE 20, 1963

Today (in Geneva) the representatives of the Governments of the United States and the U.S.S.R. at the 18-Nation Disarmament Conference, signed an agreement which will establish a direct communications link between their respective capitals. This age of fast-moving events requires quick, dependable communications for use in time of emergency. By their signatures today, therefore, both Governments have taken a first step to help reduce the risk of war occurring by accident or miscalculation.

This agreement on a communications link is a limited but practical step forward in arms control and disarmament. We hope agreement on more encompassing measures will follow. We shall bend every effort to go on from this first step.

MEMORANDUM OF UNDERSTANDING BETWEEN THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST REPUBLICS REGARDING THE ESTABLISHMENT OF A DIRECT COMMUNICATIONS LINK SIGNED ON JUNE 20, 1963, AT GENEVA, SWITZERLAND

For use in time of emergency, the Government of the United States of America and the Government of the Union of Soviet Socialist Republics have agreed to establish as soon as technically feasible a direct communications link between the two Governments.

Each Government shall be responsible for the arrangements for the link on its own territory. Each Government shall take the necessary steps to insure continuous functioning of the link and prompt delivery to its head of government of any communications received by means of the link from the head of the government of the other party.

Arrangements for establishing and operating the link are set forth in the annex which is attached hereto and forms an integral part hereof.

Done in duplicate in the English and Russian languages at Geneva, Switzerland, this 20th day of June 1963.

For the Government of the United States of America:

——— ———,

Acting Representative of the United States of America to the 18-Nation Committee on Disarmament.

For the Government of the Union of Soviet Socialist Republics:

——— ———,

Acting Representative of the Union of Soviet Socialist Republics to the 18-Nation Committee on Disarmament.

ANNEX TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST REPUBLICS REGARDING THE ESTABLISHMENT OF A DIRECT COMMUNICATIONS LINK

The direct communications link between Washington and Moscow established in accordance with the memorandum, and the operation of such link, shall be governed by the following provisions:

1. The direct communications link shall consist of:

A. Two terminal points with telegraph-teleprinter equipment between which communications shall be directly exchanged;

B. One full-time duplex wire telegraph circuit, routed Washington-London-Copenhagen-Stockholm-Helsinki-Moscow, which shall be used for the transmission of messages;

C. One full-time duplex radio telegraph circuit, routed Washington-Tangier-Moscow, which shall be used for service communications and for coordination of operations between the two terminal points.

If experience in operating the direct communications link should demonstrate that the establishment of an additional wire telegraph circuit is advisable, such circuit may be established by mutual agreement between authorized representatives of both Governments.

2. In case of interruption of the wire circuit, transmission of messages shall be effected via the radio circuit, and for this purpose provision shall be made at the terminal points for the capability of prompt switching of all necessary equipment from one circuit to another.

3. The terminal points of the link shall be so equipped as to provide for the transmission and reception of messages from Moscow to Washington in the Russian language and from Washington to Moscow in the English language. In this connection, the U.S.S.R. shall furnish the United States four sets of telegraph terminal equipment, including page printers, transmitters, and reperforators, with one year's supply of spare parts and all necessary special tools, test equipment, operating instructions and other technical literature, to provide for transmission and reception of messages in the Russian language. The United States shall furnish the Soviet Union four sets of telegraph terminal equipment, including page printers, transmitters, and reperforators, with one year's supply of spare parts and all necessary special tools, test equipment, operating instructions and other technical literature, to provide for transmission and reception of messages in the English language. The equipment described in this paragraph shall be exchanged directly between the parties without any payment being required therefor.

4. The terminal points of the direct communications link shall be provided with encoding equipment. For the terminal point in the U.S.S.R. four sets of such equipment (each capable of simplex operation), with necessary special tools, test equipment, operating instructions and other technical literature, and with all necessary blank tape, shall be furnished by the United States to the U.S.S.R. against payment of the cost thereof by the U.S.S.R.

The U.S.S.R. shall provide for preparation and delivery of keying tapes to the terminal point of the link in the United States for reception of messages from the U.S.S.R. The United States shall provide for preparation and delivery of keying tapes to the terminal point of the link in the U.S.S.R. for reception of messages from the United States. Delivery of prepared keying tapes to the terminal points of the link shall be effected through the Embassy of the U.S.S.R. in Washington (for the terminal of the link in the U.S.S.R.) and through the Embassy of the United States in Moscow (for the terminal of the link in the United States).

5. The United States and the U.S.S.R. shall designate the agencies responsible for the arrangements regarding the direct communications link, for its technical maintenance, continuity and reliability, and for the timely transmission of messages.

Such agencies may, by mutual agreement, decide matters and develop instructions relating to the technical maintenance and operation of the direct communications link and effect arrangements to improve the operation of the link.

6. The technical parameters of the telegraph circuits of the link and of the terminal equipment, as well as the maintenance of such circuits and equipment, shall be in accordance with CCITT and CCIR recommendations.

Transmission and reception of messages over the direct communications link shall be effected in accordance with applicable recommendations of international telegraph and radio communications regulations, as well as with mutually agreed instructions.

7. The costs of the direct communications link shall be borne as follows:

A. The U.S.S.R. shall pay the full cost of leasing the portion of the telegraph circuit from Moscow to Helsinki and 50 percent of the cost of leasing the portion of the telegraph circuit from Helsinki to London. The United States shall pay the full cost of leasing the portion of the telegraph circuit from Washington to London and 50 percent of the cost of leasing the portion of the telegraph circuit from London to Helsinki.

B. Payment of the cost of leasing the radio telegraph circuit between Moscow and Washington shall be effected without any transfer of payments between the parties. The U.S.S.R. shall bear the expenses relating to the transmission of messages from Moscow to Washington. The United States shall bear the expenses relating to the transmission of messages from Washington to Moscow.

CONFERENCE OF THE 18-NATION COMMITTEE ON DISARMAMENT,
December 12, 1962.

U.S. WORKING PAPER ON REDUCTION OF THE RISK OF WAR THROUGH ACCIDENT, MISCALCULATION, OR FAILURE OF COMMUNICATION

THE PROBLEM

The technology and techniques of modern warfare are such that much reliance is inevitably placed on the ability to respond rapidly and effectively to hostile military action. Events which may occur in connection with the efforts of one state to maintain its readiness to respond to such action may, in varying degrees and with varying consequences, be misconstrued by another. The initiating state may have underestimated the ambiguity of such events and may have miscalculated the response they would call forth. The observing state may misinterpret them and feel compelled to act.

Nonbelligerent steps of a precautionary character taken by one state may be viewed by another as being provocative at best and, at worst, as presaging or constituting the initiation of hostilities. Accidents can occur and may be considered deliberate acts. Unauthorized acts may appear to reveal hostile purpose, and fault may be incorrectly assigned.

Particularly where such actions and events may occur against the background of an already existing crisis in the relations of the states concerned, erroneous assessments may dictate a rapid and disproportionate response. As a consequence, sudden and unexplained changes in the military situation may increase the risk of the outbreak of war.

The United States has been keenly aware of this problem and has taken positive measures to reduce the risk of the outbreak of war insofar as its own armaments and Armed Forces are concerned. On a continuing basis, the United States seeks to accomplish such objectives as the following:

1. To incorporate special safety features into the design of weapons in order to preclude an accidental nuclear explosion.

2. To develop types of weapons systems and to design techniques for their employment calculated to increase the feasibility of deferring a military response until confirmatory evidence has been received and evaluated.

3. To exercise effective command and control over the choice of military response and to maintain procedures and arrangements for limiting any possibility of unauthorized use of weapons.

The United States regards its approach to these matters as a useful contribution to reduction of the risk of the outbreak of war. However, the United States recognizes that there are limits to the effectiveness of measures which any state may undertake alone. In any case, the problem, which exists in respect of nonnuclear as well as nuclear armaments, is of concern to many states. It will continue to exist as long as armaments and armed forces, whether nuclear or conventional, remain at the disposal of states separated by immediate differences of historical grievances.

These considerations offer compelling reasons for seeking to curtail the arms race and to achieve disarmament in a peaceful world. They also call attention to the need for reaching agreement on the early implementation of limited measures designed to reduce the risk of the outbreak of war through accident, miscalculation, or failure of communication.

GENERAL CONSIDERATIONS

The "Outline of Basic Provisions of a Treaty on General and Complete Disarmament in a Peaceful World," presented by the United States to the 18-Nation Committee on Disarmament, April 18, 1962, proposes measures concerning advance notification of major military movements and maneuvers, conduct of confirmatory and supplementary observations, improvement of means of continuing consultation on military matters and of communication in time of military emergencies, and establishment of arrangements for examination of possible additional steps. The common purpose of such measures is to reduce the risk of the outbreak of war through accident, miscalculation, or failure of communication. Depending on their exact character, these measures could lessen the hazard that sudden changes in the military situation might inadvertently be misconstrued as representing the mounting of an attack.

In the context of a disarmament program, these measures would contribute importantly to the building of confidence and also to prevention of possible disruption of the disarmament process. They can also be placed in operation prior to the implementation of a disarmament program and might help bring about conditions under which such a program might more readily be achieved.

There may, of course, be differences in the character of measures suitable in the context of a disarmament program and the character of those which might be acceptable in advance of such a program; that is to say, certain measures might be undertaken on a more extensive scale during disarmament than prior to its initiation. However, although most of the measures must be regarded as experimental in character and too much should not be asked of those measures which may be considered appropriate for early implementation, they can effect useful and significant advances in the capabilities of states to provide mutual reassurance.

The measures proposed by the United States can be undertaken either as a group, in which case each would serve to reinforce the effectiveness of the others, or specific measures can be undertaken separately. A beginning can be made with as much or as little as may be agreed at any particular time, and as experience is gained through cooperative implementation of early agreements, the initial measures can be modified or expanded, and new measures can be added.

Taken as a whole or considered separately, the measures suggested by the United States can have wide applicability to the relations of a number of states or groups of states in different geographic areas. Some measures can be undertaken directly between the states concerned; depending on the circumstances others might be more effective if undertaken by groups of states. It follows that details of procedures and arrangements to implement the measures can best be developed in specific cases by the states or groups of states involved in order to ensure that the measures will be designed to meet their special needs.

In outlining the general character of these measures in the sections below, the United States hopes not only that the measures will commend themselves to states represented in the 18-Nation Committee on Disarmament but also that other states will recognize their desirability. For its own part, the United States is prepared to work out the details of these measures with other states which may be interested, including the Soviet Union, and where particular measures might be most effective if undertaken by groups of states, the United States is prepared to consult with other members of the groups in which it participates, such as the North Atlantic Treaty Organization, and to join them in working out mutually agreeable arrangements.

ADVANCE NOTIFICATION

Purpose: Advance notification of major military movements and maneuvers could provide additional opportunity for calm appraisal of military activities which might give rise to misinterpretation as threatening the imminent outbreak of hostilities. The ultimate character of such an appraisal would, of course, depend on many considerations in addition to the fact that advance notification had been provided. However, the establishment and use of procedures for advance notification could assist in reducing any hazard that detection of an unannounced activity of seemingly major proportions might induce a rapid and disproportionate military response.

A certain amount of information is currently made available by a number of states. In some instances, such information is necessary to insure the safety of nonmilitary activities being pursued in the vicinity. Moreover, for its own part, the United States frequently provides advance notification specifically in order to preclude any possibility of misinterpretation. As a general matter, however, the current practices of states vary widely as to content, timing, and procedure, and there arises the question of whether such practices can be expanded, regularized, and more fully utilized. The suggestions of the United States in this regard are outlined below.

Content and timing: Criteria for determining what military activities might be of concern are, in many respects, subjective and dependent on the general situation in which a particular activity may occur, the states or geographic areas involved, and the level of tension at the time. Accordingly, it may be difficult to specify precisely all activities respecting which advance notification might be most useful on a continuing basis, and in a number of instances substantial reliance may of necessity have to be placed on the judgment of the state initiating an activity.

However, if advance notification procedures are to be effective, the states or groups of states concerned would wish to know with reasonable certainty what information could be expected on a continuing basis, and, of equal importance, what types of activities would not be regularly reported. The following types of activities might usefully be explored from the standpoint of their inclusion in advance notification procedures:

1. Movements and maneuvers by ground forces of considerable strength where such activities may be conducted in the proximity of frontiers.

2. Significant movements and maneuvers of naval surface forces of substantial size.

3. Coordinated flights of sizable numbers of military aircraft where such flights may deviate from routine or well-known patterns or where they may take place in the vicinity of frontiers.

4. Launchings of long-range ballistic missiles where an unusual number of such launchings may be scheduled to occur within a limited period of time.

The foregoing list, which could be more clearly defined in an agreed manner, is intended to suggest the principal types of activities which might be of some concern and in respect of which it might be feasible to establish routine advance notification procedures. However, states should be free to provide advance notification in any additional instances deemed by them to warrant use of such procedures as might be established.

Although the exact amount of detail provided might vary, such matters as the following could reasonably be expected to be covered: the type of activity; the approximate size of the units involved; the beginning and terminal dates of the activity or the period during which it was scheduled to occur; and the locations, areas, or direction of movement involved.

Such information should be provided on a timely basis. As a general matter, notice might be provided as schedules become reasonably firm, with, say, 7 days' notice being given where practical in the case of major activities. Notice of changes in initial schedules should be reported as promptly as possible.

Procedures: To insure authenticity, and to avoid the lack of precision which might result from voice transmission of information, notification could appropriately be made in the form of an official written communication issued by the state or group of states initiating the activity. Such procedures as the following might be considered:

1. Under a bilateral arrangement, a state initiating an activity could provide advance notification directly to the other state concerned. Specific channels could be designated for this purpose in order to insure that notifications would promptly reach those officials having an interest in them.

2. Where groups of states were concerned, similar procedures could be designed. A question would arise as to whether notice would be given by the military headquarters of one group to that of the other, which would then retransmit the information to its member states, or whether procedures should be such that both the military headquarters of a group of states and the military headquarters of member states would receive the information simultaneously.

3. A "clearinghouse," established jointly by the states or groups of states entering into a particular arrangement, might receive and disseminate information made available by participants. Since timeliness would be a key consideration, the most direct procedures would seem best suited for the purposes of advance notification. However, the concept of a "clearinghouse" might be examined as a possible supplement to, rather than a replacement for, direct procedures.

OBSERVATION POSTS

Purpose: Advance notification constitutes a potentially useful measure undertaken separately or in conjunction with other measures. A closely related measure would, in effect, represent an extension of the advance notification concept through the establishment of systems of ground observation posts at major transportation centers. The posts comprising such systems could receive such information relative to military activities in their vicinity as the host state might wish to provide and could, under agreed arrangements, observe the flow of military traffic and the general level of military activity on a local basis, thereby clarifying reports made pursuant to advance notification procedures.

Not only the capability of supplementing advance notification through direct observation but also the willingness of host states to cooperate in the establishment and operation of observation post systems could contribute further to the building of confidence and the improvement of reassurance in the relations of the states or groups of states concerned.

Elements of systems: It would be impractical (as well as unnecessary from the standpoint of providing general reassurance) to attempt to establish observation posts at all transportation centers. It would be sufficient to place posts at such locations as certain principal ports, major railroad junctions, intersections of key highways, and possibly at certain significant airfields.

The complement of posts might vary as the result of differing conditions in the locations of interest, but relatively limited complements should be adequate. Members of post complements would enjoy such privileges and immunities and would have such travel rights as might be agreed.

Each post would be responsible for observing military movements within an agreed surrounding area. Overall value of the posts would be enhanced if, on the occasion of military movements through nearby areas, host states would, at their discretion, afford opportunities for observation at the point nearest the post city. Similarly, it might be useful to be able to conduct occasional visits to transportation centers where no posts were permanently located. In all cases, access would be limited to points appropriate for observation purposes.

To facilitate accomplishment of the missions of observation posts, host states should provide advance notification of movements passing through the post area.

Extent of geographic coverage: The potential usefulness of systems of observation posts is not confined to particular states or areas. In the broadest sense, such systems would be useful wherever significant military activities take place. The geographic coverage of particular systems, however, would, as a practical matter, be designed to reflect military relationship in a realistic manner.

Where neighboring states might undertake to provide mutual reassurance through establishment of a system of observation posts, it is not unlikely that transportation centers near frontiers would offer suitable locations. Where groups of states might wish to undertake such a measure, appreciation of military realities would seem to make desirable the establishment of posts in each of the participating states since observation of areas from which forces might be projected would be of importance in addition to observation of more central locations.

ADDITIONAL OBSERVATION ARRANGEMENTS

Purpose: The establishment of systems of ground observation posts in fixed locations would represent a major improvement in existing conditions. However, it is apparent that the capabilities of such posts would be limited. Accordingly, it would seem useful to consider whether mutually acceptable arrangements for additional types of observation could be developed either to supplement systems of ground observation posts or as separate measures. As a general matter such arrangements could be useful either on an ad hoc or continuing basis and could provide highly effective and flexible means of rapidly identifying and clarifying military activities and events.

Elements of systems: Any and all of such observation techniques as the following offer substantial promise:

1. Aerial observation.
2. Mobile ground observation teams.
3. Overlapping radars.

Each of these techniques offers a different approach to resolving the same problem: That of lessening the possibility of unexpected confrontations of military power and thereby lessening the risk of the outbreak of war. The details of arrangements for employing such techniques would be on an agreed basis and of a character designed to give equal assurance to all participating states.

Extent of geographic coverage: Where states or groups of states wished to employ techniques such as the foregoing, agreement would have to be reached on the geographic areas involved. Such areas might be identical for all techniques although this need not necessarily be the case. The problem can be approached on a pragmatic basis with due regard to the relationships of the states or groups of states concerned.

EXCHANGE OF MILITARY MISSIONS

Purpose: The problem of reducing the risk of the outbreak of war does not, of course, arise simply from the unexpected character of certain military activities or lack of factual knowledge concerning them. In the first place, the state initiating an activity may have miscalculated the response that might be occasioned on the part of another state. In the second place, a state which views a particular activity with concern may be misinterpreting its true character. In both cases, each of the states involved will proceed not only on the basis of such factual information as may be available but also in the light of its own past experience, its assessment of overall military relationships, and its military as well as political evaluation of the intentions of the other state.

Even with adequate factual information, there is no way of ensuring that these broader factors which govern calculations and interpretations will prove accurate guides in a specific situation. However, it appears reasonable to suppose that such factors may be more clearly accurate, or less so, to the extent that they are formed on the basis of extensive or narrow contacts between the states or groups of states involved. In this regard it may be of some significance that direct contacts between the military establishments of many states and groups of states, are, generally speaking, relatively narrow. The exchange of military missions suggests itself as a possible approach to this aspect of the problem.

General character of exchanges: The exchange of military missions is conceived as taking place between the central military headquarters of states or groups of states. Each mission would be headed by an officer of high rank. A number of additional officers, possibly of specialized competence, and the necessary supporting personnel would complete the mission. Members of the mission would be fully accredited and would enjoy such privileges and immunities and would have such travel rights as might be agreed.

Within the framework of the agreed arrangements, the mission would carry out formal and continuing liaison with the military headquarters of the host state or group. Functions of the mission might include such activities as the following:

1. Receipt of such information or views on military matters as the host state or group might wish to make available.

2. Observation of such specific military activities or events as the host state or group, at its discretion or under agreed arrangements, might make accessible.

3. Consultation on military matters of common concern.

4. Participation, upon request, in efforts to clarify ambiguous situations where lack of authentic information might prove disquieting either to the host or the sponsoring state or group.

5. Reporting of the foregoing to the sponsoring state or group and representation of its views on military matters in contacts with the host headquarters.

Although the foregoing functions are of considerable importance, it would be hoped that in practice the opportunity for continuing contact between competent and responsible military officials would itself prove to be of substantial value to those involved and to the states or groups they would represent.

COMMUNICATIONS ON MILITARY EMERGENCIES

Purpose: Although extensive technical means of communication are available today, there is a question as to whether existing arrangements for communications between states would prove sufficiently rapid and reliable in time of a military emergency or crisis. If there is to be assurance that means of communication will be available when needed, steps must be taken in advance, and it would appear to be a reasonable precaution to place in effect between particular states special arrangements which could insure the availability of prompt, dependable, and direct communications. Awareness of the availability of such communications links could itself prove reassuring, and should the need to use them arise, they could be employed with a minimum of the uncertainty that is characteristic of periods of tension.

Principal elements: In considering the establishment of special communications links, it would be necessary for the states concerned to reach agreement on a number of matters.

1. In view of the essentially experimental and untested character of such arrangements, it would not appear necessary or desirable to attempt to specify in advance all types of situations in which a special communications link might be utilized. However, there should be a common understanding of the general purpose of the link and of the broad circumstances under which it might be most useful. In the view of the United States, such a link should, as a general matter, be reserved for emergency use; that is to say, for example, that it might be reserved for communications concerning a sudden change in the military situation or the emergence of a military crisis which might appear directly to threaten the security of either of the states involved and where such developments were taking place at a rate which appeared to preclude the use of normal consultative procedures. Effectiveness of the link should not be degraded through use for other matters.

2. Specific technical means should be determined in the light of the geographic locations and types of equipment available to the states concerned. The primary criteria would be that technical arrangements be effective on a continuing basis and that they be as rapid as practical. Ordinary voice telephone represents one possibility, and radio might also be considered although until communications satellites become available on an operational basis, radio might not prove sufficiently reliable. In both these cases, however, there would seem to be some possibility of inadvertent error either through lack of precision in reception or through incorrect translation. Considering all aspects of the problem, the use of teletype systems might, on balance, prove preferable. It should be noted that a line reserved for transmission of message by teletype could have a dual capability and be used for voice communication as well should that prove desirable.

3. Each state would be responsible for arrangements within its own territory, would determine the terminal (or originating) point of the link, insofar as its end of the circuit was concerned, and would make such arrangements as might be needed to effect internal distribution of messages to appropriate government officials. In the case of the United States, it might be practical for the link to originate (or terminate) in the national command center, which maintains continuing contract with principal government officials, including the President. Such a location would also permit relevant data and experience in military matters to be brought rapidly to bear. The route for connecting the two end points of a particular link would, of course, have to be agreed.

4. Adequate arrangements would be made by each state for continuous manning of the link and for acting on messages which might be received. Periodic joint tests or checks of the link could be undertaken.

5. No exchange of personnel would be involved. However, if military missions were exchanged concurrently with the establishment of a direct communications link, such missions would be available for consultation should that prove desirable in connection with matters requiring use of the link.

Although the foregoing arrangements would be undertaken directly between the states concerned, such states might, at their discretion, wish to notify the Secretary General of the United Nations of the circumstances involved in a military situation of a character warranting emergency use of the link.

OTHER AREAS OF POSSIBLE INTEREST

It was noted at the outset that the problem of reducing the risk of the outbreak of war will continue to exist as long as and wherever armaments and armed forces remain in the hands of states holding opposing views. It was also recognized that the problem has been increased, although not created, by the emergence of modern weapons technology and techniques of warfare. The measures proposed by the United States would provide a useful beginning and are pointed toward what appears practical at this time. However, they are not addressed to all aspects of the problem, and other aspects, in particular those which are highly technical in character, may warrant deeper examination. Moreover, in a period of rapidly changing technology, continuing review may be desirable.

With these considerations in view, the United States has included among its proposals the establishment of an International Commission on Reduction of the Risk of War. Such a commission would be composed of technical and military experts. Its size should be relatively small, and its method of operation should be as informal as practicable.

A body of this character might, for example, undertake such functions as the following:

1. Consideration of those implications of modern weapons technology and techniques of warfare which have a bearing on increasing or reducing the risk of war.

2. Consideration of data which member states might wish to present respecting steps they are taking to prevent accident, misinterpretation, and miscalculation, and to improve communication.

3. Identification of specific technical risks and clarification of supposed risks.

4. Development of proposals for additional agreed measures and encouragement of separate efforts by the states concerned where such efforts might offer a more practical approach.

The foregoing functions are not offered as specific terms of reference but are rather intended to be illustrative of broad areas which might be of interest to a commission such as that suggested by the United States. Progress in working out the technical details of the other measures outlined in preceding sections may assist in determining when it might be useful to establish a special commission of this character. For its own part, the United States would be prepared in this case, as in the case of other measures, to participate fully, and the United States would find reassurance in the willingness of other states also to participate.

Possibilities for Reducing the Risks of War Through Accident, Miscalculation, or Failure of Communication

(Address by William C. Foster, Director, U.S. Arms Control and Disarmament Agency, before the Foreign Policy Association of Pittsburgh, Pa., December 20, 1962)

Good afternoon. I appreciate the opportunity to appear before you today. Pittsburgh is a favorite city of mine. It is a city of tremendous vitality and vigor, and much of my work in the private sector, and as well in Government, has been closely related to the efforts of this hub of industry.

I have been called upon by the Office of my Public Affairs Adviser to travel to many places to say many things about the U.S. Arms Control and Disarmament Agency. The recommendation that I appear here this afternoon was one that I accepted with great pleasure. Not only am I happy to see many old friends but I welcome, too, the opportunity to advise you of some of the aspects of our work. I believe it is important that I acquaint you with our business, for it will in one way or another affect the welfare and security of every American, today and in the future. Ours is a world divided seriously by ideology and aspirations. It reposes uneasily in fragile peace.

To lament the past serves no useful purpose for we are, of course, destined to live in the future. I believe, however, that we are all convinced that the hands on the clock of time have not run so fast and so far that a world of free and independent peoples, living peacefully under institutions of their own choosing, is beyond our grasp. The world has not yet become such a caldron of conflicting systems, each possessing the military power to destroy the other, that man's only recourse is to await his executioner.

Rather, we are living with a curious paradox in that the horror of modern weapons helps to serve as a barrier against their use. In fact the so-called balance of terror has in a very real sense given mankind a reprieve in which new and intensified efforts can be made to outlaw mass extermination as an instrument of national policy.

We stand, therefore, at another of the crossroads of human destiny. It is for us to determine whether we have the resolve and the wisdom to assert our wills to survive in a stable and peacefully progressing world, or failing this, possibly to participate in its demise.

We have the ingenuity to fashion a world free from the scourage of war; of this we have no doubt. Our confidence in this cause is certainly reflected in the basic position we have adopted at the 18-Nation Disarmament Conference in Geneva. There, we introduced a disarmament program which is at once as far reaching as it is detailed. It calls upon the nations of the world to stop the arms race at an agreed time, to freeze the military situation as it then appears, and then ultimately to shrink military establishments to zero.

The eventual goal is a free, secure, and peaceful world of independent states adhering to common standards of justice and international conduct and subjecting the use of force to the rule of law. But we are under no delusions. We recognize fully the magnitude of this task. And we expect no quick or simple solutions. Most important we know that if this effort is to be brought to fruition there must be a common desire within the community of nations to effect such a world—a desire that is not yet apparent on all sides.

Yet, even as we undertake this wide-ranging offensive there is an immediate danger which confronts us. Ironically, the nature of this threat is such that while we seek to move toward a disarmed world we could find ourselves unwittingly engulfed by just the type of holocaust we are striving to avoid.

I refer, of course, to the very real threat of war by accident, miscalculation, or failure of communication. We need look only at the Soviet Union's recent adventurism in Cuba to conclude that this is a danger which is not only real and ever present but a danger which warrants our immediate attention.

The danger itself, of course, is not new. The factors which make unpremeditated war possible—false alarm, misunderstanding, panic, or loss of control—have plagued mankind for centuries. But with the advent of nuclear weapons the consequences of such a war have assumed a new and terrifying dimension.

The technology and techniques of modern warfare are such that much reliance is inevitably placed on the ability to respond rapidly and effectively to hostile military action. Events which may occur in connection with the efforts of one state to maintain its readiness to respond to such action may, in varying degrees and with varying consequences, be misconstrued by another. The initiating state may have underestimated the ambiguity of such events and may have miscalculated the response they would call forth. The observing state may misinterpret them and feel compelled to act.

Nonbelligerent steps of a precautionary character taken by one state may be viewed by another as being provocative at best and, at worst, as presaging or constituting the initiation of hostilities. Accidents can occur and may be considered deliberate acts. Unauthorized acts may appear to reveal hostile purpose, and fault may be incorrectly assigned.

Particularly where such actions and events may occur against the background of an already existing crisis in the relations of the states concerned, erroneous assessments may dictate a rapid and disproportionate response. As a consequence, sudden and unexplained changes in the military situation may increase the risk of the outbreak of war.

Such efforts as have been taken thus far to avoid unintentional war have, for the most part, been taken independently by states. For some years now the United States has progressively instituted numerous unilateral steps to insure that control over our Military Establishment would preclude the possibility of war by accident. These safeguards could be described as of two types: "administrative" safeguards which say "you may not"; and "physical" safeguards which create a situation so that "you cannot." Taken together they are such that it would require more than a Houdini to circumvent them.

On the administrative side, only the President may authorize the use of atomic or hydrogen weapons, and the transference of this authority is carefully controlled.

There is also the so-called two-man rule which requires at least two responsible individuals to be present at every level of operation for handling of nuclear weapons. No one man is authorized to depart from this rule.

There is also the so-called fail-safe procedure which, in essence, precludes aircraft from proceeding beyond a predetermined point without an explicit goal order.

On the physical side, there are various devices built into the weapons themselves which prevent improper use. For example, there may be an aiming switch which can be tampered with only by disassembling the weapon and which can be activated only by remote control or by the insertion of a key held in careful custody.

There is also the device of making the required aiming actions too much for one man to handle. Barricades provide additional safeguards against unauthorized use. Other devices prevent the accidental explosion of a nuclear weapon. There are other devices of both administrative and physical nature which place restraints on a nuclear firing by accident or violation of authority.

On the political side similar unilateral actions have been instituted. Again, the Cuban situation provides a recent and vivid demonstration of this. I refer, of course, to the President's advance notification of his decision to quarantine Cuba—an announcement designed to insure that the intentions of the United States in that operation would not be misunderstood. Had advance notification of this action not been given the events that followed might well have been different and, perhaps, even tragic. But, so crucial is our concern, that we have sought to pass beyond these unilateral efforts.

At the Geneva Disarmament Conference we have expressed our desire to take joint steps to promote reassurance against the danger of inadvertent war. We recognize that steps in this direction are no substitute for disarmament. But we do believe that international agreements on specific worldwide measures in this area can and should be undertaken now. Reducing the likelihood of war and increasing confidence can make an important difference until such time as a general disarmament treaty becomes a reality. However, to date our endeavors in this direction have been something less than successful.

Unfortunately the Soviet Union has displayed a notable lack of enthusiasm toward developing such measures.

Early in the negotiations at Geneva there was an unanimous belief among those represented at the Conference table that certain collateral measures should be agreed and executed in advance of a general disarmament treaty. Yet, the Soviet Union in its initial listing of such measures did not include among these, immediate measures directed toward the problem of inadvertant war. Its other four partners in the negotiation—Bulgaria, Czechoslovakia, Poland, and Rumania, to the surprise of no one, adopted a similar position. Last summer the Soviets did respond to certain of our proposals in this area. But this was a half-hearted response at best. To date, they still have given no real indication of their willingness to come to grips with this problem. This stands as one of the most regrettable episodes of the negotiations thus far, for it is but a simple fact of international life that the task of abolishing all weapons will take time. In the interim the danger of accidental war will persist.

Our Western colleagues—Canada, Italy, and the United Kingdom—have repeatedly expressed concern over the risks of war being unleashed by mistake. They too have urged that early action be taken on measures which could substantially reduce these risks.

Many of the eight nations new to the disarmament negotiations—Brazil, Burma, Ethiopa, India, Mexico, Nigeria, Sweden, and the United Arab Republic—seem also to share this concern. They know that creation of a disarmed world will take time. In the meantime they recognize that the risk of accidental war is a hovering spectre. Should it occur, they are fully aware that in today's compressed world a war touched off by accident could well engulf them—indeed, could engulf a multitude of nations.

At Geneva the Soviet Union has gone to some lengths to support its contention that steps directed toward minimizing the risks of war by accident can await agreement on a total program for disarmament. It takes the position that general measures which might be instituted to relieve the risk of war by accident would not provide any degree of insurance against such a possibility. It sees the execution of any early anti-accidental war measures as ones that would serve only to increase such dangers as might now exist. At the same time, it alleges that we seek such measures as a means by which the gathering of intelligence information could be legalized.

Yet as early as 1958 the Soviet Union exhibited considerable anxiety over accidental war. At that time it publicly expressed concern over aircraft equipped with atomic and hydrogen weapons conducting flights over the territories of foreign states or the open seas. This, it said, was "a serious threat to world peace," and could "become the cause of a military conflict as a result of miscalculation."

More recently—actually 6 months prior to the beginning of the current Geneva disarmament negotiations—the Soviet Government, in a memorandum submitted to the United Nations General Assembly stated that "* * * steps can and must be taken toward the adoption of a number of simple decisions * * * which would lessen the danger of the outbreak of war and on which states might reach agreement in the immediate future."

The Soviet attitude in the current negotiations seems strange, indeed, when viewed in the light of these past pronouncements. However, there have been instances in which the Soviets have faced about abruptly. With this and the lesson of Cuba in mind last week, in Geneva, we again pressed for early action in this area. Although newspaper headlines may not so indicate, we intend to pursue the matter. At the moment, the most promising channel for doing so would seem to be through private discussions with the U.S.S.R. at Geneva.

One may ask where joint steps can be taken, above and beyond the individual measures a nation may itself prescribe, to reduce the risks of war by accident, miscalculation, or failure of communications. What are the principal areas of concern and what can be done about them?

As I proceed to deal with these questions, I ask that one point be kept in mind. The steps I shall outline are not inspection measures. They are steps designed to provide positive assurance that some of the uncertainties that confront military powers today can be dispelled. This assurance would stem from two sources: the fact that there would be greater knowledge about what nations are doing and the fact that nations were willing to undertake these obligations.

I turn now to specific problems and recommended measures.

One major problem is large military movements or maneuvers. When undertaken by one nation, they may give rise to suspicion and fear on the part of others. You might recall that some months ago the United States deployed its Marines to Thailand. In that instance, as in Cuba, we gave notice in advance of our then proposed action. But suppose this action had been taken without providing such advance notification. Those nations distrustful of our motives might have viewed the operation as a gesture sufficiently threatening in nature as to require an immediate countermove—one of such proportions as to lead to an extremely dangerous buildup of forces—a situation in which anything could happen. But by making known in advance the intention to make such a movement no baseless fears need arise. What has unfortunately been termed "the panic button" would not be pushed in circumstances in which it was perfectly clear what was going on and why.

To improve communications between nations in this respect, there would seem to be great advantage in states giving advance notification of many of their military movements and maneuvers. Such information, provided in the form of an official communication and made known to all concerned at least a week prior to the actual occurrence of the event, could act as a brake to rash action by a potential enemy who, had he been left in the dark, could well have read something ominous into such a move.

While this measure, by itself, would be helpful, its value would be increased if additional arrangement could be agreed upon to assure the authenticity of the information transmitted. Some assistance in this direction could be achieved by the establishment of so-called observation posts. Posts located at principal railway centers, highways, river crossings, and airbases would permit on-the-spot observation of movement and concentration of large forces. In the broadest sense, such an arrangement would be useful whenever significant military activities take place.

It is possible that if such an arrangement were carried out, particularly in countries or areas of the world where histories of suspicion and hostility have existed, increased confidence might quickly result. Being located in key areas, not only could these posts verify reports giving advance notification of troop movements, but they might in part also serve as a means of determining that no buildup of military forces for an attack by surprise was in preparation. In particularly tense or suspicious atmospheres such a scheme could provide welcome reassurance to those who might otherwise suspect the worst.

Additional types of observation could be developed to supplement fixed observation posts. Aerial observation, mobile ground observation teams, or overlapping radars all could assist in lessening the possibility of an unexpected face to face of military power thereby lessening the risk of the outbreak of war.

Particularly dangerous zones in terms of inadvertent war are those in which a military confrontation presently exists. We tend often to forget that such a situation is not unique to the European area—although certainly this is an area of primary concern. There are many places around the globe where a similar, if more dormant, type of confrontation exists. It is axiomatic that in these forward, exposed positions suspicions and fears are quite readily nurtured. In most cases this is not by design but is due largely to a pervading air of uncertainty. In such areas apprehension is a natural condition of life. It cannot be entirely overcome, but it can be considerably tempered. Apprehension thrives on the unknown.

To minimize this psychological barrier we see merit in an exchange of military missions between states, or groups of states, where such confrontations are potentially dangerous. These missions, operating much in the same manner as military attachés (who are now something on the order of permanent fixtures in the embassies of a large majority of nations), could contribute significantly to promoting improved communications and understanding. The presence of such missions—each small in number and headed by an officer of high rank—could well generate confidence enough to offset measurably the present strong and unfortunate air of uncertainty that now exists in these areas. This was one proposal the Soviet Union last summer incorporated in its overall disarmament program. So here, perhaps, we have at least an agreement in principle. Whether the Soviet Union and its allies consider it valuable enough to put into operation prior to agreement on a total disarmament program remains to be seen.

A particularly distressing picture to contemplate in the realm of accidental war is the possible failure of communications between states in a time of crisis. I have already alluded to the numerous safeguards we have installed over our Military Establishment. Yet in this era of modern weapons, it is quite possible that not all states possessing these weapons have invested enough in a policy to insure against their forces being accident prone.

The nature of modern weapons systems is such that the improvement of communications between states, particularly between states possessing these modern weapon systems, could serve in time of crisis as a valuable link to prevent the occurrence of unintentional war. The establishment of rapid and reliable communications among governments and, perhaps even with the United Nations, would be vital in a situation such as this. Here again, the Soviet Union has indicated an interest. Yet here, too, a question remains as to whether it is prepared to pursue this idea in advance of or as part of a total disarmament program. If the latter should prove to be the case, early and effective action to allay such a danger could not be undertaken.

A reference to the "purple telephone" must necessarily be included at this point. News reports periodically have mentioned that improved communications would mean the establishment of a direct telephone line between the Kremlin and the White House. A direct connection between Washington and Moscow terminating in a purple receiver perched on the desks of President Kennedy and Chairman Khrushchev is a unique thought, international politics being what they are today. But such a dramatic arrangement overlooks the basic point. This is not that heads of government of the United States and U.S.S.R. or any other world leaders need necessarily be in instantaneous personal contact. Rather it is that in time of tension a channel is readily available for responsible officials of governments—and when required, heads of government—to reach one another as rapidly as today's science and technology will permit without the need to rely solely on normal channels of communication. For example, given our governments structure it might be most effective to use a teletype system, as President Kennedy suggested recently and to tie our end of such a contemplated communication link to our National Command Center—a command post which maintains contact with many government officials, including the President, wherever they may be. The desires of the other nations concerned would determine the terminal point in their governmental structure.

These are some of the means by which states in a cooperative manner can take effective action toward reducing the real and present dangers of war by accident. For our part, we are prepared now to establish the necessary working groups that these measures can be put into effect without delay. But I must hastily add that these steps are not the be-all and end-all. Further discussions of this problem could well lead to additional measures to check the threat of inadvertent war. Certainly no one nation has a monopoly on ideas in this field, and it may well behoove all to consider the establishment of an International Commission on Reduction of the Risk of War. Working in an atmosphere largely devoid of immediate political and negotiating overtones, such a Commission could devote full time exclusively to the risks inherent in this problem and attempt to develop practical means of coping with them. This would assure all concerned that deliberate wisdom and experience would be responsibly engaged in seeking to make the possibility of war by mishap even less likely.

We, in our Agency, are actively studying means of putting into effect those measures to reduce the risks of war which we already have proposed in Geneva. And we are just as actively studying other measures which could serve the same purpose.

As has been pointed out, efforts to minimize war by accident cannot stand as a substitute for the more basic steps of armaments reduction and control that must be taken if the dangers posed by modern weapons are to be removed. Yet, while the time available for achieving success in this task is not unlimited, there is no reason why nations must await the day the full process of disarmament begins before taking action to forestall the risks of being involved unwittingly in a war. Initial measures of the type I have just enumerated can be readily undertaken. If put into effect nations will be able to breathe a little easier. Moreover, further strides down the road to disarmament could be taken with greater confidence.

I mentioned earlier that we stand at another of the crossroads of human destiny. We know the road the United States wishes to follow. Indeed we have already taken our first steps in that direction. But it is a long way to the end of that road. As we journey along it, we must provide assurance against the danger of unwanted war. We know that nations can take joint steps to provide such assurance and we intend to do all we can to persuade them that they should—that they must do so. Therefore, when negotiations resume in Geneva next month this problem will receive our full and undivided attention.

We have reached that time of year when the symbol of peace on earth to men of good will becomes very real and very meaningful. But this is our goal 12 months of the year. And I wish to emphasize that we welcome the comments, the criticisms, and the fresh suggestions that come from associations such as yours, and from those individuals who take a deep interest in arms control and disarmament.

Ours is a new Agency, just entering the second year of its existence. To my knowledge this is the first time in history that a sovereign nation has established a separate agency to work full time on the central problem, and all the related problems, of arms control and disarmament. Because the duties are so paramount, we welcome, and indeed we call upon, individuals whoever they may be, to help us develop those proposals which may lead the way to the beginning of a turndown in the arms race and then to disarmament.

I wish to extend to all of you the greetings of this holiday season.

Thank you.

ADJOURNMENT TO TUESDAY, JULY 2

Mr. HUMPHREY. Mr. President, so that all may know, the Senate will have but a very limited session on Tuesday next, which will be followed by a session on Friday of next week. The Senate will then recess or adjourn until Tuesday of the following week. It will return on July 9 to undertake business on the calendar and reports of committees. It is entirely probable, however, that next week, at one of its short meetings, the Senate will pass bills on the calendar to which there is no objection and which are noncontroversial. So if any Senator is interested in such bills, he ought to be present and attending. However, there will be no yea-and-nay votes.

With that announcement, if there be no further business to come before the Senate, I move, pursuant to the order entered on June 27, that the Senate adjourn until 12 o'clock noon on Tuesday, July 2.

The motion was agreed to; and (at 3 o'clock and 10 minutes p.m.) the Senate adjourned, under the order entered on June 27, until Tuesday, July 2, 1963, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate June 28, 1963:

Federal Maritime Commission

Ashton C. Barrett, of Mississippi, to be a Federal Maritime Commissioner for the term expiring June 30, 1967 (reappointment).

CONFIRMATIONS

Executive nominations confirmed by the Senate June 28, 1963:

Department of Defense

Eugene G. Fubini, of New York, to be an Assistant Secretary of Defense.

Department of the Air Force

Alexander Henry Flax, of New York, to be an Assistant Secretary of the Air Force.

Department of Justice

John M. Cannella, of New York, to be U.S. district judge for the southern district of New York.

J. Lindsay Almond, Jr., of Virginia, to be associate judge of the Court of Customs and Patent Appeals.

Harry Phillips, of Tennessee, to be U.S. circuit judge for the 6th circuit.

Guy W. Hixon, of Florida, to be U.S. marshal for the southern district of Florida for the term of 4 years.

Department of the Navy

Adm. David Lamar McDonald, U.S. Navy., to be Chief of Naval Operations in the Department of the Navy for a term of 2 years.

U.S. Navy

Having been designated, under the provisions of title 10, United States Code, section 5231, for commands and other duties determined by the President to be within the contemplation of said section, the following-named officer for appointment to the grade indicated while so serving:

To be admiral

Vice Adm. Charles D. Griffin, U.S. Navy.

Having been designated, under the provisions of title 10, United States Code, section 5231, for commands and other duties determined by the President to be within the contemplation of said section, the following officers for appointment to the grade indicated, while so serving:

To be vice admirals

Rear Adm. Lawson P. Ramage, U.S. Navy.
Rear Adm. Ray C. Needham, U.S. Navy.
Rear Adm. Paul H. Ramsey, U.S. Navy.

The following-named officer to be placed on the retired list in the grade indicated under the provisions of title 10, United States Code, section 5233:

To be vice admiral

Vice Adm. Frank O'Beirne, U.S. Navy.

National Guard Bureau

Maj. Gen. Winston Peabody Wilson, AO398325, a Reserve commissioned officer of the U.S. Air Force, member of the Air National Guard of the United States, to be Chief of the National Guard Bureau for a period of 4 years to date from August 31, 1963, under the provisions of title 10, United States Code, section 3015.

U.S. Air Force

The officers named herein for appointment as Reserve commissioned officers in the U.S. Air Force, under the provisions of sections 8218, 8351, and 8392, title 10, United States Code.

To be brigadier generals

Col. William H. Clarke, AO649168, Montana Air National Guard.

Col. Homer G. Goebel, AO441737, North Dakota Air National Guard.

Col. Kenneth E. Keene, AO805634, Indiana Air National Guard.

Col. Frederick P. Wenger, AO367842, Ohio Air National Guard.

U.S. Army

The following-named cadet, graduating class of 1963, U.S. Military Academy, for appointment in the Regular Army of the United States, in the grade indicated under the provisions of title 10, United States Code, sections 3284 and 4353:

To be second lieutenant

Pope, Derwin B.

The nominations beginning James B. Scherer to be lieutenant colonel, and ending Arthur N. Yando to be second lieutenant, with the exception of promotions to the rank of major, which nominations were received by the Senate and appeared in the Congressional Record on June 24, 1963.

EXTENSIONS OF REMARKS

Address by Postmaster General Day at 25th Anniversary Luncheon of Civil Aeronautics Board

EXTENSION OF REMARKS
OF
HON. A. S. MIKE MONRONEY
OF OKLAHOMA
IN THE SENATE OF THE UNITED STATES
Friday, June 28, 1963

Mr. MONRONEY. Mr. President, on June 26, 1963, the Postmaster General of the United States, Hon. J. Edward Day, was called upon to deliver the principal address at a luncheon in honor of the Civil Aeronautics Board, celebrating the 25th anniversary of the Board.

For the benefit of all those who did not have the privilege of hearing this excellent address, I ask unanimous consent to have the Postmaster General's remarks printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Address by J. Edward Day, Postmaster General, at 25th Anniversary Luncheon of the Civil Aeronautics Board, Washington, D.C., June 26, 1963

It is a great pleasure to join in celebrating the 25th anniversary of the Civil Aeronautics Board.

Yesterday at about this same time I addressed the Aero Club of Washington, so I am really flying high this week.

From my rather lofty vantage point I congratulate the members and staff of the CAB—past and present—on a successful quarter century of assistance to civil aviation. The Civil Aeronautics Board has guided American aviation through a period of phenomenal progress, change, and expansion. It has aided the airlines during the difficult transition to the jet age.

The Civil Aeronautics Act was passed by Congress in 1938 to end the economic chaos and near anarchy which prevailed in the aviation industry. The act was designed to check the uncontrolled competition of the previous decade and to give the young industry a chance to develop in an orderly manner. The act recognized that the healthy growth of aviation and reasonable rates were closely tied to the public interest.

The original act has been revised, but its successor, the Federal Aviation Act of 1958, imposes upon the CAB essentially the same declaration of national policy as the 1938 act. The CAB must consider both the needs of the public and of the aviation industry. Chairman Boyd has stated the CAB's duty in the following way:

"We must see to it that the United States has a healthy, vigorous air transportation system which meets the public and national needs. It must be safe, adequate, economical and efficient. Its charges must be reasonable. It must be without unjust discriminations, undue preferences or advantages or unfair or destructive competitive practices. Its development must be sound."

As you can see, this is no easy assignment. It is complicated by the fact that the CAB was not able to start with a clean slate. All 11 existing trunk carriers are the same airlines, or the successors to the same airlines, that acquired "grandfather rights" under the 1938 act. The large carriers were formed on the basis of factors other than a well planned national air route system.

The CAB also came under great pressure from both the industry and the public to allow more routes, more airplanes, and more markets. The great improvements in airplane design and the heightened awareness of air travel brought about by World War II added to the demand. The Board had its work cut out for it in its attempt to order and channel the incredible postwar expansion in the industry.

Today, the 11 domestic trunkline carriers serve more than 600 points over routes in excess of 185,000 miles in length. Twenty-four smaller carriers provide service to some 900 smaller communities over routes in excess of 88,000 miles. Three carriers provide domestic all-cargo service to 38 points over routes in excess of 14,000 miles and another 15 carriers are licensed to provide supplemental services. Fifteen carriers are authorized to provide service to a total of 428 points outside the United States over routes in excess of 320,000 miles.

The modernization and expansion of air service is still affecting postal operations. Less than 2 weeks ago in Alaska the last of our dogsled teams that still carried mail was replaced by an airplane. I want to make clear that this was done to speed up service and not to get even with dogs for biting letter carriers.

Although the CAB oversees this vast, complex network, it has only about 800 employees, making it one of the smallest agencies in the Government. But its fine work has made it one of the best known, and it has demonstrated that size is not the best criterion of value.

The Post Office Department is considerably older than the CAB; Ben Franklin was Postmaster General under the Continental Congress and the Postmaster General has been a member of the Cabinet since the administration of Andrew Jackson.

We have 585,000 employees, making us by far the largest civilian agency in the U.S. Government. We had 150,000 employees even back in 1890. We handle 16 times as much mail today, with less than 4 times as many employees.

The Post Office Department is old but not ossified. We, too, are still vigorous, lively, and changing. The Department played an important role in the development of commercial aviation in this country, and we still give an important assist to the airlines which carry our mail.

Between 1938 and 1953, the rates the Post Office Department paid to the airlines included subsidies that were fixed by the CAB. After 1953, the subsidies were paid directly by the CAB. The Post Office Department now pays only a fair charge for the services rendered by the carriers.

The CAB's stabilization of the airline industry has greatly helped us in providing reliable and rapid airmail service. The Department will spend about $93 million on air transportation this fiscal year. Twenty-five years ago, when the CAB was founded, that figure was under $25 million. Since this earlier figure reflects a subsidy, the change is actually even larger than is indicated.

Americans today send nearly 2 billion pieces of airmail annually, an increase of 750 percent over 1938. The increase in airmail poundage in the last 25 years is twice that large, about 1,500 percent.

Like every other Federal agency, operating in a dynamic political and economic climate, the CAB has at times been enmeshed in controversy and has upon occasion been attacked. Some of the criticism has stemmed from the fact that the CAB must balance its twin functions of promotion and regulation.

It has now become more or less expected that a member of an independent Federal commission will, upon retiring, immediately call for its abolition or substantial revision. Newton Minow followed the accepted ritual when he vacated his FCC Office on the seventh floor of our Post Office Department building recently. Louis J. Hector, on retiring from the CAB in 1959, wrote President Eisenhower:

"Not with the Founding Fathers as members of its Board do I think the CAB as now organized could fulfill its obligations to the American people."

I don't know of any Postmaster General who has suggested that the Post Office Department be disbanded. However, sometimes we are told by others that the Post Office should be a private corporation operated for profit intsead of a great public service agency. In this connection, the following item appeared on the front page of one of our Washington newspapers not long ago:

"A second, separate John Birch Society—calling for abolition of the socialistic Post Office Department and cola beverages—is now operating with headquarters in Baltimore, it was revealed yesterday.

"The Baltimore organization, whose full name is the John Birch Chowder and Marching Society, is headed by Attorney Leonard J. Kerpelman.

"Kerpelman said the society's No. 1 aim is to wage its opposition to the Post Office Department.

" 'By socialistically delivering people's messages for them,' he said, 'the Post Office Department makes people weak, dependent and without moral fiber, instead of leaving them to deliver their own messages, which would make them strong, independent, and morally fibrous.'

"Kerpelman described his society as an ancient one, driven underground by Prohibition: 'We regard the more recent John Birch Society, the one that hogged all the publicity, as a very late starter. Our society is better fit to deal with world problems today, because we have been underground for so long we are more completely uncontaminated by any ideas of the last millennium.' "

Of course, I don't agree with Mr. Kerpelman's Chowder and Marching Society. I think that a strong and efficient Post Office Department is indispensable to a thriving economy, just as the work of the CAB has been indispensable to the ordered expansion of American aviation.

The Post Office Department is proud of its own role in starting commercial aviation. The Department's airmail service initiated the commercial use of the airplane, which before that time had been built only for military or exhibition purposes.

Congress authorized contracts for the carriage of mail by airplane in 1911. Since the cost could not exceed other means of transportation, airmail flights did not actually begin until 1918. The first trip was not auspicious. Careful plans had been laid which called for a plane to fly from Washington to New York, with a stop in Philadelphia. On the morning of May 15, 1918, in the presence of President Wilson and other Government figures, including an obscure young Assistant Secretary of the Navy called Franklin D. Roosevelt, a pioneering aviator set out with the first load of airmail.

But he got his directional signals mixed up and wound up in Waldorf, Md. His mail had to be carried back to Washington and taken to New York by train.

Despite the faltering start, airmail routes were gradually established over much of the country. The Post Office Department made the first transcontinental flight from New York to San Francisco on September 8, 1920, with the plane carrying 16,000 letters and averaging 80 miles an hour.

In those days, flying was a dangerous, uncertain, and sometimes madcap business. Runways for takeoff or landing did not exist and there was no air-to-ground communication, no beam to follow, and no marked course. The mail planes were converted Army DeHavilands with open cockpits, fabric-covered wooden frames, and a top speed of 100 miles per hour. Once a pilot left a field nobody knew where—or if—he was until he arrived.

The few instruments on the panel were of uncertain accuracy and adaptability. Gasoline capacity limited the plane to a few hours' flight, and the motors were unpredictable and tended to stop at any time. When the motor stopped it could be started only by spinning the propeller, a difficult job which resulted in many bruises and some near decapitations.

Two hundred and twenty-one planes were used in the airmail service from May 1918 to October 1921. Only 50 of these were in flying condition at the end of the period. Another 26 were still available but undergoing repair. Of the others, 101 had crashed, 7 burned, and 37 had to be withdrawn for one reason or another.

Thirty men were killed in airmail service in about the same period. In 1920 there was one fatality for each 100,000 miles flown. By comparison, the 1962 fatality rate for scheduled domestic passenger service was one fatality for each 172 million miles flown, a fine tribute to the air safety work done by the CAB and FAA.

The men attracted to the hazardous job of flying the mail in the early days were a daring, temperamental and carefree group. The Post Office Department had no choice but to accommodate itself to their hijinks and eccentricities, because as some official said with resignation, "the mail must go, but who in hell is going to take it?"

The pilots seemed fond of letting the mail wait around in balmy weather, but took a kind of fierce pride in defying bad weather. One man took time off to bombard a village with toilet paper. Another arranged to buzz antelopes into a fence corner where a confederate waited to butcher them.

The most famous of all air mail pilots was Charles Lindbergh, who served on a contract route between Chicago and St. Louis. Flying northbound on this route on November 3, 1926, Lindbergh ran out of fuel and was forced to jump from his plane. Dean Smith, a colleague of Lindbergh's reported a crash landing with this terse message:

"Landed on cow, killed cow, scared me. Smith." Another air mail pilot, one Kenneth Unger, was forced to crash land after his motor failed. Unhurt, he borrowed a horse to return to town. Evidently, he was less skilled in handling the horse than his plane, because the horse threw him for another crash landing, and this time he broke his ankle.

Lindbergh took a leave of absence from air mail service to make his historic flight from New York to Paris in May 1927. During a Paris interview, Lindbergh said, "I am an air mail pilot and expect to fly the mail again." And, as a matter of fact, he later did fly his old route between Chicago and St. Louis once again.

Although the Post Office Department actually carried mail up to August 1927, it gradually surrendered its operations as soon as contractors with the ability and sufficient financial backing to perform the service could be secured. The Department fostered and nurtured commercial aviation and then turned it over to private enterprise.

We have other examples of a similar pattern in Post Office history. In most industrialized foreign countries, telephone, telegraph, and broadcasting facilities are owned by the government. In the United States, we feel that these functions are best left in private hands. However, the telegraph began as a Government-fostered enterprise in this country.

A telegraph line was opened between Washington and Baltimore in 1845. It was built at Government expense by its inventor, Samuel F. B. Morse. Postmaster General Cave Johnson fixed the cost at 1 cent for every four characters.

When Morse offered his patent to the Government for $100,000, the Post Office Department turned it down as unpromising. Postmaster General Johnson advised Morse "that the operation of the telegraph between Washington and Baltimore had not satisfied him that under any rate of postage that could be adopted, its revenues could be made equal to its expenditures."

Postmaster General Johnson's crystal ball was a mite clouded, but so were the crystal balls of later seers. Here is a story that appeared in a Boston newspaper about three-quarters of a century ago:

"A man about 46 years of age, giving the name of Joshua Coppersmith, has been arrested in New York for attempting to extort funds from ignorant and superstitious people by exhibiting a device which he says will convey the human voice over metallic wires. He calls the instrument a 'telephone' which is obviously intended to imitate the word 'telegraph' and win the confidence of those who know the success of the latter instrument. Well-informed people know that it is impossible to transmit the human voice over wires as may be done with dots and dashes and signals of the Morse Code, and that, even were it possible to do so, the thing would be of no practical value. The authorities who apprehended this criminal are to be congratulated, and it is hoped that his punishment will be prompt and fitting, that it may serve as an example to other conscienceless schemers who enrich themselves at the expense of their fellow creatures."

The bad prophets have not been restricted to the field of communications. As late as 1901, Wilbur Wright doubted that man would fly "within a thousand years."

We need not feel superior to the bad guessers of times past. Wilbur Wright, despite his own skepticism, went on to fly the first heavier-than-air machine with his brother only 2 years later. We have a copious share of the timid and unimaginative amongst us today.

There are those who are against the attempt to fly a man to the moon because they say it would cost too much. There are those who oppose renewed efforts to reach a test-ban agreement on the grounds that we have failed before. There are those whose only answer 100 years after the Emancipation Proclamation to the demands for equality and justice of Negro Americans is more patience and further delay. The following words were written by Abraham Lincoln in 1862:

"The dogmas of the quiet past are inadequate to the stormy present. * * * As our case is new, so we must think anew and act anew. We must disenthrall ourselves."

Today, we must, once again, disenthrall ourselves.

I wish the Civil Aeronautics Board a happy birthday and continued success in guiding the aviation industry.

Happy landings to all of you.

HOUSE OF REPRESENTATIVES

MONDAY, JULY 1, 1963

The House met at 12 o'clock noon.

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

THE SPEAKER'S ROOM,
July 1, 1963.

I hereby designate the Honorable CARL ALBERT to act as Speaker pro tempore today.

JOHN W. MCCORMACK,
Speaker of the House of Representatives.

The Reverend Michael J. Churak, supreme chaplain of the Slovak Catholic Federation of America, offered the following prayer:

O Holy Lord, Father Almighty, eternal God, from Whom all authority proceeds, and under whose loving care nations prosper and flourish, deign to bless all assembled here for the opening of this session of the House of Representatives. Be present with us, O Holy Spirit, throughout this session. Come to help us in our affairs and deign to enter into our deliberations.

Direct us in our paths to seek the welfare of all our citizens, without regard to race, color, or creed, to assure the blessings of freedom for all peoples throughout the world even those who now suffer from tyranny and oppression. Let us strive to promote peace among all the nations of the world, a peace founded on the four pillars of "truth, justice, love, and freedom"—"Pacem in Terris," Pope John XXIII.

In this 11th centennial year of the arrival of SS. Cyril and Methodius in Slovakia and during the observance of SS. Cyril and Methodius Week—July 1 to July 7—we especially invoke Thee to look down upon the 2 million citizens, Americans of Slovak descent, who, enriched with the heritage of these saintly brothers, have contributed to the material and spiritual well-being of America.

As we approach the celebration of the Declaration of Independence of our own country, look down, we humbly invoke Thee, on the nation of Slovakia and all nations, whose people have been deprived of the blessings of freedom. Grant, we pray, that truth, justice, love, and freedom may prevail in our own beloved country and among all the peoples of the world. This we ask in the name of Christ, our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, June 27, 1963, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 1267. An act for the relief of Lawrence E. Bird;

H.R. 1275. An act for the relief of Miss Ann Super;

H.R. 1292. An act for the relief of Carmela Calabrese DiVito;

H.R. 1332. An act for the relief of Mario Rodrigues Fonseca;

H.R. 1736. An act for the relief of Assunta DiLella Codella;

H.R. 3356. An act for the relief of Josephine Maria (Bonaccorso) Bowtell;

H.R. 4773. An act for the relief of Leroy Smallenberger, a referee in bankruptcy.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 280. An act for the relief of Etsuko Matsuo McClellan;

S. 296. An act for the relief of Anne Marie Kee Tham;

S. 538. An act for the relief of Henry Bang Williams;

S. 546. An act to authorize the Secretary of the Navy to grant easements for the use of lands in the Camp Joseph H. Pendleton Naval Reservation, Calif., for a nuclear electric generating station;

S. 568. An act for the relief of Denis Ryan;

S. 733. An act for the relief of Yung Yuen Yau;

S. 753. An act for the relief of Mrs. Giuseppa Rafala Monarca;

S. 879. An act to provide for the striking of medals in commemoration of the 150th anniversary of the building of Perry's fleet and the Battle of Lake Erie;

S. 1082. An act to establish in the Treasury a correctional industries fund for the government of the District of Columbia, and for other purposes;

S. 1125. An act to provide for the striking of medals in commemoration of the 100th anniversary of the admission of Nevada to statehood;

S. 1201. An act for the relief of Dr. James T. Maddux;

S. 1230. An act for the relief of Carlton M. Richardson;

S. 1401. An act to authorize the Commissioners of the District of Columbia to acquire, construct, operate, and regulate a public off-street parking facility;

S. 1489. An act for the relief of J. Arthur Fields; and

S.J. Res. 51. Joint resolution to authorize the presentation of an Air Force Medal of Recognition to Maj. Gen. Benjamin D. Foulois, retired.

AN ACT TO PROVIDE FOR AN ADDITIONAL ASSISTANT SECRETARY IN THE TREASURY DEPARTMENT

The SPEAKER pro tempore. The Chair desires to announce that pursuant to the authority granted the Speaker on Thursday, June 27, 1963, the Speaker did on June 28, 1963, sign the following enrolled bill of the Senate:

S. 1359. An act to provide for an additional Assistant Secretary in the Treasury Department.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 5207

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the managers on the part of the House have until midnight tonight to file a conference report on H.R. 5207, the Foreign Service Buildings Act.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

STATUS OF THE APPROPRIATION BILLS AND THE BUDGET

Mr. CANNON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON. Mr. Speaker, this is a significant day on the congressional calendar and at the Treasury. Today, July 1, is the first day of the new fiscal year 1964. Throughout the country businessmen generally are accustomed, at the end of the old fiscal year and the beginning of the new fiscal year, to strike a balance to ascertain just where they stand financially. It is perhaps not amiss for us to briefly record just where we are in the appropriations business of the session and the condition of the budget.

APPROPRIATION ACTIONS TO DATE

Seven appropriation bills for fiscal 1964 and two bills for fiscal 1963, disposing of about $73,631,000,000 of the President's current budget requests, have been sent to the Senate. The Committee on Appropriations cut the budget in these bills by $3,833,000,000. The House did not agree in some particulars and restored $432,000,000. Thus the nine bills were sent to the other body $3,401,000,000 below the corresponding budget requests.

In addition to the two bills for fiscal 1963, the Senate has also passed upon three of the regular 1964 bills, involving budget requests, in all, of $9,518,000,000. And, characteristically, four of the five bills were returned carrying larger appropriations than originally voted by the House—$207,000,000 more.

Three bills—the two for fiscal 1963 and one for fiscal 1964—have been enacted into law. In total, they were $286,000,000 below the budget amounts.

APPROPRIATION BILLS NOT YET REPORTED

Five regular 1964 bills, plus the usual closing supplemental, remain to be reported to the House. They prospectively involve requests of roughly $26,000,000,000 on the present basis. One of these, the District appropriation bill, will be taken up on the floor next week. Hearings on the others are either completed or well along. All of them hinge, in whole or in part, on annual authorization bills not yet enacted—in two instances, not even reported from the legislative committees. The Committee on Appropriations cannot, under the rules of the House, bring in a bill until the appropriation has been authorized by law.

In the meantime the Government is operating on a minimum basis under the general continuing resolution.

BACKDOOR APPROPRIATIONS

In addition, the significant backdoor bill thus far is the $2,000,000,000 for the Export-Import Bank which the House refused to approve on the backdoor basis but on which the Senate insists. The Senate has never been reluctant to initiate backdoor appropriations—and they are trying it on this bill, and unfortunately for the prerogatives and position of the House maintained from the beginning, there is a not inconsiderable encouragement on occasion from the legislative committees. It is incredible that Members would in any way encourage and support erosion of this all-important position of the House as the body closest to the people and to their pocketbooks.

FISCAL SITUATION

Mr. Speaker, we are spending money at a more rapid rate than ever before. The interest on the public debt—over $10,000,000,000 a year—is appalling. There seems to be no serious thought about liquidating the debt on a systematic basis or of decreasing our rate of spending. Our expenditures are constantly accelerating. We are taking in more money, we are enjoying more national revenue than ever before in the history of the country but we are still running in the red. The fiscal year 1963 closed yesterday with a deficit somewhere near $8,000,000,000. In the year beginning today we face another big deficit—no one knows just how much. And for the 10th consecutive year—a full decade—we have disregarded precedent and again extended war taxes in time of peace, and still the budget is out of balance. Still the Treasury has to go out and borrow from future generations to meet the higher and higher expenditures. It is becoming almost characteristic that the more money the Treasury takes in the more it spends.

Slowly but surely circumstances are in the process of convening at the point representing the inevitable limit. We owe more—our national debt limit this morning, under the terms of the recent extension, is $309,000,000,000—the highest in 175 years. And that is only for the next 60 days. Continuing to insist on spending more than the Treasury collects makes it necessary to boost the ceiling next month closer to the inevitable limit—to the suggested figure of at least $320,000,000,000. And further deficits have been flatly predicted for 2 more years. That means another debt boost—27 deficits in the last 33 years—with at least 3 more to follow before any hope of the budget being in the black. Incredible.

Mr. Speaker, the prewar purchasing power of the dollar is now down to 45 cents. In 1936 it was $1.07 The decline is in no small measure due to these constant expenditures in excess of the revenue—inflation. As a result, the cost of living has gone up. Every family today is spending over twice what they formerly spent to maintain themselves at the existing cost of living. In the last 2 months the official index hit a new high—and the dollar a new low.

The Treasury's supply of gold is now down to $15,700,000,000. We have lost $7,200,000,000 of it since the run began in early 1958. With the persistent imbalance, the persistent deficit in our balance of international transactions, it is of little or no comfort that the precipitate gold outflow has subsided. The supply remains low, and is getting lower. We lost $65,000,000 more last week. The situation is precarious. And the way we manhandle the value of our dollar it seems highly unlikely foreign bankers holding claims on our gold will materially upgrade their confidence in it. Spending money we do not have for things we could postpone until we had the money has contributed heavily to the deterioration. Nondefense spending has unbalanced the budgets time and again, as we have repeatedly documented. And continuing to spend more than we take in, loading the difference on future generations, will certainly make foreign holders of our dollars more apprehensive—and skeptical—about our willingness to face up to the demand of the times. As a high administration official said not so long ago, foreign holders of dollars would much prefer that we put a ceiling on Federal spending than on the Federal debt.

It is to be hoped, it is to be urged, Mr. Speaker, that we take under serious consideration a policy which will significantly reduce the expansion of present programs and eliminate new programs which require further expenditures and simultaneously place into effect a program which will reduce the burdensome Federal taxes.

We do not have to go very far to find out who is responsible for ever-increasing spending beyond what we take in. In the final analysis, Congress is responsible—often, of course, as the urgent request of the executive branch. Hardly a month passes but what we are authorizing some new projects, some new program, some new activity that has never been provided before. We are almost constantly authorizing and appropriating for some new expenditures, for new activities, or expanding going programs when we cannot pay or refuse to pay for the old ones which we have authorized and appropriated over the years. Every budget from the executive branch advocates new activities and new spending.

But the final responsibility is right here in Congress. We have to quit authorizing new projects and expanding old programs and begin paying for the old projects for which we owe. I trust this will be taken into consideration in the near future, and that there will be serious effort to pay something on our indebtedness in order to help our credit.

I include as a part of my remarks a table showing the various appropriation bills of the session to date. We are cutting the budget but at the same time appropriating larger amounts than the previous year.

The appropriation bills, 88th Cong., 1st sess., as of July 1, 1963

[Does not include back-door appropriations or permanent appropriations under previous legislation. Does include indefinite appropriations carried in annual appropriation bills]

Bill No.	Title	House							
		Budget estimates to House	Date reported	Amount as reported	Amount reported compared with budget estimates	Date passed	Amount as passed	House action compared with—	
								Budget estimates	Amount reported
	1963 SUPPLEMENTALS								
H.J. Res. 284	Supplemental, Agriculture	[1] $508,172,000	Feb. 26	$508,172,000		Feb. 27	$508,172,000		
H.R. 5517	Supplemental	1,641,507,106	Apr. 5	988,756,506	−$652,750,600	Apr. 10	1,438,691,506	−$202,815,600	+$449,935,000
	Public works acceleration	(500,000,000)		(............)	(−500,000,000)		(450,000,000)	(−50,000,000)	(+450,000,000)
	All other	(1,141,507,106)		(988,756,506)	(−152,750,600)		(988,691,506)	(−152,815,600)	(−65,000)
	Total, 1963 supplementals	2,149,679,106		1,496,928,506	−652,750,600		1,946,863,506	−202,815,600	+449,935,000
	1964 APPROPRIATIONS								
H.R. 5279	Interior	998,009,000	Mar. 28	929,690,200	−68,318,800	Apr. 2	922,625,200	−75,383,800	−7,065,000
	Loan authorization	(13,000,000)		(6,000,000)	(−7,000,000)		(6,000,000)	(−7,000,000)	
	Contract authority	(17,500,000)			(−17,500,000)			(−17,500,000)	
H.R. 5366	Treasury-Post Office	6,146,842,000	Apr. 1	5,997,026,000	−149,816,000	Apr. 4	5,997,026,000	−149,816,000	
H.R. 5888	Labor-HEW	5,759,489,000	Apr. 25	5,449,988,000	−309,501,000	Apr. 30	5,449,981,000	−309,508,000	−7,000
H.R. 6754	Agriculture	6,368,755,000	June 3	5,979,457,000	−389,298,000	June 6	5,979,457,000	−389,298,000	
	Loan authorizations	(855,000,000)		(855,000,000)			(855,000,000)		
H.R. 6868	Legislative	[2] 148,580,245	June 6	[2] 140,038,919	−8,541,326	June 11	[2] 140,038,919	−8,541,326	
H.R. 7063	State, Justice, Commerce, Judiciary	2,159,891,900	June 14	1,851,269,900	−308,622,000	June 18	1,851,269,900	−308,622,000	
H.R. 7179	Defense	49,014,237,000	June 21	47,092,209,000	−1,922,028,000		47,082,009,000	−1,932,228,000	−10,200,000
	Total, 1964 appropriations	70,595,804,145		67,439,679,019	−3,156,125,126		67,422,407,019	−3,173,397,126	−17,272,000
	Total, all appropriations	72,745,483,251		68,936,607,525	−3,808,875,726		69,369,270,525	−3,376,212,726	+432,663,000
	Total, loan authorizations	(868,000,000)		(861,000,000)	(−7,000,000)		(861,000,000)	(−7,000,000)	
	Total, contract authority	(17,500,000)			(−17,500,000)			(−17,500,000)	

Bill No.	Title	Senate							Final action			Increase or decrease compared to budget estimates to date
		Budget estimates to Senate	Date reported	Amount as reported	Date passed	Amount as passed	Senate action compared with—		Date approved	Amount as approved	Public Law No.	
							Budget estimates	House action				
	1963 SUPPLEMENTALS											
H.J. Res. 284	Supplemental, Agriculture	$508,172,000	Feb. 28	$508,172,000	Mar. 4	$508,172,000			Mar. 6	$508,172,000	88-1	
H.R. 5517	Supplemental	1,652,300,456	Apr. 24	1,486,096,841	May 1	1,488,683,841	−$163,616,615	+$49,992,335	May 17	1,467,430,491	88-25	−$184,869,965
	Public works acceleration	(500,000,000)		(450,000,000)		(450,000,000)	(−50,000,000)			(450,000,000)		(−50,000,000)
	All other	(1,152,300,456)		(1,036,096,841)		(1,038,683,841)	(−113,616,615)	(+49,992,335)		(1,017,430,491)		(−134,869,965)
	Total, 1963 supplementals	2,160,472,456		1,994,268,841		1,996,855,841	−163,616,615	+49,992,335		1,975,602,491		−184,869,965
	1964 APPROPRIATIONS											
H.R. 5279	Interior	998,009,000	May 22	979,093,400	May 28	979,693,400	−18,315,600	+57,068,200				
	Loan authorization	(13,000,000)		(6,000,000)		(6,000,000)	(−7,000,000)					
	Contract authority	(17,500,000)					(−17,500,000)					
H.R. 5366	Treasury-Post Office	6,146,842,000	May 3	6,074,216,250	May 8	6,069,466,250	−77,375,750	+72,440,250	June 13	6,045,466,000	88-39	−101,376,000
H.R. 5888	Labor-HEW											
H.R. 6754	Agriculture											
	Loan authorizations											
H.R. 6868	Legislative	182,218,450	June 25	168,273,069	June 26	168,273,069	−13,945,381	+28,234,150				
H.R. 7063	State, Justice, Commerce, Judiciary											
H.R. 7179	Defense											
	Total, 1964 appropriations	7,327,069,450		7,221,582,719		7,217,432,719	−109,636,731	+157,742,600		6,045,466,000		−101,376,000
	Total, all appropriations	9,487,541,906		9,215,851,560		9,214,288,560	−273,253,346	+207,734,935		8,021,068,491		−286,245,965
	Total, loan authorizations	(13,000,000)		(6,000,000)		(6,000,000)	(−7,000,000)					
	Total, contract authority	(17,500,000)					(−17,500,000)					

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[1] Shifted from budget for 1964, which was reduced accordingly.
[2] Excludes Senate items.

NOTE.—Totals reflect amounts approved and comparisons at latest stage of congressional action on each bill.

Mr. JENSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. JENSEN. Mr. Speaker, I am always glad to hear our chairman, the gentleman from Missouri [Mr. CANNON], who is chairman of the House Committee on Appropriations, talk about the road on which we are traveling at breakneck speed, the road to national bankruptcy.

I, too, have admonished the Congress of the United States on many occasions to make an about face before it is too late.

Now, to give you a few figures which will put this matter in focus a little better. I am sure that not too many people realize that each American family today must pay about $15 a month just to pay the interest on the national debt. They must also pay about $25 a month just to pay the salaries of Federal employees. We passed a bill a few days ago, a military appropriation bill, which called for each American family to pay $75 a month. There in those three items alone the American family, each American family, on an average will pay in the fiscal year 1964, $115 every month. That brings it down to facts and figures that most people can understand. That is to say, this brings it down to facts and figures on what the people have to pay above the many Federal expenditures that we are called on to appropriate for each year.

ANNIVERSARY OF THE SIGNING OF THE DECLARATION OF INDEPENDENCE

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FASCELL. Mr. Speaker, we approach July 4, 1963, the 187th anniversary of the signing of the Declaration of Independence in Philadelphia—a dedicatory first act of a new nation which had set as its goal the exemplification of the innate dignity and freedom of man and his inherent right of liberty of movement, speech, press and religion.

In 1776 our forefathers brought into being a nation founded on the principle that man is endowed by his Creator with inalienable rights, among which is a government of the people, by and with the consent of the people, for the benefit of all the people. This was a new concept of political independence replacing the centuries-old tradition of privileges reserved to a minority of citizens specially endowed by birth, education, religion, or race.

Of all our national holidays, July Fourth is enshrined as a hallowed memory and living reminder of the birth of a great democratic idea which has continued to grow and expand, to bless not only the United States of America but all mankind.

It is fitting that each year we should pause, reflect, and pay homage to our Founding Fathers whose wisdom brought this great Nation into being, and rededicate ourselves to the principles which they espoused and bequeathed to us in perpetuity.

It seems to me, Mr. Speaker, that the reverence and patriotic fervor basic to commemoration of this historic day can best be expressed by a national ringing of bells throughout the land.

I am joined in my belief by members of the Civitan Club of Homestead, the Delta Mu Chapter, Beta Sigma Phi, Homestead, and various other civic organizations in the Fourth District of Florida, of which I have the privilege and honor to be the Representative. By resolution, the Civitan Club of Homestead, said:

> The Civitan Club of Homestead resolves that it heartily favors the joint resolutions of Senator RIBICOFF, of Connecticut, and Representative Walter, of Pennsylvania, providing for observance of the anniversary of the signing of the Declaration of Independence each year by the ringing of bells throughout the United States and urges the Florida delegations in the Senate and House to support such resolution. It also urges the Florida Legislature to adopt a similar resolution for a State observance of such anniversary.

In support of my belief, I am introducing today a House concurrent resolution requesting Congress to declare that the anniversary of the signing of the Declaration of Independence should be observed each year by the ringing of bells throughout the United States at the hour of 2 o'clock in the afternoon, eastern daylight time, on July 4, and for a formal call upon civic and other community leaders to follow congressional leadership and to take appropriate steps to encourage public participation in such observance.

Never in our long history, Mr. Speaker, have we had greater reason nor a better occasion for establishing a national annual tradition to express our recognition of and respect for the courage and foresight of our Founding Fathers and the greatness of our people and our Nation.

NIGERIA AND ALGERIA

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, as chairman of the African Subcommittee, I have two happy announcements to make to the House. One relates to Algeria and the other to Nigeria.

The Republic of Algeria achieved its independence in July, 1 year ago. The Algerian nation has labored during its first year of independence successfully toward overcoming the grave problems of establishing a new nation. Americans admire the Algerian people for their drive to shape their own destinies and strengthen their national independence. It is heartening and reassuring that Algeria's relations with other nations have, in this first year of independence, achieved in recent days both a major agreement with the Government of France and the signature of an agreement with the United States which will assist in the rehabilitation of rural areas of Algeria.

We, who celebrate our independence from colonial rule on July 4, send our best wishes for the future of this vital young republic which celebrates its independence just 1 day later on July 5. We look forward to years of fruitful cooperation, based on the devotion of both our nations to the principles of the United Nations Charter. We note with pleasure and pride that the day the Algerians have selected as their day of rejoicing for their independence is so close to the day on which we in the United States celebrate our independence.

Mr. Speaker, this week we are honored by a visit to our country of the Honorable E. P. Okoya, the distinguished Minister of Information of Eastern Nigeria. We are honored by his presence here and my own city of Chicago is eagerly looking forward to his visit there before he returns to his own country. For the House and especially for the Subcommittee on Africa, I extend warm greetings.

This week we celebrate our liberation from colonialism. In 180 years that have passed since the attainment of our national sovereignty the United States has become the first nation of the free world in power, in wealth, and in influence. It is natural, Mr. Speaker, that we should feel a deep and abiding interest in the new African nations. Theirs is the challenge that was ours when as a new sovereign nation we had to make our own way. As our United States met the challenge, so in equal measure, with equal effort and dedication we have the faith that new independent nations of Africa will meet their challenge. Every step in their progress will occasion rejoicing in every American heart. We, the first to break from colonialism, have so very, very much in common with these nations, the last to break from colonialism.

SEPTIMIUS SEVERUS, ROMAN EMPEROR

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, on Tuesday of last week, a colleague from the State of Illinois inserted in the CONGRESSIONAL RECORD an attack upon Senator ALLEN J. ELLENDER, the senior Senator from my State of Louisiana. He attempted to castigate the good Senator because of his statement that Africans have never shown any ability to build or to govern. He supported his amusing "refutation" by pointing with great pride to the record of the Roman Emperor, Septimius Severus, who reigned from A.D. 193 to A.D. 211 and, who, according to our colleague, was a Negro.

There is one authoritative biographer of Septimius, Maurice Platmauer, whose "The Life and Reign of the Emperor Lucius Septimius Severus" was the first detailed account published in the English language. It is 221 exhausting pages in length, yet makes no mention of the Negroid ancestry of Septimius. Neither does "Methuen's History of the Greek and Roman World" mention what would have been an extreme curiosity had Septimius been a Negro. And, finally, Edward Gibbon, in his monumental "History of the Decline and Fall of the Roman Empire" does not give any hint that Septimius was a Negro.

Since these three world-renowned authorities do not make mention that Septimius was a Negro, I think it is safe to assume that he was not. Such an oddity would hardly have been overlooked by these meticulous historians.

Such an omission would be comparable to a modern historian failing to note that George Washington was a woman, had he been one, or that Fidel Castro was, in reality, Carmen Miranda with a beard.

Be all this as it may, let us for a moment, but only for the sake of discussion, say this noble Roman was a Negro.

Before my colleague's admiration swells out of all bounds, one or two facts should be brought to his attention.

Septimius was a follower and imitator of his predecessor, the Emperor Hadrian, whose political philosophy was built on supreme control by the Emperor of all the internal organization of the Empire. Methune's "History of the Greek and Roman World" says that: "toward the senate he adopted an attitude of deferential respect, but at the same time, by encroaching upon its spheres of administration, treated it as a negligible factor in the Government."

If all this sounds familiar to my colleague from Illinois, it may be because Hadrian's theory of government has more than a passing resemblance to the philosophy of a more recent administration.

History indicates that Septimius plotted the assassination of his predecessor. It states without equivocation, that he seized power at the head of an army, bought off the opposition with lavish payments and can be credited with the slaughter of hundreds of thousands of his contemporaries.

I feel it is necessary, too, that I remind my colleague, who has such a reverence for Septimius, that one of the notable occurrences during his reign was his calling to trial 64 members of the Roman Senate and summarily executing 29 of them and confiscating their property. Again, Methune's History says:

> The motive for this cruelty is hard to discover and would seem to spring from nothing else than a determination to abase the senate, which for 3 years he had found it politic to conciliate, but now was strong enough to despise and treat as an instrument of his autocracy.

This suggests to me that my colleague might well keep his eye open for a modern day Septimius, should there be one. The fact that my colleague is a member of the House rather than the Senate may not be enough to save him if he should lose favor if there is a Septimius the Second anywhere in the wings.

If he needs an example of the ability of the Negro to build a civilization and guide his own destiny without the help of the white race, he need look no further than the island of Hispaniola and the 1963 Government of Haiti or recall the stories which made the rounds recently about one of the delegates from an emerging nation who was, a few years ago, cubed and eaten by his followers in the belief that they would, in so doing, attain a portion of his superior intelligence. He might recall, also, another story told in the halls of the United Nations of another emerging delegate who solved the perennial mother-in-law problem by eating his.

However weak the individual white man, his ancestors produced the greatness of Europe and America; however strong the individual black, his ancestors never lifted themselves from the darkness of Africa.

One final observation on the reign of that noble and illustrious Roman and alleged Negro, Septimius Severus. His reign began in 193 A.D. The world authority, Edward Gibbon, dates the beginning of the decline and fall of the Roman Empire from almost that precise moment in its glorious history.

APPORTIONMENT OF DEPLETION ALLOWANCE

Mr. BAKER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. BAKER. Mr. Speaker, H.R. 7307 amends the Internal Revenue Codes of 1939 and 1954 with respect to the apportionment of the depletion allowance between parties to contracts for the extraction of minerals or the severance of timber.

The Internal Revenue Code now provides—section 611(b)(1)—and has provided for about 40 years:

> In the case of a lease, the deduction (for depletion) shall be equitably apportioned between the lessor and lessee.

The courts have engrafted onto this provision a concept called economic interest, under which they have allowed various other parties to claim some of the depletion allowance. In 1959, the Supreme Court sharply limited the economic interest concept, and denied any depletion allowance to contractors who extracted coal from the lands of others, without having acquired any interest in the coal in place by purchase or lease from the landowners or their lessees.

In the 1959 case, *Parsons* v. *Smith*, 359 U.S. 215, the Supreme Court reviewed the history of the depletion deduction and said:

> In short, the purpose of the depletion deduction is to permit the owner of a capital interest in mineral in place to make a tax-free recovery of that depleting capital asset.

Since 1959, the lower courts have followed the Supreme Court with nearly complete uniformity, and have held that contractors extracting coal or other minerals from lands or leaseholds owned by another party are not entitled to any depletion deduction. This is the rule originally intended by Congress when the equitable apportionment provision—quoted above—was enacted. Such intention has been reiterated by the action of Congress with respect to depletion allowances—particularly depletion for coal—on several recent occasions. In none of these revisions—the definition of property in section 614 in 1954 and 1958, and the treatment of coal royalties as capital gains in section 631 in 1951 and 1954—has Congress given the slightest indication that so-called contractors are entitled to a depletion allowance.

To give persons extracting minerals under contract with the owners thereof an allowance for depletion is as incongruous as it would be to give the firm under contract to wash the windows of an office building an allowance for depreciation on the building.

The Court of Appeals for the Fourth Circuit, however, has recently fallen into this error, in Elm Development Company against Commissioner—March 19, 1963—in spite of guidance from the Supreme Court in the case of Parsons against Smith, 1959.

Reversing the Tax Court, and reaching a result contrary to that of a large number of cases decided in that court and in the Courts of Appeals for the Third and Fifth Circuits, the Court of Appeals for the Fourth Circuit allowed a coal contractor to deduct depletion. This case is especially incomprehensible because the contract was terminable not only upon default of the contractor, but also in the event that the contract turned out to be unprofitable to the leasehold owner.

The confusion caused by the Elm Development Co. case will undoubtedly lead to renewed harassment by the Internal Revenue Service of landowners and lessees who are rightfully entitled to the depletion allowance. To the extent that the contractors may be successful in persuading the Service or the courts that their claims are valid, the Service of course may be expected to press for disallowance of depletion deductions claimed by the true owners of the mineral in place. The latter are the persons to whom Congress intended to allow depletion, in recognition of the fact that their capital was being diminished by the extraction of the mineral.

H.R. 7307 is a clarifying amendment, which will settle once and for all the question of apportionment of depletion allowances. It provides that no part of the depletion deduction shall be apportioned to a contracting party who, first, is neither an owner nor a lessee of the property; second, is required by the contract to deliver all units extracted or severed to another contracting party; and third, is paid under the contract a fixed sum for each unit so delivered—the tonnage rate used in computing which sum may vary according to market conditions—payment of which sum is a personal covenant of such other contracting party, enforcible without regard to the amount realized by such other contracting party from the disposition of such units.

EXCESSIVE FEDERAL EXPENDITURES

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, I had not intended to say anything this morning but I was intrigued by the statement of the chairman of the House Committee on Appropriations and also by the ranking minority member of that committee. I would like to believe that it is twinges of conscience that bring about these speeches. Apparently they make the speeches and I cast the vote. But let me assure my colleagues of the House that this question of continuing to vote more money than we have the ability to raise is creating serious damage to this country and is going to put us in a position where, I regret to say, we will be a second-rate power in the world.

GETTYSBURG ADDRESS COMMEMORATIVE COIN

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, on the 100th anniversary of the first day of the Battle of Gettysburg, I today introduced a bill to have the U.S. mint commemorative coins to honor the century anniversary of Lincoln's Gettysburg Address. I have the honor to represent Lincoln's hometown, Springfield, Ill., and much of the district which Lincoln once represented in Congress.

The United States should have a suitable commemorative honor for the century observance of the immortal Gettysburg Address on November 19 of this year. The striking of a commemorative coin is a traditional means of marking an important national occasion. In honor of the address a commemorative coin was issued in 1938 on the 75th anniversary.

My bill would authorize the coining of 250,000 50-cent pieces whose design would be decided by the Director of the Mint and the Secretary of the Treasury. They would bear the date of the year in which they were minted and would be issued on special request.

With all its tragic bloodshed, misery, and destruction, the Battle of Gettysburg was the climax of the war which pitted American brother against American brother. As the battle represents the peak of bitterness in American history, so Lincoln's simple speech dedicating the resting place of the fallen represents the peak in eloquent compassion of an American statesman for his fellow Americans.

WORST COST-PRICE SQUEEZE IN 24 YEARS

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the farm parity ratio information just released by the Department of Agriculture shows the lowest 6-month average since 1939.

The 6-month average is 77½. Parity ratio for June 15 just released over the weekend was 77, the same as May and March. In April it was 78. When President Kennedy took office it was 80.

Parity ratio shows the relationship between prices paid by farmers and prices received by farmers. It is far more significant than the level of commodity prices. Farmers are clearly in the worst cost-price squeeze in 24 years.

UNITED STATES SHOULD OBSERVE CAPTIVE NATIONS WEEK

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Washington [Mr. PELLY] is recognized for 30 minutes.

Mr. PELLY. Mr. Speaker, the administration's foreign policy, annunciated recently by President Kennedy in a speech to American University, calls for reexamination of United States-Soviet relations.

This program, looking toward friendly coexistence with communism, would seem to explain the administration's quiet repudiation of the onetime official week set aside each year by Presidential proclamation of Captive Nations Week. In this connection, the propaganda campaign being waged by the Department of State to cleanse the bloody countenance of Janos Kadar and somehow make light of his treachery, which resulted in the torture and murder of so many Hungarians, indicates that the administration has apparently abandoned the historic American dedication to universal freedom.

There are 17 million Americans who were born behind the Iron Curtain, plus many additional first generation Americans from Eastern Europe, who are known to be anti-Communist. Scores of ethnic newspapers, in addition to the activities of their countless clubs and organizations, are proof positive of this statement.

Yet, this sentiment has been largely ignored by the Federal Government. We are now approaching the fourth anniversary of Captive Nations Week, set for July 16 to July 23. Last year, the White House waited until practically the last minute before issuing the Captive Nations Proclamation, as authorized by unanimous joint resolution of the Congress. Again this year, the White House is letting the weeks slip by in silence.

On the other hand, it is interesting to observe that the White House announced a United Nations Week months ahead, officially sanctioning the extensive preparations involved in its observance. The difference is obvious—the United Nations Week does not offend the Kremlin; Captive Nations Week does. The question arises, what is the idea behind Captive Nations Week which so infuriates Nikita Khrushchev and his Communist henchmen, and which our State Department apparently also bitterly resists? The answer in a nutshell is that Captive Nations Week is a constant, goading reminder that communism must take by force what it wants—that men want to be free—that communism is doomed to eventual failure, because of the constant erosion by the minds and wills of freemen against the dullness and drab enslavement of its victims. Consequently, the Kremlin gang at least once each year is jarred by the ugly fact which Captive Nations Week holds high before the world—bloody force, not choice, is the implement of Communist expansion.

Now, the appeasers are at work. Their foolish philosophy has been proven false and dangerous throughout history. Theirs is a simple plan—do not do anything that irks Khrushchev, he may turn out to be a good guy, after all. What obvious folly. Only fuzzy-headed New Frontier State Department advisers could have such childish faith in this Pollyanna philosophy. The State Department takes the position that we must not provoke the Kremlin by offering a ray of hope to its slaves. Secretary of State Dean Rusk has said, with reference to legislation establishing a Captive Nations Committee "the establishment of such a committee at this time would likely be a source of contention" to the Soviet Union. Mr. Rusk also stated:

> The U.S. Government's position is weakened by any action which confuses the rights of formerly independent peoples or nations with the status of areas, such as Ukraine, Armenia, or Georgia, which are traditional parts of the Soviet Union.

Last year, Captive Nations Week was downgraded by the administration, to the extent it was almost completely ineffective. This was especially true because the President's proclamation was withheld until the last minute and then was announced with only a minimum of fanfare. Its impact was almost in reverse. It was issued only as a politically motivated sop to the millions of people in the United States of Eastern European extraction, who should be justly angered at the pending sellout of Hungary. It appears they will get another just slap in the face this year, when Captive Nations Week is either abandoned, or is buried in marshmallow phrases, vague references to freedom, and careful avoidance of any mention whatsoever of nations held captive by international communism.

Former President Dwight Eisenhower started Captive Nations Week in 1959. In his first proclamation, Eisenhower said:

> Many nations throughout the world have been made captive by the imperialistic and aggressive policies of Soviet communism.

He said that:

> Soviet-dominated nations have been deprived of their national independence and individual liberties.

He made no bones about who was responsible for the enslavement of many small nations. He branded the Russians as slave masters.

Last year's Captive Nations declaration was doctored by the State Department. All references to communism were deleted. It mumbled about "just aspirations of all people for national independence and freedom"—a wishy-washy heap of generalities so typical of the butterpat softies at the State Department today.

As previously pointed out, the administration has strongly opposed the setting up of a Captive Nations Committee in the Congress. Again, fear of upsetting Khrushchev, and perhaps stirring up a torrid call over the hot line appears to be the motivation for this kind of reexamination of our relationship with Russia.

What is to be gained by placating the neighborhood bully? Only fools would fail to understand that appeasement, even when it is euphemistically called accommodation, invites more aggression. Retreat invites accelerated advances by communism. Exhibition of the fear of confrontation, of truth as it exists, invites duplicity and firming up of Communist rule.

Soviet Russia has one great fear—truth. The Kennedy administration is accommodating the Soviets by suppressing the truth about captive nations. Docile in the meadow, the lambs of the State Department hope to evade the attention of the voracious wolves of the Kremlin.

Mr. Speaker, I urge all Americans to observe Captive Nations Week this year with more gusto than ever, and restore to it its true meaning, as once expressed by ex-President Eisenhower. I urge that we refuse to allow it to be squelched by the pallid utterances and perfunctory pronouncements of an administration acting under the misguided advice of State Department appeasers.

Stephen Vincent Benet expressed the true concept of the brotherhood of man which our sympathy characterizes for those who seek and want freedom. He said:

> Grant us brotherhood, not only for this day but for all our years—a brotherhood not of words but of acts and deeds. We are all of us children of earth—grant us that simple knowledge. If our brothers are oppressed, then we are oppressed. If they hunger, we hunger. If their freedom is taken away, our freedom is not secure.

That should be the grim reminder to all Americans, that regardless of the sophistry of the New Frontier, as long as there are captive nations, we in America ourselves are in danger of becoming captives.

We, whose heritage is the glorious story of men who fought with raw courage for freedom, owe to those under the heel of totalitarianism the moral support which recognition of their plight and dissemination of the story to the rest of the world will bring.

As the time for Captive Nations Week draws near, it will be up to those who cherish American ideals and principles to plan observances, to extend every effort to publicize here and abroad the theme of this week—to tell the world that the light of freedom still burns, that Americans believe there is still hope. Leadership in our Nation fails, but the people themselves must act.

It is regrettable and humiliating that this must be done despite the openly admitted opposition of our own Government. But the once-free people of the captive nations will understand, as we the people of the United States ourselves understand their plight.

Mr. STINSON. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield.

Mr. STINSON. I would like to associate myself with the remarks of my colleague from Washington State. I think his speech very ably points up the complete lack of willingness on the part of the administration to attempt to thwart communism and to recognize the enslaved people of the eastern European area. No initiative to fully demonstrate America's indignation is to be found in today's administration—only an apparent willingness to make further accommodations to the Soviet Union. We should not forget that the Soviet Union is striving to have the United States included in its list of captive nations. It is indeed difficult to believe that just 4 short years ago, when our President was a Member of the Senate, Congress unanimously endorsed the idea of observing Captive Nations Week. I wish to thank my colleague for making this wonderful statement.

Mr. PELLY. Mr. Speaker, I thank my colleague from the State of Washington and for his remarks.

HOW TO MOBILIZE FORCES TO ERADICATE HUNGER FROM THE WORLD

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Derwinski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, in recent weeks, at the vast World Food Congress, scores of speakers have addressed the assembly. The problem on which they spoke to the hundred-plus national delegations was one: Eradication of hunger from the world.

The capabilities and technical competences necessary to achieve this aim clearly exist. The question is: How to mobilize these forces to do the job.

Many speakers at the Congress stressed more use of international public agencies. Many stressed government-to-government programs. Far fewer discussed the vast role which private enterprise can play in uplifting world nutritional levels.

In the latter connections, our colleagues may be particularly interested in the statesmanlike proposals from the private industry sector as made by Mr. Paul May, a Swiss, who is chairman of Knorr Food Products Co.

Knorr Soups, as I pointed out to this body last year, represent a more or less unique phenomenon these days: Technical assistance in reverse. These dehydrated soups, a new product in our markets, were developed in Europe. They are now being manufactured at Argo, Ill. These new products have created many hundreds of new American jobs directly in manufacturing—plus many hundreds more in warehousing, distribution, sales, and the like.

But, and also important to our free competitive system, the other American soup companies have now started to come out with their own brands of new dehydrated soups—thus creating numerous new jobs all across the United States. This is the American way.

It is for these reasons that I believe all Members of this body will wish to study the following summary of the thoughtful remarks of Mr. May:

FAO Urged To Facilitate Private Food Industry's Cooperation in World War on Hunger—Industry Liaison Committee and 1965 World Food Year Proposed

Washington, D.C., June 7, 1963.—A call to developing nations to create climates of freedom with order in which the business know-how of the private food industry can work fully and effectively was voiced here today before the World Food Congress. Paul May, veteran Swiss food company executive, cited this as essential to solving the hunger problem in these nations and accelerating their economic growth.

To focus worldwide effort and attention toward these ends, Mr. May submitted three recommendations to the Congress:

1. Creation by the Food and Agricultural Organization of the United Nations of an international liaison committee with the private sector of the food industry to harness the resources of the food industry in all countries to human needs for food within specific nations;
2. United Nations designation of 1965 as World Food Year; and
3. Appointment by FAO of a recognized leader of the private sector of the international food industry to assist FAO in bringing together the food productive resources of the world to fight hunger.

Assuring the Congress of private industry's willingness to cooperate, the chairman of Knorr Food Products Co., an affiliate of Corn Products Co., told his international audience: "The food industry wants to work in the developing countries, if they will welcome it. The industry wants to be associated with the business people in these areas in the operation of modern food product enterprises."

He cited the food industry's "active participation in such enterprises" as "the only way" in which indispensable skills in such fields as market analysis, new product development, storage, packaging, and distribution can be put to work on the problem.

In an elaboration of the essential receptive climate which he labeled "freedom with order," Mr. May explained that "it is a system in which ideologies or dogmatic convictions about the manner in which things

> must be done are submerged in the tangible processes of getting things done.
>
> "The private sector does not demand monopoly, special privilege or freedom from competition, the food company executive continued, but rather is prepared to compete with each other to the benefit of the world's undernourished peoples.
>
> "What the private sector cannot compete against," he asserted, "are governments unwilling to provide freedom with order. It does not look for favors when going into business in a new country. But it does expect a trustful attitude on the part of the various departments concerned—agriculture, finance, labor, production, education. Naturally, whether or not it continues to merit this trust depends on performance.
>
> "And I admit that there is sometimes a suspicion of the motives of foreign industries seeking to go into business in these nations. But has not the time come to put aside these suspicions?
>
> "What we bring," Mr. May declared, "is not a new colonialism. It is an offer to developing nations everywhere to enter frankly and fully into a world of international economic development, a world in which they themselves will be full partners."
>
> Similar proposals for an FAO-industry liaison committee and a world food year were made last September before the Fifth International Food Congress in New York City by William T. Brady, chairman of Corn Products Co., and Dr. B. R. Sen, Director General of FAO.

Unless the private sector of the world economy is brought into the fight against hunger—and under fair and equitable terms of trade, as Mr. May suggests, this problem of world hunger may never be solved.

COOPERATIVE COUNCIL RECOMMENDATION COULD AID SENECA INDIANS

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GOODELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. GOODELL. Mr. Speaker, I have today introduced a bill providing payment to the Seneca Nation of Indians of direct and indirect damages for the taking of their lands in the building of the Kinzua Dam. The bill provides for relocation, housing, education, special scholarships, and a tentative plan for recreation and tourist development.

Maximum development of the potential of this project, for the benefit of the Senecas and the area, absolutely requires the full cooperation and understanding of all parties. Accordingly, it is my recommendation that cooperative council be formed immediately with equal representation for the Senecas and Cattaraugus County. Such a council should meet regularly in a constructive, friendly, and informative manner, thus providing an ideal vehicle for dissipating suspicions on both sides.

Both the Senecas and the county have a vital stake in this development. We must avoid unnecessary frictions and animosities. It is my conviction that many of the differences of the past few months arose primarily from a lack of effective communication between men of stature on both sides.

The accumulated evidence thus far, from studies by Federal agencies and private concerns hired by the Federal Government, indicates that the perfidy of Uncle Sam will cost him plenty in this case. Those of us who opposed the project warned that estimated Kinzua costs ignored the necessity of special damages to the Indians. Those special damages must be paid.

The bill I have introduced authorizes a total of $13,264,052 for all specific damages to the Senecas.

I have also included an authorization for a Williamsburg-type development in the Hotchkiss Run area, based on historical portrayal of the Indian culture, heritage, and concept of life. The so-called Brill study, recommending such an imaginative and intriguing development for the area, has not provided sufficient data to justify full approval of this project by the Congress at this time. It is my hope that further and more complete information will be available soon. I have included in my bill the overall Brill figure of $29 million for development costs so that the whole matter may be considered by the Indian Affairs Subcommittee as soon as possible.

We are now facing a very real danger that facilities for schools, roads, and housing will not be available to the Senecas when flooding begins. Congress must have the facts, before it authorizes expenditure of money. The facts have not been available and are only partially available now. Under these unusual circumstances, I am introducing my bill today without full data, in order that legislative delays can be minimized when all the facts are available to us.

THE ADAMS-MORGAN URBAN RENEWAL PROJECT

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. WIDNALL. Mr. Speaker, the Board of Commissioners of the District of Columbia has scheduled public hearings today and tomorrow, July 1 and 2, 1963, on an urban renewal plan for the Adams-Morgan area of the District of Columbia. The main question to be decided is whether the legal powers of urban renewal should be applied to this 40-block section covering 237 acres of some of the choicest real estate in the Nation.

What this means, basically, is that if the Commissioners of the District of Columbia approve this urban renewal plan all property within the project's boundaries will be subjected to the powers of eminent domain for a period of 20 years or more.

The urban renewal plan for the Adams-Morgan area was developed by the National Capital Planning Commission and the District of Columbia Redevelopment Land Agency, and the citizens of the area had a limited opportunity to make known their views during the various stages of the plan's development. This plan calls for, first, the purchase and demolition by the District of Columbia Redevelopment Land Agency of about 22 percent of the total area; second, the clearance and rebuilding of a sizable part of the 18th and Columbia Road business section; the displacement of 141 businesses; the displacement of 1,585 families including some 5,700 persons, roughly one-third of the population; and the expenditure of $13,137,000 for demolition alone.

The total net cost of the Government subsidy for clearance, "writedowns" in resale of property to developers, provision of public improvements and other work is estimated at $21 million. Of this amount, the Federal Government would pay two-thirds, and the District government one-third.

The questions which the Congress must address itself to in connection with this Adams-Morgan plan are threefold: First, since the original intent of the Congress in establishing the urban renewal program was to clear our cities of slums we should try and determine if the Adams-Morgan area is a slum area. Significantly, evidence shows it is not.

Second, under the urban renewal program cities are required to pay a third of the cost. However, an article in the June 1963 issue of the Reader's Digest charges that while the law requires cities to pay a third of the cost they are being told "covertly, that the new school, the sewer, the park—which they were going to build or had built anyhow, and which have no connection with slum clearance—can be counted toward the city's contribution." The Congress will therefore, want to closely study a May 1959 report to the Congress by the Comptroller General of the United States based on an audit of the District of Columbia Redevelopment Land Agency for the fiscal years 1957 and 1958 which is revealing.

Third, because of the special relationship which the Congress has with the District of Columbia, the Congress will want to thoroughly consider alternative plans to conserve and rehabilitate the Adams-Morgan area. Plans, furthermore, which might save the Federal Government all or most of the $14 million which the present Adams-Morgan urban renewal plan would cost Federal taxpayers.

With regard to the question as to whether the Adams-Morgan area is a slum area or not, it is important to note that the District government in 1958 filed an application for a $125,000 "demonstration grant" from the Housing and Home Finance Agency. The District's application stated that:

> Our application is for a demonstration project to deal with techniques of developing, managing, and sustaining joint governmental and citizen action in the elimination and control of blight in an urban neighborhood which shows signs of deterioration but which is not yet so blighted as to warrant redevelopment procedures. Essentially, this is a proposal to help the residents help themselves, not only for the duration of the project, but for years to come.

The $125,000 demonstration grant was made within a few months, and the terms of its contract stated that it was to be used to "develop and demonstrate methods and techniques of planning, organizing, managing, and sustaining joint governmental and citizen action in the elimination, control, and prevention of blight in an urban neighborhood showing signs of deterioration but not yet so blighted as to warrant redevelopment procedures."

What has happened in the short period since to warrant a demolition project costing $13,137,000 involving 22 percent of the total Adams-Morgan area, the displacement of 141 businesses, and one-third of the population?

An interesting and informed statement on the Adams-Morgan Urban Renewal Project has been prepared by the leaders of the Lanier Place Protective Association for submission to the Board of Commissioners of the District of Columbia. I include it here for the information of my colleagues who are called upon to approximate tax money to the Housing and Home Finance Agency and who have a right to expect that it will be spent wisely and judiciously and not thrown away. I also include the opening remarks of our able colleague, the gentleman from Texas [Mr. DOWDY] at the District of Columbia Subcommittee's hearings on urban renewal in Washington.

STATEMENT OF REPRESENTATIVE JOHN DOWDY OF TEXAS AT THE OPENING OF HEARINGS BY THE DISTRICT OF COLUMBIA SUBCOMMITTEE, ON MARCH 18, 1963, ON THE SOUTHWEST WASHINGTON URBAN RENEWAL PROJECT

I believe that I speak for each member of the House Committee on the District of Columbia in stating that it is our desire that any urban renewal program in the District of Columbia should command the respect and approval of the residents of the District and metropolitan area.

The redevelopment program should also command the attention and admiration of the people in all of the States who contribute to local government costs through the Federal contribution to the District and through the Federal grants for urban renewal.

The District of Columbia is an area of about 40,000 acres. Only a little more than 13,000 acres of this area are available for private housing and business uses. Urban renewal, highway construction, and mass transportation programs underway or pending may call for expenditures of in excess of $3 billion in the next 15 years.

Coordination of these programs and their efficient execution is essential.

The urban renewal program in the District has been underway for 12 years. The Southwest projects, which were the first undertaken, are only about 50 percent completed. Expenditures of public funds in the Southwest now approach $100 million.

The Engineering Commissioner for the District has warned that the District is facing a shortage of noncash grants-in-aid and that cash funds will have to be sought soon for continuing the urban renewal program.

During the 86th Congress, the House District Committee held hearings on legislation amending the Redevelopment Act introduced by the late Hon. Louis Rabaut, of Michigan. Congressman Rabaut, as chairman of the District of Columbia Subcommittee on Appropriations, knew intimately of the problems in the urban renewal program. The Engineering Commissioner's warning states that which Congressman Rabaut recognized nearly 5 years ago.

The Rabaut bill was designed to improve urban renewal operations, to prevent unnecessary expenditure of public funds, and to expedite completion of redevelopment work. The House of Representatives approved the Rabaut bill by a 10-to-1 rollcall vote. The bill was tabled by the other body.

STATEMENT OF THE LANIER PLACE PROTECTIVE ASSOCIATION AT THE HEARING HELD BY THE BOARD OF COMMISSIONERS, DISTRICT OF COLUMBIA, ON THE ADAMS-MORGAN URBAN RENEWAL PROJECT, JULY 1 AND 2, 1963

The members of the Lanier Place Protective Association would like to address you not as experts on urban renewal, which we are not, but as residents and taxpayers of the District of Columbia who are particularly interested in upgrading the Adams-Morgan area.

We are, of course, deeply interested in this area which has long been our home, and where we hope to continue to live. For this reason, we have more than a passing interest in what urban renewal will do to us, and to others living in this area.

The Adams-Morgan area has several well-defined and historic neighborhoods within it, none of which could possibly be described as slums.

Lanier Place is located in what was originally known as the Lanier Heights area. Many famous people have lived on the street including Al Jolson, who lived at 1787 Lanier Place, which home still stands. Lanier Place is a part of area C of the Adams-Morgan project. This area C includes Crescent Place with its million-dollar hotels, apartment houses, and townhouses, including the home of Mrs. Eugene Meyer. It also includes the site once occupied by the home known as Henderson Castle. Sixteenth Street, familiarly known as "Embassy Row," is also in area C; as is the great Church of Jesus Christ of the Latter-day Saints; the former home of Marshall Field; the Ontario Theater; and the Italian Embassy and chancery. Also located in this area are scores of the city's leading small businessmen.

The Kalorama Triangle, located between Columbia Road and Connecticut Avenue, is one of the finest closein residential neighborhoods in Washington. Like Lanier Heights, it has long been an important part of Washington and many famous people have lived in it, including President Eisenhower. Early this year it was the subject of a major magazine article in the Sunday Star. None of the pictures of its fine houses which were published by the Star has ever appeared in the publications of the National Capital Planning Commission, or the District of Columbia Redevelopment Land Agency, possibly because if they were published therein they might possibly destroy the carefully nurtured myth that the Kalorama Triangle is a slum area badly in need of Federal urban renewal aid.

Area B is bounded by Columbia Road on the west, one of the finest streets in Washington. The Wyoming Apartments, the Argonne Apartments, the new Riggs bank, the new Giant and Safeway stores, the new Avignone Freres are located on Columbia Road. Area B also includes Mr. Cafritz' huge Universal Buildings. The immense luxury hotel of the Hilton hotel chain is being built in area B—the Washington Hilton.

It has been said with some justification that these fine residential areas listed above have been included in the Adams-Morgan project for the simple reason that certain businessmen who are the project's major backers realized that to get their business area at 18th Street and Columbia Road redeveloped they would need to include enough residential areas to make Adams-Morgan look like a better place to live project rather than what it really is: a clever scheme to get their own business properties redeveloped at public expense.

Recently the New York Times reported that the Federal Housing Agency (HHFA) had granted funds for rehabilitation of some of New York City's large old homes—homes which are similar to some of those in the Adams-Morgan area—and their conversion into middle- and lower-income multiple-family houses. This is being done, it was said, on an experimental basis, and the argument was advanced that this conversion could be done and homes provided at a cost of around 35 percent less than in new housing built from the ground up. Why couldn't this be done in parts of Adams-Morgan, rather than turning to expensive demolition which will necessarily destroy the character of this fine intown area?

We are not against urban renewal, per se. Mr. Carl L. Shipley, District Republican Committee chairman, voiced the thoughts of many of us when he said on June 25, according to a report in the Washington Daily News that "the Adams-Morgan project will unjustifiably displace businesses," and that "we cannot afford to lose $1 of business taxes, one job, or one business." Mr. Shipley declared that the Adams-Morgan area is one of the most convenient in the District and should be preserved at all costs. We agree wholeheartedly. What can, in fact, be said to justify a plan which will displace 141 businesses, and cause a loss of 1,500 jobs, businesses which do a total gross of tens of millions of dollars annually, have payrolls of several millions of dollars, and pay hundreds of thousands of dollars in taxes to the District government?

The Adams-Morgan urban renewal project has not been studied by the D.C. Redevelopment Land Agency with a view to ascertaining the cost to the District of this displacement. Why not? These businesses will go to the suburbs, and suburbanites do not pay for the upkeep of the city's vital services even though they benefit from them every time they come to the District. These costs are saddled on District residents, and add greatly to the cost of city living.

Forty percent of the small businessmen who have been displaced in the District of Columbia by Government action, including urban renewal, have failed in their new locations. This rate of failure is 60 percent higher than the national average, according to a telegram sent to President Kennedy by Mr. Joseph J. Honick, executive director of the Adams-Morgan Light Commercial Institute.

The Washington Post on Sunday, June 30, reported that the Adams-Morgan area has more than 17,000 people including 7,400 Negroes, and that one of the principal disappointments of the official plan is that it will displace an estimated 1,585 families, including some 5,700 persons—about one-third of the Adams-Morgan population. The same article says that housing beyond repair in the area (a category that includes 993 of the 6,712 dwelling units) will be demolished. One thousand five hundred new apartment units will be built to replace the housing which is demolished, with the middle-income tenant in mind.

The members of the Lanier Place Protective Association are deeply disturbed by the figure of $13,137,000 for the demolition phase of the Adams-Morgan project, a figure which, the Washington Star reported on June 15, was given by Mr. Phil A. Doyle, executive director of the Redevelopment Land Agency, to the Subcommittee on the District of Columbia, headed by Congressman JOHN DOWDY.

This $13 million plus demolition figure disturbs us because this entire program began as a conservation and rehabilitation movement and demolition and redevelopment wasn't even contemplated.

The Sunday Star set forth the history of the matter in a roundup article on June 30. Active concern for parts of the area goes back to the mid-1950's, and the formation of the Adams-Morgan Better Neighborhood Conference, in which members of the Lanier Place Protective Association were active. In response to this movement the District government in 1958 filed an application for a $125,000 "demonstration grant," from the Housing and Home Finance Agency, which stated:

"Our application is for a demonstration project to deal with techniques of developing, managing, and sustaining joint governmental and citizen action in the elimination and control of blight in an urban neighborhood which shows signs of deterioration but which is not yet so blighted as to warrant redevelopment procedures. Essentially, this is a proposal to help the residents help themselves, not only for the duration of the project, but for years to come."

The $125,000 demonstration grant was made by the Federal Government. The terms of the contract stated that it was to be used to develop and demonstrate methods and techniques of planning, organizing, and sustaining joint governmental and citizen action in the elimination, control, and prevention of blight in an urban neighborhood showing signs of deterioration but not yet so blighted as to warrant redevelopment procedures.

What has happened in the short period since to warrant a demolition project of the magnitude of $13 million?

Adams-Morgan has not and could not possibly deteriorate and decay that fast. A $13 million demolition program has no possible relation with or to the original stated purposes of the Adams-Morgan project and it is our hope that the Board of Commissioners, District of Columbia, will not buy this "goldbrick" or accept it even as a gift.

The Lanier Place Protective Association members would like to call the attention of the Commissioners of the District of Columbia to the fact that some of the leaders in the Adams-Morgan Urban Renewal project have recently bought properties on Lanier Place and that they have not kept those properties up. In fact, they have let them run down, and they have plowed up the back gardens of the fine homes they acquired and converted them to illegal hard-top commercial parking lots. We have had a constant running battle with these people before the boards and agencies of the District government in an effort to preserve the residential character of Lanier Place. We shudder to think what would happen if these same people were to get in control of redevelopment in Adams-Morgan through such self-serving procedures as the A–M Corp. On the basis of our experience with these gentlemen, in our opinion there isn't a home or a business in the Adams-Morgan area which would be safe from demolition.

We are convinced that the present plan should be put on the shelf at this time, and that the Board of Commissioners of the District should insist on the adoption of the concepts embodied in the $125,000 demonstration grant—in other words, joint governmental and citizen action in the elimination, control, and prevention of blight in an urban neighborhood showing signs of deterioration but not yet so blighted as to warrant redevelopment procedures.

For some time now those of us in the Adams-Morgan area who are firm in our conviction that this would be the better course, have been subjected to a sustained and bitter campaign of vilification. Our leaders have been threatened, efforts have been made to get them fired from their jobs, the newspapers use such terms as "violent opponents of the official plan" in describing us, and print stories about efforts to hang us in effigy. Meanwhile we are being constantly reminded that, after all, we are paying taxes and if we don't get this easy Federal money some other far less deserving city will.

In this connection, we would like to call to your attention an article in the June 1963, issue of Reader's Digest on the self-help, non-Federal urban renewal program in Indianapolis, Ind. There, Democratic Mayor Albert H. Losche believes that the citizens of California, Kansas, or New York have no obligation to help clean up the slums and blighted areas of Indianapolis. He says "It's our job, and we intend to take care of it." This is what the Adams-Morgan Better Neighborhood Conference had in mind. In view of the soaring $300 billion national debt, and the city's need for schools, as well as for a meaningful welfare program, we don't believe that the case for a $13 million demolition program has been proved.

Indianapolis is fortunate in having a strong, aggressive chamber of commerce managed by a forthright individualist, Mr. William H. Book who reminds us what the aims of the Congress were in setting up the urban renewal program in the first place. He says:

"Originally, urban redevelopment was to clear our cities of slums. Today it's being expanded to save our downtowns—everybody's downtown. Not only are Federal officials dishing out this money; they are diligently searching for willing recipients. * * * Cities are required to pay a third of the cost, but they are told, covertly, that the new school, the sewer, the park—which they were going to build or had built anyhow, and which have no connection with slum clearance—can be counted toward the city's contribution."

Something like this seems to have been going on here in the District of Columbia, according to the May 1959 report to the Congress by the Comptroller General of the United States based on an audit of the District of Columbia Redevelopment Land Agency for the fiscal years 1957 and 1958.

The Sunday Star of June 30 brought this situation right up to date by reporting in its roundup article on Adams-Morgan that "in a report to the Commissioners last Friday, RLA said the District's share would not be needed in cash but could be financed partly by District work done in the area and partly from carryover credits for city work done in other urban renewal areas."

We understand that the General Accounting Office will shortly release a series of nine major studies of these and similar practices in other cities. In addition, lawyers from the General Accounting Office have worked with two leading Members of Congress in developing new bills to put an end to this practice in Washington and elsewhere.

We submit for study by the Board of Commissioners of the District of Columbia a copy of the report by the Comptroller General of the United States on his audit of the District of Columbia Redevelopment Land Agency to which we have referred.

In addition, we also submit the following bills: H.R. 7144 and H.R. 7145 by Congressman William B. Widnall; and H.R. 7318 and H.R. 7319 by Congressman John Kyl.

This report by the Comptroller General and these bills by Congressmen Widnall and Kyl will be of particular interest to the Board of Commissioners of the District of Columbia, as they consider whether the District can afford to pay for the Adams-Morgan urban renewal project in the light of much more pressing needs such as schools and welfare.

We have the assurances by Mr. Phil A. Doyle of the Redevelopment Land Agency that the District of Columbia can afford to pay for the Adams-Morgan project, and we have the publicly expressed doubts of Brig. Gen. Frederick J. Clarke, Engineer Commissioner, as to whether the District can really afford to pay for it. At the same time, we have the report by the Comptroller General on how the District has paid for urban renewal in southwest Washington; and we have the quiet determination of leading Members of Congress to put an end to some of the noisome and patently shady practice of the Redevelopment Land Agency and the District regarding urban renewal. The far-ranging hearings of the House District Committee are further evidence of the congressional interest in urban renewal programs which have no possible connection with slum clearance.

Only a few months ago there was a long and skillfully directed campaign carried on by the National Capital Planning Commission to show that Georgetown needed an urban renewal program in the worst way. Fortunately, for Georgetown, and for the District of Columbia, the Commissioners decided that other things such as schools and welfare had higher priorities.

Surely, if the Commissioners took the trouble to walk through area A, along Columbia Road, 16th Street, Crescent Place, Lanier Place and saw the fine housing, if they visited the business places in the Adams-Morgan area including the new Riggs Bank and the recently completely and expensively remodeled Avignone Freres at 18th Street and Columbia Road, they would see for themselves how far this is from a slum area. They could only conclude that the step they took in Georgetown with regard to the waterfront in turning down the urban renewal program there is the only step they could take with regard to the Adams-Morgan project.

Furthermore, the case for turning down the Adams-Morgan project is stronger, because the history of this project shows that the 1958 application by the Board of Commissioners of the District of Columbia was for a $125,000 demonstration grant to develop "joint governmental and citizen action in the elimination and control of blight in an urban neighborhood which shows signs of deterioration but which is not yet so blighted as to warrant redevelopment procedures."

If we do not need a $21 million urban renewal program of which $13 million would be spent for demolition, leaving only $8 million for buildings, then we must ask ourselves what the "joint governmental and citizen action in the elimination and control of blight" in the Adams-Morgan area might consist of.

The Reader's Digest article on Indianapolis' urban renewal program points to some possible answers, and it warns us about what is wrong with the Federal urban renewal program in these words: "It destroys the responsibility and incentive of local officials, who should have to account for what they spend and justify its need in the taxes they levy. It bails out the businessman whose downtown investment has gone sour. It gives the smart operator access to the Federal Treasury, so that he becomes the owner of a great new apartment center with little or no risk of his own money. With such vast sums of money involved, this is ideal hunting ground for the 'fast buck' operator."

The first thing that is needed is enforcement of the District's Housing Code. The Washington Post has been digging into this, and its articles should be must reading for the Board of Commissioners, District of Columbia.

We submit herewith an article from the Washington Post of June 30, entitled "Enforcement of District Housing Code Is Lagging." This article states that lenience toward flouters of the city's minimum standards for health and safety in housing has meant that:

"Hundreds of families live in dilapidated dwellings waiting in vain for the repairs that inspectors have ordered their landlords to make. Countless violations are never discovered because the city's 84 housing inspectors spend hundreds of fruitless hours trying to persuade reluctant persons to correct violations. Blight continues to spread through the city although the Housing Division has a budget of more than $700,000 a year. At least 70 people, most of them defenseless infants, are bitten by rats every year. Untold rat bites never come to public attention.

Congressman Abraham J. Multer held hearings last week on three bills, H.R. 59 and House Joint Resolution 461 by Congressman Kyl, and H.R. 679 by Congressman Multer himself, to provide, as a number of other cities do, tax incentives for the repair, improvement, renovation, and restoration of residential and commercial property under the tax laws of the District of Columbia. A spokesman for the District of Columbia Board of Commissioners said the District couldn't afford such tax incentives.

So we have a situation in the District of Columbia where the slum landlord is favored by (1) Failure to enforce the District Housing Code; (2) low taxes on deteriorating and decaying buildings both residential and commercial, and high taxes on residential and commercial buildings which are repainted, remodeled, or improved in any way.

So the Board of Commissioners, District of Columbia, have managed to combine the maximum amount of discouragement to private rehabilitation and restoration with the minimum amount of discouragement to land speculation, a situation which leaves massive demolition and huge and expensive federally assisted urban renewal programs as the only possible solution which they will actively support and work for.

The District Commissioners and the Adams-Morgan Better Neighborhood Conference had a much better solution to blight in the $125,000 "demonstration grant."

Some 55 U.S. cities are engaged in self-help programs, according to the U.S. Chamber of Commerce, and these programs range from the type of program carried on by Indianapolis, to tax incentives in New York City, which, the District Commissioners say, we cannot afford. Some cities have taken a hard look at the huge profits which slum properties bring in, and have upped taxes on them enough to make them unprofitable.

The District Commissioners might well look at the taxing system in Arlington County, which has helped to end the blight there. Mr. Francis M. Austin, director of real estate assessments, explained the Arlington County tax program this way in a letter which was included in the hearings held by Congressman Multer and we quote it because, if applied in the District of Columbia, it would make a very real and a very great difference in the Adams-Morgan area.

Mr. Austin said that:

"In the department of real estate assessments, our first attempt is to value land at its highest and best use in conformity with the zoning, regardless of what improvements may be on the property. If land is valued under this concept, it forces the owners to maintain an improvement in such a condition that it will provide a reasonable return on both land and buildings. In the event this does not happen the owner most generally will modernize, remodel, rebuild, or sell to someone who will develop the land properly.

"This approach to assessments tends to prevent wornout, rundown areas by the use of private capital which otherwise might turn out to be a Government expense under an urban renewal project."

Another thing which directly concerns the Lanier Place Protective Association membership is the fact that the District of Columbia government has done little or nothing to make the lot of private builders easy. Take the case of Mr. J. B. Shapiro, who wants to build a $20 million apartment house of 1,500 units at 2700 Adams Mill Road. This apartment house alone would cost more than twice as much as the entire Adams-Morgan urban renewal project will have available for apartment and other building after it spends $13 million of its proposed $21 million for demolition. The Shapiro project will not cost the Federal or District Governments one red cent in taxpayers moneys; it will, instead, pay as much as an estimated $500,000 in taxes alone to the District government. The project would provide reasonably priced middle income housing, and it would greatly benefit the entire Adams-Morgan area in the same way that the new Hilton Hotel, and the Cafritz Universal buildings are and will benefit it.

The Adams-Morgan plan shows a high density area at the bus turn-around site just east of Calvert Street Bridge, a site immediately adjacent to the Shapiro tract. The Shapiro tract has been vacant for years, and has been a hideout for vagrants and various types of debauchees. Yet for the Shapiro tract it is impossible to obtain a high density zoning. The Washington Daily News reported recently that at least one of the members of the Commission of Fine Arts walked out of the hearing room in a "high dudgeon" during a hearing on the application by Mr. J. B. Shapiro.

The District government seems to be engaged in giving Mr. Shapiro a brushoff which would discourage any but the most resolute private builder.

The Washington Daily News reported on April 30 that:

"District Zoning Director Robert O. Clouser said J. B. Shapiro, whose office is at 1413 K Street NW., filed notice of his intent to build a $20 million structure just before the new zoning plan took effect on May 12, 1958 * * * Mr. Clouser said the new zoning regulations also required that the builder go ahead with the plans he had submitted under the old regulations 'without substantial change or deviation.' In September 1959, the Board of Zoning Adjustment turned down Mr. Shapiro's request to relocate the building on his lot because it considered it a 'very substantial change.'

"Later, he said, Mr. Shapiro asked the Zoning Commission unsuccessfully for complete rezoning of the area to permit high-density instead of medium-density apartments.

"In the meantime, Licenses and Inspections Director J. J. Ilgenfritz said, no construction work has been done. The excavation, he said, simply involved the leveling of a hill—which was the site of an old cemetery that had to be moved.

"Inspectors decided the work wasn't moving with 'reasonable diligence,' Mr. Ilgenfritz said, and in January 1962, the building permits were canceled."

We would like to protest these harassments which have been heaped on Mr. Shapiro by the District government.

We would like to point out to the District Board of Commissioners that Mr. Ilgenfritz, who canceled Mr. Shapiro's building permits because his inspectors decided the work wasn't moving with "reasonable diligence," is the same Mr. Ilgenfritz who has utterly failed to enforce the Housing Code of the District. The Washington Post has mentioned him prominently in several recent articles. In a first page article in the City Life Section of the Washington Post of June 30 calling attention to the lagging enforcement of the District Housing Code, we read:

"Joseph J. Ilgenfritz, Director of the Department of Licenses and Inspections, has stated that 'compliance and not prosecution' is his aim. Assistant Corporation Counsel Clark F. King, who is in charge of prosecutions at General Sessions Court, agrees.

"In effect, their policy has meant that a landlord who knows the wheels and pulleys of official machinery can delay legally required repairs for years with impunity."

Why is such favoritism shown slum landlords by the District government, while builders who want to put up apartment buildings are harassed and their building permits canceled?

Let us point out that many new apartment buildings are now being built with express train speed south of Washington in Virginia, and north of Washington in Maryland while, at the same time, private building of apartments and other housing in the District of Columbia is lagging far behind.

Are the city fathers interested only in aiding and assisting construction built under the auspices of the District of Columbia Redevelopment Land Agency? The Board of Commissioners should call the leading private builders of the District of Columbia together and find out what makes Virginia and Maryland so attractive to builders and the District so comparatively unattractive.

In conclusion, we would say that tax incentives, code enforcement, wise zoning procedures, and some of the plain commonsense which seems to be in such short supply in the District of Columbia and is abundant in evidence in Maryland and Virginia, would renew the Adams-Morgan area at no cost to the taxpayer and a lot more quickly and surely than the Federal urban renewal program, with its sorry and disgraceful record in Southwest Washington during the past 12 years.

One hundred million dollars in Federal and District tax funds have utterly failed to make the 500-acre Southwest urban renewal area attractive and livable. Georgetown and the Adams-Morgan area, right now, are much more attractive, and this without the doubtful ministrations of the District of Columbia Redevelopment Land Agency.

Furthermore, why should anyone support a program which will displace 141 businessmen and one-third of the Adams-Morgan population at a cost of $21 million?

In a letter filed in connection with the hearings on the several bills to provide tax incentives in the District for rehabilitation and renovation of housing, Mr. Charles H. Purcell, president of the Washington Board of Realtors, declared:

"I can tell you that our taxing philosophy today is all wrong and that changes that would encourage rather than discourage owners keeping their property in a proper state of repair are long overdue."

The Adams-Morgan urban renewal plan is far and away the most expensive and destructive plan which could possibly have been put together, and it should be tried only after all other measures have failed.

It will vastly enrich a few businessmen in the Adams-Morgan area, at the expense, and indeed, the ruin of 141 others who will be displaced. All businessmen are not being given equal treatment, for some will remain and the ones who will remain will benefit enormously. They are the lucky ones, who got in on the ground floor early, and who have controlled the planning of the program.

The lure of easy money has always attracted certain kinds of men and women, even when such ill-gotten gains are obtained through the suffering of others. In human terms the price of easy money can be high, very high.

YANKEE INGENUITY

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Riehlman] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. RIEHLMAN. Mr. Speaker, recently I read a remarkable story about the exercise of American ingenuity in the manufacturing of television sets.

The story, in the Washington Evening Star, deals with the achievements of the General Electric Co. in producing a television set selling for less than $100. This achievement will provide strong competition to foreign manufacturers.

Because the General Electric Co. is making this set in my congressional district, in Syracuse, I am pleased to place in the RECORD the excellent story from the Star.

It follows:

[From the Washington (D.C.) Evening Star, June 11, 1963]

GE USING YANKEE INGENUITY TO BATTLE JAPAN'S INVASION OF ELECTRONICS FIELD—SMALL TV PRICE BROUGHT DOWN TO LESS THAN $100

(By Charles Covell)

American manufacturers may have found a weapon with which to fight the mounting Japanese invasion of U.S. markets.

The weapon is an old one. It is popularly called Yankee ingenuity and the latest to utilize it is General Electric Co.

GE recently announced the introduction of a portable television set with an 11-inch picture tube that is lightweight enough for a child to carry. It is scheduled to hit the retail markets soon.

Biggest news, though, is in the price, $99.95, list. Until now, GE representatives say, even the Japanese couldn't produce a set that would sell for under $100. Only after GE announced the new portable did the Japanese make hurried plans to reduce the price of an 8-inch model to meet the competition.

INTERESTING BACKGROUND

Behind the new set, too, is an interesting story. It goes back to the early postwar years when Japan had only one real asset, cheap labor, while the United States had the plants and machine tools. In those days this country could offset the great difference in labor costs through its high degree of mechanization.

Then, like the Germans and others whose plants were bombed out, the Japanese began to rebuild. While U.S. machinery was wearing out, they came up with new plants and equipment that in some cases were equal to or better than ours.

Soon the Japanese were flooding the markets with their products at prices far lower than consumers were paying for U.S. goods or even European imports. This has been particularly true in items that take up small shipping space.

Japanese penetration of foreign markets has been especially noticeable in optical goods. Their cameras and binoculars have been giving the Germans keen competition. In sewing machines, Japan in a recent month produced more than any nation had in any 1 month in history.

COMPETITION IS MET

To meet this and other competition, some American companies with old, established names have been having their products made in that country.

But in no other field has Japan's economic growth been more apparent than in the electronics industry. In 1955, Japan's electronics production totaled only $136 million, figures compiled here by the marketing service department of the Electronic Industries Association show. In that year, U.S. production totaled $6.107 billion, or 61 times that of Japan.

Then Japanese output of pocket radios, television sets, other electronics products and components began to soar. By 1959 Japan was approaching the billion mark, producing $902.7 million while the U.S. production was $9.75 billion. At the end of last year the margin was even narrower, Japanese production reaching $1.6 billion and the United States, $13.82 billion, a ratio of only 8 to 1.

The competition has been even more pronounced in television. In 1956, Japan produced 312,000 units while the U.S. output was 7.38 million. This was a ratio of 26 to 1. By 1961, the Japanese were producing 4.585 million units while the U.S. production was 6.178 million, a ratio of only 1½ to 1. In 1962 the margin was closer with 5.200 million units made in Japan and 6.471 million in the United States.

FLOOD CONTINUES

Trade sources say that the wave of consumer electronics shipped here from Japan shows no signs of decreasing. In the first quarter of 1963, the two key products, televisions, and radios with three or more transistors, showed substantial gains over the first quarter of 1962.

Operating under standards set by the Ministry of Foreign Trade, Japanese manufacturers are said to have cornered 55 percent of the U.S. market in portable radios and 10 percent of the market for small, portable television sets.

To meet the wage differential, 36 cents an hour in Japan compared with $2.41 an hour, including all fringe benefits, for U.S. workers, some manufacturers of well-known television sets are having them made in Japan.

Magnavox, with its new 16-inch set, Olympic and, to a lesser degree, Symphonic, are all said to be buying sets in that country. Furthermore, all U.S. manufacturers are reported to be using or about to use Japanese components.

The Government seems inclined to do little about the competition because the balance of U.S. exports to Japan have far outweighed imports except in 1 year, 1959.

This is where Yankee ingenuity enters the picture. Since it couldn't lick the wage disparity, General Electric has been trying to meet the competition through new approaches.

SAVINGS MOUNT

Considerable savings have been made through "value analysis" studies. In these the company literally picks the brains of everyone remotely connected with the production of a television set and its components. For example, improving the design of a power transformer cut its cost from 37 to 17½ cents. Altering a metallic tube retainer lowered its price from 4.2 cents to less than a cent.

But GE thinks it has hit the jackpot with its new portable TV. In this it entirely eliminated the conventional chassis, mounting the components on the printed circuitry around, above and below the picture tube.

Not only does it cut costs by virtually ending all hand soldering operations, but GE engineers say it permits more accurate pretesting of the chassis, reduces weight by eliminating nearly all metal parts and increases serviceability.

GOVERNMENT PROGRAM OF PURCHASING MICA FOR NATIONAL DEFENSE STOCKPILE

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, the Government program of purchasing mica for the national defense stockpile was terminated in July 1962. My colleague, the distinguished Congressman from North Carolina [Mr. WHITENER], and myself introduced legislation earlier this year to set up a Government mica purchasing and auction program. We did this to relieve the critical economic situation existing in the mica industry.

In connection with this legislation, the Department of the Interior has rendered an adverse report, the General Services Administration has also rendered an adverse report. Their reasons for opposition, advanced in these reports, are that there is no longer a need to purchase mica for defense or other purposes. They also indicated that our existing inventories of mica are in excess of current requirements.

In their adverse reports on my legislation, the General Services Administration expressed concern that additional purchases could not be sold and would simply add to existing excesses. The Department of the Interior pointed out that my bill would put the Government in the position of a mineral broker and in competition with private enterprise.

With this background, Mr. Speaker, it is shocking to find that the U.S. Department of Agriculture has just announced its intention to furnish Brazil with 200,000 tons of wheat in exchange for ores including, specifically, mica.

Mr. Speaker, here we have a devastating situation indeed. The Department of the Interior and the General Services Administration have gone on record as saying that we do not need mica. At about the same time, the Department of Agriculture is engaged in a barter arrangement to obtain more mica. The transaction, as I understand it, insofar as it pertains to mica will result in approximately 240,000 pounds of mica coming into this country from Brazil. This is approximately equivalent to the total value of the mica produced in the United States in 1962.

Mr. Speaker, this is the type of transaction that destroys one's confidence in the intelligence of the Federal Government. Mr. Speaker, how can anyone explain to those people in the mica industry how our Government can permit this type of situation to take place. To the people involved, this is confusing and demoralizing. The U.S. Government has ended its national mica stockpiling program, but, at the same time, seeks to purchase additional mica from foreign sources. Mr. Speaker, I call on the Department of Agriculture, the Department of the Interior, the General Services Administration, and all other agencies of Government with any decent concern for the preservation of American industry and jobs for our people to get together and investigate this situation.

In the meantime, Mr. Speaker, I introduced, last week, additional legislation to help the mica industry. Under the provisions of this legislation—H.R. 7254—30 percent of all duties collected on the import of mica and mica products will be established in a special fund. The money will be used by the Secretary of the Interior to conduct technological and related research projects to develop and increase markets for mica and mica products and to provide advertising and sales promotion programs.

Mr. Speaker, there is ample precedent for this legislation. I cite the Saltonstall-Kennedy Act which similarly provided a special fund for research and development in aid of the fisheries industry. Also, under the provisions of the national Wool Act of 1954, part of the tariffs on wool imports are set aside for development and sales promotion programs for wool. Those programs have been successful. The mica industry in this country is entitled in all fairness to similar help.

BRACERO PROGRAM

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. TALCOTT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. TALCOTT. Mr. Speaker, the following sincere and simple letter to me is from a small strawberry grower not in my district. Nevertheless, I feel some responsibility for his panic and the plight of those who depend upon him.

OXNARD BERRY FARM, INC.,
Oxnard, Calif.

DEAR SIR: I would like to tell you what the bracero program has meant to me. I have been a grower of strawberries since 1947. Then we shipped only to the local markets and a few as far as Portland and Seattle. Now we ship all over the United States and Canada. The reasons for the change is that we have learned to control the quality of the pick. To do this we have to have sufficient men to cover the field every 4 days. If we begin to get behind, we have to have a place where we can pick up sufficient men in a hurry to continue to control the pick. We need them now, not a week from now. The answer to this problem has been the bracero. Now that they are gone I cannot see how we are to solve this problem. There is no hope of mechanization in the foreseeable future, as we are handling the most perishable commodity on the market. It has to be selected gently every 4 days in order to be shipped.

I have to make a decision in the next 2 weeks on whether to plant or not. To plant an acre requires an investment of $1,500. This is a lot of money to lay out when you cannot see any hope of labor to harvest your crop properly.

Will you be good enough to let me know whether you think there is any chance for some program for supplemental labor to be enacted this year.

Respectfully,

C. M. KENNEDY.

The strawberry plant is a perennial and produces over a 3- or 4-year period. The initial investment is great. The risks of favorable weather and market are even greater.

Mr. Kennedy is willing to assume these risks if he can obtain labor to harvest the crop. Without assurance of labor for the next 3 to 4 years he cannot plant.

Mr. Kennedy's risk and product will provide jobs for machinery and vehicle manufacturers of many kinds; fertilizer manufacturers, distributors, and applicators; truckers; packers; shippers; allied processors, such as manufacturers and distributors of jams, jellies, ice cream, frozen desserts; paper, wooden, and metal packages; merchandisers, clerks, grocery store owners.

The farmers' share of the proceeds from strawberries is very small. Does anyone in Congress have an answer for Mr. Kennedy or the thousands of persons throughout the United States who depend upon him for their livelihood? I would like to hear.

J. F. K. FAILS TO INTERPRET HISTORY

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. TALCOTT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. TALCOTT. Mr. Speaker, many of us will agree that President Kennedy deported himself well on his tour of Europe. His homely visit to his fatherland struck the intimate pride of anyone with ancestors in Europe. The syntax and word selection of his speeches were brilliant.

However, another facet of the tour worries many of our citizens. For the considered, erudite view of the "loyal opposition," I commend the following editorial from the Monterey Peninsula Herald, by Allen Griffin, editor and publisher.

President John F. Kennedy's visit to Europe is an ill-fated tour that will bring no benefits to the United States and that possibly could bring ill fortune to Europe.

The President is visiting several countries that are under lame duck control. Adenauer of Germany, a great man whose place in history is already well carved, is in the last months of his career as Chief of State of that country. One of his greatest achievements was the rapport that he and President De Gaulle developed for the benefit of Europe's future.

In Italy, President Kennedy will deal with a government that may be no government at all. It is a bird of passage, here today and gone tomorrow. It is without any substantial influence in the affairs of other countries of Europe.

In England, President Kennedy has only to deal with the Macmillan government, unless it is thrown out in the meantime. It is a government that has been besmirched by the sex scandal of one of its leading ex-members. Nobody knows how many other scandals of similar poor odor are to be revealed.

There is only one government of a great power in Europe today that is sound, dependable, and free of scandal.

That is the Government of France under Gen. Charles de Gaulle.

In order to avoid any possible breath of contact with that government, the President of the United States had his flight adjusted so that he would not even fly over the free air of independent France. This is our misfortune, our miscalculation, and a repetition of the blunders made by Franklin Delano Roosevelt in regard to De Gaulle and, to a lesser extent, by President Truman in regard to De Gaulle.

Our capacity for no-see-'em ship is almost beyond belief. The President and his advisers are supposed to be omnivorous readers. Perhaps they read without paying the least bit of attention to the subject matter of their reading. The subject matter is in the fascinating and instructive series of writings by Gen. Charles de Gaulle that are his war memoirs. There are three volumes, "The Call to Honor," "Unity," and "Salvation." If the leaders of this country had only been attentive enough to history to read these three volumes, they would not have made the mistakes that they are again making in spite of the instructions of history.

Another learned gentleman who receives far more praise than he deserves, except for his golf (which is very good), is Senator J. WILLIAM FULBRIGHT, of Arkansas.

Not content with leaving the problem in its current seriousness, Senator FULBRIGHT endeavors to make it worse by declaring publicly that France is hostile to NATO because France is still "overcompensating" for her bad performance during World War II. The chairman of the Senate Foreign Relations Committee in a television program Sunday declared for all the world to hear that "the performance of France during World War II was not very creditable." France's pride has also been wounded, according to FULBRIGHT, by the country's "failure to operate a self-governing democracy" in the postwar years. Such wounded people, he says, must be handled "with kid gloves."

It appears that the United States, due to the kind of leadership it has in the White House and in the Senate, is intent upon doing endless damage to the relationships of the United States with the most powerful and, without doubt, the greatest country in Europe today, and the one under the most farsighted and determined leadership. This is fantastic. This is incredible.

If President Kennedy succeeds in any of his current efforts in Europe, his success will not strengthen NATO, it will not make friends for the United States, it will not lead to peace in this world.

The President of the United States seems to be determined to cause a rift between the two ancient enemies, France and Germany, who have, under the great leadership of Adenauer and De Gaulle, brought about a rapport that has promised a Europe at peace. For every person who looks forward to a period, a long period, of peace within Europe, this is a mistake beyond any calculation. It is sophomoric in its concept. It is vain and egotistical. It is utterly lacking in any conception of the role of history.

NEGLECTING TO ACKNOWLEDGE THOSE GOOD AND WORTHY THINGS

Mr. MARSH. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, one of our persistent failings in our relations with each other is that of neglecting to acknowledge those good and worthy things done by our friends and associates.

Our wives tell us this when we let too long a period pass without a word of appreciation or complimentary expression and we dutifully make amends for this delinquency from time to time.

But such a failing is more common outside the family situation where we have grown accustomed to receiving unacknowledged the good works of good men. It is as though we took such works from them for granted, as though they were due and expected.

In a sense they are, for we expect a good man to do good things. However, this is not to say that an expression of appreciation, an acknowledgment, should not also be due and expected.

It is my desire to state in this fashion my personal regard and appreciation for one of my associates on the delegation from Texas, in this case the senior Senator from Texas.

Senator Ralph W. Yarborough is a man whom I have known for a number of years and my measure of him grows as time continues.

We have a saying in Texas that great things can be grown on all our land in all parts of our State. Strangers hear this and point to some arid, sandy area sprinkled with rocks, and we have some such, and they ask what can be grown there. Our answer is men. We can grow great men. We are proud of the great men who have grown on our soil, and we are proud of Senator Yarborough.

He happens to come from a most verdant, forested area of our State. It is one of the first settled areas which was very much a part of the economy and the social order of the Deep South. It is the Deep South. We call it deep east Texas.

Our senior Senator comes from that area and I know full well his pride in all the good things of that heritage. I know too the trials he has had carrying that love for his past into this fast-changing time where as our world shrinks we search for ways to accommodate ourselves to each other.

I have watched Senator Yarborough search for such accommodations and as he did so, he each time searched for that which was honorable, that which was worthy of one who wished to lead and not simply mirror that which was popular. This is in the tradition of greatness, and I compliment the Senator for it.

The reason these things are on my mind today is that I learn that a Washington paper recently editorially chided all southern Senators for not speaking out, for holding their peace, while the Nation is wracked in public debate on issues that are controversial and important, though not popular in their home States.

This was in error, for it fails to credit the senior Senator from Texas with having spoken out forthrightly in an effort to stay the excesses of bigotry and to promote a decent regard for human dignity. These things he has done.

Recently, following President Kennedy's speech to the Nation on June 11, 1963, Senator Yarborough stood tall when asked for comment on that speech. His comments were:

> President Kennedy made a reasoned appeal based on the American sense of justice, and on the principles announced long ago in the Declaration of Independence.
>
> The President's statement is powerful because it appealed to reason and to justice and to fairness.
>
> It is strong because it appealed to the spirit of man.
>
> It did not rattle a domestic sword; it was not a threat, but a promise; it did not threaten to stamp people who did not agree with him.
>
> Its strength lies in the quest for the conscience of Americans.
>
> I believe the goal and the ultimate effect of the President's speech will be to help unify and strengthen the country.

I like a man who stands tall. I like it especially when he does it while others are hunkering down like a low bush in a heavy wind.

We have a tall standing Senator from Texas, and we are proud of him.

PRODUCTIVITY OF LABOR

Mr. MARSH. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Gonzalez] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, this House earlier this session wisely chose to reject a 2-year extension of the Bracero Act, Public Law 78. I should hope that we will continue to reject any extension of this act which by injecting a large supply of cheap labor into the American agricultural market prevents the wages of domestic migrant workers from rising through the market forces of supply and demand.

Proponents of Public Law 78 have not only claimed a great insufficiency of domestic labor for agricultural stoop labor, thereby justifying in their eyes the bracero program; they have also cited reasons why wages of the workers should be deplorably low.

Mr. Matt Triggs, assistant legislative director for the American Farm Bureau Federation, based his argument for low migrant worker wages on their low productivity when he testified before the Senate Subcommittee on Migratory Labor on April 24. He argued for allowing free economic forces to improve the lot of the migrant workers, and claimed that wages will not rise in such a free market until the productivity of the migrants increases.

First might I ask: Why does he artificially alter free market forces by introducing a cheap foreign labor force? And second, I might point out his distortion of the influence of productivity on wage rates. Does the constant and low productivity of such people as bricklayers, painters, cabinetmakers, custodians, and so forth keep their wages where they were years ago? Certainly not. The element of the supply of workers is often more important than productivity considerations.

To a small extent technology and productivity do place limits on the amount a farmer can pay. The price of the farmer's product, however, as well as productivity, determines wage ceilings. Our society could certainly afford to pay the migrant a higher wage. That will not happen until the free market forces of supply and demand forces both wages and prices up. A bracero program does not allow these forces to operate freely and effectively.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Pelly, for 30 minutes, today.

Mr. Weaver (at the request of Mr. Shriver), for 2 hours, on July 23, 1963.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Flood in two instances.

Mr. Foreman.

Mr. Alger.

Mr. Sikes.

(The following Members (at the request of Mr. Shriver) and to include extraneous matter:)

Mr. Fulton of Pennsylvania.

Mr. Byrnes of Wisconsin.

(The following Members (at the request of Mr. Marsh) and to include extraneous matter:)

Mr. Dingell.

Mr. Powell in four instances.

SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 280. An act for the relief of Etsuko Matsuo McClellan; to the Committee on the Judiciary.

S. 296. An act for the relief of Anne Marie Kee Tham; to the Committee on the Judiciary.

S. 538. An act for the relief of Henry Bang Williams; to the Committee on the Judiciary.

S. 546. An act to authorize the Secretary of the Navy to grant easements for the use of lands in the Camp Joseph H. Pendleton Naval Reservation, Calif., for a nuclear electric generating station; to the Committee on Armed Services.

S. 568. An act for the relief of Denis Ryan; to the Committee on the Judiciary.

S. 733. An act for the relief of Yung Yuen Yau; to the Committee on the Judiciary.

S. 753. An act for the relief of Mrs. Giuseppa Rafala Monarca; to the Committee on the Judiciary.

S. 879. An act to provide for the striking of medals in commemoration of the 150th anniversary of the building of Perry's fleet and the Battle of Lake Erie; to the Committee on Banking and Currency.

S. 1082. An act to establish in the Treasury a correctional industries fund for the government of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

S. 1125. An act to provide for the striking of medals in commemoration of the 100th anniversary of the admission of Nevada to statehood; to the Committee on Banking and Currency.

S. 1201. An act for the relief of Dr. James T. Maddux; to the Committee on the Judiciary.

S. 1230. An act for the relief of Carlton M. Richardson; to the Committee on the Judiciary.

S. 1401. An act to authorize the Commissioners of the District of Columbia to acquire, construct, operate, and regulate a public offstreet parking facility; to the Committee on the District of Columbia.

S. 1489. An act for the relief of J. Arthur Fields; to the Committee on the Judiciary.

S.J. Res. 51. Joint resolution to authorize the presentation of an Air Force Medal of Recognition to Maj. Gen. Benjamin D. Foulois, retired; to the Committee on Armed Services.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on June 27, 1963, deliver to the White House for forwarding to the President, for his approval, bills and a joint resolution of the House of the following titles:

H.R. 1492. An act to provide for the sale of certain reserved mineral interests of the United States in certain real property owned by Jack D. Wishart and Juanita H. Wishart;

H.R. 1819. An act to amend the Federal Employees Health Benefits Act of 1959 to provide additional choice of health benefits plans, and for other purposes;

H.R. 1937. An act to amend the act known as the Life Insurance Act of the District of Columbia, approved June 19, 1934, and the act known as the Fire and Casualty Act of the District of Columbia, approved October 3, 1940;

H.R. 3537. An act to increase the jurisdiction of the Municipal Court for the District of Columbia in civil actions, to change the names of the court, and for other purposes;

H.R. 6791. An act to continue for 2 years the existing reduction of the exemption from duty enjoyed by returning residents, and for other purposes; and

H.J. Res. 467. Joint resolution amending section 221 of the National Housing Act to extend for 2 years the broadened eligibility presently provided for mortgage insurance thereunder.

ADJOURNMENT

Mr. MARSH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 31 minutes p.m.) the House adjourned until tomorrow, Tuesday, July 2, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

986. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill entitled "A bill to amend title 10, United States Code, to authorize increased fees for the sale of U.S. Naval Oceanographic Office publications"; to the Committee on Armed Services.

987. A letter from the Comptroller General of the United States, transmitting a report on a review of separation, storage, and disposal of records at selected Federal records centers, National Archives, and Records Service, General Services Administration; to the Committee on Government Operations.

988. A letter from the Comptroller General of the United States, transmitting a report on unnecessary expenditures of more than $1 million for storage of petroleum in a commercial facility at Plattsburgh, N.Y.; to the Committee on Government Operations.

989. A letter from the Comptroller General of the United States, transmitting a report on overprocurement of transponders for the Nike-Hercules guided missile system by the Department of the Army; to the Committee on Government Operations.

990. A letter from the Comptroller General of the United States, transmitting a report on the unnecessary payment by the United States of costs properly chargeable to Japan for administrative and related expenses of the military assistance program for Japan; to the Committee on Government Operations.

991. A letter from the Chairman, Civil Aeronautics Board, transmitting a draft of a proposed bill entitled "A bill to amend the Federal Aviation Act of 1958 so as to clarify the powers of the Civil Aeronautics Board in respect of consolidation of certain proceedings"; to the Committee on Interstate and Foreign Commerce.

992. A letter from the Chairman, Federal Communications Commission, transmitting a draft of a proposed bill entitled "A bill to amend subsection (b) of section 310 of the Communications Act of 1934, as amended"; to the Committee on Interstate and Foreign Commerce.

993. A letter from the Chairman, Federal Trade Commission, transmitting an economic report to the Federal Trade Commission by its staff entitled "Economic Inquiry Into Food Marketing—Part II: The Frozen Fruit, Juice, and Vegetable Industry"; to the Committee on Interstate and Foreign Commerce.

994. A letter from the Assistant Secretary of the Interior, transmitting a report covering all tort claims paid by the Department of the Interior for the fiscal year 1962, pursuant to (28 U.S.C., sec. 2673); to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMPSON of New Jersey: Joint Committee on the Disposition of Executive Papers. Report pursuant to 63 Stat. 377; without amendment (Rept. No. 490). Ordered to be printed.

Mr. ROBERTS of Alabama: Committee on Interstate and Foreign Commerce. H.R. 1341. A bill to require passenger-carrying motor vehicles purchased for use by the Federal Government to meet certain safety standards; with amendment (Rept. No. 491). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 3306. A bill to establish a revolving fund from which the Secretary of the Interior may make loans to finance the procurement of expert assistance by Indian tribes in cases before the Indian Claims Commission; with amendment (Rept. No. 492). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 5883. A bill to correct a land description in the act entitled "An act to provide for an exchange of lands between the United States and the Southern Ute Indian Tribe, and for other purposes"; without amendment (Rept. No. 493). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 6496. A bill to authorize the Secretary of the Interior to convey certain federally owned land in trust status to the Cherokee Indian Tribe of Oklahoma; with amendment (Rept. No. 494). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 6710. A bill to approve an order of the Secretary of the Interior canceling irrigation charges against non-Indian-owned lands under the Wind River Indian irrigation project, Wyoming, and for other purposes; without amendment (Rept. No. 495). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H.R. 6998. A bill to provide for increased wheat acreage allotments in the Tulelake area of California; without amendment (Rept. No. 496). Referred to the Committee of the Whole House on the State of the Union.

Mr. HAYS: Committee of Conference. H.R. 5207. A bill to amend the Foreign Service Buildings Act, 1926, to authorize additional appropriations, and for other purposes (Rept. No. 497). Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MOORE: Committee on the Judiciary. S. 292. An act for the relief of Yoo Chul Soo; without amendment (Rept. No. 484). Referred to the Committee of the Whole House.

Mr. CHELF: Committee on the Judiciary. S. 310. An act for the relief of Kaino Hely Auzis; with amendment (Rept. No. 485). Referred to the Committee of the Whole House.

Mr. CHELF: Committee on the Judiciary. S. 686. An act for the relief of Millie Gail Mesa; without amendment (Rept. No. 486). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 671. An act for the relief of Mirhan Gazarian; with amendment (Rept. No. 487). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary. S. 735. An act for the relief of Peter Hopeton Maylor; without amendment (Rept. No. 488). Referred to the Committee of the Whole House.

Mr. POFF: Committee on the Judiciary. S. 866. An act for the relief of Enrico Petrucci; without amendment (Rept. No. 489). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLATNIK:

H.R. 7351. A bill to amend the Public Works Acceleration Act to increase the authorization for appropriations under that act, and for other purposes; to the Committee on Public Works.

By Mr. FINDLEY:

H.R. 7352. A bill to authorize the coinage of 50-cent pieces in commemoration of the 100th anniversary of the delivery of Lincoln's immortal address at Gettysburg; to the Committee on Banking and Currency.

By Mr. FOGARTY:

H.R. 7353. A bill to require certain standards of nonpersistence of synthetic pesticide chemicals (economic poisons) manufactured in the United States or imported into the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. GOODELL:

H.R. 7354. A bill to authorize the acquisition of and the payment for a flowage and clearing easement and rights-of-way over lands within the Allegany Indian Reservation in New York, required by the United States for the Allegheny River (Kinzua Dam) project, to provide for the relocation, rehabilitation, social and economic development of the members of the Seneca Nation, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HALPERN:

H.R. 7355. A bill to provide readjustment assistance to veterans who serve in the Armed Forces during the induction period; to the Committee on Veterans' Affairs.

By Mr. HÉBERT:

H.R. 7356. A bill to amend title 10, United States Code, relating to the nomination and selection of candidates for appointment to the Military, Naval, and Air Force Academies; to the Committee on Armed Services.

H.R. 7357. A bill to amend title 10, United States Code, to limit the revocation of retired pay of members of the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. HOSMER:

H.R. 7358. A bill to authorize the Secretary of the Interior to make disposition of geothermal steam, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KEOGH:

H.R. 7359. A bill to provide for the establishment of Fire Island National Seashore, in the State of New York, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PILLION:

H.R. 7360. A bill to amend title III of the act of March 3, 1933, commonly referred to as the "Buy American Act," as it relates to the acquisition of steel, steel products, and steel materials for public use; to the Committee on Public Works.

H.R. 7361. A bill to amend title III of the act of March 3, 1933, commonly referred to as the "Buy American Act," as it relates to the determination of the reasonability of cost of steel, steel products, and steel materials; to the Committee on Public Works.

H.R. 7362. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. ROOSEVELT:

H.R. 7363. A bill to amend title II of the National Housing Act to permit cooperative housing mortgages insured under section 213 to be refinanced under section 221(d)(3); to the Committee on Banking and Currency.

H.R. 7364. A bill to amend section 221 of the National Housing Act to permit units for single persons to be included in projects of public and nonprofit mortgagors financed under subsection (d)(3) thereof; to the Committee on Banking and Currency.

By Mr. STUBBLEFIELD:

H.R. 7365. A bill to amend the act of September 30, 1961, with respect to the application of the antitrust laws to the televising of the games of certain professional teams; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.R. 7366. A bill to amend the Small Reclamation Projects Act of 1956; to the Committee on Interior and Insular Affairs.

By Mr. TOLLEFSON:

H.R. 7367. A bill to prohibit trade with Communist nations; to the Committee on Interstate and Foreign Commerce.

By Mr. WEAVER:

H.R. 7368. A bill to designate the reservoir on the Shenango River above Sharpsville, Pa., as the George Mahaney Reservoir; to the Committee on Public Works.

By Mr. WHARTON:

H.R. 7369. A bill to amend the Internal Revenue Code of 1954 to permit a taxpayer to deduct tuition expenses paid by him for the education of himself or his spouse or any of his dependents at an institution of higher learning; to the Committee on Ways and Means.

By Mr. WILLIS:

H.R. 7370. A bill to fix the fees payable to the Patent Office and for other purposes; to the Committee on the Judiciary.

By Mr. ASHBROOK:

H.J. Res. 530. Joint resolution proposing an amendment to the Constitution of the United States permitting the right to read from the Holy Bible and to offer nonsectarian prayers in the public schools or other public places if participation therein is not compulsory; to the Committee on the Judiciary.

By Mr. HOSMER:

H.J. Res. 531. Joint resolution proposing an amendment to the Constitution of the United States permitting the right to read from the Holy Bible and to offer nonsectarian prayers in the public schools or other public places if participation therein is not compulsory; to the Committee on the Judiciary.

H.J. Res. 532. Joint resolution expressing the determination of the United States with respect to the situation in Cuba and the Western Hemisphere; to the Committee on Foreign Affairs.

By Mr. LIPSCOMB:

H.J. Res. 533. Joint resolution expressing the determination of the United States with respect to the situation in Cuba and the Western Hemisphere; to the Committee on Foreign Affairs.

By Mr. MURPHY of New York:

H.J. Res. 534. Joint resolution proposing an amendment to the Constitution of the United States permitting the offering of prayers and the reading of the Bible in public schools in the United States; to the Committee on the Judiciary.

By Mr. ROOSEVELT:

H.J. Res. 535. Joint resolution to authorize the President to proclaim a week in March of each year as National Health Week; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.J. Res. 536. Joint resolution to authorize the President to proclaim a week in March of each year as National Health Week; to the Committee on the Judiciary.

By Mr. SAYLOR:

H.J. Res. 537. Joint resolution proposing an amendment to the Constitution of the United States to authorize Congress, by two-thirds vote of both Houses, to override decisions of the Supreme Court; to the Committee on the Judiciary.

By Mr. STINSON:

H.J. Res. 538. Joint resolution to authorize the President to proclaim October 9 in each year as Leif Erikson Day; to the Committee on the Judiciary.

By Mr. FASCELL:

H. Con. Res. 190. Concurrent resolution providing for the annual observance of the Liberty Bell anniversary; to the Committee on the Judiciary.

By Mr. WHARTON:

H. Res. 426. Resolution to prohibit backdoor spending; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Florida, memorializing the President and the Congress of the United States to authorize the release of all unimproved U.S. lands in Wakulla County, Fla., for the use of the public for recreational purposes; to the Committee on Interior and Insular Affairs.

Also, memorial of the Legislature of the State of Louisiana, memorializing the President and the Congress of the United States to recognize and commend volunteer firemen of the State for their unselfish and dedicated devotion to the happiness and well-being of the people of Louisiana; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of New Jersey, memorializing the President and the Congress of the United States relative to transmitting a certified copy of chapter 109, "Laws of 1963"; to the Committee on Armed Services.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. OSMERS:

H.R. 7371. A bill for the relief of Vassilios Trilivas, Polyxeni Trilivas, and Savas Trilivas; to the Committee on the Judiciary.

By Mr. STINSON:

H.R. 7372. A bill for the relief of Maja Thomsen Hoffmann; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

174. By the SPEAKER: Petition of Marian I. Carney, executive secretary, Northwest Line Constructors Chapter, National Electrical Contractors Association, Portland, Oreg., relative to reflecting our critical view of the restrictive regulations recently and jointly issued by the U.S. Department of Agriculture and the U.S. Department of the Interior relating to the crossing of public lands by non-Federal builders of powerlines; to the Committee on Interior and Insular Affairs.

175. Also, petition of J. A. Brunton, Jr., chief scout executive, National Council, Boy Scouts of America, New Brunswick, N.J., relative to the leadership of President Kennedy, Cabinet members, Members of the Congress, and other leaders of our Nation; to the Committee on House Administration.

176. Also, petition of Henry Stoner, Canyon Village Motor Lodge, Yellowstone Park, Wyo., requesting the initiation of a constitutional amendment proposal to permit local school boards to permit Bible reading and prayers in public schools within their jurisdiction, in spite of the recent U.S. Supreme Court decision; to the Committee on the Judiciary.

177. Also, petition of Aime J. Forand, president, National Council of Senior Citizens, Inc., Washington, D.C., relative to supporting the bills H.R. 5625 and S. 1321, which calls for an appropriation of $5 million to set up a National Service Corps; to the Committee on Education and Labor.

178. Also, petition of Aime J. Forand, president, National Council of Senior Citizens, Inc., Washington, D.C., urging the Congress to reject the proposed legislation as described in S. 774 and H.R. 3669; to the Committee on Interstate and Foreign Commerce.

179. Also, petition of Aime J. Forand, president, National Council of Senior Citizens, Inc., Washington, D.C., requesting additional living quarters for the senior citizens of the United States, etc.; to the Committee on Banking and Currency.

180. Also, petition of Aime J. Forand, president, National Council of Senior Citizens, Inc., Washington, D.C., relative to endorsing the principle of health care insurance through social security such as embodied in the current legislation in Congress known as the King-Anderson Hospital Insurance Act of 1963, which would provide medical care to senior citizens over 65 years of age; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

Independence of Algeria

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1963

Mr. POWELL. Mr. Speaker, today Algeria celebrates the first anniversary of her independence, and we wish to take this opportunity to send warm felicitations to His Excellency, the Prime Minister, Ahmed Ben Bella; and His Excellency, the Algerian Ambassador to the United States, Cherif Gellal.

One year has elapsed since the free and independent State of Algeria was proclaimed by a tumultuous and victorious people. Seven and one-half years of war, the bloodbaths and terrorism, which resulted in thousands of casualties, emphasized the will and determination of the Algerian people to gain their freedom. Subjected since 1830 to French imperialism and direct incorporation into the French nation, the people were given the chance on July 1, 1962, to freely choose their future, either to remain a part of the French nation or to elect independence. The outcome was predestined.

During this eventful year, the Algerian Government was faced with mammoth undertakings, problems which had to be corrected immediately. Political instability finally solidified under the leadership of Ahmed Ben Bella. With his guidance, the government attempted to cope with severe famine, unemployment, a bare treasury and economic chaos in general, which resulted from a mass exodus of the French community residing in Algeria. Appealing to the people to follow a program of austerity while, at the same time, calling upon the nations of the world for succor, Ben Bella has managed to bring the national economy into some semblance of order. The major problems remain; but with the United States supplying wheat and other foodstuffs and the French development capital, it is hoped that the Algerian population will soon be able to stand alone by their own efforts and enjoy the freedom for which they fought so long and hard.

Algeria has taken an active role in international affairs. Mr. Ben Bella's policies on Arab unity are closely linked with those of President Nasser of the United Arab Republic. At the same time, Algeria is assuming a dominant position in North Africa by favoring a Maghreb federation among Algeria, Morocco, and Tunisia. At the recent Addis Ababa conference of the heads of state of the African nations, here again, Algeria was strongly in the fore. Looked upon as a leading force in Africa, Premier Ben Bella was accorded an ovation when he spoke of African unity and independence for all African territories.

Algeria's future looks bright. Its prestige is guaranteed by the Afro-Asian nations. Oil development in the Sahara will grant unlimited funds for industrialization of the nation. Internal perseverence and aid from its allies and friends will cause the present unstable conditions to disapear. By the progressive plants of its leaders, Algeria is thus assured of a strong democratic and prosperous future.

On its first anniversary of independence, let us in the United States extend our greetings to the people of this democratic North African state and wish them rapid progress and prosperity during the forthcoming year.

Republicans Versus Communists

EXTENSION OF REMARKS

OF

HON. ED FOREMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1963

Mr. FOREMAN. Mr. Speaker, what is the best way to help the Communist Party? Work to defeat Republican candidates in 1964. This is the recommendation of no less an authority than Gus Hall himself, the Soviet-trained general secretary to the CPUSA.

Conversely, Hall wrote in the most recent issue of the Sunday Worker, official publication of American Reds, election of Republicans can be expected to bring down on the United States what to Communists is worse than eternal perdition—freedom from Soviet dictates. Although he held to the usual Communist line that both major American political parties have certain ties with imperialists, Hall praised President Kennedy for keeping "lines of communication open" with Russia. J.F.K. atoned for his blockade of Cuba, Hall declared by quarantining Cuban exiles and banning raids, bombings and invasions of Castro's stronghold.

Hall's 10,000-work report, entitled "Political Parties and the 1964 Elections," was particularly praiseworthy of J.F.K.'s handling of civil rights, noting that the President had sent troops into Mississippi and Alabama.

> The recognition of these realities does not make one a partisan or a supporter of the President—

The Communist Party U.S.A.'s No. 1 spokesman said.

> At the same time, they do not isolate us from the broad movement which has relationships with the administration.

The "broad movements," Hall explained, include youth and civil rights groups engaged in "ever more militant mass actions," peace movements and labor organizations. Through all such lines, he added, the Communist Party, U.S.A., can "keep a constant line of contact with administration forces." Hall said that almost all "people's political movements," which is the way the Red-indoctrinated refer to programs they want furthered, operate "within the orbit of the Democratic Party." He urged the "serious left" to support these movements wholeheartedly.

The Hall message, originally delivered in May at a secret meeting of Communist leaders but not made public until last Sunday, directed American Reds to concentrate their attack on rightist forces which are about to "capture the leadership of the Republican Party on all levels." Hall told the Communists not to put up their own candidates in 1964 or support any movement for a new party, but to support "Negro candidates, peace candidates, and labor candidates" in the primaries.

> We can give the ultra-right war forces a trouncing—

Hall said.

> This can be the election that creates the firm foundation for a new political alignment in our country.

Among legislative and judicial "reforms" the Communists must work for, Hall asserted, are the abolition of States rights. He also called for a literal junking of the Constitution and the Bill of Rights.

Burger Yachts Finish One-Two in Annapolis-Newport Ocean Race

EXTENSION OF REMARKS

OF

HON. JOHN W. BYRNES

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1963

Mr. BYRNES of Wisconsin. Mr. Speaker, it is with pride that I note that the two overall winners in the recent Annapolis to Newport ocean race were two yachts built by the Burger Boat Co., of Manitowoc, Wis., in my congressional district.

The winner on corrected time was *Dyna*, a 57-foot yawl owned by Clayton Ewing, now of Easton, Md., and formerly of Green Bay, Wis. *Dyna* finished second on elapsed time. Finishing second on corrected time and first on elapsed time was *Challenge*, a 64-foot auxiliary sloop owned by George F. Johnson, of Ardmore, Pa.

Both yachts were built by Burger Boat Co. and have welded aluminum hulls—a new development in yacht construction pioneered by Burger.

Burger is a proud producer of custom yachts—both motor and sail—and the integrity of its management and the skill of its workers has won it an international reputation. The company has been building fine boats since 1863 when its founder—Henry B. Burger—began construction of sailboats for commercial fishermen on Lake Michigan. The Burger family has been active in the management of the company since that time and the present head of the company, Henry E. Burger, is a grandson of the founder.

It is fitting that the hundredth anniversary of the founding of the firm should be climaxed by the splendid performance of Burger-built yachts in one of America's principal ocean races. I congratulate the company, its owners and its workers on this outstanding achievement.

Independence of Rwanda

EXTENSION OF REMARKS
OF
HON. ADAM C. POWELL
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, July 1, 1963

Mr. POWELL. Mr. Speaker, today the Republic of Rwanda celebrates the first anniversary of her independence, and we wish to take this opportunity to send warm felicitations to His Excellency, the President of the Republic of Rwanda, Gregoire Kayibanda; and His Excellency, the Rwanda Ambassador to the United States, Lazare Mtakaniye.

Until news of its approaching independence on July 1, 1962, reached the press few people had ever heard of the Republic of Rwanda. Bounded on the west by the Republic of the Congo, on the north by Uganda, on the east by Tanganyika, on the south by Burundi to which it was formerly joined in U.N. trusteeship, it is a tiny mountainous country nearly lost in the huge expanse of the African Continent. Rwanda is a land of rich natural beauty, a region of contrast, with high mountains in the north and west sloping sharply down to the shores of Lake Kivu.

It was just a year ago on July 1 that the Belgian flag came down and the new red, yellow, and green flag with a large "R" on it was hoisted in ceremonies marking the independence of this tiny republic of 2,500,000 people. The capital of Kigali was joyous, for independence meant the end of more than 70 years of foreign rule, first as a German colony and then as a Belgian mandate and trust territory.

Rwanda was once before an independent state, prior to the German occupation. The story of its early history is, in fact, as fascinating tale of successive waves of conquest which determined the ethnic composition of the country and its social, economic, and political structure. The original inhabitants of Rwanda, the Twa, a race related to the pygmies, today represent less than 1 percent of the total population. They are chiefly hunters and pottery-makers who live in small groups which have little contact with each other and with the other ethnic groups of Rwanda.

The first wave of conquest, dating to an early period, brought to Rwanda the Hutu, a Bantu race which came from the north and northeast and which today comprises approximately 85 percent of the Rwanda population. The Hutu were a farming people who, with the introduction of coffee as a cash crop by the Belgians, have become coffee planters.

The last African conquerors of Rwanda, the Tutsi, a people of Hamitic origin, entered the country probably sometime in the 15th century, presumably from the region of the headwaters of the Nile. Although they were far inferior in numbers to the already established Hutu, because they had cattle—a commodity in great demand among the Hutu—they easily established a system of feudal control over the numerically stronger race. This feudal system lasted nearly until independence.

Independence for Rwanda was a revolutionary step both in terms of political and of social change, for events in the few years prior to independence brought the Hutu to the ascendancy that was properly theirs as the numerical majority. In January 1961 the Hutu parties proclaimed the deposition of the Tutsi king and established a republic with an elective president. Fears that violence would break out between Hutu and Tutsi on independence was not realized. Since independence Rwanda has been moving steadily along the path of democratic government and peaceful development.

On the first anniversary of their independence we congratulate President Kayibanda and the Rwandan people for their success in working together toward the achievement of their goals as an independent state and a respected member of the world community.

Republic of Panama: Demand for "Interim Compensation"

EXTENSION OF REMARKS
OF
HON. DANIEL J. FLOOD
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 1, 1963

Mr. FLOOD. Mr. Speaker, on numerous occasions in addresses in the Congress, I have emphasized that the official diplomatic position of the Republic of Panama is that the launching of a new isthmian canal different from the existing waterway will require a new treaty to determine the specific conditions for its construction. This position will apply whether such new canal is to be located within the Canal Zone or in the Republic of Panama.

The latest twist in attempted Panamanian extortions is for $10 million a year as "interim compensation" before a new Panama Canal treaty is negotiated. Such demand, Mr. Speaker, is unthinkable and would be made only because the supine weakness on the part of our officials encourages political blackmail. Moreover, it is further evidence of the necessity for the Congress, without further delay, to clarify and make definite our isthmian canal policy, as contemplated by House Concurrent Resolution 105, and to stop further giveaways of our land and property in the Canal Zone, as provided in H.R. 3999.

The details of the proposed "interim compensation," now being agitated on the isthmus, which is separate from the benefits given Panama under the Alliance for Progress, were published in the April 30, 1963, issue of the Panama American and will be quoted at the end of my remarks.

In its relations with Panama, our country has been generous. In addition to funds injected into the Panamanian economy annually from Canal Zone sources, the United States has been giving, and will continue to give, to Panama many millions of dollars through the so-called Alliance for Progress, and apparently even without the thanks of the Panamanian Government.

In these connections, it must be borne in mind that the Panama Canal is a self-sustaining interoceanic public utility operated pursuant to law and treaty. The present annual net income is around $3 million, but the annuity now paid Panama is $1,930,000. The small margin of the net income is soon dissipated on emergent situations arising from the maintenance and operation of the canal.

Our Government has expended over $1.5 billions in the construction and protection of the Panama Canal. Thus the excess of the net income is indeed a thin line of fiscal safety for the tremendous responsibility which our Nation must discharge in and about the Panama Canal.

The extravagant demands on the part of Panama show how unrealistic and unreasonable the Panamanian Government has become. An increase of more than the net income for Panama would bankrupt the canal, unless tolls are raised or taxes increased to cover the deficit. If tolls are substantially increased, this would lessen the use of the canal with loss of toll revenue and also serve to destroy the shipping under our flag.

In view of the situation thus presented, it is truly amazing that such exorbitant demands against the United States should be made and seriously advanced. It is even more amazing that responsible officials of our Government should treat them with the dignity that is now being displayed.

If our Government acquiesces in these connections, it will certainly bring about the liquidation of the maintenance and operation of the Panama Canal by the United States and, ultimately, the destruction of the Republic of Panama. As to the latter, our friends in Panama must be made to understand that the very existence of their country depends on the presence of U.S. power in the Canal Zone for the control, management, and protection of the canal. Whenever the United States throws up its hands and leaves the isthmus, a Communist takeover will fill the ensuing vacuum. Why should the best interests of Panama be clouded by these impossible demands made under the stimulus of nationalistic zeal without regard to the realistic conditions involved?

Statesmanship of the two countries requires not only an understanding of the past and present of the canal enterprise, but also the possibilities of the future. As to the last, destiny has brought Panama and the United States into close historical association; and their interests are mutual.

The people of Panama must realize this fact and their government must not undertake a course of action which, in its ultimate effect, is bound to be suicidal. If the United States withdraws from the isthmus, Panama, like Cuba, will fall into the Soviet orbit. All of Latin America would soon follow, and the world revolutionary dream of a Soviet America will come to fullest fruition.

The indicated news story follows:

[From the Panama American, Apr. 30, 1963]

REPUBLIC OF PANAMA MISSION LEAVES FOR WASHINGTON TALKS: WILL DISCUSS COMPENSATIONS PENDING TREATY

A Panamanian mission leaves early today for Washington, D.C., to discuss "interim compensations" for Panama for the operation of the Panama Canal pending a review of existing treaties.

Planning Director David Samudio and Prof. Ruben D. Carles, Jr., of the University of Panama, compose the mission. They will be joined in Washington by Panamanian Ambassador Augusto G. Arango.

Official sources have indicated that Panama is asking for $10 million a year during 5 years, which is the time that Panamanian officials estimate will elapse before a new Panama Canal treaty is negotiated.

President Roberto F. Chiari is understood to have outlined the proposal to President John F. Kennedy at the President's Conference in San Jose, Costa Rica, last March.

Panama's official position is that construction of a new canal will require a new treaty. The estimate that about 5 years will elapse before this occurs is based on the generally accepted prospect that by 1970 the United States must have made the decision for replacement of the present waterway. Panamanian officials figure that actual treaty negotiations would take about 3 years and that in order to meet the 1970 deadline the United States would have to undertake negotiations in approximately 2 years' time.

The "interim compensations," in Panama's view, would cover the fair benefits this country claims it is not receiving now under the present canal treaties. They would be separate from any Alliance for Progress financial assistance.

The Panamanian mission is expected to start discussions with U.S. officials in Washington late this week. The proposed compensations would be invested, according to official sources, in highway construction and electrification of rural areas principally.

Foreign Trade

EXTENSION OF REMARKS

OF

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1963

Mr. DINGELL. Mr. Speaker, as far back as November 17, 1959, President Eisenhower publicly recognized our mounting balance-of-payments deficit. An important aspect of the proclamation which he issued in this matter ordered Government agencies to emphasize the procurement of goods and services from American rather than foreign sources. Nevertheless, our balance-of-payments deficit continued, and it is considered by President Kennedy to be a primary economic problem facing the Nation. The United States has had an adverse balance in its international payments which has amounted to over $17.5 billion since 1958.

Continuation of concern over this problem has led to the passage of the Trade Expansion Act of 1962. This act recognizes our critical need to increase exports. But trade and shipping go hand in hand.

The regularity of service and equity of rates upon which trade depends can be guaranteed only if a country has ships manned by its citizens in operation under its own flag. However, a merchant marine is also important for its balance-of-payments earnings. The American-flag merchant fleet on its own annually earns or conserves the equivalent of about one-fifth of the favorable surplus which occurs in our sales of exports over imports. Even at that, this contribution is made at a time when many of our ships sail with only partially filled holds. The greater use of American-flag ships could substantially contribute to a further increase in our balance-of-payments earnings.

It is a well-known fact that American-flag carryings have steadily dwindled to the point where they presently represent overall only about 10 percent of our foreign trade. Even American-flag liner companies, which operate the fastest and most efficient ships in the world over regular trade routes at competitive rates carry less than 30 percent of the total liner cargo which moves over these routes in our foreign trade. This pitiful situation exists even with the benefit of our cargo preference law which requires that at least 50 percent of our Government or Government-generated cargoes move on American-flag ships. It is my understanding that in other countries, without the benefit of such laws, far more substantial portions of their national commerce are carried by their national fleets. For example, ships of the United Kingdom carry 50 percent of her own foreign trade, France 62 percent, Italy 63 percent, Japan 50 percent, Norway 50 percent, and so forth.

The Secretary of Commerce, Luther H. Hodges, was questioned about this lack of use of U.S.-flag shipping during hearings on the appropriations for his agency several months ago. The gentleman from New York, Representative ROONEY, referred to foreign assistance programs and the costs of maintaining an American merchant marine. He asked the Secretary why the American merchant marine should not be carrying a greater percentage of Government cargoes. He pointed out that the law merely says "not less than 50 percent," and said he could not understand why this percentage is not 75 or 90 percent. Secretary Hodges confessed that he "cannot make other agencies put their cargoes in U.S.-flag ships."

This leads me to mention something which has just come to my attention which indicates that fortunately there exists in the Congress, at least, a willingness and desire to approach these serious problems on a national basis. This is reflected in a recommendation made by the Agricultural Subcommittee of the House Appropriations Committee contained in House Report No. 355 covering H.R. 6754 on page 45, as follows:

> The use of foreign ships for the shipment of a portion of commodities under Public Law 480 and other foreign assistance programs has again been brought to the attention of the committee. In view of the balance-of-payments deficit facing the United States, it is recommended that American vessels be used for the shipment of commodities under this program to a much greater extent than at present.

This recommendation recognizes that the ocean transportation of surplus commodities is an important step in the general belt-tightening which must take place in the fiscal aspects of our foreign assistance programs. This is particularly significant, because the expression of judgment in this matter comes from a committee of the Congress which is normally concerned only with the agricultural community. It reflects a statesmanlike appreciation that our balance-of-payments deficit, which has placed the sanctity and stability of the dollar in serious jeopardy, must transcend all areas of limited interest. I believe that you will agree that the farmers' stake is just as great as that of our automobile workers and all other segments of the economy. Unfortunately, when the dollar is threatened, nobody stands to pay a potentially bigger price than the common man, whether he be a farmer, a metalworker, or a small business owner.

As a member of the Merchant Marine and Fisheries Committee, I wish to add my endorsement to this recommendation of the Agricultural Subcommittee. The Department of Agriculture is the world's largest user of ocean transportation. Thus, it should be able to do more in this regard than any other agency of our Government. In certain situations, no doubt, the increased use of U.S.-flag vessels may involve higher costs. However, to put things in their proper perspective, such higher shipping costs should be considered in the same vein as other areas of our economy. There are many cases known to all of us where U.S. procurement has been considered desirable and beneficial both to our country's balance of payments and to U.S. industry even though at a somewhat greater cost than foreign procurement. This same philosophy of approach applies as well to the additional use of U.S.-flag shipping which can and should be made. The fact of the matter is that when U.S. ships are used they will earn or conserve for balance-of-payments purposes 77 cents on every dollar spent on ocean freight.

This matter is of such transcending importance that all areas of possible improvement must be utilized to their fullest. The Department of Agriculture is an agency of the U.S. Government. The agricultural community must recognize that this is a national problem. I am sure that individual farmers appreciate this to the same extent as all of our other citizens. This country has never had a lack of support from its citizens in times of national trial. The Agriculture Department cannot afford to turn its back upon those things which must be done.

I therefore look forward to a prompt reaction by the Department in taking early and appropriate steps to effectuate this reasonable recommendation.

Independence of Burundi

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1963

Mr. POWELL. Mr. Speaker, today the Kingdom of Burundi celebrates the first anniversary of her independence, and we wish to take this opportunity to send warm felicitations to His Excllency, Mwami Mwambtsa IV; and His Excellency, Joseph Mbazumutima, the Burundi Ambassador to the United States.

On July 1, 1962, just a year ago, the Kingdom of Burundi, together with its sister republic, Rwanda, emerged as an independent nation. Few of Burundi's approximately 3 million people had ever been outside this tiny country snuggled peacefully in the mountains of central Africa, for the steeply rising Mountains of the Moon served to isolate Burundi from the rest of the world.

Since independence, however, Burundi has been thrust onto the world scene and has taken up its responsibilities as an independent nation on the African Continent and as a member of the world community. On September 18, 1962, Burundi was admitted to membership in the United Nations. In May 1963 Burundi's constitutional monarch, Mwambtsa IV, was among the more than 30 African heads of state who attended the Addis Ababa Conference, called for the purpose of drafting an African unity charter. In addition, there has been some discussion of Burundi's eventually joining an East African federation. Now that it has taken its place among the sovereign nations of the world Burundi can no longer remain in isolation behind the Mountains of the Moon.

The capital of Burundi, Usumbura, is a pretty town scenically situated at the northern tip of Lake Tanganyika. Almost all types of tropical plants thrive there, and there are flowers and flowering trees everywhere the year round. The town itself, which is a colorful, interestingly planned town somewhat reminiscent of small towns in southern California, stretches along the shores of the lake and backs up a gentle hillside. To the east of Usumbura the mountains rise steeply to 8,000 feet, continuing as rolling hills to the border of Tanganyika.

Agriculture is the chief economic activity of Burundi, and the rolling hillsides are intensively cultivated and terraced. Burundi's main products are coffee, cotton, and hides; the country depends on them for the foreign exchange needed to purchase industrial products and equipment.

In contrast to the turbulence which independence brought to another former Belgian dependency, the Congo, calm has prevailed in Burundi during its first year of independence. The atmosphere was set by King Mwambtsa IV at the Burundi independence celebrations last July when he appealed to the Africans and to the foreigners in Burundi to "work together in a common effort to make this Burundi a peaceful, hardworking, prosperous, and perfectly happy country." At the same time he called on the government to "pursue this difficult task that Belgium hands over to us today to create resources without which our country would go to ruin."

On the first anniversary of their independence we commend King Mwambtsa IV and the people of Burundi for their untiring dedication to the goals set on independence day. They have pursued diligently the difficult task of creating resources and have successfully worked together to make Burundi peaceful and prosperous. We wish them continuing success.

House Resolution 14: Special Committee on Captive Nations

EXTENSION OF REMARKS

OF

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1963

Mr. FLOOD. Mr. Speaker, on March 8, 1961, I introduced a measure calling for the establishment of a Special Committee on Captive Nations in the House of Representatives. During the 87th Congress it was known as House Resolution 211, and earlier this year I reintroduced it and in the present 88th Congress it is known as House Resolution 14.

Mr. Speaker, there are not sufficient words to express my profound gratitude and personal delight to the more than 20 Members of the House who joined with me in that most stimulating and very enlightening discussion which took place on the subject of the captive nations—CONGRESSIONAL RECORD, volume 107, part 3, pages 3518–3544, "Russian Colonialism and the Necessity of a Special Captive Nations Committee."

The popular response to House Resolution 211, now House Resolution 14, has been so enthusiastic and impressive that I feel dutybound to disclose the thoughts and feelings of many Americans who have taken the time to write me on this subject. These citizens are cognizant of the basic reasons underlying the necessity of the proposed committee. They understand clearly the vital contribution that such a committee could make to our national security interests. In many cases, they know that no public or private body is in existence today which is devoted to the task of studying continuously, systematically, and objectively all of the captive nations, those in Eastern Europe and Asia, including the numerous captive nations in the Soviet Union itself.

Because their thoughts and sentiments are expressive and valuable, I include the following responses of our citizens to House Resolution 14 in the RECORD:

LITHUANIAN AMERICAN COUNCIL,
Racine, Wis., June 15, 1963.

Hon. DANIEL J. FLOOD,
U.S. House of Representatives,
Washington, D.C.

DEAR SIR: Enclosed you will find a copy of a resolution unanimously adopted at the mass meeting of American citizens of Baltic descent of this community gathered to protest the forceful occupations of Estonia, Latvia, and Lithuania by Soviet Union on June 15, 1940.

This meeting was held today at the St. Casimir's Hall, 815 Park Avenue, Racine, Wis., and was sponsored by our organization.

Very truly yours,

PETER PETRUSAITIS,
Secretary.

Whereas on June 15, 1940, Soviet Russia forcibly occupied Latvia, Estonia, and Lithuania while breaking solemnly signed treaties and agreements; and

Whereas the peoples of these countries are colonial slaves of Russianized communism; and

Whereas the Communist rulers are building or easing tensions of the cold war for their own expedience; and

Whereas Communist signed treaties are not worth the paper on which they have been signed: Therefore, be it

Resolved, That this mass meeting strongly supports creation of a Congressional Committee on Captive Nations (H. Res. 14); and be it further

Resolved, That this mass meeting wholeheartedly endorses and vigorously supports all the resolutions before the U.S. Senate and the House of Representatives which are requiring the Russian colonialism in the Baltic States would be investigated; and be it further

Resolved, That we should take a very careful study of the present and the past before entering into any new kind of agreement with the Communist governments, because it is about time to stop hurting the American image at home and abroad; and be it finally

Resolved, That this mass meeting express its gratitude and admiration to the President of the United States, Members of the Senate and House of Representatives for strenuous efforts to better the standards of living, for enormous tasks to achieve stable peace and social justice and especially for nonrecognition of the incorporation of Estonia, Latvia, and Lithuania into Soviet Union.

MARTIN KASPARAITIS,
President, Lithuanian American Council, Racine, Wis., Branch.

VALENTINS JAUNKALNIETIS,
Representative, Latvian Americans of Racine.

Mrs. OLGA MALBE,
Representative, Estonian Americans of Racine.

RACINE, WIS.,
May 29, 1963.

Congressman DANIEL J. FLOOD,
House of Representatives,
Washington, D.C.

DEAR MR. CONGRESSMAN: The Racine Chapter of the Armenian Revolutionary Federation informs you that a resolution has been passed by our unit supporting passage of House Resolution 14, submitted by you, which calls for the formation of a Special Committee on Captive Nations.

Recent developments worldwide and in Washington make the formation of such a committee imperative to the security and welfare of the United States, and will bring added hope to the tyrannised peoples of the once free nations today in Soviet bondage.

We are in addition to this letter, contacting our Congressman as well as Congressman HOWARD W. SMITH, head of the Rules Committee, urging him to release your resolution to the House floor for quick debate and passage.

May I take this opportunity to commend you for your stand in this regard, and to assure you of our every support of your measure?

Sincerely,

HARRY KALVONJIAN.

CHICAGO LITHUANIAN COUNCIL,
June 14, 1963.

Hon. DANIEL J. FLOOD,
House of Representatives,
Washington, D.C.

DEAR MR. CONGRESSMAN: Enclosed is a copy of letter to the President of the United States, adopted by a meeting of Chicago Lithuanians today, which is self-explanatory.

Your support of the just cause of liberty and independence for Lithuania is sincerely appreciated by American Lithuanians. We hope and pray that you will continue doing your utmost to help the Lithuanian nation, as well as all the other presently enslaved and subjugated countries, to regain complete freedom and independence.

Respectfully yours,
CHICAGO LITHUANIAN COUNCIL,
ALFONSE F. WILLS, *President.*
J. SKORUBSKUS, *Secretary.*

CHICAGO LITHUANIAN COUNCIL,
June 14, 1963.

Hon. JOHN F. KENNEDY,
President of the United States,
White House, Washington, D.C.

DEAR MR. PRESIDENT: Gathered at the Lithuanian Youth Center in Chicago to observe the anniversary of the June 15, 1940, Soviet occupation of Lithuania and the subsequent mass arrests and deportation of Lithuanians to Siberia and elsewhere in Russia, which acts are continuing to this day, we Chicagoans of Lithuanian descent address you, Mr. President, with a restatement of the following facts:

1. Whereas the Soviet Union, in signing secret agreements with Germany on August 23 and September 28, 1939, aimed at annexing Lithuania to its territory, and whereas, by signing these secret agreements and carrying them out—occupying Lithuania on June 15, 1940, and continuing this occupation to this day—Soviet Russia has violated and is still violating a whole series of international agreements and treaties.

2. Whereas Lithuania today has been factually made into a Soviet Russian colony, where the Moscow-imposed and directed Communist regime has deprived the inhabitants of their civil and political rights, as well as the freedoms of the individual person, of religion, of a free press and free speech, which are the inherent rights of all peoples.

We therefore request you, Mr. President, to take every possible measure to help to bring about the withdrawal of the foreign regime forced upon Lithuania by Soviet Russia, so that Lithuania could again independently exercise her political sovereignty and her citizens could again freely use all their political and civil rights and freedoms.

Respectfully yours,
CHICAGO LITHUANIAN COUNCIL,
——— ———,
President.
——— ———,
Secretary.

UKRAINIAN CONGRESS COMMITTEE
OF AMERICA, INC., BOSTON BRANCH,
West Roxbury, Mass., May 7, 1963.

The HONORABLE F. BRADFORD MORSE,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN MORSE: We appreciate your speaking in behalf of Ukrainian Independence Day observed in the House of Representatives on January 24, 1963.

I am sure you will agree with me that our support for freedom of Ukraine and other captive nations under the Communist domination must go beyond the realm of remarks and concentrate on a concrete measure; the creation of a permanent House Committee on Captive Nations. House Resolutions 14 and 15, introduced by Congressmen FLOOD and DERWINSKI respectively, call for the establishment of such a committee.

Presently House Resolutions 14 and 15 are pending before the House Committee on Rules.

In the spirit of your remarks, we ask and urge you to support these resolutions. Furthermore, your call or note to Congressman HOWARD W. SMITH, chairman of House Rules Committee, favoring House Resolutions 14 and 15 would stir the committee to action. The committee would open public hearings on the proposed legislation and consequently bring the measure to the floor in the House of Representatives.

Your continuing interest in this matter can and will do much for the captive nations.

Sincerely yours,
OREST SZCZUDLUK,
Public Relations.

HOUSE OF REPRESENTATIVES,
Washington, D.C., May 28, 1963.

Mr. WALTER TUSTANIWSKY,
Chairman, Ukrainian Congress Committee of America, Inc., Detroit, Mich.

DEAR MR. TUSTANIWSKY: Your letter of May 25 in reference to the establishment of a special committee on the Captive Nations in the House of Representatives has been received.

I agree that the establishment of such a committee would be beneficial to our Nation and I have therefore introduced in accordance with your suggestion, a bill identical to that of Representative DANIEL J. FLOOD, House Resolution 14.

Thank you for calling the matter to my attention and best regards.

Sincerely,
GERALD R. FORD,
Member of Congress.

Why Go to the Moon?

EXTENSION OF REMARKS

OF

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1963

Mr. FULTON of Pennsylvania. Mr. Speaker, I am calling to the attention of the U.S. Congress and the American people by CONGRESSIONAL RECORD an interesting article which appears in the VFW magazine for July 1963. From my experience on space matter, I believe that this is such an excellent article that it should be called especially to notice.

Congressman RICHARD L. ROUDEBUSH, author of this timely article on the U.S. space program, is well schooled in his subject. He is a member of the House Committee on Science and Astronautics, and the Subcommittee on Manned Space Flight. He served as commander in chief of the Veterans of Foreign Wars, 1957–58, and is now a member of the VFW National Legislative Committee, and the Indiana Department of Veterans Affairs Committee.

The article follows:

WHY GO TO THE MOON?

(By RICHARD L. ROUDEBUSH, U.S. Representative, Indiana)

If we in the United States desire to abandon all of the traditions and ideals which made this Nation great, and content ourselves with the role of a second-rate power, we could choose no more certain course than to surrender outer space to the Soviet Union. And being second to a power determined to destory our way of life would leave us no power at all. It would be tantamount to committing political and national suicide.

It is well, therefore, to remind ourselves occasionally, that while we have touched the edge of space, we still have a long way to go. Almost 2 years after Russian Cosmonaut Gherman Titov orbited the earth for a day, we had yet to accomplish this feat ourselves, and we still did not have an operational space booster with the power and reliability of those the Russians had used repeatedly.

Since then, we have continued to advance our space capabilities, as shown by the sensational 22-orbit flight last May of Air Force Major L. Gordon Cooper. But Cooper's 34 hours in orbit still fell short of a mark set in August of last year by two Russian cosmonauts who attempted a rendezvous of their crafts in space. All previous endurance marks, of course, were shattered by the June orbits of the Russians, Lt. Col. Valery Bykovsky and Valentina Tereshkova, first woman cosmonaut.

But Cooper's feat would seem to indicate we are closing the gap with Russia in space technology. Our new Saturn rocket engine, now being made operational, is said to be the most powerful ever developed in the world. Russian secrecy prevents us from knowing for sure.

As far back as 1958, when the first sputnik gave us startling evidence of a new Soviet capability, President Eisenhower's Science Advisory Committee recognized that we were in a race with the Russians for preeminence in space.

"To be strong and bold in space technology will enhance the prestige of the United States among the peoples of the world and create added confidence in our scientific, technological, industrial, and military strength," President Eisenhower's Science Advisory Committee stated.

Futher, this Committee's statement said, "There is the defense objective for the development of space technology. We wish to be sure that space is not used to endanger our security. If space is used for military purposes, we must be prepared to use space to defend ourselves."

These assertions, put forth by President Eisenhower in 1958, are as valid today as they were then. The United States must assume leadership in exploring the moon for reasons identical with those which prompted us, 5 years ago, to undertake a major national space program. Although the reasons are identical, they have even more urgency today.

Military experts tell us it is naive to think of the space program as a scientific luxury—a "Buck Rogers" toy that we can play with at our economic leisure. They stress that rapid development of our capabilities in space is vital to our Nation's political sovereignty—perhaps to its very existence. Spacecraft, they say, in the near future, will be as necessary to our defense posture as airplanes are now. And without them, we would be helpless. It is not a matter of economy, said one, but of necessity.

Some have questioned the wisdom of selecting the moon as the focal point of our early efforts to achieve superiority in space flight.

Whether this decision was wise can best be answered by asking if the Russians, themselves, are striving to reach the moon, and if in our own drive for preeminence, we are overlooking a more desirable alternative.

To evaluate Soviet intentions, one might turn to the Soviet magazine Red Star of April 12, 1963, to find all the challenge a patriotic American should need. In an interview, Soviet Cosmonaut Yuri Gagarin was asked about international space competition. He replied:

"Not so long ago, it seemed impossible that man would break loose from the bonds of Mother Earth. Yet man, Soviet man, has not only succeeded in tearing away from this cradle, but has made many orbits around it.

"What awaits us? Not the stars yet. Probably the moon is first * * *. All my space friends strongly hope that the road to the natural satellite of the earth will be laid by people from our valiant socialist system."

We Americans have a very real stake in making certain that Gagarin's hopes are not realized. We cannot afford to lose a technological and ideological contest which could cost us all that so many Americans have given their lives to defend.

Furthermore, it would make no sense to bypass the moon and concentrate instead on some more difficult, distant and costly space destination, such as Mars. This would seemingly leave, then, only the choice of some less demanding goal, such as a manned, earth-orbiting laboratory in space.

As a part of our lunar exploration program, we will have such laboratories—although on a limited scale—in our 2-man Gemini spacecraft and our 3-man Apollo spacecraft, designed to orbit the earth for two months. These will give us needed experience in rendezvous and docking techniques—the bringing together and coupling in space of two separately launched vehicles—which we shall need for manned exploration of the moon and for overall competence in space.

We can hardly expect to achieve preeminence in space—a goal overwhelmingly approved by a bipartisan vote in the Congress—if we content ourselves merely with experiments in the near-space regions around the Earth while the Russians proceed, full steam ahead, to the Moon and beyond.

In a sense, the continued existence of representative government and the free enterprise system depends upon the organization and extension of our space program. In this era of revolutionary scientific changes and expanding technology, we are faced with a crucial contest for political survival.

As Space Administrator James E. Webb said recently: "In a contest with an adversary whose true strength largely remains an unknown factor because of the secrecy of their operations, we cannot ask ourselves how little we can do and still win.

"We must ask ourselves how much we can prudently do to insure success within the limits of our available resources and in full consideration of our other pressing national obligations and needs."

Although we are in a space competition, the Apollo program is not merely a technological exercise undertaken for the sake of competition alone. Inherent in the program are scientific and technological benefits that are an essential part of our total space effort and which cannot be achieved by using unmanned automatic equipment.

This fact was underlined last summer by a group of the Nation's leading scientists, meeting for 2 months at Iowa State University under sponsorship of the Space Science Board of the National Academy of Sciences. Their report stated:

"It is recognized that man in a sensing and control loop can provide judgment, adaptability, improvisation, and selectivity to a degree which cannot be matched now, or in the foreseeable future, by adaptive machines which only report the results of their observations, experiments, and actions, to man.

"Manned exploration of space promises great scientific return and Apollo can be a fruitful first step in this effort. Although the mission itself is first an engineering enterprise aimed at insuring that man reach the moon and return safely, it is also the first step in the manned scientific study of the moon and the planets."

The 1961 national decision that our country accomplish the manned lunar exploration goal within this decade was based, at least in part, on a report issued earlier that year by the National Academy of Sciences. The report stated:

"Scientific exploration of the moon and the planets should be clearly stated as the ultimate objective of the U.S. space program. From a scientific standpoint, there seems little room for dissent that man's participation in the explorations of the moon and the planets will be essential. Man can contribute critical elements of scientific judgment and discrimination in conducting the scientific exploration of those bodies which can never be fully supplied by his instruments, however complex and sophisticated they may become."

Exploration of the moon appeals to scientists because its uneroded landscape may reveal information about the origins of the universe which has long since been erased from the surface of our earth. The moon offers unique opportunities for research in geology, geophysics, astronomy, and space biology. The far side of the moon may provide an ideal site for a radio-astronomy station. Such installations would be shielded from earth background electronic "noise" and so could investigate the crucial long-wave length region of the universe obscured by the earth's ionosphere.

Another important reason for selecting the moon as the focal point of our current, manned space efforts, is that it will require a degree of greatly expanded overall competence in space, which we can develop on a timetable competitive with that of the Soviet Union. This competence will be available for any purpose—civilian or military—which may be required

We are well advanced on the "road to the moon." We have had repeatedly successful test firings of the giant Saturn rocket which will carry our American astronauts to the moon. In fact, I was privileged to see the latest test firing at Cape Canaveral of this large booster.

We are constructing, on a site adjoining the present Cape Canaveral complex, a new Spaceport, U.S.A. It will include the world's tallest 1-story building, to rise 525 feet above the ground. The door alone will be an astounding 456 feet high.

This new facility, the Vertical Assembly Building, to be used for Saturn, will have enough room inside it to contain the Empire State Building.

Such mammoth ground-support equipment is necessary because our advanced Saturn rocket, when assembled, will stand almost as tall as the Waldorf-Astoria Hotel in New York City.

Our astronaut training program is moving forward satisfactorily. We have recruited additional astronauts. Our scientists and technicians are working night and day on solving the myriad problems presented by space flight and the effects on man of this unknown and largely hostile environment.

Leadership in space will not come cheaply. The American people are spending 20 cents a week per person on our national space program. At the same time, we are spending each year, more than four times our space budget on golf, fishing, movies and other recreation. And we are spending much more than the space program costs on cosmetics, beverages, smoking, and the like. I am not suggesting that we give up our pleasures. They make existence more livable in the troubled times we have inherited. I simply want to point out that for a fraction of what we spend to indulge ourselves, we may well be able to win surcease from the threat of another great power dominating this planet indefinitely by means of space supremacy.

If we can afford to amuse ourselves, we can certainly afford to help insure our liberties in tomorrow's world so we can continue to amuse ourselves.

Dr. Detlev Bronk, one of our country's most respected scientists, recently said that actually landing astronauts on the moon is a secondary factor in the total picture of space accomplishment.

I think the effort to get there—the human adventure of endeavoring to get there; the effort of people to understand something they have never been able to understand before; the vitality we get as a nation out of being engaged in a great adventure—I think this is the most important thing.

Perhaps it is the most important thing. But the most important immediate objective in the total space picture is for us to reach the moon before the Soviet Union does—to prove convincingly the free world's uncurtained scientific and technological thrust is superior to the secretive efforts of the Communists.

Nuclear Submarine Launching Speeches

EXTENSION OF REMARKS
OF
HON. ROBERT L. F. SIKES
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 1, 1963

Mr. SIKES. Mr. Speaker, on June 22 the skill and ingenuity of American know-how was illustrated in graphic fashion. On that day four nuclear submarines were launched, three on the east coast and one on the west coast. They were the *Tecumseh*, the *Flasher*, the *John C. Calhoun* and the *Daniel Boone*.

The *Tecumseh* and the *Flasher* were launched at Groton, Conn. I had a particular interest in this ceremony because my wife, Inez, was sponsor of the *Tecumseh*. Mrs. Paul B. Fay, Jr., wife of the Under Secretary of the Navy, was sponsor of the *Flasher*. Joint ceremonies were held and the launches of the two submarines were simultaneous.

Participating in the launching of the *Tecumseh* were Mr. J. William Jones, Jr., president, General Dynamics/Electric Boat; Rear Adm. Lawson P. Ramage, USN, deputy commander, Submarine Force Atlantic Fleet; and Senator John O. Pastore. Participating in the launching of the *Flasher* were Mr. Roger Lewis, president, General Dynamics Corp.; Rear Adm. William A. Brockett, USN, chief, Bureau of Ships; and Vice Adm. Elton W. Grenfell, USN, commander, Submarine Force Atlantic Fleet.

It is my privilege to submit for printing in the Record the statements made on this memorable occasion, as follows:

"Tecumseh" Launching Speeches

REMARKS BY MR. JONES

Mrs. Sikes, Senator Pastore, Admiral Ramage, Representative Sikes, Navy friends, and friends of the Navy and Electric Boat, on behalf of our more than 16,000 employees, it gives me great pleasure to welcome you here on this beautiful day for the launching of our ninth Polaris submarine, the *Tecumseh.*

You will be interested to know that Jerome Shawnee and his family, who drove all the way from Tulsa, Okla., is with us today. He is the chief of the Shawnee Tribe and will ride the *Tecumseh* down the ways.

This is an especially proud day for Electric Boat and the U.S. Navy because before the sun has set today four nuclear submarines will have been launched, if you will permit me, sort of a grand slam homer for the forces of freedom.

We at Electric Boat are privileged to participate in this important occasion by launching two of the four submarines—the *Tecumseh,* a fleet ballistic missile submarine which you are witnessing, and in our south yard the *Flasher,* an attack-type submarine. It is our plan to launch these two submarines at the same time and at this moment, Roger Lewis, president of General Dynamics, is handling the ceremonies in the south yard.

In launching these ships, however, we leave the making of significant records to those dedicated submariners who will soon take them to sea with the serious mission of keeping the peace. The very best efforts of the designers and shipbuilders can only begin to approach the level of performance turned in by the men of our submarine force.

Again, let me say how pleased we are to have you all with us today.

TELEGRAM FROM VICE ADM. H. G. RICKOVER

I regret circumstances prevent me from attending the launching of *Flasher* and *Tecumseh.* Please extend my warm regards to all those Electric Boat personnel who contributed to this event.

H. G. RICKOVER,
Vice Admiral, U.S.N.

PRESENTING THE SPONSOR

Our sponsor for the *Tecumseh* is Mrs. Robert Sikes, of Laurel Hill, Fla. She is the wife of Representative ROBERT SIKES, of the First Congressional District who we are honored to have here on the platform today.

Mrs. Sikes is obviously a very active woman in civic affairs. She is a member of the Congressional Wives Club, the Woman's National Democratic Club of Washington, D.C., a member of the Florida State Society, and is a past president of that organization. I am honored to present to you our gracious sponsor, Mrs. Sikes.

INTRODUCTION OF ADMIRAL RAMAGE

We are especially happy to have with us today one of the Navy's top submariners, one who has devoted a lifetime of service to the submarine force. He has a most enviable record in the service of his country. During World War II a grateful Nation bestowed on him its highest decoration, the Medal of Honor. He has served with distinction in his present post as deputy commander, Submarine Force, Atlantic Fleet, and has done so well, in fact, that he has received a well-deserved promotion which, we are sorry to say, will take him from this area. He has been promoted to vice admiral as Deputy Chief of Naval Operations for Fleet Operations and Readiness. It is my great pleasure to present to you Adm. Lawson P. Ramage.

REMARKS BY ADMIRAL RAMAGE

Mrs. Sikes, Senator Pastore, Mr. Jones, this is truly a day to remember. To all of us the launching of this great ship *Tecumseh* has some special personal significance.

To our wonderful sponsor let me say how pleased and honored we are to have you with us on this occasion.

To Mr. Jones and everyone in the Electric Boat Division of General Dynamics, I wish to extend my congratulations and the Navy's appreciation for this and the many other great contributions you are making to our growing submarine force. You all are indeed longstanding members of the family.

To all the officers and men of the *Tecumseh's* blue and gold crews I know how proud you are to be assigned to this fine new ship—we all wish you every success in fitting out and in the fulfillment of your ultimate mission.

To all of us, what we see here today represents the results of the highest coordination between the designers, builders, suppliers, and operators.

It represents the highest motivation and dedication to the service of our great country.

All this the *Tecumseh* has in large measure. I know she will come on to be another strong pillar for peace.

We are all tremendously proud to be Americans and at times like this we have every right to be. May it ever be so.

INTRODUCTION OF SENATOR PASTORE

Our principle speaker today is a native of our neighboring State of Rhode Island, a place that is home to large segment of our work force, a fact which adds to our pleasure in welcoming him to this shipyard. Most of his life has been devoted to public service. He has served in the Rhode Island General Assembly, as assistant attorney general as Lieutenant Governor and Governor of that great State. The people of Rhode Island elected him to the U.S. Senate in 1950 and he has served them and the Nation faithfully and with distinction for the past 13 years. Ladies and gentlemen, the senior Senator from Rhode Island and the chairman of the Joint Committee on Atomic Energy, the Honorable JOHN O. PASTORE.

REMARKS OF U.S. SENATOR JOHN C. PASTORE ON OCCASION OF THE LAUNCHING OF THE "TECUMSEH," GROTON, CONN., JUNE 22, 1963

My fellow Americans, it is a moment of high privilege and a source of personal honor and official satisfaction to me to have a part in these memorable ceremonies today. The launching of this submarine marks another major step in the defense of our Nation and the preservation of freedom.

Tecumseh was a brave Indian enemy who died just 150 years ago.

Tecumseh is the beloved idol of victory of Annapolis.

Tecumseh is the proud name of this good ship that joins our first line of defense, and our best hope for peace.

As a member of the Joint Congressional Committee on Atomic Energy, I also have the honor of representing the arm of the Congress which played a dominant role in supporting the development effort which brought to reality the incomparable weapon system that this great ship represents.

The achievement of the nuclear submarine was not without doubters and discouragement and difficulties.

Yet, who would have believed in those days, or even later, if you will, when the world's first nuclear ship, the *Nautilus,* was launched from this same yard, that within a few years a partnership of nuclear submarines and Polaris missiles would result in the creation of America's first line of defense.

These doubts, discouragements, and difficulties were solved and resolved by Americans in and out of uniform, by scientists and technicians, officers and civilians, who worked as a team in the arduous days of development.

Our Nation certainly owes a great debt of gratitude to Admiral Rickover and Admiral Raborn, the naval officers who so capably directed the development of the two major systems incorporated in the Polaris submarine.

And our debt runs to the officers and men who man these ships—who, at great personal hardship to themselves and their families, spend months away from home in the lonely expanses of the great ocean so that the rest of us may enjoy the privileges of American freedom.

We can never fully repay the young men who make up the crews of these ships and who so courageously face the ever-present dangers of the sea.

Today I wish to pay particular tribute to the men and women who share a major responsibility for the high standards and accomplishments of the U.S. Navy. Notwithstanding the great achievements of our scientists; the capabilities of our best designers and the bravery and devotion of our naval officers and crews, all of this would be to no avail without the capabilities and conscientious devotion to detail of the thousands upon thousands of shipyard workers.

America will ever be grateful to its many civilian workmen who labor at this yard to build our ships and to keep us free. Never has there been demanded of craftsmen such a degree of perfection as from you who build the nuclear submarine.

Your integrity, your honor, and your pride as well as your skill of mind and of hand, furnish the built-in triumph that is now the *Tecumseh.* You, the workers of this yard and, I am proud to say, many of you residents of my own State of Rhode Island, have just reason to be proud of your accomplishments and we salute you, not only for your outstanding manual skills, but for your great sense of responsibility.

There are few endeavors in the field of labor where dependence upon the integrity, honor, and pride of the craftsman is as vital as in the building of these ships.

We often speak proudly of our country as the ship of state. America is a ship that rides on the labor, loyalty, and love of each of us.

This is a time of tempest, a time of testing, and surely we shall strive to meet every test in our time, for united we shall ride out every storm to that fair day of decency, dignity, freedom, and peace that is heaven's promise to all men of good will.

This is a high moment of history, a high moment of hope and happiness for all the world as this good ship, the *Tecumseh,* moves down the ways.

It is a moment of pride, pride that is yours in a job well done.

It is a moment of appreciation, appreciation which is ours as grateful Americans.

It is a moment of prayer, that Almighty God will make every voyage of the *Tecumseh* a peaceful one.

"FLASHER" LAUNCHING SPEECHES

REMARKS BY MR. LEWIS

Good morning ladies and gentlemen, it's a privilege to welcome you on this glorious day for an altogether proud and remarkable ceremony.

The launching of any large ship is a signal occasion, bringing together, as it does, the builders, the users, and those who wish her godspeed.

But today we are all part of an occasion quite special. For the first time in history, two nuclear submarines—the *Flasher,* and the *Tecumseh*—will be launched simultaneously.

The occasion is marked by the fact that the board of directors of General Dynamics and their wives are with us today, and that Mrs. Fay, who will christen this ship, is here with her three fine children, her husband, the Under Secretary of the Navy, and her friends.

We of General Dynamics are particularly pleased because the ship to be launched here bears the name *Flasher,* an honored one for Groton shipbuilders.

Just 20 years ago, on June 20, 1943, Electric Boat launched the original *Flasher* which went into a truly remarkable record in combat, sinking more than 100,000 tons of enemy shipping. As that *Flasher* symbolizes the contribution of this yard made to victory in war, this second *Flasher* will symbolize another contribution, one to the defense of freedom and the maintenance of peace.

It is our earnest hope that this submarine will never be called on to prove herself as was her predecessor. However, we believe she is a good ship, and that she will measure up to any task or challenge she may face. And we know too, that the men who sail her will do so with the same spirit and dedication as that shown by the men of the original *Flasher*, a spirit and dedication which is part of the Navy's great tradition.

We have built this ship with that tradition in mind. And we have done so with the guidance of a fine and competent partner, the Navy's Bureau of Ships.

We are pleased and honored to have with us today, the Chief of the Bureau, a man who, incidentally, is a native of eastern Connecticut, and who worked here at Electric Boat briefly before entering the Naval Academy, Rear Adm. William A. Brockett.

Admiral Brockett.

ADMIRAL BROCKETT'S REMARKS

Distinguished guests, ladies and gentlemen, scientists explain their rapid technological advances of recent years by saying that they stand on the shoulders of giants. They mean, of course, that their work is based on that of those who preceded them. The same thing is no less true of the construction of our highly intricate and competent submarines of today.

In this hydrodynamically efficient hull, such as *Flasher* has, are neatly fitted the products of years of research and development. Dedicated men of many disciplines, naval architects, marine, electrical, mechanical, and electronic engineers—have devoted their best efforts, over the years, to this end product.

Electric Boat is known throughout the world as a principal repository of these very special skills. This remarkable ship is the product of many distinguished ancestors, the O, the R, the S boats, the fleet submarines of World War II, the *Albacore* (the hull form), and most importantly the *Nautilus*, in which the quantum advance to nuclear propulsion was proved out.

The translation of concepts into reality represented by the *Flasher* is not easy. It requires the special abilities of many skilled craftsmen, and I commend their contribution. As *Flasher* slides down the ways, we can all feel pride at this tangible evidence of the brains, the effort, the teamwork, which can produce such outstanding ships for the Nation's defense.

Thank you.

INTRODUCTION OF ADMIRAL GRENFELL

Thank you Admiral Brockett. We are indeed honored to have with us today one of the operating fleet's most distinguished leaders, the man who directs the activities of most of our Navy's nuclear submarines. He is a graduate of the U.S. Naval Academy, holds a master of science degree from the University of California, and for heroism in combat has been awarded the Navy Cross, the Silver Star Medal, and the Legion of Merit. I am proud and honored to present as our principal speaker the commander of the Submarine Force, U.S. Atlantic Fleet, Vice Adm. Elton W. Grenfell.

Admiral Grenfell.

ADDRESS BY VICE ADM. E. W. GRENFELL, U.S. NAVY, COMMANDER, SUBMARINE FORCE, U.S. ATLANTIC FLEET

It is a great privilege for me to join you here today in helping to launch this fine new ship upon her future career in the Submarine Force.

Once again, the Navy is deeply grateful to the men of Electric Boat for building us another ship which is destined for an important role in the defense of the free world.

So it is a very special privilege for me to join my old friends at Electric Boat and thank them personally for the newest of their many contributions to modern seapower and to our own national security.

Today, this 22d day of June, 1963, is a notable day in the 63 year history of our submarine Force. Few here are unaware that this is the scene for two submarine launchings, and many of us here know that *John C. Calhoun* at Newport News and *Daniel Boone* at Mare Island are also being launched today; but all of you should know that this is the first time in our history that we have launched any submarine on the 22d of June or four submarines on any one day in peacetime.

This is a remarkable achievement for our Nation's submarine builders and, a credit to the teamwork with the Navy which made it possible. We pay high tribute to Electric Boat for their lion's share in this accomplishment; and we are proud of our Nation's oldest submarine building shipyard on this memorable day.

We have shared many significant occasions with Electric Boat but June 20, 1943, was marked for a particular kind of glory. On that wartime day 20 years ago the Navy joined with Electric Boat in the launching of another *Flasher*. The small group which assembled for that occasion had little reason to foresee that this new submarine would someday carve for itself a place in U.S. submarine history which was second to none in naval warfare. As that *Flasher* slid down the ways they knew only that this weapon of destruction had commenced the first leg of her long journey to enter the war in the Pacific.

No one could know that during her relatively short 14-month career in the war zone *Flasher* would prove to be the greatest tonnage sweeper of all our submarines. Under the command of Lt. Comdr. Reuben Whitaker and later Lt. Comdr. George Grider, *Flasher* sank more shipping in her short career than was sunk by any submarine in our naval history.

Perhaps her greatest patrol was made in late 1944 under Lt. Comdr. George Grider who is with us here today.

Engaging in two of the most violent actions of the war *Flasher* sank two destroyers and four tankers.

That outstanding submarine was awarded the Presidential Unit Citation for its success on the third, fourth, and fifth patrols, all during 1944. The last part of that citation said "her brilliant record of achievement is a reflection of the personal valor and superb seamanship of her officers and men."

Today we are gathered to honor this newest ship of the modern submarine navy. *Flasher* is not merely its name, or just any name. As she is christened remember that we also honor the men of the first *Flasher* who have set the standard of personal perfection for the men who will man her successor.

As she is launched we are witness to an ancient and stirring rite. This marvel of engineering is about to become a ship—to inherit the tradition from John Paul Jones to the present—and to receive the spirit of those who built her and those that will man her.

It is perhaps appropriate to pause for a moment and reflect upon the significance of this occasion. First of all, we are privileged today to take part in the ceremony which will start on her way a splendid example of the wonderful teamwork between industry and the Navy. Our national security rests in great measure upon this team as never before in history.

Secondly, our shores have been defended by sailormen in stout New England ships since the birth of our Nation. We see before us another great ship to add to this Yankee tradition.

It is not enough that a nation number the hulls of a fleet of ships and call them warships. For in order to make a significant contribution to peace, these ships must be recognized by their potential adversaries as being ships which can in fact carry their country's flag into battle and deliver heavy punishment upon their enemy. The greater the recognized ability of the ship to make war, the greater is her contribution to peace. *Flasher*'s contribution is certain to be a most significant one.

Actually, the ship before us is merely the hull of the man-of-war which she will soon become. The skilled craftsmen of Electric Boat have just begun to install the several thousand miles of wiring and the piping and equipment which are required to make her ready for sea. Step by step she will be made ready to join the fleet.

We in the fleet are eager to have *Flasher* join us in keeping the peace. She is the 10th attack submarine of the *Thresher* class to be launched, and from our experience at sea we know of the unparalleled capabilities of this class of submarine. We need as many of these fine submarines as our Nation can afford to build. We do expect, indeed, that they will become the fleet boat of our future submarine navy.

Third, the alliances of free nations around the world depend upon the ability of the people of the United States to project their power for good across the sea. This new *Flasher* will contribute, as did her namesake, to insuring that this Nation with her ideals of individual freedom will prevail at sea in the presence of those who would oppose us. She is needed in our fleet as much as was her predecessor who was born only to demonstrate her will, her skill, and her strength on the testing ground of the Pacific war.

At the same time we recognize that the unprecedented military capabilities of these ships has also meant unprecedented complexity. Thus, we are able to see in these ships the most advanced technology of any in the world. This, in turn, has imposed a tremendous challenge upon the men who are to man this ship, and a challenge far greater than that for which the first *Flasher* received a presidential unit citation.

To Commander Carnahan and the officers and men of this *Flasher* I ask only that you too be found worthy of the challenge you will meet henceforth. I bid you good luck in all adversity, in fair weather or foul, in peace or war.

As *Flasher* slides down the ways into her future I trust that all of us may join in the traditional and reverent hope that *Flasher* will be blessed throughout her life with fair winds and following seas.

INTRODUCTION OF MRS. FAY

Thank you Admiral Grenfell. We of Electric Boat are proud and jealous of our role as a partner in the builder-user team that produces these great machines.

Ladies and gentlemen, it's now my very great pleasure to introduce to you the attractive and gracious sponsor of this submarine. She is the mother of Kathy, Paul, and Sally, who are here today. She is active in community affairs in her own home town of San Francisco. She's active in Navy affairs in Washington. It's a great pleasure to introduce to you Mrs. Paul B. Fay, Jr., our sponsor.

MRS. FAY'S REMARKS

When Secretary Korth telephoned me and asked me if I would like to become the sponsor of the *Flasher*, our household was in a turmoil of excitement. In fact, the last thing my son said to me today was: "Mom, if you don't crack that bottle, you're going to be in big trouble with the crew of the *Flasher*."

So I hope everybody's praying for me.

But what I really came to say was that I am deeply grateful to be given the opportunity to launch the *Flasher*. For I know that our country's strength and safety depends in a great measure on our atomic submarines.

For these ships are no better than the officers and men who operate them. Last night, after talking to Commander Carnahan, I realized that our coming officers and crew will be motivated, dedicated, and well trained.

I would like to salute the skipper, the coming officers and crew, the technicians, the workmen, who I know will always be faithful to the trust that our country has placed in them.

Thank you.

Independence of Somalia

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1963

Mr. POWELL. Mr. Speaker, today the Republic of Somalia celebrates the third anniversary of her independence, and we wish to take this opportunity to send warm felicitations to His Excellency, the President of the Republic of Somalia, Abdullah Aden; and His Excellency, the Somali Ambassador to the United States, Dr. Omar Mohallim.

The Somali Republic—comparable in area to our States of Kentucky, Tennessee, Alabama, and Mississippi combined—covers approximately 178,000 square miles on the eastern horn of Africa. Bounded by the Gulf of Aden to the north, Somalia stretches from the easternmost point of Africa 1,180 miles southwestward along the Indian Ocean. On the African Continent it is bounded by Ethiopia and Kenya.

The forecast was unpropitious when British Somaliland became independent on June 26, 1960, to merge 5 days later with Somalia, a former United Nations trust territory under Italian administration. Pessimists pointed out that little preparation had been made for this union, that the newly independent country had few natural resources, and that its political system based on rigid clanism was hardly adaptable to 20th century democracy. The pessimists predicted that the new nation could not long survive.

The balance sheet 3 years later, however, shows that the Somali Republic has not only survived but that it has also achieved steady progress since independence. When the two territories united, a coalition government was formed under the premiership of Dr. Abdirashid Ali Shermarke. In spite of several political crises and cabinet changes this government is still in power. Although the democratic constitution—which provides for a representative President as head of state and an executive Prime Minister and Council of Ministers—was drafted in Italian administered Somalia prior to unification, it has now been ratified in the area formerly under British control. The National Assembly has confirmed by election the choice of Abdullah Aden as its first President; Mr. Aden had been provisional President from the day of Somali independence.

In the economic sphere also the dire predictions have been proven false. The mainstay of the country's economy has continued to be the export of bananas and of hides, skins, and livestock, but a wide range of development projects has been undertaken to improve these traditional industries and to diversify the economy. The fruit industry is being expanded; cotton, wheat, and sorghum cultivation are being developed. New industries—cement, textiles, and meat and dairy products—are being introduced. Port facilities are being extended; work on a $2½ million U.S.-aided port development scheme at Kismayu began in September 1962. Also in 1962 a hydrological and resources survey of considerable importance to the Somali Republic's long-term economic development was initiated with financial assistance from the U.N. Special Fund.

As a result of this progress, it is expected that within a few years the Somali Republic will be able to balance its budget without recourse to the foreign aid it has depended on in the past. When Dr. Shermarke visited the United States in 1962, he told President Kennedy that Somalia could not overcome its problems by its efforts alone but that it had to become economically as well as politically independent if it was to achieve a better life for its people.

Our congratulations to the Somali Government and people for the commendable progress they have achieved in 3 short years of independence.

Washington Report

EXTENSION OF REMARKS

OF

HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1963

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following newsletter of June 29, 1963:

WASHINGTON REPORT

(By Congressman BRUCE ALGER, Fifth District, Texas)

DEFENSE APPROPRIATIONS

The Department of Defense appropriation bill for 1964 involved $47 billion divided in this way—military personnel, $12.8 billion; operation and maintenance, $11.6 billion, procurement, $15.7 billion; research, development, testing and evaluation, $6.9 billion. Divided between the services in this way—Army, $12 billion; Navy, $14.3 billion; Air Force $18.3 billion; defense agencies, $2.2 billion. These sums do not include military assistance in foreign aid, military construction at home and abroad, military family housing, and civil defense. The final bill cut $1.9 billion from the budget estimates. The bill, the report and Members of Congress assume that we now have and will continue to maintain military superiority over any other power. Some say that we cannot prove this, but then neither can it be disproved. We know we need better weapons for antisub warfare. We know that we need an anti-missile missile which would render enemy missiles and attacks impotent. Most assume that no other nation has such a missile. We know, too, that any approach of stalemate as equality in military strength with communism would be a grave danger since Russian and Chinese leaders would be delivering ultimatums to the United States. We also know we must develop new weapons systems, never being content with weapons of the past. The RS–70, the mach 3 aircraft, Dyna-Soar, and other futuristic air transportation must continue to be developed. In our defense the BMEWS (ballistic missile early warning system) and SAGE (semiautomatic ground environment) protect continental United States from missiles and aircraft; and these defenses must be strengthened to foolproof if possible. Concurrent problems are found in contract award protocol that in any subvert competitive bids; Government in business operations in manufacturing, distribution, insurance, banking, etc., and the impact on the U.S. economy if, as, and when the Government cuts back in military spending. Most important to remember, of course, is the need for a strong, free economy from the profits of which taxes can be paid to provide the money necessary to maintain our military readiness. Military weapons and manpower are nonproductive and a drain on or wealth. We must continue to phase out old type weapons, replacing them with new revolutionary weapons far ahead of our enemies.

U.S. COMMUNISTS AND THE 1964 ELECTIONS

An amazing statement, frightening in its implications, has been issued by the general secretary of the Communist Party U.S.A. In a 10,000 word statement, "Political Parties and the 1964 Elections," Gus Hall, general secretary of the party, takes a stand on President Kennedy and the Democratic Party. Republicans are rejected en masse by Hall. He calls for the defeat of all GOP candidates in 1964. He terms Republican candidates "sinister." Leadership in the Republican Party consists of a "cabal", Communist Hall claims, and says it is riding roughshod over confused and moderating counsel.

Hall waxes eloquent when he speaks of the good work being done by Kennedy and the Democrats. He praises Kennedy because the latter has "kept the lines of communication open with Russia." He says Kennedy's quarantine of Cuban exiles and his ban on raids, bombing and invasion of Cuba by freedom fighters make up for his "mistake" of blockading the island last year.

Hall says Kennedy's sending of troops into Mississippi and Alabama, maintaining a cooperative position with Rev. Martin Luther King and other actions merit Communist Party approval. "The time has come," Hall declared, "to abolish the theory of States rights in this Nation."

Hall spoke of a broad movement, which the Communists back, consisting of labor organizations, peace movements, and youth and civil rights groups engaged in ever more militant actions. He said the country needs a new Federal charter (the present one is the Constitution). Kennedy also has called for a new Constitution. Hall said the Communist Party would not field its own candidates next year but would work to "shape decisions on Negro candidates, peace candidates and labor candidates in the primaries."

Making no bones about who should warrant support of Communist Party members and sympathizers, Hall said: "Almost all people's political movements (Communist jargon for party line movements) are operating within the orbit of the Democratic Party, and the serious left must, therefore, give support to these movements." Perhaps even many Democrats may be a little frightened at the statements of Gus Hall, and will want to repudiate them and the policies of the administration which bring forth such strong approval of the Communist Party.

ALGER COMMENTS THIS WEEK ON PERTINENT ISSUES

Probably no administration in the history of the United States has had such a record of complete failure as the present one. Our domestic policies are in a shamble with law-defying mobs running rampant in cities across the land; people are being hurt and killed and all the President can suggest as a solution is to give in to the demands of those who are creating the disorder. Stultifying taxes and ever increasing Federal spending at the insistence of the President are fast drying up capital needed for new ventures and an expanding economy with the result that our economic growth is being strangled by an ever-expanding Federal bureaucracy. Abroad, U.S. prestige and power has never been as low. Our enemies are becoming bolder, more arrogant and are making more and more demands for surrender of the principles for which we have stood throughout our history. Communism is strengthening its hold on the Western Hemisphere, our allies seem to have lost all confidence in U.S. leadership and are openly contemptuous in demanding more money as a price of future alliances. The bright golden promises of the candidate of the New Frontier are now tarnished with the leaden burden of a President who has been unable to understand or cope with the problems which confront the Chief Executive of this Nation.

The great strength of the system of government adopted by our Founding Fathers was in the constitutional powers of three distinct branches of government, the executive, the legislative, and the judicial. There is a grave danger that Congress may become so ineffective through the delegation of its constitutional responsibilities, that the people may, indeed, determine it is not an essential part of our Government. If this day comes, Congress must bear the responsibility because we have failed to stop the erosion of our legislative powers by the President and the Supreme Court.

The President's efforts in the area of race relations are probably due the same failure he has achieved in all other areas of our national life with which he has tried to experiment. The failure will be for the same reason, his misunderstanding of human nature and his lack of knowledge of people. Our relationship with one another can never be directed by force, but rather through knowledge, understanding and conscience. The Negroes, who today are looking for President Kennedy to use the power of his office to enforce discrimination in their favor, may regret the day they deserted the steady march of progress through orderly processes based on reason in favor of a resort to violence and intimidation.

SENATE

TUESDAY, JULY 2, 1963

The Senate met at 12 o'clock meridian, and was called to order by Hon. MAURINE B. NEUBERGER, a Senator from the State of Oregon.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Lord of all being, throned afar, Thou who art the center and soul of every sphere, yet to each loving heart how near; nearer than the hands and feet that serve us, nearer than the problems that front us, nearer even than the comrades who walk beside us.

O Thou who art the author of liberty, as our grateful Nation comes once more to the birthday of its daring advent among the established governments of the world, may this latest natal day of the state find in the hearts of all true Americans a vow, registered in heaven, that no sacrifice will be avoided as too costly to defend and preserve our freedom as diabolical forces that have not Thee in awe plot their destruction.

For the triumph of the global crusade now raging, whose victory will mean that men everywhere will live in freedom, we set up our banners; and in this Thy glorious day, we lift our living Nation a single sword to Thee.

We ask it in the name of the One whose truth makes all men free. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., July 2, 1963.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. MAURINE B. NEUBERGER, a Senator from the State of Oregon, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mrs. **NEUBERGER** thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. MCCLELLAN, and by unanimous consent, the reading of the Journal of the proceedings of Friday, June 28, 1963, was dispensed with.

LIMITATION OF STATEMENTS DURING MORNING HOUR

On request of Mr. MCCLELLAN, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A resolution adopted by the Florida Junior Chamber of Commerce, in convention at Las Vegas, Nev., favoring the enactment of legislation to establish the Freedom Commission and the Freedom Academy; to the Committee on Foreign Relations.

RESOLUTIONS OF LEGISLATURE OF THE STATE OF FLORIDA

Mr. **HOLLAND**. Madam President, I present, for appropriate reference and insertion in the RECORD, three memorials adopted by the Legislature of the State of Florida. They are:

House Memorial 2029, a memorial to the Congress of the United States to authorize the release of all unimproved U.S. lands in Wakulla County, Fla., for the use of the public for recreational purposes;

House Memorial 2030, a memorial to the Congress of the United States to release all U.S. lands on the banks of the St. Marks River for homesites and for industrial use; and

House Memorial 2031, to the Congress of the United States to authorize the release of U.S. land at Otter Lake, Wakulla County, Fla., for the creation of a State park.

There being no objection, the resolutions were referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

HOUSE MEMORIAL 2029

Memorial to the Congress of the United States to authorize the release of all unimproved U.S. lands in Wakulla County, Fla., for the use of the public for recreational purposes

Resolved by the Legislature of the State of Florida, That the Congress of the United States be, and it is hereby, requested to authorize the release of all unimproved U.S. land in Wakulla County, Fla., for the use of the public for recreational purposes; and be it further

Resolved, That copies of this memorial be dispatched to the President of the United States, to the President of the U.S. Senate, to the Speaker of the House of Representatives of the United States, and to each member of the Florida congressional delegation.

Filed in office of secretary of state June 25, 1963.

HOUSE MEMORIAL 2030

Memorial to the Congress of the United States to release all U.S. lands on the banks of the St. Marks River for homesites and for industrial use

Whereas development of the St. Marks River as a navigable waterway creates a great need for homesites and industrial sites along the river, and

Whereas the major portion of all land on the banks of the St. Marks River is owned by the United States: Now, therefore, be it

Resolved by the Legislature of the State of Florida, That the Congress of the United States be, and it is hereby, requested to release all U.S. lands on the banks of the St. Marks River for sale to the public for use as homesites and industrial sites; and be it further

Resolved, That copies of this memorial be dispatched to the President of the United States, to the President of the U.S. Senate, to the Speaker of the House of Representatives of the United States, and to each member of the Florida congressional delegation.

Filed in office of secretary of state June 25, 1963.

HOUSE MEMORIAL 2031

Memorial to the Congress of the United States to authorize the release of U.S. land at Otter Lake, Wakulla County, Fla., for the creation of a State park

Resolved by the Legislature of the State of Florida: That the Congress of the United States be and it is hereby requested to authorize the release of U.S. land at Otter Lake, Wakulla County, Fla., to the State of Florida for the purpose of the creation of a State park; and be it further

Resolved, That copies of this memorial be dispatched to the President of the United States, to the President of the U.S. Senate, to the Speaker of the House of Representatives of the United States, and to each member of the Florida congressional delegation.

Filed in office of secretary of state June 25, 1963.

RESOLUTION OF COMMON COUNCIL OF CITY OF BUFFALO, N.Y.

Mr. JAVITS. Madam President, I ask unanimous consent to have printed in the Record a resolution of the Common Council of the City of Buffalo, N.Y., relating to civil rights.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

No. 179

Re civil rights

Whereas it has been a long-established American tradition that all men are created free and equal; and

Whereas the great Presidents of the past, such as Washington, Jefferson, Lincoln, and the Roosevelts, have always advocated freedom and liberty for all citizens without discrimination; and

Whereas President Kennedy has proposed a civil rights legislative program to implement our present laws to guarantee greater protection of the civil rights granted to all citizens without regard to race, color, creed or national origin: Now, therefore, be it

Resolved, That the Common Council of the City of Buffalo this day memorialize the Congress and the Senate of the United States to enact civil rights legislation proposed by the President; and be it further

Resolved, That the city clerk forward a copy of this resolution to the Congressmen of the western New York area and the New York State senators.

Adopted.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations, without amendment:

S.J. Res. 64. Joint resolution to amend the joint resolution providing for U.S. participation in the International Bureau for the Protection of Industrial Property (Rept. No. 343).

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 2461. An act to direct the Secretary of the Interior to convey to the city of Henderson, Nev., at fair market value, certain public lands in the State of Nevada (Rept. No. 344).

ACCEPTANCE OF INVITATION TO ATTEND NEXT GENERAL MEETING OF COMMONWEALTH ASSOCIATION TO BE HELD IN KUALA LUMPUR, MALAYA—REPORT OF A COMMITTEE (S. REPT. NO. 342)

Mr. FULBRIGHT, from the Committee on Foreign Relations, reported an original resolution (S. Res. 168) accepting an invitation to attend the next general meeting of the Commonwealth Association to be held in Kuala Lumpur, Malaya, and submitted a report thereon; which resolution was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Presiding Officer of the Senate is authorized to appoint four Members of the Senate as a delegation to attend the next general meeting of the Commonwealth Parliamentary Association, to be held in Kuala Lumpur, Malaya, at the invitation of the Malayan branch of the association, and to designate the chairman of said delegation.

Sec. 2. The expenses of the delegation, including staff members designated by the chairman to assist said delegation, shall not exceed $10,000 and shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

COLD WAR VETERANS READJUSTMENT ASSISTANCE ACT—REPORT OF A COMMITTEE—MINORITY VIEWS (S. REPT. 345)

Mr. YARBOROUGH. Madam President, from the Committee on Labor and Public Welfare, I report favorably, with amendments, the bill (S. 5) to provide readjustment assistance to veterans who serve in the Armed Forces during the induction period, and I submit a report thereon. I ask unanimous consent that the report be printed, together with the minority views of Senators Goldwater, Javits, Prouty, Tower, and Jordan of Idaho.

The ACTING PRESIDENT pro tempore. The report will be received, and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Texas.

Mr. YARBOROUGH. Madam President, in submitting this report I would like to express my appreciation to the Subcommittee on Veterans' Affairs for the time and effort which it has spent in considering this bill. Senators Burdick, Kennedy, and Jordan faithfully attended the hearings on S. 5, the cold war GI bill and no member of the subcommittee voted against it. I would like to thank the distinguished chairman of the Committee on Labor and Public Welfare, the Senator from Alabama [Mr. Hill], for his continued interest in veterans' affairs and to the committee for voting to favorably report this most important bill. As one of the sponsors of this bill, I am indebted to the 38 other cosponsors. I congratulate Senators Bartlett, Bayh, Burdick, Cannon, Fong, Gruening, Hart, Hartke, Humphrey, Inouye, Kefauver, Long of Missouri, McGovern, Morse, Moss, Neuberger, Pell, Randolph, Sparkman, and Williams of New Jersey for their testimony before the Veterans' Affairs Subcommittee in favor of the cold war GI bill.

There is an old saying that the "third time's a charm," and I hope that this will be the case in this instance. Bills similar to S. 5 were favorably reported out of the Committee on Labor and Public Welfare in 1959 and 1961. The Senate passed S. 1138 in 1959, but it did not reach a vote in the House. In 1961, the cold war GI bill, S. 349, was again favorably reported by the Committee on Labor and Public Welfare, but was not reported in time to be considered by the Senate.

Forty-five percent of the eligible young men in this country see substantial military service, and each year approximately 500,000 cold war veterans return to civilian life. The vast majority of these veterans entered the Armed Forces without any higher education, or vocational training, and very few were provided with technical skills suitable for civilian life while in the Armed Forces. These men and women who have served their Nation during a time of international tension return to a situation of high unemployment where the unskilled person faces decreasing opportunities. The purpose of this bill is to provide readjustment assistance to these young cold war veterans in continuing their education and in obtaining vocational skills. The bill also contains provisions for direct and guaranteed home and farm loans. This bill is not a giveaway; not only will it provide the United States with hundreds of thousands of vitally needed men and women in the fields of education, science, and medicine, it will more than pay for itself in the increased taxes which these veterans will pay on their increased earnings. But if the Congress does not pass the cold war GI bill, this action or rather this lack of action will be a giveaway. We will be giving away the future of these patriotic young men; we will be giving away a part of the economic growth of this country which is dependent on ever-increasing supplies of skilled men; and we will be giving away the confidence which the American people and the veterans have that the Congress of the United States does not forget the devotion of her servicemen who have served in all four corners of the globe in whatever capacity the situation demanded.

Madam President, I urge the careful consideration of this bill by the Senate and its early passage.

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. JOHNSTON, from the Joint Select Committee on the Disposition of Papers in the Executive Departments, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States, dated June 25, 1963, that appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JAVITS:

S. 1822. A bill for the relief of Apostolos Gerontis and his wife Anastasia; to the Committee on the Judiciary.

By Mr. JAVITS (for himself, Mr. Keating, Mr. Morse, Mr. Saltonstall, Mr. Case, and Mr. Scott):

S. 1823. A bill to make certain changes in the Immigration and Nationality Act; to the Committee on the Judiciary.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. FULBRIGHT (by request):

S. 1824. A bill to provide for increased participation by the United States in the Inter-American Development Bank, and for other purposes; to the Committee on Foreign Relations.

(See the remarks of Mr. FULBRIGHT when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 1825. A bill to exempt vessels operated solely for religious missionary purposes from certain requirements with respect to licensed officers; and

S. 1826. A bill to amend the Federal Power Act with respect to foreign commerce in electric energy; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bills, which appear under separate headings.)

By Mr. RANDOLPH:

S. 1827. A bill to amend paragraph 307 (c)(1) of title 23, United States Code, to provide for research and development in connection with highway planning; to the Committee on Public Works.

By Mr. YOUNG of Ohio:

S. 1828. A bill to amend the joint resolution establishing the Battle of Lake Erie Sesquicentennial Celebration Commission so as to authorize an appropriation to carry out the provisions thereof; to the Committee on the Judiciary.

By Mr. KEATING:

S. 1829. A bill for the relief of Alva Arlington Garnes; to the Committee on the Judiciary.

By Mr. CLARK:

S. 1830. A bill to amend the Federal Coal Mine Safety Act in order to remove the exemption with respect to certain mines employing no more than 14 individuals; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. CLARK when he introduced the above bill, which appears under a separate heading.)

By Mr. CLARK (for himself, Mr. MANSFIELD, Mr. RANDOLPH, Mr. PELL, Mr. JAVITS, Mr. PROUTY, and Mr. KENNEDY):

S. 1831. A bill to amend the Manpower Development and Training Act of 1962; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. CLARK when he introduced the above bill, which appear under a separate heading.)

By Mr. CLARK (for himself, Mr. WILLIAMS of New Jersey, Mr. CASE, and Mr. SCOTT):

S. 1832. A bill granting the consent of Congress to a further supplemental compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania concerning the Delaware River Port Authority, formerly the Delaware River Joint Commission, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. CLARK when he introduced the above bill, which appear under a separate heading.)

By Mr. McCLELLAN (by request):

S. 1833. A bill to authorize Government agencies to provide quarters, household furniture and equipment, utilities, subsistence, and laundry service to civilian officers and employees of the United States, and for other purposes; to the Committee on Government Operations.

(See the remarks of Mr. MCCLELLAN when he introduced the above bill, which appear under a separate heading.)

By Mr. BYRD of West Virginia:

S. 1834. A bill for the relief of Dr. Arsenio M. Orteza; to the Committee on the Judiciary.

RESOLUTION

ACCEPTANCE OF INVITATION TO ATTEND NEXT GENERAL MEETING OF COMMONWEALTH ASSOCIATION IN KUALA LUMPUR, MALAYA

Mr. FULBRIGHT, from the Committee on Foreign Relations, reported an original resolution (S. Res. 168) accepting an invitation to attend the next general meeting of the Commonwealth Association to be held in Kuala Lumpur, Malaya, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. FULBRIGHT, which appears under the heading "Reports of Committees.")

COMPREHENSIVE OVERHAUL OF IMMIGRATION POLICY

Mr. JAVITS. Madam President, on behalf of myself, my colleague [Mr. KEATING], the Senator from Oregon [Mr. MORSE], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from New Jersey [Mr. CASE], and the Senator from Pennsylvania [Mr. SCOTT], I introduce, for appropriate reference, a new bill to bring about a basic overhaul in our national immigration policy.

It seems to me that this is a very important piece of legislation. At a time when we are discussing civil rights for the people of the United States, there is also the problem of civil rights for the other peoples of the world; and I believe this bill represents an effort to provide civil rights in terms of American peace leadership for all the world.

The time has come to end the piecemeal approach to immigration reform. Our national immigration policy has produced an incredible epic of broken lives, divided families—case after case of anguish, despair, and frustration. During the campaign in 1960, the President made a pledge to give high priority to immigration reform. The President has shied away from this critical issue. As a Senator, he was an eloquent fighter for immigration reform; as President, he has been virtually unheard from.

It is particularly timely that we give our attention to immigration legislation now, when we are testing our own civil rights as Americans, for, in a real sense, immigration legislation represents civil rights legislation for the world. Also, we are in a critical stage in the struggle for an open world among the free nations; and an enlightened immigration policy by our country would be an enormous contribution toward that national policy objective.

Basic immigration reform has for the last 10 years been bedeviled by legislative handouts to deal with particular situations which most glaringly exposed the false direction of our immigration policy. These handouts have included measures dealing with the special problems of the Azores, sheepherders, freedom fighters from Hungary, and some effort to deal with the backlog of immigration which separated families. Desirable as were each of these items, in totality they were used to block really fundamental immigration reform.

In the national interest, it is time to end this self-delusion and to forgo, if necessary, these individual items in order to fight for and to win an immigration policy of which the country can be proud, not ashamed.

The main features of the bill are as follows:

First. It provides for the determination of annual quotas on the basis of the 1960 census instead of the 1920 census as provided for by existing law. Redetermination of quotas would be required after every 10-year census in the future. A minimum annual quota of 200 is set for any quota area.

Second. It provides for the pooling of unused quotas and their allocation to those on waiting lists by Executive order of the President in the next fiscal year. Reallocations are subject to disapproval by a concurrent resolution of both Houses of Congress.

Third. It eliminates quota provisions which now discriminate against Asiatic and colonial peoples.

Fourth. It establishes a Board of Visa Appeals in the State Department to review questions involving the denial of visas and the application or meaning of State Department regulations applying to immigration.

Fifth. It establishes a statute of limitations whereby no alien may be deported by reason of conduct occurring more than 10 years prior to the institution of deportation proceedings.

Sixth. It affords judicial review of citizenship questions and of both exclusion and deportation orders rather than only of deportation orders.

Seventh. It eliminates a disadvantage of naturalized citizens, as compared with natural-born citizens, through loss of nationality because of residence abroad.

Eighth. It grants nonquota status to fourth preference immigrants, that is, brothers, sisters, sons, or daughters of citizens, whose petitions were approved by the Attorney General prior to January 1, 1963.

Madam President, with unhappy accuracy, our national immigration policy opens our national doors wide for many people who do not care to come in, but slams them in the faces of people who would cherish the opportunity to be U.S. citizens. Like most spite walls, it is as harassing to those within as to those without. It is so offensive to fair minded Americans, whom it is presumably designed to protect, that it has produced a flood of back-door finagling and occasional circumvention by Congress itself. Each week scores of families stream into congressional offices—including my own, in New York City—to appeal for help. Private immigration bills make up a major portion of our Federal legislation. And yet immigration reform today is largely a dormant issue.

The ACTING PRESIDENT pro tempore. Under the 3-minute limitation, the time available to the Senator from New York has expired.

Mr. JAVITS. Madam President, I ask unanimous consent that I may proceed for 2 additional minutes.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

Mr. JAVITS. Madam President, almost 200,000 people—relatives of American citizens who have come from Italy and from Greece, alone—are penalized today because of the backwardness of our immigration laws. Yet to this day we continue to be unable to do anything about them. Instead, we take special steps at times of national emergency, such as during the crisis in Hungary, at which time many refugees or escapees streamed from that country; and, of course, in such situations it is desirable that we take them in.

It has been a decade since our immigration wall was perpetuated by the Immigration and Nationality Act of 1952, better known as the McCarran-Walter Act. Time and experience have more than dramatized the fact that, as its opponents contended 11 years ago, it is perhaps as unique a law as we have on our statute books. But these 11 years have also produced an atmosphere of political helplessness to exasperate even the most determined immigration reformers, so that today most are resigned to the now annual practice of settling for piecemeal revisions or temporary relief rather than an effective overhaul of our entire policy of immigration. The back-door methods Congress has used to cover up deficiencies in the basic law is the greatest proof of the law's inadequacies. Since the McCarran-Walter Act was enacted, Congress has passed special, short-term immigration and refugee legislation which has had the cumulative effect of admitting into the United States more than twice as many persons as permitted under the basic McCarran-Walter Act.

But even this piecemeal legislation has represented no relief to the thousands of American families within countries with heavily mortgaged and oversubscribed immigration quotas. This tragic situation is the result of that section of the McCarran-Walter Act which is admittedly based on national and racial discrimination—the national origins quota system, which remains today as the core of our immigration policy, creating ill will abroad, furnishing a target for Communist propaganda, and making our effort to win over the uncommitted nations more difficult. It is based on the rejected racist assumption that people of one ethnic origin are superior, socially and culturally to those of another. It was designed and is administered not to admit as many immigrants as we can readily absorb, but to exclude as many as possible.

Throughout his congressional career, President Kennedy was a dedicated foe of the McCarran-Walter Act, called it in 1955 the "most blatant piece of discrimination" in history. During his 1960 campaign, he called for the abolition of the national origins quota system and pledged to give the Democratic platform promises on immigration reform "high priority." The President came into office, backed by a stirring Democratic platform plank on immigration, and with reasonable assurances of support for immigration reform from Republicans, who adopted an equally strong immigration plank. The President had every reason to press forward. But those who expected, at long last, fighting leadership in this field were disappointed—first, by President Kennedy's failure even to mention immigration in three state of the Union messages; second, by the failure to send an immigration message to Congress although the President has sent messages to Congress on almost every other major national issue; and third, by the failure to break new ground in the administration of the Immigration Service.

It is to be hoped that the President will begin to show the vigorous Presidential leadership required. At the same time, we in Congress have a responsibility to suggest the direction of immigration reform.

My bill is designed to eliminate the most glaring deficiencies in existing law and is the result of long and careful study by experts in the field. As originally introduced in the 87th Congress, as S. 551, the bill was thoroughly reviewed by the Committee on Federal Legislation of the association of the bar of the city of New York, a distinguished group of experienced attorneys who performed an extremely valuable public service by issuing a detailed report. The report described the bill as "most desirable" and recommended enactment.

The present bill takes into account various recommendations made by the committee as well as the developments in the law since that time. It also incorporates additional features so that, in its new form, it presents a complete proposal for immigration reform. I note that hearings on general immigration legislation which had been scheduled by the Senate Immigration Subcommittee for this week have now been postponed. I urge that they be rescheduled promptly and that this bill be included in the subcommittee's deliberations along with S. 747, introduced by Senator HART and of which I am a cosponsor, and with other measures on the same subject, since the present bill includes a number of features not incorporated in the other measures and in some instances provides a different approach to the problems sought to be resolved by all the bills.

The bill also includes liberalized provisions relating to refugees, displaced persons and escapees from various forms of tyranny, including the Castro tyranny.

We continue to this day to be unable to do anything should we be faced with a national emergency—as we were at the time of the Hungarian uprising—in which refugees and escapees may come streaming in from East Germany, from Hungary, or from some other place and it would be very desirable to take them. We would then face, as we did before, a new situation. Again we would have to improvise action.

Madam President, I ask unanimous consent that there be printed in the RECORD at this point an analysis of my bill and excerpts from the report of the Committee on Federal Legislation of the Association of the Bar of the City of New York on the predecessor bill, S. 551.

There being no objection, the analysis and excerpts were ordered to be printed in the RECORD, as follows:

ANALYSIS OF BILL AMENDING IMMIGRATION AND NATIONALITY ACT (MCCARREN-WALTER ACT) PUBLIC LAW 414, 82D CONGRESS

SHORT TITLE: "IMMIGRATION AND NATIONALITY ACT AMENDMENTS OF 1963"

Section 2 amends sections 212(a)(15) and 241(a)(8) with respect to standards for determining whether aliens are or are likely to become public charges. Eliminates provisions which give controlling effect to the opinion of the consul or of immigration officials without adequate supporting evidence.

Section 3 amends subsections (27) and (29) of section 212(a) with respect to standards for determining whether immigrants would engage in subversion activities. The consul and immigration officials no longer would be vested with the authority, without restraint, to determine by their own mental processes the probability of future proscribed conduct.

Section 4 amends sections 287(a)(1) of Public Law 414 which provides for interrogation by employees of the Immigration and Naturalization Service without warrant of persons believed to be aliens as to their right to be or remain in this country. Strengthens the term "believed" by adding "with probable cause", thus preventing improper interrogation of citizens.

Section 5(a) repeals sections 352, 353, and 354 of Public Law 414, which provide for loss of nationality by naturalized citizens because of residence abroad. Repeals section 350 of Public Law 414 which provides for divestiture of nationality in the case of dual nationality of natural born Americans. Repeals section 355 of Public Law 414 which deals with loss of American nationality through the expatriation of a parent.

Section 5(b) amends section 101(a)(33) by repealing that portion of the definition of the term "residence" relating to continuous residence in respect to divestiture of nationality of dual nationals and loss of nationality by naturalized citizens.

Section 6 amends sections 101(a)(37), 212(a)(28)(D), 241(a)(6)(D) and 313(a)(3) of Public Law 414 by broadening restrictions contained in that act with respect to persons who have belonged to totalitarian organizations. Nazis and Fascists would, as a result, be barred from the United States without the necessity of proving, as Public Law 414 now requires, that they have advocated or belonged to organizations which advocated the establishment of a totalitarian dictatorship in the United States. This closes the loophole in Public Law 414 which now permits Nazis and Fascists to enter the United States and to become naturalized.

Section 7 amends section 244(a)(2) with respect to suspension of deportation of certain persons with not less than 10 years of continuous physical presence, by reducing the hardship requirement for permanent residence from "exceptional and extremely unusual hardship" to "extreme hardship."

Section 8 amends section 201(e) of Public Law 414 eliminating provisions requiring future mortgaging of quotas.

Section 9 repeals sections 202(a)(5) and 202(b) and amends sections 202(a) and 202 (c) to eliminate quota provisions in present law which discriminate against Asiatic and colonial peoples. The amendment will restore the law as it existed prior to Public Law 414, under which colonial peoples were included within the quota of their mother countries. Public Law 414 establishes a quota determined by race for Asiatic peoples regardless of the country in which they were born, while the quota for non-Asiatics is determined simply by place of birth. The amendment extends the latter provision to persons of an Asiatic race and thus removes the stigma of racial discrimination.

Section 10 by amending section 101(a)(6) of Public Law 414, restores preexamination (an administrative procedure adopted in 1935 which permitted an alien in the United States to become a permanent resident by obtaining his immigration visa in Canada instead of being required to make the long and expensive journey to his country of origin for that purpose).

Section 11 by amending section 212(a) (9) and (10) permits entry of an alien who has received a pardon for a crime.

Section 12 amends section 212(c) of Public Law 414 to restore the law as it existed and operated satisfactorily from 1917 to 1952. The result would be to give the Attorney General discretionary power to admit an alien who is returning to an unrelinquished American residence of at least 7 years with no requirement that the alien had originally been admitted to this country for permanent residence.

Section 13 repeals section 235(c) of Public Law 414 which permits exclusion without a hearing.

Section 14 repeals section 241(d) of Public Law 414, the retroactive provision which makes an alien deportable for conduct prior to December 24, 1952, even though that conduct was not a ground for deportation before Public Law 414 came into effect.

Section 15 establishes a statute of limitations whereby no alien may be deported by reason of conduct occurring more than 10 years prior to the institution of deportation proceedings.

Section 16 amends section 106 of Public Law 414 to afford judicial review of citizenship questions and of both exclusion and deportation orders rather than only deportation orders as was provided by H.R. 187 enacted in the 87th Congress.

Section 17 amends section 360(a) to provide for judicial review for a person claiming American citizenship who has been denied such right, even if he is subject to an exclusion order or is not within the United States. The section would have no effect on the existing right to habeas corpus for a person in custody.

Section 18 amends section 360(c) of Public Law 414 by broadening the provision for judicial review of final determinations by the Attorney General refusing entry to persons issued certificates of identity as claimants of American citizenship under section 360(b).

Section 19 establishes a Board of Visa Appeals in the Department of State to review questions involving the denial of visas and the application or meaning of State Department regulations applying to immigration.

Section 20 amends section 201(a), (b), and (c) so that the determination of annual quotas is based on the 1960 census rather than the 1920 census as provided by existing law. A redetermination of quotas would be required after every decennial census in the future. A minimum annual quota of 200 is set for any quota area. The amendment further provides for pooling of unused quotas and their allocation to those on waiting lists by Executive order of the President in successive fiscal years. Reallocations are subject to disapproval by concurrent resolution of both Houses of Congress. The quota for Chinese persons is repealed, thereby entitling persons of Chinese ancestry to apply under the quota of the country in which they were born instead of under the Chinese persons quota. Also, Chinese persons will now be counted in computing the quota for the country of China; at present, persons with more than one-half Chinese ancestry are not so counted because they are included in the Chinese persons quota.

Section 22 amends section 212(5)(d) of Public Law 414 by redefining the term "refugee escapee" and provides that the President may by proclamation order the Attorney General to parole into the United States refugee escapees, who may then apply for adjustment of their status to that of aliens lawfully admitted.

Section 23 grants temporary nonquota entrance into the United States to refugee escapees, their spouses and children, provided that such aliens are not ineligible to enter under any provisions of Public Law 414. It is further provided that the Treasurer of the United States is authorized to make grants up to $5 million for the resettlement of any "hard core refugees" as defined in section 212(b) of Public Law 414.

Section 24 amends section 245(c) of Public Law 414 to allow Cuban refugees to adjust parole status to permanent residence without leaving the United States as is required under section 245(c) of Public Law 414 for aliens from countries contiguous to the United States or from adjacent islands.

CERTAIN PROPOSED FEDERAL LEGISLATION TO AMEND THE IMMIGRATION LAWS

This report discusses provisions of three bills pending in the Congress[1] to amend the Immigration and Nationality Act: S. 551, introduced by Senator JAVITS on January 23, 1961, for himself and Senators KEATING, MORSE, SALTONSTALL, CASE, and SCOTT; H.R. 3038, introduced by Congressman HALPERN on January 23, 1961; and H.R. 187, introduced by Congressman Walter on January 3, 1961. The bills were referred to the Committees on the Judiciary of the Senate and the House.

S. 551 and H.R. 3038 are companion bills[2] and propose to make changes in the existing law including, among others: (1) using unabridged census figures rather than only those of the white population of the continental United States in determining immigration quotas; (2) abolishing the special restrictions now superimposed upon the quota system against persons whose ancestry stems from the "Asiatic-Pacific triangle"; (3) basing immigration quotas on the 1960 census rather than on the 1920 census; (4) enabling the carryover of unused quotas from one year to another in porportions directed by the President; (5) permitting the quotas for a country to be used by immigrants from the country's colonial possessions; (6) placing a 10-year statute of limitations on deportation proceedings; (7) creating a Board of Visa Appeals; and (8) making provisions, generally in agreement with existing case law, for judicial review of certain administrative decisions in the immigration field.

This committee approves of these provisions of S. 551 and H.R. 3038, with certain reservations. We have suggestions for correcting what appear to us to be drafting errors in the proposed amendments to section 202(a)(5) and section 202(d) of the Immigration and Nationality Act. We also suggest that the bills should be amended to end the existing discrimination now superimposed on the quota system against persons of Chinese ancestry. With these suggestions we urge the Congress to adopt the provisions of S. 551 and H.R. 3038. Our discussion below will, for the sake of simplicity, refer only to S. 551, but is equally applicable to the similar provisions of H.R. 3038.

H.R. 187 provides a special procedure for the judicial review by the courts of appeals of orders of deportation, and places certain restrictions on judicial review of administrative orders concerning deportation and exclusion. We are informed that the Department of Justice favors the enactment of this bill.

This committee is sympathetic to the objective of H.R. 187, which is to prevent the abuse of the process of judicial review by certain undesirable aliens. We consider, however, that H.R. 187 goes too far. We think that original jurisdiction for judicial review of deportation orders belongs in the district courts. We also think that some of the provisions of H.R. 187 would serve unduly to limit access to the courts by deserving aliens.

As to a provision of H.R. 187 which would write the principle of res judicata into the law on judicial review, we agree that some provision of this sort would be desirable, but we believe that, in attempting to make that principle fully applicable to habeas corpus proceedings, H.R. 187 exceeds constitutional limits.

INTRODUCTION

This committee considers that the proposed revisions of the immigration laws deserve the most serious attention of the Congress. To the individual human beings directly affected by the restrictions imposed by immigration laws, the laws are vitally important. There are few governmental sanctions whose consequences are so serious in their effect upon human life, liberty, and pursuit of happiness as exclusion or deportation. The immigration laws are important, also in that they represent to the world the practical expression of American governmental philosophy. In justice to the individuals concerned, and to the good name of the United States among the nations of the world, the Congress should spare no effort to improve and perfect our immigration laws.

This committee approaches the problems raised by the proposed immigration law revisions conscious of the fact that legislation in this field must strike a balance between competing considerations.

On the one hand stands the ideal that the United States of America should represent to people all over the world a haven of liberty and opportunity.[3]

On the other hand stands the duty of the Nation to protect its own citizens, and to take account of the internal consequences of immigration. Mindful of that duty, Congress has created a complex system of statutory restrictions on immigration.

In revising and improving that system, Congress should, we believe, bear in mind that the national self-interest is best served when the restrictions are both sensible and fair in operation, and consistent with our heritage of respect for individual human integrity.

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[1] This report was approved by this committee on July 5, 1961. The subsequent history of the three bills has been that the companion bills, S. 551 and H.R. 3038, which bills this committee favored, have not emerged from the Committees on the Judiciary of the Senate and the House. The third bill, H.R. 187, which this committee criticized, was enacted into law as Public Law 87-301 on Sept. 26, 1961, 75 Stat. 651-53. See H. Rept. 565 (1961).

[2] H.R. 3038, in titles I, II, III, and IV thereof parallels S. 551, but also contains a title V, which S. 551 does not, relating to the issuance of special nonquota immigrant visas to refugees. Those provisions of H.R. 3038 and certain other provisions of S. 3038 and S. 551 of more specialized application than the provisions enumerated above in the text will not be discussed in this report.

[3] See "The New Colossus," inscription by Emma Lazarus for the Statue of Liberty, New York Harbor.

Provisions of S. 511 relating to quotas

Under the Immigration and Nationality Act, adopted in 1952 (which we will sometimes call "the 1952 act"), the number of persons allowed to enter the United States from any quota area during any 1 year is generally limited to one-sixth of 1 percent of the population of the continental United States in 1920 attributable by national origin to that quota area.[4] Each quota area, however, is given a quota of at least 100 persons; 8 U.S.C. 1151(a); sec. 201(a) of the 1952 act.

To apportion the total quota, the 1952 act divided the inhabited areas of the world outside the United States into quota areas, generally along the lines of national boundaries and made the determination of the respective quotas of the various quota areas the joint responsibility of the Secretary of State, the Secretary of Commerce, and the Attorney General; 8 U.S.C. 1151(b), 1152; secs. 201(b) and 202 of the 1952 act.

The current quotas of more than 100 determined under the 1952 act by those Cabinet officers and proclaimed by the President, are as follows: [5]

Great Britain and Northern Ireland	65, 361
Germany	25, 814
Ireland (Eire)	17, 756
Poland	6, 488
Italy	5, 666
Sweden	3, 295
Netherlands	3, 136
France	3, 069
Czechoslovakia	2, 859
U.S.S.R.	2, 697
Norway	2, 364
Switzerland	1, 698
Austria	1, 405
Belgium	1, 297
Denmark	1, 175
Yugoslavia	942
Hungary	865
Finland	566
Portugal	438
Lithuania	384
Greece	368
Rumania	289
Spain	250
Latvia	235
Turkey	225
Japan	185
Estonia	115
Chinese persons	105

Minimum annual quotas of 100 are in effect for the following quota areas:

Afghanistan, Albania, Andora, Arabian Peninsula, Asia-Pacific, Australia, Bhutan, Bulgaria, Burma, Cambodia, Cameroons (trust territory, United Kingdom), Cameroon, Central African Republic, Ceylon, Chad, China, Congo, Republic of the Congo, Cyprus, Dahomey, Danzig (Free City of), Ethiopia, Gabon, Ghana, Guinea, Iceland, India, Indonesia, Iran (Persia), Iraq, Israel, Ivory Coast, Jordan, Korea, Laos, Lebanon, Liberia, Libya, Liechtenstein, Luxembourg, Malagasy Republic, Malaya (Federation of), Monaco, Morocco, Muscat (Oman), Nauru (trust territory, Australia), Nepal, New Guinea (trust territory, Australia), New Zealand, Niger, Pacific Islands (trust territory, United States administered), Pakistan, Palestine (Arab Palestine), Philippines, Ruanda-Urundi (trust territory, Belgium), Western Samoa (trust territory, New Zealand), San Marino, Saudi Arabia, Somali Republic, South West Africa (mandate), Sudan, Tanganyika (trust territory, United Kingdom), Thailand (Siam), Togo, Tunisia, Union of South Africa, United Arab Republic, Upper Volta, Vietnam, Yemen.

The total of all of the quotas is 154,887.

The system of quota allocation upon the basis of national origins has long been the subject of debate. Critics of the system have asserted that its objective was to favor the Nordic races of northern and western Europe over the races of southern and eastern Europe and elsewhere. To its critics, the national origins system is "a discriminatory program of restriction * * * rooted in dubious biological and anthropological assumptions." Kingsley, "Immigration and Our Foreign Policy Objectives, 21 Law and Contemporary Problems," 299, 301, 310 (1956). On the other hand, defenders of the system say that it is not intended to discriminate on the basis of notions of racial superiority, but simply to provide a fair pragmatic method of allocating quotas. They say: "The national-origins quota system is like a mirror held up before the American people. As our various foreign origins are determined upon a basis of nationality and reflected in the mirror, the quotas of the countries of our origin are proportioned. The basic policy of the system is to grant to each group its fair share—no more and no less—of the permissible volume of annual quota immigration. Any other distribution of the quotas would, indeed, be discriminatory." Alexander, "A Defense of the McCarran-Walter Act," 21 Law and Contemporary Problems, 382, 385 (1956).

In the course of the debate, there have been a number of proposals to abandon the national origins system altogether.[6] Indeed, bills to that effect and to substitute a system of quota allocations based upon other considerations, such as family ties, occupational skills, refugee status, and national interest have been introduced in the current session of Congress.[7]

We have not undertaken in this report to comment upon those proposals because we understand that they do not have sufficient legislative support to stand a chance of enactment at this time.

S. 551, which we do consider, does not abandon the national origins system altogether, but does modify it in a number of important respects. We consider all of these changes to the quota system highly desirable, and urge the Congress to adopt them. Our reasons for doing so, and certain additional suggestions, are developed below.

Under existing law, the general criterion for quota allocations is national origin—meaning the place of birth—and is not race. Depending upon the number of persons in the United States whose forebears came from France, for example, a quota is established for immigrants from France, and a person born in France may come in under that quota, without regard to his racial extraction, 8 U.S.C. 1152(a); section 202(a) of the 1952 act. See Gordon and Rosenfield, "Immigration Law and Procedure" (1959 ed.), section 2.27.

Additional provisions, however, have been superimposed upon the basic national origins system which operate to set up patterns of discrimination against persons of certain races—particularly against Negroes, Chinese, and oriental races indigenous to the "Asiatic-Pacific triangle."

Whatever may be the differences of opinion as to the merits of the basic national origins system, we believe there should be wide agreement that the discrimination solely upon racial grounds is alien to our American heritage and ideals and should be eliminated from the law.

The racial discrimination of the present law take several different forms. The first form we consider is that directed against Negroes.

Provision of S. 551 for using unabridged census rather than only the white population of the continental United States

Section 201(a) of the 1952 act provides: "The annual quota for any quota area shall be one-sixth of 1 percent of the number of inhabitants in the continental United States in 1920, which number, except for the purpose of computing quotas for quota areas within the Asia-Pacific Triangle, shall be the same number heretofore, determined under the provisions of section 11 of the Immigration Act of 1924, attributable by national origin to such quota area; *Provided*, That the quota existing for Chinese persons prior to the date of enactment of this act shall be continued, and, except as otherwise provided in section 202(e), the minimum quota for any quota area shall be 100," 8 U.S.C. 1151(a).

By this section, Negroes are discriminated against in the establishment of quotas. This is accomplished by excluding Negroes from the population count used in the computation of quotas. The result is to distort the national origins system so as to prevent the quotas of African nations from reflecting the true number of America's inhabitants attributable by national origin to those nations.

This discrimination is not readily apparent on the face of the present law, but is buried in its provision that for general purposes in the computation of quotas the number of inhabitants of the continental United States "shall be the same number heretofore determined under the provisions of section 11 of the Immigration Act of 1924." The Immigration Act of 1924, in section 11(d) thereof, provided that in computing quotas the term "inhabitants in continental United States in 1920" did not include: (1) immigrants from independent countries of the Western Hemisphere and their descendants; (2) aliens ineligible for citizenship (which referred to orientals) and their descendants; (3) the descendants of slave immigrants; and (4) the descendants of American aborigines; 42 Stat. 153, 159–60.

Items 1, 2, and 4 have little, if any, current significance upon quotas; item 1 because independent countries of this hemisphere are outside the quota system anyway; item 2 because the 1952 act does not follow the 1924 act's computations in fixing quotas within the Asiatic-Pacific triangle (the provisions of the existing law as to the Asiatic-Pacific triangle are discussed below); and item 4 because by definition American aborigines would not be attributable to any foreign country.

Item 3, however, has a practical significance, because it means that the Negro population is excluded for purposes of determining quotas.

We can see no justification whatsoever for such discrimination. Since Congress has chosen to base immigration quotas upon the system of national origins, we can see no reason not to follow that system in the case of Negroes.

It is a poor mirror indeed which fails to reflect that America has a sizable Negro population. The fact that their ancestors may have come here involuntarily, in the steaming holds of slave ships, is totally irrelevant to the matter of reflecting in current immigration quotas the national origins of our population.

We accordingly endorse the provision of S. 551 which makes no racial discrimination against Negroes in its proposal that section 201(a) be amended to read as follows:

"Sec. 201. (a) The annual quota of any quota area shall be one-sixth of 1 per centum of the number of inhabitants in the United States in 1960 attributable by national origin to such quota area: *Provided*, That the quota existing for Chinese persons prior to June 27, 1952, shall be continued and the minimum quota for any quota area shall be one hundred."

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[4] Immigrants born in an independent country of the Western Hemisphere, however, were not made subject to quota limitations; 8 U.S.C. 1101(a)(27)(C); sec. 101 (a)(27)(C) of the 1952 act.

[5] President's Proclamation No. 3298, June 9, 1959, 24 F.R. 4679, as amended by President's Proclamation 3372, Sept. 28, 1969, 25 F.R. 9283, see 8 U.S.C.A. 1151, pocket part.

[6] E.G., S. 1206 introduced in the 84th Cong., 1st sess., by Senator Lehman.

[7] E.G., H.R. 6555; H.R. 607.

Provision of S. 551 for using census of entire United States rather than continental United States

We also consider that S. 551 makes a desirable change in basing quotas upon the population of the entire United States rather than upon that of the continental United States. The quotas which are established are applicable for entry into the United States, including Alaska, Hawaii, Puerto Rico, Guam, and the Virgin Islands, as well as the continental United States (8 U.S.C. 1101(a) (38); sec. 101(a) (38) of the 1952 act.) Because the United States is virtually one indivisible nation in this sense, we think there is no sound basis for excluding our offshore population in determining quotas, particularly since the admission to statehood of Alaska and Hawaii.

Here again, we consider that, if Congress wishes to follow the national origins system in determining quotas for immigration to the United States, it should stick to the logic of making the quotas a mirror of the Nation's population. A true image of the Nation should reflect the whole population of the Nation, and not just the continental part of it.

Provision of S. 551 to abolish special discrimination against persons whose racial extraction is from the "Asiatic-Pacific triangle"

The technique whereby the 1952 act accomplishes a special discrimination against a variety of Oriental races begins with the creation of the "Asiatic-Pacific triangle," a geographical area set up specifically for purposes of the act, 8 U.S.C. 1152. The "Asiatic-Pacific triangle" comprises all quota areas situated wholly within an arbitrarily delineated triangle bounded by the meridian 60° east and 165° west longitude and by the parallel 25° south latitude—roughly embracing all Asiatic countries from India to Japan and all Pacific islands north of Australia and New Zealand, including (to name the more important ones in addition to India and Japan), China, Burma, Indonesia, Korea, Laos, Pakistan, Philippines, Thailand, and Vietnam.[8]

At the present time there are 19 separate quota areas within the Asiatic-Pacific triangle, each entitled to a quota of 100 pursuant to section 201(a) of the act, 8 U.S.C. 1121(a). In addition, the 1952 act establishes an Asiatic-Pacific triangle quota of 100 for the entire triangle area. Section 202(b)(1) of the 1952 act; 8 U.S.C. 1152(b)(1).

Specific rules in section 202(b)(2)–(6) of the 1952 act determine to which quota an alien born in, or of ancestry traceable to, a quota area within the Asiatic-Pacific triangle is to be charged. Briefly, such rules provide that:

(1) The following persons are chargeable to the Asiatic-Pacific quota of 100: (a) an immigrant born within, or born outside the triangle who is attributable by as much as one-half his ancestry to a people or peoples indigenous to, one or more colonies or dependent areas wholly within the triangle (8 U.S.C. 1152(b)(3) and (5)); and (b) an immigrant born outside the triangle who is attributable by as much as one-half his ancestry to a people or peoples of two or more separate quota areas, or to a quota area and one or more colonies and other dependent areas, situated wholly within the triangle (8 U.S.C. 1152(b)(6)); and

(2) The following persons are chargeable to a particular one of the 19 separate quota areas above referred to: an immigrant born within, or born outside the triangle who is attributable by as much as one-half his ancestry to a people or peoples indigenous to, such particular separate quota area. (8 U.S.C. 1152(b)(2) and (4).)

The few examples given below (others are cited in the commentary in the first volume of 8 U.S.C.A. at pp. 23–24) may serve to illustrate practical applications of the above rules:

1. A Japanese born in the Portuguese colony of Macao is chargeable to the Asiatic-Pacific quota and not to the quota for Portugal nor to the quota for Japan. (8 U.S.C. 1152(b)(3).)

2. A native of Canada born of a Japanese mother and a Canadian father is not a nonquota immigrant (see 8 U.S.C. 1101(27)), although he is a native of an independent country located in the Western Hemisphere. He is chargeable to the quota for Japan. (8 U.S.C. 1152(b)(4).)

3. An immigrant born in Germany of a Malayan father and a German mother, is chargeable to the "Asiatic-Pacific quota." (8 U.S.C. 1152(b)(5).)

4. An immigrant, born in Mexico of a Japanese father and a Korean mother, is chargeable to the "Asiatic-Pacific quota." (8 U.S.C. 1152(b)(6).)

The 1952 act also discriminates against quota areas in the Asiatic-Pacific triangle in the matter of revising quotas. A previously determined quota (8 U.S.C. 1151) is subject to revision by the Secretaries of State and Commerce and the Attorney General whenever necessary as a result of foreign political changes involving transfer of territory from one sovereignty to another 8 U.S.C. 1152(e). Such revisions are based, with respect to all quota areas except those within the Asiatic-Pacific triangle, on the formula of one-sixth of 1 percent of the number of inhabitants in the continental United States in 1920 attributable by national origin to such quota area 8 U.S.C. 1151(a). In the case of Asiatic-Pacific triangle quota areas, however, a virtual ceiling of 2,000 immigrants is imposed on the sum total of all quota numbers available for such quota areas.[9] As explained by Besterman: "Should the number of quota areas within the Asia-Pacific triangle exceed 20 (through the creation of new independent countries or other political entities defined in section 1152(a) and entitled to a standard minimum quota of 100), the minimum quotas for the areas located in the triangle would be subject to proportionate decrease so that the sum total of all minimum quotas for such areas does not exceed 2,000 at any time. The only oriental minimum quota which would escape this automatic decrease is the Asia-Pacific quota, fixed permanently, under section 1152(b)(1), so as to remain at 100."

In defense of the Asiatic-Pacific triangle provisions of the 1952 act, it is urged that such provisions actually liberalized prior law which had, since the Immigration Act of 1917 (39 Stat. 874), constituted an area, roughly approximating the Asiatic-Pacific triangle, as the Asiatic barred zone from which no immigration at all was permitted (except for China, for which a quota of 105 was established in 1944 (58 Stat. 1125)).[10]

It is also urged that "if the thousands of people of Asian ancestry born in the quota countries of Europe were given access to such quotas, and if the 600,000 people of Asian ancestry born in the nonquota countries of the Western Hemisphere were granted the privilege of immigrating into the United States without numerical limitation, too drastic a change could result in the ethnic composition of the population of the United States, because the peoples of Asia would be deriving immigration privileges not only in great disproportion to their largest possible reflection in the national-origins mirror, but in even greater disproportion to the privileges granted any other of our foreign national-origins group." [11]

The committee finds these arguments unconvincing. In the case of other peoples of the world, our national origins mirror is supposed to reflect exactly what its name indicates—country of origin, and not race. We think it is indefensible to impose a discriminatory ancestry test on persons containing half, or more, oriental blood.

The consequences of employing such racial criteria in Federal legislation affecting people abroad have been pointed out as follows: [12] "All of this might be a matter only for our own consciences were it not for the palpable fact that provisions like the ancestry test for orientals and the barriers against the colonial peoples of the Western Hemisphere play squarely into the hands of our adversaries in the great struggle now going on to establish a new balance of power in the world. Through our immigration policies, we have managed to rub salt into the deepest wounds of two-thirds of the people of the world. Moreover, as we do not tire of pointing out to the Russians, deeds speak louder than words. It is difficult for the Voice of America to explain away what we are doing in these fields. At the moment, when we are calling for a united free world opposed to communism, our immigration policies are based on invidious distinctions among countries and nationalities, including the very countries we wish to ally with us."

The committee believes that, in its own self-interest, the United States should insure that its immigration laws do not convey to the world a false image of American governmental philosophy. The Declaration of Independence is a part of our heritage. We should not ignore it in framing our immigration laws.

Accordingly, the committee approves sections 108(b) and (c) and 301 of S. 551 which eliminate the special "Asiatic-Pacific triangle" provisions of existing law by deleting section 202(a)(5), (b) and (c) (8 U.S.C. 1152(a)(5), (b) and (c) and appropriately amending sections 201(a) and 202(e) of the 1952 act. (8 U.S.C. 1151(a) and 1152(e).)

Section 108 of S. 551, perhaps inadvertently, also repeals section 202(d) (8 U.S.C. 1151(d)) which states: "The provision of an immigration quota for a quota area shall not constitute recognition by the United States of the political transfer of territory from one country to another, or recognition of a government not recognized by the United States."

The committee recommends amendment of the bill to eliminate such repeal.

Special discrimination of both the 1952 act and S. 551 against Chinese persons

Upon the repeal of the Chinese exclusion laws in 1943, Congress established a special racial quota of 105 for Chinese persons, wherever they may be born. Act of December 17, 1943, 57 Stat. 600. In addition a quota of 100 was allotted for non-Chinese who were born in China. This quota arrangement was continued by the 1952 act (8 U.S.C. 1151(a); sec. 201(a) of 1952 act, quoted above).

A Chinese person is defined as an alien who is as much as one-half Chinese blood (sec. 5(b), act of July 2, 1946, 60 Stat. 416; 22 C.F.R. 42.15 (b)). Thus, an adult Canadian born in Canada of a Canadian father and a Chinese mother, cannot enter the United States except under the special Chinese quota.

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[8] Generally as to the Asiatic-Pacific triangle provisions see Gordon and Rosenfield, §§ 2.26 (c), 2.27(f).

[9] Besterman, "Commentary on the Immigration and Nationality Act," 8 U.S.C.A., p. 1, at 21; 8 U.S.C. 1152(e).

[10] Alexander, "A Defense of the McCarran-Walter Act," 21 Law and Contemporary Problems, 393–394 (1956).

[11] Alexander, 21 Law and Contemporary Problems at p. 394.

[12] Kingsley, "Immigration and Our Foreign Policy Objectives," 21 Law and Contemporary Problems 299, 306 (1956).

S. 551 would not change the law in this respect, and would provide in section 201 (a): "That the quota existing for Chinese persons prior to June 27, 1952, shall be continued."

For the reasons already stated, the committee disapproves of the provisions of the existing law with superimpose racial discriminations upon the national origins system. We accordingly disapprove of the language of S. 551 which would operate to continue that discrimination against Chinese persons, and we recommend that that discrimination be removed. That result can be accomplished simply by striking from S. 551 the proviso quoted above so that persons of Chinese racial extraction would then be treated no differently than anyone else.

The 1960 rather than the 1920 census

In 1920 the population of the continental United States was 105,710,620 ("Statistical Abstract of the United States," 1960, at p. 5). In 1960 the total population of the United States, including Alaska and Hawaii, had grown to 179,323,175. Bureau of Census, 1960 Census of Population, Advance Reports, PC(A1)-1.

The proposal of S. 551 to use 1960 census figures rather than 1920 figures would of course have two effects: (1) to increase the annual quotas in proportion to the increase in the population, and (2) to make the quotas reflect the current pattern of the national origins of Americans rather than the pattern of over 40 years ago.

As to the first of these effects, it seems to us altogether reasonable that in our expanding national economy, the optimum number of immigrants will increase roughly in proportion to the increase in our population. The figure of one-sixth of 1 percent of current national population attributable by national origin to quota areas would produce a total annual quota of about 260,000, which does not seem to us unduly large. We express this view as citizens and not as experts, for we do not pretend to expertise concerning the optimum number of immigrants to admit annually.

The second effect of the quota change—to make quotas reflect the current pattern of national origins rather than one 40 years old—we submit is an essential change if the justification of the national origins system is to have current validity.

A continuing failure by Congress to make the national origins system reflect our current population, will inevitably undermine that system, for it destroys its only defensible support, which is that it is fair to allocate quotas among countries in the same proportions as the countries are reflected in our population.

If quotas are to be determined by holding a mirror up to the Nation, surely that is not accomplished by using instead of a mirror, a portrait 40 years old.

Provisions of S. 551 enabling the carryover of unused quotas

The existing law authorizes total annual quotas of about 154,000. In 1960 only about 101,000 quota immigrants were admitted. Experience over the years has shown that about a third of the quota regularly goes unfilled. See 1960 Annual Report of the Immigration and Naturalization Service, page 23.

This situation is largely accounted for by the fact that Great Britain and Ireland are allotted many more quota spaces than the number of persons who desire to become U.S. immigrants. For example, in 1960, of the annual quota of 65,361 for Great Britain and Northern Ireland, only 27,034 places were filled, and of the annual quota of 17,756 for Ireland (Eire), only 7,479 places were filled.

On the other hand, in a number of countries the demand for the opportunity to come to the United States regularly exceeds the limited supply of quota places, and hopelessly long waiting lists confront would-be Americans. See Magnuson, "Columbus Couldn't Get a Visa," New York Times Sunday magazine, April 16, 1961, page 24.

No carryover of unused quotas is permitted under existing law.

It has been said in support of the existing law that:

"If the overflow of immigrants from oversubscribed quotas were permitted to utilize the unfilled portions of undersubscribed quotas, this would not bring the national origins system into proportionate balance, but on the contrary, would further unbalance it." Alexander, "A Defense of the McCarran-Walter Act," 21 Law and Contemporary Problems 382, 386 (1956).

In the judgment of this committee, that argument against permitting a carryover is not persuasive.

The national origins system—while it may be a satisfactory empirical method of arriving at quota figures—does not stem from any sharply defined and delicately balanced pattern of national groups in the American population, but rather upon a rough approximation of where the ancestors of Americans came from.

The basic calculations of the national origins of the 1920 population of the continental United States, which are still in effect, were made in 1928, pursuant to the Immigration Act of 1924. The 1924 act explicitly provides: "Such determination shall not be made by tracing the ancestors or descendants of particular individuals, but shall be based upon statistics of immigration and emigration, together with rates of increase of population as shown by successive decennial U.S. censuses, and such other data as may be found to be reliable." Section 11(c) of the 1924 act; 42 Stat. 1953.

The method employed in making the national origins calculations pursuant to that act was explained in a joint memorandum of the Secretaries of State, Commerce, and Labor dated February 25, 1928. (S. Doc. 65, 70th Cong., 1st sess.) In essence, the method employed in making the calculations was as follows:

The population of the United States in 1790 was classified by national origin simply upon the basis of their surnames. Then immigration and census records for the period 1820 to 1920 were used to furnish the numbers of persons coming from each foreign country during those years. (Records from 1790 to 1820 were unavailable.) Then 1920 census statistics were used to supply the numbers of persons in the population who were either immigrants or the children of immigrants, and the countries of their national origin.

Other persons included in the 1920 census were allocated among countries of origin upon the basis of projections of the 1790 population and the immigration thereafter, which projections were based in part upon assumed rates of natural increase. (S. Doc. 65, 70th Cong., 1st sess.)

In other words, if persons of one national origin multiplied faster than persons of another national origin, the calculations made under the 1924 act would not reflect it.

It is apparent from the nature of the problems of classifying the population by national origins and from the methods necessary to do so, that the result could be only a rough approximation. This is not said to criticize the scholars who made the calculations, for they displayed great skill and ingenuity in attempting to solve the problems presented by the legislation, but rather to place in perspective the proper function to be served by the completed calculations.

America today has a population which is the product of the greatest melting pot in history. As the scholars who made the national origins calculations under the 1924 act wrote: "On account of the intermixture of the various national stocks resulting from intermarriage, it is obviously impossible to divide the population of the United States into distinct classes, such that each class shall consist exclusively of persons who were all born in the same county" (S. Doc. 65, 70th Cong., 1st sess.).

In this committee's opinion, the necessarily rough approximation of the national origins derivations of our present population, and the fact that those groups have by now been so blended by intermarriage as to be indistinguishable, indicate that it does not make sense to let quotas go unfilled merely because there is insufficient demand for them in the country to which they are first assigned. To do so is to elevate the national origins system, which is no more than an empirical method of allocating the total quota among various countries, to the level of demographic theory, unwarranted by the source material.

It seems to us that once Congress determines the optimum annual number of quota immigrants, it is in the national interest to fill that quota with desirable human beings. So long as, by the determination of our legislators, the Nation has room for and can profitably use a certain number of immigrants, it makes good sense to let good ones come in despite the fact that they might be Italians rather than Englishmen.

The committee accordingly endorses the provisions of S. 551 enabling the carryover of unused quotas by adding the following language to section 201(a) of the act: "The unused portion of all quotas shall be made available in the next succeeding fiscal year, in such proportions as the President may by Executive order direct, to immigrants who are specified in section 203(a) of this act, who are on waiting lists of valid applications for visas. The President shall report to the Congress the distribution of unused quotas provided for by such Executive order, and they shall become effective 30 days following the submission of such report, unless within such period the Senate and the House of Representatives shall have passed a concurrent resolution stating in substance that they do not favor the distribution provided for in such Executive order, in which event no quotas shall be made available pursuant to such Executive order."

It seems to the committee that the provision for Congress to review the President's proposed distribution of unused quotas affords ample protection against any abuse of Presidential power in this connection.

Provisions of S. 551 concerning mortgaging of quotas by reason of admission of refugees

The 1952 act in section 201(e), 8 U.S.C. 1151(e), carried forward the provisions of prior law which required that persons admitted under the Displaced Persons Act of 1948, as amended (50 U.S.C.A. secs. 1951–1965), providing for admission of 400,000 persons displaced by war or revolution, and under certain other acts, be charged against the annual quotas of the countries of origin of such persons for succeeding years, with the result that the annual quotas of many such countries were mortgaged by 50 percent far into the future.

Acting upon the recommendation of President Eisenhower in his special messages to Congress recommending changes in the immigration laws, Congress by Public Law 85–316, September 11, 1957, section 10 (71 Stat. 642) terminated such deductions under the Displaced Persons Act of 1948, as amended, and under the act of June 30, 1950, and act of April 9, 1952, which provided for admission of in the aggregate 750 alien sheepherders.

However, the text of section 201(e) of the 1952 act, 8 U.S.C. 1151(e), has not heretofore been amended to reflect such termination of quota deductions.[13]

Section 107 of S. 551 simply amends section 201(e) of the 1952 act to reflect the provisions of Section 10 of Public Law 85-316 above referred to.

Provisions of S. 551 To Eliminate Subquotas for Colonies

Under the Immigration Act of 1924 (c. 190, 43 Stat. 153), which the 1952 act replaced, a native of a colonial dependency in this hemisphere could enter under the quota of his mother country. The 1952 act in section 202(c), 8 U.S.C. 1152(c), for the first time imposed the limitation that no colony could use more than 100 quota numbers annually from the quota of its governing country.

This provision has been defended on the ground that colonies should not have access to larger quotas than if they were independent nations.[14] (This defense is inapplicable, however, to colonies in the Western Hemisphere, because independent countries in this hemisphere are not subject to any quota restrictions.)

On the other hand, the provision has been attacked as the product of racial prejudice against colonial peoples, harmful to the conduct of the foreign affairs of the United States.

One must recognize that, on its face, the provision does not discriminate on grounds of race, but rather on the basis that the political organization of the area is colonial.[15] In that respect it is unlike the discriminations against Negroes, Chinese and orientals discussed above, which explicitly indicate that this country regards persons of these races as less desirable immigrants.

Perhaps, the underlying basis for the existence of the provision was a thought that colonial peoples would probably be less educated, less skilled, less civilized than inhabitants of the governing country, and therefore less desirable immigrants. The provision, however, does not make education, skills, or degree of civilization the criterion, but relies solely upon the fact of the colonial status of the area.

As time goes on, of course, and as more areas of the world end their colonial status to become independent, the field of application of the provision will become more restricted. The British West Indies, for example, are scheduled to become independent on May 31, 1962 if present plans are approved. New York Times, June 18, 1961. Our present immigration policy toward colonial peoples, however, will no doubt have some effect on the attitudes of those peoples in the future, whether or not they become independent.

It seems to us that the provision for colonial subquotas is poor policy at this time in world affairs when this Nation seeks to disassociate itself from the trappings of colonialism in the struggle against the forces of communism for men's minds. See Jaffe, "the Philosophy of Our Immigration Law," 21 Law and Contemporary Problems 358, 376 (1956).

Subject to the suggestion below this committee accordingly approves of the provisions of section 108(a) of S. 551 which would amend section 202 of the 1952 act to provide: "(5) an alien born in a colony or other component or dependent area of a governing country for which no separate or specific quota has been established shall be chargeable to the quota of the governing country."

Perhaps inadvertently, S. 551 omits in the proposed amendment of section 202(a)(5) an exception contained in section 202(c) of present law, 8 U.S.C. 1152(c), namely, "unless a nonquota immigrant as provided in section 1101(a)(27) of this title," with the effect that a person who might under present law be entitled to admission as a nonquota immigrant, e.g., an immigrant who is the child or spouse of a citizen of the United States, would not be able to enter unless a quota space was available under the quota of the governing country.

The committee believes this omission from S. 551 is undesirable and should be corrected.[16]

Proposal of S. 551 to enact 10-year statute of limitations for deportation

S. 551 proposes to add to the Immigration and Nationality Act a new section entitled "Limitation of time of commencing deportation proceedings," reading as follows: "Sec. 294. No alien shall be deported by reason of any conduct occurring more than ten years prior to the institution of deportation proceedings."

The committee recommends the enactment of the proposed statute of limitations.

Almost all civil remedies and criminal sanctions in our legal system are subject to time limitations precluding adverse consequences for conduct more than a certain number of years past. The law imposes such limitations, not in order to encourage the tortfeasor, the cheat, the burglar, the extortioner, or the corrupt official, to name a few examples of those who may benefit thereby but because of the harmful social consequences of disrupting human affairs by reason of events in the far distant past.

In *Wood* v. *Carpenter*, 101 U.S. 135, 193 (1879) the Court explained: "Statutes of limitation are vital to the welfare of society and are favored in the law. They are found and approved in all systems of enlightened jurisprudence. They promote repose by giving security and stability to human affairs."

See Holmes, "The Path of the Law," 10 Harvard Law Review, 457, 477 (1897); Pound, "A Survey of Social Interests," 57 Harvard Law Review 1, 19 (1943).

The draftsmen of the 1952 act recognized that a statute of limitations was desirable in the field of deportation, but apparently considered that it should apply only to certain special grounds for deportation. In reporting the McCarran-Walter Act, the conference committee stated that "the conferees have provided for a statute of limitations * * * in accord with humanitarian principles, particularly in the case of aliens whose deportation would be based on mental disease or on economic distress" (H. Rept. No. 2096, 82d Cong. 2d sess., 192 (1952)).

Nevertheless, while the 1952 act limits deportation for certain grounds, including those based on mental disease and economic distress, to acts occurring within 5 years after entry, the act contains no general statute of limitations.[17] Even the 5-year limitation on certain grounds for deportation is undermined to a considerable extent by the reentry doctrine, which computes the 5 years, not from the original entry, but from the last entry made by the alien at any time (8 U.S.C. 1101(a)(13)).

The operation of the deportation law in the absence of any limitations period is illustrated by *Niukkanen* v. *McAlexander*, 362 U.S. 390 (1960). In that case, a 52-year-old man, employed as a house painter in Oregon, who had lived in this country since before his first birthday, and who had served honorably in our Army, was ordered deported on the grounds of parol evidence of conduct more than 20 years previous. We do not believe that the hardship to the individual in that case—and the hardship to his native-born American wife—was justified by benefits to society as a result of his deportation.

The chief purposes of deportation are similar to two of the aims of the criminal law; to deter specified conduct, and to prevent its repetition (in this country). In our Federal criminal law a 5-year statute of limitations is provided for practically all crimes (18 U.S.C. 3282). The exceptions to this general rule are crimes so heinous as to be punishable by death, such as murder, kidnaping or treason (18 U.S.C. 3281).

A commentator has discussed the purposes served by statutes of limitations in criminal laws as follows: "The primary consideration underlying such legislation is undoubtedly one of fairness to the defendant. There comes a time when he ought to be secure in his reasonable expectation that the slate has been wiped clean of ancient obligations.

* * * * *

"Where the legislature puts a limit on criminal prosecutions, it recognizes the defendant's special interest in not being compelled to put his freedom and his reputation at the hazard of what is likely to be parol evidence of imperfectly remembered events, while at the same time it denies the social utility of punishing crimes long past." "Developments in the Law—Statutes of Limitations," 63 Harvard Law Review 1177, 1185-1186 (1950).

The primary reasons underlying statutes of limitations in criminal cases seem to us equally applicable to deportation proceedings. We believe that society does not gain when persons are deported on the basis of long past events, and that considerations of fairness to the individual common to all systems of enlightened jurisprudence call for the adoption of a statute of limitations applicable to deportation. A 10-year period, which is twice as long as the limitations period for Federal felonies, appears to be ample to protect the interests of the Government in deportation matters.

Proposal of S. 551 to create a Board of Visa Appeals

Section 209 of S. 551 would establish in the Department of State a Board of Visa Appeals which would have jurisdiction to review upon the request of the Secretary of State or of any consular officer concerned, or of any person aggrieved thereby (1) all determinations denying, withdrawing or revoking a visa or any extension thereof other than a visa the issuance of which is subject to the direction of the Secretary of State; and (2) any determination as to the application or meaning of any Department of State ruling or regulation pertaining to immigration.

The issuance of visas to persons who seek to come to the United States is the function of American consuls in foreign countries. The refusal of such a visa is not subject to administrative review or any other remedial device. It is our opinion that this places too much arbitrary power in the consuls which in some instances may be subject to abuse. We believe that the establishment of the Board of Visa Appeals would serve a valuable purpose.

Proposals of S. 551 and H.R. 187 concerning judicial review

Despite the lack of specific statutory authorization for judicial review, the courts have long recognized that an alien in custody under an administrative order of immigration officials can challenge the legality of that order by a habeas corpus proceeding. *Chin Yow* v. *United States*, 208 U.S. 8, 12 (1908). The availability of that remedy is protected by the Constitution of the United States which provides, in article 1, section 9: "The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it."

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[13] See notes to 8 U.S.C.A., sec. 1151 and to 50 App., U.S.C., sec. 1952, 1960 Cumulative Annual Pocket Parts.

[14] Alexander, "A Defense of the McCarran-Walter Act," 21 Law and Contemporary Problems, 382, 393 (1956).

[15] Alexander Hamilton today might have difficulty entering the United States since he was of British colonial birth. Generally, as to the impact of a restrictive immigration policy on United States culture, see "Burma, Some Cultural Aspects of Immigration: Its Impact, Especially on Our Arts and Sciences," 21 Law and Contemporary Problems, 284 (1956).

[16] President (then Senator) Kennedy in proposing a similar amendment in S. 1996 (86th Cong. 1st sess.) retained the nonquota exception above referred to.

[17] 66 Stat. 204, 206-207, 8 U.S.C. 1251(a). See Maslow, "Recasting our Deportation Law; Proposals for Reform," 56 Col. L. Rev. 309, 314-315 (1956).

See also 28 U.S.C. 2241 et seq. The habeas corpus procedure is, of course, unavailable unless the alien is actually in custody.

For many years habeas corpus was the only procedure available for judicial review of administrative decisions concerning immigration, and an alien was therefore required to wait until he was taken into custody to obtain that review.

Over the years, however, the law developed to enable judicial review of such orders by other procedures, not requiring that the alien be physically detained. In *Perkins* v. *Elg*, 307 U.S. 325 (1930), the Supreme Court held that a person threatened with deportation proceedings could bring suit under the Declaratory Judgment Act, 28 U.S.C. 2201, to obtain a determination on a claim to U.S. citizenship. *Shaughnessy* v. *Pedreiro*, 349 U.S. 48 (1955), established that deportation orders rendered under the 1952 act were subject to review under the Administrative Procedure Act, 5 U.S.C. 1009.[18] *Brownell* v. *Shung*, 352 U.S. 180 (1956) held that the legality of an exclusion order was also subject to review under the Administrative Procedure Act.

Accordingly, under existing law an alien may obtain judicial review of a deportation or exclusion order either by a proceeding for declaratory review, or if he is in custody, by habeas corpus.

A leading text characterizes this development in the law as "an example of the way in which the courts are assimilating the immigration process into the general pattern of the administrative law" (*Gordon and Rosenfield* (1959 ed.), sec. 8.8).

We agree with this conclusion, and consider the result a salutary one. The law should afford an adequate opportunity in the courts for correction of illegal and arbitrary administrative action.

An alien subject to a deportation or exclusion order concededly has the right to judicial review by bringing a habeas corpus proceeding when taken into custody. We think that it has been a healthy development of the law which also affords him a decent opportunity to contest the order when he is not in custody. To make the availability of review turn on whether or not he is at the moment in custody seems unsound. The very existence of the order indicates that the alien will, at some time, be taken into custody to execute the order. No good purpose seems to be served by making him wait until the last minute to test in court the validity of the order which hangs over him.

A situation in which habeas corpus was the only form of review might even tend to encourage the Immigration Service to execute its orders with such unannounced dispatch that the alien would be gone and his case mooted before he was able to reach an attorney.

In any event, when habeas corpus is the only available procedure it has the disadvantage of necessitating frantic haste by the alien's attorney to get the necessary temporary restraining order to prevent the execution of the order before judicial review can begin.

We consider it a poor system which would place such a premium on fast footwork in the determination of legal rights, and accordingly consider that declaratory review of deportation and exclusion orders should be available without regard to whether the alien is physically in custody when he initiates the proceeding.

Statistics on judicial review in exclusion and deportation cases show that, during the period 1956–60, the courts reviewed administrative decisions in 2,010 cases and sustained the alien's claim to relief in 292 cases (1960 Annual Report of the I.N.S., p. 97). This seems to indicate administrative error in a remarkably high percentage of the cases, and to conform the real need for judicial scrutiny of administrative action.

Accordingly, we endorse S. 551 which would restate the existing case law in adding a new section providing:

> "SEC. 293. In any exclusion or deportation case, after entry of a final order, an alien may seek judicial review under section 10 of the Administrative Procedure Act or under the Declaratory Judgment Act."

Deportation and exclusion orders are not the only administrative determinations in the immigration field the legality of which may be tested by judicial review. There is a variety of determinations concerning relief of various kinds committed by law to the discretion of the Attorney General, including suspension of deportation, voluntary departure, adjustment of status, waiver, and stay of deportation. (See Gordon and Rosenfield, sec. 8.14.) While courts will not substitute their discretion in these matters for that of the Attorney General, they will afford relief if shown that there has been "a clear abuse of discretion or a clear failure to exercise discretion." *Adel* v. *Shaughnessy*, 183 F. 2d 371, 372 (2 Cir. 1950).

Judicial review, of this limited sort, of discretionary action may also be sought in either habeas corpus or declaratory review proceedings. *Hintopoulos* v. *Shaughnessy*, 353 U.S. 72 (1957); *Ceballos* v. *Shaughnessy*, 352 U.S. 599 (1957).

With the development of the case law providing greater availability of judicial review has come not only the desirable feature of increased opportunity for relief from arbitrary and illegal administrative action but also the undesirable feature of increased opportunity for abuse of the judicial process by undesirable aliens.

The Department of Justice has repeatedly complained to Congress that the existing law allows deportable aliens, particularly criminals and traffickers in narcotics and subversion, to frustrate their well-deserved expulsion by resort to numerous dilatory judicial reviews. This criticism has been coupled with demands for remedial legislation. See Presidential messages to Congress reported in House Document No. 329, 84th Congress, 2d session (1956) and House Document No. 85, 85th Congress, 1st session (1957).

The report of the House Committee on the Judiciary of the 86th Congress on this legislation contained several chronologies of litigation submitted by the Department of Justice as examples of abuse by aliens of the procedures for judicial review. The report indicated that an alien named Carlos Marcello was among the worst offenders in that regard. Marcello had been ordered deported in February 1953 by reason of narcotic law violations, and by March 25, 1959, the Government still had not succeeded in deporting him to Italy. On six separate occasions Marcello had instituted suits raising issues incident to the deportation order, and although the Government successfully defended the validity of the order on each occasion, it was under court imposed restraint from deporting Marcello much of the time.

During the periods when there were no judicial restraints upon deportation, the Government was unable to deport Marcello because of the lack of an Italian passport. Then, whenever the Government succeeded in arranging for a passport, Marcello would start a new litigation.

A continuing sequel to that chronology has been recently reported in the press. Apparently the Government succeeded in arranging for Guatemala to accept Marcello, and, during a period when no judicial stay against deportation was in effect, grabbed him and whisked him off to Guatemala without allowing him an opportunity to consult with his lawyer. The cloak-and-dagger manner of Marcello's departure aroused considerable protest, and Marcello has been brought back again in order to enable the Immigration Service to allow him to contend that he should not be sent to Guatemala. See New York Herald Tribune, April 20, 1961.

H.R. 187, which we consider in this report, is intended to accomplish the purposes sought by the Government in preventing abuse of the judicial review process by aliens employing tactics like Marcello's. Bills containing similar provisions passed the House of Representatives in the 85th and 86th Congresses, but were not acted upon favorably by the Senate.

Although we are in sympathy with the objective of H.R. 187, and believe that some legislation would be helpful, we consider H.R. 187 to be undesirable.

* * * * *

CONCLUSION

The committee considers that the provisions of S. 551 and H.R. 3038, discussed above are most desirable and should be enacted, with modifications to eliminate racial discrimination against persons of Chinese ancestry, and to correct the drafting omissions affecting proposed sections 202(a)(5) and 202(d) of the Immigration and Nationality Act.

The committee considers that H.R. 187 is unsound in sending proceedings to review deportation orders to the courts of appeals rather than to the district courts, that it goes too far in limiting the availability of judicial review to aliens, and that its provisions applying the principles of res judicata to habeas corpus proceedings are unconstitutional. Accordingly, we believe that H.R. 187 should not be enacted. We do consider, however, that a provision limiting the availability of multiple judicial reviews, drafted so as to remain within constitutional limits, would be desirable.

Respectfully submitted.

Edwin L. Gasperini, chairman, M. Bernard Aidinoff, Howard J. Aibel, Alfred Berman, William G. F. Botzow, Victor Brudney, Edward Q. Carr, Jr., William G. Fennell, Marvin G. Frankel, Richard A. Givens, Cecelia H. Goetz, Lawrence W. Keepnews, Robert A. Kirtland, Robert A. Koch, Herbert Prashker, William J. Rennert, Leonard B. Sand, William J. Shrenk, Jr., Hayden N. Smith, Telford Taylor, Everett I. Willis, Herbert A. Wolff, Jr.

Mr. JAVITS. Madam President, the subject upon which I have spoken is one of the most urgent items in our legislative program, one which would do us an enormous amount of good in terms of the whole world, one on which the President is pledged to deliver, one on which I feel we must hold the administration to its pledge, and one to which we must commit ourselves as well. We must stop the piecemeal business which has destroyed immigration legislation, and at last stand up as people with convictions, refusing to accept those piecemeal handouts, and insist upon a major revision of the immigration laws. I intend to proceed that way myself on the floor of the Senate. I have offered the bill for that purpose. I intend to codify my ideas to enable me to present them as amendments. I very much hope that the Senate will do the same.

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[18] U.S.C. 1009 provides in part as follows:

"(a) Any person suffering legal wrong because of any agency action, or adversely affected or aggrieved by such action within the meaning of any relevant statute, shall be entitled to judicial review thereof.

"(b) The form of proceeding for judicial review shall be any special declaratory review proceeding relevant to the subject matter in any court specified by statute or, in the absence or inadequacy thereof, any applicable form of legal action (including actions for declaratory judgments or writs of prohibitory or mandatory injunction or habeas corpus) in any court of competent jurisdiction. Agency action shall be subject to judicial review in civil or criminal proceedings for judicial enforcement except to the extent that prior, adequate, and exclusive opportunity for such review is provided by law."

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1823) to make certain changes in the Immigration and Nationality Act, introduced by Mr. Javits (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. KEATING. Madam President, I am very pleased to cosponsor the bill introduced by my colleague from New York [Mr. Javits] to amend the Immigration and Nationality Act.

I am also principal cosponsor of another major bill (S. 747) introduced earlier in this session by the Senator from Michigan [Mr. Hart] for the purpose of making basic reforms in the Immigration and Nationality Act.

The Hart-Keating bill was drafted in cooperation with the American Immigration and Citizenship Conference, a group which has over the years provided outstanding leadership on this subject. It is the result of many years study of the problems in this field and reflects a completely realistic approach to the need for overhauling our present laws.

The bill being introduced today must not divide those in both parties who have joined in efforts for reform. Rather, it should serve to emphasize the bipartisan determination of a substantial number of Senators to support every reasonable attempt to bring about a much needed change in our immigration policy. There are differences in detail, but the purpose and goals are the same, to allow our great Nation to share fully in its world responsibilities and remove the unjust features of our immigration laws.

The American credo is based upon the rights and dignity of the individual. Our present immigration laws contain a number of discriminatory provisions which cannot possibly be reconciled with these principles. The bill being introduced today would eliminate these provisions from the law. Since I favor any action which would accomplish this result, I have joined as a cosponsor of this bill.

America has become great through the genius and industry of immigrants of every nationality and from every corner of the world. No nation can ever have a surplus of brains and skills, and no nation can prosper and grow if it cuts off the nourishment it receives from dedicated men and women throughout the world searching for a better life.

This bill makes special provision for the issuance of nonquota immigrant visas for refugee-escapees. People subject to persecution or fear on account of race, religion, or political opinion who have fled from a Communist-dominated nation would come within the definition of refugee-escapees in addition, individuals fleeing from Middle Eastern countries or other areas where forces are at work against the free world would be defined as refugee-escapees.

The bill also contains measures which would empower the President to direct the Attorney General to parole into the U.S. refugee-escapees, should future world developments create another situation similar to the Hungarian uprising. The provisions would provide relief to people fleeing from the tyranny of a Castro or similar tyrant.

These refugee-escapee provisions are of particular importance to our Nation's efforts to assume the initiative and provide moral leadership in the struggle with international communism.

The need for our Nation to take a more imaginative and positive approach to foreign affairs has been urged for years. Our image abroad has been under sharp attack. America can once again be the innovator in the struggle to capture the minds and hearts of people throughout the world. But this can be accomplished only by setting the kind of example which has made the United States a symbol of hope since colonial days.

I have consistently urged that hearings be scheduled by the Immigration Subcommittee of which I am a member on the Hart-Keating bill, S. 747, and was very pleased when hearings were scheduled for late last month. However, those hearings were postponed, and I regret that up to this time no date has been rescheduled.

It is regrettable that no immigration proposals have been forthcoming from the executive branch to date. However, Congress has its own responsibilities in this area and it is time we begin exercising them. Therefore, I continue to believe that hearings on the pending immigration bills should be held in the near future whether or not the executive branch has submitted its recommendations. But certainly our chances for success would be increased immeasurably by support from the executive branch and I hope that such support will be forthcoming when the committee holds its hearings.

INCREASED PARTICIPATION BY THE UNITED STATES IN THE INTER-AMERICAN DEVELOPMENT BANK

Mr. FULBRIGHT. Madam President, by request, I introduce, for appropriate reference, a bill to provide for increased participation by the United States in the Inter-American Development Bank, and for other purposes.

The proposed legislation has been requested by the Secretary of the Treasury and I am introducing it in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the bill may be printed in the Record at this point, together with the letter from the Secretary of the Treasury dated June 7, 1963.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the Record.

The bill (S. 1824) to provide for increased participation by the United States in the Inter-American Development Bank, and for other purposes, introduced by Mr. Fulbright, by request, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Inter-American Development Bank Act, 73 Stat. 299 (22 U.S.C. 283–283i), is amended by adding at the end thereof the following new section:

"Sec. 13. The United States Governor is hereby authorized: (1) to vote (a) for increases in the authorized capital stock under article II, section 2, of the agreement establishing the bank, and (b) for an increase in the resources of the fund for special operations under article IV, section 3, of the agreement, all as recommended by the executive directors in a report dated March 18, 1963, to the Board of Governors of the bank; (2) to agree on behalf of the United States to subscribe its proportionate share of the $1,000,000,000 increase in the authorized callable capital stock of the bank; and (3) to vote for an amendment to article VIII, section 3, of the agreement to provide that the Board of Governors may, upon certain conditions, increase by one the number of executive directors."

Sec. 2. (a) There is hereby authorized to be appropriated, without fiscal year limitation, for payment of the increased United States subscription to the capital stock of the Inter-American Development Bank, $411,760,000.

(b) There is hereby authorized to be appropriated for payment of the increased United States subscription to the fund for special operations of the Inter-American Development Bank, $50,000,000.

The letter presented by Mr. Fulbright is as follows:

The Secretary of the Treasury,
Washington, D.C., June 7, 1963.

Hon. Lyndon B. Johnson,
President of the Senate,
Washington, D.C.

Dear Mr. President: There is transmitted herewith a draft of a proposed bill which would implement the recommendations of the National Advisory Council on International Monetary and Financial Problems relating to an increase in the resources of the Inter-American Development Bank. A copy of the report of the council is attached.

There are presently pending before the Board of Governors of the Inter-American Development Bank three resolutions submitted by the executive directors of the bank providing for increases in the resources of that institution. These resolutions, which are described in detail in the National Advisory Council report, would, if adopted, provide for (1) an increase in the bank's authorized callable capital stock by $1 billion, of which the U.S. proportionate share would be $411,760,000, (2) an increase in the resources of the fund for special operations of $73.2 million, of which the U.S. proportionate share would be $50 million, and (3) an increase in the authorized capital stock of the bank by an additional $300 million, in order to provide for the admission of new members, to which the United States would not subscribe any portion. In addition, the latter resolution would provide for the enlargement of the board of executive directors by one member in the event new members are admitted with capital subscriptions of not less than $220 million.

The draft bill would amend the Inter-American Development Bank Act to authorize the U.S. Governor to vote in favor of the adoption of these three resolutions. It would also authorize the appropriation of $411,760,000 and $50 million as the U.S. proportionate share in the increases in the callable capital and the fund for special operations, respectively.

An appropriation will be required during this session of Congress of the $50 million representing the increase in the U.S. subscription to the fund for special operations. With respect to the U.S. subscription to the increase in the authorized callable capital stock, an appropriation of $205,880,000 will be requested in the following session of Congress to permit subscription to one-half of this Government's proportionate share of the increase prior to December 31, 1964, and an appropriation of an equal amount will be requested in the following year to permit subscription to the remaining one-half of the U.S. share of the increase prior to December 31, 1965.

The callable capital stock of the Bank serves as backing for its guarantees and its borrowings in the private capital markets, and the increase proposed will make it possible for the Bank to secure additional dollar funds to carry out its projected loan program through 1967. Further, it is not anticipated that any of the increase to be appropriated for subscription to the callable capital stock will be paid out as an actual expenditure by the Treasury, since it is not expected that the Bank will sustain losses which would require it to call upon members for payment of such capital in the foreseeable future. In this connection I should like to note that the U.S. financial community recently demonstrated its confidence in the Bank when a $75 million loan flotation was fully subscribed with purchases in 32 States and the District of Columbia. The Bank has also floated a bond issue in Italy amounting to $24.2 million in Italian lire, and it expects to sell additional securities in other European countries.

The Inter-American Development Bank was established in December 1959 to assist in accelerating and coordinating the economic development of Latin America, and represents the realization of a long-standing aspiration of the Latin American Republics. I am pleased to say that the results achieved to date by the Bank have exceeded the expectations of its member governments. Further, its contribution to the achievements of the Alliance for Progress has been of the greatest importance.

For a relatively new organization the Bank has demonstrated a remarkable record of loan activity. From the beginning of its loan operations in 1961 through December 31, 1962, the Bank has committed a combined total of $297 million in 86 loans from its ordinary capital resources and the fund for special operations. In addition, as the agent of the United States for the administration of the social progress trust fund, the Bank has committed a total of $320 million in 53 loans for the period from August 1961 through calendar year 1962. I consider this record of the Bank's operations to be impressive evidence of the importance of its role in the overall effort to attain the goals of the Alliance for Progress.

The additions to the Bank's resources which are now proposed are, in my view, vital to continued successful operation of this institution which is fulfilling so important a role in the development of our Latin American neighbors. The Governors of the Bank all agreed at the recent annual meeting of the Bank at Caracas to recommend to their governments that appropriate steps be taken to make these increases effective as soon as possible.

The President in his budget message advised the Congress that it would be asked to authorize the participation by the United States in enlarging the resources of the Bank, and I can assure you that he attaches great importance to this proposal. Further, since these increases will not become effective unless agreement by members is received prior to December 31 of this year, it is urged that the Congress promptly consider this legislation.

The Department has been advised by the Bureau of the Budget that the proposed legislation is in accord with the program of the President.

Sincerely yours,

Douglas Dillon.

EXEMPTION OF CERTAIN VESSELS FROM REQUIREMENTS WITH RESPECT TO LICENSED OFFICERS

Mr. MAGNUSON. Madam President, I introduce, by request, for appropriate reference, a bill to exempt vessels operated solely for religious missionary purposes from certain requirements with respect to licensed officers.

I am advised that there are now several religious missionary vessels operating in Alaskan waters and some proposed for operation in the Caribbean. The results of these activities in the past have been highly successful and a credit and tribute to this country and the people operating them.

However, there is now a question whether in view of the requirements for licensed personnel aboard, these vessels can continue their good works. As a result I have been asked to introduce this measure in the hope that some adjustment can be made which will enable the missionary operations to continue and perhaps expand.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1825) to exempt vessels operated solely for religious missionary purposes from certain requirements with respect to licensed officers, introduced by Mr. Magnuson, by request, was received, read twice by its title, and referred to the Committee on Commerce.

AMENDMENT OF FEDERAL POWER ACT WITH RESPECT TO FOREIGN COMMERCE IN ELECTRIC ENERGY

Mr. MAGNUSON. Madam President, by request, I introduce, for appropriate reference, a bill to amend the Federal Power Act with respect to foreign commerce in electric energy. I ask unanimous consent that a letter from the Chairman of the Federal Power Commission, requesting the proposed legislation, be printed in the Record.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the Record.

The bill (S. 1826) to amend the Federal Power Act with respect to foreign commerce in electric energy, introduced by Mr. Magnuson, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter presented by Mr. Magnuson is as follows:

Federal Power Commission,
Washington, D.C., June 24, 1963.

Hon. Lyndon B. Johnson,
President of the Senate,
Washington, D.C.

Dear Mr. President: I am transmitting herewith for the consideration of the appropriate committee of the Senate 20 copies of a draft bill to amend the Federal Power Act by repealing section 202(f) and amending sections 201 and 202(e).

Section 202(f) of the present Federal Power Act exempts from Commission regulation persons who transmit or sell at wholesale electric energy across an international boundary to or from a State, if the energy is not thereafter transmitted to another State.

There is no sound reason for this exemption. Foreign commerce in electric energy is an integral part of the national power complex. The fact that imported or exported energy does not move outside the border State to another State is not a ground for exempting the owner of the facilities from public utility status, since the operation is as much affected with the national, rather than local, public interest as is the movement of energy between States. Section 202(e) of the present act recognizes this fact by requiring Commission approval before electric energy may be transmitted to a foreign country. But that section is inadequate to accomplish effective regulation.

We are also recommending that, in addition to repealing section 202(f), amendments should be made to sections 201 and 202(e) of the present Federal Power Act so as expressly to include foreign commerce within the coverage of the act and define persons owning facilities used in the importation and exportation of electric energy as "public utilities," thereby subjecting them to the same regulation now imposed by the act upon companies operating in interstate commerce. The repeal of section 202(f) and the enactment of the amendments to sections 201 and 202(e), attached hereto, would remove any doubts that power moving in foreign commerce, and the U.S. companies so engaged, will be subject to the same regulation as is now the case with power flowing between States.

The transmission of electric energy between the United States and Canada and between the United States and Mexico may very well increase in the future. The facilities and services of importers and exporters of such power are important elements in the national power picture. Only through Federal regulation can their full integration with the domestic power facilities of the country be assured.

The amendments in the draft bill attached hereto were contained in sections 4(a), 4(b), and 4(c) of S. 2882 and H.R. 10865, 87th Congress.

Sincerely yours,

Joseph C. Swidler,
Chairman.

EXTENSION OF COAL MINE SAFETY ACT TO CERTAIN MINES

Mr. CLARK. Madam President, I introduce, for appropriate reference, a bill to extend the coverage of the Federal Coal Mine Safety Act of 1952 to mines, now exempt, employing 14 or fewer individuals.

The small mine employing 14 or fewer persons is not now covered by the Federal Coal Mine Safety Act of 1952. Serious safety hazards are known to exist in many of these mines—hazards which, until they are removed, will continue to present unnecessary danger to human lives. Although State mine laws and facilities now exist, they are inadequate in alleviating the unsafe conditions in many of the small mines. If the Federal Coal Mine Safety Act were extended to cover the smaller mines, safer working conditions would surely result.

There is no good reason for the existing, arbitrary cutoff point of 14 men. Yet men working in the smaller mines must continue to work under overly hazardous conditions. Since 1952, when the act went into effect, the number of fatalities and the fatality rate per man-hour of exposure has fallen substantially in the larger mines. However, during the same period, the number of fatalities and the fatality rate in the smaller mines has remained approximately the same.

Included in this bill are several procedural safeguards which will protect small mine operators from having to comply with onerous legal requirements:

First. The Director of the Bureau of Mines would be required to issue regulations modifying or making inapplicable any safety requirement of existing law which does not "substantially contribute to the safety" of the men working in the small mines.

Second. Small mine operators would be permitted to appeal directly to the Bureau of Mines or the Coal Mine Safety Board of Review from the finding of violation by a Federal inspector and would not have to wait until a closing order had been issued, as in the case of large mine infractions;

Third. The Federal Coal Mine Safety Board of Review would be required to hear appeals by small mine operators in the county seat of the county in which the mine is located or at another place reasonably convenient to the operator of the mine;

Fourth. Federal inspectors would be prevented from closing a mine employing seven or fewer employees for most violations under the act unless the Federal inspector's finding were concurred in by the State inspector or an independent inspector appointed by a Federal district court of the district in which the mine is located.

All laborers have a right to work under conditions designed to protect their safety. The bill which I propose today would help to provide such conditions for the small mine worker.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1830) to amend the Federal Coal Mine Safety Act in order to remove the exemption with respect to certain mines employing no more than 14 individuals, introduced by Mr. CLARK, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

EXTENSION OF THE JURISDICTION OF THE DELAWARE RIVER PORT AUTHORITY

Mr. CLARK. Madam President, on behalf of myself and Senators WILLIAMS of New Jersey, CASE, and SCOTT, I introduce for appropriate reference, a bill which would give consent to a supplemental compact between the State of New Jersey and the Commonwealth of Pennsylvania concerning the jurisdiction of the Delaware River Port Authority.

This supplemental compact would increase the jurisdiction of the port authority so that it would have the power to construct, operate, and maintain a bridge for vehicular traffic across the Delaware River at a point between New Jersey and the city of Chester, Pa.

Approval of the supplemental compact in no way passes upon the merits of any design proposed for the bridge. This is a matter upon which local authorities and the U.S. Army Corps of Engineers must agree. It simply grants the power to construct and operate a bridge once all interests have agreed upon a specific structure.

Madam President, the supplemental compact has been agreed to by the legislatures and signed by the Governors of both New Jersey and Pennsylvania. The compact adds to, and in no way diminishes, the previous powers of the Delaware River Port Authority.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1832) granting the consent of Congress to a further supplemental compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania concerning the Delaware River Port Authority, formerly the Delaware River Joint Commission, and for other purposes, introduced by Mr. CLARK (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

PROVISION OF CERTAIN FACILITIES TO CIVILIAN OFFICERS AND EMPLOYEES

Mr. McCLELLAN. Madam President, I introduce, at the request of the Bureau of the Budget, a bill to authorize Government agencies to provide quarters, household furniture and equipment, utilities, subsistence, and laundry service to civilian officers and employees of the United States.

This bill would continue the basic authority now granted Government agencies by the act of March 5, 1928 (5 U.S.C. 75a) and it would clarify existing statutory authority for providing of quarters, household furniture and other services to civilian employees of the Government who occupy Government quarters.

In the 86th Congress, an identical bill was reported favorably by the Senate Committee on Government Operations, and that bill was passed by the Senate. In the 87th Congress, an identical bill was reported by the House Committee on Government Operations, and was passed in the House of Representatives. In these two Congresses, there was a failure to get action in both Houses, although the Senate and the House have passed this legislation in separate Congresses.

Madam President, I ask that the letter from the Director of the Bureau of the Budget addressed to the President of the Senate requesting the introduction and consideration of this proposal, be inserted in the RECORD at this point as a part of my remarks.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 1833) to authorize Government agencies to provide quarters, household furniture, and equipment, utilities, subsistence, and laundry service to civilian officers and employees of the United States, and for other purposes, introduced by Mr. McCLELLAN, by request, was received, read twice by its title, and referred to the Committee on Government Operations.

The letter presented by Mr. McCLELLAN is as follows:

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., June 13, 1963.

Hon. LYNDON B. JOHNSON,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: I have the honor to transmit herewith a proposed bill "to authorize Government agencies to provide quarters, household furniture, and equipment, utilities, subsistence, and laundry service to civilian officers and employees of the United States, and for other purposes."

The purpose of the proposed bill is to restate and clarify existing statutory authority and regulations which authorize the providing by the Government of rental quarters and certain related services for its personnel. It is primarily in the nature of perfecting legislation. It is not expected to result in additional costs to the Government, nor in savings, but to standardize and improve rental practices.

Specifically, the bill would:

(a) Restate existing authority to provide rental housing for civilian employees of the Government;

(b) Reinstate a statutory barrier against forced occupancy of Government rental housing such as was carried for some years in appropriation acts, and which has not been suggested in recent years in anticipation of permanent legislation such as is being proposed;

(c) Authorize the President to issue regulations for more equitable application of the law relating to rental quarters and related services; and

(d) Clarify the applicability of the law in certain cases not now clearly covered, such as rent for contractors' employees and members of the uniformed services who occupy rental housing.

A similar proposal was introduced in the 86th Congress as Senate bill 3486, was reported by the Senate Committee on Government Operations in Report No. 1570, and was passed by the Senate on June 14, 1960. The bill had not been acted upon by the House of Representatives at adjournment.

Subsequently, an identical bill was introduced in the 87th Congress as Senate bill 797, and in the House of Representatives as H.R. 7021. The House Committee on Post Office and Civil Service reported on its bill in report No. 856, and the House of Representatives passed the bill on August 21, 1961. The Senate Committee had not reported the bill at the time of adjournment.

With two minor changes, the legislation now proposed is identical with that approved by both the House and the Senate in the two Congresses. The first change, the addition of language at the end of section 2 and section 3, relates to the need for wording to assure the continuation of present and longstanding practice of crediting rents and proceeds of other services to appropriations. The Comptroller General expressed the view that the earlier proposed wording would remove the authority for retaining in the various appropriations the amounts of rentals and other charges, which are now available to defer the costs of upkeep and service operations involved. Budget estimates have generally been calculated on the assumption that such deductions will continue to be available for these purposes.

The second change is the elimination of the Trust Territory of the Pacific from the proposed coverage of the bill. Since the earlier version was drafted, the enactment of the Overseas Differentials and Allowances Act of September 6, 1960 (5 U.S.C. 3032) has rendered unnecessary the need for coverage of the territory in this bill.

The Bureau of the Budget recommends favorable consideration of this draft bill.

Sincerely,

KERMIT GORDON,
Director.

EXTENSION OF TIME FOR COMMITTEE ON GOVERNMENT OPERATIONS TO FILE REPORTS

Mr. McCLELLAN. Madam President, I ask unanimous consent that the Committee on Government Operations may have an extension of time for filing reports concerning last year's work to September 30, 1963.

This extension involves two reports: First, on the Department of Agriculture handling of the pooled cotton allotment transfers of Billie Sol Estes, and second, on the pyramiding of profits and costs in the missile-procurement program. The report concerning the Agriculture Department has been delayed because of the fact that the record will not be complete until the subcommittee hears the testimony of Billie Sol Estes. Until recently, his appearance has been prevented because of pending court trials in which he was a defendant. The subcommittee delayed his appearance, in order not to prejudice the judicial proceedings. This situation no longer prevails, and we hope to be able to schedule his testimony in the near future. The report concerning the missile-procurement program has been delayed because of the heavy workload now being carried by the subcommittee.

On April 1, the Senate granted an extension of time for the filing of these reports and a report about the American Guild of Variety Artists. The latter report was filed a few days ago; but, for the reasons I mentioned, the subcommittee has been unable to complete its work on the other two matters. Therefore, I ask for this additional extension of time.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ADDITIONAL COSPONSOR OF BILLS

Mr. SCOTT. Madam President, on Wednesday, June 26, the senior Senator from Oregon, Mr. MORSE, introduced two bills, S. 1801 and S. 1802, that deserve consideration of the Senate.

In the day of ever-increasing Federal Executive power, it rests upon the legislative branch of Government to carefully consider all proposals that are directed at the protection of individual rights.

Every individual is guaranteed by the Constitution the right to a speedy trial. Although the Federal Rules of Criminal Procedure, as well as the statute of limitations can be called upon, it might be well for the Senate to study the advisability of additional legislation to further insure that right. One of Senator MORSE's bills would provide the vehicle for such consideration.

With mass communication media and the increased use of "on-the-spot" news coverage, I sometimes fear the trial in a criminal case is no longer restricted to the traditional courtroom with the right of jury. Rather, the results in some cases appear to be based on a mixture of admissible evidence in the courtroom and campaign-like releases outside.

The traditions of Anglo-Saxon justice should not be modernized at the expense of the accused, and the appropriate safeguards relating to the release of information should be studied carefully.

The legal profession, always alert to the needs of justice, should shed interesting and informative light in this area.

Senator MORSE's second bill reveals the concern of some that our system is not without its weaknesses and a study of the need for further protection of the individual should be brought about by its introduction.

Because of my continuing support of legislation directed at individual rights, I ask that my name be added as a cosponsor to these two bills.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ADDITIONAL SPONSOR OF JOINT RESOLUTION

Mr. JAVITS. Madam President, I ask unanimous consent that the name of the Senator from Connecticut [Mr. RIBICOFF] be added to the list of sponsors of Senate Joint Resolution 97, to award a medal to Danny Kaye.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE HEARINGS ON GOLD LEGISLATION

Mr. GRUENING. Madam President, gold—the lure of it and the search for it—has been a cornerstone in the development of the Western civilization. It was gold that lured the Spanish conquistadores to the New World a century before the arrival of the Pilgrim Fathers. It was gold that caused so many of our pioneer forefathers to endure the hardships and brave the dangers of our early wilderness, and later to drive on to my own State of Alaska, to win the West.

That was in years past. Yet never at any time in our long history as a nation has gold—and our supply of it—been as crucial to our country and its well-being as it is today. For years now, rarely has a week gone by without one or more of our country's leaders pointing to the alarming, or, more accurately, perilous flight of our gold overseas.

As recently as Friday the distinguished senior Senator from Oregon [Mr. MORSE] stood in this Chamber and, in the course of a speech on another matter, solemnly warned us that as of last Wednesday night—June 26—the Treasury's gold stock stood at $15,733 million, the lowest level since April 1939.

Yet, Madam President, at the very time when everyone of any responsibility in our country, regardless of his political or economic philosophy, is alarmed at the ever-continuing ebb in our gold supplies, and warns that our country needs gold and more gold, we have abundant sources of gold under our own lands, within our own country. Not only do we have sources of adequate supplies of gold; we also have the miners with the skills, and the energy to mine it.

We need gold; we have gold; we have the men who are ready, willing, and able to produce gold. Yet because of policies inherited from the Hoover depression days, we are unable to produce it. This situation is absurd. It is perilous.

In an effort to find ways and means of rectifying this absurd and perilous dilemma, the Subcommittee on Minerals, Materials, and Fuels, of the Senate Interior Committee, is holding hearings on gold on July 15, 16, and 17. We have before us two bills designed to conserve our reserves of gold and increase our supplies. They are S. 100, introduced by the able Senator from Colorado [Mr. DOMINICK]; and S. 1273, which I introduced on behalf of myself and Senators MCGOVERN, BARTLETT, KUCHEL, MUNDT, and BIBLE.

Our subcommittee's inquiry will not by any means be limited to these two bills, however. What we are interested in is finding a way out of the anomalous situation in which we find ourselves—that of needing gold desperately at a time when our once highly-productive gold mines have been closed and are continuing to close as a result of action and inaction by our Government.

Anyone who has any ideas to convey to us about increasing our gold supplies, opening our gold mines, and finding still new deposits of this key metal and commodity will be welcomed at this hearing.

On behalf of the subcommittee, I invite Senators to participate.

NOTICE OF HEARING ON CIVIL RIGHTS LEGISLATION

Mr. METCALF. Mr. President, on behalf of the Committee on the Judiciary, I have been requested to give notice that beginning at 10:30 a.m., on Tuesday, July 16, 1963, in room 2228, New Senate Office Building, there will be a public hearing on civil rights legislation, at which time the Attorney General of the United States will appear and testify.

RISE IN GOVERNMENTAL SPENDING

Mr. DOMINICK. Madam President, many of us have complained bitterly about the continued rise in governmental spending. We have warned of the inflationary effect of rising deficits. We have been concerned about our continuing loss of gold reserves. But despite those pleas, the administration offered a $100 billion budget for the present fiscal year with a planned deficit of $10 billion built in. We have recently completed action in relation to one increase in the public debt limit, and will be required to vote a still higher limit before September 1 of this year.

It seems to me that the feeling of all Americans about this course of fiscal insanity is well set forth in a letter to the editor printed in the San Diego Evening Tribune, a copy of which was recently forwarded to me. The author of the letter is a thoughtful person who has, during his lifetime, shouldered a good deal more than his share of the burden of this country.

In opposition to continued governmental spending, I ask unanimous consent that the letter may be printed at this point in my remarks.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Burden of Taxes Called Heritage of Liberalism

Editor: President Kennedy has asked Congress to increase our debt limit to $320 billion. This is an increase of $37 billion in his first 3 years in office. At this rate, during an 8-year term he will have increased our debt limit by $100 billion. At 4 percent the interest on this would be $4 billion annually. This would be a continuing annual cost of Government until the debt is paid down.

Thirty years ago during President Herbert Hoover's 4 years in office our total annual Federal expenditures averaged less than $4 billion.

It is not merely the figures that appall one but rather the unrealistic attitude and undeviating policy of the present administration to greater and greater spending. It seems to take pleasure in justifying the most extravagant expenditures.

The administration is placing a handicap on our children and on our children's children for generations to come which is almost impossible to visualize. They will be growing up under insurmountable financial burdens. Such is the heritage of liberalism.

This defeatist attitude of spending which will eventually make a second-class power of our Nation is entirely unnecessary. If the administration had an eye to our future and a will to save it could cut expenditures drastically.

There are places where tremendous savings can be made without harm and with great benefit to our economy.

The Marshall plan to rebuild the war-ravaged countries after World War II and to rekindle their economies for a fresh start was excellent as a temporary measure.

Now, 18 years later, the Kennedy administration has asked for a foreign aid appropriation of $4.9 billion for fiscal 1964. We have already spent $100 billion in foreign aid. It is a typical example of bureaucracy in action. They never quit. Once established a bureau's every effort seems to be to expand its activities and to spend more and more.

Isn't it about time that we stop subsidizing foreign competition which makes it more difficult for certain of our own industries to prosper? Shouldn't we again concentrate on strengthening our own economy?

Foreign aid should be cut $1.5 billion next year as proposed by Mr. Kennedy's own nine-member committee. After that it should be radically reduced every year and gradually phased out toward our prewar status of taxing our citizens for the benefit of our own country.

Why should we send profits from our capitalism to 110 countries around the world to help underwrite their socialism? U.S. taxpayers are taxed at a higher rate than are the taxpayers of countries to which we give foreign aid.

Under Secretary of the Interior Stewart Udall's aggressive policy, the administration is pushing its public power projects at an accelerated rate. This is costly to us taxpayers who pay the bills and discouraging to private business which cannot compete with the Government's unfair, tax-favored electric power plants with their privileged, noncompetitive bookkeeping.

Privately owned utility companies are ready, willing, and able to supply all the electric power needed in this country. If permitted to do so it would cost us taxpayers nothing and would save us millions of dollars in taxes annually.

It is stated unequivocally that there is no military value in landing a team of astronauts on the moon. Nevertheless, for fiscal 1964, the administration proposes to spend $6 billion to support the National Aeronautics and Space Administration's program for peaceful exploration in space. This is four times the $1.5 billion for development of weapons in space.

Unless our Government awakens from its costly dreams of grandeur it will soon spend us beyond recall. It will destroy our moral fiber. This has been the history of previous profligate nations from the time of the fall of the Roman Empire to the present.

Excessive expenditures with their toll of incentive-destroying taxes discourage constructive business enterprises which are the essential basic strength of virile nations.

Henry Lippitt.

THE ALLIANCE FOR PROGRESS

Mr. KEATING. Madam President, the welfare of our Latin American neighbors is of deep concern to us all. I have little doubt that our Alliance for Progress could play an important role in helping these nations to progress economically. There might be a much greater chance of success if we concentrated our aid more on a people-to-people basis rather than on a government-to-government basis.

American business should be encouraged and helped to cooperate with Latin American business. Our program should be oriented to enable the people of these nations to help themselves. It should emphasize private enterprise and self-help programs in the Latin American countries and play down large government-to-government deals which often have a political purpose for the group in power rather than an economic or social value for the nation as a whole.

Madam President, I ask unanimous consent that an excellent editorial by O. Roy Chalk in El Diario, America's largest Spanish language daily, be printed in the Record after my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

What's Wrong With the Alliance for Progress?

In our opinion, the reason for the basic failure of the Alliance for Progress lies in the fact that those who administer AID and have the responsibility for its implementation either lack the authority to act in accordance with their convictions or lack the "guts" to make a decision on their own responsibility. Apparently, the advisory committee of outside agencies, World Bank, Treasury, etc., who are not charged with the responsibilities of administering the Alliance for Progress have taken backstage control and have transformed, what was intended as a spirited horse, into a twisted slow moving camel. A change in authority, organization and decisionmaking power is a matter of immediate urgency.

If the administrators of the Alliance for Progress and the Agency for International Development actually have both authority as well as responsibility, but because of outside Agency coercion lack the courage of their convictions and fear to oppose such committees, then this authority and responsibility should be taken from them. It should then be placed in the hands of a businesslike authority willing to perform its duties. Such an authority could be a newly proposed Inter-American Business Authority.

Another obvious weakness of the Alliance for Progress is its cross-eyed focal direction. While appearing to be watching the interest of people, it sees only governments. The Alliance is concentrating too much on government to government programs rather than people to people programs. Social reforms, agrarian reforms and governmental public projects are admirable. But when the Alliance puts excessive emphasis on this governmental area and too little in areas of private industry, then the Alliance is overlooking its greatest opportunity and its major strength. Aiding people to aid themselves in the industrial growth of Latin America, assisting people to raise their standards of living and to create more jobs for more people should be major immediate objectives underlying the spirit of the Alliance rather than long delayed byproducts of governmental largesse. Such industrial development of Inter-American private enterprise could be a massive weapon to fight communism at the point of communism's greatest weakness—the stomach of hungry men. An alliance of inter-American people with inter-American people—an alliance of inter-American businessmen with inter-American businessmen for progress in Latin America should be the focus of the Agency for International Development rather than upon an alliance of governments for governments.

In a constructive sense, we would suggest deferred action on appropriations for government to government projects (e.g., $500 million for a government steel plant) and immediate authorization for inter-American people-to-people projects.

O. Roy Chalk,
Publisher and Editor in Chief.

ANTI-SEMITISM IN THE SOVIET UNION

Mr. KEATING. Madam President, anti-Semitism is a despicable prejudice no matter where practiced and in what form. The whole world was revolted a little more than 20 years ago by the way in which the Jewish people were massacred under the Nazi regime. However, physical violence is not the only way in which anti-Semitism can be manifested. Economic discrimination and social ostracism can be a serious hardship to the victims and equally violate the basic equality of man.

The leaders of the Soviet Union claim that their country is the only one where true freedom and democracy prevail. We have long known the peculiar definition which they have had to give to these words to make them fit Soviet propaganda. Further evidence of Soviet hypocrisy recently appeared in an article in the Herald Tribune. The anti-Semitism practiced in the Soviet Union, the economic and social discrimination, belies the words of their leaders and should be continually brought to the attention and condemnation of free peoples everywhere.

Madam President, I ask unanimous consent that this article by David Miller be printed in the Record following my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

Beware of Foreigners—Warning to Moscow Jews

(By David Miller)

Three Moscow Jews were severely attacked in a Soviet newspaper yesterday for alleged dealing with the Israel Embassy and other foreigners.

Informed sources said the attack in the nationally distributed newspaper Trud (Labor) was similar to press stories that preceded the closing of the Lvov Synagogue, but it was believed that the Moscow Synagogue was too important a showplace for Western tourists to be seriously affected.

But it was noted that the newspaper article was bound to have adverse effect on non-Jews who would be led to believe that Soviet Jews are not proud of their homeland and tend to speculate with religious articles and literature from abroad.

In addition, the effect upon Moscow Jews would be similar to other anti-Western stories that have appeared in recent weeks—widening the gap between Moscow's Western community and the Russian people. The story, in effect, served notice on Moscow Jews to steer clear of the Israel Embassy and other foreign Jews.

Singled out in yesterday's attack were Moise Ludovich Chernukhin, 56; Cyinovy Isaakovich Rogeinski, 66, and Shimon Avsyeb Sheiffer, 80.

An Israel Embassy spokesman declined to comment on the stories but noted that the last newspaper attack on the Embassy was in January 1962. In both cases the stories appeared in Trud and were signed by "A. Brchling."

Trud, which said that it was running the story because the editors had received too many complaints from readers who were shamed by the situation, entitled the story "There Are Hangers On," an obvious allusion to the parasites, those who do not work for a living. Under a Soviet law the offense of parasitism is punishable by exile from big cities.

In discussing each of the three men, Trud said Chernukhin's behavior was so disgraceful that he was ousted from membership in the Moscow Synogogue Council of 20, a group that guides the synagogue's affairs. Chernukhin, said Trud, could neither read nor write but was invited last year to the Israel Embassy for a party honoring the Israel delegation to the World Congress for Peace and Disarmament. The Israel delegation included representatives of the arts, literature, and science.

An Israel Embassy spokesman noted that, as an official of the synagogue, Chernukhin was invited to Israel Embassy functions and that the invitations always went through the rabbi in Moscow as a matter of protocol.

Even after he was thrown off the council, Trud continued, he returned to the synagogue to ask foreigners for "souvenirs" that he used for his "speculative machinations."

As far back as 1949, Trud said, Chernukhin had told foreigners lies about poor living conditions in the Soviet Union. These lies, it was said, were used by the Israel press in an anti-Soviet campaign.

Chernukhin allegedly received Zionist and religious literature from the Israelis.

Rogeinski, according to Trud, left his family a few years ago and began living with a young mistress. He took everything he could to the Israel Embassy and sold them at speculative prices. When the Embassy gave a party last October 17 in honor of the Jewish New Year, Rogeinski took so many prayer shawls, books, records and magazines that it was impossible to recognize him as he left the Embassy.

Sheiffer, as a pensioner, spent most of his free time in the synagogue. But when a foreigner arrived in the synagogue, Sheiffer was just a step behind, asking for prayer shawls and souvenirs, Trud said.

The article failed to mention that Israel diplomats are obliged to sit in a special reserved section to prevent ordinary Russians from coming in close contact with them. An officer of the synagogue usually stands between the Israelis and the congregation to prevent conversation of any sort.

The newspaper warned westerners not to invite people like the three men to their parties if they did not wish to be boycotted by "honest Soviet citizens."

At the same time the newspaper said it did not wish to build a wall between westerners and Russians that would prohibit all contact.

NEW YORK—HEADQUARTERS CITY, U.S.A.

Mr. KEATING. Madam President, every Senator is entitled every once in a while to have his say—in fact, to brag a little—about one of the many great wonders to be found in his State.

It is often said in jest, and perhaps even more often, in dead earnest, that "New York City is a great place to visit, but I wouldn't want to live there."

Frankly, Madam President, I have always thought that there was more than a little bit of jealousy in this remark. For deep down in everyone's heart, there is a keen awareness that if you are going to choose the city over the farm, the asphalt over the pastures, the bustle over the sedentary, the excitement over the humdrum, then you may as well live in the greatest metropolis in the world, New York City.

Most of us are aware that New York City has the best that any city can offer—in the arts, in education, in finance, business, and industry.

For the "Doubting Thomases," Madam President, may I heartily recommend an excellent series of articles that I have just seen and read describing the many great advantages of living and working in the Empire City of the Empire State. This series appears in a special 52-page section of the July issue of Fortune magazine. It is entitled "NY/HQ/USA"—in other words, New York, the Headquarters City, U.S.A.

The Commerce and Industry Association of New York, which has a membership of more than 3,500 business firms in the State, is the sponsor of this special section. Its executive vice president, Ralph C. Gross, had a leading hand in its production. Its dramatic, often breathtaking, pictures, its maps, its drawings, and its superb text tell the story of New York City as the leading business, financial, communications, and cultural headquarters of the United States, if not the entire Western World. Of particular emphasis are New York City's attractions and inducements to both national and international business enterprises to make this great city their corporate home.

In developing this editorial and graphic masterpiece, the Commerce and Industry Association has launched a great promotional effort to help focus attention on the wealth of unmatched resources which the city can offer to corporations and their many employees.

New York City has never put all its eggs in one basket. In addition to the advantages of locating a business in New York, this fine series stresses the amenities of living, the endless variety of sights and sounds, of culinary tastes and smells, of stimulating associations that New Yorkers need hardly seek but to find.

This special section, published last week, will be seen by some 375,000 key subscribers to Fortune around the world, and thousands of reprints are being made available by the association, as well as by the city and State departments of commerce, to point up the benefits of moving business headquarters to Headquarters City, U.S.A.

This outstanding promotional effort by the Commerce and Industry Association in behalf of the greatest city in the world wil surely contribute to further improvement of New York's business and economic climate, as well as to its educational and cultural complex.

To the few who, after reading this series, still would not want to live in New York City but are content but to visit, we in New York extend a standing invitation to come see us any time of year.

THE ANTI-POLL-TAX AMENDMENT

Mr. HOLLAND. Madam President, I have noted some friendly editorial comment with reference to the fact that Kentucky, at a special session of its general assembly, recently approved and ratified the pending anti-poll-tax amendment to the Federal Constitution, thus being the 36th State to so act.

I ask unanimous consent to have included in the body of the Record as a part of my remarks, first, an editorial from the Washington Post of June 28, 1963, entitled "Calling Texas and North Carolina"; and, second, an item from the weekly news review section of the New York Times of last Sunday entitled "Action on Poll Tax," which contained editorial comment on the prospects of ratification by the 38 States required.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

Calling Texas and North Carolina

Kentucky has become the 36th State to ratify the proposed 24th amendment to the Constitution. With only two more ratifications necessary to make this anti-poll-tax amendment a part of the Constitution, the question immediately arises as to whether two additional legislatures will be called into special sessions to complete the action. Usually States regard it as a privilege to write the final strikes that put a popular constitutional amendment on the books, and the door to such opportunity is now wide open.

Special credit goes to Kentucky, which approved the Federal ban on the poll tax despite the fact that it will sweep away a largely dormant Kentucky law. By contrast the State of Maine rejected the proposed amendment, and several other legislatures which should have approved it simply failed to act one way or the other. The additional ratifications are likely to be forthcoming in January, therefore, if no special sessions are called this year. The Legislatures of Wyoming, South Dakota, and Arizona, all good prospects, will meet in January.

It would be highly salutary, however, if the ratification process were completed within the next few weeks, and the States to which the honor should go are North Carolina and Texas. This constitutional amendment has been sponsored by Senator HOLLAND, of Florida, and it has substantial support in the South. The Governors of both Texas and North Carolina are said to favor its ratification. The whole country would experience a lift if they would call their legislatures into special session and provide a final coup de grace to taxes on the right to vote.

ACTION ON POLL TAX

Poll taxes, once common devices to discourage Negro voting, are imposed now in only five States—Alabama, Mississippi, Arkansas, Texas, and Virginia. In none of them is the tax more than $2 a year, and the Civil Rights Commission says the tax effectively deprives Negroes of the vote only in the first two. In the others, incomes are high enough to make the levy meaningless.

In September, an amendment to the Constitution that would prohibit such taxes as requirements for voting in a Federal election started through the State legislatures. If ratified by 38 States—three-fourths—it would become the 24th amendment. President Kennedy has thrown his weight behind the amendment to end what he calls "this artificial bar to the right to vote."

The amendment has progressed speedily, and last week won approval in Kentucky, the 36th State to ratify. Every State legislature has ended work for this year, but a chance remains for the amendment in 1963; Kentucky acted in a special session called to deal with other matters, and it is possible others might. Prospects are better for the amendment next year, when the Arizona and South Dakota bodies are scheduled to meet. It dies unless it is ratified by 1969.

Mr. HOLLAND. Madam President, I do this to call attention to the vastly different approaches of these two learned editorialists; one of whom thinks that the appropriate course is for two great States of the South—namely, the States of North Carolina and Texas—to complete the ratification by becoming the 37th and 38th States, and the other, from the New York Times, who seems to pin his faith and hopes on Arizona and South Dakota, the legislatures of which meet in January of next year.

At any rate, it is interesting to note that thinking people are considering this question seriously. I trust the hopes of both these editorialists will be realized in the near future, and that the amendment may be made effective.

WILDERNESS

Mr. KUCHEL. Madam President, the May issue of Westways magazine, published by the Automobile Club of Southern California, carries an interesting thought-provoking article on the subject of wilderness, written by Michael Frome. California has some of the finest, most extensive wilderness areas in the Nation, which would be given renewed protection through enactment of the wilderness bill presently before the House of Representatives.

Mr. Frome is well qualified to write on this subject, as the author of the recent book, "Whose Woods These Are—The Story of the National Forests," dedicated to the memory of your late distinguished husband, the able Senator Richard Neuberger, a champion of wilderness during his lifetime.

The point Mr. Frome makes in this article is that commercial interests deserve their proper place in the use of public lands but that wilderness, too, must be clearly defined to preserve the lasting values of primeval America for the inspiration of future generations.

I ask unanimous consent that the article may be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WILDERNESS

(By Michael Frome)

"At the gates of the forest, the surprised man of the world is forced to leave his city estimates of great and small, wise and foolish. The knapsack of custom falls off his back with the first step he makes into these precincts. Here is sanctity which shames our religions, and reality which discredits our heroes.

"Here we find nature to be the circumstance which dwarfs every other circumstance, and judges like a god all men who come to her. Every moment instructs, and every object, for wisdom is infused into every form."—RALPH WALDO EMERSON.

The American wilderness is many things to many people of our time; a sacred, spiritual place to the sheer idealist who persists in dreaming the old American dream, a laboratory for learning to the natural scientist, a test of hardihood to the outdoorman and hunter, and rather an encumbrance on the land to the materialist whose modern view dictates that real estate must be used in order to be useful. But from whatever quadrant of interest one happens to regard the wilderness, there is little doubt it is a fading vestige of the national scene, either to be civilized mercifully off the map or to be cherished and saved.

The forefathers faced no such choice. It was only through their ability and determination to clear the land, to conquer wilderness, that settlement progressed and cities were born. And yet, no matter how deeply they advanced there seemed always to be more, a limitless luxury of unadulterated and untrod desert, forest and mountain. Henry David Thoreau warned it would not last forever, and so did George Catlin, the painter-explorer, but their voices were lost in the floodtide of expansion.

To the credit of the past, steps were taken to protect wonders of the landscape. In 1864, Yosemite Valley was set aside and a decade later so was the fantasy of Yellowstone Park, remote though it was at that time. Then, early in the 20th century, wilderness became not just a sentiment among those who hoped to preserve it but a modern science, evoked by Aldo Leopold, forester, wildlife biologist and teacher. Looking across the Southwest, he saw six immense roadless areas, each larger than a million acres, providing refuge for wild creatures, driven from their once great range, and for the sportsmen. But would these remain inviolate without some special protection?

Leopold's objective was not to "lock up" the land but to save it, to save the predators, the wolf, lion, and coyote—from extinction and for their useful role in maintaining a biotic balance with the animals they prey upon, to save it for the hunter, and for any man in search of complete comradeship with nature. In books and articles he stressed the interdependence of the natural world, teaching the same lesson taught by William Bartram, Thoreau, John Muir, and Ernest Thompson Seton, the essence of wilderness which we have still fully to absorb. "The last word in ignorance," he wrote, "is the man who says of a plant or animal, 'What good is it?' If the land mechanism as a whole is good, then every part of it is good, whether we understand it or not."

While Leopold was responsible for establishing the first wilderness area in New Mexico, Robert Marshall in the 1930's brought the concept to maturity during his career as chief of recreation of the Forest Service, and as a founder and president of the Wilderness Society. True, many of the national parks had long been roadless areas, but Marshall determined to establish clear boundaries for them within the national forests. He contributed to the establishment of regulations in 1939, the year of his death, under which 14 million acres of national forest wilderness are still protected.

These provide that the Secretary of Agriculture, on recommendation of the Forest Service, may designate unbroken tracts of 100,000 acres or more as "wilderness areas" and others of 5,000 to 100,000 acres as "wild areas." Commercial timber cutting, roads, hotels, stores, resorts, summer homes, camps, hunting and fishing lodges, motorboats, and airplane landings are all prohibited. Under the regulations, wilderness areas cannot be established, modified, or eliminated except by order of the Secretary after public hearings are held.

To Marshall, wilderness comprised "the peaceful timelessness where vast forests germinate and flourish and die and grow again without any relationship to the ambitions and interference of man." This is an exciting image to anyone who has walked in the wild glen and seen flowers springing up from under the dense forests such as defy cultivation, who perceives the decaying trunk of a fallen tree as really a priceless thing, giving life and sustenance to forms of beauty nothing else can nourish.

Yet, like Leopold, he made clear that his intention was not to "lock up" the land. The dominant attributes of such an area, said Marshall, are: First, that it requires anyone who exists in it to depend on his own efforts for survival; and, second, that it preserves as nearly as possible the primitive environment. This means that all roads, power transmission and settlements are barred. But trails and temporary shelters, which were common long before the advent of the white race, are entirely permissible.

Now we are in a new era. It is true the Federal Government administers 85,000 square miles of wilderness, the sum total of 167 separate tracts within national parks, national forests, national wildlife refuges and Indian reservations, which may sound substantial enough. But these areas are not really remote any more. Our social order, with its penchant for progress without plan, would sweep across and civilize untamed America if there were no barriers. There is not a single wilderness area beyond the hopeful eye of builders of dams and roads, of timbermen, miners, cattle grazers, petroleum drillers, real estate developers and tourist promoters. That is why a wilderness preservation system has been proposed to safeguard the lands by legislation instead of solely through administrative regulation.

Certainly all of these commercial interests deserve their proper places. Timber, meat, electric power and other products they furnish are sustenance for a growing nation.

The question this generation must answer in measurement of the future is whether the survival of untamed nature—not small samples, but in appreciable size—deserves the same recognition as the more material wants. Curiously, when development in the wilderness is denied, some other place is found for it. Such is the case in logging the Olympic Peninsula, outside of Olympic National Park, or in building a dam in Utah, outside of Dinosaur National Monument.

Such, too, should be the case in providing for increased recreational demands. "It might be said," wrote Robert Marshall, "that the total amount of pleasure which could be derived from a highway along the Sierra skyline would exceed that which could be gotten from a trail. When one considers, however, that there are millions of miles of highway in the country, many of them exceptionally scenic, and not another area left in which one can travel for several weeks along the crest of a mountain range without encountering the disturbances of civilization, it becomes apparent that, from a national land standpoint, this area would be more valuable as a wilderness."

Its value, to be practical in a practical world, extends beyond the number of wilderness visitors (who have doubled in the past decade and doubtless will double again in the next). Wilderness is water country, wherein snow, rain, and glaciers start their journey from the heights downward into creeks and streams and outward into rivers that ultimately fill the bathtubs, swimming pools, and kitchen sinks of a thousand cities. Wilderness is wildlife country, the refuge of a million game animals to be hunted in season in the national forests, and of a million more to be studied and admired in the national parks.

But perhaps above all wilderness affords the adventure of solitude to bird watchers, botanists, poets, fishermen, canoers and all who believe in exercising their minds and bodies in nature's company. I have tested the expansive primeval land. I have folowed the trail through the Bridger wilderness of Wyoming, a barely touched domain of tall timbers and a thousand clear lakes, of massive rock formations almost as large as those in Yosemite Valley, of living glaciers and flowery alpine meadows, and of snowy starkness glittering in the bright summer light high above timberline. The natural stillness is overpowering, the unconquered place a fragment of fierce beauty. Its memory will be with me always.

Such surviving wilderness is no longer an accident of natural history, though it may have started as such, but the result of bold ideas and of strong sentiments held firm by groups like the Sierra Club and Wilderness Society. The future will depend even more on sympathetic appreciation of wilderness, on love of the good land for its own sake and for nourishment of the national soul.

IMPORTS OF CATTLE, BEEF, AND VEAL—RESOLUTION

Mr. CARLSON. Madam President, during the past week I have received from Kansas and from other sections of the United States several letters in regard to the heavy volume of cattle, beef, and veal that is being imported to the United States and is depressing our domestic cattle market. These letters express concern that our negotiators in the Common Market and other trading areas will fail to protect our export market.

The Texas and Southwestern Cattle Raisers Association at its recent quarterly meeting recommended that the Congress of the United States enact Senate bill 557, which should be helpful in this field.

I ask unanimous consent that the resolution adopted by the Texas and Southwestern Cattle Raisers Association be printed in the RECORD, in connection with these remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas there is an ever increasing volume of cattle, beef, and veal being imported into the United States, and

Whereas this heavy volume of cattle, beef, and veal being imported is a factor in depressing the domestic cattle, beef, and veal market: Therefore be it

Resolved, That the Texas and Southwestern Cattle Raisers Association at its second quarterly directors' meeting held at Victoria, Tex., on June 22, 1963, recommends that the Congress of the United States enact Senate bill 557; and be it further

Resolved, That the secretary-general-manager be instructed to forward a copy of this resolution to the President of the United States, the chairman and members of the Senate Finance Committee, to the chairman and members of the House Ways and Means Committee, and to the Tariff Commission.

RURAL ELECTRIFICATION

Mr. McGEE. Madam President, as a representative of a State where the houses are often few and far between I am second to none in my admiration for the work of the Rural Electrification Administration in bringing the conveniences of modern life to our isolated farms and ranches.

An interesting discussion on just how the benefits of the REA spread and multiply occurred June 25 on the Arthur Godfrey Time radio program. Mr. Godfrey's guest was Tennessee Humorist Rufus Jarman. This discussion was particularly interesting to me because it centers around the State of Wyoming where Mr. Godfrey was a recent guest.

Madam President, I ask unanimous consent that a transcript of that discussion on REA be printed in the RECORD.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

STORY TOLD OF MAN IMPEDING RURAL ELECTRIFICATION PROGRESS

Arthur Godfrey's guest is Rufus Jarman, Tennessee humorist.

Mr. Jarman: "Current River reminds me of * * *."

Mr. Godfrey: "This is the name of the river, now?"

Mr. Jarman: "Yeah, it's C-u-r-r-e-n-t, Current. That's right, it's one of the wildest, most beautiful of the rivers in the Ozarks."

Mr. Godfrey: "And what does it remind you of, before I rudely interrupted you?"

Mr. Jarman: "It reminds me of some of the individuals that live up in that area, and the one that I was thinking about was a character known as St. Joe.

"The REA, the Rural Electrification Administration, brought their electrical lines into that area several years ago for the first time. The people were going to have electric lights instead of lamp lights. And they came across St. Joe's property, and he said he didn't believe in electricity. So he just got an ax and cut down the poles of the REA, and all those lines entwined, and great sheets of flame lit the night. All of this electricity got loose, and the lights went out all over southeast Missouri because this man—you know, he seen his duty, and he done it."

Mr. Godfrey: "I see. [Laughter.] I'd like to—I beg your pardon?"

Mr. Jarman: "I don't think it made much sense, but I do admire his individuality."

Mr. Godfrey: "Yes. I'd like to say a few words about REA but it comes time right now to say a few words in re the CBS Radio Network."

* * * *

Mr. Godfrey: "Let me talk to you a little bit about REA. What a blessing that has been to our folks in the country. In Wyoming, for example, there's a little town called Kelly, population eight.

"And our dear friends, my new dear friends, my newest friends—I just love this couple—Everett Luten and his lovely wife, Elaine, they are licensed guides for Jackson Hole country, both his wife and himself. They're both licensed guides, go out on pack trips for fishing and hunting.

"And they have a lovely log cabin built way up on the side of one of the mountains there. And I went in this log cabin of theirs, and there was a washer in the room, and it was drying. It had reached the drying cycle. And I went to the bathroom, and there was water so hot it burned my fingers. And there was—there were refrigerators and deep freezes, and electric fans, room air conditioners, and electric trains for the kids—in this log cabin in the mountains in the wilderness.

"How come? REA, rural electric. What a marvelous thing this electricity has done for those rural areas, huh?"

Mr. Jarman: "And not only does it furnish people with light and with various conveniences you mentioned, but it sort of does something for their spirits, you know. People start painting the houses, and they begin to take pride in things. And the fences look better, and the pastures look better.

"But I was quite interested—several years ago they had a contest in different country communities. People would write themes about the benefits of electricity and indoor plumbing, such as the advantages of indoor plumbing and a—and a college education."

Mr. Godfrey: "All handed in."

Mr. Jarman: "That's right, and whoever won in that particular community would be given a bathroom and all of the fittings. Then all of the neighbors would begin to look at this modern innovation, and they'd put in bathrooms and indoor plumbing at their own expense, so that there are areas down in the country now that 15 years ago, I'll bet you there's people that hardly ever seen an indoor bathroom; now 90 percent of the homes have them.

"Of course, this is destroying one of the greatest sources of humor."

THE INTERSTATE HIGHWAY SYSTEM

Mr. LAUSCHE. Madam President, the Ohio State (AAA) Automobile Association expressed to me its fear that the program proposed by the National Capital Transportation Agency, if successful, will result in a cutback in the building of key portions of the Interstate Highway System in Washington, D.C., and ultimately will have a similar impact upon other metropolitan areas in the Nation.

The Ohio State (AAA) Automobile Association through its officers stated among other things as follows:

This association, representing the AAA Automobile Clubs in Ohio is seriously concerned about the threatened cutback in the building of key portions of the Interstate Highway System in the Washington, D.C., area.

This is particularly so due to the statement by the National Capital Transportation Agency that they want Washington, D.C., to be considered as a model for the 212 other metropolitan areas in the United States.

You can play a vital roll not only in protecting the Interstate Highway program in the District of Columbia area but also in the various metropolitan areas in Ohio. The National Capital Transportation Agency's program of a rail rapid transit system in the District of Columbia, at a loss of 74 miles of freeways and parkways in the area, would not only tend to stagnate the development of Washington, but, if followed as a pattern in other metropolitan areas, would adversely affect every major city in Ohio.

This association, representing the private passenger car owners, has no quarrel with the mass transit interests but does not believe the elimination or reduction of freeways and parkways into our metropolitan areas solves our present day highway problems.

A statement made recently before the Mississippi Valley Conference of State Highway Departments sums up our thinking rather well.

"No type of public transit service can substitute for needed urban freeways. By the same token, urban freeways cannot overcome the need for some large cities to develop new rapid-transit services. The two systems perform different functions. They are complementary, not competitive."

We sincerely urge that you as a Representative of the State of Ohio use your good offices to prevent any slowdown or elimination of needed and planned freeways to serve the motoring public in the District of Columbia. We believe this Washington experiment is a matter of concern to the passenger car owners not only in Ohio but the entire country.

Much of the rapid growth of our Nation in the past 20 or 30 years has been due to the mobility of the American people and their inherent right to use whatever form of transportation that best meets their needs and desires. It should be kept in mind that all the costs for the Interstate Highway System come from highway user taxes and are not a drain on the general revenue fund.

Mr. LAUSCHE. Madam President, the position taken by the association is sound.

The proposal of the National Capital Transportation Agency is fraught with dangers and, therefore, ought to be rejected.

LABOR VETERAN WARNS UNIONS MUST CHANGE ECONOMIC VIEWS

Mr. MUNDT. Madam President, some weeks ago I called to the attention of the Senate a book written by Maurice R. Franks, entitled "What's Wrong With Our Labor Unions?" At that time I pointed out that Maurice Franks, a former member of a labor union, had done an excellent analysis in his book of the problems confronting our labor unions today.

On June 26, 1963, Walter Trohan, chief of Chicago Tribune's Washington bureau, in his "Report From Washington," devoted his entire column to this publication. I ask unanimous consent to have the column printed in the RECORD at this point and I commend it to my colleagues for their must reading.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

LABOR VETERAN WARNS UNIONS MUST CHANGE ECONOMIC VIEWS

(By Walter Trohan)

WASHINGTON, June 25.—When a product of the American labor movement sits down dispassionately to consider its faults and propose solutions, that's news. This has been done by Maurice R. Franks, who spent more than a quarter of a century as a union organizer, committeeman, delegate, business agent, and editor, in his book, "What's Wrong With Our Labor Unions" which is published by Bobbs Merrill at $5.

It is difficult to approach the labor problem without bias, because the words prolabor or antilabor are hurled freely. This has resulted from the fact that so many writers have set out to be for or against labor and have hidden their heads to faults on both sides. Franks is not interested in muckraking but in solutions.

His chief target is the labor trust, which he finds as threatening to the American way of life and to the working man as the trusts of the robber barons of the past. He faces up to the problems of labor czars, compulsory unionism, the dependence on dictated strikes for survival and the discouragement of individual enterprise and initiative as the ways to get ahead.

The examination of faults is interesting, but more so is his conclusion in a chapter entitled "Mice and Men." In this he notes that security to a mouse means nibbling away at a cheese as long as a crumb remains, which is too much the attitude of labor leaders in a time which calls for real men, who would reinvest a substantial portion of today's return in the machinery for tomorrow's production. He observes that our Founding Fathers were not mice who were interested in what they could consume, but men who were on fire to create.

FRIENDS, NOT ENEMIES, OUR MAJOR COMPETITORS

There is too much in "getting mine while the getting's good," and too little in continuing opportunities, Franks finds. He concedes it is barely possible that the Soviet Union will somehow master its own economic incompetence to the point of offering enough serious competition to "bury" us, as Nikita S. Khrushchev promised, but he doubts this because Russia is committed to the clumsy economics of socialism.

"Actually, the tightening ring of foreign competition that offers the gravest threat to the American economy today is composed not of our spiritual enemies but of her friends," Franks says. "The cold fact is, our stiffest competition emanates from nations we have spent billions of dollars to put back on their economic feet and otherwise befriend."

To come out ahead of the Common Market countries and Japan, Franks says, the United States must have plants and facilities, machines and systems, far superior in efficiency to any now on hand in this country. He says that the purpose of machines is not to lighten the work of labor so much as to produce more, and lower prices, insisting that the mouselike impulse to devour all gains must be restrained and tomorrow be left to take care of itself. He urges use of top efficiency to lower competitive prices.

MACHINERY CAN'T CARRY LABOR'S BURDEN, TOO

Franks holds that we cannot afford to idle our machinery by indulging in strikes against its efficiency and the revised work rules that efficiency imposes. Franks says we cannot think—as labor czars are now thinking—in terms of a shorter work week at a full week's wages, expecting machinery to pay for the difference.

"The labor laws of State and Nation must be adjusted to break, not to further favor, the manpower and job monopolies of modern union leadership," Franks says. "It is important that our legislative committees find out what's wrong with the basic philosophy and economic policies of our labor unions—and with the labor laws that certify wrong leadership. The time for partisan politics has passed. The time for one-sided Government intervention has passed.

"It is the duty of every worker to support sober, rather than flamboyant labor leadership—the kind that urges them to get in there and pitch, rather than the kind that says the moon is made of green cheese and will be theirs on a platter just for the taking. It is also the duty of every American to start balancing his books between a mouse-eyed view of security and security based on ambitious, creative manhood—and to let the Congress of the United States know in no uncertain language that the security of the American economy is our chief concern—now and always."

REMAINS OF FAMED CHIEF OF KIOWAS RETURNED TO HOME OF TRIBE

Mr. YARBOROUGH. Madam President, more than 85 years ago Chief Satanta, one of the most famed warrior chiefs in the history of the Kiowa Tribe, met death in Texas while imprisoned by Texas authorities. He had led numerous war parties in Texas and other States. He was the last of the famed warrior chiefs of the Kiowa.

He was buried at Huntsville, Tex. For 85 years his descendants have sought to remove the remains to the Kiowa tribal burial grounds in Oklahoma. Now the State of Texas has given its consent to "Looks-Into-the-Lodge-of-the-Ute," James Auchiah, grandson of Chief Satanta, and who has with proper Kiowa ceremonial, exhumed the remains and carried them to Fort Sill, Okla., for reburial.

With this removal, the last chapter has been written in one of the best known incidents of border warfare in the Southwest, an incident that included a Kiowa raid into Texas under Chiefs Satanta, Satank, and Big Tree, an attack and destruction of a wagon train, a threat to the safe passage of Gen. William T. Sherman, the seizure of Chiefs Satanta, Satank, and Big Tree in Indian territory by the U.S. Army, and their trial for murder in a Texas State civilian court in Jacksboro.

The Kiowas, who lived in Montana in the early 18th century, moved southeastward into Texas, Oklahoma, and Kansas before the end of that century, perhaps to be near the Spanish horse supply. The Kiowa, with the Comanches, with whom they were allied, became the most adept and famed horsemen of the Plains. They rose to this height of their fame, power, and riches in the 19th century. With their allies, the Comanches, they were called "Lords of the South Plains" but with the close of the Civil War, the building of the transcontinental railroads, the fast opening of the West, and the passing of the buffalo, the Kiowa-Comanche hegemony of the South Plains collapsed. Chief Satanta was a bitter fighter against the containment of his people on reservations. He fought for the wild, free mobile life on horseback of the plains Indian, and when that life passed away forever, Chief Satanta chose to die.

It is appropriate that his bones go to rest among those of his tribe. I commend his grandson, James Auchiah, for keeping up his fight until he won the right to see his grandfather, Chief Satanta, given an honorable burial.

Madam President, I ask unanimous consent that the very fine description of the return of Chief Satanta's remains to Oklahoma as written by Mike Clark and printed in the Houston Post on Saturday, June 29, 1963, under the title, "Kiowa Chieftain Gets New Grave" be printed in the RECORD.

There being no objection, the description was ordered to be printed in the RECORD, as follows:

OKLAHOMA-BOUND KIOWA CHIEFTAIN GETS NEW GRAVE

(By Mike Clark)

HUNTSVILLE.—A number of pebble-sized chunks of bone and a few handmade nails, dug from a convict's grave at "Peckerwood Hill," the Texas prison system cemetery here, Friday, were on their way to Oklahoma and a revered resting place among the Kiowa Indians.

The remains were those of the great Kiowa Chief Satanta, the "White Bear," whose very name meant terror to early settlers on the Texas plains and to the famed U.S. Army generals, George Custer and Philip Sheridan.

Nine white-uniformed prisoners unearthed the remains Friday morning after a short ceremony of "smoking the grave" by Satanta's grandson, "Looks-into-the-Lodge-of-the Ute," better known as James Auchiah, 57, a Kiowa clan leader from Carnegie, Okla.

Satanta's remains will be reburied in the post cemetery at Fort Sill, Okla., where he, at long last, will have returned to his people.

Auchiah, and his father before him, had tried for years to have the remains of the great chief returned to the land of the Kiowa. Auchiah's father was the third, and youngest, son of Satanta.

During the ceremony at the foot of the grave, Auchiah, dressed in full regalia, complete with the treaty medal his grandfather received at the Medicine Bow Treaty signing, lit a small fire in keeping with the Kiowa tradition of sending the spirit of the dead warrior to his homeland.

He also sprinkled a bit of dirt from the Oklahoma reservation over the grave while intoning a Kiowa prayer.

Tears filled his eyes at the thought that at last his years of effort had paid off. The way was cleared for the disinterment with the passage of a House resolution introduced by Representative Satterwhite, of Ennis, and passed during the 58th session of the Texas Legislature.

Auchiah, who lives with about 2,000 of his tribesmen in Oklahoma and who is a civilian employee of the Fort Sill post, was accompanied here by Gillett Griswold, the director of the museum at the Army post.

"I am satisfied that we have unearthed fragments of human bone," Griswold said after looking at the contents of a plastic bag containing the diggings from the grave. There had been some doubt that anything would be found since Satanta was buried in the sandy soil—apart from other convicts—in 1878.

Satanta was sentenced to death by hanging at a trial in Jack County in 1871 for leading more than 100 Kiowa warriors in an attack on a wagon train—the Salt Creek Massacre—in which 7 teamsters were killed and scalped.

He was arrested, along with two other tribal chiefs, Satank and Big Tree, by Gen. William Tecumseh Sherman and transported back to Jack County to stand trial. During the trip, Satank, chanting the Kiowa death song, attacked a guard and was killed.

Although Big Tree and Satanta were sentenced to death, their sentences were commuted to life imprisonment by Gov. Edmund Davis because he feared mass reprisal by the combined Comanche, Cheyenne, Arapaho, Apache, and Kiowa Tribes.

He was soon paroled to his tribe, but returned to prison in 1874 as a parole violator. Four years later, after saying that he could no longer stand "to wither and die like a dog in chains," he cut the arteries in his legs in a death attempt.

Guards discovered the suicide attempt and took him to the prison hospital where the bleeding was stopped. But Satanta did not give up.

At a moment when he was not being guarded closely, he jumped to his death from a second floor window of the hospital.

The body of the chief was unceremoniously buried in the prison cemetery, and his grave for decades was unmarked and unkept.

Within the last 2 years, however, Joe Byrd, 75, an assistant warden with the Texas Department of Corrections and self-styled caretaker of Peckerwood Hill, erected an ironpipe railing around the isolated grave and installed a tombstone on which the chief's name was misspelled as Santana. The fault, however, was not Byrd's, but of prison records which in the 1870's were not too accurate.

Satanta's remains will be buried soon after their arrival in Oklahoma, Auchiah said, in a ceremony by the Kiowa people, will be held to honor the spirit of the chief on about September 14.

Auchiah's father, he said, began an attempt to have the body returned to the Oklahoma reservation soon after Satanta's death.

"This is a great day for the Kiowa," Auchiah said Friday.

"If we had been aware of the importance of this to the Kiowa, this would have been done a long time ago," said Dr. George Beto, director of the Texas Department of Corrections.

CIVIL RIGHTS LEGISLATION AND THE REPUBLICAN PARTY

Mr. SCOTT. Madam President, I am becoming increasingly concerned over reports and speculation that the Republican Party is moving toward an anti-civil rights strategy. This is just simply not true.

Yet, an article by two distinguished New York Herald Tribune writers, Rowland Evans, and Robert Novak this past Tuesday quotes an unnamed Republican as forecasting that "we are well on the road to becoming the white supremacy party and there is no turning back."

Other unnamed Republicans are reported as desiring to "establish the party of Lincoln as the white man's party."

This is sheer nonsense. I do not know of one responsible Republican leader who is not morally committed to the fundamental principle of equal rights for all Americans, regardless of race. Such differences as exist are merely those of means to achieve this goal.

This cannot be said of the Democratic Party.

Here in the Senate, for example, we have 67 Democrats—the precise number needed to effect cloture. Yet the very need for cloture in any civil rights debate can only arise from the delaying tactics of a substantial number of those Democrats and not at all because of any Republican action.

The Republican platform of 1960 is more specific, more detailed, and more emphatic in its commitments to civil rights than is the Democratic platform.

In keeping with the promises in the Republican platform, the Republican leader in the Senate is cosponsoring with the Democratic leader all of the President's requests which Republicans pledged to support. This bipartisan approach covers six of the seven major actions requested by the President. The seventh, not covered in either platform in the form submitted by the President is the "equality in public accommodations," proposal. While not binding as a party pledge, I support this feature also—with the revisions suggested by the Attorney General. Many other Republican Senators will also support it. I believe that the Republican Senators on the committee to which it has been referred will not make themselves party to any tactics of delay.

In further refutation of the unwarranted implication that Republicans are seeking to capitalize on racial tensions, let anyone who makes such charge cite a single Republican Governor who would give aid and comfort to this ridiculous charge. All Republican Governors are clearly on the record against racial discrimination of any sort.

Can the same be said of all Democratic Governors?

When speculation arises about the course to be taken by the Republican Party, there also seems to be a serious omission about those of us who have for years and do now support further civil rights legislation.

In the past Congress, for instance, I sponsored 32 civil rights bills. This year I sponsored 16 such bills—including the famous part 3, or title 3. I am a cosponsor of the President's recent proposals.

Indeed, I have introduced more bills on civil rights than on any other single subject.

It is a moral issue, and it requires a moral commitment. I made that commitment long ago.

It is also a practical issue. I have long felt that our Nation cannot possibly realize its ultimate potential divided as it is from within.

It is time, I believe, to stop the speculation, the rumors, and get back to the facts; get on with the unfinished business of Abraham Lincoln, the founder of the Republican Party.

THE YOUTH CONSERVATION CORPS

Mr. HART. Madam President, there are few areas that clamor for our attention as does the problem of our unemployed and out-of-school youth.

An editorial in the Detroit News of June 10, 1963, suggests that the Youth Conservation Corps could make a contribution in this picture. I ask unanimous consent that the editorial be inserted in the CONGRESSIONAL RECORD at this point, and I hope that this bill, which the Senate has passed, will be sent to the President for signature before the summer is over.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

YOUTH CONSERVATION CORPS: IT MIGHT BE A HELP

Teenage unemployment could become "one of the most explosive social problems in the Nation's history," warns Labor Secretary Wirtz. The jobless rate among youth under 20 rose 18 percent in May, to the highest point since the Government started keeping track 14 years ago.

Perhaps Mr. Wirtz, like most other specialists, tends to see his problems writ larger than their real place in the scheme of things. Yet if this be exaggeration, it is not far off the mark. Prolonged and chronic unemployment, with its cancerous effect on morale and attitudes—not to mention material well-being—is corrosive enough for anyone; it is particularly blighting on youth, at what should be the threshold of an adult work career.

Teenagers are 9 percent of the labor force, 20 percent of the unemployed. And the big bulge is yet to come: The "war babies" are coming into the labor market. A record 26 million new young people will enter the labor force in this decade; 19.5 million of them will not go to college. (The total new entries in the fifties was only 19 million.)

As many as 7.5 million of the new jobseekers in the sixties will have failed to graduate from high school; 2½ million will not have completed the eighth grade. Among these will be found the bulk of the youth unemployment problem, for the supply of unskilled jobs they can hope to fill continues to slacken.

For Negro youth the problem is compounded. Incentive to stay in school sags when a substantial proportion even of those who finish high school cannot find work.

There is no lack of proposed remedies, but many sound better in prospectus than they prove to be in practice. Vocational education is often assumed to be the answer. But its old image as the "dumping ground" for slow kids doesn't fit.

Many of the occupations involved have requirements little if any less stringent than other high school courses; some even more so. And the same factors which move kids to quit academic high school work—low achievement, poor socio-economic status and its attendant attitudes—operate in vocational students as well.

There is room for improvement in vocational education, for fitting it better to meet the needs of the youth involved, for expansion of cooperative work-study programs which mesh job experience with the school studies needed to flesh out job training and provide general education essentials.

Yet many of the disaffected, the potential dropouts, will remain so, for the factors which make them so will continue. Job placement efforts will help some, but experience indicates it may be a disappointingly small percentage. In one New York program, it took 12,000 contacts with employers to place 1,200 of a mere 3,959 who registered. Three months later, 72 percent of the boys and 59 percent of the girls placed were no longer on the job.

A Washington, D.C., job counselor with like experience notes that lack of skill is hardly the only problem: "If these youths could have had a modicum of training in punctuality, perseverance and drive before I got them, the number * * * still on the job would be much greater."

It is here perhaps, that proposals for a "youth conservation corps," modeled on the old CCC, might help. Opponents argue that planting trees in national parks is poor preparation for a return to city life, but if the program did no more than get boys off the street corners at a critical age and instill some sense of work habits and self-discipline, it might be well worth the cost and the effort.

NEW REFUGEE PROBLEMS

Mr. HART. Madam President, the enormity of the world refugee problem in these times of pressing problems sometimes escapes our notice. The U.S. Committee for Refugees has again reminded us of this growing world tragedy. The "World Refugee Report" of this dedicated committee tells us that in the 9 months since August 1962, almost 700,000 persons have been added to the world refugee total. The U.S. Committee for Refugees should be commended for their report and their continuing work and cooperative efforts in this field. The report would most certainly be informative to all. I ask, therefore, to have printed in the RECORD at this point the "World Refugee Report" of the U.S. Committee for Refugees.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

U.S. COMMITTEES FOR REFUGEES—WORLD REFUGEE REPORT

1. INTRODUCTION

Although new refugee problems have arisen in the 19 months since USCR's first annual audit—and some older ones have been aggravated—it is still true, as was stated in our second annual audit covering the period July 1, 1961, through June 30, 1962, that for the first time in many years there has been an overall decline in the world total of homeless people. But the events of the past 9 months have cut drastically the margin of that decline. What follows is basically a revised reprinting, in response to demand, of that second audit. Revision reveals that while the total refugee population remains below the 15,181,000 figure of June 30, 1961, it stands now almost 700,000 above the 12,811,816 figure for June 30, 1962.

The decline recorded in the audit of June 30, 1962, was accounted for largely by the Indian Government's announcement that the last of the millions of refugees from Pakistan now were almost completely resettled, and by the mass repatriation—the single great repatriation movement since the days just after the Second World War—of more than 250,000 refugees to Algeria from Tunisia and Morocco.

The increase over the past 9 months is due in great part to the mass exodus of Europeans from Algeria. New refugee situations have developed, too, in Africa south of the Sahara, in Asia, in Europe, and in the United States of America, where the problem of resettling Cuban refugees away from Miami continues critical.

To these entries on the debit side of the ledger must be added the return by force to Communist China of approximately 60,000 refugees who, in May of this year, fled to the British Crown Colony of Hong Kong. While there was general recognition of the many complexities underlying this tragedy, including the inability of the colony to absorb additional refugees in such numbers, the incident produced an almost universal sense of shock and guilt throughout the nations of the free world which resulted in decisions by several countries, including the United States, to accept at least token numbers of refugees from Hong Kong.

Another refugee torrent was almost dried up at its source when East Germany, on August 19, 1961, erected the Berlin wall. In a 12-month period before the wall, more than 200,000 Germans had crossed to freedom. The wall proved a most effective dam although—by digging tunnels, leaping barriers, swimming rivers and canals—an additional 21,000 have made good their escape. More than 100 died trying. There are now upward of 4 million refugees from the East in the Federal Republic of Germany.

To be placed on the credit side in any evaluation of developments is the legislation signed into law by President Kennedy last June 28, legislation which for the first time—though on a very limited scale—makes permanent provision for the admission or refugees to this country without regard to immigration quotas.

The new law also contains the first formal authorization by Congress for Cuban refugee aid—previously money for this purpose came from the President's emergency funds. It provides for continued U.S. participation in the programs of the Intergovernmental Committee for European Migration (ICEM), the United Nations High Commissioner for Refugees (UNHCR) and the United Nations Relief and Works Agency (UNRWA). Under its terms the President may spend up to $10 million a year of foreign aid contingency funds for refugee and migration emergencies.

On balance, then, some progress. But new refugee emergencies prove once more, if proof be needed, that our century is indeed the age of the uprooted.

2. REFUGEE SITUATIONS THROUGHOUT THE WORLD

(a) New refugee flights: Two of the categories of refugees with which this report must be concerned did not exist when USCR published its first annual audit—approximately 150,000 Africans, mostly members of the giant Watutsi Tribe, who fled into neighboring states from Ruanda and European fugitives from Algeria who have taken refuge in France.

There is a special irony in this flight of Europeans from Algeria, a flight which has reached a total of 750,000. This far exceeds in numbers the more than 250,000 Algerians repatriated to their homeland from Tunisia and Morocco at the end of the 7-year war. Also, many of the 180,000 Jewish refugees now in France came from Algeria as well as from Tunisia, Morocco, and Egypt.

France is traditionally hospitable to refugees and the Europeans from Algeria, however different in background and outlook, are national refugees in that they may claim French citizenship. Nevertheless, the sudden and unexpected influx produced a crisis situation. Like most refugees, the newcomers had left everything behind them; they needed food, clothes, housing, jobs. The Government set up a repatriation secretariat, allocated in $40 million, and instituted assistance grants. Private sources stepped in to help. The Red Cross, civil organizations, and veterans' groups established aid programs and the Catholic Church asked each of its parishes throughout France to provide three rooms, rent free, for 1 year to refugees.

There are degrees of misery among refugees. Those who escape from East Germany, for example, are infinitely better off than are the Tibetans who cross the Himalayas into Nepal. They are, in fact, as are the fugitives from Algeria to that other pathetic legion of new refugees, the Watutsi and Bahutu tribespeople who fled from Ruanda into the Congo, Uganda, Burundi, and Tanganyika to meet starvation and disease.

The Watutsi are a Hamitic tribe, a very tall people whose kings (Mwami) ruled

Ruanda for four centuries but were deposed in the struggle which preceded independence. Of 150,000 refugees, about half went to the Congolese Province of Kivu, the remainder scattered to Uganda, Burundi, and Tanganyika.

Most tragic was the fate of the 15,000 who found themselves at Senge, in the unhealthy Ruzizi Valley region of Kivu Province. There starvation, malaria, and polluted water caused at least 300 deaths in a few weeks. A high rate of mortality among all Ruanda refugees has not yet been checked, primarily because they are so widely dispersed. But relief programs which began slowly now are fully operative, afford a splendid example of cooperation among governments and voluntary agencies.

The program for relief and resettlement of refugees in Kivu Province was worked out in agreement with Congolese authorities. The United Nations High Commissioner for Refugees allocated $30,000 for the purchase of trucks and earmarked $40,000 for other needs. The League of Red Cross Societies undertook to coordinate the activities of voluntary agencies and allocated $13,000 for expenses. Food, blankets, and medicines were airlifted by the United Nations Congo Command, which further agreed to provide food for refugees newly resettled until harvest time. UNICEF provided tools, seeds, vitamins, 40 tons of milk monthly (about half of the Ruanda refugees are children).

An operation to resettle refugees from the Ruzizi Valley to the Lemera Mountains has been financed by the Oxford Famine Relief and is being carried out jointly by protestant Norwegian and Swedish missions. A third resettlement project involving some 17,000 refugees is being financed by Caritas Congo and will be implemented by the Dominican mission at Bukavu. Caritas also is financing a project of the Catholic mission at Goma for the relief and resettlement of 25,000 refugees concentrated in the north of Kivu.

Among the areas chosen for relocation of Ruanda refugees is Bibwe, a mountainous forest area where conditions for resettlement are excellent. Last autumn 2,000 Watutsi reached this region on their own and—with the help of a Trappist monk of Watutsi origin—cleared ground, built huts, planted crops. Fifty died from hunger, but the settlement was established. Now, under the technical direction of government experts, schools have been built as well as reception centers for additional refugees.

(b) Other developments: A dramatic development in 1962 was the repatriation to Algeria of approximately 260,000 refugees from Tunisia and Morocco. The operation, which began on May 8 when a first small contingent crossed into western Algeria near the Moroccan frontier city of Ouidja, was substantially completed by the end of June. In that less than 2-month period some 175,000 were returned to their homeland from Morocco and 85,000 from Tunisia.

The repatriation was accomplished under the control of a tripartite commission made up of representatives of the French Government, the Provisional Executive of Algeria, and the Office of the United Nations High Commissioner for Refugees. It established two subcommissions, one in Tunisia and one in Morocco and set up 10 border control posts for which the League of Red Cross Societies provided medical teams. The Algerian authorities were responsible for the reception of the refugees, transport within Algeria and resettlement.

On the whole, the operation went smoothly. Inevitably, there were some hitches, including a week's delay in the return of 20,000 from Morocco waiting permission to move their 30,000 animals, including a thousand camels, across the frontier. Because the villages to which the refugees will ultimately return have been devastated, the high commissioner issued an appeal to the governments on his executive committee and to voluntary organizations which produced some 20,000 family-size tents.

At first, most of the returning refugees were crowded into already crowded regroupment centers in which several million of their countrymen had been interned during the war. Following the withdrawal of the French, these camps were without medical supplies, nurses or doctors, and inadequately supplied with food. There was also urgent need for clothing, blankets, and other supplies. The league was doing what it could to meet these needs and expected additional help from national Red Cross societies.

Already active in Algeria is the American Friends Service Committee (AFSC), which had worked with the refugees in Tunisia and Morocco and followed them in their repatriation. AFSC, in the vanguard of the voluntary organizations which ultimately will cooperate in the relief effort, has launched an emergency million dollar resettlement program, including reconstruction of rural housing and restoration of land to cultivation.

The dimensions of two previously existing refugee situations increased during the year, that of refugees from Portuguese Angola, in Africa, and of Laotians displaced by the fighting in that Asian country. Only a short while after the League of Red Cross Societies had announced last spring the closing of its Congo relief action on behalf of Angolan refugees, reports from the Congo said that the ranks of the more than 150,000 fugitives already received were being augmented at the rate of more than 200 a day. There was a shortage of medical supplies.

USCR's first annual audit listed 4,000 Laotian refugees from the Pathet Lao as having fled to Cambodia and parts of Laos under non-Communist control. This figure has risen to more than 35,000. The Laotian refugees are being helped by the International Committee of the Red Cross.

In Hong Kong, despite the forcible return to Communist China of about 60,000 fugitives last May and the reinforcement of border barriers, a refugee population of more than 1 million continues to grow. In nearby Macao, where the Portuguese authorities announced that they would not attempt to halt the influx of refugees, a refugee population of some 70,000 was increasing, at the end of June, at the rate of approximately 500 a week. Hong Kong and Macao together now account for an estimated 1,200,000 refugees. Macao has asked the United Nations High Commissioner for Refugees for help under his "good offices" function.

While the situation of Pakistan's 3 million refugees from India remains substantially unchanged, an announcement by the Government of India that virtually all refugees from Pakistan now have been integrated canceled a 3 million figure carried in the table appended to the first annual audit. At the time of the partition of the Indian subcontinent 14½ years ago refugees from Pakistan in India totaled 9 million.

With training and resettlement programs for approximately 54,000 Tibetan refugees in India well established and their minimum needs assured, the need for emergency help has shifted to Nepal, where approximately 20,000 Tibetans are destitute and often—particularly in the remote mountain valleys—near starvation. The League of Red Cross Societies is active in this area, as is an international committee in Kathmandu, the Nepalese capital. There are also about 5,000 Tibetan refugees in Sikkim and Bhutan.

In the Middle East, 1 million Arab refugees from Palestine in the care of the United Nations Relief and Works Agency continue to wait, as they have for almost 14 years, for a political solution to their problem. Meanwhile, however the expanded program of vocational training launched in 1960 by UNRWA's Commissioner-General has brought new hope to thousands of young refugees.

Europe's old refugee problems are closer to a final solution. There are now only about 9,000 refugees under the mandate of the United Nations High Commissioner remaining in camps, some 70,000 outside of camp. During 1960 a thousand handicapped refugees and dependents were resettled. Also in Europe, in addition to the new refugees from Algeria, some 4 million escapees from East Germany, Belgian refugees from the Congo, Dutch refugees from Indonesia not yet resettled, and, in France, about 30,000 Spanish Republican refugees. There are also some hundreds of Spanish refugees in North Africa who, their precarious existence made even less secure by the political upheavals in that region, seek a way to Europe.

There remain approximately 250,000 Chinese refugees scattered throughout southeast Asia, 50,000 of them in North Burma alone, who are either fugitives from communism or victims of changed policies in the countries of their former residence. Also remaining are various small pockets of refugees—in Turkey, 1,000 Russians; in Iran, 5,000 of Turkic stock from across the Soviet frontiers; in mainland China, 2,500 Europeans.

The exodus of refugees from Cuba continued throughout the past year. There are now approximately 200,000 of these fugitives from the Castro regime. Most of them, about 160,000, are in the United States, for the first time in its history a refugee haven of "first asylum." Of the remainder, some 5,000 are in Spain and the rest in various countries of Latin America.

Cuban refugees in this country are still concentrated in Miami, Fla., and its environs. Miami's refugee population numbers more than 100,000. Despite intensive efforts by the Government and voluntary agencies, fewer than 60,000 have been resettled in other parts of the country. The rate of relocation stands at less than 600 a week. More than 10,000 unaccompanied children have come to the United States since the beginning of 1961.

Early in 1962 the four voluntary agencies working at the Miami Refugee Emergency Center inaugurated a program of charter airplane flights to cities willing to accept them, a program in which USCR cooperated. The Department of Health, Education, and Welfare, responsible for the Government's program of assistance to Cuban refugees, hoped that it will be possible to increase relocations to 2,000 a week. Refugees willing to resettle receive transportation, cash grants, and assurance of relief on the same basis as in Miami should that become necessary.

3. WORK OF THE INTERNATIONAL AGENCIES

(a) Intergovernmental Committee for European Migration (ICEM): ICEM, an international organization of 29 member governments of which the United States is one, has as its major task the transportation of refugees and migrants to their countries of resettlement.

Since it began its operations on February 1, 1952, ICEM, as of February 28, 1963, has resettled 534,206 refugees, 513,492 from Europe, the remaining 20,714 from the Far East. During 1962 a total of 29,694 were resettled, 27,694 from Europe, 1,849 from the Far East. ICEM estimates that it will move 32,730 refugees in 1963, 31,230 from Europe, 1,500 from the Far East.

All refugees transported by ICEM are either within the mandate of the United Nations High Commissioner for Refugees or come under his good offices function. ICEM cooperates closely with UNHCR and also with the voluntary agencies active in the areas where it operates. Successive contracts with the U.S. escapee program (USEP) have established ICEM as the movement agency for all refugees eligible for USEP emigration assistance.

The ICEM Council has provided funds for refugees who depart from Europe and for whom emigration represents a solution to their problems. It has further authorized a program for European refugees from China/Hong Kong, as well as a limited program for refugees direct from North Africa. ICEM is studying ways of impoving integration facilities for refugees, particularly in the field of housing, and makes every effort where possible to unite families.

ICEM's activities in Germany, Austria, Italy, Greece, and Hong Kong remain substantially the same for 1963 as for 1962. Joint ICEM-voluntary agency plans have been made to transport Cubans now in Spain to other countries. In Belgium, ICEM is assisting both refugees from Africa and migrants to emigrate to Australia and Latin America. The ICEM Council authorized a survey of the situation in North Africa and an experimental program to move 100 families out of that area.

(b) League of Red Cross Societies/International Committee for the Red Cross (ICRC): During 1962 the League of Red Cross Societies carried on an extensive program of aid to Angolan refugees, refugees from Ghana and the Ivory Coast in Togo and Algerian refugees.

Angolans: Under the general supervision and with the assistance, especially in the supply of food and transportation, of the United Nations Organization in the Congo (UNOC), the Congo delegation of the League of Red Cross Societies undertook to coordinate relief in cooperation with Caritas, the Congo Protestant Relief Agency and the Congolese Red Cross. A coordinating committee was established under the direction of the League to insure that refugees in all areas received similar rations and treatment. The League supplied dried fish, palm oil, medicine, blankets, and agricultural implements. Vehicles for transporting relief supplies were made available by UNOC and UNHCR. The League provided the Congolese Red Cross with food, blankets, and soap. It terminated this program in April 1962.

Togo: In conjunction with the UNHCR, the Togolese Red Cross and the Togolese Government, the League agreed to undertake a limited and short-term relief and resettlement program for 5,000 refugees in the Republic of Togo. A plan of resettlement was developed and the U.N. High Commissioner asked the League to operate on his behalf a feeding program while simultaneously supervising resettlement. A basic food ration was established, a registration of refugees was made, seeds and farm tools were supplied those refugees resettled on farmland.

Algerians: At the request of the UNHCR the League continued its relief operation for Algerian refugees during their repatriation and resettlement. League medical teams were set up at border crossing points to check the health of the refugees, who were fed and sheltered at each checkpoint during the 24-hour wait to cross into Algeria. Each family was supplied with food rations for the journey back and will continue to receive food assistance at their destinations until they become self-sustaining. Tent shelters will temporarily replace homes that have been destroyed or are uninhabitable. The approximately 20,000 family-size tents, distributed by the League, were made available by 11 national Red Cross societies and by governments. Through arrangements with the American Red Cross, the U.S. Government donated and shipped 10,000 tents. The U.S. Government also contributed, through the American Red Cross, large quantities of food.

The International Committee of the Red Cross (ICRC) has been the main source of aid to Tibetan refugees in Nepal. Working with the Nepal International Refugee Relief Committee and a few private organizations, ICRC has provided medicines, medical aid, food, clothing, and shelter. A handicraft center has been established. Red Cross funds have been provided for emergencies and for a resettlement project at Dhor Ptan in West Nepal.

(c) United Nations High Commissioner for Reguees (UNHCR): The UNHCR, an agency of the United Nations established in 1951 to promote, organize, and supervise international action on behalf of refugees, in 1961 firmly settled 12,155 refugees in Europe, a 60-percent increase over the 1960 figure of 7,658. Completion of housing projects in Germany accounted for 4,574 of those settled. Of the total, about 6,800 were living out-of-camps. At present there are still 70,000 out-of-camp refugees and 9,000 in camps. Completion of this project is scheduled for 1963.

At the end of March 1963, after 11 years of the joint UNHCR/ICEM Far Eastern operation, 2,500 Europeans still remained in China. The High Commissioner has appealed to governments to make a special effort to grant visas.

High Commissioner Felix Schnyder accepted an invitation to become a member of the Tripartite Commission established for the repatriation of Algerian refugees, the other members being the representatives of the French Government and of the Algerian Provisional Authority. The High Commissioner, with the help of the League of Red Cross Societies, provided material aid to the authorities engaged in the work of repatriation and resettlement and used his good offices to secure for the Algerian authorities the material aid required.

The High Commissioner has also used his good offices to initiate action on behalf of refugees from Angola, refugees in Togo, where he appointed a Charge de Mission who assumed his duties in May, refugees from Ruanda in Tanganyika, Uganda, and Burundi, refugees in the Kivu Province of the Congo (Léopoldville), and Chinese refugees in Macao.

(d) United Nations Relief and Works Agency (UNRWA): UNRWA is an Agency of the United Nations, supported by the voluntary contributions of member governments, whose purpose is to provide food, health services, education, shelter, and vocational training to approximately 1 million Arab refugees from Palestine. The Agency presently is concentrating upon development of an expanded vocational training program so that young refugees—some 30,000 reach maturity every year—may realize their potentialities and be equipped to earn a living. A four-point, 3-year plan has been adopted with the following aims: to expand vocational training to the point where UNRWA can turn out about 2,000 graduates annually; to increase the number of university scholarships granted from 90 to 180 annually; to improve the Agency's basic education program and to continue a modest loan-grant program to help qualified refugees put their acquired skills to use in enterprises of their own.

At present UNRWA has nine vocational training centers (seven for boys and two for girls) either in operation or near completion. When all centers are operating at full capacity, 4,200 refugee trainees will be enrolled.

To help pay for their training UNRWA appealed for the contribution from private sources of two thousand $500 scholarships in 1962 and another two thousand in 1963. Each scholarship pays for the training of a student for 1 year. As of May 1962, 1,443 scholarships had either been paid or firmly pledged.

During the past academic year, there was an increase of 48 in the total number of UNRWA university scholarship holders, making a total of 450 scholarship holders since 1960.

The basic education program is expanding and improving. Refugee pupils attending the 397 UNRWA schools, which employ 3,993 teachers, number 142,183. School enrollment has increased by 7,233 in the past year. Facilities have been expanded and 274 new schoolrooms are now being completed.

4. WORK OF THE U.S. GOVERNMENT

(a) Legislation: On June 28, 1962, President Kennedy signed into law the first permanent legislation to admit refugees to the United States without regard to immigration quotas. The bill makes permanent the provisions of Public Law 86-648, passed in 1960, which expired June 30. Its terms permit the entry of one of the refugees under the mandate of the United Nations High Commissioner for Refugees for every four accepted by all other countries in any 1 year. Refugees under the High Commissioners' mandate are mostly Europeans. Admitted on parole, they are subsequently redefined as permanent residents and may become citizens.

The new law also contains the first formal authorization by Congress for help to Cuban refugees in this country. Until its passage, money for relief, resettlement, and education came from the President's emergency funds.

President Kennedy, under the law, is authorized to spend up to $10 million a year from foreign aid contingency funds for use in refugee and migration emergencies.

Finally, the law provides that the administrator of the State Department's Bureau of Security and Consular Affairs, which deals with immigration and passport matters as well as with security, be subject to Senate confirmation.

A bill to revise comprehensively the present immigration quota system has again been introduced in the Senate by Senator PHILIP A. HART, Democrat, of Michigan. With the objective of eliminating national and racial discrimination from the general U.S. immigration statutes, it would do away with the existing national origins quota system and substitute a two-part formula based upon population ratios and the immigration pattern over the past 15 years.

During the period under review the Senate Judiciary Committee's Subcommittee on Refugees and Escapees held three hearings. The first hearings, in 1961, dealt with the total world refugee situation, establishing the need for intensive study and investigation of specific problems as well as of general policies. The second hearings were concerned exclusively with the influx of Cuban refugees into the United States. The subcommittee subsequently made recommendations on the Federal program of assistance, in view of then pending legislation (see above). The third hearings were held in June of 1962 and concentrated upon the emergency in Hong Kong.

Addressing the House on June 27, Representative, Francis E. Walter, Democrat, of Pennsylvania, a coauthor of the Immigration and Nationality Act, the so-called Walter-McCarran Act, said that after 10 years the time had come for an analysis in depth of refugee problems and that hearings to this end would be undertaken by the Immigration Subcommittee of the House Committee on the Judiciary, of which he is chairman.

(b) The Cubans: Federal expenditures for Cuban refugees have pyramided. In the first half of 1961 they were $5 million. They were $14 million in the second half of that year and $22 million for the first half of 1962. The estimate of expenditures for the fiscal year ending June 30, 1963, is $46 million.

(c) Government activities: The U.S. Government has continued to play a leading role in promoting the solution of refugee problems and, thereby, contributing to the establishment of freedom for individuals and institutions, political stability and world peace. Through their government, the American people have contributed during this period approximately $80 million for refugee assistance.

The U.S. Escapee Program has registered some 8,000 escapees during the year 1961–62 and has assisted approximately 12,000 other escapees in reestablishing themselves. In the Far East, the efforts of the Far East Refugee Program of USEP, complementary to and coordinated with programs carried on by the Hong Kong Government, have been to provide services and assistance programs for thousands of Chinese refugees. Upward of 6,000 Hong Kong refugees, drawn from some 20,000 who have already been cleared for admission and have been awaiting a quota number are being admitted to this country under the emergency "parole" provisions of the Immigration Act. Government assistance was also provided, in cooperation with the International Committee of the Red Cross, to the Tibetan refugees in India and Nepal.

The United Nations High Commissioner for Refugees has received continued support from the United States both for the regular UNHCR program and the large-scale relief operations in Algeria. Other activities of the UNHCR of concern to the United States include assistance for Chinese refugees in Hong Kong, Tibetan refugees in India and Nepal, and refugee problems in different areas of Africa.

The Intergovernmental Committee for European Migration, of which the United States has been a member since its inception in 1951, arranged transportation and supplementary services for 87,167 refugees in 1961. The needs of the Latin American countries for emigrants and refugees with pertinent skills and training continued to receive priority attention.

The U.S. contribution to the United Nations Relief and Works Agency for Palestine refugees for 1961–62 was $18 million in cash and $6,700,000 in food.

Surplus foods contributed by the United States are now being distributed to refugees in Morocco, Jordan, Israel, Italy, Hong Kong, Macao, Taiwan, Korea, Syria, Egypt (Gaza), the Lebanon, Congo, India (Tibetan refugees), Tunisia, Greece, Laos, Pakistan, Vietnam, Uganda, Tanganyika and Burundi. Algerian refugees have received over 150,000 tons of food via Food for Peace shipments.

Recent world wide events have demonstrated the continuing part that refugees and escapees play in political upheavals. The construction of the wall in Berlin, the tremendous influx of over 60,000 Chinese from Red China into Hong Kong in May 1962, point up problems of immense interest and significance to the United States and the whole Free World. In addition to the Cuban refugees in the United States and in Latin America, the Government has responded to other developing refugee situations in Laos, in the Congo and elsewhere—either directly or in cooperation with international organizations, providing funds, food and other supplies, as appropriate.

5. WORK OF THE VOLUNTARY AGENCIES

(NOTE.—The information which follows is largely summarized from reports to USCR by the voluntary agencies concerned.)

American Council for Emigres in the Professions (ACEP)

During the year 1961–62, 1,719 academically trained refugees registered with ACEP for vocational counseling and job placement. About three-quarters, or 1,158, were Cuban. During the year ACEP made 304 direct job placements, about 300 indirect placements and 300 interim placements.

American Council for Nationalities Service (ACNS)

ACNS and its member agencies have become increasingly involved in the Cuban resettlement program throughout the United States. In cities where Cubans have been resettled the local agency, or International Institute, has helped. At present the agencies most heavily involved are those in Chicago, Ill.; Milwaukee, Wis.; Philadelphia, Pa.; Lowell and Lawrence, Mass.

American Fund for Czechoslovak Refugees, Inc. (AFCR)

AFCR has a caseload of more than 4,000 refugees in Germany, Austria and other European countries. Its program is largely concerned with resettlement, local integration and special assistance.

American Korean Foundation

Officially the 4 million North Koreans who fled to South Korea have been integrated. However, approximately 1 million of these refugees are still unemployed, live in shacks made of cardboard and tin cans. The foundation has been assisting housing developments in refugee settlements.

American National Red Cross

Since June 30, 1961, the American Red Cross, working through the League of Red Cross Societies and/or the International Red Cross Committee has participated in refugee relief actions for Algerian refugees in Tunisia and Morocco, refugees in Togo, Tibetan refugees in Nepal and displaced persons in Laos. Food, clothing and medical care have been provided. The Red Cross continues its relief operation for Algerian refugees during repatriation and resettlement. Medical teams checked the health of returning refugees at crossing points. Food was provided for the return journey, tents were made available for temporary shelter. In Togo, farming tools and seed were provided refugees resettled on farm land. The Red Cross has helped establish handcraft and work centers and schools in Nepal.

CARE, Inc.

CARE's expenditures for assistance to refugees for the fiscal year 1961–62 approximated $1,098,420. The larger portion of this aid (about $774,040) went in the form of surplus food commodities to refugee assimilation, rehabilitation or resettlement centers in West Berlin, Hong Kong and Korea. Through donations and "gifts-in-kind," CARE provided $324,380 worth of self-help equipment, school supplies, agricultural tools, vocational kits, clothing, medical supplies and livestock to refugees in several countries. Areas of concentration have been West Berlin, Gaza, Hong Kong, India, Korea and Vietnam.

Catholic Relief Services (CRS)

As of July 1, 1962 CRS handed over the implementation of its refugee projects in Europe to various indigenous and national Catholic charitable organizations on the continent. In North Africa CRS cooperated with the United Nations High Commissioner for Refugees in the repatriation of Algerian refugees from Tunisia and Morocco. In the Far East assistance provided to refugees in Hong Kong, Macao, Korea and North Vietnam included local integration, food distribution, vocational training courses, housing projects, provision of emergency supplies, conducting of agricultural and work projects, schools and dispensaries. Of Cuban refugees, as of mid-February, 1963, 108,204 were registered with Catholic Relief Services in Miami. CRS has found homes and jobs for 31,908 throughout the United States.

Church World Service (CWS)

A grant of money has been made available by CWS to purchase supplies for recently arrived Chinese refugees in Hong Kong. Clothing, shoes and blankets are being sent to Taiwan for Chinese refugees expected there. A steady flow of blankets, clothing and vitamins continues to go to Algeria. In the Congo, where CWS works through the Congo Protestant Relief Agency, Angolan refugees have received food, clothing and medicine.

Direct Relief Foundation

Direct Relief Foundation has reduced or discontinued help to refugees in Europe in order to expand its activities in Hong Kong and other areas in the Far East. It continues its aid to old and new desperate cases in Greece. Help is also being given refugees from Honduras in Nicaragua.

International Rescue Committee (IRC)

During 1961 about 1,025 refugees arrived in the United States under IRC auspices. Included in this group were Indonesian refugees from the Netherlands, Iron Curtain refugees from Europe, Cuban refugees from Spain and Jamaica, Dominican refugees from Curacao and Brazil and Chinese refugees from Hong Kong. IRC has continued its ongoing program of resettlement, financial aid, job placement, medical care, clothing, education, language and vocational training to Cuban refugees in Miami and Chinese refugees in Hong Kong.

International Social Service (ISS)

At the request of the United States Government for aid in the Hong Kong crisis, ISS brought a special airlift of 48 orphans from Hong Kong to the United States in June 1962.

Lutheran Immigration Service Committee (LIS)

The Lutheran Immigration Service Committee, an agency of the National Lutheran Council and the Lutheran Church-Missouri Synod, in cooperation with the Lutheran World Federation continued its program of help and assistance to refugees. Areas of special activity include assistance to individual refugees remaining in Europe, particularly in the reuniting of families, difficult-to-resettle cases.

Meals for Millions Foundation

Meals for Millions Foundation, dedicated to the relief and prevention of starvation, has continued in 1961–62 its policy of making shipments of multipurpose food to areas where disaster has struck, emergencies have arisen or where there are refugees who must be fed.

Shipments of multipurpose food to 15 major areas in 1961–62 total 60,621 pounds.

Polish American Immigration and Relief Committee (PAIRC)

PAIRC's continuing program for Polish post-war refugees in Western Europe and newly arrived escapees (now averaging 350 per year) including immigration and integration help for new escapees, registration and documentation of cases of "old" refugees under special immigration schemes, provision of sponsorships for regular immigration cases, financial assistance to needy refugees and assistance in implementing regular UNHCR integration programs.

Spanish Refugee Aid, Inc.

During the past year the Foyer Pablo Casals was opened in Montauban, France. It is now providing 181 individual Spanish Republican refugees over 60 years old with a community center in addition to food packages, clothing and a special cash Christmas gift. Spanish Refugee Aid also continued to provide financial aid, food packages and clothing. In the past year it has assisted 1,441 cases.

Tolstoy Foundation

The Tolstoy Foundation continued to help find employment, solve housing problems, provide supplementary food and clothing and to provide other material assistance for about 10,000 Russian and other refugees registered with them in Europe.

United HIAS

United HIAS continued to assist Jewish refugees and migrants from Europe, Egypt, Cuba, and North Africa to resettle in the United States, Latin America, Canada, and

Australia. During 1961 the total number of refugees helped to resettle was 7,156. Of this total, 3,733 came to the United States, 942 to Latin America, 563 to Australia, 486 to Canada.

United Lithuanian Relief Fund of America

About 9,500 Lithuanian refugees in West Germany receive aid from the United Lithuanian Relief Fund. During the past fiscal year a few of this group came to the United States. This was balanced out, however, by new arrivals.

Unitarian Service Committee, Inc.

During 1961, 5,874 Spanish Republican refugees received help from the Unitarian Service Committee, which maintains a center in Toulouse, France.

World University Service (WUS)

The Hong Kong Chinese refugee student program, begun with the 1959–60 academic year, is administered with U.S. Department of State earmarked funds. Initially, five Chinese refugee students were awarded WUS scholarships to supplement awards made to them by U.S. colleges and universities. The college staff training fellowship program, offering graduate fellowships to Chinese refugees who are members of the teaching staffs of post-secondary colleges in Hong Kong, was begun in the 1961–62 academic year.

6. THE WORLD'S REFUGEES

(NOTE.—This table has been compiled from the best available sources. Inevitably, where accurate census taking is not feasible, estimates of refugee populations vary.)

Hong Kong and Macao, from mainland China	*1,270,000
Mainland China, Europeans still awaiting immigration	*2,500
Southeast Asia:	
Chinese, 50,000 in North Burma	250,000
Vietnamese	900,000
Laotians in Cambodia and Laos	35,000
Koreans from North Korea	1,000,000
India,[1] Tibetan refugees	*45,000
Nepal, Tibetan refugees	*20,000
Bhutan and Sikkim, Tibetan refugees	*5,000
Pakistan, refugees from India	3,000,000
Africa:[2]	
From Angola in the Congo	*200,000
From Ruanda in Burundi, Congo, Tanganyika	*160,000
In Togo from Ghana, Ivory Coast	*5,000
Europe:	
UNHCR mandate still in camp (profiting from camp clearance programs)	*9,000
UNHCR mandate out of camp profiting from resettlement programs)	*70,000
From East Germany[3]	4,000,000
Refugees in Europe not benefiting from international programs, who may receive help from voluntary agencies	*150,000
Spanish Republican refugees in France	*30,000
Europeans fleeing Algeria, mostly in France	750,000
Jewish refugees from Tunisia, Morocco, Algeria, and Egypt, mostly in France (most of these have French nationality)	180,000
Algerian Moslems in France	37,000
Ethnic Greeks	*3,500
Cuban refugees in Spain	5,000
Belgian returnees from the Congo	5,000
Dutch from Indonesia	60,000
Italians from Egypt and Tunisia	15,000
Middle East:	
Palestinian Arabs in Jordan, Syria*, Lebanon*, and Gaza*	1,100,000
Russians in Turkey	*1,800
Armenians and Europeans in Lebanon	*1,250
Turkic refugees in Iran	5,000
Western Hemisphere, Cuban refugees, of whom more than 150,000 in the United States; the remainder scattered throughout Latin America	195,000
Total	13,510,050

*Stateless refugees. The others, although uprooted, at least have the protection of a nationality.

[1] Approximately 3,000,000 refugees who fled Pakistan to India have now—14½ years later—been almost completely resettled, according to the Indian Government.

[2] More than 250,000 Algerian refugees from Tunisia and Morocco have been repatriated but their situation—like that of some 2 million Algerians who had been interned during the civil war—remains bleak; homes destroyed, fields strewn with mines.

[3] The first anniversary of the Berlin Wall fell on Aug. 19, 1962. On that date 11,200 refugees from East Germany had escaped to West Berlin despite the wall, 100 were killed trying.

TRIBUTE TO REV. MARTIN LUTHER KING

Mr. HART. Madam President, a few weeks ago the presiding bishop of the Episcopal Church issued a forthright letter to the members of that church indicating what he conceived to be their duty as Christians and as Americans in these troubled days of racial strife. Only last Sunday, the Episcopal bishop of Detroit, Bishop Emrich, writing in the Detroit News, made an equally forthright statement "in praise of Martin Luther King." The points made by Dr. Emrich are excellent, and ones which we should all ponder deeply.

Madam President, for this reason I ask unanimous consent to insert Bishop Emrich's column in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

BISHOP EMRICH IN PRAISE OF MARTIN LUTHER KING

(By the Rt. Rev. Richard S. Emrich)

It is common knowledge that not only some white people, but also some Negroes are highly critical of the work of Rev. Martin Luther King. The critical whites dislike him because he is "disturbing the peace," and the critical Negroes dislike him because of his nonviolent methods, because he is not disturbing the peace enough. When a man is attacked by both sides, it well may be that he stands at a level of truth from which both sides can learn. This column approves of his methods, and believes that he will go down in history as a great American. Why?

First, it is inevitable that his white opponents in the South accuse him of "disturbing the peace," because every man who struggles for justice and a new order always has that charge leveled against him. The Boston Tea Party and George Washington disturbed the peace in a considerable manner, as did also the original organizers of the labor movement.

If a man or group does not protest loudly, things remain, of course, as they are. If they protest effectively, they are accused of "disturbing the peace." But the "peace" they disturb is to them no peace, and the "order" they disturb is to them an unjust order. Martin Luther King is wise enough to recognize that men do not voluntarily relinquish unjust power, but that only real disturbance and a ground swell of public opinion can change some of our Nation's unjust ways.

Second, while I am not a pacifist, it is clear to me that Dr. King is right in his nonviolent methods, and his critics among some Negroes wrong in their advocacy of violence. Consider the reasons.

1. Dr. King's methods keep the moral issue completely clear, and help everyone to see the justice of the Negro cause.

When I see three Negroes sitting patiently at a counter and a jeering crowd pouring salt and catsup on their heads, I am disgusted with the whites and admire the quiet strength of the Negroes. Why, in the name of God, should not any American be allowed to eat a hamburger where he wishes? And the behavior of the whites is not brave or just, but contemptible. The issue is completely clear.

But if a riot starts and innocent people on both sides are killed, then the issue becomes more confused, and the endless recriminations begin. It would be a catastrophe if the headlines were to read, "20 Whites and 20 Negroes Killed in Alabama Riot." Dr. King is right. It requires far more moral power to sit still while catsup is poured on your head than to be violent. And the methods used by the Negroes could destroy the end desired, which is, of course, a Nation in which we live together in justice and brotherhood. If the whites are stupid and unjust, and the Negroes wise and restrained, let that be written on the national record.

2. Every general should use the proper tactics for a battle, and the tactics are determined by the situation. The fact is that the Negroes are a minority in America (one-tenth of the population), and that, while they are rising in position, the whites still have in Alabama and elsewhere the economic, political, and police power in their hands.

If the Negroes resorted to violence, they would not only confuse the issue but head for sure defeat. Some whites, therefore, hate Dr. King, because, as a good tactician, he is using the only proper and effective plan of battle. He is appealing to America's conscience and to the Constitution. He is not bucking the line against impossible odds, but pulling a wide end sweep where the opposition is most vulnerable—the conscience of the Nation. Malcolm X's opinions are as blind and as stupid as those of all men who hate; and Dr. King, following the instructions of his Lord, is as "wise as a serpent and as innocent as a dove."

3. Dr. King knows that if a man hates, he destroys himself inwardly, and that only the method of love can build the unified Nation we desire. After a trip to India, where he studied Gandhi's methods, he wrote: "The aftermath of hatred and bitterness that usually follows a violent campaign was found nowhere in India, and a mutual friendship, based on complete equality, existed between the Indian and British people within the Commonwealth."

He knows with realism that many hate him and that the struggle is long, but he writes: "The nonviolent approach does something to the hearts and souls of those committed to it. It gives them new self-respect. It calls up resources of strength and courage they did not know they had. Finally, it so stirs the conscience of the opponent that reconciliation becomes a reality."

He has been in jail 12 times ("daddy, why do you have to go to jail so much?"); his house has been bombed twice, and he has been stabbed once. He could react bitterly, but does not. He just keeps coming, saying "I bear in my body the marks of the Lord Jesus." There is no stopping the Negroes if, under his leadership, they continue their extraordinary display of moral power.

After all, their position is unanswerable. Why should not any American be permitted to vote, or eat a hamburger where he wishes, or enjoy any of the other privileges of a free nation? So, he disturbs the peace, and appeals to the conscience of the Nation. He will not be quiet, and he will not hate.

If you wish to know more about this great man from the inside, read his "Strength To Love," published by Harper & Row.

SENATOR FULBRIGHT APPEARS ON "ISSUES AND ANSWERS"

Mr. ENGLE. Madam President, Sunday before last I had the pleasure of listening to the distinguished Senator from Arkansas, Senator FULBRIGHT, on ABC's "Issues and Answers" program.

The program dealt with the President's trip to Europe, the Atlantic alliance, and the cold war. It was a stimulating experience to listen to Senator FULBRIGHT's straightforward answers to the questions raised. He handled the program with his usual clarity and good sense.

I was surprised when the two leading daily newspapers in Washington editorialized regarding Senator FULBRIGHT's remarks. One of them called him an amateur psychiatrist because he undertook to explain why, in his opinion, France has been so hard to get along with.

I thought his statements were sensible and fair. He referred to General de Gaulle as a "great patriot." He referred to France as a "great nation." He said that France had "suffered a greater shock to her national pride than any other country." But he told the truth.

The other editorial brought up the chicken problem. The President has written two letters to Chancellor Adenauer about chickens and Secretary Rusk has discussed the matter with leaders in West Germany on several occasions. The point is that chickens just happened to be an example of the very major problem we face in getting our agricultural imports into the Common Market area. These imports today amount to over $1 billion. Our current dollar deficit—because of expenditures in the European area—is $2.7 billion. If the offset of our agricultural exports is canceled out, instead of having a net loss of $1.7 billion, we will have a net loss of $2.7 billion.

Everyone who has studied the problem knows that the question of agriculture in the Common Market is the stickiest we have. Senator FULBRIGHT just put his finger on one illustration.

I think his remarks were broad enough to make it plain the he was talking about the whole panorama of our problems that could result from the loss of our agricultural exports to the Common Market.

I commend the entire transcript to my colleagues who may have missed the broadcast and I wish to say again that I think Senator FULBRIGHT answered the questions raised with truth, fairness, and moderation. I believe that few Members of this body would disagree with my view that we are fortunate indeed to have a man of Senator FULBRIGHT's intelligence, experience, ability, and detachment handling the crucial area of foreign relations for the U.S. Senate.

Madam President, I ask unanimous consent that the program "Issues and Answers" of June 23, 1963, be printed in the RECORD.

There being no objection, the program was ordered to be printed in the RECORD, as follows:

"ISSUES AND ANSWERS," SUNDAY, JUNE 23, 1963

Guest: Senator J. WILLIAM FULBRIGHT, Democrat, of Arkansas. Interviewed by: John Rolfson, ABC Capitol Hill correspondent, and John Scali, ABC State Department correspondent.

The ANNOUNCER. From Washington, the American Broadcasting Co. brings you "Issues and Answers."

Senator J. WILLIAM FULBRIGHT, chairman of the Senate Foreign Relations Committee, here are the issues: Will the President's trip do any good? What can we do about General de Gaulle? Is the time right for an end to the cold war? You have heard the issues. Now for the answers from Senator J. WILLIAM FULBRIGHT, Democrat, of Arkansas, chairman of the Senate Foreign Relations Committee.

Here to interview Senator FULBRIGHT, ABC Capitol Hill correspondent, John Rolfson, and with the first question, ABC State Department correspondent, John Scali.

Mr. SCALI. Senator, welcome to "Issues and Answers."

Senator FULBRIGHT. I am glad to be here again.

Mr. SCALI. President Kennedy's trip seems off to a fairly good start with hundreds of thousands of Germans cheering him at every stop. Yet there are those who say that cheers and applause are about all the President will get during this trip.

Do you agree?

Senator FULBRIGHT. No; I don't agree with these criticisms that it is not a timely trip. I think it may be very well—you have some changes going on, you have a new, although a caretaker government that is set in Italy, you have the prospects of a new government in England and in Germany. I think an examination, getting acquainted with these situations and the forces that are at work may be very timely.

Mr. SCALI. Well, do you get anything more than except a psychological showing of the American flag at a time such as this?

Senator FULBRIGHT. Well, these great turnouts of people—I didn't mean that, that that is particularly significant, but he will undoubtedly have serious talks with the incoming people and those that are already prospects in the next go-round in these various governments and I think he ought to feel his way and to get acquainted with them and to make known to all of them our serious concern about the recent developments in the so-called Atlantic alliance and the seriousness of the effect of General de Gaulle's actions in January.

Mr. ROLFSON. Senator FULBRIGHT, do you think a trip of this kind can do any good as a counterattack on the De Gaulle policies, for example?

Senator FULBRIGHT. I certainly do. I don't like to put it in military terms as a counterattack and so on. This is a matter of, I think, the most delicate diplomacy and I think our objective is to bring back into focus the importance of the Atlantic alliance, or the Atlantic partnership, if you like.

I have not abandoned that yet, although if Mr. de Gaulle or General de Gaulle has his way I think it will be a very serious matter and he himself, I think, may be able to change his mind if he is given the proper opportunity with proper face-saving mechanisms built in.

I don't quite think that General de Gaulle wishes to return completely to the 18th century.

Mr. ROLFSON. Senator, what kind of a policy would it take, what do you think we should do specifically to encourage General de Gaulle to change his mind?

Senator FULBRIGHT. I think we ought to persuade all of the other countries of the importance of it, the Italians, the Germans, the Dutch, the Belgians. I think they are interested in building a much greater unity and cooperation among the Atlantic Community or all the members of the free world. This is the hope. It has been the basic theme of our policy for years and I think General de Gaulle's action has very severely shaken the confidence that all these nations can work closely together.

I think that is the greatest damage he has done. He has at least temporarily shaken the confidence that we can do it and I think the President may well restore this. These are intangible things. I don't expect him to have a great treaty or to solve any of these problems on this trip, but I think he is a very astute political animal and I think he understands many of these issues and I hope he can do some good.

I don't think there is anything wrong with the timing of this trip.

Mr. SCALI. Isn't what you are saying, Senator, adding up to a policy on our part of seeking to isolate and outflank General de Gaulle at the moment?

Senator FULBRIGHT. I don't like to put it in such brutal terms. However, if you choose, I would say that is one way to put it, but I don't wish to mount quite as bluntly this kind of a contest. The general is a great patriot. I think France suffered a greater shock to their national pride than any other country. The performance of France as we all know in the Second World War was not very creditable. It deeply wounded their pride and she is a great nation and I think this is a kind of a reaction to that and I think you have to handle people who have been severely wounded in this way with kid gloves, so to speak. Although I think there is a limit to what we can do, we certainly have done a lot for France.

Mr. SCALI. Do you think perhaps the general is trying to compensate then for a bad performance in World War II?

Senator FULBRIGHT. I think he is overcompensating, I think he is overcompensating and I think he has to make some allowances for this and have some patience.

I don't want to understate how serious I think what he has done is. I think it is very serious and I don't know that we can—I am still hopeful that we can overcome this and bring back into, as I say, focus, all of these countries working closely together.

Mr. ROLFSON. Well, Senator, do you think this is purely De Gaulle or is this the attitude of France which will outlast De Gaulle?

Senator FULBRIGHT. I think the latter, if I may say so. I don't think it is purely De Gaulle, because it wasn't just De Gaulle who was wounded by this performance. In fact, he performed better than France did during that period. But I think the whole French people were and they had a great history and it is not only the way they acted then during the war, but their failure to operate a self-governing democracy throughout the period until De Gaulle—that is, operate it satisfactorily, with this constant changing of governments.

It was a reflection of this restlessness and internal dissension. They could not generate any consensus within their country. These are signs of this same thing and I do think it goes beyond just De Gaulle.

Mr. ROLFSON. Of course, one of the justifications for the De Gaulle policy is that the United States is not necessarily permanently committed to Europe, to staying there, and one reaction in this country has been, one part of the resentment at De Gaulle has been the demand that we do pull out of Europe and let De Gaulle and France and the Europeans stew in their own juice.

Doesn't this sort of justify the De Gaulle policy, their attitude in this country?

Senator FULBRIGHT. Well, De Gaulle does things such as in the trade area, and the way he speaks about us and so on, that tends to bring about his own prophesy. In other words, he creates conditions that may make it impossible for us to stay, in force. For example, if they insist upon this policy of excluding our agriculture, if they treat all of agriculture as they have treated poultry, then it makes it impossible for us to sustain an army in Europe at the cost of $1 billion because we already have a deficit in our balance of payments. And it is possible for him, if he has his way, and all of Europe cooperates with him, to make it impossible for us to stay, which will make come true his prophesy, but he will be the architect of that.

Mr. Scali. Well, do you think then that we should consider withdrawing the troops even as a threat to force De Gaulle to change his policy?

Senator Fulbright. I don't like to use threats of that kind. I think we have already stated—I have, at least—I say "we." I don't know that the President has, I am a little freer agent than he is—it is quite obvious we will have to cut down our troops if they persist in the trade policies that they have started on.

I think that is just a matter of financial necessity.

Mr. Scali. Senator, you mentioned the Common Market. Congressman Reuss, among others, has written that in backing the Common Market, the U.S. Government is primarily, or at least partially to blame because what we have done is encourage formation of what is a Frankenstein monster, an organization which it now develops is inward-looking, which discriminates against American tariffs, whereas our focus should have been on encouraging formation of a broader grouping of free world countries. Do you subscribe to that?

Senator Fulbright. Well, I think there is something to that. I don't know that we could have controlled it. I don't wish to always bring it up and say "I told you so," but it is a fact that when the Marshall plan was first introduced, I and some of my colleagues attempted to have incorporated in that as a policy, the unification of Europe at that time as a part of the Marshall plan, on a broader scale than just the Six, and I think this would have been preferable, and I think it would have been a very wise thing to do.

The Secretary of State at that time, Dean Acheson, was opposed to this policy. I think this is a question of timing. He thought it was too much to ask of them at that time in 1948 to make great political changes as well as economic adjustments and therefore our Government didn't support it.

I think it was a mistake and I agree with you that it should have been done that way. Nevertheless, I think that in view of the fact that the two last World Wars were generated by the frictions among these very countries, that some kind of cooperative unification of Europe was called for.

Now the fact that it is presently inward-looking is too bad. Our job is to try to make it outward-looking, but I wouldn't regret the fact that they are moving toward unity in Europe.

Mr. Rolfson. I think perhaps this idea goes a little beyond that, though. That in the past and possibly still now, what we should have done and should be doing is not only encouraging a united Europe, independent of us, but making a greater commitment ourselves in this organization, economically——

Senator Fulbright. I didn't get that point. I agree with that. Yes, we should. But there is a great resistance here in our country to do it, but I would favor that and I think we ought to do it.

Mr. Rolfson. What would you do? How would you start?

Senator Fulbright. What I recently suggested was a very minor thing, the creation of what we call an Atlantic Consultative Assembly, to make the step of bringing their people and ours together in a regular institutionalized manner, the representatives of all of these countries, going beyond the Six, including Scandinavia.

Mr. Rolfson. For law-making purposes?

Senator Fulbright. No, I say consultative assembly. I think that is the first step. I don't think you could get that step. You know, as Erick Hoffer puts it, the ordeal of change is a very serious matter and to get anyone to adjust to a new idea is a major undertaking and I just think you would fail.

I think they would allow perhaps a consultative assembly which has been recommended, as a result of the meeting, as you will remember, that Herter and Will Clayton sponsored, or were our principal representatives. I think this is a step in that direction. It is consistent with the OECD. The OECD is demanding a parliamentarians' conference and if we could merge that in a way with the NATO parliamentarians' conference, maybe we can get a conference including more than the Six and then we could move toward consultative bodies and then later perhaps something stronger. We cannot foresee how it would develop but that is one thing we could do.

Mr. Scali. Senator, if we can turn to the broader East-West picture for a moment, do you see any real opportunity in the days ahead of an accommodation between the United States and Russia which might flow out of the speech that the President made June 10 where he called for a reexamination of the cold war concept?

Senator Fulbright. Well, I approve of the speech. I don't think there is going to be any great sudden change in this business. I favor the gradual change as being the only realistic one.

I do think there are various circumstances that are moving now in a direction which might make it possible to alleviate the tensions of the cold war. The Chinese-Russian discussion is one of them. The vast cost of these armaments programs, which must affect Russia as it affects us, and the, I think, general settling down of their activities. I notice they are curbing their foreign aid program. I think they are disillusioned with their experience in Iraq, Indonesia, and other places. I think the prospects are that we are going to do it for different reasons than theirs, but some of the same reasons. I think there is a possibility here. They haven't been too offensive about Berlin lately, and so on.

Therefore I think it is timely and I think an expression by the President of this kind leads to a discussion. I would hope such discussions can take place and small, tentative agreements made. Tentative in the sense that they don't solve the problem, but honestly I think when you examine the great problems that we are having internally and that they are having with China, it creates further matters which we have in common.

Mr. Rolfson. You listed the Russian-Chinese conference as one of the things that might alleviate it. Does that mean you see out of this conference coming a softer Chinese line rather than a harder Russian line?

Senator Fulbright. No; I would hope it would confirm in the Russian's mind that they have more in common with the Western peoples, the Europeans as well as ourselves, than they do with the Chinese, because the Chinese, if I interpret what they are saying, it is that they do not accept the concept of coexistence; they demand the continuation of violence, the violent revolution wherever it can be had and promoted and I think the Russians recognize the dangers themselves if we have a nuclear war.

The Russians are more conscious of the destruction of a possible nuclear war. They have more to lose in another sense, having accomplished a good deal in the rebuilding of their country. There are many reasons of this nature which I think might lead the Russians to take a different view from the Chinese. The Chinese give every evidence of having very little fear of a nuclear war. Furthermore, the Chinese are much closer to the Russians than they are to us. We get excited about Cuba. Well, what if you had 600 million people right on your border, as the Russians have, why wouldn't you be excited about that? We have only 6 million down here, 90 miles from our coast.

All of these things go together. I think it is worth examining, anyway. I thought his statement there was worthwhile.

Mr. Scali. Senator, you mentioned the possibility of some tentative agreements in limited areas. Do you think that these should be explored and pursued at the diplomatic working level or perhaps elevated to the point of a summit conference?

Senator Fulbright. No, I think the first. That is where they should be explored, at the lower level, diplomatic and at most a ministerial before you get—I am not an advocate of summit meetings before you get anywhere.

Mr. Scali. In that connection, as you know, Averell Harriman is flying to Moscow in mid-July.

Senator Fulbright. Yes.

Mr. Scali. Do you see this as perhaps one of the wedges that could open this whole area?

Senator Fulbright. Well, this is the sort of thing that ought to be going on all the time, to discuss these matters. Now they have apparently agreed on the so-called hot line. I wouldn't overemphasize its significance, but it is something.

I think they are still hopeful that maybe something in the test ban area might be developed. Nothing concrete has yet come out. I don't know that it will, but I think we ought to keep plugging on these matters. After all, you are still faced with the alternative of this finally escalating into a nuclear war if we don't do something.

Mr. Rolfson. Senator, the Republican leadership in Congress was extremely scornful of this whole American University speech, the nuclear test and all the rest, and the idea that our policy should try to encourage the Russians toward a more enlightened policy and so forth.

Senator Fulbright. Yes.

Mr. Rolfson. They have complained that the President was shooting from the hip without consulting with them. Do you think there is some big error here in the administration in not bringing the Republicans in more at the beginning of such policies as these?

Senator Fulbright. Well, I rather think it would be wise to consult more with them, although I am not personally aware of just how little he has consulted. Naturally if he consults with them, I don't always know it, and I am not always there. I think on the other hand everybody is beginning, I think prematurely, to become interested in the 1964 election and I think that colors this a little bit.

There is a tremendous ad in this morning's paper, a whole full-page ad, with a great national rally for Mr. Goldwater, already within a week or two.

I think it is going to make it a long campaign, but I do think that it is wise to consult the opposition, any government that is in power.

Mr. Scali. Of course, the opponents of this new Presidential approach characterize it as a sign that the accommodators have taken over the direction of our foreign policy. They don't answer when they say "Well, do you mean appeasers?" They say "No, we will let the word 'accommodator' stand."

Senator Fulbright. I guess there is a revival. This is what they emphasized in the early fifties under McCarthy and they have always thought this was paydirt, that this was politically profitable. I think they have overworked Cuba for this same reason, seeking to say that the Democrats are soft on communism. I think it is too bad. This is a very bad thing to restrict the freedom of action of our Government, whatever government it is, whether it is the Republicans under Eisenhower or under Kennedy, he ought to be free in this area to try to do what he can to avoid a nuclear war. I think this is dangerous politics, but it is not new. It is a continuation of it. We have had it in Cuba and I regret it.

Mr. Rolfson. Let me ask about Cuba. Premier Castro has come back from Russia feeling very confident about his position and powers. Do you think we are going to have to live with him for a long time in Cuba?

Senator Fulbright. I rather think so, unless he does something very foolish. I think there was a time, of course, when we might have invaded, at the time when we had a real excuse back last October. We didn't. We chose another route. At the time I think that was generally applauded, but anyway I see no excuse now to mount an offensive.

Mr. Rolfson. How about the Russians? Do we have to live with them too, in Cuba? Their troops?

Senator Fulbright. I think so, unless you wish to take—unless you wish to mount an invasion and go to war about it. I don't think it is sufficiently important to warrant a full-scale invasion and this is what I think you are talking about. What I object to of those who criticize it so vigorously is they go right up to the point and you say "Do you advocate an invasion," and they say "No." But everything said prior to that would lead to no other conclusion.

Now I think either you invade or you don't. I think what they are doing is everything short of an invasion to isolate this man, I think.

Now that reminds me of another item which I would like to mention in this connection, allied with Cuba, and it is this developing situation in British Guinea.

Now Mrs. Jagan down there, whom as you know is generally believed to be a full-fledged Communist—she came from Chicago and is very bright and very aggressive, is now the Home Secretary, and she recently made a statement thanking Fidel Castro for his assistance when they were stuck, meaning they have received food, rice and other materials to keep the Government going during this very, very bad period of a long strike and internal chaos practically.

Now I think it would be a great mistake, and I hope the British do not pursue this policy of withdrawal and independence under these conditions. I know it is out of character for us to say not to withdraw, but I think these conditions warrant us at least doing what we can to persuade the British not to give up their control.

Their Coldstream Guards have been protecting the unloading of these Cuban supplies and the loading of the Russian ship and I would not like to see an extension, another Communist country in Latin America, on the mainland.

Mr. Scali. If the British feel because of various things that they have to withdraw and Premier Jagan sets up a full-fledged Communist government there, do you think there is anything the United States could and should do?

Senator Fulbright. Well, I would certainly try to think of something I could do. I believe there are things we could do. But I would hope the British wouldn't. They are in there legally and the conditions are not of their creation. I think there is every justification for them delaying at least their withdrawal.

Mr. Rolfson. I am sorry, Senator, I am going to have to interrupt. Our time is up. Thank you very much, Senator Fulbright, for being with us on "Issues and Answers."

Senator Fulbright. Thank you for inviting me.

The Announcer. This concludes this week's "Issues and Answers" with Senator J. William Fulbright.

Next week at this time our guest will be the former Director of the U.S. Central Intelligence Agency, Mr. Allen W. Dulles. We hope you will be with us.

SCHOOL INTEGRATION IN NEW YORK

Mr. JAVITS. Madam President, the great debate on civil rights which is sweeping the Nation at this time is quite properly directed to the problems of segregation and discrimination in all parts of the Nation, not merely in the South. Much remains to be done in all sections, but it must be recognized that the problems differ from region to region and from city to city. One of the major points of difference is the degree to which the public and governmental climate of the particular area is dedicated to eliminating the discriminatory practices which still plague its institutions. I have always been proud of the leadership which the State of New York has exerted in this field and I bring to the attention of my colleagues a most interesting recent Federal district court decision in New York in the celebrated New Rochelle school desegregation case, which was the pilot suit involving school desegregation in the North. This decision, by the Honorable Irving R. Kaufman, judge of the U.S. Court of Appeals for the Second Circuit, describing the excellent efforts being made by the governmental structure of New Rochelle and of the State of New York, as well as by the entire community in New Rochelle in order to comply with the 1954 Supreme Court decision, is a landmark of good will which I hope will be repeated throughout the country.

I ask unanimous consent that the most important and learned opinion of the court be printed in the Record at this point in my remarks.

There being no objection, the opinion was ordered to be printed in the Record, as follows:

[U.S. District Court for the Southern District of New York—60 Civ. 4098]

Leslie Taylor and Kevin Taylor, Minors, by Wilbert Taylor and Hallie Taylor, Their Parents and Next Friends, and Marjorie Williams and Roslyn Williams, Minors, by Rudolph Williams and Marjorie Williams, Their Parents and Next Friends, and Cheryl Ann Williams, a Minor, by Ula Williams, Her Mother and Next Friend, and Lynn Garland, a Minor, by Thomas Garland, Her Father and Next Friend, and Benjamin Hall, Lonnie Hall, Michelee Hall and Velma Hall, Minors, by Barbara Hall, Their Mother and Next Friend, and Marilene Murphy, a Minor, by Walter Murphy and Willene Murphy, Her Parents and Next Friends, and for These and All Others Similarly Situated and Who May Become Parties to This Action, Plaintiffs, *v.* the Board of Education of the City School District of the City of New Rochelle, and Herbert C. Clish, as Superintendent of Schools of the City School District of the City of New Rochelle, Defendants

Appearances: Paul Zuber, attorney for plaintiffs; Murray C. Fuerst, attorney for board of education; Robert M. Morgenthau, U.S. attorney, by Eugene R. Anderson and David R. Hyde.

Irving R. Kaufman, C.J. (delivered from the bench): I have been pleased to hear from Dr. Frank F. Marino, chairman of the Board of Education of the City of New Rochelle, and other members of the board, as well as Dr. David G. Salten, superintendent of schools, who addressed the court this morning.

This is a most gratifying day for this court, for in 2 years we have come full circle from a period in which national attention was focused upon New Rochelle as a northern community condoning segregation to a period in which the Nation will view New Rochelle as a trailblazer in solving the problem of providing truly equal educational opportunity for all. I want publicly to thank Messrs. Fuerst and Zuber who, as counsel for the respective parties, have performed a great service not only to the community and to this court, but to the entire Nation as well.

In less than 10 years, the legal and social complexion of our Nation has undergone a dramatic change. The epochal decision of the U.S. Supreme Court in *Brown* v. *Board of Education*, 349 U.S. 294 (1954), has worked a revolution in American race relations. The tempo of that revolution is ever quickening and its reverberations have not been confined to any one part of our Nation. Indeed, the President of the United States has recently noted that the problem of equal opportunity regardless of race is "not a sectional problem—it is nationwide."

The truth of this statement is confirmed by the case history of New Rochelle's Lincoln School integration litigation, the judicial phases of which are, hopefully, drawing to a close. In order that the application now before this court may be set in context, a brief statement of that history will be undertaken.

New Rochelle, a suburb of New York City is, as we know, located in southeastern Westchester County. In late 1960, a class action was initiated in this court by several Negro children enrolled in the Lincoln School, a public elementary school operated by the Board of Education of the City of New Rochelle, which was named as one of the defendants. In this action, the plaintiffs charged that Lincoln School, situated in central New Rochelle, then with an enrollment of approximately 94 percent Negroes, had been deliberately created and maintained by the board as a racially segregated school in violation of the 14th amendment to the Federal Constitution. After a trial, this court found, 191 F. Supp. 181 (S.D.N.Y. 1961), that the school board, in 1930, had gerrymandered the district in which the Lincoln School was located in order that a large portion of its white students would be excluded and permitted to attend the nearby Webster and Mayflower schools; that within the 4 years following, the boundaries of the Lincoln district were manipulated so as to incorporate the ever-increasing Negro population; that until 1949, the board assured the continuance of Lincoln School as a Negro school by permitting white students resident within the district to transfer to schools outside the district; and that after 1949, when further transfers were forbidden, the school board did nothing to alter the status quo or to ameliorate the serious racial imbalance in the Lincoln School which it had caused to be brought about.

It followed, therefore, that this court was constrained to find that the deliberate efforts to maintain the Lincoln School as a segregated educational institution worked a deprivation of the equal protection of the laws constitutionally proscribed by the 14th amendment as interpreted by the Supreme Court in *Brown* v. *Board of Education*, supra. As I noted at that time, "The conduct of responsible school officials has operated to deny to Negro children the opportunities for a full and meaningful educational experience guaranteed to them by the 14th amendment," 191 F. Supp. at 182–93.

In order to cure this social illness, this court directed the board to present a plan to remedy the illegality. The board proposed such a plan which, with considerable modification, was adopted as the decree of the court, in May 1961, 195 F. Supp. 231 (S.D.N.Y. 1961). In essence, the decree provided for a completely optional transfer of all Lincoln students to any schools having sufficient room to receive them without the imposition of any requirements for minimal academic achievement or emotional adjustment. Further provisions were incorporated in order fully to effectuate the spirit of the optional transfer plan; but, the decree provided that the board was under no obligation to furnish transportation to pupils transferring under the terms of the decree. The decree concluded with the provision that "The court shall retain jurisdiction over this case to assure full compliance with this decree." This court, then, is still seized of jurisdiction over this case and over the administration of the terms of the decree.

I now have before me an application by the present school board—whose composition is substantially different from that of the board at the time of the original decree—seeking certain amendments and modifications of that decree.

It is clear that this application has been precipitated by the changing circumstances in New Rochelle which have followed upon the board's efforts to comply with this court's order. On the date of the commencement of this litigation, Lincoln School had an enrollment of 483 students, of whom 454, or 94 percent, were Negro. As a result of the transfer of Lincoln students to the city's 11 other elementary schools, the percentage of Negro students dropped immediately to approximately 89 percent. A year and a half later, in April 1963, the entire student population at Lincoln School was less than half what it was when this court entered its decree; only 210 pupils had chosen to remain enrolled at this antiquated school, constructed 65 years ago.

The economic and social impact of this mass exodus has been perceptively analyzed and extrapolated by the present forward-looking school board. The operation of Lincoln School has become economically unfeasible due to the greatly diminished size of the student body; as of April of this year, although the average annual per capita cost of education in all the New Rochelle elementary schools was approximately $877 per student, the cost of educating a student at Lincoln was somewhat more than $1,057. As the student body will continue to decrease the cost per Lincoln School student will increase. It has become obvious to the present board that the Lincoln School must be closed and permanently shut down.

But more at the heart of this proceeding is the school board's fear—grounded in a sincere desire to conform not only with the letter but with the spirit of this court's decree—a fear that the continuation of the plan of free optional transfer, pursuant to the terms of the decree, will result in an unbalanced racial population in schools adjacent to the Lincoln district. The board in effect urges that strict compliance with the original decree, now that Lincoln School is being closed down, will pose a serious threat of de facto racial segregation in those contiguous schools, if the remaining students at Lincoln are permitted to exercise a free choice of school to be attended.

The school board and its enlightened superintendent of schools, Dr. David G. Salten, a nationally recognized educator—after holding two public hearings in May of this year, at which 1,300 and 900 citizens, respectively, were in attendance and 98 speakers heard; after attending many meetings of PTA groups, and civic and neighborhood associations; and after consulting with experts in the field and with those representing the interests of the Negro population of the Lincoln district—therefore asks this court to amend and modify the letter of the decree in order that its spirit may best be perpetuated.

In my original opinion in this litigation, I expressed my sincere belief in the proposition that the desegregation problem in the Lincoln district could be solved by "men of good will, wisdom and ingenuity," 191 F. Supp. at 193. It is gratifying that, among the membership of the present school board, New Rochelle has found such men. It is obvious that these are men of heart and of broad vision. They have taken a most commendable and farsighted step in projecting the philosophy which underlay the original decree—and by their action will minimize or perhaps avoid the problem, plaguing so many other communities, of racial imbalance in their system of education. This reaffirmation of respect for man and law is gratifying and timely, for it is an antidote to those familiar instances where Federal court decrees have been flaunted by high officials sworn to uphold the law.

Obstruction, delay, and unrest have characterized much of our national struggle against educational and racial inequality. But this small northern community—whose population, composed of various races and religions, might represent our Nation in microcosm—has provided this Nation with an example and a model of sound public leadership.

Indeed, the immediate and energetic efforts of the school board to comply with this court's mandate might well be viewed as a precursor of the widely acclaimed position taken only last week by James E. Allen, Jr., commissioner of education for the State of New York.

The President of the United States, a few short days ago, registered a plea for an end to racial strife, mass picketing and protest meetings which almost inevitably trigger violence. He urged that the forum for solving the racial question be shifted from the streets to the courts. Certainly, that is the first step. But, as I noted in my original opinion: "Litigation is an unsatisfactory way to resolve issues such as have been presented here. It is costly, time consuming—causing further delays in the implementation of constitutional rights—and further inflames the emotions of the partisans," 191 F. Supp. at 197. In short, our legal system can only go so far in inculcating morality. Today, in light of the school board's appearance before this court, I feel even more strongly that the task of securing full equality of educational opportunity among the races is best achieved not by a court which is ill-equipped to control day-to-day problems of educational policy, but by private citizens, men of good will, prepared to act affirmatively in pursuance of our basic law and with a devotion to community betterment.

Thus, in the instant case, the New Rochelle School Board has taken the initiative and, after investigation and consultation, has proposed several modifications in the May 1961 decree of this court.

With the closing of the Lincoln School and the accompanying need for enlightened placement of the students living within the Lincoln district, the board proposes to provide bus transportation to these students on a basis identical to that provided throughout New Rochelle—that is, transportation to any school destination within 1½ and 10 miles of the student's home. As the school board has stated in its report on its proposed plan to the citizens of New Rochelle: "Transportation will be a key factor in our efforts to maintain an ethnic balance in our elementary schools and to prevent the emergence of segregated schools." This report further states: "Any solution for the problems at Lincoln must be resolved on the basis of what is good for the school system and the community as a whole. Closing the school and transporting its students to outlying areas fulfills this criterion because it avoids tipping contiguous schools and enables students in outlying as well as in the central schools to attend an integrated school."

I have been advised that the additional cost to each of the residents of New Rochelle once the benefits of bus transportation are extended to the students in question will be insignificant. It must also be noted that, pursuant to State law, 90 percent of the transportation costs incurred in the city of New Rochelle will be borne by New York State in the 1963–64 and successive school years, and only 10 percent by the city. In short, the burdens resulting from the implementation of the proposed transportation plan are infinitesimal when compared to its benefits.

I am convinced that the closing of Lincoln School, conjoined with free bus transportation for former pupils there to other schools within the city will have a salutary influence in securing true equality of educational opportunity for all parties before this court. This proposed modification, which would eliminate paragraph 7 of the original order decreeing that Lincoln transferees were to provide their own transportation, is therefore adopted by this court.

The more fundamental modification of the decree proposed by the school board is the deletion of paragraphs 1 and 2 which deal with the optional transfer plan and the substitution therefor of a provision designed to permit the board to assign students residing within the Lincoln district where necessary to secure or maintain racial balance within the elementary school system. Such a provision would repose in the board discretion in the assignment of pupils in order best to effectuate the principles announced in the original opinion of this court. Viewing this proposed modification in light of the school board's demonstrated genuine support for those principles, this court has decided to so modify its decree. Compliance therewith will be insured, if ever necessary, by this court's continued retention of jurisdiction over the case, in pursuance to the final paragraph of the decree and to the general principles of equity.

The decree is modified as provided for in the amended decree entered this day.

And so, as the board in its "Comprehensive Plan for Educational Excellence—A Report to All Citizens of New Rochelle," dated May 14, 1963, stated: "The eyes of the entire Nation are fixed upon our community and received national attention." The Nation will now observe how men of compassion and foresight have faced up to the racial problem of their community and with courage undertaken the task of solving it.

IRVING R. KAUFMAN,
U.S. Circuit Judge.

JUNE 24, 1963.

SHIPWORK CHEAPER IN PRIVATE YARDS

Mr. BREWSTER. Madam President, I ask unanimous consent to insert in the RECORD an article which appeared in the Boston Globe, June 9, 1963, and which was entitled "Shipwork Cheaper in Private Yards."

The author, Allen M. Smythe, is a reputable financial writer. His article explains the efforts made to change the congressional mandate requiring that private shipbuilding firms handle 35 percent of naval vessel repairs and thus save 20 to 30 percent in cost to the taxpayers.

Madam President, the private shipbuilding industry of this Nation is in a slump; yet our defense officials, rather than aid our hard-pressed private yards, prefer to have all work done in naval shipyards operated by the Government.

I hope that my colleagues will examine this problem carefully and give thought to the necessity of maintaining and protecting private industry against expensive Federal competition.

There being no objection,, the article was ordered to be printed in the Record, as follows:

[From the Boston Globe, June 9, 1963]

Shipwork Cheaper in Private Yards

(By Allen M. Smythe)

The Navy, disturbed by some aspects of a survey made to determine comparative costs between naval shipyards and private shipbuilding plants, adopted a news management plan that has backfired.

The survey, made under a $197,000 Navy contract issued to Arthur Anderson & Co., a New York auditing firm, was expected to furnish cost data to influence congressional legislation. The Navy wants Congress to eliminate a proviso in the appropriation bill that requires 35 percent of the repairs for naval vessels to be made in private shipyards.

For some time Navy officials and some Federal unions favorable to the Navy attitude have been testifying before the Senate and House using the Anderson report as a basis for their arguments. Groups opposed to the change could not see the report and the Navy belatedly stated the House Appropriation Committee was holding up the release.

Congressman George H. Mahon, Democrat, of Texas, chairman of the defense fiscal group, reacted vigorously by saying: "The release of this report was never the responsibility of our committee." Navy public relations officers wished to release but were overruled by top admirals and the Navy Secretary.

John E. Moss, Democrat, of California, chairman of the Government Operations Subcommittee whose group has criticized Defense restrictive news policies, commented, "It's just another instance of the withholding of facts that have no pertinancy to the security of the Nation. It should have been released." He asked Navy Secretary Fred Korth for an explanation.

The Navy does not keep records of its present-day assets but estimates that the 11 navy yards would be valued at $4 or $5 billion. Private shipyards including small boatbuilding yards are valued at $738.4 million.

Andrew Pettis, vice president of the Union of Shipbuilding Workers and prominent labor leader, said "It is silly for the Navy to claim that their big, cumbersome yards can compete with private shipyards. Their costs are 25 to 30 percent higher."

Edwin M. Hood, president of the Shipbuilders Council, said: "The fact that the Anderson survey report has not been released raises more questions than it answers. A similar study for the private industry last year was never held under wraps and showed the cost for all types of naval ships work—new construction, alterations, repair, and conversion—were 20 to 28 percent higher in naval shipyards."

Hood also pointed out that the Navy reported that $63 million in repair work had been given to private shipyards in the last 6 months of 1962 and that his group's members reported less than half of that amount.

Hood described as ridiculous the statement that private shipyards had been given $127.6 million in conversions. "We have only a fraction of that amount."

Private shipyards handle 49 percent, dollarwise, of all Navy shipwork. This is because of a high percentage—around 70 percent—of new construction. They have 48,760 employees for this work. The Navy employs 97,300 men for their share. Navy wages average 15 percent higher than private firms.

The Anderson survey shows Navy costs to be 10 to 25.4 percent higher for various kinds of shipwork. If taxes paid by private shipyards were eliminated, the percentage would range from 14 to 30.

NUCLEAR TEST BAN TREATY AND WITHDRAWAL FROM SOUTH VIETNAM

Mr. THURMOND. Madam President, I call to the attention of the Senate two recent full page advertisements which have appeared in some of the Nation's largest daily newspapers. I have studied these advertisements most carefully and they cause me untold concern because in one, a group of prominent American businessmen have put themselves on record as favoring a test ban treaty with the Communists, and I am convinced that these gentlemen have made this move without full facts and without realizing that a nuclear test ban arrangement with the Communists would be nothing more than a nuclear test ban trap for the United States and the free world. The other group of prominent clergymen have had the temerity to suggest to the public that the United States get out of South Vietnam because the existing Government there is supposedly suppressing freedom of religion.

Madam President, how stupid can any group of clergymen get when they suggest to the public that by getting out of South Vietnam and letting the Communists take over—and there could be no other result to follow such a foolish move—that freedom of religion would be restored, if indeed it is actually being suppressed to any substantial degree.

Madam President, we all know, or should know, that the Communists recognize no God save materialism and the worship of man. All we have to do is look at Tibet and the tragic treatment given there to the religious leaders of that country which was permitted to fall to the forces of communism.

The first advertisement appeared in the Wall Street Journal on Monday, June 24, 1963, in a full page advertisement entitled "Why Business Leaders Want a Nuclear Test Ban Treaty." The second was published in the Washington Post on Thursday, June 27, 1963, entitled "We, Too, Protest."

The Wall Street Journal advertisement provides a good illustration of a point I made in my June 3, 1963, newsletter when I stated:

> The United States, along with some of its major allies, has apparently become obsessed with obtaining from the Soviets a treaty banning nuclear tests. This obsession is based on fear, a fear which is felt by a large share of the public. This fear is based not on factual information, but on misconceptions and misunderstandings of a relatively new and highly technical subject on which few facts have been disclosed. In fact, even fewer of those disclosed facts have been presented in perspective. Many hearings have been conducted by congressional committees on the subject of a nuclear test ban, and Government officials and scientists have spoken frequently on the subject. Despite all the attention, however, these sources of information have failed miserably to communicate to the public, and even to the Congress, an organized, complete and understandable presentation of the issues and considerations involved.

Since this advertisement is such a blatant example of the administration's duplicity in propagandizing loyal citizens in favor of a test ban on one hand and withholding information from the public on the other hand, I ask unanimous consent that it be printed in the Record at this point.

Madam President, I will not discuss this advertisement in its entirety, but only certain key parts in the hope that this will be enough to encourage these august gentlemen to reexamine their positions.

Madam President, nuclear tests are required for the following reasons:

First, To provide an effective defense against Soviet ICBM's; second, to provide our Nation with a certain capability to penetrate Soviet missile defenses employing nuclear warheads; and third, to assure the immunity of our second strike missile systems to a surprise enemy nuclear attack; and, to develop specialized nuclear warheads to defend our Nation against satellite bombs and other terror weapons with which the free world has been threatened.

Madam President, the administration could help to further enlighten these businessmen and the public if our leaders would be more candid about the limitations of our detection techniques in the atmosphere and outer space and below the ground, especially since the recent exposé that the Soviets on June 12 fired a nuclear detonation showing their contempt for the President's June 10 moratorium.

An effective test ban treaty might be in our interest if we could be certain that the Soviets have not made a major breakthrough. We can only find this out if we test. We may find out the hard way, if they have discovered nuclear effects such as electromagnetic pulses, and so forth, which may affect our so-called second strike force. If their last test produced a technological breakthrough and they are moving into production of large missiles and supramegaton warheads, serious trouble lies ahead. If we decided to test and make a similar discovery a few years hence, it would be too late. At this stage, if the Soviets should desire to issue an ultimatum—and they surely would—such a nuclear threat would instantly reduce us to a second-class power or worse.

As a parting thought to these gentlemen, experts have stated that there is only one way to stop proliferation—shoot all scientists, all physicists, burn all textbooks relating to science and wipe out all people associated with the art. This may sound silly, but it is as silly as stating that proliferation will be stopped by a test ban treaty with the U.S.S.R.

I would also suggest to the endorsers that they use their combined fortunes and influence to get the administration to be candid with them and the public about the key point in their advertisement. They should also ask after securing this information the real objective of the test ban is not in reality "confidence building," or "accommodation"—or in other words, make the Soviets like us, as expressed by Dr. Walt W. Rostow, chairman of the State Department's Policy Planning Council, at the Pugwash Conference in Moscow in 1960.

Madam President, I ask unanimous consent that the advertisement on a nuclear test ban treaty be printed in the RECORD at this point.

There being no objection, the advertisement was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, June 24, 1963]

WHY BUSINESS LEADERS WANT A NUCLEAR TEST BAN TREATY

Differences of opinion in a democratic society, such as ours, are normal and welcome.

On one subject, Americans can have no difference of opinion—that the security of our country must be maintained intact, whatever the costs, whatever the sacrifices each of us may be called upon to make.

That we are living on the threshold of peril is one of the conditions of our life since man unlocked the secret of the atom.

In the past decade, our country has spent $500 billion for our defense system at the rate of some $50 billion per year. Today, our military power is superior to that of the Russians, in size, diversification, and sophistication.

No one can guarantee that calculation or accident will not produce a nuclear war in which mankind will perish.

In the past year, the President of the United States has exercised his awesome responsibility to authorize his representatives to negotiate an effective test ban treaty with the U.S.S.R. as being in the security interests of the United States and in order to prevent the proliferation of nuclear weapons, lest by 1970 there be 15, 20, or 25 nuclear powers, instead of the present 4. Nuclear science technology is not static and the present monopoly of the four powers may soon be broken. Moreover, without a test ban treaty, time is on the side of the Russians, permitting them to move forward to close the gap between our power and theirs.

There can be no challenge to the unique knowledge of the President as to what constitutes the security interests of our country.

Those who oppose a test ban treaty, base it on fear lest the Russians cheat, even if they sign a treaty; and our vulnerability if they do so. But a sober appraisal of the realistic situation reveals that the United States is not entrusting or exposing its defenses to the mercy of any other country, with or without a treaty.

Our military power is, in no wise, diminished under the proposed treaty. Our arms are neither junked, nor reduced, nor enjoined from reproduction.

Our monitoring system is certain in the atmosphere; detection techniques in outer space can detect explosions beyond the distance of the sun, hundreds of millions of miles away from the earth. In only one area—underground testing, of minor importance militarily, say the scientists—do we require U.S.S.R. cooperation in detection. And even there, current detection systems have almost the same capability as a system inside the Soviet Union. Since our seismological advances continue, our dependence on monitors inside the Soviet Union may also diminish.

Our research on new weapons continues to the last point, except for testing.

And what we are enjoined from doing, so are the Russians.

Do we need new weapons for security? Our present arsenal is superior to the Russians and sufficient to destroy every vestige of life 125 times over in 2,000 of the largest cities in the world (100,000 population or over).

And as the President pointed out on February 21, 1963: "We test and test and finally get weapons which are increasingly sophisticated. But the fact of the matter is that someone may test 10 or 15 times and get a weapon which is not nearly as good as the megaton weapons, but, nevertheless, are 2 or 3 times the weapons which destroyed Hiroshima and Nagasaki, and that was dreadful enough.

"So I think we have a great deal to gain, if we can get a test agreement."

The proliferation of nuclear arms is as dangerous to the U.S.S.R. as it is to the rest of humanity. Self-interest and self-interest alone will dictate Soviet adherence to a test ban treaty. And Russia's stake is nothing less than survival.

The fact of the matter is, as the President stated last February, "that the Soviet Union did accept in September a condition which they denied over the past 2 years or so—inspection. Now, what we are disagreeing about is the number of inspections, but, at least, the principle of inspection is accepted."

In essence, a test ban treaty is an experiment in trust which, if it produces sufficient mutual confidence, could eventually lead to disarmament in careful stages.

For both the Russian and the American people, even a small reduction in military spending means a large improvement in economic standards.

For the Russians, shortages in consumer goods could be satisfied. For the American people, needed investments in education, housing, resource development, health and medical services, now lagging, could be made possible.

An effective test ban treaty lifts the ominous pall which overhangs and opens the door to rationality, and, therefore, to hope in a constructive world.

Such risks as may be involved in a test ban treaty should not be magnified. The gains to be achieved far outweigh them.

We, therefore, commend and support the administrations' continuing efforts to achieve an effective test ban treaty with the U.S.S.R., confident that our own security will be protected and also world survival.

G. T. Baker, executive vice president, National Airlines, Inc.; Morton J. Baum, president, Hickey-Freeman Co.; Joseph L. Block, chairman, Inland Steel Co.; Harry A. Bullis, former chairman of the board, General Mills Corp.; chairman of the Council on World Tensions, Inc.; William L. Clayton, former Undersecretary of State and founder of Anderson, Clayton & Co.; John T. Connor, president, Merck & Co., Inc.; Oscar de Lima, chairman, Roger Smith Hotels Corp.; Marriner S. Eccles, chairman, Utah Construction & Mining Co.; M. B. Folsom, director, Eastman Kodak Co.; Bowman Gray, chairman, R. J. Reynolds Tobacco Co.; Elisha Gray, chairman, Whirlpool Corp.; Earle V. Grover, chairman, Apex Steel Corp., Ltd.; Joel Hunter, president, Crucible Steel Co. of America; Wayne A. Johnston, president, Illinois Central Railroad; Philip M. Klutznick, former U.S. Ambassador to the Social and Economic Council, United Nations; president of Klutznick Enterprises; Armand May, president, American Associated Companies; William E. Robinson, former chairman, the Coca Cola Co.; Herman Steinkraus, retired president, Bridgeport Brass Co.; former president, Chamber of Commerce of the United States; president of the American Association for the United Nations; James Symes, chairman, Pennsylvania Railroad Co.; J. Cameron Thomson, former chairman, Northwest Bancorporation; David J. Winton, chairman, Winton Lumber Co.

Mr. THURMOND. Madam President, the second full page advertisement, "We, Too, Protest," which appeared in the Washington Post on June 27, 1963, is another of the persistent attempts to discredit Mr. Diem, President of South Vietnam and to force the United States to leave South Vietnam and, in fact, all of southeast Asia to the Communists. As usual this type of propaganda is again based upon half truths.

Mr. Diem has been able to stem the tide of communism against repeated and powerful onslaughts by the combined Communist regimes of the U.S.S.R., Communist China, and North Vietnam.

Very little evidence has been produced on the denial of religious freedom, and this only in vague terms. Little has been written on what the actual Buddhist grievances have been and very little on the attempts to settle this matter.

Our country's aid to South Vietnam has been to stop the march of communism toward their goal of world domination. To stop communism and save southeast Asia is in our own national interest.

The crop-destroying chemicals criticized in the ad have been used to destroy foliage in areas infested by Communist guerrillas. The immorality twist given by the ad is an extension of Communist propaganda in a very skillful manner. Perhaps these gentlemen should have checked with the U.S. Army on the truth concerning the so-called crop-destroying chemicals.

The herding of people into "strategic hamlets" in South Vietnam is a protective device against Communist guerrillas. The sponsors of the advertisement neglect to place the blame on the true culprits—the Communists.

As for the unjust, undemocratic, and unstable regime, this is again a clever extension of Communist propaganda. The "universally regarded" is a clever, vague propaganda term. I will agree that Mr. Diem's regime is universally regarded as unjust, undemocratic and unstable from the Communist point of view.

As for, "the fiction that this is fighting for freedom," what would these gentlemen suggest in a country fighting for survival: free elections Communist style or recognition of the Communist guerrillas controlled by the Hanoi-Peiping-Moscow axis?

These alleged protests in public and within our country against Mr. Diem are largely unfounded, unwarranted and aid and abet the Communist enemy. The four protest points made in this ad are so similar to Communist propaganda that they cast serious doubt on the judgment of these gentlemen, regardless of their intentions or motivations.

Madam President, I ask unanimous consent that this advertisement be printed at the conclusion of these remarks.

There being no objection, the advertisement was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, June 27, 1963]

WE, TOO, PROTEST

We, American clergymen of various faiths, also protest. **We** protest:

1. Our country's military aid to those who denied him religious freedom.
2. The immoral spraying of parts of South Vietnam with crop-destroying chemicals and the herding of many of its people into concentration camps called "strategic hamlets."
3. The loss of American lives and billions of dollars to bolster a regime universally regarded as unjust, undemocratic, and unstable.
4. The fiction that this is "fighting for freedom."

Rev. Dr. Judah Cahn, Rabbi, Metropolitan Synagogue, New York City; Rev. Dr. Harry Emerson Fosdick, Minister Emeritus, Riverside Church, New York City; Rev. Dr. Donald Szantho Harrington, Minister, Community Church, New York City; Rev. Dr. John Haynes Holmes, Minister Emeritus, Community Church, New York City; Rev. Dr. Edward E. Klein, Rabbi, Stephen Wise Free Synagogue, New York City; Rev. Dr. Julius Mark, Rabbi, Temple Emanuel, New York City; Rev. Donald W. McKinney, Minister, First Unitarian Church, Brooklyn, New York; Rev. Dr. Reinhold Niebuhr, Professor Emeritus, Union Theological Seminary, New York City; Rt. Rev. James A. Pike, Bishop of California; Rev. Hozen Seki, Minister, Buddhist Church, New York City, and Rev. Dr. Ralph W. Sockman, Minister Emeritus, Christ Church (Methodist), New York City.

(Organizations listed for purposes of identification only.)

Mr. KUCHEL. Madam President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senate will state it.

Mr. KUCHEL. What business pends before the Senate?

The ACTING PRESIDENT pro tempore. The Senate is still in the morning hour.

Mr. KUCHEL. Madam President, if there is no further morning business, may the morning hour be closed?

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

AMENDMENT OF DISTRICT OF COLUMBIA REDEVELOPMENT ACT OF 1945

Mr. KUCHEL. Madam President, I move that the Senate proceed to the consideration of the unfinished business.

The ACTING PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 628) to amend the District of Columbia Redevelopment Act of 1945.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to; and the Senate resumed the consideration of the bill.

ORDER OF BUSINESS

Mr. JAVITS obtained the floor.

Mr. JAVITS. Madam President, I ask unanimous consent that I may yield to the Senator from Pennsylvania [Mr. CLARK] for 10 minutes, without losing my right to the floor.

The ACTING PRESIDENT pro tempore. Is there objection to the request by the Senator from New York? The Chair hears none, and it is so ordered.

THE MANPOWER REVOLUTION AND THE CANCER OF JOB DISCRIMINATION

Mr. CLARK. Madam President, on behalf of Senators MANSFIELD, RANDOLPH, PELL, KENNEDY, JAVITS, PROUTY, and myself, I introduce, for appropriate reference, amendments to the Manpower Development and Training Act which carry out the recommendations contained in the President's civil rights message of June 19.

I ask unanimous consent that the text of the bill may be printed in the RECORD, at the conclusion of my remarks.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Pennsylvania? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. CLARK. Madam President, I ask unanimous consent that the bill may lie on the desk, for additional cosponsors, until a week from today.

Madam President, since there are amendments to the Manpower Development and Training Act, which in turn came from the Committee on Labor and Public Welfare when it was first passed, I ask unanimous consent that the bill may be referred to the Committee on Labor and Public Welfare.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested, and be referred to the Committee on Labor and Public Welfare.

The bill (S. 1831) to amend the Manpower Development and Training Act of 1962, introduced by Mr. CLARK (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. CLARK. Madam President, the bill deals with one of the most explosive and tragic problems haunting the country today—youth unemployment; particularly that unemployment which oppresses young and unwitting victims of racial discrimination.

No issue harbors graver dangers for the American future; none poisons our national conscience more; none is more wasteful of our national wealth. To provide the opportunities for useful citizenship—which means, in the final analysis, the right to a job—is not a matter of civil rights only. Nor is it solely a matter of justice. The right to work, in keeping with one's talents, is the basis for all other rights in our society. It is a right imbedded in the American experiment. It was formalized in the Employment Act of 1946. And our failure to make that right a reality for every American youth betrays the promise implicit in our civilization. In its most tragic form it betrays those culturally deprived youths who, for reasons which have nothing to do with their own abilities, must struggle through life under the heavy burden of prejudice and discrimination with no opportunity to make their own contribution to the progress of society.

For more than a month now, the Subcommittee on Employment and Manpower of the Committee on Labor and Public Welfare has been engaged in a prolonged study of the Nation's nagging unemployment problem. While the diagnosis remains incomplete, some of the causes are already clear. One of the most acute sources of joblessness in America today is our failure to give substantial numbers of young people the skills, education, and the experience to compete in an economy which is changing profoundly in the kinds of talents and skills it requires. We are in the midst of a "manpower revolution" in which the terms of successful employment are far different from those of the past. The jobs of the future will not be pick and shovel jobs. They will require skill, literacy, adaptability—assets which can be provided only through adequate educational opportunities and training. Unfortunately, minority youths raised in poverty and squalor are all too often short on precisely that educational background they would need to compete for a job under even normal conditions.

Unemployment among youths is three times that among adults. And among the victims of discrimination it is twice as high as among all others.

The bill introduced here today attempts to deal with but a part of this awesome problem. There is no single panacea, no easy answer to youth unemployment. Its cure lies, in the main, in educational opportunity.

The amendments to the Manpower Development and Training Act modify that important program in several respects in order to meet the problem of unemployment among educationally deprived minority groups and youth:

TRAINING FOR FUNCTIONAL LITERACY AND WORK SKILLS

The bill would add a new subsection (h) to section 202 of the Manpower Development and Training Act so that many who are unable to participate because of a lack of basic education will be given the requisite literacy, and would then be able to pursue the courses of occupational training available under the present terms of the act. There are at the present time 300,000 functional illiterates walking the streets, looking for work and willing to work.

Referrals to these special educational courses would be considered as referrals within the present meaning of the act. An additional 52 weeks of training allowances are authorized since many of the participants will need more than 1 year of combined training and basic education in order to meet the training purposes of the act. Certain perfecting amendments are proposed for sections 231, 302, and 305 of the act to carry out the purposes of this provision, and to enable State education agencies to provide the necessary programs.

LOWER AGE LIMITS FOR PARTICIPATION IN THE MANPOWER DEVELOPMENT AND TRAINING PROGRAM

The bill also amends subsection (c) of section 203 of the act to expand the possibilities of training youth under the program. It does this by lowering the eligible age limit from 19 to 16. The amendment increases from 5 to 15 percent the amount of total training allowances provided by the act which may be allocated to the training of young people. This more accurately reflects the proportion of this age group among the total unemployed and will permit us to reach more of those in most acute need of training for employment.

In his message the President asked for additional funds to take care of the expanded employment programs he recommended. The amendments introduced today do not include any new monetary authorization. This is because other legislation before Congress might affect the sums necessary. This applies particularly to S. 1716, introduced by Senator Randolph on behalf of Senators McNamara, Pell, Kennedy, McIntyre, and myself on June 13. That bill would extend full Federal funding of programs under the Manpower Development and Training Act an additional year in order that more States and communities may participate.

The Employment and Manpower Subcommittee, which I chair in the Committee on Labor and Public Welfare, will begin hearings on S. 1716 and today's amendments to the Manpower Development and Training Act, starting Tuesday, July 17. Should the amount of newly authorized funds necessary become clear at that time, the subcommittee will consider steps to provide them.

Following action on these bills, the subcommittee will then proceed to hold hearings on S. 773, S. 1210, and S. 1211, all of them fair employment practices legislation. It is my hope that Senator Humphrey will have introduced similar legislation for consideration by the subcommittee at the same time.

No one maintains for a moment that this legislation—or any Federal legislation—will solve the problems of employment discrimination and youth unemployment by itself. But there are many things the Congress must do to help.

Certainly, one of them must be to extend the Juvenile Delinquency and Youth Offenses Control Act of 1961 so that some American cities are afforded the opportunity, with Federal help, to deal for the first time on a comprehensive basis with the problems of idle youth.

President Kennedy set forth the problem clearly in his civil rights message when he pointed out that the dangerously high levels of unemployment among Negro youth create "an atmosphere of frustration, resentment, and unrest which does not bode well for the future. Delinquency, vandalism, gang warfare, disease, slums, and the high cost of public welfare and crime are all directly related to unemployment among whites and Negroes alike." "There is little value," the President stated, "in a Negro's obtaining the right to be admitted to hotels and restaurants if he has no cash in his pocket and no job."

The juvenile delinquency demonstration program affords a unique opportunity to provide new educational and cultural settings for idle youths in which they can find their way to gainful employment and the full rights of citizenship.

For this reason, I shall introduce—with the cosponsorship of other Senators—an extension of the present delinquency program within the next few weeks.

I agree with the President, however, when he said last March in Chicago that there is no single magic solution to our manpower problems.

Action is required on many fronts.

Public opinion is only beginning to awaken to the monumental employment challenge which lies ahead.

We have reared a technology capable of supplying an increasing share of society's material needs without corresponding increases in the levels of employment required to manufacture them. We have moved from a blue-collar to a white-collar economy.

We need only look at the statistics to see what the future holds.

At present the economy has surprised the economists. It is still on the rise 28 months after the last recession hit bottom in February 1961. The recovery has outlived the life expectancy of every business upturn since the end of World War I, and there is every prospect these trends will continue until the end of the year. It is true that our growth rate is far from sufficient, but: The gross national product has broken loose from the 1960 plateau and increased by $8.3 billion in the first quarter of the year.

In May, personal income increased by $2 billion.

Although corporate profits have failed to match the unusually high levels of late last year, they were still up $3 billion in the first quarter of the year.

New investment in plant and equipment is expected to rise another 5 percent during the remainder of the year.

And here is the paradox: while the economy climbs, employment stagnates. While more and more goods are produced and the general level of affluence rises, we fail to match these increases with corresponding increases in new job opportunities.

As a result, unemployment, seasonally adjusted, stands at 5.9 percent of the Nation's labor force, a figure which has remained practically stable for 5 years. Unemployment in the midst of plenty.

Increases in productivity through technological and other improvements displace about 1,400,000 workers each year. In addition, new entrants coming into the labor force have swelled by a million over the number entering last year, and this will continue through 1970. At present, we must provide in the neighborhood of 2,400,000 new jobs each year.

We are failing to meet that goal by a wide mark. The number of new jobs created has dropped from about 900,000 per year 10 years ago to about 500,000 per year over the last 5.

To absorb those displaced by advancing technology, as well as the ballooning numbers of new workers from the "war babies" generation, the Nation would have to have a prolonged growth rate of between 5 and 6 percent—a rate of growth we have never realized for prolonged periods of time.

Aggravating the challenge is the changing nature of the labor force our economy requires.

Throughout most of human history, the overwhelming majority of workers found employment among the unskilled tasks in agriculture and manufacturing. Education was important, but as a requisite for earning a livelihood it was essential only to the more skilled occupations and professions.

Today, repetitive labor is increasingly relegated to machines. Equally disturbing, a good bit of accounting, bookkeeping, and other white collar chores can also be left to machines.

More and more the demand is for human labor to do those things machines cannot do. And to satisfy these needs a new kind of labor force is required.

This is the "manpower revolution." This is the challenge before us. And there are no easy answers to it.

Mr. President, I ask at this time unanimous consent to insert in the Record the report of the AFL-CIO entitled "The Coming Crisis—Youth Without Work."

There being no objection, the report was ordered to be printed in the Record, as follows:

The Coming Crisis: Youth Without Work

When young people reach working age, they are at an important stage in their lives. It is the time to begin developing some work experience and skills. It is the time to assume a greater understanding of the responsibilities of being an adult and a member of a community. They are no longer children. For many, it is a time of marriage and the start of their own families.

These are important, formative years. It is a time when their ideas and attitudes—toward life and toward society—begin to take on a permanent mold. But without a decent opportunity to get started—without jobs—the ideas and attitudes developed during these formative years are bound to be twisted by the disappointments and frustrations they suffer.

It is for this reason that the problem of unemployment among young people warrants special attention. Jobless, disappointed youths quickly grasped at the solutions offered by Hitler. They provided a good base upon which to build the Nazi movement in prewar Germany.

Any totalitarian movement, be it Nazi, Fascist or Communist, directs its efforts toward those who have grievances, whether real or imaginary. And in the United States, in the years ahead, the grievances of our rapidly expanding youth population can be quite real indeed, if they are denied a reasonable chance for jobs.

The dangers of large scale unemployment among youths is not only a matter of economic hardship and deprivation and wasted manpower. Even more important is the fact that it represents a potential threat to society, not only in street gangs, crime, and delinquency, but in even more serious forms. It can become a threat to our way of life, not only from the young people who are unemployed, but from the adults who today are passing through the years of their youth without a decent opportunity to get started in life. It is, therefore, only logical to be vitally concerned over the prospects for the future, with 26 million youngsters entering the labor force during this decade.

During the 1960's the United States will feel the impact of the largest labor force increase for any 10-year period in its history.

By 1970, the labor force will total 85.5 million—a rise of 12.6 million or 17 percent over 1960, according to Department of Labor estimates.[1] Of even greater significance, however, is the tremendous increase in the number of young people who will be seeking work for the first time.

Almost one-half the total increase in the labor force during this decade will be youths 24 years of age and under. In 1970, there will be nearly 20 million young men and women in the work force. In 1960, there were only 13.7 million.

In other words, while the total labor force is growing by 17 percent, the number of youths in the labor force will be increasing by 45 percent—nearly three times as fast. By way of contrast, in 1960 there were only 400,000 more youths in the labor force than in 1950.

All told, between 1960 and 1970, 26 million young people will enter the labor force to seek work for the first time. Between 1950 and 1960, only 19 million did so.

The sharp rise in the number of young workers in the 1960's is the result of the baby boom of the 1940's, particularly after the end of World War II. Previously, during the years of the great depression the United States had a low birth rate. As a result, the number of young people who entered the labor force during most of the 1950's was relatively low—less than 2 million each year.

The number of young men and women entering the labor force began to rise during the late 1950's and has been rising ever since. It will continue to move up in the years ahead as more of the babies of the 1940's become young adults.

In 1960 over 2 million new young workers entered the labor force for the first time; in 1965 there will be over 2.5 million; in 1970, 3 million. Furthermore, the high birth rate of the 1950's makes it certain this level—3 million new young workers each year—will continue beyond 1970.

This big expansion in the number of young people in the labor force, when considered in combination with the present high rate of unemployment among young workers, is cause for concern. Unemployment currently is very high for the labor force as a whole, but it is two to three times worse for young people. And with 26 million new young workers entering the labor force in the 1960's, unemployment can become a dangerously explosive problem in the next few years.

YOUTH UNEMPLOYMENT IN 1962

In 1962, the unemployment rate for the country as a whole was 5.6 percent. But that figure is nothing more than an average—the average of the impact of unemployment on all workers in the labor force—men and women, the skilled and unskilled, the self-employed and the wage earners, the young and the old, the white and the nonwhite. For some groups, the unemployment rate was less than 5.6 percent, and for others it was more. And in the case of young people under 25 years of age who generally suffer from a lack of skill and experience, it was considerably more.

Although the labor force includes boys and girls who are 14 and 15 years of age, as a practical matter there are relatively few of these youngsters in the workforce. By and large, those of this age group who are in the labor force are part-time workers, employed outside of school hours. Compared to older youths, these youngsters have relatively low unemployment rates—7.3 percent for boys and 6.7 percent for girls.

The picture changes sharply, however, for teenagers between 16 and 19 years of age. For them, the unemployment rate in 1962, for both boys and girls, was over 14.5 percent—nearly three times the rate for the full labor force. About one out of seven of these teenagers was unemployed in 1962.

It is this age group, 16 through 19, that makes up the vast majority of new young workers seeking jobs for the first time. Most, of course, are high school graduates, but many are school dropouts who leave at the first opportunity—at 16 years of age or soon thereafter.

For youths between the ages of 20 and 24, the unemployment rate declines as compared to 16 to 19-year olds. In the 20- to 24-year age group are young people who have graduated from college and who have, of course, reasonably good chances for employment. And those in this age group who have graduated from high school, or dropped out, already have been in the labor market several years. As a result, they have accumulated some work experience and some skills which enable them to fare better than those under 20 years of age. Last year, the unemployment rate for the 20- to 24-year old youths, both men and women, was about 9 percent—somewhat less than double the rate of 5.6 percent for the Nation as a whole.

Within each of these age groups, as is true of older groups as well, there are wide variations. Unemployment is more frequent among youths with less education and among those who are nonwhite—that is, Negro, Indians, Orientals, Filipinos and other darker-skinned people.

The net effect of these high rates of unemployment among young people was that 1.4 million youths between 16 and 24 years of age were counted as unemployed in 1962. This was more than one-third of the total unemployment in the Nation—4 million—although these young people accounted for less than 17 percent of the labor force. Taken as a group, the unemployment rate for youths 16 through 24 years of age was 11.3 percent—double the rate for the labor force as a whole. This means, of course, that one of every nine youths in this age group who were in the labor force was unemployed.

Some of them, of course, were still in school and were looking for part-time work only. The vast majority, however, were seeking full-time jobs.

More important than the number of young people who were seeking part-time jobs is the number of youths who were working parttime and who wanted full-time work but could not find it. In 1962, there were over 400,000 youths between 18 and 24 years of age who were working parttime in nonfarm industries, involuntarily. About 170,000 of them were on short workweeks, although their jobs were normally full time. In addition, nearly 250,000 had jobs in which they regularly worked only parttime because this is all the job called for—but they would have taken full-time jobs if they could have found them.

Even these figures—that is, the high rate of unemployment and the forced part-time employment—do not tell the full story of the failure of the economy to measure up to the job needs of America's young people. Persons are counted by the Government as unemployed only when they are actively looking for work. However, when jobs are scarce—as they have been during recent years—many who want jobs do not bother to look for work because they are discouraged and feel it is hopeless. Such persons are considered not in the labor force and, therefore, they are not counted as unemployed, even though they would take jobs if they could find them.

It is difficult to determine the exact number of people who fit this description. But in 1962 there were nearly 400,000 young men and women—mostly young men—between the ages of 16 and 24 who were not in school, not at work and not keeping house and not seeking jobs, even though they were physically able to work. They were not in the labor force and no doubt account for the thousands upon thousands of youths who were just hanging around.

Thus the situation is much more critical than even the high unemployment rate suggests. Even after eliminating those unemployed youths who were still in school and looking only for part-time work, it is a safe guess that approximately 1.5 million youths 16 to 24 years of age were out of school and out of work last year—over 1 million counted officially as unemployed and some 400,000 who were no longer in the labor force. And when those who were forced to work part-time simply because full-time jobs were not available are included, it would appear that nearly 2 million young people in America were unemployed or underemployed in 1962.

THE SOCIAL DYNAMITE

With the tremendous boom in the Nation's youth population during the current decade, there is no telling what youth unemployment might total by 1970, when there will be 20 million youths in the labor force. Large-scale unemployment among the younger generation can have disastrous results. Even now, as has been suggested by Dr. James Conant, former president of Harvard University, youth unemployment has all the makings of social dynamite.

Street gangs, delinquency, and crime already have become major problems in many of the Nation's cities. There can be no doubt that this antisocial behavior is rooted in large-scale unemployment and the deprivation and disappointment that go with it. Without jobs, it is too much to expect that the unemployed young people will be constructive members of the community. Rejected by the society in which they live, they rebel against it and society pays the price. Few American cities are free of this burden.

In New York City alone, a report to the mayor in 1962 estimated that 75,000 young men and women under 25 years of age were out of school and out of work.

Shocking as this may sound, it adds up to a very conservative estimate when placed next to some of the findings of the National Committee on Children and Youth. In reporting on one of the metropolitan communities, Dr. Conant described the situation in these words:

"In a slum area of 125,000 people, mostly Negro, a sampling of the youth population shows that roughly 70 percent of the boys and girls between ages 16 and 21 are out of school and unemployed. When one stops to consider that the total population in this district is equal to that of a good size independent city, the magnitude of the problem is appalling and the challenge to our society is clear."

Similarly, a recent study of graduates of a large Detroit high school discovered that, 3 years after graduation, nearly 50 percent of the class not only was unemployed but had had no work experience at all since leaving school 3 years earlier.

While youth unemployment, like unemployment generally, is especially heavy among Negroes, it is not limited to nonwhites only. Whites in the labor force far outnumber the nonwhites. Basically, it is a problem of inadequate job opportunities for all young people, white or nonwhite. And with the rate of increase in the youth population in this country during the current decade, this can have implications that go far beyond the antisocial behavior of crime and delinquency.

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[1] The labor force includes all persons 14 years of age and over who are (1) working or (2) are unemployed and seeking work. The labor force increases each year because there are more entrants into the labor force than there are those who leave it through death, retirement or other reasons.

IMPACT OF AUTOMATION

Given the performance of the U.S. economy over the last 10 years, during which unemployment has doubled, there is little cause for optimism over the future. Not only has unemployment increased substantially but so has part-time employment. While total employment—full time and part time—rose by less than 6 million in the United States between 1953 and 1962, at least 50 percent of the total was in part-time employment only.

Without a boost in economic activity in the years ahead, youngsters will find it exceedingly difficult to secure decent jobs, especially in an era of increased use of automation for which workers must have more education and training than in the past.

The plain fact is that, for the modern labor market, not enough of them will go to college and too many of them will be school dropouts, while the increased use of automation will be causing employers to seek a more educated and a more skilled work force. It is true a greater proportion of youths are staying in school longer and the percentage of dropouts will decline. But it also is true that during the 1960's—with 26 million young people new to the labor force—about 30 percent of all the new young workers, some 7.5 million, will be school dropouts.

Increasingly, the job market is for scientists, engineers, technicians, skilled workers, and professionals, occupations which require college or some other form of advanced training and/or experience; or for less skilled white-collar occupations—typists, clerks, salesmen—for which many of the youths, and especially the school dropouts, are not readily qualified.

The problem of job opportunities for young people, something which is a problem even when jobs are plentiful, has been aggravated by these employment shifts in the economy. More and more manpower is being devoted to providing services and relatively less to producing goods. As a consequence, many jobs which formerly offered youngsters their first employment experience, such as production and maintenance jobs in manufacturing, have disappeared.

Between 1953 and 1962, the number of production and maintenance workers in manufacturing fell from 14 million to 12.4 million, a loss of 1.6 million jobs, and the trend has been the same in other goods-producing industries.

Over the same period, employment in agriculture has been reduced to 5.2 million, a decline of nearly 1.5 million jobs. Although farming is still a source of employment for many youngsters, it is a shrinking one. And many of the jobs it provides are only part-time, on family farms where productivity is low and where the family is barely eking out a living. For many young people, it is something they fall back on simply because they cannot find regular, full-time employment in the city.

In bituminous coalmining, another goods-producing industry which formerly provided many with their first work experience, employment has declined by over 250,000 since 1948.

Actually, the only major goods-producing industry in which employment has not decreased is construction. But here it has not increased much either. Between 1953 and 1957 total employment in construction rose by 300,000—but since 1957 it has declined 200,000. And many of these jobs require skills that youngsters, just out of school, simply do not have.

While employment has been dwindling in the goods-producing industries, such as manufacturing, mining, and agriculture, which employ predominantly blue-collar workers, the reverse has been true for those industries which employ mainly white-collar workers. In wholesale and retail trade, in finance and insurance and in government, employment has been rising—not enough to meet the demand for jobs from a growing labor force—but nevertheless rising. Similarly, there has been an increase in white-collar jobs in manufacturing, such as professional, clerical, technical, and sales, although not nearly as much as the decline in the number of blue-collar jobs.

In recent years the impact of automation also has been felt in the industries employing mainly white-collar workers. In warehousing, in retailing, in insurance and in public utilities, for example, many of the operations have been automated and apparently this trend will continue. As a result, employment growth in these industries has slowed down. And, as in the goods-producing industries, the increased use of automation has meant the elimination of many of the unskilled and semiskilled jobs on which the young, inexperienced workers could depend for their first work opportunity.

The shift of employment away from goods-producing industries and over to those industries which provide services also has led to an increase in the number of jobs in those industries providing a variety of miscellaneous personal services. These range from beauty shops, to restaurants, to car washes. And while they provide some opportunity for low-skilled employment, many of the jobs are only part-time, as is true of a good number of the jobs in retail trade.

Furthermore, a fact frequently overlooked in connection with the shift of employment over to service-type industries is the additonal burden it represents for the school dropout, even in the unskilled occupations in these expanding industries. If he left school early and is unable to write, he cannot be a waiter; and if he cannot do arithmetic with some accuracy, he may find it difficult to get a job as a gas station attendant where he must make change.

The unskilled jobs—in the factories, in the mines and on the farms—that do not require much reading, writing and arithmetic are disappearing. And in their place are the jobs—even the unskilled jobs—which require these abilities. Yet 7.5 million young people will be dropping out of school during this decade and no doubt many of them will not be able to read, write or do arithmetic well enough even for employment in unskilled occupations.

Employment and unemployment of youths, 14 through 24 years of age, 1962

[In thousands, except percent]

	Age—					
	Men—			Women—		
	14 to 15	16 to 19	20 to 24	14 to 15	16 to 19	20 to 24
Civilian labor force	780	2,769	4,279	460	2,146	2,803
Employed:						
Farm	197	413	293	49	70	50
Nonfarm	518	1,949	3,605	380	1,763	2,498
Total	715	2,362	3,898	429	1,833	2,548
Unemployed	65	407	381	31	313	255
Unemployment rate (percent)	8.3	14.7	8.9	6.7	14.6	9.1
Part-time workers in nonfarm industries who wanted full-time work	(1)	[2] 215	141	(1)	[2] 141	95
Dropped out of labor force [3]	30	156	125	27	72	43

[1] Not available separately.

[2] Includes 14- to 15-year olds.

[3] Average for year (excluding June, July, August, and September) of those not in school, not keeping house, and not at work although physically able to work.

Source: U.S. Bureau of Labor Statistics.

Occupations of high school graduates and dropouts,[1] age 16 through 24, 1960 and 1961

[In percent]

	Men		Women	
	Graduates	Dropouts	Graduates	Dropouts
Professional and technical workers	0.9	1.3	2.7	2.0
Farmers and farm managers	2.3	.6	----------	----------
Business owners and managers	3.4	.6	0.1	----------
Clerical workers	12.5	4.8	63.8	17.0
Sales workers	4.2	2.2	5.6	9.5
Craftsmen	11.7	4.5	.3	----------
Semiskilled workers	32.8	33.3	8.5	14.3
Private household workers	----------	1.3	4.1	19.0
Service workers, except household	6.0	9.3	11.4	21.8
Farm laborers	10.0	20.5	3.2	16.3
Nonfarm laborers	16.2	21.5	.3	----------
Total	100.0	100.0	100.0	100.0

[1] As of October 1961.

Source: U.S. Bureau of Labor Statistics.

THE DISADVANTAGED DROPOUT

The sum total of these employment shifts in our economy is making it more and more difficult for young people to find employment.

For those who go on to college, the job outlook is, of course, good. At the other extreme—for the school dropout—it is bleak because even high school graduates find it exceedingly difficult to gain the first foothold in the labor market.

It is often assumed that those who drop out of school are not good students. This is not always the case, for many of the dropouts apparently are of average, or above average, intelligence. They leave school for many reasons—because they do not like it or because they are failing in their studies or because of the need to go to work or because of marriage.

In a special study[2] covering seven cities, the U.S. Bureau of Labor Statistics found that over half of the high school dropouts—54 percent—were of at least average intelligence. While this number was well below that for the school graduates—79 percent of whom were generally found to be of average intelligence or higher—it does indicate a substantial portion of school dropouts are capable of doing satisfactory school work. By quitting school, however, the dropout not only shuts the door on further formal education but also on any real opportunity in the job market. This fact is borne out by reports of the U.S. Bureau of Labor Statistics, which conducts surveys each October on the labor force experience of recent high school graduates and dropouts.

In October 1961, 4 months after they graduated from high school, 18.5 percent or nearly one of every five of the boys who did not go on to college were unemployed. They totaled 55,000. This is, of course, a very high rate of unemployment and should be a source of considerable concern.

A source of even greater concern, however, is that the unemployment rate among those who dropped out of school in 1961 was 28 percent—42,000 out of 179,000 or nearly 3 of every 10.

With such difficulty in finding jobs, it is not surprising that discouragement takes hold and many young people stop looking for work. They simply leave the labor force even though they may want to work. Accordingly, in addition to those boys who were officially counted as unemployed in October 1961—the 55,000 graduates and the 42,000 school dropouts—there were an additional 48,000 who graduated from school in 1961 and 29,000 who had dropped out who were out of the labor force by October.

As these figures indicate, the dropout is at a distinct disadvantage as compared to the high school graduate. And this disadvantage is not remedied by the passage of time. The handicap remains. Consequently, of the young men who had dropped out of school in 1959, more than one out of six was unemployed in October 1961. In contrast, among those who had graduated high school in 1959, only about 1 out of 14 was unemployed in October of 1961.

The disadvantage of the school dropout, as compared to the high school graduate, is not limited to more frequent unemployment. He must also face the prospect that, when employed, it will frequently be in occupations which are not only low paying and unskilled, but which also are often just part-time jobs.

Although forced part-time employment has been an increasing problem for the entire economy over the last 10 years, it is the school dropout who, apparently, is most apt to suffer this fate. In October 1961, among those who had graduated high school that year, and who were employed in nonfarm industries, less than 8 percent were working part-time involuntarily. On the other hand, among the 175,000 youths who had dropped out of school in 1961, and who were employed in October of that year, 40,000—more than 20 percent—were compelled to work only part-time because they could not find full-time jobs.

The explanation of the high proportion of part-time work among school dropouts can be traced to the types of jobs in which they managed to find employment. For example, among the boys who dropped out of school in 1960 or 1961, over 50 percent of those who were employed in October 1961 were found working as farm and nonfarm laborers or in service occupations, which would include gas station attendants, messengers, busboys, etc. These are occupations in which part-time work is frequently the norm. In contrast to this, the majority of the employed youngsters who graduated high school in 1960 and in 1961 were working outside these occupations in October of 1961.

The same pattern holds for young girls. Nearly two-thirds of the girls who graduated high school in 1960 and 1961, and who were at work in October 1961, were employed in clerical occupations. Among the girls who had dropped out of school during those 2 years, nearly 60 percent of those who were employed were working at farm labor jobs and in service work, including private household work—occupations in which part-time work is quite usual.

Because the dropout is often unemployed and because he frequently can find only low-paying and part-time work, he has less income in comparison with those workers who graduated school. Indeed, in the job market, education is worth money because there is a direct relationship between income and education of workers.

The BLS seven-city study of the work experience of high school graduates and dropouts showed the earnings of the graduates were considerably above those of the dropouts. According to that study, at the time they were interviewed only 15 percent of the young men graduates were earning less than $50 per week, while 44 percent of the school dropouts were earning below that amount.

Similarly, among the girls the graduates fared much better than the dropouts. Fifty percent of those who graduated high school were earning less than $50 per week, but among those who dropped out of school there were 82 percent whose weekly income was less than that amount.

The money advantages of more education also are shown by the income reports for the population of the United States. According to the U.S. Bureau of the Census, (1) men with less than a high school education have annual incomes below the national average and (2) men with a high school education or more are above the national average. In 1961, while the average income for the year for all men was $4,189, those who had not attended high school at all averaged $2,651; those with some high school averaged $3,865; those who graduated high school averaged $5,052; and those with 4 years of college averaged $7,261.

However, because of the impact of racial discrimination on employment opportunities, the income of nonwhite workers was less than it was for white workers, given the same amount of education. Nonwhite men found it necessary to have more than a high school education in order for their incomes to be above the national average. At the same time, white males were able to surpass the national average with only a high school education.

RACIAL DISCRIMINATION

As these figures on the incomes of workers suggest, nonwhites in the labor market have a very special problem. Forced into crowded slums and lacking in equal opportunity to compete on the basis of ability, too many nonwhite youngsters are being robbed of any motivation to stay in school. A high percentage are not completing their education. In 1961, there were 102,000 nonwhite graduates from school while 71,000 dropped out. In contrast, among the whites, for each dropout there were 3 high school graduates. And inevitably this lack of education leads to a higher incidence of unemployment.

In 1961, for example, the unemployment rate for nonwhite boys ages 14 to 17 was 25.4 percent. For white boys of the same age, it was half that amount—13.3 percent.

This pattern of discrimination in employment starts with the youngster's entry into the labor force, as evidenced by the unemployment rate for the 14- to 17-year-old nonwhite boys, and it remains. Accordingly, the unemployment rate for nonwhite young men who had graduated high school in 1959 was 16.7 percent—one out of every six—in October 1961. At the same time, the unemployment rate for the white youths who had also graduated in 1959 was only 7.2 percent.

In addition to more opportunities for unemployment, nonwhite youths when employed have fewer opportunities to break out of unskilled occupations, even though they graduate from high school. As a consequence in October 1961 nearly one-half of the nonwhite young men between 16 and 24 years of age, who had graduated school before 1959, were found in occupations requiring few skills. They were in service work and performing labor jobs, which are often part-time work at low wages. On the other hand, less than 20 percent of the white young men who had graduated before 1959 were found in these occupations.

The picture painted by these statistics is an ugly one, but even more disturbing were the findings of the special studies conducted by the National Committee for Children and Youth. This is how Dr. Conant described the situation in one city, where the problems of discrimination and school dropouts interact:

"In a slum section composed almost entirely of Negroes in one of our largest cities the following situation was found: A total of 59 percent of the male youth between the ages of 16 and 21 were out of school and unemployed. They were roaming the streets. Of the boys who graduated from high school, 48 percent were unemployed in contrast to 63 percent of the boys who had dropped out of school. In short, two-thirds of the male dropouts did not have jobs and about half of the high school graduates did not have jobs. In such a situation, a pupil may well ask why bother to stay in school when graduation for half the boys opens onto a dead-end street?"

And when he drops out of school the cycle starts all over again. He marries and because of the disadvantage of being a dropout, combined with the added disadvantage of being nonwhite, he is unable to provide adequately for his family. They will live in slums and his children, deprived of decent surroundings, may lack the necessary motivation to stay in school, or because of the family's financial situation be forced to quit school for work. And so the cycle starts again for yet another generation.

TOWARD A SOLUTION

If the challenge represented by the tremendous increase in new young workers during this current decade—26 million by 1970, of whom 7.5 million will be school dropouts—is to be effectively met, it will require a full-scale attack on the causes of high unemployment among youths. These causes include the lack of job opportunities, the lack of adequate education and training of youngsters before they enter the labor market, the high rate of dropouts and the existence of discrimination which leads to a denial of equal employment opportunity for nonwhites.

The young people coming into the labor market must be given the opportunity to have decent jobs—fulltime jobs at decent wages—and they must be given the chance to become constructive members of society instead of a social problem loaded with dynamite. At the present rate of progress, or lack of it, they are more apt to be a problem, full of discontent and despair and at war with society.

A truly effective program to combat youth unemployment must include an attack on the deprivation and poverty, and the unemployment and underemployment, suffered by their parents and the social conditions which force them into slums. For these are at the roots of the lack of proper motivation for education.

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[2] "From School to Work—the Early Employment Experience of Youth in Seven Communities 1952–57."—U.S. Bureau of Labor Statistics.

Proper motivation, however, is difficult to establish in slums and in homes in which the major concern is not with long-range plans and hopes, but with the very real problem of the next meal. And the home surroundings are crucial in developing the drive and desire for more education. A youngster is more apt to acquire the right attitude in a home in which education is appreciated and in which the reading of books is the usual thing. But this type of atmosphere is hard to come by in low-income families where there is a feeling of want and despair and constant concern for next week's income.

It is obvious that many boys and girls who quit school would not do so if the family financial circumstances were different. Some are forced to quit because the family urgently needs some added income. Others do so because they want spending money which the family breadwinner cannot provide and because there is no great desire to remain in school or there is even disinterest in education.

What is lacking in motivation from the home can frequently, at least in part, be provided by the school itself. But not in crowded classrooms, where teachers are overworked and where the atmosphere is dingy, if not depressing. Especially for the youngsters who are of at least average intelligence—and over 50 percent of the dropouts are—improved surroundings might have a very beneficial effect in reducing the numbers of dropouts. If the education process could be made more pleasant, in terms of the physical facilities and the quality of instruction, with smaller classes, there can be no doubt that more youngsters could be motivated to continue their education.

For those who are not academically inclined, proper counseling could induce them to stay in school for vocational training, especially if the training made it more certain that a job could be found upon graduation. This means, of course, that vocational education for the potential dropout as well as for those who plan such careers must be improved and updated because much of the training today is for skills now obsolete.

Together with the drive to keep more boys and girls in school longer, rapid progress must be made in the field of equal employment opportunity. Without this, efforts in the area of education will prove futile. If nonwhite youths believe they will face a color barrier, no matter what education they have and no matter how skilled they are, the desire and the drive, the motivation, will be drained from them.

All these efforts, however, will come to naught if there are not enough job opportunities. For this reason, the most urgent need is for an increase in the number of job opportunities. And for this there must be vigorous action by the Federal Government in many areas to stimulate the economy and increase employment—such as a tax cut this year, concentrated among the low and middle-income groups and an expanded public works program to put people to work. In addition, legislation such as the youth employment opportunities bill now moving through Congress is essential to help youth progress from school to work.

YOUTH EMPLOYMENT OPPORTUNITIES BILL

The youth employment opportunities bill is an effort, although a small one, to meet this need. It proposes to establish a Youth Conservation Corps—patterned after the very successful Civilian Conservation Corps of the the 1930's—and a Home-Town Youth Corps. It will enable young people 16 through 21 years of age to perform meaningful work in the field of conservation of natural resources and in public service facilities such as libraries, hospitals, playgrounds, etc.

The bill is, of course, a step in the right direction; it will permit young people to earn a modest income and at the same time to make a contribution to society by the constructive use of their time and energy. In doing so, they will be gaining experience in the simple but very important area of work discipline. At the same time they will be receiving some training. All this activity will help them to make the transition from school to work more easily.

The youth employment bill proposes to enroll in the Youth Conservation Corps up to 15,000 youths during the first year and 60,000 thereafter. For the Hometown Youth Corps, the bill would require each participating State or local agency to match the Federal Government's expenditure and it provides for 50,000 youths during the first year and whatever number Congress decides thereafter.

Compared to the job needs of America's growing number of youths—approximately 2.5 million per year now and 3 million per year by 1970—and the number already unemployed, this bill must be looked upon as an extremely modest effort. It could easily absorb two or three times the number of youths presently planned for. It is to be regarded, therefore, as but a first step.

The cost of the program will be more than outweighed by the contributions in resources, conservation and public service work that these young people will make. Even without this, however, the cost would be money well spent. For society cannot reject its young people without paying the consequences in terms of higher rates of delinquency and crime and the more direct costs associated with continued relief and unemployment.

Mr. CLARK. Madam President, I have cited on this floor on numerous occasions the "political lag" which prevents Congress from coping with urgent problems until they are upon us and we are in crisis.

Today, world civilization is too fast-paced, too much in ferment to be dealt with through politics by crisis. Congress must bring some foresight, some anticipation of future problems, some leadership to bear on national issues if it is to continue to exercise its role.

In no domestic area of concern is this more urgent than in the looming challenging of long term high unemployment.

The piecemeal approach to our national manpower problems will no longer suffice.

I am convinced that there already exists in the executive branch the knowledge and intentions to deal with future unemployment on a comprehensive, unified basis. But this wisdom is tempered by an awareness that the conventional wisdom in Congress is unprepared for any new departures. In the face of crisis, the Congress will continue "business as usual" until shocked out of the legislative doldrums by national protest.

Under such circumstances, the present administration has done a remarkably good job in getting many of the elements for an across-the-board attack on economic stagnation and unemployment on the statute books.

It has recognized the educational and training problems at the base of much of our unemployment problem and brought us the Manpower Development and Training Act. It has espoused a youth employment bill. It has presented us with an omnibus education bill which could go a long way toward meeting the educational demands of the new economy if enacted.

It has recognized the social roots of unemployment. The civil rights program of the President is the biggest jump forward in this field since the Emancipation Proclamation.

It has recognized the particular problems of areas in chronic economic distress by fighting for the establishment of the Area Redevelopment Administration. Through the accelerated public works program, it has paid special heed to the underinvestment in public facilities which makes attempts to rehabilitate depressed regions more difficult.

It has pressed forward with urgent investment programs which get at the physical roots of misery and economic stagnation in our cities.

With last year's Trade Expansion Act of 1962 it has addressed itself to the problems of foreign trade and the rigorous demands placed upon industry and labor by foreign competition.

Finally, it has remained sensitive to the role of Government in the rise and fall of the business cycle and is now attempting to stimulate growth through tax reduction. I hope it will not heed the siren songs of the special interests and abandon the equally important effort to remove hamstringing inequities in our tax laws which prevent the proper functioning of the economy.

All the elements for a frontal assault on retarded economic growth and sluggish employment are here. We have them. All that is missing is the coordination and continuity which is necessary so that these programs may be brought to bear, together, upon the employment and economic problems which confront us.

Other nations — democracies — have and are facing this problem, too. They are not frightened, however, by shadows in the hallway. They have not sacrificed public policy to hollow slogans. They are looking for solutions to the manpower revolution.

Take Sweden, for instance. On Friday of last week the Subcommittee on Employment and Manpower listened to three eminent representatives from that country describe the most comprehensive effort by a Western democracy to contend with unemployment. Appearing were Ernst Michanek, Swedish Under Secretary of Labor; Arne Geijer, President of the Swedish Confederation of Trade Unions; and Berthil Kugelberg, President of the Swedish Confederation of Employers.

To my knowledge, this is the first time witnesses have ever appeared before a congressional committee under the aegis of another government to testify on an American domestic problem. What they taught us was invaluable.

Madam President, I ask unanimous consent that two articles from the Washington Post of March 31 and June 29, both written by Frank C. Porter, be inserted in the Record at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Mar. 31, 1963]

LITTLE SWEDEN GIVES POINTERS TO CROESUS

(By Frank C. Porter)

A small Scandinavian country of 7.5 million persons is fast becoming an economic model for the world's most prosperous nation and its 185 million population.

The country of Sweden, and Swedish experts in increasing number are coming to the United States in a sort of reverse point 4 program to describe their economic magic.

To the Swedes, it is not magic—only good sense and a unique partnership between labor and management. But it is magic, of a sort, to a nation with 6 percent unemployment, a chronic deficit in international payments, bad labor-management relations, a neurotic preoccupation with flagging growth rates and a pathological fear of automation's effects.

Sweden, on the other hand, holds unemployment to 1.5 percent, has almost eliminated strikes, enjoys a surplus in international payments, holds prices low enough to be competitive in world markets, maintains a satisfactory if unspectacular growth rate, has learned to cope with automation problems and still preserves a free economy. Despite its 30-year Socialist regime, 91 percent of Sweden's productive capacity is in private hands.

REMARKABLE COLLABORATION

The flow of Swedish consultants began at the invitation of Arthur J. Goldberg when he was Labor Secretary. Three top Swedish officials appeared before the President's Advisory Committee on Labor-Management Policy last October. Three more addressed the Committee last week. Others have visited Washington over the past year.

Sweden's economic progress—its living standards and per capita national product are second only to those of the United States—stems largely from the collaboration of two huge, well-disciplined groups. One is the Swedish Employers Federation (SAF), with 16,500 members; the other, the General Federation of Swedish Trade Unions (LO), which includes 95 percent of the blue-collar work force.

In effect, it is an alliance between big business and big labor which conscientiously has kept big government out of its affairs.

The foundations were laid in 1906 when, after years of bitter industrial strife, the SAF voluntarily recognized the unions' right to organize and bargain. The alliance was firmly established in 1938 after 2 years of discussions between leaders of the two groups. They brought forth a remarkable document known as the Basic Agreement.

This provides machinery for central negotiations between the SAF and the LO on an industrywide basis with details worked out at lower levels. Each side disciplines its own members. Jurisdictional disputes are unknown and major strikes are a rarity.

In some ways, this alliance has more power than the government. The basic agreement set up a labor market board with three members from the LO, three from the SAF, and an impartial chairman. This board is the final arbiter in disputes affecting the "public interest," such as strikes in public utilities.

It rules on general questions such as dismissals and layoffs. It encourages labor mobility by paying a worker's moving expenses. It organizes and finances vocational and retraining programs.

LEVER AGAINST RECESSION

To moderate economic downswings, the board can call upon the government to undertake public works projects. It can regulate the flow of housing credit. More important, it sets policy on Sweden's investment reserve funds.

Under this program, industry may allocate up to 40 percent of its profits to a tax-free capital reservoir. Nearly half of these funds are deposited in the state bank to prevent the building up of excess liquidity. If the board determines that a recession threatens, industry may spend these funds on tax-free plant and equipment to help reinvigorate the economy.

Since 25 percent of Swedish production is exported (against 4 percent in the United States), management and labor understand the importance of keeping prices and wages low enough to remain competitive, officials stress. They also point out that Swedish labor welcomes technological change and has not fought automation.

This is in great part due to labor mobility and to the nation's 10-year experience with retraining programs, under which it keeps about 1 percent of the labor force continuously learning new skills.

American officials warn that Swedish methods are not necessarily adaptable to U.S. problems. The very magnitude and diversity of this country and the smallness and homogenity of Sweden dictate different approaches. Sweden does not have our racial problems, our burden as a leader in the cold war, our politically dictated inhibitions.

But it does have a lesson to teach us in industrial relations. Much of Sweden's prosperity can be traced directly to management-labor cooperation. It is not by mere accident that visiting Swedish experts are asked to explain their message before the President's Advisory Committee, which includes such antagonistic figures as Roger Blough, chairman of United States Steel, and David J. McDonald, president of the United Steel Workers of America.

[From the Washington Post, June 29, 1963]

SWEDEN, IT SEEMS, HAS NO LABOR PROBLEMS

(By Frank C. Porter)

On invitation, a tripartite panel of Swedish economic experts testified on Capitol Hill yesterday and left the legislators scratching their heads.

Unemployment?

In Sweden it has held between 1 and 2 percent over the past 20 years, Labor Under Secretary Ernest Michanek told the Senate Subcommittee on Employment and Manpower.

Automation?

Swedish labor embraces it wholeheartedly, said Arne Geijer, president of the Confederation of Swedish Trade Unions (LO).

A managed economy?

Sweden's socialist government interferes very little with private enterprise, which controls more than 90 percent of the nation's industry, explained Bertil Kugelberg, managing director of the Swedish Employers Confederation (SAF).

School dropouts?

"I never heard of any problem of that kind," Michanek replied.

The subcommittee, and members of the House Select Labor Subcommittee who joined it for the occasion, also heard that about 50 percent of Swedes go to college, against 25 percent here, that there has been no major strike for more than a decade despite the absence of compulsory arbitration, and that private employment agencies have been banned for the last 20 years.

The latter point took the American legislators by surprise. They have lately been caught in a crossfire between the U.S. Employment Service and private agencies, which accuses USES of attempting to build a manpower monopoly. What is the Swedish attitude, the members wished to know.

"We feel job placement should be free, without cost," Michanek said. "It should not be handled on a profit basis."

Michanek, Geijer, and Kugelberg are becoming a familiar team in Washington, having traveled here several times to brief Americans on the Swedish system.

They dwelt at length yesterday on how Sweden has achieved full employment, a high production rate, comparatively stable prices, and labor peace through a unique partnership among business, labor, and government.

Chairman JOSEPH S. CLARK, Democrat, of Pennsylvania, hailed this common effort as "the most successful policy of dealing with manpower problems of any country in the world."

He also noted that the methods so well suited to a small, homogeneous nation like Sweden might not be adaptable to such a large, heterogeneous country as the United States.

But there was common recognition among subcommittee members that if the exact Swedish methodology could not be introduced here, the spirit behind it could be.

Looking at Geijer and Kugelberg, Senator JENNINGS RANDOLPH, Democrat, of West Virginia, observed that the comradeship shown by Swedish labor and management sitting together is "very wholesome. Perhaps we should do more of it in this country."

And after Kugelberg praised the Swedish labor unions, Representative ELMER J. HOLLAND, Democrat, of Pennsylvania, who still holds a card in the United Steel Workers, remarked:

"I have never heard any American manufacturer talk like that."

The Swedish officials explained how their national employment service includes labor and business representatives and circulates countrywide job vacancy lists through its 25 regional councils. An ambitious retraining program seeks a simultaneous enrollment of 1 percent of the work force, and labor mobility is promoted through a liberal system of relocation allowances. The impact of layoffs is cushioned by industry agreement to notify the employment service as far in advance as possible.

Mr. CLARK. Madam President, I agree with the President that an increased rate of national growth alone will not solve all of the problems spawned by the manpower revolution. In Chicago, several months ago, the President stated:

> Tax reduction alone will not employ the unskilled or bring business to a distressed area, and tax reduction alone is not, therefore, the only program we must put forward. We need to step up our efforts for aid to distressed areas; for the retraining of the unemployed, particularly in those areas where it has been chronic; for more security for the aged; for improving our housing and transportation industries; and for ending race discrimination in education and employment. These are all controversial measures. There may possibly be others that are needed or others that are better, but at least it is a problem that we should all concentrate our attention on and not merely assume that it is going to be settled if we ignore it.

The President has outlined what I believe to be a sound approach to the problems of economic stagnation. I support each of the measures he enumerated in Chicago.

I also believe that we cannot allow the conventional wisdom among a minority of the Congress to forestall a proper attack on these problems.

There is no major bill before Congress at the moment, for instance, which deals with the enormous problems of our cities where three-fourths of all Americans reside. Within the next few weeks I shall introduce such a bill, with, I hope, the support of other Senators.

There is danger that one of the most successful economic programs of this administration, the accelerated public works program, will die once its present authorization is used up. Therefore, in concert with other Senators, I shall join during the next few weeks in urging an extension of the accelerated public works program until national unemployment drops to 4.5 percent for at least 3 consecutive months.

Ultimately, I hope that the Subcommittee on Employment and Manpower will have more comprehensive recommendations to deal with the cancer of unemployment infecting the heart of America.

It is a curious paradox that while the so-called economizers in Congress keep piling it on for defense, they adamantly oppose dealing with problems here at home. The weakest national defense I know is an economy corroded from the inside ready to cave in under the slightest pressure.

Nothing is more disturbing than to hear talk on this floor of "the most prosperous times in our history." Such talk hides reality in the comfortable ambiguity of a general statistic. It ignores another America where poverty still prevails, where ignorance and disease still exist, where millions cannot find work. It is the America which will drag our affluent society under. It is the problem of this America which must be resolved.

Madam President, I ask unanimous consent that the following articles and transcript be inserted into the Record at this time: "Pittsburgh, the Darker Side of the Golden Triangle," New York Times, April 3, 1963; "Unemployment in America," Newsweek, April 1, 1963; "Education Not Meeting Job Needs," Washington Post, April 21, 1963; "Statistics on Jobless Fail To Mirror Nation's Economic Health Accurately," by Samuel Lubell, Philadelphia Evening Bulletin, June 24, 1963; "Seniority and Fringe Benefits Create Wasted Generation of Young Jobless," by Samuel Lubell, Philadelphia Evening Bulletin, June 25, 1963; and a transcript of broadcast of "Edward P. Morgan and the News," ABC, March 28, 1963.

There being no objection, the articles and transcript were ordered to be printed in the Record, as follows:

[From the New York Times, Apr. 3, 1963]

Pittsburgh—The Darker Side of the Golden Triangle

(By James Reston)

Pittsburgh, April 2.—The promise of spring is on the Pittsburgh hills today. The willows stand out soft and green on the grim and wrinkled river slopes, like daffodils scattered on a slag heap. The spectacular roller coaster highways hum with traffic above the Golden Triangle and the sky is stained with copper-colored iron oxide smoke from the great steel mills along the Ohio.

Yet Pittsburgh is not exactly in a hopeful springlike mood. It is a crippled giant immensely powerful but chained by unemployment, potentially a vast unified industrial empire stretching up the river valleys, but actually a politically divided complex of almost 200 different municipal authorities.

All the political, economic, and social problems of urbanized and industrialized America are dramatized here: The conflict of men and machines, the conflict of city and suburban governments, the waste of idle men and machines, the paradox of too few skilled workers and too many unskilled workers in the increasingly automatic factories.

Not since the Korean War in 1951 has there been anything approaching full employment in the four counties of Allegheny, Beaver, Washington, and Westmoreland that make up the Pittsburgh labor area. It was down to 2 percent then. Now it is well above the national unemployment average, with 10.7 percent out of work, and over 20 percent of the steelworkers either unemployed or underemployed.

THE COST OF UNEMPLOYMENT

In Allegheny County alone, there are now 92,675 persons living on relief benefits, 66 percent of them within the city limits of Pittsburgh. And in the four counties, the unemployment total is 97,800.

The expectation of the 1950's that the demand for steel would rise with the gross national product has not been realized. The best peacetime year in the steel business was 1955, with a total production of 117 million tons. This dropped to 85 million in the slump of 1958, and has levelled off in the last few years at around 98 to 99 million.

Oddly, there is not a great deal of grumbling here about the competition of new substitutes for steel or the competition of oversea producers of steel. Nor is there any talk of strike in the air, though the steel workers union could give notice to terminate their open-ended contract any time after May 1.

The economy has simply not created the demand for more steel than can be produced on a part-time work schedule, and neither the steel managers nor the union leaders are very confident that it will under present private and Government policies.

The reaction here to this part-time working life is rather strange. Unemployment is slowly poisoning the community, but like animals that can adjust to deadly poisons or men who can learn to breathe at altitudes they could not at first endure, the steelworkers and their union leaders seem to have adjusted to a diet of part-work and part-relief.

The French coal miners seem to be the only humans on earth who can impress De Gaulle, and the British unemployed, with only half our percentage out of work, storm the House of Commons in protest. But the steelworkers here don't go crazy; they go fishing.

THE POLITICAL IMPLICATIONS

The political implications of all this are difficult to analyze. This is Democratic territory, but, even at the steelworkers headquarters in the Commonwealth Building, there is evidence of disenchantment with the administration in Washington.

Significantly, the union leaders, a year after President Kennedy's row with Roger Blough of United States Steel, are not condemning Blough but saying it was wrong to put pressure on him to hold prices down when little effort was made to hold down prices in other fields.

There is quite a bit of muttering in the unions too against President Kennedy's budget. The criticism here is that the President says unemployment is the Nation's major economic problem, but puts $5 billion into space, which produces few jobs, rather than putting at least part of this into urban transportation and housing that would create jobs.

Washington seems far more optimistic about its manpower retraining schemes and the human relations committee of the steel industry than Pittsburgh. The unemployed do not want to leave these stark but elemental river valleys. They do not see satisfactory jobs at the end of the retraining period. Their seniority piles up even when they are on the loose and on the dole; and while they grumble they keep hoping that somehow somebody will "get this country moving again" and transform these river banks once more into a productive inferno.

Thirty years after the start of the New Deal, the record of the welfare state around Pittsburgh seems oddly paradoxical. It has helped the steelworkers get better houses, many of them owned by the workers. It has produced service jobs for their wives but not steady jobs for the men.

So they paint their houses or do other jobs around the basement when they are out of work, and bet on relief and their union pensions. This clearly has not satisfied them, but it has muffled them. It is not a crisis, but a tragedy.

Unemployment in America—In the Best of Times, Why Are 4.9 Million Idle?

Poverty in the midst of plenty—that is the bitter, baffling anomaly of unemployment in the United States today.

Americans unquestionably earn more, spend more, and enjoy more material wealth than any other people in the history of the world, and the figures keep going up. The affluent society has become a happy statistical cliche.

Americans this year will earn an incredible $452.5 billion, $23.5 billion more than last year.

They will spend the staggering sum of $240 billion.

Their total assets are approaching $1.1 trillion—equal to more than $5,800 for every man, woman, and child in the country.

Yet within these glittering statistics lies a bitter paradox: 4.9 million people are jobless; on a seasonally adjusted basis, 6.1 percent of the labor force is unemployed.

At least one in every five persons in the U.S. labor force, what's more, will be unemployed at some time this year. At least another 2.6 million workers will be restricted to part-time employment because a full-time job is unavailable. At least 1 in every 11 workers in the Nation's 30 biggest cities will continue to tramp the streets in search of a job that isn't there. And nowhere will the paradox be more pronounced than in the hard core of unemployment, where there will be at least 5 million persons jobless for 15 weeks and quite probably more, about half of them the breadwinners in their families.

All this adds up to what President Kennedy calls our No. 1 economic problem—and the problem has been growing steadily worse. After the first postwar slump of 1948–49, the Nation's unemployment rate fell to 2.7 percent in the recovery that accompanied the Korean war (compared with the 3-percent level that U.S. Government economists consider full employment). Then came the recession of 1953–54, followed by an upturn during which joblessness never fell below 4.2 percent. The unemployment floor has moved progressively higher in the succeeding recessions (chart, page 62). In fact, the Nation hasn't achieved what the administration now calls the interim goal toward full employment—4 percent jobless—during any single month since 1957; the Nation has suffered 5 years of what Labor Secretary W. Willard Wirtz calls intolerably high unemployment. Causes of the problem:

The economy hasn't been growing nearly fast enough. The U.S. growth rate since 1957 has averaged only 3 percent a year versus 5 percent for Western Europe (though, of course, Europe started with a greater potential for expansion—a lower overall economy and war devastation to be repaired).

New workers have swelled the labor force by 21 percent since World War II against a 17 percent increase in jobs. And the work force is increasing more rapidly now. Two years ago, 2.6 million Americans reached the age of 18; two years from now, the number reaching that age will be 3.8 million.

Automation is eliminating an estimated 1.5 million jobs a year.

Through the rose-colored glasses of the affluent masses, however, the unemployed are almost invisible. "Much of the unemployment is scattered," says Wirtz, "and many who are without jobs are not in a desperate state. This is part of the problem of getting people to care about it."

Furthermore, there are many who challenge the figures—even though a panel of academic experts last year studied the Government's unemployment surveys and pronounced them valid in concept and execution. The president of a big Chicago department store, for one, questions the accuracy of unemployment data; he would like to see a "qualitative analysis" to show how many of the jobless are in fact employable.

Some Americans are, indeed, fatalistic about joblessness. A successful San Francisco importer says: "Chronic unemployment has been with us in the past. It is with us now * * * Unemployment is going to stay, and we are going to have to live with it."

Other Americans believe the unemployed are shiftless. A hard-nosed businessman in West Virginia says: "Cut off their relief payments and they'll have to go to work * * * Give them a deadline, and then nothing more."

In truth, unemployment is not as bad as it once was. One need look no further for a striking comparison than the great depression of the 1930's—when 12.8 million workers, fully 25 percent of the labor force, were unemployed. Unable to pay rent, unable to meet their mortgage payments, millions of Americans were evicted. Whole families lived—and died—in tarpaper shacks and tin-lined caves and scavenged for food. Many, who could not beg or borrow enough to feed their hungry children, stole what they could. Many others turned their children out to fend for themselves. Before the worst was over, violence and unrest swept the land, and there was open talk of revolution.

NEW ERA SYMBOLS

The times, and man's humanity toward man, have changed. Thanks to unemployment compensation, supplemental unemployment benefits, aid to dependent children, relief payments, and other public and private aid programs, the unemployed today are housed, clothed, and fed far better than ever before—not comfortably, but in most cases at least adequately. It is symbolic of the new era that a man may apportion part of his relief check toward a mortgage payment on his house, rather than lose it; that under the Government's new food stamp plan, he not only gets better food, but he no longer has to stand in line, pitiful and ragged, for his monthly dole of "mollygrub"—Federal surplus food commodities, such as yellow meal, powdered milk, and peanut butter. If a man sells pencils on a Pittsburgh street corner, or panhandles on New York's Madison Avenue, or cadges drinks in a Chicago bar, chances are he has done it for years, through good times and bad. In Hollywood's unemployment office, sultry-eyed starlets and Japanese dancing girls applying for benefits, along with bewhiskered actors and shorts-clad beach bums, can make the visit for the conventionally unemployed almost pleasant.

But one thing remains unchanged: the bleak despair and the unending hopelessness of the millions of willing workers cast on the industrial slag heap. By latest Government count, there are 2.2 million workers unemployed so long that they have exhausted all their unemployment compensation benefits—and the figure is growing by 40,000 a week. There are uncounted millions more who have been forced into involuntary retirement for lack of work, who have failed to qualify for unemployment compensation, or who have never worked at all. The brunt of the burden falls on those least able to bear it—the young and the old, the Negro, the man with outmoded skills or no skills at all, the man living in a depressed area, and the unskilled woman, either widowed, divorced, or deserted, who must toil to support herself and her children. Theirs is what Labor Secretary Wirtz last week called "the human tragedy of life, without opportunity." Worse still is the gnawing fear of permanent uselessness—the fear of millions that they will still be on the no-help-wanted list when the Nation's economy moves on to new record heights. From the major categories of America's unemployed, here are six case histories:

Alfred Michel, 54, of West Mifflin, Pa., is a gap-toothed, broken-nosed steelworker who hasn't worked in 3 years and who will probably never work again. Like a third of the long-term unemployed, he is too old. ("When jobs are tight," says Wirtz, "the day a man over 45 loses his job is the day he becomes 'old'.") Despite his 37 years in the mills, Michel was furloughed when United States Steel closed its outmoded and inefficient open-hearth plant at Clairton, near Pittsburgh, and he was placed in United States Steel's huge labor pool to await reassignment. He is still waiting.

Nor is he alone in his predicament. There are currently 100,000 steelworkers drawing supplemental unemployment benefits (up to 65 percent of base pay); there are many more, like Michel, who have long since exhausted such benefits. His sole subsistence is a relief check for $78.10 every 2 weeks, out of which he must pay $54 a month on the house into which he has sunk his life's savings. At the moment, he is a year behind in his payments.

Were there only Michel and his wife, he wouldn't complain. But though he has raised 5 children on his laborer's pay, he still has 2 daughters to go, one 14 years old and the other 16.

"I don't mind so much," Michel says, his voice choked with emotion, "but it's the girls. They're growing up. They want to go to dances and parties and things. They need pretty dresses and things so they don't feel ashamed, so they don't feel different from other people. But I can't give it to them. I can't give them nothing."

Does he feel bitter? "No," he says, yet he adds quietly, like a child: "But they did away with my plant. They ought to get me a new plant."

Anthony Rocha, 17, of Atlanta, Ga., is a small, slight youngster who exudes a nail-chewing nervousness; he is a high school dropout; he has never had a real job. Of average intelligence, but 2 years behind his class because of illness and accidents, Rocha quit Atlanta's Fulton High School 2 weeks before Christmas while in the 9th grade, against his parents' wishes.

Dressed in a white shirt and tan, tight-legged trousers, lounging on a couch in his modest home, he tried to explain why. "Some people find an interest in school, but I just didn't. (So) me and a friend of mine decided we would just quit and get us a job. I didn't realize it would be so hard to find one. I've tried to get jobs at service stations, a bakery, and all the grocery stores out here, but there just aren't any jobs for a person like me."

There were other reasons, of course, for his leaving school. Anthony's stepfather, who never finished high school himself, is a warehouse stockman who earns only $62.50 a week, with which he must support a family of five.

"All I wanted to know when I quit school," adds Rocha, "was that I could support myself and stop mooching on my mother and father. I realize now I definitely made a mistake."

But the wisdom came too late, as it frequently does. That's the main reason there are more than 500,000 unemployed teenagers in the United States today, more than 10 percent of the unemployed. These figures are even more chilling in view of Labor Department predictions that of the 26 million youngsters who will enter the work force during the 1960's, 7.5 million will be high school dropouts, ill equipped for space-age work. "What can a kid do about unemployment," asks Wirtz, "pick up his phone and call his Congressman?"

Buster Taylor is 57, he has a minimal education ("I can print pretty fair,") and he has little to offer an employer but a strong and willing back. But his worst handicap is the fact that he is a Negro in Chicago, a city where Negroes account for 13 percent of the work force but make up a full 40 percent of the unemployed.

According to the National Association for the Advancement of Colored People, the same is roughly true in Detroit, Philadelphia, and St. Louis, and to a lesser degree in Los Angeles and New York. While these estimates are impossible to check, the Labor Department last week placed the nationwide unemployment rate among Negroes at 13.3 percent, more than twice the national average. "For the white, it's a mild recession," asserts Herbert Hill, forceful labor secretary of the NAACP. "For the Negro, it's a full-blown depression." Hill's answer, a double-barreled attack on discrimination in company hiring policies and in trade-union hiring-hall policies and apprentice training programs. But for a fellow like David Blackshear, a 34-year-old New York textile examiner, jobless since September, Hill's attack is meaningless. "I don't think it's prejudice," says Blackshear. "The garment industry is just stagnant."

Nor is Hill's solution enough for Buster Taylor. Taylor and his wife, Laura, came out of rural Mississippi in the early '40's. Lucky at first, Taylor found a steady job in a meat-packing plant, then served his time in the service, and returned to civilian life as the operator of a fork-lift truck for the same firm. Like some 30,000 other packing-house workers, he was automated out of his job. Although he quickly found employment in a nearby produce market, driving a truck and hauling 100-pound sacks of potatoes, his workweek eventually dwindled from 5 to 4 days, then 3, then—2 months ago—nothing. And because he worked on a day-to-day basis on his last job, Taylor is ineligible for unemployment compensation.

How have he and his wife survived? On Mrs. Taylor's $24-a-week unemployment compensation, a windfall from her brief period of employment as a sorter last year with a Chicago feather wholesaler, plus an occasional visit to the market where Taylor used to work."They give me some of the potatoes or lettuce they can't use." Taylor explains, "and that keeps us from starving. But you can't get meat like that. And it doesn't put any oil in the burner."

Antonio Moreno, of Visalia, Calif., has worked at his trade since he was 15 years old. Now he is 61, the father of 11 children, and he has only one remaining ambition in life: "I want a full-time job and to be paid a just wage for my labor." But because he is a migrant farmworker, Antonio Moreno hasn't a chance of achieving that ambition. Indeed, he is lucky to work at all.

Things have changed little for the migrant farmworkers since John Steinbeck chronicled their frightful estate in "The Grapes of Wrath." He may benefit from workmen's compensation, limited disability insurance, and improved housing. But to most migrant farmworkers, these mean little. The reason is simply that there never has been sufficient work to provide a decent year-round living. And with automation edging its way into the fruitful lands of the southern San Joaquin Valley, the work for the Antonio Morenos becomes less and less.

In lush Tulare County, for example, there were 25,000 seasonal jobs for 25,000 farmworkers 4 years ago; last year there were only 17,000 jobs. The other 8,000 had been replaced by gigantic, ponderous mechanical cottonpickers, 15 feet tall, 8 feet wide, and 10 feet long, each capable of picking more cotton a day than 30 to 50 men, depending on the terrain. With similar automatic equipment cutting a wide swath through the South and Southwest, one in every five migrant farmworkers is, in effect, permanently unemployed.

Moreno, slight and stooped, his face the color of tanned leather, recalls that he was once assured at least 4 to 5 months' work in the cottonfields. "Now, maybe, I get 1 month," he adds. "And then I can only pick where the machines can't go, in the mud, in the weeds, where the crop is poor."

Still, Moreno is one of the lucky ones. He has a four-room house that he built with makeshift skills and makeshift materials on a lot that he bought for $200. And with pooled earnings of about $2,000 a year, he has managed to keep his whole family together.

To keep his family together over the next 2 years, however, will take a minor miracle. Moreno had to borrow $346 from the Visalia finance company to meet emergency medical payments and other pressing money needs. Since he already owed $477, he was forced to mortgage his house, its furnishings, and his lot for a total of $1,032, including $207 in carrying charges. Net result: he must pay $43 a month for the next 24 months, a fantastic amount for a migrant farmworker.

Mrs. Florence Almeida, 40, of New Bedford, Mass., is petite, blond, and pretty. If she would smile, she would be very pretty, but she finds little to smile about these days. She is a widow with three children and she hasn't got a job.

By some standards, Mrs. Almeida is well provided for; she receives $111 a month in aid to dependent children and $75 a month as the widow of a veteran. But with $48 monthly to pay on her 1959 Plymouth and the expense of a growing family, she has to work to live, and since Christmas, the living has been anything but easy.

A $1.75-an-hour presser in a garment factory, she was furloughed "temporarily" just before the holiday; called back early this month, she was furloughed permanently after a week's work.

At times, Mrs. Almeida seems resigned to it. "I'm not a worrier by nature and I accept things," she states matter-of-factly. "I think about leaving New Bedford, but the living here is so nice and I'm settled." In the next breath, however, she adds: "But if I didn't have security at home, I don't know where I'd look for it. I don't know where I'd find work."

Thomas Pastellak of Scranton, Pa., is a handsome, black-haired, 26-year-old with the cut of an Ivy Leaguer. He quit school after the ninth grade to help support his mother (his father had vanished); nonetheless, he is an articulate, well-read person. One of the first to sign up for an electronics course under the Manpower Development and Training Act, he graduated near the head of his class. That was December 4, and he still hasn't found a job.

Pastellak lives in a depressed area.

Theoretically, Manpower Development and Training Act courses are designed to train men for existing job opportunities within the communities in which the classes are conducted. Unfortunately, in their effort to rush an electronics program into being, Scranton school officials misgaged the market. Of the first 11 electronics graduates only 2 have found employment utilizing their new-found skills. Dr. Richard F. McNichols, superintendent of Scranton schools, now admits that in Scranton, a depressed area for a decade, "the job potential just isn't there." And wherever else Pastellak has gone in search of a job—in other Pennsylvania cities, in New Jersey, and in New York—the jobs available in electronics have been either committed to local residents or demand a knowledge and training far beyond any Manpower Development and Training Act program.

To Pastellak the problem is deeply personal and intimate. He wants to marry. "I met a girl here in Scranton 3 years ago," he says, "when I was a seaman on the Great Lakes. I realized then that it was no life for a married man. I gave her a ring in 1961 and came home to stay. I haven't had a steady job since. We were supposed to have been married last year, but how can you get married without a job?"

POVERTY AMID PLENTY

By Government definition, a depressed area like Scranton is one of "substantial and persistent unemployment." By statistical analysis, it is one where unemployment is at least 6 percent and has been 50 percent higher than the national average for 3 of the 4 preceding years, or 75 percent higher for 2 of 3 years, or twice the average for 1 of the 2 preceding years. In hard fact, a depressed area is one largely impervious to the benefits of even a booming economy; it is a running trough of poverty in the sea of plenty. And though the major depressed areas are in the highly industrialized Northeast, the problem is far from isolated. Last week, there were no fewer than 18 "major" depressed areas, 103 "smaller" areas, and 454 "very small" areas—a blight that stretches from Alabama to Washington, from New York to California.

A depressed area, what's more, gets caught in a vicious circle. As unemployment rises, savings dip, retail sales fall, new industry tends to shy away, and there are still fewer jobs. The inevitable result is a grim, gray hopelessness for people like Pastellak—people that America's $500 billion-plus economy may have left behind.

Foremost sufferer of this economic disaster is unquestionably the Nation's "coalbin"—the anthracite-bituminous mining region that starts near Scranton in the Appalachians of Pennsylvania, generally follows the mountain range down through West Virginia and eastern Kentucky, and picks up again in the Central States mining region of southern Illinois. The culprit is "mechanization," and one of its victims is Ellis Grigsby. In 1950, it took 415,582 miners to extract 516 million tons of coal from the earth; in 1962, working with giant bits, automatic coal-loaders, and automatic tipples, a mere 136,500 miners extracted 243 million tons of coal. After a recent visit to the area around Welch, Davy, and Gary, W. Va., Labor Secretary Wirtz commented: "If you could take every American through (such depressed communities as these) just for 5 minutes, we wouldn't have to worry about fiscal or economic policies, because it would arouse a feeling, a realization, that something has to be done and done fast." A longtime resident of the job-blighted West Virginia area recently added a touching postscript. She said: "Why like I told a friend of mine, we feel just like we are all alone on a lonely island here."

For the young, the resolute, and the strong, there is only one solution: migration. From the coal fields of eastern Kentucky, some 500,000 persons have moved in the past 10 years. The same pattern holds true in the dying Mesabi Iron Range of Minnesota, where nearly one in every five workers is unemployed and young people are very scarce. And in the Deep South, save for Florida (which led the Nation in growth), emigration during the 1950–60 period drained millions of people from the land, most of them Negroes heading for the industrialized North. Of those left behind, many can be found in clusters any morning of the week along the main thoroughfare of Atlanta and virtually any city in the South, waiting and hoping that someone will hire them for a day's work.

Fearful of a 7-percent unemployment rate by 1967 if present trends persist, the administration feels it can no longer wait. President Kennedy made that clear in his manpower report to Congress early this month: "Greater employment opportunities, and a work force ever more capable of making use of such opportunities—these are among the foremost domestic needs of the Nation. We must meet them. Ours is a rich Nation, but not inexhaustibly so." The President's formula:

Tax reductions and reforms designed to "generate larger markets, additional investment, and more job opportunities."

A Youth Employment Act for "stimulating and tapping the potential of unemployed youngsters."

Expansion of educational opportunities for all citizens.

Strengthening of the unemployment insurance system.

Extended minimum-wage protection for workers not now covered.

But these are, for the most part, long-range remedies, some of which may never clear Congress—certainly not without major revisions and changes. For the moment then, the main hope of the long-term unemployed, the depressed areas, and the dormant regions of the land, lies in the Government's $900 million public works program and $435 million retraining program, administered through the Area Redevelopment Act of 1960 and the Manpower Development and Training Act of last year.

One day early this month, to dramatize the Government's helping hand, Mrs. Lyndon B. Johnson turned over a ladylike spadeful of mud at groundbreaking ceremonies for a new $69,000 library in St. Albans, W. Va. The construction eventually will benefit hundreds of townspeople. And $15 million worth of other make-work projects are under way in West Virginia.

Public works are at best a partial solution to unemployment, and to some communities may be no help at all. The mayor of Welch, W. Va., is not enthusiastic about a proposed multimillion-dollar Federal-State-local sewer project. He wonders whether Welch can afford its share of the expenses, which may run to 50 percent, and he doubts there are enough local skilled workers for the job; thus most of the money might go to out of towners.

Of more hope to the onetime hopeless are the Federal programs to train the unemployed, primarily in woodworking, metalworking, hospital, stenographic, and clerical skills. (Students are paid modest salaries, approximately equal to local unemployment benefits.) In Connecticut, for example, some 90 percent of those who have completed such training programs have been placed in well-paying jobs in their new skills. Even in West Virginia, where the job potential is probably as low as anywhere in the Nation, 635 of the 1,027 people who have completed retraining courses found steady employment—a 61.8 percent average.

The transformation in those who have been placed in new jobs is remarkable. Russell Smarr of Mingo County, W. Va., at 40 aged far beyond his years, used to earn $25.96 a day in the mines, plus overtime. Two years of unemployment, however, brought him to a machineshop course in Belle, W. Va., and he got a job as a machinist last year in a nearby FMC Corp. plant. He started at $2.08 an hour, now earns $2.43 an hour. Interviewed on the job, he smiled at a question that to him was ridiculous and wiped a greasy hand across his cheek. "I'm not making what I made in the mines," he said, "but I'd never go back. I've got a trade now—and I think this training business is one of the best things that's ever happened around here."

Joe Schley, 24, of Milwaukee, his wife 8 months pregnant, earns $80 a week as a welder. The Army veteran says: "We were really worried about having enough money for the baby, but everything is going to be all right."

Equally important, morale perks up even before a student graduates into a job. The appreciation of wiry, blue-eyed Pat Parsons, 37, unemployed and for all practical purposes unemployable before he enrolled in a Birmingham, Ala., class for welders last fall, typifies the spirit. Parsons and his wife will have to scrimp a full year while he completes the course; and yet he says: "It's hard as hell, but I don't have any regrets. I'm thankful for the opportunity to learn a trade, and I know I'm going to make it when I get out."

NEW SKILLS NEEDED

Many, if not most of the Nation's leading businessmen—men like Henry Ford II of the Ford Motor Co., Roger Blough of United State Steel, and Ralph J. Cordiner of General Electric—are convinced that the educational process, in the classroom or on the job is the only logical way to solve the problem of workers displaced by automation and other forms of technological progress. Only through the acquisition of the needed skills for the future, they maintain, can workmen hope to find fulfillment in the operation or maintenance of automatic machines and computers that can turn out a finished engine block every 45 seconds; that can roll a 19-ton bar of steel into a sheet of steel one-tenth of an inch thick with no human help at all; that can store millions of bits of information and deliver in an hour a design for a new plant that a platoon of architects couldn't match in a year.

Most businessmen agree with Ford, Blough, and Cordiner, that whatever the short-run pains of automation, the Nation will benefit in the long run.

Ford, a member of President Kennedy's Advisory Committee on Labor-Management Policy, has said: "The factual evidence strongly indicates that while automation displaces some individuals from jobs they have held, its overall effect is to increase income and expand job opportunities."

Blough has said: "The obstructionists may delay the installation of new machinery or slow down the introduction of new methods, but man's search for new and better ways of doing things will sweep by them—if not in this country, then in a competitive one—if not today, then tomorrow."

Cordiner has said: "It must be emphasized and reemphasized that the fate of thousands of American business firms and millions of jobs depends on this Nation's ability to * * * eliminate artificial restrictions on output."

On at least one aspect of this argument, there is general agreement: U.S. industry must continue to automate, must continue to reduce costs, if U.S. goods are to continue to compete in the world marketplace. Faced with the resurgence of the new and rebuilt industrial might of Western Europe and Japan, U.S. industry now finds an ever-increasing proportion of its equipment obsolete.

But there are those in labor—and a few in management, too—who believe that automation is so different in degree from the first industrial revolution that it is different in kind; that it poses unique problems which defy conventional solutions.

The evidence they present of workers displaced largely through automation is almost overwhelming. In 1953, 917,000 autoworkers turned out 7.3 million cars, trucks, and buses; in 1963, 723,000 workers produced 8.3 million vehicles. In 1956, 1.1 million construction workers completed $62.8 billion worth of work (including repairs) on houses, office buildings, roads, and the like; by last year, the industry had grown to a record $83 billion size, but its work force had dwindled to 831,000.

ONE CAN SATISFY SIX

The decline is repeated in industry after industry. Indeed, today, through automation, one American workman can produce enough food and manufactured goods to satisfy all his own needs and those of six fellow Americans, with plenty left over for export. For the first time in its history, the United States, according to Government figures, has become a nation with less than 50 percent of its nonfarm workers in goods-producing (versus service) industries. The precise figure, 42 percent.

Against this backdrop, retraining so far offers some consolation, but not a lot. For all the cost and energy expended (an average of $1,200 and 22 weeks on each trainee), the Federal program is expected to train, at best, only about 400,000 persons in new jobs over the next 3 years. In and of itself, it can make no more than a dent in the overall unemployment problem.

Lacking a sudden resurgence in the economy, the extra push to alleviate joblessness, says Chairman Thomas J. Watson, Jr., of International Business Machines, must come from a new sense of sociological responsibility on the part of industry in general. He says: "A company must be prepared to make a commitment to internal education and retraining which increases in geometric proportion to the technological change the company is going through * * * [the Federal retraining program] in no way relieves corporations of the responsibilities they bear for the retraining of their own people."

Watson, furthermore, practices his preachment. To retrain its own employees and those of its customers, IBM spends roughly $45 million a year on education—more than all but a few of the Nation's largest universities.

According to labor, however, the extra push must come from a shorter workweek. "The 35-hour workweek demand," says Walter Reuther, firebrand president of the United Auto Workers, "is an act of sheer frustration on labor's part. When society isn't dealing with the unemployment problem, the labor movement has to fight negatively for a short workweek."

David J. McDonald, silver-haired president of the United Steelworkers, puts it another way: "There have been predictions that eventually there will be 18 million unemployed in the United States. If there ever were, it would touch off an internal political explosion that could only end in galloping socialism. * * * I would like to see a 32-hour week in the steel industry, but I know it would cost a helluva lot of money, so we've got to try other ways." One other way, an extended vacation plan, which the Steelworkers have already won in the can industry and hope to press on the steel industry this spring. Under the plan, an employee is entitled to a 3-month vacation after 15 years' service. McDonald feels such a plan would create 32,000 new jobs in the steel industry.

AFL–CIO President George Meany, who must carry the ball for the 35-hour workweek, states his case rhetorically. "Can the capitalistic system survive," he asks, "when unemployment in 10 years has risen to a level that seems almost permanently above 5 percent and right now more than 6 percent? Can we survive and still be leaders of the free world?"

As a matter of fact, though, there is more smoke than fire in the drive for a 35-hour workweek. Although the AFL–CIO executive council approved a $1.5 million drive for the shorter workweek last month, no money has yet been budgeted for the campaign—which, more than anything else, will be a spur with which to dig the administration.

SIREN SONG

As yet there has been only a handful of labor contracts attacking automation-caused unemployment. Among the more prominent: those won by the New York electricians, the west coast dockworkers, and the Kaiser steelworkers.

The first was negligible in itself—it involved only 7,000 men working under peculiar conditions. But there can be no question that the electricians' 25-hour week was a siren song to millions of workers and millions of unemployed throughout the land.

On the west coast, the mechanization and modernization plan solves for the longshoremen, or so they believe, the problems of automation. In return for the payment of $29 million into a union-controlled fund by July 1, 1966, the longshoremen have agreed to unlimited installation of automated loading and unloading equipment. The money is used to finance an early retirement program and to guarantee the longshoremen that they will get paid even when they don't have work. But Harry Bridges, freewheeling west coast dock boss, admits: "I know this pact of ours is just as good for my members and the maritime industry as it might prove bad for other industries. In fact, I know it is narrow and selfish. Automation is a national social problem. We can only take care of ourselves."

This Kaiser plan is still an unknown quantity, revolutionary in concept. Under the agreement, put into effect March 1, Kaiser workers themselves will receive directly one-third of all savings made in the cost of producing steel. At the same time, displaced workers will be retrained and relocated, if possible, with a guarantee that their wages will not be reduced. Will it work? Nobody knows.

Labor itself recognizes that automation is inevitable and may be ultimately beneficial, and that it may even lead to new and better jobs by introducing products and services that do not now exist. But can anyone, in labor, management, or government, say with any degree of certainty that there will be enough jobs for all?

The Labor Department has tried to project the Nation's labor outlook in its recent report to Congress on manpower requirements, resources, utilization, and training—surely the most comprehensive set of employment projections ever put together by a Government agency—and the outlook is bright. Despite the slashes of automation, the official projection predicts an increase in total blue-collar employment from the 20.4 million of 1960 to 24 million by 1970. In the service industries, the Labor Department expects an increase from 7.4 million to 10.2 million workers. Best of all is a projected increase of 8.7 million jobs in the professions, in office employment, in sales, and in other forms of white-collar work. Only agricultural employment is expected to decline—from 5.4 million workers in 1960 to 4.2 million in 1970.

Where will the jobs be? The fastest developing State in the Union, say the projections, will be Florida, where there will be 1 million more jobs than in 1960, a 67-percent increase; in total employment, however, California will top the Nation with a crackling 10 million jobs in all.

What industries offer jobseekers the most potential? Construction will head the pack, according to the projections; dollar volume will soar 57 percent above the 1960 level providing employment for 35 percent more workingmen.

What specific jobs offer the most chance for advancement? The need for professional and technical people, say the projections, will increase at a rate of 43 percent, double the national average; business in general will need no fewer than 1.5 million more managers.

Theoretically, there may be jobs aplenty to accommodate the expected 13 million increase in the work force. There is, however, one catch: the projections are predicated on an increase of 50 percent in the gross national product over the decade, or more than 4 percent per annum—a rate of growth which the Nation has yet to achieve.

Increasingly, therefore, the question is asked: can the Nation ever achieve anything approaching full employment, short of a national emergency?

Many businessmen and more labor leaders than will admit it are convinced the answer is no. Still sotto voce, but audible nonetheless, the grumblings grow that the Nation must eventually learn to live with 6 to 7 percent unemployment. To Walter Heller, the President's chief economic adviser, this is a counsel of despair; current unemployment dramatizes "the problem of the economy at which tax reduction is aimed—underutilization (of the Nation's production facilities)."

Some of the Nation's top economists and educators agree. MIT's Paul Samuelson asserts: "The hard core of the unemployment problem is like ice, not like iron. It can be melted away gradually. A tax reduction with a deficit is the biggest thing toward a solution that's available to an enterprise system like ours." One loud dissenting voice: that of Leon Keyserling, one-time economic adviser to President Truman. He calls President Kennedy's economic program "a pygmy sent out to do a giant's work." The tax proposal, Keyserling says, is "so watered down, so cumbersome, that everyone's against it. * * * We need some kind of tax bill, but not this." Keyserling favors huge public spending for housing, transportation, education.

OLD FOE

To the men who deal with unemployment in harsh realities, however, there are no pat solutions. One of these men is the newly elected Republican Governor of Pennsylvania, William Scranton. His State is in the throes of a recession that has lasted more than a decade. Moreover, Pennsylvania alone ranks among the three top States in each of the worst categories of unemployment; in 1962, unemployment totaled 367,000 and the rate of joblessness was 7.9 percent.

Scranton is not unacquainted with unemployment. In his native Scranton (his forbears founded the city), he was extremely active in enticing new industry into the area and played a leading role in the two civic corporations that breathed new life into the dying city. In one campaign for public donations to finance an industry hunt, $1.3 million was raised with the slogan: "What would you pay to get a brother-in-law off your neck?" Although Scranton is still a depressed area because of the continuing decline in anthracite coal mining—such projects have provided more than 10,000 new jobs.

Accordingly, Governor Scranton proposed this month a 15-point industrial development legislative program designed to guarantee "the very survival of Pennsylvania as we now know her." Among his major proposals:

Increased funds for the Pennsylvania Industrial Development Authority.

Establishment of a Council of Science and Technology designed to attract top technical talent to the State.

Organization of a Committee of 100,000 Persons, operating under a 50-member steering committee, to plug the Commonwealth of Pennsylvania throughout the Nation.

If nothing else, Scranton has sold himself on the plan. His lean, boyish face intensely serious, he said recently: "This problem has been 50 years abuilding. We can't solve it overnight. Of necessity, it will involve a certain pinpointing job." Then, his face breaking into a smile for the first time in an hour-long interview, he said: "A lot depends on the national economy, and yet I am astoundingly optimistic. We've got everything we need in this State—location, water, natural resources—everything."

On the national level, Labor Secretary Wirtz is equally determined, equally cognizant of America's assets, yet far more emotionally charged on the subject of unemployment. His final summation: "Every little piece of this problem we can tackle, if put together with another, will make a hell of a dent in the problem." Solving the unemployment problem, he adds—and here he grinds the words out—"will be the test of our meaning as a nation."

"I have no doubt that these problems will someday be solved," President Kennedy said in Chicago last week. "The question is: Will they be solved in ways that impoverish us—with restrictions on the workweek, or on efficiency, or on competition? Or will they be solved in ways which enrich us—by expanding our economy and putting all hands to work? The choice is up to us all."

[From the Washington Post, Apr. 21, 1963]

EDUCATION NOT MEETING JOB NEEDS

(By Susanna McBee)

American education is failing to pass one of its most important tests: training enough people to meet the Nation's future employment needs.

Education never has achieved the goal of placing the most qualified people in the right jobs—right for them and for the country—and it probably never will.

The fault lies not just with the educational system but with the facts of life in a free society. Some men get engineering degrees and become high-salaried business administrators; some women prepare to teach and get married instead.

Thirty years ago it was not so important to be trained specifically for certain jobs; today it is.

With what educators call the "knowledge explosion" (the world's store of knowledge is doubling every 10 or 15 years), there is an increasing need for more people to perform more tasks produced by more new knowledge. "This has become such a big problem that it isn't really being faced," says one of American education's strongest critics, Vice Adm. Hyman G. Rickover, father of the nuclear submarine.

"No country has ever had an educational system adequate to its needs," Rickover said. "That's inherently impossible because of the vast capacity of the human mind to learn and change society. But the issue really is, are we doing all we should to provide the people for the kind of society we will have in the next decade?"

He and some others answer this question with a loud, impassioned "No." With notable exceptions, however, not many people seem concerned.

One who is concerned is Secretary of Labor W. Willard Wirtz, who told a House Education subcommittee last month that there is no future in America for the unskilled laborer.

Noting that the economy used to have a "shock absorber" mechanism permitting it to make use of millions of unskilled workers, Wirtz said machines are removing the shock absorber. The problem of older unskilled workers losing their jobs to machines will get worse between now and 1970, he said, as 26 million young people enter the labor market—"a far greater number than the country has ever had to educate, train and absorb into employment in any comparable length of time."

As Wirtz pointed out, the employment problem is twofold: technology is changing the job growth pattern, and the postwar baby boom is adding an unprecedented supply of manpower to the labor force this decade.

One difficulty is that no one knows exactly how many people will be needed in various vocations by 1970. Rough estimates by the Bureau of Labor Statistics are based on assumptions which are themselves uncertain.

It is assumed, for example, that there will be no major war, that business productivity will be high, that unemployment will be below the present 5.6 percent rate, that current labor force trends will continue without abrupt change, that college enrollment will double and "that the trend toward higher levels of education will not be stifled by lack of school facilities or staff or of needed aid to students."

With all these "ifs" in mind, the Bureau predicts that over this decade the labor force, about 67 million in 1960 and going up 21 percent to more than 80 million in 1970, will include:

A remarkable 43-percent increase in the number of professional and technical workers—from 7.5 million to 10.7 million, or 13.3 percent of the 1970 labor force.

A 34-percent increase in the number of service workers, such as nurses, waiters, cleaners, to total nearly 14 percent of the work force. Growth percentages in other categories are clerical, 31; sales, 23; managerial, 21; craftsmen and foremen, 20, and semiskilled, 13. The semiskilled will continue to be the largest group in the labor force—16.9 percent in 1970 compared with 18 percent in 1960.

A static number, 3.7 million, of unskilled industrial laborers, who will drop from 5.5 to 4.6 percent of the work force.

A 22-percent reduction in the farmworker population, dropping from 8 to 5.3 percent of the labor force.

Given the uncertain profile of the Nation's 1970 employment, the next question—one with an even more uncertain answer—is: How many trained people will American education (public, private, vocational, and general schools and apprenticeship programs) supply? A few examples will demonstrate the problems.

Labor Department studies show that during this decade 5.5 million new professional and technical workers may be needed to fill new jobs and replace those leaving others. However, only 3.7 million college graduates are expected to enter these fields by 1970.

New engineers required by 1970 could total about 700,000 to provide the projected 1.4 million employees in this field. But unless drastic steps are taken, new engineering entrants will be only 450,000, including those transferring into engineering from other fields and those without degrees who are upgraded into the profession.

Scientists, who numbered 313,400 in 1960, should total 548,000 by 1970, according to a 1961 study. To meet the projected average annual demand for 25,000 new scientists to fill new jobs and to replace losses, 83,000 persons with science degrees should be graduated each year. About 80,000 will be, but this near balance may not bridge a great gap between supply and demand in certain specialties.

Teachers required for elementary and secondary schools should number about 2.2 million, and nearly 2.1 million (newly graduated and those reentering the field) will be supplied. The deficit over the decade will be 84,000.

About 225,000 new electricians will be needed to meet growth and replacement requirements by 1970. Apprenticeship programs will supply only 31 percent, or 70,000.

For tool and diemakers, 85,000 will be required to meet growth and replacement demands, and apprenticeship programs will supply 45 percent, or 38,000.

These projections take into consideration the fact that nearly 70 percent of American young people were high school graduates last year and that more than 72 percent will be by 1970. Now about 18 percent are completing college, and 20 percent will do so by the end of the decade.

What happens when education does not supply the manpower demand is simply that people without all the qualifications get the jobs. Teachers are hired on a temporary basis; nondegree holders become engineers; electricians learn their trade on the job.

"The saving thing is that people are adaptable, and industry is willing to be flexible," says Assistant Commissioner Harold Goldstein of the Bureau of Labor Statistics.

But, as he noted in a recent speech, "the implications are clear that the general educational level of the work force will have to increase and (that) there will be fewer jobs open to people without at least a high school education."

Goldstein sees a danger in the possibility that with one of four boys getting college degrees, "we may starve our skilled trades of the bright people they need" since most college men avoid this field.

Growing attacks have been directed at vocational training programs in public schools, and recently 81 percent of the school administrators responding to a survey by the Nation's Schools magazine said such programs must be improved and updated. Most criticism centers on the emphasis on agriculture in many programs and on their failure to keep pace with the country's technological development.

Ward Beard, consultant in the vocational division of the U.S. Office of Education, says additional funds can solve most of these problems.

Commissioner of Education Francis Keppel says that "we'll be shooting ahead of the 1970 employment target" if Congress passes the administration's proposed reform of vocational education, aid for technical institutes, and plans for improving the quality of education. "Vocational programs should stress the kind of knowledge that has the widest application—math, science, and language," he added. Keppel also advocates more retraining for people on the job or those who must change jobs.

Other serious problems which the Nation is just beginning to attack are school dropouts (about one third of the young people entering the work force lack a high school education) and job discrimination against Negroes.

The problems of both groups, who often are the same people, overlap—both lack the training for any but the most menial jobs. Most educated Negroes face additional difficulties of either inferior quality of schooling in segregated institutions or rebuffs in many trades and white-collar jobs despite their good education.

When the Nation's educational mechanism cannot keep up with employment demands, obviously the economy does not fall. But as Goldstein observed, "There will be more stresses, more pressures. We should be thankful that the adaptability of our people can alleviate the pressure. But then we cannot continue indefinitely to count on it."

[From the Philadelphia Evening Bulletin, June 24, 1963]

The Unemployment Problem—Statistics on Jobless Fail To Mirror Nation's Economic Health Accurately

(By Samuel Lubell)

A drastic overhauling is needed in the Nation's thinking about unemployment.

Since early April this reporter has been conducting an intensive interviewing survey of jobless workers in 23 different cities.

One main purpose has been to try to solve the mystifying puzzle of why the unemployment rate in the country remains so high—5.9 percent of the labor force by the latest official count—in the face of record highs in production, employment and consumer spending.

I also have been hunting for answers to five questions left unanswered by official Government reports:

Just what is the cause of each person's unemployment?

How many of the unemployed have jobs to go back to?

How much actual looking around for work is done?

Are the unemployment statistics reliable?

How do the jobless manage to care for themselves and their families?

Three conclusions stand out:

1. The unemployment statistics are no longer a valid or accurate indicator of the health of the economy.
2. The identical label "unemployment" is applied to so many different situations that the statistics themselves create quite misleading pictures of both the extent of the jobless and the human hardship involved.
3. The nature of unemployment has changed enormously since the Depression of the 1930s and even since the recession of 1958.

Unless these changes are recognized and understood, efforts to overcome unemployment may only make matters worse.

In my survey, more than 350 case histories of men and women out of work were put together. Of this number, nearly 6 of 10 did not constitute any real unemployment problem in that they felt, "I'll be back working soon."

SEASONAL WORKERS

Roughly 35 percent of those interviewed were either construction workers, who had finished one project and were waiting for another, or seasonal layoffs with jobs to go back to soon.

Another 25 percent had left former jobs for assorted personal reasons.

Retired persons were looking for only part-time work.

Others, like a chemist in Cleveland, explained, "I can get a job any time. My problem is to find a good one."

LITTLE ACUTE HARDSHIP

Except in depressed areas, I found little acute hardship. Nearly 10 percent of those interviewed said they could get jobs that paid less than they wanted

Among unemployed married persons, roughly 40 percent had a husband or wife working.

By contrast, in Wheeling, W. Va., where 12 percent of the work force was jobless, nearly a third of the persons interviewed had exhausted their unemployment benefits and were living on relief or jobs like apple picking or other farm chores.

In five other cities, unemployed workers remarked, for instance. "We've just had a baby and that makes things rough."

Among all the unemployed interviewed, every seventh person had run through his savings and been forced into debt since losing his job.

NOT DUE TO SLUMP

Turning to the causes of unemployment, I was surprised how few of the unemployed—one in six interviewed—had been laid off because of a slump in business. During the 1960–61 recession, in many of the same cities, nearly half the unemployed workers I talked with had lost their jobs because of the economy's decline.

Today's showing can be credited in part to the upsurge in auto and steel employment in recent months.

But more significant is the fact that the bulk of current unemployment is not found in the mainstream of the Nation's economic life.

TWO SEPARATE ECONOMIES

The present high unemployment rate largely reflects that we seem to have developed two separate economies in this country—one, a highly protected, employment-source fortress; the other, an exposed plain, raked constantly by economic storms.

The hardest-hit groups are older workers, pushed out of the economy, and younger workers—Negro and white—who never have been able to scale the walls of seniority rights and union membership.

In nearly every city, I found young men, 30 years and slightly older, who never have held a steady job since leaving school.

In Newark, N.J., one youth remarked: "I'd like to be an electrician, but you've got to be the first-born son of a union member to get a union card."

COST REDUCTION

A second set of influences aggravating hard-core unemployment centers around the reshuffling of work from old to new locations and the job changes spurred by the search for cost reductions.

At new factories, I found a tendency to employ a heavier proportion of women in preference to men.

Increased dependence on defense spending is another unsettling force that jacks up the unemployment rate. In a third of the cities visited, some of the workers interviewed had been laid off because defense contracts were lost.

Few of the unemployed I talked with blamed automation directly for the loss of their jobs. Automation seems now to be having its main impact in terms of reducing the number of new jobs.

SURVEY TECHNIQUE

In choosing the cities for interviewing, I sought contrasting situations—depressed communities like Wheeling or sluggish areas like Buffalo to be matched against places like Detroit, Akron, and Canton, where employment has rocketed in recent months.

Other cities also were taken because I had sampled them during the recessions of 1958 and 1961 and thus would have a first-hand basis for comparison with 1963.

In deciding who was to be interviewed, I followed the arbitrary rule of talking to the last person in the unemployment compensation line—which left time for lengthy questioning—whether male or female, white or Negro.

These interviews in unemployment claims centers were supplemented by a sampling of typical worker neighborhoods and by talks with high school students about how they saw their job future.

[From the Philadelphia Evening Bulletin, June 25, 1963]

The Unemployment Problem—Seniority and Fringe Benefits Create Wasted Generation of Young Jobless

(By Samuel Lubell)

During the past 5 years, something of a wasted generation of younger workers has developed in most industrial centers.

In city after city visited while interviewing the unemployed, I was struck by how many were pushing 30, or even 35, and still never held a steady job.

What has kept these people from finding a place in the economy is worth exploring, since it foreshadows what could happen to many of the teenagers who will be pouring from schools in record numbers in years to come.

Limited education and lack of vocational skills are only a small part of the difficulty. A much more important obstacle, my interviews indicate, is that, since the 1958 recession, younger workers have been walled out of employment in many trades and in the major manufacturing industries by the structure of seniority rights and high fringe benefits.

With each jobless youth interviewed, I made a point of tracing his work history back to when he left school.

Although much of my interviewing was done in major industrial centers, like Detroit, Akron, Pittsburgh, Cleveland, and St. Louis, few of these youths had ever worked for one of the bigger companies. The overwhelming majority had to forage for jobs among smaller, shakier employers at relatively low pay and with no union to protect you.

In a fifth of the cases, at least one firm they worked for had folded. Others had been employed by family affairs and got bumped to make room for the boss' relatives.

In the Minneapolis unemployment center, one 20-year-old remarked, "It may sound funny to you, but I often dream that at last I've got a union card."

In Chicago, a 27-year-old, who had three jobs in the last year, exclaimed, "I sure would like to work for a big company. You'd know where you stand."

NEGROES ALSO SHUNTED

This tendency to shunt younger workers to the most vulnerable parts of the economy holds for Negroes as well. In my analysis, I divided the unemployed Negroes who were interviewed into two groups—those who voiced confidence that soon they would be back at work and those who complained, "I keep looking, but get nothing."

Both groups had an equal proportion of high school graduates. What marked the gloomy Negroes was that they generally were younger and had held nonmanufacturing jobs like elevator operators, car washers or porters. Two-thirds had not worked for their last employer as long as a year.

Negroes, of course, are the principal sufferers from job discrimination. Still, it is important to note that the job-hunting cards today are stacked against all young workers, whatever their color.

YOUTH BEARS BRUNT

Even where they have been lucky enough to get a seniority protected job, the younger workers still bear the brunt of any joblessness that develops. In Dearborn, Mich., a 35-year-old truck driver took out his unemployment compensation book and counted up "only 10 weeks of work this year."

He explained, "Under our Teamster contract, my company guarantees every regular driver 40 hours of work. But 10 percent of the drivers are called casuals. I'm one. We work when an extra driver is needed, maybe for a day, maybe a week."

Still, this driver was pleased with the arrangement. "I get $3.13 an hour when I work," he volunteered. "When enough of the older fellows retire I'll become a regular driver. That will fix me for life."

Asked how long that would take, he replied, "At least 5 years. I'll be 41 before I can count on steady work. Still, before I got this job, it didn't look like I'd ever get anywhere."

SENIORITY SYSTEM ACCEPTED

This acceptance of the seniority system as a crude form of machine-age justice is pretty general among union members. One result has been an abrupt decline in worker mobility.

In some industries, like steel and autos, workers draw better than two-thirds of their pay even when unemployed. Those who are laid off do little hunting for other work—unless it is for odd jobs that do not show up in taxable payrolls—and simply wait to be recalled.

Near Pittsburgh, a West Homestead steelworker calculated, "Since 1958, I've been out half the time."

Still, he felt, "If I went anywhere else I'd be low on the totem pole and would be laid off every time there was a slowdown. This way, every year brings me closer to the day when I'll have enough seniority to work all the time."

In New Haven, Conn., a factory worker explained why he didn't look for a job in another line, by asking, "Who would hire me? They know I'd go back to my old company as soon as work picked up."

FEW NEW STEELWORKERS

Since the 1958 recession, relatively few new workers have been brought into most major manufacturing industries. With many steel companies, even the lift in production this past April and May did not exhaust the seniority recall lists.

Most auto plants, though, with sales soaring toward the 1955 peak, ran through their recall lists this spring and now are hiring from the streets for the first time in 5 years.

This pattern has been aggravated by two other trends. In all manufacturing, automation has been cutting the number of jobs needed to yield the same output. At the same time, the trend of collective bargaining has moved steadily toward a stronger job monopoly and higher fringe benefits for the workers who are left.

OVERTIME IS CHEAPER

These fringe benefits have been pushed to where many companies figure it is cheaper to pay overtime than to hire a new man and pay his insurance, hospitalization, and other benefits.

In four unemployment centers, young workers told of being hired for temporary jobs and being "dropped the week before I could qualify for fringe benefits." One Detroit youth had gone through two such temporary work periods with the same auto company.

To sum up, if the job crisis of younger workers is to be eased, the economy plainly has to generate more work opportunities. Still, a considerable widening of apprenticeship openings for beginning workers is overdue.

Also, the trend of union bargaining needs modification so the burden of unemployment does not continue to be pushed off so completely onto the younger workers.

Edward P. Morgan and the News

(By the American Broadcasting Co., Mar. 28, 1963)

In Topeka, Kans., day before yesterday, I met a walking statistic. In Washington, D.C., statistics lie down flat on paper and, although every now and then one rises up to smack you in the eye, you don't get the full impact of these figures until they are translated into people. The fact that more than 6 percent of our ablebodied working force can't find jobs is disturbing enough. It is even more disturbing to realize that men and women now employed will soon be displaced, through no fault or doing of their own, by a process known, impersonally enough, as technological readjustment. This was the kind of statistic I met in Topeka, an experienced skilled worker with years of seniority, on the verge of displacement.

This fellow, a union man, is a locomotive fireman. In individual terms he is the personification of the long, bitter, and monumental struggle between the railway brotherhoods and the rail operators over the issue of featherbedding.

Perhaps he, his union, and railway management all should bear a share of the blame for not facing up realistically enough 20 years ago the fact that the introduction of diesel locomotives made firemen expendable. If an honest adjustment had been made then the issue would not be so deep and tortuous today. But it wasn't, and now that indecision is water over the dam. For my fireman friend the overriding issue today is his personal future. The Government cannot and will not permit a prolonged shutdown of the railroads. Somehow, the issue, which has been swollen and purpled with bruises by exaggerated claims and pig-headedness on both sides, will have to be solved. A wise Washington source, with long experience in labor-management problems, privately suggests that a compromise may have to be made on the recommendation of the special presidential commission that all firemen with less than 10 years tenure be fired.

Whatever happens to the Topeka fireman, he doesn't see much future in his chosen job. He doesn't look like a loafer. He isn't. Healthy, handsome, in his forties, he has a boy in college and a girl in high school looking forward to college, too. "What I want to know," he said to me, "is how the Government is going to help me solve my problem, and others like me." He is disturbed but not bitter. "Even if I can take advantage of some retraining program," he said, "I figure at my age that at the very best I'll have to take at least a 50-percent cut in income." This is the way the cold phrase "technological adjustment" on the mimeographed handout is translated into a vivid, painful, personal crisis.

Men in high places in Washington, like Labor Secretary Willard Wirtz for instance, are agonizingly aware of the personal crises piled behind their statistical columns and they are trying to do something about the situation. Inevitably individuals and families, even whole communities, are going to get hurt in the process. These casualties can be kept to a minimum only if all hands involved at the decisionmaking level, including labor, management and government officials, show more of a sense of urgency and mutual goodwill toward the adjustment of the problem than they have to date.

As one crosses the country today, even at the careening speed of the jet age, it is frighteningly easy to discern the fact that our whole society, at this revolutionary juncture of the century, is confronted with the compelling necessity of major adjustment on almost every level. Our approach to education is outrageously inadequate. Leaving aside for the moment the anguish of the indignities and even brutalities involved, we are wasting our human resources in a shocking fashion and at a rate that, rich as we are, we simply cannot afford; wasting them by timid, tentative approaches to the utilization of manpower and by understandable but inexcusable prejudices denying equal opportunity to more than a tenth of our population—the so-called Negro minority. And as if all that were not enough, we are wasting our almost boundless productivity, actual and potential.

In order to make the proper jet connection for Seattle I had to leave Wichita in this morning's rosy-fingered dawn and fly by private plane to Denver across the broad, gently heaving bosom of Kansas. It was a splendidly revealing but also disturbing interlude. There, hardly 2,000 feet below the four-seater executive Beechcraft, like some Asian ruler's alabaster palace, lay at Hutchison, Kans., one of the world's largest complexes of elevators where millions of bushels of surplus grain are stored. With his production breakdown in Kazakhstan plaguing him, Chairman Khrushchev would have viewed the sight in the checkerboard middle of the wheatfields with envy. Yet we cannot view it with pride against the bitter paradox of a farm program that is costing billions to discourage farmers from producing their best while millions of the world's mouths are underfed.

This vast dilemma makes Boeing's reluctant readjustment to the loss of the TFX airplane contract seem, in the large, an almost trifling exercise by comparison.

This is Edward P. Morgan saying good night from Seattle.

Mr. CLARK. Madam President, I thank the Senator from New York for his kindness in yielding to me. I know he has keen interest in this legislation also, because he is a cosponsor of it.

Mr. JAVITS. Madam President, I shall yield in a moment to the Senator from Arkansas [Mr. McClellan], who has asked me to yield, but first let me say that I am highly pleased to be associated with the Senator from Pennsylvania [Mr. CLARK] in this critically important field in our effort to deal with the Nation's civil rights crisis. I say that as a member of the Subcommittee on Employment and Manpower, which is headed by the Senator from Pennsylvania [Mr. CLARK].

Madam President, with respect to the proposed amendments just introduced by the Senator from Pennsylvania [Mr. CLARK] on behalf of the administration, I point out that the minority of the Joint Economic Committee, commenting on the President's Economic Report for 1963, has been critical of the administration's almost exclusive emphasis on its tax cut proposal as the answer to most of our country's economic ills and has proposed a series of remedies which, until a few days ago, the administration saw fit to ignore. Now that the civil rights problem is reaching a critical stage, the Kennedy administration suddenly awakened to the fact that the tax cut will do America's Negro citizens little good. The reduction of the tax burden on the low income brackets, to which, unfortunately, most Negro citizens belong, will leave them largely unaffected in the sense that it would not be effective in changing their economic status basically and permanently.

What the minority of the Joint Economic Committee recognized is that direct and specific programs are needed to remedy the lot of the unemployed and low wage earners of this country through such means as first, inclusion of an adult education training program under the Manpower Development and Training Act for those presently disqualified because of a lack of basic reading, writing, and mathematical skills; second, training under MDTA programs of large numbers of young men and women, particularly high school dropouts with no skills or previous work experience, in order to prepare them for lives of useful and productive employment; third, calling for changes in our unemployment compensation laws to permit an individual to receive unemployment compensation up to the normal amounts and limits while undergoing training or retraining; and fourth, substantial broadening of the Federal vocational and technical education programs.

It is gratifying to see that the administration is now introducing legislation, as part of its civil rights package, to implement three of the four recommendations of the minority of the Joint Economic Committee: a program for functional illiterates, broadening the training program for youth, and asking for increased vocational education expenditures. I feel however, that there are other steps that must be taken before we can say in clear conscience that a beginning has been at last made to help our unemployed citizens, Negro and white.

One of the most critical problems affecting training under the MDTA is the frequency of dropouts from such programs due to the inadequacy of training allowances. Under present law an eligible person may receive an amount equivalent to the average unemployment insurance payment prevailing in his State, unless his own record in covered employment warrants a higher payment, in which case he is entitled to receive the higher amount. Inasmuch as only 24 States presently permit receipt of unemployment benefits while taking approved vocational training under MDTA, the actual training allowance payments in most States are equivalent to the average unemployment compensation prevailing in those States. I believe that this limitation, imposed by most States, is shortsighted in that it fails to recognize the longrun benefit to those States in encouraging retraining despite the higher payments to those who do take advantage of retraining while unemployed than to the unemployed who do not. By retraining the unemployed for marketable skills, the States would reduce their unemployment compensation costs in the long run. Expenditures for the training of the unemployed should be viewed as an investment in manpower.

Since a change in Federal unemployment compensation standards would be difficult and time consuming—State legislatures would have to approve changes in State programs and many legislatures meet only once every year or 2 years—I propose that the Congress directly act by enacting changes in the present MDTA training allowance formula and by increasing the funds to be spent for this purpose. It is obvious that it is in the national interest that our labor force, particularly those unemployed, be upgraded through federally financed training programs. This is why the MDTA was enacted in 1962. It is therefore illogical not to provide the necessary financial incentives to encourage unemployed heads of households to sign up for a suitable training program, which may last as long as a year.

Under the present MDTA formula, individuals are receiving weekly training allowances as low as $22.72 in Arkansas, $25.30 in Alabama, $24.99 in South Carolina, $23.05 in Maine, $23.50 in Mississippi, $32.32 in Pennsylvania, and $37.69 in New York. Any earnings from work done outside training time are deducted from allowances under existing laws. In six States this means less than $100 per month; in practically all States it means less than $150 a month. According to testimony given by Deputy Manpower Administrator Seymour Wolfbein before the Subcommittee on Employment and Manpower on June 6, 1963, there are already a significant number of cases where trainees dropped out because they could not support their families on the existing allowances; trainees trying to retain some kind of job while training find the conflict in hours impossible and drop out in favor of jobs they are holding.

I propose that the training allowances under the MDTA be increased by using new standards or a combination of standards—such as making training equal to a certain percentage of the average weekly manufacturing wage in the Nation or the State—in order to provide MDTA trainees with adequate temporary support. I believe also that the increased costs of the new programs proposed today under MDTA should be reflected by an increase in the authorization for the program in this bill.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Manpower Development and Training Act of 1962 is amended by adding at the end of section 202 the following new subsection:

"(h) Whenever appropriate, the Secretary of Labor may also refer for the development of functional literacy and basic work skills those eligible persons who will thereby be able to pursue courses of occupational training, and such referrals shall be considered a referral for training within the meaning of this Act, except that the provisions of subsection (d) of this section shall not apply to the selection of persons under this subsection, and such persons shall be eligible for an additional 52 weeks of training allowances."

SEC. 2. Subsection (c) of section 203 of such Act is amended by striking out the word "nineteen" and inserting the word "sixteen" in lieu thereof, by striking out "5 percent" and inserting in lieu thereof "15 percent", and by striking out the period at the end thereof, inserting a comma in lieu thereof, and adding the following: "*Provided,* That no allowances shall be paid to any such youth who drops out of school, for a period of three months after the date of dropout."

SEC. 3. Section 231 of such Act is amended by striking out the period at the end of the first sentence, inserting a comma in lieu thereof, and adding the following: "except that with respect to referrals under subsection (h) of section 202 the Secretary of Health, Education, and Welfare may make arrangements for the provision of the training to be provided under such subsection (h) through other appropriate education agencies".

SEC. 4. Section 302 of such Act is amended by striking out the word "vocational" before the words "education and training".

SEC. 5. Subsection (b) of section 305 is amended by striking out the word "vocational".

FEDERAL AID TO SEGREGATION AND DISCRIMINATION

Mr. JAVITS. Madam President, I wish to address myself today for a little while to a massive problem in respect of the civil rights crisis which in my opinion seriously endangers the country. That is the problem of Federal aid to State programs which are themselves segregated or in which there is discrimination. This is a tragic aspect of the civil rights crisis. There are many things which represent injustice to our Negro citizens, which they consider intolerable and which they will tolerate no more. Of all of them—if we can assess them qualitatively—perhaps the most intolerable is the spending by the Federal Government, dedicated under the Constitution to equality of citizenship and required to enforce guarantees of U.S. citizenship within the States, of hundreds of millions of dollars—not millions, not tens of millions, but hundreds of millions of dollars—collected from all citizens regardless of race in aid of programs carried on by States under conditions of racial segregation and discrimination. This practice is rife almost throughout the Federal establishment, and we are almost at the beginning of trying to come abreast of it.

I believe one can deeply understand why people are angry when their tax moneys are abused in this fashion, notwithstanding the declarations of Presidents Roosevelt, Truman, Eisenhower, and Kennedy, and when a good deal of such discrimination persists in other cases which are only now beginning to be dealt with.

I, together with the Senator from Michigan [Mr. Hart], circularized the Federal Government departments in which anything like this has been going on, and we have gathered a considerable body of replies from the departments as to what the present situation is. The situation represents such a very interesting state of facts that I decided, when the Senate was not doing any business, to take the necessary time to spread it upon the Record, and to analyze it for the Senate and for the people of the country.

I shall state my objective first, because that is the loyal thing to do. My objective is to demonstrate that we need not wait for legislation, not even for the President's request for discretionary authority to cut off aid to State programs in which discrimination or segregation is being practiced. If we take the administration at its own word, based upon the administration's own statement of its powers, there are areas in which the administration can move now without waiting for Congress to act.

This is critically important, because all of us in good conscience are searching for what can be done now.

We all know that we are in for a hot session, a long session, a hard fight, and that it will take time. Summertime is upon us. Many people, including myself, are deeply concerned by what is encompassed within the word "demonstrations," when it is used in respect to this grave national crisis.

To meet, to speak, to parade, and to agitate for one's point of view is one thing. However, when irritations or unreasonableness, or failure to enforce the law, which we recently saw in Birmingham and other places, or the use of police force create a condition which breeds violence, "demonstrations" can become something very serious for America.

We are all searching for ways in which honorable changes, urgently required for many decades, can be made without waiting for new law, as important as new law also is.

This is the point of view that I shall analyze, in order to show what can be done now. That is the constant cry of the Negro community. This demonstrates the lines of activity now opened up, which may be accelerated in terms of the timing of the relief which can be given. Therefore, I speak in those terms.

Madam President, the greatest irony in the current crisis over civil rights which is sweeping the Nation is the fact that, notwithstanding all the efforts of the Federal Government to obtain compliance with the Constitution by many southern State and municipal governments, the Federal Government itself continues in myriad silent ways to subsidize programs which tolerate racial segregation and discrimination. Every program administered by the Federal Government in southern States is, potentially at least, open to this question. In two such programs, the Congress itself has embedded the now discredited separate-but-equal doctrine into statutory law: both the Morrill Land Grant College Act and the Hill-Burton Hospital Construction act even today contain such language in clear violation of the 14th amendment. One of the failures of Congress in the civil rights field is the failure to undo these anachronisms.

In all the other programs, the Congress has failed specifically to prohibit such use of Federal funds, which are obtained from taxation upon all regardless of color or race; nonetheless, the Federal Government is not powerless to prevent such flagrant misuse of the public moneys. The President recognized this in his message to the Congress early this month on civil rights by calling special attention to such use of public funds and the efforts which the executive branch has made "to fulfill its responsibilities by banning discrimination in federally financed housing, in NDEA and NSF institutes, in federally affected employment, in the Army and Air Force Reserve, in the training of civilian defense workers and in all federally owned and leased facilities." But these are only a beginning, both because there are still vast areas not mentioned and because enforcement efforts must follow promulgation of dry rules. The President recognized this by not leaving the matter at that point. However, instead of detailing what further areas he believed the executive branch now has authority to deal with, he indicated that under many statutes the power of the Administrator to withhold funds if discrimination were not ended "is at best questionable." For this reason he called for the passage of a single comprehensive provision making it clear that the Federal Government is not required to furnish financial assistance to any program or activity in which racial discrimination occurs. One provision of the legislation since sent by the administration to the Congress calls for such discretionary authority to be given to the executive branch.

Mr. JAVITS. Madam President, I ask unanimous consent to have printed at this point in my remarks title 6 of the administration's omnibus civil rights bill, S. 1731, entitled "Nondiscrimination in Federally Assisted Programs."

There being no objection, title 6 was ordered to be printed in the Record, as follows:

TITLE VI—NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS

Sec. 601. Notwithstanding any provision to the contrary in any law of the United States providing or authorizing direct or indirect financial assistance for or in connection with any program or activity by way of grant, contract, loan, insurance, guaranty, or otherwise, no such law shall be interpreted as requiring that such financial assistance shall be furnished in circumstances under which individuals participating in or benefiting from the program or activity are discriminated against on the ground of race, color, religion, or national origin or are denied participation or benefits therein on the ground of race, color, religion, or national origin. All contracts made in connection with any such program or activity shall contain such conditions as the President may prescribe for the purpose of assuring that there shall be no discrimination in employment by any contractor or subcontractor on the ground of race, color, religion, or national origin.

Mr. JAVITS. Madam President, in my view, this request by the President is unnecessary as a matter of law since the Executive already has such power. In fact, I believe that the Executive already has a duty in this regard—a mandatory requirement under the powers of the President in article 2, section 3, which gives the President responsibility to see that the laws are enforced; and under the 5th amendment and the 14th amendment, which impose upon both the Federal Government and the States the responsibility for affording equal protection of the laws to all U.S. citizens. Under those three sections of the Constitution—article 2, section 3; the 5th amendment; and the 14th amendment—the President has such authority.

The President has long been urged to take action to cut off aid to State and municipal programs with respect to which discrimination and segregation have been practiced. In August 1961 the Leadership Conference on Civil Rights submitted to the President a carefully documented memorandum entitled "Federally Supported Discrimination," which detailed the facts about segregation and discrimination in federally-aided programs in military affairs, education, employment, housing, health services, and agriculture, and called for an Executive order ending Federal support of such practices. The memorandum also cited legal authority and precedents for such an order, which were more than ample, including Executive orders by Presidents Roosevelt, Truman, and Eisenhower barring discrimination in various fields.

The President has not issued such an order, although the memorandum specifically referred to the 1960 Democratic platform pledges of Executive action. I call attention to page 8 of that memorandum, which reads as follows:

> The Democratic Party platform pledged Executive action to achieve "equal employment opportunities throughout the Federal Establishment and on all Government contracts;" "the termination of racial segregation throughout Federal services and institutions," "an end to discrimination in Federal housing programs, including federally assisted housing."

Instead of honoring those pledges, almost 2 years after taking office the President issued a limited Executive order against discrimination in Federal housing and he is now broadening the Federal contract order to cover federally aided construction. As to the federally aided housing, I shall refer to an answer to my inquiries from the Housing and Home Finance Agency, which very clearly shows that in view of the limitation of applicability of the order to new housing, nothing appreciable has yet happened, but there is hope that it will happen as new housing comes into use.

Both of these orders—that is, the one on housing and the one on discrimination in Government contracts with relation to federally-aided construction—added further precedents for the broadscale executive action which the memorandum called for. The clear legal authority for such action, even in the absence of legislative direction, was again supported unanimously during a hearing held on May 17, 1963 by the Subcommittee on Education of the Committee on Labor and Public Welfare, of which I am a member, by legal authorities, including a panel of Southern law school professors and the United States Civil Rights Commission. This was also the meaning and intent of the Commission's April recommendation to the President in regard to the flagrant denial by the State of Mississippi of rights granted to citizens there under the Constitution of the United States.

In my view, there are four ways to insure that all State and local programs supported with Federal funds shall be administered without regard to race or color. Two of those four ways can be accomplished by the Executive alone, and two by Congress.

First. The President can issue an across-the-board Executive order banning the use of Federal funds for programs in which discrimination or segregation on racial grounds is practiced.

Second. Each of the executive departments and agencies can, even without Executive order, refuse to disburse funds for such use, which is in effect what the U.S. Civil Rights Commission called for in the Mississippi case and in their recent testimony before the Subcommittee on Education.

Third. Congress can specify in each program authorization and in each appropriation bill that funds shall not be used for such purposes. I have repeatedly offered such amendments; and in each case my amendments have been tabled on motion of the leadership. So that does not seem to be a route Congress wishes to travel.

Fourth. Congress can enact an across-the-board prohibition against the discriminatory use of funds, as the senior Senator from Oregon [Mr. MORSE] recommends in the bill he introduced on June 4, and as the President recommends in the omnibus civil rights bill, in discretionary rather than the mandatory form.

Certainly Congress has a grave responsibility in the field of civil rights which it has greviously failed to fulfill. I am pleased that the President has finally come around to this view. I was one of the first to pledge my full support for the prompt enactment of the measures he has proposed. But I believe this one aspect of his request for legislation—that is, discretionary authority to cut off Federal aid to existing State or local programs engaged in segregation or discrimination—postpones too long the results which can be achieved immediately, without legislation.

The prospects for civil rights legislation and the cloture vote hurdle in the Senate are difficult enough without adding to them the burden of enacting a provision which is unnecessary, at least in the form in which it is proposed. I have made a determined effort to ascertain whether the executive branch itself believes it is necessary to have such a law. I take the floor today to make known the results, so far, of my inquiry. I believe the results of that inquiry will enable Congress to tailor the legislation to the specific need to which the executive branch testifies, so that immediate progress will not be deferred in areas in which no legislation is considered necessary, even by the executive branch itself.

I have already made clear the implications of time in this whole situation and, therefore, the urgent reason why we should not let time get away from us now.

In the same respect, I have had called to my attention statements made by the distinguished senior Senator from Georgia [Mr. RUSSELL] on the subject of the authority of the Federal Government to cut off aid to State or municipally segregated projects. I know that the Senator from Georgia feels very strongly about this subject. Indeed, the New York Times says that he considers that part of the administration's bill to be a "genocide" provision. That indicates, it seems to me, that this is where it hurts. This is where States which have been receiving hundreds of millions of dollars of taxpayers' money, far more than they pay into the Federal Treasury, are complaining, because they are hurt by the threat that this kind of money will be cut off when the State does not comply with the constitutional protection vouchsafed to all citizens.

Madam President, I know it has been said that this may hurt those whom it is designed to help—namely the Negroes—more than they would be hurt if the funds continued to be paid. If a showing of that necessity can be made, perhaps the Presidential discretion should be utilized in order to continue for the moment—because of the greater good—what is an intolerable situation. But I doubt that there will be very many of such cases, because the Negro population of the South is united almost as one in being perfectly willing to suffer that hardship for the greater good and for the lessening of the discrimination they have suffered for more than 100 years by not having the same opportunities to have jobs, to receive an education, to purchase homes, or to enjoy the dignity, as individuals and as citizens of the United States, to which they are entitled. From everything we know, I am confident that the Negroes of the South who are running the risks in the activities they have undertaken there will be willing to forgo the benefits of almost all of these programs, rather than to continue to suffer the hardships they have undergone for so many decades. Yet, the discretionary authority the President now has is not being exercised fully today.

Some of these figures are shocking. For example, consider the State of Alabama. As late as 1961, it paid to the Federal Government 51 cents for each dollar it received in Federal aid to State and municipal programs. The State of Mississippi paid 41 cents for every dollar it received under similar circumstances. The State of Georgia paid 64 cents for every dollar it received in connection with programs of this character.

I have voted time and time again for Federal aid to education bills and other legislation for Federal aid programs, under which New York pays 5 or 6 times the amount it has any likelihood of receiving from the Federal Government. Indeed, the formulas I have sponsored in this connection would result in having New York receive back even less. Certainly, the Federal Government is better operated when States which cannot help themselves receive aid, even though States such as New York do not receive back from the Treasury the amounts of revenue they pay into it. But I feel that it is unjust to States which pay such large portions of the Federal revenues if large Federal payments are made to States which continue to discriminate and segregate because of race.

In an attempt to determine the extent to which the administrators of the various Federal programs understand that they do have the authority to prevent discriminatory use of the hundreds of millions of tax dollars they expend each year, I, along with the Senator from Michigan [Mr. HART] in April of this year directed a series of letters to six Cabinet members and to the Administrator of the Housing and Home Finance Agency. The letters asked specific questions about the handling of the respective programs, based principally upon the leadership conference memorandum, and updated to take into account the changes which had come about in the intervening almost 2 years. Each letter concluded with the question "Is it your Department's view that sufficient authority already exists under the Constitution or laws of the United States to assure nondiscrimination in all your Department's programs, or is enactment of further Federal law considered necessary?" The letters were directed to the Secretaries of the Departments of Agriculture; Commerce; Defense; Health, Education, and Welfare; Labor; and Post Office; and to the Administrator of the Housing and Home Finance Agency.

I have now received full answers from the Departments of Commerce; Defense; and Post Office; and the Administrator of the Housing and Home Finance Agency. The Labor Department has submitted only a partial answer at this point. The Departments of Agriculture and Health, Education, and Welfare have not yet replied to my inquiries, although they are expected shortly. I strongly urge that their replies and the full reply of the Department of Labor be expedited so that a full picture of the positions of the Executive branch on this matter will be a matter of record at the earliest possible time.

At this time I should like to undertake to analyze the replies I have received for the benefit of the Senate. It is, of course, vital that the Congress be told in what specific respects such legislation is deemed necessary; and the answers so far received are extremely helpful in that regard.

I believe it is most noteworthy and encouraging that in most instances the Departments have taken the position that further legislation is not necessary.

Madam President, I ask unanimous consent that my letter to the Commerce Department and its reply be printed in full in the RECORD at this point in my remarks.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

APRIL 19, 1963.

Hon. LUTHER H. HODGES,
Secretary of Commerce,
Department of Commerce,
Washington, D.C.

DEAR MR. SECRETARY: It has been reported that in the administration of several programs by your Department:

1. Provisions are not made to assure that persons intended to benefit by the programs are actually aided commensurate with their need and without regard to their race, creed, color, or national origin; and that

2. Provisions are not made to obtain assurances that Federal funds will be administered in a nondiscriminatory manner, and, through a system of compliance reporting and surveillance, to see that these assurances are carried out.

Would you be good enough to advise me at your earliest convenience as to the following questions:

A. What steps are being taken to enforce the employment nondiscrimination clause in contracts with States under the Federal highway program? How do you determine the extent to which employment discrimination has been eliminated and the extent to which Negroes have been employed on these projects? Please evaluate the effectiveness of this nondiscrimination policy in terms of Negro employment in specific job categories on highway projects.

B. What measures have been taken or are contemplated to assure that employment opportunities created by the accelerated public works program will be made available without regard to the race, creed, color, or national origin of job applicants?

C. What steps have been taken to assure that employment opportunities created by loan programs under the Area Redevelopment Act are available without regard to race, color, creed, or national origin of job applicants? How do you determine whether these job opportunities are made known to all eligible applicants on a nondiscriminatory basis? How many Negroes have secured employment under this program? Have businesses operated by Negroes utilized the benefits available under the ARA program? Are Negro businesses represented on ARA committees? What efforts have been made to acquaint Negro businessmen with the program?

D. Are any provisions being made to avoid discrimination in the availability of places of public accommodation authorized by States to operate along the rights-of-way of highways built with 90-percent Federal funds?

E. What steps have been taken to assure that persons displaced by the Federal highway program will be relocated in decent housing provided on a nondiscriminatory basis?

F. Is it your Department's view that sufficient authority already exists under the Constitution or laws of the United States to condition the granting of Federal funds upon assurances of nondiscrimination or is enactment of further Federal law considered necessary?

I would appreciate your early reply.

With best wishes,

Sincerely,

JACOB K. JAVITS,
U.S. Senator.

GENERAL COUNSEL OF THE
DEPARTMENT OF COMMERCE,
Washington, D.C., June 27, 1963.

Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JAVITS: This is in further reply to your letter of April 19 requesting answers to a number of questions concerning nondiscrimination in projects carried on under programs of this Department.

There are attached replies to your questions A–E prepared by the Bureau of Public Roads and Area Redevelopment Administration, the agencies to whose programs these questions relate.

You have asked whether we believe we have sufficient authority to condition grants of Federal funds on assurances of nondiscrimination. As the attachments demonstrate, our authority is sufficient insofar as many aspects of these programs are concerned. However, enactment of titles II (Injunctive Relief Against Discrimination in Public Accommodations) and VI (Nondiscrimination in Federally Assisted Programs) of the bill submitted by the President on June 19 and the extension of jurisdiction of the Committee on Equal Employment Opportunity, provided by Executive Order 11114, together, would take care of the matters outlined in your questions C–1 and D.

Sincerely yours,

LAWRENCE JONES,
Acting General Counsel.

INFORMATION SUBMITTED BY AREA REDEVELOPMENT ADMINISTRATION IN CONNECTION WITH SENATOR JAVITS' LETTER OF APRIL 19, 1963

Questions B and C of Senator JAVITS' letter relate to the programs administered by the Area Redevelopment Administration. Question B reads as follows:

"B. What measures have been taken or are contemplated to assure that employment opportunities created by the accelerated public works program will be made available without regard to the race, creed, color or national origin of job applicants?"

The Public Works Acceleration Act did not create any new, substantive Federal grant-in-aid program. It merely authorizes additional appropriations for existing programs. Section 3(c) of the act requires that all grants-in-aid made from APW allocations "be made in accordance with all of the provisions of such law." Accordingly, we must leave this matter to each of the delegate agencies under the accelerated public works program. For example, the Community Facilities Administration utilizes the following clause in loan and/or grant agreements providing for the financing and construction of public works or facilities under the Accelerated Public Works Act:

"SEC. 25. Nondiscrimination: The borrower shall require that there shall be no discrimination against any employee who is employed in carrying out the project, against any applicant for such employment, because of race, religion, color or national origin. This provision shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The borrower shall insert the foregoing provision of this section in all its contracts for project work and will require all of its contractors for such work to insert a similar provision in all subcontracts for project work: *Provided*, That the foregoing provision of this section shall not apply to contracts or subcontracts for standard commercial supplies or raw materials. The borrower shall post at the project, in conspicuous places available for employees and applicants for employment, notices to be provided by the Government setting forth the provisions of this nondiscrimination clause."

We have provided a separate answer below to each individual question within question C.

"1. What steps have been taken to assure that employment opportunities created by loan programs under the Area Redevelopment Act are available without regard to the race, color, creed, or national origin of job applicants?"

In answering this question a distinction must be made between employment practices of construction contractors and employment practices of those occupying facilities constructed.

With respect to construction contractors on projects financed by public facilities loans and grants made under sections 7 and 8 of the Area Redevelopment Act, the Community Facilities Administration, acting as agent for ARA, includes a clause in its agreement with our borrower identical to that shown in our answer to question B above.

With respect to construction of commercial and industrial facilities financed by ARA under section 6 we have not included such clauses. Under Executive Order 11114 of June 22, however, such clauses will hereafter be required. Moreover, the reporting requirements of that order will facilitate enforcement of the nondiscrimination clauses now required on projects under sections 7 and 8.

With respect to employment practices of occupants of ARA-financed commercial and industrial facilities, we have not required as a condition for a commercial or industrial loan under section 6 of the Area Redevelopment Act that a borrower execute covenants with respect to its employment practices. The Congress, in authorizing our loan program for commercial and industrial projects, did not indicate its intent with regard to employment practices of private borrowers.

Enactment of title VI of the President's bill would, of course, resolve this question.

"2. How do you determine whether these job opportunities are made known to all eligible applicants on a nondiscriminatory basis?"

Your attention is invited to that portion of the above-cited nondiscrimination clause used by the Community Facilities Administration for public facility loans which reads: "The borrower shall post at the project, in conspicuous places available for employees and applicants for employment, notices to be provided by the Government setting forth the provisions of this nondiscrimination clause."

"3. How many Negroes have secured employment under this program?"

We do not have any information at this time as to the number of Negroes who have secured employment under our program. However, ARA, in cooperation with the U.S. Civil Rights Commission, is currently in the process of making a sampling survey which should provide this information in the near future.

"4. Have businesses operated by Negroes utilized the benefits available under the ARA program?"

A few businesses operated by Negroes have utilized the benefits available under the ARA program. For example, ARA has received several formal proposals in its Washington, D.C., offices from Negro businessmen for assistance under section 6 of the Area Redevelopment Act. These proposals are undergoing normal processing. In addition, our field representatives report that Negro businessmen are gradually submitting projects for ARA assistance to our field coordinators. These will be forwarded for further processing at our Washington, D.C., office. However, Negroes have been slow to respond to the benefits available under the ARA program because of their lack of knowledge of the program. In this connection, ARA has been and is attempting to educate Negro businessmen with respect to our program. (Also see answer to question 6 below.)

"5. Are Negro businesses represented on ARA committees?"

There are presently some Negroes on local area committees organized for the purpose of preparing overall economic development programs (OEDP's) for their respective areas. Also, in addition to being members of local development organizations, Negroes in some areas have taken the leadership in forming organizations to provide the 10 percent contribution to the aggregate cost of ARA projects as required under section 6(b)(9)(B) of the Area Redevelopment Act. Constant efforts are being made by ARA field personnel to encourage expansion of minority group participation in local planning organizations.

"6. What efforts have been made to acquaint Negro businessmen with the program?"

A personal and special appeal has been and is being made throughout the Nation to all types of community and State organizations (for example, business associations, colleges and universities, and urban leagues) for the purpose of enlisting their support and cooperation in developing greater participation on the part of Negroes in the ARA program. These groups are asked to encourage participation of Negroes not only as workers in ARA projects, but also as applicants for section 6 loans under the Area Redevelopment Act and as participants in local development groups.

Information Submitted by Bureau of Public Roads in Answer to Senator Javits' Letter of April 19, 1963

Questions A, B, D, and E of Senator Javits' letter relate to programs of the Bureau of Public Roads. The questions and answers are as follows:

"A. What steps are being taken to enforce the employment nondiscrimination clause in contracts with States under the Federal highway program? How do you determine the extent to which employment discrimination has been eliminated and the extent to which Negroes have been employed on these projects? Please evaluate the effectiveness of this nondiscrimination policy in terms of Negro employment in specific job categories on highway projects."

While there are no specific enforcement instructions with respect to the nondiscrimination clause in Federal-aid highway contracts let by the States, a breach of this clause, as well as various other required contract provisions, may be grounds for termination of the contract. The Bureau of Public Roads makes periodic inspections to insure compliance with all provisions of Federal-aid highway construction contracts let by the States, and takes appropriate action in instances of noncompliance. Because a comprehensive reporting requirement had not been established, very few administrative or compliance problems have been encountered. As indicated in the answer to item B, a survey concerning nondiscrimination is currently being made with respect to certain highway projects under the accelerated public works program. This survey and reports required under Executive Order No. 11114 together, will give a better picture of the operation of the nondiscrimination clause.

"B. What measures have been taken or are contemplated to assure that employment opportunities created by the accelerated public works program will be made available without regard to the race, creed, color or national origin of job applicants?"

A nondiscrimination survey is currently being made by the Bureau of Public Roads, at the request of the U.S. Commission on Civil Rights, of selected highway projects being constructed under the accelerated public works program. The results of this survey will be reported on a form furnished by that Commission.

"D. Are any provisions being made to avoid discrimination in the availability of places of public accommodation authorized by States to operate along the rights-of-way of highways built with 90 percent Federal funds?"

Commercial facilities providing public accommodations, such as restaurants and motels, are not permitted to be located within the public right-of-way of any interstate projects financed in part with 90 percent Federal-aid highway funds. The Federal-aid highway legislation contains no provision relating to nondiscrimination in the use of privately owned facilities as may provide for public accommodations along, but outside of such highway rights-of-way. Legislation would be necessary before any action could be taken by us.

"E. What steps have been taken to assure that persons displaced by the Federal highway program will be relocated in decent housing provided on a nondiscriminatory basis?"

Our authority with respect to relocation is limited to section 133 of title 23, United States Code. This provides only that the States give assurance relocation advisory assistance shall be provided for families displaced by Federal-aid highway projects and that certain moving expenses authorized under State law may be reimbursed. However, attention is invited to Executive Order No. 11063 relating to equal opportunity in housing which provides that federally financed housing or housing financed on the credit of the Federal Government must be sold, leased, or rented without regard to race, color, creed, or national origin.

Mr. JAVITS. Madam President, the reply of the Department of Commerce deals primarily with the Area Redevelopment Administration program, which is a very considerable one, and with the Federal-aid-to-highways program. Of course, since the original documents are printed in the Record, my comments must be read in the light of those documents.

As regards the administration of the area redevelopment program, insofar as community facilities are concerned, it appears that there is an effort to enforce nondiscrimination. But when it comes to the employment practices of occupants of ARA-financed commercial and industrial facilities, the report states:

> We have not required as a condition for commercial or industrial loans under section 6 of the Area Redevelopment Act that a borrower execute covenants with respect to its employment practices. The Congress, in authorizing our loan program for commercial and industrial projects, did not indicate its intent with regard to employment practices of private borrowers.

So here is a specific case in which it is claimed that legislation is required, although as regards community facilities, it is claimed that legislation is not required.

As regards the road program, the statement in the report is as follows:

> While there are no specific enforcement instructions with respect to the nondiscrimination clause in Federal-aid highway contracts let by the States, a breach of this clause, as well as various other required contract provisions, may be grounds for termination of the contract.

The report then states that a nondiscrimination survey is currently being made by the Bureau of Public Roads, at the request of the U.S. Civil Rights Commission, and that a report will be submitted. So that question still remains in the pending category.

Also, as regards commercial facilities providing public accommodations, such as restaurants and motels, the Department states that they are not permitted to be located within the public right-of-way of any interstate project financed in part with Federal-aid highway funds. The Department also states:

> The Federal-aid highway legislation contains no provision relating to nondiscrimination in the use of privately owned facilities as may be provided for public accommodations along, but outside of such highway rights-of-way. Legislation would be necessary before any action could be undertaken by us.

That is a clear indication that in connection with the Federal-aid highway program, as is true in connection with at least a part of the Federal area redevelopment program, legislation is considered needed, whereas, with respect to the other parts, no legislation is considered needed and the Department can proceed now, according to its own view.

Madam President, before I proceed further, I note that my colleague and partner in this effort, the Senator from Michigan [Mr. Hart], is present in the Chamber. I would be perfectly willing to suspend and let him carry on in any way he sees fit. I would be glad to yield.

Mr. HART. Madam President, I thank the Senator for so graciously yielding. I am present to hear the distinguished Senator from New York in full in relation to the effort which he is making. As the Senator has suggested, many Senators have joined in the effort, which I think will have real significance for all of us, as we approach our responsibilities in connection with the civil rights bills. I shall make my remarks at the conclusion of the remarks of the Senator from New York. But I should like to have him know that I have enjoyed very much his comments, particularly that portion of his statement with respect to the challenges that have been directed against the proposal that we do in fact face the obligation of withholding funds and stopping subsidization of discrimination. I agree with every word he has said.

Mr. JAVITS. Madam President, I am very grateful to the Senator from Michigan. I should like to make crystal clear that we have proceeded together as a team on this subject. I have the greatest devotion to bipartisanship in this field. I believe it is absolutely essential. I should like to make clear that it is not merely a presentation by me, but represents a complete team effort with the Senator from Michigan [Mr. Hart]. I hope our course will continue in that way until we realize all the potentials which inhere in this particular approach. I pledge myself to continue the effort in that way. I would not have spoken today on this subject if the Senator from Michigan [Mr. Hart] were not prepared to speak on his own behalf.

Mr. HART. Mr. President, will the Senator yield further?

Mr. JAVITS. I yield.

Mr. HART. In relation to the bipartisan effort about which the Senator has spoken, he has expressed his point of view many times in the past. There should be the fullest realization by Senators on both sides of the aisle that we need a bipartisan effort if the Senate is to deliver to the people of America a measure which the people have every right to expect.

Mr. JAVITS. I thank my colleague.

Madam President, I come now to the critical and important question of defense. I ask unanimous consent that the letter of request together with the reply be printed in the RECORD at this point.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

MAY 6, 1963.

Hon. ROBERT S. MCNAMARA,
Secretary of Defense,
Department of Defense,
Washington, D.C.

DEAR MR. SECRETARY: The President has stated on several occasions that Federal funds should not be expended so as to encourage or support segregation or discrimination and that equality of opportunity for all servicemen should be assured. In this regard, would you be good enough to advise me at your earliest convenience as to the following:

(1) National Guard: How extensive is racial segregation in National Guard units? What steps have been taken or are contemplated to eliminate racial segregation where it exists?

(2) Reserves: How extensive is racial segregation in the Reserves? What steps have been taken to implement the memorandum of the Deputy Secretary of April 3, 1962, on compliance with Executive Order 9981 in the Army, Navy, Air Force, and Marine Corps Reserves? What have been the results of this directive?

(3) ROTC: Which educational institutions sponsoring Reserve Officer Training Corps programs refuse to admit Negro students? What is the Department of Defense policy with respect to the maintenance of ROTC programs at institutions which discriminate?

(4) Civil defense: To what extent is discrimination and segregation prohibited in civil defense training programs, use of facilities, and in local civil defense corps units?

(5) Administration of justice: What action is being taken to assure equal military justice to all races in, for example, sentencing, adequate defense counsel, and manner and type of discharges?

(6) Availability of facilities: What steps have been taken to implement, and what have been the results of, the memorandum of the Deputy Secretary of June 19, 1961, on availability of facilities to military personnel with respect to the following:

(a) The construction of facilities on base where unsegregated facilities are not available in communities surrounding the base?

(b) Efforts to obtain unsegregated facilities off base through command-community relations committees?

(c) The use of military police to support enforcement of racial segregation?

(d) The provision of legal assistance to members of the Armed Forces involved in the violation of racial segregation laws or customs?

(7) Is the Department considering further steps to secure equal opportunity for all servicemen with respect to off-base housing, education, transportation, police relations?

Is it your Department's view that sufficient authority already exists under the Constitution or laws of the United States to prevent the expenditure of Federal funds in a manner which supports segregation and to protect the constitutional rights of servicemen while on and off base?

I would appreciate your early reply.

With best wishes,

Sincerely,

JACOB K. JAVITS,
U.S. Senate.

ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C., June 26, 1963.

Hon. JACOB K. JAVITS,
U.S. Senate.

DEAR SENATOR JAVITS: Thank you for your letter of May 6, 1963, to the Secretary of Defense concerning equality of opportunity for all servicemen.

The responses to the six questions raised in your letter follow in the order and numbering in which they are listed in your letter of May 6:

(1) National Guard: The problem of complete integration of the National Guard has been receiving continuing attention within the Department of Defense, and considerable progress has been made toward this goal.

We have reason to believe that it would be legally possible to withhold Federal funds as a means of bringing about integration in State National Guard units, but the Department has sought to make progress through persuasion and consultation with State Governors and Adjutants General rather than through efforts to withhold funds. In addition, integration is being effected when Guard units from any State are ordered into the Federal service by assignment of personnel by the military departments to those units without regard to race. Integration also is being effected by assignment of personnel to Guard units during summer encampments without regard to race.

Advances in the integration of Negroes into formerly all-white units have been made by modification of statutes and practices which precluded integration in several States. The latest such action was the repeal on April 2, 1963, by the North Carolina Legislature of a statute limiting the use of Negro troops and compelling segregation in that State. Progress also has been achieved in that all-Negro units have been eliminated throughout the National Guard. The principal problem remaining is with regard to 10 of the Southern States which do not yet have Negroes in their National Guard units. The Department is seeking to have these States voluntarily drop these restrictions, as has the State of Texas recently.

As indicated above, it is within the realm of legal possibility to seek to bring about integration in State National Guard units by withdrawal of funds and Federal equipment. However, the National Guard is comprised primarily of voluntary units and voluntary personnel serving, when in a State status, under the command of State Governors. Action to withhold funds and equipment could result in the rejection of Federal funds or deactivation of units by some States, with a resultant serious deterioration in combat effectiveness. About 25 percent of the Army National Guard's strength, including important artillery, tank, armored, infantry and other combat units, as well as vital reconnaissance, fighter and transport units of the Air Force are located in Southern States. The potential deterioration of these important units is sufficiently serious to cause this Department to feel that at this time it is not in the national interest to risk cutting off Federal support.

(2) Reserves: The Deputy Secretary of Defense, on April 3, 1962, expressed his concern that the responsibilities of the Department to assure equality of treatment of all personnel in the Reserves had not been fully met and directed that specific measures be undertaken to identify and eliminate discriminatory practices or customs. He expressed concern particularly over such matters as the existence of all-Negro units and the possibility that a disproportionate number of Negroes are assigned to pools rather than to drilling units, and directed that specific measures be undertaken to integrate units as rapidly as is consistent with military effectiveness.

In implementation of the Deputy Secretary of Defense's memorandum, the military departments issued instructions to field commanders emphasizing policies of nondiscrimination in the acceptance or rejection of applicants for the Reserves; existing assignment procedures were reviewed to determine if new safeguards against discriminatory attitudes or practices were needed; the composition of Reserve units was examined to determine if any all-Negro units existed and that such all-white units as exist are not the result of discriminatory practices; a review was made to assure that a disproportionate number of Negroes are not assigned to active status pools as opposed to drilling units; and quarterly reports of findings and actions taken were submitted by each service to the Assistant Secretary of Defense (Manpower).

As a result of the Deputy Secretary of Defense's memorandum, a number of significant actions have been taken:

(1) The interest of the Secretary of Defense and the Secretaries of the military departments in equality of treatment in the Reserve forces, and that of major military commanders has been forcefully emphasized to all commanders and to personnel responsible for enlistment and assignment of reservists.

(2) Such all-Negro units as were found to be in existence, for whatever reason, have been eliminated.

(3) Enlistment and assignment procedures have been revised where necessary in order to provide fuller assurance of equality of treatment for all personnel. Army Regulation 140–111, issued June 28, 1962, established stringent provisions for assistance to all applicants in locating unit vacancies and provided a right of appeal to the Active Army to any person denied enrollment in a Reserve unit. Changes in the procedures for measurement of the skills and aptitudes of applicants also were made to provide assurance of more objective measurement by Reserve unit commanders of an applicant's potential ability. Air Force Regulation AFR 45–3B issued November 2, 1962, also established specific procedures for processing of appeals of medically and mentally qualified personnel who apply for but are not accepted for assignment to Air Force Reserve units. Provision also was made for positive assistance to applicants in locating Air Force Reserve positions vacancies in the area of their residence.

(4) The number of Negro personnel participating in drilling units in the Ready Reserve in Army and Navy between June 30, 1962 and December 31, 1962, was increased, despite a decrease in the total number of personnel assigned to drilling units.

In the Army, despite a decrease of 7,065 in the number of personnel assigned to drilling units the number of Negro personnel assigned to drilling units increased by 1,194 (12.1 percent); the number of Negroes in the active status pool decreased by 1.4 percent. The percentage of Negroes in the Ready Reserve increased from 4.8 to 5.2 percent.

In the Navy, despite a sizable overall decrease (9,752) in the number of personnel assigned in a drill pay status, the number of Negroes so assigned increased by 338 (18.9 percent). The number of Negroes in the active status pool decreased by 18.4 percent. The number of Negroes in the Ready Reserve increased from 1.8 to 1.9 percent.

Due to the absence of racial information in the Air Force reporting system comparative data on the number of Negro personnel assigned to drilling units between June 30, 1962 and December 31, 1962, are not available. Data as of January 15, 1963, indicate, however, that the percentage which Negro personnel comprise of the active status pool (5.4 percent) is not greatly higher (1 percent) than the percentage they comprise of total Air Force Ready Reserve personnel (4.4 percent) and approximates the proportion of Negroes in the Army active status pool (5.6 percent) as of December 31, 1962.

(3) ROTC: The Department of Defense does not have information as to the entrance policies of the nearly 800 colleges, high schools, and preparatory schools which have senior or junior ROTC units, and consequently does not have a basis on which to respond to the question as to which schools do not admit Negroes as a matter of policy.

It would be possible to cancel contracts with schools having ROTC units, with appropriate notice, if it should be determined as a matter of policy that such cancellations are desirable as a means of preventing discrimination.

The feasibility of such a step is now being reviewed. There is a serious question, however, as to whether such a limited and indirect measure, when considered in the context of the total school problem and the overall expenditures of Federal funds for education, would be an effective means of bringing about changes in the admission policies of schools and colleges.

(4) Civil defense: The contributions which the Office of Civil Defense makes to the personnel and administrative expenses of State and local civil defense organizations are subject to a mandatory nondiscrimination in employment provision. In the event of violation of this requirement the Office of Civil Defense can withhold funds under section 401(h) of the Federal Civil Defense Act, until the State or political subdivision complies with the requirement.

States, localities, private organizations and individuals making their premises available as public fallout shelter space are subject to a requirement that all such facilities be available to all members of the general public. Also, regulations governing the establishment of the U.S. Civil Defense Corps (composed of local civil defense organizations) provide that no person shall be considered ineligible for membership in such corps by virtue of race, creed, color, or national origin.

States and localities conduct certain civil defense training programs locally and receive one-half of the cost from the Office of Civil Defense. Also, an adult education program in civil defense conducted by the States is supported by Office of Civil Defense funds administered through the Department of Health, Education, and Welfare. The States select the students to attend these local training programs. Though there are at present no specific requirements as to the criteria to be used by the States in the selection of students, beginning with the next contract year a nondiscrimination clause will be incorporated. This will establish a requirement on the States to select students and conduct classes without regard to race, creed, color, or national origin in order to be eligible for receipts of funds.

(5) Administration of justice: In order to assure that there is no discrimination in the administration of military justice, a review was made in December 1961 under the guidance of the General Counsel of the Department of Defense, of allegations of racial prejudice recorded during the past year. A spot check also was made of recent courts-martial cases to determine if there was evidence of racial discrimination in these cases. No evidence of such discrimination was found and there is every reason to believe that the cases selected for spot check accurately represent general practice.

With regard to provision of qualified defense counsel, in general courts-martial cases military counsel who are members of the bar of the Federal court or of the highest court of a State of the United States and who have been certified as competent by the Judge Advocate General of their military department must be provided. Similarly, at the appellate review level, legally qualified counsel are required whether the appeal be from a general or a special court-martial.

With regard to discharges, records of servicemen under consideration for separation are adjudged on the basis of merit without regard to race or color. In review of discharges any assertion by an applicant of racial discrimination in support of his request for a change or modification of the type of discharge received is carefully examined in light of all the facts and an impartial determination made.

(6) Availability of facilities: The implementation of the policies established in the Deputy Secretary of Defense memorandum of June 19, 1961, with regard to facilities on and off base, use of military police and the provision of legal assistance has been a responsibility of local commanders which they are required to discharge within the limits of available funds and within the framework of their continuing relationships with local community organizations and facilities. Overall data on the actions taken by the many base commanders throughout the Military Establishment are not available. However, a thorough study has been made by the President's Committee on Equal Employment Opportunity to determine the effectiveness with which this memorandum and the other equal opportunity policies of the Armed Forces are being implemented and to determine what additional measures may be needed to improve equality of opportunity for members of the Armed Forces. The availability of facilities for members of the Armed Forces and their dependents in the civilian community, particularly with respect to housing, education, transportation, recreational facilities, and community activities, was one of the major areas included in the committee's study. The committee has just rendered its report and has made recommendations on the whole range of problems related to equality of treatment and opportunity for persons in the Armed Forces. The recommendations of the committee are now being reviewed and a report will be made to the President within 30 days on such additional steps as may be required by the Department of Defense to secure equal opportunity for all servicemen.

Meanwhile, with regard to housing, the Secretary of Defense has instructed the Secretaries of the military Departments, in a memorandum dated March 8, 1963, to include the following clause in all leases for family housing executed on behalf of the United States under the authority of section 515, Public Law 84–161: "It is understood and agreed that the Government will assign the desired premises to military personnel in accordance with Executive Order 11063, dated November 20, 1962, which provides that housing and related facilities shall be available without discrimination among tenants because of race, color, creed, or national origin."

In addition, the Secretary required in his March 8 memorandum that all listings of available private housing maintained at military base housing offices shall include only those units which are available without regard to race, color, creed, or national origin. This memorandum applies to the listing of private housing off base; all housing and other facilities on military installations, of course, have been fully integrated for many years.

(7) Further steps: As indicated in the response to question 6 above the problem of further steps which should be taken to assure equality of opportunity for all servicemen has been the subject of a study by the President's Committee on Equal Opportunity in the Armed Forces and the recommendations of that committee are now under active study.

Lastly, you raised the question whether it is the Department's view "that sufficient authority already exists under the Constitution or laws of the United States to prevent the expenditure of Federal funds in a manner which supports segregation and to protect the constitutional rights of servicemen while on and off base?" It is our view that under existing laws the Armed Forces have achieved substantial success in providing equality of opportunity for active duty military personnel on base. As our comments above on your specific questions indicate, there remain vital problem areas in the situation of some military personnel while off base and of some military personnel while serving in a state status. The question as to whether additional statutory authority may be necessary or desirable to resolve some of these problems will be considered in connection with the initial and subsequent reports of the President's Committee on Equal Opportunity in the Armed Forces.

Thank you for the opportunity to comment upon the important questions raised in your letter. If further information is needed, I shall be glad to furnish it.

Sincerely yours,

NORMAN S. PAUL.

Mr. JAVITS. Madam President, the first problem we face is the National Guard. I say with the greatest sadness that it is a fact that the National Guard is still not desegregated. The letter states as follows:

> The principal problem remaining is with regard to 10 of the Southern States which do not yet have Negroes in their National Guard units.

The letter continues—

> The Department is seeking to have these States voluntarily drop these restrictions, as has the State of Texas recently.

The letter points out—and again I say this is a very serious situation facing the country—

> About 25 percent of the Army National Guard's strength, including important artillery, tank, armored infantry and other combat units, as well as vital reconnaissance, fighter and transport units of the Air Force are located in Southern States. The potential deterioration of these important units is sufficiently serious to cause this Department to feel that at this time it is not in the national interest to risk cutting off Federal support.

That is a pretty sad situation, but there it is. The letter goes on to speak about the reserve components of the defense forces, which subject has had the attention of the Deputy Secretary of Defense. A considerable number of things have been done—for example, the elimination of all-Negro units which were actually found to be in existence.

Notwithstanding everything we have heard about desegregation of the defense forces since World War II. The Deputy Secretary also expressed concern particularly over "the possibility that a disproportionate number of Negroes are assigned to pools rather than to drilling units, and he directed that specific measures be undertaken to integrate units as rapidly as is consistent with the military effectiveness."

Assignment of Negroes to pools rather than drilling units shows a complete underutilization of the manpower of our country, by virtue of discrimination in the critically important element of our country's security, a clear area where the Federal Government has the power, and says it has the power, and can press forward.

On the ROTC—the Reserve Officers Training Corps—the report states as follows:

> It would be possible to cancel contracts with schools having ROTC units, with appropriate notice, if it should be determined as a matter of policy that such cancellations are desirable as a means of preventing discrimination.
>
> The feasibility of such a step is now being reviewed. There is a serious question, however, as to whether such a limited and indirect measure, when considered in the context of the total school problem and the overall expenditures of Federal funds for education, would be an effective means of bringing about changes in the admission policies of schools and colleges.

There again is an area in which no law is considered required. Obviously the Defense Department feels it has the authority, which it is now exploring, and in which progress is possible.

We come now to civil defense. The report states that public fallout shelter space is subject to a requirement that all such facilities be available to all members of the general public. However, in respect of civil defense training programs, the report states as follows:

> Though there are at present no specific requirements as to the criteria to be used by the States in the selection of students, beginning with the next contract year a nondiscrimination clause will be incorporated.

There again is a clear opportunity to make progress which does not require law.

Then we come to the problem of facilities on and off bases, probably one of the stickiest problems that we face. The report states:

> The availability of facilities for members of the Armed Forces and their dependents in the civilian community, particularly with respect to housing, education, transportation, recreational facilities, and community activities, was one of the major areas included in the committee's study.

That refers to the President's Committee on Equal Employment Opportunity, which has made certain recommendations which are now being reviewed. The report states:

> A report will be made to the President within 30 days on such additional steps as may be required by the Department of Defense to secure equal opportunity for all servicemen.

Madam President, this letter was dated June 26, so we are in the middle of the period when action can be taken. This is critically important. It refers as well to family housing which may be available off the base. It is something which base commanders as well as the Defense Department can do something about. It does not require any additional law.

On the basic question as to whether additional law is required, overall, the letter says as follows:

> The question as to whether additional statutory authority may be necessary or desirable to resolve some of these problems will be considered in connection with the initial and subsequent reports of the President's Committee on Equal Opportunity in the Armed Forces.

We have seen enough in this letter to indicate that there are a number of areas in which the Department can move, that progress can be made without waiting for additional law, and that progress is urgently needed in a number of these areas.

I come now to the letter of the Postmaster General. I ask unanimous consent that my request and the reply thereto may be printed in the Record at this point.

There being no objection, the letters were ordered to be printed in the Record, as follows:

April 19, 1963.

Hon. J. Edward Day,
Postmaster General,
Post Office Department,
Washington, D.C.

Dear Postmaster General: As the largest single Federal agency, the Post Office Department is in a key position to affect the employment of Negroes in areas where such employment has in the past been limited. Would you be good enough to advise me at your earliest convenience as to the following questions:

(a) What measures have been taken or are contemplated to assure that equal employment opportunity is afforded by the railroads and airlines who are carriers of the U.S. mails?

(b) What measures have been taken or are contemplated to overcome the past practices of discrimination in employment in the postal service? To what extent do seniority considerations in promotions perpetuate the present situation and limit opportunities for Negroes? What steps are possible to overcome this?

(c) It has been reported that the Postal Inspection Service is an example of continued segregation in Federal employment; what steps are being taken to eliminate this?

(d) Is it your Department's view that sufficient authority already exists under the Constitution or laws of the United States to assure nondiscrimination in all your Department's programs or is enactment of further Federal law considered necessary?

I would appreciate your early reply.

With best wishes,

Sincerely,

Jacob K. Javits,
U.S. Senator.

Office of the Postmaster General,
Washington, D.C., May 3, 1963.

Hon. Jacob K. Javits,
U.S. Senate,
Washington, D.C.

Dear Senator: Information is set forth below in response to the questions in your letter of April 19, 1963, relative to measures taken by this Department to provide equal employment opportunity.

(A) EQUAL EMPLOYMENT OPPORTUNITY IN MAIL-CARRYING RAILROADS AND AIRLINES

Mail is carried by airlines under statutory mandate. They are required to carry mail tendered to them by the Postmaster General. The rates paid to the airlines are prescribed by the Civil Aeronautics Board. The Department has no contract with any of these airlines which would be subject to the provisions of Executive Order 10925. In the absence of a contract, the Department appears to have no jurisdiction over the employment policies of the airlines. At least one airline, to our knowledge, namely American Airlines, is a participant in the "plans for progress" program under which they have agreed with the President's Committee on Equal Opportunity to abide by the provisions of the Executive order.

The situation is somewhat the same with respect to the mail-carrying railroads. They carry mail under statutory authority and the rates paid to them are fixed by the Interstate Commerce Commission. In the case of the railroads, however, under authority of law, the Department has entered into a number of contracts with some of them. These contracts contain the nondiscrimination provisions required by the Executive order. In cases where the contract exceeds $50,000, the railroad is required to file extensive compliance reports. Complaints addressed to us against railroads are investigated. In the near future it is expected that a comprehensive compliance review will be conducted to determine whether these railroads with which the Department has contracts are in fact complying with the requirements of the Executive order.

(B) MEASURES TAKEN OR CONTEMPLATED TO OVERCOME PAST PRACTICES OF DISCRIMINATION IN POSTAL SERVICE

This Department has enunciated a policy of compliance with the letter and spirit of President John F. Kennedy's Executive Order 10925—Equal Employment Opportuinity. It has been made clear that discrimination because of race, color, creed, or national origin will not be tolerated in any manner at any level in the postal service. This policy has been given effect through the development of a comprehensive, affirmative action program touching every facet of the Department's operations. Examples of specific measures taken:

Executive Order 10925 given wide distribution throughout the postal service.

A merit promotion policy established and implemented, prohibiting any racial, religious, or other improper discrimination in promotions.

Position of special assistant for employee relations established and filled, on the Regional Director's immediate staff, in each of the Department's 15 regional offices. These officials serve as deputy employment policy officers, responsible for day-to-day coordination of compliance and affirmative action programs in their regions. Each has a part-time staff of hearing officers—investigators to assist in processing complaints of discrimination.

Top-level departmental Board of Appeals and Review established and staffed. This three-man Board processes and reviews all equal employment opportunity cases prior to final decision by the employment policy officer, and assists in coordination of the Department's affirmative action program.

Special surveys and studies of status of minority group employees.

Special programs to accelerate recruitment and promotion for minority group individuals.

Training in depth for regional officials, postmasters, supervisors, and hearing officers-investigators.

Conferences and consultations with civil rights and intergroup relations organizations and minority group community leaders.

Organization of councils to promote equal employment opportunity.

Equal employment opportunity conferences with employee organizations.

Participation in regional meetings throughout the country sponsored by the President's Committee on Equal Employment Opportunity.

Issuance of "Code of Ethics for Postal Employees," containing the Department's nondiscrimination policy, and its distribution to all employees.

Development and maintenance of a comprehensive affirmative action program by each postmaster at the 313 largest offices, employing 92 percent of all minority group individuals in the postal service. Programs must meet standards established by the Department, receive approval of the region's special assistant for employee relations, and indicate specific tangible targets of achievement.

Segregated (dual) locals of employee organizations have been eliminated, with cooperation of the national employee organizations. Recognition is withheld from any employee organization which discriminates in its terms or conditions of membership because of race, color, creed, or national origin.

Complaints are investigated and adjudicated, and corrective action taken where found warranted.

A large number of appointments and promotions of minority group individuals have been made to key positions in the service, including:

Deputy Assistant Postmaster General, Bureau of Transportation, GS-18.

Postmaster, Los Angeles, PFS-18.

Personnel Director, Chicago Region PFS-17.

Assistant Postmaster, Washington, PFS-16.

Appeals Officer, Department, GS-15.

Chief of Employment, New York Region, PFS-15.

Chief of Schemes and Routing, New York Region, PFS-15.

Assistant Tour Superintendent, Chicago Post Office, PFS-14.

Chief, Vehicle Operations Branch, Minneapolis Region, PFS-14.

Confidential Assistant to the Postmaster General, GS-13.

Assistant to Board of Appeals and Review, GS-13.

Mechanical Engineer, GS-13.

Superintendent of Employment and Compensation, Chicago Post Office, PFS-13.

SENIORITY CONSIDERATIONS IN PROMOTIONS AS A LIMIT TO OPPORTUNITIES FOR NEGROES

The principal area in which seniority considerations have tended to limit promotion opportunities for Negroes has been in promotions from a lower supervisory level to a higher supervisory level, the reason being that relatively fewer Negroes were promoted into the supervisory ranks prior to 1961. The Department's merit promotion policy is intended to overcome that handicap insofar as possible. Supplemental measures have been necessary in some cases through the directed promotion of qualified Negroes. Whether in promotions between supervisory levels or in other promotions, if it is found that undue weight has been attributed to seniority and discrimination has resulted, corrective action is directed.

(C) STEPS TO ELIMINATE THE REPORTED CONTINUED SEGREGATION IN THE POSTAL INSPECTION SERVICE

During the past 2 years eight Negroes have been appointed on the clerical staff of the Inspection Service (headquarters and field). In addition, a number of Negro investigative aids work with and assist inspectors on depredation cases throughout the country. During the 2-year period the Inspection Service conducted full field investigations of 19 Negro applicants for the position of Postal Inspector. One of these met all of the rigid requirements of the position and was appointed Postal Inspector. Although turnover in the Inspection Service is relatively small, continuing efforts are underway to further improve employment opportunities for Negroes in that branch of the Department.

(D) ADEQUACY OF EXISTING AUTHORITY UNDER THE CONSTITUTION OR LAWS OF THE UNITED STATES TO ASSURE NONDISCRIMINATION IN ALL OF THE POST OFFICE DEPARTMENT'S PROGRAMS

Our present view is that sufficient authority does exist.

Sincerely yours,

J. EDWARD DAY,
Postmaster General.

Mr. JAVITS. Madam President, I point out that the basic and most important item contained in this letter appears at the end. Question D is as follows:

> Adequacy of existing authority under the Constitution or laws of the United States to assure nondiscrimination in all the Post Office programs?

Answer:

> Our present view is that sufficient authority does exist.

It seems to me that that is crystal clear as to a great Government Department and what it thinks about the situation.

There are detailed a considerable number of activities in which the Department is now engaged. But I point out, in respect to airlines, that they say:

> In the absence of a contract the Department appears to have no jurisdiction over the employment policies of the airlines.

I ask the question: What about a contract? Why not a provision in the contracts to prevent discrimination by the airlines?

Apparently only one of the airlines, American Airlines, is a participant in the plans for progress program, under which they have agreed with the President's Committee on Equal Opportunity to abide by the provisions of the Executive order on nondiscrimination.

What about the airlines?

The report goes on to detail other matters, such as promotion in the Department, on which the Department apparently is at work, and the report details the steps which the Department has already taken, which are very impressive. They are impressive because they indicate how serious the situation still remains, since one of the items in which they take pride is that—

> Segregated (dual) locals of employee organizations have been eliminated, with the cooperation of the national employee organizations. Recognition is withheld from any employee organization which discriminates in its terms or conditions of membership because of race, color, creed, or national origin.

I think we have a right to ask, "How long, O Lord, how long has this been going on, before they are able to report in a current way that it has been eliminated?"

I come next to the Housing and Home Finance Agency, and I ask unanimous consent that the letter of request and the letter of reply may be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

APRIL 27, 1963.

Hon. ROBERT C. WEAVER,
Administrator, Housing and Home Finance Agency, Washington, D.C.

DEAR MR. WEAVER: In connection with the Executive order on equal opportunity in housing, would you be good enough to advise me at your earliest convenience as to the following questions:

A. Aside from the complaint procedure, what steps are being taken to review the activities of builders, developers, FHA approved lending institutions, and local housing authorities to assure compliance with the Executive order? Can you cite any instances in which Negroes have rented or purchased housing units as a result of the application of the Executive order?

B. What specific steps are contemplated or have been taken to inform potential Negro purchasers of the identity and location of housing units subject to the order? With respect to acquired properties where lists are now available to the public, have reporting procedures been established to determine whether Negroes are availing themselves of the lists?

C. What steps have been taken to implement section 102 of the Executive order? Has any selection been made of appropriate cases for referral to the Department of Justice for purposes of litigation? What programs have been developed to secure voluntary desegregation of housing covered by section 102 of the Executive order?

D. In approving plans, what steps do PHA and URA take to assure that the sites selected and contemplated reuse will promote the purposes of the Executive order? What steps does URA take to assure that families displaced by urban renewal development will be relocated in decent, safe, and sanitary housing available on a nondiscriminatory basis?

E. In view of the fact that the Executive order represents a fundamental reversal of policy, have any training or orientation programs been developed to assure that the operating staff at all levels is familiar with the intent of the order and the policy of the agency? What instructions have been given to the field personnel to guide them in determining whether builders or developers are in compliance with the terms of the order?

F. Has any determination been made about whether effective implementation of the Executive order would require broadening its coverage to include the lending practices of federally insured or regulated financial institutions?

G. What steps have been taken to enforce the policy of nondiscrimination in employment on PHA and CFA projects?

I would appreciate your early reply.

With best wishes.

Sincerely,

JACOB K. JAVITS.

HOUSING AND HOME FINANCE AGENCY, OFFICE OF THE ADMINISTRATOR,
Washington, D.C., June 26, 1963.

Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JAVITS: This is in further reply to your letter of April 27, 1963, in which you made numerous inquiries pertaining to Agency implementation of the Executive order on equal opportunity in housing and inquired as to steps which had been taken to enforce the policy of nondiscrimination in employment on PHA and CFA projects.

The basic programs administered by this Agency which are subject to the Executive order on equal opportunity in housing are the following:

1. Home mortgage insurance programs: Administered by the Federal Housing Administration.
2. Low-rent public housing program: Administered by the Public Housing Administration.
3. Urban renewal program: Administered by the Urban Renewal Administration.
4. Senior citizens housing and college housing loan programs: Administered by the Community Facilities Administration.
5. Sale of reacquired housing: Federal Housing Administration.
6. Sale of housing owned by Atomic Energy Commission in Los Alamos: To be administered in the community disposition program in the Office of the Administrator pursuant to a recent Executive order.

Preliminary to answering your specific inquiries, I would like to make some general observations about the application and implementation of the Executive order. As you know, the Executive order which was issued on November 20, 1962, became effective immediately. Within a few weeks this Agency issued detailed rules, regulations, and instructions to implement section 101 of the order to assure that housing and related facilities to be built in the future pursuant to Federal aid agreements executed after the effective date of the order would be available on a nondiscriminatory basis. Shortly after the order was issued we prepared a question and answer pamphlet and had substantial quantities of this pamphlet and the Executive order printed for distribution to interested groups and individuals.

Section 101 of the Executive order directs the various Federal departments and agencies to take all necessary and appropriate action to prevent discrimination in housing and related facilities which are to be provided in the future with Federal aid. Since the order has been in effect only a little more than 6 months, the amount of housing and related facilities constructed pursuant to post-Executive order Federal aid agreements has thus far been very small. We can expect, however, that this volume will increase substantially within the next few months, particularly with reference to FHA-aided housing and we are confident that the measures adopted by this Agency to assure nondiscriminatory access to such housing and related facilities are adequate to achieve the objectives of the Executive order.

Section 102 of the Executive order directs the various departments and agencies to use their good offices and to take other appropriate action permitted by law, including the institution of appropriate litigation, if required, to promote the abandonment of discriminatory practices in existing housing heretofore provided with Federal financial assistance. As you know, Federal-aid agreements executed prior to the issuance of the Executive order generally do not contain a provision requiring nondiscrimination. However, pursuant to the mandate of the Executive order this Agency has been using its good offices throughout its programs to eliminate discrimination. We are continually studying also the question as to what other appropriate action can be taken, including litigation, with reference to existing commitments. I am sure you can appreciate that such action requires careful consideration of the legal rights which were vested prior to the issuance of the Executive order and should not be taken precipitously. Therefore, we have sought the advice and assistance of the President's Committee on Equal Opportunity in Housing. Discussions in this matter are now in progress.

I will now take up your questions in the order in which they were posed:

A. Aside from the complaint procedure, what steps are being taken to review the activities of builders, developers, FHA-approved lending institutions, and local housing authorities to assure compliance with the Executive order? Can you cite any instances in which Negroes have rented or purchased housing units as a result of the application of the Executive order?

Each of the constituents of the Housing and Home Finance Agency requires as a condition to the granting of aid (in the form of loans, grants, contributions, or mortgage insurance) that the housing and related facilities provided with such Federal aid will be available only on a nondiscriminatory basis. A violation of such requirements may result in the imposition of sanctions. In view of the fact that there has been very little construction completed pursuant to Federal aid agreements containing these requirements, as heretofore stated, there has been little compliance activity up to the present time. However, we have made considerable progress in developing our compliance program. We have issued detailed complaint procedures which provide for the filing and processing of complaints at the local level with a right of appeal to the central offices. In our compliance procedures we will not rely only on complaints from individuals who allege that they have been discriminated against in their attempts to rent or purchase housing, but we will entertain complaints from organizations who are interested in protecting the rights of minorities. In addition, we will continue to receive information concerning the practices of builders, lending institutions, and local housing authorities throughout the country, from many interested groups and individuals. Each allegation of discrimination, whether in the form of a complaint or otherwise, is followed up by investigation and such action as is deemed appropriate under the circumstances. I wish to stress, however, that the above constitutes our existing procedures. We are continually studying additional measures to obtain compliance as we gain further experience under the Executive order.

In the Urban Renewal program before any Federal aid contract is entered into between HHFA and a local public agency (LPA) planning or undertaking an urban renewal project, the LPA must furnish appropriate written assurances that it, and other public bodies involved, recognize their obligations concerning the requirements of the Executive order and related policies of the Urban Renewal Administration. These assurances are a matter of public record and are embodied in resolutions by the LPA or the governing body of the locality. Consequently, no contract is entered into unless the relevant public bodies put their good faith assurances in the record.

The Federal loan or grant contract provides that affirmative nondiscrimination covenants running with the land be inserted in deeds given by the LPA to redevelopers of urban renewal land which may be used for housing or facilities related to housing and the LPA is further obliged to enforce that covenant. Within this framework it is believed that adequate distribution of promotional and informational materials, quarterly reporting on racial occupancy in dwellings constructed on urban renewal land, and staff training will adequately complement the established complaint procedure to assure compliance with Executive order requirements.

In the low-rent public housing program administered by the Public Housing Administration (PHA) section 101 of the Executive order was implemented by including a nondiscrimination clause in the annual contributions contracts entered into between PHA and the local authorities. PHA in its manuals and instructional material to the local authorities, spells out the obligations of these authorities under the contract clause and suggests local authorities are also advised that publicity concerning occupancy opportunities shall include the information that the projects will be or are being operated under a policy of equal opportunity without regard to race, color, creed, or national origin. In the PHA's regularly scheduled audits and reviews of local authority activities, particularly the occupancy audits and management reviews, local authorities will be audited for compliance with these obligations.

The Federal National Mortgage Association (FNMA) which as you know is engaged in secondary market operations for home mortgages provides in its "Sellers' Guide" that mortgage sellers are required to comply with the provisions of the Executive order in accordance with applicable FHA and VA rules and regulations and that failure to comply will be considered as a basis for termination of the selling agreement. A parallel, substantially identical, provision is contained in FNMA's "Servicers' Guide" applicable to institutions servicing mortgages for FNMA. The activities of FNMA's mortgage sellers and mortgage servicers, including activities in relation to the Executive order, are subject to examination by FNMA management and audit personnel visiting the institutions involved. These visits are made on a routine basis.

Generally in the housing industry rental units on which financing was secured after November 20 would not be on the market at this time but should be coming on the market very shortly. This is also true of sales units although there are undoubtedly some on the market at the present time. Under the circumstances, it is too early to expect any significant reports of new housing units rented or sold to Negroes. In the low-rent public housing program, housing being built subject to section 101 of the Executive order has not yet reached the occupancy stage. This is true also of other programs administered by this Agency.

On November 21, 1962, the Peoria, Ill., Housing Authority unanimously adopted a policy of open occupancy for its three existing projects. The open occupancy policy has previously been made applicable to two of the projects and the result of the resolution was to extend this policy to the third project, previously all white. The resolution makes reference, inter alia, to the Executive order and states "That, in strict compliance with the President's Executive order, issued effective today, the Peoria Housing Authority hereby complies fully and immediately with the intent of said Executive order."

On December 4, 1962, the Decatur, Ill., Housing Authority announced at an open meeting the agreement of its commissioners to revoke their unwritten policy of racial segregation. Negro tenants had previously been confined to 54 of the projects' 434 units, separated from the white section by railroad tracks. The March 1963 occupancy report shows 68 Negro families in occupancy, indicating that a number of Negro families have rented housing units in the formerly all white section as a result of this change of policy. Although the local authority adopted no formal resolution, we believe that the issuance of the Executive order influenced the change of policy.

B. What specific steps are contemplated or have been taken to inform potential Negro purchasers of the identity and location of housing units subject to the order? With respect to acquired properties where lists are now available to the public, have reporting procedures been established to determine whether Negroes are availing themselves of the lists?

FHA has instituted a procedure whereby it initiates and maintains for each subdivision a record of applications received in groups of five or more for all proposed construction. The record is captioned "Proposed Construction Applications Received for Five or More Properties in Subdivisions." It is a cumulative record, posted daily on a bulletin board in the lobby of each office so that the information is available to the general public. The list contains:

(a) Receipt date of applications.

(b) Number of applications received.

(c) The name and location of the subdivision.

It should be noted that developers of private housing who secure FHA commitments customarily advertise this fact widely as it affects both the price and the down payment required for a purchase and therefore make the developments more attractive competitively. It is expected that members of minority groups who are actively interested in purchasing homes will seek out these ads in the knowledge that FHA-aided new construction must be sold on a nondiscriminatory basis.

As far as acquired properties are concerned, FHA has an open listings policy which makes it possible for any real estate broker to sell properties. The Commissioner, the members of his staff, field office directors, and zone intergroup relations advisers, through the media of speeches, public pronouncements, letters to trade groups, civil rights organizations and community groups, have urged Negroes and other minorities to avail themselves of opportunities to utilize FHA-acquired properties as a source of securing housing.

With further reference to FHA-acquired properties, you will be interested to know that prior to the issuance of the Executive order, URA and FHA arranged that the availability of such properties would be made known to all families to be displaced by urban renewal activities. An up-to-date listing of all these properties is required to be posted in all local public agency relocation offices. Referrals are made to any family interested in buying or renting such properties.

FHA does not maintain any records in the insuring office on the basis of race; consequently, it has no regular reporting procedure to determine whether its acquired properties are purchased by whites or nonwhites. They do, however, make inquiries from time to time, through the intergroup-relations service, in an effort to ascertain to what extent Negroes are purchasing or renting FHA-acquired properties.

As we previously pointed out we have prepared and distributed to the general public a pamphlet on the Executive order in the form of questions and answers covering all programs administered by HHFA and its constituents. This pamphlet explains the type of federally aided housing which is subject to the order. Another pamphlet, to be directed more toward potential minority group purchasers and renters of both private and public housing is now being prepared.

C. What steps have been taken to implement section 102 of the Executive order? Has any selection been made of appropriate cases for referral to the Department of Justice for purposes of litigation? What programs have been developed to secure voluntary desegregation of housing covered by section 102 of the Executive order?

This Agency has taken many steps under section 102 of the order to use its good offices to eliminate discrimination with respect to housing and related facilities constructed with pre-Executive order Federal aid.

Intergroup relations officers in the PHA's central and regional offices have been engaged, even prior to the Executive order, in programs to secure voluntary open occupancy policies by local authorities. These efforts have been intensified and are now an operational responsibility of all members of the PHA staff. They include such activity as advice and assistance on occupancy planning, dissemination of information among local authorities concerning successful open occupancy programs in other communities, suggestions concerning specific programs of public information and civic group orientation, and assistance in arranging training programs for local authority staff and others (such as the series of forums sponsored by the Institute for Human Relations of Jersey City State College).

The PHA has used its good offices in cases brought to its attention of alleged discrimination in housing projects not covered by the contract clause for equal opportunity in housing. In such cases, we have requested the appropriate PHA regional director to communicate with the local authority and the complainant and use his good offices in an effort to eliminate any discriminatory practices.

Another policy adopted by PHA to implement section 102 of the Executive order is to urge local authorities to apply section 101 of the Executive order to projects not covered by section 101. This policy is expressly stated in the manual. PHA has sent to its regional offices instructions for complying with requests of local authorities to extend the provisions of section 101 of the Executive order to such projects, including an appropriate contract clause to accomplish this.

PHA also has a policy of cooperation with State and local officials in jurisdictions having nondiscrimination laws, including a policy of entering into written memorandums of cooperation with State officials.

As a means of implementing section 102, URA has instituted a program of urging all local public agencies to agree to amend contracts for loan and grant entered into on or prior to November 20, 1962, to include the policies and requirements of the Executive order. Moreover, redevelopers are being asked to amend their existing disposition contracts for title I land to include the provisions of the Executive order and to place the nondiscrimination covenant in all deeds to project land.

A quarterly reporting system in the urban renewal program has been established to report racial occupancy in housing constructed in urban renewal project areas. On the basis of latest tabulated reports, action has been taken to ascertain reasons for the absence of nonwhite occupancy in seven project areas. Reports have been received on five of these. They reveal that one now has nonwhites in occupancy and four others have open occupancy policies but, as yet, have had no nonwhite applicants. In two instances local NAACP branches have been active in helping redevelopers to attract nonwhite purchasers.

FHA has established procedures in which it is made manifest to the field offices that it expects them to carry out FHA's responsibilities under the Executive order expeditiously and adequately. FHA promptly issued its regulations implementing the Exexutive order. (Commissioner letter No. 7, issued Nov. 28, 1962.) On December 10, 1962, a letter was sent to all qualified title I lending institutions advising them of FHA's amended regulations and outlining the basic Federal policy created by the Executive order. By letters to the field offices FHA has effectively denied all FHA services to builders and developers who refuse to agree to abide by the nondiscrimination policies established by FHA.

No cases have as yet been referred to the Department of Justice.

D. In approving plans, what steps do PHA and URA take to assure that the sites selected and contemplated reuse will promote the purposes of the Executive order? What steps does URA take to assure that families displaced by urban renewal development will be relocated in decent, safe, and sanitary housing available on a nondiscriminatory basis?

PHA policies require as one of the criteria for site selection suitability of the site from the standpoint of facilitating full compliance with the equal opportunity requirement of the Executive order. Its policy is to promote this objective at the earliest stages of project planning and site consideration.

The selection of the boundaries of an urban renewal area is a matter for local determination, provided the area is eligible for urban renewal treatment under State law and Federal law and regulations. Agency regulations provide, however, that the boundaries of the area must be determined without consideration of the race, religion, color, or national origin of the residents. Each LPA must assure, further, that the project will not result in a reduction of the supply of dwellings available in the community to racial minority families. A project which will result in a substantial net reduction in the supply of housing in the project area available to racial minority families may be undertaken only if standard housing replacing the loss is provided elsewhere in a community in new or existing dwelling units not previously available to the minority group.

In addition, URA regulations are being revised with respect to the community renewal program, which is a citywide action plan for renewal and related activities. URA regulations in this regard are being revised with respect to grants for community renewal programs to make equal opportunity in housing an essential factor in the development of communities engaged in such programs. Furthermore, URA is asking cities which have CRP's underway to include this basic objective in their existing programs. Specifically, URA is requiring that CRP's include: (1) An analysis of the existing pattern of housing occupied by Negroes and other minorities and the extent to which this pattern is a result of discrimination; (2) projection of the housing needs of Negro and other minority families displaced by urban renewal and other public action, or newly moving into the community; (3) development of an affirmative program to increase the quantity, improve the quality, and eliminate barriers to housing for Negro and other minority families.

It is of prime concern to HHFA that all site occupants relocated from urban renewal projects be afforded the opportunity of moving to housing that is decent, safe, and sanitary, and within their financial means. Before Federal financial assistance for undertaking a project is extended, the LPA must submit to URA information with respect to the number of site occupants and the supply of such housing suitably located in the locality, indicating white and nonwhite availability. If a problem in rehousing minority groups exists, the proposed solution must be detailed. Proposals describing the manner in which relocation housing is to be obtained for all displacees must also be submitted. These include, but are not limited to, the publicizing of vacancies, interviews with site occupants to determine their needs, referrals to cooperating private real estate firms and landlords, and inspections of relocation housing. Such information is carefully reviewed, and the execution of a project is not approved unless these proposals are feasible. During project execution, quarterly reports and periodic inspections check on performance. As a further step in meeting its responsibility regarding the relocation of families displaced by urban renewal, URA is revising its relocation regulations to prohibit the listing of housing accommodations that are not available to all families regardless of race, color, creed, or national origin. Thus the local renewal agency in listing housing available to families being displaced because of urban renewal will be precluded from including units that are denied to minority families.

E. In view of the fact that the Executive order represents a fundamental reversal of policy, have any training or orientation programs been developed to assure that the operating staff at all levels is familiar with the intent of the order and the policy of the agency? What instructions have been given to the field personnel to guide them in determining whether builders or developers are in compliance with the terms of the order?

Since the Executive order was issued it has been the policy of this Agency to make its implementation a line responsibility. I have repeatedly stated in top staff conferences that every one in the Agency has a responsibility for carrying out the letter, spirit and intent of the order. Each of the constituent agencies is responsible for training its own staff and for implementation of the order within its regular operating functions. Implementation of the order is discussed at the regular meetings that I have with the heads of the constituent agencies and units and the general counsel of HHFA. At the present time the Commissioners of the constituent agencies and units, the general counsel and I are engaged in a series of regional meetings with field officials with reference to Agency policies and procedures under the Executive order.

The seven regional offices of HHFA have jurisdiction over the various programs administered by the Urban Renewal Administration and the Community Facilities Administration. Special orientation meetings have been held in Washington with the regional administrators and the regional counsels. Furthermore, a Washington conference of Regional Intergroup Relations Officers is scheduled for July at which time additional instructions will be provided so that they may carry out their specific responsibilities under the order. We are in the process of staffing each regional administrator with an intergroup relations specialist.

In FHA the operating staff has been constantly reminded that it is FHA's policy to carry out all of its responsibilities and functions without regard to the race, creed, color or national origin of the applicants or users of its services. Through the media of personal discussions with field office personnel by members of the central office staff and members of the Intergroup Relations Service, the field office personnel in FHA has been repeatedly reminded of its determination to effectively carry out the letter and spirit of the Executive order to promote an open market in housing. Commissioner Brownstein's speech on the Executive order before the American Marketing Association in Chicago on March 25, 1963, which demonstrated the firmness of FHA's policy on nondiscrimination was disseminated throughout the Agency.

In the Public Housing Administration all manual and instructional material relating to the Executive order which has been transmitted to local authorities, was also distributed to central office and regional office staff. Basic legal and other memorandum and correspondence pertinent to the Executive order were distributed among all key personnel and staff members having responsibilities pertinent to the order, including regional office staffs.

Staff meetings have been held in the central office, including meetings with regional directors and regional section heads in order that they in turn may train and orient their respective staffs. Training and orientation sessions have also been held in the regional offices, and in some regions training conferences were held with local authorities.

PHA will revise its audit and review procedures and will instruct its auditors on reviewing local authority operations to determine compliance with the Executive order.

The Urban Renewal Commissioner has met with top staff in Washington and in all field offices in training sessions.

FNMA's personnel have been instructed as to its policies under the Executive order, with particular emphasis on the provisions of FNMA's Sellers and Servicers Guides and the requirement that the mortgage institutions with which FNMA is concerned comply with FHA and VA rules and regulations under the order.

The Agency has prepared a number of informational documents and studies for the benefit of its own employees, as well as the general public.

A study of "Potential housing demands of nonwhite population in selected metropolitan areas" which has received wide distribution both inside and outside the Agency is an example of the type of material being developed. This was distributed to all FHA field offices. The significance of the report was its disclosure for the first time of the tremendous potential of unmet housing demand in the Negro middle class.

A study is under way of the human relations and economic aspects of private FHA-aided housing developments which were involuntarily opened to Negroes as the result of action by a State agency under a law against discrimination. It is expected that these case studies, which will be completed in the summer, will yield certain general principles of value to builders and to our agencies in successfully implementing the objectives of the order.

An information bulletin for internal distribution is in preparation. This will go regularly to field staff apprising them of significant developments both inside and outside of the agency, which affect their activities in connection with implementing the order.

Some weeks ago a committee was established in HHFA composed of officials of the Office of the Administrator, FHA, PHA, URA, and CFA to develop broad plans for further training of agency personnel with reference to the implementation of the Executive order and to develop educational programs and informational material for local government groups, civic organizations, civil rights groups, industry groups, labor organizations, and others interested in fair housing.

F. Has any determination been made about whether effective implementation of the Executive order would require broadening its coverage to include the lending practices of federally insured or regulated financial institutions?

The effectiveness of the order would undoubtedly be increased by broadening its coverage to include conventional loans made by institutions whose deposits are federally insured or by institutions regulated by the Federal Government.

G. What steps have been taken to enforce the policy of nondiscrimination in employment on PHA and CFA projects?

Executive Order 10925 which established the President's Committee on Equal Employment Opportunity was issued in March 1961. When issued it applied to direct Federal contracting but not to federally aided contracts. Shortly after this order was issued, I directed the heads of all of the constituent agencies and units to continue their policies of nondiscrimination in employment pursuant to provisions in the various Federal aid contracts administered by this Agency.

PHA's annual contributions contracts contain a clause prohibiting local authorities from discriminating against any employee or applicant for employment because of race, religion, color, or national origin; requiring local authorities to insert a similar provision in all contracts in connection with the development or operation of projects and to require contractors to insert a similar provision in all subcontracts (except contracts and subcontracts for standard commercial supplies or raw materials); and requiring the posting at the projects, in conspicuous places available for employees and applicants for employment, of notices to be provided by the PHA setting forth the provisions of the clause. Annual contributions contracts also contain provisions for proof of compliance by construction and equipment contractors. PHA regulations and procedures provide for certain reporting and certifications to be made by the contractor and by the local authority contracting officer, which are available for inspection by PHA representatives. The PHA construction representative's report form includes a report on whether the local authority is enforcing nondiscrimination provisions. This report is turned over to regional intergroup relations officers and labor relations officers for such investigation and action as may be indicated.

The Community Facilities Administration provides financial assistance for construction in the form of loans and grants in the following programs: college housing loan program, senior citizens housing loan program, public facility loan program, accelerated public works grant program, non-Federal school construction grant program, by delegation from the Department of Health, Education, and Welfare.

In all of their loan and grant contracts CFA requires the borrower or grantee to incorporate a nondiscrimination in employment provision in its construction contracts. Contractors are required on payrolls submitted to CFA to indicate which employees are members of minority groups and signs are required to be posted on the projects announcing the policy of nondiscrimination in employment. Field engineers who receive and examine the payrolls are instructed to call to the attention of contractors any failure to include members of minority groups among their employees.

On June 22, 1963, the President issued Executive Order 11114 extending the authority of the President's Committee on Equal Employment Opportunity. The President's Committee will now have jurisdiction over construction contracts financed with assistance from the Federal Government. Construction contracts in the aforementioned PHA and CFA programs are covered by the order.

Enclosed are copies of various issuances by this Agency with reference to the implementation of the Executive order.

I trust that you will find this report and enclosures helpful. If you desire any further information, please let me know.

Sincerely yours,

ROBERT C. WEAVER,
Administrator.

Mr. JAVITS. I think the highlight is the limited character of the President's Executive order banning discrimination in housing. It is pointed out:

> Since the order has been in effect only a little more than 6 months, the amount of housing and related facilities constructed pursuant to post-Executive order Federal aid agreements has thus far been very small.

It is also stated:

> As you know, Federal-aid agreements executed prior to the issuance of the Executive order generally do not contain a provision requiring nondiscrimination.

Again, we wonder why people are angry, when Federal guarantees have been given for years for housing which has been discriminatory or segregated. Even now, the Executive order—and the fact that the Executive order was issued is a very clear indication that the Executive branch itself has no doubt about its authority—is so limited that in 6 months it has not yet had any real effect. That certainly is an indication of why concentrated attention upon this area, which is so peculiarly within the power and authority of the Federal Government, is so vital and essential.

I come now to the Department of Labor, which has given us a partial reply. I ask unanimous consent that my request to the Department, together with a summary of the Department's reply, may be printed in the RECORD. I say "summary" because the Department referred me to testimony which the Secretary of Labor delivered before the committee of the other body which deals with education and labor and equal employment opportunities. Naturally, the testimony covered a wide variety of subjects, so I have summarized it. I ask unanimous consent that my letter, the reply, and the summary may be printed in the RECORD.

There being no objection, the letter, summary, and speech were ordered to be printed in the RECORD, as follows:

APRIL 24, 1963.

Hon. W. WILLARD WIRTZ,
Secretary of Labor,
Department of Labor,
Washington, D.C.

DEAR MR. SECRETARY: It has been reported that in the administration of several programs by your Department:

1. Provisions are not made to assure that persons intended to benefit by the programs are actually aided commensurate with their need and without regard to their race, creed, color, or national origin; and that

2. Provisions are not made to obtain assurances that Federal funds will be administered in a nondiscriminatory manner, and, through a system of compliance reporting and surveillance, to see that these assurances are carried out.

Would you be good enough to advise me at your earliest convenience as to the following questions:

A. State employment service: What reporting and compliance procedures have been established to ascertain the extent to which State employment offices are conforming to the policies of the U.S. Employment Service which prohibit the acceptance and processing of job orders containing discriminatory specifications? What reviewing and reporting procedures have been established to determine whether Negro and white job applicants are receiving equal service on a nondiscriminatory basis at previously segregated employment service offices? Where are segregated offices still maintained? To what extent are applicants limited to particular local offices by geographic districts and neighborhoods and to what extent does this practice operate to limit equal job opportunity?

B. Apprenticeship program: What procedures have been established to measure the impact of the nondiscrimination provision which is now included in registered apprenticeship standards? Where are Negroes participating in training programs from which they had heretofore been excluded? Since the adoption of this policy, which State apprenticeship agencies have adopted a corresponding policy statement?

C. Manpower Development and Training Act and Area Redevelopment Act: What steps have been taken to assure that all potential trainees are recruited, selected, tested and referred on a nondiscriminatory basis? Please furnish a list of programs which have only white trainees, those which have only Negro trainees and those which have both, including the locations of the programs and the skills for which persons are being trained. Where State employment services do not operate on a nondiscriminatory basis, has your Department considered performing these functions directly under MDTA?

D. Is it your Department's view that sufficient authority already exists under the Constitution or laws of the United States to condition the grant of Federal funds upon assurance of nondiscrimination, or is enactment of further Federal law considered necessary?

I would appreciate your early reply.

With best wishes.

Sincerely,

JACOB K. JAVITS,
U.S. Senator.

U.S. DEPARTMENT OF LABOR,
OFFICE OF THE UNDER SECRETARY,
Washington, D.C. June 7, 1963.

Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JAVITS: Secretary Wirtz has asked me to provide a further response to your letter of April 24, 1963, which raised a number of questions about the administration of several programs by the Department of Labor. Inasmuch as most of your questions deal with nondiscriminatory administration of services, I believe you will find the Secretary's testimony on June 6, 1963, before the General Subcommittee on Labor of the House Committee on Education and Labor to be responsive. I am therefore enclosing a copy of that testimony.

In your telegram to Secretary Wirtz of June 6, 1963, you acknowledged the complexity of the issues raised in your inquiry. With specific reference to your questions whether the Department now has legal authority to condition grants of Federal funds upon assurance of nondiscrimination, we are presently studying this complex legal question and will advise you as soon as our study is completed.

With best wishes and kindest personal regards, I remain

Sincerely yours,

JOHN F. HENNING,
Under Secretary of Labor.

SUMMARY OF TESTIMONY OF W. WILLARD WIRTZ, SECRETARY OF LABOR, BEFORE THE GENERAL SUBCOMMITTEE ON LABOR, HOUSE COMMITTEE ON EDUCATION AND LABOR, ON EQUAL EMPLOYMENT OPPORTUNITIES, JUNE 6, 1963

Existing programs of the Federal Government which are directed at meeting this situation:

1. Establishment of an equal employment opportunities standard and requiring adherence to this standard in the area of employment within the Federal Government and by Government contractors: under Executive Order No. 10925 issued on March 6, 1961, the President's Committee on Equal Employment Opportunity has produced the following result:

Personnel files of employees have been reviewed to locate any underutilized personnel.

Training programs to permit promotion and transfer from jobs which restrict opportunities for promotion have been instituted.

Employees and supervisors have been instructed in the new equal employment procedures.

A complaint procedure is in operation, and it provides not only for investigation but also for the correction of any instances of discrimination. As of April 30, 1963, the Committee had received 2,156 complaints relating to Government employment, more than twice the number received by its predecessor Committee during the entire 6 years of its life. To date, two-thirds of these cases have been closed; corrective action was found necessary and was taken in 38.3 percent of the cases.

Recruiting programs have been enlarged and broadened to embrace colleges and universities with predominantly Negro student bodies to insure that no person is overlooked or excluded from the Government's efforts to hire the most qualified applicants regardless of race or creed. Where appropriate, suggestions have been made which would strengthen the curriculums of these schools in order to enhance the opportunities of their graduates to secure Governmental positions.

The Committee's annual census of employment in the Federal Government shows that in the period June 1961 to June 1962 the number of Negroes employed by the Federal Government increased by more than 10,000. Over half of this increase took place in the middle grades (jobs paying from $4,500 to $10,000 annually), an increase of almost 20 percent and a rate of increase over three times the rate of all employees in those grades. Even more dramatic progress was achieved in the higher grades, where the number of Negroes at or above GS-12 increased over 35 percent.

2. The President's Committee has requested the Civil Service Commission to direct Federal agencies to cease recruiting visits to, acceptance of referrals from, business or secretarial schools, employment agencies or training institutions which are not operated on a nondiscriminatory basis, and to cease training employees at such places.

3. In regard to Government contract employment Executive Order 10925 requires contracting agencies to include in their contracts a set of provisions designed to insure not only that Government contractors will not discriminate but that they "will take affirmative action to insure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, or national origin." Thus far, 914 complaints have been fully investigated and corrective action has been taken in 641 cases.

4. The President's Committee has undertaken two programs to secure the voluntary cooperation of employers and unions. Plans for progress have been signed with 105 companies employing more than 5 million persons. Data thus far available indicate that almost 25 percent of the new hires of these companies have been of minority group members. Programs for fair practices have been signed with 118 international union affiliates of the AFL–CIO, which have a combined membership of almost 13 million workers. A questionnaire is being circulated to each of these unions asking for a progress report on their efforts.

5. A 50-man task force has been set up to review all Federal construction programs to prevent any racial discrimination in hiring practices, either directly in the rejection of presently available qualified Negro workers or indirectly by the exclusion of Negro applicants for apprenticeship training.

6. The President announced his intention to issue an Executive order extending the authority of the Committee to include construction of buildings and other facilities undertaken by States, local governments and private agencies under Federal grant-in-aid programs. (Executive Order No. 11114, issued on June 22, 1963.)

7. Committee is investigating the construction industry in the District of Columbia, and procedures are now being established and implemented, including designation by the Bureau of Apprenticeship and Training of four minority specialists to work full time in various parts of the country; establishment of an Information Center in the District of Columbia to serve as a clearinghouse for information about apprenticeship openings and requirements; establishment of a National Advisory Committee on Equal Opportunity in Apprenticeship and Training; and promulgation of standards to be applied in Government contract situations and to all federally registered apprenticeship programs.

8. Under the Manpower Development and Training Act of 1962, training and retraining programs covering approximately 44,000 men and women have been approved. Fifteen thousand trainees have been enrolled. Of these, 20.3 percent are nonwhites; 27 percent of these are taking courses leading to various white collar jobs; 27 percent are being trained for employment in a number of skilled occupations. In several areas specially designed programs have been contracted for to give special guidance, counseling, testing, training and placement to disadvantaged youth, especially those of minority groups.

9. Significant progress has been made by State employment security agencies in improving employment services for minority group jobseekers. To whatever extent the legislation underlying the training and Employment Service programs bears directly on this issue, its direction is clear: these programs are to be administered without regard to race, creed, color or national origin. Nevertheless, there remain some differences in the administration of these programs in some of the State offices through which these programs are carried out. Efforts are being

> made to assure that services and offices facilities shall be provided without segregation or discrimination; that nondiscrimination is a prior condition of approval of training programs; and that Employment Service personnel is on a merit system basis.
>
> 10. Four sectional conferences have been sponsored with college presidents and executives of predominantly Negro institutions of higher learning.

Mr. JAVITS. This summary very clearly shows that although some things are being done in the Labor Department, there is still much to be desired. For example, as we know, the Federal Government gives aid to the employment security program, that is, to the Federal Employment Services, which are carried on through the States. I am sorry to say that segregation still persists in those programs. In that regard I cite the testimony of the official of the Department, Robert C. Goodwin, Administrator of the Bureau of Employment Security of the Labor Department, given before the Manpower Subcommittee of the Committee on Labor and Public Welfare of the Senate on June 20, 1963. He admitted that some degree of segregation persists in certain offices. He testified that, "there are 3 where there is a completely geographic segregation; in other words, what we call an office for Negroes," and there are "10 offices where there is some degree of segregation within the same building."

In some cases there is geographic segregation, with one office for Negroes and one office for whites. In other cases there is segregation within the office itself.

In conclusion, I believe that the disbursement of Federal funds is a powerful and critical element in the Nation's struggle to live up to the words and spirit of the Constitution.

I ask unanimous consent that a complete chart of the amounts expended in Federal aid to State programs—running into hundreds of millions of dollars—which will also show the amounts the respective States pay into the Federal Treasury, may be printed in the RECORD.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

Federal aid and Federal taxes, by States, fiscal year 1962

	Federal aid payments	Federal taxes collected
Alabama	$229,037,755	$649,214,000
Alaska	55,502,828	69,398,000
Arizona	96,991,783	372,882,000
Arkansas	136,613,806	280,519,000
California	925,521,814	9,091,751,000
Colorado	146,782,025	1,221,770,000
Connecticut	116,636,067	1,715,444,000
Delaware	21,040,544	835,030,000
District of Columbia	103,870,336	(1)
Florida	196,246,143	1,482,073,000
Georgia	246,184,052	1,142,211,000
Hawaii	64,372,663	272,265,000
Idaho	68,611,566	177,090,000
Illinois	459,018,351	7,755,691,000
Indiana	190,855,092	2,177,810,000
Iowa	145,345,585	787,208,000
Kansas	136,502,765	695,681,000
Kentucky	194,096,066	1,689,052,000
Louisiana	272,377,422	783,913,000
Maine	52,481,576	246,845,000
Maryland	154,030,558	[2] 2,351,669,000
Massachusetts	289,845,223	2,868,404,000
Michigan	346,543,023	6,812,451,000
Minnesota	208,469,371	1,566,884,000
Mississippi	147,778,029	270,793,000
Missouri	$276,935,068	$2,313,439,000
Montana	77,008,680	162,892,000
Nebraska	91,451,074	613,709,000
Nevada	32,238,101	177,326,000
New Hampshire	39,530,610	212,114,000
New Jersey	211,556,946	3,114,794,000
New Mexico	92,053,625	216,260,000
New York	737,851,692	18,953,732,000
North Carolina	211,413,784	2,521,001,000
North Dakota	81,138,374	107,693,000
Ohio	454,412,100	5,963,361,000
Oklahoma	222,016,261	940,403,000
Oregon	154,709,782	613,469,000
Pennsylvania	456,403,153	6,433,319,000
Rhode Island	47,061,675	387,944,000
South Carolina	114,766,907	412,409,000
South Dakota	89,798,444	139,358,000
Tennessee	224,392,558	863,508,000
Texas	500,294,516	3,595,287,000
Utah	76,059,580	280,728,000
Vermont	49,795,192	102,464,000
Virginia	184,178,538	1,487,453,000
Washington	187,302,719	1,202,140,000
West Virginia	113,363,800	336,937,000
Wisconsin	171,271,870	1,704,138,000
Wyoming	60,505,352	95,234,000
Territories and undistributed	423,284,762	1,173,679,000
Total	10,385,549,606	99,440,839,000

[1] See Maryland.

[2] Includes District of Columbia.

Federal aid and Federal taxes, by States, fiscal year 1962—Continued

Mr. JAVITS. Madam President, the hundreds of millions of dollars of Federal tax moneys disbursed annually by the other Departments and agencies of the Federal Government can undo much that the Department of Justice is trying to do and much that it could do if the pending legislation were enacted. My discussions with civil rights leaders have convinced me that the withholding of Federal funds from uses for racial segregation and discrimination—which subsidize it, as my colleague from Michigan so properly said—would have the most profound effect upon those States which have virtually pledged themselves to deny Negro citizens in their States the rights guaranteed to them as citizens of the United States. The U.S. Civil Rights Commission has added its expert opinion and recommendation that this is a vital step which the Federal Government can and should take at once. It is critical that the precise outlines of Federal authority be defined and that legislation be enacted to fill whatever gaps the Federal Government thinks exist. I do not think any exist. I think the President has the power now. It is in this spirit that the inquiries have been made and I urge my colleagues to consider carefully the results of those inquiries.

We now have a clear showing from the departments themselves that there are many areas, previously not so considered, in which the Federal Government can move to deny aid to State programs on the ground that they are being administered on the basis of segregation or discrimination on racial grounds. I urge the President to cause the remainder of such programs to be reviewed in order to see whether even by the administration's own concept of its powers, a great deal more could be done in this way without waiting for the discretionary authority by statute which the President has requested.

The waiting period is important for this reason, and I close upon this very serious note: The next months are likely to be critical, and executive action along the lines I have indicated could have a determinative effect upon the temper of the civil rights struggle as carried out in this country and upon the character and nature of "demonstrations" which we may experience. This is one clear area we can cover by action which will respond to the justifiable demands of those who have been suppressed and depressed for long.

Madam President, it is worth every bit of my time and energy, and that of my distinguished partner in this effort, the Senator from Michigan [Mr. HART], to find and unearth every area which can be so utilized, because this is a summer of the gravest trial for the Nation, and anything the President, Congress, or any of us can do to relieve the tension, will in my opinion, be a national blessing. In this particular area there is great opportunity, of which I urge the President to take advantage.

Mr. HART. Madam President, I indicated earlier that I have listened with interest to the remarks of the distinguished senior Senator from New York. He has indicated the real purpose behind our effort. I share with him the hope and belief that in the weeks immediately ahead the kind of record that is being made here today will enable us to consider the facts intelligently and respond to the several recommendations made in the President's civil rights message, particularly that section which aims at the use of funds for programs that are worthwhile. In my judgment, such programs will not be killed. Rather, the purpose is to have applicable in the administration of such programs rules which are consistent with the kind of nation we preach to the rest of the world that we are, a Nation that treats all its people with equal hand and equal justice, and does not have one window marked "white" and another window marked "colored," in order that taxpayers, white and colored alike, may participate in Federal programs.

On April 10 of this year the Senate saw some remarkable rollcalls on several efforts to add antidiscrimination amendments to the Youth Employment Act. When the last of these confused performances ended, I suggested to my colleagues that, in this year of 1963, it was high time we faced squarely, not by piecemeal efforts, the task of assuring that Federal funds are no longer spent to underwrite or support patterns of racial segregation and discrimination in this country. In my remarks I urged that every Federal agency examine the authority it now has to withhold funds from programs where discrimination is found to operate. If areas were found where the agencies did not have sufficient authority, then the Congress should undertake to enact the legislation required to supply that authority on an across-the-board basis.

Six days later, the U.S. Civil Rights Commission issued its now famous Mississippi report. The Commission unanimously recommended that:

> The Congress and the President consider seriously whether legislation is appropriate and desirable to assure that Federal funds

> contributed by citizens of all States not be made available to any State which continues to refuse to abide by the Constitution and laws of the United States; and, further, that the President explore the legal authority he possesses as Chief Executive to withhold Federal funds from the State of Mississippi, until the State of Mississippi demonstrates its compliance with the Constitution and laws of the United States.

I excerpted that passage from the Civil Rights Commission's observations.

Unfortunately, the Commission's report was widely misinterpreted, for it was directed to the very basic issue to which I had spoken on the floor of the Senate.

Dean Erwin N. Griswold, a member of the U.S. Civil Rights Commission, in his recent appearance before the Senate Constitutional Rights Subcommittee, elaborated on this recommendation of the Commission. Dean Griswold said at that hearing:

> The Commission was not acting officiously in this matter; it was confined with the duty which has been imposed upon it by an act of Congress to report and make recommendations and it did report to the President and to the Congress, that the Congress and the President consider—now, consider obviously means that you weigh the pros and cons, you examine, you investigate—you consider seriously, whether legislation is appropriate and desirable to be sure that Federal funds, contributed by citizens of all States, will not be made available to any State which refused to abide by the Constitution and the laws of the United States; and that involved a consideration of the nature of the expenditures to be made in Mississippi. And, of course, the Commission did not recommend that funds be cut off from school lunches, or from impecunious mothers, or children, or the blind, or other people for whom Federal funds are to be made available under acts of Congress.
>
> The whole connotation of that word "considered" in the minds of the Commission was that each situation should be separately examined and evaluated, and to the extent that Federal funds are being used, and it is the view of the Commission that they are being used in Mississippi, to enhance, and support and carry forward discriminatory activities, that the President and the Congress should consider whether such use of funds should not be restricted or curtailed, and similarly, the further recommendation was that the President explore the legal authority he possesses as Chief Executive, to withhold Federal funds from the State of Mississippi. I think if we had only underlined those words "considered" and "explored" that the report might not have been so widely misunderstood.
>
> We went ahead to give a specific illustration of what we had in mind. With respect to Federal payments which are currently being made, for the construction of an airport building in Jackson, Miss., the plans for which call for separate restrooms and separate restaurants and we find it difficult to see why the Federal Government in 1963 should be paying money into the State of Mississippi for the construction of a building which provides for separate restrooms and separate restaurants, and we have no doubt that a careful exploration and consideration of other expenditures being made in the State of Mississippi will show similar instances where funds provided by the Federal Government are being used in a clearly discriminatory manner and our recommendation was that, with respect to such situations, the matter be considered by the President and Congress, and that the President explore his powers to deal with them, and I must confess that I still find no reason to object to that recommendation as made.

Neither do I see any reason to object to that recommendation. On the contrary, I believe we owe a large debt of gratitude to the Civil Rights Commission for having put this issue before us so dramatically and unequivocally, and so unanimously, in its recommendations.

The Civil Rights Commission asked that the President explore the authority he possesses as Chief Executive to withhold funds from such programs.

It is evident that the executive branch does possess authority of this nature since such authority was clearly the basis for the President's Executive orders on equal employment opportunity and equal opportunity in housing. The President's housing order, in pertinent part, reads:

> Whereas the executive branch of the Government, in faithfully executing the laws of the United States which authorize Federal financial assistance, directly and indirectly, for the provision, rehabilitation, and operation of housing and related facilities, is charged with an obligation and duty to assure that those laws are fairly administered and that benefits thereunder are made available to all Americans without regard to their race, color, creed, or national origin.

In its 1961 report the Civil Rights Commission recommended that this authority, which resides in the executive branch under the Constitution, be extended to require nondiscrimination in various other Federal programs. For example, in its recommendation for new Executive steps on employment, the Commission urged—

> That the President issue an Executive order making clear that employment supported by Federal grant funds is subject to the same nondiscriminatory policy and the same requirements as those set forth in Executive Order 10925.

There is a considerable body of opinion which holds that the powers available to the President are sufficient to ban discrimination in all Federal programs.

Therefore, in considering the responsibilities of the Congress in this area, and the scope of any needed legislation, I felt it was essential to ascertain as accurately as possible the views of responsible executive officials of those agencies most directly concerned.

The Senator from New York has described the course he pursued. As he has said, we were in consultation throughout. I should like to indicate the course that I followed.

I directed letters to the heads of 15 Federal departments and agencies with this basic question:

> If racial discrimination occurs in those operations and activities of any grant, loan or contract program administered by you, do you consider you lack authority to withhold such Federal funds? If so, would you please identify the program and explain the reasons it is thought such authority is not available, together with the nature of the additional authority you would need.

In addition, a memorandum of questions was sent to several of the agencies on various aspects of their programs where Executive action to assure nondiscrimination has been or might be taken.

Madam President, I ask unanimous consent that copies of these letters and memorandums to the agencies be printed at this point in my remarks.

There being no objection, the copies of letters were ordered to be printed in the Record, as follows:

April 29, 1963.

Hon. Orville L. Freeman,
Secretary of Agriculture,
Washington, D.C.

Dear Mr. Secretary: If racial discrimination occurs in those operations and activities of any grant or loan program administered by you, do you consider you lack authority to withhold such Federal funds? If so, would you please identify the program and explain the reasons it is thought such authority is not available, together with the nature of the additional authority you would need.

In recent months, I have had a number of specific questions directed to me which are covered in an enclosed memorandum. In addition, I would appreciate any information you can provide on these points.

With every best wish,

Sincerely,

Philip A. Hart.

MEMORANDUM OF QUESTIONS ON THE ADMINISTRATION OF PROGRAMS BY THE DEPARTMENT OF AGRICULTURE, APRIL 29, 1963

DEPARTMENTAL EMPLOYMENT

What steps are being taken to encourage recruitment of nonwhite employees in your Department, particularly at higher level supervisory positions, and to assure promotion without regard to race?

FARMERS HOME ADMINISTRATION

(a) Where have Negroes been appointed to State and county FHA committees?

(b) Where are Negroes employed by FHA outside of Washington?

(c) Has the segregated employment of Negro field employees been terminated?

(d) To what extent do Negro farmers utilize the benefits of the FHA program?

(e) Is any effort being made to increase use of this program by Negro farmers?

FEDERAL EXTENSION SERVICE

(a) To what extent has discrimination and segregation been eliminated from this program in terms of salaries, personnel, office facilities, and operating procedures?

(b) Are the benefits of this program reaching Negro farmers commensurate with their needs?

(c) What provisions are being made to eliminate segregation in the 4-H Club program?

SOIL CONSERVATION SERVICE

(a) Is this program run on a segregated basis, i.e., are there Negro specialists to work with Negro farmers?

(b) Are the benefits of this program reaching Negro farmers commensurate with their needs?

SCHOOL LUNCH AND MILK PROGRAMS

(a) Is there a disparity in the benefits afforded to white and Negro children under those programs in States where schools are segregated? If so, what accounts for this disparity?

(b) Are the needs of Negro children being adequately served under the existing programs?

RURAL AREA DEVELOPMENT

What steps have been taken or are contemplated to afford expanded opportunities for Negroes under the rural area development program?

May 1, 1963.

Hon. Luther H. Hodges,
Secretary of Commerce,
Washington, D.C.

Dear Mr. Secretary: If racial discrimination occurs in those operations and activities of any grant or loan program administered by you, do you consider you lack authority to withhold such Federal funds? If so, would you please identify the program and explain the reasons it is thought such authority is not available, together with the nature of the additional authority you would need.

In recent months, I have had a number of specific questions directed to me which are covered in an enclosed memorandum. In addition, I would appreciate any information you can provide on these points.

With every best wish,

Sincerely,

Philip A. Hart.

Memorandum of Questions on the Administration of Programs by the Department of Commerce, May 1, 1963

FEDERAL HIGHWAY PROGRAM

(a) What steps are being taken to enforce the employment nondiscrimination clause in contracts with States under the Federal highway program?

(b) How do you determine the extent to which employment discrimination has been eliminated and the extent to which Negroes have been employed on these projects?

(c) What has been the effectiveness of this nondiscrimination policy in specific job categories on highway projects?

(d) Are any provisons being made to avoid discrimination in the availability of places of public accommodation authorized by States to operate along the rights-of-way of highways built with 90 percent Federal funds?

(e) What steps have been taken to assure that persons displaced by the Federal highway program will be relocated in decent housing provided on a nondiscriminatory basis?

ACCELERATED PUBLIC WORKS PROGRAM

What measures have been taken or are contemplated to assure that employment opportunities created by the accelerated public works program will be made available without regard to the race, creed, color or national origin of job applicants?

AREA REDEVELOPMENT

(a) What steps have been taken to assure that employment opportunities created by loan programs under the Area Redevelopment Act are available without regard to the race, color, creed or national origin of job applicants? How do you determine whether these job opportunities are made known to all eligible applicants on a nondiscriminatory basis? How many Negroes have secured employment under this program?

(b) Have businesses operated by Negroes utilized the benefits available under the ARA program? Are Negro businesses represented on ARA committees? What efforts have been made to acquaint Negro businessmen with the program?

May 1, 1963.

Hon. Robert S. McNamara,
Department of Defense,
Washington, D.C.

Dear Mr. Secretary: If racial discrimination occurs in those operations or activities of any grant or contract program administered by you, do you consider you lack authority to withhold such Federal funds?

If so, would you explain the reasons it is thought such authority is not available, together with the nature of the additional authority you would need.

With every best wish,

Sincerely,

Philip A. Hart.

May 4, 1963.

Hon. Robert S. McNamara,
Secretary of Defense,
Washington, D.C.

Dear Mr. Secretary: This will supplement my letter to you of May 1.

In recent months, I have had a number of specific questions directed to me concerning the administration of programs by your Department which are covered in the enclosed memorandum. I would appreciate any information you can provide on these points.

With every best wish,

Sincerely,

Philip A. Hart.

Memorandum of Questions on the Administration of Programs by the Department of Defense, May 4, 1963

NATIONAL GUARD

(a) How extensive is racial segregation in National Guard units?

(b) What steps have been taken or are contemplated to eliminate racial segregation where it exists?

RESERVES

(a) How extensive is racial segregation in the Reserves?

(b) What steps have been taken to implement the memorandum of the Deputy Secretary of April 3, 1962, on compliance with Executive Order 9981 in the Army, Navy, Air Force, and Marine Corps Reserves?

(c) What have been the results of this directive?

ROTC

(a) Which educational institutions sponsoring Reserve Officer Training Corps programs refuse to admit Negro students?

(b) What is the Department of Defense policy with respect to the maintenance of ROTC programs at institutions which discriminate?

CIVIL DEFENSE

To what extent is discrimination and segregation prohibited in civil defense training programs, use of facilities and in local civil defense corps units?

ADMINISTRATION OF JUSTICE

What action is being taken to assure equal military justice to all races in, for example, sentencing, adequate defense counsel, and manner and type of discharges?

AVAILABILITY OF FACILITIES

(a) What steps have been taken to implement, and what have been the results of, the memorandum of the Deputy Secretary of June 19, 1961, on availability of facilities to military personnel with respect to the following:

(1) The construction of facilities on base where unsegregated facilities are not available in communities surrounding the base?

(2) Efforts to obtain unsegregated facilities off base through command-community relations committees?

(3) The use of military police to support enforcement of racial segregation?

(4) The provision of legal assistance to members of the Armed Forces involved in the violation of racial segregation laws or customs?

(b) Is the Department considering further steps to secure equal opportunity for all servicemen with respect to off-base housing, education, transportation, police relations?

April 29, 1963.

Hon. W. Willard Wirtz,
Secretary of Labor,
Washington, D.C.

Dear Mr. Secretary: If racial discrimination occurs in those operations and activities of any grant or loan program administered by you, do you consider you lack authority to withhold such Federal funds? If so, would you please identify the program and explain the reasons it is thought such authority is not available, together with the nature of the additional authority you would need.

In recent months, I have had a number of specific questions directed to me which are covered in an enclosed memorandum. In addition, I would appreciate any information you can provide on those points.

With every best wish,

Sincerely,

Philip A. Hart.

Memorandum of Questions on the Administration of Programs by the Department of Labor, April 29, 1963

STATE EMPLOYMENT SERVICE

(a) What reporting and compliance procedures have been established to ascertain the extent to which State employment offices are conforming to the policies of the U.S. Employment Service which prohibit the acceptance and processing of job orders containing discriminatory specifications?

(b) What reviewing and reporting procedures have been established to determine whether Negro and white job applicants are receiving equal service on a nondiscriminatory basis at previously segregated employment service offices?

(c) Where are segregated offices still maintained?

(d) To what extent are applicants limited to particular local offices by geographic districts and neighborhoods and to what extent does this practice operate to limit equal job opportunity?

APPRENTICESHIP PROGRAM

(a) What procedures have been established to measure the impact of the nondiscrimination provision which is now included in registered apprenticeship standards?

(b) Where are Negroes participating in training programs from which they had heretofore been excluded?

(c) Since the adoption of this policy, which State apprenticeship agencies have adopted a corresponding policy statement?

MANPOWER DEVELOPMENT AND TRAINING ACT, AND AREA REDEVELOPMENT ACT

(a) What steps have been taken to assure that all potential trainees are recruited, selected, tested and referred on a nondiscriminatory basis?

(b) Where State Employment Services do not operate on a nondiscriminatory basis, has your Department considered performing these functions directly under MDTA?

April 29, 1963.

Hon. Anthony J. Celebrezze,
Secretary of Health, Education, and Welfare,
Washington, D.C.

Dear Mr. Secretary: If racial discrimination occurs in those operations and activities of any grant or loan program administered by you, do you consider you lack authority to withhold such Federal funds? If so, would you please identify the program and explain the reasons it is thought such authority is not available, together with the nature of the additional authority you would need.

In recent months, I have had a number of specific questions directed to me which are covered in an enclosed memorandum. In addition, I would appreciate any information you can provide on these points.

With every best wish.

Sincerely,

Philip A. Hart.

Memorandum of Questions on the Administration of Programs by the Department of Health, Education, and Welfare, April 29, 1963

GRANTS TO EDUCATIONAL INSTITUTIONS (GRADUATE FELLOWSHIP PROGRAM, NATIONAL DEFENSE EDUCATION ACT, TITLE IV; LANGUAGE AND GUIDANCE TRAINING INSTITUTES, NATIONAL DEFENSE EDUCATION ACT TITLE V–B AND VI–B; VOCATIONAL REHABILITATION, SECTION 4(a)(1); PUBLIC HEALTH SERVICE, NATIONAL INSTITUTES OF HEALTH, ETC.)

(a) What steps are being taken to assure that colleges and universities receiving research grants and contracts, graduate fellowships and training grants accept students without regard to race, color, creed, or national origin for general admission and for the specific aided activity?

(b) Are efforts being made to acquaint predominantly Negro colleges and universities with the availability of these Federal funds? To what extend do these institutions receive funds under these programs?

IMPACTED AREA PROGRAM

What action is contemplated to assure that children of Federal military or civilian personnel who reside off Federal properties will be afforded equal educational opportunity on a desegregated basis under the impacted area school aid program?

LIBRARY SERVICES ACT

In view of the statutory language that libraries receiving Federal funds serve all residents, what steps have been taken to assure that all residents can in fact use the libraries aided by Federal funds for their benefit?

HILL-BURTON HOSPITALS

(a) What administrative procedures have been established to enforce the nondiscrimination provision of the act governing those hospitals not constructed under the "separate-but-equal" provision?

(b) With respect to hospitals constructed under the "separate-but-equal" provision, will successful resolution of the pending litigation result in an administrative determination to assist only those hospitals which give assurances that their services will be available to all persons on a nondiscriminatory basis?

LAND-GRANT COLLEGE

(a) Are provisions being made to eliminate segregation in institutions of higher education which receive Federal assistance under the Morrill Land-Grant College Act?

(b) In view of the Supreme Court's specific rulings that segregation in public higher education is unconstitutional, does the "separate-but-equal" clause of the Morrill Act constitute any impediment to such action?

VOCATIONAL EDUCATION

(a) The Commissioner of Education has said that the regulation requiring a reasonable expectation of employment could not be used as a bar to minority participation in the vocational education program and that the regulation requiring nondiscrimination would be enforced. What procedures does your Department use to verify compliance with this nondiscrimination policy?

(b) Where have vocational education schools been desegregated as a result of this clarification of policy and where are schools still segregated?

HEALTH GRANTS

Are provisions made to assure that grants made by the Public Health Service to State and local facilities are not used to finance or support segregated services?

ASSISTANCE TO INDIVIDUALS

What provisions are made to assure that persons who receive direct benefits, such as welfare assistance, are not denied these benefits by State or local officials because of their race or as a result of attempts to secure constitutional rights such as the right to vote?

EMPLOYMENT

Apart from recent departmental regulations prohibiting discrimination in employment under the merit system, what provisions does your Department make to assure nondiscrimination in employment which results from or is assisted by research, training, or construction grants?

May 1, 1963.

Hon. Stewart L. Udall,
Secretary of the Interior,
Washington, D.C.

Dear Mr. Secretary: If racial discrimination occurs in those operations or activities of any grant or contract program administered by you, do you consider you lack authority to withhold such Federal funds?

If so, would you please identify the program and explain the reasons it is thought such authority is not available, together with the nature of the additional authority you would need.

With every best wish,
Sincerely,

Philip A. Hart.

May 2, 1963.

Hon. J. Edward Day,
Postmaster General,
Washington, D.C.

Dear Mr. Postmaster General: In recent months, a number of specific questions have been directed to me with regard to equal employment opportunities within the Post Office Department.

These questions are contained in the enclosed memorandum, and I would appreciate any information you can give me on these points.

With every best wish,
Sincerely,

Philip A. Hart.

Memorandum of Questions on Equal Employment Opportunities in the Post Office Department, May 2, 1963

(1) What measures have been taken or are contemplated to overcome the past practices of discrimination in employment in the Postal Service?

(2) To what extent do seniority considerations in promotions perpetuate the present situation and limit opportunities for Negroes? What steps are possible to overcome this?

(3) What steps are being taken to eliminate the continued segregation in the Postal Inspection Service?

(4) What measures have been taken or are contemplated to assure that equal employment opportunity is afforded by the railroads and airlines who are carriers of the U.S. mail?

May 1, 1963.

Dr. Glenn T. Seaborg,
Chairman, Atomic Energy Commission,
Washington, D.C.

Dear Dr. Seaborg: If racial discrimination occurs in those operations or activities of any grant or contract program administered by you, do you consider you lack authority to wtihhold such Federal funds? If so, would you please identify the program and explain the reasons it is thought such authority is not available, together with the nature of the additional authority you would need.

With every best wish.
Sincerely,

Philip A. Hart.

May 1, 1963.

Mr. R. B. Tootell,
Governor, Farm Credit Administration,
Washington, D.C.

Dear Mr. Tootell: If racial discrimination occurs in those operations and activities of any loan program administered by you, do you consider you lack authority to withhold such Federal funds?

If so, would you please identify the program and explain the reasons it is thought such authority is not available, together with the nature of the additional authority you would need.

With every best wish.
Sincerely,

Philip A. Hart.

May 1, 1963.

Mr. Bernard L. Boutin,
Administrator, General Services Administration, Washington, D.C.

Dear Bernie: If racial discrimination occurs in those operations and activities of any contract program administered by you, do you consider you lack authority to withhold such Federal funds?

If so, would you explain the reasons it is thought such authority is not available, together with the nature of the additional authority you would need.

With every best wish.
Sincerely,

Philip A. Hart.

May 1, 1963.

Hon. Robert C. Weaver,
Administrator, Housing and Home Finance Agency, Washington, D.C.

Dear Dr. Weaver: If racial discrimination occurs in those operations and activities of any grant or loan program administered by you, do you consider you lack authority to withhold such Federal funds? If so, would you please identify the program and explain the reasons it is thought such authority is not available, together with the nature of the additional authority you would need.

In recent months, I have had a number of specific questions directed to me which are covered in an enclosed memorandum. In addition, I would appreciate any information you can provide on these points.

With every best wish.
Sincerely,

Philip A. Hart.

Memorandum of Questions on the Administration of Programs by the Housing and Home Finance Agency, May 1, 1963

(1) Aside from the complaint procedure, what steps are being taken to review the activities of builders, developers, FHA approved lending institutions, and local housing authorities to assure compliance with the Executive order on equal opportunity in housing?

(2) What specific steps are contemplated or have been taken to inform potential Negro purchasers of the identity and location of housing units subject to the order?

(3) With respect to acquired properties where lists are now available to the public, have reporting procedures been established to determine whether Negroes are availing themselves of the lists?

(4) Can you cite any instances in which Negroes have rented or purchased housing units as a result of the application of the Executive order?

(5) What steps have been taken to implement section 102 of the Executive order? Has any selection been made of appropriate cases for referral to the Department of Justice for purposes of litigation? What programs have been developed to secure voluntary desegregation of housing covered by section 102?

(6) In approving plans, what steps do the Public Housing Administration and the Urban Renewal Administration take to assure that the sites selected and contemplated reuse will promote the purposes of the Executive order?

(7) What steps does the Urban Renewal Administration take to assure that families displaced by urban renewal development will be relocated in decent, safe, and sanitary housing available on a nondiscriminatory basis?

(8) In view of the fact that the Executive order represents a fundamental reversal of policy, have any training or orientation programs been developed to assure that the operating staff at all levels is familiar with the intent of the order and the policy of the agency? What instructions have been given to field personnel to guide them in determining whether builders or developers are in compliance with the terms of the order?

(9) Has any determination been made about whether effective implementation of the Executive order would require broadening its coverage to include the lending practices of federally insured or regulated financial institutions?

(10) What steps have been taken to enforce the policy of nondiscrimination in employment on Public Housing Administration and Community Facilities Administration projects?

MAY 1, 1963.

Mr. JAMES E. WEBB,
Administrator, National Acronautics and Space Administration, Washington, D.C.

DEAR MR. WEBB: If racial discrimination occurs in those operations or activities of any grant or contract program administered by you, do you consider you lack authority to withhold such Federal funds?

If so, would you please identify the program and explain the reasons it is thought such authority is not available, together with the nature of the additional authority you would need?

With every best wish,
Sincerely,

PHILIP A. HART.

MAY 1, 1963.

Mr. ALAN T. WATERMAN,
Director, National Science Foundation, Washington, D.C.

DEAR MR. WATERMAN: If racial discrimination occurs in those operations or activities of any grant program administered by you, do you consider you lack authority to withhold such Federal funds?

If so, would you explain the reasons it is thought such authority is not available, together with the nature of the additional authority you would need?

With every best wish,
Sincerely,

PHILIP A. HART.

MAY 1, 1963.

Mr. JOHN E. HORNE,
Administrator, Small Business Administration, Washington, D.C.

DEAR JOHN: If racial discrimination occurs in those operations and activities of any loan program administered by you, do you consider you lack authority to withhold such Federal funds?

If so, would you please identify the program and explain the reasons it is thought such authority is not available, together with the nature of the additional authority you would need?

With every best wish,
Sincerely,

PHILIP A. HART.

MAY 1, 1963.

Mr. FRANK E. SMITH,
Director, Tennessee Valley Authority, Knoxville, Tenn.

DEAR MR. SMITH: If racial discrimination occurs in those operations and activities of any grant or contract program administered by you, do you consider you lack authority to withhold such Federal funds?

If so, would you explain the reasons it is thought such authority is not available, together with the nature of the additional authority you would need?

With every best wish,
Sincerely,

PHILIP A. HART.

Mr. HART. Madam President, it is clear that the President and officials of the executive branch have been exploring the scope of their authority in this area. In recent days there have been a number of executive actions.

The President has issued an Executive order extending the authority of the President's Committee on Equal Employment Opportunity to cover employment under Government construction contracts.

The Urban Renewal Administration has issued revised regulations making equal opportunity in housing a central objective of community renewal programs and prohibiting the listing of relocation housing not available to all by local urban renewal agencies.

The President, in his civil rights message to the Congress of June 19, 1963, recognized the desirability of seeking congressional endorsement for actions to assure that all "public funds, to which all taxpayers of all races contribute, not be spent in any fashion which encourages, entrenches, subsidizes, or results in racial discrimination."

The President went on to conclude that "many statutes providing Federal financial assistance, however, define with such precision both the administrator's role and the conditions upon which specified amounts shall be given to designated recipients that the amount of administrative discretion remaining—which might be used to withhold funds if discrimination were not ended—is at best questionable."

He recommended that Congress enact a "single comprehensive provision making it clear that the Federal Government is not required, under any statute, to furnish any kind of financial assistance—by way of grant, loan, contract, guarantee, insurance or otherwise—to any program or activity in which racial discrimination occurs."

Madam President, I ask unanimous consent that section V of the President's message entitled "Federal Programs" and title VI of S. 1731 be printed at this point in my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

V. FEDERAL PROGRAMS

Simple justice requires that public funds, to which all taxpayers of all races contribute, not be spent in any fashion which encourages, entrenches, subsidizes, or results in racial discrimination. Direct discrimination by Federal, State, or local governments is prohibited by the Constitution. But indirect discrimination, through the use of Federal funds, is just as invidious; and it should not be necessary to resort to the courts to prevent each individual violation. Congress and the Executive have their responsibilities to uphold the Constitution also; and, in the 1960's, the executive branch has sought to fulfill its responsibilities by banning discrimination in federally financed housing, in NDEA and NSF institutes, in federally affected employment, in the Army and Air Force Reserve, in the training of civilian defense workers, and in all federally owned and leased facilities.

Many statutes providing Federal financial assistance, however, define with such precision both the administrator's role and the conditions upon which specified amounts shall be given to designated recipients that the amount of administrative discretion remaining—which might be used to withhold funds if discrimination were not ended—is at best questionable. No administrator has the unlimited authority to invoke the Constitution in opposition to the mandate of the Congress. Nor would it always be helpful to require unconditionally—as is often proposed—the withdrawal of all Federal funds from programs urgently needed by Negroes as well as whites; for this may only penalize those who least deserve it without ending discrimination.

Instead of permitting this issue to become a political device often exploited by those opposed to social or economic progress, it would be better at this time to pass a single comprehensive provision making it clear that the Federal Government is not required, under any statute, to furnish any kind of financial assistance—by way of grant, loan, contract, guaranty, insurance or otherwise—to any program or activity in which racial discrimination occurs. This would not permit the Federal Government to cut off all Federal aid of all kinds as a means of punishing an area for the discrimination occurring therein—but it would clarify the authority of any administrator with respect to Federal funds or financial assistance and discriminatory practices.

TITLE VI—NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS

SEC. 601. Notwithstanding any provision to the contrary in any law of the United States providing or authorizing direct or indirect financial assistance for or in connection with any program or activity by way of grant, contract, loan, insurance, guaranty, or otherwise, no such law shall be interpreted as requiring that such financial assistance shall be furnished in circumstances under which individuals participating in or benefiting from the program or activity are discriminated against on the ground of race, color, religion, or national origin or are denied participation or benefits therein on the ground of race, color, religion, or national origin. All contracts made in connection with any such program or activity shall contain such conditions as the President may prescribe for the purpose of assuring that there shall be no discrimination in employment by any contractor or subcontractor on the ground of race, color, religion, or national origin.

Mr. HART. Madam President, in view of the President's request for legislative action, the replies to the letters I directed to the Federal agencies on this question some weeks ago become most significant.

Several of the agencies have now replied to my letter and memorandum. It has apparently been more difficult to answer the basic question posed in the inquiries than to provide detailed reports on the administration of specific programs. The replies show a very substantial awareness of, and willingness to meet, the constitutional responsibility which the executive branch has to assure every American full and equal access to all Federal programs without discrimination.

I should make a few brief comments on the replies received to date.

The Post Office Department states that it has "sufficient authority" under the Constitution or laws of the United States to assure nondiscrimination in all of the Department's programs. The Department does point out, however, that the airlines of the Nation carry mail under statutory mandate, and not under contractual arrangements. For this reason, employment practices of the airlines cannot be reached by the Post Office Department under the provisions of Executive Order 10925.

I ask unanimous consent that the letter signed by Frederick C. Belen, Acting Postmaster General, be printed at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OFFICE OF THE POSTMASTER GENERAL,
Washington, D.C., May 8, 1963.
Hon. PHILIP A. HART,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: In Postmaster General Day's temporary absence from the city on a business trip, I am taking the liberty of replying to your letter of May 2 regarding equal employment opportunities within the Post Office Department. The information you requested is set forth under the headings provided in the enclosure to your letter.

1. Measures taken or contemplated to overcome past practices of discrimination in the Postal Service:

This Department has enunciated a policy of compliance with the letter and spirit of President John F. Kennedy's Executive Order 10925—Equal Employment Opportunity. It has been made clear that discrimination because of race, color, creed or national origin will not be tolerated in any manner at any level in the Postal Service. This policy has been given effect through the development of a comprehensive, affirmative action program touching every facet of the Department's operations. Examples of specific measures taken:

Executive Order No. 10925 given wide distribution throughout the Postal Service.

A merit promotion policy established and implemented, prohibiting any racial, religious, or other improper discrimination in promotions.

Position of Special Assistant for Employee Relations established and filled, on the Regional Director's immediate staff, in each of the Department's 15 Regional Offices. These officials serve as Deputy Employment Policy Officers, responsible for day-to-day coordination of compliance and affirmative action programs in their regions. Each has a part-time staff of hearing officers-investigators to assist in processing complaints of discrimination.

Top-level Departmental Board of Appeals and Review established and staffed. This three-man board processes and reviews all equal employment opportunity cases prior to final decision by the Employment Policy Officers, and assists in coordination of the Department's affirmative action program.

Special surveys and studies of status of minority group employees.

Special programs to accelerate recruitment and promotion for minority group individuals.

Training in depth for regional officials, postmasters, supervisors, and hearing officers-investigators.

Conferences and consultations with civil rights and intergroup relations organizations and minority group community leaders.

Organization of councils to promote equal employment opportunity.

Equal employment opportunity conferences with employee organizations.

Participation in regional meetings throughout the country sponsored by the President's Committee on Equal Employment Opportunity.

Issuance of "Code of Ethics for Postal Employees," containing the Department's nondiscrimination policy, and its distribution to all employees.

Development and maintenance of a comprehensive affirmative action program by each postmaster at the 313 largest offices, employing 92 percent of all minority group individuals in the postal service. Programs must meet standards established by the Department, receive approval of the region's special assistant for employee relations, and indicate specific tangible targets of achievement.

Segregated (dual) locals of employee organizations have been eliminated, with cooperation of the national employee organizations. Recognition is withheld from any employee organization which discriminates in its terms or conditions of membership because of race, color, creed, or national origin.

Complaints are investigated and adjudicated, and corrective action taken where found warranted.

A large number of appointments and promotions of minority group individuals have been made to key positions in the service, including: Deputy Assistant Postmaster General, Bureau of Transportation, GS–18; postmaster, Los Angeles, PFS–18; personnel director, Chicago Region, PFS–17; assistant postmaster, Washington, PFS–16; appeals officer, Department, GS–15; chief of employment, New York region, PFS–15; chief of schemes and routing, New York region, PFS–15; assistant tour superintendent, Chicago post office, PFS–14; chief, vehicle operations branch, Minneapolis region, PFS–14; Confidential Assistant to the Postmaster General, GS–13; assistant to Board of Appeals and Review, GS–13; mechanical engineer, GS–13; superintendent of employment and compensation, Chicago post office, PFS–13.

2. Seniority considerations in promotions as a limit to opportunities for Negroes:

The principal area in which seniority considerations have tended to limit promotion opportunities for Negroes has been in promotions from a lower supervisory level to a higher supervisory level, the reason being that relatively fewer Negroes were promoted into the supervisory ranks prior to 1961. The Department's merit promotion policy is intended to overcome that handicap insofar as possible. Supplemental measures have been necessary in some cases through the directed promotion of qualified Negroes. Whether in promotions between supervisory levels or in other promotions, if it is found that undue weight has been attributed to seniority and discrimination has resulted, corrective action is directed.

3. Steps to eliminate the reported continued segregation in the Postal Inspection Service:

During the past 2 years eight Negroes have been appointed on the clerical staff of the inspection service (headquarters and field). In addition, a number of Negro investigative aids work with and assist inspectors on depredation cases throughout the country. During the 2-year period the inspection service conducted full field investigations of 19 Negro applicants for the position of postal inspector. One of these met all of the rigid requirements of the position and was appointed postal inspector. Although turnover in the inspection service is relatively small, continuing efforts are underway to further improve employment opportunities for Negroes in that branch of the Department.

4. Equal employment opportunity in mail-carrying railroads and airlines.

Mail is carried by airlines under statutory mandate. They are required to carry mail tendered to them by the Postmaster General. The rates paid to the airlines are prescribed by the Civil Aeronautics Board. The Department has no contract with any of these airlines which would be subject to the provisions of Executive Order 10925. In the absence of a contract the Department appears to have no jurisdiction over the employment policies of the airlines. At least one airline to our knowledge, namely American Airlines, is a participant in the plans for progress program under which they have agreed with the President's Committee on Equal Opportunity to abide by the provisions of the Executive order.

The situation is somewhat the same with respect to the mail-carrying railroads. They carry mail under statutory authority and the rates paid to them are fixed by the Interstate Commerce Commission. In the case of the railroads, however, under authority of law, the Department has entered into a number of contracts with some of them. These contracts contain the nondiscrimination provisions required by the Executive order. In cases where the contract exceeds $50,000 the railroad is required to file extensive compliance reports. Complaints addressed to us against railroads are investigated. In the near future it is expected that a comprehensive compliance review will be conducted to determine whether these railroads with which the Department has contracts are in fact complying with the requirements of the Executive order.

5. Adequacy of existing authority under the Constitution or laws of the United States to assure nondiscrimination in all of the Post Office Department's programs.

Our present view is that sufficient authority does exist.

Sincerely yours,
FREDERICK C. BELEN,
Acting Postmaster General.

Mr. HART. Madam President, the reply received from the Department of Defense reports on the implementation of the directive of the Deputy Secretary of Defense to eliminate discrimination in the Reserves, and the nondiscrimination policies being followed by the Office of Civil Defense.

The Department believes there exists today authority to withhold funds as a result of discrimination in the National Guard and ROTC units, but for reasons of national policy has not exercised that authority.

Also, the Department is now reviewing a study made by the President's Committee on Equal Opportunity in the Armed Forces regarding on- and off-base facilities.

As the Senator from New York has said, this is probably the stickiest problem of all in this area.

It would be my hope, that as Congress develops the record on this question, the Department of Defense will indicate if there is any area or program where there is insufficient authority to withhold funds.

I ask unanimous consent that the letter signed by Norman S. Paul, Assistant Secretary of Defense, be printed at this point in my remarks.

The PRESIDING OFFICER (Mr. METCALF in the chair). Is there objection?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C., June 26, 1963.
Hon. PHILIP A. HART,
U.S. Senate.

DEAR SENATOR HART: Reference is made to your letters of May 1 and May 4, 1963, to the Secretary of Defense concerning problems of racial discrimination in operations and activities of the Department of Defense.

The broad question of the Department's authority to withhold Federal funds is closely interwoven with the special policy, administrative and statutory circumstances involved in each particular program in which this question might be raised. For this reason, we are responding to the general question raised in your May 1 memorandum in the responses to the six specific questions listed in your letter of May 4. The responses to these six questions follow in the order and numbering in which they are listed in your letter of May 4:

1. National Guard: The problem of complete integration of the National Guard has been receiving continuing attention within the Department of Defense, and considerable progress has been made toward this goal.

We have reason to believe that it would be legally possible to withhold Federal funds as a means of bringing about integration in State National Guard units, but the Department has sought to make progress through persuasion and consultation with State Governors and Adjutants General rather than through efforts to withhold funds. In addition, integration is being effected when Guard units from any State are ordered into the Federal service by assignment of personnel by the military departments to those units without regard to race. Integration also is being effected by assignment of personnel to Guard units during summer encampments without regard to race.

Advances in the integration of Negroes into formerly all-white units have been made by modification of statutes and practices which precluded integration in several States. The latest such action was the repeal on April 2, 1963, by the North Carolina legislature of a statute limiting the use of Negro troops and compelling segregation in that State. Progress also has been achieved in that all-Negro units have been eliminated throughout the National Guard. The principal problem remaining is with regard to 10 of the Southern States which do not yet have Negroes in their National Guard units. The Department is seeking to have these States voluntarily drop these restrictions, as has the State of Texas recently.

As indicated above, it is within the realm of legal possibility to seek to bring about integration in State National Guard units by withdrawal of funds and Federal equipment. However, the National Guard is comprised primarily of voluntary units and voluntary personnel serving, when in a State status, under the command of State Governors. Action to withhold funds and equipment could result in the rejection of Federal funds or deactivation of units by some States, with a resultant serious deterioration in combat effectiveness. Abount 25 percent of the Army National Guard's strength, including important artillery, tank, armored, infantry, and other combat units, as well as vital reconnaissance, fighter and transport units of the Air Force are located in Southern States. The potential deterioration of these important units is sufficiently serious to cause this Department to feel that at this time it is not in the national interest to risk cutting off Federal support.

2. Reserves: The Deputy Secretary of Defense, on April 3, 1962, expressed his concern that the responsibilities of the Department to assure equality of treatment of all personnel in the Reserves had not been fully met, and directed that specific measures be undertaken to identify and eliminate discriminatory practices or customs. He expressed concern particularly over such matters as the existence of all-Negro units and the possibility that a disproportionate number of Negroes are assigned to pools rather than to drilling units, and directed that specific measures to be undertaken to integrate units as rapidly as is consistent with military effectiveness.

In implementation of the Deputy Secretary of Defense's memorandum, the military departments issued instructions to field commanders emphasizing policies of nondiscrimination in the acceptance or rejection of applicants for the Reserves: Existing assignment procedures were reviewed to determine if new safeguards against discriminatory attitudes or practices were needed; the composition of Reserve units was examined to determine if any all-Negro units existed and that such all-white units as exist are not the result of discriminatory practices; a review was made to assure that a disproportionate number of Negroes are not assigned to active status pools as opposed to drilling units; and quarterly reports of findings and actions taken were submitted by each service to the Assistant Secretary of Defense (Manpower).

As a result of the Deputy Secretary of Defense's memorandum a number of significant actions have been taken:

(1) The interest of the Secretary of Defense and the Secretaries of the military departments in equality of treatment in the Reserve forces, and that of major military commanders has been forcefully emphasized to all commanders and to personnel responsible for enlistment and assignment of reservists.

(2) Such all-Negro units as were found to be in existence, for whatever reason, have been eliminated.

(3) Enlistment and assignment pocedures have been revised where necessary in order to provide fuller assurance of equality of treatment for all personnel. Army Regulation 140–111, issued June 28, 1962, established stringent provisions for assistance to all applicants in locating unit vacancies and provided a right of appeal to the Active Army to any person denied enrollment in a Reserve unit. Changes in the procedures for measurement of the skills and aptitudes of applicants also were made to provide assurance of more objective measurement by Reserve unit commanders of an applicant's potential ability. Air Force Regulation AFR 45–3B issued November 2, 1962, also established specific procedures for processing of appeals of medically and mentally qualified personnel who apply for but are not accepted for assignment to Air Force Reserve units. Provision also was made for positive assistance to applicants in locating Air Force Reserve position vacancies in the area of their residence.

(4) The number of Negro personnel participating in drilling units in the Ready Reserve in Army and Navy between June 30, 1962, and December 31, 1962, was increased, despite a decrease in the total number of personnel assigned to drilling units.

In the Army, despite a decrease of 7,065 in the number of personnel assigned to drilling units the number of Negro personnel assigned to drilling units increased by 1,194 (12.1 percent); the number of Negroes in the active status pool decreased by 1.4 percent. The percentage of Negroes in the Ready Reserve increased from 4.8 percent to 5.2 percent.

In the Navy, despite a sizable overall decrease (9,752) in the number of personnel assigned in a drill pay status, the number of Negroes so assigned increased by 338 (18.9 percent). The number of Negroes in the active status pool decreased by 18.4 percent. The number of Negroes in the Ready Reserve increased from 1.8 percent to 1.9 percent.

Due to the absence of racial information in the Air Force reporting system comparative data on the number of Negro personnel assigned to drilling units between June 30, 1962, and December 31, 1962, are not available. Data as of January 15, 1963, indicate, however, that the percentage which Negro personnel comprise of the active status pool (5.4 percent) is not greatly higher (1 percent) than the percentage they comprise of total Air Force Ready Reserve personnel (4.4 percent) and approximates the proportion of Negroes in the Army active status pool (5.6 percent) as of December 31, 1962.

3. ROTC: The Department of Defense does not have information as to the entrance policies of the nearly 800 colleges, high schools, and preparatory schools which have senior or junior ROTC units, and consequently does not have a basis on which to respond to the question as to which schools do not admit Negroes as a matter of policy.

It would be possible to cancel contracts with schools having ROTC units, with appropriate notice, if it should be determined as a matter of policy that such cancellations are desirable as a means of preventing discrimination.

The feasibility of such a step is now being reviewed. There is a serious question, however, as to whether such a limited and indirect measure, when considered in the context of the total school problem and the overall expenditures of Federal funds for education, would be an effective means of bringing about changes in the admission policies of schools and colleges.

4. Civil defense: The contributions which the Office of Civil Defense makes to the personnel and administrative expenses of State and local civil defense organizations are subject to a mandatory nondiscrimination in employment provision. In the event of violation of this requirement the Office of Civil Defense can withhold funds under section 401(h) of the Federal Civil Defense Act, until the State or political subdivision complies with the requirement.

States, localities, private organizations, and individuals making their premises available as public fallout shelter space are subject to a requirement that all such facilities be available to all members of the general public. Also, regulations governing the establishment of the U.S. Civil Defense Corps (composed of local civil defense organizations) provide that no person shall be considered ineligible for membership in such corps by virtue of race, creed, color, or national origin.

States and localities conduct certain civil defense training programs locally and receive one-half of the cost from the Office of Civil Defense. Also, an adult education program in civil defense conducted by the States is supported by Office of Civil Defense funds administered through the Department of Health, Education and Welfare. The States select the students to attend these local training programs. Though there are at present no specific requirements as to the criteria to be used by the States in the selection of students, beginning with the next contract year a nondiscrimination clause will be incorporated. This will establish a requirement on the States to select students and conduct classes without regard to race, creed, color, or national origin in order to be eligible for receipt of funds.

5. Administration of justice: In order to assure that there is no discrimination in the administration of military justice, a review was made in December 1961 under the guidance of the General Counsel of the Department of Defense, of allegations of racial prejudice recorded during the past year. A spot check also was made of recent courts-martial cases to determine if there was evidence of racial discrimination in these cases. No evidence of such discrimination was found and there is every reason to believe that the cases selected for spot check accurately represent general practice.

With regard to provision of qualified defense counsel, in general courts-martial cases military counsel who are members of the bar of the Federal court or of the highest court of a State of the United States and who have been certified as competent by the Judge Advocate General of their military department must be provided. Similarly, at the appellate review level, legally qualified counsel are required whether the appeal be from a general or a special court-martial.

With regard to discharges, records of servicemen under consideration for separation are adjudged on the basis of merit without regard to race or color. In review of discharges any assertion by an applicant of racial discrimination in support of his request for a change or modification of the type of discharge received is carefully examined in light of all the facts and an impartial determination made.

6. Availability of facilities: The implementation of the policies established in the Deputy Secretary of Defense memorandum of June 19, 1961 with regard to facilities on and off base, use of military police and the provision of legal assistance has been a responsibility of local commanders, which they are required to discharge within the limits of available funds and within the framework of their continuing relationships with local community organizations and facilities. Overall data on the actions taken by the many base commanders throughout the Military Establishment are not available. However, a thorough study has been made by the President's Committee on Equal Employment Opportunity to determine the effectiveness with which this memorandum and the other equal opportunity policies of the Armed Forces are being implemented, and to determine what additional measures may be needed to improve equality of opportunity for members of the Armed Forces. The availability of facilities for members of the Armed Forces and their dependents in the civilian community, particularly with respect to housing, education, transportation, recreational facilities, and community activities was one of the major areas included in the committee's study. The committee has just rendered its report and has made recommendations on the whole range of problems related to equality of treatment and opportunity for persons in the Armed Forces. The recommendations of the committee are now being reviewed and a report will be made to the President within 30 days on such additional steps as may be required by the Department of Defense to secure equal opportunity for all servicemen.

Meanwhile, with regard to housing, the Secretary of Defense has instructed the Secretaries of the military departments, in a memorandum dated March 8, 1963, to include the following clause in all leases for family housing executed on behalf of the United States under the authority of section 515, Public Law 84–161:

"It is understood and agreed that the Government will assign the desired premises to military personnel in accordance with Executive Order No. 11063, dated November 20, 1962, which provides that housing and related facilities shall be available without discrimination among tenants because of race, color, creed, or national origin."

In addition, the Secretary required in his March 8 memorandum that all listings of available private housing maintained at military base housing offices shall include only those units which are available without regard to race, color, creed, or national origin. This memorandum applies to the listing of private housing off-base; all housing and other facilities on military installations, of course, have been fully integrated for many years.

Thank you for the opportunity to comment upon the important questions raised in your two letters. If further information is needed, I shall be glad to furnish it.

Sincerely yours,

NORMAN S. PAUL.

Mr. HART. Mr. President, the Department of Commerce indicates that under the President's new Executive order extending the authority of the Committee on Equal Employment Opportunity to construction contracts, they have sufficient authority to withhold funds from the Federal highway program and from commercial and industrial projects financed by the Area Redevelopment Administration. It is interesting to note that the Department feels that title VI of S. 1731 would enable them to require agreements for nondiscrimination in employment by those occupying facilities constructed with ARA financial assistance.

I ask unanimous consent that the letter signed by Lawrence Jones, Acting General Counsel of the Department of Commerce, be printed at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

GENERAL COUNSEL OF THE
DEPARTMENT OF COMMERCE,
Washington, D.C., June 27, 1963.

Hon. PHILIP A. HART,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HART: This is in further reply to your letter of May 1 requesting answers to a number of questions concerning nondiscrimination in projects carried on under programs of this Department.

There are attached replies to your questions prepared by the Bureau of Public Roads and Area Redevelopment Administration, the agencies to whose programs these questions relate.

You have asked whether we believe we have sufficient authority to condition grants of Federal funds on assurances of nondiscrimination. As the attachments demonstrate, our authority is sufficient insofar as many aspects of the highway and ARA programs are concerned. However, enactment of titles II ("Injunctive Relief Against Discrimination in Public Accommodations") and VI ("Nondiscrimination in Federally Assisted Programs") of the bill submitted by the President on June 19 and the extension of jurisdiction of the Committee on Equal Employment Opportunity, provided in Executive Order No. 11114, together would take care of the matters outlined in your questions 1d and 3a.

Sincerely yours,

LAWRENCE JONES,
Acting General Counsel.

INFORMATION SUBMITTED BY BUREAU OF PUBLIC ROADS IN ANSWER TO SENATOR HART'S LETTER OF MAY 1, 1963

Questions 1 and 2 of Senator HART's letter relate to programs administered by the Bureau of Public Roads. The questions and answers are as follows:

1. FEDERAL HIGHWAY PROGRAM

(a) "What steps are being taken to enforce the employment nondiscrimination clause in contracts with States under the Federal highway program?"

While there are no specific enforcement instructions with respect to the nondiscrimination clause in Federal-aid highway contracts let by the States, a breach of this clause, as well as various other required contract provisions, may be grounds for termination of the contract.

(b) "How do you determine the extent to which employment discrimination has been eliminated and the extent to which Negroes have been employed on these projects?"

The Bureau of Public Roads makes periodic inspections to insure compliance with all provisions of Federal-aid highway construction contracts let by the States, and takes appropriate action in instances of noncompliance. Because a comprehensive reporting requirement had not been established very few administrative or compliance problems have been encountered.

(c) "What has been the effectiveness of this nondiscrimination policy in specific job categories on highway projects?"

As indicated in the answer to question 2, a survey concerning nondiscrimination is currently being made with respect to certain highway projects under the accelerated public works program. This survey, and reports required under Executive Order 11114, together will give a better picture of the operation of the nondiscrimination clause.

(d) "Are any provisions being made to avoid discrimination in the availability of places of public accommodation authorized by States to operate along the rights-of-way of highways built with 90 percent Federal funds?"

Commercial facilities providing public accommodations, such as restaurants and motels, are not permitted to be located within the public right-of-way of any interstate projects financed in part with 90 percent Federal-aid highway funds. The Federal-aid highway legislation contains no provision relating to nondiscrimination in the use of privately owned facilities as may provide for public accommodations along, but outside of such highway rights-of-way. Legislation would be necessary before any action could be taken by us.

(e) "What steps have been taken to assure that persons displaced by the Federal highway program will be relocated in decent housing provided on a nondiscriminatory basis?"

Our authority with respect to relocation is limited to section 133 of title 23, United States Code. This provides only that the States give assurance relocation advisory assistance shall be provided for families displaced by Federal-aid highway projects, and that certain moving expenses authorized under State law may be reimbursed. However, attention is invited to Executive Order 11063 relating to equal opportunity in housing which provides that federally financed housing, or housing financed on the credit of the Federal Government must be sold, leased, or rented without regard to race, color, creed or national origin.

2. ACCELERATED PUBLIC WORKS PROGRAM

"What measures have been taken or are contemplated to assure that employment opportunities created by the accelerated public works program will be made available without regard to the race, creed, color, or national origin of job applicants?"

A nondiscrimination survey is currently being made by the Bureau of Public Roads, at the request of the U.S. Commission on Civil Rights, of selected highway projects being constructed under the accelerated public works program. The results of this survey will be reported on a form furnished by that Commission.

INFORMATION SUBMITTED BY AREA REDEVELOPMENT ADMINISTRATION IN CONNECTION WITH SENATOR HART'S LETTER OF MAY 1, 1963

Questions 2 and 3 of Senator HART's letter relate to the programs administered by the Area Redevelopment Administration. The questions and our answers are as follows:

2. ACCELERATED PUBLIC WORKS PROGRAM

"What measures have been taken or are contemplated to assure that employment opportunities created by the accelerated public works program will be made available without regard to the race, creed, color, or national origin of job applicants?"

The Public Works Acceleration Act did not create any new, substantive Federal grant-in-aid program. It merely authorizes additional appropriations for existing programs. Section 3(c) of the act requires that all grants-in-aid made from accelerated public works allocations "be made in accordance with all of the provisions of such law." Accordingly, we must leave this matter to each of the delegate agencies under the accelerated public works program. For example, the Community Facilities Administration utilizes the following clause in loan and/or grant agreements providing for the financing and construction of public works or facilities under the Accelerated Public Works Act:

"Sec. 25. Nondiscrimination: The borrower shall require that there shall be no discrimination against any employee who is employed in carrying out the project, or against any applicant for such employment because of race, religion, color, or national origin. This provision shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The borrower shall insert the foregoing provision of this section in all its contracts for project work and will require all of its contractors for such work to insert a similar provision in all subcontracts for project work: *Provided,* That the foregoing provision of this section shall not apply to contracts or subcontracts for standard commercial supplies or raw materials. The borrower shall post at the project, in conspicuous places available for employees and applicants for employment, notices to be provided by the Government setting forth the provisions of this nondiscrimination clause."

We have provided a separate answer below to each individual question within questions 3a and 3b.

(a) 1. "What steps have been taken to assure that employment opportunities created by loan programs under the Area Redevelopment Act are available without regard to the race, color, creed or national origin of job applicants?"

In answering this question a distinction must be made between employment practices of construction contractors and employment practices of those occupying facilities constructed.

With respect to construction contractors on projects financed by public facilities loans and grants made under sections 7 and 8 of the Area Redevelopment Act, the Community Facilities Administration, acting as agent for ARA, includes a clause in its agreement with our borrower identical to that shown in our answer to question 2 above.

With respect to construction of commercial and industrial facilities financed by ARA under section 6 we have not included such clauses. Under Executive Order 11114 of June 22, however, such clauses will hereafter be required. Moreover, the reporting requirements of that order will facilitate enforcement of the nondiscrimination clauses now required on projects under sections 7 and 8.

With respect to employment practices of occupants of ARA-financed commercial and industrial facilities, we have not required as a condition for a commercial or industrial loan under section 6 of the Area Redevelopment Act that a borrower execute covenants with respect to its employment practices. The Congress, in authorizing our loan program for commercial and industrial projects, did not indicate its intent with regard to employment practices of private borrowers.

Enactment of title VI of the President's bill would, of course, resolve this question.

(a) 2. "How do you determine whether these job opportunities are made known to all eligible applicants on a nondiscriminatory basis?

Your attention is invited to that portion of the above-cited nondiscrimination clause used by the Community Facilities Administration for public facility loans which reads: "The borrower shall post at the project, in conspicuous places available for employees and applicants for employment, notices to be provided by the Government setting forth the provisions of this nondiscrimination clause."

(a) 3. "How many Negroes have secured employment under this program?"

We do not have any information at this time as to the number of Negroes who have secured employment under our program. However, ARA, in cooperation with the U.S. Civil Rights Commission, is currently in the process of making a sampling survey which should provide this information in the near future.

(b) 1. "Have businesses operated by Negroes utilized the benefits available under the ARA program?"

A few businesses operated by Negroes have utilized the benefits available under the ARA program. For example, ARA has received several formal proposals in its Washington, D.C., offices from Negro businessmen for assistance under section 6 of the Area Redevelopment Act. These proposals are undergoing normal processing. In addition, our field representatives report that Negro businessmen are gradually submitting projects for ARA assistance to our field coordinators. These will be forwarded for further processing at our Washington, D.C., office. However, Negroes have been slow to respond to the benefits available under the ARA program because of their lack of knowledge of the program. In this connection, ARA has been and is attempting to educate Negro businessmen with respect to our program. (Also see answer to question (b) 3 below.)

(b) 2. "Are Negro businesses represented on ARA committees?"

There are presently some Negroes on local area committees organized for the purpose of preparing overall economic development programs (OEDP's) for their respective areas. Also, in addition to being members of local development organizations, Negroes in some areas have taken the leadership in forming organizations to provide the 10-percent contribution to the aggregate cost of ARA projects as required under section 6(b) (9) (B) of the Area Redevelopment Act. Constant efforts are being made by ARA field personnel to encourage expansion of minority group participation in local planning organizations.

(b) 3. "What efforts have been made to acquaint Negro businessmen with the program?"

A personal and special appeal has been and is being made throughout the Nation to all types of community and State organizations (for example, business associations, colleges and universities, and urban leagues) for the purpose of enlisting their support and cooperation in developing greater participation on the part of Negroes in the ARA program. These groups are asked to encourage participation of Negroes not only as workers in ARA projects, but also as applicants for section 6 loans under the Area Redevelopment Act and as participants in local development groups.

Mr. HART. Mr. President, the Housing and Home Finance Agency has forwarded a very comprehensive report on the implementation of the President's Executive Order on Equal Opportunity in Housing. A subsequent letter, not yet received, will be addressed to the basic question on the authority to withhold funds. There is a statement by HHFA that the present Executive order on housing would be much more effective if it were extended to cover conventional loans made by federally insured or regulated institutions.

I ask unanimous consent that the letter from Dr. Robert C. Weaver, Administrator of the Housing and Home Finance Agency, be printed at this point in my remarks.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Housing and Home Finance Agency,
Washington, D.C., June 26, 1963.
Hon. Philip A. Hart,
U.S. Senate, Washington, D.C.

Dear Senator Hart: This is in further reply to your letter of May 1 in which you inquire as to the Agency's authority to withhold funds in its various grant or loan programs if there is evidence of racial discrimination and in which you ask a series of questions with reference to the Agency's implementation of the Executive order on equal opportunity in housing and Agency enforcement procedures with reference to nondiscrimination in employment on public housing administration and community facilities administration projects.

This letter is in response to your series of questions. I shall write you further within a few days concerning the Agency's authority to withhold Federal funds.

The basic programs administered by this Agency which are subject to the Executive order on equal opportunity in housing are the following:

1. Home mortgage insurance programs—administered by the Federal Housing Administration.
2. Low-rent public housing program—administered by the Public Housing Administration.
3. Urban renewal program—administered by the Urban Renewal Administration.
4. Senior citizens housing and college housing loan programs—administered by the Community Facilities Administration.
5. Sale of reacquired housing—Federal Housing Administration.
6. Sale of housing owned by Atomic Energy Commission in Los Alamos—to be administered in the community disposition program in the Office of the Administrator pursuant to a recent Executive order.

Preliminary to answering your specific inquiries, I would like to make some general observations about the application and implementation of the Executive order. As you know, the Executive order which was issued on November 20, 1962, became effective immediately. Within a few weeks this Agency issued detailed rules, regulations and instructions to implement section 101 of the order to assure that housing and related facilities to be built in the future pursuant to Federal aid agreements executed after the effective date of the order would be available on a nondiscriminatory basis. Shortly after the order was issued we prepared a question and answer pamphlet and had substantial quantities of this pamphlet and the Executive order printed for distribution to interested groups and individuals.

Section 101 of the Executive order directs the various Federal departments and agencies to take all necessary and appropriate action to prevent discrimination in housing and related facilities which are to be provided in the future with Federal aid. Since the order has been in effect only a little more than 6 months, the amount of housing and related facilities constructed pursuant to post-Executive order Federal aid agreements has thus far been very small. We can expect, however, that this volume will increase substantially within the next few months, particularly with reference to FHA-aided housing and we are confident that the measures adopted by this Agency to assure nondiscriminatory access to such housing and related facilities are adequate to achieve the objectives of the Executive order.

Section 102 of the Executive order directs the various departments and agencies to use their good offices and to take other appropriate action permitted by law, including the institution of appropriate litigation, if required, to promote the abandonment of discriminatory practices in existing housing heretofore provided with Federal financial assistance. As you know, Federal aid agreements executed prior to the issuance of the Executive order generally do not contain a provision requiring nondiscrimination. However, pursuant to the mandate of the Executive order this Agency has been using its good offices throughout its programs to eliminate discrimination. We are continually studying also the question as to what other appropriate action can be taken, including litigation, with reference to existing commitments. I am sure you can appreciate that such action requires careful consideration of the legal rights which were vested prior to the issuance of the Executive order and should not be taken precipitously. Therefore, we have sought the advice and assistance of the President's Committee on Equal Opportunity in Housing. Discussions in this matter are now in progress.

I will now take up your questions in the order in which they were posed:

1. "Aside from the complaint procedure, what steps are being taken to review the activities of builders, developers, FHA approved lending institutions, and local housing authorities to assure compliance with the Executive order on equal opportunity in housing?"

Each of the constituents of the Housing and Home Finance Agency requires as a condition to the granting of aid (in the form of loans, grants, contributions, or mortgage insurance) that the housing and related facilities provided with such Federal aid will be available on a nondiscriminatory basis. A violation of such requirements may result in the imposition of sanctions. In view of the fact that there has been very little construction completed pursuant to Federal aid agreements containing these requirements, as heretofore stated, there has been little compliance activity up to the present time. However, we have made considerable progress in developing our compliance program. We have issued detailed complaint procedures which provide for the filing and processing of complaints at the local level with a right of appeal to the central offices. In our compliance procedures we will not rely only on complaints from individuals who allege that they have been discriminated against in their attempts to rent or purchase housing, but we will entertain complaints from organizations who are interested in protecting the rights of minorities. In addition, we will continue to receive information concerning the practices of builders, lending institutions, and local housing authorities throughout the country, from many interested groups and individuals. Each allegation of discrimination, whether in the form of a complaint or otherwise, is followed up by investigation and such action as is deemed appropriate under the circumstances. I wish to stress, however, that the above constitutes our existing procedures. We are continually studying additional measures to obtain compliance as we gain further experience under the Executive order.

In the urban renewal program before any Federal aid contract is entered into between HHFA and a local public agency (LPA) planning or undertaking an urban renewal project, the LPA must furnish appropriate written assurances that it, and other public bodies involved, recognize their obligations concerning the requirements of the Executive order and related policies of the Urban Renewal Administration. These assurances are a matter of public record and are embodied in resolutions by the LPA or the governing body of the locality. Consequently, no contract is entered into unless the relevant public bodies put their good faith assurances in the record. The Federal loan or grant contract provides that affirmative nondiscrimination covenants running with the land be inserted in deeds given by the LPA to redevelopers of urban renewal land which may be used for housing or facilities related to housing and the LPA is further obliged to enforce that covenant. Within this framework it is believed that adequate distribution of promotional and informational materials, quarterly reporting on racial occupancy in dwellings constructed on urban renewal land, and staff training will adequately complement the established complaint procedure to assure compliance with Executive order requirements.

In the low-rent public housing program administered by the Public Housing Administration (PHA) section 101 of the Executive order was implemented by including a nondiscrimination clause in the annual contributions contracts entered into between PHA and the local authorities. PHA in its manuals and instructional material to the local authorities, spells out the obligations of these authorities under the contract clause and suggests methods of fulfilling these obligations. In this material the local authorities are also advised that publicity concerning occupancy opportunities shall include the information that the projects will be or are being operated under a policy of equal opportunity without regard to race, color, creed, or national origin. In the PHA's regularly scheduled audits and reviews of local authority activities, particularly the occupancy audits and management reviews, local authorities will be audited for compliance with these obligations.

The Federal National Mortgage Association (FNMA) which, as you know, is engaged in secondary market operations for home mortgages provides in its "Sellers' Guide" that mortgage sellers are required to comply with the provisions of the Executive order in accordance with applicable FHA and VA rules and regulations and that failure to comply will be considered as a basis for termination of the selling agreement. A parallel, substantially identical, provision is contained in FNMA's "Servicers' Guide" applicable to institutions servicing mortgages for FNMA. The activities of FNMA's mortgage sellers and mortgage servicers, including activities in relation to the Executive order, are subject to examination by FNMA management and audit personnel visiting the institutions involved. These visits are made on a routine basis.

2. "What specific steps are contemplated or have been taken to inform potential Negro purchasers of the identity and location of housing units subject to the order?"

FHA has instituted a procedure whereby it initiates and maintains for each subdivision a record of applications received in groups of five or more for all proposed construction. The record is captioned "Proposed Construction Applications Received for Five or More Properties in Subdivisions." It is a cumulative record, posted daily on a bulletin board in the lobby of each office so that the information is available to the general public. The list contains: (a) Receipt date of applications, (b) number of applications received, (c) the name and location of the subdivision.

It should be noted that developers of private housing who secure FHA commitments customarily advertise this fact widely as it affects both the price and the down payment required for a purchase and therefore make the developments more attractive competitively. It is expected that members of minority groups who are actively interested in purchasing homes will seek out these ads in the knowledge that FHA-aided new construction must be sold on a nondiscriminatory basis.

As far as acquired properties are concerned, FHA has an open listings policy which makes it possible for any real estate broker to sell properties. The Commissioner, the members of his staff, field office directors and zone intergroup relations advisers, through the media of speeches, public pronouncements, letters to trade groups, civil rights organizations and community groups, have urged Negroes and other minorities to avail themselves of opportunities to utilize FHA-acquired properties as a source of securing housing.

With further reference to FHA-acquired properties, you will be interested to know that prior to the issuance of the Executive order, URA and FHA arranged that the availability of such properties would be made known to all families to be displaced by urban renewal activities. An up-to-date listing of all these properties is required to be posted in all local public agency relocation offices. Referrals are made to any family interested in buying or renting such properties.

3. "With respect to acquired properties where lists are now available to the public have reporting procedures been established to determine whether Negroes are availing themselves of the lists?"

FHA does not maintain any records in the insuring office on the basis of race; consequently, it has no regular reporting procedure to determine whether its acquired properties are purchased by whites or nonwhites. They do, however, make inquiries from time to time, through the intergroup relations service, in an effort to ascertain to what extent Negroes are purchasing or renting FHA-acquired properties.

4. "Can you cite any instances in which Negroes have rented or purchased housing units as a result of the application of the Executive order?"

Generally in the housing industry rental units on which financing was secured after November 20 would not be on the market at this time but should be coming on the market very shortly. This is also true of sales units although there are undoubtedly some on the market at the present time. Under the circumstances, it is too early to expect any significant reports of new housing units rented or sold to Negroes. In the low-rent public housing program, housing being built subject to section 101 of the Executive order has not yet reached the occupancy stage. This is true also of other programs administered by this Agency.

On November 21, 1962, the Peoria Housing Authority (Illinois) unanimously adopted a policy of open occupancy for its three existing projects. The open occupancy policy had previously been made applicable to two of the projects and the result of the resolution was to extend this policy to the third project, previously all white. The resolution makes reference, inter alia, to the Executive order and states "that, in strict compliance with the President's Executive order, issued effective today, the Peoria Housing Authority hereby complies fully and immediately with the intent of said Executive order."

On December 4, 1962, the Decatur Housing Authority (Illinois) announced at an open meeting the agreement of its commissioners to revoke their unwritten policy of racial segregation. Negro tenants had previously been confined to 54 of the projects' 434 units, separated from the white section by railroad tracks. The March 1963 occupancy report shows 68 Negro families in occupancy, indicating that a number of Negro families have rented housing units in the formerly all-white section as a result of this change of policy. Although the local authority adopted no formal resolution, we believe that the issuance of the Executive order influenced the change of policy.

5. "What steps have been taken to implement section 102 of the Executive order? Has any selection been made of appropriate cases for referral to the Department of Justice

for purposes of litigation? What programs have been developed to secure voluntary desegregation of housing covered by section 102?"

This Agency has taken many steps under section 102 of the order to use its good offices to eliminate discrimination with respect to housing and related facilities constructed wth pre-Executive order Federal aid.

Intergroup relations officers in the PHA's central and regional offices have been engaged, even prior to the Executive order, in programs to secure voluntary open occupancy policies by local authorities. These efforts have been intensified and are now an operational responsibility of all members of the PHA staff. They include such activity as advice and assistance on occupancy planning, dissemination of information among local authorities concerning successful open occupancy programs in other communities, suggestions concerning specific programs of public information and civic group orientation, and assistance in arranging training programs for local authority staff and others (such as the series of forums sponsored by the Institute for Human Relations of Jersey City State College).

The PHA has used its good offices in cases brought to its attention of alleged discrimination in housing projects not covered by the contract clause for equal opportunity in housing. In such cases, we have requested the appropriate PHA regional director to communicate with the local authority and the complainant and use his good offices in an effort to eliminate any discriminatory practices.

Another policy adopted by PHA to implement section 102 of the Executive order is to urge local authorities to apply section 101 of the Executive order to projects not covered by section 101. This policy is expressly stated in the manual. PHA has sent to its regional offices instructions for complying with requests of local authorities to extend the provisions of section 101 of the Executive order to such projects, including an appropriate contract clause to accomplish this.

PHA also has a policy of cooperation with State and local officials in jurisdictions having nondiscrimination laws, including a policy of entering into written memorandums of cooperation with State officials.

As a means of implementing section 102, URA has instituted a program of urging all local public agencies to agree to amend contracts for loan and grant entered into on or prior to November 20, 1962, to include the policies and requirements of the Executive order. Moreover, redevelopers are being asked to amend their existing disposition contracts for title I land to include the provisions of the Executive order and to place the nondiscrimination covenant in all deeds to project land.

A quarterly reporting system in the urban renewal program has been established to report racial occupancy in housing constructed in urban renewal project areas. On the basis of latest tabulated reports, action has been taken to ascertain reasons for the absence of nonwhite occupancy in seven project areas. Reports have been received on five of these. They reveal that one now has nonwhites in occupancy and four others have open occupancy policies but, as yet, have had no nonwhite applicants. In two instances local NAACP branches have been active in helping redevelopers to attract nonwhite purchasers.

FHA has established procedures in which it is made manifest to the field offices that it expects them to carry out FHA's responsibilities under the Executive order expeditiously and adequately. FHA promptly issued its regulations implementing the Executive order. (Commissioner letter No. 7, issued Nov. 28, 1962.) On December 10, 1962, a letter was sent to all qualified title I lending institutions advising them of FHA's amended regulations and outlining the basic Federal policy created by the Executive order. By letters to the field offices FHA has effectively denied all FHA services to builders and developers who refuse to agree to abide by the nondiscrimination policies established by FHA.

No cases have as yet been referred to the Department of Justice.

6. and 7. "In approving plans, what steps do the Public Housing Administration and the Urban Renewal Administration take to assure that the sites selected and contemplated reuse will promote the purposes of the Executive order? What steps does the Urban Renewal Administration take to assure that families displaced by urban renewal development will be relocated in decent, safe and sanitary housing available on a nondiscriminatory basis?"

PHA policies require as one of the criteria for site selection suitability of the site from the standpoint of facilitating full compliance with the equal opportunity requirement of the Executive order. Its policy is to promote this objective at the earliest stages of project planning and site consideration.

The selection of the boundaries of an urban renewal area is a matter for local determiantion, provided the area is eligible for urban renewal treatment under State law and Federal law and regulations. Agency regulations provide, however, that the boundaries of the area must be determined without consideration of the race, religion, color, or national origin of the residents. Each LPA must assure, further, that the project will not result in a reduction of the supply of dwellings available in the community to racial minority families. A project which will result in a substantial net reduction in the supply of housing in the project area available to racial minority families may be undertaken only if standard housing replacing the loss is provided elsewhere in a community in new or existing dwelling units not previously available to the minority group.

In addition, URA regulations are being revised with respect to the community renewal program, which is a citywide action plan for renewal and related activities. URA regulations in this regard are being revised with respect to grants for community renewal programs to make equal opportunity in housing an essential factor in the development of communities engaged in such programs. Furthermore, URA is asking cities which have CRP's underway to include this basic objective in their existing programs. Specifically, URA is requiring that CRP's include: (1) An analysis of the existing pattern of housing occupied by Negroes and other minorities and the extent to which this pattern is a result of discrimination; (2) projection of the housing needs of Negro and other minority families displaced by urban renewal and other public action, or newly moving into the community; (3) development of an affirmative program to increase the quantity, improve the quality, and eliminate barriers to housing for Negro and other minority families.

It is of prime concern of HHFA that all site occupants relocated from urban renewal projects be afforded the opportunity of moving to housing that is decent, safe and sanitary, and within their financial means. Before Federal financial assistance for undertaking a project is extended, the LPA must submit to URA information with respect to the number of site occupants and the supply of such housing suitably located in the locality, indicating white and nonwhite availability. If a problem in rehousing minority groups exists, the proposed solution must be detailed. Proposals describing the manner in which relocation housing is to be obtained for all displacees must also be submitted. These include, but are not limited to, the publicizing of vacancies, interviews with site occupants to determine their needs, referrals to cooperating private real estate firms and landlords and inspections of relocation housing. Such information is carefully reviewed, and the execution of a project is not approved unless these proposals are feasible. During project execution, quarterly reports and periodic inspections check on performance. As a further step in meeting its responsibility regarding the relocation of families displaced by urban renewal, URA is revising its relocation regulations to prohibit the listing of housing accommodations that are not available to all families regardless of race, color, creed or national origin. Thus the local renewal agency in listing housing available to families being displaced because of urban renewal will be precluded from including units that are denied to minority families.

8. "In view of the fact that the Executive order represents a fundamental reversal of policy, have any training or orientation programs been developed to assure that the operating staff at all levels is familiar with the intent of the order and the policy of the Agency? What instructions have been given to field personnel to guide them in determining whether builders or developers are in compliance with the terms of the order?"

Since the Executive order was issued it has been the policy of this Agency to make its implementation a line responsibility. I have repeatedly stated in top staff conferences that every one in the Agency has a responsibility for carrying out the letter, spirit and intent of the order. Each of the constituent agencies is responsible for training its own staff and for implementation of the order within its regular operating functions. Implementation of the order is discussed at the regular meetings that I have with the heads of the constituent agencies and units and the general counsel of HHFA. At the present time the Commissioners of the constituent agencies and units, the general counsel and I are engaged in a series of regional meetings with field officials with reference to Agency policies and procedures under the Executive order.

The seven regional offices of HHFA have jurisdiction over the various programs administered by the Urban Renewal Administration and the Community Facilities Administration. Special orientation meetings have been held in Washington with the regional administrators and the regional counsels. Furthermore, a Washington conference of regional intergroup relations officers is scheduled for July at which time additional instructions will be provided so that they may carry out their specific responsibilities under the order. We are in the process of staffing each regional administrator with an intergroup relations specialist.

In FHA the operating staff has been constantly reminded that it is FHA's policy to carry out all of its responsibilities and functions without regard to the race, creed, color or national origin of the applicants or users of its services. Through the media of personal discussions with field office personnel by members of the central office staff and members of the intergroup relations service, the field office personnel in FHA has been repeatedly reminded of its determination to effectively carry out the letter and spirit of the Executive order to promote an open market in housing. Commissioner Brownstein's speech on the Executive order before the American Marketing Association in Chicago on March 25, 1963, which demonstrated the firmness of FHA's policy on nondiscrimination was disseminated throughout the Agency.

In the Public Housing Administration all manual and instructional material relating to the Executive order which has been transmitted to local authorities, was also distributed to central office and regional office staff. Basic legal and other memorandums and correspondence pertinent to the Executive order were distributed among all key personnel and staff members having responsibilities pertinent to the order, including regional office staffs.

Staff meetings have been held in the central office, including meetings with regional directors and regional section heads in order that they in turn may train and orient their respective staffs. Training and orientation sessions have also been held in the regional offices and in some regions, training conferences were held with local authorities.

PHA will revise its audit and review procedures and will instruct its auditors on reviewing local authority operations to determine compliance with the Executive order.

The urban renewal Commissioner has met with top staff in Washington and in all field offices in training sessions.

FNMA's personnel have been instructed as to its policies under the Executive order, with particular emphasis on the provisions of FNMA's sellers and servicers guides and the requirement that the mortgage institutions with which FNMA is concerned comply with FHA and VA rules and regulations under the order.

The Agency has prepared a number of informational documents and studies for the benefit of its own employees, as well as the general public.

A study of "Potential Housing Demands of Nonwhite Population in Selected Metropolitan Areas," which has received wide distribution both inside and outside the Agency is an example of the types of material being developed. This was distributed to all FHA field offices. The significance of the report was its disclosure for the first time of the tremendous potential of unmet housing demand in the Negro middle class.

A study is underway of the human relations and economic aspects of private FHA-aided housing developments which were involuntarily opened to Negroes as the result of action by a State agency under a law against discrimination.

It is expected that these case studies, which will be completed in the summer, will yield certain general principles of value to builders and to our agencies in successfully implementing the objectives of the order.

An information bulletin for internal distribution is in preparation. This will go regularly to field staff apprising them of significant developments both inside and outside of the Agency, which affect their activities in connection with implementing the order.

Some weeks ago a committee was established in HHFA composed of officials of the Office of the Administrator, FHA, PHA, URA, and CFA to develop broad plans for further training of Agency personnel with reference to the implementation of the Executive order and to develop educational programs and informational material for local government groups, civic organizations, civil rights groups, industry groups, labor organizations and others interested in fair housing.

9. "Has any determination been made about whether effective implementation of the Executive order would require broadening its coverage to include the lending practices of federally insured or regulated financial institutions?"

The effectiveness of the order would undoubtedly be increased by broadening its coverage to include conventional loans made by institutions whose deposits are federally insured or by institutions regulated by the Federal Government.

10. "What steps have been taken to enforce the policy of nondiscrimination in employment on Public Housing Administration and Community Facilities Administration projects?"

Executive Order No. 10925 which established the President's Committee on Equal Employment Opportunity was issued in March 1961. When issued it applied to direct Federal contracting but not to federally aided contracts. Shortly after this order was issued, I directed the heads of all of the constituent agencies and units to continue their policies of nondiscrimination in employment pursuant to provisions in the various Federal aid contracts administered by this Agency.

PHA's annual contributions contracts contain a clause prohibiting local authorities from discriminating against any employee or applicant for employment because of race, religion, color, or national origin; requiring local authorities to insert a similar provision in all contracts in connection with the development or operation of projects and to require contractors to insert a similar provision in all subcontracts (except contracts and subcontracts for standard commercial supplies or raw materials); and requiring the posting at the projects, in conspicuous places available for employees and applicants for employment, of notices to be provided by the PHA setting forth the provisions of the clause. Annual contributions contracts also contain provisions for proof of compliance by construction and equipment contractors. PHA regulations and procedures provide for certain reporting and certifications to be made by the contractor and by the local authority contracting officer, which are available for inspection by PHA representatives. The PHA construction representative's report form includes a report on whether the local authority is enforcing nondiscrimination provisions. This report is turned over to regional intergroup relations officers and labor relations officers for such investigation and action as may be indicated.

The Community Facilities Administration provides financial assistance for construction in the form of loans and grants in the following programs: College housing loan program, senior citizens housing loan program, public facility loan program, accelerated public works grant program, non-Federal school construction grant program, by delegation from DHEW.

In all of their loan and grant contracts CFA requires the borrower or grantee to incorporate a nondiscrimination in employment provision in its construction contracts. Contractors are required on payrolls submitted to CFA to indicate which employees are members of minority groups and signs are required to be posted on the projects announcing the policy of nondiscrimination in employment. Field engineers who receive and examine the payrolls are instructed to call to the attention of contractors any failure to include members of minority groups among their employees.

On June 22, 1963, the President issued Executive Order No. 11114 "Extending the authority of the President's Committee on Equal Employment Opportunity." The President's committee will now have jurisdiction over construction contracts financed with assistance from the Federal Government. Construction contracts in the aforementioned PHA and CFA programs are covered by the order.

Enclosed are copies of various issuances by this agency with reference to the implementation of the Executive order.

If you desire any further information with reference to your series of questions, please let me know.

Sincerely yours,

Robert C. Weaver,
Administrator.

Mr. HART. Mr. President, the reply from the National Aeronautics and Space Administration indicates their belief that they have sufficient authority to withhold funds under the President's Executive order on equal employment opportunity.

I ask unanimous consent that the letter signed by Paul G. Dembling, Director of the Office of Legislative Affairs for NASA, be printed at this point in my remarks.

There being no objection, the letter was ordered to be printed in the Record, as follows:

National Aeronautics and
Space Administration,
Washington, D.C., June 3, 1963.

Hon. Philip A. Hart,
U.S. Senate, Washington, D.C.

Dear Senator Hart: This is in further reference to your recent inquiry regarding the authority of this Agency to withhold funds from grants or contracts in the event of discriminatory practices by a grantee or contractor.

With regard to NASA contracts, the clause required to be included by Executive Order No. 10925 provides adequate termination authority in the event of discrimination by the contractor against any employee or applicant for employment. NASA could not, of course, place a contract with an organization if, at the time, it was aware of discriminatory practices by the potential contractor that would be in violation of this required clause.

Similarly, in the case of grants, NASA has adequate authority to withhold the making of a grant to an organization that engages in practices that contravene the Executive order. NASA grants also contain general authority for termination of a grant by the Government.

This authority could be invoked if the grantee should engage in practices established as discriminating under the Executive order.

Accordingly, we see no need for additional authority in order to carry out the policies set forth in Executive Order No. 10925.

Sincerely yours,

Paul G. Dembling,
Director, Office of Legislative Affairs.

Mr. HART. Mr. President, the reply from the Tennessee Valley Authority indicates a commendable nondiscrimination policy followed by this agency; but I am hopeful that we can obtain a reply to the basic question of the authority to withhold funds. I ask unanimous consent that the letter signed by Frank E. Smith, Director, TVA, be printed at this point in my remarks.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Tennessee Valley Authority,
Knoxville, Tenn., May 17, 1963.

The Honorable Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Mr. Hart: This is with further reference to your letter of May 1, 1963, concerning racial discrimination.

Our legal division advises me that all of our contracts for procurement of supplies, equipment and construction work, except those exempted under the regulations of the President's Committee on Equal Employment Opportunity, include a nondiscrimination provision which specifically permits cancellation of the contract by TVA if the contractor follows discriminatory practices.

As I noted in my letter of May 6, TVA does most of its construction work. In such work, as in TVA employment generally, we have long followed a nondiscrimination policy.

TVA administers no grant programs. One type of transaction which we do have with some frequency, and in which you may be interested, involves the leasing or transfer of reservoir lands to State or local agencies for public recreation purposes. Such leases or transfer involve nominal payments by the agencies concerned to TVA, the real consideration being the agency's agreement to assume all of the expense of developing the lands involved. Beginning in 1957, we have included an express condition in all such leases and transfer agreements that the land involved be made available for public recreation use by "all members of the general public without distinction or discrimination," together with a provision permitting TVA to cancel the lease or reclaim the lands transferred should the condition be breached. Since 1959 we have included similar provisions in leases and licenses of TVA reservoir lands for use by private parties in operating commercial public recreation facilities such as boat docks and fishing camps.

If you wish any further information, please let me know.

Cordially,

FRANK E. SMITH,
Director.

Mr. HART. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a reply from the Farm Credit Administration, signed by R. B. Tootell, governor. I am asking that they reply more specifically to the basic question of the authority to withhold funds should discrimination exist in any of the participating banks and credit associations.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FARM CREDIT ADMINISTRATION,
Washington, D.C., May 10, 1963.
Hon. PHILIP A. HART,
U.S. Senate.

DEAR SENATOR HART: This is in reply to your inquiry of May 1, 1963, as to the authority to withhold Federal funds if racial discrimination occurs in those operations and activities of any loan program administered by the Farm Credit Administration.

The lending which comes under the supervision of the Farm Credit Administration consists of long-term farm mortgage loans made by the Federal land banks through 764 Federal land bank associations; short- and intermediate-term loans made to farmers and ranchers by 487 production credit associations, which loans are rediscounted with the Federal intermediate credit banks; and loans made by the banks for cooperatives to farmers' cooperative marketing, supply, and service associations. The only Federal funds in the banks and associations consist of capital stock owned by the United States in the Federal intermediate credit banks and banks for cooperatives, which is gradually being retired, and capital stock in seven of the production credit associations which will be retired when the need therefor no longer exists. Otherwise the capital stock of the banks and associations is owned by the borrowers and eventually will be entirely so owned. The funds with which the loans are made are largely obtained through the sale of bonds or debentures of the banks to the investing public. These securities are payable by the banks which issue them and are not guaranteed by the United States either as to principal or interest.

It is our opinion that there is no racial discrimination in the lending operations of the banks and associations we supervise. Borrowers must meet certain legal eligibility requirements, and loans are made or rejected in accordance with general credit standards.

Very truly yours,

R. B. TOOTELL, *Governor.*

Mr. HART. Mr. President, I look forward with considerable interest to the replies from the other executive departments and agencies. I know that Senators, as they consider title VI of S. 1731, will want to have a clear answer to the question of the existing executive authority, and a fairly specific definition of the areas where the departments and agencies believe additional statutory authority is needed.

Such information, when it is collected, I am convinced, will make a sound record for the President's request for congressional action in this area.

Mr. President, I believe that these comprehensive replies from the Federal agencies represent a historic review of the nondiscrimination policies of the executive branch of this government.

For far too long we have been less than frank with ourselves in looking at the cold facts of the nondiscriminatory expenditure of tax moneys from all Americans. That day has now ended.

In these replies, and I am sure in those yet to be received, the Congress and the American people have forthright statements of the policies presently in force. We see the vigorous steps which have been taken in recent months. We can now properly assess the legislative and executive steps to be taken.

We have examples of firm determination by the President and responsible executive officials who are facing the challenges and opportunities of ending discrimination through forthright executive action. Clearly this record of review and action deserves commendation.

There is obviously a job for Congress. We now have frank appraisals, as in the letter from the Defense Department on the National Guard programs of the national policy questions presented in taking immediate further steps.

The President, in his most recent civil rights message, requests a congressional grant of discretionary authority with which to reach these remaining areas of racial discrimination in federally assisted programs.

For myself, I prefer a simple, explicit statute which would outlaw such discrimination now. Such a law might be written, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any other provision of law, no financial or other assistance may be furnished under any law of the United States, directly or indirectly, to or for the benefit of any program or activity carried out in any State or possession of the United States or in the District of Columbia, in the course of which any individual is discriminated against on the ground of his race, religion, color, ancestry, or national origin.

Congress must weigh the urgency and desirability of the alternatives.

Far too long the burden of proof, the legislative hazards, and the focus of public attention have been on those in and out of Congress attempting enactment of piecemeal riders to specific appropriation and legislative measures to restrict the flow of Federal funds supporting racial segregation.

The well-being of the Nation requires that the question no longer be posed in the form of specific antidiscrimination riders to health, welfare, and educational programs.

The majority in Congress who support education and welfare programs must know and be assured that Federal funds under basic law and announced executive policy will not support discrimination.

Opponents of programs who wish to stand in opposition should vote directly against such programs. We can no longer tolerate antidiscrimination riders designed to confuse and distort the real issue.

If there are those in Congress opposed to their State or district receiving Federal funds with the condition that they be expended fairly to all regardless of race, let them vote directly against such expenditures.

The burden of opposition must be theirs. It must not rest on a majority of Congress who today are asked to choose between a needed Federal program or an amendment to assure that it is administered in a constitutional manner.

For these reasons, for the 20 million Americans who have not always been given the full benefits of the taxes they have paid, and for the great majority of the 160 million Americans whose conscience is moved in the spirit of simple justice, we in Congress must face and resolve this issue, which is presented in dramatic highlight by the message of the President and the bill he has transmitted. I hope Congress will deliver specifically on each of the recommendations made by the President. I support wholeheartedly each of those recommendations.

There is some willingness at the moment to debate whether this is a politically advantageous or disadvantageous position for the President and his party to find themselves in. This is not the debate on which history will judge us. History's verdict upon us will be whether in the middle of 1963, with the clock of history smashing us in the face, with the currents that are flowing clear for all to see, Congress responded in a fashion that was consistent with the principles which have been discussed for generations. This is the way the verdict will be rendered. Will we be responsive, or will we not?

Only a few weeks ago this Nation was at the brink of disaster at Birmingham. The threat of our destruction was not from some missile launching pad in Cuba or Moscow. It was because of our own failure as a society to live decently with ourselves.

The recommendations offered by the President of the United States point the way—and I suggest perhaps the only way—in which we can have a measure of confidence about history's verdict of us. Unless the pressures which surge across America at this instant are channeled into the courts, no man can know the consequences. None of us has any excuse about not being forewarned. Indeed, we are fortunate that time has run relatively slow on this question. But suddenly the pace has stepped up. Our responsibility is so clear and our obligations so evident for all to see that I hope before Congress leaves Washington it will have delivered to the President each of the recommendations he offers us. Each is sound; each is needed.

LEWIS MUMFORD AND THE COLUMBIA RIVER

Mrs. **NEUBERGER**. Mr. President, one of my long-time correspondents is not an Oregonian but a North Carolinian. Mr. Garth Cate is an oldtimer in the work of conservation and travel promotion and thinks the two go hand-in-hand. He recently sent me excerpts from the broadcast he made in 1938 and in which he quoted Lewis Mumford on the subject of the Columbia River.

Mr. President, I ask unanimous consent to include the quotation of Mr. Lewis Mumford in the RECORD.

There being no objection, the quotation was ordered to be printed in the RECORD, as follows:

> The Pacific Northwest is as definite a region as New England; and today it stirs the imagination with its industrial possibilities as perhaps no other part of the country does except the Tennessee Valley. Along the Columbia River Gorge, if planning intelligence and social vision is applied to the job, a new type of industrialism may indeed develop. No longer will it be tied, like the coal-and-iron techniques, to the site where power is developed: The last place in the world where industry should be placed is close to the Bonneville Dam. By the hooking together of the whole Northwest through a comprehensive grid system, industry may be decentralized over a broad region, close to its markets, to its raw materials, the forests, and to the special ores that have hardly even now been prospected; while at the same time nature's most favored landscapes may be kept inviolate for the recreation and delight of the whole population.
>
> The Columbia River Gorge unrolls itself, from the Hood River almost down to Portland, like a classic Chinese kakemono: Here is the same exciting combination of lacy vegetation, jutting rocks, waterfalls half hidden in mist, which so many of the Chinese painters loved. While Rainier and Hood and Olympus are grand spectacles, these ice-capped giants have their counterparts in other parts of the world, in the Alps, in the Tyrol, in the Himalayas. But the Columbia Gorge has a beauty uniquely its own.
>
> To scatter broadcast for industry and agriculture the power of Bonneville or Grand Coulee, and to retain the scenic parts of the gorge as a permanent home for the human spirit is the first duty of intelligent resource planning in the Northwest. To do otherwise would be shortsighted even from the standpoint of business; for the attraction of the Northwest for visitors from other parts of the country will grow from year to year, unless the gorge is degraded into the condition of another Niagara, merely to please those who have speculated in building sites in this area.
>
> This whole country, with its gigantic firs, with its old-fashioned abundance of game fish and wild animals, with its formidable mountain wastes, with its lush orchards, like those of the Willamette, the Hood, and the Yakima valleys, is a challenge to the social intelligence of the new generation.
>
> Part of its forests have been butchered; part of its natural opportunities remain undeveloped; part of its social advantages have been mismanaged in the interests of a weedy speculative urban growth that lacks both stability and sound purpose. But here, as almost nowhere else in the country, are still the unspoiled makings of a great civilization and culture: provided there is mind enough to master the materials and to project the outlines of a new social order.

EDUCATION AND EMPLOYMENT

Mr. **RANDOLPH**. Mr. President, the changing structure of the American economy has placed an increasing value on higher educational attainments and technical skills. For example, in the decade since 1952 the proportion of white-collar workers among men has risen from 33 percent to 40 percent, the greatest increase having been among those in the professional and technical occupations.

The significance of formal education is even more dramatically illustrated in the unemployment rates in our country. As of March 1962, the unemployment rate among men aged 25 to 54 years was 9.1 percent for those who had had less than 8 years of schooling, 7.7 percent for those who had had 8 years of schooling. And 6.6 percent for those who had had some high school education. It was 3.5 percent for those who had graduated from high school. It was 2.2 percent for those who had attended college but were not graduated. But it is important to note that the unemployment rate was only 1.2 percent for men in the age bracket of 25 to 54 years who had completed college or university studies.

The same general trend prevails among females in our work force. Among women in the same age bracket, the comparable unemployment rates are 7.9 percent for those with less than 8 years of school, 7 percent for elementary school graduates, 8.1 percent for some high school, 4.6 percent for high school graduates, and 2.4 percent for those who had attended college but not graduated.

John F. Henning, Under Secretary of Labor, indicated the scope of this problem of technological advance when he testified before the Subcommittee on Manpower and Employment, of which I am a member, of the Senate Committee on Labor and Public Welfare. He set forth for us—and I repeat in essence what he said, so that the record of this day's proceedings in the Senate will clearly indicate it—that the Department of Labor has estimated that during the decade of the 1960's, our annual average labor force will be 80 million workers.

With a 3-percent annual increase in productivity in this country, this means that we must provide 2,400,000 new jobs each year for the workers who have been displaced by mechanization, automation, and other technological changes. Over the decade, this will call for 24 million new jobs, in addition to the 12,500,000 that will be required by reason of the increased population in the United States.

The pace of technological change is, of course, a product of the tremendous and rapid increase in scientific knowledge in this country, as in other parts of the world. This stepped up tempo was graphically illustrated when, as I recall, at a recent hearing of our Subcommittee, it was testified that a Yale University professor of physics, who approximately 5 years ago made an original contribution to nuclear physics, today cannot even understand the literature in the specific subcategory of physics in which he functioned creatively only a little more than 5 years ago. Having remained inactive in that particular field for a period of only 5 years he has completely lost touch with the most recent developments. This situation is not peculiar to the professor at Yale University; it is multiplied in hundreds of cases.

Furthermore, down the scale of education and skills this process also takes place. With reference to the hundreds of thousands of young people from our schools and colleges and universities who are moving into the work force in the coming decade, this process has major implications. It means that a young person now entering the labor force may expect to be technologically displaced three or four times during his normal working period or career.

This situation—with its tragic potentialities—means that our entire educational system must be more closely geared to the developments of the scientific era in which we live. We have talked often of automation, which is the application of automatic machinery to the processes of production. And in West Virginia, we have felt its impact.

Now we are confronted not only with automation, but with cybernation, which is the application of machines to the logical process of decisionmaking—in industry, in Government, in trade and in the service fields. For example, we find that, with the use of the new technology the U.S. Bureau of the Census will employ some 50 statisticians with computers to perform the work formerly engaging the efforts of 4,000 workers. The Federal tax returns which will soon be processed by 80 persons formerly occupied some 4,100 men and women. And in a department store in New York City, an electronics salesgirl now sells 36 items in 12 different patterns of sizes. If a customer should give her a $5 bill for an item costing $3.40, she will return $1.60 in change. In addition, the electronic salesgirl even refuses counterfeit currency. Thus when we read, as we have recently in a story by Phil Casey in the Washington Post, about the discarding of the pioneer Univac I after 10 years of use in the Army Map Service for the modern and more sophisticated Honeywell-H 800, we realize that the new technological revolution is well advanced. We must understand that this revolution is being extended not only in West Virginia where some 90,000 to 100,000 coal miners have lost their jobs, but it is also taking place in California, New York, and Oregon.

I referred to Oregon, and I am delighted that the able Senator from Oregon [Mr. MORSE] is in his seat in the Chamber because, as the very distinguished chairman of the Senate Subcommittee on Education, on which I am privileged to serve, he has been especially cognizant of the problem.

We will have to face this new problem—not only that of automation which has left its impact on West Virginia in the manufacturing and mining industries—but the problem of cybernation which as I have indicated, involves the logical decisionmaking functions. So my colleagues, within government, industry, and business we must acknowledge the serious and possibly tragic consequences, if the working men and women of the United States are too rapidly displaced by technological advances. We must be prepared to retrain these workers for new and constructive functions in a dynamic economy.

I am not discouraged. We are challenged, and the Subcommittee on Manpower and Employment, and other congressional committees, as well as leaders in private industry, business, organized labor and educational institutions are now more ready than they were a year or two ago, to probe into the subject and attempt to find answers—partial, but in the future, we trust, more complete.

Mr. MORSE. Mr. President, I wish to associate myself with every word spoken by the Senator from West Virginia (Mr. RANDOLPH), for on the floor of the Senate he has again exercised his well-known leadership in calling the attention not only of the Senate, but the people of the country, to one of the great economic problems that confront us in the years immediately ahead, and that is a crisis problem.

As I have sometimes put it in some of my speeches in the Senate, it is a problem that involves the need for the development of the underdeveloped areas in the United States. I yield to none in my concern for the people in the underdeveloped areas abroad. But we cannot be of any help in the long run to the people of the underdeveloped areas abroad if we continue as we are now doing to weaken our own economy. It is about time for us to practice partisanship outside the doors of the Senate and take on the present administration whenever we think it is wrong, in accordance with the dictates of the facts. I say to the President of the United States from the floor of the Senate today, that this administration is dead wrong with regard to its recommendation for $4.5 billion for foreign aid this year, when there cries out across our Republic the demand of millions of our people for a little attention on the part of our Government to be paid to their sorry economic plight. We ought to take the sound general principles contained in the speech of the Senator from West Virginia and apply them to the question of foreign aid.

Today I shall speak briefly on foreign aid and then briefly on a civil rights issue.

FOREIGN AID

Mr. MORSE. Mr. President, I shall not take up much of the time of the Senate today with a lengthy installment of my critical examination of the foreign aid bill. But I can assure those few of my colleagues in attendance today that this exercise of restraint does not stem from any lack of ammunition or of combative spirit. Rather, it derives from the recognition that all of us are in a mood for fireworks of a different variety, and that there will be ample opportunities in the days ahead to make detailed revelations about the maladies inherent in this bill—which, among others, include elephantiasis, dropsy, and hardening of the arteries.

Each year we hear plaintive cries from downtown about the many restrictions written into the bill by a—in my opinion—rightfully suspicious Congress. Each time we try to amend a few of the enormities which offend us most, we evoke a storm of anguished protests about tying the President's hands.

If anyone has any question about that point, I suggest that he come over to my office and read some of my mail from those who have been victimized by international dogma that seems to think the senior Senator from Oregon is tying the President's hands. What I am seeking to do is untie his hands. I am seeking to get the President of the United States to follow where I believe the facts clearly lead on the question of foreign policy and try to get him to look at the other side of the coin, for the most powerful lobbyists in America today are the lobbyists of the Pentagon, the State Department, and AID. So I shall continue day by day, so long as the bill is in committee and subsequently before the Senate, to do my best to take the facts to the President of the United States, because the President will have to make the final decision as to what administration policy shall be. On the floor of the Senate the other day I said, and I repeat today, that there is being developed in the foreign aid bill a political time bomb that will explode in the face of the administration if the administration permits its completion. If Senators have any doubt about that, I suggest that they come over and read the other type of mail I get. I welcome any officer of the administration to come to my office and read it. My mail is running better than nine to one in support of my criticisms of the foreign aid bill.

Whether this President and this administration know it or not, it is about time for them to take some soundings. They will find, that millions of American people across the country are saying to them, "We have had enough—too much of taking out of the largesse and of the pockets of the American taxpayers billions of dollars for foreign aid and pouring it into parts of the world where nations are now economically capable of making their own contributions to foreign aid to underdeveloped areas of the world."

So long as the United States is willing to continue to drain its gold supply, they will let us drain it. I pointed out in my most recent speech that the gold supply of the United States has reached its lowest point in 15 years.

Which are some of the countries which are drawing on the gold supply? They are the allies into whose treasuries we have poured billions of dollars since 1946—such as France. I say to the apologists for Great Britain, "Do not tell me what a great ally Great Britain is these days in connection with economic matters involving foreign aid." There has been a failure on the part of Great Britain to bear her share of the price of supporting freedom in the world.

Where is Great Britain in South Vietnam? For that matter, where are any of our NATO allies in South Vietnam? They are noticeable by their absence. There are a few token gestures.

The spokesmen for the administration, appearing before the Committee on Foreign Relations, when I examine them on this subject, have the audacity to suggest that they are doing something. When an ally is participating in the support of freedom only on a token basis, so far as I am concerned that ally is doing nothing but playing the role of a hyprocrite. Our NATO allies are not supporting the United States in the great fight the United States is making for freedom in the world.

The time has come for my administration to lay it on the line. It is fine to stand up in Berlin and pledge American cities destruction, if necessary, to defend freedom in Berlin. Of course we will defend freedom in Berlin. But let us get from West Germany pledges to defend freedom elsewhere in the world; namely, pledges to help with economic aid to Turkey and to Greece. Last year, there was programed over $300 million in military and economic aid to Greece and Turkey, paid for by Uncle Sam. I have not been advised of any reduction being planned for fiscal 1964. Turkey and Greece maintain 24 divisions in the Mediterranean, and they could not maintain a man without American aid.

I say to West Germany, "It is fine, by the millions, to applaud the United States when the great President of the United States visits Germany, but what are you putting on the line in defense of freedom elsewhere in the world? This must not be a one-way street, with the Americans traveling in one direction only."

It is about time that we had a greater manifestation from West Germany of a willingness to pay for the protection of freedom everywhere in the world that freedom needs to be protected, for which we are paying the major bill.

If this administration is unaware of the facts with regard to what is going on in this country, increasing millions of American people are awakening to them. They want the bill reduced. They also want us to cut off some of the more than 80 countries of the world which have their hands in the pockets of Uncle Sam.

As the Senator from Idaho [Mr. CHURCH] said on the floor of the Senate the other day, outside the Communist bloc there are only 8 nations in the world which are not receiving aid from the United States. Our economy cannot stand that, and our economy is not doing well. Our economy, at the moment I speak, is lagging behind the economies of most of the NATO countries.

The American people will wait for answers from this administration. All I can do is plead again, as I have so many times in 19 years from this floor, "Do not try to fool the American people on the facts, for if you do and they come to believe it was a deliberate deceit you will stay home at the next election"—and should.

Again I say to the American people, "Remember, your only check on Congress is to beat them—to beat them at the polls when they walk out on their public trust."

The politicians cannot justify undercutting our economy as this $4½ billion bill this year for foreign aid would undercut it.

My administration can furnish a political doghouse for me any time it wishes, if that is where it wants to put me, because I shall refuse to vote on the basis of a partisan appeal for any bill which in my judgment is not in the long-time best interests of my country.

So I say that these days the critics of my position are making impassioned demands for flexibility rather than for restrictions in the foreign aid bill. I say, as I have said before, that one would think that we had provided the President with a straitjacket rather than with a useful foreign policy instrument.

CONTINGENCY FUND

Mr. President, let us briefly examine the question of flexibility which is being mouthed so glibly and frequently by the advocates of this foreign aid bill. When the question arises, the executive branch testimony is usually directed in a plaintive fashion to a staunch defense of the contingency fund, as if it were the sole instrument available to carry out an exercise of Presidential discretion. This year, the request is for $300 million. That is $50 million more than was appropriated last year, and of the $250 million provided last year, some is unspent.

Thus, when Members like myself seek a reasonable reduction in the authorization request for the contingency fund, the immediate and intense outcry would lead one to think that we were trying to cut off the President's good right arm.

I repeat the announcement I made in the Foreign Relations Committee. I shall offer an amendment to limit the President's contingency fund to $100 million. That is more than ample.

Do Senators know how long it would take any President to come before a joint session of Congress, if he thought the emergency warranted it, and make a plea for immediate emergency funds to meet some emergency that might arise? Not 20 minutes. He is 20 minutes from the rostrum to which he can make an appeal, if he thinks the facts warrant it, for an increase in emergency funds.

Even that would not be necessary, for these emergencies are not overnight affairs. The Cuban emergency of last October was developing for days. There are other funds available, and there usually will be other funds available, as I shall point out momentarily. But, Mr. President, there is a great principle of representative government involved, and the senior Senator from Oregon is not speaking on the subject matter for the first time, for the CONGRESSIONAL RECORD will show that I took the same position on principle when Harry Truman was President, and when Dwight Eisenhower was President, as I am taking now when John Kennedy is President. It is the principle left to us by the great heritage of Jefferson and the forefathers who created this Republic with him. It is the principle of maintaining a check on the exercise of discretion by mere men who are administrators of government.

Without reference to any particular President—past or present—I say to the American people that it is never safe to give any President unchecked power. Three hundred million dollars? Forget about this administration. Think with me for a moment about a historic hypothetical. There could be a President of the United States who could follow a course of action, with the use of $300 million, that could throw this Republic into war overnight. It is no answer to say, "Ah, but our President has so many other powers that would enable him to do the same thing. Why are you objecting to this power so strenuously?"

I take only one of these powers of unchecked discretion at a time. Give me some other unchecked power of the President of the United States, and the vote of the senior Senator from Oregon will be in favor of the check. I have an instant case now before me. I have the question of the contingency fund of the President of the United States and the bill asking for $50 million more than he was appropriated last year, and I said to the President, "You have not shown by your witness before the committee any need for $300 million."

We are dealing with the President most generously if we give him $100 million. This year I shall favor even a tightening of the procedural steps he will have to take to spend that $100 million.

Partisans will say that the Senator from Oregon has criticized the President on the floor of the Senate. No such thing. I am criticizing giving such power to the Presidency, to the office of the President of the United States, under our system of government, which depends for its survival on the maintenance of a strong system of checks and balances on any unchecked power to the office of the presidency—I care not who occupies the office.

I am not seeking to cut off the President's right arm. I am seeking to strengthen the President's right arm, for the President's right arm is strengthened whenever there is maintained inviolate the precious principle of checks and balances under our constitutional system.

I say to the American people, "Do not brush aside these abstract principles of government, for all your rights as free men and women stem from those abstract principles of government."

It is with great sadness that I have to say today that in my many years in the Senate I have seen a growing tendency on the part of Congress to gloss over a withering away of full protection of the abstract principles of government.

My vote is never going to be in support of such a program, and I am not going to vote to weaken the President's right arm by giving him $300 million in this contingency fund. In my judgment, we would take away more strength from that right arm than we would give to him by giving him the $300 million. What will result if we give him the $300 million is an increase in the number of people who will start raising questions as to whether or not this President of the United States is as stanch a defender of the system of checks and balances as we were led to believe. I believe the President has been ill advised. I want to believe that he has not fully comprehended the import and imputations connected with his request for a $50 million increase in unchecked Presidential contingency funds.

Let us nail another myth to the floor of the Senate today that the propagandists are seeking to circulate in support of the proposal that we must give the President $300 million, for, after all, in terms of dollar signs in the bill, that is not so much. Of course, it is a colossal amount when we think of the fact that it is unchecked money. But what the witnesses from the Pentagon dealing in aid conveniently forget to tell us is that the President has other wide discretionary powers under this bill.

TRANSFER AUTHORITY

The contingency fund is by no means the only source of money which can be used freely by the executive branch. On the contrary, a summary of the foreign aid legislation prepared by AID itself notes that "the limitations must be viewed in terms of three authorities which provide flexibility."

First, there is section 614(a), which authorizes the use of up to $250 million in any fiscal year for any of the purposes of the act—except that this waiver authority cannot detract from the development loans or the Alliance for Progress program.

Second, section 610 provides that the President may shift up to 10 percent of the total funds provided to any specific purpose authorized by the act as a whole. While the same restrictions concerning development loans and the Alliance for Progress obtain, it would appear that as much as $280 million could be so employed—even though this could not all go to any one purpose, because no one provision can be increased by more than 20 percent.

In the third place, section 510 permits the President to use Defense Department stocks and services for the purposes of this act up to a total value of $300 million, which may be then reimbursed from subsequent appropriations. We always have to keep in mind when considering a military aid request of $1.4 billion that the President may still send $300 million more in Defense Department stocks that will be reimbursed out of the regular Defense Department appropriation.

Perhaps neither my mathematics nor my understanding of what I read is impeccable. However, by my calculation, if one includes a contingency fund of $300 million, the total sums available for the exercise of Presidential discretion add up to $1,130 million. This is no trifling sum of money.

Admittedly, there are certainly inhibitions upon Presidential use of such funds, and it is not really conceivable that the total of more than $1 billion would be shifted or redistributed within the total program. At the same time, I do hope that executive branch witnesses and my colleagues will understand if I am not impressed with allegations about tying the President's hands.

If there is any bill that leaves the President's hands untied, it is this bill. The President's hands will still have great flexibility of movement if all the amendments which will be proposed by the Senator from Oregon and other Senators are adopted.

If there is no flexibility in the foreign-aid bill, according to executive branch standards, I should literally hate to see what propositions would result from the application of those standards, for I would think that Congress might then just write blank checks to the President at foreign-aid time each year and tell him to go ahead and spend as he will.

I hope that as the debate progresses, the advisers to the President will take a second look at the bill. There is an opportunity for an act of great historic statesmanship waiting for the President to perform it. The President of the United States would be acclaimed across this land by both supporters and opponents of the foreign-aid bill if he notified the two committees of Congress which have jurisdiction over it that he is recommending modifications in the bill to meet the supportable criticisms which some of us have been making of the bill.

In an hour when the maximum of unity is needed in this Republic, the President should reconsider this bill from the premise that I have outlined, for I am certain that if the administration at the moment thinks it has the votes with which to ram this bill through Congress, it may discover that it is sadly mistaken.

However, if subsequent events prove me wrong and the President right in regard to the relative voting power in Congress, I am sure of one thing, and that is that at the grassroots of America this bill does not find enthusiastic public support, and will not find enthusiastic public support.

The time has come when the administration had better take another look at this foreign-aid bill and stop talking of ramming it through Congress, by whipping politicians into line. It should start talking to Congress on the basis of the merits we can agree are involved in the bill, even if the administration finds it necessary to modify its position.

Reluctantly or not, it ought to modify its position, because the administration is not going to end the criticisms of this give-away to nations which no longer deserve the giveaway, while we have the rising threat to the soundness of our own economy and enlarging pockets of economic underdevelopment in our own Nation.

I shall discuss in my next speech, which will be given when next the Senate meets, another phase of the problem. If Congress were to stay in session until January 1 without acting on the foreign aid bill, I could not begin to cover all the issues that ought to be discussed daily if I picked an issue a day in criticism of this bill.

CIVIL RIGHTS

Mr. MORSE. Mr. President, in the recent past, two outstanding clergymen, along with many other clergymen—but I select these two on whose statements I wish to comment—have spoken to the American people on the civil rights issue.

The New York Times, on May 26, 1963, under the heading "The Racial Plea Goes to Episcopalians: Bishop Asks Active Support of Negroes' Protests," printed an article about a public announcement by the Presiding Bishop of the Episcopal Church, the Right Reverend Arthur Lichtenberger. The article begins with the statement:

> The Nation's 3,500,000 Protestant Episcopalians were called upon by their presiding bishop yesterday to give active support to protest movements against racial segregation.

I ask unanimous consent that the entire article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, May 26, 1963]

RACIAL PLEA GOES TO EPISCOPALIANS—BISHOP ASKS ACTIVE SUPPORT OF NEGROES' PROTESTS

The Nation's 3,500,000 Protestant Episcopalians were called upon by their presiding bishop yesterday to give active support to protest movements against racial segregation.

In a statement sent to the denomination's 6,300 clergymen, the Right Reverend Arthur Lichtenberger warned of the "possible imminence of catastrophe" unless Negro demands for equal rights were granted.

He called for "an unmistakable identification of the church, at all levels of its life, with those who are victims of oppression."

NONNEGOTIABLE RIGHTS

The full text of his statement follows:

Recent events in a number of American communities—Birmingham, Chicago, Nashville, New York, and Raleigh, to mention only the most prominent—underscore the fact that countless citizens have lost patience with the slow pace of response to their legitimate cry for human rights.

Pleas of moderation or caution about timing on the part of white leaders are seen increasingly as an unwillingness to face the truth about the appalling injustice which more than a tenth of our citizens suffer daily. While we are thankful for the progress that has been made, this is not enough.

Our church's position on racial inclusiveness within its own body and its responsibility for racial justice in society has been made clear on many occasions by the general convention. But there is urgent need to demonstrate by specific actions what God has laid on us.

Such actions must move beyond expressions of corporate penitence for our failures to an unmistakable identification of the church, at all levels of its life, with those who are victims of oppression.

CONTRAST TO PRAYERS

I think of the words we sing as we hail the ascended Christ, "Lord and the ruler of all men," and of our prayers at Whitsuntide as we ask God to work His will in us through His Holy Spirit. And then in contrast to our praises and our prayers our failure to put ourselves at the disposal of the Holy Spirit becomes painfully clear. Only as we take every step possible to join with each other across lines of racial separation in a common struggle for justice will our unity in the Spirit become a present reality.

It is not enough for the church to exhort men to be good. Men, women, and children are today risking their livelihood and their lives protesting for their rights. We must support and strengthen their protest in every way possible, rather than give support to the forces of resistance by our silence.

It should be a cause of rejoicing to the Christian community that Negro Americans and oppressed peoples everywhere are displaying a heightened sense of human dignity in their refusal to accept second-class citizenship any longer.

The right to vote, to eat a hamburger where you want, to have a decent job, to live in a house fit for habitation: these are not rights to be litigated or negotiated. It is our shame that demonstrations must be carried out to win them. These constitutional rights belong to the Negro as to the white, because we are all men and we are all citizens. The white man needs to recognize this if he is to preserve his own humanity.

It is a mark of the inversion of values in our society that those who today struggle to make the American experiment a reality through their protest are accused of disturbing the peace—and that more often than not the church remains silent on this, our greatest domestic moral crisis.

CALLS FOR PERSONAL ACTION

I commend these specific measures to your attention:

I would ask you to involve yourselves. The crisis in communities North and South in such matters as housing, employment, public accommodations and schools is steadily mounting. It is the duty of every Christian citizen to know fully what is happening in his own community, and actively to support efforts to meet the problems he encounters.

I would also ask you to give money as an expression of our unity and as a sign of our support for the end of racial injustice in this land. The struggle of Negro Americans for their rights is costly, both in terms of personal sacrifice and of money, and they need help.

I would ask you to take action. Discrimination within the body of the church itself is an intolerable scandal. Every congregation has a continuing need to examine its own life and to renew those efforts necessary to insure its inclusiveness fully. Diocesan and church-related agencies, schools and other institutions also have a considerable distance to go in bringing their practices up to the standard of the clear position of the church on race. I call attention to the firm action of the recent convention of the diocese of Washington, which directed all diocesan-related institutions to eliminate any discriminatory practices within 6 months. It further requested the bishop and executive council to take steps necessary to disassociate such diocesan- and parish-related institutions from moral or financial support if these practices are not eliminated in the specified time. I believe we must make known where we stand unmistakably.

So I write with a deep sense of the urgency of the racial crisis in our country and the necessity for the church to act. Present events reveal the possible imminence of catastrophe. The entire Christian community must pray and act.

Mr. MORSE. Mr. President, Bishop Lichtenberger said, in part:

> Recent events in a number of American communities—Birmingham, Chicago, Nashville, New York, and Raleigh, to mention only the most prominent—underscore the fact

that countless citizens have lost patience with the slow pace of response to their legitimate cry for human rights.

Pleas of moderation or caution about timing on the part of white leaders are seen increasingly as an unwillingness to face the truth about the appalling injustice which more than a tenth of our citizens suffer daily. While we are thankful for the progress that has been made, this is not enough.

Our church's position on racial inclusiveness within its own body and its responsibility for racial justice in society has been made clear on many occasions by the general convention. But there is urgent need to demonstrate by specific actions what God has laid on us.

Such actions must move beyond expressions of corporate penitence for our failures to an unmistakable identification of the church, at all levels of its life, with those who are victims of oppression.

CONTRAST TO PRAYERS

I think of the words we sing as we hail the ascended Christ. "Lord and the ruler of all men," and of our prayers at Whitsuntide as we ask God to work. His will in us through his Holy Spirit. And then in contrast to our praises and our prayers our failure to put ourselves at the disposal of the Holy Spirit becomes painfully clear. Only as we take every step possible to join with each other across lines of racial separation in a common struggle for justice will our unity in the Spirit become a present reality.

It is not enough for the church to exhort men to be good. Men, women and children are today risking their livelihood and their lives protesting for their rights. We must support and strengthen their protest in every way possible, rather than give support to the forces of resistance by our silence.

Later in his statement, Bishop Lichtenberger said:

It is a mark of the inversion of values in our society that those who today struggle to make the American experiment a reality through their protest are accused of disturbing the peace—and that more often than not the church remains silent on this, our greatest domestic moral crisis.

I commend these specific measures to your attention.

Then Bishop Lichtenberger sets forth a series of recommendations and proposals that he suggests the members of his church weigh and accept as modes of personal conduct as they face to this great domestic crisis.

Mr. President, in my own State, on Sunday, June 16—a synopsis being reported in The Oregonian for Monday, June 17, 1963—another clergyman, in this instance in a sermon, discussed the civil rights problem, as well. He is the Rev. Richard M. Steiner, minister of the First Unitarian Church, and the pastor of my distinguished colleague from Oregon [Mrs. NEUBERGER]. Dr. Steiner is recognized not only as a great religious leader in my State but as a greater civic leader, as well, and has been for many years. The story of his sermon reads as follows:

PASTOR EYES RACE STRIFE

Asserting that human rights take precedence over property rights, the Reverend Richard M. Steiner, minister of First Unitarian Church, said Sunday the revolution now going on to give the American Negro his basic freedoms as a human being would be decided on that basis.

"In the ensuing days and weeks Congress will be wrestling with the problem of civil rights * * * intransigent Congressmen will use the questions involving property rights to attack legislation long overdue," he said.

"In so doing they will be declaring their opposition to the moral law which transcends property rights."

Dr. Steiner said the question really being debated, but not spoken, is whether one believes that the soul of any man, regardless of race or color, has an inherent dignity and a potential worth deserving of protection by the Nation against humiliation, debasement, and degradation.

"So when anyone says that every individual has the right to decide with whom he is going to do business on the basis of his race, we are certainly justified by what our religion has taught us to reply that the rights of human spirit transcend the right to do business," he declared.

SLOW AWAKENING SEEN

Referring to the revolution as "sad as well as horrible," Dr. Steiner pointed to the "ever so slow awakening of the segregationist to the fact that his parents were wrong."

"To them it is almost past belief," he said, "that one's parents could be wrong, for it was their parents who taught them (everything)."

Dr. Steiner said that some people confused conscience with moral law, and inferred if this confusion could be ended the revolution could be successfully concluded.

Conscience must be taught, and it is occasionally taught in contradiction to moral law, he said.

CHICAGOAN HAS ANSWER

Turning to the age-old question: "Would you want your daughter to marry a Negro?" Steiner quoted the reply of a Chicago businessman:

"Frankly no," the friend said. "But the only reason is that while I trust my daughter's judgment as to what kind of a man she is going to marry, if she married a Negro I would be unhappy simply because there are unspeakable people like you in the world who would make life miserable for her and their children."

Dr. Steiner said the reason was good enough, but it will become obsolete "when humanity rediscovers the unity of mankind, its oneness, its indivisibility."

"Surely the time has come for the white man to recognize the choices he has to make, examine the principles he ought to recognize, and examine the motives inspiring his actions with respect to his fellow citizen, the American Negro."

I close my remarks on civil rights by making an observation or two on one of the questions that is being asked in the cloakrooms of the Senate and, I understand, in the cloakrooms of the House, too, many times a day: "What will be the position of Congress if, in the weeks ahead, there is a march on Washington by thousands of colored and white people exercising their constitutional right to petition their Government?"

It will give a rationalization, an escape hatch, for the politician who does not want to vote for civil rights, who does not want to vote for cloture, who really does not want to face the reality of the great crisis confronting this Republic, to go back home and say to the people whom he represents, "I refused to yield to pressure and duress." What a great and noble political gesture that will be.

I say to the American people: "Do not let politicians fool you. If they come home and tell you that, beat them the next time they run for office. Get them out of Congress. You should not have sent them here in the first place." In my judgment, we are moving in this issue, toward a drawing of the political lines of this country, in 1964, 1966, and 1968, as they have never been drawn since the War Between the States. We shall have to separate out those in Congress who are willing to compromise human rights and, along with the compromising of human rights, constitutional guarantees.

Demonstrators cannot justify misconduct and violation of the law in their demonstrations. But I am one liberal Senator who will not say to a single Negro in America, "Don't march on Washington." Nor will I say to Negroes, "March on Washington." But I will say to them, "Exercise your own judgment; and if your conscience dictates that in order to keep faith with your conscience you should march on Washington, you have every right to march on Washington peacefully, under the Constitution of the United States."

In the civil rights issue, there is no reason why politicians should be kept in a political vacuum. Peaceful demonstrations by way of marches, insofar as the marchers are concerned, have been carried on in other cities; and there is no reason why Washington, D.C. should be exempt, just because it is inhabited by a lot of politicians. After all, the right of petition includes the right to petition politicians who have the trust of administering the Government. But I think would-be demonstrators and petitioners also have the solemn responsibility to see to it that whatever course of action they follow strengthens their cause. The cause—not the individuals involved in it—is what is important. By that, I mean it is the cause of seeking delivery for the first time in our history—of the Constitution of the United States to the Negroes of America. Thus far, it has never been delivered to them. It is that cause which is of paramount importance—not the individual leaders of a movement which might end in a physical demonstration, by a march on Washington, of the right to petition.

So, Mr. President, I here and now disassociate myself from some of my liberal brethren in the Congress who take the position that, as liberals, we ought to plead with the Negro leaders not to march on Washington. I shall never join in such a plea. I shall plead with Negro leaders and white leaders who are involved in the line of direct action on this great issue to conduct themselves with decorum, whatever their decision; to obey the law; and to respect the legal limitations which may be imposed upon them in connection with demonstrations. But I will not join in any suggestion to them that, for purposes of expediency or compromise or what will be represented to them as their best self-interest and the best interests of their cause, they should give up their right to petition their Government, if in fact they believe that such a demonstration of their right to petition is the course of action they should follow.

I warn them that it will cost them votes; and the rollcall vote will show what votes it costs them, for it will not be very difficult for them to determine that when the roll is called. Then, thank God, they and all other citizens of this country will have the precious right of freedom to mark their ballots at the next election.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

Mr. McCARTHY. Mr. President, I ask unanimous consent that the Senator from Montana [Mr. METCALF] be designated the Acting President pro tempore for the session on Friday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MORSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT TO FRIDAY AT 9 A.M.

Mr. MORSE. Mr. President, under the order of Thursday last, I move that the Senate now adjourn until Friday, July 5, at 9 o'clock a.m.

The motion was agreed to; and (at 3 o'clock and 5 minutes p.m.) the Senate adjourned, under the order previously entered, until Friday, July 5, 1963, at 9 o'clock a.m.

HOUSE OF REPRESENTATIVES

TUESDAY, JULY 2, 1963

The House met at 12 o'clock noon.

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

THE SPEAKER'S ROOM,
July 2, 1963.

I hereby designate the Honorable CARL ALBERT to act as Speaker pro tempore today.

JOHN W. McCORMACK,
Speaker of the House of Representatives.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

The words inscribed on the Liberty Bell in Philadelphia:

Leviticus 25: 10: *Ye shall proclaim liberty throughout all the land unto all the inhabitants thereof.*

Almighty God, we rejoice that we are drawing nigh to that sacred day in the annals of our American history when the Founding Fathers signed the Declaration of Independence in which they had stated in verbal form their faith and their deepest convictions.

May our minds expand with spirit of pride and patriotism, of gratitude and reserved consecration as we contemplate and reflect upon the meaning of that significant day.

We pray that our President, our Speaker, and our chosen representatives may be men and women whose manhood and womanhood can match the mountains of difficulty which are now confronting our Republic.

Penitently we confess that we are filled with apprehension and fear for there is so much of disobedience and disrespect for law and authority in our national life and we greatly feel the need of cultivating those finer feelings and aspirations which will make our country truly strong.

Kindle within us the spirit of brotherhood that in these times of peril we may sustain one another and minister to one another's needs.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

CIVIL RIGHTS

Mr. PRICE. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. DOWDY] may extend his remarks at this point in the RECORD and include a newspaper item.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DOWDY. Mr. Speaker, I request the inclusion in the body of the RECORD, as a part of my remarks, an editorial from another of the fine newspapers in my district, the Lufkin (Tex.) News, of June 20, 1963.

The effect of the pending so-called civil rights proposal, and perhaps its purpose, is to abrogate the personal and property rights which were claimed in the Declaration of Independence, and intended to be guaranteed to American citizens in the U.S. Constitution, as is indicated in this sound and thoughtful editorial.

[From the Lufkin (Tex.) News, June 20, 1963]

CIVIL RIGHTS MESSAGE WOULD TAKE ALL RIGHTS

President Kennedy has delivered his civil rights message to Congress, and in so doing, has asked congressional permission for the Attorney General and the Federal Government to take away just about all the rest of the rights of the individual citizens of this country.

It was to be expected the President would ask for power for the Attorney General to force school desegregation around the Nation; for equal rights of employment for all races and colors, and for additional training for the unemployed.

While even some of these seem to be in direct contrast with article 10 of the Bill of Rights which reserves to the States all powers not given the Federal Government by the Constitution, we must remember the Supreme Court previously has ruled States rights mean nothing at all.

Where it seems to us the President has initiated a move to remove the last vestige of rights of the individual—white or black—in his suggestion the right of ownership of property and the right to operate this property be abridged in the interest of (are we cynical?) obtaining Negro votes in 1964.

This is the portion of his message where he told Congress, and we quote a UPI summary of the President's message: "A law should be passed giving persons the right to obtain a court order against any hotel, restaurant, retail store, gas station, or lunch counter dealing with interstate commerce that denies equal access. The Attorney General would be authorized to enter the case if he deemed it necessary, but peaceful persuasion would be tried first."

It is the Federal position that any retail establishment that buys supplies or, in the case of a hotel or motel, accepts customers from beyond the State line; or which is established on an interstate highway, is regarded as being in "interstate commerce."

Reviewing the history of the present Supreme Court decisions, it may be presumed that eventually a ruling will be issued that all retail business or service establishments come under Federal regulation.

This simply means that if the Kennedy proposal gets through Congress, no man or woman will have the right to say who he or she serves in a place of business; when and if this occurs, then the last vestige of individual rights will have disappeared in this Nation, and we will indeed be on the road to State socialism.

H.R. 6081 REREFERRED TO THE COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. MURRAY. Mr. Speaker, I ask unanimous consent that the bill (H.R. 6081) to amend the Canal Zone code to require that postage stamps in the Canal Zone shall bear no legend other than the words "Canal Zone," and for other purposes, be rereferred from the Committee on Post Office and Civil Service to the Committee on Merchant Marine and Fisheries.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

SEPTIMIUS SEVERUS, ROMAN EMPEROR

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I have high regard for my good and learned friend from Louisiana [Mr. WAGGONNER]. He was elected to the 87th Congress in December of 1961 to fill the vacancy caused by the passing of our longtime beloved colleague, the Honorable Overton Brooks. He came to this body with a rich background of service in war and in peace. He was a member of the Louisiana State Board of Education and was president of the Louisiana School Boards' Association.

He was in error when he construed my disagreement with the senior Senator from his State as an attack upon that distinguished Member of the other body. I have always defended the precious right of all Americans as individuals to speak their minds, freely and openly, restrained only by the laws of libel and of sedition. It is very seldom that two

Americans are in perfect agreement on everything. Certainly I have never severed a friendship because in oversensitivity I thought a friend was attacking me because he said that he could not agree with me on some subject that had come up in conversation.

I do not agree that the peoples of any race are incapable of self-government. I believe that the law of the universe is change and that in all probability in the long roll of the centuries every race has had its periods of ascendency and eclipse.

There is no race superiority. We are now reaching out for a world of understanding and a world of peace. It is the mission of our great United States to lead in the attainment of that objective. That world of understanding and of permanent peace never will be attained unless we accept in all sincerity the concept of a brotherhood of man under Divine guidance. That is my faith.

The Africans have a rich background. They have a long and honorable heritage, and this I see reflected in the mature statesmanship of the African leaders whom it has been my pleasure and my privilege to know.

I did make mention of the fact that long, long ago an African was emperor of Rome and, according to John Gunther, was of Negro blood. I am happy that my good friend, the gentleman from Louisiana [Mr. Waggonner], has joined in the debate. If the African emperor of Rome, Septimius Severus, were alive today I am sure he would be grateful to my good colleague from Louisiana for giving additional emphasis and publicity to the fact that 1,583 years before the independence which we Americans celebrate this week Rome was the first nation of the world and that an African was its emperor.

If history is the guide, this would seem to answer conclusively the statement that the Africans are incapable of self-government. They have had a longer experience with it than has the United States.

I am grateful also to my friend from Louisiana for his mention of the historian, Maurice Platnauer, whose "Life and Reign of Septimius Severus" was published by the Oxford University Press in 1918. That was 1,707 years after the death of Severus. On the chance that it may have escaped the notice of my good friend from Louisiana, I am quoting from page 38 of Platnauer's authoritative work:

> Of his boyhood we know little save for such accretions of fable as tend to gather round the youth of the great. It seems curious to think of Septimius studying Latin; still more so to hear that, in spite of the proficiency in its literature for which Spartian vouches, he was cursed all his life long with an African accent.

The Oxford Classical Dictionary notes on page 833 that when the Senate was controlled by the Emperor:

> Useful legislation based on equity and humanitarianism was passed, and the principle affirmed that the law is no respecter of persons.

It also states that under Severus "corn, oil and medicine were distributed free to the populace of Rome." If a Roman needed medicine he got it, regardless of station or of financial conditions. Perhaps in social reforms he was ahead of his times. Perhaps in his notion that no Roman should die if medicine could save his life he was ahead of some modern thinking.

Neither my good friend from Louisiana nor I can judge how much was good and how much was bad in a man who exercised the greatest material power in the world 200 years after Christ. I am inclined to believe there is good and bad in all of us, and freed of pressures the good will take over. But Severus was an African and, according to John Gunther, who has a well-established reputation for accuracy, he was of Negro blood.

Again, Mr. Speaker, I want to thank my friend from Louisiana for joining me in this excursion into history. The more we probe into the history books, the more we grasp the lessons of history, the more abiding should be our faith that neither ability nor worth is determined by the circumstance of race.

TWENTY-TWO-STAR FLAG THAT GREETED THE PRESIDENT

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, it is with a transcending pride, which I know is shared by the distinguished minority whip, the gentleman from Illinois [Mr. Arends], and all the colleagues from our State on both sides of the aisle, that I inform the House that it was the Illinois version of the grand and glorious Stars and Stripes that greeted President Kennedy on his arrival in Italy. I would remark were it not already a matter of common knowledge, that Illinois always occupies a front seat when history is being made.

In this instance, however, a sense of fairness impels me to accord a share of the glory to the State of Alabama, 1 year a junior to Illinois in statehood.

Illinois was the 21st State to be admitted into the Union. That was on December 3, 1818. I have searched high and wide for a 21-star flag. None is to be found, and I have come to the conclusion that a 21-star flag, marking Illinois' admission to statehood was never actually made, although there is an artist's sketch of how the flag would have looked.

But a year and 11 days later—on December 14, 1819, to be exact—Alabama was admitted to the Union, the 22d member of that exalted sisterhood. Then in 1820 the official flag of the United States was one with 22 stars. How many of these were actually manufactured and flown in the breezes of freedom I do not know. But I do know that one is preciously preserved in Illinois, and I daresay one is as preciously preserved in Alabama. It is jointly the Illinois and Alabama version of the Stars and Stripes.

The remainder of the story is told in this Associated Press dispatch from Bellagio, Italy:

> TWENTY-TWO-STAR FLAG TO GREET J.F.K.
>
> BELLAGIO, ITALY.—An American flag with 22 stars, about a century and a half old, was hung out here Sunday to welcome President Kennedy on his first visit to Italy.
>
> The flag, believed to be the oldest Star-Spangled Banner in Italy, was run up proudly by the Hotel du Parc, near Villa Serbelloni where Mr. Kennedy is making a one-night stopover between London and Rome.
>
> The hotel owners say the flag apparently was made about 1820. It has been in possession of the hotel since 1850. But nobody here remembers who brought the old banner here, or why.

Mr. Speaker, I venture the conjecture that the flag that greeted President Kennedy in 1963 was taken to Italy in 1820 by a loyal but wandering son of Illinois. Illinois in 1820 was so much older than Alabama in statehood, that conjectures it might have been taken over by a wandering son of Alabama would seem nonsense. Seniority had a place then as now.

COUNCIL OF THE ORGANIZATION OF AMERICAN STATES

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, the Council of the Organization of American States meets tomorrow in special session to consider steps to be taken on the Cuban problem. It is significant that the meeting takes place on the day preceding the date our own independence was proclaimed, July 4. The nations of this hemisphere have not forgotten that Cuba is not free. However, the Council will not accomplish anything unless it faces facts with the same concern it displayed last October during the Cuban missile crisis.

And there is cause for concern with Soviet shipping to Cuba on the rise in recent weeks. The Navy and the Maritime Administration have stated that not only has Soviet shipping increased, but there has been an increase in the number of ships from free world countries going to Cuba as well. This increase is significant, and should be carefully watched because stepped up shipping gave the first indication of the Soviet military buildup of Cuba last year.

With this information now available, I strongly urge that the United States exert its fullest efforts in the Organization of American States to secure some realistic sanctions against Communist Cuba.

TRAVEL TO CUBA BY U.S. STUDENTS

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from Florida [Mr. Cramer] is recognized for 15 minutes.

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CRAMER. Mr. Speaker, I take this time because of my deep concern over the fact that 59 U.S. student-citizens, and now I understand the number to be as high as 65 U.S. citizens, have gone to Cuba just recently, and apparently the efforts of the U.S. Government were not sufficient to prevent them from doing so, despite the fact that their going there is in violation of the law and of a directive issued by the State Department in January 1961.

I have made an effort to check on this situation as time permitted, and particularly in view of the fact that this morning's New York Times in an almost unexplained fashion—for certainly the reasoning in their editorial does not give adequate explanation—came out in support of opening up completely the visitation channels between the United States and Communist Cuba. The Times editorial follows my remarks.

Listen to the reasoning, the fuzzy-headed thinking. Why, you would almost think this was advice being promulgated and proposed by some of the thinkers in the State Department.

> If travel to Cuba were open to all Americans—

And I am reading now from the editorial of today in the New York Times—

> the picture the United States would get from American visitors there would be varied, rounded and honest. If the Castro revolution is mostly bad, as most of us believe, why not trust intelligent adults to find this out for themselves?

Then, interestingly enough, they quote President Kennedy:

> BERLIN, June 26.—Freedom has many difficulties and democracy is not perfect, but we have never had to put a wall up to keep our people in, to prevent them from leaving us.

As if that has anything to do with it. But let us look at the factual situation as to what has happened. This is very interesting. I think it is rather eye opening. The public relations experts, whoever they were, handling this trip, and do not think there were not any, had the objective to make it appear that Fidel Castro really is not so bad after all, and that letting people go from the United States to Cuba is not so bad after all either. Let us look at what happened in this particular instance.

First, however, let us look back a few months ago and see what they attempted to do. A number of such trips have been sponsored, some of them have been stymied, some have not. There is a House Committee on Un-American Activities investigation presently of a group from California who went to Cuba to study Castro's communism. Most of them were apparently for it before they went, incidentally. But now, in the last few months, the Fair Play for Cuba Committee has sponsored a number of groups and this group in question today is indirectly sponsored by the Fair Play for Cuba Committee, Mr. T. V. Lee and Mr. Anatole Slosser of that committee having been the organizers previously.

The Fair Play for Cuba Committee was cited by the Senate Internal Security Committee as a Communist-front organization. A year ago I requested that in view of that fact, the Justice Department put the Fair Play for Cuba Committee on the subversive list. To this day that has not been done. I continue to ask why, because they are operating openly and notoriously and bragging about the fact that a number of the persons sponsored by them are going to Cuba, come back advertising they had been there, showing slides of Cuba and Castro's communism and praising it to the high heavens. The Fair Play for Cuba Committee got a pretty bad name, but it still is not on the subversive list, however, and I renew my request that the Attorney General put them on the subversive list.

Because it got a fairly bad name as a result of these investigations and incidentally T. V. Lee who took the fifth amendment numerous times recently before the Senate Internal Security Subcommittee came from my former district, from the city of Tampa and is now one of the heads of this organization—they changed their name to the Permanent Student Committee for Travel to Cuba. That is, they segmented it and formed a new organization under similar sponsorship known as the Permanent Student Committee for Travel to Cuba. The committee itself clearly states the intent and purpose of the organization is to violate the laws of the United States. And I have in my hand a regulation promulgated by the Department of State pursuant to section 1185, title 8 of the United States Code, paragraph 3. This was June 29, 1961.

> Travel to Cuba by a U.S. citizen without a passport specifically validated by the Department of State for that purpose, constitutes a violation of the Travel Control Law and Regulations, (title 8, U.S.C., sec. 1185; title 22, Code of Federal Regulations, sec. 53, par. 3).
>
> The Department warns all concerned that a willful violation of the law is punishable by a fine of not more than $5,000 or by imprisonment for not more than 5 years, or both.

And here we have the anomalous situation of some 59, as it was publicly announced, and which now appears to be some 65, U.S. citizens, students, announcing in advance their intention to go to Cuba and the great U.S. Government, with the entire Justice Department, the entire State Department, and the Immigration Service find themselves unable to prevent this from happening. What happened is very interesting.

These Fair Play for Cuba Committee leaders, these Communist sympathizers in the United States of America, this Permanent Student Committee for Travel to Cuba—who incidentally have some very well qualified people, from a subversive standpoint, heading the organization, planning these trips, such as Theodore A. Ostrow, who is one of the leaders, Levi Lee Laug, who is the real brains, who tells these students how they can get to Cuba even in violation of the laws of the United States, who tells them how they could do as they did in this instance, hold a false and misleading front meeting which the Immigration Service had knowledge of and which an agent apparently attended in New York.

This meeting was held and plans were falsely announced for a number of these students to go through Canada. I am sure you recall that just the other day the announcement to this effect was made. I am placing that press announcement in the RECORD at this point:

> NEW YORK.—About 50 to 70 American students from the New York and San Francisco Bay areas plan to make another attempt to slip secretly out of the United States this weekend for a month's visit with Fidel Castro in Havana, it was reported here today.
>
> A similar trip was foiled last Christmas.
>
> The students plan to evade the U.S. ban on travel to Cuba by entering Canada by bus in small groups and flying from Toronto to Havana by special Cuban Government airliner.
>
> Tentative departure date from New York, where the students have been gathering unobtrusively since last week, is Friday, June 28. The Castro-sponsored trip has been organized by the so-called Permanent Student Committee for Travel to Cuba.
>
> A similar effort by pro-Castro students to visit Cuba illegally last Christmas was foiled when Canadian authorities refused to allow the students to use Toronto as a takeoff point.
>
> Subsequently, two New Yorkers, Anatole Schlosser and Vincent Theodore Lee, trip organizers, were questioned about the tour in Washington by the House Subcommittee on Un-American Affairs.

Interestingly enough, this is what they wanted the State Department to think. So the State Department and Immigration attempted to close that door, and what happened? These knowledgeable pro-Communists or heads of the Permanent Student Committee for Travel to Cuba, formerly the Fair Play for Cuba Committee, announced they were going to Canada, but instead, went to London, Paris, and Prague, Czechoslovakia, and then to Havana.

This is rather interesting, because in London, I understand, the Immigration Service confronted some 57 of these students who were on their way to Paris and then to Prague, and only 1 of them would accept service or accept the notification of the Immigration authorities that they would be violating the law if they went to Cuba. Of course, the passports were stamped that if they visited these countries they would be visiting in violation of the law, that is, Korea, Vietnam, China, Albania, and Cuba; that visitation by the use of passports acquired under false pretenses would be a violation of the statute as I have just cited, and they were to be served notice to this effect. One person accepted the notice, and that was apparently the leader, Theodore Ostrow, whose name I just mentioned. Everyone else just sat there in the international section of the airport in London, with the immunity involved in that section, and with their arms crossed refusing to yield to service of that paper.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Florida.

Mr. HALEY. I want to commend the gentleman from Florida for bringing this particular situation to the attention of the American public. It is going to be, I think, quite interesting to see what our Justice Department does with this particular thing. We hear much about obeying the law of the land. I think it is about time that the people in the Justice Department get into this situation and enforce the law of the land. The language of the statutes is clear. I hope that they will find time among their other duties that they seem to be so interested in to see that the law of the land is enforced in this particular instance.

If the gentleman will yield a little further, I think the Justice Department and the State Department and this administration should do this. We have many people coming here from Cuba. I think the ransoming of people, as we did, and it was that, pure and simple, was a hijacking proposition.

Mr. CRAMER. Payment of indemnity. The gentleman knows I introduced a resolution against it.

Mr. HALEY. Absolutely playing into the hands of the Castro regime, by furnishing him with things he needed. But I hope the Justice Department and the State Department and the Immigration Service of this Nation will look into the situation where we bring in boatload after boatload of Cubans to this country. The gentleman from Florida is well informed. I know that you can only get out of Cuba when Castro says you can get out.

Mr. CRAMER. That is right. There are thousands coming in, and the ones he selects come into the United States.

Mr. HALEY. Of the people who are coming in, it is my information, at least one out of every three is a Castro agent, sent here to prey on and disrupt the people who are already in this country from any measure that they might be taking to try to overthrow that stinking government down there.

Apparently, our own Government does nothing about it and welcomes them with open arms and says: "Come on in so that you can find out what these sincere Cuban refugees are doing, and send the information back to Castro so that they can punish the relatives of these people who are honestly and sincerely trying to do something about the overthrow of that cancerous growth that we have only 90 miles from our shore."

Mr. CRAMER. I thank the gentleman for his views. Of course, I wholeheartedly agree with him that security checks are a problem that is being poorly handled. When I testified before the Senate Internal Security Subcommittee and said on the floor of the House, and then put a long list in the RECORD of the number of U.S. citizens, some 97 of whom went to Cuba in 6 months of last year, I expressed my concern also over this matter of security problems. I will say to the gentleman I am convinced, and I think the evidence shows it, and the evidence before the House Committee on Un-American Activities and the Internal Security Subcommittee proves that those who are being brought in from Cuba in limitless numbers are those whom Castro selects. I am sure he is sending in those who are going to help his cause in the United States, if he can get them in. Insofar as I am concerned, our surveillance of them, and our security system in keeping them out, is not good enough, when you are getting refugees in large numbers all the time, to keep Castro agents out of the United States through the exile route. I agree wholeheartedly with the gentleman with the problem he has pointed out and I agree, that security checkups should be tightened up.

Getting back to the question of U.S. citizens traveling to Cuba. The reason I take the floor today is because I read in the paper this morning a statement by some of the students who are there. The Immigration Service, incidentally, got a full list of the names of those who went. I still am at a loss as to how they could have gotten passports, having previously announced their intention to go. The U.S. Government should never have issued passports to anyone who so stated their intention to go to Cuba in the first place, regardless of how it was stamped.

This student visit is a planned program. The thing that burns me up is that the public press is giving the American people the impression that those students want to go to Cuba to find what it is all about and by implication to find out what is bad about communism and what is wrong with Castro. You are darn sure that the Communists are not going to show them the caves where they are building up their strength militarily, the prisons where tens of thousands of Cubans are rotting and they are not going to show them the military installations that are constantly being increased. They are not going to show them anything except what they want to show them and they are going to show them exactly what is in the best interest of the Communists and of Fidel Castro.

The **SPEAKER** pro tempore. The time of the gentleman has expired.

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to proceed for an additional 10 minutes.

The **SPEAKER** pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. CRAMER. Mr. Speaker, these students are not going to Cuba with the objective, and they should have known it before they went, of finding out what the facts are in Cuba because they are not going to have the opportunity to know what the facts are because Castro is not going to let them know anything except what he wants them to know and what the Communists want them to know. I want to substantiate that in just a minute.

This is the report from Havana I am concerned about:

> Three American college students—

And I am quoting from the morning press—

> told a Cuban radio audience today, they are greatly impressed by the Fidel Castro regime.

One said, "He found almost complete freedom."

Now where in the world did he go in Cuba to find "almost complete freedom" except where Fidel Castro wanted him to go?

> The Americans, members of a group of 59 students who reached Cuba from the United States via Communist Czechoslovakia, arrived in Havana yesterday. They have been warned of possible prosecution when they get home.
>
> The students were interviewed by a Cuban radio newsman as they visited Havana's Revolutionary Square. The broadcast was monitored here.

They do not say just who in Havana set up this interview in the Revolutionary Square and over this station. Unless the interview was set up on the part of those who planned the trip so that this revolutionary stuff could be broadcast all over the world, there would be no such broadcast.

> A student from New York whose name could not be understood said he found "conditions of almost complete freedom. What I was surprised to see was religious freedom and the completeness of the change from capitalistic living conditions."
>
> Gordon Smith, an economics student at New York University, described himself as "very impressed. I like very much what I see, and I'm very happy that I had this chance to come and see for myself."

U.S. citizens—students from the ages of 18 to 21—being indoctrinated in communism in this hemisphere by Fidel Castro, openly, notoriously, and laughingly scoff at the U.S. Government. This is permitted to continue, and this is the reaction to communism they advertise to the world. I started to say the thing that burns me up is the general impression and attempt to give it through the press or otherwise—and I am not attributing this to the press at all, but to the public relations persons who are handling this trip—the Fair Play Committee and the Federation of University Students in Havana—are cleverly trying to make it appear that these students are just curious Americans trying to know what the true situation in Cuba is. They are being brainwashed by the international Communist conspiracy. Here are the facts, and our State Department knew it, the Immigration Service knew it, the Justice Department knew it, and they still have not been prevented from going to Cuba even though they announced in advance their intention to do so.

Here is the sponsoring organization for the trip itself. The trips are being paid for, according to the press, by the Castro government. Is he going to do so other than to serve his Communist purpose? Here is the sponsoring organization. They were invited to Cuba by the Federation of University Students in Havana. I made a little check and found out who headed that organization. As everyone knows, the University of Havana has been brought directly under the Castro Communist government control. The university students in Havana are headed by Ronaldo Cubelo. His assistant is Angelo Queveda. They both wear uniforms, and they both carry .45's. They are both under the direct control of

Fidel Castro. They are both under direct Communist control. They are under the control of the Cuban Ministry of Education, which is also headed by a Communist who wears a uniform, who is a notorious Communist and has been for years, by the name of Armando Hort. He heads the Cuban Ministry of Education directly under the Cuban Government. He is thus the head of the University of Havana, which university these students are visiting. The director of the University of Havana just happens also to be the president of the Communist Party in Cuba.

Mr. Speaker, these are the sponsors of this brainwashing operation. While some of the American people are apparently getting the impression that these are students wanting to know what is going on, the students are being indoctrinated in the Communist techniques in Cuba.

Mr. Speaker, they have visited Cuba under this sponsorship. Of course, they are not going there to learn what is going on out of curiosity. On January 10, 1962, this man who is president of the Communist Party in Cuba was appointed director of the Havana University that these students are visiting. What is his name? Juan Marinello, president of the Communist Party in Cuba. These are the sponsors of this trip.

It was known in advance that these are Communists under the direct control of the Communist government, through the university system, through the Communist-controlled Federation of University Students in Havana, who issued the invitation, and the trips, apparently, are being paid for out of the Communist government treasury. I suppose some of the ransom medicines we gave them, converted into money, is being used for the purpose of sponsoring Communist indoctrination of university students. There is nothing to keep them from using it for that purpose, because we know very well that the Cuban citizens did not get the medicine, because you still cannot buy much medicine in Cuba.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Florida.

Mr. HALEY. I disagree with my friend. I do not think Castro is using any of the ransom or blood money that he got from us for the release of these prisoners. I think he is probably getting the money through some of our socialistic programs, our foreign aid, whereby we will pick up the tab on this trip somewhere along the line, somehow.

Mr. CRAMER. That is quite possible, with the United Nations helping with a number of Cuban problems. To me it is reprehensible and I, as a Member of Congress, cannot sit idly by and see such claptrap as this printed in the press of the United States, giving the American people the impression that these are just curiosity-seeking, fine American students, going to Cuba with no Communist background, no Communist indoctrination, no Communist-supported purpose and no Communist-sponsored organization being involved, but that these are curiosity-seeking young kids and when they come back they will know more about communism and therefore they will be better interested in freedom in this country.

Hogwash. These are the Communist sponsors of this trip and that is why I wanted to put them in the Record. The purpose is to indoctrinate these students, as well as students from the other Latin American countries who are being indoctrinated in the University of Havana, and at other places, not in the interest of freedom but in the interest of communism in this entire hemisphere. And we are letting it go on. We permit American students to go to Havana.

These young kids did not think this up. The planners of this trip are knowledgeable people, who should be prosecuted under existing legislation because they are conspirators in this Communist movement.

It is my hope that those who are responsible for this trip, who are sponsoring it, will be brought to light and fully prosecuted.

I hope this may bring about enough interest in legislation I have introduced to tighten up our laws with regard to travel of U.S. citizens to governments which our country does not recognize and governments controlled by philosophies alien to our own, and that people traveling to those countries when travel is banned by the President, as is the case of Cuba, will be subject to prosecution.

I hope my bill will finally be acted upon when we note these risks that are involved. I submit a copy of it for the Record after my remarks.

Mr. RUMSFELD. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Illinois.

Mr. RUMSFELD. I want to congratulate the gentleman from Florida on his very fine statement in reference to an extremely serious problem. As I was listening to his remarks, the question came to my mind, if he knows, whether or not any of these students are going to school under the National Defense Education Act or under the GI bill or under grants from the National Science Foundation, or any of the ROTC programs we have.

Mr. CRAMER. I may say to the gentleman that I do not know. I do not have a list of these students. But I have asked the Immigration Department to furnish this list. I imagine they will say "No." I just made the request this morning. If they do not furnish me the list, I am going to request that they furnish it to the Internal Security Committee of the Senate and the Immigration Subcommittee of the Committee on the Judiciary of the House, my being a member of the Judiciary Committee, so that a thorough investigation of all those who made this trip can be made. It will be an interesting question as to whether or not we may be ourselves directly or indirectly financing the students' education who went on this trip.

Mr. RUMSFELD. I think that would be an interesting thing, and I would be willing to assist the gentleman.

Mr. CRAMER. I thank the gentleman. It is my hope that as a result of the information that has come to my attention and which has been spread on the record that some action will be taken by the State Department, the Department of Justice, the Immigration Department, and the committees involved with this legislation and with this problem.

The Students in Cuba

The 59 U.S. college students who defied the State Department, broke a Government regulation and went to Cuba were wrong to do so. They were repeatedly warned, and if they are fined and/or imprisoned on their return they will have no right to complain. The law they broke is a regulation linked to the Immigration and Nationality Act requiring a passport especially validated for travel to Cuba.

The question of whether the United States should prevent Americans from going to Cuba is quite another matter. One reason given is a lack of protective facilities in a country with which the United States has no diplomatic relations. However, if adults decide to run a risk, this is up to them, and anyway, Switzerland adequately handles American affairs in Havana. The ordinary Cuban treats Americans with the utmost friendliness, and such contacts are as bad for the Castro regime as contacts between Russians and Americans normally are for the Soviet regime.

Another State Department argument is that such groups as the present one in Cuba, with all expenses paid by the Castro government will naturally lend themselves to Cuban propaganda. No doubt they will, although there are always exceptional persons; but then the question is whether the U.S. ban itself does not make for even more dangerous anti-American propaganda and also put a romantic flavor on the idea of going to Cuba. It encourages the Castro government, or organizations like the Fair Play for Cuba Committee in the United States, to invite and smuggle into Cuba just the sort of Americans who they believe will be favorably impressed.

If travel to Cuba were open to all Americans, the picture the United States would get from American visitors there would be varied, rounded and honest. If the Castro revolution is mostly bad, as most of us believe, why not trust intelligent adults to find this out for themselves?

"Freedom has many difficulties and democracy is not perfect, but we have never had to put a wall up to keep our people in, to prevent them from leaving us."

Who said that? It was President John F. Kennedy in Berlin on June 26.

H.R. 5320

A bill to amend section 215 of the Immigration and Nationality Act

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of subsection (a) of section 215 of the Immigration and Nationality Act (8 U.S.C. 1185) is hereby amended to read as follows:

"Sec. 215. (a) When the United States is at war or during the existence of any national emergency proclaimed by the President, or when the President proclaims that the interests of the United States require restrictions and prohibitions on travel to or transit through any country with which the United States does not maintain diplomatic relations, or has canceled or suspended such relations, or, as to aliens, whenever there exists a state of war between or among two or more states, and the President shall find that the interests of the United States require that restrictions and prohibitions in addition to those provided otherwise than by this section be imposed upon the departure of persons from and their entry into the United

States, and shall make public proclamation thereof, it shall, until otherwise ordered by the President or the Congress, be unlawful—".

Sec. 2. Paragraph (3) of section 215(a) of the Immigration and Nationality Act is hereby amended by adding the following at the end thereof: "or to conceal or falsely state in an application for a passport or for permission to depart from the United States such person's intention to travel to, or to interrupt his journey in transit through, any country with which the United States does not maintain diplomatic relations or has canceled or suspended such relations; or to conceal or falsely state at the time of his entry into the United States the fact that such person has traveled to, or interrupted his journey in transit through, any country to which his passport or any travel document issued to such person had not been validated; or to travel to, or to interrupt his journey in transit through, any country with which the United States does not maintain diplomatic relations or has canceled or suspended such relations."

ANNOUNCEMENT

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. McDade] may extend his remarks at this point in the Record.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. McDADE. Mr. Speaker, on Monday and Tuesday, June 24 and 25, the Banking and Currency Committee, under the chairmanship of Congressman Wright Patman, met in New York City to examine the workings of the Federal Reserve System. As a member of that committee, I was in New York on those days when one rollcall vote and three quorum calls were made in my absence. I wish to note for the record that my absence on these occasions was due to the pursuit of official congressional business.

EQUITABLE CONTEMPT OF CONGRESS PROCEDURES

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Lindsay] may extend his remarks at this point in the Record.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. LINDSAY. Mr. Speaker, I introduce today for appropriate reference two measures which if enacted could be a constructive step toward improving contempt-of-Congress procedures.

One bill would establish special screening committees in both Houses of the Congress to study requests for contempt citations sought by committees and to report with recommendation on such requests to the House or Senate if further action is deemed advisable. The special screening committees would be appointed by the Speaker of the House and the President of the Senate at the opening of each Congress. Each committee would consist of seven members not more than four of whom shall be of the same political party. Under the provisions of the bill the committee shall consider in its report whether in its opinion the congressional committee "before which the alleged contempt was committed exceeded the scope of its authority, violated the constitutional rights of the person or persons alleged to be in contempt, or otherwise acted, relative to such person or persons in connection with the transaction out of which the alleged contempt arose, in a manner contrary to law, or to any applicable legislative rules."

This bill, Mr. Speaker, was originated and first introduced by my friend and colleague, the gentleman from Missouri [Mr. Curtis], one of the Congress most thoughtful students of subjects of this kind. I am pleased to join him on this measure.

At present the recommendations of the affected committee are accepted almost as a matter of course. Yet in all cases the committee is both the injured party and the prosecutor and can hardly be objective in the presentation of its viewpoint. Under such circumstances it is all but impossible for Members of the House and Senate to give fair consideration to contempt charges presented in so onesided a fashion. The change proposed in this bill would authorize the special screening committee, rather than the committee which has been subjected to the action complained of, to bring the matter to the full membership of the House or Senate, which acting as a body clearly does not have the time to investigate the charges in an impartial fashion, weigh conflicting evidence, hear witnesses, examine documents, and the like.

To illustrate the necessity of improving existing congressional contempt procedures, I need only remind my colleagues of the bitter hassle we had on the floor of the House on August 23, 1960, over whether the House should vote to cite for criminal contempt of the Congress certain officials of the Port of New York Authority. It was a matter which was sharply contested and on which honest and serious differences of opinion still exist. Although those of us who opposed the issuance of contempt citations to the officials of the Port of New York Authority did not prevail in our efforts on that day, we have since seen our judgment sustained by the unanimous decision of the U.S. Court of Appeals for the Second Circuit on June 7, 1962. The Supreme Court declined certiorari.

This matter raised extremely intricate constitutional questions. A citation for criminal contempt is surely no way, the court stated, to settle a clash between Congress and the States. It both restricts and complicates the issue at stake—which is essentially a jurisdictional conflict in the civil not the criminal area between separate governmental units of our Federal system. To place broad questions of civil jurisdiction within the framework of reviewing a criminal conviction is improper and unnecessary.

The plea of Judge Luther Youngdahl in his opinion in the Port of New York Authority case is compelling and should receive the serious consideration of the Congress and be acted upon:

> During the House debate on the contempt citation, the committee inserted in the Congressional Record a memorandum purporting to show that declaratory judgment procedures were not an available means for procuring judicial resolution of the basic issues in dispute in this case. Although this question is not before the court, it does feel that if contempt is, indeed, the only existing method, Congress should consider creating a method of allowing these issues to be settled by declaratory judgment. Even though it may be constitutional to put a man to guessing how a court will rule on difficult questions like those raised in good faith in this suit, what is constitutional is not necessarily most desirable. Especially where the contest is between different governmental units, the representative of one unit in conflict with another should not have to risk jail to vindicate his constituency's rights. Moreover, to raise these issues in the context of a contempt case is to force the courts to decide many questions that are not really relevant to the underlying problem of accommodating the interest of two sovereigns.

The Congress has the difficult task of devising an equitable method for settling these disputes by a declaratory judgment procedure. For some time I have been looking into this problem with the purpose of drafting legislation that will accomplish this end. The second bill that I am today presenting for the consideration of the House provides an optional declaratory judgment procedure in cases involving the refusal of witnesses to testify or produce papers before congressional committees. In such cases the Congress may obtain from any court of the United States a declaration of the rights and other legal relations of such person and the Congress upon the filing of any appropriate pleading. The bill further provides that such declaration shall be certified to the Congress only to make use of in such manner as it sees fit.

I should like to point out that this bill is limited in scope. In no way does it affect the operation of section 102 of the Revised Statutes relating to contempt of Congress. In no way does the procedure spelled out in the bill limit the necessary and proper power of the Congress to cite for contempt. In no way does it obligate the Congress to seek a declaratory judgment. The procedure is entirely voluntary.

Furthermore, the witness who has refused to testify or produce papers before the affected congressional committee is given no opportunity under the bill to seek a declaratory judgment. Congress and Congress alone has sole authority in this area.

Where a declaratory judgment is issued—and it is issued to the Congress only—the Congress is in no way bound to accept the finding of the court. It can act upon it or ignore it as it sees fit. This procedure would be of special value in situations like the Port of New York Authority dispute where there is a need to determine what should be the domain of the States and what is the legitimate concern of the Congress and its duly constituted committees. The court's role is purely that of an adviser.

It is my hope that the declaratory judgment bill which I am introducing today can be considered in conjunction with the measure which establishes special screening committees. The screening committee could then, after receiving the relevant facts from the affected committee, either recommend citation for contempt or seek from the courts a declaratory judgment. The Congress thus has a choice of procedures and is given greater flexibility in this area than it presently has. The establishment of special screening committees and the provision for declaratory judgment procedures would be helpful improvements in existing contempt of Congress procedures.

Mr. Speaker, I am pleased that the distinguished gentleman from Missouri [Mr. Curtis] is joining me in introducing this declaratory judgment bill. These two measures which we have coauthored present a package which the House ought to consider in the interest of attaining fair and effective congressional procedures.

Mr. Speaker, the St. Louis Post-Dispatch had high praise for Mr. Curtis' efforts in connection with the first bill. In an excellent editorial it restated the case for this bill as follows:

[From the St. Louis Post-Dispatch, Feb. 1, 1963]

MR. CURTIS' SOUND BILL

Representative Thomas B. Curtis has offered a bill to revise contempt-of-Congress procedures which we think Congress might well accept. What the Webster Groves Republican offers is a simple change: to establish a kind of screening committee to consider requests for contempt citations from other committees and to refer them to the House or Senate for action if that seems advisable.

Mr. Curtis points out that the two busy chambers are hard pressed to consider thoroughly contempt charges offered by various committees. The temptation may be to accept the committee's word for instituting proceedings, but in such cases, the committee is acting as both the injured party and the prosecutor. What is needed is a separate committee to serve as a kind of grand jury, and to give contempt charges the kind of objective study they are unlikely to get from a committee that feels it has been treated contemptuously.

The Curtis proposal would improve the fairness of the contempt proceeding; it might also help Congress. In its last session, the Supreme Court set-aside contempt convictions of nine men because the indictments did not state the subject under inquiry when the men were questioned. To some extent this may have been the fault of officers who drew up the indictments, but it is also true that committees on general probing and exposure expeditions sometimes are not certain as to what they are investigating. In such cases, contempt actions can be a waste of time. A committee as suggested by Mr. Curtis, which might screen out baseless actions, would strengthen Congress' power to use the contempt proceeding to protect itself.

In closing, Mr. Speaker, I wish to make clear my view that the necessary and proper powers of the Congress in this area must be upheld. A refusal to cooperate with the legislative and investigative work on a congressional committee cannot be condoned if the committee in question acts within the scope of the authority granted to it by the Congress or if the individuals in question have failed to give the committee the information it needed and was authorized to have.

I am offering this legislation today in the hope that we can progress toward the establishment of a more equitable code for dealing with matters of this kind in the future. I urge that it receive the serious consideration of the Congress.

PROCEDURAL IMPROVEMENT IN CONTEMPT CITATIONS

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. CURTIS. Mr. Speaker, I have joined today with my very able colleague from New York [Mr. Lindsay] in supporting legislation to provide for a declaratory judgment mechanism in connection with congressional contempt proceedings. I am very pleased that the gentleman has cosponsored an earlier proposal which I have offered to create special committees in both Houses of Congress for the handling of contempt situations. These two proposals would represent a great step forward in the way in which the Congress deals with the contumacy of witnesses appearing before its committees.

The provisions of the declaratory judgment bill would be highly beneficial in that they would permit the clarification of the very difficult issues that often underlie potential contempt situations without resort to the difficult quasi-criminal procedure surrounding an actual contempt citation. Often the underlying point in a contempt situation is lost by concentration on the contumacy of the witness and not on the issue upon which the refusal to testify or produce papers is based.

Quite recently we had before us the contempt citations offered against officials of the Port of New York Authority. It would have been far better had we been able to raise the issues of Federal-State relations that lay at the heart of the matter for consideration by a Federal court, through the declaratory judgment procedure, rather than using, as we did, the criminal contempt mechanism that was necessitated when a witness refused to produce the information requested by the committee.

This declaratory judgment procedure would be open only to the Congress and not to witnesses. It would serve as a means of expediting congressional action, and could not be used as a means to deter the proper functioning of the Congress or its committees. Further, the use of the declaratory judgment's mechanism is optional and need not be invoked. Of course, there will be many contempt situations that will not raise issues calling for immediate determination by the courts. However, many situations do arise where there is a need for a clarification of the underlying issue of contempt without concern for the fact that the witness has failed to divulge information.

Linking this with my earlier proposal to establish a special committee in both Houses of the Congress, to consider contempt situations, it would be the function of that committee, not only to make recommendations as to whether a contempt citation should issue, but whether the Congress should obtain from a court of the United States, a declaration of the legal relations between the Congress and the recalcitrant witness. The House of Congress concerned would then be free to act on the recommendations of the committee as it sees fit.

With the tremendous workload facing the Congress there is a great need for improving the procedures of the House of Representatives. These two proposals on which the gentleman from New York [Mr. Lindsay] and I have joined represent substantial steps forward in the field of contempt procedure, increasing both the speed and the skill with which the Congress can deal with contempt situations.

WOOL IMPORTS

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Cleveland] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, the latest wool textile import figures have just become available. They make ominous reading against a background of plant closings and partial shutdowns.

It seems ironic to me that President Kennedy can find the time to go to Europe, to bask in the plaudits of friendly throngs, but he still cannot find time to do something about wool imports as he has promised now for upwards of 2 years. It would appear that cheers in Europe are more important to Mr. Kennedy than jobs in the United States.

Mr. Speaker, I might not comment on this matter of protecting jobs in the wool industry at this time were it not for severe attacks recently leveled against me by the Democratic Governor of my State of New Hampshire. My Governor criticized me for voting against additional appropriations for the ARA. In the course of his remarks, Governor King stated that the additional funds would create an estimated 191 jobs in New Hampshire. He accused me of turning my back on the unemployed.

When I think of the possibility of losing 14,000 jobs in wool manufacturing which we already have and contrast this with the possibility of 191 speculated jobs, Mr. Speaker, I cannot remain silent.

Paid workers for the ARA—Democratic hatchetmen—are circulating through my district, questioning votes against the ARA and the alleged loss of 191 new jobs. But, what is the Democratic Party doing to protect 14,000 jobs in the wool industry? These are jobs we already have. Whole communities depend on them. The rapidly increasing wool imports directly threaten them. As I have already pointed out on the floor of the House, plant closings and shutdowns have been mounting steadily, but nothing is being done.

Mr. Speaker, the latest figures show that wool imports continue to increase. A report prepared by Daniel B. Gordon, director of research for the Northern Textile Association, follows:

U.S. imports of wool manufacturers continued to set alltime records in April 1963. General imports during that month totaled 14,800,000 square yards equivalent, an alltime April high.

Imports during the first 4 months of 1963 totaled 50,200,000 square yards equivalent, 41 percent more than the 35,700,000 square yards equivalent imported during the first 4 months last year. A breakdown of major segments is shown below:

	Million square yards		Percent change
	January–April 1962	January–April 1963	
Top and yarn	11.5	14.4	+25
Fabric	17.9	27.3	+53
Woven apparel	1.8	1.6	−11
Knit goods and all other	4.5	6.8	+51
Total	35.7	50.2	+41

Following is a breakdown by country of January–April imports for 1962 and 1963.

	Million square yards		Percent change
	January–April 1962	January–April 1963	
United Kingdom	8.3	7.1	−14
Japan	8.6	13.4	+56
Italy	10.1	16.2	+60
All other	8.7	13.5	+55
Total	35.7	50.2	+41

The total for the 12-month period ending April 1963 is 165 million square yards equivalent, the 11th straight 12-month record high.

MR. RUDOLPH FAUPL

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. AYRES] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. AYRES. Mr. Speaker, the U.S. workers delegate to the International Labor Organization Conference for 1963 was Mr. Rudolph Faupl. Aside from being the U.S. workers' delegate, Mr. Faupl was the workers' vice president of the 47th session.

Mr. Faupl was occupying the chair when the delegate from South Africa addressed the Conference. It was at this point that the African Nations put on a demonstration against South Africa being represented. Mr. Faupl handled himself admirably and gained the respect of the Conference for his fair but firm decision.

The following is the address delivered by Mr. Faupl to the Conference:

ADDRESS BY RUDOLPH FAUPL, U.S. WORKERS' DELEGATE TO THE 47TH ANNUAL CONFERENCE OF THE INTERNATIONAL LABOR ORGANIZATION GENEVA, SWITZERLAND, JUNE 1963

Mr. President, first I want to take this opportunity to express to you my personal appreciation—and I know I speak for all of the other officers of the Conference and, indeed, for all the delegates—for your willingness to accept the presidency of this Conference under such trying circumstances.

None of us could have foreseen when we met here a few days ago, the events which were to confront us. Certainly, I had no idea when the Workers' members of the Conference conferred on me the high honor of their designation as vice president of the Conference that I would be called to preside over the Conference under unprecedented circumstances. I should like, if I may, Mr. President, to repeat briefly some of the things I said at that time in the light of all that has happened since then.

First and foremost, Mr. President and delegates to this Conference, with every fiber of my being I abhor and detest racial discrimination in every form and wherever it may exist. During my entire adult life I have been associated with the American trade union movement which is dedicated to the principle that human rights must be universal. We know that in our own country the fundamental right to equality of opportunity and freedom from racial discrimination and segregation has not yet been established for all of our citizens. The American trade unions say: Men must be free and equal everywhere. Discrimination must be wiped out whether its victims are Negroes in Alabama, Jews in Moscow, or Africans in the so-called Republic of South Africa.

Apartheid in South Africa is not only a crime against the Africans against whom it is directed, it is not only contrary to the fundamental principles of the ILO and to the Declaration of Human Rights of the United Nations, but it is an affront against all humanity which must be eliminated by every and any legal means which is available. And I say that as long as racial persecution is the avowed policy of the Government of South Africa, that Government has no place either in this organization or in the United Nations. Therefore, I support wholeheartedly the efforts which are being made in this Conference to utilize legal and constitutional means to exclude South Africa from the ILO, the United Nations and every other international organization until it abandons its infamous apartheid policy.

In the United States, we have made substantial progress toward wiping out racial inequality, but we recognize that much still remains to be done. That is why in our American trade unions, white and Negro workers stand shoulder to shoulder in the continuing struggle—which we are winning every day—to remove from our land the injustice of racial discrimination and segregation. We are strengthened by the knowledge that in this struggle are engaged the overwhelming majority of the American people and the Government of our Nation.

Mr. President, this Conference has demonstrated that the fundamental institutions of this Organization cannot be taken for granted. They must be strengthened and they must be defended. For me, the most important of these institutions is the tripartite structure of the ILO. Therefore, I regret that the Director General's report does not evidence full appreciation of the role of tripartitism in the ILO.

What concerns me is that nowhere does the report really discuss the tripartite idea itself. What are the strengths of tripartitism in the ILO and what are its weaknesses? What are the most effective forms of tripartite participation? How can the tripartite principle be applied in the newer fields of ILO activity such as technical assistance? What is the relationship of freedom of association for workers' and employers' organizations within member countries to genuine tripartite representation in the ILO? These are basic questions which must be considered if we wish to maintain a continuing and effective tripartite structure in the ILO.

Mr. President, the continuing role of employers' and workers' organizations in the ILO is at stake in several important proposals in the report.

Let me turn first to the proposals for dealing with industrial problems. Based on my own firsthand knowledge and experience, I am firmly convinced that participation in the industrial committees of representatives of workers' and employers' organizations with a direct knowledge and interest in industrial problems has given a realistic direction to ILO activities which would have been impossible without such grassroots participation.

Therefore, I find it difficult to understand why at this very time when rapid technological change could render the industrial committees more useful than ever before, it is proposed that this essential ILO activity should be pared down.

The report also shows a lack of understanding of tripartitism in its treatment of workers' education. This is a phase of the ILO's program the free trade unions first proposed and have subsequently vigorously supported. The function of this program is fundamentally one of helping the trade unions to develop their own workers' education activities.

The report proposes that the ILO should no longer "limit itself to merely supporting activities determined by other organizations." It is suggested instead that the ILO, without consulting the trade unions or cooperating with them, attempt to "train" trade union leaders in their basic responsibilities.

Mr. President, I regard as highly unsound and dangerous the idea that somehow the ILO can take over from the trade unions the fundamental control of workers' education. Certainly it is not the ILO's job to inculcate among trade unionists the ideas of its "experts" regarding such highly controversial questions as the trade union's role in society, the proper relationship between trade unions and the government or the fundamental functions of the trade union itself.

The ILO can make a significant contribution in the field of workers' education without straying beyond its legitimate function. The ILO should not attempt to carry on workers' education programs independent of the trade unions. Instead, it should work with and through free and independent trade unions and with the maximum possible assistance from the international free trade union movement.

I stress that only free and independent trade unions can advance the workers' welfare. This principle has been set forth in many an important ILO pronouncement. Unfortunately, however, not only do we still have the so-called "trade unions" in Communist and other totalitarian countries completely tied to the ruling political group but we also see increasing government domination and control of trade unions in some other countries.

Mr. President, I refuse to believe that the ILO could not be more effective than it has been in bringing the governments of such countries to a better understanding of the need for free and democratic trade unions, independent of government or employer domination and control.

At last year's conference I proposed that the ILO establish a technical assistance program in the field of human rights. Such a program could point the way toward government encouragement to organization of trade unions without attempts to control them. It could also give invaluable help in establishing and maintaining other basic human rights such as freedom from forced labor.

The report states that because human rights should infuse all the ILO's activities, no specific program is needed. I cannot accept this objection. Advancement of human rights by the ILO must be given specific content and effective direction. Therefore, I urge again that the ILO undertake as soon as possible the specific task of helping member countries to adopt laws and practices which would assure full implementation of the fundamental principles of human rights the ILO has promulgated.

Mr. President, there are many other subjects in the Director General's report which struck me as highly significant. Let me briefly mention a few.

This report should lay to rest once and for all the highly erroneous idea that the ILO's task in the field of standard-setting is over. The report makes it crystal clear how much still remains to be done in modernization of old standards and development of new ones. I say with the Director General: Let's get on with this important job.

I agree with most of the report's conclusions regarding the role and functions of the annual conference. I do, however, strongly object to the proposal for setting up an "independent judicial body" to largely replace the credentials committee elected by the delegates.

Mr. President, I deeply regret that the report reflects an unrealistic view of the role of Communist and other totalitarian countries in the Organization. It may be that representatives of such countries and of the free democratic countries must sit side by side in the ILO but that does not alter for a moment the vast chasm between oppression and tyranny in the Communist world and freedom and human rights in the democratic countries. These fundamental differences cannot be wished away.

At its very beginning, the report implies that the countries of the Soviet bloc, after resuming ILO membership in 1954, accepted the "principle of the rule of law." It is asserted that as a consequence, debate within the Organization "is now focused more upon different approaches to the labor and social problems confronting the ILO and less upon political or procedural issues of representation within the ILO."

Unfortunately, neither assertion is accurate. The Soviet bloc has not accepted the principle of the rule of law. Many delegates to this Conference know from their own bitter experience that these countries have done everything possible to frustrate the work of the Organization. They have forced the ILO to focus on all sorts of phony political and procedural questions to the detriment of seeking solutions to the urgent issues genuinely within ILO's field of competence.

Mr. President, when this Conference is over, the governing body, with the cooperation of the Director General, will have the responsibility of analyzing the many suggestions that will have been made and of formulating specific recommendations for the consideration of next year's Conference. Whatever proposals for changes may be advanced, there must be no compromise with the basic principles of the ILO.

In the future as in the past, it will be our job to defend and make secure the basic rights and the welfare of workers all over the world. Surely the ILO could undertake no nobler task.

Mr. Faupl's remarks were well received and I believe particular attention should be given to this paragraph:

Mr. President, I deeply regret that the report reflects an unrealistic view of the role of Communist and other totalitarian countries in the Organization. It may be that representatives of such countries and of the free democratic countries must sit side by side in the ILO but that does not alter for a moment the vast chasm between oppression and tyranny in the Communist world and freedom and human rights in the democratic countries. These fundamental differences cannot be wished away.

Since Mr. Faupl was the Workers' Vice President of the session he chose to make a closing speech to the Conference which follows:

CLOSING SPEECH BY RUDOLPH FAUPL, WORKERS' VICE PRESIDENT OF THE 47TH SESSION OF THE INTERNATIONAL LABOR CONFERENCE, GENEVA, SWITZERLAND, JUNE 1963

Mr. President, as I take the rostrum to make a closing statement to this 47th session of the International Labor Conference, I feel that expression of the customary sentiments, however sincere, would be inappropriate in the light of all that has happened during the past few weeks.

This Conference has tested the strength and purpose and the fundamental principles of the ILO. I am happy to see that this Organization has stood up to the test.

We have not foundered. Neither have we betrayed the basic precepts of social justice, freedom and dignity which are at the very core of the ILO.

Each of us here present at this Conference has been met with a challenge, a challenge to the very existence of this Organization. We have met this challenge and the ILO has been strengthened by the course that you, the delegates to this Conference—worker, employer, and government alike—have chosen. In the words of the Director General, we have not run away from the battle.

The actions this Conference has taken will establish, or lay the groundwork for establishing, new standards in important fields which will bring greater security and better health and safety to millions of workers all over the world.

The decisions we have taken for adoption of these international instruments lend concrete support to the conviction of the workers' group that the standard-setting activities of the ILO have not diminished in importance. To the contrary, in today's rapidly changing world this phase of the ILO's program can be and should be of greater significance than ever before.

It is fitting that in this year when the eyes of the world are focused on the struggle to achieve racial equality in many different parts of the globe, this Conference has sought to appraise the effects thus far of the international instruments against discrimination in employment adopted just 5 years ago. We have seen that progress has been made; but in my own country and in many others including the Communist countries which claim to have eliminated racial discrimination, equality of opportunity is not yet assured. This stock-taking has been worthwhile if only to point the way to the job that still remains to be done to end racial discrimination wherever it may still exist.

The report of the Director General placed before us gave rise to a very useful discussion of some of the fundamental problems and issues we face in the ILO. That report was not meant to give definitive answers and it did not.

As I indicated in my own comments on it, there were parts of the report with which I personally disagreed. But I do feel that the report and the discussion which has taken place on it have been constructive. They should help to lay the basis for insuring that the Organization will continue to be attuned to the needs and aspirations of workers.

Of course, we all know that the picture is not all bright. Nobody could be more conscious of the critical problems we face than I. Although I regretted very much the decision of our African colleagues to leave the Conference, I felt—and I still feel—that this Organization can survive only if it continues to adhere to fundamental legal and constitutional means. The end never justifies the means if the means themselves are not worthy.

Now we must look to the future. We must find constitutional methods for excluding from our ranks those who deliberately, and as a matter of policy, flout the principles of human rights the ILO espouses.

I for one never doubted the justice of the objectives sought by our African colleagues when they decided to leave this Conference. I want to join with them in seeking lawful means to accomplish those objectives.

It is my belief that Africa needs the ILO, but it is just as true that the ILO needs Africa. This temporary rift based on honest differences of opinion must be healed as quickly as possible.

We must all get on with the historic task of the ILO of improving the welfare and ensuring the freedom of workers all over the world. It is my fundamental conviction that these objectives can best be attained by strengthening in every way possible the tripartite structure of this Organization.

I could not close these remarks, Mr. President, without expressing to you my appreciation and gratitude for the selfless way in which you took up the reins of this Conference at its most critical moment. I know I speak for all the worker delegates in saying: Thanks for a job well done. By bringing this Conference through to a successful conclusion under the most difficult circumstances you have made a lasting contribution to the ILO we shall long remember.

You will note, Mr. Speaker, that the views expressed by all of our delegates, whether they be workers, employers or Government, are very similar. It is my hope that after the congressional review is completed that means will be found to strengthen the ILO along the lines of its original purpose.

I wish to thank you, Mr. Speaker, for having designated me as an adviser. I also wish to take this opportunity to thank our conference's senior adviser, Hon. Roger W. Tubby, who is the U.S. representative to the U.S. Mission to the European Office of the United Nations and other international organizations for the many courtesies he and Mrs. Tubby extended to the delegation.

TAX REVISION PROGRAM

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. BELL. Mr. Speaker, certain to be the single most important legislative matter before Congress this session is the much-discussed tax revision program.

Current tax rates fixed at wartime levels have outlived their intended purpose. Near confiscatory rates were imposed to limit dollars in consumers' hands. In this way, consumers were unable to chase after and drive prices upward on goods in scarce supply. Thus, it was believed, inflation might be avoided.

Today the need for tax rate revisions is laid at many doors. Couched in velvet terms, it is described as an "economic stimulant." More harshly, it is recognized as an antirecession measure. At the heart of the issue is the attempt to solve the continuing unemployment problem by increasing consumer spending and investment.

Centers of controversy swirl over whether the tax cuts should be primarily aimed at encouraging capital formation to launch a new wave of risk-taking and job-creating investments, or whether emphasis should be directed to cutting taxes of those with lower and middle incomes in order to stimulate individual consumer spending. Final compromise is almost certain to encompass both.

Threatened addition of $8.8 billion in fiscal 1963 to the near-overwhelming Federal debt poses the greatest obstacle to enactment of this legislation. If tax cuts are to be passed, nonessential new spending programs must be more carefully reviewed. Government expenditures must be brought under control.

With present deficits soon to be under our belts and with new, huge deficits already forecast for next year, the issue of Federal indebtedness looms large and bold.

Enactment of the proposed tax program will cause a $10.5 billion net revenue loss. Some doubt has been voiced over the Government's ability to absorb this large indebtedness.

From among recent comments appearing in the press, I have selected the following cross section of viewpoints which I am hopeful will be as valuable to others as it has been to me.

[From Newsweek]

How To Help the Poor

(By Henry Hazlitt)

On the argument that it will put zip in the economy and reduce or wipe out unemployment, the President and his advisers are planning to increase spending and cut taxes, and so bring about a budget deficit for the next fiscal year of some $12 billion. On the argument that it will help the little fellow, as well as increase mass purchasing power, the biggest tax slashes are to be made on incomes of $3,000 or less and the smallest percentage cuts on the largest incomes. As, in addition, nearly a million low-bracket taxpayers are to be removed from the tax rolls altogether, the net effect will be to increase tax discrimination against those who earn the higher incomes.

Let us assume that neither of these proposals is designed for mere vote catching, but is made with perfect sincerity. It is nonetheless true that both of them rest on flagrant economic fallacies. Budget deficits would hurt, not help, workers and people with low incomes. Punitive taxation on people with higher incomes, and limitation or disallowance of honest deductions (stigmatized as loopholes) must also hurt, not help, workers with low incomes.

INFLATION IS A TAX

Cutting taxes on low incomes, at the cost of a huge budget deficit, will not increase the purchasing power of low-income groups. For if the deficit is financed by borrowing from the banks and increasing the money supply (as it almost inevitably will be), it will create inflation. It will drive up prices. And the higher prices will eat up any increase in nominal dollar purchasing power. The lower income groups will not be able to buy any more with their increased supply of depreciated dollars than they could with fewer but better dollars. Their increased purchasing power will fade away.

Equally fallacious is the idea that budget deficits create prosperity and increase employment. They do mean inflation. They do raise prices. But they can increase employment only to the extent that they lower real wages, that is, only to the extent that the rise in prices is not offset by an equal or greater increase in wage rates. Any prosperity brought by inflation is at best evanescent. It can be kept going only by greater and greater doses of inflation.

The belief that deficits cure unemployment got a crushing refutation in the 1930's, when for 10 years an average annual deficit equivalent to $19.7 billion today (as a percentage of GNP) was accompanied by average unemployment of 18.6 percent of the labor force.

DON'T PUNISH SUCCESS

Punitive taxation of corporations and of high-income earners also hurts workers and low-income earners. For whatever hurts profits and capital accumulation, whatever discourages saving and investment, means fewer jobs, makes labor less productive, and makes real wages lower than they otherwise would be. Again and again in the last year the administration has deplored whatever hurts "initiative, risktaking, and effort." But its spending and tax recommendations bear little relation to this verbal concern.

A program that would truly help workers and other low-income groups would be almost the exact opposite of the one the administration is proposing. It would slash spending enough to balance the budget at present revenue levels. For it would recognize that all expenditures have to be paid in one way or another; that a deficit is paid for by inflation; and that inflation is a peculiarly vicious form of tax, falling most heavily on workers.

A program truly designed to help wage-earners would terminate the punitive tax rates on high incomes. It would slash such rates immediately to a top level of 50 percent, on the ground that anything above that is prima facie confiscatory and a profound discouragement to initative, effort, risktaking, capital accumulation, saving, and the investment that increases employment, productivity, and real wages. For the same reason it would mitigate estate taxes, capital gains taxes, and double taxation of dividends.

In brief, it would halt all punitive policies and approve a tax program to maximize production.

[From the Wall Street Journal]

The President's Dire Warning

It was a remarkable warning to come from anyone, let alone the President of the United States: Downturn and disaster await the American economy if Congress rejects the proposed tax reductions, cuts the budget, and tries to hold down the national debt.

The thinking behind this dire prediction, as developed by Mr. Kennedy in the text of a speech yesterday, is no less remarkable.

It seems that back in 1957 the Republican administration and Democratic Congress took a tragically wrong turn; they decided to keep the debt limit unrealistically low, to tighten monetary policy and to reject all efforts at tax reduction. "The harsh results of those decisions," says the President, "are still with us"—in a word, slower economic growth.

Most Americans, whose economic lot is far from harsh, may question this reading of their condition. They might also think the past 5 years, or any such span, is a somewhat brief period on which to base a warning of economic catastrophe. And they might be disturbed at the implications of this analysis.

One implication is that this economy must be made to grow furiously, at a predetermined rate, year after year. No economy can do that indefinitely; the stimulus of Government inflation has always worn out, explosively or otherwise. The relative mildness of recent recessions is tribute to the ability of the American economy to keep booms from getting out of hand and thus soften the recurring pauses.

What makes the economy pause or expand at any given time is not wholly the result of Government policies, important as they have grown. It is the result of a whole complex of conditions, including whether consumers generally find their current needs well taken care of. The theory of growth without pause is in effect an argument that consumers and businesses should constantly and vastly increase their annual spending, no matter for what purpose.

If the Government could, as it believes it can, produce such a perpetual-motion growth, then the past 5 years would show it. Government policies have not been restrictive. Monetary policy has generally been one of ease. Fiscal policy has been what is called "expansionary," to put it mildly.

As the President said in his January budget message, the cumulative Federal deficits of the past 5 fiscal years total over $24 billion. Federal spending from fiscal 1957 through the estimated figure for 1964 reveals a rise of about $30 billion. According to Washington's theories, all that should have been a powerful economic stimulus. Yet Washington now complains that the economy has grown only moderately, falling short of its potential by about $30 billion.

Instead of admitting the possibility that something might be wrong with the theory, the Government argument amounts to this: For 30 years, not just 5, the deficit theory hasn't worked; therefore we must have much bigger spending and deficits and further aggravate the dollar's difficulties with tax cuts and still easier money.

To support his argument the President quotes De Tocqueville: "The great advantage of Americans consists in their being able to commit faults which they may afterward repair"—meaning in the present case that the Government must abandon restraint and plunge into a new flurry of activity.

For our part we are not so somber as the President about the economic future. But we will agree that "downturn and disaster" are possible if the country does not soon repair the Government's faulty economics.

[From the Washington Post]

Eisenhower's 1954 Slash Spurred Business: History Proves Tax Cut Values

(By Frank C. Porter)

President Kennedy's ambitious tax program bothers some Congressmen and laymen alike because it is based on an admittedly paradoxical premise: The United States can increase revenues by cutting taxes.

But this is neither economic sleight of hand nor fiscal fakery. It is no more an outrage against orthodoxy than the ageold business principle that an entrepreneur can often increase his profits by cutting prices.

Recent history has proved that it can work. When the Eisenhower administration cut taxes by $7 billion in 1954, Federal revenues regained their prior level a year later and rose another $7 billion in the subsequent 12 months.

Similarly, the Austrian Government cut taxes deeply four times since 1950, the latest reduction coming only last year. In the first three instances, at least, tax receipts quickly reached and surpassed the precut mark.

HIGH RATES A DRAG

Mr. Kennedy argues that the present tax structure was designed largely to finance war and contain inflation. With the impetus of war now removed and with the present oversupply of goods and services relative to demand, the President believes these high tax rates constitute a drag on the economy, particularly during expansion, when taxes drain 30 cents of every new dollar out of the economy's private sector.

The administration would stimulate the flow of funds back into the private sector by cutting corporate and individual income taxes $13.6 billion over the next 3 years. The revenue loss would be partially offset by structural reforms in the tax laws which would add $3.3 billion in new receipts.

Individual tax cuts would put more money in the hands of consumers and thus increase the demand for goods and services, according to Government economists. This in turn would create new jobs, soak up unused manufacturing capacity, improve profit margins through a reduction in unit costs, lead to outlays for new plant and equipment, and stimulate investment.

SPUR TO INVESTMENT

Corporate tax cuts would also improve profit margins and stimulate investment, encouraging more risktaking and providing more jobs.

According to fiscal experts, the $10.3 billion net tax reduction over 3 years would have a disproportionate stimulus through the "multiplier" effect. In other words, each dollar thus released would do the work of two or three as it is spent by successive consumers or firms.

Hence this stimulus, they explain, would help to reduce unemployment, now 6.8 percent of the labor force, to the administration's interim goal of 4 percent, and would narrow the $30 to $40 billion gap between the Nation's present annual output of goods and services and its potential.

This stepup in production would, in turn, result eventually in a higher total of tax revenues even at the lower rates, the Government believes.

NOT EXPECTED AT ONCE

But it is under no illusion that this change will come overnight. Treasury Secretary C. Douglas Dillon, in fact, sees little chance of a balanced budget before fiscal 1967.

It is in this area that some of the most vociferous opposition to the Kennedy program is generated. Because of the long lag between cuts and substantially increased revenues, the administration expects a budget deficit of $11.8 billion for fiscal 1964 on top of an anticipated $8.8 billion loss in the present year.

This brings cries of "fiscal irresponsibility" from conservatives inside and outside Congress. Tax cuts are indeed necessary, they concede, but they should be carried out within the framework of a balanced budget. Republicans point out that this is precisely what was done when they controlled Congress in 1954.

The administration has a three-pronged rebuttal. First, it insists it has made an effort to limit spending, holding the total of all outlays other than for defense, space, and interest payments in the proposed 1964 budget below the preceding year's level. Second, there is a statutory limit to spending cutbacks because most outlays have been authorized in prior years. And lastly, tailoring spending to revenue receipts would be self-defeating; only by deficit spending can the necessary funds be pumped out of the public into the private sector.

The opposition gives these arguments short shrift. Aside from the highly emotional protest that deficits in themselves are morally wrong, the contention is that indefinite deficits can't help but weaken the value of the dollar in the long run despite today's comparative price stability.

ANSWERING ARGUMENT

But deficits are not the only argument marshaled against the President's program. There is a growing sentiment among both liberal and conservative critics that the planned cuts are (a) too late, (b) too small to be effective, and (c) spread over too long a period.

In the first year, for example, they insist the projected net loss in revenues of $2.7 billion is too small to do much good, particularly when offset by more than $2 billion drained out of the private sector by increased social security taxes.

An even more serious challenge is posed by the controversial nature of the President's proposals for structural tax reforms. Most of these are designed to eliminate hardships or special privileges. Various pressure groups can be expected to make a spirited fight to preserve the latter category.

But the biggest single reform, accounting for $2.3 billion of the $3.3 billion in added receipts anticipated from structural reforms, is frankly conceived as a revenue-raising measure. This is the 5-percent floor under itemized deductions. And since it affects some 24 million tax returns, it will probably stir up more grassroots opposition to the program than any other single measure.

DILLON'S WARNING

There is some indication that the administration may be willing to jettison tax reform in this session of Congress if a fight over reform holds up the pressing matter of tax reduction. But Secretary Dillon has warned that elimination of revenue-producing reforms will necessitate scaling down the tax cuts by a proportionate amount.

At any rate, the program faces a stormy congressional battle stretching out for many months and possibly even into next year. And most of the contention will be based on these three arguments:

The program would be too costly in terms of deficit financing.

It would fail to accomplish what it is designed to do.

The President's proposed reforms are inequitable or would be such a drag on tax reduction itself that they should be postponed to a later session of Congress.

[From the Christian Science Monitor]

TAX CUT: THE REAL REASON

Tax reduction—if it is to be accomplished—is going to have to thread its way through a formidable maze of misconceptions.

It has, unfortunately, been advocated for a number of wrong reasons; and the real reason for it takes a bit of explanation.

First, the case for tax reduction got off on the wrong foot because it was hitched by some advocates to a theory that budget deficits are per se a good thing.

This was appealing last year when the United States seemed teetering on the edge of a recession. Employment still is not what it should be and business activity is not in a boom, but the Wall Street Journal reports that "corporate profits hit a record peacetime pace in late 1962." So there is no apparent urgency about preventing a tailspin.

Furthermore, President Kennedy explicitly rejected the "deficits for deficits' sake" thesis when he told the Economic Club of New York in December that, "If the Government is to retain the confidence of the people, it must not spend a penny more than can be justified on the grounds of national need and spent with maximum efficiency," and that there ought to be what WILBUR MILLS, chairman of House Ways and Means Committee, calls "increased control of the rises in expenditures."

LOW-BRACKET VERSUS HIGH-BRACKET CUTS

But hardly had the Chief Executive submitted his tax message to Congress on January 24 before controversy began over whether the proposed rate cuts should be made chiefly to leave more purchasing power in circulation at the low-income, consumer end of the scale or be aimed at restoring incentive for risk investment in the high-income brackets.

To be sure, Mr. Kennedy had talked in his state of the Union message about the desirability of "the greatest increase going to our low-income consumers." But he spoke there also of encouraging "the initiative and risk-taking on which our free enterprise system depends."

The two types of cuts are not mutually exclusive. What the Treasury Department proposes is that over a period of 3 years, by annual stages, the minimum personal income tax rate be reduced from 20 to 14 percent and that other rates be reduced correspondingly (that is, by about three-tenths) all the way up the graduated scale to 65 percent in place of the present 91 percent maximum.

From the fact that there are many thousands more taxpayers in the lower brackets than there are in the higher ones, the effect of this is to sacrifice more revenue (leave more purchasing or investing power in circulation) among small taxpayers, in the aggregate, than among large ones.

Even this is not going to make small taxpayers wealthy, nor cause many rich ones to buy yachts. Assuming the full effect of the proposed program, a man and wife earning $5,000 a year, with two children would save $65 a year out of a present tax liability of $300. A man with $50,000 a year income would save more dollars but a smaller percentage of his bill.

MUCH OF SAVINGS WILL GO TO PAY DEBTS

Various small polls indicate that the first thing many small taxpayers think of, if they get such a saving, is to pay off some of their debts. After that they may do some increased buying; they probably will whether they are conscious of it or not. Or they may fool themselves by going into additional debt if a few dollars off the withholding tax lets them feel more able to meet a washing machine installment. They borrowed roughly an additional $500 million each of the last 2 months of 1962, mostly in buying new cars.

So there is some reason to believe that a large proportion of the several billion dollars of low bracket tax savings will actually be spent and that some of it may have a multiplied effect. Or if some of it is used to pay off debts, that releases capital for other uses.

A businessman whose most immediate need is to raise capital to modernize his plant will hardly be averse to having people buy more of his product; for by that he may either make enough to buy machinery or convince a banker that his business warrants it.

On the other hand, if consumers were the only beneficiaries and there were no release of investment money to increase production, they would find their windfall absorbed in a rise of prices, since more money chasing a static supply of goods would cause inflation.

Actually, considerable reequipment money has already become available to American industry through more liberal depreciation allowances last year and before. In addition, it cannot be said that consumer money and investment money move in watertight compartments in the American economy. If one or the other is in excess or undersupply, more capital can be raised from small savers or more consumer goods can be designed for millionaires.

REASONABLE BALANCE A POLITICAL NECESSITY

The debate between those who see only one set of needs and begrudge any relief to another area of the economy is unfortunate. Labor spokesmen should not so resent an easing of levies on wealth that they belittle benefits to workers. And business leaders should not ignore substantial increases of incentive that are in the plan.

Politically the only way to get relief at either level or in either area is to provide it in both. And this is probably also the most effective way as a matter of economics.

For what is involved here is not a doctrinaire panacea nor a spigot that can be turned on more than once. The essential consideration is to revise a tax system that, because it was tailored to wartime demands, takes more out of the economy than it should for optimum growth whenever the peacetime economy really gets rolling.

Fortune magazine, in connection with an article, "The Real Case for a Tax Cut," by Max Ways, stated the indictment this way: "The bite that taxes take from the economy grows faster than the economy mainly because the individual income tax is so steeply graded."

Every year, Mr. Ways explained, "more and more Americans are escalated into higher tax brackets." This escalation becomes speeded up in prosperous years. And in business, once the breakeven point is passed, corporate taxes bite rapidly into profits.

This, in the opinion of a predominant and growing number of economists, is why repeated incipient rises in American industrial activity have been stifled and turned into recessions just when they were beginning to achieve a desirable rate of economic growth. This was also at a point where they were producing important revenues.

CHANGE IN MECHANISM IS BASICALLY NEEDED

This, then, is the key reason why the United States should have a tax cut: Not simply to produce a deficit. Not to give the economy "a shot in the arm." Not to put more money in the hands either of consumers or of investors alone. But to lift a ceiling on economic growth that becomes oppressive just when the problems of employment and plant utilization are beginning to be licked. Or using another figure of speech, to cut down the volume of a sluice that draws off too much of both purchasing power and investment savings at a level where these could generate more business for the country and more revenue for the Treasury.

It is noteworthy that in hearings before the Senate-House Economic Committee, Arthur F. Burns, formerly chief economic adviser to President Eisenhower, did not contest the general desirability of tax reduction. He deplored a prospect of years of continuing deficits and he advocated more relief for middle and upper brackets to spur investment; but he concurred in the proposition that the system needs revision.

Treasury Secretary C. Douglas Dillon put it this way: "By increasing the reward for effort, enterprise, risk taking, and investment the program will strengthen individual initiative and stimulate investment, thus propelling our economy toward a faster rate of growth and a stronger future. It will add billions of dollars to our gross national product, provide jobs * * * and brighten prospects for * * * job security."

This is a large claim, but made by a man of financial experience.

[From the Washington Post]

THE PRESIDENT'S TAX PROPOSALS

(By Paul H. Douglas)

Congress and the public should support President Kennedy's proposals for tax cuts and tax revisions because they would stimulate the economy and make our tax system more equitable.

At the present time 5.8 percent of the labor force is fully unemployed. Unemployment has exceeded 5 percent in every month except one since 1957. It has averaged almost 6 percent for the past 5 years. When the full-time unemployment effect of those who work only part-time is taken into account, unemployment is now at least 7 percent.

This is an intolerable situation.

In addition, our idle industrial resources amounts to about 17 percent of capacity. Our sluggish rate of economic growth is considerably below our potential.

Furthermore, in periods of recovery or economic upswing, the present tax system tends to take a larger and larger share of the marginal increase in our economic growth. The tax structure prevents us from reaching full employment or the full use of our human and productive resources.

Therefore, the time to act has come.

MULTIPLIER EFFECT

To put the problem in economic terms, there is not enough purchasing power in the economy to buy the goods and services which our labor force and industry can produce at the prices charged.

There are at least two general ways to attack this problem. One of them, and perhaps the preferable one, is to reduce the prices charged to the level of monetary purchasing power. This could be done by an all-out attack on monopoly, semimonopoly, and administered prices, and the structural defects that prevent competition.

The second way to attack the problem is to increase the monetary purchasing power in the economy to the level of the prices that are charged. This is what a tax cut would do.

To put it simply, tax cuts would increase monetary purchasing power which in turn would put idle men to work on idle machines producing goods which would otherwise not be produced.

But the amount of purchasing power released would not merely be the size of the tax cut. It would be, in fact, from three to four times more than the tax cut. This effect can be called the multiplier effect which is the shorthand term for describing the increases in both consumption and investment arising from a tax cut to individuals.

The best estimates presented to the Joint Economic Committee are that an $8 billion personal tax cut would increase the gross national product by from $24 to $32 billion more than it would otherwise be.

In turn, the additional funds generated in the economy would themselves be taxed—at the new lower levels—and ultimately about one-fifth of the total increase in the gross national product would be returned to the Treasury.

Thus, an $8 billion tax cut with a multiplier of 3 to 4 times would increase the gross national product by $24 to $32 billion. Taxes at 20 percent would bring in added revenues of from $4.8 to $6.4 billion. The net cost of an $8 billion cut would be only from $1.6 to $3.2 billion.

An increase of these magnitudes in the gross national product would produce about 2 million new jobs.

The importance of the multiplier effect cannot be exaggerated and is the key to understanding how a tax cut would stimulate the economy.

CUTS NOT INFLATIONARY

All kinds of objections are raised against a tax cut. Here I will answer only the more general ones.

It is charged that tax cuts would be inflationary. With almost 6 percent full-time unemployment and 17 percent of our industrial capacity idle, such a charge is nonsense. At full employment, pumping monetary purchasing power into the economy would merely bid up prices. But at a time of excessive plant capacity and unemployment, added monetary purchasing power can put idle men to work on idle machines without appreciable price rise.

It is argued that we should not cut taxes until the cut is matched by a reduction in expenditures. Frankly, this policy would bring disaster. There are places where the budget can and should be cut. Because of the power of special interest groups, it will not be cut where it probably should be cut.

But if we were to try to balance the budget by cutting essential functions by $10 to $12 billion, this would have a reverse multiplier effect. The gross national product would be reduced by from $30 to $40 billion. But this expenditure cut would not bring a balanced budget. The deficit would increase by from $6 to $8 billion just from the drop in personal and corporate incomes which would be caused by the initial $10 billion cut in expenditures.

Under the depressed conditions that would be created, Budget Director Kermit Gordon estimated that it would take a cut of about $20 billion in Federal expenditures to bring a balanced budget next year. I agree with the general magnitude of his estimates. Such a cut would bring with it an intolerable rate of unemployment and depression conditions. It would be self-defeating and would bring chaos and catastrophe in its wake.

The tax reforms in the President's program are as important as the tax cuts, both to stimulate the economy and for equity reasons.

If the reforms are junked, I would favor the substitution of a program to increase the personal exemptions from say $600 to $800, or to cut taxes on the first $1,000 and $2,000 of income to a much greater degree than the President's program would do.

Otherwise, the proposed rate cuts, without the revisions, would lack both equity and adequate economic stimulus.

[From Business Week]

A POWERFUL ARGUMENT FOR TAX CUTS

The administration is proposing a tax cut of $13.5 billion, spread over the next 3 years. Of this, $6 billion is scheduled for 1963. "Selective structural changes"—the delicate way of referring to what is more often called "loophole closing"—eventually would recapture $3.5 billion of the total, giving a net tax cut of $10 billion.

These cuts would be made in spite of the fact that after making allowance for them the President forecasts a deficit of almost $12 billion in his administrative budget for the fiscal year ending June 30, 1964. They would be made on the theory that given the present tax structure the budget can never be balanced at acceptable levels of employment and production; that only by reducing the drag of taxes—even if that means incurring a larger short-term deficit—can we achieve the rate of economic growth that eventually will bring the national accounts into balance.

In arguing for these cuts, the President rested his case on the proposition that "a long-run problem compels a long-run solution." And he made it plain that the long-run problem is not just the constant threat of recession but the slow and faltering rate of economic growth that has cursed the U.S. economy at least since 1958.

As most economists already have agreed, this is a compelling argument. The stultifying effects of the present tax system have been demonstrated again and again in the past 5 years.

It also remains to be seen just what the President means by his "selective structural changes." One man's loophole is likely to be another man's sacred right, and an ill conceived program masquerading under the name of reform could easily frustrate most of the beneficial effects of a cut in rates—if it did not stalemate the whole legislative process.

The fact remains that President Kennedy has put his administration solidly behind a program of cuts that probably is as sweeping as anything Congress could be persuaded to consider. He has made a powerful argument in support of his proposals, and there is at least some reason for the cautious hope that his case will prevail. This alone is enough to make his message a landmark for the U.S. economy.

OUR NATIONAL ADMINISTRATION, A SEARCHING ANALYSIS OF THE ADMINISTRATION'S FAILURE TO DEAL EFFECTIVELY WITH DOMESTIC AND FOREIGN PROGRAMS

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHWENGEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, a responsible, mature voice from the Midwest spoke out strongly recently against the Kennedy administration. Alf M. Landon, running for no office, with no personal ax to grind, spoke to the Young Republican Club of Rockhurst College, Kansas City, Mo. His speech is a damaging indictment of the administration's failure in three key areas: unemployment, Cuba, and world leadership.

He reminds the President, as we Republicans in this House have reminded him frequently, that the way to a prosperous economy and decreased unemployment is not deficit spending and inflation but on expanding U.S. world trade based on a sound dollar.

Ex-Governor Landon's talk meets the high standard he has always set for partisan discussion of issues—that it be objective, not mere name calling. For this reason it becomes an important and constructive statement of Republican criticism which I heartily commend to the attention of my colleagues and the administration.

OUR NATIONAL ADMINISTRATION

(By Alf M. Landon, Young Republicans Club, Rockhurst College, Kansas City, Mo., May 2, 1963)

Partisan discussions of the great and complex domestic and international problems confronting us are essential to all Americans—provided they are approached in an objective way—instead of mere name calling. In that spirit, I am going to talk tonight about the three main points raised by the Democrats in the 1960 campaign against the Republicans. I'm going to present to you some of the hard facts in both domestic and foreign policies on those issues that are still with us—still unsolved—today: (1) Unemployment, (2) Cuba, (3) America's loss of prestige in the world at large.

There is something dead wrong in a country where the stock market is booming and employment depressed.

In the Democrat 87th Congress—with an overwhelming majority in both the National House of Representatives and the U.S. Senate—President Kennedy made one recommendation in his messages to the Congress aimed at substantially reducing unemployment. That was his recommendation for the Trade Expansion Act.

He stated his position on that highly important legislation on December 7, 1961, before the National Association of Manufacturers convention in New York. I advocated the same legislation the next day before the National Press Club. I do not mean to leave the inference that there was any understanding of any kind between us on that legislation. Our positions were arrived at entirely separately.

I did not conceive that legislation as having an immediate impact on our No. 1 domestic problem of unemployment. I believed then—and I believe now—that the only solution to our enormous industrial plants and productivity—as well as the size of our agricultural production—is to get into the world markets on a larger scale than we have heretofore found necessary.

The President was able to get this legislation through the Congress only with effective Republican support.

The complexities of the problems involved are going to take time and the efficient, active and energetic cooperation of both Government and business itself.

In his messages to the present Congress, Mr. Kennedy recommended again—as he did to the 87th Congress—a big program of medicare—Federal aid to public schools—and civil rights legislation—along with his fiscal policies to stimulate employment. The last Congress cut up Mr. Kennedy's recommendation for supply management by Government for agriculture. He did not renew in this Congress his recommendation for that farm legislation.

He got too much hay down.

This Congress—the 88th—was tied up for its first month or so by administration Senators—but not the party leaders—attempting to change the rules of the Senate for considering legislation in general.

My objection to our President's fiscal policy is that he's basing our national growth—our expansion—and our security—on a completely untried theory in a country of this size with its worldwide commitments.

I believe Mr. Kennedy made a great mistake in urging the fiscal policies of those economists who loosely follow Keynesian economic theories of increasing Government spending and who, at the same time, advocate the cutting of taxes to stimulate consumption and capital investment—thereby creating the greatest deficit in our history.

Mr. Kennedy proposed a $10 billion tax cut spread over 3 years.

In February, I raised the question regarding this recommendation:

"Will it really ease the citizens' tax load at a time when every State and locality is desperately seeking more revenue and would gladly fill any tax void created by the Federal Government? In considering this question, one must keep in mind that the demands upon the States and localities have been increasing and that they will increase all the more if inflation is the result of the new Federal policy."

The Tax Foundation last month estimated that State taxes alone will increase this year by approximately $1½ billion. When cities, counties, and school districts get through, there will be little left of the $2,007 million tax cut proposed by President Kennedy for the first year.

As a result, little will be left to pass on to individual citizens of the proposed $10 billion tax cut spread over 3 years, theoretically to stimulate our national economy. Instead will be a great increase in deficit spending, thereby creating a heavy pressure on the value of our American dollar. Already labor and the ADA wing of the Democrat Party are urging more spending and a bigger deficit.

That is a prime factor in the present rise of the stock market. Stocks are being bought as a hedge against the debasement of the American dollar by inflation rather than because of any great increase in business and profits.

Planned inflation by Government works differently on jobs. Fear of debasement of the American dollar is one of the big factors in joblessness. Soft money is not good for business planning and sound national growth.

That inflation, in turn, increases the drain on our gold supply in the financial and business markets of the world. That, in turn, will have an adverse effect on American business being able to take advantage of the President's Trade Expansion Act. As the value of the dollar continues its decline, uncertainty upsets business planning both at home and abroad.

The Democrat policies of spend and spend, tax and tax, elect and elect, work as far as winning elections is concerned. They did not work in the thirties as far as curing unemployment is concerned. Before the war boom, unemployment under Mr. Roosevelt was almost as great as when he started.

Deliberate planning of inflation by Government is entirely different from mild inflation over the years that accompanies national growth and expanding economy. No matter how neat and tidy the plans of economists and political scientists—there is always a next election. Their planning is upset—even if they were right—and they are always subject to mistakes, like all of us—by politics and the individual planning of millions.

Even in countries like Russia and China where there are no real elections—Communist plans of Marx and Lenin are being watered down to stimulate production by incentive motives for the individual.

In the United States of America—why not stick to the old tested workable fiscal policies—policies that are still successful in other countries—that are not myths. Why not concentrate on expanding world trade based on a sound dollar?

As is always the case, the Congress is being blamed for what is called its apathy toward our President's program for national growth.

Our country is in great need of decisive leadership. Instead, we are being offered confusion with economic policies bewildering in theory—that did not work to the extent that they were tried during Mr. Roosevelt's administration.

Whenever there is a lack of effective leadership in the White House on legislation, the Congress is always blamed. We already have one political scientist advocating a rubber-stamp Congress by concentrating more powers in the hands of the executive branch of our Government. By and large, his theory is that there is a Presidential party and opposition in both parties, making four parties in Congress instead of two. He divides loosely the Democrats into liberal and conservative, and the Republicans into liberal and conservative—whatever that means.

As a matter of fact, there are four blocs in the Democratic Party. The dominant bloc is labor. The next is the southern agrarian bloc. Then there are the urban bloc and the ADA wing. Labor, urban, and ADA are more or less meshed together on a number of policies. There is still among them, however, a sharp difference on other matters.

The Republican Party is really the only homogenous party in the Congress.

The grand old terms "liberal" and "conservative," have been so much abused of recent use that they've lost much of their meaning. I can remember when the liberals were the ones who opposed national prohibition.

The President was able to organize all four blocs successfully in his campaign. It is a horse of a different color when it becomes a matter of hitching them up to pull together on legislation in the Congress.

Another political scientist is predicting that it is only a question of time until all 50 States will fade out of any position of responsibility and authority—that they will all be concentrated in the executive branch of the Government in Washington. That could probably occur if both Congress and State governments are continually weakened by the growth of Executive power concentrated in the White House.

Let me point out that this 88th Congress is simply being criticized for refusing to pass legislation recommended by the President that the preceding 87th Congress refused to pass. And there has been an election in between. Therefore, it must be evident that this Congress is representing the thinking and the philosophy and the convictions of the people in their districts and their States.

Congress is even being criticized by political theorists, in a hurry—for being so parochial as to represent the thinking of their districts. That's what we elect them for. That's why we want them to come around and shake our hands every 2 years and ask us for our votes.

I emphatically disagree with General Eisenhower's suggestion that Congressmen's terms should be limited to 12 years. Once a Congressman learns the ropes and the rules and the parliamentary procedure, his value to his district increases. The same is true of a Senator. If democracy means anything, it is up to people in their districts and States to decide when to retire them.

I have believed for a long time that we might consider lengthening the terms of our national representatives to 4 years. That's not too long a term to get them out of touch with the thinking of their districts. It relieves national representatives of the expense of a biennial campaign and gives them more time for the highly responsible duties of their office.

I can remember some years ago when the Congress was not acting as fast and as neat and as tidy as political scientists like—when it was proposed that we should adopt the parliamentary government in America in order to bring more unity and party discipline. With a parliamentary government, Canada has had four general elections in the last 6 years.

The great model of those yakking away for a parliamentary system is Great Britain. Ironically, since 1952, that model of parliamentary efficiency—where the executive branch and the legislative leadership are one and the same—has been widely charged as a do-nothing government.

One simple way to restore party discipline in the Congress and in the States would be for the States to repeal what is known as the Massachusetts ballot. Up until about 50 years ago, it was possible to vote in all States a straight party ticket by making a cross at the head of the column. That covered all the candidates.

Then Massachusetts adopted a ballot on which the candidates' names were arranged according to the office they were running for. A citizen had to vote for his choices separately. That encouraged split voting and weakened party organizations and party responsibility. I believed in the Massachusetts ballot then as an intelligent approach to voting—and I believe in it now. But if these political scientists and pundits want to correct the failure of Congress to rubberstamp a President's proposal—a very simple way would be—as I say—to facilitate partisan voting instead of nonpartisan.

Now to point No. 2—Cuba—and point No. 3 of the 1960 Democrat campaign.

The question is being raised by Democrats and Republicans alike as to whether we have a Cuban policy and, if we do, what is it.

That question really is tied up with point No. 3—America's prestige in the world. Therefore, I will cover both of them together.

Cuba, the Western Hemisphere, Laos, Europe, Moscow, Peiping—all are tied up in one package. If the string is broken, alarm bells will ring in every foreign office in every country in the world.

There is uncertainty over the successor to Chancellor Konrad Adenauer in West Germany—the impending English election—and the rejection of President Kennedy's grand design for Europe's economic and political future by President de Gaulle, of France.

It is evident that America no longer has the prestige that it had to exercise its leadership in European affairs.

Cuba must be dealt with not only in context with Western Hemisphere conditions, but the world at large.

Europe must be dealt with not only as Europe, but for its impact on real, dangerous conditions in all the world.

If we intervene in Cuba, we are not only intervening against Castro. We are intervening against Khrushchev. He will either have to get out of Cuba or fight. If he backs down, that will leave Mao as top dog in all of Asia, at least, and Khrushchev probably facing a palace revolution in the Kremlin.

Laos occupies a key strategic position. Its jerry-built neutralist structure is collapsing.

The Chinese Communists in Laos then outflank South Vietnam, Thailand, and Cambodia. Malaya, Formosa, and Japan are in greater danger. The Philippines and Australia are then faced by Chinese Communists in positions of strength.

China—poised on the edge of the defenseless, rich-rich, oil-rich Indian State of Assam—would like nothing beter than to see America tied up in Cuba.

It would seem that factors of even greater magnitude and permanence are involved in the row between Mao and Khrushchev.

It must always be remembered that these two giants have the longest borderline between them in the world. Between them lies somewhat of a no man's land. Both giants are deeply interested and cast somewhat of a jaundiced eye on each other's activities in that big nomadic nation—Outer Mongolia.

Also it must always be remembered that China has a population four times that of Russia—plus a much stronger and expanding position in Asia—and Russia is aiding in the military buildup of India—China's enemy.

Russia's ancient ties of acquaintance—business, political, and association—are more with Western Europe than they are with Asia. France and Russia have the background of centuries of international pulling together—despite the Napoleonic interlude. Russia is stepping up trade deals with Europe and Great Britain, bartering cheap oil as its strongest inducement. Khrushchev is vigorously trying to fan dissension in the free world.

Most important of all is the slow swing toward Socialist parties in Western European countries—all of them—and in Great Britain.

Now, don't misunderstand that. Socialism and communism are not synonymous. Some of the most effective anti-Communist leaders are Socialists. There is, however, more of a common meeting ground for the Russian Communist bloc with European socialism—in long-range goals—than anywhere in Asia or the Western Hemisphere. At a recent 2-day meeting in Brussels of Socialist Parties from all the EEC and European Free Trade Association—except Portugal—disappointment and criticism were expressed at the isolationist leadership of the British Labor Party.

If the Labor Party wins the coming election in Great Britain, will its policies increase the pressure on the already weak English pound sterling? Will its leader, Harold Wilson, swing more to the left—and to closer relations with Russia—than his predecessor, the late Huge Gaitskell, and than Prime Minister Macmillan's party? Then again, American prestige is somewhat at a low ebb in Great Britain because of our inept handling of the Skybolt affair.

All that, in turn, will have deep economic and political repercussions on all the trading associations of Europe—the European Economic Community—the Outer Seven and the British Commonwealth and Anglo-American ties.

Perhaps the greatest—longest lasting—effect will be in the policies of Russia and her Communist bloc itself. Both the Soviet and Red Chinese have badly underestimated the vitality and force of nationalism.

There is no question that the pace of keeping up with America in nuclear and space—civilian and military—standards is telling on Russia. Yet Russians are becoming a "have" people. The Red Chinese are still a "have not" people.

There is no question that Khrushchev is as uneasy over the spectacular success of the Common Market as we are over the Soviet's armed intrusion in Cuba.

There is no question he has some spreading political problems at home. Within the past month, Rumania defied the Soviet by renewing relations with Albania and establishing a new trade agreement with Red China.

Another striking change must not be overlooked in any appraisal of world affairs.

Future historians may well mark the extraordinary visit of Premier Khrushchev's son-in-law to Pope John XXIII as the beginning of a change in relations between Russia and the Western countries.

All of these are factors we must consider in our Cuban policy.

What is our Cuban policy—if we have one?—is being asked with increasing doubt and vigor in both Democrat and Republican ranks. Last week Senate Democrat Leader **Mike Mansfield**, of Montana, and other administration leaders—in advocating cooperation with the OAS in quarantining Cuba—picked up one of the principal points repeatedly urged by New York's Republican Senator **Kenneth Keating**. That is an infinitely sounder policy than the implication of our President's highly emotional address to the Cuban refugees last Christmas time on getting communism and Castro out of Cuba.

Of course, I have no inside information or speak with any authority as an expert. I have some knowledge about politics, though. As I understand it, President Kennedy's present world policy—including Cuba—and the OAS—is based on coming changes in Great Britain, West Germany, Russia, a new government in Canada—and on a better chance of peaceful, if stormy, relations with Khrushchev, than with Mao. As for me and mine—I am willing to go along with him on that policy—with the fervent hope that our national administration will be more skillful and mature in handling international relations in the future than in the past.

That is not appeasement. Neither is it singing oursleves to sleep with that dreamy kind of gush, the spirit of Camp David, or unrealism that the cold war is not going to continue for a long time, or break wide open at any moment.

It is realism that, with our military and economic might, we can trump any card that Khrushchev or Mao plays, whenever we decide the time has come to protect our position in the Western Hemisphere, and the world, come what may. We must always be as ready to act, as to talk.

There is no question that U.S. Senator **Kenneth Keating**, of New York, is right in his warning of the existing military threat from the Soviet in Cuba. His factual statements are a most valuable service in alerting our great country to the facts of life in that Communist-armed camp on our doorstep.

There is no question that a blockade would crumple the Soviet armed occupation of Cuba. It also might blockade a turning of the Russian-Communist bloc in the direction of Europe instead of Asia.

Sure, Cuba is a dangerous threat to the United States and the free world. That is not going to be resolved simply by itself either by blockade or invasion. I cannot conceive of a greater mistake than getting bogged down in the jungles and mountains of Cuba as we were in Korea—with as great a force of men as were involved in that war.

The fact remains that Mao, according to Premier Nehru, believes in a nuclear war, is planning a nuclear war, wants a nuclear war. Chou En Lai has publicly stated that a country the size of China—the most populous nation—would have more people left after a nuclear war than any other country.

Khrushchev, on the other hand, boasts that communism will bury capitalism by economic methods. He has spoken a truism repeatedly—that there can be no victor in a nuclear war.

Quoting James Marlow, Associated Press news analyst: "There could be worse than Khrushchev if his successor tries to turn the clock back." We have the question there again: after Khrushchev, after Adenauer, after Macmillan—what?

This is a period of change in the whole world leadership structure of the major powers of both the free world and the Communist world.

There is evidence that Khrushchev himself is laying the groundwork for orderly succession of leadership in the Soviet for the first time. Heretofore, it has been a bloody grab for power.

Until all that is determined, as far as Great Britain and West Germany are concerned, and what is going to happen in the Soviet in the coming year, it is difficult to come to policy decisions of any permanence. Certainly the relations of all the great power nations are going to be definitely affected.

In this war of nerves every attempt must be made to bring together democratic governments to act in unison to restrain any action by force in violation of neutral rights or upsetting to the peace of the world.

For sure—lacking fool-proof international disarmament—we must keep building up our military strength, conventional and nuclear, on the ground, in the air, and in the seas, regardless of either national or local economics. Unless we do that, our future is sure. It is defeat.

As Republicans, our first duty is to our unique Republic and the idea it stands for. We must not become so concerned with partisan advantage that we would rush the Nation into disaster—and criticism for criticism's sake can mean disaster. There is plenty of room for legitimate differences between our national administration and its bipartisan opposition. Unless we stick to these legitimate differences and keep our eyes on our great and beloved Republic's true interests, our future again is sure—it is defeat.

FARM LABORERS DO NOT WANT TO BE MIGRANTS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California [Mr. TALCOTT] is recognized for 5 minutes.

Mr. TALCOTT. Mr. Speaker, I sense an effort in Congress to glamorize and promote a vast migrant labor program to furnish the supplemental labor necessary to harvest and process some of the vital agricultural crops of our Nation. Some Members of Congress, in order to defeat any program to import supplemental labor, would try to force upon our domestic farm labor a nomadic, migrant way of life.

I know of no responsible sociologist who recommends the life of a nomad or migrant as a satisfactory way of life for a family. I know of no family economist who would recommend it. Congressional families continuously complain about it for themselves.

Even the fanciest of migrant facilities are not proper or conducive to healthy, happy family life. Why wish it on the poor unskilled laborer?

Even the families who are forced to migrate hate it. Facts and figures can substantiate these views—although perhaps not as well as the experience of living with a migrant family.

One California farm association recruited approximately 300 domestic farmworkers from Texas. Food was good, housing excellent, schooling superior, wages were twice the wages in Texas, climate and working conditions were excellent, and transportation and subsistence en route were paid. Nevertheless none of them stayed more than 3 or 4 weeks. They were urged to stay and promised long employment, but they wanted to go home; they did not want to move from place to place, no matter how superior the wages and working conditions were.

These people, particularly the families and children, belong at home—where there is security, stability—where they can develop roots.

I urge you to think of the individual migrant family before you vote funds to promote or encourage this barbaric, nomadic way of life. Proper use of a bracero-type program is an efficient, humanitarian solution to the migrant's cruel plight.

PRAYER IN PUBLIC SCHOOLS

Mr. SELDEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SELDEN. Mr. Speaker, the recent decision of the Supreme Court denying to the States the rights to require Bible reading and recitation of the Lord's prayer in public schools has shaken the very foundations upon which this country was established.

This week, we commemorate the birth of the spirit of our Nation. It is significant to note that America celebrates Fourth of July rather than October 19 as our national holiday.

For on July 4, 1776, a spiritual force came to life with the adoption of the Declaration of Independence. It took five long and arduous years of struggle for Americans until they finally won their independence on October 19, 1781, with the surrender of Lord Cornwallis at Yorktown.

Yet, we commemorate as our national holiday not the military victory that gave us our independence but the spiritual victory at Philadelphia. American independence is founded on the Declaration of Independence which begins with the acknowledgment that mankind's unalienable rights are determined by "the laws of nature and of nature's God"—that they are rights endowed by our Creator. The Declaration ends with an appeal to the Supreme Judge of the world and "with a firm reliance on the protection of divine providence."

Mr. Speaker, it is one thing to separate state from church. It is another to attempt to separate state from God. Our form of government is founded on separation of state from church. But we separate state from God to our peril and to the peril of our country.

My mail indicates that many Alabamians agree with the view expressed in the editorial from the Mobile, Ala., Register, which follows:

Raging Tyrant Decision of High Court Fantastic

After more than 170 years, the U.S. Supreme Court has ruled that it is unconstitutional for a State to require Bible reading and a recitation of the Lord's Prayer in public schools.

This 8-to-1 decision was amazing, and not many years ago, it would have been inconceivable. Times have changed, to be sure, but Supreme Court decisions such as this lead us to wonder if change is not getting out of hand.

It is true that the public was given some preparation for this ruling in a previous decision that a State-approved prayer used in the public schools of the State of New York was unconstitutional. We can see some ground for that decision in that it is possible that a sectarian-dominated State government might seek to impose a sectarian prayer.

Actually, the prayer in question was framed to convey the thought of dependence on God without offense to any religious group, if indeed anyone can be offended by thanks to God. However, we will take it in good faith that the Court saw a remote danger of sectarianism and ruled accordingly.

This reasoning certainly does not apply to the ruling denying the States the right to require Bible reading and the recitation of the Lord's Prayer in public schools. The Bible is not a sectarian book and the Lord's Prayer is not a sectarian prayer. No State has ever required the daily reading of the Bible or the recitation of the Lord's Prayer in the schools with the idea of forcing all the pupils to conform to the teachings of one church. The purpose has been to remind the students daily of their obligation to God.

Yet the Supreme Court's opinion says that "the breach of neutrality that is today a trickling stream may all too soon become a raging tryant." With all due respect to the Court, this statement is so fantastic as to leave us almost breathless.

What lurking tyranny is the Court talking about? The Bible teaches man's moral responsibility for his conduct, something we need today and always will need. The Lord's Prayer is a statement of human inadequacy, a petition for the forgiveness of sins, a plea for guidance in right living. Why have these common expressions of religion now become a threat to the Republic?

Certainly no sectarianism can be tolerated in the public schools. No particular church organization can be shown any preference in the public schools or in any other relationship to the government, even though a vast majority of the citizens might belong to that church. As we see it, it is improper to permit the use of public school properties for sectarian purposes outside of school hours or to permit sectarian speakers to carry on even the mildest promotions of their doctrines in the schools.

It is said that the Supreme Court decision will not prevent religious activity in the schools just so it is not compulsory by State law. We must disagree with that notion. It is obvious that no individual school district will have the power to permit what is

> denied to the State. Any teacher who undertakes to read from the Bible or to offer prayer will promptly become a target for violating the spirit of the decision. What, we wonder, will happen to Christmas observances? Can the Mobile County School Board legally follow its present practice of opening all its meetings with prayer?
>
> In a dissenting opinion, Justice Stewart called attention to the fact that the laws being tested provide for the excusing of pupils from listening to the Bible readings or prayers at the request of their parents. On this basis, Justice Stewart held that there is no coercion which, he contended, nullifies the claim that the laws had the effect of creating an establishment of religion, barred by the Constitution.
>
> It is unfortunate that this issue should have been raised by a few individuals at a time when this country is so deeply concerned with great problems. Suddenly at this juncture, the Supreme Court determines that Bible reading and prayer are dangerous in the public schools.
>
> Finally, we must point out that here again, beyond contradiction, is another invasion of States rights. Even though 95 percent of the people of Alabama and perhaps even a higher percentage may approve nonsectarian religious devotions in the public schools, still those devotions are now illegal. This, in our opinion, is stretching the Constitution to the breaking point.

NOW, THERE IS NO MORE TIME

Mr. PRICE. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, the last shot fired in the War Between the States was on May 13, 1865, in a fight at Palmito Ranch, 250 miles south of San Antonio, Tex. This occurred when a Confederate force captured about 800 Federal troops who did not know that Gen. Robert E. Lee had surrendered over a month before that date.

I mention this to make it perfectly clear to my colleagues that our State was very much a part of the Confederacy and that each generation of Texans since that time has grown up conscious of this identification and this common heritage with our sister States in the Confederacy. We have the same cultural and social roots as those States.

But despite these things from our past that we hold in common, it does not follow that we are all of one mind when it comes to dealing with those fateful questions and problems that beset and divide our land today.

Many of our colleagues from the Northern States fall into the error of thinking that all of us in the South are cast in one mold, that we are all set in resistance to those urgings for social changes for which they have made themselves the special advocates.

Some of my friends from the North assume that there are no leaders in the southern communities who share their thoughts on such matters as gaining full civil rights for all our citizens. Such is not the case.

Let me call their attention to one leader in the Texas community who deserves their attention: Mr. Gordon McLendon, of Dallas, Tex.

Mr. McLendon is president of the McLendon stations, which has radio stations throughout Texas. He frequently makes his personal editorial comments over these stations. Station KTSA, of San Antonio, has sent me the text of his June 17 editorial.

I invite your attention to his words which follow:

> Now an NAACP executive is murdered in Mississippi and there promises to be further riots.
>
> The Declaration of Independence did not intend any man should have to plead for his rights, and the 14th amendment clearly guarantees equality. If we are to maintain that law and order are to be respected, we have no right to say "wait" or "we should go slowly." The 14th amendment did not say anything about guaranteeing equality slowly. The Declaration of Independence did not say all men are created almost equal.
>
> The law is clear.
>
> It was clear a long time ago.
>
> For those who have said "slow" we say: Time has slowly run out.
>
> Now, there is no more time.

MIGRANT CHILDREN AND EDUCATION

Mr. PRICE. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, we are fortunate to have seen earlier this session the refusal of this House to approve a 2-year extension of Public Law 78, the Mexican Bracero Act. We will indeed be fortunate if that act is allowed to expire at the end of this year.

The Bracero Act has created a cheap labor supply for large growers in American agriculture with seasonal labor needs. Wages for the domestic migrant worker will not, therefore, rise above the wage of the bracero. One of the results of such wage depression for migrant workers is the high incidence of child labor. Children are pressed into service to allow the family to subsist.

In such a setting, education for the migrant child is an almost unobtainable goal. Let us look at the testimony of Miss Cassandra Stockburger, of the National Child Labor Committee, before the Senate Subcommittee on Migratory Labor this past April 23:

> Last summer in a visit to a migrant area I talked with a boy about 13 or 14. When Don came to the school at 1 p.m., he had already worked in the fields from about 4:30 a.m., to 12:30. I asked him how many beans he had picked. He replied, "$6 worth—that's 300 pounds." Then my comment was, "Then you must be hungry. Come on, let's go eat lunch." Don looked up at me and answered, "Yes'm, I reckon as how I am. I ain't had no breakfast yet."

Any claims of the proponents of Public Law 78 that migrants' children work because they want them to have the education derived from such work are ridiculous in light of the testimony of workers themselves. If we do not take steps to alleviate the deplorable conditions of the migrants we will have to pay for our present indifference later with welfare programs.

The first step toward education of migrants' children can be permitting Public Law 78 to expire. The free market will then force wages up and children will be released from their work. One of the conditions hampering educational efforts will be destroyed.

APPLICABILITY OF ANTITRUST LAWS TO TELECASTING OF PROFESSIONAL GAMES

Mr. PRICE. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. STUBBLEFIELD] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. STUBBLEFIELD. Mr. Speaker, the Congress of the United States has for many years been closely interested in the matter of the applicability of the antitrust laws to the telecasting of games played by professional football, baseball, basketball, and hockey teams, and the effect of agreements between professional sport leagues and television networks concerning the telecasting of such games. It is clear that the Congress desires to encourage and the general public has a right to enjoy the fullest practicable dissemination of the interstate telecasts of professional sport events. Accordingly, it is equally clear that any contractual blackout restrictions on such telecasts should be severely and strictly limited to the minimum degree as is consistent with the antitrust laws and good public policy.

The Congress in its Public Law 87-331(1) enacted a limited statutory exemption from the antitrust laws which would permit certain joint television agreements concerning the telecasts of professional games played by football, baseball, basketball, and hockey teams. Congress was concerned, however, that such statutory exemption should not unduly restrict the telecasting of such professional sports events which are among the most popular and entertaining of all television programs. For this reason, the Congress in that same Public Law 331, subdivision (2) enacted a limitation on such exemption by providing that it should not apply to any joint agreement which prohibited any person from televising any games within any area, except within the home territory of a member professional club when that club was playing a game at home.

As a related aspect of the overall matter, the Congress was also concerned with the probable adverse effects of telecasts of professional football games upon the attendance at intercollegiate football contests. Accordingly, the Congress also enacted a further limitation in subdivision (3) of that Public Law 331 which made such antitrust exemption inapplicable to any joint agreement which permitted professional football telecasts during certain weekend periods during the college football season from any telecasting station located within 75 miles of the game site of intercollegiate football games. In proscribing the professional football telecast in a protected area defined by the location of telecasting stations within 75 miles of the intercollegiate game site, the Congress was also defining the permitted blackout area for telecasts of professional games which was elsewhere described as the home territory of the member professional club.

For all of these reasons, there is the clearest congressional intention not to permit any joint agreements which restrict or black out the telecast of professional sport events except within a certain defined and limited area. It has further indicated that these protected areas which may be blacked out should be confined to distances measured by the location of a television station within 75 miles of the home city of the professional team or the game site of the intercollegiate team.

The professional football leagues have for a number of years generally applied a practice of blacking out and restricting telecasts of their home games from stations located up to and within 75 miles of the home city in which the game is being played. This is in accordance with the congressional understanding and intention referred to above, as well as with earlier district court decisions on this legal point. However, on some recent occasions such professional football leagues have attempted to apply a new and more restrictive television practice which has blacked out additional areas from these telecasts. It appears that these new restrictions have been attempted to be justified on the 1961 statutory exemption. It is clear, however, that this 1961 statutory provision in no way sought to authorize a more restrictive blackout practice than had previously been applied. Such new practice would black out additional television stations serving millions of people which are located up to 125 or more miles from the game city, and whose signals are not received in that city or in any area immediately contiguous to it or its metropolitan area. In this way, the professional leagues and their teams have sought to adopt more extensive protectionist measures at the expense of the viewing public in distant areas who would otherwise be permitted to see these important telecasts.

In light of the indicated legislative history, past commercial practices and court decisions, it is clear that a blackout restriction for professional sports telecasts which would be limited to stations located within 75 miles of the home city would be a reasonable limitation on free public access to interstate telecasts and be consistent with antitrust requirements. Contrariwise, it is clear that any greater limitations extending the blackout area to distant areas served by stations much further than 75 miles from the home city, would be unreasonable, unduly restrictive in nature, and contrary to good public policy.

It would be beneficial to future application of the congressional antitrust exemption and to future television policies that there be an appropriate legislative codification and clarification of existing law and practice to make clear that the permissible blackout restriction is limited to and should be no greater than that relating to a station located within 75 miles from the home city in which the game is being played. The amendment to Public Law 331(2) of the 87th Congress (15 U.S.C.A. 1292) which I have today offered is intended to achieve such appropriate codification and clarification of existing law and practice. I urge there should be early hearings on it and an early passage of it by the Congress.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Talcott (at the request of Mr. Shriver), for 5 minutes, today.

Mr. Cramer, for 15 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Philbin.

(The following Members (at the request of Mr. Price) and to include extraneous matter:)

Mr. Flood.

Mr. Don H. Clausen.

(The following Member (at the request of Mr. Shriver) and to include extraneous matter:)

Mr. Morse.

ADJOURNMENT

Mr. PRICE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 35 minutes p.m.), under its previous order, the House adjourned until Friday, July 5, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

995. A letter from the Comptroller General of the United States, transmitting a report on the premature approval of large-scale demolition for the Erieview urban renewal project I, Cleveland, Ohio, by the Urban Renewal Administration, Housing and Home Finance Agency; to the Committee on Government Operations.

996. A letter from the Comptroller General of the United States, transmitting a report on a review of the practice by the Federal Government of paying unemployment benefits to former employees of post exchanges and similar activities of the Armed Forces; to the Committee on Government Operations.

997. A letter from the Comptroller General of the United States, transmitting a report on overpricing of adaptation kits for M–113 vehicles under a Department of the Army contract negotiated with FMC Corp., San Jose, Calif.; to the Committee on Government Operations.

998. A letter from the Chairman, Civil Aeronautics Board, transmitting a draft of a proposed bill entitled "A bill to amend section 406(b) of the Federal Aviation Act of 1958 to limit the right of certain air carriers to receive subsidy payments"; to the Committee on Interstate and Foreign Commerce.

999. A letter from the Chief Commissioner, Indian Claims Commission, transmitting a report stating that proceedings have been finally concluded with respect to the following claim: *Northern Arapaho Tribe of Indians of the Wind River Reservation, Wyo., petitioner*, v. *the United States of America, defendant* (docket No. 329–D, pursuant to 60 Stat. 1055; 25 U.S.C. 70t); to the Committee on Interior and Insular Affairs.

1000. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics of the House of Representatives pursuant to section 1(c) of the National Aeronautics and Space Administration Authorization Act for the fiscal year 1963 (76 Stat. 382); to the Committee on Science and Astronautics.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FASCELL: Committee on Foreign Affairs. H.R. 6283. A bill to amend the "United Nations Participation Act," as amended (63 Stat. 734–736); with amendment (Rept. No. 498). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CLEVELAND:

H.R. 7373. A bill to provide that certain aircraft may travel between the United States and Canada without requiring the owners or operators thereof to reimburse the United States for extra compensation paid customs officers and employees; to the Committee on Ways and Means.

By Mr. CURTIS:

H.R. 7374. A bill to provide for declaratory judgment procedures in cases involving refusal of witnesses to testify or produce papers before congressional committees, and for other purposes; to the Committee on the Judiciary.

By Mr. GALLAGHER:

H.R. 7375. A bill to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in education, to establish a Community Relations Service, to extend for 4 years the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes; to the Committee on the Judiciary.

By Mr. HAGEN of California:

H.R. 7376. A bill to clarify the relationship of interests of the United States and of the States in the use of the waters of certain streams; to the Committee on Interior and Insular Affairs.

By Mr. HOLLAND:

H.R. 7377. A bill to amend the Manpower Development and Training Act of 1962; to the Committee on Education and Labor.

By Mr. LIBONATI:

H.R. 7378. A bill to amend the Internal Revenue Code of 1954 to provide that the regular admissions tax rate shall apply in respect of admissions to racetracks; to the Committee on Ways and Means.

By Mr. LINDSAY:

H.R. 7379. A bill to amend section 104 of the Revised Statutes, with respect to contempt citations in the case of witnesses before congressional committees, and for other purposes; to the Committee on the Judiciary.

H.R. 7380. A bill to provide for declaratory judgment procedures in cases involving refusal of witnesses to testify or produce papers before congressional committees, and for other purposes; to the Committee on the Judiciary.

By Mr. MURRAY:

H.R. 7381. A bill to simplify, modernize, and consolidate the laws relating to the employment of civilians in more than one position and the laws concerning the civilian employment of retired members of the uniformed services, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ROSENTHAL:

H.R. 7382. A bill to amend the Civil Service Retirement Act to authorize the retirement of employees after 30 years of service without reduction in annuity; to the Committee on Post Office and Civil Service.

By Mr. SIKES:

H.R. 7383. A bill to clarify paragraph 4 of section 15 of the Pay Readjustment Act of 1942 (56 Stat. 368); to the Committee on Armed Services.

By Mr. TOLLEFSON (by request):

H.R. 7384. A bill to amend title V of the Merchant Marine Act, 1936, in order to authorize construction differential subsidy for certain qualified operators in the coastwise, intercoastal, and noncontiguous domestic commerce of the United States, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 7385. A bill to amend the Merchant Marine Act, 1936, as amended, to encourage investment in the American merchant marine by providing a program of assistance in the construction of vessels, to correct inequities, to stimulate the domestic commerce of the United States, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. RHODES of Arizona:

H.J. Res. 539. Joint resolution expressing the determination of the United States with respect to the situation in Cuba and the Western Hemisphere; to the Committee on Foreign Affairs.

By Mr. TAFT:

H.J. Res. 540. Joint resolution expressing the determination of the United States with respect to the situation in Cuba and the Western Hemisphere; to the Committee on Foreign Affairs.

By Mr. BARING:

H. Con. Res. 191. Concurrent resolution expressing the sense of Congress on the need for a strong domestic gold mining industry; to the Committee on Banking and Currency.

By Mr. PHILBIN:

H. Res. 427. Resolution extending greetings and felicitations of the House of Representatives to the people of Oxford, Mass., on the occasion of the 250th anniversary of their community; to the Committee on the Judiciary.

By Mr. POWELL:

H. Res. 428. Resolution authorizing the printing of additonal copies of the study entitled "The Federal Government and Education"; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ROSENTHAL:

H.R. 7386. A bill for the relief of Marcene Sonja Godfrey; to the Committee on the Judiciary.

By Mr. SNYDER:

H.R. 7387. A bill for the relief of Mrs. Venus Ballesteros Tanamachi; to the Committee on the Judiciary.

By Mr. UTT:

H.R. 7388. A bill for the relief of F. X. Marshall; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

181. The SPEAKER presented a petition of Florence Sena Frick, executive secretary, the Hawaii Pharmaceutical Association, Honolulu, Hawaii, relative to urging favorable consideration and passage of the bills H.R. 3669 and S. 774, dealing with quality and price stabilization, which was referred to the Committee on Interstate and Foreign Commerce.

EXTENSIONS OF REMARKS

Long-Range Space Communications

EXTENSION OF REMARKS

OF

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1963

Mr. MORSE. Mr. Speaker, I would like to take this opportunity to congratulate Sylvania Electric Products, Inc., on the development of the first battery-operated portable millimeter radio system for special communications.

This development is important when you consider that one of the major uses of millimeter systems is long-range space communications. Such a system could project a very narrow and intense beam from one space ship to another.

The system was developed by Sylvania Electronic Systems, a division of the company, which has its headquarters at Waltham, Mass. It was displayed June 4, 5, and 6 at the 17th annual Armed Forces Communications and Electronics Association convention and exhibition here in Washington.

The theme of that convention was "Communications-Electronics Goes Beyond All Borders" and thousands of representatives of industry, Government agencies, and the military visited the exhibits of the various companies.

Sudeten German Day

EXTENSION OF REMARKS

OF

HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1963

Mr. DON H. CLAUSEN. Mr. Speaker, some time ago I was invited by Dr. Walter Becher, secretary general of the Sudetendeutscher Association, Inc., to send a comment to the Sudeton German people in connection with the celebration of the Sudeton German Day. I was pleased to do this and, subsequently, I have received a letter from Dr. Becher to the American people containing kind regards to us on our celebration of Independence Day, July 4.

Under leave to extend my remarks, I respectfully submit this heartening exchange of letters to the attention of this honorable body and the American people, as follows:

DEAR MR. BECHER: As a descendant of the German people, I take special pride in joining with you in the celebration of Sudeten German Day. As a Member of the Congress of the United States, I wholeheartedly join with you in a meaningful rededication to the cause of individual freedom for all people and sincere cooperation between nations.

Our direction must be relentless toward freedom of the hearts, minds, and bodies of all men. Our goal must be peace and happiness for all men, each in his own way. In this goal, we always will be brothers, regardless of time or distance or place.

Most cordial greetings.

DEAR REPRESENTATIVE CLAUSEN: I deeply appreciate the kind words of message you sent to our Sudeten German Day which took place on Whitsuntide, in Stuttgart, Germany. Your words were made known to the Sudeten German people for whom they are a great encouragement.

The Sudeten German Day was successful and about 400,000 persons took part in it. The Prime Ministers of Bavaria and Baden-Württemberg and the Federal Minister of Defense, Kai Uwe von Hassel, were festival speakers, along with our president, the Federal Minister Dr. Hans-Christoph Seebohm. Chancellor Adenauer sent a letter of greetings.

Your most kind message was a great honor for us and I thank you very sincerely for it on behalf of all Sudeten German people.

With kindest personal regards,

Yours very sincerely.

DEAR REPRESENTATIVE CLAUSEN: On the occasion of July 4, the American Independence Day, please accept my best congratulations. We over here in Germany hope and pray, that the American traditions of the past will ultimately prevail and freedom restored in both Western and Eastern hemispheres.

On your National Independence Day, the Sudeten German people send you all the best wishes for your great country, for you, and your future work.

With kindest personal regards,

Yours very sincerely.

House Resolution 14: Special Committee on Captive Nations

EXTENSION OF REMARKS

OF

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1963

Mr. FLOOD. Mr. Speaker, on March 8, 1961, I introduced a measure calling for the establishment of a Special Committee on Captive Nations in the House of Representatives. During the 87th Congress it was known as House Resolution 211, and earlier this year I reintroduced it and in the present 88th Congress it is known as House Resolution 14.

Mr. Speaker, there are not sufficient words to express my profound gratitude and personal delight to the more than 20 Members of the House who joined with me in that most stimulating and very enlightening discussion which took place on the subject of the captive nations—Congressional Record, volume 107, part 3, pages 3518–3544, "Russian Colonialism and the Necessity of a Special Captive Nations Committee."

The popular response to House Resolution 211, now House Resolution 14, has been so enthusiastic and impressive that I feel dutybound to disclose the thoughts and feelings of many Americans who have taken the time to write me on this subject. These citizens are cognizant of the basic reasons underlying the necessity of the proposed committee. They understand clearly the vital contribution that such a committee could make to our national security interests. In many cases, they know that no public or private body is in existence today which is devoted to the task of studying continuously, systematically, and objectively all of the captive nations, those in Eastern Europe and Asia, including the numerous captive nations in the Soviet Union itself.

Because their thoughts and sentiments are expressive and valuable, I include the following responses of our citizens to House Resolution 14 in the Record.

Paterson, N.J., *June 7, 1963.*

Congressman Daniel J. Flood,
House of Representatives, House Office Building, Washington, D.C.

Dear Mr. Congressman: We, the undersigned, are interested in supporting passage of House Resolution 14, which was submitted by you, which calls for the formation of a Special Committee on Captive Nations.

We feel the formation of such a committee will bring hope to those enslaved peoples who formerly enjoyed the right of freemen in a free nation.

As Americans of Armenian ancestry, we are especially interested in the successful formation of a committee such as proposed by you, because the position of our parental nation, now incorporated into the Soviet structure, has been often misunderstood. We feel that such a special committee will develop the true facts relative to Armenia and other captive states to the benefit of the truth and the position of the United States as the beacon light of world freedom.

We are, in addition to this letter, contacting our Congressman as well as Congressman Howard W. Smith, head of the Rules Committee, urging him to release your resolution to the House floor for debate and passage.

May we also thank you for your stand in this matter, and to assure you of our every support of our measure.

Sincerely,
Albert Kachadrian, Henry D. Bouquoin, ——, Joseph Levine, Joel G. Rose, August S. Darate, Harold Christman, C. Leroy ——, Harold B. Lee, E. C. Bleu, Anton Luchrsen, Al Walsh, C. William Elhairn, Jr., Edward Stewartz, D.S.C., Arthur Kachadrian, Joseph Heitzman, Fred Vogel, Edward J. Moore, Edith M. Moore, Arthur Lamortine, Mary Lamortine, Ovagem Nacaian, Helene Naggan Leonard Vorchansky, Nina Vorchansky, Josye Kowshly, Sam Sheber, S. T. Wellvoch, Joseph Pfeifer, Paul Krindinger, —— ——, and Peter ———.

June 18, 1963.

Mr. Albert Kachadrian,
Paterson, N.J.

Dear Mr. Kachadrian: I have received the petition urging my support of Congressman Daniel J. Flood's resolution to establish a Special Committee on Captive Nations.

I certainly agree with you on the vital need for this measure, and I shall send Congressman Flood a copy of this letter so that he will know that he can expect my full and wholehearted cooperation.

You are to be commended for your humane interest in this vital subject.

Sincerely,
Charles J. Joelson,
Member of Congress.

Harrisburg, Pa.,
June 12, 1963.

Hon. Daniel J. Flood,
House of Representatives,
Washington, D.C.

Sir: With deep appreciation for your courageous stand in behalf of the captives of the Russian prison of nations, I am sending you the copies of my communication to the President of the United States, for your information.

Yours sincerely,
George T. Vasley.

Harrisburg, Pa., *June 11, 1963.*

The President,
The White House,
Washington, D.C.

Dear Mr. President: Senator John F. Kennedy stated in his speech on June 14, 1960, in the Senate of the United States: "And as long as Mr. Khrushchev is convinced that the balance of the world power is shifting his way, no amount of either smiles or toughness, neither Camp David talks nor kitchen debates, can compel him to enter fruitful negotiations."

I can reasonably assume that the next presidential candidate will repeat this thoughtful Senator's statement by extending it with an updated supplement: "Thalidomide pills, such as a site inspection in Cuba or a hot line between Washington, D.C., and the Kremlin, will not divert this Nation from the road of self-destruction."

Also, I can expect that the sponsors of the hot line, from outside and inside our State Department, will exercise their full power to prevent the forthcoming proclamation of the Captive Nations Week; or, at least, modify the original Public Law 86–90 to such a degree that complete satisfaction would be granted the party at the Kremlin end of the hot line. The Russians, who are grandmasters of the genocide policy, fear their captives more intensely than the technological power of the whole so-called free world.

While the Russian successors of Genghis Khan are driving, consistently and persistently, toward the world domination, we are helplessly floating in a twilight zone of reckless recogniztion of Bolshevism since November 16, 1933, when the last scattered clouds of martyrized millions of Ukrainian souls were approaching their heavenly frontiers.

We cannot indefinitely cheat old man time who carefully recorded not only our words but our deeds as derived from the Atlantic Charter, the Monroe Doctrine, and the Declaration of Independence—all moral and strategic cornerstones of the foundation of this Nation.

In conclusion, I would like to quote the following proclamation taken from a letter from the CCCP of U.S.S.R. to the CCCP of China, as printed in Pravda of April 3, 1963: "Our party has taken upon itself an international obligation to help all the nations to achieve and secure their national independence and to complete a total obliteration of colonial system." Here is evidence of a strong parallelism between our foreign policy and the Russian policy in regard to their ultimate goal: the distintegration of all colonial systems, except the Russian one. And for this purpose we are going to provide Russian liberators with a very hot line in addition to our generous gifts, such as the lend lease, atomic secrets, Czech uranium mines, and 200 million white slaves.

To express more explicitly my opinion on Mr. Gorkin's hot line (the first device not invented by the Russians, as far as I know) I am attaching copies of six 1960 letters dealing with this subject, and a cartoon titled "Slavery Against Freedoms."

Sincerely yours,
George T. Vasley.

June 12, 1963.

Congressman Daniel J. Flood,
House of Representatives Office Building,
Washington, D.C.

Dear Congressman Flood: As an American of Armenian ancestry I am very much interested in your bill, House Resolution 14–15, for the formation of a Special Committee on Captive Nations.

Please continue your fine work in behalf of this bill. I am sure it will please you to know that there are many other Americans of Armenian ancestry who admire your determination regarding this bill.

Sincerely,
Mrs. Armena Bizios.

Congress of the United States,
House of Representatives,
Washington, D.C., June 3, 1963.

Mr. Walter Tustaniwsky,
Chairman, Ukrainian Congress Committee Of Americans, Inc.., Hamtramck and North Eastern Detroit Branch, Detroit, Mich.

Dear Mr. Tustaniwsky: Thank you for your letter of May 25th. I have been a supporter of the Committee on the Captive Nations, and I appreciate your comments regarding Congressman Flood's resolution.

I shall be happy to support his resolution, although I don't feel it necessary, at this point, to introduce a similar bill.

With best wishes, I am
Sincerely yours,
Neil Staebler,
Member of Congress.

Oxford Observes 250th Anniversary

EXTENSION OF REMARKS

OF

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1963

Mr. PHILBIN. Mr. Speaker, July of this year marks the 250th anniversary of the establishment of Oxford, Mass., one of the fine communities in my district, which will celebrate this noteworthy date next week with an outstanding program of events during the July 4 holiday weekend.

Actually, however, the history of Oxford goes back farther in time than these 250 years of progress because John Eliot, the missionary, in 1674 converted to Christianity some 12 Indian families, comprising about 60 people, in the Nipmuck village then known as Manchaug.

A few years later, the General Court in 1683 granted the 65-square-mile tract to five absentee proprietors and the plantation was given the name of Oxford after the famous university town of England. From this land the French Huguenots received a grant of 2,500 acres, which they first settled in 1687 and again in 1699 after Indian raids forced abandonment of the first settlement. The Huguenot resettlement also proved to be ill-fated when Queen Anne's War caused the French at New Oxford to disperse.

It was at the close of Queen Anne's War that the English settlement of Oxford began in 1713 and this date marks the permanent establishment of Oxford.

The Oxford grant originally consisted of 41,250 acres or about 65 square miles and from this original area have come the towns of Charlton and Webster, part of Dudley, Southbridge, Sturbridge, Auburn, and Leicester, and some portions of Millbury, Sutton, and Douglas.

This is an area, Mr. Speaker, which was settled by pioneer colonists in the very earliest days of American history. The Oxford community grew slowly because the times were troubled. The constant threat of Indian wars and periodic Indian raids between ominous periods of uneasy peace did little to encourage the growth of frontier settlements, but despite all these hazards, first the Huguenots and then the English began to carve out of the wilderness after bitter sacrifices, toil and struggle, the little settlement which has grown to the thriving Oxford community of today.

History records that the early settlers of Oxford built a church, a fort, grist mill, saw mill and houses, cleared fields and planted crops. This is the story of the early New England communities, told and retold as the pioneers sought new lands and new homes in the wilderness. First of all, these devout and patriotic people established places of worship, meeting houses, schools, and libraries. The rows of stone walls which cover so much of the New England countryside are silent, but impressive testimony to their industry and laborious work.

Today, families residing in Oxford and its neighbor towns sprung from the original Oxford grant, can trace their beginnings to these early settlers who helped to bring civilization to the wilderness and forge the great tradition, eventful history, and proud heritage which have made our Nation what it is today among the peoples of the world.

The history of Oxford is truly an inspiring account of the lives of a strong and fearless people whose sacrifices helped to build a strong nation. It is not even possible in the brief time available to me to recite the highlights and accomplishments of the Oxford community because the history of the town abounds with feats of great courage during pioneer days and incidents which touch upon the growth and progress of our land.

Revolutionary War records show that Oxford furnished two companies of Minutemen when the alarm was spread from Lexington on April 19, 1775. Oxford men fought at Bunker Hill, the evacuation of Boston and Saratoga. Before the war ended, Oxford and area towns had furnished a full regiment of 10 companies, all volunteers.

One of the great heroes of the Revolutionary War was Gen. Ebenezer Learned of Oxford, who led troops in one of the great decisive battles of the war at Saratoga.

Again on April 19, but this time in the year 1861, Oxford organized a company for service in the Civil War. This unit is reported as the first to be fully equipped and trained in the area. Oxford furnished a total of 290 men in the Civil War, going over its quotas each time new calls for troops were made. A total of 62 died in service.

In World War I, 157 men and 2 nurses served from Oxford, while a total of 553 men and 21 women fought on battlefronts all over the world in World War II. Oxford suffered the loss of 18 of its finest young men in this bloody conflict. About 125 men from Oxford served in the Korean war.

The newcomer to Oxford is immediately struck with the beauty of this typical New England town. Before him stretches an unusually wide Main Street graced with lovely, well kept homes set back from the highway. In the town center proper, this attractive stretch of road is about 120 feet wide and runs for about a mile to delight and charm the visitor. This is easily the widest Main Street and one of the most lovely in the whole of New England. Dr. Oliver Wendell Holmes in 1881 said of Oxford:

> After Plymouth, I do not think there is any locality in New England more interesting.

Visitors who travel slowly along Main Street or linger in the town can perceive living history about them. There is the oldest standing Universalist Church in the world built in 1794. The park at East Main and Main Streets contains the stone in which the Indians of the early Nipmuck settlement ground their corn.

In 1812 Samuel Slater, founder of American cotton manufacture with the first power spinning mill he set up in Pawtucket, R.I., established a mill in Oxford, now Webster, and Oxford became known as what one historian describes as "the town of mill wrights, almost every mechanic in the place was a millwright."

From the Slater manufacturing enterprises grew the population and early prosperity of Oxford, which became well known throughout New England for its skilled artisans in millwrighting, pulling-mills and shafts. The first American broadcloth is believed to have been made in the Slater mill in Oxford.

Oxford is the birthplace of Clara Barton, one of America's great humanitarians and founder of the American Red Cross. About a mile from the main highway in North Oxford on Clara Barton Road is her birthplace, preserved as a public memorial by the Association of Universalist Women. She is buried in North Cemetery.

Clara Barton became a schoolteacher at 15 and later organized the first public school in Bordentown, N.J. From there she went to Washington where she became a clerk in the U.S. Patent Office. She is believed to be the first woman to become a Government employee.

During the Civil War, she served without pay or commission, working on the battlefield and enduring for 4 years the rigors and dangers of soldier life side by side with the surgeons on hard-fought battlefields. After the war, on behalf of President Lincoln, she spent 4 years hunting missing soldiers, assisting in the marking of 13,000 graves and located the graves of over 30,000 missing soldiers.

She went to Switzerland in 1870 to rest, but soon was again on the battlefields of the Franco-Prussian war where she became acquainted with the work of the International Red Cross. Upon her return to this country, she waged a 7-year fight to get the United States to join the International Red Cross. She is author of the American amendment to distribute relief not only in time of war, but in times of such disasters as floods, earthquakes, and fires.

Another distinguished Oxford native is the late Dr. Elliott P. Joslin, the world famed authority on diabetes. Through his assistance, the U.S. Public Health Service established a diabetic center in Oxford where the first community study of diabetes was made. In 1953, with the help of friends and grateful patients, Dr. Joslin founded the Diabetes Foundation, Inc. to promote research, teaching, and summer camps for diabetic children.

Mr. Speaker, in observance of its 250th anniversary, Oxford has arranged a varied program of events to coincide with the Fourth of July holiday period, which should long be remembered by the Central Massachusetts area. On Wednesday, July 3, the Oxford High School band will give a concert at Woodward Field, North Oxford, and this will be followed by fireworks and a bonfire in the Greenbriar area under the auspices of the Oxford police and fire departments.

Thursday, July 4, will be celebrated as "Remembering Day" with the dedication of the World War II and Korean Conflict plaque and flag pole at Town Hall. This will be followed by a military parade to Carbuncle Park where John White Fellows will deliver an address. The parade units will then go to North Cemetery for the unveiling of the Clara Barton and Dr. Elliott P. Joslin Memorial.

Other events include a parachute jump and National Aeronautics and Space Agency exhibit. The day's program will end with an anniversary ball in Wellington Memorial Auditorium.

Friday will feature such youth day activities as a doll carriage parade, bicycle parade, soap box derby, horseshoe tournament, track and field events, a marathon from Webster to Oxford, baseball games, basketball games, record hop and square dance festival.

Saturday events include a firemen's parade and muster, firemen's street fair and a dance at Wellington Auditorium.

On Sunday, anniversary services will be held in all Oxford churches. An anniversary parade with floats, marching units, antique cars and the Ferko String Mummers Band of Philadelphia will highlight the closing events of the celebration.

As it can be seen from this recital of anniversary events, Oxford has planned a truly impressive program for the entertainment of the townspeople and the many visitors from neighboring towns. One special aspect, Mr. Speaker, should be signaled out for mention: The program is a simple and dignified one which represents months of hard work and effort on the part of many people to help make Oxford's 250th anniversary a memorable one. The program is in keeping with the cherished and long-remembered programs which took place during earlier anniversary observances.

Those outstanding celebrations will be relived again next week in Oxford and, Mr. Speaker, in recognition of this 250th anniversary of the establishment of Oxford, I have introduced a special resolution, extending greetings and felicitations to the town of Oxford, which I am honored and privileged to represent in the Congress.

I am exceedingly proud of the community of Oxford and I hail, salute, and congratulate its fine people on this great anniversary.

Under leave to extend my remarks, I ask that the text of my resolution be printed in the CONGRESSIONAL RECORD.

The material follows:

RESOLUTION OF OXFORD'S 250TH ANNIVERSARY

Whereas the year 1963 marks the 250th anniversary of the establishment of the town of Oxford, Massachusetts; and

Whereas from the time of settlement in 1687 the people of Oxford have figured conspicuously in the development and growth of this Nation; and

Whereas the observance of the 250th anniversary of Oxford will be celebrated July 3 through July 7, 1963, with impressive community ceremonies, large public gatherings and widespread participation of Massachusetts citizens and visitors from other States and places; and

Whereas Oxford is a progressive community of about ten thousand citizens, rich in historic interest, noted for its fervent civic spirit and for its many famous sons and daughters who distinguished themselves in many fields of endeavor and many facets of American civilization, and faithfully devoted to American institutions and ideals: Now, therefore, be it

Resolved, That the House of Representatives extends its greetings and felicitations to the people of Oxford, Massachusetts, on the occasion of the 250th anniversary of this community and the House of Representatives further expresses its appreciation for the splendid services rendered to the Nation by the citizens of Oxford during the past 250 years.

HOUSE OF REPRESENTATIVES

FRIDAY, JULY 5, 1963

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore, Mr. ALBERT.

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

JULY 5, 1963.

I hereby designate the Honorable CARL ALBERT to act as Speaker pro tempore today.

JOHN W. MCCORMACK,
Speaker of the House of Representatives.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Acts 22: 28: *The chief Roman captain answered, "With a great sum obtained I this freedom," and Paul said, "But I was free born."*

Almighty God, may our minds and hearts continue to go out toward Thee in gratitude for the preceding day, which we were privileged to celebrate as our Independence Day.

We have been reminded of those vast multitudes of brave men and women who gave such a tremendous sum in sacrifice and suffering for our freedom.

Give us a greater appreciation of the blessings which we enjoy and a more devout determination to make our flag what our forefathers claimed it must be: The flag of the free.

Grant that during these troublous days in our national life we may not forget what the Stars and Stripes signify.

Inspire us with the principles of the Declaration of Independence which declare that "all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among them are life, liberty, and the pursuit of happiness."

May we earnestly strive to carry out those lofty principles for the sake of the forefathers who paid such a costly price for them in days gone by.

Hear us in the name of the Prince of Peace. Amen.

THE JOURNAL

The Journal of the proceedings of Tuesday, July 2, 1963, was read and approved.

JURORS, PER DIEM, AND SUBSISTENCE

Mr. BOGGS. Mr. Speaker, I should like to announce to the House, in connection with the suspensions on Monday, that we have decided to add the bill H.R. 5905, to amend section 1871 of title 28, United States Code, to increase the per diem and subsistence and the limit of mileage allowances of grand and petit jurors.

CONSTITUTIONAL AMENDMENTS

Mr. PRICE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following article from the June 27, 1963, edition of the Edwardsville Intelligencer on the first national debate concerning three proposed amendments to the U.S. Constitution which could change our basic constitutional system.

While generally the Nation's press has been slow in sounding the alarm as to the consequences of the adoption of such amendments, there have been those which have editorially and through their news column sought to bring the proposals to the light of public debate. I am proud to list the Edwardsville (Ill.) Intelligencer as one of the first to do so.

[From the Edwardsville (Ill.) Intelligencer, June 27, 1963]

FIRST CONSTITUTIONAL AMENDMENTS DEBATE IN NATION IS HELD

(By B. J. Wander, Jr.)

About 150 persons at the Edwardsville Holiday Inn listened last night to the first national debate concerning three proposed U.S. constitutional amendments which could change the basic tenets of the American form of government.

What they heard was a debate which touched on the most basic issues in this country's political makeup. Florida Supreme Court Justice Millard Caldwell bitterly attacked the Supreme Court which he charged is "no longer * * * even paying lip-service to the Constitution." St. Louis Attorney Arthur Freund, opposing the amendments, described the issue as "the survival of the Union and the Supreme Court."

The topic of the debate was three amendments proposed by the Council of State Governments to the Federal Constitution.

The first would change the way in which the U.S. Constitution could be amended. It would allow two-thirds of the States to, in effect, pass an amendment without any intervention from any Federal governmental body.

The second would bar Federal courts from any jurisdiction in cases involving State legislative apportionment.

The third would establish a "Court of the Union" composed of the State supreme court justices who could overrule the U.S. Supreme Court in cases involving State-Federal relationships.

Following the debate, the members of the Madison County Bar Association present at the debate voted 40 to 13 to oppose the first two amendments, and 43 to 10 to oppose the third. The debate was sponsored by the county bar association.

Freund and Caldwell differed sharply on the role of the U.S. Supreme Court in the government of this country. They touched on the basic intentions of the constitution-makers and talked about many of the same issues which were brought up when the Constitution was first written.

GENERAL ARGUMENTS

Caldwell, favoring the amendments, described the basic problems involved by asking three questions: 1. "Which do you prefer, the Constitution as written or as being amended by the Supreme Court of the United States?" 2. "Which do you prefer: dual sovereignty or government centralized in the Supreme Court?" 3. If the Constitution does need changing, "Which method should be used: As provided in the Constitution or as provided by the Supreme Court?"

He charged that the High Court is practicing a "psuedo-omnipotence," and that "The Federal Government is swallowing up the State governments." Caldwell also urged the popular election of all judges so that they would be answerable to the people. He called the Court "power hungry."

Attorney Freund, on the other hand, described the basic issue as the "survival of the Union and the Supreme Court." He described the Constitution as a "flexible" document, and said that the High Court of the land is the proper agency to interpret the Constitution in terms of changing situations in this country. Freund said that if the amendments are adopted, it would put the country on the "ruinous road to a confederacy." He said he believes the basic intent of the amendments is to shatter the country into separate political entities.

Freund issued a plea to recognize that the United States is a "unitary nation," and that the Supreme Court is the proper place to decide national questions. He charged that those critical of the Court have some particular interests at heart rather than a consideration of basic issues. Freund said attacks have come from sectional interests (segregationists), from those seeking to perpetuate inequal reapportionment in State legislatures (rural interests) and from groups opposing recent school prayer decisions (church groups).

Summing up his arguments, Freund stated that the Constitution is law, and like all law, final judgment must rest in a national court. Freund also said "It is amazing that these proposals have found support among conservatives, because they are radical in the extreme."

NEW AMENDING PROCEDURE

In regard to changing the way the Federal Constitution can be amended, Caldwell charged that the Supreme Court, through its judicial rulings, is actually the body now changing basic laws in the Constitution. He stated: "Thirty-eight States ought to have as much power as the Supreme Court has." Noting an objection by Freund that States representing only 40 percent of the people could adopt an amendment, Caldwell stated "The choice is between 40 percent of the people or five justices." At another point he called the Supreme Court justices "political appointees, answerable to no one, elected by no one, and appointed for life."

Freund countered that to adopt the amendment proposal would be a "shocking" thing. He deplored the fact that the National Government, which represents the people as a whole, would have no voice at all in the amending of the document which controls their National Government. Freund said the amendment would "nullify all of the wisdom we have gained at great price."

REAPPORTIONMENT

Borrowing a phrase from former Supreme Court Justice Felix Frankfurter, Caldwell said that the High Court must stay out of the "political thicket." He charged that the Court has no business deciding cases involving a State legislature's apportionment, and added that the Supreme Court is determining the rights of the people rather than the legislature. He said the Federal Court is "swallowing up" the State governments.

Freund, however, said that to pass the amendment denying Federal courts jurisdiction in State reapportionment cases would constitute the first diminution of liberty, justice and equality in this country. "It would deny equal protection under the law," he said. Freund pointed out that if this amendment passed, reversing the Supreme Court's *Baker* v. *Carr* ruling on apportionment, then other amendments would surely follow upsetting court rulings which sectional interests are opposing.

COURT OF THE UNION

"I look with favor on the proposal," commented Caldwell, in reference to the amendment setting up a "super" Supreme Court. He said, "I would rather trust 50 State judges than 9 political appointees." He urged those at the meeting to "join in combat. * * * in an all-out effort to recapture constitutional government for the people.

Freund cited three reasons why the Court of the Union idea would not be effective (1) The judges could meet only very infrequently. (2) State judges are not experts in Federal Constitutional law. (3) State judges are subject to State legislative pressures. He added that the American people are committed to the idea that the Constitution is law, and that this law can be upheld only by a strong Federal court.

GUESTS

Attending the meeting were presidents of bar associations in Missouri, Illinois, and the St. Louis area. The dean of the Washington University Law School also attended. The three Madison County circuit judges were present, along with National, State and local news media representatives.

A question and answer period followed the debate, followed later by the balloting when the three proposals were overwhelmingly turned down.

BALANCE-OF-PAYMENTS DEFICIT

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. CURTIS. Mr. Speaker, the United States has had a deficit in its international balance of payments every year, except one, since 1950. These deficits in large part account for the fact that our short-term liabilities to foreigners other than international institutions total about $20 billion. These liabilities represent the total potential claims against our gold stock of $15.7 billion. If we subtract from the total gold stock the $12 billion required to serve as the backing for our currency the amount of free gold still available to meet potential claims is less than $4 billion.

Efforts to eliminate the balance-of-payments deficit have not yet met with success. While the deficit last year officially was $2.2 billion, it would have been about $3.5 billion without the special financial transactions used by the Treasury. In the first quarter of this year, the deficit was $3.2 billion—seasonally adjusted annual rate.

I regret to say, Mr. Speaker, that by and large the measures taken so far to combat the payments problem have been mere palliatives. Attempts to reconcile the objectives of domestic economic policy and balance-of-payments policy have failed. Unless the United States eliminates its deficit in the near future, there is a grave danger of a breakdown in the international financial system which would have not only serious international consequences, but which would create new and serious problems for our domestic economy.

Looking to the future, the United States should initiate discussions within the International Monetary Fund, designed to strengthen the international monetary system. Such a strengthening of the world payments system could largely replace the bilateral and ad hoc obligations which the United States is now assuming to bolster the dollar's position.

It is clearly time for a declaration of congressional intent that the elimination of the balance-of-payments deficit should receive top priority by the administration, that the maintenance of balance-of-payments equilibrium should be a continuing and major goal of our economic policy and that the world monetary mechanism should be strengthened.

I am introducing today a resolution which would have this effect, and I ask that it be printed in the Record at the conclusion of these remarks.

H. Con. Res. 192

Concurrent resolution stating the sense of the Congress that achievement of balance-of-payments equilibrium is essential and that the United States should take the initiative in fostering an international balance of payments

Whereas the United States has had a deficit in its international balance of payments every year, except one, since 1950; and

Whereas largely as a result of these deficits, United States short-term dollar liabilities to foreigners totaled $25,300,000,000 at the end of April 1963; and

Whereas these liabilities constitute a potential claim against the United States gold stock of $15,700,000,000, of which less than $4,000,000,000 is "free gold" not required to serve as backing for our currency; and

Whereas the health of our domestic economy and strength of the dollar and its ability to serve as a key international reserve currency depends upon the early elimination of the balance-of-payments deficit and the creation of improved arrangements to serve the liquidity needs of an expanding international trade and payments system: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress of the United States that achievement of balance-of-payments equilibrium in a manner consistent with the dollar's role as a key international reserve currency should receive the highest priority in the formation of national economic policy; and be it further

Resolved, That the maintenance of equilibrium in its international accounts should be a continuing and major goal of United States international economic policy; and be it further

Resolved, That the United States take the initiative within the International Monetary Fund to devise new and improved methods of permanently strengthening the international monetary and credit mechanism in order to provide (a) improved means of financing balance-of-payments deficits until basic corrective forces restore equilibrium, and (b) sufficient liquidity to finance increases in world trade and payments once United States balance-of-payment equilibrium is achieved.

PROPOSED COMMISSION ON NOXIOUS AND OBSCENE MATTERS AND MATERIALS

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Langen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. LANGEN. Mr. Speaker, congressional offices are receiving many complaints from their constituents indicating that citizens of this country are being bombarded with a new round of obscene literature through the mails. The Post Office Department tells us that it and the Department of Justice are trying to halt it. However, whenever such shocking trash is stopped in one place, it pops up again somewhere else, which indicates we need to step up activities to curb these insidious dealers in human decay.

Because I believe the situation is so serious I am today reintroducing my bill to create a Commission on Noxious and Obscene Matters and Materials. This Commission would include members from the Post Office Department, the Department of Justice, the FBI, the Department of Health, Education, and Welfare, and Members of Congress. Public members on the Commission would include clergymen, secondary school officials, States attorneys general, county or city law-enforcement people, and representatives of the communications medias. The purpose would be to coordinate the piecemeal efforts now going on all over the country.

The Commission would also serve to keep the public informed of the dangers that exist from the distribution of obscene materials. An informed public is still the best way to rid our Nation of the filth peddlers, but they need the concentrated effort of this type of Commission to effect positive action.

I am not trying to ban any books, but I am trying to rid this country of the pamphlets, the magazines, the sensational pictures, and the like that contain absolutely no message except to spread filthy pornography among our people, especially our children. We have pure food and drug laws to make sure our children are not poisoned physically. We also need laws to make sure they are not poisoned mentally by the warped personalities of those who produce and distribute their psychopathic wares.

THE DOMESTIC FARMWORKER RECORD

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TALCOTT. Mr. Speaker, some Members of Congress have indicated a sincere interest in the actual responsiveness of domestic workers to accept agricultural labor. For their information I report the following figures from the Monterey County, Calif., agricultural commissioner obtained from 15 growers who kept accurate records of domestics referred to them by the department of employment: Of 4,468 domestic workers referred, 239, or 5 percent, failed to report to work after requesting employment; 1,140, or 25 percent, worked less than 3 days; 1,208, or 27 percent, worked less than 7 days; 905, or 20 percent, worked less than 14 days; 514 worked less than 1 month; 291 worked 1 month or more; 88 worked 2 months or more; and 83 worked 3 months or more. The figures are, I believe, typical.

Employment was available for a period of at least 6 months, with a minimum wage of $1 per hour and an average wage of $1.40 per hour. Competing areas in other States pay a much lower scale, often one-third less.

The climate and working conditions are among the most favorable for field work in America. Educational facilities and social acceptance are excellent. Any comparison of the wage scales in other industries with the minimum skills required indicates that the agriculture wages are fair, even generous. Some labor in agriculture, where the skill is higher, of course, is among the highest paid of any industry.

The only disadvantages to the row crop work are that first, the worker must stoop because strawberries, lettuce, and other row crops grow close to the ground; and, second, the harvests last only a few months—requiring continuous movement from farm to farm which no, absolutely no, conscientious family desires.

Men without their families can earn and save a decent living—even though their skills are low. Men with their families dissipate their earnings in temporary housing, uneconomic food and clothing purchasing, and extraordinary travel expense.

The wives of Congressmen with children should have some appreciation of, and sympathy for, the nomadic problems of the migrant farmworker—except that where a congressional family may move twice a year, a migrant family is forced to move, 5, 7, or 10 times a year. I would like to hear from the Members' wives on this particular subject. Better, I would like to have them vote on the bracero program.

MISINFORMATION ON BRACERO PROGRAM

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TALCOTT. Mr. Speaker, a Mr. Ginsbach, of Alamo, Tex., wrote a letter to a colleague condemning the bracero program. The letter was published in the Congressional Record of June 18, 1963, on page 11048, and contained the following statement:

> A large part of our community is made up of migratory laborers. So many times I have seen these laborers go to California when our own harvests are completed, only to return in a few weeks, because the braceros are doing all the work.

From my knowledge and information about the operation of the bracero program, the quoted statement was false. I wrote to Mr. Ginsbach and asked him to give me the names of just two people who would verify the statement. Mr. Ginsbach responded, in the part which was relevant to my inquiry, as follows:

> It is very seldom that I write to my Congressman, and I believe it was your name in last week's Packer, a trade paper, that prompted me to do so. You were mentioned as one who is sponsoring new bracero legislation.
>
> This past shipping season I employed from 100 to 150 people during peak weeks in harvesting and shipping operations. Most of these people have homes here in Alamo and most of them are migratory workers in the summer and early fall. None of my employees were braceros. I am not a large operator. I do my own hiring and I am my own foreman and manager. I am on a first-name basis with most of the people who work for me. On many occasions I have discussed with them working conditions in the different areas they go to. Most of our migrants go to Idaho, Washington, Oregon, Minnesota, Michigan, and a small percentage to California. To name names and put people under oath, etc., I do not plan to do. I am not prepared to name you names nor give you addresses because I do not have a record of any. Nor do I plan to go out soliciting migratory workers for this information, partly because our migratory workers have practically migrated at this time. Of course, I am aware that a citizen can demand a bracero's job. I will only say that I have yet to see it happen.

Mr. Speaker, the most charitable assessment I can give to Mr. Ginsbach's two statements is that the first statement was incorrect and cannot be substantiated. I believe there is no one who would make the statement under penalty of perjury.

The bracero law requires double protection for the domestic worker. First, the local department of employment must certify, and the department of labor must concur, that no domestic labor is available before a bracero is imported. Secondly, whenever a domestic wants to work at a job held by a bracero, the domestic must be employed immediately. The bracero can be bumped in favor of the domestic at any time.

Everyone connected with the growing of row crop vegetables knows these simple rules. If an argument against the bracero program is valid, resorting to false statements should not be necessary by Mr. Ginsbach or others.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Marsh (at the request of Mr. Price), for 30 minutes, on July 23, to revise and extend his remarks and to include extraneous matter.

Mr. Curtis (at the request of Mr. Shriver), for 1 hour, on July 8.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Daniels (at the request of Mr. Boggs) and to include extraneous matter.

ADJOURNMENT

Mr. BOGGS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to: accordingly (at 12 o'clock and 5 minutes p.m.), under its previous order, the House adjourned until Monday, July 8, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1001. A letter from the Comptroller General of the United States transmitting a report on the audit of the Federal Crop Insurance Corporation, Department of Agriculture, for the fiscal year ended June 30, 1962 (H. Doc. No. 133); to the Committee on Government Operations and ordered to be printed.

1002. A letter from the Comptroller General of the United States transmitting a report on unnecessary costs to be incurred under the military departments' proposals for continued operation of separate Army and Navy hospitals in the San Francisco Bay area, California; to the Committee on Government Operations.

1003. A letter from the Comptroller General of the United States transmitting a report on the followup review of noncompetitive procurement of aeronautical replacement spare parts within the Department of the Army; to the Committee on Government Operations.

1004. A letter from the Comptroller General of the United States transmitting a supplemental report on illegal transactions under the Army stock fund; to the Committee on Government Operations.

1005. A letter from the Comptroller General of the United States transmitting a report on overprocurement of magnetos and distributors for reciprocating aircraft engines by the Department of the Navy; to the Committee on Government Operations.

1006. A letter from the Assistant Secretary of the Interior, relative to reporting that an adequate soil survey and land classification of the lands in the Dalles project, western division, Oregon, has been completed, pursuant to Public Law 172, 83d Congress; to the Committee on Appropriations.

1007. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting additional material relating to a letter dated September 19, 1962, pertaining to facilities projects and a project at Milledgeville, Ga., comprising an addition to the existing National Guard Armory, pursuant to 10 U.S.C. 2233a(1); to the Committee on Armed Services.

1008. A communication from the President of the United States, transmitting a draft of a proposed bill entitled "A bill to amend further the Peace Corps Act (75 Stat. 612), as amended"; to the Committee on Foreign Affairs.

1009. A letter from the Secretary of Defense, transmitting the Annual Report of the American National Red Cross for the fiscal year ended June 30, 1962, pursuant to an act approved January 5, 1905 (33 Stat. 599), and amended by an act of July 17, 1953 (67 Stat. 173); to the Committee on Foreign Affairs.

1010. A letter from the Assistant Secretary of the Interior, transmitting a proposed concession contract which will authorize Dr. Watson M. Lacy to continue medical services on the south rim of the Grand Canyon National Park, pursuant to the act of July 14, 1956 (70 Stat. 543); to the Committee on Interior and Insular Affairs.

1011. A letter from the Assistant Secretary of the Interior, transmitting a copy of an application for a loan of $696,700 for the King Hill Irrigation District of Elmore County, Idaho, pursuant to 70 Stat. 1044, as amended by 71 Stat. 48; to the Committee on Interior and Insular Affairs.

1012. A letter from the General Manager, U.S. Atomic Energy Commission, transmitting a list of the nonprofit educational institutions in which title equipment was vested by the Atomic Energy Commission, pursuant to Public Law 85-934; to the Committee on Science and Astronautics.

1013. A letter from the Commissioner, Federal Housing Administration, relative to the research program conducted by the FHA, and relating to contracts entered into with Virginia Polytechnic Institute and the Pennsylvania State University, pursuant to Public Law 85-934; to the Committee on Science and Astronautics.

1014. A letter from the Secretary of the Treasury, transmitting a draft of a proposed bill entitled "A bill to amend section 313(b) of the Tariff Act of 1930, as amended, to prohibit drawback payments on exported articles under certain circumstances"; to the Committee on Ways and Means.

1015. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a copy of an order granting the application for permanent residence filed by Franghi Anghelatos, A-15411809, pursuant to the Refugee Relief Act of 1953; to the Committee on the Judiciary.

1016. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to the Immigration and Nationality Act of 1952, as amended by Public Law 87-885; to the Committee on the Judiciary.

1017. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions which this Service has approved according the beneficiaries of such petitions first preference classification, pursuant to the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

1018. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to the Immigration and Nationality Act of 1952, as amended by Public Law 87-885; to the Committee on the Judiciary.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. LANGEN:

H.R. 7389. A bill creating a Commission to be known as the Commission on Noxious and Obscene Matters and Materials; to the Committee on Education and Labor.

By Mr. WIDNALL:

H.R. 7390. A bill to provide for the preparation of plans for the utilization of certain buildings in the District of Columbia for municipal purposes; to the Committee on the District of Columbia.

H.R. 7391. A bill to authorize and direct the Architect of the Capitol to construct the third Library of Congress building in square 732 in the District of Columbia, to provide that such building shall be designated the "President James Madison Memorial Library," and to provide that additional facilities for the Library of Congress shall be built in squares 637 and 691 in the District of Columbia in order to render unnecessary the construction (at a cost of $39 million) of a special memorial to President James Madison, and for other purposes; to the Committee on Public Works.

By Mr. CURTIS:

H. Con. Res. 192. Concurrent resolution stating the sense of the Congress that achievement of balance-of-payments equilibrium is essential and that the United States should take the initiative in fostering an international balance of payments; to the Committee on Banking and Currency.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By Mr. CANNON: Memorial of the Missouri House of Representatives relating to water resources; to the Committee on Agriculture.

By the SPEAKER: Memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States relative to a request that the Civil Aeronautics Board grant a permanent franchise to Northeast Airlines to provide service in the Boston-to-Florida route; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States relative to enacting into law the civil rights recommendations of our President, John F. Kennedy; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRY:

H.R. 7392. A bill for the relief of Dr. Cesar M. Caoili; to the Committee on the Judiciary.

H.R. 7393. A bill for the relief of Thomas C. Macpherson, Jr.; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

182. By Mr. HANNA: Petition to preserve the Monroe Doctrine; to the Committee on Foreign Affairs.

183. By the SPEAKER: Petition of the National Society, Sons of the American Revolution, Washington, D.C., petitioning consideration of their resolution with reference to accomplishing the immediate release of occupants of aircraft shot down in North Korea, who are now being held prisoners, by requesting the President to resort to whatever means are necessary to bring about their freedom; to the Committee on Foreign Affairs.

SENATE

Friday, July 5, 1963

The Senate met at 9 o'clock a.m. and was called to order by the Acting President pro tempore (Mr. Metcalf).

The ACTING PRESIDENT pro tempore. The Senate, under previous order, will now adjourn to Tuesday next.

ADJOURNMENT TO TUESDAY, JULY 9, 1963

Thereupon (at 9 o'clock and 3 seconds a.m.) the Senate adjourned, under the order of Thursday, June 27, 1963, until Tuesday, July 9, 1963, at 12 o'clock meridian.

EXTENSIONS OF REMARKS

Tribute to Eleanor Roosevelt

EXTENSION OF REMARKS
OF
HON. DOMINICK V. DANIELS
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Friday, July 5, 1963

Mr. DANIELS. Mr. Speaker, seldom in history has one woman earned the respect and admiration of as many people throughout the world as did Anna Eleanor Roosevelt. For more than 40 years—as a member of the League of Women Voters, later as First Lady, and finally as an internationally esteemed figure—Eleanor Roosevelt worked unceasingly on behalf of her fellow men and women. Her interests and activities were as far ranging as the problems of a rapidly changing world.

Here was a woman whose heart knew no bounds in its concern for human suffering and deprivation. Mrs. Roosevelt was a great friend of the impoverished and the underprivileged, both in word and in deed. She espoused the cause of equal rights and equal opportunities for all our citizens at a time when such pleas were scattered and unpopular. Later, as American delegate to the Human Rights Convention of 1946 and to the General Assembly from 1946 to 1953, her vistas extended even further, until they encompassed all humanity.

Many disagreed with her, but in time even her critics came to respect her. Millions more regarded her with the deepest affection, an affection matched only by our sorrow at her decease. This was a woman with strength of mind and warmth of heart. The memory of Eleanor Roosevelt will long be cherished as one who achieved greatness through her devotion to mankind.

HOUSE OF REPRESENTATIVES

MONDAY, JULY 8, 1963

The House met at 12 o'clock noon.

The Very Reverend Harold R. Perry, S.V.D., rector of the Divine Seminary of St. Augustine, Bay St. Louis, Miss., offered the following prayer:

Most gracious God, Father of us all, inspire, we beseech Thee, Americans everywhere with the spirit of love and justice, that we may live together as brothers in charity and peace. Bestow Thy bountiful blessing on our esteemed public leaders assembled here at this great center of power to make decisions that will shape the destinies of millions of Americans. Let mighty voices of justice be raised by those of great hearts, farsighted vision, and strong faith, that this Nation may keep its promise to the world to be the home of freedom and brotherhood for all. Too long have we ignored your laws O God, the giver of human dignity and human rights. Grant that we may now at last have the courage to meet the challenge of this crucial hour to seize this historic opportunity You have given us, for healing an ancient rupture in our national family. All these favors and blessings we beg in the name of the Father, and of the Son, and of the Holy Spirit. Amen.

THE JOURNAL

The Journal of the proceedings of Friday, July 5, 1963, was read and approved.

DISTRICT OF COLUMBIA APPROPRIATIONS BILL, 1964

Mr. NATCHER. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a privileged report on the District of Columbia appropriations bill for the fiscal year 1964.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. JENSEN reserved all points of order on the bill.

OLD-FASHIONED AMERICAN PATRIOTISM

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, there is nothing in all the world as refreshing in a period of unrest and as inspiring to faith in the future as a Fourth of July celebration patterned on old-fashioned American patriotism.

In the district that I have the honor to represent in the far South Side of Chicago, the South Deering Improvement Association, in cooperation with all the adjoining communities, annually observes Independence Day with an all-day celebration in which everyone joins. It recaptures the spirit of 1776 and makes the priceless traditions of our national heritage a real and vital part of the lives of those of this generation.

Both the 5th Army Band and the Navy Band from Great Lakes participated in this year's parade. There were elaborate floats and dancing groups representing all the veteran, fraternal, church, and civic activities, and from every home by which the parade passed the flag of our country waved in the breeze. Everyone in the entire region showed his love of country unabashed and all with an enriching neighborliness. No less than 50,000 men, women, and children ringed the field in the evening for the speaking, which was brief, and for the fireworks, which could not have been excelled any other place in America.

During the afternoon there were 20 contests, ranging from a 25-yard dash by boys in the 5 to 7 age bracket to a three-legged race by girls in the 10 to 14 age group. And, of course, a corking good baseball game.

America owes much to the men and women whose selfless devotion to country, community, and neighborliness makes such days possible. Juvenile delinquency does not thrive in such a climate. But it is the climate in which love of country flowers and old-fashioned American patriotism reaches its highest expression.

For the Second District of Illinois, I am happy to extend congratulations and the warmest thanks to Louis P. Dinnocenzo, president; Joseph A. Grande, general chairman; W. G. Newbould and Andrew Diorio, assistant chairmen; Gen. Horace Wulf, grand marshal; Patrick Allman, attorney; Joseph Gornick, secretary; Nels Monocchio, treasurer; Rev. William Vernon, chaplain; Emil DiGiacomo and Mike O'Janovac, sergeants at arms; and Dan Delich, Alex Savastano, Jerome Delaurentis, and Mrs. Parry Griffiths, vice presidents. Also to State Senator Daniel Dougherty, State Representatives Henry Lenard and Nick Svalina, Judge Felix M. Buoscio, Aldermen Dominic Lupo and John Buchanan and Committeemen Leslie Beck, Stanley Zima, and John Henneberger, and not forgetting the Reverend Michel J. Commius and Steve Meuris, director, and the other members of the Trumbull Park staff. All joined in service to God, country, and community.

PATRON MAIL

Mr. WELTNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WELTNER. Mr. Speaker, on June 11, 1963, the House passed H.R. 6868, making appropriations for the legislative branch for the fiscal year ending June 30, 1964. During the course of the debate on that bill, several amendments were offered, designed in the main to preclude the expenditure of public funds for items considered by some of us to be nonessential. This body having rejected those amendments, it would be profitless to raise those issues again by separate bills. However, there is one item concerning which no amendment was offered. That is the matter of the use of the franking privilege for patron mail.

The franking privilege is, of course, essential to the proper performance of each Member's duties. However, the use of the franking privilege on occupant mail falls under heavy criticism, and I, for one, feel that criticism to be in large measure justified.

During the course of debate on H.R. 6868, the able subcommittee chairman stated that the use of patron mail by Members of Congress would be discretionary with the Postmaster General. This is a matter that should be decided by the Congress, not by the administration.

Accordingly, I have today introduced a bill to prohibit the use of a simplified form of address—so-called patron mail—under the franking privilege.

I would urge the Members to support this measure.

AGAIN THE CIRCUS

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, the setting of the Republican convention for July indicates that we will have another mad, protracted, and senseless presidential campaign in 1964.

In making this statement, I do not ascribe any particular malevolence to the Republicans since in setting this early date, they are merely acting in the manner customary to the party which is not in power.

The fact remains, however, that the designations of this early date means that the American public will be subject to over 3 months of the circus-parade type of campaign that is known only in the United States of America.

I cannot understand why we insist on pursuing this irrational course. A study of past campaigns indicates that there is no great virtue in making them unduly long. Governor Stevenson exhausted himself in two strenuous and elongated campaigns with marked lack of success. The same is true of Wendell Willkie.

The only effect of the long presidential campaign is to wear down the candidates until they become caricatures of themselves and to make the public sick and tired of the repetition and retracing which is the natural result of the drying-up of inspiration and spontaneity.

For several years, and again, this year, I have filed a bill—currently H.R. 7321—to require the nomination of the President and Vice President to be made within 60 days of the election. Since the Republican convention date has already been set, I have no illusions about the possibility of success of this legislation before the 1964 campaign.

I cannot say that my proposal has resulted in a tremendous ground swell of support. Nevertheless, I believe that support exists in the body of the American people, even though it does not contain the emotional stimulus of other more personal issues. If election campaigns such as ours are not required in India, England or Israel, why must we resort to them? Certainly, there is a point of diminishing returns after which the public close their ears and minds to further repetition of political platitudes.

Only this year, in Canada, one of the most momentous elections in the history of that nation was conducted with adequate coverage of the issues and exposure of candidates. This election took only 30 days.

If Canada can do this, why cannot we?

SUBCOMMITTEE NO. 5, COMMITTEE ON THE JUDICIARY

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that Subcommittee No. 5 of the Committee on the Judiciary may be permitted to sit during general debate on July 10, 11, and 12.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

CORRECTION GRATEFULLY ACCEPTED

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TALCOTT. Mr. Speaker, I want to call attention of the House of Representatives and the people of Texas, particularly Alamo, Tex., that Mr. John H. Ginsbach, the mayor of Alamo, has stated that "Further investigation on my part indicates to me that this statement—CONGRESSIONAL RECORD, June 18, 1963, page 11048—is not correct."

The people of my district, the agricultural community of California, and those charged with the enforcement of the bracero program, and I, appreciate the retraction.

More than that, I personally commend the mayor of Alamo, Tex., Mr. Ginsbach, for having and displaying the honesty and courage to admit a mistake and correct it. This is a virtue of a big man.

Mr. Ginsbach should never have been involved in the bracero issue. I regret any embarrassment I caused him.

The bracero program is vitally important to my district and the agricultural industry and community of California. We want the program to work properly and effectively to the satisfaction of everyone, including, particularly, the domestic farmworker. We do not want to mislead—we simply want Congress to understand.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

ADDITIONAL PAY FOR DIRECTORS AT VETERANS' ADMINISTRATION INSTALLATIONS

The Clerk called the bill (H.R. 228) to amend title 38, United States Code, with respect to the salary of directors and chiefs of staff of Veterans' Administration hospitals, domiciliaries, and centers.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, on behalf of a colleague I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

BACK PAY ACT OF 1963

The Clerk called the bill (H.R. 4837) to provide for the payment of certain amounts and restoration of employment benefits to certain Government officers and employees improperly deprived thereof, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Back Pay Act of 1963".

SEC. 2. For the purposes of this Act—

(1) "agency" means—

(A) each executive department of the Government of the United States;

(B) each agency or independent establishment in the executive branch of such Government;

(C) each corporation owned or controlled by such Government;

(D) the Administrative Office of the United States Courts;

(E) the Library of Congress;

(F) the General Accounting Office;

(G) the Government Printing Office; and

(H) the municipal government of the District of Columbia.

SEC. 3. Each civilian officer or employee of an agency who, on the basis of an administrative determination or a timely appeal, is found by appropriate authority under applicable law or regulation to have undergone an unjustified or unwarranted personnel action taken on or after the date of enactment of this Act, which has resulted in the withdrawal or reduction of all or any part of the pay, allowances, or differentials of such officer or employee—

(1) shall be entitled, upon correction of such personnel action, to receive for the period for which such personnel action was in effect an amount commensurate with the amount of all or any part of the pay, allowances, or differentials, as applicable, which such officer or employee normally would have earned during such period if such personnel action had not occurred, less any amounts earned by him through other employment during such period; and

(2) for all purposes, shall be held and considered to have rendered service for such agency during such period, except that such officer or employee shall not be credited, by reason of the enactment of this Act, leave in an amount which would cause any amount of leave to his credit to exceed any maximum amount of such leave authorized for such officer or employee by law or regulation.

SEC. 4. The United States Civil Service Commission shall prescribe regulations to carry out the provisions of this Act. Such regulations shall not be applicable with respect to the Tennessee Valley Authority and its officers and employees.

SEC. 5. (a) There are hereby repealed—

(1) section 6(b) of the Act of August 24, 1912, as amended (5 U.S.C. 652(b)); and

(2) that part of the third proviso of the first section of the Act of August 26, 1950 (5 U.S.C. 22-1), which reads: ", and if so

reinstated or restored shall be allowed compensation for all or any part of the period of such suspension or termination in an amount not to exceed the difference between the amount such person would normally have earned during the period of such suspension or termination, at the rate he was receiving on the date of suspension or termination, as appropriate, and the interim net earnings of such person".

(b) Notwithstanding the repeal of certain provisions of law made by subsection (a) of this section, such provisions of law so repealed shall continue to have full force and effect with respect to unjustified or unwarranted personnel actions taken prior to the date of enactment of the Act.

With the following committee amendments:

Page 2, line 14, strike out "on or" and insert in lieu thereof "prior to, on, or".

Page 3, line 16, strike out "(a)".

Page 4, strike out lines 6 to 11, inclusive.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARKET POWER GENERATED AT AMISTAD DAM

The Clerk called the bill (H.R. 4062) to amend the act authorizing the transmission and disposition by the Secretary of the Interior of electric energy generated at Falcon Dam on the Rio Grande to authorize the Secretary of the Interior to also market power generated at Amistad Dam on the Rio Grande.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of June 18, 1954 (68 Stat. 255), be amended as follows:

(a) In the first sentence of section 1 change the phrase "Falcon Dam, an international storage reservoir project" to read "Falcon Dam and Amistad Dam, international storage reservoir projects", and change the word "project", the second place it appears, to read "projects".

(b) In the second sentence of section 1 change the word "project" to read "projects".

(c) In the fourth sentence of section 1 of said Act, strike out the balance of the sentence beginning wtih the phrase "in order to make the power and energy generated at said project" and insert in lieu thereof the following: "for the integration of the Falcon and Amistad projects and in order to make the power and energy generated at said projects available in wholesale quantities for sale on fair and reasonable terms and conditions to facilities owned by the Federal Government, public bodies, cooperatives, and privately owned companies."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to amend the act authorizing the transmission and disposition by the Secretary of the Interior of electric energy generated at Falcon Dam on the Rio Grande to authorize the Secretary of the Interior to also market power generated at Amistad Dam on the Rio Grande."

A motion to reconsider was laid on the table.

INCREASE FOR GRAND AND PETIT JURORS

The Clerk called the bill (H.R. 5905) to amend section 1871 of title 28, United States Code, to increase the per diem and subsistence, and limit mileage allowances of grand and petit jurors.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, reserving the right to object, the committee report indicates that the annual additional cost following enactment of this legislation would be approximately $1.4 million per year.

Mr. Speaker, the objectors of the Consent Calendar, both Democratic and Republican, have an agreement that no legislation ought to be on the Consent Calendar that involved more than $1 million. In order to maintain the integrity of this agreement, in my opinion this bill should not be considered on the Consent Calendar. I note, however, that it is scheduled for consideration under suspensions for today.

Mr. Speaker, I therefore withdraw my reservation and ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

LEASE OF TOBACCO ALLOTMENTS

The Clerk called the bill (H.R. 5930) to amend the Agricultural Adjustment Act of 1938 to extend for 2 additional years the provisions permitting the lease and transfer of tobacco acreage allotments.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 581, be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (1) subsection (a) of section 316 of the Agricultural Adjustment Act of 1938, as amended, is further amended—

(1) by striking out "and 1963" and inserting in lieu thereof ", 1963, 1964, and 1965";

(2) by striking out ", and for the 1963 crop year, other than" and inserting in lieu thereof "or"; and

(3) by striking out the last sentence and inserting in lieu thereof the following: "In the case of Maryland (type 32) tobacco, no farm shall be eligible for lease of 1962 or 1963 allotment from the farm unless at least 75 per centum of the allotment for the farm was actually planted during each of the years 1960 and 1961, nor shall a farm be eligible for lease of 1964 or 1965 Maryland tobacco allotment from the farm unless at least 75 per centum of the allotment for the farm was actually planted on such farm during each of the two immediately preceding years."; and

(2) Subsection (b) of such section, as amended, is amended to read as follows: "(b) Any lease shall be made on an annual basis and on such terms and conditions, except as otherwise provided in this section, as the parties thereto agree."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 5930) was laid on the table.

Mr. SCHWEIKER. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. BROYHILL] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BROYHILL of North Carolina. Mr. Speaker, I rise in support of this legislation. There is no question but that this program has been of considerable value to the Flue-cured tobacco farmer and deserves to be continued.

In North Carolina, Flue-cured tobacco is a huge industry. Cash receipts in 1962 were $817 million according to the estimates of the Department of Agriculture. Of this, North Carolina accounted for $540 million. I cite these statistics since the Congress should be aware of the magnitude of Flue-cured tobacco production. If this industry were damaged, the economic consequences would be widespread. If the industry were seriously harmed, it would take, in North Carolina alone, 540 new industrial plants, each with an annual payroll of $1 million to make up for the lost income. Today, every State in the Union is competing for expanded employment opportunites. All of you here who have worked long and hard to land just one industrial plant know that to try to obtain 540 is a virtual impossibility. That is one reason we are so anxious to protect the investment of our farmers and to strengthen this great American industry.

H.R. 5930 continues for 2 years the authority of Flue-cured tobacco farmers to transfer by lease tobacco acreage allotments from one farm to the other within the same county. It recognizes the special problems of Flue-cured tobacco production. There is virtually no cost to the Government involved in this bill. I urge that the House favorably consider this legislation which provides administrative assistance needed and desired by Flue-cured tobacco producers.

EXTENSION OF TIME TO FILE 1963 TOBACCO ALLOTMENT LEASES

The Clerk called House Joint Resolution 403 to amend section 316 of the Agricultural Adjustment Act of 1938 to extend the time by which a lease transferring a tobacco acreage allotment may be filed.

The SPEAKER. Is there objection to the present consideration of the joint resolutions?

Mr. FORD. Mr. Speaker, reserving the right to object, in reading the committee's report on this proposed legislation, I note that there is no report from the Department indicating its approval or disapproval of this legislation.

Mr. FUQUA. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Florida.

Mr. FUQUA. The Department had a witness present who testified. His testimony was in lieu of any official departmental report. The testimony is included in the committee report. They have no objection to this legislation.

Mr. FORD. In other words, the Department has approved the legislation?

Mr. FUQUA. The Department itself approves the legislation.

The SPEAKER. Is there objection to the present consideration of the resolution?

There being no objection, the Clerk read the House joint resolution as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 316 of the Agricultural Adjustment Act of 1938 is amended by adding thereto a new subsection (h) to read:

"(h) Notwithstanding the provisions of subsection (c) relating to the filing of a lease with the county committee, the lease and transfer of an allotment for the 1963 crop year shall be effective if, (1) the County Committee, with the approval of a representative of the State Committee, finds that a lease in compliance with the provisions of this section was agreed upon prior to the normal planting time in the county, as determined by the Secretary, or June 15, 1963, whichever is earlier, and (2) the terms of the lease are reduced to writing and filed in the county office in which the farms involved are located within twenty days of the date this subsection becomes law."

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXPANDING AUTHORITY OF CANAL ZONE GOVERNMENT TO SETTLE CERTAIN CLAIMS

The Clerk called the bill (H.R. 3050) to expand the authority of the Canal Zone Government to settle claims not cognizable under the Tort Claims Act.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I wonder why this legislation is necessary if it covers situations that have occurred only twice in a quarter of a century?

Mrs. SULLIVAN. I do not believe I can answer the gentleman from Iowa on how many times it is likely to occur. This request was sent up by the Canal Zone Government in order to make the same rule applicable to claims arising in Panama in the same way it is applicable in the Canal Zone and in the United States.

Mr. GROSS. The limitation is $2,500.

Mrs. SULLIVAN. I would like to add further this authority already exists in the zone, and the Panama Canal Company has the authority both in the zone and in Panama. I understand it extends this to any action or to anything that might happen in the Republic of Panama involving the Canal Zone Government.

Mr. GROSS. I do not know that I have any opposition to the bill, but I am intrigued by the fact that if we gratuitously send firefighting equipment into the Republic of Panama to assist in putting out a fire, why we should be liable for damage under those circumstances? Perhaps this is done for some reason that is not obvious in the report.

Mrs. SULLIVAN. If our equipment should hit somebody or have an accident in the zone, then, of course, existing law would be applicable.

Mr. GROSS. I understand that, but I am not anxious to see our equipment go into the Republic of Panama under those conditions.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 271 of title 2, Canal Zone Code (76A Stat. 22), is amended to read as follows:

"§ 17. Claims arising from civil government

"(a) The Governor, or his designee, may adjust and pay claims for injury to or loss of property or personal injury or death arising from the activities of the Canal Zone Government.

"(b) An award made to a claimant pursuant to this section shall be payable out of any moneys appropriated for or made available to the Canal Zone Government. The acceptance by the claimant of the award shall be final and conclusive on the claimant, and shall constitute a complete release by him of his claim against the United States, except that the Governor may make an interim partial award for humanitarian or compassionate reasons in a sum not exceeding $1,000.

"(c) This section does not apply to tort claims cognizable under section 1346(b) of title 28, United States Code."

With the following committee amendments:

On page 1, line 5, strike out "17" and insert "271".

On page 1, line 7, insert commas after the words "to" and "of".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING SECTION 66, TITLE 2, OF CANAL ZONE CODE

The Clerk called the bill (H.R. 3999) to amend section 66 of title 2 of the Canal Zone Code.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 66 of title 2 of Canal Zone Code is amended by adding a new paragraph (d) reading as follows:

"(d) Subject to paragraph (c) of this section no activity included in an approved budget program prescribed by section 102 of the Government Corporation Control Act (31 U.S.C. sec. 847) shall be discontinued and no real property or rights to the use of real property used in such activity shall be disposed of or transferred except to another agency of the United States Government unless specifically authorized through approval of a new or revised budget program or otherwise."

With the following committee amendment:

On page 1, line 10, between the words "transferred" and "except", insert the following: "by license, lease or otherwise".

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REGISTRATION OF PROFESSIONAL NURSES AS STAFF OFFICERS IN THE U.S. MERCHANT MARINE

The Clerk called the bill (H.R. 5781) to amend the act of August 1, 1939, to provide that professional nurses shall be registered as staff officers in the U.S. Merchant Marine.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first sentence of the Act entitled "An Act to provide for the registry of pursers and surgeons as staff officers on vessels of the United States, and for other purposes", approved August 1, 1939 (46 U.S.C., sec. 242), is amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "(6) professional nurse.".

(b) Section 2 of such Act of August 1, 1939, is amended by adding at the end thereof the following new sentence: "Applicants for registry as professional nurse shall be required to possess a valid license as a registered nurse issued under authority of a State or territory of the United States or the District of Columbia.".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REPEALING THE INLAND WATERWAYS CORPORATION ACT

The Clerk called the bill (H.R. 2876) to repeal the Inland Waterways Corporation Act.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. WILLIAMS. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 1031, be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (1) the Act entitled "An Act to create the Inland Waterways Corporation for the purpose of carrying out the mandate and purpose of Congress as expressed in sections 201 and 500 of the Transportation Act, and for other purposes", approved June 3, 1924, as amended (49 U.S.C. 151-157), and (2) section 201 of the Transportation Act, 1920 (49 U.S.C. 141), are hereby repealed.

SEC. 2. (a) For liquidation of the affairs of the Inland Waterways Corporation, and for this purpose only, notwithstanding any other provision of law, the Secretary of Commerce shall have all functions, powers, duties, authority, rights and immunities which were vested in, or available or applicable to the Corporation on the day before the date of enactment of this Act (except requirements relating to service in contracts for sale of facilities of the Inland Waterways Corporation which are deemed to be modified by section 1 hereof) which shall be performed, exercised, and administered by the Secretary of Commerce in the same manner and to the same extent as if the same were performed, exercised, and administered by the Corporation. The Secretary of Commerce shall assume and be subject in his official capacity to all rights and benefits, all liabilities and commitments, whether arising out of contract or otherwise, of the Corporation, but he shall pay into the Treasury, as miscellaneous receipts, all future receipts and all remaining funds of the Corporation transferred to, or received by, him. To assist in his liquidation of the Corporation, the books of account, records, documents, assets, and liabilities of every kind and nature, including but not limited to all funds, notes (and accrued interest thereon), mortgages, deeds of trust, contracts, commitments, claims, and causes of action of Inland Waterways Corporation are transferred to the Secretary of Commerce for liquidation or assignment.

(b) No suit, action, or other proceeding lawfully commenced by or against Inland Waterways Corporation before the date of enactment of this Act shall abate by reason of this Act; but the court may, on motion or supplemental petition filed at any time within twelve months after such dissolution and showing a necessity for the survival of such suit, action, or other proceeding to obtain a settlement of the questions involved, allow the same to be maintained by or against the United States in such court. After the date of enactment of this Act, any suit, action, or other proceeding which, but for this Act, would be commenced by or against the Corporation, shall be commenced by or against the United States in a Federal court of competent jurisdiction.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 2876) was laid on the table.

AUTHORIZING THE PRESIDENT TO PROCLAIM REGULATIONS FOR PREVENTING COLLISIONS AT SEA

The Clerk called the bill (H.R. 6012) to authorize the President to proclaim regulations for preventing collisions at sea.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized to proclaim the regulations set forth in section 4 of this Act for preventing collisions involving waterborne craft upon the high seas, and in all waters connected therewith. The effective date of such proclamation shall be not earlier than the date fixed by the Inter-Governmental Maritime Consultative Organization for application of such regulations by Governments which have agreed to accept them. Such proclamation, together with the regulations, shall be published in the Federal Register and after the effective date specified in such proclamation such regulations shall have effect as if enacted by statute and shall be followed by all public and private vessels of the United States and by all aircraft of United States registry to the extent therein made applicable. Such regulations shall not apply to the harbors, rivers, and other inland waters of the United States; to the Great Lakes of North America and their connecting and tributary waters as far east as the lower exit of the Saint Lambert Lock at Montreal in the Province of Quebec, Canada; to the Red River of the North and the rivers emptying into the Gulf of Mexico and their tributaries; nor with respect to aircraft in any territorial waters of the United States.

SEC. 2. Any requirement of such regulations in respect of the number, position, range of visibility, or arc of visibility of the lights required to be displayed by vessels shall not apply to any vessel of the Navy or of the Coast Guard whenever the Secretary of the Navy or the Secretary of the Treasury, in the case of Coast Guard vessels operating under the Treasury Department, or such official as either may designate, shall find or certify that, by reason of special construction, it is not possible for such vessel or class of vessel to comply with such regulations. The lights of any such exempted vessel or class of vessels, however, shall conform as closely to the requirements of the applicable regulations as the Secretary or such official shall find or certify to be feasible. Notice of such findings or certification and of the character and position of the lights prescribed to be displayed on such exempted vessel or class of vessels shall be published in the Federal Register and in the Notice to Mariners, and, after the effective date specified in such notice, shall have effect as part of such regulations.

SEC. 3. On the date the regulations authorized to be proclaimed under section 1 hereof take effect, the Act of October 11, 1951 (65 Stat. 406), is repealed and the regulations proclaimed thereunder shall be of no further force or effect. Until such date, nothing herein shall in any way limit, supersede, or repeal any regulations for the prevention of collisions which have heretofore been prescribed by statute, regulation, or rule. Any reference in any other law to the Act of October 11, 1951 (65 Stat. 406), or the regulations proclaimed thereunder, shall be deemed a reference to this Act and the regulations proclaimed hereunder.

SEC. 4. The regulations authorized to be proclaimed under section 1 hereof are the Regulations for Preventing Collisions at Sea, 1960, approved by the International Conference on Safety of Life at Sea, 1960, held at London from May 17, 1960, to June 17, 1960, as follows:

"REGULATIONS FOR PREVENTING COLLISIONS AT SEA

"Part A.—Preliminary and definitions

"Rule 1

"(a) These Rules shall be followed by all vessels and seaplanes upon the high seas and in all waters connected therewith navigable by seagoing vessels, except as provided in Rule 30. Where, as a result of their special construction, it is not possible for seaplanes to comply fully with the provisions of Rules specifying the carrying of lights and shapes, these provisions shall be followed as closely as circumstances permit.

"(b) The Rules concerning lights shall be complied with in all weathers from sunset to sunrise, and during such times no other lights shall be exhibited, except such lights as cannot be mistaken for the prescribed lights or do not impair their visibility or distinctive character, or interfere with the keeping of a proper look-out. The lights prescribed by these Rules may also be exhibited from sunrise to sunset in restricted visibility and in all other circumstances when it is deemed necessary.

"(c) In the following Rules, except where the context otherwise requires—

"(i) the word 'vessel' includes every description of water craft, other than a seaplane on the water, used or capable of being used as a means of transportation on water;

"(ii) the word 'seaplane' includes a flying boat and any other aircraft designed to maneuver on the water;

"(iii) the term 'power-driven vessel' means any vessel propelled by machinery;

"(iv) every power-driven vessel which is under sail and not under power is to be considered a sailing vessel, and every vessel under power, whether under sail or not, is to be considered a power-driven vessel;

"(v) a vessel or seaplane on the water is 'underway' when she is not at anchor, or made fast to the shore, or aground;

"(vi) the term 'height above the hull' means height above the uppermost continuous deck;

"(vii) the length and breadth of a vessel shall be her length overall and largest breadth;

"(viii) the length and span of a seaplane shall be its maximum length and span as shown in its certificate of airworthiness, or as determined by measurement in the absence of such certificate;

"(ix) vessels shall be deemed to be in sight of one another only when one can be observed visually from the other;

"(x) the word 'visible', when applied to lights, means visible on a dark night with a clear atmosphere;

"(xi) the term 'short blast' means a blast of about one second's duration;

"(xii) the term 'prolonged blast' means a blast of from four to six seconds' duration;

"(xiii) the word 'whistle' means any appliance capable of producing the prescribed short and prolonged blasts;

"(xiv) the term 'engaged in fishing' means fishing with nets, lines or trawls but does not include fishing with trolling lines.

"Part B.—Lights and shapes

"Rule 2

"(a) A power-driven vessel when underway shall carry—

"(i) On or in front of the foremast, or if a vessel without a foremast then in the forepart of the vessel, a white light so constructed as to show an unbroken light over an arc of the horizon of 225 degrees (20 points of the compass), so fixed as to show the light 112½ degrees (10 points) on each side of the vessel, that is, from right ahead to 22½ degrees (2 points) abaft the beam on either side, and of such a character as to be visible at a distance of at least 5 miles.

"(ii) Either forward or abaft the white light prescribed in sub-section (i) a second white light similar in contruction and character to that light. Vessels of less than 150 feet in length shall not be required to carry this second white light but may do so.

"(iii) These two white lights shall be so placed in a line with and over the keel that one shall be at least 15 feet higher than the other and in such a position that the forward light shall always be shown lower than the after one. The horizontal distance between the two white lights shall be at least three times the vertical distance. The lower of these two white lights or, if only one is carried, then that light, shall be placed at a height above the hull of not less than 20 feet, and, if the breadth of the vessel exceeds 20 feet, then at a height above the hull not less than such breadth, so however that the light need not be placed at a greater height above the hull than 40 feet. In all circumstances the light or lights, as the case may be, shall be so placed as to be clear of and above all other lights and obstructing superstructures.

"(iv) On the starboard side a green light so constructed as to show an unbroken light over an arc of the horizon of 112½ degrees (10 points of the compass), so fixed as to show the light from right ahead to 22½ degrees (2 points) abaft the beam on the starboard side, and of such a character as to be visible at a distance of at least 2 miles.

"(v) On the port side a red light so constructed as to show an unbroken light over an arc of the horizon of 112½ degrees (10 points of the compass), so fixed as to show the light from right ahead to 22½ degrees (2 points) abaft the beam on the port side, and of such character as to be visible at a distance of at least 2 miles.

"(vi) The said green and red sidelights shall be fitted with inboard screens projecting at least 3 feet forward from the light, so as to prevent these lights from being seen across the bows.

"(b) A seaplane under way on the water shall carry—

"(i) In the forepart amidships where it can best be seen a white light, so constructed as to show an unbroken light over an arc of the horizon of 220 degrees of the compass, so fixed as to show the light 110 degrees on each side of the seaplane, namely, from right ahead to 20 degrees abaft the beam on either side, and of such a character as to be visible at a distance of at least 3 miles.

"(ii) On the right or starboard wing tip a green light, so constructed as to show an unbroken light over an arc of the horizon of 110 degrees of the compass, so fixed as to show the light from right ahead to 20 degrees abaft the beam on the starboard side, and of such a character as to be visible at a distance of at least 2 miles.

"(iii) On the left or port wing tip a red light, so constructed as to show an unbroken light over an arc of the horizon of 110 degrees of the compass, so fixed as to show the light from right ahead to 20 degrees abaft the beam on the port side, and of such a character as to be visible at a distance of at least two miles.

"Rule 3

"(a) A power-driven vessel when towing or pushing another vessel or seaplane shall, in addition to her sidelights, carry two white lights in a vertical line one over the other, not less than 6 feet apart, and when towing and the length of the tow, measuring from the stern of the towing vessel to the stern of the last vessel towed, exceeds 600 feet, shall carry three white lights in a vertical line one over the other, so that the upper and lower lights shall be the same distance from, and not less than 6 feet above or below, the middle light. Each of these lights shall be of the same construction and character and one of them shall be carried in the same position as the white light prescribed in Rule 2(a) (i). None of these lights shall be carried at a height of less than 14 feet above the hull. In a vessel with a single mast, such lights may be carried on the mast.

"(b) The towing vessel shall also show either the stern light prescribed in Rule 10 or in lieu of that light a small white light abaft the funnel or aftermast for the tow to steer by, but such light shall not be visible forward of the beam.

"(c) Between sunrise and sunset a power-driven vessel engaged in towing, if the length of tow exceeds 600 feet, shall carry, where it can best be seen, a black diamond shape at least 2 feet in diameter.

"(d) A seaplane on the water, when towing one or more seaplanes or vessels, shall carry the lights prescribed in Rule 2(b) (i), (ii) and (iii); and, in addition, she shall carry a second white light of the same construction and character as the white light prescribed in Rule 2(b) (i), and in a vertical line at least 6 feet above or below such light.

"Rule 4

"(a) A vessel which is not under command shall carry, where they can best be seen, and, if a power-driven vessel, in lieu of the lights prescribed in Rule 2(a) (i) and (ii), two red lights in a vertical line one over the other not less than 6 feet apart, and of such a character as to be visible all round the horizon at a distance of at least 2 miles. By day, she shall carry in a vertical line one over the other not less than 6 feet apart, where they can best be seen, two black balls or shapes each not less than 2 feet in diameter.

"(b) A seaplane on the water which is not under command may carry, where they can best be seen, and in lieu of the light prescribed in Rule 2(b) (i), two red lights in a vertical line, one over the other, not less than 3 feet apart, and of such a character as to be visible all round the horizon at a distance of at least 2 miles, and may by day carry in a vertical line one over the other not less than 3 feet apart, where they can best be seen, two black balls or shapes, each not less than 2 feet in diameter.

"(c) A vessel engaged in laying or in picking up a submarine cable or navigation mark, or a vessel engaged in surveying or underwater operations, or a vessel engaged in replenishment at sea, or in the launching or recovery of aircraft when from the nature of her work she is unable to get out of the way of approaching vessels, shall carry, in lieu of the lights prescribed in Rule 2(a) (i) and (ii), or Rule 7(a) (i), three lights in a vertical line one over the other so that the upper and lower lights shall be the same distance from, and not less than 6 feet above or below, the middle light. The highest and lowest of these lights shall be red, and the middle light shall be white, and they shall be of such a character as to be visible all round the horizon at a distance of at least 2 miles. By day, she shall carry in a vertical line one over the other not less than 6 feet apart, where they can best be seen, three shapes each not less than 2 feet in diameter, of which the highest and lowest shall be globular in shape and red in colour, and the middle one diamond in shape and white.

"(d) (i) A vessel engaged in minesweeping operations shall carry at the fore truck a green light, and at the end or ends of the fore yard on the side or sides on which danger exists, another such light or lights. These lights shall be carried in addition to the light prescribed in Rule 2(a) (i) or Rule 7(a) (i), as appropriate, and shall be of such a character as to be visible all round the horizon at a distance of at least 2 miles. By day she shall carry black balls, not less than 2 feet in diameter, in the same position as the green lights.

"(ii) The showing of these lights or balls indicates that it is dangerous for other vessels to approach closer than 3,000 feet astern of the minesweeper or 1,500 feet on the side or sides on which danger exists.

"(e) The vessels and seaplanes referred to in this Rule, when not making way through the water, shall show neither the coloured sidelights nor the stern light, but when making way they shall show them.

"(f) The lights and shapes prescribed in this Rule are to be taken by other vessels and seaplanes as signals that the vessel or seaplane showing them is not under command and cannot therefore get out of the way.

"(g) These signals are not signals of vessels in distress and requiring assistance. Such signals are contained in Rule 31.

"Rule 5

"(a) A sailing vessel under way and any vessel or seaplane being towed shall carry the same lights as are prescribed in Rule 2 for a power-driven vessel or a seaplane under way, respectively, with the exception of the white lights prescribed therein, which they shall never carry. They shall also carry stern lights as prescribed in Rule 10, provided that vessels towed, except the last vessel of a tow, may carry, in lieu of such stern light, a small white light as prescribed in Rule 3(b).

"(b) In addition to the lights prescribed in section (a), a sailing vessel may carry on the top of the foremast two lights in a vertical line one over the other, sufficiently separated so as to be clearly distinguished. The upper light shall be red and the lower light shall be green. Both lights shall be constructed and fixed as prescribed in Rule 2(a) (i) and shall be visible at a distance of at least 2 miles.

"(c) A vessel being pushed ahead shall carry, at the forward end, on the starboard side a green light and on the port side a red light, which shall have the same characteristics as the lights prescribed in Rule 2(a) (iv) and (v) and shall be screened as provided in Rule 2(a) (vi), provided that any number of vessels pushed ahead in a group shall be lighted as one vessel.

"(d) Between sunrise and sunset a vessel being towed, if the length of the tow exceeds 600 feet, shall carry where it can best be seen a black diamond shape at least 2 feet in diameter.

"Rule 6

"(a) When it is not possible on account of bad weather or other sufficient cause to fix the green and red sidelights, these lights shall be kept at hand lighted and ready for immediate use, and shall, on the approach of or to other vessels, be exhibited on their respective sides in sufficient time to prevent collision, in such manner as to make them most visible, and so that the green light shall not be seen on the port side nor the red light on the starboard side, nor, if practicable, more than 22½ degrees (2 points) abaft the beam on their respective sides.

"(b) To make the use of these portable lights more certain and easy, the lanterns containing them shall each be painted outside with the colour of the lights they respectively contain, and shall be provided with proper screens.

"Rule 7

"Power-driven vessels of less than 65 feet in length, vessels under oars or sails of less than 40 feet in length, and rowing boats, when underway shall not be required to carry the lights prescribed in Rules 2, 3 and 5, but if they do not carry them they shall be provided with the following lights—

"(a) Power-driven vessels of less than 65 feet in length, except as provided in sections (b) and (c), shall carry—

"(i) In the forepart of the vessel, where it can best be seen, and at a height above the gunwale of not less than 9 feet, a white light constructed and fixed as prescribed in Rule 2(a) (i) and of such a character as to be visible at a distance of at least 3 miles.

"(ii) Green and red sidelights constructed and fixed as prescribed in Rule 2(a) (iv) and (v), and of such a character as to be visible at a distance of at least 1 mile, or a combined lantern showing a green light and a red light from right ahead to 22½ degrees (2 points) abaft the beam on their respective sides. Such lantern shall be carried not less than 3 feet below the white light.

"(b) Power-driven vessels of less than 65 feet in length when towing or pushing another vessel shall carry—

"(i) In addition to the sidelights or the combined lantern prescribed in section (a) (ii) two white lights in a vertical line, one over the other not less than 4 feet apart. Each of these lights shall be of the same construction and character as the white light prescribed in section (a) (i) and one of them shall be carried in the same position. In a vessel with a single mast such lights may be carried on the mast.

"(ii) Either a stern light as prescribed in Rule 10 or in lieu of that light a small white light abaft the funnel or aftermast for the tow to steer by, but such light shall not be visible forward of the beam.

"(c) Power-driven vessels of less than 40 feet in length may carry the white light at a less height than 9 feet above the gunwale but it shall be carried not less than 3 feet above the sidelights or the combined lantern prescribed in section (a) (ii).

"(d) Vessels of less than 40 feet in length, under oars or sails, except as provided in section (f), shall, if they do not carry the sidelights, carry, where it can best be seen, a lantern showing a green light on one side and a red light on the other, of such a character as to be visible at a distance of at least 1 mile, and so fixed that the green light shall not be seen on the port side, nor the red light on the starboard side. Where it is not possible to fix this light, it shall be kept ready for immediate use and shall be exhibited in sufficient time to prevent collision and so that the green light shall not be seen on the port side nor the red light on the starboard side.

"(e) The vessels referred to in this Rule when being towed shall carry the sidelights or the combined lantern prescribed in sections (a) or (d) of this Rule, as appropriate, and a stern light as prescribed in Rule 10, or, except the last vessel of the tow, a small white light as prescribed in section (b)(ii). When being pushed ahead they shall carry at the forward end the sidelights or combined lantern prescribed in sections (a) or (d) of this Rule, as appropriate, provided that any number of vessels referred to in this Rule when pushed ahead in a group shall be lighted as one vessel under this Rule unless the overall length of the group exceeds 65 feet when the provisions of Rule 5(c) shall apply.

"(f) Small rowing boats, whether under oars or sail, shall only be required to have ready at hand an electric torch or a lighted lantern, showing a white light, which shall be exhibited in sufficient time to prevent collision.

"(g) The vessels and boats referred to in this Rule shall not be required to carry the lights or shapes prescribed in Rules 4(a) and 11(e) and the size of their day signals may be less than is prescribed in Rules 4(c) and 11(c).

"Rule 8

"(a) A power-driven pilot-vessel when engaged on pilotage duty and under way—

"(i) Shall carry a white light at the masthead at a height of not less than 20 feet above the hull, visible all round the horizon at a distance of at least 3 miles and at a distance of 8 feet below it a red light similar in construction and character. If such a vessel is of less than 65 feet in length she may carry the white light at a height of not less than 9 feet above the gunwale and the red light at a distance of 4 feet below the white light.

"(ii) Shall carry the sidelights or lanterns prescribed in Rule 2(a) (iv) and (v) or Rule 7(a)(ii) or (d), as appropriate, and the stern light prescribed in Rule 10.

"(iii) Shall show one or more flare-up lights at intervals not exceeding 10 minutes. An intermittent white light visible all round the horizon may be used in lieu of flare-up lights.

"(b) A sailing pilot-vessel when engaged on pilotage duty and under way—

"(i) Shall carry a white light at the masthead visible all round the horizon at a distance of at least 3 miles.

"(ii) Shall be provided with the sidelights or lantern prescribed in Rules 5(a) or 7(d), as appropriate, and shall, on the near approach of or to other vessels, have such lights ready for use, and shall show them at short intervals to indicate the direction in which she is heading, but the green light shall not be shown on the port side nor the red light on the starboard side. She shall also carry the stern light prescribed in Rule 10.

"(iii) Shall show one or more flare-up lights at intervals not exceeding ten minutes.

"(c) A pilot-vessel when engaged on pilotage duty and not under way shall carry the lights and show the flares prescribed in sections (a) (i) and (iii) or (b) (i) and (iii), as appropriate, and if at anchor shall also carry the anchor lights prescribed in Rule 11.

"(d) A pilot-vessel when not engaged on pilotage duty shall show the lights or shapes for a similar vessel of her length.

"Rule 9

"(a) Fishing vessels when not engaged in fishing shall show the lights or shapes for similar vessels of their length.

"(b) Vessels engaged in fishing, when under way or at anchor, shall show only the lights and shapes prescribed in this Rule, which lights and shapes shall be visible at a distance of at least 2 miles.

"(c)(i) Vessels when engaged in trawling, by which is meant the dragging of a dredge net or other apparatus through the water, shall carry two lights in a vertical line, one over the other, not less than 4 feet nor more than 12 feet apart. The upper of these lights shall be green and the lower light white and each shall be visible all round the horizon. The lower of these two lights shall be carried at a height above the sidelights not less than twice the distance between the two vertical lights.

"(ii) Such vessels may in addition carry a white light similar in construction to the white light prescribed in Rule 2(a)(i) but such light shall be carried lower than and abaft the all-round green and white lights.

"(d) Vessels when engaged in fishing, except vessels engaged in trawling, shall carry the lights prescribed in section (c)(i) except that the upper of the two vertical lights shall be red. Such vessels if of less than 40 feet in length may carry the red light at a height of not less than 9 feet above the gunwale and the white light not less than 3 feet below the red light.

"(e) Vessels referred to in sections (c) and (d), when making way through the water, shall carry the sidelights or lanterns prescribed in Rule 2(a) (iv) and (v) or Rule 7 (a)(ii) or (d), as appropriate, and the stern light prescribed in Rule 10. When not making way through the water they shall show neither the sidelights nor the stern light.

"(f) Vessels referred to in section (d) with outlying gear extending more than 500 feet horizontally into the seaway shall carry an additional all-round white light at a horizontal distance of not less than 6 feet nor more than 20 feet away from the vertical lights in the direction of the outlying gear. This additional white light shall be placed at a height not exceeding that of the white light prescribed in section (c)(i) and not lower than the sidelights.

"(g) In addition to the lights which they are required by this Rule to carry, vessels engaged in fishing may, if necessary in order to attract the attention of an approaching vessel, use a flareup light, or may direct the beam of their searchlight in the direction of a danger threatening the approaching vessel in such a way as not to embarrass other vessels. They may also use working lights but fishermen shall take into account that specially bright or insufficiently screened working lights may impair the visibility and distinctive character of the lights prescribed in this Rule.

"(h) By day vessels when engaged in fishing shall indicate their occupation by displaying where it can best be seen a black shape consisting of two cones each not less than 2 feet in diameter with their points together one above the other. Such vessels if of less than 65 feet in length may substitute a basket for such black shape. If their outlying gear extends more than 500 feet horizontally into the seaway vessels engaged in fishing shall display in addition one black conical shape, point upward, in the direction of the outlying gear.

"NOTE.—Vessels fishing with trolling lines are not 'engaged in fishing' as defined in Rule 1(c)(xiv).

"Rule 10

"(a) Except where otherwise provided in these Rules, a vessel when under way shall carry at her stern a white light, so constructed that it shall show an unbroken light over an arc of the horizon of 135 degrees (12 Points of the compass), so fixed as to show the light 67½ degrees (6 points) from right aft on each side of the vessel, and of such a character as to be visible at a distance of at least 2 miles.

"(b) In a small vessel, if it is not possible on account of bad weather or other sufficient cause for this light to be fixed, an electric torch or a lighted lantern showing a white light shall be kept at hand ready for use and shall, on the approach of an overtaking vessel, be shown in sufficient time to prevent collision.

"(c) A seaplane on the water when under way shall carry on her tail a white light, so constructed as to show an unbroken light over an arc of the horizon of 140 degrees of the compass, so fixed as to show the light 70 degrees from right aft on each side of the seaplane, and of such a character as to be visible at a distance of at least 2 miles.

"Rule 11

"(a) A vessel of less than 150 feet in length, when at anchor, shall carry in the forepart of the vessel, where it can best be seen, a white light visible all round the horizon at a distance of at least 2 miles. Such a vessel may also carry a second white light in the position prescribed in section (b) of this Rule but shall not be required to do so. The second white light, if carried, shall be visible at a distance of at least 2 miles and so placed as to be as far as possible visible all round the horizon.

"(b) A vessel of 150 feet or more in length, when at anchor, shall carry near the stem of the vessel, at a height of not less than 20 feet above the hull, one such light, and at or near the stern of the vessel and at such a height that it shall be not less than 15 feet lower than the forward light, another such light. Both these lights shall be visible at a distance of at least 3 miles and so placed as to be as far as possible visible all round the horizon.

"(c) Between sunrise and sunset every vessel when at anchor shall carry in the forepart of the vessel, where it can best be seen, one black ball not less than 2 feet in diameter.

"(d) A vessel engaged in laying or in picking up a submarine cable or navigation mark, or a vessel engaged in surveying or underwater operations, when at anchor, shall carry the lights or shapes prescribed in Rule 4(c) in addition to those prescribed in the appropriate preceding sections of this Rule.

"(e) A vessel aground shall carry the light or lights prescribed in sections (a) or (b) and the two red lights prescribed in Rule 4(a). By day she shall carry, where they can best be seen, three black balls, each not less than 2 feet in diameter, placed in a vertical line one over the other, not less than 6 feet apart.

"(f) A seaplane on the water under 150 feet in length, when at anchor, shall carry, where it can best be seen, a white light, visible all round the horizon at a distance of at least 2 miles.

"(g) A seaplane on the water 150 feet or upwards in length, when at anchor, shall carry, where they can best be seen, a white light forward and a white light aft, both lights visible all round the horizon at a distance of at least 3 miles; and, in addition, if the seaplane is more than 150 feet in span, a white light on each side to indicate the maximum span, and visible, so far as practicable, all round the horizon at a distance of 1 mile.

"(h) A seaplane aground shall carry on anchor light or lights as prescribed in sections (f) and (g), and in addition may carry two red lights in a vertical line, at least 3 feet part, so placed as to be visible all round the horizon.

"Rule 12

"Every vessel or seaplane on the water may, if necessary in order to attract attention, in addition to the lights which she is by these Rules required to carry, show a flare-up light or use a detonating or other efficient sound signal that cannot be mistaken for any signal authorized elsewhere under these Rules.

"Rule 13

"(a) Nothing in these Rules shall interfere with the operation of any special rules made by the Government of any nation with respect to additional station and signal lights for ships of war, for vessels sailing under convoy, for fishing vessels engaged in fishing as a fleet or for seaplanes on the water.

"(b) Whenever the Government concerned shall have determined that a naval or other military vessel or waterborne seaplane of special construction or purpose cannot comply fully with the provisions of any of these Rules with respect to the number, position, range or arc of visibility of lights or shapes, without interfering with the military function of the vessel or seaplane, such vessel or seaplane shall comply with such other provisions in regard to the number, position, range or arc of visibility of lights or shapes as her Government shall have determined to be the closest possible compliance with these Rules in respect of that vessel or seaplane.

"Rule 14

"A vessel proceeding under sail, when also being propelled by machinery, shall carry in the daytime forward, where it can best be seen, one black conical shape, point downwards, not less than 2 feet in diameter at its base.

"PART C.—SOUND SIGNALS AND CONDUCT IN RESTRICTED VISIBILITY

"Preliminary

"1. The possession of information obtained from radar does not relieve any vessel of the obligation of conforming strictly with the Rules and, in particular, the obligations contained in Rules 15 and 16.

"2. The Annex to the Rules contains recommendations intended to assist in the use of radar as an aid to avoiding collision in restricted visibility.

"Rule 15

"(a) A power-driven vessel of 40 feet or more in length shall be provided with an efficient whistle, sounded by steam or by some substitute for steam, so placed that the sound may not be intercepted by any obstruction, and with an efficient fog horn to be sounded by mechanical means, and also with an efficient bell. A sailing vessel of 40 feet or more in length shall be provided with a similar fog horn and bell.

"(b) All signals prescribed in this Rule for vessels under way shall be given—

"(i) by power-driven vessels on the whistle;

"(ii) by sailing vessels on the fog horn;

"(iii) by vessels towed on the whistle or fog horn.

"(c) In fog, mist, falling snow, heavy rainstorms, or any other condition similarly restricting visibility, whether by day or night, the signals prescribed in this Rules shall be used as follows—

"(i) A power-driven vessel making way through the water shall sound at intervals of not more than 2 minutes a prolonged blast.

"(ii) A power-driven vessel under way, but stopped and making no way through the water, shall sound at intervals of not more than 2 minutes two prolonged blasts, with an interval of about 1 second between them.

"(iii) A sailing vessel under way shall sound, at intervals of not more than 1 minute, when on the starboard tack one blast, when on the port tack two blasts in succession, and when with the wind abaft the beam three basts in succession.

"(iv) A vessel when at anchor shall at intervals of not more than 1 minute ring the bell rapidly for about 5 seconds. In vessels of more than 350 feet in length the bell shall be sounded in the forepart of the vessel, and in addition there shall be sounded in the after part of the vessel, at intervals of not more than 1 minute for about 5 seconds, a gong or other instrument, the tone and sounding of which cannot be confused with that of the bell. Every vessel at anchor may in addition, in accordance with Rule 12, sound three blasts in succession, namely, one short, one prolonged, and one short blast, to give warning of her position and of the possibility of collision to an approaching vessel.

"(v) A vessel when towing, a vessel engaged in laying or in picking up a submarine cable or navigation mark, and a vessel under way which is unable to get out of the way of an approaching vessel through being not under command or unable to manoeuvre as required by these Rules shall, instead of the signals prescribed in subsections (i), (ii) and (iii) sound, at intervals of not more than 1 minute, three blasts in succession, namely, one prolonged blast followed by two short blasts.

"(vi) A vessel towed, or, if more than one vessel is towed, only the last vessel of the tow, if manned, shall, at intervals of not more than 1 minute, sound four blasts in succession, namely, one prolonged blast followed by three short blasts. When practicable, this signal shall be made immediately after the signal made by the towing vessel.

"(vii) A vessel aground shall give the bell signal and, if required, the gong signal, prescribed in sub-section (iv) and shall, in addition, give 3 separate and distinct strokes on the bell immediately before and after such rapid ringing of the bell.

"(viii) A vessel engaged in fishing when under way or at anchor shall at intervals of not more than 1 minute sound the signal prescribed in subsection (v). A vessel when fishing with trolling lines and under way shall sound the signals prescribed in subsections (i), (ii) or (iii) as may be appropriate.

"(ix) A vessel of less than 40 feet in length, a rowing boat, or a seaplane on the water, shall not be obliged to give the above-mentioned signals but if she does not, she shall make some other efficient sound signal at intervals of not more than 1 minute.

"(x) A power-driven pilot-vessel when engaged on pilotage duty may, in addition to the signals prescribed in sub-sections (i), (ii) and (iv), sound an identity signal consisting or 4 short blasts.

"Rule 16

"(a) Every vessel, or seaplane when taxiing on the water, shall, in fog, mist, falling snow, heavy rainstorms or any other condition similarly restricting visibility, go at a moderate speed, having careful regard to the existing circumstances and conditions.

"(b) A power-driven vessel hearing, apparently forward of her beam, the fog-signal of a vessel the position of which is not ascertained, shall, so far as the circumstances of the case admit, stop her engines, and then navigate with caution until danger of collision is over.

"(c) A power-driven vessel which detects the presence of another vessel forward of her beam before hearing her fog signal or sighting her visually may take early and substantial action to avoid a close quarters situation but, if this cannot be avoided, she shall, so far as the circumstances of the case admit, stop her engines in proper time to avoid collision and then navigate with caution until danger of collision is over.

"PART D.—STEERING AND SAILING RULES

"Preliminary

"1. In obeying and construing these Rules, any action taken should be positive, in ample time, and with due regard to the observance of good seamanship.

"2. Risk of collision can, when circumstances permit, be ascertained by carefully watching the compass bearing of an approaching vessel. If the bearing does not appreciably change, such risk should be deemed to exist.

"3. Mariners should bear in mind that seaplanes in the act of landing or taking off, or operating under adverse weather conditions, may be unable to change their intended action at the last moment.

"4. Rules 17 to 24 apply only to vessels in sight of one another.

"Rule 17

"(a) When two sailing vessels are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the other as follows—

"(i) When each has the wind on a different side, the vessel which has the wind on the port side shall keep out of the way of the other.

"(ii) When both have the wind on the same side, the vessel which is to windward shall keep out of the way of the vessel which is to leeward.

"(b) For the purposes of this Rule the windward side shall be deemed to be the side opposite to that on which the mainsail is carried or, in the case of a square-rigged vessel, the side opposite to that on which the largest fore-and-aft sail is carried.

"Rule 18

"(a) When two power-driven vessels are meeting end on, or nearly end on, so as to involve risk of collision, each shall alter her course to starboard, so that each may pass on the port side of the other. This Rule only applies to cases where vessels are meeting end on, or nearly end on, in such a manner as to involve risk of collision, and does not apply to two vessels which must, if both keep on their respective course, pass clear of each other. The only cases to which it does apply are when each of two vessels is end on, or nearly end on, to the other; in other words, to cases in which, by day, each vessels sees the masts of the other in a line, or nearly in a line, with her own; and by night, to cases in which each vessel is in such a position as to see both the sidelights of the other. It does not apply, by day, to cases in which a vessel sees another ahead crossing her own course; or, by night, to cases where the red light of one vessel is opposed to the red light of the other or where the green light of one vessel is opposed to the green light of the other or where a red light without a green light or a green light without a red light is seen ahead, or where both green and red lights are seen anywhere but ahead.

"(b) For the purposes of this Rule and Rules 19 to 29 inclusive, except Rule 20(c) and Rule 28, a seaplane on the water shall be deemed to be a vessel, and the expression 'power-driven vessel' shall be construed accordingly.

"Rule 19

"When two power-driven vessels are crossing, so as to involve risk of collision, the vessel which has the other on her own starboard side shall keep out of the way of the other.

"Rule 20

"(a) When a power-driven vessel and a sailing vessel are proceeding in such directions as to involve risk of collision, except as provided for in Rules 24 and 26, the power-driven vessel shall keep out of the way of the sailing vessel.

"(b) This Rule shall not give to a sailing vessel the right to hamper, in a narrow channel, the safe passage of a power-driven vessel which can navigate only inside such channel.

"(c) A seaplane on the water shall, in general, keep well clear of all vessels and avoid impeding their navigation. In circumstances, however, where risk of collision exists, she shall comply with these Rules.

"Rule 21

"Where by any of these Rules one of two vessels is to keep out of the way, the other shall keep her course and speed. When, from any cause, the latter vessel finds herself so close that collision cannot be avoided by the action of the giving-way vessel alone, she also shall take such action as will best aid to avert collision (see Rules 27 and 29).

"Rule 22

"Every vessel which is directed by these Rules to keep out of the way of another vessel shall, so far as possible, take positive early action to comply with this obligation, and shall, if the circumstances of the case admit, avoid crossing ahead of the other.

"Rule 23

"Every power-driven vessel which is directed by these Rules to keep out of the way of another vessel shall, on approaching her, if necessary, slacken her speed or stop or reverse.

"Rule 24

"(a) Notwithstanding anything contained in these Rules, every vessel overtaking any other shall keep out of the way of the overtaken vessel.

"(b) Every vessel coming up with another vessel from any direction more than 22½ degrees (2 points) abaft her beam, i.e., in such a position, with reference to the vessel which she is overtaking, that at night she would be unable to see either of that vessel's sidelights, shall be deemed to be an overtaking vessel; and no subsequent alteration of the bearing between the two vessels shall make the overtaking vessel a crossing vessel within the meaning of these Rules, or relieve her of the duty of keeping clear of the overtaken vessel until she is finally past and clear.

"(c) If the overtaking vessel cannot determine with certainty whether she is forward of or abaft this direction from the other vessel, she shall assume that she is an overtaking vessel and keep out of the way.

"Rule 25

"(a) In a narrow channel every power-driven vessel when proceeding along the course of the channel shall, when it is safe and practicable, keep to that side of the fairway or midchannel which lies on the starboard side of such vessel.

"(b) Whenever a power-driven vessel is nearing a bend in a channel where a vessel approaching from the other direction cannot be seen, such power-driven vessel, when she shall have arrived within one-half (½) mile of the bend, shall give a signal by one prolonged blast on her whistle which signal shall be answered by a similar blast given by any approaching power-driven vessel that may be within hearing around the bend. Regardless of whether an approaching vessel on the farther side of the bend is heard, such bend shall be rounded with alertness and caution.

"(c) In a narrow channel a power-driven vessel of less than 65 feet in length shall not hamper the safe passage of a vessel which can navigate only inside such channel.

"Rule 26

"All vessels not engaged in fishing, except vessels to which the provisions of Rule 4 apply, shall, when under way, keep out of way of vessels engaged in fishing. This Rule shall not give to any vessel engaged in fishing the right of obstructing a fairway used by vessels other than fishing vessels.

"Rule 27

"In obeying and construing these Rules due regard shall be had to all dangers of navigation and collision, and to any special circumstances, including the limitations of the craft involved, which may render a departure from the above Rules necessary in order to avoid immediate danger.

"PART E.—SOUND SIGNALS FOR VESSELS IN SIGHT OF ONE ANOTHER

"Rule 28

"(a) When vessels are in sight of one another, a power-driven vessel under way, in taking any course authorised or required by these Rules, shall indicate that course by the following signals on her whistle, namely—

"One short blast to mean 'I am altering my course to starboard'.

"Two short blasts to mean 'I am altering my course to port'.

"Three short blasts to mean 'My engines are going astern'.

"(b) Whenever a power-driven vessel which, under these Rules, is to keep her course and speed, is in sight of another vessel and is in doubt whether sufficient action is being taken by the other vessel to avert collision, she may indicate such doubt by giving at least five short and rapid blasts on the whistle. The giving of such a signal shall not relieve a vessel of her obligations under Rules 27 and 29 or any other Rule, or of her duty to indicate any action taken under these Rules by giving the appropriate sound signals laid down in this Rule.

"(c) Any whistle signal mentioned in this Rule may be further indicated by a visual signal consisting of a white light visible all round the horizon at a distance of at least 5 miles, and so devised that it will operate simultaneously and in conjunction with the whistle-sounding mechanism and remain lighted and visible during the same period as the sound signal.

"(d) Nothing in these rules shall interfere with the operation of any special rules made by the Government of any nation with respect to the use of additional whistle signals between ships of war or vessels sailing under convoy.

"PART F.—MISCELLANEOUS

"Rule 29

"Nothing in these Rules shall exonerate any vessel, or the owner, master or crew thereof, from the consequences of any neglect to carry lights or signals, or of any neglect to keep a proper look-out, or of the neglect of any precaution which may be required by the ordinary practice of seamen, or by the special circumstances of the case.

"Rule 30

"Reservation of Rules for Harbours and Inland Navigation

"Nothing in these Rules shall interfere with the operation of a special rule duly made by local authority relative to the navigation of any harbour, river, lake, or inland water, including a reserved seaplane area.

"Rule 31

"Distress signals

"(a) When a vessel or seaplane on the water is in distress and requires assistance from other vessels or from the shore, the following shall be the signals to be used or displayed by her, either together or separately, namely—

"(i) A gun or other explosive signal fired at intervals of about a minute.

"(ii) A continuous sounding with any fog-signalling apparatus.

"(iii) Rockets or shells, throwing red stars fired one at a time at short intervals.

"(iv) A signal made by radiotelegraphy or by any other signalling method consisting of the group . . . — — — . . . in the Morse Code.

"(v) A signal sent by radiotelephony consisting of the spoken word 'Mayday'.

"(vi) The International Code Signal of distress indicated by N.C.

"(vii) A signal consisting of a square flag having above or below it a ball or anything resembling a ball.

"(viii) Flames on the vessel (as from a burning tar barrel, oil barrel, &c.).

"(ix) A rocket parachute flare or a hand flare showing a red light.

"(x) A smoke signal giving off a volume of orange-coloured smoke.

"(xi) Slowly and repeatedly raising and lowering arms outstretched to each side.

"NOTE.—Vessels in distress may use the radiotelegraph alarm signal or the radiotelephone alarm signal to secure attention to distress calls and messages. The radiotelegraph alarm signal, which is designed to actuate the radiotelegraph auto alarms of vessels so fitted, consists of a series of twelve dashes, sent in 1 minute, the duration of each dash being 4 seconds, and the duration of the interval between 2 consecutive dashes being 1 second. The radiotelephone alarm signal consists of 2 tones transmitted alternately over periods of from 30 seconds to 1 minute.

"(b) The use of any of the foregoing signals, except for the purpose of indicating that a vessel or seaplane is in distress, and the use of any signals which may be confused with any of the above signals, is prohibited.

"ANNEX TO THE RULES

"Recommendations on the use of radar information as an aid to avoiding collisions at sea

"(1) Assumptions made on scanty information may be dangerous and should be avoided.

"(2) A vessel navigating with the aid of radar in restricted visibility must, in compliance with Rule 16(a), go at a moderate speed. Information obtained from the use of radar is one of the circumstances to be taken into account when determining moderate speed. In this regard it must be recognized that small vessels, small icebergs and similar floating objects may not be detected by radar. Radar indications of one or more vessels in the vicinity may mean that "moderate speed" should be slower than a mariner without radar might consider moderate in the circumstances.

"(3) When navigating in restricted visibility the radar range and bearing alone do not constitute ascertainment of the position of the other vessel under Rule 16(b) sufficiently to relieve a vessel of the duty to stop her engines and navigate with caution when a fog signal is heard forward of the beam.

"(4) When action has been taken under Rule 16(c) to avoid a close quarters situation, it is essential to make sure that such action is having the desired effect. Alterations of course or speed or both are matters as to which the mariner must be guided by the circumstances of the case.

"(5) Alteration of course alone may be the most effective action to avoid close quarters provided that—

"(a) There is sufficient sea room.

"(b) It is made in good time.

"(c) It is substantial. A succession of small alterations of course should be avoided.

"(d) It does not result in a close quarters situation with other vessels.

"(6) The direction of an alteration of course is a matter in which the mariner must be guided by the circumstances of the case.

An alteration to starboard, particularly when vessels are approaching apparently on opposite or nearly opposite courses, is generally preferable to an alteration to port.

"(7) An alteration of speed, either alone or in conjunction with an alteration of course, should be substantial. A number of small alterations of speed should be avoided.

"(8) If a close quarters situation is imminent, the most prudent action may be to take all way off the vessel."

With the following committee amendments:

On page 8, line 9, insert "a" at the end of the line.

On page 9, line 10, delete "two" and insert in lieu thereof "2".

On page 10, line 5, delete "after-mast", and insert in lieu thereof "aftermast".

On page 23, line 11, delete "distanse", and insert in lieu thereof "distance".

On page 27, line 14, delete "Rules", and insert in lieu thereof "Rule".

On page 33, line 20, delete "a" at the end of the line.

On page 38, between lines 19 and 20, insert the following heading: "Reservation of Rules for Harbours and Inland Navigation".

On page 39, line 2, delete italicized 'Distress Signals', and insert in lieu thereof: "'Distress Signals" in roman.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MEDICAL CARE FOR CERTAIN COAST AND GEODETIC SURVEY RETIRED SHIPS' DOCTORS AND CREW MEMBERS AND THEIR DEPENDENTS

The Clerk called the bill (S. 969) to provide medical care for certain Coast and Geodetic Survey retired ships' officers and crew members and their dependents, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to regulations of the President, retired ships' officers and retired members of the crews of vessels of the Coast and Geodetic Survey shall be entitled to medical, surgical, and dental treatment and hospitalization at facilities of the Public Health Service: *Provided,* That the ships' officer or crew member, (1) was on active duty as a vessel employee of the Coast and Geodetic Survey on July 1, 1963, or on the date of enactment of this Act, whichever is later, and his employment as a vessel employee was continuous from that date until retirement, or (2) was retired as a vessel employee of the Coast and Geodetic Survey on or before July 1, 1963, or on the date of enactment of this Act, whichever is later.

(b) Subject to regulations of the President, dependent members of families (as defined in such regulations) of ships' officers and members of crews of vessels of the Coast and Geodetic Survey, whether such ships' officers and members of crew are on active duty or retired, shall be furnished medical advice and outpatient treatment by the Public Health Service at its hospitals and relief stations and, if suitable accommodations are available, they shall also be furnished hospitalization at hospitals of the Public Health Service: *Provided,* That the ships' officer or crew member (1) was on active duty as a vessel employee of the Coast and Geodetic Survey on July 1, 1963, or on the date of enactment of this Act, whichever is later, and his employment as a vessel employee has been continuous from that time, or (2) was on active duty as a vessel employee of the Coast and Geodetic Survey on July 1, 1963, or on the date of enactment of this Act, whichever is later, and his employment as a vessel employee was continuous from that time until retirement, or (3) was retired as a vessel employee of the Coast and Geodetic Survey on or before July 1, 1963, or on the date of enactment of this Act, whichever is later. When dependent members of families are hospitalized, a per diem charge, at such uniform rate as may be prescribed from time to time for the hospitalization of dependents of members of the uniformed services at hospitals of the uniformed services pursuant to section 1078(a) of title 10, United States Code, shall be made.

(c) The Coast and Geodetic Survey shall furnish proper identification to those persons entitled to medical treatment under the provisions of this Act.

SEC. 2. (a) Section 326(b) of the Public Health Service Act (42 U.S.C. 253(b)) is repealed.

(b) Section 326(c) of the Public Health Service Act (42 U.S.C. 253(c)) is amended by inserting the words "or Coast and Geodetic Survey" after the words "Coast Guard" both times the words appear in the subsection.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING INLAND AND WESTERN RIVERS RULES

The Clerk called the bill (S. 1036) to amend the inland and western rivers rules concerning anchor lights and fog signals required in special anchorage areas, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That article 11 of section 1 of the Act of June 7, 1897, as amended (33 U.S.C. 180), is further amended to read as follows:

"ART. 11.(a) Except as provided in paragraph (c) of this article, a vessel under one hundred and fifty feet in length when at anchor shall carry forward, where it can best be seen, a white light in a lantern so constructed as to show a clear, uniform, and unbroken light visible all around the horizon at a distance of at least two miles.

"(b) Except as provided in paragraph (c) of this article, a vessel of one hundred and fifty feet or upward in length, when at anchor, shall carry in the forward part of the vessel, at a height of not less than twenty feet above the hull, one such light, and at or near the stern of the vessel, and at such a height that it shall be not less than fifteen feet lower than the forward light, another such light.

"(c) The Secretary of the Army may, after investigation, by rule, regulation or order, designate such areas as he may deem proper as 'special anchorage areas'; such special anchorage areas may from time to time be changed, or abolished, if after investigation the Secretary of the Army shall deem such change or abolition in the interest of navigation. When anchored within such an area—

"(1) a vessel or not more than sixty-five feet in length shall not be required to carry or exhibit the white light required by this article;

"(2) a barge, canal boat, scow, or other nondescript craft of one hundred and fifty feet or upward in length may carry and exhibit the single white light prescribed by paragraph (a) of this article in lieu of the two white lights prescribed by paragraph (b) of this article; and

"(3) where two or more barges, canal boats, scows, or other nondescript craft are tied together and anchored as a unit, the anchor light prescribed by this article need be displayed only on the vessel having its anchor down."

SEC. 2. Subparagraph (d) of article 15 of section 1 of the Act of June 7, 1897 (33 U.S.C. 191), is amended to read as follows:

"(d) A vessel when at anchor shall, at intervals of not more than one minute, ring the bell rapidly for about five seconds, except that the following vessels shall not be required to sound this signal when anchored in a special anchorage area established pursuant to paragraph (c) of article 11:

"(1) a vessel of not more than sixty-five feet in length; and

"(2) a barge, canal boat, scow or other nondescript craft."

SEC. 3. The rule numbered 13 in section 4233 of the Revised Statutes, as amended (33 U.S.C. 322), is further amended to read as follows:

"RULE NUMBERED 13. (a) Except as provided in paragraph (c) of this rule, a vessel under one hundred and fifty feet in length, when at anchor, shall carry forward, where it can best be seen, a white light in a lantern so constructed as to show a clear, uniform, and unbroken light visible all around the horizon at a distance of at least two miles.

"(b) Except as provided in paragraph (c) of this rule, a vessel of one hundred and fifty feet or upward in length, when at anchor, shall carry in the forward part of the vessel, at a height of not less than twenty feet above the hull, one such light, and at or near the stern of the vessel, at such a height that it shall be not less than fifteen feet lower than the forward light, another such light.

"(c) The Secretary of the Army may after investigation, by rule, regulation, or order, designate such areas as he may deem proper as 'special anchorage areas'; such special anchorage areas may from time to time be changed, or abolished, if after investigation the Secretary of the Army shall deem such change or abolition in the interests of navigation. When anchored within such an area—

"(1) a vessel of not more than sixty-five feet in length shall not be required to carry or exhibit the white light required by this rule;

"(2) a barge, canal boat, scow, or other nondescript craft of one hundred and fifty feet or upward in length may carry and exhibit the single white light prescribed by paragraph (a) of this rule in lieu of the two white lights prescribed by paragraph (b) of this rule; and

"(3) where two or more barges, canal boats, scows, or other nondescript craft are tied together and anchored as a unit, the anchor light prescribed by this rule need be displayed only on the vessel having its anchor down."

SEC. 4. Subparagraph (d) of rule numbered 15 in section 4233 of the Revised Statutes, as amended (33 U.S.C. 331), is further amended to read as follows:

"(d) A vessel when at anchor shall, at intervals of not more than one minute, ring the bell rapidly for about five seconds, except that the following vessels shall not be required to sound this signal when anchored in a special anchorage area established pursuant to paragraph (c) of rule 13:

"(1) a vessel not more than sixty-five feet in length; and

"(2) a barge, canal boat, scow or other nondescript craft."

With the following committee amendments:

On page 2, line 17, delete "or", and insert in lieu thereof "of".

On page 5, line 16, after the word "vessel", insert "of".

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LIMITING PRIORITY AND NONDISCHARGEABILITY OF TAXES IN BANKRUPTCY

The Clerk called the bill (H.R. 3438) to amend the Bankruptcy Act with respect to limiting the priority and nondischargeability of taxes in bankruptcy.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subdivision (a) of section 2 of the Bankruptcy Act, as amended (11 U.S.C. 11), is amended by inserting after paragraph (2) the following new paragraph:

"(2A) Hear and determine, or cause to be heard and determined, any question arising as to the amount or legality of any unpaid tax, whether or not previously assessed, which has not prior to bankruptcy been contested before and adjudicated by a judicial or administrative tribunal of competent jurisdiction, and in respect to any tax, whether or not paid, when any such question has been contested and adjudicated by a judicial or administrative tribunal of competent jurisdiction and the time for appeal or review has not expired, to authorize the receiver or the trustee to prosecute such appeal or review;".

Sec. 2. Clause (1) of subdivision a of section 17 of such Act, as amended (11 U.S.C. 35), is mended to read as follows:

"(1) are taxes which became legally due and owing by the bankrupt to the United States or to any State or any subdivision thereof within three years preceding bankruptcy: *Provided, however,* That a discharge in bankruptcy shall not release a bankrupt from any taxes (a) which were not assessed in any case in which the bankrupt failed to make a return required by law, (b) which were assessed within one year preceding bankruptcy in any case in which the bankrupt failed to make a return required by law, (c) which were not reported on a return made by the bankrupt and which were not assessed prior to bankruptcy by reason of a prohibition on assessment pending the exhaustion of administrative or judicial remedies available to the bankrupt, or (d) with respect to which the bankrupt made a false or fraudulent return, or willfully attempted in any manner to evade or defeat; but a discharge shall not be a bar to any remedies available under applicable law to the United States or to any State or any subdivision thereof, against the exemption of the bankrupt allowed by law and duly set apart to him under this Act: *And provided further,* That a discharge in bankruptcy shall not release or affect any tax lien."

Sec. 3. Clause (4) of subdivision a of section 64 of such Act, as amended (11 U.S.C. 104), is amended to read as follows:

"(4) taxes which became legally due and owing by the bankrupt to the United States or to any State or any subdivision thereof which are not released by a discharge in bankruptcy: *Provided, however,* That no priority over general unsecured claims shall pertain to taxes not included in the foregoing priority: *And provided further,* That no order shall be made for the payment of a tax assessed against any property of the bankrupt in excess of the value of the interest of the bankrupt estate therein as determined by the court;".

Sec. 4. If any provision of this Act, or any amendment made by it, or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions of this Act, or other amendments made by it, or applications thereof which can be given effect without the invalid provision or application.

Sec. 5. (a) Nothing in this Act, or in the amendments made by it, shall operate to release or extinguish any penalty, forfeiture, or liability incurred under the Bankruptcy Act before the effective date of this Act.

(b) The amendments made by this Act shall govern proceedings so far as applicable in cases pending when it takes effect.

Sec. 6. This Act shall take effect on the ninetieth day after the date of its enactment.

With the following committee amendments:

On page 2, line 23, strike out "or".

On page 2, line 25, strike out the semicolon, insert a comma and add the following: "or (e) which the bankrupt has collected or withheld from others as required by the laws of the United States or any State or political subdivision thereof, but has not paid over;"

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REPEAL OF CERTAIN PROVISIONS RELATING TO DUTIES OF CENSUS ENUMERATORS

The Clerk called the bill (H.R. 4818) to amend section 25 of title 13, United States Code, relating to the duties of enumerators of the Bureau of the Census, Department of Commerce.

Mr. CONTE. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

MERGING OF CERTAIN COAST GUARD APPROPRIATIONS

The Clerk called the bill (H.R. 73) to provide for the merger of certain Coast Guard appropriations for operating expenses, Reserve training, and retired pay.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

TRANSCRIPTS FURNISHED FOR DISTRICT COURTS

The Clerk called the bill (H.R. 2838) to amend section 753(f) of title 28, United States Code, relating to transcripts furnished by court reporters for the district courts.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 753(f) of title 28 of the United States Code is amended to read as follows:

"(f) Each reporter may charge and collect fees for transcripts requested by the parties, including the United States, at rates prescribed by the court subject to the approval of the Judicial Conference. He shall not charge a fee for any copy of a transcript delivered to the clerk for the records of court. Fees for transcripts furnished in criminal or habeas corpus proceedings to persons allowed to sue, defend, or appeal in forma pauperis shall be paid by the United States out of money appropriated for that purpose. Fees for transcripts furnished in proceedings brought under section 2255 of this title to persons permitted to sue or appeal in forma pauperis shall be paid by the United States out of money appropriated for that purpose if the trial judge or a circuit judge certifies that the suit or appeal is not frivolous and that the transcript is needed to decide the issue presented by the suit or appeal. Fees for transcripts furnished in other proceedings to persons permitted to appeal in forma pauperis shall also be paid by the United States if the trial judge or a circuit judge certifies that the appeal is not frivolous (but presents a substantial question). The reporter may require any party requesting a transcript to prepay the estimated fee in advance except as to transcripts that are to be paid for by the United States."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VENUE OF DISTRICT COURTS IN CERTAIN CIVIL ACTIONS

The Clerk called the bill (H.R. 2985) to amend section 1391 of title 28 of the United States Code, relating to venue generally.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1391 of title 28 of the United States Code is amended by adding at the end thereof one new subsection as follows:

"(f) A civil action on a tort claim may be brought in the judicial district wherein the act or omission complained of occurred."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MISSING PERSONS ACT

The Clerk called the bill (H.R. 2989) to further amend the Missing Persons Act to cover certain persons detained in foreign countries against their will, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Missing Persons Act, as amended (50 U.S.C., App. 1001 et seq.), is amended as follows:

(1) Section 1(a) is amended—

(A) by striking out clauses (1) and (2) and by inserting the following in place thereof:

"(1) a member of the uniformed services as defined in section 102 (a) and (b) of the Career Compensation Act of 1949, as amended (37 U.S.C. 231 (a) and (b));" and

(B) by redesignating clause (3) as clause "(2)".

(2) Section 1(b) is amended—

(A) by inserting the words "Air Force," after the word "Navy,"; and

(B) by striking out the words "paragraph (a)(3) above" and inserting the words "paragraph (a)(2) above" in place thereof.

(3) Section 2(a) is amended—

(A) by striking out the words "or besieged by a hostile force" in the first sentence and inserting the words "besieged by a hostile force, or detained in a foreign country against his will" in place thereof;

(B) by inserting the words "or employment" after the word "service" in the second sentence; and

(C) by striking out the words "or besieged by a hostile force" in the last sentence and inserting the words "besieged by a hostile force, or detained in a foreign country against their will" in place thereof.

(4) The first sentence of section 5 is amended—

(A) by striking out the words "missing or missing in action" and inserting the words "entitled under section 2 of this Act to receive or be credited with pay and allowances" in place thereof; and

(B) by striking out the words "being a prisoner or of being interned" and inserting the words "the circumstances of the continued absence" in place thereof.

(5) Section 6 is amended—

(A) by striking out the words "and in the hands of a hostile force or is interned in a foreign country" in the first sentence; and

(B) by striking out the words "or missing in action" in the second sentence and inserting the words "under the conditions specified in section 2 of this Act" in place thereof.

(6) Section 7 is amended by striking out the words "in November 1941 and any month subsequent thereto".

(7) Section 10 is amended by inserting the words "Air Force," after the word "Navy".

(8) The first sentence of section 12 is amended by striking out the words "missing for a period of thirty days or more, interned in a foreign country, or captured by a hostile force" and inserting the words "absent for a period of thirty days or more in any status listed in section 2 of this Act" in place thereof.

(9) Section 13 is amended to read as follows:

"SEC. 13. Notwithstanding any other provision of law, in the case of any taxable year beginning after December 31, 1940, no Federal income tax return of, or payment of any Federal income tax by—

"(1) a member of the uniformed services as defined in section 102 (a) and (b) of the Career Compensation Act of 1949, as amended (37 U.S.C. 231 (a) and (b)); or

"(2) any civilian officer or employee of any department;

who, at the time any such return or payment would otherwise become due, is absent from his duty station under the conditions specified in section 2 of this Act, shall become due until the earlier of the following dates—

"(A) the fifteenth day of the third month in which he ceased (except by reason of death or incompetency) to be absent from his duty station under the conditions specified in section 2 of this Act, unless before the expiration of that fifteenth day he again is absent from his duty station under the conditions specified in section 2 of this Act; or

"(B) the fifteenth day of the third month following the month in which an executor, administrator, or conservator of the estate of the taxpayer is appointed.

Such due date is prescribed subject to the power of the Secretary of the Treasury or his delegate to extend the time for filing such return or paying such tax, as in other cases, and to assess and collect the tax as provided in sections 6851, 6861, and 6871 of the Internal Revenue Code of 1954 in cases in which such assessment or collection is jeopardized and in cases of bankruptcy or receivership."

With the following committee amendments:

On page 1, strike out lines 8 and 9, and on page 2, strike out lines 1 and 2, and insert in lieu thereof the following:

"(1) a member of the uniformed services as defined in section 101(3) and (23) of title 37, United States Code;" and".

On page 4, strike out lines 4, 5, and 6, and substitute in lieu thereof the following:

"in section 101(3) and (23) of title 37, United States Code; or".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AWARD OF CERTAIN MEDALS AND MEDAL OF HONOR ROLL

The Clerk called the bill (H.R. 2998) to amend titles 10, 14, and 38, United States Code, with respect to the award of certain medals and the Medal of Honor Roll.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 357 of title 10, United States Code, is amended as follows:

(1) Section 3741 is amended to read as follows:

"§ 3741. Medal of Honor: award

"The President may award, and present in the name of Congress, a Medal of Honor of appropriate design, with ribbons and appurtenances, to a person who, while a member of the Army, distinguished himself conspicuously by gallantry and intrepidity at the risk of his life above and beyond the call of duty—

"(1) while engaged in an action against an enemy of the United States;

"(2) while engaged in military operations involving conflict with an opposing foreign force; or

"(3) while serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party."

(2) Section 3742 is amended to read as follows:

"§ 3742. Distinguished-service Cross: award

"The President may award a Distinguished Service Cross of appropriate design, with ribbons and appurtenances, to a person who, while serving in any capacity with the Army, distinguishes himself by extraordinary heroism not justifying the award of a Medal of Honor—

"(1) while engaged in an action against an enemy of the United States;

"(2) while engaged in military operations involving conflict with an opposing foreign force; or

"(3) while serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party."

(3) Section 3746 is amended to read as follows:

"§ 3746. Silver Star: award

"The President may award a Silver Star of appropriate design, with ribbons and appurtenances, to a person who, while serving in any capacity with the Army, is cited for gallantry in action that does not warrant a Medal of Honor or Distinguished Service Cross—

"(1) while engaged in an action against an enemy of the United States;

"(2) while engaged in military operations involving conflict with an opposing foreign force; or

"(3) while serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party."

SEC. 2. Chapter 567 of title 10, United States Code, is amended as follows:

(1) Section 6241 is amended to read as follows:

"§ 6241. Medal of Honor

"The President may award, and present in the name of Congress, a Medal of Honor of appropriate design, with ribbons and appurtenances, to a person who, while a member of the naval service, distinguishes himself conspicuously by gallantry and intrepidity at the risk of his life above and beyond the call of duty—

"(1) while engaged in an action against an enemy of the United States;

"(2) while engaged in military operations involving conflict with an opposing foreign force;

"(3) while serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party."

(2) Section 6242 is amended to read as follows:

"§ 6242. Navy Cross

"The President may award a Navy Cross of appropriate design, with ribbons and appurtenances, to a person who, while serving in any capacity with the Navy or Marine Corps, distinguishes himself by extraordinary heroism not justifying the award of a Medal of Honor—

"(1) while engaged in an action against an enemy of the United States;

"(2) while engaged in military operations involving conflict with an opposing foreign force; or

"(3) while serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party."

(3) Section 6244 is amended to read as follows:

"§ 6244. Silver Star Medal

"The President may award a Silver Star Medal of appropriate design, with ribbons and appurtenances, to a person who, while serving in any capacity with the Navy or Marine Corps, is cited for gallantry in action that does not warrant a Medal or Honor or Navy Cross—

"(1) while engaged in an action against an enemy of the United States;

"(2) while engaged in military operations involving conflict with an opposing foreign force; or

"(3) while serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party."

SEC. 3. Chapter 857 of title 10, United States Code, is amended as follows:

(1) Section 8741 is amended to read as follows:

"§ 8741. Medal of Honor: award

"The President may award, and present in the name of Congress, a Medal of Honor of appropriate design, with ribbons and appurtenances, to a person who, while a member of the Air Force, distinguishes himself conspicuously by gallantry and intrepidity at the risk of his life above and beyond the call of duty—

"(1) while engaged in an action against an enemy of the United States;

"(2) while engaged in military operations involving conflict with an opposing foreign force; or

"(3) while serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party."

(2) Section 8742 is amended to read as follows:

"§ 8742. Air Force Cross: award

"The President may award an Air Force Cross of appropriate design, with ribbons and appurtenances, to a person who, while serving in any capacity with the Air Force, distinguishes himself by extraordinary heroism not justifying the award of a Medal of Honor—

"(1) while engaged in an action against an enemy of the United States;

"(2) while engaged in military operations involving conflict with an opposing foreign force; or

"(3) while serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party."

(3) Section 8746 is amended to read as follows:

"§ 8746. Silver Star: award

"The President may award a Silver Star of appropriate design, with ribbons and appurtenances, to a person who, while serving in any capacity with the Air Force, is cited for gallantry in action that does not warrant a Medal of Honor or Air Force Cross—

"(1) while engaged in an action against an enemy of the United States;

"(2) while engaged in military operations involving conflict with an opposing foreign force; or

"(3) while serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party."

SEC. 4. Section 491 of title 14, United States Code, is amended to read as follows:

"§ 491. Medal of Honor

"The President may award, and present in the name of Congress, a Medal of Honor of appropriate design, with ribbons and appurtenances, to a person who, while a member of the Coast Guard, distinguishes himself conspicuously by gallantry and intrepidity at the risk of his life above and beyond the call of duty—

"(1) while engaged in an action against an enemy of the United States;

"(2) while engaged in military operations involving conflict with an opposing foreign force;

"(3) while serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party."

SEC. 5. Title 38, United States Code, is amended as follows:

(1) By amending section 560 (a) and (b) to read as follows:

"(a) There shall be in the Department of the Army, the Department of the Navy, the Department of the Air Force, and the Department of the Treasury, respectively, a roll designated as the 'Army, Navy, Air Force, and Coast Guard Medal of Honor Roll'."

"(b) Upon written application to the Secretary concerned, the Secretary shall enter and record on such roll the name of each surviving person who has served on active duty in the armed forces of the United States, who has attained the age of fifty years, and who has been awarded a Medal of Honor for distinguishing himself conspicuously by gallantry and intrepidity at the risk of his life above and beyond the call of duty—

"(1) while engaged in action against an enemy of the United States;

"(2) while engaged in military operations involving conflict with an opposing foreign force; or

"(3) while serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party."

(2) by striking out of sections 561 and 562 the words "Army, Navy, and Air Force" and inserting in place thereof the words "Army, Navy, Air Force, and Coast Guard"; and

(3) by striking out of the analysis of chapter 15, and the heading of subchapter IV of chapter 15, the words "Army, Navy, and Air Force" and inserting in place thereof the words "Army, Navy, Air Force, and Coast Guard."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRAVEL AND TRANSPORTATION ALLOWANCES UNDER CANCELED ORDERS

The Clerk called the bill (H.R. 4338) to amend title 37, United States Code, to authorize travel and transportation allowances for travel performed under orders that are canceled, revoked, or modified, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 7 of title 37, United States Code, is amended as follows:

(1) The following new section is inserted after section 406:

"§ 406a. Travel and transportation allowances: authorized for travel performed under orders that are canceled, revoked, or modified

"Under uniform regulations prescribed by the Secretaries concerned, a member of a uniformed service is entitled to travel and transportation allowances under section 404 of this title, and to transportation of his dependents, baggage, and household effects under sections 406 and 409 of this title, if otherwise qualified, for travel performed before the effective date of orders that direct him to make a change of station and that are later—

"(1) canceled, revoked, or modified to direct him to return to the station from which he was being transferred; or

"(2) modified to direct him to make a different change of station."

(2) The following new item is inserted in the analysis:

"406a. Travel and transportation allowances: authorized for travel performed under orders that are canceled, revoked, or modified."

SEC. 2. This Act becomes effective on October 1, 1949. Any member or former member of the uniformed services who, after September 30, 1949, but before the date of enactment of this Act, has not been paid, or has repaid the United States, an amount to which he otherwise would have been entitled had section 1 of this Act been in effect during that period is entitled to be paid or repaid that amount, if the payment or repayment is otherwise proper and he applies for the payment or repayment within one year after the date of enactment of this Act.

SEC. 3. Any appropriations available to the departments concerned for the pay and allowances of members of the uniformed services are available for payments under this Act.

Mr. FORD. Mr. Speaker, reserving the right to object, according to the committee report, as I understand it, if this legislation is enacted it would involve approximately $524,000 in the payment of retroactive claims. I am concerned whether or not the Department of Defense and its constituent agencies would be able to absorb these retroactive claims out of their fiscal 1964 budget.

Mr. RIVERS of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield to the gentleman from South Carolina.

Mr. RIVERS of South Carolina. This proposed legislation was contained in the overall pay bill which the House passed some time ago. We did not think it had any place in the pay bill so we introduced a separate bill to take care of this contingency. In response to the gentleman's inquiry the answer is yes; we are going to insist on it. This is cumulative from 1949 and in the testimony before our subcommittee on the pay bill it was agreed this would be absorbed. If that is not the intention, we shall insist on it.

Mr. FORD. I thank the gentleman from South Carolina.

Mr. GROSS. Mr. Speaker, will the gentleman yield so that I may ask him a question?

Mr. FORD. Surely.

Mr. GROSS. I would like to ask the gentleman the significance of the October 1, 1949, date, the retroactive feature. Why October 1, 1949?

Mr. RIVERS of South Carolina. Mr. Speaker, if the gentleman will yield to me to answer the question, that was the last legislation on this subject. That was the date of the legislation when travel was first authorized, in the Career Compensation Act.

Mr. GROSS. Mr. Speaker, are we here setting any kind of precedent of retroactivity?

Mr. RIVERS of South Carolina. Mr. Speaker, in response to the gentleman from Iowa, we are not setting any precedent. This is done now. When an officer or enlisted man has a change of station he generally takes leave. He has been doing that from time immemorial. In good faith he goes to the station to which he has been assigned. He is in a leave status. Somebody in the Defense Department or the constituent agency decides to change his orders. The man is leaving town and rightly so. We have had cases where a man was brought from the Far East, assigned to Benning, Ga. When he landed on the west coast, in good faith he took his family and started east. Somebody in the Defense Department transferred him to somewhere down the coast in California. He did not know anything about that. Under the law now his change of station takes effect only on the last day of his leave—let us say a 30-day leave, or whatever it is. He may have to go back and pay out perhaps $2,500.

Mr. GROSS. My question as to precedent goes to the matter of retroactivity. This goes back some 14 years, does it not, back to 1949?

Mr. RIVERS of South Carolina. This goes back to the date of the Career Compensation Act.

Mr. GROSS. The question is, Will this create a precedent with respect to 14 years of retroactivity?

Mr. RIVERS of South Carolina. No retroactivity at all.

Mr. FORD. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill as follows:

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADVANCE MOVEMENT OF DEPENDENTS AND BAGGAGE AND HOUSEHOLD EFFECTS

The Clerk called the bill (H.R. 4739) to amend section 406 of title 37, United States Code, with regard to the advance movement of dependents and baggage and household effects of members of the uniformed services.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Reserving the right to object, Mr. Speaker, I have the same question concerning this type of legislation I had to the last. According to the committee report, the estimated additional cost per year in this case is about $632,000. Is it anticipated, if this is enacted into law, the Department would absorb this additional cost in fiscal 1964?

Mr. RIVERS of South Carolina. It would have to be in the budget, of course.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Iowa.

Mr. GROSS. Is this limited to uniformed personnel, or are civilian employees involved?

Mr. RIVERS of South Carolina. This applies to uniformed personnel.

Mr. FORD. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 406 of title 37, United States Code, is amended by adding the following new subsection at the end thereof:

"(h) In the case of a member who is serving at a station outside the United States or in Hawaii or Alaska, if the Secretary concerned determines it to be in the best interests of the member or his dependents and the United States, he may, when orders directing a change of permanent station for the member concerned have not been issued, or when they have been issued but cannot be used as authority for the transportation of his dependents, baggage, and household effects—

"(1) authorize the movement of the member's dependents, baggage, and household effects at that station to an appropriate location in the United States or its possessions and prescribe transportation in kind, reimbursement therefor, or a monetary allowance in place thereof, as the case may be, as authorized under subsection (a) or (b) of this section; and

"(2) authorize the transportation of one motor vehicle owned by the member and for his or his dependents' personal use to that location on a vessel owned, leased, or chartered by the United States or by privately owned American shipping services.

If the member's baggage and household effects are in nontemporary storage under subsection (d) of this section, the Secretary concerned may authorize their movement to the location concerned and prescribe transportation in kind or reimbursement therefor, as authorized under subsection (b) of this section. For the purposes of this section, a member's unmarried child for whom the member received transportation in kind to his station outside the United States or in Hawaii or Alaska, reimbursement therefor, or a monetary allowance in place thereof and who became 21 years of age while the member was serving at that station shall be considered as a dependent of the member."

(b) The text of section 2634 of title 10, United States Code, is amended to read as follows:

"When a member of an armed force is ordered to make a permanent change of station, one motor vehicle owned by him and for his personal use may be transported to his new station at the expense of the United States—

"(1) on a vessel owned, leased, or chartered by the United States; or

"(2) by privately owned American shipping services;

unless a motor vehicle owned by him was transported in advance of that permanent change of station under section 406(h) of title 37."

(c)(1) Section 3(a) of the Act of August 10, 1956, ch. 1041, as amended (33 U.S.C. 857a(a)), is amended by adding the following new clause at the end thereof:

"(11) Section 2634, Motor vehicles: for members on permanent change of station."

(2) Section 20 of the Coast and Geodetic Survey Commissioned Officers' Act of 1948 (33 U.S.C. 853s) is repealed.

(d) Section 221(a) of the Public Health Service Act, as amended (42 U.S.C. 213a(a)), is amended by adding the following new clause at the end thereof:

"(10) Section 2634, Motor vehicles: for members on permanent change of station."

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

GOLD STAR LAPEL BUTTONS

The Clerk called the bill (H.R. 6767) to amend title 10, United States Code, to provide gold star lapel buttons for the next of kin of members of the Armed Forces who lost or lose their lives in war or as a result of cold war incidents.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 57 of title 10, United States Code, is amended—

(1) by adding the following new section at the end thereof:

"§ 1124. Gold star lapel button: eligibility and distribution

"(a) A lapel button, to be known as the gold star lapel button, shall be designed, as approved by the Secretary of Defense, to identify widows, parents, and next of kin of members of the Armed Forces of the United States—

"(1) who lost their lives during World War I, World War II, or during any subsequent period of armed hostilities in which the United States was engaged before July 1, 1958; or

"(2) who lost or lose their lives after June 30, 1958—

"(i) while engaged in an action against an enemy of the United States;

"(ii) while engaged in military operations involving conflict with an opposing foreign force; or

"(iii) while serving with friendly foreign forces engaged in an armed conflict in which the United States is not a belligerent party against an opposing armed force.

"(b) Under regulations to be prescribed by the Secretary of Defense, the Secretary concerned, upon application to him, shall furnish one gold star lapel button without cost to the widow and to each parent of a member who lost or loses his or her life under any circumstance prescribed in subsection (a). Gold star lapel buttons shall be furnished, upon application and payment of an amount sufficient to cover the cost of manufacture and distribution, to the next of kin other than the widow and parents of any such deceased member.

"(c) Not more than one gold star lapel button may be furnished to any one individual except that, when a gold star lapel button furnished under this section has been lost, destroyed, or rendered unfit for use without fault or neglect on the part of the person to whom it was furnished, the button may be replaced upon application and payment of an amount sufficient to cover the cost of manufacture and distribution.

"(d) In this section—

"(1) 'widow' includes widower;

"(2) 'parents' includes mother, father, stepmother, stepfather, mother through adoption, father through adoption, and foster parents who stood in loco parentis;

"(3) 'next of kin' includes only children, brothers, sisters, half brothers, and half sisters;

"(4) 'children' includes stepchildren and children through adoption;

"(5) 'World War I' includes the period from April 6, 1917, to March 3, 1921; and

"(6) 'World War II' includes the period from September 8, 1939, to July 25, 1947, at 12 o'clock noon."; and

(2) by adding the following new item at the end of the analysis:

"1124. Gold star lapel button: eligibility and distribution."

SEC. 2. The Act of August 1, 1947 (61 Stat. 710), as amended (36 U.S.C. 182a–182d), is repealed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REVISING SPECIAL ENLISTMENT TRAINING PROGRAMS

The Clerk called the bill (H.R. 6996) to repeal section 262 of the Armed Forces Reserve Act, as amended, and to amend the Universal Military Training and Service Act, as amended, to revise and consolidate authority for deferment from, and exemption from liability for induction for, training and service for certain Reserve membership and participation, and to provide a special enlistment program, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. RYAN of New York. Reserving the right to object, Mr. Speaker, may I inquire of the gentleman from Louisiana whether or not this bill would apply prospectively or retroactively? Would it apply to those who enlist now with the understanding they are enlisting for an active duty period of 6 months, and then the 6-year Reserve requirement?

Mr. HÉBERT. No, it applies prospectively. Immediately after the passage of this bill, those enlisting in the future would come under the provisions of this bill.

Mr. RYAN of New York. If a person enlisted today under the 6-months, 6-year program and if this bill becomes law tomorrow, would it apply to the person who enlisted today?

Mr. HÉBERT. It would not apply.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 262 of the Armed Forces Reserve Act of 1952, as amended (50 U.S.C. 1013), is repealed.

SEC. 2. Section 6(c)(2) of the Universal Military Training and Service Act, as amended (50 U.S.C. App. 456(c)(2)), is further amended to read as follows:

"(A) Any person, other than a person referred to in subsection (d) hereof, who, prior to attaining the age of twenty-six years and prior to the issuance of orders for him to report for induction, enlists or accepts appointment in the Ready Reserve of any reserve component of the Armed Forces, the Army National Guard, or the Air National Guard, shall be deferred from training and service under this Act so long as he serves satisfactorily as a member of an organized unit of such Ready Reserve or National Guard in accordance with section 270 of title 10 or section 502 of title 32, United States Code, as the case may be. Notwithstanding the provisions of subsection (h) hereof, no person deferred under this clause who has completed six years of satisfactory service as a member of an organized unit of such Ready Reserve or National Guard, and who during such service has performed active duty for training with an armed force for not less than four consecutive months, shall be liable for induction for training and service under this Act, except after a declaration of war or national emergency made by the Congress after August 9, 1955.

"(B) A person who, under any provision of law, is exempt or deferred from training and service under this Act by any reason of membership in a reserve component, the Army National Guard, or the Air National Guard, as the case may be, shall, if he becomes a member of another reserve component, the Army National Guard, or the Air National Guard, as the case may be, continue to be exempt or deferred to the same extent as if he had not become a member of another reserve component, the Army National Guard, or the Air National Guard, as the case may be, so long as he continues to serve satisfactorily.

"(C) Except as provided in subsection (b) and the provisions of this subsection, no person who becomes a member of a reserve component after February 1, 1951, shall thereby be exempt from registration or training and service by induction under the provisions of this Act.

"(D) Notwithstanding any other provision of this Act, the President, under such rules and regulations as he may prescribe, may provide that any person enlisted or appointed after October 4, 1961, in the Ready Reserve of any reserve component of the Armed Forces (other than under section 511(b) of title 10, United States Code), the Army National Guard, or the Air National Guard, prior to attaining age of twenty-six years, or any person enlisted or appointed in the Army National Guard or the Air National Guard or enlisted in the Ready Reserve of any reserve component prior to attaining the age of eighteen years and six months and deferred under the prior provisions of this paragraph as amended by the Act of October 4, 1961, Public Law 87-378 (75 Stat. 807), or under section 262 of the Armed Forces Reserve Act of 1952, as amended, who fails to serve satisfactorily during his obligated period of service as a member of such Ready Reserve or National Guard or the Ready Reserve of another reserve component or the National Guard of which he becomes a member, may be selected for training and service and inducted into the armed force of which such reserve component is a part, prior to the selection and induction of other persons liable therefor."

SEC. 3. Section 511 of title 10, United States Code, is amended by adding the following new subsection at the end thereof:

"(d) Under regulations to be prescribed by the Secretary of Defense, or the Secretary of the Treasury with respect to the Coast Guard when it is not operating as a service in the Navy, a non-prior-service person who is under twenty-six years of age, who is qualified for induction for active duty in an armed force, and who is not under orders to report for induction into an armed force under section 451–473 of title 50, appendix, may be enlisted in the Army National Guard or the Air National Guard, or as a Reserve for service in the Army Reserve, Naval Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard Reserve, for a term of six years. Each person enlisted under this subsection shall perform an initial period of active duty for training of not less than four months and shall serve the rest of his period of enlistment as a member of the Ready Reserve."

SEC. 4. Section 270(b) of title 10, United States Code, is amended by striking out the following: ", other than one enlisted under section 456(c)(2)(C) of title 50, appendix,".

SEC. 5. This Act shall not affect any term of obligated service incurred before the effective date of this Act. In addition, the enactment of this Act shall not increase the minimum period of active duty that is required on the day before the effective date of this Act to earn an exemption from training and service under the Universal Military Training and Service Act, as amended (50 U.S.C. App. 451 et seq.), in the case of persons who entered the Armed Forces before the effective date of this Act.

SEC. 6. Section 13(a) of the Universal Military Training and Service Act, as amended (50 U.S.C. App. 463(a)), is amended by striking out "sections 281, 283, or 284 of title 18 of the United States Code, in section 190 of the Revised Statutes (U.S.C., title 5, sec. 99)", and inserting in place thereof "sections 203, 205, or 207 of title 18 of the United States Code".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SALEM MARITIME NATIONAL HISTORIC SITE, MASSACHUSETTS

The Clerk called the bill (H.R. 976) to authorize the Secretary of the Interior to acquire and add certain lands to the Salem Maritime National Historic Site in Massachusetts, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve, as a part of the Salem Maritime National Historic Site, one of the few substantially unaltered houses of seventeenth century Massachusetts, the Secretary of the Interior is authorized to procure by purchase, donation, or purchase with donated funds certain lands and interests in lands situated in Salem, Massachusetts, being known as the Narbonne House, and consisting of approximately 0.187 acre, the same being the premises conveyed to Margaret Hale by deed dated November 5, 1958, and recorded with the Essex County deeds, book 4511, page 575. When acquired, said lands shall be administered as a part of the site under the laws and regulations applicable thereto.

SEC. 2. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

With the following committee amendment:

Page 2, line 5, through line 7, strike out all of section 2 and insert in lieu thereof:

"SEC. 2. There are hereby authorized to be appropriated such sums, but not more than $18,000, as may be necessary to acquire the property described in section 1 of this Act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

U.S. PARTICIPATION IN INTERNATIONAL BUREAU FOR THE PROTECTION OF INDUSTRIAL PROPERTY

The Clerk called the House joint resolution (H.J. Res. 405) to amend the joint resolution providing for the U.S. participation in the International Bureau for the Protection of Industrial Property.

There being no objection, the Clerk read the resolution as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of July 12, 1960 (74 Stat. 381), is hereby amended by striking out the figure "$7,250" in section (b) thereof and inserting in lieu thereof the figure "$15,000".

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT TO THE CONSTITUTION OF THE INTERNATIONAL LABOR ORGANIZATION

The Clerk called the Senate joint resolution (S.J. Res. 60) providing for acceptance by the United States of America of an instrument for the amendment of the constitution of the International Labor Organization.

There being no objection, the Clerk read the resolution, as follows:

Whereas the United States of America is a member of the International Labor Organization, having accepted membership in the Organization pursuant to authority granted by the joint resolution approved on June 19, 1934 (48 Stat. 1182; 22 U.S.C. 271); and

Whereas the United States of America accepted the revised constitution of the Organization adopted by the twenty-ninth session of the International Labor Conference on October 9, 1946, pursuant to authority granted by the joint resolution approved on June 30, 1948 (62 Stat. 1151; 22 U.S.C. 271 note); and

Whereas the International Labor Conference, considering the desirability of increasing the size of the governing body of the International Labor Office to take account of increases in the membership of the Organization and of deleting a provision of the constitution rendered unnecessary by developments in recent years, adopted for this purpose at Geneva on June 22, 1962, at its forty-sixth session an instrument for the amendment of the constitution of the International Labor Organization; and

Whereas the delegation of the United States of America to the forty-sixth session of the International Labor Conference unanimously supported the aforesaid instrument of amendment, which was approved by 309 votes to 0, with 1 abstention: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to accept on behalf of the United States of America the instrument for the amendment of the constitution of the International Labor Organization adopted at Geneva on June 22, 1962, by the International Labor Conference at its forty-sixth session.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PERMITTING THE GOVERNMENT OF GUAM TO AUTHORIZE A PUBLIC AUTHORITY TO UNDERTAKE URBAN RENEWAL AND HOUSING ACTIVITIES

The Clerk called the bill (H.R. 6481) to permit the Government of Guam to authorize a public authority to undertake urban renewal and housing activities.

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

EXTENDING INVITATION TO HOLD 1968 WINTER OLYMPIC GAMES IN THE UNITED STATES

The Clerk called the joint resolution (H.J. Res. 324) extending an invitation to the International Olympic games in the United States.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. CONTE. Mr. Speaker, reserving the right to object, I would like to inquire whether this bill would cost any money? In the report we have before us, it states that this is not going to cost the U.S. Government anything. But, if this invitation is accepted and the 1968 Olympics are held at Lake Placid, will there be a bill to follow this for an authorization and an appropriation for funds for the Olympic games?

Mr. FASCELL. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman.

Mr. FASCELL. In response to the gentleman's question, the present bill carries no authorization; the gentleman is correct. As to whether there will be a future request for an authorization, the committee is without knowledge on that point. The only thing we have is the history with respect to the winter games held at Squaw Valley. At that time there was an appropriation. I do not recall the exact amount, but I think our Department of Defense reported a total expenditure of $4,400,000 in support of the Olympic winter games at Squaw Valley. Of that amount, $3,500,000 was appropriated through Public Law 85-400 and $900,000 in Public Law 86-166. If any appropriation for the winter games at Lake Placid is needed, the gentleman is correct, it would require an authorization.

Mr. CONTE. Could the gentleman give me some sort of ball park guess as to what the Squaw Valley games cost the taxpayers? He mentioned $4 million by the Department of Defense and an appropriation by the Congress. I had somewhere heard of a figure of about $10 million in total cost to the Federal Government.

Mr. FASCELL. Since that was not a matter directly before our subcommittee at the time we considered this bill and since there was no authorization requested of us for funds, the committee did not go into details of what was spent with respect to appropriated funds at Squaw Valley. The only amounts I know of are the amounts I just read to the gentleman which we got by way of an inquiry from the Secretary of Defense. I would assume, however, that the hearings of the Committee on Appropriations more fully detail the amount of the appropriation or rather of the total amount spent. Also I understand part of it came out of the regular military appropriation and that part of the expenditures we do not know anything about.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Iowa.

Mr. GROSS. As a member of the subcommittee, I questioned the witnesses quite closely as to the expenditures in connection with this bill. There is no spending under the terms of this bill. This is simply an invitation to hold the 1968 winter Olympics in the United States and, of course, there is no assurance that the invitation will be accepted and that the Olympic games will be held in the United States.

I can assure the gentleman that as far as I am concerned I will be very much interested in any subsequent bill which may provide for money from the Federal Treasury for this purpose. However, I am in favor of extending the invitation.

Mr. CONTE. Does the gentleman have any idea what the Squaw Valley Olympics cost the American taxpayer?

Mr. GROSS. If the gentleman will yield, it cost several millions of dollars one way or the other, but I cannot give the gentleman the exact figure.

Mr. FASCELL. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Florida.

Mr. FASCELL. Other than the figures which I have already given the gentleman, I do not know about the other figures for transportation, et cetera, but the expenditures which I detailed just now were for the construction of the facilities at Squaw Valley and, as we understand it, this would not be necessary at Lake Placid.

Mr. CONTE. I merely bring this out because several years ago a similar resolution went through that I filed for the 1960 Parachuting Olympics, or international championships, which were held in my district. When we came to the Congress for appropriations, we did not receive a plugged nickel. Then the participants who came here from 28 countries had to operate from tents with bare sand floors, at Orange, Mass.

I think if we are going to do it that way for one international function, we should do it for all international functions.

Mr. Speaker, I agree with the gentleman from Iowa. I, too, shall watch any appropriation bill very closely on this item when and if it comes along.

Mr. FASCELL. Mr. Speaker, will the gentleman yield further?

Mr. CONTE. I yield to the gentleman from Florida.

Mr. FASCELL. I recall very definitely the strong interest and the hard work that the gentleman from Massachusetts [Mr. CONTE] put in attempting to get an authorization and an appropriation for the world parachuting event which was to be held in the State of Massachusetts and in the district which the gentleman has the honor to represent. I was in accord with the idea that this was a worthwhile objective for the United States not only to participate in but also to give some kind of financial support. I regret that this was not possible or, at least, he could not get consideration of the authorization. Subsequent events, that is, acceptance of the sport by increased participation in the United States and acceptance of the sport in international circles; and the importance attached to it both from the civilian standpoint and the military standpoint, bears out, and rightfully so, the interest and hard work that the gentleman from Massachusetts [Mr. CONTE] put forth in seeking to get the authorization. I will say to the gentleman that I am in sympathy with his position and I will support his efforts.

Mr. CONTE. I certainly appreciate the kind remarks of the gentleman from Florida, but it does not help with the funds which were sorely needed to conduct that event. However, I do appreciate the aid which the gentleman from Florida [Mr. FASCELL] gave me at the time.

Mr. Speaker, in view of the gentleman's explanation that there is no money involved in this bill, I withdraw my reservation.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, whereas the United State Olympic Association will invite the International Olympic Committee to hold the winter Olympic games in the United States at Lake Placid, New York, in 1968, the Government of the United States would welcome the holding of the 1968 winter Olympic games in the United States and expresses the sincere hope that the United States will be selected as the site for this great enterprise in international good will.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. KING of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KING of New York. Mr. Speaker, Lake Placid is in the 30th Congressional District of New York. As the Representative in Congress from that district, and as the original sponsor of a resolution inviting the International Olympic Committee to hold the 1968 winter Olympic games in the United States, I am very pleased that the House Foreign Affairs Committee has given its full approval to this resolution, and I wholeheartedly support it.

The U.S. Olympic Committee has chosen Lake Placid as the preferred location of the staging of the 1968 winter Olympic games. The Olympic facilities developed for this event have been maintained and utilized since 1932, when Lake Placid was highly honored and privileged to hold the third winter Olympic games in America. Since that time, 30 years ago, Lake Placid has continued to uphold its competitive winter sports tradition by staging a series of national and international winter sport events.

The Lake Placid Winter Sports Council, which represents the village of Lake Placid, the town of North Elba, the North Elba Park district, and the Lake Placid Chamber of Commerce, will be the official organization to stage these winter games. The Winter Sports Council also includes in its membership the Lake Placid Ski Club, the Lake Placid Sno Birds, the Lake Placid Bobsled Club, the Skating Club of Lake Placid, the Lake Placid Speed Skating Association, the Adirondack Mountain Authority, and the Lake Placid Youth Commission. All of these organizations are looking forward to the privilege of welcoming the winter sports competition from many nations. They have all pledged their full cooperation and assurance that if the village is selected for the 1968 winter Olympic events, the games will be conducted in the highest tradition of honor, good sportsmanship, and international good will.

Mr. Speaker, I ask unanimous consent, to have printed in the Congressional Record at this point, a brief description of the tremendously expanded facilities planned for the 10th winter Olympic games in the event Lake Placid is selected. It is my sincere hope that Congress will favorably and promptly approve this resolution.

WHITEFACE MOUNTAIN FACILITIES

Whiteface Mountain ski development is a large area for general recreational and competitive skiing. Since its construction a few years ago, several important races have been held here including the North American championships of 1960 and the national junior championships in 1961. The Adirondack Mountain Authority is now planning several expansion and development programs for Whiteface Mountain in anticipation of the 1968 winter Olympics. Presently under construction are additional trails and slopes of the highest caliber for international racing and winter sports competition. Snow conditions are far above average in this area, and the vertical descents, grades, and slopes of Whiteface Mountain are comparable to any European resort area. Additional ski lifts to serve Whiteface Mountain are also planned. A successful Olympic bid will accelerate further development of this area and will enable this section of Lake Placid to be ready for use in 1966 in order to permit officials and competitors to test the area prior to the Olympics.

Also planned in Lake Placid proper is a new 80-meter ski jump constructed on the highest elevation within the village. The new ski jump will be the focal point of an encircling bowl accommodating 30,000 spectators. The ski jump will be equipped with an elevator topped by an official viewing station which would dominate the surrounding countryside.

The new Olympic complex would include a depressed 400-meter Olympic speed skating track on the site of the present Olympic stadium at Lake Placid. This facility would be completely refrigerated and would have a movable roof which would protect the racers and spectators from the wind, heavy snowfall, and other types of inclement weather.

Lake Placid community has been one of the leading hockey centers in the Eastern United States. Five ice hockey rinks will be available for the Olympics with a seating capacity of 18,000. The Winter Sports Council has given its assurance that everything possible will be done to promote the game of hockey and to provide for the comfort of the players, officials, and spectators.

The present Olympic bobrun on Mount Van Hoevenberg is considered ideal for Olympic competition. Successful world championships were held on Mount Van Hoevenberg in 1949 and again in 1961. The 1966 championships are planned for Lake Placid, which is a further indication of how highly this area is regarded as one of the world's finest winter sport resorts.

HOUSING

Lake Placid has more housing accommodations than any other winter sport community on the North American Continent. Presently, there are over 6,200 commercial accommodations within the village of Lake Placid. An additional 6,000 accommodations are located at a distance of approximately 12 miles in the communities of Wilmington, Raybrook, and Saranac Lake. In a 50-mile radius of the Lake Placid communities, which would include Plattsburgh, Schroon Lake to the south, and the entire resort complex on the west shore of Lake Champlain, there would be an additional 18,000 overnight accommodations. Although this is an impressive number, it is only part of the entire picture. Montreal, Canada's largest city, with a population of 1½ million is only a 2-hour drive from Lake Placid. The capital district area of Albany, N.Y., with a population in excess of 1 million will be 2¼ hours' drive upon completion of the Adirondack Northway. We confidently expect that the drive-in attendance at the 1968 winter Olympic games in Lake Placid will exceed the number staying in the area fourfold and provide a viewing crowd of over 100,000 spectators.

TRANSPORTATION

Lake Placid is served by three major State highways from the north, south, and west. The community is located 30 miles from Interstate Route 87, the Adirondack Thruway, a six-lane divided highway, which is the principal route between New York City and Montreal, Quebec. Other highway routes to the west connecting Interstate Route 81 to the Pennsylvania-Canadian Highway are now under construction. Completion of all of these highways by 1968 will mean that Lake Placid will only be a few hours' driving time by bus or automobile from any of the major cities in the East. Lake Placid is also served by several of the major buslines and railroads, as well as scheduled airlines. No other major winter sports area combining all the Olympic facilities is more accessible to the Eastern United States than Lake Placid, N.Y.

Mr. SCHWEIKER. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Derwinski] may extend his remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, I am especially pleased to support House Joint Resolution 324 and wish to direct the special attention of the House to the fact that this is one item that will not involve any expense to the U.S. Government and represents a unified attempt by the United States to obtain the 1968 winter Olympic games in Lake Placid, N.Y.

My colleague, the Honorable Carleton King of New York, introduced the original resolution and our distinguished colleague, the Honorable Edna Kelly, a member of the Foreign Affairs Committee, exercised the role of leadership in the committee to process rapid approval of the resolution. I commend them for this bipartisan effort in a most worthy cause.

EXTEND TIME FOR PROOF UNDER DESERT LAND LAWS

The Clerk called the bill (H.R. 6218) to amend the act of June 29, 1960, to authorize additional extensions of time for final proof by certain entrymen under the desert land laws and to make such additional extensions available to the successors in interest of such entrymen.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first section of the Act entitled "An Act to authorize an extension of time for final proof under the desert land laws under certain conditions", approved June 29, 1960 (74 Stat. 257), is amended by striking out "one extension of not more than three years within which to make final proof" and inserting in lieu thereof "extensions aggregating not more than six years within which to make final proof".

(b) Section 2 of such Act of June 29, 1960 (74 Stat. 257), is amended—

(1) by striking out "The" at the beginning of the first sentence and inserting in lieu thereof "Except as otherwise provided in this section, the";

(2) by striking out "within one extension period of not more than three years and can be completed either during such extension period" and inserting in lieu thereof "within extension periods aggregating not more than six years and can be completed during such periods of extension"; and

(3) by inserting immediately after the first sentence thereof the following new sentence: "The benefits of this Act shall be available also to successors in interest of the entrymen described in the first sentence of this section.".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELATING TO THE ALASKA PUBLIC SALE ACT

The Clerk called the bill (H.R. 6689) to extend the principles of equitable adjudication to sales under the Alaska Public Sale Act.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. RIVERS of Alaska. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 535, be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Alaska?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior may apply the principles of equity and justice as authorized by the Act of September 20, 1922 (42 Stat. 857; 43 U.S.C. 1161), to sales under the Act of August 30, 1949 (63 Stat. 679; 48 U.S.C. 364a–e), where the purchaser submits proof of compliance with the use requirements of section 3 of that Act more than three years after issuance of a certificate of purchase.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 6689) was laid on the table.

STATUTORY LIENS AND POWERS OF THE TRUSTEE

The Clerk called the bill (H.R. 394) to amend sections 1, 17a, 57j, 64a(5), 67(b), 67c, and 70c of the Bankruptcy Act, and for other purposes.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 (11 U.S.C. 1) of the Bankruptcy Act approved July 1, 1898, as amended, is amended by inserting after paragraph 29 the following new paragraph:

"(29a) 'Statutory lien' shall mean a lien arising solely by force of statute upon specified circumstances or conditions, but shall not include any lien provided by or dependent upon an agreement to give security, whether or not such lien is also provided by or is also dependent upon statute and whether or not the agreement or lien is made fully effective by statute."

SEC. 2. Subsection j of section 57 of said Act (11 U.S.C. 93(j)) is amended by inserting in the first line after the word "Debts" a comma and the words "whether or not secured by lien,".

SEC. 3. Clause (1) of subsection a of section 17 of said Act (11 U.S.C. 35) is amended to read as follows:

"(1) are due as a tax, penalty, or forfeiture to the United States, or any State, county, district, or municipality;"

SEC. 4. Clause (5) of subsection a of section 64 of said Act (11 U.S.C. 104(a)) is amended to read as follows:

"(5) debts other than for taxes owing to any person, including the United States, who by the laws of the United States is entitled to priority, and rent owing to a landlord who is entitled to priority by applicable State law or who is entitled to priority by paragraph (2) of subdivision c of section 67 of this Act: *Provided, however,* That such priority for rent to a landlord shall be restricted to the rent which is legally due and owing for the actual use and occupancy of the premises affected, and which accrued within three months before the date of bankruptcy."

SEC. 5. Subsection b of section 67 of said Act (11 U.S.C. 107(b)), is amended to read as follows:

"b. The provisions of section 60 of this Act to the contrary notwithstanding and except as otherwise provided in subdivision c of this section, statutory liens in favor of employees, contractors, mechanics, or any other class of persons, and statutory liens for taxes and debts owing to the United States or to any State or any subdivision thereof, created or recognized by the laws of the United States or any State, may be valid against the trustee, even though arising or perfected while the debtor is insolvent and within four months prior to the filing of the petition initiating a proceeding under this Act by or against him."

SEC. 6. Subsection c of section 67 of said Act (11 U.S.C. 107(c)) is amended to read as follows:

"c. (1) The following liens shall be invalid against the trustee:

"(A) every statutory lien which first becomes effective upon the insolvency of the debtor, or upon distribution or liquidation of his property, or upon execution against his property levied at the instance of one other than the lienor;

"(B) every statutory lien which is not perfected or enforceable at the date of bankruptcy against one acquiring the rights of a bona fide purchaser from the debtor on that date, whether or not such purchaser exists: *Provided,* That where a statutory lien is not invalid at the date of bankruptcy against the trustee under subdivision c of section 70 of this Act and is required by applicable lien law to be perfected in order to be valid against a subsequent bona fide purchaser, such a lien may nevertheless be valid under this subdivision if perfected within the time permitted by and in accordance with the requirements of such law: *And provided further,* That if applicable lien law requires a lien valid against the trustee under section 70, subdivision c, to be perfected by the seizure of property, it shall instead be perfected as permitted by this subdivision c of section 67 by filing notice thereof with the court;

"(c) every statutory lien for rent and every lien of distress for rent, whether statutory or not. A right of distress for rent which creates a security interest in property shall be deemed a lien for the purposes of this subdivision c.

"(2) The court may, on due notice, order any of the aforesaid liens invalidated against the trustee to be preserved for the benefit of the estate and in that event the lien shall pass to the trustee. A lien not preserved for the benefit of the estate but invalidated against the trustee shall be invalid as against all liens indefeasible in bankruptcy, so as to have the effect of promoting liens indefeasible in bankruptcy which would otherwise be subordinate to such invalidated lien. Claims for wages, taxes, and rent secured by liens hereby invalidated or preserved shall be respectively allowable with priority and restricted as are debts therefor entitled to priority under clauses (2), (4), and (5) of subdivision a of section 64 of this Act, even though not otherwise granted priority.

"(3) Every tax lien on personal property not accompanied by possession shall be postponed in payment to the debts specified in clauses (1) and (2) of subdivision a of section 64 of this Act. Where such a tax lien is prior in right to liens indefeasible in bankruptcy, the court shall order payment from the proceeds derived from the sale of the personal property to which the tax lien attaches, less the actual cost of that sale, of an amount not in excess of the tax lien, to the debts specified in clauses (1) and (2) of subdivision a of section 64 of this Act. If the amount realized from the sale exceeds the total of such debts, after allowing for prior indefeasible liens and the cost of the sale, the excess up to the amount of the difference between the total paid to the debts specified in clauses (1) and (2) of subdivision a of section 64 of this Act and the amount of the tax lien, is to be paid to the holder of the tax lien.

"(4) Where a penalty not allowable under subdivision j of section 57 is secured by a lien, the portion of the lien securing such penalty shall not be eligible for preservation under this subdivision c.

"(5) This subdivision c shall not apply to liens enforced by sale before the filing of the petition, nor to liens against property set aside to the bankrupt as exempt, nor to liens against property abandoned by the trustee or unadministered in bankruptcy for any reason and shall not apply in proceedings under section 77 of this Act, nor in proceedings under chapter X of this Act unless an order has been entered directing that bankruptcy be proceeded with."

SEC. 7. Subsection c of section 70 of said Act (11 U.S.C. 110(c)) is amended to read as follows:

"c. The trustee may have the benefit of all defenses available to the bankrupt as against third persons, including statutes of limitation, statutes of frauds, usury, and other personal defenses; and a waiver of any such defense by the bankrupt after bankruptcy shall not bind the trustee. The trustee shall have as of the date of bankruptcy the rights and powers of: (1) a creditor who obtained a judgment against the bankrupt upon the date of bankruptcy, whether or not such a creditor exists, (2) a creditor who upon the date of bankruptcy obtained an execution returned unsatisfied against the bankrupt, whether or not such a creditor exists, and (3) a creditor who upon the date of bankruptcy obtained a lien by legal or equitable proceedings upon all property, whether or not coming into possession or control of the court, upon which a creditor of the bankrupt upon a simple contract could have obtained such a lien, whether or not such a creditor exists. If a transfer is valid in part against creditors whose rights and powers are conferred upon the trustee under this subdivision, it shall be valid to a like extent against the trustee. In cases where repugnancy or inconsistency exists with reference to the rights and powers in this subdivision conferred, the trustee may elect which rights and powers to exercise with reference to a particular party, a particular remedy, or a particular transaction, without prejudice to his right to maintain a different position with reference to a different party, a different remedy, or a different transaction."

With the following committee amendment:

On page 2, lines 3 through 6, strike out section 2 of the bill and renumber the subsequent sections accordingly.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SETTLEMENT OF CLAIMS BY MEMBERS OF UNIFORMED SERVICES, ETC.

The Clerk called the bill (H.R. 6910) to provide for the settlement of claims against the United States by members of the uniformed services and civilian officers and employees of the United States for damage to, or loss of, personal property incident to their service, and for other purposes.

Mr. CONTE. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

COUNTY OF CUYAHOGA, OHIO

The Clerk called the bill (H.R. 5728) for the relief of the county of Cuyahoga, Ohio.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $115,928.00 to the county of Cuyahoga, Ohio, in full settlement of all claims against the United States to cover the Government's fair share of the increased costs for the construction of the sewage disposal plant to be constructed for serving the area adjacent to the Veterans' Administration hospital in Brecksville, Ohio: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, line 1, strike "in excess of 10 per centum thereof".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DECLARING A PORTION OF THE BENTON HARBOR CANAL TO BE A NONNAVIGABLE STREAM

The Clerk called the bill (H.R. 4646) to declare a portion of the Benton Harbor Canal, Benton Harbor, Mich., a nonnavigable stream.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Benton Harbor Canal, from the west line of Ninth Street extended northerly to the west line of Riverview Drive extended northerly, in the city of Benton Harbor and State of Michigan, be, and the same is hereby declared to be not a navigable water of the United States within the meaning of the Constitution and laws of the United States.

SEC. 2. That the project for the Benton Harbor Canal, authorized by the River and Harbor Act of June 14, 1880, insofar as said project relates to said canal from the west line of Ninth Street extended to the west line of Riverview Drive extended northerly, in the city of Benton Harbor and State of Michigan, be, and the same is hereby abandoned.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EMERGENCY TRANSPORTATION OF WRECKED MOTOR VEHICLES

The Clerk called the bill (H.R. 2906) to amend part II of the Interstate Commerce Act in order to provide an exemption from the provisions of such part for the emergency transportation of any motor vehicle in interstate or foreign commerce by towing.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 203(b) of the Interstate Commerce Act (49 U.S.C. 303(b)) is amended by striking out the period at the end and inserting in lieu thereof a semicolon and the following: "or (10) the transportation of any accidentally wrecked or disabled motor vehicle in interstate or foreign commerce by towing."

With the following committee amendment:

Page 1, line 6, immediately after "the" insert "emergency."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "An act to amend part II of the Interstate Commerce Act in order to provide an exemption from the provisions of such part for the emergency transportation of an accidentally wrecked or disabled motor vehicle in interstate or foreign commerce by towing."

A motion to reconsider was laid on the table.

ESTABLISHING A REVOLVING FUND FROM WHICH THE SECRETARY OF THE INTERIOR MAY MAKE LOANS TO FINANCE PROCUREMENT OF EXPERT ASSISTANCE BY INDIAN TRIBES

The Clerk called the bill (H.R. 3306) to establish a revolving fund from which the Secretary of the Interior may make loans to finance the procurement of expert assistance by Indian tribes in cases before the Indian Claims Commission.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, reserving the right to object, if this legislation becomes law, it would authorize a revolving fund of some $900,000 under which certain claims would be paid. In other words, there would not be an annual audit or an annual check by the Congress other than through information as to how the funds were handled; is that correct?

Mr. HALEY. It would require an annual report. Of course, these loans would be made under the supervision of the Secretary of the Interior. This is not a gift or anything of that kind. These loans would be repaid if the tribe itself is sufficiently able to pay the money.

Mr. FORD. What would be the interest payment, what would be the charges, what would be the length of the loan?

Mr. SAYLOR. It is impossible to tell just what the length of the loans would be. At the present time there are over 450 claims by various Indian tribes that are not being processed before the Indian Claims Commission. None of these tribes have funds to prosecute their claims. In an effort to make sure these claims can be made, the committee felt it would be desirable to establish this fund so that experts could be employed to examine the claims of the Indians and, if justified, to see that they are properly processed. Eventually the Indian Claims Commission would be done away with. If this bill is passed, I am sure it will result in a saving in the long run. It will result in the saving of a good deal of money.

Mr. CONTE. How about a case where these Indians are poverty stricken and cannot pursue their own claims? They apply for a loan so they can prosecute the claim and secure these experts, lawyers, or whatever they need to pursue the claims. Then the Government does not allow their claim for some reason. Where do they pay back the loans?

Mr. SAYLOR. Let me say there are no individual claims allowed.

Mr. CONTE. These are tribal claims?

Mr. SAYLOR. This is a chance we must take. In other words, if it is the desire of the Congress to continue ad infinitum the Indian Claims Commission, then this bill should not be before us. But if the Congress said, when we originally set up the Indian Claims Commission, it hoped we would get rid of claims that might be presented by the various tribes, then this bill is the only way it can be done.

Mr. CONTE. What kind of experts do they need to present their claims?

Mr. SAYLOR. They would have to be able to research the records, determine tribal history and determine what the value of the lands were so that they could present a claim before the Commission. The Secretary of the Interior would have the authority to determine who of the Indian tribes would present the claims.

Mr. CONTE. Is there any provision in here that would safeguard the Indians?

Mr. SAYLOR. The safeguard that we have in this bill is that the loan fund is under the complete jurisdiction of the Secretary of the Interior to whom Congress entrusted full responsibility for the Indians of this country.

Mr. CONTE. The Secretary of the Interior makes the loan to the Indian tribe and then it is up to the Indian tribe to hire the expert?

Mr. SAYLOR. That is right. But all contracts for the hiring must be approved by the Secretary of the Interior.

Mr. FORD. May I ask, is there any cutoff date when such claims may be submitted or is this something that goes on ad infinitum with no terminal point?

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. FORD. I certainly do.

Mr. HALEY. The cutoff date already expired. There are no more claims to be filed under this Indian Claims Commission Act.

Mr. FORD. Is it the disposition of the Committee on Interior and Insular Affairs to stand firm on the cut-off date?

Mr. HALEY. We have already cut off these claims. No more can be filed under the law and, of course, we will stand firm and not allow the thing to be reopened.

Mr. FORD. Of course, there is always the possibility the Congress could extend the date for filing the claims. I am just curious. Is it the disposition of the present members of the Committee on Interior and Insular Affairs to stand firm and hold the line on the date to cut off claims for the future? I highly respect the judgment of the gentleman from Florida, the judgment of the gentleman from Pennsylvania, and the judgment of the gentleman from Oklahoma. What is the current feeling on the part of these three distinguished gentlemen in this regard?

Mr. SAYLOR. Mr. Speaker, will the gentleman yield to me?

Mr. FORD. I will be glad to yield.

Mr. SAYLOR. I cannot commit all of the present members of the House Committee on Interior and Insular Affairs. However, I might say there has been absolutely no indication whatsoever of extending the date or reopening the date for filing claims. Every tribe we know of has taken full advantage of the opportunity to file their claims and many of them have been prosecuted, but there is still this tremendous backlog. It is in an effort to make sure the backlog is done away with and the Indian Claims Committee would be abolished, that this bill was introduced at this time.

Mr. FORD. Again, this would be the attitude of the committee generally, that the cutoff date has been established and from now on it is purely and simply a problem of processing the respective claims that have been filed. Is that correct?

Mr. HALEY. The gentleman is absolutely correct.

Mr. FORD. Mr. Speaker, I withdraw my reservation of objection.

The **SPEAKER.** Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated the sum of $5,000,000 for the establishment of a revolving fund from which the Secretary of the Interior may make loans to Indian tribes and bands and to other identifiable groups of American Indians residing within the territorial limits of the United States for use by them in obtaining expert assistance, other than the assistance of counsel, for the preparation and trial of claims pending before the Indian Claims Commission.

SEC. 2. No loan shall be made under this Act to a tribe, band, or group if, in the opinion of the Secretary, it has funds available in an amount adequate to obtain the expert assistance it needs or the fees to be paid the experts are unreasonable in the light of the services to be performed by them.

SEC. 3. Every loan made under this Act shall be reported to the Committees on Interior and Insular Affairs of the Senate and House of Representatives within fifteen days of the time it is made.

SEC. 4. Any loan made under this Act shall bear interest and shall, together with such interest, be repayable out of the proceeds of any judgment recovered by the tribe, band, or group on its claim against the United States. If no judgment is recovered or if the amount of the judgment recovered is inadequate to repay the loan and interest thereon, the unpaid amount shall be declared nonrepayable by the Secretary.

SEC. 5. Repayments of loans made under this Act and of interest thereon shall be credited to the revolving fund established under the first section of this Act.

SEC. 6. No liability shall attach to the United States because of a failure to make a loan in the amount requested.

With the following committee amendments:

Page 1, line 4, strike out "$5,000,000" and insert "$900,000".

Page 2, line 19, strike out "shall" and insert "may".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CORRECTING LAND DESCRIPTION IN ACT PROVIDING FOR EXCHANGE OF LANDS BETWEEN THE UNITED STATES AND THE UTE INDIAN TRIBE

The Clerk called the bill (H.R. 5883) to correct a land description in the act entitled "To provide for an exchange of lands between the United States and the Southern Ute Indian Tribe, and for other purposes."

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection 1(a) of the Act of October 15, 1962 (Public Law 87-828; 76 Stat. 954), is amended by deleting the comma after "Section 9: West half".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING CONVEYANCE OF CERTAIN FEDERALLY OWNED LAND IN TRUST STATUS TO CHEROKEE INDIAN TRIBE OF OKLAHOMA

The Clerk called the bill (H.R. 6496) to authorize the Secretary of the Interior to convey certain federally owned land in trust status to the Cherokee Indian Tribe of Oklahoma.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the right, title, and interest of the United States in the following described land comprising 40 acres, more or less, heretofore set aside for school purposes, are hereby declared to be held in trust for the Cherokee Indian Tribe of Oklahoma:

North half southeast quarter northeast quarter, and that part of the northeast quarter northeast quarter lying south of United States Highway Numbered 62, section 20, township 16 north, range 22 east, Indian meridian, Oklahoma.

SEC. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the lands conveyed under the authority of this Act should or should not be set off against any claim against the United States determined by the Commission.

With the following committee amendment:

Page 2, line 8, strike out "Commission." and insert "Commission subsequent to the conveyance."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WIND RIVER INDIAN IRRIGATION PROJECT, WYOMING

The Clerk called the bill (H.R. 6710) to approve an order of the Secretary of the Interior canceling irrigation charges against non-Indian-owned lands under the Wind River Indian irrigation project, Wyoming, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with provision of the Act of June 22, 1936 (49 Stat. 1803, 25 U.S.C. 389–389e), the order of the Secretary of the Interior canceling delinquent operation and maintenance irrigation charges in the amount of $1,134.99, which includes both principal and accrued interest thereon, against lands on the Wind River Indian irrigation project, Wyoming, described as the northwest quarter northwest quarter, southwest quarter, northwest quarter of section 9, township 1 south, range 4 east, Wind River meridian, and a contract for the deferred payment of delinquent charges in the amount of $2,331.59, are hereby approved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TULELAKE AREA DURUM WHEAT ALLOTMENTS

The Clerk called the bill (H.R. 6998) to provide for increased wheat acreage allotments in the Tulelake area of California.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, reserving the right to object, I wonder what is so unique about the situation in California in this instance that we should grant an exception for Durum wheat in that area. I can give two or three examples of a special kind of wheat in short supply and yet under the existing law no exception is granted for greater production. What is so unique about this that it would permit an exception, and an increase of 50 percent in acreage?

Mr. JOHNSON of California. Mr. Speaker, in answer to the gentleman from Michigan, this particular kind of wheat that is grown in the Tulelake area does not come under the support program. This matter has been given consideration by the Secretary of Agriculture in the past 3 years. Last year this increased acreage allotment was allowed. This Durum wheat is grown in the Tulelake area and is grown in no other part of California and very few other places in the United States. This matter was taken up with the U.S. Department of Agriculture and other Durum wheat areas, the Dakotas and Minnesota, and there is no opposition to the bill whatsoever. This wheat that is grown in the Tulelake area is grown on the west coast. It is all milled there. It is one of the few crops they can grow at this particular elevation. It is grown at an elevation of about 4,000 feet. There the crop pattern is very limited. This is one of the crops grown by these veterans who have homesteaded on this Federal reclamation project.

I know of no objection to it from any other area in the United States that grows Durum wheat.

Mr. FORD. Mr. Speaker, I have great sympathy for this rather unique situation. However, the fact is we have other types of wheat where there is no surplus, and where the wheat is in great demand, but we do not provide any exception in those cases.

Mr. JOHNSON of California. The type of wheat the gentleman speaks of comes under the support program. This has never come under the support program.

Mr. FORD. The reason it does not come under the support program, if my recollection is correct, is that an exception was made for Durum wheat. But the circumstances are no more unique in the case of Durum wheat than the kind of wheat we grow in Michigan and in several other North Central States. This wheat is in great demand. It is not necessary to support the price. There is no need for acreage restrictions. But the people from other wheat-growing areas are the ones who refused to give us any leeway in the amount of wheat of this type we want to grow. Frankly, I cannot see that the circumstances are any different here than in the cases I have indicated.

Mr. JOHNSON of California. In this particular area this is one of the few crops they can grow. The Klamath project was created by the Congress. Lands were reclaimed and later were homesteaded by the veterans. This is one of their cash crops. It merely allows them to make an economical operation out of their wheat-growing activity in the Tulelake basin.

Mr. ALBERT. Mr. Speaker, will the gentleman yield to me?

Mr. FORD. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I thank the gentleman for yielding. This matter was before my subcommittee for many years when I was chairman of the Subcommittee on Wheat. The peculiar situation here and the justifying factor, so far as I am concerned, is the fact that there is a local market for the Durum wheat grown in this area.

If we do not pass this legislation we deprive California millers of this particular wheat which is nearby and available. We have always made this exception to the general wheat law. I think it is sound. It is very limited, but I think if the gentleman will go into the matter he will agree.

Mr. FORD. I am sure the majority leader and I would agree, but there are other kinds of wheat that are not in surplus. There are other kinds of wheat that, if you took off the acreage restrictions, could be grown and could be sold without price supports. There would be no need or necessity for any price-support legislation. I often wonder why we impose this across-the-Nation limitation on all wheat of all kinds except Durum wheat. I do not understand it.

Mr. ALBERT. We do not make a complete exception of Durum wheat. This is Durum wheat in a particular locality which has its own market apart from Durum wheat or any other kind of wheat marketed anywhere else in the United States.

Mr. TEAGUE of California. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield.

Mr. TEAGUE of California. It is my understanding that Durum wheat does not compete in any way with other wheat. Durum wheat is used simply for the making of macaroni. These other wheats are used for making pies and cakes, and so forth, whereas Durum wheat is not.

Mr. FORD. The kind of wheat I am talking about goes into pastries. There is a shortage. There is no surplus. I cannot see why we should except Durum wheat from this across-the-board acreage limitation while putting all other wheat in the same category.

Mr. ALBERT. On that point I must beg to advise my distinguished friend that there is some question as to whether there is no surplus of this type of wheat, because we have shipped under Public Law 484 and otherwise millions of tons of wheat, soft red winter wheat, used in making pies, cakes, and pastries. But the situation there is entirely different from the situation here. This is a local area where this local supply is used by the local millers, California millers. I see here on the floor the distinguished gentleman from North Dakota [Mr. SHORT], in whose State Durum wheat is produced. Without this the California millers would have to go all the way to North Dakota or Montana to get Durum wheat. I think that would be an unfair imposition both on the farmers of this area and on the millers on the west coast.

Mr. FORD. I think this rather limited legislation tends to point up the impracticality, the total impracticality, of nationwide wheat legislation that affects all categories of wheat as to price support and acreage limitations. It is a completely impractical situation. The net result is Congress makes an exception for Durum wheat when the circumstances are not too difficult in other cases. I do not wish to penalize the wheat farmers in this particular area because of their unfortunate situation. I want to be helpful. But I think this illustrates very dramatically the complete and total impracticality of a nationwide wheat program covering all categories of wheat with an acreage limitation and a price-support program.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. PURCELL. Mr. Speaker, I ask for the immediate consideration of a similar Senate bill, S. 762, and ask that that bill be amended by striking out all after the enacting clause and substituting the language of H.R. 6998.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (i) of section 334 of the Agricultural Adjustment Act of 1938, as amended, is amended as follows:

(a) Redesignate the subsection as subsection "(j)";

(b) Insert in the first and second sentences immediately preceding the word "farms" the words "privately owned";

(c) Strike out in the first sentence the language "1958 through 1963" and insert in lieu thereof the language "1963 and subsequent";

(d) Strike out in the second sentence the word "eight" and insert in lieu thereof the word "twelve"; and

(e) Change the period at the end of the second sentence to a colon and add the following proviso: "*Provided,* That if with respect to any crop of durum wheat (class II) the Secretary finds that the acreage allotments for privately owned farms producing durum wheat (class II) in said area, as increased under this subsection, are inadequate to provide for the production of a sufficient quantity of durum wheat (class II) to satisfy the demand therefor in the area of the United States west of the Rocky Mountains in which such durum wheat (class II) is normally marketed and processed, further increases may be made in the farm acreage allotments in such area by such uniform percentage as he deems necessary to provide for such quantity."

SEC. 2. Subsection (i) of section 334 of the Agricultural Adjustment Act of 1938, as added by Public Law 87-703 to become effective for the 1964 and subsequent crops of wheat, is amended by inserting in the first sentence thereof, after the words "type of wheat" the first time such words appear in the language, "except for durum wheat (class II) in the irrigable portion of the area known as the Tulelake division of the Klamath project of California, to which the provisions of subsection (j) are applicable,".

Mr. PURCELL. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PURCELL: Strike out all after the enacting clause of the bill S. 762 and insert in lieu thereof the provisions of H.R. 6998, as follows: "That subsection (i) of section 334 of the Agricultural Adjustment Act of 1938, as amended, is amended as follows:

"(a) Redesignate the subsection as subsection '(j)';

"(b) Insert in the first and second sentences immediately preceding the word 'farms' the words 'privately owned';

"(c) Strike out in the second sentence the word 'eight' and insert in lieu thereof the word 'twelve'."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

By unanimous consent a similar House bill, H.R. 6998, was laid on the table.

SUBCOMMITTEE ON MINES AND MINING, COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the Subcommittee on Mines and Mining of the Committee on Interior and Insular Affairs may sit during general debate this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

INCREASING PER DIEM AND SUBSISTENCE AND LIMITING MILEAGE ALLOWANCES OF GRAND AND PETIT JURORS

Mr. DOWDY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5905) to amend section 1871 of title 28, United States Code, to increase the per diem and subsistence, and limit mileage allowances of grand and petit jurors.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1871 of title 28, United States Code, is amended to read as follows:

"§ 1871. Fees

"Grand and petit jurors in district courts or before United States commissioners shall receive the following fees, except as otherwise expressly provided by law:

"For actual attendance at the place of trial or hearing and for the time necessarily occupied in going to and from such place at the beginning and end of such service or at any time during the same, $10 per day, except that any juror required to attend more than thirty days in hearing one case may be paid in the discretion and upon the certification of the trial judge a per diem fee not exceeding $14 for each day in excess of thirty days he is required to hear such case.

"For the distance necessarily traveled to and from a juror's residence by the shortest practicable route in going to and returning from the place of service at the beginning and at the end of the term of service 10 cents per mile; and for additional necessary daily or other interim travel during the term of service the juror shall be allowed for such travel 10 cents per mile, but not to exceed the subsistence allowance which would have been paid him if he had remained at the place of holding court overnight or during temporary recess, and if daily travel appears impracticable, subsistence of $10 per day shall be allowed, including the time necessarily occupied in going to and returning from the place of attendance. Whenever in any case the jury is ordered to be kept together and not to separate, the cost of subsistence during such period shall be paid by the United States marshal upon the order of the court in lieu of the foregoing subsistence allowance.

"Jury fees and travel and subsistence allowances provided by this section shall be paid by the United States marshal on the certificate of the clerk of the court, and in the case of jury fees in excess of $10 per diem, when allowed as hereinabove provided, on the certificate of the trial judge."

The SPEAKER. Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill, H.R. 5905?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

Mr. DOWDY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DOWDY. Mr. Speaker, the bill would amend section 1871 of title 28 to bring subsistence and attendance fees of jurors more into line with current costs, and to limit mileage allowances to the amount paid as subsistence. The increase for attendance would be from $7 to $10 a day and the increase of subsistence for jurors who remain overnight would be from $7 to $10 a day. Where trials extend over 30 days, the amount allowed for attendance would be increased from the present $10 to $14.

The bill H.R. 5905 was introduced in accordance with the recommendations of the Judicial Conference of the United States transmitted to the Congress by the Administrative Office of the U.S. Courts. The provisions of the bill were approved by the Judicial Conference of the United States at its March 1963 session. The amendments to title 28 embodied in the bill were recommended by the Judicial Conference Committee on the Operation of the Jury System.

The action of the Judicial Conference Committee was taken after comments had been received from judges and jurors throughout the United States which indicated that the present amounts provided for the attendance of jurors and their subsistence are inadequate. Hotel expense has greatly increased in recent years with the result that lodging alone often takes all the subsistence allowance of $7 without anything remaining to the juror to defray the cost of his meals. The committee is informed that Government employees now are allowed up to $16 a day as a per diem allowance in lieu of subsistence. The contrast between this allowance and the $7 allowed for jurors in the opinion of this committee indicates the need for the amendments provided in the bill.

In recommending that the subsistence allowance be increased, the Judicial Conference also recommended that there be a limitation on the amount of mileage paid to jurors who do not remain overnight during their period of jury service, but return to their homes. The information gathered by the Judicial Conference Committee on the Operation of the Jury System showed that in some districts jurors have been allowed to receive mileage payments for returning daily to their homes which are in excess of the daily subsistence they would have received had they remained overnight at the place of holding court. When this problem was first brought to the attention of the Judicial Conference, it was hoped that the audit section of the Administrative Office of the U.S. Courts might handle the problem on an administrative level by calling attention to excessive mileage allowances. However, this was not effective in discouraging excessive payments and the Judicial Conference Committee recommended that mileage allowances be limited to the amount of $10 per day which is the amount provided for subsistence allowances in H.R. 5905.

The limit as to mileage in addition to providing for equality of payment as between jurors has another relation to the functioning of the jury system. If a juror engages in long and sometimes arduous travel in connection with his jury service, it must affect his ability to serve as a juror. The jury system requires that each juror render the best possible service and attention to the case at hand to the end that justice will be served. In recognition of this fact, the limitation contained in the bill was fixed with the assumption that it would permit a juror to travel up to about 50 miles to attend court, or a total of 100 miles of round trip travel per day. The committee has concluded that this is a reasonable limit. It can be assumed that the most convenient means of travel for a juror would be in his own car. It is apparent that the time required for greater distances would mean travel time in excess of 3 or 4 hours a day. It is difficult to see how jurors serving under such conditions could render their best service. If jurors attempted to use public transportation, the chances are the time for travel would be increased even more. The adoption of a limitation as contained in this bill will make it necessary for the courts to recognize that jurors who are summoned and have to return home each day should be excused if they live more than 50 miles from the court and do not desire to accept the amount provided for travel. The Judicial Conference Committee on the Operation of the Jury System in its 1960 report to the Judicial Conference concluded that it is entirely practicable to secure an impartial jury at any place of holding court with this limitation upon travel allowances.

The evidence presented to the committee indicates that the figures included in the proposed amendments would, of course, increase the cost of the operation of the jury system. The total yearly cost for the system under current rates has been set at $4,570,000. The rates proposed in this bill would cause the cost to increase by an estimated $1,400,000, so that the total cost for the operation of Federal juries throughout the United States is estimated to be $5,970,000.

There is a well-defined need for each of the amendments recommended in this bill. The increases provided for in the bill are clearly justified by present-day costs and conditions. The limitation upon mileage payments is fair when coupled with the proposed subsistence increase. Furthermore, these amendments have a direct reference to the functioning of the jury system which is basic to our system of justice. These amendments are required in order to continue the high standard of jury service which must be maintained in the courts of the United States and, therefore, recommends the favorable consideration of the bill.

AUTHORIZING APPROPRIATIONS FOR THE ATOMIC ENERGY COMMISSION

Mr. ELLIOTT. Mr. Speaker, by direction of the Committee on Rules I call up the resolution (H. Res. 425) providing for the consideration of H.R. 7139, a bill to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

> *Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7139) to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Joint Committee on Atomic Energy, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. ELLIOTT. Mr. Speaker, I yield myself such time as I may require following which I yield 30 minutes to the gentleman from California [Mr. SMITH].

Mr. Speaker, House Resolution 425 provides for consideration of H.R. 7139, a bill to authorize appropriations for the Atomic Energy Commission for fiscal year 1964 in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes. The resolution provides an open rule with 2 hours of general debate. I know of no opposition to the rule on this side.

H.R. 7139 would authorize a total of $216,271,000 for the following purposes: various new construction projects; cooperation with European Atomic Energy Community; cooperative power reactor demonstration program, fast breeder research and development; spectral shift power reactor development, design, and construction; and cooperative research and development program with West German authorities. In addition, the bill would authorize the waiver of established Government-use charges for enriched uranium and heavy water as follows: $10 million each for cooperative power reactor demonstration program, and spectral shift power reactor.

Mr. Speaker, I urge the adoption of House Resolution 425.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, House Resolution 425 will provide 2 hours general debate on an open rule for the consideration of H.R. 7139, a bill to authorize appropriations for the Atomic Energy Commission.

The bill, as reported, under section 101 authorizes $172,562,000 for 46 new construction projects during fiscal year 1964. The Commission had requested an additional $12 million for construction of a military compact reactor. The committee determined, after extensive hearings, that this project was not necessary this year.

Section 102 of the bill imposes certain standard cost limitations on the Commission's authority to undertake projects authorized under section 101.

Section 103 authorizes $7.5 million for the cooperative research and development program with the European Atomic Energy Community.

Section 104 pertains to the cooperative power reactor demonstration program. Section 104(a) provides an additional $709,000 for research and development on the very important concept of the fast breeder reactor.

Section 104(b) provides the Commission with authority to waive its use charges for reactor fuels by an additional $10 million.

Section 105 authorizes $30 million for a cooperative program for the design, development, and construction of a spectral shift nuclear powerplant.

Section 106 authorizes $5.5 million for a cooperative arrangement with West German authorities.

In summary, Mr. Speaker, the bill authorizes a total of approximately $216 million for fiscal year 1964 AEC appropriations. This compares with an overall Commission request of $233 million, or a total cut of more than 7 percent in authorizations plus other deletions of requested authority.

Finally, Mr. Speaker, section 107 of the bill amends the Atomic Energy Act of 1954 so as to impose a requirement of prior congressional authorization of all appropriations to the Atomic Energy Commission.

It is becoming increasingly difficult for the committee to carry out its responsibilities while it lacks the authority to review over 92 percent of the funds requested for the atomic energy program. Therefore, members of the committee, from both sides of the aisle and without dissent, have recommended that section 261 of the Atomic Energy Act be amended to require prior congressional authorization of all appropriations for the Atomic Energy Commission. In this way, the committee feels that they will be in a better position to provide service to the Appropriations Committees of both Houses and to the entire Congress and, of course, to the taxpayers of the Nation.

This bill was reported out by the joint committee without dissent.

Mr. Speaker, I know of no objection to the rule. I urge its adoption. I reserve the balance of my time.

Mr. ELLIOTT. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

IN THE COMMITTEE OF THE WHOLE—AUTHORIZING APPROPRIATIONS FOR THE ATOMIC ENERGY COMMISSION

Mr. HOLIFIELD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7139) to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from California.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 7139, with Mr. ANDREWS in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from California [Mr. HOLIFIELD] will be recognized for 1 hour and the gentleman from California [Mr. HOSMER] will be recognized for 1 hour.

The Chair recognizes the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Chairman, I yield myself such time as I may use.

Mr. Chairman, the bill before the House now, H.R. 7139, authorizes appropriations for the Atomic Energy Commission for plant and facility construction for fiscal year 1964.

The joint committee considered this bill at public hearings on April 9 and 10 and May 2, 1963. In addition, the April 24 and 25, and May 8, 9, 10, and 20. After several executive markup sessions, the Subcommittee on Legislation, of which I am chairman, approved the introduction of the bill before the House now. The full committee reported the bill favorably without amendment on June 20.

This bill was reported without any dissent. I would like to briefly review the highlights of the bill and then answer any specific question that may be raised by any Member.

To give you a capsule summary of the bill, the Atomic Energy Commission requested $233 million in authorizations for fiscal year 1964. This bill authorizes approximately $216 million, or in other words, a cut of about 7 percent.

The bill as reported under section 101 authorizes $172,562,000 for 46 new construction projects for fiscal year 1964. The Commission requested an additional $12 million for the construction of a military compact reactor, but the committee determined, after very exhaustive hearings, that authorization of this project was not necessary this year because of a stretch-out in the military compact reactor program.

The sum of $172 million authorized under section 101 thus provides for a modest construction program which we believe is necessary in order to keep atomic energy facilities up to date with the latest developments in the peaceful and military applications of atomic science.

Section 102 of the bill imposes certain standard cost limitations on the Commission's authority to undertake projects under section 101 of the bill. It is identical to corresponding sections in earlier AEC authorization acts.

Section 103 of the bill authorizes $7.5 million for the cooperative research and development program with the European Atomic Energy Community. Euratom is a group of six nations in Western Europe working together on the peaceful development of atomic energy. All of the funds authorized by this section will be spent within the United States and will be matched by equal amounts contributed by Euratom. This program has been quite successful and important to the United States since it permits us to obtain twice as much for our research dollar.

Section 104 of the bill pertains to the cooperative power reactor demonstration program. Section 104(a) provides an additional $709,000 for research on the very important concept of the fast breeder reactor—a reactor type which may be capable of producing as much, or more, fuel than it consumes.

Under section 104(b) the Commission is authorized to waive charges for the use of nuclear fuel under its cooperative power reactor demonstration program. Our past experience has shown that waiver of the Commission's normal charges for fuel has been an important stimulus to private utilities to construct nuclear power reactors.

I would like to point out that the Commission requested an additional $5 million for the cooperative power reactor demonstration program, as well as authority to use $8 million for research and development assistance in support of unsolicited proposals from the utility industry. A very careful review by the Joint Committee showed that sufficient authorization was generally available within the program. The committee therefore did not allow the Commission's request for additional funds and authority for the program.

The only new reactor prototype provided by this bill appears in section 105, which authorizes $30 million for a cooperative program for the design, development, and construction of a spectral shift nuclear powerplant. The spectral shift was among the very promising prototypes which the Atomic Energy Commission supported in its very comprehensive report to the President in November of last year on the civilian nuclear power program. Among the advantages of the spectral shift are its ability to make more efficient use of nuclear fuel and to produce virtually as much fuel as it consumes. It appears to be a project worth pursuing.

Under the terms of section 105, the reactor would be constructed under a cooperative arrangement with a public or private utility or an industrial organization. The Commission has testified that it will proceed with the development and construction of the reactor under the most favorable economic terms consistent with the objectives of the Government.

Finally, Mr. Chairman, section 106 authorizes $5.5 million for a cooperative arrangement with West German authorities. Under the arrangement, the United States would spend up to $5.5 million for the development and procurement of a new and improved type of fuel element which will then be tested in a new German nuclear powerplant.

The West Germans will provide the reactor and operate it for 2 years at a total estimated cost of $20 to $25 million in order to test the fuel elements supplied by the United States. This appears to be a very economic way of pursuing an important research and development project and obtaining needed information on this new type of fuel element. If the United States carried out this program by itself, an additional $10 million would be required for construction of a test reactor.

In summary, Mr. Chairman, this bill has been hammered out in public and executive sessions of the joint committee and represents the best thinking of the Atomic Energy Commission and the Joint Committee on Atomic Energy. It is a modest bill in these days of very expensive scientific programs, but it is an important bill, and I urge its favorable consideration by the House.

Mr. Chairman, this brings us to section 107 of the bill, which imposes a requirement of prior congressional authorization of all appropriations to the Atomic Energy Commission. Even though there is an extended discussion of this subject in the committee report on the bill, I believe it is necessary and appropriate to have some words of explanation on the floor of the House.

Mr. Chairman, my colleagues will realize that in considering this bill and what I have said here today, the bill before us now authorizes appropriations only for construction and for the cooperative power reactor demonstration program. All other appropriations made to the Atomic Energy Commission are made pursuant to a blanket authorization which may be found in section 261 of the Atomic Energy Act of 1954.

As a practical matter, what does this mean? It means very simply that, compared with overall funds of $2,750 million requested by the AEC for fiscal year 1964, the Joint Committee on Atomic Energy has considered only $216 million in appropriations for construction and for the cooperative power reactor demonstration program. In other words, the Joint Committee has been able to review only about 8 percent of the funds requested for the atomic energy program.

The Joint Committee on Atomic Energy was vested with unusual powers under the Atomic Energy Act of 1954 in order to make it an effective watchdog over the entire atomic energy program. In the early years, a significant degree of control could be exercised by the requirement for authorization of construction funds. But now that the AEC has a large capital plant in being, the only effective method of controlling the program is through review of the extensive operating budget and it is here that the Joint Committee lacks authority.

The members of the committee, from both sides of the aisle and without dissent, believe strongly that the situation is becoming grave. It is becoming increasingly difficult for the committee to carry out its heavy responsibilities under the Atomic Energy Act of 1954 while it lacks the authority to review over 92 percent of the funds requested for the atomic energy program.

We have therefore provided, in section 107 of the bill, that prior congressional authorization will be required for all appropriations to the Atomic Energy Commission. We believe that it is a matter of greatest urgency that this provision be enacted into law this year. It is essential if the Joint Committee is to do the job called for by the Atomic Energy Act of 1954. If the committee is to properly fulfill the trust vested in it by the Congress and the American people, it must have authority at least equal to the heavy responsibilities imposed upon it by law.

Mr. Chairman, the committee recognizes the vital jurisdiction vested in the Appropriations Committees of both Houses, and the continuing importance of their role. We believe that with the authority provided in section 107 of the bill, we can be of greater assistance to the Appropriations Committees in their difficult task of reviewing the complex atomic energy budget.

The ultimate effect of this legislation will be to strengthen political and fiscal responsibility in this important scientific program. The result should be beneficial to the Congress, the taxpayers, and the Nation.

Mr. Chairman, I would like to reiterate that this bill was reported out by the Joint Committee without dissent, and I urge its enactment in the form reported by the Joint Committee.

Thank you.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, do I understand that under section 107 the Atomic Energy Commission must come to the House committee and submit their requests for appropriations?

Mr. HOLIFIELD. For all appropriations. At the present time they are only presenting the Joint Committee a budget which amounts this year to 8 percent of the total funds.

Mr. GROSS. Then the committee comes to the Congress with its authorization bill?

Mr. HOLIFIELD. That is right.

Mr. GROSS. This will not be a Public Works Committee operation wherein the committee authorizes public buildings and the only committee of Congress that gets a whack at the authorization is the Appropriations Committee; or such action as taken by the House a few days ago in giving the Veterans' Affairs Committee of the House the same kind of authority. In other words, the committee will handle the construction of new veterans' hospitals and expansions but will not come to the floor of the House with their authorization. That will not be the case under section 107 of this bill; is that correct?

Mr. HOLIFIELD. That will not take place. I am in complete accord with the gentleman from Iowa on this particular point, that each item in the authorization bill shall come before the Joint Committee on Atomic Energy for authorization. They will become line items in the authorization bill just as we are reporting today to the Congress. The House of Representatives will then have the opportunity to work its will upon 100 percent of the appropriations, which this year, incidentally, amount to $2.7 billion. At this time the Joint Committee as an entity has only the opportunity of scrutinizing 8 percent of that and the other 92 percent is scrutinized by the Appropriations Committee and then brought to the floor of the House.

Mr. GROSS. Mr. Chairman, I want to commend the gentleman from California [Mr. HOLIFIELD] and the members of his committee for inserting this provision in the bill. I think it is high time the committee and the House of Representatives had the opportunity to scrutinize all of the spending under this vastly expanded program.

Mr. HOLIFIELD. I thank the gentleman for those remarks and I find myself in complete accord with him. I, too, believe that the House of Representatives and the committees having jurisdiction should first do their work, screen the requests, prepare the reports and the hearings for the benefit of the House Members. Then I believe that those items should be brought to the floor of the House for action by the body itself. Then it will go to the Appropriations Committee and there again they have another chance of screening within that committee.

Mr. HOSMER. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. BATES].

Mr. BATES. Mr. Chairman, I rise in support of the pending bill, H.R. 7139, which authorizes appropriations for the Atomic Energy Commission in accordance with section 261 of the basic Atomic Energy Act.

This measure received the unanimous support of the full committee on both the House and Senate sides. While the money involved in this legislation represents a considerable outlay of cash, the programs recommended by the Atomic Energy Commission are, in a technical sense, modest. This bill carries an authorization about 7 percent below the budget request of $233 million.

The research contemplated by the Commission and other participants should provide valuable information in the nuclear field. Section 103 authorizes $7.5 million for the partnership program with the European Atomic Energy Commission on the peaceful uses of atomic energy; an expenditure of $5.5 million is authorized in conjunction with the West German authorities to develop a new and improved nuclear fuel for generating power from the atom. This venture will cost the Germans approximately $25 million and should significantly add to nuclear knowledge and advance the peaceful uses of the atom.

In the fields of reactor development, physical research, biology, medicine, community development and special nuclear materials the passage of this legislation will have an important impact.

One interesting project in this year's proposal is the spectral shift reactor. Like other reactors, the spectral shift reactor contains uranium, a fissionable material, which, when the atoms split, produces heat. The heat boils water which produces steam to turn turbines and generators and make electricity. In this respect, the spectral shift is no different from any other water-type reactor.

The unique thing about the spectral shift is the use it makes of a combination of ordinary and heavy water. Heavy water is a very special type of water which is separated from ordinary water by a chemical process. This heavy water can be added to or subtracted from the ordinary water in the reactor. When it is added, the fission process slows down; when subtracted, the fission process is speeded up. Thus, by changing the concentration of heavy water in the reactor, you can increase or decrease the reactivity or ability of the reactor to sustain a chain reaction. This is brought about by a phenomenon which the scientists refer to as shifting the spectrum of the reactor; hence the name spectral shift reactor.

Now what does this mean? First, you can make your loading of fuel last longer. Second, you can have a simpler reactor core design since fewer control rods are needed because heavy water does part of the job of controlling the reactor. Finally, this design has the bonus advantage of producing almost as much fuel as it consumes. This comes about because the use of heavy water makes it possible for nonfissionable thorium in the reactor to be converted into fissionable uranium fuel material.

Because of its potential advantages in the efficient use of our nuclear fuel resources, the spectral shift reactor was recommended for development and construction in the recent report by the Atomic Energy Commission to the President, on the civilian nuclear power program.

Actually, this bill is only 8 percent of the funds expended by the Atomic Energy Commission each year. Some 92 percent of the money spent for atomic energy does not come under the jurisdiction of the Joint Committee. Nevertheless, the broad authority of the Atomic Energy Act of 1954 designates the JCAE, as the watchdog of these programs. Unfortunately, many programs are already in being when first called to our attention and, in most cases, we have no choice but to approve them because of funds already invested. Section 107 of the bill which amends section 261 provides for prior congressional authorization of all funds appropriated to the Atomic Energy Commission. I commend both this amendment and the bill to the House.

Mr. HOSMER. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. ANDERSON].

Mr. ANDERSON. Mr. Chairman, I rise in support of H.R. 7139, the authorization bill for the Atomic Energy Commission for the 1964 fiscal year. As any good authorization bill should, it represents an effort to achieve the desired balance between flexibility and the control that should accompany the congressional power of the program; the Atomic Energy Commission needs flexibility to carry out the direction of a farflung program that involves both the civilian and the military sectors of the Federal Government.

At the same time, the legislation which we are considering today should be, and I believe is, sufficiently precise so as to offer the programatic criteria and guidelines necessary to make certain that the will of Congress with respect to matters in the field of atomic energy is carried out.

Unquestionably, there is both advantage in and necessity for permitting the AEC fairly broad discretion to implement policy, particularly with respect to those matters that lie peculiarly within the scientific and technical competence of the members of the Commission. In the field of atomic energy we obviously must recognize that we are dealing with an esoteric subject matter. Even though scarcely more than a score of years has passed since the first sustained chain reaction from nuclear fission, the body of scientific and technical knowledge that now surrounds this subject is truly immense. Even with an unusually capable committee staff and some of the most able minds in the Congress present in my colleagues on the committee—whose knowledge of matters scientific never ceases to amaze me—we must perforce largely rely on the specialized scientific and technological expertise of the AEC and members of its staff.

With respect to the legislation that we are considering today I think the joint committee has very wisely incorporated this principle of flexibility in the section 105 which deals with the authorization for cooperative arrangements for the development, design, construction, and operation of a prototype spectral ship and nuclear powerplant. The AEC assured the Joint Committee of its intention to select the most economical approach consistent with achieving the objective of developing a successful working prototype of a power reactor which will represent another significant advance in American nuclear technology. The potential advantages of this new type of power reactor will be the more efficient and effective use of nuclear fuel and in its ability to produce, according to Commission witnesses, virtually as much fuel as it consumes.

The Commission is authorized by this legislation to proceed with this project under the criteria of the third round of its power reactor demonstration program including provisions for design assistance or in the alternative the Commission is authorized to proceed under an arrangement whereby the cooperating utility would furnish the site and all the equipment, facilities, and service necessary for a complete and operable nuclear powerplant except those to be provided by the AEC as part of the nuclear reactor plant.

A proviso has been added to the bill, requiring the basis for any arrangements in connection with the spectral ship and powerplant are to be submitted to the Joint Committee on Atomic Energy where it is to be subject to review or consideration for a period of 45 days while Congress is in session unless the committee chooses to waive all or a portion of this 45-day period. This provision will be in line with a similar requirement imposed on all other cooperative power reactor projects since the 1958 AEC Authorization Act.

There may be those who wonder if it is necessary that the Federal Government continue its active role with respect to civilian nuclear power. To date Government expenditures on civilian nuclear power and related activities have been estimated at a cumulative total of $1.3 billion. Industry expenditures are estimated at approximately $700 million. As a result of this investment, there has been growing recognition of the fact that although the Government can provide some leadership and direction, the ingenuity and participation of private industry is essential if we are to enjoy continued, steady growth and progress in the field of nuclear power.

Our report on this bill carries this quotation from the AEC's report to the President on civilian nuclear power:

> The proper role of Government is to take the lead in developing and demonstrating the technology in such ways that natural economic forces will promote industrial applications and lead to a self-sustaining and growing nuclear power industry.

It is a demonstrated fact today that in high cost fossil-fuel areas, the generation of power by a nuclear power reactor is justified on an economic basis. During 1963 construction will be commenced on four new nuclear powerplants; at least three of these new plants will not be competing with coal but with high-cost natural gas or oil.

However, it is not merely because nuclear powerplants can be justified today in certain limited areas of the country on an economic basis that the civilian nuclear power program is important to the growth and development of our Nation's economy. The energy requirements of our country will surely continue to rise sharply in the years ahead. To be sure, we are not advocating civilian nuclear power as the answer to a developing shortage of fossil fuels. Fortunately we do have adequate, although not inexhaustible reserves, for the foreseeable future. But as we are successful in this country in reducing the cost of generating electricity, our whole economy will benefit.

According to the Chairman of the AEC, the target growth curve used by the Commission, suggests that nuclear power may supply as much as one-half of all the electricity generated by the end of the present century. If this projection proves correct and if the electric energy consumption grows as expected, then in the 30-year period between 1970 and the year 2000 the savings to the economy due to the use of nuclear power instead of conventional power would amount to $30 billion. Annual savings after that time are estimated at between $4 and $5 billion a year. In short, I think we can make an excellent case for carrying forward our nuclear technology as we propose to do by the authorizations contained in this bill.

I began by mentioning that this legislation affords the AEC a certain amount of necessary flexibility in carrying out the programs which would be authorized under this act. I would be remiss if I did not also call to the attention of the House some of those instances where the Joint Committee has attempted to fulfill its watchdog role over the development of the atomic energy program by differing rather sharply with the initial proposals of the AEC as to what this authorizing legislation should contain. I would emphasize the respect that the Joint Committee has for the opinions and judgments of the members of the Commission headed by their distinguished Chairman, Dr. Seaborg. Likewise I think the Commission has demonstrated its respect for and understanding of the legislative oversight function of the Joint Committee. It is a relationship firmly grounded in mutual respect for the differing functions of the two parties.

It was entirely within this framework that the Joint Committee deleted the AEC's request for an additional $5 million for the cooperative power reaction demonstrating program—$60 million remain from unexpended prior authorization for this program and the Commission agreed with the Joint Committee's contention that this was sufficient and no new authorization was needed.

The Joint Committee also deleted the initial request of the AEC for $8 million for the support of future unsolicited proposals. It found that approximately $16 million from unexpended prime authorizations was currently available for the support of unsolicited proposals from industry under this program.

The Joint Committee likewise struck out the AEC's request for additional authority to provide design assistance for two unsolicited proposals. The commission has already had for 1 year the authority to support one unsolicited project with design assistance and that before any additional authority is granted we ought to see what response is obtained from the utility industry. The whole purpose of providing this design assistance is to stimulate competition within private industry to come up with the best possible proposal so as to merit this Federal assistance. It seems logical to assume that if industry knows that more than one proposal will be considered by the AEC for design assistance—the competition may be less intense.

In its report the Joint Committee has for the reasons set forth therein expressed the belief that it would be more prudent for the AEC to delay the second invitation under the modified third round of its cooperative power reactor program for at least a year. The Joint Committee has unanimously expressed the opinion that during this 1-year waiting period the AEC would have the time and opportunity to evaluate comprehensively and carefully those nuclear plants which hold the most promise for commercial application and therefore should receive consideration for necessary Federal assistance.

I mention this last point because I think it serves very well to illustrate the Joint Committee's concern that in committing Federal funds to advance our atomic energy program it should be done carefully—on a rational basis—and not with any crash psychology in mind. If we proceed on that basis we can hope, I believe, to realize what is our objective. To repeat the words of the Commission's "Report on Civilian Nuclear Power," this objective is "to develop and demonstrate the technology in such ways that natural economic forces will promote industrial applications and lead to a self-sustaining and growing nuclear power industry."

I should add in conclusion on this point that the Joint Committee has already received assurances from the AEC that before it issues a second invitation the criteria for that invitation will be reviewed with the committee on the basis not only of legal requirements but policy considerations as well.

Mr. Chairman, I would like to say in conclusion that I heartily support the remarks that were made by the distinguished chairman of the subcommittee, the gentleman from California [Mr. HOLIFIELD] which represents the unanimous opinion of all the members of the subcommittee and of the full committee, that section 107 of the proposed bill is eminently desirable. It would give to the Joint Committee the authority to pass on all, or to consider in its authorization bill all items for which the Atomic Energy Commission will seek appropriations, including, of course, funds for research and development and operating moneys. I further feel, as was pointed out by the chairman of the subcommittee, that whereas originally it was construction that was all important in the development of our atomic energy program it is now a relatively minor part, and research and development and operating moneys constitute the great bulk, 92 percent, of the funds that are expended by the Commission. It is desirable to put these items under the closer scrutiny of the Joint Committee by subjecting them to the authorization procedure.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON. I yield to the gentleman from California.

Mr. HOLIFIELD. Mr. Chairman, I would like to make the comment that the gentleman from Illinois [Mr. ANDERSON] is a new member of our committee, and I wish to compliment him first on the statement he has made and also, as chairman of the subcommittee, I want to express my appreciation for the diligent manner in which he has attended our committee hearings and helped to have a quorum present when we needed one. I appreciate very much his efforts on behalf of the committee.

Mr. ANDERSON. I thank the gentleman from California for his comments and will conclude by urging that the committee consider favorably the bill we have before us today.

Mr. HOSMER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I do not think this discussion today should end without a compliment to the vice chairman of the Joint Committee on Atomic Energy, the gentleman from California [Mr. HOLIFIELD], who has all these months labored so hard and with such skill and with the benefit of such a cumulative knowledge as he has in carrying forward the committee's deliberations. When a bill of this magnitude, of this complexity, is considered by a committee, it is a tribute to those who lead that committee to bring out a bill with such nearly unanimous support behind it as the one today.

I would also like to join in complimenting the gentleman from Illinois [Mr. ANDERSON] on the work he has done in acquiring the knowledge necessary to take full part in these deliberations and, as he has illustrated on the floor today, achieve a thorough working knowledge that enables him to communicate the ideas behind this piece of legislation.

I think perhaps a word in addition might be said about the spectral shift reactor. It is an exotic sounding name, but really it does not amount to a very unique or exotic project.

As you know, in most reactors today we have a mass of fissionable material and we keep that mass of material from reacting too swiftly by means of control rods. These rods go down into the fissionable material and absorb a portion of the neutrons. When we want to start up the reactor, we pull out these control rods and, as the rods go up, that portion of the core of the reactor from which the rods are removed starts to react or sustain a chain reaction. As you remove more of the control rods you get more reaction. So, you see, in the beginning there is a portion of the reactor which commences to "burn" its uranium first, and since you always pull the control rods in the same direction, the reaction is always initiated in the same portion of the core until that part "burns" out or the fuel is used up. You pull your control rods a little higher and the next part "burns" out. The control rods reduce the efficiency of the reactor since they waste neutrons by absorbtion. So you end up by having burned just a small portion of the fissionable material.

In the case of the spectral shift reactor, we control this "burning" in another way. The reactor actually operates most of the time with the control rods pulled all the way out, so you get an even "burning" of your fuel. This permits greater efficiency of the reactor. The adjustments or control of the reactor is accomplished by changing the moderator of the reactor. The moderator initially used is heavy water and as the reaction proceeds is changed to ordinary or light water. This permits more efficient utilization of neutrons. The neutrons are used not only to produce heat—steam by fission—but also to transform nonfissionable thorium which you store in the reactor, to uranium 233, which can be eventually taken out and put in another reactor and "burned" as fuel.

Now, this action is known as conversion or breeding. In the spectral shift reactor we do not breed more fuel than we consume, but we intend to breed nine-tenths as much as is consumed. So, you see, in addition to the generation of electrical kilowatts, you generate almost as much fuel as you put in to "burn" in the first place. This is known as an improved converter reactor. The reactors that we use today merely burn up the uranium fuel that goes into them and make very little use of the conversion principle for the regeneration of nuclear fuel.

They do not produce new fuel to any significant extent. What we are aiming at is reactors in the future which are true breeders, which in fact breed more fuel during the process of producing electricity than they consume. So that we really get into an energy bootstrap operation which enables us, as we consume energy, to produce additional quantities above that which are consumed.

Now, Mr. Chairman, why is that important? It is important because the demands of the American people for electricity alone, every decade, have almost doubled and our conventional fuel resources will continue to be used at a greater rate, and if they are not supplemented by nuclear energy, all of the readily extractable coal, all of the readily extractable oil will, a few decades into the 21st century, be consumed. We cannot wait until that time to start supplementing our energy supply with nuclear energy. We have got to do it now because it takes a long time to develop these plants, to build them, to put them into operation. At the present moment, all of our plants are the kind that just use up fuel. Our ultimate objective is the kind of plants that regenerate fuel. These types of reactors are called converters or breeders. So it is in this transition period that the spectral shift reactor is important, because our supplies of uranium are not infinite. Nuclear fuel must be conserved and it is going to take awhile before the true breeder reactors are producing enough new fuel in relation to the increased amount of fuel that we must consume to meet our energy demands. In this transition period, reactors such as the spectral shift, where you are making almost as much fuel as you burn, are important from the conservation standpoint.

Mr. Chairman, in closing I would again like to reiterate what has been said by some of the other speakers, that this provision to permit the Joint Committee to review the operating budget of the AEC is important in the sense that it permits the Congress again to watch the kind of activities which, although they may not be large in one single year, over a period of a decade or two, add up to a considerable expenditure.

The accelerators are one example. They are machines which may cost $100 million to put in, but before all the work and the research is done on them they cost 10 times that much, in operating funds, to pay the scientists and to pay for the energy to operate them.

Mr. BAKER. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield to the gentleman.

Mr. BAKER. As the gentleman from California knows I represent the district in which the Oak Ridge National Laboratory is located and I am very much interested in their program. Will the gentleman inform me as to whether any authorizations that were requested for the Oak Ridge installation were denied or if they have been fully covered in this bill?

Mr. HOSMER. All of the requests that pertain to Oak Ridge were first made, of course, to the AEC itself and they are placed on a list in order of priority. Of course, the AEC does not request authorization for all projects and indeed some projects are stricken by the Bureau of the Budget.

Mr. BAKER. None of the authorizations that were intended for this fiscal year were denied by the committee as I understand the gentleman?

Mr. HOSMER. That is correct.

Mr. BAKER. I appreciate that.

I have one other question. Is there anything in this bill that would cause a cutback in work at Oak Ridge?

Mr. HOSMER. I know of nothing in this bill that would have such an effect.

Mr. HOLIFIELD. Mr. Chairman, I have no further requests for time.

Mr. HOSMER. I have no further requests for time, Mr. Chairman.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

H.R. 7139

A bill to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 101. PLANT OR FACILITY ACQUISITION OR CONSTRUCTION.—There is hereby authorized to be appropriated to the Atomic Energy

Commission in accordance with the provisions of section 261 a. (1) of the Atomic Energy Act of 1954, as amended, the sum of $172,562,000 for acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, as follows:

(a) Special nuclear materials.—

Project 64–a–1, modifications to production and supporting installations, $5,000,000.

Project 64–a–2, waste fractionization facilities, Richland, Washington, $3,700.000.

Project 64–a–3, additional waste storage facilities, National Reactor Testing Station, Idaho, $3,400,000.

Project 64–a–4, additional waste storage facilities, Savannah River, South Carolina, $7,700,000.

(b) Special nuclear materials.—

Project 64–b–1, additional boiler for heating plant, Richland, Washington, $700,000.

(c) Atomic Weapons.—

Project 64–c–1, weapons production, development, and test installations, $10,000,000.

Project 64–c–2, explosive component plant, Mound Laboratory, Miamisburg, Ohio, $1,590,000.

Project 64–c–3, radiography facility, Sandia Base, New Mexico, $275,000.

Project 64–c–4, nuclear safety facility, Rocky Flats, Colorado, $1,500,000.

Project 64–c–5, fabrication building addition, Rocky Flats, Colorado, $2,140,000.

(d) Atomic weapons.—

Project 64–d–1, theoretical and computations building, Lawrence Radiation Laboratory, California, $3,500.000.

Project 64–d–2, additions to administration and computer buildings, Los Alamos Scientific Laboratory, New Mexico, $2,400,000.

Project 64–d–3, technical area utility improvements, Los Alamos Scientific Laboratory, New Mexico, $865,000.

Project 64–d–4, steamplant addition, Sandia Base, New Mexico, $655,000.

Project 64–d–5, test range improvements, Tonopah, Nevada, $760,000.

Project 64–d–6, base construction, Nevada Test Site, $4,000,000.

Project 64–d–7, manufacturing standards laboratory, Rocky Flats, Colorado, $720,000.

Project 64–d–8, instrument maintenance and standards addition, Y–12 plant, Oak Ridge, Tennessee, $590,000.

Project 64–d–9, addition to development laboratory, Y–12 plant, Oak Ridge, Tennessee, $1,700,000.

(e) Reactor development.—

Project 64–e–1, modifications to reactor facilities, $3,000,000.

Project 64–e–2, fast reactor test facility, National Reactor Testing Station, Idaho, $17,000,000.

Project 64–e–3, SNAP development and test facilities, Santa Susana, California, $500,000.

Project 64–e–4, nuclear safety engineering test facilities, National Reactor Testing Station, Idaho, $19,400,000.

Project 64–e–5, expansion of expended core facility, National Reactor Testing Station, Idaho, $3,000,000.

Project 64–e–6, support facilities for advanced space power systems, National Reactor Testing Station, Idaho, $1,800,000.

Project 64–e–7, thorium-uranium fuel cycle development facility, Oak Ridge National Laboratory, Tennessee, $7,275,000.

Project 64–e–8, modifications to CANEL facilities, Middletown, Connecticut, $1,455,000.

Project 64–e–9, research and development test plants for Project Rover, Los Alamos Scientific Laboratory, New Mexico and Nevada Test Site, $3,000,000.

Project 64–e–10, modifications to radioactive materials handling facilities, Savannah River, South Carolina, $1,000,000.

Project 64–e–11, high temperature lattice testing reactor, Richland, Washington, $2,500,000.

(f) Reactor development.—

Project 64–f–1, heating plant boiler No. 5, Argonne National Laboratory, Illinois, $1,500,000.

(g) Physical research.—

Project 64–g–1, accelerator improvements, Lawrence Radiation Laboratory, California, $750,000.

Project 64–g–2, accelerator improvements, Argonne National Laboratory, Illinois, $500,000.

Project 64–g–3, accelerator and reactor additions and modifications, Brookhaven National Laboratory, New York, $1,250,000.

Project 64–g–4, Tandem Van de Graaff facility, Brookhaven National Laboratory, New York, $12,000,000.

Project 64–g–5, accelerator improvements, Cambridge and Princeton accelerators, $700,000.

(h) Physical research.—

Project 64–h–1, modifications and additions to cafeteria, Lawrence Radiation Laboratory, California, $250,000.

Project 64–h–2, steamplant addition, Brookhaven National Laboratory, New York, $850,000.

(i) Biology and medicine.—

Project 64–i–1, low-level radiation counting facility for clinical research, Brookhaven National Laboratory, New York, $430,000.

Project 64–i–2, additional animal quarters, Lovelace Foundation, Albuquerque, New Mexico, $500,000.

Project 64–i–3, addition to agricultural research laboratory, Oak Ridge, Tennessee, $685,000.

Project 64–i–4, molecular biology laboratory, Oak Ridge National Laboratory, Tennessee, $330,000.

(j) Community.—

Project 64–j–1, water distribution system, phase II, White Rock, Los Alamos, New Mexico $625,000.

Project 64–j–2, classroom additions, Barranca Mesa Elementary School, Los Alamos, New Mexico, $224,000.

Project 64–j–3, additional water well, Los Alamos, New Mexico, $194,000.

(k) General plant projects.—$40,649,000.

Sec. 102. Limitations.—(a) The Commission is authorized to start any project set forth in subsections 101(a), (c), (e), and (g), only if the currently estimated cost of that project does not exceed by more than 25 per centum the estimated cost set forth for that project.

(b) The Commission is authorized to start any project set forth in subsections 101 (b), (d), (f), (h), (i), and (j), only if the currently estimated cost of that project does not exceed by more than 10 per centum the estimated cost set forth for that project.

(c) The Commission is authorized to start a project under subsection 101(k) only if it is in accordance with the following:

1. For community operations, the maximum currently estimated cost of any project shall be $100,000 and the maximum currently estimated cost of any building included in such project shall be $10,000.

2. For all other programs, the maximum currently estimated cost of any project shall be $500,000 and the maximum currently estimated cost of any building included in such project shall be $100,000.

3. The total cost of all projects undertaken under subsection 101(k) shall not exceed the estimated cost set forth in that subsection by more than 10 per centum.

Sec. 103. Cooperation With European Atomic Energy Community.—There is hereby authorized to be appropriated to the Atomic Energy Commission, in accordance with the provisions of section 261 a. (2) of the Atomic Energy Act of 1954, as amended, the sum of $7,500,000, in addition to the sum of $15,000,000 previously authorized, which shall be available for carrying out the purposes of section 3 of Public Law 85–846, providing for cooperation with the European Atomic Energy Community.

Sec. 104. Cooperative Power Reactor Demonstration Program.—

(a) Section 111 of Public Law 85–162, as amended, is further amended as follows:

1. By striking out the figure "$3,600,000" in clause (2) of subsection (a) and inserting in lieu thereof the figure "$4,309,000".

2. By striking out the date "June 30, 1963" in clause (3) of subsection (a) and inserting in lieu thereof the date "June 30, 1964".

(b) The maximum amount of the program authorization, specified in subsection 110(b) of Public Law 86–50, section 109 of Public Law 86–457, section 109 of Public Law 87–315, and section 110 of Public Law 87–701, is increased by $10,000,000.

Sec. 105. Spectral Shift Power Reactor.—

(a) The Commission is hereby authorized to enter into cooperative arrangements with privately, publicly, or cooperatively owned utilities or industrial organizations for participation in the development, design, construction, and operation of a Spectral Shift Nuclear Powerplant for which the sum of $30,000,000 is hereby authorized to be appropriated. The Commission is also authorized to waive use charges in connection with this project in an amount not to exceed $10,000,000.

(b) The cooperative arrangements authorized under paragraph (a) of this section may be entered into in accordance with either (i) the criteria for the third round of the Commission's power reactor demonstration program: *Provided, however,* That under any such arrangement the Commission may furnish funds for design assistance without regard to the provisions of section 169 of the Atomic Energy Act of 1954; or (ii) an arrangement under the following terms and conditions:

(1) The Commission shall provide for the manufacture and construction of the nuclear reactor plant. The Commission may obtain such participation by the cooperating utility or organization as is consistent with Commission ownership and operation of the nuclear reactor plant.

(2) The cooperating utility or organization shall furnish the site and all equipment, facilities, and services necessary for a complete and operable nuclear powerplant except those furnished by the Commission as part of the nuclear reactor plant.

(3) The Commission may enter into a contract with the cooperating utility or organization for the operation of the nuclear reactor plant, including the training of personnel and other relevant matters. Any such contract may be for such period of time as the Commission may determine to be advisable for research and development purposes and for such additional period as the Commission may determine to be necessary in the best interest of the Government. Upon the expiration of such period, the Commission is authorized to offer the nuclear reactor plant for sale to the cooperating utility or organization at a price to reflect appropriate depreciation, but not to include construction costs assignable to research and development; or the Commission may dismantle and remove the reactor plant and its appurtenances.

(4) The Commission, without regard to the provisions of section 44 of the Atomic Energy Act of 1954, as amended, is authorized to sell to the cooperating utility or organization the steam produced in the nuclear reactor plant. The price of such steam shall be based upon the current or projected cost of steam from conventional sources in the area in which the powerplant is constructed. Such steam may be used by the cooperating utility or organization for the generation of electric energy and any other industrial purpose.

(5) There are authorized to be appropriated such additional funds as may be required for the operation of said nuclear

powerplant in accordance with any such arrangement.

(c) Before the Commission enters into any arrangement or amendment thereto under the authority of subsection (a) of this section, the basis for the arrangement or amendment thereto which the Commission proposes to execute (including the name of the proposed participating party or parties with whom the arrangement is to be made, a general description of the proposed powerplant, the estimated amount of cost to be incurred by the Commission and by the participating parties, and the general features of the proposed arrangement or amendment) shall be submitted to the Joint Committee, and a period of forty-five days shall elapse while Congress is in session (in computing such forty-five days, there shall be excluded the days on which either House is not in session because of adjournment for more than three days): *Provided, however,* That the Joint Committee, after having received the basis for a proposed arrangement or amendment thereto, may by resolution in writing waive the conditions of, or all or any portion of, such forty-five day period: *Provided further,* That such arrangement or amendment shall be entered into in accordance with the basis for the arrangement or amendment submitted as provided herein: *And provided further,* That no basis for arrangement need be resubmitted to the Joint Committee for the sole reason that the estimated amount of the cost to be incurred by the Commission exceeds the estimated cost previously submitted to the Joint Committee by not more than fifteen per centum.

SEC. 106. COOPERATIVE RESEARCH AND DEVELOPMENT PROGRAM WITH WEST GERMAN AUTHORITIES.—There is hereby authorized to be appropriated to the Commission, the sum of $5,500,000, for use in a cooperative program of research and development with any person or persons in connection with Arbeitagemeinshaft-Versuch Reaktor at Juelich, Germany, to be conducted either under the Agreement for Cooperation Concerning Civil Uses of Atomic Energy Between the Government of the United States of America and the Government of the Federal Republic of Germany signed on the 4th day of July 1957 as now or hereafter modified, or the additional agreement between the United States of America and the European Atomic Energy Community signed on the 11th day of June 1960 as now or hereafter modified.

SEC. 107. Section 261 of the Atomic Energy Act of 1954, as amended, is amended to read as follows effective January 1, 1964;

"SEC. 261. APPROPRIATIONS.—

"a. No appropriation shall be made to the Commission, nor shall the Commission waive charges for the use of materials under the Cooperative Power Reactor Demonstration Program, unless previously authorized by legislation enacted by the Congress.

"b. Any act appropriating funds to the Commission may appropriate specified portions thereof to be accounted for upon the certification of the Commission only.

"c. Notwithstanding the provisions of subsection a., funds are hereby authorized to be appropriated for the restoration or replacement of any plant or facility destroyed or otherwise seriously damaged, and the Commission is authorized to use available funds for such purposes.

"d. Funds authorized to be appropriated for any construction project to be used in connection with the development or production of special nuclear material or atomic weapons may be used to start another construction project not otherwise authorized if the substituted construction project is within the limit of cost of the construction project for which substitution is to be made, and the Commission certifies that—

"(1) the substituted project is essential to the common defense and security;

"(2) the substituted project is required by changes in weapon characteristics or weapon logistic operations; and

"(3) the Commission is unable to enter into a contract with any person on terms satisfactory to it to furnish from a privately owned plant or facility the product or services to be provided by the new project."

Mr. HOLIFIELD (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the remainder of the bill be considered as read and be open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. Are there any amendments?

AMENDMENT OFFERED BY MR. WESTLAND

Mr. WESTLAND. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WESTLAND: On page 6, strike out lines 1 and 2.

Mr. WESTLAND. Mr. Chairman, the effect of this amendment, if it carries, would be to delete the half a million dollars for dog houses. This may sound like quite a bit of money for doghouses, and I thought it was, too, at the time of the hearings on this bill.

You might ask, Why do they need so much money for these doghouses? Well, they are to house 600 dogs. That sounds like quite a lot of dogs, but that is not all by quite a long shot, because they already have 400 dogs and they have got them housed, just about housed, now. So if you authorize this extra half a million dollars you are going to have a thousand dogs, which really is a lot of dogs, it seems to me.

I asked Dr. Dunham, who was conducting the research on this, "What do you need all these dogs for?" It seems they are conducting an inhalation program to get these dogs to inhale radioactive materials, strontium 90, and so forth, to inhale these materials and just see how the dogs make out. Then in the event of a nuclear attack on the United States they would be able to translate that information into the reaction of humans to the inhalation of radioactive material.

We have already authorized and appropriated funds for the construction of dog houses for 400 dogs, but they really have not gotten going on this program as yet. I suggested to the doctor that they conduct their tests with 400 dogs and see how they make out before we appropriate another half a million dollars for another 600 dogs. The doctor seemed to think they still needed 600 more dogs, or a thousand dogs altogether. I thought that with 400 dogs they could conduct a program of research on them for a while and see how the results were, then come back to the committee and report to us. Then maybe we would appropriate another half million dollars for another 600 dogs.

Those who support this legislation say, "Well, in the event of a nuclear attack this information may save human lives." Certainly no one wants to be against saving human lives. For heaven's sake, everyone wants to do that if he can. I am not opposed to that, but I do believe they are going a lot too far, that out of a $200-million program here is just half a million dollars that can be saved without any damage to any program. Let them work with 400 dogs instead of 1,000 dogs.

Mr. MORRIS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I rise in opposition to the amendment offered by my good friend the gentleman from Washington. The project involved provides additional laboratory facilities for some very important studies on radiation which are being conducted by the Lovelace Foundation.

At this stage in the development of atomic science there remains a great deal to be learned about the effects on human beings of inhaling radioactive fission products. For instance, we need to know much more about how certain radioactive materials called isotopes move within the body from organ to organ after they are picked up in the lungs. We also want to know more about the means by which these fission products get into a living system.

Experiments on the animals at the Lovelace Foundation will provide much useful data about these matters. Right now facilities are authorized for about 360 animals. With the additional facilities requested in this authorization bill, there will be facilities for about 1,000 dogs. Based upon the results of these experiments on these dogs, it will be possible to make extrapolations about the effects of fission products on human beings. The end result should be that we will have much more information on the treatment of human beings in the event of an accident involving fission products or exposure during nuclear warfare. This work is extremely important.

I think it should be pointed out to the Members of the House that it takes well over 100 of these animals for any one of these studies. I think it is essential that we have these studies going and in statistically significant numbers to obtain useful data.

Mr. Chairman, I believe it is extremely important to learn more about the results of inhaling radioactive materials. This information should be of great value to people who are associated with the atomic industry and to all people in this country who are concerned about the possible effects of nuclear war.

Mr. Chairman, I hope the House will defeat the amendment offered by the gentleman from Washington.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. MORRIS. I yield to my good friend, the gentleman from California, chairman of the subcommittee.

Mr. HOLIFIELD. Mr. Chairman, I wish to aline myself with the position taken by the gentleman from New Mexico [Mr. MORRIS]. I am just a little bit disappointed that our good friend who is a very valuable member of the committee [Mr. WESTLAND] advanced this amendment. The sum is $500,000 and I think in these days when we are spending as much as $15 million to shoot a rocket down at Canaveral, it is perfectly reasonable to spend this very modest amount for research to obtain medical information on something that could be tremendously important to the people of America.

It is true that we can make fun of this. We can talk about a dog house, but what we are really talking about is a laboratory, a controlled environment laboratory which has to be air conditioned and kept at a certain temperature. Then through the induction of radioactive isotopes into the lungs of these animals, we begin to learn about the effects of radiation on living things. This is, as the gentleman from New Mexico said, necessary according to what the scientists and the biologists and the doctors tell us. It is necessary to have a complement of 1,000 dogs in order to obtain meaningful data.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOLIFIELD. Mr. Chairman, I rise in opposition to the amendment.

In the explosion of one atomic weapon we have a release of many radioactive isotopic elements. Many of these are very short lived, some for just a few seconds, but there are some major elements that are released that last much longer—some for 27 years and some for 100 years. There is an element, for instance, that lasts over 5,000 years and that is carbon 14.

It is a very small amount, thank goodness, and therefore it does not constitute a great hazard. But many of these elements, such as cesium 137, iodine 131, and strontium 90 have various biologically significant lifetimes running over 25 years in some instances.

Mr. Chairman, in order to make these experiments we let these dogs breathe these elements and then we diagnose what happens to these dogs over a period of 2 or 3 years. We analyze the effects upon the different organs. We could have, conceivably, a hazard from peacetime accidents where this information would be invaluable. For instance, the great city of Richland, Wash., has a number of reactors. If there should be an accident at one of these reactors—and we do not think there will be and we hope there will not be—the health of the people of Washington, Oregon, and possibly California might be involved. Of course, people who breathe the atmosphere are liable to breathe the radioactive elements.

Of course, we have done experiments on animals before and they are being performed now on rats and other types of animals. But the scientists feel they have to continue to do it on larger-sized animals in order to get scientific results which are applicable to humans. Through these experiments we find out how it affects these animals or how their organs are affected. Then we can proceed, after diagnosis, to the curative remedies which may be of inestimable value to the people of the United States, particularly if we do have the misfortune of getting into a nuclear war.

Mr. Chairman, as I previously said, this has been advocated by the unanimous vote of the five Atomic Energy Commissioners and their Department of Biology says they believe this is necessary.

Mr. Chairman, this represents a relatively small amount, but it will give us scientific knowledge which may be worth many hundreds of millions of dollars and may even save many, many lives in the event we do have a catastrophe.

So, Mr. Chairman, I would respectfully request that the members of the committee who are present consider this in relation to the potential good that it might do, and vote against the amendment which has been offered by the gentleman from Washington [Mr. WESTLAND].

Mr. RANDALL. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the distinguished gentleman from Missouri.

Mr. RANDALL. Mr. Chairman, having just come onto the floor of the House, and thus not having the benefit of all the debate, we were impressed by the remarks of the gentleman from California [Mr. HOLIFIELD] that the scientists and biologists do not know too much about the effects of radiation on living things. If that is so then it provides the best reason why this amendment should be defeated.

Mr. Chairman, there is a whole area of medical research that might be opened up at Lovelace Foundation in Albuquerque. The point is—these scientific experiments on dogs are applicable to humans and as a result of this research there might well result some progress toward a prophylaxis or counteractant against radiation or even some type of immunization or inoculation that would offset the harmful effects of radiation. If these experiments would be successful we would be doing something in advance to safeguard human beings—our own constituents—against the dangers of radiation. It is a field that perhaps more money instead of less money should be spent, knowing all the while that we know so little about the fatal effects of radiation. The expenditure of this sum may save an untold number of human lives.

Mr. HOLIFIELD. I thank the gentleman.

Mr. Chairman, I ask that the amendment be voted down.

Mr. HOSMER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think it should be made clear that in the case of these animal experiments, as is the case of all other animal experiments conducted by the AEC or its contractors, the work is done in a most humane fashion and without any suffering to the animal. As a matter of fact, the AEC has been cited favorably on at least one occasion which I recall for its humane handling of these animals.

Now, Mr. Chairman, to the project. This is designed to find out two things. No. 1, to find out about the fission products that are taken in through the respiratory system by animal life. One of them is how these specific fission products move within a body, from organ to organ, as they are picked up from the lungs; and, No. 2, how they are secreted. You cannot perform this experiment with just one animal, nor can it be performed with two animals. It takes a certain minimum number of animals in order to carry out this kind of an experiment.

Mr. Chairman, the gentleman from Washington [Mr. WESTLAND] asked Dr. Dunham, who was the expert witness on this subject, the following question:

> Is it really necessary, Doctor, to have 1,000 dogs there to work these tests on?

And Dr. Dunham replied, at page 160 of the hearings, as follows:

> I think very definitely it is if we are to get the answers that we want.

In other words, the scientists know the minimum number of subjects that are required for the conduct of their experiments. In fact, we had had considerable experience in how many dogs it takes to obtain reasonably definitive answers, beginning with the dog project at the University of Utah. So there has been a long line of history in this kind of experiment. These people know what they are doing.

Mr. Chairman, in essence, what the gentleman from Washington [Mr. WESTLAND] would say to someone building an automobile is, "You do not really need four wheels; just take one wheel." Or if you are going to write a 1,000-page book, he would say, "No; do not take 1,000 pages; just take 400 pages."

Well, you see, you could make a start, but you could not get the job done in either of these cases. So you might as well not waste money starting at all unless you are going to do it right.

Mr. WESTLAND. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield to the gentleman from Washington.

Mr. WESTLAND. First of all, they have not even performed tests with the 400 dogs they have at the present time. They have not made any report to the AEC nor to the Atomic Energy Committee with the 400 dogs they already have. Secondly, Dr. Dunham in the same paragraph that the gentleman just quoted only cites four different elements they are studying—radium, thorium, strontium 40, and plutonium. If it takes 100 dogs for each one of those, it would take 400 in all. I say that the doctor and the AEC should report back to the Congress the result of the tests with the 400 animals before Congress authorizes another half million dollars for 600 doghouses.

Mr. HOSMER. I may say to the gentleman these experiments have just started. You cannot report back until you have finished an experiment and see what the results are.

Dr. Dunham pointed out there may be 8, 10, 20, or 80 of these fission products in which there would be an interest, whether in a single dosage or in combination dosages. The gentleman knows we have had a lot of discussion lately about public alarm in reference to fallout. This is related to the inhalation of radioactive products. These are the things that the people are demanding to know more about, what the effects are, what the dangers are. This is an instance in which there is a very specific application to the fallout problem. To do that requires this kind of experimentation with a large number of animal subjects.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield to the gentleman from California.

Mr. HOLIFIELD. I may say that the four experiments the gentleman from Washington referred to are four experiments going on at the University of Utah. That is by injection into the bloodstream of an animal. It is not inhalation. That project is for the purpose of carrying out experiments in inhalation. It is a different kind of project.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, let me see if I can understand what is proposed. Six hundred additional dogs at a total cost of $500,000. That figures at around $833 apiece, is that right?

Mr. HOSMER. That is not the way it is calculated. This project is not to take care of dogs. This project is to acquire some scientific information about the inhalation of radioactive material, and requires 1,000 canine subjects to obtain this information.

Mr. GROSS. There was a situation down in Virginia at a girls' school where some agency of Government—I have forgotten which one—put up $50,000 or $60,000 for air-conditioned knotty pine kennels for dogs, so the girls could learn dog behavior or teach the dogs dog behavior. The taxpayers footed the bill, too.

Mr. HOSMER. That has no relation to this project.

Mr. GROSS. I understand, but the Government is getting into this dog business pretty heavily, it seems to me. Let me ask this question: Since there are a lot of jackrabbits down in New Mexico, do they take out greyhounds out of the kennels to run down jackrabbits?

Mr. HOSMER. And when you get into guinea pigs, you are getting into more experiments.

Mr. GROSS. How about the dog population already there?

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from California.

Mr. HOLIFIELD. The $500,000 is not to buy dogs; it is for the purpose of constructing complete laboratories in which dogs are used. Small animals, rats, mice, are being used in other experiments. I do not know whether they are using rabbits or not. The point involved in using the dog, as has been explained to us, is to have an animal with a longer life span so they can study the effects of radiation by inhalation over a longer period of years. As the dogs are experimented on, and later on when they are dissected, if necessary, and observation made, other dogs take their places.

Mr. GROSS. Do cats live as long as dogs?

Mr. HOLIFIELD. Whether it is a cat or dog does not have anything to do with the appropriation. The appropriation is for laboratories to conduct experiments on these animals.

Mr. GROSS. I do not understand why you do not use cats. It would cost less to house them, would it not?

Mr. HOSMER. They do not use cats because they are a small animal. They need an animal of a minimum size on which to conduct these experiments. It would be fine if they could be conducted with mice or something else that breeds fast and has a short lifetime. But these experiments do not lend themselves to that size animal. It is the animal's life span, reproductive capabilities, and so forth. These are things the gentlemen who have spent their lifetime acquiring experience and knowledge and scientific background assured us must be done in certain ways if they are to be done at all properly.

We have been assured by men of that competency that a program of this size is needed to do the job. I think that we as laymen, nonscientific, nonmedical people, must not attempt to substitute our judgment for those who are learned in this field.

Mr. GROSS. I want them to have some dogs, but I do not understand why they have to use 100 dogs on any 1 test. Why not 10 dogs dedicated to 1 test? Why do they have to have 100 dogs? And moreover, where do they get these dogs?

Mr. HOSMER. May I ask the gentleman whether he has ever witnessed a crap game?

Mr. GROSS. Yes, having served in the Army I have seen a crap game.

Mr. HOSMER. The gentleman realizes that you cannot play that game with one die; there must be two. That is exactly the situation here, except there must be this number. That is the kind of game it is.

Mr. OLIVER P. BOLTON. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I have taken this time to ask some questions of the committee. I am not interested in the number of dogs required. That is a medical question. And I agree that the answer to that question must be decided by them. However, the gentleman from California [Mr. Holifield] made a couple of statements that do not fit into my understanding of this subject, and I would like to ask a question about them.

First of all, he stated that the reason we are considering using dogs is to study the effect of inhalation of these substances over a period, so that we may compare them with, or get some knowledge of, what the effect would be upon the human system.

Then the next statement was that these are laboratories and that they must be air conditioned; that they must be held under controlled conditions. My question is, if there is to be a comparison between the human being and the results that are going to be had on the human system, why is it necessary to keep the dog—I am searching for a word, but I will use the word "dog"—under controlled conditions instead of under the same conditions under which a human would be existing?

Mr. HOLIFIELD. In order to perform any scientific experiment, as the gentleman knows, the various factors of the experiment become meaningful providing you can tie them down. One of these factors is the air that the subject breathes. The air must be controlled so that there would not be other deleterious substances in it. Then it would be known that if there were a damaging effect upon the dogs, it came from the radioactive isotopes and did not come from something else.

Mr. OLIVER P. BOLTON. Is not that the reason why the laboratories are put where they are?

Mr. HOLIFIELD. A reason why the laboratories are placed where they are is from the standpoint of the experiments on weapons, and other important nuclear work.

Mr. OLIVER P. BOLTON. The gentleman did say that the experiments are being conducted, or are about to be conducted on rats and mice?

Mr. HOLIFIELD. There have been various laboratory experiments on rats and mice, and then it was thought necessary to go to a larger animal with a longer lifespan, one closer to that of man.

Mr. OLIVER P. BOLTON. I understand that; I read the testimony of the hearings.

Mr. HOLIFIELD. There have been no experiments of the inhalation type because the laboratories have not been built for that purpose. There have been experiments in Utah utilizing injection into the bloodstream of animals.

Mr. OLIVER P. BOLTON. Am I correct in understanding that the laboratories are presently there?

Mr. HOLIFIELD. No.

Mr. OLIVER P. BOLTON. There is no laboratory organization there?

Mr. HOLIFIELD. This is an authorization for that purpose. This will have to be implemented.

Mr. OLIVER P. BOLTON. What would happen to the laboratories for the 400 or the 360 dogs, that the gentleman from New Mexico mentioned?

Mr. HOLIFIELD. They are under construction, but that is a different type of experiment and a different question.

Mr. OLIVER P. BOLTON. In other words, those laboratories can service these additional 600?

Mr. HOLIFIELD. No, they cannot, because there are not sufficient facilities.

Mr. OLIVER P. BOLTON. I understand that, but the authorization to install tables, the operating equipment, the medical equipment necessary, is not included. It is not in the testimony as I read it as it was presented to the committee.

Mr. HOLIFIELD. The additional animal quarters at Lovelace Foundation, which is an internationally known medical foundation, in Albuquerque, N. Mex., will consist of additional dog kennels for mixed-fission product inhalation studies. There will be five kennels which will be controlled. These laboratories are sufficient to use 120 animals in each one of these 5 buildings. There will be different experiments made with different types of radioactive material and their effect upon the animals when inhaled.

Mr. OLIVER P. BOLTON. Frankly, I am disturbed by the question the gentleman raised as to the cost being $830 per dog. That is, to say the least, a little high.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. OLIVER P. BOLTON. I yield to the gentleman from Iowa.

Mr. GROSS. Does not the gentleman think it is good to go over for a year until they get the other laboratories and find out what they can obtain, whether they can obtain the information they want through this source?

Mr. OLIVER P. BOLTON. I am frank to admit that I agree with the gentleman from California that this is a medical discussion, and I must comment at that point before yielding to the gentleman from California, that as much respect as I have for the scientific brains involved, that well-rounded figure of $500,000 is so high as to suggest it was picked out of the blue. I would prefer to wait and see what would be the effect on the project before we spend this additional money.

Mr. HOSMER. I would say that the cubicle that contains the dogs costs no more than any other similar cubicle, container, or kennel in existence. What we are paying for here is the controlled environment so that we can insure that the dogs within the various cubicles of this kennel are receiving the types of radioactive exposure in the air that is breathed, under completely controlled experimental conditions. It may be they need different kinds of exposure for different dogs, so you are paying for the atmospheric compartmentation of these buildings. These are the factors underlying this $500,000 project.

Mr. GROSS. I am under the impression these dogs are being housed in air-conditioned comfort. I am also under the impression that the humans that are going to be affected if there is a release of this material are not going to come necessarily from air-conditioned homes and air-conditioned apartments or be anywhere near air conditioning. I just do not understand the gentleman's statement that these compartments that the dogs are housed in are like just any old dog kennels you would find in somebody's backyard or on the farm.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington [Mr. Westland].

The question was taken; and on a division (demanded by Mr. Westland) there were—ayes 20, noes 46.

So the amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Andrews, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 7139) to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes, pursuant to House Resolution 425, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table an identical Senate bill (S. 1745) to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. Holifield]?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Sec. 101. Plant or Facility Acquisition or Construction.—There is hereby authorized to be appropriated to the Atomic Energy Commission in accordance with the provisions of 261 a. (1) of the Atomic Energy Act of 1954, as amended, the sum of $172,562,000 for acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, as follows:

(a) Special nuclear materials.—

Project 64–a–1, modifications to production and supporting installations, $5,000,000.

Project 64–a–2, waste fractionization facilities, Richland, Washington, $2,700,000.

Project 64–a–3, additional waste storage facilities, National Reactor Testing Station, Idaho, $3,400,000.

Project 64–a–4, additional waste storage facilities, Savannah River, South Carolina, $7,700,000.

(b) Special nuclear materials.—

Project 64–b–1, additional boiler for heating plant, Richland, Washington, $700,000.

(c) Atomic weapons.—

Project 64–c–1, weapons production, development, and test installations, $10,000,000.

Project 64–c–2, explosive component plant, Mound Laboratory, Miamisburg, Ohio, $1,590,000.

Project 64–c–3, radiography facility, Sandia Base, New Mexico, $275,000.

Project 64–c–4, nuclear safety facility, Rocky Flats, Colorado, $1,500,000.

Project 64–c–5, fabrication building addition, Rocky Flats, Colorado, $2,140,000.

(d) Atomic weapons.—

Project 64–d–1, theoretical and computations building, Lawrence Radiation Laboratory, California, $3,500,000.

Project 64–d–2, additions to administration and computer buildings, Los Alamos Scientific Laboratory, New Mexico, $2,400,000.

Project 64–d–3, technical area utility improvements, Los Alamos Scientific Laboratory, New Mexico, $865,000.

Project 64–d–4, steamplant addition, Sandia Base, New Mexico, $655,000.

Project 64–d–5, test range improvements, Tonopah, Nevada, $760,000.

Project 64–d–6, base construction, Nevada Test Site, $4,000,000.

Project 64–d–7, manufacturing standards laboratory, Rocky Flats, Colorado, $720,000.

Project 64–d–8, instrument maintenance and standards addition, Y–12 plant, Oak Ridge, Tennessee, $590,000.

Project 64–d–9, addition to development laboratory, Y–12 plant, Oak Ridge, Tennessee, $1,700,000.

(e) Reactor development.—

Project 64–e–1, modifications to reactor facilities, $3,000,000.

Project 64–e–2, fast reactor test facility, National Reactor Testing Station, Idaho, $17,000,000.

Project 64–e–3, SNAP development and test facilities, Santa Susana, California, $500,000.

Project 64–e–4, nuclear safety engineering test facilities, National Reactor Testing Station, Idaho, $19,400,000.

Project 64–e–5, expansion of expended core facility, National Reactor Testing Station, Idaho, $3,000,000.

Project 64–e–6, support facilities for advanced space power systems, National Reactor Testing Station, Idaho, $1,800,000.

Project 64–e–7, thorium-uranium fuel cycle development facility, Oak Ridge National Laboratory, Tennessee, $7,275,000.

Project 64–e–8, modifications to CANEL facilities, Middletown, Connecticut, $1,455,000.

Project 64–e–9, research and development test plants for Project Rover, Los Alamos Scientific Laboratory, New Mexico and Nevada Test Site, $3,000,000.

Project 64–e–10, modifications to radioactive materials handling facilities, Savannah River, South Carolina, $1,000,000.

Project 64–e–11, high temperature lattice testing reactor, Richland, Washington, $2,500,000.

(f) Reactor development.—

Project 64–f–1, heating plant boiler No. 5, Argonne National Laboratory, Illinois, $1,500,000.

(g) Physical research.—

Project 64–g–1, accelerator improvements, Lawrence Radiation Laboratory, California, $750,000.

Project 64–g–2, accelerator improvements, Argonne National Laboratory, Illinois, $500,000.

Project 64–g–3, accelerator and reactor additions and modifications, Brookhaven National Laboratory, New York, $1,250,000.

Project 64–g–4, Tandem Van de Graaff facility, Brookhaven National Laboratory, New York, $12,000,000.

Project 64–g–5, accelerator improvements, Cambridge and Princeton accelerators, $700,000.

(h) Physical research.—

Project 64–h–1, modifications and additions to cafeteria, Lawrence Radiation Laboratory, California, $250,000.

Project 64–h–2, steamplant addition, Brookhaven National Laboratory, New York, $850,000.

(i) Biology and medicine.—

Project 64–i–1, low-level radiation counting facility for clinical research, Brookhaven National Laboratory, New York, $430,000.

Project 64–i–2, additional animal quarters, Lovelace Foundation, Albuquerque, New Mexico, $500,000.

Project 64–i–3, addition to agricultural research laboratory, Oak Ridge, Tennessee, $685,000.

Project 64–i–4, molecular biology laboratory, Oak Ridge National Laboratory, Tennessee, $330,000.

(j) Community.—

Project 64–j–1, water distribution system, phase II, White Rock, Los Alamos, New Mexico, $625,000.

Project 64–j–2, classroom additions, Barranca Mesa Elementary School, Los Alamos, New Mexico, $224,000.

Project 64–j–3, additional water well, Los Alamos, New Mexico, $194,000.

(k) General plant projects.—$40,649,000.

Sec. 102. Limitations.—(a) The Commission is authorized to start any project set forth in subsections 101 (a), (c), (e), and (g), only if the currently estimated cost of that project does not exceed by more than 25 per centum the estimated cost set forth for that project.

(b) The Commission is authorized to start any project set forth in subsections 101 (b), (d), (f), (h), (i), and (j), only if the currently estimated cost of that project does not exceed by more than 10 per centum the estimated cost set forth for that project.

(c) The Commission is authorized to start a project under subsection 101(k) only if it is in accordance with the following:

1. For community operations, the maximum currently estimated cost of any project shall be $100,000 and the maximum currently estimated cost of any building included in such project shall be $10,000.

2. For all other programs, the maximum currently estimated cost of any project shall be $500,000 and the maximum currently estimated cost of any building included in such project shall be $100,000.

3. The total cost of all projects undertaken under subsection 101(k) shall not exceed the estimated cost set forth in that subsection by more than 10 per centum.

Sec. 103. Cooperation With European Atomic Energy Community.—There is hereby authorized to be appropriated to the Atomic Energy Commission, in accordance with the provisions of section 261a. (2) of the Atomic Energy Act of 1954, as amended, the sum of $7,500,000, in addition to the sum of $15,000,000 previously authorized, which shall be available for carrying out the purposes of section 3 of Public Law 85–846, providing for cooperation with the European Atomic Energy Community.

Sec. 104. Cooperative Power Reactor Demonstration Program.—

(a) Section 111 of Public Law 85–162, as amended, is further amended as follows:

1. By striking out the figure "$3,600,000" in clause (2) of subsection (a) and inserting in lieu thereof the figure "$4,309,000".

2. By striking out the date "June 30, 1963" in clause (3) of subsection (a) and inserting in lieu thereof the date "June 30, 1964".

(b) The maximum amount of the program authorization, specified in subsection 110(b) of Public Law 86–50, section 109 of Public Law 86–457, section 109 of Public Law 87–315, and section 110 of Public Law 87–701, is increased by $10,000,000.

Sec. 105. Spectral Shift Power Reactor.—

(a) The Commission is hereby authorized to enter into cooperative arrangements with privately, publicly, or cooperatively owned utilities or industrial organizations for participation in the development, design, construction, and operation of a Spectral Shift Nuclear Powerplant for which the sum of $30,000,000 is hereby authorized to be appropriated. The Commission is also authorized to waive use charges in connection with this project in an amount not to exceed $10,000,000.

(b) The cooperative arrangements authorized under paragraph (a) of this section may be entered into in accordance with either (i) the criteria for the third round of the Commission's power reactor demonstration program: *Provided, however,* That under any such arrangement the Commission may furnish funds for design assistance without regard to the provisions of section 169 of the Atomic Energy Act of 1954; or (ii) an arrangement under the following terms and conditions:

(1) The Commission shall provide for the manufacture and construction of the nuclear reactor plant. The Commission may obtain such participation by the cooperating utility or organization as is consistent with Commission ownership and operation of the nuclear reactor plant.

(2) The cooperating utility or organization shall furnish the site and all equipment, facilities, and services necessary for a complete and operable nuclear powerplant except those furnished by the Commission a part of the nuclear reactor plant.

(3) The Commission may enter into a contract with the cooperating utility or organization for the operation of the nuclear reactor plant, including the training of personnel and other relevant matters. Any such contract may be for such period of time as the Commission may determine to be advisable for research and development purposes and for such additional period as the Commission may determine to be necessary in the best interest of the Government. Upon the expiration of such period, the Commission is authorized to offer the nuclear reactor plant for sale to the cooperating utility or organization at a price to reflect appropriate depreciation, but not to include construction costs assignable to research and development; or the Commission may dismantle and remove the reactor plant and its appurtenances.

(4) The Commission, without regard to the provisions of section 44 of the Atomic Energy Act of 1954, as amended, is authorized to sell to the cooperating utility or organization the steam produced in the nuclear reactor plant. The price of such steam shall be based upon the current or projected cost of steam from conventional sources in the area in which the powerplant is constructed. Such steam may be used by the cooperating utility or organization for the generation of electric energy and any other industrial purpose.

(5) There are authorized to be appropriated such additional funds as may be required for the operation of said nuclear powerplant in accordance with any such arrangement.

(c) Before the Commission enters into any arrangement or amendment thereto under the authority of subsection (a) of this section, the basis for the arrangement or amendment thereto which the Commission proposes to execute (including the name of the proposed participating party or parties with whom the arrangement is to be made, a general description of the proposed powerplant, the estimated amount of cost to be incurred by the Commission and by the participating parties, and the general features of the proposed arrangement or amendment) shall be submitted to the Joint Committee, and a period of forty-five days shall elapse while Congress is in session (in computing such forty-five days, there shall be excluded the days on which either House is not in session because of adjournment for more than three days): *Provided, however,* That the Joint Committee, after having received the basis for a proposed arrangement or amendment thereto, may by resolution in writing waive the conditions of, or all or any portion of, such forty-five day period: *Provided further,* That such arrangement or amendment shall be entered into in accordance with the basis for the arrangement or amendment submitted as provided herein: *And provided further,* That no basis for arrangement need be resubmitted to the Joint Committee for the sole reason that the estimated amount of the cost to be incurred by the Commission exceeds the estimated cost previously submitted to the Joint Committee by not more than fifteen per centum.

Sec. 106. Cooperative Research and Development Program With West German Authorities.—There is hereby authorized to be appropriated to the Commission, the sum of $5,500,000, for use in a cooperative program of research and development with any person or persons in connection with Arbeitagemeinshaft-Versuch Reaktor at Juelich, Germany, to be conducted either under the Agreement for Cooperation Concerning Civil Uses of Atomic Energy Between the Government of the United States of America and the Government of the Federal Republic of Germany signed on the 4th day of July 1957 as now or hereafter modified, or the additional agreement between the United States of America and the European Atomic Energy Community signed on the 11th day of June 1960 as now or hereafter modified.

Sec. 107.

Section 261 of the Atomic Energy Act of 1954, as amended, is amended to read as follows effective January 1, 1964:

"Sec. 261. Appropriations.—

"a. No appropriation shall be made to the Commission, nor shall the Commission waive charges for the use of materials under the Cooperative Power Reactor Demonstration Program, unless previously authorized by legisaltion enacted by the Congress.

"b. Any Act appropriating funds to the Commission may appropriate specified portions thereof to be accounted for upon the certification of the Commission only.

"c. Notwithstanding the provisions of subsection a., funds are hereby authorized to be appropriated for the restoration or replacement of any plant or facility destroyed or otherwise seriously damaged, and the Commission is authorized to use available funds for such purposes.

"d. Funds authorized to be appropriated for any construction project to be used in connection with the development or production of special nuclear material or atomic weapons may be used to start another construction project not otherwsie authorized if the substituted construction project is within the limit of cost of the construction project for which substitution is to be made, and the Commission certifies that—

"(1) the substituted project is essential to the common defense and security;

"(2) the substituted project is required by changes in weapon characteristics or weapon logistic operations; and

"(3) the Commission is unable to enter into a contract with any person on terms satisfactory to it to furnish from a privately owned plant or facility the product or services to be provided by the new project."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill, H.R. 7139, was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE LATE GEORGE M. TRAUTMAN

Mr. HORTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an article.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, minor league baseball has lost one of its stanchest champions. George M. Trautman, president of the National Association of Professional Baseball Leagues, died on June 24. His death came at the age of 73 in Columbus, Ohio, where, for more than 16 years, he served the interests of our national pastime.

George Trautman was a friend of baseball and of everyone in baseball. I first came to know him in 1957 when I was elected president of Rochester Community Baseball, Inc., the Rochester Red Wings of the International League. Later, as chairman of the minor league player development committee and as a member of the radio-television committee of the national association, I worked closely with him on the perplexing problems facing minor league baseball. Through that association, I developed a great admiration for his ability and selfless devotion to baseball.

The years of his presidency were uneasy ones for professional baseball in the minor leagues. Yet, his example inspired others to face up squarely to the problems of declining attendance and the financial squeeze encountered by ball club after ball club.

George instituted dynamic programs of promotion and assistance to minor league team managements. His guidance was instrumental in the clubs' ability to weather difficulties that otherwise might have proved mortal.

His work on behalf of baseball brought George Trautman to Capitol Hill. Here he won the respct of many of our colleagues, Mr. Speaker, when he testified before the Antitrust Subcommittee of the Judiciary Committee in its 1957 study of the applicability of antitrust laws to professional sports enterprises. He also made a similar appearance in 1951.

All of us who mourn the passing of George Trautman know the void which would be created in the administration of the national association were it not for the succession of Frank J. Shaughnessy as acting president. Frank Shaughnessy, former president of the International League, brings a wealth of baseball ability and knowledge to the office. Further, I have been pleased to learn that Phillip Piton, who was assistant to George Trautman throughout his career as national association president, will continue to serve under Frank Shaughnessy. Both men are close personal friends and I know of their dedication to the same high ideals which were George Trautman's.

In the July 6 issue of the Sporting News, Frederick G. Lieb has written an obituary that details the many accomplishments of George Trautman's life. I take pleasure in sharing that article with my colleagues:

Trautman Was Tower of Strength for Minors

(By Frederick G. Lieb)

George McNeal Trautman, the stouthearted Ohioan who presided over the minor league baseball world during its most perilous period, died in Columbus, Ohio., June 24. Trautman had been ailing for some time with a heart condition, but the primary cause of death was cancer. He was 73 years old.

A resolute man of many talents and virtues, Trautman frequently was a pillar of strength to his minor league associates as their structure tottered on the brink of chaos and confusion. With the exception of 1946, when Trautman served as general manager of the Detroit Tigers for one season, he was a stalwart minor leaguer from the day Branch Rickey named him president of the old Columbus Red Birds in 1933, and he served the minor leagues with the love and devotion many other men feel for their religion.

As directive head of the national association, he went through the entire gamut of the ups and downs of the minors during his hectic 16-year administration. He thrilled in the post-World War II era, when in 1949 there were 448 cities in 59 minor leagues, most of them prosperous, and suffered, as only close friends knew he suffered, when his minor league empire dwindled to 21 leagues, many of them shaky, by 1959. This year there are 129 cities in 18 leagues.

RADIO, TV INVADED TERRITORY

He saw major league radio and TV programs, "Games of the Day," Saturday and Sunday so-called "TV Games of the Week" on all major networks, deluge his territory. Former strongholds in the New York metropolitan district, Newark and Jersey City, N.J., were the first to fall as the Yankees, old New York Giants and Brooklyn Dodgers bombarded the Jersey countryside with telecasts of their games. Jersey City did manage to get back into the International League when Fidel Castro's conduct made it necessary to pull the Sugar Kings out of Havanna in the summer of 1960, but the return of the Jerseys was brief.

Then the big leagues, with their expansion plans and programs, took in Trautman's former choice cities, Milwaukee, Baltimore, Kansas City, Los Angeles, San Francisco, Minneapolis, St. Paul, and Houston. Then, when Continental League franchises were awarded in 1959 to Toronto, Buffalo, Dallas, Denver, and Atlanta, fans in those cities lost interest in minor league ball, even though the Continental never got off the ground.

AN OPTIMIST TO THE END

His last days were saddened when the Houston Colt .45's invaded Trautman's remaining Texas territory, Dallas-Fort Worth, with telecasts.

Through it all, Trautman retained his composure and a stiff-lipped optimism. He never preached gloom, insisted that minor league ball was part of the woof and fiber of the country, the very grassroots of the game. He always could see a rainbow in the sky.

He took relief payments from the majors for impoverished clubs, helped his harassed league presidents shuffle clubs and find new cities. But there is no doubt that constant worry over the fading minor league picture undermined George's health and hastened his death.

Trautman was a red-blooded he man who loved life and the great out-of-doors. He participated in most sports as a young man and later coached in high school, college, and the Army. He was a big, smiling, friendly man who made friends easily and was loyal to his friends. He could talk authoritatively on most any sport, whether it was baseball, football, basketball, wrestling, golf, bowling, hunting, or fishing.

Though he was associated with Columbus, Ohio, most of his life, he actually came from Bucyrus, Ohio, where he was born, January 11, 1890. It was at Bucyrus High that the 6 footer with light reddish hair and bushy eyebrows first attracted attention with his athletic talents. The next step was Ohio State, where George starred in baseball, football, and basketball.

Through most of Trautman's career as a baseball official, his nickname was "Red." But on the Buckeye squads his teammates knew his as "Blondie."

BATTERYMATE OF BRICKER

At Ohio State, he was the team's No. 1 pitcher and his catcher was John W. Bricker, later Governor of Ohio and U.S. Senator and 1944 Republican nominee for Vice President.

Trautman and Bricker remained firm friends through the years and, whenever they met, the former Senator greeted George with, "Hey, Blondie, how are you going to pitch your way out of this situation?"

In 1939, when Bricker was Governor, he appointed his old batterymate to the chairmanship of the State commission of conservation and national resources. George served 5 years in the post.

At Ohio State, Trautman graduated from the school of agriculture after having majored in forestry and horticulture. A leader in all campus activities, he was a member of the Phi Delta Theta fraternity, Bucket and Dipper, Sphinx Club, and Student Senate.

After graduation, he started to earn his livelihood as an instructor-coach at Fostoria, Ohio, High School. He coached football, baseball, and basketball, and to the end he took great pleasure in his undefeated Fostoria elevens of 1914 and 1915.

However, George worked as diligently in the classroom as on the football field and diamond. He taught an assortment of subjects, among them ancient history, botany, and physical geography. Whenever an alert pupil asked a question, whether for instruction or to stump the young teacher, Trautman had a pat answer, "Well, I would say authorities differ on that." Once in a botany test, when he planted peas and beans came up, his class wanted to know which authority had differed.

George's success at Fostoria High led to a job with his old alma mater, Ohio State, as a member of the physical education staff late in 1915, a job he held until the United States entered World War I, when he was named athletic director at Camp Sheridan, Ala. Peace found the busy George back at Ohio State, where he served until 1928, coaching all sports and serving as assistant to L. W. St. John, the college's director of athletics. The man who later wrestled with so many baseball problems was particularly well up in wrestling and was a member of the intercollegiate wrestling rules committee for a period of 5 years.

In the meantime, he was a busy bee around Columbus, and, whenever there was any civic project on foot, the familiar cry was, "Let George do it." George did. He handled all the arrangements for the then new Ohio Stadium, one of the Nation's finest football arenas in 1922, and in 1926, when Columbus was host to the National Open golf tournament, Sir George ran the show.

He became such a figure in Columbus that he left Ohio State to become director of conventions and publicity for the capital city's chamber of commerce. Quickly things began to pop. He went to England and was instrumental in bringing the 1931 Ryder Cup golf matches to Columbus, and fetched the American Bowling Congress tournament to his town the following year, when he also was the city's host to the 1932 National Association baseball convention.

FOLLOWED IN MACPHAIL'S FOOTSTEPS

The convention helped bring Trautman into the baseball spotlight. Larry MacPhail had been president of the Columbus (American Association) Red Birds, then one of the top farm teams of the successful St. Louis Cardinals. MacPhail quit soon after the convention to go to Cincinnati.

Branch Rickey, then vice president-general manager of the parent team in St. Louis, had been so impressed with Trautman's success in handling the convention and his promotion ideas that he offered George the presidency of the Columbus club and George accepted. That was in the spring of 1933, and started Trautman's long, varied, and successful career in organized ball.

He got off to a great start. His 1933 and 1934 Columbus clubs, piloted by the former Cardinal, Ray Blades, won pennants and also captured junior worlds series championships. And even though it was deep in the depression, Trautman thought up ideas that made the turnstiles hum. In fact, he was such a good club president, that the American Association soon drafted him to serve the entire loop.

SERVED 10 YEARS AS AMERICAN ASSOCIATION PRESIDENT

Tom Hickey, the venerable president of the American Association, resigned after the 1935 season, and there again came cries of "Let George do it." His fellow club presidents elected him league president by acclamation, and in St. Louis, Branch Rickey, though loath to lose such a valuable assistant, gave his blessing. Trautman held the post for 10 years, gaining added stature by his executive ability, keen judgment, and general ability to get things done.

His red hair became well known throughout the entire minor league world, and when the minors were beset with troubles, first from the depression and later from World War II, they rallied behind the big former Ohio State pitcher, football player, and wrestler. For 6 years he was the powerful chairman of the executive committee and vice president of the National Association. He also was chairman of the postwar planning committee and the major-minor revision committee.

When the Nation entered World War II, Trautman was commissioned a colonel in the Army Specialist Corps and served in uniform until the corps was absorbed by the Regular Army. He also was named head of the Living War Memorials Commission, which fostered the erection of athletic fields and community recreation projects named after war heroes. While holding these outside posts, George continued to preside over the American Association.

After the war, he took his brief fling into the majors. The able Jack Zeller decided to quit his post as general manager of the Detroit Tigers because of health and personal reasons. The Tigers had just won the last war year American League pennant and the 1945 world's series. The late Walter O. Briggs, then the Tiger owner-president, offered the position to Trautman. After some soul-searching, Trautman accepted and became executive vice president and general manager of the Detroit club on January 1, 1946.

HATED TO LEAVE COLUMBUS

"One of the things that made me hesitate was my reluctance to leave Columbus." Trautman said at the time. "The other was that in taking over a world's championship club, I couldn't go up, and if the club didn't repeat, there was only one way for me to go—down."

George went down, but not much, in 1946. The Tigers finished second to the Red Sox.

However, the call again came from the minors, and this time to run the entire show. Judge W. G. Bramham of Durham, N.C., president of the National Association, was in poor health and 72 years of age. Bramham submitted his resignation at the Los Angeles convention of December, 1946.

As many as 12 men were mentioned as Bramham's possible successor, including Trautman, Art Ehlers, the National Association's promotion director; Billy Evans, president of the Southern Association; George Weiss, then head of the Yankees' minor league chain, and Tommy Richardson, president of the Eastern League.

However, when the balloting began, league after league—even Richardson's Eastern League—swung behind Trautman. All other aspirants withdrew, and Trautman's election was made unanimous. He was signed for 5 years at an annual salary of $25,000.

"BACK HOME" IN MINORS

Trautman said it was like returning home, to be back in the minors.

For a while it was pleasant sailing. As George had predicted, there were 52 leagues in 1947, which drew a then all-time high of 40,505,210 paid admissions. In 1948, the minors hit a new peak, 41,496,484 payees for 58 leagues. In 1949, the figures soared still higher, 41,982,335 fans in 59 leagues.

But that was the top. In 1950, there was the first drop; the National Association lost only one league, but the attendance decrease was sharp, to 34,735,967.

At the 1950 convention in St. Petersburg, Fla., Trautman felt no undue alarm. He said baseball had enjoyed a great postwar boom, in both the majors and minors, and times were getting back to normal.

However, the clamor for major league ball in big minor league towns had started and it quickly gained momentum. The Boston Braves were switched to Milwaukee in 1953, the St. Louis Browns to Baltimore in 1954 and the Philadelphia Athletics to Kansas City in 1955. Later came the cross-country shift of the Giants and Dodgers to San Francisco and Los Angeles. The question of Negro ballplayers hurt clubs in the South and Southwest.

When the National Association drew 41,982,335 fans in 1949, television still was a young industry, confined largely to the big cities and their immediate vicinity. But Trautman soon saw TV stations spring up in most minor league cities and the Nation became blanketed with televised major league games. Each season in the 1950s, Trautman saw a further fall-off in his once great minor league empire. Some writers wrote reproachfully that "big league baseball is the only industry in which the parent eats its young."

GEORGE DISAGREED WITH VERDICT

Trautman protested, but not too vigorously, and said it was television, per se, that hurt the minors, more than just televising big league ball games. He felt many former night-game fans now were following the family's favorite TV programs.

However, with the majors owning or controlling most of the remaining minor league clubs, Trautman was in a poor position to make a stiffer protest. The independent minor league owner virtually was forced out. The era when big league clubs paid substantial sums for prominent minor leaguers was as dead as the ice age.

The big league clubs owned all of the top-ranking youngsters. Of course, the majors helped the existent minor league clubs by sending them managers and players and paying parts of their salaries. They subsidized clubs and the majors authorized relief payments, up to $500,000 a year, to help the struggling minors.

It was under conditions such as these that Trautman carried on in his later years. He urged promotion schemes and some success was met with a plan whereby merchants bought out certain games and then gave free tickets to their customers. A campaign, "It's fun to be a fan," was launched in 1959. Trautman encouraged the spread of his controlled leagues into Mexico, the shift to Havana which had to be abandoned, and the placing of top minor league clubs in San Juan, Puerto Rico, and Honolulu.

WIFE ARDENT SPORTSWOMAN

Trautman was married twice, the first time to Mary Crumit, of Jackson, Ohio. His second marriage was to Mrs. Jane Daly Asbury, of Valdosta, Ga. The couple were married in Louisville, Ky., May 8, 1942. Like her husband, Mrs. Trautman is an ardent sportswoman.

Trautman left two children by a former marriage, George M. Trautman, Jr., who was a Navy lieutenant in World War II, and Mrs. Charles Reading, Jr.

The former baseball executive was a Mason and an Elk, and belonged to many other organizations. All his adult life he retained strong ties with his old alma mater, Ohio State. He was a member of the athletic board of the university for 6 years, served in 1943 and 1944 as president of the Ohio State University Alumni Association and then for years as a member of the alumni association's board of directors.

BATTLE ANNIVERSARY COMMEMORATIVE SERVICE, JUNE 30, 1963, GETTYSBURG, PA.

Mr. GOODLING. Mr. Speaker, on Sunday, June 30, former President Eisenhower made a very inspiring address in connection with one of the events of the centenary commemorating the Civil War.

I ask unanimous consent that his remarks be made a part of the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GOODLING. Mr. Speaker, the following is the address delivered by former President Eisenhower:

BATTLE ANNIVERSARY COMMEMORATIVE SERVICE, JUNE 30, 1963, GETTYSBURG, PA.

The name of this Pennsylvania town is better know throughout the Western World than are those of many cities, each a hundred times the size of Gettysburg.

Pamphlets, books, lectures, and plays in endless procession have told and still tell of the drama of conflict here enacted a hundred years ago.

We, the beneficiaries of ceaseless historical research, possess an array of factual detail about Lee's and Meade's armies—their numerical strength, the character of their weapons, the reasons that brought them to this particular spot, the losses each suffered.

We feel almost a personal acquaintance with the commanders themselves and we comprehend the significance of the battle of the whole course of a war that had begun 2 years earlier and was to continue almost two more.

We can even understand how men who, of common origins and language, could yet be so divided by passionate and selfless devotion to diametrically opposing beliefs regarding the basic structure of our Nation that a fratricidal war had to be fought out, to the exhaustion of one side.

The battle, often described as the turning point of the war, was the greatest—in terms of numbers engaged, the losses incurred, and its military and political significance—ever fought in the Western Hemisphere.

Likewise it stands as a supreme example of the courage, endurance, determination, and loyalty that animated all the forces of the North and of the South during the 4-year-long tragedy of the Civil War.

But beyond and above all fact and statistic that can be accumulated, it still remained for one man—not a soldier or a historian—but the President of the United States, Abraham Lincoln, to tell us in a few immortal words the true meaning of the battle fought here on July 1, 2, and 3, 1863.

He said in sentences, which none dares to try to emulate and none can misunderstand, that Gettysburg was fought to insure that self-government might not disappear from the earth.

The outcome of the battle and the President's address 4 months later marked the beginning of a great upsurge of renewed northern confidence that the Union would be preserved.

President Lincoln did not imply that on this bloodiest of American battlefields the dangers and risks to the concepts of freedom and free government were forever eliminated.

Far from it.

All the sacrifices of the dead, all the suffering and travail of the living who fought in these fields and woods to support and foster self-government, could never insure it in perpetuity.

Risks to its practice, though of a different kind, are as real in 1963 as they were a century ago.

Lincoln's words should be read, pondered, and pondered still again, by every American, for they apply today as profoundly as they did on that November day when they were first spoken.

Much of the world lives under dictatorships—largely Communist dictatorships that outspokenly declare their intention of destroying the concept of individual liberty and the right of people to govern themselves.

The threats they pose are recognized.

The free world may not for a moment disregard their seriousness or with an unfailing strength of spirit fail to provide, to the last shoelace, the material defenses necessary to sustain freedom wherever threatened.

But other threats to liberty are not so easily recognized as those loudly proclaimed by foreign cliques hostile to our way of life.

Lincoln, speaking from a platform, only a few hundred yards from this one, did not direct his words toward the Nation's wartime opponents—not to the leaders of the States, that were, as he saw it, trying to destroy the great American experiment in a representative government.

He was appealing to his fellow citizens—the soldiers and citizenry of the North—to be, under God, strong in their faith in freedom and vigorous and selfless in their actions to support that faith.

His message, then should ring loud and clear in our ears this day and always.

For destruction of self-government, as he implied, need not result from the strength of known, outside enemies; it could come about through weaknesses in ourselves.

A later American statesman, Supreme Court Justice Brandeis, voiced his convictions on this subject in these words:

"Experience should teach us to be more on our guard to protect liberty when the Government's purposes are beneficient.

"Men born to freedom are naturally alert to repel invasion of their liberty by evil-minded rulers.

"The greatest dangers to liberty lurk in insidious encroachment by men of zeal, well-meaning, but without understanding."

As we recall, once again, the inspiration that flows to us from every phrase of Lincoln's interpretation of Gettysburg, are we courageous enough to ask ourselves some searching questions on this matter of self-government and strong enough in character to guide our actions by the answers we thus reach?

For my part I feel a certain uneasiness when I think of some of the answers I would have to make to questions like these:

Does self-government, for me, mean sturdy self-reliance—depending upon myself for all those things, tangible and intangible, that I am able, without governmental interference, to provide myself and my family?

Or would I rather take from a paternalistic government every possible immediate advantage it can give, even if I do not really need it?

Do I tend to be niggardly in supporting the Red Cross and the Community Chest in the hope that either the Government or my neighbors will make up the deficit caused by my failure to meet cheerfully one of the objectives of freedom?

Do I understand that for every responsibility I hope to shift to Government I lose something of my individual rights and opportunities?

Do I identify in my own mind the issues and problems now concerning the Nation and try to inform myself concerning them as far as may be possible, so as to form my own conclusions concerning them?

Or would I, ignoring the need for personal searching and study, rather live in ignorance, and give my support according to my prejudices and my hope of some gain won at the expense of my fellows?

Am I content merely to vote—if I find it convenient in view of other engagements—or do I strive, so far as I am able, to discuss these vital matters with my fellow citizens, with the purpose of measuring my conclusions against those of others and, so doing, achieve among us a local consensus as to doctrine and candidates, a practice that is at the very roots of republican government?

Do I realize that if enough Americans fail to practice self-government seriously, the whole concept will eventually be lost and government will be that of a clique or even of an individual?

In the days of my youth there was an old saying: "The mind, like steel, stays bright through use."

The same applies to self-government.

Its constant practice keeps it healthy, strong, and vigorous.

None of us would ever, consciously, place a selling price on his right to participate in self-government.

But, bemused by glittering governmental pledge to relieve us of sometimes burdensome responsibilities for self, family, and community, and bewitched by enticing offers of unneeded subsidy, we need constantly to rededicate ourselves to liberty, duty, and democracy—never forgetting self-respect.

Possibly few of us could make any honor roll through our answers to the questions I have posed to myself;

But certainly, we can strive, each of us, always to improve the average of our grades.

And both you and I would become far more earnest and effective champions of freedom if we would study and contemplate again Lincoln's words as, on November 19, 1863, he delivered to the world one of the noblest messages ever spoken by mortal man; ending with the indispensable formula he gave for an ever-greater America:

"Government by the people, of the people, for the people."

In their dedication to freedom thousands upon thousands of our countrymen have given their lives; millions have stepped forward to offer a similar sacrifice.

Thus they gave us freedom and self-government to preserve, cherish, use, and pass on to the future.

If our minds are truly responsive to the eloquence of Lincoln, our hearts will be filled with love of freedom and country, and our wills dedicated to the furtherance of the great ideals of liberty, equality of opportunity and human dignity for which America stands.

Thus we, in our time, shall win the battle for freedom.

AMENDING SOCIAL SECURITY ACT TO REMOVE OUTSIDE INCOME LIMITATION

Mr. RUMSFELD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, I am introducing a bill today to amend the Social Security Act so as to remove the limitation on the amount of outside income which an individual may earn while receiving benefits thereunder.

The present earnings limitation of $1,200 a year has not been changed since 1954, while wage rates and living costs have increased. The average benefits under the social security program are generally recognized as being too low to meet the high costs of living today, and the present earnings limitation penalizes those persons who must work in order to augment their social security benefits so that they may live in dignity and without want. In addition, this provision discourages many elder citizens who have valuable skills that can contribute materially to the economic well-being of the Nation. Such persons, Mr. Speaker, should be encouraged, not frustrated, in using their full capacities.

The present limitation is discriminatory, in that persons who are over 72 years of age are permitted unlimited earnings without loss of benefits and individuals receiving investment income are not denied benefits. How can anyone explain to a worker who must limit his earnings to $1,200 a year why another retiree under the social security program can continue to receive benefits no matter how high his investment income may be during a given year?

The limitation must be increased or entirely removed so that the morale and well-being of our older citizens can be restored. Our Government continues to seek ways and means of improving the lot of our elder citizens. This is one of the best ways to help those who wish to help themselves.

Mr. Speaker, there are many Members in both the House and the Senate who agree that the present provision of the law must be changed, as evidenced by the number of bills which have been introduced in this and in past Congresses. It is my hope that the Ways and Means Committee will take up this question in the near future and that legislation can be enacted to correct this situation.

BRACERO LABOR IS NOT "CHEAP"

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TALCOTT. Mr. Speaker, another unfair and misleading entry has been placed in the CONGRESSIONAL RECORD concerning the bracero program—July 1, 1963, page 12032. It says proponents of Public Law 78 want wages to be low. Every proponent of Public Law 78 whom I know—and I know some—would deny such statement. I am a proponent of Public Law 78. If there was a better program for supplying necessary supplemental labor for our vital agricultural industry, I would work for it. Presently there is no such program. No better program has been proposed by anyone.

As most people who are interested in an agricultural community, I want wages to be as high as practicable. Many factors are involved, but agricultural wages in my area are among the highest in the Nation. I know of none higher for the same work.

It seems strange to me that persons of influence in areas where farmers pay wages of more than 50 percent less than farmers in my district should suggest that my farmers want low wages. If such critics of a bracero-type bill are really sincere about the wages of the farm worker, they could, if they are farmer-employers, pay higher wages, or, if they are legislators, introduce and advocate minimum wage laws for farm workers. I will concur with both.

The farmers in my district pay the highest wages, their transportation costs to the major markets are the greatest, their crops are among the most perishable and therefore their loss from spoilage is the greatest, their harvests come at times of peak employment in other industries—tourist, construction, fishing, manufacture—weather and working conditions are excellent.

What more would reasonable men require of us to attract a reliable supply of row-crop labor? Are we to provide wages twice as great as other competing areas—three times as great?

For the responsible farmers, local governmental officials, any representatives of organized labor in my district, I believe I should rather righteously resent any implication, direct or indirect, that we have kept, or desire to keep wages low. The bracero is not cheap labor, the bracero is paid the same wage as the domestic. He is utilized only because no other labor is available.

Having supplemental labor available when all domestic labor was utilized elsewhere has permitted thousands of domestic workers, in and out of agriculture, to maintain a higher level of employment in hours and wages throughout the year.

We need help desperately to obtain supplemental labor for row-crop vegetable and strawberry husbandry and harvest.

"WHAT'S WRONG WITH U.S. FOREIGN POLICY?"

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, during the advanced naval bombardment 3 days before the landings on Luzon in the Philippines, the heavy cruiser *Louisville*, on which I had the honor to serve, was hit twice within 24 hours by suicide planes. The first time, powder was set on fire in the No. 1 gun turret next to our aviation gasoline. Damage crews succeeded in putting out the fire. The second time, the top of the ship was aflame, we lost our emergency rear, as well as our front, steering controls, and floated helplessly.

On that second occasion, a newspaper correspondent, Frank Kluckhohn, was 1 of 2 out of 19 men to get off the flag bridge alive. Mr. Kluckhohn helped care for the burned and wounded during this period and, by his steadiness and good spirits, set such an example in a most nerve-racking period that the captain of the *Louisville* wrote the fleet commander that he had acted "with true American courage." Today like most good Americans, Frank Kluckhohn is disturbed about our foreign policy. As a distinguished foreign correspondent for decades, he has drawn upon his worldwide experience and written a book about what is wrong. Mr. Speaker, I ask unanimous consent to introduce at this point in the Record a few extracts from the introduction of this book, "What's Wrong With U.S. Foreign Policy?"

Frank Kluckhohn says:

The Situation Today

Amazed, worried, contemptuous, the world watches the most powerful nation in all history blunder like a blind giant from one mistake to another.

Pushed forward by destiny to lead the world at its most crucial period, the United States is acting in an immature way that would be farcical if so many individual and national fates, including our own, were not involved.

Our mistakes cover the globe; we have even been unable to dislodge an utterly exposed enemy 90 miles away. We have kicked our friends, coddled our enemies, and lied like Byzantine emperors about our doings, while falling for propaganda like rubes at a country fair.

Yet we are a nation founded and built on diplomacy. The tiny handful of humans penned between a great ocean and a hostile wilderness became an independent nation by pitting the two great powers of the day, Britain and France, against each other and by splitting opinion in Britain.

In our infancy, we stood up manfully for our rights and, dreadfully weak, we understood and balanced contending forces abroad to survive. When the European powers marched several times during our Civil War toward establishing a divide-and-rule policy in the New World, effective American diplomacy helped save us from the fate of continental Europe.

How can a nation with this background and tradition act the role of the blundering fat-cat of contemporary history? How can a nation which led the tremendous amphibious operations of Normandy, North Africa, Italy, and the Philippines have created the ridiculous failure of the Bay of Pigs—a glaring example of how to do everything wrong?

How can a nation which instinctively kept war away from its own shores for exactly a century and a half wake up one morning to find rockets pointed at its heart from a few miles away?

How can a nation which stood for "millions for defence but not one cent for tribute" pay blackmail to the petty tyrant, Castro, and then engage in domestic blackmail to raise the levy?

Cuba, Laos, Berlin wall, West New Guinea. These are names clothed with the flesh of ignominy and disgrace. And they are only a few of many.

We are suprised when a French Chief of State refuses to go along with a decision offered him by the President of the United States, who had just dragooned a reluctant Prime Minister of England—a man he had doublecrossed—into going along with him. The French leader had not even been consulted in advance.

One after another we have deeply offended the nations of our grand alliance, the nations of the Atlantic community, NATO. We made France unhappy over North Africa, Portugal over Goa and Angola, Belgium over the Congo, Holland over the East Indies, and Britain and Turkey over defense weapons.

We have insisted upon the immediate elimination—with no preparation—of relatively benign colonialism, and thus created, from Indonesia to Africa, vacuums into which altavistic, slave colonialism has been moving.

With Soviet planes assisting the move, we helped Indonesia to become a new colonial power by giving her sway over another people—the Papuans of West New Guinea. This broke the defense perimeter of our Pacific ally, Australia, and gave 600 million Asiatics a foothold on Australia's shield.

We have unfeelingly permitted the people of Cuba to suffer a foreign-supervised blood bath, and have deserted to certain death the remote Meo tribesmen of Laos to whom we pledged protection. We have apparently forgotten, and abandoned, the 100 million Christians of Eastern Europe and the enslaved people of tortured China.

Everyone willing to cooperate with us has been accepted at our opponents' evaluation, as a villain, from Tshombe to Syngman Rhee, and from Chiang Kai-shek to De Gaulle. It has become excessively expensive for statesmen to support, or be friends of, the United States. We depose, undercut, and even sanction their killing. But we pour praise and cascade money upon dubious characters with, at best, a foot in both camps—men like Nehru, Sukarno, and Adoula. As we did with Castro. As we did with Nkrumah.

We upset the Middle East by recognizing the Government of Yemen, which turns out to be completely dominated by Egypt's Nasser. We upset Latin America by overthrowing an anti-Communist government in Peru, where "Che" Guevara's mother is laboring in the hinterland for communism, while we permit her occasional transit through Miami to visit her Argentine son, a Communist boss of Cuba. We unnerve the Far East by fighting for continental Vietnam and calmly giving away in New Guinea the anchor of the opposite end of a Far Eastern defense arc.

Observers look far and wide for any U.S. success. One reason for our increasing failures, even with traditionally friendly nations, is that they sense a lack of will in our official circles to resist those who have vowed to destroy us. They are even suspicious that some, if not much, of our foreign policy is being dictated from Moscow.

* * * * *

We are virtually abandoning the first outer space area through which military attacks may be launched, to spend billions on a nonmilitary moondoggle—the attempt to put a man on the moon.

Matters clearly are being handled in such a manner as to antagonize our allies and scare the neutrals away from us. It is recounted that an American showing Bunker Hill to a British visitor was asked, "Didn't we win that battle?"

"I don't rightly know," answered the American. "But you see who holds the battlefield now."

After the "eyeball to eyeball" showdown over Cuba in October 1962, it was obvious who remained in control of Cuba—Khrushchev.

Our failures are being covered up by Madison Avenue slogans, with a twist of intellectual theory to make them palatable. We are told we are dealing in "new approaches." We hear witches' words: "first strike," "second strike," "black boxes" and "avoiding nuclear holocausts." Everything is branded "modern" instead of immature.

Another coverup for failure is to give away our dollars in cascading billions to provide a nice feeling that we are buying security, if we can't get it otherwise, and to send out dogooder teams to show that we mean well.

The results, which cannot be kept out of the newspapers, speak for themselves. There is an inescapable touch of comedy about the current tragedies, just as there is in burlesque. The cast of the show is in keeping with the frightful results.

* * * * *

The Joint Chiefs of Staff—except for the chairman who presided over one peripheral

> stalemate in Korea and who favors retreat to "conventional warfare"—are not consulted and are overruled by amateur civilians. Bright young men from the cloistered halls of Harvard direct our military effort, while the top military are compelled to devote themselves to avoiding public ruin.
>
> Yet other groups of individuals, with no standing officially or constitutionally, recently have had a disproportionate influence upon foreign policy and upon the selection of the personnel executing it.
>
> * * * * *
>
> Another example of how small organizations can wield great influence is the ADA—the Americans for Democratic Action—formed by a group of newsmen, including name writers like Joseph Alsop and Kenneth Crawford; of politicians, like Adlai Stevenson; and labor leaders like Walter Reuther. Probably never numbering over 50,000, and usually far less, the ADA—by linking propaganda with politics and unionism, by seeking "quality not quantity"—has played an important role in foreign policy and is playing a key one now. Formed by self-designated "liberals" who declare themselves as being anti-Communist, it has been dominated by James Wechsler of the New York Post, a former official of the Young Communist League, and Joseph Rauh, who fervently defended William Remington, who was sent to jail for Communist activities and killed there for other reasons. ADA advocates recognition of Red China, removal of American bases abroad, and similar policies.
>
> Today its minions are entrenched in the Kennedy administration, including the State Department.
>
> * * * * *
>
> The Soviets have interpreted good will as weakness and acted accordingly. They set off on otherwise wild adventures in all directions, deeming them safe. They have gained ground and have the initiative.
>
> All people have an aversion to facing unpleasant facts. Yet our future, and that of our progeny for generations to come, depends on our achieving quickly a sound foreign policy. If we do, we can have true hope for the future. Our failure to achieve a single foreign policy success recently is out of keeping with the natural fortunes of a nation which has achieved the greatest economic and social gains in all history.
>
> We need to invoke again the spirit of the past, in which our successful foreign policy permitted us to become and remain a Nation, and to move westward across an uncharted continent to the Pacific.
>
> Let us measure our past against our present. Let us, renewing our spiritual strength, our high purpose and our unified will, rewin the respect, influence and leadership we have thrown away.
>
> It is a long way from Concord to the Bay of Pigs.

RETIREMENT OF DR. ALAN T. WATERMAN, DIRECTOR, NATIONAL SCIENCE FOUNDATION

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MILLER of California. Mr. Speaker, there occasionally comes into the service of the Government a man of such outstanding ability, of such personal integrity, and at the same time of such winning personality, that we only become completely aware of his greatness as a result of his departure into private life. I am referring to the retirement of Dr. Alan Waterman, Director of the National Science Foundation, who took leave of the Foundation last Friday.

I know of no other head of a Government agency who has won the universal respect and warm admiration of his associates and colleagues as has Dr. Waterman. As the first Director of the Foundation, he has labored tirelessly to create an organization that has become vital to the scientific and technological progress of the United States.

In the light of the present unquestioned success of the Foundation, it is difficult from an exterior point of view to perceive the difficulties which faced Dr. Waterman when he took office in 1951. The idea of the Government becoming engaged in basic research and development activities was by no means accepted in all Government and nongovernment quarters. Although the creation of the Foundation was vigorously urged and supported for many years by such widely respected and reknown scientists as Dr. Vannevar Bush and others, the Foundation came into being only after 5 years of debate and a Presidential veto.

Much of the energies and resources of the Nation were then being concentrated on waging the Korean conflict. The relationship of Government-sponsored basic research to the national welfare in those troublesome times was far from clear. And there was no certainty that the Congress and the American people would accept the concept that a Federal agency should engage in activities that had no immediately practical and perceivable application.

Under those grim auspices, Dr. Waterman took over with $3.5 million to begin the building of an organization. Only 12 years later, the President's budget requested the appropriation of almost a half billion dollars, for the Foundation. This contrast gives some measure of the importance the Foundation has achieved in these days of great technical challenges.

True, Dr. Waterman's success was in a large measure given significant support by the march of events over the past 12 years that have even in that short time deeply affected our way of life. Nevertheless, the ever-increasing importance of the Foundation to almost every agency of Government is living testimony to the certainty, the sureness and the cogency with which Dr. Waterman nurtured the growth of the Foundation into its present maturity.

When he came to the Foundation in 1951, he was no stranger to Government service. Beginning with World War I, he served with the Science and Research Division of the Army Signal Corps, where he was engaged in meteorological work. At the close of the war he joined the physics department of Yale University where he remained until 1942, when he became associated with the Office of Scientific Research and Development, the wartime agency headed by Dr. Vannevar Bush.

He served first as vice chairman of Division D of the National Defense Research Committee. From 1943 to 1945 he was Deputy Chief and later Chief of the Office of Field Service, which was set up to coordinate the services made available by the OSRD and its contractors to the Armed Forces.

He came to his new position from the Department of Navy where he had been Deputy Chief and Chief Scientist in the Office of Naval Research from 1946 to 1951.

Thus we can see that Dr. Waterman was already deeply aware of the facts of life as they pertain to scientific research and development conducted by Government agencies.

I can testify from my personal knowledge the respect Dr. Waterman has won from Congress for himself and the National Science Foundation. My committee, which has legislative oversight over the Foundation, has had Dr. Waterman before it many times, often on matters not directly connected with the Foundation, on which his wisdom and mature judgment were of great assistance to all the members.

He is, in no small measure, personally responsible for the wide acceptance throughout America of the vital need for basic research and especially scientific training in the development, growth and strength of the Nation. His work, and that of the Foundation, was of immeasurable value following the shock of Sputnik I, in identifying and the creation of many of the resources, both human and scientific, sorely needed in the early days of the National Aeronautics and Space Administration.

And now, time has overtaken Dr. Waterman. I think I speak for all the members of the Committee on Science and Astronautics when I say that we all view his retirement with deep and abiding regret. I am certain that the National Science Foundation will always be regarded as a personal monument to his vigor, his dedication, and wisdom. This country, in no measurable degree, will be more secure, more mature and more progressive as a result of his tireless effort than it could otherwise be.

We have been privileged in our time to know and to be associated with a great American. I, and the members of my committee, wish him all God's blessings, good health, and many more productive years in which, and in all good time, his contributions to his country can be more fully appreciated by the men and women who follow him in science and truth.

Mr. BOLAND. Mr. Speaker, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from Massachusetts.

Mr. BOLAND. Mr. Speaker, I want to join with the gentleman from California [Mr. MILLER] in the tribute which he pays to Dr. Waterman.

Dr. Waterman is one of the finest men I have seen in a position of Government leadership, and one of the most able. In retiring from his vital role he does so with an outstanding record of achievement. He has directed the many faceted program of the Foundation through the years from its beginning in 1951 with an appropriation of $225,000 to $322,500,000 in 1963, and a projected program of over half a billion dollars in 1964.

One of the Foundation's purposes is to assist in developing to the maximum extent our Nation's resources in the field of science. It is specifically charged with looking ahead and promoting basic research and education in the sciences which is the seed that will maintain the lead of our Nation in science and technology in the future.

Dr. Waterman has made a remarkable contribution in doing this by the manner in which he has been able to unite many highly intelligent, dynamic and dedicated people within the Foundation, the colleges and universities, and the scientific community as a whole.

He will surely be called on many times in the future for his advice and counsel, and I certainly wish to join in taking note of the invaluable contributions he has made to the American people and to the world. In all his endeavors we wish him well.

INTRODUCTION OF THREE BILLS: (1) TO AMEND THE BRETTON WOODS AGREEMENT ACT TO AUTHORIZE THE U.S. GOVERNOR OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT TO VOTE FOR AN INCREASE IN THE BANK'S AUTHORIZED CAPITAL STOCK; (2) TO PROVIDE FOR INCREASED PARTICIPATION BY THE UNITED STATES IN THE INTER-AMERICAN DEVELOPMENT BANK; (3) TO INCREASE INSURANCE COVERAGE FOR BANK DEPOSITS AND SAVINGS AND LOAN ACCOUNTS, TO ELIMINATE REGULATION OF MAXIMUM INTEREST RATES THAT MEMBER BANKS OF THE FEDERAL RESERVE SYSTEM CAN PAY ON TIME AND SAVINGS DEPOSITS, TO PROVIDE STANDBY AUTHORITY FOR ESTABLISHING CEILINGS OVER DIVIDEND RATES THAT MAY BE PAID BY SAVINGS AND LOAN ASSOCIATIONS THAT ARE MEMBERS OF THE FEDERAL HOME LOAN BANK SYSTEM, TO PROVIDE ADDITIONAL AUTHORITY TO THE FEDERAL HOME LOAN BANK BOARD FOR INCREASING LIQUIDITY REQUIREMENTS OF INSURED SAVINGS AND LOAN ASSOCIATIONS, AND TO PROVIDE NEW SAFEGUARDS AGAINST POSSIBLE CONFLICTS OF INTEREST OF DIRECTORS AND OFFICERS OF INSURED SAVINGS AND LOAN ASSOCIATIONS AND INSURED BANKS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, today I have introduced three bills at the request of the Secretary of the Treasury.

One of these, H.R. 7405, would amend the Bretton Woods Agreement Act to authorize the U.S. Governor of the International Bank for Reconstruction and Development—the World Bank—to vote for an increase of $1 billion in the authorized capital stock of the Bank.

The purpose of this bill, as I understand it, is to permit certain new nations to join the World Bank and to subscribe to the stock of the Bank. It would not involve any additional funds from the United States or the commitment of any additional funds from the United States.

The second bill, H.R. 7406, would provide for increased participation by the United States in the Inter-American Development Bank.

Specifically, this bill would permit the U.S. Governor of the Bank to vote for three resolutions which have been adopted by the Board of Governors of the Inter-American Development Bank. These resolutions would accomplish the following objectives:

First, provide for an increase in the Bank's authorized callable capital stock by $1 billion, of which the U.S. proportionate share would be $411,760,000; second, provide for an increase in the resources of the fund for special operations of $73.2 million, of which the U.S. proportionate share would be $50 million, and; third, provide for an increase in the authorized capital stock of the Bank by an additional $300 million, in order to provide for the admission of new members, and to provide for the enlargement of the Board of the Executive Directors by one member in the event new members are admitted with capital subscriptions of $220 million or more. The United States would not subscribe to any portion of the increased authorized capital stock.

President Kennedy advised Congress in his budget message that Congress would be asked to authorize the participation by the United States in enlarging the resources of this Bank. The proposed increases will not become effective unless agreement by members of the Bank is received prior to December 31 of this year, and it is therefore urgent that Congress give prompt consideration to this legislation.

The third bill, H.R. 7404, comprises the administration's recommended alternative to legislation which the Congress has been considering to increase the maximum insurance coverage under the Federal Deposit Insurance Corporation and the Federal Savings and Loan Insurance Corporation from the present $10,000 per individual account to a proposed $25,000 per individual account.

I am introducing this bill only because the Secretary of the Treasury has requested its introduction, and I believe the usual protocol calls for the chairman of the committee to whom an Executive message is referred to introduce such bills, in order that the administration's request for legislation may be considered and may be a matter of record. While I would not wish to say anything that might be prejudicial to this particular bill, prior to its consideration, I would like to state, however, that this is not a bill which I would introduce on my own behalf. The Secretary of the Treasury has provided a section-by-section analysis of this bill, which I am inserting in the Record at this point.

SECTION-BY-SECTION ANALYSIS OF THE PROPOSED FEDERAL DEPOSIT AND SHARE ACCOUNT INSURANCE ACT OF 1963

Section 1 would entitle the bill the "Federal Deposit and Share Account Insurance Act of 1963."

COVERAGE OF INSURANCE

Sections 2 and 3 would increase from $10,000 to $15,000 the maximum amounts of insurance coverage per deposit or share account provided by the Federal Deposit Insurance Corporation and the Federal Savings and Loan Insurance Corporation.

Section 2 also provides that in the case of a bank closing prior to September 21, 1950, the maximum amount of the insured deposit of any depositor shall be $5,000, and in the case of a bank closing on or after September 21, 1950, and prior to the effective date of this bill, the maximum amount of the insured deposit of any depositor shall be $10,000.

Section 3 provides that the higher coverage for Federal savings and loan insurance shall not be applicable to certain claims arising from default prior to the effective date of this bill.

INTEREST AND DIVIDEND RATES

Sections 4 and 5 would change from a mandatory to a standby basis the authority of the Board of Governors of the Federal Reserve System to limit the rates of interest that may be paid by member banks on time and savings deposits and the authority of the Board of Directors of the Federal Deposit Insurance Corporation to limit the rates of interest or dividends which may be paid by insured nonmember banks (including insured mutual savings banks) on time and savings deposits. The authority could be invoked (1) if required by general credit conditions or to prevent competitive practices that would endanger the safety and solvency of such banks, and (2) when consistent with policies to promote economic stability and maximum employment, in a manner calculated to foster free competitive enterprise and the general welfare. Such sections further provide for the exercise by the Board of Governors of its limiting authority after consultation with Federal Deposit Insurance Corporation and Federal Home Loan Bank Board and the exercise by the Board of Directors of the Federal Deposit Insurance Corporation of its limiting authority after consultation with the Federal Reserve Board and Federal Home Loan Bank Board. However, foreign official deposits, which presently are exempted from limitation until 1965, would not be subject to this standby authority until expiration of this existing exemption. Any limitations on interest rates established under these sections could differ for different classes of deposits or banks on various bases, including the location of the depositors.

Section 6 would grant standby authority to the Federal Home Loan Bank Board, after consultation with the Federal Reserve Board and the Federal Deposit Insurance Corporation, to limit the rates of interest or dividends which may be paid by members of any Federal Home Loan bank (other than those insured by the Federal Deposit Insurance Corporation), and by institutions the accounts of which are insured by the Federal Savings and Loan Insurance Corporation. The criteria for invoking such authority would be the same as for the Federal Reserve Board and Federal Deposit Insurance Corporation. There is no existing statutory authority in the Federal Home Loan Bank Board to limit the rates of such interest or dividends.

LIQUIDITY REQUIREMENTS

Section 7 would revise and improve the present liquidity requirement for institutions which are members of a Federal home loan bank or the accounts of which are insured by the Federal Savings and Loan Insurance Corporation. The present general liquidity requirement of 4 to 8 percent in cash and obligations of the United States of a member's obligations on withdrawable accounts would be replaced by a general liquidity requirement of not less than 4 percent nor more than 10 percent of a member's obligations on withdrawable accounts and borrowings. The Federal Home Loan Bank Board is also accorded clearer and broader authority to specify the proportion of cash and the type and maturity of obligations eligible for meeting the general requirement. The accounting and enforcement provisions are improved and made more explicit.

In addition, the Board is authorized to impose a special liquidity requirement on an institution or group of institutions if, in the Board's opinion, the asset composition or quality, the structure of the liabilities and withdrawable accounts, or the ratio of nonwithdrawable capital, surplus and reserves to withdrawable accounts of the institution or institutions, requires a further limitation of risk to protect the safety and soundness of the institution or institutions. The total of the general and special liquidity requirements could not exceed 15 percent of withdrawable accounts and borrowings. Thus, the Board would be provided with explicit supplementary powers of a kind that have, in practice, long been exercised in the banking industry on the basis of established tradition and supervisory authority.

The provisions of section 7 would continue the present authority accorded to the Federal Home Loan Bank Board by section 5A of the Federal Home Loan Bank Act over mutual savings banks which become members of a Federal home loan bank. Similarly, the Federal Deposit Insurance Corporation, for those mutual savings banks insured by it, would continue to be the primary authority in the examination, supervision, or regulation of any such bank, and nothing in this bill is intended to affect or alter that situation.

RESERVES AND DIVIDENDS OF FEDERAL HOME LOAN BANKS

Section 8 would amend the present law relating to the reserves and dividends of each Federal home loan bank so as to limit dividends to not more than 6 percent per annum on paid-in capital. It is the intent of this section that the excess net earnings of a Federal home loan bank, after its reserves have reached 100 percent of paid-in capital and all allocations and charge-offs required by the Board have been provided for and all dividend claims have been fully met, should be paid into the Treasury of the United States.

CONFLICTS OF INTEREST

Section 9 would extend the statutory noncriminal conflict-of-interest and related restraints now applicable to member banks, and as strengthened by section 10, to insured nonmember banks, subject to supervision and regulation by the Federal Deposit Insurance Corporation. (Conflict-of-interest restraints for insured nonmember banks are now effectuated by administrative action of the Federal Deposit Insurance Corporation.) The statutory restraints provided pertain to specified transactions between insured nonmember banks and their directors, officers, employees, attorneys, or affiliates, including the purchase or sale of securities or other property, loans or extensions of credit and investments, and preclude, except in limited classes of cases allowed by the Federal Deposit Insurance Corporation, certain persons primarily engaged in the sale or distribution of securities from serving at the same time as officers, directors, or employees of such banks. In addition to the specific statutory prohibitions, the Federal Deposit Insurance Corporation would also be authorized to establish rules and regulations at their discretion to assure that directors and officers do not participate in transactions that would result in a conflict of their personal interest with those of the bank they serve. Such section, however, would permit a nonmember insured bank to extend credit to any executive officer thereof in an amount not exceeding $5,000, or, in the case of a first mortgage loan on a home owned and occupied or to be owned and occupied by such officer, in such amount as the Federal Deposit Insurance Corporation may prescribe, provided that the terms of any such loan are not more favorable than those extended to other borrowers.

Section 9(c) of the bill adds a new section 20 to the Federal Deposit Insurance Act dealing with transactions with affiliates. The term "affiliate," with respect to any insured State nonmember bank, is defined so as to include any organization that would be an affiliate or holding company affiliate of such bank under section 2 of the Banking Act of 1933, even though such bank is not a member bank to which the definition in the Banking Act of 1933 is limited.

Section 10 would strengthen the noncriminal conflict-of-interest restraints with respect to transactions between National and State member banks and their directors, officers, and affiliates subject to supervision and regulation by the Comptroller of the Currency and the Federal Reserve Board, respectively, principally by adding a paragraph permitting the relevant supervisory authority to establish rules and regulations supplementing specific present statutory prohibitions, at their discretion, in conflict-of-interest situations. Limitations on loans by member banks to their affiliates would be tightened in certain respect and for this purpose the definition of affiliates would be broadened. (Similar limitations would be made applicable to nonmember insured banks under provisions of section 9.) Such section, however, would increase from $2,500 to $5,000 the amount of credit that could be extended by a member bank to any executive officer and permit a first mortgage loan from a member bank to any executive officer on a home owned and occupied or to be owned and occupied by such officer in such amount as may be determined by regulation, provided that the terms of such loan are not more favorable than those extended to other borrowers.

Section 10 also provides exemptions with respect to limitations on investments that member banks may make in their affiliates. (Section 9 would provide like exemptions for insured State nonmember banks.)

Section 11 would provide for noncriminal conflict-of-interest restraints with respect to transactions between institutions which are members of any Federal Home Loan Bank (other than those insured by the Federal Deposit Insurance Corporation) or institutions the accounts of which are insured by the Federal Savings and Loan Insurance Corporation and officers, directors, employees, or attorneys of such institutions. Prohibited transactions would include the making or purchase of any loans, and the purchase or sale of securities or other property, between the institution and any such party, or any partnership or trust in which they have any interest, or any corporation in which any such party owns, controls, or holds with power to vote more than 15 percent of the outstanding voting securities, or in which all such parties own, control, or hold with power to vote more than 25 percent of the outstanding voting securities. An institution would be permitted to make loans on the security of a first lien on a home owned and occupied by a director, officer, employee, or attorney of the institution, in such amount as may be permitted by regulation of the Board, and to make other loans of a type that it may lawfully make to any such party, in an aggregate amount not exceeding $5,000, provided that the terms of any such loans are not more favorable than those extended to other borrowers.

Section 11 would incorporate into law applying to the above member and insured associations much of the substance of current conflict of interest regulations governing Federal savings and loan associations, and it is also roughly analogous to the noncriminal conflict of interest provisions which sections 9 and 10 would extend to member and nonmember banks. In addition to the restraints specified in this section, the Federal Home Loan Bank Board is extended the right to establish rules and regulations to assure that directors and officers do not participate in transactions that would result in a conflict of their own personal interests with those of the institution which they serve. (The statement in subsection (e) of section 11 that directors and officers occupy a fiduciary relationship to the institution of which they are directors or officers, and to its shareholders and stockholders, is declaratory of a common law principle which has been upheld by the courts.)

Section 12 would extend to examiners appointed by the Federal Home Loan Bank Board the same requirements, responsibilities, and penalties as are applicable to examiners under the National Bank Act and the Federal Reserve Act. Subject to such limitations as the Federal Home Loan Bank Board may prescribe, they would have in the exercise of their functions the same powers and privileges as are vested by law in such examiners.

Section 13 would make certain criminal provisions relating to conflict of interest now applicable to insured banks also applicable to officers, directors, or employees of institutions which are members of any Federal Home Loan Bank or the accounts of which are insured by the Federal Savings and Loan Insurance Corporation and to examiners appointed by the Federal Home Loan Bank Board. This section would permit public examiners to obtain home loans from insured institutions which they may examine.

EFFECTIVE DATE

Section 14 would provide for the act to take effect on January 1, 1964.

FREE WORLD SHIPS CARRYING OVER 50 PERCENT OF CUBAN CARGO

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CRAMER. Mr. Speaker, I read in the morning Washington Post in an interpretive article suggesting how little trade with Cuba by the free world continues entitled "United States Now Grouping for New Measures Against Red Cuba"—quoting—"but the fact is that the shipping problem is now almost insignificant."

I also read in the Baltimore Sun a very interesting and enlightening article that I think better puts in focus what the continuing free world shipping to Cuba amounts to. It also shows how completely ineffective the administration's announced Cuban trade ban program, which many of us said would be ineffective at the time, is as it relates to cutting off free world shipping to Cuba.

It is obvious that the administration is largely ineffective in getting principally the British, Greek, and Lebanese to cease such trade. The article which I cite is from the today's Baltimore Sun entitled "Free World Ships"—now listen to this and this is how ineffective the administration's program is—"Free World Ships Carrying over 50 Percent of Cuban Cargo." Free world ships are still transporting more than 50 percent of all goods moving in and out of Cuba according to an analysis of recent issue of Lloyd's Weekly Shipping Index. A breakdown indicates that 53.6 percent of shipping with Cuba today is by the free world as the term is defined by the State Department.

The article referred to is as follows:

Free World Ships Carrying Over 50 Percent Of Cuban Cargo

(By Helen Delich Bentley)

Washington, July 7.—Free world ships are still transporting more than 50 percent of all the goods moving in and out of Cuba, according to an analysis of recent issues of Lloyd's Weekly Shipping Index.

A breakdown of the most recent copy, dated July 3, shows that 179 vessels were in transit to or from the Red-dominated island in the Caribbean.

Of that total 53.6 percent, were free world ships, while 83 vessels were registered in Russia, East Germany, Cuba, and Bulgaria.

Yugoslavian and Polish ships are classified by the Department of State in the free world listings.

BREAKDOWN BY NATIONALITY

Of the 179 vessels, 35 were tankers, with 15 of the tankers belonging to the free world.

The breakdown by nationality shows that 59 of the ships were Russian; 32, British; 28, Greek; 16, Lebanese; 15, Cuban; 6, East German; 5, Norwegian; 4, Italian; 4, Polish; 3, Bulgarian; 2, Yugoslavian; and 1 each for West Germany, Czechoslovakia, Spain, Morocco, and Finland.

It is known that the top echelon of the Department of State and White House are not pleased over the lack of better cooperation from what they consider as this country's allies—namely countries like Great Britain and Greece.

Most of the Lebanese ships are owned by Greeks.

SIXTEEN GREEK SHIPS

According to a Cuban exile organization this weekend, 16 of 39 non-Communist ships entering Cuba in May were Greek, 9 Lebanese, and 8 British.

"The increase of Greek vessels is unexplainable in view of Greek Government orders March 14 prohibiting sailings to Cuba," the revolutionary group said.

Actually that was the third time since last October that the Greek Government has taken a firm stand against its owners permitting their ships to be used in the Cuban trade.

In February, the U.S. Government issued a ban against ships trading with Cuba by refusing to permit them to load Government-aid cargoes in U.S. ports. However, this does not preclude the banned ships from picking up U.S. Government cargo in foreign ports and carrying it to another foreign port.

ILA HAS OWN BOYCOTT

The International Longshore has its own boycott against all ships and shipowners trading with Cuba, as well as against all cargoes moving to and from Russia.

Both the State and Labor Departments asked George Meany to intercede and set up a committee to work as a liaison between the ILA and the Government agencies. However, he has made no move toward this end since the initial meeting on April 9.

The British Government has said that it could not interfere with its shipowners, particularly those which are on long-term charter, such as the tankers which have been sailing regularly between Russia and Cuba.

It is understood that those long-term charters with the London Overseas and Rethymnis and Kulukundis group expire this month.

Many will be watching to see whether they are renewed or an attempt is made to remove them from this trade.

CARRY PETROLEUM PRODUCTS

These particular tankers have been carrying the largest portion of the petroleum products to Cuba, outside of that moving on Russian-flag vessels.

Some of the British ships shown in Lloyds as trading with Cuba are doing so from Red China. The *Vercharmian* was headed for Dairen, China, from Manzanillo, Cuba, when it struck a submerged object in Yokohama on July 3.

The British-flag *Yunglutaton* was headed for China from Cuba, as was its sister ship *Yungfutary*.

The June 19 Lloyd's Index shows 182 ships engaged in trade to and from Cuba, with 57 of these Russian, 21 Cuban, 7 East German, 3 Bulgarian, and 2 Czechoslovakian. The others were free world.

Some of these same ships were included in the July 3 list because there was no later data available on them.

TELLS LAST PORT OF CALL

Lloyd's Weekly Shipping Index is just what its name indicates—a weekly recording of all merchant ship movements in the world. It tells the last port of call of each vessel and its destination, as well as any stops in between.

It is interesting to note that the reports on Russian and Cuban ships are usually, further behind than the others, particularly if in ports of those countries. This is believed due to the unwillingness of these particular nations to cooperate.

A representative of Lloyd's in every port in the world wires data on ships in that port every week. The book is compiled and sent out to the subscribers within a matter of 3 days, although more than 12,000 ships are listed.

In recent weeks nearly half of the tankers going to Cuba are from the free world, 15 out of 35. The British, Greek and Lebanese ships, numbering 32, 28 and 16 respectively exceeded the shipping of Russia which was 59 in number. Some of the British ships are trading between Cuba and Red China.

It looks as if the only effective weapon being used in the United States or by our country to cut off such trade with Communist Cuba is the International Longshoremen's Union and the Labor Department in concert with the State Department are trying to discourage this effort.

This clearly exemplifies the bankruptcy of the New Frontier in combating Castro's communism in Cuba or in this hemisphere when, after great fanfare in announcing the trade ban, it is proven to be so ineffective as to permit over 50 percent of trade with Cuba to still be carried on by the free world.

It is about time that the New Frontier invoked a meaningful trade ban and not one full of loopholes. It is time to deny admission to U.S. ports to any business or country that continues to do business with Castro. This is the trade ban that should have been put into effect in the first place. Half measures by the administration has resulted in over half of Castro's shipping to continue to be carried by the free world.

MEMBERSHIP OF THE COMMITTEE ON BANKING AND CURRENCY

Mr. ALBERT. Mr. Speaker, I call up House Resolution 429 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That during the remainder of the Eighty-eighth Congress, the Committee on Banking and Currency shall be composed of thirty-three members.

The resolution was agreed to.

A motion to reconsider was laid on the table.

U.S. BALANCE-OF-PAYMENTS PROBLEMS

The SPEAKER. Under previous order of the House, the gentleman from Missouri [Mr. CURTIS] is recognized for 60 minutes.

Mr. CURTIS. Mr. Speaker, this morning the Joint Economic Committee started public hearings on the question involving the U.S. balance-of-payments problem. Secretary Dillon was a witness and is now back this afternoon to continue his testimony. I have taken this time to discuss some of the aspects of this problem of the chronic deficit in the U.S. balance of payments and the related drain in our gold reserves. These are related problems which have moved in recent years from relative obscurity to the front pages of the Nation's newspapers. There is a mounting awareness both here and overseas that failure to solve the problem could result in what has been aptly called the ghastly alternative—the collapse of the free world's trade and payments system.

Another danger—less dramatic but of great potential harm to the interests of America and the entire free world—arises from a continuation of our balance-of-payments deficits and gold drain. Unless the deficit is eliminated—and soon—the dollar's key international role may be gradually eroded away by the insidious piling up of restrictions on foreign transactions.

The trend in this direction may have already begun. Tourists' duty-free imports have been reduced from $500 to $100; more and more U.S. aid has been tied to purchases in this country; Americans have been prohibited from buying and holding gold overseas; and last year's tax bill struck at U.S. investment overseas in so-called "tax havens."

As if this were not enough, there is an increasing sentiment in favor of new restrictions on capital movements and a mounting tempo of appeals for retaliatory action by the United States against the restrictive policies of the European Common Market. The United States cannot stand idly by while the Common Market implements a policy of discrimination against our goods. But if the United States imposes new trade restrictions—as we did when we initiated increases in duties on carpets and glass last year—protectionist forces in the EEC will be fortified. The result is likely to be counter-retaliatory moves by the EEC, which is precisely what happened in the carpets and glass example.

Unless vigorous and determined action of a fundamental nature is forthcoming in the near future the collapse of the international monetary system or a gradual erosion of the dollar's international role remain a distinct and disturbing possibility.

Clearly the fact that the payments deficit is still with us proves that by and large the measures taken to date have been mere palliatives. I have no quarrel with export promotion, attempts to lure foreign tourists to our shores, the reduction of nonessential Government aid expenditures overseas, the sale of military equipment to our allies or any of the other nonrestrictive methods adopted to cut the deficit. These measures are useful and should be pursued, but we must recognize that they are not sufficient to the task. More fundamental correctives are called for.

Deficits do not happen by accident. In large part, they are caused by the economic policies of the deficit countries as well as by those of the surplus countries. Administration policies to stimulate what it regards as our tired and undernourished domestic economy not only tie its hands in pursuing policies which could eliminate the balance-of-payments deficit but, at least in the shortrun, they may serve to aggravate the problem. As the Bank for International Settlements said in its March 1963 report:

> The size of the deficit in the balance of payments, and its persistence, imposes limitations on the speed with which expansion of the economy can be safely promoted.

Ironically, the fact is that the payments problem itself acts as a drag on our domestic economy. As one distinguished economist told the Joint Economic Committee:

> What can really cause a threat to employment is a continuation of our balance-of-payments problem.

Mr. Speaker, the unwillingness of the administration to set priorities among its economic goals is making it impossible to realize any of them. The administration must abandon its wishful thinking and face squarely up to the fact that eliminating the payments deficit should receive top priority on its economic agenda. The urgency of the problem and the international and domestic repercussions which could follow continued failure to eliminate it point to the need for a basic reorientation of policy. Continued vacillation between the imperatives of domestic and international economic policy courts both domestic and international economic chaos.

My intention in this discussion is to take a new look at the balance-of-payments problem, then analyze the defects of current administration policy, and finally point to what I believe are the more vigorous steps which must be taken before fundamental correctives can operate.

By now the facts are well known and bear only brief repetition. The United States has had a deficit in its balance of payments each year, except one, since 1950. Until 1958, these deficits and the losses of gold related to them were not regarded with concern; indeed, they were necessary in order to increase international monetary reserves. Without the increases in liquidity provided by U.S. deficits and gold losses, it is difficult to imagine how a free and healthy postwar international trade and payments system would have been restored.

Since 1958, however, both the deficits and the gold outflow have been substantially larger and have shown a stubborn resistance to improvement. The commonly heard assertion that significant progress has been made in recent years toward reducing the deficit is misleading and fails to take account of the effects on the official computation of the numerous special techniques which have evolved to finance the deficit. According to the London Economist, the use of these special techniques has distorted the normal official computation in a major way so that the U.S. balance-of-payments figures "now mean less than ever."

These techniques—which I have characterized as borrowing from the future—include, among others, the prepayment of foreign debts, which served to reduce the deficit by nearly $700 million in 1961 and again in 1962; the sale to foreign governments of U.S. Treasury bonds denominated in foreign currencies; the advance commitment of foreign funds for military purchases in the United States; and the payment of the U.S. subscription to certain international organizations in nonnegotiable, noninterest-bearing securities instead of dollars.

In a lengthy correspondence which I conducted in April and May with Secretary Dillon on these subjects—see CONGRESSIONAL RECORD, May 6, 1963, pages 7850–7851, and May 23, 1963, pages 9247–9248—I pointed out that without these special techniques the deficit in 1962 would have been about $3.6 billion. Although the Secretary declined to make an estimate of what the deficit would have been without the use of these techniques, he did not dispute my estimate. Furthermore, confirmation of my estimate has been provided by one of the Nation's most esteemed international economists, Prof. Robert Triffin of Yale University. Professor Triffin has shown that on the basis of the official finance needed altogether in 1962, the deficit was still in the $3.5 billion range, which means that there has been no real improvement on the worst of previous years. The $3.2 billion official deficit in the first quarter of 1963—seasonally adjusted annual rate—confirms the belief that no real progress has been made in eliminating the deficit.

The special financing techniques developed by the Treasury to bridge the gap until balance-of-payments equilibrium is achieved provide a useful function in soaking up excess dollars and thus reducing the likelihood of immediate gold losses. Both Secretary Dillon and Under Secretary Roosa have cautioned, however, that the use of the special techniques is no substitute for a solution to the balance-of-payments problem. As the Bank for International Settlements said so well in its 1963 report:

> There is a vast difference between buying time and making time.

This is an important point to keep in mind. Perhaps the primary drawback of the ingenious Treasury arrangements is that they could obscure the magnitude of the trouble that may lie ahead by "prettying up" our balance-of-payments record and by postponing—but not preventing—heavy future gold losses.

In sum, since 1949—when U.S. gold stocks stood at a high of $24.6 billion—the U.S. has had a net loss of nearly $9 billion in gold, reducing our reserves to about $15.7 billion. Of this amount, about $12 billion is required as backing for our currency, leaving less than $4 billion is so-called free gold to meet foreign claims. The total of potential claims now outstanding against this free gold amounts to about $25 billion.

These short-term dollar holdings of foreign official bodies and private individuals, as well as of international organizations, pose no problem for the United States so long as foreigners are willing to hold dollars rather than gold. Indeed, even a continuation of balance-of-payments deficits would be no cause for concern if foreigners would be willing to go on accumulating dollar balances. The problem arises because of the ever-present possiblity that a sudden and large-scale liquidation of foreign dollar balances could lead to devaluation.

If confidence in the dollar is to be maintained, the United States must adhere to its policy of selling gold for dollars at the fixed rate of $35 an ounce. But as foreign dollar balances increase as a result of U.S. payments deficit our willingness—not to speak of our ability—to maintain this policy is called into question. Mounting claims against a shrinking gold stock cause jitters in Europe which are reflected in increasing gold sales. That is why elimination of the balance-of-payments deficit at the earliest possible time should be the first imperative of U.S. economic policy.

Confidence in the dollar depends upon another factor. In his March 1962 report to the President on the balance of payments, Secretary Dillon said that since the dollar was ultimately a claim on the Nation's resources, its reliability depended upon that claim being "undiluted by inflation, creeping or rapid." Therefore, avoidance of inflation should by the second imperative of a balance-of-payments policy.

And I might say to my colleagues in the House, this is the reason why the week before last I cast a vote against the armed services appropriation bill, calling attention to the fact that the greatest threat to American security today is this continued deficit financing upon the part of our Federal Government.

Mr. WESTLAND. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Washington.

Mr. WESTLAND. Mr. Speaker, I would like to compliment the gentleman on the speech he has made here on a very difficult subject; one I believe to be perhaps the most important subject before the Nation. I have tried as best I could to bring this matter to the attention of the people of my district and the people of the State of Washington. It is not an easy subject to discuss in terms that the average person can understand, but I think it is of the greatest importance. I think, as the gentleman has said, that these deficits in balance of payments have been dressed up to look better than they actually are because of this prepayment of, you might say, the principal—payment ahead of a due date or before the time when the money was actually due.

West Germany and France and other countries have done this. Then when we find that we have to give I O U's to the tune of $529 million to countries when they present their bills for payment, or their dollars for payment in gold. Under these circumstances this country has become involved in a pretty knotty problem.

This is the first time I can recall in at least 30 years when this country has had to borrow marks, has had to borrow francs, has had to borrow lira through the use of an I O U. And these obligations will come due. These notes will come due.

Mr. Speaker, I want to congratulate the gentleman on bringing this matter to the attention of the public. It seems to me it is attracting a little more attention in the public mind than it was before. There was an editorial in the Post this morning. Sylvia Porter has seen fit to discuss this problem in the financial pages of the country. I hope that this kind of discussion will bring this subject to the people of the country so that they can realize what a difficult situation the country is in with regard to its posture in international monetary affairs.

Mr. Speaker, I thank the gentleman for making his presentation.

Mr. CURTIS. Mr. Speaker, I want to thank the gentleman from Washington for his comments and his efforts, which I know about, to try to call the attention of the American public to this very, very grave, very serious economic problem. This is the time when we need some Paul Reveres to spread alarm around the country on the basis of the facts and public knowledge. I must say that I am distressed over the failure of the majority party, which is in control of both the House and the Senate of this Congress, to show concern over this important issue. I might say that my concern arises also in regard to my own party. Even in the Republican Party there is not sufficient understanding of the need for balanced budgets and of the need—as desirable as some of the expenditure programs may be—to undertake the difficult task of assigning priorities to expenditure programs. Members of both major political parties need realize that we cannot afford all the good programs that may be promoted in any given fiscal year.

This administration has made no bones of the fact that its fiscal policy is predicated exclusively on planned deficits, not just for the fiscal year 1964, but for the fiscal years 1965, 1966 and 1967. Then they say they hope to have a balanced budget. But I think any realistic appraisal of the basis of that feeling, that expenditures are going to be cut back, would lead to the conclusion that their hopes are not realistic. Dr. Arthur Burns has pointed out that probably 1972 is the first year when we may realistically expect to balance the budget using the fiscal assumptions of this administration. Concern with the need for avoiding budgetary deficits is what has been referred to by administration people as the Puritan ethic. They have sought to deride and derogate this principle rather than to debate it. If they believe that these matters are not so serious, indeed, let them come forward with evidence to establish their point of view. Do not let them avoid public debate each time it comes up as it did, I might say, on Wednesday evening, when I was in debate with Dr. Heller, Chairman of the President's Council of Economic Advisers. At that time the question of the economic impact of deficit financing was not a subject that he desired to discuss. But it is a subject that Secretary Dillon, just this morning, in a 60-page statement on balance of payments also failed to discuss—the economic implication of deficit financing spread over a time period of the length now projected before we attain a balanced budget.

The administration's program has failed to solve the balance-of-payments problem. Incidentally, two problems the administration spokesmen said they were going to solve when they came into power involved balance of payments and unemployment.

Neither one of these problems have they solved or even begun to solve. Their concept of reducing unemployment is based on the discredited theory of deficit financing. Yet here we have the gross national product at the highest level it has ever been and the President of the United States claiming credit, and he should claim very little credit, for the evidence that we have is that this is an indication of prosperity measured by the gross national product, but unemployment continues at the point it was before, very clearly showing that the economic theories of this administration are inadequate to meet the present needs of our Nation.

The administration's program has failed to solve the balance-of-payments problem. Undoubtedly it has kept the deficit from growing worse, but there is a large question as to whether we can count on much more help from the types of measures which I have characterized as palliatives. There are definite limitations on what these programs can contribute.

For example, attempts to reduce the Government's net oversea expenditures within the framework of existing foreign and defense policies by cutting dispensable spending and by tying the use of aid funds to U.S. sources have produced significant balance-of-payments savings. So too has the sale of military equipment and supplies to allied countries. Assistant Secretary of State, Frederick G. Dutton, in a letter of June 7, 1963, to Senator JACOB K. JAVITS, declined, however, to say how much further help to the balance of payments could be expected from these sources. He said that—

> It is not possible to predict, however, about how far we will eventually be able to go in achieving additional savings or in what sectors these savings will be found.

Clearly there is little reason to expect a further major contribution from efforts of this nature.

The administration hopes to reach balance-of-payments equilibrium through an increase in our favorable balance of trade, resulting both from the export promotion program and from an improvement in the competitive position of U.S. exports. It is anticipated that this improvement in the U.S. competitive position will result from a narrowing of the spread between costs and prices in this country and in Western Europe. Not only would this have the effect of increasing exports, but it would also serve to dampen an increase in imports.

The other fundamental corrective which the administration is counting on is an improvement in the capital account arising from a higher level of domestic economic activity that would follow enactment of its tax program. In theory, this would produce a more favorable investment climate which would tend to keep American capital at home and which would, in addition, draw foreign investment money to the United States.

It is important to examine closely the validity of these two major assumptions upon which the administration's balance-of-payments policy rests. It is my contention that these assumptions are of doubtful validity and that a policy based upon them cannot be relied upon to succeed.

First, the U.S. would be lucky, indeed, if the increases in its exports in the coming years were to be sufficient to compensate for increases in its imports. As the Bank of International Settlements said in its 1963 annual report:

> For some time it has seemed unlikely that the deficit will be resolved mainly by a widening of the trade surplus; in fact the export trend will be quite favorable if it keeps pace with the rise in imports as the economy expands.

As the London Economist pointed out recently, trading opportunities are becoming tougher for Americans in the Common Market, Latin America, and elsewhere.

Prof. Lawrence B. Krause, of Yale University, recently studied the degree of protection afforded the dominant Common Market suppliers of various products under the old national tariff as compared to the protection afforded by the new EEC external tariff. Professor Krause has the "vivid impression" that the protectiveness of the new EEC tariff is much greater than formerly existed. His analysis shows that 75 percent of all manufactured products will have their protection raised and by large amounts. According to the study, the size of the tariff reduction that would be required to bring the new external tariff down to the level of the old national tariff of the dominant supplier is over 50 percent for 21 out of 61 classes of commodities studied; 26 to 50 percent for 16 classes, and less than 25 percent for only 9 classes.

In addition, in 4 or 5 years, when the EEC's internal tariffs have been completely removed, the average tariff preference of the Common Market producers with respect to outside suppliers will rise to about 12–13 percent, compared to less than 5 percent at the end of 1961. It should be clear that the adverse impact of the Common Market upon exports of U.S. industrial products may be substantial even after allowing for the effects upon imports of a higher rate of economic growth stimulated by formation of the EEC.

An even more serious challenge to U.S. exports is arising from the EEC's common agricultural policy which is based on a variable levy system that assures whatever level of protection is necessary to maintain the community's internal prices on affected products. The effects will be felt by the nearly one-third of U.S. agricultural exports sold for hard currency which have gone to EEC countries in recent years.

While the full magnitude of the impact must await the setting of communitywide agricultural support prices, it now appears that average prices will rise, encouraging increased Common Market production and a movement toward self-sufficiency in a wide range of products which make up a substantial part of U.S. exports, including wheat, grains, and meat. Preferences granted to the products of countries overseas associated with the Common Market will likely reduce other U.S. agricultural exports.

U.S. exports may also suffer through adverse effects on the exports and foreign exchange earnings of third countries which normally spend a large amount of these earnings on U.S. goods. For example, the EEC's tariff preferences to the associated oversea countries are likely to injure Latin American exports to Europe.

In addition, discrimination against Japanese imports, which is still practiced by the EEC, impairs Japanese exports to the Common Market, thus reducing her foreign exchange earnings and subsequent purchases in the United States. With European markets difficult to penetrate, more Japanese exports are sent to the U.S. market, thus further weakening our balance-of-payments position.

Thus far, the response in Europe to U.S. efforts to liberalize trade have not been overly enthusiastic. It is interesting to note that Professor Krause believes that a unilateral reduction in tariffs by the EEC is called for to satisfy the spirit, if not the letter, of the GATT regulation that tariffs not be increased through the formation of a customs union. However, not only do the opportunities for unilateral reduction appear remote at this time, but the success of the upcoming "Kennedy round" of multilateral tariff negotiations also appears doubtful at this moment.

Although last year's trade performance was greatly affected by the rising level of business activity in this country, it nevertheless does little to inspire optimism about the future. Exports increased 3.5 percent over 1961, compared to annual increases of 6 percent from 1955 to 1961. By contrast, imports which have been advancing at an average of 5 percent a year increased by 12 percent in 1962. Although important gains in imports occurred in all major categories, the largest were recorded in finished manufactures. The result was a shrinkage in our favorable balance of trade by about $1 billion.

According to a recent estimate of the Economic Research Department of the Chase Manhattan Bank, elimination of the overall deficit in 1963 probably would require an increase in the trade surplus of $1 to $2 billion. We can look to some improvement in our trade balance this year. Notwithstanding the export promotion program, however, it is highly unlikely that the improvement will be of a magnitude sufficient to substantially reduce the deficit.

What of the administration's hope for a reduction in the cost-price differential between the United States and Europe? It is true that costs and prices have risen substantially faster in Europe than in the United States in recent years. However, it would be vain to expect either a continuation of the level of inflation in Europe or of the relative cost and price stability which has been our experience over the past several years.

There is good reason to believe that the sharp increases in European prices experienced in recent years may soon be checked. On the demand side, there has been a marked slackening in the rapid increases in the economic growth rates of a large number of countries. In addition, the severe labor shortages which have served to feed the pressure for wage increases far exceeding productivity gains are, according to the Bank for International Settlements, beginning to ease slightly.

Equally important is the growing awareness in Europe that rising prices must be checked if a serious deterioration of its competitive position is not to result. Thus far, many of the increases in costs, particularly wage costs, have been absorbed through a reduction in profit margins, rather than by price increases. This has served to hold off at least some of the adverse effects on Europe's competitive position of rapidly rising wage costs. But the shaving of profit margins through cost increases has about reached its limits.

The cost and price trend in recent years has led in a number of cases to direct official intervention, in the areas of prices and wages as well as import liberalization, in an effort to hold down the inflationary spiral.

In Austria, for example, in 1962, some steel producers rescinded earlier price increases, a 6-month wage and price pause for the entire economy was instituted, and certain import restrictions were liberalized. In Finland, price controls were temporarily imposed, and in Denmark, direct regulations of both prices and wages was an important part of an emergency program to curb inflation. Business was not allowed to increase prices or gross profits except in response to proven increases in certain costs. In Italy, efforts to control prices led to temporary measures to increase certain types of imports. The same policy was followed in France and, in addition, controls have been imposed on retail price and profit margins over a wide range of agricultural and industrial items.

A new element of public policy is arising in some European countries in response to the rapid wage increases. Attempts are being made through official public intervention to influence the size of pay increases. This has taken the form of stepped-up Government intervention in particular wage disputes as well as the organization of institutional bodies, such as the Austrian Joint Price and Wage Commission and the United Kingdom's National Income Commission which are designed to provide the framework for a system of wage determination having less bias toward inflation.

As awareness of the need to combat inflation spreads in Europe, it is vital that we prevent price increases in our own economy. Unless we prevent inflation, whether creeping or rapid, we may find international competitive position again deteriorating, with drastic consequences for our balance-of-payments position.

While the Nation's record of price stability has been better than that of Europe during the past few years, the administration will need to show a greater willingness to combat inflation than it has thus far exhibited. The submission of a record 1964 Federal budget showing a planned deficit of nearly $12 billion, following upon deficits of $18 billion over the past 3 years, is almost certain to eventually have an adverse impact on price stability. While there is no simple and automatic connection between budget deficits and inflation, a persistent and steadily increasing series of budget deficits without any foreseeable end in sight will almost certainly be reflected in a resumption of inflationary pressures. This point was stressed by Frank A. Southard, Jr., U.S. Executive Director of the International Monetary Fund, in an article in the Journal of Finance in May 1961, in which he said:

> Both currently and in the near future balance-of-payments considerations militate against fiscal deficits.

The administration's tax program designed to stimulate the economy also poses serious short-run balance-of-payments dangers. If the tax program were to succeed in substantially and rapidly lifting the level of economic activity, the result would very likely be a new surge of inflationary pressures. If this economic stimulation were to occur while the Federal Government was running large budget deficits, the inflationary pressures would be intensified. Since Dr. Arthur Burns has told the Joint Economic Committee that under the President's program the budget would not likely be in balance until 1970, and Secretary of the Treasury Dillon himself admitted it would not be in balance before 1967, the chances of this happening are very strong, indeed.

In addition, the stimulation of economic activity that might arise from the

President's tax program, while impairing our international competitive position through price increases, would also dramatically increase our imports. The staff of the Joint Economic Committee has estimated that the President's tax program would eventually lift gross national product by $40 billion, a questionable figure, I might state, but let us take it. An increase in gross national product of this magnitude would increase our imports by about $1 to $1.5 billion which, without a corresponding increase in exports, would mean a serious reduction in our favorable balance of trade.

I do not say that the effects of the President's tax program would be totally adverse. It is true, I think, that a higher level of economic activity would tend to keep more capital at home and thus improve the balance of payments. That is, if our business people had any confidence in this theory of deficit financing. It might also have the effect of increasing the inflow of foreign investment funds and in rising American industry's productive efficiency, again predicated upon this assumption.

But balanced against this would be the adverse effects on imports and on price stability. It appears clear that while the balance-of-payments effects of the tax program might be beneficial in the long run, the short-run effects might be seriously detrimental. This is not to argue against sound tax reduction and reform, but it does point up the need for accompanying expenditure control and for the use of other policy instruments to offset the immediate adverse impact which a tax cut would have on the balance of payments.

These remarks, Mr. Speaker, serve to point out how weak are the needs upon which the administration is leaning. If the administration's assumption should prove invalid—as I believe them to be—the balance-of-payments deficit may not only fail to improve, but it may actually grow worse. There would be substantial agreement, I think, on the proposition that a worsening of the deficit at this time would put us straight on the road to international financial chaos. In that case, we could not escape serious domestic consequences on growth and employment, which the administration places foremost among its economic goals.

Before proceeding to what is needed to eliminate the deficit, let me touch briefly on some of the remedies that have been suggested which I believe would be seriously detrimental to our domestic economy as well as to our international position. To reemphasize what I have already said, devaluation of the dollar should be ruled out, along with actions to restrict trade and capital movements.

Incidentally, I was happy that Secretary Dillon in his prepared statement this morning concurred.

Furthermore, a policy of exchange rate flexibility, while it has something to recommend it, would be such a sharp break with current practice and would create so much uncertainty in the conduct of international financial transactions that its adoption at this time is unrealistic.

It should be obvious as well that a policy of deflation leading to an increase in our already high level of domestic unemployment should be rejected as a possible solution. This is not to say that we can afford to follow a highly expansionary policy. Our commitment should be to a steadily rising level of economic activity and employment consistent with policies designed to achieve external equilibrium within the shortest possible time.

It now appears unrealistic to expect that we can achieve all of our economic objectives at the same time. The attainment of some of our goals may have to await the elimination of the balance-of-payments deficit. Indeed, elimination of the payments deficit will head off an international financial crisis that could have a wide impact on the entire free world, including our own domestic economy.

The eight lines of action which I suggest be pursued to eliminate the balance-of-payments deficit are as follows:

First. The United States can no longer justify an interest rate structure geared primarily to domestic requirements. The large outflow of private capital in our balance of payments is susceptible to policy treatment through a rise in interest rates. In this way, we can reach equilibrium working through the market mechanism itself, rather than through direct controls.

On this point, I was pleased that Secretary Dillon this morning seemed to be in agreement. I do not think Secretary Dillon's policies as he expressed himself this morning were the policies of the administration. They talk one way and yet they send up budget messages to the Congress that speak of an entirely different economic theory.

In its latest report, the Bank for International Settlement said that, when private net capital exports contribute to payments disequilibrium, the traditional policy instrument is tighter monetary policy to make the internal market more attractive to both domestic and foreign investment funds. According to the Bank, European experience has been that this policy is effective. However, in the United States, it has thus far been tried only to a minor degree.

During the 1961–62 business expansion, some important interest rates, such as the discount rate, the so-called prime lending rate, and the average interest rate on loans have remained almost flat. In general, mortgage and bond yields have displayed a slight downward movement. Although credit policy always must be determined with an eye on the state of domestic economic activity, it would appear unwise to continue a policy of relative credit ease in the light of our continuing adverse balance-of-payments position. Some shift in credit policy toward less ease is clearly called for and would have a substantial effect in improving our payments position.

Second. The time is long past for a review not only of our foreign economic and military aid, but also of U.S. military operations abroad which contribute substantially to the balance-of-payments deficit. Such a review could very well be part of an overall review of Federal expenditure policy in which spending priorities are established.

It should now be obvious that little more can be expected of Europe in shouldering the U.S. military and aid burdens. In fact, we have reached the point where it is unseemly for a great power to seek or to ask for aid of others in order to achieve what it is fully capable of achieving itself if it only has the will to put its own financial house in order.

The administration should begin at once to pare down our forces, particularly support forces, and our bases overseas to the minimum level consistent with defense and foreign policy requirements. It is illusory to believe that our aid and military operations overseas contribute to the defensive strength of the free world when at the same time they are working to undermine the financial foundations upon which the essential strength of the free world is built.

Third. The administration should initiate vigorous efforts to equalize competitive conditions between U.S. exporters and those of other industrial nations. Some of our competitors, for example, refund turnover taxes to exporters, thus enabling them to quote lower prices to the export market than those charged to domestic customers. I would prefer that we first try to induce Europeans to abandon their tax incentives. If they refuse, however, I believe the United States should then develop a system of equalizing competitive conditions through a program of tax credits for exports and possibly of tax credits for expenses incurred in developing export outlets.

Fourth. More must be done to impress upon all sectors of our economy the need to maintain our competitive position in world trade. In order to bring about price stability or, even better, a declining price level, it is not enough that wage increases be equal to gains in productivity. Wage increases must be kept below the gains in productivity, with the additional benefits of increased productivity being reflected in lower prices, particularly for manufactured goods.

Price reductions realized through productivity gains represent increases in real wages and in real incomes throughout the economy, and thus they lead to increases in demand which stimulate output and employment. Not only would such a policy improve our international position, but it would also stimulate domestic employment and economic activity without the need of massive Government spending to increase aggregate demand. The notion that money incomes should rise continuously, which is firmly imbedded in the public mind, must give way to a new consensus on the need for wage and price restraint at a time when international considerations weigh heavily upon the Nation.

Furthermore, the large outflows of capital from the United States in recent years should be related to the profits squeeze, which has dampened the investment climate in this country. The annual rate of profit after taxes on stockholder's equity has dropped from an average of 14.1 percent in the 1947–51 period to 9.4 percent in the 1957–61 period. An improvement of the profits picture depends partly upon tax changes, but perhaps more importantly upon cost and productivity factors. A better return on invested capital would serve to improve the balance of payments by keeping domestic capital at home as well as by drawing foreign capital to our shores.

Fifth. The need to hold the price line makes it imperative that Federal fiscal policy be conducted in an anti-inflationary manner. The large and persistent series of budget deficits incurred by this administration, which are likely to continue as far into the future as we can now see, is building up an inflationary potential in the economy which may explode in our faces unless we reverse course. External considerations above all demand that we attain budget balance within the very near future.

Sixth. Policies to increase the productivity of American industry are an essential part of an overall balance-of-payments policy. In this regard, I believe that the depreciation schedules, which were revised last year, should be reviewed again with the objective of making them more realistic in relation to the facts of modern technology. Our major competitors, recognizing rapid obsolescence, permit accelerated writeoff schedules to a larger extent than the United States.

Seventh. I urge again, as I and my minority colleagues on the Joint Economic Committee did in our 1962 minority views, that the United States, while continuing its policy of selling gold to officially monetary institutions at $35 an ounce, remove its guarantee to buy gold at $35 an ounce or at any other predetermined price. The U.S. guarantee to buy all the gold offered to it at this price is a standing invitation to speculate against the dollar by buying gold. Thanks to our guarantee to buy gold at a fixed price, speculators who buy gold can get back into dollars today without risk. We can discourage this speculation and ease future monetary strains by adding an element of risk to the holding of gold by removing the fixed buying price.

Eighth. International liquidity will not be a problem as long as the United States is running balance-of-payments deficits which serve to increase world reserves. In fact, the free world has become greatly dependent on continuing U.S. balance-of-payments deficits to provide adequate international monetary reserves.

However, we should look forward now to the time when the U.S. balance-of-payments deficits are eliminated. To that end, the administration should immediately initiate discussions within the International Monetary Fund on fundamental changes in its structure which should be made in order to provide sufficient international liquidity to meet the growing needs of world trade.

Efforts to expand and improve upon the International Monetary Fund should not be initiated or pursued primarily as a means of easing the current U.S. balance-of-payments problem. Designing schemes to make access to liquidity easier is not going to solve this problem. The solution to our balance-of-payments problem lies in efforts to impose discipline upon ourselves in the conduct of our monetary and fiscal affairs. A forward-looking policy, however, requires that we seek to avert a future international liquidity crisis by making a beginning now on the tedious and difficult task of improving upon the world's monetary mechanism.

Mr. Speaker, even under the favorable international conditions which exist today, the United States is running heavy balance-of-payments deficits and seems unable to eliminate them. The new shocks to the U.S. balance of payments that may arise in the future from changes in policies of other countries, particularly those of the Common Market, and from political and military disturbances abroad that may entail large increases in U.S. expenditures overseas make the need for decisive action on our balance-of-payments problem urgent.

We must make the hard choices which are required if we are to eliminate the deficit; time is growing short; the patience of our creditors is wearing thin. The latest report of the Bank for International Settlements leaves no doubt of this fact. As the Bank says, referring to our deficit and the measures taken to date to correct it: "It is evident, however, that the situation calls for more vigorous measures." The need is not for more palliatives, but for basic correctives which only vigorous action by the administration can set in motion.

Mr. Speaker, in order to enable the Congress to express its support of a more vigorous and effective balance-of-payments policy, I submitted a concurrent resolution on Friday dealing with the balance-of-payments problem. This resolution is being sponsored in the Senate by my colleague on the Joint Economic Committee, Senator JACOB K. JAVITS. I ask unanimous consent that the text of this resolution be printed at the conclusion of these remarks.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. McCLORY. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Illinois.

Mr. McCLORY. I want to compliment the gentleman on a very studious, thoughtful, and helpful address as expressed on the floor of the House today. The gentleman from Missouri has certainly pointed out that the threat of economic disaster is one which equals or at least challenges the military threat against this Nation.

The gentleman's remarks also emphasize that the Congress itself as the legislative arm of our Government has not shown full cognizance of the problem and has not measured up to its full responsibility with regard to the management of the fiscal business of the Nation. He has ably pointed up the shortcomings of our piecemeal methods of handling our fiscal affairs, our revenues, and appropriations. These are responsibilities that must be coordinated in order for the Congress to do a full budgetary job so as to maintain the financial integrity and vitality of the Nation.

I associate myself with the remarks the gentleman from Missouri made on the floor of the House today.

Mr. CURTIS. I thank the gentleman from Illinois. Certainly the gentleman has pointed out the major needs. President Kennedy, when he was running for election in 1960, pointed to the balance of payments as a serious problem. One of the pledges that he made was that he was going to move forward in this area. One of the first actions he took as President was to reassure not only our own people but those abroad that he was going to preserve the integrity of the dollar. Certainly he has by words expressed his concern. The tragedy is that his deeds and policies do not match his words, and this failure of fitting action to words is not confined to this one area. I think it is time that the Congress and the people whom they represent must look behind the President's words to the deeds, because in so many instances, and this is only one, there seems to be such little relationship.

Mr. Speaker, the concurrent resolution to which I referred a few moments ago is as follows:

H. CON. RES. 192

Concurrent resolution stating the sense of the Congress that achievement of balance of payments equilibrium is essential and that the United States should take the initiative in fostering an international balance of payments

Whereas the United States has had a deficit in its international balance of payments every year, except one, since 1950; and

Whereas largely as a result of these deficits, United States short-term dollar liabilities to foreigners totaled $25,300,000,000 at the end of April 1963; and

Whereas these liabilities constitute a potential claim against the United States gold stock of $15,700,000,000, of which less than $4,000,000,000 is "free gold" not required to serve as backing for our currency; and

Whereas the health of our domestic economy and strength of the dollar and its ability to serve as a key international reserve currency depends upon the early elimination of the balance-of-payments deficit and the creation of improved arrangements to serve the liquidity needs of an expanding international trade and payments system: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress of the United States that achievement of balance-of-payments equilibrium in a manner consistent with the dollar's role as a key international reserve currency should receive the highest priority in the formation of national economic policy; and be it further

Resolved, That the maintenance of equilibrium in its international accounts should be a continuing and major goal of United States international economic policy; and be it further

Resolved, That the United States take the initiative within the International Monetary Fund to devise new and improved methods of permanently strengthening the international monetary and credit mechanism in order to provide (a) improved means of financing balance-of-payments deficits until basic corrective forces restore equilibrium, and (b) sufficient liquidity to finance increases in world trade and payments once United States balance-of-payments equilibrium is achieved.

AN ENLIGHTENED AND PUBLIC-INTEREST LEADER—WILLIAM W. LYNCH OF DALLAS, TEX.

The SPEAKER pro tempore (Mr. Roush). Under previous order of the House, the gentleman from Texas [Mr. Patman] is recognized for 10 minutes.

Mr. PATMAN. Mr Speaker, our country is now said to be one of big government, big industry, and big labor. There is a great deal of truth in this saying and there is danger, as I see it, that these large organized forces will come to overshadow what most of us prefer to think is the normal relationship between government and the individual, who is supposed to be the ultimate sovereign in our democracy. There is danger that individual voices will be lost in the contest between huge concentrations of economic power and the media of information and propaganda they control.

It is thus of great importance that the spokesmen and leaders of any of these great groups be enlightened people who are dedicated to the public interest, not just the selfish interests of their particular groups. Mr. William W. Lynch, president of the Texas Power & Light Co., is such a leader and spokesman for the electric power industry. Bill Lynch, who is a long and valued personal friend, has just completed a term as president of the Edison Electric Institute, an organization representing the largest aggregation of electric power in the world. Bill Lynch is one of those rare men who understand the great issues of our time and who are untiring in their efforts to have these issues settled in the public interest. He is an outstanding patriot, an intelligent counselor, and a business leader of whom every Texan should be proud, as indeed the whole private electric power industry must be proud.

The Edison Electric Institute held its convention this year at Denver, at which time Mr. Walter Bouldin took office as president of the institute. In his speech accepting the presidency, Mr. Bouldin paid tribute to Bill Lynch in these words:

> Let me first pay respect to the year just past. Our industry owes much to Bill Lynch. Wherever he has gone this past year, from the White House to the modest State of Texas, he has personified the qualities we like to think of this industry as possessing—patriotism, intelligence, and the kind of honesty that shows through to anyone looking or listening. All of us are thought better of because we chose Bill Lynch to represent us.

Yes, I have no doubt that everybody in the electric power industry is thought better of because Bill Lynch has represented them; I would only add that I have no doubt that everybody in the industry deserves to be thought better of by reason of the fact that Bill Lynch has represented them.

UDALL UKASE AND ADDLED ECONOMICS

Mr. SCHWEIKER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Saylor] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, I have just received a copy of a very interesting Washington Report or newsletter written by a distinguished Member of the other body commending the decision of the Secretary of the Interior to extend the Bonneville power marketing area into southern Idaho. The newsletter claims great value of this decision to the people of southern Idaho. But, it certainly fails to tell of the great monetary loss that this decision will bring to the taxpayers of the United States.

The author admits tax money builds these hydroelectric projects by saying, "Our tax money has helped build these mighty dams," but then he goes on to state, "and they belong every bit as much to the people of Idaho as to the people of Oregon and Washington." Perhaps they belong in part to the people of Idaho to the extent that their taxes have been advanced to finance them, but I submit to you they belong to the taxpayers from every State in the United States—all 50 of them. Furthermore, if we are going to determine entitlement to Federal largess on the basis of our tax contributions, my home State has over three times more interest in them than the States of Oregon, Washington, and Idaho combined. I am not suggesting that Pennsylvania should be made a part of the Bonneville marketing area. But, I am suggesting that since those dams are taxpayer owned, the Nation's taxpayers certainly have a right to expect power from them to be sold at a price that will prevent a further drain on the taxpayers.

The newsletter states that the Bureau of Reclamation has been selling wholesale power to certain preference customers in Idaho at an average rate of 5.25 mills per kilowatt hour but the same class of customers at the Bonneville rates should pay 3.10 mills per kilowatt hour, or a saving of approximately 40 percent. Some 19 preference distributors serving about 25,000 customers are listed who are presently paying $1,611,377 for power which will cost them only $1,001,213 if Bonneville supplies the power, resulting in a saving of $610,164.

Now let us look a little bit more closely at some of this jumbled-up, addled thinking in relation to the economics of this great new undertaking of the Bonneville Power Administration in order to see just how the taxpayers will make out.

The new Bonneville transmission line needed to conduct this power to southern Idaho was estimated by Bonneville to cost approximately $80 million. According to past experience, I would be surprised to see it built for less than $100 million. But, let us use the figure of $80 million. An expenditure of $80 million for 25,000 customers amounts to $3,200 per customer, or five or six times as much as the $500 or $600 per customer to furnish complete generation, transmission and distribution service from the existing power companies in the area. At 4 percent interest, which the Treasury must pay on long-term obligations, it will cost $4,626,400 per year to service or amortize an $80 million investment over a 30-year period—the normal life of a high-voltage transmission line. In addition, it costs approximately $100,000 per year for operation and maintenance of such a line, bringing the total annual cost of operation, maintenance, and amortization to $4,626,400 per year. This is all over and above the cost of producing the power to transmit over the line. Furthermore, despite this increase in annual costs, the annual revenues from the combined BPA and Reclamation Southern Idaho systems will be reduced by $610,164, bringing the total loss to $5,336,564.

It is assumed that the power from Bonneville will be sold in southern Idaho at the present Bonneville rate, otherwise the savings to the preference customers would not be as much as the newsletter anticipates. We all know Bonneville is already losing some $15 to $17 million per year. If this line is constructed and power is sold from it at the Bonneville rate, the cost of $5,336,564 cited above would have to be added to the present Bonneville losses, thus increasing the present taxpayers' loss by that amount.

Oh, I realize Mr. Speaker, there are great claims made for the development of the phosphate industry in southern Idaho, but these claims are very problematical. In fact, one large producer of wet-process phosphate in southern Idaho has said that if the Bonneville claim materializes, it will put that company, which produces phosphate by the acid process, out of business. The newsletter says the 2-mill reduction in power costs to the electric furnace producers of phosphate would reduce their costs by $4.50 per ton of fertilizer. This, however, represents more than the average net margin of profit to most wet-process producers.

The wet-process producers drawing from Idaho mines now account for far more jobs than the electric furnace producer. Most all expansion in the electric furnace business would come by way of adding additional furnaces to existing facilities which would add very few employees instead of the rather fantastic 9,000 claimed by BPA. Furthermore, most all expansion in this business would have to go into fertilizer in direct competition to us inasmuch as industrial phosphorous demand is pretty well leveled out now that the swingover from soaps to detergents is completed.

How can it be true that the phosphate industry in Idaho will best be served and the economy strengthened by unfairly subsidizing the costs of one competitor against another to the extent that the one employing the larger number of people will be driven out of business?

Furthermore, what some of the eastern producers of phosphate had better think of is the fact that Federal subsidy of electric rates to phosphate producers in southern Idaho would materially affect their operations in the eastern plants, which include Tennessee, Florida, and the Carolinas.

Of course, Mr. Speaker, the losses to the taxpayers of the country cited above are not the only losses. If Bonneville power is conducted into southern Idaho it is bound to take away business now supplied by taxpaying, investor-financed electric companies. When these taxpaying investor-owned companies lose that business, they will no longer be paying Federal and State taxes on it. So this loss in tax revenue will have to be made up by other taxpayers.

It is very strange how some people think when considering economics. They seem to think the Treasury of the United States is a magical bottomless well from which we can continue to draw large sums of money to provide a little savings to a few privileged people without its costing anybody anything.

The tax losses from these electric companies will not be the only losses either. A considerable amount of power that will be replaced by Bonneville is now being produced in coal-fired steamplants. So naturally it will put some already hard-pressed coal miners out of work in Utah and Wyoming. It is hypocritical for us to sit here in Washington and shed crocodile tears over the plight of depressed industries, including the coal industry, and to talk about accelerated public works programs to stimulate employment, when we placidly submit to the spending of millions of dollars of tax funds on uneconomical developments to put more men out of employment.

For years now Bonneville has been selling power in the West at a ridiculous figure—at a price less than fuel costs alone in many areas of the country. Although the public power people seem to rejoice in the great boon this cheap power has been to the Northwest in industrial development, it is rather difficult for me to see how the Nation as a whole has been so benefited. It has resulted in some big power using industries such as aluminum locating out there, but such industries employ very few people in relationship to the total kilowatt-hours consumed. The low-cost subsidized power often results in an indirect subsidy to an industry which encourages location in an area that might not otherwise be selected, thus depriving more favorable areas of an industry they would normally get without the Government subsidy.

Mr. Speaker, this addled concept of economics is costing the taxpayers of the United States millions of dollars of additional funds every year and further depressing already depressed areas. The extension of the Bonneville power marketing area into southern Idaho can only be regarded as a spreading of the Federal power empire. It was accomplished by administrative fiat despite widespread opposition to such a move by residents of southern Idaho. For example, the Idaho State Reclamation Association went on record in opposition to this move. The Magic Valley chapter of the Snake River Valley Electrical Association made up of journeymen electricians, contractors, power distributors, appliance dealers, and suppliers of electronic and wiring materials unanimously passed a resolution recently strongly opposing the Bonneville Power Administration going into southern Idaho. The Payette Chamber of Commerce unanimously approved a resolution on May 29, 1963, strongly opposing this latest move by the Department of the Interior. The resolution states in part, "Bureaucratic dictatorship is not needed and certainly is not wanted." On many occasions in recent weeks I have inserted newspaper articles and editorials from the leading newspapers in southern Idaho vigorously opposing this unnecessary extension of Federal power since it was first suggested. Perhaps this editorial statement in an Idaho Falls newspaper on May 23 summarized the consensus succinctly:

> We bow our head in shame today for Idaho. All the while we'd hoped that somehow Idaho would not be engulfed by Federal autocracy; that somehow Idaho would be privileged to stand on her own feet; to move forward by her own courage and momentum.
>
> And now, this week by the single stroke of a pen all of southern Idaho is enmeshed in the gears of that public power octopus, the Bonneville Power Administration.

The Udall ukase of May 21 was supposedly based on a feasibility study undertaken by Assistant Secretary Kenneth Holum. I called this order a "ukase" because, as we all know, a ukase was an official decree of the czar having the force of law.

This so-called feasibility study prepared by Holum has been vigorously attacked by several different groups or individuals in southern Idaho. For example, the Idaho Public Utilities Commission Chairman Ralph Wickberg said the study contains "not one iota of supported fact." He said:

> The whole report is filled with blind statements * * * if we in our educated society are predicating our capital investments on these kinds of predications, we are in lots of trouble.

The Owyhee County Farm Bureau issued a statement on June 24 declaring that the extension of Bonneville power to southern Idaho could seriously damage the tax structure in many counties and provide little benefit to the area.

Despite feelings such as these by many of the individuals in the actual area, the Udall ukase scrapped the half-century-old Bureau of Reclamation power sales program by unilateral action. Udall did this without specific congressional consideration or approval. Therefore, I am introducing today a House resolution calling upon the Secretary of the Interior and the Bonneville Power Administration to hold this order in abeyance until such time as the House Interior and Insular Affairs Committee, who has legislative oversight responsibilities for both the Bonneville Power Administration and the Bureau of Reclamation, can study this question and recommend specific legislative action to authorize the extension of the Bonneville power marketing area into southern Idaho.

Mr. Speaker, as a member of the Interior and Insular Affairs Committee, it is my hope that this resolution will get speedy consideration because of the importance of the fundamental issues involved.

THE NATIONAL CULTURAL CENTER

Mr. SCHWEIKER. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WIDNALL. Mr. Speaker, the New York Herald Tribune reported last Thursday, July 4, 1963, that the National Cultural Center at the start of this year had $542,000 cash in the bank, and a fund balance, after deducting loans and debts, of $265,314.

The National Cultural Center is one of the most highly publicized projects in history. Surely, the building of the great pyramids of Egypt was attended with less publicity. For more than 2 years, now, there has been a steady barrage of articles in the society pages of the papers, and in other sections of the papers, as well, about all that the President was doing to get this project "moving again."

It comes as a great shock, then, to find that the actual cash in hand, after deducting loans and debts, was only $265,314 at the beginning of 1963.

Mr. Speaker, on May 28, 1963, the gentleman from New York [Mr. BUCKLEY] introduced a bill to amend the National Cultural Center Act to extend for an additional 3 years the period during which construction funds must be received.

The question which interests me, and which interests a number of my colleagues, is this: does this bill, H.R. 6659, have the endorsement of the President?

H.R. 6659 would circumvent the plain intent of the Congress as expressed in section 7 of the Natural Cultural Center Act, which took effect September 2, 1958, and which reads as follows:

> SEC. 7. (a) This Act shall cease to be effective, and all offices created by this Act and all appointments made under this Act shall terminate, if the Board of Regents of the Smithsonian Institution does not find that sufficient funds to construct the National Cultural Center have been received by the Trustees of the National Cultural Center within 5 years after the date of enactment of this Act.

Despite the great concern of the President for the arts, an interest which has been widely, thoroughly, and continuously publicized, he has shown no interest at all in saving theaters which may soon be razed in the Nation's Capital. These theaters are the Capitol, National, Keith's, Belasco, and the Washington Civic Auditorium. In fact, the President himself has given the go-ahead to the destruction of the Belasco Theater, and the Washington Civic Auditorium, though he has the Executive authority to stop the destruction of both.

It makes a very bad impression on people everywhere to be asked to dig down into their pockets to help build cultural facilities in the District of Columbia at the very time that the President has exhibited no concern over the destruction of good theaters, and the efforts to save these good theaters.

I include for the information of my colleagues the article from the New York Herald Tribune of July 4, 1963, to which I have referred:

Capital's "Doll House" Controversy—Italy Donates All the Marble

(By Andrew J. Glass)

Washington.—President Kennedy yesterday announced that the Italian Government has offered to donate all the marble for the proposed $30 million National Cultural Center on the banks of the Potomac.

The Italians' $1.1 million gift, arranged during Mr. Kennedy's Rome visit, raised the total contributions pledged over the 58-month drive to $9.5 million.

Last April, the Ford Foundation pledged $5 million, if and when the Center's trustees came up with $25 million from other sources.

However, Roger L. Stevens, chairman of the project, yesterday said the foundation has agreed to liberalize this ratio to three to one, thus releasing its funds after $15 million is raised.

Despite the cheering news from the White House and Mr. Stevens, a New York theatrical producer, the project is still beset with problems. Among them:

A 5-year congressional mandate to raise the $30 million expires September 2. However, Representative Charles A. Buckley, Democrat of New York, chairman of the House Public Works Committee, has offered a bill granting the project 3 more years to get on its feet.

A closed-circuit TV show, beamed into 60 cities last November 30 and featuring Mrs. John F. Kennedy, proved a financial flop. Mr. Stevens, who had hoped to raise several million dollars through the event, said he was "disappointed," although he disputed the accuracy of an official yearend treasurer's report that listed the total TV proceeds at $68,225.

Angry downtown merchants assert that the Potomac site will siphon off tourist dollars, while key Washington civic leaders believe the project has unduly dynamited several large theaters now slated for demolition.

This criticism extends to Capitol Hill where Edward Durell Stone's three-auditorium, single-roof design has been dubbed by some as "Jackie's Doll House" (Mrs. Kennedy shares honorary cochairmanship of the Center with Mrs. Dwight D. Eisenhower.)

"I just can't understand why they're showing no concern about the disappearance of existing facilities," Representative William B. Widnall, Republican, of New Jersey, said the other day. "Anyone who tries to fight this process of strangulation is automatically branded a foe of the Cultural Center," he added.

Meanwhile Representative John Kyl, Republican, of Iowa, has introduced a bill shifting the Center's site closer to the downtown area, perhaps on the 27 acres of Federal parkland set aside for the Franklin D. Roosevelt memorial. He has also called for an annual General Accounting Office audit of the Center's finances and operations.

In reply, Mr. Stevens said that shifting the site from the 12 acres Congress set aside by the river would "destroy confidence" and imperil several "semicommitments" now in the offing. He predicted that pledges would rise to $20 million by the end of the year.

This would mark a considerable 12-month advance, since the project's total pledges at the start of the year came to $2,028,695. Total cash in the bank, however, came to $542,000 and the fund balance, after deducting loans and debts, was $265,314.

It is understood that Mr. Stevens' cotrustee, K. Lemoyne Billings, is planning another fundraising spectacular for this fall centered on Mrs. Kennedy.

Mr. Billings, a New York advertising executive, is a former prep-school roommate of the President. He accompanied Mr. Kennedy on his recent European tour.

U.S. DOLLAR

Mr. SCHWEIKER. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. Jensen] may extend his remarks at this point and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. JENSEN. Mr. Speaker, many nations across the seven seas have lost confidence in the future value and stability of our U.S. dollar, for one reason, and one reason only which is the overspending of our own taxpayers dollars; hence, they demand gold in payment for the things they sell to us, instead of accepting our dollars.

Immediately after the President sent his huge 1964 budget request to the Congress, I, as the top Republican on the House Appropriations Committee which is presently composed of 30 Democrats and 20 Republicans, and on whose shoulders rests, to a marked degree, the sustained value of the U.S. dollar, felt dutybound and did institute a budget-cutting task force composed of the 20 Republican members of our committee, which, up to this time, have played an effective roll in cutting the President's budget $3½ million and we are continuing in a determined effort to reduce the remaining bills yet to be acted upon, by another $3 to $4 billion and more, if possible, which we know is good news to our taxpayers, good for our entire national economy, and will, to some degree at least, tend to popularize our dollar worldwide.

No one need wonder why these foreign nations feel as they do about our dollar, and why our taxpayers have had their fill of reckless, wasteful spending over the past three decades, especially since the President has demanded Federal spending for fiscal year 1964 to the tune of over $2,000 for each average American family to pay in fiscal year 1964, which began on July 1 a week ago, added to that a planned deficit of $12 billion for fiscal year 1964, to add to our present Federal debt of $305 billion, which is more than the assessed value of all the land in the United States. Think of it.

Mr. Speaker, under unanimous consent, I include here an editorial by Mr. A. M. Piper, editor of the Council Bluffs Nonpareil, Council Bluffs, Iowa, entitled "Increased Deficits in the U.S. Balance of Payments," which points up the monetary problems we face today. The editorial follows:

Increased Deficits in the U.S. Balance of Payments

Grim reports of the deficit in the U.S. balance of payments for the first quarter of 1963 were a frightening reminder of our Nation's difficult position in the world.

The U.S. Government's deficit in its accounts with the rest of the world rose to $820 million from a deficit of $495 million in the corresponding 1962 quarter. That places the prospective 1963 deficit at $3.3 billion compared with $2.2 billion in all of 1962.

It is hard for the American people to understand how the richest country in the world could be in financial difficulties in these prosperous times.

An international payments deficit occurs when the total dollars sent abroad in payment for imports, private investments, foreign aid, and military expenditures exceed investments and spending here for goods and services by foreign business and individuals. The fact is that the U.S. international payments have exceeded U.S. receipts by $15.9 billion over the past 5 years.

This means that our creditor nations have accumulated claims of nearly $16 billion against U.S. gold reserves and have cashed in nearly $7 billion for gold.

Uncle Sam's gold holdings are now down to $15.8 billion, the lowest in 24 years. Of that amount some $12 billion are required as a backing for U.S. currency, under the U.S. law requiring that gold reserves must equal at least 25 percent of the Nation's currency. At last report, the country had nearly $48 billion of currency outstanding.

If all the foreign claims against the United States should be presented for payment in the near future, there wouldn't be enough gold at Fort Knox and other depositories to meet them.

This is not likely to occur, for at least two good and sufficient reasons.

First, foreign countries keep substantial working balances in U.S. banks to finance purchases of goods and services in this country.

Second, most of the claims against the United States are in the form of U.S. Government or commercial investments, certificates of deposits and bankers' acceptances all of which pay interest. Gold holdings pay no interest.

Another reason is that the dollar, largely due to its exchangeability for gold is necessary to the functioning of all free world currencies. A threat to the stability of the dollar would shake confidence in other free world currencies.

But there are many gold speculators in the world, who believe that the United States will eventually have to devalue the dollar which would immediately increase the value of their gold holdings.

The U.S. Treasury, the New York Federal Reserve Bank which handles U.S. dollar propping activities, and the Federal Reserve System have been working for more than 2 years to maintain the stability of the dollar. They use foreign currencies they have been able to acquire to bid up the price of dollars and prevent their falling into the hands of foreign central banks where they would be a claim on our gold reserves. Other devices are employed from time to time. Other plans are being considered.

There is no easy cure for what ails our Government's financial difficulties, but in some way the drain on our gold reserves must be halted if the stability of the dollar is to be maintained.

President Roy L. Reierson, of the Bankers Trust Co., recently urged that a greater share of foreign aid be switched to international financial organizations; that the cost of maintaining five U.S. Army divisions in Western Europe be assumed by the countries where they are located; that short-term interest rates be raised to discourage outflow of capital; and U.S. exports be kept competitive with foreign goods, by restraint on U.S. wage and price levels.

The time for effective action may be fast running out.

"SMALLTOWN, U.S.A." NEWSWEEK LOOKS AT KEOSAUQUA, IOWA, AS TYPICAL OF THE NATION'S SMALL TOWNS AND A WAY OF LIFE WHICH HAS MEANT SO MUCH TO THE DEVELOPMENT OF THIS NATION

Mr. SCHWEIKER. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHWENGEL] may extend his remarks at this point and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, the July 8 issue of Newsweek magazine, devotes its cover story to "Smalltown, U.S.A.," a study of the life and people of Keosauqua, Iowa, one of the Nation's many small towns.

I commend General Editor Leslie Hanscom for this fine article. I daresay that there are few Members in the Congress who did not grow up in small towns or on the edges of small towns. The vignettes in this piece will be recognizable to all who read them. They are impressions from the face of America. They reflect her strength and her vitality. If this way of life is passing away, all of us will be the worse for it.

For my own part, I am proud there is a Keosauqua, Iowa. I am prouder still that it is in the district I represent. I know and love these people; I am honored to represent them in the Halls of Congress. Their strength is my strength; their weaknesses, my weaknesses.

America may be able to outgrow the small towns like Keosauqua, but life in America will never be as full, as rich, and as meaningful as it has been in the Keosauquas across this land.

I commend this article to the attention of my colleagues. As we rush pellmell toward bigness, concentration, and distorted values, the small towns, as typified by Keosauqua, Iowa, offer necessary resting places along the way to stop and think and slow down a bit.

SMALLTOWN, U.S.A.

(A boy, a river, a flag-decked secret fort that guards the 1,023 souls of Keosauqua, Iowa, U.S.A. The scene recalls another day, before the country moved to town, before cities marched ever closer together. This Fourth of July, there are still some secret places for a boy to leap. But the Keosauquas are disappearing, and with them a way of life so long and loudly extolled from Fourth of July platforms across the land. To see what Smalltown, U.S.A., is like as the Nation marks its 187th Independence Day, Newsweek's General Editor Leslie Hanscom visited Keosauqua. His story follows.)

In Keosauqua, Iowa—a town that is tucked in a lazy bend of the Des Moines River—the midmorning coffee break arrives at an early hour. Main Street business follows the work rhythms of the surrounding farms, and by 9:30, the refugees from toil have begun to gather in the dining room of the Hotel Manning, a pleasantly ramshackle pile which looks like a beached side-wheeler. Here, where the talking is easy, the used copy of the Des Moines Register passes from booth to booth, piercing the quiet morning with the jangle of its headlines. Last week, a medley of discord clanged from the Register's big type: "Blunt Challenge to De Gaulle by Kennedy—Bias Protest by 100,000 in Detroit—Claim Call Girls Operate In and Out of the U.N.—Mr. K.: World War Would Kill Hundreds of Millions."

In Keosauqua, as in Kennebunkport, Kitty Hawk, and Klamath Falls, this was news that shook the nerves and the psychic certainties, which small-town life supposedly protects. Viewed through the red, white, and blue vapors of one American pipedream, the little town is still the enduring social rock, safe from the tides of distant calamity that only touch it when the waves are spent. But in Keosauqua, they know different. The American small town is no longer distant, nor, alas, is it a rock.

It is a place where the speaker on Peruvian agriculture, putting away his slides at the 4-H Club meeting, is buttonholed by the lady who knows Peru through a sister in the Peace Corps. For the latest doings in Paris, Keosauqua need not consult a columnist; the nurse-receptionist who serves the town's two doctors has a son in the Air Force who regularly reports. Keosauqua can hardly avoid belonging to the great world, but the cost of membership may be far too high. By an irony of history, the world it belongs to seems to have no place for the American small town.

Fifty years ago, the Fourth of July in Keosauqua was a blowout that would put a Sioux uprising in the shade. Before sunup, sleepers were jolted awake by dynamite blasts along the river. Along the main street, fairground performers exerted art and muscle on wooden platforms. Bands of bogus Indians and scouts, troops of "horribles" clothed from local ragbags, patriotic floats blooming with the maidenhood of Keosauqua, passed in grand review. And all day long, there were detonations of firecrackers and inspirational oratory. The spielers on the bandstand reminded the hometowners of a pleasant truth—here, near the breast of the land, they were living the kind of life the Founding Fathers had in mind. In small towns everywhere, it was a day of community self-congratulation. Half a century later, it is a day consecrated to the itch to be elsewhere. In Keosauqua this week, most folks will go along.

At the edge of Keosauqua (an Indian name thought to mean Big Bend or half a dozen other things) a welcoming sign calls the town historic. The description is premature. Actually, the only thing that ever happened in Keosauqua was the Honey War, a bloodless boundary dispute between Iowa and Missouri in which the prize at issue was a stand of bee trees. But the town is becoming historic. It is a living illustration of an unglamorously attractive way of life that is fading from the landscape.

On its outskirts, Keosauqua has a leafy likeness to a hammered-down Vermont, but the town is there because of the corn land out where the fields are flat. This puts it in an economic class where mortality is high. All across the U.S. map, the agricultural town is dying, and Keosauquans are haunted by statistics.

Everybody from the banker to the barber pulls population figures from his hat to deplore in exact terms the loss of 78 people between the census of 1950 and 1960. In Keosauqua, the question of survival has nothing to do with missiles and mushroom clouds. More immediately chilling are the ghosts of towns that surround it on every side. Down the river is Bentonsport, once a rival river town, now a hamlet of 60 people where the last business, a general store, closed 4 years ago. Pull the bell rope in the lovely old brick Presbyterian Church—deserted on its hilltop among soaring trees—and there is not enough life in Bentonsport to be startled by the sound. A flaking back number of the Keosauqua Republican—a weekly now gone—lists no fewer than 56 vanished towns in Van Buren County.

It takes little grounding in sociology to understand the erasure of so many small-print names from the American map. Autos and high-speed roads have put the big-town bargain racks alluringly within reach. Small farms are extinct. Television, magazines, and movies have whipped up hungers smalltown life cannot rectify. Then, too, the small town has been on the defensive ever since the withering attacks of writers like Sinclair Lewis and H. L. Mencken at a time when the United States had rural attitudes and votes to thank for the historic idiocy of prohibition. In a smalltown portrait etched with their brand of acid, George Ade once wrote: "Down in the Ague Belt there was a town called Miasma. It needed paint, sidewalks, toothbrushes, and Bibles. Everybody in Miasma believed that the sun rose just in the edge of Widow Clevison's hog lot and set over on yon side of the sand ridge."

Today's small town has left Miasma behind. If a visitor to Keosauqua—gazing through the heat waves at its dusty main street—should remark that this looks like the rump of the universe, nobody will shoot him down. More likely, the townsman at has elbow—knowing that most American main streets look no more sightly—will laugh and agree. The town does have its beauty—in the encircling river and in the cluster of old brick buildings which crown its capitol hill, the administrative center of Van Buren County. But the attraction of the place, for those who live there, lies in the family-like pattern of its human relationships. Here is the thing that makes the demise of the small town tragic and the heart of the city dweller ache with nostalgia. This is a place so small that nobody is one too many; where the pillars of government all have faces and first names.

"We're proud of Gene Hannan," somebody says. "Ten years ago, he used to be an alcoholic." Hannan, it so happens, is the town mayor, plumber by trade, a gray-haired man in glasses with a quietly self-contained air that lends dignity to a suit of striped overalls. There is no Roman Catholic Church in the town, but Keosauqua's homogeneous Protestants pay respect to the way Hannan's Catholic faith helped put him back together. In his 5th year as mayor, he handles an annual budget of $65,000 for an annual salary of $200. In the afternoon, the coffee drinkers at the Hotel Manning can watch the mayor of the town at work on top of a ladder as he mends a leak in the dining-room ceiling. On a Saturday night, he sits by himself on a store-front doorstep, gazing at Main Street and sadly noting that nothing shouts out the dying condition of the American small town like the absence of thronging humanity on the one big night of the week.

What ever happened to Saturday night? In Graham's department store, a one-room jumble of drygoods, suitcases, and shoes, Manager Don (Bud) Campbell sings a sour swansong for an American folkway. "In the old days," he grumbles, "I've fitted shoes in here until 1 o'clock in the morning and the street would still be full of farmers, leaning on the fenders of cars and chewing the fat. Then came the time when they'd say, 'Hurry up and get them socks in the sack; tonight we watch television.' There you have it, Paladin won out."

Next door at the Goodie Garden, home base for the town's teenagers, booths and counter stools are empty; there is a drag race in Kahoka, Mo., just over the State line. Across the street at the filling station, a farm boy in dungarees—bare torso sunburned with the outline of a sleeveless undershirt—tries to hug a girl who fakes resistance. Two youths Indian wrestle. These are the last teenage stragglers in town this evening; and soon they too are off, caught up in the adolescent whirl which centers on the automobile. For the evening's finale, there is the lure of a motorized tag game through the streets of the sleeping town.

In a town with a clouded future, the young are important. The Little League is a religion, and when a Keosauquan speaks of "my favorite baseball player," his thoughts are probably no further away than the diamond out behind the high school. At the school, 50 percent of every graduating class, says district superintendent Kenneth Goodwin, go on to college or further training, and few of them will ever come back. For those who stay, there is an awkward time of restlessness just before the girls marry and the boys tie their lives to the land. Keosauqua is free of minority problems (it has two elderly Negroes) and the town clucks its tongue over southern racial intolerance. But it does have a problem with lawless juveniles.

Of the six prisoners lodged in the county jail, one is the 17-year-old whose tousled blond hair and woebegone face is visible most of the day behind the bars of a second-floor window. Shirtless in the heat, he awaits hearing on a charge of breaking into the Brass Rail—one of the two local beer taverns—and scooping out the cashbox. To make the time pass, he has been reading the battered jailhouse Bible, and he is up to the Book of Judges. Astoundingly, this country kid in dungarees—the kind female contemporaries call "cute"—suffers from mal de Madison Avenue—bleeding stomach ulcers. His exasperated mother—with six others to look out for—has refused to visit him. He wishes somebody occupied the other bare bunk on which Deputy Herschel Dickey is now sitting. "Well, son," says the deputy, sympathy in his slow voice, "the next time your father tells you to do something, just before you tell him to go to hell, you think of this place, will you?" It is the tone that officialdom takes in this town. Most of the prisoners in the county lockup call the sheriff by his first name.

Lacking a philosophical vocabulary, the typical small towner will declare that the values of his way of life come down to one thing—he knows and trusts his neighbors. The small town deserves to be kept alive says Jo. S. Stong, much respected Keosauqua lawyer, if only as a museum of decent human relations. Stong is the brother of Keosauqua's greatest celebrity—the late Phil Stong, author of the thrice-filmed novel "State Fair"—and a national official of the Boy Scouts who must make frequent trips to New York. One day on the sidewalk outside New York's Biltmore Hotel, Stong tried the experiment of walking a straight, unswerving course to find out if the onrushing horde would run him down. In the space of one block, seven people rammed into him, head down. "Here," he says, "we keep our heads up to speak to the people we know."

In a town that traffics in first names, the freedom from social rivalries is part of the pervading serenity. By any standard applicable in this country, John A. Manning—the quietly likable teller of the local bank—is the town aristocrat. It was his great-grandfather Edwin Manning—the commanding face in the hotel-lobby portrait—who founded the town in 1835 by migrating from Connecticut to open a riverfront general store. From this grew the hotel, more stores, a chain of banks and a white-pillared house still the grandest in town. The younger Manning lives behind the pillared portico—with wife and seven children—but the rest of the empire is gone with the wind, and he wears no patrician aura. Driving out among the cornfields to needle a farmer politely about an unpaid note on a truck, he makes classic confrontation of enemies—farmer versus banker—sound like a back-country social call.

To the outsider, the tribal warmth of the place overpowers the drab physical aspect. Keosauqua is a town typified by the dust of the tin feed and grain signs, the tractor-cultivators parked along Main Street, the sad little ramp at the back of a brick business block where animals come in to be butchered and stored in the meat lockers rented out to individual families.

But this is the world away from the lonely crowd. In illustration, Margaret Gray—reporter-bookkeeper-ad salesman for the weekly Van Buren County Register—tells of the time when her husband, Lloyd, lay hospitalized with rheumatic fever. Who sneaked the groceries into her parked car at night? Who sent her the $40 check in the mail? Who left the baseball shoes on her desk for her son in the little league? She never knew. This is the dwelling place—in the view of Fred Ovrom, who owns the town bank—of "the most contented men in the world." They are the small farmers who manufacture milk bottle carrying cases at the Barker Equipment Co.—the town's one industry—and work their farms after hours ("they do it the way you would play golf"). This is the smalltown that all hands vow is here to stay. "We've had meetings," says Bert Leck, the editor of the Register, "it's decided—we're not leaving."

On the broad map of the States, Keosauqua is only a speck, but there is a sweep of such specks from ocean to ocean, and in many of these, the mood is low. Sometimes the cause is a temporary setback only. For example, Sandwich, Ill. (population: 3,842)—a fairly lively town—was disappointed, after raising $100,000 for a high school agricultural workshop in 1954, to find only 11 students using it this year. In Hamlet, N.C., a town of roughly the same size, the troubles of the railroad are the local headache. According to Arnold Kirk, a local newspaperman, "It seems like the town has lost interest in everything. I believe it's on the verge of disintegration. We have even quit the Miss Hamlet contest." And, as an example of all-out despair, there is Deepstep, Ga. (population: 200), where Mayor Joseph Hilliard Veal reports: "We've lost our post office, we haven't had a baseball team in 30 years, all our young people are leaving. If we're growing, we're growing downhill, and even that's so slow that you can't hardly notice it."

Doggedly committed to hope, Keosauqua looks forward to a Federal recreation dam in the Des Moines River which will improve the boating and attract tourists. There is a lush State park across the river, and the town itself—with all its earthy homeliness—might appeal to the city folks who dream nostalgically of the origins they never knew. Just down the river in Bentonsport, an intrepid couple, the Herbert K. Redheads, are working on a shoestring, trying to restore the old river port as another attraction. Turning an old riverboat inn into a museum, they live in rooms at the back, like oldtime delicatessen owners; they are curators of chamber mugs and headboards 10 feet high.

As the small town totters on the edge of darkness, such efforts count, and once in a while, there is help from outside. Since 1960, the University of Chicago (which normally is associated with nuclear chain reaction) has offered special scholarships to small town students, hoping that the kids will go back and become what the prospectus calls the moral and civic leaders of their communities. Behind this is the sociologically unprovable but instinctively American feeling that the little town and the countryside are the source of civic energy for the Nation.

Or is this all moonshine and nostalgia? According to sociologist Philip Hauser, "What the small town may have contributed in the past is one side of the coin; the other side is urbanism and the greatest opportunity in the history of man for him to reach his full potential. Where the small town kept him prisoner, urbanism gives him freedom of choice—choice of education, choice of profession, choice of marriage. If the small town is passing, we cannot bemoan it."

In Keosauqua, however, at the hour when night is on the river and the cultivators have stopped rumbling across the old iron bridge at the edge of town, sociological cool reasoning is hard doctrine to take in. There are reasons why people stay here. Somewhere on the river bank, the Caruso of all whippoorwills is making sounds that stand the hair on end. Looking from the bridge, past the old steamboat Gothic hotel—veteran of four floods—there are the lights of the quiet town—"all three of them," to quote a local wag. Sociologist, go home. This is the happy place, the blessed land.

TRIBUTE TO ALICIA PATTERSON, OUTSTANDING NEWSPAPERWOMAN AND GREAT AMERICAN

Mr. SCHWEIKER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. WYDLER] may extend his remarks at this point and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WYDLER. Mr. Speaker, it is with the deepest sorrow that I rise today to pay tribute to an outstanding American. On July 2, 1963, Alicia Patterson, a member of the Medill, Patterson, and McCormick publishing dynasty, publisher and editor of Newsday, Long Island's award winning daily newspaper, sportswoman, aviatrix, and philanthropist, succumbed after a short illness.

In 1940 Miss Patterson founded Newsday. With a high set of journalistic ethics along with an outright adversity to civil injustices, Miss Patterson directed Newsday from its initial circulation of 15,000 to its current circulation of 370,000 ranking it among the country's top newspapers. Among the many honors awarded Newsday under the able guidance of Miss Patterson, was the coveted Pulitzer Prize, the Nation's highest award for journalistic excellence.

At this point, Mr. Speaker, I should like to include in the RECORD an editorial from Newsday which gives an informal account of the life of Miss Patterson, a personality that will long be remembered in the history of American journalism:

ALICIA PATTERSON: AN INFORMAL APPRAISAL

(Newsday's energetic publisher wrote one of the great success stories in American journalism. She took a personal hand in the paper's growth, shunning small talk and thriving on dissent.)

One day in October 1940 a friend of Joseph Medill Patterson, editor and publisher of the New York Daily News, joined him for lunch. In the course of the meal he inquired about Patterson's daughter, Alicia.

"Oh, she's started a little paper out on Long Island," said Patterson. "It won't amount to much, but it fills in her spare time."

The little paper that would never amount to much was Newsday, whose first issue came off the press September 3, 1940. In the 23 years since Patterson made his casual remark, Newsday has written the greatest success story in American journalism.

No other paper, including even the phenomenal New York Daily News (founded 1919), has grown so fast. Newsday's circulation now exceeds 370,000. It is the 12th largest evening newspaper in the United States and the largest daily newspaper in New York State, excluding New York City.

The death of Alicia Patterson makes it possible to reveal that this success story was a bittersweet one. For Patterson had trained her, virtually from childhood, to succeed to his position in the publishing empire founded by his grandfather, Joseph Medill.

This empire originally comprised only the Chicago Tribune, an enormously successful paper. Then came the Daily News, whose circulation skyrocketed into the millions during the depression and remains the largest in the Western Hemisphere. In his latter years, Patterson repeatedly promised that Alicia would inherit his controlling holdings in the Daily News, thus succeeding him as editor and publisher.

A strain was put on the relationship when Alicia divorced her second husband, Joseph W. Brooks, a shooting and fishing companion of Patterson's, and married Harry F. Guggenheim, now president and copublisher of Newsday. Brooks, in a sense, was Patterson's choice. He set him up as an insurance man, handling the New's business. Guggenheim, by contrast, was a reserved man of immense accomplishments in business and philanthropy, not malleable at all in the sense that Brooks had been, determined that he and his wife should lead their own lives. The two men got along correctly but not cordially.

When to these strains was added a split between father and daughter over Franklin D. Roosevelt and his conduct of World War II, the breaking point came. Patterson, whose paper made itself famous through tough-minded liberalism, turned in revulsion from Roosevelt and espoused a violent brand of isolationism through the editorial column of the News. Alicia, by contrast, stuck with Roosevelt and the New Deal, and maintained the open-minded, liberal policy of Newsday that still prevails.

WILL IS CHANGED

Patterson by 1946 was a sick and a despondent man. He did not lose his readers, but he lost their affection. Many of his former friends turned away from him. In this state of fury and disappointment one day in 1946, he called Alicia and advised her that he had changed his will; that she was no longer to inherit control of the News. The largest portion of his stock holdings went to his widow in trust for their son, James, now an assistant managing editor of the News. Patterson died 2 years later.

While Newsday had begun to grow, in 1946 it was still far short of its present commanding circulation and advertising figures. Its editor-publisher, brought up to revere her father, was operating a comparatively small daily paper. The loss of the News was a shattering blow to her, but she concealed it from all save her closest friends, and redoubled her close attention to Newsday.

The temperaments of the publisher and copublisher insured that the progress of Newsday, while steady, would be stormy. Perhaps the very positiveness of Alicia Patterson and Harry Guggenheim helped attract readers. Guggenheim was, and remains, first, last and always a Progressive Republican. Alicia Patterson was an independent, more often than not in accord with the Democrats. She was the first to suggest, through an editorial, that Dwight Eisenhower be nominated for President. She supported him faithfully through his first term, even though he was opposed by Adlai E. Stevenson, a Democrat, a favorite of the liberals, and a friend of Alicia Patterson since her teens in Chicago.

When in 1956 both men ran again, Alicia decided that the paper should support Stevenson. Harry Guggenheim decided he simply could not. Consequently, Newsday presented the unusual spectacle of an editorial column which backed Stevenson to the hilt while, on the opposing page, a personally-written column by Guggenheim supported Eisenhower. The same thing happened in 1960 when the paper backed John F. Kennedy while Guggenheim in his own column backed Richard M. Nixon. It had also happened earlier when Guggenheim supported Wendell Wilkie and his wife Franklin D. Roosevelt.

NO BRAKE ON PROGRESS

These disagreements, while sometimes voluble—neither of the Guggenheims hesitated to jettison the Queensberry rules of conversation when feelings ran high—did not affect the steady progress of the paper. Guggenheim from the beginning ran the business operations; understandably so, since he invested $750,000 in Newsday before it began to make a profit. Miss Patterson ran the editorial side of the paper, in the process making sure that no advertiser or business interest would ever control policy or secure the free publicity puffs in the news columns that are present in too many papers.

The stock of the paper was held 51 percent by Guggenheim, 49 percent by his wife. Profits by mutual agreement have been returned to the paper for enlargement, for salary increases, and for fringe benefits such as a liberal pension plan and health and life insurance.

From the beginning, the Newsday concept was that of a bold, bright, and openminded paper dealing with a young and sophisticated audience. The great Levittown development—pushed through by Newsday over town board opposition—was succeeded by others that brought hundreds of thousands of young couples out from New York and in the lifespan of the paper increased the combined population of Nassau-Suffolk from little more than 500,000 to approximately 2 million. These people expected frankness, and got it; in the beginning, perhaps, a little more than they bargained for. Newsday in its early days seemed to want to outdo its prototype, the Daily News, in terms of shock appeal.

As the paper matured, so did its outlook. Perhaps contributing most to this was the award, in 1954, of the Pulitzer Prize for meritorious service. Newsday won this distinction because, for 3 years, Managing Editor Alan B. Hathway had pounded away in the news columns at a corrupt union boss, William De Koning, Sr. This crusade ended in the conviction of De Koning.

EARNED NATIONAL ATTENTION

By the time of her death, with News circulation stagnant, and Newsday still forging ahead, she was a thoroughly contented woman. Newsday had won the Pulitzer Prize for public service and 42 other awards. Its phenomenal accomplishments had earned national attention. Her picture had appeared on the cover of Time magazine with an article inside describing the phenomenon of a suburban paper with so remarkable a growth record. The Saturday Evening Post in 1951 chronicled her success story in an article by Charles C. Wertenbaker; in 1959 the same magazine carried her own frank story of Newsday and how it grew, written in collaboration with a staff member.

Since then the paper has won a wide variety of awards, including the Polk Award (for public service) and eight times the Ayer Award for typographical excellence. Today Newsday prints a variety of dispatches from its own foreign correspondents, devotes substantial space to subjects of serious public interest and seeks to fulfill a rounded role as a family newspaper. The youngsters who first bought it, after all, are now old married couples, many with grown children. The policy of the paper, however, remains unchanged: Present the news brightly and informatively.

One of Alicia Patterson's pet dislikes was the "fat cat" publisher—meaning, as she often said in editorials, the publisher who worried about profits rather than product. She was a working editor and publisher. She came to the office perhaps 250 working days a year, in the course of each day seeing sometimes dozens of executives or subexecutives—and always her editorial director, editorial writer and editorial cartoonist. The editorials were the product of discussion, but she had the final say. Often at night, after re-reading the finished copy, she would call to make changes that she thought expressed better the paper's policy. When at her vacation cottage in Georgia on infrequent occasions, she made it a point either to phone in with comments on the news or else made sure someone would call her.

Miss Patterson welcomed dissenting opinions and went out of her way to encourage them. She hated to fire anyone, and often suffered incompetent or lazy employees to stay on—sometimes transferring them to a series of less crucial jobs—until at last she was forced to act. She had no vindictiveness, and she cherished no grudges. But she did have a temper, and when something infuriated her, the victim found himself inundated in invective. But she let her victims talk back; and when the storm was over, she forgot and forgave quickly.

She was, basically, a shy woman who found it difficult to wander into the city room and to further the corporate image through small talk. She was most at home with what she called the "pros" of the newspaper business, those with a record of accomplishment. But these pros, in turn, working with a young staff—most of whose members got their seasoning at Newsday—produced a newspaper that left its mark on American journalism. While other papers pussyfooted, Newsday came out with its blunt opinions. The result was felt in the letters-to-the-editor column, which receives hundreds of communications a week. One rule laid down by Miss Patterson was that letters disagreeing with the paper's policy, however bluntly worded, must be printed prominently so that both sides of any hot issue were given an airing.

The result was a newspaper of unusual effectiveness—liked greatly by most of its readers, hated violently by a few, but always read. For Alicia Patterson was one of the last of the "personal" journalists, convinced that "to print the news and raise hell" (a phrase originated by an early editor of the Chicago Tribune) was a high responsibility and one that could not be shirked.

A MEANS TO CURB UDALL AMBITIONS

Mr. SCHWEIKER. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. MEADER] may extend his remarks at this point and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MEADER. Mr. Speaker, recently I wrote to the Honorable George Romney, Governor of the State of Michigan, urging that the State government take the initiative and assert leadership in recreation and conservation programs rather than to turn to the Federal Government for improvement of Michigan's river systems and park areas. The text of that letter is as follows:

Hon. George Romney,
Governor, State of Michigan,
Lansing, Mich.

Dear Governor Romney: Statements in your recent address to the National Press Club in Washington urging State governments to exercise leadership and pointing to the importance of Michigan's tourist industry prompt me to offer a suggestion for the effective development of Michigan's river systems and lake and park areas for recreation and conservation purposes.

The government of the State of Michigan should take the initiative and study the desirability of establishing regional recreation and conservation authorities patterned after the Huron-Clinton Metropolitan Authority. Thus, the people of Michigan and the particular locality who have the greatest interest, not only through enhancement of their property values and their own use of the recreational facilities, but in the development of the tourist industry, would retain control and make the decisions shaping the character of recreation and conservation developments.

This is in contrast to the assumption of ownership and control of vast woodland areas of our State by the U.S. Department of the Interior, such as is proposed by Senator Hart in the establishment of the Sleeping Bear Dunes area as a 90,000 acre national park. Under this latter proposal, hunters and fishermen might have to obtain their licenses from Washington.

The Huron-Clinton Metropolitan Authority was established in 1942, following a referendum pursuant to act 147 of the Public Acts of 1939. This five-county regional governmental unit, possessing tax and condemnation power and governed by a board of commissioners, five elected by the board of Supervisors in the five counties, plus two appointed by the Governor, is a thriving, successful operation which, in a 20-year period, has spent approximately $25 million in beautifying and improving the Huron and Clinton Rivers and establishing a dozen park and recreation areas.

Study has convinced me that the problem is primarily a State, not a Federal problem, although the Federal Government can and should strongly support State and local efforts, through programs already in being: water pollution control, flood control, navigation, soil conservation and other related programs.

If existing Federal programs are inadequate, I would be glad to sponsor new laws or amendments to existing law to accomplish maximum Federal contribution to State and local recreation and conservation programs.

Instead of passing a special law for each recreation area—as was done with respect to the Huron-Clinton Metropolitan Authority—Michigan might well consider adopting a general law, similar to the Conservancy Act of Ohio (sec. 6828–1 to sec. 6828–79, ch. 11 of title 3 of part second of the Ohio General Code).

Under such a law, residents of a particular area could organize into recreation and conservation authorities without a special act of the legislature.

Before turning to the Federal Government for recreation and conservation measures and turning large areas of our State over to the Department of the Interior, the State of Michigan should explore carefully what it can do itself along the lines I have suggested or otherwise.

Sincerely,

George Meader.

July 1, 1963, the Monroe Evening News of Monroe, Mich., in my congressional district, carried an editorial referring to my suggestion under the heading "A Means To Curb Udall Ambitions." The text of that editorial is as follows:

A Means To Curb Udall Ambitions

Representative George Meader of Michigan's Second Congressional District has come up with a suggestion that might well act as a deterrent to the ambitions of Secretary of Interior Udall—at least in Michigan. For more than 2 years now, the Secretary has been trying to confiscate a vast acreage of private resort property in the Sleeping Bear Sand Dunes area of the northern-lower peninsula. He is asking for unprecedented powers of control and condemnation.

In a letter to Governor Romney, Representative Meader offers "a suggestion for the effective development of Michigan's river systems and lake and park areas for recreation and conservation purposes."

Mr. Meader is of the opinion that if a State acts affirmatively in this area with sound conservation and recreation programs, the Federal Government's case for intervening would be greatly weakened. Indeed, much of Interior's argument would be academic in presentations before Congress for the National Park Service's dreams of grandeur.

"The government of the State of Michigan should take the initiative" Representative Meader writes, "and study the desirability of establishing regional recreation and conservation authorities patterned after the Huron-Clinton Metropolitan Authority. Thus, the people of Michigan and the particular locality who have the greatest interest, not only through enhancement of their property values and their own use of the recreational facilities, but in the development of the tourist industry, would retain control and make the decisions shaping the character of recreation and conservation of development."

Representative Meader proposes that the State pass a law allowing residents of a particular area to organize into recreation and conservation authorities without special act of the legislature. "Study has convinced me that the problem is primarily a State, not a Federal, problem," he says, "although the Federal Government can and should strongly support State and local efforts, through programs already in being: water pollution control, flood control, navigation, soil conservation, and other related problems. Before turning to the Federal Government for recreation and conservation measures and turning large areas of our State over to the Department of the Interior, the State * * * should explore carefully what it can do itself along the lines I have suggested."

What gives Representative Meader's plan special attractiveness is the fact that this is the sort of State action Governor Romney has emphasized so often. Both in the State and elsewhere in the Nation, the Governor has urged the States to pick up their dangling reins and resume their active role in providing State needs rather than looking to the Federal Government for aid and comfort.

DEPARTMENT OF LABOR—BUREAU OF EMPLOYMENT SECURITY DEFICIENCY

Mr. SCHWEIKER. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Laird] may extend his remarks at this point and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. LAIRD. Mr. Speaker, on June 25 and 26 of this year, I made a few remarks concerning a deficiency of funds to operate the State employment security offices. These remarks and accompanying tables appear on pages 11461 and 11777 of the Congressional Record.

On July 2, I received a letter from Mr. Robert C. Goodwin, Administrator of the Bureau of Employment Security, in which he set forth the procedures the States used to meet the shortage. In my previous remarks, I had pointed out that the Bureau of Employment Security and the Bureau of the Budget had not informed the Congress that the Bureau of Employment Security was proceeding at a deficiency rate in its spending. This is required by the Anti-Deficiency Act. In fairness to the Bureau of Employment Security, I insert at the conclusion of my remarks the correspondence received from Mr. Goodwin.

However, Mr. Speaker, the facts that appear in Mr. Goodwin's letter in no way cause me to alter my previous remarks. An investigation is still in order and such an investigation has been ordered. It was signed by the chairman and the ranking minority member of both the full Committee on Appropriations and its subcommittee which deals with the Department of Labor.

The facts as reported by Mr. Goodwin indicate that the Bureau of the Budget was primarily at fault in not informing the Congress in a timely manner in accordance with the provisions of the Anti-Deficiency Act. However, we have not heard the Bureau of the Budget's side of the story as yet.

The investigation that has been ordered will be thorough, fair, and objective. Hopefully, it will shed sufficient light on who is to blame so that we may take steps to preclude such a situation from developing again in the future.

The material referred to follows:

July 1, 1963.

Hon. Melvin R. Laird,
House of Representatives,
Washington, D.C.

Dear Congressman Laird: In our discussion last Friday I promised to get some information to you today on the shortage of employment security administrative funds and how the States met the shortage.

I am enclosing a brief statement covering these questions. I would like to call your attention to the fourth paragraph of the first page of the enclosure. The supplemental referred to therein was the regular supplemental sent to the House of Representatives. On June 17, the President sent a language amendment to the 1964 budget request for grants to States which would have permitted up to $4 million of the contingency fund to be used for contingency expenditures in fiscal year 1963.

If I can furnish additional information, I will be happy to do so.

Sincerely yours,

Robert C. Goodwin,
Administrator.

Fiscal Year 1963 Shortage of Funds for State Employment Security Administration

The shortage of funds for State employment security administration developed this year primarily because the contingency appropriation was inadequate. The shortage was not in the base appropriation. Strict controls are maintained to assure that States operate within their allocation from the base appropriation.

The contingency appropriation is provided by the Congress to cover the costs of the three principal contingencies which develop after the base appropriation is approved. These are: (1) increases in the claims load; (2) changes in State laws, principally unemployment insurance; and (3) statewide increase in salaries of State employees. When the contingency appropriation is inadequate to cover these increased costs, after making normal budgetary adjustments, there is a recognized basis for requesting a supplemental appropriation. Principally because the claims load was higher in fiscal year 1963 than was expected, the contingency appropriation was not large enough to reimburse the States for their contingency costs, in accordance with approved rules for reimbursement.

In addition, this year the Congress approved a postage increase after the base appropriation had been approved. There were, therefore, no funds in the base appropriation to cover the cost of the postage increase.

On March 1, 1963, the Bureau of Employment Security developed and sent forward a supplemental appropriation request to cover the deficiency in the contingency appropriation and the postage increase. This supplemental was transmitted to the Bureau of the Budget on April 22, 1963. It was not forwarded to the Congress until June 24, 1963.

The Bureau of Employment Security had assumed that the supplemental request, being based on a deficiency resulting from the administration of the contingency appropriation in accordance with approved rules, plus the postage increase, would be approved promptly within the executive branch and transmitted to the Congress for action. We had every expectation, based on past experience, that the Congress would act favorably. In 8 of the years since the contingency fund was established in 1950, Congress has approved supplemental contingency requests.

In early June, with the supplemental still in the Bureau of the Budget, with each passing day reducing the chances of favorable action in the Congress simply because of time limitations, the Bureau of Employment Security concluded that it had no choice but to notify the States of the problem. The Bureau of Employment Security must operate within approved appropriations, and the State employment security agencies must operate within approved allocations. The Bureau of Employment Security notified the States on June 7 that a supplemental could not be assured and that all possible savings had to be effected in order to operate within available funds. Subsequently, the Bureau of Employment Security redistributed funds among the States in order to minimize as much as possible the adverse effects of the fund shortage. Because of the lateness in the fiscal year and the consequent difficulty in making adjustments, the initial reaction of the States was that shutdowns, or furloughs, or layoffs of essential personnel, would be necessary.

As of June 24, there were 25 States in which Federal funds were inadequate to continue operation at minimum levels. Eight of these States said they would have to furlough personnel or close for varying periods, six had not worked out plans for meeting the problem, and eleven indicated they would get State funds to supplement the Federal grant. In the first group, a few State employees were notified that a furlough might be necessary, and in one State, Ohio, employees were furloughed but asked to work on a voluntary basis. About 95 percent of the employees did work on a voluntary basis. The employees who worked will be paid. They will be paid from Federal funds if the supplemental is approved; if the supplemental is not approved, State funds will be made available to the agency.

As a result of the redistribution by the Bureau of Employment Security of funds among the States, and of State action, all State agencies continued operations. The various steps taken are summarized below:

1. States laid off temporary personnel. Because of the lateness in the year, funds could not be saved by laying off permanent personnel. The State civil service machinery does not operate that fast. Moreover, the payment of accumulated annual leave would have wiped out any savings.
2. States reduced travel to the bare minimum. The States canceled intrastate meetings and the Bureau of Employment Security canceled interstate meetings.
3. States canceled orders for supplies, equipment, and other nonpersonal services.
4. Thirteen States have arranged for State funds to make up their deficit. These States are: California, Florida, Georgia, Hawaii, Illinois, Indiana, Kentucky, Nevada, New Mexico, Pennsylvania, Tennessee, Texas, and Utah.
5. A few States will show a deficit. If additional 1963 Federal funds are not approved, these States will have to obtain State funds to make up the deficit since the 1964 appropriation cannot be used for this purpose.

Even though the State employment security agencies were able to continue operations, the fund shortage will have serious consequences. Among these are:

1. Program performance was impaired. States had to terminate temporary personnel who were needed. Travel, communication, and other essential costs were reduced below minimum program needs.
2. Morale in many State agencies has been impaired. In many States the problem of the fund shortage did not become widely known among rank and file employees. In others, however, it did become known.
3. Confidence of the States in the method of financing State employment security agencies is impaired. The Bureau of Employment Security was unable to make grants in accordance with agreed on rules.
4. Costs which should have been borne out of the 1963 appropriation will have to be borne out of the 1964 appropriation. While the amount is not known, these costs are primarily for supplies and equipment. Orders had to be canceled this year in order to meet payrolls. These supplies and equipment will have to be purchased in 1964. The 1964 appropriation will then be deficient to the extent that costs that should have been borne in 1963 have to be shifted forward.
5. The accountability system has been impaired. Funds granted for one purpose have had to be used for another purpose.
6. States have had to supplement Federal funds. This is unsound in a program in which the Federal Government is committed to paying 100 percent of the costs of proper and efficient administration.

THE SMALL FARMER AND THE BRACERO

Mr. YOUNG. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Gonzalez] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, very wisely and fortunately this House decided earlier this session to reject a bill to extend Public Law 78, the bracero program, another 2 years.

It would perhaps enlighten us further if we were to examine some of the remarks of Miss Fay Bennett before the House Agricultural Subcommittee on Equipment, Supplies, and Manpower on March 28:

> The fact is that even in the heavy bracero-employing areas only a small part of the farmers hire any kind of labor, domestic or foreign, and still fewer hire Mexican contract labor.

Miss Bennett cited statistics showing that 96.6 percent of Imperial County, Calif., wage bill and 84.2 percent of the Mississippi County, Ark., wage bill are incurred by farmers whose annual wage bill ran over $5,000. She further cited a census by the Department of Agriculture which supported the contention that "most braceros are employed on large-scale and prosperous farms, and that the typical American farmer has no stake whatsoever in the importation of cheap contract labor."

The Agricultural Census indicated that 43 percent of the farms in Imperial Valley, a heavy user of bracero labor, paid 96.6 percent of the county wage bill.

Might we not say that the small farmers of the bracero areas are not making a respectable living because they are competing with the 20 percent of the larger growers who can get cheap labor at perhaps 50 cents an hour?

Those competing with cheap slave-like labor—both domestic migrants and small family farmers—are relegated to a wage rate often not higher than 50 cents an hour.

A STUDY OF THE CULTURE OF THE BLACK RACE

Mr. YOUNG. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Waggonner] may extend his remarks at this point and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, I was out of the city last week when my good friend from Illinois [Mr. O'Hara] continued our little historical excursion back into ancient history to assay the merits of the Roman Emperor, Septimius Severus.

In the time-honored pattern of the debate, I now take a minute or two of the House's time in order to present our rebuttal and close the discussion.

As my honorable colleague said, in effect, we will not resolve to anyone's satisfaction this little discussion, for it is not within the purview of our ability to settle this debatable subject on which views will always diverge.

Let there be no hint in the Record that I have anything less than the highest esteem for my friend from Illinois. He has served his State and Nation with a zeal hardly equaled by any other Member of the Congress.

When I was a schoolboy I thrilled at the exploits of our great President, Teddy Roosevelt, as he charged San Juan Hill in Cuba. I could not know then that I would someday serve side by side in the Congress with one of the participants in that magnificent charge.

If any testimony is needed as to the regard in which he is held both here and in the State of Illinois, I think it is found in the fact that he was elected Lieutenant Governor of that State at the age of 30, the youngest in Illinois history.

We are, he and I, able to discuss our convictions without temper and without heated words. I have found that men are able to discuss convictions in this manner, though never prejudices.

For the benefit of any of our colleagues who were also absent during the Fourth of July recess, may I summarize very quickly what has gone before in our little jaunt into the recesses of Roman history.

My friend from Illinois took the floor 2 weeks ago to chide the senior Senator from my State of Louisiana, Senator ALLEN J. ELLENDER, for statements he had made to the effect that the Negro race has had a poor record of governing themselves without the help of the white race. As the crux of my colleague's "refutation" he pointed with pride, I believe the political expression is, to the record of the Roman Emperor, Septimius Severus, whom he alleged to be a Negro, as being an excellent example of Negro leadership.

I was aware that Septimius, the Roman, was born in Africa, but this was the first time I had ever heard him referred to as a Negro. So, I pursued the subject extensively in a weighty collection of Roman histories to see if, indeed, this noble Roman was a member of the Negro race, rather than a Roman born in a province of Africa.

Twelve volumes later, I can unearth no indication that he was a black man.

I am afraid my colleague and his authority, John Gunther, have interpreted various references to Septimius as "an African" to mean he was a "Negro."

Platnauer describes him as "a provincial Roman of the upper classes" and I do not believe anyone can question Platnauer as an authority or compare his stature as a biographer or that of Edward Gibbon to that of the modern-day chronicler of events, John Gunther.

Let us then put the question of "African" or "Negro" aside as being one on which all authorities agree he was an African, but one relatively minor one says he had some Negro blood. Like with all such questions, the best we can do is trust the preponderance of expert testimony.

With that portion of the discussion aside, we come to whether or not Septimius was a man to be honored and reverenced as a leader.

Hear the words of Gibbon in his monumental "Decline and Fall of the Roman Empire" as he tells us about Septimius:

> He promised only to betray; he flattered only to ruin; and however he might occasionally bind himself by oaths and treaties, his conscience, obsequious to his interest, always released him from the inconvenient obligation.

Or this illuminating passage:

> Posterity, who experienced the fatal effects of his maxims and examples, justly considered him as the principal author of the decline of the Roman Empire.

I am not persuaded that Septimius is worthy of our adulation.

And, I wish I could agree with my distinguished colleague when he says that "in all probability in the long role of the centuries every race has had its periods of ascendency and eclipse."

The unremitting writ of history will not support this noble hope. Some races have never ascended; the black race being the most notable example.

Different races have responded to the spark of civilization and have done so in direct ratio to the quality of their tinder.

As the numberless centuries have chased each other down the corridor of time, the black man has failed to respond to that spark, though he has had constant exposure to it. I search vainly for the evidence in history. I do not ask that the black man lead. But I cannot find the evidence that he has even been able to follow the example of his opposites.

The steaming jungles of Yucatan and Guatemala produced the great Mayan civilization. The steaming jungles of Africa have only produced Africans.

If one searched diligently for that locale and point in time when the purest black culture was at its peak and then searched with equal diligence for the period when the worst possible white culture was at its nadir, a comparison flattering to the Negro could possibly be made.

While the Anglo-Saxons gave us Beowulf, the Icelanders gave us the Volsunga Cycle, and the Germans the Nibelungenlied, Africa produced nothing that survived longer than the last echo of the voodoo drums or was intelligible at a distance farther away than 20 trees.

I, for one, am not willing to consign my children to the world advocated in the Negro weekly, the Pittsburgh Courier:

> Every community worth its salt should have a frankly interracial club or association where the boys and gals, colored and white, could associate, drink, and dance. Of course we favor racial mixing, including marriage.

I advocate no state of white supremacy in the sense of domination, exploitation, or violence, but one of orderly separation of the races. Blending the blood of the Negro with that of the white will, as far as the Negro is concerned, kill the goose that has laid for them the golden eggs. Though, as history tells us, this is a natural temptation, in the end, the only thing that will be left in such an event will be a dead goose and no eggs.

CIVIL RIGHTS

Mr. YOUNG. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. DULSKI] may extend his remarks at this point and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DULSKI. Mr. Speaker, under leave to extend my remarks, I include at this point in the RECORD a resolution I have received from the Erie County Board of Supervisors, Buffalo, N.Y., pertaining to civil rights which was adopted on July 2. The resolution follows:

STATE OF NEW YORK,
Buffalo, N.Y:, July 2, 1963.

To Whom It May Concern:

I hereby certify that at a session of the Board of Supervisors of Erie County, held in the county hall, in the city of Buffalo, on the 2d day of July A.D., 1963, a resolution was adopted, of which the following is a true copy (reference, item 45, p. 492, of the journal):

"*Resolved,* That this board of supervisors record itself and hereby does record itself in favor of the spirit, purposes and goals of the civil rights bill as presented by President Kennedy and supports the implementation of the principle of identical rights, privileges, and opportunities for all citizens."

Attest:

WALTER A. HOLZ,
Deputy Clerk of the Board of Supervisors of Erie County.

I also wish to include a resolution on civil rights which was adopted on June 25 by the Common Council of the City of Buffalo, N.Y. The resolution follows:

CITY CLERK'S OFFICE,
Buffalo, June 28, 1963.

To Whom It May Concern:

I hereby certify, That at a session of the Common Council of the City of Buffalo, held in the city hall, on the 25th day of June 1963, a resolution was adopted, of which the following is a true copy:

"Civil rights. No. 179. By: Messrs. Gorski, Mitchell

"Whereas it has been a long-established American tradition that all men are created free and equal; and

"Whereas the great Presidents of the past, such as Washington, Jefferson, Lincoln, and the Roosevelts, have always advocated freedom and liberty for all citizens without discrimination; and

"Whereas President Kennedy has proposed a civil rights legislative program to implement our present laws to guarantee greater protection of the civil rights granted to all citizens without regard to race, color, creed, or national origin; Now, therefore, be it

"*Resolved,* That the Common Council of the City of Buffalo this day memorialize the Congress and the Senate of the United States to enact civil rights legislation proposed by the President; and be it further

"*Resolved,* That the city clerk forward a copy of this resolution to the Congressmen of the western New York area and the New York State Senators.

"Adopted."

Attest: STANLEY MOLIK,
City Clerk.

AGRICULTURE SECRETARY FREEMAN

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Montana [Mr. BATTIN] is recognized for 30 minutes.

Mr. BATTIN. Mr. Speaker, on April 29, 1963, I requested Agriculture Secretary Freeman to resign—I did not do so in jest. Since that time the evidence against the Secretary continues to mount.

What has come to light since my request of April 29 is revolting. On Friday, May 3, 1963, Secretary Freeman appeared before the Senate Agriculture Committee and denied the charges made by me that he was attempting to influence a "yes" vote in the wheat referendum. In response to a question about using $900 in McCone County, Mont., asked by Senator BOURKE B. HICKENLOOPER of Iowa, the Secretary said the Montana State ASC Committee "did allocate $900 and said it should be used to be sure the referendum was properly carried forward and the farmers properly informed as to the issues—and that is the extent of it." Secretary Freeman said further "to my knowledge, I believe my directives (to Department employees to give only factual information) was being carried out."

Now let us take a look at the facts. In a TV film clip that was used across the country, the Secretary urged the farmers to be careful of exaggerations and even misstatements of fact being given by some. He then went on to urge viewers to consult locally elected ASCS Committeemen for the best answers and, he said, "Others in the Department of Agriculture will also give you straight answers."

Then comes the profound statement that—

> If anyone tells you that a "no" vote in the referendum will mean a better wheat program passed by the Congress this year, do not believe that statement.

Since when is Secretary Freeman advising what the Congress will do. I know a group of about 180 Members on the House side of the Capitol who would dispute the profound words of this so-called public servant. This reminds me of a bunch of kids playing marbles. If you will not play the way I want to, I will pick up my marbles and go home. If he did sack up his whole program and go home, it would be the best thing that has happened to American agriculture in a long time.

As a result of the tons of printed material sent from Washington to State and local ASC offices, Secretary Freeman is rapidly gaining the reputation of an influence peddler. He may soon need another Assistant Secretary of Agriculture for surplus propaganda. I have been hard put in trying to read the bales of "instructions" sent out on voting procedures, proposed radio scripts to be used at local levels and other material painting a bleak picture of the consequences of a "no" vote in the referendum.

As far back as last December, Secretary Freeman started his campaign for a "yes" vote. At a meeting of the National Association of Wheat Growers in Denver during December 1962, the Secretary assured his audience that the referendum vote would be conducted on a gentlemanly basis. He said, "The only way we do this is just say, boy, what is America—not calling people names, not insulting people's intelligence, not putting labels on, but being like ladies and gentlemen and discussing the merits of the project. That's the way this country's built and that's the way we need to approach this referendum this spring."

In a TV appearance he assured his viewers:

> Now I can assure you that the Secretary of Agriculture would not presume to tell any wheat farmer how to vote nor would he even advise him.

But at the same meeting in Denver in December, Secretary Freeman said in answer to a question about a statement he made in St. Paul to the Farmers Union Grain Dealers:

> Yes; we would have an extremely serious situation. We would have wheat at a dollar or less. We would have perhaps a billion, 500 million production which would be close to 400 million bushels more than we have markets for under the food-for-peace program. This would mean a tremendous piling up, it would threaten dumping and cutthroat competition around the world. It would reflect on the responsibility of our own agricultural programs at home and our relations with the Common Market. It would be an extremely serious result. And so for the wheat farmer and his income, for the country as a whole, this is extremely important and the only thing I could describe as the result if the referendum does not pass would be chaos in agriculture.

No; it is obvious that the Secretary would not presume to tell any wheat farmer how to vote nor would he even advise him.

The Secretary not only did not mind predicting doom for the wheat farmer who voted "no" to his program but he also had some comments about those who dared criticize his program such as, and I quote:

> In a discussion with some of you this morning the point was made that there has been a kind of oratorical effort of certain people, if you will, certain extreme rightwing groups, to put a connotation on any kind of agricultural program in some context that it's some kind of an "ism," some kind of ideology, that it smacks of socialism or regimentation or even Communism.

Freeman said this, I did not. He continued:

> We find this radical, extreme kind of rightwing fringe thinking terribly and dangerously impolitic. Why the very fundamental of democratic government is people democratically getting together and using government as an instrument to serve them and their purposes and to utilize and develop democratic programs to their welfare. So let's not be misled and, for Heaven's sake, intimidated by these name callers. The kind of Birchites, if you will, and all these radical rightwing, wild-eyed groups that run around here that are about the most un-American of any groups that I've ever seen.

And this from a Secretary who does not believe in name calling—just in facts. Well, I must say the farmers took him at his word—they were not intimidated.

A former Democratic Secretary of Agriculture, Senator CLINTON ANDERSON, of New Mexico, was not as positive as Secretary Freeman that the proposed program was absolutely essential and said so on the Senate floor. Senator ANDERSON told the Senate that he sold a 250-acre farm because he could not conscientiously participate in the wheat program. He said, in effect, that the Government kept paying him more and more to take land out of production and at the same time paying him higher price supports to raise more wheat on the land he had left. You cannot suck and blow at the same time, Senator ANDERSON concluded.

At a January 10, 1963, meeting in Omaha of farm organizations and cooperatives, Secretary Freeman made a speech about the purpose of the formation of the National Wheat Referendum Committee:

> That purpose as I understand it—

He said:

> consists of several parts. One is to insure that the farmer makes the choice in the referendum on the basis of facts rather than fear. Another is to urge the farmer to vote, to take an active hand in the direction of farm policy. And, finally, where your organziation has taken a formal position to support a favorable vote, you propose to urge the farmer to follow your lead and vote "yes" on the wheat referendum.

The balance of his talk went to fear: Either $2 wheat or $1 wheat—this program or go broke. All of the news media information material shipped out by the carload during the wheat referendum campaign followed this pattern.

Incidentally, Mr. W. W. Thatcher, manager of the Farm Union Grain Terminal Association—GTA—was elected chairman of the organization that was formed in Omaha that day when the Secretary spoke. The organization is known as the National Wheat Committee and they pushed hard for a "yes" vote. This, however, is a private group and they were doing a job for wheat they believed in. And what did Mr. Thatcher say about his position should the "noes" have it? After stating that he favored a "yes" vote, he added:

> Nevertheless, should the referendum fail, I feel it would be my duty to go to Washington, and I would go and camp and ask for reconsideration to protect the farmer. We would have to fight for new legislation.

Richard Wilson, writing in the Chicago Daily News of June 15 condemned the "arm twisting" technique used on radio and TV stations in the campaign for a "yes" vote on the wheat referendum. No subtlety was involved, he said, in a directive that went out from the Office of the Administrator, ASCS, Washington to State managers and local committeemen of the farm program that they should bring to the attention of radio and TV stations their obligation to carry public service programs with particular respect to public service agricultural programs. The innuendo of the directive was amazing. Public service programing, the directive stated, is promised by radio and TV stations in return for two special favors granted by the Government: exclusive use of a broadcast frequency and the policy of the Government not to establish federally operated stations in competition with stations being operated commercially. The directive advised the club-behind-the-back technique rather than the sandbag approach. We are in no position, the directive continued, to insist on a station's cooperation, and should, of course, use extreme care to avoid giving the impression of coercion, threats, or the like. And, I might add, the like of which no one has ever seen in the way of presenting information without presuming to tell any wheat farmer how to vote or even advise him. So there, again, someone in the Department of Agriculture was using the technique of fear on the radio and TV people as well as the farmers.

Anyone familiar with the techniques of a political campaign will recognize the various instructions as the work of professionals. These were no casual suggestions thought up by an overzealous fieldman in Montana. They bear the unmistakable spoor of the campaign manager at work.

And then there is the matter of the loyalty oath promulgated by Secretary Freeman on March 1 which provides that before any farmer-elected county ASC committeeman may take office "he shall sign a pledge that he will faithfully, fairly, and honestly perform to the best of his ability all of the duties devolving upon him as a committeeman, and that he will support the programs he is called upon to administer."

The committeemen are elected by their own neighbors and not employed by anyone in the Department of Agriculture. It was never intended by Congress for the Secretary of Agriculture to intimidate or coerce ASC committeemen to support or oppose any specific farm theory or program. In fact, Congress has traditionally established and supported a policy of independence and separation of power for such committeemen. I can find no precedent for this "loyalty oath," which would compel these farmer-elected committeemen to become a part of the administration propaganda team, requiring them to support programs which they, and their farm neighbors who elected them, might flatly oppose.

It is one thing to pledge fair and honest performance of duty, but another to take an oath to support programs advocated by Secretary Freeman, or any successor. Frankly, I have the highest regard for the committeemen and their ability to perform their work in the best interests of those farmers they represent. This oath is tantamount to a breach of faith to the farmers who elected the committeemen and is an insult to the intelligence and integrity of those required to sign it.

I note that the House Committee on Appropriations for Agriculture in its report of June 3 joins me in advocating discontinuance of this requirement. The report stated: "It has come to the attention of the committee that county and community committeemen are being required to sign statements that they will support the programs and policies they will administer. In the opinion of the majority of the members of the committee this requirement is unwarranted and is not authorized. It has subjected the activities of the Department to severe partisan criticism. The Secretary should discontinue this requirement."

The report added:

> The use of any funds provided in this appropriation bill in an effort to influence the vote of any participant in any referendum on any proposed farm program or pending agricultural legislation is not within the provisions of this act and in the opinion of the committee would be completely unauthorized.

There are several statutes applicable to the misuse of funds appropriated by executive departments. 5 United States Code 54 provides:

> No money appropriated by an act shall be used for the compensation of any publicity expert unless specifically appropriated for that purpose.

Title 31, United States Code, section 628, states:

> Except as otherwise provided by law, sums appropriated for the various branches of expenditures in the public service, shall be applied solely to the objects for which they are respectively made, and for no others.

The Subcommittee on Agriculture Appropriations apparently hoped to prevent a recurrence of Secretary Freeman's abuse of discretion as well as the law.

When asked about a specific activity in Wisconsin at a House Agriculture Committee hearing on April 26, 1963, Secretary Freeman said, "No, it is not a proper expenditure of funds. I would prohibit it being done." But between then and the referendum election on May 21, there were many other such violations and the Secretary did nothing to prohibit them.

A Caro, Mich., weekly newspaper investigated a mysterious ad it received and ran, prior to the wheat vote. The ad, signed "Wheat Farmers of Tuscalo County," urged a "yes" vote. Investigation, after local wheat farmers asked who sponsored the ad, revealed that the ad was sent by mail from Duane Andreas, assistant general manager of the Farmers Union Grain Terminal Association. Directions were to make the bill out to Andreas but to send it to Mike Hatles, who happened to be an area fieldman for the Agricultural Stabilization and Conservation Service.

In Hardin, Mont., 17 wheat referendum votes cast by a Bureau of Indian Affairs representative as trustee of Indian estates, which he was not, were thrown out by election judges.

The question is, did Secretary Freeman know of these instructions to local ASC committees prior to his testimony before the Senate Agriculture Committee? A clear question has been raised. It should be answered. If Secretary Freeman did not know of these instructions to local ASC committees, the next question is, what did he do to stop this unauthorized promotion of the "yes" vote? Three weeks before the wheat vote, I called the situation shocking. The affair got uglier as the campaign progressed.

In commenting on deception of the public in official announcements about the Cuban situation, the chairman of the Senate Preparedness Investigating Subcommittee said:

> In order to deceive, it is not necessary to tell a falsehood.

There was not even that subtlety in the Secretary's campaign for a "yes" vote, but the results indicate that the farmers refused to be deceived—or sandbagged—and that they had little regard for either the Secretary's influence or his denials that he used influence.

In view of the avalanche of proof of the use of Government influence and funds by the Secretary and others under his direction, could the Secretary now stand before the great Committee on Agriculture and say, as he said before, that he was not trying to influence the vote on the wheat referendum?

I can only repeat my suggestion that the Secretary submit his resignation to the President.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PATMAN, for 10 minutes, today, and to revise and extend his remarks and include extraneous matter.

Mr. BATTIN (at the request of Mr. SCHWEIKER), for 30 minutes, today, and to include extraneous matter.

Mr. HALPERN (at the request of Mr. SCHWEIKER), for 10 minutes, on Tuesday, July 9.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. GROSS and to include an article by Mr. PASSMAN.

Mr. SIKES and to include extraneous material.

Mr. JOELSON in two instances.

(The following Member (at the request of Mr. YOUNG) and to include extraneous matter:)

Mr. ROOSEVELT.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1267. An act for the relief of Lawrence E. Bird;

H.R. 1275. An act for the relief of Miss Ann Super;

H.R. 1292. An act for the relief of Carmela Calabrese DiVito;

H.R. 1332. An act for the relief of Mario Rodrigues Fonseca;

H.R. 1736. An act for the relief of Assunta DiLella Codella;

H.R. 3356. An act for the relief of Josephine Maria (Bonaccorso) Bowtell; and

H.R. 4773. An act for the relief of Leroy Smallenberger, a referee in Bankruptcy.

ADJOURNMENT

Mr. YOUNG. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 38 minutes p.m.) the House adjourned until tomorrow, Tuesday, July 9, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1019. A communication from the President of the United States, transmitting amendments to the budget for the fiscal year 1964 in the amount of $250,000 for the Panama Canal-Canal Zone Government and a proposed governmentwide general provision (H. Doc. No. 134); to the Committee on Appropriations and ordered to be printed.

1020. A letter from the Acting Administrator, General Services Administration, transmitting a draft of a proposed bill entitled "A bill to authorize the disposal, without regard to the prescribed 6-month waiting period, of certain waterfowl feathers and down from the national stockpile"; to the Committee on Armed Services.

1021. A letter from the Comptroller General of the United States, transmitting a report on failure of the Department of the Navy to fully recover excessive administrative cost allowances included in the fixed prices negotiated with Brown-Raymond-Walsh (a joint venture) under contract NOy-83333 for the Spanish base construction program; to the Committee on Government Operations.

1022. A letter from the Secretary of Commerce, transmitting the annual report on the relative cost of shipbuilding in the various coastal districts of the United States, pursuant to the Merchant Marine Act of 1936, as amended; to the Committee on Merchant Marine and Fisheries.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calender, as follows:

Mr. NATCHER: Committee on Appropriations. H.R. 7431. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1964, and for other purposes; without amendment (Rept. No. 499). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASHLEY:

H.R. 7394. A bill to amend title II of the Housing Act of 1959 to extend the program of loans for housing for the elderly so as to include housing for handicapped families and persons; to the Committee on Banking and Currency.

H.R. 7395. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. BARING:

H.R. 7396. A bill to amend section 3101 of title 38, United States Code, to prevent consideration of proceeds of, or transfer of proceeds, of U.S. Government life insurance, and national service life insurance for Federal estate tax purposes; to the Committee on Veterans' Affairs.

By Mr. BATTIN:

H.R. 7397. A bill to provide for the relocation of the Fort Peck-Great Falls transmission line in the vicinity of the city of Glasgow, Mont.; to the Committee on Interior and Insular Affairs.

By Mr. DULSKI:

H.R. 7398. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. HUDDLESTON:

H.R. 7399. A bill to provide for the preparation of plans for the utilization of certain buildings in the District of Columbia for municipal purposes; to the Committee on the District of Columbia.

By Mr. MURRAY:

H.R. 7400. A bill to amend the Federal Employees Health Benefits Act of 1959 to authorize the transfer of unused funds from the administrative expense reserve to the contingency reserves of the several health plans under such act; to the Committee on Post Office and Civil Service.

H.R. 7401. A bill to terminate cost-of-living allowances for statutory-salaried Federal civilian employees in nonforeign areas, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. O'KONSKI:

H.R. 7402. A bill to amend title 38, United States Code, so as to revise the rates of disability and death pension authorized by the Veterans' Pension Act of 1959, and for other purposes; to the Committee on Veteran's Affairs.

H.R. 7403. A bill to amend title II of the Social Security Act to provide that room and board furnished in connection with an individual's employment shall not be taken into account for purposes of deductions under section 203 of that act on account of outside earnings; to the Committee on Ways and Means.

By Mr. PATMAN:

H.R. 7404. A bill to provide for an increase in the maximum amount of insurance coverage for bank deposits and savings and loan accounts, to protect further the safety and liquidity of insured institutions, to strengthen safeguards against conflicts of interest, and for other purposes; to the Committee on Banking and Currency.

H.R. 7405. A bill to amend the Bretton Woods Agreements Act to authorize the U.S. Governor of the International Bank for Reconstruction and Development to vote for an increase in the bank's authorized capital stock; to the Committee on Banking and Currency.

H.R. 7406. A bill to provide for increased participation by the United States in the Inter-American Development Bank, and for other purposes; to the Committee on Banking and Currency.

By Mr. BUCKLEY:

H.R. 7407. A bill to prevent the use of stopwatches or other measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mr. CUNNINGHAM:

H.R. 7408. A bill to terminate the national emergency proclaimed by the President on December 16, 1950; to the Committee on the Judiciary.

H.R. 7409. A bill to amend the act of October 4, 1961 (Public Law 87-383) so as to permit the use within Canada of certain funds appropriated pursuant to such act for the conservation of migratory waterfowl; to the Committee on Merchant Marine and Fisheries.

H.R. 7410. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. FUQUA:

H.R. 7411. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. JOHNSON of California:

H.R. 7412. A bill to amend the Small Reclamation Projects Act of 1956; to the Committee on Interior and Insular Affairs.

By Mr. LANGEN:

H.R. 7413. A bill to amend section 1245 of the Internal Revenue Code of 1954 in order to limit application of that section in the case of the sale of an entire business or farm; to the Committee on Ways and Means.

By Mr. MATSUNAGA:

H.R. 7414. A bill to establish a commission to formulate plans for a memorial to recipients of the Congressional Medal of Honor; to the Committee on House Administration.

H.R. 7415. A bill to amend section 152 of the Internal Revenue Code of 1954 to provide that the term "dependent", for purposes of the personal exemption, shall include residents of the Republic of the Philippines; to the Committee on Ways and Means.

By Mr. POOL:

H.R. 7416. A bill to amend title II of the Social Security Act to reduce from 72 to 68 the age at which deductions on account of an individual's outside earnings will cease to be made from benefits based on such individual's wage record; to the Committee on Ways and Means.

By Mr. REIFEL:

H.R. 7417. A bill prohibiting lithographing or engraving on envelopes sold by the Post Office Department, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ROBERTS of Alabama:

H.R. 7418. A bill to amend the criminal laws of the United States to prohibit any person from crossing State lines for the purpose of violating the laws of any State; to the Committee on the Judiciary.

By Mr. UDALL:

H.R. 7419. A bill to authorize the conclusion of agreements with Mexico for joint construction, operation, and maintenance of flood control works on the lower Colorado River, in accordance with the provisions of article 13 of the 1944 Water Treaty with Mexico, and for other purposes; to the Committee on Foreign Affairs.

By Mr. WELTNER:

H.R. 7420. A bill to terminate the authority to reimburse out of Federal funds Members and Members-elect of the House of Representatives for the cost of mailing matter bearing a simplified form of address under the congressional franking privilege; to the Committee on Post Office and Civil Service.

By Mr. WYDLER:

H.R. 7421. A bill to prevent the use of stopwatches, work measurement programs, or other performance standards operations as measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mr. NATCHER:

H.R. 7431. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1964, and for other purposes.

By Mr. SAYLOR:

H. Res. 430. Resolution expressing the sense of the House of Representatives with respect to the extension of the Bonneville power marketing area in southern Idaho and parts of Wyoming, Utah, and Nevada; to the Committee on Interior and Insular Affairs.

MEMORIALS

Under clause 4 of rule XXII,

The SPEAKER presented a memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to the exercise of Federal power to control illicit drug traffic, which was referred to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. OLIVER P. BOLTON:

H.R. 7422. A bill for the relief of John Olson; to the Committee on the Judiciary.

By Mr. DEL CLAWSON:

H.R. 7423. A bill for the relief of Ozhan (Mike) Simsek, Gungor Simsek, and Omer Simsek; to the Committee on the Judiciary.

By Mr. CUNNINGHAM:

H.R. 7424. A bill for the relief of Panagiotis Kamboukos (Kazantzas); to the Committee of the Judiciary.

By Mr. HALPERN:

H.R. 7425. A bill for the relief of Claudine Annie Madec Hersh; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 7426. A bill for the relief of Lileith Murtina Smith; to the Committee on the Judiciary.

By Mr. LESINSKI:

H.R. 7427. A bill for the relief of Benedetta Vitale; to the Committee on the Judiciary.

By Mr. MONTOYA:

H.R. 7428. A bill for the relief of Mrs. Teresita Tirona Duncan Sham; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 7429. A bill for the relief of Herminia Concha Moreno Cortes; to the Committee on the Judiciary.

By Mr. VANIK:

H.R. 7430. A bill for the relief of Rozalia Takacs; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

184. By Mr. HANNA: Petition of W. W. Costello, West Fullerton, Calif., his family and friends, to vote against President Kennedy's civil rights proposals as they exist now; to the Committee on the Judiciary.

185. By the SPEAKER: Petition of Robert J. O'Keefe, city clerk, Worcester, Mass., petitioning consideration of their resolution with reference to requesting an amendment to the Constitution of the United States to permit prayer to be offered in the public schools of the Nation; to the Committee on the Judiciary.

186. Also, petition of K. Ziedonis, president, Lithuanian American Council, Inc., Cleveland branch, Cleveland, Ohio, relative to pledging support to the leaders of the United States in their fight against the menace of international communism; to the Committee on Foreign Affairs.

187. Also, petition of Donald K. Currlin, manager-counsel, Santa Clara County Flood Control and Water Conservation District, San Jose, Calif., petitioning consideration of their resolution with reference to requesting the adoption of Senate bill 1275, relating to Federal-State conflict over water rights; to the Committee on Interior and Insular Affairs.

188. Also, petition of Eugene Williams, deputy, Board of Supervisors of the County of Sonoma, Calif., petitioning consideration of their resolution relative to supporting and urging the adoption of Senate bill 1275, relating to Federal-State conflict over water rights; to the Committee on Interior and Insular Affairs.

189. Also, petition of A. Lars Nelson, master, Washington State Grange, Seattle, Wash., relative to requesting that the ratemaking power be restored in regard to the parcel post service; to the Committee on Post Office and Civil Service.

EXTENSIONS OF REMARKS

Double Jubilee of Saints Cyril and Methodius

EXTENSION OF REMARKS

OF

HON. CHARLES S. JOELSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1963

Mr. JOELSON. Mr. Speaker, 1963 is the year that Americans of Slovak heritage are commemorating the 11th centennial of Saints Cyril and Methodius to that part of the world which is now known as Slovakia.

On May 13 of this year the late, beloved pontiff, Pope John XXIII issued in honor of these two great saints of Christendom an apostolic letter known as "Magnifici Eventus." On the same day His Holiness blessed the cornerstone of the new institute built in their memory by the Slovak Catholic Federation of America.

Under the sponsorship of the eastern district of the Slovak Catholic Federation of America a pilgrimage assembled on June 30 at the National Shrine of the Immaculate Conception, here in Washington, D.C., where Most Reverend Philip M. Hannan, Auxiliary Bishop of the Archdiocese of Washington, celebrated a solemn pontifical mass. The following day, at the request of my distinguished colleague from New Jersey, the Honorable Edward J. Patten, Reverend Michael J. Churak, supreme chaplain of the Slovak Catholic Federation of America, opened the session of the House of Representatives with a most inspiring invocation.

In the Eighth District of New Jersey, which I have the honor to represent in this body, I am pleased to say that there is a Roman Catholic parish which bears the name of these saintly apostles of Slovakia.

But Saints Cyril and Methodius, of Clifton, N.J., in addition to the participation of its members in the Washington pilgrimage and in the observance of the feast day of Saints Cyril and Methodius on July 7, has still another cause for joy. On October 22, 1963, this parish, under the benevolent stewardship of Rev. Gilbert Maga, OFM, aided by his devoted assistant pastor, Rev. Anthony Maskulka, OFM, will celebrate its golden jubilee. I know the best wishes of the entire House of Representatives are extended to Father Gilbert and all his parishioners on this memorable occasion.

Catholic War Veterans Honor Congressman Rodino

EXTENSION OF REMARKS

OF

HON. CHARLES S. JOELSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1963

Mr. JOELSON. Mr. Speaker, when recognition has been made of the efforts and achievements of a fellow Member of Congress, I take great pleasure in bringing it to the attention of this body. I am sure that we all share my feelings in congratulating our distinguished colleague, the gentleman from New Jersey [Mr. RODINO], who was recently honored by the New Jersey Department of the Catholic War Veterans.

At the annual conference of that esteemed organization held in Atlantic City during June 7, 8, and 9, 1963, the State commander presented awards bestowed for service rendered "for God, for country, and for home," the highest honors bestowed by the Catholic War Veterans. Our colleague was cited for his achievements in the area specified as "for home."

We in the Congress are particularly aware of the efforts of our colleague to unite families and to further international cooperation and peace and, I am sure, heartily endorse the choice of the Catholic War Veterans.

In addition, Peter W. Rodino III, the Congressman's young son, received a special award for his "Little People to Little People" program. As we know, father and son jointly are developing this program, a project designed to promote letters of friendship among the children of the world, which has been mentioned and encouraged previously by Members of this body. This worthwhile program offers much potential for future international cooperation by establishing personal contacts and friendships where ignorance and prejudice previously existed.

At this point, I wish to offer my encouragement to the continuing progress of the "little people" program and repeat my congratulations to my good friend as the recipient of such an honor from the Catholic War Veterans.

Proposed Wage Hour Regulations

EXTENSION OF REMARKS

OF

HON. JAMES ROOSEVELT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1963

Mr. ROOSEVELT. Mr. Speaker, for some months the Department of Labor has given careful consideration to the wording of proposed regulations concerning executive and administrative employees under wage and hour law. Mr. Clarence T. Lundquist, Administrator, Wage and Hour and Public Contracts Division of the Department of Labor, has just advised me as follows:

> Proposed regulations concerning executive and administrative employees under wage and hour law being sent to Federal Register for publication in next few days, with opportunity to comment thereon for 30 days after publication. The proposed regulations will not contain footnote concerning management trainees, but if substantial interest is expressed in the 30-day period in regard to management trainees, we will give careful consideration to scheduling quickly a hearing, giving labor and management full opportunity to present their views.

In view of the particular interest in the proposed regulations, I wish to emphasize to my colleagues the importance of timely comment thereon, and call to their attention that such comments should be sent to the Department within 30 days following publication in the Federal Register.

National Rivers and Harbors Congress Convention

EXTENSION OF REMARKS
OF

HON. ROBERT L. F. SIKES

OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 8, 1963

Mr. SIKES. Mr. Speaker, as Members of Congress already know, the National Rivers and Harbors Congress held its 50th national convention on June 4–7 in Washington, D.C. For half a century, this organization has helped governmental and private interests to develop the vast water resources of our country. Through its contributions, it has earned the respect and admiration of people nationwide. The high regard in which the National Rivers and Harbors Congress is held may be seen from the following telegram which President Kennedy sent to the Convention on June 7, 1963:

THE WHITE HOUSE,
Washington, D.C., June 7, 1963.

I am pleased to send greetings to the 50th convention of the National Rivers and Harbors Congress, and I am confident your meeting will be productive.

Our mutual concern for the progressive, orderly, and balanced development of our Nation's water and related land resources so vital to our growing and complex society is reflected in the Federal budget for 1964. Funds were requested for the Corps of Engineers, the Bureau of Reclamation, the Bureau of Indian Affairs, the Tennessee Valley Authority, and the Soil Conservation Service to start construction on a large number of new projects as well as to continue those started in previous years.

We are continuing to make progress on the courses of action which I reported to you last year; for example, in the abatement of water pollution, the provision of recreation opportunities, and the formulation of water resources projects under the new standards which reflect the policies of this administration.

Since last year some important developments have occurred in the field of natural resources research. The National Academy of Sciences reported on research needs and opportunities related to our natural resources requirements. The Federal Council on Science and Technology has helped materially to strengthen the total Government research effort relating to natural resources. Based on the Council's studies, this administration supports the legislation now in Congress to provide grants to colleges and universities for water resources research.

We must intensify our planning efforts to provide for the best use, and combination of uses, of our natural resources, to harmonize conflicting objectives, and to establish priorities, to meet foreseeable short- and long-term needs. We are hopeful that legislation will be enacted which would provide effective machinery for the cooperative and coordinated planning by the various agencies involved, both Federal and State. Pending enactment of such legislation, the Federal agencies concerned have worked together to prepare a coordinated schedule of river basin planning, and the first step in that effort is reflected in the 1964 budget. Those agencies are continuing to work to effect improved coordination and to clarify planning concepts.

So vast and vital an undertaking as the development of our water resources involves many problems such as those relating to the allocation of project costs, reimbursement, and cost sharing between the Federal Government and non-Federal bodies. I have requested the four Cabinet Secretaries who would comprise the Water Resources Council to study these matters and to make their recommendations to me.

The agenda for your convention indicates that you, too, will be discussing some of the vital issues relating to the rational conservation and development of our water resources. My very best wishes to your members and delegates in this effort.

JOHN F. KENNEDY.

Failure of Foreign Aid

EXTENSION OF REMARKS
OF

HON. H. R. GROSS

OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 8, 1963

Mr. GROSS. Mr. Speaker, under the title of "Why I Am Opposed to Foreign Aid," the New York Times magazine of July 7, 1963, carries an article written by a distinguished Member of the House of Representatives, the Honorable OTTO E. PASSMAN.

In the article Mr. PASSMAN summarizes his opposition to the global foreign handout program and some of the reasons why he is leading the fight in the House Appropriations Committee to drastically curtail spending for this purpose and thus give a measure of relief to America's hard-pressed taxpayers.

The New York Times article follows:

FAILURE OF FOREIGN AID

(By OTTO E. PASSMAN)

("Most powerful congressional antagonist of foreign aid." This is how Capitol Hill observers characterize Representative OTTO E. PASSMAN, Democrat, of Louisiana, who holds the key job of chairman of the House Subcommittee on Foreign Operations Appropriations. The Times magazine asked Mr. PASSMAN why he opposes the program. Here is his reply.)

Secretary of State Rusk saw fit recently to accuse Members of Congress and others who favor substantial reductions in this country's spending for foreign aid of "cooperating with global Communist strategy." It is regrettable that the Secretary made such an intemperate and groundless statement but, no matter what his real opinions are, the remarks tie right in with the unrealistic point of view held by many overidealistic people in the executive branch of Government regarding the vast and complex worldwide foreign aid program.

I am one of those the Secretary was talking about. I am opposed to foreign aid; it has been, in my opinion, one of the greatest foreign policy failures in history. But as a realist, I recognize that it is, however distasteful, a political "fact of life" today.

Our foreign aid is the basis of such foreign policy as we have. Over the past 16 years, Washington administrations have made long-term "moral" commitments that involve our country's good faith and that must, as a matter of course, be fulfilled. Even if the Executive were to decree a fundamental shift in foreign aid policy—surely an unlikely possibility—considerable time would be required to carry out the change. Nations all over the world have come to expect largess from us. They would need time to make substantial adjustments—time to cure themselves of what has become literally an "addiction" to foreign aid.

Such is the "political fact" of foreign aid. In view of that fact, my work as chairman of the House Subcommittee on Foreign Operations Appropriations is not to end the program at one stroke but rather to help "contain" it, to encourage commonsense in its policies and operations and to curb as much as possible its waste and mismanagement.

However, this necessarily limited effort in no way alters my personal belief that the whole program is wrong. I believe it is wrong for four main reasons:

First, it has undermined the dollar. In one form or another, U.S. foreign aid has gone to 104 countries at a cost since the end of World War II of $120 billion, if we include the interest on the money we have borrowed to give away. The impact of all this on our own fiscal position becomes obvious if we consider how the program works.

When nations are credited with foreign aid dollars against which they can place orders for goods and services, the invoices for these goods and services are sent to the U.S. Treasury for payment—from the taxpayers' till—rather than to the government which receives the shipment. In normal commercial practice, when the United States sells a nation goods or services, we receive something in return—dollars, gold, or goods and services. Under our foreign-aid program, however, it is a one-way deal—the goods or services go out, the U.S. Treasury pays the bill, and the United States receives nothing of a tangible commercial nature in return.

So great has been America's outpouring of wealth through foreign aid that many of the recipient nations have accumulated dollars far in excess of their needs. Consequently, they demand gold in exchange for the dollars, and in the past 10 years our gold reserves have been reduced from more than $23 billion to less than $16 billion. Over the same period, other "free world" countries increased their gold holdings from $13 billion to nearly $25 billion and their short-term dollar credits from less than $11 billion to $25 billion. For these dollar credits, those countries can demand gold, and if such a demand should come, the United States could not meet it.

This is the condition that is fundamentally at the root of our dangerous balance-of-payments situation. And, subsequently as a result of our fiscally irresponsible action, the annual budget deficits increase, and the public debt—already exceeding by $24 billion the combined public debts of all other nations of the world—continues to rise at an alarming rate. Some day the debt must either be repaid, or repudiated through inflation.

My second criticism is that foreign aid has made the dollar a symbol of international charity. It has inculcated in less-favored nations the belief that the United States is morally responsible for bringing the whole world up to our standards of living and freedom by using our taxpayers' money.

The fact is, the majority of the aid-recipent countries do not, and will not, tax their own people at rates even remotely close to the U.S. rates to assist in bringing about the improved standards which we say we are trying to help them attain. Our aid is treated rather generally by recipients as a substitute for internal initiative and effort and in many cases it cannot be effectively utilized.

In the third place, the aid program has become not only an added tax on our producers, but also a subsidy to our foreign competitors. While rapidly depleting our own wealth and resources, it has been a primary reason for our increasingly noncompetitive position in world markets. Largely because of our wasteful giving, our prices have become so high that we cannot now compete successfully in world trade without the Federal Government's subsidizing our exports by as much as 30 percent.

Finally, despite our tremendous aid expenditures and commitments, our world position remains a precarious one. Within a relatively brief span of years, our country became great, free, and respected, in large measure because we had a firm but fair foreign policy based substantially upon trade. Today, through foreign aid, we have substituted "dollar diplomacy," a foreign policy that is a new concept among the family of nations—a weak policy, bordering on appeasement. We have been dissipating our resources in the hope that we shall acquire friends, yet there is little evidence that we have done so.

These are some of the general failings of the foreign aid program as I see them—and I consider them serious enough to call the whole program into question. But, as I have said, it is politically impossible to abolish it now. Therefore, I believe we should recognize and attempt to remedy as many as possible of the faults of the present operation.

Cited briefly, here are a few of the more readily evident shortcomings:

(1) There has not been adequate advance planning, in the form of firm technical and financial arrangements, and we have failed to reach definitive understandings with recipient countries on just what projects are essential. As a result, too many projects have been undertaken in individual countries, and assistance has been dispersed over too wide an area. Quantities of material have been delivered that are greater than the recipient countries need or can use.

(2) In several countries, the official exchange rates used by the U.S. Government have substantially overvalued the local currencies. The use of such rates has unduly increased the dollar cost of our aid; and also, in some of the countries, the use of these unrealistic exchange rates has resulted in windfall profits to importers and provided incentives for speculation and irregular practices.

(3) There has been a lack of qualified personnel and an oversupply of unqualified or poorly qualified personnel.

(4) In the military aid program, the objectives have not been sufficiently clarified so as to distinguish between forces which are justifiable on the basis of military roles and missions and those which are equipped and maintained for other than military reasons.

(5) We have acceded to too many requests for prestige projects. Many nations, including those that are relatively newly independent, seek status by building huge dams, steel mills, superhighways, and national airlines, all financed by the U.S. taxpayer. We have placed entirely too much emphasis on meeting the personal desires of foreign political leaders for such prestige-builders.

Without delay, our spending for foreign aid—in all of its categories—ought to be drastically curtailed. The time is here to start on the task of gradually phasing out the foreign aid program as a whole. Meanwhile, we should try, by tightening up the loose administration, cutting down on overstaffing and eliminating as many as possible of the impractical and overidealistic plans and projects, to reduce substantially the number of good American dollars that are wasted.

SENATE

TUESDAY, JULY 9, 1963

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Very Reverend Dr. Joseph Papin, research professor, Villanova University, Villanova, Pa., offered the following prayer:

Inspired by the glorious observance of our Independence Day and the safe return of our President from his European mission, we thank Thee, O Lord of our salvation, for all Your blessings, and implore Your aid in our undertakings for the benefit of our country and all mankind.

Seeking Your blessing upon the deliberations of this august Senate, we are moved by the spirit of unity expressed by the new pontiff, Paul VI, who gave his assurance to promote truth, justice, love, and freedom in accordance with his predecessor's "Pacem in Terris."

Grateful for the benefits of this great country, I turn my eyes to the great rendezvous with history of the 11th centennial year of the arrival of the apostles SS. Cyril and Methodius to our forefathers in Slovakia, who in the hidden design of divine providence preached peace and unity between East and West among the Slavic nations, and now overlook from the National Shrine of this Nation under God, numerous religious institutions dedicated to them.

Observing their 11th centennial, and recalling with the apostolic letter, "Magnifici Eventus," the zeal of these of holy messengers of God who ventured forth to preach the Gospel in a manner in which the merchant would not venture for gold nor the soldier for glory, and consecrated their work with the sacrifice of the saints of Zobor and the martyrs of Kovice, with solace we utter the prayer of St. Cyril before he died in the Eternal City where the institute is being built in their honor; "O Lord God, who has created all the orders of angels, who has stretched forth the heavens and established the earth, bring all together in unity; establish all Your chosen ones in harmony, and inspire in their hearts the word of Your hearing, so that they may bind themselves together to do what is good and pleasing to You."

This we pray in Your name, O Heavenly Creator and Merciful Father. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, July 2, and Friday, July 5, 1963, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on July 8, 1963, the President had approved and signed the act (S. 1359) to provide for an additional Assistant Secretary in the Treasury Department.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills and joint resolution of the Senate:

S. 535. An act to extend the principles of equitable adjudication to sales under the Alaska Public Sale Act;

S. 581. An act to amend the Agricultural Adjustment Act of 1938 to extend for 2 additional years the provisions permitting the lease of tobacco acreage allotments;

S. 969. An act to provide medical care for certain Coast and Geodetic Survey retired ships' officers and crew members and their dependents, and for other purposes;

S. 1031. An act to repeal the Inland Waterways Corporation Act;

S. 1745. An act to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes; and

S.J. Res. 60. Joint resolution providing for acceptance by the United States of America of an instrument for the amendment of the constitution of the International Labor Organization.

The message also announced that the House had passed the bill (S. 762) to provide for increased wheat acreage allotments in the Tulelake area of California, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the bill (S. 1036) to amend the inland and western rivers rules concerning anchor lights and fog signals required in special anchorage areas, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H.R. 394. An act to amend sections 1, 17a, 57j, 64a(5), 67(b), 67c, and 70c of the Bankruptcy Act, and for other purposes;

H.R. 976. An act to authorize the Secretary of the Interior to acquire and add certain lands to the Salem Maritime National Historic Site in Massachusetts, and for other purposes;

H.R. 2906. An act to amend part II of the Interstate Commerce Act in order to provide an exemption from the provisions of such part for the emergency transportation of any accidentally wrecked or disabled motor vehicle in interstate or foreign commerce by towing;

H.R. 2985. An act to amend section 1391 of title 28 of the United States Code, relating to venue generally;

H.R. 3050. An act to expand the authority of the Canal Zone Government to settle claims not cognizable under the Tort Claims Act;

H.R. 3306. An act to establish a revolving fund from which the Secretary of the Interior may make loans to finance the procurement of expert assistance by Indian tribes in cases before the Indian Claims Commission;

H.R. 3438. An act to amend the Bankruptcy Act with respect to limiting the priority and nondischargeability of taxes in bankruptcy;

H.R. 3999. An act to amend section 66 of title 2 of the Canal Zone Code;

H.R. 4338. An act to amend title 37, United States Code, to authorize travel and transportation allowances for travel performed under orders that are canceled, revoked, or modified, and for other purposes;

H.R. 4646. An act to declare a portion of the Benton Harbor Canal, Benton Harbor, Mich., a nonnavigable stream;

H.R. 4739. An act to amend section 406 of title 37, United States Code, with regard to the advance movement of dependents and baggage and household effects of members of the uniformed services;

H.R. 5728. An act for the relief of the county of Cuyahoga, Ohio;

H.J. Res. 324. Joint resolution extending an invitation to the International Olympic Committee to hold the 1968 winter Olympic games in the United States;

H.J. Res. 403. Joint resolution to amend section 316 of the Agricultural Adjustment Act of 1938 to extend the time by which a lease transferring a tobacco acreage allotment may be filed; and

H.J. Res. 405. Joint resolution to amend the joint resolution providing for U.S. participation in the International Bureau for the Protection of Industrial Property.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H.R. 1267. An act for the relief of Lawrence E. Bird;

H.R. 1275. An act for the relief of Miss Ann Super;

H.R. 1292. An act for the relief of Carmela Calabrese DiVito;

H.R. 1332. An act for the relief of Mario Rodrigues Fonseca;

H.R. 1736. An act for the relief of Assunta DiLella Codella;

H.R. 3356. An act for the relief of Josephine Maria (Bonaccorso) Bowtell; and

H.R. 4773. An act for the relief of Leroy Smallenberger, a referee in bankruptcy.

HOUSE BILLS AND JOINT RESOLUTIONS REFERRED

The following bills and joint resolutions were severally read twice by their titles and referred as indicated:

H.R. 394. An act to amend sections 1, 17a, 57j, 64a(5), 67(b), 67c, and 70c of the Bankruptcy Act, and for other purposes;

H.R. 2985. An act to amend section 1391 of title 28 of the United States Code, relating to venue generally;

H.R. 3438. An act to amend the Bankruptcy Act with respect to limiting the priority and nondischargeability of taxes in bankruptcy; and

H.R. 5728. An act for the relief of the county of Cuyahoga, Ohio; to the Committee on the Judiciary.

H.R. 976. An act to authorize the Secretary of the Interior to acquire and add certain lands to the Salem Maritime National Historic Site in Massachusetts, and for other purposes; and

H.R. 3306. An act to establish a revolving fund from which the Secretary of the Interior may make loans to finance the procurement of expert assistance by Indian tribes in cases before the Indian Claims Commission; to the Committee on Interior and Insular Affairs.

H.R. 2906. An act to amend part II of the Interstate Commerce Act in order to provide an exemption from the provisions of such part for the emergency transportation of any accidentally wrecked or disabled motor vehicle in interstate or foreign commerce by towing; to the Committee on Commerce.

H.R. 3050. An act to expand the authority of the Canal Zone Government to settle claims not cognizable under the Tort Claims Act;

H.R. 3999. An act to amend section 66 of title 2 of the Canal Zone Code;

H.R. 4338. An act to amend title 37, United States Code, to authorize travel and transportation allowances for travel performed under orders that are canceled, revoked, or modified, and for other purposes; and

H.R. 4739. An act to amend section 406 of title 37, United States Code, with regard to the advance movement of dependents and baggage and household effects of members of the uniformed services; to the Committee on Armed Services.

H.R. 4646. An act to declare a portion of the Benton Harbor Canal, Benton Harbor, Mich., a nonnavigable stream; to the Committee on Public Works.

H.J. Res. 324. Joint resolution extending an invitation to the International Olympic Committee to hold the 1968 winter Olympic games in the United States; and

H.J. Res. 405. Joint resolution to amend the joint resolution providing for U.S. participation in the International Bureau for the Protection of Industrial Property; to the Committee on Foreign Relations.

H.J. Res. 403. Joint resolution to amend section 316 of the Agricultural Adjustment Act of 1938 to extend the time by which a lease transferring a tobacco acreage allotment may be filed; to the Committee on Agriculture and Forestry.

LIMITATION OF STATEMENTS DURING MORNING HOUR

On request of Mr. Mansfield, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following communications and letters, which were referred as indicated:

Amendment of Peace Corps Act

A communication from the President of the United States, transmitting a draft of proposed legislation to amend further the Peace Corps Act (75 Stat. 612), as amended (with an accompanying paper); to the Committee on Foreign Relations.

Report on Additional Construction for Test Stand Complex at Sacramento, Calif.

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the additional construction for the test stand complex at Sacramento, Calif.; to the Committee on Aeronautical and Space Sciences.

Amendment of Title 10, United States Code, To Authorize Increased Fees for Certain Publications

A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to amend title 10, United States Code, to authorize increased fees for the sale of U.S. Naval Oceanographic Office publications (with an accompanying paper); to the Committee on Armed Services.

Disposal of Certain Waterfowl Feathers and Down From National Stockpile

A letter from the Acting Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize the disposal, without regard to the prescribed 6-month waiting period, of certain waterfowl feathers and down from the national stockpile (with accompanying papers); to the Committee on Armed Services.

Report on Construction at National Guard Armory, Milledgeville, Ga.

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), reporting, pursuant to law, on the additional construction at the National Guard Armory, Milledgeville, Ga.; to the Committee on Armed Services.

Report on Relative Cost of Shipbuilding at Various Coastal Districts

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report of the relative cost of shipbuilding in the various coastal districts of the United States, dated June 1963 (with an accompanying report); to the Committee on Commerce.

Amendment of Communications Act of 1934

A letter from the Chairman, Federal Communications Commission, Washington, D.C., transmitting a draft of proposed legislation to amend subsection (b) of section 310 of the Communications Act of 1934, as amended (with accompanying papers); to the Committee on Commerce.

Amendment of Federal Aviation Act of 1958

A letter from the Chairman, Civil Aeronautics Board, Washington, D.C., transmitting a draft of proposed legislation to amend section 406(b) of the Federal Aviation Act of 1958 to limit the right of certain air carriers to receive subsidy payments (with accompanying papers); to the Committee on Commerce.

Amendment of Tariff Act of 1930

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to amend section 313(b) of the Tariff Act of 1930, as amended, to prohibit drawback payments on exported articles under certain circumstances (with accompanying papers); to the Committee on Finance.

Audit Report on Federal Crop Insurance Corporation

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Federal Crop Insurance Corporation, Department of Agriculture, fiscal year 1962 (with an accompanying report); to the Committee on Government Operations.

Report on Review of Practice by the Federal Government of Paying Unemployment Benefits to Former Employees of Post Exchanges

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of the practice by the Federal Government of paying unemployment benefits to former employees of post exchanges and similar activities of the Armed Forces, Department of Labor, dated June 1963 (with an accompanying report); to the Committee on Government Operations.

Report on Premature Approval of Large-Scale Demolition for Erieview Urban Renewal Project I, Cleveland, Ohio

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the premature approval of large-scale demolition for Erieview urban renewal project I, Cleveland, Ohio, by the Urban Renewal Administration, Housing and Home Finance Agency, dated June 1963 (with an accompanying report); to the Committee on Government Operations.

Report on Unnecessary Costs To Be Incurred Under Military Departments' Proposals for Continued Operation of Certain Separate Army and Navy Hospitals

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the unnecessary costs to be incurred under the Military Departments' proposals for continued operation of separate Army and Navy hospitals in the San Francisco Bay area, California, dated June 1963 (with an accompanying report); to the Committee on Government Operations.

Report on Overpricing of Adaptation Kits for M–113 Vehicles

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the overpricing of adaptation kits for M–113 vehicles under Department of the Army contract negotiated with FMC Corp., San Jose, Calif., dated June 1963 (with an accompanying report); to the Committee on Government Operations.

Report on Unnecessary Expenditures of More Than $1 Million for Storage of Petroleum in a Commercial Facility

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the unnecessary expenditures of more than $1 million for storage of petroleum in a commercial facility at Plattsburgh, N.Y., Department of Defense, dated June 1963 (with an accompanying report); to the Committee on Government Operations.

Report on Illegal Transactions Under Army Stock Fund

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on illegal transactions under the Army Stock Fund, dated June 1963 (with an accompanying report); to the Committee on Government Operations.

Report on Followup Review of Noncompetitive Procurement of Aeronautical Replacement Spare Parts Within Department of the Army

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the followup review of noncompetitive procurement of aeronautical replacement spare parts within the Department of the Army, dated June 1963 (with an accompanying report); to the Committee on Government Operations.

Report on Overprocurement of Magnetos and Distributors for Reciprocating Aircraft Engines by Department of the Navy

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the overprocurement of magnetos and distributors for reciprocating aircraft engines by the Department of the Navy, dated June 1963 (with an accompanying report); to the Committee on Government Operations.

Report on Overprocurement of Transponders for Nike-Hercules Guided Missile System by Department of the Army

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the overprocurement of transponders for the Nike-Hercules guided missile system by the Department of the Army, dated June 1963 (with an accompanying report); to the Committee on Government Operations.

Report on Review of Separation, Storage, and Disposal of Records at Selected Federal Records Centers

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of separation, storage, and disposal of records at selected Federal Records Centers, National Archives and Records Service, General Services Administration, dated June 1963 (with an accompanying report); to the Committee on Government Operations.

Report on Failure of Department of the Navy To Fully Recover Certain Allowances Included in Fixed Prices Negotiated With Brown-Raymond-Walsh for Spanish Base Construction Program

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the failure of the Department of the Navy to fully recover excessive administrative cost allowances included in fixed prices negotiated with Brown-Raymond-Walsh (a joint venture) under contract Noy–83333 for the Spanish base construction program, dated June 1963 (with an accompanying report); to the Committee on Government Operations.

Report on Certain Equipment Titled in Nonprofit Educational Institutions

A letter from the General Manager, U.S. Atomic Energy Commission, Washington, D.C., transmitting, pursuant to law, a report on equipment titled in nonprofit educational institutions, for the calendar year 1962 (with an accompanying report); to the Committee on Government Operations.

Report on Technical Research Program at Virginia Polytechnic Institute and Pennsylvania State University

A letter from the Commissioner, Federal Housing Administration, Washington, D.C., reporting, pursuant to law, on the technical research program at Virginia Polytechnic Institute and Pennsylvania State University; to the Committee on Government Operations.

Report on Application for Loan Under Small Reclamation Projects Act of 1956

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, an application for a loan under the Small Reclamation Projects Act of 1956, for the King Hill Irrigation District of Elmore County, Idaho (with accompanying papers); to the Committee on Interior and Insular Affairs.

Certification of Adequate Soil Survey and Land Classification, The Dalles Project, Western Division, Oregon

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, that an adequate soil survey and land classification has been made on the lands to be benefited by the Dalles project, western division, Oregon (with an accompanying paper); to the Committee on Interior and Insular Affairs.

Report on Proposed Concession Contract on South Rim of Grand Canyon National Park

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed concession contract on the south rim of Grand Canyon National Park (with accompanying papers); to the Committee on Interior and Insular Affairs.

Report on Settlement of Claim of Northern Arapaho Tribe of Indians of the Wind River Reservation, Wyo., *v.* the United States of America

A letter from the Chief Commissioner and Associate Commissioners, Indian Claims Commission, Washington, D.C., transmitting, pursuant to law a report on the final settlement of the claim of the Northern Arapaho Tribe of Indians of the Wind River Reservation, Wyo., suing on its own behalf and as representative of the *Northern Arapaho Tribe of Indians, petitioner* v. *the United States of America, defendant,* Docket No. 329–D (with accompanying papers); to the Committee on Interior and Insular Affairs.

Report on Tort Claims Paid by Department of the Interior

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a report on tort claims paid by that Department, for the fiscal year 1962 (with an accompanying report); to the Committee on the Judiciary.

Suspension of Deportation of Certain Aliens

Two letters from the Commissioners, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

Status of Permanent Residence for a Certain Alien

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, a copy of an order granting the application for permanent residence filed by Franghi Anghelatos, together with a statement of the facts and pertinent provisions of law as to the subject and the reasons for granting the application (with accompanying papers); to the Committee on the Judiciary.

Reports on Petitions To Accord First Preference Status to Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports on petitions to accord first preference status to certain aliens (with accompanying papers); to the Committee on the Judiciary.

COMMUNICATION FROM AMBASSADOR OF DOMINICAN REPUBLIC

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate be authorized to receive a communication from the Ambassador of the Dominican Republic, and that it be printed in the Record.

The VICE PRESIDENT. Without objection, it is so ordered.

The communication was ordered to lie on the table, and to be printed in the Record, as follows:

July 5, 1963.

Hon. Lyndon B. Johnson,
Vice President of the United States of America, Capitol, Washington, D.C.

Dear Mr. Vice President: I have the honor to submit herewith the text of a message addressed to the U.S. Congress by the President of the Chamber of Deputies of the Dominican Republic, sending a cordial greeting of the members of this legislative body to the representatives of the American people in the U.S. Congress, on the occasion of the 4th of July, and a new anniversary of American independence:

"This Chamber of Deputies, meeting under the aegis of our country's restored freedom, sends its sincere greetings to the Honorable Members of the Congress of the United States, representing the American people, on the occasion of this glorious anniversary of their independence.

"Dr. Rafel Molina Ureña."

I avail myself of this opportunity to express to you, Mr. Vice President, the assurances of my personal regard.

Enriquillo A. del Rosario,
Ambassador.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

Three resolutions of the Legislature of the State of Florida; to the Committee on Interior and Insular Affairs:

"House Memorial 2029

"Memorial to the Congress of the United States to authorize the release of all unimproved U.S. lands in Wakulla County, Fla., for the use of the public for recreational purposes.

"*Resolved by the Legislature of the State of Florida,* That the Congress of the United States be and it is hereby requested to authorize the release of all unimproved U.S. land in Wakulla County, Fla., for the use of the public for recreational purposes; and be it further

"*Resolved,* That copies of this memorial be dispatched to the President of the United States, to the President of the U.S. Senate, to the Speaker of the House of Representatives of the United States, and to each member of the Florida congressional delegation.

"Filed in office, secretary of state, June 25, 1963."

"House Memorial 2030

"Memorial to the Congress of the United States to release all U.S. lands on the banks of the St. Marks River for homesites and for industrial use

"Whereas development of the St. Marks River as a navigable waterway creates a great need for homesites and industrial sites along the river; and

"Whereas the major portion of all land on the banks of the St. Marks River is owned by the United States: Now, therefore, be it

"*Resolved by the Legislature of the State of Florida,* That the Congress of the United States be and it is hereby requested to release all U.S. lands on the banks of the St. Marks River for sale to the public for use as homesites and industrial sites; and be it further

"*Resolved,* That copies of this memorial be dispatched to the President of the United States; to the President of the U.S. Senate; to the Speaker of the House of Representatives of the United States, and to each member of the Florida congressional delegation.

"Filed in office, secretary of state, June 25, 1963."

"House Memorial 2031

"Memorial to the Congress of the United States to authorize the release of U.S. land at Otter Lake, Wakulla County, Fla., for the creation of a State park

"*Resolved by the Legislature of the State of Florida,* That the Congress of the United States be and it is hereby requested to authorize the release of U.S. land at Otter Lake, Wakulla County, Fla., to the State of Florida for the purpose of the creation of a State park; and be it further

"*Resolved,* That copies of this memorial be dispatched to the President of the United States; to the President of the U.S. Senate; to the Speaker of the House of Representatives of the United States, and to each member of the Florida congressional delegation.

"Filed in office, secretary of state, June 25, 1963."

A joint resolution of the Legislature of the State of California; to the Committee on Armed Services:

"Senate Joint Resolution 28

"Joint Resolution relative to ships of the U.S. Navy

"Whereas, the Department of Defense with the approval of the President will shortly award construction contracts for the building of six nuclear-powered, Polaris missile submarines in the program of the U.S. Navy for the fiscal year 1964; and

"Whereas testimony was presented to the Defense Appropriations Subcommittee of the Committee on Appropriations of the House of Representatives by the Comptroller of the Department of Defense indicating a tentative decision to assign construction of all six of these submarines, the last of the announced current program of Polaris submarines, to east and gulf coast shipyards and none of such work to shipyards on the west coast; and

"Whereas, the capability of constructing nuclear-powered and Polaris missile submarines has been established on the west coast in an outstanding manner by construction of the SS(N) *Sargo* in 1957; the SS(N) *Halibut,* and SSB(N) *Theodore Roosevelt* in 1959; the SS(N) *Scamp* in 1960; the SS(N) *Permit,* and SS(N) *Plunger* in 1961; the SSB(N) *Andrew Jackson* and SSB(N) *Woodrow Wilson* in 1963; and with the SSB(N) *Daniel Boone,* SSB(N) *Kamehameha,* and SSB(N) *Stonewall Jackson* on the building ways at this time; and

"Whereas, a decrease in the assignment of similar work to west coast shipyards will tend to increase levels of unemployment of personnel in these fields and to loss of trained personnel in these vital skills to shipyards on the west coast and will reduce the level of readiness and capability of west coast shipyards to meet emergencies in meeting the needs of national defense and the U.S. fleet; now, therefore, be it

"*Resolved by the Senate and Assembly of the State of California (jointly),* That the President and Secretary of Defense are urged to review all of the factors affecting the shipyard industry of the west coast before assigning construction contracts for the nuclear-powered, Polaris missile submarines for the fiscal year 1964 and give every consideration to the assignment of at least one such contract to a west coast shipyard; and be it further

"*Resolved,* That the secretary of the senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States, and to the Secretary of Defense."

A joint resolution of the Legislature of the State of California; to the Committee on Commerce:

"Senate Joint Resolution 11

Joint resolution relative to the Trinity River

"Whereas the upper Trinity River is an area of great natural beauty with fine fishing areas for the people of California; and

"Whereas the lack of annual or periodic river flush due to the water regulation by Trinity Dam has caused excessive muddying and sliming of slack water areas and has caused excessive willow, tule, and other aquatic growth; and

"Whereas highway projects on State Route 299 in the Grass Valley Creek area, while not being the original cause of, nor at any time the major contributory factor, have caused some heavy siltation of the Trinity River; and

"Whereas decomposed granite covers more than a mile of the spawning gravel in the Trinity River; and

"Whereas the Trinity River salmon and steelhead fishery is of vital economic importance to Trinity County since many of its businesses depend entirely upon the autumn and winter influx of fishermen who are attracted by the excellent fishing; and

"Whereas immediate cooperative action of the State and Federal Governments is essential to the elimination of this serious threat to the upper Trinity River fishery: Now, therefore, be it

"*Resolved by the Senate and Assembly of the State of California (jointly),* That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to take immediate cooperative action with the State of California to eliminate this serious threat to the Trinity River fishery; and be it further

"*Resolved,* That the secretary of the senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on Interior and Insular Affairs:

"Senate Joint Resolution 27

"Joint resolution relative to the creation of a national park in the redwood area

"Whereas the Secretary of the Interior, Stewart L. Udall, has announced that he will soon propose a new national park covering a large redwood area in northern California, which will embrace a whole watershed area; and

"Whereas the people of California welcome the nationwide recognition of the scenic splendors of its redwood groves and encourage their dedication to the use and enjoyment of all of the people of the United States; and

"Whereas the outstanding manner in which the Federal Government maintains and operates national parks such as the Yellowstone National Park and Yosemite National Park is a credit to our country and has commanded worldwide admiration and respect; and

"Whereas it is appropriate that a national park be established in the redwoods, site of the oldest living things; and

"Whereas the only groves of redwoods comprising a whole watershed suitable for the proposed park appear to be located in Humboldt County; and

"Whereas more than 20 percent of the land of Humboldt County is now in public ownership and the removal of additional areas from private ownership and the tax rolls would not only preclude further development and growth of the county, and impose an intolerable tax burden on the residents thereof, but also would pose a serious threat to its existing economy; and

"Whereas the State of California has in 1962 acquired some 18,000 acres in the Bull Creek area within the watershed of the south fork of Eel River, of the value of over $1,150,000, in addition the 35,000 acres theretofore within existing State parks in said county, and thereby removed the same from the tax rolls of Humboldt County, and increased the tax burden upon the taxpayer of Humboldt County and of the Southern Humboldt Unified School District; and

"Whereas the creation of the proposed national park in lands now included within a State park would not only facilitate the dedication of the most desirable redwood groves for this purpose but would also avoid removing more lands from private ownership; and

"Whereas the acquisition and transfer of the present State parks by and to the United States for purposes of said national redwood park would relieve the State of California and the taxpayers thereof of the cost and responsibility for the further administration and operation thereof, without any disadvantages from the recreational standpoint; and

"Whereas the proposed national park or certain groves thereof could well be named in honor and memory of Dag Hammarskjöld as a fitting memorial, thereby relieving fund-raising organizations including those known as the Save the Redwoods League and Nature's Conservancy in their efforts to raise money to acquire a redwood grove in Humboldt County in his honor; and

"Whereas pursuant to section 4433 of the California Public Resources Code, the State pays to each county in which lands have been acquired for State forests an amount equivalent to taxes levied by the county on similar land similarly situated in the county; and

"Whereas section 1504 of the Fish and Game Code also requires that payments be made to counties by the State in lieu of taxes when income is derived from real property acquired and operated by the State as wildlife management areas; and

Whereas other States, including the State of New York, assist their counties in carrying their added burdens incident to the maintenance of tax-free State parks within their boundaries by making payments in lieu of taxes; and

"Whereas various Federal laws similarly provide for payments to counties including: Payments to counties of 25 percent of funds received from national forests for use in the county or counties in which the forest is located (sec. 50d, title 16, United States Code); payments to counties of specified percentage of various grazing fees received under the Taylor Grazing Act (sec. 315 et seq., title 43, United States Code); and payment of certain percentage of money received from the sale of public land (act of June 17, 1902 and other acts) and from the disposal of materials (including timber) on public lands (sec. 603, title 30, United States Code); and

"Whereas the payment of such payments in lieu of taxes is essential to enable the county to meet its obligations and to provide services necessary for its present population and those who would travel through the county to visit the redwoods: Therefore, be it

"Resolved by the Senate and Assembly of the State of California (*jointly*), That Congress is urged to secure the lands necessary for the proposed national park by taking over only those present State park lands in the Humboldt County comprising the Humboldt Redwood State Parks in the watershed of the south fork of the Eel River; and be it further

"Resolved, That provision be made for payments by the Federal Government to the county of Humboldt in lieu of taxes in order to remove the inequity resulting from present loss of tax base, and assist the county in performing the added county services which will be required incident to the operation of the national park; and be it further

"Resolved, That the secretary of the senate transmit a copy of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Member of Congress from the State of California, Stewart L. Udall, Secretary of the Interior, to James K. Carr, Under Secretary of the Interior and to Orville Freeman, Secretary of Agriculture."

Two joint resolutions of the Legislature of the State of California; to the Committee on Labor and Public Welfare:

"SENATE JOINT RESOLUTION 30

"Joint resolution relating to Federal subsidy to State veterans' homes of operating costs for long-term hospital or nursing home care

"Whereas legislation will be introduced in the current session of Congress to amend section 641 of title 38, United States Code, to increase the payment of a portion of the cost of long-term hospital or nursing home care to State veterans' homes who furnish such care to veterans; and

"Whereas the present payment of $2.50 per diem by the Veterans' Administration to the States represents a very small portion of the cost of furnishing such care; and

"Whereas there is great need throughout the country, and especially in California, by disabled and aged veterans for long-term hospital and nursing home care which is not being met by the Veterans' Administration: Now, therefore, be it

"Resolved by the Senate and Assembly of the State of California (*jointly*), That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to enact legislation and appropriate money to increase the Federal aid subsidy to States operating State veterans' homes furnishing long-term hospital or nursing home care; and be it further

"Resolved, That the secretary of the senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the chairman and members of the House Veterans' Affairs Committee, to the Administrator of Veterans' Affairs, and to each Senator and Representative from California in the Congress of the United States."

"SENATE JOINT RESOLUTION 31

"Joint resolution relative to Federal subsidy for capital outlay projects at State veterans' homes and hospitals

"Whereas existing facilities for long-term or nursing home care in our country, and especially in California, are wholly inadequate for the ever-increasing numbers of needy, disabled and aged veterans suffering from serious chronic disabilities requiring long-term hospital or nursing home care; and

"Whereas new construction, modernization, remodeling, additions and improvements at State veterans' homes are required to replace old and obsolete structures and to provide new facilities; and

"Whereas the chairman of the House Veterans' Affairs Committee has recognized the plight of needy, disabled and aged veterans, and has appointed a subcommittee to consider the problems of the older veteran, and to submit recommendations to relieve their hardships and suffering; and

"Whereas legislation will be introduced in the present session of Congress to assist States, through Federal aid subsidies, to finance, in part, capital outlay expense; and

"Whereas minimum needs of States operating State veterans' homes, providing long-term hospital or nursing home care, cannot be met without financial assistance from the Federal Government; and

"Whereas the State of California, due to the tremendous number of war veterans residing in the State, is unable to assume the entire cost of providing facilities for such care: Now, therefore, be it

"Resolved by the Senate and the Assembly of the State of California (*jointly*), That the Legislature of the State of California respectfully memorializes the Congress of the United States to enact legislation, and to appropriate money, to provide States with Federal aid subsidies to finance, in part, the construction, remodeling, modernization, additions and improvements of State operated veterans' homes; and be it further

"Resolved, That the secretary of the senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the chairman and members of the House Committee on Veterans' Affairs, to the Administrator of Veterans' Affairs, and to each Senator and Representative from California in the Congress of the United States."

Two resolutions of the Senate of the State of California; to the Committee on Interior and Insular Affairs:

"SENATE RESOLUTION 243

"Resolution relative to inclusion of State Highway Route 190 into the Federal Forest Highway System

"Whereas State Highway Route 190 will open the vast Kern plateau area to meet the recreational needs of the expanding growth of California; and

"Whereas State Highway Route 190 (Legislative Route 127) and proposed additions to such route will give access to timber resouces sufficient to perpetually sustain two sawmills with a 15 million board feet annual capacity; and

"Whereas under present conditions it has been estimated that at least 15 to 20 million board feet of lumber is annually being lost to various forms of tree disease; and

"Whereas State Highway Route 190 (Legislative Route 127) will meet the criteria of a forest highway in that it will:

"1. Be a principal road into the through national forests;

"2. Be a nationwide significance for transportation, development of natural resources, national security, and the general welfare of the people;

"3. Serve as a major artery for interstate traffic and statewide travel;

"4. Provide a link in the principal highways important to national defense, and population dispersion;

"5. Carry traffic to and from tributary forest development roads and trails; now, therefore, be it

"Resolved by the Senate of the State of California, That the President and the Congress of the United States and the U.S. Bureau of Public Roads are respectfully requested to forthwith place the U.S. Forest Highway System, State Highway Route 190 (Legislative Route 127) lying within the boundaries of the U.S. national forests, and the Legislature of the State of California by this resolution finds there is a public necessity for the inclusion of this road in the U.S. Forest Highway System; and be it further

"Resolved, That the Secretary of the Senate shall transmit copies of his resolution to the President and Vice President of the United States, to the Bureau of Public Roads, U.S. Department of Commerce, and to each Senator and Representative from California in the Congress of the United States."

"SENATE RESOLUTION 251

"Resolution relative to urging Congress to enact legislation to establish the Channel Islands National Seashore

"Whereas the Channel Islands—Santa Cruz, Santa Rosa, San Miguel, Anacapa, and Santa Barbara—are located off the southern California coast; and

"Whereas the Channel Islands presently contain a fine array of marine fauna, bird life, and archeological treasures which should be preserved for the enjoyment of Californians and all Americans; and

"Whereas if the Channel Islands were developed as a national seashore the large population of the southern California area would have an opportunity to enjoy their recreational potentialities with only a minimal loss to the national beauty of the islands; and

"Whereas a national seashore program for the Channel Islands not only would develop recreational facilities on the islands but at the same time preserve their beauty and conserve their natural resources: Now, therefore, be it

"Resolved by the Senate of the State of California, That the Members of the Senate urge the U.S. Congress to adopt legislation which would preserve the Channel Is-

lands as a national seashore; and be it further

"*Resolved,* That the Secretary of the Senate be directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A resolution of the Senate of the Commonwealth of Kentucky; to the Committee on Appropriations:

"Senate Resolution 13

"Concurrent resolution requesting and petitioning the Congress of the United States to provide an appropriation of funds for the construction of the Laurel River Dam

"Whereas the construction of a dam and reservoir on the Laurel River in Whitley County has been under consideration since 1956; and

"Whereas considerable moneys have been spent for studies of the feasibility of such a project and for the advance engineering and design thereof; and

"Whereas those studies and designs are now favorably completed or nearing completion; and

"Whereas the area to be affected by the construction of such a project is especially adaptable for industrial development, with the finest potential therefor in eastern Kentucky; and

"Whereas Interstate Highway 75 passes directly through said area, facilitating transportation therefor; and

"Whereas the city of Corbin has shown enthusiasm and effort on a program of industrial development, believing the success of such a program to depend largely upon the construction of said project; and

"Whereas the economy of the general area to be affected is in a depressed condition and favorable stimulation would radiate to a six-county area as a result of such construction: Now, therefore, be it

"*Resolved by the Senate of the Commonwealth of Kentucky (the House of Representatives concurring therein):*

"Section 1. That the Congress of the United States be and it hereby is requested to provide an appropriation of funds for the construction of the Laurel River dam.

"Sec. 2. That the clerk of the senate be directed to mail a copy of this resolution to the Presiding Officer of each House of the Congress of the United States and to each Member of the Kentucky congressional delegation.

"John W. Willis,
"*Clerk of the Senate.*"

A resolution adopted at a mass meeting of American citizens of Lithuanian descent, held in Los Angeles, Calif., requesting the President to bring up the Baltic States question before the United Nations, and so forth; to the Committee on Foreign Relations.

A resolution adopted at a mass rally of the Lithuanian American community in Cleveland, Ohio, restating their support in the fight against international communism; to the Committee on Foreign Relations.

A resolution adopted by the City Council of the City of Worcester, Mass., favoring an amendment to the Constitution of the United States to permit prayer in public schools; to the Committee on the Judiciary.

By Mr. SALTONSTALL (for himself and Mr. Kennedy):

A resolution of the Senate of the Commonwealth of Massachusetts; to the Committee on Commerce:

"Resolution Memorializing the Civil Aeronautics Board To Grant a Permanent Franchise to Northeast Airlines to Provide Service on the Boston to Florida Route

"Whereas Northeast Airlines, whose home base is in Boston, is a major contributor to the economy of New England, particularly the Cape Cod and Island areas, employing over a thousand people and purchasing more than $2 million worth of goods and services from some 450 different local concerns each year; and

"Whereas Northeast Airlines, having operated under a temporary franchise since 1957, has requested the Civil Aeronautics Board for a permanent franchise to provide service from Boston to Florida, a route determined by said Board as requiring service by a third airline with a permanent franchise status, and which route Northeast must have if it is to survive the intense competition and receive the revenue it needs to stay in operation; and

"Whereas the decision of the Civil Aeronautics Board as to such request will affect the future of Northeast Airlines and will, in turn, influence the expanding economy of all areas of New England, particularly the Cape Cod and Island areas; and

"Whereas if an airline other than Northeast were certified for the Boston to Florida run, Massachusetts would no longer be the home base of a major domestic airline, which would result in a direct and disastrous economic loss to Boston and said areas; and

"Whereas despite serious financial handicaps, Northeast Airlines has consistently proven its ability to provide the public the good service it wants and needs, its increased 1963 coverage of Boston-New York-Philadelphia and Miami-Fort Lauderdale further attesting to its getting the job done through unlimited desire and industry on the part of both management and employees; now, therefore be it

"*Resolved,* That the Senate of Massachusetts respectfully urges the Civil Aeronautics Board to grant a permanent franchise to Northeast Airlines for the Boston to Florida route in recognition of the importance of this carrier to the economy of New England and in order to insure that the needs of the public are best served; and be it further

"*Resolved,* That the secretary of the Commonwealth transmit forthwith copies of these resolutions to the President of the United States, to the Presiding Officer of each branch of the Congress, to each Member of the Congress from the Commonwealth, and to each member of the Civil Aeronautics Board.

"Adopted by the senate June 18, 1963.

"Thomas A. Chadwick,
"*Clerk.*

"Attest:

"Kevin H. White,
"*Secretary of the Commonwealth.*"

A resolution of the House of Representatives of the Commonwealth of Massachusetts; to the Committee on the Judiciary:

"Resolution Memorializing the Congress of the United States To Enact Into Law the Civil Rights Recommendations of Our President, John F. Kennedy

"Whereas one of the great problems facing the State and Federal Governments today is that of civil rights; and

"Whereas our President, John F. Kennedy, cognizant of the seriousness of this problem and the necessity for immediate action, is recommending to Congress for its consideration and enactment a civil rights program which will upgrade the social and economic status of millions of our citizens; and

"Whereas the prestige of our country is at stake, and will receive a serious setback in world opinion if immediate approval is not given to the recommendations of the President: Therefore be it

"*Resolved,* That the Massachusetts House of Representatives respectfully urges the Congress of the United States to enact the civil rights proposals of President Kennedy and respectfully requests that the members thereof from this Commonwealth actively support and work for their enactment; and be it further

"*Resolved,* That copies of these resolutions be transmitted forthwith by the secretary of the Commonwealth to the President of the United States, the Presiding Officer of each branch of Congress, and to the Members thereof from this Commonwealth.

"Adopted by the house of representatives June 24, 1963.

"William C. Maiers,
"*Clerk.*

"Attest:

"Kevin H. White,
"*Secretary of the Commonwealth.*"

The VICE PRESIDENT laid before the Senate a resolution of the House of Representatives of the Commonwealth of Massachusetts, identical with the foregoing, which was referred to the Committee on the Judiciary.

CONCURRENT RESOLUTION OF MISSOURI LEGISLATURE

Mr. LONG of Missouri. Mr. President, on behalf of my colleague, the senior Senator from Missouri [Mr. Symington], and myself, I ask unanimous consent to have printed in the Record and appropriately referred, House Concurrent Resolution 17 adopted by the House of Representatives of the State of Missouri, the Senate concurring therein, relating to water resources.

There being no objection, the concurrent resolution was referred to the Committee on Interior and Insular Affairs, as follows:

House Concurrent Resolution 17

Whereas water and soil are the most valuable natural resources of Missouri; and

Whereas the citizens, industries, farms and cities of Missouri have always been subject to flood and drought; and

Whereas many cities, industries and farms have suffered from a critical shortage of water and at the same time are exposed to the further hazards of flood and drought; and

Whereas the nature of rivers is such that storms occurring in headwater regions of a stream in one State frequently inflict damage to areas in other States, and the benefits of stream stabilization resulting in adequate and dependable water supplies in one State become beneficial to areas in other States; and

Whereas it has become evident that we must use every means available and feasible to conserve and control all of the sources of water supply for agricultural, municipal, industrial and recreational use; and

Whereas land treatment and watershed development have been increasingly emphasized as vital to all programs for the conservation of water and soil by the executive and legislative branches of State government, the State water resources board, State department of agriculture and other agencies; and

Whereas the Federal Water Supply Act of 1958 provides for the construction of reservoirs by the Corps of Engineers or the Bureau of Reclamation but requires certain costs of water supply provisions to be paid by State or local interests: Now, therefore, be it

Resolved by the House of Representatives of the State of Missouri (the Senate concurring therein), that the Missouri General Assembly hereby recognizes the responsibility and obligation of the State of Missouri in developing their valuable water resources for the maximum benefit of our citizens and pledges its continued support and cooperation with the Government of the United States to this end working through a recently created Missouri Water Resources Board; and be it further

Resolved, That the State Water Resources Board is directed to conduct a study of all possible means of obtaining and providing funds for the costs of water supply provisions which must be paid by State and local interests under the provisions of the Federal Water Supply Act of 1958, and to recommend legislation to the 73d general assembly to provide a means of furnishing the required State and local interest cost; and be it further

Resolved, That the State department of agriculture, the attorney general, the University of Missouri and all other departments, agencies and institutions of the State shall cooperate with the State water resources board and shall provide, upon request, any necessary technical, legal or clerical assistance or research, information or statistics; and be it further

Resolved, That properly inscribed copies of this resolution be sent to the State water resources board and to each Missouri Member of the Congress of the United States.

RESOLUTIONS OF SOUTH DAKOTA DEPARTMENT OF THE AMERICAN LEGION

Mr. MUNDT. Mr. President, the South Dakota Department of the American Legion at its recent department convention adopted several resolutions on problems affecting members of that great organization which they desired to have called to the attention of all Members of the Congress and to the appropriate Administrators of agencies in the administration.

In order that this might be done I request that the resolutions be inserted in the RECORD at this point and commend the reading of them to all appropriate officials of the executive branch and to all Members of the Congress.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

RESOLUTION —

Whereas the Veterans' Administration by its circular 10-63-110, May 8, 1963, proposes to discontinue its contract burial service for those veterans who die in Veterans' Administration facilities; and

Whereas this has been a service which has been offered and used for many years and for which the Veterans' Administration now offers no satisfactory substitute or replacement; and

Whereas dispensing with this service will work undue hardship, both mental and financial on many beneficiaries of veterans nationwide and in South Dakota in particular; and

Whereas the only apparent reason for dispensing with this service by the Veterans' Administration is that they are not able to properly administer the law permitting this service in the present civil rights and class struggle that has developed in parts of this country of ours other than South Dakota; and

Whereas this refusal on the part of the Veterans' Administration to accept the responsibility which properly belongs to it is nothing more than a direct abrogation of the duties assigned to it by the Congress: Now, therefore, be it

Resolved, That the American Legion, Department of South Dakota, by this resolution action expresses its objection to this proposed action by the Veterans' Administration and urges that reconsideration be given to the above-mentioned circular leading to its rescission; and be it further

Resolved, That a copy of this resolution be transmitted immediately and directly to each member of the congressional delegation from South Dakota, together with a letter signed by the department commander, urging each member of that delegation to use every possible action toward the end of the rescission of the above-mentioned circular.

This resolution adopted by the American Legion, Department of South Dakota, in convention assembled at Huron, S. Dak., June 25, 1963.

BOB WHITTEMORE,
Department Adjutant.

RESOLUTION —

Whereas many veterans of this Nation's wars or conflicts have now reached, or soon will reach, the age of 65 years; and

Whereas their advanced age and failing health have deprived these said veterans of the opportunity to earn a normal livelihood for themselves and their dependents; and

Whereas there is legislation pending before the U.S. Congress to provide suitable pensions for the surviving veterans of all wars or conflicts, in keeping with Government policies of all previous wars and military services: Now, therefore, be it

Resolved, That the American Legion, Department of South Dakota, support this pending legislation; and, be it further

Resolved, That copies of this resolution be forwarded to all of the members of the congressional delegation from South Dakota.

This resolution adopted by the American Legion, Department of South Dakota, in convention assembled at Huron, S. Dak., June 25, 1963.

BOB WHITTEMORE,
Department Adjutant.

RESOLUTION —

Whereas it has been the American Legion's long-established policy to promote a maximum employment program for all veterans; and

Whereas the advancing age of all veterans, coupled with the ever-increasing technological unemployment—veterans today are facing greater difficulty in finding new employment once they become jobless; and

Whereas the U.S. Department of Labor, through its Chief of the Veterans' Employment Service and the employment agencies in the various States have been mandated by the GI bill to provide for the establishment of facilities to render adequate counseling and employment service for veterans: Now, therefore, be it

Resolved, That the American Legion, through its national legislative committee, use their utmost efforts to the end that sufficient funds be provided by congressional appropriation to insure adequate service to the veterans of this Nation, and that the provisions of title IV of the GI bill, as amended, be fully carried; and be it further

Resolved, That copies of this resolution be forthwith transmitted to the national adjutant of the American Legion and in due course referred to the 1963 National Convention at Miami Beach, Fla.; and be it finally

Resolved, That copies of this resolution also be transmitted to all members of the congressional delegation from South Dakota.

This resolution adopted by the American Legion, Department of South Dakota, in convention assembled at Huron, S. Dak., June 25, 1963.

BOB WHITTEMORE,
Department Adjutant.

RESOLUTION —

Whereas Sidney L. Smith Post No. 24, the American Legion, Aberdeen, S. Dak., will host the 1965 American Legion Little World Series; and

Whereas it was in Milbank, S. Dak., in 1925 at the annual department convention of the American Legion that the nationwide organization of American Legion Junior Baseball was first proposed as a program of service to the youth of America; that over 15 million graduates of this program, youth under 18 years of age, have received important lessons in good citizenship, responsibility, loyalty, sportsmanship and team spirit, offering to many boys an opportunity to advance to the professional ranks and a career in the diamond sport; and

Whereas while this will be the first national finals tournament ever played in South Dakota, Aberdeen has a long and successful history of tournament baseball sponsorship. The Hub City staged its first national level tournament in 1946, hosting a three-team sectional, and regional tournaments in 1949, 1951, and 1953, and boasts State championship teams during 12 seasons between 1930 and 1956, inclusive; and

Whereas the American Legion on this 40th anniversary points with pride to the thousands of legionnaires throughout America, who, year in and year out, devoted much time, leadership and hard work to raise funds to field Legion teams and to provide the supervision that has accomplished the character building qualities so notable in this most worthwhile youth program: Now, therefore, be it

Resolved, That in the 1965, the 40th anniversary of the founding of American Legion baseball, an appropriate and special commemorative postal stamp in recognition of South Dakota as the birthplace of American Legion baseball be issued, and that a copy of this resolution be forthwith presented to the Honorable J. Edward Day, Postmaster General, and members of his Advisory Commission on Commemorative Stamps, for due consideration; and be it further

Resolved, That copies of this resolution, duly certified, be forthwith mailed to each member of our South Dakota congressional delegation, and we do hereby urgently solicit their respective endorsement and assistance in our endeavor.

This resolution adopted by the American Legion, Department of South Dakota, in convention assembled at Huron, S. Dak., June 25, 1963.

BOB WHITTEMORE,
Department Adjutant.

RESOLUTION OF BOARD OF SUPERVISORS, ERIE COUNTY, N.Y.

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the Board of Supervisors of Erie County, N.Y., relating to civil rights.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

STATE OF NEW YORK,
BOARD OF SUPERVISORS OF ERIE COUNTY,
Buffalo, N.Y., July 2, 1963.

To Whom It May Concern:

Resolved, That this board of supervisors record itself and hereby does record itself in favor of the spirit, purposes and goals of the civil rights bill as presented by President Kennedy and supports the implementation of the principle of identical rights, privileges and opportunities for all citizens.

Attest:

WALTER A. HOLZ,
Deputy Clerk of the Board of Supervisors of Erie County.

RESOLUTIONS OF BAR ASSOCIATION OF DANVILLE, VA., PROTESTING ACTION OF THE DEPARTMENT OF JUSTICE

Mr. ROBERTSON. Mr. President, I ask unanimous consent to have printed at this point in the RECORD resolutions adopted by the Bar Association of the City of Danville, Va., protesting against the action of the Department of Justice in cases involving the violations of ordinances of the city of Danville. The Federal procedure is under provisions of a punitive action passed by the Congress during the unfortunate reconstruction days and indicates the same disregard for States' rights and the rights of independent cities chartered by a State.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

DANVILLE, VA., *July 4, 1963.*

Hon. A. WILLIS ROBERTSON,
U.S. Senate,
Washington, D.C.:

The Danville Bar Association at a special session on July 3, 1963, met and reviewed statements contained in a Justice Department brief filed in the U.S. District Court for the Western District of Virginia and in an Associated Press release under dateline Washington, D.C., July 2, 1963, attributing to the Attorney General of the United States, Robert F. Kennedy, and to the Justice Department serious and unwarranted charges against the Honorable A. M. Aiken, judge of the corporation court of Danville, Va.

These charges state that the Honorable A. M. Aiken operates his court in an atmosphere of rancor and suspicion; denies defendants equal civil rights under the law; tries cases in a prejudicial manner and setting; prejudges defendants; is guilty of racial antagonism; and so conducts his court that defendants are intimidated and cannot secure equal protection of the laws or a fair trial.

The Danville Bar Association states that such charges are false, without basis in fact, or misleading. It is the judgment of this association that such irresponsible charges degrade the dignity of the Justice Department as well as the dignity of the State courts of this Commonwealth of Virginia, and that such charges constitute an unwarranted and irresponsible interference with the administration of justice in the corporation court of Danville, Va.

The Danville Bar Association expressed its unqualified confidence and support of Judge A. M. Aiken as a distinguished jurist and confirms that at all times Judge A. M. Aiken has conducted his court and administered justice in Danville in a fair, impartial and judicious manner, without regard to race, religion, color, or creed.

The following resolution was thereupon unanimously adopted:

"Whereas the Danville Bar Association has taken due note of a widely published press release dated July 2, 1963, over Associated Press wire from Washington, D.C., which contains statements attributed to the Attorney General of the United States and others contained in a brief filed by the Department of Justice in the U.S. District Court for the Western District of Virginia, which statements constitute an unwarranted, irresponsible and unjust attack on the Honorable A. M. Aiken and on his conduct of the corporation court of the City of Danville, Va.; and

"Whereas such statements are false, without basis in fact, or misleading to such an extent that a wholly false impression has been conveyed to the public of the administration of justice in Danville: Now, therefore, be it

"*Resolved,* That this association does here record its strong resentment and unqualified disapproval of the aforementioned statements, and does hereby censure any representatives of the Department of Justice, including the Attorney General of the United States, who may be responsible for formulating, issuing, or giving circulation to such statements, to the discredit of the legal profession of which they are a part; and, be it further

"*Resolved,* That this association does hereby affirm its support and admiration of the Honorable A. M. Aiken and of the extremely able and judicious manner in which he conducts his court, thus assuring a fair and impartial trial to every defendant, regardless of race, color, or creed."

GEORGE B. ANDERSON,
President, Danville Bar Association.

AUTHORIZATION FOR TWO EMPLOYEES OF A SENATE SELECT COMMITTEE TO TESTIFY IN THE CASE OF UNITED STATES v. NATE STEIN—REPORT OF A COMMITTEE

Mr. HUMPHREY. Mr. President, on behalf of the distinguished Senator from Arkansas [Mr. MCCLELLAN], the chairman of the Committee on Government Operations, I report an original resolution, which I send to the desk and ask to have read. I shall thereafter ask unanimous consent that the resolution be considered and approved.

I add that this is a resolution similar to others which have been passed relating to the activities of the Permanent Subcommittee on Investigations. That is why I am asking that the text of the resolution be read.

The VICE PRESIDENT. The resolution will be read for the information of the Senate.

The legislative clerk read the resolution (S. Res. 169), as follows:

Whereas the case of the *United States of America* v. *Nate Stein,* Criminal Action No. 31919–CD, is pending in the U.S. District Court for the Southern District of California; and

Whereas the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations, has in its possession, by virtue of Senate Resolution 255, section 5, 88th Congress, the records of the former Senate Select Committee on Improper Activities in the Labor or Management Field; and

Whereas the chairman of the said subcommittee has received certain requests from the Department of Justice for documents of the said former Select Committee on Improper Activities in the Labor or Management Field, to be used in connection with the aforementioned criminal proceedings; and

Whereas the Department of Justice has requested that Walter L. Malone and Denzel Lee Malvin, investigators who were formerly employed by the Select Committee on Improper Activities in the Labor or Management Field, appear as witnesses during the trial of the aforementioned criminal case; and

Whereas by the privileges of the Senate of the United States no document under the control and in the possession of the Senate of the United States can, by the mandate of processes of the ordinary courts of justice be taken from such control or possession but by its permission; and

Whereas by the privilege of the Senate and by rule XXX of the Standing Rules of the Senate, no document shall be withdrawn from its files except by the order of the Senate; and

Whereas information secured by staff employees of the Senate pursuant to their official duties as employees may not be revealed without the consent of the Senate: Therefore be it

Resolved, That the chairman of the Permanent Subcommittee on Investigations of the Committee on Government Operations is authorized to comply with the aforesaid requests and deliver the requested documents in the possession of the said subcommittee to the Department of Justice; and

Resolved, That Walter L. Malone and Danzel Lee Melvin, investigators formerly employed by the Senate Select Committee on Improper Activities in the Labor or Management Field, are authorized to appear and testify in the aforementioned criminal proceedings.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the resolution.

The VICE PRESIDENT. Is there objection to the request of the Senator from Minnesota;

There being no objection, the Senate proceeded to consider the resolution.

Mr. HUMPHREY. Mr. President, before action is taken on the resolution, I wish to note for the RECORD that it has been cleared with the minority—with the minority leader as well as the ranking minority member of the Committee on Government Operations.

The VICE PRESIDENT. The resolution is open to amendment. If there be no amendment to be proposed, the question is on agreeing to the resolution.

The resolution (S. Res. 169) was agreed to.

The preamble was agreed to.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CURTIS:

S. 1835. A bill to amend the national emergency provisions of the Labor-Management Relations Act, 1947, so as to eliminate the exemption for carriers subject to the Railway Labor Act and to provide additional means of settling disputes which imperil the national health and safety; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. CURTIS when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS (for himself, Mr. KEATING, Mr. SCOTT, Mr. CLARK, Mr. MCGOVERN, Mr. CASE, and Mr. ERVIN):

S. 1836. A bill to authorize the acquisition of and the payment for a flowage and clearing easement and rights-of-way over lands within the Alleghany Indian Reservation in New York, required by the United States for the Allegheny River (Kinzua Dam) project, to provide for the relocation, rehabilitation, social and economic development of the members of the Seneca Nation, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. ELLENDER (for himself and Mr. Long of Louisiana):

S. 1837. A bill to provide for the striking of medals in commemoration of the 150th anniversary of the Battle of New Orleans; to the Committee on Banking and Currency.

By Mrs. SMITH:

S. 1838. A bill for the relief of Hannah Robbins; to the Committee on the Judiciary.

By Mr. KUCHEL:

S. 1839. A bill to authorize additional appropriations for the Los Angeles River Basin; to the Committee on Public Works.

(See the remarks of Mr. Kuchel when he introduced the above bill, which appear under a separate heading.)

By Mr. CASE:

S. 1840. A bill for the relief of Sirijo Tanfara; to the Committee on the Judiciary.

By Mr. HART:

S. 1841. A bill for the relief of Yilmaz Tokad; to the Committee on the Judiciary.

By Mr. MAGNUSON (by request):

S. 1842. A bill to amend the Federal Aviation Act of 1958 so as to clarify the powers of the Civil Aeronautics Board in respect of consolidation of certain proceedings;

S. 1843. A bill to amend the Natural Gas Act with respect to the interconnection of facilities for the transportation of natural gas, and for other purposes;

S. 1844. A bill to amend the Natural Gas Act with respect to the importation and exportation of natural gas; and

S. 1845. A bill to amend section 7(b) of the Natural Gas Act; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bills, which appear under separate headings.)

By Mr. YARBOROUGH:

S. 1846. A bill to amend section 1303 of the Internal Revenue Code of 1954 to allow severance pay to be included within the term "back pay"; to the Committee on Finance.

S. 1847. A bill to provide a residence for congressional and Supreme Court pages; to the Committee on Public Works.

(See the remarks of Mr. Yarborough when he introduced the above bills, which appear under separate headings.)

By Mr. HRUSKA:

S. 1848. A bill for the relief of Yoon Suk Koh, his wife, Chong Sook Koh, and their four minor children, Unhee Koh, Songhee Koh, Yungyul Koh, and Yungbeck Koh; and

S. 1849. A bill for the relief of Jan Jachym, Maria Jachym, and their child; to the Committee on the Judiciary.

By Mr. LONG of Missouri:

S. 1850. A bill for the relief of Zivotije Siskovic; to the Committee on the Judiciary.

By Mr. KEATING:

S. 1851. A bill to provide that news reporters shall not be required to disclose confidential communications in Federal courts or before committees of Congress, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Keating when he introduced the above bill, which appear under a separate heading.)

By Mr. HUMPHREY (for himself, Mr. Hartke, Mr. McCarthy, Mr. Young of North Dakota, Mr. Burdick, Mr. Mundt, Mr. McGovern, Mr. Nelson, and Mr. Bayh):

S. 1852. A bill to amend the Consolidated Farmers Home Administration Act of 1961 in order to increase the limitation on the amount of loans which may be insured under subtitle A of such act; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Humphrey when he introduced the above bill, which appear under a separate heading.)

By Mr. HARTKE:

S. 1853. A bill to authorize the Secretary of the Army to lease certain real property located at Camp Atterbury, Ind., and for other purposes; to the Committee on Armed Services.

(See the remarks of Mr. Hartke when he introduced the above bill, which appear under a separate heading.)

By Mr. ENGLE:

S.J. Res. 98. Joint resolution to provide for establishment of the U.S. World Film Festival Commission, and its participation in a World Festival of Films to be held in Washington, D.C., in 1965, and for other purposes; to the Committee on Foreign Relations.

By Mr. BREWSTER:

S.J. Res. 99. Joint resolution officially recognizing Thomas Carr as the author of the original adaptation and arrangement of the "Star Spangled Banner"; to the Committee on the Judiciary.

(See the remarks of Mr. Brewster when he introduced the above joint resolution, which appear under a separate heading.)

RESOLUTION

AUTHORIZATION FOR TWO EMPLOYEES OF A SENATE SELECT COMMITTEE TO TESTIFY IN THE CASE OF UNITED STATES v. NATE STEIN

Mr. HUMPHREY (for Mr. McClellan), from the Committee on Government Operations, reported an original resolution (S. Res. 169) to authorize two employees of a Senate select committee to testify in the case of United States against Nate Stein in the U.S. District Court in the Southern District of California, which was considered and agreed to.

(See the above resolution printed in full when reported by Mr. Humphrey, which appears under the heading "Report of a Committee.")

NATIONAL EMERGENCY STRIKE BILL

Mr. CURTIS. Mr. President, I introduce a bill which I send to the desk; and I request its appropriate reference.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1835) to amend the national emergency provisions of the Labor-Management Relations Act, 1947, so as to eliminate the exemption for carriers subject to the Railway Labor Act and to provide additional means of settling disputes which imperil the national health and safety, introduced by Mr. Curtis, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. CURTIS. Mr. President, the measure I am introducing deals with the current railroad labor problem. It need not be said that the situation is serious. The Nation is in danger of being paralyzed by a rail strike.

It has been suggested that various remedies be applied by Congress: That Congress enact laws which would permit seizure, or that Congress enact laws which would enforce compulsory arbitration. I believe both of those courses should be avoided.

My bill, I submit, would take care of the matter. The bill is in two parts.

This legislation would do two things: First, apply Taft-Hartley emergency provisions to Railway Labor Act disputes. Present law specifically excludes such disputes from Taft-Hartley coverage.

The passage of that part of my proposal at this time would enable the President to go into court and seek an injunction for 80 days as a cooling-off period, to enable the parties to get together.

Mr. President, I may say that the Taft-Hartley law has been a success. It has been invoked 23 times; and in 73 percent of the cases it has been successful in settling the dispute. It was invoked 10 times by President Truman, who condemned the law. In the six times that it has not ended the work stoppage, maritime strikes or dockworkers strikes were involved.

But the question has often been raised, What should we do at the end of the 80 days if a strike which would paralyze or would threaten to paralyze our economy is not then settled? The second part of the bill I have introduced deals with that problem. It provides for amendment of the emergency provisions of the Taft-Hartley law, to provide a special remedy for work stoppages which occur after the 80-day Taft-Hartley law injunction period has run out.

This proposal does not apply across the board to all labor disputes. It applies only to disputes which are so grave that the President and the court find that they put the health or safety of the whole Nation in peril.

In such circumstances, the public interest must be paramount.

The Taft-Hartley law now provides an 80-day injunction against work stoppages which would imperil the national health or safety. These provisions were written in 1947, to protect the public—to insure continued production, or vital services; and they have been highly successful in that purpose. In 16 years, only six of 23 national-emergency disputes have involved work stoppages after the 80-day Taft-Hartley law injunction period had expired. This has been the only real shortcoming, measured in terms of the national-interest objectives, of the Taft-Hartley law's national-emergency provisions.

The legislation proposed here would deal with any such stoppages which occur after the 80 days. It would empower the President to go back to the court in such a situation; and the court could require the employers involved to bargain separately with their own employees.

In short, in the rare situations in which employers and unions are locked in a combat which imperils the Nation, and when they cannot settle their differences during the 80-day period, the court could say, in effect: "You've failed to settle, and the whole Nation is in peril because of that failure. So, from now on, in this particular dispute, you may no longer combine together. You will each bargain separately, and settle your problems separately—each employer with his own employees, each local union with the employer who employs its members. And any violation of this order—by anyone—will be subject to punishment for contempt of court."

This legislation, therefore, would apply to all national emergency disputes—

railroad or otherwise, and it would subject all to the same treatment.

It would not replace any existing mediation or settlement procedures. Rather, it would build upon procedures which have already proven their worth—adding a new dimension urgently called for in the interest of the Nation's health and safety.

Mr. President, again I say that seizure of the railroads or compulsory arbitration—either one—would be repugnant to our American system of doing business.

I suggest that we make available to railroad-labor disputes the remedy of the 80-day Taft-Hartley law injunction period. That is the first part of my bill, and it should be advanced immediately.

Then, as a second part, I provide an additional step to deal with work stoppages that continue after the 80 days. In those particular disputes we would do away with industrywide bargaining, and would require the employer and his own employees to come to an agreement.

I remind the Senate that this measure would involve only serious work stoppages which imperil the health and safety of the country. I hope this bill will have the immediate attention of the Congress, because it could render a service at the present time.

SENECA INDIANS' COMPENSATION FOR KINZUA DAM RELOCATION

Mr. JAVITS. Mr. President, I introduce today, together with my colleague from New York, Senator KEATING, and Senators SCOTT, CLARK, MCGOVERN, CASE, and ERVIN, for appropriate reference, a bill to authorize the acquisition of and payment for flowage and clearing easement and rights of way over lands within the Allegany Indian Reservation in New York. This bill provides for much-needed financial compensation for the relocation, rehabilitation, social and economic development of the Seneca Nation of Indians and its individual members who will be displaced by the taking of their property by the United States for the purpose of constructing the Allegheny River—Kinzua Dam—project.

The Allegheny River Dam now being constructed at Kinzua, Pa., is scheduled for completion in 1965. By that time between 600 and 800 members of the Seneca Nation of Indians will be displaced from their home community. In providing compensation to the Seneca Indians, this bill expresses in legislative form the intent of President Kennedy as reflected in his August 9, 1961, letter to the Seneca Nation, in which he declared "the desire of the Federal Government to assist the members of the Seneca Nation in every proper way to make the adjustment as fair and orderly as possible."

There are a number of precedents for congressional payment of compensation for the acquisition of tribal and individual Indian lands by the Federal Government. The most recent authorizations for such payment were enacted in 1962 to compensate the Lower Brule Sioux Indians and the Crow Creek Sioux Indians in South Dakota for losses resulting from the construction of the Big Bend Dam on the Missouri River—Public Law 87-734, Public Law 87-735.

In return for an easement right to over 10,000 acres of land owned by the Seneca Nation, this bill provides for payment by the United States of direct damages to the Seneca Nation, including severance damages and damages involved in the increased difficulty or impossibility of exploiting subsurface rights to lands remaining within the Allegany Indian Reservation. Of the funds paid to the Seneca Nation, a sum will be paid over to individual Seneca Indians in accordance with a schedule prepared by the Secretary of the Army as compensation for the taking of their interests in land. Compensation would also be paid directly to individual members of the Seneca Nation for the taking of houses, barns, fences and other structures and improvements on the lands within the reservation.

In addition, the bill provides for a fund to be deposited in the U.S. Treasury to the credit of the Seneca Nation for assistance in improving their economic, social and educational conditions. I have not included a specific authorization for this fund with the intent that the committee, after presentation of engineering reports and expert opinion in hearings, may they determine an appropriate authorization. This fund would be used for: first, agricultural, commercial, and recreational development of the Allegany, Cattaraugus, and Oil Springs Reservations; second, industrial development on the Seneca Reservations or within 50 miles of any exterior boundary of the reservation; third, relocation and resettlement, including the construction of roads, utilities, sanitation facilities, houses and related structures; fourth, construction and maintenance of community buildings and other community facilities; fifth, an educational fund for scholarship loans and grants, vocational training and counseling services; sixth, the acquisition of property within or adjacent to the Allegany Reservation in place of the condemned property; and seventh, a resurvey of the villages established pursuant to the act of February 19, 1875, together with a title search of all leases issued by the Seneca Nation.

The President has directed Federal agencies to consider "the possibility of the Federal Government securing a tract of land suitable for tribal purposes and uses contiguous to the remaining Seneca lands in exchange for the area to be flooded." Accordingly, section 13 of the bill authorizes the Secretary of the Interior to purchase or acquire through condemnation proceedings property within the Allegany Reservation for the relocation of houses and community facilities or for recreational, commercial or industrial development, and property adjacent to the reservation for recreational or commercial development.

Whether or not the Seneca Nation will be able to use such "lieu lands" effecively will depend largely upon a study of the economic feasibility of development, which is close to completion. Additional planning has been initiated by the Cattaraugus County Planning Board in Cattaraugus, N.Y., which has formulated a plan for active development of the Kinzua Reservoir area for recreational purposes. It is, of course, hoped that in working out the details of these development programs, local, State, and Federal officials will have an opportunity to work together closely.

A large number of Seneca families will have vacated their reservation by the required time of January 1, 1965. I believe it is only fair and equitable that the Congress insure that the Seneca Nation of Indians and its members are provided for adequately so that a vital and constructive community life may be reestablished.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1836) to authorize the acquisition of and the payment for a flowage and clearing easement and rights-of-way over lands within the Allegany Indian Reservation in New York, required by the United States for the Allegheny River—Kinzua Dam—project, to provide for the relocation, rehabilitation, social and economic development of the members of the Seneca Nation, and for other purposes, introduced by Mr. JAVITS (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

SENECA INDIAN COMPENSATION BILL

Mr. KEATING. Mr. President, today I am pleased to honor my longstanding promise to the Seneca Nation, and join with my colleague, the senior Senator from New York, in offering a bill to compensate these Indians for land which was taken to build a Federal dam.

We in New York have fought a long, hard battle about the Kinzua Dam. When it was first proposed to build the power structure on the Seneca Reservation, a storm of protest arose in my State. Most New Yorkers argued that the Senecas had a longstanding treaty with the United States—it dates, in fact, to 1794—granting them the land forever. The construction of a dam on this site required our Government to breach one of its oldest treaties, and to go back on its word to the Indians.

After alternate sites were rejected by the Corps of Engineers, and following the completion of a court suit about this matter, work was begun on the dam a year ago. When construction was begun, I was assured by the senior Senator from Louisiana, who is chairman of the Public Works Subcommittee of the Appropriations Committee, that the Federal Government would endeavor to compensate the Indians fully for their loss. We were told that the President had directed "departments and agencies of the Federal Government to take every action within their authority to assist the Seneca Nation and its members who must be relocated, in adjusting to the new situation." In order that this promise, and the longstanding promise of the United States be honored, I have been working with the attorneys for the Seneca Nation to devise a compensation bill in line with previous bills of this kind involving Indian lands. In doing this we have taken a number of factors into consideration. The land itself is of high quality, considerably better, in fact, than that of the average reservation. Direct damages therefore, which include the taking of subsurface rights, and compensation for the taking of houses, barns, fences, wells, and other structures and improvements on land within the Indian reservation, will total approximately $6 million. In addition, a number of indirect damages have resulted for which the United States must make payment.

Following the precedent of the Crow Creek and Lower Brulé Sioux cases, we have also provided a trust fund to be deposited to the credit of the Seneca Nation in the Treasury of the United States. These funds are to be used for development of recreational and industrial facilities on the reservation, relocation and settlement of the Indians, construction and maintenance of community buildings and other community facilities, and an educational fund for scholarships, loans and grants, vocational training, and counseling services to the Senecas over the next 20 years.

It has been proposed that a unique recreational facility be constructed on the Seneca Reservation. It would be a Williamsburg-like attraction, historically authentic in every respect, which would be combined with outstanding recreation facilities. The completion of such a project would not only preserve and display the culture, traditions and history of the Seneca Nation, but would educate the public on America's Indian heritage. The Brill Engineering Corp. which conducted a survey for the Corps of Engineers to determine what recreational facilities were feasible, devised this plan. Because it is uncertain exactly what this facility would cost, we have left a blank in the bill at this point, in the hope that after committee hearings on the measure an amount certain can be set for this purpose.

The waters of the Allegheny River will flood Indian lands at the point of the Kinzua Dam by 1965. This means that there are only two building seasons left to complete the entire relocation of the Seneca Nation. All of you, I am sure, can appreciate the urgency of this legislation. I commend it to the attention of the chairman of the Public Works Subcommittee for immediate attention. This bill gives us all an opportunity to right a wrong and salvage something of America's oldest treaty. Let us act promptly in the name of justice and honor, to enact this bill.

LOS ANGELES COUNTY FLOOD CONTROL: URGENT RESPONSIBILITY FOR CONGRESS TO ACT IMMEDIATELY

Mr. KUCHEL. Mr. President, in a laudable example of teamwork, Federal agencies and area units of government have conceived and carried forward during recent decades in southern California one of the most monumental combination flood prevention and flood control projects on our continent. This ambitious undertaking is imperative because of peculiar topography, climatic and meteorological factors, concentrations of people, and, lamentably, periodic recurrent destruction of water-retarding vegetation in adjacent hills and mountains.

The Los Angeles County flood-control program is one of the first comprehensive basin plans ever attempted outside the Mississippi-Missouri system. Congress initially provided for Federal participation in 1936 and set in motion the broad project in the 1941 Flood Control Act. Periodically since the latter action, Congress has voted additional authority for successive increments.

In the last Congress, unfortunately it was not practicable to incorporate a 2-year installment of authorization in the omnibus public works legislation enacted during the closing days of the session. As a consequence, authority for continuing contruction is virtually exhausted, although funds are presently available. I have been informed this month that the Army Engineers are compelled to issue notice that payments must come to an end in a very short time, probably within 3 weeks.

Any suspension of work can be exceedingly costly. Both the Federal Government and local agencies—the Los Angeles County Flood Control District, primarily—will find that added expenses are imposed. Meanwhile, valuable time will be lost, at a period of the year when work should be proceeding at the most vigorous rate. Additionally, great inconvenience will be experienced through prolonged delays in returning detoured traffic to usual routes and because related improvements must be postponed.

In view of these circumstances, I am introducing today a bill giving the Corps of Engineers in effect the right to draw another $3,400,000 from the Federal Treasury—pursuant to the continuing appropriations resolution adopted a fortnight ago—so that work will not be halted. I have informed the Senate Public Works Committee of the need for speedy action, which I trust will be forthcoming. This course is being followed after consultation with the Senate Appropriations Committee, which is aware of the need for such interim legislation.

I have been told by Brig. Gen. Jackson Graham, Director of Civil Works, Corps of Engineers, that at the end of the last fiscal year, June 30, the remaining balance of monetary authorization was only $2,602,000, sufficient for approximately 1 month, or until the end of July or the early part of August. On this basis, General Graham told me that the Los Angeles District Engineer had no alternative except to advise seven contractors, presently working on phases of the comprehensive project with a remaining value of about $8,500,000, that payments might have to be stopped. The deplorable consequences of such interruption are emphasized by the following excerpt from the General's letter:

> As you realize, the work of the Corps of Engineers in improving the floodways in Los Angeles County involves a plan of construction which is closely coordinated with local requirements for utility and road relocation work. The stoppage of our work, therefore, will also necessitate a cessation of local construction.

I might add parenthetically that the office of chief engineer of the county flood control district points up this dire prospect in a letter which I shall ask unanimous consent to have included in my remarks.

Going further, the Army's Director of Civil Works says that any interruption "will mean leaving our work in an incomplete status and subject to damage from floods; delays in return of streets to full service; increased costs for the construction work; and inconvenience to the general public."

Another increment of required appropriations and expenditure authority is contained in a bill recently passed by the House, H.R. 6016, designed to avert stoppages on this and several other basin programs. This measure, however, appears to require considerable study in our Senate Public Works Committee and enactment, although generally anticipated, may be delayed a matter of weeks, if not months. Reluctantly, therefore, I am offering a stopgap measure which will insure that construction under contracts now in force will continue for the immediate future in the hope that carefully timed phases of this essential undertaking can be completed before the arrival of the annual winter rainy season.

The stringency of the situation is illustrated by the fact that congressional authorizations to date contemplate expenditures of $289,741,000 and specific cumulative appropriations have come to $287,139,000. The balance of monetary authorization falls far short of the amount which could be expended in the next 30 days or so. I am not at this time requesting the customary 2-year segment of authorization, which the Senate last October approved to the extent of $38 million but which in the final conference agreement was merely $3,700,000, an amount then expected to be ample to cover the time which would intervene before a new general authorization bill for such basin programs could be sent to the White House. I might note that the executive branch anticipated Congress would vote additional authorization for this, along with other similar projects, by this time, as is indicated by a fiscal 1964 budget item of $15 million.

I ask unanimous consent that a copy of the bill appear at this point in my remarks, together with correspondence from the Chief of Army Engineers and from the Los Angeles Flood Control District.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and the correspondence will be printed in the Record, as requested.

The bill (S. 1839) to authorize additional appropriations for the Los Angeles River Basin, introduced by Mr. Kuchel, was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the Record, as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in addition to previous authorizations, there is hereby authorized to be appropriated the sum of $3,400,000 for the prosecution of the comprehensive plan for the Los Angeles River Basin approved in the Act of August 18, 1941,

as amended and supplemented by subsequent Acts of Congress.

The correspondence presented by the Senator from California [Mr. KUCHEL] is as follows:

HEADQUARTERS,
DEPARTMENT OF THE ARMY,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, D.C., June 28, 1963.

Hon. THOMAS H. KUCHEL,
U.S. Senate.

DEAR SENATOR KUCHEL: Knowing of your interest in the Los Angeles flood control project, I am writing this letter to advise you of the status of the monetary authorization for the Los Angeles River Basin.

The various authorizations for work under the Los Angeles County drainage area project have specified a limit on the total amount of funds which could be appropriated to carry out such authorized work. The total authorization on appropriations to the Los Angeles River Basin contained in past flood control acts amounts to $289,741,000. The appropriations to the project through fiscal year 1963 total $287,139,000, leaving a remaining balance of monetary authorization in the amount of $2,602,000.

The amount of the remaining authorization is adequate to meet expenditure requirements on contracts already in force, together with Government costs, for only about a 1-month period. It is likely that most of the work on the project will close down around the first of August unless further monetary authorization is provided at an early date. Our contract procedures provide that a contractor be notified of an impending exhaustion of funds 30 days in advance of such exhaustion. On this basis, the district engineer at Los Angeles will begin issuing notices of funds exhaustion to seven contractors about July 1, 1963 involving a total remaining contract value of $8,500,000. Under the terms of the contracts, the contractors may elect to terminate the contracts or to continue with their own resources pending provision of additional authority. However, the Corps of Engineers, as previously mentioned, will be without authority to make further payments for work beyond the extent of $2,602,000 unless further authorizing legislation is forthcoming.

As you realize, the work of the Corps of Engineers in improving the floodways in Los Angeles County involves a plan of construction which is closely coordinated with local requirements for utility and road relocation work. The stoppage of our work, therefore, will also necessitate a cessation of local construction. This will mean leaving our work in an incomplete status and subject to damage from floods; delays in return of streets to full service; increased costs for the construction work; and inconvenience to the general public.

The Corps of Engineers has been proceeding under a normal program as contemplated in the President's budget recommendation for fiscal year 1964. As you know, a bill has recently passed the House of Representatives which would authorize increases in the monetary limits for seven basins, including the Los Angeles River Basin.

I trust that the information furnished will be of assistance to you.

Sincerely yours,
JACKSON GRAHAM,
Brigadier General, U.S. Army,
Director of Civil Works.

LOS ANGELES COUNTY FLOOD
CONTROL DISTRICT,
Los Angeles, Calif., July 3, 1963.

Hon. THOMAS H. KUCHEL,
The U.S. Senate,
Senate Office Building,
Washington, D.C.
(Attention Mr. Warren B. Francis.)

DEAR SIR: Reference is made to your telegram of July 3, 1963, relative to monetary authorization for LACDA project. It is essential that authorization be available by the middle of July to avoid suspension of seven major flood control projects currently under construction by the U.S. Corps of Engineers. Six of these lie in highly developed residential areas and are urgently needed to provide protection to lives and property.

Lack of authorization for the current projects and possible suspension of the construction contracts will pose the following problems:

1. Prevent completion of these projects prior to next rainy reason and create serious flood hazard to downstream areas due to uncompleted work upstream, especially in foothill areas recently damaged by fire and posing severe debris problems.

2. Necessitate abrogation of scheduled commitments to local interests by the Federal Government and this district.

3. Delay completion of outlet facilities for several large storm drains now being constructed by the District to discharge into the Federal project.

4. Appreciably magnify a serious traffic problem due to extended detouring of main traffic arteries.

5. Increase costs to the Federal Government, and local interests, by reason of current scheduling and additional hazards due to extension of contracts into the coming rainy season.

We appreciate your interests and concern effecting the uninterrupted completion of the construction now in progress.

Yours very truly,
M. E. SALSBURY, *Chief Engineer.*
By MILAN W. RANSON,
Assistant Chief Deputy Engineer.

AMENDMENT OF FEDERAL AVIATION ACT OF 1958 RELATING TO CERTAIN POWERS OF CIVIL AERONAUTICS BOARD

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the Federal Aviation Act of 1958 so as to clarify the powers of the Civil Aeronautics Board in respect of consolidation of certain proceedings. I ask unanimous consent to have printed in the RECORD a letter from the Chairman of the Civil Aeronautics Board, requesting the proposed legislation, together with a statement of the purpose and need for the proposed legislation.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter and statement will be printed in the RECORD.

The bill (S. 1842) to amend the Federal Aviation Act of 1958 so as to clarify the powers of the Civil Aeronautics Board in respect of consolidation of certain proceedings, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter and statement presented by Mr. MAGNUSON are as follows:

CIVIL AERONAUTICS BOARD,
Washington, D.C., June 27, 1963.

Hon. LYNDON B. JOHNSON,
President of the Senate,
U.S. Senate,
Washington, D.C.

DEAR MR. PRESIDENT: The Civil Aeronautics Board recommends to the Congress for its consideration the enclosed draft of a proposed bill "To amend the Federal Aviation Act of 1958 so as to clarify the powers of the Civil Aeronautics Board in respect of consolidation of certain proceedings."

The Board has been advised by the Bureau of the Budget that there is no objection to the transmission of the draft bill to the Congress from the standpoint of the administration's program.

Sincerely yours,
ALAN S. BOYD,
Chairman.

STATEMENT OF PURPOSE AND NEED FOR PROPOSED LEGISLATION

One of the most persistent problems the Board has encountered, particularly in large area route proceedings, has been the contention of applicants at the consolidation stage, based on the doctrine of *Ashbacker Radio Corp.* v. *F.C.C.*, 326 U.S. 327 (1945), that they are entitled as a matter of legal right to consolidation of particular applications. Such an applicant usually asserts that the grant of an application which the Board proposes to hear will preclude a subsequent grant of its own application, and that the Board therefore must also hear its application in the proceeding and accord it comparative consideration. In many instances in the past, a refusal by the Board to consolidate has resulted in an appeal to the courts from the consolidation order, with a request that the court stay further procedural steps in the Board proceeding pending disposition of the petition for review. Consequently, the Board proposed legislation (S. 963 and H.R. 7302, 87th Cong.) to deal with this situation.

Subsequent to the Board's legislative proposals, this matter was the subject of consideration and action by the Administrative Conference of the United States. The Conference recommended (recommendation No. 20) in its final report that the Federal Aviation Act be amended so as to provide that (1) contemporaneous consideration of applications, when required, may be accomplished by assigning various of the applications for separate evidentiary hearings and then consolidating them for simultaneous decision by the Board, provided that applicants excluded from a particular hearing are allowed to participate therein as intervenors, adduce evidence, and cross-examine adverse witnesses, (2) contemporaneous consideration of applications is not required when the Board conducts a proceeding to consider applications for a particular type of service within a defined area or over a described route segment and excludes applications (or portions of applications) not proposing service of the particular type within the area or over the segment so described, provided that new authorizations granted in any such proceeding are subject to a mandatory stop at any point common to any application (or portion of an application) excluded from the proceeding, and (3) the Board is not required to hold a preliminary hearing on the issue of consolidating applications.

These recommendations are consistent with the prior legislative proposals submitted to the Congress by the Board and are encompassed in the legislation presently proposed. However, the present proposal also incorporates the substance of those heretofore advanced by the Board in areas not specifically dealt with by the recommendations of the Administrative Conference. Thus, the Conference recommendations are silent as to when a party denied consolidation should be permitted to seek judicial review, and also with respect to who should have the burden of proof in connection with requests for consolidation. The Board believes that it would be preferable for the legislation to be explicit on both of these points.

The draft bill provides, therefore, that an order refusing consolidation or contemporaneous consideration shall not be subject to judicial review until a final order is entered in the proceeding. This is in accord with the Board's consistent position that legal error in consolidation, like any other that may be committed in a particular case, should not be judicially reviewable except as an incident to judicial review of the Board's final order entered at the conclusion of the proceeding. The bill similarly provides that the party making a request for the consolidation of applications shall have the burden of establishing that such applications should be considered.

The bill does not contain provisions, as recommended by the Conference, that applicants excluded from a hearing in connection with contemporaneous consideration of applications shall be allowed to participate therein as intervenors, adduce evidence, and cross-examine adverse witnesses. Such a provision is unnecessary since existing case law requires that applicants in such circumstances be given such rights.

AMENDMENT OF NATURAL GAS ACT, RELATING TO INTERCONNECTION OF FACILITIES FOR TRANSPORTATION OF NATURAL GAS

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the Natural Gas Act with respect to the interconnection of facilities for the transportation of natural gas, and for other purposes. I ask unanimous consent that a letter from the Chairman of the Federal Power Commission, requesting the proposed legislation, be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 1843) to amend the Natural Gas Act with respect to the interconnection of facilities for the transportation of natural gas, and for other purposes, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter presented by Mr. MAGNUSON is as follows:

FEDERAL POWER COMMISSION,
Washington, D.C., June 25, 1963.

HON. LYNDON B. JOHNSON,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: I am transmitting herewith for the consideration of the appropriate committee of the Senate 20 copies of a draft bill to amend section 7 of the Natural Gas Act by adding a new subsection giving the Commission authority, on its own motion or upon complaint, to order natural gas pipeline companies to interconnect with and serve one another.

The Commission now has authority under section 7(a) of the act to direct a natural gas company under appropriate circumstances to interconnect with and sell gas to a local distributing company, but since interconnections of the pipeline systems themselves can greatly assist in the distribution of available supplies of gas to the points where they are most needed, we believe the Commission's authority should be broadened as proposed. Comparable authority to that now proposed is provided with respect to the interconnection of electric facilities by sections 202(b) and 202(c) of the Federal Power Act and the language of the draft bill is closely parallel to those sections.

As in the case of section 7(a) of the Gas Act and section 202(b) of the Power Act, the Commission's authority to order permanent interconnections would be exercised, after notice and opportunity for hearing, upon a finding that the interconnection or service is necessary or appropriate in the public interest and that it will place no undue burden upon the pipeline company, require no enlargement or undue extension of its main line facilities, and would not impair its ability to render adequate service to existing customers. In cases of emergency, however, the Commission would be given authority, similar to that in section 202(c) of the Power Act, to order temporary interconnection and service without a hearing, and, when essential to national security, to allocate the supply of gas.

The authority proposed would not only inure to the benefit of the consuming public by affording the Commission the right to direct interconnection and service where a real need for additional supplies of natural gas is shown, but also to individual pipeline companies upon a similar showing. At the same time the findings which are a condition precedent to the exercise of this authority insure that the companies which may be directed to interconnect or provide additional service would not be subjected to any unreasonable burden thereby.

Commissioner Ross has asked me to note that he did not participate in the Commission's approval of this proposal.

Respectfully,

JOSEPH C. SWIDLER,
Chairman.

AMENDMENT OF NATURAL GAS ACT, RELATING TO IMPORTATION AND EXPORTATION OF NATURAL GAS

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the Natural Gas Act with respect to the importation and exportation of natural gas. I ask unanimous consent that a letter from the Chairman of the Federal Power Commission, requesting the proposed legislation, be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 1844) to amend the Natural Gas Act with respect to the importation and exportation of natural gas, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter presented by Mr. MAGNUSON is as follows:

FEDERAL POWER COMMISSION,
Washington, D.C., June 21, 1963.

HON. LYNDON B. JOHNSON,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: We are transmitting herewith for the consideration of the appropriate committee of the Senate 20 copies of a draft bill to amend section 2(7) of the Natural Gas Act. The effect of the amendment, which enlarges the definition of the term "interstate commerce" to include commerce across the international boundaries of the country, would be to give the Commission the same control over the transportation and sale of natural gas in foreign commerce as it now has over transportation and sales in interstate commerce.

The act now gives the Commission almost complete control over the interstate operations of natural gas companies and even a partial control over their activities in foreign commerce by virtue of section 3 of the act which requires Commission approval of proposals to import or export natural gas.

Although section 1 of the act declares that the Federal regulation of the sale and transportation of natural gas in both interstate and foreign commerce is necessary in the public interest, the decision of the District of Columbia Court of Appeals in *Border Pipe Line Co.* v. *F.P.C.*, 171 F 2d 149, held that the Commission has no ratemaking or certification jurisdiction over a company exporting or importing natural gas from or to a State adjacent to an international border.

Increasing production in Canada and Mexico is giving to foreign commerce in natural gas a significance far beyond that existing at the time Border was decided. As a consequence, absence of control over such gas coextensive with that sold or transported in interstate commerce leaves a gap in the regulatory scheme which should be remedied. Whether or not the decision in Border was correct at the time, there is no sound reason apparent to us for continuing its effect. On the contrary, the fact that imported or exported gas does not move outside the border State is not a ground for relieving the owner of the facilities from the same regulation to which persons operating in interstate commerce are subjected. The operation is as much affected with the national public interest as is the movement of gas between States for the facilities and services of importers and exporters are important elements of the gas industry. Their integration with domestic gas facilities, where necessary, can be accomplished only through Federal regulation.

Respectfully,

JOSEPH C. SWIDLER,
Chairman.

AMENDMENT OF SECTION 7(b) OF NATURAL GAS ACT

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend section 7(b) of the Natural Gas Act. I ask unanimous consent that a letter from the Chairman of the Federal Power Commission, requesting the proposed legislation, be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 1845) to amend section 7(b) of the Natural Gas Act, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter presented by Mr. MAGNUSON is as follows:

FEDERAL POWER COMMISSION,
Washington, D.C., June 25, 1963.

HON. LYNDON B. JOHNSON,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: I am transmitting herewith for the consideration of the appropriate committee of the Senate 20 copies of a draft bill to amend section 7(b) of the Natural Gas Act. This section of the Act requires prior Commission approval of any proposal by a natural gas company to "abandon all or any portion of its facilities subject to the jurisdiction of the Commission, or any service rendered by means of such facilities."

The principal purpose of our proposed amendment is to make it unquestionably clear that a pipeline company may not, without prior Commission authority, "spin off" gas reserves which in whole or in part have constituted one of the bases for the issuance of a certificate of public convenience and necessity. Our experience shows that it is difficult if not impossible adequately to regulate a company's interstate operations (in the interest of both its continuing ability to render service and the consumers dependent upon that ability) if it is free to alienate such gas reserves. Particularly is this true where the reserves have been accumulated, as is often the case, at the expense of the ratepayers.

Doubt has been cast on the Commission's authority effectively to control this situation under the existing provisions of the section, quoted above, by the decision of the Supreme Court in *P.F.C.* v. *Panhandle Eastern Pipe Line Co.*, 337 U.S. 498. The Court there held that the Commission had no authority to prevent the transfer of undeveloped reserves by a pipeline company to a similarly owned new company which planned to sell the gas by a direct sale not subject to the Act, even though the reserves were previously described to the Commission as dedicated to an interstate market by the pipeline company in applying for a certificate of public convenience and necessity and even though the reserves had been included in the company's rate base.

While we believe that the decision in Panhandle may not reflect present law in view of the fact that it antedates the Supreme Court's subsequent decision in *Phillips Petroleum Co.* v. *State of Wisconsin*, 348 U.S. 672, giving the Commission direct control over sales of gas for resale in interstate commerce by producers to pipeline companies, the possible applicability of Panhandle should be negatived by the amendment we are proposing.

The construction of interstate gas pipelines involves large capital expenditures, and is largely financed by the sale of securities to the public or to insurance companies. In reliance upon the services undertaken by the companies operating these pipelines, their utility customer companies make substantial capital expenditures, not to mention the expenditures by thousands of gas consumers for appliances in expectation of gas service. The investment by the public upon the strength of continued service by the interstate pipeline companies runs into hundreds of millions of dollars. Consumers, investors, and the public generally expect to and do rely upon the Commission, in issuing certificates of convenience and necessity, to issue certificates only to companies clearly showing ability to perform the services proposed. The Commission should have the unquestionable power to protect the public's interest in having the interstate companies maintain adequate gas reserves.

This amendment, which was pending during the 87th and prior Congresses, has been redrafted to make it clear that the alienation-of-reserves clause applies only to pipeline companies.

The draft bill attached would amend section 7(b) in two other respects, both of less importance but certainly desirable. The one would substitute notice and opportunity for hearing for the present mandatory hearing requirement; the other would make it clear that Commission approval is required for the abandonment of sales as well as for the abandonment of service and facilities.

The former stems from our experience indicating that many abandonment requests are routine and unopposed. A formal hearing in such cases, even of the abridged type used pursuant to our regulations (18 CFR 1.32), merely takes time and requires an unnecessary diversion of manpower.

The other proposal is purely clarifying in nature. Claims which we believe to be unsound have been made that no authority is needed to abandon sales unless jurisdictional facilities are also to be abandoned. This amendment which is applicable to all natural gas companies would make it explicit that Commission approval is required before any certificated sale may be abandoned.

For these reasons we recommend that section 7(b) of the Natural Gas Act be amended as set out in the attached draft bill.

Respectfully,

JOSEPH C. SWIDLER,
Chairman.

A BILL TO TREAT SEVERANCE PAY THE SAME AS BACK PAY FOR INCOME TAX PURPOSES

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference a bill to amend section 1303(b)(1) of the Internal Revenue Code of 1954. This section of the code relates to back pay, and provides that in cases where back pay is 15 percent or more of an individual's annual income, the tax on such pay shall be no greater than the aggregate amount of the increase in taxes which would have resulted had the pay been spread back over the period to which such back pay would have been attributed. The effect of this provision is to permit an individual to spread back pay over the periods to which the pay is attributable.

Under present law, the term "back pay" is defined to include remuneration, including wages, salaries, retirement pay, and other similar compensation, but does not include severance pay. Thus, taxpayers are required to include for tax purposes all amounts received as severance pay in the year received or accrued and are not permitted to treat those amounts as if they were received in the periods to which such severance pay is attributable.

Mr. President, such treatment is an inequity in our tax laws. We are requiring people to compute their taxes over a shorter period than that to which the income actually pertains. The result is that people pay higher taxes than they would if the taxes were figured on the basis of the entire period to which the income pertains.

In essence, Mr. President, there is no difference between back pay and severance pay. One refers forward and the other refers backward in time; otherwise they are identical.

With the increasing pace of technological change, many of our citizens will unfortunately be receiving severance pay in the coming years, as more and more jobs are rendered obsolete. Hopefully they will move onto new jobs; but, in the difficult transition between new and old methods of livelihood, that severance check is the one thing that enables a man to feed and clothe his family.

Business mergers are another major cause of individuals finding their jobs cut out from under them. For example, Texas & New Orleans Railroad with the Southern Pacific Co., 40 Southern Pacific employees in Houston lost their jobs and received severance checks as of August 1, 1962. The severance pay is based on 16 months; under present law it will be taxed on the basis of 12 months.

Mr. President, the purpose of a severance check is to assist an individual during the time period when he is between jobs. It makes no sense to give a man 16 months of assistance and tax him as though he had only been given aid for 12 months. Taxing a man this way works against the purpose for which a man was given the severance check in the first place. The object of this bill is to end what I feel was an inadvertent omission in the wording of section 1303(b)(1) of the Internal Revenue Code of 1954, by making it clear that severance pay shall be afforded the same treatment as other amounts included within the definition of the term "back pay."

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1846) to amend section 1303 of the Internal Revenue Code of 1954 to allow severance pay to be included within the term "back pay," introduced by Mr. YARBOROUGH, was received, read twice by its title, and referred to the Committee on Finance.

A BILL TO PROVIDE A RESIDENCE FOR CONGRESSIONAL AND SUPREME COURT PAGES

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, a bill to create a Pages' Residence Board, which would be authorized to construct, rent, or otherwise acquire a suitable residence, within a reasonable distance from the Capitol, to be maintained as a home for pages employed by the Senate, the House of Representatives, and the Supreme Court.

Mr. President, the young boys who serve the Congress and Supreme Court as pages come from every State in the Union. They are afforded a matchless educational opportunity in being given the chance to observe at first hand the workings of our democratic institutions. Whereas other students of the same age merely read about the manner in which the Federal Government functions, these young pages see this with their own eyes.

At the same time that I am happy to see the pages learning how our government works, there is one aspect of their tenure here in Washington that disturbs me; that is the fact that they do not have a central, supervised, dormitorylike residence in which to stay, but on the contrary are forced to stay at whichever boardinghouse or tourist home in which they can find a vacancy. Can you imagine, Mr. President, how confusing and sometimes even frightening it is for the average 14-year-old Capitol page who, away from home and parents for the first time in his life, must pound the pavement looking for a place to stay in a large and strange city?

Consider for a moment, Mr. President, the way young men of like age are housed in other institutions. No school that I know of, whose student body includes pupils not living with their parents, allows them to live on their own in this manner. They live in dormitories. A study conducted by the Census Bureau in October 1958 of college students—the youngest of whom is normally older than the oldest Capitol page—showed that 90.2 percent of all college students in the United States live either in college housing, in their own house, in their parents' house, or with relatives other than parents. And this group is older than the pages.

I do not mean to infer by my remarks anything critical of the pages themselves. Nothing could be further from the truth. They are fine young men—hard working, intelligent, and of good character. It is to the credit of them, their parents, and the wise judgment of the Senators and Congressmen who appoint them, that they have gotten along as well as they have.

Yet this is not sufficient reason for not acting, Mr. President. These young men are at an age when they are learning habits and developing traits which will determine the kind of individuals they will be in their maturity. In order that this crucial development takes place properly, competent supervision, guidance, and advise is a necessity. The bill which I am introducing would, if enacted, provide for a central residence in which all the pages would eat, sleep, and study under competent supervision. The Pages' Residence Board is empowered to establish such rates and fees for residing at the pages' residence as it deems necessary. Hopefully, most of the cost of operating the pages' residence should be covered by these charges, without the cost to the pages being any greater than it is where they now live.

Mr. President, I have always felt a sense of personal responsibility for the young men I have appointed as Senate pages. While I rejoice in offering them this valuable educational experience, I am also apprehensive about their personal welfare as long as they are unsupervised, and left to their own resources during the long hours when they are not at work. I am sure that my colleagues share these feelings.

Mr. President, I sincerely hope that the Senate will give prompt and favorable consideration to this proposed legislation.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1847) to provide a residence for congressional and Supreme Court pages, introduced by Mr. Yarborough, was received read twice by its title, and referred to the Committee on Public Works.

NEWSMEN'S PRIVILEGE BILL

Mr. KEATING. Mr. President, I introduce, for appropriate reference, a bill to provide that news reporters shall not be required to disclose confidential communications received by them in their professional capacity in Federal courts or before committees of Congress.

Our Government works on a system of checks and balances. The Founding Fathers recognized the role of newspapers in this scheme by providing for freedom of the press in the first amendment to the Constitution. This is not for the benefit of the news reporters, or the television and radio commentators who play a similar role, but for the benefit of the public and the Nation.

One of the greatest threats to a free press, however, is suppression of sources of information. If newsmen could not assure their sources that their identity would not be revealed, many who would otherwise cooperate would refuse to talk. As a result, even the most shocking instances of corruption and worse would never be detected by the press and the system of checks and balances would be seriously threatened.

It is for that reason that I have long favored legal recognition of the confidential relationship involved between bona fide newsmen and their sources.

I recognize that this is a controversial issue and that there is another side to this coin. For one thing, we do not want to exempt any reporter from the libel and slander laws. Freedom of the press has never been construed as a license for false or unfounded charges against innocent persons.

For another, there is a general reluctance among legal experts to extend the cases in which witnesses are privileged not to testify. This is also understandable, since every such extension makes it more difficult to elicit the truth in litigation—and sometimes in congressional investigations.

Finally, there is a feeling among many newsmen that they just do not want any special privileges and that they would rather go to jail than ask for legal protection.

In my judgment, most of these objections or reservations misconceive the purpose of the newsmen's privilege. It is not something we should extend as a personal favor or convenience to the press—and it obviously would have no justification if this were its basis. It is a privilege which, if it is justified at all, is only justified because of its essential relationship to a vitally important principle: The right to know—which is crucial in any free society.

Professor Wigmore in his classic treatise on the law of evidence lays down four tests for legal recognition of the confidentiality of communications: First, does the communication originate in a confidence of secrecy; second, is confidentiality of communication essential to the relation; third, does the relation deserve recognition and countenance; and fourth, would injury to the relation by compulsory disclosure be greater than the benefit to justice?

In my judgment, confidential information received by newsmen under a pledge of secrecy meets these standards, and it is for that reason that I am introducing this legislation to place the newsmen's privilege on a legal basis. If the privilege is justified, certainly no reporter should be forced to go to jail because of his efforts to serve the public interest.

I do not claim that the bill in its present language is a final answer to this problem, but I am hopeful that it will serve as a vehicle for centering attention on the issue and exploring the possibilities of a fair and reasonable solution.

Let me make it clear that the bill will not relieve any reporter from responsibility for what he writes or says. It does not offer any protection to scandalmongers and others who print false charges. They will still be liable for damages in a suit by the injured party, damages which in some cases have run into hundreds of thousands of dollars.

This should be quite a deterrent to irresponsibility, but we must face the fact that abuses of the privilege could nevertheless develop. Doctors, lawyers and husbands and wives have enjoyed similar privileges for many centuries, although each for different reasons. There have been abuses in such cases too, but almost all would agree that the advantages of maintaining the confidential relationship between husband and wife, doctor and patient, and lawyer and client decisively outweigh the disadvantages.

I believe that the same would be true in the newsmen-source situation. If I am wrong, if such a law operated as a protection of wrongdoing rather than a weapon against wrongdoing, I would be the first to urge its repeal or amendment.

At least a dozen States have already enacted legislation along the lines of my bill. They include Alabama, Arizona, Arkansas, California, Indiana, Kentucky, Maryland, Michigan, Montana, New Jersey, Ohio, and Pennsylvania. While these statutes vary in form, all are designed to protect bona fide newsmen from a compulsory disclosure of information received by them in their professional capacities. To the best of my knowledge, these statutes have worked well in practice and other States now have similar proposals under consideration.

It is apparent that precedent exists for this proposal, and I hope that after study by the appropriate committee, it will be favorably reported to the Senate.

Mr. President, I ask unanimous consent that the text of the bill and a summary of the State statutes prepared by the Legislative Reference Service be printed following my remarks in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred, and, without objection, the bill and summary will be printed in the Record.

The bill (S. 1851) to provide that news reporters shall not be required to disclose confidential communications in Federal courts or before committees of Congress, and for other purposes; introduced by Mr. Keating, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 119 of title 28, United States Code, is amended by inserting immediately following section 1825 of such chapter a new section to be designated section 1826 and to read as follows:

"§ 1826. Privilege of news reporters.

"A person engaged or employed in the work of gathering, compiling, editing, publishing, disseminating, broadcasting, or televising news shall not be required in any court of the United States to disclose the source of information procured by him for such publication, broadcasting, or televising."

(b) The analysis of chapter 119 of title 28, United States Code, immediately preceding section 1821 thereof is amended by adding at the end of such analysis the following new item:

"§ 1826. Privilege of news reporters."

Sec. 2. Section 102 of the Revised Statutes of the United States, as amended (2 U.S.C. 192) is amended by striking out the period at the end of the section and adding the following: ": *Provided, however,* That any privilege from testifying accorded by any Act of Congress or the principles of the common law, shall be applicable to any such inquiry."

The summary is as follows:

The Library of Congress,
Legislative Reference Service,
Washington, D.C.

NEWSMEN'S PRIVILEGE STATUTES

Alabama Code Annotated (supp., 1955) title 7, section 370:

"§ 370. Newspaper, radio and television employees.—No person engaged in, connected with, or employed on any newspaper (or radio broadcasting station or television station) while engaged in a news gathering capacity shall be compelled to disclose, in any legal proceeding or trial, before any court or before a grand jury of any court, or before the presiding officer of any tribunal or his agent or agents, or before any committee of the legislature, or elsewhere, the sources of any information procured or obtained by him and published in the newspaper (or broadcast by any broadcasting station or televised by any television station) on which he is engaged, connected with, or employed."

Arizona Revised Statutes, Annotated (1956) title 12, section 2237:

"§ 12-2237. Reporter and informant.—A person engaged in newspaper or reportorial work, or connected with or employed by a newspaper, shall not be compelled to testify or disclose in a legal proceeding or trial or any proceeding whatever, or before any jury, inquisitorial body or commission, or before a committee of the legislature, or elsewhere, the source of information procured or obtained by him and published in a newspaper with which he was associated or by which he is employed."

Arkansas Statutes Annotated (supp., 1957) title 43, section 917:

"43-917. Newspaper or radio privilege.—Before any editor, reporter, or other writer for any newspaper or periodical, or radio station, or publisher of any newspaper or periodical or manager or owner of any radio station, shall be required to disclose to any Grand Jury or to any other authority, the source of information used as the basis for any article he may have written, published or broadcast, it must be shown that such article was written, published or broadcast in bad faith, with malice, and not in the interest of the public welfare."

West's California Codes, Annotated, Civil Procedures (1955) section 1881(6):

"6. Newsmen.—A publisher, editor, reporter, or other person connected with or employed upon a newspaper cannot be adjudged in contempt by a court, the Legislature, or any administrative body, for refusing to disclose the source of any information procured for publication and published in a newspaper."

Burn's Indiana Statutes, Annotated (supp., 1957) title 2, section 1733:

"2-1733. Newspapers, television and radio stations—Press associations—Employees and representatives—Immunity. — Any person connected with a weekly, semi-weekly, triweekly or daily newspaper that conforms to postal regulations, which shall have been published for five consecutive years in the same city or town and which has a paid circulation of two per cent of the population of the county in which it is published, or a recognized press association, as a bona fide owner, editorial or reportorial employee, who receives his or her principal income from legitimate gathering, writing, editing and interpretation of news, and any person connected with a commercially licensed radio or television station as owner, official, or as an editorial or reportorial employee who receives his or her principal income from legitimate gathering, writing, editing, interpreting, announcing or broadcasting of news, shall not be compelled to disclose in any legal proceedings or elsewhere the source of any information procured or obtained in the course of his employment or representation of such newspaper, press association, radio station or television station, whether published or not published in the newspaper or by the press association or broadcast or not broadcast by the radio station or television station by which he is employed."

Kentucky Revised Statutes (1955) section 421.100:

"421.100 [1649d-1] Newspaper, radio or television broadcasting station personnel need not disclose source of information. No person shall be compelled to disclose in any legal proceeding or trial before any court, or before any grand or petit jury, or before the presiding officer of any tribunal, or his agent or agents, or before the General Assembly, or any committee thereof, or before any city or county legislative body, or any committee thereof, or elsewhere, the source of any information procured or obtained by him, and published in a newspaper or by a radio or television broadcasting station by which he is engaged or employed, or with which he is connected."

Maryland Annotated Code (1957) Article 35, section 2:

"§ 2. Employees on newspapers or for radio or television stations cannot be compelled to disclose source of news or information.—No person engaged in, connected with or employed on a newspaper or journal or for any radio or television station shall be compelled to disclose, in any legal proceeding or trial or before any committee of the legislature or elsewhere, the source of any news or information procured or obtained by him for and published in the newspaper or disseminated by the radio or television station on and in which he is engaged, connected with or employed."

Michigan Statutes Annotated (1954) title 28, section 945(1):

"§ 28.945(1) Same; confidential and privileged communications.]

"Sec. 5a. In any inquiry authorized by this act communications between reporters [of] newspapers or other publications and their informants [are hereby declared to be privileged and confidential. Any communications] between attorneys and their clients, between clergymen and [the] members of their respective churches, and between physicians and their patients [are hereby declared to be privileged and confidential when such communications were necessary to enable such attorneys, clergymen, or physicians to serve as such attorney, clergyman, or physician]."

Revised Codes of Montana (supp., 1957) title 93, chapter 601.2:

"93-601-2. Disclosure of source of information—when not required.—No persons engaged in the work of, or connected with or employed by any newspaper or any press association, or any radio broadcasting station, or any television station for the purpose of gathering, procuring, compiling, editing, disseminating, publishing, broadcasting, or televising news shall be required to disclose the source of any information procured or obtained by such person in the course of his employment, in any legal proceeding, trial or investigation before any court, grand jury or petit jury, or any officer thereof, before the presiding officer of any tribunal, or his agent or agents, or before any commission, department, division or bureau of the state, or before any county or municipal body, officer or committee thereof."

New Jersey Statutes Annotated (1952) section 2A: 81-10:

"2A: 81-10. Privilege as to source of information obtained in connection with newspaper work.—No person engaged on, connected with or employed on any newspaper shall be compelled to disclose, in any legal proceeding or trial, before any court, before any grand jury of any county or any petit jury of any court, before the presiding officer of any tribunal or his agent, or before any committee of the legislature, or elsewhere, the source of any information procured or obtained by him and published in the newspaper on which he is engaged, connected with or employed.

"As used in this section the word "court" means and includes the supreme court, the superior court, the county courts, the juvenile and domestic relations courts, the county district courts, the criminal judicial district courts, the surrogate's courts, any municipal court, any inferior court of limited criminal jurisdiction and any tribunal, commission or inquest operating under any order of any of the above enumerated courts."

Page's Ohio Revised Code, Annotated

"§ 2739.12 Newspaper reporters not required to reveal source of information.—No person engaged in the work of, or connected with, or employed by any newspaper or any press association for the purpose of gathering, procuring, compiling, editing, disseminating, or publishing news shall be required to disclose the source of any information procured or obtained by such person in the course of his employment, in any legal proceeding, trial, or investigation before any court, grand jury, petit jury, or any officer thereof, before the presiding officer of any tribunal, or his agent, or before any commission, department, division, or bureau of this state, or before any county or municipal body, officer or committee thereof."

Purdon's Pennsylvania Statutes, Annotated (1958) title 28, section 330:

"§ 330. Confidential communication to newspaper reporter.—No person, engaged on, connected with, or employed by any newspaper of general circulation as defined by the laws of this Commonwealth, or any press association for the purpose of gathering, procuring, compiling, editing or publishing news, shall be required to disclose the source of any information procured or obtained by such person in any legal proceeding, trial or investigation before any court, grand jury, traverse or petit jury, or any officer thereof, before the General Assembly or any committee thereof, before any commission, department, or bureau of this Commonwealth, or before any county or municipal body, officer, or committee thereof."

INCREASED AUTHORIZATION OF FARMERS HOME ADMINISTRATION TO INSURE LOANS SECURED BY REAL ESTATE

Mr. HUMPHREY. Mr. President, on behalf of myself and Senators HARTKE, MCCARTHY, YOUNG of North Dakota, BURDICK, MUNDT, MCGOVERN, NELSON, and BAYH, I am introducing a bill which will increase the authorization of the Farmers Home Administration to insure loans secured by real estate. At present the Farmers Home Administration is authorized to insure $200 million in farm ownership and association loans made by private lenders for farm and other rural development purposes. This legislation would increase the yearly authorization to $450 million.

Mr. President, the benefits of the Farmers Home Administration insured loan program are evident. They accrue to many different groups. They spread throughout the entire economy. The farmer receiving a loan benefits by obtaining the capital needed to bring fundamental improvements in his farming enterprise, thereby increasing his income and contributing his economic well-being to that of the entire community. The association or rural group receiving a loan is able to finance basic capital improvements, such as community water systems, land development, and public recreation projects. These benefit many families in the area. Local banks and other private lenders supplying funds for these loans enjoy increased business, a steady rate of return on their investment, and a guaranteed repayment of principal and interest.

Experience with this program of the Farmers Home Administration has been an unqualified success. Since the beginning of the insured loan program in 1947, less than 100 loans have been foreclosed. Payments by borrowers of principal and interest are 104 percent of scheduled annual installments.

The demand for insured Farmers Home Administration loans continues to increase at a rapid rate. Although the authorization was increased last year to $200 million, the Farmers Home Administration had to ration insured loans as early this fiscal year as mid-April. On May 31, 1963, the agency had 15,000 applications on hand for insured loans. Applications are coming in at the rate of 3,000 each month.

Mr. President, there are two major reasons for the increasing demand and the need for a larger authorization.

The demand for credit to finance farm ownership is a direct result of the problem facing all family farmers in the present era—to stay in business they must obtain enough land and other resources to close the gap between growing costs and shrinking returns. They must develop and enlarge their farms. Between 1960 and 1963 the Farmers Home Administration farm ownership loans for farm development and enlargement went up from 47 to 57 percent of its total lending program.

Second, the insured loan program of the Farmers Home Administration has become increasingly important in supplying capital for what is broadly termed "rural areas of development."

In the Food and Agriculture Act of 1962, the Congress modified several Farmers Home Administration programs so the agency could provide supplementary credit for projects essential to community development in rural America. Of particular importance are new authorities to help farmers supplement their incomes through on-farm recreation enterprises and to enable organized groups in rural areas to finance new and more productive uses for farm and other rural land.

If properly and adequately supplied with funds, these new loan purposes of the Farmers Home Administration can have a far-reaching impact. One serious problem in the countryside always has been the lack of seed capital to improve and modernize public and other community facilities. The new authorities of Farmers Home Administration are a big step toward correcting this inequity. The FHA now may supply capital for such purposes as public recreational activities, public parks, community water systems, and land redevelopment for grazing or reforestation. These all are crucial improvements. They set the stage for revitalizing the economy of our small towns and farming communities, since they result in an environment that encourages families, commercial businesses, and manufacturing firms to invest in an area.

Important as the new Farmers Home Administration authorities are, however, they are only the first step in a two-stage process. Funds to implement these authorities must now be provided. That is the purpose of the proposed increase in the agency's insured loan program. An increase of $250 million is modest enough for such a major undertaking.

In the short period since Farmers Home Administration announced the new loan authorities, more than 600 applications have been received from farmers and rural groups. Unless the agency can draw upon additional private sources of credit to finance these applicants through its insured program, the new types of loans will simply fail by default, bringing down with them the hopes of many farmers and others in rural communities.

It is impossible to finance farm loans, loans for recreation purposes, and group loans from an insured fund that totals $200 million. In recent years, this amount has been woefully inadequate to meet even the needs of all those farmers who must buy, enlarge, or develop farms and are unable to obtain credit from conventional lenders. We cannot now expect the FHA to finance major new lending requests from the same level of insured funds.

Mr. President, the issue comes down to this: In 1961, Congress authorized the FHA to broaden and modernize its farmownership program so it would be of greater service to U.S. farm families in an era of rapid change. In 1962 the Congress further authorized loans for recreation purposes and for rural community development. The majority of Members considered these objectives to be of critical importance. It is now our duty and our responsibility to provide enough insured loan funds so the Farmers Home Administration can carry out its responsibilities.

Mr. President, I send the bill to the desk, for appropriate reference. I am hopeful that other Senators may find it in their interest and in the interests of the country to join as cosponsors, or to offer similar legislation.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1852) to amend the Consolidated Farmers Home Administration Act of 1961 in order to increase the limitation on the amount of loans which may be insured under subtitle A of such act, introduced by Mr. HUMPHREY (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. HARTKE. Mr. President, S. 1852 increases in limitation on amount of loans which may be insured by the Farmers Home Administration. I am delighted to join with Senator HUMPHREY in cosponsoring S. 1852.

S. 1852 proposes to increase from $200 million to $450 million, the amount of farm loans insured each year by the Farmers Home Administration. These insured loans are made to conserve and develop water supplies, conserve soil, and to help farm families buy farms of their own.

There is a great need in my State of Indiana and across the Nation for proper conservation and development of our water resources. Many communities are faced with stagnation or extinction unless they can secure adequate supplies of good water for their businesses and homes. In Indiana, for example, 17 communities with water problems now have applications pending with Farmers Home Administration for loans to solve their plight. And as time goes by the increased use of water by our growing population, lowering water tables, and problems of pollution will force many additional communities to inventory their water supplies and take steps to meet future needs if they are to survive.

S. 1852 would also furnish more funds for farm ownership loans. Therefore, it helps strike a solid blow in favor of improved land tenure in the United States. At the same time, it would alleviate some of the pressing credit problems faced by many of our farmers.

Proper and adequate financing of the Farmers Home Administration is one of the most direct and beneficial ways to help our struggling rural communities. Nearly 30 years of lending by this agency and its predecessors clearly show that adequate credit accompanied by sound guidance has helped many family farmers pull themselves up by their bootstraps, helped them recover from economic reverses, helped them successfully fight the relentless battle of the price-cost squeeze, helped them adopt modern farming practices, and helped them to become owners of their own farms. Through Farmers Home Administration help, these family farmers and the rural communities of which they are a part, have received new leases on life and the wherewithal to ward off community decay and stagnation. This agency is helping the 54 million people in rural America develop the type of strong, prosperous communities that the Nation must have if we are going to slow down the heavy population migration into urban centers; some of which are now filled beyond capacity.

Here is how our entire Nation stands to benefit when rural America has access to Farmers Home Administration's insured loan program to finance needed development.

COMMUNITY LIFE IS RETAINED

Groups of farmers and rural residents, operating on a nonprofit basis, may obtain insured soil and water loans to install or improve rural water supply and distribution systems that furnish water for home and business use and fire protection. Many individual farmers and rural residents are unable to finance their own wells to provide adequate supplies of good water because of low rainfall or poor land formations. Their only solution lies in grouping together and installing a community type of water system with water reservoir and treating facilities.

RECREATION FACILITIES ARE PROVIDED

Rural groups in communities up to 2,500 population can use insured loans to take land out of crop production and shift it into recreation uses. There is a growing demand for more outdoor recreation facilities in our country to counterbalance population growth and the rapid swing to an intensified industrial economy.

FAMILY FARMS ARE STRENGTHENED

Insured loans are also made to eligible farm families to enlarge, develop and buy farms not larger than family farms, to finance income-producing recreation enterprises, and to refinance debts. Tenant farmers and sharecroppers may obtain these loans to buy farms of their own. Owners of small farms may purchase additional land to broaden their farm resource base and to increase the volume of their operations. Owners of family farms may use the loans to develop their farmland and improve their homes and other buildings. The development of recreation enterprises enables some families to increase their incomes and provides healthy outdoor facilities for the city resident to take his family during a moment of leisure.

Through the insured loan program, private investors provide the funds to help eligible farmers and the Government guarantees payment of interest and principal. Insured farm loans are made and serviced by the Farmers Home Administration. The investor may furnish the funds either at the time a particular loan is closed or he may purchase insured notes on loans previously made by the Farmers Home Administration out of a special fund.

Each insured loan is scheduled for repayment in accordance with the borrower's ability to repay, over a period not exceeding 40 years. The Farmers Home Administration collects the principal and interest payments when due and forwards the receipts to the lender after retaining one-half of 1 percent for insurance. The interest rate charged the borrower varies from 4½ to 5 percent depending on the type of loan. Insured farm ownership and soil and water loans to individual farmers may not exceed $60,000. Insured loans to nonprofit groups for community water systems and recreation facilities may not exceed $1 million.

Administration of this program is quite simple. Mortgages for insured loans run to the Government. The lender holds only the insured note. He agrees to hold it for at least 3 years but may easily assign it to another investor at any time.

These loans do not compete with credit provided by other lenders. Only those applicants unable to meet their credit needs through conventional sources of credit are eligible for help.

Lenders located right in the borrower's own community furnish a substantial amount of the funds for insured loans. Principal investors include banks, pension funds, insurance companies and trust funds.

Since the insured loan program was started in 1947—16 years ago—more than $659,500,000 has been loaned in the 50 States to 170 rural groups and to 50,500 individual families. These borrowers have repaid more than $131,300,000 in principal and $62,500,000 in interest. Losses on insured loans amount to less than one-tenth of 1 percent.

The insured loan program has many worthy features. Aspiring farm tenants are able to acquire a stake in the land. Established farmers who have exhausted their equities or fallen behind in their mortgage payments through no fault of their own are able to secure some refinancing aid plus additional funds to strengthen their operations. Rural communities benefit not only from the improvements in local farming operations but also from the increased trade generated by the expenditure of loan funds. Communities short of water are able to develop local resources and provide good locations for industry that can utilize home-grown labor. The Government benefits because the use of insured funds rather than appropriated funds leaves the borrower obtaining his credit from private sources and lessens the strain on the U.S. Treasury.

Congressional action during the past 2 years has greatly broadened and improved the Farmers Home Administration loan program. Therefore, a greater demand for insured loans has resulted and the agency is unable to meet applicants' needs. During this fiscal year, the agency used all its insured loan authorization by early spring. It will undoubtedly obligate its funds much sooner next year as some of the new programs gain momentum. Applicants will have to be turned away. Yet, adequate private capital is available for insured loans. I have received letter after letter from money lenders in my State who want to participate in Farmers Home Administration's insured loan program because it has such a direct effect in bettering the community.

S. 1852 is a sound piece of legislation. There is a great need for additional credit in rural areas and we should take prompt action on this worthy measure. In Indiana, there is a sharp demand for all of these insured loans. Now on hand are 335 applications for farm ownership and individual soil conservation and water development loans and 17 applications for loans to rural groups. These loans, if money were available, plus those already obligated since last July 1, total more than $7 million. It is readily apparent that when this kind of a strong demand for loans in Indiana is multiplied by the demand in the other 49 States, $200 million falls far short of meeting the total needs. To prevent termination of this fine program in Indiana and other States, I ask your support in assisting the Senator from Minnesota and myself in passing this sound piece of legislation.

Delaying action on this measure only helps to tighten the clutch on our rural economy.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a table showing the cumulative loans insured as of March 31, 1963, prepared by the Farmers Home Administration of the Department of Agriculture.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Cumulative loans insured as of Mar. 31, 1963, by the Farmers Home Administration, U.S. Department of Agriculture

Alabama	$9,969,537.04
Arizona	4,970,630.58
Soil and water conservation loans to associations	365,960.00
Arkansas	16,616,137.54
Soil and water conservation loans to associations	7,150.00
California	7,045,648.53
Soil and water conservation loans to associations	210,000.00
Colorado	13,686,286.49
Soil and water conservation loans to associations	2,781,600.00
Connecticut	240,461.00
Delaware	330,580.00
Florida	7,814,457.00
Georgia	16,908,487.60
Idaho	11,685,388.00
Soil and water conservation loans to associations	88,035.00
Labor housing loans	50,000.00
Illinois	12,947,211.35
Indiana	13,688,069.00
Iowa	25,596,447.25
Kansas	19,117,920.70
Soil and water conservation loans to associations	2,976,180.00
Kentucky	10,734,720.70
Soil and water conservation loans to associations	368,500.00
Louisiana	9,065,863.66
Soil and water conservation loans to associations	30,000.00
Maine	10,179,443.76
Maryland	1,529,699.00
Massachusetts	205,162.75
Michigan	14,451,312.44
Minnesota	19,150,067.00
Soil and water conservation loans to associations	33,000.00
Mississippi	18,277,950.22
Soil and water conservation loans to associations	85,000.00
Missouri	33,097,623.87
Soil and water conservation loans to associations	90,000.00
Montana	11,607,285.00
Soil and water conservation loans to associations	395,000.00
Nebraska	18,425,565.76
Nevada	963,410.00
Soil and water conservation loans to associations	152,600.00
New Hampshire	442,170.00
New Jersey	3,601,742.70
New Mexico	$9,358,620.66
Soil and water conservation loans to associations	69,500.00
New York	8,526,092.94
North Carolina	20,296,419.17
North Dakota	44,948,077.00
Soil and water conservation loans to associations	42,240.00
Labor housing loans	5,500.00
Ohio	7,729,623.00
Soil and water conservation loans to associations	321,000.00
Oklahoma	20,660,477.53
Oregon	7,821,365.00
Soil and water conservation loans to associations	60,000.00
Pennsylvania	9,817,371.61
Rhode Island	10,000.00
South Carolina	8,642,631.46
South Dakota	24,088,828.35
Soil and water conservation loans to associations	490,500.00
Tennessee	18,532,976.65
Soil and water conservation loans to associations	170,000.00
Texas	28,341,789.19
Soil and water conservation loans to associations	811,300.00
Utah	7,013,440.31
Soil and water conservation loans to associations	183,450.00
Vermont	757,934.00
Virginia	9,264,730.27
Washington	16,317,738.82
Soil and water conservation loans to associations	325,750.00
Labor housing loans	6,760.00
West Virginia	4,604,823.82
Soil and water conservation loans to associations	144,900.00
Wisconsin	24,894,576.74
Labor housing loans	14,250.00
Wyoming	6,007,810.00
Soil and water conservation loans to associations	149,950.00
Alaska	159,775.00
Hawaii	1,797,001.28
Puerto Rico	4,817,490.00

RECAPITULATION BY TYPE OF LOAN

Soil and water conservation loans to individuals	596,758,871.74
Soil and water conservation loans to associations	10,351,615.00
Labor housing loans	76,510.00

HARTKE ASKS ASSISTANCE FOR AMATEUR ROCKETEERS

Mr. HARTKE. Mr. President, I introduce, for appropriate reference, a bill to enable the Amateur Rocketeers of America to use idle Camp Atterbury properties for their activities.

The Amateur Rocketeers of America is a national aerospace education organization with its headquarters in Indiana. Its membership is composed of high-caliber aerospace students, many of whom will undoubtedly become leaders in our future aerospace development teams. These young people, of high school and early college age, learn about rocketry by constructing and firing small rockets.

One of the main difficulties facing this group is securing suitable testing sites.

The amateur rocketeers were successful, however, in leasing a site at Camp Atterbury, Ind., on property which had been standing idle for several years. These young rocketeers, 30 in number, and their leaders worked for more than a year in their spare time to establish a missile testing facility on the property known as the National Amateur Missile Analysis Center—NAMAC. Although it is not totally finished, the site has already been of extensive service to schools and school administrators from a number of States as a place to send serious rocketry students where safety was controlled, land and air space adequate, and where these young people's natural desire for education by actual experience could be encouraged and developed.

The purpose of this bill, Mr. President, is to provide authority for the Secretary of the Army to lease to the amateur rocketeers the Camp Atterbury property they now occupy for a period of 20 years. Such a long-term lease, at an annual rental of $1 per year, would insure that the amateur rocketeers could continue and expand their very worthwhile and educational activities without the risk of loss of their launching site and facilities and without the financial obligation they now bear in paying rent on the property. The group is willing to assume all risks and costs of maintenance and restoration on the properties.

There has already been much private and governmental support of amateur rocketeers activities and the organization is now in the process of expanding their scope and membership. For example, the group is now developing a series of five rocket science training courses under a grant of $41,500 from the Educational Division of the National Aeronautics and Space Administration. The training courses will be used by their own members, by other educational scientific groups and it will also be loaned to teachers across the Nation in the secondary school systems for use as a short course on one of the five phases of rocket science.

The retention of the ARA site at Camp Atterbury has also received an endorsement from Dr. William E. Wilson, State superintendent of public instruction in Indiana, who said:

> A center like this (NAMAC) is almost a necessity if such desired activity is to go on, because the cost to establish such a facility including land and air space is beyond what even the largest school city in Indiana could justify for the number of rocketry students in any one school. It is my firm belief that much of America's progress in the field of science and education has been achieved by the individuals who have been willing to jump in and build a learning-by-doing type of program as has been the pattern of this young organization.

In view of the things these young people have already accomplished and of the vital contribution they will make to aerospace education and our national defense effort in the future, I believe we should offer every encouragement to their endeavors.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1853) to authorize the Secretary of the Army to lease certain real property located at Camp Atterbury, Ind., and for other purposes, introduced by Mr. Hartke, was received, read twice by its title, and referred to the Committee on Armed Services.

OFFICIAL RECOGNITION TO THE ADAPTER AND ARRANGER OF "THE STAR-SPANGLED BANNER"

Mr. BREWSTER. Mr. President, I, like many of my colleagues, have just returned from a weekend filled with ceremonies and functions appropriate to the celebration of American independence.

In the course of these celebrations, we have heard many renditions of "The Star-Spangled Banner."

Next year, we will observe the 150th anniversary of its publication.

On September 13, 1814, the British Fleet began the bombardment of Fort McHenry. Francis Scott Key, a young lawyer from Maryland, witnessed the bombardment from an American truce ship which had been detained by the British. When Key saw the Stars and Stripes still flying after a long night of firing, he was inspired to set down the words which became our national anthem.

Present plans call for Maryland's participation in the 1964 World's Fair to include an exhibit centering around this attempt by British troops to storm the city of Baltimore in the War of 1812.

The first printing of the anthem came only a few weeks after the battle. The original sheet music was published and sold by Carr's Music Store of Baltimore. At the bottom of this printing appeared the words, "Adapt. & Arrd. by T.C." These are the initials of Thomas Carr, younger son of Joseph Carr, owner of the Carr Publishing House.

Extensive research in the records of the Maryland Historical Society and the Library of Congress raises no doubt about the accuracy of this fact.

I am sure my colleagues will understand the pride all Marylanders have in the origin of our national anthem. I am sure that my colleagues will agree with me that the time has come to give permanent recognition to its original adapter and arranger. It is for this purpose that I introduce the following joint resolution:

> Whereas the national anthem, the "Star Spangled Banner," is a symbol of the beauty and majesty of the United States of America;
>
> Whereas the one hundred fiftieth anniversary of the writing of the "Star Spangled Banner" will be observed in 1964; and
>
> Whereas there is substantial evidence to support the claim that Mr. Thomas Carr of Baltimore, Maryland, made the original adaptation and arrangement for the "Star Spangled Banner": Now, therefore, be it
>
> *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Congress of the United States joins in commemorating the one hundred and fiftieth anniversary of the writing of the "Star Spangled Banner" to be observed in 1964.
>
> Sec. 2. The Congress of the United States hereby recognizes that Thomas Carr, of Baltimore, Maryland, was the author of the adaptation and arrangement used in the first publication of the "Star Spangled Banner."
>
> Sec. 3. The Congress of the United States adopts the melody line in the key of C from the original arrangement by the said Thomas Carr for the "Star Spangled Banner."

The VICE PRESIDENT. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 99) officially recognizing Thomas Carr as the author of the original adaptation and arrangement of the "Star Spangled Banner," introduced by Mr. Brewster, was received, read twice by its title, and referred to the Committee on the Judiciary.

AMENDMENT OF CLAYTON ACT RELATING TO RELIEF FOR VIOLATIONS OF SECTION 3 OF ROBINSON-PATMAN ACT—EXTENSION OF TIME FOR BILL TO REMAIN AT THE DESK

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the bill (S. 1815) to amend the Clayton Act to provide by governmental and private civil proceedings for violations of section 3 of the Robinson-Patman Act, and for other purposes, be held at the desk until July 12 for additional cosponsors.

The VICE PRESIDENT. Without objection, it is so ordered.

AMENDMENT OF IMMIGRATION AND NATURALIZATION ACT—ADDITIONAL COSPONSOR OF BILL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the name of the distinguished Senator from Wyoming [Mr. McGee] may be listed as a cosponsor of S. 747, a bill to amend the Immigration and Naturalization Act, when the bill is next printed.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bills:

Authority of June 26, 1963:

S. 1800. A bill relating to the appointment of the Architect of the Capitol: Mr. Clark.

S. 1801. A bill to effectuate the provision of the sixth amendment of the U.S. Constitution requiring that defendants in criminal cases be given the right to a speedy trial: Mr. Gruening, Mr. Johnston, Mr. McCarthy, Mr. McGee, Mr. Scott, and Mr. Young of North Dakota.

S. 1802. A bill to protect the integrity of the court and jury functions in criminal cases: Mr. Cotton, Mr. Johnston, Mr. McCarthy, Mr. McGee, Mr. Moss, and Mr. Scott.

Authority of June 27, 1963:

S. 1803. A bill to provide assistance to States for experimental projects to provide constructive work experience and training related to securing and holding employment: Mr. Humphrey, Mr. Keating, and Mr. Long of Missouri.

S. 1807. A bill to amend the Internal Revenue Code of 1954 to remove limitations on deductions for exploration expenditures: Mr. Allott, Mr. Bible, Mr. Engle, Mr. Humphrey, Mr. Long of Missouri, Mr. Moss, and Mr. Mundt.

NOTICE OF RECEIPT OF NOMINATIONS BY COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the nominations of Dr. Walter Adams, of Michigan, and Dr. Mabel M. Smythe, of New York, to be members of the U.S. Advisory Commission on International Educational and Cultural Affairs for terms of 3 years expiring May 11, 1966, and until their successors are appointed and have qualified.

In accordance with the committee rule, these pending nominations may not be considered prior to the expiration of 6 days of their receipt in the Senate.

NOTICE OF HEARINGS ON BILLS TO PREVENT THE USE OF WORK MEASUREMENT PROGRAMS IN THE POSTAL SERVICE

Mr. JOHNSTON. Mr. President, as chairman of the Post Office and Civil Service Committee, I wish to announce that a public hearing on bills to prevent the use of work measurement programs in the postal service will be held Tuesday, July 16, 1963, at 10 a.m., in room 6202 of the New Senate Office Building.

Congressional Members will be heard first, after which others interested in this program will be given an opportunity to testify. Representatives of the Post Office Department will be heard at a later date.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. HUMPHREY:

Address entitled "The Continuing American Revolution and the American Negro," delivered by Senator George S. McGovern, of South Dakota, before the New York State Young Democrats Convention in New York City, June 15, 1963.

U.S. BALANCE OF PAYMENTS

Mr. ROBERTSON. Mr. President, there is much that I can agree with and commend in the comprehensive and thorough statement yesterday of our able Secretary of the Treasury, Mr. Dillon, concerning the vital problem of the U.S. balance of payments. There are, however, some administration policies he discussed that I question and some omissions from his statement that I regret because—unlike some of learned advisers of the President such as Dr. Heller—I firmly believe in a fiscal policy that, in a period of relative prosperity such as the present, curbs expenditures to facilitate needed tax cuts.

Mr. Dillon rightly emphasizes the enormous strength of our overall financial position, despite the decline in our gold stock and the increase in the liquid dollar holdings of foreigners. Most recently, our gold holdings are down to $15.7 billion, which leaves only $3.5 billion of "free" gold above the $12.2 billion required to back our money supply of currency and demand deposits. Foreign claims on gold totaled $20.5 billion, and if claims of international agencies are included, $25.4 billion. Thus the pressure on the United States to reduce the deficit, as Mr. Dillon pointed out, is heavy, and there is not much time to waste in doing it. Therefore, we should all be concerned about our payments balance, and we need to recognize that progress over the past 12 months toward achieving that balance has been, in the Secretary's words, "disappointingly slow and uneven."

However, it is also important to realize that our private investments abroad now total more than $60 billion. These private investments indicate the solid strength of our overall foreign position. These investments will yield a steady inflow of dollars from earnings in the years ahead, which will grow as the investments begin to bear fruit.

I also agree with Mr. Dillon's sharp distinction between the problem of bringing our own payments into balance and the longer run problem of maintaining adequate international liquidity. We should thoroughly study any proposals to deal with the international liquidity problem. Congress has a grave responsibility in considering such proposals to provide for the orderly evolution of the international payments system which has evolved since the days of Bretton Woods. It would be a mistake to rush hastily into some apparently attractive new global scheme in the hope that such a scheme would solve our shortrun problem at the risk that our freedom of action in international financial matters would be impaired.

Mr. Dillon also rightly rejects as solutions to our shortrun payments situation such policies as currency devaluation, import restrictions, or exchange controls that are contrary to our free enterprise traditions. Neither can we adopt artificially tight money that might worsen unemployment for the sake of the balance of payments, or abandon our commitments for the protection of the free world.

In other words, I share the general approach that Mr. Dillon outlines in dealing with the payments situation. We must seek to regain payments balance by the traditional and effective route of stimulating investment in our private enterprise economy, by maintaining stability in our wages and prices, and by a sound governmental fiscal policy.

Like Mr. Dillon, I am firmly convinced of the need for a corporate income tax reduction to a rate of 47 percent from its Korean war level of 52 percent, and I made such a recommendation in a speech on June 12 to a group of Minnesota bankers. That would facilitate a needed increase in private investments in new machines and equipment to keep our products competitive in world markets and help us export more. Tax reduction on corporate incomes will also reduce the tax incentive for our industry to invest abroad rather than at home. And it will create new jobs for our growing work force now being swollen by record numbers of new young workers.

It is in the area of governmental fiscal policy where Secretary Dillon's otherwise excellent statement seems to me to fall short. Mr. Dillon acknowledges that the burden of foreign military and economic aid is one important factor in our payments imbalance; yet he does not propose any reduction in these items as a step toward balance. Meanwhile, the President is asking for an increase in foreign aid spending in the fiscal 1964 budget even though his own advisory group, headed by General Clay, recommended a cut of half a billion dollars next year.

I believe that we could cut the foreign aid budget by $1½ billion. Such a cut only moves the aid program back to its fiscal 1962 level. It would help the balance of payments and it would also give the foreign aid Administrator, Mr. Bell, a chance to make some sense out of our confused and scattered aid effort.

I believe further that we could cut the entire governmental budget for fiscal 1964 by more than $6 billion to offset the tax cut we need to stimulate private investment.

Reduced Government spending to accompany a tax cut would help our balance of payments in several ways. It would increase foreign confidence in our fiscal soundness. It would contribute toward wage and price stability by avoiding a potentially inflationary deficit during relative prosperity. It would increase business confidence at home and thus improve the climate for investment.

It is regrettable, in view of the strong reasons for a sound fiscal policy, that Mr. Dillon's otherwise excellent analysis reflects the tax-tomorrow-but-spend-today philosophy of some of the President's advisers.

DEATH OF ALICIA PATTERSON

Mr. JAVITS. Mr. President, the untimely death last Tuesday night of Alicia Patterson, one of New York State's great newspaper publishers, was a shock to her profession and to the Nation and especially to her many friends. She was 56.

Alicia Patterson, the daughter of a dynamic newspaper family, was publisher of Newsday on Long Island. An enterprising, imaginative, and gifted woman, she was responsible for one of the most phenomenal success stories in U.S. journalism. Newsday was truly her newspaper, a reflection of her exciting personality. When she founded it 23 years ago, it was given little chance of success; today, it is the 12th largest evening newspaper in the United States. It is a newspaper which, under Alicia Patterson's editorial guidance, not only stimulated her community, but often made a statewide and nationwide impact, winning many awards and a great reputation in and outside of the newspaper profession.

I know what a great loss Alicia Patterson's death is to her husband, Harry F. Guggenheim, himself a very prominent New Yorker with an outstanding record in business, philanthropy, and public service; and to her mother and other survivors. I can only hope they will be sustained by the knowledge of the great respect and affection in which Alicia Patterson was held by everyone whose life she touched. I know, too, that the spirit and inspiration of this remarkable woman will live on through Newsday, her great newspaper.

Hundreds of persons in public life, including President Kennedy and Governor Rockefeller, have paid tribute to the memory of Alicia Patterson in these past several days. I ask unanimous consent to have these tributes printed in the Record at this point, along with an article published in Newsday last Wednesday, entitled, "Alicia Patterson: An Informal Appraisal."

There being no objection, the article was ordered to be printed in the Record, as follows:

Alicia Patterson: An Informal Appraisal

One day in October 1940, a friend of Joseph Medill Patterson, editor and publisher of the New York Daily News, joined him for lunch. In the course of the meal he inquired about Patterson's daughter, Alicia.

"Oh, she's started a little paper out on Long Island," said Patterson. "It won't amount to much, but it fills in her spare time."

The little paper that would never amount to much was Newsday, whose first issue came off the press September 3, 1940. In the 23 years since Patterson made his casual remark, Newsday has written the greatest success story in American journalism.

No other paper, including even the phenomenal New York Daily News (founded 1919), has grown so fast. Newsday's circulation now exceeds 370,000. It is the 12th largest evening newspaper in the United States and the largest daily newspaper in New York State, excluding New York City.

The death of Alicia Patterson makes it possible to reveal that this success story was a bittersweet one. For Patterson had trained her, virtually from childhood, to succeed to his position in the publishing empire founded by his grandfather, Joseph Medill.

This empire originally comprised only the Chicago Tribune, an enormously successful paper. Then came the Daily News, whose circulation skyrocketed into the millions during the depression and remains the largest in the Western Hemisphere. In his latter years, Patterson repeatedly promised that Alicia would inherit his controlling holdings in the Daily News, thus succeeding him as editor and publisher.

A strain was put on the relationship when Alicia divorced her second husband, Joseph W. Brooks—a shooting and fishing companion of Patterson's—and married Harry F. Guggenheim, now president and copublisher of Newsday. Brooks, in a sense, was Patterson's choice. He set him up as an insurance man, handling the News business. Guggenheim, by contrast, was a reserved man of immense accomplishments in business and philanthropy, not malleable at all in the sense that Brooks had been, determined that he and his wife should lead their own lives. The two men got along correctly but not cordially.

When to these strains was added a split between father and daughter over Franklin D. Roosevelt and his conduct of World War II, the breaking point came. Patterson, whose paper made itself famous through tough-minded liberalism, turned in revulsion from Roosevelt and espoused a violent brand of isolationism through the editorial column of the News. Alicia, by contrast, stuck with Roosevelt and the New Deal, and maintained the openminded, liberal policy of Newsday that still prevails.

WILL IS CHANGED

Patterson by 1946 was a sick and a despondent man. He did not lose his readers, but he lost their affection. Many of his former friends turned away from him. In this state of fury and disappointment one day in 1946, he called Alicia and advised her that he had changed his will; that she was no longer to inherit control of the News. The largest portion of his stock holdings went to his widow in trust for their son, James, now an assistant managing editor of the News. Patterson died 2 years later.

While Newsday had begun to grow, in 1946 it was still far short of its present commanding circulation and advertising figures. Its editor-publisher, brought up to revere her father, was operating a comparatively small daily paper. The loss of the News was a shattering blow to her, but she concealed it from all save her closest friends, and redoubled her close attention to Newsday.

The temperaments of the publisher and copublisher insured that the progress of Newsday, while steady, would be stormy. Perhaps the very positiveness of Alicia Patterson and Harry Guggenheim helped attract readers. Guggenheim was, and remains, first, last, and always a progressive Republican. Alicia Patterson was an independent, more often than not in accord with the Democrats. She was the first to suggest, through an editorial, that Dwight Eisenhower be nominated for President. She supported him faithfully through his first term, even though he was opposed by Adlai E. Stevenson, a Democrat, a favorite of the liberals, and a friend of Alicia Patterson since her teens in Chicago.

When in 1956 both men ran again, Alicia decided that the paper should support Stevenson. Harry Guggenheim decided he simply could not. Consequently, Newsday presented the unusual spectacle of an editorial column which backed Stevenson to the hilt while, on the opposing page, a personally written column by Guggenheim supported Eisenhower. The same thing happened in 1960 when the paper backed John F. Kennedy while Guggenheim in his own column backed Richard M. Nixon. It had also happened earlier when Guggenheim supported Wendell Wilkie and his wife Franklin D. Roosevelt.

NO BRAKE ON PROGRESS

These disagreements, while sometimes voluble—neither of the Guggenheims hesitated to jettison the Queensberry rules of conversation when feelings ran high—did not affect the steady progress of the paper. Guggenheim from the beginning ran the business operations; understandably so since he invested $750,000 in Newsday before it began to make a profit. Miss Patterson ran the editorial side of the paper, in the process making sure that no advertiser or business interest would ever control policy or secure the free publicity puffs in the news columns that are present in too many papers.

The stock of the paper was held 51 percent by Guggenheim, 49 percent by his wife. Profits by mutual agreement have been returned to the paper for enlargement, for salary increases and for fringe benefits such as a liberal pension plan and health and life insurance.

From the beginning, the Newsday concept was that of a bold, bright and openminded paper dealing with a young and sophisticated audience. The great Levittown development—pushed through by Newsday over town board opposition—was succeeded by others that brought hundreds of thousands of young couples out from New York and in the life span of the paper increased the combined population of Nassau-Suffolk from little more than 500,000 to approximately 2 million. These people expected frankness, and got it; in the beginning, perhaps, a little more than they bargained for. Newsday in its early days seemed to want to outdo its prototype, the Daily News, in terms of shock appeal.

As the paper matured, so did its outlook. Perhaps contributing to this was the award, in 1954, of the Pulitzer Prize for meritorious service. Newsday won this distinction because, for 3 years, Managing Editor Alan B. Hathway had pounded away in the news columns at a corrupt union boss, William De Koning, Sr. This crusade ended in the conviction of De Koning.

EARNED NATIONAL ATTENTION

By the time of her death, with news circulation stagnant, and Newsday still forging ahead, she was a thoroughly contented woman. Newsday had won the Pulitzer Prize for public service and 42 other awards. Its phenomenal accomplishments had earned national attention. Her picture had appeared on the cover of Time magazine with an article inside describing the phenomenon of a suburban paper with so remarkable a growth record. The Saturday Evening Post in 1951 chronicled her success story in an article by Charles C. Wertenbaker. In 1959 the same magazine carried her own frank story of Newsday and how it grew, written in collaboration with a staff member.

Since then the paper has won a wide variety of awards, including the Polk Award (for public service) and eight times the Ayer Award for typographical excellence. Today Newsday prints a variety of dispatches from its own foreign correspondents, devotes substantial space to subjects of serious public interest and seeks to fulfill a rounded role as a family newspaper. The youngsters who first bought it, after all, are now old married couples, many with grown children. The policy of the paper, however, remains unchanged. Present the news brightly and informatively.

One of Alicia Patterson's pet dislikes was the "fat cat" publisher—meaning, as she often said in editorials, the publisher who worried about profits, rather than product. She was a working editor and publisher. She came to the office perhaps 250 working days a year, in the course of each day seeing sometimes dozens of executive or subexecutives—and always her editorial director, editorial writer and editorial cartoonist. The editorials were the product of discussion, but she had the final say. Often at night, after rereading the finished copy, she would call to make changes that she thought expressed better the paper's policy. When at her vacation cottage in Georgia on infrequent occasions, she made it a point either to phone in with comments on the news or else made sure someone would call her.

Miss Patterson welcomed dissenting opinions and went out of her way to encourage them. She hated to fire anyone, and often suffered incompetent or lazy employees to stay on—sometimes transferring them to a series of less crucial jobs—until at last she was forced to act. She had no vindictiveness, and she cherished no grudges. But she did have a temper, and when something infuriated her, the victim found himself inundated in invective. But she let her victims talk back; and when the storm was over, she forgot and forgave quickly.

She was, basically, a shy woman who found it difficult to wander into the city room and to further the corporate image through small talk. She was most at home with what she called the "pros" of the newspaper business, those with a record of accomplishment. But these pros, in turn, working with a young staff—most of whose members got their seasoning at Newsday—produced a newspaper that left its mark on American journalism. While other papers pussyfooted, Newsday came out with its blunt opinions. The result was felt in the letters-to-the-editor column, which receives hundreds of communications a week. One rule laid down by Miss Patterson was that letters disagreeing with the paper's policy, however bluntly worded, must be printed prominently so that both sides of any hot issue were given an airing.

The result was a newspaper of unusual effectiveness—liked greatly by most of its readers, hated violently by a few, but always read. For Alicia Patterson was one of the last of the "personal" journalists, convinced that "to print the news and raise hell" (a phrase originated by an early editor of the Chicago Tribune) was a high responsibility and one that could not be shirked.

TRIBUTES TO ALICIA PATTERSON—LOSS TO AMERICAN JOURNALISM

Hundreds of persons, including President Kennedy, have paid tribute to the memory of Alicia Patterson, Newsday's editor who died July 2. Here are some of the messages received:

John F. Kennedy, President of the United States: "I am most grieved to learn of the death of Alicia Patterson, who made a substantial contribution to her country. Miss Patterson, with a long heritage in the newspaper field, founded the newspaper Newsday at a time when many similar attempts to start major newspapers had failed. The fact that Newsday was quickly a success and won the confidence of its thousands of readers was in great part due to her initiative and leadership. Mrs. Kennedy and I join in offering our sympathy to her family."

Nelson Rockefeller, Governor of New York State: "The death of Alicia Patterson is a great loss to American journalism and a sad blow to her countless friends. A member of one of the Nation's most distinguished journalistic families, she was a vigorous pioneer of suburban publishing whose imagination and creativity played a major role in the phenomenal growth of Long Island over a period of nearly one-quarter of a century. Her courage and dedication to public service and her devotion to the cause of good government were positive forces for progress."

Adlai Stevenson, U.S. Ambassador to the United Nations: "Alicia Patterson was one of my oldest, dearest friends. She was my friend from childhood. I have loved her dearly and admired her greatly. Her memory will refresh and liven and stimulate everyone who knew her and everyone who knew her loved her. The newspaper she created was a reflection of a genius that she inherited and enlarged. Bravery and gallantry are feeble words, but apt for this remarkably vital woman who thought and lived with purpose, conviction and courage."

Stewart L. Udall, U.S. Secretary of the Interior: "Alicia Patterson had a high sense of public responsibility, and I always admired her forthrightness and the strength of character she imparted to her newspaper. Her untimely passing impoverishes the world of American journalism."

Averill Harriman, Under Secretary of State: "The untimely death of Alicia Patterson will be sadly mourned by her many friends. She inherited the family's genius for newspaper creation and in many ways surpassed it in the conception and development of Newsday. Newsday remains as a living force of her spirit and will carry on through dedication to the community in which she lived. I send my deepest sympathy to her colleagues and share with them the great loss of a close friend."

Jacob K. Javits, U.S. Senator: "Please accept my most profound sympathy on such a tragic loss. Alicia was a wonderful and gifted woman. I know that words at a time like this are quite inadequate and can only hope that you will be sustained by the knowledge of the great respect and affection in which she was held."

Kenneth B. Keating, U.S. Senator: "I was deeply shocked to learn of Alicia's death. She will remain in my memory not only as an outstanding leader in the field of journalism which she so enriched with her talent and dedication, but also as a warm and gracious human being."

Steven B. Derounian, U.S. Representative: "Miss Patterson's sudden death shocked us all. She was a true pioneer publisher. She proved that women can be successful in any endeavor. Her brainchild, Newsday, became one of the most successful papers in the country."

James Grover, U.S. Representative: "I was very shocked at Miss Patterson's passing and being in public life I knew her to be steeped in the great newspaper tradition, extremely talented and a devoted newspaperwoman."

Otis G. Pike, U.S. Representative: "Long Island and the Nation have lost, above all else, a courageous and incisive mind. Miss Patterson brought to the public affairs of this area a fresh approach of vision and determination. To all who knew her and to the thousands more whose lives were influenced by her activity, her loss must be a severe blow."

Robert Moses: "Alicia Patterson was by inheritance a great journalist and worthy daughter of Captain Patterson. She was a distinguished, charming, salient personality in her own right. It is hard to think of a parallel."

Perry B. Duryea, Jr., chairman, Long Island State Park Commission: "I am deeply shocked by the passing of one who has contributed so much to the general well-being of the Long Island community. She pursued the truth and made a fine contribution in properly reporting the growing pains of a tremendously important segment of New York State. All of our citizens will miss her."

Bernard Baruch: "Newsday has lost its brilliant editor. I share their grief because I have lost a beloved friend."

Robert Hutchins, president, Fund for the Republic: "Alicia Patterson was a devoted member of the board of directors of the Fund for the Republic. Her candor and directness and her loyalty to the purposes of the organization made her invaluable in our deliberations. She exerted a great influence and will be sorely missed."

Katherine Cornell: "I am shocked and devastated by her death. She was a divine person, a wonderful woman. I have been walking around in a daze since I heard it."

John C. Adams, president, Hofstra University: "Like all who knew Alicia Patterson I am stunned and grieved at this news of her untimely death. She was undoubtedly one of the colorful, courageous and imaginative leaders in America. Her vitality was unquenchable. Over the years she not only had time and energy to build up one of the most successful newspapers in the country but also to play an active role in support of many other forces for good. She was in her 19th year as Trustee of Hofstra University, and during those years I have been privileged to know her particularly well. Always a wise and farsighted counselor, she was deeply concerned with the growth and welfare of the university, performing services beyond count as well as contributing generously to its programs and needs. She was unfailingly alert to the major trends of educational development in the United States and also played a constructive role in the world of literature and art.

"Miss Patterson had remarkable personal gifts: she was particularly radiant as hostess, with a genius for bringing people together and drawing out of them both their convictions and their visions. She will be missed by all her friends as well as her myriad professional and cultural associates, among them the trustees and staff of Hofstra University, where for 20 years she endeared herself as the loyal colleague, friend, and supporter."

Maurice Barbash, chairman, Citizens Committee for a Fire Island National Seashore: "The cause of conservation on Long Island has been dealt a grievous blow with the tragic death of Newsday's publisher, Miss Alicia Patterson. Her efforts at making our island the better, more beautiful place to live will be appreciated for generations to come. We and all conservationists mourn her loss."

William H. McKeon, New York State Democratic leader: "I am shocked and saddened by the death of Alicia Patterson, who was an outstanding publisher and an outstanding citizen. She filled with competence and unassuming modesty a place of high responsibility in the life and work of our State and Nation. As publisher of Newsday she carried on in the tradition of that great newspaper. Her influence in national and international problems will be sorely missed."

Joseph F. Carlino, assembly speaker: "Miss Patterson has made many lasting and important contributions to the community, which her newspaper has served for nearly 23 years. Newsday, under her capable guidance and leadership, has grown into one of the most effective and widely read publications in the Nation. We shall all miss Miss Patterson, whose passing has left a void which will be difficult to fill, for few have made such lasting impressions on the society which they served as did Miss Patterson."

John F. English, Nassau Democratic chairman: "Miss Patterson's contribution to the welfare, growth and promotion of Long Island is without parallel. Her loss to Long Island will be commensurate with the greatness of that contribution."

Arthur M. Cromarty, Suffolk Republican chairman: "Alicia Patterson was a pioneer of Long Island journalism. Her passing leaves a void which will not soon be filled. Her energy and courage helped Long Island to meet many of the challenges of the past two decades."

Edward J. Speno, State senator: "Under Alicia Patterson's direction Newsday became a newspaper of national prominence dedicated to thorough exposition and analysis of the vital facts and dynamics of life which most affect the people. We have all suffered a great loss."

Arthur Levitt, controller of New York State: "The news of Miss Patterson's death was a great shock. New York journalism has lost one of its finest assets. I always will remember fondly my close associations with Miss Patterson on various public service projects."

Eugene Nickerson, Nassau County executive: "Alicia Patterson's death is a great loss for Nassau County. She was a fine lady and a fine human being."

A. Holly Patterson, former Nassau County executive: "I was saddened to learn of the death of Miss Patterson. She was a newspaperman in the tradition of her father and her family. Like them in many ways, she made constructive, enduring contributions to the development of the communities her paper served. I will feel a personal loss of Alicia's friendship because I always enjoyed pleasant, cordial relations with her as the publisher of a great newspaper which she built up from a suspended publication in the village of Hempstead in 1940. Alicia Patterson's interest in the development of Long Island was a dynamic one. It was foremost in her mind at all times. To Captain Guggenheim, I offer my deepest condolences on the loss of his wife, and to the editors and staff of Newsday, my sympathy in the loss of their famous editor and publisher."

H. Lee Dennison, Suffolk County executive: "The death of Newsday's Alicia Patterson is a tragic blow to the people of Suffolk because of her dedicated interest to the future of the county; a great loss to me in personal friendship because of her outstanding dedication to independent news coverage in the interest of better local government."

C. Bruce Pearsall, Oyster Bay Town Republican chairman: "The untimely passing of Alicia Patterson is an irreplaceable loss not only to the journalistic profession but to all Long Islanders as well. She was a discerning leader of the community, dedicated to the dissemination of truth. I am deeply saddened by her sudden death as I know are all Long Islanders."

Palmer D. Farrington, presiding supervisor, town of Hempstead: "It is a loss which every citizen of Long Island must share because each of us has shared in the benefits of her life's work. Her personal contributions to the growth and vitality of our communities will not be forgotten. It is a testament to her vision that in a very real sense, they will continue to be made by the newspaper she created."

Thomas R. Pynchon, Oyster Bay town supervisor: "I express great sadness at this loss of one of Long Island's leaders. Her dedication and devotion to the Long Island community will be sorely missed by everyone."

Clinton G. Martin, North Hempstead town supervisor: "I am deeply shocked at the death of Alicia Patterson. As the publisher and editor of Newsday she has been an important and influential personality in sponsoring and promoting programs for professional and civic betterment of Long Island and Nassau particularly. She has been one of our town's residents, and North Hempstead has suffered a great loss. On behalf of the town, I extend my condolences and sympathies to her husband, Harry Guggenheim."

Ralph G. Caso, supervisor, town of Hempstead: "Alicia was always so vibrant and alive that it is impossible to conceive she is gone. Her personal impact on matters of county import is not gone, however, and will continue for years to come."

Frank D. O'Connor, district attorney, Queens County: "The mark that Alicia Patterson made through Newsday will stand as a fitting memorial of her daring and dedication to the highest ideals of journalism."

Nathan L. H. Bennett, Hempstead town clerk: "Miss Patterson will be long remembered for her many valuable contributions to her profession and to the people of Long Island whom Newsday has served so well for more than two decades."

A. Frederick Costanzo, registrar, town of Hempstead: "Please accept the sincere sympathy of myself and my family on the untimely passing of a great American, Alicia Patterson. The passing of Miss Patterson will be a great loss to our county, State, and country."

Stanford Smith, general manager, American Newspaper Publishers Association: "I am deeply saddened by the great loss suffered by Newsday and the newspaper business. Alicia Patterson's distinguished service to the newspaper business will long be remembered."

Wes Gallagher, general manager, Associated Press: "Alicia Patterson's contribution in establishing Newsday and to journalism as a whole has been unique and outstanding. Her loss is a great one to the profession."

Mark Ethridge, Sr., board chairman, Louisville Courier-Journal: "Alicia Patterson was a great newspaperwoman in the tradition of her family. Her achievement in making a suburban newspaper into a major circulation and editorial force in the country has seldom been matched in the history of American journalism. She was tough minded in her work, but gentle and kind with all her relationships with friends. She was a favorite in Louisville, where she came for Derbies."

Arthur Ochs Sulzberger, president and publisher, New York Times: "Our community and our profession have suffered a great loss in the death of Alicia Patterson."

Richard Clarke, editor, New York Daily News: "Alicia Patterson was a good friend of mine, going back a good many years. She worked for me reviewing books and I was Sunday editor. Her passing is an enormous loss to Newsday and the whole newspaper profession. She had perhaps the most spectacular success in newspaper publishing in a good many years. Ideologically, we did not see eye to eye in a good many years. Every once in a while she got up in Newsday and took a slap at the Daily News, but we were good friends in spite of that."

W. D. Maxwell, editor, Chicago Tribune: "The newspaper world has suffered a great loss in the death of Alicia Patterson. She led us all in enterprise and industry. Her friends will miss her vivacity, her humor and her judgment."

Ralph McGill, publisher of the Atlanta Constitution: "My associates and the staff of the Atlanta Constitution join me in an expression of deep sympathy. Alicia Patterson was one of the great personalities of today's journalism and was an inspiration to all who knew her. I will always treasure my friendship with her."

Lester Markel, editor, New York Times magazine: "As an editor, Alicia Patterson had integrity, imagination, and courage to a degree of standing in American journalism. As a person Alicia Patterson had warmth, insight, and loyalty in rare measure. In both roles, as journalist and friend, Alicia Patterson will be widely and deeply missed."

Cecil King, managing director, London Daily Mirror: "Alicia Patterson was a most charming woman and most gifted newspaper publisher. What a loss we have all suffered."

Romulo O'Farrill, Jr., Jack Howard, president and chairman of executive committee, Inter-American Press Association: "Alicia Patterson was an outstanding figure of U.S. journalism."

Richard M. Clurman, chief of correspondents, Time and Life, Inc.: "The whole world of journalism grieves at the loss of Alicia Patterson. In a profession predominantly male she was, quite simply, as good as they come. But beyond the change she made in all of American journalism and thus influencing many who never knew her, to those of us who had the rare good fortune to work closely with her, she was a tremendous inspiration and unending wellspring of principle. I—and others like me—will be eternally grateful for that and will eternally miss her."

Richard Peters, editor, World Telegram and Sun: "Newsday is a living monument to Alicia Patterson, a woman of many talents, who carried out the tradition of her distinguished newspaper family with dignity, vigor and good humor."

Edwin S. Friendly, vice president, Westchester County Publishers, Inc.: "Newsday stands as a great tribute to the individuality, ability, daring, and know-how of Alicia Patterson. She will be remembered with admiration by all newspaper publishers."

Barry Bingham, editor, Courier-Journal, Louisville, Ky., in an editorial in the newspaper: "It has been reported that at the start of her career, Alicia Patterson said: 'I want to be the best damned newspaperwoman in the world.' She would doubtless have changed the wording, though not the sentiment, of that phrase in later years. She became one of the most successful newspaper publishers in America * * *.

"Alicia Patterson doubtless inherited the family talent. It was typical of her, however, that she struck off on her own in her political views and her professional work. In 1940, she started with her husband, Harry F. Guggenheim, a new tabloid on Long Island called Newsday. Its lusty growth marks the one great success story among new American dailies in the past two decades.

"Miss Patterson understood two cardinal points of good journalism: that a paper must have character and courage, and that it must have a sound financial operation. She gave all these qualities to Newsday. The paper will stand as a memorial to her lively convictions."

The VICE PRESIDENT. The time of the Senator has expired.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

RAILROAD LABOR DISPUTE

Mr. JAVITS. Mr. President, I should like to say a word about the rail crisis. According to news accounts, the President has asked the rail unions and rail management, in lieu of going on strike, to agree upon Justice Goldberg as an arbitrator for the purpose of deciding, by September of this year, the issues involving firemen on diesel locomotives.

I believe a strike on the part of the railroad unions would be a national calamity. Sometimes we may have to endure national calamities in the interest of freedom. But I think that the railroad unions and the railroads have now been given a way out of the dilemma.

I am opposed to compulsory arbitration. I believe that once we get into such arbitration, we get into the fixing of wages, prices, and everything else, and we would really be on a road which would represent a greater measure of governmental control of labor relations than I am willing to accept. I am for seizure in order to protect the national interest when the national interest is jeopardized by the inability of facilities to operate.

Beyond anything else I am for that time-honored American system by which generally speaking, in our country great labor disputes are settled. In that system an eminent source comes out with what are fair recommendations, people have an opportunity to think about them, and the public interest has an opportunity to manifest itself through the manifold ways in which the public expresses its views.

I can think of no single personality who would be entitled to greater credence and greater support on the part of the American people as an arbitrator in the present rail situation than Justice Arthur

Goldberg. Justice Goldberg started his life with the unions as their lawyer. For many years he has been a very eloquent lawyer. He is now a Justice of our highest court. He has been extremely successful in settling many great labor disputes. He would bring his talents to bear upon the present rail dispute. I believe the proposal is the traditional American way of proceeding. My purpose in rising today is to point out that the proposal is not compulsory arbitration. It is the acceptance by the parties voluntarily of an arbitrator and their agreement upon the terms of reference under which he shall operate—a completely different thing from governmentally imposed compulsory arbitration.

Again I repeat that I would be opposed to compulsory arbitration under a statute, and I would favor seizure as a remedy in this situation. But a strike would be a terrible calamity for our country. Seizure would not cure the fundamental situation, though it would enable operation to the extent that public interest and safety would require.

An honorable way out has been given to the parties by the President of the United States. That way is not compulsory arbitration, but the voluntary acceptance of arbitration. I hope the parties accept it and save the country tremendous trial and trouble.

MISUSE OF MILITARY ASSISTANCE FUNDS

Mr. WILLIAMS of Delaware. Mr. President, today I wish to discuss another situation wherein the officials have been spending military assistance funds under our foreign aid programs in a manner that displayed their complete lack of concern for the American taxpayers.

In this instance our Government bought from a British company 47 radar predictors at an average price of $45,886.80 each, or a total cost of $2,156,679.60.

There was no need for these predictors so they were declared surplus and sold back to the same company that manufactured them at an average price of $2,436, or a total of $114,500. This British company then immediately sold this same equipment to the Government of Portugal for $493,500, shipping them in the same crates that were stamped "Free Issue." Our Government was contributing to Portugal's military program during these same years; therefore, in effect we paid for them again. Over the past 15 years our Government has contributed $324.5 million to Portugal in military assistance, and in the same year that this transaction took place we gave Portugal $18.9 million in military assistance.

Under the military assistance program our Government purchased these 47 radar predictors at an acquisition cost of $45,886.80 each from Cossor Radar & Electronics, Ltd., and made them available to the United Kingdom.

The British Government informed the military assistance advisory group in the United Kingdom that it already had large numbers of the predictors on hand in excess of requirements and that they did not need this additional equipment.

Therefore the predictors were reported as surplus, and the Headquarters of the U.S. European Command was notified accordingly. They in turn were supposed to contact all of the NATO countries to determine whether under the military assistance program there were any requirements for such equipment. All the military assistance advisory groups except those in Turkey and Portugal reported that they had no requirements. Significantly both Turkey and Portugal later requested similar equipment. No evidence could be found that either the European Command or the Department of the Army had made any attempt to sell the equipment to the Portuguese Government under the military sales procedures, nor has anyone been able to obtain any explanation as to why this was not done.

On December 30, 1958, these 47 predictors described as 39 operable and 8 inoperable surplus predictors were sold as surplus on a negotiated basis for a total of $114,500 to the Cossor Radar & Electronics, Ltd., the company from whom they had originally been bought. It was during the same month that this company sold this same equipment to the Portuguese Government for $493,500. We gave the Portuguese Government $18.9 million to purchase military equipment in 1958.

So in effect we have this situation: Our Government bought 47 predictors from this British company at $45,886.80 each, or a total cost of $2,156,679.60. Then they sold the same equipment back to the same company from whom it had been purchased for $114,500. Then the Government of Portugal, which was receiving aid from our country, bought these same predictors for $493,500 and paid for them with our money. The equipment, without even being uncrated, was shipped directly to the Portuguese Government with the crates bearing the marking, "Free Issue."

The Comptroller General found evidence to show that 9 months before the equipment was sold as surplus to the Cossor Radar & Electronics, Ltd., both the headquarters of the U.S. European Command and the Department of the Army had been notified that the British firm was negotiating with Portugal to sell them this material should they be able to obtain it as surplus.

At this point I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the two letters dated March 26 and June 7, 1963, signed by the Comptroller General in which he confirms this strange transaction.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, March 26, 1963.

Hon. JOHN J. WILLIAMS,
U.S. Senate.

DEAR SENATOR WILLIAMS: Reference is made to your request of January 21, 1963, that we conduct an investigation and report on our findings regarding an allegation that certain American military equipment stored in a British facility in England was declared surplus by the British and was not offered to the various North Atlantic Treaty Organization countries, as is customary, but instead was sold as scrap. It was further alleged that the equipment was subsequently sold by the purchaser, a British concern, to Portugal for $250,000; that the equipment still bore the stamp of being a free gift from the United States; and that an officer with the military assistance advisory group in the United Kingdom falsified that required procedures had been followed.

We have reviewed the available official records concerning this transaction maintained by Headquarters, U.S. European Command in Paris, France, and determined the following regarding the above allegations:

1. The equipment referred to consisted of radar predictors furnished as grant aid to the United Kingdom under the military assistance program and subsequently declared surplus to its needs.

2. In September 1955 the British Government informed the military assistance advisory group, United Kingdom, that it had large numbers of the predictors on hand in excess of its requirements. The predictors were stored in British military depots in England.

3. The surplus predictors were properly reported to Headquarters, U.S. European Command, which in turn directed the military assistance advisory groups in North Atlantic Treaty Organization countries to determine whether there were any military assistance program requirements for the equipment. All the military assistance advisory groups, except those in Turkey and Portugal, reported that there were no requirements.

4. Surplus predictors were subsequently furnished to Turkey from the excess British stocks. The military assistance advisory group in Portgual had tentatively proposed that 48 predictors be provided to Portugal as grant aid under the military assistance program but withdrew the requirement in June 1956 on the basis of programing criteria which prohibited military assistance program support to the Portuguese units earmarked to receive the equipment.

5. On December 30, 1958, 49 operable and 8 inoperable surplus predictors were sold to Cossor Radar & Electronics, Ltd., on a negotiated basis for £41,000 ($114,500). The military assistance advisory group, United Kingdom, had estimated the scrap value of this equipment to be $250 each, or $11,750. Available records indicate that the predictors had been manufactured in part and assembled by Cossor Radar & Electronics, Ltd., which was the sole source for this equipment for the British Ministry of Supply.

6. Information supplied by the Portuguese Ministry of the Army to the military assistance advisory group, Portugal, indicates that the Portuguese Government purchased the predictors from Cossor Radar & Electronics, Ltd., in December 1958 for £3,750 each, or £176,250 ($493,500) for 47 predictors, to be delivered in like-new condition.

7. Vouchers accompanying the predictors sold to Portugal by Cossor Radar & Electronics, Ltd., bore the notation "Free issue." We have been informed that this is an internal term used by and peculiar to supply procedures within United Kingdom military organizations and was not a notation placed on the equipment by the United States at the time the material was provided to the United Kingdom as grant military aid.

8. We found no evidence that an officer with the military assistance advisory group in the United Kingdom falsely advised his superiors that required disposal procedures had been followed. The records show that the sale of surplus predictors to Cossor Radar & Electronics, Ltd., was preceded by proper notifications to higher headquarters and the sale was authorized by the Department of the Army and Headquarters, U.S. European Command. The military assistance advisory group in the United Kingdom had formally

advised appropriate headquarters of the excess declaration, and required screening was conducted to determine whether the equipment was needed for military assistance program requirements in other countries.

On the basis of the documents and data reviewed, we found that personnel assigned to the military assistance advisory group in the United Kingdom followed prescribed procedures concerning the disposal and sale of the surplus predictors. Nine months before the equipment was sold to Cossor Radar & Electronics, Ltd., the military assistance advisory group, United Kingdom, also notified Headquarters, U.S. European Command, and the Department of the Army that the British firm was negotiating for its resale to free world nations, including Portugal. Nevertheless, we could find no evidence that the European Command or the Department of the Army made any attempt to sell the equipment directly to the Portuguese Government under military assistance sales procedures, and we could obtain no explanation as to why this was not done.

We would be pleased to discuss this matter with you or your staff if you so desire.

Sincerely yours,

JOSEPH CAMPBELL,
Comptroller General of the United States.

COMPTROLLER GENERAL OF THE
UNITED STATES,
Washington, June 7, 1963.

Hon. JOHN J. WILLIAMS,
U.S. Senator.

DEAR SENATOR WILLIAMS: Reference is made to your letter dated April 12, 1963, requesting additional information relative to a report dated March 26, 1963, on our findings regarding an allegation that American radar predictors stored in a British facility in England and declared surplus by the British were not offered to the various North Atlantic Treaty Organization countries, as is customary, but instead were sold to an English firm as scrap. The surplus equipment was subsequently sold by the English firm to Portugal.

During a meeting with General Accounting Office representatives on April 24, 1963, to further discuss your request, it was agreed that we would furnish you with information (1) as to whether the military assistance advisory groups in Turkey and Portugal had responded, either positively or negatively, when informed that surplus radar predictors were available to meet military assistance requirements, (2) as to whether the surplus equipment sold to the Portuguese Government by the English firm bore a stamp indicating that it was a military assistance program grant-aid item, and (3) as to the actual or estimated acquisition cost to the United States of the surplus equipment involved.

Our review of available official records maintained by Headquarters, U.S. European Command in Paris, France, disclosed that:

1. The military assistance advisory group in Turkey, when apprised of the availability of the equipment declared surplus in September 1955, reported to Headquarters, U.S. European Command, that there were military assistance program requirements for radar predictors. Subsequently, predictors were furnished to Turkey from the surpluses on hand in the United Kingdom. The military assistance advisory group in Portugal initially replied in the positive to Headquarters, U.S. European Command, when apprised of the availability of the surplus equipment. They tentatively proposed that 48 of the predictors be provided to Portugal as grant aid under the military assistance program. In June 1946 the military assistance advisory group in Portugal withdrew the proposal on the basis of programing criteria that prohibited military assistance program support to the Portuguese units designated to receive the equipment.

2. A letter written in April 1959 by a Portuguese Army official to the military assistance advisory group in Portugal advised that packing crates containing the radar predictors purchased by Portugal were labeled "Mutual Defense." We did not attempt to verify this information because it appears unlikely that the packing crates would be available for examination, considering period of time the equipment had been in Portugal's possession.

3. The Department of Defense, at our request, obtained information from the Chief of the military assistance advisory group in the United Kingdom which indicates that the acquisition cost of this equipment, including spares, was $45,866.80 each.

Please advise us if we may be of further assistance in this matter.

Sincerely yours,

JOSEPH CAMPBELL,
Comptroller General
of the United States.

RAILROAD LABOR DISPUTE

Mr. MORSE. Mr. President, I rise to congratulate and praise highly the President of the United States for his recommendation this morning that both sides to the existing railway labor controversy agree to voluntary arbitration by accepting the services of Mr. Justice Arthur Goldberg as an arbitrator in the dispute.

I rise to say to the carriers and to the brotherhoods that in my judgment the American people are deserving of their acceptance of this very wise procedural solution to the controversy. Mr. Justice Goldberg is recognized as one of the greatest leaders of our generation in the field of labor relations. His record is one of impartiality. He has brought his great judicial temperament to every labor dispute he has ever mediated or arbitrated.

If Mr. Justice Goldberg is willing to devote his time this summer to an arbitration of the railway labor controversy dispute, I think both sides to the dispute should waste no time in accepting the President's suggestion.

This proposal is for voluntary arbitration. I believe that management and the railroad brotherhoods also have a patriotic obligation—I use the term "patriotic" advisedly—to retain voluntary arbitration in the field of labor relations as a tool, a vehicle, and a procedure for the settlement of labor disputes.

It is perfectly clear, as one studies the issues involved in this dispute, that the American public has come to the conclusion that there should be an equitable settlement of this dispute without a costly strike.

I need yield to no one as a friend of the legitimate rights of management and of the legitimate rights of labor. I say to the railroad brotherhoods, "In my judgment you have a clear responsibility, owed to your membership, owed to the families of your membership, and owed to the American public, to accept the principle of voluntary arbitration and to accept as the arbitrator a truly great man recommended by the President who, in my judgment, has no peer in the field of labor arbitration." I say the same thing to management, "You, too, have a patriotic obligation to accept this proposal for voluntary arbitration and thereby save the economy of this country and your stockholders the tremendous loss which would be suffered through a strike."

The VICE PRESIDENT. The time of the Senator from Oregon has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Oregon may proceed for an additional 4 minutes.

The VICE PRESIDENT. Without objection, the Senator from Oregon may proceed for an additional 4 minutes.

Mr. MORSE. Mr. President, everyone in the dispute knows that a shut down of the railroads would finally end with a settlement on just about the same terms as would be awarded by such an impartial judicial arbitration award, based upon all the evidence, as Mr. Justice Goldberg would hand down.

I would be the last Senator ever to agree to any denial of the economic right and freedom to strike. It is a precious freedom. A good many of our liberties would be lost if free labor in this country should lose the liberty to strike, and if free management should lose the liberty to lock out.

This problem calls for the exercise of commonsense. There is no commonsense involved in any proposal at the present time to try to settle a problem—which, after all, involves a consideration of economic facts—by resort to economic force. As a friend of management and of labor, I raise my voice in plea at this time to the carriers and to the brotherhoods to accept the President's industrial statesmanship proposal. The President's recommendation to the parties that Mr. Justice Goldberg be accepted by both sides to settle this dispute by voluntary arbitration is one which is in the best interest of all concerned including the country.

In closing, Mr. President, I also wish to pay my very highest compliments and respects to two men who have done yeoman service for the American people and the parties to this dispute from the very beginning. I have followed it quite closely, and have been involved in some of the conversations and discussions in respect to it.

Secretary of Labor Wirtz and Assistant Secretary of Labor Jim Reynolds have rendered a distinguished service of industrial statesmanship, also, in trying to lead the parties to an amicable and commonsense adjustment of this dispute. The country is indebted to them.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. MANSFIELD. I join the distinguished senior Senator from Oregon in what he has had to say about the project which has been given to Mr. Justice Goldberg. I wish to express my wholehearted approval of the procedure being followed by the President of the United States, and I express the hope that in his endeavors Mr. Justice Goldberg will be as successful as was the senior Senator from Oregon with the committee which he headed in bringing about a satisfactory settlement of the longshoremen's strike.

Mr. MORSE. I thank the Senator very much.

DESEGREGATION IN TEXAS

Mr. TOWER. Mr. President, I have consistently maintained that very great progress has been made in voluntary desegregation in various public accommodations in the South, and indeed, throughout the rest of the country. There recently appeared in the Temple Daily Telegram an article by Ronnie Thompson entitled "Racial Curtain in Texas Gradually, Calmly Lifted."

I believe this is an excellent account of what has been done in my State in voluntary desegregation. The article reads in part:

> Demonstrations have been few. Violence has been almost nil.
>
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> Some businessmen have integrated silently without fanfare. Biracial committees are working in several cities, seeking a course of action.
>
> Many city councils, chambers of commerce, and business associations have disclosed plans to work with mixed committees of Negroes and whites.

This article cites many instances of progress that has been made in my State. I ask unanimous consent that it be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RACIAL CURTAIN IN TEXAS GRADUALLY, CALMLY LIFTED

(By Ronnie Thompson)

The racial curtain that has existed for decades between Negroes and whites in Texas hotels, restaurants, theaters, and other public facilities is gradually and calmly being raised.

In many areas where strict segregation was once enforced, a Negro now can get service.

Demonstrations have been few. Violence has been almost nil.

In many cases, desegregation in Texas has been voluntary. A marked increase has been noted since recent uprisings in southern cities such as Birmingham and Jackson.

Some businessmen have integrated silently, without fanfare. Biracial committees are working in several cities, seeking a course of action.

Many city councils, chambers of commerce, and business associations have disclosed plans to work with mixed committees of Negroes and whites.

Figures on desegregation moves in Texas don't exist. Businessmen appear to think that the less said, the better.

Ten of Texas largest cities have taken long steps to end racial discrimination. These include:

Houston: Mostly privately owned public facilities are integrated, including hotels and restaurants. Except for a few sit-ins several years ago and an Emancipation Proclamation Day mass meeting this year, no incidents have been reported.

Dallas: A community relations committee of white and Negro leaders recently reported that every phase of the business community had responded exclusively by voluntary action. Some hotels and restaurants are integrated. The State fair music hall admits Negroes.

San Antonio: The city council committee for voluntary desegregation set July 4 as a target date for voluntary desegregation of all private businesses to integrate on a voluntary basis. Integration pledges came from 42 restaurants, 38 motels, the San Antonio Motel and Hotel Association, and all public bowling alleys. All downtown lunch counters serve Negroes. All theaters are integrated, although one still maintains a Negro box office.

Fort Worth: A race relations committee recently said all public facilities would begin serving all customers regardless of race. This included all hotels, restaurants, theaters, department stores, and athletic contests. Complete desegregation was timed to coincide with the desegregation of the city's schools.

El Paso: Total integration exists in this city where only about 4,650 of the 310,000 area residents are Negroes. The city council approved an ordinance a year ago prohibiting any hotel, motel, restaurant, or theater from refusing to serve any persons because of race, creed, or color.

Austin: The capital has been in the forefront of integration moves several years. Some 62 eating places which make 70 percent of cafe sales are desegrating. All downtown hotels are integrated. The chamber of commerce recently passed a resolution urging all local business voluntarily to integrate their facilities.

Corpus Christi: Most downtown coffee shops, theaters, and many restaurants are integrated. Negro leaders say bowling alleys, hotels, and motels are the major holdouts to total integration. A Negro spokesman predicted hotels, motels, and restaurants will fully integrate soon.

Amarillo: The Panhandle city is generally desegregated, although some businessmen maintain a segregated operation. A major problem does not exist because less than 5 percent of the population is Negro. About 30 Negroes lined up in front of a theater last week to buy tickets and were refused while they were en masse. Later two Negroes were admitted.

Lubbock: Some 72 cafe owners said this month they had integrated. The action was taken, a spokesman said, "to continue racial harmony."

Beaumont: C. O. Herbert, president of the Beaumont Chapter of the National Association for the Advancement of Colored People, said last week all race barriers had been broken and residents were complying in all areas with NAACP demands for equal rights. Major hotels are integrated, he said. A spokesman for local theaters, now segregated, said a significant announcement concerning the policy toward seating Negroes with whites will be made Monday.

Many other cities in the State have taken action about segregation.

Marshall, in deep east Texas where the Negro population is extremely large, has held at least one public meeting recently to discuss race relations.

A few years ago, hundreds of college students in Marshall staged demonstrations against segregation. Many landed in jail. The city remains generally segregated.

Waco's Chamber of Commerce is working with restaurant owners on plans for desegregation. Lunch counters integrated without incident some time ago, although hotels and theaters still bar Negroes.

Laredo generally is segregated. Hotels accommodate Negroes attending conventions and Negroes in the annual Border Olympics stop at some local hotels.

Gov. John Connally recently said Texas is "extremely fortunate at this point that we have been able to make very substantial progress without the difficulties which other parts of the Nation have had.

"We have much to be done, but I think the most successful way to do it is on a voluntary basis."

He said he had been working behind the scenes in meetings with hotel and restaurant owners in an attempt to drop the racial barrier.

Even if a city announces total desegregation, it does not necessarily follow that the city is completely open to the Negro.

There often are holdouts—businessmen who absolutely refuse to serve a Negro, under any circumstances. Many others maintain a wait-and-see attitude.

TEACHING TRUTH ABOUT REDS

Mr. DIRKSEN. Mr. President, on June 29 there appeared on the editorial page of the Chicago American an article by John Chamberlain, well-known columnist and widely regarded for his incisive discourses on governmental matters, on the subject of "Teaching Truth About Reds." I believe Mr. Chamberlain's views merit wide circulation and, therefore, request unanimous consent that they be made a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TEACHING TRUTH ABOUT REDS

(By John Chamberlain)

When John Foster Dulles was Secretary of State, it was Washington that seemed bent on making it certain that coexistence with Russia would not be sought on terms that might ultimately prove to be disadvantageous to the West. But while Dulles pursued a policy of calculated intransigence, the Governors in the various States of the Union were rather neutral on the subject of the cold war.

Recently, however, a reversal has taken place. Today the Governors are taking the lead in promoting a standup attitude toward communism. The Kennedy administration, by contrast, "plays it soft," hoping, in the President's words, to "encourage constructive changes in the Communist bloc."

Whether Kennedy is wise in trying to wig-wag pleas for conciliation to Khrushchev is a question that may be determined as early as next week when the Chinese Communists are scheduled to meet with Russian Communists to debate international revolutionary strategy.

GOVERNORS TAKE ACTION

However, as the White House follows a policy of watchful waiting and placating gestures, certain State Governors apparently have decided no good will come out of Moscow and are taking steps to push that point of view in their high schools.

Gov. Farris Bryant of Florida, a crusader for realistic courses on communism, recently sparked a conference on cold war education at Tampa, where some excellent speeches were made by a former Ambassador to Cuba, Earl E. T. Smith; Senator Tom Dodd, Democrat, of Connecticut, and Clarence Perry Oakes, operating director of the Institute for American Strategy.

These speakers weren't giving an inch to Khrushchev. Nor were the various seminar participants, who included such long-term students of communism as Dr. Stefan T. Possony of Stanford University's Hoover Institute, Professors Anthony T. Bouscaren of LeMoyne University and Gerhart Niemeyer of Notre Dame, Dr. Robert Morris, former municipal judge of New York City, and John M. Fisher, president of the Institute for American Strategy.

The seminar participants at Tampa were gratified to note that high school courses on the nature of communism were proliferating throughout the land. More important, the idea that such courses should be taught from a standpoint of sterile neutrality has been diminishing. Louisiana, Georgia, California, and New York have passed State laws making it either mandatory or permissive to teach about communism in the schools.

This could, in a nation without basic cultural values, result in courses that would amount to deadpan theoretical description of Communist and democratic capitalist systems, with no value choice indicated by the teachers. But the States apparently are deciding that impartiality has no relevance in the cold war era.

The New York law permits teaching about communism and "its destructive effects." The California law prohibits any teaching which amounts to advocacy of communism.

FELLOW TRAVELERS LOSE OUT

What this comes to is that our fellow-traveling "liberals" have lost in their campaign to keep the secondary schools of America from actively supporting an anti-Communist value system. The idea that a teacher must not point out such things as Stalin's liquidation of 3 million kulaks lest mention of the fact be considered "controversial" or "prejudicial" is dying.

Well, the anti-Communist movement is spreading where it can hurt the Communists most, to the public school systems that do so much to shape the minds and the emotions of the coming generations. If the movement continues to spread, no appeasement of Moscow on the part of Washington will be ratified at the grassroots of America. This is a prospect we can all cheer.

FOREIGN SERVICE BUILDINGS—PHILIPPINE WAR DAMAGE CLAIMS—CONFERENCE REPORT

Mr. FULBRIGHT. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5207) to amend the Foreign Service Buildings Act, 1926, to authorize additional appropriations, and for other purposes. I ask unanimous consent for the present consideration of the report.

The VICE PRESIDENT. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of July 31, 1963, p. 13823, CONGRESSIONAL RECORD.)

The VICE PRESIDENT. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. FULBRIGHT. Mr. President, the conference committee on the foreign building authorization bill, H.R. 5207, has reached agreement on amendments to Public Law 87-616, the so-called Philippine war damage claims bill passed last year. Provisions relating to the foreign buildings authorization were not in disagreement between the two Houses.

The demand for revision of the Philippine war damage stemmed from disclosures developed during the Foreign Relations Committee's study on activities of nondiplomatic agents of foreign principals. The hearings of our committee show that the drive both here and in the Philippines for last year's $73 million bill was promoted in large part by lobbyists who wrapped themselves in respectability of their former employment with the Philippine War Damage Commission but in fact were being paid to represent some of the largest claimants.

In the wake of these disclosures, the Senate voted on two separate occasions to change the form of the 1962 law by having the $73 million paid directly to the Philippine Government with the proviso that the Philippine Government could receive the money only after giving assurance to the Department of State that none of the money would be paid to the lobbyists.

Conferees of the other body, though in agreement that some change had to be made in the 1962 law, refused to consider payment of any money directly to the Philippine Government.

The job of the conferees was to find some satisfactory compromise between these two positions. I believe the conference has done exactly that, and I even go further and say that I believe the amendments approved in conference are in some ways superior to the amendments which we have twice presented to the Senate.

The conference amendments are as follows:

A $25,000 limitation has been placed on all amounts to be paid directly to claimants by the U.S. Foreign Claims Settlement Commission. This means that those entitled, under the 1962 legislation, up to $25,000 will be paid in full. Those whose payment would have been above $25,000 will receive $25,000 and no more. The claimants in order to receive such payments will be asked to certify that they will not pay any fee to former commissioners. In addition, a penalty provision is included applicable to all those subject to the jurisdiction of the United States. The claimants will also have to certify that the payment they receive under this act is in full and final settlement of the total award made by the Philippine War Damage Commission.

In the cases of those amounts above $25,000, the U.S. Foreign Claims Settlement Commission will pay the claimant $25,000 and transfer the remainder of the payment due him under the 1962 act to a special fund in the U.S. Treasury.

This special fund is to be used for educational exchanges and other educational programs to be established by agreement between the Presidents of the United States and the Philippines.

To avoid any misapprehension on the score that use of this special fund for educational purposes would not assist the Philippines in its program of economic rehabilitation and development, I would like to devote some time to this provision of the amendment. The special fund would be available not only for educational exchange but for other educational programs in the mutual interest of the Philippines and the United States.

For the record, I wish to make clear that it is our intent that these other educational programs should be broadly conceived, imaginative in scope, and where feasible, linked to the purposes of the original Philippine claims legislation. There are many uses for the special fund, such as increased school construction, assistance to teachers' salaries, providing training, salaries, and equipment for community development specialists, and to provide support for the youth movement which has a high educational and training quotient to it. The fund could be drawn on to support training of vocational and specialists in other fields and for agricultural extension work among farmers.

That part of the original $73 million appropriation which remains after all approved payments are made to the claimants and the special fund will revert to the U.S. Treasury.

The results of these amendments will, I believe, be as follows:

With respect to the claimants almost all of them under the 1962 legislation—9.6 percent according to figures supplied by the U.S. Treasury Department will receive their payments as contemplated by last year's bill. This will take an estimated $30 to $40 million. The large claimants with amounts due them exceeding $25,000—287 out of 86,000—will receive only $25,000.

With respect to the Philippine Government, it will benefit from an estimated $20 to $30 million to be used for educational exchanges and programs as agreed to by the Presidents of the Republic of the Philippines and the United States.

So far as the United States is concerned, the amount that was to revert to the Treasury under the 1962 act, be it $2 million or $20 million, will also revert under the conference compromise.

I wish to emphasize, on this particular point, there is no difference, in effect, in the amount of money that would be paid out under the authority of the existing law. We believe it is retained just as it now is.

Mr. President, a questionable law that passed under questionable circumstances, and that might have provided large windfall payments to a relatively few claimants and steady income for the lobbyists who promoted it, has been amended. By the amendments we are revising that law and at the same time honoring our commitment of last year to the people and the Government of the Philippines. I believe we have eliminated the windfalls and the lobbyists' fees, and in their place provided a new fund that will truly benefit the Philippine people.

I offer my thanks to my fellow Senate conferees and to our colleagues from the other body who have diligently sought a solution to this particular problem. I also wish to express my appreciation to the staff of the Foreign Relations Committee who contributed materially to the solution.

The compromise we offer the Senate today is corrective legislation which, I believe, the Senate should approve.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. MANSFIELD. Mr. President, for the record I would like to ask several questions of the Senator from Arkansas which I believe will help to clear up the situation. I do this on the basis of information which has reached me from the Philippine Islands. Is it correct to say that the conference report in its present form would encounter opposition from the Government of the Philippines?

Mr. FULBRIGHT. I read an account in the press attributed to the President of the Philippines expressing some disapproval of the conference report. However, that account also contained statements which I believe indicated that the President of the Philippines did not fully understand the significance of the compromise.

For example, the present compromise does not diminish the amount of money that will be paid by the Federal Treasury either to the claimants or to the Philippine Government from the amount which would be paid under existing law. There is some apprehension on the part of certain people in the Philippines. I believe this is understandable, since this matter arose from a compromise between the Senate and the House. However, the total amount which would be paid under existing law is dependent upon the amount of the claims as ascertained by the Commission. This total amount will be paid first to the $25,000 claimants, and then the balance will be paid into the special fund.

Therefore, I do not believe there is any difference. There is no question that the United States will renege under the compromise as compared with last year's bill.

Mr. MANSFIELD. Mr. President, will the Senator yield further?

Mr. FULBRIGHT. I yield.

Mr. MANSFIELD. I believe the Senator stated that there is a ceiling of $25,000 on each claim. Is that correct?

Mr. FULBRIGHT. That is correct.

Mr. MANSFIELD. Will the surplus in the special fund be under the control of the Treasury of the United States or the treasury of the Republic of the Philippines?

Mr. FULBRIGHT. As I understand, it is in the Treasury, in funds already appropriated. Upon agreement by the President of the United States and the President of the Philippines, it will immediately be transferred to the Bank of the Philippines or to the treasury of the Philippines, in accordance with that agreement.

Mr. MANSFIELD. Mr. President, will the Senator yield for a last question?

Mr. FULBRIGHT. I yield.

Mr. MANSFIELD. What would be the prospect of reinstituting the so-called Fulbright formula, according to which the surplus would be placed in a special fund under the control of the Philippine Government, as originally proposed by the Senator who is presenting the conference report, the chairman of the Foreign Relations Committee, such fund to be used for economic and social development, including educational projects, farm reforms, and so forth?

Mr. FULBRIGHT. There have been three conferences with the House, and the House conferees were adamant in their attitude. There was no agreement in the last conference. I saw no prospect of agreement on that point. I did not know which way to turn. That is what sometimes happens. I consider that under the compromise a substantial amount will go to projects agreed upon by the President of the Philippines and the President of the United States, which projects are in the areas I mentioned, of educational improvements, and vocational education, and training of teachers.

This compromise fully measures up to the original objective of the rehabilitation of the Philippine economy, because this is an integral part of any such rehabilitation program. This part of the bill is entirely consistent with the original purpose of the Rehabilitation Act of 1946. I do not see how there can be any legitimate complaint that this is a departure from the original objective.

Mr. MANSFIELD. Even though the formula known as the Fulbright formula has been displaced by other language?

Mr. FULBRIGHT. I would have preferred the formula that the Senate had adopted, but we were confronted with the views of the Members of the other body, and they would not accept our view. This is the best compromise that could be arrived at.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

REMARKS OF SENATOR RUSSELL AT FOURTH OF JULY CELEBRATION AT JASPER, GA., 1963

Mr. RUSSELL. Mr. President, I ask unanimous consent to have printed in the body of the Record some remarks I made in the beautiful little city of Jasper, Ga., in the mountains of north Georgia, to a group of people who had gathered to commemorate the Fourth of July, Independence Day.

There being no objection, the address was ordered to be printed in the Record, as follows:

Remarks of Senator Richard B. Russell at Fourth of July Celebration, Jasper, Ga., 1963

We are gathered here today to commemorate one of the most significant incidents of all human history. This is American Independence Day, the birthday of the greatest, the richest, the most powerful Nation of the earth.

I sometimes feel that we do not take this day and the event it commemorates as seriously as we should. Many seemingly consider it only as a paid holiday. Millions of fine Americans have no roots that run back to July 4, 1776, and must muster their enthusiasm solely from the history book. I am sure that in this audience there are many who have had handed down by word of mouth many of the legends of that thrilling period and can remember many stories that they heard in childhood from the old folks about the experiences and achievements of those of their blood.

Sir Winston Churchill, the world's greatest living statesman, said of the event we celebrate that "The great principles of freedom and the rights of man which are the joint inheritance of the English-speaking world and which through Magna Carta, the Bill of Rights, habeas corpus, trial by jury and the English common law find their most famous expression in the Declaration of Independence."

The Declaration was followed by the adoption of that written charter of our liberties, the Constitution of the United States. Another outstanding Englishman, one of Churchill's predecessors, Sir William Gladstone, said of our Constitution that it was the most remarkable document produced by the human intellect at a single stroke.

We take great pride in these two documents, but let us never forget that the eloquent words of the writers only found vitality when fertilized by the blood of the fighters.

It is appropriate that we meet on July Fourth in the city of Jasper and in the county of Pickens, for these were the names of two of the notable heroes of our successful Revolution.

William Jasper enlisted in a regiment of the Continental line and was assigned to the defense of Fort Moultrie in Charleston Harbor. During the fierce bombardment by the British Fleet in June 1776, the flag was shot from its staff. Jasper, in the face of deadly fire, attached the flag to a cannon sponge staff and finally remounted it upon the ramparts of the fort.

For this act of outstanding bravery, he was presented with a sword and offered a commission. He declined the commission to accept a dangerous assignment as a scout.

He died a hero's death while planting the colors of his regiment upon Spring Hill redoubt in the ill-fated assault on Savannah by French and American forces under D'Estaing and Lincoln in 1779.

Andrew Pickens was one of the great partisan leaders of the Revolution, who so inspired the confidence of the people that he was always able to raise considerable forces. His greatest victory occurred when the patriots under his command and that of Col. John Clark destroyed the British and Tory Army under Colonel Boyd at Kettle Creek in Wilkes County, Ga.

It is unnecessary to go into greater detail of the 7-year night of sacrifice and suffering which gave force and effect to American freedom. No two soldiers more truly symbolize the spirit of the Revolution than Sgt. William Jasper and Gen. Andrew Pickens.

Our Nation is less than 200 years old and two centuries are but a breath in the story of the human family. In that relatively short period of time, 13 weak and struggling colonies scattered along the Atlantic seaboard have crossed the continent to the Pacific, accepted Hawaii and Alaska into the sisterhood of States and developed into a greater and more powerful Nation than pictured in the wildest dreams of the most optimistic of the Founding Fathers.

The United States withstood the shock of the greatest and most destructive fratricidal strife of history, a war that left one-fourth of the Nation in ashes and desolation with the finest of its human seed corn buried on a hundred fields of battle. We have emerged triumphant from a number of other wars, including two great world conflicts. As the predominant factor in bringing victory we have been inescapably cast in the role of world leadership. We have survived and made progress despite the truth in Will Rogers' homespun statement that the United States "Has never lost a war nor won a conference."

We have withstood the effects of our own folly in scattering our national wealth and resources recklessly about the earth, though this largess has placed us at the mercy of our beneficiaries who hold enough dollar credits to deplete Fort Knox of gold and to deprive our paper currency of the support of any precious metal.

Providence has indeed been good to us. By adhering to our Constitution and the principles of morality and honesty of our Founders, we have created on earth a new way of life. Call it what you please—the free enterprise system, the capitalistic system, or the American way of life—it has generated a dynamic force that has moved life on this earth forward further in the 180 years of our existence than it had ever moved in any other 2,000 years.

It has given us a civilization which has all but abolished poverty and enables 6 percent of the people of the earth to own more automobiles, television sets, washing machines, and other laborsaving and pleasure devices than are owned by the other 94 percent of those who inhabit this planet.

Our system holds out to all of our people the incentive of the right to own and control private property. This has been one of the great instruments of our stability. Another inalienable right of the American people has been the right to choose one's associates and to me this is one of the most important of all of our inalienable rights.

THE DANGER FROM WITHOUT

The only external threat to our peace, prosperity and security is the consuming ambition of international communism to achieve world domination and thereby to bring the Iron Curtain down around the last single inhabitant of this globe.

It is unnecessary for me to discuss with you the difference between the American and the Communist philosophies of government. The difference between spirituality and atheism, between freedom and slavery, between the right to own property and of free movement as against being chained to the wheel of the state is too clear to require elaboration. Our cold war adversary has no regard for the principles of honor, decency and justice that we have been taught to respect. They teach that the lie is noble if spoken to promote world communism.

By sacrificing the desires of their people to participate in the blessings of modern-day civilization, the men in the Kremlin have devoted the great resources of the part of the world that they control to building military might. They have forgone all else in order to arm themselves to the teeth with destructive nuclear weapons and powerful engines to deliver them through space.

The only language that world communism understands is the language of strength, of power, of might. In order to avoid either slavery or the terrors of a nuclear war, we have sought to maintain an American striking force so destructive as to deter aggression against the free world.

Despite the admitted achievements of the Soviet in launching both men, women and vehicles into space, there is little doubt in my mind that today we have the military strength to completely destroy the Iron Curtain countries even if they were to strike us.

The maintenance of this military might is most expensive, as all of you taxpayers well know. I believe, however, that the American people are willing to make any necessary contributions to maintain military superiority to defend our priceless freedoms and the way of life that is the envy of the world.

INTERNAL DANGERS

A British political scientist, Lord McCauley, after studying our form of government said, in 1854, that the American Republic would be as fearfully plundered and laid waste in the 20th century as the Roman Empire was in the 5th and 6th centuries, but the Huns and vandals would be generated within our own institutions.

We undoubtedly are confronted with the danger of so riveting our attention to threats from abroad that we will neglect to maintain the internal bulwarks necessary to our existence as a free people.

This Nation achieved its greatness by adhering to the political philosophy of Thomas Jefferson. Jefferson taught that the best governed people were the least governed and that if man would protect his freedoms, the powers of government, particularly the control of the police power, should be locally maintained. Out of this grew the doctrines of States rights and local self-government which were accepted without question during the years we were achieving our greatness.

Today, we are faced with a concentrated attack upon the philosophy of local self-government. An insatiable Central Government places the hand of Federal power on nearly every activity of man and would concentrate all control over the daily lives, actions, movements and property rights of our people in a gigantic, impersonal, monolithic, centralized government on the banks of the Potomac.

In my opinion, the greatest danger which confronts the freedoms won by the sword and safeguarded by the Constitution is in the acceptance by the American people of the constantly reiterated suggestion that they can get something for nothing if they will only place all of their liberties and all that they have in one pair of hands.

On this day above all others, let us review the lessons of the past. The shores of history are littered with the wreckage of states that achieved greatness but were destroyed when the people listened to the siren song of those—often well intentioned—who told them they were better custodians of the rights, liberties and property of the people than the people themselves.

BILL TO DESTROY RIGHTS

We have today pending in Washington a bill masquerading under the false title of civil rights which, if enacted, would destroy innumerable rights that we enjoy only because heroes of the past were willing to shed their blood to secure them.

Time will not permit me to deal with this bill in detail, but I will discuss one or two of its most evil features.

One provision of the bill levels an all but mortal blow at the right of a man who owns property to decide how that property shall be used. Under the definition of civil rights in the bill proposed by the President, no person operating a business, whether large or small, would have any right to select those that he will invite to do business with him. In the name of equality, this bill would give to one person the right to compel another to do business with him against his will. I challenge anyone to find any equality in such a situation.

To break it down into simple terms, the President's bill defines civil rights as requiring the owner of a small cafe to take down his sign, "we reserve the right to refuse service to anyone," and accept all comers unless he is to be subjected to the harsh penalties of Federal power.

This distorted concept of equality means that, if you are a barber or operate a beauty shop, you have no right to invite those you wish to receive as customers but, while you are denied that right, any person may present himself and demand that you cut his hair or administer a beauty treatment.

Under the President's bill, the operator of a motion picture show, a motel, a hotel or a swimming pool must completely integrate on the desire of any person who presents himself despite the policies of the business that has been built through the efforts of an individual and has succeeded through his ingenuity.

Under this misnamed bill everyone operating a business would live in constant fear of the Attorney General, the FBI, the hundreds of U.S. marshals under his command and, indeed, the Armed Forces of the United States, if necessary, who might descend upon your premises to compel you to receive unwanted customers without regard to the effect upon property rights or your livelihood.

Instead of this being a civil rights program, it is a threatened crime against the whole philosophy of liberty for which our Government stands. In the dark days of the Reconstruction, such a bill was passed to punish the South, but the Supreme Court declared it unconstitutional in 1873.

Also mind that in July 1959, the U.S. Court of Appeals for the Fourth Circuit held that a person "operating a private restaurant was at liberty to deal with such persons as he might select and that the commerce clause and the 13th and 14th amendments of the Federal Constitution did not operate to prevent proprietors from excluding Negroes."

But law and justice seem to mean nothing when votes are scented.

All of us understand how even those in high position feel called upon to play politics at times, but I assert that the administration in this case has gone beyond any reasonable bounds.

When white citizens protest against the Supreme Court decision in the school cases, they are immediately told that those decisions are "the law of the land" and that, if they protest too vigorously or violently, the armed might of the United States will be summoned to subdue them. Our Negro citizens, who are conducting daily demonstrations against the "law of the land" as established by the Supreme Court in the civil rights cases in 1883, are encouraged to increase the number and violence of their demonstrations by the belief that the Attorney General, the FBI, the hundreds of U.S. marshals, and the Armed Forces of the United States will protect them in their actions. The President of the United States cites these demonstrations as reasons for a legislative stampede to change this "law of the land." He solemnly presents that all this is done in the name of American equality and justice.

THE GENOCIDE PROVISION

The genocide clause of the bill which would permit the President or one of his appointees, if they decided that there was any discrimination in one case, to withhold the payment of veterans benefits, social security payments, aid to dependent children, to the blind, to the old and helpless within an entire State is the most inhuman suggestion that has been made in legislation in the history of this Republic.

For studied cruelty, this genocide clause goes beyond the plans devised by Charles Sumner and Thad Stevens in the days of Reconstruction. They only proposed to shoot the able-bodied men who had borne arms or had participated in the Government of the Confederate States. The genocide provision of the administration's bill could make certain the starvation of the old, the sick, the blind, dependent children, the war veteran with the scars on his body received in defending his country and could even deny social security benefits to those who had contributed to the fund for a long period of time.

Lest I am charged with extreme statements, I would point out that this construction was placed upon this provision by the President himself when the sadistic group called the Civil Rights Commission recommended that he withhold all Federal programs from the State of Mississippi. I quote from the President's letter to the chairman of this group under date of April 19 of this year:

"Another difficulty is that in many instances the withholding of funds would serve to further disadvantage those that I know the Commission would want to aid. For example, hundreds of thousands of Negroes in Mississippi receive social security, veterans, welfare, school lunch and other benefits from Federal programs—any elimination or reduction of such programs obviously would fall alike on all within the State and in some programs perhaps even more heavily upon Negroes."

The President inferred in this letter that he might withhold these funds but for the adverse effect it might have on the Negroes in Mississippi. However, in a press conference on the same day, in answer to a question asked on his appearance before the American Society of Newspaper Editors, he made this statement:

"I don't have the power to cut off the aid in the way proposed by the Civil Rights

Commission and I would think that it would probably be unwise to give the President of the United States that kind of power."

What caused him to change his mind between his constitutionally correct position of April 19 and his abominable civil rights message of June 19?

Let us throw the mantle of charity around the President's about-face by assuming that this is the part of the Presidents' message that Representative Adam Clayton Powell claims to have written and that the President, in his frantic haste to pass the bill, did not realize the inconsistency of his position.

EXCESS POWER VESTED IN ATTORNEY GENERAL

Time will not permit me to discuss in detail other vicious provisions of the President's bill. I will say in passing that it proposes to vest in the President's brother, the Attorney General of the United States, an appointive officer, greater powers over the lives of our people than have ever been possessed by any President heretofore. It would empower him to assemble a veritable army of lawyers to bring suits at his discretion in any school case.

The President said jokingly that he appointed his brother to be Attorney General in order that he might get on-the-job-training. It must not be overlooked that the President's brother is his political right arm and considers every problem under the magnifying glass of raw political power and its use.

I have never known any elective official, much less an appointed bureaucrat that I would trust with such power and the Attorney General to date has certainly not demonstrated any unusual qualities that would entitle him to be the first appointed official to be vested with powers over our people that are more far-reaching than any that history has known since the suppression of the doctrine of divine right of kings.

This bill is ten times a greater provocation than that offered the South before our forebears undertook to separate from the rest of the Nation in the 1860's.

We will not repeat the mistake of our Fathers by undertaking to secede for two reasons—one practical, the other sentimental. As for the practical reason, the rest of the Nation still outnumbers us about 5 to 1 and we found out through bitter experience that one Southerner could not whip five Yankees. In addition, this time the Feds have the atomic bomb.

The best reason is that Southerners have contributed to the majestic growth of this country by our toil and genius and to its preservation by shedding our blood whenever called upon to defend this land. It is our country in more ways than one and we will strive to preserve it.

So let us pray that we may face these internal attacks upon our system with the resolution and courage that inspired William Jasper and Andrew Pickens.

As one of your representatives in Washington, I propose to fight these outrageous measures with all of the power of my being. If we are overwhelmed, you will find me in the last ditch.

Let us invoke the assistance of the Supreme Guardian that has looked after us thus far along the road with the prayer that He will see us through this danger as in times past when our fathers sought guidance on bended knees.

Mr. HOLLAND. Mr. President, I should like the Record to show that I have just returned from Atlanta, Ga., where I attended some meetings yesterday. There I found the people of the great State of Georgia, which the Senator represents in part in the Senate, completely together in the sentiment which he expressed in the speech he delivered there. If I were he I would feel that the State was standing completely undivided with respect to the position he took. I congratulate him upon that fact.

Mr. RUSSELL. I thank my distinguished friend from Florida. However, I believe I can point to a number of places where his generous statements would not completely apply within the State.

CONGRESSIONAL SERVICE OF HON. ROBERT F. SIKES, A REPRESENTATIVE FROM THE STATE OF FLORIDA

Mr. HOLLAND. Mr. President, today, the Florida delegation in Congress pays honor to one of its Members who has served the people of our State and the Nation as a Member of the House of Representatives for a longer period of time than any other Member since Florida became a State.

At the beginning of this session of Congress Hon. Robert F. Sikes, affectionately known as Bob Sikes to his legions of friends, began his 12th term in the House. This breaks a 45-year record established in 1917 by Representative Stephen M. Sparkman who retired from the House after 11 terms—22 years of service.

Bob Sikes was elected to Congress in 1940 from the then Third Florida District when the State had only five seats in the House. The district comprised 16 northwest Florida counties until this year when redistricting placed 8 of them in a newly created district and changed the Sikes district from No. 3 to No. 1.

Born in Isabella, Ga., in 1906, Bob Sikes was reared on a farm near Sylvester, Ga. He attended the University of Georgia where he received his bachelor of science degree in agriculture in 1927. He then went to the University of Florida on a fellowship and earned his masters degree in 1929.

That he saw greener pastures in the Sunshine State is not an uncommon practice for Georgians as many of our finest citizens today can be traced as immigrants from old mother Georgia.

Upon graduation from the University of Florida, Bob entered the weekly newspaper field in west Florida and made a name for himself as a hard-hitting, progressive publisher. He served as president of the Florida Press Association in 1937.

Politics attracted him and in 1936 he was elected to the State legislature. He was reelected in 1938, thus, serving in the 1937 and 1939 sessions. This experience served him well in his campaign for Congress in 1940 and throughout his more than 22 years tenure in the House.

After being assigned to the Foreign Affairs Committee for 2 years, the Congressman moved to the Armed Services Committee where he served with distinction for 6 years before gaining a seat on the House Appropriations Committee of which he is still a member.

Bob Sikes' long service in the House has been marked by his vigorous, progressive advocacy of legislative matters which he felt best served the interests of his constituency and the Nation. His close attention to the needs and desires of his people has made his name a byword among them. As the dean of the Florida delegation he is a leader of great ability who is depended upon for many things whether they affect his district or not. His cooperation and assistance are always available.

Through his great capability, outstanding accomplishments, and warm personality Bob Sikes has endeared himself not only to the people he represents, who reelect him term after term, but to his colleagues in Congress and legions of friends and admirers throughout the United States. We need more public servants like him.

Mr. SMATHERS. Mr. President, I concur wholeheartedly in the remarks of my able and distinguished colleague in paying tribute to the outstanding record of Congressman Bob Sikes. It seems only fitting this afternoon for me to join in bringing to the attention of Senators the recent accomplishment of my dear and longtime friend, Representative Bob Sikes, the respected dean of the Florida congressional delegation.

Now in his 12th term of office, Representative Sikes holds the record for length of service by a Floridian in the House of Representatives. Presently only 29 of his colleagues have served their constituents for a longer period of time. Certainly none has been more faithful in the representation of his constituents.

Representative Sikes, a dynamic newspaperman from northwest Florida, was first elected to the 77th Congress. Since coming to Washington over 22 years ago he has witnessed the growth of the Florida delegation in the House from 5 to 12 Members. He became dean of our delegation in 1951.

During his first 8 years in Congress, Representative Sikes served with distinction on the Foreign Affairs and Armed Services Committees. Since 1948 he has built an enviable record of accomplishment as a member of the House Appropriations Committee. Undoubtedly the distinguished members of the Senate Appropriations Committee have had the pleasure of working with him during joint conferences of the Senate and House Appropriations Committees.

While Representative Sikes is best known for his numerous contributions to military preparedness, he is also responsible for many constructive measures in the field of conservation and social security. Floridians are acutely aware of his continuing interest in the development of waterways. His recent efforts in behalf of the vitally important Cross Florida Barge Canal are particularly commendable.

I wish to pay tribute this afternoon to Representative Sikes' 23 years of dedicated service to his district, his State and his Nation. His record for length of service by a Florida Representative is an outstanding achievement. Representative Sikes has worked long and hard for Florida and we are justly proud of him.

A STRATEGY OF PEACE

Mrs. NEUBERGER. Mr. President, in the years since experimentation with the atom bomb began, in the years since Madame Curie first noted incurable abrasions on her hand after she had been handling radium, in the years since the disfiguration of the maidens of Hiroshima and since March 1, 1954, when we tested our first hydrogen bomb in the Pacific, there has been growing concern and grave discussion of the sinister impact of radiation from nuclear explosions on human health, particularly on the health and growth of young children and of future generations.

There is no longer any doubt of the danger of radiation to mankind. Scientists may differ over the degree of the risk, but as to the existence of the peril, doubt has vanished.

Since man has cracked the atom, each nuclear explosion unlooses cosmic forces which spread mysterious but fatal radiation particles throughout the world.

The two greatest perils to health which have been identified as consequences of radiation are cancer and genetic damage, bringing possible increases in future births of defective human children.

Mr. President, you and I and all of us have read with increasing concern the reports of scientists that come from all the research centers of the world with increasing emphasis and further proof of the dangers inherent in each series of nuclear tests.

This is my first utterance on the subject, even though I have attended meetings of the Sane Nuclear Policy Organization, read the popular material as well as the scientific journals, and listened to eminent speakers, among whom I number several of my colleagues.

I have hesitated to speak out before because I am a lay person. I have not been a member of a Senate committee where testimony has been presented, and I have been reluctant to enter into a debate in which others more learned than I could speak with greater authority.

Last week I received a letter from the illustrious Dr. Albert Schweitzer from his colony in Gabon. I have also had a recent visitor from the Schweitzer colony who told me of plans to celebrate the 50th anniversary of the founding of the colony. Although these contacts related to different subjects than nuclear testing, they inspired me to reread "Declaration of Conscience," written by Dr. Schweitzer in the spring of 1957.

In that document the doctor said:

> Observations on the distribution, origin, and nature of radiation have been made. The processes through which the human body is harmfully affected have been analyzed. The material collected allows us to draw the conclusion that radiation resulting from the explosions which have already taken place—

Note, "which have already taken place"—

> represents a danger to the human race. Further explosions of atomic bombs will increase this danger to an alarming extent.

Mr. President, we are now 6 years further into the atomic age than when Dr. Schweitzer issued that warning.

We need no new reminder of the years of failure that have scarred all past efforts to obtain accord at Geneva. Nor do we need a restatement of the causes of such failures. What we need is a spark to ignite meaningful negotiations leading toward a meaningful treaty. I, for one, glimpsed such a spark in President Kennedy's magnificent address on the strategy of peace at American University on June 10.

In that speech the President rededicated himself and the Nation to the task of concluding a nuclear test ban treaty.

The President said:

> The conclusion of such a treaty—so near and yet so far—would check the spiraling arms race in one of its most dangerous areas. It would place the nuclear powers in a position to deal more effectively with one of the greatest hazards which man faces in 1963, the further spread of nuclear arms. It would increase our security—it would decrease the prospects of war. Surely this goal is sufficiently important to require our steady pursuit, yielding neither to the temptation to give up the whole effort nor the temptation to give up our insistence on vital and responsible safeguards.

It is in pursuit of this urgent mission that the President will dispatch Under Secretary of State Averell Harriman, one of the most distinguished and resourceful American diplomats in history, to Moscow in mid-July for the conduct of discussions "looking toward early agreement on a comprehensive test ban treaty." As the President warned, "our hopes must be tempered with the caution of history, but," he added, "with our hopes go the hopes of all mankind."

While Under Secretary Harriman performs his assigned tasks in Moscow, we have a significant, if lesser, role to perform here at home. We must carry to the American people the conviction that the risks embodied in the proposed nuclear test ban are far less critical than the risks of an unchecked, proliferating arms race.

Now, each succeeding test series accelerates the radiation pollution of our finite atmosphere. Now, each new test imposes one more severe burden upon an already strained economy. The present serious drain on our gold supply stems primarily from oversea defense requirements. Part of the lag in our economic growth can be traced to the priority given to military purpose of most of our research and development efforts. The cost of government, the increasing concentration of power into fewer and fewer companies, and the growth of the national debt—all are reflections of our determination to prevail in the endless contest with the Soviet Union. Yet, in the absence of controls and agreements, there will be in this contest no ninth inning, no closing gun, no adjournment bell.

While our negotiations with the Soviet Union are deadlocked, the society of nuclear powers threatens constantly to expand. France has the bomb. A successful Chinese nuclear test is imminent. Canada, Israel, Sweden, Italy, West Germany, India, Japan and Communist China all may be capable of developing nuclear weapons within the next decade. Attainment of nuclear status by these powers will doubtless stimulate their competitors to grasp for the bomb—the United Arab Republic, Czechoslovakia, Australia, Belgium, The Netherlands and the more advanced Latin American countries.

These are the risks we now face. But how will the successful conclusion of a test ban treaty vitiate these risks? And what new risks, if any, will a test ban engender?

Obviously, the test ban agreement will inhibit the further perfection of the nuclear art by the United States, the United Kingdom, and the Soviet Union—the three nuclear powers engaged in the negotiations. Less obviously, agreement will serve to inhibit the spread of nuclear weapons. How?

Assuming that we and the Russians were totally committed to a worldwide moratorium on nuclear tests, doubtless our concerted influence, backed by diplomatic, economic, psychological and even the threat of military pressure, would be sufficient to dampen the nuclear enthusiasm of the lesser powers.

Moreover, the voluntary cessation of testing by the major powers will undoubtedly relieve internal pressures within nonnuclear countries to "follow the crowd" into the nuclear club—pressures now generated by the fear of being left behind as a second-class power in the race to attain nuclear status.

Nor is the cessation of nuclear tests solely an end in itself. Faithful performance of the treaty terms by both parties must tend to nurture mutual confidence. Mutual confidence can lead to further agreement—agreement not to give or sell nuclear weapons or data to nonnuclear powers; the creation of denuclearized zones in Latin America, Africa, the Middle East; halting the production of fissionable material for use in weapons; negotiated diminution of nuclear stockpiles; even mutual reductions in nuclear weapon carriers, missiles and submarines.

And the rain of radioactive debris will cease, hopefully, forever. This is the promise a nuclear test ban treaty may fulfill. Now, what are the risks?

Security against secret Soviet testing is the sole protective object of a test ban treaty. Thus, the relevant standard by which we must test the administration's proposed test ban treaty is not whether our position now contains concessions as compared with our position of 3, 5, or 10 years ago, but whether the proposed treaty mechanism, in light of 1963 technology, will furnish adequate security against any significant shift in the balance of power.

The technical fact of supreme importance is that we are today unquestionably capable of detecting, identifying, and locating most nuclear events from our stations outside the Soviet Union. At the same time the Soviets are known to be relatively backward in the art of underground nuclear testing.

The administration's treaty proposals do not in the least contemplate an abandonment of our nuclear research and testing apparatus. On the contrary, it is absolutely clear that this apparatus will be kept in total readiness, capable of being employed immediately upon the identification of a Soviet breach of the test treaty.

Surely the threat of testing by the Soviet Union under a test ban treaty will be far less than now, when the Soviets are free to test at any time and in any dimension.

The potential rewards of a test ban treaty are limitless, the risks minimal. But to turn our backs upon the pursuit of a test ban treaty is to follow, in the words of the President, "a strategy of annihilation."

Mr. President, I ask unanimous consent to have printed at this point in the Record an editorial entitled "Give the Nuclear Talks a Chance," published in the St. Louis Post-Dispatch of June 10–16, 1963; and an advertisement entitled "Why Business Leaders Want a Nuclear Test Ban Treaty," published in the Wall Street Journal of June 24, 1963.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Wall Street Journal, June 24, 1963]

Why Business Leaders Want a Nuclear Test Ban Treaty

Differences of opinion in a democratic society, such as ours, are normal and welcome.

On one subject, Americans can have no difference of opinion—that the security of our country must be maintained intact, whatever the costs, whatever the sacrifices each of us may be called upon to make.

That we are living on the threshold of peril is one of the conditions of our life since man unlocked the secret of the atom.

In the past decade, our country has spent $500 billion for our defense system at the rate of some $50 billion per year. Today, our military power is superior to that of the Russians, in size, diversification and sophistication.

No one can guarantee that calculation or accident will not produce a nuclear war in which mankind will perish.

In the past year, the President of the United States has exercised his awesome responsibility to authorize his representatives to negotiate an effective test ban treaty with the U.S.S.R. as being in the security interests of the United States and in order to prevent the proliferation of nuclear weapons, lest by 1970 there be 15, 20, or 25 nuclear powers, instead of the present 4. Nuclear science technology is not static and the present monopoly of the four powers may soon be broken. Moreover, without a test ban treaty, time is on the side of the Russians, permitting them to move forward to close the gap between our power and theirs.

There can be no challenge to the unique knowledge of the President as to what constitutes the security interests of our country.

Those who oppose a test ban treaty, base it on fear lest the Russians cheat, even if they sign a treaty; and our vulnerability if they do so. But a sober appraisal of the realistic situation reveals that the United States is not entrusting or exposing its defenses to the mercy of any other country, with or without a treaty.

Our military power is in no wise diminished under the proposed treaty. Our arms neither junked, nor reduced, nor enjoined from reproduction.

Our monitoring system is certain in the atmosphere; detection techniques in outer space can detect explosions beyond the distance of the sun, hundreds of millions of miles away from the earth. In only one area—underground testing, of minor importance militarily, say the scientists—do we require U.S.S.R. cooperation in detection. And even there, current detection systems have almost the same capability as a system inside the Soviet Union. Since our seismological advances continue, our dependence on monitors inside the Soviet Union may also diminish.

Our research on new weapons continues to the last point, except for testing.

And what we are enjoined from doing, so are the Russians.

Do we need new weapons for security? Our present arsenal is superior to the Russians and sufficient to destroy every vestige of life 125 times over in 2,000 of the largest cities in the world (100,000 population or over).

And as the President pointed out on February 21, 1963: "We test and test and finally get weapons which are increasingly sophisticated. But the fact of the matter is that someone may test 10 or 15 times and get a weapon which is not nearly as good as the megaton weapons, but, nevertheless, are 2 or 3 times the weapons which destroyed Hiroshima and Nagasaki, and that was dreadful enough.

"So I think we have a great deal to gain, if we can get a test agreement."

The proliferation of nuclear arms is as dangerous to the U.S.S.R. as it is to the rest of humanity. Self-interest and self-interest alone will dictate Soviet adherence to a test ban treaty. And Russia's stake is nothing less than survival.

The fact of the matter is, as the President stated last February, "that the Soviet Union did accept in September a condition which they denied over the past 2 years or so—inspection. Now, what we are disagreeing about is the number of inspections, but, at least, the principle of inspection is accepted."

In essence, a test ban treaty is an experiment in trust which, if it produces sufficient mutual confidence, could eventually lead to disarmament in careful stages.

For both the Russian and the American people, even a small reduction in military spending means a large improvement in economic standards.

For the Russians, shortages in consumer goods could be satisfied. For the American people, needed investments in education, housing, resource development, health and medical services, now lagging, could be made possible.

An effective test ban treaty lifts the ominous pall which overhangs and opens the door to rationality, and, therefore, to hope in a constructive world.

Such risks as may be involved in a test ban treaty should not be magnified. The gains to be achieved far outweigh them.

We, therefore, commend and support the administration's continuing efforts to achieve an effective test ban treaty with the U.S.S.R., confident that our own security will be protected and also world survival.

G. T. Baker, Executive Vice President, National Airlines, Inc.; Morton J. Baum, President, Hickey-Freeman Co.; Joseph L. Block, Chairman, Inland Steel Co.; Harry A. Bullis, former Chairman of the Board, General Mills Corp., Chairman of the Council on World Tensions, Inc.; William L. Clayton, former Under Secretary of State and founder of Anderson, Clayton & Co.; John T. Connor, President, Merck & Co., Inc.; Oscar de Lima, Chairman, Roger Smith Hotels Corp.; Marriner S. Eccles, Chairman, Utah Construction & Mining Co.; M. B. Folsom, Director, Eastman Kodak Co.; Bowman Gray, Chairman, R. J. Reynolds Tobacco Co.; Elisha Gray, Chairman, Whirlpool Corp.; Earle V. Grover, Chairman, Apex Steel Corp., Ltd.; Joel Hunter, President, Crucible Steel Co. of America; Wayne A. Johnston, President, Illinois Central Railroad; Philip M. Klutznick, former U.S. Ambassador to the Social and Economic Council, United Nations' President of Klutznick Enterprises; Armand May, President, American Associated Companies; William E. Robinson, former Chairman, the Coca Cola Co.; Herman Steinkraus, retired President, Bridgeport Brass Co., former President, Chamber of Commerce of the United States, President of the American Association for the United Nations; James Symes, Chairman, Pennsylvania Railroad Co.; J. Cameron Thomson, former Chairman, Northwest Bancorporation; David J. Winton, Chairman, Winton Lumber Co.

[From the St. Louis Post-Dispatch, June 10–16, 1963]

Give the Nuclear Talks a Chance

In proclaiming a voluntary moratorium on nuclear testing in the atmosphere, and agreeing to new talks in Moscow on a comprehensive test ban treaty, President Kennedy has lifted hopes that a treaty may yet be within reach.

Although Chairman Khrushchev is reported to have given a British Labor delegation which visited him Monday little reason to share these hopes, the transfer of negotiations from Geneva to a high-level conference in Moscow next month was arranged through correspondence between Khrushchev, the President, and Prime Minister Macmillan. Something in that correspondence must have given the parties ground for believing that the deadlock which has prevented final agreement up to now may possibly yield to further consultations.

In the meantime, the President's admirable announcement that the United States will not be the first to resume atmospheric testing may help to create an environment in which Khrushchev can resist pressures within the Kremlin for renewed testing by the Soviets; and if he holds his ground in the forthcoming confrontation with the Chinese Communists, he may then be in stronger position to consider a test-ban treaty.

About Khrushchev's political problems Americans can do nothing. They can, as the President eloquently urged in his address at American University, reexamine their own attitudes toward peace, "the most important topic on earth."

It is to be hoped the reexamination will convince the public, as the President is convinced, that making a start toward disarmament through a test ban treaty is worth the effort and patience of prolonged negotiations. A treaty, he repeats, would check the arms race in one of its most dangerous areas. It would enable the nuclear powers to work more effectively toward preventing the spread of nuclear weapons. It would increase our security and decrease the prospects of war. Who can doubt that working toward these ends is worth doing?

It should be fully understood that such an effort, to succeed, must involve concessions by the United States as well as by the Soviets. Reexamining our attitudes toward peace, then, necessarily means preparing to accept a treaty that may fall short of perfection from the American standpoint. The President assures us that vital safeguards will be insisted upon. He also reminds us that no treaty, however tightly written, can provide absolute security against the risks of deception and evasion.

The problem is to balance the risks of an imperfect treaty against the risks of perpetuating the arms race. Right now the United States possesses an overwhelming superiority in nuclear power, such a decisive margin that we can well afford to accept some risks for the sake of a treaty. For our nuclear might has not really brought us true security; getting started on the road to disarmament is therefore essential, and a test ban is the first milestone to be passed.

The President is entitled to united national support in the new effort. He should instruct his emissary at the Moscow talks to consider any reasonable compromise of the inspection dispute that has so far prevented agreement. The negotiations should be private, with neither side using them for propaganda effect. And the American people should reserve judgment until a proposed treaty is presented for their approval, if it ever is.

There are, of course, some Americans who consider any negotiation appeasement, and any concession surrender. But the people as a whole, we are convinced, support the President's decision to continue negotiations. Mr. Kennedy's assurance that nobody is going to sell out national security should now be accepted in good faith, all the more so since his leadership in the Cuba crisis fully demonstrated his determination to protect our security. The Moscow talks should be permitted to proceed free of the drumfire of criticism and false alarms that has all too often accompanied previous negotiations.

If a treaty is finally accomplished, and if the alarmists think it endangers security, then that will be the proper time for them to fight it with every resource of democratic debate. But critics as well as advocates have a duty, in the name of peace, to give the negotiations a chance. Let us first find out if a treaty can be negotiated. Then let us decide whether our interest calls for its acceptance.

PAN AM—TRADE UNION AGREEMENT

Mr. JAVITS. Mr. President, it is refreshing to note that at a time when we are threatened with a nationwide railroad strike, continued labor peace is being achieved through negotiations conducted by Pan American World Airways and the unions involved in its operations. In the past few weeks Pan American and three unions have achieved an accord which is most significant in this field of regulated public utilities.

Mr. President, Pan American has many thousands of employees in the greater New York area who will be protected by this unique compromise whereby the Flight Engineers, United Plant Guard Workers and Brotherhood of Railway Clerks will be guaranteed job security and the airline will be able to operate without undue work restrictions.

Pan American is one of our important international carriers. It is not Government-owned like most of its international competition. It is owned by American citizens as stockholders—approximately 35,000 strong.

The New York Times of July 9, 1963, carries a most interesting article concerning the successful labor negotiations achieved by Pam Am and the unions involved and I think this article should be brought to the attention of every member of the Senate. I ask unanimous consent that the New York Times article be made a part of the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the New York Times, July 9, 1963]

PAN AM CLERKS SIGN NO-STRIKE PACT

Pan American World Airways announced yesterday the signing of an agreement with the Brotherhood of Railway Clerks that calls for binding arbitration of disputes when the machinery of the Railway Labor Act has been exhausted.

The carrier said the agreement, with grievance procedures in present contracts, would eliminate the possibility of a strike over any issue.

It is the third such agreement between Pan American and unions representing its employes. The Flight Engineers International Association and the United Plant Guard Workers of America have signed similar pacts with the airline.

The agreement with the clerks' union was signed in the Washington office of Labor Secretary W. Willard Wirtz by Everett Goulard, Pan American's vice president for industrial relations, and C. L. Dennis, president of the union.

Mr. Wirtz called the agreement "an example of industrial statesmanship of the highest order." He said it insured "the orderly and peaceful resolution of future labor-management difficulties."

The union represents 5,000 Pan American workers whose jobs range from meteorological to secretarial positions. A nonoperating union, it is not involved in the current dispute between operating railroad unions and carriers, for whom its members also work.

The agreement provides for a three-man board to decide disputes involving pay, rules or working conditions when Railway Labor Act processes of mediation and fact-finding fail to bring a solution.

One board member will be named by the airline and one by the union. Provisions have been made for selection of a third or neutral member, according to the airline. How this would be done was not disclosed.

The Brotherhood of Railway Clerks has a total membership of 300,000 in both the airline and railroad industries. The union's membership recently ratified an agreement with Pan American covering wages, hours, and work rules, effective until January 1, 1965.

Mr. Dennis emphasized that arbitration had been agreed to by both parties at a time when there was no dispute between them.

TRIBUTE TO THE NATIONAL ASSOCIATION OF LETTER CARRIERS

Mr. SMATHERS. Mr. President, the National Association of Letter Carriers has always been one of the most progressive and intelligently operated organizations in the United States. There is not a Member of this body who does not know what this great union has done for its members and, indeed, for all postal and Federal employees.

I am pleased and proud to announce that this great organization has achieved another outstanding accomplishment, not only for its own members, and all other Federal and postal employees, but for every working man in the country who has reached, or is about to reach, the age of retirement.

The project of which I speak is Nalcrest, a magnificent $4½ million retirement community built on the shores of Lake We-Oh-Ya-Kapka—"Lake Walk-in-the-Water"—in the very heart of the Citrus Belt of Florida, just 8 miles from the thriving city of Lake Wales. It is located on 150 acres of choice terrain and contains approximately 500 beautiful apartments, each designed to suit the needs of senior citizens.

I am especially proud that the NALC has selected my own State of Florida for the operation of this great undertaking.

This project was originally conceived as a retirement haven for letter carriers. However, when the leaders of the NALC realized that elderly people throughout the country were having great difficulty living in decent comfort on their retirement incomes, they enlarged the scope of the project so as to include retired people, and their families, from all walks of life.

This undertaking has to be seen to be believed. It is a self-contained community, with its own chapel, shopping center, post office, 500-seat theater, marina, swimming pool with cabanas, and all the other services necessary for modern leisure living. In addition, the project has 1,300 feet of private lake frontage and facilities for some of the best fishing and hunting to be found anywhere in the United States.

In my opinion, Mr. President, Nalcrest marks the beginning of a very necessary development in our national life. It is typical of the National Association of Letter Carriers that they have pioneered this development. They have a talent for leading every worthwhile parade in the field of human relations.

As the value of the dollar declined, the plight of retired people living on fixed annuities has become an increasingly serious problem. Many of them are living in crowded, inadequate quarters in climates uncongenial to their advancing years. Many others are forced to make ends meet by moving in with their children and grandchildren, causing a burden and an emotional strain on all concerned. The National Association of Letter Carriers has attacked this national problem boldly and with imagination by providing for such people a commodious home in the sun and making it available, on a nonprofit basis, at a price that such people can afford.

With typical generosity, the letter carriers have spurned the selfish temptation to hoard this beauty for their own members. They have opened up their hospitality to all retired people who seek such a haven for their golden years.

Mr. President, my hat is off to the National Association of Letter Carriers for having brought this dream to reality. The State of Florida is proud to be the host to such wonderful people. Floridians are eager to make such new residents welcome and comfortable in their lakeside community. And we hope that this will be just the beginning of many other retirement communities of a similar nature.

SENATOR CLINTON ANDERSON DEDICATES ROSWELL SALINE WATER CONVERSION PLANT

Mr. YARBOROUGH. Mr. President, the senior Senator from New Mexico—Senator Clinton P. Anderson—whose leadership in so many areas of national legislation is well-known by his colleagues, delivered a significant address regarding water conservation on July 1, at the dedication of the million-gallon-a-day water conversion plant at Roswell, N. Mex., to make saline water fresh and usable.

Without Senator Anderson's leadership in the field of salt and brackish water conversion research, without his dedication to full development of our water resources to meet the demands of a growing population and rapidly developing agriculture and industry, badly needed programs like this new plant at Roswell might never get off the planning boards.

The Nation, and particularly the Southwest, has been fortunate in having in the Senate a Member from a water-scarcity State who is keenly interested in the need for more water research. Our country in the next decades will spend hundreds of millions of dollars to build reservoirs and dams to conserve wasting water needed for the Nation's benefit.

It is fitting that we spend a few dollars on plants like this one at Roswell and the one in my own State, at Freeport, Tex., for research to find ways to cut down the great cost of water conservation.

Every dollar spent on water research now will mean vast savings to the taxpayer, and Senator Anderson is to be congratulated for the vision and practical approach to the problems that he has demonstrated in his years in the Senate. Water scarcity is beginning to plague the entire Nation, and Senator Anderson's leadership in this phase of research will benefit this and future generations.

I ask unanimous consent this his comments at the Roswell plant dedication be printed in the Record:

There being no objection, the speech was ordered to be printed in the Record, as follows:

Speech of Senator Clinton Anderson

The presence of so many distinguished Department of the Interior officials here this morning should not lead to the conclusion that the Department is only concerned with assuring the Nation a pure and adequate flow of water. That is one of its most important responsibilities and the Department is fulfilling that responsibility skillfully and with determination.

But the Department is also moving forward on the full range of natural resource endeavors, including improvement of the public lands—which is so important in our State—and expansion of opportunities for outdoor recreation, also of great significance in the Land of Enchantment.

The plant we dedicate today is a valuable addition to the municipal water system of this growing community. It is also a significant addition to the workbench where the Department of the Interior is laboring on techniques for converting salt water to fresh water more efficiently and at lower cost.

But this plant demonstrates far more than another method for making brackish water pure. It stands as an eloquent demonstration of how Government—at the city, State, and National levels—and private industry can work cooperatively to attain objectives of wide public benefit.

I know there is a good deal said these days about Government—meaning the Federal Government—being all powerful, intent upon substituting its own will for local desires, and determined to destroy individual responsibility. Our new plant speaks to the contrary.

Selection of Roswell as the site for a conversion plant was a perfect choice. Roswell's population had increased nearly 55 percent in the decade to 1960; its potable water supply had not expanded to keep pace. Yet below was water that could be usefully tapped if a way could be found to desalt it.

The State said it would help meet the cost of construction; the city offered a site, delivery to the plant of the brackish water, and purchase of the fresh output. Private industry played its part—Catalytic Construction Co. designed the plant; the Chicago Bridge & Iron Co. built the plant, and American Hydrotherm will operate it. Here is visible evidence of mutual effort in the people's interest—an intermingling of free enterprise and what we might call public enterprise.

Not long ago, Henry Ford II said that America cannot "afford the ludicrous spectacle of old-fashioned guerrilla warfare between business and Government; certainly not in this moment of history. * * * We have got to learn to live in decent dignity and mutual respect with our Government."

Mr. Ford's counsel for businessmen should hold true for the community in general. It is our Government and its successes or its failures ultimately are our successes or our failures.

In a quarter of a century in Washington, I have had my problems with bureaucrats. I have also been one. But the fact that this plant is operating smoothly, that a million gallons a day of potable water flow from it to the homes and businesses of this fine city is in large part due to the dedication of Government servants.

I have heard comments, too, about the "planners in Washington." The term is interchangeable in some minds with "Socialists," "leftwingers," and "fussy thinkers."

A document on the shelf in my office recommends that "the Federal Government, in cooperation with the States, should prepare and keep up-to-date plans for comprehensive water development and management for all major river basins of the United States."

The document is the report of the Senate Select Committee on National Water Resources. I served on the committee which was headed by the late Senator Bob Kerr, of Oklahoma, who certainly was no Socialist. The vice chairman was Senator Kuchel, of California, the assistant Republican leader.

The committee, after 18 months of the most careful kind of study, determined that the demands on the Nation's water supply would rise sharply and that planning—and planners—were needed if shortages and poor quality were to be avoided.

The committee recommended the full development by 1980 of five water resource regions—including the Colorado River and the upper Rio Grande-Pecos Rivers—to prevent critical shortages. Three more water regions will require full development by the year 2000 if their residents are not to be plagued by lack of water.

This is simply a recognition that river basins pay no attention to State boundaries and the Federal Government has an important part to play in bringing about the kinds of programs that will enable us to avoid severe difficulties.

In a few days, the Nation will observe Independence Day. The Declaration of 1776 is an ageless document; it spoke for far more than the 13 Colonies huddled along the Atlantic shore. Its message is as meaningful today as it was 187 years ago. The Declaration of Independence—with what Barbara Ward has called "magnificent audacity"—enabled Americans to determine their own destiny.

The Declaration of Independence closes with the phrase "we mutually pledge to each other our lives, our fortunes, and our sacred honor." As that oath united the 13 Colonies in a sacred cause, it binds the 50 separate States into a single Nation.

In this bright new plant there is New York money and Illinois money and California money. The taxpayers in the 49 other States are stockholders in this plant as much as New Mexicans. They are helping us with one of our problems—water scarcity. We, in turn, might give some thought to the fact that the heavily populated areas have special problems such as improving their mass transportation systems and clearing their cities of slums. And we in the less crowded areas might be of help. This is the way we use our "mutual fortunes."

The investment in this plant represents an investment in national security, as much as does the $10 million B-52 bomber poised on the flight line at Walker Air Force Base.

In an age of rapidly changing technology, this country cannot afford to take a back seat in any field of science or engineering. The Federal Government alone is spending $15 billion a year on research and development—the largest part of it for defense and space requirements. That is a fivefold increase in a decade.

I can recall in March 1951, at hearings which I was conducting, the then Secretary of the Interior Oscar Chapman, speaking for an administration which enthusiastically supported the saline water conversion idea, said: "We will bring to bear on the problem of economic feasibility the full knowledge and skills of the scientists of the Federal Government and private industry."

And a beginning was made in that direction. But the succeeding administration was somewhat reluctant to accept this challenge and evidenced no great interest in the perfected techniques and equipment perfected by private industry.

Had that attitude prevailed, there would be no plant in Freeport, Tex., producing fresh water; the plant at San Diego would not be at work; Webster, S. Dak., would not be getting 250,000 gallons a day of pure water from a plant; the plant at Wrightsville Beach, N.C., would not be under construction—and there would be no gathering today because this plant would not exist.

I can think of no wiser, more productive way to spend tax dollars than on research which improves the health of our people, enriches our store of natural resources, strengthens the economic base of the Nation, and propels us toward new horizons of knowledge.

The entire Nation can take pride in the initiative, industry, and cooperative spirit which are represented by the Roswell saline water conversion plant.

SUDDEN DEATH OF ENTIRE COLONY OF TEXAS BIRDS CAUSES CONCERN OF THE SILENT SPRING

Mr. YARBOROUGH. Mr. President, the recent discovery in Texas of the sudden and unexplained death of some 300 wild fowl in one breeding area in the Big Thicket area of east Texas has brought sharply into focus the problems we face in air and water pollution.

While the actual cause of death of these birds has not been determined, I have asked both the Interior and Agriculture Departments to investigate, in an effort to determine what part manmade chemicals or sprays or poisons might have.

It is important that this and future sessions of the Congress be vitally concerned in air and water pollution studies, since these are problems that increase faster than known methods can curtail them.

I ask unanimous consent that two articles from Texas newspapers be printed in the Record, as an illustration of this growing problem. The articles are "Mr. Big Thicket Mourns Mystery Death of Birds," from the June 30, 1963, edition of the Houston Chronicle; and "Silent Spring Worries Congress," from the June 20, 1963, edition of the Beaumont Journal.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Houston Chronicle, June 30, 1963]

"Mr. Big Thicket" Mourns Mystery Death of Birds

(By Chester Rogers)

Romayer.—Deep in the heart of the Big Thicket gravel-voiced frogs croak a mournful lament.

It is a funeral song for a heron colony.

A narrow swampy area that might have been at some time a tributary to the Trinity River once was the happy nesting ground for a flock of 300 or more wild fowl.

Today there isn't a water bird in the area.

Their mating calls, their feeding calls, the happy cries of fledglings discovering the thrill of flight, the shrill cries of fright at the sight of natural enemies is now a frightful nightmare of silence.

The American egrets, the small white herons, the little blue herons, the water turkeys that called the swampy area home died suddenly.

Their rotting skeletons are a final resting place for their tangled once bright plumage.

A few scant days ago the forest area rang happily with their cries.

Lance Rosier, and a friend, Bill Gilliam, 18, both of Saratoga, made the discovery.

Rosier, popularly called "Mr. Big Thicket," had wanted to show Gilliam the heron rookery.

Rosier had often made his way along a logging trail to show friends the swampy heron rookery. Countless occasions he had guided naturalists, Boy Scouts, nature lovers, bird watchers, and civic leaders deep in the heart of the wooded land to view the hundreds of nesting, mating, feeding, and fighting birds.

This day, though, Rosier was puzzled because he heard no raucous bird cries warn other birds of approaching man.

The silence was broken only by the squish of the mud, the soft splash of water.

One dead bird after another lay lifeless along the silent path.

Piles of sticks, placed carefully in the building of nests, had become a sun-baked resting place for birds that once rode wings of flight.

The mysterious death had come swiftly, struck them before they could flee.

Was it a deadly spray from airplanes in nearby fields?

Was it poison they had picked up in feeding nearby?

Was the swift death carried into the area by the winds?

"I don't know what it was," Rosier said, "and can't find anybody that might tell me.

"All I know is that another part of the heart of the Big Thicket has died.

"And it makes my heart sad."

Only the frogs know for sure, and they're just croaking, mournfully.

[From the Beaumont Journal, June 20, 1963]

Health Warnings—"Silent Spring" Worries Congress

Washington—This noisy spring, Congress is worried over the possibility of a silent one.

Two congressional committees are occupied with health warnings on the dangers of pesticides, demonstrations of the sex habits of the male cockroach, and cries of concern for man's feathered and furred friends.

Such is the legislative impact of Rachel Carson's popular anthology of death, "Silent Spring," and the public clamor it has evoked.

MISS CARSON TESTIFIES

Already Miss Carson has testified before one committee, and asked Congress to curb sales of pesticides, and to cut down on aerial spraying.

Besides this she wants to arm individuals with the legal right to seek redress in the courts against neighbors who spray not too well, but too widely, and allow poisons to intrude another's domestic domain.

She insisted repeatedly that she does not want to stamp out pest control—but instead wants reasonable controls on the use of pesticides.

CONTROLS SUGGESTED

Even before she testified the President's Science Advisory Committee had suggested there be tighter Federal controls.

The committee also urged a philosophy of insect control, rather than insect eradication, by pesticide-using Federal agencies.

The U.S. Forest Service—about to spray private land in Washington State—called off its plans because it couldn't guarantee the safety of oysters in nearby coastal waters.

OYSTERS SAVE PEST

Thus did the oysters save a pest called the hemlock looper from the ravages of DDT.

Two bills are pending in the Senate to better protect wildlife from any spraying programs, and to tighten labeling regulations on toxic chemicals.

Government officials have stepped into the fray. Secretary of the Interior Stewart Udall testified that pesticide residues are being found in a number of bird and animal specimens and even in fish caught far from land.

RIBICOFF SPEAKS

Senator Abraham Ribicoff, Democrat, of Connecticut, a former Secretary of Health, Education, and Welfare, has called on private industry to seek new pest controls which would be potentially less dangerous.

Presidential science advisor Jerome Wiesner has testified that the contamination of the environment with chemicals including pesticides is potentially more hazardous than radioactive fallout. He was quick to add that this is not now the case.

Probably the most hardheaded report on the situation so far has been that prepared by Wiesner's science committee.

It noted specific needs for stronger Federal control, some past deficiencies too. But it cautioned against devaluing the use of pesticides too much.

Discussing man's ability to manipulate his environment, the report said:

"Advances have always entailed a degree of risk which society must weigh and either accept, or reject, as the price of material progress."

The report credited modern chemicals with easing the control of insect carriers of disease, and with the "unprecedented production of food, feed, and fiber."

CONTAMINATION CONCERN

But, the report added, there is concern about the increasing contamination by pesticide chemicals of the environment.

Because these chemicals are designed to kill or block life, they are potentially dangerous to other living creatures. The scientific panel said there must be a more complete understanding of these chemicals and their long-term effect on living creatures, including man.

Little is known about the danger of pesticide use to man. The science committee would like to see more studies spell out just how much of the toxic chemicals man can take, whether there are hidden, long-term dangers.

THE CIVIL RIGHTS CONTROVERSY

Mr. HRUSKA. Mr. President, one of the most concise comments I have seen concerning the civil rights controversy appeared in the June 20 issue of the newsletter prepared by Independent Editorial Services, Ltd.

It succinctly and directly assessed the statement made earlier by the distinguished minority leader. The comment covers an aspect of the current controversy which deserves a great deal more attention than it has thus far received.

Mr. President, I ask unanimous consent to have printed in the Record the article concerning Senator Dirksen's statement.

There being no objection, the article was ordered to be printed in the Record, as follows:

Washington.—No matter what history says about Everett McKinley Dirksen, he will probably be remembered most for the statement he made this week on the rights of the individual in relationship to private property. In a brief sentence he displayed for the first time in the clamorous racial dispute the cornerstone of Americanism, the man against the state. No one has come forward hitherto. No one individual of the administration or the Congress has seen fit to spell out the bedrock of this country, the right of the individual to control his property. The liberals for long have derided the Senator from Illinois as "Irksome Dirksen." They had their answer this week. The networks and the news magazines have chortled over the "Ev and Charlie" show. But the veteran orator in the best senatorial tradition said, "I cannot support a measure which takes from the individual the control of private property." In that sentence he said what the Declaration of Independence said. He said what the Constitution says. He pointed up what the tax collectors, the econnomists, and the theorists seem to have forgotten—that this country was founded and flourished upon the ideal that Americans believe in private property—for what? To protect themselves from the state.

SOME INTERNATIONAL ASPECTS OF COMMUNICATIONS SATELLITE SYSTEMS

Mr. HART. Mr. President, in the full debate which preceded adoption of the Communication Satellite Act of 1962, concern was voiced with respect to the international aspects of such communication systems.

Very recently a distinguished member of the faculty of the University of Michigan Law School, Dr. Samuel D. Estep, expressed some interesting thoughts concerning the international aspects, thoughts which I feel sure will be of interest to each Member of the Senate. In his paper he summarizes some important assumptions. Certain of these assumptions about the international implications were discussed in the Senate last summer, but others are new. Dr. Estep reviews three problem areas which will confront the organizers of the communication satellite program and the Federal Government: Relations of the Government and the Communication Satellite Corp. with other countries; relations with the International Telecommunications Union; and the selection of countries in which ground stations should be established.

It is the conclusion of Dr. Estep that the decision to create a privately owned corporation for the execution of the communication system was a wise one when the international relations aspects of the activity are considered. Most especially is this his feeling with respect to the question of location of ground stations. As one will note in reading his paper, Dr. Estep feels site selection in Europe would have involved many questions other than economics of use, were the system to be operated by the Government itself. He notes, however, that overriding reasons of national interest would permit the Federal Government to have a decisive voice in site location, should such considerations be overriding.

Because of the interest each of us continues to have in the evaluation of the Communication Satellite Act of 1962, conscious that in such programs experience will permit changes and improvements, I ask unanimous consent that the paper of Dr. Estep be made a part of the CONGRESSIONAL RECORD. It would be helpful also to have a summary biography of Dr. Estep appear at the conclusion of this paper, and I ask unanimous consent that this be printed.

There being no objection, the paper and biography were ordered to be printed in the RECORD, as follows:

SOME INTERNATIONAL ASPECTS OF COMMUNICATIONS SATELLITE SYSTEMS

(Paper by Prof. Samuel D. Estep)

Enactment of the Communications Satellite Act of 1962 brought into being a new type of legal organism. The Communications Satellite Corp., recently incorporated pursuant to this act, is an unusual organization directed to carry out certain Government policies and at the same time operate as a profit-making private business concern. These two functions may not always be compatible. In one sense many of our public utility companies serve these dual purposes and examples can even be found where the National Government has created private corporations to carry out specific national goals. The degree of Government involvement, the emphasis on profit-making, and the use of this technique in international affairs, however, make this organization a most unusual, if not strange one.

The final version of the bill as enacted by Congress and approved by the President obviously was a compromise between those who wanted existing private communications carriers to own and operate this new communications satellite service and those who desired a separate corporation with a broadly based general public ownership. Another very vocal minority group fought very hard for complete governmental ownership and operation. One might argue about the feasibility or at least desirability of creating this strange hybrid corporation with the multiple objectives of making money for the stockholders, furnishing cheap global communication services, and relieving the Government of some financial burdens, all hopefully in the near future and, more particularly, before the Russians establish a competing system. Whatever the merits of this solution of the original dispute, however, it is now clear that we must live with this new organism and our concern should be to make it viable.

To derive anything like the maximum benefits, both economic and psychological, from creation of this new service, nobody interested in the project should sit back and attempt to recriminate or place blame on others they think were shortsighted. The imminence of the 1963 International Telecommunications Union conference to allocate frequencies for space communications precludes the luxury of such Monday morning quarterbacking. The legal, economic, and policy questions facing the Communications Satellite Corp., the Department of State, NASA, and the FCC are numerous and difficult. These problems need immediate discussion and at least tentative policy positions must soon be taken by the business and Government administrators who are so involved in the creation and operation of the satellite communication system.

Although the corporation may not be a truly unique organization, it certainly has sufficient new characteristics and problems to be called sui generis. Consequently, although many of the international problems were created years ago when Marconi's invention first came into use, there are no very appropriate international legal precedents to use in analyzing the significant new dimensions which were added by the quite different character of communications through satellites. Consequently, there will be new and challenging questions to be faced. In addition, in a new area such as this, it is particularly difficult to separate the legal from the economic and political policy questions which inevitably will arise. The purpose of this discussion is to identify the questions and suggests possible answers.

In one form or another, many of the questions themselves have already been asked, particularly by Mr. Schwartz and Mr. Goldstein in the Rand Corp. Study. For the most part, however, the existing published legal discussions have only raised the questions, they have not been directed primarily to suggesting definite solutions which should be adopted by the corporation and the various Government agencies which are vitally involved in the establishment of a communications satellite system. The task now is to identify and discuss the merits of various positions which might be taken. A warning and caution should be voiced, however. The suggestions that will be made in this paper are presented for the purpose of stimulating critical discussion. Clearly no person, and most particularly this writer, has any right to claim unusual insight or infallibility in suggesting answers to these problems. Nevertheless, the basic positions to be taken by the U.S. representatives at the 1963 ITU conference need to be well in hand, even though in March the Administrative Council decided to limit the scope of next fall's discussions in Geneva. Many of these items will not be on the formal agenda, but they will be the subject of informal discussions among the various delegates, and it is important that the U.S. position be as firm and well-considered as possible.

To understand and discuss the suggestions made here concerning various legal, economic, and political policy questions, certain facts and positions must be assumed. These assumptions should be made explicit, not left to implication. Therefore, at the risk of reciting information some already know, the following statements or assumptions are made and are believed to be justifiable in the light of present knowledge.

1. Perhaps the most important fact of all, and one which so often has been overlooked in discussions of communications satellites, is that an extensive, diversified, nonpolitical, very efficient international telecommunications network has been operated for many years by existing U.S. carriers and their foreign partners. A.T. & T. alone has over 175 formal operating agreements with partners in practically every country in the world, including the U.S.S.R., Red China, and Cuba. Actually the Communications Satellite Act of 1962 recognizes this fact and makes it clear that the Communications Satellite Corp. is not to be an operating company which serves the ultimate consumer in the normal sense of communications common carrier operations. Instead it is to furnish the channels and possibly the equipment with which the satellites can be used to supplement worldwide telecommunications services. The act makes it clear that the corporation is not to engage in telecommunications strictly within the boundaries of a single country if land facilities owned by Comsat were used to send messages between land points.

2. The act states that the Communications Satellite Corp. legally is a privately owned, profitmaking company organized under the laws of the District of Columbia. Nevertheless, the act also recognizes that the corporation will be carrying out activities and functions which in many respects are inextricably entwined with important governmental policies of the United States. In some significant respects, therefore, the corporation will be performing governmental functions.

3. The corporation is expected to make money and some Congressmen during recent hearings stated that they even expect the corporation to furnish much of the money for research and development work leading to an operational system. Realistically, however, it is extremely doubtful that any profits will be made for a long time, certainly for 8 or 10 years. Also, contrary to what may have been the hopes of these Senators and Congressmen, the corporation probably cannot provide enough money for research and development, if vehicle and launching work is included. This means that a great deal of money will have to be spent by the Government agencies such as NASA. This is imperative if one of the purposes that Congress and the administration had in mind is to be fulfilled, i.e., that the United States should be the first to prove commercial feasibility of international communications satellites. Otherwise we run the risk of losing our existing leadership to Russia, thereby suffering another tremendous psychological loss in the cold war.

On the other hand, Comsat surely can be expected to contribute a considerable amount of research and development money, perhaps as much as $100 million. A substantial share might be spent on a good attitude or orientation control system which would make the antenna problem much simpler. Certainly work on the satellites and their electronic equipment could be financed by nongovernmental funds. Even the launching work will be a natural fallout from necessary Government efforts on such matters for other purposes. No extra money would have to be spent to develop launching capabilities for communication satellites as such. Probably even present technical capabilities would permit establishment of a limited but operational and useful satellite system if the Government were to put no more money into communications satellite work.

4. The act provides, although only by implication, that the corporation is to have a monopoly on communications making use of space satellites. It also explicitly states, however, that the corporation is to foster competition in the manufacture of equipment which will be used by the corporation. The economic and manufacturing facts of life in the communications business, however, also must be taken into account in considering how these policies should be carried out. First, international communications by way of space satellites will not have a monopoly over global message services but must compete with and can only complement existing facilities, largely privately owned in the United States. At the present time such carriers as American Telephone & Telegraph, International Telephone & Telegraph, Western Union, and Radio Corp. of America, jointly with their foreign counterparts, own the facilities and operate the international communications network. Secondly, like it or not, we must accept the fact that undoubtedly a satellite system will be better and more reliably engineered and will be put into operation more quickly if the existing giants of the industry are given overall responsibility. Several other important conclusions or assumptions can be drawn from these facts.

5. For this new form of communication service to be most useful it is essential that it be integrated into the existing systems using underwater cable and tropospheric-scatter and other radio techniques for international telecommunications. The normal

customer who sends or receives an international message does not care which channel is used—long-range radio, cable, or satellites. From this it follows that there would be no economic basis for charging a customer more per minute for use of a communications satellite than for an undersea cable or a long-range tropospheric-scatter radio channel. This fact will create serious channel rental rate problems for the Communications Satellite Corp., and the FCC. In the long run, of course, international message costs should be reduced and this saving must be passed on to all users of such service.

6. For the next 10 years, the only type of service which will be needed or even available through communications satellites undoubtedly will be the normal message and TV relay (not broadcast) channels now provided by oversea telephone, radio, and telegraph facilities. This is dictated not only by the economics of the situation in terms of demand for service, but also by the economics involved in the technical limitations inherent in existing equipment itself. For example, the same facilities needed to transmit a full-range TV program will carry 600 two-way telephone conversations. If available equipment is used for data transmission the economy is even more startling; 22 times better than voice even. These technical limitations make it clear that the most economical use of these channels will be for sending ordinary telephone and telegraph messages or for data transmission. Certainly for a good many years there is no likelihood of any kind of transmission from satellites directly to home receivers for purposes of general radio or TV broadcasting. Arguably, existing regulations would even prohibit such broadcasts from space.

7. Another economic fact of communications satellites is that at least for a good many years the primary use of the system will be to transmit messages between large traffic areas, e.g., from the United States to Europe and the United Kingdom. The satellite system simply cannot be operated economically unless there is a very high load factor. This inevitably is tied to the number of people making use of telephones and telegraph services at each end. At the present stage of technical development small countries cannot afford to spend the necessary money to build ground terminal stations required for full use of the satellite system, although some use of channels would be available to them and they could afford limited terminal facilities. The economics of the satellite system are such that transmissions even between the two coasts of the United States would be uneconomical when compared with other systems such as microwave relay or cable telephone lines. This may not be true, however, for some countries with very large land masses and widely dispersed population centers, such as Brazil or India.

8. The short-range viability of the Satellite Corp. is also extremely dependent upon assurance that the U.S. Government and the existing oversea carriers, such as A.T. & T., will make significant use of the channels available through the satellite. Without substantial use from these two sources, it clearly is unrealistic to think that the message load would be sufficient to make the satellite system an economically successful operation. This fact, when added to the need for large amounts of capital if the Satellite Corp. is to put up the necessary satellite hardware and also build and own the ground terminals, leads to another economic conclusion that is inevitable, at least to this writer; i.e., that the large communications common carriers must be vitally involved financially in the operations of the Satellite Corp. Even if the necessary money could be raised without help from the carriers, they should be involved even to the extent of large stockholdings so that the absolutely essential coordination between the Satellite Corp. services and those furnished by existing communications common carriers will be assured. This does mean, of course, that there may be some conflict with the statutory dictate that the corporation foster competition in the furnishing and purchase of equipment and apparatus. Such corporations as A.T. & T. and other carriers have their own supplier affiliates in whom they have great faith and whose profits are also important to the carrier corporation. This may be more of a domestic than an international problem, but it has some international repercussions. In any event, these companies and their supplier affiliates obviously are working hard to create new and cheaper communication systems, including cheaper underwater cables. For the next 10 years, the economic advantage of the satellite communications system, if any, over undersea cables is marginal at best. Therefore, it is essential, if the communications satellite system is to be used sufficiently to make it economical, that there be real coordination between the services already available and those to be furnished by the Satellite Corp.

9. Another legal-economic fact of significance in analyzing the satellite problems is the degree of foreign ownership and participation which is desirable, but which is limited by the Communications Satellite Act, at least so far as stock ownership is concerned. Whether directly or indirectly, foreign persons or groups may not own more than 20 percent of the Satellite Corp.'s stock which is to be offered to the general public. This means that if any one foreign group owns all of this 20 percent it could have a very significant impact on the control of the Communications Satellite Corp. On the other hand, this is not likely to be the case and yet it is perfectly clear that foreign communications groups, most of which are owned by governments, will be most insistent upon having a large part in the establishment and control of the communications satellite system. All existing evidence from past associations between American concerns and foreign groups is that the latter want to have a significant voice in the operations and a very substantial financial interest in the form of ownership of equipment. There is every reason to think that they would at least like to have the same kind of roughly 50–50 ownership ratio which now exists between A.T. & T. and the British Post Office in undersea cables, for example. Nothing in the U.S. statutes would preclude this kind of arrangement between the Satellite Corp. and a foreign telecommunications authority but it could not be done in the form of ownership of stock of the Communications Satellite Corp. itself. It cannot be emphasized too much, however, how essential participation by foreign groups in ownership of the system is, if a worldwide system is to succeed. These desires of foreign countries to have a share of the facilities themselves also goes to the manufacture of parts and equipment, participation in research, and perhaps even in launching operations. Each of these countries, at least in the more industralized areas of the world, undoubtedly will want the right to furnish some of the equipment. Certainly past experience of our own U.S. communications common carriers who have established such links with foreign countries so indicates.

10. Another fact of space communications life is that international political considerations will have a large influence on the operating policies of the Satellite Corp. and its foreign partners. There will be a much more direct government involvement in the actual operation of corporate business than has ever been the case before. This certainly will be true in the United States where in the past such involvement has been indirect and spasmodic at most. Even in Europe, where most of the communication companies are government owned, the same will be true. Although they must go to public treasuries for funds, these government-owned companies for most purposes have operated as largely separate and independent bodies. Typically, the administrative personnel in these countries have been able to make their decisions as businessmen operating a communications common carrier rather than as officials in the political arm of the government and probably will continue to do so for nonsatellite services. Nevertheless, the U.N. and the developing countries have already indicated their interest in the communications satellite system even though they do not have the technological or economic facilities for creating or even participating in use of the service in the near future. Therefore, the establishment of such a system does have political ramifications of tremendous significance to U.S. foreign policy. Several provisions of the Communications Satellite Act itself take cognizance of these facts and they are known to all who are working in this area. To a much greater extent than has ever been the case in the past with regard to international telecommunications, the actions of the Communications Satellite Corp. will be of concern to the foreign offices of the many countries, and particularly to the officials of the United States.

The operating officials who have been managing existing international communication carriers, both United States and foreign, and whether private or government-owned, are very reluctant to see the politicians begin to participate in communications matters with any degree of directness. Nevertheless, in this writer's opinion the political arms of the various governments are going to participate in considerably greater degree in the operating decisions of the Communications Satellite Corp. and its counterparts abroad. This could mean involvement of foreign offices personnel. Whether or not communications people like it and whether or not it seems desirable to have this type of participation in communications affairs, this is one of the facts of communications satellite life. One consequence of this conclusion, if accurate, is that the traditional attitude of the International Telecommunications Union engineers and other technical communications experts that their decisions are scientific and engineering in character rather than political ones may have to change. More and more of the countries are going to recognize even the frequency allocations decisions made by the International Telecommunications Union are inherently political as well as technical matters.

11. Economically, and even technically and politically, the only communications satellite service which makes sense is one which services all needs through one coordinated system, regardless of what type or combination of types are used. There may be some serious question as to whether or not the Satellite Corp. can persuade the other countries of the world to accept the system developed and now sponsored by the United States as the single operating unit. Certainly the U.S.S.R. is technically capable of creating such a system. Probably the European Community also could soon have such capabilities. Economically, however, surely for a good many years there would be no sense in duplicating such services. If this is the case, as Schwartz and Goldstein argue, the Satellite Corp. must move with all deliberate speed in deciding on the course it will follow in negotiating with foreign partners to put a system into operation. Consequently, realistically the Satellite Corp. must start with a medium altitude system which will require from 12 to 18 and eventually 25 to 50 active repeater satellites in orbit continuously, and the signals transmitted will be very weak. Because the tracking of a medium-altitude, low-signal

strength satellite is a difficult and complicated matter, if the service is to be economically competitive only a minimum number of ground terminal facilities should be established. Technical limitations may also dictate this policy. It follows that hard choices must be made in locating these facilities. For example, in Europe for maximum economy there should be only one or possibly two receiving units, although at the present time there already are such units in existence or nearing completion in the United Kingdom, France, Germany, and Italy.

This does not make the best economic sense, but national pride if nothing else may well dictate that at least each of the major countries have ground terminals. Possibly even some of the developing countries will want the same prestige. If the system is to operate economically, this matter will have to be solved in some realistic way. This problem would be greatly reduced if regional cooperation could be achieved, as hopefully will be the case in Europe. We should encourage such efforts.

12. Some have suggested that the size and character of the problems involved in establishing an economically feasible system necessitates the creation of an international body to operate the satellite service. Certainly no existing international body is in any way equipped or organized to handle this task. Up to the present time the International Telecommunications Union has been largely a technical organ which limited its function to the allocation and coordination of frequencies for various types of services and to formulation of technical design and operating standards. The decision of what companies or organizations are to use the frequencies within a given area has been left to the individual countries to decide as they see fit. Secretary General Gross of the ITU has stated that this body is not equipped at the present time to handle this kind of job, although he now feels they might be. If an international group were to be formed to do this, and it should be decided that the ITU is the one, undoubtedly great changes would have to be made in its organization and establishment of the satellite system would be delayed for many years. There would be no hope of having an operational system by 1967. At the present time, of course, there is much opposition both within and outside the ITU to giving that body such regulatory power.

13. If the Telstar or Relay satellite is used, an area will be needed around each ground terminal in which restrictions will have to be placed on band and range of other radio broadcasts. The area, depending upon the surrounding circumstances and terrain, may have to be as large as 100 square miles or even more in order to make sure that the signals from other sources will not interfere with the very weak signals to be received by the terminal station. Although in the United States either the Satellite Corp. or private communications common carriers will own the ground terminals, surely these U.S. organizations generally will not own them in other countries. The only likely exception is one or more of the areas where the United States might for foreign policy reasons decide to furnish the money for such facilities for developing countries who could not afford to pay for them. The United States also might need to own terminals in some of the developing continents such as Africa, South America, and Asia to serve the rest of the countries by land channels.

In neither of these cases, however, is it likely that there will be U.S. ownership but rather only U.S. financial assistance. The legislative history of the act indicates Members of Congress did not contemplate such ownership of foreign ground facilities. The establishment of such expensive terminal facilities in developing areas where traffic will not really carry the economic burden will create a difficult problem for the Satellite Corp. because of its character as a private profit-making concern. Nevertheless, in the long run it may be essential that these be established to assure a single global system jointly operated by the United States and its foreign partners. As suggested by Schwartz and Goldstein, any such uneconomic terminals should be financed through regular foreign aid channels as a foreign affairs policy matter, rather than expect the Satellite Corp. to make such investments. Undoubtedly, this will disappoint the expectations of some of the Congressmen as expressed in hearings this spring on the desirability of having the Satellite Corp. cover a great deal of the cost of developing the satellite system. In any event, financial assistance would only be needed for these uneconomical ground facilities. None should be required for launching operations. For these the Government should be fully recompensed by the operating company.

14. The very same satellites which will be used to communicate between the major communication centers such as the United States and Europe, can be made available for service between other points when they are over other parts of the world and not in use for the United States-Europe service. For example, the same satellites that will communicate between New York and London, Paris, Rome, or Munich could be used during much of the time of one orbit around the earth to transmit signals from London to Delhi, or Delhi to Tokyo. Use of satellite channels between these non-U.S. terminals might be treated simply as a service which could be rented to these other countries by the Satellite Corp. U.S. terminal facilities would not be used and there would not have to be any connection to existing consumer services in this country or even in Europe. On the other hand, a totally integrated global communication system would be the best for all concerned Therefore, here again the Satellite Corp. might decide to lease the channels to existing carriers who would themselves make arrangements with countries throughout the world for use of the available channel time that is not being used between the major traffic areas.

15. Another technological and economic fact of life must be kept in mind in establishing the communications satellite system. The cooperation of the Government, particularly through NASA and to some extent the Defense Department, is absolutely essential to the success of the operation. A good deal of the work even on the development of the satellites themselves, not to mention all the work on the launching vehicles, was done at Government expense, largely through NASA. Early realization of our goal of establishing a communications satellite system is absolutely dependent upon taking advantage of this great pool of Government knowledge and facilities.

A.T. & T. with respect to Telstar, of course, did develop and build the satellites with its own money and paid for the launching. This was not true of Relay, however, and in any event for both of them Government launching facilities may be used, even though launching expenses would be paid by Comsat. Certainly the number of communications launches that would be needed over a period of years would not justify establishment of a separate launching facility by the Communications Satellite Corp.

Even though the Government has put tremendous amounts of money into research and development of rocketry and some into communications satellite aspects of the program, it is unrealistic and doctrinaire to think of this as a giveaway to private industry. This great public expense should not preclude turning over the use of these facilities or knowledge to private enterprise if private enterprise is the best way to utilize them for the benefit of the most people.

In any event, it is important that there be continued an extensive cooperation from NASA, if for no other reason than to launch the satellites. If only medium-altitude, active repeater satellites are used, anywhere from 25 to 50 would be needed to have a continuously serviceable channel having something in the nature of 99 percent reliability. Just to launch this number within a relatively short period of time will be a formidable task. Even if one could be launched every other day, a very unrealistic expectation at the present time with existing launching facilities, anywhere from 50 to 100 days would be needed. It is one thing to launch an occasional Telstar, Relay, or even a Syncom satellite.

It is quite another to launch a whole series over a short period of time. Actually the very reliable boosters which have been used to launch Relay and Telstar are not powerful enough to do the job for the permanent operational system. Therefore, more powerful boosters now being developed by NASA and the Defense Department will have to be used. With these new rocketry developments it should be possible to have a multiple launching of three or more satellites simultaneously from one rocket vehicle. It would be ridiculous not to use this kind of research and development effort, although financed by the Federal Government. In any event, a very close working relationship must be established between NASA and the Communications Satellite Corp.

When all of these facts and/or assumptions are taken into consideration, it is obvious that there are many conflicting policies and forces at work in the creation of a communications satellite system ready to operate in the international telecommunications service. As others have pointed out, it will not be possible to satisfy all of these requirements; compromises will have to be made. In approaching the problem, however, the paramount concern of all those involved in the operation should be to place a reliable and usable system in orbit at the earliest possible moment. Inevitably there will be great deal of Government control of the whole venture and this would be true regardless of who legally owns the facilities. In spite of all the difficulties, economic, technical, and political, it is essential that the overall goal be kept in mind; i.e., to get the system in operation as soon as feasible.

If these assumptions are correct, there are several major problems having considerable international significance which are raised by the creation and operation of the communications satellite system:

I. RELATIVE ROLES OF THE FEDERAL GOVERNMENT AND THE SATELLITE CORP. IN INTERNATIONAL NEGOTIATIONS

One of the very first nontechnical decisions which the Satellite Corp. officials will have to make is that of the degree to which they want to conduct the necessary negotiations with communications administrations of other countries. Although the officers of the corporation have been picked so recently that they have had no occasion to make any statements about these matters, there is a significant potential conflict that could arise here between the business interests and agencies of the U.S. Government such as the State Department. Certainly Secretary of State Rusk in his colloquy with Senator **Sparkman** during the hearings on the bill last August made it clear that many of the problems of negotiation were to be dealt with by the State Department.

Undoubtedly they were attempting to create legislative history to support this interpretation of the act. On the other hand, representatives of business have made it equally clear in their statements that they consider most of the international negotiations to come within the statutory concept of "business negotiations," and that past operating experience demonstrates the validity of this approach. Section 402 places responsibility for such matters on the corporation itself, although notification must always be given to the State Department.

Government officials, on the other hand, can point to the language of section 201(a) (4) and (5) which states that—

"The President shall * * * exercise such supervision over relationships of the corporation with foreign governments or entities or with international bodies as may be appropriate to assure that such relationship shall be consistent with the national interests and foreign policy of the United States * * * [and shall] insure that timely arrangements are made [for] * * * foreign participation in the establishment and use of a communications satellite system."

They can also point to section 201(c) (3) which states that the Secretary of State may determine that a particular foreign point should be connected with the satellite system and when he does so the FCC is then directed to "* * * institute forthwith the appropriate proceedings * * * to require the establishment of such communication by the corporation and the appropriate common carrier or carriers." Surely this question of which things are within the prerogative of the Secretary of State will prove to be one of the most critical of all those presented by this new system of communications, although many expect or at least hope that this matter will be handled in the same way as previous international telecommunications negotiations.

In this writer's opinion, at least, this problem creates the most nearly unique question raised by the Communications Satellite Act. Personal observations in the atomic energy area have left the very strong impression that European businessmen and government officials work much closer with each other in establishing overall national government and business policies than has been true in this country. At the risk of generalizing too far from experience in this one area and without tracing the history of why this should be so, the picture in this country is a quite different one. In general, there tends to be something of an arms length attitude between Government and business, each being somewhat skeptical of the other. This may be a suspicion of the motives of the other, or a feeling of lack of understanding on the part of the other for one's own problems and needs. In fact, traditionally in this country we have been very suspicious of too close cooperation between Government officials and businessmen for fear that there will be some kind of overreaching, although this is much less true of the communications industry than most others, perhaps partly because of the extremely technical nature of foreign negotiations in this field.

Some of this fear in other areas certainly is justified, but in this case where we have a highly regulated industry anyway, and one which has worked well in close cooperation with the Government, it is crucial that there be none of this reluctance to work out common policies which will serve our foreign relations needs and also make possible such reasonable business decisions as are required to operate a viable Satellite Corp.

Heretofore, negotiations for establishment of land terminals for transocean cables and long-range radio have been almost wholly a matter of business negotiations between U.S. companies and their counterparts in other countries. These arrangements include the questions of responsibility for design and construction of the various parts of the system including the terminal facilities, the division of ownership between the various parties, the responsibilities for maintenance, and circuit assignments including the number of circuits each party may use. Typically the ownership of the equipment is in the form of undivided shares and the capital contributions as well as maintenance and repair costs are split in proportion to the relative use of available channels. Usually separate agreements have covered the questions of services to be rendered jointly and the division of revenues. The arrangements between A.T. & T. and the British and Canadian companies for the first transatlantic cable were of this type. The same pattern was followed in the second transatlantic cable which was a joint project of A.T. & T. and the French and German telecommunications administrations. These arrangements well illustrate the technique of working out basic terms and principles with major partners and then permitting other users to share some of the available facilities on the same basis. The French-German agreement soon became a multilateral one, including many European countries.

Even assuming similar arrangements for communications satellites, the real question is, will Comsat or the State Department do the negotiating. This decision cannot be made intelligently if the skeptical, arms-length attitude which has existed in the past in many other areas of international business is assumed by either party. It must be a joint venture. On the other hand, one is inclined to think that it will be much wiser if the lead in negotiations can be taken by corporate officials. If State Department officials can be convinced that U.S. foreign affairs policies will be given proper attention by the corporate officials this may be possible. On the other hand, it may be necessary to make distinctions between various matters and have the lead taken by Government officials on some and leave others to corporate personnel.

The location of ground terminal facilities in foreign areas is a good example to illustrate the basic problems here suggested. Some have argued that this is a political matter which should be handled by the State Department. On the other hand, officials of existing common carriers at least, undoubtedly will hope that the Satellite Corp. itself will handle these negotiations to determine placement of foreign stations. Location of such facilities is an extremely important operational matter vital to the whole system, as pointed out above in the assumptions.

Certainly the choice of sites for ground terminal facilities in regional areas such as Africa, South America, and Asia, not to mention the much more immediate problem of locations within Europe, will create serious negotiation problems, and may well involve important foreign policy questions. Nevertheless, the primary concern in the first few years should be to get a viable system working. If this is the case, the first terminal facilities will have to be in Europe and, in fact, it probably would be wise to limit the operation to this area initially. Unless operations between the United States and Europe are successful, a self-supporting global system is impossible for a long time to come.

For at least the first 5 years, business expediency should determine whether or not one or another system is used, one or more ground terminals are built in Europe, and what types of service will be offered and what satellite channel rental rates will be charged, although this last item will create troublesome regulatory problems for the FCC. This will not be a disservice to the developing areas in those continents where full-fledged service and terminal facilities will not be established for some time. The system should be proved in the areas where it is most likely to be economically feasible and not until this has been done should these other countries invest the time, money, and trained personnel needed to build and operate such facilities. Nevertheless, the public repercussions and consequent pressures of such a decision may be very great. Therefore, the decisions cannot be made by Comsat without regard to the political position of the United States as a government, but the lead in actual negotiations could be placed in the hands of corporation officials. The political problem will be made somewhat less critical, of course, by the facts that establishment of the main service does not preclude incidental use for less complete services to areas with fewer demands for international telecommunications.

An equally touchy problem having both business and foreign policy overtones is that of dividing the revenues with other countries which help establish and have joint ownership of this system. This will be more of a problem, and expenses as well as revenues will be involved, when other countries join after the system is established. Privately-owned communications common carriers in this country in their international negotiations to date have been able to work out satisfactory arrangements with their counterparts abroad. For the most part a roughly 50–50 basis has been used for sharing ownership, supply of equipment, maintenance costs, and revenues. In connection with the communications satellite system, however, this problem will not be so easy to solve.

One obvious example of this problem is the determination of how much of the development costs already incurred by the U.S. Government should be allocated to each one of the foreign countries which wishes to join the system either initially or later. An argument could be made for charging not only for all of the development costs of Telstar and Relay but also something for the cost of research and development of the launching systems. On the other hand, if a realistic compensatory charge is made for this contribution the figure would be extremely high and the cost of the satellite system would be prohibitive. In addition, for some of the countries, particularly in the developing areas but probably also even in Europe the amount might be so high as to effectively block their participation. In this writer's opinion, expenditures for rocketry development should not be charged to our foreign partners. In addition, such a charge might well cause such countries as the U.S.S.R. or a European group to insist on use of their own vehicles and launching facilities. The rate base question should not be a very large factor in these decisions because surely the rate will have to be reasonably competitive with costs of long-range radio and underseas cables. The chief consequence of a high rate base will be to reduce the possibility of realizing profits for the stockholders within a reasonable number of years, although capital value appreciation probably will be the only real dividend for several years anyway.

Rather than have foreign partners jointly owning the satellite system, one possible solution to this problem would be for the Satellite Corp. to place the satellites in orbit and then turn over to U.S. international carriers the right to use the channels. The overseas carriers could then negotiate in the traditional way on such matters as ownership and division of revenues. If this solution were adopted, however, the foreign companies could not have ownership in the equipment itself other than their own ground terminals because the U.S. common carrier would not have any ownership to sell but only a right to use the channels. It is almost certain, therefore, that foreign countries would not accept this arrangement.

In the alternative, the Satellite Corp. could make arrangements with foreign countries for ownership, and agree on costs to be charged to the other countries who want to later join in the project. Even if this were the case, of course, the State Department would not have to participate if they were satisfied that the arrangements also served U.S. foreign policies. Under either approach it would not be necessary to charge other countries for rocketry development expenses and in fact such charges should not be made. Because these expenses were incurred primarily for our own military purposes foreign countries would be very loath to help pay for them, quite aside from the economics. On the other hand, if a reasonable charge is made for the basic research and development work contributed by the U.S. Government, the developing countries can be practically excluded from participating in the system without the United States appearing to discriminate as to who may join.

To make this decision will not be easy and certainly it cannot be made without proper regard for foreign policy matters. Nevertheless, if a close working relationship could be created between the State Department and the Satellite Corp. officials, as has been true in the past between communications common carriers and the Department, it would be much better if the corporation officials themselves negotiated these arrangements with their counterpart administrations in foreign countries.

Another problem related to this question of the division of negotiating roles between the Satellite Corp. and the State Department arises in connection with the customers that may want to make use of the communications satellite facilities. One example of this problem is the degree to which U.S. Government requirements for international communications services are met by use of satellite channels.

At the present time U.S. communications common carriers do lease channels to the U.S. Government for use in military and diplomatic communications. So far, at least, no serious difficulties have been raised in other countries about carrying such messages over what are clearly international communication lines running through their territory. This service is dependent upon the cooperation of these countries. Whether or not the same kind of willingness to accept these messages will carry over into the communications satellite system is a question that cannot be answered yet, but past experience indicates there will be no problem if the facilities are privately owned and operated.

If the Federal Government should set up its own separate satellite system to carry messages, particularly of a military or secret diplomatic nature, as it fully intends to do, a problem could be created for Comsat. At least at the beginning, it is hard to believe that the satellite system can be economically operated without the message load that is created now by our diplomatic and military agencies' needs for international communications. Actually the reasons for a separate Government satellite system are not to reduce costs but to provide a system cryptographically secure and relatively immune to incapacitating jamming. There is every reason to expect continuance of the present policy of making maximum use of private carrier facilities for most governmental international messages.

Perhaps here again the negotiations problem can be minimized if the Satellite Corp. itself is given the primary negotiating authority, provided that there is a close working relationship with the State Department. In this way it would be possible for the privately owned, U.S. international carrier to agree with its counterparts abroad that this was no more than what all carriers do, i.e., lease channels to any customer, including military and diplomatic agencies of any government.

The question of State Department or corporation primacy in foreign negotiations becomes most sensitive when relationships with the U.S.S.R. are involved. At present the position of the U.S.S.R. with respect to joining a satellite system established primarily with U.S. ideas, materials, and money cannot be known. Some statements made in 1961 and 1962 indicate that the U.S.S.R. might be willing to cooperate. On the other hand, they have not taken any clear-cut line in these matters and undoubtedly here, as in other areas, their position will derive from their overall foreign affairs policy. A realistic U.S. position on this question again might be worked out through the Satellite Corp. itself, although this certainly is much more debatable than in the other cases suggested above.

Some European and even other countries have shown enough interest in joining a communications satellite system so that we ought to go ahead regardless of what position is taken by the U.S.S.R. In general there may be a greater chance for cooperation if the satellite communications channels are simply fitted into existing normal operating procedures of overseas communications, the channels then becoming another and alternate route for sending messages. At the present time, our carriers have been able to work out satisfactory arrangements with the operating personnel in the U.S.S.R., and relations have been maintained with Castro's Cuba. Here again, perhaps we would be wise to treat it as simply another communication channel. If this is not feasible, of course, the question of whether or not to go ahead with the system on our own in spite of the failure of the U.S.S.R. and perhaps many others to join in will be presented. In this writer's opinion we would be well advised to go ahead with establishment of a system with those countries who want to participate. If we move fairly rapidly there is every reason to believe that some European countries will join us.

In the future a very difficult matter involving much greater foreign policy effects will arise when it becomes possible to have general broadcasting direct to home receivers without the intervention of terminal facilities as required for Telstar or Relay. Nevertheless, as stated before, the initial operation, probably for a good 10 years, undoubtedly will be in the form of a message and channel service, much as is now provided by telephone cables and long-range radio. If this is the case, the necessary operating arrangements, including the division of ownership, service revenues, and other aspects of operation, should be worked out as far as possible through normal procedures of international carriers. Thus it will be possible to determine the technical and operational feasibility of the system before worrying about other problems which will involve much greater political policy questions than is the case with the ordinary message service.

Another very important policy question demanding an early decision from the Satellite Corp. is the price to be charged for satellite channels. As stated before, this writer believes the pricing policy will have to be answered primarily in terms of what are the costs of existing cable and radio channels. Communications common carriers cannot charge either a significantly higher price for messages carried over satellite channels or a considerably lower price. Existing facilities as well as the new ones need to be used to something like capacity but a difference in charges would upset the balance. It would be best if all of the various channels, the total nonvoting investment of the carriers, and the many services are considered as a whole in establishing reasonable charges which will assure a fair return. Here again, this can be achieved more easily in the long run if the common carriers themselves are given the primary policymaking role, subject to rate regulations, of course.

At least in the beginning, the Government should not set special rates simply to make the system appear to be an economic success or to make it more attractive to developing countries. If some subsidy is to be granted to certain areas of the world or certain countries this ought to be in the form of direct financial grants to these countries as a part of our foreign assistance program.

One great potential difficulty with the suggestion frequently made here that ComSat carry out most of the negotiations concerning foreign participation is that foreign offices of other countries will take over negotiations from their communications carriers, whether publicly or privately owned. If this should happen, our own State Department would feel under great pressure to assume the lead, rather than leave it to corporate personnel. Perhaps the only feasible solution would be to form an official negotiating team for the United States, made up of both industry and Government personnel. This has been done in the past in an informal way but it may be time to create such a group on a formal and official basis. The question of who takes the lead in negotiations will still be an important and perhaps delicate question and cases might have to be differentiated in deciding who takes leadership in negotiations. If the team could be kept stable, however, this should build mutual confidence and respect and close cooperation could be achieved with a minimum of wasted motion and friction. Certainly as to ITU frequency allocations and perhaps on location of ground terminals it would be necessary to have a Government person speak officially for the United States. On most other matters surely corporate personnel could take the lead and even on the matters named it is essential that an industry-Government official team participate in formulating the policy to be followed by all U.S. groups and be able to speak for the United States in most cases, no matter who heads the team. If the negotiating team is made the official U.S. spokesman then it is no legal concern of other countries that industry people are included any more than it is any of ours that Government personnel run communications in other countries such as the U.S.S.R.

The proper relationship between the State Department and the Satellite Corp. in negotiations with foreign countries also is involved in applying the "most favored nation" provisions found in our commercial treaties with foreign countries. Although this will be discussed later, clearly a good working relationship between the Satellite Corp. and the Federal Government on this matter is necessary because of the possibility of violation of our treaty agreements. This is an area where it is essential that some kind of State Department approval be obtained, although undoubtedly this will cause considerable delays in the establishment of the system if all arrangements must be made on a come one-come all basis even when we know that an economical service at least at the beginning necessarily will be limited to Europe and possibly one or two other places.

II. RELATIONSHIPS WITH THE INTERNATIONAL TELECOMMUNICATIONS UNION

The official agenda of the 1963 Conference does not include consideration of any fundamental reorganization of the International Telecommunications Union. Instead, it will be limited to frequency allocations. In preparation for this fall conference, some of the major countries have reached agreement as to the general character of the frequency allocations that should be made for space communications. If, as is hoped, these allocations, largely suggested by the United States, are adopted it will be possible to use a Telstar or Relay system. This strictly limited agenda for the Geneva conference, however, will not answer some important problems that undoubtedly will arise in the future. Neither will the official agenda preclude informal discussion during the conference of the need for reorganization of international regulations. It is worthwhile, therefore, to point out some questions which will be raised by the establishment of a communications satellite system.

One involves registration of use of frequencies allotted to space communications. The necessity for interference coordination around the very sensitive receiving and sending ground terminals has already been mentioned. In the United States this probably will not create too much difficulty because of the large expanse of land and the possibility of finding a sheltered area close enough to places where the signals can be connected into the regular communications service within the country. The same may not be true in Europe where density of population, scarcity of land, and flat terrain may make location a real problem. In some situations the potential interference zone might cut across national boundaries. Therefore, for the first time it may become necessary for the ITU to regulate and register receiving stations specifically. At present, through the CCIR, suggestions as to power levels and zones are made and users have adhered to them without legal sanctions. This might work for satellite receiving equipment. In general heretofore only sending stations have been required to register to assure noninterference, but it may be necessary to register the sensitive satellite system receiving stations as well. Existing rules might be used because the receiving terminal is also typically the sending station. Nevertheless, the real problem certainly arises in connection with receiving and this may give some difficulty under existing ITU procedures.

Another problem could arise if military systems are established. Although military communications are generally considered exempt from the ITU regulations, a question can occur if the military needs of a country such as the U.S.S.R. or the United States makes it desirable or necessary to create separate military communications satellite systems. Certainly our own Government is interested in this possibility. If one is established the international regulatory problem will be much greater than is the case with existing military communications. Once a satellite is put into orbit and used for communication purposes it will direct its signal to the ground without regard to the fact it is of military origin. Its signal strength and transmitting characteristics must be compatible with existing ground uses because the same frequencies now being used for microwave transmissions from point to point on the ground probably will be used for communications satellite transmissions. This raises the very serious question of whether or not we can continue to exempt military communications from ITU regulation.

Revision of this provision is not an item on the agenda for the 1963 conference, and in fact it could not be, but it is one calling for relatively immediate attention when countries such as the United States do create a separate military communications satellite network. Perhaps inauguration of such systems will be the opening wedge permitting a reevaluation of this exemption of military communications from ITU regulations. This potential interference probably makes necessary registration and regulation of military communications satellite systems, at least in peacetime. Otherwise the limited bands which will be made available for nonmilitary communications satellite services might be made useless for reliable transmission. If a hot war should occur, of course, the ITU regulations will go by the board but during peacetime there is much to be said for bringing military communications, at least through satellites, within the regulatory power of the ITU. One of the matters badly in need of clarification through ITU procedures is the definition of military installations, particularly as it applies to space. Under existing provisions it will be almost impossible to determine the military character of observation as against spy satellites, to mention only one problem.

Another crucial matter is that of providing for the case where interference does occur. The important deficiencies that now exist in the enforcement powers of the ITU have already been discussed elsewhere. The creation of a commercial communications satellite system is a perfect opportunity for attempting to find some method for strengthening the enforcement provisions of the ITU convention and regulations. Probably some type of compulsory arbitration or adjudication should be adopted. Because the use of the frequencies now proposed will overlap with existing microwave uses, disputes inevitably will arise. Possibly a specialized court could be created to handle these disputes, such as now handles disputes within the common market countries. Such a court might be acceptable for this specialized purpose and it could demonstrate the feasibility of greater use of international judicial tribunals to solve international disputes generally.

The problem of international regulations in this area will become much more acute when a general broadcasting system is put into use, as surely it inevitably will be at some time in the future. When direct broadcasts are made from the satellite to home receivers the question of allocation of frequencies then becomes an extremely crucial one with serious political ramifications. Such a system would be open for use as a propaganda media. Although one can always hope such channels would be used solely for educational and news purposes, this would be unrealistic in the light of past experiences. If they were used for propaganda purposes the likelihood of jamming, with all the consequences it would have for rendering the whole system inoperable, would become particularly relevant. On the other hand, if some attempt is made to control the content of such broadcasts, very serious censorship problems will arise. Our theories of noninterference by government with normal channels of communication to the general public are not accepted by many other countries.

One fact should be emphasized in considering this problem, however. General broadcasting should be clearly distinguished from the message and channel services which would be available under the presently proposed satellite system. This is true not only as to regulatory policy criteria but also technically because different frequencies and even separate satellites would be used.

It is not too early to consider what kind of international control of such general broadcasts should be adopted. If this is to be done, obviously the general character of the ITU will have to be changed significantly and perhaps some use might be made of a specialized tribunal to license such broadcasts. In making these decisions, however, it would be important to draw clear lines, to the extent this is possible, between such general broadcasts and normal message services such as are now provided by long-range radio and undersea cables. Basically, general broadcasts very likely would be a continuation of the services now performed by Mr. Morrow's information agency and it would be unwise to mix this with the message services, at least if propaganda broadcasts were involved. On the other hand, one cannot really divorce news and general education programs from propaganda broadcasts. In any event, even though not of a military character, such broadcasts might be considered aggressive acts and dangerous to the security of some country. Under present ITU regulations jamming in such cases would not be precluded. Jamming an active repeater satellite at the present time would not be difficult if the satellites are constructed to make maximum use of the transmission capabilities of Telstar or Relay.

If one had to build a system to preclude jamming, utilization of the available power and channels would be cut so drastically that the system would not be economically feasible. Jamming has not been a problem in the past, however, even in wartime when radio transmissions were used for the normal message service.

Another problem on which the services of ITU might be very helpful is that of equipment compatibility. If the Satellite Corporation, with the advice of our Government agencies, should unilaterally decide what equipment to use at least for the initial system this would have tremendous long-range repercussions for other countries who might later want to participate. Therefore some voice will have to be given to these other countries in the initial decision on equipment to be used. Otherwise equipment incompatibility would be a serious matter.

The FCC will have to take this matter into account in its regulation concerning equipment and this problem must not be ignored in informal negotiations at the Geneva Conference when frequency allocations are made. Without doubt the best weapon other countries have in this bargaining process is that of allocation of frequencies for space communications. The very narrow research and band limitations now imposed under the 1959 allocation make an operational commercial system impractical. Therefore, it is essential that the proposals put forth by the United States and others for broader allocations of frequencies for space communications be accepted.

It is important then to reach agreement, and probably through the ITU, on standards which will assure equipment compatibility and which will provide other nations who are not yet ready to participate a reasonable opportunity to become a part of the global system sometime in the future. The problem has been solved successfully as to cables and radio transmissions in the past and this experience should be followed as to satellite equipment.

In any event, even within 1 year, thinking has changed somewhat on the role to be played by ITU. Speeches made by Secretary General Gross of ITU in October 1961 and October 1962 indicate a significant shift in the direction of giving some real regulatory responsibilities to the Union, although his stand seems to have been modified again in a speech given in February 1963. This would significantly change the role of the ITU but very likely some such regulatory role will have to be played by that body. The Communications Satellite Corp. and the State Department must take cognizance of this fact; they must take into account the desires and rights of other countries. Ultimately some type of international regulation will be imposed. If the type of organization and the regulatory pattern can be developed in the early stages before there are too many vested interests in the area, the problem will be easier to solve. This is a vital policy question needing immediate attention.

III. WITH WHAT AREAS OR COUNTRIES WILL WE FIRST ESTABLISH A COMMUNICATIONS SATELLITE SYSTEM?

The economic and technical matters which give rise to this problem have already been set out. If, as the 1962 act contemplates, the corporation is to make profits, agreements must be made first with England and Europe where even one or two ground terminals would make it possible to connect into terrestrial facilities throughout the continent. The European connection could be with major countries such as France, Germany, and Italy, or hopefully with a multilateral European operating group. If the fastest possible establishment of an operational and economical system is our goal there is no alternative. Such a decision, however, would raise a very interesting legal problem under existing commercial treaties which the United States has executed with many other countries.

Germany and Denmark can be used as examples to illustrate this problem. One is a potential terminal country, the other is not. Both of these treaties contain the typical most favored nation and national treatment clauses. The peculiar bifurcated nature of the Satellite Corp. raises some rather interesting possibilities under these provisions. Even though a later act of Congress will supercede an earlier treaty and, therefore, the provisions of the Communications Satellite Act of 1962 supersede any inconsistent treaty clauses, it would be unwise to violate our international agreements, no matter what domestic law may be on this matter. If the corporation should decide, for economic reasons, to make connections only with Germany, would this be considered a violation of our governmental obligations to Denmark under these two treaty clauses, if Denmark asked for the same privilege?

Article XVII 2(c) of the treaty with Denmark provides that each party must give the other's nationals, companies and commerce fair and equitable treatment as compared with any third country "with respect to * * * the sale of any service sold by the Government or by any monopoly or agency granted exclusive or special privileges." If the Satellite Corp. were considered the U.S. Government Denmark could argue that it had a right to full terminal facilities on the same sharing basis as that granted to Germany, even though ComSat would not want to contribute its share because the amount of traffic would not justify this expenditure. Denmark might be willing to do so for reasons of national prestige and could claim that it had a right to the same U.S. contribution made to establish a connection with Germany.

If the Satellite Corp. were truly a privately owned company, even though regulated as our common carriers are, no difficulty would arise under existing treaty obligations surely. It has never been suggested that A.T. & T.'s decision to lay a cable first to Great Britain, then one to France and Germany, and eventually to a few other places in the world, in any way violates the most favored nation clause. On the other hand, if the satellite system were owned by the Government itself, there would be a serious problem of whether or not we could offer to share expenses with four countries and refuse such rights to others who might wish to participate on the usual joint ownership determined by use basis possibly to be applied in agreements with those groups having large concentrations on communication customers. The answer to this question may depend upon whether or not the Satellite Corp. is a private or a Government operation, at least for purposes of application of these treaty provisions.

As pointed out before, the corporation is sui generis so there are no clear authorities or precedents which give a good answer to this question. In many respects, as indicated in the initial statement of facts and assumptions, the Satellite Corp. nominally is a private company. Nevertheless, as pointed out by Secretary of State Rusk and other Federal officials, many provisions in the act attempt to insure that the policies of the corporation will be consistent with those of the U.S. Government.

In at least one case, corporate policy can be dictated by the Government. The Government apparently can insist that ComSat take whatever steps are necessary to permit connections with countries which construct the necessary ground terminals, even if for economic reasons the Satellite Corp. would not desire connections with such places. From this it might be argued that the making of these important decisions, particularly those dealing with establishment of ground terminals, constitutes U.S. Government action. On the other hand, in recent hearings before the Senate Commerce Committee concerning approval of the initial incorporators appointed by President Kennedy, the Attorney General took the position that the Satellite Corp. is not a Government agency for purposes, inter alia, of the Federal employee conflict-of-interests statute. Employees, including subsequent officers as well as the original incorporators, are not Government employees because the corporation itself is not a Government agency, according to the Attorney General. This opinion, of course, does not settle the basic question of whether or not for purposes of these treaty provisions the actions of the Satellite Corp. are those of the U.S. Government.

Perhaps this is another reason why the negotiations leading to these international agreements should be carried on by the Satellite Corporation staff rather than by Government representatives. Success in this undertaking, however, will call for an extremely close degree of cooperation between the State Department and other Federal agencies on the one hand and the Satellite Corp. on the other. It is arguable that in effect the corporation is just another arm of the government, only nominally private in character.

Even if it should be decided that for purposes of these most-favored-nation clauses that the Satellite Corporation is not just an agency of the U.S. Government, it may be considered a "monopoly or agency granted exclusive or special privileges" and as such be required to give the same rights to Denmark as are given to Germany. Certainly Congress gave ComSat a very privileged monopoly position.

One other problem should at least be mentioned at this point. Under the national treatment clauses consideration should be given to the provision of the Communications Satellite Act of 1962 which limits stock participation by non-U.S. citizens to 20 percent. Does this deny to foreigners national treatment?

Article VII-1 of the treaty with Denmark provides that the nationals of either party must be given national treatment by the other "with respect to engaging in commercial * * * activities." U.S. nationals can buy stock without the 20-percent limitation imposed by the Satellite Act upon foreign nationals. Clearly these other nationals are not given the same treatment as our own, and arguably the national treatment clauses have been violated.

Similar limitations on foreign ownership or control of activities in the United States are found in other statutes, e.g., the Atomic Energy Act, but at least as to atomic energy our commercial treaties specifically except it from the "national treatment" clause. It may be more difficult to justify the difference in treatment in the case of the communications satellite. An expressio unius argument could be made. In addition, as now set up, clearly this is a peacetime activity having no very direct connection with our national security, as is the case with the atomic energy limitation and some of the others. One possible answer to this problem is that no other country will raise this objection, but it is possible we are in violation of our treaty obligations.

Caution

An attempt has been made to set out some of the "facts of life" which we will face in making policy decisions concerning establishment of the communications satellite system. In addition, several of the problems having some legal significance and which will arise out of the international negotiations necessary to establishment of this service have been suggested. The caution given at the beginning, however, bears repeating. Although assumptions have been stated confidently and specific solutions or at least policy lines to follow for some of the problems have been argued for, no person can feel he has the answers, particularly when he cannot possess knowledge which both carrier operators and Government administrators have as a consequence of their official positions.

Therefore, the assumptions, suggestions, and conclusions here stated should be considered as an attempt to stimulate thoughtful consideration of these questions which must be faced and in some way answered before a successful international communications satellite system can be established. If the critical thought of those in government, business, and the academic community can be focused on these problems, we should be better prepared to make maximum use of our opportunity at the upcoming conference in Geneva and in later negotiations to assure successful creation of a global system of communications by means of space satellites. If critical evaluation of these problems is stimulated, a large part of the purpose of this paper has been realized.

BIOGRAPHICAL SKETCH OF AUTHOR

Samuel D. Estep, professor of law at the University of Michigan Law School, was born in 1919. He received his bachelor of arts degree in 1940 from Kansas State Teachers College; doctor of jurisprudence, 1946, University of Michigan Law School. In 1946 he was admitted to the Michigan bar and for the next 2 years practiced law in Detroit. At the University of Michigan Law School he was assistant professor of law from 1948 to 1951; associate professor of law, 1951 to 1954; and full professor of law, 1954 to the present.

Professor Estep is the project director of the atomic energy research project of the University of Michigan Law School.

A NEW FARM POLICY?

Mr. HART. Mr. President, the Detroit News, in its editorial of June 22, has initiated a discussion of where our present agriculture policies are leading and has taken a thoughtful look at alternative policies which might be considered.

For far too long we have had automatic opposition whenever the idea of some type of direct payment program has been suggested as the basis for reorienting our farm policies. Here is an appeal for a new look at this concept, an appeal for a thoughtful study free of emotionally charged labels.

I, for one, am pleased to see Secretary Roosevelt bringing the problems of maintaining minimum farm income, trade expansion of agricultural products, and consumer prices into the discussion of basic farm income support policy.

Hopefully, the support evidenced in the Detroit News editorial reflects basic rethinking aimed at identification, based on years of unsatisfactory experience with our farm programs, of elements which should produce sound farm policies.

I ask unanimous consent that the editorial from the Detroit News may be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A NEW FARM POLICY?

We have not regularly cheered Franklin D. Roosevelt, Jr., now Under Secretary of

Commerce, but we think he has something with his proposal for a new Federal farm policy.

Roosevelt obviously is no farmer, but he gets into the picture because of his new Federal job. The Commerce Department has been assigned an important role in expanding exports of farm products as well as other commodities in order to cure the unfavorable balance of payments.

Roosevelt proposes that farmers be permitted to plant as much cotton, wheat, and other basic crops as they wish—but then be forced to sell at whatever prices they can get in the free market. They also would be eligible for benefit payments if their incomes suffered. Such payments might relate future production to each farmer's current output or be based on his federally authorized plantings in previous years.

Such a plan would be roughly comparable to the Brannan plan. It also resembles the program now in effect for the support of the woolgrowers. While many people fear that direct payments to farmers would be another step toward socialism, farmers already are getting direct payments for adherence to soil building practices as well as subsidies from crop loans which keep a floor under prices of farm products.

What appeals to us in Roosevelt's approach is that it would be free farmers from the kind of controls that wheat farmers voted against in the recent wheat referendum. At the same time it would permit farm prices to move down to the level created by demand. Consumers still might have to help subsidize the farmer but at least they would not also have to pay higher prices for their food. Roosevelt's plan also might serve to increase exports of U.S. surpluses by making U.S. prices more competitive with world prices of farm products.

THIS BLOOD IS THICKER THAN POLITICS

Mr. SCOTT. Mr. President, I call attention to an editorial advertisement that appeared in the New York Times of June 10, 1963, captioned "This Blood Is Thicker Than Politics" by Mr. A. N. Spanel, founder and chairman of International Latex Corp.

It summarizes the major errors of both France and the United States, errors that have culminated in the present strained relations between these two keystones in the arch of our free world.

Most importantly, Mr. Spanel outlines a constructive series of steps to be taken by both Nations designed to heal the existing, dangerous rift.

Commenting in the Record dated June 12, 1961, in connection with another editorial by Mr. Spanel, I stated as follows:

> It is a certainty that no private citizen in American history has given so much of himself and of his company in thought, effort, and treasure, in order to establish stronger bonds between the people of the United States and France, as has Mr. Spanel since 1939. This is the more remarkable when one considers the fact that neither Mr. Spanel nor his company have any business interests in France.

It is clear that these patriotic efforts are continuing and certainly merit the attention of thinking people throughout the free world.

I therefore ask unanimous consent that the editorial by Mr. A. N. Spanel which appeared in the New York Times on June 10, 1963, be printed in the body of the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

This Blood Is Thicker Than Politics

(By A. N. Spanel, chairman, International Latex Corp.)

These columns have long pleaded for free world unity. They have been outspoken in expressing admiration for France and the French people. As a result, a great many readers on both sides of the Atlantic have written us asking how we feel now about French positions on Europe and Franco-American relations. Because there are too many such inquiries to answer individually, we want to do so in this space.

The truth is that we have given our answer long ago, in continuing comments on past conditions and events which help explain the present tensions between France and its Allies. Through the years we have sought to encourage sympathetic understanding of French power and problems which enter into the equation of the current crisis. To refresh the memories of those who have questioned us, let's sum up some of the viewpoints and warnings we have reiterated in these columns with almost nagging persistence.

In the years when France was playing its distressing game of musical chairs, with a new government every few months, we repeatedly emphasized that this was a symptom of the weakness engendered by the ordeal of war and foreign occupation. The country had been bled white, and subjected to the debilitating and humiliating experience of finding itself, in effect, one huge German concentration camp.

THE SOLID CORE

Its troubled postwar political condition, we contended, called for understanding by more fortunate Allies, rather than the self-righteous contempt that was too often its portion. Even while there was woeful disorder in the national elective government, a sound and solid inner structure—what the French call their "internal" government—was provided by the civil-servant apparatus of permanent officials and local authorities. Again and again we showed that despite the political tragicomedies, the nation was rebuilding its economic vitality with remarkable speed, thanks to the Marshall Plan and billions of dollars in other American aid and loans.

The world witnessed an unflagging national effort in France, the mingled sweat and toil of workers, farmers, intellectuals, educators, civil-servants, scientists, industrialists, and bankers.

Consistently, therefore, these columns expressed full confidence that France would in time attain genuine national stability. We had faith in the Nation's genius for recovery, so often demonstrated. Today France has a stronger "internal" government than ever before, along with continued national stability. Its people, having been given many opportunities for choice, have continued to give their mandates in overwhelming measure to their national government.

However, long before the wounds of war had fully healed, France faced its deadly challenge in Indochina. The American press and opinion makers for the most part were content to label it a manifestation of colonialism and let it go at that. They failed utterly to grasp the larger implications for the whole free world.

NOW AMERICANS ARE DYING

Actually, as has become abundantly clear in the tragic aftermath of defeat, it was a crucial struggle against Asian communism. Because it failed, Americans are today fighting and dying in southeast Asia, even as Frenchmen fought and died—and South Vietnam is only the beginning, not the end of that blood-letting story.

By this time we acknowledge that "colonialism" is the pretense, and that the Communist masterplan for Asia is the reality. In column after column, we tried to hammer this truth home, but the naked word "colonialism" was a stumbling block to acceptance. The French people, however, knew this truth from the start and paid a staggering price in blood and substance for their knowledge.

None of this dismal history has been lost on the French people.

As the Algerian horror ran its bloody course, we warned again and again that the stakes of the rest of the free world were as large as those of France itself. North Africa had become the operational base of Nasserism backed by Soviet power.

We pleaded repeatedly, for instance, that American loans should not be given to Tunisia and Morocco directly, since these countries were openly arming the Algerian rebels. Instead, we urged, the loans should be channeled through France, earmarked for Tunisia and Morocco, to guarantee that nothing would be diverted to the slaughter of Frenchmen. Mothers and fathers whose boys were dying in Algeria were convinced that some of the murder weapons were being paid for indirectly by the U.S. Government, swelling the arms given by the Soviets and Red China.

None of this was lost on the French people.

In the Suez crisis, our two principal Allies, the French and the British, found themselves dictated to by both the strongest free world power and the strongest Communist power. Washington and Moscow collaborated successfully to turn the defeat of the little Hitler on the Nile into a victory.

The folly of American policy in this crisis, and our weakness thereafter in permitting Nasser to flout his own commitments to the United Nations, were so often aired in these columns that readers, we are confident, recall the pleas. In Egypt, both the British and the French have seen their properties brazenly pilfered, their legal rights violated, their flags defiled—this without so much as a meaningful protest from our side of the Atlantic. What rare encouragement for Sukarno today.

None of this has been lost on the people of France, and it still rankles; nor were the British blind.

POLITICAL NUCLEAR FISSION

Finally, there is the continuing problem of nuclear vitality, which in today's world is both symbol and substance of a great nation's standing. We have pleaded for many years that France be admitted to the so-called nuclear club on the same terms as Great Britain. To do less, we insisted, was to downgrade a principal ally on the European Continent—consigning it to the status of a second-grade member of the coalition, something that France would never countenance.

Stubborn American refusal to give France, too, access to our nuclear technology amounted to denying that nation its birthright, in view of the pioneer radiation and fission work done by the Curies and Mr. Joliot-Curie and other great French physicists. Insistently we voiced the fear that, in forcing the French people to develop their own nuclear industry from scratch, we were imposing upon them a terrific economic drain which would make of their country a limping, weakened partner in NATO, a role that France could never accept.

Is it realistic in this perilous age for a major power like France to be without nuclear weapons? What would be the fate of France if a Nasser were to blackmail her with threats of a rain of missiles on Paris if France refused to give in on some controversial issue? Beg the United States or England for help? Accept Russia's "good offices"? How unrealistic can we be in a trigger-threatened world, and how much longer can we afford the folly of our unwillingness to appraise modern France realistically? Even now, we are persuaded, if we provide full nuclear cooperation, France would once more be a stanch member of the free world alliance, a leading active partner among leading active partners.

This does not exhaust the inventory. In virtually every article through the years we have warned that unilateral American action in critical diplomatic situations, without prior consultation with our main Allies, was highly dangerous. The Nassau meeting of President Kennedy and Prime Minister Macmillan, without the presence of President de Gaulle, illustrates the folly we refer to. Time after time we appealed for unity in depth and in breadth—not only on the military but on the diplomatic, political, economic and monetary levels. Only thus, we believed, could we generate true solidarity, backed by aggregate power so formidable that it would serve as an effective deterrent on Red ambitions.

WHAT REAL UNITY COULD MEAN

We tried to project a vision of a revised NATO transcending the Atlantic community and not limited to military cooperation: a NATO embracing the whole free world which could then evolve, in essence, into the equivalent of a free world common market supported by power that the common enemy would not dare to provoke.

In the current sad recriminations between France and the United States, let us not forget or discount the strong chains that bind America and France. French blood and valor helped in the establishment of our Republic. In two world wars which were not of our making and in the launching of which we had no say, the flower of American youth was sacrificed. Rivers of American blood were spilled in Europe and billions in treasure were spent to save the French people from devastation and servitude.

We continue to believe that this blood is thicker than politics. We continue to believe, therefore, that when there is a proper reevaluation in the United States of the maturity attained since the end of the war by France—and when France accepts the fact that Europe must include an emerging European Britain—a new and fruitful accommodation can be achieved. It could well be started with nuclear cooperation as the strongest portent of a new era.

On the other hand, the attempt of any free world nation to go it alone, to act divisively, can be made only at the peril of freedom for all of them; exclusivity, isolationism and rigid nationalism are divisive and self-destructive. Neither France nor the United States can long survive this folly.

Just as surely as Hitler's "Mein Kampf" spelled out catastrophe for mankind—a catastrophe that cost more than 30 million lives—it has been spelled out by Lenin, Stalin, and Khrushchev. The inflexible Communist commitment to world domination was confirmed again in action only yesterday, in Cuba. To deceive ourselves on this score and remain divided would be mass suicidal.

In this context we quote Mr. Khrushchev's statement to the Chinese Ambassador in Moscow last February: "When the last spadeful of earth is thrown on the grave of capitalism, we will do it together with China."

Let's be clear on fundamentals. The fantasy that world communism's basic aims can be mollified, tamed or bought off with "reasonable" concessions, can be fatal to our world and all that it cherishes. This is equally true whether the nation which indulges in these dreams be the United States, or France. Our freedom is indivisible; and history will not forget nor forgive those who are acting divisively today.

DR. ANNIS OF THE AMA ATTACKS THE CATHOLIC PRESS

Mr. WILLIAMS of New Jersey. Mr. President, a few weeks ago, Dr. Edward P. Annis, president of the American Medical Association, characterized proponents of the King-Anderson approach to health care through social security as "political quacks and charlatans." For that irresponsible statement he was properly criticized by several Nobel prize winners who supported that legislation.

Recently Dr. Annis attended the AMA's convention in Atlantic City, N.J., and left behind some extraordinary words concerning the Catholic press in this country.

Referring to an editorial in the Catholic Star Herald titled the "Empty House of the AMA," Dr. Annis stated:

> This is typical of the distortion of the Catholic press. They are ignorant of the position of American medicine and firmly fixed in their socialist philosophies. These people are so firmly fixed in their view that they won't even listen to our point of view.

The president of the AMA then extended his attack to include a most distinguished churchman, Msgr. George Higgins, director of the Social Action Department of the National Catholic Welfare Conference. Monsignor Higgins' endorsement of the King-Anderson approach must, if we believe Dr. Annis, make this Catholic prelate nothing but a "political quack and a charlatan," for this is what Dr. Annis has called those who favor health care through social security. But Dr. Annis had an explanation for Monsignor Higgins' position; he said he must be under the influence of labor leaders—fiery demons whom Dr. Annis must believe are descendants of Satan himself.

Mr. President, I believe the views of the Catholic Star Herald and Monsignor Higgins reflect one of the greatest virtues of the church—a well developed sense of social responsibility. The perspectives of the press and of Monsignor Higgins are as deep as those of Dr. Annis are shallow.

I believe the Nation is getting tired and bored with organized medicine's prophet of gloom and doom. And I believe they would prefer to have him speak with the sort of responsibility they expect from a practicing physician.

When asked about Dr. Annis' attack on him, Monsignor Higgins evidenced some of this boredom, as well as a good deal of charity, with this comment:

> Some statements you just smile at.

Mr. President, I ask unanimous consent that the interview with Dr. Annis which appeared in the Catholic Star Herald of June 28, 1963, the report of Monsignor Higgins' response, and an editorial from the Star Herald commenting on the situation, be printed at this point in my remarks.

There being no objection, the interview, report, and editorial were ordered to be printed in the RECORD, as follows:

[From the Catholic Star Herald, June 28, 1963]

INTERVIEW WITH AMA'S DR. ANNIS—ACCUSES CATHOLIC PRESS OF DISTORTING MEDICARE

(By Joseph F. Nolan)

ATLANTIC CITY.—The president of the American Medical Association last week accused the Catholic press—"the only ones taking me to task"—of distortion and partiality, and gave his own interpretation of the encyclical "Mater et Magistra's" bearing on the proposed medicare program.

In a Star Herald interview Dr. Edward R. Annis of Miami charged some Catholic editors with being so "firmly fixed in their new socialist philosophies" that they "will not listen to our point of view," and attacked particularly the writing of Msgr. George Higgins, director of the social action department of the National Catholic Welfare Conference.

Medicare, according to Dr. Annis, is a "swindle," a "fraud," and a "political product which does not provide true medical care."

The interview started with Dr. Annis reviewing, at his request, the May 25, 1962, Star Herald editorial, "The Empty House of AMA."

Indicating the editorial Dr. Annis said, "This is typical of the distortion in the Catholic press. They are ignorant of the position of American medicine and firmly fixed in their socialist philosophies. These people are so firmly fixed in their view they won't even listen to our point of view."

The doctor said that whoever wrote the article did not have any knowledge of medicare. He recommended that the "so-called liberal-minded editor also re-read "Mater et Magistra."

The editorial carried the following quote from "Mater et Magistra": "Socialization is an effect and a cause of the growing intervention of the public authorities in even the most crucial matters, such as those concerning the care of health."

Dr. Annis said the "socialization" referred to by Pope John XXIII "means the socialization of people like the meeting the AMA is holding here, but the program of medicare and the efforts of people like Monsignor Higgins is socialism, not socialization."

The doctor described Monsignor Higgins' writing as reflecting the thinking of labor leaders and their efforts to dominate American medicine. "I have personally written to Monsignor Higgins," said Dr. Annis, "concerning distortions in his writings and I have offered to meet with him and his representatives and give our point of view."

There had been no reply to his letter, the doctor stated, and he added that a "prominent Catholic editor had discounted such articles as emanating from quotes of the Washington local of the AFL–CIO."

Twenty years of Catholic schooling had taught him that "authority is the weakest of all arguments," said Dr. Annis, "and that those in authority must be certain of all the facts before they speak or write dogmatically to the laity."

He maintained that medicine has nothing to hide and is not trying to put anything over on anyone. "But we want to bring out our facts and see that someone else will not perpetrate fraud on our patients, the American public, by putting over medicare, by politically trying to get votes, and by not taking care of the people."

Referring to the writings of some Catholic writers who are "totally ignorant of American medicine, or are deliberately ignoring it," Dr. Annis said they were trying to force their own personal philosophy and ideology on Catholic men and women "who have been led to believe that the truth is to be found in the Catholic press."

Asked about the faults of medicare, Dr. Annis said he did not have time to go "into that very lengthy matter" but he did later airmail copies of his Chicago and Washington speeches to the Star Herald detailing his stand against "socialism" and for "medicine" which "must continue to operate under this free enterprise system." Earlier this year he had entitled a talk "Medicare—Bad Medicine for Everyone."

In Atlantic City he told the Star Herald that "Medicare is false labeling, the branding of a political product which does not provide true medical care but which would tax the working man's wages to pay bills of many people who are well able to provide for themselves.

"Repeatedly in some of the Catholic press—the only ones taking me to task—ignorance makes them say we are totally wrong. We don't object to controversy, to those who disagree with us, but we object to the editoral writer who pontificates against a point of view which they don't even bother to check from authoritative sources."

The doctor said that he and Dr. Norman Welch, president-elect of the AMA, had both been reared in Catholic schools and had been taught fair play. He said that they had been taught logic and philosophy by Catholic educators and they both reflect the thinking of the American physician when desiring the best medical care for all citizens whether or not they have the ability to pay for it.

He maintained that under the Kerr-Mills law persons over 65 would be taken care of. Medicare, he said, "so-called is a swindle against the public. It is not prepayment, not insurance, and it is socialized medicine for senior citizens, for our population. It is a new walfare program providing for rich and poor alike at the expense of those who work. Seventy-five percent of health needs would not be covered. Kerr-Mills would do it."

COMMENT GIVEN BY MONSIGNOR HIGGINS

WASHINGTON.—Msgr. George Higgins of the National Catholic Welfare Conference told the Star Herald that he thought Dr. Edward R. Annis was referring, in his Atlantic City interview, to an article Monsignor Higgins wrote in Extension magazine last year.

The article said that while people could disagree with medicare they could not label it socialism.

Asked about Dr. Annis' reference to his connection with labor, Monsignor Higgins said that if Dr. Annis had made up his mind "that I am a spokesman for labor" nothing would change it.

"There is no point in getting into an argument with Dr. Annis on something which has nothing to do with the argument over medicare. What he has to do is face up to the issue itself," the monsignor said.

"Some statements you just smile at when people have made up their minds."

MEDICARE IS NOT SOCIALISM

We were amused by Dr. Edward R. Annis' fulminations against the Catholic press and the Star Herald specifically. The good surgeon is presently the president of the American Medical Association. It would seem that a scalpel is not the only sharp instrument he knows how to wield. He described medicare as a swindle and a fraud in our Atlantic City correspondent's report on page 3 of this issue. Furthermore, he stigmatized this paper's editorial views on medicare as distorted and ignorant. Finally, he anethematized medicare itself as socialism not socialization.

Perhaps the best rebuttal was summed up by Msgr. George Higgins, head of the social action department of the National Catholic Welfare Conference, who told the Star Herald when informed that Dr. Annis singled him out as a a sort of bete noir on this issue: "Some statements you just smile at when people have made up their minds."

We are of a different breed. We would like to smile at Dr. Annis, but we can't. The organization he heads is too powerful, and he himself too persuasive not to engage in debate over medicare. We will gladly open up our pages to his views as often as he cares to express them and promise him equal space with any of our contrary views on medicare. We regret the need to oppose him, because he is a good man, a fine Catholic, and an excellent surgeon.

Dr. Annis professes, however, to have been taught logic in Catholic schools he attended. Yet we must ask how logical it is to decry medicare as socialism while applauding Federal aid through Kerr-Mills. This latter program, now adopted in New Jersey, will derive 50 percent of its costs from Washington. Under medicare, 100 percent would have been given by the Federal Government from social security funds as sick benefits for all senior citizens. Does a certain numerical amount of Federal aid in a particular case mean socialism while anything less than it does not? Is social security also socialism? Just what is socialism?

The term unfortunately is bandied about without ever being pinned down to a clear definition. On our part, we had always understood that socialism meant governmental ownership of the means of production, not Government help for the needy, which is social charity. The only socialized enterprises in America today are the post office and projects similar to TVA. No rugged individualists are eager to take the post office over or complain about the Government's ownership of it, although many would love to get their hands on TVA.

So tell us, Dr. Annis, what does socialism mean to you? Is it socialism when the Government helps educate doctors, launch medical research programs, build bigger and better hospitals? Or is it only socialism when the Government undertakes to help the poor, to protect our senior citizens from impoverishing illnesses? Already, persons over 65 have average incomes that put them in the category of poverty. In spite of that, Kerr-Mills will help only those who are practically destitute, those whose resources are almost gone. Is that the price of your kind of freedom for our senior citizens? In our opinion, Kerr-Mills is too little for too few.

Come, Dr. Annis, open your heart to the aged poor. Think of them in your Christian charity. For you, more than any other individual in America, are blocking the honorable medical care that could be theirs if medicare becomes law.

INCREASED WHEAT ACREAGE ALLOTMENTS IN TULELAKE AREA OF CALIFORNIA

Mr. KUCHEL. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on S. 762.

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill S. 762 to provide for increased wheat acreage allotments in the Tulelake area of California, which was, to strike out all after the enacting clause and insert:

That subsection (i) of section 334 of the Agricultural Adjustment Act of 1938, as amended, is amended as follows:

(a) Redesignate the subsection as subsection "(j)";

(b) Insert in the first and second sentences immediately preceding the word "farms" the words "privately owned";

(c) Strike out in the second sentence the word "eight" and insert in lieu thereof the word "twelve".

Mr. KUCHEL. Mr. President, the Department of Agriculture recommended, and the Senate concurred, that the program should be permanent in nature. However, the House of Representatives saw fit to provide for a 1-year extension only. Under these circumstances, I ask concurrence by the Senate in the amendment of the House.

The amendment was agreed to.

Mr. ALLOTT obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from Colorado yield?

Mr. ALLOTT. I yield to the majority leader.

Mr. MANSFIELD. Mr. President, is there further morning business?

The VICE PRESIDENT. Is there further morning business? If not, morning business is concluded.

AMENDMENT OF DISTRICT OF COLUMBIA REDEVELOPMENT ACT OF 1945

Mr. MANSFIELD. Mr. President, I ask that the Chair lay before the Senate the unfinished business.

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 628) to amend the District of Columbia Redevelopment Act of 1945.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, in accordance with an agreement with the distinguished minority leader [Mr. DIRKSEN], I ask unanimous consent to call up a number of bills on the calendar to which there is no objection and ask for their consideration. I also ask unanimous consent that at the appropriate places in the RECORD excerpts from the reports may be printed.

The VICE PRESIDENT. Without objection, it is so ordered.

WILLIAM HERBERT VOM RATH

The bill (S. 901) for the relief of William Herbert vom Rath was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of title III of the Immigration and Nationality Act, section 352(a)(1) of the said act shall be deemed to have been and to be inapplicable in the case of William Herbert vom Rath, a naturalized citizen of the United States: *Provided*, That the said William Herbert vom Rath establishes residence in the United States prior to the expiration of thirty-six months following the date of the enactment of this Act.

ENRICO AGOSTINI AND CELESTINO AGOSTINI

The Senate proceeded to consider the bill (S. 496) for the relief of Enrico Agostini and Celestino Agostini which had been reported from the Committee on the Judiciary, with amendments, in line 7, after the word "visa", to strike out "fee" and insert "fees"; in line 8, after the word "such", to strike out "alien" and insert "aliens"; and in line 10, after the word "deduct", to strike out "one number" and insert "two numbers"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Enrico Agostini and Celestino Agostini shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct two numbers from the appropriate quota for the first year that such quota is available.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

BILL PASSED OVER

The bill (H.R. 4214) for the relief of the Stella Reorganized Schools R–I, Missouri, was announced as next in order.

Mr. MANSFIELD. Over.

The VICE PRESIDENT. The bill will be passed over.

BARBARA THERESA LAZARUS

The Senate proceeded to consider the bill (H.R. 1518) for the relief of Barbara Theresa Lazarus which had been reported from the Committee on the Judiciary, with an amendment, in line 3, after the word "of," to strike out "sections 203(a)(3) and 205" and insert "titles I and II."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

WAR ORPHANS' EDUCATIONAL ASSISTANCE

The bill (S. 330) to amend chapter 35 of title 38, United States Code, to provide that after the expiration of the Korean conflict veterans' education and training program, approval of courses under the war orphans' educational assistance program shall be by State approving agencies, was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 35 of title 38, United States Code, is amended by adding at the end thereof the following:

"Subchapter VII—State Approving Agencies

"§ 1771. Designation

"(a) Unless otherwise established by the law of the State concerned. the chief executive of each State is requested to create or designate a State department or agency as the 'State approving agency' for his State for the purposes of this chapter after the date for the expiration of all education and training provided for in chapter 33 of this title. Such agency may be the agency designated or created in accordance with section 1641 of this title.

"(b)(1) If any State fails or declines to create or designate a State approving agency, the provisions of this chapter which refer to the State approving agency shall, with respect to such State, be deemed to refer to the Administrator.

"(2) In the case of courses subject to approval by the Administrator under section 1772 of this title, the provisions of this chapter which refer to a State approving agency shall be deemed to refer to the Administrator.

"§ 1772. Approval of courses

"(a) An eligible person shall receive the benefits of this chapter while enrolled in a course of education offered by an educational institution only if (1) such course is approved as provided in this chapter by the State approving agency for the State where such educational institution is located, or by the Administrator, or (2) such course is approved (A) for the enrollment of the particular individual under the provisions of section 1737 of this title or (B) for special restorative training under subchapter V of this chapter. Approval of courses by State approving agencies shall be in accordance with the provisions of this chapter and such other regulations and policies as the State approving agency may adopt. Each State approving agency shall furnish the Administrator with a current list of educational institutions specifying courses which it has approved, and, in addition to such list, it shall furnish such other information to the Administrator as it and the Administrator may determine to be necessary to carry out the purposes of this chapter. Each State approving agency shall notify the Administrator of the disapproval of any course previously approved and shall set forth the reasons for such disapproval.

"(b) The Administrator shall be responsible for the approval of courses of education offered by any agency of the Federal Government authorized under other laws to supervise such education. The Administrator may approve any course in any other educational institution in accordance with the provisions of this chapter.

"§ 1773. Cooperation

"(a) The Administrator and each State approving agency shall take cognizance of the fact that definite duties, functions, and responsibilities are conferred upon the Administrator and each State approving agency under the educational programs established under this chapter. To assure that such programs are effectively and efficiently administered, the cooperation of the Administrator and the State approving agencies is essential. It is necessary to establish an exchange of information pertaining to activities of educational institutions, and particular attention should be given to the enforcement of approval standards, enforcement of enrollment restrictions, and fraudulent and other criminal activities on the part of persons connected with educational institutions in which eligible persons are enrolled under this chapter.

"(b) The Administrator will furnish the State approving agencies with copies of such Veterans' Administration informational material as may aid them in carrying out this chapter.

"§ 1774. Reimbursement of expenses

"The Administrator is authorized to enter into contracts or agreements with State and local agencies to pay such State and local agencies for reasonable and necessary expenses of salary and travel incurred by employees of such agencies in (1) rendering necessary services in ascertaining the qualifications of educational institutions for furnishing courses of education to eligible persons under this chapter, and in the supervision of such educational institutions, and (2) furnishing, at the request of the Administrator, any other services in connection with this chapter. Each such contract or agreement shall be conditioned upon compliance with the standards and provisions of this chapter.

"§ 1775. Approval of accredited courses

"(a) A State approving agency may approve the courses offered by an educational institution when—

"(1) such courses have been accredited and approved by a nationally recognized accrediting agency or association;

"(2) such courses are conducted under sections 11–28 of title 20; or

"(3) such courses are accepted by the State department of education for credit for a teacher's certificate or a teacher's degree.

For the purposes of this chapter the Commissioner of Education shall publish a list of nationally recognized accrediting agencies and associations which he determines to be reliable authority as to the quality of training offered by an educational institution and the State approving agencies may, upon concurrence, utilize the accreditation of such accrediting associations or agencies for approval of the courses specifically accredited and approved by such accrediting association or agency. In making application for approval, the institution shall transmit to the State approving agency copies of its catalog or bulletin.

"(b) As a condition to approval under this section, the State approving agency must find that adequate records are kept by the educational institution to show the progress of each eligible person. The State approving agency must also find that the educational institution maintains a written record of the previous education and training of the eligible person and clearly indicates that appropriate credit has been given by the institution for previous education and training, with the training period shortened proportionately and the eligible person and the Administrator so notified.

"§ 1776. Approval of nonaccredited courses

"(a) No course of education which has not been approved by a State approving agency pursuant to section 1653 or 1775 of this title, which is offered by a public or private, profit or nonprofit, educational institution shall be approved for the purposes of this chapter unless the educational institution offering such course submits to the appropriate State approving agency a written application for approval of such course in accordance with the provisions of this chapter.

"(b) Such application shall be accompanied by not less than two copies of the current catalog or bulletin which is certified as true and correct in content and policy by an authorized owner or official and includes the following:

"(1) Identifying data, such as volume number and date of publication;

"(2) Names of the institution and its governing body, officials and faculty;

"(3) A calendar of the institution showing legal holidays, beginning and ending date of each quarter, term, or semester, and other important dates;

"(4) Institution policy and regulations on enrollment with respect to enrollment dates and specific entrance requirements for each course;

"(5) Institution policy and regulations relative to leave, absences, class cuts, makeup work, tardiness and interruptions for unsatisfactory attendance;

"(6) Institution policy and regulations relative to standards of progress required of the student by the institution (this policy will define the grading system of the institution, the minimum grades considered satisfactory, conditions for interruption for unsatisfactory grades or progress and a description of the probationary period, if any, allowed by the institution, and conditions of reentrance for those students dismissed for unsatisfactory progress. A statement will be made regarding progress records kept by the institution and furnished the student);

"(7) Institution policy and regulations relating to student conduct and conditions for dismissal for unsatisfactory conduct;

"(8) Detailed schedules of fees, charges for tuition, books, supplies, tools, student activities, laboratory fees, service charges, rentals, deposits, and all other charges;

"(9) Policy and regulations of the institution relative to the refund of the unused portion of tuition, fees, and other charges in the event the student does not enter the course or withdraws or is discontinued therefrom;

"(10) A description of the available space, facilities, and equipment;

"(11) A course outline for each course for which approval is requested, showing subjects or units in the course, type of work or skill to be learned, and approximate time and clock hours to be spent on each subject or unit; and

"(12) Policy and regulations of the institution relative to granting credit for previous educational training.

"(c) The appropriate State approving agency may approve the application of such institution when the institution and its nonaccredited courses are found upon investigation to have met the following criteria:

"(1) The courses, curriculum, and instruction are consistent in quality, content, and length with similar courses in public schools and other private schools in the State, with recognized accepted standards.

"(2) There is in the institution adequate space, equipment, instructional material, and instructor personnel to provide training of good quality.

"(3) Educational and experience qualifications of directors, administrators, and instructors are adequate.

"(4) The institution maintains a written record of the previous education and training of the eligible person and clearly indicates that appropriate credit has been given by the institution for previous education and training, with the training period shortened proportionately and the eligible person and the Administrator so notified.

"(5) A copy of the course outline, schedule of tuition, fees, and other charges, regulations pertaining to absence, grading policy, and rules of operation and conduct will be furnished the eligible person upon enrollment.

"(6) Upon completion of training, the eligible person is given a certificate by the institution indicating the approved course and indicating that training was satisfactorily completed.

"(7) Adequate records as prescribed by the State approving agency are kept to show attendance and progress or grades, and satisfactory standards relating to attendance, progress, and conduct are enforced.

"(8) The institution complies with all local, city, county, municipal, State, and Federal regulations, such as fire codes, building and sanitation codes. The State approving agency may require such evidence of compliance as is deemed necessary.

"(9) The institution is financially sound and capable of fulfilling its commitments for training.

"(10) The institution does not utilize advertising of any type which is erroneous or misleading, either by actual statement, omission, or intimation. The institution shall not be deemed to have met this requirement until the State approving agency (A) has ascertained from the Federal Trade Commission whether the Commission has issued an order to the institution to cease and desist from any act or practice, and (B) has, if such an order has been issued, given due weight to that fact.

"(11) The institution does not exceed its enrollment limitations as established by the State approving agency.

"(12) The institution's administrators, directors, owners, and instructors are of good reputation and character.

"(13) The institution has and maintains a policy for the refund of the unused portion of tuition, fees, and other charges in the event the eligible person fails to enter the course or withdraws or is discontinued therefrom at any time prior to completion and such policy must provide that the amount charged to the eligible person for tuition, fees, and other charges for a portion of the course shall not exceed the approximate pro rata portion of the total charges for tuition, fees, and other charges that the length of the completed portion of the course bears to its total length.

"(14) Such additional criteria as may be deemed necessary by the State approving agency.

"§ 1777. Notice of approval of courses

"The State approving agency, upon determining that an educational institution has complied with all the requirements of this chapter, will issue a letter to such institution setting forth the courses which have been approved for the purposes of this chapter, and will furnish an official copy of such letter and any subsequent amendments to the Administrator. The letter of approval shall be accompanied by a copy of the catalog or bulletin of the institution, as approved by the State approving agency, and shall contain the following information:

"(1) date of letter and effective date of approval of courses;

"(2) proper address and name of each educational institution;

"(3) authority for approval and conditions of approval, referring specifically to the approved catalog or bulletin published by the educational institution;

"(4) name of each course approved;

"(5) where applicable, enrollment limitations such as maximum numbers authorized and student-teacher ratio;

"(6) signature of responsible official of State approving agency; and

"(7) such other fair and reasonable provisions as are considered necessary by the appropriate State approving agency.

"§ 1778. Disapproval of courses

"(a) Any course approved for the purposes of this chapter which fails to meet any of the requirements of this chapter shall be immediately disapproved by the appropriate State approving agency. An educational institution which has its courses disapproved by a State approving agency will be notified of such disapproval by a certified or registered letter of notification and a return receipt secured.

"(b) Each State approving agency shall notify the Administrator of each course which it has disapproved under this section. The Administrator shall notify the State approving agency of his disapproval of any educational institution under chapter 31 of this title."

Sec. 2. Section 1735 of title 38, United States Code, is amended (1) by striking out "An" in subsection (a) and inserting in lieu thereof "Until the date for the expiration of all education and training under chapter 33 of this title, an"; (2) by inserting immediately after "this section" in subsection (a) the following "or subchapter VII of this chapter"; (3) by inserting immediately after "section 1656" in subsection (b) the following "or section 1778"; and (4) by striking out subsection (c).

Sec. 3. Section 1736 of title 38, United States Code, is amended (1) by inserting "(a)" immediately before "The Administrator"; (2) by striking out "or any of the standards and criteria of sections 1653 and 1654 of this title"; and (3) by adding at the end thereof the following:

"(b) Until the date for the expiration of all education and training under chapter 33 of this title, the Administrator may discontinue the educational assistance allowance of any eligible person if he finds that the course of education in which the eligible person is enrolled fails to meet any of the standards and criteria of sections 1653 and 1654 of this title."

Sec. 4. Section 1737 of title 38, United States Code, is amended by striking out "Notwithstanding the provisions of subsections (b) and (c) of section 1735 of this title, the" and inserting in lieu thereof "The".

Sec. 5. The analysis of chapter 35 of title 38, United States Code, is amended by adding at the end thereof the following:

"SUBCHAPTER VII—STATE APPROVING AGENCIES

"1771. Designation.
"1772. Approval of courses.
"1773. Cooperation.
"1774. Reimbursement of expenses.
"1775. Approval of accredited courses.
"1776. Approval of nonaccredited courses.
"1777. Notice of approval of courses.
"1778. Disapproval of courses."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 334), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

The bill (S. 330) amends chapter 35 of title 38, United States Code, to provide that after the expiration of education and training under the Korean GI bill, approval of courses under the war orphans' educational assistance program shall be by State approving agencies.

State approving agencies currently have the responsibility for the approval of courses of education and training under the war orphans' educational program. This responsibility arises by reason of section 1735(b) of title 38, providing that courses of education approved under the Korean GI bill shall be considered approved for the purpose of war orphans' educational assistance. Section 1735(c) of title 38 provides that, after the termination of the Korean GI bill, the Administrator of Veterans' Affairs shall be reponsible for the approval of any courses for the purpose of the war orphans' program. The practical effect, therefore, of this legislation is that after January 31, 1965, when the Korean program terminates, the State approving agencies will continue to have the responsibility for the approval of courses for the war orphans' program.

The Administrator, without the enactment of this legislation, would become responsible for the approval function upon termination of the Korean program. He would be authorized to utilize the services of State educational agencies in carrying out this function, but he would not have any express authority to rely upon State approving agencies or make reimbursement for their services after January 31, 1965.

In sum, the legislation would continue the existing system of approvals by State approving agencies for the war orphans' program beyond the end of the Korean program and for so long as war orphans' educational assistance continues.

In the favorable report from the Veterans' Administration, Mr. Gleason, the Administrator, points out that a reduced fee formula has been agreed upon and recommends the enactment of this bill. There will be no cost to the Government prior to January 31, 1965, under this bill and under the new fee formulas the costs after that date will be negligible.

EMPLOYING ALIENS IN A SCIENTIFIC OR TECHNICAL CAPACITY

The Senate proceeded to consider the bill (S. 1291) to authorize the Secretary of Commerce to employ aliens in a scientific or technical capacity, which had been reported from the Committee on Commerce, with amendments, in line 4, after the word "to", to strike out "such" and insert "adequate"; in the same line, after the word "security", to insert "investigations"; in line 5, after the word "and", to insert "such"; and in line 7, after the word "capacity", to insert "at authorized rates of compensation", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce to the extent he determines to be necessary, and subject to adequate security investigations, and such other investigations as he may determine to be appropriate, is authorized to employ and compensate aliens in a scientific or technical capacity at authorized rates of compensation without regard to statutory provisions prohibiting payment of compensation to aliens.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 335), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

S. 1291 was introduced at the request of the Secretary of Commerce who submitted with the request a detailed statement of purpose and need, including the following excerpt:

"The proposed legislation would enable the Department to make the best possible use of available scientific manpower. Any employment under the proposed legislation would, of course, continue to be subject to a prior determination that no qualified U.S. citizen is available for the particular position. The legislation provides adequate authority for investigation to determine the suitability and security status of aliens who may be employed thereunder. The Department of course has even more stringent security standards for aliens than it has for citizen applicants for comparable positions."

Examples were cited of difficulties which bureaus or agencies within the Department have had in obtaining a sufficient number of qualified U.S. scientists or technicians for certain specialized fields of research.

The full text of the statement of justification for S. 1291 transmitted to the Congress by the Secretary of Commerce is as follows:

The proposed legislation will provide authority for the Department of Commerce to employ noncitizens in scientific or technical work. Authority, similar to that here sought, was granted by the Congress recently to the National Aeronautics and Space Administration. Congress has exempted the Department of Defense from the prohibitions against employment of noncitizens. The Departments of State and Agriculture, the Immigration and Naturalization Service, and the Public Health Service have also been given authority by Congress to employ noncitizens for certain necessary purposes.

On various occasions, agencies of this Department engaged in scientific and technical work of critical national importance have found that the only persons qualified and available to undertake these projects could not be hired because, as noncitizens, they were ineligible for employment by the Government.

The proposed legislation would enable the Department to make the best possible use of available scientific manpower. Any employment under the proposed legislation would, of course, continue to be subject to a prior determination that no qualified U.S. citizen is available for the particular position. The legislation provides adequate authority for investigation to determine the suitability and security status of aliens who may be employed thereunder. The Department of course has even more stringent security standards for aliens than it has for citizen applicants for comparable positions.

While the problems created by the prohibition on the hiring of aliens are present in several of the bureaus of the Department of Commerce, those problems are particularly severe at the National Bureau of Standards.

In certain areas of research now important in the technical program of the National Bureau of Standards, the availability of U.S. citizens with adequate specific training is extremely limited. Two factors have contributed to this situation. In the first place, the well-recognized general shortage of scientists and engineers in the United States has definitely restricted the Bureau's ability to fill important research positions. Secondly, some important Bureau research programs are in areas of the physical sciences that have not in recent years been fashionable or attractive to American students and scientists. In such fields, the training of new research scientists in American universities has been limited and the supply of new research personnel has therefore continued to decline.

The following examples will illustrate the problems:

(1) A number of our most important national programs are increasingly in need of precise data on atomic properties that can be obtained only through an intensive program in atomic spectroscopy. Such information is essential, for example, in interpreting the astrophysical data obtained by space vehicles and other astronomical observatories, in measuring the energy and understanding the flow of energy in plasmas such as those involved in thermonuclear fusion research, and in understanding the physical processes involved in rocket propulsion. Programs such as these require information on the precise value of the spectral wavelengths of the radiated energy of the atoms of each of the elements and precise measurements of the rates with which atoms radiate or absorb energy.

The analysis of atomic spectra occupied the majority of the effort of academic physicists during the late 1920's and early 1930's, but most of the physicists trained in atomic spectroscopy during the early 1930's shifted their research interests to nuclear physics later in the decade. Through this change in interest and the retirement of previously active spectroscopists, great laboratories which once made major contributions to the field have drastically reduced their work in atomic spectroscopy. Thus, the recently increased demand for an enormous quantity of precise data falls primarily upon the National Bureau of Standards just at a time when American universities have been producing very few trained personnel in this field.

Although disappearing from American universities, spectroscopy is still an active field of study and research interest abroad. Major institutions are producing qualified atomic spectroscopists in Sweden, Israel, Great Britain, the Netherlands, Spain, and Belgium. While the nationals of some of these countries may be employed by the National Bureau of Standards under the present statutory authorization, it is desirable to extend the authorization to all such countries so that the Bureau may recruit the best-qualified research personnel for its particular programs.

(2) A similar situation exists with respect to applied mathematics. In a number of relatively "unfashionable" branches of mathematics, the general shortage of trained mathematicians is aggravated by the lack of interest on the part of American students. Numerical analysis, for example, which involves the use of numerical techniques for the solution of problems of physics, chemistry, and engineering is a relatively new mathematical field in the United States. It has, however, become an important field in recent years because of the availability of powerful computers and the applicability of numerical analysis to extremely difficult problems in science and technology. One of the most valuable sources of trained personnel in this field of mathematics is Switzerland but the National Bureau of Standards is, under the present statute, precluded from the employment of Swiss nationals.

(3) The neutron measurement field is another area in which the Bureau could obtain important assistance from Swiss scientists. Many segments of Government and industry look to the National Bureau of Standards for basic information on neutron cross sections and neutron polarization. Such data are of great importance in radiation shielding problems vital to defense and in reactor development. The Bureau has experienced great difficulty in recruiting competent scientists in this increasingly important field. The Bureau is aware of at least two Swiss nationals who are highly qualified for this work and probably would be interested in coming to the National Bureau of Standards if suitable authority was available for their employment.

COMMITTEE CONSIDERATION

In considering the bill the committee in executive session amended the security clause in the bill with a view to strengthening the proposed legislation.

The introduced bill provided that the Secretary of Commerce, to the extent he determined to be necessary, and "subject to such security and other investigations as he may determine to be appropriate," be authorized to employ and compensate aliens in a scientific or technical capacity.

The clause "subject to such security and other investigations as he may determine to be appropriate," was amended to read (line 4 of the bill) "subject to adequate security investigations and such other investigations as he may determine to be appropriate." This change in the original language was made to insure that no security risks were taken in the employment of aliens, particularly in sensitive areas.

The bill, lines 6, 7, and 8, authorizes the Secretary to employ and compensate aliens in a scientific or technical capacity without regard to statutory provisions prohibiting payment of compensation to aliens.

The committee inserted, in line 7 following the words "technical capacity" the words "at authorized rates of compensation" to assure that aliens are not employed in scientific and technical capacities at rates which might exceed those of citizens in identical or similar positions within the Department.

CANDELA AS THE UNIT OF LUMINOUS INTENSITY

The bill (S. 1064) to amend the act redefining the units and establishing the standards of electrical and photometric measurements to provide that the candela shall be the unit of luminous intensity was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to redefine the units and establish the standards of electrical and photometric measurements" (Act of July 21, 1950; 64 Stat. 370) is amended by deleting the word "candle" wherever it appears and inserting in lieu thereof the word "candela."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 336), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

GENERAL STATEMENT

S. 1064 was introduced at the request of the Secretary of Commerce who stated that the term "candle," as used to designate a unit of intensity of light, has now become obsolete in international usage, and has been replaced by the term "candela" in the International Lighting Vocabulary. As a result the National Bureau of Standards, while using the present statutory designation "candle" in reporting values of luminous intensity domestically, has found it desirable to use "candela" in its report for use abroad and to the International Bureau of Weights and Measures. This imposes an added burden on the Bureau.

BACKGROUND AND NEED FOR THE BILL

In a statement accompanying the letter of transmittal of March 1, 1963, from Secretary of Commerce Luther H. Hodges to the President of the Senate, the following justification for S. 1064 was given:

STATEMENT OF PURPOSE AND NEED

When the act redefining the units and establishing standards of electrical and photometric measurements was passed in 1950 the term "candle" was in general use to designate the unit of luminous intensity. The act therefore designated the candle as the statutory unit of intensity of light. Since 1950, however, the word "candela" has been increasingly used in place of candle. At the present time the term "candle" is obsolete in international usage and domestically the Council of Illuminating Engineering Society has approved use of the term "candela." Moreover, "candela" is the term used in the International Lighting Vocabulary. Because the term "candle" has been designated by statute the National Bureau of Standards has, over the past several years, used this term when reporting values of luminous intensity domestically. However, when making such reports abroad the term "candela" has been used, as for example in report to the International Bureau of Weights and Measures. The Department believes it is desirable under the circumstances to change the statutory designation to accord with international usage in the interest of simplifying and expediting the work of the Bureau of Standards.

AGENCY COMMENTS

Dr. Jerome B. Wiesner, Director of the Office of Science and Technology, and Dr. Alan T. Waterman, Director of the National Science Foundation, in their comments to the committee, approve the proposed legislation; the Department of State has no objection; and the Department of Justice and Comptroller General of the United States waived comments.

Departmental and agency comments follow:

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF SCIENCE AND TECHNOLOGY,
Washington, March 21, 1963.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Interstate and Foreign Commerce, U.S. Senate, Washington, D.C.

DEAR SENATOR MAGNUSON: This is in reply to your letter of March 15 requesting my comments on S. 1064, which deals with a change in the name of the unit of luminous intensity from the "candle" to the "candela." I am in favor of the bill.

This act would have two beneficial effects. First, it would remove some of the confusion that exists with regard to the use of the word "candle" which has both a general and a very specific meaning. Second, it would make the use in this country more in accord with internationally accepted units, and might therefore be of benefit to foreign trade and commerce.

Sincerely,
JEROME B. WIESNER.

IMPROVE ACTIVE DUTY PROMOTION OPPORTUNITY OF CERTAIN AIR FORCE OFFICERS

The bill (S. 1809) to improve the active duty promotion opportunity of Air Force officers from the grade of major to the grade of lieutenant colonel was announced as next in order.

Mr. MANSFIELD. Mr. President, I move that for the time being Calendar No. 311, Senate bill 1809, be passed over.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I move that the Senate now proceed to the consideration of Calendar No. 315, House bill 6681.

The motion was agreed to; and the Senate proceeded to consider the bill (H.R. 6681) to improve the active duty promotion opportunity of Air Force officers from the grade of major to the grade of lieutenant colonel.

Mr. MANSFIELD. Mr. President, Calendar No. 311, Senate bill 1809, is a similar bill, and both of these bills have the same purpose. I ask unanimous consent that an explanation be printed at this point in the RECORD.

There being no objection the explanation was ordered to be printed in the RECORD, as follows:

Both of these bills extend the temporary authority for an additional 4,000 officers in the grade of lieutenant colonel in the Air Force. The House bill provides for a 1-year extension, until the close of June 30, 1964, whereas, the Senate bill provides for a 2-year extension, until the close of June 30, 1965. The Senate Committee on Armed Services recommended a 2-year extension rather than 1 year in order to avoid a possible reextension next year. The ultimate solution to this matter is in some form of permanent legislation, which might not be acted on by both Houses of Congress next year.

There is no doubt that the temporary authority for the additional 4,000 lieutenant colonels must be extended. In the absence of an extension the Air Force by next June would have to reduce its present strength of some 14,825 lieutenant colonels to its permanent authorization of 10,825. Some of the results of this action would be as follows:

(a) About 1,800 lieutenant colonels would have to be demoted or released involuntarily;

(b) About 5,000 officer selectees could not be appointed to the grade already selected—2,000 have been selected to lieutenant colonel and 3,000 to major;

(c) There would be no further selection program or convening of selection boards to the grade of lieutenant colonel during fiscal year 1964. The extension of the temporary authority will enable the Air Force to maintain a promotion program for the grades of lieutenant colonel and major roughly comparable to the Army and Navy.

Mr. MANSFIELD. Mr. President, I move that all after the enacting clause of House bill 6681 be stricken out, and that the text of Senate bill 1809 be substituted therefor.

The VICE PRESIDENT. The text of the amendment will be stated.

The LEGISLATIVE CLERK. It is proposed to insert the following:

That the Act of September 1, 1961, Public Law 87-194 (75 Stat. 424), is amended by striking out the figure "1963" and inserting the figure "1965" in place thereof.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

The VICE PRESIDENT. The question is now on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read a third time, and passed.

Mr. MANSFIELD. Mr. President, I move that Calendar No. 311, Senate bill 1809, be indefinitely postponed.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

BILL PASSED OVER

The bill (S. 793) to promote the conservation of the Nation's wildlife resources on the Pacific flyway in the Tule Lake, Lower Klamath, Upper Klamath, and Clear Lake National Wildlife Refuges in Oregon and California was announced as next in order.

Mr. MANSFIELD. Over.

The VICE PRESIDENT. The bill will be passed over.

U.S. PARTICIPATION IN INTERNATIONAL BUREAU FOR THE PROTECTION OF INDUSTRIAL PROPERTY

The joint resolution (S.J. Res. 64) to amend the joint resolution providing for U.S. Participation in the International Bureau for the Protection of Industrial Property was considered, was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of July 12, 1960 (74 Stat. 381), is hereby amended by striking out the figure "$7,250" in section (b) thereof and inserting in lieu thereof the figure "$15,000".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 343), explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF RESOLUTION

The purpose of Senate Joint Resolution 64 is to increase the ceiling on the U.S. contribution to the International Bureau for the Protection of Industrial Property from $7,250 to $15,000 per year.

COMMITTEE ACTION

Senate Joint Resolution 64 was introduced by Senator FULBRIGHT (by request) on March 25, 1963. On June 25 the Committee on Foreign Relations received testimony in public session in support of the resolution from Mr. Harvey J. Winter, Assistant Chief, Office of Business Practices, Bureau of Economic Affairs, Department of State. The committee considered the resolution in executive session on June 27 and agreed to report it favorably to the Senate.

BACKGROUND

The International Bureau for the Protection of Industrial Property was established pursuant to the provisions of the Convention for the Protection of Industrial Property. The United States has participated in the work of the International Bureau since 1887. This organization serves as a clearinghouse for information on, and interpretation of, patent and trademark laws. It collects and publishes information relating to such matters and handles the preparatory and administrative work for the periodic conferences of revision of the Industrial Property Convention.

The last time Congress authorized appropriations incident to U.S. participation in the International Bureau for the Protection of Industrial Property was in 1960 at which time the ceiling of the Bureau's budget was $140,000. It is estimated that the yearly amounts needed in the near future will be in the neighborhood of $210,000. The U.S. share will remain at 5 percent of the total budget, or $10,500. However, the Department of State has requested that the ceiling on the U.S. contribution be established at $15,000 per year in order to give the executive branch a measure of flexibility to deal with future increases.

According to the Department of State, there are three reasons for increasing the budget of the International Bureau for the Protection of Industrial Property: (1) A general increase in salaries, and the rising cost of printing, materials, and services; (2) the reorganization of the Bureau in order to increase its efficiency and usefulness to member states; (3) new activities, including increased efforts to have additional countries adhere to the union, cooperation with the United Nations in industrial property matters, and technical legal assistance to less developed countries.

The functions and the need for this legislation are more fully explained in a letter and memorandum which the Secretary of State transmitted to the Vice President concerning Senate Joint Resolution 64, and which is appended hereto and made a part of this report.

CONCLUSION

The committee is of the opinion that the International Bureau for the Protection of Industrial Property performs valuable services, and believes it to be in the best interests of the United States to increase the ceiling on the U.S. contribution to the Bureau from $7,250 to $15,000 per year. The committee recommends, therefore, that the Senate give its approval to Senate Joint Resolution 64.

CONVEYANCE OF CERTAIN LANDS TO HENDERSON, NEV.

The bill (H.R. 2461) to direct the Secretary of the Interior to convey to the city of Henderson, Nev., at fair market value, certain public lands in the State of Nevada, was considered, ordered to a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 344), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

H.R. 2461 is identical in purpose with S. 346, a bill introduced by Senator HOWARD CANNON and Senator ALAN BIBLE. The bill will provide for the sale to the city of Henderson, Nev., at fair market value of about 15,000 acres of public land to promote the orderly growth and development of this area.

NEED

The lands involved in the bill, except as provided in it, are not required for any Federal program. The public sale law does not permit sales of this size, being restricted to tracts of 1,520 acres which must be isolated, or to tracts of 760 acres which must be rough and mountainous. The legislation intends that the Secretary of the Interior will sell the property to the city at its fair market value. He will also segregate the land prior to the sale from all forms of appropriation under the public land laws. In setting the fair market value the Secretary will utilize the effective date of this act and, in addition to the fair market value, the city will pay the cost of appraisal if accomplished by contract, minus any adjustment in the purchase price made pursuant to section 5, and subject to any valid claims described in section 2 and any restrictions, reservations or conditions the Secretary deems necessary to protect continuing uses of the land by the United States, its permittees, lessees or licensees. The act, by requiring that the fair market value be set as of the effective date of the act intends, that the Secretary shall not take into consideration any improvements to surrounding land made by the city after the date of enactment of this act. Section 5 authorizes the Secretary to initiate agreement on price with the city of Henderson and the appraisal is to reflect any expenditures incurred by the city in facilitating transfer of the lands during the period between the enactment of this act and notice to the city of Henderson as to the appraised fair market value. The act contains protections both to the city and to the Federal Government so that the sale of the lands to the city and the subsequent development of the lands and resale by the city of Henderson can be accomplished in the public interest.

COST

The sale of the lands to the city of Henderson, being at fair market value, should produce a modest income to the Federal Government and reduce the costs of operation and administration for the Bureau of Land Management.

Mr. HUMPHREY subsequently said: Mr. President, earlier today the Senate acted favorably on Calendar No. 318, H.R. 2461, to direct the Secretary of the Interior to convey to the city of Henderson, Nev., at fair market value, certain public lands in the State of Nevada.

I have learned that the junior Senator from Nevada [Mr. CANNON], who could not be present at the time the bill was considered, would like to have it reconsidered. The staff of the Senate has consulted with the senior Senator from Nevada [Mr. BIBLE]. That is agreeable with the senior Senator from Nevada.

I ask unanimous consent that the Senate reconsider its action on Calendar No. 318, H.R. 2461, and that the bill be returned to the calendar.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Minnesota? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, that concludes the measures on the calendar to which there is no objection.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, will the Senator from Colorado yield further to me, if it is understood that in doing so, he will not lose his right to the floor?

Mr. ALLOTT. Certainly.

The VICE PRESIDENT. Without objection, it is so ordered.

MISTREATMENT OF AMERICAN JOURNALISTS IN SAIGON, SOUTH VIETNAM

Mr. MANSFIELD. Mr. President, I should like to make a few comments on a serious situation.

As the Senate will recall, in January of this year, a number of Senators, myself included, issued a report on the situation in Vietnam. Since that time there have occurred a number of events which have had to do with the situation affecting the Buddhists in South Vietnam and the government there. At the present time, trials are in process; and, according to newspaper reports, several Americans are involved—which, I must say, is news to me, and which, I must say also, I do not believe. The latest incident has to do with the mistreatment of U.S. newsmen in that particular area.

I believe all Senators are aware of the high regard and great respect in which I hold the President of the Republic of South Vietnam, Ngo Dinh Diem, and of the many times I have spoken highly of him and have expressed admiration for his ability, his integrity, and his devotion to his country. However, there are times when things must be said; and this is one of them.

Mr. President, several newspapers of July 8 detail the gross mistreatment of U.S. journalists in Saigon, South Vietnam. According to these dispatches, American reporters were set upon by Vietnamese secret police. Some were shoved and pushed. Others were pummeled and kicked. And several had their cameras smashed. These newspapermen were carrying out a relevant function of their profession when the attack occurred. They were covering a memorial service for the Reverend Quanq Duc, the Buddhist priest who, last month, set fire to himself on the streets of Saigon in protest against certain of his government's policies.

Mr. President, this incident involving the U.S. newsmen is not an isolated case. It is, unfortunately, but the latest manifestation of what appears to be a continuing effort to humiliate and to discredit American press representatives and to discourage them in the honest performance of their responsibilities to the people of the United States.

On February 21, I had occasion to call to the attention of the Senate the difficult plight of American reporters in Saigon and what appeared to me to be the inadequacy of the support which they were receiving from our own officials. It was my understanding that the situation had subsequently improved. Now we have this new and most serious incident. And once again, we find that the support of the newsmen by our own officials on-the-spot leaves much to be desired. Indeed, it has been so inadequate as to compel members of the American press corps stationed in Saigon to appeal to President Kennedy for intercession on their behalf.

To be sure, Mr. President, the Vietnamese Government is sovereign; and it is one of the attributes of sovereignty that foreigners, including foreign journalists, are subject to its jurisdiction. But the United States is also sovereign; and it is one of the attributes of that sovereignty to protest most vehemently the mistreatement and abuse of its nationals who are engaged abroad in an orderly pursuit of their business. We do not make it a habit of beating and kicking foreign newsmen in this country; and when such incidents occur, we are prompt to apologize for them. We have every right to expect from other governments comparable behavior. And we, most certainly, have the right to expect it from a friendly government in a nation which has urged us to make a substantial commitment of American lives and resources.

Indeed, Mr. President, we have a right to expect that government not only to refrain from hostility to American newsmen, but also to facilitate their efforts to provide an independent reportage to the people of the United States on a situation in which this Nation is involved deeply and at great cost. The independence of the press and its place in the American system may not be appreciated elsewhere. But it is high time that its importance be made clear to all concerned in Vietnam. Indeed, it is not too much to state that, in this country, continued public support of the kind of governmental endeavor in which we are engaged in Vietnam depends heavily on public access to an independent source of information and evaluation such as only the press can supply.

I stress, Mr. President, that it is a function of officials of this Government, in Washington and in Saigon, to make this point clear to all concerned in Vietnam. And, further, it is a function of these American officials to see to it that our newsmen are respected and protected in carrying out their assignments in that nation. And it ought not to have to be necessary for the President or the Senate to remind them of their duty in this connection.

Mr. President, I ask unanimous consent that certain articles referring to the situation which I have been discussing be inserted at this point in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the New York Herald Tribune, July 8, 1963]

Diem's Secret Police Attack U.S. Newsmen

Saigon.—Rock-wielding South Vietnamese secret police roughed up nine Western newsmen at a Buddhist memorial service yesterday. Seven American correspondents in the group appealed to President Kennedy to protest the incident.

The attack came at a service for Buddhist monk, the Reverend Quang Duc, who burned himself to death in Saigon, June 11, in a sacrificial protest against alleged discrimination by President Ngo Dinh Diem's government, composed predominantly of Roman Catholics.

Mr. Diem, marking his ninth anniversary as head of the troubled southeast Asian nation yesterday, declared that the Buddhist problem was settled. Nonetheless, he would not permit the public to attend the service. About 70 percent of Vietnamese are Buddhists.

GROWING FRICTION

The attack on the newsmen added to his problems. It emphasized growing friction with the United States, which has invested heavily in men and money to aid in his fight against the Communist Vietcong guerrillas.

The incident occurred when about 400 Buddhists were leaving a small pagoda in north Saigon after the memorial ceremony. Police barred them from a formal procession, and when the Western correspondents moved up close to observe the exchange, a group of about 20 secret policemen, dressed in plainclothes, attacked them.

Associated Press Correspondent Peter Arnett was knocked to the ground, pummeled and kicked, and three photographers had their cameras broken or damaged by flying rocks. The other newsmen were shoved and pushed, while a group of armed Vietnamese policemen stood by making no effort to halt the assault. Mr. Arnett suffered cuts and bruises, the others were unhurt.

The Americans immediately protested to U.S. Embassy Chargé d'Affaires William Trueheart, acting in place of vacationing Ambassador Frederick Nolting, Jr. However, Mr. Trueheart said he would not make a formal protest because "I don't feel I have enough basis for making one. I can't conclude that it was a planned attack."

The correspondents then sent a cable to President Kennedy, charging the South Vietnamese Government "has begun a campaign of open physical intimidation to prevent the covering of the news which we feel Americans have a right to know."

They urged Mr. Kennedy to obtain assurance that such incidents would not be repeated, lest a precedent be set for increased violence and obstruction.

"LOST THEIR HEADS"

Vietnamese authorities told the U.S. Embassy the attack occurred because one or two secret policemen "lost their heads." The newsmen claimed it was deliberate.

The incident came on the heels of a Vietnamese prosecutor's accusation that the United States aided a 1960 revolt against the Diem regime. The charge was made Friday at the trial of 19 Vietnamese paratroopers, admitted leaders of the revolt. The U.S. Embassy here and the State Department in Washington promptly and vigorously denied the claim. Americans in Saigon were privately stunned that Mr. Diem would allow such an assertion to be made when the United States is playing such a vital role in his country's defense.

UNNAMED AGENTS

Mr. Diem said yesterday in his anniversary speech that accord has been reached with Buddhist leaders over their grievances. He charged that unnamed agents were surreptitiously seeking to revive and rekindle disunity at home while arousing public opinion against us abroad.

Mr. Diem became South Vietnam's chief of state in 1954, after the partition of French Indochina, in which North Vietnam, Cambodia, and Laos were also created as independent states.

[From the New York Times, July 8, 1963]

Saigon Police Jostle Nine Western Newsmen

(By David Halberstam)

Saigon, Vietnam, July 7.—About 20 Vietnamese secret policemen attacked today a group of nine Western reporters and photographers who were covering an otherwise peaceful Buddhist demonstration here.

(In Washington, the State Department said the U.S. Embassy in Saigon had officially complained to the Vietnamese Government about the incident. The complaint followed a protest sent to President Kennedy by four of the newsmen.)

The secret policemen pushed reporters and knocked down one of them, Peter Arnett of the Associated Press. Another secret policeman used a rock to smash the camera of Malcolm Browne, also an Associated Press reporter.

When other reporters tried to apprehend the rock-wielding secret policeman, they were blocked by special uniformed riot policemen. The riot policemen stood by calmly during the 10-minute incident.

All the reporters and photographers involved were working for American news media.

The assault by the secret policemen, dressed in civilian clothes, indicated an even tougher line by the Vietnamese Government in handling the press and Buddhist demonstrators. This tougher line had been forecast earlier.

The Buddhists contend that the government, whose leadership is predominantly Roman Catholic, has discriminated against them. Buddhists make up about 70 percent of the population of Vietnam.

A 2-week truce in the dispute ended last week, with the Buddhists still dissatisfied that their complaints had been settled.

In today's demonstration, 300 Buddhist monks who had been praying in a small pagoda were filing from an alley into a street when the secret police tried to block them.

PUSHING BEGINS

Moments later the secret policemen began pushing reporters and trying to seize the photographers' cameras.

They first attempted to take the camera of Joseph Masraf, a television photographer for the Columbia Broadcasting System. When other reporters tried to assist Mr. Masraf, the police withdrew and turned to Horst Faas of the Associated Press.

One then grabbed the camera of Mr. Arnett. When the reporter attempted to get it back, four policemen knocked him down. Other reporters then moved some of the assailants back and formed a wedge around Mr. Arnett. At this point another policeman moved behind Mr. Browne and smashed his camera with a rock.

Later in the day, after the embassy had rejected their requests for an official protest to President Ngo Dinh Diem of Vietnam, four newsmen sent a cablegram to President Kennedy. They charged that the Diem government was attempting to intimidate reporters.

Mr. Arnett and Mr. Browne received summonses directing them to appear in the Saigon police station tomorrow.

William Trueheart, Chargé d'Affaires in the U.S. Embassy, declined to make a formal protest to the Diem government. He said that although he believed the newsmen's account of the incident, he did not think there was a basis for such a protest because he could not be sure it had been a planned assault.

WARNED OF VIOLENCE

The reporters informed Mr. Trueheart that private police sources had warned them earlier of violence and had said that there might be "considerable" danger.

Mr. Trueheart said the Embassy had been told by the Vietnamese, in explanation of the attack, that "a few people lost their heads."

In the cablegram to Kennedy, the newsmen said:

"The inescapable conclusion is that the Government of South Vietnam, a country to which the United States is heavily committed, has begun a campaign of open physical intimidation to prevent the covering of news which we feel Americans have a right to know.

"We believe a precedent has been set for increasing obstruction and violence. Since the U.S. Embassy here does not deem this incident serious enough to make a formal protest, we respectfully request that you, Mr. President, protest against this attack and obtain assurances that it will not be repeated."

The cablegram was signed by Mr. Browne; Peter Kalischer of CBS News, Neil Sheehan of United Press International and David Halberstam of the New York Times.

DIEM CALLS PROBLEM SETTLED

SAIGON, July 7.—President Ngo Dinh Diem declared today that South Vietnam's Buddhist problem had been settled, apparently on the basis of the agreement his government reached 2 weeks ago with the Buddhists.

The settlement has been reached, he said, "notwithstanding the underground intervention of international Red agents and of Communist fellow travelers, who are in collusion with Fascist ideologists disguised as democrats."

In a message to the nation in observance of the ninth anniversary of his regime, Mr. Diem said "agents" were "surreptitiously seeking to revive and rekindle disunity at home while arousing public opinion against us abroad."

UNITED STATES COMPLAINS TO SAIGON

WASHINGTON, July 7.—The State Department said today that the U.S. Embassy in Saigon had officially complained to the Vietnamese Government about the mistreatment of American newsmen.

"We have made a representation to the Vietnamese Government on this matter," a State Department spokesman said. He said some explanation of the incident would be expected from the Saigon Government.

The complaint, which was made orally, falls short of a formal diplomatic protest. A protest is usually presented in writing and is reserved for the most serious diplomatic incidents.

At Hyannis Port, Mass., where President Kennedy is vacationing, the White House press secretary, Pierre Salinger, said a telegram of protest had been received from the four American correspondents in Saigon.

"We are looking into the matter," Mr. Salinger said.

An investigation of the incident was undertaken by the State Department. Officials here said they had received a report from the Embassy in Saigon giving a brief description of the scuffle. They said no Embassy officials were on the scene when the incident occurred.

A State Department spokesman explained that the Embassy was proceeding under its normal policy covering bearers of American passports, "whether they are lawyers, doctors, reporters or whatever."

[From the Washington Post, July 8, 1963]

SECRET POLICE BEAT NEWSMEN IN SAIGON ROW

(By Neil Sheehan)

SAIGON, July 7.—Plainclothes South Vietnam secret police, some of them armed with rocks, assaulted nine foreign correspondents today as they were covering a peaceful Buddhist religious ceremony.

Seven of the correspondents, Americans representing U.S. news media, appealed to President Kennedy to lodge a strong protest with the Vietnamese Government after the U.S. Embassy in Saigon refused to make a formal protest.

(At Hyannis Port, White House Press Secretary Pierre Salinger said the President had received the correspondents' protest and that the White House was looking into the matter. Salinger would not comment further.)

About 20 secret police took part in the assault. Newsmen were jostled, shoved, and struck by rocks thrown by the secret police while about 60 uniformed policemen and a squad of riot police stood by without making an effort to halt the attack.

Four police knocked Associated Press Correspondent Peter Arnett to the ground and kicked and pummeled him. He suffered slight cuts and bruises.

Arnett, a New Zealand citizen, and his bureau chief, Malcolm Browne, later received summonses to report to a Vietnamese police station for questioning on Monday. Both asked that they be accompanied by diplomatic representatives.

U.S. Embassy Chargé d'Affaires William Trueheart, said he would not make a formal protest to the Government because "I don't feel I have enough basis for making one. I can't conclude that it was a planned attack."

The newsmen insisted to Trueheart that the attack was planned because of the manner in which it was carried out. They said police under the authoritarian regime of South Vietnam President Ngo Dinh Diem do not attack foreign newsmen unless ordered to.

Vietnamese authorities told the U.S. Embassy the newsmen were attacked because one or two secret policemen "lost their heads."

INTIMIDATION CITED

Earlier, Embassy sources said they believed the government aimed to crack down on Buddhists demonstrating against government religious discrimination and on Western newsmen covering such incidents because the government does not want its handling of the politicoreligious crisis reported abroad.

The newsmen, in a cable to President Kennedy, charged the South Vietnamese Government "has begun a campaign of open physical intimidation to prevent the covering of news which we feel Americans have the right to know."

The cable said the newsmen believed a precedent had been set for increasing obstruction and violence and asked President Kennedy to obtain assurances from the Diem Government that the attack would not be repeated.

In their talks with Trueheart the newsmen said that if the U.S. Embassy did not protest, the Diem Government would take it as a sign of weakness and order further attacks on them. They maintained that a foreign correspondent could be seriously injured or even killed as a result.

The attack on the newsmen came as some 400 Buddhist priests and nuns were leaving a small pagoda where they had been attending a ceremony and were moving to the main street through a narrow alleyway. The Buddhists found their way blocked.

A high ranking police officer began arguing heatedly with some priests, allowing the crowd to move out in the main street only in small groups, apparently to prevent them from forming a procession that might demonstrate against the Roman Catholic government's alleged religious persecution.

When American reporters and cameramen moved up close, a group of secret police opened the attack. Police first attacked Columbia Broadcasting System Cameraman Joseph Masrab and AP Photographer Horst Faas. Arnett was knocked to the ground and roughed up. Police then formed a line to prevent the newsmen from trying to apprehend the assailants.

[From the New York Times, July 9, 1963]

CHARGES LIKELY FOR NEWSMEN

(Special to the New York Times)

SAIGON, VIETNAM, July 8.—Two of the Western reporters attacked by the South Vietnamese secret police yesterday while covering a Buddhist demonstration apparently will be charged with assault on the police, a U.S. Embassy official said today.

They are Peter Arnett, a New Zealander, of the Associated Press, and his bureau chief, Malcolm Browne of New York.

Mr. Arnett and Mr. Browne were summoned to a police station today after two of the secret police swore to depositions against them.

Both newsmen also made charges against the secret policemen.

Nine American reporters and photographers were attacked yesterday by about 20 secret police. The police threw rocks, pushed the reporters, smashed cameras, and knocked Mr. Arnett down. Four policemen jumped on him before other reporters could come to his rescue.

Four reporters sent a protest to President Kennedy, charging that the Vietnamese Government was attempting to intimidate Western correspondents by physical violence. The reporters also complained that the U.S. Embassy in Saigon did not protest the incident.

The Embassy filed an official complaint, not as strong as a protest, the State Department said in Washington yesterday.

The Embassy position was that while the reporters' account of the incident was correct, there was no proof that the attack was planned.

When asked about the summonses to Mr. Browne and Mr. Arnett, William Trueheart, the Chargé d'Affaires, said he believed the reporters were called only for an inquiry.

But an Embassy official who accompanied the two men to the police station today said that he believed the Vietnamese were preparing charges against them. The charge could mean expulsion or a jail sentence.

Mr. MANSFIELD. Mr. President, I thank the Senator from Colorado for yielding to me.

Mr. ALLOTT. Mr. President, I have been very happy to yield to the distinguished Senator from Montana; and I congratulate the distinguished majority leader upon his remarks.

I am sure that the world looks at us with a great many mixed emotions. One of them which they cannot quite understand is how we can go into Vietnam and sacrifice the lives of American men in an attempt to help that country, while at the same time we permit a government like that of Vietnam to impose upon American citizens who are there for press purposes. I think perhaps if we could once impress upon those people that we have the will and even the stubbornness to withdraw some of the support that we have been giving them, we might get it through their heads that America is back on a positive course in its international relations.

FREE ENTERPRISE AND PRIVATE PROPERTY RIGHTS

Mr. TALMADGE. Mr. President, to those of us who believe in constitutional government and individual liberty, and who see the folly in trying to legislate by force in the area of human relations it is impossible to find anything desirable, or even remotely necessary, in the administration's so-called civil rights package.

In fact, we are hard put to decide what is the most iniquitous of these contrivances and which poses the greatest threat to our republican form of government. The section dealing with "public accommodations"—which would give the Federal Government totalitarian powers over the affairs of private businessmen—may well qualify for this dubious distinction.

David Lawrence, editor of U.S. News & World Report, wrote in a column in the Washington Evening Star on June 8, 1963, that this provision could set up a Federal dictatorship over virtually every aspect of private business, including customer relations and hiring and firing policies. As Mr. Lawrence points out, it could result in an economic upheaval and the ultimate end of our free enterprise system.

Mr. President, I ask unanimous consent that this column be printed in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

[From the Washington Evening Star, July 8, 1963]

Retail Business Faces Chaos—Kennedy Racial Plan Considered Pretext for Federal Dictatorship

(By David Lawrence)

An era of confusion, if not chaos, in the retail business in America seems to be on the way due to an unprecedented stretching of the lawmaking power such as is being proposed by Congress—without the support of a single Supreme Court decision.

For Congress is being urged by the administration to yield, in effect, to a stampede of street "demonstrations" and pass a law which creates virtually a Federal dictatorship over the relations of private business and its customers.

The legislation recommended by President Kennedy and his brother the Attorney General, is ostensibly directed at racial discrimination. They deem it constitutional, even though the Supreme Court has never ruled that the Federal Government could expand the interstate commerce clause to cover control over who may or may not be served in business.

It might mean that, by using the Executive order device and relating it to the racial problem, the Federal Government will also feel authorized to regulate who shall or shall not be given a job and whether promotions are being made to suit the wishes of the administration in power. It could mean also that the Federal Government, as well as the States, would assume the right to use the granting or withholding of licenses as a method of opposing alleged racial discrimination. It could mean, too, that Federal authority would be exercised to interfere with what are called equitable wage or salary scales for particular classifications of jobs.

While labor unions at present fix hours and wages, they do so by joint contract with the employer, who has the right—without penalty of law—to refrain from entering into a contract he does not like. He may choose union or nonunion employees, but it is his decision. With the racial problem as its leverage, Federal control of employment practices becomes a powerful instrument of national politics.

If the proposed law on "public accommodations," moreover, is held valid by the Supreme Court, there is no end to the powers that could be exercised on the mere pretext that it "affects" interstate commerce. The Constitution, of course, speaks only of the power of Congress to "regulate" interstate commerce—not the behavior of persons or their rights to select their own customers.

If it be conceded that all men are created equal and are presumably to be given equal opportunity to earn equal compensation when they do the same work, then a standardized system analogous to that which prevails under communism can be as logically applied by the Government here by merely invoking the doctrine of "equal pay for equal work." The private enterprise system would thereupon be materially changed. A political administration then becomes the judge of efficiency.

Meantime, what is beginning to bother many small business people, especially restaurant owners, is that the moment they open their doors to all kinds of customers, they begin to lose patronage. They know that, if they allowed white persons, for instance, in dirty clothing and of disheveled appearance to frequent their restaurants, other customers would stay away. Yet, if a Negro dressed in the same way should be refused a seat in the restaurant among white customers, the owner could be threatened with Federal punishment. Even if the owner argued that he was not discriminating on the basis of race but because of the personal appearance of some of his customers, he cannot be sure the Supreme Court will not say this is merely an excuse and that he was motivated by "local customs."

From the standpoint of those who want to see individual rights preserved—which means the right of every private business to use its own judgment, even if it be discriminatory—the choice ahead may be between an acceptance of Federal authority or the expense and worry of politically generated law suits.

But it is being argued by some Members of Congress that interstate commerce in its total dollar amount will be expanded if there is no racial discrimination. Will the total number of customers, however, suddenly increase? Will Negroes eat more than before? Rather, it is as easy to speculate that many restaurants will be hurt, and no small part of the damage will be inflicted upon those who now cater primarily to the Negro trade.

If the Negroes desert their own restaurants, the Negro owners will have less business. Similarly, the white owner who caters to an "integrated" group of customers may find that he is gradually losing the trade of those white persons who may decide to patronize private clubs more than before or organize new clubs. Whichever way the subject is viewed, there is likely to be an economic impact due to shifting customers in the restaurant business.

The biggest effect of all, however, inevitably will come in the field of employment. If white persons lose their jobs in factories and Negroes are employed instead, ill feeling will result.

Irrespective of the merits of the current controversy, many a Member of Congress who votes for a system of employment that could mean regulation of promotions or salary classifications by Government edict is bound to encounter a new wave of protest in the next election. It could make deep inroads inside both parties and furnish a real surprise.

LET US GET BACK TO CHURCH

Mr. TALMADGE. Mr. President, the recent decision by the U.S. Supreme Court which declared unconstitutional any required use of the Lord's Prayer or Bible reading in the public schools was deplored by all who place their faith in Almighty God and who say with the psalmist of old: "Blessed is the nation whose God is the Lord."

My warm friend, the Reverend James P. Wesberry, pastor of Morningside Baptist Church in Atlanta, Ga., expressed heartfelt concern over the decision and its effect in a recent sermon to his congregation. It caused him to fear, he said, for the future of this Nation, and he—like so many of us here in the Senate—worried over how far we have strayed from the ideals of our Founding Fathers.

However, the Reverend Mr. Wesberry noted with great truth that the Court's decision challenges us all to work and live closer to God than ever before, in our churches, at the family altar, and to instill in our children an everlasting love of the Almighty. It is a challenge none of us can ignore in these times of travail both at home and abroad, when a godless ideology threatens man's freedom.

Mr. President, I ask unanimous consent that Reverend Wesberry's sermon be printed in the RECORD.

There being no objection, the sermon was ordered to be printed in the RECORD, as follows:

A Statement Regarding the U.S. Supreme Court Decision on the Use of the Lord's Prayer and the Reading of the Bible in the Public Schools, by Dr. James P. Wesberry, Pastor, Morningside Baptist Church, Atlanta, Ga., June 23, 1963

The U.S. Supreme Court Monday, June 17, 1963, in a decision of 8 to 1 banned as unconstitutional any required use of the Lord's Prayer or Bible reading in public schools for devotional purposes. The Court found this practice to be in violation of the first amendment to the Constitution of the United States which prevents the governmental "establishment of religion."

The decision affects 39 States specifically. There are 39 States which now permit religious exercises as part of the school program. The decision applied only to the use of the Lord's Prayer and reading of the Bible for devotional purposes, and indicated that both could be used for teaching literature and history.

The Court dealt with complaints from Pennsylvania and Maryland. The Maryland case was brought by a Baltimore mother, Mrs. Madalyn E. Murray, and her son, William J. Murray III, both atheists. They objected to a 1905 regulation of the Baltimore School of Commissioners requiring reading of the Bible and, if desired, the Lord's Prayer without comment every morning.

For your information, according to Dale Clark, a recent survey of some 4,000 communities showed that most schools in the South and East have devotional exercises while the majority in the West and Midwest do not. In the West 11 percent do, and 89 percent do not. In the Midwest 18 percent do, and 82 percent do not. In the South the figures are reversed. There is Bible reading in 77 percent of the schools, while 23 percent do not have it. And in the East, 68 percent do have Bible reading while 32 percent do not. In the United States as a whole, this survey showed 42 percent of the schools do have Bible reading, while 58 percent do not.

When it first dawned on me that there was a strong likelihood that the Supreme Court would render this decision, I was greatly shocked and indignant. It seemed to me that this would be but another step in a series of national events in the general weakening of the character of the people of America. It was a matter that gave me great concern, troubled me no little, and caused me to fear for the future of our Nation.

When the decision was announced on the front page of the Atlanta Constitution a picture along with the announcement added much to my sickness over the whole situation. It is not a pretty picture. It is one of the atheist mother standing outside court after winning the test, almost laughing. Her mother stood by her side with a great big grin and her little son appeared to look pleased but more serious than either his mother or grandmother. The smiles on their faces seemed to me like the smiles of Satan. The mother and son claim to be atheists. Imagine anybody anywhere in the world objecting to the Lord's Prayer and the reading of the holy Bible. The mother was protecting her son from the influence of both the prayer and the Bible. What a picture. It is one of the saddest I have ever seen in my lifetime.

There is a wonderful little booklet every American citizen should have, entitled "100 Things You Should Know About Communism," released by the Committee on Un-American Activities of the U.S. House of Representatives. On page 40 the question is asked, "Are American Communists atheistic?" The answer is "Yes." I know nothing about this family and I am not calling them Communists, but I am saying that Communists are atheistic and that this is the method they use to destroy our country. This type of thing plays into the hands of the atheistic Communist Party and gives them, as well as the Devil, something to rejoice over.

One reason why I was so stirred over the whole matter the evening I attended a meeting of several denominations to discuss the forthcoming decision was that I had heard that very day a poem by a Communist by the name of Langston Hughes (Negro) entitled "Goodby Christ."[1] It is vicious and blasphemous. Goodby, Lord's Prayer. Goodby, Bible.

This is one and only one man's opinion, but it is very unfortunate (so far as I am concerned) that this complaint had to be made by an atheist. Of course, I believe if there are atheists, that they have a right to their own opinion even if I think they are wrong, but being of a small minority group, and knowing that our Nation was not founded and nourished by atheists, it is indeed regrettable that people who do not even believe in a Supreme Being have been so deeply involved in seeking to overthrow that which is so meaningful and helpful to so many who do believe in a Supreme Being. I should hate very much to exchange places with them on the day of judgment as they appear before the Chief Justice of the Supreme Court of the Universe—before a God in whom they do not believe. This, I say, as kindly as I know how.

It is also very strange to me that anything so good and beautiful as the use of the Lord's Prayer and the reading of the Holy Bible, which has been practiced so long (187 years or longer) and approved by 39 different States, should have taken so long to be declared unconstitutional. If it is a violation of the Constitution to do these things, how did 39 States and so many other people not see it long ago? We all must know that early education in America was almost exclusively Christian. The early American colonists came to these shores by the love of God and zeal for godly worship. They built their educational structure upon a religious basis. This was not only true of early independent colleges but also of the public schools. The church was the parent and sponsor of education. Religion was the keystone of the educational arch. The role of religion in education of their children mirrored the importance parents professed to give it in their own lives. The first textbook in the early colonial schools did more to build character and mold religious thought than any other, except the Bible, and was often referred to as "The Little Bible of New England." The exact date of its origin is unknown but it was advertised in the Boston Almanac in 1691. It contained the Lords' Prayer, the Ten Commandments, a few psalms, and simple Christian instruction. It was used for over 100 years by parents and schoolmasters and was a part of the foundation of our Nation. The alphabet appeared near the front with an appropriate picture by each letter and a brief statement. "A" stood for Adam and there was a picture of the Garden of Eden with the words, "In Adam's fall we all sinned." "B" stood for the Bible Mind. "C" for the Crucifixion and there was a picture of it with the words, "Christ crucified for sinners died." As beautiful as that was, alas, that method of teaching disappeared long, long ago. In fact, this beautiful religious situation out of which our Nation grew has almost been reversed. Something has happened to education. God has been banished as a consciously recognized factor in much of our educational philosophy today and religion has become a peripheral adjunct, if that.

Dr. Edward B. Pusey[2] has well said, "All things must speak of God, refer to God, or they are atheistic. History, without God, is chaos without design or end or aim. Political economy, without God, would be a selfish teaching about the acquisition of wealth, making the larger portion of mankind animate machines for its production; physics, without God, would be a dull inquiry into certain meaningless phenomena; ethics, without God, would be a varying rule without principle, or substance, or center, or ruling hand; metaphysics, without God, would make man his own temporary god, to be resolved, after his brief hour here, into the nothingness out of which he proceeded. All sciences * * * will tend to exclude the thought of God if they are not cultivated with reference to Him. History will become an account of man's passion and brute strength, instead of the ordering of God's providence for His creatures' good; physics will materialize man, and metaphysics God."

We have gone a long ways from the ideals of our Founding Fathers. How is it possible that we have been wrong for so long? It took hundreds of years for us to discover our beautiful mistake.

This ruling of the Supreme Court in the very strictest sense calls for absolute separation of church and State, and it appears in this case that it is separation of the Lord's Prayer and the reading of the Bible from the States' schools. While both of these are thought of in connection with the church, they are often used apart from the church. This is literal separation without allowance or exception for that which is reverenced and approved no doubt by the majority of the people of the United States.

As we have learned from other U.S. Supreme Court decisions, it is clear that our only recourse, should we desire one, is in offering an amendment to the Constitution which would permit the use of the Lord's Prayer and the reading of the Bible in public schools. This, I believe, would be ratified by a majority of States and people. The Constitution, like our Declaration of Independence, is an immortal document. We believe in constitutional government. The Constitution, however, as fine as it is, did not in its first amendment make provision for, or literally spell out in detail, what at the time it was written would no doubt have been included had our forefathers foreseen these problems.

While I am not an authority on government or politics, it is quite possible that many of the Supreme Court decisions through the years have been influenced by public opinion. Minority groups are often more vociferous than majority groups and thus create a climate, while majority groups are silent and inactive. If all Christians had been as united and as persistent as some of the minority groups, the entire atmosphere might have been different. I am certainly not saying that the Court was influenced by minority pressure, but am saying that I can well imagine that certain of these groups worked day and night to create the climate which helped to make this decision easier. It is quite obvious that the climate was probably never right for such a decision until now. It seems that some of the great church groups acquiesced long before the decision was announced. What would have happened if all Christians had been as determined as the atheists and perhaps some others? I do not know. I only raise some questions.

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[1] The poem, "Goodbye Christ," is listed in the U.S. House Document No. 136, "100 Things You Should Know About Communism" by the Committee on Un-American Activities as a type of "the vicious and blasphemous propaganda Communists are using against religion. Inasmuch as you might like to have a copy of it, I am reproducing some portions of it as follows:

Listen, Christ
You did all right in your day, I reckon—
But that day's gone now.
They ghosted you up a swell story too,
Called it Bible—
But it's dead now.
The popes and the preachers've
Made too much money from it.
They've sold you to too many

Goodbye,
Christ Jesus Lord God Jehovah,
Beat it on away from here now,
Make way for a new guy with no religion
at all—
A guy named
Marx Communist Lenin Peasant Stalin
Worker ME—

I said ME!

And step on the gas, Christ!
Move!
Don't be so slow about movin'!
The world is mine from now on—
And Nobody's gonna sell ME
To a king, or a general,
Or a millionaire.
"Goodbye Christ, Good Morning Revolution."

[2] Edward B. Pusey, author, "Collegiate and Professional Teaching and Discipline."

The ruling does not seem to me to make for brotherhood and unity of some of the differing faiths.

While the decision may not necessarily increase the prestige of the Supreme Court on the part of many, I should hope that as confusing and bewildering as it is to multiplied thousands of people, that somehow we might retain respect for law, order, and constitutional government. Dean Griswold, of the Harvard Law School, has well said, "An institution charged with the role which the Supreme Court has successfully filled for so many years is entitled to our respect and understanding. If one criticizes the Court (as people have always done in the past, and should do in the future), it should be essentially for the purpose of trying to contribute to that respect and to that understanding. The debt which we all owe to the Court is far greater than any individual can repay."

The decision offers us the challenge as Christians to reexamine ourselves, our homes, and our churches. Many of us will do as the Governor of North Carolina says they will do. He says, "We will go on having the Bible reading and prayers in the schools. We do not require the Bible reading and praying, but do these things because we want to." The Governor added, "As I read the decision this kind of thing is not forbidden by the Court, and, indeed it should not be."

This decision challenges us to be more loyal and dedicated Christians than ever, to support the program of worship and education in our churches, to maintain a family altar, pray and read the Bible daily in our homes, and to teach our children to do so.

Our Nation has a great religious heritage for which we must ever be grateful to Almighty God, and we must fight harder than ever to deepen and maintain it, as well as perpetuate it.

This decision shows us plainly where the center of responsibility is—upon us as indivduals, upon the local church and denomination, upon every individual believer in God to pray harder, more often, more effectively and earnestly than ever before, to read our Bibles, and to do everything we know how to measure up to our responsibility.

It reminds us again of the historic position of Baptists regarding religious liberty and the separation of church and state, a position we have fought for and cherished and must not deny.

One of the questions that arises in our minds now is, What's next? Already a complaint has been filed in reference to the use of "under God" in the Oath of Allegiance to the flag of the United States. How much longer will it be until someone complains about the age-old requirement of opening both Houses of our national Congress with prayer? How much longer will our State legislative bodies be opened with prayer and Bible reading? How much longer will dear Uncle Sam be allowed to print on the coins of our beloved Nation, "In God we trust"? How much longer will we have chaplains in our Federal and State institutions, build chapels, and hold religious services? How much longer will the U.S. Government be permitted to maintain a great program of chaplains and chapels in all branches of our military service? How much longer will the Government exempt church property from taxation? Commencement sermons? Christmas carols? Use Bible for swearing public officials and jurors? Have prayer at inauguration of Presidents?

As in the past, the answers to these questions depend largely upon the character and faith of the American Republic, and this means you and me.

There is one logical deduction that is absolutely certain and it is this: it is high time for the American people to get back to their churches and give them their full, loyal, enthusiastic support.

A dear friend of mine who has been bruised in many a political battle, whose name is well-known throughout the United States and who holds a position close to the President of the United States, told me recently of his plans to give more time to his church than ever before. As we walked toward the plane together for him to go to another city for our Government he said, "Jim, the church has more to say on things that are happening today than Government does, you know. I am going to give more time to my church."

What about you? What are you going to do?

Some years ago a little church on the coast of England was destroyed by a hurricane. The British Admiralty inquired if they were going to reconstruct it, and when told that the members were not able financially to do so, said: "If you do not rebuild the church, we will. That spire is on all our charts and maps. It is the landmark by which the ships of seven seas steer their course."

Let us get back to church.

CUBAN LIBERATION

Mr. ALLOTT. Mr. President, on June 17 I offered in this Chamber a proposal for Cuban liberation. My motives were, in the deepest sense, nonpolitical and nonpartisan. I spoke then, and again today, as one profoundly disturbed American—but with the special obligation of representing in this highest court of public deliberation what I judge to be the firm will of the American people.

My proposal was offered explicitly—and I reiterate the point today—as one possible course of action, designed to fulfill our Government's own repeated pledge to restore to the Cuban people their shattered liberties. It was designed not to assert this Nation's authority over Cuba's destiny—we have no such authority—but to extend to the Cuban people an opportunity to resume their own sovereign course within the free world community. It was offered as one way to fulfill President Kennedy's own pledge that Cuba must once more be free.

One possible course of action—I repeat and underscore these words. Not the only or even necessarily the best course of action, but one that would capitalize on our unique strengths and would thus move us out of the shoals of endless procrastination and toward our avowed goals. My proposal was offered in direct response to the administration's repeated challenge to all the critics of its Cuba policy, ever since the moral and military disaster of the Bay of Pigs: What alternative do you offer? What would you have us do?

Here, in the form of a proposal for Cuban liberation, was one alternative—sober, serious, and with full awareness of this Nation's complex obligations—legal, diplomatic, and moral. In proposing that we both challenge and stimulate the fragmented forces of free Cuba to compose their differences and then to spearhead their ultimate self-liberation, I was responding to the administration's appeal. In proposing that we offer both sanctuary and a territorial base at Guantanamo Bay to a broadly representative free Cuban provisional government, in proposing that we then recognize this strictly interim government as the sole legitimate agent of Cuban sovereignty, I was attempting to offer one responsible alternative to the administration's policy of futile and timid indecision.

My proposal of June 17, for Cuban liberation, was offered as a stimulus to reasoned debate and deliberation—and, ultimately, to decisive and effective action.

But what has been the response? First, silence. To this day, indeed, no official administration spokesman has come forward with either an effective critique or a better alternative. Then some nameless and faceless "Mr. Anonymous" in the State Department did deign to respond: He called my proposal "insane." I must admit, to be sure, that the chairman of the Latin American Subcommittee of this body's Committee on Foreign Relations did not discuss my proposal simply as "insane." By now, the response had escalated to "foolish, dangerous, imprudent, and ill considered," with the charge of "illegal" tossed in for good measure.

But let me not be misunderstood: It is not offended personal pride that moves me to reply. Such a consideration is less than minor. What is important—supremely important, is this Nation's security. What matters is this Nation's honor in the free world community—and its credibility within the walls of the Kremlin. What matters is the value of this Nation's pledged word in the councils of world opinion. And what matters is the dignity of the U.S. Senate as a responsible assembly of deliberation, debate, and decision.

All these considerations are of overriding importance, now that the senior Senator from Oregon [Mr. MORSE] has chosen to spread upon the record what we can only assume is the administration's considered response to a proposal for Cuban liberation. This tangle of unrational conclusions cannot go unanswered. And I repeat that what is at stake is, equally, this Nation's security and the honor of its solemn word. If the world's greatest deliberative assembly is to fulfill its high mission, we must first pause to consider the administration's case—and then get on with the great tasks before us. If the administration will not make good its own pledges, it is up to the U.S. Senate to assume the burden of responsible decision.

The subcommittee chairman begins by asking "Who is to decide upon the composition" of what he chooses to call a government-in-exile, and "where is such a government to derive any right to claim to be the government of the Cuban people?" Let me suggest that the Senate study the record: The proposal for Cuban liberation could not be more explicit.

First, it challenges the leaders of the Cuban expatriates themselves to reconcile their differences; to unite behind the one goal of national liberation; and to demonstrate that they are, indeed, broadly and truly representative of all democratic groups and parties in pre-Castro Cuba.

Second, the proposal contemplates no government-in-exile at all, in the traditional sense, but rather a provisional government with but two mandates: To spearhead the ultimate liberation of their homeland, and to prepare the way for free elections by the whole Cuban people—after which their work would be done.

And third, if such an interim government could not legitimately discharge this limited mandate, so clearly in the interest of all freedom-loving Cubans, how then can the Castro-Communists be said to legitimately represent anyone at all—except their own masters in the Kremlin?

There have been no elections in Cuba since January 1959, contrary to Castro's solemn pledge. The Castro gang—and it is just that, nothing better—can claim no popular mandate, except under the threat of its guns and its Soviet-backed regime of terror. By the terms of the Declaration on the Offensive of Communism in America, proclaimed at Punta del Este in January 1962, and subscribed to by every free republic of the Americas, the Castro regime has usurped the sovereignty of the Cuban people. It is in blatant contempt of every requirement for legitimate democratic rule, as specified in sections 3 and 4 of that declaration of hemispheric policy.

I must also ask this defender of the administration—and I must presume that is what he is—to consider a further fact: if he is now so outraged by the possibility of the United States—as he puts it—"picking" and "choosing" a free Cuban government, what does he conceive to have been the purpose of our disastrous operation at the Bay of Pigs? We have the word of one of the highest administration officials, of the Attorney General himself, that its precise purpose was to secure a beachhead for a provisional government—one that most certainly would have been, to use the Senator's word again, an American "puppet." And this, expressly, is what my proposal seeks to avoid.

The Senator from Oregon [Mr. MORSE] in his reply next points out that, in every past case of U.S. recognition of exile governments, there were in existence duly constituted regimes that had been forcibly ejected from their own territory. Were the free French such a duly constituted government? Was De Gaulle forcibly ejected? But these are relatively minor points. What is important is that no one then seriously questioned the legitimate right of these free governments—the French, the Poles, the Czechs, the Hungarians—to represent the aspirations of their people for ultimate liberation, for the restoration of their freedom, and for the chance to reassert the privileges of national sovereignty. And today, no one could seriously doubt the parallel claim of a free Cuban provisional government. The Senator's suggestion that the utterly discredited Batista regime is "the only group we could possibly recognize as a Cuban government in exile" is frivolous —and it flies in the face of the historical record. It reduces the niceties of law to a shameful absurdity.

The Senator tacitly concedes the frivolity of this argument by turning next to a most curious, tortured, and—inadvertently or not—a most revealing line of reasoning. He says:

> I do not think many people realize that as a matter of international law, the United States still recognizes the Castro government of Cuba.

I agree with him. Most Americans do not realize this fact, and a shocking realization it must be. We continue to play this immoral game—and for what reason? I quote again from the distinguished subcommittee chairman:

> It is the Government which we hold responsible for living up to Cuba's international obligations.

What obligations? What responsibility?

The record is clear—every broken scrap of it. This is a bandit regime, maintained in power by Soviet arms, manipulated in world councils as a bought-and-paid-for puppet of world communism's aggressive designs. Castro has held his international obligations, his responsibility to respect foreign properties, in the same utter contempt with which he has treated the rights of the Cuban people. He has trampled on them at will. If Castro's respect for international law and for human dignity is the hinge on which our Cuban policy turns, then the situation is grave indeed—and the need for a bold new initiative could not be more urgent.

The next point in what we can only assume to be the administration case simply indicates that the subcommittee chairman has not bothered to study the proposal he is criticizing. He says:

> We cannot recognize two governments at the same time.

Of course, we cannot—nor does the proposal contemplate doing any such thing. At exactly the same moment that a provisional government has established itself, and has satisfied our Government of its broadly representative character, we would extend it recognition as the sole legitimate agent of Cuban sovereignty. The shameful fiction that the Castro-Communists represent anything except their Soviet masters would be at an end at that time. By our new act of recognition, consistent with every usage of international law, the Castro regime would be branded as a regime of usurpers—politicaly, legally, and morally illegitimate. And, this new government—established, by our invitation, on its own soil at Guantanamo—could be the rallying point for a new, free, democratic government. This government, we are now told, would be totally incapable of fulfilling Cuba's treaty obligations. Why? This we are not told. Not only could it do so, but also this Nation should be prepared to enter into negotiations with it to clarify all the technicalities, all the legal details governing our perpetual lease at Guantanamo—which would be of greatest immediate interest—as well as the ultimate restoration of Cuban freedom through democratic elections. And, we could at least have hope that this provisional government would meet its treaty obligations—something the Castro-Communists have not done and vow never to do.

The Senator speaks of "some form of election" to be conducted in the immediate future—but any such election would be a fraud, under present conditions. He warns that the United States would have "the responsibility for setting up the ground rules"—but that is precisely what the liberation proposal seeks to avoid. Our responsibility would be simply to extend an opportunity to the forces of free Cuba—to unite behind the goal of liberation and then, when the whole Cuban people can deliberate freely, to pick and choose and elect for themselves. The burdens of sovereign power would be on the Cuban patriots—not as U.S. puppets, as the Senator calls them, but as our equal partners in the free world community.

As if all these difficulties were not enough, we are next informed that the liberation proposal would be illegal, that it would violate the treaty and agreements governing our perpetual lease at Guantanamo. Let us leave aside the Senator's implication that he has some manner of "hot line" to the World Court and "knows" what its finding would be. The basic answer—again, the proposal could not be more explicit—is this: There will surely be legal technicalities to be adjudicated, once the provisional government is established at Guantanamo. But all subsequent negotiations would be conducted between the United States and what would, at that time, be the only legitimate Cuban regime—the provisional government of free Cuba.

The claim of illegality goes further, however, and proceeds to misconstrue the language of the treaty governing the Guantanamo lease. First, pertaining to the strictest legal interpretation of the treaty, the Cuban people are granted, under terms of the treaty, "ultimate sovereignty" over the Guantanamo base, and their own legitimate Government's use of the land, or a small part of it, cannot be construed as a violation of Cuban rights. For the recognized Government of Cuba to make its home on its own soil is not a usage of the base or its land by the United States at all—it is rather an exercise of Cuba's sovereign authority.

However, the claim of illegality made by the chairman of the subcommittee goes further, and in my opinion, as well as the opinion of many lawyers preeminent—and I repeat the word "preeminent"—in the field of international law, misinterprets the provisions of the executive agreements and the treaty with the Republic of Cuba in four respects:

First. With respect to the words "for use as coaling or naval stations only, and for no other purposes," these words are contained in the agreement of February 23, 1903. The subsequent actual lease agreement of the same year, on August 17, contains no such words as "and for no other purpose," although the latter instrument spells out in detail the relationship between the parties—that is, the United States and Cuba.

The limitation contained in the first agreement is in article II of that instrument. Article I of the same agreement makes the general grant of the land and adjoining waters for "the purposes of coaling and naval stations." Article II, however, is limited to "the waters adjacent to said areas of land and water, and to improve and deepen the entrances thereto and the anchorages therein." It is plain that article II pertains to waters and anchorages, and the limitation implicit in article II "and for no other purpose" pertains only to the waters and anchorages. If it was intended to be a limitation to the entire agreement, it would be placed in a separate paragraph. No such limitation was placed in the subsequent lease agreement applying to the base as a whole, nor in the subsequent treaty of 1934. The best possible construction that the administration could take therefore, is that it does create an obscurity. It is the best the administration could contend in attacking the plan I offer.

Second. With respect to recognition of the "ultimate sovereignty of the Republic of Cuba" over the area of our base, the liberation proposal simply confirms this fact. And the U.S. Government, in all future dealings with the provisional free Cuban government, ought to do the same. This, of course, gets us to the crucial point. Far from fulfilling all its legal obligations, the Castro regime has put us on notice—clear and repeated—that it has no intention of respecting our rights at Guantanamo—that we remain there on Castro's suffrance and at his whim. He has not so much as cashed a single one of our rent checks. As early as August 1961, his Foreign Minister denounced the Guantanamo accords before the U.N. General Assembly. This denunciation was repeated by Castro's puppet President, Dorticos, in October 1962, and by Castro himself later in the same month. Where does this leave our treaty rights? Is this what the Senator means by "fulfilling obligations"? Precisely the strength of the liberation proposal is that it would affirm the ultimate sovereignty of a free Cuba over all its territory—and, at the same time, our own perpetual rights over the Guantanamo base. Let us face facts: what today deters Castro from marching on Guantanamo is hardly his profound respect for legal obligation. It is plainly and bluntly, the presence of U.S. armed might—that, and that alone.

Third. On another point with respect to the treaty and to the question of legality, the Sentor tends to trip over his own tangled logic. First he points out that, under the terms of the treaty, we would be bound to deliver up to Castro's perverted justice those members of the Guantanamo provisional government whom Castro would brand as traitors and fugitives from justice. He seems to forget that, earlier, he had complained of the lack of such people—expelled from their own land by force—as a bar to the establishment of an exile government. More important, he seems to forget that once such a government was established at Guantanamo, our relations with Castro would be finished. All our future dealings would be with this new provisional government. And the members of this government, far from being traitors, could only be described as patriots—the legitimate interim representatives of the ultimate sovereignty of the Cuban people.

Fourth. The rather spurious argument has been raised that this would violate article III of the second or August 17, 1903, agreement which forbids the establishment of a commercial, industrial, or other enterprise. I am sure that the eminent critic had his tongue in cheek when he advanced this argument.

These arguments by the Senator from Oregon with respect to legality cannot be taken seriously. They are smokescreens. They are not arguments at all, but rather evasions of the major issues involved. They are debaters' tricks, not serious responses to a responsible proposal. And they are implicit concessions that the administration's defense is on a par with its Cuba policy: weak, timid, indecisive. It is built of empty rhetoric, not substantial action.

Now, what was said about the proposal for a pacific blockade made by the Senator from Nebraska? Having disposed of the liberation proposal, he turned next to the bold proposal of the distinguished Senator from Nebraska for a full-scale blockade of Castro's Communist base—two proposals, let me say, that are mutually consistent and fully complementary—that is, the liberation proposal and the blockade proposal. On this, he attempted to write off such a pacific blockade as an act of war. Now, even assuming that we dare not so much as contemplate such an act—which, in the context of the Communist strategy of relentless aggressive pressure, is an assumption both dangerous and unwarranted—the conclusion that it constitutes an act of war is untrue. It is doubly untrue.

In the first place, international legal authorities consider a pacific blockade to be fully justified, in the face of grave threats to the security of the blockading power; both the U.N. and the OAS charters recognize such an extreme contingency.

Secondly, no act of war is involved unless and until the target of the blockade chooses to consider it so; and even then, the response may run a broad spectrum, from the use of counterforce to mere diplomatic protests.

One is compelled to ask: Has the administration, has the subcommittee chairman, learned nothing from the confrontation of October 1962? At that time, the United States mounted what was, in every essential, a pacific blockade. To be sure, we invented a new term to cover the situation—we called it a quarantine. And we have it on the highest authority—from the State Department's own legal adviser—that a legal justification for this act had pretty much to be devised on the fly, step by unprecedented step. But the fact remains that, in its essence and in its effect, this was a pacific blockade, the same kind of blockade proposed by the distinguished Senator from Nebraska.

What happened? The blockade worked. It earned the prompt and near-unanimous support of the free world and, more to the point, of the OAS community. In the face of this bold initiative, the Soviet Union backed down. Our failure to capitalize on this opportunity and to press our advantage to its logical conclusion—the Soviet presence remains in Cuba, if indeed it does not grow—should not be permitted to obscure the major point. When we acted with forthright and unequivocal purpose, it was the Communists who blinked, not the United States.

But now, we are told, the threat is past. The provocation is at an end. We have it on the authority of both the Senator from Oregon and his junior colleague from South Dakota that Cuba is no longer a "clear and acute" menace to U.S. and free world security. It is, rather, an "obsession" or a "fixation." Action appropriate in October is, by now, warmongering. What worked in October will fail now. In the approved jargon, both the liberation proposal and a pacific blockade will be "counterproductive," whatever that means.

The administration, and all its spokesmen and apologists, are either misinformed or blind. They are living in a dreamworld, wedded to the illusion that the urgent problems of this hemisphere can be effectively solved—some fine day, later rather than sooner—by socioeconomic uplift and by massive infusions of U.S. aid.

But the facts remain. And the facts—more chillingly documented with each passing day—point to a mounting Communist offensive against every free government of Latin America. Their techniques are infiltration and penetration by trained revolutionary cadres, psychological and political warfare, systematic subversion, and planned murder and violence.

Our response must be projected on the same scale. Anything less is doomed to deluge us and ultimately fail. Brave words are not enough. It is time, and more than time, for bold acts—for decisive acts designed to cope with this cancerous menace deep within the heartland of the free world, but 90 miles from our own shores. The Cuban base of world Communist imperialism must be removed. And toward this irreducible goal, the Castro bandit regime must be replaced by a free government, representative of the sovereign Cuban people. There can be no "ifs" or "buts" or "eventuallys" about it. This, and this only, must be the undeviating focus on which our policy is fixed.

I said it on June 17. I repeated it today at the outset of my remarks. And now—for a third time—I say it again: if my proposal for Cuban liberation is somehow flawed, if it is inappropriate to the urgent need, if it is insufficient to meet our avowed purposes, then let us put it aside. But first—and this question I direct to the highest officials of the executive branch, for spokesmen will no longer do—what is your alternative? What do you propose instead? What, in short, is our policy with respect to Cuban liberation, and when can we expect to reach this overriding goal?

I appeal to every Member of this body: let us not be still, let us not relax our pressure, until these questions are answered. And more than answered: let us demand decisive acts—assurances that, at long last, the march toward Cuban liberation has begun.

Mr. CURTIS. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. TALMADGE in the chair). Does the Senator from Colorado yield to the Senator from Nebraska?

Mr. ALLOTT. I am happy to yield to my distinguished friend from Nebraska.

Mr. CURTIS. I congratulate the senior Senator from Colorado on his very clear statement. It behooves Senators to turn their attention to a discussion of the steps which can be taken to end the Communist threat in the Western Hemisphere, particularly while there is still time to do so short of war.

The senior Senator from Colorado made a suggestion which is worthy of consideration. He suggested a plan of action for the location of a government that represents Cuba. That suggestion deserves consideration, not only by the Senate, but also by the executive department. It is regrettable that it should be denounced as ill advised or as warmongering.

An attitude that causes our Nation to put its head in the sand in reference to what is going on in Cuba and in the surrounding areas will lead to a situation in which armed combat is inevitable.

It has been said that the suggestion for a provisional government, and the suggestion which the junior Senator from Nebraska has repeatedly made, for a pacific blockade, do not apply now, as they did last October, because there does not exist a clear and present danger.

That statement is not supported by the findings of the Preparedness Subcommittee of the Committee on Armed Services. The whole tenor of its findings is that there is a clear and present danger to this country.

Speaking of Cuba, the subcommittee said:

> It provides a base for training of agents from other Latin American countries in subversive, revolutionary, agitational, and sabotage techniques.

If sabotage does not create danger, if revolution does not create danger, if support of communism does not create danger, how does danger exist?

The report of the Subcommittee of the Committee on Armed Services went on to say that unless this problem is met and dealt with, it will not end with Cuba; but that, one by one, these nations will fall into the hands of Communists—Russian Communists, if you please—and the United States will be isolated from friendly powers. The danger does exist. Suggestions have been made for meeting it.

I again congratulate the distinguished Senator from Colorado.

I call attention to the fact that on page 11577 of the CONGRESSIONAL RECORD for June 25, 1963, there is a discussion of the legal authorities with respect to a pacific blockade. It was none other than Franklin D. Roosevelt who, early in 1939, said:

> The mere fact that we rightly decline to intervene with arms to prevent acts of aggression does not mean that we must act as if there were no aggression at all. Words may be futile, but war is not the only means of commanding a decent respect for the opinions of mankind. There are many methods short of war, but stronger and more effective than mere words, of bringing home to aggressor governments the aggregate sentiments of our own people (84 CONGRESSIONAL RECORD, p. 74).

Hyde, in his "International Law chiefly as Interpreted and Applied by the United States," volume II, page 1654, states:

> International law recognizes the use of nonamicable measures short of war to check the commission of such acts of aggression.

The American Journal of International Law for April 1953, referring to the suggestion of a blockade of the Chinese Communists, said:

> In short, the idea of using the weapon of blockade against Communist China, without war, is not excluded by international law.

A pacific blockade is one in which the blockading nation intends to compel the blockaded nation to take certain action or to cease from taking action, and is not a part of an invasion or a war. It is true that the intent of a blockading nation is also involved. That risk was taken last October. Whatever one wishes to call it, whether it be a quarantine or what not, it was a blockade type of remedy, and it worked.

In a pacific blockade, the ships and cargoes of the countries whose vessels are the victims of the blockade cannot be seized; they must return to their own ports. But as a matter of self-defense, just as we had the right of blockade last October, we have it now, because the overall situation in Cuba is not improved.

I thank the Senator from Colorado.

Mr. ALLOTT. I thank the Senator from Nebraska.

Mr. SCOTT. Mr. President, will the Senator from Colorado yield?

Mr. ALLOTT. I am happy to yield to the Senator from Pennsylvania.

Mr. SCOTT. I believe that this series of carefully considered and logically presented remarks with regard to the great problem of Cuba deserves not only the passionate consideration of the Senate but of the American people, as well. The Senator from Colorado is entitled to high praise and favorable comment for the time and effort he has devoted to this important subject.

The issue of Cuba simply will not "down" with the American people. The Senator from Colorado is bringing out what every American knows; namely, that the presence of a Russian army in a Russian-dominated country, in violation of the Monroe Doctrine; the arrogance of Communist forces; the failure of this administration to take any action; the unwillingness of this administration to face facts—brutal facts; and an aggressive horde of evilly disposed persons in a position to render us continuously insecure, constitute a menace to the safety of every American. So long as it is ignored, so long as it is treated as if it would go away, I am certain that the American people will never feel secure in their own homes, their own localities, or their own country, until something is done to correct the situation.

I am glad that the Senator from Nebraska has brought out in his colloquy the fact that there are two kinds of blockades. We have all heard much talk and many smug statements to the effect that a blockade is an act of war. Wherever I have discussed Cuba, I have met with the reaction, "Oh, you must not talk about a blockade, because a blockade is an act of war." We are often met by categorical, imperative statements, statements which sound good but are totally untrue. Such statements are often made to avoid logic, to discourage thinking, to end a discussion which is unpleasant for some persons to hear.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. SCOTT. I yield.

Mr. ALLOTT. Would not the Senator say that the statement that Cuba is no longer a menace because the missiles have been removed is in the same category?

Mr. SCOTT. Of course. To say that Cuba is no longer a menace because some weapons have been removed is to close one's eyes and ears to the obvious fact that the greater menace is not the current presence of any weapons. The present menace is the continuing presence of any army whose government is dedicated to the destruction of the free world. That army is closer, more dangerously situated, and more evilly disposed than any army has ever been in the history of the American Republic.

To say that a blockade is an act of war is not to state the factual situation, because when the administration imposed a blockade on October 22, last, it did not, under international law, change the fact that it was a blockade merely by calling it a quarantine.

Interestingly enough, the word "quarantine" is one which had been used by the former Vice President, Mr. Nixon, in an earlier speech. It was apparently seized upon by the present administration to indicate that there was some kind of difference between a quarantine and a blockade.

But when the President announced on October 22, 1962, that our military forces were so disposed as to prevent the passage of vessels of other countries en route to Cuba, that statement meant exactly what it said, namely, that for the time the danger lasted, which was very brief, namely, if Russian ships or Russian-controlled ships entered the zone of our frontiers and pierced those zones to communicate with Cuba for the unloading of military and other supplies, the United States would be prepared to stop them and use such force as was necessary. That, in international law, is a blockade. We had imposed a blockade, and it was not an act of war. That is what impresses me. Why the administration must say that a blockade is an act of war, after it had imposed a blockade which was not an act of war, I cannot understand.

So I should not only like to stress my agreement with the point which the Senator has been making here, but I should like to continue to have it made as clear as it can be made that a blockade by the Organization of American States—an economic blockade or perhaps a military blockade—does not need to be an act of war.

I thank the Senator for yielding to me.

Mr. ALLOTT. I appreciate the Senator's remarks. In the absence of definite action or a definite policy by the administration, I believe it is up to Senators to discuss these questions, and perhaps out of the discussion to develop some policy for the Federal Government.

Whether it be this particular plan or whether out of it other plans develop is insignificant. The point is that we must move.

Mr. SCOTT. Mr. President, will the Senator from Colorado yield again, briefly, so that I may make one further observation?

The PRESIDING OFFICER (Mr. McGOVERN in the chair). Does the Senator from Colorado yield further to the Senator from Pennsylvania?

Mr. ALLOTT. I yield.

Mr. SCOTT. The fact that there has been nothing but an ominous quiet from our Department of State and from elsewhere in our Government may indicate that action of some kind is pending. I hope it does not indicate that nothing will be done until another time of crisis—one similar to that of October 1960, or perhaps a practice run or trial run in October 1963, to see how it goes. So I hope we shall not have to wait until another October crisis arises. I hope that, instead, this continuing, daily menace is recognized by our Government, is met by our Government, and is treated by our Government as the dangerous, continuing crisis which it is, and not a matter to be deferred until a convenient time when it may have the desired impact upon American public opinion. When an enemy menaces us, the time to act is at once. Now the enemy menaces us; and this is the time for us to act, rather than wait for a further series of October crises and October brainwashings of the American people.

I thank the Senator from Colorado for his observations.

Mr. ALLOTT. Mr. President, I thank the Senator from Pennsylvania for his valuable contributions.

Mr. DOMINICK. Mr. President, will my colleague yield to me?

Mr. ALLOTT. I am glad to yield to my colleague.

Mr. DOMINICK. I thank my colleague for yielding to me.

I wish to add my congratulations on the very fine service he is rendering in leading this effort to attempt to formulate a policy with respect to Cuba which we can discuss in constructive terms throughout the country.

I was very much interested in the remarks, the other day, of the senior Senator from Oregon [Mr. MORSE], in which he indicated that the menace of Cuba has passed, and that the provocation is at an end—a subject which my colleague has discussed today in his remarks on the floor.

I hold in my hand a copy of a report from Cuba which states specifically that work there is going on feverishly in the caves, in the mine zones, and in the coastal regions, and that they have been receiving large shipments of reinforced concrete, steel girders, and all types of heavy building materials which have been arriving at the indicated places late at night, in trucks driven by Cuban militiamen, who then have turned them over to Russian drivers, after their arrival at the specific areas; and the report goes into considerable detail in regard to the actions occurring there. As to the accuracy of this report, I have no way of knowing; but the information which constantly is coming in on the activities of the Russians in Cuba and on the activities of the Castro government itself indicates clearly that this is a menace which still exists, and that—as the Senate committee report itself states—we have no way of knowing whether all the missiles have been taken out of Cuba. We think they have been, but we do not know for certain.

So I do not believe we can possibly say that this menace is at an end, or that it will be at an end before the Russians leave there.

Furthermore, Mr. President, it will be recalled that sometime ago I said here on the floor that it seemed to me that our foreign policy had been based on two fundamental principles: one, that if we do not irritate the Communists, they will soon change their spots, and will be something we can live with; second, that we should not embarrass Khrushchev in any way, because if our embarrassing him led to his downfall, we might find it more difficult to deal with someone who would replace him.

All through this we can see a policy of accommodate and withdraw, accommodate and withdraw.

I have noted an article which bears particularly on our Cuban policy.

The article is an Allen-Scott report entitled "Shift in U.S. Policy on Castro," and it was published on July 1 in the Colorado Springs Gazette-Telegraph. I wish to read a portion of the article, because I think it bears particularly on the point my colleague [Mr. ALLOTT] and the Senator from Nebraska [Mr. CURTIS] have been discussing, which also has been discussed by so many of the rest of us who have been trying to force the adoption of a positive course of action.

I now read from the article:

> WASHINGTON.—President Kennedy is deliberating a gradual shift in U.S. policy toward Dictator Fidel Castro's Communist regime in Cuba.
>
> For more than a month, the President and his top foreign policy advisers have been discussing a plan under which the United States would resume "contact" with Castro on both "an informal and formal basis."
>
> Under this backstage scheme, New York Attorney James Donovan, who negotiated the $53 million ransom of the ill-fated Bay of Pigs invasion prisoners, would fly to Havana and Moscow to seek the withdrawal of all Soviet combat forces from Cuba.
>
> In exchange for their removal, the United States would agree to a step-by-step normalization of diplomatic and trade relations with the Red-ruled Castro dictatorship over a 2-year period.
>
> As a first step, the United States would reopen its Embassy in Havana by sending a chargé d'affaires there. At present the Swiss Ambassador is handling U.S. affairs.
>
> An exchange of Ambassadors and lifting of the trade embargo against Castro would follow after sufficient time had elapsed to make such a drastic "readjustment" palatable to the people and Congress.
>
> This far-reaching shift in Cuban relations is part of President Kennedy's policy of seeking accommodations with Russia and its satellite bloc for the avowed purpose of reducing the risk of nuclear war by moderating tensions.
>
> White House insiders say the proposed switch in Cuba policy fits squarely with strategy enunciated recently by the President in a speech that "any plan of action in the Caribbean has to take into account conditions and potential developments between the United States and U.S.S.R."

Mr. President, it seems to me that this report is so serious and is backed by so much evidence along these lines that we should have a clear, unequivocal answer as to whether this is the purpose and whether these are the steps which will be taken by the administration, or whether we shall have a positive formula of foreign policy devised to try to regain the rights of free people in Cuba to govern themselves. I wish to add this to the statements my colleague has been making, which I think have been extremely valuable throughout.

Mr. ALLOTT. Mr. President, I appreciate very much the remarks of my distinguished colleague. He raises so many questions that I hope he will take the opportunity to discuss this matter on the floor, because if the President's plan is followed through, will there be any assurance that there will be a liberation of the people of Cuba? Will there be any assurance that there will be free elections there? And, most important of all, will there be any assurance that Communist subversion and activities of violence and murder in the Western Hemisphere will come to an end, if we enter into such an accommodation with Cuba?

The fact is that the Russians, the Communists, have been stopped only when they have been met with extreme firmness. However, under the wonderful policy—and I use the term with considerable sarcasm, of course—which we in this country seem so intent on following—that of coexistence—they seem to be making additional strides.

On reading the press in Latin America, it is difficult to point to one bright spot or one place in Latin America or in South America where conditions have improved in recent years or in recent months.

Under these circumstances I believe we have a right to know what the policy is. If it is not to be announced at the top levels, we shall try to hammer out a policy on the floor of the Senate.

Mr. DOMINICK. Mr. President, if the Senator will yield once more, I wish to say, in answer to the first questions propounded, although I know they are rhetorical, that the fact is that if the President goes through with the type of proposal that I said had been reported on—and I do not know whether it is what he is considering, though I hope it is not—he will be in fact putting into a position of uncontrolled authority the very people that we are trying to get out of Cuba—namely, the Communists—and the free people of Cuba—they will be the ones who will suffer less than those in Latin America and Central America.

Mr. ALLOTT. My colleague is entirely correct.

Mr. HICKENLOOPER. Mr. President, if the senior Senator from Colorado will yield, I should like to ask the junior Senator from Colorado a question.

Mr. ALLOTT. I yield.

Mr. HICKENLOOPER. Has the junior Senator from Colorado asked consent to have printed in the RECORD the article to which he referred?

Mr. DOMINICK. Not yet. I have it available, and I shall be glad to do so.

Mr. HICKENLOOPER. I hope there are ways and means by which we can obtain some categorical answers as to whether the policy to which the Senator has referred is being seriously considered by our Government. The junior Senator from Colorado has raised some extremely serious questions, in my opinion.

Mr. ALLOTT. Mr. President, I yield the floor.

Mr. DOMINICK. Mr. President, I ask unanimous consent that the article from which I quoted be printed in the RECORD following my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Colorado Springs Gazette Telegraph, July 1, 1963]

SHIFT IN U.S. POLICY ON CASTRO

WASHINGTON.—President Kennedy is deliberating a gradual shift in U.S. policy toward Dictator Fidel Castro's Communist regime in Cuba.

For more than a month, the President and his top foreign policy advisers have been discussing a plan under which the United States would resume "contact" with Castro on both "an informal and formal basis."

Under this backstage scheme, New York Attorney James Donovan, who negotiated the $53 million ransom of the ill-fated Bay of Pigs invasion prisoners, would fly to Havana and Moscow to seek the withdrawal of all Soviet combat forces from Cuba.

In exchange for their removal, the United States would agree to a step-by-step normalization of diplomatic and trade relations with the Red-ruled Castro dictatorship over a 2-year period.

As a first step, the United States would reopen its Embassy in Havana by sending a Chargé d'Affaires there. At present the Swiss Ambassador is handling U.S. affairs.

An exchange of Ambassadors and lifting of the trade embargo against Castro would follow after sufficient time had elapsed to make such a drastic "readjustment" palatable to the people and Congress.

This far-reaching shift in Cuban relations is part of President Kennedy's policy of seeking accommodations with Russia and its satellite bloc for the avowed purpose of reducing the risk of nuclear war by moderating tensions.

White House insiders say the proposed switch in Cuba policy fits squarely with strategy enunciated recently by the President in a speech that "any plan of action in the Caribbean has to take into account conditions and potential developments between the United States and the U.S.S.R."

THE NEGOTIATOR

The President favors 47-year-old Donovan for this highly explosive diplomatic mission for two reasons: his "acceptability" to Castro and Khrushchev, and his close ties with key administration officials, notably Attorney General Robert Kennedy.

After Donovan arranged the swap of Soviet spy Abel for U-2 Pilot Francis Gary Powers, the President wrote him, "The type of negotiations you undertook, where diplomatic channels had been unavailing, is unique, and you conducted it with the greatest skill and courage."

Castro's enthusiasm for Donovan is about on a par with that of the President. In feelers through diplomatic channels to the State Department, the Cuban dictator has indicated he would accept Donovan as negotiator. Words to that effect have been conveyed on three separate occasions—March 8, May 12, and May 19.

A decision on this momentous scheme will not be made until after the President returns from his European trip.

By that time the White House staff hopes to know whether the House Foreign Affairs Committee will undertake an inquiry into Donovan's previous Cuban negotiations. Republican committeemen are vigorously pressing for such an investigation. They have strongly urged it in a joint letter to Representative THOMAS MORGAN, Democrat, of Pennsylvania, chairman.

CUBAN FLASHES

Richard Goodwin, freewheeling Executive Secretary of the international Peace Corps, is still on the State Department's payroll. The House Appropriations Committee has ascertained that Goodwin is drawing $19,656 as Assistant Secretary of State for Inter-American Affairs, although he left that post more than 4 months ago. Meanwhile, Sterling Cotrell, who replaced Goodwin, is being paid by the Bureau of Far Eastern Affairs. The House committee began checking Goodwin's pay as Congress voted down his request for $80,000 to set up the new Peace Corps organization. At a meeting with British officials, Arthur Schlesinger Jr., special Assistant to the President, described U.S. policy on Cuba along these lines: The first objective is to clean up our own backyard in Central and South America by vigorous implementation of the Alliance for Progress. The second objective is to bring isolated Cuba back into the Organization of American States as a chastened, cooperating member. (Nice tricks, if they can be pulled off.)

Intelligence reports that around 100,000 Cubans are in Castro's jails for refusing to accept communism. Also that some 250,000 Cubans have fled, and another 180,000 are awaiting approval and transportation to leave. Senator JOHN STENNIS' Armed Services Preparedness Subcommittee is preparing a new report on Castro-Communist subversion, sabotage, and guerrilla warfare against Latin American countries. The report, slated for release next month, will warn that Castro has ordered an increase in these operations.

Although Castro has loudly proclaimed fealty and devotion to Russia, a so-called Cuban "scientific delegation," headed by a Capt. Antonio Nunez Jiminez, is en route to Red China, ostensibly for "study and observation" purposes. Beer bottles have become so scarce in Communist Cuba that the output of beer has been seriously affected. Apparently there is no lack of beer, but there aren't enough bottles to hold it. In an effort to overcome this shortage, the "Revolutionary Taxicab Drivers Association" of Santiago has pledged to collect beer bottles free of charge. Presumably the cab drivers will devote their spare time to rounding up empty bottles. Russia, whose agriculture is notoriously in difficulty, is sending around 100 so-called farm "specialists" to help Cuba with its mounting agricultural headaches—a clear-cut instance of the incompetent aiding the inadequate.

HISTORICAL BACKGROUND ON THE ESTABLISHMENT OF A FEDERAL CITY AS A SEAT OF GOVERNMENT

Mr. HICKENLOOPER. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a study which I have had made on the historical background of the establishment of a Federal city as the seat of government in this country. It is a study which should be of great interest to Senators and to the public as to why Washington was set up as a Federal city under the complete and exclusive jurisdiction of the Federal Government.

There being no objection, the study was ordered to be printed in the RECORD, as follows:

HISTORICAL BACKGROUND ON THE ESTABLISHMENT OF A FEDERAL CITY AS THE SEAT OF GOVERNMENT

In Philadelphia, June 21, 1783, during the Continental Congress, there occurred an event, the memory of which would later profoundly influence the founding of our Nation's Capital as a Federal city. An eyewitness account reported in the Freedman's Journal, stated: [1]

"About 2 weeks ago, advice was received from col. Butler commanding officer at Lancaster, that the troops there discovered a very discontented temper which he apprehended would soon break out into some open acts of mutiny. A few days after * * * a party had actually thrown off all obedience to their officers, and marched to Philadelphia, notwithstanding the utmost exertions of their officers to prevent it. Accordingly on Thursday the 17th [2] about 80 soldiers without officers, but completely armed * * * marched down Market Street and proceeded to the barracks, where there were quartered * * * different corps to the amount of 400 in the whole. No measures were taken, except conferences between the president and council and congress, till the Saturday following when to the astonishment of the city, and the public dishonor, these troops, with fixed bayonets and drums beating, marched into the state house, the seat of Congress, and the supreme executive council. Having placed guards at the different doors, and sent off detachments to those places where they supposed arms and ammunition were deposited, they sent up a written paper to the president and council desiring that they might be authorized to choose their own officers, and demanding an answer in 20 minutes, or an enraged soldiery would be let in upon them. No address was made to Congress, which was assembled upon special business; but not chusing to deliberate under the bayonets of an armed mob, they retired without any other insult offered to them, collectively or individually. In the mean time, the soldiery grew very clamorous, complaining of the detention of their pay * * * of the nonsettlement of their accounts, and attempts to disband them without settlement, intermixed with general reproaches on public authority of every kind * * * and threats of violence if their complaints were not instantly attended to." [3]

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[1] The Freedman's Journal or the North American Intelligencer, July 2, 1783, p. 2.

[2] Although the writer of this story says the reader may be "assured of its authenticity," all other records available indicate that the march took place on Thursday, June 19, 1783.

The letter which informed the Continental Congress of the impending mutiny was referred to a committee which met with the Supreme Executive Council of the State of Pennsylvania. The Executive Council did not follow the suggestion of the committee that the State of Pennsylvania send the militia to halt the mutiny, so the committee of the Congress felt there was "no alternative but to endeavour to dissuade the mutineers from coming to town." [4]

As is evident from the newspaper story quoted above, the attempts at dissuasion were fruitless, and the mutinous troops arrived at Philadelphia on Thursday, June 17, 1783.

On June 21, the Congress sent the following resolution to the President and Supreme Executive Council of Pennsylvania:

"*Resolved*, That the president and supreme executive council of Pennsylvania be informed, that the authority of the United States, having been this day grossly insulted by the disorderly and menacing appearance of a body of armed soldiers, about the place within which Congress were assembled, and the peace of this city being endangered by the mutinous disposition of the said troops, now in the barracks, it is, in the opinion of Congress, necessary that effectual measures be immediately taken for supporting the public authority.

"*Resolved*, That the committee on a letter from colonel Butler, be directed to confer, without loss of time with the supreme executive council of Pennsylvania, on the practicality of carrying the preceeding resolution into effect: and that in case it shall appear to the committee, that there is not a satisfactory ground for expecting adequate and prompt exertions of this state, for supporting the dignity of the federal government, the president, on the advice of the committee, be authorized and directed to summon the members of the Congress to meet on Thursday next, at Trenton or Princeton, in New Jersey, in order that further and more effectual steps may be taken for suppressing the present revolt and maintaining the dignity and authority of the United States.

"*Resolved*, That the secretary at war be directed to communicate to the commander of said troops, in order that he may take immediate measures to dispatch to this city such forces as he may judge expedient, for suppressing any disturbances that may ensue." [5]

In a conference between the committee and the council, the Congress again requested the protection of the State as they had done when they first heard of the impending march on Philadelphia. The committee indicated that they found the situation:

"Of so serious a nature as render palliatives improper and to require that vigorous measures should be taken to put a stop to the further progress of the evil, and to compel submission of the part of the offenders. * * * That though they had declined a specification of the measures which they would deem effectual, it was their sense that a number of the militia should be immediately called out sufficient to suppress the revolt." [6]

The executive council again made it clear that the militia of Pennsylvania did not intend to come to the aid of the Congress. The council answered the request of the committee of the Congress by saying:

"That the council had a high respect for the representative sovereignty of the United States, and were disposed to do everything in their power to support its dignity. That they regretted the insult which had happened. * * * That they had consulted a number of well informed officers of the militia, and found that nothing in the present state of things was to be expected from that quarter. That the militia of the city in general were not only ill provided for service, but disinclined to act upon the present occasion. That the council did not believe any exertions were to be looked for from them except in a case of further outrage and actual violence to person or property." [7]

The committee made several points in response to the council's decision. They said:

"That impunity for what had happened might encourage more flagrant proceedings, invite others to follow the example and extend the mischief * * *. That Congress would probably continue to pursue this object unless it should be superceded by unequivocal demonstrations of submission on the part of the mutineers. * * * The Committee finding that there was not satisfactory ground to expect prompt and adequate exertions on the part of the executive of the state for supporting the public authority, were bound by the resolution under which they had acted to advise the president to summon Congress to assemble at Princeton or Trenton on Thursday the 26th instant." [8]

The committee expressed its willingness to delay the departure of the Congress, "hoping that further information would produce more decisive measures on the part of the council" but, receiving no such indications from the council—

"The committee could no longer think themselves at liberty to delay their advice for an adjournment, which this day accordingly gave, persuaded at the same time it was necessary to impress the mutineers with a conviction that extremities would be used against them before they would be induced to resolve on a final unreserved submission." [9]

Some of the reasoning behind the decision of Congress to leave Philadelphia was expressed in the local newspapers at the time. A few excerpts should serve to make the issue clear. A reporter for the Pennsylvania Packet said in a story dated June 28:

"Congress conceived the dignity of the union somewhat touched on by the appearance of an armed body not under command, and as measures were not so immediately entered on by the state for preventing it, as Congress conceived the dignity (not the danger) of the case required they adjourned their meeting to Princeton." [10]

In the July 5 issue of the Pennsylvania Packet, a reporter wrote on the implications of the mutiny:

"Suppose on the contrary, that mischief had happened, and that a scene of tumult had ensued, which it was in the power of the city to have prevented, had measures been concerted in time. * * * There is no provision made in the confederation for the residence and convenience of Congress. To whom, as a body, are delegated, and to whom are entrusted the greatest and most important concerns, which America, now sovereign and independent, has on her hands. * * * The states individually appoint their delegates and send them to seek residence per leave, and to depend for the safety of their persons, and what is more, the safety of their national concerns on the will and pleasure of some individual state. A situation which will ever be attended with inconveniencies. * * * Is this consistent with the honor or character of the states, either individually or collectively. Congress to whom so much is entrusted, ought not to depend upon so precarious a tenure * * * ought not * * * the representatives of that union be securely and commodiously placed, that the business of the continent may not, by any local or accidental circumstance be interrupted." [11]

Official notification of the adjournment of the Congress from Philadelphia to Princeton and the reasons for the change were given in a proclamation issued June 24, 1783, by Elias Boudinot, president of the Continental Congress.

"Whereas a body of armed soldiers in the service of the United States, and quartered in the barracks of this city, having mutinously renounced their obedience to their officers, did, on Saturday the twenty-first day of this instant, proceed, under the direction of their serjeants, in a hostile and threatning manner to the place in which Congress were assembled, and did surround the same with guards: and whereas Congress in consequence thereof, did on the same day resolve, 'That the president and supreme executive council of this state should be informed, that the authority of the United States, having been, that day, grossly insulted by the disorderly and menacing appearance of a body of armed soldiers, about the place within which Congress were assembled, and that the peace of this city being endangered by the mutinous disposition of the said troops then in the barracks; it was, in the opinion of Congress, necessary, that effectual measures should be immediately taken for supporting the public authority:' and also whereas Congress did at the same time appoint a committee to confer with the said president and supreme executive council on the practicality of carrying the said resolution into due effect; and also whereas the said committee have reported to me, that they have not received satisfactory reassurances for expecting adequate and prompt exertions of this state for supporting the dignity of the federal government: and also whereas the said soldiers still continue in a state of open mutiny and revolt so that the dignity and authority of the United States would be constantly exposed to a repetition of insult, while Congress shall continue to sit in this city. I do therefore, by and with the advice of said committee, according to the powers and authorities in me vested for this purpose, hereby summon the honorable delegates composing the Congress of the United States, and every of them, to meet in Congress on Thursday the twenty-sixth day of June, instant, at Princeton in the state of New Jersey, in order that further and more effectual measures may be taken for suppressing the present revolt, and maintaining the dignity and authority of the United States, of which all officers of the United States, civil and military, and all others whom it may concern, are desired to take notice and govern themselves accordingly." [12]

Subsequently, a Constitutional Convention was called for the purpose of framing a Constitution for the United States. Article I, section 8, of the Constitution of the United States of America states that:

"The Congress shall have power. * * * To exercise exclusive Legislation in all cases whatsoever, over such District (not exceeding ten miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the state in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings."

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[3] This information comes from a report entered into the Congressional Journal, reprinted in the Freedman's Journal or the North American Intelligencer, July 16, 1783, p. 1.

[4] Ibid.

[5] Ibid.

[6] Ibid.

[7] Ibid.

[8] Ibid., pp. 1–2.

[9] Ibid., p. 2.

[10] The Pennsylvania Packet or the General Advertiser, June 28, 1783, p. 3.

[11] The Pennsylvania Packet or the General Advertiser, July 5, 1783, p. 3.

[12] The Pennsylvania Packet or the General Advertiser, June 26, 1783, p. 2.

When searching for an explanation for the basic reasoning behind any particular section of the Constitution, historians invariably turn to the Federalist Papers. This work is, as its subtitle indicates:

"A Commentary on the Constitution of the United States, Being a Collection of Essays Written in Support of the Constitution agreed upon September 17, 1787 by the Federal Convention."

James Madison, in paper No. 43, explains article I, section 8 of the Constitution as follows:

"The indispensable necessity of complete authority at the seat of government, carries its own evidence with it. It is a power exercised by every legislature of the union, I might say of the world, by virtue of its general supremacy. Without it, not only the public authority might be insulted and its proceedings interrupted with impunity; but a dependence of the members of the general government on the State comprehending the seat of the government, for protection in the exercise of their duty, might bring on the national councils an imputation of awe or influence, equally dishonorable to the government and dissatisfactory to the other members of the Confederacy. This consideration has the more weight, as the gradual accumulation of public improvements at the stationary residence of the government would be both too great a public pledge to be left in the hands of a single State, and would create so many obstacles to a removal of the government, as still further to abridge its necessary independence. The extent of this federal district is sufficiently circumscribed to satisfy every jealousy of an opposite nature. And it is to be appropriated to this use with the consent of the State ceding it; as the state will no doubt provide in the compact for the rights of the citizens inhabiting it; as the inhabitants will find sufficient inducements of interest to become willing parties to the cession; as they will have had their voice in the election of the government which is to exercise authority over them; as a municipal legislature for local purposes, derived from their own sufferages, will of course be allowed them; and as the authority of the legislature of the State, and of the inhabitants of the ceded part of it, to concur in the cession, will be derived from the whole people of the State, in their adoption of the Constitution, every imaginable objection seems to be obviated."

Thus, it is clear beyond any doubt, that when making provisions for a Federal city as the seat of National Government, those who created our Constitution remembered the experience of the Continental Congress in Philadelphia and sought to prevent a recurrence of such a situation. As Madison said:

"Without 'complete authority at the seat of government * * * the public authority might be insulted and its proceedings interrupted with impunity.' "[13]

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it adjourn to meet at 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF DISTRICT OF COLUMBIA REDEVELOPMENT ACT OF 1945

The Senate resumed the consideration of the bill (S. 628) to amend the District of Columbia Redevelopment Act of 1945.

Mr. MANSFIELD. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is Senate bill 628.

AMENDMENT OF LEAD-ZINC SMALL PRODUCERS STABILIZATION ACT

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 220, H.R. 3845.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 3845) to amend the Lead-Zinc Small Producers Stabilization Act of October 3, 1961—75 Stat. 766.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, the purpose of laying before the Senate the bill (H.R. 3845) is to give notice to the Senate that at the conclusion of the morning hour tomorrow, the bill will be the pending business.

PUBLIC ACCOMMODATIONS

Mr. JAVITS. Mr. President, I ask unanimous consent that there may be printed at this point in the RECORD my testimony before the Senate Committee on Commerce this morning on the public accommodations bill.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

The bill before this committee reaches an aspect of the civil rights crisis now sweeping the Nation which almost no other civil rights proposal can reach in the same way: I speak of the moral issue of personal dignity. To understand fully what this legislation is about, one need only for a moment put himself in the position of a Negro who, walking into a restaurant or a hotel or a store, must first look around apprehensively to see whether or not he or she is welcome. I have seen this human tragedy a thousand times myself.

I would like to read to you a short passage from a very fine article, entitled "Discrimination in Hotels: A Cause for Crisis?", which, you will be surprised to hear, was carried in a trade journal, the Hotel Monthly, just a year ago:

"One balmy January midnight on St. Petersburg's motel-lined Treasure Island a tired and hungry family of four pulled their new Chrysler into the driveway of a modern 100-room motel hotel. The father got out, stretched and straightened his tie. Through the large glass doors he could see a middle-aged woman behind the registration desk engrossed in a book.

"Ralph Sims went in and greeted her with his best smile. The woman looked up startled and without a word disappeared through a door behind her. Moments later her drowsy husband appeared through the doorway with a frozen stare fixed on the traveler.

" 'Yes?' he inquired at last.

" 'How much are your double rooms?' said Sims. 'I notice there's a vacancy.'

"The manager sucked in his breath and looked Sims in the eye. 'Fifty thousand dollars,' he said.

"Even Sims, who owned a $500,000-a-year appliance business, was caught off guard. 'I don't get it,' he said, forcing a laugh.

" 'That's what the price is,' repeated the manager. 'That's how much it would cost me in business to serve you. I've got 75 guests here tonight and I've got to think of them.'

" 'Look, mister,' said Mr. Sims finally. 'I'll pay you twice the price. I've got two kids out there. They haven't had a good meal all day, we're all exhausted and we can't find any place to sleep.'

" 'Sorry,' said the manager, shrugging his shoulders. 'I feel sorry for you, but I just can't do it.' And with that he abruptly disappeared through the same door.

"That night the Sims family, who were Negroes, tried to doze curled up inside their parked car, counting the minutes until sunrise when they could begin hunting a colored restaurant for breakfast."

I begin with this very human anecdote because I believe it helps to portray the deep importance which this proposal has to the Negro community and to the Nation itself, which is at last becoming mobilized to begin to meet head on the justifiable demands of its Negro citizens for equal opportunity and equal treatment now. Other aspects of civil rights—in voting, education, administration of justice, housing, even employment—vital as they are in themselves—do not involve the day-by-day confrontation in restaurants, lunch counters, hotels, motels, stores, and shops and other similar public accommodations which make this one of the most explosive aspects of racial relations.

It is because of this very human, moral element that, in my judgment, the Negro community has directed most of its campaign of demonstrations against discrimination in public accommodations. I believe it was no accident that the beginning of this movement, in the spring of 1961, the sit-ins in Greensboro, S.C., was directed against segregated lunch counters.

The public accommodations bill is the pivotal part of the President's civil rights package. If this part is left out of the bill as finally enacted, I believe that a vital aspect of the President's purpose will have been vitiated. The rest of the President's program is meaningful and it represents measurable progress, but I believe that only enactment of a public accommodations bill can provide major relief for the current Negro drive for true emancipation.

It is important to understand this, because the surge of activity which has stirred the national conscience and brought about this current crisis in civil rights has occurred precisely because Congress has failed in the past to enact that meaningful legislation which would give vent to the Negro desire for justice.

For example, Congress missed the boat in 1957 and in 1960 in failing to enact part III to give the Attorney General authority to bring injunctive suits in representative civil rights cases, including school desegregation. It missed the boat again in failing from 1957 to date to crack down on the use of Federal funds to subsidize State programs in which segregation or discrimination were practiced.

As a result, the Negro community lost confidence in the will of the Federal Government to redress its reasonable grievances and felt the need to express its impatience by direct action and demonstrations. We in Congress will not restore that confidence with limited, restricted, or watered-down measures. In the name of the national interest and in our quest for national order, Congress must "rise to the occasion" to meet this civil rights crisis. We cannot limit ourselves to buckets of water to still the raging fires of racial unrest lighted by resentment against the denigration of the citizenship of millions of our fellow Americans.

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[13] The Federalist Papers, No. 43.

We must remember that it was just because the Negro community brought home to the Nation through peaceful demonstrations its refusal any longer to stand for segregation and discrimination in places of public accommodation that the President finally asked for meaningful civil rights legislation. If this part of the package is not enacted along with the rest, I believe the demands—which are only fair and reasonable—will continue just as strongly as now—and with the best reason in the world.

For the same reason—that is, the moral and human element involved here, which requires an enforceable standard—I feel very strongly that a public accommodations bill which did not have enforcement powers built into it would be toothless. Without the possibility of enforcement, when the problem is equal opportunity, the die-hard minority would instead be given power to set a standard for a majority wishing to obey the law. The conciliation technique is a valuable one, but if there is no sanction for failing to negotiate in good faith, it can be exploited and nullified. Enforcement provisions are a guarantee of serious intent to the Negro community; without them, they are again given recourse only to their own direct action in the streets.

In view of the fundamentally human aspect of the problem, I would hope that the legal questions—interesting as they are—which have been debated lately, even among supporters of the objectives of the bill, would not get in the way of prompt approval of it. The chief problem being debated is the choice of the commerce clause of the constitution rather than the 14th amendment as the constitutional basis for this legislation. As a lawyer and a legislator, I find no difficulty in the commerce clause approach taken in this bill. I introduced a public accommodations bill premised on the commerce clause in March of this year; S. 1217 which was cosponsored by Senators BEALL, CASE, FONG, KEATING, KUCHEL and SCOTT. A similar bill was introduced at a later date by a number of Senators on the Democratic side. I also joined in cosponsoring S. 1591, introduced by Senators COOPER and DODD, which takes the 14th amendment approach, based upon the State licensing concept, which is in my judgment wholly proper and within Congress' power to implement under the 5th clause of the 14th amendment.

My recommendation to the committee is to resolve the differences between those who take one approach and those who take another approach by taking both: in other words, exhaust Congress' power by invoking both the commerce clause and the 14th amendment. This is the course recommended by the Leadership Conference on Civil Rights, Senator KEATING and others.

This could be done by amending section 3, which defines those places of public accommodation covered by the prohibition against discrimination, so as to include those in which discrimination is enforced by State action as well as those which affect interstate commerce. In this way, the total scope and constitutional basis for the legislation can be established, utilizing all the authority of the Congress in the field rather than only part of it.

The legal arguments for such an approach as this are, in my view, entirely sound. The basis for action under the commerce clause is firmly embedded in the dozens of congressional enactments under that clause, including the National Labor Relations Act, the Fair Labor Standards Act, the Agricultural Adjustment Act, and the Food and Drug Act. The Attorney General, in testimony before this committee last week, referred to the Oleomargarine Act, which sought to regulate under the commerce clause the shape and color of oleomargarine. Just as in those enactments, the bill before the committee is validly within the Congress' interstate commerce power because the practices which it seeks to regulate are a burden upon interstate commerce. Denial of services and accommodations on the basis of race or color interferes with the freedom of interstate travel by Negroes. I believe the incident which I referred to at the beginning of my testimony is eloquent evidence of just how such discrimination does interfere with such travel; I am sure the committee will hear more such testimony firsthand during these hearings.

The 14th amendment also could support legislation along these lines, although as I have suggested it would probably be best to spell out the reliance on that amendment by expanding the definition of establishments covered by the bill in order to make it clear that it proscribes discrimination on grounds of race or color by any business in which such discrimination is enforced by State action. The sit-in cases decided by the Supreme Court on May 20 made it clear that the equal protection clause of the 14th amendment prohibits lunch counter segregation which is enforced by a State statute, a municipal ordinance, or which is the subject of official action or the threat of it. What the bill would do in these cases, if it were amended to rely squarely upon the 14th amendment (in addition to the commerce clause), is to provide, under the necessary and proper clause of the amendment, authority for the Attorney General to bring suit where private suits, such as those decided by the Court, are impractical and where the presence of the United States is warranted. No new rights would be created, but as is true of the Civil Rights Acts of 1957 and 1960 in relation to the 15th amendment regarding voting rights, the constitutional rights would be given protection through enforcement by the Federal Government. The precise extent of the 14th amendment in the absence of a State statute, a municipal ordinance, or official action has not yet been determined by the Court; in deciding the cases mentioned above the Court remanded for additional evidence the remaining case in which a pattern of segregation, but no overt State involvement, was alleged. If the Court ultimately determines that the pattern of segregation maintained throughout society in a State constitutes "State action" within the meaning of the 14th amendment, the bill as amended would include them automatically and the Attorney General would be authorized to bring such suits.

I have joined in sponsoring, as a constructive alternative suggestion, S. 1591, introduced by Senator COOPER, which would rely upon the 14th amendment by prohibiting discrimination by any business licensed by a State for public use. This, too, has not yet been squarely decided by the Court as falling within the meaning of State action under the 14th amendment. By including in the bill discrimination enforced by State action, the Congress could also extend its prohibition to this class of cases if the Court decides that the reach of the 14th amendment extends to State licensing.

I do feel that the 14th amendment base for the statute has the greater chance of being uneven in its application for it may depend too heavily on legal or factual situations generally found only in the South, while regulation under the commerce clause would be applicable everywhere across the board.

I should state at this point that I do not believe that the civil rights cases of 1883 are particularly relevant to the constitutionality of the commerce clause and 14th amendment-based provisions which I am discussing. In the 1883 decision the Court struck down the Civil Rights Act of 1875, which sought to prohibit discrimination in public accommodations without reference either to their relation to interstate commerce or to any State action, and as applied to cases in which neither interstate commerce nor State action was proved. The decision stands for the proposition that unless the statute is applied to State action, the 14th amendment, which in terms applies only to States and not to private persons, cannot support it. Since subsequent decisions do not question this proposition, and since the Court specifically withheld any judgment as to the commerce clause as a basis for the statute, I do not believe the decision is any bar to enactment today of public accommodations antidiscrimination legislation based clearly on the commerce clause or the 14th amendment or a combination of both.

The argument has also been made in these hearings and elsewhere that some countervailing rights of privacy or freedom of association are infringed by these proposals. To me a complete answer is that almost every regulatory enactment of the States as well as of the Congress involves some loss of privacy or freedom of association, yet our Nation could hardly exist without them. Labor legislation, food and drug legislation, farm legislation, all involve some countervailing loss of freedom on the part of some in order to serve the national interest. A minister in Atlanta, Ga., Rev. Roy Pettway, recently put this very well in a sermon. He said:

"When a man operates a store, restaurant, hotel, or other business, he may do so as a corporation chartered by the State, and in any event, he can do so only by license from the Government. He cannot do so privately, without a Government license, and thus the right to operate his business is a privilege granted to him by the Government. And his business may be worth so many thousands of dollars: but those are U.S. dollars, and without the U.S. Government, his property would be worth no more than Confederate currency.

"If your private building is dangerous, the Government can make you tear it down. If a private druggist has tainted drugs, the Government can seize and confiscate them, even though they are his private property. If a physician or lawyer does not follow the regulations of the Government, his license will be revoked. If you don't obey traffic rules, your driver's license will be taken away from you. And if a man does not operate his business in accordance with the law, his business license can be taken away, and his place of business 'padlocked.' "

What this legislation would do is only to deprive operators of public places of the freedom to discriminate against patrons because of the color of their skin.

The freedom of operators of public places has long been restricted in many ways which no one has seen fit to challenge as a deprivation of private property rights. At common law innkeepers were required to make their establishments open to all travelers. Today in most States those who invite the public onto their property to do business are obligated to provide greater precautions for the physical safety of their customers than owners of wholly private property. Some 32 States already prohibit operators of public places from exercising freedom to discriminate on grounds of color. And a number of Southern States indicate no countervailing protection of private property rights because they prohibit operators of public places from exercising freedom not to discriminate on grounds of color.

At this point I should make some reference to the so-called "Mrs. Murphy" problem about which there has been so much discussion. I do not believe an explicit cutoff—in either dollar volume or number of employees—should be written into this bill to exempt outright smaller businesses from the effect of the act. To do so would negate the moral and human basis for this legislation. I do not believe Congress should itself discriminate against the larger businesses in favor of the smaller in order to permit the latter the capability of racial discrimination. Significantly, none of the 32 State antidiscrimination laws do so. A Negro should not be forced to decide whether the particular hotel or motel he is approaching is one large enough to treat him like any other fellow American. Unfortunately, this is going to be the result as a practical matter no matter how the legislation is phrased, since limitations of manpower and funds would ordinarily prevent the Department of Justice from pursuing any but the prominent cases. And the commerce clause approach itself requires a substantial involvement in interstate commerce so that again the smallest establishments would, as a practical matter, not be covered. But I do not feel that the Congress should go beyond these built-in exemptions to exempt specifically any class of proprietors of public places. If a small roominghouse in which the proprietor lives—which is the case most often described in this connection—is regulated as a public place by the city and State through licensing, special fire laws, and public health standards, I see no reason why it should not also be subject to the same moral code as its larger competitors. Just as in the choice between the commerce clause and the 14th amendment, my recommendation here too is that Congress should exhaust all of its power to do away with the blight of racial segregation and discrimination.

In conclusion, it is my firm belief, as a lawyer and as a legislator, that the pending legislation is wholly constitutional and vitally needed.

Mr. JAVITS. Mr. President, I have made that request because I believe the testimony explains the constitutional issue in a way which apparently was rather illuminating to the members of the committee based upon a subsequent discussion, and which may therefore be of interest to my colleagues in their consideration of the measure. The recommendation which I made that the bill be based both on the 14th amendment and on the commerce clause had already been made to the committee by my distinguished colleague from New York [Mr. KEATING], and I so stated. I was honored to be associated with him in that regard.

The reason which I gave developed a most interesting discussion. I think it is worthy of consideration by other Senators. I pointed out that utilization of the 14th amendment alone was very likely to make the bill look like a bill directed expressly at the South, as the 14th amendment concept would require State action; and in view of the fact that most States—32 of them—now have public accommodation antidiscrimination statutes, it would practically mean that the application would be to the southern areas of our country, where many of the States have segregation statutes.

That, it seemed to me, was a most persuasive reason, in policy, why we should have a statute of general applicability. Under the commerce clause Congress could write the ticket as to what rights were being created, whereas under the 14th amendment provision of the Constitution the Congress could only give a remedy with respect to rights existing, which is more limited—and very likely, as it depends on some State action, would be of more limited application.

I took a position against a "toothless" public accommodations law, depending solely upon conciliation for enforcibility. I did not think that was advisable. I expressed views as to the problem of the "Mrs. Murphy's boardinghouse." No State law limits the applicability of the public accommodations statute. I also pointed out that this was a pivotal element of the President's bill and that unless we passed it, with enforcement provisions, it would be very likely that we would not satisfy the basic demands against injustice which have brought about the crisis in regard to race relations.

For all of these reasons, Mr. President, I think the testimony may be of interest to my colleagues; and hence I have had it printed in the RECORD. I am grateful to my colleague for yielding to me.

Mr. MORSE. I am pleased to accommodate my colleague, the Senator from New York.

The PRESIDING OFFICER. The Senator from Oregon has the floor.

CUBA

Mr. MORSE. Mr. President, I judge from the speech made by the Senator from Colorado [Mr. ALLOTT] and the comments of the Senator from Nebraska [Mr. CURTIS] that neither of those Senators found himself in agreement with my speech the other day on Cuba, but I incorporate that speech by reference at this point, and stand on every word I said the other day.

I respectfully point out that neither of my good friends the Senator from Colorado [Mr. ALLOTT] or the Senator from Nebraska [Mr. CURTIS] came anywhere near to touching upon the points of international law raised in my speech. In order to restate my position on the record, the setting up of an exile government on Guantanamo Bay would not wash out or erase U.S. obligations under the treaty of 1903. That is elementary so far as international law is concerned.

Mr. President, we cannot wash out any obligations under international law by severing all connections with a foreign government and setting up an exile government, and then claiming that the exile government takes over our obligations.

If we were to set up an exile government on Guantanamo Bay it would stand in clear violation of the treaty of 1903. The language is crystal clear and undeniable. It would not be altered by our recognizing a different government of Cuba, even though that different government might ignore our violation of the treaty. The language makes clear that we entered into the treaty for a naval base and for coaling purposes and for no other purpose.

Our breaking diplomatic relations—which have now been broken—in no way erases our international law obligations to the Cuban Government of Castro, nor his obligations to the United States.

Recognizing an exile government of Cuba would end all relationships between the United States and the Castro government. Our obligation to observe the treaty would remain; but Castro's obligation to observe it would not. So far as he would be concerned, he would have no treaty obligation to respect at all concerning Guantanamo Bay. We, on the other hand, would not only still be bound by it, but we would be violating it if we permit any activity there other than that of a naval and coaling station.

That is why I protested the suggestion the other day and why I repeat today by reference everything I said against the proposal the other day.

I wish now to say a brief word or two on the proposal of my good friend from Nebraska [Mr. CURTIS], which he announced the other day, with respect to a pacific blockade of Cuba against third party ships.

"There hain't no such thing." The moment any country refuses to recognize its pacificity, the moment it is challenged, it is no longer pacific.

The proposal of the Senator from Nebraska was, "We propose merely to freeze out Cuba economically so far as international trade is concerned." I asked the other day, "What makes anybody think Her Majesty's government would recognize such a blockade?"—or the Government of France, or of Canada, or of Italy, or of any other free nation, to say nothing of the Communist nations.

Mr. President, a blockade is no better than its enforceability. When one starts to enforce a blockade one is at war.

I pause for that ugly fact to sink in.

Have we really reached the point where one cannot be a statesman unless he advocates war? Have we reached the point where those of us who seek truly pacific settlements of great issues which threaten the peace of the world are somehow letting down our Government and only those who would wave that flag into tatters are the patriots of our day?

As I said to a group a few weeks ago, "One does not pay respect to the American flag by waving it into tatters."

The question is raised, "What is our policy on Cuba?" It is pretty clear. Our policy on Cuba was established in the act of Punta del Este, and we carried out our obligations under the act of Punta del Este, because we and the other countries of the Western Hemisphere committed ourselves to see to it that Cuba did not follow a course of aggression in the Western Hemisphere. And when the facts became clear last October that Cuba, a puppet of Khrushchev, had crossed the line of defense into the area of aggression, we proceeded to apply the act of Punta del Este. The President of the United States made it perfectly clear that the ground-to-ground missiles would come out or we would go in, and they came out. After they came out, the aggressive course of conduct on the part of Cuba and Russia ceased to exist. A continuation of any blockade at that time would have been illegal under international law.

I do not propose to support a policy which would make my country an outlaw nation before the other nations of the world. We cannot follow a unilateral course of action and keep ourselves free from the application of the rules of international law.

As I said in my speech the other day, and repeat today, we would lose a unanimous decision in any international tribunal if we sought to enforce a blockade of Cuba against the shipping of all nations, both free and Communist. No Senator on the other side of the aisle hates Castro and the Communist regime he maintains more than does the Senator from Oregon. But in my capacity as chairman of the Subcommittee on Latin America of the Senate Committee on Foreign Relations, I shall continue to do everything I can to urge that my Government stay within the framework of international law.

That is our program toward Cuba. The Organization of American States is working cooperatively with us in enforcing the act of Punta del Este.

There are those who can propose warmaking policies if they care to do so, but I am perfectly willing to draw the issue and let the American people decide it. The senior Senator from Oregon will not advocate a blockade of Cuba until Cuba follows a course of action under which that blockade will be legal.

When the President found Cuba in that position last October, a blockade was imposed, and then, for the first time, the free nations of the world rallied around the United States. But when there were those last summer who proposed an illegal blockade, many free nations of the world made it clear to the United States that they would not respect such a blockade.

I will not be drawn into an advocacy of creating an exile government, putting a stamp of "exile" on it, and then proposing that we establish it at Guantanamo Bay, in clear violation of the treaty of 1903. These are only elementary, simple principles of international law that I raise in opposition to the two proposals my friends made in the Senate, and which I answered the other day.

I close my comments by saying that I stand on every word I uttered in my speech the other day. International principles of law are as sound and unanswerable today as they were then, in spite of the fact that my friends from Colorado and Nebraska have commented on that speech.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. HUMPHREY. I rise to commend the Senator from Oregon for his forthright, thoughtful statement on this critical and vital international issue. I fully agree with the Senator's statement, not only as to the undesirability, but the illegality, of the establishment of an exile government at Guantanamo, in light of the terms of the treaty that gives our Government the rights it now has in that area.

I remind my colleagues that the Senator from Oregon was one of the first Members of this body to take issue with the Castro regime when wholesale mass shootings were taking place in Havana and other parts of Cuba. I recall the speeches of the Senator from Oregon when others were toying with the possibility that perhaps Mr. Castro was doing this as a part of a social reform. The Senator from Oregon reminded this body that the violation of international law and the violation of human decency by Castro and his regime in the shooting of one Cuban after another without due process of law, without trial, were full and complete evidence as to the dictatorial and totalitarian tendencies and commitments of Fidel Castro.

So the Senator from Oregon can come with clean hands on this issue. He is chairman of the Subcommittee on Latin America of the Committee on Foreign Relations. He has an intimate knowledge of the problems of our relationships in Latin America, particularly in Cuba.

While it may seem to make good headlines to make proposals of an extreme nature relating to Castro, it is the most unbelievably foolish domestic and international policy, in light of the commitments this country has all over the world. We are holding the Soviet Union accountable for violations of international law. We are supporting our case on Berlin on the basis that the Soviet Union has violated international law. Our position on Germany is predicated upon agreements and international law. The day the United States of America casts aside respect for international law and commitments under treaties we shall have no case anywhere in the world.

I cannot conceive of the world's leading power, dedicated to the principles of law and order, dedicated to the principles of orderly change through legal processes, openly violating commitments made in treaties we have signed, in order to accomplish the unlikely possibility of extricating the Cuban people from Castro tyranny.

The Senator is correct in saying that other countries would have no reason to respect any blockade such as has been proposed, and would have no reason to respect any kind of exile government we might establish at our Guantanamo base.

I do not claim to be an expert in this area, but it seems to me there are times when the American people, without any expert knowledge, ought to recognize that we do not strengthen our hand in international relations by mimicking the Communists. We do not overcome the Communists by aping them. We do not overcome them by following their practices. What we need more than anything else is not merely a good political and military position, but a solid moral position. When we cast aside the morality of our position, we weaken the entire base of our international policy.

We are indebted to the Senator from Oregon for his courage. I know it would be easier for him to say, "Hurrah, this is a fine proposal." It would encourage the jingo spirit that grips some elements of the country.

The Senator from Oregon is giving sound advice on one of the most sensitive international political questions of our time with reference to our relations in the Caribbean, particularly as they affect Cuba. I thank him. Lest he feel alone in his views, I would like to have the privilege of joining him in the statement he has made today and to say that I welcome his leadership.

Mr. MORSE. I thank the Senator from Minnesota for his gracious comments. I appreciate them very much.

Mr. McGOVERN subsequently said: Mr. President, will the Senator from Oregon yield?

The PRESIDING OFFICER (Mr. McIntyre in the chair). Does the Senator from Oregon yield to the Senator from South Dakota?

Mr. MORSE. I yield.

Mr. McGOVERN. Let me say that a few moments ago, when I was presiding over the Senate, there developed debate, led by the senior Senator from Colorado [Mr. Allott], in which issue was taken with the remarks made earlier in the Senate by the senior Senator from Oregon [Mr. Morse], the very able chairman of the Latin American Affairs Subcommittee of the Foreign Relations Committee, and remarks which the junior Senator from South Dakota had made on the floor of the Senate at an earlier time.

I should like to associate my own position very strongly with the policy set forth here today by the Senator from Oregon [Mr. Morse] and the distinguished assistant majority leader, the Senator from Minnesota [Mr. Humphrey]. The views which they expressed are not only realistic, but they hold fast to the ideals that have guided our country throughout our history and have brought us to a position in the world in which we hold the respect of all those countries that believe in peace and freedom.

I would not want the Record to imply, as I think it might from some of the remarks that were made earlier today by the Senator from Colorado, that I take a view on Cuba that would minimize the importance of the Castro regime and referring to the attitude that some among us take toward Cuba as an obsession. I was not thereby implying there is nothing to worry about with reference to Cuba. But a military commander or a military strategist who keeps his eye fastened on only one flank and ignores the dangers from the other flank, the center of the line, or from the rear is not a good one. That was the tenor of remarks which I made earlier on the floor of the Senate. I suggested that some of us have become so involved and so obsessed with our fears and anxieties about Castro that we lose sight of some of the more fundamental threats to the security of our country and the hemisphere.

Someone has said that Castro is not a dagger aimed at our heart, but is rather a bone in the throat. It is not very comfortable to have a bone in the throat. We ought to do what we can to remove it. But I would stop short of a recommendation that we cut off our heads in order to dispose of the irritant in our throats. The policy which the present administration is following, which has the support of the Senator from Oregon [Mr. Morse] and the Senator from Minnesota [Mr. Humphrey], as expressed here today, is one which deals with that irritant and threat and places it in proper perspective. It is not a policy of putting our heads in the sand, as was implied earlier today. It is a policy that has been based upon very positive and direct action on the part of our Government to keep Mr. Castro and his regime under constant surveillance. We have daily overflights that are giving us an accurate picture of what is going on in the hills of Cuba. We have applied economic sanctions. We have attempted diplomatically to isolate Castro. But we have done those things within the traditions of international law and in due respect to our commitments to the other members of the Organization of American States.

Because we have followed these intelligent, limited objectives, we have had the support of our allies, not only in Latin America but also in Western Europe and throughout the free world.

In conclusion, I desire to say that one of the statements which was made here today that disturbs me perhaps most of all was the statement by the senior Senator from Colorado [Mr. ALLOTT] in which he took exception to what he called our wonderful coexistence policy. He said he was using the phrase "wonderful coexistence" in a sarcastic vein, leaving the clear implication that those of us who believe in coexistence are somehow betraying the best interests of the country.

It seems to me that the alternative to coexistence is coextinction. It was former President Eisenhower who several years ago said that there is no longer any reasonable alternative to peace. We can follow a policy of strength, right, and justice, and still follow a policy based upon our desire to exist even in a world in which there are many people whose ideology we abhor and with which we disagree.

It seems to me that the great dagger which is aimed at our heart is the danger of a nuclear exchange—a nuclear exchange which would leave no real victor, but would result in a devastation that is almost unspeakable.

So, while keeping our defenses strong, keeping our international commitments, and following, as we have in the past, the guidelines of international law, I would hope that our country would resist the temptation to an extreme and reckless policy.

I thank the Senator from Oregon for yielding to me.

Mr. MORSE. Mr. President, I wish to thank the Senator from South Dakota [Mr. MCGOVERN] for the second brilliant and eloquent statement that he has made on the U.S. Cuban policy. The speech that he made the other day stands unanswered. The major premises that he just laid down before the Senate cannot be answered. I am proud to be associated with him in support of and in defense of President Kennedy's program in connection with Cuba and his great statesmanship in carrying out the Act of Punta del Este on which much of our Cuban policy is based.

The Senator from South Dakota referred to the economic containment of Cuba. Many people apparently are unaware of the fact that there has been a great loss of economic strength in Cuba, and because of the very policies of surveillance that the Senator from South Dakota has pointed out.

Mr. President, I would have the RECORD show that the Foreign Relations Committee of the Senate has been greatly strengthened because of the membership of the Senator from Minnesota [Mr. HUMPHREY] on that committee for many years. His eloquent voice and brilliant mind have been brought to bear upon one foreign relations issue after another for many years.

To have him on my side on this issue is all the support I feel I need to satisfy myself that I am right. I appreciate his remarks very much.

FOREIGN AID—AID TO PAKISTAN

Mr. MORSE. Mr. President, several newspaper stories of recent days have surely brought home to the American people some of the follies to be perpetuated in the foreign aid bill submitted to Congress.

The first appeared in the Washington Post of June 30. It is by Warren Unna and is headlined: "Red China-Pakistan Flight Pact Stirs United States."

It describes a civil aviation pact agreed to by the Governments of Pakistan and Red China, giving Pakistani planes the right to land at Canton and Shanghai in China. These stops would apparently be added to the regular schedule of Pakistan International Airlines between Karachi and Tokyo. Thus, Chinese citizens will have full travel rights in and out of China via Pakistan and Japan.

Moreover, the pact carries, according to this story, the reciprocal right of the Chinese to land their airliners in the Pakistani cities of Karachi in west Pakistan and Dacca in east Pakistan.

Mr. Unna quotes one U.S. official as saying, "This will give China a springboard not only to Asia, but to Africa, where they really have set their sights."

It will probably require that spare parts for the passenger jets flown by the Pakistani airlines to be kept on hand in these Chinese cities, contrary to U.S. statutes forbidding U.S. aid to countries which ship strategic materials to Communist countries. It will also bring about the flyover of Chinese planes over India, as they cross from Dacca to Karachi.

I ask unanimous consent to have the full text of this story printed at this point in my remarks.

There being no objection, the text of the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, June 30, 1963]

RED CHINA-PAKISTAN FLIGHT PACT STIRS UNITED STATES

(By Warren Unna)

Pakistan has just initiated a civil aviation agreement with Communist China that will give China its first air outlet to the non-Communist world.

"We look upon this as an unfortunate breach of free world solidarity and take a dim view of it," a State Department official declared. This will just give China a springboard, not only to Asia, but to Africa, where they really have set their sights."

The Chinese-Pakistani agreement, announced in Karachi by Air Commodore M. Nur Khan, the managing director of Pakistan International Airlines (PIA), would permit PIA to make stops in both Canton and Shanghai on its regularly scheduled route from Karachi and Dacca to Tokyo.

In addition to permitting Chinese to fly to the non-Communist world in PIA planes, the agreement grants the Chinese Civil Aviation Authority the reciprocal right to fly its planes to Dacca and Karachi.

The agreement is considered to have several serious international implications in addition to the open door outlet to the non-Communist world which the State Department fears. These are:

If PIA's American-built 720-B passenger jets make turnarounds within China requiring that spare parts be on hand, American officials foresee the possibility of a cutoff of U.S. aid to Pakistan. The Battle Act forbids aid to countries which ship strategic materials to Communist countries.

Japan, which consistently has turned down Communist China's requests for a similar civil aviation agreement, now finds itself in the embarrassing position of being linked to China anyway, via PIA. Japanese Embassy officials here pointed out that—aside from the serious political considerations—Japan is likely to have considerable hesitation over permitting a rival route that would cut into Japan Air Lines' own passenger business taking mainland China-bound passengers as far as Hong Kong.

India, still bristling from last fall's border invasion by Communist China, hardly could be expected to welcome the overflight of Chinese planes as they cross India's midriff from Dacca, in east Pakistan, to Karachi, in west Pakistan.

ALREADY EXPRESSED

U.S. concern has already been expressed to the Pakistani Government in Karachi. Pakistani officials have responded that the air agreement is a purely economic proposition.

Aviation Daily, in first reporting the agreement, declared that the Chinese presumably had two objectives in mind:

(1) To become independent of the Soviet Union in both airplanes and air services (the Chinese are expected to take delivery of some British Viscounts this year).

(2) To provide direct outlets "to a world from which they have been largely separated."

Nur Khan, in returning from Peking, declared: "PIA will be the first international carrier to operate through Canton and Shanghai and PIA is appreciative of this concession. The discussions between PIA and the Chinese civil aviation authorities were held in a frank and cordial atmosphere."

EXPECTED TO VISIT

Now a Chinese delegation is expected to visit Karachi to complete technical details and currency arrangements.

The civil aviation agreement follows the conclusion of a Pakistan-Communist China trade agreement signed in January and a settlement of the Pakistan-China border, signed in March.

U.S. officials are convinced that Pakistan's warmup toward Communist China is part of an attempt to thwart the increasingly closer ties between the United States and Pakistan's border enemy, India.

Pakistan is a longtime recipient of both U.S. military and economic aid. During his trip to the United States in July 1961, Pakistan President Mohammed Ayub Khan told a joint session of Congress: "If there is real trouble in Asia, there is no other country where you will be able to ever put your foot in. The only people who will stand by you are the people of Pakistan."

Mr. MORSE. Mr. President, I take no exception to the right of Pakistan to enter into this agreement. But it is evidence, if any more evidence is needed, of the futility of large-scale American aid to nations that we think are going to protect our interests vis-a-vis either Russia or China.

There are few nations in the world that have received more military and economic grant aid in recent years than has Pakistan. It has been sent on the theory that Pakistan was a bulwark and an ally against the expansionism of Communist China. Exclusive of military aid, Pakistan has received over $2 billion from us, of which more than $1.2 billion has been under the foreign aid bill. It is not possible to say how much military aid she has received because that is one of the four countries in the world for which we still keep secret military aid in years past.

But the size of the U.S. military group we have there administering it makes it clear that Pakistan is the beneficiary of one of the larger U.S. military aid programs.

This morning, in the Committee on Foreign Relations, we were talking about foreign aid, including military aid, to another country in this section of the world which I seriously doubt ought to be receiving any today. Be that as it may, the question arose as to how much money we are spending, over and above the military assistance program and aid program, in maintaining a large number of American troops in that country. We were told that information was top secret, as is country-by-country aid for the fiscal year covered by the current bill.

So long as it is top secret, my lips are sealed. However, I say again to the administration, as I have said to previous administrations during my years of service in the Senate, that I see no reason why such information should be top secret. I have seen no military justification for making it top secret. The administration has the power to make it top secret; but I do not believe in keeping from the American people a single fact belonging to the American people in the absence of a clear showing that a disclosure of such fact might be detrimental to the security of this country.

The question of foreign aid is a question that should go to the jury box. The jury consists of all the taxpayers of the United States. They cannot pass upon the evidence unless they have the evidence. The evidence is being denied them.

The American people ought to know what the total expenditure of the American taxpayers in Pakistan has been in years past, and what is programed for fiscal 1964. The evidence made available to them falls millions of dollars short of the true amount. I hope that my administration will proceed to accept this fact on the same basis as any other fact, which, except from the standpoint of the security of the Republic, ought to be made known to the taxpayers.

As the Senate has heard me say for many years, the substantive rights of the American people depend upon their procedural rights. Denying the American people the facts involves a bad precedent. We have not reached that point. However, if we continue the policy of denying to the American people one fact after another, we will be adopting police state tactics. It only becomes a matter of degree; and it is difficult to draw a line between a police state policy and a policy of a free nation that is denying only such facts as the security of the country dictates should be denied.

On this point I think we ought to lift the barrier, and the American people ought to know the total amount of taxpayer dollars that is going and has been going into Pakistan. The same thing is true of South Vietnam, which is the other country to which I referred a moment ago.

The American people ought to be told of every dollar of American expenditures in South Vietnam, including the cost of maintaining American troops in South Vietnam. As I have said so many times, these are American troops. We look in vain to find any substantial number of troops in South Vietnam from any other free nation of the world. The American taxpayers are paying the bill. One might think that freedom is precious only to the United States, not to Australia, New Zealand, Canada, England, France, Italy, or any other NATO ally.

For many years, Pakistan also received supporting assistance, which is grant aid, to her budget to maintain her large military expenditures. It totaled over $79 million. Grants for her economic development have also been large, totaling $211.5 million through fiscal 1962.

Every year, this large aid program for Pakistan has been justified on the ground of her stalwart opposition to Communist expansion.

I hope we have been disabused of that illusion once and for all. Far from standing as a bulwark, it is Pakistan that is now opening the door for Red Chinese expansionism. What is more, she has proceeded with an agreement that we had prevailed upon the Japanese not to make, thus incurring the displeasure of Japan at seeing the business go elsewhere.

Pakistan has already signed a trade agreement with Red China, again getting us into trouble with Japan for having prevailed on them not to do the same thing.

I want to make it clear that I think Pakistan has every right to conduct her own affairs with Red China as she sees fit. But she certainly does not have any right to go on receiving bountiful American aid. She has shown that her actions disqualify her for any more of what we call strategic assistance, which is grant military and economic aid.

I have no objection to development loans to Pakistan. They have been useful to her people, and hence useful to us, provided they are repaid in full. But all foundation for so-called strategic assistance to Pakistan has disappeared, and ought to be eliminated from the foreign aid bill for fiscal 1964.

I intend to give my colleagues on the Committee on Foreign Relations, both at the committee level and in the Senate, an opportunity to vote for drastic cuts in military and economic aid to Pakistan. If Senators wish to know what the present attitude of Pakistan is, they should read the Washington Post article of this morning, under the headline "Pakistan Warns West of Arms Aid to India." The President of Pakistan said yesterday, at Rawalpindi:

> Smaller Asian nations will be driven to seek the protection of Communist China if the Western arms buildup of India continues.

Not only does Pakistan expect to receive a large amount of military aid herself; but apparently the President of Pakistan wants to use interesting, coercive methods to tell us whom we may aid. The article continues:

> Ayub told a political meeting the West was in fact contributing to the spread of communism in Asia by forcing nations who feared a strong India into Chinese arms.
>
> The Pakistani leader included Russia with the Western nations arming India "to achieve their own objectives."
>
> He claims the United States and Britain were "overoptimistic" in hoping smaller Asian nations would gather round India after its military strength was built up.

Mr. President, I ask unanimous consent that the entire article may be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, July 9, 1963]

PAKISTAN WARNS WEST OF ARMS AID TO INDIA

RAWALPINDI, PAKISTAN, July 8.—President Mohammed Ayub Khan said here today smaller Asian nations will be driven to seek the protection of Communist China if the Western arms buildup of India continues.

Ayub told a political meeting the West was in fact contributing to the spread of communism in Asia by forcing nations who feared a strong India into Chinese arms.

The Pakistani leader included Russia with the Western nations arming India to achieve their own objectives.

He claimed the United States and Britain were overoptimistic in hoping smaller Asian nations would gather round India after its military strength was built up.

Ayub said India had overwhelmed smaller countries including Kashmir in the past.

He added these nations rather than being attracted by the new Indian strength would have to seek protection—which would only be available from China.

Mr. MORSE. Mr. President, the foreign aid bill provides $4,500 million. Every once in a while someone asks, "Where would you cut?"

In these daily speeches—and they will continue until the foreign aid bill is finally disposed of, unless I happen to be out of the city at the time, or indisposed, or am unable for some other reason to speak—I shall continue to answer the question: "Where would the senior Senator from Oregon cut the foreign aid bill?"

My answer today is that we should cut substantially the amount of money provided in the bill for Pakistan. I am not entirely certain what sums of aid we should extend to India, but I am satisfied that our program for Pakistan can and should be reduced to a small fraction of what it has been averaging in the last 8 or 10 years.

RELATED SITUATION IN TAIWAN

The second newspaper story I wish to bring to the attention of the Senate was published in the Washington Evening Star of July 1. It is written by Wendell

Merick, and is headlined: "Chiang's Army Is Seen Losing Desire To Invade."

The burden of this story is that even the army of Chiang Kai-shek on Taiwan has begun to accept the fact that it is never going to invade the Chinese mainland. Almost everyone else in the world has known that for many years, but apparently it is finally becoming clear to the exiled Chinese, as well.

Mr. Merick tells us that almost half of Chiang's army is now native Formosan, and that they will comprise 60 to 65 percent of that army within a few years. The Formosans have far less interest in invading the mainland.

But the significant item I wish to point out is the oversized officer corps of Chinese generals we are supporting by our heavy military aid.

We are sending military aid to support an army, supposedly of 380,000 troops, in Formosa. But there are only 329,650 there. For these 330,000, the Chinese have 900 generals, which is more than the United States has in its Army of more than a million.

It is no wonder that it costs American taxpayers a lot of money, when we have that many general officers in Taiwan to keep in the style to which they are accustomed.

We hear much these days about featherbedding. I say that good naturedly but pointedly. If anyone can beat the military for featherbedding, he is going some. This is an interesting example of featherbedding by way of surplus generals in the Formosan army, paid for by the American taxpayers.

What is my answer to the question, Where would the senior Senator from Oregon cut? I would cut drastically the amount of military aid provided in the bill for Taiwan.

I ask unanimous consent to have the Evening Star article of July 1, 1963, printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Evening Star, July 1, 1963]

CHIANG'S ARMY IS SEEN LOSING DESIRE TO INVADE

(By Wendell S. Merick)

TAIPEI, July 1.—The Nationalist China Army is running short of men who really care about returning to the mainland.

The harsh facts about Chiang Kai-shek's army are contained in a survey U.S. advisers did on the manpower situation. The Chinese Army promptly stamped the report "Secret."

By 1966, the report says, the manpower pool here in Formosa may be insufficient to fill gaps left by soldiers who have finished their 2 years' compulsory service and who refuse to reenlist. Further, voluntary enlistments and reenlistments are almost negligible, even among mainland Chinese who supposedly are itching to go home.

One of the most striking and significant facts which emerge from statistics on the army is that today 48.2 percent of all enlisted personnel is of Formosan origin. This percentage is expected to rise, perhaps as high as 60–65 percent, within a few years.

There is considerable doubt just how enthusiastic the Formosans are going to be when, and if, the time comes to invade the mainland. There's no point in exhorting them to return home. They already are home and want to stay.

There's a story making the rounds of Taipei that goes like this:

"I feel sorry for the Chinese colonel who leads a regiment of Formosans onto the beach. He's going to be mighty lonesome there."

If the Formosans don't like being drafted, they certainly don't like what amounts to discrimination on promotions. Of the 161,050 Formosans in the army, 95.7 percent are privates. They just don't get promoted.

On the other hand, of the 168,000 mainlanders in the army, 900 are generals, 820 are full colonels. The U.S. Army with a million men, or nearly three times as many as the Chinese, has only 850 or so generals, 5,072 colonels.

The Chinese Army now is under strength. The U.S. military aid program is based on supporting 380,000 troops. The Chinese themselves support an additional 30,000. But the total in uniform today is only 329,650.

The present annual draft call is about 87,700, but that, says the report, will not support the army.

Even with increased inductions (only 100,000 men reach military age, 18, annually), the field strength of the army is likely to be reduced during the next few years.

The army presently has six infantry divisions plus a regiment plus artillery and tank units and housekeeping personnel stationed on Quemoy and Matsu. Something like one-fourth of the army is committed to those offshore islands.

There are deeprooted hatreds among Formosans toward the mainland Chinese. No one forgets the massacres of 1947 which cost several hundred lives in an orgy of murder and pillaging.

The Chiang regime has relaxed its toughness considerably in the last few years in an effort to win over the Formosans, but it is doubtful that this has sparked any enthusiasm among Formosans to participate in a military adventure against the mainland.

And the younger men see no future in getting shot at as privates in the army for US$84.75 in pay and allowances per year.

There may come a time, says one U.S. officer, when the Nationalist Army will become strictly a defensive force to protect the island—with never a thought of attempting to oust the Communists from the mainland.

Mr. MORSE. It seems to me that heavy aid under the name of strategic assistance is a drain not only on American taxpayers, but a drain upon Taiwan, as well. If she were not devoting so much of her resources to supporting this army which can neither invade China nor defend Taiwan alone against Communist attack, her economic progress could be even greater than it is.

As in the case of Pakistan, I believe our development aid to Taiwan has been very worth while. I support it. It has made that country almost a showcase in the Far East of what can be done to improve living standards and productivity. Of course, Taiwan has received a grand total of $4,349 billion in U.S. aid through fiscal 1962, and has received additional large amounts since then.

I repeat: Through fiscal 1962, $4,349 billion in U.S. aid has been poured into Taiwan, and Taiwan has received additional large amounts since then. The great bulk of it has been in grants, though in the last 2 years the economic share has become more loan than grant.

Now is the time to take another step, by drastically reducing military aid to that country. Red China is forestalled from attacking Taiwan by the U.S. 7th Fleet, and not by any Chinese and Formosan Army on Taiwan.

If an attempt were really made by Red China to begin an all-out attack on Taiwan, does anyone doubt as to who would save Taiwan? Taiwan would be saved by the American Navy and the American Air Force.

SPAIN AND PORTUGAL

The third story I wish to mention is another one from the Washington Post, this one dated July 1, 1963. It is headlined: "Rusk To See Franco Aid on Bases."

It tells us that our Secretary of State has met with the Spanish Foreign Minister in an effort to resolve the impasse over renewal of American air and naval bases in Spain.

It seems that Spain wants more financial aid from us, in virtual payment for use of the bases, and also wants our political support for entry as a formal partner into the North Atlantic Treaty Organization.

It is my personal opinion that we are already paying these countries more than their bases are worth. We have already sent Spain about half a billion dollars in military aid alone, and more than another billion in economic aid, mostly grants. For fiscal 1963, we have sent her $35 million in military aid. Her economic aid has been averaging well over $100 million a year.

If the rest of Europe thinks that American use of air and naval bases in Spain is vital to the defense of Europe, then we should enlist the aid of our NATO partners in helping to pay this bill. Certainly we should find out how much they are willing to contribute before we agree to any increase in our aid as payment for Spanish base rights.

Where would the senior Senator from Oregon cut the foreign aid bill? I would cut drastically at this point. I would make it clear to Spain that it is in the interest of the protection of Spain and the other free nations of the world, as well, that the American planes be there and that the American bases be there. I would make that clear to our NATO partners, too.

With our gold reserves at their lowest point since 1939— I placed the statistical facts on that point in the RECORD the other day—I say the time is long overdue for the United States to serve notice on its NATO allies that they must assume a larger share of the cost of defending freedom in Europe, or else we will get out.

I know how impolitic that statement is supposed to be; but let me say most respectfully that no President of the United States—I care not who may be the President at any time—can enter into a binding pledge that the United States will stay in Europe in perpetuity or for any given period of time, for that is a decision for the American people to make; and the American people will make that decision after they obtain all the facts. Remember that the NATO treaty does not oblige us to maintain one single man in Europe. This administration, as well as any other, has an obligation to see to it that the American people as the jury have the facts on which to make the decision as to how long we shall maintain forces in Europe. There is one vote in the Senate against staying in Europe unless Europe is willing to pay a larger share of the cost of the defense of Europe. That goes for West Germany, too, as well as for France and other NATO members.

The destiny of the United States is more dependent upon the protection of the economy of the United States than upon air bases in Spain or aid to Pakistan or Formosa. I believe that most of the world knows that if we get into a nuclear holocaust, for the most part there will be but two nations involved—Russia and the United States; and it will be a war of short duration, with little left of either country.

I share the views expressed this afternoon on the floor of the Senate by my colleague [Mrs. NEUBERGER] in regard to the matter of testing and the importance of our doing everything possible to maintain the peace with honor in connection with bringing to an end nuclear testing and working out an international, enforceable agreement. But I will not be a party to pledges that give assurance that any group of nations or any single nation can count on our indefinitely continuing to pour the largess of the taxpayers of this country into NATO, into Pakistan, into Taiwan, into Spain, into Portugal, or into any other part of the world, for I have a solemn obligation to see to it that I can answer the call of my conscience, "Does your vote on this foreign aid bill enable you to keep faith with the trust you owe the people who sent you here?"

When I say we should find out what our NATO Allies are willing to contribute to the maintenance of the Spanish base rights, all this assumes that Spain is "selling" us something, rather than welcoming our protection. Spain obviously does not consider our presence there to be in her security interest, or she would not be charging us anything, because in addition to our payment via the foreign-aid measure, the maintaining of those bases brings huge sums of American money into her economy. If anything, this is one source of drain on our dollars that is responsible for our balance-of-payments difficulty, and I do not see why we must pay Spain for the privilege of continuing it.

Much the same is true of Portugal. The newspaper story, which I shall ask to have printed in the RECORD, indicates that the negotiations for renewal of base rights in the Azores are stalemated over Portuguese demands that we support her colonial policies in Angola and Mozambique. I hope that stalemate continues, if our refusal to support those policies is the cause of it, because it will be a dark, sad day in American history if we ever bend our national knee at an altar of international political expediency and directly or indirectly underwrite Portugal's inhumane program in Angola or Mozambique. When I was a delegate to the 15th General Assembly of the United Nations, I took the position that the policies of Portugal in Angola and Mozambique could not be squared with our professed support of man's humanity to man, for the policies of Portugal in Angola and Mozambique, as the policies of the Union of South Africa in southwest Africa, are good examples of man's inhumanity to man. Here is one Senator who will oppose any negotiated deal with Portugal that involves any glossing over or ignoring of the colonial policies of Portugal in Angola and Mozambique.

Moreover, we sent military aid last year which amounted to $11 million to Portugal, in payment for base rights.

I ask unanimous consent to have this story printed in the RECORD, at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RUSK TO SEE FRANCO AIDE ON BASES

ROME, June 30.—Secretary of State Dean Rusk will meet with Spanish Foreign Minister Fernando Maria Kastiella Monday afternoon in an effort to resolve the impasse over renewal of American air and naval bases in Spain.

The previously unscheduled meeting was made possible by the minister's presence here at the coronation of Pope Paul VI. Negotiations over the bases have been at a stalemate because of what the United States has considered excessive Spanish requests. In addition to substantial economic aid, Spain is understood to be demanding a guarantee of American support for Spanish entry into NATO. This would be sure to cause great disruption among other NATO Allies at this time, particularly in northern Europe where Socialist governments retain a great aversion to the Franco regime.

At the same time American negotiations with Portugal for renewal of the air base in the Azores are said to have reached a nearly hopeless stalemate. Portugal has insisted on a more sympathetic American attitude toward her position in Angola and Mozambique.

An authoritative American source commented tonight that if President Kennedy adheres to his present schedule to stop in the Azores on his way back to Washington from Italy it is likely to be the last American official visit.

Mr. MORSE. Mr. President, the conclusion I have come to over the years is simply that the forms of U.S. foreign aid which are designed to influence some other nation into protecting what we consider our security interests is doomed to fail in its purpose.

No nation will act in our interests, rather than its own, merely to get American dollars for any more than the very short run. Most of them take our money, and then do as they please, anyway.

I fully expect them to pursue their own interests. But not one of them has a moral or political right to be subsidized or financed by the American taxpayers for the pursuit of these interests.

It is increasingly my feeling that the capital we make available abroad should be confined to development purposes, and extended on terms that will assure its repayment.

Foreign aid as an investment is something I can support; but foreign aid to pay the operating expenses of another country indefinitely is something I cannot support and will not support. Not only is it costly to our people, but I do not believe it does in the long run what its advocates claim for it. As we are seeing in the case of Portugal, it does not buy us base rights. We are still served with demands for support in the political objectives of Spain and Portugal. We are seeing in Pakistan and South Vietnam that it does not buy us any bulwark against communism.

We are seeing in Taiwan that we are supporting a military establishment that is only marking time until retirement.

In all the nations that receive the greatest amounts of grant aid, their military establishments which make it necessary are unable to cope with any real aggression launched against them. The United States would have to provide that, too, if the attack came.

The United States can no longer support the foreign aid program of years past. Our international budget does not permit it. Better that it be cut back now, than be cut back by the collapse of our economic standing in the world.

Thus today I give a further partial answer to the question, "Mr. Senator, where would you cut?"

I would cut Pakistan, South Vietnam, Taiwan, Spain, and Portugal. Tomorrow I shall give evidence of further cuts which I think ought to be made in this bill in order that we can protect the American taxpayer to a greater extent—and he needs protection—and in order that we can strengthen the greatest defense weapon we have, namely, the economy of our country.

I yield the floor.

NUCLEAR TEST BAN

Mr. HUMPHREY. Mr. President, I should like to make several observations relating to the vital mission which will be undertaken by the distinguished Under Secretary of State, Averell Harriman, and a group of associates who will journey to Moscow to explore once again with their Soviet counterparts the possibility of agreement to end nuclear tests. We wish Secretary Harriman and his group well on this vital mission.

A timely public opinion poll issued yesterday, in the Washington Post, indicates that the overwhelming majority of the American people want the Harriman mission to be successful.

The Louis Harris poll, as reported in the Washington Post, stated that 73 percent of the American people favor a test ban agreement. I quote the exact wording of the headline on the poll: "The Harris Survey Test-Ban Pact Has Cautious Support of 73 Percent of Americans, Poll Shows."

The poll points out that there was unqualified approval of an agreement with the Soviets to ban nuclear tests by 47 percent; qualified approval, 26 percent; opposed to any ban agreement, only 17 percent; not sure, or apparently without opinion, 10 percent.

I ask unanimous consent that at the conclusion of my remarks this poll and its entire substance and context be printed in the RECORD.

The PRESIDING OFFICER (Mr. McNAMARA in the chair). Without objection, it is so ordered.

(See exhibit 1.)

Mr. HUMPHREY. The poll gives heartening confirmation of the fact that President Kennedy is pursuing a course of action, in his search for an enforceable nuclear test ban treaty, that is favored and approved by our fellow citizens. The American people are practical people. They are dedicated to the ideals of peace and freedom. They have watched nuclear testing go on year after year, and they have some idea of the amount of nuclear bombs and warheads being accumulated by the United States and the Soviet Union, as well as the United Kingdom and France.

The stockpile of nuclear weapons is very large. The destructive power is beyond human comprehension. Our capacity to deliver such weapons is an established military fact.

The American people also know that within the near future Communist China, and perhaps 8 or 10 other nations, may well be testing nuclear weapons or nuclear devices if nothing is done toward halting the arms race. The American people know that if Communist China tests, there will be pressure to test by other countries, such as Nationalist China, India, Pakistan, Israel, Egypt, Sweden, Germany. Who knows how many other powers may begin to test?

It is in our national interest—at least, this was the considered judgment of those responsible for our security—that further proliferation of nuclear weapons should be stopped now. It is considered to be in our national interest that a safeguarded, reasonable treaty or agreement prohibiting further nuclear tests be negotiated.

There comes a point where the idealism of peace is coupled with the practical necessity of preserving and protecting our security by measures other than the arms race. In short, a majority of the American people want testing stopped. But the American people, as shown by this most recent poll, also know that in arms control agreements there must be safeguards if our security is to be protected.

It is over this issue of safeguards that we have had arguments, and desirable discussions as to the type of treaty we should propose or accept.

The Harris poll revealed that although 73 percent of the American people favored a test ban agreement, 26 percent registered a qualified approval.

In other words, the people properly want the agreement to have adequate safeguards. They want to know that the Soviet Union is observing the agreement along with the United States. The American people are rightfully suspicious, in light of our experience with the Soviet Union, as to the willingness of the Soviet Union to observe such an agreement.

Because this is such a timely poll in connection with the forthcoming discussions in Moscow, I believe it should be analyzed very carefully. The Senate, which may very well be called upon to ratify a treaty resulting from these three-power negotiations, should study this poll carefully.

The primary purpose of the Moscow talks is to determine whether an agreement can be reached on a treaty banning nuclear tests in all environments—that is, in the atmosphere, under water, in space, and underground.

This, of course, has been the subject of prolonged negotiation at Geneva for several years. More recently, this year, we placed before the 18 nation disarmament group a revised American proposal which I believe took into consideration all new scientific data.

Agreement on a comprehensive ban has appeared to be close—with the United States proposing seven and the Soviets proposing three inspections a year to check on possible underground tests.

This was one of several features, in the proposed treaty. Other features were equally important, and ought not to be underestimated or overlooked.

It will be a great disappointment to the world if these differences cannot be somehow resolved. However, I warn that the differences must be resolved without adversely affecting our national security.

For 18 years the United States and the Soviet Union have been divided over the question of inspection in a disarmament agreement. For the two countries now to be so close to an agreement and not to be able to reconcile their differences does not speak well for their ability as responsible powers to conduct effective negotiations.

I want to add a footnote to that statement with the comment that our Government has walked the extra mile on several occasions in an effort to obtain an agreement, and the Soviet Union has shown a reluctance—and, indeed, a resistance—with respect to entering into any effective agreement that required on-site inspection. It is this fear of on-site inspection which compels the Soviet to reject our offers. It is because we know that on-site inspection is an essential ingredient in a comprehensive treaty that we cannot afford to relax our insistence on such a provision.

But in international diplomacy as well as in domestic politics there are times when the complete objective cannot be achieved all at once. Chairman Khrushchev seemed to be acknowledging this in his speech in East Berlin on July 2. He suggested that the United States, the United Kingdom, and the Soviet Union reach agreement on a test ban limited to those environments which can be monitored without inspection on Soviet, United States, and United Kingdom territory. Mr. Khrushchev, in other words, appears to be willing to consider now a ban on tests in the atmosphere, under water, and in space. I underline the word "appears."

Several weeks ago the distinguished Senator from Connecticut [Mr. DODD] and I, along with more than 30 other Senators, introduced a resolution in this body (S. Res. 148) calling upon our Government to take the initiative in seeking this type of limited test ban agreement. In our resolution, however, we did not include outer space at this time. I note, however, that the previous year I introduced a resolution along this line, which the President and the administration approved. It covered atmospheric, underwater, and outer space environments. These environments can be monitored without the establishment of monitoring systems upon the territory of the Soviet Union. I repeat to my colleagues and for the RECORD that our system or apparatus of monitoring is elaborate, extensive, and effective. There are a substantial number of seismic stations throughout the world. We have improved the science or art of seismology. We also have other means of detection, such as acoustical apparatus and electronic apparatus.

Therefore, the detection of a nuclear explosion in the atmosphere, under water, and in the closer regions of outer space is not a theoretical possibility, but a practical reality.

It is my view that it is in our national interest to pursue the objective of a limited test ban treaty. However, we ought to make it clear that we will not give up on our major objective, that is, a comprehensive test ban, because until all tests are banned by all countries in all atmospheres, this aspect of the arms race cannot be fully controlled. Let us agree now on what appears to be obtainable, so long as it does not violate or adversely affect our security. If Mr. Khrushchev and his cohorts in the Kremlin still refuse to allow a reasonable number of inspections on Soviet territory, let us proceed to agree upon the tests for which inspection is not required.

A limited test ban treaty would, I believe, be welcomed by the U.S. Senate as a first step toward the achievement of a comprehensive treaty. Such a treaty should provide momentum to reach agreements in other areas.

A limited test ban agreement had the support of the previous administration, of President Eisenhower and his Secretary of State and Secretary of Defense and other important officials of our Government. It now has the support of the present administration. This is not a partisan issue. It is based upon the highest standards of security and scientific data.

A limited test ban agreement ought to pave the way for other agreements, for all of us know that atomic testing is but one small, yet important, part of the arms race. The delivery of vehicles, the production of armaments, and the existence of large armed forces must be dealt with if we are to have a slowdown of the arms race.

I point out also that the agreement on the so-called "hot line," which was reached some weeks ago, is a further note of encouragement. Steps for the establishment of this means of communication between the Soviet Union and the United States, to avert accidental war, are already underway. This agreement demonstrates that we can arrive at some agreement with the Soviet Union if the agreement is of mutual benefit.

I invite the attention of my colleagues to the fact that the newspapers are full every day with the ideological conflict between Communist China and the Soviet Union. Pravda, the official organ of the Soviet Union, states that the Communist Chinese constant attacks upon Premier Khrushchev and the Soviet Union could well spell serious difficulty.

For years I have stated that there were developments between China and the Soviet Union which indicated a serious split. These are two powerful countries. They both seek to dominate the area of communism in the world, and both seek to be the official interpreters or applicators of the Communist doctrine.

It is impossible to have two heads over one empire, or over one so-called dogma or philosophy. There is a bitter philosophical and ideological struggle underway, which is now in the open, in the headlines of newspapers, over the radio, through pamphlets and books, and in lectures, between the Communist Chinese and the Soviet Union.

It may well be that Chairman Khrushchev would like to demonstrate to the people of the Soviet Union, as well as to certain satellite countries, that his policy or philosophy of coexistence can produce results. Possibly one of the results that Mr. Khrushchev would like to achieve is a limited test ban agreement. I cannot believe that the Soviet Union and the people of the Soviet Union can be very comfortable having Communist China, with its attitude of arrogance, belligerance, and aggression, in possession of nuclear weapons. Communist China and the Soviet Union have a common border of more than 2,000 miles. More than 50 percent of the Soviet military establishment today is in the Asian section of the Soviet Union. The Soviet Union finds that it has troubles with its Communist Chinese partner which are almost as severe as those with other areas of the world, and in the long run, possibly even more serious. I am convinced that President Kennedy's approach—firmness without being bellicose, resoluteness without being emotional, stating the American case without being irrational—is paying off.

President Kennedy came into office determined not to engage in a shouting match or in a contest of invective with the Soviet Union. He has demonstrated that a nation can be powerful and strong without shouting it from the housetops and without insulting friend or foe. The President of the United States and the administration have increased the national strength of the United States.

In the meantime, let us take a look at what has happened in Iron Curtain areas. There is trouble behind the Iron Curtain. In Rumania, Czechoslovakia, Poland, and Yugoslavia, to mention a few of such countries, there is trouble. The relationships of the Yugoslavs with the Soviet Union have been at arm's length for many years. I believe the action taken by Congress a year ago in denying most-favored-nation treatment, under our trade agreements program, to Poland and Yugoslavia was unfortunate; that it did not help us in our relationships with the Soviet bloc or with the Communist bloc; that it merely strengthened the grip of the Soviet Union upon those countries; and that, in essence, it weakened our position. It is my hope that this year we may reverse that action, because this year finds the Soviet Union with less control over its satellites than at any time since the war. There is a restiveness in the satellite nations. There is a desire on the part of the people in those countries to obtain some breathing room, to have some opportunity for independence of action.

Anyone who is even a headline reader of international developments today knows that Premier Khrushchev is having plenty of trouble inside the Soviet Union, inside the Warsaw Pact area, and that there is trouble between the Soviet Union and Communist China.

President Kennedy's memorable address at American University, which on the one hand demonstrated the willingness of the United States to find solutions and answers to the differences between ourselves and the Soviet Union, and on the other hand outlined what should be an accepted principle; namely, that peace is a process that requires step-by-step achievement and has set the pattern for the discussions which will soon be underway.

I am convinced that the Khrushchev speech of July 2, in East Berlin, was in a very large measure responsive to the address by President Kennedy. What President Kennedy did was to restate our purpose and to make it clear to the Soviet Union that we were prepared to discuss on honorable terms any differences that existed, after proper consultation with our allies, without sacrificing the rights of their people. We realize that the necessary adjustments are of long duration and require persistence, patience, and prudent judgment.

I am convinced that that speech at American University, together with the speech by President Eisenhower in April 1953, before the American Newspaper Editors, will be remembered as two of the great speeches of our day. In his speech, President Eisenhower pointed out that there is no alternative to a just and honorable peace.

When Averell Harriman goes to Moscow, I hope he will not be limited in his discussions merely to the consideration of a limited or comprehensive nuclear test ban treaty. Under Secretary Harriman is an extremely able man. He is respected internationally. He has the respect of the American people. He is a skilled diplomat, having represented this Nation and the Soviet Union in the perilous days of World War II. He has an intimate knowledge of international relations through his years of service in the Mutual Security Administration and in our diplomatic service, now as Under Secretary of State, and prior to this as Assistant Secretary of State. I am sure that Averell Harriman commands the attention, respect, and admiration of the leading spokesmen of the Soviet Union or of any other country. He is a man who knows his business. I feel much more comfortable when I know that he is in charge of our negotiations, because he is an experienced and seasoned statesman. I hope he will probe other aspects of our differences with the Soviet Union. He has political sensitivity, which comes only through political experience.

Relations between the Soviet Union and the United States might well be at a major turning point which could affect the history of the world. I am not unmindful of the difficulties, and I am not given to overoptimism, either. History teaches us—at least recent history—that our relationships with the Soviet Union are exceedingly difficult, and that any negotiations we have with them will require, as I have said, infinite patience and long periods of time; and most of the time they will end in futility. Nevertheless, the United States is faced with the fact of Soviet power, and the Soviet Union is faced with the fact of our power. We are both nuclear powers, and we both have the capacity for incredible destruction.

In the light of the ideological conflict which is now being waged between Communist China and the Soviet Union, and in the light of the exchange of messages between Premier Khrushchev and President Kennedy, it appears to me that the time is propitious, or at least is better, for a sensible, reasonable discussion between the responsible leaders of these countries.

If these two powers could resolve to undertake major efforts to limit the arms race; if the United States and the Soviet Union could begin to discuss seriously some of their longer range problems, such as the situation in Central Europe, and, indeed, the constant, serious problem of a divided Germany and a divided Berlin; if there could be some understanding or at least preliminary discussions as to how to strengthen the United Nations in order to maintain its peacekeeping operations; then a major turning point in history might well have been made.

I do not say that this can happen; I say we ought to probe it; that we ought to explore it. Thank goodness, the President of the United States exemplifies courage, and a spirit of boldness, which indicates that we will explore this opportunity.

One of the things that has concerned me for many years is that we have been afraid to approach these problems with the Soviets. All too frequently we are rebuked and rebuffed; all too frequently the Soviet seeks propaganda advantage. But this Nation is dedicated to peace with freedom and honor; and we are pledged to certain commitments to other nations. We have obligations under alliances. Because of this unique position of world leadership and moral leadership, as well as political leadership, we have an added responsibility to seek ways and means to alleviate tension in the world. We have responsibilities and obligations as a leading power in the world, as a leader of the free world.

Once again I wish to say that when a nation takes on the mantle of leadership, it takes on burdens as well as glories; and one of the burdens of leadership is always to act responsibly and with due care and consideration of the needs, the desires, and the requirements of others.

Strong as the two nuclear giants are, they are not by themselves able to determine the world's destiny. U.S. allies must be consulted and made a part of any major undertakings involving the United States and the Soviet Union.

I would not want any remarks of mine today to be regarded as an indication by me of a belief that we should act precipitously or unilaterally. I believe in our NATO alliance and I believe in the other alliances to which we have affixed our signature. In light of our unique position of world leadership, it is a requirement of modern diplomacy that we consult our partners and also that we exercise leadership with our partners; but that does not mean that we accept the lowest common denominator of approval. Leadership means that we outline the proposals which we believe essential for security, freedom, and peace, and that we lead, and that we try to seek adherence to and conformity with these principles and proposals.

The other nations of the Soviet bloc, including the Communist Chinese, must also be brought into major disarmament agreements. The vast number of nations not militarily associated with the United States or the U.S.S.R. cannot be ignored; they have a vital role to play if peace is to be secured. The recognition of the need to include others is almost self-evident. Yet, there can be a tendency, on the one hand, to fail to include and consult others, just as sometimes there is a tendency to let others hold a veto on policy where no absolute veto should exist.

Therefore, Mr. President, I conclude by wishing Secretary Harriman and his associates and the mission they undertake a successful outcome. They go with the hopes and prayers of the American people and of peace-loving peoples throughout the world. We should not expect spectacular results, for such results rarely, if ever, can emerge from such meetings. But we do hope for progress, and all of us expectantly await the outcome.

Mr. President, the next weeks will truly be historical in their meaning and their significance. The conference on ideological differences, now underway in Moscow; the recent meeting of Henri Spaak, of Belgium, with Khrushchev, at Kiev; and now the mission to Moscow by Secretary Harriman, all indicate that the summer of 1963 is one in which the pattern of history might well be changed for the good, and that those who are dedicated to freedom and to national independence may well be seeing their victory star on the rise.

EXHIBIT 1

THE HARRIS SURVEY: TEST-BAN PACT HAS CAUTIOUS SUPPORT OF 73 PERCENT OF AMERICANS, POLL SHOWS

(By Louis Harris)

When Under Secretary of State Averell Harriman sits down a week from today in Moscow to negotiate a nuclear test-ban agreement with the Soviet Union, he can count on the cautious support of better than 7 out of every 10 Americans, according to a survey just completed of a scientifically chosen cross section of the public.

Here is what emerged when the question of a test ban was put directly to the people:

Attitudes toward test-ban agreements with Russians

[Percent]

	Total public
Favor ban agreement	73
Unqualified approval	47
Qualified approval	26
Oppose ban agreement	17
Not sure	10

Outright opposition to any ban agreement on atomic testing runs to no more than one voter in every six across the country. The number who would support a test-ban settlement with the Russians are divided, however, between those who feel we should bend any and all efforts toward this end, and those who insist that varying safeguards be strictly observed.

Here are the reasons of the American people—the whys behind their stated opinions—told in their own words:

Reasons for favoring or opposing test-ban agreement

[Percent]

	Total public
Reasons for unqualified approval	47
Find way to end tests	16
End risk of atom war	11
Cut fallout	10
Stop world suicide	6
Halt cost of testing	4
Terms for qualified approval	26
If Russia keeps word	11
Only with inspection	11
If on our terms	4
Reasons for opposing	17
Russia will break it	15
Can't be weak	2
Not sure	10

The 47 percent who most strongly urge a test-ban agreement feel that a continued nuclear arms race with further testing will lead to the ultimate destruction of the human race. However, this view constitutes a plurality, not a majority of the people. The balance of opinion rests with those who want an agreement, but only if it works. This means inspection and, by implication, leaving as little as possible to faith in dealing with the Russians.

It would be a mistaken reading of American public opinion for Chairman Nikita Khrushchev and the Communists to assume that the people of this country share in any measure a "ban the bomb at any price" philosophy. If the Russians were to resume testing again, the pressures from the American public on President Kennedy to begin our own testing again would be enormous and overwhelming.

This sentiment for nuclear test resumption was evident when we asked the voting public how they now feel about Mr. Kennedy's decision in 1961 to renew American nuclear tests after the Soviets resumed their tests:

Attitudes toward U.S. decision to test when Russians test

[Percent]

	Total public
Approve U.S. testing	82
Oppose U.S. testing	10
Not sure	8

There is little doubt that any Soviet move to resume testing would meet with a massive response that this country should test nuclear weapons immediately. Here is the reasoning behind these attitudes, as people expressed them in their own words:

Reason for approving or opposing U.S. testing

[Percent]

	Total public
Why approve U.S. tests	82
Stay ahead of Russia	45
No other choice	13
Be ready for anything	12
Develop weapons system	6
Stand up to Russia	5
Test peaceful uses	1
Why oppose U.S. tests	10
Tests endanger health	4
Have enough bombs now	3
Two wrongs don't make a right	3
Not sure	8

As on so many issues, American public opinion is both tough and practical-minded. Our people recognize the dangers of total nuclear war and want every effort bent to avert it. By the same token, most Americans embrace the policy of peace through strength, feeling that a ban on testing is possible only when this country possesses a striking power sufficient to discourage any Russian move toward nuclear aggression.

AMUSEMENT PARK ARRESTS DEMONSTRATE NEED FOR TITLE II OF OMNIBUS CIVIL RIGHTS BILL

Mr. HUMPHREY. Mr. President, I am sure my colleagues have read the recent newspaper articles on the demonstration which occurred at Gwynn Oak Amusement Park, outside of Baltimore, Md. If doubts existed prior to this weekend about the desirability of President Kennedy's pending proposal to secure equal access to public facilities, these events surrounding the mass arrests at Gwynn Oak Amusement Park should have banished them.

The demonstrations and subsequent arrests of such prominent American churchmen as Dr. Eugene Carson Blake, chief executive officer of the United Presbyterian Church, and others surely provided a graphic illustration of the fact that businessmen opening their doors for public business have a responsibility to serve all the public. Dr. Blake is one of my good friends. I have known him many years.

The practice of discrimination on the basis of color alone constitutes an arbitrary abuse of the rights associated with the ownership of property and a flagrant refusal to accept certain responsibilities to serve the general public that private businessmen must accept.

The owners of the Gwynn Oak Amusement Park do not claim to operate a private club. Their doors have been opened to the general public. Having made this decision, they have the clear obligation to serve all potential customers, assuming that accepted rules of decorum and behavior are maintained.

Opponents of the President's civil rights proposals cannot claim that such respected churchmen as the Right Reverend Daniel Corrigan, director of the home department of the National Council of the Protestant Episcopal Church; Rabbi Morris Lieberman, of the Baltimore Hebrew Congregation; various Roman Catholic priests; and hundreds of religious leaders and laymen constituted a lawless mob disturbing the peace and tranquillity of the Baltimore community. The demonstrators presented a model of orderly behavior and nonviolence. Their white antagonists, however, hooted and threatened violence so directly that the use of police dogs was necessary in order to avert a riot.

Who, then, was disturbing the peace in these circumstances, and who should have been jailed, if anyone?

One of the owners of the amusement park read portions of the Maryland trespass law to persons attempting to desegregate the park. The existence of such anachronistic State legislation as this clearly demonstrates the need for prompt Federal action in the area of public accommodations. If ever there was proof of need of the President's program, it took place within 40 miles of the Nation's Capital; and no responsible citizen of the United States can rationalize with credibility or with a sense of decency the arrest of these fine, distinguished churchmen and good citizens.

They can explain it, but they cannot rationalize it with credibility and with a sense of decency. Ample precedents exist for such Federal initiative on the basis of the interstate commerce clause of the U.S. Constitution and the 14th amendment.

In this particular instance, I am confident that merchandise and facilities used in the park were transported across State lines. Persons from all sections of the country, that is, white persons, are welcomed as customers. The impact of the park on interstate commerce cannot be doubted.

The spectacle of national church leaders being hauled off to jail in a paddy wagon demonstrates the absurdity of the present situation regarding equal access to public facilities in Maryland and the absurdity of the arguments of those who oppose title II of the President's omnibus civil rights bill. These events also indicate why the response of Congress to these proposals raises such fundamental questions. In this regard I call the attention of my colleagues to two recent columns by Walter Lippmann and Roscoe Drummond. Both of these respected political analysts dealt with the harsh fact that Congress itself is on trial as it considers this legislation.

I ask my colleagues in Congress how, in the light of the Constitution of the United States, we can rationalize local police arresting respected national spiritual religious church leaders in an amusement park because they wanted to walk in with an American citizen whose skin is a different color.

I do not think we ought always to be required to quote from political analysts to obtain direction and counsel. I wonder if sometimes we could not sit down and reason problems out for ourselves. One need not be a constitutional lawyer to read and understand the 14th amendment. One need not be a constitutional lawyer to know that it is within the power of the Federal Government under the commerce clause of the Constitution to regulate commerce. And I will put on the line what little limited mental resources I have that some part of the park in Baltimore came there through the vehicle of interstate commerce. Therefore it is subject to the regulations of the Congress.

If Congress finds itself unable to respond affirmatively to this crisis of civil rights, the American people will be entirely justified in asking whether or not Congress is now capable of meeting its obligations as the legislative branch of the Federal Government.

Negroes are not on trial in our country. Churchmen are not on trial. We are. And we are not giving a very good demonstration. The antiquated procedures of the Congress surely contain little to commend them to modern government.

Mr. Lippmann has put the question quite directly. He states: "What kind of legislative body is it that will not or cannot legislate?"

We cannot pretend that a social revolution of historical proportions is not engulfing the entire Nation. It will not do us any good to wring our hands about the demonstrators and the demonstrations. There is not a day but what I hear, "Oh, these demonstrations are terrible." "Oh, if these demonstrations come to Washington, it will be terrible."

I say to Members of Congress that if there is concern that there will be 200,000 or 300,000 fellow American citizens coming to Washington when we take up the civil rights bill, the way to respond most constructively is to announce that we will pass the civil rights bill, that we do not intend to engage in a filibuster, that we are going to treat the proposed legislation responsibly, that we will debate the bill, argue it, and then vote upon it.

I remind my fellow Americans and others that I am not advocating a march on the Nation's Capital. But I am advocating that we in the Congress do our duty. If we do our duty, we will not have to have the galleries filled with demonstrators. We will not have to have the streets packed with demonstrators, and we shall not need any demonstrations. The reason that there are demonstrations in the streets of American cities is that we are not demonstrating legislative responsibility in the Congress of the United States. We are late—very late. We have not legislated. We have been pinned to the wall by the instrument of parliamentary filibuster, delaying tactics, and apparently the lack of proper concern over the welfare of those who are victims of discrimination and prejudice.

A government does not gain allegiance by giving more to those who already have too much. A government does not justify its existence by merely handing out more justice to those who are already overloaded with social privilege. What a government of free people ought to do to justify its existence is to see to it that those who have too little at least have an opportunity to gain enough for a decent living, and that those who are the victims of prejudice and inequality shall have a government stand alongside of them to give some balance to eliminate the inequality and to do away with the overt discrimination.

This is a battle for moral justice and not merely political justice. So Mr. Lippmann is proper in what he asks "what kind of legislative body is it that will not or cannot legislate?"

I do not think we can pretend that President Kennedy has not responded to this social revolution with a package of civil rights bills designed to meet the crisis. I have had the privilege of working with him. I know the hours that have gone into consultation, the many meetings that he has held, how he has reached out to find answers, and how he seeks to propose legislation that can receive a favorable response in the Congress.

The President has acted responsibly. The President has acted courageously and prudently. He is calling upon the Congress to do its part. I say that we are only servants of the people. We do not have any prerogatives, and we should have no privileges. Our one privilege, if any, is to serve the American people and to see to it that the Constitution of the United States is respected and applied equally.

In these circumstances of a nation undergoing an historic social upheaval we can only pretend that Congress lacks the responsibility to act on these proposals as promptly as possible. We know we have the responsibility. To say to the contrary is to avoid responsibility and to make us unworthy of our public trust.

As I have asserted many times during the debates over the resolution to amend rule XXII, I am quite willing to abide by the decision of the Congress once the Members have been permitted to cast their votes on the merits of a particular proposal. But while I am fully prepared to accept this decision whatever it may be, I am not prepared to accept anything less than this. I am not prepared to accept endless statements, weakness, and incapacity to reach a definitive decision on the merits of the President's civil rights legislation.

I say this because there are many signs now indicating delay. I am hopeful that our colleagues in the other body will act promptly on the President's civil rights bill. I am hopeful that when that bill comes to the Senate it will be a full package, including the feature known as public accommodations with enforcement power. I am hopeful that we in the Senate will act on that package.

I am also hopeful that we will strengthen our educational establishment, so that civil rights will be something more than a legal doctrine.

Jobs, expansion of industry, economic growth to provide jobs, training of citizens to fill jobs—all are a part of civil rights. Yet there are people who wonder, "Is the tax bill to have priority, or is the civil rights bill to have priority?" They are tied together. The education bill is tied in, too. All these bills have priority. We have time to act on all of them, if we wish to act.

Let it be quite clear that we shall be here for a long time, Mr. President.

I suggest to my colleagues that they make plans for a "Merry Christmas" in Washington—at least for Thanksgiving dinner—unless we can step up the pace of this body and fulfill the responsibilities which we have been assigned.

There is a full program yet to be acted upon. There are education measures and appropriation bills to be considered. There is a tax reduction bill, which is needed to sustain our economy. There are other items too numerous to mention—and civil rights legislation. The President's program of area redevelopment still waits to be completed, although the Senate has passed it. Manpower training is important. Every bit of it is vital business.

I suggest that, instead of trying to figure out how to put an exile government in Guantánamo, we might well try to figure out how to protect the rights of American citizens in the United States. I love the Cubans, but frankly I think more of citizens of the United States.

If there were as much bleeding of the hearts for the Americans who have paid their taxes, who have fought for their country, who have fulfilled the duties of citizenship but who are denied the rights of citizenship and the privileges of citizenship because of color as there is moaning and groaning and bleeding of hearts about what has happened to the Cubans, perhaps we could do something about both Cuba and the United States.

I think we will be better accepted in the world if we can come with clean hands. Our friends in Cuba who believe in freedom will think more seriously of our commitments if they find we are doing something about our own minorities.

I am not referring only to the American Negroes, who have suffered. Others in the minority in this country over the years have been treated unfairly. The hour has arrived in this democracy when we shall no longer tolerate discrimination and prejudice because of color, religion, national origin, or ethnic background.

There is no finer title or honor than to be a citizen of the United States, and there is no greater derogation of title than to be called a second-class citizen of the United States. Regrettably, there has been forced upon some people that unbelievable disgrace of being called second-class citizens.

I am not at all sure that this will attract any votes. If any Senator plans to vote for these measures because he thinks it will strengthen him politically, he may be making a very serious mistake. But I suggest that it is rather odd, and indeed contradictory and ironical, that when there is an honor guard of American Marines to guard our President, in that honor guard will be a Negro, a Catholic, a Protestant, a Jew, a Spanish-speaking American or an American Indian, who is there as the symbol of our Nation, protecting and honoring the Presidency of the United States; yet some of those men, because of color or even religion, are denied equal privileges guaranteed under the Constitution of the United States. We cannot justify it. No one can. Thus Senators will vote for these civil rights proposals because they are right and just.

In my opinion, the events of the past weekend only make more evident the urgent need for prompt congressional action on civil rights.

Mr. President, I ask unanimous consent to have printed in the RECORD "The Strength To Govern Well," by Walter Lippmann, a column from the July 4, 1963, issue of the Washington Post; "Congress on Trial," by Roscoe Drummond, a column that appeared in the July 8, 1963, issue of the Washington Post; and "Races and Churches," an editorial that appeared in the July 8, 1963, issue of the New York Times.

There being no objection, the articles and editorial were ordered to be printed in the RECORD, as follows:

[From the Washington Post, July 4, 1963]

STRENGTH TO GOVERN WELL

(By Walter Lippmann)

This Congress was already in a jam before the Negro demonstrations caused the administration to propose the new civil rights bill. Without any filibuster on the floor of the Senate there has been so much delay and obstruction in the committees that after 6 months no important measure has been acted upon, and many of the critical measures, such as tax reduction are bogged down—it would seem deliberately—in the committees.

What kind of legislative body is it that will not or cannot legislate?

This would be a serious question at any time. But it is a critical question at this time. A new generation of Negroes has emerged, one which has lost the fear of being arrested and jailed, and has steeled itself to use the weapon of the weak, which is to be prepared to suffer more pain than the oppressor will dare to inflict. When an aggrieved people reach this point, they have acquired a force which governments must reckon with and people must respect.

If then it turns out that the Government is paralyzed and impotent to deal with their grievances, the prospect is indeed dark and ominous.

It is true, quite evidently, that in their swelling discontent the Negro people might be incited, even exploited, to permit acts of violence which would recoil upon the Negro minority itself. But how is wisdom to be made to prevail as against reckless folly? There is only one way. By an unmistakable showing that the Negroes live under a strong Goverment, one which is not only strong enough to suppress mobs but is also strong enough to redress grievances and raise the standard of public righteousness.

If after the President has proposed legal remedies for an undeniable evil, the Congress of the United States then smothers and obstructs the enactment of laws, on what ground can a rational appeal be made to the Negro people and their leaders? As one who has always opposed cloture except in extreme emergencies, I would say now that the present situation is extreme. It is whether the Negro can count upon the Government under which he lives to redress his undeniable grievances.

If, therefore, we have a filibuster against civil rights on top of the logjam about everything else, we shall have to say—distressing as it is—that in one of the coordinate branches the capacity to govern has broken down. If this continues, if we linger on in a deadlock in which the President proposes and Congress will not even dispose, there are very difficult days ahead for the Republic. A government must be able to govern. When it cannot govern, a government is sick.

If things go as badly this summer as they threaten to go, and the session drags on into the autumn with little accomplished amidst many angry words, something will have to be done about it. Next to defense and the enlightened conduct of the cold war, the question of highest priority will be how to overcome the paralysis of Congress.

My own view is that the most important and most needed reform would be a rule that measures proposed by the President, if he labels them urgent, must be reported out of committees within a certain time and brought to a vote within a certain time. The administration should have the right to have its proposals voted up or voted down within a reasonably short time. It cannot be the genuine right of a legislature to smother and strangle the proposals of the Executive. For that would leave us with just about the worst of all forms of popular government—government by large assemblies, or, as we call it in this country, congressional government.

Writing this on the day before the Fourth of July, I find myself thinking how rarely free governments have been overthrown by foreign tyrants, except temporarily in time of war, but how often free governments have fallen because of their own weakness and incapacity. To one thinking such thoughts there is nothing reassuring about the present Congress.

[From the Washington Post, July 8, 1963]

ACTION OF FILIBUSTER?—CONGRESS ON TRIAL

(By Roscoe Drummond)

Nearly every day there is evidence of increased support for the civil rights measures now before Congress.

Ahead is a period of long, earnest, even bitter debate. That is part of the democratic process.

The question is not whether there is a clear majority for strengthened civil rights legislation. There is. The only question is whether, after full debate, the Senate can contain a possible filibuster in order to prevent minority rule.

Very few voices are going to be raised to say that there is nothing further the Federal Government can or should do in order to provide equal protection to all citizens against unconstitutional discrimination including voting, schooling, and public accommodations.

But after the minority has been fully heard, there is an additional issue beyond that of racial justice which the majority of Congress and its responsible leaders in both parties will have to face up to. It is this:

At the time and on this issue of racial justice there is no choice open to Congress which will not have far-reaching consequences.

Action will have far-reaching consequences; inaction will have far-reaching consequences.

Enactment of strengthened civil rights legislation would be an act of national policy. But rejection of strengthened rights would also be an act of national policy.

I stress this point because only a filibuster—which is the last resort of minority power—can prevent the passage of strengthened civil rights. If the Senate permits a filibuster to prevail, it will thereby be permitting the most crucial and critical national policy to be determined by minority rule.

Bear in mind that unlimited debate is not a constitutional right. It is not an unconditional procedural right. It is a privilege which stems from Senate rules and is conditional by the right of the Senate to determine debate by a two-thirds vote. Therefore, when some Senators say that, however much they favor strengthened civil rights, they cannot vote to end a filibuster because it would compromise a right ("and what is right is right," as one put it) they are using a suspect argument. Apparently such Senators are willing to compromise the right of two-thirds of the Senate to end a filibuster in order to preserve the right of the minority to continue a filibuster.

Everyone in Washington knows that there is a clear majority in both houses for the pending civil rights measures, with possibly one or two limiting amendments. There is, therefore, another question which the leaders and Members of Congress will have to ponder long and well.

Can the majority of Senators and Representatives permit Congress, supposedly coequal in authority and responsibility with the judicial and the executive branches, to stand helpless, unable to play its part in dealing with a great and grave national problem?

Can the majority of Congressmen permit national policy on the issue of racial justice to be determined by minority rule?

I do not believe that the majority of Congressmen will wish to stand before the country and, indeed, before the exacerbated, long patient, long discriminated against American Negroes, and say that representative government cannot govern.

I wonder if, in the end, even the minority in Congress will wish to carry their views and their tactics to such an extreme as to weaken and discredit Congress at a time, with its whole legislative agenda in disarray, it urgently needs to recapture respect and credit.

Congress itself is on trial.

[From the New York Times, July 8, 1963]

RACE AND THE CHURCHES

Historians writing about the struggle for racial equality in this period are going to have a number of milestones to guide them. One such, surely, will prove to be the demonstration at Gwynn Oak Amusement Park near Baltimore on July 4 which was repeated yesterday.

Leading Protestant, Catholic, and Jewish clergymen participated in the July 4 attempt to integrate the 68-acre park whose manager, James Price, blandly announced: "The white man in this area does not accept the Negro on a social or recreational basis." The clergymen, having broken the Maryland trespass law, accepted the penalty and were among the 283 demonstrators arrested and jailed.

Their gesture was the most spectacular to date in a sudden and impressive determination by U.S. church leaders to do something rather than just say something, about the evil of segregation.

How much effect active intervention by religious forces is going to have in this struggle cannot yet be gaged, but it stands to reason that it is bound to have a great impact if they keep it up. Pope Paul VI encouraged all Catholics to join the fray by his strong endorsement, when President Kennedy saw him at the Vatican, of the struggle to achieve "for all your citizens the equal rights of citizenship." Since January the National Council of Churches, the National Catholic Welfare Conference, and the Synagogue Council of America have been urging bold interfaith action against racial discrimination.

The principal religious elements in our southern States are Protestant Episcopal, Methodist, and Baptist. Bishop Boynton of the New York Protestant Episcopal Diocese has issued a statement authorizing clergymen and laymen to take part in antidiscrimination demonstrations "held anywhere under responsible leadership." It is understood that Methodist and Baptist church leaders are preparing to urge their flocks to join the antisegregationist campaigns.

The road to integration is not a straight and narrow one. There are many paths to the goal, and it may turn out that the road followed by all religions, for whom men are equal in the sight of God, will be one of the most successful.

THE VISIT OF CARDINAL SILVA

Mr. HUMPHREY. Mr. President, this noon I was honored to serve as host at a luncheon for one of the great social leaders of Latin America, Raul Cardinal Silva Enriquez, archbishop of Santiago, Chile. I am happy that my colleagues on the Foreign Relations Committee and leading officials of the Alliance for Progress program were able to meet with Cardinal Silva and discuss some of the most important problems confronting the Alliance for Progress program today.

Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks an article from the New York Times describing the leadership which Cardinal Silva is providing in the movement for economic and social reform in Chile.

To give my colleagues some idea of the progressive role which the church is now playing in many Latin American countries in promoting the aims of the Alliance for Progress, I also ask unanimous consent to have printed in the RECORD at the conclusion of my remarks a copy of the pastoral letter issued by the Chilean bishops in November of 1962 advocating basic structural reforms in Chile. It is a model document for all Latin American countries to follow in implementing the aims of the Alliance for Progress.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Minnesota? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. HUMPHREY. Mr. President, it is a great pleasure to meet Cardinal Silva, who is providing leadership in achieving the aims of the Alliance for Progress in Latin America.

If the Alliance for Progress is to succeed and the spread of communism be halted, the traditional ruling groups must provide the leadership for a peaceful economic and social revolution in Latin America.

As recently as a decade ago, it could be said that the indifference and fatalism of the ruling groups was well expressed in the remark of the late 19th century Chilean President, Barros Rocco:

> There are only two kinds of problems facing society: Those which get solved by themselves—and those which defy solution.

The example offered by our guest of honor today, Cardinal Silva, is proof that this is no longer true of Latin American countries today. In Chile, he has taken the lead in implementing the social philosophy embodied in the recent encyclicals of Pope John XXIII, "Mater et Magistra" and "Pacem in Terris."

The Pastoral Letter of the Chilean bishops, published in November 1962, reflects this philosophy—calling for rapid and drastic economic and social reforms. Under Cardinal Silva's leadership, the church in Chile has set an example for others by redistributing most of its own lands to local peasants.

Cardinal Silva has done much to encourage pioneering projects by voluntary associations in Chile—such as the Techo project—which I have visited. He has also supported the work of men at the Bellarmino Center like Father Roger Vekemans and Father Lyons, who are providing leadership in student and intellectual circles, and in the labor movement.

I am happy to note that the work of voluntary agencies in Chile and in Latin America generally is receiving more attention from Alliance for Progress officials. I am happy to note a definite change in the attitude of Alliance officials in the past year toward voluntary associations. Today there is a greater appreciation of the role voluntary groups can perform, not only in alleviating the sufferings of the poor, but also in fostering needed economic and social development and in introducing the political skills necessary for a functioning democratic government.

EXHIBIT 1

[From the New York Times, Nov. 5, 1962]

CHURCH DEMANDS REFORMS IN CHILE—CARDINAL LEADS MOVEMENT TO EASE COMMON MAN'S LOT

(By Edward C. Burks)

SANTIAGO, CHILE, October 31.—Chile's Roman Catholic Church is trying to help solve critical political and economic problems here to improve the lot of the common man.

The move is under the leadership of 55-year-old Raul Cardinal Silva Enriquez, archbishop of Santiago, who calls for drastic social reforms.

The gist of his message is that Chile must overhaul her unbalanced social system and make great changes to ease the lot of millions of her underprivileged or the job is going to be done in totalitarian manner by Communist methods.

Chile is a nation of 7,800,000 strung out along the western coastline of South America over an area slightly larger than that of Texas. It has been one of the Western Hemisphere's most stable democracies but has big problems because of tortuous terrain, vast desert regions and great numbers of underfed people with limited opportunities.

COMMUNISTS ARE STRONG

Chile has a strong Communist Party, a labor movement dominated by Communists and other leftists and a main opposition bloc in Congress based on a tight alliance of Socialists and Communists.

Added to Chile's problems are a fast-growing population, a vast gap between a few rich and the masses, and chronic budget and trade deficits.

Under Cardinal Silva Enriquez the church has been becoming more and more outspoken on the need for reforms.

Recently the church laid down its position in a 9,000-word pastoral letter that was read to the congregations in every Catholic church in Chile.

No sector of the Chilean community was spared from criticism as the pastoral letter ranged over a wide range of problems and attitudes.

The pastoral letter started out by stating that it was obvious that great numbers of Chilean people not only are living under miserable conditions that are basically intolerable but that these conditions seem to be perpetuated.

The letter noted that in the Chilean countryside a minority of proprietors had the greatest part of the best lands and that the majority lived in poverty.

It also noted that one-third of the Chilean population did not have a decent home where normal family life and family virtues could be developed despite recent Government efforts in building homes for low-income families.

The letter declared that about one-tenth of the population received half of all the national income. It emphasized that one of every three Chilean children stopped school after the first year and that the second did not finish primary school.

Despite some gains, there is general agreement here that there are gross social inequalities. But the meat of the latest message from the church hierarchy is that reforms are going entirely too slowly and that too many so-called faithful Christians in Chile are showing cold indifference to problems of the masses that have now reached the emergency stage.

The pastoral letter deplored that the great mass of Chileans really was left outside the supposedly beneficent social laws and that they had no real recourse with the authorities in seeking to right injustices.

The pastoral letter criticized those wealthy Chileans who deposit their money abroad or who "spend enormous sums on totally useless things or amusements here" while millions are in misery.

It hit out also at lip-service Christians who seemingly fulfill their religious duties yet in their business and professional lives seem to forget all about their fellow-Chilean who is bowed by poverty and lack of opportunity.

While attacking the abuses of the liberal capitalist system, the pastoral letter also declared flatly that it was impossible to collaborate with the Communist movement here. The Communists are working with various democratic parties only with the idea of using them as a stepping stone to totalitarian power, the letter said.

Cardinal Silva Enriquez, named last year, has considerable credentials for the job he has undertaken.

A native of Talca, in the south, he holds a law degree, was a Catholic editor for years and also founded and managed Chile's main Catholic relief organization.

Translation of Pastoral Letter Addressed by the 24 Catholic Bishops of Chile to the People of Their Country, November 1962, on Social Reform and the Common Good

Beloved children, the obligation to cooperate effectively in the solution of problems relating to the common good is a preemptory duty of the Christian. It springs from the maximum mandate of the law. It is the practical expression of the eminently social character of Christianity.

Therefore, the church insistently reminds us of it, and the bishops of Chile feel, at certain times in the life of our country, the serious responsibility to urge the faithful to comply with their social duty.

We believe that we find ourselves in one of those times and that our silence would be a blameworthy omission. We do not want to be guilty of the biblical anathema: "Alas, why did I keep quiet" (Isaias 6–5).

We speak with no other purpose than the good of our Chilean native country and the eternal happiness of its children.

I. INTRODUCTION

1. All the countries of Latin America, we can say, are passing through a period of great difficulties which particularly affect the economic, political and social order. They are an index of dangerous tension and of situations which are not of the order desired by God.

In view of these facts, we must give thanks to God, because we can consider the situation of our country as privileged, despite its serious problems.

In fact, in talking to you today, we do not want in any way to cause discouragement in your souls. Very much to the contrary, we wish to encourage you to take up with energy and fortitude the role that corresponds to you to improve our institutions and make those changes which reality imposes upon us and which political-social sciences advise.

We are anxious, beloved children, that once again in the history of our continent, Chile should give the example of intelligence and civic maturity, motivating a clear-sighted and wise evolution, bearer of political stability and economic prosperity, and that our country should offer a Christian solution of the problems which afflict us, to the international aggregate of which it forms a part.

2. In the difficult crossroads through which we are passing, there are powerful entities which propose solutions, but there are other groups which do not believe in their possibility and would maintain the present state of things.

In view of reality, which it is not possible to conceal, and in view of the repeated events which reveal the general bad situation, we must point out clearly to our children that we Christians must energetically activate and propose the solutions, or they will be imposed upon us against our will, in ways that will damage our most cherished interests.

For these reasons, because the hour in which we are living is the hour for action and because it is the time in which a new country is being created, we want the voice of the church to reach you.

3. We have the right and the duty to intervene, indicating the moral, natural, and religious fundamentals which must guide you, in these difficult circumstances.

The highest pontific have on many occasions invoked this right for the church, which does not seek to give technical solutions in the activities of the social order, but rather seeks to set forth the moral rules on which the church is founded and to establish "whether the bases of a certain social order are in accord with the immutable order which God, Creator and Redeemer, has manifested by means of natural law and by revelation."

4. Furthermore, it is evident "that the form which is given to society, whether it conforms to divine laws or not, depends upon, and in turn encourages, the good and the evil in the souls of man."

There are social orders which favor Christianity and there are others which greatly obstruct it.

We believe, furthermore, that the noble Christian principles of love of God and country and of respect for the eternal values of the individual, must guide us in this difficult undertaking to choose those solutions which are in accord with our historic tradition and which would make it possible for us to safeguard the spiritual inheritance received from our elders and zealously guarded by the Chilean people throughout their glorious history.

5. We wish, now, to address all men of good will in our land, since political passions have not yet flamed with all their violence, and our voice, without being distorted by uncontrollable interests, can be heard with serenity, finding the way of intelligence and of the heart and moving everybody to fruitful and redeeming action.

The conviction that a considerable number of Chileans are encountering difficulties to see what is going on around them, also obligates us to speak.

In a country seriously afflicted by anxiety and misery, there are those who can pass by pain without seeing it, unless fear opens their eyes. And fear itself can obstruct the Christian's view of reality.

It is not possible that egoism and created interested should obscure the truth and prevent us from seeing the misery which surrounds us and is perpetuated among us.

II. OUR PRESENT SITUATION

1. Facts

6. It is necessary to remember some facts, and translating the figures into a more human language, let them speak and show the road that must peremptorily lead to action. More than insisting on each datum considered separately, it is of interest to make known the serious state of things which is obvious throughout the entire country.

(a) It is very easy for the population concentrated in cities to ignore, or pretend to ignore, what is happening in the rural districts. But a considerable part of our people live there oppressed by misery and under undignified conditions. Marxism is criticized, and justly so, for not recognizing the right of every human being to ownership of the means of production, but in the Chilean rural areas a minority of owners possess the greater part of the best agricultural lands. Can we attack with vehemence on the basis of principle and be tolerable in practice, when our brothers are suffering?

(b) No better is the situation of a great number of families which, lacking an adequate house, congregate in the poor sections of our cities. Despite the great and praiseworthy efforts recently made to build low-cost houses, the housing deficit of Chile, according to estimates by technical organizations, is approximately 400,000 dwellings. Almost one-third of our population does not have a dwelling where they can develop family virtues in a normal way, which are the irreplaceable basis of social virtues.

(c) Nor can anybody forget that each year a great number of Chileans want to become a part of the national work of production of goods, without being able to do so. Tens of thousands of our brothers each year find the door closed to becoming integrated actively in this country, which is theirs. We can see them, if we have the courage to do so, in their poor neighborhoods surrounded by kilometers and kilometers of misery. It is impossible to demand all of these unemployed people to defend and promote a society which has, in fact, forgotten them.

(d) Serious statistical studies, based on official sources, tell us in addition that one-tenth of the Chilean population received almost one-half of the national income, while the remaining nine-tenths must subsist on the other half. This means that a great part of the working people do not receive wages in accordance with the norms of social justice. In this deplorable condition, maintained for a long time, the humble Chilean is living in quiet but growing bitterness and disillusionment.

(e) A consequence of the aforegoing is that one out of every three Chilean children abandons school after the first year and another one leaves before completing primary studies. This misery which is not seen, which is not so easily evident, is nevertheless one of the most cruel, because a great part of the Chilean population is left practically without education, without the protection and security which it means. These our brothers, left to solve their problems by simple intuition, left to the dictates of commonsense which reality contradicts, to an innocent confidence which rapidly vanishes before a hostile world, must face a legal order which they do not understand, and the justice of which is not so attainable to them as it is for other members of our society.

(f) This bad distribution of the wealth of Chile is repaid with undernourishment of the people. Statistics show that the laborer consumed between 1957 and 1959 half of the meat that he consumed between 1945 and 1947. The consumption of proteins and vegetables is much below that which is sufficient and also tends to decrease.

Perhaps hunger is not of great proportions. But what true Christian can take it upon himself to calculate when it will be sufficiently serious to arouse the imperative duty to help? At any rate, there is undernourishment which affects a great number of people. And what is worse, this situation is maintained substantially unchanged, while man, which is the principal factor of production, each day eats less than is adequate.

On pointing out in a few lines this anguishing and anti-Christian reality, we do not intend to accuse anybody. God judges. We know that much has been attempted in all sectors and we recognize what that is worth; but there is something which cannot be ignored or silenced: what has been done is not enough. This situation is not momentary; it is being prolonged beyond the capacity of the Chilean people to hope.

7. We must also admit that a great part of our people are unable to present their problems to the public authorities and obtain solutions from them. The organizations which in the last instance ought to serve the common citizen appear to be so distant from him that, frequently, the negotiations before

them are annoying and practically ineffective. This is aggravated on verifying the very frequent evasion of social laws, which affect an innumerable quantity of laborers and employees, who find themselves in fact defenseless and must support hunger and misery with great pain, fruits of injustice of which they are victims.

The social doctrine of the church teaches that "without the application of social and collective justice, no order is possible and, consequently, there cannot exist the peace which is precisely the tranquillity of order."

8. Calculations made on the basis of the permanence of the present legal-social organization, causes us to fear that the future will change very little. At the current rate of increase in income, many years will be needed to double the income per inhabitant. The voice of the pontificals warns us that one generation cannot be obligated to live under inhuman privations, although it be to increase the efficiency of national economy in the future.

2. *Fervent call to everybody*

9. Our words are inspired by a sincere affection for all Chileans without exception and we would like, for that reason, that they reach everybody.

We do not believe that the situation which we present nor the remedies which we propose can clash with the rectitude or the good will of those who have beliefs different from ours. Misery, ignorance, dereliction, and desperation are before the eyes of everybody. The general solutions which we advocate are based on the requirements of a justice comprehensible and acceptable to everybody.

The authentic Christian should regard this only with the sharpest sensibility, with the highest conscientiousness of his role and with a very clear mind regarding his responsibilities. All the aforegoing is the genuine fruit of a spiritual attitude centered in the love of God and mankind, fed with the Sacraments and illuminated by the Revelation.

We request, then, that those who do not share our religious faith should read these lines as an expression of a concern common to all, and that they hear through them a call to obtain for the people of Chile the social reality that it deserves, more humane, consolidated and cordial.

III. THE ACTION

10. In view of the state of things mentioned above, Chilean Catholics are taking positions on which we congratulate them. It is not our intention to discuss them now. At this time, we wish to refer only to those deficiencies which have not yet been considered, or rather which have not been taken up with sufficient energy. We refer finally to the problems that not all Catholics have faced, although the group of negligent people tends to decrease.

We will try to determine with precision the reply of the Christian regarding the anguishing need and misery of our fellow men.

Without ignoring the urgency of other social and humane needs in general, we have wanted to emphasize one category of them: material misery, derived from unsatisfaction of basic needs.

And, despite the fact that the different dominions are intimately connected, we have set out, for a better solution, a plan of assistance, a social-economic plan and a political plan, in whose scope the previous ones converge at last and which ought to coordinate them and guide them to the service of the common good.

1. *Assistance aspect*

11. In the presence of pain and need by his fellow men, there arises in the Christian an almost spontaneous movement of charity to alleviate their destitution by unselfish acts and giving of his own wealth, whether in material goods, personal services or dedication of his own time.

It is a response constantly lived and preached by the Christian community; it is the activity of the good Samaritan and it will be taken into account to be rendered at the final judgment.

One cannot be a Christian and remain indifferent to the needs of his fellow men. The proof of the true Christian lies in the love for his fellow men "which does not stop at affectation or lip service but is embodied in words and labor": give food, alms, educate the illiterate, visit and help the sick, give shelter to those who do not have it, and so forth.

We want to make sure that this attitude will never disappear, because unpredictable and irremediable needs will always exist, even in the most just and perfect societies.

"Even supposing that each and every man could obtain all that to which he has right, there will always remain a vast field for charity."

The love of fellow beings, embodied in dedication to social progress or to economic or political development, does not excuse the Christian from his responsibility regarding this duty to aid, which is certain to present itself temporarily or permanently.

2. *Social economic aspect*

(a) Better Distribution of National Income

12. But the duty to assist has its limits, which are the limitations of the person himself or the institution which renders the assistance. And since what matters on rendering assistance is now only being conscientiously certain of having exhausted what one has and what one is in said assistance, but also that the needs of fellow beings have been really satisfied, the Christian cannot stop the assistance.

"Charity will certainly carry some remedy to social injustices; but that is not enough. Above all it is necessary that the virtue of justice should flourish, dominate and be applied."

The love of fellow beings also requires, therefore, the overcoming of those superpersonal realities which have placed and will continue to put our fellow beings in a situation of urgent need. These are, for example, opportunities for employment, training in production, payment of a proportionate salary and the social claims and demand.

13. To be a true Christian, one must take up a position regarding these reforms, for the purpose of obtaining social structures that will permit those in the lower income levels to gain greater participation in the fruits of the productive process. "The economic wealth of a people does not consist solely of the total abundance of goods, but also, and what is more, in real and efficient distribution according to justice."

To do this the Christian must favor the institutions of social claim and, if it corresponds to him, take part in them. He will also have to support institutional changes, such as true agrarian reform, reform of corporations, taxation reform, administrative or governmental and other similar reforms.

"We wish particularly for the Christian to assume his social responsibility by public action," because the true Catholic "must bear in mind above all things, and on any occasion, that he must act as such, approaching public callings and carrying them out with the firm and constant purpose of promoting, according to their possibilities, the social and economic good of the homeland, particularly of the people."

One cannot pretend to be a Christian and yet evade the efforts to reform social structures according to the doctrine of the church; "such doctrine is clear in all aspects; it is obligatory; nobody can desist from it without danger to the faith and moral order."

(b) Economic Development

14. But neither can action of the Christian be confined exclusively to matters of redistribution. A more advantageous distribution of opportunities, production, abilities, and responsibilities can have great influence on increase in total production and, therefore, in satisfying the aggregate needs. For this reason, the disciple of Christ, inspired by love for fellow beings, must concern himself directly with the very increase in the quantity of goods and services which the economy of the country places, year by year, at the disposition of the national economy. In other words, love your neighbor implies a serious responsibility regarding economic development.

The conditions of economic development are very precise, and we must all take the definite position of favoring those personal activities, social institutions and political measures which are necessary for economic development of Chile.

It is not pertinent here to list them all; we only want to call attention to some of them, because perhaps they are not yet being given the importance they have.

15. Above all, we address the Christian, as a participant in production, and we remind him of his serious duty to increase his productive ability and knowledge. The contribution of the labor factor in the results of the economic process depends basically on the productive capacity of the worker whether laborer, white collar employee, technician, professional or employer.

And as this training is the result of conscientious and organized effort, we emphasize that not only the persons directly involved have the duty to promote it, but also those responsible for the social mechanisms destined to achieve it. Thus there will be obtained, in the long run, greater abundance of goods and services at the disposition of the community.

16. We also call for the attention of the possessor of production means, because the use made of them directly concerns the condition of society as a whole. A greater or lesser benefit for our fellow men will depend on such use.

It is contrary to the social doctrine of the church to use means of production without taking their contribution to the common good as the guiding principle. "The solidarity of men among themselves requires, not only in the name of brotherhood but also in the name of reciprocal advantage, that all possibilities be utilized to conserve existing employments and to create new ones. For this purpose, those who can invest capital ought to ask themselves, considering the common good, whether their consciences permit them to make such investments * * * and withdraw with vain prudence."

For that reason, in the present emergency it would be anti-Christian to maintain that wealth in an unproductive state be transferred to foreign countries. And it would be equally anti-Christian to apply it to the production of articles or services which satisfy fictitious needs of small sectors of the population while the basic needs of our national community remain unsatisfied.

17. We urge our children in general, each one in his definite situation, to take part, with dedication and efficiency, in the multiple facets of the productive effort of the country, without expecting disproportionate returns for mediocre efforts.

We speak to all patriotic men; we speak to those who look upon the present situation with bitterness; to those who, encouraged by the examples of the great men who gave us our country, feel capable of any sacrifice for the cause of Chile. Let us build the greatness and freedom of our land with the general contribution of all its children.

This is not a task unworthy of the Christian, but a necessary implication of love for our needy brethren. It is not a shameful concentration on material things, but a reply to the under-developed situation in which we find ourselves. We do not hesitate to speak of a true "spirituality of economic development."

3. Political aspect

18. Just as the church has its purposes directed toward the field of social and economic structures, it should also have them directed toward civic obligations.

In fact, "all Christians have the serious duty to vote, and therefore, take action in politics; a more or less intensive action, according to the requirements of their vocation and duties."

"We all know that there are no definite boundaries between the different fields of action, and the economic problems, when they reach a certain degree, become social problems, and that economic and social problems become political problems when they reach a certain degree of generality and complexity."

In our countries which are in process of development, political function has, if fitting, even greater importance that it has in other nations in setting up structures which may or may not be in accord with the Christian concept of man and his destiny.

That is the way the church understands the duty it feels to guide Chilean Catholics in this decisive political moment, without going beyond the limits of its jurisdiction and without taking away their full responsibility in the decisions they must make.

(a) Communism

19. In the extremely serious situation through which our country is passing, and we could say the entire world, many citizens are requested to give their support to international communism, which promises to solve definitely the problems of present society.

We cannot let this opportunity pass without giving a clear guide in this respect. We do not make it with a negative or controversial viewpoint, but because we are deeply convinced that this system does not offer the remedy for the evils which we wish to exterminate.

(aa) Errors of Marxist materialism

20. Communism diametrically opposes Christianity. "It maintains that only one reality exists: matter which by blind evolution becomes plant, animal, man. In this doctrine there is no place whatever for the idea of God. No difference exists between the spirit and matter, nor between the body and the soul; no life after death exists, nor is there any hope of a future life. The process of social evolution, according to the Communists, can be accelerated by man. For this purpose, they sow hate, agitate the differences between social classes and try to make the class struggle violent and destructive of all current order. All institutions, parties, or persons which oppose this crusade of destruction, which according to them is necessary to accelerate the achievement of the new order, must be annihilated without any distinction as enemies of human beings."

From these premises the concept that communism has of religions is clearly deduced: it is a purely human, bourgeois, and retarded institution, opiate of the people, which must be persecuted and annihilated for opposing its plans.

"In addition, communism deprives man of his freedom, suppresses all dignity and moral restraint in the human being; denies the individual all natural rights proper to the human person and attributes them to the state.

"Individuals do not have any right to ownership of natural property nor of production means; all kinds of private property, according to the Communist, must be radically destroyed, as it is considered as the main cause of economic slavery.

"For the Communist the family has no reason for existing; it is a bourgeoisie creation on which present society is based, which must be weakened and destroyed. Communism destroys all ties which bind woman to her family and her home; it denies parents the right to educate their children; and puts the care of home and children in the hands of the state; woman is flung into public life and work, regardless of how heavy, the same as men.

"In addition, it should be warned that communism recognizes for the state the unlimited and arbitrary power to obligate the individual to work collectively, without regard for his particular welfare, even against his will and with violence."

Since communism has no moral rules superior to man, nor any power above the power of the organized state and represented by the party, all means to achieve its purpose are lawful. The destruction of the idea of God, of country and of the most sacred ties, such as those which unite parents and children, anything is permitted in order to attain its objectives.

Under the Communist regime, workers have no more rights than those which the state wants to grant them; there is no right to impartial information, nor to legitimate strike nor to free unionization of laborers.

The state, represented by the party which is only a minority and by the state Communist organization, is the new god, the demanding idol to which everything must be sacrificed.

The deification of the state entails deification of those who retain power, to whom an actual and repugnant worship is rendered.

(ab) Causes of the communistic advance

21. Why has such a system spread so rapidly through the world?

Here are some of the reasons for its successes:

(a) In democratic countries communism hides its true face: it does not present itself immediately with all its demands. It does not clearly make known its opposition to God and His church, nor to the country, nor to human freedom, nor to the right of property, nor to the family, nor to the authority of parents. It merely proclaims itself as the redeemer of the wage earners, which a great part of people believe.

(b) Real abuses caused by liberal economy. The "miserable religious and moral abandonment and the great material misery to which large masses of the working population have been reduced," the practice of atheistic liberalism without good disposition toward the school, the factory, and all society has been the reason why a great number of people accept communism without question.

(c) We do not want to omit making it known that the weakness and ineffectiveness of the democratic governments, the lack of decided action to solve the serious problems of the present and the undue prolongation of an unjust and intolerable situation, have caused a great part of our people, even against their will, to seek the solution to their said situation in the Communist doctrine.

(d) Really diabolic propaganda, perhaps such as the world has never known; propaganda directed from one single center and cleverly adapted to the conditions peculiar to each people; propaganda which has great economic means available, numerous organizations, international congresses, innumerable excellently prepared forces; propaganda which is disseminated through the press, by loose leaflets, in the cinema and in the theater, by radio, in schools, and even in universities and which penetrates, little by little, into all social mediums, even the most sound, without their becoming aware of the poison which is daily intoxicating their minds and hearts.

(e) The lack of unity and the internal struggles between those who do not share communistic ideas, but who by making their own ideas prevail, or who want to obtain or maintain privileged political or economic situations, lend themselves to the cunning of the Marxists and favor their rise to power. Communism has never asserted itself by conviction, by the worthiness of its doctrine; it has always taken advantage of the weaknesses of the states and parties called democratic, and has climbed into power to become afterward the implacable master of all those who do not think as it does, commencing with those very people who have made their rise possible. From the triumph of communism in Chile, the church and all its children can expect nothing but persecution, tears and blood.

(f) As in all errors, communism contains a part of the truth. It wants to improve the condition of the laboring classes, suppress real abuses and obtain more just distribution of wealth. It is also true that it has helped not a little to shake up mankind and the institutions of his long and secular inertia, and that it has undeniably attained material and scientific successes. The mirage of success attracts not a few unwary, so that they have come to affirm that there is no possibility of correcting the errors of present society except by the Communist system. Against such affirmation the voice of Pope Pius XII has been heard, which says: "We equally reject the opinion that the Christian must today see communism as a phenomenon or a stage in the course of history, as a necessary evolutionary moment of history, and consequently, accept it as decreed by divine providence."

(ac) Collaboration with communism is not possible

22. What collaboration, what possibilities of union are fitting, then, with a system or political party which has as a basic purpose the destruction of all the ideas and institutions which oppose it?

In 1956, Pope Pius XII said: "With profound bitterness we must in this respect regret the aid rendered by some Catholics to the tactics of communism in order to bring about a result they themselves did not want. What purpose would there be, furthermore, in reasoning without a common language, or how will it be possible to find it if the roads are different: That is, if one of the parties obstinately rejects and denies the absolute common values, thereby making all coexistence unattainable in truth?"

23. The desire to take advantage of communism to attain power with the intention of ignoring its doctrines and opposing its action, once power has been obtained, constitutes immorality which cannot be justified and presupposes a lack of talent and intelligence on the part of the Communists, but which they certainly do not lack.

There is double self-deceit in this attitude: one deceit is in those who seek to make victims of the Communists and the other is that the Communists actually deceive their unwary collaborators. As history has demonstrated in many and painful cases, those who benefit from this situation are the extremely clever and very well organized Communist hosts.

It ought not to cause surprise then, that the church declares that those who betray the sacred rights of God, of fatherland and of man, collaborating in an action aimed directly against these great values, fundamentals and basis of all Christian civilization, are not in communion with the church.

Those who do it, we say with pain, have departed from the paternal house.

24. There is no objection to the loyal and necessary collaboration that Catholics can have with any category of persons "in endeavors toward objectives which are good by their nature or at least can be reduced to good." Of course, it is clear in this delicate matter, more than in any other, that

proper prudence and filial obedience to the directives of the church are advisable.

(a) Rejection of the abuses of liberalism

25. However, this should not cause Catholics to forget that the church has condemned the abuses of liberal capitalism. Moreover, the church definitely cannot agree that there be maintained in Chile, as we have already said, a situation which violates the rights of the human being and consequently Christian morality.

It is the imperative and urgent duty of Catholics to bring about a profound and rapid change in that state of non-Christian things.

For that reason we must bear in mind the wise warning of Pope Pius XII: "Whoever in this industrial era justly accuses communism of having deprived the countries it dominates of their freedom, should not forget that also, on the other hand, freedom will be a doubtful possession, unless the security of man is derived from structures in accord with his true nature."

(b) Political propaganda and electoral duty

26. In order that this orientation may be better understood we must also call the attention of everybody to one of the greatest dangers of the political-electoral situation: demagogic propaganda.

Prevailing conditions are so intolerable for many people that it is a growing temptation to promise immediate and total solutions in election speeches and propaganda. It is immoral to promise things with no intention of carrying them out, or things that cannot be achieved.

The complexity of the problems of modern society does not allow for illusions on the ease of their possible remedies. The reality of the facts, existing difficulties and the sacrifices required to make the change, ought to be presented to the voters objectively. Whoever uses the right to vote, if he wants to complete his mission fully, must realize that with the vote he is only making an abstract declaration of principle. Therefore, it is not merely a matter of supporting the program which is theoretically more perfect or nominally more Christian, but there is an obligation to be effective.

By means of the vote, a true reform of the structures of the country must be promoted, in order that their physiognomy be more in accord with Christian principles.

The voter ought to bear in mind the real intentions and the concrete possibilities of the political parties, and consider them also together with their principles, programs, and promises. Their Christianity cannot be judged merely by statements.

(c) Efficient and Effective Action for the Common Good

27. "In view of the urgency of a situation so opposed to the principles of Christian morality, the obligation and even the urgency exists to support efficient solutions of misery, although all of them may not be as perfect and complete as would be desirable."

This labor of transformation ought to be sincere and with view to a real and true economic, social, cultural, political, and spiritual promotion and elevation of the working world, and not guided toward a negative anticommunism to defeat and eliminate the enemy for the purpose of better and longer maintenance of the present social and economic order; nor limited to a paternalism more inclined to charity than to justice.

How many times has the prolonged patient and heroic labor of apostles of the working world been unexpectedly frustrated by the conduct of private persons or public officials in open contrast to the most authentic social teaching of the church.

"The working class, in the abnormal situation in which it finds itself, is hypersensitive to any offense against truth and justice; to any abuse of force or position; to any incoherence between doctrine and practice, between promise and deeds, and is particularly severe and demanding with Catholics, who declare themselves to be the bearers of a message of justice and charity."

28. The Catholic must guard against group egoism. The judgment of God has willed that we become more and more a part of a world in which the most serious human problems and even of each country, can be solved only with the sincere collaboration of everybody, despite ideological or even religious differences. The Christian ought to consider, therefore, that the common good is not practicing that which he would do if he were alone and if he dominated everything; it is the result of the contribution of everybody to the Chilean community, with its differences, its imperfections, and even its mistakes, as Pope Pius XII taught in regard to the international community.

(d) Public Authorities

29. The task of negotiation of the common good which is incumbent upon the state is, under present circumstances, of extraordinary complication and difficulty. It is essential, then, to bestow upon it all the powers necessary to perform this task. With reason Pope Pius XII affirms: "We ourselves, speaking of democracy, have noted that in a democratic state, no less than any other, authority ought to be true and effective."

Furthermore, since in the struggle caused by opposing economic interests, the parties do not always confine themselves to the limits of their rights, and generally the weakest find themselves exposed to suffer unjust situations which become intolerable and dispose them to all kinds of rebelliousness, it is incumbent upon the state to reestablish the balance by applying justice in order that the poor may not be wronged. "In the protection of private rights, governments ought to concern themselves with all the weak and needy. The rich class," Leo XIII observes, "forms a wall around itself with its wealth and has less need for public protection. The needy mass, on the contrary, without the reserves to protect themselves, depends above all on the protection of the state. If the state forgets this responsibility, the numerous class of the poor will naturally seek aid in those parties or institutions which blandish force as their motto and preach violence as a principle of action."

(e) American Solidarity

30. We want to make known to all our children that the sad situation through which our continent is passing will not be really settled unless we make the dream of the fathers of the country, the liberators of America, come true.

The greatness of our lands will not be built, nor will peace be implanted in them, unless the brother countries of America, forgetting old quarrels and setting petty interests aside, achieve continental union and recognize the common, spiritual, and worldly objectives of our great community of nations.

We repeat here the words of the great Pope Pius XII, who, with prophetic foresight, said to the peoples of Europe: "It is imperative that continental union be achieved among our people. The time appears to be ripe for the idea to become reality. For that reason we exhort to action, Christian politicians above all, those to whom it will suffice to recall that any kind of pacific union among the peoples was always the earnest desire of Christianity. To those who would ask an advance guarantee of absolute success, we must reply that, 'Yes, an element of risk is involved, but a reasonable risk, a necessary risk.'

"It is undoubtedly necessary to proceed with caution; to advance with sure step; but why distrust precisely now the high degree of efficiency achieved by science in the economic field, which overcomes obstacles and prepares the remedies?"

God will that all the brother countries of our American Continent resolve to base their greatness on the true and pacific union of efforts and works, under the protective shield of the doctrine of Christ.

4. Interior change

31. "As in all the more tempestuous periods of the church's history, today, also, the fundamental remedy, the basis of all other remedies, is a sincere renovation of private and public life according to the principles of the Gospel, of all those who glory in belonging to the fold of Christ, in order that they may really be the salt of the earth which preserves human society from total moral corruption."

For this purpose, our clergymen, apart from the action which they ordinarily carry out in pastoral matters, have studied and will endeavor to put an extraordinary pastoral plan into action.

From the heart we invite all our children to collaborate with us and to help us to carry out this plan, whose only purpose is that our society be Christian in truth and not only in name.

(a) Generosity and Charity

32. And here we want to insist upon two teachings of the Lord: The giving up of worldly goods and the concept of charity.

"Blessed are the poor in spirit," were the first words pronounced by the Divine Master in the Sermon on the Mountain.

And as a distinction to his children, He gave them the virtue of charity: "In this it will be known that you are my disciples: in that you love one another."

"The rich should not put their happiness in the wealth of the land, nor dedicate their best efforts to obtain it, but considering themselves as simple administrators of the wealth, of which they will have to render strict account to the Supreme Owner, must use it as the precious means that God gives them to practice virtue," having the immense satisfaction of bringing about the happiness of their brothers, organizing enterprises which provide abundant and well-paid work and distributing surplus goods to the poor according to the concept of the Gospel.

33. Of all the virtues that are taught by Christianity, which has transformed humanity, the main one is charity, that charity which, as the Apostle said, is patient and kind, which avoids all vanity and all kinds of villification and protectionism regarding fellow men.

This virtue, beloved children, is the most important remedy for all the evils of the present hour.

We must confess with pain that the spirit of charity has cooled in many Christians and there has arisen in them a cold and calculating egoism which causes the church to lose prestige in the sight of the humble.

"When we see on one hand an innumerable mass of people in need, completely beyond their will, who are really oppressed by extreme misery, and we see on the other hand so many who, without moderation, spend enormous sums in entertainment and totally useless things, we can only recognize with great pain that justice is not respected as it should be, but that the demands that the precept of charity imposes on the Christian in his daily life have not been gone into deeply enough. But charity cannot be called by that name if it does not respect the demands of justice."

It is not charitable and just that one laborer be paid as alms that which is owed to him in strict justice, and it is completely illicit to seek to avoid the great obligations imposed by justice by making small gifts in pity. "By reason of their own dignity, laborers energetically demand, with all right and reason, recognition by everybody of these duties which the rest of the citizens have in regard to them."

34. It is also essential to promote in every way possible the study of social problems in the light of the doctrine of the church, because it forms an integral part of the Christian concept of life. By joining knowledge of the doctrine to the practice of it, acquired by wise Christian education, there will be avoided the scandalous contrary impression created by the conduct of some Catholics, apparently faithful in compliance with strict religious duties, but who in the field of labor, industry and profession, in commerce or in performance of public office, with a deplorable dual conscience live a life in contradiction to the rules of justice and Christian charity.

35. The fruit of justice and charity is peace, order, and tranquillity. But this tranquillity "has nothing in common with persisting stubbornly and obstinately, tenaciously and childishly to something that no longer exists; nor with repugnancy, daughter of laziness and egoism, applying the mind to problems and questions which the change of times and the course of generations with their demand and progress, make ripe and bring with them as an unpostponable necessity of the present. For a Christian who is conscious of his responsibility, even for the smallest of brothers, there is no indolent tranquillity nor escape; but only the struggle, the work regarding all inaction and desertion, in the great spiritual contest in which the structure, even the soul itself, of future society is placed in danger."

(b) Exhortation to Priests and Laymen

36. An extremely important part of this holy crusade for regeneration and Christianization of our country, consists of the priests and militant laymen of Catholic action.

We request all of them to be faithful to their vocation as apostles and, closely united to Jesus Christ our Lord, in prayer and imitation of His holy life, to carry out their sacred mission with increasingly greater generosity.

We particularly want to remind the priest of the words of Pope Pius XI, of happy memory: "The most efficient medium of apostleship among the multitudes of the needy and the humble, is the example of the priest with all the priestly virtues; but in this matter it is most particularly necessary that the priest be a living, eminent example of humility, poverty, and unselfishness.

"Daily experience teaches that the poor and completely unselfish priests, as the Gospel teaches, carries out a marvelous, beneficial work among the people. On the other hand, the miserly, egoistic and selfish priest, although he may not fall into the abyss of betrayal, will be at least a hollow bell that tolls and a useless cymbal that reverberates and all too frequently a hindrance rather than a positive instrument of grace."

37. In unison with the Holy Father, we remind all priests, nuns and religious brothers and sisters, who must administrate worldly goods by reason of their occupation, "that they must not only scrupulously comply with all the obligations of charity and justice, being the first to give a good example to the faithful, but that in addition they must particularly demonstrate that they are true fathers of the poor."

We exhort parish priests, who first of all dedicate themselves to the ordinary care and guidance of the faithful, to reserve the greater and better part of their strength and activity to recover for Christ and His church the masses of common people who have strayed from it and to achieve vivification of social institutions by the Christian spirit.

38. Finally, we want to remind all of those who labor in this work of renovation of our society of the words of Pius XII: "Not moaning; action is the watchword of the hour. Not moaning for what is or what was, but reconstruction of that which will rise and must rise for the good of society."

IV. CONCLUSION

39. Beloved children, on proposing that you work efficiently and untiringly to Christianize our society, as security for success, we recall the ever current and ever true words of the Divine Master: "Seek first the Kingdom of God and His justice and all the other things will be given to you in addition." On complying with the law of love and justice, better distribution of material goods will bring as a consequence great welfare and the true peace which will be built on the granitelike cement of justice.

It only remains for us to exhort everybody in the first place to open their eyes and see. See the suffering of brothers, even though it accuses us, so that finally we recognize the call of Christ through that misery which surrounds us. And in the second place, to work effectively and profoundly, according to the directives indicated.

We have contracted with Christ the obligation to change the actual national situation with the greatest possible speed, in order that Chile can be the homeland of all Chileans alike. We do not want violent or superficial attitudes which leave misery unchanged. Nor do we want to be content with vain promises of a change that never comes, leaving things as they are.

"May God remove the spiritual gild from the possessors of wealth; the inhuman trials of misery of the poor; bring both to the Gospel spirit of poverty and of service, and allow all to live and work under better and more balanced conditions of economic and social life, the only labor necessary that of their salvation."

In the effectiveness and the profoundness of our attitudes regarding this brotherly task, it will be recognized that we are disciples of Christ.

In the name of the God, Father, Son, and Holy Spirit, your bishops bless you.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 292. An act for the relief of Yoo Chul Soo;

S. 312. An act for the relief of Danusia Radochonski;

S. 380. An act to amend the act of June 29, 1960 (Private Law 86-354);

S. 409. An act for the relief of Yeng Burdick;

S. 504. An act for the relief of Domenico Martino;

S. 686. An act for the relief of Millie Gail Mesa;

S. 735. An act for the relief of Peter Hopeton Maylor;

S. 787. An act for the relief of Zofia Mieclelica; and

S. 866. An act for the relief of Enrico Petrucci.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 3872) to increase the lending authority of the Export-Import Bank of Washington, to extend the period within which the Export-Import Bank of Washington may exercise its functions, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. PATMAN, Mr. RAINS, Mr. MULTER, Mr. BARRETT, Mr. KILBURN, Mr. WIDNALL, and Mr. HARVEY of Michigan were appointed managers on the part of the House at the conference.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 2998. An act to amend titles 10, 14, and 38, United States Code, with respect to the award of certain medals and the Medal of Honor Roll;

H.R. 4837. An act to provide for the payment of certain amounts and restoration of employment benefits to certain Government officers and employees improperly deprived thereof, and for other purposes;

H.R. 5781. An act to amend the act of August 1, 1939, to provide that professional nurses shall be registered as staff officers in the U.S. Merchant Marine;

H.R. 5883. An act to correct a land description in the act entitled "To provide for an exchange of lands between the United States and the Southern Ute Indian Tribe, and for other purposes";

H.R. 5905. An act to amend section 1871 of title 28, United States Code, to increase the per diem and subsistence, and limit mileage allowances of grand petit jurors;

H.R. 6218. An act to amend the act of June 29, 1960, to authorize additional extensions of time for final proof by certain entrymen under the desert land laws and to make such additional extensions available to the successors in interest of such entrymen;

H.R. 6496. An act to authorize the Secretary of the Interior to convey certain federally owned land in trust status to the Cherokee Indian Tribe of Oklahoma;

H.R. 6710. An act to approve an order of the Secretary of the Interior canceling irrigation charges against non-Indian-owned lands under the Wind River Indian irrigation project, Wyoming, and for other purposes;

H.R. 6767. An act to amend title 10, United States Code, to provide gold star lapel buttons for the next of kin of members of the Armed Forces who lost or lose their lives in war or as a result of cold war incidents; and

H.R. 6996. An act to repeal section 262 of the Armed Forces Reserve Act, as amended, and to amend the Universal Military Training and Service Act, as amended, to revise and consolidate authority for deferment from, and exemption from liability for induction for, training and service for certain Reserve membership and participation, and to provide a special enlistment program, and for other purposes.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 2998. An act to amend titles 10, 14, and 38, United States Code, with respect to the award of certain medals and the Medal of Honor Roll;

H.R. 6767. An act to amend title 10, United States Code, to provide gold star lapel buttons for the next of kin of members of the Armed Forces who lost or lose their lives in war or as a result of cold war incidents; and

H.R. 6996. An act to repeal section 262 of the Armed Forces Reserve Act, as amended, and to amend the Universal Military Training and Service Act, as amended, to revise and consolidate authority for deferment from, and exemption from liability for induction for, training and service for certain Reserve membership and participation, and to provide a special enlistment program, and for other purposes; to the Committee on Armed Services.

H.R. 4837. An act to provide for the payment of certain amounts and restoration of employment benefits to certain Government officers and employees improperly deprived thereof, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 5781. An act to amend the act of August 1, 1939, to provide that professional nurses shall be registered as staff officers in the U.S. Merchant Marine; to the Committee on Commerce.

H.R. 5883. An act to correct a land description in the act entitled "To provide for an exchange of lands between the United States and the Southern Ute Indian Tribe, and for other purposes":

H.R. 6218. An act to amend the act of June 29, 1960, to authorize additional extensions of time for final proof by certain entrymen under the desert land laws and to make such additional extensions available to the successors in interest of such entrymen;

H.R. 6496. An act to authorize the Secretary of the Interior to convey certain federally owned land in trust status to the Cherokee Indian Tribe of Oklahoma; and

H.R. 6710. An act to approve an order of the Secretary of the Interior canceling irrigation charges against non-Indian-owned lands under the Wind River Indian irrigation project, Wyoming, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 5905. An act to amend section 1871 of title 28, United States Code, to increase the per diem and subsistence and limit mileage allowances of grand petit jurors; to the Committee on the Judiciary.

LOW STATE OF U.S. PRESTIGE IN WESTERN EUROPE

Mr. CURTIS. Mr. President, a few days ago several Senators discussed the current Cuban problem. During that time, the distinguished senior Senator from South Dakota [Mr. MUNDT] spoke about the low state of this Nation's prestige throughout Western Europe because our foreign policy appears to be big talk and little action. Our willingness to coexist with communism on our doorstep, noted by Senator MUNDT, prompted an editorial in the Chicago Tribune of June 27, 1963, which I ask unanimous consent to have printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BIG TALK IN EUROPE; INACTION OVER HERE

Senator KARL MUNDT of South Dakota spoke to the point when he said that President Kennedy's bluster about defending Europe by risking American cities to Communist attack would carry more conviction if he demonstrated firmness toward communism on his doorstep. Other Senators joined in warning that continued inaction over Communist Cuba would result in the spread of Soviet influence through all of Latin America.

Senator MUNDT referred to the fact that Mr. Kennedy has been chiding President de Gaulle of France for disdaining to team up with the North Atlantic Treaty Organization in a common defense of Western Europe. General de Gaulle prefers to pursue an independent course and is developing a French nuclear deterrent against Russia.

"The disaffection of General de Gaulle, a former great ally, is understandable," the Republican Senator said. "He has observed our failure to protect freedom in Cuba 90 miles away and may have realized he could not rely on the United States for willingness to protect France from communism thousands of miles away. Other countries can follow France if we don't demonstrate soon that we have a strong program to deal with the Cuban problem."

The administration presents an impression of vacillation and irresolution in dealing with Castro and his sponsor in Moscow. The abuse of the United States and its citizens by the Cuban Communists has developed into open contempt.

In 1958 Raul Castro kidnaped uniformed Americans in Cuba without rebuke or reprisal. That was the original test in a process of humiliation and defiance. The Castro gang got away with it. Then American property was seized without a hint of compensation. American citizens were thrown into jail without trial. A member of the staff of the American Embassy in Havana was shot by one of Castro's lieutenants.

Now Castro has publicly ordered the Kennedy administration to suppress Cuban exile raids on Communist Cuba, and the administration has meekly complied. It even induced the British to use their naval forces in the Bahamas to hunt down exiles fighting to liberate Cuba.

The presence of Soviet troops, weapons, warplanes, and probably missiles is tolerated by the United States in Cuba. So Communist terror tactics are exported and disaffection is spreading through Latin America. In Venezuela oil production is regularly sabotaged by Communists. American Army officers are stripped down to their underclothes by Communists invading the American military mission. Their photographs are printed in the newspapers of the hemisphere and arouse derision.

The impairment of America's reputation has reached the point where the two-bit dictator of Haiti, Papa Doc Duvalier, has refused to accept the presence of an American Ambassador and has kicked him out.

Mr. Kennedy may think he is putting up a bold front in Europe. But Europeans who look over his shoulder and observe the calamities building up in the Americas because of his timidity and inaction will not be taken in.

Mr. HUMPHREY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

The PRESIDING OFFICER (Mr. KENNEDY in the chair). Without objection, it is so ordered.

COMMERCIAL SUPERSONIC TRANSPORT AIRCRAFT

Mr. ENGLE. Mr. President, an article in this morning's—July 9—Washington Post prompts me to rise again on the floor of the Senate to reiterate and reemphasize my plea for expediting the development of a commercial supersonic transport.

The article announces that the XB–70, commonly known as the B–70, is about ready to run out of the assembly plant, but "that's all." This refers, of course, to the unhappy possibility that the XB–70 will never get into production as a weapons system.

Mr. President, I shall continue in my efforts to urge the full production of this triple-sonic bomber. But today I want to say that if this cannot come about, let us at least not lay to waste the tremendous engineering talent, effort, time, and money that has gone into the development of the XB–70. Let us at least make certain that we use the end results of the work on the XB–70 by translating its technology into the development of a supersonic commercial transport.

I have for some time been concerned about the lag in this country's efforts to develop a commercial supersonic transport. Two years ago—on July 29, 1961—I spoke about this at some length on the Senate floor. I pointed out at the time that it was of the utmost importance that the Federal Government extend a generous hand to private industry in the development of a commercial supersonic transport—if this country is to maintain its position of world leadership in commercial aviation. Some of my colleagues may remember the charts I had displayed in the well of the Senate to point up my arguments. Most of you will remember how close we came to losing the $12 million appropriation for a feasibility study of the transport. Fortunately, a motion to eliminate these funds was defeated on a tie vote of 35 to 35.

I am happy to say that in the last few months our commercial supersonic program has been given a healthy boost.

Last December a special advisory committee, composed of key industry people, strongly recommended to the Federal Aviation Agency that we proceed at once with the development of a supersonic transport plane. Early this year a decision by the French Government to go ahead with the joint British-French development of a supersonic transport plane pointed up the inevitability of its flying the world's airways.

In May of this year a special committee headed by the Vice President and made up of key Government officials recommended to President Kennedy that the Federal Government underwrite 75 percent of the development cost of the transport, and that we proceed without delay.

President Kennedy took it from there. On June 5 he told the U.S. Air Force Academy that the United States will commit itself to the development of the transport. In his remarks before the Academy, President Kennedy said that the Government should "immediately commence a new program in partnership with private industry to develop at the earliest practical date the prototype of a commercially successful supersonic transport superior to that being built in any other country of the world."

On June 14, 1963, President Kennedy sent a communication to the Congress underscoring and enlarging on his June 5 remarks. This was followed by his request to Congress for $60 million for the initial phase of the development of a civil supersonic aircraft.

President Kennedy's communication of June 14 is a clear-cut and persuasive document, and I ask unanimous consent that it be printed in full at this point in the RECORD.

There being no objection, the communication was ordered to be printed in the RECORD, as follows:

JUNE 14, 1963.

DEAR MR. PRESIDENT: The Congress has laid down national aviation objectives in the Federal Aviation Act of 1958. These include the development of an air transportation system which will further our domestic and international commerce and the national defense. These objectives, when viewed in the light of today's aviation challenges, clearly require the commencement of a national program to support the development of a commercial supersonic transport aircraft which is safe for the passenger, economically sound for the world's airlines, and whose operating performance is superior to that of any comparable aircraft.

Our determination that the national interest requires such a program is based on a number of factors of varying weight and importance:

A successful supersonic transport can be an efficient, productive commercial vehicle which provides swift travel for the passenger and shows promise of developing a market which will prove profitable to the manufacturer and operator.

It will advance the frontiers of technical knowledge—not as a by-product of military procurement, but in the pursuit of commercial objectives.

It will maintain the historic U.S. leadership in aircraft development.

It will enable this country to demonstrate the technological accomplishments which can be achieved under a democratic, free enterprise system.

Its manufacture and operation will expand our international trade.

It will strengthen the U.S. aircraft manufacturing industry—a valuable national asset—and provide employment to thousands of Americans.

The cost of such a program is large—it could be as great as $1 billion for a development program of about 6 years. This is beyond the financial capability of our aircraft manufacturers. We cannot, however, permit this high cost, nor the difficulties and risks of such an ambitious program to preclude this country from participating in the logical next development of a commercial aircraft. In order to permit this participation, the United States, through the Federal Aviation Agency, must proceed at once with a program of assistance to industry to develop an aircraft. The proposed program, though it will yield much technological knowledge, is principally a commercial venture. Its aim is to serve, in competition with others, a substantial segment of the world market for such an aircraft. While the magnitude of the development task requires substantial Government financial participation, it is unwise and unnecessary for the Government to bear all of the costs and risks. Consequently, I propose a program in which (1) manufacturers of the aircraft will be expected to pay a minimum of 25 percent of the development costs, and, in addition, (2) airlines that purchase the aircraft will be expected to pay a further portion of the Government's development costs through royalty payments.

The requirement for cost sharing by the manufacturers will assure that the cost of the program will be held to the absolute minimum. In no event will the Government investment be permitted to exceed $750 million. Moreover, the Government does not intend to pay any production, purchase, or operating subsidies to manufacturers or airlines. On the other hand, this will not exclude consideration by the Government of credit assistance to manufacturers during the production process.

Although the Government will initially bear the principal financial burden in the development phase, participation by industry as a risk-taking partner is an essential of this understanding. First, the development of civil aircraft should be a private enterprise effort, a product of the interaction of aircraft manufacturers and their prospective customers. We wish to change this relationship as little as possible, and then only temporarily. If the Government were the full risk-taker, the degree of control and direction which it would have to give to the program, to the expenditure of funds, to the selection of designs, to the making of technical decisions, would of necessity be too great. If, however, private industry bears a substantial portion of the risk, the degree of Government control and the size of the Government staff required to monitor the program can be held to a minimum.

Second, our objective is to build a commercially sound aircraft, as well as one with superior performance characteristics. This will require, at a relatively early stage, a determination whether the aircraft's cost and characteristics are such that it will find a commercial market. This is a difficult task, and our decision that we have succeeded in developing such a commercially sound aircraft will, in large measure, be attested to by industry's willingness to participate in the risk-taking.

If at any point in the development program, it appears that the aircraft will not be economically sound, or if there is not adequate financial participation by industry in this venture we must be prepared to postpone, terminate, or substantially redirect this program.

Our first concern, however, must be to get the program launched. I am convinced that our national interest requires that we move ahead in this vital area with a sound program which will develop this aircraft in an efficient manner. For that reason I commend this proposal to your early attention.

I will shortly submit to the Congress a request for funds to meet the immediate requirements of this program, such as the detailed design competition. Then we will be started on the task of marshaling the funds of Government and the ingenuity and management skills, as well as funds, of American industry to usher in a new era of commercial flight.

Sincerely,

JOHN F. KENNEDY.

Mr. ENGLE. Mr. President, I invite the attention of my colleagues to an excellent speech made by Mr. Najeeb E. Halaby, Administrator of the Federal Aviation Agency, before the American Institute of Aeronautics and Astronautics in Los Angeles on June 19. In his address Mr. Halaby made a forceful case for the development of the commercial supersonic transport. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REMARKS BY N. E. HALABY, ADMINISTRATOR, FEDERAL AVIATION AGENCY, AMERICAN INSTITUTE OF AERONAUTICS AND ASTRONAUTICS, AMBASSADOR HOTEL, LOS ANGELES, CALIF., JUNE 19, 1963

I want to talk to you today about an airplane. It is an embryo airplane, conceived but not created. With the passage of time and effort, if all goes well, it will become a great and proud member of the diverse family of civil aircraft serving this Nation and the world.

This family already includes many types of aircraft that suit many purposes—from helicopters to the many varieties of general aircraft; to the piston, turboprop and turbojet liners that carry passengers and cargo a few hundred miles or Washington to Moscow nonstop; to cargo-only vehicles of several types that have made airfreight a growing reality; to the sleek giants of the sky, the long-range passenger jets that have brought aviation to a new plateau of performance.

Tomorrow, if aviation is to meet its promised potential, the family will have to be larger and even more specialized. I look for what we call the metroplane to come into its own—a very steep takeoff and landing aircraft that can operate from city center to city center. The Defense Department, as you know, has in its incubator hummingbirds of this type. We at FAA are working closely with them to achieve the optimum civilian application. This program is progressing and the industry can intensify its effort to get double duty out of these defense dollars.

Next, the need for an economical local service plane has been apparent for some time. To those who prefer the past to present reality, it's called a DC-3 replacement. The Association of Local Transport Airlines has recently laid down design objectives for one such plane. Various proposals, suggesting a capacity of 14 to 20 or more passengers, have been made. The Civil Aeronautics Board and the Federal Aviation Agency have been trying to stimulate and assist the definition of this airplane and encourage actual development of such an aircraft which would serve existing short-haul routes and open many markets in the world that are virtually untapped. This question arises: Will free-enterprise plane makers and operators fulfill the needs of the market for a small, slow, subsidy-saving transport?

In the medium-haul category, two important new competitors, the Douglas DC-9 in this country and the BAC-111 in Britain, are in development now. Douglas and a group of courageously cooperating concerns have undertaken this task to meet the growing market for less than transcontinental distances. The DC-9 would carry from 50 to 80 passengers and will have a range of about 11,000 miles. This seems to be a healthy, competitive supply rising to meet a demand.

Air freight, which the world at large may think of as a minor operation, actually has an important, and income-producing role in the air carrier business, and provides an essential means of transportation for certain types of goods. Underlining this fact, some of our major airlines made news not long ago with orders for cargo-only models of firstline, longhaul passenger jets. In the late development phase is a new Air Force cargo carrier, the Lockheed C-141. FAA has made every effort to see that it was designed for the fullest possible commercial usefulness without compromising the primary military mission. This plane will soon be available for civilian purchase.

And now we come to the long-range, high-altitude, high-speed end of the aviation spectrum. Here Government and private industry have before them a great adventure, perhaps the greatest adventure civil aviation has known—the creative development and profitable operation of commercial supersonic transport aircraft. We have the great privilege, the opportunity, and certainly the challenge of making it possible for American travelers—world travelers—to move across the face of the earth at speeds two or three times the speed of sound.

Supersonic transport development, which will call for the highest order of technological skill in piercing the heat barrier, also faces another high hurdle. This is the cost barrier. The total development cost is too high for any private company to handle alone. A pioneering partnership for progress is imperative. The Government will have to step in with a helping hand if the plane is to be developed, but private industry, long accustomed to military and space missions and procurements, must rise to the new challenges—technical and economic—if it is to remain an enterprise, and free.

It wouldn't be honest to brush aside the potential financial hazard involved for the aircraft manufacturing industry in this adventure, in view of recent experience with the jets. There will be risk involved, but profit, too. What an opportunity this can be.

The opportunity isn't just in profit, though that is not unimportant by any means; the opportunity is in adding to the Nation's prestige, in adding to the Nation's industrial capacity and strength, in writing another brilliant chapter of U.S. aviation. It is this combination of commercial challenge along with the opportunity to break new trails, add new triumphs of ingenuity and industrial skill, as well as further the national interest that has so often in the past fired American industry to heroic performances. I have no doubt it will happen again in the development of the supersonic transport.

It would be inconceivable for the U.S. aircraft and engine industries to shy away from this challenge, because of the importance of the project to the entire Nation. The industries may not savor the risks—that would be a little foolish—but industry leaders know that free enterprise—private enterprise—entails risks or you no longer have free, private enterprise. It becomes something else.

Success of the supersonic project is essential to the national interest. Our airframe and engine manufacturers, along with the Government, will have to make this success real and I am confident they will want to do it in a way that preserves free and private enterprise. Otherwise, if the Government takes all the risks in this civilian project, a project that does not directly affect our national security, the Government might have to run the show. The character of the industries involved would change, would move toward some kind of nationalization, a trend none of us would willingly accept in view of our traditions, our convictions, or the remarkable record U.S. industry has compiled free, and on its own.

So the challenge of supersonic transport sweeps far beyond technology. It's a challenge to free-enterprise American industry to show it can compete and beat nationalized efforts of the French-British and, perhaps, the Soviet Union. It will take brains. It will take guts. It will mean taking risks. But hasn't this always been the challenge in this country?

But in view of the magnitude of cost, the industry cannot go ahead and develop this aircraft entirely on its own. The Federal Government must help in the financing. Still, I believe it is in the best interests of the public, the aircraft manufacturers, and the airlines, that both the manufacturing industry and the air carrier industry participate financially to a significant degree. Our thinking at this time is that the manufacturers concerned should be expected to, and indeed should want to, pay a sizable percentage of development costs. The manufacturers' participation should be 25 percent. Likewise, it would certainly appear that the air carrier industry should contribute significantly. At this point, our thinking is in terms of reimbursement of Government development costs in some method of royalty, and perhaps advance royalty payments by air carriers that purchase supersonic transports.

If this participation by the manufacturers and airlines should not be forthcoming, the Government's position at this time is that justification for the program would then be doubtful. Should the stockholders which are most directly assisted by the Government refuse to invest in the program, it is questionable whether taxpayers should be called upon to support the effort. Secondly, we in Government believe that private industry may be in a position to offer the most expert judgment on the program, its nature and its aims. We would strive for least and steadiest Government, and if industry refuses to back our horse, we might well judge that, in spite of our best expectations, we had a loser.

We do not foresee any production, operating or purchase subsidies in this program, but only full-hearted and high-priority financial help from the Government for the development of the plane.

With Presidential—then congressional—determination to move the Nation ahead in this field, it is possible to foresee now the steps involved in the development of a supersonic transport. First, Congress will consider, and is considering, an initial development appropriation for fiscal year 1964 to initiate the program. The total Government-industry cost of development, which will require major appropriations in future years, would reach an estimated $700 million to $1 billion.

Given congressional and industrial support for this ambitious program, in the months directly ahead we will conduct an initial design competition among manufacturers both for design of engines and for design of an airframe. We have been at work on producing an RFP, a request for proposals, in these areas. We expect that we will be able to make a first-draft RFP available to industry and other Government agencies next month. Then would follow intensive discussions of this RFP with industry, the airlines, and trade groups and associations. We hope the final RFP, establishing in detail the performance requirements for the transport and its associated systems, as well as fiscal and development plans, will be ready for actual release to industry in August.

The initial design competition then should run for approximately 5 months. At the completion of this initial competition, the Government will hope to select the one airframe and one engine manufacturer to go ahead with the full development, but only if a clearly superior airframe and engine appear at this point.

If not, if we don't have the clearly winning combination at the conclusion of initial competition, we will choose two airframe and two engine manufacturers to continue through a yearlong detailed design competition, and after that select the contractors for the development of a single prototype superior to any other comparable air transport.

This detailed competition would include detailed drawings, mockups, cost analyses, and laboratory tests. The Government would provide financial assistance in this phase, but not in initial competition.

As we speak of competition, I think it is very important to make clear there will not be any mystery about the selection processes. Prior to the actual initiation of any competition, we will make public the main factors and their weights that will be used to choose successful competitors. The rules must be well known to all before the game gets underway. To the Administrator of the FAA, on recommendation of the program manager, will fall the final responsibility for the selection in line with the ground rules. The advice, suggestions and recommendations of the air carriers, various Government agencies, and public associations will be given full weight.

Out of all this should come a safe, sound, economical, high-performance supersonic transport that we hope will be test flying within 3 years after the completion of the competition period. The airplane should be flying for this country in passenger service before the end of 1970.

We must enter this program with high hopes, but with knowledge that high costs, hard work and perhaps even some disappointments lie ahead. Certainly we know we have had competition, a fact which becomes clearer each day.

Some of my Government colleagues and I have just returned from the International Air Show at Paris. While I was there I had the opportunity to speak with the British and French about the Concorde project. They feel very confident that they will produce the first civil transport that will reach about twice the speed of sound. Their primary material is to be aluminum, apparently with titanium in especially hot areas—on the leading edges of the wings, for example.

At the air show it was evident that the European nations were cooperating to an ever-increasing degree to pool their technical and economic resources to topple the United States from the position of preeminence it has held in transport aviation for the past 30 years. If we do not face up to this challenge and meet it, the consequences are obvious. European aircraft, rather than American, will capture the new and growing markets of the world.

While the challenge exists in many areas of the family of aircraft, the most outstanding example is in the Concorde supersonic transport. The Concorde is fully financed by the Governments of France and Britain which have committed, I believe, $450 million. The technical and political cooperation of both government and industry is clear. It is an international effort, a kind of multilateral technical force that is determined to capture the common world market for air transportation. Ours must be a national effort but not a nationalized one. It must be a partnership between Government and industry that does not paralyze free, private enterprise. If we move quickly enough, there is no reason to believe that the Concorde, or any other foreign-made aircraft, will preempt the supersonic air transport market. But we must remember that airlines, regardless of nationality, will be forced by economic necessity to buy the best product they can get.

The Soviet Union, it appears from rather vague reports, is also developing a supersonic transport, apparently for operation by the Communist airline Aeroflot and perhaps by other Soviet bloc national airlines. Here in the United States, President Kennedy has decided that we will move full throttle into this new era of commercial supersonic flight. It wasn't an easy decision though the President did have some beacons to go by. For the past 2 years the Federal Government—meaning Federal Aviation Agency, National Aeronautics and Space Administration, and the Department of Defense—has been conducting a multimillion-dollar research program into the technical and economic problems associated with supersonic transport development. We've looked at aerodynamics, structures, primary materials, propulsion, control requirements—and such hard economic factors as the future market for supersonic transports throughout the world, development costs, production costs, direct operating costs. The conclusion of all this, simply stated, has been:

First, technically, a superior supersonic transport is feasible.

Second, it is an expensive aircraft to develop, but not fantastically so, and certainly not beyond the resources of the greatest industrialized Nation of the world.

Third, there is a market for an American transport of perhaps 200 to 250 first-round orders. If we do not develop an American supersonic transport, then the entire market, which could be something like 400 planes during perhaps a decade of first-round buying, will fall to our oversea competitors. Among the purchasers would be the airlines of the United States, which would be forced to purchase planes produced overseas in order to remain competitive.

Fourth, in the event that we did not proceed with supersonic transport development, the Nation would default its position of preeminence in international commercial aviation—with all that would entail in practical terms and in less measurable terms of confidence and prestige.

The President, following his dramatic decision that the United States should go with a supersonic transport, asked Congress for its approval and stated that he will soon request the funds to begin the developmental program. Congress, it appears, is very likely to join the President in favor of this important national effort. In fact, the House Commerce Committee chairman, Representative Oren Harris, of Arkansas, an aviation leader acknowledged around the world, has called for hearings to commence tomorrow on this urgent national effort.

Assuming that Congress soon gives its support, we in Government and industry will expedite a program which will certainly demand optimum technical and managerial skill and economic responsibility. Our first major complex of decisions will consider this question:

Specifically, what kind of supersonic transport do we want in terms of operating characteristics to meet the design objectives of maximum safety, high performance, and potential commercial profitability—within some reasonable level of development cost? My answer is this: We want the optima, safety-speed-economy combination. This means the fastest supersonic transport with good handling qualities that we can get within these objectives—something well above mach 2.2 open speed, I expect. We want a range that covers most of the major nonstop market routes of the world, say New York to Paris nonstop, roughly 4,000 statute miles. We want an aircraft with an engine economical and efficient to operate over a range of speeds—a substantially advanced propulsion system. It may have to be flown for shorter distances where the airlines would not desire maximum cruising speed. We unquestionably would want to be able to fly it briefly in a holding pattern around an airport. We would want an engine that has thrust to take the airplane to a considerable altitude, well above 40,000 feet, before going supersonic. The engine must also have long life, with a very favorable thrust-to-weight ratio. It must not drink fuel with the abandon of most of our high-performance military engines which must be refueled in flight for long trips. It must, also, produce no more airport noise. In short, we want almost a perfect engine.

We have, in fact, been told by our engine research contractors, which have included the Nation's three primary industrial concerns in this area, that this engine is possible. We are told that, while it needs money and work, the technology is within sight, the materials will be available, and the design would be practical.

One of the reasons we would want this engine to have the thrust to take the airplane high and far before going supersonic is that we are very concerned with the problem of sonic boom. Sonic boom is a problem which requires a great deal of work as we move forward in the supersonic transport program.

In the worst case, we would find ourselves with a supersonic transport of such high cruising sonic boom level that we would have to reroute the airplane away from today's airways, so as not to disturb numbers of people in population centers below. This would be highly uneconomical and our hope is that, as we go forward, this problem can be met through proper design and through the operating profile of the aircraft. Fortunately, we have in this country many hundreds of hours of flight at and beyond mach 2—far more than any other country—and it will serve us well in the competition ahead.

The high-temperature levels that will be encountered by a supersonic aircraft on primary body structure presents another very major problem as we look ahead to supersonic development. Today our high-flying jet airliners encounter skin temperatures which are moderate and are well understood metallurgically. If the supersonic transport that is developed in the American program, out of design competition and design analysis, has a speed of mach 2-plus, the hottest parts on the body of the airplane will be approximately 300°—as much as three times hotter than present jets. If the speed for the airplane gets up to, let us say, mach 3, the temperature on the aircraft will be getting up to perhaps 600° on the outside skin.

These are very high temperature levels—levels with which the aviation world has not had to deal to any considerable extent so far as large passenger vehicles are concerned. If the aircraft is to go faster than 2, we would have to use steel and/or titanium rather than the traditional aluminum. Incidentally, we have serious questions about present aluminum alloys after many hours of mach 2 cruising temperature. This whole problem of choosing configuration, structure, materials, components, and fabrication techniques to meet very high speeds and temperatures will pose great technical challenges.

But the challenge, and the strongest possible response, is worth it. Supersonic transport will be the standard bearer of international transportation in the 1970's and 1980's, after it has entered service. It will be a valuable, productive machine, a generator of world travel, business and understanding.

And after that, what next? Will that be the end of the evolution of aviation progress that we have seen since Kitty Hawk? I think not. Perhaps in the somewhat distant future, and perhaps in the 1980's, we will be working on a new kind of transport—a transport that we may know as the hypersonic transport. This airplane, already on some drawing boards here and abroad, will carry passengers at speeds as high as 4,000 or 5,000 miles per hour for distances of more than 6,000 miles. And then—perhaps—sightseeing among the stars.

Aviation will continue, in this future age, to serve history, knitting together people of different colors and races all over the world, just as in our own era it has closed the distance between continents.

For my part, I am proud and happy to belong to a field of endeavor able to serve mankind in so many diverse ways—from the helicopter to the ocean-spanning subsonic jet carriers, to dreams of ultra-fast travel across many thousands of miles at the fringe of space. We have a heroic challenge before us today. Let us meet it with pride in the past and great plans for the future.

Let us advance.

Mr. ENGLE. Mr. President, I call attention also to an interview with Mr. John Stack on the subject of the supersonic airliner appearing in the June 24 issue of U.S. News & World Report. Mr. Stack is an outstanding pioneer in the designing of supersonic planes. He does a fine job of explaining with precision and clarity the many problems involved in the development of the transport. I ask permission to have the interview printed in full at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Supersonic Airliner Coming—Is United States Losing Out to Europe?—Interview With John Stack, Pioneer Designer of Supersonic Planes

(Editor's Note.—John Stack has pioneered development of supersonic aircraft. He directed Government research on the first planes to break the sound barrier. Next he worked on the X-15, which has flown at more than 4,000 miles per hour. Mr. Stack was in charge of the research on which proposed U.S. development of a supersonic passenger plane is based. In 1962, he retired after 34 years as a Government aeronautical engineer. He now is director of engineering for Republic Aviation Corp.)

(An American airline turned to Europe to order six supersonic planes and raised this question: Has the United States lost out in the supersonic race? In the conference room of U.S. News & World Report that question was asked of John Stack, one of the men who have been closest to U.S. plans for a supersonic passenger plane. In this exclusive interview, Mr. Stack tells what has been done and what he thinks should be done now to hold an important U.S. market.)

Question. Mr. Stack, is the United States slipping behind in development of more modern aircraft for passenger use?

Answer. Yes, it is. Back in the days of propeller-driven airliners, this country had 93 percent of the world market. Today, in the age of the jets and the jet-props, its portion of the market is not more than 50 percent, and may be less. Now the British and French—cooperating—are pushing ahead in development of a supersonic transport plane. It is very probable that the Russians are at least equal to, or may even be ahead of, the British and French in this field.

Question. Why has the United States lagged? The British and French Governments are reported to be putting $500 million into their project. Is the United States less able to afford that cost than those countries?

Answer. I'm the wrong man to ask the question: Why are we letting them do this?

Question. When will the British-French plane—the Concorde—be ready?

Answer. They've set a date of 1967.

Question. If the United States pushed now, could it meet that deadline?

Answer. The feeling is that this country could have its supersonic plane ready by 1970, if it wastes no more time. Knowing that an American plane would be coming along probably would induce many prospective customers to hold off so that the British and French would not run away with the whole market for supersonic airliners.

Question. How big is this market going to be?

Answer. Some say not more than 200 planes all told. However, this airplane will so affect our environment that I believe the market will be at least twice that figure.

Question. Would the American plane be similar to that of the British and French?

Answer. No. Their plane is being designed for a speed of around mach 2—double the speed of sound, or around 1,320 miles an hour. Present jets get up to around 550 miles to 600 miles an hour. The American plane that has been planned would be capable of mach 3, or speeds above 1,800 miles an hour.

Question. You were a member of the original three-man steering committee working with a U.S. supersonic transport, and until recently a member of the Supersonic Transport Advisory Group. How much has been done on an American plane?

Answer. A great deal. You could almost take it off the shelf today. The technology is there. It's just a matter of pulling it together and putting it into the airplane you want. We were doing research on the problems of a supersonic transport down at Langley Research Center all through the late 1950's. We knew then that it was feasible. There was no fundamental scientific obstacle.

In December of 1959, at the request of E. R. Quesada, who was head of the Federal Aviation Agency and President Eisenhower's aviation adviser, we made a presentation on development of a supersonic transport. Mr. Quesada recommended that work get underway. He didn't get the money he asked for, but supersonic-transport development was established as a national policy.

The Kennedy administration came in, in 1961, and Najeeb Halaby replaced Mr. Quesada at the FAA. He pushed ahead with the development program. Congress appropriated a total of $31 million for the project in 1961 and 1962. This year, 1963, was to be the prototype year.

Question. What does that mean?

Answer. They wanted to get some money to do some really serious designing. Up to now, the request has not gone to Congress. But, as you know, the day after Pan American Airways announced that it was placing an order for six of the British-French Concorde supersonic transports, President Kennedy said there will be a supersonic program.

Question. Now that President Kennedy has given the go-ahead, what is the next step?

Answer. He has to ask Congress for money, and get it, in this session. If we wait another year, we will be in a serious position in this competition.

Question. Why does everything depend on the Government? Couldn't private industry move ahead with development of this plane?

Answer. There's such a terrific capital investment required before this thing is a going concern and starts to pay back. It's on the order of a billion dollars. I don't think there are enough of us in the industry to handle this if we pooled everything we have. It's too big for us to carry at the same time we're carrying on extensive research out of profits on all these various military and space projects.

Question. Could we beat the British and French into production if we would settle for a mach 2 airplane?

Answer. I'm confident our aviation industry could get an aluminum plane, flying at mach 2, into the air as soon as the British-French plane, if the money were forthcoming.

Question. Why not do it? What's so important about the mach 3 airplane?

Answer. All this argument over mach 2 and mach 3 is essentially nonsense. What is really important is that we build a plane that has growth in it. The British-French plane is going to be aluminum. The day it flies, it is at the limit of its growth potential, because you can't push an aluminum plane much beyond mach 2. It won't take the heat generated beyond that.

Our plane doesn't have to fly at mach 3. You might start out at, say, mach 2.3 in an airplane designed eventually to fly as fast as mach 3. But if you pick a high-temperature metal-titanium or steel—for the basic airframe, you have solved your basic problem and, as you solve the others, you can let this machine grow in speed.

WHY THE B–70 IS NEEDED

Question. Haven't a lot of these problems been solved in designing the B–70, which is supposed to fly at mach 3?

Answer. The B–70 is a pretty important machine. There's been a fantastic amount of work done on it. But it isn't flying yet. If it does fly, it will provide a lot of answers that we need.

You sit down and design these things and make laboratory experiments. You think you can calculate how this structure will distort under combined heat and stress. But we sure need to get that B–70 up to mach 3 for a long cruise at skin temperatures of 450 to 600 degrees. Then we'll know for sure if our design holds up.

Question. Has it been a mistake not to push the B–70?

Answer. Yes. The B–70 program has been interrupted several times. If it had not been for those interruptions, that airplane almost surely would be flying today.

Question. Why haven't they gone ahead with the B–70?

Answer. I think perhaps the cost got people worried. They started adding up the cost of squadrons of these planes. Then for a long time the argument centered about how many squadrons were needed and how many billions that would cost. People got scared.

The whole thing was unnecessary. Somebody needed to have the determination to make a decision to go ahead and build the original three planes that were planned, and then see what kind of flying machine we had and then decide whether we needed to go ahead and build some more of them.

If that had been done, the plane might be flying for what we've spent on it already. Every time you interrupt a program like this, you lose money. The engineers on the project can't sit around with nothing to do. So the company puts them on other jobs. Then, all of a sudden, the Pentagon says: "OK, we'll put some more in this." Then you have to pull the design team back together and get the whole thing cranked up and going again.

WHERE SUPERJETS WILL FLY

Question. When the supersonic airliners do start flying, where will they be used most?

Answer. On the world air routes.

Question. They won't be used, say, between New York and San Francisco or Los Angeles?

Answer. That is about the shortest route on which one would want to fly supersonically. If you leave New York at 9 in the morning, you will get to the west coast at around 7:30 a.m., if this is a good supersonic aircraft. You see, it is actually faster than the sun.

The impact of this machine on airline routes and schedules will be terrific. Perhaps instead of using it like we do today's jets—from New York to Europe and then back to New York—we'll circumnavigate with it, just keep it going around the world so you would be in daylight. Most people like to travel by the sun, so this is where your customers are.

Question. Will the supersonic plane have to operate from special airports?

Answer. No, it should operate out of today's airports. In fact, it probably will have shorter distances for takeoff and landing. Pilots are insisting on this.

You see, this is really going to be a remarkable aircraft in many ways.

Not only will it fly at two to three times the speed of sound, but it will operate at subsonic speeds. It will probably have a variable-sweep wing that folds like a scissors back along the fuselage for supersonic speeds. For takeoff and landing, and flying at subsonic speeds, the wing will extend out from the fuselage

This will give us an aircraft that can take off from Chicago and fly to New York at subsonic speed to pick up more passengers. Then it will go from New York to Paris supersonically. It will have to do something like that if you are going to get daily utilization of 10 to 12 hours, which is what it takes to make a real economic operation.

Weather shouldn't stop this machine. It should be able to take off and land in "zero-zero" conditions. We have the technology now to equip this plane with a blind-landing system. With a plane this expensive you can't afford to be stooging around waiting for weather to improve or going to an alternate airport.

Question. At what altitude will it fly?

Answer. This depends on the mach number. A mach 2 transport would be flying at around 60,000 feet. A mach 3 transport would be up around 75,000 feet.

Question. How many passengers will it carry?

Answer. At least 125. It might go on up to 175. There has been some talk of a plane that would carry 300 to 400 people, but I find that hard to believe, and I don't see why it would be needed.

MAKING THE MOST OF SPEED

Question. Will supersonic flight make it possible to leave New York in the morning, go to London, do a day's business, and be back in New York the same evening?

Answer. The sun works against you there. Let's see: You've got 6 hours working against you on the way over. If you left here at, say, 6 in the morning, you'd be in London at 3 in the afternoon. If you could transact your business between 3 and 6 o'clock, you could leave London at 8, but you'd be home before dinner.

But supersonic travel will change the environment for many businesses. For example, international-banking paper could be shifted from London at the close of business there and be in a New York bank the same day. Businesses with worldwide operations would be able to get key talent to tight spots in such short order that you could expect to see some reduction in costs by cutting down the staff needed to man offices abroad.

Question. If this plane flies faster than sound, won't it create a sonic boom that will leave a swath of broken windows on the ground below it?

Answer. Now, here's a very serious problem. You probably remember that there was a flight across the country by a B–58, which flies at twice the speed of sound, trying for a speed record. It caused a lot of damage around St. Joseph, Mo., when it evidently came down to a lower altitude to refuel from a tanker plane. There was also trouble on Long Island, when it was losing altitude at the end of its flight.

But the important thing is that, while it was at its cruise level, it was creating about the kind of sonic-boom pressures that we expect this supersonic transport to have and there was no trace of a complaint. So this is a hopeful sign.

Question. Does the sonic-boom impact decrease as the plane goes higher?

Answer. That's right. From studies we've made, we think we will have to take this airplane up to around 45,000 feet at subsonic speeds, before it goes supersonic.

Question. Can't you tell for sure—from what has happened with supersonic planes now flying, such as the B–58?

Answer. No, because the supersonic transport will weigh around 400,000 pounds, or about 4 times as much as any aircraft for which "boom" data exist. Now, the B–70, when it flies, will give us an actual check on the sonic boom created by a really big airplane.

Question. Won't a plane this big require engines that will be more powerful and generate more noise than today's jets?

Answer. There is good reason to expect that the engines for this machine, even with the markedly increased thrust they must generate, will perhaps give us noise levels a little bit below what we've got in our jet engines today. The design for the supersonic jet engine, which will have to incorporate what we call a "sonic choke" to slow the air entering the engine, will eliminate some of the noise problem, especially the high-pitched whine, that you get from jet engines today.

Question. Will the British-French plane have good subsonic flying ability?

Answer. I don't think it will have the subsonic qualities that our plane could have. I know the British and French people don't agree with this, but I set forth the reasons in a paper at a joint Anglo-American aeronautics meeting in September 1961, and nobody seems to want to dispute them too much.

Question. You said the Russians may be ahead of the British and French in developing a supersonic airliner—

Answer. There is every reason to suppose they are, and that they will be coming along with something ahead of everybody.

Question. Do you think they will convert a supersonic military airplane to passenger use, as they did when they made a jetliner out of a jet bomber?

Answer. I don't know just what they might do. But consider this: Russia is a vast country—long distances across it. And they've been developing a complex of industrial cities that are perhaps 1,000—1,200—1,500 miles apart. So they probably would be able to use a mach 2 airliner with a high frequency of service. And, of course, operating the way they do, Mr. Khrushchev could legislate the sonic-boom nuisance by simply telling the people it can't hurt them—and you sure can't do that here.

HOW UNITED STATES CAN COMPETE

Question. You said the United States could have a supersonic airliner flying by 1970, if it wastes no more time. If the President and Congress pushed the project and provided the money, is it possible the plane could be flying by 1967, when the British-French plane is scheduled to fly?

Answer. It would be very difficult to beat them into the air. But if we go to the high-temperature airframe of steel or titanium and build a significantly superior aircraft, I think the airline people will be willing to wait for it.

THE RACE FOR A FASTER-THAN-SOUND PASSENGER PLANE

British-French entry: The Concorde—a cooperative venture by Britain and France. Design completed. Plane scheduled to fly by 1967; speed, 1,300 to 1,500 mph; passengers, around 100; range, transoceanic; cruising altitude, 60,000 feet; structure and design, aluminum with fixed wing.

U.S. entry: Unnamed, design not yet worked out, many experts favor a plane of the type outlined here, say it could be flying by 1970, if U.S. gets moving; speed, 1,800 to 2,000 mph; passengers, 125 to 175; range, transoceanic; cruising altitude, 75,000 feet; structure and design, titanium or steel with variable-sweep wing.

Mr. ENGLE. Mr. President, great prestige awaits the nation which develops a transport that is truly efficient in airline operation above the speed of sound. It will be a mark of scientific, engineering and production genius. I urge that the Congress give full support to the President's call for a "commercial supersonic transport aircraft which is safe for the passenger, economically sound for the world's airlines, and whose operating performance is superior to that of any comparable aircraft."

ADJOURNMENT

Mr. HUMPHREY. Mr. President, in accordance with the previous order, I now move that the Senate stand in adjournment until 12 noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 32 minutes p.m.), under the previous order, the Senate adjourned until tomorrow, Wednesday, July 10, 1963, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate July 9, 1963:

U.S. DISTRICT JUDGES

Homer Thornberry, of Texas, to be U.S. district judge for the western district of Texas, vice Robert E. Thomason, retired.

Bruce R. Thompson, of Nevada, to be U.S. district judge for the district of Nevada, vice John R. Ross, deceased.

U.S. ADVISORY COMMISSION ON INTERNATIONAL EDUCATIONAL AND CULTURAL AFFAIRS

The following-named persons to be members of the U.S. Advisory Commission on International Educational and Cultural Affairs for terms of 3 years expiring May 11, 1966, and until their successors are appointed and have qualified:

Dr. Walter Adams, of Michigan.

Dr. Mabel M. Smythe, of New York.

IN THE NAVY

Capt. Fred G. Bennett, U.S. Navy, to be Director of Budget and Reports in the Department of the Navy for a term of 3 years with the rank of rear admiral.

The following-named officers of the line and staff corps of the Navy for temporary promotion to the grade of rear admiral, subject to qualification therefor as provided by law:

LINE

Edward E. Grimm
John D. Bulkeley
Rufus L. Taylor
Jackson D. Arnold
Ben W. Sarver
Don W. Wulzen
Frederick J. Harlfinger II
Dennis C. Lyndon
James H. Mini
Joseph E. Rice
Fred G. Bennett
David C. Richardson
Richard R. Pratt
Norman C. Gillette, Jr.
William P. Mack
Paul E. Hartmann
Donald Gay, Jr.
Charles S. Minter, Jr.
John K. Leydon
Eugene P. Wilkinson

MEDICAL CORPS

Walter Welham

SUPPLY CORPS

Robert H. Northwood
Ira F. Haddock

CIVIL ENGINEER CORPS

Harry N. Wallin

The following-named officers of the line and staff corps of the Navy for permanent promotion to the grade of rear admiral, subject to qualification therefor as provided by law:

LINE

William E. Sweeney
John J. Fee

MEDICAL CORPS

Martin T. Macklin
William N. New

DENTAL CORPS

Edward C. Raffetto

FEDERAL COAL MINE SAFETY BOARD OF REVIEW

Charles R. Ferguson, of Pennsylvania, to be a member of the Federal Coal Mine Safety Board of Review for the term expiring July 15, 1966. (Reappointment.)

PUBLIC HEALTH SERVICE

The following candidates for personnel action in the regular corps of the Public Health Service subject to qualifications therefor as provided by law and regulations:

To be senior surgeon

George E. Bock.

To be senior assistant surgeons

Arnold Engel
Robert B. Minor
John T. Porvaznik, Jr.
Henry J. Cabeceiras, Jr.
Russell O. Settle, Jr.
James C. Davie
Glenn L. Momberger
Richard A. Plessala
Van R. Williams
Bernard W. Bigley
Dean H. Morrow

To be senior assistant dental surgeons

Edward D. Woolridge, Jr.
Henry Barnaby, Jr.
Donald C. Boggs
William B. Bock

To be senior sanitary engineers

Francis A. Jacocks
Henry C. Steed, Jr.

To be sanitary engineer

Theodore Jaffe

To be senior assistant sanitary engineers

John C. Villforth
Gary D. Hutchinson
John G. Bailey
Robert H. Neill

To be assistant sanitary engineers

Ralph W. Buelow
Malcolm C. Bruce
F. Donald Maddox

To be junior assistant sanitary engineers

James W. Carpenter, Jr.
Kenton Kirkpatrick
L. Russell Freeman

To be assistant pharmacist

Jon A. May

To be senior assistant scientist

Joseph W. Lepak

To be sanitarians

Arthur B. McIntyre, Jr.
William J. Beck

To be senior assistant sanitarian

Patrick A. Thibeau

To be assistant sanitarian

George J. Butler

To be nurse officer

Dorothy L. Bandlow

WITHDRAWALS

Executive nominations withdrawn from the Senate July 9, 1963:

POSTMASTERS

The nomination sent to the Senate on June 10, 1963, of Willie M. Eubank to be postmaster at Nevada, in the State of Texas.

The nomination sent to the Senate on June 10, 1963, of Harold H. Darby to be postmaster at Dresden, in the State of Kansas.

HOUSE OF REPRESENTATIVES

TUESDY, JULY 9, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Genesis 13: 8: *And Abraham said unto Lot, let there be no strife between me and thee, and between my herdmen and thy herdmen; for we are brethren.*

Most merciful and gracious God, grant that in these critical days we may give clear and unmistakable testimony to the revelation made in the Scriptures that we are brothers no matter whether our bodies are clothed in white, black, yellow, or red skin.

God forbid that we should fail to recognize our moral and spiritual kinship and the imperative need of cultivating a brotherly relationship if there is to be any great forward movement for civilization and human society.

Help us to feel that the eyes of the whole world are upon us in these strategic hours of great responsibility and decision when each of us is given a unique opportunity to declare that we truly believe in the brotherhood of man.

What an irreparable loss it will be to our social order and how tragic will be the issues and effects if we are blind to the witness of history that the colored race has made a tremendous contribution to the fame and fortune, the growth and greatness of our beloved country.

In Christ's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

THE LATE HONORABLE GEORGE W. GILLIE

The SPEAKER. The Chair recognizes the gentleman from Indiana [Mr. ADAIR].

Mr. ADAIR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include a newspaper story.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ADAIR. Mr. Speaker, it is my sad duty to inform my colleagues that a predecessor who served in this House from the Fourth Indiana District passed away last week. Dr. George W. Gillie was first elected to the House in 1938 and served for five terms.

He died at his home in Fort Wayne, Ind., on July 4. While here he was a member of the Committee on Agriculture and was particularly active in efforts to eradicate hoof-and-mouth disease.

Dr. Gillie was born in Scotland and was brought to this country by his parents when he was 21 months of age.

He went to Ohio State University from which he was graduated and became a doctor of veterinary medicine. While at Ohio State University he had a distinguished record in the field of sports, in track, football, and other activities. He was one of the first men elected to the Football Hall of Fame.

In his home community he was extremely active in fraternal and church affairs, being at the time of his death the eldest member of the Plymouth Congregational Church there. Dr. Gillie has also served as sheriff of Allen County, Ind.

He died at the age of 82 and leaves surviving him two daughters, Mrs. Elton L. Marquardt of Fort Wayne and Mrs. John T. Strawbridge of Salt Lake City, Utah. His wife had preceded him in death. I am sure all Members of the House will join me in expressing our deep and sincere sympathy to the surviving members of his family. "Doc" Gillie will be sadly missed by all who knew him.

Mr. Speaker, I include as part of my remarks an article from the Fort Wayne News-Sentinel as follows:

DR. GEORGE W. GILLIE DEAD AT AGE OF 82

Dr. George W. Gillie, 82, well-known Fort Wayne veterinarian who served five terms in the U.S. House of Representatives after 8 years as Allen County sheriff, died today at 3:05 a.m. at Parkview Memorial Hospital where he had been a patient since last November.

Dr. Gillie was a leader in the Republican Party and in lodge, church, civic, and veterinary affairs here during a long and colorful career. While at Ohio State University he was an all-around athlete.

Dr. Gillie was elected to Congress from the Indiana fourth district in 1938 and served five consecutive terms. He became widely known for his fight to eradicate the hoof and mouth disease in livestock while a Representative.

Prior to that, Dr. Gillie was sheriff of Allen County from 1916 to 1918. He ran for the office of mayor of Fort Wayne on the Republican ticket in 1921, and in 1928 and 1934 was again elected sheriff.

Born in Greenlan, Berwickshire, Scotland, he came to this country with his parents when 21 months old. He graduated from Ohio State University in 1907 with a doctor of veterinary medicine degree.

While at Ohio State Dr. Gillie was an all-around athlete in discus, track, and shot. A college football star, he was one of the first men elected to the National Football Hall of Fame.

Dr. Gillie, who resided at 628 West Oakdale Drive, also served Fort Wayne for many years under several administrations as Humane Commissioner, and was the city's first meat and milk inspector.

Until he became ill, he was a jury commissioner for the Federal court here.

The 82-year-old Scot immigrant received the Veterinarian of the Year Award in 1953 from the American Veterinary Medical Association, and was honored in his field.

A charter member of the Downtown Kiwanis Club, Dr. Gillie also was affiliated with the Indiana Society, Old Friars Club, the Indiana Saddle Horse Association and the Fort Wayne Historical Society.

Active in Masonic work, the Fort Wayne veterinarian was one of two men who organized the Mizpah Mounted Horse Patrol. He held the 32d degree in Scottish Rite and was a member of Summit City Lodge 170, F. and A.M. and was a member of Royal Order of Jesters No. 27.

Also, Dr. Gillie was a member and past potentate of Mizpah Shrine. In addition he held membership in Harmony Lodge No. 19 IOOF, Moose Lodge 200, Men's Garden Club and the Isaac Walton League.

Professional associations which Dr. Gillie belonged to include the Northeastern Veterinarian Association and the American Veterinary Medical Association.

The former Congressman held the oldest membership in Plymouth Congregational Church. He was received into the church in 1894.

Dr. Gillie was active in both Kiwanis and Masonic bowling leagues, still bowling until his illness.

In 1908, 1 year after graduating from college, he married the former Grace N. Merion, of Columbus, Ohio, who preceded him in death.

Surviving are two daughters, Mrs. Elton L. (Jean C.) Marquart, Fort Wayne, and Mrs. John T. (Charlotte) Strawbridge, Salt Lake City, Utah; a sister, Mrs. Joseph Pearson, St. Paul, Minn.; two brothers, Harold Gillie, Camden, Mich.; and James Stuart Gillie, Fort Wayne; and two grandchildren.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, I wish to join with the gentleman from Indiana [Mr. ADAIR] in expressing my deep sorrow at the passing of former Congressman George W. Gillie of Fort Wayne.

"Doc" Gillie, as he was known to his host of friends in Washington and throughout the Hoosier State, was a colorful figure. He was a native of Scotland and the first member of the veterinary profession, so far as I know, ever elected to the Congress. He spoke with a Scotch brogue and was a man of great moral as well as physical stature, standing 6 feet 4½ inches in height.

For 4 years prior to 1939, I was the only Republican in the Indiana congressional delegation and I used to say that I could hold a delegation meeting in a telephone booth.

In January of 1939, I was joined by six other Hoosier Republicans—"Doc" Gillie, Bob Grant, Ray Springer, Gerry Landis, Forest Harness, and Noble Johnson.

Two years later our delegation was increased to eight with the election of Earl Wilson, and in 1942 Ray Springer died and was succeeded by Ralph Harvey.

So it is obvious that for more than 20 years there were no deaths among the members of this group until the passing of "Doc" Gillie last week after an illness of several months.

Until his final illness, "Doc" Gillie enjoyed rugged good health and was an active participant in community affairs.

Our State and our Nation have lost a great and kind gentleman, who will be missed by all who knew him.

On behalf of the Members of this Congress who served with "Doc" and remember him with fondness, I extend our sympathy to his two surviving daughters, Mrs. Elton Marquardt and Mrs. John Strawbridge.

Mr. BRAY. Mr. Speaker, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from Indiana.

Mr. BRAY. Mr. Speaker, I never had the privilege of serving in Congress with Dr. Gillie, but I had become well acquainted with him prior to the time he was elected to the Congress in 1938. He was a very likeable person, a very kind individual, a man of large frame and very strong character. He was universally respected among those who knew him. I enjoyed many pleasant conversations with Dr. Gillie. I visited with him while he was in Congress before the time I was elected.

I join with other Members in expressing condolence to the two daughters who survive him and we will all miss him. He leaves us with memories of a great legislator, a strong and courageous character and a very fine and friendly gentleman.

Mr. ADAIR. I thank the gentleman from Indiana, Mr. Speaker.

Mr. HOEVEN. Mr. Speaker, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from Iowa.

Mr. HOEVEN. It was with deep regret that I learned of the passing of my very good friend, Dr. Gillie. It was my privilege and pleasure to serve with him on the Committee on Agriculture for several years. He had a great interest in American agriculture and was an exceedingly valuable member of the Committee on Agriculture. Dr. Gillie was a great American and an outstanding public servant. He served well his day and generation.

My sympathy goes out to the loved ones who survive him.

Mr. ADAIR. I thank the gentleman.

Mr. HORAN. Mr. Speaker, it is a sad privilege to join with my colleagues in this memorial to George W. Gillie.

I served with George for 6 years. As a member of the subcommittee on Agriculture Department Appropriations I was aware of the great contributions he made to the considerations of the Committee on Agriculture legislation and his expert interest in all problems concerning meat inspection and the research and control measures that attend the interstate handling of animal diseases.

I wish to extend my sincere sympathies to the family of George W. Gillie.

Mr. HARVEY of Indiana. Mr. Speaker, in the passing of Dr. George Gillie, with whom I served in the Congress and with whom I held a close friendship, a fine citizen, an excellent professional veterinarian, and outstanding leader has been lost.

His contributions to his own community, State, and Nation are too numerous to enumerate.

Our sympathy is extended to his family, and may time assuage their bereavement.

GENERAL LEAVE TO EXTEND

Mr. ADAIR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks upon this subject.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

SUBCOMMITTEE ON MINES AND MINING OF THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the Subcommittee on Mines and Mining of the Committee on Interior and Insular Affairs be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

ELECTION OF MEMBER TO COMMITTEE ON BANKING AND CURRENCY

Mr. HALLECK. Mr. Speaker, I offer a privileged resolution, House Resolution 431, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

> *Resolved,* That DEL CLAWSON, of California, be, and he is hereby, elected a member of the standing committee of the House of Representatives on Banking and Currency.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SUPREME COURT DECISION ON PRAYER

Mr. BECKER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BECKER. Mr. Speaker, on June 25, 1962, immediately after the Supreme Court decision barring the New York State Board of Regents prayer, I said that to me that was about the most tragic decision the Supreme Court had ever made in our history. Again on June 17 of this year the Supreme Court handed down a decision barring the reading or reciting of the Lord's Prayer and Bible reading in the Pennsylvania and Maryland cases.

I introduced a resolution last year and again this year to amend the Constitution. This resolution rested in the Committee on the Judiciary for 1 year although I have made requests for hearings on this resolution so that we could bring it before the House. Without any action by the committee I am finally forced to place on the desk today a discharge petition to bring before the House, House Resolution 407, to provide a rule to debate my Joint Resolution 9.

I have never signed a discharge petition. I know Members of the House are reluctant to sign a discharge petition but this matter has to do with the tradition and the spiritual life of the American people which goes back in our history to the founding of our country. I believe nowhere in our life should we be banned from the right to pray to Almighty God. I want my grandchildren in public school to have the right to pray just as well as my grandchildren in parochial schools have the right to pray. The Speaker of the House, the Honorable JOHN MCCORMACK, has caused to be placed above the Speaker's dais the words "In God we trust." He is honored and respected for this action and the Members of the House unanimously applauded his action. In future decisions of the Supreme Court, is this motto to be barred from our Congress and our coinage and currency? My resolution will permit this subject to be debated. It provides a rule of 4 hours debate, open for amendment, and waives all points of order. I intend to invite all Members who have introduced amendments to meet with me and work out suitable language for the constitutional amendment, not only to provide for nondenominational, noncompulsory prayer in public schools but will protect, by the Constitution, the continuance of in God we trust on our currency and coins, in the House, in the Pledge of Allegiance, of chaplains in our military services and in our Congress and legislatures, and so forth. I urge you to sign this petition as soon as possible and permit this subject to be decided as soon as possible.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar Day. The Clerk will call the first bill on the Private Calendar.

OUTLET STORES, INC.

The Clerk called the bill (H.R. 2300) for the relief of the Outlet Stores, Inc.

Mr. ANDERSON. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

DR. AND MRS. ABEL GORFAIN

The Clerk called the bill (H.R. 2706) for the relief of Dr. and Mrs. Abel Gorfain.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

CHARLES WAVERLY WATSON, JR.

The Clerk called the bill (H.R. 2728) for the relief of Charles Waverly Watson, Jr.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

ADJUDICATION OF CLAIM TO CERTAIN LAND IN MARENGO COUNTY, ALA.

The Clerk called the bill (H.R. 2942) to direct the Secretary of the Interior to adjudicate a claim to certain land in Marengo County, Ala.

There being no objection, the Clerk read the bill, as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is directed to adjudicate the claim of B. A. Cogle of Thomasville, Alabama, under the Color of Title Act of December 22, 1928 (45 Stat. 1069), as amended by the Act of July 28, 1953 (67 Stat. 227; 43 U.S.C. 1068–1068b), to the lands described in section 2 of this Act. If the Secretary shall determine that the said B. A. Cogle has otherwise satisfied the requirements of the Color of Title Act, he may issue a patent under such Act to such lands without regard to the acreage limitation imposed in such Act.
>
> SEC. 2. The lands subject to this Act are the following-described tracts of land all situated in Marengo County, Alabama, and described with respect to St. Stephens Meridian:
>
> (1) the northwest quarter of the southeast quarter and the southeast quarter of the northeast quarter of section 3, township 13 north, range 2 east;
>
> (2) the southwest quarter of the southwest quarter of section 26, township 13 north, range 3 east;
>
> (3) the south half of the southeast quarter of section 35, township 13 north, range 3 east; and
>
> (4) the northwest quarter of the northeast quarter of section 19, township 14 north, range 2 east.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXCHANGE OF CERTAIN LANDS BETWEEN TOWN OF POWELL, WYO., AND PRESBYTERIAN RETIREMENT FACILITIES CORP.

The Clerk called the bill (H.R. 5076) relating to the exchange of certain lands between the town of Powell, Wyo., and the Presbyterian Retirement Facilities Corp.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of the Interior is authorized to accept from the town of Powell, Wyoming, a deed conveying to the United States all right, title, and interest of the town of Powell, Wyoming, in and to that property comprising block 116 conveyed to such town by patent numbered 1056913, dated August 23, 1932.

(b) Upon the receipt of a deed from the town of Powell, Wyoming, conveying the property comprising block 116 to the United States, the Secretary of the Interior is authorized to convey by patent or other appropriate conveyance to the Presbyterian Retirement Facilities Corp. all right, title, and interest of the United States in and to such property upon the condition that—

(1) the Presbyterian Retirement Facilities Corp. convey to the United States fee simple title to a parcel of property of approximately equal value to that property received by it from the United States under this Act;

(2) If it is determined after an appraisal by the Secretary of the Interior that the parcel of property to be conveyed to the United States under paragraph (1) of this subsection is of less value than the property comprising block 116, the Presbyterian Retirement Facilities Corp. pay to the United States an amount equal to that difference in value.

SEC. 2. (a) The Secretary of the Interior is authorized to convey by patent or other appropriate conveyance to the town of Powell, Wyoming, all right, title, and interest of the United States in and to that parcel of property conveyed to the United States by the Presbyterian Retirement Facilities Corp. pursuant to the first section of this Act.

(b) The conveyance authorized under subsection (a) of this section shall be made subject to the same covenants, conditions, and limitations as those contained in patent numbered 1056913, dated August 23, 1932, referred to in the first section of this Act.

With the following committee amendments:

Page 1, line 6, strike out "that property comprising" and insert "all or part of the property comprising".

Page 1, line 10, after "comprising" insert "all or part of".

Page 2, lines 14, 15 and 16, strike out "comprising block 116, the Presbyterian Retirement Facilities Corp." and insert in lieu thereof "conveyed by it to the Presbyterian Retirement Facilities Corp., the Corporation shall".

Page 3, after line 3, add a new section to read as follows:

SEC. 3. The town of Powell, Wyoming, and the Presbyterian Retirement Facilities Corp. shall pay to the United States such sum as may be fixed by the Secretary of the Interior to compensate the United States for its administrative costs in carrying out the provisions of this Act, which sum shall be covered into the Treasury as miscellaneous receipts.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. BARING. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1122) relating to the exchange of certain lands between the town of Powell, Wyo., and the Presbyterian Retirement Facilities Corp. a similar bill to that just passed by the House.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Nevada?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of the Interior is authorized to accept from the town of Powell, Wyoming, a deed conveying to the United States all right, title, and interest of the town of Powell, Wyoming, in and to that property comprising block 116 conveyed to such town by patent numbered 1056913, dated August 23, 1932.

(b) Upon the receipt of a deed from the town of Powell, Wyoming, conveying the property comprising block 116 to the United States, the Secretary of the Interior is authorized to convey by patent or other appropriate conveyance to the Presbyterian Retirement Facilities Corp. all right, title, and interest of the United States in and to such property upon the condition that—

(1) the Presbyterian Retirement Facilities Corp. convey to the United States fee simple title to a parcel of property of approximately equal value to that property received by it from the United States under this Act;

(2) if it is determined after an appraisal by the Secretary of the Interior that the parcel of property to be conveyed to the United States under paragraph (1) of this subsection is of less value than the property comprising block 116, the Presbyterian Retirement Facilities Corp. pay to the United States an amount equal to that difference in value.

SEC. 2. (a) The Secretary of the Interior is authorized to convey by patent or other appropriate conveyance to the town of Powell, Wyoming, all right, title, and interest of the United States in and to that parcel of property conveyed to the United States by the Presbyterian Retirement Facilities Corp. pursuant to the first section of this Act.

(b) The conveyance authorized under subsection (a) of this section shall be made subject to the same covenants, conditions, and limitations as those contained in patent numbered 1056913, dated August 23, 1932, referred to in the first section of this Act.

SEC. 3. The town of Powell, Wyoming, and the Presbyterian Retirement Facilities Corp. shall pay to the United States such sum as may be fixed by the Secretary of the Interior to compensate the United States for its administrative costs in carrying out the provisions of this Act which sum shall be covered into the Treasury as miscellanous receipts.

Mr. BARING. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by the gentleman from Nevada, Mr. BARING: Strike out all after the enacting clause of S. 1122 and insert the provisions of H.R. 5076, as amended.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 5076) was laid on the table.

BASILIO KING, HIS WIFE, AND THEIR CHILDREN

The Clerk called the bill (H.R. 1179) for the relief of Basilio King, his wife, and their children.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of section 101(a)(7)(B) of the Immigration and Nationality Act, Basilio King, his wife Monica Elisa Co Chia King, and their children Henry Alexander Victor King, Basilio King, Junior, Johnny King, Elizabeth King, Sylvia King, and Cynthia King shall be deemed to be returning resident aliens.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARGARET BARKER

The Clerk called the bill (H.R. 1398) for the relief of Margaret Barker.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Margaret Barker shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN (IVICA) BEG FARKAS AND ANN (ANKA) BEG FARKAS

The Clerk called the bill (H.R. 1499) for the relief of John (Ivica) Beg Farkas and Ann (Anka) Beg Farkas.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor children, John (Ivica) Beg Farkas and Ann (Anka) Beg Farkas, shall be held and considered to be the natural-born alien children of John J. Farkas and Sophia Beg Farkas, citizens of the United States: *Provided,* That the natural parents of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That, in the administration of the Immigration and Nationality Act, John (Ivica) Beg Farkas and Ann (Anka) Beg Farkas may be classified as eligible orphans within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in their behalf by Mr. and Mrs. John J. Farkas, citizens of the

United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EVA BAKER

The Clerk called the bill (H.R. 1731) for the relief of Eva Baker.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Eva Baker, shall be held and considered to be the natural-born alien child of Robert W. Baker, a citizen of the United States: *Provided,* That the natural parents of Eva Baker shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That, in the administration of the Immigration and Nationality Act, Eva Baker may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. Robert W. Baker, a citizen of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LUCIA CARTA GALLITTO

The Clerk called the bill (H.R. 2450) for the relief of Lucia Carta Gallitto.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Lucia Carta Gallitto shall be held and considered to be the natural born alien child of Mr. and Mrs. Mario Gallitto, citizens of the United States: *Provided,* That the natural parents of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That, in the administration of the Immigration and Nationality Act, Lucia Carta Gallitto may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Mario Gallitto, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GEOFFREY HOWARD SMITH

The Clerk called the bill (H.R. 5094) for the relief of Geoffrey Howard Smith.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Geoffrey Howard Smith shall be held and considered to have complied with the requirements of section 316 of the Act as they relate to residence and physical presence.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GERARD PUILLET

The Clerk called the bill (H.R. 6308) for the relief of Gerard Puillet.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of section 212(a)(3) of the Immigration and Nationality Act, Gerard Puillet may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act: *Provided,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said Act: *And provided further,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MICHAL GOLENIEWSKI

The Clerk called the bill (H.R. 5507) for the relief of Michal Goleniewski.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Michal Goleniewski, lawfully admitted for permanent residence in the United States, shall be held to be included in the class of applicants for naturalization exempted from the provisions of section 313(a) of the Immigration and Nationality Act, as such class is specified in section 313(c) of the said Act, and that Michal Goleniewski shall be considered to have met the residence and physical presence requirements of section 316(a) of the said Act, and his petition for naturalization may be filed with any court having naturalization jurisdiction.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANTHONY HARRY GIAZIKIS

The Clerk called the bill (H.R. 6567) for the relief of Anthony Harry Giazikis.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Anthony Harry Giazikis shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien, as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DANUSIA RADOCHONSKI

The Clerk called the bill (S. 312) for the relief of Danusia Radochonski.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Danusia Radochonski may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the said Act and a petition may be filed by Doctor and Mrs. Stephen P. Radochonski, citizens of the United States, in behalf of the said Danusia Radochonski pursuant to section 205(b) of the Immigration and Nationality Act subject to all the conditions in that section relating to eligible orphans.

The bill was ordered to be a read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING THE ACT OF JUNE 29, 1960 (PRIVATE LAW 86–354)

The Clerk called the bill (S. 380) to amend the act of June 29, 1960 (Private Law 86–354).

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, the Act of June 29, 1960 (Private Law 86–354), be and is hereby amended by inserting in lieu of the words "the date of the enactment of this Act", the following date: "October 26, 1954".

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

YENG BURDICK

The Clerk called the bill (S. 409) for the relief of Yeng Burdick.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Yeng Burdick may be classified as an eligible orphan within the meaning of section 101(b)(1)(F), and a petition may be filed in behalf of the said Yeng Burdick by Sergeant and Mrs. Roger Burdick, citizens of the United States, pursuant to section 205(b) of the Immigration and Nationality Act subject to all the conditions in that section relating to eligible orphans.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DOMENICO MARTINO

The Clerk called the bill (S. 504) for the relief of Domenico Martino.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of paragraph (9) of section 212(a) of the Immigration and Nationality Act, Domenico Martino may be issued an immigrant visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such Act: *Provided,* That this Act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ZOFIA MIECIELICA

The Clerk called the bill (S. 787) for the relief of Zofia Miecielica.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Zofia Miecielica may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of that Act, and a petition may be filed in behalf of the said Zofia Miecielica by Mr. and Mrs. John Miecielica, citizens of the United States, pursuant to section 205(b) of the Immigration and Nationality Act subject to all the conditions in that section relating to eligible orphans.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

YOO CHUL SOO

The Clerk called the bill (S. 292) for the relief of Yoo Chul Soo.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Yoo Chul Soo may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the said Act and a petition may be filed by the Reverend and Mrs. Gordon J. Milldrum, citizens of the United States in behalf of the said Yoo Chul Soo pursuant to section 205(b) of the Immigration and Nationality Act subject to all the conditions in that section relating to eligible orphans.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KAINO HELY AUZIS

The Clerk called the bill (S. 310) for the relief of Kaino Hely Auzis.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, Kaino Hely Auzis shall be held and considered to be the natural-born alien minor child of Aileen Ellen Auzis and Anthony Adolph Auzis, citizens of the United States: *Provided,* That the natural parents of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

With the following committee amendments:

On page 1, line 3, strike out "sections 101(a)(27)(A)" and insert in lieu thereof "sections 203(a)(2)".

On page 1, line 6, strike out the words "minor child" and substitute the word "daughter".

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MILLIE GAIL MESA

The Clerk called the bill (S. 686) for the relief of Millie Gail Mesa.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of paragraph (7) of section 301(a) of the Immigration and Nationality Act, Mrs. Janis Lavern Mesa, a citizen of the United States, shall be held and considered to have resided in and to have been physically present in the United States, prior to the birth of her natural child, Millie Gail Mesa, for a period of five years after the said Mrs. Janis Lavern Mesa had attained the age of fourteen years.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MIRHAN GAZARIAN

The Clerk called the bill (S. 671) for the relief of Mirhan Gazarian.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Act of October 24, 1962 (Public Law 87-885), Mirhan Gazarian shall be deemed to be within the purview of section 1 of that Act.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That, the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond, which may have issued in the case of Mirhan Gazarian. From and after the date of the enactment of this Act, the said Mirhan Gazarian shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PETER HOPETON MAYLOR

The Clerk called the bill (S. 735) for the relief of Peter Hopeton Maylor.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, Peter Hopeton Maylor shall be held and considered to be the alien child of Wilfred Shirly, a citizen of the United States: *Provided,* That the natural mother of the said Peter Hopeton Maylor shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ENRICO PETRUCCI

The Clerk called the bill (S. 866) for the relief of Enrico Petrucci.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Enrico Petrucci may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the said Act and a petition may be filed by Mr. and Mrs. Matthew J. Hannon, citizens of the United States, in behalf of the said Enrico Petrucci pursuant to section 205(b) of the Immigration and Nationality Act subject to all the conditions in that section relating to eligible orphans.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This concludes the call of the Private Calendar.

EXPORT-IMPORT BANK OF WASHINGTON

Mr. SMITH of Virginia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 422 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution the bill (H.R. 3872) to increase the lending authority of the Export-Import Bank of Washington, to extend the period within which the Export-

Import Bank of Washington may exercise its functions, and for other purposes, with the Senate amendment thereto, be, and the same hereby is, taken from the Speaker's table, to the end that the Senate amendment be, and the same is, disagreed to and a conference is requested with the Senate upon the disagreeing of the two Houses.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 92]

Abbitt
Abernethy
Alger
Aspinall
Bell
Bolling
Buckley
Cameron
Colmer
Derwinski
Diggs
Edwards
Evins
Forrester
Hawkins
Healey
Hébert
Hoffman
Karth
Kee
Madden
Marsh
Miller, N.Y.
Mills
Minshall
Murphy, N.Y.
Norblad
O'Brien, Ill.
Pilcher
Powell
Purcell
Quie
Rains
Reuss
Rogers, Tex.
Roosevelt
Schenck
Shelley
Sheppard
Sisk
Trimble
Wickersham
Willis
Wright
Younger

The SPEAKER. On this rollcall 387 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

EXPORT-IMPORT BANK OF WASHINGTON

Mr. SMITH of Virginia. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. Brown], and I yield myself such time as I may consume.

Mr. Speaker, the purpose of this resolution is upon its adoption to send to a committee of conference the bill H.R. 3872, which increases the lending authority of the Export-Import Bank of Washington and extends its life.

The history of this and the necessity for it arises out of the so-called back-door spending provision in the bill as it was amended in the other body. When the House bill was first drafted it did contain a provision on what is known as back-door spending. There was objection to that. The committee amended the bill so as to make it direct Treasury appropriation. It then went over to the other body. They restored the back-door spending feature of it.

When the bill came back from the other body there had been restored the objectionable feature that the House had taken out, of back-door spending. Objection was made to sending it to conference. Therefore, in the regular course it came to the Committee on Rules for a rule to send it to conference, and this is the rule. On adoption of the rule it will then be in order for the Speaker to appoint conferees. I am informed that before that is done, immediately upon the adoption of this resolution, there will be a motion offered to instruct the conferees to adhere to the House position on back-door spending.

This question of so-called back-door spending is one that has been in the House many times. There is strong sentiment in this House against this type of appropriation. Many of us have always felt that before money is appropriated, it should go to the Committee on Appropriations and be done in the regular way. This method which has become quite prevalent in certain areas in the last few years provides a method by which an agency for which certain funds are appropriated, instead of getting funds through the regular source, or an appropriation bill, may go to the Secretary of the Treasury and draw the funds directly from the Treasury, without any reference in the future either to the Congress or the Committee on Appropriations. I believe there is a strong majority feeling in this House that that is a bad way to handle the taxpayers' money and that there is no excuse for it under any circumstances.

We hope the House will sustain the position we have taken before and will instruct the conferees to stand by the position already taken by the House and require that this money be appropriated in the regular way instead of being borrowed directly from the Treasury.

Mr. Speaker, I understand that when this motion was made to instruct the conferees, there will be an hour's debate on the subject. The motion, I believe, will be offered by my colleague, the gentleman from Virginia [Mr. Gary], who is a member of the Committee on Appropriations.

Mr. Speaker, I now yield to the gentleman from Ohio [Mr. Brown].

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this resolution, House Resolution 422, makes in order, on adoption, the sending of the bill H.R. 3872, to conference to settle the differences between the Senate and House versions of the measure. When H.R. 3872 was first presented to the House on May 1 last, it contained two principal provisions, sections, or titles. One would extend the charter of the Export-Import Bank for another 5 years. The other would increase the lending authority of the Export-Import Bank and would permit that Bank to obtain the funds needed to make such loans.

The bill, as it was brought to the floor of the House on May 1 from the Committee on Banking and Currency, did provide that at least a portion of these additional funds, needed as a lending authority, by the Export-Import Bank might be obtained through a so-called back-door approach to the Federal Treasury without going through the appropriation process as provided in the Constitution by having the Congress itself appropriate the money for such a purpose.

The gentleman from Texas [Mr. Patman], chairman of the Committee on Banking and Currency, offered an amendment to the bill on the floor of the House on May 1 to strike out that provision in the committee reported measure which would have permitted the back-door spending approach to obtain the funds required for lending purposes by the Export-Import Bank, and to leave the measure so it would require any funds obtained for such purpose, that is for lending, by the Export-Import Bank, be obtained through an appropriation voted on in the regular way, through the usual process, by the Congress of the United States, as has been done on practically all other matters in connection with public spending. The bill passed this body almost unanimously. There were very few votes against it. It was messaged over to the other body, and the other body saw fit to amend H.R. 3872 so as to provide, or to reinstate, I should say, the original provisions in the House bill so as to permit the Export-Import Bank to obtain the funds it desired for lending purposes directly from the Treasury without appropriations by the Congress.

The action of the Senate was messaged back to the House, with the bill, and objection to sending the bill to conference was voiced on the floor of the House. In other words, unanimous consent to send to conference was refused, and the matter was then submitted, under the rules of the House, to the Committee on Rules. The Committee on Rules held hearings on the matter. It found, in its hearings, that it was seemingly the broad desire of the House Membership that the position of the House, as it had been taken on this bill—that is, against the back-door spending approach and in support of the use of the appropriations process for the obtaining of funds for the use of the Export-Import Bank—be followed—there was a strong desire the position of the House be maintained.

However, the Rules Committee saw fit, in its judgment and wisdom, to report out this resolution to send this bill to conference. It is the understanding, at least of the gentleman who is now addressing the House, and I believe of others as well, that immediately upon the adoption of this resolution to send this bill to conference; that is, H.R. 3872—to settle the differences between the House and Senate versions—that a motion will be made to instruct the House conferees to maintain the position of the House and to oppose the adoption, in the conference committee, of the Senate amendment, and to insist upon the bill being reported as it passed the House; that is, that the measure be agreed to as it passed the House, so as to eliminate the back-door arrangement as provided for by the Senate amendment.

Mr. Speaker, it is hoped that when the time comes to vote upon the motion to instruct the House conferees, that motion will prevail.

Mr. Speaker, I have no other requests for time, but I reserve the balance of my time.

Mr. SMITH of Virginia. Mr. Speaker, I yield 5 minutes to the gentleman from Texas, the chairman of the Committee on Banking and Currency [Mr. Patman].

Mr. PATMAN. Mr. Speaker, I expect to support the rule to send this bill to conference. As a member of the conferees on the part of the House, I believe it will be my duty to maintain the position of the House, to adhere to the wishes of the House and to stand firm on the position of the House, which position is well known. The other conferees on the part of the House will, I know, consider themselves agents of the House and stand firm for the House's position.

May I point out some facts, however, about this bill which I believe are important.

The Export-Import Bank has been functioning for a period of 29 years. It has always functioned under the method of financing known as the Treasury method of financing as distinguished from the appropriation method. For 29 years it has operated under that method. Six years ago, which was 1 year before the Export-Import Bank was to have expired, the question of extending it for 5 more years came before the House. Its charter was to have expired in 1958. So, on April 9, 1957, when the resolution was before this House to extend the life of the Export-Import Bank for 5 years, the resolution was passed, without even a rollcall, and I believe, unanimously. I do not remember a single voice vote against it. At that time there was no objection to continuing the Bank according to the method of financing on which the Bank was established and on which it has now successfully operated for 29 years.

Then, a year later, on May 8, 1958, it was proposed to increase the lending authority of the Bank by $2 billion. That, likewise, passed the House without objection; and there was no rollcall.

It now becomes necessary to extend the life of the Export-Import Bank again. It expired June 30, to be exact. But of course this hiatus in its term I do not believe will be too important if it is brief. But it is necessary that we act soon on this matter.

When there was objection to a conference—in other words, when there was an objection to conferees being appointed in—the matter went to the Committee on Rules, as the gentleman from Virginia [Mr. SMITH] pointed out, finally, as a result of hearings before the Rules Committee, this resolution is here now to authorize sending the bill to conference.

Under the rules of the House, when the conference is authorized, and before the Speaker announces the names of the conferees, it is germane for a resolution to be offered to instruct the conferees. I understand such a resolution will be offered by the gentleman from Virginia [Mr. GARY]. He did me the courtesy of showing me a resolution which provides that the conferees shall be instructed to remain firm and steadfast for the position of the House, in other words, maintain the position of the House.

I am in favor of that resolution; it is all right. But now we have this situation where under a former Republican President this method of financing was considered fine. Nobody objected to it. It was wonderful. There were unanimous votes. But now it is said that this method of financing is all wrong and should be stopped.

It will be our duty as conferees of the House to maintain the position of the House, and we expect to do exactly what our obligation calls for. I know the other conferees will do that.

But notwithstanding these facts, I want to point out that it looks like we are going to have one rule under a Republican administration, as when President Eisenhower was in office, and an entirely different rule under a Democratic administration, when President Kennedy is in office.

That is something I cannot understand.

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. GARY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

> Mr. GARY moves that the managers on the part of the House, at the conference on the disagreeing votes of the two Houses on the bill H.R. 3872, be instructed to insist on disagreement to subsection (b) of section 1 of the Senate amendment thereto, and to insist upon the appropriation method of financing provided in the bill as passed by the House.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the motion to instruct the conferees.

Mr. GARY. Mr. Speaker——

The SPEAKER. Does the gentleman desire time?

Mr. GARY. I do, Mr. Speaker.

The SPEAKER. The gentleman is recognized for 1 hour.

Mr. GARY. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, first I want to make it absolutely plain that the motion I have offered is not prompted by any lack of confidence in our House conferees. The chairman of the Committee on Banking and Currency has stated to the House he will insist upon the position of the House, and I am sure he will.

But, Mr. Speaker, this situation with reference to back-door spending has become so acute some of us feel the time has come when the House itself should take a stand, when we should back our conferees, and let the conferees from the other body know we are backing them in no uncertain terms. The chairman of the committee, who has handled this bill, stated that the Export-Import Bank had been financed under this method of financing for 29 years.

Let me say that so far as I am personally concerned, and I am sure everyone in this House will agree, I have the utmost respect for the Export-Import Bank. In my opinion, it is one of the most efficient and one of the most effective agencies we have in the U.S. Government. It has been of inestimable value to the exporters of this country. It shows a remarkable record with respect to losses and it operates at a profit. It has been my privilege over the years to serve on the subcommittee of the Appropriations Committee that handles its appropriations. The reason we became so alarmed over back-door spending was not because of the Export-Import Bank, but because this practice was growing to such an extent that it was rapidly taking out of the hands of the House of Representatives the power to initiate appropriations. For example, in 1958, bills were passed in the Senate providing for back-door spending in the tremendous sum of $9.110 billion; and such bills were actually passed by the House in the amount of $4.575 billion. That was for just that one year. The amounts have been even larger at times. That meant that we were taking from under the regular control of the appropriations process that large amount of money to be spent from the Treasury of the United States, and some of us felt that the situation should be corrected.

I am making this motion for three reasons. In the first place, back-door spending is unconstitutional. That should be sufficient in itself. I do not ask you to take my word for it, but I read you the words of the Constitution which, in article I, section 9, paragraph 7, say:

> No money shall be drawn from the Treasury, but in consequence of appropriations made by law.

I know that instrument is not always held in as high respect as it should be, but I think it is one of the greatest documents ever penned by man and that our forefathers used particularly good judgment in framing the provisions touching Government finance and fiscal problems. We violate those provisions at our peril.

In the second place I think this method of back-door financing is unsound. The framers of the Constitution realized that in order to control the finances of this Government they should be kept as close to the people as possible. Therefore, they provided that the money bills should originate in the House of Representatives. Why? Because the Members of the House of Representatives who are elected every 2 years are closer to the people and policies initiated there are more amenable to change than in the other body, whose Members are elected for 6-year terms.

It has been the time-honored custom to originate appropriation bills in the House of Representatives. Here they are channeled through the regular appropriations process as required by law. Otherwise you have no annual overall check of the whole expenditure program. Under the appropriations process all appropriation requests are referred to the proper committee. That committee sits day in and day out, reviews each item to find what the money is going to be spent for.

In the third place this back-door financing is unnecessary. Once again I do not ask you to take my opinion but I quote the Honorable Douglas Dillon, the Secretary of the Treasury, the administrative officer whom I consider best qualified to answer the question as to whether back-door spending is necessary in this case. I shall read from the hearings before the subcommittee of which I have the honor to be chairman, the Treasury-Post Office Subcommittee of the Appropriations Committee. These were the Treasury hearings and Mr. Dillon was appearing before our committee as a witness for the Department.

I said:

> Mr. Secretary, the law under which the Export-Import Bank operates will expire June 30, 1963. I understand that the administration is recommending the extension of that authority for 5 years, together with an increase in capitalization of $2 billion through back-door spending.
>
> Why could not the increase be in the form of a direct appropriation?
>
> Secretary DILLON. It could.
>
> Mr. GARY. My guess would be that the administration would have a much easier time getting it through if they would make it that way. Last year similar action was taken in connection with the International Monetary Fund, and that increase in capitalization was ultimately made by direct appropriation rather than by back-door spending.
>
> I see no reason why this could not be done in the same way, and I think you would have lots less opposition to it.
>
> Secretary DILLON. It could. We were responsible in the Treasury for the IMF appropriation, and, although we initially thought it would be easiest to do it in the way that it had always been done in the past, which was by borrowing authority, when we observed the feeling of the Congress, we figured it would be just as easy to do it the other way, and we did it. We got the appropriation, and it went just as well.

He said the same thing could be done in this instance. When this information came to the House Banking and Currency Committee, as has already been stated on the floor, the chairman of that committee offered an amendment to provide that the increase of capital of the Export-Import Bank should be by appropriation. This was changed in the other body to restore the back-door feature, and the bill now comes back to us. We think that the Constitution and long established practice dictate that appropriations legislation be initiated in the House. Back-door spending is a device which permits the other body to initiate such legislation. It is for that reason that I am offering this motion that the House instruct its conferees to stand by the position of the House.

Mr. MULTER. Mr. Speaker, will the gentleman yield?

Mr. GARY. I yield to the gentleman from New York.

Mr. MULTER. The gentleman has stated his confidence in the Export-Import Bank. However, he made a remark in connection with back-door spending. In the interest of accuracy, it should be noted that the only spending the Export-Import Bank does is for its own administrative expenses. Everything else is for lending. It lends money and guarantees loans, but it does not pay out anything except for administrative expenses.

Mr. GARY. But it is lending the money of the U.S. Government, not its own money. This bill is to make available to the Bank $2 billion of the money of the taxpayers of the United States for lending purposes. I am in sympathy with that because I think the Bank has done an excellent job. It has handled its finances well. I have no quarrel whatever with the Bank. I am thoroughly in sympathy with extending its charter and giving it any amount of money reasonably necessary to carry on its activities. I have absolute confidence that it will operate properly, but I want it done in a constitutional and sound manner.

Mr. MULTER. I am sure that once the Congress passes the law and it is approved by the President and becomes law it is just as much the action of the Congress under the Constitution regardless of what committee it comes from.

Mr. GARY. Yes; but if the law is contrary to the Constitution it is not a valid law.

Mr. MULTER. If it originates in the House and is passed, whether it be for lending or spending, it complies with the constitutional provision the gentleman referred to.

Mr. GARY. I do not agree with the gentleman. The mere fact that the Congress enacts a law does not make it constitutional. At least, that is what the U.S. Supreme Court says.

Mr. PASSMAN. Mr. Speaker, will the gentleman yield?

Mr. GARY. I yield to the gentleman from Louisiana.

Mr. PASSMAN. Will this shed any light on the subject under discussion? When the budget message came down this year we were told that it called for $98.8 billions in the administrative budget, but if you add to that the trust accounts and the amount we withdraw from the Treasury, the outgo actually is $122,500 million. Is that not true?

Mr. GARY. The gentleman I know has studied those figures. I have never found any of his figures incorrect.

Mr. PASSMAN. That is correct. If this were in the category of an appropriation requested it would be included in the administrative budget, and the request would be $100,800 million, not $98,800 million. Some day we will have to give the amount of money we are actually spending; in one section of the budget,. Then the American people will see that the actual expenditures in say fiscal 1964 will be, $122,500 million rather than $98,800 million. The only difference would be that you would have to increase the administrative budget by $2 billion, and the American public then would know how much we were spending, whereas under the withdrawal there is never any mention made of it in the budget presented to the Congress and we are not aware of the total amount.

If the gentleman will yield further, I am sure that when the appropriation request is made the matter will be referred to my committee, of which the distinguished gentleman from Virginia is the ranking majority member. May I say I, too, have profound respect for the operation of the Export-Import Bank, and certainly for the distinguished chairman of the Committee on Banking and Currency. If this resolution is adopted and the request reaches our Committee on Appropriations for $2 billion, certainly it will be given prompt and fair consideration. I think the House should be told that under the present authority, if you extend it, with the amount of unused authority and the repayments to the Export-Import Bank, they could operate for 4 years without any additional appropriations or additional authority. That does not mean we are going to wait 4 years to get a request for an appropriation, but I think the House should know we are not in any immediate danger by extending the law, because the unused amount and the repayment based on the past 5 years would fund the program for approximately 4 years.

But I want to reassure the House that if this resolution is adopted and this bill reaches our committee, each and every member of the committee will certainly give the request prompt consideration, and I think I speak for each member of the subcommittee when I say that we have profound respect for the Export-Import Bank. It is doing a good job and we want to see it continued and we want to see it adequately financed.

Mr. GARY. I thank the gentleman.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. GARY. I yield to the gentleman.

Mr. JENSEN. I want to call to the attention of the Members of the House a documented tabulation of back-door spending. In the CONGRESSIONAL RECORD, volume 107, part 16, page 21540, you will find this documented tabulation. In that 1 year alone the executive request for back-door spending was $28,670 million. The Congress reduced that figure to $19,673 million which varies to some degree year after year.

Now, my colleagues, that gives you an idea as to why most of us feel this back-door spending must be brought under control in order to preserve our constitutional legislative processes. There is no reason, as the gentleman from Virginia [Mr. GARY] has just explained, for any kind of back-door spending under our system of government.

Mr. GARY. I thank the gentleman for his contribution.

Mr. MOORHEAD. Mr. Speaker, will the gentleman yield?

Mr. GARY. I am very glad to yield to the gentleman.

Mr. MOORHEAD. I share the gentleman's high regard for the operations of the Export-Import Bank. I think these operations have contributed materially in helping to reduce our deficit in our balance of payments which is such a serious problem that we face. The thing that concerns me is, if we do reach an impasse with the other body, is it preferable in the gentleman's opinion to let the Bank die or to have it continue as it has for 29 years?

Mr. GARY. By no means, that will not be necessary, because there are two questions involved here. One is the extension of the charter of the Bank for 5 years. So far as I know, not a single soul in the House has any objection to that extension. The other is to increase the capital of the Bank $2 billion. So far as I know there is no material objection to that request. It is simply a question of how it shall be done; it is a question of the method. The charter of the Bank could very easily be extended in one bill, and extended immediately. I think this House would pass it in 2 seconds, if it were brought before us. Then we could leave the question of capital for a later decision if necessary. The gentleman from Louisiana has already pointed out, and that was testified to before our committee by the president of the Bank, that using the amounts loaned by the Bank during the last 5 years as a criterion, the capital now available is sufficient to continue the present rate of lending for 4½ years.

Mr. MOORHEAD. Mr. Speaker, if the gentleman will yield further, the gentleman would favor the continued existence of the Bank under its present method of financing, but it is only the additional $2 billion that is in question, is that right?

Mr. GARY. Yes; that is all that is in question.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. GARY. I yield to the gentleman from Florida.

Mr. HALEY. What the gentleman is merely trying to do is to allow the American people and the Congress of the United States to know what the expenditures of the Federal Government are for any one given year. It is as simple as that, is it not?

Mr. GARY. Yes; and to retain the control of the Congress of the United States over any funds drawn from the Treasury.

Mr. HALEY. And, if the gentleman will yield further, which the Constitution of the United States places in the House of Representatives?

Mr. GARY. Absolutely.

Mr. MULTER. Mr. Speaker, if the gentleman will yield for a point of clarification, heretofore under the method which the Export-Import Bank drew money from the Treasury, which was only as it was needed, no matter what the use or the extent of its capitalization, it was not drawn until it needed the money and the money remained in the Treasury. Under the appropriation method which this instruction calls for, the same thing would apply. Even though we would appropriate $2 billion this year and increase the Bank's capital by that $2 billion, the Bank nevertheless will not draw it until it needs it; is that not so?

Mr. GARY. That is correct, but they could draw it down once it is appropriated.

Mr. MULTER. They could——

Mr. GARY. Yes; they could. When they come before the Committee on Appropriations and ask for an appropriation, then they have to justify the need. That process gives the Congress an opportunity to pass upon the use to which the money is going to be placed and it does so in the most orderly manner as the rules of the House provide. It is a regular annual review along with all the other expenditure plans of the Government, and by the one committee of the House charged with that responsibility.

Mr. MULTER. If the gentleman will yield further, the Committee on Appropriations up to the present time has been reviewing the operations of this Bank, has it not?

Mr. GARY. Yes, and it will continue to do so.

Mr. MULTER. If the gentleman will yield further, if this method now should prevail and this change is accomplished, what may very well happen is that the Congress will then enact a law appropriating the additional $2 billion that is requested, and if the Bank only needs a half-billion dollars in this fiscal year that is all it will draw down. Yet, in this fiscal year $2 billion will be charged to the appropriation, even though $1.5 billion remains in the Treasury for withdrawal in future years?

Mr. GARY. That is correct.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. Monagan] may extend his remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MONAGAN. Mr. Speaker, I am happy to support the motion of the gentleman from Virginia [Mr. Gary].

My position in no way indicates any criticism of the Export-Import Bank. This is one of the most effective and efficiently operated agencies in our Government. It has been administered on banking principles. This management has resulted in great accomplishment through making substantial funds available to many underdeveloped countries on proper loan terms for development purposes.

I know of no one on either side of the aisle who would criticize the operation of this agency.

At the same time I believe that we can profitably require the appropriation approach in the future financing of the Export-Import Bank.

The members of the Appropriations Committee have indicated they would give every consideration to a request for an appropriation of the amount sought in this legislation. Thus, the necessary funds would be made available but they would be under control of Congress and subject to the scrutiny of the Appropriations Committee. They could not be obtained simply from drawing upon the Treasury under a general authorization.

In these days of mounting budgets and balance-of-payments difficulties this control is important. By insisting on the House version of this legislation we can obtain these controls without any injury to this important agency of our Government.

Mr. GARY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Virginia.

The question was taken; and on a division (demanded by Mr. Brown of Ohio) there were—ayes 110, noes 0.

The SPEAKER. The Chair appoints the following conferees: Messrs. Patman, Rains, Multer, Barrett, Kilburn, Widnall, and Harvey of Michigan.

MAKING IN ORDER THE CONSIDERATION OF H.R. 3179, JUDGES, U.S. COURT OF MILITARY APPEALS

Mr. THORNBERRY. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 424 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3179) to provide that judges of the United States Court of Military Appeals shall hold office during good behavior, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. THORNBERRY. Mr. Speaker, I yield 30 minutes of my time to the gentleman from California [Mr. Smith], pending which I yield myself such time as I may require.

Mr. Speaker, House Resolution 424 provides for consideration of H.R. 3179, a bill to provide that judges of the U.S. Court of Military Appeals shall hold office during good behavior, and for other purposes. The resolution provides an open rule with 1 hour of general debate.

The purpose of H.R. 3179 is to amend existing law with regard to the tenure of office of the judges of the Court of Military Appeals. In accordance with the provisions of existing law, the judges are appointed for terms of 15 years. Their salaries are fixed at a stated rate, which is, in fact, the same as that received by the judges of the U.S. courts of appeals. Their retirement is presently governed by civil service retirement provisions.

The proposed legislation makes no change in the basic structure or functions of the U.S. Court of Military Appeals. It restores the life tenure provision originally approved by the House Armed Services Committee and passed by the House of Representatives during the 81st Congress. Implicit in this restoration is the recognition of the effectiveness of the U.S. Court of Military Appeals as the civilian overseer of the system of courts-martial contemplated by the Uniform Code of Military Justice. It affords the judges the same retirement privileges and survivor benefits as are provided for judges of the U.S. courts of appeal. However, it limits the total of retirement pay for the judicial service or any other Federal service of a judge to an amount which does not exceed his salary as a judge of the U.S. Court of Military Appeals.

Mr. Speaker, I urge the adoption of House Resolution 424.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 424 makes in order a 1-hour open rule on H.R. 3179, a bill to provide that the judges of the Court of Military Appeals shall hold office during good behavior, and for other purposes.

Stated simply, the proposed legislation provides that the Court of Military Appeals shall be established as the U.S. Court of Military Appeals under the Uniform Code of Military Justice and shall consist of three judges appointed for lifetime tenure. At present the three judges serving on this court are appointed for 15-year terms.

The court has now been in existence since 1950 and it has been widely acclaimed as a court of great competence and deserving of the prestige and dignity afforded U.S. courts.

This will be a legislative court under article I of the Constitution. Not more than two members of the same political party may serve as judges at the same time.

The present three judges will be eligible to be reappointed to lifetime tenure under the proposed legislation, and are expected to be so appointed.

When the bill becomes law, these judges will be entitled to the same perquisites, privileges, and retirement benefits as judges of the U.S. Courts of Appeals.

At present, judges of the Court of Military Appeals contribute toward their own retirement under the Civil Service Retirement System. After the bill becomes law, they will come under the Judicial Retirement System.

The bill has one unique feature which provides that a judge of this court who retires may not be paid any salary, annuity, or combination thereof based upon his judicial or other Federal service in excess of the salary of a judge of the Court of Military Appeals.

In other words, if a judge has earned civil service retirement, the bill would not permit him to draw that retirement plus full pay of a Federal judge when he retires.

According to the Committee on Armed Services, this court has established an outstanding record and is deserving of the recognition this bill will provide.

I might add that in 1950 when the House of Representatives passed the bill establishing the uniform Code of Military Justice it contained a provision for lifetime appointment.

I know of no opposition to the rule. I urge its adoption. I reserve the balance of my time.

Mr. THORNBERRY. Mr. Speaker, I yield 15 minutes to the gentleman from Florida [Mr. Fuqua].

CONGRESSMAN BOB SIKES SETS NEW RECORD OF SERVICE FOR FLORIDIAN IN THE HOUSE

Mr. FUQUA. Mr. Speaker, with a great deal of pride and pleasure I stand before this distinguished House to pay tribute to one of the truly outstanding men who have served here, a distinguished statesman, Floridian and American.

I speak of my friend and colleague the Honorable Robert L. F. (Bob) Sikes, of Florida, who has now established a new record for length of service by a Floridian in the U.S. House of Representatives.

Might I call to your attention that 53 men have had the honor and privilege of serving in this House from Florida since 1845 when the Sunshine State was admitted into the Union. It was back in 1917 that the late Stephen M. Sparkman, of Tampa, retired from the House after 11 terms and 22 years of service, to set the record for service in the House by a Floridian.

It stood for 45 years until the current session of the Congress when Bob Sikes began his 12th term to establish a new record for our great State.

Bob Sikes was elected to Congress in 1940 at the age of 33 when Florida had five congressional seats. Part of that district was my home county and I remember vividly that as a boy of 7, I heard him speak during his first campaign for the office. He told the people that even the bob white quails were on the bandwagon, that they had switched to singing "Bob Sikes, Bob Sikes" instead of "Bob White" and they have been singing it ever since.

In Florida, he is generally referred to affectionately as the "He Coon" denoting the leadership he has given to Florida.

I know that members of the body know that I am speaking today not simply because Bob Sikes has served so long, but rather because he has served so well. His service in the Congress has been marked with devotion and ability, accomplishment and service, placing love of country foremost in all of his decisions.

With Florida gaining 4 new Members at the beginning of this session, the 16-county district which he had represented so ably was divided and another district created in north Florida which took in 8 of these counties. I was privileged to be named to that seat and I consider it one of the real honors to be able to serve with a man like Congressman Sikes.

All of the members of our delegation are mindful of the contributions he has made through the years to the growth and progress of our great State, and of his unselfish devotion to this Nation of ours, particularly dedicated to seeing that our Nation's military might remains second to none.

We in Florida feel that this record of service, established by our friend and colleague, is truly deserving of recognition.

We are proud that he has now established a new record for service by a Florida Member of the House, to break after 45 years a mark set in 1917.

From the 5 seats our great State had in 1940 when he was first named to the Congress, we have grown to 12 today, with Sikes becoming dean of our delegation in 1951.

Florida has had 53 men to serve in the House of Representatives since becoming a State in 1845 with only Representative Sparkman having served as long as 11 terms, although 2 others served 10 terms and another 9.

From 1845 to 1875 the State had only one Representative, getting the second seat in 1875 and third in 1907. In 1914, the delegation increased to four and in 1933 to five. A sixth Member was added in 1943 and two additional seats added in 1953. January 1963 saw the State add 4 new seats for a total of 12.

Sikes represents Florida's First Congressional District comprising 8 northwest Florida counties—Escambia, Santa Rosa, Okaloosa, Walton, Holmes, Washington, Bay and Gulf—formerly having represented 16 until the redistricting which went into effect this year placed 8 of them in a newly created district.

His home is in Crestview.

Born in Isabella, Ga., in 1906, Sikes was raised on a farm near Sylvester, Ga. His father passed away when he was 10, leaving he and his mother to make a living on the family farm. The Congressman gives great credit to his mother as an inspiration with her hard work and determination that he should have an education.

He attended the University of Georgia where he received a bachelor of science degree in agriculture in 1927 and then went to the University of Florida on a fellowship where he earned his masters degree in 1929.

In 1932 Sikes left the university where he had been working to go to Okaloosa County where he had purchased the Valpariso Star, a weekly newspaper, to begin a new career. Later he purchased the Okaloosa News-Journal and Okaloosa Messenger at Crestview, consolidating the papers into the Okaloosa News-Journal by 1940.

His newspaper was noted for its hard hitting progressive policies. Sikes served as president of the Florida Press Association in 1937. His entrance into elective office came in 1936 when he was elected to the Florida House of Representatives from Okaloosa County, and was reelected to a second term, serving in the 1937 and 1939 sessions.

When Congressman Millard Caldwell announced that he would not seek reelection, Sikes sought the seat in a district which stretched from Escambia to Jefferson Counties and was elected. He has been reelected in the 11 elections since that time.

In the Congress, he served 2 years on the Foreign Affairs Committee and then 6 on the Armed Services Committee before gaining a seat on the powerful Appropriations Committee, through which all bills that require appropriations must pass. It is doubly important since under the Constitution, tax and appropriations' bills must originate in the House.

Perhaps his major field of interest has been the military preparedness of this Nation, and in this field he has written a large number of bills to improve the defense posture of the United States. A host of major forestry bills have been authored by Sikes along with national recreational bills. Many social security measures were authored by Sikes.

Waterways have been another prime interest, the Congressman believing that where waterways are improved, industry and trade are stimulated and these improvements thus pay for themselves commercially. For the past 4 years, he has served as vice president of the National Rivers and Harbors Congress.

Sikes has said that the Florida delegation consistently works together for projects that will benefit Florida, and that he has been proud to play a part in these programs. He is particularly interested in seeing the Cross Florida Barge Canal constructed.

Sikes serves as a major general in the Army Reserves, having been a member of the Reserves for 31 years.

In 1956 and 1960, he was selected by the Florida delegation to the Democratic National Convention to serve as their chairman.

He is a member of the Kiwanis Club, having served as lieutenant governor of the Florida district; a 32d degree Mason, KRCC, KCCH, Knight Templar, Shriner, Grotto, Knights of Pythias, Moose, Elks, VFW, American Legion, 40 & 8, Military Order World War, Reserve Officers Association, Alpha Gamma Rho, Florida Blue Key, and has been the recipient of many State and National awards. He is a member of the Methodist Church.

Mrs. Sikes is the former Miss Inez Tyner of Laurel Hill. He has two children, Mrs. Bobbye S. Wicke, of Tampa, and Robert K. Sikes, of Orlando.

Other Members of the House from Florida and the years they entered the Congress is as follows: Charles E. Bennett and A. Sydney Herlong, Jr., 1948; James A. Haley and D. R. (Billy) Matthews, 1952; Dante Fascell and William C. Cramer, 1954; Paul Rogers, 1955; and Claude Pepper, Don Fuqua, Edward J. Gurney and Sam Gibbons, 1963.

I was deeply impressed with the remarks of Speaker John McCormack who said in commenting upon the service of Congressman Sikes:

> The people of his congressional district and of Florida are justified in feeling proud of the great work performed by Congressman Sikes. He is not only an outstanding legislator, but a great American.

Congressman Carl Vinson, who this month will establish an alltime record as Member of this House, said:

> Over a period of 49 years I have had the privilege of knowing literally hundreds of Members of Congress. Among those Members with whom I have associated for many years who early in his congressional career clearly demonstrated his ability is Bob Sikes, dean of the Florida delegation. Mr. Sikes became a member of the Armed Services Committee when it was first organized in 1947. From the outset, I was impressed with his tremendous grasp of military problems and his vast store of knowledge in areas affecting our national security. * * *
>
> Mr. Sikes has fully justified my original impression of his outstanding ability. He is a tower of strength in the House of Representatives. He is unusually able, highly knowledgeable, loyal, and determined, but always reasonable, and fully dedicated to his district, his State, and the Nation.
>
> Mr. Sikes is a Member of Congress whose capacity is more clearly demonstrated with each passing Congress. The people of the State of Florida can be very grateful that Mr. Sikes has represented his district and his State in the Congress of the United States for almost 23 years, and I sincerely hope that they can look forward to many more years of faithful service from Mr. Sikes. I consider him not only a personal friend and a dedicated American, but also one of the bulwarks of the democratic system.

Another outstanding Member of the House, Congressman L. Mendel Rivers, said:

> Bob Sikes and I came to Congress in January 1941. * * * We served on the old Lanham committee which built the first military housing in preparation for World War II. * * * The everlasting energy, indefatigable industry, priceless dedication, and absolute unimpeachable integrity, coupled with a charm of which the gods would be envious, make men love and respect Bob Sikes. He possesses those elements which cause his colleagues to say "Here is a man."

We in Florida are proud of Bob Sikes, this young man of his midfifties who has many years of service to his State and Nation to look forward to. We are proud of what he has done, we are more proud of the realization of the great work he will yet do for his country.

In recognition of the fact that Bob Sikes has now served longer in this House of Representatives than any other man in the more than 115 years since Florida became a State, I take great pride in saluting a man who, in my opinion, is a truly great American.

Mr. BENNETT of Florida. Mr. Speaker, will the gentleman yield?

Mr. FUQUA. I yield to my colleague from Florida.

Mr. BENNETT of Florida. Mr. Speaker, all Floridians are proud of the record of long and dedicated service which has been achieved by our beloved colleague, Congressman Bob Sikes. We his colleagues in the House, are particularly grateful for his fine service because we have had an opportunity to observe it at close range. We have also, through the years, been the recipients from him of many deeds of cooperative service. So, with great personal feeling, we on this day offer to our beloved colleague our warmest congratulations and our best wishes for many future years of service here. In this accolade we also pay tribute to his charming wife, who with him gives Florida and our Nation a magnificent team which is an inspiration to all.

Mr. FUQUA. Mr. Speaker, I thank the gentleman.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. FUQUA. I yield to my colleague from Florida.

Mr. HALEY. Mr. Speaker, it gives me great pleasure to join with my colleagues in the Florida delegation in paying tribute to our "dean," the Honorable Robert L. F. Sikes as he reaches another milestone in his distinguished career by becoming the Floridian who has served Florida longer in the U.S. Congress than any other Floridian in the history of our great State.

We of Florida are indeed fortunate to have had for so long a period of time such an able and effective legislator as our own Bob Sikes. Not only has he given distinguished service to his own congressional district but he has assisted all members of our delegation in matters which were of particular importance to their own congressional districts. To newly elected Congressmen of Florida and of the Nation, Bob has always given freely the benefit of his experience, his counsel and his advice.

Florida has been fortunate to have had a delegation of men who work in harmony for the varied interests of our State—our dean, Bob Sikes, has done much to promote this harmonious relationship.

While it is true that Florida has been the chief beneficiary of Bob Sikes' distinguished service, our entire Nation has benefited from his efforts and his leadership. As an expert in military affairs, he has contributed a great deal to our national defense programs. He has demonstrated his interest in the development of our waterways and the conservation and control of our water resources by serving for more than 4 years as the vice president of the National Rivers and Harbors Congress.

I hope that we the people of this great United States of America will continue to have the benefit of his service and leadership so long as he offers himself in the service or our country. It has been a real privilege for me to serve with Bob Sikes in the House of Representatives.

Mr. RIVERS of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. FUQUA. I yield to the gentleman from South Carolina.

Mr. RIVERS of South Carolina. Mr. Speaker, it was my pleasure to come to the House of Representatives along with the distinguished gentleman whom our colleague is extolling at this time. Twenty-three years ago about 75 of us came to Congress as freshmen. If you will look at the list, there are about 8 of us left; Oren Harris, Cecil King, John Fogarty, Jamie Whitten, Eddie Hébert, Bob Sikes, and myself. Of that group. of that happy party, many have departed.

Mr. Speaker, I have known Bob Sikes even when he had hair, although I thought there was not anybody who ever knew Bob Sikes when he had any hair. But as the years have waxed longer and as our memories have grown shorter, I know of nobody who has been more dedicated to his country, his district, and who has been more indefatigable in his dedication to his country than Bob Sikes. I have been lucky knowing Bob Sikes, as you have. The gentleman mentioned that he is a great huntsman. I hunt with him quite frequently. I may say that there is no greater sportsman, there is no greater American, there is no greater Member of Congress, there is no better friend than Bob Sikes, the dean of the gentleman's delegation. And I thank him for bringing to our attention the fact of Bob Sikes' long service, longer than that of anyone who has served from his great State.

Mr. FUQUA. I thank the gentleman very much.

Mr. FASCELL. Mr. Speaker, will the gentleman yield?

Mr. FUQUA. I yield to the gentleman from Florida.

Mr. FASCELL. I thank my colleague for giving me the opportunity to join him and our other colleagues in expressing our sentiments about our genial colleague from Florida, who now occupies the chair. It is always a pleasure to say nice things about colleagues with whom we serve. I think it is distinctly a greater pleasure to join in tribute to a man from my own State, a man who has been here much longer than I have. So I rise to pay tribute to the Honorable Bob Sikes, Congressman from the First

District of Florida, not only for his long tenure, longer than anyone else from the great State of Florida, but also for the fine contribution he has made to the State of Florida and our Nation.

On a personal basis, I am glad to say that Bob and I are close friends, as are our wives, and we enjoy the finest companionship and pleasure on a social basis. On a working basis, it has been my privilege to be helped by our distinguished colleague, the leader of our delegation, from the beginning of my service here. My work has been made easier because of the help he, as head of the delegation, has given me. It is my pleasure to express not only my appreciation to him as a leader in his own right but my thanks from a Member junior to him.

Mr. KYL. Mr. Speaker, will the gentleman yield?

Mr. FUQUA. I yield to the gentleman from Iowa.

Mr. KYL. Logically it is always in good order to say pleasant things about the gentleman now in the chair, but in order that we may proceed in a parliamentary manner, retroactively I ask unanimous consent that the gentleman from Florida may proceed out of order.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. GIBBONS. Mr. Speaker, will the gentleman yield?

Mr. FUQUA. I yield to the gentleman from Florida.

Mr. GIBBONS. Mr. Speaker, it is a distinct pleasure to associate myself with the remarks of the gentleman from Florida [Mr. Fuqua] and my other colleagues from Florida. I have not known the gentleman from Florida [Mr. Sikes] as long as my colleague, the gentleman from Florida [Mr. Fuqua], but I do want to say at this time that the association I have had with him has been a great pleasure. We all know he has served this Congress, his State, and his district well. As a freshman Member, I know him to be a true friend, one on whom I can count for sound leadership and advice and a friendly helping hand. It is with a great deal of pleasure that I pay tribute to a man who has had such a long and distinguished career of service in this body.

Mr. ROGERS of Florida. Mr. Speaker, I, too, would like to pay tribute to my distinguished colleague from Florida, the dean of our delegation, Robert L. F. Sikes.

It has been my honor and privilege, as was my father's before me, to serve with the gentleman from Florida, Bob Sikes, here in the House of Representatives. The House is very fortunate indeed to have such a dedicated and loyal Member whose judgment is called upon in matters of importance affecting our Nation.

Bob Sikes has served the First District of Florida now over 22 years, and the people of his district have been extremely well represented over these years. His progressive and forthright leadership has always had the best interests of his district, State, and country at heart. Bob Sikes' distinguished service on the Foreign Affairs Committee, Armed Services Committee, and presently on the Appropriations Committee attest to his tireless labor and effort to serve.

Bob Sikes has received many tangible awards throughout his career; however, I feel that the respect and admiration of the people of his district and his fellow Congressmen far outweigh anything that could be given him of a tangible or material nature.

I am sure that Bob Sikes' experience and good judgment, so often seen here in the House, will continue to be an inspiration and guide to us all for many many years to come.

Mr. FUQUA. I thank the gentleman very much.

Mr. CRAMER. Mr. Speaker, I am glad to join my colleagues today in recognizing the extended congressional service of Congressman Robert Sikes. It has been my privilege to work with Congressman Sikes on a number of matters of interest to the State of Florida, and I have always found him to be a most cooperative and able Member of Congress.

Now in his 12th term, Congressman Sikes has set a record not only as having served longer than any other Member of Congress in the history of Florida, but as an outstanding legislator as well.

It is a pleasure to make a matter of bipartisan recognition the extended congressional service of an outstanding American. I wish him many more years of effective service in the Congress.

Mr. MATTHEWS. Mr. Speaker, I want to join with my colleagues from Florida in paying tribute to the dean of our delegation, the Honorable Bob Sikes. I have known this great American since we were classmates at the University of Florida in 1929. It is interesting to note that of the 12 Members of the House from Florida, 7 of us are alumni of the University of Florida, and both of our Senators from Florida are likewise alumni of this great institution.

I believe during the days when the Honorable Bob Sikes and I were attending the University of Florida, that there was perhaps no other institution in America whose sons and daughters entered more fully into public life than the alumni of that great institution.

I knew Bob Sikes later as a leader in the field of agriculture. I had the pleasure of being the assistant State 4-H Club director in Florida for a number of years, and in that capacity it was my responsibility to direct our summer camps. For several summers, I visited with the rural youth in their summer camps in west Florida, and on several occasions we had the pleasure of hearing Congressman Sikes give us inspirational talks. I can well remember on one of these occasions that I had the pleasure of introducing him, and I could not help but think how wonderful it would be if someday I could, likewise, be a Congressman and be so highly considered by the youth of my district as the rural youth honored Congressman Sikes.

I, of course, have known this great American best as a Member of Congress. Upon coming to this great body in 1953, I found Bob Sikes to be constantly helpful in all of the many problems that confronted a freshman Congressman. It is easy for him to be helpful, because he likes people. He has indefatigable energy. He is one of the most cooperative men I have ever known and he extends service to those who call upon him which is truly outstanding, and is a service beyond the call of duty.

We are very proud in Florida of Bob Sikes, and I want to congratulate the the people of his district for sending him here for so many years. I think all of us realize that with more seniority, a good Congressman's opportunities for service are always enhanced. Certainly the gentleman we are honoring today is a good and great Congressman, and I predict his people will continue sending him here as long as he desires to come. All of us devoutly hope that he will never have any other ambition than to be a Congressman, because we, the Members of the delegation, need him here. Florida needs him here. America needs him here.

I should like to extend my congratulations to Bob Sikes and his charming wife, Inez, and to say to our colleague, the Honorable Don Fuqua, how much I appreciate his arranging this opportunity for us to pay tribute to the dean of our delegation.

Mr. McCORMACK. Mr. Speaker, I too wish to join in the eloquent and most deserving tributes to the distinguished gentleman from the First District of Florida. Today we are acknowledging in formal terms what the voters of Florida have recognized in Bob Sikes for 23 years. The good people of Florida recognize and appreciate integrity and devoted service, and Bob Sikes stands as the finest example of the people's Congressman. While he has always served his district with diligence and devotion, there are many throughout America that know of Bob Sikes' numerous and outstanding contributions to the strength and well-being of the Nation.

As Speaker I have the greatest confidence and respect in Bob Sikes. His vision and ability rank him as one of the outstanding Members of this House, and it is with a sense of real pride that I recall my many years of service with him. I congratulate him on this splendid achievement and commend the people of Florida for sending to Congress a man who commands the respect of this House and the Nation. Today I salute Bob Sikes and wish him 23 more constructive and happy years in this House.

Mr. PIRNIE. Mr. Speaker, it is a pleasure to note that our distinguished colleague, Bob Sikes, has now served in the Congress longer than any previous Representative of his great State of Florida. This distinction is well merited and reflects the dedicated nature of his service. He is an able and articulate legislator, an outstanding officer in the Army and above all, a man of sound character. I value greatly his friendship and join most enthusiastically in this well-deserved tribute. Such men as Bob Sikes reflect credit on this body and strengthen the Nation.

Mr. MATSUNAGA. Mr. Speaker, I rise to extend my congratulations to the dean of the Florida delegation, the Honorable Bob Sikes, now in his 12th term as a Member of this great body. Bob Sikes has attained the distinction of having served his district and his country as a Member of Congress longer than any other Congressman in the history of Florida. This fact alone is an indication of the recognition on the part of his people that Bob Sikes has made great contributions to his State and his Nation.

Congressman Sikes has authored much of the important legislation which in recent years has shaped the course of our country's destiny. He is particularly noted for his work in national defense and in the stimulation of waterways projects.

As a new Member of the House, I have had occasion to seek the counsel of Bob Sikes. In every instance he willingly and generously shared his valuable time and experienced knowledge. What I consider to be a major decision in the course of my life since my arrival in Washington was made principally on the advice of Bob Sikes. In him I have found a friend as well as a fellow worker.

I congratulate him on this occasion and extend to him Hawaii's warm aloha.

EXTENSION OF REMARKS

Mr. FUQUA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks at this point in the Record with regard to the gentleman from Florida to whom we have been paying tribute.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. THORNBERRY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

IN THE COMMITTEE OF THE WHOLE

Mr. RIVERS of South Carolina. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3179) to provide that judges of the U.S. Court of Military Appeals shall hold office during good behavior, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 3179, with Mrs. Griffiths in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. RIVERS of South Carolina. Madam Chairman, I yield myself such time as I may require.

Madam Chairman and Members of the Committee, this bill would amend title 10, United States Code, particularly those sections dealing with the Uniform Code of Military Justice to provide that the present Court of Military Appeals be redesignated as the U.S. Court of Military Appeals. This bill was introduced by our distinguished colleague from Rhode Island [Mr. Fogarty]. The provisions of the bill are identical to the original court of military justice, which when this court was created, made provision that these judges would hold during good behavior.

The purpose of the proposed legislation is to amend the existing law with regard to the tenure of office of the judges of this court. In accordance with the provisions of existing law, the judges are appointed for terms of 15 years. Their salaries are fixed at a stated rate which is, in fact, the same as that received by the judges of the U.S. courts of appeals. Their retirement is presently governed by civil service retirement provisions.

Under this bill, the court would be established under article I of the Constitution. The bill further provides that for administrative purposes only, it will be located in the Department of Defense. Not more than two judges may be of the same political party.

Under the proposal, the judges of the court, of which there are three, would hold office during good behavior and would be entitled to the same salary, allowances, perquisites, retirement and survivor benefits as judges of the U.S. courts of appeals.

The purpose of the proposed legislation is to amend existing law with regard to the tenure of office of the judges of the Court of Military Appeals. In accordance with the provisions of existing law, the judges are appointed for terms of 15 years. Their salaries are fixed at a stated rate, which is, in fact, the same as received by the judges of the U.S. courts of appeals. Their retirement is presently governed by civil service retirement provisions.

The proposed legislation makes no change in the basic structure or functions of the U.S. Court of Military Appeals. It restores the life tenure provision originally approved by the House Armed Services Committee and passed by the House of Representatives during the 81st Congress. Implicit in this restoration is the recognition of the effectiveness of the U.S. Court of Military Appeals as the civilian overseer of the system of courts-martial contemplated by the Uniform Code of Military Justice. It affords the judges the same retirement privileges and survivor benefits as are provided for judges of the U.S. courts of appeals. However, it limits the total of retirement pay for the judicial service or any other Federal service of a judge to an amount which does not exceed his salary as a judge of the U.S. Court of Military Appeals.

The bill further provides that in the event of the temporary disability of one of the judges, the President would be authorized to designate a judge of the U.S. Court of Appeals for the District of Columbia to fill the office during the period of temporary disability.

It also provides that a judge of the Court of Military Appeals could retire for disability by furnishing to the President a certificate of disability signed by the chief judge. If a judge of this court were permanently disabled from performing his duties, but did not retire, the President, upon the basis of a certificate of disability signed by the chief judge, would appoint an additional judge for the efficient dispatch of business by and with the advice and consent of the Senate.

Section 2 of the bill provides for continuity between the present Court of Military Appeals and the court to be established under this proposal. An incumbent judge of the present court would become a judge of the U.S. Court of Military Appeals until the expiration of the term of his original appointment but he would also be eligible to be reappointed by the President as a judge with life tenure.

Retirement benefits for an incumbent judge would accrue from the date of his original appointment and he would be authorized to elect survivor benefits under 28 United States Code 376 within 6 months of the effective date of the proposed legislation.

Section 3 of the proposed legislation would preclude a judge from being paid, after resignation or retirement, a salary, annuity, or combination thereof based upon his judicial or other Federal service in excess of his salary as a judge of the U.S. Court of Military Appeals.

I might also add that judges of the present court are currently subject to the Civil Service Retirement Act. They contribute 6½ percent of their basic salary to the retirement fund through payroll deductions and have the same retirement and survivor benefit protection as Federal employees generally.

Sections 1 and 2 of the bill would provide the following changes in retirement and survivor benefits for incumbent judges and all judges appointed to the court in the future:

First. They would be specifically excluded from coverage under the Civil Service Retirement Act. The 6½-percent deductions now being contributed by incumbent judges would cease and they would be entitled to a refund of amounts withheld since date of judicial appointment.

Second. They would be subject to the noncontributory retirement provisions—28 U.S.C. 371, 372—applicable to judges of the U.S. courts of appeals. Incumbent judges would be credited with their service from date of original judicial appointment for purposes of retirement under the cited provisions. No period of service used for benefits under the judicial retirement provisions could ever be credited under the Civil Service Retirement Act. Only judicial service is used in determining benefits under these provisions, and a judge, current or future, would retain his right to any annuity he may have acquired under the Civil Service Retirement Act based on prior nonjudicial service.

Third. They would be eligible to elect participation in the judicial survivor annuity system—28 U.S.C. 376. This is an optional contributory—3 percent of salary—system which provides automatic survivor benefits to the surviving spouse and dependent children of a participating judge upon death in active service or after retirement. The Judicial Survivor Annuity Act permits all prior Federal service and all judicial service to be credited in the computation of survivor benefits. Any service so used may not be credited toward survivor benefits under the Civil Service Retirement Act. If a survivor benefit has been previously established under the Civil Service Retirement Act based on Federal service prior to becoming a judge, the service base for such benefit would be reduced by all periods of prior Federal service credited toward survivor benefits under the judicial survivor annuity system. If all prior service were used toward benefits under the latter system, survivor annuity entitlement under the Retirement Act would be vacated.

Section 3 of the bill would preclude a judge from being paid, after resignation or retirement under the judicial retirement provisions, any salary, annuity, or combination thereof based upon his judicial or other Federal service, in excess of the salary of a judge of the U.S. Court of Military Appeals. This restriction on the total Federal retirement income of a judge would not deprive him of any annuity due him under the Civil Service Retirement Act. Such annuity would be payable upon his judicial retirement, but the amount of his judicial retirement pay would have to be reduced if such pay, when added to the amount of civil service annuity, exceeded the salary of a judge of the court.

This latter provision is unique and would apply only to judges of the U.S. Court of Military Appeals. No such restriction exists with respect to judges of the United States upon resignation or retirement under the judicial retirement provisions. A judge of the United States may retire with the full salary of his office and receive in addition thereto any annuity he may have earned under the Civil Service Retirement Act by virtue of nonjudicial Federal service.

A letter from the U.S. Civil Service Committee, addressed to the Bureau of the Budget, stated as follows:

> H.R. 3179 contains appropriate safeguards against double benefits for the same Federal service. The Commission sees nothing objectionable in the proposal to remove these judges from civil service retirement coverage and afford them the retirement and survivor benefits available to judges of the U.S. Courts of Appeals. We accordingly offer no objection to the enactment of H.R. 3179.

The Department of Defense and the Bureau of the Budget interposed no objection to the enactment of the proposed legislation.

The Committee on Armed Services unanimously recommends enactment.

Mr. GROSS. Madam Chairman, will the gentleman yield?

Mr. RIVERS of South Carolina. I am delighted to yield to the gentleman from Iowa.

Mr. GROSS. What is the present pay of these judges of the military court?

Mr. RIVERS of South Carolina. It is $25,500.

Mr. GROSS. What will be their pay if they are given lifetime appointments?

Mr. RIVERS of South Carolina. It will be $25,500 a year.

Mr. GROSS. So there is built into this bill a pay increase for the judges; is that correct?

Mr. RIVERS of South Carolina. It is $25,500 a year.

Mr. GROSS. Is there a pay increase in this bill for these judges?

Mr. RIVERS of South Carolina. The salary now is $25,500. It will remain at $25,500. There is no increase.

Mr. BATES. Madam Chairman, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the gentleman.

Mr. BATES. As a matter of fact, I will say to the gentleman from Iowa, from the point of view of the judges presently sitting on the bench in this court, it is actually a cut in their retirement because under present law they have the right to remuneration both from the court and from other Federal service. Our former esteemed colleague who served with us here in the Congress, now Judge Kilday, of course, is entitled to a congressional retirement as well as he would be under the present circumstances to retirement under the provisions of this act.

Mr. RIVERS of South Carolina. The gentleman is speaking about retirement.

Mr. GROSS. Madam Chairman, will the gentleman yield?

Mr. RIVERS of South Carolina. I am delighted to yield to my colleague.

Mr. GROSS. You do not have to give them lifetime appointments in order to cure that situation; do you?

Mr. RIVERS of South Carolina. No; you do not have to give them life tenure. The reason we want to give this court life tenure is because originally, under the leadership of the distinguished gentleman from Ohio, Mr. Elston, we wanted life tenure when we wrote the act creating the Court of Military Justice. But, it was the wisdom of the other body and the House agreed to it, that they hold office for a definite term. This court has been on trial and the experience has been extremely good. They have earned this distinction and it gives them a dignity to which they are entitled. This is the reason we think this court, of all courts, should hold during good behavior. Let me say that this is an article I court, which gives the Congress the right to provide for an Army, a Navy, and the rules for governing them. This is an article I court. It is within our jurisdiction. We created it. This is the reason we bring it to the attention of the House because of their record. Judge Quinn, Judge Ferguson, and Judge Kilday—there are no three finer men in the judiciary. Judge Kilday is known to many of us as a former colleague of outstanding ability.

Mr. GROSS. I can probably agree that these are all fine gentlemen. But I am not aware that we are in the business of passing laws giving people jobs for the rest of their natural lives on the basis of their being nice fellows.

Mr. RIVERS of South Carolina. These men have to be redesignated. If they are not redesignated, they do not get it. This is not blanketing anybody in.

Mr. GROSS. I assume that if any one of these judges became disabled before having served 10 years, that he would qualify under this bill for retirement at half pay, that is at half of his annual salary. If he serves more than 10 years, he qualifies for retirement at full pay.

Mr. RIVERS of South Carolina. For disability; yes. At present they have a retirement system which is the same as Federal employees. They contribute 6.5 percent of their salary to this retirement system the same as the gentleman from Iowa contributes to his retirement system.

Mr. GROSS. And, if the gentleman will yield further, in the future, under this bill, they would make no contribution whatever to their retirement?

Mr. RIVERS of South Carolina. It will be the same as the Federal judiciary, and rightly so.

Mr. GROSS. Why rightly so? I have never been convinced that it was right to give Federal judges the kind of retirement that they have on the basis of which they make absolutely no contribution as do all other Federal employees with the exception of U.S. Supreme Court Justices. I have never conceded that that was right.

I think Congress went far beyond any obligation to the Federal judiciary to give them that kind of retirement, I will say to the gentleman.

Mr. RIVERS of South Carolina. Without going far afield, I might say to the gentleman from Iowa: I know some Federal judges who are not worth any portion of their salary.

Mr. GROSS. If the gentleman will yield further, I am talking about all Federal judges.

Mr. RIVERS of South Carolina. Madam Chairman, this is a legislative court, and it is in the province of the Congress, because we have exclusive jurisdiction in this field. This is a well-written bill, and these men have to be redesignated to hold office during good behavior. And, may I state to the gentleman from Iowa——

Mr. GROSS. Yes.

Mr. RIVERS of South Carolina. The decisions which this court has rendered are classics in military legal jurisprudence.

Madam Chairman, there is another feature to this bill—none of these gentlemen can retire with the retirement system now in effect and draw more in retirement than the total salary of any sitting judge. We have amply provided for all of these contingencies.

Madam Chairman, I know of no other feature which I might call to the attention of the Committee, unless there are some additional questions.

Mr. BATES. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, I fully support the bill H.R. 3179, a bill to provide that the judges of the U.S. Court of Military Appeals shall hold office during good behavior.

Stated in its simplest form, the proposed legislation establishes a U.S. Court of Military Appeals under the Uniform Code of Military Justice as a legislative court under article I of the Constitution.

Instead of appointing these judges for a period of 15 years, they shall hereafter be appointed for life tenure.

The court is now 13 years old and is deserving of the recognition and dignity of a U.S. court. Appointment for life will provide the court with this dignity and will remove any inference that the court may be subject to executive control in any respect.

When judges retire they may draw the same retirement benefits as other judges of the U.S. courts with one innovation—they may not draw additional retirement pay from any other Federal source.

You may be interested to learn that the term of the present chief judge expires on May 1, 1966; that the term of Judge

Ferguson expires on May 1, 1971; and the term of Judge Kilday expires on May 1, 1976. Under the proposed legislation all three of these judges are eligible for reappointment and are expected to be reappointed.

All of them have established outstanding reputations as judges of the Court of Military Appeals.

I fully support H.R. 3179.

Mr. RIVERS of South Carolina. Madam Chairman, I yield 5 minutes to the distinguished gentleman from Rhode Island [Mr. Fogarty], the author of this bill.

Mr. FOGARTY. Madam Chairman and Members of the Committee, I am not going to take the 5 minutes in view of the fact that most of us want to conclude this bill and pass it today. I think it should be passed overwhelmingly.

Madam Chairman, as has been stated, the reason for the introduction of this bill is to carry out the original wishes of Congress of 13 years ago when it first considered this legislation. I would like to take the time to compliment the distinguished chairman of the committee, the gentleman from Georgia [Mr. Vinson], one of the the most dedicated and one of the most learned men in the armed services of our country, for his dedication and following through on this particular legislation. I would like also to compliment my colleague, the distinguished gentleman from South Carolina [Mr. Rivers] who has also done such a splendid job.

Madam Chairman, as has been explained, it has been determined over the years that the best method of keeping our courts independent is through a tenure basis. That is all we are trying to do today—to establish this court on a tenure basis. After a period of 12 years the members of this court have established one of the best records of any Federal court in the country.

Madam Chairman, when this body first considered the Uniform Code of Military Justice, it approved the establishment of the Court of Military Appeals as the supreme court of the military services, and provided that the judges should hold office during good behavior. That provision was made for we understood the enormity of the judicial burdens the judges of that court, particularly the judges first appointed, would be called upon to shoulder. We knew they would be required to establish a judicial system within the armed services in faithful conformity with the Uniform Code of Military Justice—the most revolutionary change in the court-martial system this country has ever contemplated. Our purpose was to give the American public a military-judicial system in which it could have confidence. Our aim was, as well, to guarantee the American serviceman caught up in the law's toils, as fair a trial as was available in any of the courts of the United States. Because the Constitution charges us, the Congress, with the power to declare war, to raise and support armies, to provide and maintain a Navy, and to make rules for the Government and regulation of the land and naval forces, we were mindful of the possible adverse effect too radical a change might have. After all, we felt, of what profit is confidence, of what worth is justice, of what use is judicial excellence if those attributes are purchased at the price of discipline of the forces raised for our own protection, and for the protection of our institutions. We were satisfied that the uniform code, so skillfully woven by the Armed Services Committee, could accomplish all of our stated purposes without sacrificing any of our essential needs. This balance, we were sure, could be struck by dedicated, mature, judicious minds applying, interpreting, and explaining the law.

However, when the Senate, doubtlessly mindful of unfortunate experiences with other legislative courts, born of no less exalted hopes, asked us to apply the brakes of caution to the momentum of our enthusiasm, we acceded, and joined that body in converting the terms of the judges to periods of 15 years.

But, Madam Chairman, the burdens we asked these judges to shoulder remain unchanged; the purpose of reassuring the general public, and the aim of guaranteeing the serviceman a fair trial, remain unaltered.

This tribunal heads a judicial system which currently administers approximately one-ninth of the criminal trials of the entire Nation. On the basis of prior experience, it may be predicted with certainty that under total mobilization the military system will administer one-third of such trials. From its inception in 1951 through July 5, 1963, the court has reviewed approximately 17,000 cases and has published 1,951 opinions. As the report of the Committee on Armed Services has pointed out, despite this staggering workload, the court's docket is maintained on a current basis, and there is no backlog of unfinished business.

All Federal judges laboring under responsibilities even remotely comparable to those resting on the members of the U.S. Court of Military Appeals hold office during good behavior. From the earliest days of this Nation, such a tenure of office has been regarded as the soundest method of assuring judicial independence, and of relieving judges from the danger of political and other pressures—the inescapable perils of a term system.

With all these reasons, and with many more as well, I have long been familiar, for you will recall I have introduced in every Congress since 1952 bills with substantially the same objectives as that currently under consideration. But I am pleased beyond description, Madam Chairman, with the principal reason the Committee on Armed Services advances in favor of this bill. It declares that the change of tenure is in "recognition of the effectiveness of the U.S. Court of Military Appeals as the civilian overseer of the system of court-martial contemplated by the Uniform Code of Military Justice." The gentleman from Georgia [Mr. Vinson], the respected chairman of that committee, has further particularized that effectiveness and has informed you that it is the result of the court's insistence upon high professional performance by all personnel involved in the court-martial system, and upon strict compliance with the uniform code. I share the great pride he expressed in the effectiveness of the uniform code, particularly because I believed from the outset that the original version as it came from that great committee, would accomplish the required results, and would safely avoid the dangers to discipline pessimistically forecast by some of its critics. Let me remind this House of another fact of controlling significance. The provisions of the uniform code became operative during the Korean war and their introduction neither disrupted the court-martial system in the slightest degree, nor did it impair military discipline or effectiveness. On the subject of discipline under the uniform code, Gen. Lyman L. Lemnitzer, a former Chairman of the Joint Chiefs of Staff, had this to say on October 7, 1959:

> I believe that the Army and the American people can take pride in the positive strides that have been made in the administration and application of military law under the Uniform Code of Military Justice. The Army today has achieved the highest state of discipline and good order in its history.

One year later, Gen, George H. Decker, Chief of Staff, U.S. Army, declared:

> Today our Army has the highest state of discipline and of personal conduct in our history. We have never had better morale within the Army.

The testimony of these two witnesses establishes to a compelling degree the effectiveness of the uniform code as a sound body of law for our fighting men. The testimony of jurists of prominence, including Justices of the U.S. Supreme Court, deans and professors of leading law schools, learned and scholarly writers of legal treatises and periodicals, officers of veterans' organizations, and many other knowledgable individuals throughout the land, attest the soundness of the decisions of the U.S. Court of Military Appeals. On all counts, then the Committee on Armed Services is to be commended for the impressive results its arduous labors of 13 years ago have achieved. Its efforts have once again proved that if the law is soundly conceived, and judiciously administered by able and dedicated men, the good results realized will far exceed the hopes of its most optimistic proponents.

Although we are accustomed to regarding our system as a rule of law and not of men, the uniform code had demonstrated the importance of the right man at the controls of that system.

At present the court is manned by two of our former colleagues in the Congress, each of whom was instrumental in bringing the uniform code into being. Judge Homer Ferguson, as a Senator from Michigan, was intimately concerned with matters directly affecting members of the armed services and the overall National Defense Establishment, when the code was first considered. He was appointed by President Eisenhower as the successor of the late Judge Paul Brosman, of Louisiana, one of the original members of the court. Judge Paul J. Kilday, of Texas, was appointed by President Kennedy to the vacancy created by the expiration of the term of Judge George W.

Latimer, of Utah. For 23 years Paul Kilday labored earnestly and well as a Member of this House. During that time he familiarized himself thoroughly with the laws applicable to the military services, and was responsible for much of the sound judgment reflected by those laws. Both Judges Ferguson and Kilday have contributed mightily to the successs which today the U.S. Court of Military Appeals enjoys.

I do not in the slightest subtract from their contributions, nor from the contributions of their predecessors, when I reserve a few comments for the chief judge, Robert E. Quinn, whom I am proud to number among my own constituency. This pioneer of civilian supervision of military courts has established for the U.S. Court of Military Appeals its judicial tone, its orderly administration, the currency of its docket, and its faithful conformity to the spirit as well as the letter of the uniform code. When Judge Quinn was appointed by President Truman as the court's first chief judge, he brought to that tribunal a wealth of experience which proved vital to the court's future. Years of experience as a trial lawyer, preeminent in his field; years of experience as a legislator in the Senate of his home State, Rhode Island; years of experience as an administrator in the offices of Lieutenant Governor and Governor of his State; many years as a trial judge on the Superior Court of Rhode Island, years, I might add which saw each and every one of his rulings and decisions in criminal cases sustained upon appeal. Finally, years of experience during two World Wars as a member of the U.S. Navy.

It was his decision which located the court first as a cotenant in the U.S. Court of Customs and Patent Appeals, and finally in its present location in the building which formerly housed the U.S. Court of Appeals for the District of Columbia. By locating the court away from the Pentagon, where it could easily be submerged, if not smothered, by an overly attentive military hierarchy, he guaranteed for it the completely civilian character the Congress intended for it. While other courts condemned the mention of God in the classroom, he predicated his opinions upon the nature which the Almighty bequeathed to man. Here are his words, protesting the forced extraction of body fluids from a soldier for use as evidence:

> The entire genius of our American institutions, the guarantees of the Bill of Rights, the protections of the Uniform Code of Military Justice, all combine to establish the truth of the aphorism that a man's home is his castle. A fortiori then, these inalienable rights, which are implicit in the law of nature, and of nature's God, demand that the sanctity of the human body, made in the image and likeness of God—the temple of his immortal soul—be and remain forever sacred and inviolate.

It was he who first proclaimed applicability of the Constitution to men of the Armed Forces. Most, if not all, of his strong dissents reflecting his basic philosophy of the law have, in his 12 short years on this bench, become the law under which our soldiers, sailors, and marines are secure in their basic rights as citizens as well as servicemen. You students of American legal history will recall that the Supreme Court did not achieve direction or reflect a basic philosophy until its third Chief Justice, the great John Marshall, assumed the office. The supreme court of the military services occupies its favorable position today because President Truman selected the one man best suited to the most difficult task—the pioneering of equal justice under law for all members of the Armed Forces.

While we could talk for hours about the effectiveness of this court and of these judges, it seems sufficient for us to know that the uniform code works; that able judges have made it work; and that on all the evidence the judges deserve to rank with the other judges of the United States in tenure, and in retirement. This bill will assure that aim, and I am pleased to join the gentleman from Georgia, Chairman VINSON, in urging you to enact it into law.

Mr. ST GERMAIN. Madam Chairman, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from Rhode Island.

Mr. ST GERMAIN. Madam Chairman, the bill we are now considering—H.R. 3179, a measure raising the status of the judges of the U.S. Court of Military Appeals—deserves favorable consideration by the House.

H.R. 3179 would amend existing law by granting the judges life tenure, by affording them the retirement benefits of judges of the U.S. Court of Appeals, and by giving the court a judicial position in accordance with its duties and responsibilities. This legislation would also free the judges from any outside pressures and would confirm the identity of the court as a legislative court established under article I of our Constitution.

Since the court's establishment in 1950, it has provided outstanding service as the civilian overseer of the system of courts-martial contemplated by the Uniform Code of Military Justice. It is a true court of appeals in every sense and deserves to be accorded an equal place with similar courts in the Federal judicial system. In my opinion, we have delayed too long in giving it this recognition, and it is my earnest hope that this bill will be passed by both Houses of Congress and signed into law by the President in the very near future.

Mr. RIVERS of South Carolina. Madam Chairman, I yield 5 minutes to the distinguished gentleman from Pennsylvania [Mr. FLOOD].

Mr. FLOOD. Madam Chairman, I take this time to assure you that I am in favor of this bill. Since this court was established it has appeared before my Subcommittee on Defense Appropriations in justification of its budget. We have found it to be an excellent court, and I concur with the high words of praise mentioned by speakers who have commented on the quality and the firmness of this jurisdiction. It is in the very best traditions of our Federal courts.

But my purpose now is to point out that I have always maintained a philosophical opposition to statutory courts. I have appeared as trial lawyer, and in argument before the various district and circuit courts and the U.S. Supreme Court down through the years. I find the philosophy which gave birth to our Federal system is sound. But I am in opposition to statutory courts.

With your action today there will remain one more statutory court. It has long established its quality and its jurisdiction. I refer to the Tax Court of the United States. This House has acted on this question. The question has been before this House many times. Recently this House did pass a bill calling for the creation of the Tax Court as a constitutional court, and properly so. The bill died in the other body, in the last days. I can assure you that the American Bar Association for many years has been a strong advocate of the Tax Courts of the United States being made constitutional courts.

My purpose, Madam Chairman, at this point, is to bring to the attention of the committee, and hence the House and the Congress, the fact that the U.S. Tax Court is the sole remaining statutory court. And I should hope that the great Committee on Ways and Means of the House will again examine the question and present legislation to make the Tax Court of the United States a constitutional court.

Mr. RIVERS of South Carolina. Madam Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 867(a) (article 67(a)) of title 10, United States Code, is amended to read as follows:

"(a)(1) There is a United States Court of Military Appeals, established under article 1 of the Constitution of the United States and located for administrative purposes only in the Department of Defense. The court consists of three judges appointed from civil life by the President, by and with the advice and consent of the Senate. Not more than two of the judges of that court may be appointed from the same political party, nor is any person eligible for appointment to the court who is not a member of the bar of a Federal court or of the highest court of a State. The President shall designate from time to time one of the judges to act as chief judge. Each judge shall hold office during good behavior, and is entitled to the salary, allowances, perquisites, rights of resignation, and retirement benefits provided for judges of the United States Courts of Appeals, including survivor benefits for widow and dependent children, and shall be similarly excluded from coverage under sections 2251–2267 of title 5, United States Code. The chief judge of the court shall have precedence and preside at any session which he attends. The other judges shall have precedence and preside according to the seniority of their commissions. Judges whose commissions bear the same date shall have precedence according to seniority in age. The court may prescribe its own rules of procedure and determine the number of judges required to constitute a quorum. A vacancy in the court does not impair the right of the remaining judges to exercise the powers of the court.

"(2) Judges of the Court of Military Appeals may be removed by the President, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause.

"(3) If a judge of the Court of Military Appeals is temporarily unable to perform his duties because of illness or other disability, the President may assign a judge of the United States Court of Appeals for the District of Columbia to fill the office for the period of disability.

"(4) If a judge of the Court of Military Appeals desires to retire for disability, he shall furnish to the President a certificate of disability signed by the chief judge. If a judge of the Court of Military Appeals who is eligible to retire by reason of being permanently disabled from performing his duties does not do so, and a certificate of disability signed by the chief judge of the Court of Military Appeals is presented to the President, and the President finds that such judge is unable to discharge efficiently all the duties of his office by reason of permanent mental or physical disability and that the appointment of an additional judge is necessary for the efficient dispatch of business, the President may make such appointment by and with the advice and consent of the Senate. Whenever any such additional judge is appointed, the vacancy subsequently caused by the death, resignation, or retirement of the disabled judge may not be filled. Any judge whose disability causes the appointment of an additional judge shall, for purpose of precedence, service as chief judge, or temporary performance of the duties of that office, be treated as junior in commission to the other judges of the court."

SEC. 2. The United States Court of Military Appeals established under this Act is a continuation of the Court of Military Appeals as it existed prior to the effective date of this Act, and no loss of rights or powers, interruption of jurisdiction, or prejudice to matters pending in the Court of Military Appeals before the effective date of this Act shall result. A judge of the Court of Military Appeals so serving on the day before the effective date of this Act shall for all purposes, including salary, allowances, perquisites, rights of resignation, and retirement benefits including survivor benefits for widow and dependent children, be a judge of the United States Court of Military Appeals under this Act, and shall serve until the expiration of the term of office for which he was originally appointed: *Provided however*, That the President, by and with the advice and consent of the Senate, may at any time after the effective date of this Act appoint him to hold office during good behavior under section 1 of this Act. Retirement benefits of a judge serving on the effective date of this Act shall accrue from the date of his original appointment, and he may make a written election concerning survivor benefits, in the manner provided by section 376 of title 28, United States Code, within six months of the effective date of this Act.

SEC. 3. Notwithstanding any other provision of this Act, no judge of the United States Court of Military Appeals shall upon resignation, or retirement for disability or length of service, be paid, on account of his judicial service or any other Federal service, a salary or annuity or combination thereof, the total of which exceeds the salary of a judge of the United States Court of Military Appeals.

Mr. RIVERS of South Carolina (interrupting the reading of the bill). Madam Chairman, I ask unanimous consent that the bill be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. GROSS. Madam Chairman, I move to strike out the last word.

Madam Chairman, I am still unable to understand why this bill is before the House. The gentleman from Massachusetts [Mr. BATES] and the gentleman from South Carolina [Mr. RIVERS] say it is necessary in order to take care of the dignity of the three judges. I am not aware that you can legislate dignity. If this is the excuse for this bill, that you are lending dignity by giving these three judges lifetime tenures, then you have not very much to stand on.

Mr. VINSON. Madam Chairman, will the gentleman yield?

Mr. GROSS. I certainly will, if the gentleman can shed some light on the reasons for this bill.

Mr. VINSON. Madam Chairman, I will say to the distinguished gentleman from Iowa that the underlying philosophy of this bill is to remove Executive influence. Here you have a court that has three appointees; orginally appointed 5 years, one for 10 years, and one for 15 years. My interpretation of the philosophy of how this court should function is that there should not be the slightest implication or inference of Executive influence over the court. Therefore, the proper way to attain this philosophy is to create a court that will serve during good behavior. And that is what this bill seeks to do, to create a court that will function, and meet its obligations, during good behavior, and not be dependent upon appointment for any period of years. Now, I know what the gentleman is going to say.

Mr. GROSS. Madam Chairman, I want to ask the distinguished chairman of the Committee on Armed Services this question. What evidence is there that there has been executive interference with this court?

Mr. VINSON. Not one particle at all.

Mr. GROSS. Then that argument does not stand up very well, does it?

Mr. VINSON. But a court dispensing justice should always be free and independent and not dependent upon reappointment. That is the sound judicial way that a court should be organized. The gentleman may say, What about the Comptroller General? The Comptroller General is appointed for 15 years, but he is not a creature of the Executive, he is a creature of the Congress. He is responsible to the Congress and not to the Executive and makes his reports to the Congress.

Mr. GROSS. Who appoints the Comptroller General?

Mr. VINSON. The President appoints him and he is confirmed by the Senate. The President would appoint these judges for life and they would be confirmed by the Senate. This is the proper way to have proper judicial administration, and proper justice. A court of this importance should not be appointed for a period of years but during good behavior. This court has the important responsibility of the handling of justice and discipline for the personnel of the armed services.

Mr. GROSS. Madam Chairman, I will ask the distinguished gentleman from Georgia this question. Is there any member of the Federal judiciary that has not been taken care of in some way or another?

Mr. VINSON. They are entitled to be taken care of.

Mr. GROSS. Sure they are, up to a reasonable point.

Mr. VINSON. All right; this bill is the reasonable point, it does this, it raises the dignity of the court. The House tried to do it when we passed the original bill. That provision was not agreed to by the Senate. As head of the conferees I agreed, in order to get this court into operation. But this court, having to apply military justice to over 2,500,000 people, should be given the same prestige and the same standard, at least, as other Federal courts under article I of the Constitution, and that is all we are doing.

Mr. GROSS. I will say this to the gentleman, that I see no similarity between a judge of the Military Court of Appeals and a Federal appeals court judge. I see no real comparison in the type of work they do. A judge of the court of appeals is confronted with every conceivable kind of case, whereas the gentlemen on this court are confronted with one type of case and one type of case only, if I understand their duties.

Mr. VINSON. Military justice covers everything as far as the military is concerned.

Mr. RIVERS of South Carolina. Madam Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. RIVERS of South Carolina. Let me impress upon the gentleman that we wanted this court to be appointed for good behavior from its inception, because it should be so if they are qualified for work on this court.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

(By unanimous consent (at the request of Mr. RIVERS of South Carolina) Mr. GROSS was permitted to proceed for 5 additional minutes.)

Mr. RIVERS of South Carolina. I was the coauthor of the bill setting up the Court of Military Appeals. This encompasses every concept of conduct in the military. This court has jurisdiction over everything within the military. It has a wide range of jurisdiction. The record of this court entitles it to the original concept of what the House of Representatives sent over to the other body, that is, life tenure.

Mr. BRAY. Madam Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Indiana.

Mr. BRAY. I cannot understand the gentleman's argument here. I do want to point out that there have been some very grave errors in the matter of military justice. There is a problem that exists in the military that does not exist in any other court, in this way, that the officer who approves the charges appoints the court to try those charges. I have had experience during World War II where very grave injustices were done, and they never were righted. Some of them were righted years later. There has been a great deal of bitterness between perhaps well-meaning commanding officers because they thought the cases should not be reversed. I think on the whole they are right.

Mr. GROSS. Please do not take quite all my time. Let us discuss this bill. I do not question the integrity of the gentlemen presently holding the judgeships on this court. I do not question their integrity or their ability. What I am questioning is whether we are justified and I seriously question whether we are justified in giving lifetime appointments to these three judges, together with all that goes with it. If I understand correctly, and I want to be corrected if I am wrong, if a Federal judge is disabled in less than 10 years of service he is given 50 percent of his $25,000 per year salary. If he serves 10 years and 1 day and then becomes disabled, he is entitled to his full salary from then until his death, and he has made not 1 penny of contribution to that disability retirement or his retirement under any circumstances, for age or otherwise.

Mr. VINSON. If the gentleman will yield, under this bill these judges would retire under the same provisions that any other Federal judge would retire.

Mr. GROSS. Yes; and this is a pretty plush retirement system. I am opposed to adding to that retirement system.

Mr. VINSON. Let me call the gentleman's attention to this. Under the law today, as pointed out in general debate, some of these judges might be able to draw other retirement pay.

Mr. GROSS. The gentleman is talking about one judge on this present court. I agree he should not be able to draw two retirements, but you do not have to come here with a bill to give them life tenures in order to correct that situation. The gentleman is the chairman of the Committee on Armed Services. He could bring a bill here that this House would pass without any difficulty at all, limiting any one or all of the judges to one retirement system or the other.

Mr. VINSON. Does the gentleman recognize the fact that under this bill, this bill requires reappointment?

This is not merely giving this appointment to these men. These men have to be reappointed. The present occupants of the bench have to be reappointed, if they are to remain on the bench.

Mr. GROSS. But there is not much question of what will happen; is there?

Mr. VINSON. I do not know what is going to happen.

Mr. BRAY. Madam Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. BRAY. The same reasons against giving them this retirement and life tenure are also applicable to the judges of the circuit court of appeals. I see your point in saying here that we are merely adding three more, but if it is right in one place, it is certainly right in this instance. That is what I want to point out.

Mr. GROSS. I question whether, as I said previously, I question whether the service of these three judges is on all fours with that of the judges of the circuit court of appeals.

Madam Chairman, I yield back the balance of my time.

Mr. VINSON. Madam Chairman, I move to strike out the last word.

Madam Chairman, 13 years ago, after several weeks of hearings before the Armed Services Committee, the Uniform Code of Military Justice was devised, and the 81st Congress enacted it into law on May 5, 1950. You will recall that the Uniform Code was our response to the tens of thousands of complaints from all segments of our society about the injustices visited upon our servicemen in the name of military justice. The hearings then conducted satisfied us of the validity of the complaints that courts-martial proceedings were largely characterized by a frequent disregard for basic individual rights, that command customarily insisted upon exercising its control over criminal proceedings, and that sentences were sometimes senselessly severe.

For the first time in our history, the Uniform Code established a single court-martial system for all the services and, at the apex of the tribunals there provided for, it placed the Court of Military Appeals. This court consists of three judges appointed from civilian life by the President, by and with the advice and consent of the Senate. It reviews the record of trial in the following cases: First, all cases in which the penalty affects a general or flag officer, or extends to death; second, all cases which the Judge Advocate General orders forwarded for review; and, third, all cases which, upon petition of the accused and on good cause shown, the court has granted a review.

As originally planned by the Armed Services Committee, and as originally voted by the House, the judges were to hold offices during good behavior. In its wisdom, however, the other body reduced the term to one of years, and the House accepted this amendment. The first judges were appointed to terms of 5, 10, and 15 years. It is evident that the other body made this reduction in tenure out of a caution dictated by the experimental nature of the legislation. The Committee on Armed Services is pleased to report that the experiment has been successful.

The court has consistently interpreted the Uniform Code in the spirit in which the Congress enacted it. By its insistence upon high professional performance by all personnel involved at all levels of the court-martial system, and upon strict compliance with the Uniform Code, it has eliminated many of the justified grounds for the complaints lodged against the earlier procedures. To a great extent public confidence in the essential fairness of courts-martial has been restored at all levels of our society, and the Military Establishment has acclaimed the Uniform Code as the source of the highest state of discipline and good order in its history. Thus, Madam Chairman, we can be righty proud of our handiwork. Moreover, the Committee on Armed Services believes that the time has come to restore the original provision for life tenure passed by this House. H.R. 3179 accomplishes this.

This bill makes no change in the basic structure or functions of the court, nor in the salaries of the judges. It amends title 10, United States Code, to provide that the present Court of Military Appeals shall be redesignated as the "U.S. Court of Military Appeals."

The judges hereafter appointed shall hold office during good behavior and shall be entitled to the same salary, allowances, perquisites, retirement, and survivor benefits as judges of the U.S. courts of appeals. At the present time the salary of the judges of the U.S. Court of Military Appeals is the same as that of the judges of the U.S. courts of appeals. It also provides that a judge of the U.S. Court of Military Appeals can retire for disability by furnishing the President a certificate of disability signed by the chief judge. If a permanent disability prevents a judge from performing his duties but he does not retire, the President, upon the basis of a certificate of disability signed by the chief judge, will appoint an additional judge by and with the advice and consent of the Senate, to assure the efficient dispatch of business. In each of these particulars, the procedures are the same as those provided for judges of the U.S. courts of appeals. One provision of the bill is unique. Under it, a judge is precluded from being paid, after retirement, a salary, annuity or combination thereof based upon his judicial or other Federal service, in excess of his salary as a judge of this court.

To avoid any question about the legal propriety of a change in the tenure of office of the judges, the terms of incumbent judges are not affected by the bill. However, the President is specifically empowered to reappoint the incumbents to terms measured by good behavior prior to the expiration of their original appointments. Since it was their sound judicial performance which has made this bill both necessary and desirable, the Committee on Armed Services anticipates that the President shall exercise this power so as to make the amendment fully effective at the earliest practicable date.

This bill will accord the court the judicial position demanded by its important functions and its many and heavy responsibilities. It will free the judges from the danger of pressures upon them, a result considered from the earliest days of our Republic and indispensable condition for judicial independence. While continuing the U.S. Court of Military Appeals as a legislative court, it will otherwise bring the administration of military criminal law closer to complete accord with that obtaining in Federal civilian courts. The bill assures the continued recruitment of judges of professional capacity and standing at least on a par with judges of other Federal courts. Finally, it will eliminate once and for all the baseless contention that the court is an "instrumentality of the Executive" by confirming its identity as a legislative court established under article I of the Constitution.

Madam Chairman, I trust the Committee of the Whole will act favorably on this bill. This bill has been given the most careful consideration for many months, and I really should say for more than a matter of months. This matter has been pending before the committee, and we have been studying this for over a year. This bill was unanimously reported by the Committee on Armed Services. In our judgment, its passage is nothing but right and proper.

Madam Chairman, I hope the Committee will unanimously follow the recommendation of your Committee on Armed Services and pass this bill.

The CHAIRMAN. There being no amendments, under the rule, the Committee will rise.

Accordingly, the Committee rose, and Mr. SIKES having assumed the chair as Speaker pro tempore, Mrs. GRIFFITHS, Chairman of the Committee of the Whole House on the State of the Union, reported that the Committee having had under consideration the bill (H.R. 3179) to provide that judges of the U.S. Court of Military Appeals shall hold office during good behavior, and for other purposes, pursuant to House Resolution 424, she reported the bill back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. The gentleman from Iowa objects to the vote on the ground that a quorum is not present and makes the point of order that a quorum is not present. The Chair will count. [After counting.] One hundred and one Members are present, not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 314, nays 82, not voting 37, as follows:

[Roll No. 93]

YEAS—314

Abele
Adair
Addabbo
Albert
Anderson
Arends
Ashley
Auchincloss
Avery
Ayres
Baker
Baldwin
Barrett
Barry
Bass
Bates
Battin
Becker
Beckworth
Belcher
Bennett, Fla.
Bennett, Mich.
Berry
Betts
Blatnik
Boggs
Bolton, Frances P.
Bolton, Oliver P.
Bonner
Bow
Brademas
Bray
Brock
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Ohio
Broyhill, Va.
Bruce
Burke
Byrne, Pa.
Byrnes, Wis.
Cahill
Cameron
Cannon
Carey
Casey
Cederberg
Celler
Chamberlain
Chelf
Chenoweth
Clancy
Clark
Cleveland
Cohelan
Conte
Cooley
Corbett
Corman
Cramer
Cunningham
Curtin
Daddario
Dague
Daniels
Davis, Ga.
Davis, Tenn.
Dawson
Delaney
Dent
Denton
Dole
Donohue
Duncan
Dwyer
Edmondson
Elliott
Ellsworth
Everett
Fallon
Farbstein
Fascell
Findley
Finnegan
Fino
Fisher
Flood
Fogarty
Ford
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Gallagher
Garmatz
Gary
Gavin
Giaimo
Gilbert
Gill
Glenn
Gonzalez
Goodell
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Grover
Gubser
Gurney
Halleck
Halpern
Hanna
Hansen
Harding
Hardy
Harris
Harsha
Harvey, Mich.
Hays
Healey
Hébert
Hechler
Hemphill
Holifield
Holland
Horan
Horton
Hosmer
Hull
Hutchinson
Ichord
Jennings
Johansen
Johnson, Calif.
Johnson, Wis.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Keith
Kelly
Keogh
Kilburn
Kilgore
King, Calif.
Kirwan
Kluczynski
Knox
Kunkel
Laird
Langen
Lankford
Latta
Leggett
Lesinski
Libonati
Lindsay
Lipscomb
Lloyd
Long, La.
Long, Md.
McClory
McCulloch
McDade
McDowell
McFall
McIntire
McLoskey
Macdonald
MacGregor
Mahon
Mailliard
Martin, Mass.
Mathias
Matsunaga
Matthews
May
Meader
Michel
Miller, Calif.
Milliken
Minish
Monagan
Montoya
Moore
Moorhead
Morgan
Morris
Morrison
Morse
Morton
Mosher
Moss
Multer
Murphy, Ill.
Murray
Nedzi
Nelsen
Nix
Norblad
Nygaard
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill
Osmers
Ostertag
Passman
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pike
Pirnie
Poage
Price
Pucinski
Purcell
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rich
Riehlman
Rivers, Alaska
Rivers, S.C.
Roberts, Ala.
Roberts, Tex.
Robison
Rodino
Rogers, Colo.
Rooney
Rosenthal
Rostenkowski
Roudebush
Roush
Roybal
Ryan, Mich.
Ryan, N.Y.
St. George
St Germain
St. Onge
Saylor
Schenck
Schneebeli
Schweiker
Schwengel
Secrest
Senner
Shelley
Shipley
Shriver
Sibal
Sickles
Sikes
Siler
Slack
Smith, Calif.
Springer
Staebler
Stafford
Staggers
Steed
Stratton
Stubblefield
Taft
Talcott
Teague, Calif.
Teague, Tex.
Thompson, La.
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Thornberry
Toll
Tollefson
Tupper
Udall
Ullman
Van Deerlin
Vanik
Van Pelt
Vinson
Waggonner
Wallhauser
Watts
Weaver
Westland
Whalley
White
Widnall
Willis
Wilson, Bob
Wilson, Charles H.
Wydler
Wyman
Young
Younger
Zablocki

NAYS—82

Abbitt
Andrews
Ashbrook
Ashmore
Baring
Beermann
Bromwell
Broyhill, N.C.
Burleson
Burton
Clawson, Del
Collier
Colmer
Curtis
Derounian
Derwinski
Devine
Dorn
Dowdy
Downing
Dulski
Feighan
Flynt
Foreman
Fountain
Fuqua
Gibbons
Grant
Gross
Hagan, Ga.
Hagen, Calif.
Haley
Hall
Harrison
Harvey, Ind.
Henderson
Herlong
Hoeven
Huddleston
Jarman
Jensen
Joelson
King, N.Y.
Kornegay
Kyl
Landrum
Lennon
Marsh
Martin, Calif.
Martin, Nebr.
Natcher
Pillion
Poff
Pool
Quillen
Randall
Rogers, Fla.
Rogers, Tex.
Rumsfeld
Schadeberg
Scott
Selden
Short
Skubitz
Smith, Iowa
Smith, Va.
Snyder
Stephens
Stinson
Sullivan
Taylor
Tuck
Tuten
Utt
Watson
Weltner
Wharton
Whitener
Whitten
Williams
Wilson, Ind.
Winstead

NOT VOTING—37

Abernethy
Alger
Aspinall
Bell
Boland
Bolling
Buckley
Burkhalter
Clausen, Don H.
Diggs
Dingell
Edwards
Evins
Forrester
Gathings
Grabowski
Hawkins
Hoffman
Kee
McMillan
Madden
Miller, N.Y.
Mills
Minshall
Murphy, N.Y.
O'Brien, Ill.
Pilcher
Powell
Quie
Rains
Roosevelt
Sheppard
Sisk
Thomas
Trimble
Wickersham
Wright

So the bill was passed.

The Clerk announced the following pairs:

Mr. Sheppard with Mr. Quie.
Mr. Abernethy with Mr. Alger.
Mr. Aspinall with Mr. Miller of New York.
Mr. Madden with Mr. Hoffman.
Mr. Rains with Mr. Bell.
Mr. Roosevelt with Mr. Minshall.
Mr. Wickersham with Mr. Don H. Clausen.
Mr. Dingell with Mr. Diggs.
Mr. Grabowski with Mr. O'Brien of Illinois.
Mr. Sisk with Mr. McMillan.
Mr. Powell with Mrs. Kee.
Mr. Evins with Mr. Murphy of New York.
Mr. Boland with Mr. Forrester.
Mr. Mills with Mr. Buckley.
Mr. Trimble with Mr. Pilcher.
Mr. Gathings with Mr. Thomas.
Mr. Edwards with Mr. Hawkins.
Mr. Wright with Mr. Burkhalter.

Mr. SELDEN changed his vote from "yea" to "nay."

Mr. GRANT changed his vote from "yea" to "nay."

Mr. HARVEY of Michigan changed his vote from "yea" to "nay."

Mr. BROYHILL of North Carolina changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 762. An act to provide for increased wheat acreage allotments in the Tulelake area of California.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5207) entitled "An act to amend the Foreign Service Buildings Act, 1926, to authorize additional appropriations, and for other purposes."

DISPENSING WITH BUSINESS UNDER THE CALENDAR WEDNESDAY RULE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday Rule may be dispensed with tomorrow.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

H.R. 7101, A BILL TO AMEND SECTION 48 OF THE INTERNAL REVENUE CODE

Mr. **KEOGH.** Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. **KEOGH.** Mr. Speaker, last week I introduced H.R. 7101. This bill would amend section 48 of the Internal Revenue Code as added by the Revenue Act of 1962. My purpose in introducing this bill is to assure realistic application of the investment credit as was originally intended by the Ways and Means Committee and the Congress. The members of the committee, in drafting the credit provisions, explicitly stated that the credit was to apply to various items of machinery which might be attached to real property. Among the items of property specifically mentioned in the committee reports were refrigeration equipment, printing presses, transportation equipment, and hydraulic carlifts. Such examples were only illustrations of items to which the credit would apply. They were not intended to be restrictive.

The Treasury has now proposed regulations which, I think, would limit unduly the credit provision. Such proposals would frustrate the fundamental objective of the statute. The proposed regulations deny the investment credit to elevators and escalators on the ground that they are "structural components" of buildings. The committee never intended to exclude elevators and escalators from the application of the credit. In fact, Senators GORE and DOUGLAS, of the Senate Finance Committee, specifically state in their separate report on the bill that an escalator in a department store qualifies for the credit. We specifically stated in the committee report that local law was not to govern the classification of property as "tangible personal property" entitled to the credit, and we intended that the credit would provide a broad stimulant to the economy. While H.R. 7101, as drafted, applies only to elevators and escalators used "to modernize" a building, I believe the same rule should apply to all elevators and escalators under the present statute.

I hope that the Treasury will modify its position when its final regulations are issued. I submit that the purposes of H.R. 7101 can be accomplished under the existing grant of legislative authority. I have introduced this bill so that it may take its position on the Legislative Calendar. I will press for action only in the event the Treasury continues its course in misconstruing the clear intent of the Congress that these named facilities are entitled to the same treatment as others, which were named only for purpose of illustration. I will not press this proposal if I receive assurance that the Treasury proposes to comply with the intent of the Congress. As a matter of fact the declaration of purpose of H.R. 7101 is "to clarify." Existing standards, properly administered, should make this unnecessary. Indeed, I am convinced that in a proper case, judicial interpretation would sustain the eligibility of escalators and elevators for the investment credit under the present statutory scheme.

RADIOACTIVE FALLOUT

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 10 minutes.

Mr. **HALPERN.** Mr. Speaker, I am pleased to join the distinguished senior Senator from Wisconsin [Mr. PROXMIRE], in the sponsorship of two bills which meet some of the growing problems arising from the danger of radioactive fallout.

One of the bills, which I am introducing today would assign to the Public Health Service the primary responsibility for the protection of the public health and safety from radiation hazards.

The need for legislation in this field has become increasingly evident during the last 2 years. During this period the Soviet Union ended a 3-year moratorium and resumed nuclear testing. Our own country was forced to follow suit and the result was an exchange of nuclear blasts, each of more intensity than the previous. More recently, our President has declared a unilateral postponement of testing, hoping undoubtedly that this would lead to a general agreement among all parties involved. Unfortunately, despite the excellent progress of our Arms Control and Disarmament Agency, we do not have as yet any assurance that an effective ban will be reached in the near future. On the contrary, a number of nations have indicated that they will continue, or will start testing, regardless of the action of either the Soviet Union or the United States.

Our Government, through the Arms Control and Disarmament Agency, and through our policy of containment, has made great strides toward an effective peace and toward the elimination of the probability of nuclear war with its many horrors and the threat of near annihilation of the human race. However there still exists, and in ever increasing measure, the fear that radioactive fallout resulting from tests around the world can and will endanger the health and lives of our people. We have heard much about the dangers of such fallout—of the contamination of milk and other foods—about the resulting harm to our young people. This has become an unseen fear and one difficult to comprehend. We have had to create a new vocabulary, a vocabulary of fear—words such as "maximum permissible" or "radiation protection guide" or "strontium 90" and so down the list. We have learned of "rems"—the measurement of the biological effects of radiation. We hear of all these things and we realize how little we really know about these matters.

The problem has been compounded, not clarified, by our Government agencies. For example, the April issue of Consumer Reports stated that prospects are that fallout levels in our food will exceed maximum permissible concentrations recommended by the International Commission on Radiological Protection. In contrast the Federal Radiation Council reported in May that health risks from radioactivity in foods, now and over the next few years, are too small to justify countermeasures. The confusion of charges and countercharges by officials and other interested persons serve to point out clearly the need for a designation of authority in this area. The people of our Nation should not be forced to live in confusion and fear. Yet, many thousands are afraid even to give milk to their children because of the possibility of harmful fallout, and medical authorities have demonstrated that many foods have a higher strontium 90 content than milk. Another frightening possibility is that without milk, vitamin deficiencies might easily outweigh any harm the milk might cause.

Mr. Speaker, this bill would resolve this present disagreement between top experts on what constitutes maximum safe levels of radioactivity in food. The present split authority on what is a dangerous fallout level endangers the food industry and paralyzes creative action. This bill would provide for the development of improved and uniform standards of radiation protection and would authorize research and investigations for the control of radiation hazards. Our citizens would be assured that their Government is doing its job in protecting them from the dangers of radiation hazards.

Mr. Speaker, there are additional factors which cast doubt upon the validity of our ideas about radioactive fallout, for example, the assumption that it is possible to determine a safe dose—if by safe dose one means a dose which, even used as a protection standard for a large population, will produce no harm in any individual. The deeper one goes into the problems of establishing permissible levels in a given set of circumstances, and of applying them in normal and emergency situations, the more difficult it is to emerge with clear, direct, and generally applicable standards.

However, some tested reliable standard is desperately needed to determine at what level of concentration of fallout consideration should be given to countermeasures to protect the health of our people. While efforts have been made by various groups and individuals researching the problem, there has been little cooperation between the various sources, and, correspondingly, little that may be safely considered as valid. The basic fault appears to be a lack of clear-cut authority on the part of any one agency, and the accompanying critical lack of responsibility on all levels.

Mr. Speaker, this Congress is in effect largely responsible for this shocking lack of coordination and direction. We have the ultimate control over these agencies and we must see to it that steps are taken to define authority and strategy in this area. We would certainly be appalled to discover that our Secretary of Defense did not know the areas of responsibility for the various segments of our national defense. We should be similarly appalled to learn of the lack of direction and authority in our protective measures against hazardous fallout. We must initiate a bold and visionary program which utilizes and gives direction and coordination to existing programs and which will be the ultimate authority for the validity of the results of the research currently being pressed by the various groups.

The second bill I have introduced today immediately utilizes one existing program. It extends the provision of the Agriculture Act of 1949 authorizing the Commodity Credit Corporation to provide feed to milk producers to assure a supply free of radioactive fallout contamination. Senator PROXMIRE was the author of the original amendment which is currently effective until December 31, 1963. This bill, which he has introduced in the other House, would extend the effective date for 1 year. Even though a test ban treaty were to be effectuated in the near future, the amount of fallout now in the atmosphere will be a continuing problem for many months. Extension of the provision will prevent economic disaster to any dairy farmer whose hayfields or grazing lands are subjected to the perils of excessive fallout.

Mr. Speaker, I believe that the enactment of these two bills will be a constructive and sensible approach to this matter. The problem of radioactive fallout is clearly our responsibility. It calls for bold national leadership and for immediate action to provide all of our people with the facts they desperately need and the tools with which to defend themselves. It calls for a broad program of Federal assistance, of effective coordination and direction, of greatly expanded research, and of a designation of authority.

The immediacy of this problem calls for prompt and affirmative action by this Congress. We cannot afford to delay any longer the performance of this duty we owe to our people and to the future of mankind.

URBAN RENEWAL NOW FOR THE BIRDS

Mr. SCHWEIKER. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. GLENN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GLENN. Mr. Speaker, I was amazed at a news release on June 25 by the Urban Renewal Administration which grants to the State of New Jersey over a quarter million dollars to purchase undeveloped beach and marshland at Corson's Inlet in my district for a State park, wild bird refuge, and natural preserve.

The area is uninhabited and the acquisition by the State of the beach portion was bitterly assailed by the municipal officials of Ocean City as an unwarranted taking of tax ratables from the city. The whole 7-mile beach front of Ocean City in the developed section is open to recreation and a State park for the same purpose just does not make sense.

It is ridiculous to classify a wild bird refuge and natural preserve as urban renewal but that is exactly what the Administration has done. Here is the release:

> The 2,895-acre new Corson's Inlet Park lies between the Garden State Parkway and the inland waterway in the Atlantic City-Cape May urban area. The site includes 3,700 feet of ocean frontage and 1,700 feet of bay and inlet frontage. The beach side of the new park will be developed with non-Federal funds for water sports and picnicking. The opposite side of the inlet will be preserved as a wild bird refuge and natural preserve. Of the total land acquisition cost of $900,000 the Federal grant will pay for 30 percent.

Now let me picture for you the physical aspect of this million dollar park. It is an undeveloped area of marshland between the Garden State Parkway and the inland waterway, which is under water at many high tides. The so-called Atlantic City-Cape May urban area is a stretch of 50 miles of seacoast with miles of uninhabited beaches between developed seaside resorts which depend on their seashore attractions for income. If you see this coast from a plane, it certainly does not look like and urban area which needs a State owned and operated beach park, when it already has 50 miles of the same thing publicly and privately owned.

Of course, to qualify under the Housing Act of 1961 as a park under an urban renewal plan, somebody, somewhere had to start out by designating "some place" as an "urban area." So, 50 miles of beach front with miles of nothing but sandhills, Indian grass, and sea gulls is now an "urban area" and hence necessitates a park and recreational area, surrounded by 14 seashore resorts all depending for their existence as recreational areas. Now the State, with Federal aid, will compete with them, and collect taxes from their citizens to do it with.

But let us get back to the wild bird refuge. Development of a wild bird refuge and preserve with urban renewal moneys most certainly seems to me to be a flagrant misuse of Federal funds—a situation which should be investigated by the Congress.

The Housing Act of 1961 provides for the use of Federal funds to develop appropriate parks and recreation facilities in urban areas, but a wild bird refuge in the midst of a remote stretch of marshland hardly qualifies as an urban area by any stretch of the imagination.

With all the slums existing in metropolitan areas which sorely need corrective action, it just does not make sense to use urban renewal funds earmarked for such a purpose to underwrite a grandiose, unneeded project in an isolated marshland area. Such a project most certainly is not the intent of the law, which is designed to help elevate the environment of those unfortunate citizens now living in substandard urban neighborhoods.

In fact, with all the worthwhile potential projects in my wholly depressed district—ranging from slum clearance to beach erosion; projects which have a human welfare purpose to justify the expenditure of tax dollars—it is almost criminal to pour out over a quarter million dollars in taxpayers' money to purchase a bird sanctuary when the whole area is, and has been through the centuries, a natural habitat for sea birds and transitory migrating waterfowl.

Personally, I have nothing against birds. Yet—at the risk of being labeled as discriminating against our feathered friends—I maintain that when our Federal Government starts using urban renewal money to develop bird refuges at a time when American citizens are living in slum conditions, such muddled governmental thinking is strictly for the birds.

Just what has been the urgency behind this purchase of these 2,000-odd acres of undeveloped land for almost a million dollars while so many badly needed projects are being turned down by this very same administration on the grounds that it is out of funds? Does this agency expect Congress to give it more money for this sort of thing while we are appropriating millions of dollars annually to the Department of the Interior for similar projects?

In view of the fact that this particular project has, for some unfathomable reason, been approved by the Urban Renewal Administration, I wonder how many other similar nonurban projects have been underwritten with urban renewal funds? It seems to me that it is imperative for this Congress to inquire into this situation to determine just how far this apparent circumvention of the urban renewal law has progressed.

Indeed, as I see it, this appropriation of Federal urban renewal funds for the development of a wild bird refuge and preserve on Corson's Inlet meadows is for the birds in more ways than one.

FAMILY MIGRATION IS THE SCOURGE OF EDUCATION

Mr. SCHWEIKER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. TALCOTT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. TALCOTT. Mr. Speaker, for some time I have been attempting to share with my colleagues some of my lay evaluations of the panic and problems which will be caused by the elimination of the bracero program. Now, an unsolicited letter from professional school administrators confirms my views. I quote:

SALINAS, CALIF., *July 2, 1963.*

The Honorable BURT L. TALCOTT,
House of Representatives,
Washington, D.C.

DEAR MR. TALCOTT: The Board of Education of the Salinas City School District has directed me to write to you in order that you might be apprised of certain informa-

> tion relating to the cessation of Public Law 78.
>
> The board wishes it to be expressly understood that it is not within its province to pass judgment on the merit of Public Law 78 as it pertains to the economy of the United States, but the board feels a direct responsibility for the educational and sociological chaos that would quite likely result from the termination of the law. The board has made no broad generalizations for the Nation but has limited its function in this matter to its intimate knowledge of what would happen in Salinas and its environs if Public Law 78 were not reenacted.
>
> 1. Thousands of migrant, short-term laborers would descend upon us. Many of them would have families with children of school age.
> 2. There would not be adequate housing available to them.
> 3. There would not be enough classroom space for the children.
> 4. There would be little or no increase in the tax base to support an educational program for them, which would result in a dilution of support for the 12,000 pupils now in Salinas schools, thus a corresponding downgrading of education.
> 5. We would have inadequate recreational facilities.
> 6. Our law enforcement services and welfare services would become overburdened.
>
> It is an established fact that family migration is the scourge of education. It therefore behooves the Government of the United States to take action whenever it can to reduce family migration, because in this way the Government can enhance the value of the educational dollar and strike a telling blow against illiteracy.
>
> With a full awareness of its responsibility for the education of the children of this district, the board of education respectfully requests you to consider restoring to law the principles of Public Law 78.
>
> Respectfully yours,
>
> L. V. Granville,
> *Secretary, Board of Education.*

The education of our children, domestic and migrant alike, will be seriously downgraded. I sincerely urge Congress to consider this important aspect of the bracero program.

A good education may be the most important single attribute a family or community can give its children.

For those who have considered promotion of a migrant system for providing necessary supplemental labor for seasonal industries, please remember that "family migration—in any form—is the scourge of education."

THE ADAMS-MORGAN URBAN RENEWAL PROJECT SHOULD BE COMPLETELY AND THOROUGHLY REVIEWED

Mr. SCHWEIKER. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Widnall] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WIDNALL. Mr. Speaker, in recent weeks there has been considerable discussion on the floor of this House regarding certain disturbing developments affecting the urban renewal program in the District of Columbia. On June 25, my colleague from the State of Texas [Mr. Alger] called the attention of the House to certain irregularities in the Columbia Plaza urban renewal project, located a few blocks from the White House. On July 1, I commented on the pending Adams-Morgan urban renewal project which is presently before the Board of Commissioners of the District of Columbia for their consideration.

In addition, a subcommittee of the House District Committee is currently investigating the handling of urban renewal in the District of Columbia. Despite heavy pressures, this subcommittee has performed an outstanding service in its investigation of malpractices in the District's urban renewal program. I wish to commend the distinguished chairman of the subcommittee, the gentleman from Texas [Mr. Dowdy], for the outstanding job he and his subcommittee are doing.

The Congress has a direct responsibility in the matter of urban renewal for the District of Columbia. It is the Congress that has established the procedures and the agencies that are supposedly carrying out the urban renewal program in the District. It is with great concern, therefore, that I view certain disturbing developments involving the District's urban renewal program.

The subcommittee hearings have unearthed certain actions in connection with the District's Adams-Morgan project that raise grave conflict-of-interest questions. The subcommittee is to be commended for having obtained this information prior to the adoption of an urban renewal plan for the Adams-Morgan area.

All too often evidence of assorted malpractices comes to light long after the damage is done. But in this instance, the information has been discovered in time to permit its consideration by the appropriate authorities.

Urban renewal touches at one of the very foundations of our free society. It provides for the seizure of a man's home or business; it brings to bear on the individual property owner the awesome powers of government eminent domain. Properly executed, urban renewal can be a great service to our present day communities. On the other hand, if improperly administered, it may become a vehicle by which favored developers reap fat profits at the expense of the public. Unfortunately, irregularities have been uncovered throughout the District of Columbia's urban renewal program.

The Adams-Morgan urban renewal plan has been hailed by its supporters as an experiment in planning because it brings together citizen and planner in an attempt to mutually solve the problems of slums and blight. On the other hand, opponents of the program have charged that it sets neighbor against neighbor, that the local Redevelopment Land Agency uses pressure tactics and other inducements to obtain so-called citizen support. Recent newspaper accounts as well as statements presented to the Board of Commissioners earlier this month at their hearings on this project involved these and other charges.

Section 7(c) of the District of Columbia Redevelopment Act of 1945 authorizes the RLA to select redevelopers without public bidding. It has been suggested that RLA, purporting to exercise this authority, will select a redeveloper on the basis of its past allegiance and enthusiasm for the plan.

While billed as "a citizen planning effort," the facts so far developed by the subcommittee seem to indicate that the whole affair was a carefully nurtured public relations operation by the professional planners involving the establishment of so-called block organizations and a carefully guided citizens' planning committee allegedly representing the citizens of the entire urban renewal area. Even before the plan has been approved, RLA established a full-time, and fully staffed, field office in the project area for the purpose of promoting support for its program. The key device through which this support was generated was the citizens' planning committee.

Particularly disturbing is the recent revelation by the subcommittee that the chairman of this citizens' planning group is an officer and one of the largest stockholders in a newly established private corporation formed for the specific purpose of obtaining a redevelopment contract from RLA. The facts uncovered by the subcommittee further indicate that this corporation was not formed until after its principals had discussed their proposition with RLA and satisfied themselves as to their prospects for successfully obtaining a development contract.

The subcommittee's investigation into the history of this development corporation has revealed conflict-of-interest questions involving the corporation's participants, who, at the same time, in their capacity as leaders of the citizens' planning committee, are attempting to win community support for a plan from which they hope to profit. In April of last year, shortly after the citizens' planning committee adopted its preliminary plan proposal, several of these same individuals met for the purpose of discussing the formation of a corporation for the express purpose of obtaining a redevelopment contract permitting them to implement a plan that had been endorsed by these very same individuals a few days earlier. At this meeting, representatives of the corporation were directed to obtain RLA assurances that the corporation would be the redeveloper and, following such assurances, to proceed with the formation of the corporation.

The subcommittee has established that during the next several months, representatives of the proposed corporation met with RLA officials. These representatives were at that time also leaders of the citizens' planning committee. It is not known whether in such discussions with RLA the individuals were appearing in their capacity as leaders of the citizens' planning group—a capacity in which they had been collaborating with the RLA for several years—or in their capacity as promoters of the development corporation, or both.

It has been admitted that the purpose of these discussions was to obtain an advance commitment from RLA that it would be selected as the redeveloper, although it is denied that any assurances were given. However, one of the representatives of the proposed corporation who participated in discussions with RLA conceded that the executive director of RLA assured him that the corporation would stand a good chance of being selected as the redeveloper.

I am not one to quibble with words, but if one were assured that, although he could be given no commitment as to obtaining a contract, he stood a good chance of doing so, I think a reasonable man would know what meaning was intended.

There seems to have been little doubt as to the meaning in the minds of these corporate promoters, because, following their discussions with RLA, they returned to their prospective stockholders and reported on their conversations with RLA. The prospective stockholders were so impressed with the report that they unanimously voted to form the corporation and began subscribing to its stock.

The corporation was formed in August of last year. It is interesting to note that the majority of the shares issued are held by four individuals, none of whom live in the project area or, for that matter, in the District of Columbia. Moreover, an officer of the corporation and one of its two largest stockholders is the same individual who for the past several years has been attempting to drum up support for the renewal plan in his capacity as chairman of the planning committee.

It is my sincere hope that the subcommittee will continue its investigation of this matter to determine all the facts regarding this serious conflict of interest issue. This is not the first project in which charges of favoritism and other malpractices have been raised. I am particularly hopeful that the subcommittee will determine whether RLA has misused its power in an attempt to buy support for an urban renewal plan by using taxpayers' money to produce profits for favored individuals who earn these rewards by virtue of having mobilized citizen support for the plan.

I call upon the Congress to reexamine the Redevelopment Act to determine whether that act should be amended to protect the public against these activities.

I am hopeful that the Board of Commissioners, in reviewing this renewal plan, will consider this disturbing aspect of the plan's origin.

TRIBUTE TO CAPT. MARK A. WHALEN

Mr. SCHWEIKER. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Conte] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CONTE. Mr. Speaker, as a member of the House Subcommittee on Appropriations for Treasury and Post Office—which has within its jurisdiction the U.S. Coast Guard—it has been my privilege to know a very distinguished Coast Guard officer, Capt. Mark A. Whalen.

For the past 4 years, Captain Whalen has been responsible for coordinating Coast Guard matters with the Departments of Treasury, Defense, and State as well as the Congress of the United States.

It was in the latter assignment that many of us here came to know and appreciate Mark Whalen for his invaluable public service.

In every instance, Mark Whalen has demonstrated his unique ability to serve his country within the highest traditions of the public service.

Not only has he managed to handle matters of the most delicate and strategic importance, but he has always been willing to lend a helping hand whenever necessary.

It is with regret then, Mr. Speaker, that Captain Whalen will soon leave Washington to become the commanding officer of the Coast Guard Reserve Training Center at Yorktown, Va.

In saying this, of course, I am well aware that Yorktown will soon receive one of this country's finest officers and men. He will be sorely missed here, but I am certain that his new assignment will prove beneficial to the Coast Guard and the Nation.

On Capitol Hill, Mark Whalen was known for his steadfast devotion to detail and for his remarkable ability to summarize an intricate problem in a few well-chosen words. His unhesitating assumption of responsibility for any matter affecting the Coast Guard, regardless of the size and importance of the problem, has earned him the respect and admiration of all with whom he has been associated.

A native of the Nation's Capital, Captain Whalen attended Central High School, Georgetown University, and Emerson Institute. Entering the U.S. Coast Guard Academy at New London, Conn., with an appointment as a cadet, he was graduated and commissioned an ensign in 1937. An outstanding athlete, he played baseball for 3 years, and captained the football team in his senior year.

His early assignments included duty on board the Coast Guard cutters *Saranac, Tampa, Nike,* the maritime service training ship *Empire State,* and as executive officer of the candidate for reserve commission school. He commanded the Coast Guard cutter *Modoc* on convoy escort duty in the North Atlantic, followed by a 4-year tour in Coast Guard Headquarters in Washington as Assistant Chief of the Training and Procurement Division of the Office of Personnel.

From 1950 to 1952 he commanded the 311-foot Coast Guard cutter *Humboldt,* operating out of Boston on North Atlantic Ocean station patrol duty. For the next 4 years, he was Assistant Chief of the Reserve Division at CGQ. He then commanded the *Andorscoggin* before attending the Naval War College.

Married to the former Helene Josephine Roche of Old Lyme, Conn., he has two daughters, Susan Alice and Laura Louise. Recently, Adm. E. J. Roland, Commandant of the U.S. Coast Guard authorized him to wear the Coast Guard Commendation Medal for his work here on the Hill. I am certain, Mr. Speaker, that he has earned a hearty "well done," for his service. I wish him Godspeed and continued success and happiness in his new assignment.

WISCONSIN PAPER AND ALLIED PRODUCTS INDUSTRY

Mr. SCHWEIKER. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Laird] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. LAIRD. Mr. Speaker, until recently Wisconsin led the Nation in the tonnage production of paper and paperboard. According to the latest figures, Wisconsin has slipped to the position of the second largest producer of paper and paperboard in the United States. As a major industry in our State it employed 40,200 workers as of May 1963. These employees earn an average of $111.31 per week which is a higher average wage than the Statewide industry production worker enjoys. It is also a larger figure than the employment average across the country as reported in the Census of Manufacture, 1961, by the Bureau of the Census.

In Wisconsin, there are 54 cities that have at least one mill or plant. There are 52 pulp and paper mills in 34 cities and 111 converter plants in 39 cities.

As of 1961, Mr. Speaker, which is the latest year for which we have complete figures, Wisconsin compares with the No. 1 State, the State of Georgia, as follows: in the production of paper and paperboard, Wisconsin produced 2,252,549 tons as compared to Georgia's 2,297,020. In all other respects, Mr. Speaker, Wisconsin still leads the Nation.

Georgia mills and plants in 1961 employed only 19,046 persons at a payroll cost of $102,521,000 as compared to Wisconsin's 36,045 employees at a payroll cost of $216,899,000. In addition, Georgia showed a "value added by manufacture" figure of $273,912,000 as compared with Wisconsin's $466,341,000. In new capital expenditures for 1961, Wisconsin spent $56,307,000.

It is a tribute to Wisconsin's history of dynamic progress that of the 47 paper-producing States in this country, Wisconsin leads all others in sales, investments, taxes paid, and most other categories.

STATE SHOULD TAKE LEADERSHIP IN DEVELOPING NEW PLAY AREAS

Mr. SCHWEIKER. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. MEADER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MEADER. Mr. Speaker, yesterday I called attention of the House to a suggestion I have made to the Honorable George Romney, Governor of the State of Michigan, that the State of Michigan, itself, should take the leadership in developing river systems, lakes, and park areas for recreation and conservation purposes, rather than to turn to the Federal Government and transfer vast areas of our State to the Department of Interior for national parks.

I included the text of my letter to the Governor and also an editorial from the Monroe (Mich.) Evening News in the body of my remarks which appear on pages 12195–12196 of yesterday's RECORD. Another newspaper in my district, the Jackson Citizen Patriot of Jackson, Mich., has also carried an editorial under date of July 5, 1963, urging that Michigan officials study my suggestion carefully.

The editorial is entitled "State Should Take Leadership in Developing New Play Areas," and I include the text at this point in my remarks:

STATE SHOULD TAKE LEADERSHIP IN DEVELOPING NEW PLAY AREAS

In a letter to Gov. George Romney commenting on the Governor's National Press Club speech about the need for State governments to take the lead in encouraging the tourist industry, Representative GEORGE MEADER offers a suggestion for the effective development of the State's river systems, lakes and parks.

The Congressman agrees that the States should take the initiative rather than leaving the job to the Federal Government as some are wont to do. Mr. MEADER believes the State already has an outstanding example of how this can be done in the five-county Huron-Clinton Metropolitan Authority.

The Congressman, in his letter, points out that under such a plan, the "people of Michigan and the particular locality who have the greatest interest, not only through enhancement of their property values and their own use of the recreational facilities, but in the development of the tourist industry, would retain control and make the decisions shaping the character of recreation and conservation developments."

Mr. MEADER recalls that the Huron-Clinton Metropolitan Authority was established in 1942 following a referendum pursuant to a special act of the legislature in 1939. This five-county regional governmental unit, possessing tax and condemnation power and governed by a board of commissioners, five elected by the board of supervisors in each of the five counties, plus two appointed by the Governor, is "a thriving, successful operation which, in a 20-year period, has spent approximately $25 million in beautifying and improving the Huron and Clinton Rivers and establishing a dozen parks and recreation areas."

The Congressman says that while he considers the problem of park development primarily a State and local one, he feels it should be strongly supported by the Federal Government through programs already in being, such as flood control, water pollution control, navigation, soil conservation, and so on. He is willing to sponsor whatever amendments are needed to existing Federal law to encourage the local authority plan.

He suggests that instead of passing special laws for each district, as was done in the case of the Huron-Clinton Authority, Michigan might well consider adopting a general law, similar to the Conservancy Act of Ohio which has been spectacularly successful in preserving and developing the natural resources of our neighboring State.

The net result, he believes, would be more desirable than wholesale ownership and control of recreational lands by the Federal Government, such as is contemplated in the controversial Sleeping Bear Dunes National Park proposal.

All this makes a lot of sense. When the Federal Government moves into the recreation and conservation picture it tends to concentrate on large, sweeping—and politically sensational—projects such as Sleeping Bear.

The need, rather, is for orderly development of recreational facilities where the opportunity to do so exists and where the need for them is greatest.

The little opportunities often are overlooked. By that, we mean the development of a mile or two of a stream or the creation of a public fishing or bathing site on a desirable lake. We often have pointed to Jackson County's park system as an example of what a little foresight, and not too much money, can do. Often these developments are too small to warrant the attention of the State park system.

It is possible that an authority or a State conservancy act, similar to Ohio's, is the ideal answer to the development of such areas as the Raisin River, the facts of which were reviewed in a series of articles a few days ago in the Citizen Patriot.

Michigan has a tremendous asset in its lakes and streams and lands which are better suited for recreation than for anything else. It will not, except in unusual cases, get the answers from Washington. It won't always get them under the present State setup.

As a State, we need to be planning ahead to the year 2000 and beyond when the pressure on present recreational facilities will become intolerable. It already has in many areas.

If new legal tools are needed to do the job, the legislature, with the Governor's assistance, and the Congress, under urging from Mr. MEADER and other members of the Michigan delegation, must provide them.

Representative MEADER has made a significant contribution to the line of thought on this subject. We sincerely hope that his letter and the ideas expressed therein are not allowed to slip away without due consideration.

SENATE BODY FAVORS ARAB REFUGEE ACTION

Mr. SCHWEIKER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HALPERN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. HALPERN. Mr. Speaker, I had thought the ill-advised and unrealistic proposals offered for a solution of the Arab refugee problem by Dr. Joseph E. Johnson, of the United Nations Palestine Conciliation Commission, were dead and buried. The Johnson plan was acceptable to neither Arabs nor Israelis and jeopardized the shaky peace in that troubled area.

But now I notice, Mr. Speaker, that the mischievous spirit of this dangerous plan was apparently revived in a recent report of the Senate Judiciary Committee's Subcommittee To Investigate Problems Connected With Refugees and Escapees.

The details of the Johnson proposals were so ludicrous, so ridiculous, that they were never even made public or formally reported out. Yet the subcommittee now terms them "a carefully conceived and detailed plan for progress."

I am very surprised at the revival of this abandoned scheme. I hope that the subcommittee of the other body will reconsider the whole matter, mindful as they are of the demands of peace and stability in the Near East, and return the ghost of the past to a restful grave. There are enough current problems in the Near East without digging up ghosts. The Johnson proposals are especially dangerous to Israel's security. Arabs, in great numbers, in hostile Arab States surrounding Israel would be granted an option of moving to Israel despite the fact that many are not authentic refugees and some never lived in Israel at all.

Unfortunately, Mr. Speaker, State Department elements have sought to push these proposals even though they were abandoned by the White House and the administration. Instead, we should have a true initiative for a general peace settlement. This would be a more sensible approach for the State Department to push.

The Arab refugee problem can only be solved in the context of a general peace settlement. How can Israel be asked to admit potential fifth columnists, many of whom are adherents of the Arab Communist Party? It would seem obvious that peace is a prerequisite to any massive scheme for moving mobs of bitter people across disputed frontiers. They would not come as peaceful immigrants but as mortal enemies dedicated to Israel's destruction.

The Arabs reject the Johnson proposals for different reasons. They feel that even repatriation of Arab masses would lend tacit recognition to the legal existence of Israel as a nation. Since Arab governments are committed to a brutal objective of "driving the Jews into the sea" and wiping out Israel, they would not even accept the basically pro-Arab formula proposed by Dr. Johnson.

Mr. Speaker, at this point I would like to insert into the CONGRESSIONAL RECORD two pertinent items. The first is quoted from an editorial in the Jewish News, Detroit, Mich., commenting on the subcommittee report. The second item is a news report by the authoritative Jewish Telegraphic Agency which outlines the details of the curious portion of the subcommittee report.

[From the Jewish News]

It is regrettable that Senator HART's report does not indicate what Dr. Johnson's findings and recommendations were. Having stirred up so much commotion, without having made itself known, that report must have had in it elements of a disturbing nature to both peoples involved. But the Hart report, even at this very late date, seems to accept that report. This is not an altogether fair way of dealing with a matter so turbulent that it interfered with the peace of the entire Middle East.

Perhaps the Hart report could not be expected to go into every detail of the Arab refugee question. Nevertheless, since it does mention that half of the claimed total of a million Arab refugees are 16 years of age or under, there devolves upon all who are taking an interest in the grave problem the responsibility to view the matter realistically. Are these youths provided with training to make themselves self-supporting in an area where they would find them at home, or are they being encouraged to remain unemployed and to continue to serve as a stimulant to troublemaking in Israel?

There were approximately 550,000 Arabs who left Israel, under instigation from Arabs outside Palestine, at the time the Jewish State was formed. That number has nearly doubled—if we are to accept the figure as given by the Arabs. It will continue to increase. Youths are growing up and they need to be taught to earn their livelihoods. Are they to remain as pawns in an Arab game of war, or will there be a serious effort to find homes and jobs for them in Arab environments where they will be productive and happy people?

There has to be sense of realism in dealing with an explosive problem. The Hart report does not offer pragmatism for the Arab refugees.

[From the Jewish Telegraphic Agency]

SENATE BODY FAVORS ARAB REFUGEE ACTION

WASHINGTON.—A report generally endorsing the proposals for repatriation or compensation of the Arab refugees, made by Dr. Joseph E. Johnson, as special representative of the United Nations Palestine Conciliation Commission, was presented to Congress today by the Senate Subcommittee on Refugees and Escapees. The Johnson report was never submitted by the Palestine Conciliation Commission to the United Nations Assembly after it became known that the Arabs object to its recommendations.

The Senate subcommittee's report also noted that "religious and political persecution have generated a steady flow of Jews from North Africa." Chairman PHILIP A. HART, Michigan Democrat, did not go into details on the plight of North African Jewry, but did elaborate on the status of Arab refugees in countries surrounding Israel.

Citing "the growing weariness in many quarters over the seemingly endless custodial nature of the program of the United Nations Relief and Works Agency, the persistent intransigency of political forces in the Middle East, and the overall lack of progress in seeking a solution to this refugee problem," Senator HART reported "the subcommittee believes America has a responsibility in this situation."

He added that the subcommittee noted "with great interest the administration's concern and initiative in this matter, and its general support of the diplomatic efforts by Dr. Johnson."

According to Chairman HART and the subcommittee, Dr. Johnson "has authored a carefully conceived and detailed plan for progress which includes, among other things, a flexible provision to implement the 1948 resolution of the United Nations General Assembly calling for the repatriation of refugees or compensation for loss of property."

The Senator added that "it is illusory to assume, however, that a solution to the Arab refugee problem can be manufactured and simply imposed upon the situation. In the final analysis, progress toward a solution must necessarily evolve from within the Middle East itself." He expressed hope that "the Johnson effort and attending international relations" will help generate this progress. He stressed the importance of continued U.S. support for expanding services being handled by UNRWA.

"A budding aspect of this assistance is the growing stress on an education and vocational training program for young refugees," the Senator said, adding that a fact that made this program mandatory and indicated the changing nature of the Arab refugee problem was that half of the refugees were under 16 years old. "Channeling this youthful throng into useful pursuits, harnessed to the economic and social development of the entire area, should become the primary concern of UNRWA, its supporters and especially the governments of the Middle Eastern countries," he stated.

The subcommittee noted that 70 percent of the UNRWA budget was contributed in funds and kind by the U.S. Government. The reference to Jewish and Arab refugee situations were contained in a report on the worldwide problems connected with refugees and escapees.

PRAYER AND BIBLE READING AMENDMENT

Mr. SCHWEIKER. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. SILER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SILER. Mr. Speaker, I have had the honor today of being the second signer on a discharge petition that would bring forth a House resolution providing for a constitutional amendment legalizing Bible reading and prayers in our public schools.

As Abraham Lincoln said upon signing the Emancipation Proclamation, "I never in my life felt more certain of having done right than I did in signing it."

The psalmist inquired in one of the Biblical psalms, "If the foundations be destroyed, what shall the righteous do?" Now if we take out of our public schools all Bible reading and all prayers, then we are indeed destroying the very foundations of our country. The Bible is not a sectarian book. Neither is the Lord's Prayer a sectarian prayer. These Bible readings and prayers do not bind anyone to accept their great truths. Neither do they take any tax money from anyone to support any particular sect or religion. Therefore, such Bible readings and prayers in no manner break down the separation principle of church and state.

I feel that more than 75 percent of our American people have always approved Bible reading and prayers in our public schools. And this proposal for a constitutional amendment merely formalizes the thinking and heartfelt desire of most Americans for a deep reverence for the faith of our fathers and the truths of our Bible.

Even though we are certainly not as good Christians as we should be, we still would not want to live in an atheistic nation. Furthermore, we must all deplore a Supreme Court attitude that says its hands are tied in the matter of removing pornography and vulgarity from newsstands and yet are free to remove God's Holy Bible and the Lord's Prayer from the public schools of our country.

Even our Jewish friends must feel some pride that Jesus and the Apostle Paul were Jews and that most of the Bible itself came from Jewish sources.

I hope this constitutional amendment will soon be adopted and that the foundations of America will not be further destroyed. As for me, I am 100 percent for Bible reading and the Lord's Prayer in our public schools. If I am not for this, I am not for anything.

IN MEMORY OF ROY WIER

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. BLATNIK. Mr. Speaker, I wish to pay my respects to the memory of the Honorable Roy Wier, formerly a Member of this distinguished body, who died in Seattle on June 27.

I rise, Mr. Speaker, to pay final tribute to an old friend and to offer my last respects to a man whose dedication to the good of the people whom he served, coupled with his personal integrity and his impatience with sham ideas and shallow individuals, made his years in this House a model for others to follow.

Serving as Democratic-Farmer-Labor Representative from Minneapolis, Minn., Roy Wier, was a devoted and active Member of the House from his initial election in 1948 until his retirement in 1960. His efforts to obtain just and even compassionate legislation for laborers, for families, for children—especially as a member of the House Committee on Education and Labor—were outstanding. His interest, perhaps stimulated by membership on the House Committee on the District of Columbia, in providing the residents of the District with the vote was highly commendable.

By his sincere and tireless dedication to the needs and concerns of the unimportant, the unfortunate, the unheralded thousands of people who make up this great Nation, Roy Wier made his years as Congressman from Minnesota special and unique. Because of the unassuming manner in which he accomplished countless duties, it is probable that most of those whom he served so well were unaware of the painstaking efforts he made on their behalf.

And so I wish today to proffer my incomplete, yet heartfelt praises to the memory of a man who saw his duty and who fulfilled it conscientiously. I offer my sympathy, and that of my colleagues who were privileged to know Roy Wier, to his wife Nellie and to his sisters. His death has been a loss to many.

FORMER REPRESENTATIVE ROY WIER

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. KARTH] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. **KARTH**. Mr. Speaker, I rise to pay tribute to the memory of our former colleague Roy Wier who died a few days ago after a brief illness.

I knew Roy for a good many years and had a deep admiration for his dedication to serving the people's needs in government. In Congress Roy Wier served as the "people's legislator" on the District Committee and the Committee on Education and Labor where he championed democratic causes to better the lives of children, of mothers, of working men and women, of the voteless residents of the District of Columbia and of minorities everywhere in our Nation.

In a word he was a man with a tremendous heart and a driving devotion to the cause of social justice. Many of those for whom he worked so tirelessly never knew of Roy Wier, or his effective work on their behalf, because he worked without fanfare.

Roy Wier could be a curt and sometimes rude man, especially to the "phonies" and the "sharpies" who tried to approach him. Roy had no patience or time for anyone but people with genuine problems who could be helped by his intervention.

Roy Wier did his good work for his personal satisfaction, without reams of press releases and the ballyhoo which are the main concern of the opportunist in office. There are some who suggest that Roy Wier's dislike of publicity was his undoing. Perhaps so.

Many people lost a champion when Roy Wier passed away. I lost a fine friend.

Many of us who knew Nellie Bosley Wier as Roy's quiet, gentle, and hardworking secretary have extended our sympathies to her at her bereavement.

PLACEBO PILLS FOR SLAVE LABOR

Mr. **ALBERT**. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. **GONZALEZ**. Mr. Speaker, a week ago, we heard a gentleman say some rather amazing things about the bracero program.

We were told that the lot of the migrant worker is a hard one and that the bracero program would be "an efficient, humanitarian solution to the migrant's cruel plight."

Now nothing could be further from the truth.

The bracero program does not help the migrant any at all—unless depressing a man's wages makes him feel better. Or it might make a man feel better to know that over a hundred thousand jobs are held by semislaves. Somehow I doubt that it would make me feel any better.

We are going to have migrant workers in this country whether there is or is not a bracero program. The real question is how we are going to go about improving his lot in life.

I would think that one of the best ways we can help the domestic migrant would be to clear the farm labor market of its flood of foreign workers. If we would just let the labor market be subject to the laws of supply and demand, I feel that wages would be improved at least some. But by using braceros, we drive the market price of labor down.

In addition to removing the glut on the labor market, we ought to consider carefully Senator WILLIAMS' proposals aimed at improving the living conditions of our migrants.

What we do not need is another argument that slavery is a peculiar institution that prevents our workers from having to do tough work.

INJECTION OF GOVERNMENT IN ANOTHER COLOSSAL ARM OF THE TRANSPORTATION INDUSTRY

The **SPEAKER** pro tempore (Mr. SIKES). Under previous order of the House, the gentleman from Missouri [Mr. HALL] is recognized for 15 minutes.

Mr. **HALL**. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. **HALL**. Mr. Speaker, today another last-ditch effort—to use an all too familar phrase—by the administration is taking place as Government injects itself in another colossal arm of the transportation industry. It recalls the longshoremen and dockworkers' strike of early in this congressional session, and the Kennedy running battle with the Teamsters—usually ending in favor of Hoffa. Once again as a member of the Armed Services Committee of this House, I am sorely concerned as to the end result of military and domestic travel and transportation management and specifically the end result of any threatened transport tieup. While more concerned with the rights of collective bargaining in good faith and even the right to strike—or not work at all—I believe such actions must be responsible to the public needs for defense, health and welfare, and property rights. I am alarmed at big collective Government's ineffectual interference when it apparently ignores concepts of basic economic principles from which this Nation has derived its present position and standards. It should be elemental that competition at home or in the world of nations, is based basically on production costs such as material, equipment, and labor; plus delivery costs. Other considerations are man made such as tariffs, rates of monetary exchange, spurious "sanitation" requirements or not, and limiting laws of egress and ingress. If we fix and hold inviolable any part of this equation, we become guilty of having to live with fixed results throughout, and prey for the falcon of hungry, lean—foreign—competition. We best at least correct our obvious errors.

It has become apparent that our trade negotiations under the Trade Expansion Act of 1962 are encountering some heavy weather in Europe, particularly because of the attitude of the Common Market countries. No example is clearer than the closing down of poultry exports—much to the amazement of Secretary Freeman, and other ADA'ers.

This attitude, arising as it does from the judgment of "the Six" as to what is or will be most conducive to the development of their economy, has apparently come as a great surprise to our State Department. The hopes in that Department had been permitted to blind its officials to the realism that rules the actions of the European countries. Hence the disappointment.

The Department seemingly has an infinite capacity to be surprised when other countries do not follow our soft—and often academic—foreign economic policies, or altogether lack thereof.

This is all the more reason why Congress should take a look of its own at the meaning of the so-called forthcoming "Kennedy round" of tariff reductions.

It seems almost inconceivable that we should offer to the world another 50-percent tariff cut when we have already reduced our tariff an average of 80 percent. It is also amazing that it is we who are now most insistent on broad, across-the-board reductions. We have long adhered to the more reasonable and scientific approach which called for adjusting the tariff in keeping with the needs of each product. How these proposals can now be seriously advanced, one must confess, defies all commonsense, if indeed the purpose is to bolster and to promote and activate the economy of this country.

If indeed, the purpose is to increase the possibility of governmental intervention in order to bail out industries as they are driven to the wall by rising impact of imports, as in shoes, the proposals are understandable. Before long many industries would be thrown into the arms of the Government and this would create dependence on governmental assistance. It would also mean a loss of independence by these industries. They would become much more amenable to discipline from Washington. If that is the purpose under the new trade act, we are on the right track. I believe it very questionable procedure.

Mr. Speaker, what is needed is a reappraisal of our competitive position in the world in the face of far-reaching industrial developments in the past 10 years. These have been of major magnitudes in their effects on the American economy. The potential effects are even greater since the new oversea tide of technological advancement which we so generously assisted has not yet crested.

The Trade Expansion Act of 1962 was passed in the context of "business as usual"; that is, as if we were still in the old world of prewar days when this country was the world leader in mass production and mass marketing. That day is gone and we cannot proceed on the assumption that our higher wages are sufficiently insulated by our higher productivity. The vast lead that we had in higher output per man-hour is being closed by our competitors while our wage lead continues.

There are many new elements in the changed situation and they need to be brought out into the open and examined and assessed. One such inquiry has come to my attention recently. It searches out some of the underlying factors that account for the American industrial leadership and examines them in the light of the new conditions. It is the kind of inquiry for which we have a great need today, if we are to effectively legislate for labor, for the public, and for productive industries which produce jobs, delivery, and safety in this Nation.

Under leave to extend my remarks, I offer it for the Record and urge that all who are interested in the subject give it a close study. It will awaken many questions about the wisdom of our present foreign trade and domestic labor policies; and we may draw satisfaction and hope in the fact that the new trade negotiations are not moving as rapidly as some had hoped they would. Now we must help ourselves and at least correct our errors.

The study, prepared by O. R. Strackbein, chairman of the Nationwide Committee on Import-Export Policy, follows:

U.S. FOREIGN TRADE POLICY: PRESSING THE LID ON OUR ECONOMIC GROWTH

(By O. R. Strackbein, chairman, the Nationwide Committee on Import-Export Policy)

("Rapid economic growth will not take place unless an adequate pressure of demand on productive resources is maintained," report, OECD, April 1962.)

There is, of course, no substitute for consumer demand as the original call for production of goods. But for human needs there would be no grounds for producing anything.

Yet consumer demand of itself means nothing so long as it is not supported by the monetary power to buy. Putting money into the hands of consumers so that their demand for goods may be carried out is a byproduct of production itesif.

The upshot is that there is an intimate and sometimes intricate interaction between consumer demand and production. The interdependence is indeed very extensive. Because of this the two elements can be compared to the two blades of a pair of scissors. Yet in the economic field there are those who insist on giving more importance to the one element or the other; that is, either to production or to consumer demand. It should nevertheless be clear that one is useless or futile and helpless without the other. Which, then, comes first?

Undoubtedly, demand comes first, since there would be no call for production without demand. Demand then activates production, but like a fire creating its own draft, production of itself creates some important demand, both through the call for plant, machinery, equipment, tools, and other appurtenances and through the provision of purchasing power to production workers, auxiliary hands, managers and owners, the first through wages, the latter through profits. Yet, production cannot be regarded sensibly as something in and of itself, justified independently of its function.

The money, on the other hand, upon which the activation of demand depends in a capitalistic society must come from production, directly or indirectly. It comes directly when workers are employed in production and receive wages; and also directly when owners make a profit. Again, it comes directly to farmers when they sell their crops.

Money also comes into the hands of consumers (1) when employees work for wages or salaries in nonproduction enterprises in the field of transportation, homebuilding, buying and selling, lending money, recreation, selling real estate, insurance, personal services, government, teaching, and so forth; and (2) when owners of the enterprises in these fields make a profit.

All such wages, salaries, and profits depend originally on production of goods. If no fibers were produced there would be no merchants to sell them, no moneylending to finance their production and distribution and no stores to stock the finished product. If no lumber were produced, no bricks were made, and no stones quarried there would be no construction of homes incorporating these materials. There would be no employment in these fields and no money-backed demand could be developed.

At some point in the interaction between production and consumption employment thus interjects itself as a third major force in the economy. Employment is economically ambivalent in the sense that it participates in both production and consumption. In production it mans the machines and tools, handles the raw materials, etc. In consumption it provides the mass demand and justifies or fails to justify production, depending on the earning of money income and the level of prices.

In the United States today each job engaged in production, be it in a factory, mill, mine, lumber camp, fishery, or on a farm, generates two other jobs. In March 1962 workers in manufacturing industries numbered 16,511,000; those in agriculture numbered 4,782,000; those in mines 645,000, making a total of 21,938,000. The total employed civilian labor force, including these workers, was 66,316,000, leaving 44,378,000 as nonindustrial and nonagricultural workers, or a ratio of 2.02 to 1. (See Statistical Abstract of the United States, 1962, table No. 280 and No. 290.)

This ratio has been rising as may be seen from the earlier distribution of workers. (Same tables of the Statistical Abstract, 1962.) In 1940 the ratio of nonmanufacturing and nonagricultural workers to those employed in manufacturing, mining, and agriculture, was only in the ratio of 1.2 to 1. In 1950 it had risen to 1.5 to 1. Then, as recorded above, by March 1962 it had risen to 2.02 to 1.

This means that today each job in a factory, mine, or on a farm is worth two other jobs in terms of employment-creating capacity. No doubt the upward trend of the past 20 years will continue.

Yet we seek to stimulate imports at the expense of domestic production. The ratio is of utmost importance and has a strong bearing on the relative value of domestic production as compared with trade in foreign goods as job-creating sources. Considering the heavy emphasis placed on foreign trade today and keeping in mind the overriding importance of employment to our economy, it becomes urgent to inquire into the direction of our national trade policy and its bearings on employment and unemployment.

It will be recognized quickly that much of the effect of foreign trade on jobs depends on the composition of our trade; that is, whether it may be expected to create jobs or to discourage or displace them. This in turn depends on what proportion of our trade consists of raw materials, of semimanufactures, and of manufactured goods.

If exports should consist principally of unmanufactured agricultural products, raw materials, including minerals and semimanufactured items while imports consisted principally of finished goods and semifinished manufactures, foreign trade would exert a negative influence on employment. On the other hand, if our imports were predominantly composed of raw materials and semimanufactures while exports were composed largely of manufactured goods, foreign trade could be regarded as a net job-generating undertaking, with some qualifications having reference to relative labor-contents of imported and exported goods, dollar for dollar.

In the past U.S. exports in relation to imports held a good position in this respect. Our exports of "finished manufactures" and "manufactured foodstuffs" during the postwar years represented about two-third of our total exports. From 1946–50 the two combined represented 66.6 percent of our total exports, compared with only 28.6 percent of our imports. During the next 5-year period (1951–55) they represented 68.24 percent of our exports while they accounted for only 30.46 percent of our imports.

From this time forward a very significant change began to appear. The average for the 1956–60 5-year period saw a slight decline of finished goods in the export percentage of 64.7 percent, while the share of imports of such goods of the total imports jumped to 41.53 percent, an increase of over 30 percent, compared with the preceding 5-year average.

In the past 2 years the trend became unmistakable. Finished manufactures and manufactured foodstuffs in 1960 subsided to 61.87 percent from the 68.2 percent in the first half of the decade. In 1961 the mix rose a little, going to 62.5 percent.

With respect to imports, in 1960 the share of finished goods and manufactured foodstuffs had risen to 46.59 percent and in 1961 stood at 46.49 percent. This was a startling rise from the average annual level of 30.46 percent from 1951–55, representing an increase of more than 50 percent. This strong trend toward rising imports of finished goods by this country coincided with the recovery of Europe and Japan and their rising productivity in response to rapid technological advancement.

Approached from another angle we find confirmation in the dollar figures (naturally). In 1956 our exports of the two categories of finished goods in question amounted to $12.3 billion; in 1961 to $12.9 billion, an increase of 4.8 percent. Imports in 1956 were $4.3 billion in these categories (finished goods and manufactured foodstuffs); in 1961 they had risen to $6.6 billion, an increase of a little over 50 percent, representing a 10-to-1 ratio of increase compared with exports.

In other words, since the rehabilitation and recovery of the other industrial nations of the world was completed, followed by their galloping industrialization, our foreign trade is rapidly moving into a job-defeating position for us; and we are inviting an acceleration of this trend through our trade policy.

When we import finished goods that compete with those of our own manufacture we engage in a transaction that will not create two additional jobs in this country as would each new factory job in this country (on the average). Even though the distribution of the finished goods calls for employment in selling, packing, shipping, transporting, financing, et cetera, this is also true of goods domestically produced. Therefore there is no net gain in employment attributable to the importation of competitive finished goods. Rather, our economy is robbed of at least one production job for each worker employed abroad in making the finished competititve goods shipped into this country.

As production jobs in this country become more productive in the generation of other jobs, as they have done in the past two decades, employment at production (manufacturing, mining, farming) becomes more precious to our economy and more crucial to our economic well-being, as measured by employment, than ever before.

Any policy that displaces production jobs or prevents their coming into being in this country is therefore negative or regressive in its effects on employment.

While at the present time the "mix" of our exports in terms of finished goods and raw materials is still in our favor as compared with the "mix" of our imports, the trend is running rapidly against us, as the statistics clearly demonstrate. The new Trade Expansion Act will accelerate this job-smothering trend.

Our tariffmakers of the past, perhaps through coincidence, recognized the principles here set forth, but for a different reason. For example, the tariff on unstemmed leaf tobacco is lower than that on stemmed tobacco and the rate on stemmed tobacco is lower than that on the finished product; that is, the finished product carries the highest duty. Raw hides and skins are on the free list while we levy a duty on leather. Shelled peanuts pay a higher rate than the unshelled. Fresh or frozen tuna is free of duty while canned tuna pays a substantial rate.

This principle of higher duties on finished products was followed, with some exceptions, throughout the tariff.

With the sharp reduction of our tariff, the favored tariff treatment of finished goods lost much of its force and the great rise in the imports of such goods followed, as noted above. Raw materials imports, including crude foodstuffs, declined in the proportion of our total imports from 48.22 percent in 1950 to 31.17 percent in 1961.

If our tariff is reduced another 50 percent, to repeat, the trend will be accelerated, and the impact on employment will be accentuated. Unfortunately such negative influence on employment will not be confined, as it has not been confined in very recent years, to direct displacement of jobs in this country. A secondary influence, more oppressive in its effect on employment, is an unavoidable companion of the actual displacement.

This factor might be called a side effect in the form of devitalization of confidence through the inducement of fear and doubt in producers and manufacturers.

The dynamic function of confidence in causing growth and expansion and therefore in creating jobs was recognized by the OECD (Organization for Economic Cooperation and Development) in a report issued in April 1962. "The first and basic condition for growth," it said, "is that private firms want to grow, and this, in turn, depends on their having confidence * * * that certain conditions will be satisfied." The report continued:

"They (the private firms) need to be confident that they will be able to dispose of increases in output at a profit."

This is the heart of the equation. If businessmen lack confidence in the likelihood of disposing of a larger output at a profit they will not as rational economic beings undertake the expansion.

Undoubtedly a number of elements in the economy may smother confidence. Whatever else may do so, import competition that has demonstrated both its ability to undersell by the simple process of doing so consistently, and to capture a growing share of the market, as thousands of imported items have done to the dismay of domestic competitors in recent years, will shake the most optimistic entrepreneurs and those who would like to expand their existing manufacturing operations.

If imports are underselling domestically produced items the manufacturer's natural response will be to achieve a better competitive standing by increasing efficiency. This means more than anything else the introduction of laborsaving machinery and equipment, the streamlining of production, materials flow, etc.

At this point the domestic producer is pitched into the very crux of the problem that afflicts our economy today in many important sectors.

When import competition was no menace or was readily contained (largely because of our tariff) our economic system developed and prospered with reliance on (1) mass production, and (2) the mushrooming of consumer demand when the lower costs achieved under (1) above, that is, mass production, were passed on to consumers in the form of lower prices.

To assure such lower consumer prices we depended on competition, that is, fair competition, to prevent monopolistic practices from maintaining high prices when costs had been reduced. Our economy would not have grown as it did had competition failed in this very important mission of passing lower costs of production to the consumers.

Next we looked to good wages and to good profits (1) to provide consumer purchasing power that would absorb the increased volume of goods, and (2) to provide ownership of industry an incentive to engage in mass production and to expand.

With respect to the maintenance of consumer purchasing power we again looked to the character of competition and we outlawed sweatshop wages and child labor by the adoption of legislation, such as minimum wage laws. The purpose was to eliminate wage levels from competition as a source of lower costs, by preventing the low-wage payer from underselling his high-wage paying competitor. Thus we hoped to maintain the purchasing power of consumers at a level that would buy the rising output of farm and factory.

However, the success of this system, which was unique in the world, but which we came to take for granted, still depended on a peculiar characteristic of consumer demand. This was the astounding elasticity of demand for some types of goods if only the price was brought within easy range of the mass pocketbook.

Strangely enough, not all consumer demand is of this character. Some consumer demand is quite rigid, such as that for particular food products, such as wheat, potatoes, pork, fish, milk, salt, sugar, et cetera. Assuming no great area of undernourishment in a country, the amount of food that can be consumed is limited by the number of stomachs. If the market is saturated with particular food products, slicing of the price in half will do little to increase per capita consumption. The demand is inelastic. It does not respond much to ordinary price changes.

From such a degree of inelasticity demand ranges to the greatest elasticity in the demand for goods in which style, status and prestige are motivating elements in the purchasers, largely in the nonnecessity field. It is here that higher purchasing power has such rewarding possibilities in terms of expansion and employment. In this field consumer demand may mushroom amazingly in response to a significant reduction in prices, assuming a level of purchasing power equal to the situation. For example, when the price of TV sets was lowered so that it was within the reach of millions of consumers, millions of sets were sold. Had the price remained at a level of $1,000 per set such volume of sales would not have materialized; nor would employment centering around increased production, distribution, repairs, talent, advertising, et cetera, have proliferated.

Costs, however, do not reduce themselves. First, an invention or discovery must lead the way, followed by research and development that may extend over years or decades and that may be costly. We have only to cite the automobile, the radio, home refrigerators, etc.

If the extensive development demonstrates that a useful and serviceable product can be made, the problem may be one of how to bring the cost to a level that will tap the mass market.

Here the question is how to eliminate labor, how to introduce machinery into the production process so that a low cost can be achieved. Inventors may offer all sorts of possibilities. Laboratories and machine shops will be kept busy in search of laborsaving devices. The latter will be tested and finally, after prolonged tests, a feasible setup may be achieved.

Now arises one of the most difficult questions of all; namely, financing. Who will risk his cash? How good is the outlook? Verily at this point it will be found that many will hesitate, awaiting a sure thing. Needed now are foresight, competence, good judgment, courage, and confidence. These are rare qualities, and they are not often found in a single package.

Is it likely that if the new product is launched with adequate financing it will be a commercial success? If we assume that it is a product for which there is a high potential consumer demand we assume the kind of rich market that greeted many products in this country in the past. There is always some question about this in a new product. The risk is not so great when the new product merely represents revolutionized method of meeting a well-tested and existing demand, such as the automobile replacing the buggy.

Assume that on this score the outlook is reasonably good. The new product is to be mass produced to achieve the low cost necessary to tap a broad market. Which comes first, the chicken or the egg? Henry Ford presumably took the gamble and won; and by so doing opened a vast new vista for American industry. He went into mass production and offered a car at a low price. He hit a jackpot and introduced a new principle into our industrial economy. It revolutionized the whole American scene. He startled the business world by raising wages to $5 a day. This indicated that he or his associates had visualized the whole equation or basic parts of it; that is, the need for adequate purchasing power to consume the mass-produced goods.

The profits derived from the operation helped to finance expansions. Ford had confidence that these expansions would also be profitable. The market was still there to be turned into cash customers. He followed through. The automobile industry that followed his footsteps in turn generated hundreds of thousands of jobs, not only in the automobile assembly plants but in manufacturing parts, in mines and forests that furnished materials, and in transportation. The industry also became the support of many garages and repair shops, automobile dealers and salesmen and became a leading customer of the petroleum industry no less than the steel industry and so provided more employment in drilling fields, wildcatting and filling stations throughout the country, as well as in steel mills, iron mines, etc. The buggy industry was gone but a greater, more productive, more lucrative industry took its place and provided employment for many more people. Had Henry Ford lacked confidence because the economic factors were not right, his example which was so prolific of economic abundance, would not have ignited America's economic imagination.

In recent years American industry has been said to be suffering from excessive timidity because it does not successfully repeat the Ford formula. Is this charge well founded?

The fact is that several of the basic factors have changed. Let us throw the spotlight on one basic factor, namely, foreign competition. What, indeed, has happened to this indispensable ingredient of the American formula of industrial growth and success?

Domestic competition, with perhaps some important exceptions, is still lusty and a live force. The other factors, such as mass production, inventiveness and consumer purchasing power are still in good order despite the rate of unemployment.

Why then do we not expand and grow, and employ the unemployed and the million new hands that come forward for employment each year?

What is lacking? We have the capital. We have the businessmen and abundant experience. Their operations in other countries demonstrate clearly that they are neither timid nor without vigor.

Today industrial expansion cannot rely solely on the development of new industries to come to the rescue. A windfall in that field would help; but cannot be scheduled. We already have vast plants dedicated to the production of thousands of products. Principally we must rely on these industries, some of which are indeed finding and developing new products such as plastics, synthetics, biologicals, electronic devices, and so forth. These are the growth industries; but they cannot carry the entire load.

What is wrong with our vaunted industrial know-how, this technological lead that made us the hope of the embattled world in the last war? What has happened to our dynamism? Has it taken wings? Have we not said that "we can do what you can do and do it better?" Or was this an expression of adolescent exuberance?

Have we lost something or has something new moved on the scene to change the whole economic panorama?

That is what many observers say—something new has indeed happened; but have their eyes been closed by prejudices and psychological conditioning? Do old conceptual hatreds insulate them against perception of certain realities simply because these are not welcome?

The tariff was condemned 30 years ago and too many of us are still feasting mentally on the satisfaction that the killing induced in us. Maybe we killed it too dead.

Is that possible? Do we sometimes go too far in our reaction against scapegoats and whipping boys? The question has to be asked.

We demonstrated in this country that the introduction of laborsaving machinery could result in such an increase in demand that the backwash created by such demand called not only for rehiring the displaced workers but many more. The very proliferation of laborsaving devices and even automation represented the road to expansion and growth. There were difficulties, to be sure. There were distress areas, too, and plenty of them, but in time these could be dissolved, bothersome as they were.

Why can we not do this now?

That is the big question.

There are those who hurry to say that we must export more. This, unfortunately, is, in all good sense, a rather pathetic offer of a solution.

We simply must expand and grow, they shout; but shouting will not generate what is desired. Taxes are mentioned. Higher depreciation allowances are held up as prime needs; but nearly all and sundry of the articulate spokesmen shy away from the tariff and import quotas. They cannot even bring themselves to explore the merits of the case.

Yet, if our system is stalled almost on dead center it behooves us to examine all the possible sources of the trouble dispassionately.

Foreign competition, at home and abroad, is acknowledged as a challenge and possibly as a menace; but the response is that competition is good for us, forgetting that in this country we have insisted on fairness as the essential element. We must simply become more efficient, they say; we must reduce costs and we must reshape our products to suit foreign markets and we must sell harder. Manufacturers say that wages are pricing us out of foreign markets and attracting imports. Labor, big labor, denies that wages are too high or that we are pricing ourselves out of anything anywhere. Apparently industry is to blame for keeping prices too high and reaping excessive profits. Industry in turn complains of the profit squeeze, consisting of high taxes on top of high wages.

Yet, what factor in the equation that built the unique American industrial system is now failing to function? We have not stopped long enough to consider that this system was really unique and that it was based on a delicately balanced combination of factors that had not elsewhere been achieved and that would not of itself continue here if it were too deeply disturbed.

Let us look very closely at the premises, to see what has changed in this field and why that change hits our system in the solar plexus.

Assume, under the previous conditions prevailing in this country that a company employing 10,000 workers introduced laborsaving machinery. This machinery, let us assume further, would displace 2,000 workers and at the same time would boost output by 20 percent.

The previous cost of the product was such that it sold profitably at $100 per unit, let us say. Now, let us say further, because of the reduced cost it could be sold at $50 per unit. Assuming an elastic demand for the product the sales might then double or treble. If previously 1 million per year were sold, now 2 million or 3 million or more might be sold, or even more in the future.

Since the efficiency or output per worker had increased because of the machinery installed, the production of 2 million units would not require twice as many workers as the 10,000 who previously produced the million units; but it would require more than the 10,000 workers. The 2,000 who had been displaced, or their equivalent, would now be needed, but that would not be enough to produce the doubled output. To do this would require another 3,000 or 4,000 workers; and these would represent a net gain in employment. Moreover, the multiplier ratio of two nonmanufacturing workers to every one in the factory, applied to the field of nonproductional workers, would call for about double the 3,000 or 4,000 factory workers in the field of transportation, banking, insurance, law, accounting, teaching, homebuilding, and other services and professions.

Naturally not all introduction of laborsaving machinery achieved such beautiful results; but enough of them did so to account for the great industrial expansion that we witnessed in this country in the first half of the century. The patterns varied widely, from relative to outright failures to handsome successes. The conditions and ground rules inspired confidence and enterprising men sought the opportunities.

If now some consideration that was previously absent or readily overcome should interfere with this type of investment or if the investment in laborsaving equipment were made for reasons other than those that previously produced such gratifying results or, thirdly, if something should prevent the expected demand explosion from materializing, the system would be stalled or slowed to a pedestrian pace.

Import competition, rising like a floodtide and inundating the domestic market with goods produced at wages far below our own has created such a fateful consideration. Whereas we were able through legislation to assure fairness of both industrial and wage competition within this country we cannot, except by the use of tariffs and/or quotas, regulate import competition; and we have been discarding these instrumentalities of regulation and are about to dismantle most of what remains of them.

Yet a growing part of our import competition performs the unhappy function of discouraging employment expansion in this country even more than the actual job displacement attributable to imports.

If laborsaving machinery and equipment are installed, not for the purposes that previously motivated our manufacturers but as a means of remaining competitive with imports or restoring a lost competitive position, the results will not resemble those of the past. Net unemployment may even greet the action.

Why? Because imports with their lower prices will already have exploited most of the additional demand that could be reached by lower prices. The domestic manufacturer would come on the scene in a "me too" stance and while he might temporarily recoup some of his previous ground, import prices might soon be cut to still lower levels. He could then not rehire his laid-off workers. Moreover, in the face of rising costs generally and other rigidities his price reduction would lower his total profit because his hoped-for sales bonanza would not materialize. Furthermore his previous surplus for reinvestment in plant expansion will have been cut back. Perhaps his outlays for research and development will also have to be cut back; and it will not be easy to turn to new products.

In many cases, it is true, a species of equilibrium is struck between the domestic producers and their importing competitors. The domestic industry then limps along, unable to contribute anything to employment. Because of population increase the domestic producer while being shoved backward in his share of the market may nevertheless enjoy some increase in sales. However, such sales increases are usually clearly insufficient to sustain his employment level. The larger companies then look overseas as a means of escape from the doldrums. Such a trend does not help employment at home.

We may indeed experience some domestic growth, in the sense of increasing output, at the very time that we witness declining employment and a lag behind market expansion. Industry after industry that appeared before the Tariff Commission under the escape clause in the past decade reflected this type of experience. In about two cases out of three the experience was not regarded as sufficiently injurious to justify a tariff increase. So long as sales increased, no matter how great the lag behind the increase in imports, the Commission majority could detect no sufficient degree of injury to justify a higher tariff.

Hedged in by competitive forces in Europe and Japan and elsewhere, no new industry could today repeat the performance of the automobile industry in this country in the first decades of this century. Then there was an amplitude of time in which to create a market. Confidence could grow step in step with successful demonstrations of what could be accomplished. The field was wide open.

Today there is little or no assurance that foreign competitors will not jump in competitively with their lower costs at an early date and blow up the formula of our previous success. Such competition, unfair by our domestic standards, would rob the demand factor of its expansive function by stripping competition of its fairness. Who then will be as eager as formerly to venture into more production?

The bestowal of patent rights was provided for in our Constitution. Thus was recognized the need for time in which to exploit new inventions. Today the tariff potentially exercises such a function in our economy so far as bestowing on our industries the bases of confidence that they will not be robbed of the great benefits of technological advancement through import competition. In many instances in recent years our industries have pioneered the field and financed the research and development only to be robbed of the fruits of their efforts by import competition. This is not to impute malice, dishonest practices, or deception to other countries. By failing to perceive the unique combination of economic and legislative factors on which our system was founded and on which it thrived, this country generously opened its doors and invited universal participation. The other countries eagerly availed themselves of the opportunity.

Now that this combination of factors has been upset and driven out of kilter there is much amazement and perplexity. Is the system kaput? The doll no longer opens and closes its eyes as we pick it up and lay it down.

The system as such is not at all kaput. To get it going again only requires that we recognize its genius, remember its component parts, clean them up and put them back together. True, the system will not work under any and all conditions—no more so than a complicated machine that has been in a wreck and has then been overloaded and cursed and abused for not performing as before.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. SISK (at the request of Mr. MOSS), for Tuesday, July 9 through July 16, 1963, on account of official business.

Mr. ASPINALL (at the request of Mr. ROGERS of Colorado) for Tuesday, July 9, 1963, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. O'HARA of Michigan (at the request of Mr. ALBERT), for 60 minutes, Thursday, July 11, 1963, to revise and extend his remarks and to include extraneous matter.

Mr. HALL, for 15 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. EDMONDSON and to include extraneous matter.

Mr. FINO and to include extraneous matter.

Mr. ROGERS of Florida.

(The following Members (at the request of Mr. ALBERT) and to include extraneous matter:)

Mr. FRASER.

Mr. MOORHEAD.

Mr. NIX.

Mr. FRIEDEL.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 11 minutes p.m.) the House adjourned until tomorrow, Wednesday, July 10, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1023. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations) transmitting notification of certain changes previously requested in his letter of August 31, 1962, for facilities projects for the Air Force Reserve, eliminating maintenance dock additions at McGuire Air Force Base, Burlington, N.J., and increasing costs of operations, squadron (addition) at Andrews Air Force Base, Prince Georges County, Md., pursuant to 10 U.S.C. 2233a(1), and authority delegated by the Secretary of Defense; to the Committee on Armed Services.

1024. A letter from the Assistant Secretary of the Navy (Installations and Logistics) transmitting a notice of a proposal to transfer a 40-foot motor launch (hull No. 25189) to the National Youth Science Foundation, Science Island, Portland, Maine, pursuant to 10 U.S.C. 7308(c); to the Committee on Armed Services.

1025. A letter from the Comptroller General of the United States transmitting a report on a followup review of noncompetitive procurement of aeronautical replacement spare parts in the Department of the Air Force, pursuant to the Budget, and Accounting Act, 1921 (31 U.S.C.), the Accounting and Auditing Act of 1950 (31 U.S.C. 67), and the authority of the Comptroller General to examine contractors' records, as set forth in 10 U.S.C. 2313(b); to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RIVERS of South Carolina: Committee on Armed Services. House Joint Resolution 375. Joint resolution providing for appropriate ceremonies in connection with the raising and lowering of the flags of the United States surrounding the Washington Monument; without amendment (Rept. No. 500). Referred to the House Calendar.

Mr. FALLON: Committee on Public Works. House Concurrent Resolution 179. Concurrent resolution extending the appreciation of Congress to the American Association of State Highway Officials for its service to this Nation; without amendment (Rept. No. 501). Referred to the House Calendar.

Mr. RIVERS of South Carolina: Committee on Armed Services. H.R. 2664. A bill to amend section 6(o) of the Universal Military Training and Service Act to provide an exemption from induction for the sole surviving son of a family whose father died as a result of military service; with amendment (Rept. No. 502). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAVIS of Tennessee: Committee on Public Works. H.R. 4823. A bill to modify the flood control project for Rend Lake, Ill.; without amendment (Rept. No. 503). Referred to the Committe of the Whole House on the State of the Union.

Mr. WILLIS: Committee on the Judiciary. H.R. 5543. A bill to extend the provisions of the act of October 11, 1949 (63 Stat. 759, ch. 672; 32 D.C. Code 417), to authorize the commitment of persons of unsound mind found on Federal reservations in Loudon County, Va., to St. Elizabeths Hospital in the District of Columbia; without amendment (Rept. No. 504). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS of South Carolina: Committee on Armed Services. H.R. 6000. A bill to amend title 10, United States Code, to change the method of computing retired pay of certain enlisted members of the Army, Navy, Air Force, or Marine Corps; without amendment (Rept. No. 505). Referred to the Committee of the Whole House on the State of the Union.

Mr. POWELL: Committee on Education and Labor. H.R. 7156. A bill to extend for for one additional year certain of the temporary provisions of Public Laws 815 and 874, 81st Congress, relating to the construction and maintenance and operation of public schools in federally impacted areas, and for other purposes; without amendment (Rept. No. 506). Referred to the Committee of the Whole House on the State of the Union.

Mr. PHILBIN: Committee on Armed Services. H.R. 4177. A bill to authorize the Secretary of the Army to convey to the city of St. Paul, Minn., all right, title, and interest of the United States in and to certain lands heretofore conveyed to such city; without amendment (Rept. No. 507). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROBERTS of Alabama: Committee on Interstate and Foreign Commerce. H.R. 6518. A bill to improve, strengthen, and accelerate programs for the prevention and abatement of air pollution; with amendment (Rept. No. 508). Referred to the Committee of the Whole House on the State of the Union.

Mr. PHILBIN: Committee on Armed Services. S. 546. An act to authorize the Secretary of the Navy to grant easements for the use of lands in the Camp Joseph H. Pendleton Naval Reservation, Calif., for a nuclear electric generating station; with an amendment (Rept. No. 509). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LIBONATI: Committee on the Judiciary. S. 192. An act for the relief of M. Sgt. Benjamin A. Canini, U.S. Army; without amendment (Rept. No. 510). Referred to the Committee of the Whole House.

Mr. KING of New York: Committee on the Judiciary. S. 219. An act for the relief of Bernard W. Flynn, Jr.; without amendment (Rept. No. 511). Referred to the Committee of the Whole House.

Mr. MACGREGOR: Committee on the Judiciary. S. 1003. An act for the relief of the Middlesex Concrete Products & Excavating Corp.; without amendment (Rept. No. 512). Referred to the Committee of the Whole House.

Mr. LIBONATI: Committee on the Judiciary. S. 1643. An act to amend the act entitled "An act for the relief of the estate of Gregory J. Kessenich," approved October 2, 1962 (76 Stat. 1368); without amendment (Rept. No. 513). Referred to the Committee of the Whole House.

Mr. MACGREGOR: Committee on the Judiciary. H.R. 1545. A bill to provide for the relief of certain enlisted members and former enlisted members of the Air Force; with amendment (Rept. No. 514). Referred to the Committee of the Whole House.

Mr. SENNER: Committee on the Judiciary. H.R. 1761. A bill to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claim of R. Gordon Finney, Jr.; without amendment (Rept. No. 515). Referred to the Committee of the Whole House.

Mr. SENNER: Committee on the Judiciary. H.R. 1861. A bill for the relief of the children of Mrs. Elizabeth A. Dombrowski; without amendment (Rept. No. 516). Referred to the Committee of the Whole House.

Mr. RIVERS of South Carolina: Committee on Armed Services. H.R. 2192. A bill authorizing the readmittance of Walter Sowa, Jr., to the U.S. Naval Academy; without amendment (Rept. No. 517). Referred to the Committee of the Whole House.

Mr. LIBONATI: Committee on the Judiciary. H.R. 2228. A bill for the relief of the estate of Rafaello Busoni; without amendment (Rept. No. 518). Referred to the Committee of the Whole House.

Mr. SHRIVER: Committee on the Judiciary. H.R. 2238. A bill for the relief of Erwin A. Suehs; without amendment (Rept. No. 519). Referred to the Committee of the Whole House.

Mr. KING of New York: Committee on the Judiciary. H.R. 2256. A bill for the relief of José Domenech; without amendment (Rept. No. 520). Referred to the Committee of the Whole House.

Mr. MARTIN of California: Committee on the Judiciary. H.R. 2756. A bill for the relief of George R. Lore; without amendment (Rept. No. 521). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 2770. A bill for the relief of Mrs. Justine M. Dubendorf; without amendment (Rept. No. 522). Referred to the Committee of the Whole House.

Mr. LIBONATI: Committee on the Judiciary. H.R. 2925. A bill for the relief of the estate of Bart Briscoe Edgar, deceased; with amendment (Rept. No. 523). Referred to the Committee of the Whole House.

Mr. MACGREGOR: Committee on the Judiciary. H.R. 3843. A bill for the relief of Wallace J. Knerr; without amendment (Rept. No. 524). Referred to the Committee of the Whole House.

Mr. SENNER: Committee on the Judiciary. H.R. 4141. A bill for the relief of Smith L. Parratt and Mr. and Mrs. Lloyd Parratt, his parents; without amendment (Rept. No. 525). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 5145. A bill for the relief of John F. MacPhail, lieutenant, U.S. Navy; without amendment (Rept. No. 526). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 5307. A bill for the relief of Edward T. Hughes; without amendment (Rept. No. 527). Referred to the Committee of the Whole House.

Mr. SENNER: Committee on the Judiciary. H.R. 5811. A bill for the relief of L. C. Atkins & Son; without amendment (Rept. No. 528). Referred to the Committee of the Whole House.

Mr. SENNER: Committee on the Judiciary. H.R. 5812. A bill for the relief of Quality Seafood, Inc.; without amendment (Rept. No. 529). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 5814. A bill for the relief of Norman R. Tharp; without amendment (Rept. No. 530). Referred to the Committee of the Whole House.

Mr. KING of New York: Committee on the Judiciary. H.R. 6091. A bill for the relief of Chief M. Sgt. Samuel W. Smith, U.S. Air Force; without amendment (Rept. No. 531). Referred to the Committee on the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 6180. A bill for the relief of Maj. Warren G. Ward, Capt. Paul H. Beck, and 1st Lt. Russell K. Hansen, U.S. Air Force; with amendment (Rept. No. 532). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 6373. A bill for the relief of Robert L. Nolan; without amendment (Rept. No. 533). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 6443. A bill for the relief of Mrs. Margaret L. Moore; without amendment (Rept. No. 534). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 6628. A bill for the relief of Dr. Henry H. Cohan; without amendment (Rept. No. 535). Referred to the Committee of the Whole House

Mr. LIBONATI: Committee on the Judiciary. H.R. 6663. A bill for the relief of Louis C. Wheeler; without amendment (Rept. No. 536). Referred to the Committee of the Whole House

Mr. SHRIVER: Committee on the Judiciary. H.R. 6808. A bill for the relief of the Shelbourne Harbor Ship & Marine Construction Co., Inc.; without amendment (Rept. No. 537). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BATTIN:

H.R. 7432. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. BERRY:

H.R. 7433. A bill to authorize the Secretary of the Interior to establish programs for research, development, and sales to insure the increased use of mica and mica products; to the Committee on Interior and Insular Affairs.

H.R. 7434. A bill to amend the act of August 3, 1956 (70 Stat. 986), as amended, relating to adult Indian vocational training; to the Committee on Interior and Insular Affairs.

By Mr. BOGGS:

H.R. 7435. A bill to provide for the striking of medals in commemoration of the 150th anniversary of the Battle of New Orleans; to the Committee on Banking and Currency.

By Mr. BYRNES of Wisconsin:

H.R. 7436. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by stabilizing the domestic lead and zinc industry, and for other purposes; to the Committee on Ways and Means.

By Mr. FASCELL:

H.R. 7437. A bill to exempt certain officers of the Armed Forces from dual office and compensation restrictions; to the Committee on Armed Services.

By Mr. HARRIS:

H.R. 7438. A bill to amend section 406(b) of the Federal Aviation Act of 1958 to limit the right of certain air carriers to receive subsidy payments; to the Committee on Interstate and Foreign Commerce.

H.R. 7439. A bill to amend the Federal Aviation Act of 1958 so as to clarify the powers of the Civil Aeronautics Board in respect of consolidation of certain proceedings; to the Committee on Interstate and Foreign Commerce.

By Mr. HARSHA:

H.R. 7440. A bill to amend the act entitled "An act to provide for commitments to, maintenance in, and discharge from, the District Training School, and for other purposes," approved March 3, 1925, as amended; to the Committee on the District of Columbia.

H.R. 7441. A bill to amend the act entitled "An act to authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings and parts thereof, and for other purposes," approved March 1, 1899, as amended; to the Committee on the District of Columbia.

H.R. 7442. A bill to authorize the Commissioners of the District of Columbia to construct service roadways for public parking of motor vehicles on Connecticut Avenue NW.; to the Committee on the District of Columbia.

H.R. 7443. A bill to amend the act entitled "An act to create a Board for the Condemnation of Insanitary Buildings in the District of Columbia, and for other purposes," approved May 1, 1906, as amended; to the Committee on the District of Columbia.

By Mr. HÉBERT:

H.R. 7444. A bill to provide for the striking of medals in commemoration of the 150th anniversary of the Battle of New Orleans; to the Committee on Banking and Currency.

By Mr. McFALL:

H.R. 7445. A bill to amend the Public Works Acceleration Act to increase the authorization for appropriations under that act, and for other purposes; to the Committee on Public Works.

By Mr. MAHON:

H.R. 7446. A bill to amend the act entitled "An act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of certain international conventions, and for other purposes," approved July 5, 1946, as amended; to the Committee on the Judiciary.

By Mr. OLSEN of Montana:

H.R. 7447. A bill to provide for the modification of the excess land provision of Federal reclamation law as it applies to irrigable lands in the drainage area above Canyon Ferry Dam, Mont.; to the Committee on Interior and Insular Affairs.

By Mr. ROONEY:

H.R. 7448. A bill to prevent the use of stopwatches or other measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mr. RUMSFELD:

H.R. 7449. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. SILER:

H.R. 7450. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. WESTLAND:

H.R. 7451. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. ASHMORE:

H.R. 7452. A bill to provide for the reporting and dissemination of information with regard to contributions and expenditures made for the benefit of persons who seek nomination and election to the offices of President and Vice President, and for other purposes; to the Committee on House Administration.

By Mr. DAWSON:

H.R. 7453. A bill to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States, to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in education, to establish a Community Relations Service, to extend for 4 years the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 7454. A bill to amend section 407 of the Agricultural Act of 1949, as amended, so as to extend for a period of 1 year the authority of the Secretary of Agriculture under such section to assure the Nation an adequate supply of milk free of contamination from radioactive fallout; to the Committee on Agriculture.

H.R. 7455. A bill to provide for the vesting of primary responsibility for the protection of the public health and safety from radiation hazards in the Public Health Service of the Department of Health, Education, and Welfare, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HARVEY of Indiana:

H.R. 7456. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. MOORE:

H.R. 7457. A bill to provide legal assistance for indigent defendants in criminal cases in U.S. courts; to the Committee on the Judiciary.

By Mr. MORRIS:

H.R. 7458. A bill to revise the boundaries of the Carlsbad Caverns National Park in the State of New Mexico, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BOB WILSON:

H.R. 7459. A bill to amend chapter 165 of title 10, United States Code, to provide that where a member or former member of an armed force in receipt of retired pay fails to meet his judicially determined support obligation to his wife or children, the Secretary concerned may withhold his retired pay to satisfy such support obligation; to the Committee on Armed Services.

By Mr. CAMERON:

H.J. Res. 541. Joint resolution to provide for establishment of a U.S. World Film Festival Commission, and its participation in a World Festival of Films to be held in Washington, D.C., in 1965, and for other purposes; to the Committee on Foreign Affairs.

By Mr. COHELAN:

H.J. Res. 542. Joint resolution to provide for establishment of a U.S. World Film Festival Commission, and its participation in a World Festival of Films to be held in Washington, D.C., in 1965, and for other purposes; to the Committee on Foreign Affairs.

By Mr. CORMAN:

H.J. Res. 543. Joint resolution to provide for establishment of a U.S. World Film Festival Commission, and its participation in a World Festival of Films to be held in Washington, D.C., in 1965, and for other purposes; to the Committee on Foreign Affairs.

By Mr. SISK:

H.J. Res. 544. Joint resolution to provide for establishment of a U.S. World Film Festival Commission, and its participation in a World Festival of Films to be held in Washington, D.C., in 1965, and for other purposes; to the Committee on Foreign Affairs.

By Mr. THOMPSON of New Jersey:

H.J. Res. 545. Joint resolution to provide for establishment of a U.S. World Film Festival Commission, and its participation in a World Festival of Films to be held in Washington, D.C., in 1965, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ASHLEY:

H.J. Res. 546. Joint resolution to amend the joint resolution establishing the Battle of Lake Erie Sesquicentennial Celebration Commission so as to authorize an appropriation to carry out the provisions thereof; to the Committee on the Judiciary.

By Mr. DULSKI:

H.J. Res. 547. Joint resolution to amend the joint resolution establishing the Battle of Lake Erie Sesquicentennial Celebration Commission so as to authorize an appropriation to carry out the provisions thereof; to the Committee on the Judiciary.

By Mr. LATTA:

H.J. Res. 548. Joint resolution to amend the joint resolution establishing the Battle of Lake Erie Sesquicentennial Celebration Commission so as to authorize an appropriation to carry out the provisions thereof; to the Committee on the Judiciary.

By Mr. MOSHER:

H.J. Res. 549. Joint resolution to amend the joint resolution establishing the Battle of Lake Erie Sesquicentennial Celebration Commission so as to authorize an appropriation to carry out the provisions thereof; to the Committee on the Judiciary.

By Mr. BROCK:

H.J. Res. 550. Joint resolution proposing an amendment to the Constitution of the United States permitting the right to read from the Holy Bible and to offer nonsectarian prayers in the public schools or other public places if participation therein is not compulsory; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.J. Res. 551. Joint resolution expressing the determination of the United States with respect to the situation in Cuba and the Western Hemisphere; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRETT:

H.R. 7460. A bill for the relief of Rodamandi Kokolis; to the Committee on the Judiciary.

By Mr. BARRY:

H.R. 7461. A bill for the relief of Bernardino Savone; to the Committee on the Judiciary.

By Mr. CLANCY:

H.R. 7462. A bill for the relief of certain individuals; to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 7463. A bill for the relief of Peter and Helen Kapsaski; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 7464. A bill for the relief of Emiliana S. Carreon, D.M.D.; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 7465. A bill for the relief of Joanna S. Krupa; to the Committee on the Judiciary.

By Mr. FASCELL:

H.R. 7466. A bill for the relief of Gerald Sichel; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 7467. A bill for the relief of Efthemios Chryssikos; to the Committee on the Judiciary.

H.R. 7468. A bill for the relief of Cesarina Sesini; to the Committee on the Judiciary.

By Mrs. HANSEN:

H.R. 7469. A bill for the relief of Mariano Chryssikos; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 7470. A bill for the relief of Nicholas Asimakopulos; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 7471. A bill for the relief of Mrs. Hani Auspitz; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 7472. A bill for the relief of Wilhelmina Prochurek; to the Committee on the Judiciary.

By Mr. SIBAL:

H.R. 7473. A bill for the relief of Mrs. Korcerk Kouyoumdjian; to the Committee on the Judiciary.

By Mr. TOLLEFSON:

H.R. 7474. A bill for the relief of Pilipinas Figuracion; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Government Lotteries of El Salvador, Guatemala, Honduras, Nicaragua, and Panama

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1963

Mr. FINO. Mr. Speaker, today, I would like to take the Members of this House to Central America where the benefits of a national lottery are recognized and accepted by those countries in that part of the world.

El Salvador, Guatemala, Honduras, Nicaragua, and Panama are among the 77 foreign countries which show that considerable revenue can be derived from Government regulated, controlled, and supervised gambling.

El Salvador is a tiny country which took in last year almost $6 million. After payment of prizes and expenses, the net profit to the Government came to almost $1 million. The governing legislation provides that the purpose of the lottery is to increase Government revenue for social and welfare expenditures.

Guatemala, although a small nation, has the fiscal wisdom to recognize and accept the worth of a national lottery. In 1962, the gross receipts came to over $2,632,000. The net income to the Government was over $680,000. The net income is placed in a general fund which is used for the construction of the National Theater and for national institutions of culture.

Honduras, also a small and poor country, realizes considerable profits from its national lottery. In 1962, the gross receipts came to about $15 million. The net income amounted to almost $2½ million which was earmarked by the Government for health centers and clinics throughout the country.

Nicaragua did very well last year. It took in over $4 million in gross receipts. After payment of prizes, the total net income to the Government, in 1962, was almost $800,000. These funds are earmarked for the support of hospitals and other forms of social assistance.

Panama has shown that gambling does not have to serve evil ends. In 1962, the total gross receipts were almost $39 million. The net income to the Government, after allowing for prizes and other expenses, was over $6 million. This profit is used to support national hospitals, orphanages, and welfare organizations. A part of these funds are sent to the National Red Cross and various local charities.

Mr. Speaker, in these five countries as well as in all 77 foreign nations, the gambling urge is centralized and channeled so as to achieve beneficial ends. Gambling dollars in all of these countries are not used to shore up racketeers as in the United States. They are used for the people's welfare and the government's need.

When we fully realize the merits of a national lottery, we too will be able to siphon funds from the pockets of gangsters into the pockets of hard-pressed taxpayers.

Mr. Speaker, if we would only open our eyes and see beyond our noses, we would see that a national lottery in the United States could offer a great deal to our people. We can easily and voluntarily pump into our Government coffers over $10 billion a year in needed additional revenue which can help provide a tax cut and reduction of our national debt.

How much longer must the American taxpayer continue to be the victim of pure and simple hypocrisy?

L. E. Worley Receives Jefferson Award

EXTENSION OF REMARKS
OF
HON. ED EDMONDSON
OF OKLAHOMA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 9, 1963

Mr. EDMONDSON. Mr. Speaker, I wish to take this opportunity to acknowledge an outstanding award which a longtime friend and fellow citizen of Muskogee, Okla., was recently awarded.

The Thomas Jefferson citation, presented by the Department of Commerce Weather Bureau, was recently presented to L. E. Worley of Muskogee for his many years of faithful and accurate public service as a volunteer weather observer.

Mr. Worley richly deserves this distinguished recognition. I think the inscription on the Thomas Jefferson citation which was signed by Secretary of Commerce Luther Hodges ably points out why L. E. Worley was picked as one of only five weather observers throughout the Nation to be honored.

The citation notes that Mr. Worley was named for the honor:

> For his 38 years of exceptionally faithful service as volunteer weather observer at Muskogee, Okla.; for superior effort in maintaining complete and legible records of accurate observations; for prompt mailing of reports; for efficient rainfall reporting; and for the highest level of cooperation.

We in Muskogee owe a great debt of gratitude to L. E. Worley. He has indeed made a significant contribution in the area of public service to his fellow citizens through his efforts for the past 38 years as our community's volunteer weather observer.

For this reason, and for the many other contributions Mr. Worley has made to our city, I express my personal appreciation and the appreciation of the city of Muskogee to him. We congratulate him on receiving the Thomas Jefferson award.

On this occasion, I wish also to pay tribute to Secretary of Commerce Hodges and to the Weather Bureau for making possible this recognition to volunteer weather observers for their outstanding achievement.

I think it is fitting and proper that this award honoring outstanding accomplishments in the field of meteorological observations should be named for that great American, Thomas Jefferson, who took an almost unbroken series of weather observations from 1776 to 1816.

My sincere congratulations are extended to L. E. Worley and the other four Jefferson award winners. Their volunteer service as weather observers has indeed been faithful to the Jeffersonian tradition.

Seat Belt Standards Needed

EXTENSION OF REMARKS
OF
HON. DONALD M. FRASER
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 9, 1963

Mr. FRASER. Mr. Speaker, last weekend over 530 lives were lost on the highways of the United States. Year after year, we have watched the carnage grow and yet only recently have we begun to make serious efforts to prevent some of that loss of life.

One tested and proved method of saving lives is the addition of seat belts to automobiles. We know that "the wearing of seat belts materially reduces the number of serious and fatal automobile injuries."

In recent years, therefore, many people and organizations, like the Greater Minneapolis Safety Council, concerned with automotive safety have encouraged greater use of seat belts and the American public has increasingly accepted the wisdom and safety of using the belts.

Unfortunately, seat belts of substandard quality have found their way on to the market. Today, by voting for H.R. 134, we have the opportunity of assuring every person who buys a belt, sold or shipped in interstate commerce, that the belts are at least up to minimum standards which do, in fact, protect their lives.

It is, as the President and the committee report say, "the right of consumers to be protected against the marketing of goods which are hazardous to health and life."

It is simply too late to explain to the accident victim of an inadequate seat belt that he should have bought a better belt. Let us take the sensible way, as we have done in other hazardous areas, and permit the minimum standards of safety for seat belts to be promulgated by the proper agency of Government.

Then those who heed the call of good sense and safety, those who purchase seat belts, will not be given false security in place of real hope in case of accident. Let us vote "yes" to save lives.

The Problem of the School Dropout

EXTENSION OF REMARKS
OF
HON. WILLIAM S. MOORHEAD
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 9, 1963

Mr. MOORHEAD. Mr. Speaker, much has been done about identifying the problem of the school dropout. In my city of Pittsburgh, for example, the Health and Welfare Association has made an excellent study in depth involving one of the high schools. Another study of vocational education in the Pittsburgh public schools has recently been completed and created healthy discussion in the community.

In view of such progress, I attempted to make some contribution by making available to the Pittsburgh schools, PTA's and neighborhood centers, an award winning film issued by the Department of Labor called "When I'm Old Enough, Goodbye." My purpose in showing this was to encourage potential dropouts to stay in school as long as possible and practicable to prepare themselves for a changing labor market. In my introduction to the film, I stressed that desire for a job and willingness to "work hard" or "do anything" can no longer guarantee even a secure living wage.

Recently, I received a letter from Mr. O. J. Schwarm, assistant superintendent, pupil services, Pittsburgh public schools. Mr. Schwarm indicates the film was shown in 17 secondary schools with approximately 7,000 students participating. The response, he said, "was excellent." In a number of instances pupils were asked to write brief comments and Mr. Schwarm indicates pupils were impressed with the difficulty in finding and keeping a job on the part of a young person who had not finished high school.

Mr. Speaker, under unanimous consent I include the following letter and the text of my opening and closing of the youth dropout film:

PITTSBURGH PUBLIC SCHOOLS,
Pittsburgh, Pa., May 27, 1963.

Hon. WILLIAM S. MOORHEAD,
New Federal Building, Room 718,
Pittsburgh, Pa.

DEAR MR. MOORHEAD: By way of insured parcel post we are returning the film, "When I'm Seventeen, Goodbye," which you made available to us for showing in our schools. The response was excellent.

The film was shown in 17 Pittsburgh public secondary schools with approximately 7,000 students participating. In a number of cases, pupils were asked to write brief comments or to evaluate the picture. Their reactions were mature and, in some cases, most enlightening. Generally, pupils were impressed with the difficulty in finding and keeping a job on the part of a young person who had not finished high school. One student stated "nothing could be as bad as the picture made it out to be." This, of course, indicated to counselors that the student was giving considerable thought to dropping out of school, and that he was in need of immediate attention.

You will be interested in knowing, too, that during the period in which we had the film, it was also shown at the Anna B. Heldman Community Center, and at the downtown YMCA.

Please accept our sincere thanks for providing us with an excellent film that has a most important story to tell.

Sincerely yours,

O. J. SCHWARM,
Assistant Superintendent, Pupil Services.

OPENING—DROPOUT FILM

Hi there, this is your Congressman, BILL MOORHEAD. I'm very concerned that during the 1960's, over 7 million young adults, most of them perfectly capable of finishing high school, will probably leave before earning their diplomas. Each of these dropouts will contribute to one of the most disturbing problems of the U.S. economy—the growth of the unskilled and unemployable.

A young person without complete high school training lacks the basic education needed to learn specialized trades in today's and tomorrow's world. Desire for a job and willingness to work hard or do anything can no longer guarantee even a secure living wage.

The film you are about to see is a dramatic and vivid presentation which won second place in the San Francisco film festival. It is the story of Doug, a bright, ambitious, likeable young man, who quits school and takes a job. Perhaps some of you are about to take this step. I hope you will pay careful attention in the next few minutes.

CLOSING—DROPOUT FILM

I'm sure that the film did not answer all your questions or cover each specific problem. But, at least, I hope that it planted a seed of doubt in the decision to leave school, that it added some weight to the other side. I know that your principal or counselor is quite concerned over any such decision and would welcome the chance to talk this over with you.

Resolution Would Freeze All Cuban Government Assets on Deposit in All OAS Member Nations

EXTENSION OF REMARKS
OF
HON. PAUL G. ROGERS
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Tuesday July 9, 1963

Mr. ROGERS of Florida. Mr. Speaker, the recent actions by the U.S. Government to freeze Cuban funds on deposit in U.S. financial institutions comes as good news. It is the first new step this Government has taken against Communist Cuba for some weeks now, and while the amount of funds affected will not topple the Castro economy, it is an act which places the United States in a position of leading the rest of the free nations of this hemisphere to follow suit.

I have proposed in House Concurrent Resolution 146 that the United States offer a five-point plan of action to the Organization of American States for adoption by the nations of this hemisphere. The plan includes the freezing of all Cuban Government assets now on deposit in the financial institutions of all OAS member nations, which of course includes the United States.

Now that the United States has complied with this portion of the recommendations, I am hopeful that the U.S. Government will now press this new example upon the other nations of this hemisphere to follow suit for the isolation of Communist Cuba.

Remarks by Vice President Lyndon B. Johnson, July 4, 1963, at Philadelphia, Pa.

EXTENSION OF REMARKS
OF
HON. ROBERT N. C. NIX
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 9, 1963

Mr. NIX. Mr. Speaker, I am privileged to place in the RECORD remarks delivered by the Vice President of the United States on July 4, 1963, at Philadelphia marking the 187th observance of Independence Day.

It is significant that in this time of world challenge, in this day of national soul searching, in this decade while men and women of all countries seek equality and justice, the Vice President of these United States in these remarks gives validity to the immortal concepts as expressed by the words of our Constitution:

PROTECTION OF LIBERTY

On this honored day, here before this historic hall, we come together to celebrate the birth of our country. Yet it is the special privilege of our generation to know that this is not the cradle of liberty for Americans alone—it is, in a far larger sense, the cradle of liberty and independence for all mankind.

What was wrought here in the 18th century has changed the world in this 20th century. To the farthest corner of the globe, men inspired by the Declaration of Independence have themselves declared their own independence. Fifty new nations have been created since World War II. None has chosen to adopt the Communist system but many have adopted the ideas—and even the very language—of the great documents of our American heritage.

Of this, we can be justly proud. But the patriot is not content with pride alone—he is concerned first and always with performance. This is the challenge of our system and our society lays before all Americans today.

We are challenged to measure ourselves—to measure our own performance today—by that eternal standard set forth on this 4th of July in 1776.

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness."

On those words of 1776—and on the belief those words express—history's strongest nation and most successful society has been built. By the meaning we give to those words in this year of 1963, the fate and future of our Nation—and the success of the cause we are privileged to lead—may well be determined.

This is a challenge. It is not an indictment. Our system has not failed. It is not in danger of failing. Our national soul is not lost. It is not in danger of being lost. The standards of law and order are not coming down—on the contrary, we can believe that they are now rising higher. For our whole history has been a history of enlarging the protections of individual liberty, even as we are called and challenged to do once more today.

Hardly had the Constitution been written than the people demanded of their leaders the protections of their liberties embodied in the Bill of Rights. The sons and grandsons of the Founding Fathers were challenged to extend those protections to the slave. Their sons and grandsons were, in turn, petitioned in the streets and public places to extend equality to women as well as men. We, as their heirs, have been challenged no less forcefull to mobilize our arms, our resources, and our young men to protect and defend the liberties of freemen throughout the world.

It has been the destiny of each generation of Americans to make liberty more secure for all by making liberty more certain for each of us. This is clearly the great destiny—and great privilege—which we of this generation face in our own land now.

The words on which our Nation stands—the words on which it has stood 187 years—are clear and unmistakable. We would demean ourselves, we would demean our patriotism, we would demean our dignity as freemen to interrupt the course of our national progress to enter upon a prolonged debate about either the meaning of those words—or the obligation they impose upon us to honor and fulfill their meaning.

The words of the Declaration of Independence—the words of the Constitution of the United States—do not need to be further interpreted.

They need to be implemented—for all Americans.

But implementation is not the work of government alone.

Governments can never be more just than the hearts of those from whom they derive their just powers. If we are to enjoy a just and tranquil society, we must reach decisions in our private hearts even as we strive to reach decisions in our public policies. This is our real challenge today.

These times—the issues of this moment in our history—call out for men and women who love their country to step forward with responsible leadership to implement in our national life the ideals of our national literature.

In every State, in every community, in every American home we have the capability to answer the needs of this moment. It is the responsibility of each individual to put those capabilities to work to secure the answers required for the success of our system and society.

If we as a nation are to stand up to our full height in the world, we must be concerned with nobler things than denying one another the simple right to sit down in public places.

If we as a nation are to stay in front of the world we must occupy ourselves with more important concerns than asking one another to step to the rear of public vehicles.

If we are to commit our arms, our resources and the lives of our young men to support the right of freemen to come and go without molestation or harrassment to a free city such as Berlin, we can make no less a commitment to assure the right of all our fellow countrymen to come and go without embarrassment or harrassment along the highways of America itself.

We of this generation have proved ourselves worthy heirs of those who assembled here on July 4, 1776. We, no less than they, have pledged "our lives, our fortunes and our sacred honor" to preserve for freemen throughout the globe life, liberty and the pursuit of happiness. What we have done so courageously for others, let us now do proudly for ourselves.

This is the spirit of this Day of Independence—the spirit of America itself. For as Thomas Jefferson wrote in the last letter before he died on the 50th anniversary of this great day:

"All eyes are opened, or opening, to the rights of man * * * For ourselves, let the annual return of this day forever refresh our recollection of these rights and an undiminished devotion to them."

"The Continuing American Revolution and the American Negro"—Address by George S. McGovern of South Dakota

EXTENSION OF REMARKS

OF

HON. HUBERT H. HUMPHREY

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Tuesday, July 9, 1963

Mr. HUMPHREY. Mr. President, our colleague the junior Senator from South Dakota [Mr. McGOVERN] recently delivered a most thought provoking and superb address before the New York State Young Democrats Convention relating to the position of the American Negro in our present day society. The Senator's excellent analysis of this question, in my opinion, merits a careful reading by every Member of this body. It is indeed a distinct privilege for me to bring this address to the Senate's attention. I ask unanimous consent that the full text of the address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE CONTINUING AMERICAN REVOLUTION AND THE AMERICAN NEGRO

(Address by Senator GEORGE McGOVERN, of South Dakota)

My fellow young Democrats, I hope you will permit this salutation, because it is always pleasurable to consider oneself young, and it is a proud privilege to be a Democrat. Of course, as the classmate of Senator TED KENNEDY and Senator BIRCH BAYH I must admit that there are those even in the venerable Senate who have a stronger claim than I to march under the banner of youth. These are the days in Washington when if a man of 40 walks into a Government conference room, half the occupants will rise in respect to his advanced years.

In a very real sense, the Democratic Party is marked by both youth and age. No other political party anywhere in the world has enjoyed so long a continuous existence. As political organizations go, the Democratic Party is an old party. But our party is also the party of youth, in that our best leaders have always understood the necessity for renewal and rejuvenation.

Tonight, I ask you to consider the urgent need for renewal against the backdrop of the most serious moral crisis facing our Nation—the status of the Negro in America.

The year 1963 marks the 100th anniversary of the Emancipation Proclamation, whose unfulfilled hope continues as our most conspicuous failure in the cause of human dignity, both at home and abroad.

It is no longer possible to separate our domestic condition from our international posture. Thus, no weapon in the Communist propaganda arsenal is so damaging as the stark truth about race relations in the United States. In a world of oppressed colored people struggling for new dignity, no amount of millions spent on the Voice of America can offset the louder voice of racial discrimination.

But the real crisis for America is not so much the image that we project abroad as it is the true moral strength that we maintain in our own land and in our individual hearts. Let us pray God that President Kennedy, the Congress of the United States, the Democratic Party, and the American people will meet that crisis in the best traditions of the Republic. For if we fail here, we shall fail everywhere. What is now at stake is the message of our churches and the practice of democracy.

I do not believe that any of us can really think that the Negro condition is other than the "shame" President Kennedy has called it. We have known for a long time the facts he presented to the Nation so movingly last Tuesday night, but we have comforted ourselves in the knowledge that some steps have been taken on behalf of the Negro. To be sure, a series of decisions of the Supreme Court have cleared important ground. Furthermore, the Kennedy administration has worked harder and accomplished more through executive action for the Negro than any previous administration. Likewise, important civil rights legislation was passed in 1957 and 1960.

So, some of us have been amazed to find in spite of progress, we have misjudged the cry of the Negro for full citizenship. We must swiftly muster all the wisdom and courage we can, for we are going to have to act quickly on a much broader scale. The Negro people have set in motion a moral revolution based on the Judeo-Christian ethic and the politics of Jefferson and Lincoln. That is the power of the democratic ideal which in the long run cannot be denied. It can be resisted, and clubbed, and shot at from ambush, but it cannot be contained, and each new advance will feed new demands until every American is fully free.

As Walter Lippmann puts it: "There is, so to speak, a point of no return in a movement for the redress of grievances. That point is where gradual reform and token appeasement become suddenly not only insufficient but irritating * * *. Then, instead of putting up with a little done slowly, there is a demand that much must be done suddenly."

This is one of the enduring lessons of the American Revolution. That revolution was not born of the cruelest oppression in British imperial history. Indeed, the Colonies enjoyed a comparatively high degree of freedom and independence. Yet, in a condition far better than others had endured, there suddenly came from the ferment of freedom a demand for independence—a willingness to stake lives, fortunes, and sacred honor on the gamble for liberty. Why?

Certainly, the idea was not born in 1776. It had long been affirmed in the ancient Scriptures which the colonial fathers knew so well. Likewise, for centuries prior to 1776, the political and legal expression of the brotherhood of man and the sanctity of the individual had been growing in Anglo-Saxon law. When Jefferson penned the Declaration of Independence, he borrowed heavily from the earlier words of the Englishman, John Locke.

The day before our forefathers were Americans, they were Englishmen steeped in English traditions of law and government. Yet, they severed the ties with the mother country. They insisted on the full measure of their heritage. They insisted on being better Englishmen and truer practitioners of English philosophy than King George III desired. Their demands and demonstrations (of which the Boston Tea Party is only the most celebrated) reached a point of no return, the revolution was on, and Englishmen along the eastern shore of this continent became Americans.

I think if we can understand the spirit of 1776, we can better appreciate the rising expectations that are convulsing the American Negro community and the developing continents of the globe.

The American Revolution and countless other historic demands for a redress of grievances all indicate that the cause of freedom is fired by its own gains. The Negro's march toward full acceptance will accelerate rather than diminish with the victories of each passing day.

Martin Luther King and James Meredith and Medgar Evers have without question moved the Negro's demand for full citizenship to the point of no return.

What, then, is the next order of business—if we reject the possibility of widespread military or police suppression.

I believe it is the legislation which the President is about to propose to the Congress: (1) Extension of the Civil Rights Commission; (2) strengthening of Negro voting rights; (3) empowering the Attorney General to file school desegregation suits; and (4) prohibition of racial discrimination in public places, restaurants, stores, hotels, and theaters.

I earnestly hope that the President will also decide to call for the establishment of a Fair Employment Practice Code.

It will not be easy, but we are going to pass legislation to eliminate the last barriers to equal rights for the Negro. There will be a filibuster, and it will be long and bitter. But we're going to win even if we have to stay in session until Christmas. Indeed, we have no right to celebrate the spirit of Christmas unless by the end of this centennial of the Emancipation, a full charter of civil rights is incorporated in the law of the land.

We are going to succeed because the American people will not tolerate the only remaining alternative, which is a massive suppression on a mounting scale of the Negro and his white friends.

The Negro's demand for civil justice is greatly complicated by his hunger for better jobs and better schools and better housing at a time when all of these are in short supply for both whites and Negroes. The only answer here is a stepped-up U.S. economy leading to full employment, a stronger program of Federal assistance to schools, and expansion of home construction.

I am one Senator who believes that these domestic needs are so urgent and so fundamental to the strength of our Nation that we ought to shift some of our massive military budget to constructive purposes here at home. We now have enough overkill to destroy the Soviet Union more than 1,200 times. Why not settle for a military capacity along more reasonable lines, and divert a few billion to the desperately needed priorities of jobs, education, health, and housing for those Negroes and whites who languish at the bottom of our affluent society? There can be no denying the fact that racial tensions are aggravated when there are not enough jobs and houses and schools to meet the Nation's needs. Thus, the cry of the Negro for a bigger piece of the national pie has set in motion new pressures for fuller employment in an expanding economy. We should not forget that once the colonists launched the war for independence from England, they unleashed forces that led also to a social revolution of American life.

Even this is not the whole issue in the Negro's challenge, however, and perhaps not the most fundamental. The President has referred to a "moral problem" rooted in our hearts where laws cannot reach. This is the longing of every human being to be accepted as a person of worth, not because it is the law, but because it is right.

I think that in their own way, the Negro demonstrator and his spokesmen are trying to reach this deeper dimension of the racial problem.

We may be better able to comprehend the message of Birmingham and Jackson in 1963 if we see it as a continuance of the forces unleashed at Philadelphia and Boston in 1776. For it seems to me that the Negro is saying to the white man: "If we are not accepted as your brothers, you cannot hold the birthright of America. If we are not free and equal, you cannot be free and equal. If we are not full members of society, your pursuit of happiness is endangered. If America cannot exemplify human dignity and equality at home, how can she hold steady the torch of freedom around the world?"

The Negro, in short, is echoing the words which Adams and Paine and Jefferson dispatched to King George and to their fellow colonist nearly two centuries ago.

I do not press the analogy to suggest that the American Negro wants to withdraw from the Union. The Black Muslim may talk this way, but in so doing, he stands outside the mainstream of Negro life—both religiously and politically; thus, his leadership of his own people is limited to a small fragment.

The American Negro longs to be an American first and a Negro second. He has been molded by America's traditions and culture. He has been schooled in the doctrine of freedom and has died for it on foreign battlefields.

The nonviolent resistance of Martin Luther King—the lunch counter sit-ins, the bus rides, the street parades—have been associated with Gandhi. But Gandhi borrowed the idea from Henry David Thoreau and the New Testament.

The Negro's capacity to refrain from violence even when he is being kicked in the face stems from the religious and cultural traditions of his American past. It came first from the slave balconies of the churches, then from the segregated colored church and from preachers barely literate enough to read the Scriptures and sing the gospel hymns. They were sensitive to the longings of the soul, however, and beyond some doctors of divinity they were attuned to that "man of sorrows, acquainted with grief." Out of the depths of his spirit the Negro created indigenous American art—the spiritual, the blues and jazz.

In this spirit the Negro writer is saying that the frustration which drives the Negro into the streets, the lunchrooms, and the bus terminals is a desperate act of caring about the American ideal. He has been carrying on an unrequited love affair with America until his heart has burst its bounds.

Many voices may be heard in the Negro writer, but I would illustrate with James Baldwin who has been poignant on the theme of the estrangement of both Negro and white in America from each other and from their past. Baldwin was rebel enough and like many a white American who became an expatriate to Europe after World War I, he sought out Paris after World War II.

He found out what the best of his predecessors did—that he had to come home. It is more remarkable in him, though, for he did not know he had a home. From the vantage point of Europe, he found his country. He found out how profoundly American he was. He develops the theme in many places in his "Notes of a Native Son," the very title being itself significant. One brilliant essay develops his confrontation with a native African with whom he had tried to identify in order to recover his racial past. He finds it cannot be done. He is alienated from the African. He is an American. A hybrid American perhaps, physically and in every other aspect of life which is dominated by the memory of the auction block, but still American and linked to his white brother:

"Dimly and for the first time," he writes, "there begins to fall into perspective the nature of the roles they have played in the lives and history of each other. Now he is bone of their bone, flesh of their flesh; they have loved and hated and obsessed and feared each other and his blood is in their soil. Therefore, he cannot deny them, nor can they ever be divorced."

Baldwin goes on to say that he just cannot explain this to the African. Of course, he must establish himself in relation to a past, but he knows that it must be an American one:

"What time will bring Americans," he writes, "is at last their own identity. It is on this dangerous voyage and in the same boat that the American Negro will make peace with himself and with the voiceless many thousands gone before him."

In a recent television spotlight on the Negro in Washington, a colored minister said of his people: "They are too sophisticated to pray, and too angry to laugh." I thought in response that the white man is also "too sophisticated to pray, and too anxious to laugh." The way back will not be easy for either of us, either to the petition for grace on both sides, or the facing of his guilts by the white and the disciplining of his anger by the Negro. It will take us a while to meet and talk and pray as equals. We do not necessarily need to agree upon all matters. Dignity and reason and hopefully a little humor will show the way.

I believe that as both of us renew our heritage, as we relearn our history and tradition, we shall together re-earn freedom. The great Goethe once wrote:

"What you have inherited from your fathers, earn it, in order truly to possess it."

The Reverend S. D. Whitney, Negro minister of Jackson, Miss., speaking at a memorial service for the slain Medgar Evers said: "Somewhere in the dark a sniper waited to play his part as the coward. But bullets do not destroy ideas. Nothing destroys an idea but a better idea. And the best idea is freedom. That is what he was fighting for."

And that is what we are called to do. If we heed that call, old words will be born anew and we will indeed become "One Nation, under God, indivisible, with liberty and justice for all."

Mrs. Franklin D. Roosevelt

EXTENSION OF REMARKS

OF

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1963

Mr. FRIEDEL. Mr. Speaker, Mrs. Roosevelt became the first lady of the world. Her place is secure in the affections of men and women everywhere. We mourn her passing and take pride in her achievments.

She was voted the world's most admired woman in international polls time and time again. When she entered the halls of the United Nations, representatives from all countries rose to honor her. She had become not only the wife and widow of an eminent President, but a noble personality in her own right.

She fulfilled all her many roles with energy, a fine intelligence, dedication, faith, and a boundless sympathy and concern for people and their troubles. She was the niece of a President, the wife of a President, a mother, a teacher, a politician, an author, an international stateswoman, a journalist, and a humanitarian who cared about people with a warmth and a willingness to fight for their rights that made her whole life a mission in the cause of human welfare.

As the first lady during the long and difficult years of the depression and the Second World War she was the President's eyes and ears, a source of strength and sympathy, and a constant striver for the betterment of the lot of Americans who had been deprived or forgotten. During her 12 years in the White House she was often criticized for her manifold activities by her husband's political opponents, but in the end she became the object of universal respect.

She was recognized by millions as their personal champion. She was a symbol of the new role that women were to play in the world.

She awakened enthusiasm wherever she went. A typical example was her visit to Luxembourg in 1950. While she was paying a visit to the Grand Duchess in the palace, thousands of Luxembourgers stood outside for hours in a steady rain, waiting for a glimpse of her, and calling her name. Thousands more turned out later throughout the tiny country in villages gay with flowers and happy faces. In her distinctive way she thanked as many as she could.

President Truman named Mrs. Roosevelt a delegate to the General Assembly of the United Nations in 1945. Her lofty objectives were regarded by some so-called realists as being impossible of attainment. But such criticism had never stopped her when she fought for her causes from the White House, and it did not stop her in the United Nations.

In 1946 she was elected chairman of the Commission on Human Rights of the United Nations Educational, Scientific, and Cultural Organization. She brought a rare combination of toughness, idealism, and practicality to the U.N. In her first appearance at the United Nations at the London meeting in 1948, Mrs. Roosevelt was successful in overcoming a certain reserve that many delegates had shown toward the presence of women in the U.N.

She won the respect and cooperation of two members of the American representation before the U.N. whose influence was strong indeed, the late Senator Arthur Vandenberg, and the late John Foster Dulles. She played a critically important role in drafting the covenant on human rights, designed to establish basic civil rights for people throughout the world.

President Eisenhower congratulated Mrs. Roosevelt on her work in the United Nations, thanking her for her "sincere concern for the less fortunate, and skill in the discharge of unique and important duties."

She received many honors in a long and productive life. She held honorary degrees from several colleges, was an honorary member of Phi Beta Kappa, received the 1939 Award of Humanitarians, the Churchman's Award, the first annual Nation Award, the first annual Franklin Delano Roosevelt Brotherhood Award in 1946, the Award of Merit of the New York City Federation of Women's Clubs in 1948, the Four Freedoms Award, the Prince Carl Medal of Sweden, and the Irving Geist Foundation Award, all in 1950.

When she died she was honored for her character and her deeds throughout the world. Here at home President Kennedy said:

> One of the great ladies in the history of this country has passed from the scene. Her loss will be deeply felt by all those who admired her tireless idealism, or benefited from her good works and wise counsel. Since the day I entered this office, she has been both an inspiration and a friend.

The world has lost one of its greatest women, and we have all lost a friend.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JULY 10, 1963

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore, Mr. BOGGS.

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair lays before the House a communication from the Speaker.

The Clerk read as follows:

THE SPEAKER'S ROOM,
July 10, 1963.

I hereby designate the Honorable HALE BOGGS to act as Speaker pro tempore today.

JOHN W. MCCORMACK,
Speaker of the House of Representatives.

Rev. Stanley Kiehl Gambell, minister, the Woodland Presbyterian Church, 42d and Pine Streets, Philadelphia, Pa., offered the following prayer:

Our Father, whose quietness settles upon us with the rest of the night and whose movement surges again within us in the brightness of day; whose inspired conviction abides that the wise man should not glory in his wisdom, nor the mighty man in his might, nor the rich man in his riches but rather, every man should be pleased in knowing Thee, God of love and judgment both; in the fear of the living Lord, in the trembling of human enthusiasm, and in the will of the angel's heaven, we come to Thee.

Be merciful unto us, or no right have we to speak; be watchful of us lest, asking without believing, we make a farce of all our faith.

Lord, while we tell each other how to do more and more things, wilt Thou not tell us what ought to be done; when we have stood looking upon the world at its worst, command then to kneel and to seek that the worsened world may believe us at our best; when the best fruits of our labors and deliberations tumble to earth, beaten and swept by some unexpected wind of destruction or adversity, then whisper to us once again that not as much in man's reasoning as in God's reckoning does the good fruit of life and labor have its chance to ripen; when we think we have done enough, then tell us that divine order and hallowed success come from doing better than just enough.

Lord, to this end bless our beloved country; bless our devoted President; bless this body of leaders.

Hasten the day when love of wisdom and the wisdom of love shall be one. And we shall be forever grateful unto Thee, believe us, Lord.

For the Master's sake. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Jones, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On June 21, 1963:

H.R. 79. An act to require authorization for certain appropriations for the Coast Guard, and for other purposes;

H.R. 131. An act to provide for the renewal of certain municipal, domestic, and industrial water supply contracts entered into under the Reclamation Project Act of 1939, and for other purposes;

H.R. 1286. An act for the relief of Lt. Claude V. Wells;

H.R. 1561. An act for the relief of Melborn Keat;

H.R. 2439. An act to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and provide certain services to the Boy Scouts of America for use in the 1964 National Jamboree, and for other purposes;

H.R. 2821. An act to authorize modification of the repayment contract with the Grand Valley Water Users' Association;

H.R. 3574. An act to provide for the withdrawal and reservation for the use of the Department of the Air Force of certain public lands of the United States at Cuddeback Lake Air Force Range, Calif., for defense purposes;

H.R. 3626. An act for the relief of Ronnie E. Hunter;

H.R. 4349. An act for the relief of Robert O. Nelson and Harold E. Johnson;

H.R. 6441. An act to amend Public Law 86–272, as amended, with respect to the reporting date; and

H.J. Res. 180. Joint resolution to authorize the continued use of certain lands within the Sequoia National Park by portions of an existing hydroelectric project.

On June 29, 1963:

H.R. 2651. An act to extend for 1 year the period during which responsibility for the placement and foster care of dependent children, under the program of aid to families with dependent children under title IV of the Social Security Act, may be exercised by a public agency other than the agency administering such aid under the State plan;

H.R. 2827. An act to extend until June 30, 1966, the suspension of duty on imports of crude chicory and the reduction in duty on ground chicory;

H.R. 4174. An act to continue until the close of June 30, 1964, the suspension of duties for metal scrap, and for other purposes;

H.R. 5795. An act to provide a 3-year suspension of certain restrictions in the Supplemental Appropriation Act, 1951, on the withdrawal from the Treasury of postal appropriations;

H.R. 6755. An act to provide a 1-year extension of the existing corporate normal tax rate and of certain excise-tax rates;

H.R. 6791. An act to continue for 2 years the existing reduction of the exemption from duty enjoyed by returning residents, and for other purposes;

H.J. Res. 467. Joint resolution amending section 221 of the National Housing Act to extend for 2 years the broadened eligibility presently provided for mortgage insurance thereunder; and

H.J. Res. 508. Joint resolution making continuing appropriations for the fiscal year 1964, and for other purposes.

On July 8, 1963:

H.R. 1492. An act to provide for the sale of certain reserved mineral interests of the United States in certain real property owned by Jack D. Wishart and Juanita H. Wishart;

H.R. 1819. An act to amend the Federal Employees Health Benefits Act of 1959 to provide additional choice of health benefits plans, and for other purposes;

H.R. 1937. An act to amend the act known as the "Life Insurance Act" of the District of Columbia, approved June 19, 1934, and the act known as the "Fire and Casualty Act" of the District of Columbia, approved October 3, 1940;

H.R. 3537. An act to increase the jurisdiction of the municipal court for the District of Columbia in civil actions, to change the names of the court, and for other purposes;

H.R. 5367. An act to designate the Bear Creek Dam on the Lehigh River, Pa., as the Francis E. Walter Dam;

H.R. 5860. An act to amend section 407 of the Packers and Stockyards Act of 1921, as amended; and

H.J. Res. 82. Joint resolution to change the name of Short Mountain lock and dam and reservoir in the State of Oklahoma to Robert S. Kerr lock and dam and reservoir.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McGown, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 1518. An act for the relief of Barbara Theresa Lazarus; and

H.R. 6681. An act to improve the active duty promotion opportunity of Air Force officers from the grade of major to the grade of lieutenant colonel.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 330. An act to amend chapter 35 of title 38, United States Code, to provide that after the expiration of the Korean conflict veterans' education and training program, approval of courses under the war orphans' educational assistance program shall be by State approving agencies;

S. 496. An act for the relief of Enrico Agostini and Celestino Agostini;

S. 901. An act for the relief of William Herbert vom Rath;

S. 1064. An act to amend the act redefining the units and establishing the standards of electrical and photometric measurements to provide that the candela shall be the unit of luminous intensity;

S. 1291. An act to authorize the Secretary of Commerce to employ aliens in a scientific or technical capacity; and

S.J. Res. 64. Joint resolution to amend the joint resolution providing for U.S. participation in the International Bureau for the Protection of Industrial Property.

ACTIVE DUTY PROMOTION OPPORTUNITY OF AIR FORCE OFFICERS

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 6681) to improve the active duty promotion opportunity of Air Force officers from the grade of major to the grade of lieutenant colonel, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert: "That the Act of September 1, 1961, Public Law 87–194 (75 Stat. 424), is amended by striking out the figure '1963' and inserting the figure '1965' in place thereof."

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

FIGHTING COMMUNIST SUBVERSION

Mr. PELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, at long last I can take the floor of this House and congratulate the administration for taking a firm position with regard to Communist subversion.

Most wholeheartedly I commend the President for rejecting the request of Prime Minister Cheddi B. Jagan of British Guiana for economic aid. To extend economic assistance to leftists or Communist leaders only serves to add popularity to them and their ideology. It undermines our own freedom.

In this connection, Mr. Speaker, let me add a further thought. It seems to me that the United States right now should take an equally hard attitude with other nations in the Western Hemisphere. Why give economic or military aid to other countries who are unwilling to cooperate with us in our inter-American campaign against Communist subversion from Cuba?

Recently four of the most influential Latin nations abstained and one voted against us in the Council of the Organization of American States when we urged all American Republics to exercise strict control over Communist activities. Communism's chief target, Venezuela and also Brazil, Mexico, and Haiti, sidestepped this issue while Chile dissented thereby greatly nullifying the effectiveness of our campaign to oppose Castro's Soviet beachhead in Cuba.

Mr. Speaker, I applaud the President for declining the request of Cheddi B. Jagan, and urge a policy along the same line of withholding foreign aid from other Latin American countries who refuse to join us in fighting Communist subversion in the Western World.

HON. BOB SIKES

Mr. PEPPER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PEPPER. Mr. Speaker, yesterday I unhappily, was not on the floor when many of my colleagues paid deserved tribute to the dean of our Florida delegation in this House, the Honorable R.L.F., as we affectionately know him, BOB SIKES for having served in this House longer than any other Representative from Florida.

The only indiscretion, in the opinion of some, that BOB SIKES ever committed was when, in 1934, in a moment of friendly weakness, he managed my campaign when I first ran for the other body, in his county. Naturally, I carried his county, with his leadership, by an overwhelming majority.

I first came to know BOB when he was the able and militant publisher of a very successful weekly paper. I observed with pride as he came to be a member of the house of representatives in the Florida Legislature and I had great pleasure in seeing him come to the House in 1941 and in being his colleague in the Congress for 10 years while I was a Member of the other body. During that time I had the privilege of his cordial cooperation as a distinguished Member of this House.

The years have been kind to BOB. It is generally agreed in Florida that BOB could have become Governor if he had been willing to give up or interrupt his career in this House, but he chose to remain, I am glad to say, in this House and here he has rendered distinguished service to his district, his State, and to his country. I know that we all happily anticipate a continuation of his leadership for many meaningful years to come.

SAFETY STANDARDS FOR AUTOMOBILE SEAT BELTS

Mr. ELLIOTT. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 423 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 134) to provide that seat belts sold or shipped in interstate commerce for use in motor vehicles shall meet certain safety standards. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. ELLIOTT. Mr. Speaker, I yield myself such time as I may require, after which I shall yield 30 minutes to the gentleman from Kansas [Mr. AVERY].

Mr. Speaker, House Resolution 423 provides for consideration of H.R. 134, a bill by the gentleman from Alabama [Mr. ROBERTS] to provide that seat belts sold or shipped in interstate commerce for use in motor vehicles shall meet certain safety standards. The resolution provides an open rule with 1 hour of general debate.

The purpose of H.R. 134 is to protect the public by providing for the establishment of minimum countrywide safety standards for automobile seat belts sold or shipped in interstate commerce.

This is accomplished by requiring the Secretary of Commerce to prescribe and publish minimum safety standards for seat belts manufactured for sale or offered for sale in interstate commerce, imported into the United States, or shipped in interstate commerce.

Mr. Speaker, my colleague, the gentleman from Alabama [Mr. ROBERTS], has pioneered this field of seat belt safety for automobiles. Several years ago, I saw him start this work, and today, millions of cars are equipped with seat belts. The savings of lives and human suffering has been immeasurable.

Today, if we pass this rule, and the bill, we will insure that seat belts used on automobiles meet certain safety standards.

Mr. Speaker, I urge the adoption of House Resolution 423.

Mr. AVERY. Mr. Speaker, I really have no persuasive information to submit to the House on this bill. However, there is no opposition to the rule and I have no requests for time on the rule.

I would like to observe that ordinarily this bill would have been on the Consent Calendar, but apparently the country is moving so fast that the administration does not find it necessary to request the leadership to bring such bills to the floor that would otherwise occupy the time of the House, so we have the so-called seat-belt legislation before us this afternoon. I can think of no reason why anybody would be opposed to it, so the House will probably proceed to expedite its passage.

Mr BECKER. Mr. Speaker, will the gentleman yield?

Mr. AVERY. I yield to the gentleman from New York.

Mr. BECKER. I agree with the gentleman, but I am constrained to ask why legislation of this kind comes before the House. I have had years of experience in connection with making all kinds of standards, regulations, and specifications for every sort of thing. Why does this particular item come here as legislation, so that we should put a law on the statute books for it?

Mr. AVERY. I cannot think of anything I can add in addition to what I have already said. I presume it was the conclusion of the Secretary of Commerce that he either did not have the authority to proceed to issue a rule or regulation governing the structure or the textile strength of seat belts and so in lieu of that conclusion, he sought this authority from the Congress.

Mr. BECKER. Does this mean that we legislate today on a standard requirement for seat belts used in automobiles whether they are government owned or privately owned? Is this the general idea of the legislation?

Mr. AVERY. As I understand the legislation, my reply to the gentleman is that this does not direct a manufacturer as to whether he should put seat belts in a car or not. It merely says to the manufacturer of seat belts, if they are to be manufactured, they shall meet such standards as will be set out by the Secretary of Commerce.

Mr. BECKER. How does this affect all the millions of seat belts already being used or purchased or manufactured already? Is this retroactive in any way?

Mr. AVERY. I would suggest that the gentleman might more properly direct his question to a member of the legislative committee. But, certainly, as I read the bill, I do not see any retroactive feature in it. So we have to assume it would not apply to such seat belts as may have been installed up to this time.

Mr. BECKER. I thank the gentleman.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

IN THE COMMITTEE OF THE WHOLE

Mr. ROBERTS of Alabama. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 134) to provide that seat belts sold or shipped in interstate commerce for use in motor vehicles shall meet certain safety standards.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 134, with Mr. Rooney in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Alabama [Mr. Roberts] will be recognized for 30 minutes and the gentleman from Michigan [Mr. Bennett] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Alabama [Mr. Roberts].

Mr. ROBERTS of Alabama. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman and Members of the Committee, this is not a monumental piece of legislation. It is a piece of legislation, however, which could be very important to anyone either driving an automobile or as a passenger in an automobile. Certainly, when we consider that over the long Fourth of July holiday period, 553 people lost their lives and many thousands were injured, some of them permanently, it has a great deal of importance. All this bill does, and it is a very simple bill, is to require that a manufacturer of a belt do a good job. It does not have any retroactive features and would not affect, therefore, any belts that are already installed in automobiles. It does say that the manufacturer who manufactures or sells a belt in interstate commerce shall present a belt that will do the job when the time of emergency comes. This type of legislation has been endorsed by the House previously, in October 1962, and was passed on the Consent Calendar. There was, I believe, perhaps one vote, a voice vote, against the bill in the full committee. However, because of the fact that this movement is growing rapidly throughout the country, it was the feeling of the committee that we should ask for a rule and bring it to the attention of the membership.

Mr. Chairman, beginning a few years ago, in 1957, the Special Subcommittee on Traffic Safety, which was set up by the unanimous resolution of this House, recommended to the House the use of the seat belt as a safety device. At that time the sales of belts were in the thousands. Today I can tell you I believe that the sales of these belts are in the millions. This year the industry will sell approximately 16 million pairs of these belts.

Mr. Chairman, it has meant a great deal to industry in the webbing and fabricating field, metal buckles and assemblies. One of the manufacturers this year will equip all of its output of 1964 cars with belts, front and back.

Mr. Chairman, I have had many instances related to me, by mail and otherwise, and by some Members of this House, to the effect that these belts have saved their lives. One of the Members of my own delegation, the gentleman from Alabama [Mr. Andrews], not too long ago told me of an incident in which this simple device, inexpensive and easy to install, saved his life when the time of emergency came.

Mr. Chairman, this is a voluntary movement. It is being sponsored by groups such as the Jaycees, the Federated Women's Clubs throughout the country, and many other civic organizations. It has the endorsement of the American Medical Association and practically all of the researchers in the safety field.

Mr. Chairman, it is my belief that if a belt is put in a car the purchaser of that belt should have some assurance that the belt is adequate and will do the job. This legislation was asked for by the American Seat Belt Council. If everyone were a member of that council, with its high standards, as was pointed out by Mr. Davis, one of its directors, this legislation would not be necessary. But unfortunately some people in order to make a fast dollar are producing belts that do not do the job. I would hate to see this great voluntary movement destroyed by the inadequacy of a belt put on the market by manufacturers who would take advantage of a situation such as this.

Mr. Chairman, throughout all of our legislation—and this subcommittee has passed many bills on the floor; we passed one last year to outlaw inadequate brake fluid and we passed a bill several years ago to put safety devices on refrigerators, and because of this safety device not in one of the new refrigerators has a child's life been lost.

Mr. Chairman, while I say it is not a monumental bill, if it saves the life of someone, if it prevents someone from being a permanent cripple or maimed for life, if it does this through the use of this little device, I say it is well worth the consideration of the greatest deliberative body on the face of the earth, the House of Representatives.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ROBERTS of Alabama. Certainly, I yield to the gentleman from Iowa.

Mr. GROSS. This means then that the manufacturers must put the fastener in the car? Does it or does it not?

Mr. ROBERTS of Alabama. No, sir; it has nothing to do with the installation of the belt. Now 15 States require belts in automobiles, but there is nothing mandatory about this, except that these belts must meet adequate standards which shall be published in the Federal Register, after consultation with the industry, and after a time in which the industry may inform itself of the specifications of the belt.

Mr. GROSS. Mr. Chairman, will the gentleman yield further?

Mr. ROBERTS of Alabama. Surely.

Mr. GROSS. Does not the gentleman think that this is self-defeating? In other words, you can have the best belt made in an automobile and if it is not properly attached to the car frame—to a substantial part of the car frame—the fact that you have a seat belt is meaningless. It will be pulled out in the event of a hard impact and the weight thrown against the belt. I would think there ought to be some standards for attachment within the car and the attachments provided as the car is manufactured.

Mr. ROBERTS of Alabama. Actually, most of the belts will be installed in garages. That is a matter really up to the individual as to where his belt is installed. We do not think it is a matter that we in the Congress should legislate on. It is a matter that belongs to the States to legislate on. Some of the States have laws that cover installation. About 15 States now have such a law and I think that is properly under the jurisdiction of the States.

Mr. GROSS. I favor the legislation, I favor the gentleman's bill, but somewhere along the line there ought to be standards for attaching the belts to the car frame or some substantial part of the car, because it has been demonstrated that if not properly attached they will pull out under heavy impact.

Mr. ROBERTS of Alabama. I could not agree with the gentleman more. However, I have never favored mandatory installation of these belts. I have always felt that was a matter that properly should be left up to the States. I think I have been right because 15 States have adopted such legislation. As I say, I have never favored the Federal Government going that far.

Mr. GROSS. I agree with the gentleman in what he has just said. What I am trying to say is that there are standards for belts and there should also be certain standards for attachment, because otherwise the beneficial effects of the belt can be lost. There ought to be standards both ways, both as to attachment and as to the strength of the belt and the fastenings.

Mr. ROBERTS of Alabama. I thank the gentleman.

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield?

Mr. ROBERTS of Alabama. I yield to the gentleman from Michigan.

Mr. O'HARA of Michigan. Mr. Chairman, I agree with the gentleman with respect to our ability to legislate as to how these belts might be installed in small independent garages in the communities of our country. But, as the gentleman from Iowa suggested, I was wondering if the committee would not consider at some appropriate time legislation which would require that the manufacturers of these automobiles shipped in interstate commerce provide an appropriate bolt or bolts in the proper places in the frame for the installation of a belt, which would perhaps encourage proper installation of these belts. In other words, provide in the manufactured automobile safe places for anchoring these belts so that they can be conveniently installed in a proper manner; in fact, more so than in the other manner.

Mr. ROBERTS of Alabama. I appreciate the gentleman's contribution. Even though you put a belt in the car, properly anchored and adequately secured, unless the party is going to use it, you will not have accomplished anything. Actually you come back to what the individual wants to do in protecting himself.

Mr. ROGERS of Florida. Mr. Chairman, will the gentleman yield?

Mr. ROBERTS of Alabama. I yield to the gentleman from Florida.

Mr. ROGERS of Florida. Mr. Chairman, this past weekend Americans across our great Nation celebrated Independence Day. Strange it is that in doing so we managed to kill 557 of our countrymen on the highways and roads. In celebrating freedom and liberty, 557 lost their liberty to add to an ever-increasing death toll that is already ahead of last year's at this time by some 6 percentage points.

In the past 5 years 192,081 persons have lost their lives in traffic accidents in the United States. On an average that is close to 38,500 lives per year. In 1962 alone, 41,000 lost their lives on our Nation's highways; and this year seems to be continuing the upward trend toward a new record of human self-destruction.

What can be done about this highway slaughter? One aid to the solution of this problem will be for drivers to accept the merits of automobile seat belts, install them in their automobiles, and faithfully use them. By the term "seat belt," I am referring to belts that meet the standards of safety that would be required by H.R. 134; not some substandard substitute.

There have been several studies made, and although seat belts will not prevent the automobile accidents, seat belts can help to prevent serious injury or loss of life caused by the accidents. It has been stated by the Director of the Office of Highway Safety, Bureau of Public Roads, James K. Williams, that serious injury and fatalities would be reduced by one-third of what they are now if people would use seat belts that measure up to the safety standards called for in this legislation.

It is our responsibility to pass legislation that insures the minimum safety standards regarding seat belts sold or shipped in interstate commerce. There are presently automobile seat belts on the market that are of inferior quality and design, and with the growing interest of the American motorist in this safety device, he may unknowingly buy faulty or substandard merchandise if not protected by law.

We must not only encourage the use of seat belts, but we must also insist on high quality standards that should be met for the production of seat belts before transportation in interstate commerce. Not to do this would be a violation of our public trust.

Mr. ROBERTS of Alabama. Mr. Chairman, I thank the gentleman from Florida who is an able and conscientious member of our subcommittee and has worked hard in all of this legislation.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. ROBERTS of Alabama. I yield to the gentleman from Florida.

Mr. HALEY. Mr. Chairman, I want to compliment the gentleman from Alabama who has long been interested in the safety features this bill will provide. The committee has done an outstanding service in bringing this bill to the floor of this House for, I hope, unanimous passage. I might say this, Mr. Chairman, to the gentleman, however, I hope his committee would give some consideration in the installation of these various things to the fact that certain minimum requirements be considered as to stress and strain. After all, a belt will stand a certain amount of strain, but unless whatever is attaching it to the automobile body itself can stand the strain that a jolt would give, of course, it would pull right out and would not provide the safety features that I am sure the gentleman from Alabama and his committee hope would be brought about by this kind of legislation. So I urge you to give consideration to that feature of the problem.

Mr. ROBERTS of Alabama. I thank my able and longtime friend, the gentleman from Florida [Mr. HALEY].

Mr. NELSEN. Mr. Chairman, will the gentleman yield?

Mr. ROBERTS of Alabama. I yield to the gentleman from Minnesota, a member of the committee.

Mr. NELSEN. I wish to compliment the chairman of this Health and Safety Subcommittee and to emphasize that in his discussion of the bill he did point out that he, as chairman of the subcommittee, had always refrained from advocating mandatory legislation in this field. I endorse that position. It is true that the hearings of the subcommittee stimulated a good deal of interest in the automobile industry. I think in answer to the question of the gentleman on the other side, most of the manufacturers today do make provision for proper facilities for the fastening of seat belts in automobiles. I might add that our committee reported this bill out and there was no opposition in our subcommittee. I want to thank the gentleman for his diligent efforts in supporting this legislation.

Mr. ROBERTS of Alabama. Mr. Chairman, I thank the distinguished gentleman who has been very diligent in his work with the subcommittee. He works hard and I appreciate his wonderful support.

Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman from Alabama has consumed 15 minutes.

Mr. BENNETT of Florida. Mr. Chairman, will the gentleman yield?

Mr. ROBERTS of Alabama. I yield to the gentleman from Florida [Mr. BENNETT].

Mr. BENNETT of Florida. Mr. Chairman, I would like to take this opportunity to congratulate our beloved colleague, the gentleman from Alabama, KENNETH A. ROBERTS, on his effective and persuasive leadership in the passage of this legislation, which is long overdue. The legislation to provide that seat belts sold or shipped in interstate commerce for use in motor vehicles shall meet certain safety standards is an important first step in the adoption of overall legislation to require certain safety devices on motor vehicles sold, shipped, or used in interstate commerce.

The general public is becoming aware, I believe, of the necessity for safety devices, even the more bothersome ones, on the ever-growing numbers of automobiles on our highways.

Anyone who faces the facts of safety today cannot overlook the importance of this bill. We know that some 40,000 of our citizens were killed on the highways last year and some 3 million were injured in moving automobile accidents.

Setting standards for safety belts should lead to more effective ways of stopping the slaughter on our highways. The National Safety Council has strongly supported the plan to provide all new cars with seat belts in 1964, as have several of the major automobile manufacturers. Howard Pyle, president of the National Safety Council, has estimated that seat belts in universal use could save at least 5,000 lives annually. This fact in itself is indicative of the need for this legislation.

Also, a recent Gallup poll stated a majority of Americans are now in favor of a law requiring all cars, both new and used, to be equipped with safety belts.

On the first day of the opening session of the 85th Congress, January 3, 1957, I introduced a bill (H.R. 561) to require certain minimum standards of safety in the construction of automobiles manufactured for sale in interstate commerce. Since that time I have pushed vigorously for legislation stressing safety measures on automobiles. The need is definite for the safest possible equipment on automobiles, including, I believe, a governor to limit the top speed of vehicles; safety padding for the passenger compartment of the vehicle; steering and other vehicle controls; bumpers, fenders and other shock-absorbing equipment; headlights and other lights, brakes, aids to visibility; tires, and safety belts.

The passage of this bill will lead to other measures to halt useless injuries and deaths on our highways. I am highly optimistic that with the passage of this bill we will drastically reduce the chances of increasing accidents and deaths.

What we are doing here today is good as far as it goes, but it is a minuscule effort. The size of the problem is great and it should be met head on. We desperately need to approve a bill which positively requires seat belts to be installed in all vehicles sold in interstate commerce.

All we have to show for our 6-year fight for these safety devices is this bill today. It is a tiny effort, considering what we need.

In the 6 years since I introduced my original bill thousands have been killed. We could have saved 30,000 lives in that period had the legislation been enacted 6 years ago.

Mr. ROBERTS of Alabama. I thank the distinguished gentleman. He has appeared before our subcommittee and full committee many times in the interest of safety legislation. The committee has been impressed with his performance there.

Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. RYAN].

Mr. RYAN of Michigan. Mr. Chairman and Members of the House, I heartily endorse and support H.R. 1341, the bill introduced by Mr. ROBERTS of Alabama, which sets standards for seat belts shipped or sold in interstate commerce. This legislation is long overdue, and should promptly be approved by this Congress in order to further protect the American automobile owner and user.

More and more people are purchasing cars with seat belts, or are having them installed. With the growing interest in the use of seat belts, some high-pressure sellers in a number of areas of our country are exploiting and taking advantage of this boom.

Seat belts have been recommended by most authorities as a valuable safety device. Approximately 15 States now have laws requiring either that automobiles manufactured in that State must be equipped with seat belts or that the belts must meet adequate standards. It must be obvious that it is difficult to police the many hundreds of manufacturers, distributors, and retailers in the booming new seat belt industry.

Seat belts are actually a necessity—seat belts really do save lives. How we must shudder when we look at facts and realize that 41,000 American citizens lost their lives in 1962 through traffic accidents. Only heart ailments, cancer and pneumonia rank ahead of death on the highway as a destroyer of human life. As a matter of fact, the total number of fatalities of Americans in all of our wars, are less than the total number of Americans killed in all automobile accidents. Words are simply incapable of expressing this tragic and wasteful loss.

In addition to this wanton, useless loss of lives, approximately 1,500,000 Americans suffered injuries that disabled them beyond the day of the accident—some so severely injured that they will suffer and be incapacitated for the rest of their natural lives.

There are more than 79 million vehicles on American roads—propelled by more than 91 million drivers. As these figures increase, so do the number of deaths. Why, then, should we not take action to help cut down this vast number of deaths and injuries.

It is your concern, and your business as Congressmen, to do something more about this matter.

Thousands of lives are lost each year because passengers are thrown against windshields or out of car doors by the impact of crashes. The chances of being killed by this second crash are five times greater if one is thrown from the vehicle.

Research in automobile crash injury cases has shown that seat belts help protect automobile passengers in both major and minor accidents.

In collisions, seat belts help keep passengers from being ejected, and reduce the force of impact of the body on any part of the car interior.

Representatives from the Ford Motor Co. stated in 1957 that:

> In our opinion, the use of seat belts in all cars and trucks on the American road today would reduce the 40,000 fatalities annually to less than 19,000, and would reduce the 1 million serious injuries to no more than 500,000.

In a more recent statement, University of Michigan physcians, as a result of a year long study, proved—actually proved—that 33 percent of accident victims studied would have been saved with a seat belt, and another 21 percent might have been saved. This particular study also showed that the greatest value of seat belts was demonstrated in city driving under 40 miles per hour, and relatively close to home. Automobile makers, fleet truck operators, police, and many State legislatures are convinced that seat belts save lives.

It is my candid opinion that seat belts will someday become standard equipment on all automobiles. I believe in their use so strongly that I did introduce a bill into the House of Representatives requiring that all motor vehicles sold or shipped in commerce must be equipped with safety belts, and that they must meet certain standards set by the Department of Commerce. This bill is known as H.R. 3988.

Many State legislatures now require that vehicles manufactured or sold in their State must be equipped with seat belts.

My own State of Michigan is commonly known as the "Automobile State." My city of Detroit is known worldwide as the "Motor City." Just about one-third of the entire automobile production in the entire United States is produced within the State of Michigan. In 1962, there were 2,113,000 automobiles manufactured in Michigan, and this was 31.68 percent of the total automobile production of the 1962 models. In addition to these totally completed units, parts of motor vehicles have been manufactured for shipment to other parts of the country for final assembly.

I recite these figures to emphasize the point that our Legislature of the State of Michigan during this past session, to its everlasting credit, did approve and adopt a bill which requires that all new cars manufactured or sold in Michigan after January 1, 1965, must be equipped with seat belts. Thus you can see that it is a short matter of time before all automobiles will be equipped with seat belts as a matter of standard equipment.

The quicker this happens the more lives will be saved. This present bill moves forward in this direction and I sincerely hope you will support the measure under discussion at this time.

Mr. NELSEN. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. BOW].

Mr. BOW. Mr. Chairman, I take this time to ask the chairman of the subcommittee if he can advise the House how much this program will cost and how it will be budgeted as far as the Congress is concerned.

Mr. ROBERTS of Alabama. If I remember the testimony in the committee, it is estimated that little or no cost will be involved in this. There will be personnel in the Bureau of Standards to do this, and in the Office of Highway Safety in the Commerce Department. As I recall the testimony, there will be no additional cost.

Mr. BOW. There will be no additional cost and no additional employees will be necessary in the Department of Commerce?

Mr. ROBERTS of Alabama. That is the best of my recollection.

Mr. BOW. And no additional funds will be required?

Mr. ROBERTS of Alabama. That is right.

Mr. BOW. I thank the gentleman.

Mr. HORTON. Mr. Chairman, I wish to express my support of the bill, H.R. 134, concerning automobile seat belts.

I understand the purpose of this bill is to protect the public by providing minimum standards for automobile seat belts sold or shipped in interstate commerce. This would be accomplished by requiring the Secretary of Commerce to prescribe and publish minimum safety requirements for seat belts used in motor vehicles.

I believe we are all aware of the considerable research which has been conducted over the past few years dealing with the efficacy of automobile seat belts. The results of this research clearly evidence the contribution to motoring safety of seat belts for two basic reasons: First, you are safer inside a car than if thrown out of it; and second, you are less likely to be dashed against the interior of your own car.

A majority of the several States deserve great credit for their actions regarding seat belts. According to information I have received from the National Committee on Uniform Traffic Laws and Ordinances, there are now 28 States which have adopted one or more requirements affecting seat belts.

I am particularly proud of the record of New York State. As of June 30, 1962, it was required that all new cars sold in the State be equipped with suitable anchorages for seat belts. Under a more recently enacted statute, New York State will require that all new cars sold in the State after June 30, 1964, also have seat belts installed in them. New York State also was among the very first States to regulate the sale of automobile seat belts by requiring the maintenance of minimum safety standards.

Mr. Chairman, you can see that it is not the State of New York for which I urge the benefits of this legislation. The requirements there are entirely satisfactory.

However, for those areas of the country where no such State legislation exists, I believe Congress has both an opportunity and an obligation to protect the general welfare through the passage of this bill.

A national standard for the minimum safety requirements of automobile seat belts is much to be desired. A seat belt whose webbing breaks, catch fails, or pulls, or pulls loose from its anchorage is just as dangerous as no seat belt at all. In fact, it is potentially more dangerous for the false security it gives its unsuspecting wearer.

Mr. LIBONATI. Mr. Chairman, last week this body passed and sent to the Senate the Honorable KENNETH ROBERTS' bill H.R. 134, to establish seat belt standards. During the course of the debate on this legislation he indicated that if seat belts saved one life it was well worth the effort and time of the Congress.

Yesterday he received a letter from an individual from Chicago, Ill., telling him of the lifesaving aspects of the seat belts as demonstrated in an automobile accident in which the individual was personally involved. I would like, Mr. Chairman, to have printed in the RECORD at this point the letter he received as I believe it is a tribute to his initiative in the passage of the bill and the foresight of the users of the seat belts. His prediction has been realized.

CHICAGO, ILL.,
July 11, 1963.

Hon. KENNETH A. ROBERTS,
House of Representatives,
Washington, D.C.

DEAR SIR: The enclosed article about your bill regarding auto seat belts appeared in the Chicago Tribune today.

It caught my interest especially because seat belts gave Chicago a no-traffic-death record over the recent 4-day holiday. They also saved our lives.

Our family of two adults and three children were riding in our automobile when it was struck by a speeding car. Our two small sons were belted in their seats in the back; both suffered head injuries. My husband was belted in the driver's seat; he was thrown against the steering wheel. I was belted in the right front seat; I was thrown forward with enough impact to cause a dent in the steel door frame where my head struck. My daughter, seated between us in the front but not wearing a seat belt, was thrown to the floor. She is too small to have hit the dash or to have gone through the windshield, which certainly would have been the case with an adult who had been sitting in that seat.

The two cars were demolished. I am certain that I would have been thrown from the car and probably my husband would have suffered severe, if not fatal injuries from the impact of the steering wheel; the boys in the rear would have been thrown to the front; had we not been protected by seat belts. Tangible evidence in support of this theory is the fact that the only one of the five to be thrown from the seat was not wearing a belt, and only her small size kept her in the car.

We were all injured but we are all alive. Seat belts alone are responsible. Congratulations on your important safety bill—and thank you for bringing this idea to public attention.

Sincerely,
PHOEBE MEDOW.

Mr. ROBERTS of Alabama. Mr. Chairman, I have no further requests for time.

Mr. NELSEN. I have no further requests for time, Mr. Chairman.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce shall prescribe and publish in the Federal Register minimum standards for seat belts for use in motor vehicles. Such standards shall be designed to provide the public with safe seat belts so that passenger injuries in motor vehicle accidents can be kept to a minimum. Standards first established under this section shall be prescribed and published not later than one year after the date of enactment of this Act.

SEC. 2. (a) The manufacture for sale, the sale, or the offering for sale, in interstate commerce, or the importation into the United States, or the introduction, delivery for introduction, transportation or causing to be transported in, interstate commerce, or for the purpose of sale, or delivery after sale, in interstate commerce, of any seat belt manufactured on or after the date this section takes effect shall be unlawful unless such seat belt meets the standards prescribed by the Secretary of Commerce as set forth in the first section of this Act.

(b) Whoever violates this section shall be fined not more than $1,000, or imprisoned not more than one year or both.

SEC. 3. As used in this Act—

(1) The term "interstate commerce" includes commerce between one State, Territory, possession, the District of Columbia, or the Commonwealth of Puerto Rico and another State, Territory, possession, the District of Columbia, or the Commonwealth of Puerto Rico.

(2) The term "motor vehicle" means any other vehicle or machine propelled or drawn by mechanical power and used on the highways principally in the transportation of passengers.

(3) The term "seat belt" means any strap, webbing, or similar device designed to secure a passenger in a motor vehicle in order to mitigate the results of any accident including all necessary buckles, and other fasteners, and all hardware designed for installing such seat belt in a motor vehicle.

SEC. 4. This Act shall take effect on the date of its enactment except that section 2 shall take effect on such date as the Secretary of Commerce shall determine but such date shall be not less than one hundred and eighty days nor more than one year after the date of publication of standards first established under the first section of this Act. If such standards first established are thereafter changed, such standards as so changed shall take effect on such date as the Secretary of Commerce shall determine but such date shall not be less than one hundred and eighty days nor more than one year after the date of their publication in accordance with the provisions of the first section of this Act.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. ROONEY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 134) to provide that seat belts sold or shipped in interstate commerce for use in motor vehicles shall meet certain safety standards, pursuant to House Resolution 433, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

FREEMAN TO STUDY COMMUNIST AGRICULTURE

Mr. LAIRD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. LAIRD. Mr. Speaker, Secretary of Agriculture Orville Freeman has announced that he and some Department of Agriculture experts will leave Washington at taxpayers' expense on July 13, next Saturday, for a month-long junket of farming areas in the Soviet Union, Rumania, Bulgaria, Poland, and Yugoslavia.

Certainly many would agree that Secretary Freeman could profit from a study of the agricultural practices and procedures of certain other countries. Not too many, however, would include Communist agricultural policies as worthy of study or emulation by our Secretary of Agriculture. The outcome of the recent wheat referendum should have taught Mr. Freeman that American farmers are not interested in the general policy of state control that is found in the Communist countries.

Even more importantly, Mr. Speaker, I was literally amazed to learn that Secretary Freeman had chosen this particular time when Congress is in session for his educational trip to the Communist countries. Certainly his time could more profitably be spent here at home working on the development of sorely needed, effective dairy legislation.

In addition, with the so-called Kennedy round of tariff negotiations currently underway, I would think Mr. Freeman would do better to address himself to the many facets of the agricultural problem that will continue to crop up in these tariff negotiations. The poultry farmers apparently have already been sold down the river.

Last year the European Common Market increased the tariff on U.S. poultry from 5 to 13 cents a pound. This seemed more than unfair in light of the policy of our Government to reduce trade and tariff barriers. But following further activity by our trade representatives, the Common Market upped the duty by 1¼ cents a pound. On May 31, Democratic Senator RUSSELL said that this "new tariff barrier against American poultry amounts to a total embargo that will make it impossible for American producers to export to Europe profitably."

Yet as late as May 29, Secretary Freeman had said that—

> Poultry probably represents our outstanding success story in developing a new market abroad. * * * We are, of course, hopeful that the [tariff] decision will be favorable.

It was not, but Secretary Freeman had gone on to say:

> In a sense, we feel that as poultry goes, so go our overall trade prospects.

If that prediction is accurate, the prospects for the American farmer in international trade are bleak indeed. With Mr. Freeman's unfortunate record in the area of American agricultural policy, Mr. Speaker, I cannot help but wonder why he deems it more profitable to study Russian agriculture which, I would hope, has little if anything in common with the agricultural policies of the United States.

The dairy industry of this country, the wheatgrowers of the country, the entire cotton industry, the shocking rise in sugar prices, and many other critical problems in the United States should command the full attention of the Secretary of Agriculture of the United States. One would hope that Secretary Freeman would seriously reevaluate his ill-considered decision to study Communist agriculture at this critical period in the history of American agriculture.

U.S. INTERCULTURAL CENTER

Mr. NIX. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. NIX. Mr. Speaker, in relation to legislation which I have previously introduced, providing for the reduction of congressional representation for any State to the extent that such unconstitutionally deprives citizens of the right to vote, H.R. 7005, and in conjunction with H.R. 7152, the proposed civil rights measure introduced on behalf of the President of the United States, I offer this constructive proposal for improving relations between citizens of the United States and the peoples of Africa and Asia.

Mr. Speaker, it cannot be disputed that there is no more immediately important domestic or international problem than the state of interracial and intercultural relations. Both the nature and the gravity of the problem dictate that a free exchange of factual information and ideas is absolutely critical to the resolution of it, in all of its ramifications. Currently, the necessity for basic and intelligent understandings is acute; therefore, the present crisis cries out for deliberate and responsible direction through the establishment of a medium of communication at the national and international levels. Through such, and only in this way, can there be developed the proper context and the proper focus for resolving interracial and intercultural problems as they have arisen and will continue to arise in the course of relations between the United States and the emergent nations of Africa, Asia and Latin America.

Mr. Speaker, there must be brought to bear upon these problems the sane, objective, self-conscious, and responsible weight and influence of the more active and intelligent minds of all cultures, all nations, all races. Scholars, public officials, and others desperately need a medium of communication and a locus for programed study, contemplation, deliberation, and publication so that freemen of all cultures might speak and learn the most pertinent facts and opinions relative to racial relations.

The concern which prompts me to introduce the measure which I refer to stems from my unequivocal faith in the basic proposition of democracy that man is by nature a reasonable being, capable of solving human problems without resorting to the resources and techniques of irrationality. I am disturbed by the fact that reason plays no larger part in racial relations than is now evident. I am concerned that the role of reason may even diminish—that policy and action among the private and public participants will issue not from the law and the mind but from the emotions of the gun or sword or the fist or club.

With a view to the future against the background of the past and present, I submit this proposal to establish, as an arm of the Government of the United States, a U.S. Intercultural Center, in close proximity to the headquarters of the United Nations, for the purpose of creating a locus for free communication among Americans and Africans, and other people as well, on problems of race relations. I submit that this is practicable and that it is the most feasible means of assuring the speedier reconciliation of interracial and intercultural differences. There is no admission of failure regarding our efforts to date; there is a concern that failure is not "just around the corner."

FCC PROPOSALS TO AMEND COMMUNICATIONS ACT

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include a letter and certain information from the Federal Communications Commission.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Speaker, I have introduced today two bills which propose to amend section 310(b) of the Communications Act of 1934. The purpose of both bills is to give the Federal Communications Commission greater discretion in considering how the public interest will best be served in connection with transfers of broadcast station licenses.

The first bill is the official Commission proposal. The second bill was suggested by Commissioner Bartley. As explained by Commissioner Bartley, it is the purpose of his bill to place upon broadcasters who desire to transfer their licenses the burden of proving that such transfers will bring about an improved broadcast structure.

The letter from the FCC to Speaker MCCORMACK requesting introduction of these bills and the explanatory statements submitted together with the letter are as follows:

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D.C., June 27, 1963.
Hon. JOHN W. MCCORMACK,
Speaker of the House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: The Commission has adopted as part of its legislative program for the 88th Congress a proposal to amend section 310(b) of the Communications Act of 1934 to give the Commission greater discretion to adopt flexible procedures for considering how the public interest will best be served in considering applications for transfer or assignment of a construction permit or license for a broadcast station.

The Commission's explanation and draft bill to accomplish the foregoing objective were submitted to the Bureau of the Budget for its consideration. We are now advised by that Bureau that from the standpoint of the administration's program there would be no objection to the presentation of the draft bill to the Congress for its consideration. Accordingly, there are enclosed six copies of our draft bill on this subject and six copies of an explanatory statement with reference thereto. Commissioner Bartley has prepared a separate statement, six copies of which are also enclosed.

The consideration by the House of the proposed amendment would be greatly appreciated. The Commission would be happy to furnish any additional information that may be desired by the House or by the committee to which this proposal is referred.

Yours sincerely,
E. WILLIAM HENRY,
Chairman.

EXPLANATION OF PROPOSED AMENDMENT TO SECTION 310 (b) OF THE COMMUNICATIONS ACT OF 1934, AS AMENDED

The Commission recommends that Congress enact legislation amending section 310(b) of the Communications Act of 1934, as amended, by deleting the portion of the last sentence of section 310(b) following the semicolon. The language which would be deleted reads as follows:

"But in acting thereon [i.e., on an application for assignment or transfer of a construction permit or license] the Commission may not consider whether the public interest, convenience, and necessity might be served by the transfer, assignment, or disposal of the permit to a person other than the proposed transferee or assignee."

For some time now, the Congress and the Commission have both been concerned with problems involving the transfer or assignment of station licenses or construction permits. A number of steps have already been taken to strengthen the Commission's procedure governing transfers and assignments.

The former House Subcommittee on Legislative Oversight, for example, held extensive hearings during 1958 on various facets of transfer problems, such as trafficking in licenses and the adverse effects on the public interest of the statutory provision quoted above. Following its hearings, the Legislative Oversight Subcommittee twice formally recommended the repeal of the language quoted above.[1] Legislation to implement this recommendation first appeared as a part of H.R. 11340, 86th Congress, introduced by Chairman HARRIS of the House Committee on Interstate and Foreign Commerce. This bill proposed fairly extensive revisions in section 310(b) of the Communications Act. H.R. 11340 died with the 86th Congress, but a bill containing an identical proposal to amend section 310(b), H.R. 1165, was introduced in the 87th Congress. This bill died with expiration of the 87th Congress.

Insofar as we have been able to do so within the framework of existing law, the Commission has also taken measures to correct abuses in the transfer area. We have wholeheartedly supported the congressional proposal to implement the recommendations of the Legislative Oversight Subcommittee regarding necessary amendments to section 310(b). And, independently of congressional action, we have taken steps to correct possible abuses in this area. For instance, following a study of trafficking problems, the Commission adopted a new broadcast rule (effective March 23, 1962) pertaining to applications for the voluntary transfer of licenses or construction permits which have been held for less than 3 years. Under the new rule, with certain exceptions which recognize that legitimate changes in circumstances may create hardships necessitating the sale of a station, a hearing is required on applications for voluntary assignments or transfers of AM, FM, or TV stations which are proposed to be sold within 3 years of acquisition thereof. We think this new rule will prove highly beneficial in discouraging trafficking in licenses.

As another part of our program to strengthen our authority to deal with transfer problems, the Commission is here proposing the repeal of that part of section 310(b) referred to above.

The language to be repealed was added as a part of the 1952 amendments to the Communications Act. As shown by the legislative history, the main purpose of this language was to annul the Commission's former "AVCO" procedure, which, it will be recalled, provided for publicizing transfer applications and inviting new applications for consideration on a comparative basis. (S. Rept. No. 44, accompanying S. 658, 82d Cong., 1st sess. p. 8.) as further indicated by the legislative history, the Commission had already abandoned its "AVCO" procedure several months before enactment of this amendment to section 310(b). (S. Rept. No. 44, supra, p. 9.)

Practical expereince gained from operation under this provision has demonstrated rather conclusively that the effect of the 1952 amendment has been considerably broader than merely to bar the adoption of "AVCO" procedures. For, under the clear and unequivocal language of this provision, the Commission is barred from giving any consideration to other possible applicants who may be interested in applying for the facility covered by a license or construction permit which is to be transferred.

In all other instances involving licensing functions, the Federal Communications Commission has the authority to choose the best qualified applicant. This is assured chiefly through comparative hearings, which serve the public interest by permitting the selection of the best qualified applicant. It is true, of course, that under section 310(b), the public interest, convenience, and necessity is still the standard by which a proposed transfer must be judged before it can be approved. But, in determining where the public interest lies, the Commission is expressly forbidden by the present language of section 310(b) from considering whether someone other than the proposed transferee may be better able to serve the public interest in the community involved. In some cases, this means that a person with minimal qualifications who has actually lost a comparative hearing, or could not prevail against better qualified applicants, is the only person whose qualifications the Commission can consider.

Thus, for all practical purposes, the effect of this provision has been to permit a licensee to choose his successor. And since the transferor is more often than not influenced primarily by the amount the purchaser will pay rather than the purchaser's qualifications to be a broadcast licensee or the type of service he plans to offer, the public interest may be subordinated to the private interests of the transferor and transferee.

This narrowing of the public interest standard to be applied in transfer cases is in marked contrast to other provisions of the Communications Act. Thus, section 307(d) limits the term of a licensee for a broadcast station to 3 years, the renewal of a license being conditioned on the Commission's finding that the public interest would be served; and there is no restriction on the Commission's public interest determination similar to that in section 310(b). Section 309(a) authorizes the isssuance of licenses of construction permits only on a finding that the public interest will be served thereby, and again with no such restriction as in section 310(a).

The repeal of the present limitations on our authority in transfer and assignment proceedings will serve the public interest in several ways.

Most importantly, it will restore to the Commission the discretion it had in transfer proceedings prior to the 1952 enactment of the present language of section 310(b). While we wish to make it clear that the Commission would not regard the repeal of this provision as a mandate to reinstitute the former AVCO procedures (which, as stated, had been abandoned by the Commission before the enactment of the 1952 revision), nevertheless, there are situations in which the public interest might better be served by the transfer of a station to someone other than the transferee proposed by the transferor. There is, for example, the situation where it is proposed to transfer a station in a community which enjoys multiple commercial service but which has no educational service and in which an educational group would be willing to purchase the station for educational broadcasting for roughly the same price offered by the proposed transferee. At a very minimum, the Commission should have the authority to consider the application of the educational group to determine whether the public interest would better be served by a grant to the educational group rather than to the person selected by the transferor. Presently, however, even the bare minimal authority to consider competing applications is precluded by section 310(b).

There may also be other unique situations in which the public interest aspects of a proposed transfer would justify the consideration of a transferee other than the one proposed by the transferor. Because of the multitude of possible factual situations, we cannot, at this time say just what those unique situations might be. We stress, however, our belief that such situations would be the exception and not the rule. In short, the Commission should have authority to deal with particular factual situations as the public interest—without restriction thereon—may require. Repeal of this provision would accomplish that end.

Further, this amendment would also conform the public interest standard of section 310(b) to the statutory scheme inherent in other sections of the Communications Act, thus eliminating the present anomaly of requiring the Commission to apply a different and more restrictive standard in transfer cases than it does in other licensing proceedings. And finally, repeal of this provision will implement the recommendations of the former House Subcommittee on Legislative Oversight, which, as previously noted, has twice recommended the repeal of this provision.

In light of these considerations and the general agreement on the need for repeal of this provision, we urge that separate legislation be introduced to accomplish this objective. A draft bill setting forth the proposed changes in section 310(b) is attached.[2]

STATEMENT OF COMMISSIONER ROBERT T. BARTLEY

I believe the proposed amendment of section 310(b) is desirable as far as it goes. However, I am of the opinion that additional provisions should be enacted to safeguard

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[1] H. Rept. 1258, 86th Cong., 2d sess. (1960), pp. 39–40; and H. Rept. 2711, 85th Cong., 2d sess. (1959), p. 11.

[2] The Commission believes that it is unnecessary to delete the last sentence in its entirety, and that the portion which would be left simply specifies the processing procedures for the Commission in the transfer situation (e.g., as to obtaining information on citizenship, character, and financial, technical and legal qualifications of the transferee or assignee (see sections 308(a) and (b)). The remaining portion would not, in and of itself, give any person the right to file a competing application and obtain a comparative hearing with the transferee or assignee. As stated, whether or not such a competing application could be filed would be left to the discretion of the Commission under the public interest standard.

> the public from derogation of service as a result of the "buying and selling" of broadcast stations.
>
> The amendment, as proposed would merely authorize the Commission to consider assignments and transfers of broadcast stations to persons other than those specified by the assignor or transferor. But the Commission's basic consideration in each sale is whether the person who is considered can be expected to bring about an improved broadcast structure, and, thus, whether the public is benefited by the transaction. If the sale will not effectuate improvement, how can it be held to be in the public interest, convenience and necessity.
>
> Thus, I favor the adoption of an amendment which would, (1) require a finding in all requests for assignments and transfers of broadcast stations (except pro forma and involuntary cases) that the transaction could be expected to bring about an improvement in the general structure of broadcasting; and (2) provide that the Commission may grant its consent, without hearing, if the assignee or transferee meets the burden of establishing such expectation by an affirmative showing of overall superiority to the assignor or transferor in a consideration of the following public interest areas: (a) licensee responsibility, (b) integration of ownership and management, (c) local residence, (d) diversification of control of mass media, (e) fostering competition among broadcast stations, (f) participation in community affairs, (g) direct supervision of the station, (h) public service responsibility, (i) and, a continuing awareness of and attention to the needs of the area to be served. Thus, if the showing is meritorious and the applicant is qualified in all other respects, consent could be granted without a hearing. Otherwise, the application would be designated for hearing to determine, on the basis of issues then obtaining, whether consent to the assignment or transfer would serve the public interest, convenience and necessity.
>
> Accordingly, I urge the following revision of section 310(b) of the Communications Act.

CONFEREES ON APPROPRIATION BILL, DEPARTMENT OF INTERIOR AND RELATED AGENCIES, FISCAL YEAR 1964

Mr. DENTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 5279) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1964, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Indiana? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. KIRWAN, DENTON, CANNON, HARRISON, and REIFEL.

Mr. DENTON. Mr. Speaker, I ask unanimous consent that the managers on the part of the House have until midnight Friday to file the conference report on the bill (H.R. 5279) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1964, and for other purposes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ANNUAL REPORT OF THE OFFICE OF ALIEN PROPERTY, DEPARTMENT OF JUSTICE, FOR THE YEAR ENDED JUNE 30, 1962—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with accompanying papers, referred to the Committee on Interstate and Foreign Commerce.

The message and accompanying papers were referred to the Committee on Interstate and Foreign Commerce.

To the Congress of the United States:

I transmit herewith, for the information of the Congress, the Annual Report of the Office of Alien Property, Department of Justice, for the fiscal year ended June 30, 1962.

JOHN F. KENNEDY.

THE WHITE HOUSE.

GENERAL LEAVE TO EXTEND

Mr. ROBERTS of Alabama. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill H.R. 134.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PROPOSED INCOME TAX DEDUCTION IN AID OF HIGHER EDUCATION

Mr. ROBERTS of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. ST GERMAIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, few thinking Americans would dispute the fact that the future greatness of this Nation will depend to a large extent on the present quality of our educational system. It is essential that our universities and colleges—along with our elementary and secondary schools—move forward in continuing to provide American youth with unsurpassed opportunities for their spiritual and educational development.

Hand in hand with the necessity of maintaining high quality in education goes the obligation to educate every citizen to his fullest capacity, regardless of race, creed, or financial inadequacy. In no instance is this obligation more pressing than in the area of higher education, since the vitality of our national life requires that those occupying positions of leadership in the future possess lofty ideals and sound learning.

The costs of collegiate education have skyrocketed in recent years. It is becoming increasingly difficult for the average citizen to meet these costs for either himself or his dependents and still keep up with other necessary expenses. For this reason, I am again introducing a bill to allow Federal income tax deductions for payments to assist in providing higher education.

This legislation provides deductions for an individual's education payments for himself, his spouse, or his dependents. These expenses include:

First. Tuition and fees.

Second. Necessary books and supplies.

Third. Cost of meals, lodging, and travel, not to exceed $1,000 per year, if the student is living away from home.

The amount of the deductions would be reduced in proportion if the student receives scholarships, other grants, or veterans' educational benefits.

The allowing of Federal tax deductions for payments to provide collegiate education is not a giant governmental charity project but a sound investment in the future. The very survival of our democratic freedoms requires that the educational training which our young citizens receive be of the highest caliber.

We can no longer consider a college education as a luxury of the privileged class. In the words of Dr. James Bryant Conant, president emeritus of Harvard University:

> The primary concern of American education today is not the development of the appreciation of the "good life" in young gentlemen born to the purple. Our purpose is to cultivate in the largest possible number of our future citizens an appreciation of both the responsibilities and the benefits which come to them because they are Americans and are free.

It is in that spirit that I am introducing this bill.

CITY COMMISSIONS OF BARTOW AND LAKE WALES, FLA., REJECT FEDERAL MONEY FOR LOCAL COMMUNITY PROJECTS

Mr. HALEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include certain newspaper articles.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HALEY. Mr. Speaker, so many persons in the news media have said that when Federal funds are available local governmental agencies are inclined to make a grab, so to speak, for this money regardless of the strings attached to the funds or without thought to who in the final analysis pays the bill.

As an illustration of the fact that this situation does not always hold true, I want to call to the attention of the Congress the action taken recently by two progressive and outstanding communities in the congressional district I am privileged to represent. The city commissioners of Bartow, Fla., and Lake Wales, Fla., rejected proposals which could have brought them almost $2 million in Federal aid under the area redevelopment program. I think this is clearly an indication of the fact that citizens and public officials on the local level are responsible, capable people who know that the money that they receive from the Federal Government must come in the initial instance from their own taxpayers. They feel that funds expended on local levels to meet local needs and requirements produce greater benefits and at a lesser cost when these funds are spent and supervised by local people. When many of these Federal aid programs are analyzed and one considers the requirements and specifications which have been established by the bureaucrats and must be complied with, one can conclude that in most instances the people are better off to do the job themselves with local funds.

So that you may know the reaction of some of the local people to the action of these city commissions, I include in the CONGRESSIONAL RECORD at this time an article which appeared in the Tampa Tribune. The article follows:

FEDERAL AID REJECTION MAY BE TOP POLITICAL MOVE OF YEAR AT BARTOW

(By Tribune Staff Writers David Watson, Al Parsons, Earl Wells, Vance Johnston, John Rasor, and Jerry Hilliard)

The Bartow City Commission last week turned down what could have amounted to about $1.6 million in Federal aid for various community projects.

It may turn out to be the commission's best political move of the year, for the feeling here, as in many other communities, is that the aid program under the Area Development Agency could be more aptly titled the "Kennedy Political Development Agency," as one commissioner put it.

The Lake Wales Commission also rejected Federal aid for a $325,000 expansion of the city's water system.

The object of the Federal program is to encourage municipal projects in areas with low employment.

The action in Bartow was met with joyful approval by many persons.

John Bunning, owner of the local radio station, was the lone advocate of the program when it was discussed at a commission meeting. His plea fell on commissioners who had no intention of changing their opinions.

"We can stand on our feet," Commissioner Ted Meyer proclaimed.

A mention was made of the city accepting several million dollars worth of Government buildings several years ago when the Bartow Air Base was deactivated. The Tribune reported that the base was now a lucrative industrial park.

Meyer took exception to this and said the city has been subsidizing the park since it was opened. He also commented that the city might be better off not having the base on its back, since any profit made off the operations will have to be plowed back into the base, according to the Government contract.

Bartow actually profits very little from the industrial park. Some money is made off the sale of utility services, but most of the benefits—such as new residents—go to Winter Haven, 6 miles away. Only a few residents brought to Polk County by development of the industrial park have settled in Bartow.

The city might be better off not saddled with the park, and one official has suggested that the county commission be made a gift of it.

But the commission might look the expensive gift horse in the mouth and it might say "No."

COTTON DEVASTATES ARA

Mr. BOW. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, U.S. Senator NORRIS COTTON, who I am proud to say is a constituent of mine, as well as a predecessor in this House for the same district I represent, periodically reports to his constituents.

Senator COTTON's reports have won national recognition for their perceptive and penetrating analyses of current events. Interspersed with Yankee wit, these reports are noted for their keen portrayal of the passing political parade.

Senator COTTON's current report deals with the ARA. Because of mounting interest in this controversial program, I feel my colleagues will be interested in this distinguished statesman's devastating commentary which follows:

NORRIS COTTON REPORTS TO YOU FROM THE U.S. SENATE

The hottest, at least the noisest, political fight of the session came last week when the Senate passed the bill expanding the Area Redevelopment Agency. Never have I heard so much about so little. Certainly, this program has been little, measured by performance.

With this year's budget bursting at the seams, the bill called for $455 million more for ARA which already has $264 million of its funds left, having spent only $122 million—and not very wisely. ARA was to promote industries and create jobs in distressed areas. Rosy pictures were painted of what it would do for the idle miners of West Virginia and the jobless in other hotbeds of unemployment. It spent $4 million in West Virginia and made less than 350 new jobs. Nationwide it has developed few jobmaking industries, but millions have gone into motels and recreation facilities. Duluth got a $6 million auditorium furnishing 22 jobs—$277,000 per job. With much fanfare my own city of Lebanon was declared eligible, but despite all our proddings, not a mill whistle has yet been heard. Thus far, the only money allocated to New Hampshire went to MIT for a study on how Nashua pulled itself out of a depression with a do-it-yourself program. The ARA jobmaking record has been in the Agency itself—522 jobs and still going up.

I voted against ARA last week. I voted against it 2 years ago. I voted against it 4 years ago when a Republican President asked for it. I can do more for New Hampshire fighting to save its 14,000 textile jobs, its 21,000 leather and shoe workers, and the 9,000 at Portsmouth Navy Yard. And I can't forget the words of the Hoover Commission after the RFC blew up in a burst of mink coat, deep-freeze scandals: "Direct lending by the Government opens up dangerous possibilities of waste and favoritism. * * * It invites political and private pressure, or even corruption."

To those who still believe ARA is a remedy for unemployment, I must insist that it's a quack remedy. The real treatment is tax relief to enable men with initiative to start industries and make jobs.

The Area Redevelopment Agency isn't needed. Before it started, 50 Federal programs under 14 agencies were channeling employment into depressed areas—highways, community facilities, hospital construction, waste treatment plants, sewerage projects, forest conservation, and small business loans. To these has been added accelerated public works. Nearly $2 billion are now being pumped into distressed areas, and 14,000 local public and private agencies across the country are assisting. We need ARA just like we need a hole in our head.

ARA actually hurts already hard-pressed industry. Look at what it does to New Hampshire. Nearly a million dollars went to 10 textile firms in other States. Nearly $9 million went to 22 pulp, paper, and wood products concerns in other States. Eleven and a half million went to motels and tourist facilities in 21 recreational areas competing with ours. Three shoe firms in other sections received $800,000. So already nearly $22 million have been used to compete with four of New Hampshire's principal industries.

I wonder how the New Hampshire resort owner will enjoy the advertisement of ARA-financed Oklahoma lake development: "Clustered around the lake, like jewels in a regal crown, will be de luxe cabins * * * convention halls, swimming pools, tennis courts, golf courses, and boat docks."

Or how will the remaining workers in pulp and paper at Berlin, Groveton, and Lincoln feel when they hear about the new ARA-financed pulp mills in five other States when we are already running below capacity?

How can you justify a Government program that robs Peter to pay Paul—helps one area at the expense of another—helps one businessman at the expense of his competitor—gives one man a job and takes it away from another?

ARA is political. That's so plain you can't miss it. The cold record shows that in the 4½ months prior to the 1962 elections, 88 percent of ARA funds went to help Democrat Governors, Senators, and Congressmen. Do you think that percentage will decrease as the next election approaches? I don't. And 88 percent of $455 million is some war chest.

Tax-paid projects steered to the party faithful have always been called pork. Plain-spoken old John Garner, of Texas, used to boast, "Every time a Yankee gets a pound of pork, I take a barrel for Texas." Texas is one of the States that has been getting the lion's share from area redevelopment.

I'll bet old John is chuckling as he sits on his porch down in Uvalde.

Yours sincerely,

NORRIS COTTON,
U.S. Senator.

NUCLEAR TEST BAN AND DISARMAMENT NEGOTIATIONS: DISASTROUS DIPLOMACY

Mr. BOW. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FINDLEY. Mr. Speaker, after 18 years of the cold war, the world still finds itself locked in a nuclear power struggle. While it is certain that the United States atomic superiority has kept the uneasy peace, the promise of nuclear disarmament and a halt in atomic testing is held out as a glittering hope for permanent world peace. Such a peace in our time, hope for a halt in the arms race, is a dangerous illusion. In fact, such thinking may be disastrous.

Any workable and safe test ban agreement must be enforcible. It must provide accurate detection of possible cheating. This means on-site inspections by observers to verify if cheating is going on. But the Soviets will allow only three unmanned detection stations within their borders. They reject any inspections by observer teams on their soil.

Through his agents in Geneva, the President has made a steady series of concessions with the Communists in an effort to get a test ban agreement. In seeking a halt in the arms race, the United States shows a desperate and reckless grasp at straws. In over 400 negotiating sessions during the past 5 years, the United States has retreated from a demand for 48 inspection stations in the Soviet Union to a mere 7. We have now offered to the Soviets a nonenforcible treaty in which we could be double crossed.

The administration believes that scientific advances reduce the number of inspection stations needed. Evidence disputes this belief, however, according to such leading scientists as the "Father of the H-bomb," Dr. Edward Teller. Evidence shows that we could not distinguish low-power underground atomic explosions from the hundreds of earthquakes that occur annually in the Soviet Union. Under our proposal, the Soviets could be secretly testing and attaining nuclear superiority while we were idle. We might find ourselves suddenly faced with the Communist ultimatum, "surrender or perish."

If our present treaty offer is so favorable to the Soviets, test ban enthusiasts ask, why has not Khrushchev jumped for it? Having won concession after concession, Khrushchev undoubtedly believes—and apparently with good reason—that we will retreat still further. It is to his advantage to wait.

While making concessions to the Soviets, the United States, at the same time, refuses to give nuclear information and aid to our allies. Our NATO allies are becoming increasingly distrustful of our intentions. No longer are they sure we would risk New York for Paris, Washington for London. Our mania for U.S. monopoly of free world nuclear weapons is so great that, besides not allowing our allies to possess our atomic weapons we refuse even to share military nuclear materials and know-how with any of our allies but Britain.

The United States is playing into the Soviet's hands. We are ignoring our trusted allies and creating disunity. But at the same time, we are making dangerous concessions to the Soviets on the basis of faith alone.

Let us not forget the record: During the last 25 years the United States has had 3,400 meetings with Communists, including Teheran, Yalta, Potsdam, Panmunjom, and Geneva. These talks led to 52 major agreements, and Soviet Russia has broken 50 of them. Bargaining by faith alone has, in the past, led to Communist victories. A Communist nuclear triumph would be the end.

Rather than trusting our enemies, let us trust our allies.

VIEWS ON THE TEST BAN NEGOTIATIONS

Mr. BOW. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Bell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BELL. Mr. Speaker, easily the most vital issue in this crucial era involves nuclear test ban negotiations.

America's nuclear shield protects freedom far beyond our own shores. Its poised retaliatory counterforce deters hostile intrusions throughout the free world.

Where once America retained an overwhelming nuclear monopoly, today that advantage is less certain, and the threat of continued arms escalation offers little solace. Nuclear capability is soon to be achieved by a score of other nations.

The past record of Soviet good faith in upholding treaty obligations, such as test ban moratoriums, has been a shallow and a deceitful one.

Among recent comments in the national press, I have selected the following which I believe provide thoughtful observers with a clear understanding of the complexities, dangers, and opportunities for humanity in the current nuclear test ban talks:

[From the Christian Science Monitor]

Arms and the Conscience

(By William H. Stringer)

Washington.—Three sage representatives of India's great concern over nuclear testing and the arms race reached Washington and spoke with President Kennedy for more than an hour this week.

Their visit was especially poignant. For one of them was the venerable C. Rajagopalachari, formerly Governor General of India, ex-Governor of the state of Bihar, friend of Gandhi, friend of Nehru, author of books on nonviolent resistance. Now, in his 84th year, he is making his first pilgrimage outside of India to further what he regards as a righteous cause.

President Kennedy listened attentively to these men. He said that somehow the arms race must indeed be halted. He expressed the wish that he and these men from the east should "keep in touch."

What does Mr. Rajagopalachari want. A simple, but hazardous boon: the halting of nuclear arms tests. Not total disarmament. Not the scrapping of means of delivery of nuclear weapons, though that would be welcome. The halting of nuclear testing would in the eyes of these wise men from India, get at the heart of the arms race evil. It would stop the rain of radioactive fallout, discourage a proliferation of the nuclear club, end the compulsive drive for weapons of still greater power, whether rockets or satellites.

How desirable this aim—and how difficult of attainment.

What does one reply when "Rajaji" says, as he did to a group of us at lunchtime: "The arms race swallows up resources. It spreads poison in the atmosphere, I claim not a favor from the nuclear powers, but a right. Humanity and nature should not be thus violated. Fears for national security are understandable. But nuclear testing does not help national security—it only speeds the arms race."

What does U.S. policy say to these men, members of the Gandhi Peace Foundation, who propose a worldwide campaign for signatures demanding a ban on testing, who have talked of a day devoted to mass meetings, prayers, and fasts, who suggest a United Nations General Assembly resolution banning tests, and the expulsion of a nation which violates the resolution?

No glib replies are permissible. Washington would certainly answer that the United States does want to see a halt to nuclear testing. And that the present administration has braved the wrath of Members of Congress by proposing new and briefer means of detecting underground tests. And by urging upon Moscow a simple ban on atmospheric tests, nationally supervised.

But, it must also be said to these distinguished visitors, so much of the very safety and future of the West and indeed of the free world depend on the American nuclear shield that Washington dare not contemplate heavy reliance on uninspected test bans or unpoliced disarmament. One must not invite aggression from the Communist mentality.

Washington is glad to know that a similar Indian delegation is in Moscow seeing Premier Khrushchev, and that the delegation visiting Washington will journey to London and Paris to talk to the leaders of the other nuclear powers. To Mr. Rajagopalachari one would wish to say frankly:

"Go to it. Carry on with your effort to mobilize world opinion. The marshaling of the world's conscience can have impact, even on the men in the Kremlin. Meanwhile, 'keep in touch'; we shall do what we can. But we cannot do much more now without a change of viewpoint in Moscow."

[From the Christian Science Monitor]

Arms and Apathy

What is it about a nuclear arms race that haunts the President? Why does he persist so tenaciously in extending the arms control talks with the Soviet Union? Why does he show an unusual spark of emotion when he asks Americans to withhold criticism until they see the shape of a proposed treaty?

A nuclear arms race is, in its order of magnitude, unlike anything the world has endured before.

People recognize this in a distant, intellectual sort of way. Some of them, sensitive to the smell of danger or to fear, are profoundly disturbed. But there still remains that curious remoteness in the body politic as a whole. It is like the confrontation with the Soviet Union. It had been going on for years at Berlin. But it had to reach right up to American frontiers, in Cuba, before the American people suddenly saw the awesome test of strength for what it was.

They have not yet looked with their whole heart and mind at the imminent possibility of 10 countries competing with nuclear weapons in mutual terror by 1970, and 15 or 20 by 1975, unless the race is stopped. The President has. He is haunted, he says, and making the uttermost effort to get a safeguarded test ban. The people should put themselves in his place—which is that of making decisions for them—and think and act accordingly.

[From the Wall Street Journal]

The Uses of Cynicism

You might think that, after nearly 17 years of work, the United States would not have to apologize to anyone for its disarmament position. But no, we are informed by a group of prominent Americans, the willingness of the United States to come to terms at Geneva lacks credibility; there are grave doubts about our seriousness.

That is the conclusion of the group, which includes such well-known commentators as psychoanalyst Erich Fromm and Harvard professor, David Riesman, after studying the initial stages of the current Geneva conference. Since their views are designed to change prevalent American opinion, they merit some attention.

The doubts about U.S. intentions arise from several circumstances, according to the authors of this lengthy statement. For example, our Government appears to devote much more time and money and effort to the military establishment than it does to disarmament planning. Then, too, many Americans seem apathetic about disarmament or downright cynical about Soviet intentions, whereas the Russians have not always been all wrong and we have not always been 100 percent right. What is needed now, the authors believe, is "a national will and a governmental mandate for disarmament."

Somehow the facts keep getting in the way of this argument. It is a fact that ever since World War II the United States has studiously explored every possible way of getting a safe agreement with the Soviets for some measure of disarmament and, more recently, a ban on nuclear tests. It is a fact that the Soviets have never been willing to agree to any safe or serious proposal. Even so, we continue talking to them about disarmament. What more can Washington do when it is smack up against a stone wall?

The answer of these observers is, in effect, "credibility" if the President refused to resume nuclear tests; beyond that, the United States could take some disarmament "initiatives" on its own, in the hope that the Kremlin might follow suit.

This is nonsense, and dangerous nonsense at that, for it could only mean that the United States would be weakening itself in the face of a powerful and unscrupulous foe. Such a policy is a good way to entice the Soviets to start the very war these people are so concerned to avert; either that or we could go down the drain without a war.

If some of us are skeptical about the Soviets, the Soviets have given us every reason. For our part, we'd rather be cynical and safe than dead or enchained.

[From the New York Herald Tribune, Apr., 28, 1963]

The Soviets Renege

(By Roscoe Drummond)

Washington.—The news from Moscow tends to confirm the conviction at the highest level of the administration that Premier Khrushchev is backpedaling as rapidly as possible from a test ban treaty.

To explore every possibility of breaking the deadlock over inspection, we are prepared to keep the lines of communication to the Kremlin fully open. But it looks like an increasingly unproductive enterprise.

It isn't that the gap between the Soviet and Western positions is extraordinarily great. What is so disappointing is that whenever agreement appears to be within reach, Moscow takes a step backward.

Let me cite the recent record to show what I mean:

Over a period of several years we have reduced our requirement for on-site inspections to protect against illegal testing from 20 to 7 per year. Finally the Soviets said they would accept "two or three" on-site inspections. This was certainly progress. The gap was narrowing. But this past week Mr. Khrushchev in his 10,000-word interview with an Italian newspaper editor declared that because the West was so adamant on the test ban issue he was disposed to withdraw from his agreement to two or three inspections.

Mr. Khrushchev is also arguing that we have misled him. He contends that U.S. officials told his representatives that we would accept "two to four inspections" a year. President Kennedy and Secretary Rusk have said that no such statement was ever made by a spokesman for the U.S. Government. We have asked Mr. K. to cite the basis for his claim to the contrary. He has refused to do so.

To carry the negotiations to the farthest point of agreement, we have invited the Soviets to pass over, temporarily, the difference in numbers of on-site inspections and come to grips with other unsettled inspection issues—the area to be inspected, freedom of travel, etc. The Soviets refuse.

Frequently the Soviets return to their contention that they have ample methods of their own to detect explosions and determine whether they are natural or nuclear. We have said that, if the Russians have developed means to make on-site inspection unnecessary, show us. The Soviets have refused.

In September of 1961 the Soviet Union violated its word that it would not resume testing as long as the West refrained from testing. We refrained. The Soviets conducted a long series of tests after secretly preparing them during the test ban talks. Now, in his newspaper interview, Mr. Khrushchev argues that recent U.S. tests show we don't want a test ban. In other words, Soviet violation of the moratorium was peace loving. U.S. testing in response to that violation was antipeace loving.

This is where the negotiations stand today. This is why they do not look at all promising.

If Mr. Khrushchev was misled by information from his own Embassy in Washington or by any other nonspokesman for the American Government that we would accept two to four inspections as adequate, that misunderstanding can, perhaps, be overcome. There is every reason to try.

It is understandable that the Soviets could quite genuinely believe that, from their standpoint, national methods of test detection would be quite enough. Scientific instruments plus an open Western society would be sufficient. But we are dealing with a closed society, and scientific instruments are not sufficient.

This difference between a closed and an open society is what makes test ban inspection so difficult to negotiate. We do not want to give up the security which rests on adequate inspection, and apparently the Soviets do not want to give up even that degree of secrecy which they would lose to permit inspection. As long as the Soviets deem total secrecy more valuable to them than an inspectable test ban, there will be no test ban.

[From the New York Times]

Disarmament and Security

President Kennedy is holding top-level conferences with his military and diplomatic advisers to review our disarmament policy. The aim is, if possible, to devise a new strategy, starting with modifications of our stand on a nuclear test ban that is the key to further agreements on actual disarmament and even solution of some cold war burning issues.

The President is now weighing two major decisions. One is whether to offer further concessions to the Soviets on test ban controls to break the deadlock. The other is whether to end our Pacific tests before they can be completed because of three rocket failures in high-altitude experiments.

There is tremendous pressure on the President from both scientists and diplomats, especially in neutralist quarters, to do both. The recent scientific advances in detecting underground explosions, such as the French test in the Sahara and our own tests in Nevada, have convinced even high administration officials that it is now possible to simplify the international control system, which the Soviets reject as "espionage," and to reduce the number of annual on-site inspections. And the psychological disadvantage of extending the test period beyond the tentative deadline first suggested by the President is cited as reason for ending the tests now.

The United States has certainly neither reason nor any intention to obstruct or delay a test ban agreement. Such an agreement would be a first step toward averting a nuclear war which President Kennedy has again characterized as "insane." For that reason the United States has made continuous concessions whenever scientific developments made them possible, and it may well be able to make more.

But all concessions must be subject to one overriding consideration. That is the security of both this Nation and the free world. Should the balance of military and especially nuclear power ever be tipped against us, the Communist world might well be tempted to plunge into an atomic Armageddon. That is why, with all readiness to make further concessions, the United States and the West generally must continue to insist on an international control system of both a test ban and all disarmament steps to prevent Soviet cheating. That is why all concessions must be kept within the bounds of scientific certitude that violations can and will be detected and this country will not be put at a disadvantage.

[From the New York Times]

The Need of a Test Ban

The strongest argument for a nuclear test ban treaty even with some risk attached was advanced by President Kennedy at his latest press conference. Without such a treaty, we may have to face a world in the next decade in which there are not four nuclear powers but 15 or 20 or 25.

Each additional country with nuclear arms, each with its own concerns, its own ambitions, increases the danger of a global nuclear holocaust. Each additional nation undertaking nuclear tests above ground would further poison the atmosphere with lethal fallout affecting present and future generations. Any additional proliferation of nuclear arms would alter the balance of power and augment the possibilities of atomic blackmail.

There is, of course, no guarantee that a test ban treaty signed only by the United States, Britain and Soviet Russia would really stop proliferation. But it would have a powerful political and moral effect to that end, even on France, especially if followed by progress toward general and complete disarmament. If it failed in that purpose, it would lapse in any case.

This is why the time, effort, and energy devoted to reach a test ban agreement are not only worthwhile but, as this newspaper has observed many times, essential for the peace of the world. This is why the Kennedy administration is pressing for it in spite of dimming hopes and rising domestic criticism, much of it politically inspired.

There can never be 100 percent security against cheating. But the scientific advances in test detection are such that the United States can offer in safety an immediate uncontrolled ban on all tests in the atomsphere, under water and in outer space. We can detect such tests by our own means, as can the Russians. We have as yet no equally effective methods of detecting underground tests; and until we do, we must insist on some on-site inspection. The exact number is less important than the manner in which they are made. Even here scientific progress has enabled us to reduce the number of preferred on-site inspections to a mere handful and further progress may permit further reduction.

The Anglo-American proposal may not guarantee detection of every single underground test; but it does assure detection of any series of such tests that would be necessary to improve weaponry. If that leaves a "hole" in controls, the Russians agree with our own scientists that it would be a very small "hole"; indeed, so small that the risks of even an imperfect treaty would be far less than the risks of no treaty at all.

Let Soviet Russia, which is now the recalcitrant party in these negotiations, let the domestic critics in the United States who fear any treaty at all, seriously weigh the risks involved and come up with the answer for which the entire world is waiting.

[From the Washington Post]

TEST BAN TREATY—A USEFUL DEBATE

(By Roscoe Drummond)

The advocates and critics of a nuclear test ban are getting into a furious debate over a treaty that doesn't exist and may never come into being.

My instinct has been to feel that this is a premature and unproductive controversy over a far-from-negotiated agreement.

But the more I have read the arguments marshaled pro and con, particularly in the public exchange by Adrian S. Fisher of the Arms Control and Disarmament Agency and Senator THOMAS J. DODD, Democrat, of Connecticut, the more I am convinced that this preliminary and tentative round can serve useful purposes.

It can warn President Kennedy that the U.S. Senate will almost certainly be more skeptical and hard to convince about the means of verification than his negotiators. It is, of course, vital that Mr. Kennedy should accurately measure the problem of Senate ratification in order to avoid the tragedy of having the Senate reject a treaty he has accepted or of having the Senate accept a test ban treaty it didn't trust in order not to repudiate the President. Either would be harmful in the extreme.

There are other advantages to this test-ban debate even if later events alter the shape of the issues.

The principal arguments are filled with imponderables—whether we're ahead in nuclear weaponry or the Soviets are, whether the balance of advantage is or is not on the side of a test ban that might be successfully violated, and what is a reasonable risk in the area of verification.

We will be well advised not to jell our positions prematurely, certainly not until we have a treaty to look at and until qualified spokesmen on both sides have testified fully.

For myself I find the correspondence between Senator DODD and Adrian Fisher, now published in the CONGRESSIONAL RECORD, a most revealing compilation of pro-and-con arguments—revealing because it shows how much more evidence we must have before we can intelligently judge the wisdom of a particular test ban treaty.

For example, Mr. Fisher, who is Deputy Director of the Arms Control and Disarmament Agency, argues that our nuclear lead over the Soviet Union is broad and secure. He suggests that this is the best possible time to take what he would deem modest risks over possible Soviet cheating to get a test ban.

Senator DODD, on the other hand, contends that by its recent tests the Soviets have at least caught up with the United States, probably passed us. He suggests that this is the worst possible time to accept a test ban that he feels would not adequately prevent secret testing in the Soviet Union.

The gap between these two arguments shows that at present there is no adequate basis for the public to judge who is right. These opposite claims rest in part on undocumented assertion and in part on conflicting military intelligence. This is an additional reason why the public will need to reserve judgment until fuller and more objective information is advanced by both sides.

It is premature to make up our minds either for or against a nonexistent test ban treaty. But it is not premature to sound a warning, as Senator DODD is doing, against the President's allowing his negotiators at Geneva to get the United States caught up in a treaty the White House could not unreservedly commend to the Senate.

When you consider that the Soviet Union secretly prepared to test during the voluntary moratorium on testing—and then broke the moratorium while we were observing it; and when you consider that Moscow took the massive risk of secretly putting missiles in Cuba and almost got away with it; under these circumstances the only safe assumption is that the Soviets will be quite prepared to violate the test ban if they believe they have a fair chance of getting away with it.

That is why it behooves us to be exceedingly prudent.

CAPITOL FACING ANOTHER MAJOR RECONSTRUCTION JOB

Mr. BOW. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHWENGEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, an informative article by Cabell Phillips, of the New York Times staff, calls attention, in the July 7 edition of that paper, to the present critical condition of the west front of the U.S. Capitol Building. I commend it to the attention of my colleagues, especially those who have been critical of the recommendations of the Capitol Architect, J. George Stewart, to take the steps necessary to correct the inroads which time and wear have made on the unrehabilitated areas of the structure. Because the east front has been expanded and rebuilt, the west side of the building is the one where rebuilding is necessary.

Those of us who know George Stewart and the deep love and concern he has for this building, respect his judgment and support his recommendations. He is urging repairs now which will grow into more serious and more costly ones if the problems are not faced in the immediate future.

I know the committees which are studying these needs are weighing his suggestions and trusting his knowledge and experience to guide them in making the required recommendations to the Congress.

The New York Times article, with all of the facts in support of George Stewart's proposals for meeting the crisis, follows:

Mr. Speaker, I also want to commend the Members of Congress who are giving serious consideration to the needs of the Capitol maintenance and restoring of the west front of the Capitol. Special tribute ought to go to the gentleman from Oklahoma [Mr. STEED], who has been giving special attention to the problems of adequate space and maintenance of the Capitol area:

CAPITOL FACING ANOTHER MAJOR RECONSTRUCTION JOB

(By Cabell Phillips)

WASHINGTON, July 6.—If you have ever tried to do over an old house and felt that the job would never end, you should have sympathy to spare for Uncle Sam.

He had no more than paid the final installment on a $23,500,000 remodeling job on the east face of the Capitol when he discovered that the west face was about to collapse. Fixing it will cost $20 million more, and the experts warn against putting it off.

J. George Stewart, Capitol Architect, told the House Appropriations Committee not long ago that what he feared most was a ground tremor, such as might be caused by the crash of an airplane in the vicinity of the Capitol. Such an earth shock, he said, could cause the weakened west walls and arches of the old building to give way and bring the huge cast-iron dome crashing down.

"The real danger comes from a tremor of any kind, and nobody can tell what would happen," Mr. Stewart told the committee. "We have cracks in the walls and we have bulges in the walls, and in the absence of any bond in the masonry, I would not dare to prophesy."

ONE SIDE ANCHORED

The east front reconstruction, completed last year, has successfully anchored that face of the 136-year-old structure, giving it a scrubbed and substantial look. But the mass of the dome—it weighs more than 8 million pounds—and its ceaseless twisting and turning as the sun moves across the sky, continues to put dangerous stresses on the unshored west front.

An inspection tour in company with Mr. Stewart is enough to convince even an amateur that the west wall and foundations are in bad shape. In one 40-foot stretch a few feet above ground level, there is a conspicuous bulge of approximately 9 inches in the face of the wall.

At other places, large slabs of heavy masonry have been forced outward as much as 3 inches from the vertical, giving the surface a patched look.

Great, jagged cracks crawl upward 10 to 15 feet above the ground line, poorly concealed by having been "buttered" with mortar and painted over. Keystones in the arches above the ground-floor windows have dropped so far in some instances that the wood window frames have had to be sawed out to fit around them. A slab of stone in the architrave above the west portico balustrade has slipped its moorings and appears in imminent danger of dropping altogether.

"The problem is that we have extra support on three of the walls holding up the dome, but none on the fourth," Mr. Stewart said. "The House and Senate wings act like buttresses for the north and south walls. The new front, with plenty of steel and concrete, buttresses the east wall. But there is nothing but the old original masonry for the west wall."

The Capitol was built in four stages atop Jenkins Hill as decreed by Maj. Pierre Charles L'Enfant, the French designer of the city. The first units were the original Senate and House wings, now familiar to generations of tourists as the old Supreme Court Chamber and Statuary Hall.

The Senate side was completed in 1800, the House side in 1807. A wooden breezeway connected them until 1827, when the present central portion, or rotunda, was built. It was capped with a low, wooden dome someone has described as looking like "an undersized derby hat."

Work on the present Senate and House extensions was begun in 1857 and completed midway in the Civil War—December 1863. In spite of war shortages, President Lincoln insisted upon it as a Union morale builder. At the same time, the present dome, designed and proportioned after those of St. Peter's, in Rome, and St. Paul's, in London, was added.

Constructed of huge, precisely curved, pie-shaped wedges of cast iron and put together with thousands of bolts and nuts, it was—and remains—a work of engineering genius. The Goddess of Freedom at its pinnacle stands 285 feet above the ground. Sandblasters last year peeled 38 coats of paint off the dome before getting down to the base metal.

Foundations of the old building consist of trenches approximately 15 feet wide by 10 feet deep, filled with bluestone rubble quarried in Rock Creek, Md., and hauled to the site by oxcart. Sand-lime mortar poured into these foundations has, according to Mr. Stewart, long since disintegrated.

The walls, 5 feet thick at the base, are constructed of blocks of brown sandstone quarried at Acquia Creek, not far from Mount Vernon, in Virginia. After the fashion of the day, they were laid without mortar or any other bonding agent.

There are no lumber or metal supports within the building. The floors are carried on a complex maze of masonry arches that make the dank, gloomy basement of the old building look like the setting for a Victor Hugo novel. Many of these interior arches, frequently pierced for modern service conduits, are deteriorating, too.

Change has come slowly to the old Capitol, although it frequently has been a bellwether in adopting modern improvements. Candles and oil lamps were abandoned in 1847 for a newfangled type of illumination called solar gas, made from birch bark and resin, and later from coal. The changeover cost $17,500, and it put the Washington Gas Light Co. in business.

A gas explosion that gutted the old Senate wing on the night of November 6, 1898, caused an abrupt switch to a still newer-fangled illumination—electricity. For two decades the House and Senate each had its own generating plant on the Capitol grounds.

PROTEST ON CHANGES

All such tampering with the Capitol has brought protests from such traditionalists as the Daughters of the American Revolution, or from economy-minded taxpayers. The east front extension was a triumph over such obstacles by Sam Rayburn, late Speaker of the House. Members of today's Appropriations Committee fear they will invite the same sort of criticism if they undertake a rebuilding of the west front. As Representative Tom Steed, Democrat, of Oklahoma, put it:

"With these chunks of rock that are falling off, and these cracks in the wall that are getting bigger, and the groans and moanings the walls give out as the dome weight shifts around—we have knowledge of all of this, and whether we are entitled to sit here indifferent to it, I don't know.

"I would hate to think that because of our failure to act in time something terrible might happen, perhaps even the dome itself crashing in some sad day."

Mr. Steed's committee agreed that the work should go ahead. It is now up to the Senate, and then to the Joint Committee on the Extension of the Capitol.

REPUBLICAN CONFERENCE SUBCOMMITTEE ON MINORITY STAFFING

Mr. BOW. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Ford] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FORD. Mr. Speaker, Gov. George Romney, of Michigan, recently sent the Republican conference subcommittee on minority staffing a letter saying that he has followed its activities with great interest and that he feels that its work is most commendable. He also announced that he will take the lead with several Republican Governors at the Governors' conference in Miami, July 21 to 24, to have supporting action taken at that time. The full text of his letter follows below:

State of Michigan,
Lansing, June 3, 1963.

Hon. Fred Schwengel,
House of Representatives,
Washington, D.C.

Dear Congressman Schwengel: I have reviewed with much interest the bulletins of your House Republican conference subcommittee on increased minority staffing which accompanied your recent letter. It seems to me the subcommittee is working on a matter which should be relentlessly pursued until public awareness of this serious imbalance in the Congress of the United States has brought about a long-overdue correction.

Adequate staff assistance to the minority is just as important as that the majority have sufficient staff to do its job. Otherwise the minority is hopelessly handicapped in performing its duty as a responsible opposition. The disparity in resources is even more obvious when it is realized that the majority has the added advantage of having all the resources of the executive branch at its disposal in the research for and preparation of legislation sent to Congress supported by the force of a Presidential recommendation.

In a democracy it is vitally important that constructive alternatives be presented and that these be based upon sound research. Certainly this need transcends partisan politics. It ought to be an end toward which both parties would aim since the result would be better legislation in the long run. Obviously the individual Congressman cannot do the kind of research needed through the use of his office staff overburdened with the multiplicity of duties for which such staff is needed.

Minority committee reports by their brevity and limited scope of research clearly show the difficulties under which minority members of the committees work. Your figures indicating a ratio of more than 10 to 1 between majority and minority staffs reveal a real effect in committee operations which demand attention.

I applaud the work of your conference subcommittee and assure you of my desire to do all I can to be of help. I intend to press for affirmative action on this matter in the coming Governors' conference. While this may seem to some to be a matter for Congress alone to act upon, I would regard it as a question in which every Governor should have a genuine concern since so large a portion of Federal legislation today directly affects the States and it is essential that it reflect the best that can be done by way of research and preparation.

Sincerely yours,
George Romney,
Governor.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. Springer (at the request of Mr. Halleck), for the balance of the week, on account of death in his family.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Pucinski and to include extraneous matter.

Mr. McCormack (at the request of Mr. Roberts of Alabama) and to include an address by Mr. Albert.

(The following Member (at the request of Mr. Bow) and to include extraneous matter:)

Mr. Bell.

(The following Members (at the request of Mr. Roberts of Alabama) and to include extraneous matter:)

Mr. Fraser.

Mr. St. Onge in two instances.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 330. An act to amend chapter 35 of title 38, United States Code, to provide that after the expiration of the Korean conflict veterans' education and training program, approval of courses under the war orphans' educational assistance program shall be by State approving agencies; to the Committee on Veterans' Affairs.

S. 496. An act for the relief of Enrico Agostini and Celestino Agostini; to the Committee on the Judiciary.

S. 901. An act for the relief of William Herbert von Rath; to the Committee on the Judiciary.

S. 1064. An act to amend the act redefining the units and establishing the standards of electrical and photometric measurements to provide that the candela shall be the unit of luminous intensity; to the Committee on Science and Astronautics.

S. 1291. An act to authorize the Secretary of Commerce to employ aliens in a scientific or technical capacity; to the Committee on Interstate and Foreign Commerce.

SENATE ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 292. An act for the relief of Yoo Chul Soo;

S. 312. An act for the relief of Danusia Radochonski;

S. 380. An act to amend the act of June 29, 1960 (Private Law 86-354);

S. 409. An act for the relief of Yeng Burdick;

S. 504. An act for the relief of Domenico Martino;

S. 535. An act to extend the principles of equitable adjudication to sales under the Alaska Public Sale Act;

S. 581. An act to amend the Agricultural Adjustment Act of 1938 to extend for 2 additional years the provisions permitting the lease of tobacco acreage allotments;

S. 686. An act for the relief of Millie Gail Mesa;

S. 735. An act for the relief of Peter Hopeton Maylor;

S. 762. An act to provide for increased wheat acreage allotments in the Tulelake area of California;

S. 787. An act for the relief of Zofia Miecielica;

S. 866. An act for the relief of Enrico Petrucci;

S. 969. An act to provide medical care for certain Coast and Geodetic Survey retired ships' officers and crew members and their dependents, and for other purposes;

S. 1031. An act to repeal the Inland Waterways Corporation Act; and

S.J. Res. 60. Joint resolution providing for acceptance by the United States of America of an instrument for the amendment of the constitution of the International Labor Organization.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on July 9, 1963, present to the President, for his approval, bills of the House of the following titles:

H.R. 1267. An act for the relief of Lawrence E. Bird;

H.R. 1275. An act for the relief of Miss Ann Super;

H.R. 1292. An act for the relief of Carmela Calabrese DiVito;

H.R. 1332. An act for the relief of Mario Rodrigues Fonseca;

H.R. 1736. An act for the relief of Assunta DiLella Codella;

H.R. 3356. An act for the relief of Josephine Maria (Bonaccorso) Bowtell; and

H.R. 4773. An act for the relief of Leroy Smallenberger, a referee in bankruptcy.

ADJOURNMENT

Mr. ROBERTS of Alabama. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 52 minutes p.m.) the House adjourned until tomorrow, Thursday, July 11, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1026. A letter from the Acting Assistant Secretary of the Treasury, transmitting a certified copy of amendments to the regulations governing the numbering of undocumented vessels, promulgated by the Acting Commandant of the U.S. Coast Guard and submitted for publication in the Federal Register pursuant to 46 U.S.C. 527d; to the Committee on Merchant Marine and Fisheries.

1027. A letter from the Administrative Assistant Secretary of the Interior, transmitting a report by the Department of the Interior covering grants made during the calendar year 1962 to nonprofit institutions and organizations for support of scientific research programs, pursuant to Public Law 85–934; to the Committee on Science and Astronautics.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HÉBERT: Committee on Armed Services. H.R. 7356. A bill to amend title 10, United States Code, relating to the nomination and selection of candidates for appointment to the Military, Naval, and Air Force Academies; without amendment (Rept. No. 538). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BECKWORTH:

H.R. 7475. A bill to amend sections 162 and 274 of the Internal Revenue Code of 1954 relating to the deductibility of certain business entertainment, etc., expenses; to the Committee on Ways and Means.

By Mr. GRABOWSKI:

H.R. 7476. A bill to require that packages of cigarettes shipped in commerce bear a warning that they may be dangerous to health; to the Committee on Interstate and Foreign Commerce.

By Mr. HARRIS:

H.R. 7477. A bill to amend section 310(b) of the Communications Act of 1934; to the Committee on Interstate and Foreign Commerce.

H.R. 7478. A bill to amend section 310(b) of the Communications Act of 1934; to the Committee on Interstate and Foreign Commerce.

By Mr. HARRISON:

H.R. 7479. A bill for the relief of certain veteran entrymen, their heirs, and other owners of farm units on the Third Division Irrigation District, Riverton reclamation project, Wyoming; to the Committee on the Judiciary.

By Mr. JENNINGS:

H.R. 7480. A bill to suspend for a temporary period the import duty on manganese ore (including ferruginous ore) and related products; to the Committee on Ways and Means.

By Mr. SCHNEEBELI:

H.R. 7481. A bill to suspend for a temporary period the import duty on manganese ore (including ferruginous ore) and related products; to the Committee on Ways and Means.

By Mr. KEOGH:

H.R. 7482. A bill to prevent the use of stopwatches or other measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mr. MORRIS:

H.R. 7483. A bill to adjust wheat and feed grain production, to establish a cropland retirement program, and for other purposes; to the Committee on Agriculture.

By Mr. NIX:

H.R. 7484. A bill to promote better racial relations through the establishment of a U.S. Intercultural Center; to the Committee on Foreign Affairs.

By Mr. ST GERMAIN:

H.R. 7485. A bill to amend the Internal Revenue Code of 1954 to allow income tax deductions for certain payments to assist in providing higher education; to the Committee on Ways and Means.

By Mr. ST. ONGE:

H.R. 7486. A bill to amend the Social Security Act to assist States and communities in preventing and combating mental retardation through expansion and improvement of the maternal and child health and crippled children's programs, through provision of prenatal, maternity, and infant care for individuals with conditions associated with childbearing which may lead to mental retardation, and through planning for comprehensive action to combat mental retardation, and for other purposes; to the Committee on Ways and Means.

By Mr. TUPPER:

H.R. 7487. A bill to amend the National Defense Education Act of 1958 to extend the student loan provisions thereof to area vocational education schools; to the Committee on Education and Labor.

By Mr. ROBERTS of Alabama:

H.J. Res. 552. Joint resolution proposing an amendment to the Constitution of the United States pertaining to the offering of prayers in public schools and other public places in the United States; to the Committee on the Judiciary.

By Mr. WAGGONNER:

H.J. Res. 553. Joint resolution proposing an amendment to the Constitution of the United States permitting Bible readings and the voluntary recitation of the Lord's Prayer and other nonsectarian prayers in public schools or other public places if participation therein is not compulsory; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CUNNINGHAM:

H.R. 7488. A bill for the relief of Jan Jachym, Marie Jachym, and their child, Anna Jachym; to the Committee on the Judiciary.

Br. Mr. DONOHUE:

H.R. 7489. A bill for the relief of Kirkor Masrof; to the Committee on the Judiciary.

By Mr. SCHWENGEL:

H.R. 7490. A bill for the relief of Angeliki Krimigis; to the Committee on the Judiciary.

By Mr. TUPPER:

H.R. 7491. A bill for the relief of William L. Berryman; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

190. By the SPEAKER: Petition of Joseph L. Monte, grand recording secretary, Order Sons of Italy in America, Grand Lodge of Pennsylvania, Philadelphia, Pa., petitioning consideration of their resolution with reference to requesting passage of Senate bill 108, which would declare Columbus Day a national holiday; to the Committee on the Judiciary.

191. Also, petition of Joseph L. Monte, grand recording secretary, Order Sons of Italy in America, Grand Lodge of Pennsylvania, Philadelphia, Pa., petitioning consideration of their resolution with reference to urging passage of pending legislation to appropriate funds for the education of our children in both public and private schools; to the Committee on Education and Labor.

192. Also, petition of Joseph L. Monte, grand recording secretary, Order Sons of Italy in America, Grand Lodge of Pennsylvania, Philadelphia, Pa., petitioning consideration of their resolution with reference to urging an amendment to the Constitution of the United States to make it legal to read the Bible and the recitation of the Lord's Prayer in public schools; to the Committee on the Judiciary.

193. Also, petition of Joseph L. Monte, grand recording secretary, Order Sons of Italy in America, Grand Lodge of Pennsylvania, Philadelphia, Pa., petitioning consideration of their resolution with reference to reaffirming our position in regard to the current

Immigration and Nationality Act and how it effects remaining parts of families in Italy to join those in America; to the Committee on the Judiciary.

194. Also, petition of Joseph L. Monte, grand recording secretary, Order Sons of Italy in America, Grand Lodge of Pennsylvania, Philadelphia, Pa., petitioning consideration of their resolution with reference to house bill 1018 now pending in the General Assembly of Pennsylvania, which provides free bus transportation to children attending parochial schools; to the Committee on Education and Labor.

SENATE

WEDNESDAY, JULY 10, 1963

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

Rabbi Leon M. Adler, of Temple Emanuel, Kensington, Md., offered the following prayer:

Lord of the universe and of all Thy creatures on it: As the Senate opens its session on this early summer day, give its Members the grace to see that not their will, not even the people's will, but Thy will is sovereign. And if Thou grantest us the conviction that Thy will reigns supreme, grant us also, we pray Thee, the ability to determine Thy will rightly and to translate it effectively in the tangled skein of world affairs.

Two things we know we need if we are to succeed in this endeavor, O God. We need the head to know that the heart is not enough—that though 3 billion human beings on the face of this now small earth desire with all their hearts to live in peace, the awesome and final fireworks of the nuclear holocaust will be unleashed unless the head instructs the heart to supply the wisdom needed to keep the peace.

And equally do we need, O Lord, the heart to know that the head is not enough—that though 3 billion human beings know to the very core of their cognitive selves that nuclear warfare is suicidal madness, this madness will transpire some early summer or another day unless the heart moves the head to the boundary-crossing wisdom of compassion which sees the 3 billion, not as "we" and "they," but as an indissoluble and indivisible "us" sojourning in Thy kingdom.

Head and heart, may we be granted them, that Thou may lift up Thy countenance upon us and grant us peace. Amen.

THE JOURNAL

On request of Mr. BIBLE, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, July 9, 1963, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Miller, one of his secretaries.

REPORT OF OFFICE OF ALIEN PROPERTY—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on the Judiciary:

To the Congress of the United States:

I transmit herewith, for the information of the Congress, the Annual Report of the Office of Alien Property, Department of Justice, for the fiscal year ended June 30, 1962.

JOHN F. KENNEDY.

THE WHITE HOUSE, *July 10, 1963.*

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 671. An act for the relief of Mirhan Gazarian; and

S. 1122. An act relating to the exchange of certain lands between the town of Powell, Wyo., and the Presbyterian Retirement Facilities Corp.

The message also announced that the House had passed the bill (S. 310) for the relief of Kaino Hely Auzis, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 1179. An act for the relief of Basilio King, his wife, and their children;

H.R. 1398. An act for the relief of Margaret Barker;

H.R. 1499. An act for the relief of John (Ivica) Beg Farkas and Ann (Anka) Beg Farkas;

H.R. 1731. An act for the relief of Eva Baker;

H.R. 2450. An act for the relief of Lucia Carta Gallitto;

H.R. 2838. An act to amend section 753(f) of title 28, United States Code, relating to transcripts furnished by court reporters for the district courts;

H.R. 2942. An act to direct the Secretary of the Interior to adjudicate a claim to certain land in Marengo County, Ala.;

H.R. 2989. An act to further amend the Missing Persons Act to cover certain persons detained in foreign countries against their will, and for other purposes;

H.R. 3179. An act to provide that judges of the U.S. Court of Military Appeals shall hold office during good behavior, and for other purposes;

H.R. 4062. An act to amend the act authorizing the transmission and disposition by the Secretary of the Interior of electric energy generated at Falcon Dam on the Rio Grande to authorize the Secretary of the Interior to also market power generated at Amistad Dam on the Rio Grande;

H.R. 5094. An act for the relief of Geoffrey Howard Smith;

H.R. 5507. An act for the relief of Michal Goleniewski;

H.R. 6012. An act to authorize the President to proclaim regulations for preventing collisions at sea;

H.R. 6308. An act for the relief of Gerard Puillet; and

H.R. 6567. An act for the relief of Anthony Harry Giazikis.

HOUSE BILLS REFERRED OR PLACED ON CALENDAR

The following bills were severally read twice by their titles and referred or placed on the calendar, as indicated:

H.R. 1179. An act for the relief of Basilio King, his wife, and their children;

H.R. 1398. An act for the relief of Margaret Barker;

H.R. 1499. An act for the relief of John (Ivica) Beg Farkas and Ann (Anka) Beg Farkas;

H.R. 1731. An act for the relief of Eva Baker;

H.R. 2450. An act for the relief of Lucia Carta Gallitto;

H.R. 2838. An act to amend section 753 (f) of title 28, United States Code, relating to transcripts furnished by court reporters for the district courts;

H.R. 5094. An act for the relief of Geoffrey Howard Smith;

H.R. 5507. An act for the relief of Michal Goleniewski;

H.R. 6308. An act for the relief of Gerard Puillet; and

H.R. 6567. An act for the relief of Anthony Harry Giazikis; to the Committee on the Judiciary.

H.R. 2942. An act to direct the Secretary of the Interior to adjudicate a claim to certain land in Marengo County, Ala.; to the Committee on Interior and Insular Affairs.

H.R. 2989. An act to further amend the Missing Persons Act to cover certain persons detained in foreign countries against their will, and for other purposes; and

H.R. 3179. An act to provide that judges of the U.S. Court of Military Appeals shall hold office during good behavior, and for other purposes; to the Committee on Armed Services.

H.R. 6012. An act to authorize the President to proclaim regulations for preventing collisions at sea; to the Committee on Commerce.

H.R. 4062. An act to amend the act authorizing the transmission and disposition by the Secretary of the Interior of electric energy generated at Falcon Dam on the Rio Grande to authorize the Secretary of the Interior to also market power generated at Amistad Dam on the Rio Grande; placed on the calendar.

LIMITATION OF STATEMENTS DURING MORNING HOUR

On request of Mr. BIBLE, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

LEAVE OF ABSENCE

Mr. JAVITS. Mr. President, I ask unanimous consent that I may be absent from the Senate, on official business, from the close of business today until the convening of the session next Tuesday.

The PRESIDENT pro tempore. Without objection, it is so ordered.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. PELL, from the Committee on Rules and Administration, without amendment.

S. Res. 167. Resolution authorizing the printing as a Senate document of the report entitled "The Arts and the National Government", submitted to the President by his Special Consultant on the Arts (Rept. No. 347).

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, without amendment:

H.R. 4946. An act to amend the Legislative Branch Appropriation Act, 1959, to provide for reimbursement of transportation expenses for Members of the House of Representatives (Rept. No. 348);

S. Res. 162. Resolution to print, for the use of the Special Committee on Aging, additional copies of Senate Report No. 8 of the 88th Congress, on "Developments in Aging, 1959–63" (Rept. No. 352);

S. Res. 168. Resolution accepting an invitation to attend the next general meeting of the Commonwealth Parliamentary Association to be held in Kuala Lumpur, Malaya (Rept. No. 353);

H. Con. Res. 161. Concurrent resolution providing for additional copies of House Document No. 336, 86th Congress, 2d session, entitled "Facts on Communism—Volume I, The Communist Ideology"; and House Document No. 139, 87th Congress, 1st session, entitled "Facts on Communism—Volume II, The Soviet Union, From Lenin to Khrushchev" (Rept. No. 350);

H. Con. Res. 162. Concurrent resolution providing for additional copies of House Report No. 2559, 87th Congress, 2d session (Rept. No. 354);

H. Con. Res. 163. Concurrent resolution providing for additional copies of the publications entitled "Communist Outlets for the Distribution of Soviet Propaganda in the United States, Parts 1 and 2" (Rept. No. 355); and

H. Con. Res. 164. Concurrent resolution providing for additional copies of the publications entitled "U.S. Communist Party Assistance to Foreign Communist Governments (Medical Aid to Cuba Committee and Friends of British Guiana), Parts 1 and 2" (Rept. No. 356).

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, with an amendment:

S. Con. Res. 47. Concurrent resolution to print additional copies of certain hearings on effects of television portrayal of crime on young people (Rept. No. 351); and

S. Res. 110. Resolution to print as a Senate document a translation of a book entitled "Large Dams of the U.S.S.R.", with illustrations and an explanatory statement (Rept. No. 349).

CRIMINAL JUSTICE ACT OF 1963—REPORT OF A COMMITTEE—ADDITIONAL COSPONSORS OF BILL

(S. REPT. NO. 346)

Mr. HRUSKA. Mr. President, from the Committee on the Judiciary, I submit a report on S. 1057, the Criminal Justice Act of 1963, and I submit a report thereon. I ask unanimous consent to add the following names as additional cosponsors of the bill: Senators Kefauver, Ervin, Dodd, Hart, Long of Missouri, Kennedy, Bayh, Dirksen, Keating, Fong, and Scott.

The PRESIDENT pro tempore. The report will be received, and the bill will be placed on the calendar; and, without objection, the additional cosponsors will be added, as requested by the Senator from Nebraska.

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. MANSFIELD (for Mr. Eastland), from the Committee on the Judiciary:

Homer Thornberry, of Texas, to be U.S. district judge for the western district of Texas.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SALTONSTALL:

S. 1854. A bill for the relief of Maria do Carmo Almeida Brito (Silva); to the Committee on the Judiciary.

By Mr. DOMINICK:

S. 1855. A bill relating to the interest rates on loans made by the Treasury to the Department of Agriculture to carry out the programs authorized by the Rural Electrification Act of 1936; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Dominick when he introduced the above bill, which appear under a separate heading.)

By Mr. McNAMARA:

S. 1856. A bill to increase the amount authorized to be appropriated to carry out the provisions of the Public Works Acceleration Act; to the Committee on Public Works.

(See the remarks of Mr. McNamara when he introduced the above bill, which appear under a separate heading.)

By Mr. KEATING:

S. 1857. A bill to amend section 6(o) of the Universal Military Training and Service Act to provide an exemption from induction for the sole surviving son of a family whose father died as a result of military service; to the Committee on Armed Services.

S. 1858. A bill for the relief of Jacob, Malka and David Kalkstein;

S. 1859. A bill for the relief of Hyang Won Lee; and

S. 1860. A bill for the relief of Domenico Surleti; to the Committee on the Judiciary.

(See the remarks of Mr. Keating when he introduced the first above-mentioned bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey:

S. 1861. A bill for the relief of Mrs. Amor Llao McGuinness; and

S. 1862. A bill for the relief of Michael J. Venezia; to the Committee on the Judiciary.

CONCURRENT RESOLUTIONS

EXPRESSIONS OF GREETINGS TO PROFESSION OF VETERINARY MEDICINE ON ITS 100TH ANNIVERSARY

Mr. DOUGLAS submitted the following concurrent resolution (S. Con. Res. 52); which was referred to the Committee on the Judiciary:

Whereas the year 1963 marks the 100th anniversary of the founding of the American Veterinary Medical Association; and

Whereas the observance of this anniversary will be celebrated by the association and its friends during a centennial convention to be held in New York City, N.Y., from July 28, 1963, through August 1, 1963; and

Whereas it is fitting that official recognition be given to the many accomplishments of veterinary medicine and to the many benefits which this Nation has received from veterinary services: Now, therefore, be it

***Resolved by the Senate (the House of Representatives concurring)*, That the Congress of the United States extends its greetings and felicitations to the profession of veterinary medicine on the occasion of the celebration of the 100th anniversary of the founding of the American Veterinary Medical Association, and acknowledges the many contributions organized veterinary medicine has made to the Nation and the health of her citizens during the past 100 years.**

EXPRESSION OF SENSE OF CONGRESS THAT ACHIEVEMENT OF BALANCE-OF-PAYMENTS EQUILIBRIUM IS ESSENTIAL—INTERNATIONAL MONETARY CONFERENCE

Mr. JAVITS (for himself and Mr. Miller) submitted a concurrent resolution (S. Con. Res. 53) expressing the sense of the Congress that achievement of balance-of-payments equilibrium is essential and that the United States should take the initiative in calling for an International Monetary Conference, which was referred to the Committee on Foreign Relations.

(See the above concurrent resolution printed in full when submitted by Mr. Javits, which appears under a separate heading.)

INTEREST RATES ON CERTAIN LOANS BY THE TREASURY TO DEPARTMENT OF AGRICULTURE UNDER RURAL ELECTRIFICATION ACT

Mr. DOMINICK. Madam President, today I am sending to the desk for appropriate reference legislation dealing with a very sensitive Federal program. I refer to the Rural Electrification Administration, and its statutory provisions whereby rural co-ops are permitted to borrow money from an agency of the Federal Government and repay it over a 35-year period at a rate of interest fixed at 2 percent. As my colleagues know, today, the Federal Government has to pay approximately a 4-percent rate of interest for its own funds.

I ask unanimous consent that a copy of this bill appear at this point in my remarks.

The PRESIDING OFFICER (Mrs. Neuberger in the chair). The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1855) relating to the interest rates on loans made by the Treasury to the Department of Agriculture to carry out the programs authorized by the Rural Electrification Act of 1936, introduced by Mr. Dominick, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the Record, as follows:

***Be it enacted in the Senate and House of Representatives of the United States of America in Congress assembled*, That, notwithstanding any other provision of law, (1) the interest rate on any loan hereafter made by the Treasury to the Department of Agriculture for the purposes of carrying out the programs authorized by the Rural Electrification Act of 1936, as amended (7 U.S.C.**

> 901-924), shall be fixed by the Secretary of the Treasury, which shall be at least as great as the average rate of interest payable by the United States of America on its marketable obligations, having a maturity period comparable to that of such loan, which were issued during the last preceding fiscal year in which any such obligations were issued; and (2) the interest rate on any loans hereafter made by the Department pursuant to said Act shall be equal to the interest payable by the Department to the Treasury on the funds to be utilized for such loan, plus one-half of 1 per centum for administrative expenses and estimated losses.
>
> SEC. 2. The first section of this Act shall become effective as of July 1 of the fiscal year next following the date of enactment of this Act.

Mr. DOMINICK. Madam President, this is not a complicated piece of legislation. It amends the Rural Electrification Act of 1936 to provide that the Department of Agriculture may borrow from the Treasury in order to administer the programs under the Rural Electrification Act, at a rate of interest at least as great as the average rate of interest payable by the United States on its marketable securities having a maturity rate comparable to that of an REA loan—35 years—plus one-half of 1 percent for administrative costs. Put even more simply, the bill provides that money may be borrowed from the Treasury and repaid to it pursuant to REA loans at the "cost of money" to the Federal Government, plus one-half of 1 percent for administrative expenses. I might add this is still subject to appropriation pursuant to section 6 of the act.

Mr. SIMPSON. Madam President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. SIMPSON. Will the Senator from Colorado state whether, under his bill, the interest rate is to be paid at the going rate of interest plus an additional one-half of 1 percent?

Mr. DOMINICK. Yes.

Mr. SIMPSON. The rate would fluctuate according to the amount of interest paid by the Government? Is that correct?

Mr. DOMINICK. No; it would fluctuate as each loan was made. The average cost to the Government for borrowing the money in order to have the REA borrow it would be computed at that time.

Mr. SIMPSON. I thank the Senator.

Mr. DOMINICK. In offering this bill, I am not unmindful that REA has often been referred to as a "congressional sacred cow." The REA has done a creditable job in Colorado and I have supported it. However, I believe a realistic assessment of the program under present day circumstances and policies will show the need for change. I certainly have no quarrel with the accomplishments of REA in bringing low cost electricity to American farms. This was its original objective and a fine one. However, my chief concern is: Where do we go from here? With about 98 percent of all farms presently receiving electricity, a thorough and searching examination of the Rural Electrification Administration program is in order. It is now facing increasingly violent attacks which could destroy it unless the most glaring defect, the subsidized interest rate, is eliminated.

To put the future of the program in its proper perspective, I think it would be helpful to allude to the past and trace the history of its development.

On May 11, 1935, President Roosevelt signed Executive Order 7037, which created the Rural Electrification Administration and authorized it to "initiate, formulate, administer, and supervise a program of approved projects with respect to the generation, transmission, and distribution of electric energy in rural areas." It was originally a part of the unemployment relief program. Later, in August of 1935, the President through Executive Order 7130, established this new agency as a lending agency on an interest-bearing, self-liquidating basis. Then, in 1936, the Norris-Rayburn bill was enacted giving the Rural Electrification Administration a 10-year life as a lending agency. As my colleagues will recall, this Nation was still in the throes of a great depression during 1935 and 1936. According to figures then available, only about 10 percent of the farms in this country were receiving electricity.

Under the terms of the Norris-Rayburn bill, the REA obtained its funds from the Reconstruction Finance Corporation and loaned them out to the rural co-ops at a 3 percent interest rate. This was no subsidy measure.

On the contrary, Senator Norris, during the Senate debate, stated:

> Let it be understood, too, that there is no gift anywhere in the proposed measure. Everything is to be paid for. My opinion is that with even the low rate of 3 percent interest the Government will not only come out whole but will make a small profit despite all the losses it may be called upon to sustain (80 CONGRESSIONAL RECORD 2757, Feb. 25, 1936).

This is borne out in the House debate where Mr. Withrow said:

> It must be clearly understood that this bill provides for no grant or subsidy. All of the money loaned for any of the purposes specified will be recaptured by the Government with interest. Experience of other agencies engaged in making this type of loan has demonstrated that these are perfectly safe (80 CONGRESSIONAL RECORD 5279, Apr. 9, 1936).

Mr. Rayburn, a cosponsor of the original act, specifically addressed himself to the subsidy question during this debate as follows:

> There is no subsidy in this. There is no revolving fund in this. The Government takes as security all of the assets of the corporation, association, or cooperative that sets up the line to furnish electrification for rural communities. Further than that, the Senate bill provided that these loans should be made at not exceeding 3 percent. The House committee amended the bill to read "at not less than 3 percent." I thought the argument for that amendment was very good for the simple reason that times may get better. We hope they will, and that the money will be more in demand and interest rates will go up. We do not want the Federal Government to lend money to any organization, to any corporation, or to any agency of the Government at less figure than the Government can go out and borrow the money itself. In times like these, of course, I think the interest will be 3 percent which is a very, very reasonable sum to pay (80 CONGRESSIONAL RECORD 5282).

The U.S. Treasury Department has furnished me with a table showing the "cost of money" to the Federal Government from 1936 through 1962. I ask unanimous consent that this table be reprinted at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Average interest rate on marketable issues in each fiscal year with maturities of 10 years or more

[In percent]

Fiscal year	Average interest rate	Average rate rounded to nearest ⅛ of 1 percent
1935	2.966	3
1936	2.765	2¾
1937	2.589	2⅝
1938	2.668	2⅝
1939	2.639	2⅝
1940	2.165	2⅛
1941	2.363	2⅜
1942	2.386	2⅜
1943	2.500	2½
1944	2.302	2¼
1945	2.275	2¼
1946	2.436	2⅜
1947	(1)	2⅜
1948	(1)	2⅜
1949	(1)	2⅜
1950	(1)	2⅜
1951	(1)	2⅜
1952	(1)	2⅜
1953	3.250	3¼
1954	3.250	3¼
1955	3.000	3
1956	3.000	3
1957	(1)	3
1958	3.569	3⅝

[1] No issues of 10 years or over.

Average interest rate on marketable issues in each fiscal year with maturities of 10 years or more

[In percent]

Fiscal year	Average interest rate	Average rate rounded to nearest ⅛ of 1 percent
1959	4.041	4
1960	4.250	4¼
Excluding issues offered in advance refundings: [1]		
1961	(2)	
1962	3.970	4
1963	4.108	4⅛

[1] If advance refunding issues are included, there are 2 alternative bases for deriving the rates on such issues:

Overall average rate for each fiscal year if the rates on issues offered in advance refunding are based on—

[In percent]

Fiscal year	Average interest rate	Average rate rounded to nearest ⅛ of 1 percent
(a) Price of par: [a]		
1961	3.500	3½
1962	3.548	3½
1963	4.046	4
(b) Market prices [a] [b] of existing issues eligible for exchange:		
1961	3.966	4
1962	4.173	4⅛
1963	4.039	4

[a] Plus cash payments by subscriber or minus cash payments to subscriber.

[b] Mean of bid and ask prices at noon on day before announcement.

[2] No issues of 10 years or over.

Mr. DOMINICK. Madam President, I think that it is most appropriate to point out that in 1936 when the Norris-Rayburn Act provided for the borrowing of funds and the repaying to the Treasury at an interest rate of 3 percent, the Federal Government could obtain its money at 2¾ percent. Therefore, I think that it is perfectly clear, based on the facts and the statements by the proponents of this act, that no subsidy was ever intended.

In 1944, the Rural Electrification Administration was given permanent status by passage of the Pace Act or Department of Agriculture Organic Act. REA had already become an agency within the Department of Agriculture in 1939, by virtue of Reorganization Plan II. It was under the Pace Act that the current 2 percent interest rate provision was fixed. It should be noted that the Treasury Department table, previously referred to, indicates that the "cost of money" to the Federal Government in 1944 was listed at 2¼ percent. However, at the time of the passage of this act, there was some fluctuation in the interest rate, for in the House debate, in the 78th Congress, Mr. Pace agreed with a statement made by Mr. Crawford:

> In other words, the real intent, then, is that so long as the money market is as favorable as at the present time and funds can be obtained at such low rates, there is no reason why a higher rate than 1¾ percent should be charged (to the REA).
>
> Sooner or later a tremendous refinancing operation will have to occur in this country incident to the war debt. We are kind of caught in the squeeze, you might say. If interest rates go up very materially, it seems to me that the price of bonds will have to decline in order to adjust the earning rate of bonds then outstanding to the increased rate that would be paid on the refunding or new issues; so I do not know that I would want to favor a situation like this unless there are clauses inserted which would enable the RFC to adjust its interest obligations as to rate to these REA cooperatives and various units and all to the money market. (90 CONGRESSIONAL RECORD 2282, 1944.)

This act also extended the amortization from 25 to 35 years to enable some of the more remote rural areas to participate on more reasonable terms.

Since 1936, we have invested over $4 billion of taxpayers funds in this REA program. As I said previously, the objective, that of bringing electricity to the farm, has been about 98 percent completed. Yet today, we are called upon to approve larger and larger budgets for the REA. They are still lending this money under the 1944 act at 2 percent when the cost of money to the Federal Government is double that rate.

Madam President, I have gone into this brief history for only one purpose. That purpose is to show that the REA program was never intended to be a subsidy.

I should also like to point out that the President's Committee on Federal Credit Programs has recently filed a report supporting the principle of the legislation I have just introduced. This report recommends that with respect to evaluating the costs of programs of the Federal Government that:

> The first step should be to compare the interest rate paid by the borrower on direct Federal loans to a sum of: (a) the prevailing market yield on Government securities of comparable maturity; (b) on allowance for administrative costs; and (c) an allowance for respective losses.

The President has called upon the Bureau of the Budget to take the lead in bringing the various Federal agencies under the application of this report. Shortly after this report was released, an editorial appeared in the Chicago Tribune. I ask unanimous consent that this editorial be reprinted at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Chicago Tribune, Feb. 18, 1963]

END THE REA CO-OP SUBSIDIES

A Presidential Committee headed by Secretary of the Treasury Douglas Dillon has written a report that may be expected to bring anguished yelps from the rural co-op lobby pack. The report asserts that legally fixed, maximum interest rates on such things as Government home and rural power loan programs should be scrapped. Moreover, it recommends that where Government interest rates are below private rates, the Government charge should vary at least as much as current Treasury borrowing costs.

This is a particular and well-deserved poke at the Rural Electrification Administration. The REA is the long-coddled outfit that makes loans to cooperatives at 2 percent, which is only about half the rate paid by the Government on money it borrows to make the loans. Over the 35-year period of these loans, this is a subsidy estimated to amount to about three-quarters of the loan itself.

Through such low interest Government financing, not to mention exemption from Federal taxation, the co-ops enjoy a substantial competitive advantage over privately owned, taxpaying utilities.

Virtually all farms and other rural customers in areas served by the co-ops now have electric service. More than half of the total power sales of REA systems now are being made to nonfarm users, who comprise more than 80 percent of the new power customers being added to the systems.

Back in 1955 the Hoover Commission recommended that, because of the great advance in farm electrification, the time has arrived for the reorganization of the REA into a self-supporting institution securing its own financing from private sources. Nothing came of this recommendation, although the Eisenhower administration in 1959 proposed raising interest rates to REA co-ops to about 4 percent.

This latest recommendation from Secretary Dillon's committee is likely to be greeted with the same apathy. The administration has demonstrated that the REA is one of its pets by proposing $425 million of funds for it in fiscal 1964, compared with appropriations of 400 millions this year and actual expenditures of 245 millions in 1962. Officials already have said that no specific legislation to end Government loans will come from the administration as a result of the Dillon report.

Taxpayers should put the heat on Congress to see that such legislation is introduced. With at least a $12 billion deficit confronting us, the need to cut Federal spending to the bone is obvious. Subsidies to the REA co-ops are wasteful and serve no useful purpose.

Mr. DOMINICK. Madam President, I know of no other Federal agency which enjoys a rate of interest so substantially below the "cost of money" to the Federal Government. In recent weeks, the Senate Banking and Currency Committee had cause to review the Treasury borrowing interest rates available to the Area Redevelopment Administration and the Small Business Administration. Many of my colleagues, including the Senator from Wisconsin [Mr. PROXMIRE], expressed concern because these agencies were only charging 3½ percent plus one-half of 1 percent for administrative costs. Many of the programs administered by these two agencies are avowed subsidy measures. However, we have the Rural Electrification Administration still charging 2 percent under a program for which no subsidy was ever intended.

Madam President, I suggest that the REA cannot have it both ways. I don't believe that we can continue to allow them "to run with the hares and hunt with the hounds." They must face up to their subsidy and justify it, or carry their own weight and pay the Federal Treasury the going interest rate plus a reasonable amount for administrative expenses.

There are other disturbing aspects about this program. Back in 1936, the proponents of the REA were careful to limit their support to a program to aid rural areas where the farmers would reap the benefits. However, as recently as 1959, it was estimated by the then Administrator of the REA, that five out of every six new consumers were nonfarm consumers. It was also estimated at that time that by 1965 there would be more nonfarm consumers on REA lines than farm consumers. Since 1961, REA co-op consumers have been classified as either residential or commercial. This classification has little relationship to the original aims of the REA program.

Perhaps the practice which has brought the greatest amount of publicity is that of the use of so-called section 5 loans. Section 5 of the REA Act provides:

> The Administrator is authorized and impowered * * * to make loans for the purpose of financing the wiring of the premises of persons in rural areas and the acquisition and installation of electrical and plumbing appliances and equipment. Such loans may be made to any of the borrowers of funds loaned under the provisions of section 4, or to any person, firm, or co-op supplying or installing the said wiring, appliances, or equipment.

By various interpretations of the Area Redevelopment Act and the Office of Rural Areas Development, section 5 money is being loaned to rural co-ops at 2 percent to be repaid over 35 years, and the co-ops in turn have been lending this same money to their industrial and commercial consumers at 4 to 6 percent to be repaid over a period of 5 to 10 years. Thus the REA has enabled its co-ops to go into the moneylending business with 2-percent money. The co-op gets its money back at 4 to 6 percent over a short term and pockets the difference.

Fourteen of these loans have been made since September of 1961, totaling over $1.2 million. Here are some examples where rural co-ops obtained money from the REA at 2 percent and made loans back to their consumers at a greater rate of interest:

A $25,000 loan for 5 years at 4 percent interest for a construction company to purchase equipment for the crushing and washing of gravel.

A $30,000 loan for 10 years at 4-percent interest to buy wiring, plumbing, and electrical equipment including machinery for a company which markets and purchases potatoes. This same rural co-op made a $250,000 loan for 10 years at 4 percent to buy electrical equipment and machinery for a lumber company.

A loan for $22,068 for 10 years at 4-percent interest to buy snowmaking equipment, outdoor lights, motors for rope tows, and a chairlift for an Illinois resort.

A $54,000 loan for 5 years at 5-percent interest for machinery for removing bark from logs and for the processing and loading of wood chips for a wood products company.

A $125,000 loan for 10 years at 4½-percent interest to purchase a gravel screening and crushing plant for a sand and gravel company.

A $25,000 loan for 10 years at 4-percent interest to purchase knitting machines for a mill in North Carolina.

A $35,500 loan for 10 years at 4-percent interest to purchase machinery for a planer mill.

A loan of $140,000 for 10 years at 4 percent to purchase machinery for a company producing precision drills and cutting tools.

A $75,000 loan for 10 years at 4 percent to purchase a planer mill and electric motors and controls for a lumber company.

A $137,000 loan for 10 years at 4 percent to purchase refrigeration equipment for a freezer and cold storage plant.

A $190,000 loan for 10 years at 4 percent to purchase machinery to be used by a company producing glass sand and silica flour.

A $23,500 loan for 10 years at 4½ percent to purchase machinery used in a precision metal parts factory.

A $100,000 loan for 10 years at 4 percent to purchase machinery for a Wyoming lumber company.

In each instance, the rural co-op obtained the funds to make these loans from the REA to be repaid over a period up to 35 years at a 2-percent rate of interest. You can readily see that these co-ops may be able to turn over their "cheap REA money" several times during the course of the 35-year repayment period.

Madam President, such practices as these can seriously jeopardize the REA program and can hinder the accomplishment of its stated objectives. It was never contemplated that these co-ops were to be put into the money lending business and subsidized by the Government.

I ask unanimous consent that the following newspaper editorials and articles be inserted at this point in my remarks:

First, an editorial from the Greeley Sunday Journal, May 5, 1963.

Second, an editorial from the Wyoming State Tribune, March 18, 1963.

Third, an editorial from the Broomfield Star Builder, February 28, 1963.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Greeley Sunday Journal, May 5, 1963]

JOURNAL NEWS VIEWS

A hearing is being conducted by the Public Utilities Commission in Denver on a subject that should be of interest to every citizen that believes the continued existence and growth of free enterprise is an integral part of our American way of life. The current hearings are a continuation of presentations that started earlier this year and quite probably will continue into June. Stated very simply, it revolves around an effort by the Poudre Valley REA to have the PUC freeze the operations of the Home Light & Power Co. to the area it now serves, reserving all the remainder of the country to the Poudre Valley REA. On the other hand, the Home Light & Power Co. is seeking an area that would allow it opportunity for growth.

We do not represent that we have the slightest technical knowledge of the operation of a public utility, nor of the laws in this or other States that govern the operation of power companies. But we do believe we have some basic knowledge of the laws of fair play and deep concern for the economic philosophy that helped make this Nation great. When the Congress first set up the Rural Electrification Administration, it recognized that there were many rural areas that could not be served economically by privately owned power companies, but the Congress agreed with the philosophy that those same rural areas should have electric power and at a price the farmers and ranchers could pay.

It created the REA's and gave to them certain preferential advantages in financial structure and operation which in turn would make it possible for them to take electric power to the rural areas. Two major offerings were that the Federal Government would loan working capital to the REA's for 2 percent simple interest on long-term loans, and the REA's would not have to pay income tax on their subsequent earnings. It was a great step forward for it brought electric lights and power where before there had been only kerosene lamps. And with 2 percent money and no income tax, the REA's prospered and grew. And the years went by and they grew and grew.

And then in recent years, it came to pass that the REA's tired of serving only the rural areas where private power companies, without the advantage of 2 percent Federal loans and no income tax, could not profitably operate, and the REA's longed for bigger things. Until today, here and in many areas throughout the Nation, taxpaying, profit-making private power companies are finding their growth areas challenged by REA's which their own tax money is helping to subsidize. If it can happen in the electric business, it can happen in other businesses. The ardent REA backer is growing on the false premise that the Government well from whence commeth 2 percent money is a well without a bottom and that it is possible to eat the goose that lays the golden eggs and still have the eggs. And if the goose objects, it's a dirty, profit smeared goose and should be eaten.

Any system that allows such a situation to exist is at once both unfair and dangerous. It not only already exists in the utility business; it could just as easily develop in any other business or profession. To take money which the Federal Government borrows at a cost of more than 3 percent, loan it to the REA's at 2 percent, permit them to grow by paying no tax, and then allow those same federally subsidized power groups to covet and challenge the growth areas of private power companies who are paying market rates for their capital and corporate income taxes is a gross injustice. It is unfair.

By compelling the privately owned utility to rent its money in the marketplace, pay corporate income taxes and then be condemned because that same private utility can't sell its product as cheaply as the federally subsidized group, the philosophy becomes not only, almost unrealistically unfair, it becomes violently dangerous. If such an economic and political philosophy is allowed to exist that taxes private business and with those taxes and favored legislation creates a competing, subsidized power that in turn strives to obliterate that same private business, then we are not writing the history of progress. We are writing the birth notice of a political frankenstein that will squeeze the last breath of life from the private enterprise that gave it birth. All about will be the tragic remains of a glorious Nation that once was. And only history will know that another great civilization died, because in all its wisdom it was too stupid to understand that man never has been able to eat both the eggs and the goose.

[From the Wyoming State Tribune, Mar. 18, 1963]

A BAD THEORY

The Wyoming Public Service Commission has set a hearing for next Thursday morning that so far as we can determine is virtually unprecedented in this State.

It will hear arguments on the proposed loan of $100,000 by the Lower Valley Power & Light of Afton, Wyo., to a lumber company that will be a potential user of the power generated by Lower Valley Power & Light.

The money that Lower Valley Power & Light will lend to the lumber concern will be used for the installation of electrical equipment in a lumber mill to be built in the Afton area.

It has been argued to us on a friendly basis that the idea that this loan will be used for the purpose of creating new industry in Wyoming, which everyone must admit the State badly needs, is the prime, overriding argument in its behalf.

We do not subscribe to that idea. For one thing the money that will be used in the loan is public money for which the Government pays 4 percent interest. It will be reloaned at 2 percent.

This is a poor way to do business in many ways; it cheats the taxpayers, it defeats the purposes of banks and other private lending agencies, and it mitigates against private enterprise. Specifically in the latter it permits the REA cooperatives a vast reservoir of cheap money paid for by the taxpayers, to compete against private utilities which form a part of the taxpaying public that contributes to this very same agency that competes with it.

This is a vicious circle.

The REA is now asking Congress for nearly half a billion dollars to use for these loans to be made to private industry that it would serve.

This would put the Government in business against the taxpayers who support it.

We think this is a wholly dangerous idea.

[From the Broomfield Star Builder, Feb. 28, 1963]

THE DEADLY COMPETITOR

The act of 1936 setting up the Rural Electrification Administration authorized the agency to make loans for furnishing electricity to "persons in rural areas." How is it, then, that in the last few years five out of six new REA co-op customers haven't been truly rural at all, but commercial, industrial and nonrural residential?

For one thing, REA activities reflect the changing character of the Nation; farms are fewer, suburbs have sprawled out from the cities in once-rural lands. And REA Administrator Norman Clapp contends that a territory developed by a co-op "in good faith" when it was rural still is co-op territory even though it may be a vast suburban or industrial complex.

For another, as Hubert Kay notes in an article in the February Fortune magazine, the REA's co-ops have become increasingly aggressive in going after commercial-industrial business. So much so that whereas it once used only 2.5 percent of its loans to build new generating plants and transmission lines it now uses over 16 percent. The REA system's rapid growth as a power producer has further alarmed already skittish investor owned power companies which see in REA an ever expanding power grid with which they cannot forever compete.

For the private utilities pay from 4 to 5 percent for money they need to borrow; the co-ops have the use of Federal funds at 2 percent (which the Government borrows at 4 percent). Utilities pay out about 24 cents in taxes of each dollar received, including 13 cents in Federal income taxes; co-ops pay no direct Federal taxes at all and, as co-ops, enjoy preferred State and local tax treatment. And whereas companies are tightly regulated by State and Federal agencies, most co-ops can set their own rates. So the co-ops' competitive advantage is immense.

Now there's one fairly simple way to bring about competition on a more nearly equal basis. And that is to strip the REA co-ops of their protective mantle of subsidies and preferments and thus force them to really compete with private companies. In short, make the REA pay its own way in the marketplace.

But as it is, the REA stands as an archetype of a Government agency that not only refuses to die when no longer needed but also uses every unfair means available to kill off its investor-financed competition.

Mr. DOMINICK. Madam President, my bill will not cure all the problems noted in the editorials, but, if enacted, it will at least mean that the taxpayers of this country will not be subsidizing ventures of which they never heard and which were not contemplated when the original bill was passed.

I ask unanimous consent that the bill lie on the desk for 1 week so that other Senators who may wish to add their names as cosponsor may do so.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXPANSION AND CONTINUATION OF ACCELERATED PUBLIC WORKS PROGRAM

Mr. McNAMARA. Madam President, I introduce, for appropriate reference, a bill to expand and continue the accelerated public works program.

One of the most successful actions taken by the Congress last year was the creation of an accelerated public works program through Public Law 87-658.

The purpose of this program was twofold: First, to combat persistent unemployment in those areas which did not share in the general economic recovery of the country from the 1960-61 recession; and second, to stimulate the economy by helping local governments finance needed public works projects they could not afford to undertake alone.

Under this program, the Congress authorized $900 millions—nearly all of which has since been appropriated and is now at work creating jobs and constructing public facilities throughout the country.

The accelerated public works program provides Federal grants—on a 50-percent matching basis—to local governments for eligible projects, with the added provisions that the Federal grant can be increased to 75 percent of the project cost where the local community is unable to finance its 50-percent share. The act also provides financing for some exclusively Federal projects, previously authorized by the Congress.

To make certain that this program would have its first and greatest impact in areas where the need was most serious, the act specified that projects must be located in those areas designated as eligible under the Area Redevelopment Act.

These included 149 large and small industrial labor market areas, 767 rural areas, and 50 Indian reservations, plus an additional 122 communities which had suffered from substantial unemployment for the better part of the preceding year.

In order that the program would bring about quick assistance, Federal grants were limited to those local projects which could be started promptly and on which the bulk of the work would be completed in 12 months.

Madam President, there is no doubt in my mind that the accelerated public works program is one of the most popular and important programs approved by the 87th Congress. It is accomplishing its purpose in a magnificent manner.

Public works projects—urgently needed but never started due to lack of funds at the local level—are now underway in hundreds of communities throughout the Nation.

These projects include sewage treatment plants, water purification facilities, sewer and water main extensions and improvements, new police and fire stations, libraries, and road and street repair projects, to name just a few. And in each instance, these urgently needed projects are providing an economic "shot in the arm" to the community in which they are located, because the dollars paid out in wages for the new jobs created, and the dollars spent on materials for the projects, are "high velocity dollars" that circulate swiftly through the community and have a chain-reaction effect.

The original Accelerated Public Works Act authorized expenditure of $900 million. Last October Congress appropriated $400 million and these funds were quickly committed by various Federal agencies to more than 3,000 local public works projects in all parts of the country.

This past May the Congress appropriated another $450 million for the accelerated public works program, making a total of $850 million. Under the law, this $450 million must be expended by January 31, 1964.

The need for this accelerated public works program has been so great that, successful as the program has been, applications have far outstripped available funds.

For example, the Community Facilities Administration was deluged with more than $1 billion worth of applications during the first 6 months of the program, and still has more than half a billion dollars worth of projects pending, despite the fact that $455,635,000 in accelerated public works projects will be approved by the Community Facilities Administration under existing appropriations.

And at the Department of Health, Education, and Welfare, I am informed that in addition to the $200 million worth of waste treatment and hospital construction projects to be approved under the $850 million appropriated, the Department has pending applications for another $206 million worth of projects.

The total of these pending applications in CFA and HEW, impressive as it is, does not represent an accurate picture of the backlog of local projects, since many communities have been discouraged, for several months, from filing additional applications, due to an obvious lack of funds.

Madam President, I believe that there is a need to both continue and expand the accelerated public works program. There is still a large backlog of urgently needed local public works projects. And many areas of the country still are experiencing heavy and persistent unemployment.

The bill I introduce today would authorize an additional $1.5 billion for the accelerated public works program.

This is a large sum, but I believe that the experience under this program thus far demonstrates conclusively that each of these dollars will return great dividends.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1856) to increase the amount authorized to be appropriated to carry out the provisions of the Public Works Acceleration Act, introduced by Mr. McNamara, was received, read twice by its title, and referred to the Committee on Public Works.

EXEMPTION FROM DRAFT FOR SOLE SURVIVING SON

Mr. KEATING. Madam President, I introduce, for appropriate reference, a bill to amend the Universal Military Training and Service Act to provide an exemption from induction for the sole surviving son of a family whose father died as a result of military service.

Under the present law, this type of exemption is given to the sole surviving son of a family where one or more sons or daughters were killed or died in line of duty. This bill will extend this exemption to include cases where the father died in the service of his country. I feel that this is a desirable and meritorious extension of this type of exemption.

At present the selective service classification system allows deferments where extreme hardship can be established. However, this deferment is not applicable without evidence of extreme privation to a family whose only surviving son is faced with induction.

This exemption has the strong support of the Gold Star Wives of America, Inc., all veterans' organizations, and many other interested persons. It also is favored by the selective service system.

I think that passage of this bill will be a fitting tribute to families whose father and husband made the supreme sacrifice for our Nation.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1857) to amend section 6 (o) of the Universal Military Training and Service Act to provide an exemption from induction for the sole surviving son of a family whose father died as a result of military service, introduced by Mr. Keating, was received, read twice by its title, and referred to the Committee on Armed Services.

PROHIBITION OF USE OF MEASURING DEVICES IN POSTAL SERVICE—ADDITIONAL SPONSOR OF BILL

Mr. KUCHEL. Madam President, earlier this session, I introduced Senate bill 1423, to prohibit the use of measuring devices to measure the work of an individual employee in the postal service. The distinguished senior Senator from New York [Mr. Javits] has asked that his name be added as a cosponsor. I ask unanimous consent that at the next printing of the bill the name of the distinguished senior Senator from New York be included as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

ACQUISITION OF WETLANDS IN CANADA—ADDITIONAL COSPONSOR OF BILL

Mr. HRUSKA. Madam President, on June 27 of this year I introduced, on behalf of myself and four other Senators, S. 1810, a bill to permit the use within Canada of certain funds for the acquisition of wetlands for the conservation of migratory waterfowl.

I now ask unanimous consent that the name of the Senator from Alaska [Mr. Gruening] be added to the list of cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

OPPOSITION TO PROPOSED TAX ON DIESEL FUEL USED BY TOWBOATS—STATEMENT BY BRAXTON B. CARR

Mr. DIRKSEN. Mr. President, several weeks ago representatives of the coal, oil, iron ore, grain industries, manufacturers, water transportation, shippers of bulk commodities, and others from the State of Illinois came to Washington to voice opposition to the proposed 2 cents per gallon tax on diesel fuel used by towboats.

At a breakfast meeting in Washington attended by most of the Illinois congressional delegation and also by representatives from my office and that of Senator Douglas, Mr. Braxton B. Carr, president of the association, made a statement on the proposed tax. I believe his statement will be of considerable interest and will indicate how shippers and others would be affected by the proposed tax. I ask unanimous consent that a summary of the statement by Mr. Braxton B. Carr, president of the American Waterways Operators, Inc., to the 46th anniversary convention of the National Coal Association, at the Mayflower Hotel, made on this subject as a member of the transportation panel, be included in the Record.

There being no objection, the summary was ordered to be printed in the Record, as follows:

The water carrier spokesman used 1960 as a base year because that is the last year for which complete statistical data is available, but he said the annual savings is proportionate. He noted that 88,500,000 tons of coal were moved by barge in 1960, representing 22.5 percent of total inland waterborne commerce of the United States, exclusive of the Great Lakes, and representing 18 percent of total ton-miles of waterborne service.

"Taking the difference between what shippers paid for transportation of this coal by water and what they would have paid to move it by the next lowest cost available mode—railroad transportation—we find that in 1960 barge transportation saved coal shippers $244,284,000," Mr. Carr said. "This savings was realized on 22 percent of the output of mines—11 percent of which went directly from mine to water transportation. The other 11 percent had a prior rail or truck haul before it went into barge transportation."

"You might say the waterways paid a dividend of $244,284,000 in the movement of coal alone in 1960 and this dividend was widely distributed in the form of real savings to the consumers who bought the end products this coal helped produce."

Mr. Carr reminded the coal executives that the only reason coal figures so importantly in the fuels market today is that the industry has found ways to reduce the delivered price of the product. "Barge transportation offers just one thing to the coal industry: a means to reduce the delivered price of coal," the AWO president said.

He then cited these facts: The cost of barge transportation in the movement of coal represents on the average 12 percent of the price of the delivered product, compared to 42 percent for rail transportation. The average water haul of coal is 221 miles and the average rate is 3 mills per ton-mile. The average barge haul of 221 miles costs the coal shipper 66 cents per ton. The average rail haul is 294 miles, for which the shipper pays an average of $3.42 per ton.

Mr. Carr noted that of the 7,800 mines in operation in the United States, only 65—less than 1 percent—are located on water. Yet, he said, these 65 mines put 11 percent of total coal production directly into barge transportation.

With respect to the $244,284,000 which barge transportation saved coal shippers in 1960, Mr. Carr said that consumers throughout the United States shared in that savings in the form of cheaper electricity, household goods, and other consumer savings. In addition, he said, the savings were actually more than $244,284,000 because barge rates on coal held down some rail rates. He cited several examples illustrating the inequality that exists in present freight rates applying to coal traffic between points where barge transportation is available and where it is not available.

Mr. Carr said that it was essential to the future of the coal industry that the industry take a careful, hard look at some transportation policy proposals which are now being considered, among them, the proposal to place user charges on the inland waterways in the form of a 2-cent-per-gallon tax on fuel, and the proposal to repeal minimum rate regulation on the carriage of bulk commodities by the railroads.

The AWO spokesman said that the 2-cent-per-gallon tax now proposed on fuel would raise the delivered price on coal between six and seven percent, but that it would take a tax of at least 24 cents per gallon based on the current level of traffic movement to get the money the toll proponents want.

"A tax of 24 cents per gallon on diesel fuel used by towboats and tugboats will increase the transportation price for coal on the average of 72 percent," Mr. Carr asserted. "This would make the cost of barge transportation represent 20 percent of the delivered price of coal, as against 12 percent now."

Other members of the panel were C. J. Fitzpatrick, president of the Chicago & North Western Railway Co., Chicago; Cecil H. Underwood, vice president of Island Creek Coal Co., Huntington, W. Va.; and H. N. Ramsey, president of Philadelphia Electric Co., Philadelphia. Moderator of the panel was Dr. Myles E. Robinson, director of economics and transportation of the National Coal Association.

The PRESIDING OFFICER (Mr. Brewster in the chair). Is there further morning business?

PROPOSED APPOINTMENT OF ASSOCIATE JUSTICE GOLDBERG AS MEDIATOR IN RAILROAD STRIKE

Mr. STENNIS. Mr. President, I am advised that the unions have rejected the President's proposal that Associate Justice Goldberg serve as negotiator or mediator. I am not passing on the strike. I am not familiar with the merits of the arguments on each side. I am pleased to learn that a member of the Supreme Court of the United States will not serve as a negotiator, intermediary, mediator, or in any other capacity outside his responsibilities as a Justice of the Supreme Court of the United States.

The Supreme Court is an entirely independent branch of the Government established by the Constitution of the United States. The tenure of a justice is for life, subject only to impeachment on proper grounds. The soundness of our system absolutely demands that we keep those lines inviolate.

Mr. Justice Goldberg is a very fine man. He is an extraordinary person and has rendered great service in the field of so-called labor disputes. But he and the President of the United States both made a decision months ago when they decided that he should be appointed an Associate Justice of the Supreme Court.

In the opinion of the Senator from Mississippi, Justice Goldberg cut himself off from all opportunities to render service, however valuable those services might be, in the field of labor relations. Now he is a Justice of the Supreme Court of the United States. Neither he nor any other member of that Court has any proper function outside that mission so long as they are members of the Court.

A very unfortunate precedent of some kind was set at the time of the Nuremberg trials. It should be an exception and stand alone, and should not be followed under any circumstances. The appointment then was made at the close of the war and was partly an emotional matter. It can be overlooked on that ground. As I have said, I am not familiar enough with the merits of the railway labor controversy. I am not passing on it. What I say is no reflection upon Mr. Justice Goldberg, but is, rather, a tribute to his skill in this field.

I hope this will be the last time that a question such as the one about which I have spoken will arise. I am delighted to learn that apparently Mr. Justice Goldberg will not serve.

TIME RUNS OUT FOR WILDERNESS

Mrs. NEUBERGER. Mr. President, on September 6, 1961, the Senate passed S. 174, the bill to establish a national wilderness preservation system. I voted for the legislation, as I did this session on a similar measure, because I believe there is great value in maintaining some parts of our public domain in natural and unspoiled state. Despite approval by the Senate in 1961, congressional action was not completed and S. 174 expired with adjournment of the 87th Congress.

Under existing law, wilderness-type areas in the national forests are subject to entry under the mining statutes in 11 Western States. The wilderness bill modifies this wide-open entry. Thus, after the Senate again acted favorably this year on S. 4, the new version of the wilderness bill, I became curious about the extent of invasion of wilderness by mining interests in the period of time since our 1961 action. I asked Mr. Edward P. Cliff, Chief of the Forest Service, to provide an estimate of the number, acreage, validity, and minerals involved in claims which have been filed in wilderness, wild, and primitive areas since September 6, 1961.

The report from the Forest Service shows some 537 claims have been filed in wilderness, wild, and primitive areas of our national forests since September 6, 1961, the date of the Senate's last previous action on wilderness legislation. Of the total, 327 claims were filed in areas defined as wilderness, 23 claims in wild areas, and 187 claims in primitive areas. These figures do not, of course, include the number of claims filed under mining laws in wilderness-type areas during previous years. I emphasize, Mr. President, that in the months since the Senate passed S. 174, mining claims have been filed at the rate of 23 per month. Although some of the claims may not be valid, it is estimated the 537 claims filed include about 11,000 acres of wilderness-type domain.

I am disturbed and dismayed by continued erosion of our wilderness heritage and the threats against its existence. Indeed, time may be running out for our once timeless wilderness.

I ask unanimous consent to have printed in the RECORD with my remarks a table prepared by the Forest Service with the estimated number of mining claims filed on national forest lands in wilderness, wild, and primitive areas since September 6, 1961.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Estimated number of mining claims filed on national forest lands in wilderness, wild, and primitive areas since Sept. 6, 1961

WILDERNESS AREAS

Name of area	State	Region	Forest	Number of claims	Minerals mentioned by claimant	Validity of claims
Matazal	Arizona	3	Tonto	25	Copper, gold, silver	5 claims may be valid, rest unknown.
Superstition	do	3	do	7	Copper	2 claims may be valid, rest unknown.
Anaconda-Pintlar	Montana	1	Beaverhead, Bitterroot, Deerlodge.	1	Gold, silver, lead, zinc	Unknown.
Gila	New Mexico	3	Gila	50	Tin, tellurium, titanium	Do.
Pecos	do	3	Santa Fe	100	Copper	Do.
Eagle Cap	Oregon	6	Wallowa-Whitman	52	Gold, silver, uranium, platinum, limestone.	5 claims may be valid, rest unknown.
Three Sisters	do	6	Willamette, Deschutes	13	Pumice	9 claims may be valid, rest unknown.
Glacier Peak	Washington	6	Mount Baker, Wenatchee.	30	Limestone, copper	6 claims may be valid, rest unknown.
South Absaroka	Wyoming	2	Shoshone	49	Copper, gold, silver, molybdenum.	All claims may be valid.
Total: 9 wilderness areas.	6 States	4 regions	12 forests	327 claims	13 minerals	76 claims may be valid.
WILD AREAS						
Chiricahua	Arizona	3	Coronado	5	Lead, zinc	Unknown.
Hoover	California	4 and 5	Toiyabe, Inyo	4	Gold, tungsten	4 claims may be valid.
Kalmiopsis	Oregon	6	Siskiyou	13	Gold, iron	4 claims may be valid, rest unknown.
Strawberry Mountain	do	6	Malheur	1	Gold	Unknown.
Total: 4 wild areas	3 States	4 regions	5 forests	23 claims	5 minerals	8 claims may be valid.
PRIMITIVE AREAS						
High Sierra	California	5	Sierra Inyo	22	Calcite, gold, tungsten	Unknown.
Salmon-Trinity Alps	do	5	Shasta-Trinity	18	Gold	Do.
San Juan	Colorado	2	San Juan	46	Lead, zinc, gold, silver, copper	All claims may be valid.
Wilson Mountain	do	2	San Juan, Uncompahgre	14	do	Do.
Uncompahgre	do	2	Uncompahgre	24	do	Do.
Salmon River Breaks	Idaho	1	Nezperce	2	Gold	Unknown.
Gila	New Mexico	3	Gila	50	Tin, tellurium, titanium	Do.
North Cascade	Washington	6	Mount Baker, Okanogan.	11	Tungsten	Do.
Total: 8 primitive areas.	5 States	5 regions	9 forests	187 claims	10 minerals	84 claims may be valid.

SUMMARY

Type of area	Number of—							
	Areas	States	Regions	Forests	Claims	Minerals	May be valid	Unknown validity
Wilderness	9	6	4	12	327	13	76	251
Wild	4	3	4	5	23	5	8	15
Primitive	8	5	5	9	187	10	84	103
Total	21	[1]9	[1]5	[1]22	537	[1]16	168	369

[1] Duplications have been eliminated. It is estimated that the 537 claims include about 11,000 acres.

A SHIELD FOR THE SHOPPER—TRUTH IN PACKAGING LEGISLATION NEEDED

Mrs. NEUBERGER. Mr. President, one of the most important pieces of legislation before the Senate in the continuing fight for consumer protection is the truth-in-packaging-and-labeling legislation sponsored by the distinguished junior Senator from Michigan [Mr. HART]. I have joined in sponsoring this significant bill, S. 387.

A most persuasive article by the Senator from Michigan appears in the Progressive magazine, July 1963 issue. This article, entitled "A Shield for the Shopper," points out:

> The simple purpose of the truth-in-packaging measure is to give the consumer the information needed to make a sound, reasonably swift shopping decision and to insure that the package fairly represents the product inside. Fortified with this protection, the consumer would have little to fear from the dart guns of deception.

I commend this article to all of those who are fighting for adequate consumer protection.

The Washington Evening Star in an editorial of July 8, 1963, strongly endorsed the truth-in-packaging bill introduced by the Senator from Michigan. As the Evening Star states that "there is nothing in the bill any honest producer should fear."

I am hopeful that the Senate Antitrust Subcommittee will report favorably this important proposed legislation which will be a milestone in consumer protection.

Mr. President, I ask unanimous consent to have printed in the body of the CONGRESSIONAL RECORD the article by the Senator from Michigan [Mr. HART] together with the editorial, "What Are You Buying?" from the Evening Star.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

A SHIELD FOR THE SHOPPER

(By Senator PHILIP A. HART, of Michigan)

As I passed by the television set a few nights ago, my eye was caught by the picture of a running antelope trying to escape a pursuing helicopter. "The antelope is a naturally suspicious and wary animal," the narrator was saying smoothly, "and there was a time when he was extremely difficult to capture."

Then the helicopter swooped low, someone shot a dart full of a tranquilizer into the animal's flank, and before long it toppled over on its side to await the net. The show was intended as a tribute to modern efficiency, but somehow my sympathies were with the antelope.

I left the room then, because I was busy studying the high degree of modern efficiency directed at capturing the dollars of the American consumer. The deadline for this article had crept up on me, and I was rereading some testimony that told of the many scientific innovations used by the modern merchandiser. I was as impressed by them as I was by the dart guns used by big game hunters.

The American shopper has grown as wary and suspicious as any antelope, and she has the additional advantage of being generally as intelligent as her pursuers. But slick, new marketing methods are being spawned daily, and most of us find ourselves increasingly vulnerable to an army of motivational researchers and promotion specialists who are quite prepared to swoop down and tranquilize us with misleading information and clever deceptions. Spurred by fierce competition, merchandisers devote weeks and months to polishing their techniques while the average consumer can devote only an occasional hour, often in vain, to digging out the factual information which is her only defense.

The truth-in-packaging bill that I have introduced in the Senate (a companion bill has been presented in the House) is one attempt to put the consumer on a more equal footing with the manufacturer. The bill has only one basic purpose; to allow the shopper the opportunity to make a rational buying choice.

The increasing difficulty of making a rational choice is perhaps best illustrated by the series of exhibits introduced during the lengthy hearings on packaging which I conducted as chairman of a subcommittee of the Senate Commerce Committee. Here on my desk, for example, is a bottle of salad oil—a newly designed bottle with a streamlined figure. Not long ago, this same brand came in a quart container of traditional design—a thick-waisted bottle of the type commonly used for dozens of liquids: beer, cleansers, and soda pop.

Why the change? It seemed the motivational researchers reported to the manufacturer that women associated oil with calories and the thick-waisted bottle subconsciously warned them off lest their own figures follow suit. The designers went to work and the result was the bottle contoured like a shapely woman.

Now for the delicately administered sting. Remember, the old bottle contained a quart. Well, if you can find the printed content on the new bottle (which is not easy), you discover it holds one and one-half pints of oil. It is true that the new bottle costs the shopper a few cents less. But the price per ounce of oil is significantly higher. The new bottle was so successful, incidentally, that most competitors adopted it along with a similarly disguised price increase.

These days, the wary shopper would regard a new, improved package with as much suspicion as a knowledgeable antelope anxiously watching an approaching helicopter. Here is a box of spaghetti. There is a cellophane window at the bottom of the front panel so you can view the wholesome contents. But, turn the box upside down. The window is empty. The box was only half full.

Now take a look at this carton. It held a frozen cherry pie. The picture on the carton shows a single luscious wedge of pie. Along the visible side of the wedge we can count 37 cherries. And how many cherries were inside the entire pie? Forty.

Next, two cans of coffee. Same brand, same size, same shelf. One label is stamped "10 cents off," the other, "15 cents off." "Off what?" seemed the logical question. But since the manufacturer does not control retail price, it was a question that could not be answered. Perhaps the consumer will get a bargain, perhaps he won't. We found some products that have been "cents off" since they went on the market years ago. "Cents off" what regular price? Who knows?

One of our witnesses told of entering a drugstore and asking for a small tube of toothpaste. He was handed one marked "Giant." "That's the smallest we have," said the clerk, smiling a little sheepishly. The next size larger was labeled "Family." After that came "Jumbo."

Or take a box of shredded wheat. The face of the package is 6 inches high and 7½ inches wide. This size box was long a familiar standard on supermarket shelves until one manufacturer came out with a larger container. The larger box is marked "New, improved." Its front panel measures 8¼ inches square. Yet the box holds only 10½ ounces—an ounce and a half less than the old box. That is 18 percent less product in a box 20 percent bigger.

Isolated examples? Not at all. The exhibits were picked up at random in chain supermarkets. Our witnesses pointed out dozens of parallel confusions and absurdities they encountered.

Some of the most telling testimony came unwittingly from a top executive of a major detergent company who appeared with a number of aids to testify against the bill. Paraphrasing, but without damage to essential accuracy, here is what occurred:

At one point the detergent executive was discussing a new box of washing powder that weighed 12¼ ounces and sold for 34 cents. He held the box up to show that the net weight was marked on the front panel.

"The use of fractional ounces," I pointed out, "is one of the consumer complaints we've heard most often. My wife—who is an excellent mathematician—tells me it is very difficult sometimes to compute the cost per ounce of competing products."

The executive answered that this was really no serious problem.

"How much does the soap you have there cost the housewife per ounce?" was the next question.

The executive thought a minute. "Could we come back to that later?" he asked. We pressed him for an answer.

"Well, Mr. Purcell here can answer that," the executive sighed, waving toward an aid.

"I don't have my cost charts with me," offered Mr. Purcell.

Someone suggested that housewives do not often have cost charts available, either. Mr. Purcell bent over his pencil and pad. His chief suggested once again that we come back to the matter later. Mr. Purcell said that he could answer much more swiftly if a conversation had not been going on. By this time, I felt the point had been made, and we went on to something else.

Because we so often talked in terms of pennies here and nickels there, it sometimes seemed that we were dealing with an insignificant portion of the economy. But market basket purchases account for about 21 percent of the average family's budget, and sales of commodities covered by the bill total some $63 billion annually. A family making buying decisions on the basis of rationality, instead of merchandising hoopla, could save $200 to $300 a year.

A truth in packaging law would have another, more subtle, yet perhaps more important effect on the economy. The free enterprise system depends on the theory that the manufacturer who provides the best quality at the best price will be rewarded by success. The theory, in turn, depends on the consumer making wise choices. The manufacturer must make his products known and available while the consumer, voting with his dollars, decides which products will remain on the market and which will not.

Deceptive, confusing, or misleading packaging causes shoppers to make poor choices, harming themselves and the honest manufacturer. Success in business comes to depend more on gimmickry than on value. In fact, honest packaging tends to be driven off the market by slick practices. Time after time, we have seen cases where manufacturers were forced into questionable packaging practices to keep up with some competitor who had found a new way to puff up his package.

The package, after all, is the only salesman a shopper meets in the market these days. Some years ago, the housewife dealt with a grocer who discussed values and then personally filled many of the packages the customer carried home. Cost comparisons were easy because prices were based on honest pounds and whole ounces instead of fractions. Modern supermarkets, on the other hand, don't sell anything. They serve as display depots that are in the business of renting out shelf space to manufacturers for the highest possible rental—rental that depends on markup and turnover. And because even a momentary lag in sales can sweep a product off the market, any successful packaging gimmick must be swiftly imitated by competitors interested in their own survival. It is in this atmosphere that the housewife must divide twelve and one-fourth ounces into 34 cents while simultaneously worrying about her time expiring on a parking meter, and her two children who just disappeared behind the meat counter.

The supermarket and prepackaged foods originally were designed to save money for consumers through mass marketing. This purpose will be defeated if we do not establish ground rules that will make sense out of the present chaos of packaging practices.

Here are some goals the truth in packaging bill is designed to achieve:

The prohibition of illustrations that deceive the consumer as to content. Chocolate chips, for example, should be as evident in the cookies as they are in the package illustration.

The elimination of "cents-off" claims or "economy-sized" designations. These imply a control over retail price that the manufacturer does not have.

The establishment of standard weights and measures in which certain product lines could be sold. Instead of having competing brands selling in 13½-, 15¼-, and 18½-ounce packages, would it not be easier if they all came in 1-pound containers or multiples of 1 pound? And—in all cases—it would be required that net weight be prominently displayed.

The prevention of the use of packages that might deceive the consumer as to content. In some cases, slack fill is unavoidable, but there seems little excuse for the 4-inch candy bar in the 6-inch cardboard tray, or for that spaghetti box mentioned earlier.

The establishment of serving standards. How much fillet of sole, for example, will serve four? One pound or four forkfuls?

The elimination of meaningless designations such as "jumbo" and "giant half-quart."

The adoption of regulations that would make it difficult for manufacturers to disguise price increases by reducing package content.

The bill has stirred up formidable industry opposition, although a number of manufacturers testified that the bill would be welcome protection against less scrupulous competitors. Arguments against the bill boil down to:

Industry can do the job with self-regulation.

Present labeling laws are adequate.

The bill constitutes undue Government interference.

Unhappily, the history of self-regulation in this field inspires no confidence that it will be more successful in the future. And the evidence is overwhelming that existing laws are wholly inadequate to cope with the present confusion of prepackaged merchandising devices.

The third argument is a venerable one that has been used in vain many times to oppose such other Federal infringements as those provided under the Clayton Antitrust Act, the Securities Exchange Act, and even the Food and Drug Act. The irony, of course, is that all of these laws—once enacted—benefited business as well as the consumer. I am convinced that sensible ground rules will ease many headaches in the packaging business.

The simple purpose of the truth in packaging measure is to give the consumer the information needed to make a sound, reasonable swift shopping decision and to insure that the package fairly represents the product inside. Fortified with this protection, the consumer would have little to fear from the dart guns of deception.

[From the Evening Star, July 8, 1963]

What Are You Buying?

That feeling of bewilderment and frustration often shared by superstore shoppers is no mere coincidence. To begin with, all are wandering through a labyrinth stocked with some 8,000 items of every shape, size, weight, brand and price from which to choose, as economically as possible, the necessities of food, cosmetics, household items and the like.

It would be taxing enough if each knew, as he reached for a certain product, just what he was paying for in comparison with a competing product. But it can be downright defeating when the thrifty shopper, taking the time to read the fine print, finds himself completely baffled by the unmatching assortment of weights, quantities and sizes offered at a wide variety of prices.

Chances are, he will agree with Senator Hart, of Michigan, and the Senate Antitrust Subcommittee of the need for a truth-in-packaging bill to curb deceptive labeling and packaging practices. During hearings the past 2 years the subcommittee has vicariously followed shoppers through a stupefying maze of full quarts which grow into jumbo quarts and finally attain giant imperial quart size. The once respectable pint is no more. It has succumbed to the giant half-quart.

These mirages, however, are innocuous compared with other items which bemused the subcommittee, such as economy-size packages of unproven economic worth, sizes dealing in fractions of ounces and almost impossible to compare as to price with other odd-sized packages, impressive-sized boxes partly filled with air, and oddly shaped containers holding less than they appear to.

The truth-in-packaging bill would standardize the contents of small, medium and large packages, halt the deceptive cents-off-regular-price practice, insist on clearly printed weights and contents prominently displayed on packages and clarify other misleading points such as the number of persons a package will serve.

There is nothing in the bill any honest producer should fear. There is a great deal which will help the homemaker more effectively spend the 20 percent of the family budget used for such purposes. We think that the public is fed up with this kind of treatment and that the full Senate Antitrust Committee should do something about it by favorably reporting the bill this month.

A NATION UNDER GOD

Mr. TALMADGE. Mr. President, the United States was founded on the sound principles of a deep and abiding faith in Almighty God, but recent actions by the Federal judiciary threaten to carry us farther and farther away from these principles.

Unless present trends are reversed, I fear that this country will lose sight of the fact that it, like all nations, is a nation under God, from whom all things flow.

The decision of the Supreme Court banning the reading of the Bible and the saying of the Lord's Prayer from our public schools is beginning to have its impact on the God-fearing men of this Nation.

Dr. Vernon S. Broyles, pastor of the North Avenue Presbyterian Church in Atlanta, Ga., in a sermon to his congregation, was eminently correct in expressing deep concern over the Court's decision. In his message, he feared for the future of any nation which does not side with God and have His help, and if it does not acknowledge that He is the highest authority over all men and their affairs.

Mr. President, I ask unanimous consent that this sermon be printed in the Record.

There being no objection, the sermon was ordered to be printed in the Record, as follows:

A Christian and Politics

(By Dr. Vernon S. Broyles, Jr.)

(Scripture: Mark 12: 13–7)

Politics is the art of government. In our particular country politics is the art of representative government. We are not a democracy. We are a nation committed to representative government, described by Lincoln as "government of the people, by the people and for the people," through representatives whom we elect and in whom we invest power as they meet together. When the Government of this country was set up, about two-thirds of the population of the Original Colonies were from Presbyterian or Reformed background. It is no accident that the governmental structure of the United States follows very closely that of the Presbyterian and Reformed churches.

Religion is the proper acknowledgment of and relationship to God. These two relationships, man's relationship to politics or to the state and his relationship to religion, to God and to the church, have been of necessity, through all of his created life, close. But the relationship has always been an uneasy one. It has been an uneasy relationship because of the sinfulness of man, because of man's self-assertion, because of man's pride. It has been an uneasy relationship because the church, very often as the human organization of man's relationship to God, has at times pretended to take the place of God and to demand the same allegiance as God demands and has demanded that that allegiance be over and above the allegiance of a man to the state. The church has become an idol and made the relationship difficult. That, however, does not exist in many parts of the world today. The Roman church theoretically makes the claim but practically is getting farther from it all the time. At any rate it is not a present problem in our own land.

On the other hand, the tension has been there always because the state, in the pride of man's sin, has always found it difficult to come to terms with God. Now this was true in Jesus' day. In those last days when they were seeking finally to entrap Him, as part of the web in which they would entrap Him they brought up this tension between church and state, between Caesar and Jewry, between politics and God. They came to Him and they asked, "Is it lawful to pay taxes?" Well, it was an interesting combination that came, the Herodians and the Pharisees. When men decide against God it always makes strange allies. It's happening today in our struggle. Here were the Herodians who hated anything that kept a man from being loyal to the state. They had no idea at all of any obligation to God that was not subservient to the state. On the other hand, here were the Pharisees who opposed the Roman state and who would do anything they could to put the loyalty of a man to God and the Jewish faith above his loyalty to Rome. So Jesus was put in the middle. In His answer, "Render unto Caesar the things that are Caesar's and unto God the things that are God's," He said certain things.

There are many who feel that He said that the state was an independent area. We have always had that. We have that today. This idea that the state, that politics, can be carried on outside of God and of our responsibility to God. Frederick the Great, of Prussia, was reported to have said that "Salvation is of God and everything else in my affair." The Archbishop of Canterbury, the Archbishop Temple, who died during the last war, was one of the great leaders of the church. He was constantly pressing the people of Britain to see that God belonged in the center of their lives. He got on the nerves of a good many of the politicians. A Mr. Lowe, who was a distinguished cartoonist, had in one of the British publications a cartoon that showed Colonel Blimp, representing the British people, standing barring the gate to a field to Archbishop Temple. The field represented the British public life, British Government. Colonel Blimp was saying to the archbishop as he tried to go through the gate, "Hey there. You're trespassing. This is private property." We have it in our day. You are always hearing people saying that they wish the church would stop talking about politics and about race and business and preach the Gospel. There is no gospel, except that which touches all of life. That is what Jesus was saying there. Jesus never let it be thought for a minute that anything was outside of man's responsibility to God. The state has only such power as God gives it. You remember when He stood before Pilate? He was a beaten and bound prisoner. He stood before the throne of a Roman official, representing the empire. Calmly He said, "Thou couldst have no power at all over Me, unless it had been given thee from above." Everything and every part of human life is under the judgment and of the mercy of God.

This is the story of Scripture. I think Christians are going to have to start reading the Bible again. Either that or you are going to have your mind made up by the latest fad of the newest leader. I am not talking about reading just a few verses here and a few verses there. I am talking about reading it until you understand the sweep of it. Until you understand what it is all about. When we talk about God, in the Christian faith, we are talking about the God of Jesus Christ. If you will read this Book it sets forth from beginning to end that all of life, every human individual, every human association of individuals, is under the judgment and mercy of God. By God we mean the God of Jesus Christ, the God revealed in our Bible. That is all we know about God. All the ideas that men bring to us about God outside of that, are simply wrong. They are the foolishness of human wisdom. Now we as Christians need to get narrow about that. We need never be narrow in our sympathies, but insofar as our convictions are concerned, they are rooted to a Revelation. No man has any right to talk about God outside that Revelation. Read it. The whole sweep of it. Read Isaiah, Jeremiah, and Ezekiel. Listen to them call the roll of the nations to the throne of God. Listen to the nations found responsible for their relationship to God, for their conduct before God. Listen to them as God says, "Now shall they know that I am God," as they come to judgment because they have failed to know and to obey God. Hosea, Amos. Amos says, "Has evil befallen any city unless God has done it." God is in control of the affairs of men and of nations. By Him nations rise and fall. They live and move and have their being under God. That is what Scripture says. Jesus here as I quoted, saying to Pilate, "Thou could have no power at all except it were given thee from above." Peter, standing before the authorities of his day and saying, "Whether it is right in the sight of God to obey man rather than God, judge you." Paul moving about the empire and claiming everything for Christ.

It has been the story of the Christian faith. Martin Luther broke the world wide open by standing before the emperor of the Holy Roman Empire and the representatives of the papacy which was then a great secular power and refusing to compromise, saying, "Here I stand. I can do no other." Martin Niemoeller, still living, spent 6 years in a concentration camp because he would not compromise with Adolph Hitler, who demanded that he admit that the authority of the state was greater than the authority of God. That is not as theoretical a question today as it was 6 weeks ago. These great religious questions in America that we have considered to be so theoretical that they never would touch us are beginning to crowd us. It means that every nation today and every part of every nation stands under God. It means that Russia is at the judgment bar of God. Russia is not going to fail or fall because of her economic system. Russia is going to fail and fall because they have denied God.

You see, if God exists, it's an entirely different thing than if we are just theorizing about religion. But suppose God does exist as we say we believe He does. Suppose He is the life of all that lives. Suppose in Him every human institution lives and moves and has its being because human beings do. Suppose that to be true. Suppose by the very nature of God, the worship and acknowledgement of God and obedience to Him is absolutely necessary. Suppose you can no more be neutral about God then you can be neutral about breathing. Suppose that it is just as natural for God to be in the center of life as it is for breath to be in the center of the body that lives. These things being true, then no human institution and no human being can live and prosper outside of the proper acknowledgement of and relationship to God. That is true of England and of France and of everything in England and France. It is equally true of America.

Now we are hearing today that in America we have developed something new and, therefore, we need a new approach. We are told today, and this is the word you hear more and more, that we in America have developed a pluralistic society. Now the only thing that you can possibly mean in the final analysis about a pluralistic society is that we have developed a society that has a pantheon of gods. No longer do we have one God. Today we have a household of gods and you must be careful about pushing one god, because you will offend another god. If you put one god ahead of the other the second god will get jealous and in the interests of human rights, in the interests of individual rights, you cannot afford to offend one of the lesser deities. The god of the Jew—incomplete. The god of Buddha, the god of the Moslem, the god of the person whose god is the idol of his own self-pride. The idols of Bacchus. The idols of pleasure. The idols of profit. Whatever may be the god, no longer can you offend the god because we live in what one of the religious writers of our land called "our rich, pluralistic heritage."

So it is that we are told today that no longer can we acknowledge God in our public institutions. It has taken us 187 years to come to this point. The people who are pushing it are not really interested in individual freedom, they are interested only in getting rid of God. Already in Los Angeles this past week a suit was filed by the American Civil Liberties Union to have declared unconstitutional the inclusion of the words "under God" in the Pledge of Allegiance. They have set themselves to erase God from the public institutions. I say, it has taken 187 years to come to that point. It never has been that way. It is not an accident that at the heart of the official documents of this land, its Constitution, its Bill of Rights, there is the assumption that they flow from God. The Congress of the United States opens both of its Houses every day with prayer to an eternal God. Some say these things become rote and they do not help. It is not a question as to whether they become rote or not. If they become rote with the people then the problem is with the people for whom they become rote. But they are an acknowledgement that there is above this Nation One whose authority exceeds it, and that is God. The public school system of this country would not know how to operate without prayer in most of its life and it is not an accident. In this most important thing that a state does, woe betide it if it does not have God's help, if it does not act under the acknowledgement of God as the center of it. The authority of the courts of this land is founded upon the Word of God. The President has taken his oath upon the Word of God.

Where do you stop this attack on the acknowledgment of God? And after you have stopped, what happens? Our Supreme Court has carried us a long way along a road, where I believe if we do not in some way turn back, we have reached the beginning of an end. Yes, the home and the church can still teach religion, but that is not the question. If the nation is still not under God, then the home and the church will never be able to overcome the influence of that negative stand.

Well, they tell us, that they will always teach morality. Our educators say, "Well, we are going to teach integrity, character, human rights, individual freedom. We are going to teach character." What kind of character? The answer is, "Christian character." You cannot teach Christian character. Christian character is not taught. Christian character is the molding hand of the spirit of the living God upon the hands and hearts of those who acknowledge Him in worship. You cannot have the fruit without the tree.

You do not even have any definition of "character" until you know what a man worships. A man develops the kind of character of the God he worships. If you are more interested in the image that people have of you, in what people think of you; if you are more interested in conforming to the patterns of the groups to which you belong, business, social, or political, than you are in God, then you develop a certain kind of character. You will do things that you know are wrong as followers of Christ as God. You will do things because the group demands it. Your god has become the group. Your character is determined by the kind of God you worship. You may be a church person. There are people everywhere who are church people and yet their ethics are determined by the groups in which they move and by the political and business atmospheres of their lives. Their decisions are made by the idols they worship.

The Communist has a certain type character. If you believe that the state is supreme, then the Communist is right when he says that you have no personal rights. If you violate the state the Communist is right in lining you up against a wall and shooting you. You do not have any personal rights. The idea of personal integrity, of personal freedom, is a direct fruit of the Christian faith and it does not exist in this world where that faith has not been a predominant influence. The very ideas of right and wrong, that have become a part of our Western culture, are a result of this faith of ours in the God of Jesus Christ. You cannot bow Him out and still have them.

Already we have bowed Him out to a large extent and the results are there for everyone to read. One of the most interesting commentaries on the moral level of America is the popularity in its beginning of this film "Cleopatra." Its principal actors have in every way opened to them apparently violated the established moral code that we have accepted as good and yet people cannot wait to see them in action. People just cannot wait to put millions of dollars in their hands. How that can be justified I fail to see. Men and women are allowed to be honored whose writings are the dredging up of the gutters of the human mind. We call them great adventures in literature. As Paul said in the first chapter of Romans, "We not only do these evil things, we have pleasure in them that do."

This is not something that a preacher is going to change overnight. I simply call your attention to them. I do not expect to change a thing, but I simply call your attention to them so that when you see the crowds in line and see the books on the best-seller list, you can just note those things that are going to make almost inevitable the breaking down of this land which for so long a time has been the great bulwark of the whole world.

That is why this decision of the Supreme Court bothers me. It almost terrifies me, because it is a taking out of the center of life the only thing that has ever supported the center of life, whether it be an individual or whether it be an institution. It is not a question in America of some official church trying to dominate government. We do not have that just now. There can be no possible understanding of the thing in that regard. It is a long step toward making this land of ours what at least for 187 years it has never been. The fruits of what we are doing we shall reap in the future, and I really hope they will be better than some fear.

Now in the middle of it all is the church. I grant you there is vast disagreement in many of these things among those who are a part of the church. I think each must express that which is the conviction of his own heart. But regardless of whatever position in this particular matter a person may hold, there is one thing sure: the voice of the church calling men to put God in the center of life is the only support the Nation has against the demands of the state for the absolute surrender of the human being. "Unless men are ruled by God," Benjamin Franklin said, "they will be ruled by tyranny." It is only the Church of Christ, those who have been willing to stand against the demands of the state, that have ever pushed back in any day of testing, the totalitarian efforts of politics. They are rampant all over our world. They are moving in this land of ours encroaching little by little. Only one voice can finally keep us free, the voice of the church. That was true in Germany against Hitler. Everybody else capitulated, only the church did not.

I wonder, really, if you are interested in the future, in a kind of future where God can grant still to men his bounty, if there is anything that you can do that possibly will be as important as the undergirding of your church. I have not much confidence in the concerns of men about these things that are vital, who are not willing to support the church. Not only this church, some church. There is perhaps nothing in the world today as important as your worship, the opening of the door of your heart to the coming in of God and then going out of the church and being willing to stand, not just by word, but by deed, where you live, where you work and where you play; being willing to stand wherever you are and say by your life, as well as by your word, the words of our creed, "I believe in God."

AREA REDEVELOPMENT

Mr. EDMONDSON. Mr. President, although the Area Redevelopment Act's extension has been approved by the Senate by a wide margin, I want to call the attention of Members of the Congress to some significant information on this program.

In reply to a Washington Post editorial, Mr. William L. Batt, Jr., ARA Administrator, has outlined some of the accomplishments of the program in a letter to the editor of that newspaper.

I have been dealing with Mr. Batt since I served as Governor of Oklahoma and have found him capable and tireless in his efforts to carry out the wishes of the Congress as subscribed in the act creating the ARA.

ARA projects have received bipartisan support in Oklahoma and are beginning to bring hundreds of vitally needed new jobs to our State.

I ask unanimous consent that Mr. Batt's letter be printed in the RECORD and I commend it to my colleagues in the Congress.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

ON AREA REDEVELOPMENT

Several points raised in your editorial of June 16, require further explanation.

A disturbing note is the implication that the defeat of the administration-proposed Area Redevelopment Act was somehow not very important. On the contrary, the defeat was a stunning blow to the hopes and expectations of thousands of American families living in redevelopment areas who had seen for the first time a glimmer of hope after years of living with economic stagnation. The additional authorizations would have meant 250,000 new jobs in the hardest hit areas. As President Kennedy said in his statement on June 13, "The tragic defeat of area redevelopment legislation could not have come at a worse time."

The testimony at the hearings before the House Banking and Currency Committee would support this opinion. Witness after witness from individual States and local communities—businessmen, bankers, public officials, labor representatives—all testified on the accomplishments of the program to date.

This testimony was impressive enough to vote out the bill with bipartisan support. Among those representatives who know area redevelopment best, the vote was pro-ARA by 17 to 5. The Senate Banking and Currency Committee voted 10 to 5 in favor.

Over 67,000 people are getting jobs because of the projects which have already been approved under this program. Community leaders in 516 distressed areas are looking forward to new business payrolls created by the ARA program. These people and their families would hardly agree with your conclusion that the "wisdom of establishing this program in 1961 is open to serious doubt" in view of the fact that it is more important to "promote a higher level of aggregate activity and a higher rate of overall growth."

There is no question that the area redevelopment job will be easier when the general economy is growing more rapidly, but this does not mean that the job is impossible or ineffective when the general economy is not growing as rapidly as we would like. The plain fact of the matter is—as the hearings in the House and Senate proved—that ARA has received more eligible, job-creating projects than it can approve under present authorizations.

ARA experience to date has proved that:

Federal financial assistance for local economic development projects can spur local economic planning and action and can result in new jobs and higher incomes for area residents;

The demand for Federal financial assistance for new or expanding businesses in redevelopment areas which would result in approvable job-creating projects far exceeds the amounts authorized in the original Area Redevelopment Act;

Jobs can be created at an average Federal investment per job of less than $3,000, and this amply justifies Federal financial assistance;

The return to the Federal Government from investments in new job-creating projects comes in the form of increased taxes on profits of the entrepreneurs and the wages of the workers, as well as in the form of reduced unemployment compensation and welfare payments, and far exceeds the Federal investment. Most of the $375 million will be returned with interest;

Whatever the impact on total national unemployment, the 67,000 direct and indirect new jobs so far created by ARA make a respectable dent in the total number of unemployed in redevelopment areas, and the program would still be increasing in scope if the necessary additional authorizations were granted. In fact, the additional authorizations would mean 250,000 new jobs in the hardest hit areas.

One cannot help but conclude that whether the economy is growing satisfactorily or not, area redevelopment can pay for itself, can relieve misery, and can contribute to national growth. The defeat of the proposed amendments was a major economic setback, and the Nation will be well served if Congress reverses the House.

WILLIAM L. BATT, Jr.,
Administrator, Area Redevelopment Administration, Washington.

TULSA TEACHER WINS STATE BIOLOGY AWARD

Mr. EDMONDSON. Mr. President, I am particularly pleased to call attention to the fact that Otis Autry, head of the science department at Booker T. Washington High School in Tulsa, Okla., has been named the "Outstanding Oklahoma Biology Teacher for 1963."

As a member of the Senate Aeronautical and Space Sciences Committee, I have come to have a greater appreciation of the efforts of our high school science teachers. The enthusiasm and interest they are able to instill in our young people in America will certainly determine to a large extent what place our Nation holds in scientific development in this crucial decade of space exploration.

I congratulate Mr. Autry on this recognition and ask unanimous consent that the news story telling of this award which appeared in the Oklahoma City Times, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Oklahoma City (Okla.) Times, May 14, 1963]

TULSA TEACHER WINS STATE BIOLOGY AWARD

STILLWATER.—The "Outstanding Oklahoma Biology Teacher" of 1963 is Otis Autry, head of the science department at Tulsa Booker T. Washington High School, State Selection Director L. P. Richardson of Oklahoma State University announced Thursday.

Autry was chosen from among 10 finalists in the annual competition sponsored by the National Association of Biology Teachers.

Governor Bellmon will present the award in a special 15-minute ceremony at 10:30 a.m. Tuesday, May 21, in the Blue Room of the State Capitol building.

Autry also will receive a plaque from Oklahoma industry in recognition of the honor.

Runner-up for the coveted award was Clyde E. Butler of U. S. Grant High School, Oklahoma City. Honorable mention went to Donald W. Hastings, Tulsa Edison; John

M. Paden, Oklahoma City Northwest Classen, and John Sanford Shed, Seminole High School.

Dr. Richardson, OSU microbiologist, said the committee chose Autry for several reasons.

"He has kept abreast of the latest developments in his field by taking advanced work for the past several summers at various universities," Richardson said.

"He has had experience with all three versions of the BSCS (biological science curriculum study) curriculum, and his enthusiasm for this work has been contagious, resulting in improvement in his classes and serving to stimulate others."

Richardson said Autry's "untiring efforts at self-improvement and accomplishments in upgrading the biology curriculum in the high school serve as worthy examples for biology teachers everywhere."

Autry, a native of Beggs, graduated magna cum laude from Langston University in biology in 1950 and received an MS degree in natural science from Oklahoma State in 1959. He also has done graduate work at Purdue, Oklahoma and Tulsa universities.

An Army veteran of the European theater, Autry taught at Douglass High School, Bartlesville, for 6 years and has been at Tulsa Washington 5 years. He is married and the father of three children.

FEDERAL AID TO SEGREGATION AND DISCRIMINATION

Mr. JAVITS. Mr. President, last week, on July 2, I took some time to spread on the Record the detailed questions I had posed, along with the Senator from Michigan [Mr. Hart], to various Federal agencies and Departments about the use of Federal funds to support or assist programs which were being run on a segregated or discriminatory basis. In this connection I should like to call to my colleagues' attention an article in last week's Reporter magazine which under the title "The Role of the Civil Rights Commission" explores in some depth this most pernicious problem of Federal aid involvement in racial discrimination and what can be done about it. The answers I have so far received to my inquiries to the executive branch indicate how much can be done even without further legislation on the use of Federal funds, just as the U.S. Civil Rights Commission has on several occasions already recommended.

I ask unanimous consent that the article be printed as a part of my remarks in the Record.

There being no obligation, the article was ordered to be printed in the Record, as follows:

The Role of the Civil Rights Commission

(By Barbara Carter)

On April 17, a surprising story appeared in the New York Times. "President Urged To Cut Off Funds for Mississippi," the headlines read. "Action To Halt 'Breakdown of Law and Order' Urged by Civil Rights Commission."

The President immediately took issue with the idea. "I don't have the power to cut off the aid in a general way," he argued, "and I think it would probably be unwise to give the President of the United States that kind of power." Officially rebuked, the Commission turned to face the mounting protest to its suggestion in the days that followed with as much dignity as it could muster. Criticism, of course, from Mississippi was to be expected. "Meddling of busybodies," said Senator Stennis. "Most monstrous libel," said Senator Eastland. "The motel crowd," was the touch added by Congressman John Bell Williams.

Throughout the country the press competed for substitutes for "silly," "absurd" and "shocking." "Tub-Thumpers," came from the Casper (Wyo.) Tribune & Star, "Fascistic Civil Righters," from the Richmond (Va.) Times-Dispatch, and "Woodshed Punishment," from the Los Angeles Herald-Examiner. Hodding Carter noted ungraciously that "some smart aleck who didn't know what he was talking about was behind that." And the Jackson Clarion-Ledger and Daily News took space to commend the vast majority of the Nation's press on what may very well have been its first occasion to do so on the matter of civil rights.

The proposal was not altogether without support, however, Roy Wilkins of the NAACP pointed out that his organization and 35 others "heartily" endorsed it (they had, in fact, made a similar recommendation 2 years earlier), and several Senators, including Republicans Kenneth Keating and Jacob Javits of New York and Democrat Philip Hart of Michigan, announced that they were either preparing legislation or asking for Executive action to further the idea.

But most seemed to agree with James Reston of the Times that "Mississippi needs help, not Federal fund ban," and many supported his argument that the State should be treated like an underdeveloped country and given development grants and technical assistance and a "cataract of teachers, technicians, and industrialists."

Reston's suggestion echoed an earlier one by the Civil Rights Commission itself. In a 1961 study of 21 southern black-belt counties, the Commission had found that segregation was just as much a fact of life where Negroes voted as it was where they did not; though the few counties where Negroes could vote were for the most part better off economically, voting alone brought "few meaningful differences." The Commission suggested then that the key to voting rights and better race relations might be economic progress. It recommended at that time more agricultural aid to the black-belt areas undergoing change, more Small Business Administration loans to help diversify their economy, and more assistance in training and relocating farm families—all to "promote the kind of economic climate that encourages better race relations." Thus the Commission's newest proposal seemed to contradict its own earlier suggestions.

MISREPORTED AND MISUNDERSTOOD

It turns out, however, that the Civil Rights Commission had never meant to suggest that all Federal funds be withdrawn from Mississippi, or that any funds going to individuals such as social security or welfare payments should be cut off. "We were misreported," Berl Bernhard, the Commission's staff director, told me. "Even our friends misunderstood."

"If we had just underlined the words 'consider' and 'explore,' " one of the commissioners said, pointing out the difficulties involved in drafting a statement by "six people widely separated geographically" who didn't always agree. Three of the Commissioners, Robert G. Storey of Southern Methodist, Robert S. Rankin of Duke, and Spottswood W. Robinson III of Howard, a Negro, are from the South. The remaining three, Erwin N. Griswold of Harvard, the Reverend Theodore M. Hesburgh of Notre Dame, and the Commission's chairman, John A. Hannah of Michigan State, are from the East or Middle West.

But even with underlining, it is easy to see how the report could have been misinterpreted. For while it did suggest that the President only "explore" his legal authority, it was his authority "to withhold funds" until the State "demonstrates its compliance with the Constitution" that was to be explored. And while it asked Congress and the President only to "consider" whether legislation was appropriate "to assure that Federal funds contributed by citizens of all States not be made available to any State which continues to refuse to abide by the Constitution," it seemed almost to give more importance to where the money came from than to how it was used. This, coupled with the flat statement that Mississippi received more than $650 million a year from the Government, a figure that included social security payments, veterans' benefits, and military pay, certainly sounded as if all Federal funds were to be withheld—withheld, moreover, for an indefinite time. Who could determine when Mississippi had fully complied with the Constitution in every respect?

Yet, in all fairness, it must be said that nowhere did the report specifically recommend that all or any Federal funds to the State be immediately cut off. Three times before, however, in its 6-year life, the fact-finding agency had quietly recommended withholding funds in specific programs—library services, research grants, and half the aid to education—until some compliance was reached, without causing a nationwide protest.

"The report was not intended to be punitive," Bernhard explained. "After all, the Commissioners are intelligent and sensitive men, and aware of the limitations to the President's power." What they had in mind was a program-by-program review of Federal money going to the State, particularly grants-in-aid and matching funds, to make sure that Federal money was not being used to foster or encourage discrimination. Such a review would provide a "leverage for bargaining," which in turn might "stimulate the business community to cooperate." The Federal Government could also exercise discretion on where to locate new projects, and thus get "a minimum agreement on how a State will treat its citizens." The bargaining would be handled quietly; and even in situations where there was no compliance, "cutting off funds in grant programs would be the ultimate sanction." As an example of what was meant, Bernhard told of the success in getting a new Veterans' Administration hospital to open in Jackson on a partially desegregated basis several years ago because the Federal Government had insisted then that its funds could not be used to help out otherwise.

Unlike other reports prepared by the Commission, this one had to be brought together in a hurry, and was as much the result of irritation with the Attorney General as with events in Mississippi. Understandably, its quality was somewhat different from that of the Commission's usual lengthy reports. In October 1962, the Commission had scheduled hearings to be held in the State, but by December it had been forced three times to postpone them at the request of Robert Kennedy. The hearings were to be on a broad scale, covering discrimination in voting rights, discrimination in the schools, economic reprisals against Negroes, and the impact of various Federal programs in the State. But the Attorney General felt that the "timing" was bad. Criminal-contempt proceedings were pending against Gov. Ross Barnett, just to cite one case, and the Commission reluctantly agreed that hearings might prejudice or hamper the work of the Justice Department in the State.

But on March 21, when the President was asked in a news conference if he felt the Mississippi hearings should be delayed any longer, he answered "No," and went on to say: "any time, any hearing that they feel advances the cause or meets their responsibility which has been entrusted to them by the law, then they should go ahead and hold it." Several of the Commissioners felt that the green light had at last been given. But before setting a date, the careful staff director checked first with the Justice Department. "I continue to hold the view," Robert Kennedy replied stiffly in a letter on March 26, "that a public hearing in Mississippi by the Civil Rights Commission would not be appropriate."

"This the Commission took very hard," Commissioner Griswold said later in his office at Harvard Law School. "We had to get the responsibility for not having the hearings back to the administration, where it belonged." At the time, Dean Griswold explained, "A great many very bad things were happening in Mississippi and the Government was not doing anything appreciable about it. People were being shot at, the home of one of our State advisory committee members was bombed, another member had been jailed, and so on. We got the usual statements, 'We're looking into it,' but nothing was done. After the President made his TV speech during the crises at Oxford, he seemed to wash his hands of the matter."

Two days after the Attorney General forbade them, as Dean Griswold put it, to hold the hearings, the commissioners attended a 2-day hearing in Indianapolis, and there immediately drafted their report. Dean Griswold himself was not present but was called on the telephone, and the report was circulated for polishing and checking. When it was issued, less than 3 weeks later, it quoted from the Attorney General's letter of refusal after first setting forth the alarming account of citizens being "shot, set upon by vicious dogs, beaten and otherwise terrorized. * * * Even children, at the brink of starvation * * * deprived of assistance." The Attorney General's finding that the time was "not appropriate" for a hearing seemed inadequate indeed.

IS JUSTICE BLIND?

To the Commission it looked as if the Justice Department was concerned only with voting rights, to the exclusion of other equally important areas, and that its Civil Rights Division was solely intent on pushing its attack, case by case, with maddening slowness, through a bumpy terrain defended by southern judges. Moreover, it seemed that Robert Kennedy was jealous of his domain in the field of civil rights, and overconcerned that credit should go not only where it was due but where it would do the most good for the administration. The Commission, after all, is an independent agency, and was set up in 1957 under Eisenhower.

"I would like it," Dean Griswold said, "if greater cooperation could be developed between us. We're both on the same team. We can do some things they can't do. At times, there is a sense of competition, a fear that we'll interfere, or maybe that we'll get some credit. I'm not interested in credit, or in competition."

"Time after time," one of the Commission's staff said, "I find myself defending the Department of Justice. Of course, they have valid reasons for their actions. And I must say, whenever I run across the Department of Justice personnel in the field, I am damned impressed. But, with all kinds of compassion, I'd say, 'Be a little braver, boys'." Words such as "overprotective," "hypersensitive," and even "patriarchal" were used by Commission staff members in analyzing the Department of Justice.

In the lower echelons of the Justice Department, rather unkind things can also be heard about the Civil Rights Commission. "Don't quote me," I was told, "but they've outlived their mandate. They've got all the facts they set out to collect, and they don't know what to do next to keep in business." But Deputy Attorney General Nicholas Katzenbach's comments about the Commission are not so blunt. "They're very unhappy over there," he said sympathetically. "They say things are not going fast enough, and maybe they're right. Things had better be solved, and relatively fast. But it's a difficult process to speed up, particularly in Mississippi. In other places, we've been making progress remarkably fast, and peacefully." He had seen the Commission's latest report, even before it was issued. "No, we didn't try to stop it. I did make suggestions, however. I said it used too many plurals." He referred to the part about citizens being shot and ministers being assaulted. "Often they just had 2 examples, but it sounded like 30 a day. The problem is real," Katzenbach continued. "The events did occur, and I don't want to minimize their seriousness, but the Commission overdramatizes. It's better to be specific.

"Their approach is somewhat of a do-it-or-else approach. It's not calculated to induce cooperation." In contrast, the Justice Department "tries to work quietly with people behind the scenes and head off situations. Time and again we've had success precisely because we haven't got publicity. Birmingham illustrates the difference. We don't point out, 'This mayor here has reformed now.' And we get results, although listing them in detail would put the finger on people. We've had quite a bit of luck in avoiding lawsuits, and it's an even chance now that the registrars will turn over their voting records on request and will start registering Negroes."

While the commission would not deny the value of the quiet approach, it might ask if the Justice Department's behind-the-scenes approach has not on occasion been used to cover up omissions as well as get results. The Civil Rights Division is woefully understaffed, and it is understandable how some cases could languish in the files. This situation obviously tends to create friction and breed suspicion.

On certain points, the Department and the Commission are simply in open disagreement. One is the value of hearings in Mississippi. Katzenbach, though "not really opposed," felt that "hearings are most effective where they can reasonably be calculated to make decent citizens aware of things and want to do something about them. I'm not sure," he said, "that the decent elements are sufficiently organized in Mississippi to do that." The Commission's work, he felt, would only be regarded with hostility and mistrust. And undoubtedly he felt that the Justice Department's work in Mississippi was far more important than any hearing and that matters of timing should be subservient to it. The Commission, on the other hand, did think its hearings would be of some value, and reasoned, too, that they might relieve the Justice Department of some of the onus of initiating action. The facts would be presented publicly and the Department would then seem to be forced to act.

Another point concerns suits brought against police brutality. "Why don't they bring more?" one of the Commission's staff complained. "It seems they only bring a case when they're sure of winning."

"Sure we're reluctant to lose," Katzenbach agreed. "We do bring cases against police brutality, but we have to convict. They're very difficult to prove. Suppose you lost 30 suits. It wouldn't cut down police brutality, and it would give it license."

"Still, they ought to bring more," replied a Commission staff member. "It would demonstrate the inability to meet the need at the present time, and the need for different legislation."

AT ODDS WITH THE PRESIDENT

Where the Commission would like the Justice Department to move over and give it a little more room to operate in Mississippi, its argument with the President is just the opposite. The President, it appeared, moved only "situation by situation," as he said in his May 9 press conference, and, in pressing a balky Congress for new legislation, ignored his own powers to make effective his previous Executive orders in housing and employment or to issue new ones. The Commission would be happier, it seemed, if the President were more involved than his brother. Though encouraged by the President's recent vigorous actions in the field of civil rights ("commendable" and "forthright" were Dean Griswold's adjectives), the Commission feels the President can still do more, particularly in Mississippi. "When Kennedy dismissed our report," Dean Griswold remarked, "he said he had no powers, which wasn't accurate. Moreover, it creates a negative atmosphere and encourages people not to comply."

What the President actually said, however, was that he had no power to summarily cut off all Federal funds to Mississippi, which is true. But in the same news conference he said, "We shall continue not to expend Federal funds in such a way as to encourage discrimination," which is not true. And not true particularly in Mississippi, which gets more Federal benefits than any other State, if the large defense expenditures in Nevada and New Mexico are not counted.

Clyde Ferguson, the Commission's general counsel, has been conducting an intensive study of Federal funds in Mississippi since last July. "We approached Mississippi," he said, "as if it were pitted against the Federal Government, but the most striking thing we found was the presence of the Federal Government, in its aid programs and other activities, throughout the State." Here are some of the things the Commission was interested in:

The school lunch program, supported by Federal funds, is in certain areas apparently administered on a discriminatory basis. In some counties where the Negro schoolchildren outnumber the white, a far greater proportion of the white children receive free school lunches.

The Federal Government spends an annual total of $91 million for 17,000 Federal employees in the State. Yet of the 3,800 Post Office employees in the State only 134 were Negro, and of these only 3, who worked in all-Negro post offices, earned more than $4,600 a year. Investigation of other Federal services would probably reveal comparable figures.

Research grants from the Department of Health, Education, and Welfare, and the Department of Agriculture are given only to white institutions in the State.

The Federal Government gives nearly $200,000 annually in matching funds for public libraries in Mississippi. Though the Library Service Act of 1956 requires that libraries getting aid must make their services "available to all residents" and specifically empowers the Commissioner of Education to withhold funds where there is "failure to comply," libraries in the State are segregated, and facilities for Negroes are either nonexistent or decidedly inferior.

Federal training programs under the Manpower Development and Training Act have been operated on a segregated and unequal basis. Two of the three training centers in the State were for whites only. Negroes were offered training only as woodworking-machine operators, while the whites were offered a number of courses in skilled trades.

Money from the Public Health Service was granted and funds from the Office of Vocational Rehabilitation have been approved for the new Convalescent and Rehabilitation Center for the mentally retarded at Ellisville. The facility there is not open to Negroes.

The Federal Aviation Agency granted $2,180,000 for the construction of a jet airport in Jackson, undeterred by the fact that separate eating and restroom facilities are part of the plan.

"Why in the world Federal money should be spent on such a building," Dean Griswold said, referring to the plans for the jet airport, "is more than I can understand. The

President has since assured us that it will not be segregated, but why should we pay for the symbolism of going ahead on that basis?

"The purport and thrust of our report," Dean Griswold continued, "was that Federal money bolsters and encourages segregation, and that the President and Congress should explore their power to prevent it." If the Commission's report were to have this effect, then perhaps it will deserve praise after all. Certainly one way to start a change in Mississippi would be to begin at the beginning and make sure at least that the Government's own programs are not discriminatory. As the President said, "I don't think that we should extend Federal programs in a way which encourages or really permits discrimination. That's very clear."

A NEED FOR RESOURCEFULNESS

It may require more finesse to win cooperation with new programs in the State. "This moon-rocket thing," Dean Griswold explained, referring to the National Aeronautics and Space Administration's plans to build a $400 million moon-rocket engine test center in Mississippi. "If scientists tell us that there is a site in Mississippi superior to any site available, well, there's not much we can do. But if five sites, equally good, are available, then I think it's entirely in order for the President to select a different site. It isn't just punishment, but everybody knows how Mississippi discriminates. We wouldn't be able to employ any Negro carpenters or bricklayers, since none are in the unions there." He agreed that changing the site wouldn't help the Negroes any, but added that it wouldn't harm them either. His point was confirmed by a former member of the Justice Department's Civil Rights Division who recently said: "I know well, for example, one Mississippi county where in the last decade seven industrial plants have been established. Not a single one of these factories employs a Negro."

The Commission's general counsel noted that the retraining program fiasco a year and a half ago provided another example of the difficulties involved in increasing technical aid to the State. At that time, a program to train 1,200 farmhands to drive tractors was about to be launched, and $435,000 of Federal money had been provided under the Area Redevelopment Act. Only a few days before the program was opened, however, the Delta planters who had drawn up the plan withdrew, and the whole thing was canceled. Though the training was desperately needed, the planters had had second thoughts about the advisability of accepting Federal funds. Fear of upsetting the racial status quo was the predominating motive, but there were also vague fears that the program would bring in a minimum wage or minimum housing standards in some unexplained way.

Reaching Mississippians and informing them of what can be expected as a result of Federal aid and what Federal aid can do will take a good measure of resourcefulness. Unfortunately, the newspapers in the State cannot be counted on to give constructive information about aid programs. When the Commission issued its recent recommendations on Mississippi, for example, the editor of the Jackson Daily News itemized the funds he thought the President had been asked to cut off, and found on his list a million dollars in redevelopment programs. "We're not clear on this fund," he wrote, "but we'll make a deal. Mississippi will give it up if the Federal Government will abolish the equally expensive Civil Rights Commission."

Whether the editor will ever get "clear" on redevelopment programs is difficult to say, but it is pretty sure he won't get his wish about the Commission's demise. Although its term expires this fall, the President has asked that its life be extended for at least 4 years.

The Commission would be the first to agree with the crack about its having "got all the facts it set out to collect," but not about its not knowing what to do next. "If factfinding were to continue to be the only function of the Commission," one of its recent memorandums stated, "it might be preferable for the agency to be terminated." Instead, the time has come for action. "In many areas of Federal programs, the problem has not been the absence of policy so much as difficulties in implementing adequately existing rules and regulations requiring nondiscrimination."

Who should advise the Government on "administrative techniques" that would carry out its presently ineffective regulations regarding nondiscrimination, and who should take on the broader role of guiding communities toward workable programs for civil rights progress? The Commission itself, not surprisingly, has stepped forward for the job, and it ought to be recalled that the idea for the agency first sprang from the Justice Department, which long ago recognized the need for an independent group to gather the facts and expose the patterns of injustice in the field.

In 6 years the Commission has gained broad and valuable experience in analyzing civil rights, not only in voting but in education, housing, employment, and the administration of justice. A number of its recommendations have provided the basis for congressional action or have been put into effect by Executive order. As the President has said, the Commission "is now in a position to provide even more useful service to the Nation."

THE NEED FOR COMPREHENSIVE REVIEW OF THE ANTITRUST LAWS

Mr. JAVITS. Mr. President, on April 2 I introduced, along with Senators COOPER and HARTKE, S. 1255, a bill for the establishment of a Commission on Revision of the Antitrust Laws of the United States.

An article by Joseph D. Mathewson in the Wall Street Journal on May 2, 1963, points up the need for such revision from the point of view of extraterritorial application of the antitrust laws. I ask unanimous consent that this article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, May 2, 1963]

ANTITRUST ABROAD: TIGHTER U.S. LAWS PUT AMERICAN COMPANIES AT A DISADVANTAGE OVERSEAS, CRITICS SAY

(By Joseph D. Mathewson)

WASHINGTON.—Add to the lengthy list of Common Market repercussions in this country another one: Growing pressure for the Justice Department to relax its overseas enforcement of the antitrust laws to enable American companies to better compete with less-encumbered European businessmen.

At this point, the antitrusters are adamant in their resistance. "The case for relaxation now is far weaker than 5 years ago," declares Lee Loevinger, the department's antitrust chief. "Europe is strengthening its antitrust laws, and the disparity between its laws and ours is just a fraction of what it used to be."

But the disparity does exist, and no one expects that it will evaporate any time soon, if ever. Furthermore, the American statutes apply to the operations of U.S. companies anywhere in the world if they restrict competition in U.S. foreign or domestic commerce; the European laws, on the other hand, don't govern company operations outside the Common Market countries of France, Italy, West Germany, Belgium, the Netherlands, and Luxembourg.

Because of this American disadvantage, a crescendo of criticism is being directed at the Justice Department by private lawyers, law professors and Congress. Within the Kennedy administration, Commerce Department trade promoters already have bumped against the antitrusters; and if the State Department, which so far has intervened only in specific cases, should ever conclude that antitrust policy poses a serious diplomatic problem, then the pressure for change would become mighty indeed.

Herbert Brownell, former President Eisenhower's first Attorney General, is one of the complainants. "Antitrust policies which would apply our domestic antitrust laws indiscriminately to the international business of our U.S. companies are not appropriate to a Western Europe which now has its own antitrust laws," he has said.

A PLEA FOR RESTRAINT

S. Chesterfield Oppenheim, University of Michigan law professor and a leading antitrust authority, urges "self-restraint" on the part of Government antitrust enforcers and suggests they publish policy principles to let businessmen know what they can and cannot do abroad. He's especially interested in the removal of obstacles to oversea joint ventures, either by two or more American companies, or an American-European combination.

In the Government, a high Kennedy administration official argues for enough antitrust flexibility "to take into account the other objectives we have in national policy." Constructing a hypothetical situation in which an American company and a European concern get together to solve a major economic problem in a Latin American land, he asks: "If they had to form a consortium which would monopolize that market and exclude other U.S. companies, is antitrust law going to rule or is our objective of getting the Alliance for Progress rolling an overriding consideration?"

Just recently Assistant Commerce Secretary Richard Holton suggested that U.S. companies could boost their foreign sales of consumer goods by getting together to establish well-stocked distribution, repair and service centers in major foreign markets. The Justice Department's initial reaction was that if competitors were to undertake such a joint arrangement—and Mr. Holton felt this should be possible—there would be antitrust questions raised.

Another possible innovation was broached recently by Assistant Commerce Secretary Jack N. Behrman. Under the 1918 Webb-Pomerene Act, American companies may form export cartels in order to compete abroad with foreign cartels, but since 1956 the law has never accounted for more than 5.6 percent of annual U.S. exports and hasn't encouraged many small and medium-sized companies to export, as intended. So Mr. Behrman suggested Webb-Pomerene might be amended to permit small companies to act in concert simply to enter foreign markets that pose too great a problem for a small company alone. But Antitrust Chief Loevinger rejects this thought on the reasoning that, since the act was designed to combat European cartels which no longer exist, there's "no call for extension of the Webb-Pomerene principle now."

AN ANTITRUST EXCEPTION

The State Department's concern with the impact of antitrust on diplomacy so far has been demonstrated only in a few specific cases. In one, a U.S. manufacturer, which had previously agreed in a consent judgment not to undertake certain kinds of oversea joint ventures with foreign companies, suggested it might enter into an arrangement of the forbidden type in an underdeveloped country. The State Department found the investment would aid the country, and concluded also that "there was a real possibility that the Soviets would come in and provide the technology" if the American company didn't. The Justice Department acquiesced to the diplomatic argument, but a Government official explains: "This is simply removing a previous restraint imposed on a particular company; it isn't a case in which a normal antitrust violation is permitted for the purpose of getting investment into an underdeveloped country."

On Capitol Hill Senator JAVITS, Republican, of New York, also worries about Soviet competition. In the economic infighting, he says, Red state trading companies may freely cut prices to enter a market or rout a competitor; he notes with alarm that Italy last year bought 15 percent of its oil imports from Russia. The Senator feels Congress should revive an old law that authorized the President to request competing American companies to take joint action to assist national defense; present law permits such a Presidential request only in regard to military equipment.

LOEVINGER'S ADVICE

To all this mounting criticism, antitruster Loevinger makes a simple reply. If U.S. companies are troubled by having to operate overseas under two sets of antitrust laws, he says, they can avoid legal problems merely by observing the more restrictive laws—usually, the American ones. Though this might put American companies at a disadvantage in competing with local concerns, the antitrust chief declares: "Nobody yet has come to me with a specific case or example that makes exemption from enforcement necessary or expedient."

If anything, the antitrusters are inclined toward a tougher, rather than softer, stance. Chairman Dixon of the Federal Trade Commission has made clear in several speeches that his enforcers look upon oversea joint ventures with uneasiness. The Justice Department last October created a new section, expected to grow rapidly, to watch for anticompetitive developments in foreign commerce. Senator KEFAUVER, Democrat, of Tennessee, is interested, too; he recently returned from a European tour designed to ferret out facts for a study of the impact of antitrust enforcement, both United States and foreign.

Of course, U.S. companies operating abroad have always faced the problem of a double antitrust standard, but there's more at stake now. Private consumption in the Common Market more than doubled between 1950 and 1960, and a growing number of U.S. companies—with Uncle Sam's encouragement—hope to capitalize on this newly developing mass market.

HOW EUROPE'S RULES DIFFER

The Common Market treaty, adopted in 1957, provides in principle for antitrust regulations rather similar to those in effect in the United States. However, the bare bones of this new principle have not yet been fleshed out with the administrative and court interpretations needed to let American companies know exactly what competitive problems they still face. Henry Cabot Lodge, director general of the newly formed Atlantic Institute, a private international study organization, told a congressional subcommittee last month that "there is every reason to believe that this body of (Common Market antitrust) law," when fully constructed, "will be less rigid than that which exists in the United States." Most other informed observers agree with this prediction.

One present European-American antitrust difference that seems certain to remain concerns mergers. U.S. law seeks to prevent companies from acquiring market dominance through merger, but the Common Market treaty, like present national antitrust laws in Europe, aims only at preventing—through government supervision—the abuse of a dominant position. So, under Common Market regulations, companies probably won't be barred from merging and thus gaining dominance in their field provided the consolidation isn't designed to restrain competition in some fashion, such as squeezing out competitors.

This means that if a U.S. company and a European concern want to merge or establish a jointly owned subsidiary, and Common Market officials approve the plan, the American company still may be prosecuted under U.S. antitrust law. And if the company is forced to withdraw, this could leave the way open for a non-U.S. competitor to grab the business.

Other conflicts may rise, depending on how the Common Market treaty is enforced. For instance, Common Market officials are authorized to permit certain restrictive practices, such as price fixing and allocations of exclusive sales territories, if they "contribute to the production or distribution of goods or to the promotion of technical or economic progress while reserving to consumers an equitable share of the profit resulting therefrom." But American companies making such restrictive arrangements, perhaps through granting license agreements or exclusive distributorships in specific areas, might run afoul of U.S. law.

OUTSIDE THE MARKET

American companies operating in foreign areas outside the Common Market may encounter even greater conflicts. Since the Common Market antitrust laws don't apply there, this gives European companies a wider freedom than U.S. concerns to enter Latin America, Africa and Asia, either to withdraw raw materials or to exploit growing consumer markets.

Even antitrust chief Loevinger, despite his opposition to relaxed law enforcement, acknowledges that American businessmen operating in underdeveloped areas may gripe about antitrust restrictions. "The most likely claim from U.S. companies," he has conceded, "will be that they need to use certain methods to do business in underdeveloped countries. This is a more likely problem than Europe."

In any case, the critical chorus being directed at oversea enforcement of this country's antitrust laws is growing louder. And its volume is sure to increase even more as the Common Market's expanding purchasing power spawns stronger competitors for U.S. companies operating in Europe and elsewhere abroad.

Mr. JAVITS. In a speech before the U.S. Chamber of Commerce on April 30, 1963, Prof. Milton Handler, of Columbia University Law School, strongly endorsed this bill in a discussion of the desirability of revision of antitrust law in the domestic sphere, emphasizing the role of the small businessman. While I do not necessarily endorse all of Professor Handler's specifics and conclusions, I certainly feel his cogent criticism of the present state of the law and its enforcement indicates the need for clarification and reform and it is a valuable reference work for the information of the Senate.

Mr. President, I ask unanimous consent that the following excerpts from Mr. Handler's speech be inserted in the RECORD at this point.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

WHAT IS WRONG WITH THE ANTITRUST LAWS?

(Excerpts from speech by Milton Handler, U.S. Chamber of Commerce, Washington, D.C., April 30, 1963)

My assigned topic today is "What Is Wrong With the Antitrust Laws?" One cannot intelligently discourse on what is wrong without considering what is also right with these laws, because no human institution is ever completely good or bad. Moreover, there would be very few indeed who would dissent from the proposition that there is more right than wrong with antitrust. Antitrust, after all, is part of our unwritten Constitution and provides essentially the same protection to our economic freedoms that the Bill of Rights accords to our political liberties.

Within the space of a half-hour, I cannot present a compendious balance sheet of the rights and wrongs of antitrust. I must of necessity be selective.

If I were to sum up my position in one sentence, I would say that there is nothing basically wrong with our antitrust goals; that we have available to us good doctrine which we should not forsake; that we have a vast panoply of enforcement and administrative tools by which the salutary objectives of antitrust can be effectively realized; and that our main difficulty stems from the current tendency to impose legal restrictions for the sake of restriction, without regard to whether in so doing we advance or retard the cause of competition. A fundamental confusion in our aims produces a confusion in our rules, with resulting frustration of business and consequent injury to our economy. It is the present construction and the proposals for legislative change and not the laws themselves which are at fault.

Let me amplify these general observations.

The underlying philosophy of antitrust, as expressed by Mr. Justice Black, is "that the unrestrained interaction of competitive forces will yield the best allocation of our economic resources, the lowest prices, the highest quality, and the greatest material progress."[1]

Under this view, hard competition is the order of the day. Businessmen are to compete with vigor not only in terms of price, quality and service, but also in respect of costs. The free decisions of freemen will determine how our resources are to be utilized and how the Nation's prime goal of economic growth shall be achieved.

The antithetical philosophy of soft competition has been articulated with equal eloquence by the Supreme Court. In Brown Shoe, Chief Justice Warren, after advertising to the congressional concern with "the protection of viable, small, locally owned business," asserts: "Congress appreciated that occasional higher costs and prices might result from the maintenance of fragmented industries and markets. It resolved these competing considerations in favor of decentralization."[2] The same theme recurred only a few weeks ago in Senator HUMPHREY's remarks when he introduced a bill that would permit small retailers to pool their resources to engage in cooperative price advertising[3]—a practice that the FTC had refused to clear because of its price-fixing implications.[4] The Senator characterized the antitrust laws "as a protective shield—as a means of preserving small business competition, not as a sword to cripple independent merchants."[5]

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[1] *Northern Pacific Railway Co.* v. *United States,* 356 U.S. 1, 4 (1958).

[2] *Brown Shoe Co.* v. *United States,* 370 U.S. 294, 344 (1962).

[3] S. 1320, 88th Cong., 1st sess. (1963).

[4] FTC "Advisory Opinion and Statements on Cooperative Advertising," Trade Reg. Rep. Par. 50,183 (1963).

Here we come face to face with a fundamental dilemma in our national policy. Can we enjoy the advantages of free, open, fair and efficient competition and at the same time shelter the small businessman from the consequences of competition? Do we want competitive forces to yield the lowest costs and prices, or are we willing to accept higher costs and prices in order to protect small business? What will bring about the optimum allocation of resources and the largest rate of economic growth—hard or soft competition? To achieve the goals of antitrust, must competition be completely unrestrained? And in order to preserve small business is it necessary to give it special dispensation from competition not accorded business generally? A football player has only one goal line to cross. After successfully maneuvering an end run and eluding, with the help of his interference, the opposing tacklers, he does not suddenly reverse his field and race towards his own goal line. How can we prate about the best allocation of economic resources and then adopt featherbedding regulations safeguarding certain chosen sectors of the business world from the interaction of competitive forces? How can we give top priority to fragmentation and decentralization and seriously aspire to rapid economic growth? Until we have a national resolution of these questions, confusion will reign supreme.

It is a natural propensity of a businessman to favor hard competition for his suppliers and customers but to prefer a sheltered position for himself. And some business groups, I am sorry to say, seek and sometimes obtain a privileged sanctuary from the Congress. Let me cite a few chapters and verses.

Under the Robinson-Patman Act, if a seller uses brokers in distributing his products to some customers, he may not pass the savings in selling costs to those purchasers who buy direct, since in so doing he is regarded as paying brokerage to the direct customer.[6] This prohibition is absolute. There is no need to demonstrate any likelihood of competitive injury. What does this achieve? The position of brokers is fortified and the public is denied the benefit of cost reductions realized in sales without intermediaries.

As the law stands today, a supplier selling both through wholesalers and direct to the retail trade may, consistently with the Robinson-Patman Act, charge his wholesale and retail accounts the same price, since there is no discrimination.[7] Or he may, in his discretion, grant his wholesalers a functional discount. A new bill introduced in Congress, however, would make such discounts mandatory, and thereby outlaw equal price treatment to those retailers who purchase directly, unless the supplier makes an affirmative showing that his failure to grant a functional discount would not have any anticompetitive effects.[8] Needless to say, this reversal of the usual burden of proof would make any supplier think twice before equalizing his prices among his wholesale and retail accounts. Mandatory functional discounts are thus patently designed to curb the newer forms of retail distribution and to shield conventional outlets from competition. Whatever may be said of this measure as an aid to small business, it certainly clashes headon with the philosophy expounded by Justice Black.

Other bills under consideration by Congress would inhibit dual distribution.[9] A manufacturer with a wholesale branch would be required to charge itself the same price quoted to independent wholesalers.[10] Similar treatment would have to be accorded independent retailers if the manufacturer engages in retailing.[11] This proposal might at first blush seem to strike more at form than at substance, since the transfer price is merely a matter of internal accounting. However, there are companion bills containing a series of reporting requirements which would compel the dual distributor to divulge to the public at large, branch by branch, a host of jealously guarded trade secrets, including a detailed breakdown of its operation costs.[12] It does not take a mind reader to fathom that the purpose of this legislation, to put it mildly, is to discourage dual distribution—thus depriving the public of possible cost savings.

Even more stringent proposals have been advanced to hobble the integrated or diversified supplier. At one time, there was a movement to divorce retailing from manufacturing in certain industries. Today, a legislative effort is afoot to prevent manufacturers from engaging in certain ancillary undertakings conducive to greater efficiency and lower costs. One bill, for example, would prevent automobile manufacturers from owning or maintaining financing facilities.[13] Another bill would make such prohibition applicable to manufacturers of trucks and buses as well.[14] A third bill would go all the way and cover manufacturers of any product moving in interstate commerce.[15]

The frigidity toward integration and diversification found in some congressional quarters is even surpassed by that reflected by our enforcement agencies. This is particularly true of their attitude toward vertical integration. We did not need Brown Shoe to remind us that the Department of Justice views that phenomenon with a jaundiced eye. The Antitrust Division would have had the U.S. Supreme Court declare vertical integration through acquisition as unlawful per se. The Court in Columbia Steel wrote, "It seems clear to us that vertical integration, as such without more, cannot be held violative of the Sherman Act. It is an indefinite term without explicit meaning. Even in the iron industry where could a line be drawn—at the end of mining the ore, the production of the pig-iron or steel ingots, when the rolling mill operation is completed * * * or at some stage of manufacture into standard merchandise? * * * Technological advances may easily require a basic industry plant to expand its processes into semi-finished or finished goods so as to produce desired articles in greater volume and with less expense."[16]

This, I submit, is sound economics as well as sound law. I do not mean to deny that there may be situations where vertical acquisitions may have serious anticompetitive repercussions which should not be tolerated. But integration frequently springs from good business reasons and results in more efficient operations. Where supplies and outlets are readily available to competitors, integration either through internal growth or by acquisition will have no untoward effects on competition and should not be condemned out of hand. The facts in each case must be carefully probed. Legal restrictions, to repeat, should not be imposed for the sake of restriction irrespective of their competitive impact. Integration is an instrument of economic growth. It is a procedure by which competition can be strengthened. It comes about because of important anticipated economies. It leads to greater industrial efficiency. Clearly, it is the wave of the future. Shopping centers with their integrated supermarkets and chain stores are here to stay. Their lower prices have proven to be "an ease to the people."[17] Of course, all new developments, social and economic, have a potential for harm. But the correct approach is not to throw the baby out with the bath and prevent all integration despite its innate capacity for good, but to curb integration only where it is demonstrably anticompetitive.

I recently discussed before the National Industrial Conference Board the economics and law relating to diversification and conglomerate mergers.[18] Here again there is a tendency, on the basis of purely speculative, theoretical, and abstract reasoning, to outlaw a movement which promises to strengthen our competitive institutions. The Federal Trade Commission would prohibit this form of growth not because of any probable harm to competition but because the economic power derived from diversification may be abused. To be sure, power may be abused even where there is no monopoly. But, as I said in that address: "If the mere possibility of abuse made the possession of power unlawful, then every disparity of economic strength would be vulnerable, and every company in an industry would have to be reduced in size to the least common denominator. * * * Most business practices, like most human beings, have the potential for both good and evil. The condemnation of the law cannot rest on mere supposition without regard to actual behavior."[19]

For years we have been told that there is a serious trend in the economy toward concentration. We have been confronted with a parade of horribles—compilations of lists of the various industries composed of a limited number of companies. The fact that there are few companies in an industry is presented as both the accusation and demonstration of social evil.

Do the facts support the charge? What is the record of social performance of these so-called concentrated industries? What is their record of cost reduction, research, technological advances and improvement of quality of product and service to customers? Where do we, as a nation, turn for the products needed in the space age? Upon what industries do we rely for our national defense? Is small business capable of producing guided missiles, satellites, space ships, and the basic materials and products needed in a mature 20th century economy? Recently we read of a new complex to be built by one of our steel companies with an estimated price tag of a quarter of a billion dollars. How many enterprises can pay for this kind of entrance fee? Shouldn't we recognize that there are some things that just cannot be done by small business? Have we even begun to think through what would be the social and economic costs of a drastic policy of fragmentation and decentralization or what would be the consequences of the reign of terror on the operations of big business which some measures strive to create?

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[5] ATRR No. 92, p. A-1 (Apr. 16, 1963).

[6] Sec. 2(c) of the Clayton Act, as amended by the Robinson-Patman Act, 15 U.S.C. 13(c).

[7] Sec. 2(a) of the Clayton Act, as amended by the Robinson-Patman Act, 15 U.S.C. 13(a).

[8] H.R. 2170, 88th Cong., 1st sess. (1963).

[9] S. 1107, 88th Cong., 1st sess. (1963); H.R. 3562, 88th Cong., 1st sess. (1963).

[10] S. 1107, sec. 2A(c); H.R. 3562, sec. 2A(c).

[11] The bills also would prohibit any discrimination in services or facilities in favor of the manufacturer's own wholesale or retail outlets. The bills further provide that, whenever the manufacturer has a shortage of supply, it would be prohibited from discriminating in favor of its own outlets against its independent customers; rather, the manufacturer would be obliged to allocate its available supplies to both its own and independent outlets on a pro rata determination based on sales for the 1-year period immediately preceding the shortage. S. 1107, sec. 2A(d); H.R. 3562, sec. 2A(d).

[12] S. 1108, 88th Cong., 1st sess. (1963); H.R. 3559, 88th Cong., 1st sess. (1963).

[13] H.R. 708, 88th Cong., 1st sess. (1963).

[14] H.R. 71, 88th Cong., 1st sess. (1963). The bill would prohibit the manufacturer from owning or maintaining insurance facilities as well.

[15] H.R. 709, 88th Cong., 1st sess. (1963).

[16] *United States* v. *Columbia Steel Co.*, 334 U.S. 495, 525–26 (1948).

[17] Anonymous—"The Schoolmaster Case," Y.B. 11 Hen. IV, f. 47, pl. 21 (Court of Common Pleas, Hilary Term, 1410).

[18] Handler, "Emerging Antitrust Issues: Reciprocity, Diversification and Joint Ventures," 49 Va. L. Rev. No. 3 (April 1963).

[19] Ibid.

Without laboring the point, it seems to me that it is high time that we stopped employing shibboleths such as concentration and started asking ourselves whether the restrictions that are imposed on business today are truly in the public interest. And the question is equally pertinent for every type of business—big, medium, and small.

Let's turn now to the case of small business and consider whether we have been faithful there to the philosophy expounded by Chief Justice Warren. There is certainly no shortage of pious professions of concern for the plight of the small businessman. Yet we increasingly restrict his operations. Just as there is a tendency to hamstring the large company without helping the small man or, indeed, the public, we throw roadblocks in the way of the small businessman, not only to his prejudice but to the detriment of the public interest. Some years ago, when the Supreme Court in the Standard Stations[20] case adopted a rule of virtual per se illegality for exclusive dealing arrangements—which are most beneficial to a small enterprise—Mr. Justice Douglas, whose devotion to antitrust is unquestioned, sharply dissented. "Our choice," he said, "must be made on the basis not of abstractions but of the realities of modern industrial life.[21]

More recently, in the White Motor case,[22] the Court temporarily ducked the legality of territorial restrictions unilaterally imposed by a manufacturer upon its franchised dealers. This restraint has an ancient and honorable lineage at the common law and has been sustained for centuries.[23] It is the law's recognition that orderly marketing, where the manufacturer seeks to avoid the chaos of intrabrand competition, promotes interbrand competition and thus invigorates the competitive process itself. Yet the Department of Justice would strike down all territorial restrictions regardless of such considerations. The buyer is restricted, and that is the end of the inquiry. It makes no difference that both the buyer and competition generally may be better off as a result. After all, what will promote competition more in the long run: If White Motors has a strong group of distributors, each operating within an assigned territory, with the wherewithal to make the necessary heavy investment in showrooms and ancillary facilities and to compete vigorously with other brands of trucks? Or if all White distributors scramble for the limited business available in each territory, debilitating and making themselves more vulnerable to the competitive onslaughts of the other truck manufacturers? Vertical restrictions between a manufacturer and his dealers are frequently essential to a healthy system of distribution. And if the Department of Justice ultimately prevails in this area, its victory may well sound the death knell of the small businessman whose principal citadel today is in the realm of distribution. For what happens when we invalidate these restraints? We encourage the manufacturer, who has been denied the opportunity of orderly marketing through independent distributors, to take over distribution himself. Isn't it time for us to stop deluding ourselves with Fourth of July orations about the small businessman while adopting policies that jeopardize his very survival?

The Robinson-Patman Act, as currently interpreted, is another instrument of oppression of the small businessman well designed ultimately to bring about his extinction. Anyone having the slightest exposure to the business world knows that the small manufacturer and wholesaler cannot operate under a one-price system. He is confronted with powerful and well informed customers who continually pit sellers against one another. It is small wonder that the statute is as widely violated as it is—particularly when the Federal Trade Commission has a penchant for finding violations at the drop of a hat without any showing of probable competitive injury. When the challenged price difference involves a claim of injury at the buyer level, the Commission is quick to find the requisite competitive relationship between the favored and disfavored buyers on the most flimsy evidence. And once that relationship is found, it automatically infers injury to competition from the mere difference in price.

There are, of course, statutory defenses to a prima facie case of price discrimination. But the way they are administered by the Commission, they are practically a dead letter. We have yet to see the day when a respondent has prevailed before the Commission in a Robinson-Patman case because he has met competition in good faith. And it is almost as difficult to prove cost justification. As one dissenting Commissioner has indicated, instead of endeavoring to harmonize the Robinson-Patman Act with our other antitrust laws, the Commission stretches the statute in whatever way may be expedient to afford "the easiest route to an order to cease and desist." [24] This without regard to the consequences to small business. It is ironic that a law which was intended to protect the small businessman has repeatedly been invoked against him. I venture to say that if the conduct of all of the small businessmen of the country were tested under Robinson-Patman, the congestion in our bankruptcy courts would exceed the traffic in Times Square on New Year's Eve. Congressman Celler, speaking in a different context about the Sherman Act, recently expressed the opinion that "there are lots of violations where it would be inequitable to prosecute." [25] And that, I suppose, is the real reason that small business has managed to survive in our present antitrust climate. But administrative forbearance, I submit, is not the answer.

Businessmen should not be placed in the position of having to violate the law in order to exist and praying that their transgressions will be blinked at. We should have a regime of laws that makes economic sense—one that everyone can be expected to observe.

The time has come to call a halt to these insidious developments. The cold war against business, big and small, should end. We want and need fair and effective antitrust enforcement, but we can as a Nation readily dispense with a hostile, antibusiness environment which is as irrational as it is harmful. The antitrust laws should be geared into a program of national growth. Only a few weeks ago, Representative Meader made this very point when he urged that the antitrust laws be brought up to date.[26] Toward that end, Senator Javits has introduced a bill to establish a national Commission on Revision of the Antitrust Laws of the United States.[27] This proposal could not be more timely. Without purporting to exhaust the list of topics that such a commission might well explore, let me suggest a few:

Whether the Robinson-Patman Act does more to subvert than promote the cause of competition and, if so, how it should be overhauled to harmonize it with our basic antitrust goals?

Whether there should be blind hostility toward corporate integration and diversification without regard to their true competitive impact or should they be viewed as effective and indispensable instruments of economic growth and as such to be encouraged, absent untoward competitive repercussions?

Whether there need be any fundamental clash between the interests of big and small business, or whether both can thrive under the same antitrust principles without according special favor to either? Stated differently, if the divergent philosophies expressed by Black and Warren cannot be fully reconciled, is there not a middle ground in which the advantages of competition can be enjoyed without jeopardizing the survival of the small man?

Whether we should have a reign of complete and unfettered competition, or one in which certain restraints of trade are countenanced under a viable rule of reason because in the long run they will serve to invigorate our competitive system?

Whether ease of antitrust enforcement should be our paramount objective, thus leading to the adoption of a pervasive set of rules of per se invalidity, or whether the overriding consideration should be a just and proper determination of the legality of particular conduct (unless it is inherently pernicious) in light of the special facts of each case?

Whether our antitrust laws in their application to foreign commerce require revamping to minimize the potential areas of conflict with the laws of other sovereign powers and to foster American trade abroad?

On the procedural side, whether antitrust is applied as consistently and fairly by the executive and administrative branches as it is by the courts?

And so I welcome and endorse the establishment of the national commission proposed by Senator Javits to appraise the current status of our antitrust jurisprudence and procedures to see whether they mesh with our national policy of economic growth and material progress and are calculated to advance our democratic political and social institutions. It is my belief that a consistent national policy can be developed which will retain our unqualified allegiance to competition, while promoting the interests of business, big and small, as well as the larger interests of the public.

PROPOSED NATIONAL SERVICE CORPS

Mr. WILLIAMS of New Jersey. Mr. President, the proposed National Service Corps will be a means of bringing the help of dedicated volunteers from across the country to help local communities in their efforts to tackle the many unsolved problems of our affluent society. The corps will depend for its success on the interest and cooperation of local officials and community leaders, who will design the programs on which the corpsmen will work and will supervise their day-to-day activity. Therefore, it has been most encouraging to me as a sponsor of this measure to see the enthusiastic support this bill has received from the Governors of many States and from the mayors of our great cities.

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[20] *Standard Oil Co.* v. *United States,* 337 U.S. 293 (1949).

[21] Ib. at 320.

[22] *White Motor Co.* v. *United States,* 1963 Trade Cases, Par. 70,679 (U.S. 1963).

[23] See Handler, "Trade Regulation," 124–125 n. 10 (3d ed. 1960); Robinson, "Restraints on Trade and the Orderly Marketing of Goods," 45 Corn. L. Q. 254 (1960).

[24] Central Retailer-Owned Grocers, Inc., FTC Dkt. 7121, Trade Reg. Rep. Par. 15,896, at p. 20,720 (1962).

[25] ATRR No. 92, p. A–2 (Apr. 16, 1963).

[26] Ibid.

[27] S. 1255, 88th Cong., 1st sess. (1963).

Recently, I received a communication from Mayor Richard C. Lee of New Haven strongly backing the National Service Corps. Mayor Lee is justly famous for his work in urban renewal and the great job he has done in bringing new life and vigor to New Haven. His comments on the effective work that volunteer corpsmen can do in cities are based on wide knowledge and experience, and I think they will be of great interest to my colleagues. I ask unanimous consent that Mayor Lee's statement be printed in the body of the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF RICHARD C. LEE, MAYOR OF NEW HAVEN, CONN., PROPOSED NATIONAL SERVICE CORPS, S. 1321

As mayor of New Haven, I would like to register my strong support for the proposed National Service Corps.

More than two-thirds of this country's population now lives in urban areas, which are feeling the combined effects of heavy immigration from rural areas and high birth rates. The population explosion which we have heard so much about in recent years has already hit our cities.

And this is only the start. By the end of this century it is estimated that an additional 1 million people will live in urban areas.

Cities have many important and complex needs such as economic development, slum clearance, transportation, education, and employment. But among the most serious and the most stubborn problems are those faced by the urban poor. Unfortunately, these are problems which are difficult or impossible to treat with the traditional tools of local government. Recent studies have shown that approximately 35 million people, more than one-sixth of the population of the United States, live in poverty and deprivation. In this land of abundance, these persons are unable to provide for themselves the minimum standards of living that are recognized as necessary in 20th century America. The urban poor cannot be just hidden away out of sight and away from the mainstream of American life. Their personal problems and the social problems that they create in a community loom as a central challenge of our time.

The National Service Corps provides a new approach that is desperately needed in dealing with the problem of poverty and its attendant social problems. The approach embodied in S. 1321 is an effort to start experimentation and to seek new and imaginative solutions to problems that have defied solution for many years. The full impact of this program can only be understood when we realize that it will be operated in cooperation with demonstration programs already available from a number of Government agencies and also with money provided by foundation grants. By pooling these resources—and it is chiefly personnel that is lacking from the current demonstration and foundation programs—we can create a new enthusiasm and spirit to solve the problems of our central cities. The Ford Foundation has already taken the initiative in helping to make this type of program available in several cities around the Nation, including New Haven. With this kind of approach, new horizons appear. With this kind of approach we can excite urban young people and make them active participants in the renewal of their communities. We can test and evaluate and refine new tools and new proposals for development and we will then be able to extend these efforts and these methods to all American cities.

The Peace Corps, with its new enthusiasm and new spirit, has brought new life to our foreign-aid program. The National Service Corps proposal contains many of the same elements which generate excitement and enthusiasm and a will to help one's fellow man here at home. Smaller groups of young people working under coordinated local supervision will enable us to launch hundreds of local projects which have been held up for the lack of personnel. Equally important, from this corps might emerge the kind of pioneer talent that in the years ahead can fill the responsible and necessary roles in public or private life in the solution of the unknown challenge in the ages to come.

I would like to specifically comment on three features of the bill which I consider particularly significant:

1. Local responsibility is maintained and encouraged. Service Corps assistance would be provided only at the request of the locality. This means that the responsible persons in our cities, those who really know and understand their particular needs, are in control of the situation. Furthermore, a local plan for the use of the Service Corps would have to be developed in advance. This again will require careful planning and acceptance of the local responsibility.

2. Service Corps participation will be for a limited time. This, too, will encourage cities to use Service Corps assistance as the starting point in developing programs of their own. When Service Corps assistance is withdrawn, it will be the most natural thing in the world for the cities to take responsibility for financing and staffing successful programs that were started with Service Corps assistance.

3. The voluntary tradition, an important part of our Nation's history is encouraged and preserved. Throughout the life of this country an important part of our heritage has been a spirit of self-help and helpfulness to our neighbors. The old-time barn raisings are among the most dedicated examples of this spirit. The Service Corps is a continuation of this tradition.

The program which is proposed in this bill is modest. The cost is slight when compared to the benefits. This program will have a significant impact on our national life. I strongly urge that it be enacted and implemented as rapidly as possible.

Mr. WILLIAMS of New Jersey. Mr. President, young people across the country have responded magnificently to the idea of a National Service Corps in which they could put their idealism and enthusiasm to work here at home. Recently I received an eloquent letter from Mr. Jed Johnson, Jr., president of the Young Adult Council, in support of this measure. The Young Adult Council represents more than 25 national youth and student organizations. At its December meeting the council passed a resolution endorsing the National Service Corps idea.

Mr. Johnson's letter and the resolution of the Young Adult Council demonstrate the willingness of today's young people to give of their time and skills to help others less fortunate than themselves. I ask unanimous consent that they be printed in the body of the RECORD.

There being no objection, the letter and resolution were ordered to be printed in the RECORD, as follows:

YOUNG ADULT COUNCIL OF THE
NATIONAL SOCIAL WELFARE ASSEMBLY,
New York, N.Y., July 1, 1963.

Hon. HARRISON WILLIAMS,
Special Subcommittee on Labor,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR WILLIAMS: The United States Young Adult Council, a coordinating body for national youth and student organizations, has passed the enclosed resolution endorsing the establishment of the National Service Corps. This resolution was unanimously passed at our December council meeting and subsequently adopted by 17 national youth and student organizations. The composite opinion expressed by the affirmative votes of these organizations unquestionably represents the sentiment and consensus of the vast majority of young Americans.

The International Peace Corps has served as a great symbol for American youth. Through the Peace Corps, students and youth have found it possible to serve their country and their fellow men unselfishly and directly. In essence, American youth have had the opportunity of transforming their idealism into valuable service. In the same way, American youth want the opportunity to help build a better America. The National Service Corps offers such an opportunity.

There were many people who predicted that the International Peace Corps would be a catastrophic failure. It has been an outstanding success and even its strongest initial critics now grant its great value to our country and the world. By the same token, there are those who criticized the initiation of a National Service Corps and opposed the expenditure of any Federal funds for such a new project.

The youth of this country are vitally concerned about the welfare and development of our own Nation and would like to have the opportunity to put their idealism into practice here at home as well as abroad. We feel very strongly that the expenditure of any Federal funds for the establishment of a National Service Corps is not only money well spent, but a great capital investment in the future of our Nation that will pay very high dividends.

Respectfully yours,
JED JOHNSON, Jr.,
President.

"RESOLUTION ON NATIONAL SERVICE CORPS

"Whereas the Foreign Peace Corps has proved highly successful; and

"Whereas many of the techniques used in the Foreign Peace Corps could be applied to recovering the annual losses to our nation from unemployment, underdevelopment, and natural and manmade conditions requiring economic, social, technical, and cultural rehabilitation; and

"Whereas only a national program can fully utilize the potential volunteer help in the most useful program; and

"Whereas our society stands to gain many benefits from a national program which includes increased interchange of persons from the many sections of our country, and

"Whereas there is widespread and enthusiastic support among youth for such a program; Therefore be it

"*Resolved,* That the United States Young Adult Council goes on record in support of the establishment of a National Service Corps."

The above resolution was adopted at the December 1962 meeting of the United States Young Adult Council and subsequently approved by the following member organizations: Americans for Democratic Action, Campus Division; American Youth Hostels; Experimenters Association; Lisle Fellowship;

National Association for the Advancement of Colored People, Youth Division; National Council of the Young Men's Christian Associations; National Federation of Catholic College Students; National Newman Club Federation; National Student Assembly, Young Women's Christian Association of the United States of America; North American Student Cooperative League; Students for a Democratic Society; Student Religious Liberals; U.S. National Student Association; Workmen's Circle (Associate); World University Service (Associate); Young Christian Workers; Young Democratic Clubs of America.

Mr. WILLIAMS of New Jersey. Mr. President, the Attorney General has been one of the mainsprings behind the effort to create a National Service Corps, patterned after the overseas Peace Corps. Recently he wrote an eloquent article for the Saturday Review which describes the great problems facing many of our sick and needy citizens shows that a volunteer service corps could be effectively used to meet those problems. In the article entitled "What About A Peace Corps Spirit at Home," the Attorney General describes some typical projects in which corpsmen might work and gives a clear picture of how the corps would actually operate. I ask unanimous consent that it be included in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Saturday Review, May 25, 1963]

WHAT ABOUT A PEACE CORPS SPIRIT AT HOME? CAN THE NATIONAL SERVICE PROGRAM, NOW BEFORE CONGRESS, OFFER LEADERSHIP FOR A GRASSROOTS ATTACK ON AMERICA'S URGENT DOMESTIC PROBLEMS?

(By Robert F. Kennedy, Attorney General of the United States)

The national service program called for by President Kennedy is designed to strike at America's most urgent human needs in two important ways: First, a corps of skilled, idealistic men and women could bring the spirit of the Peace Corps to our own slums, migrant labor camps, mental institutions, and other areas of need. Second, the example set by the corpsmen could stimulate millions of other Americans to begin part-time volunteer work in their own communities.

The proposal, now before Congress, has aroused controversy, just as the idea of the Peace Corps aroused controversy 3 years ago. Opponents of the program have said it isn't needed, or that corpsmen would be doing jobs that should be done by local communities.

In my opinion, those who say there is no need for increased volunteer work in this Nation have buried their heads in the sand. Our unmet human needs are so immense and pressing that they shame our national prosperity and endanger our position as a beacon to the aspiring nations of the world.

To those who say the problems should be met at the local level, the answer is that the administration agrees entirely. The program is intended to challenge every community to take a hard look at its own needs and to find new, effective ways to meet them.

Under the national service program, some communities would ask corpsmen to help start new programs. The corpsmen would go only at local invitation, to work on locally designed projects under local supervision. The community would be expected to supply local volunteers to work side by side with the corpsmen. When enough local volunteers had come forward to finish the project, the corpsmen would move on to another assignment.

Other communities would not want corpsmen. If, however, they started their own programs, staffed by local volunteers, they would have answered the President's challenge. By demonstrating what can be done, the corpsmen would be able to benefit communities they never set foot in.

The work of the corpsmen would, of course, be highly visible. If they made mistakes, the Nation would hear about them. At the same time, the spotlight would shine upon their achievements, and upon the dark, often forgotten corners of human need in which they work.

The corpsmen could give these problems the visibility they should have. I think there are housewives, students, senior citizens, and others in every community who, if given a dramatic reminder of the needs in mental hospitals, orphanages, and settlement houses just a few miles from their homes, would be moved to devote some of their free time to help meet those needs.

The first step in the development of the national service program came last November when the President appointed a Cabinet-level committee to study the need for it. The committee, of which I was a member, soon came face to face with a cruel paradox: Although ours is the richest, most productive society the world has ever known, one-sixth of our people live in poverty and deprivation. In the midst of our prosperity there is tragic need.

Much has been done to meet this need. Social workers, teachers, policemen, public and private agencies, and millions of other Americans, serving part time in their communities, have been doing excellent work for many years. Despite these efforts, however, the problems continue to grow as our society grows and changes.

Here are some of our Nation's needs:

More than 5 million Americans—3 percent of our population—are mentally retarded. With rare exceptions, the institutions for these people are helplessly overcrowded and understaffed. More than half of the mental patients in State hospitals receive no active treatment of any kind.

In the United States today migrant workers and their families number more than 2 million. The average annual income for migrant families is $1,000. Decent standards of living are unknown to the majority of them, and future prospects for their children, who have never had a real home or a normal education, are poor indeed.

The average life expectancy of an American Indian is 42 years. Living conditions among the Indians are among the worst in the Nation.

Half our Nation's poverty is rural poverty. In the past 12 years more than 1 million people have moved out of our rural area—the 8-State 148,000-square-mile Appalachian region—because they could not survive there. Similar conditions exist throughout rural America.

The social dynamite of our urban slums is becoming more and more explosive. Millions of migrants from rural areas are moving into urban slums each year. They come seeking jobs and a better life. All too often they find only hostility, unemployment, substandard housing, and other pressures that push them toward social alienation, delinquency, and crime.

These are some of the problems that a national service program could combat. There is no doubt that there are volunteers to man this program. When our committee sent questionnaires to college students and senior citizens to gage their interest in such a program, more than 4,000 senior citizens and 10,000 students at 65 colleges and universities responded. Of the students, 88 percent approved the idea of the program and 71 percent said they would join or consider joining. Of the senior citizens, 82 percent approved the program and 57 percent said they would join or consider joining.

It is also clear that the program would have all the requests for corpsmen it could handle. Within 2 months of the first mention of the program, more than 40 model projects were submitted to our study committee.

Here are some of these proposals.

State and local agencies in a tricounty area of central California propose using corpsmen to work with migrant laborers and their families. Under professional guidance, the corpsmen would serve in education, health, and community development programs. Qualified corpsmen would teach night classes for both children and adults. Others would teach health measures to the migrant families and refer sick children to local clinics.

The New York City Board of Education would like to use corpsmen to help in its schools. Jobs would include tutoring both failing and gifted students, working in school-community programs, and encouraging dropouts to return to school.

The head of a State mental hospital in Tennessee submitted a proposal to use corpsmen in work with the mentally retarded. This hospital director estimates that up to 25 percent of the 1,500 inmates in his hospital might improve and be released if there were volunteers to give personal attention to their rehabilitation. In addition to group work with patients, qualified corpsmen could administer tests, work in occupational and physical therapy, and assist in administrative work.

A settlement house in Washington would like to use corpsmen in its work with families. Directed by the settlement house staff, the corpsmen would tutor children after school, work with dropouts, and inform families about hospitals, schools, housing, and job opportunities.

Two of the communities that submitted these model projects have already had encouraging results. As a result of newspaper stories on the proposals, the local agencies were swamped with local volunteers who said they would serve part time whether or not the national program came into being.

Our study committee assumed from the first that a national service program could not succeed, and should not even be attempted, without strong support from the many organizations already working in every phase of social service. We met or corresponded with several hundred leading organizations; the response has been overwhelmingly enthusiastic.

More than 100 leading national organizations have endorsed the proposed program. They include the National Social Welfare Assembly, the American Federation of Teachers, the NAACP, the Council on Social Work Education, the Executive Committee of the AFL-CIO, the National Association for Mental Health, the National Council of Senior Citizens, the National Student Association, the National Congress of American Indians, and several Protestant, Catholic, and Jewish service organizations. These people, who are fighting the frontline battles, know how desperately volunteer workers are needed. They share our belief that the corpsmen will not only bring their own energies to bear on the problems, but will also inspire others. Furthermore, it is likely that a year in the service program will lead many young people to enter careers in social work, teaching, nursing, and other fields that suffer from critical shortages of trained personnel.

The future of the national service program is now up to Congress. The legislation calls for a carefully selected corps to reach a maximum strength of 5,000 men and women over a 3-year period. The corpsmen would enlist for a year, and would receive subsistence but no pay. The first year of the program, if 1,000 volunteers were put in the field, would cost about $5 million—a small investment for what could be the beginning of a new national effort against human need.

John Donne once wrote that no man is an island; we are all part of the mainland of humanity. The migrant child who gets no education, the slum youth who can find no job, the lonely child in a mental institution—we are all involved with these people. Their successes are our successes, and their tragedies our tragedies.

The national service program can help these people, and it can show the world that America does not forget its own needy and neglected citizens. We must not ignore the fact that, as President Kennedy has said, "We shall be judged more by what we do at home than what we preach abroad."

DISCRIMINATION IN PUBLIC ACCOMMODATIONS

Mr. HART. Mr. President, the hearings now being conducted by the Senate Commerce Committee on the various proposals to ban discrimination in public accommodations, afford members of that committee an opportunity to hear firsthand some of the discussions as to the constitutional basis on which this type of legislation should rest.

Aware that much of the discussion during the hearings and congressional debate would likely involve this issue, some weeks ago I requested the Legislative Reference Service of the Library of Congress to prepare a memorandum on this point.

A paragraph from that memorandum may be helpful in putting this question in its proper perspective:

> The recent proposals for Federal legislation to prohibit racial discrimination in hotels, theaters, restaurants, stores, and similar establishments which hold themselves open to the general public have been based upon the powers given to Congress under the 14th amendment, the commerce clause, or both. Perhaps the first observation to make is that if neither basis is valid combining them would not cure the invalidity. The second observation is that if one basis is invalid its use in combination does not enhance or detract from the validity of the other. This paper will discuss some of the cases relevant to an assessment of the validity of each basis and the kinds of private establishment which might be reached under it.

The point is well taken. We must put the full strength of the Constitution behind this proposal. The commerce clause, the 14th amendment, and additional authority that may exist should be utilized to undergird this law guaranteeing our citizens full access to public accommodations without discrimination.

I ask unanimous consent, Mr. President, that the full text of the memorandum prepared by the American Law Division of the Legislative Reference Service be printed at the end of my remarks. This memorandum, hopefully, will be useful to others, as it has been to me, in summarizing and presenting the various constitutional bases for taking this action.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

THE LIBRARY OF CONGRESS,
Washington, D.C., July 1, 1963.

To: Hon. PHILIP A. HART.
From: American Law Division.
Subject: The power of Congress to prohibit racial discrimination in privately owned places of public accommodation.

The recent proposals for Federal legislation to prohibit racial discrimination in hotels, theaters, restaurants, stores, and similar establishments which hold themselves open to the general public have been based upon the powers given to Congress under the 14th amendment, the commerce clause, or both. Perhaps the first observation to make is that if neither basis is valid, combining them would not cure the invalidity. The second observation is that if one basis is invalid its use in combination does not enhance or detract from the validity of the other. This paper will discuss some of the cases relevant to an assessment of the validity of each basis and the kinds of private establishment which might be reached under it.

THE POWER OF CONGRESS UNDER THE 14TH AMENDMENT

From the cases thus far decided by the Supreme Court, there is one generalization about the power of Congress which can be made without much fear of challenge. The 14th amendment gives Congress no power to prohibit purely private acts of racial discrimination. Sections 1 and 2 of the Civil Rights Act of 1875 (ch. 114, sec. 1 and 2, 18 Stat. 335, 336) provided that all persons "shall be entitled to the full and equal enjoyment of the accommodations, advantages, facilities, and privileges of inns, public conveyances on land and water, theaters and other places of public amusement; subject only to the conditions and limitations established by law, and applicable alike to citizens of every race and color, regardless of any previous condition of servitude," and punished violations of these rights. However, the Supreme Court held that these sections were unconstitutional as applied to acts of racial discrimination by private persons because under the 14th amendment the power of Congress could reach only State action, *Civil Rights* cases, 109 U.S. 3 (1883). This case has never been overruled, nor has the basic premise that the 14th amendment reaches only State action been abandoned.

The holding in the Civil Rights cases, is a high hurdle for those who would now use the 14th amendment as a basis for new legislation so similar to that which was declared unconstitutional in 1883. They must leap to the conclusion that, given a new opportunity to consider the matter, the Supreme Court would find some link between the individual proprietor and the State that would transform the proprietor's discriminatory act into "State action." Although no case has yet found this link in the mere fact that a store or restaurant is licensed by a State to do business, or holds itself open to the public, the acts of some private businesses and organizations have been held to violate the 14th amendment because done under color of State law.

In some cases the court has found the link in the fact that the private organization was performing what was essentially a State function. This was the kind of link that led to the demise of the white primaries. *Smith* v. *Allwright*, 321 U.S. 649 (1944); *Terry* v. *Adams*, 345 U.S. 461 (1953). This may have been the kind of link which also led the Court in *Marsh* v. *Alabama*, 326 U.S. 501 (1946), to reverse the trespass conviction of a Jehovah's Witness who had been arrested in a town wholly owned by a shipbuilding corporation. She had been arrested, by a county deputy sheriff employed by the company as a policeman, for distributing religious literature on one of the town sidewalks which was accessible to the public. The Court considered the operation of the town a "public function" and that private rights in the property were not enough to justify the State in permitting the company to restrict the fundamental liberties of the townspeople and then use the statutes of the State to enforce those restrictions. The Court seemed to be as much concerned with the rights of the residents to read the religious literature as it was with the right of the Witness to distribute it. It did say, however, that: "The more an owner, for his advantage, opens up his property for use by the public in general, the more do his rights become circumscribed by the statutory and constitutional rights of those who use it. Id. at 506."

Yet the evil the Court actually reached and struck down was not the restriction established by the private property owner but rather the act of the State in enforcing it through its courts. In this respect, the *Marsh* case resembles *Shelley* v. *Kraemer*, 334 U.S. 1 (1948) and *Barrows* v. *Jackson*, 346 U.S. 249 (1953).

In *Shelley*, the Court held that judicial enforcement of a racial restrictive covenant by injunction was State action prohibited by the 14th amendment. In *Barrows*, the Court held that judicial enforcement of such covenants by assessment of damages was prohibited. Yet in each of these cases the Court cited the principle of the Civil Rights cases as one firmly embedded in our constitutional law. Mr. Justice Vinson, in *Shelley*, noted that the 14th amendment "erects no shield against merely private conduct, however discriminatory or wrongful," and said: "We conclude therefore, that the restrictive agreements standing alone cannot be regarded as violative of any rights guaranteed to petitioners by the 14th amendment. So long as the purposes of those agreements are effectuated by voluntary adherence to their terms, it would appear clear that there had been no action by the State and the provisions of the amendment have not been violated." 334 U.S. 1, 13 (1948).

In Barrows, Mr. Justice Minton cited this language with approval. 346 U.S. 249, 253 (1953).

Some have thought that the Court would extend the principle of Shelley and Barrows to the sit-in cases. In these cases, Negroes have been arrested for trespass for remaining at white-only lunch counters after the owners had refused to serve them because of their race and then asked them to leave. Although the Court has reversed several such trespass convictions, it has not used Shelley to support its conclusions. In one case the prohibited State action was found in a city ordinance which required segregation. *Peterson* v. *City of Greenville*, — U.S. — (decided, May 20, 1963). In another, the prohibited State action was found in statements by the mayor and superintendent of police to the effect that the city of New Orleans would not permit Negroes to seek desegregated service in restaurants. Although there was no statute or ordinance requiring segregation, the Court held each of these statements to be an "official command which has at least as much coercive effect as an ordinance." *Lombard* v. *Louisiana*, — U.S. — (slip opinion p. 7, decided May 20, 1963). The existence of the ordinance in the one case and the statements in the other made the private intentions of the property owner irrelevant. Even if the owner would have refused service in the absence of an ordinance the Court's result would not have been changed. No State will be permitted to enforce by conviction under trespass statutes or otherwise ordinances or other official commands requiring segregation.

An earlier sit-in case arising in Louisiana was disposed of on the ground that evidence that the defendants sat peacefully in a place where custom decreed they could not sit was not sufficient to convict them of the crime of disturbing the peace as defined in the Louisiana statutes. *Garner* v. *Louisiana*, 368 U.S. 157 (1961).

The Court found another kind of link with the State in the discriminatory act of a private restaurant operator in *Burton* v. *Wilmington Parking Authority*, 365 U.S. 715 (1961). This involved the refusal of service to a Negro by a private restaurant operator on premises leased from an agency of the State of Delaware. The restaurant was located in a building constructed with public funds and used for a public purpose; that is, a municipal parking facility. The restaurant was one of several leased areas in the facility which the Court found to be an "indispensable part of the State's plan to operate its project as a self-sustaining unit." Id. at 723–724. The opinion by Mr. Justice Clark very carefully pointed out that the Court's conclusions in this case could not be considered "universal truths on the basis of which every State leasing agreement is to be tested." Id. at 725. In defining the limits of its inquiry, the Court stated: "What we hold today is that when a State leases public property in the manner and for the purpose shown to have been the case here, the proscriptions of the 14th amendment must be complied with by the lessee as certainly as though they were binding covenants written into the agreement itself." Id. at 726.

If the Court is this reluctant to find a State action link in all State leasing agreements, what indication is there that the Court would be any more willing to find such link in State licenses? In the case of State licenses in the nature of a franchise, the monopolistic or semimonopolistic kind of license given to public utilities, common carriers and the like, the link is unquestionably there. No privately operated transit system or electric light company could discriminate without violating the prohibition of the 14th amendment. See e.g. *Public Utilities Commission* v. *Pollak,* 343 U.S. 451 (1952). (Although this dealt with Federal action, and did not involve race, the principles involved are similar to those concerned with State action involving racial discrimination.) In *Boman* v. *Birmingham Transit Co.,* 280 F. 2d 531 (1960), the rules of a bus company requiring segregated seating were held to be a State act. The court, however, considered two factors: (1) The company operated under a franchise from the State and thus differed from an ordinary corporation; (2) a city ordinance had authorized the company to issue rules for seating of passengers and had made willful refusal to obey a reasonable request of the bus operator relating to seating a breach of the peace.

With respect to businesses like restaurants, for which, if any license at all is required, there is no need for a showing of public convenience and necessity but simply the payment of an annual tax, the Supreme Court has not yet found the link which would transform the discriminatory act of the business into an act of the State and therefore a prohibited one.

The Court of Appeals for the Fourth Circuit considered the license argument in 1959 and rejected it. *Williams* v. *Howard Johnson's Restaurant,* 268 F. 2d 845 (4 Cir. 1959) involved a restaurant's refusal to serve a Negro solely because of his race. The plaintiff conceded that there was no State statute which required the proprietor to refuse him service but pointed to the statutes which required segregation of the races in carriers and by persons engaged in the operation of places of public assemblage. He also emphasized the long established local custom of excluding Negroes from public restaurants and contended that the acquiescence of the State in these practices amounted to State action violative of the provisions of the 14th amendment. Another theory on which the plaintiff argued was that since the State licensed the restaurant it had a positive duty to prohibit racial discrimination in the use and enjoyment of its facilities. The court stated that unless these discriminatory acts were performed in obedience to some positive provisions of State law there would be no basis for a complaint. The court concluded that the restaurant was at liberty to deal with such persons as it might select.[1] (The court also rejected the theory that the discrimination was forbidden because the restaurant was engaged in interstate commerce. This theory will be discussed subsequently under the commerce clause).

Although the Supreme Court continually emphasizes that no inference may be drawn from a denial of certiorari, there are two cases it had an opportunity to consider but did not which should be mentioned. In *Gordon* v. *Gordon,* 332 Mass. 197, 124 N.E. 2d 228, cert. denied, 349 U.S. 947 (1955), a will provided for revocation of a testamentary gift to any child who married a person not born in the Jewish faith. The lower court entered a decree revoking a gift to a son who married a Catholic girl. The Supreme Judicial Court of Massachusetts upheld the decree against arguments, based on *Shelley* v. *Kraemer* and *Barrows* v. *Jackson* (both supra) that court enforcement of such a discriminatory will provision violated the 14th amendment. A discriminatory will provision was also involved in *In re The Girard College Trusteeship,* 391 Pa. 434, 138 A. 2d 844 (—). Girard's will established a trust for a private school for white male orphans and named the city of Philadelphia as trustee. Ultimately the trust was administered by a city board established by State statute. When it first considered this case the Supreme Court held that under these circumstances the 14th amendment prohibited denial of admission to a Negro male orphan because of his race. Thereafter, the Pennsylvania Orphans Court substituted private trustees for the city board of directors. The private trustees continued to deny admission to Negroes. The Supreme Court of Pennsylvania upheld their right to do so. The Commonwealth of Pennsylvania appealed from this decision. The U.S. Supreme Court, in a per curiam opinion, dismissed the appeal and, treating the appeal as a petition for certiorari, denied certiorari. *Pennsylvania* v. *Board of Directors,* 357 U.S. 570 (1958).

Conclusions on the 14th amendment approach

It is clear from the cases thus far decided by the Supreme Court that it has not yet held that, where a State or one of its political subdivisions exercises no element of coercion upon a business to discriminate, the business is not free to discriminate without violating the prohibitions of the 14th amendment. On the contrary, even when it was found some element of prohibited State action (as in *Shelley* v. *Kraemer*), the Court has often commented that individual acts are beyond the reach of the 14th amendment. It is not at all clear, however, whether or to what extent the Court will depart from or distinguish the holding in the Civil Rights cases of 1883 when it considers the effect of the 14th amendment on a private business conducted in a State which neither prohibits nor requires discrimination but leaves the businessman free to make his own choice. There are several approaches the Court might take, but before discussing them, there is an important observation to be made about the power of Congress to influence the Court's approach by adopting the proposed legislation.

Under its 14th amendment powers Congress can prohibit no act of discrimination which is not already prohibited by the 14th amendment. In this respect the 14th amendment power differs from the commerce power, a distinction which will be discussed subsequently under the commerce clause. Moreover, if the proposed legislation were to be held constitutional, it would give no one, except perhaps the Attorney General, any right of action which he does not already have under the provisions of 42 U.S.C., section 1983. That is the section which gives a right of action at law or in equity to any person who "under color of any statute, ordinance, regulation, custom, or usage of any State" has been deprived by another person "of any rights, privileges, or immunities secured by the Constitution and laws." The rights, privileges and immunities mentioned in this section include the 14th amendment rights to due process and equal protection of the laws. *Hague* v. *Congress of Industrial Organizations,* 307 U.S. 496 (1939). If it be constitutional for Congress now to give a right of action to anyone discriminated against because of race or color by another "in the conduct of a business authorized by a State" as one bill would do, or by someone who acts as "a proprietor, manager, or employee of any business or business activity affecting the public which is conducted under a State license" as another bill would do, Congress has already given such right of action, though in less specific terms, in 42 U.S.C. section 1983. To decide whether any exercise of power under the 14th amendment can reach Mrs. Murphy one must wait for subsequent developments in the Supreme Court.

1. It is conceivable that by reading some of the statements in Mr. Justice Bradley's opinion in the Civil Rights cases very carefully it might, as some have argued it will, in some States reach Mrs. Murphy without departing far from his rationale. Examples of such statements are Justice Bradley's acknowledgment that custom can sometimes have the force of law, and his suggestion that if States were not giving a right of action to Negroes against those who deprived them of their rights Congress could adopt corrective legislation. The consensus of the commentators, however, seems to be that the Court will not find, that in a locality where neither the law, nor custom which has the force of law, compels Mrs. Murphy to segregate, Mrs. Murphy is nevertheless not free to segregate without violating the 14th amendment.

2. The Court may extend the doctrine of *Shelley* v. *Kraemer* (supra). As applied to Mrs. Murphy, this would mean that although she was free to refuse to serve a Negro, the State would not be free to convict him of trespass if he refused to leave. Most commentators feel that this would result in chaos. It would leave Mrs. Murphy free to exercise her common law right to use reasonable force to eject the unwanted customer but would deprive her of any right to call upon the State to help her if she has insufficient force at her disposal. Mrs. Murphy who owns the corner grocery store and refuses to serve Negroes as well as people who deal all week at the Safeway and then try to buy a loaf of bread from her on Sunday, would be in the same position as the seller of land who incorporated a restrictive covenant in his deed. She would have a right but no legal remedy for its violation.

Whether such extension of *Shelley* v. *Kraemer* would be wise or not, its adoption by the Court would give Congress no more power under the 14th amendment to prevent Mrs. Murphy from segregating than it has now to enact a law preventing anyone from entering into a racial restrictive covenant.

3. The Court might extend to Mrs. Murphy the doctrine of *Terry* v. *Adams* (supra). That was the case which prohibited the Jaybird Party in Texas, a private club, from excluding Negroes because the function it performed was an integral part of the election process even though not formally recognized by State law. The function the club performed was so much a public function that its private act of discrimination constituted State action prohibited by the 15th

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[1] Had the plaintiff argued that the Code of Virginia (1950), title 18, sec. 327 required segregation in the restaurant the result might have been different. The same plaintiff is urging this proposition in a new case.

amendment. (The State action concept is embraced in the 15th amendment just as it is in the 14th.) If the Court were to adopt this approach and find that Mrs. Murphy were performing so public a function that her act was a State act, then of course Congress, under the 14th amendment power, could prohibit Mrs. Murphy from discriminating.

4. The Court might take as its standard the statement from *Marsh* v. *Alabama*, 326 U.S. 501, 506 (1946): "The more an owner, for his advantage, opens up his property for use by the public in general, the more do his rights become circumscribed by the statutory and constitutional rights of those who use it."

This would require the Court not only to liken Mrs. Murphy's store to a company town (and Mrs. Murphy's aisles to company streets), but also to find that Mrs. Murphy's right to select her own customers must yield to her customers' rights to make purchases in her store. Thus far, that customer's right has not been held to exist.

It would be presumptuous to anticipate which of these approaches the Court might take or whether it might take another which has not been considered here. The significant fact is that, except insofar as it is applicable to the kind of public utility or public service organization whose private acts of discrimination have already been held to be State action prohibited by the 14th amendment, a definitive judgment as to the constitutionality of the proposed public accommodations legislation must await a decision of the Supreme Court.

THE POWER OF CONGRESS UNDER THE COMMERCE CLAUSE

It was stated earlier that the power of Congress under the commerce clause differed from its power under the 14th amendment. The 14th amendment gives Congress only the power to enforce its provisions by appropriate legislation. It can prohibit no act of discrimination which is not already prohibited by the amendment. On the other hand, the power of Congress "to regulate commerce * * * among the States" is a plenary power under which Congress can regulate and prohibit activities which would not be prohibited by the commerce clause in the absence of an act of Congress. One example might make this distinction clear. There is nothing in the Constitution which prohibits the transportation in interstate commerce of goods manufactured by laborers who are paid only 10 cents an hour and work 16 hours a day, 7 days a week. However, in the exercise of its commerce power, Congress may establish minimum wages and maximum hours for employees engaged in the production of goods for interstate commerce and forbid an employer to pay his employees less or work them longer than the law allows. *United States* v. *Darby*, 312 U.S. 100 (1941). Mr. Justice Bradley recognized this distinction in his opinion in the *Civil Rights Cases*, 109 U.S. 3 (1883), stating that his remarks on the restricted nature of the power of Congress under the 14th amendment "do not apply to those cases in which Congress is clothed with direct and plenary powers of legislation over the whole subject" as it is in the commerce clause.

Although the commerce power has been said to be plenary this is not to say that any attempted exercise of it is constitutional. On several occasions the Supreme Court has held that Congress overreached its power. In *United States* v. *Dewitt*, 9 Wall. 41 (1869) the Court held unconstitutional an internal revenue provision making it a misdemeanor to mix for sale naphtha and illuminating oil, or to sell such mixture, on the ground that it was a police regulation, relating exclusively to the internal trade of the States and not supported by the commerce power. The *Trade Mark* cases, 100 U.S. 82 (1879) held unconstitutional the original trademark act and certain penal provisions enforcing it because its language was intended to embrace commerce between citizens of the same State. More recently the original Child Labor Law was held unconstitutional in *Hammer* v. *Dagenhart*, 247 U.S. 251 (1918). In *Schechter Poultry Corp.* v. *United States*, 295 U.S. 495 (1935) the commerce power was said not to reach the sale of unfit chickens by a wholesale poultry dealer who purchased chickens shipped in from other States for resale to retail dealers. While acknowledging the power of Congress to regulate intrastate matters affecting commerce as well as commerce itself, the Court thought that it could not reach acts having only an indirect effect: "But where the effect of intrastate transactions upon interstate commerce is merely indirect, such transactions remain within the domain of State power. If the commerce clause were construed to reach all enterprises and transactions which could be said to have an indirect effect upon interstate commerce, the Federal authority would embrace practically all the activities of the people and the authority of the State over its domestic concerns would exist only by sufferance of the Federal Government." Id. at 546.

In *Carter* v. *Carter Coal Co.*, 298 U.S. 238 (1936), the Bituminous Coal Conservation Act of 1935 was held to impose, not a tax within article I, section 8, but a penalty not sustained by the commerce clause.

If, like the holding in the Civil Rights cases, the holdings in these and other cases setting limits upon the power of Congress under the commerce clause had come down to us unimpaired or almost unimpaired, the commerce clause might be no better a basis for legislation prohibiting private acts of discrimination in hotels, restaurants, retail stores, and the like than the 14th amendment would be. Unlike the Civil Rights cases, however, many of these cases have been expressly overruled as was *Hammer* v. *Dagenhart* in *United States* v. *Darby*, 312 U.S. 100, 115–117; or limited, as was *Carter* v. *Carter Coal Co.* in the same case, id. at 123; or distinguished and explained so frequently that they might as well have been overruled, which is the fate the Schechter case has met in *National Labor Relations Board* v. *Jones and Laughlin Steel Corp.*, 301 U.S. 1 (1937) upholding provisions of the National Labor Relations Act of 1935 and *United States* v. *Wrightwood Dairy Co.*, 315 U.S. 100 (1942), upholding the power of Congress to regulate intrastate commerce in milk affecting interstate commerce in that commodity.

In *United States* v. *Darby, supra*, the Court said: "The power of Congress over interstate commerce is not confined to the regulation of commerce among the States. It extends to those activities intrastate which so affect interstate commerce or the exercise of the power of Congress over it as to make regulation of them appropriate means to the attainment of a legitimate end, the exercise of the granted power of Congress to regulate interstate commerce." 312 U.S. 100, 118 (1939).

Then, after noting that in the absence of congressional legislation on the subject State laws which do not obstruct commerce are not forbidden even though they affect interstate commerce, the Court continued: "But it does not follow that Congress cannot by appropriate legislation regulate intrastate activities where they have a substantial effect on interstate commerce. See *Santa Cruz Fruit Packing Co.* v. *National Labor Relations Board*, 303 U.S. 453, 466. A recent example is the National Labor Relations Act for the regulation of employer and employee relations in industries in which strikes, induced by unfair labor practices named in the act, tend to disturb or obstruct interstate commerce. See *National Labor Relations Board* v. *Jones and Laughlin Steel Corp.*, 301 U.S. 1, 38, 40; *National Labor Relations Board* v. *Fainblatt*, 306 U.S. 601, 604, and cases cited. But long before the adoption of the National Labor Relations Act this Court had many times held that the power of Congress to regulate interstate commerce extends to the regulation through legislative action of activities intrastate which have a substantial effect on the commerce or the congressional power over it." Id. at 119–20.

In a footnote the Court listed some of the activities it had held Congress could regulate: "It may prohibit wholly intrastate activities which, if permitted, would result in restraint of interstate commerce. *Coronado Coal Co.* v. *United Mine Workers*, 268 U.S. 295, 310; *Local 167* v. *United States*, 291 U.S. 293, 297. It may regulate the activities of a local grain exchange shown to have an injurious effect on interstate commerce. *Chicago Board of Trade* v. *Olsen*, 262 U.S. 1. It may regulate intrastate rates of interstate carriers where the effect of the rates is to burden interstate commerce. *Houston, E. & W. Texas Ry. Co.* v. *United States*, 234 U.S. 342; *Railroad Commission of Wisconsin* v. *Chicago, B. & O. R. Co.*, 257 U.S. 563; *United States* v. *Louisiana*, 290 U.S. 70, 74; *Florida* v. *United States*, 292 U.S. 1. It may compel the adoption of safety appliances on rolling stock moving intrastate because of the relation to and effect of such appliances upon interstate traffic moving over the same railroad. *Southern Ry. Co.* v. *United States*, 222 U.S. 20. It may prescribe maximum hours for employees engaged in intrastate activity connected with the movement of any train, such as train dispatchers and telegraphers. *Baltimore & Ohio R. Co.* v. *Interstate Commerce Comm'n*, 221 U.S. 612, 619." Id. at 120.

The court then described the functions of Congress and the Court with respect to determining the scope and validity of such legislation:

"In such legislation Congress has sometimes left it to the courts to determine whether the intrastate activities have the prohibited effect on the commerce, as in the Sherman Act. It has sometimes left it to an administrative board or agency to determine whether the activities sought to be regulated or prohibited have such effect, as in the case of the Interstate Commerce Act, and the National Labor Relations Act, or whether they come within the statutory definition of the prohibited act, as in the Federal Trade Commission Act. And sometimes Congress itself has said that a particular activity affects the commerce, as it did in the present act, the Safety Appliance Act and the Railway Labor Act. In passing on the validity of legislation of the class last mentioned the only function of courts is to determine whether the particular activity regulated or prohibited is within the reach of the Federal power. See *United States* v. *Ferger, supra; Virginia Ry. Co.* v. *Federation*, 300 U.S. 515, 553.

"Congress, having by the present act adopted the policy of excluding from interstate commerce all goods produced for the commerce which do not conform to the specified labor standards, it may choose the means reasonably adapted to the attainment of the permitted end, even though they involve control of intrastate activities. Such legislation has often been sustained with respect to powers, other than the commerce power granted to the National Government, when the means chosen, although not themselves within the granted power, were nevertheless deemed appropriate aids to the accomplishment of some purpose within an admitted power of the National Government. See *Jacob Ruppert, Inc.* v. *Caffey*, 251 U.S. 264; *Everard's Breweries* v. *Day*, 265 U.S. 545, 560; *Westfall* v. *United States*, 274 U.S. 256, 259. As to State power under the 14th amendment, compare *Otis* v. *Parker*, 187 U.S. 606, 609; *St. John* v. *New York*, 201 U.S. 633; *Purity Extract & Tonic Co.* v. *Lynch*, 226 U.S. 192, 201–202. A familiar like exercise of power is the regulation of intrastate transactions which are so commingled with or related to interstate commerce that all must be regulated if the interstate commerce is to be affectively controlled. *Shreveport* case, 234 U.S. 342; *Railroad Commission of Wisconsin* v. *Chicago, B. & O. R. Co.*, 257 U.S. 563; *United States* v. *New York Central R. Co., supra,* 464; *Currin* v. *Wallace,* 306 U.S. 1; *Mulford* v. *Smith, supra.* Similarly Congress may require inspection and preventive treatment of all cattle in a disease infected area in order to prevent shipment in interstate commerce of some of the cattle without the treatment. *Thornton* v. *United State,* 271 U.S. 414. It may prohibit the removal, at destination, of labels required by the Pure Food & Drugs Act to be affixed to articles transported in interstate commerce. *McDermott* v. *Wisconsin,* 228 U.S. 115. And we have recently held that Congress in the exercise of its power to require inspection and grading of tobacco shipped in interstate commerce may compel such inpection and grading of all tobacco sold at local auction rooms from which a substantial part but not all of the tobacco sold is shipped in interstate commerce. *Currin* v. *Wallace, supra,* 11, and see to the like effect *United States* v. *Rock Royal Co-op., supra,* 568, note 37." Id. at 121–22.

Under the Fair Labor Standards Act held constitutional in the *Darby* case, Congress regulated wages of any employee engaged in any process or occupation "necessary to the production" of goods for interstate commerce in any State. Among the employees held covered under the act were warehouse and central office employees of an interstate retail chainstore system; the employees of an electrical contractor, locally engaged in commercial and industrial wiring and dealing in electrical motors and generators for commercial and industrial use, whose customers are engaged in the production of goods for interstate commerce; employees of a window-cleaning company, the greater part of whose work is done on the windows of industrial plants of producers of goods in interstate commerce. Even publishers of a daily newspaper only about one-half of 1 percent of whose circulation is outside the State were held to be engaged in the production of goods for commerce. *Mabee* v. *White Plains Publishing Co.*, 327 U.S. 178 (1946). (For a longer list of occupations covered by the Fair Labor Standards Act and citations to cases, see note 6, pp. 157–158, "The Constitution of the United States of America" (1953), Senate Document No. 170, 82d Congress, 2d sess.; pp. 118–253 of that volume discuss the Supreme Court cases interpreting the commerce clause.)

The National Labor Relations Act has a broader scope than the Fair Labor Standards Act and enables the NLRB to reach activities "affecting commerce" as defined in section 2(7). (61 Stat. 138, 29 U.S.C., sec. 142(7)). In *Meat Cutters* v. *Fairlawn Meats,* 353 U.S. 20 (1957) the Court held the act applicable to a retailer operating three meat markets in and around Akron, Ohio, even though all of its sales were intrastate and only slightly more than $100,000 of its annual purchases of almost $900,000 came from outside Ohio directly, saying: "We do not agree that respondent's interstate purchases were so negligible that its business cannot be said to affect interstate commerce within the meaning of section 2(7) of the National Labor Relations Act." Id. at 22.

In another comment upon the reach of section 2(7) the Court said, in *Polish Alliance* v. *Labor Board,* 322 U.S. 643, 648 (1944): "Congress therefore left it to the Board to ascertain whether proscribed practices would in particular situations adversely affect commerce when judged by the full reach of the constitutional power of Congress. Whether or no[t] practices may be deemed by Congress to affect interstate commerce is not to be determined by confining judgment to the quantitative effect of the activities immediately before the Board. Appropriate for judgment is the fact that the immediate situation is representative of many others throughout the country, the total incidence of which if left unchecked may well become far reaching in its harm to commerce."

It is perhaps the case of *Wickard* v. *Filburn,* 317 U.S. 111 (1942) which illustrates most dramatically the extent to which the commerce power can reach intrastate activities. Filburn harvested 239 more bushels of wheat than he was allowed to under an Agricultural Adjustment Act of 1938 allotment. This subjected him to penalties under the act which did not depend upon whether any part of his wheat, either within or without his quota, was sold or intended to be sold. Filburn contended that to penalize him for growing wheat on his own farm to be consumed on his own farm was beyond the reach of congressional power since these are local activities and their effect on commerce is at most indirect. The Court said that questions of the power of Congress were to be decided not by reference to any formula based on words like "direct" but rather upon "consideration of the actual effects of the activity in question upon interstate commerce," id. at 120. In holding that even as applied to wheat not intended for commerce but strictly for home consumption the act was within the commerce power of Congress, the Court stated that the effect of the statute was "to restrict the amount of wheat which may be produced for market and the extent as well to which one may forestall resort to the market by producing to meet his own needs. That appellee's own contribution to the demand for wheat may be trivial is not enough to remove him from the scope of Federal regulation where, as here, his contribution, taken together with that of many others similarly situated, is far from trivial." Id. at 127–128. The Court also observed: "This record leaves us in no doubt that Congress may properly have considered that wheat consumed on the farm where grown, if wholly outside the scheme of regulation, would have a substantial effect in defeating and obstructing its purpose to stimulate trade therein at increased prices." Id. at 128–129.

The Supreme Court has also held that in the exercise of its commerce power Congress may prohibit racial discrimination. *Boynton* v. *Virginia,* 364 U.S. 454 (1960). A Virginia court had held that a Negro interstate bus passenger who refused to leave a white-only restaurant in the bus terminal after being denied service and ordered to leave was properly convicted of trespass under a Virginia statute. The Supreme Court held that under section 216(d) of the Interstate Commerce Act (49 U.S.C., sec. 316(d)), which forbids any interstate common carrier by motor vehicle to subject any person to unjust discrimination, the Negro had a Federal right to be served in the restaurant and Virginia could not convict him of trespass for remaining even after he had been ordered to leave. Though the restaurant was not operated by the carrier it was operated as a part of the carrier's terminal facilities and was therefore embraced with the prohibitions of the act. The Court was careful to point out that it was not deciding that the act required unsegregated service every time a bus stops at a roadside restaurant. It should be observed, on the other hand, that the Court said nothing one way or the other about the power of Congress under the commerce clause to require unsegregated service every time an interstate bus stopped at a roadside restaurant.

In the earlier discussion of the 14th amendment aspects of the case of *Williams* v. *Howard Johnson's Restaurant,* 268 F. 2d 845 (4 Cir. 1959), (supra, pp. 8–9), it was mentioned that the Court rejected the theory that the restaurant was forbidden to discriminate because it was engaged in interstate commerce. It should be observed that in this case the Court was considering not the power of Congress under the commerce clause, for there was no statute involved, but rather the reach of the commerce clause unimplemented by any congressional regulation. The distinction is a most important one.

Conclusions on the commerce clause approach

From the cases thus far decided it seems clear that, under the commerce clause, Congress can regulate racial discrimination. It is also clear that, under its commerce power Congress can reach intrastate activities if they have a substantial effect upon commerce. We know that the commerce power can reach retailers whose sales are wholly intrastate and only one-ninth of which purchases are made out of state. *Meat Cutters* v. *Fairlawn Meats* (supra). We know that Congress can reach a farmer who grows wheat on his own farm for his own consumption even though the amount he grows may be trivial. *Wickard* v. *Filburn* (supra). But we know also, because the principle is implicit in even the broadest holdings on the scope of the commerce power, that Congress cannot reach activities which do not in fact have a significant effect upon commerce.

We do not know whether Congress can reach racial discrimination to the same extent that it can reach other activities under the commerce clause. There would seem to be nothing in the decided cases, however, to indicate that the Court would not apply the same standards it has applied in cases dealing with the regulation of prices, wages, hours, labor relations, or any other attempt by Congress to exercise the full extent of its powers under the commerce clause.

Under the 14th amendment, Congress can reach "only such action as may fairly be said to be that of the States." *Shelley* v. *Kraemer,* 334 U.S. 1, 13 (1948). Under the commerce clause, the power of Congress extends to all interstate activities and also "to those activities intrastate which so affect commerce or the exercise of the power of Congress over it as to make regulation of them appropriate means to the attainment of a legitimate end." *United States* v. *Darby,* 312 U.S. 100, 118 (1939). Whether the Congress uses one power or the other as the basis for a law prohibiting racial discrimination in public accommodations, the Court will be required to make the ultimate determination of the law's constitutionality, not in general terms but on the basis of its application to particular activities. Although it seems likely that, in the present state of the law, Congress can reach more activities under the commerce clause than it can under the 14th amendment, one cannot be certain whether Mrs. Murphy's rooming house or Mrs. Murphy's grocery store can be reached under either power.

If Mrs. Murphy's act may fairly be said to be that of the State the 14th amendment already reaches her.

If Mrs. Murphy's act so affects commerce as to make its regulation appropriate, Congress can reach her act under its commerce power.

But just as it would be presumptuous to try to anticipate whether the Court will follow the *Civil Rights Cases,* or *Shelley* v. *Kraemer,* or *Marsh* v. *Alabama* if the Congress adopts the 14th amendment approach, it would be presumptuous to try to anticipate what approach it will take if Congress acts under the commerce power.

Whether the Court will find that a law prohibiting Mrs. Murphy from discriminating in the rental of her rooms or the sale of her canned goods is unconstitutional because it is a police regulation, relating exclusively to the internal trade of the States, as in *United States* v. *Dewitt,* 9 Wall. 41 (1869), or because it is intended to embrace commerce between citizens of the same States, as in *The Trade Mark* cases, 100 U.S. 82 (1879), or find the law constitutional after weighing not just the quantitative effect on interstate commerce of Mrs. Murphy's act but also "the fact that the immediate situation is representative of many others throughout the country, the total incidence of which if left unchecked may well become far reaching in its harm to commerce," as it said should be done in the *Polish Alliance* case (supra, p. 24), is an inappropriate judgment for us to make.

VINCENT A. DOYLE,
Legislative Attorney.

The **PRESIDING OFFICER**. Is there further morning business? If not, morning business is closed.

ORDER OF BUSINESS

Mr. SIMPSON obtained the floor.

Mr. BIBLE. Mr. President, will the Senator yield temporarily to me so that I might ask the Presiding Officer to lay before the Senate the unfinished business?

Mr. SIMPSON. I am happy to yield.

AMENDMENT OF LEAD-ZINC SMALL PRODUCERS STABILIZATION ACT

The **PRESIDING OFFICER**. The Chair lays before the Senate the unfinished business, which will be stated.

The **LEGISLATIVE CLERK**. A bill (H.R. 3845) to amend the Lead-Zinc Small Producers Stabilization Act of October 3, 1961 (75 Stat. 766).

The Senate resumed the consideration of the bill (H.R. 3845) to amend the Lead-Zinc Small Producers Stabilization Act of October 3, 1961 (75 Stat. 766).

ANNIVERSARY OF WYOMING STATEHOOD

Mr. SIMPSON. Mr. President, proudly I take the Senate floor today to bring to my colleagues' attention the 73d anniversary of the act which created the State of Wyoming in the year 1890.

In Wyoming's three-quarters of a century of participation in the great American experiment of representative government, many accolades have been paid her, but none greater than the reputation she has earned as a State peopled by self-reliant Americans who believe in private enterprise and constitutional government.

From a sod house and mule trail beginning as a Territory just 3 years after the Civil War, the Union's 44th State now holds a respected position in our Republic. However, Wyoming's archives disclose that she has at times in her struggle fared rather sadly at the hands of the Federal Government. In one such instance, the 40th Congress, embroiled in the impeachment of President Johnson in 1868, refused to confirm his governmental appointments for the Wyoming Territory. John A. Campbell was named Wyoming's first Territorial Governor the following year by Johnson's successor, President Grant.

Wyoming's first legislative assembly convened at Cheyenne, October 12, of that year. House members have gaveled to order in the same building that was to provide the setting later in that session for enactment of the world's first women's suffrage bill.

Wyoming's tremendous mineral wealth was recognized as early as 1889 when a Senate committee report ventured the estimate that—

> Few countries on the face of the globe have resources more varied than those of Wyoming * * * no countries could be better supplied with coal * * * it is doubtful if the oil fields elsewhere in the United States equal those of Wyoming.

How prophetic were the glowing passages of that report can be seen in statistics today which prove Wyoming to be truly America's "storehouse of power."

The bill for which that optimistic minerals report was transcribed—S. 2445—died when Congress adjourned 5 days after the measure cleared its committee.

An earlier attempt to create a State from Wyoming Territory ended in a mystery. A bill introduced by the Territory's Delegate to Congress and later Governor, J. M. Carey, unexplainably disappeared from its referred committee and from recorded history.

It was in the House of Representatives that the spark of Wyoming statehood finally grew to a blaze. House Resolution 982, ratifying Wyoming's constitution with its historic and highly controversial women's suffrage provision was passed after protracted debate. Senate concurrence followed, and on this date in 1890 Wyoming's name was enrolled as a member of the family of the United States of America.

I should like to digress a moment and note that the Territorial Governor who became Wyoming's first State Governor, Francis E. Warren, received an appointment by then President Benjamin Harrison. That Chief Executive's grandson, William Henry Harrison, is now serving Wyoming with distinction in his fourth term as our lone Congressman in the House of Representatives.

The man President Harrison appointed as Territorial Governor—the man later elected State Governor—was to etch his name indelibly in the solid granite of greatness. After a brief term as Governor, Francis E. Warren was elected to serve his new State and his burgeoning Nation as a U.S. Senator. It should be noted that Senator Warren's 37 years and 6 days in office constitute the longest period of service recorded in this legislative body.

I digress to state that the senior Senator from Arizona [Mr. HAYDEN] whose service has been continuous, rather than in broken time, will pass that mark in the coming year.

Wyoming's political heterogeneity can be readily perceived by glancing at the list of distinguished men and women who have occupied the Cheyenne State House. Ten, including the Nation's first woman Governor, Nellie Tayloe Ross, were Democrats. Sixteen, including Wyoming's present Governor, Clifford P. Hansen, were elected on Republican ballots. History shows that both political parties have contributed persons of stature and sagacity to lead Wyoming from the wilderness of Mexican and Dakota territory to statehood—men and women whose great catalyst was the desire to govern well the State they loved.

Today Wyoming—the State—ranks ninth largest in land area. Her 350,000 residents constitute a population average of only three persons per square mile. The families that developed—and are still developing—wonderful Wyoming regard their elbow room as a prize asset.

Another top asset, the University of Wyoming, ranks among the top 10 percent of American universities. For that touch of affluency, Wyoming has 40 men listed as millionaires in Casper, a city of less than 40,000.

Crude oil and natural gas are produced in 21 of Wyoming's 23 counties, and Wyoming has no proration laws or similar restrictions on industry. We question the 37½ percent mineral royalty refunded our State when we see the 90 percent refund accorded our distant neighbors of the far north. Wyoming is ranked fifth among States in petroleum reserves and contributes some 40 percent of the funds going to Washington under the Minerals Leasing Act of 1920. Wyoming's return, however, is only slightly more than one-third of the moneys we actually contribute.

Wyoming contains 30 percent of the potential uranium reserves in America—ranking second only to New Mexico in stocks of this vital mineral.

Wyoming is further blessed with rich deposits of iron and steel, of trona and bentonite, coal and gypsum. Sulfur in the Big Horn Basin indicates the location of another lucrative industry that thrives in Wyoming's excellent business climate. All 23 of Wyoming's counties are underlaid with coal. We have reserves estimated at 600 billion tons of the black fuel.

We have a spanking new $3 million gypsum wallboard plant near Cody, Wyo., and the Husky Oil Co., one of Wyoming's "independents," is also headquartered there.

Wyoming's livestock industry occupies a prominent place in the State's economy. With more prudence and commonsense from the administration regarding foreign beef and woolen imports, I trust our livestock producers can continue to have a dependable and profitable industry.

Still another potentially promising business harassed by excesses of bureaucratic redtape is Wyoming's lumber industry. With a U.S. Government stamp on over half of Wyoming's land, with only one-sixth of Wyoming's commercial forest land privately owned, I am sure that my colleagues can readily see that Government manipulation plays a big role in the development of a lumber industry.

For my colleagues who sometimes yearn for the wide-open spaces and the opportunity to trade forensic barbs for a rifle, I can report that Wyoming has the best elk, deer, moose, and antelope hunting in the United States. The fishing in hundreds of clear cold streams is unexcelled.

Wyoming has the mixed blessing of Yellowstone and Grand Teton National

Parks as well as a myriad of national monuments and State parks which attract nearly 3 million visitors annually.

A clear indication of Wyoming's great diversity came July 1 when Fort Warren Air Force Base at Cheyenne, already the first operational intercontinental Atlas missile launching base in the United States, added to its numerous laurels the honor as the largest operational Minuteman missile wing in the Nation. Fort Warren's strategic location within striking distance of any Communist target the world over and its "triple threat" weapons potential bring the so-called cold war to the very doorstep of every Wyoming family.

Wyoming, Mr. President, is a State large in size but small in population. I call it "the land of high altitude and low multitude," but essentially Wyoming is a land of proud diversity. She is proud of her tremendous natural resources, but even prouder of a greater resource—her people. A story published recently in a State magazine reveals with candor and pathos the depth of the Wyoming spirit. A Wyoming cattleman had his herd decimated by drought for the seventh time. He was asked by a neighbor what he intended to do; was he going to quit or try again? He replied that he had a "pretty nice bunch" of yearlings and somehow he could get along by himself, even though he was 82 years old.

In political philosophy Wyoming is conservative although the State has never turned its back on politicians of the Democratic Party. We were represented for 27 years by a man who became a pillar of strength in the U.S. Senate, the redoubtable Joseph C. O'Mahoney. Basically, however, Wyoming's thinking in foreign policy and economics and the relationship of the State to the Federal Government is the very opposite of liberal dogma.

This reference, Mr. President, brings me to another point of digression. Wyoming in the past several weeks has been subjected to an unprecedented and well-planned campaign of vilification and defamation aimed at painting my State as an irresponsible governmental unit manipulated by external forces of some extremist bent. Nothing could be further from the truth.

Last April syndicated columnist, Marquis Childs, in the Washington Post said:

> The John Birch Society has gained more or less open control over the Wyoming Legislature.

Childs said 15 Wyoming radio stations had accepted a retainer of $1,000 from a combine of rightwing organizations.

No sooner had the ink dried on Childs' bit of fiction than liberal commentator Edward P. Morgan blasted the Equality State as a haven of rightwing extremism. His diatribe emanated from the same source as did the Childs' article. So similar were the contents of the two stories—even to repeating the same errors of fact—that they could have been penned by the same author.

Before yielding the floor, Mr. President, I should like to take cognizance of the fact that Wyoming, although dragged through the dark mire of scurrilous innuendo and defamation, could give some excellent fiscal pointers to the Federal Government and some of her sister States, whose economies are represented in varying shades of red.

Marquis Childs and Edward Morgan notwithstanding, Wyoming has accomplished much. Wyoming has no general bond funded debt. Its State highway program is financed on a pay-as-you-go basis. Wyoming has no State income tax and no corporate taxes.

She has one of the lowest per capita crime rates in the United States, together with a history of sensible compatible relationships between State and city governments. Each biennium the legislature meets in a 40-day session. It is guided in its fiscal policy by a law which gives the legislators a mandate wherein no appropriation can be made which would create a deficit. Our general fund established by the legislature has for many years shown a surplus. In this day of deficit spending that is in itself a most laudable accomplishment for any State.

With further reference to the spurious charges leveled at Wyoming's State government, her institutions, and her citizens, I would inform the oracles of the left that Wyoming's PTA is not Birch controlled. Wyoming's Rotary, Kiwanis, and Lions Clubs are not Birch controlled. Wyoming's Farm Bureau Federation is not Birch controlled. Neither are the State's radio and television industries, or the press. I assure the columnists and commentators who have bent their ears to the left that the State which celebrates its statehood today is controlled only by elected citizens of Wyoming—their principal desire being to benefit the State they serve through exercise of their constitutional prerogatives. Neither the John Birch Society on the right nor the Americans for Democratic Action on the far left has any appreciable influence on the Equality State. There are no secret cells controlling Wyoming's institutions and the opposition that may face office holders in my State in 1964 will result from their own political activities as interpreted and judged by the people of Wyoming.

Wyoming's 350,000 residents have much to be proud of this day. The State, carved from the wilderness by the pioneer spirit and courage of the settlers who "dared," now occupies a respected place in our Nation. We are richly endowed with natural and human resources. We have maintained fiscal stability through development of economic literacy, and our business climate is outstanding.

As the last frontier of the Old West, Wyoming looks with anticipation at the years that lie ahead. We combine a proud heritage, an optimistic future, and confidence in the strength of the American way, to remain the land of opportunity—the Equality State.

Mr. DOMINICK. Madam President, will the Senator yield?

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). Does the Senator yield?

Mr. SIMPSON. I yield to the Senator from Colorado.

Mr. DOMINICK. As a Senator from a neighboring State, I wish to express appreciation of and compliment the Senator on a fine statement. I have visited his State on many occasions. I have relatives living in Wyoming. It is a great State.

Mr. SIMPSON. I thank the Senator. His distinguished relatives in the State of Wyoming are making history in that State, just as he is making history in Colorado.

FEDERATION OF MALAYSIA

Mr. MANSFIELD. Madam President, I should like to call to the attention of the Senate the signing of an agreement in London on July 9 which points the way, in turn, to the creation on August 31 of a new commonwealth in southeast Asia. The agreement will join Malaya, Singapore, North Borneo, and Sarawak in the Federation of Malaysia, and the door is left open to the subsequent adherence of the Sultanate of Brunei.

This agreement, Madam President, has not been easy to achieve. Within the territories involved, there are 10 million people of many cultural backgrounds—groups such as the Malays, the Chinese, the Dyaks, and others—who have heretofore not always had the most friendly contacts with one another. There are ancient fears and contemporary fears which have had to be overcome. There are immediate economic advantages and disadvantages to one group or another in the fusion. All these and other factors have had to be confronted in reaching the accord and they will continue to be present as it is transformed into a working reality.

In time, however, there is every reason to anticipate high returns to all of the inhabitants of Malaysia, in terms of stability, security, and economic progress in freedom.

An exceptional order of southeast Asian leadership has made possible the achievement of the agreement. The leadership has come from the Tunku Abdul Rahman of Malaya who is one of the outstanding and farsighted political leaders of the region. It was my pleasure, along with the Senator from Rhode Island [Mr. PELL] and the Senator from Delaware [Mr. BOGGS] to meet with the Tunku last fall in Kuala Lumpur and to discuss with him, among other questions, the projections which were then already formed for the new federation.

The Tunku, along with Lee Kuan Yew in Singapore, and the leaders of North Borneo and Sarawak are to be congratulated on this important achievement. And so, too, is the British Government. It has shown in this as in many other instances an understanding of indigenous realities and a discreet wisdom in dealing with them in the transfer of political responsibilities in Asia.

Finally, Madam President, I should like to compliment the Governments of the Philippines and Indonesia for interposing no insurmountable objections to the emergence of the federation, despite certain reservations which both nations have entertained with respect to this development. The legal claims respecting North Borneo which have been raised by the Philippines are still to be dealt with in an appropriate fashion. But the understanding which Manila has shown in connection with the emergence of Malaysia should serve to facilitate the satisfactory resolution of these claims.

In any event, Madam President, the signing of the agreement on Malaysia is an auspicious event. I am sure that the Senate joins with the President in wishing every success to this great venture in unity and freedom in southeast Asia.

I ask unanimous consent that an article from the Baltimore Sun, under date of July 9, by David M. Culhane, and an article from the Washington Post be incorporated at this point in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Baltimore Sun, July 9, 1963]

London Signatories Set Up Federation of Malaysia

(By David M. Culhane)

London, July 9.—An international agreement creating a Federation of Malaysia, southeast Asia's newest nation, was signed here early today.

Prime Minister Macmillan and the representatives of Malaya, Singapore, Sarawak, and British North Borneo signed the agreement which will bring the nation into existence August 31.

BRUNEI BACKS OUT

After all-day negotiations yesterday, the oil-rich State of Brunei backed out of the agreement at the last minute.

But just after midnight, the other parties went ahead with the agreement. It is not known yet what Brunei intends to do.

Other signatories included Tunku Abdul Rahman, Prime Minister of the Federation of Malaysia, and Lee Yuan Yew, Prime Minister of Singapore.

Duncan Sandys, Britain's Commonwealth Minister, who has been preparing the way for the federation, also was on hand for the signing and the midnight celebrations.

The signing took place at Marlborough House, the Commonwealth center near Buckingham Palace, where many of the all-night conferences of the past 10 days took place.

NATION OF 10 MILLION

The new nation will include just under 10 million persons—native tribesmen, industrious Chinese, Tamils from India and Ceylon, and the politically advanced Malays.

The Macmillan signature on the agreement today means that the British flag will be lowered in North Borneo and Sarawak, to be replaced by national and federation standards.

There is still a general expectation that Brunei will at some point decide to join Malaya, Singapore, British North Borneo, and Sarawak in the Federation.

The Singapore Prime Minister said after the negotiations were concluded tonight that his side had been "bludgeoned into this settlement."

He said that Singapore had made extensive concessions to Britain concerning military properties which Britain wants to retain.

Malayan and British spokesmen said that Brunei had opted out solely on the issue of of the "precedence of the Sultan of Brunei."

Other sources suggested there may be some point concerning its financial contribution behind the Brunei decision—the little nation of about 83,000 persons has an annual oil income of about $35 million.

The new nation will include 3,300,000 Malays, 2,500,000 Chinese, 700,000 persons of Indian descent, plus the almost 2 million citizens of Singapore.

Tunku Abdul Rahman will become the first Prime Minister and will direct the affairs of the federation from its new capital, Kuala Lumpur.

The new nation is made up of various lands lying around the South China Sea.

One of the objectives of the federation is to create a bulwark in the area against further aggression from the Chinese mainland.

BRITAIN TO BE DEFENDER

Britain will continue to take responsibility for the defense of the area—from its bases in Singapore and Malaya. It will be many years before the federation can take over its defense.

Besides expected difficulties with Communist China, the new nation may get some trouble from Indonesia. That nation has indicated from time to time considerable objections to the new federation.

[From the Washington Post, July 9, 1963]

Pact Signed To Create Malaysian Federation

London, July 9.—The Sultan of oil-rich Brunei balked at the last minute but leaders of four other Commonwealth territories and Britain agreed today to create on August 31 a new Federation of Malaysia. It is dedicated to serve as a bulwark against communism in southeast Asia.

Prime Minister Harold Macmillan called the agreement "the birth certificate" of a new Commonwealth nation. It was signed by representatives of Britain, Malaya, Singapore, and the British territories of North Borneo and Sarawak.

Brunei's Sultan, Omar Ali, was reported by Malaya's Premier to have refused to sign because he was not given precedence over the rulers of the other states.

Later a Brunei spokesman disputed this, saying Brunei's withdrawal was caused by monetary considerations rather than an affront to the Sultan's ideas of precedence. He declined to say whether there may be further negotiations to include Brunei, a tiny British protectorate on the Borneo coast.

OIL MAY BE FACTOR

The money question concerned payments of Brunei oil revenues into the Maylaysia federal treasury.

The agreement was signed at Marlborough House by British Commonwealth Secretary Duncan Sandys, Premier Tunku (Prince) Adbul Rahman of Malaya, Prime Minister Lee Kuan Yew of Singapore, and political leaders of Sarawak and North Borneo.

The new Federation of Malaysia will thus group Malaya, Singapore, Sarawak, and British North Borneo in a 130,818-square-mile crescent stretching from Thailand across the South China Sea to the back door of the Philippines.

Macmillan, flanked by Sandys and Minister of State Lord Lansdowne, joined leaders of the four delegations at the signing ceremony.

Macmillan said "the agreement which we have reached is the product of much anxious thought, careful consultation, and keen argument."

"For many years," he said, "the Federation of Malaya and the bustling, dynamic state of Singapore have provided the success story of free Asia. We hope this story will continue on a larger scale."

For Britain, signing the agreement started a further withdrawal from southeast Asia and a further reduction of what was once the great British Empire.

The federation will have a population of nearly 10 million, primarily Moslems of Malay extraction. However, there are about 3.8 million Chinese, many of them Buddhists.

NEIGHBORS OBJECTED

The proposed federation also met strong objections from neighboring Indonesia and the Philippines.

Indonesia objected to the incorporation of the British Borneo territories. President Sukarno, of Indonesia, contends that given a plebiscite the inhabitants of the Borneo territories would choose an attachment to Indonesia or prefer to go it alone. He charged Britain was rushing them into the federation without popular consultation.

But after a May 31 meeting in Tokyo with Rahman, Sukarno withdrew his protest.

The Philippines has claimed part of North Borneo, but the Manila government has suggested it might drop this claim if the Malaysia members, the Philippines and Indonesia group themselves in a greater Malay confederation.

When Malaysia comes into being the present Anglo-Malayan defense agreement will extend to cover the areas of the new federation.

Britain's base in Singapore will remain, and although it is not spelled out in so many terms, the British are expected to be able to use it for SEATO (Southeast Asia Treaty Organization) purposes when necessary.

THE NATION'S WOMEN LEADERS COMMIT THEMSELVES TO CIVIL RIGHTS EFFORT

Mr. HART. Madam President, yesterday the President of the United States invited to the White House the leaders of almost 100 women's organizations, representing 50 million women from all parts of the country. He discussed with them the civil rights situation which we face and appealed for their help in guaranteeing human rights to every citizen regardless of color.

The women not only accepted the assignment; they stayed over last night and, at a history-making meeting in the Interdepartmental Auditorium, set up the machinery to get to work immediately.

Under the able chairmanship of Mrs. Mildred McAfee Horton, the group established a National Women's Committee on Civil Rights, pledged to carry to every community in the Nation an educational campaign of human equality, and also pledged to support the President's civil rights program.

Madam President, I am told that this meeting, which filled the room to capacity and held its participants until 10:45 p.m., was marked by a spirit of partnership, of determination, of responsibility, and of dedication. For all those who participated, I believe July 9, 1963, marks the beginning of a new day. And it marks a day when the entire Nation moved closer to the realization of full civil rights for all citizens.

I ask unanimous consent, Madam President, that the list of those consulted by the President be inserted in the Record at this point, as well as the resolution adopted by the group which met last night.

There being no objection, the list and resolution were ordered to be printed in the Record, as follows:

List Of Women

Virginia R. Allan, National Federation of Business and Professional Women's Clubs, Washington, D.C.; Mrs. Herbert Arthur, Iowa United Church Women, Ames, Iowa; Mrs.

Bernard Bachman, National Council of Jewish Women, Inc., Verona, N.J.; Mrs. Angela Bambace, International Ladies' Garment Workers' Union (AFL–CIO), Baltimore; Dr. Sarah Bateman, Mental Health Services, Charleston, W. Va.; Mrs. Roland P. Beattie, YWCA National Public Affairs Committee, Murryhill, N.J.; Mrs. L. L. Belknap, Nebraska United Church Women, Lincoln, Nebr.; Fay Bennett, YWCA National Public Affairs Committee, New York, N.Y.; Mrs. John C. Bennett, National Council of Churches, New York, N.Y.; Manche O. Bennett, YWCA State Members, National Public Affairs Committee, Memphis, Tenn.; Margaret Berry, National Federation of Settlements and Neighborhood Centers, New York, N.Y.; Mrs. Kelsey Beshears, St. Joseph, Mo.; Diane Nash Bevels, Southern Christian Leadership Conference, Atlanta, Ga.; Mrs. Stanley Bierdon, YWCA National Public Affairs Committee, Coral Gables, Fla.; Anne D. Blair, American Newspaper Women's Club, Inc., Washington, D.C.

Hazel Blanchard, National Education Association, Washington, D.C.; Mrs. Norman L. Boatwright, National Council of Catholic Women, Augusta, Ga.; Mrs. Earle W. Brailey, Vermont Council of United Church Women, Bethel, Vt.; Mrs. Louis Broido, National Council of Jewish Women, Inc., New York, N.Y.; Mrs. Wright Brooks, YWCA, National Public Affairs Committee, Minneapolis, Minn.; Mrs. Fred Brown, National Council of Jewish Women, Inc., New York, N.Y.; Mrs. Porter Brown, National Council of Churches, New York, N.Y.; Mrs. Ronald Brown, National Council of Jewish Women, Inc., Cleveland, Ohio; Mrs. William H. Bruce, YWCA, Bar Bills, Maine; Mrs. Paul J. Burke, National Council of Catholic Women, Lake Charles, La.; Mrs. Ekdal Buys, Reformed Church, Caledonia, Mich.; Mrs. Roy E. Cabell, Utah United Church Women, Salt Lake City, Utah; Mrs. Everett S. Calhoun, YWCA, Palo Alto, Calif.; Mrs. De Verne Calloway (Member, State Assembly), St. Louis, Mo.; Elsie Carper, Women's National Press Club, Washington, D.C.

Mrs. Moise S. Cahn, National Council of Jewish Women, Inc., New Orleans, La.; Mrs. Howard Carson, YWCA, Fort Wayne, Ind.; Barbara Catton, National Association of Women Deans and Counselors, Washington, D.C.; Mrs. Lytle G. Chambers, YWCA, Brooklyn, N.Y.; Mrs. Emil Chanlett, U.S. Delegate, Inter-American Commission of Women, Chapel Hill, N.C.; Mrs. Stuart Chapman, YWCA, Edmons, Wash.; Mrs. Fred Church, YWCA, Natick, Mass.; Mrs. James Clapp, South Dakota United Church Women, Rapid City, S. Dak.; Mrs. Robert Claytor, YWCA, Grand Rapids, Mich.; Mrs. Dennis Clinton, Illinois United Church Women, Virden, Ill.; Mrs. O. Ivan Cole, Disciples of Christ, Cincinnati, Ohio; Mrs. Louis Cohane, National Council of Jewish Women, Inc., Detroit, Mich.; Mrs. Henry C. Collins, Alabama United Church Women, Montgomery, Ala.; Mrs. Thomas Conlin, National Council of Catholic Women, Boise, Idaho; Mrs. William J. Cooper, National Council of Jewish Women, Inc., Washington, D.C.

Mrs. Ira Y. Copen, National Council of Jewish Women, Inc., Newark, N.J.; Mrs. Henry E. Corner, YWCA, Baltimore, Md.; Mrs. Clifford C. Cowin, National Council of Churches, Oberlin, Ohio; Mrs. Earl Cranston, YWCA, Claremont, Calif.; Mrs. John W. Crawford, YWCA, Raleigh, N.C.; Mrs. William Carothers, YWCA, Salem, Oreg.; Thelma Cullen, National AFL–CIO Auxiliary, Baltimore, Md.; Mrs. Jerome Curtis, National Council of Jewish Women, Inc., Shaker Heights, Ohio; Jeanne Donaldson Dago, Chicago, Ill.; Mrs. Paul David, National Council of Jewish Women, Inc., White Plains, N.Y.; Christine Davis, House Committee on Government Operations, Washington, D.C.; Mrs. Morrell Dereign, National Council of Churches, Carathersville, Mo.; Irma Dixon, Baltimore, Md.; Mrs. Ernest F. Dixson, North Carolina Church Women, Charlotte, N.C.; Margaret B. Dolan, American Nurses' Association, Inc., Chapel Hill, N.C.

Mrs. James M. Dolbey, National Council of Churches, Cincinnati, Ohio; Mrs. Joel Dolkart, National Council of Jewish Women, Inc., Rockaway Park, N.Y.; Mrs. Charles J. Donohue, National Council of Catholic Women, Norwich, Conn.; Dr. Blanche Dow, American Association of University Women, Nevada, Mo.; Dixie Drake, League of Women Voters of U.S., Washington, D.C.; Mrs. Walter B. Driscoll, National Council of Churches, St. Paul, Minn.; Evelyn Dubrow, International Ladies' Garment Workers' Union (AFL–CIO), New York, N.Y.; Mrs. Robert V. H. Duncan, DAR, Washington, D.C.; Mildred Dunn, Washington State Governor's Commission on the Status of Women, Seattle, Wash.; Dr. Helen G. Edmonds, North Carolina College, Durham, N.C.; Margaret Edmunds, National Council of Catholic Women, Danville, Va.; Mrs. Garrett H. Evans, YWCA, Huntington, W. Va.; Mrs. Saul S. Feingold, National Council of Jewish Women, Inc., North Worcester, Mass.; Mrs. Bernard Feitlinger, National Council of Jewish Women, Inc., Columbus, Ohio; Mrs. Leopold Fleischaker, National Council of Jewish Women, Inc., Louisville, Ky.

Mrs. M. T. Fliegelman, National Council of Jewish Women, Inc., Louisvile, Ky.; Margaret Flory, National Council of Churches, New York, N.Y.; Mrs. Paul Furnas, Philadelphia Yearly Meeting of Friends, Media, Pa.; Ruth Gallinot, National Secretaries Association, Chicago, Ill.; Mrs. Neil Gebhardt, YWCA, Erie, Pa.; Catherine Gelles, National AFL–CIO, Detroit, Mich.; Mrs. Paul G. Goebel, Governor's Commission on the Status of Women, Grand Rapids, Mich.; Mrs. Raphael R. Goldenberg, National Council of Jewish Women, Inc., Paterson, N.J.; Mrs. Myron P. Gordon, National Council of Jewish Women, Inc., Mt. Vernon, N.Y.; Mrs. Richard F. Gormley, National Council of Catholic Women, Butler, N.J.; Sylvia Gottlieb, Communication Workers of America, Washington, D.C.; Mrs. Colonel John Grace, Salvation Army, New York, N.Y.; Dr. Rosa L. Gragg, National Association of Colored Women's Clubs, Washington, D.C.; Mrs. Don V. Gray, Seventh-Day Baptist, Milton, Wis.; the Reverend Alvene E. Grice, Community Churches, Covert, Mich.

Mrs. Homer A. Greene, National Home Demonstration Council, Tutwiler, Miss.; Mrs. Howard Grimes, YWCA, Dallas, Tex.; Mrs. H. M. Gronhovd, Montana United Church Women, Billings, Mont.; Mrs. Muriel V. Gross, YWCA, Elizabeth, N.J.; Mrs. J. Paul Gruver, Virginia United Church Women, Staunton, Va.; Mrs. Frank Hall, Alaska, Alaska United Church Women, Juneau, Alaska; Mrs. Paul Halladay, Indiana United Church Women, North Manchester, Ind.; Grace Hamilton, Atlanta, Ga.; Hazel Hand, Ladies Auxiliary of the Conductors' and Brakemen's Union, Pittsburg, Kans.; Mrs. James Harger, YWCA, Annandale, N.J.; Mrs. George E. Hariman, North Dakota United Church Women, Grand Forks, N. Dak.; Dr. Ruth Hartgraves, American Medical Women's Association, Inc., New York, N.Y.; Mrs. Thomas E. Hayes, Omaha, Nebr.; Anne E. Heath, African Methodist Church, Washington, D.C.; Mrs. Douglas Horton, Randolph, N.H.

Mrs. Ralph T. Heymsfeld, National Council of Jewish Women, Inc., Woodmore, Long Island, N.Y.; Grace S. Highfield, American Women's Society of Certified Public Accountants, Chicago, Ill.; Mrs. Grady A. Hodges, District of Columbia United Church Women, Washington, D.C.; Florence Allen Holmes, National Association of Negro Business and Professional Women, Massapequa, Long Island, N.Y.; Mrs. Oze Horton, Atlanta, Ga.; Margaret Hickey, Ladies Home Journal, St. Louis, Mo.; Mrs. Luther Holcomb, Texas United Church Women, Dallas, Tex.; Mrs. Paul E. Horn, Evangelical United Brethren, York, Pa.; Dr. Mary L. Bunting, president of Radcliffe College, Cambridge, Mass.; Mrs. Park Huntington, Delaware United Church Women, Wilmington, Del.; Mrs. Scott D. Hurlbert, Kalamazoo, Mich.; Dr. Dorothy H. Hutchinson, Women's International League for Peace and Freedom, Philadelphia, Pa.; Mrs. Ralph Hyslop, YWCA, New York, N.Y.; Mrs. Henry A. Ingraham, YWCA, Brooklyn, N.Y.; Mrs. James W. Irwin, YWCA, Pulaski, Tenn.

Abbe C. Jackson, National Women's Organization—African Methodist Episcopal Zion Church, Louisville, Ky.; Mrs. Charles Jackson, Metropolitan Women's Democratic Clubs, Washington, D.C.; Mildred Jeffrey, United Auto Workers, Detroit, Mich.; Mrs. Ernest A. Johnson, YWCA, Lake Forest, Ill.; Margaret Jones, State Women's Activities Division, Lewiston, Idaho; Mrs. Paul M. Jones, YWCA, New York, N.Y.; Lucy Josey, COPE, Manning, S.C.; Majorie Stewart Joyner, United Beauty School Owners and Teachers Association, Chicago, Ill.; Mrs. William Kemp, Ladies' Society of the Brotherhood of Locomotive Firemen and Engineers, Tacoma, Wash.; Barbara Kerr, YWCA, New York, N.Y.; Mrs. Marcus Kilch, National Council of Catholic Women, Youngstown, Ohio; Mrs. Ollie L. Koger, American Legion Auxiliary, Indianapolis, Ind.; Helen Kraus, National Federation of Business and Professional Women's Clubs; Mrs. Charles T. Knopa, National Council of Catholic Women, Green Bay, Wis.; Esther Lamarr, Detroit, Mich.

Mrs. Milton C. Lang, Maryland United Church Women, Baltimore, Md.; Mrs. Albertt Lasker, New York, N.Y.; Mrs. Robert Lawrence, National Council of Catholic Women, Memphis, Tenn.; Judge Marjorie Lawson, Juvenile Court, Washington, D.C.; Esther Lazarus, Baltimore Department of Public Welfare, Baltimore, Md.; Mrs. Frederick Lee, YWCA, McLean, Va.; Mrs. Lazare Levy, National Council of Jewish Women, Inc., New Orleans, La.; Mrs. Alfred Baker Lewis, YWCA, Old Greenwich, Conn.; Mrs. Sidney Lewis, National Council of Jewish Women, Inc., Miami, Fla.; Theresa Lindsay, Los Angeles, Calif.; Mrs. Sylvan Libson, National Council of Jewish Women, Inc., Pittsburgh, Pa.; Katie Louchheim, Deputy Assistant Secretary of State for Public Affairs; Florence W. Low, American Home Economics Association, College Station, Tex.; Mrs. Herbert Lund, Ridgefarm, Ill.; Alice Lynch, Los Angeles, Calif.

Edith Macey, Conference on Race and Church, New York, N.Y.; Mrs. Leon A. Marantz, National Council of Jewish Women, Inc., South Orange, N.J.; Mrs. Paul Maravnick, National Council of Jewish Women, Inc., Stamford, Conn.; Mrs. Louis Martin, Washington, D.C.; Mrs. William Ogden McCagg, Rhode Island United Church Women, Providence, R.I.; Mrs. Ralph McCanse, YWCA, Madison, Wis.; Mrs. Joseph McCarthy, National Council of Catholic Women, San Francisco, Calif.; Lillian McDaniel, National Association of College Women, Richmond, Va.; Mrs. Jesse J. McNeil, National Council of Churches, Pasadena, Calif.; Mrs. M. E. McPhail, National Council of Churches, Houston, Tex.; Mrs. H. J. McWilliams, Ladies Auxiliary of Brotherhood of Maintenance of Way Employees, Detroit, Mich.; Mrs. Charles W. Mead, National Council of Churches, Omaha, Nebr.; Margaret Mealy, National Council of Catholic Women, Washington, D.C.; Mrs. Eugene Meyer, Washington, D.C.; Mrs. Joseph Mikelaitis, Tucson, Ariz.

Dr. Minnie C. Miles, Tuscaloose, Ala.; Mrs. J. Culkater Miller, National Council of Churches, Yonkers, N.Y.; Mrs. Robert E. Mims, YWCA, Weehawken, N.J.; Juanita Jackson Mitchell, NAACP, Baltimore, Md.; Mrs. Osa W. Mitchell, Iota Phi Lambda Sorority, Birmingham, Ala.; Mrs. D. C. Montoya, West Virginia United Church Women, Parkersburg, W. Va.; Mrs. William H. Mitchell, Jr., YWCA, New Orleans, La.; Mrs. Robert H. Mooney, National Council of Catholic Women, St. Louis, Mo.; Mrs. Ercella Harmon Moore, Buffalo, N.Y.; Mrs. Edward C. Moynihan, National Council of Catholic Women, Washington, D.C.; Dr. Dorothea R. Muller, YWCA, Middle Village, N.Y.; Esther Murray (COPE, AFL–CIO), Washington, D.C.; Mrs. Stanley Myers, National Council of Jewish Women, Inc., Henderson, N.C.; Mrs. Phil Narmore, United Church Women, Atlanta, Ga.; Mrs. Joseph Nathanson, National Council of Jewish Women, Inc., Minneapolis, Minn.

Fannie Allen Neal, COPE (AFL–CIO), Montgomery, Ala.; Sarah H. Newman, National Consumers League for Fair Labor Standards, Washington, D.C.; Mrs. Stephen J. Nicholas, General Federation of Women's Clubs, Washington, D.C.; Mrs. James Noble, Delta Sigma Theta Sorority, New York, N.Y.; Thomasine Norford, New York, N.Y.; Ethel Norton, Connecticut United Church Women, Wallingford, Conn.; Mrs. William Noyes, YWCA, Manchester, N.H.; Mrs. Joe W. Ostenberg, United Church Women of Kansas, McPherson, Kans.; Betty Pearch, Council of Guilds, National Urban League, Cleveland, Ohio; Mrs. Earl Pearlman, National Council of Jewish Women, Inc., Pittsburgh, Pa.; Mrs. Richard E. Persinger, YWCA, Dobbs Ferry, N.Y.; Mrs. Robert J. Phillips, League of Women Voters of the United States, Washington, D.C.; Mrs. Vel Phillips, Milwaukee, Wis.; Harriet I. Pickens, YWCA, New York, N.Y.; Mrs. J. Maris Pierce, Zonta International, Pasadena, Calif.

Sally Ponikarski, COPE, Atlanta, Ga.; Mrs. Herbert Porter, National Council of Jewish Women, Glencoe, Ill.; Julia Porter, Girls Friendly; Mrs. Philip Posner, National Council of Jewish Women, San Francisco, Calif.; Mrs. Edmund G. Price, Lutheran Church in America, Pittsburgh, Pa.; Julia T. Purnell, Baton Rouge, La.; Eve Purvis, COPE, Indianapolis, Ind.; Marjorie Rachlin, Machinist International, Washington, D.C.; Martha Ragland, Nashville, Tenn.; Marguerite Rawalt, Washington, D.C.; Dr. Katherine Rea, YWCA, Oxford, Miss.; Gloria Richardson, Committee for Non-Violent Action, Cambridge, Md.; Pearl Richardson, YWCA, New York, N.Y.; Fostine Riddick, Norfolk, Va.; Beulah Roberts, YWCA, Oklahoma City, Okla.; Mrs. Stanley Roberts, YWCA, New York, N.Y.; Mrs. Rosenwald, National Council of Jewish Women, Kansas City, Mo.; Mary O. Ross, National Baptist Convention, Detroit, Mich.; Pearl Rosser, National Council of Churches, American Baptist Convention, Valley Forge, Pa.; Judge Edith Sampson, Chicago, Ill.; Mrs. Sol Scher, National Council of Jewish Women, Washington, D.C.; Helen Schleman, Dean of Women, Purdue University, Lafayette, Ind.

Mrs. Frederic P. Schrader, California and Nevada United Church Women, Los Angeles, Calif.; Mrs. Harold H. Schroeder, National Council Catholic Women, Wenatchee, Wash.; Daphne Shepherd, Amersterdam News, Brooklyn, N.Y.; Mrs. Alfred Sherrard, American Association of University Women, Washington, D.C.; Matilda Sims, B'nai B'rith Women, Detroit, Mich.; Mrs. Stuart Sinclair, National Council of Churches, Greenfield, Mass.; M. Virginia Sink, Soroptimist International, Clarkston, Mich.; Mrs. Dena Smith, Daughters of Union Veterans of the Civil War, Tulsa, Okla.; Mrs. Robert Smith, United Daughters of the Confederacy, Philadelphia, Pa.; Mrs. Roscoe Snowden, Church of God, Anderson, Ind.; Mrs. Belle Spafford, Relief Society, Church of Jesus Christ of the Latter-day Saints, Salt Lake City, Utah.

Mrs. Eugene M. Sparling, YWCA, Hot Springs, Ark.; Mrs. Harry C. Spender, Tennessee United Church Women, Nashville, Tenn.; Virginia Stafford, National Council of Churches, Nashville, Tenn.; Mrs. John W. Starr, National Council of Churches, Kansas City, Mo.; Manya Starr, Writers Guild of America, New York, N.Y.; Mrs. Mable Staupers, Washington, D.C.; Mrs. Edward Stern, National Council of Jewish Women, Seattle, Wash.; Thelma Stevens, National Council of Churches, New York, N.Y.; Mrs. Charles Stitch, National Council of Jewish Women, New Orleans, La.; Mrs. E. Stokes, National Council of Churches, Moorestown, N.J.; Mrs. John Paul Stone, YWCA, San Diego, Calif.; Velma McEwen Strode, Washington, D.C.; Mrs. Stanley I. Stuber, American Baptist Convention, Jefferson City, Mo.; Mrs. Louis H. Sweterlitsch, National Council of Catholic Women, Corapolis, Pa.

Ellen Terry, New York, N.Y.; Mrs. Wm. Sale Terrell, National Council of Churches, West Hartford, Conn.; Mrs. Earl Thomas, YWCA, Kansas City, Mo.; Mrs. George L. Thomas, YWCA, Los Angeles, Calif.; Margaret Thornburgh, COPE, Okmulgee, Okla.; Mrs. W. W. Thrasher, Florida United Church Women, Ft. Lauderdale, Fla.; Mrs. Merton B. Tice, VFW, Kansas City, Mo.; Mrs. Charles H. Tillett, Charlotte, N.C.; Gladys Tillett, U.S. Representative, U.N. Common Status of Women, New York; Mrs. J. Fount Tillman, Lewisburg, Tenn.; Mrs. M. E. Tilly, Atlanta, Ga.; Mrs. James W. Tindall, YWCA, Montclair, N.J.; Mrs. L. Charles Underwood, Unitarian Universalist Women's Federation, Cincinnati, Ohio.

Mrs. Anthony Verlangia, National Council of Catholic Women, Pueblo, Colo.; Mrs. Harold Vexler, National Council of Jewish Women, Inc., San Antonio, Tex.; Mrs. Robert G. Wade, YWCA, Auburn, Maine; Mrs. LeRoy Walcott, Michigan United Church Women, Grand Rapids, Mich.; Carmen Warschaw, chairman, Women's Division of Southern California Fair Employment Practices Commission, Los Angeles, Calif.; Beatrice Warwood, National AFL–CIO Auxiliary, Barberton, Ohio; Mrs. James Wedeles, National Council of Jewish Women, Inc., Dallas, Tex.; Pauline F. Weeden, Lynchburg, Va.; Beatrice Weiland, National AFL–CIO Auxiliary, Clintonville, Wis.; Mrs. Leonard Winer, National Council of Jewish Women, Inc., Royal Oakes, Mich.; Mrs. Sidney Weinstein, National Council of Jewish Women, Inc., West Orange, N.J.; Mrs. Benjamin J. Weiss, National Council of Jewish Women, Inc., Moreno, Los Angeles, Calif.

Mrs. John Welborn, YWCA, Greenville, S.C.; Mrs. Verda Welcome, Baltimore, Md.; Mrs. James L. Wendell, Colonial Dames of America, Washington, D.C.; Katie Whickahm, New Orleans, La.; Mrs. Norvelle E. Wicker, Kentucky United Church Women, Louisville, Ky.; Mrs. Roy Wilkins, Jamaica, L.I., N.Y.; Mrs. Joseph Willem, National Council of Jewish Women, Inc., New York, N.Y.; Clara Williams, Republican National Committee, Washington, D.C.; Mrs. Walter B. Williams, United Church of Christ, Newport News, Va.; Dagmar Wilson, Women's Strike for Peace, Washington, D.C.; Mrs. William T. Wilson, Girl Scouts, Winston Salem, N.C.; Mrs. Fred Wolf, Jr., NCJW, Wyncote, Pa.; Myra Wolfgang, Hotel & Restaurant Employes and Bartenders International, Cincinnati, Ohio; Mrs. Joseph M. Woods, Pennsylvania United Church Women, Camp Hill, Pa.; Mrs. Eugene Wyman, Los Angeles, Calif.; Hortense Young, Louisville, Ky.; Mrs. Donald Zimmerman, United Presbyterian Church U.S.A., LaGrange, Ill.

Resolution

Whereas the President of the United States, aware of the crisis in racial relations in our country, today called a conference at the White House of leaders of women's organizations, and

Whereas these women, representing 50 million American women, responded to his eloquent plea to provide leadership in their communities, to alleviate tensions, and to eliminate discrimination in all areas of our American way of life: Therefore be it

Resolved, That this group shall do all within its power to create public understanding of our moral responsibilities and to implement the President's civil rights program.

TRUTH IN PACKAGING

Mr. HART. Madam President, there is growing support and understanding of the issues in the "truth in packaging" legislation presently pending before the full Senate Judiciary Committee.

On Monday, the Washington Evening Star spoke eloquently in its editorial on this proposal.

One paragraph is particularly significant:

> There is nothing in the bill any honest producer should fear. There is a great deal which will help the homemaker more effectively spend the 20 percent of the family budget used for such purposes.

This is the purpose of Senate bill 387.

I ask unanimous consent that the full editorial be printed at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

What Are You Buying?

That feeling of bewilderment and frustration often shared by super-store shoppers is no mere coincidence. To begin with, all are wandering through a labyrinth stocked with some 8,000 items of every shape, size, weight, brand and price from which to choose, as economically as possible, the necessities of food, cosmetics, household items and the like.

It would be taxing enough if each knew, as he reached for a certain product, just what he was paying for in comparison with a competing product. But it can be downright defeating when the thrifty shopper, taking the time to read the fine print, finds himself completely baffled by the unmatching assortment of weights, quantities, and sizes offered at a wide variety of prices.

Chances are, he will agree with Senator Hart, of Michigan, and the Senate Antitrust Subcommittee of the need for a "truth-in-packaging" bill to curb deceptive labeling and packaging practices. During hearings the past 2 years the subcommittee has vicariously followed shoppers through a stupefying maze of full quarts which grow into jumbo quarts and finally attain giant imperial quart size. The once respectable pint is no more. It has succumbed to the giant half-quart.

These mirages, however, are innocuous compared with other items which bemused the subcommittee, such as economy-size packages of unproven economic worth, sizes dealing in fractions of ounces and almost impossible to compare as to price with other odd-sized packages, impressive-sized boxes partly filled with air, and oddly shaped containers holding less than they appear to.

The "truth-in-packaging" bill would standardize the contents of small, medium and large packages, halt the deceptive "cents-off-regular-price" practice, insist on clearly printed weights and contents prominently displayed on packages, and clarify other misleading points such as the number of persons a package will serve.

There is nothing in the bill any honest producer should fear. There is a great deal which will help the homemaker more effectively spend the 20 percent of the family budget used for such purposes. We think that the public is fed up with this kind of treatment and that the full Senate Antitrust Committee should do something about it by favorably reporting the bill this month.

FERROALLOY IMPORTS

Mr. KEATING. Madam President, several weeks ago, Union Carbide Metals Co. announced plans to close its Niagara

Falls plant, with resultant dismissal of several hundred employees.

Among the causes that were given by the president of Union Carbide in reluctantly coming to this decision was the high level of imports of lower priced alloys. It is recognized, of course, that our overcapacity and the large amount of ferroalloys in our stockpiles also contribute to the problem, but imports have undoubtedly aggravated the situation.

Because of my very deep concern over the jobs that were lost by this shutdown and the tax loss to the western New York area, I requested a report from the Department of Commerce and the Department of State as to what the facts were and what remedies were available.

After receiving and studying the reports, it seems to me it is possible that the right hand of the Government does not know what the left hand is doing. The Business and Defense Services Administration of the Commerce Department—which I have always found to be both informative and helpful in trade problems—wrote as follows:

> This Department is concerned about the impact of imports on this industry. Producers of ferrochromium and ferromanganese especially have been affected by imports which have been increasing since 1957, to the extent that foreign sources are currently supplying 25 percent of our domestic market for these products.

The Department of State wrote as follows:

> Total foreign trade in ferroalloys is small as compared to domestic production. The total annual imports have fluctuated over the past decade, ranging between 92,000 tons in 1954 and 228,000 tons in 1956; they were approximately 207,000 tons in 1961 and preliminary data indicates they will be in the neighborhood of 150,000 tons in 1962. Imports of ferromanganese and ferrochromium were 197,000 tons in 1961 and 133,000 tons in 1962.
>
> The U.S. Government has bartered during the last few years surplus perishable agricultural products for various strategic commodities which are stored in stockpiles under the administration of the General Services Administration. Such acquisitions become part of the supplemental stockpile upon importation and are not subject to sale on the open commercial market. Of the total of 207,000 tons of ferroalloys imported in 1961, 122,000 tons of ferromanganese were imported from India for Government account.

It is astonishing to me that the State Department considers imports amounting to 25 percent of domestic production as "small." In my judgment, imports amounting to one quarter of domestic production are sizable. Moreover, even though a part of imports of ferromanganese in 1961 went into Government stockpiles, there can be no doubt that where overcapacity exists within this country any imports, even as little as 10 percent can create serious disruption.

The President and the Congress approved the Trade Expansion Act last year in the expectation that worldwide trade expansion would occur, and in such a way as to provide overall benefits to this Nation. So far we have been disappointed. Not only has our Government been unable even to keep open the markets that U.S. poultry and farm foods have enjoyed in European states in the past, but also it has failed adequately to recognize the problems faced by other sections of the economy.

Thus, some U.S. producers face an ever-increasing danger of reduced markets, while others are told that imports up to 25 percent of production are small and the Department of State gives no indication that it considers the problem as a serious one.

Madam President, I believe this correspondence shows only too clearly that the Department of State is not making the strong stand it should in behalf of U.S. interests. Almost every time I call such a problem to the attention of the State Department—whether it be with regard to ferroalloys, or lumber, or bread or whatever—the answer received from the Department of State reflects great concern for the other countries involved but relatively little consideration for U.S. producers.

The ferromanganese and ferrochromium industries have filed an application with the Office of Emergency Planning under section 232 of the Trade Expansion Act for relief from the increasing pressure of imports. The Department of State will undoubtedly be called on to give its views during that investigation. I would hope at that time that the Department would reconsider these statistics and make a more serious effort to appreciate the problems faced by U.S. producers when imports add up to nearly 25 percent of domestic production. The impact of imports is not small, where these two alloys are concerned, and should be most carefully weighed.

We face hard bargaining in the trade negotiations ahead of us. The Common Market countries are no pushover, as we have already seen, and unless the Department of State is prepared to give the strongest kind of backing to our trade representative, Christian Herter, in his efforts, the job will be hopeless.

The foreign ministers and foreign offices of other nations are the strongest advocates of their economic interests. It is time for the State Department to recognize that it too must fight with skill and determination for the economic interests of this Nation.

Madam President, I ask unanimous consent to include in the RECORD following my remarks the text of the two letters referred to.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, D.C., June 17, 1963.

Hon. KENNETH B. KEATING,
U.S. Senate.

DEAR SENATOR KEATING: In response to your request of May 28 we are pleased to furnish the following information in regard to ferroalloys.

High carbon ferromanganese and ferrochromium are the principal ferroalloys imported. Imports of such alloys are dutiable at five-eighths of 1 cent per pound under the provisions of paragraph 302 of the Tariff Act of 1930 as modified pursuant to action taken under the trade-agreements legislation to obtain concessions of benefit to U.S. exports. The duty initially specified in the Tariff Act of 1930 was 1⅞ cents per pound for ferromanganese and 2½ cents per pound for ferrochromium. There are no quantitative limitations on imports.

Since the steel industry is the chief consumer of ferroalloy products, the production and consumption of ferroalloys has varied directly with the production of steel ingots and castings. In the past decade, total production of ferroalloys has ranged between a low 1.8 million tons in 1954 to a high of 2.6 million tons in 1956; it was 1.9 million tons in 1961 and 2 million tons in 1962. The production of ferromanganese and ferrochromium was 937,000 tons in 1961 and 968,000 tons in 1962.

Total foreign trade in ferroalloys is small as compared to domestic production. The total annual imports have fluctuated over the past decade, ranging between 92,000 tons in 1954 and 228,000 tons in 1956; they were approximately 207,000 tons in 1961, and preliminary data indicate they will be in the neighborhood of 150,000 tons in 1962. Imports of ferromanganese and ferrochromium were 197,000 tons in 1961 and 133,000 tons in 1962.

The U.S. Government has bartered during the last few years surplus perishable agricultural products for various strategic commodities which are stored in stockpiles under the administration of the General Services Administration. Such acquisitions become part of the supplemental stockpile upon importation and are not subject to sale on the open commercial market. Of the total of 207,000 tons of ferroalloys imported in 1961, 112,000 tons of ferromanganese were imported from India for Government account.

In 1961 exports of ferroalloys to other countries totaled approximately 82,000 tons or about 3 percent of domestic production. Of these exports, about 65,000 tons consisted of ferrophosphorus and ferrosilicon. In 1962 total exports of ferroalloys were 27,000 tons.

As regards an improvement in the competitive position of domestic ferroalloys producers, we note that there have been several recent conferences between officials of the Departments of Interior and Commerce and representatives of the industry for the purpose of exploring ways of making the ferroalloy industry more competitive. To this end, the industry is seeking to improve quality and packaging; develop new alloys and new metallurgical processes; improve methods of distribution and marketing; and reduce its power, transportation, and raw material costs.

I have enclosed a copy of the 1962 report of the U.S. Tariff Commission on manganese which provides additional background information on the ferroalloys industry.

Another development which may interest you is the recent institution by the Office of Emergency Planning of an investigation to determine the effect of imports of manganese and chromium ferroalloys on national security under section 232 of the Trade Expansion Act of 1962. Under that section, the President is authorized to adjust imports whenever he finds, on the basis of an investigation and report by the Director of the Office of Emergency Planning, that imports are threatening the national security. The investigation was requested by the Manufacturing Chemists Association, Inc., on behalf of 11 members of the reactive metals and alloys producers segment of the chemical industry.

If I can be of further assistance please let me know.

Sincerely yours,
FREDERICK G. DUTTON,
Assistant Secretary
(For the Secretary of State).

U.S. DEPARTMENT OF COMMERCE,
BUSINESS AND DEFENSE SERVICES
ADMINISTRATION,
Washington, D.C., June 18, 1963.

Hon. KENNETH B. KEATING,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KEATING: This is in further reply to your letter of May 28, regarding the ferroalloy industry, particularly the situation in the Buffalo-Niagara Falls area.

This Department is concerned about the impact of imports on this industry. Producers of ferrochromium and ferromanganese especially have been affected by imports which have been increasing since 1957, to the extent that foreign sources are currently supplying 25 percent of our domestic market for these products.

Citing the difficulties being experienced by ferromanganese and ferrochromium producers in this country, the industry has filed an application with the Office of Emergency Planning for relief under section 232 of the Trade Expansion Act, on the basis of national security aspects. We have been asked for advice in connection with this case and you may be sure we will study this problem very carefully.

Problems in the Buffalo-Niagara Falls area were described in a statement by the president of Union Carbide Metals Co., and published in the May 17 issue of the American Metal Market. The decision by Union Carbide to discontinue its operations at Niagara Falls was based on excess industry capacity, imports of low-priced alloys, and local problems of higher costs of power, transportation, and taxation. It is assumed that these factors were involved also in the decision by Vanadium Corp. to close its Niagara Falls plant in June of 1960.

The enclosed tables contain information on production, consumption, imports and exports of chromium, manganese, and tungsten.

You may be sure of our continued interest in this matter.

Sincerely yours,

PAUL A. UNGER,
Deputy Administrator.

Mr. JAVITS. Madam President, I join my colleague from New York in looking into the situation with respect to the ferroalloy plant in Buffalo. I shall consider the information which is being developed as most useful in that regard. Somehow or other, we must find a balance between the responsibilities of international trade and the problems which it raises in terms of domestic employment. I shall, together with my colleague [Mr. KEATING], address myself to this problem.

THE PEOPLE VERSUS JET NOISE

Mr. KEATING. Madam President, the recent announcement by Pan American World Airways, Inc., of its contract to purchase supersonic airliners from a British-French concern, followed swiftly by the President's call for the rapid development of an American supersonic aircraft under Government and industry auspices, gives added impetus to the urgency of the aircraft noise problem.

It is difficult for those who live a relatively sheltered and comfortable existence, to appreciate the gravity of the jet noise crisis that is upon us at this very moment. Those who reside at or near the fringes of large metropolitan airports under the flight paths of jet aircraft, whose very health and sanity are jeopardized by the roar and whine of the turbojets, whose children attend school and play under constant dread of disaster from overhead, have literally begged for mercy from all those who might conceivably be able to alleviate these intolerable burdens—the airlines, the aircraft manufacturers, local, State, and Federal officials, and particularly the Federal Aviation Agency. But at nearly every turn, these beleaguered citizens confront a curious admixture of inertia, buckpassing, and outright confessions of powerlessness. Sympathy and good intentions, of course, are always in evidence. But somehow, lost in the rhetoric of handwringing and pity, of plausible excuses and procrastination, is the horror that has reality only for those afflicted.

Can we in the Congress continue to temporize with this issue until jet aircraft development outraces the techniques of noise suppression and abatement so far that the situation will be irretrievable? Can we, in short, refuse any longer to translate the pleas of our citizens into a concrete, concerted effort to tackle the problem before it overwhelms us?

I do not think the Congress and others that are involved can end up on the wrong side in the case of the people against jet noise. Our Government is in being to serve the people, and the Government must help wage the technological counterrevolution against jet noise.

That is the conclusion reached in a remarkable series of articles spotlighting the jet noise problem that appeared recently in the Long Island Press. Authored by a brilliant writer-photographer, Leonard Victor, who has received many national awards for both his pictures and feature stories, the 10 articles of the series grapple in depth with every facet and angle of the jet menace—from the basic physics and practical operation of the turbojet aircraft, to documented health hazards of jet noise, to the engineering techniques of noise suppression, to the politics of the situation.

One of the articles is entitled "Congress on the Jets: Just a Lot of Noise."

Mr. Victor knows what he is talking about. The Congress has not met its duty to our aggrieved citizenry. Perhaps this is because its duty has not been clearly understood. Perhaps the underlying human problem has simply not been brought home. Mr. Victor's articles make the problem plain and I believe will help every elected official, Federal, State, and local, perceive the seriousness of the situation.

Last year, the Senate passed S. 3138, 87th Congress, a bill I introduced to provide for research to determine criteria and means for abating objectionable aircraft noise. Unfortunately, the other body was unable to reach the measure before adjournment. It has been reintroduced in this Congress as S. 825. It has received widespread civic and official endorsement. I am hopeful it can be enacted soon so that a start can be made in the right direction. But even more important, in my judgment, we need not only bills and resolutions on the problem; we need to bridge the gap between vague sympathy and concrete understanding. If Mr. Victor's articles can achieve even modest results in riveting our sights on the dimensions of both the problem and the undone tasks confronting us, they will have served an extremely valuable public purpose.

I ask unanimous consent that three key articles in this series be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Long Island Press, June 4, 1963]

CONGRESS ON THE JETS: JUST A LOT OF NOISE

(Jet noise is no longer a localized nuisance. It plagues big cities from coast to coast. This story in a series about the problem tells the part Congress hasn't played in facing up to the still-worsening situation.)

(By Leonard Victor)

Congress hasn't done a thing about jet noise abatement—except to make speeches, hold hearings and send out reams of press releases.

But as far as laws that will bring relief to the millions living around airports—whose lives are lashed by screaming jet noises—the congressional score is an absolute zero.

Don't blame your Long Island Congressmen.

They're among a valiant minority honestly trying to get something done by the only agency big enough to cope with the problem—our Government.

Every Long Island Congressman who could be there sat through a recent series of hearings on jet noise held by the Interstate and Foreign Commerce Committee in Washington.

They passed the word about the sessions to their absent colleagues. Jet noise abatement for the people of Long Island is a bipartisan project, with no dissenters from Astoria to Riverhead.

What they heard at those sessions held either gloom or promise, depending on the speaker and his special interests.

The airline operators pointed out the financial burdens they are carrying. They were telling the truth. Air carriers all over the country are trying to merge.

Profitable firms don't seek mergers—they buy out the opposition. The big airlines trying to make mergers now want to meld their companies so they can survive.

A spokesman for the pilots told the hearing that the men flying the noisy jets were doing their best and had wrung the last ounce of quiet out of those machines.

The boss of the Federal Aviation Agency, Najeeb Halaby, echoed their words, saying he "wouldn't jeopardize safety for serenity."

A constant plea for more noise suppression research ran through the 3 days of the Washington sessions.

Even the FAA reversed an earlier stand against laws from Congress ordering it to undertake noise research.

James Hill, deputy general counsel of the FAA said passage of a law ordering research "wouldn't hurt."

The general counsel for the port authority—the operators of LaGuardia and Idlewild—urged that the Government go to work on the noise problem, "especially by directing and conducting research."

Some engineers and acoustics experts "put the finger" on plane manufacturers. They said the plane makers were just "tacking on an engine after the rest of the plane was designed."

Paul S. Veneklasen, a west coast acoustics expert, said great steps toward licking noise could come from better designs that integrated the plane and its engine.

He pointed out that technical experts had warned years ago of the noise problem that lay ahead and warned that "Congress should act now."

Frank Kolk, an American Airlines engineering executive, echoed the plea for changed airline design. "The time to change the design of a plane is before it is built," he said.

"It's a devil of a job after," he added, referring to the suppressors and motor changes the airlines have made to cut jet noise.

FAA Boss Halaby told the committee that his agency was spending $1.5 million this year for noise research work. Under prodding from the committee chairmen, he broke down the research.

The sum of $554,000 is going into the hunt to find a way to quiet the engine noise of the future supersonic commercial transport.

Another half million, he said, was being spent directly by the FAA in experimental work by their own staff, such as tests looking for better takeoff techniques to improve what engineers call the plane's "flight profile."

An even $100,000 was going to an acoustics firm "to evaluate the PNdb scale of plane, helicopter and sonic boom noises, adding up all the previous work."

The other contracts, he said were for smaller sums. For example there was a $40,000 contract with another acoustics firm for noise contours of various aircraft.

Then there was a $10,000 contract to transfer the previous contract's finding to PNdb readings.

In contrast, Halaby told the committee later in the session that $450 million was being spent this year on air traffic control. It would go, he said, for urgently needed radar used for long-distance control and precision approaches, tower lights, high-speed turnoffs and other aids to speeding air transport and making it safer.

He also told the committee that he hoped his agency would never be given the job of policing zoning around airports.

This remark came after spokesmen for both the big and little airport operators pointed up their plight. There are over 1,200 suits pending against airports, started by homeowners complaining that their normal lives are disrupted by jet noise.

The 809 cases filed by Laurelton-Rosedale taxpayers are among those 1,200 suits.

The operators want the Government to step into the zoning question before, as they put it, "our operations are strangled by lawsuits." They too asked for laws from Congress.

The Nation's pilots are in favor of Congress putting the FAA into the zoning act too. With that Federal control, they point out, would come a uniform system of air controls in and out of all fields.

Charles H. Ruby, the spokesman for the Airline Pilots Association, told the committee that some pilots have to learn as many as 60 separate sets of airport takeoff and landing rules.

"We'd be a lot safer if there was one set of standard rules for all airports," he said.

Another single suggestion recurred throughout the hearings.

Industry spokesmen said the public should be educated, to "take some of the fear out of jet noise."

FAA-head Halaby cited figures that showed the death rate to "third parties" outside the vehicles from all types of transport.

Based on the fact that one-third of all intercity traffic is now by plane, they showed that buses killed 140 times as many people as planes. The train kills 330 times as many and the auto brings death to 3,000 times as many as aircraft.

With figures like this, and the opinion expressed at the hearings by psychologists that understanding reduces irritation, don't be surprised if one result of these hearings is a public relations campaign.

The campaign would be designed to induce the public to accept jet noise as one of the prices of progress—a friendly noise that means no harm to the homeowners beneath.

But don't expect any laws from Congress.

Those hearings were the last in a long series, including public hearings across the United States dating back to 1960.

When those hearings ended, Long Island's Congressmen expected that action would follow. They were certain that some of the many bills they had introduced to do something about jet noise would become the law of the land.

Practically every one of the Congressmen from our area told me that "we'll get some results this time."

They felt that the hearings pointed squarely at the need for laws ordering the FAA to expand and speed up noise abatement research. However, they weren't so sure the Government should get deeply involved in local zoning matters—unless vast Federal funds were involved.

"It is too late for zoning at Idlewild and LaGuardia," one of them pointed out. "We need tougher noise reduction rules, plus plenty of research that isn't even being thought of now.

"That $1.5 million noise research figure is ridiculously low, when you think that we blew $650 million on the Skybolt missile, which was just one of the many experimental failures that have cost us billions in the last few years."

The long-awaited report from the House Interstate and Foreign Commerce Committee came out recently.

It was full of recommendations shoving the problem back into the hands of the industry.

There were no suggestions for laws.

Jet noise abatement, to sum up the committee findings, "isn't the responsibility of Congress—yet."

[From the Long Island Press, June 6, 1963]

How To Fight Jet Noise?—Money

(This story in a series about the problem of jet noise probes the reasons why the Federal agencies, who could do research to lessen the racket, are very carefully avoiding the job.)

(By Leonard Victor)

Remember the story of the man hauled into court for hitting his wife?

He told the judge, "She keeps on nagging me for money, money—all the time money."

"What does she do with it?" the judge asked.

"I don't know, Your Honor," the man answered, "I never give her any."

And that's just about the story of jet noise abatement.

No one has ever spent enough money to find out how to solve the growing problem—even though it is now on the verge of becoming a national health menace.

Why hasn't the job been tackled, especially now that there are clear signs of real breakthroughs in the science of quieting jet engines and planes?

Industry can't tackle it alone. It would cost too much.

Remember the estimate given me by General Electric's chief jet engine researcher just for the cost of finding the right sonic block jet intake design that would blot out all turbine whine?

Dr. Spirodan Sucui told me in his Cincinnati lab that the research tab would top $500 million—too much for even a commercial giant like GE to shoulder.

Don't forget that the Government is footing the research bill for the 2,200-mile-an-hour supersonic commercial transport we need to stay in the worldwide air-carrier race.

The Federal Aviation Agency says the ship will cost $800 million. Industry says it will cost much more, perhaps $1.5 billion.

And it all must come from Uncle Sam's pocket because even a combine of our biggest planemakers couldn't pick up the bill.

Why hasn't our Government's own division, the FAA, taken on the job? Aren't they the right ones to halt jet noise?

They are, but they've literally been ducking the noise problem.

The FAA sees itself primarily as an air police outfit. They're dedicated to speeding more air traffic more safely all the time.

That's a vital job, and like every other Government agency, they must constantly lobby, plead and prod to get funds for their work.

This year the FAA is spending $480 million for new long-range radar, longer runways and other safety and speed items—all necessary but having almost nothing to do with noise abatement.

They may not admit it, but they fear the loss of funds for these services if they are handed a big bundle of cash and told to really knuckle down and solve the nerve-racking noise headache.

The second reason the FAA isn't panting to get into noise elimination is the boss, Najeeb Halaby. A dedicated flier, he just doesn't believe there really is any jet noise.

Halaby told a recent congressional jet noise hearing that we are an anxious Nation, in a continuous state of anxiety and that jet noise is just another anxiety.

Having suggested the psychiatrist's couch for the Nation instead of large-scale antinoise research, he told the committee that the FAA was spending $1.5 million to stem noise this year.

Under prodding, it turned out that the only big lump, $600,000, was for efforts to keep the future supersonic transport "as quiet as present-day jets!" The exclamation point is mine.

The rest of the funds are spread out between the FAA, other Government agencies and private firms. One of the few expenditures Halaby could remember offhand was a $100,000 study by a private firm to find a jet noise scale that measured human annoyance.

Records of 1960 hearings before the congressional Committee on Science and Astronautics show experts urging that study then.

The current job, incidentally, is being done by the firm that set up special noise measuring standards, including the human irritation factor, in 1957. They used the then-new scale to set noise limits for Idlewild and LaGuardia Airports.

The failure to move faster than this snail's pace on an urgently needed measurement (which some acoustic experts say we already have) was lashed by Representative Joseph Addabbo of Ozone Park as "a fine example of slowmanship."

Until they get this new measuring tool, the FAA can say "so sorry" to pleas for action they would rather not get into anyway.

How about the National Aeronautical and Space Agency?

Aren't they our country's biggest research team—best suited to tacke a tough research problem?

NASA has done some work in the field, but lately they've abandoned most of it. Their eyes are on the stars.

They too want to spend their money and expend their best brains on their main goal: Outer space.

The same story is true of every other agency that might get on top of this growing, gnawing national nerve cancer.

A congressional report last month pinpointed the problem.

It said that there is no organized coordination in the research and development work by the Armed Forces, NASA, the Bureau of Standards, other Government agencies, the FAA, and industry.

Their words: "At the moment there is no force which serves to solidify these efforts."

Having taken a step forward, the report then retreated hastily in a long paragraph which boils down to "We don't think Congress should do anything until valid measurements are available."

Again that "so sorry," that slowmanship that leaves an out for lack of action.

The remainder of that congressional report suggested tactfully that everyone else do the job.

One angry Long Island Congressman, **Frank J. Becker** of Lynbrook, labeled the report—expected to recommend honest action after 3 years of hearings—as "sweeping the whole mess under the carpet again for another 2 years."

Every other Long Island Congressman agreed. They know, because they live with the jet noise problem, that strong medicine is needed now.

Since they do, why hasn't the only body that could order research—our Congress—done the job?

First, you must remember that the growing noise plague is still localized. Our nine Congressmen know what it is.

So do a few dozen more whose districts surround airports in Chicago, Los Angeles, and San Francisco. They fight, but they are still a handful.

Perhaps 50 Congressmen in big cities, representing somewhere between 10 and 20 million people, are really trying to get action.

Arrayed against them are these things:

The FAA keeps saying nothing can be done about noise.

The agency ignores the possible breakthroughs of a crash research program: The sonic block, the use of lower-noise higher by-pass motor designs and the promise of the vertical takeoff planes soon to get limited military tests. Unfortunately, Congress takes the FAA's word, despite expert testimony that "the word" is wrong.

A good part of the aircarrier industry is in hock. Their lobbyists point out that the lines can't afford the bill for planemaker's research into quiet flight—and that's true.

The planemaker's lobbyists make the same case.

There are hundreds of Congressmen, in the blue hills of Kentucky, the wilds of Washington and similar places to whom the day and night terror around jetports is only hearsay.

Where they will vote billions for defense or the space race, they are still too uninformed to be willing to vote vast sums to still jet noise.

Another Long Island Congressman gave this bitter warning recently, "By the time they wake up, it will be too late."

Is there no hope for congressional action? Must we wait until "sometime in the 1970's" when the FAA predicts there may be vertical takeoff and landing aircraft in commercial service, using airfields without agonizing surrounding communities?

There are only two hopes.

Today, 1,200 noise suits against airports are pending in the courts. The number won't diminish. As it grows, it will force the problem more and more into national focus.

There's one other possibility. Nearly every serious disease has a voluntary national society raising funds for research.

Perhaps the cancer of jet noise needs its own society, a group dedicated to forcefully bringing home to Congress the distress millions suffer from jet roar and whine today.

Perhaps what is needed is a citizen's lobby in Washington, like the lobbies of the Air Transport Association, the Airline Operators Association and the other air industry groups so ably represented before our top governing body.

Maybe we need a national organization—something like STOP, meaning Start Tackling Our Problem—to force Congress to do its long overdue duty by allocating enough funds for real antinoise research now.

[From the Long Island Press, June 7, 1963]

CONGRESS MUST ACT ON JET NOISE

(This final story in a series about noise sums up the many things that Congress should be—but isn't—doing about the problem. It also tells what the airlines and local authorities should do to improve a still-worsening situation that must be altered for the well-being, not just of Long Islanders alone, but for people across the entire United States.)

(By Leonard Victor)

Instead of ducking, what should Congress be doing now to end the jet noise headache?

First, they should pick one Federal agency and shove the urgent job of finding out how to quiet jetplanes and engines squarely at them.

At the same time they should give them enough money to really get the job done.

The law Congress passes ordering this work should be very specific. It should include instructions like these:

"Attack every possible scientific solution that would dim the frightful racket around our major jet ports.

"Dig into the dozen good untried ideas for making the fan-jet motor much less noisy.

"Try those promising noise suppression designs the engine and plane makers can't afford to test themselves.

"And at the same time, start work on the vertical takeoff and landing commercial plane. The FAA says it will take 10 to 17 years before this kind of plane evolves slowly from military experiments.

"Shorten that gap, and while you're at it, bypass the military designs and concentrate on a plane that will be best for the public and the air carriers."

There's a lot more Congress could put in its directive.

For example, there's the high wing, to replace the universal low wing now in use. Designers brought the wing down for two reasons: It is easier to work on the motors close to the ground and the chord of a high wing eats into cabin space.

On the other hand, the low wing, with its four jet engines almost scraping the ground, stymies a lot of cross-wind landings that could otherwise be made on quieter runways.

Lift the wing and its motors further off the ground and pilots will be able to use the less noisy preferential runways a lot more often.

Those orders from Congress should have built-in time limits. A small group of distinguished scientists—who don't have an axe to grind—should be appointed to monitor the work and let Congress know how well and swiftly it is being done.

Don't forget that when the need became urgent, Einstein's famous formula grew from a scrap of paper into an atomic pile and then an A-bomb in very little time.

There's almost as urgent a need today to quell the jet racket—for the health and sanity of large portions of America's population.

With the orders for the crash research program there should be a law setting maximum plane noise limits that will be allowed—say 5 years from now.

There are some wild comparisons possible between the only noise standard we have and, for example, the noise level allowed for trucks.

The British Government has a maximum allowable level of 85 decibels 25 feet from a moving truck. The American Trucking Association's standard is 87 decibels 50 feet from a truck.

Our lone standard—set up by the port authority—is 112 decibels.

And that's for a plane 2½ miles after takeoff, already over 1,000 feet high.

Won't all of this cost an awful lot of money?

Certainly. But this must be considered part of the cost of aviation progress.

It's a design cost that is for the welfare of our Nation, just the same as our military spending and the work of other agencies, such as Health, Education, and Welfare.

We should think of it as a direct investment in protection for our citizens as well as an investment in our aviation future.

Let's hope Congress starts thinking so soon.

While we are waiting for congressional action, is there anything that can be done locally?

What can New York City, Nassau, the State and the port authority do now to help ease an intolerable situation shredding the nerves of hundreds of thousands of Long Islanders?

Plenty. Even though I and my camera were banned from Idlewild Airport by the port authority, I spent an awful lot of time there, both day and night.

One thing became clear to me in a hurry.

There are too many night to morning flights leaving and landing near empty. They're "milk runs," some of which are probably designed to bring planes to New York or other big cities without a total loss for the next day's profitable flights.

These flights, and some of the jam-packed late bargain trips should be seriously reevaluated.

I don't suggest that we should slap a curfew on night flights, as some civic leaders have. That would strangle air travel all around the world. Even the Tokyo Airport has pushed back the date for their much ballyhooed night curfew.

But I do think an impartial survey would show that a lot of these flights are unnecessary. They're inconveniencing hundreds of thousands trying to sleep on Long Island, just for the benefit of a small handful of people in each screaming plane.

Another thing I realized after watching flight operations at LaGuardia (I wasn't banned there) was that when the wind forces a noisy approach to LaGuardia's instrument runway, low over Jackson Heights homes and apartments at 1 a.m., the plane should be ordered to Idlewild.

The same wind allows an over-the-ocean approach and a landing on the instrument strip now being lengthened into the bay at Idlewild.

This use of the quieter runway should be law during sleeping hours. Especially so, since the prop-planes and small jets slated for LaGuardia can jockey onto the preferential runways at Idlewild without splattering large areas of South Shore sleepers with sound.

All of this doesn't help the people of Laurelton, Rosedale, the Rockaways and the arc of nearby Nassau villages edging the giant jet-port.

They will get a little relief soon, when the runways aimed like daggers at their sleep are lengthened. Planes will be coming in higher over homes—and that points the way.

Both sets of runways, 25L and 31L, can be extended still further.

Not cheap—but how cheap are the normal lives of the people who owned their homes three, four and five miles from Idlewild long before the jets came?

Another possibility that would bring great relief is an air corridor in the Rockaways.

Strip a mile-long stretch of the narrow peninsula bare of homes, perhaps west of the Arverne housing project and turn it into a park.

That houseless corridor would still three-fourths of the complaints—long, loud, and legitimate—from residents of the Rockaways.

One way that's been suggested to keep the cost of this mammoth project reasonable is a land-swap deal, foot for foot, with equally valuable land at Riss Park or Fort Tilden.

Will Congress, New York State, the city, Nassau, and their legal and health departments—all those who could act—really do anything?

The pressures both ways on all of them are terrific.

Enormous payrolls, tremendous investments and the very continuation of the metropolitan area's busy commerce depend on good flight service. What's more, the air industry itself isn't the most stable business in the country today.

Only some small segments, such as a few air carriers and the port authority, are really making a buck.

On the other hand, the interests and welfare of millions of voters are also involved.

What, if anything, will our representatives, all the way from the local level to Congress, do?

Let me end this series with a story that tells my feelings and answers.

Two swaggering bullies decided to mock their town's wisest elder.

"I'll hold a bird in my hand and ask him what I'm hiding," one of the bullies said. "If he guesses right, I'll ask him if the bird is dead or alive.

"If he says 'alive,' I'll crush the bird and if he says 'dead' I'll let it go."

The pair found the wise old man, and barring his way, the one with the bird asked, "What's in my hand?"

"A bird," the old man answered.

Startled, the young tough asked, "Is it dead or alive?"

The old man slowly turned and started walking away.

As he left, he looked at the swaggerer holding the bird and gave his answer: "It's in your hands."

And that's the future of jet noise abatement—strictly in your hands. You'll get exactly as much as you are willing to work for, through and with the people you elect to protect your welfare.

BALANCE-OF-PAYMENTS PROBLEM — INTERNATIONAL MONETARY CONFERENCE

(At this point Mr. EDMONDSON took the chair as Presiding Officer.)

Mr. JAVITS. Mr. President, I propose today to deal at some depth with a very grave economic problem which faces our Nation and the world, and upon which I believe we have not focused an adequate amount of attention. I want to emphasize that it is a people's problem. It is the very serious, continuing, endemic imbalance in the U.S. international balance of payments.

The reason why this is so critically important to the people of the United States is that we are no longer a nation pursuing a domestic economy which preponderates in all the effects that it has upon the people. Instead, we are now the banker for the world; we are the economic leader of the world. We are carrying the heaviest responsibility in terms of the defense of the free world, not only militarily, but economically, as well. The U.S. economy today is an integral part of the world's economy. It cannot be operated in any other way. If we were to operate in any other way, we would find, first, a dangerously increased hazard to our own security, because it would imperil the security of the entire free world; and, second, we would find a very serious difficulty in the operation of our huge industrial plant, which depends very heavily upon raw materials imported from abroad and which has a wide margin in terms of the export-import trade of the United States.

For all these reasons, plus the fact that the dollar is now a pivotal international currency, upon which the fate of government after government depends, because they are maintaining a substantial part of their reserves in dollars, when we suffer from a serious imbalance in our international payments, this imbalance plays the role of a thermometer. It shows that the patient has a fever; and the patient can be very sick in terms of the role which the patient is carrying out for all mankind, in the way I have just described.

What can happen? Serious things can happen. Let us remember that one of the events triggering the collapse of the world monetary system in the 1930's was brought on by the failure of Kredit Anstalt, in Vienna. It almost ground the whole economic machinery of the United States to a halt. Let us remember also that there are speculators throughout the world who believe that the United States will devalue the dollar. If the United States should devalue the dollar, there would be a cataclysm. Such an event would literally shake the economic foundations of the international monetary system.

There is no reason to be alarmed. We are an exceedingly powerful country, having vast resources. Although it is often said that we have a rather narrow gold base, now only about $16 billion, of which about three-quarters is committed as backing for our gold notes—incidentally, we could by congressional act repeal that situation, and the gold notes, I am sure, would circulate just as well—it is also a fact that we have $60 billion, in round figures, in investments all over the world, which represent assets of the United States.

We are willing and able to meet any demand made upon us for gold by central banks in other countries, in the magnitude of $20 to $22 billion, if we have the opportunity to employ our reserves for that purpose. But like any larger banker or bank, it is not possible to pay every depositor 100 cents on the dollar immediately upon demand. One could not possibly operate a bank on that premise; hence, the fundamental premise is that the creditor will not demand his money, because he knows the bank is perfectly good and solvent.

The imbalance in our international payments, if it persists, represents jeopardy to our economic system, with the dangerous consequences that make this situation a critical problem for the American people.

We are brought face to face with this reality in the Joint Economic Committee, of which I have the honor to be a member, where we have just completed 2 days of hearings on the U.S. balance-of-payments situation. In the course of these hearings—and we shall return to the subject during the latter part of the month of July—we have engaged in a thorough examination of the U.S. balance-of-payments situation.

We had before us Secretary Dillon on Monday and Under Secretary Roosa on Tuesday. From their testimony it is clear that the administration is discouraged by the results of the measures it has taken thus far, and that it feels that progress toward ending the balance-of-payments deficits has been disappointingly slow. Secretary Dillon stated, in response to my question during Monday's hearing, that the United States is not in a position to continue a deficit on our balance of payments at its present rate—$2.2 billion in 1962, $3.2 billion during the first quarter of this year, at an annual rate—for more than a brief period, say 1 or 2 years. Should the deficit continue at this rate beyond that period, said Secretary Dillon, we would be in real trouble.

I think it is only fair to say that I doubt that the Secretary of the Treasury is giving us the worst view of the situation. There is a growing consensus throughout the world that we are now in real trouble.

Yet when it comes to dealing with this highly critical problem, the administration has no new proposals to make, beyond favoring an increase in short-term interest rates. A little later I shall discuss that point in detail.

While the Secretary agreed at Monday's hearing that the world's monetary system must be overhauled at some indefinite future point, he expressed his opposition to calling for a world monetary and economic conference in the near future. At one point, he recognized that "it seems clear that the time will come when new facilities or arrangements will be required to insure for the future an adequate overall growth in monetary reserves and credit availability"; at another point he opposed the idea of a world monetary conference at this time, on the ground that private discussions within the OECD finance ministers conference or within the 10-country group who are signatories to the recent standby agreement signed to broaden the credit base of the International Monetary Fund would be more preferable. I disagree with the Secretary of the Treasury.

I submit that our payments deficit situation has reached such critical proportions that we must take action now, while there is still time and room for maneuver to handle this problem.

At the end of June our gold reserves reached the lowest level since 1939—$15.7 billion. The ratio of gold stock on hand to Federal Reserve liabilities stood at 31.7 percent—6.7 percentage points above the minimum gold coverage required under present law. Our payments deficit during the first quarter of this year is running at an annual rate of $3.2 billion, very close to the rate maintained since 1958. Outflows of private long-term capital during the first quarter of this year totaled more than $1 billion—nearly double the amount in the first quarters of the past several years, exceeded only by the extraordinarily large outflow in the second quarter of 1957. During the same period there was an extraordinary concentration of new foreign security issues in the United States—again a drain on our international balance of payments—amounting to $510 million.

Another very important drain—the net tourist balance, the difference between the expenditures of our tourists overseas and the expenditures in the United States of foreign tourists—has been steadily worsening, having risen from a deficit of $1.2 billion in 1960 to $1.4 billion in 1962. Data for the first few months of 1963 suggest a further increase in this imbalance of our deficit attributable to tourist expenditures.

Our oversea military expenditures have remained unchanged between 1960 and 1962, at about $3 billion, while the net deficit due to these military expenditures has been somewhat reduced—to about the $2 billion net level, due to certain offset agreements negotiated with our allies in 1962.

The seriousness of the situation arises by virtue of the fact that these responsibilities which we shoulder for the leadership of the free world in terms of economic aid to developing countries and military expenditures for Western defense, plus the fact that we are maintaining a very high standard of living as demonstrated by the large outlay of our tourists expenditures, plus the fact that we are the principal market for foreign borrowers of large amounts of capital, plus the fact that we are losing gold because other nations which have experienced a great resurgence of economic prosperity in terms of the excess of their exports over their imports are not fufilling their responsibilities—all these things, taken together, have gravely imperiled the position of the United States. Today I call attention to that peril and what we must do about it.

As the U.S. balance-of-payments deficit continues without improvement since 1958, showing little or no response to the intricate technical measures put into effect by the Treasury and other Government agencies, the pressure begins to mount with the United States and abroad for more effective and longer range measures.

I believe that despite Secretary Dillon's testimony before the Joint Economic Committee to the effect that this is not the time to press forward with new measures to reduce our deficit to manageable proportions, events will soon force this administration to propose such new measures. The temporary and short-term measures taken thus far, rather than truly easing our basic situation, have tended to obscure the magnitude of the balance of payments deficit problem and to permit the indefinite postponement of the inevitable and hard measures that must be taken to resolve it finally.

It is for these reasons that I have joined the gentleman from Missouri, Representative THOMAS CURTIS, in a resolution designed to marshal congressional sentiment behind those who believe that strong and vigorous measures should be taken now in order to eliminate the balance-of-payments deficit. I think this resolution is an essential first step in coming to grips with our balance-of-payments deficit problem.

Therefore, Mr. President, I submit, and send to the desk, for appropriate reference, a concurrent resolution which declares it to be the sense of the Congress that elimination of the balance-of-payments deficit should receive the highest priority in the formation of our national economic policy; that the maintenance of such equilibrium in our international payments should be a continuing goal of our economic policy; and that the world's monetary mechanism should be strengthened. The resolution shows two avenues through which to provide: First, improved means of financing balance-of-payments deficits until basic corrective forces restore equilibrium; and second, sufficient liquidity to finance increases in world trade and payments, once we have restored the balance-of-payments equilibrium through measures which we ourselves must take domestically.

Mr. President, one approach proposed in the resolution is the taking of new initiatives within the International Monetary Fund. I am satisfied that the administration intends to do so. The other is the calling of an international monetary conference to deal with the long-term problems. In view of the interest expressed in this resolution by several of my colleagues, I ask unanimous consent that it be held at the desk until July 17, for additional sponsors.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred; and, without objection, the concurrent resolution will be held at the desk, as requested by the Senator from New York.

The concurrent resolution (S. Con. Res. 53) was referred to the Committee on Foreign Relations, as follows:

Whereas the United States has had a deficit in its international balance of payments every year, except one, since 1950; and

Whereas largely as a result of these deficits, United States short-term dollar liabilities to foreigners totaled $25,300,000,000 at the end of April 1963; and

Whereas these liabilities constitute a potential claim against the United States gold stock of $15,700,000,000, of which less than $4,000,000,000 is "free gold" not required to serve as backing for our currency; and

Whereas the health of our domestic economy and strength of the dollar and its ability to serve as a key international reserve currency depends upon the early elimination of the balance-of-payments deficit and the creation of improved arrangements to serve the liquidity needs of an expanding international trade and payments system: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress of the United States that achievement of balance-of-payments equilibrium in a manner consistent with the dollar's role as a key international reserve currency should receive the highest priority in the formation of national economic policy; and be it further

Resolved, That the maintenance of equilibrium in its international accounts should be a continuing and major goal of United States international economic policy; and be it further

Resolved, That the United States take the initiative within the International Monetary Fund to devise new and improved methods of permanently strengthening the international monetary and credit mechanism in order to provide (a) improved means of financing balance-of-payments deficits until basic corrective forces restore equilibrium, and (b) sufficient liquidity to finance increases in world trade and payments once United States balance-of-payments equilibrium is achieved; and be it further.

Resolved, That the President be requested to consider calling for an International Economic Conference to review the long-term adequacy of international credit; to recommend needed changes in existing financial institutions; to consider increased sharing of economic aid for development and military assistance; and to consider other pressing international economic problems placed before it by a preparatory committee for such conference.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. PROXMIRE. The Senator from New York is making one of the most important speeches of the year in the Senate. He is speaking on a measure which is extremely difficult to discuss because it is complicated. It is exceedingly complicated to most people. It deals with gold, international banking, and so forth. But, as the Senator from New York has so well said, this is a people's problem. As many experts in this area have said, there is no greater financial or economic problem—confronting the American people and the American Government at this time.

I should like to ask the distinguished Senator from New York if it is not true that in view of the nature of our economy, in view of the fact, as the Senator from New York has said, that we are the bankers of the world and the leader of the free world, and in view of the fact that the usual measures of combating an adverse balance of payments are pretty much impossible for us to use, is this not now a problem of peculiarly serious difficulty as compared to any period in the past—for example, as compared to the 1933 situation or any previous period?

What I am asking the Senator is this: First, we are now unquestionably the leader of the free world.

Second, we know that if we follow a policy of austerity in our domestic economy, that is, of drastically reducing our governmental spending, sharply increasing taxes, and hiking our interest rates—if such action were politically possible, which it is not—it would be disastrous for our economy and also disastrous for the world economy. Therefore, is it not true that we are prevented from following the usual method of coping with an adverse balance of payments?

Mr. JAVITS. My answer to the Senator is distinctly "yes." I agree with the Senator. As we stand now, it would be a mistake to take domestic austerity measures in that order of magnitude, because we still have room for maneuver.

I shall develop the idea—and I hope the Senator will join me in developing it as we go along—that the real danger we face is that if we tarry at this point, when we still have room for maneuver, we will be "up against the gun" very soon. The Secretary of the Treasury has said we would be in that position in 1 or 2 years. Perhaps we shall be there even sooner. Once we are, we shall have no choice. We shall have to take drastic austerity measures, which will have an impact upon employment as well as savings and the economic activity in this country of the most deleterious character and in a most regrettable way. We shall then be left with no choice, and we shall have been deprived of the room for maneuver. In my opinion, this is about the last opportunity that we shall have.

Mr. PROXMIRE. Is it not true that there is available another alternative solution, which is equally difficult and perhaps even more repugnant to the Senator from New York and the Senator from Wisconsin, namely, abandoning our position of leadership in the world by withdrawing our military commitments and also withdrawing from our economic responsibilities overseas.

There is no question that that would be one way of reducing the seriousness of our balance of payments, because unquestionably our troops stationed abroad, and our military commitments abroad, our military assistance abroad all directly and adversely contribute to our serious balance-of-payments difficulties. Is that not correct?

Mr. JAVITS. There is no question about it. The Senator knows as well as I that there is no substitute. There is no one to step into the breach. The most uninformed person reading the newspapers will be the best witness of the fact that Britain cannot. France both cannot and will not, considering the strictly nationalistic policies it is pursuing, which in my opinion are hampering the world. As much as I love General de Gaulle and the great things he has done, he is now a big stone on the road of progress. West Germany is out of the question. Germany has been the world's principal enemy for a long time, and is just now returning to the international community of nations. The same statement applies to Japan. Where is one to look?

Our country is the only one that gives any hope for leadership for peace. We are the principal beneficiaries of this leadership in terms of the maintenance of the world's peace and the world's freedom. So there is no alternative.

To all those who say, "Let us get rid of this burden," I put the question, "To whom?" If we canot get rid of it to anybody and we throw it overboard, are we not depriving ourselves? Is that not a suicide mania? I think that is the thrust of the Senator's question, and I thoroughly agree with him.

Mr. PROXMIRE. The only other question which I have at this moment for the distinguished Senator in his important speech is as follows: Under those circumstances, recognizing the experience that nations have had with austerity as a means—and an effective means—of combatting the condition of which we speak, does it not make sense for us to keep our domestic and foreign spending as low as possible, insist upon the most complete justification, and seriously question the proposal of the administration for a substantial tax cut? I do not desire to open up a whole new problem in the middle of the important speech by the Senator from New York. At the same time, I was struck by the fact that the administration's solution for the situation is, first, a less than 1 percent increase in short-term interest rates and, second, a tax reduction, when all experience has indicated that what a tax reduction does is to stimulate the economy. It tends to expand the economy, and has at least an inflationary tendency, whereas the way to cope with an adverse balance of payments is to reduce costs in the affected country, to increase taxes, to cut spending, and through a deflationary policy make possible the sale of more goods abroad.

The point I am raising is that it is necessary for us to consider some degree of austerity along with other policies, recognizing that we cannot go all the way.

No one would advocate an increase in taxes. No person would expect that Congress will in fact reduce spending very much. No one would expect us to entirely eliminate our foreign commitments program if we wish to stand up to communism. Nevertheless, does not the situation persuade us that we should proceed with caution, and conservatism, and as carefully as possible, together with the other sensible proposals which the Senator from New York is making today, if we are to meet the problem?

Mr. JAVITS. The question of the Senator from Wisconsin is a tribute to his erudition and skill in this field. I am delighted that he has chosen to question me this afternoon. The Senator has stated the classic proposal which is involved. I speak for myself, on the basis of a thoughtful consideration of the problem and perhaps as much study and understanding of the facts as any Senator can claim. I have lived with the problem for many years, even before I became a Representative or a Senator. I feel that there is a real difference in timing. We must be cautious and hardheaded about expenditures. But I do not believe that as yet we are deprived of the freedom of maneuver which will make it unnecessary, if we use our time, to go in for the retrenchment and the austerity to which the Senator has referred.

At the moment I still think—perhaps it is the last moment—and there I would certainly consider with the greatest respect the Senator's view—we have time to go either way. The classic way of dealing with the situation which I am describing is austerity. There is no question about that. Nations have made a great success of it. We saw the virtue of the standstill on wage increases in Germany and the German miracle which Erhardt performed, which was heavily attributable to the fact that workmen tightened their belts, and let productivity charge forward without increasing materially their wages and salaries. That was an example of austerity.

The same thing occurred in Japan, where an economic miracle was also performed. Those nations were virtually destroyed in war, and had a much longer road to travel than that.

We have a powerful and effective productive machine; a vast credit structure; and the confidence of most nations throughout the world. We have many assets.

We still have time to utilize all of our productive resources to stimulate our economy, provide investment, capital, credit and often types of assistance to accelerate the development of the underdeveloped areas of the free world, with an enlargement of the world's credit base. We are resilient enough and strong enough, and we still have enough "muscle" to do all of that and to deal with our problem by moving forward.

We are not as yet reduced to the only alternative of austerity as a way to solve this problem. But our days are numbered. It may not be very many days or weeks or months before much against my will and unhappily, I shall have to join the Senator in the feeling that the opportunity is gone, because the situation is approaching that point.

I still say that, with the measures which I shall be describing, with which the Senator is thoroughly familiar, we can go forward—to use the words of the President—though he has not done so. I still think we can deal with this problem and at the same time develop our country and discharge our obligations and responsibilities in the world more effectively, more successfully, and more decisively in the cold war.

The problem with regard to the austerity approach, which I think everybody would fear, including the Senator from Wisconsin, is, though it might save us, how much would be thrown overboard in the process? How many countries, or how many continents would be left to communism?

Mr. PROXMIRE. I started by asking a couple of questions, to indicate that I agree wholeheartedly that we cannot go all the way with the classic method. At the same time, if we adopted the constructive proposals of the Senator from New York, it would make sense that we also take certain austerity measures to a limited extent. We should hold down spending as much as possible. We should eliminate unnecessary—and I think we can calculate that there are some which are unnecessary—foreign aid expenditures.

Mr. JAVITS. Yes.

Mr. PROXMIRE. We should keep the reins as tight as we can in this area, and reconsider, at least, the tax cut.

I thank the Senator very much for yielding to me.

Mr. JAVITS. I thank the Senator from Wisconsin.

I was about to complete the point in regard to inflation. The Senator made that point. I think it is a valid point, except for the fact that there is a tremendous underutilization, both of our productive and our human resources, with 5 million people unemployed and 30 percent of our American industrial plant underutilized. The figure of 30 percent is not entirely valid, because much of it is obsolescent. However, a good deal of it is not obsolescent.

With all these underutilized resources, we have an opportunity, if we retain a freedom of maneuvering, to move forward in the direction of fuller utilization of our resources, rather than retrenching at this point. We will not run into the danger of inflation as a result of a tax cut so long as such a serious underemployment and underutilization of our resources continues.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. JAVITS. I yield to the Senator from Colorado.

Mr. DOMINICK. I join in congratulating the Senator from New York for presenting this important question before the public for debate.

I have been using a fairly dramatic statement in connection with this problem, to try to alert the people. I should like to ask the Senator whether he thinks it is a valid statement.

I have been pointing out that the dollar holdings by foreign sources which could be converted to gold at any given time amount to some $21 billion or $22 billion, and that the available supply of gold to meet such foreign holdings is only $3.8 billion.

When I have mentioned this problem, my point has been that all that would be required would be for a few of the central banks to become unhappy about the eventual value of the dollar, to make a call on the holdings of the central bank in Europe, on gold reserves, which would immediately put us in a position of technical bankruptcy. It could happen next week, or next month, or at any time a "run" might be started on our gold supply.

Does the Senator agree that this is a possibility?

Mr. JAVITS. It certainly is a possibility.

No banker in his right mind would say that that is not a possibility. We are the banker for the world.

However, the gold base which we have is adequate for the time being, especially in view of our control as to how much of it will be committed as backing for our currency. The Congress can take action in that regard in a minute.

In view of the fact that, as a country, we are international bankers to the world, we must recognize both the risks and the advantages of banking. No bank could pay all of its depositors in cash on demand. Therefore, the big missing ingredient is, "Will the central banks of our principal creditors have any reason to make such a request?"

What I have been dealing with—and what I am sure is implicit in the Senator's question—is that we should present a posture to the world in which this would be unreasonable, arbitrary, hostile, and would represent no prudent exercise of discretion on the part of any bank in the world. We must keep ourselves in that position, so long as we are the world's banker.

Mr. DOMINICK. I appreciate the Senator's statement very much. There is a statute now in existence which requires a backing of 25 percent gold reserves behind our gold notes. The statute can be waived temporarily by the Federal Reserve, but it cannot be waived on a permanent basis. If there were to be such a "run" it would be necessary, as I see it, for the Congress of the United States either to default on the gold obligations to foreign holders or to change our law in order to reduce the amount of gold behind our currency.

Mr. JAVITS. I am confident that the Congress would never lend itself to a default, and I am sure that the country would not, either. I am confident there will be no default.

The Senator has described the legal situation accurately.

Mr. DOMINICK. I thank the Senator from New York.

Mr. JAVITS. Mr. President, the key aspects of the resolution which I have sent to the desk, in my view, are twofold. The first is to highlight our balance of payments problem as the No. 1 economic problem of our country in terms of where we stand in the world. We cannot forego world leadership both in banking, which we represent, and in terms of peace. The second is to call for a world monetary conference, to review the long-term adequacy of international credit; to recommend needed changes in existing financial institutions; to consider burden sharing in economic aid for developing friendly countries and military expenditures for Western defense, in terms of the imbalance of our international payments; and to consider other pressing international economic problems, such as borrowing in this market by long-term borrowers from abroad—which would be placed before the conference by a preparatory committee of such a conference

Secretary Dillon expressed certain doubts as to the desirability of such a conference. In my opinion, these doubts are answered by the need for urgent action on our part to deal with the imminent danger which the imbalance of our international payments poses for us, and the need for world recognition of the special responsibilities we are carrying and have carried for so long and with which we must now have the help of international cooperation—again as dramatized for us by this endemic imbalance in our international payments.

Such a conference can avoid the inadequate preparation which wrecked the London Economic Conference of the early 1930's by more intensive preparation and due to the fact that, unlike the Franklin D. Roosevelt administration, the present Kennedy administration is more prepared to adjust domestic economic policies, if need be, to the demands of our international position.

Also we must remember that in the 1930's we occupied no such comparable position of international financial leadership as we do now, nor was the dollar then the principal banking medium for the entire free world, as it is now.

As I told the Secretary in the course of our questioning at the Joint Economic Committee hearings on Monday, it is necessary to dramatize for our own people and for all of mankind the grave crisis to which the United States is being brought in terms of its international monetary position by virtue of the heavy burden of responsibilities it is carrying. This is quite a different approach to all of mankind than the feeling, "They ought to help us." We are proposing an action which is extremely desirable and necessary for all of us to do collectively.

Here it is, posed for us in terms of the serious dangers to our country, in very hard and realistic terms of dollars and cents, which people can very well understand.

Now to return to my proposal for an international monetary conference, I agree with Secretary Dillon's objections to ill-conceived, hastily called, ill-prepared international conferences with no specific objectives in mind. The failure of the London Economic Conference of 1933, to which Secretary Dillon referred at Monday's hearings, was partly the result of such inadequate preparation and organization. The basic reason for its failure was due mostly to the irreconcilable conflict between the postdepression inflationary domestic economic policies of the Franklin D. Roosevelt administration, necessitated by our situation at that time, and the anti-inflationary objectives advocated by leading members of the Conference, principally Britain and France.

For example, reestablishment of the international gold standard and currency stabilization proposed by the London Conference ran counter to President Roosevelt's efforts to raise prices at home. Therefore, he had to reject them. It was the flat rejection of the proposed joint declaration of the Conference, which was calling then for a conservative banker's line, that destroyed the Conference.

Today totally different conditions prevail. The United States is the international leader in finance, as well as in respect of peace, and the bankers abroad have a different relationship, both to the concept of banking and the leadership of the United States, than before.

The best evidence to sustain the fact that we have become the principal economic power in the world in the postwar period and what can be achieved through a well-planned conference in this field is the Bretton Woods Conference of July 19, 1944, which resulted in the establishment of the International Monetary Fund and the World Bank. It showed what can be achieved when countries with common objectives, having a limited, clearly defined objective in mind, sit down to a well-prepared conference. Therefore, I believe such a conference, called together after careful preparation, to examine and make recommendations on the world liquidity problem, and to modernize present international monetary institutions, could meet with better success than ever before.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. MILLER. By way of reaffirming what the Senator from New York has been saying, I want to point out that for some time we have been hearing statements by some of the administration spokesmen to the effect that our friends in Western Europe should take hold of more of the burden of aiding developing nations and military assistance than they are now doing. All of us agree this is so. Just as the Secretary of the Treasury said the other morning in his testimony before the Joint Economic Committee, it would be helpful if those countries contributed more adequately in sharing the burden of providing for our common defense and the economic development of the less developed areas of the world.

Nobody doubts that this would be hopeful, but the problem is that we are on dead center in getting them to assume more of the burden.

What is sought by the resolution of the Senator from New York, in which I am privileged to join, is to get us off dead center by having an international economic conference so these problems may be aired far more than they have been heretofore.

I ask the Senator from New York if he does not think these occasional statements of policy, namely, that it would be helpful if our friends across the oceans would share more of these burdens, have still failed to produce the results we must have, and if the conference would not at least serve the useful purpose of getting us off dead center in furthering that policy.

Mr. JAVITS. First, let me thank the Senator for cosponsoring the resolution. His name appears on it. I welcome him as a sponsor of the resolution. What the Senator has said is true. It is strange and anomalous that at one and the same time the central banks of European countries, countries which have greatly benefited from the Marshall plan, including the revival of their economies, and making possible the economic integration of Western Europe—all of which I favor, but which we made possible—now stand off with their demands which can theoretically put us in bankruptcy, and do not give any recognition to the fact that even relatively minor aid could lift some of the burden from our backs and would help very materially in dealing with the situation.

As the Senator from Iowa so very properly said, it is in the effort to dramatize this problem, in the hard reality of dollars and cents, that I think an international economic conference would be very helpful. I agree with the Senator on that score.

Mr. MILLER. I thank the Senator.

Let me ask one further question. Does he not have the feeling that there are some important people in other nations who agree with us that their nations should assume greater responsibilities than they have heretofore and that an international economic conference could serve as a vehicle for the individuals to make known their views, which until now perhaps have not been made known effectively, and which would help public opinion in those countries to exert enough influence in the direction concerned so that they would in fact take action which should be taken?

Mr. JAVITS. There is no question about that. I believe that when we project the banking and financial position we are approaching, the people would be most unhappy to find the United States compelled to be in that position. We are the banking and financial leader, and there is no substitute. I think the people in the European countries concerned will realize that the base upon which they have built their postwar prosperity would be undermined and swept away if the concrete base of the U.S. dollar and the strong banking support which it represents were necessarily withdrawn. Therefore, I believe that this is the way to pose this problem most effectively to the world—that we may not have any choice in taking drastic action unless we get help promptly.

Mr. MILLER. Does not the Senator think the situation which is confronting us with respect to the balance of payments deficit is something which has not yet been brought home to the average person in those countries?

Mr. JAVITS. I do not think there is any question that our own people and the people in other nations have not been brought face to face with hard money realities. The purpose which we had in the hearings before the Joint Economic Committee in which the Senator from Iowa participated in so very ably, and to which I previously referred, and the purpose of this speech, and other speeches—and I hope the Senator from Iowa will make one and that others of our colleagues will make similar speeches—is to present to the people what is really implied in this situation, so that they may not wake up some morning and be hit by a tornado of financial difficulty, with great damage to them, without at least having given, by those in a position to be able to outline the problem, an opportunity to do so long before it became a reality.

Mr. MILLER. I thank the Senator.

Mr. JAVITS. I thank the Senator for his contribution.

Even before we can submit our payments problem, as the Senator from Iowa [Mr. MILLER] and I are proposing, to such a world forum, we must take effective domestic steps dealing with our balance-of-payments situation consistent with our role as banker of the world.

So I suggest a series of steps on that score, as follows:

First, I think we need an ad hoc committee appointed by the President and charged with the responsibility to correlate our domestic economic policy with our international economic policies imposed on us by our responsibility as bankers of the world and to establish priorities in that regard. It might conceivably be an inter-Cabinet committee. It might be a joint committee of Cabinet members and distinguished nongovernmental members.

I believe that we need to have a total look at our international payments situation and our domestic economic policies, together, with a recommendation by such a committee of the priorities which need to be established in order to deal with our international balance-of-payments problem.

Second, I believe that there is a serious weakness in our export promotion system. We have an export surplus of $4 billion to $5 billion on an aggregate foreign trade of roughly $35 to $40 billion. Therefore, roughly, we have a 10 percent surplus of exports over imports. Normally, one would say that is fine. However, in our situation, considering the responsibilities we carry, it is not enough.

In view of the fact that a relatively small proportion of American business participates in exports, and in view of the fact that we are underutilizing our industrial plant, it seems to me that one of the prime domestic needs with which we are confronted is to step up our exports.

So I urge the administration to give serious consideration to devising a system of tax credits and other direct incentives to our exporters and to accelerate our exports. Also we must take into consideration measures through which material increases in our exports could be brought about rapidly, including the broadening of our present investment guarantee system directed toward the less developed, friendly countries, and the possibilities of added credits for goods and services acquired in the United States and needed to accelerate the development of underdeveloped countries.

When American companies invest abroad in less developed areas, when it is possible to extend longer term credits in underdeveloped areas, we open new markets for exports.

Therefore, on the one hand we should accelerate the desire of the American producers to export by extending direct tax incentives; and, on the other hand, we should try to expand markets for our exporters by the improvement of our investment guarantee system in newly developing areas, and by materially expanding the credit base upon which they may draw.

I was saying the other day—and I wish to make this statement parenthetically in my speech today—that we hear a great deal about the instability of countries in Africa and Latin America and Asia. However, there are many countries there which are very stable and which have almost limitless opportunities for investment and developments.

Countries which come immediately to my mind in that regard, and about which there is no argument in this respect, are countries like Nigeria in Africa, and the Philippines in the Pacific; and in Latin America, a number of nations like Mexico, Colomba, Peru, Chile, Argentina, and Venezuela are on the threshold or actually have arrived at a point where there can be no question about the stability of their institutions and the accessibility of those countries for rapid investment in trade expansion programs.

Secretary Dillon, in a letter dated July 5, informed me that he was against granting specific tax incentives to exporters. He said he did not feel it advisable to propose a substantial modification in our tax system which would be required as an effective incentive, as he felt it would conflict with our GATT obligations. Instead, he informed me that the U.S. Government is taking a firm stand against the proliferation of special export tax incentives by our Western European trade competitors.

Such incentives exist in the countries which have enjoyed a major expansion in their exports, which in turn has indirectly brought about our present balance-of-payments situation.

I believe that the outright rejection of a tax incentive to exporters may prove to be unwise. Those of us following the export promotion activities of the Federal Government over the past 2 years have felt for sometime that a direct incentive tied to improved performance—such as a tax credit—was needed to put teeth into the drive to increase our exports to a sufficiently high level to offset our international balance-of-payments deficit.

Our competitors in Europe have not hesitated to give such advantages to their exporters. We should recognize that we are tying our own hands by reason of our GATT obligations and are thereby giving a permanent advantage to our European competitors. There is no logical reason why waiver by their home governments of the value-added tax on the exports of our European competitors should be considered consistent with GATT, while waiver of U.S. income taxes, other than the Federal excise tax, should be viewed as an export subsidy and therefore illegal under GATT. I believe that it is unrealistic to expect that the Europeans could be induced to abandon their own tax incentive for exports.

It is legal under GATT, and it works to their advantage. Instead, the United States should go ahead now and devise its own system of tax credit for needed exports in order to remove this competitive disadvantage to our exporters.

The question of the legality of various export incentives under GATT should be dealt with either through a revision of existing rules, which would recognize realities, permitting a variety of such incentives, or by restricting all such incentives, direct or indirect, on the part of ourselves and of our European competitors, at a GATT conference called for this purpose. In that case we would not suffer competitively as we do now. Therefore, I urge the extension of incentives to our exporters and an expansion of our export markets through an improved investment guarantee program, which we are able to bring about.

Third, we must do all we can to maintain competition in world markets by maintaining wage and price stability. So far we have done a pretty good job. Our people have shown good discipline, with some problems—as, for example, in the building construction field. On the whole, our record has not been too bad.

Fourth, the President should reexamine our policy with respect to the unrestricted expenditures by our tourists, which totalled $2½ billion in 1962. We showed a net tourist deficit of $1,400 million in the same year, which is more than half the imbalance in our international payments. No one wishes to restrict travel. At the same time I believe that the President should make recommendations to Congress as to these expenditures. We should also lodge strenuous protests in the International Monetary Fund, in GATT, and in the OECD against the continued restrictions which are placed by a number of European and Latin American countries, as well as Far Eastern countries, on the sale of dollar exchange to their nationals for travel purposes.

Let us understand the situation. At the present we place no restrictions whatever on our tourists, unless you regard the lowering of the duty-free treatment of goods brought into this country by our own returning tourists as a restriction. We have a right to continue not to place any restrictions—and of course we may have to place such restrictions—but we should at least insist that European and Latin American and Far Eastern countries, which can afford it, should not place restrictions upon dollar expenditures of their tourists in our country.

While in the case of developing countries with shortages of convertible foreign exchange such restrictions are understandable, they should be removed by all other countries that do not have such a difficulty.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a letter dated June 18, 1963, from the Treasury Department and a letter dated July 9, 1963, from the Department of Commerce, which relate to these restrictions and state what could very readily be done by a number of countries about them, and what we are doing at the present time to close the gap between the expenditures of our tourists overseas and our income resulting from foreign tourist expenditure in the United States.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

TREASURY DEPARTMENT,
Washington, June 18, 1963.

The Honorable JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JAVITS: I am pleased to furnish you information on several matters related to our net tourism balance, in accordance with the request of Mr. Szabo of your staff. These aspects are: (a) Public Law 480, section 104(s) sales of local currencies to American tourists; (b) estimated effect of the $100 limitation on duty-free imports by returning American tourists; (c) allowances of Western European countries, Canada, and Japan to their residents for tourist travel; and (d) data on foreign tourist expenditures abroad for 1960, 1961, 1962, and the first quarter of 1963.

The possibility of Public Law 480, section 104(s) sales of local currencies to American tourists is limited by the fact that there are relatively few countries whose currencies the U.S. Government holds in amounts excess to its needs. These countries and the amounts of excess as of December 31, 1962, are shown below:

[Thousands of dollars]

Country	Dollar equivalent of excess U.S. Government holdings	(Of which accruing from Public Law 480, title I, sales)
Burma	4,754	(181)
India	154,165	(33,438)
Pakistan	56,308	(6,033)
Poland	375,297	(375,297)
United Arab Republic (Egypt)	18,039	(16,455)
Yugoslavia	32,979	(18,070)
Indonesia	4,928	(4,311)
Israel	12,812	(510)
Total	659,282	(454,295)

It would not benefit the U.S. balance of payments if we were to sell to American tourists local currencies which are needed for current operations of our Government abroad, because we would then have to use dollars to buy these currencies from foreign governments to cover U.S. Government needs. Hence, we have followed the policy of making available for sale to American tourists only those currencies which are in excess of U.S. Government needs. These are currencies of countries which do not get a very large share of American tourism and in the case of India and Pakistan particularly are recipients of large amounts of U.S. assistance extended in order to ameliorate difficulties caused by these countries' shortage of foreign exchange. Accordingly, these countries are reluctant to agree to U.S. Government sales of Public Law 480 title I local currency proceeds to American tourists since it would tend to reduce their own dollar income from American tourists. Only two of the above countries—United Arab Republic (Egypt) and Israel—have agreed to the sale of Public Law 480, title I, proceeds to American tourists.

In the case of Egypt, the U.S. Government through April 30, 1963, had made available for sale to American tourists $12 million equivalent of Egyptian pounds, and through the same date had sold only $8,824.98. Egyptian pounds were announced as being available for sale to American tourists through a Treasury Department January 7, 1963, press release. Notice is also being given through the Commerce Department's Foreign Commerce Weekly, "International Commerce." In the case of Israel, our excess holdings have been reserved for dollar-repayable loans to the Weizmann Foundation and none has been made available for sale to American tourists.

The $100 limitation on duty-free imports by U.S. residents returning from abroad is estimated to have resulted in a reduction of $123 million in their foreign purchases in 1962 as compared with 1960, the last full year before the reduced exemption.

Table I, enclosed, shows the travel allowances granted by other advanced countries to their residents, according to our latest information. You will notice that seven of the countries have unlimited allowances. Denmark and the Netherlands are close to being in that category. In the case of France and the United Kingdom, it is more difficult to judge the liberality of the allowance in view of the fact that amounts in addition to those shown may be granted upon justification to the authorities. In these cases as well as those of some of the smaller Western European countries, and in the case of Japan, there is room for further liberalization. The U.S. Government has pressed in the OECD and elsewhere for full liberalization.

Table II, enclosed, shows the U.S. tourism account for the years 1960–62 and the first quarter of 1963 (seasonally adjusted). The increase in our tourism deficit last year despite some increase in our tourism receipts is not encouraging, and it has led us to redouble our efforts to reduce the deficit in 1963.

Please let me know if you have need of further information on this subject.

Very truly yours,
JOHN C. BULLITT.

(Enclosures 2: Table I—Foreign Travel Allowances Granted to Their Residents by Various Countries; table II—U.S. Tourism Account, 1960–62.)

TABLE I.—*Foreign travel allowances granted to their residents by various countries*

	Amount of allowance that traveler can convert before departure from his country	Additional amount of allowance in form of bank notes which traveler can take abroad and convert
Austria	$577 per journey [1]	$385.
Belgium	Unlimited	Unlimited.
Denmark	Any reasonable amount	$290.
France	$700 per journey [1]	$150.
Germany	Unlimited	Unlimited.
Ireland	$706 per journey [1]	$140.[3]
Italy	Unlimited	$80.
Luxembourg	do	Unlimited.
Netherlands	$1,194 per journey [2]	
Norway	$500 per year	$50.[3]
Portugal	Unlimited	Unlimited.
Spain	$500 per journey [1]	$50.
Sweden	$1,160 per journey	
Switzerland	Unlimited	Unlimited.
United Kingdom.	$706 per journey [1]	$140.
Canada	Unlimited	Unlimited.
Japan	No automatic allowance [4]	

[1] Additional amounts may be allowed upon justification.

[2] An additional amount of $40 is also granted automatically for each day of travel beyond 14 days, up to $3,781. Unlimited additional amounts are granted on request

[3] May be spent only on carriers of traveler's country.

[4] Japanese declaring themselves as business travelers are allowed $500 per year plus fares.

NOTE.—For countries in the above table where the allowance is not unlimited, the allowance is generally in addition to fares.

TABLE II.—*U.S. tourism account, 1960–62*

[In millions of dollars]

Year	Exports			Imports			Net tourism balance
	Transocean fare receipts from foreigners	Travel by foreigners in United States	Total tourism receipts	Transocean fare payments to foreign carriers	Travel by U.S. tourists and businessmen abroad [1]	Total tourism payments	
1960	+110	+887	+997	−490	−1,744	−2,234	−1,237
1961	+112	+900	+1,012	−515	−1,747	−2,262	−1,250
1962	+117	+921	+1,038	−563	−1,905	−2,468	−1,430
1963 1st quarter (adjusted)	(2)	+231	----------	(2)	−482	----------	----------

[1] Roughly 80 percent pleasure, family, etc., and 20 percent business.

[2] Not available quarterly.

THE SECRETARY OF COMMERCE,
Washington, D.C., July 9, 1963.

Hon. JACOB K. JAVITS,
U.S. Senate, Washington, D.C.

DEAR SENATOR JAVITS: I am writing with further reference to your letter of June 19, 1963, concerning efforts by the Department of Commerce to attract greater numbers of visitors to the United States from abroad.

As you know, the U.S. Travel Service was established within this Department by the International Travel Act of 1961 for the specific purpose of promoting more foreign tourism in this country. As a cosponsor of this legislation, you will be pleased to know that I consider the USTS to be one of the most successful investments the Federal Government has ever made. Thanks to the fullest cooperation by other Government agencies and by the private travel industry, the Travel Service's Visit USA program has succeeded in stimulating a substantially higher rate of increase for inbound oversea travel than that applying to outbound travel—the first step in narrowing that part of our balance-of-payments deficit caused by international tourism.

In 1962, we received 604,000 business and pleasure visitors from countries other than Canada and Mexico, an increase of 17 percent over 1961—almost double the average annual rate of increase over the previous decade. By comparison, the number of Americans who traveled abroad last year was 1,767,000, only 12 percent more than in the previous year. The rise in foreign travel this year is even more encouraging with 23.7 percent more visitors from abroad during the first 5 months than came in the same period of 1962.

With regard to last year's increase in the payments deficit attributable to travel, our revised figures show a net loss of $847 million in 1961 and $984 million in 1962, exclusive of transportation payments. This increase stems primarily from two causes. (1) Because their base is almost three times as high the absolute gain in Americans traveling abroad more than offset the record number of new oversea visitors to the United States. (2) Devaluation of the Canadian dollar during 1962 resulted in an unfavorable balance in our travel account with that country, for the first time in 10 years.

I share your concern over the continuing increase in our travel dollar deficit. However, so long as the right of our own citizens to undertake foreign travel remains relatively unrestricted we must expect some prolongation in the travel deficit problem. The important point, I believe, is to assure that our Government is doing everything it can to attract the greatest possible number of new visitors to this country. I welcome this opportunity for comment on the Department of Commerce program for accomplishing this.

I have enclosed a copy of my most recent report to the Congress and the President on the U.S. Travel Service, containing a broad description of this agency's recent activities. We will be happy to answer any questions you may have on this report. Meanwhile, I am attaching a memorandum from Mr. John W. Black, Deputy Director of the USTS, in response to the specific points raised in your letter.

Sincerely yours,

LUTHER H. HODGES,
Secretary of Commerce.

U.S. DEPARTMENT OF COMMERCE,
OFFICE OF THE SECRETARY,
July 8, 1963.

To: Secretary Hodges.
From: John W. Black, Deputy Director, U.S. Travel Service.
Subject: Senator JAVITS' letter re Department's travel program.

The following report is submitted in response to the five questions posed by Senator JAVITS in his letter of June 19 to you.

(1) Lessons learned from other tourist programs: It is our judgment that the most successful foreign country tourist programs have been built on these factors:

An attractive, reasonably priced tourist product: Here, the United States competes well with any other country. In fact, none can rival us in variety of tourist attractions.

Ease of entry: Most tourist-conscious countries have led the way in reducing entry formalities to a bare minimum, most notably by abolishing the visa requirement, or substituting for the visa a more easily-obtainable tourist card. Although the United States still requires a visa from most foreign visitors, entry documentation requirements have been eased significantly in the past several years, as noted below.

Vigorous advertising and publicity programs by Government: Virtually every major tourist-seeking country conducts a large-scale advertising and publicity program aimed at attracting potential travelers. Best available estimates indicate that foreign regional and national tourist offices spent between $5 and $6 million in the United States alone for mass media promotion in 1962.

Counteracting this expenditure the USTS advertising and publicity budget in fiscal year 1963 for attracting travelers to the United States was only $1.2 million. Our projected budget for these items in fiscal year 1964 (based on the House-approved $2.6 million appropriaion for USTS) will be cut to $800,000.

Representational activities: Closely related to the Government-financed promotional campaign carried out by the foreign countries are their activities aimed at winning friends and influencing people among key groups in the field of tourism—top agents, leading travel writers, distinguished personalities, travel fraternities, and associations. Many foreign governments typically make substantial money available for hosting international travel conferences, subsidizing tours by travel agents and journalists, entertaining dignitaries in the travel field as well as providing routine representational funds to their foreign offices.

The United States is at a distinct competitive disadvantage in this area. Funds for hosting meetings and conferences or for other representational expenses here in this country are normally not made available to agencies such as USTS. Oversea representational allowances granted to USTS to date have been substantially lower than those provided by other government tourist offices to their representatives abroad.

By securing free transportation from U.S.-flag carriers and using funds made available by the State Department's Office of Cultural Affairs USTS was able to sponsor 1 tour of the United States by 13 foreign travel writers last year. We had planned another tour for this fall but it now appears that neither State nor USTS will have sufficient funds to carry this out.

Close cooperation between Government and industry: Participation by and service to the international travel industry is a crucial element of any successful national tourist program. This cooperation includes such things as: joint or tie-in promotional programs, provision of sales promotion materials and other travel information to carrier and travel agent offices abroad, and Government encouragement or assistance in developing tourist arrangements or facilities geared to the special needs of foreign visitors.

Our Government does not exercise the same degree of influence and control over its domestic travel industry as is common in a number of foreign countries. (For example, many foreign-flag carriers are state-owned; foreign governments typically enjoy inspection or licensing authority over private tourist facilities. For this reason many government-industry promotional practices found abroad cannot be copied here.

Within the framework of our private enterprise system, we believe that USTS had achieved an excellent degree of cooperation with industry. Examples include: establishment of the Department's Travel Advisory Committee and numerous Visit USA committees abroad; a $500,000 annual sales promotion program patterned after those of foreign countries, including distribution of sales aids and regular calls on carriers and agents; encouragement of special rates and fare plans for foreign visitors, such as the $99/99 day bus pass; participation in carrier Visit USA programs and seminars abroad; publication of special aids to industry, such as the plant tour guide and travel agents and tour operators offering services for international visitors to the USA.

A hospitable citizenry: Most tourist-conscious countries—particularly those in Western Europe—have a long history of being international hosts. Their close proximity to many foreign lands has bred a high degree of awareness to the special problems of international tourism, especially the language problem. Because of its long relative isolation from other major tourist-generating nations the United States has not developed this same awareness. We are still apt to look on the foreign visitor as something of a curiosity.

Realizing that a satisfied customer is the best form of promotion, USTS made a major effort to assure that guests from abroad are given a friendly welcome wherever they travel in the United States. In cooperation with the advertising council we have mounted full-scale campaigns in newspapers, magazines, radio, TV, through car cards and Post Office truck posters on the theme "Company's Coming—Let's Welcome Them," designed to inform the average American how he can be a better host to foreign visitors. On the local level, USTS has distributed thousands of community kits showing how civic groups can improve their locality's facilities for visitors. Taking our cue from such hospitality programs as "Meet the

Danes" and "Get in Touch With the Dutch," the community kit stresses the value of providing visitors with the opportunity to meet Americans "at home."

Travel incentives: Our leading competitors in tourism normally rely upon solid promotional and industry service programs rather than on incentives, as such, to attract the U.S. traveler. Certain nations with multiple currency exchange rates—the Soviet Union, Venezuela, and Indonesia could be cited as examples—often grant foreign tourists a more favorable rate as an incentive to travel. But such practices are not common among leading tourist nations.

Perhaps the major governmental incentive to European travel by visitors from abroad is the eurail pass—a flat-rate, 30-day pass good for unlimited first-class travel on any Western European railroad. Similar incentives are now being offered to visitors to the United States, including the 99-day bus pass, special reduced rates given by several hotel chains, and flat-rate and reduced fare plans extended by local service air carriers and the railroads, respectively.

Foreign restrictions on travel: Our principal country markets for travel to the United States have greatly liberalized their currency restrictions on pleasure travel within the past 4 or 5 years. Although most countries continue to impose some form of travel currency control only the Japanese, who bar the conversion of yen for oversea pleasure travel, present a major obstacle to full realization of current Visit U.S.A. potentials.

A list of travel currency restrictions imposed by foreign governments is attached. It should be noted that in most cases the currency allowance applies only to expenditures made within the country of travel. Except in countries with extremely weak currencies international carrier fare payments can be made in local exchange.

Also attached is a representative list of duty-free allowances granted by foreign governments on purchases by returning travelers. As shown by this list even the reduced allowance of $100 granted by the United States is still one of the most generous.

Methods and organization for tourist promotion: Some of the more important methods and facilities utilized by leading tourist promoters were reviewed under heading (1) above.

We have made no systematic study of organizational methods employed by other government travel promotion offices. However, we do know that organizational structures vary widely from country to country, depending upon the relative importance of tourism to the national economy, the extent of private industry participation and whether the office exercises regulatory powers in addition to its promotional function.

Some countries have placed tourism under their Department of Trade and Commerce (the United States and Canada), others under their Interior Ministry (Canada until 1963), others under the Ministry of Transport and Communications (Belgium). In some countries the travel office is an autonomous body with cabinet level status (Mexico, Haiti).

In certain cases the responsibility for national tourism affairs is divided between publicity and regulatory bodies (Italy), or between an operational and policy agency (Mexico). In other cases national tourist promotion is handled by an association with membership from both government and private industry, and with financial support from each (Great Britain, Australia).

Streamlined visa and documentary procedures: Beginning with the waiver of fingerprinting of nonimmigrant visa applicants in 1957, there has been a progressive relaxation in documentary requirements for tourists entering the United States. In March of 1961 the Department of State took several additional steps to facilitate visitor visa issuance including abolition of the so-called long form visa application, and the waiver of a personal appearance for a visa renewal.

Concurrently with his request for establishment of a Federal travel promotion program in February 1961, the President asked the Congress for legislation to authorize a waiver of the visa requirement for bona fide foreign visitors on a reciprocal basis. A bill to accomplish this (H.R. 12069) was introduced in the last session of Congress. Although this measure was not enacted its introduction led to the consideration and adoption of a procedure for waiving mandatory personal appearances by first-time visitor visa applicants. As a result of this new procedure, the Department of State reports that 25 percent of all new visitor visas are now being issued by mail, thus removing one of the greatest inconveniences in applying for travel to this country.

Customs formalities have also been significantly improved in recent years, beginning with the introduction of a shorter declaration form in 1956. Recently the Customs Bureau cut redtape even further by initiating a system of oral declarations on a selective trial basis. Customs reports that the oral declaration is working well and may soon be adopted by all inspection stations.

Restrictions on the Sale of Dollar Exchange for Travel Purposes—Country and Restrictions

CARIBBEAN

Barbados: $280 per person per year with additional amounts granted.

Bermuda: Sums up to $500 with additional amounts granted.

British Leeward Islands: $280 per person per year with additional amounts granted.

British Windward Islands:$280 per person per year with additional amounts granted.

Dominican Republic: $100 per person at the discretion of the Central Bank.

Jamaica: $700 per person.

Nassau (Bahamas): $700 per person.

Trinidad and Tobago: $700 per person per year with additional amounts granted.

CENTRAL AMERICA

El Salvador: $200 a person each 6 months with additional amounts approved.

SOUTH AMERICA

British Guiana: $393 per person per year.

Brazil: $250 a person with approval of Bank of Brazil in foreign bank notes and travelers checks, with no limit on domestic currency.

Surinam: $1,050 per person per trip with additional amounts granted.

EUROPE

Austria: $576 per person per trip with additional amounts granted.

Cyprus: $700 per person per year with additional amounts authorized.

Finland: $250 per person per trip.

France: $1,200 per person per trip with additional allocations granted.

Greece: $266 per person per trip.

Iceland: $338 per person per year with additional amounts granted.

Ireland: $700 per adult per year with additional amounts granted.

Italy: $880 per person per trip with additional amounts granted.

Malta: $700 per person per year with additional amounts granted.

Monaco: $1,200 per person per voyage with additional allocations.

Netherlands: $830 per person for a 2-week trip, plus $42 a day up to 75 days with additional amounts granted.

Norway: $500 per adult per year and $250 per year for children under 12.

Portugal: $3,480 per person per trip.

Spain: $275 per person per year.

Sweden: $1,160 per person per trip with additional amounts granted.

Turkey: $222 per person per year.

Yugoslavia: $10 per year per person.

United Kingdom: $840 per person per trip with additional amounts granted.

AFRICA

Cameroon, Republic of: $162 per person per year.

Ethiopia: $480 per person per year.

Ghana: $308 per adult per year and $196 for minors per year.

Guinea: Allowance subject to individual license.

Libya: $446 per person per year; $195 for children under 12.

Malagasy Republic: $300 per person per year.

Morocco: $160 per person per year.

Nigeria, Federation of: $700 per person per year with additional amounts granted.

Rhodesia and Nyasaland, Federation of: $28 per day up to $840 per person per year; $14 per day up to $420 per child under 12 with additional amounts granted.

Sierra Leone: $700 per person per year with additional amounts granted.

Sudan: $288 per person per year; $72 per child under 16 per year.

Tanganyika: $700 per person with additional amounts granted.

Tunisia: $71 per person per year.

Republic of South Africa: $2,800 per adult per year, and $1,120 per year for children under 12.

Uganda: $700 per person per year with additional amounts granted.

Zanzibar: $700 per person per year with additional amounts granted.

MIDDLE EAST

Aden: $840 per person per year with additional sums granted.

United Arab Republic (Egypt): $172 per year per adult.

Iran: $500 per adult; $250 per child under 10 years of age.

Iraq: $504 per person per year, and $210 per person under 18.

Israel: $433 per person per trip.

Jordan: $500 to $600 per month.

Syria: Allowance subject to authorization from exchange control authorities.

FAR EAST

Australia: $4,400 per person per year with additional amounts granted.

British Borneo: Sarawak: $700 for each person in any travel year with additional amounts granted.

Brunei: $1,500 for each person with additional amounts granted.

North Borneo: $700 for each person with additional amounts granted.

Burma: $31 allowance.

Cambodia: Allowance subject to individual license.

Ceylon: $430 per person and $210 per child under 12 years of age. Residents who have traveled abroad in past 7 years will not be allowed further exchange.

India: Allowance subject to approval by reserve bank.

Indonesia: Allowance subject to approval by reserve bank.

Japan: Allowance subject to absolute control by Bank of Japan.

Korea: Allowance subject to approval by the Bank of Korea.

Laos: Allowance subject to approval by the exchange control authorities. No limit on export of national currency.

Nepal: Application must be made to Ministry of Finance for allowance.

New Zealand: $1,668 per person per year, and $1,167 per child under 12. In addition, $1,112 available to those who had not received an allocation for travel during previous 5 years.

Pakistan: $420 per person once every 3 years for a limited number of tourists per month.

Singapore: $1,400 for each person with additional amounts granted.

Taiwan: Foreign travel must be made with self-provided foreign exchange only. Tourists may take out $200 in foreign currency and $12 in national currency.

Thailand: $630 per person up to 90 days with additional sums available.

Vietnam: $140 to $200 converted authorization required from the National Exchange Office.

Source: International Monetary Fund, Exchange Restrictions Division, July 5, 1963.

DUTY-FREE ALLOWANCES IN U.S. DOLLARS ON SOUVENIRS AND GIFTS PURCHASED ABROAD GRANTED TO RETURNING NATIONALS AND RESIDENTS

EUROPE AND MEDITERRANEAN

Austria: $11.54.
Belgium: $12.
Denmark: $50.67.
Finland: $3,125.
France: $10.12.
Germany: $12.50.
Israel: $11.67 up to 1 year; $25 after 1 year.
Iraq: None.
Ireland: From Europe, $14; outside Europe, $56.
Jordan: No duty on gifts of no commercial value.
Luxembourg: $12.
Poland: Up to $41.67 (value of articles).
Tunisia: None.
Turkey: All articles exempt on which customs duty does not exceed $2.78.
Switzerland: $23.28. There is also a quantity restriction of food products, alcoholic beverages, and tobacco, and a customs fee of one franc.
Netherlands: Up to $12.43 on intra-Benelux frontiers, $41.44 from other areas.
Norway: $49.
Rumania: Cannot exceed amount of Romanian money obtained from tourist office "Carpati" or national bank.
Sweden: $53.16; in transit $115.99; living outside Europe, $521.94.
United Arab Republic: $46.
United Kingdom: None.
U.S.S.R.: No fixed amount.

AMERICAS

Argentina: None, but exemption from exchange rate surcharge granted up to $100.
Canada: $23.36, every 4 months if returning from the United States; $70.09 annually if returning from overseas.
Costa Rica: $37.74; $75.47 maximum per family.
Paraguay: No fixed amount.
U.S.A.: $100 (wholesale value).
Venezuela: Used personal effects plus additional amount of new effects in an amount up to $220.26 depending on length of stay outside of Venezuela. (Does not include vehicles.)
Mexico: Air passengers various personal effects and up to 6 objects for gifts worth not over $80 (art. 300, Customs Code).
Netherlands Antilles: None.
Surinam: None.

ASIA AND OCEANIA

Australia: $72.
Ceylon: None.
India: $105.
Malaya: None.
Philippines: $100.
Thailand: Reasonable amount; otherwise, 27.5 percent of purchase price.
Korea: $50.
Republic of China: None.
Japan: Provision is not made for exemption on gifts; however, those of small value may be exempted from duty by treating them as personal effects. Duty-free allowances are granted for personal effects taking into account their items and quantities in consideration of the profession of a person entering into Japan, the reason of his entry, the period of his stay, etc.
New Zealand: $27.81 (value of goods).

AFRICA

Morocco: $50.
Sudan: None.
Union of South Africa: $70 per person if articles accompany the passenger.

(NOTE.—Above is a partial list, July 5, 1963.)

Source: Office of Regional Economics, U.S. Department of Commerce; United Nations Economic & Social Council Report—Development of International Travel & Tourism, February and October 1961.

Mr. JAVITS. Fifth, Congress should carefully examine the balance-of-payments implications of the unrestricted flotation of new foreign security issues in the United States. Let us remember that these resulted in a long-term capital outflow of half a billion dollars in the first quarter of this year alone.

Most of us—and I am included—are opposed to placing direct controls on capital flows, whether it involves U.S. investment abroad or the sale of foreign securities in the United States. I believe, however, that serious thought should be given by Congress to placing a condition on the right of foreign firms or governments to borrow in U.S. capital markets or float new security issues here, namely, that a substantial proportion of the funds obtained here should be spent on U.S. goods and services for the duration of our U.S. balance-of-payments crisis. There should be an opportunity to make exceptions in that regard, of course. Nevertheless, a consideration of that policy could be very helpful at the present time.

Sixth, the question of higher short-term interest rates and their effect upon U.S. economic growth and capital flows to and from the United States should become the subject of a careful study by Congress. There are wide differences of opinion on this question within the private sector and in Government circles. Some suggest that higher short-term interest rates would do little harm to the domestic economy, and might greatly help in the payments problem, both by attracting direct short-term capital to the United States and by making it less attractive for foreigners to borrow.

On the other hand, both the State Department and the Treasury Department, in their replies to my questions on our balance-of-payments situation, which I placed in the RECORD of June 20, 1963, state that other factors, such as the capacity of U.S. capital markets to accommodate large borrowings and the relative backwardness of European and Japanese capital markets, are decisive in the decision of foreigners to borrow here, even at higher interest rate levels. I understand that even a fractional difference of perhaps one-half of 1 percent in the short-term interest rate would make a difference in attracting capital here. I note with satisfaction that this is one of the urgent items that is being given consideration by the administration.

Mr. MILLER. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield to the Senator from Iowa.

Mr. MILLER. I believe the Senator's point with respect to short-term interest is very important. It was stressed by the Secretary of the Treasury that a competitive problem exists with respect to short-term interest rates, a problem which is causing a substantial outflow or a substantial deficit in our balance of payments. It was stated that on the London market the rate of interest is about 4 percent, compared with the rate of 3¼ percent on the New York market. That is an increase of about three-quarters of 1 percent in our short-term interest, which would be necessary to put us on a competitive basis.

On the other side of the question, statements are made to the effect that an increase in interest rates would be harmful to our own domestic economy and would curtail business expansion and investment. In the case of a businessman or a corporation which borrowed a million dollars for the purpose of plant expansion, at 1 percent interest cost would amount to $10,000, and a three-quarters of 1 percent interest cost would amount to only $7,500. By the time the businessman or corporation took a deduction on the Federal income tax return—let us say it is a corporation in the 52-percent bracket—the net out-of-pocket cost increase to the corporation as a result of the increase in the short-term interest rate would be only $3,600 on the $1 million borrowed.

Does the Senator from New York agree with me that the $3,600 out-of-pocket interest cost on a $1 million annual borrowing will not be likely to deter business productivity?

Mr. JAVITS. The history of the situation appears to be that it will not deter business activity. However, I favor the general proposition of interest rates being lowered all the time. As the security and stability of our country improves and increases, the cost of money ought to be less. It has always been an onerous burden to require people to pay an excessive interest rate as the cost of money. So I favor lower interest rates over the long term.

But I wish to point out that, faced with the choice of many alternatives, such as a sharp austerity program in the United States, if we really were confronted with a dire situation with respect to balance of payments, I would certainly prefer some fractional increase in the interest rate, especially on a short-term basis, for it would attract capital here.

The best opinion which I have from the banking community—and I think it is a very reliable one—is that this proposal would have no effect whatever upon personal credit rates, which are at higher-than-time rates for money and for mortgages. Incidentally, interest rates on mortgages are now very low, and will not be affected materially by what we are talking about in terms of the kind of interest rate which would attract capital back to the United States.

Therefore, my answer is that under the present alternatives available to us, certainly this is far more desirable and a far less harmful alternative than some of the alternatives to which we may be pressed if the situation is allowed to deteriorate further.

Mr. MILLER. The Senator from New York has expressed the situation better than I could. I thoroughly agree with what he has said. I think all of us would like to see lower interest rates. But as a matter of alternatives, in terms of the problem which we face, it seems to me that we must fish or cut bait; we must make up our minds. Shall we let the balance-of-payments problem remain unsolved until a tornado is upon us? Or shall we take remedial action? We hope that the remedial action would be of a short-term nature.

When we make these suggestions, when the Secretary of the Treasury makes the suggestion that we ought to be competitive in the short-term interest market, if someone should come along and pull out of a closet some old skeleton in the form of a fear that it would cause a depression in our business activity, I do not think it would stand up to the facts.

Granted that we would like to see lower interest rates; I do not think we can or should expect any hampering of our business expansion as a result of an increase in the short-term interest money.

Mr. JAVITS. I thank the Senator from Iowa for his valuable contribution.

The seventh item of action which ought to be taken is to broaden our liquidity base and add to our dwindling gold reserves, a situation which has been caused by the annual imbalance of our international payments. Our role as the world's banker, as creditor to the world, our postwar efforts to rebuild the ruined economies of Western Europe and Japan, and our economic assistance to developing nations and the high cost of military expenditure for Western defense are the key reasons why our gold reserves today are at their lowest level since 1939. The unequal sharing of Western military defense burden, for example, is indicated by the fact that in 1962 we spent 9.8 percent of our gross national product on defense, while France spent 6.5 percent; Germany, 5.1 percent; Italy, 3.5 percent; Turkey, 5.4 percent; Canada, 4.5 percent; and the United Kingdom 6.4 percent of their gross national product.

The first order is to bring international balance of payments under control. Assuming our ability to achieve that objective through a suitable economic and fiscal policy, we should make permanent arrangements with our principal creditors, through the International Monetary Fund, as a result of the International Monetary Conference which I propose, for sufficient credit to take care of present and foreseeable needs of international trade and investment. I believe our European friends should cooperate with us in such a venture out of self-interest. The present liquidity base, considering foreseeable conditions today, is too narrow for a growing world. We must come to grips with this problem, and the international monetary conference method is the way to do it.

Eighth. We should constantly keep in mind that the maintenance of barriers to trade by ourselves and by our major trading partners is very much tied in with our balance-of-payments problem. I therefore urge that our trade negotiators make full use of existing authority under the Trade Expansion Act in the forthcoming GATT trade negotiations. Should the authority under this act be insufficient, Congress should immediately consider amendments that have been or may be proposed at this session of Congress, to obtain for the President additional tariff-cutting authority. The Senator from Illinois [Mr. DOUGLAS] has offered such a proposal. I introduced a bill to this effect as far back as January 30. Both of these proposals are designed to deal with the problems caused by the rejection of membership for the United Kingdom in the European Economic Community. It is already clear that this has materially hampered the increased trading possibilities which we gave the President in the Trade Expansion Act. These are the key activities which I believe he must undertake, and which will be relevant to the present situation.

Mr. President, from reading an article published this morning in the Washington Post, I notice that the administration is now proposing some additional action on the international balance-of-payments situation. For one thing, the article informs us that we are going to draw on the International Monetary Fund, in accordance with our drawing rights in order to demonstrate our appreciation of the situation and in order to make this an established aspect of the aids of which we can avail ourselves in the world. Furthermore, from reading the article, I notice that the administration is planning an increase in short-term interest rates—this was clearly indicated by the testimony of Secretary Dillon and Under Secretary Roosa which has been given in the past several days before the Joint Economic Committee; also, that the administration is exploring ways to further cut Government spending abroad, although it is determined to carry on with our military and economic aid—and with that, I agree; and that it is considering what it may do to promote exports. But these plans seem to me to be completely inadequate to deal with the situation which confronts us. The article also states that the administration is thinking of enlarging the number of Government personnel who are looking for American trade prospects; but that is rather small potatoes, compared with the size of the problem we are faced with in regard to the need to expand our exports.

From the article we also learn that the administration is planning to make further bilateral borrowings of foreign currencies; while it is stated that the United States has already borrowed $630 million of Swiss and Belgian francs, Austrian schillings, lire, and marks. However, that would seem to me again to be only a temporary palliative.

It looks to me that the article indicates, and the testimony the Joint Economic Committee has received also indicates, that the administration is reaching for a "package" aimed at reducing the balance-of-payments deficit and at improving our international situation. But, if we are to have such a "package," I believe it should be one which would do some real good. That is the purpose of my speech today. I believe we have had some helpful action, but it has not been enough, inasmuch as the imbalance of payments continues at about the same rate as that since 1958. We do not want to turn to domestic austerity—which other countries have done, but we do not think it either necessary or desirable. Neither do we want to relinquish our world leadership.

If we do not do that, we must do something else, which means really to move in terms of enlarged and increased exports through granting effective incentives to our exporters and improving our international credit basis and our activities as an international banker, in terms of the interest rate we charge for funds loaned, and also in terms of dealing with other countries, and also in terms of what we are prepared to do in connection with international capital transactions, which are so important throughout the world.

I invite the attention of the administration—which obviously is seeking a "package"—to a real "package" which would enable it to deal with the situation without having to resort to the dread alternatives of domestic austerity—and I use that word in deference to the very fine views which have been expressed by the Senator from Wisconsin [Mr. PROXMIRE]—or relinquishing our world leadership.

We still have room to maneuver; but the administration must proceed in a far more comprehensive way than it has done thus far. So I urge it to take the bold step of calling an international monetary conference in order to dramatize to our own people and to the rest of the world what needs to be done about this matter.

Mr. PROXMIRE. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. PROXMIRE. The Senator from New York has referred to an article published today in the Washington Post, which also has been discussed by Secretary Dillon and Under Secretary Roosa before our committee. The Senator from New York was correct in referring to those proposals as "small potatoes." Is it not true that the one proposed step of concrete character which stands out is an increase in interest rates?

Mr. JAVITS. I think that is true.

Mr. PROXMIRE. Is it not also true that that proposal is based on a report by Professor Kenen, of Columbia University; but in the conclusion of his report he said:

> I am loath to recommend that the United States raise interest rates to discourage short-term capital movements, even that they be kept at present levels if the domestic situation argues for reduction. My conclusions as to interest sensitivity are not decisive—and even if they were, the costs at home would be excessive.

Furthermore, in the June report of the Bank for International Settlements—and this is the latest report—we find the statement:

> Short-term interest differentials have largely been eliminated, and a substantial

attraction of liquid funds from London would not be desirable.

In my opinion, all this means that we cannot rely to any significant extent on such an increase in short-term interest rates. The Bank for International Settlements discourages it, and disagrees with such a proposal; and outstanding economists, on whose opinions the recommendation is said to have been based, at least to some extent, disagree with such a policy.

Furthermore, yesterday Under Secretary Roosa said he would not increase short-term interest rates more than 1 percent. He also admitted that in all history no country has been successful in reversing an adverse balance of payments by making so small an increase in interest rates.

On this basis, I submit that the steps recommended by the administration can properly be characterized as very small and probably too little. Does the Senator from New York agree?

Mr. JAVITS. Mr. President, I may not necessarily agree with the Senator from Wisconsin on the matter of interest rates, in terms of the effect of such an increase on our country and in regard to what it would mean to mortgage money in our country and to the cost of personal finance loans, and so forth; but certainly I can agree with the Senator from Wisconsin that this would not be a major point, and would not make a major difference, and that if this is the only "hard" thing the administration is going to do, it will be very much too little, and will not have the desired effect, and, therefore, on the doctrine of de minimis, probably is not worth the effort.

As a part of the desirable and necessary "package," I think several things can be done. As the Senator from Wisconsin has said, lower interest rates are always desirable; I agree as to that. But I say something else must be done. We must undertake to find some way out of this problem. It may very well be that for a short time a fractional increase in short-term interest rates would help stem this capital outflow, if it were part of a concrete "package"—a heavy "package"—of really doing things in this area. In that case, I could reluctantly go along with that proposal, although probably the Senator from Wisconsin could not. But I agree with him that if this is the only "hard" thing that is going to be done, certainly it is not provident in terms of facing the issue.

Mr. PROXMIRE. I should like to say that the studies made by Professor Bell and by economist Robert Gemmill and by Mr. Kenen all indicate that this will have little influence. I agree that it might have some constructive influence in diminishing the balance-of-payments difficulties, but the influence would be small.

Furthermore, the Senator from New York feels that under these circumstances a tax cut should be favored—although I disagree. I feel that a tax cut would worsen our balance-of-payments difficulties.

Under these circumstances, does the Senator from New York agree that if a tax cut is to be made, it is all the more important that we follow a far more imaginative, constructive, and effective policy of counteracting the adverse balance of payments—far more than we might otherwise have?

Mr. JAVITS. I agree. The Senator from Wisconsin may remember the very dark days when Britain was being blitzed, and before we got into the war, when Churchill performed what I consider to be one of the most brilliant acts of his career—namely, when he sent either one or two motorized divisions into north Africa, notwithstanding the fact that Britain was then so heavily beleaguered and that we were not then in the war. Such a division of forces is always very risky. But the imaginative decisions of mankind are often made on that basis. I think there is a considerable analogy between that kind of thinking and our present situation in international terms. The tax cut represents that kind of boldness. But once we undertake a bolder policy, we cannot do so haltingly. We must do everything which that policy requires. In that respect I agree with the Senator that if we are to favor the tax cut—and I believe we should—we must support it with a program which is as imaginative as the idea of a tax cut itself.

Mr. PROXMIRE. I thank the Senator for his very excellent speech.

Mr. JAVITS. I thank the Senator from Iowa [Mr. Miller] and the Senator from Wisconsin [Mr. Proxmire] for their most helpful participation with me in the debate. I hope that the administration and those in the world who hold our paper, as it were, will give the situation serious attention.

I yield the floor.

Mr. MILLER. Mr. President, I commend the Senator from New York for his excellent statement on the international balance-of-payments problem. I point out that in my judgment no Member of this body is better qualified or more knowledgeable concerning the problem than is the distinguished Senator from New York. I trust that his statements and comments on the problem and his suggestions will not go unnoticed by the administration.

One point I believe I should mention is that the keynote statement of the Secretary of the Treasury before the Joint Economic Committee was with respect to the tax-cut proposal of the administration. During the testimony of Under Secretary Russo yesterday I elicited from him, in response to my question, that the administration is cognizant of the fact that a tax cut must be meaningful, and that there will not be a stoppage in our outflow-of-gold problem in the absence of a stable dollar.

Yesterday I pointed out that we do not have a stable dollar. Our dollar has been steadily slipping away in its purchasing power for several years. It has been going down at the rate of about 1 percent a year. Two years ago the dollar was worth 46.6 cents in purchasing power, compared to a 1939 dollar worth 100 cents. Today the value of the dollar is around 45.6 cents. That represents a decline in the purchasing power of the dollar of 1 percent a year.

Also the Under Secretary agreed that, so long as foreign creditors see our dollar slipping in its purchasing power, we cannot blame them for asking to be paid in gold rather than in dollars. So the administration recognizes the importance of keeping the purchasing power of our dollar stable.

On the other hand, the administration now states that the tax cut will not be inflationary. I suppose we could agree with that statement. But what it does not bring out is that the tax cut, within the framework of a $10 or $12 billion deficit, would be inflationary. We have had inflation to the tune of $14 billion during 1961 and 1962. At the same time, we had a deficit of not quite $14 billion. I cannot believe that if we have a $10 or $12 billion deficit for fiscal year 1964, we will not have another slippage in our purchasing power to the tune of $4 billion, $5 billion, or $6 billion of inflation. What good does it do to give the people $2.8 billion more of purchasing power, through a tax cut for fiscal year 1964, with the right hand, and, with the left hand, take away $4 billion, $5 billion, $6 billion, or $7 billion of purchasing power through inflation as a result of a $10 or $12 billion deficit?

I am afraid that the administration is not facing the facts. Until it does, it will be difficult to persuade the American people that a tax cut proposal, in the setting of a terrible deficit, would be meaningful to them.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 5279) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1964, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Kirwan, Mr. Denton, Mr. Cannon, Mr. Harrison, and Mr. Reifel were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H.R. 6681) to improve the active duty promotion opportunity of Air Force officers from the grade of major to the grade of lieutenant colonel.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the President pro tempore:

S. 292. An act for the relief of Yoo Chul Soo;

S. 312. An act for the relief of Danusia Radochonski;

S. 380. An act to amend the act of June 29, 1960 (Private Law 86–354);

S. 409. An act for the relief of Yeng Burdick;

S. 504. An act for the relief of Domenico Martino;

S. 535. An act to extend the principles of equitable adjudication to sales under the Alaska Public Sale Act;

S. 581. An act to amend the Agricultural Adjustment Act of 1938 to extend for 2 additional years the provisions permitting the lease of tobacco acreage allotments;

S. 686. An act for the relief of Millie Gail Mesa;

S. 735. An act for the relief of Peter Hopeton Maylor;

S. 762. An act to provide for increased wheat acreage allotments in the Tulelake area of California;

S. 787. An act for the relief of Zofia Miecielica;

S. 866. An act for the relief of Enrico Petrucci;

S. 969. An act to provide medical care for certain Coast and Geodetic Survey retired ships' officers and crew members and their dependents, and for other purposes;

S. 1031. An act to repeal the Inland Waterways Corporation Act; and

S.J. Res. 60. Joint resolution providing for acceptance by the United States of America of an instrument for the amendment of the constitution of the International Labor Organization.

RAILROAD LABOR DISPUTE

Mr. MILLER. Mr. President, I know that Senators have read with regret that the railroad strike appears still to be on, and that the President's proposal to have Associate Justice Arthur Goldberg serve as an arbitrator of the problem has been rejected.

I point out that while the suggestion of the President to have an Associate Justice of the Supreme Court, whom we all admire and respect, undertake to arbitrate this dispute has a certain amount of novelty and glamour, it certainly does not represent the ultimate in suggestions to solve the problem. It is only the first round. I hope that during the interim, during which the unions and management have been requested to stand by the President, another suggestion will be forthcoming, and another one after that, and then another one. Perhaps we can find something that both parties can agree upon. But to suggest that this is the last suggestion, that it is the ultimate, and that unless it is adopted or approved the roof will cave in, does not make sense.

The able Senator from Nebraska [Mr. CURTIS] has suggested that an arrangement be arrived at whereby the individual unions might be permitted to negotiate with the individual railroads on this particular problem. I do not say that this is a perfect suggestion, but it is a suggestion that has some merit, and it should be considered. What it illustrates is that there are other ways and means of resolving this dispute than by compulsory arbitration or seizure of the railroads.

CAPTIVE NATIONS WEEK

Mr. MILLER. Mr. President, there comes a time when all of us, despite the press of work, must pause long enough to remind ourselves of the plight of those behind the Iron Curtain. Such will be the case during observance of Captive Nations Week July 14 through July 20. This observance should serve as a warning that we cannot, that we dare not, permit other nations to fall prey to the aggressive tentacles of Communist Russia. We failed in the case of Cuba, although this certainly is not a hopeless outlook since we still can do much to eliminate this blot in the Western Hemisphere. And we must not let South Vietnam, Laos, and other countries be swallowed up. This observance is an excellent time for us to remind ourselves to be continually on our guard.

I ask unanimous consent that a letter which has been received by various Members of Congress from the National Captive Nations Committee, dated July 5, and signed by the chairman, be printed in the RECORD at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NATIONAL CAPTIVE NATIONS COMMITTEE,
Washington, D.C., July 5, 1963.

DEAR FRIEND OF WORLD FREEDOM: During July 14–20 Americans across the Nation will celebrate the fifth observance of Captive Nations Week. We urge your joining them with an address on the occasion in Congress.

Provided by Public Law 86–90, the week has developed into a veritable institution symbolizing America's determination to advance the liberation of all captive nations in the interest of our own survival. With your generous support this committee has nurtured this institution so that today Governors and mayors throughout the country are proclaiming the week in behalf of their constituents.

Fortunately, millions of our citizens recognize these essential facts: (1) Since 1959 the one great goal of Soviet Russian cold war maneuvering has been the growing acquiescence of Americans to the permanence of Moscow's vast empire; (2) similar to old imperial Russian techniques, the spurious call for "peaceful coexistence" and the calculated spread of nuclearitis in this country have produced phenomenal success for Moscow as we witness those in high places as well as low seeking an accommodation with this barbaric empire, attempting to play down the captive nations because its truths would irritate Khrushchev, justifying cold war inaction with the false doctrine of mellowism in the U.S.S.R., and on the basis of the Empire's present conflicts creating the illusion that we are winning the cold war; and (3) the nationalism reflected in the party rivalries throughout the Empire is the prime result of a whole decade of captive nations' opposition to Moscow's imperio-colonial rule, in Poland as well as Georgia, in Rumania as well as Ukraine, in Red China as well as Turkistan.

Nothing would serve Moscow's cold war ambitions more than our neglect of the more than 2 dozen captive nations—the ultimate source of its present Empire troubles and also the most strategic instrument in our arsenal of cold war weapons. We are today committing many grave sins of omission in the cold war, for which we shall unquestionably pay heavily later, but beyond all rationality is the thought of allowing the avowed enemy a "breather" to put his Empire in order and strengthen it for further thrusts against the free world.

What can we do? This favorite question of timid inactionists, who with nuclearitic fear instantly invoke the robotic Moscow-made answer "it may lead to war," has been answered concretely a hundredfold. The theme of the 1963 week is "Liberate Cuba—To Restore the Faith in All Captive Nations—To Win the Cold War." Cuba, the latest in the roster of captive nations, can be liberated if we revive the Kersten amendment to the past Mutual Security Act and apply it thoroughly to Cuba.

At this stage of the cold war, when Moscow can ill afford a hot global one, we can also proceed with the following: (1) To expose the last remaining colonial empire, place heavy emphasis on the captive nations by establishing a Special House Committee on the Captive Nations; (2) to put into effect the President's recent suggestion for a reexamination of our views toward the U.S.S.R., open up for public discussion the captivity of the dozen captive non-Russian nations in the U.S.S.R.; (3) to advance U.S. cold war education, create the Freedom Commission and Academy; and (4) to focus free world and U.S. understanding on the real nature of the enemy, move for a full-scale debate in the United Nations on Soviet Russian imperio-colonialism. Our failure to at least start with these few proposals would justify raising the question, "Who will be next on the long list of captive nations?"

In appreciation of your contribution to the most impressive week yet and with best wishes.

Sincerely,

LEV E. DOBRIANSKY,
Chairman.

BALANCE-OF-PAYMENTS PROBLEM

Mr. LAUSCHE. Mr. President, several years ago when the lead and zinc subsidy bills were before the Senate I voted against them. Today a vote will be taken, I assume, on bills connected with that item.

In our stockpile there is lead and zinc sufficient to run out of our ears, yet 2 years ago the Congress in the face of that situation, decided that lead and zinc mines of smaller size should be subsidized.

What was done then was in conformity with the great trend toward subsidization which is constantly gaining momentum in the Congress. There are subsidies for all—subsidies for mass transportation, subsidies for urban renewal, subsidies for lead and zinc, subsides for the airlines, and for the merchant marine and others.

We ought to recognize the situation confronting our country, as reflected by the talks made by the Senator from New York [Mr. JAVITS] and the Senator from Iowa [Mr. MILLER] dealing with our dwindling gold reserves. A number of factors have been driving gold out of our country. One is deficit operations. The deficit operations are partly caused by subsidization.

I cannot understand the tranquility of the people of our country in the face of the fact that here is only $3½ billion of free gold, with $25 billion of short-term foreign liabilities in a position to demand payment in gold.

When will one of the short-term creditors become alarmed? When will one of them say, "I fear that the American dollar will be devalued," and suddenly demand payment of the moneys we owe?

For 2 years in the cloakrooms and in conferences mention has been made about the gravity of this problem. It seems that only within the past month has the talk become open and severe.

I read a transcript of a speech made by the vice president of a New York bank. That was made within the past month. He says that the problem faces us, that we should attack it before it breaks loose. He recommends that we follow one of three plans.

I have a $10 Federal Reserve note in my hand. This is supported by 25 percent in gold reserves.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. DOUGLAS. Suppose the Senator from Ohio would present that $10 Federal Reserve note for payment. Could the Senator get gold for it?

Mr. LAUSCHE. No. One cannot get gold, but at least there is an anchor which prohibits the Government from printing Federal Reserve notes except when there is a 25-percent gold reserve. That anchor exists.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. DOUGLAS. Is it not true that one cannot get gold for Federal Reserve notes?

Mr. LAUSCHE. That is true.

Hr. DOUGLAS. How is it an anchor, then?

Mr. LAUSCHE. The anchor exists because the Government cannot print more Federal Reserve notes than four times the gold in the vault to support them. If we should remove that 25-percent gold requirement, the Representatives and Senators, to stimulate business, would be urging the printing of money. That is a problem we run into.

No arguments of sophistication will change my mind to the belief that there is not now an anchor.

Mr. President, I proceed with my remarks. The vice president of the bank in New York advised removing the gold coverage. He recommended two other plans. He did not come out fully with his opinions, but he said, "Something has to be done."

I say that something has to be done. Unless something is done the annuitant, the minister, the schoolteacher, the pensioner, the person who has some money in the bank, and the person who has bought Government bonds will suddenly find the bottom taken out of the value and find themselves robbed of a part of their savings.

There are a number of things which could be done, and they have not been done. The problem has become so critical that it must be faced. In my judgment, we must keep ourselves in a competitive position to sell our goods in the world market. To keep ourselves competitive in world markets we cannot lift wages 8 or 10 percent and we cannot lift prices constantly.

Second, to stop the flow of our money into foreign countries we shall have to raise interest rates in the United States.

Third, we shall have to reduce foreign aid. Comparing the good which comes from economic foreign aid with the catastrophe which might result because of a flight of gold, I say that we must join in the movement to reduce our foreign aid.

Something must be done, and unless some things are done there will be a tragedy ahead.

Finally, we must stop extravagant spending. I mentioned the mass transportation bill. Those who were most optimistic about the lowness of its cost have said it would cost $6 billion.

The area redevelopment bill and other bills involve giving money. That must be stopped if we are to face realistically the problem which confronts us.

Getting back to the problem of lead and zinc, I shall vote against those bills. They are miniature, so far as expenditures are concerned, but they involve a principle; and that is the principle of subsidization which is urged so vigorously constantly on this floor.

Mr. President, I wish to read from a Canadian newspaper:

> Gold is quiet. Is this a deceptive calm? Could clouds be blowing upon the horizons? When does some country, loaded with dollars, get scared into demanding gold for them? Misgivings among the monetary talent are in existence. They report that people who a short time ago were certain the United States could pull through are now telling friends that devaluation may be in sight.

We cannot devalue so far as our foreign creditors are concerned, for if we do we break faith; we break trust. But this article from the Canadian paper is significant. It finally states:

> What about the understanding of the European governments that they will not draw on American gold? These semisecret deals do exist, masked by schemes whereby the parties swap each other's paper money and provide a gold pool to smooth out any upsurge of demand from the republic.

I shall not identify the country, but there is one country that can demand payment in gold, instead of dollars, in an amount in excess of the free gold we have. If that happens, where do we stand?

I yield the floor.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOUGLAS. Who has the floor?

The PRESIDING OFFICER. No Senator has it.

Mr. DOUGLAS. May I seek recognition?

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DOUGLAS. Mr. President, I had not intended to speak today on the subject of the balance of payments, because I approve of the general nature of the remarks of the Senator from New York, but certain comments of the Senator from Iowa and the Senator from Ohio deserve to be placed in their proper perspective.

I agree that the balance-of-payments problem is serious, but I think these two addresses do not really go to the center of the difficulty. The truth of the matter is that they do not seem to distinguish between the balance of trade and the balance of payments. So far as the balance of trade is concerned, or the exports of goods and services as compared with the imports of goods and services, we have had a so-called favorable balance for a number of years.

For example, last year we exported $29,800 million worth of goods and services, and imported only $25 billion worth, or we had a "surplus" in the balance of trade of $4,800 million.

The previous year of 1961 we had a surplus of $5,400 million.

The year before that, or 1960, we had a surplus of $3,800 million.

In 1959, the balance was just about even.

In 1958 the surplus was $2,200 million.

The truth of the matter is that, so far as commodities and services are concerned, we have constantly exported more than we have imported. It is also true that, so far as wholesale prices are concerned, prices now are approximately the same as they were in 1957–59, being, in May of this year, 100–1 as compared to a general average of 100 in 1957–59.

This country therefore has had a stability in the prices of goods for 6 years.

I am a little bit pained when I hear Senators speak of the alleged horrendous inflation which we have been having. The truth of the matter is that the United States has had the most stable price level in the world, or at least among the Western European countries and the Asiatic countries, including Japan. Their prices have been rising in recent years, whereas our own have been steady. The cost of living has been rising at the rate of about 1 percent a year. About half of this has been due to the increase in the price of services, such as medical care, which do not affect the balance of payments. The remainder is almost entirely attributable to improvements in quality and hence do not constitute net increases. Prices on the contrary are rising more rapidly abroad.

Furthermore, there is no indication that our labor cost per unit of output is rising. The increase in the wage bill is at least compensated for by the increase in the productivity per man-hour. So the labor cost per unit of output, which is the test, has remained practically constant.

Labor cost per unit of output is rising rapidly in Japan and on the continent, and our goods are moving into a still better competitive position.

The trouble arises entirely from what are called "invisible" items, namely, first, military expenditures abroad, second, expenditures abroad by members of the Armed Forces and their families; third, economic aid; fourth, travel expenditures by Americans; and fifth, investment of American capital. It is these invisible items which have transformed the favorable balance of trade into an unfavorable balance of payments. I think we should recognize where the difficulty lies.

I agree with the Senator from New York, whose speech I have read, but which, unfortunately, I was not able to hear, that the situation so far as the balance of payments are concerned is serious. I believe the administration and the country must grapple with it very firmly, and do it rather quickly.

I point out in this connection that the United States and Great Britain are the two countries in the world whose currencies are treated as the equivalent of gold insofar as the settlement of international balances are concerned. The pound and the dollar can be substituted for gold in the settlement of international balances. It is interesting that these two countries have the lowest growth rates of any of the countries in the democratic world. The growth rate for Western Europe is between 5 and 6 percent. The average growth rate for the United States in recent years has been 2½ percent, and for Great Britain 2.2 percent a year.

I suggest that that is because the banking authorities in both those countries, in order to maintain their international position, have kept interest rates relatively high, and held back the expansion of the money supply in order to prevent an outward flow of their currencies.

This points to the necessity for a better handling and better settling of international balances. The senior Senator from Ohio admitted that we cannot get gold if we present paper money to the Federal Reserve and ask for its redemption in that coin. We are not on the gold standard so far as domestic currency is concerned. We already have what might be otherwise called irredeemable paper money and a managed internal currency. We have gold with which to settle this international balance of payments. This is the only use which the supply of gold provides. This is the essence of the international gold exchange standard.

I do not think the heavens would fall if we either eliminated or reduced the 25-percent coverage which the Federal Reserve Board is supposed to maintain against its domestic obligations. Mr. Henry C. Alexander, head of the banking house of Morgan-Stanley, proposed this remedy several years ago. He is a careful financier.

It might be necessary to slightly loosen the restrictions binding us in that respect. I feel that it could be done without action by the Congress, under the discretionary powers granted to the Federal Reserve System.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. JAVITS. That is very temporary authority.

Mr. DOUGLAS. That is true.

Mr. JAVITS. It extends only for a matter of days.

Mr. DOUGLAS. But it could be renewed. It could be suspended for 30 days, and the authority could be extended for another 30 days, and so forth.

Mr. JAVITS. Will the Senator yield for a brief comment?

Mr. DOUGLAS. I yield.

Mr. JAVITS. The Senator knows how much I value his general feeling that a constructive contribution has been made by my speech. Secondly, I agree with the Senator about the bonds we put on ourselves in term of international affairs.

Our international balance-of-payments situation is like a thermometer. It shows that we are not healthy, that we are running a fever, and that we had better do something about it, because it could develop into anything.

Mr. DOUGLAS. The point I wished to make was that the fever is not due to an increase in prices.

Mr. JAVITS. Yes.

Mr. DOUGLAS. Second, so far as commodities are concerned, or the exchange of commodities and services for commodities and services, we have no deficit. The deficit is due to the heavy military burdens that we bear. It is due to the heavy economic aid that we provide. It is due to the desire of our people to travel abroad; also to the investments of American capital abroad and the expenditure of American servicemen and their families abroad.

Mr. JAVITS. Mr. President, will the Senator yield further?

Mr. DOUGLAS. I yield.

Mr. JAVITS. I made the point that I thought the administration had done a rather good job in terms of the question of costs and the question of wage and price stability. I wish it had done as good a job in other respects.

One of the main things in connection with which, as chairman of our Joint Economic Committee, the Senator could himself be most important is to underscore the fact that we should not be quite as afraid of our own situation as we seem to be.

We are told, for example, privately, but the public should know it, that when our banking authorities and our Treasury representatives sit down with the banking authorities and treasury representatives of other countries, and point out to them what it is costing us as a nation to be the banker for the world, our foreign friends say, "Well, it is just too bad. You are the banker. You are stuck with the job. If you have to go into a program of domestic austerity, that is your responsibility."

I do not believe our people are as willing as I think it may become necessary, if we found ourselves in this position, to say, "All right; let us decide that there are going to be no capital flotations for foreign corporations or governments in our country. We cannot stand it. Our balance of payments cannot stand it."

We must be prepared for such an eventuality. We must be prepared not to continue to talk until our situation deteriorates and we reach the point where we are forced to adopt domestic austerity.

Mr. DOUGLAS. I agree with the Senator. I urged this course, unavailingly, under the Eisenhower administration, because I thought they were knuckling under to the European banking authorities. I do not believe that we have stood up to them in the past 2 years in the way that we should have done. I quite agree with the Senator that we must be much tougher.

Mr. JAVITS. We must be prepared. The Senator from Illinois and I agree that there should be a free flow of money across borders. We want it to be that way. We want capital to be able to flow in and out at will, depending upon confidence and markets and the economy, and so on. At the same time, when we face a series of alternatives, one of which is more dire than another, we must be willing to take on the less dire alternative. If we can thus inspire our monetary authorities and make them feel that they will have our support, and are not facing the situation constantly of being able only to remonstrate, they may decide that they will have to be tougher than they have actually been, if we can inspire them to be that.

Mr. DOUGLAS. We may have to reduce our military expenditures abroad and reduce the expenditures by the dependents of servicemen abroad, reduce economic aid somewhat, and cut down on travel expenditures abroad, and also on the investment of capital abroad. All this may be necessary.

I quite agree that perhaps these methods should be employed. I did not want the Senator from Iowa and the Senator from Ohio to shoot the wrong person. They were talking of an increase in domestic prices, which has not occurred, and implied that the difficulty was due to an increase in labor costs per unit of output. That is not the actual situation.

As the Senator from New York [Mr. JAVITS] has indicated, there are fundamental cures and there are minor cures. I am very glad that he emphasizes the desirability of setting up a better system for meeting the international balance-of-payments problem than the present gold exchange system.

The answer of the bankers has been that we should raise the interest rates and cut wages. This is their only answer but it chokes off domestic growth. We may have to develop an international monetary fund which will be used for international settlements in the same way that the Federal Reserve System is used domestically.

Let us make no mistake about what that could mean. This will entail giving to the international authority the power to create monetary purchasing power, and to get a more liquid international currency to correspond to the increase in the volume of international trade.

Mr. Harold Wilson, the leader of the British Labor Party, has suggested this in his speeches in this country and abroad. It may well be the line of action which the British Labor Party will take if it should win in the coming election. We should be prepared for it. I have always believed that the administration has not given sufficient attention to what has been said on this subject by Professor Triffin, of Yale University, and to Edward Bernstein, formerly of International Monetary Fund.

I believe that another possibility would be to move to a system of free or flexible exchange rates, instead of freezing the exchange rate at $2.80 to the pound. Could not the exchange rates fluctuate with the relative balance of payments and with the respective demands for the various currencies? This would provide some of the automatic agreements which the former gold standard performed in the days before the movements of prices could be largely insulated from gold movements.

This would produce a more or less automatic adjustment. In a sense it is an alternative to an international currency, such as I previously hinted at. However, it is possible that the two could be combined.

I agree that the Treasury and the Federal Reserve System have not been bold enough in dealing with the emergency.

If I may close on a minor note, in addition to these fundamental matters, there are two immediate measures which would be of appreciable importance. The first is the point to which the Senator from New York has referred; namely, that we hold large amounts of counterpart funds in various countries. The Senator from New York has suggested on previous occasions—and while I did not hear him today, I assume that he also suggested this today—that we sell these counterpart funds for dollars at American embassies to American tourists. In this way we would diminish the trend and the tourists could make their travels with local currencies without creating demands upon the American gold supply. If the foreign countries object to this, I would say that that is just too bad. I am aware of the fact that the counterpart funds exist primarily in places which are little traveled. But still I believe that several hundred million dollars a year could be used in this way.

If the State Department and the Treasury were realistic enough to grapple with the subject and to push it aggressively, it could succeed.

There is a final point that I shall refer to in more detail on either tomorrow or on Friday, and that is the fact that we are acquiescing in a system of ocean freight rates which directly discriminates against American exports and favors imports into our country. The hearings of our Joint Economic Committee show that rates are 20 percent, 30 percent, and in some cases 40 percent higher on commodities exported from New York to Hamburg, or New York to Cherbourg, than on identical commodities coming from the same German or French port to New York on the same ships; and that the differentials on the Pacific coast between the United States and Japan are even greater. We have acquiesced in this situation. We have not only acquiesced, but we have denied subsidies to any American line which broke away from the international shipping cartel and tried to establish different rates of its own. We have used the subsidies paid by the American taxpayers to force our shipping lines to put ocean freight rates into effect which directly discriminate against American products.

This is in large part responsible for the decrease in the export of steel from 4 million tons in 1957 to 2 million tons last year, and in the increase in imports from 1 million to 4 million tons. On these items alone, we lost $800 million in the balance of trade.

We have been calling this situation to the attention of the Department of Commerce. I do not believe it is the fault of the Secretary of Commerce, who has given us encouragement; but it has been very difficult to move the Maritime Commission and the Maritime Administration. In fact, the Assistant Director of the Maritime Administration, Mr. Gulick, declared his support of the differential rates and upheld the use of American subsidies to punish American lines which broke away from them.

In my judgment, a stern determination to break the international shipping cartel rates, which operate against the United States, would save several hundred million dollars a year. That would diminish imports and increase exports. It would help to redress a part of the balance. I do not say these two latter methods would remove the difficulty; I say they would markedly reduce the difficulty. Before we turn to the question of still higher domestic interest rates, which would have a repressive effect on American industry and employment, we should consider the possibility either of flexible exchange rates or more elastic international currency, or a combination of the two.

In addition we should not only urge but put pressure on other Western nations to carry a fairer share of the defense burden and the foreign aid burden. They should be pressed to allow our wheat, poultry, wool, tobacco, and other products to be sold in their markets without discriminatory tariff rates or quotas being imposed against them. Atlas cannot bear the world on his shoulders any longer. The load must be shared.

Mr. President, I yield the floor.

INCREASE OF LENDING AUTHORITY OF EXPORT-IMPORT BANK OF WASHINGTON

Mr. BIBLE. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on H.R. 3872.

The PRESIDING OFFICER (Mr. NELSON in the chair) laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 3872) to increase the lending authority of the Export-Import Bank of Washington, to extend the period within which the Export-Import Bank of Washington may exercise its functions, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BIBLE. Mr. President, on June 24, 1963, the Senate passed H.R. 3872, a bill to amend and extend the Export-Import Bank Act. In passing the bill, the Senate adopted amendments to the bill. The only substantive amendment was to reinstate in the bill the authorization to use borrowing authority for the additional funds provided by the bill, in accordance with the practice which the Congress had followed with respect to the Export-Import Bank ever since its creation in 1934.

Yesterday the House took up H.R. 3872. The House refused to accept the Senate amendments, asked for a conference with the Senate, and appointed conferees.

I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. CLARK, Mr. SPARKMAN, Mr. PROXMIRE, Mr. WILLIAMS of New Jersey, Mrs. NEUBERGER, Mr. MCINTYRE, Mr. DOMINICK, Mr. TOWER, and Mr. JAVITS conferees on the part of the Senate.

UNFAVORABLE BALANCE OF AMERICA'S INTERNATIONAL ACCOUNTS

Mr. MORSE. Mr. President, we are all indebted to the great Senator from Illinois [Mr. DOUGLAS] for his very scholarly discussion of one of our monetary problems. I had planned to discuss it from another angle; but I believe the educational lecture that this great economist from Illinois, who is one of the recognized experts on this subject in the whole Nation, has just given us is deserving of very careful study by Members of the Senate. In my judgment, the Senator from Illinois has given us this afternoon a discussion that will stand all the tests of rebuttal that those sharing a different point of view could put to it.

However, the statement of the Senator from Illinois and the earlier statement of the Senator from New York [Mr. JAVITS] prompt me to make now the statement I had planned to make at a later time. It is a statement that involves some of the facets of the comments of the Senator from Illinois and the Senator from New York, but from a different angle.

It is obvious to all who care to hear and observe what is taking place in Washington these days that both in Congress and in the administration there is a rising concern over the unfavorable balance of America's international accounts and a rising feeling that it must be remedied. But the issue of how to remedy it is one that promises to be widely debated in Congress, and we heard a part of that debate today.

Several factors are involved in our balance of payments. One of these is trade, and on this score we do very well. Our exports greatly exceed our imports. But in the other areas we do not do very well. One drain of American dollars is in tourism. As you know, far more Americans travel and spend money abroad than foreigners travel here and spend money here.

A second cause of outflow is the foreign aid program.

A third cause is the stationing of large numbers of American troops overseas. These men, with the services they need and the presence of their families, mean a very large expenditure abroad both by the Government which supports them and in their personal spending.

A fourth, and especially large cause of our payments difficulty is in the investment of American capital abroad. American companies are building plants in Europe in order to get in on the ground floor of the Common Market prosperity, and foreigners seeking capital are finding it very easy to obtain in the U.S. money market.

It is unfortunate, but still to be expected, that the investors who are contributing so heavily to this loss of American capital have a solution that they expect to protect their profits no matter what, and that is to raise interest rates. Obviously, if they could be guaranteed as good a return on their investment in this country as they can get abroad, they would be willing to keep their capital at home. Short-term interest rates here are about three-quarters of 1 percent less than those prevailing on the Continent, and the pressure for an increase in U.S. interest rates is very severe.

This, in my opinion, would be a shortsighted and destructive remedy. It is the last remedy we should undertake, rather than the first.

Before we raise interest rates, we should curb all the other sources of loss of U.S. dollars. Before we raise interest rates, we should drastically cut the foreign aid program. This is a remedy for which I have been pleading every day on the floor of the Senate, for some days.

Before we raise domestic interest rates, we should bring home many, if not most, of our forces stationed overseas. We hear each day that France is anxious to replace the United States in Europe; let France begin by replacing the American forces in Germany, France, Spain, and elsewhere in Europe. Let her begin by taking over our burden of foreign aid to Greece, Turkey, and the other European nations.

Before we raise domestic interest rates, we can curb expenditures by American tourists overseas.

And before we raise domestic interest rates, we should curb the outflow of the capital itself. Oh, the cries go up that there must be an absolute freedom of capital to enter and leave the United States. My answer is, not when it threatens the national economy. We complain vigorously that our financial aid to Latin America is just about offset by the flight of private capital out of those countries, and there are steps that could be taken by those countries to curb it without touching interest rates. We also know that the "austerity" plans of most industrial nations have included curbs on the outflow of capital.

Finally, I am opposed to higher interest rates as a means of inducing capital to remain here because I believe higher rates would further restrict the economic growth and prosperity of the Nation at a time when we need to continue to expand our economy.

It is the health of our economy that is not only the foundation of our defense, but the source of investment capital, as well.

What was the figure I read in the press yesterday? That some 90,000 new jobs a week are needed to take care of the loss of jobs through automation; to take care of the increase in new job descriptions resulting from the population explosion.

Mr. President, that presents us with the problem of expanding—not restricting—the economy. In my judgment, higher interest rates will restrict—not expand—our economy. The health of our economy not only is the foundation of our defense; it also is the source of investment capital.

The first obligation of the U.S. Government is to the people of America. To me, a high and persistent rate of unemployment is of greater concern than the fact that investors can earn three-fourths of 1 percent more by investing abroad than by investing in the United States.

Therefore, I shall oppose in every way I can the use of increased interest rates as a means of inducing American capital to stay home, because the price of that increase will be paid for eventually in unemployment and higher interest prices for every American citizen.

THE RAILROAD LABOR DISPUTE

Mr. MORSE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an editorial from today's issue of the Washington Daily News entitled "The Railway Clerks Won't Strike."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE RAILWAY CLERKS WON'T STRIKE

> For the second time recently, the Brotherhood of Railway Clerks has made an agreement with an employer not to strike over future contract disagreements.
>
> The union represents about 300,000 clerks, freight handlers, and terminal employees of railroads, steamship lines, and airlines.
>
> The latest contract has just been signed with Pan American World Airways, which employs nearly 6,000 members of the union. This contract provides that in future disputes over wages, working conditions or other issues, the two parties, if unable to agree otherwise, will submit their differences to binding arbitration.
>
> In short, they will forego the strike or lockout as a bargaining weapon.
>
> The clerks previously had signed a similar contract with the Southern Pacific Railroad. Pan-Am previously had made like agreements with the flight engineers and a union of guard workers.
>
> Labor Secretary Wirtz has applauded all three contracts as evidence both the employers and the unions had learned there is a "better way than economic warfare to settle their differences."
>
> The steel industry and the big United Steelworkers Union for 2 consecutive years have negotiated new contracts without strike. Another railroad union, the Telegraphers, last summer worked out an arrangement with the Chicago & Northwestern Railroad to avoid strikes by submitting tough issues to arbitration. Two car makers, General Motors and Ford, already have agreed with the United Auto Workers to start studies looking toward next year's contract renewal—hoping in this way to avoid strikes.
>
> (Neither the railway clerks nor the telegraphers are involved in the current railroad war.)
>
> These all are signs that some employers and some unions, at least, have decided walkouts, lockouts, public squabbles, and last-minute "crisis" negotiations under a gun no longer are useful; that there are, as Mr. Wirtz noted, better ways to hammer out agreements.
>
> The strike, or the lockout, or any such precipitous device, is indeed as obsolete as the wood-burning railroad engine. The question is: How soon will other employers and unions, especially those currently in the page 1 news, find this out?

Mr. MORSE. Mr. President, in essence, the editorial points out that the railway clerks have entered into what amounts to a voluntary arbitration agreement with the carriers. The editorial states, in part:

> For the second time recently, the Brotherhood of Railway Clerks has made an agreement with an employer not to strike over future contract disagreements.
>
> * * * * *
>
> The latest contract has just been signed with Pan American World Airways, which employ nearly 6,000 members of the union. This contract provides that in future disputes over wages, working conditions or other issues, the two parties, if unable to agree otherwise, will submit their differences to binding arbitration.

I speak with great sadness on the subject of the pending railroad controversy. Certainly it is within the right of the railroad brotherhoods—and I would fight to protect that right—to decline to accept the President's recommendation for settlement of this dispute by way of voluntary arbitration. But I wish the record to show that I completely disagree with a statement by the chiefs of the brotherhoods to the American public, setting forth their reasons for refusing to accept the President's recommendation—a statement which seeks to leave with the American people the impression that the proposal would amount, in effect, to an opening wedge to compulsory arbitration. Mr. President, let me say to the chiefs of the brotherhoods, that they are not being fair to the President of the United States. The President did not propose compulsory arbitration. On the contrary, his plea to the carriers and to the brotherhoods was to exercise their precious right—to enter into voluntary arbitration—a right which they possess as free men under an economic system that guarantees to them free collective bargaining. It is voluntary arbitration that the railroad brotherhoods have rejected.

The President's proposal has nothing at all to do with compulsory arbitration. The brotherhoods have lauded Associate Justice Goldberg in a statement they sent to the President and released to the public. I share their laudatory views, for I think Associate Justice Goldberg is just as great and just as able a man as they say he is. But I say good naturedly to the brotherhoods that if Associate Justice Goldberg is that able, they should have welcomed the opportunity to have such a great judicial mind brought to bear upon the evidence they would present in a voluntary arbitration hearing; and I am sorry that they did not accept the proposal for the appointment of Associate Justice Goldberg. However, no language that they use in the letter which they have sent to the President and in the release they have made to the press changes the fact that they are saying that they are unwilling to enter into a voluntary arbitration agreement with the carriers—because that is what the President offered to them. It is their right to decline to accept the suggestion; and not only will I fight to protect them in that right—although I think their judgment in the exercise of it at this time is mistaken—but I shall also fight to protect them in their right to strike. If they really feel that they are in a situation which calls upon them to do that as free men in a free society, one of the pillars of which is the right of employers and workers to resort to economic force in an endeavor to protect what they consider to be their legitimate economic interests, I shall fight to protect the brotherhoods in the exercise of that right. But I want them to know that the exercise of that right carries with it, of course, other responsibilities, both on their part and on the part of those who serve in the Congress, for those of us who serve in the Congress do not sit here as representatives of the railroad brotherhoods or representatives of the railroad carriers, save and except that the members of the brotherhoods and the members of the carriers are members of the general citizenry.

We serve here with the primary responsibility of representing the public interest of all the people of the Nation. Whenever any economic segment of that citizenry follows a course of action which may develop a fact situation in which its course of action sacrifices the general public interest, then it will become the responsibility of Congress to proceed to protect the public interest, for the right to strike is not an absolute right, and never has been. Most rights we have must be exercised in connection with their relationship to other rights. It is very easy for us to say we have a right to do such and such. We may have the right, it is true, but it may not be used in a manner which will destroy other rights with which it must be reconciled.

I do not yield to anyone in the entire Congress so far as my record is concerned in fighting for many years in the Senate to protect the legitimate rights of organized labor. I am very unhappy when I find myself confronted with a situation in which responsible labor leaders are following a course of action which in my judgment is based upon a mistake of judgment. But they have made their decision. I hope they will reconsider it. If they seek another arbitrator, I think their desires can be met, cognizant also with legitimate rights of the other party to the dispute. But the present railway controversy is rapidly developing into a controversy that involves three parties. It involves not only the brotherhoods and the carriers but also the public. The spokesman for the public is the President of the United States. As a result of my conversations with the President, I am satisfied that the carriers and the brotherhoods could not possibly have a man who is more dedicated to the protection of their legitimate rights, but who also recognizes his responsibility of carrying out his public trust of protecting the public interest, than the present President of the United States.

The hours are slipping by. The scheduled time for the strike is 12:01 a.m. tomorrow. I do not think I would be a true friend of the railroad workers and their leaders in this country if I did not take these few moments on the floor of the Senate today to plead with them to reconsider their apparent position on any proposal for the settlement of the dispute by way of voluntary arbitration.

It would require a very bad set of facts and circumstances to cause the senior Senator from Oregon to vote for compulsory arbitration. But I can conceive of a set of circumstances in which the public interest could be so damaged as the result of an economic war carried on between the carriers and the brotherhoods that it would be necessary to use some form of compulsion to protect the public interest in the operation of the railroads of the country.

Today it has been suggested by some representatives of the brotherhoods that all the Government would have to do would be to seize the railroads and operate them for a period of time until the dispute between the carriers and the brotherhoods could be worked out with further negotiations by way of mediation and collective bargaining. It sounds good. But I should like to suggest to the brotherhoods that they take a long look at that one because, speaking hypothetically, if the Government should follow that suggestion and seize the railroads, the Government of the United States would then become the operator of the railroads. Such action would have many serious implications for the future. I happen to be one who is not opposed to seizure if the public interest demands seizure to protect the public welfare. But, as I also feel about compulsory arbitration, seizure ought to be a last resort and not an early resort. I suggest that those who hold the point of view advocating seizure take a look at some of the real implications involved in seizure, because if the Government were to seize the railroads we would have a pretty hard time justifying the operation of the railroads merely to benefit the railroad workers, for in the last analysis the railroads are owned by their stockholders.

It would be very difficult to justify Government seizure of the railroads and their maintenance without modification change of the policies and the work rules of the railroads. I would have the brotherhoods keep in mind the fact that if there is seizure, the Government as the operator of the railroads has a responsibility to the owners of the railroads; namely, the stockholders, to operate them as efficiently as possible. That might very well call for some changes in existing carrier policies and brotherhood policies.

I should like to say to the railroad workers, "Remember, with the Government operating the railroads and a refusal to conform to the rules laid down by the Government, the workers would be subject to the Government's rights in the courts of America, including the injunctive power of the Government to protect the Government."

If I were counsel for a railroad brotherhood, about the last legal advice I would give to that brotherhood would be to advocate Government seizure of the railroads. I cannot imagine the President of the United States seizing the railroads and agreeing to the maintenance of the status quo, because the Government would then occupy a proprietary position. In my judgment, it would have the duty to proceed to operate those railroads on the basis of what its best advice indicated would be the most efficient way of operating the railroads.

I do not think there is a member of a single brotherhood who does not recognize that when the controversy is finally settled, there will be some modifications in the working rules. I do not think there is a single officer of the carriers who has any doubt that when the controversy is finally settled there will be some modification in existing carrier policy. I have been through too many industrial battles. I am still waiting for the first labor case in which I find one side lily-white and the other side with its hands soiled. We will have a situation here in which we shall find that to some degree, though I do not know to what degree, both sides will have to modify their policy. So I say to the brotherhoods that the Presidential or congressional seizure of the railroads is not the way out for the settlement of the dispute.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. JAVITS. I join with the Senator in his appeal to the railroads and the railroad brotherhoods. My credentials are perhaps not as good as those of the Senator from Oregon——

Mr. MORSE. They are better.

Mr. JAVITS. I thank the Senator. But let us hope they are as good in terms of my fight for and my work for labor.

I am deeply disturbed. I hope that I shall never have to vote for compulsory arbitration. But, like the Senator from Oregon, I must vote for what would save our Nation, whatever that may be, and as regretful and tragic as it would seem to me in terms of our fundamental freedom.

On the seizure issue I should like to ask the Senator a question. The Senator is a famous former dean of a law school. I have had a little experience in high class legal matters. It is possible that if the Government had to seize the railroads, it would be held to have expropriated them and would be liable for fair compensation for their use.

In this respect the taxpayers of the country must do a little thinking, also. This will be quite a massive undertaking for the United States. When I begin to think of what is required to operate a railroad, and begin to think of some Government official operating them, as was done during wartime in our history, and what it might cost the taxpayer in terms of the use of the railroads for a period of time, I begin to understand something of the economic dimensions of the problem, in addition to the terrible cost of grinding the economy in many areas to a halt, which might be involved. That only lends added poignancy to the appeal which the Senator, who has been a leader in efforts to bring about labor peace and who has actually settled some of our major labor disputes, is making today.

Mr. MORSE. The Senator is quite correct about the implications resulting from seizure. Let the RECORD show, for those who read it, that we have just heard from the former attorney general of the State of New York, a man who for many years has been active in the field of industrial relations, the distinguished Senator from New York (Mr. JAVITS). He is quite correct.

Government seizure of the railroads at this time would guarantee full employment for one group within our citizenry, if any of that group would like a job for many years to come, and that group is the legal profession. It would be a full employment measure for any unemployed lawyer in the country, or anyone looking for legal business.

But there are other implications I would have those men think about who are among railway labor and who think all that is necessary is to seize the railroads.

That may very well be a steppingstone to a concept raised by the Senator from New York in his speech. It could very well lead to demands for nationalization of the railroads. If the American taxpayer must pay a big bill, which probably would be involved in any seizure, that might start a prairie fire demand for nationalization of the railroads—to which I am also opposed.

I mention this point merely to show the many serious implications of any such suggestion. I hope that members of the brotherhoods who are thinking in such terms will give serious consideration to this problem.

When one looks at the present fiscal situation in regard to the railroads, we as taxpayers all own a pretty big chunk of them already. I wonder if that fact has received the weight it ought to receive, in behalf of the spokesmen for the carriers. The American taxpayer makes a substantial contribution to the railroads in various direct and indirect subsidies each year. The fiscal report—which I have scanned but not thoroughly studied, as a result of the hearings of the Rosenman Commission—indicates pretty clearly that at least not all railroads are in the dire financial situation we so often read about in the press. One reason they are not is that we as taxpayers make a contribution. And we should, because, as the Senator from New York knows, this is an industry vested with the public interest. It is vital to the operation of our entire economy.

I am not quarreling about subsidies, direct and indirect, which the railroads receive. I make a point of fact about them this afternoon on the floor of the Senate. The carrier representatives must keep that in mind if, as, and when they are called upon, either in the closing hours of today or in the days immediately to come, to exercise the maximum of industrial statesmanship on their part by being willing to go along with any proposal for a fair procedure that will enhance the prospect of settlement of this controversy without an economic war.

Mr. JAVITS. Mr. President, will the Senator yield further?

Mr. MORSE. I yield to the Senator from New York.

Mr. JAVITS. I am grateful to the Senator for yielding, because I think this is a critically important debate. As sometimes happens in a national emergency, it occurs on an off day, and does not have nearly the attention it deserves on the floor of the Senate.

I am for seizure rather than compulsory arbitration. This has been my position right along. Notwithstanding the dangers, the costs, and the perils, I think it is a better alternative than compulsory arbitration, considering the fact that the most precious things we can lose are our freedoms.

The Senator is pointing out ably and admirably the realistic situation which the railroad brotherhoods will face. He points out forcibly the difficulties involved in seizure. They may face the very unhappy alternative of having a majority in the Congress—whatever the Senator from Oregon or I might feel, and however we might vote—prefer compulsory arbitration. We speak as their friends. At present it is they who are cast in the role of rejecting every proposal.

I join with the Senator in the position he is taking, in urging them to consult before it is too late to consider the consequences of their actions. I join the Senator in affirming what he has said—which is entirely true—that this proposal is not compulsory arbitration. So long as they have the volition to take it or leave it, to ask for another arbitrator or for another way of arbitrating, it is not compulsory arbitration. When and if they get compulsory arbitration—and I pray they will not—they will know the difference. It will tell them what to do, who is to do it, what the revenues will be—and that will be the end of that, and all of it.

Mr. MORSE. The Senator from New York is making the third point which I planned to make when I rose to make my speech this afternoon. I shall come to that point in a moment. The statement which the Senator made, that this proposal involves voluntary arbitration, and they would still have the opportunity to suggest a procedure for voluntary arbitration, is accurate.

I cannot speak for the President, but I can speak for myself. I know what I would recommend to the President. I think many would share this recommendation.

Suppose the brotherhoods had said, hypothetically, "We do not want one man, but we want three men as a board of arbitration." I would be surprised if the President should hesitate for a moment to grant that reasonable request, after he took it up with the carriers.

But let the brotherhoods remember that the carriers are also parties to this dispute. I had to tell them that, as some will recall, in 1941, when there was a very serious labor dispute and I happened to be in the middle as the mediator in that dispute. They laid down certain demands as to what they were going to do, and that was to be it. I pointed out to them that there were three parties to the dispute; the carriers, themselves, and the mediator representing the Government. I pointed out that I was going to talk to the carriers' representatives about their demands. They did not think I ought even to talk to the carriers. I talked to the carriers. The result was a conscionable compromise of their demands.

I am glad the Senator from New York has participated in this debate and has pointed out that the brotherhood will still have volition and opportunity to make proposals for voluntary arbitration, by making suggestions in respect to procedures and making suggestions in regard to the personnel of the Board.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the majority leader.

Mr. MANSFIELD. I think the distinguished senior Senator from Oregon is performing a public service of the highest magnitude in speaking out at this time, while there is still time, on a matter which can affect the welfare and the economy of the Nation as a whole.

This is not something that involves only to the railroad brotherhoods and the carriers. It involves all labor. It applies to all segments of the country and to all segments of the population.

It is not so important that we have a large attendance in the Chamber at this time. What is important is that a speech of this character is being made. What is important is that the greatest legal mind in the Congress in the field of labor matters, one of the greatest, if not the greatest, in the country in that respect, is delivering himself of well considered opinions based on experience with the War Labor Board prior to his coming to the Senate some 20 years ago, and based on his membership on the Labor and Public Welfare Committee of this body.

I for one am extremely happy that on this occasion, while there is still time, a frank, candid, cards-on-the-table speech of this kind is being made. I hope it will be read and considered, not only by the brotherhoods and the carriers, but by all the people, and most especially by all segments of the labor economy. I commend the Senator from Oregon.

Mr. MORSE. I am not only deeply moved, but very appreciative of the gracious remarks of the Senator from Montana, our able majority leader. I would that I felt I really deserved such compliments.

The other point I wished to make—and it was alluded to by the Senator from New York [Mr. JAVITS]—is that the brotherhoods need to take a long, hard look at the position they are going to be in tomorrow, next day, a week from today, 2 weeks from today, or whatever the duration of the strike may prove to be.

It is my judgment that they are going to find public opinion against them. I think they are going to find public opinion against them because once the average citizen begins to feel the economic pinch and losses caused by the strike, as the public begins to see the spread of unemployment caused by the strike—and it will cause a lot of it—the general attitude of the public is going to revolve around the question, "Was a fair procedure offered the brotherhoods, on the basis of voluntarism, to settle this dispute without economic war?" I think the American people in the jury box on that subject will render an almost unanimous decision that a fair procedure was offered.

It is the position of the senior Senator from Oregon that labor must be protected in its right to use economic force, because it is a basic part of freedom itself in a free society.

The American people will forever be indebted for what the railroad brotherhoods have done to protect economic freedom in this country, over the decades of their existence, for if it were not for the militancy of the railroad brotherhoods in the early history of the railroads in this country, railway workers still would be among the most underprivileged workers in this country. It has been my privilege to teach the history of the development of labor economics in the railway industry, and all one needs to do is read the glorious history of what freemen and their families were willing to suffer in order to establish the rights that railway labor finally won against the carriers at that time, which treated labor as a commodity rather than as freemen.

The present Presiding Officer, the Senator from Wisconsin [Mr. NELSON], comes from a State which in those early days was represented in the Senate of United States by the incomparable, fighting elder Bob La Follette. One has only to read the record of La Follette's battles on the floor of the Senate for labor legislation to protect the legitimate rights of railway labor in this country, supported by a railway labor group willing to become militant to protect their freedoms. If such a condition existed in the United States today, no one would defend more vigorously or urge more vehemently upon the brotherhoods that they resort to the militancy of economic force to protect their rights.

Mr. President, the issues that are at stake are issues not over the right to organize, not over the right to bargain collectively, not over the so-called bread and butter issues of an earlier day, but over some very difficult and complex economic facts that cannot be settled on the picket line. They must be settled around the conference table on the basis of the economic evidence that is presented.

Railway labor knows that the senior Senator from Oregon takes the position that all labor is entitled to some of the fruits of automation. We have not even started to scratch the surface of the automation problem in this country, and the railway case is one of the early cases that is going to bring Congress to grips with the problem of automation. But we should not and we cannot come to grips with it by means of strikes, pickets, and an economic war between the brotherhoods and the carriers.

Let us assume a hypothetical—and I am talking only about a hypothetical. Let us assume there is a final settlement in this case, in which those who propose the settlement suggest there ought to be a certain solution adopted for the manpower problem of the railway industry that will be fair to the legitimate rights of the carriers. Let us assume it is not challenged on the basis of whether or not it is fair to the carriers, but whether or not it is fair to the individual workers, victims of automation on the railroads. Then the Congress has a responsibility to see to it that it enacts public legislation that comes to the relief and assistance of workers in this country who have suffered great economic losses as a result of automation.

This is the first time I have said it in this language, but the total cost of automation cannot be put upon industry itself. We cannot hold back the progress that automation promises, not only because of competition in our domestic economy, but because of competition with foreign economies as well.

There is opening up a new era for legislation that will protect the legitimate rights of workers, probably as important to the economic welfare of the workers of this country as was the so-called progressive legislation passed in the era of the elder Bob La Follette, which was necessary to protect the legitimate rights of labor in his day. But do not forget that that legislation was not at all limited to the employers. Do not forget that much of that legislation, such as workmen's compensation legislation, involved also public contributions. It was not imposed entirely upon the employer.

We cannot solve all those problems, may I say to the brotherhoods, in the settlement of this case alone, involving the issues that have arisen between the carriers and the brotherhoods. There are involved a good many public issues that will be left.

I wish to say on the floor of the Senate today that after this great major labor dispute is settled—and this will not be the last one that will arise from automation—I will be among those who will propose legislative remedies to see to it that fairness and justice are done to the workers of this country.

On the other hand, I am not going to mislead my friends in labor by saying that I shall stand aside, and refuse to cooperate with my President and my Government in protecting the public interest from the great damage that will result from any railway strike of any prolonged duration.

Mr. MANSFIELD. Mr. President, will the Senator yield to me, without losing his right to the floor, so that I may suggest the absence of a quorum?

Mr. MORSE. I yield for that purpose.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

GOALS FOR AMERICA: PHYSICAL FITNESS AND SPORTS VICTORY IN 1964 OLYMPICS

Mr. HUMPHREY. Mr. President, 16 months from now, this Nation faces a great international test.

The 1964 Olympic games will open in Tokyo.

For a considerable time, I have been pointing out the need for a supreme national effort in preparation for this and future athletic contests.

In 1960, in the Rome Olympics, the United States achieved only a poor third in the unofficial scoring.

Regrettably, our prospects since then have not improved materially, if at all.

Recognizing this and other hard facts, I have been urging—in speeches, articles and releases—that we set a national goal of fitness for our population, young and old, and a goal of sports victory as well.

PRESIDENT KENNEDY'S OUTSTANDING LEADERSHIP

This, I am glad to say, is precisely what the President of the United States seeks for our Nation.

I believe that it would be universally agreed that, with the possible exception of President Theodore Roosevelt, no Chief Executive in American history has demonstrated keener personal interest in American fitness than President Kennedy.

In addition, despite his many burdens, Attorney General Robert Kennedy has given this matter his closest attention. I have been in frequent contact with his office on this matter. I am happy to report that the Attorney General is working very actively with sports leaders throughout the Nation toward meeting the Olympic challenge head-on.

Important developments are in the making. They will be announced as soon as circumstances may permit.

NO MAGIC CURE FOR OLYMPIC DIFFICULTY

But let this fact be clear: As the President, the Attorney General, and Members of the Congress have indicated, we, in Washington, D.C., cannot wave any magic wand, so as to improve America's Olympic prospects.

An Olympic star is not made overnight; it takes years of personal training and development. The United States cannot expect to accomplish the impossible in the next 16 months. But we can and should expect that everything which can be done will be done. And, in the final analysis, it has to be done by amateur sports groups themselves throughout the 50 States of the Union and by the dedication of individual athletes—both men and women.

THE FAMILY QUARREL BETWEEN AAU AND NCAA

Meanwhile, no informed American need be reminded that a family quarrel continues, unfortunately, to mar the American sports scene.

I believe Members of the Senate are familiar with the latest decisive actions by Gen. Douglas MacArthur, in arbitrating differences between the Amateur Athletic Union and the National Collegiate Athletic Association.

As the President's chosen instrument in maintaining an at least temporary peace on the sports scene, General MacArthur has added further to the laurels which he has won in war and peace.

Somehow, before or after October 1964, a more permanent solution will have to be worked out equitably and democratically among all concerned.

But, now, let us survey other aspects of the problem.

SEVEN VARIED MATERIALS ON THE SPORTS-FITNESS FRONTS

To do so, I have assembled a series of seven materials which I believe tell a story, each in its own way.

First. The first item is an address which I recently delivered in Minneapolis before one of the great organizations of our land, serving the well-being of our people. I refer to the Association of Health, Physical Education, and Recreation. Speaking to the national convention of AHPER, I presented what I called a "charter for American youth," including a charter for fitness and for sports participation.

ARTICLE BY SENATOR RIBICOFF

Second. The second item is an excellent article in the magazine Sports, by our distinguished colleague from Connecticut, Mr. RIBICOFF, the able former Secretary of Health, Education, and Welfare. The article is entitled "We Need a National Olympics." It reiterates many sound points which Senator RIBICOFF has submitted to our Nation and which I, personally, have strongly endorsed.

Senator RIBICOFF's State of Connecticut has been, I am glad to add, a pacesetter for sports interest among the States, just as my own State of Minnesota has been a leader.

THE MOOT ISSUE OF A POSSIBLE FEDERAL APPROPRIATION

The third survey item concerns the problem of what, if anything, at this relatively late hour, the U.S. Government should do about the shortage of money for Olympic development. In my Minneapolis address, I pointed to the possibility of trying to secure a one-time U.S. Government grant of $1 million. The purpose would be to backstop a comprehensive Olympic development program.

Item 3, therefore, is an article from the magazine Amateur Athlete, by the president of the Amateur Athletic Union, Louis J. Fisher, urging precisely this objective.

Thereafter appear two letters from Col. Donald F. Hull, U.S. Army, retired, secretary of the AAU, elaborating on the desirability of immediate U.S. financial support.

Item 6, however, presents an opposite viewpoint from another great sports organization. This is a message to the subcommittee by Walter Byers, executive secretary of the National Collegiate Athletic Association, conveying a resolution adopted by the NCAA executive committee and council at their April 24–27, 1963, sessions.

Mr. Byers had helpfully visited the subcommittee prior to these meetings. In addition, another welcome visitor has been Al Duer, secretary-treasurer of the National Athletic Intercollegiate Association. Mr. Duer has been in very close touch with us on the problems of amateur sports as a whole.

Mr. Lyman Bingham, executive director, U.S. Olympic Committee, has also been in close contact relative to our interest in a possible new look at Public Law 805, 81st Congress. This law, enacted on September 21, 1950, chartered the "U.S. Olympic Association."

A NEW GIRLS' ATHLETIC MEET AT THE GRASSROOTS

In item 7, I turn to the grassroots of America. This item consists of one of the many encouraging responses to my article in the January 6, 1963, issue of Parade. The county supervisor of White County, Ark., wrote that, as a result both of my interest and of local recognition, county leaders have staged the first girls' track meet since 1951. Let me add that increased participation by our young ladies in sports is, indeed, a must.

This is a point of deep interest to the President's Council on Fitness, spearheaded by the great coach and outstanding American, Bud Wilkinson.

I ask unanimous consent that these seven items be printed at this point in the RECORD.

It is my hope and expectation that they may serve as a cross-section guide to past, present, and future U.S. policy.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

A CHARTER FOR AMERICAN YOUTH, INCLUDING A SIX-POINT FEDERAL PROGRAM FOR YOUTH FITNESS AND ACHIEVEMENT

(Excerpts of statement prepared for delivery by Senator HUBERT H. HUMPHREY, Democrat, of Minnesota, before opening general session 78th anniversary convention American Association of Health, Physical Education, and Recreation, Leamington Hotel, Minneapolis, Minn., Friday night, May 3)

(1) Financial assistance to the States for school facilities for physical education.

(2) Enactment of Senate-approved youth employment bill.

(3) Follow-through on report by Outdoor Recreation Resources Review Commission.

(4) Strengthen fitness coordination in Health, Education, and Welfare Department.

(5) Give mandate to President's Fitness Council.

(6) Approve adequate finances for Olympics.

It is a great honor to address this great convention.

I join with your devoted members throughout Minnesota in reiterating their warm welcome to associates from all over the Nation. It's grand to have you with us.

You meet at a time of the year when nature, itself, speaks a message of health and fitness, and recreation.

No season reminds us more clearly of the unquenchable forces of life, thrusting upward, reaching outward.

Actually, springtime speaks a universal lesson of rebirth and of growth. It speaks of energy and vitality to all who see and hear nature's wonders.

This is a part of the basic theme of my remarks tonight.

For I am going to speak of another vital force, a force which is also filled with unquenchable energy, a force which also seeks the greatest fulfillment in life, the force of America's youth.

You of this audience are privileged to help serve, to build and mould this mighty force.

We, who represent you in public office, are privileged to work with you. Our joint mission is to help the coming generation realize its greatest potential.

America's youth are, of course, America's future, our greatest resource. Every young mind and body you train today is a mind and body which will protect and advance this Nation tomorrow.

Protect us from what?

A look at the headlines in this evening's newspapers will remind all of us.

Look at the stories, datelined, "Saigon," "Yemen," "Berlin."

It is springtime in Vietnam tonight. But there are over 10,000 Americans in that beleaguered country who have little time to enjoy it. Their minds and bodies are being tested, in or close to combat, ferrying troops in helicopter operations, advising infantry while it is battling in the jungles and rice paddies.

The physical fitness of these American forces is a matter of life and death necessity.

But there are other operations in the four corners of the globe, less dramatic, less in the news, but where fitness is just as crucial.

There are, for example, thousand of selfless Peace Corps members, working under the most grueling climatic and other conditions throughout the world. I've seen them—Venezuela, Colombia, Chile, Brazil.

And so, the question may rightly be asked: In view of these and other illustrations, where may the youth, who are now in your gymnasiums, in our neighborhoods, be called upon to serve 5 or 10 or 15 years from now?

No one in this audience can predict the answer.

But this we do know.

(1) The generation in your care must be prepared to serve anywhere, and to be effective everywhere, if this country is to endure.

(2) The opposite numbers of our American youngsters, the young men and women of the Soviet Union, Eastern Europe, mainland China, North Korea, Vietnam, and Cuba, are being trained to fulfill the goals of their society.

(3) A crucial test has long been shaping up. It is the test between: (a) the training democracy gives; and (b) the training communism demands.

It is the test between their imposed discipline and our self discipline.

It is a test between their educators and their educated and ours.

The outcome of this test may not be seen quickly or even dramatically. But the outcome will be a vital factor in deciding the future of mankind everywhere, and "everywhere" means just that. It means the home front and foreign fronts.

Only a relatively small proportion of our youngsters may ultimately have to serve abroad, either in uniform or as civilians. The largest proportion may never be called to the national colors. And in the case of our young women, relatively few may enter the Federal service, as such.

But a strong home front is every bit as important as a strong foreign front. Physically fit mothers are just as important, if not more so, as physically fit fathers.

And the idea of anywhere in this world has now come to mean anywhere out of this world, as well. In the vast reaches of outer space, the young astronauts of the United States are still in the early stages of competition with the young cosmonauts of the U.S.S.R.

Meanwhile, there is a universal test in "inner space," the crucial space in our own minds. You and I know that a nation cannot be strong unless it is strong in mind, in character and in body.

Strong convictions, strong ideas, strong will, strong muscles—we need them all.

We need whole men and women—well-rounded, emotionally balanced, fulfilling their highest potential in every aspect of life. The physical educator joins therefore with the educators for all of life's disciplines, for the arts, humanities, science and technology, in training tomorrow's citizens.

And so, I am here tonight to pledge to you that this Senator is dedicated to our goal of victory in this contest with our foe; to let you know that even if there were not a Communist adversary in this world, there is definitely a larger test in which we are eternally engaged. It is the test of self-improvement, helping mankind, including our own countrymen, to realize its birthright. I mean a world of peace and plenty, a world where man vanquishes his ancient external enemies—poverty, disease, illiteracy, hunger—and his internal enemies—sloth, indifference, selfishness, and ignorance.

And I am here to let you know that I, for one, feel that you, your profession, your membership, stand high in the ranks of those responsible for the very future of our Nation; that your calling is a noble one; and that your success is urgent.

And, then, most important, perhaps, I am here to share with you a view from Washington as to the Federal Government's role in enabling you to do your worthy job.

As a U.S. Senator, I am naturally interested in what the U.S. Government should or should not do.

But you and I know, that over and above what the Federal Government does or does not do, the real challenge is the one confronting State, county, and local governments.

With but perhaps one or two exceptions, for example, Teddy Roosevelt, there has never been a Chief Executive in the White House, more deeply or more continually interested in physical education-physical fitness than President John F. Kennedy.

The President, his personal family, and his entire Cabinet family have lived, breathed, talked, and acted for fitness. And the President will be working with you and the Congress for a comprehensive fitness program for our country.

Many of the elements of that program are already beginning to emerge. We should view these elements as a total program for the total well-being of our country.

It is not enough that we set up mere segments of a youth program, the parts should fit together in a harmonious whole. They should be balanced, one with the other, so that we do not "go overboard" along any one line at the expense of other key elements.

Therefore, I propose what might be called a "Charter for American Youth."

It is a charter for their freedom—freedom from fear, from want, from deprivation—physical, mental, economic, or social.

It is a charter to embrace the needs of city and country, of individual and group, of private life and Government.

Few, if any, of the elements of this charter will come as a surprise to members of this association.

The charter would note that American youth is entitled to the fullest opportunities that American society can provide, opportunities for individual intellectual growth, for achievement, for productive work, yes for fitness, mentally and physically, vocationally and avocationally.

Every American youth is entitled to the dignity which comes from being recognized as an individual who has something unique to contribute personally to the world.

But now, let's get specific on the fitness front.

Every American youth is entitled to a body as healthy and fit as heredity, medical science, physical training, and facilities can help make possible.

Every American youth should be encouraged to reach and remain at the highest level of physical proficiency he or she can attain and retain.

What does this really mean?

It means that in every school the child must be enabled to meet standards of the highest physical well-being of which he or she is capable.

It means that we need more varsity athletes. But far more important, we need to have a whole youth population which enjoys physical achievement in individual and group sports.

The joy of achievement, of cracking one's own former record, the thrill of winning fairly and squarely, or if losing, to do so, with honor and no regrets—this is what we want and need.

We need a Nation which is tough, but in the finest sense of that word; tough, not in the sense of cruelty or callousness, but tough in that we do not cringe or whimper before test, challenge, and adversity.

If the Battle of Waterloo was won on the playing fields of Eton, the cold war or the hot brushfire wars, or worse, of the future can be won in the schools, the gymnasia and playgrounds of this Nation.

If there is one thing which is fairly certain, it is that for the rest of our lives, we are going to face crisis after crisis, challenge after challenge from international communism. We are also going to face an almost unending series of challenges to help the hundreds of millions of people in the less fortunate areas of the world.

And we are going to face the challenges of a home scene which is changing in incredible ways, some welcome, some unwelcome, but nonetheless, often unavoidable. Our schools are bursting at the seams; so are our playgrounds, our seashores, our national parks and other facilities are already overburdened.

The President's committee headed by Secretary of Labor Wirtz has warned of the critical needs for youth employment and upgrading of youth skills.

Each day, automation is changing and eliminating jobs. The very locale in which we live is changing. The central core of many cities is decaying, the suburbs are sprawling in every direction.

Existing services for youth are groaning under rising burdens. But, in our search to deal with mass problems, we must never lose sight of the individual.

It was the poet, Edwin Markham, who wrote: "Why build these cities glorious if man unbuilded goes? In vain, we build the world, unless the builder also grows."

Throughout this entire country, there is, as you know, a great ferment in primary, secondary and higher education. There is a battle to reshape the school curriculum along many lines, many of which are conflicting with one another. Vocational, technical education and training are receiving renewed attention.

Somehow, we must find the way and the means to provide for a better allotment of resources to the twin goals of mental and physical fitness. Brain power is our most valuable resource.

Somehow, we must reshape the essential values of youth as well as of some elders.

A youngster is certainly not a square (as he is sometimes called) if he zealously disciplines his body to peak performance.

And a teacher who devotes his or her life to physical education is not just a so-called gym teacher, something different or apart from or lower than all other types of teacher. Far from it, you who work to develop the bodies of our youngsters, and simultaneously, their minds' attitudes toward their bodies have as important a role to play as any in American education.

It was Ralph Waldo Emerson who said: "Our chief want in life is somebody who shall make us do what we can."

It is you who help youngsters do what they can, as much or more, as any other educator. But now, what of our Federal obligations? What can the U.S. Government do? Let me offer a few specific points on fitness, designed to help fulfill the general points in the charter for youth.

(1) The Congress should provide a new program on physical fitness, when it extends and broadens the present national defense education law. This new title should provide long-needed financial assistance to the States for the program of physical education throughout the Nation's school system. It takes hard money to enable our less advantaged States to come to grips with physical education needs. There is no use lecturing States to meet the highest national standards if many of these States simply do not have the means to do so.

Funds are urgently needed for in-service education of health and physical education teachers through leadership institutes comparable to those conducted for science and mathematics teachers. Programs of this type would be the most certain way to improve the fitness efforts of the Nation's schools and colleges. Such a plan of institutes would provide the leadership to improve programs in physical education, swimming, recreation, youth conservation camps, and community schools.

(2) Congress should enact the youth employment bill. This bill will deal directly with the twin needs to channel youths' energies creatively into conservation work, in the great outdoors—on behalf of all of us—and, urban service projects, on behalf of other youths.

(3) Both the Federal Government and the States should move rapidly ahead for the fullest implementation of the historic report by the Outdoor Recreation Resources Review Commission. As you know, a Bureau of Outdoor Recreation and a Cabinet-level Recreation Advisory Council have been set up for the important task of conducting Federal programs and assisting the States. There is still immense work to be done in, by and for the States, as regards fish and game, park, recreation, and conservation agencies at all levels of government.

Fortunately, a Citizens Committee for the Outdoor Recreation Resources Review Commission Report has been formed.

Organizations such as the American Association for Health, Physical Education, and Recreation should be encouraged to expand their efforts in outdoor education through leadership preparation and program development. As you and I know, vigorous outdoor activities having lifelong values contribute greatly to the sustaining of fitness and should be included in the curriculums and programs of schools, colleges, and community agencies.

4. Our able new Secretary of Health, Education, and Welfare, Anthony Celebrezze, should proceed with his vigorous program of greater coordination within that vast Department.

Several years of review of the individual activities of major HEW units has confirmed, in my judgment, that, unfortunately, in none of these units is there as strong a focus for physical fitness as there should be. That means in the U.S. Office of Education, in the Public Health Service, and in the Children's Bureau.

The Public Health Service has an important role in working with the Nation's physicians toward improved physical fitness. The National Institutes of Health need to provide the research leadership which is so necessary. There must be a focus for fitness research responsibility.

One meritorious approach would be to locate a UNESCO Fitness Research Institute in the United States. No such UNESCO institutes have as yet been established in our country. A UNESCO Fitness Research Institute could cooperate with needed research on a worldwide basis.

(5) The President's Council on Fitness should be given a permanent statutory mandate. The council has done an outstanding job with relatively limited resources. And those resources have been doled out in bits and pieces by other Federal agencies rather than being requested formally in the President's budget and allocated directly by the Congress, as should be the case. An annual process of congressional appropriations directly to the council would provide a much needed national dialog on exactly where we stand, and where we are heading in federally encouraged physical fitness efforts.

(6) The Federal Government, in cooperation with amateur sports, should take a new look at our international sports efforts. We, as a nation, are seriously lagging in these efforts.

It is 13 years since Congress chartered what was called the U.S. Olympic Association. This private organization has done a fine job in many respects. But our modest U.S. showing in the Rome Olympics in 1960 and the poor prospects for Tokyo in 1964, speak eloquently of the need to reappraise the organization's role.

Meanwhile, we need a focus of sports interest in the executive branch. The President's council should be given a broadened mandate for such a sports focus.

For a number of years, the State Department has been in charge of our international—I emphasize—international cultural exchange program. This program includes funds for exchange of coaches and sports teams. The Department does so under a law which I personally sponsored. The administration of the law has, by and large, been competent. Unfortunately, however, the funds available for the overall program have never been increased above the level they started at; namely, a mere $2½ million.

Athletic exchanges, for example, have been supported by no more than $300,000 in Federal assistance in recent years. This is mere pocket money compared to the enormous sums, spent by foreign governments, on both sides of the Iron Curtain.

The governing bodies of American amateur sports should, of course, continue to enjoy complete independence and freedom of action and should continue to bear fundamental responsibility, financial, and otherwise. The Department of State, as the spearhead of American foreign policy, should continue to have responsibility for actual oversea arrangements. But a relative handful of experts in the President's council, such as its great executive, Coach Bud Wilkinson, could, if authorized to do so, do a tremendous job as the center of specialized interest in amateur sports in the Federal Government. Right now, no such center exists in a single domestic department or agency.

The issue of shortage of funds remains critical. The U.S. Olympic Committee has never had a fraction of the financial resources which some countries one-tenth of our population have made available, on a continuous, not a once-every-4-year basis.

Now, we are coming close to the 1964 Tokyo Olympics. Once more, we Americans face the dismal prospect of an 11th hour crisis in fundraising by passing the hat.

Recently, I have explored the issue of whether or not a direct, one-time appropriation of $1 million might or should be made for pre-Olympic purposes. The Amateur Athletic Union has urged a specific Federal grant. Other observers have emphasized that it is inconsistent for Uncle Sam to pay the expenses of an American coach or of a small team going overseas for a binational or regional meet, while ignoring the most crucial international contest of all, the Olympics.

But very frankly, there is strong apprehension in some quarters over a possible Federal grant for the Olympics. There is a feeling that even with the best of intentions, even with, as envisioned, independent administration of the funds by the U.S. Olympic Committee in cooperation with other amateur bodies, a Federal grant might be undesirable. Traditionally, the National Collegiate Athletic Association has felt this way, against Federal assistance for our U.S. Olympic effort.

The Congress respects, and rightfully so, the judgment of the U.S. Olympic Committee, the AAU, the NCAA, the National Athletic Intercollegiate Association, the U.S. Track and Field Federation and other groups.

I know of no one in the Congress who presumes to tell these expert groups about detailed issues to which they and their dedicated sports personnel have devoted entire lifetimes.

But the Congress does have an interest in and responsibility to all 180 million of us. Like the President, the Congress has watched with concern the long family quarrel in amateur sports. It applauded the President's sound decision, designating General MacArthur to serve as impartial arbitrator of the quarrel.

Now that there has at least been agreement on a moratorium in the dispute, Members of the Congress turn to the crucial issue: What will amateur sports now do affirmatively? What will it do about broadening the base for American sports talent in every hamlet of our land? What will amateur sports do about the persistent financial problem? Will sports leaders set up, as I have urged, the equivalent of a national fitness foundation? Will amateur sports set up a real, continuing, Olympic development program which is adequately financed? Yes, amateur sports has the ball. No one outside amateur sports wants to or expects to take the ball from it.

But this Nation must not sit idly by while we proceed to take another beating in the Olympics in 1964 or in 1968.

The time has come for definitive action. The hour is already desperately late as regards preparing athletes for the competition in Tokyo. The time to begin with a broad-gauged long-range Olympic program is now.

Our international athletic showing is but one phase of our country's fitness interest. But it is an important phase.

The charter for youth should be a blueprint for victory—victory at home and abroad.

The victory will be forged in every gymnasium and playground of our land, or it will not be fully achieved.

You and I will be hearing further from the President of the United States, both on the fitness and sports fronts. I will not presume to predict what the President will do or say and when. Issues relating to the Olympics have received and are receiving his personal attention. It can be stated with certainty that the President intends to work with amateur sports for a strengthened 1964 and a longer-range Olympic effort.

Your President regards the great Tokyo and other sports events as a real frontier in their own right. He wants America to achieve excellence in that frontier.

Athletic excellence in every school in the land is a worthy goal, and we can achieve it.

As I stated at the outset springtime is the herald of life's fulfillment. Springtime is a charter of nature's excellence.

Let us by our deeds write a charter for our boys and girls, of which we and all those who follow after us, will everlastingly be proud.

[From Sports magazine, June 1963]

THE U.S. ATHLETIC PRESTIGE IS SLUMPING, SAYS THE SENATOR—IN AN ATTEMPT TO BOLSTER IT, HE OFFERS A UNIQUE PROPOSAL: WE NEED A NATIONAL OLYMPICS

(By Senator ABRAHAM A. RIBICOFF with Harry Paxton)

Every 4 years the United States sends squads of fine athletes to the Olympic games. Many of these athletes win important gold medals, and people at home, scanning the sports headlines, often assume the United States is scoring a sizable overall victory. When the results of all Olympic events are added up, however, they tell another story to the world at large. An unhappy story for us. In the last two Olympic games—1956 and 1960—we finished a distant second to Russia in the unofficial team point standings.

The reason, of course, is that our victories are concentrated in only a few of the 20 sports on the Olympic program—sports with big followings in this country, sports such as track and field, swimming, and basketball. But the other events count just as much. It adds as many points to the team score to place first—or second, third, fourth, fifth, or sixth—in a bicycle or canoe race as in the 100-meter dash. A victory on the parallel bars or with the saber is as important as a diving championship. A men's field hockey championship scores the same as a basketball championship.

Many of the other nations excel at sports that are little known in the United States. The Russians show strength in almost every form of Olympic competition. They have been turning out Olympic squads of much greater balance and depth than ours, which is why they now can boast that they are the No. 1 country in world athletics.

Some people say it couldn't matter less. They say there are much graver questions for us to worry about than whether we succeed in winning at games. I say that in the troubled state of the world, today, our international prestige is important. Anything that enhances the stature of the United States in the eyes of other nations is worth supporting. I think it is vital for us to put the first man on the moon. I think it is also important for us to be first again in the Olympic games.

We must get more American boys and girls interested in the so-called minor sports. To bring this about I propose we have a National Olympics every year. It would attract thousands of new participants in the minor sports and from them would come future Olympic champions.

At the same time, such a program would serve to promote physical fitness among our young people. This is a critical need, as I can testify from firsthand knowledge. Until I resigned last year to run for the Senate, I was Secretary of Health, Education, and Welfare in President Kennedy's Cabinet. One of my assignments was to head the President's Council on Youth Fitness. In this role I soon learned that we have a serious problem. Very few of our young people engage regularly in sports. Many get no exercise at all. A shocking percentage can't even pass simple tests of fitness.

No country does more than we do for its star athletes in the major sports. They receive excellent conditioning and coaching and equipment. They are applauded and publicized. But these advantages come to only a fraction of our youth. For the majority who don't make varsity teams, there is little incentive to look for healthy exercise in other sports activity.

To be sure, anybody who is absolutely determined to keep himself in good physical condition can manage it on his own. He can do it through systematic home calisthenics, for example, or by taking long walks daily. But most Americans, unfortunately, are allergic to exercise for exercise's sake. Bodybuilding activity becomes more palatable if it can be made fun. There is extra zest if it takes the form of a competitive sport. The average athlete, however, wants to compete in a sport that has prestige. This is what so many of the Olympic events lack in this country. We can build prestige for them by promoting them every year as part of a U.S. Olympics.

This would bring out many young men—and women, too—who would like to get into athletic competition but never had the opportunity in high school or college. We could say to the lean, agile 150-pounder who was cut from the football squad: "You have a chance to represent your country in gymnastics, to win points that will help make your country first in the Olympics." The boy who wasn't fast enough to run the mile might develop the stamina to win walking races. The kid who wasn't rugged enough to box or wrestle might have a natural talent for fencing.

I'm sure there are thousands of athletes sitting idle who would be outstanding performers in these unfamiliar sports if they could be encouraged to try them. As it is, they probably don't even know that the opportunities exist. This goes back to the fact that these sports get almost no recognition or publicity.

As a result, each has only a comparative handful of devotees in the United States. Did you realize that although almost every American rides a bike at one time or another, there are barely 2,000 who compete in cycling races? It's the same in water polo, an exciting aquatic blend of basketball and football. In canoe racing, which is just as challenging and demanding as the better known sport of rowing, there are less than 200 active contestants. In field hockey, which is primarily a girls' sport in this country but a male event at the Olympics, our manpower is virtually nonexistent. The type of boy who enjoys football or ice hockey could do well at this game. And he would find there is nothing sissy about it.

In fencing, gymnastics, volleyball, weightlifting and other minor sports our talent supply is numbered in mere hundreds or thousands. We must make them all more popular, and we need an annual Olympics to do it.

I don't mean to imply that establishing a U.S. Olympics would solve the problem all by itself, or that nothing else is being done to improve the situation. Each of these unsung sports has its dedicated leaders who are doing their best to keep their game alive and to expand it. The Olympic Development Committee has been striving to arouse interest at the school and college levels. The Amateur Athletic Union is doing missionary work in this field.

All these efforts are valuable, and there will be a continuing need for this sort of grassroots promotional work—the more of it the better. But these worthy people can accomplish only a limited amount because they are operating under a blanket of obscurity. It's very hard to interest youngsters in sports they never hear about. What better way could there be to focus attention on the obscure sports than to attach the glamor of the Olympic label to them—not just once in 4 years, as at present, but every year?

There are already annual national championships being held in each of these sports. But hardly anybody knows the competition is taking place. The winners get brief mention at best on the Nation's sports pages and in sportcasts. Often they are ignored completely.

Although sports editors may not feel these events have individual news value, it would be different if they were all brought together in one big and distinctive package. Considerable coverage could be expected of such an unusual and diversified athletic spectacle.

The U.S. Olympics could either supplement or replace the existing national competition in the various sports. In any case, it should be the climactic event. First there would be a series of State and regional eliminations. Public interest over the participants would gradually build up. Then at the end of the summer, perhaps during Labor Day week, would come the finals. A different city would play host each year.

The list of Olympic events runs as follows for the 1964 summer games in Tokyo: basketball, boxing, canoeing (men's and women's), cycling, equestrian, fencing (men's and women's), field hockey (men), gymnastics (men's and women's), judo, modern pentathlon, rowing, shooting, soccer, swimming (men's and women's), track and field (men's and women's), volleyball, water polo, weightlifting, wrestling (freestyle and Greco-Roman), yachting.

Two of these events probably couldn't be included each year in a national Olympics: yachting, which calls for a large expanse of water suitable for sailboat racing; or the modern pentathlon, which includes among its requirements a 5,000-meter steeplechase riding course with 30 jumps. But that wouldn't hurt our chances in the worldwide Olympic games in these events because there is considerable sailboat enthusiasm in this country and a special pentathlon training program is being conducted with the help of the Armed Forces.

Other events, I suggest, should also be left out of a U.S. Olympics. They would be the sports that are already major—notably basketball, swimming, and track and field (with the possible exception of certain track and field events that are in the stepchild category—the marathon, the hop-step-and-jump, and race-walking). The major sports should continue holding their own separate, well-publicized championships. If you bring them into the national Olympics every year, then it will be the same old story again. They will hog the headlines and the glory. This would defeat the whole purpose, for the idea is to bring the obscure sports out of the shadow.

Who would run these annual U.S. Olympic games? Who would pay for them? I do not believe that all the answers must come from the Government. That's the Russian way in athletics, but it isn't our way. I believe the National Olympics should be organized and conducted by the existing amateur athletic groups in this country. Any differences between them, such as the recent friction between the National Collegiate Athletic Association and the Amateur Athletic Union, should be subordinated to this vital effort. A logical coordinating body for the program would be the U.S. Olympic Committee.

These private groups, working in harmony, could do every year what they now do only in Olympic years. It would mean a lot of extra work. They would need extra help. I would hope that enough public-spirited citizens would volunteer their services in order to get the important job done.

As for financing, the money should come from private donations, as it does when we send a squad to the world Olympics. There would then be an annual need for this sort of giving. Again, I would expect enough people to respond.

One possible source of funds would be the many private foundations that have been established to finance projects that will promote the national well-being. Some of these foundations have been running out of worthy causes to sponsor. They might be persuaded that a U.S. Olympics was a matter of urgent public interest—which I sincerely believe it to be.

I hope it isn't too late to go ahead and stage the first National Olympics in 1963. This would give us a better chance of recapturing world Olympic supremacy from Russia at Tokyo in 1964. If the details can't be worked out in time this year, then no effort should be spared to launch the program in 1965—and continue it every year thereafter. This is a must if we are to create sustained interest in the many international sports that the average American hears about only during the regular Olympic years—if then.

As I said earlier, the program will pay off in terms of national physical fitness, too. If our champion bicycle sprinters and fencers and gymnasts begin to get Olympic-style recognition, then many youngsters who are not now in athletics will be inspired to take part in these sports and others of similar minor stature. Only a few will ever win Olympic medals, of course, but all will benefit in bodily well-being. The Nation will benefit too, for stronger citizens mean a stronger America.

[From Amateur Athlete magazine, April 1963]

Sports Appropriation Sought To Meet the Growing Challenge in International Athletics, the Amateur Sports Governing Bodies Must Have Financial Aid

(By Louis J. Fisher, president of the AAU)

The Fourth Pan American Games are scheduled for Sao Paulo, Brazil, April 20–May 5. In these important athletic contests for the Western Hemisphere we can expect a preview of the 1964 Olympic games at Tokyo.

Your Amateur Athletic Union is proud to be the U.S. governing body for the following teams which will represent our country: basketball, boxing, gymnastics, judo, swimming, synchronized swimming, track and field, water polo, weight lifting, and wrestling.

GET THE JOB DONE

Never has the importance of international sports competition been more succintly stated than by the President of the United States in his personal message to the members of the AAU at the time of the dedication of AAU House. President Kennedy pointed out: "The United States faces a stern challenge in its international prestige in the years ahead, and one of the tests by which we shall be judged will be the performance of our men and women in the demanding arenas of athletic competition. You have a real responsibility for meeting this challenge."

The words of the President of the United States represent a mandate to the AAU and other organizations to get the job done, and to get it done successfully.

Although this challenge may appear frightening to many persons in the United States, I have confidence in our union that we will be successful. The presidential statement should go far in shocking many people in this country out of their lethargy and smugness.

No longer is it possible for an American to walk out on the track, step into the boxing ring, take his mark at the starting line of a swimming race, dribble a basketball onto the court, etc., and expect to win with anything less than his finest effort.

A SEVERE CHALLENGE ABROAD

To maintain our prestige in international competitions—starting with the important Pan American Games—we begin what I like to term "a new era in world sports."

From what I have seen of the track and field athletes at the European championships and in our recent indoor track meets, the wrestlers competing in the world championships in Toledo, the West German and Japanese swimmers in our national championships, and the impressive Soviet basketball team, I know how severe is the challenge that faces us.

Furthermore, I am convinced that we have the greatest reservoir of raw, unharnessed athletic manpower and womanpower of any nation in the world. The problem facing this country today is how to get the greatest use out of our raw material.

It bears repeating again and again that the amateur sports in the United States are conducted by recognized sports governing bodies affiliated to international or world governing bodies. There are 18 separate and distinct amateur organizations affiliated with world bodies comprising the Olympic games program. The AAU is a member of nine different bodies; the others represent a single sport.

AMERICA VERSUS THE WORLD

The success of the United States in international competitions, world championships, and the pan-American and Olympic games depends on how well these amateur sports organizations can carry out the mandate of the President of the United States.

We all recognize that world conditions are changing. All nations are emphasizing amateur athletics more than at any previous time in history. The prowess of foreign athletes continues to improve by leaps and bounds. Frankly, the United States must be ready to assume a challenge from the entire rest of the world.

How prepared are we for the challenge?

The answer cannot be stated simply in terms of raw materials, desire, know-how, and the past history of our athletes "coming through when the chips are down."

As I see it, this is a program which faces 187 million Americans.

There is no doubt in my mind that the United States is well prepared physically and mentally to face the challenge.

I am equally aware that the United States, the richest Nation of all, is not equipped to handle the financial burden of prosecuting the case which has been turned over to the amateur sports organizations of the United States by our President in Washington.

This can be a shocking statement that the United States is not prepared financially to meet the challenge.

Senator Hubert Humphrey, of Minnesota, in recent speeches on the floor of the U.S. Senate has made frequent references to this challenge which our great Nation faces. And it is with this thought in mind that the AAU recently presented a plan for the consideration of the gentleman from Minnesota (to be passed on to the other Senators and Congressmen in Washington) to give financial aid to the existing sports governing bodies in the United States.

APPROPRIATION ASKED

Our plan is a simple one. We pointed out that the Canadian Government annually appropriates $5 million for the promotion of physical fitness and organized sport in their country. These funds are used to help send additional logical contenders to national championships, as well as to finance Canadian representatives to world championships.

In the plan we presented to the Senator we ask that $500,000 be appropriated immediately to help the existing sports governing bodies carry on a broader program in order to accomplish the mission entrusted to us by the President.

The AAU pointed out that with $500,000, the 18 sports governing bodies would be able to financially assist with travel expenses more than double the number of men and women now aided in appearing in our various national championships. Also, the governing bodies would have ready funds to send their strongest teams to the world championships scheduled for this year.

We shall await developments in the Nation's Capital.

Another fact that bears frequent repeating is this one: "The amateur sports governing bodies in our country use amateur sportsmen to administer and develop our athletes and athletic teams for international competition. It is a matter of record that these amateur sportsmen who carry on their work as an avocation also have been responsible for financing the sports without any outside aid and assistance."

Never let it be thought that the AAU and 17 other sports bodies are looking for a Government handout or a Government subsidy. However, your president of the AAU feels that now is the time that we must recognize the challenge facing this country and that positive action must be taken at the highest levels to assure that America shall be represented in the coming international competitions with our strongest representatives.

The challenge has been issued by our President.

The challenge has been accepted by the recognized sports governing bodies, hopefully with the backing of the U.S. Government.

The challenge is everybody's business.

AMATEUR ATHLETIC UNION
OF THE UNITED STATES,
OFFICE OF EXECUTIVE DIRECTOR,
New York, N.Y., February 28, 1963.

Hon. HUBERT H. HUMPHREY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HUMPHREY: I have enjoyed reading your article in the Parade magazine entitled "Why We Must Win the Olympics," and I persue carefully your presentations in the CONGRESSIONAL RECORD. Your leadership in the Congress for physical fitness and amateur athletics is a service of far greater value to our country than most people realize. A combination of greatly increased numbers of amateur athletic competitions and physical fitness practices will do more for this great Nation of ours and for the society in which we live than any other government project or even a combination of projects. This can be accomplished for a very small amount of money. I believe the other leaders in the Congress will quickly support a sound plan to help the U.S. amateur athletes do a service for their country.

Mr. Senator, you may know that the Government of Canada appropriated $5 million for physical fitness and amateur athletics for Canadians. This appropriation is administered by special grants for physical fitness projects and amateur athletic competitions conducted by the various governing bodies of amateur sport in Canada. Some practical ground rules in the use of this money are that the governing bodies of each sport on the Olympic and Pan American agenda are allocated a sufficient sum to pay one-half of the expenses of leading amateur contenders to participate in the national championships. Each sports governing body in Canada is also provided with a sufficient amount of money to send a national team to world championships and to selected U.S. championships. This procedure is only a step in the right direction but it has provided a tremendous incentive for the youth of Canada. Today we see Canadian runners like Bruce Kidd and Bill Crothers leading our American champions to the tape.

Mr. Senator, the President of the United States as well as yourself and many other great leaders of our country have been talking about doing something to assure that the United States will remain among the world leaders in amateur athletics including the Olympic games. We have heard the valid statement that amateur athletics is the greatest common denominator of the youth of the world. It has been said that to be second in the Olympic games has a more disastrous effect on our U.S. international image than to be second in the space race. I do believe this is true because international sports is a day by day, year after year activity; whereas the space race only hits the highlights on special occasions.

There has been some thought given to a future master solution to improve the opportunities for physical fitness programs and competitive amateur athletics for our youth. But, Mr. Senator, help is needed now. Our country cannot wait. If our great athletes and the volunteer sports organizations that supervise and conduct amateur athletics are not given the help which they richly deserve, the Russians will reign supreme in the 1964 Olympic games. I submit, Mr. Senator, that you must not wait for a great super organization—a utopia. Right now there are established organizations in the United States in every sport with years of experience who are set up for doing the job. They have been doing it for years on a shoestring. You have a fencing league, a skiing association, a cycling union, and other groups as well as our Amateur Athletic Union which has the responsibility in several sports.

All of these groups have everything but enough money.

In the Athletic Projects Branch of our State Department you already have the vehicle to provide limited help to our sports governing bodies to send U.S. teams into international competition. Our U.S. Olympic executive director can give the Athletic Projects Branch of our State Department the exact number and kind of athlete that will comprise our Olympic team. I believe it imperative that something immediately be done besides talk. I suggest that we emulate to a degree our good neighbor to the north and provide one-half the cost for a limited number of U.S. competitors to participate in national championships. I suggest that you propose funds for national champions in Olympic sports to enter each annual world championship or selected international competition. This procedure greatly enhances the U.S. international image and would provide us with a base of experienced international competitors for our quadrennial Pan American and Olympic games.

Our athletes will do their share. They need assurance that if they work hard and make the necessary personal sacrifices to prepare themselves, they will definitely then have the opportunity to prove themselves in national and world championships. This can be done for less than $500,000 a year. Please don't wait to take the chance of our great country being humiliated in the 1964 Olympics with the idea that after the 1964 games we may have a better plan. Let us do something now to keep us on top in 1964 even as we study for improvements after 1964.

I can assure you that the devoted volunteer workers of the U.S. sports governing bodies will do far more than their part. I well know the personnel of the Amateur Athletic Union of the United States, and also I know from personal experience and contact that the other major sports governing bodies have the same dedicated leadership as the AAU. As an individual educated for the service of my country at West Point, I had always thought that no group of individuals could even come close to the dedication of West Point graduates. I was wrong. The volunteer leaders across the country of our sports-governing bodies belong in the same category. Year after year they give their time, money, and strenuous efforts to help young amateurs in physical fitness and competitive amateur athletic programs. This is done with little or no recognition but with the thought that this is something they can do for our country. They are not waiting "to see what the country can do for them", they are doing what they can every day.

Mr. Senator, the citizens of our great country and our dedicated amateur athletes will do their part. Will you help the Congress to do its part and propose something similar to the help that the Canadian Congress gives its amateur athletes? We need action now—not just more talk of what is needed in the future.

Respectfully,
DONALD F. HULL, *Executive Director.*

A MINIMUM PLAN TO KEEP THE UNITED STATES IN CONTENTION FOR THE 1964 OLYMPIC GAMES

(Enclosure to letter to Senator HUMPHREY)

1. a. Thousands of capable U.S. athletes would train diligently if they had the assurance of some help when they prove themselves to be worthy contenders. A large number of dedicated U.S. amateurs who have the ability to be a winner for the United States in international competition never achieve their potential because they cannot afford to spend their own money to travel to the site of the U.S. championships. Many other U.S. athletes of great potential never even make the effort to train because they know that even if they did their part in preparing themselves, there is no provision for the expenses incident to partcipating in national championships.

b. Clubs, schools, industry and individuals can be motivated to help if there is assurance of some positive assistance. The average cost of transportation, room and meals for a contender to participate in the national championships is $200. If our top contenders could be assured that $100 of this cost was definitely available to assist in their participation in the national championships, local friends and organizations would pitch in and do their share. This counterpart type of assistance would have a healthy result. It would stimulate great interest and increase amateur athletic competitions 100-fold. We should assure the participation of at least two worthy contenders in U.S. national championships for each place on the Olympic team. In other words, if we were authorized to enter three U.S. athletes in an event on the Olympic agenda, we should assist six potential Olympians to the national championship of their event each year. There are about 450 places for U.S. winter and summer Olympic team members. To guarantee that 900 worthy contenders for these positions were provided one-half their expenses to their respective national championship would require $90,000 annually.

2. The U.S. champions in every event on the Olympic agenda should be sent into world championships each year to represent our great country. The average cost to equip U.S. champions with identifying travel and competitive uniforms, transportation, and rooms and meals at the site of the world championships would be approximately $850 per man. An annual expenditure of $382,500 would send our U.S. champions in the 450 positions on the U.S. Olympic teams to world championships where they would not only reflect credit to the United States in such annual competitions, but would provide us with the base of experienced international competitors for our quadrennial Olympic teams. This totals $472,500 annual expenditure for actual athletes expenses. You should perhaps add 10 percent for administrative and managerial costs. This opportunity would motivate so much increased competition among our athletes that the expenditure would be returned 100 times in value. For this small amount in 1963 and 1964 this country can be assured of first-class representation in world competition, in the 1963 pan-American games, and the Olympic games of 1964.

3. The U.S. State Department already has its Athletic Projects Branch as an agency whereby these funds could be dispensed to the respective sports-governing bodies for the use of the athletes as indicated. A special appropriation for the above amount should be immediately made available through the State Department to utilize in accordance with the above plan.

4. It must be realized that this action is only a provisional stopgap to carry the United States through the 1964 Olympics. Between now and November 1964, a plan should be developed to do a more thorough job following the 1964 games. It is time that we in the United States stop making excuses as the athletes of other nations defeat—not our best, but the few who can afford to compete. We should not make the unproven claims that foreign countries fully subsidize their athletes. If the Government, industry, and the people of the United States would give our athletes the recognition and provide the opportunities that are provided in other nations, our great U.S. amateur athletes would surpass any nation and excuses would not be necessary. Plans for the future should be big to match the size of the hearts of our great competitors and the image of our great country. The $5 million that Canada appropriated could well be made available by our Government annually. Industry and individual contributors should duplicate this or more. With an annual plan of sizable appropriations beginning in 1965 we can maintain U.S. supremacy in amateur athletics without fear of any of the challenges with which we are faced. However, if we do not do something now even to the small degree indicated in paragraphs 1 and 2 above, we may be so far behind in 1964 that we can never catch up.

AMATEUR ATHLETIC UNION OF THE UNITED STATES, OFFICE OF EXECUTIVE DIRECTOR,
New York, N.Y., March 17, 1963.

Hon. HUBERT H. HUMPHREY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HUMPHREY: Thank you for your nice letter of March 7 and your kind remarks therein. I would always do everything humanly possible for amateur athletics. I sincerely believe that participation in amateur athletics is most important to the welfare of the Nation. I am further convinced that our standing in the international sports arena is very important to our world prestige.

Your observation concerning objection to the idea of the direct financing of our Olympic effort is absolutely right. The U.S. Olympic Committee will have to mobilize strong private support to finance our team's entry into the Pan-American and Olympic games. I believe that the American public will answer their call.

However, the suggestions that I have proposed to you in no way duplicate the U.S. Olympic effort but will enhance the U.S. national and international sports picture in the period between the Olympic games. This will indirectly strengthen our Olympic team and could prevent us from being humiliated by the Russians in Tokyo in 1964. I do not suggest any major new sports legislation. My suggestion is to take whatever action may be necessary to increase the State Department's very modest program by approximately $500,000 this year and next year for the specific purpose listed.

Believe me, sir, the governments of Japan, Russia, Italy, Canada and many others are providing millions to their amateur sports' governing bodies to improve the health of their nation and to prepare for a first-class effort in the 1964 Olympics. I would not want our great country to be left behind. I believe that our youth, our present leaders and the heritage of our forefathers deserve no less an opportunity.

I should make myself available for any study or discussion that you suggest as U.S. amateur athletes deserve concrete assurance now that the leaders of the country are behind them.

Sincerely,

DONALD F. HULL,
Executive Director.

EXCERPTS OF LETTER OF MAY 16, 1963, OF THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

The members of our executive committee and council are listed on this letterhead and in session, April 24–27, 1963, they unanimously voted to oppose Federal financial aid for the purposes of subsidizing the administration or conduct of amateur athletics in the United States. The reasons set forth by the executive committee and council follow:

1. Historically and traditionally our country has maintained a separation of sports and government.

2. Private enterprise and initiative are available to finance amateur sports; Federal subsidy will dampen and deter this vital and all-important element.

3. The U.S. Olympic Committee traditionally has opposed Federal financial assistance and, in recent years, specifically asked that a bill be withdrawn which would have granted Federal aid to the Olympic movement.

4. The MacArthur plan has been deemed a satisfactory solution to the current unrest in track and field until after the 1964 Olympic games; the introduction of the question of government-in-sports might well raise other issues which would disrupt the current peace achieved by General MacArthur.

The record of the contribution made by NCAA member institutions to amateur athletics in this Nation is unmistakably clear. I speak of the construction and maintenance of facilities; the development and the employment of coaches; research for the advancement of training and coaching techniques; the management of local, conference, regional, and national meets and tournaments for the development of the most highly skilled competitors; and the training and qualification of many of our finest athletes for international competition, including the Olympic games.

WALTER BYERS,
Executive Director.

WHITE COUNTY
DEPARTMENT OF EDUCATION,
Searcy, Ark., April 18, 1963.

Hon. HUBERT H. HUMPHREY,
U.S. Senate, Washington, D.C.

MY DEAR SENATOR HUMPHREY: You will probably be interested in two clippings which reflect the impact in this section of your Parade magazine article (Jan. 6, 1963), entitled "Why We Must Win the Olympics."

The tear sheet from the White County girls' basketball tournament program booklet contains an editorial concerned with some of the problems and questions your article raised. The clipping is from the April 18 issue of the Arkansas Gazette, and gives further evidence of our recognition of the truth contained in your Parade story.

We greatly appreciate your interest in this very important situation.

Yours very truly,

W. E. ORR,
County Supervisor.

[From the Arkansas Gazette]

EDITORIAL

The January 6, 1963, issue of Parade magazine carried an article by HUBERT H. HUMPHREY, U.S. Senator from Minnesota, entitled "Why We Must Win the Olympics." The Senator had the word "must" underlined.

Senator HUMPHREY's two lead paragraphs read as follows:

"The Russians are feverishly building toward what they expect to be a major cold war victory in 1964: a massive triumph in the Tokyo Olympics. They plan not only to beat us, but do it decisively, while the whole world watches.

"You may ask what the Olympics have to do with international politics. Make no mistake about it, the relentless struggle between freedom and communism embraces almost every level of life from spacemen to sprinters. Because the Russians understand this, they have converted the once-idealistic Olympic games into an idealogical battlefield."

Senator HUMPHREY goes on to give some concrete advice as to how the prospects for the United States can be improved. We are particularly interested in point No. 6: "We should encourage our girls and young women to participate in sports. They have been taking a drubbing in the Olympics from Soviet women."

The Senator's phrase "taking a drubbing" is putting it mildly. They have been taking an unmerciful beating—and the women's events count in the total scores. It hasn't even stopped with the last Olympics. Recently a Russian girls' basketball team invaded the United States to play some of our best clubs. They won every game. Even Wayland College and other AAU standouts were smothered.

Once Arkansas was a leader in girls' sports. Our AAU basketball sextets won national championships. Every school had a sextet and every county had a girls' track meet.

Now, at a time when it is important to our world prestige, we give up girls' track entirely and our girls' teams become fewer and fewer.

We believe the Senator from Minnesota has given us a definite goal, one far more to the point than much of our anti-communistic mounting. This is a thing we can do, and the ball might as well start rolling right here in White County as any other place in the country.

W. E. ORR.

[From the White County girls basketball program]

WHITE COUNTY SCHOOLS REVIVE GIRLS' TRACK

WEST POINT, April 17.—White County, long a girls' basketball stronghold, will stage its first girls' track meet since 1951, here Friday. Seven squads have announced their intention of participating. Both junior and senior divisions will be sponsored.

Those in charge of the meet say that their decision to revive girls' track is an outgrowth of the concern over the poor showing made by United States women during recent years in the Olympic games.

EMMET JOHN HUGHES AND "THE FRENCH RECIPE FOR FOLLY": HOW TO SPIKE THE WHEELS OF U.S. FOREIGN RELATIONS

Mr. HUMPHREY. Mr. President, under the unhappy title of "The French Recipe for Folly," the noted writer Emmet John Hughes has just written an article which demonstrates the power of the press—for better or for worse—in international affairs. Mr. Hughes' essay appears in the current issue of Newsweek. It is a gratuitous, and unfortunate slap at a great nation which is one of our strongest allies and partners. According to Mr. Waverley Root, the article has accomplished the miracle of rallying the French press wholeheartedly behind the regime of Gen. Charles de Gaulle. Why? Because in the words of the normally anti-Gaullist Combat, Mr. Hughes' article not only "attacks General de Gaulle most violently but, what is worse, France."

Mr. President, I deplore this kind of journalism. I am saddened and depressed by the whole climate of Franco-American relations as it is portrayed in the American press. Nothing could be less helpful, in my opinion, than the kind of reporting which feels it has to pit President Kennedy in a personal duel against General de Gaulle or which magnifies out of proportion every tactical difference between French and American policies. As one American citizen who entertains an abiding respect for France and the French Government, I want to register my protest against the arguments of Mr. Hughes. I do not wonder that his article rallied the French newspapers behind their national leader. I share their dismay over words which have dealt a setback to transatlantic partnership. Let us hope that diplomacy can repair the damage caused by journalistic petulance.

It is inconceivable, Mr. President, that the Newsweek article represents the consensus of American thinking about France or French leadership in Europe. Not long ago I was asked by Mr. Jean-Jacques Servan-Schreiber, the distinguished publisher of L'Express in Paris, to answer a number of questions concerning France, Europe, and the prospective course of world affairs. In my replies I took a position which differs both in tone and content from Mr. Hughes' article. A substantial portion of my answers appeared in L'Express of June 27. I ask unanimous consent that the full text of my replies be printed at this point in the RECORD. It would be most encouraging to feel that my position, rather than that of Mr. Hughes, was closer to the thought of most Americans.

There being no objection, the text of the replies was ordered to be printed in the RECORD, as follows:

ANSWERS TO M. SERVAN-SCHREIBER, L'EXPRESS, PARIS, BY HUBERT H. HUMPHREY

Question. What do you expect from France in the next 10 years?

Answer. I expect France to reassert her leadership in world affairs. She has already asserted it in the postwar economic and technical renaissance of Europe. Her political genius, which has survived all domestic and foreign difficulties, is indispensable to the development of a modern democratic society. Through her ideals of liberty, equality, and fraternity, revolutionary France changed the face of autocratic Europe in the 18th and 19th centuries. We, too, profited from the best in the French revolutionary heritage. In the same way I expect that the republican idealism of modern France will leave its imprint on every corner of the world.

In the postwar era, Europe experienced the unifying influences of men like Monnet and Schuman. France was the fountainhead of the movement toward European unity—unity in both the economic and political dimensions. France made unforgettable contributions to European reconstruction after the most damaging war in human history. Throughout the 1950's, however, the prestige of France declined. Internal confusion at home was one of the products of incessant warfare in the Far East and North Africa. General de Gaulle made his outstanding contribution by ending the Algerian war and grappling effectively with economic and political instability at home. Some of his positive achievements, however, have been partially offset by a resurgence of French nationalism, an apparent reluctance to embrace supranationalism in Europe, and a marked coolness toward the existing organization of NATO.

But now France has caught her breath and regained her strength. She has an opportunity to devote this newfound strength to the political union of Europe, to the consolidation of the Atlantic Community, to the development of a strong and free democracy at home, and to an open and constructive attitude toward the underdeveloped world. As a friend and admirer of France, without whose help our own country could not have gained her independence, I cherish the hope that she will match her economic and technical progress by creative political leadership in the international sphere.

Question. What in your view will be the principal difference between the last decade and the next?

Answer. The Second World War left a world dominated by two great powers: the United States and the Soviet Union. The decade of the 1950's saw the gradual diffusion of two-power control. The next decade will be characterized, I believe, by a plurality of power centers. For instance, I see no prospect of an early rapprochement between Moscow and Peiping. The "monolithic unity" of the Communist bloc is an archaic myth to which no one even bothers to pay lipservice any more. As colonial issues recede in importance, the uncommitted nations will respond more and more to divergent national and regional interests. In the more developed world, a revived Europe will come into its own as an equal partner of the United States. The challenge to democratic statesmanship will be to show that the fundamental unity of the democratic nations will be strengthened, rather than weakened, by the broadening of independent strength in the West.

There is no question that the next decade must see a rise in the standard of living of the underdeveloped areas. France, Europe, and North America have an unprecedented opportunity to expand the distribution of goods and services throughout the world. The 1960's must become the worldwide "decade of development" which President Kennedy called for in his historic address to the United Nations. Without a fundamental improvement in trade relationships, the decade of development may never get off the ground. Such an improvement must be our common goal in the years ahead.

Question. In what domain do you think that France will have an essential role to play in this next decade?

Answer. The answer to this question will depend on the kind of France we have. My hope would be that France will promote the movement toward a united Europe which will live in intimate political and economic partnership with the United States, the Western Hemisphere, and other democratic nations. I would hope that France will continue its splendid record of assistance to the new nations of Africa and that it will make an increasing contribution to the success of the Alliance for Progress in Latin America.

Question. Should a united Europe be the top priority, or is another task more urgent?

Answer. The creation of a united Europe is certainly a matter of top priority, but a united Europe cannot exist in a vacuum. If the dream of European unity is to have meaning, a united Europe must have fruitful relationships with the rest of the world—especially with the United States and the awakening nations of Asia, Africa, and Latin America. This is an essential element of Europe's resumption of international leadership, and it is essential to the emerging nations in their struggle to compete successfully and peacefully in the 20th century. So I would hope that the new Europe will be outward looking, not inward looking, and that it will struggle to meet the problems and needs of the presently underdeveloped areas. I wish to emphasize this point because Europe, in many instances, understands the concerns of its former colonies far better than does the United States. That is why the European contribution to our joint efforts for world betterment is of such transcendant importance in the years ahead. I believe the task can be performed more effectively by a United Europe than by a Europe whose powers are dissipated by superfluous nationalism.

Question. Do you think that France can influence the policies of the U.S.S.R. and of the United States of America and, if so, how?

Answer. As a general proposition, the best way for a nation to exert influence is to advocate ideas and policies which offer the promise of solving problems and meeting needs. France is in a unique position to perform this task. She is a large and dynamic nation. Her proposals command instant attention in the world. Since there is no major problem involving the United States and the U.S.S.R. which does not at the same time involve the interests of France, I cannot conceive of any movement in these areas which would not be significantly influenced by France's position.

History is a helpful, if not infallible, guide. Throughout modern history the French Nation has had an extraordinarily close relationship with Russia and Eastern Europe. I recall that Czar Alexander III, of Russia, the most powerful despot of his time, once stood bareheaded while a band played the "Marseillaise." This was part of the price he paid for the Franco-Russian alliance prior to World War I.

Is it too much to hope that France can reassert her special influence in Eastern Europe? I think not. France has demonstrated her renewed vitality. General de Gaulle has shown that he is impervious to the rocket rattling of the Kremlin leadership. He was a staunch ally of the United States during the Cuban crisis of last October. The Communist leaders have reason to respect French influence and to profit from French civilization; by the same token they have no good reason to fear France as they profess to fear West Germany. France, in short, has a continuing opportunity, under General de Gaulle's direction, to play a constructive role in the settlement of East-West differences. His concept of the Soviet Union as a European power with interests peculiar to Europe could be an extremely helpful one in both the economic and political fields.

I for one would welcome France as a partner in the dialog between the United States and the Soviet Union.

Question. Do you think that France will be one of the nations in the next 10 years to invent a system which will be neither capitalist nor Communist and, if so, what will it be?

Answer. I doubt that the word "capitalism" has any clearcut meaning today except through the distorted lenses of Communist dogma. Certainly France today has an economic system which is neither capitalist nor Socialist, let alone Communist. The enlightened French system combines state planning with a wide area reserved for private initiative. This system has been largely responsible for France's dramatic economic progress in the last decade. It has many similarities with the regulated free enterprise which prevails in the United States, but there are important differences as well. I would say that the organization of the French economy reflects your country's age-old experience with centralism. It is organically linked with a tradition that has been passed on from generation to generation since the days of Louis XIV.

In the United States, Franklin Roosevelt and the New Deal created a new form of society which also is neither capitalist in 19th century sense nor Socialist nor in between. It is a sui generis—certain to evolve in the future but equally certain to differ from the French, the European, or the Communist models. I hope for a high degree of cross-fertilization between your country and mine. The experiments of France in democratic planning have supplied the mixed society with new techniques and valuable new tools. With their help, we can build further on the foundations of that mixed society which were developed a generation ago in the agonies of the depression.

Question. What in your view would be the best nuclear policy for France to follow?

Answer. Although I understand the arguments which have led the French Government to develop a national nuclear deterrent, I continue to believe that the policy of separate national deterrents is a tragic mistake. The proliferation of nuclear weapons among a multiplicity of states can only increase the chances of world catastrophe. The development of nuclear weapons and means of delivery consumes vital resources like a ravenous and vicious animal. These resources are needed for the social and economic development of all mankind. It is illusory to argue, as some have argued, that an effective independent nuclear force can be developed cheaply. My hope would be that further experience with nuclear matters—with the monetary, human, and social implications of these terrible weapons—will convince France that the best hope for security and peace lies in a unified Atlantic deterrent.

My own country has made proposals as to the form this unified deterrent might take. I do not argue that these proposals constitute a perfect or final solution. What is needed now is the contribution of the French political mind to the harmonization of the Western nuclear deterrent with the legitimate security requirements of each member of NATO. NATO cannot afford to see its members "go it alone" in the nuclear sphere. Neither can it afford hastily concocted and dubious compromises. I continue to hope that a way can be found which will earn the confidence of our allies and sustain the credibility of the deterrent.

Question. If you were invited to speak to the youth of France, what would you like to tell them?

Answer. I would say that we are all living in one of the most perilous, most exciting, and potentially most creative epochs of human history. I would tell them that, in my judgment, the movement of history is toward a pluralistic and democratic world; that Chairman Khrushchev's dream of a world of "monolithic ideological and political unity," as he put it in his speech of March 8 to the Soviet intellectuals, is both narrow and obsolete; that the forces of pluralism are already so strong that within the Communist empire itself they are shattering the universalism of Communist dogma and Communist discipline; that the future belongs to men who are modern enough to control and develop science and technology, who are strong enough to defend the institutions of the open society, who are mature enough to acknowledge the legitimate diversity of a pluralistic world, who are courageous enough to advance boldly toward the challenges of the future, and who are free enough to think, talk, write, and speak according to the dictates of their intelligence and their conscience. This would be my message to the youthful citizens of a country whose best days are still ahead of it.

Mr. HUMPHREY. In closing, Mr. President, let me repeat something I said in connection with President Kennedy's visit to Germany last month. On June 26, I made the following remarks in this Chamber:

> Mr. President, let us not be juvenile. Let us not sow discord where harmony of purpose should prevail. Let us bring into the open the problems which beset the Atlantic Alliance * * * but let us beware of chipping away the mortar of the world's greatest alliance through sensationalist reporting. In other words, what is needed is a discourse * * * among the leaders of the free world on how best to perfect the Atlantic Alliance and how to make it stronger politically, militarily, economically, and ideologically.

These words still hold, Mr. President. I trust that the opinion molders in this country will emphasize a more positive approach than is exemplified by the Newsweek article. The whole tone of the Franco-American discourse has to be raised several notches before we can anticipate a substantial improvement in this vital aspect of U.S. foreign relations.

The tone of some of the comments which have come from some commentators and political officers in the Republic of France also need a much more affirmative and positive tone than they have had to date. It is the only way I can see in which we can improve the situation and come to a better understanding between our two great countries.

FOREIGN AID—INADEQUATE EXECUTION OF MANSFIELD AMENDMENT

Mr. MORSE. Mr. President, the third subject I wish to discuss this afternoon, during my daily comment on my opposition to the foreign-aid bill in its present form—although I hope it will be possible to vote for a suitable foreign-aid bill when the measure comes to the floor of the Senate—is the inadequate execution of the Mansfield amendment. It is only out of my desire to continue to make a record of suggestions for improving the bill that I make these daily speeches.

It should be evident from my remarks about the foreign-aid bill over the past weeks that I no longer have any belief in the tinkering, trimming approach to the fat boy. Clearly, the time has passed for the plastic surgery which used to help blur the unlovely contours of the awkward creature. Surgery of a more drastic nature is obviously required.

Today I want to give another concrete reason for my loss of faith in the ability of the executive branch to recast its anachronistic foreign-aid structure.

Senators know that we who are members of the Foreign Relations Committee have made many attempts to compel the executive branch to recast the foreign-aid program into a manageable one, with specific goals and objectives. We have tried to promote an examination of basic philosophical premises about foreign aid, and indeed, to find out whether such fundamental tenets actually exist. Prominent among such efforts has been the Mansfield amendment.

The distinguished senior Senator from Montana [Mr. MANSFIELD], our majority leader, in 1959 took the fine initiative of securing the acceptance of section 503(c) in the Mutual Security Act of 1954, as amended. This section directed the executive branch to present concrete plans for reducing and terminating bilateral grants of economic aid in the defense support and special assistance categories.

For those who have lost their way in our decade-long game of semantics, I should note that these categories have since joined together under the title of supporting assistance; when the latter is combined with military aid the two are entitled strategic assistance. Perhaps I should also say that a ginkgo blossom "by any other name would smell as sweet."

Now just where do we stand 4 years after the notable initiative of our respected majority leader? I fear the answer is: In pretty much the same old place.

CHANGES SINCE 1960

Both reports delivered in response to section 503(c) are depressing reading, and I shall spare Senators the pain and boredom of having to hear lengthy quotations from the unclassified version. Suffice it to say that much of the latter is devoted to a pedestrian defense of grant aid—although the Mansfield amendment contemplated no such evasion in directing that a specific plan be made for ending that aid in recipient countries.

Thus we read, for example, that:

> Against this background, the overall purposes of the defense support and special assistance programs are sound. * * * To reduce or end the requirements for grant aid by altering or abandoning the goals of such aid is a conceivable but not an acceptable approach.

In other words, it is all right for Congress to have conceptions, but the executive branch in its majesty and wisdom does not have to pay any attention to them.

The mistake we made in the Mansfield amendment was putting in the words, "insofar as practicable," when we asked that specific plans be worked out for ending supporting grants.

In a blaze of honesty, the unclassified report of 1960 revealed that the Agency for International Development had no real intention of eliminating the defense support aid to the five countries which received about 75 percent of that aid in 1960. It comes as something of a shock, therefore, to discover that two of the five are not receiving supporting assistance today. But I beg Senators to withhold their tears for the plight of those two countries—there are many other categories of assistance, and our two friends together are scheduled to receive a total approaching half a billion dollars in the coming fiscal year, not including the Public Law 480 program.

I wish I could name the two countries. But the aid they are currently receiving is designated "top secret." It is classified material. However, in this classified material we have the story of the subterfuge in the foreign aid bill. The fact remains that those two countries will continue to get about half a billion dollars in the coming year, not including Public Law 480 funds. Thus we see that the Mansfield amendment was ineffective in reducing aid to these two countries.

After virtually excluding 75 percent of the economic grant program from serious consideration, the executive branch report of 1960 grudgingly saw a possibility of ending grant aid over a 5-year period in 10 countries receiving something over half the remaining 25 percent. Here there has been some progress: nine were on the list for this aid in fiscal 1962; this year only four are getting these grants. I think there is some reason gratefully to ascribe this progress to the change of administrations downtown.

Next, we turn to the list of eight countries which the executive branch considered as being subject to reductions. And we find that five of the eight are still firmly entrenched in the supporting assistance category. In short, we were not promised much in 1960, and we have not gotten much reduction today.

As for the remaining small grant programs, the executive branch scarcely bothered to think about specific reductions. Despite its unwillingness to contemplate change, changes did occur, and six of nine listed areas are not now on the supporting assistance list. On the other hand, new candidates have appeared to vitiate the meaning of this development. Indeed, the executive branch unclassified report forecast this in noting:

> Moreover, new needs for grant aid are likely to arise. The grant method of economic assistance * * * has been an essential instrument of foreign policy and, in an uncertain world, promises to remain so.

We were thus told that foreign aid administrators expect to give grant aid as long as the world situation remains uncertain. Under such circumstances, the American taxpayer might start looking to the Almighty for relief, since he would be unlikely to get it on this earth.

I do not want to minimize the importance of the Mansfield amendment. Without it, I daresay we would have made no progress at all. And we have made some, but small, progress.

On the face of it, we seem to have reduced the total of that assistance quite substantially. In fiscal year 1960 the actual appropriation for defense support and special assistance totaled $940 million. In contrast, the appropriation for supporting assistance in fiscal year 1963 mounted to only $395 million. That looks like real, if slow, progress.

CONGRESS MUST GO FURTHER

But stop a moment and consider the end result. By the time the executive branch completed its normal mystifications—including recoveries, carryovers, transfers, and uses of contingency funds—the total for supporting assistance in the fiscal year 1963 had risen to roughly $550 million. Moreover, the request for this supporting assistance category for the forthcoming fiscal year has gone up to $435 million. The bookkeepers give and they take away in a dazzling display of paperwork.

But when the foreign aid bill is analyzed, the incontrovertible fact remains that the administration is not carrying out the spirit and the intent of the Mansfield amendment. I answer again today the question that is often put to me: "Senator, where would you cut?" I would cut here. In my judgment, this proposal for the assistance program should be cut drastically in the bill.

The central question is, Where are we heading? My answer is that we do not really know. To the degree that supporting assistance has declined in amounts, we have turned to the categories of development grants and loans to fill up the kitty. The latter category appears to fulfill the desire of the Congress and the American people for a program of recoverable loans. Yet all indications are that the loans in time will turn out to be grants.

Meanwhile, the token interest charges—three quarters of 1 percent that Congress charged on many loans of ten years, during which the recipient country has not paid a single red cent—almost uniformly less than the cost of the money to us—do little to satisfy my concern over the direction the program is taking.

Mr. President, I frankly doubt that the present means of distinguishing categories in the foreign aid bill amount to very much at all. The bill reminds me of a half-inflated balloon: we squeeze one spot, and another bulge appears. I am inclined to believe the time has come to apply the needle to the balloon, to collapse it, and to build a better structure with better materials.

Our experience with foreign aid makes it overwhelmingly clear that the executive branch bureaucrats will always perform marvels in evading the intent of Congress so long as they are given any latitude whatsoever to do so. Four years have passed since the Mansfield amendment, and we still find ourselves being asked to authorize close to a half a billion dollars of a kind of aid we had every right to believe would have disappeared entirely by now. I submit that the time seems to have come for the Congress to flex its flabby muscles and create the kind of program it believes the President should carry out.

Mr. President, on Friday, I shall discuss what I believe we should do after the collapse of the balloon. I think we should start all over in the foreign aid program, and should grant foreign aid only on the basis of merit and only on the basis of a procedure which will protect the American taxpayers, for under this bill they are being taken for a ride, and the time has come to stop the runaway.

TRANSMISSION AND DISPOSITION OF ELECTRIC ENERGY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of Calendar No. 238, Senate bill 851.

The PRESIDING OFFICER. Is there objection?

There being no objection, the bill (S. 851) to amend the act authorizing the transmission and disposition by the Secretary of the Interior of electric energy generated at Falcon Dam on the Rio Grande to authorize the Secretary of the Interior to also market power generated at Amistad Dam on the Rio Grande was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of June 18, 1954 (68 Stat. 255), be amended as follows:

(a) In the first sentence of section 1 change the phrase "Falcon Dam, an international storage reservoir project" to read "Falcon Dam and Amistad Dam, international storage reservoir projects", and change the word "project", the second place it appears, to read "projects".

(b) In the second sentence of section 1 change the word "project" to read "projects".

(c) In the fourth sentence of section 1 of said Act, strike the balance of the sentence beginning with the phrase "in order to make the power and energy generated at said project" and substitute: "for the integration of the Falcon and Amistad projects and in order to make the power and energy generated at said projects available in wholesale quantities for sale on fair and reasonable terms and conditions to facilities owned by the Federal Government, public bodies, cooperatives, and privately owned companies."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 257), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to authorize the Secretary of the Interior to dispose of the power to be generated at the Amistad Dam as he now does with Falcon Dam power. It further authorizes the construction of the necessary transmission lines to integrate the transmission of the two projects for a more effective operation.

The bill was submitted and recommended by the Secretary of the Interior.

The Amistad Dam was authorized for construction and operation by the International Boundary and Water Commission on July 7, 1960. The construction schedule calls for completion of the dam and the first two units of the powerplant early in 1968. These two units will have a generating capacity of 32,000 kilowatts. When all five units are completed the ultimate generating capacity will be 80,000 kilowatts.

In the interest of efficient operation and disposition of the generation of these two projects and in order to give the Bureau of

Reclamation ample time to contract for the disposition of the power, the committee recommends the enactment of S. 851.

ADDITIONAL FACILITIES FOR RESEARCH AT STATE AGRICULTURAL EXPERIMENT STATIONS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside, and that the Senate proceed to the consideration of Calendar No. 268, House bill 40.

The PRESIDING OFFICER. Is there objection?

There being no objection, the bill (H.R. 40) to assist the States to provide additional facilities for research at the State agricultural experiment stations was considered, ordered to a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 288), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

SHORT EXPLANATION

This bill provides for the appropriation of funds to be apportioned among the States for the construction of research facilities at State agricultural experiment stations. Use of Hatch Act funds for such construction is now authorized by section 4 of that act; but only very limited use of such authority has been made, partly because such funds are available only on an annual basis and States have been unable to accumulate sufficient funds for major capital outlays. Grants under the bill would be available for 3 years.

Grant funds would be apportioned under the act to States—

(1) One-third equally among the States;

(2) One-third on the basis of rural population; and

(3) One-third on the basis of farm population.

All Federal grants would have to be matched by at least equal sums from non-Federal sources.

HEARINGS

In 1962 hearings were held on H.R. 12712, which is identical to H.R. 40, by the subcommittee in charge of this legislation. Favorable testimony was presented on behalf of the Department of Agriculture and the experiment station section of the legislative committee of the Association of State Universities and Land-Grant Colleges. There was no opposition to the bill.

CONSIDERATION BY HOUSE COMMITTEE ON AGRICULTURE AND DEPARTMENTAL APPROVAL

Attached are excerpts from the report of the House Committee on Agriculture (H. Rept. 271, 88th Cong.) further discussing the need for this legislation.

NEED

A very substantial part of the tremendous progress which has, in the past few decades, made American agriculture the most efficient in the world, is due to the research work which has been carried out jointly by the U.S. Department of Agriculture and the various States in the State agricultural experiment stations. Since 1887, when the Hatch Act was enacted, this work has been carried out cooperatively between the States and the Federal Government, with State funds at least matching the funds made available by the Federal Government. A very large part of the Department's agricultural research is conducted in these State experiment stations.

Since this cooperative research program has been in operation for more than 70 years, and most of the experiment stations were established early in the program, many of the buildings, laboratories, and other facilities are far from modern. Many of them, constructed primarily for research in agricultural production, are not suitable for research in the utilization of agricultural commodities, for the basic research increasingly necessary to develop new uses, nor for employment of the advanced techniques, equipment, and methods which have become available in recent years.

In 1955, Congress recognized the urgent need to improve and modernize the physical facilities of the State experiment stations and amended the Hatch Act (7 U.S.C. 361d) to authorize the use of funds appropriated thereunder "for the purchase and rental of land and the construction, acquisition, alteration, or repair of buildings necessary for conducting research."

For several reasons this authority has not been used. Traditionally, Hatch Act funds have been used almost exclusively for research operations and not for facilities. There is no requirement in the existing law of approval of facility construction in advance by the Secretary in order to avoid duplication or unnecessary expenditures. There is no authority in the existing law for funds allotted to a State to be carried over from one fiscal year to another, making construction of a major facility with matching funds virtually impossible. For these reasons, among others, the Department of Agriculture has not requested nor has the Congress appropriated any funds specifically for the purpose of research facility construction and improvement, although Congress has clearly recognized the need for such a program.

This bill will provide the specific authorization and guidelines for cooperative Federal-State action in bringing about much needed modernization and improvement of the physical facilities for research at the State experiment stations.

ORDER FOR ADJOURNMENT UNTIL NOON TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its session today, it adjourn to meet at 12 o'clock noon, tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

CIGARETTE ADVERTISING

Mrs. NEUBERGER. Mr. President, yesterday, in response to the torrent of critical commentary and in anticipation of the forthcoming report of the Surgeon General's Advisory Committee on Smoking, senior representatives of the six major cigarette manufacturers met under the aegis of the Tobacco Institute, reportedly to institute far-reaching reforms of industry-advertising behavior.

At approximately 3:30 p.m. yesterday afternoon, George V. Allen, president of the Tobacco Institute, emerged from this historic conference to issue a statement.

I regret to report that the tobacco industry lion labored and brought forth a mouse.

The statement read as follows:

I wish to restate and reaffirm the Tobacco Institute's position that smoking is a custom for adults and that it is not the intent of the industry to promote or encourage smoking among youth.

Because there has been some misunderstanding and criticism of the industry on this point, the institute has offered the following suggestions, applicable to cigarette advertising in all media for the attention of its members:

(1) Cigarette advertisements should be characterized by good judgment and good taste.

(2) In keeping with the position of the industry that smoking is a custom for adults, cigarette advertisements should not give a contrary impression.

(3) Persons featured in advertising should be, and should appear to be adults.

(4) Television and radio programs and other media whose intent is directed particularly to youthful audiences should not be sponsored or used.

(5) Good judgment in program content rather than arbitrary restriction of sponsorship to certain hours of the listening or viewing day, should be the determining factor.

It will be recalled that on June 19, I stated that a number of individual companies of the institute had decided to discontinue college advertising and promotional activities.

The details of implementing the institute's suggestions are of course matters for the decision of individual companies. The institute itself does not monitor or regulate the advertising of its members.

Mr. President, it is certainly a remarkable occasion when the leaders of six great American corporations convene in Washington—not to consider smoking as a health hazard, for no word suggesting health or the absence thereof intrudes upon the face of the statement—but simply to preserve inviolate a cherished national custom: adult smoking.

What broad code of self-regulation does the Tobacco Institute adopt to achieve this end? The individual exercise of "good judgment and good taste." None of us, I am sure, oppose the revolutionary application to cigarette advertising of "good judgment and good taste." I am, unhappily, confident, however, that each company's concept of taste will be governed by its own economic interest.

Let me cite an example: Several months ago I addressed to President Robert E. Kintner, of the National Broadcasting Co., a letter in support of the courageous attack by former Florida Governor, Leroy F. Collins, now president of the National Association of Broadcasters, upon tobacco advertising aimed at young people.

Mr. Kintner's reply to my letter was, in part, as follows:

So far as the commercials themselves are concerned, they neither appear in programs designed specifically for children, nor in our judgment do they make special appeals to children. On the contrary, the typical approach of these commercials, we believe, is general in theme and competitive in direction, depicting the pleasure of smoking and emphasizing the particular virtues of the advertised brand. We do not regard the appearance of sports figures in cigarette commercials—the only specific Governor Collins mentioned—as representing a special appeal to children, any more than their appearance in commercials for various other products, such as hair lotion; these personalities are universally popular figures throughout the population, particularly with men, and it seems to us that their use in commercials is

> normal and proper. We would ourselves reject tobacco commercials that we felt were designed to appeal directly and specifically to children, but there has been no need to do so, since no such commercials have been proposed to us, nor do we think they are likely to be.

Surely, Mr. Kintner's standards of judgment and taste are no more debased than those of his cigarette advertisers. I, therefore, conclude that under the standards set forth by George Allen there will be no change whatsoever in the form or content of cigarette advertising. And I am reinforced in this conclusion by Mr. Allen's promise that the matter of advertising reform should be left entirely to "the decision of individual companies."

What was the purpose of this much-heralded convention of tobacco men? What did they hope to accomplish by this pallid pronouncement? I suspect that it was motivated by a desire to head off Government regulation by providing a show of industry responsibility. Instead, it was a vivid demonstration of the paralysis of industry responsibility.

It was, in addition, an ostrich-like action. The American law courts are moving inexorably toward cigarette manufacturer liability to lung cancer victims, and it is not at all unlikely that the only course open to the industry, if it is to avoid a torrent of future successful lawsuits, is to issue frequent and appropriate warnings to its customers.

More than that, it is apparent to virtually all nonindustry observers that radical changes must be forthcoming in the marketing of cigarettes if cigarette sales are to be permitted to continue.

We do not expect an industry to preside at its own dissolution, but we expect realistic answers to fundamental challenges.

Mr. President, for 13 years the tobacco industry has defaulted its responsibilities. If any further yardstick of the industry's incapacity to order its own house was needed, it was furnished by yesterday's exercise in futility.

RAILROAD LABOR DISPUTE

Mr. HUMPHREY. Mr. President, earlier today the distinguished senior Senator from Oregon [Mr. MORSE] delivered a very thoughtful and constructive address on the current situation pertaining to the labor-management dispute on the American railroads. As one other Senator who is deeply concerned about the problem, I add only a few words. Both management and labor—in the present instance, the carriers and the railroad brotherhoods—are on the verge of jeopardizing a long-established policy of negotiation and collective bargaining under the Railway Labor Act which provides for responsible voluntary action within the law. I cannot believe that management and the brotherhoods desire compulsory arbitration, thereby permitting Government to impose its will without the voluntary acceptance of the interested parties, nor can I believe that management would desire to see the Government of the United States engage in taking over the properties under an act of law to prevent a national emergency.

Mr. President, I hope that these great forces in our political, economic, and social life in relation to management and labor will soberly reflect upon the situation that is before us. The issue that is now being discussed and debated has been before the parties for almost 4 years. It is more than an economic issue. It reprecents jobs, but it also represents the impact of automation upon an industry or an area of our economy. In a very graphic manner it poses a problem of what we should do to protect individuals, their job rights, and their job opportunities when automation or a technological change and development may very well adversely affect the employment opportunities and rights of the individual.

Regrettably, we as a country and American industry and American labor as factors or sectors in our economy have not fully faced up to the challenge of automation. I am sure that one of the great needs today is for a White House conference, for lack of a better description, on the economic and social impact of technological change and automation upon industry, the employees or workers, and the national economy. Such a conference is long overdue. Possibly the current situation may precipitate more thoughtful consideration of the overall long-range aspects of the implications of automation and technology upon the American economic system.

I urge upon those who have the responsibility for the negotiations that they take a careful look at what might happen if a strike situation develops and the public welfare of our Nation is threatened. Management—the carriers—have a responsibility which goes far beyond merely accepting the recommendations of presidential boards and commissions. We are dealing with human beings. We are dealing with localized situations. We are dealing with a great national industry, the transportation industry. We are also coming to grips at the present time with patterns of labor-management relations that have been established for a half century or a century.

Therefore great tolerance, a sense of accommodation and adjustment to human needs is required on the part of management, and management needs clearly to understand that. Likewise the workers must understand that there have been changes that have come about in the railroad industry and other aspects of transportation. Those changes cannot be ignored.

It is inconceivable to me that men who are capable of organizing a great transportation industry, organizing workers and managing the railroads—the greatest railroad system in the world—should find themselves incapable of negotiating the differences that now exist between the carriers and the brotherhoods. I hope that they do not feel that there is more wisdom on questions of intricate industrial and human relations problems in the Congress than there is in the private sector of the economy. Therefore I would strongly urge that the workers, the brotherhoods in the present instance, fine, long-established, highly respected organizations of railroad workers, recognize the pitfalls that can be found in seizure.

If seizure of the railroads should be authorized by law, it could well mean that the Government of the United States would be placed in a situation of compelling men to work against their will and of imposing rules and regulations by edict or fiat.

Seizure is no answer for the workers. Seizure is surely no answer for industry.

We believe in respect for private property, but private property must also have respect for human rights.

I have said to those who have come to see me, "If this dispute is forced into these Chambers for settlement, you are opening up a Pandora's box of trouble for both industry and labor."

The American system is on trial, and we must prove to ourselves and to the world that responsible management and responsible trade unionism—in this instance responsible carriers with tremendous investments in vast facilities and responsible brotherhoods with hundreds of thousands of members—can bring to bear upon a complex economic as well as technological problem their will and their intelligence. We must prove we can make the necessary adjustments and compromises through negotiation, conciliation, and collective bargaining to bring about a sensible settlement.

I refuse to believe that the Congress of the United States knows more about operating railroads and about labor-management relations within the railroad industry than the managers, the carriers, and the workers.

I have the feeling that both sides in this dispute think they will get a better deal from the Congress. But both sides cannot get a better deal.

I have the feeling that the carriers think compulsory arbitration may be imposed upon the workers. I remind the carriers that compulsory arbitration also would apply to them. While compulsory arbitration may well satisfy in this particular instance and in this particular dispute, it would establish a precedent which could literally erode away and corrode the very base of collective bargaining.

I remind the workers, in this instance the brotherhoods, that if they are looking to the Government to seize the railroads and thereby to have a benevolent and friendly Government do for the workers what management was unwilling to do, they may very well be sowing the seeds of destruction of their trade unions, of their brotherhoods. These words have been expressed privately in conference.

I appeal now for good sense and good judgment, because the American people will not stand to have this Nation paralyzed by a transportation tieup.

I remind workers and industry that compulsory arbitration could lead to the elimination of all free collective bargaining in key industries. It is not only the railroads which are involved in this dispute. While some people would like to confine the dispute to its narrow limits, I say that every act of Congress establishes a precedent for another act.

Perhaps we shall be forced to make these tough decisions. If we are, we shall have to remain here to do the best we can.

I remind the American people and the participants in the disputes that hurried or quick action on a subject as meaningful, as involved, as far reaching as seizure and compulsory arbitration will not take place here in Congress. There will be no quick action, because there are men in this body and in the other body of the Congress who feel strongly on these matters.

If the situation comes to a strike—if the dispute should end up with the carriers imposing new rules and the railroad brotherhoods refusing to work—there will of course be only one alternative, that is, to come to the Congress for new powers. If the dispute is brought here for a quick and final resolution, I say, "You are being misled. Do not expect such a quick and final solution." There are men of strong feelings and conviction on these issues. They will demand to be heard.

More importantly, for those who feel that the Congress has a unique wisdom in these matters, I say also, "take another look at the problem."

Mr. President, I have not read the news clipping which has just been handed to me, but I have been aware of the fact that there have been consultations going on at the White House this afternoon. Some of us were there earlier today.

At 4 o'clock this afternoon labor and management met with the President. I am hopeful that the proposal which the President put before the labor-management group was accepted. It was a proposal, as I understand it, which included a special committee of labor, management, and Government to investigate into the facts of this situation once again, and to report to the President and the Congress. In the meantime, the carriers would withhold the imposition of new rules and the brotherhoods would restrain from refusing to work.

Now let us see what this news clipping says:

> President Kennedy announced late today that rail unions and management had accepted a new proposal that would prevent a railroad strike until at least July 29.

I am delighted. I cannot say how happy this news makes me.

Earlier today—at about 3 o'clock—I was in consultation with the Secretary of Labor. I had hoped that somehow or other this might come about. I met with some of the railroad brotherhood representatives this afternoon. After these meetings, it seemed to me that good sense could prevail. I am most gratified that it did.

The date has been postponed at least to July 29. This will give the American people, the executive branch, the Congress, management, and the brotherhoods an opportunity to take a sober and serious look at the implications of a breakdown in collective bargaining—a breakdown that the country cannot afford in terms of its economic growth, a breakdown the country cannot afford in terms of national security and national well being.

I think my remarks are rather timely. If I recall what we were discussing earlier—and I may have to stand corrected, since this is a very brief note I have just read from the newsticker—it was a committee of not less than six representing Government, management, and labor, to be called upon by the President to reexamine all the facets of this dispute and to report to the President and the Congress.

That committee would consist, I believe, of the Secretary of Labor, the Secretary of Commerce, the President of the American Federation of Labor–CIO, and one of the officers of one of the brotherhoods, probably Mr. Harrison, of the railroad telegraphers, and two members of management. This comes from the Labor-Management advisory panel to our Government.

Mr. President, I hope that is the situation. These details may be found to be inaccurate, because we have been consulting all day long, as have the Senator from Oregon [Mr. MORSE], the majority leader, the Senator from Alabama, and other Senators and Members of the House of Representatives.

My voice calls out for reason. I remember when the distinguished former majority leader, and now Vice President, LYNDON JOHNSON, used to say from this very seat, in the words of the prophet Isaiah, "Come, let us reason together."

If there ever was a time to use these words of the great prophet and teacher, it is now.

Let the carriers, management, and labor understand that we have come to grips now, for the first time on a national basis, with the impact of automation, technological improvement, and advancement, and that what is happening in the railroads can happen in a dozen or more major industries.

It is not easy for men at age 50, or age 40, to see a machine or device or electronic instrument take their jobs. Is it any wonder that they are concerned? Is it any wonder that workers almost lost the capacity to "Come, let us reason together"? So in the days ahead perhaps we not only may look at this dispute, which has, of course priority, but also prepare a way for looking at other disputes which may come before us.

I have just been handed a ticker tape which states that the Chief Executive has named six members of the Labor-Management Advisory Committee to investigate the dispute and, it states here, to report by July 22. The report will be transmitted with appropriate legislative recommendations by President Kennedy to Congress. The President said the postponement of work rules changes by the railroads would be the last request by the administration in the 4-year-old dispute.

There is a finality here, Mr. President. The date is July 22. This represents a 12-day period from now. Within that period of time some solution will have to be found.

I think those of us who have been in conference on this matter have proven that collective wisdom has advantages, if not collective wisdom, at least collective consultation. Now let us hope that the special committee of the labor-management advisory group to the President will be able to bring some light and some sense of vision to the carriers and to the brotherhoods. We must not sacrifice something we have been very proud of in America, our capacity to reconcile our differences voluntarily, without the imposition of Government dictation. Here is a chance to prove whether or not the firm pattern of labor-management negotiations we have followed over many years is right and sound, or whether we are going to have to forego it because men in responsible positions are unable to adjust their differences, and thereby fall back upon a Department of Government, or an officer of Government, to make their decisions for them.

I hope every lover of, and believer in, free enterprise will examine his own conscience and speak out. It would be much better for the carriers in this instance to make certain concessions to the requirements and the needs of human beings, who need jobs, and whose jobs are at stake, than for management or the carriers to rely upon the Government. Once again, in the words of the prophet Isaiah, "Come, let us reason together." For reason and good-will are the principal weapons that will ultimately resolve this 4-year dispute.

The capriciousness of final decision by political officers in economic matters such as these ought to be fully realized, and I believe it will be.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, July 10, 1963, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 292. An act for the relief of Yoo Chul Soo;

S. 312. An act for the relief of Danusoa Radochonski;

S. 380. An act to amend the Act of June 29, 1960 (Private Law 86–354);

S. 409. An act for the relief of Yeng Burdick;

S. 504. An act for the relief of Domenico Martino;

S. 535. An act to extend the principles of equitable adjudication to sales under the Alaska Public Sale Act;

S. 581. An act to amend the Agricultural Adjustment Act of 1938 to extend for two additional years the provisions permitting the lease of tobacco acreage allotments;

S. 686. An act for the relief of Millie Gail Mesa;

S. 735. An act for the relief of Peter Hopeton Maylor;

S. 762. An act to provide for increased wheat acreage allotments in the Tulelake area of California;

S. 787. An act for the relief of Zofia Miecielica;

S. 866. An act for the relief of Enrico Petrucci;

S. 969. An act to provide medical care for certain Coast and Geodetic Survey retired ships' officers and crew members and their dependents, and for other purposes;

S. 1031. An act to repeal the Inland Waterways Corporation Act; and

S.J. Res. 60. Joint resolution providing for acceptance by the United States of America an instrument for the amendment of the constitution of the International Labor Organization.

ADJOURNMENT

Mr. HUMPHREY. Mr. President, if there is no further business to come before the Senate, I now move, in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock tomorrow.

The motion was agreed to; and (at 4 o'clock and 36 minutes p.m.), under the previous order, the Senate adjourned until tomorrow, Thursday, July 11, 1963, at 12 o'clock meridian.

EXTENSIONS OF REMARKS

Civil Rights: Peaceful Change or Social Revolution?

EXTENSION OF REMARKS

OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1963

Mr. ST. ONGE. Mr. Speaker, under leave to extend my remarks, I wish to insert into the RECORD the text of an address I delivered last Friday, July 5, 1963, at an installation of officers meeting of Local 614, Boilermakers Union, New London, Conn. My remarks were devoted primarily to a discussion of the civil rights problems, and my views in dealing with this problem.

The address was as follows:

CIVIL RIGHTS: PEACEFUL CHANGE OR SOCIAL REVOLUTION?

(Address by Congressman WILLIAM L. ST. ONGE, of Connecticut, before the Boilermakers Union, Local 614, Friday, July 5, 1963, St. Bernard's High School, New London, Conn.)

If any of you think you have problems, I suggest that you consider for a moment the difficulties with which we are faced in Washington, problems on the international scene involving world peace and the security of our Nation, and problems at home which are no less serious. We have a difficult unemployment problem, inadequate housing, an economy that is held back by an outmoded tax structure, substandard educational facilities in many areas, rising hospital costs that worry our 18 million elderly citizens who need the security of medical care, water pollution and air pollution, and many others. But the most difficult of all problems with which we are confronted now is civil rights. I shall come back to that subject in a moment.

We cannot close our eyes and say these problems don't exist. We cannot ignore them and wish they would somehow disappear. We must meet them—and I think we are making sincere efforts to deal with them.

Our Government is making basic efforts to cut into the hard core of unemployment which, as you well know, now totals around 4 million persons. Already our economy is picking up, and I am hopeful that before very long we shall succeed in reducing the number of unemployed.

I would like to see early passage of a tax reduction bill in Congress which should be a great boon to our economy. It will encourage consumers to create new markets. It will encourage business to expand. All of this should help create more jobs.

I would like to see Congress approve the medicare bill to provide a program of health insurance under social security for our senior citizens. They are for the most part people of limited income, severely pressed by the high cost of living and the high cost of medical care. We must help them maintain a decent and dignified way of life in their declining years.

I would like to see the adoption of legislation to eliminate the classroom shortage in our schools, to pay our teachers more adequate salaries, to assist our colleges in accommodating the growing number of students, and to boost the number of doctors and dentists to provide better health care for our population.

I would like to see the continuation and expansion of our programs which make it possible for more people to own homes, for elderly people to have decent housing, for employees who are displaced by automation to be retrained for other skills, for workers to have a higher minimum wage, for areas eroded by poverty to receive help in rebuilding their economies, for a concentrated attack on air and water pollution, for protection of the American public against harmful drugs, and other programs of direct benefit to the people.

We must recognize that times change. We must also recognize that new problems will raise new challenges, and that new challenges demand new solutions. This great Nation of ours has been characterized throughout its history by its ability to adjust to changes and to meet whatever challenge arises. I am confident that we still have that ability.

Right now we are faced with a tremendous challenge in the field of civil rights. We cannot ignore the fact that we are in the throes of a great social change, some even refer to it as a social revolution.

Just 100 years ago, in 1863, Abraham Lincoln issued his Emancipation Proclamation assuring freedom and equality to all Americans. Now, a century later, some of our citizens are still deprived of these rights. In the South, as well as in other parts of the country, we have seen evidence in recent months of the impatience of the Negro people who are the victims of discrimination and racism. This impatience is expressed in the form of demonstrations, sitins, protests, appeals. As yet it has been of a nonviolent character, with a few exceptions. Let us hope it will remain so, for it will indeed be a dark and sad day for America if impatience gives way to riots and bloodshed.

Negro leaders themselves are showing signs of becoming seriously concerned over such developments. Only a few days ago, James Farmer, the national director of CORE—Congress of Racial Equality—one of the leading Negro organizations in the country, stated at the annual convention of the organization: "No one can stop the demonstrations. The question is: Can we keep them orderly and nonviolent?"

This is a matter to which Negro leaders should give much thought. Demonstrations can sometimes get out of control, and the consequences would then be most tragic for all concerned, Negro and white. Not only could it lead to loss of life and destruction of property, but it would alienate the sympathy of millions of white people throughout the country who support civil rights; it would bring much harm to the very cause for which Negroes are fighting and would set that cause back; and it would do irreparable harm to our Nation's prestige abroad. These are factors which should be seriously considered by Negro leaders in their efforts to keep the demonstrations from becoming destructive and violent. This is a responsibility which they must assume.

At the same time, the white people must realize that the Negro is tired of excuses and endless debates. He is alarmed, and even angry at times, when he sees that 100 years after the Emancipation Proclamation he is still far from obtaining rights of citizenship. He is still struggling for elemental justice, for the right to vote, the right to give his children an education, the right to decent housing, and equal opportunities for advancement in employment. White people, too, must assume their share of responsibility under such circumstances by showing understanding, by avoiding provocation, and by cooperating in the effort to attain civil rights for all Americans.

Let me make one point clear, however. We must recognize the right of Negroes for equal opportunities for obtaining a job, an education, proper housing, and so forth. Denying this right to them is indefensible. But granting a man a job merely because he is a Negro is also indefensible. Merit and ability should be the determining factors, and not the color of a man's skin, or his religious beliefs, or his national origin. All that we ask—and I am sure all that the Negroes themselves ask—is that they be given an equal opportunity, that the same yardstick that is applied to whites in employment, housing, education, public accommodations, and the like, should also be applied to them. That is a fair and just request.

At all levels of Government, Federal, State, county and municipal, we must work to find a peaceful solution to this problem which is without a doubt the overriding moral issue of our day. Americans must realize that the time for excuses and explanations has passed, and that the time for action is here. We must reexamine our sense of moral values and moral objectives. We cannot afford in good conscience to let the struggle of the Negro for true emancipation take place within a nation that seems to have forgotten its own moral values. President Kennedy, in his recent program to Congress on civil rights, has outlined the guidelines for a solution to this problem. Failure to accept this program will weaken the fabric of our Nation at a crucial time in human events when we need our full strength to cope with other domestic and international problems.

As I reflect over the struggle for civil rights, the thought comes to mind: Why this intolerance in this great country of ours toward the member of a minority group, toward the person who belongs to a different race or faith? Did we not all contribute of our brain and brawn to make the United States what it is today? Do we not all seek the security of our country, the welfare of our Nation? I think of the children born in our country today, who in their formative years know neither prejudice nor hatred of their playmates. They are given by Almighty God inalienable rights of freedom and equality, which neither man nor law can take away from them or deny to them.

A nation that lives up to these rights and provides all of its citizens with the opportunity to enjoy them, is a happy and prosperous nation. A civilization or society that assumes the responsibility that what is granted to one will be granted to all, should have no fear that it cannot survive the onslaught of communism. It cannot be vanquished because its people have something to live by and to fight for.

To me, it stands to reason that in this crucial era for all of humanity this is certainly a time for all men of good will to unite, to set aside their petty bickering, to rise above partisan and geographical lines, and to go forward together in their efforts to achieve security and peace. Unfortunately, the civil rights issue serves to divide us, to weaken us, to arouse sectional strife, and to detract our attention from the real problems and dangers facing our country today. This is exactly what Khrushchev and his comrades in Moscow want—division in our ranks, chaos in our land, and our attention diverted to other matters, while they go about gobbling up nation after nation until we are ready to fall prey to their schemes. We fail to treat a deadly cancer, but worry over a cut on our finger.

This is a time that calls for balanced minds and clear vision to understand the human values behind the struggle for civil rights. It must be clearly understood that second-class citizenship for any segment of our population is no longer feasible or desirable. We have outlived those concepts. The world will no longer tolerate them. If there are any among us who doubt it, I urge you to look at developments in Asia and Africa where many new and independent nations have recently arisen. Just as colonialism is a thing of the past, so discrimination and second-class citizenship status are things of the past.

The sooner we realize this, the better for us. The longer we cling to outmoded concepts, the more we stand to lose.

It was one of your great labor leaders, Samuel Gompers, the founder and first president of the American Federation of Labor, who said:

"America is not merely a name. It is not merely a land. It is not merely a country, nor is it merely a continent. America is a symbol; it is an ideal; the hopes of the world can be expressed in the ideal—America."

That has been true all through our history. That is the image in which mankind has always regarded our Nation—the symbol, the ideal, the hope of humanity. The story of America over the past two centuries is the story of a growing and expanding nation where new opportunities have been opened up to more and more of its citizens, so that they can participate as equal partners in a free society—free also from discrimination. Instead of freedom from discrimination, some sections of our citizenry are suffering from an infection of discrimination which is sapping our strength, stunting our economic growth, and destroying our national unity.

Consider, for example, what discrimination in housing is doing to our cities, the decay it is causing both in human lives and in property. In a book by Howard Moody, called "The City: Metropolis or New Jerusalem?" published just a few months ago—we read as follows:

"A city is dying when it has an eye for real estate value, but has lost its heart for personal values; when it has an understanding of traffic flow, but little concern about the flow of human beings; when we have increasing competence in building, but less and less time for housing and ethical codes; when human values are absent at the heart of the city's decisionmaking, planning, and the execution of its plans * * * then the city dies and all that is left, humanly, is decay."

Unfortunately, this is the situation in many of our cities today, large and small, where Negroes and others are subject to discrimination in housing and to other indignities. I am opposed to such practices. I am opposed to treating Americans as second-class citizens by denying them basic rights enjoyed by all others. We must not recognize any caste system in the United States or the supremacy of one race over another. Such practices can never be justified in the light of our moral and democratic principles, because there is no moral justification for racial or religious discrimination.

This country is comprised of people from all corners of the earth, all races, religions, and nationality groups. All of them have made important contributions toward the growth of our country and the shaping of its destiny. To abuse our civil rights, to continue discriminatory practices against our fellow citizens, is most injurious to our way of life and to everything that this Nation has stood for and fought for in the last 2 centuries. It is intolerable at all times, it is morally wrong under any circumstances.

Somewhere recently I came across these lines by an American poet:

"Give us wide walls to build our temple of liberty, O God.
The North shall be built of love, to stand against the winds of fate;
The South of tolerance, that we may, in building, outreach hate;
The East our faith, that rises clear and new each day;
The West our hope, that even dies a glorious way.
The threshold 'neath our feet will be humility;
The roof—the very sky itself—infinity.
God, give us wide walls to build this great temple of American liberty."

My friends, for the sake of our great Nation and its future, we must build with love and tolerance; with faith in our country that it will remain the ideal and the hope of mankind, as visualized by Samuel Gompers; and with the firm belief in human brotherhood, freedom, and true understanding among the nations of the world. We cannot be wrong if we are on the side of God and man.

Arms Control and Disarmament Act Needs Larger Authorization

EXTENSION OF REMARKS

OF

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1963

Mr. FRASER. Mr. Speaker, I am introducing a bill to amend the Arms Control and Disarmament Act in order to increase the authorization for appropriations.

Several identical bills are pending before the Foreign Affairs Committee, as is the bill recently passed by the Senate. The Senate bill is not as favorable to the Arms Control and Disarmament Agency as some of us had hoped. The Agency intends to ask for an appropriation of $15 million for fiscal 1964, and the Senate bill set a ceiling of $20 million for 1964, and 1965 combined.

The year-and-a-half-old Agency has been the voice of the United States at the Geneva nuclear test ban talks, and the 18 nation disarmament conference. Subjects of its research include detection of underground explosions, the future effect of arms control on the electronics industry in the United States, and the development of international law.

The Agency's work will back up Under-Secretary of State Averell Harriman, in his talks with the British, and Russians in Moscow, starting July 15.

It has been argued that the Agency is still young, and that its growth should be slow. I do not think we can afford this leisure. If we are to find workable plans of arms control and disarmament, and if our negotiators are to be equipped to bargain in such a way as to increase our national security, we need a tremendous amount of research.

Fifteen million dollars a year is a tiny amount compared to our total defense expenditures, and yet the work of the Arms Control and Disarmament Agency is one of the most important parts of our defense program.

Beyond the question of dollar amounts, the Agency has asked for an elimination of the appropriation ceiling. The appropriations process would still take place each year, with a thorough review of the Agency's activities. This ceiling elimination would take away any doubt that the Agency's status is permanent, and would therefore be an important expression of this country's intention to persist in seeking carefully considered arms agreements.

Address by Hon. Carl Albert, of Oklahoma, Before the 50th National Convention of the National Rivers and Harbors Congress

EXTENSION OF REMARKS

OF

HON. JOHN W. McCORMACK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1963

Mr. McCORMACK. Mr. Speaker, in my extension of remarks, I include a very informative and effective speech made by the majority leader, the distinguished gentleman from Oklahoma [Mr. ALBERT], to the delegates and members attending the 50th National Convention of the National Rivers and Harbors Congress that took place at the Mayflower Hotel in Washington, D.C., on June 7, 1963. There is no more dedicated Member of Congress in all fields of legislative activity than the distinguished majority leader.

The address follows:

ADDRESS BY HON. CARL ALBERT OF OKLAHOMA

Mr. President, and ladies and gentlemen of the National Rivers and Harbors Congress, first of all, I would like to bring a word of greeting from my colleagues in the House of Representatives all of whom are aware of the importance of the leadership which this organization has given to the development of our natural resources and particularly our water resources. Second, I would like to advise that the distinguished Speaker of the House of Representatives, the Honorable JOHN MCCORMACK, would personally have been here to extend a word of greeting and to deliver an address which he had prepared had it not been for illness in his family which required his return to Boston last night. All the Members of the Congress are aware of the impact which the work of this great organization has had upon the development of this country, because it has been during the lifetime of this organization that water conservation and resource conservation generally has become an important and ever-increasingly important fact in American life.

Today the impetus to proceed as quickly as we can with the development of our rivers and harbors in all aspects is proceeding. This means flood control, navigation, improved harbors, power, soil conservation, recreation, and wildlife. All these things, of course, add to the strength and to the opportunities of our American people. I congratulate, personally, this organization upon its work, upon the quality and character of its membership which reaches to every section of the United States and includes among its numbers high-ranking officials of government, State, National and local, and leaders in every walk of life.

In Oklahoma, we have become, as few other States, I think, water conscious. This has been due to several things. First, to the realization that we cannot any longer rely upon a tenant-farmer agricultural economy. Second, to the great leadership that the late Senator Kerr gave to this movement in our State and to the Nation. Bob Kerr, when he died, had reached a position of eminence in Government shared by few other men, in many areas, but the one which was nearest and dearest to his heart was that of the development of water resources, and it is largely because of the impact of his life that the great strides are being made now in my State and in my section of the country.

I am personally devoted to the ideals of this organization. I extend my thanks to you, as a Member of Congress, and my best wishes to you for this conference and for a successful year ahead. Thank you very much.

The Challenge To Our Nation's Defense Today

EXTENSION OF REMARKS

OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1963

Mr. ST. ONGE. Mr. Speaker, under leave to extend my remarks, I wish to insert into the RECORD the text of an address which I delivered at the annual eastern regional convention of Submarine Veterans of World War II on Saturday evening, June 29, 1963. Several hundred delegates representing posts in States from Maine to Florida attended the convention which was held in New London, Conn., in my district. In my address I discussed two subjects: the role of the submariner in our national defense, and the challenge to our Nation's defense today.

It reads as follows:

ADDRESS BY CONGRESSMAN WILLIAM L. ST. ONGE, AT THE EASTERN REGIONAL CONVENTION, SUBMARINE VETERANS OF WORLD WAR II, MOHICAN HOTEL, NEW LONDON, CONN., SATURDAY, JUNE 29, 1963

Mr. Chairman, delegates to the convention, friends, I am extremely pleased to be here with you this evening and to extend a hearty welcome to all of you. I understand there are delegates here from Maine all the way down to Florida. As the Congressman from this district, I want to tell you that you could not have picked a nicer place for your convention at this time of the year than this fair city of New London. We are very happy to have you.

In my remarks here today I want to discuss with you two subjects. One, the role of the submariner in our national defense. Two, the challenge to our Nation's defense today. I shall be brief on both of these subjects.

During World War I, submarines were used primarily for defensive purposes, such as coastal patrol, attacks on German U-boats to keep shipping lanes open, etc. Although the First World War demonstrated the strategic effectiveness of the submarine, the United States did not start a major submarine building program until 1933 when the Roosevelt administration came into power. By December 1941—at the time of the Japanese attack on Pearl Harbor—we had 111 submarines in commission and 73 under construction. We had 51 active boats in the Pacific, against 83 submarines in the Japanese fleet.

The first attack by an American submarine against a Japanese ship was by the *Swordfish* in the South China Sea on December 9—2 days after Pearl Harbor. While it was never verified the *Swordfish* hit its target, our first real success came 5 days later when the same *Swordfish* sank an enemy ship. In fact, this was the first time in history that an American submarine torpedoed a ship.

During the first year of the war in the Pacific our small but growing fleet of submarines carried out many special missions, such as reconnaissance, evacuation of civilians, running supplies, and transporting commando raiders. No doubt some of you folks present here today participated in such missions.

Only eight of our boats were on full-time anti-shipping duty; consequently, we had only limited success in sinking enemy ships. In that first year our boats sank 600,000 tons of enemy shipping—which is a considerable amount—but the total Japanese merchant fleet was estimated at over 6 million tons. As our submarine fleet grew larger, Japanese shipping losses also grew larger and reached a critical stage. Our submarines turned their attention also on Japanese warships, particularly destroyers, a chief enemy of submarines.

It is a fact that more enemy destroyers were sunk by our submarines than by any other means. In all, we know that American submarines destroyed two-thirds of the enemy merchant fleet and one-third of his navy. Let me say at this point, in tribute to the gallant men in our submarine service during World War II, that theirs was an extremely hazardous service with a death rate of about one out of every five men. This is the kind of bravery and heroism for which our Nation is eternally grateful—and in this spirit of appreciation I salute you today.

In World War II we used the submarine in much the same manner as it was used by the Germans in World War I; namely, to cripple the enemy's lifelines on the seas. Since the end of World War II the role of the submarine has changed. Great developments have taken place in submarine technology. There has also been a change in the potential threat in the development of a large Soviet submarine fleet. This has resulted in an effort to make the submarine an important aspect of anti-submarine warfare. The change or reorientation of our submarine mission began in 1949, when we first realized that the Soviet Union is vastly increasing its submarine fleet and that it constitutes a potential threat to our naval power and sea communications around the world.

That change has been going forward since then. I am sure I am not disclosing any secrets when I tell you that every attack submarine in our Navy today has anti-submarine warfare as a primary mission. These are mainly nuclear-powered ships; they are fast; they are maneuverable; and they have new advanced underwater sensing devices.

There is another role performed by the submarine—a role unheard of even in 1949, less than 15 years ago. I refer to the role of the submarine as a sea-based strategic missile system. The latest in submarine technology, combined with the most advanced missile development, produced the Polaris-firing nuclear-powered fleet ballistic missile submarine. We now have 12 such submarines in commission, and 23 under construction or authorized for construction—a total of 35 of these submarines. May I add that these figures were given me by the Navy Department and they are not classified. Thus you can see that we are gradually building up the most formidable offensive second-strike deterrent weapons in existence.

And these is another change to be noted here—a change that is no less important. I refer to the life and the role of the submariner today which has also changed greatly. Although there is the same informality among the officers and men, the same esprit de corps as in the past, living conditions have improved and the technical demands on the crew are much higher. Being constantly submerged for 60 days is the standard patrol of the Polaris submarines. The old submarines designed in the 1920's and used in World War II could stay submerged under the most favorable conditions for 24 hours. They were noisy, poorly ventilated, cramped for space, and always in need of repair. On modern submarines space is still at a premium, but much more attention has been given to comfort and surroundings, and the air is purer.

Even though it is peacetime and underwater patrols are much longer than before, we have more men who volunteer for submarine service than we can accept. The training is much more rigorous today. The enlisted man on the ballistic missile submarine requires about 6 months duty both ashore and at sea before he can attain qualification status. The officer requires a whole year. Engineering personnel get an additional 13 months of schooling. These men are highly trained technicians in a perpetual training process to master their jobs and the ever-changing equipment.

There must be something to a service which can arouse so much interest and devotion, so much loyalty and heroism, both in time of war and in time of peace, as the submarine service. You men who have been in it, and those who followed you, deserve recognition for the sacrifice and the patriotism you have demonstrated. Yours is not the patriotism of merely marching behind a band or lighting fireworks one day in the year. It is much more than that. It is the very defense of the flag and the Nation, of which you are a part; it is the spirit of the people who unselfishly devoted themselves to the cause of freedom. Your patriotism is the love for your country, the respect for its traditions, the honor of its people. Your patriotism was standing tall and unafraid against all enemies, ready to sacrifice oneself, if need be.

So much for the role of the submarine and submariner. Now, let us turn to our second topic, the challenge to our Nation's defenses today.

Several days ago, we passed in the House of Representatives the defense appropriation bill which provided $47 billion for our Nation's defenses in the coming year. I must admit that when my name was called and I voted "yea" for the bill, I felt a certain degree of excitement. After all, I am voting to spend a tremendous amount of the taxpayers' money. This is no small sum—$47 billion is just about half of the country's entire budget. And that in itself shows you how much of our expenditures is used for defense purposes. This is one need where we cannot and dare not economize, because the security of the Nation is most important to us all.

This is the legislation which enables the United States to maintain its position of military superiority over the Soviet Union. I can assure you that the military strength of the United States has reached an all time high—it is greater today than ever before. True, military strength in itself will not necessarily insure peace, but insofar as such strength can serve to avert and deter war, our country has what it takes. And that should be an encouraging factor to all of us here and to peace-loving people all over the world.

The primary object of our defense program is to deter war and to support all efforts for peace. There will undoubtedly be small-scale, limited wars, and perhaps even somewhat larger general wars in one part of the world or another. This is something we must learn to live with in the modern world. We cannot rule them out, but we can and definitely will exert every effort to make sure that they do not spread into a new world conflagration. Both sides are keenly aware that a global war would mean suicide for the whole human race. While both have developed weapons of total destruction, we pray that reason will prevail and the world will remain at peace.

But we cannot afford to sit idly back and to wait for events to take shape, and then merely react to them. We cannot close our eyes to the deception, the conspiracies and the subversion practiced by communism all over the world, including 90 miles from our shores in Cuba. In the light of such Communist tactics and activities everywhere, we must ask ourselves: Is the world any calmer today than it was a year or two ago? Is there less chance for Communist aggression against the free world today? I don't think so. I do not believe that they have changed their aims one iota—they are still out to conquer the world. They may differ on tactics, but the goal remains the same.

This is the challenge that we, as a Nation, face today on a global scale. In dealing with this challenge, we have begun to reorient our strategy and our tactics during the past two and a half years under the Kennedy administration, so as to correspond with the hard facts of international developments. We are doing it in three ways, or perhaps more correctly on three fronts.

First is our atomic power. We must continue to rely on nuclear weapons, even if it is for the purpose of convincing a would-be aggressor that he could not emerge victorious in a war of his own instigation. We do not want any miscalculation in this respect. Any potential adversary of the United States should know that we have such weapons, that we have them in large supply, and that we are keeping them up to date. We want the rest of the world to know, however, that we will not use our atomic power, except in certain emergencies and under certain circumstances. We shall use such power only as a last resort, after all human logic and reason will have been exhausted or flagrantly ignored by a cocky aggressor.

Second is our conventional power. We must retain this power. Although conventional weapons play a less dominant role in the modern world, we cannot allow such power to diminish. On the contrary, we are continuing to strengthen our conventional weapons and to increase our Ready Reserve of trained manpower. If we do not have this power, we may someday be faced with a nightmarish choice: Either resort to the use of all-out nuclear retaliation, or retreat. I hope we are never confronted with such a choice.

The growth in our conventional strength is also important for the small-scale, sagebrush wars which break out from time to time in various countries at the instigation of the Communists. We cannot, nor do we wish to, use nuclear weapons in such instances. For many of the smaller nations associated with us in the struggle against international communism, the fact that we are increasing our conventional forces should be encouraging news. It will assure effective support in dealing with Communist subversion, provocation, and conspiracies.

Third is the power provided by our guerrilla forces. These forces are not only growing in number and steadily improving their counterinsurgency tactics, but I can tell you that this is becoming a most important factor in our defense picture. In the last 2 years the United States has tripled its antiguerrilla forces, and I can assure you that they will be further increased in the coming years. This, too, is an effort in the direction of preventing or confining limited wars and acts of subversion, and as such it will help strengthen and improve the military defense of our friends abroad in accordance with their needs.

These, then, are three fronts on which we are active today in reorienting our military strategy and tactics. These three types of power—atomic, conventional, and guerrilla—provide the leaders of our Nation with a flexibility of decision as to when to use any of these forces, and also which of these forces should be applied to deal with a particular situation or challenge.

We are not a nation to start a war, but we want to be sure that we shall have all possible power needed for any emergency. I feel confident that in a test of strength, we would ultimately prevail and emerge victorious. But this should not stop us from seeking a peaceful solution to international problems and the attainment of genuine peace for all mankind. Deputy Secretary of Defense Roswell L. Gilpatric stated our position very clear when he said about a year ago: "Those who would impose a totalitarian world order and deny men and nations the right to pursue their own destinies should understand one point very clearly. The United States does not seek to resolve disputes by violence. But if forceful interference with our rights and obligations shall lead to violent conflict—as it well might—the United States does not intend to be defeated."

All of us are deeply concerned about the security of our country, the security of the whole free world. We want our Nation to remain strong and free and united in order to be able to meet any challenge or any threat to destroy us. The nations of the world look to us for guidance and leadership in this crucial period of human affairs. We must give it to them. We must provide the strength, the ideas, the unity, and the action in the struggle against communism. We must have faith in our Nation and faith in ourselves. We must have leadership by men of strong faith and vision to look ahead.

"Where there is no vision, the people perish," the Bible tells us. Let us remember that admonition. The future of our Nation is at stake.

I want to conclude with the following by an unknown author:

"I asked God for strength, that I might achieve;
I was made weak, that I might learn humbly to obey.

I asked for health, that I might do greater things;
I was given infirmity, that I might do better things.

I asked for riches, that I might be happy;
I was given poverty, that I might be wise.

I asked for power, that I might have the praise of men;
I was given weakness, that I might feel the need of God.

I asked for all things, that I might enjoy life;
I was given life that I might enjoy all things.

I got nothing that I asked for, but everything I had hoped for;
Almost despite myself, my unspoken prayers were answered.

I am, among all men, most richly blessed."

My friends, we too in this country can truthfully say that our prayers were answered, that among all men and all nations we are most richly blessed. We have been endowed by our Creator with a wonderful people, a beautiful land, great resources, and the best example in all history of a just government by law. Let's make sure that we keep it that way.

Congressional Reorganization

EXTENSION OF REMARKS

OF

HON. ALPHONZO BELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1963

Mr. BELL. Mr. Speaker, continuing reorganization of Government for reasons other than accommodation of power rivals is a necessity in democratic societies. Popular compromise legislation inevitably creates inefficient laws and procedures. Can a democratic government reorganize itself at anything like the speed with which it disorganizes itself? Our future depends on an affirmative answer. To take initiative in this field and to deserve the right to make meaningful demands on the executive and judicial branches, Congress must begin with its own administration. Following is a bibliography which I have obtained from the Library of Congress dealing with books and articles dealing with this subject:

CONGRESSIONAL REORGANIZATION, SELECTED BIBLIOGRAPHY

BOOKS

Acheson, Dean G., "A Citizen Looks at Congress." New York: Harper, 1956. 124 pp. JK 1061 .A64.

American Political Science Association. Committee on Congress. "The Reorganization of Congress." Washington: Public Affairs Press, 1945. 89 pp. JK 1096 .As.

American Political Science Association. Committee on Political Parties. "Toward a More Responsible Two-Party System"; a report. New York: Rinehart, 1950. 99 pp. JK 2265 .A7.

Bailey, Stephen K., and Howard D. Samuel, "Congress at Work." New York: Holt, 1952. 502 pp. JK 1061 .B3.

Burdette, Franklin L., "Filibustering in the Senate." Princeton: Princeton University Press, 1940. 252 pp. JK 1274 .B87.

Burnham, James, "Congress and the American Tradition." Chicago: Regnery, 1959. 363 pp. JK 1061 .B78.

Burns, James MacGregor, "Congress on Trial: The Legislative Process and the Administrative State." New York: Harper, 1949. 224 pp. JK 1061 .B8.

Burns, James MacGregor, "The Deadlock of Democracy; Four-Party Politics in America." Englewood Cliffs, N.J.: Prentice-Hall, 1963. 388 pp. E 183 .B96.

Dangerfield, Royden James, "In Defense of the Senate; A Study in Treatymaking." Norman: University of Oklahoma Press, 1933. 365 pp. JK 1170 .D3.

Galloway, George B., "Congress and Democracy; a Lecture Delivered at the Ohio State University, February 27, 1950" (Walter J. Shepard Foundation lectures).

Galloway, George B., "Congress and Parliament: Their Organization and Operation in the U.S. and the U.K." Washington: National Planning Association, 1955. 105 pp. JK 1021 .G3 (or) HC 101.N352 No. 93.

Galloway, George B., "Congress at the Crossroads." New York: Crowell, 1946. JK 1061 .G3.

Galloway, George B., "Congressional Reorganization Revisited." College Park: Bureau of Governmental Research, University of Maryland, 1956. 26 pp. JK 1061 .G314.

Galloway, George B., "Congressional Reorganization: Unfinished Business." In Earl Latham (Ed.), the philosophy and politics of Woodrow Wilson. Chicago: University of Chicago Press, 1958. pp. 214–27. E 767 .L3.

Galloway, George B., "History of the House of Representatives." New York: Crowell, 1962. 334 pp. JK 1316 .G2.

Galloway, George B., "The Legislative Process in Congress." New York: Crowell, 1953. 689 pp. JK 1061. G32.

Galloway, George B., "Next Steps in Congressional Reform." Urbana: University of Illinois, Institute of Government and Public Affairs, 1952. 32 pp. JK 1061 .G33.

Griffith, Ernest S., "Congress: Its Contemporary Role." 3rd edition New York: New York University Press, 1961. 244 pp. JK 1061 .G7 1961.

Gross, Bertram M., "The Legislative Struggle, a Study in Social Combat." New York: McGraw-Hill, 1953. 472 pp. JK 1096 .G7.

Harris, Joseph P., "The Advice and Consent of the Senate." Berkeley: University of California Press, 1953. 457 pp. JK 1274 .H3.

Hazlitt, Henry, "A New Constitution Now." New York: McGraw-Hill, 1942. 297 pp. JK 268 .H36.

Heubel, Edward J., "Reorganization and Reform of Congressional Investigations, 1945–55." Ann Arbor: University Microfilms, 1956. Microfilm AC–1 no. 15, 930.

Holcombe, Arthur N., "Our More Perfect Union; From Eighteenth-Century Principles To Twentieth-Century Practice." Cambridge: Harvard University Press, 1950. 460 pp. JK 31 .H7.

Horn, Stephen, "The Cabinet and Congress." New York: Columbia University Press, 1960. JK 616 .H6.

Hyneman, Charles S., "Bureaucracy in a Democracy." New York: Harper, 1950. 586 pp. JK 421 .H8.

Jewell, Malcolm E., "Senatorial Politics and Foreign Policy." Lexington: University of Kentucky Press, 1962. 214 pp. E 744 .J4.

Kammerer, Gladys M., "Congressional Committee Staffing Since 1946." Lexington: Bureau of Government Research, University of Kentucky, 1951. 65 pp. JK 1029 .K3.

Kefauver, Estes, and Jack Levin. "A Twentieth-Century Congress." New York: Duell, Sloan & Pearce, 1947. 236 pp. JK 1081 .K4.

Kofmehl, Kenneth T., "Professional Staffs of Congress." West Lafayette, Ind.: Purdue University [Studies: Humanities Series], 1962. 282 pp. JK 1083 .K6.

McNeil, Neil, "Forge of Democracy: The House of Representatives." New York: McKay, 1963. 496 pp. JK 1331 .M2.

Millspaugh, Arthur C., "Toward Efficient Democracy; the Question of Governmental Organization." Washington: Brookings, 1949. 307 pp. JK 271 .M5.

Monroney, A. S. Mike, et al. "The Strengthening of American Political Institutions." Ithaca: Cornell University Press, 1949. 134 pp. JK 271 .S893.

Ogul, Morris S., "Reforming Executive-Legislative Relations in the Conduct of American Foreign Policy: The Executive-Legislative Council as a Proposed Solution." Ann Arbor: University Microfilms, 1958. [Thesis, University of Michigan] 1921.

Kraines, Oscar, "Congress and the Challenge of Big Government." New York: Bookman Associates, 1958. 129 pp. JK 643 .B87K7.

Riddick, Floyd M., "The United States Congress; Organization and Procedure." Manassas, Va.: National Capitol Publishers, 1949. 449 pp. JK 1096 .R54.

Robinson, James A., "Congress and Foreign Policy-Making: A Study in Legislative Influence and Initiative." Homewood, Ill.: Dorsey Press, 1962. 262 pp. JK 1081 .R6.

Truman, David B., "The Governmental Process; Political Interests and Public Opinion." New York: Knopf, 1953. 544 pp. JK 1118 .T7.

U.S. Congress, Senate. Committee on Rules and Administration. "Rules of Procedure for Senate Investigating Committees." Hearings before the Subcommittee on Rules, 83d Cong., 2d sess. 10 parts. Washington: U.S. Government Printing Office, 1954. 10 pts., 663 pp. JK 1274 .A4 1954.

U.S. Congress, Senate. Committee on Rules and Administration. "Rules of Procedure for Senate Investigating Committees." Report of the Committee on Rules and Administration, 84th Cong., 1st sess. Washington: U.S. Government Printing Office, 1955. 43 pp. JK 1274 .A4 1955.

Wallace, Robert A., "Congressional Control of Federal Spending." Detroit: Wayne State University Press, 1960. 188 pp. HJ 2052 .W3.

Willoughby, William F., "Principles of Legislative Organization and Administration." Washington: Brookings Institution, 1934, 657 pp. JK 1061 .W7.

Wilson, H. Hubert, "Congress; Corruption and Compromise." New York: Rinehart, 1951. 337 pp. JK 1061 .W72.

Young, Roland, "The American Congress." New York: Harper, 1958. 333 pp. JK 1061 .Y59.

ARTICLES

Baker, Russell W., "Paralysis on the Hill: The Declining Prestige and Power of Congress Stem From Its Inability and Unwillingness To Meet Its Responsibilities Toward National Issues." Johns Hopkins Magazine, 14: 4–5 plus (January 1963).

Bendiner, Robert, "Just How Bad is Congress"? Commentary 13: 135–41 (February, 1952).

Broughton, Philip S., "Congress is Far From Reorganized." New York Times Magazine. May 18, 1947, p. 7 plus.

Broughton, Philip S., "For a Stronger Congress." New York: Public Affairs Committee, 1946. 32 p.

Carter, Hodding, "Speaking Out: Let's Keep the Filibuster." Saturday Evening Post, 235: 10 plus (June 16, 1962).

Celler, Emanuel, "The Seniority Rule in Congress." Western Political Quarterly, 14, pt. 1: 160–67 (March 1961).

Chamberlain, Lawrence H., "Congress, Diagnosis and Prescription." Political Science Quarterly. 60: 437–45 (September 1945).

Clark, Joseph S., "Hesitant Senate." Atlantic, 209: 55–60 (March 1962). Reply: Barry Goldwater, 209: 36 plus (May 1962).

Congressional Quarterly Almanac (Annual) Washington: Congressional Quarterly Service. 194—Congressional Quarterly Weekly Report. Washington: Congressional Quarterly Service.

"Congressman: For 2 Years, or 4?" Senior Scholastic, 73: 8–9, 28 (September 19, 1958).

Coyle, David Cushman, "Reorganizing Congress." Virginia Quarterly Review, 24: 13–26 (Winter, 1948).

Daniels, Jonathan, "What Truman Would Do To Congress." Colliers, April 14, 1951: pp. 13–15, 54–55.

Drummond, Roscoe, "Speaking Out: Congress Must Reform." Saturday Evening Post, 238: 8 plus (February 9, 1963).

"The Filibuster Debate: Barrier Against Steamrollers," by Lindsay Rogers; "The Public Business Must Go Forward," by Jacob K. Javits. Reporter, 20: 21–25 (January 8, 1959).

Fulbright, J. William, "American Foreign Policy in the 20th Century Under an 18th Century Constitution." Cornell Law Quarterly, (Fall 1961).

Galloway, George B., "The Operation of the Legislative Reorganization Act of 1946." American Policital Science Review, 45: 41–68 (March 1951).

Galloway, George B., "To Break the Congress Long-Jam." New York Times Magazine (July 26, 1953).

Gallup, George H., "Editors for Congress: Single Term Proposed to Attract Outstanding Citizens." National Municipal Review, 47: 210–15 (May 1958).

Goodwin, George Jr., "The Seniority System in Congress." American Political Science Review, 53: 41-36 (June 1959). (Also as Bobbs-Merrill Reprint in the Social Sciences, PS–107.)

Goodwin, George, Jr., "Subcommittees: The Miniature Legislatures of Congress." American Political Science Review, 56: 596–604 (September 1962).

Greenberg, D. S., "Science and Congress: Machinery Is Out of Date for Handling $12 Billion in Research Programs." Science, October 19, 1962, pp. 417–418.

Humphrey, Hubert H., "Modernizing Congress—Pressure Forcing Congress To Consider Modernizing Its Ways for the First Time in 17 Years." American Federationist, 70: 1–4 (April 1963).

Humphrey, Hubert H., "The Senate on Trial." American Political Science Review, 44: 650–660 (September 1950).

Humphrey, Hubert H., "To Move Congress Out of Its Ruts." New York Times Magazine, p. 39 plus, April 7, 1963.

Hyman, Sidney, "Inquiry Into the 'Decline' of Congress," New York Times Magazine, January 3, 1960, pp. 5, 38–41.

"Is Congress Doing Its Job"? With editorial comment. Business Week, 48–57, 92 (January 5, 1963).

Jones, Charles O., "The Role of the Congressional Subcommittee." Midwest Journal of Political Science, 6: 327–44 (November 1962).

Kefauver, Estes, "Congressional Reorganization." Journal of Politics. 9: 96–107 (February 1947).

Kefauver, Estes, "Did We Modernize Congress?" National Municipal Review. 36: 552–57 (November 1947).

Kefauver, Estes, "What's To Be Done About Congress." New York Times Magazine. September 11, 1949; pp. 9–10 plus.

Kennedy, John F., "Congressional Lobbies: A Chronic Problem Reexamined." Georgetown Law Journal 45: 535–67 (Summer, 1957).

Kolodziej, E. A., "Minority Rule as a Rule." New Republic, 148: 8–10 (January 12, 1963).

Kristol, Irving, "Democracy and Babel." "There has not been a 'great debate' on any public question since 1920", not in the mass media, certainly not in Congress, says the author. Columbia University Forum, 3: 15–19 (Fall 1960).

Latest efforts to change U.S. Senate's cloture rule 22. Congressional Digest (entire issue) (December 1958).

"Liberals seek short-cut through Congress." Nation's Business, November, 1962, pp. 36–37, 78.

Lyon, Carl V., and William H. Stamhagen, "Lobbying, Liberty, and the Legislative Process: An Appraisal of the Proposed Legislative Activities Disclosure Act." George Washington Law Review 26: 391–417 (March 1958).

McCartney, J., "Senate Establishment; Concerning Senator CLARK's Remarkable Speech." Nation, 196: 219–21 (March 16, 1963).

MCCLELLAN, JOHN L., "A New Watchdog Agency for Congress." [Tax Foundation] Tax Review, 18: 55–18 (December 1957).

Mantel, Howard N., "The CONGRESSIONAL RECORD: Fact or Fiction of the Legislative Process?" Western Political Quarterly, 12: 981–95 (December 1955).

Morley, Felix, "Deliberate Pace in Congress Safeguards Your Rights." Nation's Business, 51: 27–28 (March 1963).

Morley, Felix, "Too Much Legislative Reform is as Dangerous as Too Little." Nation's Business (July 1962, pp. 25–26).

Needler, Martin, "On the Dangers of Copying From the British." Political Science Quarterly, 77: 379–96 (September 1962).

Neuberger, Richard L., "Who Polices the Policemen (Congress)"? New York Times Magazine, February 23, 1958: 18, 79–80, 82.

Parkins, Ivan W., "Let's Disassemble the House." South Atlantic Quarterly. 59: 226–38 (Spring, 1960).

Partain, Eugene G., "The Use of Broadcast Media in Congressional, Legislative, and Quasi-Judicial Proceedings." Journal of Broadcasting, 4: 123–39 (Spring, 1960).

Perlmutter, O. W., "Acheson vs. Congress." Review of Politics, 22: 5–44 (January 1960).

Riker, William H., "The Paradox of Voting and Congressional Rules for Voting on Amendments." American Political Science Review, 52: 349–66 (June 1958). (Also as Bobbs-Merrill Reprint in the Social Sciences, PS 239).

Robinson, James A., "The Role of the Rules Committee in Arranging the Program of the U.S. House of Representatives." Western Political Quarterly, 12: 653–69 (September 1959). (Also as Bobbs-Merrill Reprint in the Social Sciences, PS 241).

Rogers, Lindsay, and JACOB K. JAVITS, "The Filibuster Debate." Reporter, 20: 21–23 (January 8, 1959).

Schattsschneider, E. E., "Congress in Conflict." Yale Review 41: 181–93 (Winter, 1952).

Scher, Seymour, "Congressional Committee Members as Independent Agency, Overseers: A Case Study." American Political Science Review, 54: 911–20 (December 1960).

Shannon, William V., "Liberal Hopes and Congress Realities." Commentary, 27: 405–12 (May 1959).

Shuman, Howard E., "Senate Rules and the Civil Rights Bill." American Political Science Review, 51: 955–75 (December 1957).

Shuman, Howard E., "What's the Matter With Congress?" New Republic (April 1, 1957, pp. 14–16).

"That 'Streamlined' Congress: One Reform of Our Legislative Machinery Wasn't Enough. So Let's Try Again." (Editorial) Life 23: 30 (July 28, 1947).

Udall, Stewart L., "A Congressman Defends the House." New York Times Magazine, January 12, 1958: 14, 69, 72..

"Uncreative, Negative, Smug; Is This Today's U.S. Congress?" Newsweek, 61: 22–24 (January 28, 1963).

U.S. Senate. Committee on Rules and Administration. Subcommittee on Standing Rules of the Senate. Proposed amendments to the standing rules of the Senate. Hearing, June 16, 1961, on Senate Resolution 9 [and other resolutions] and Senate Resolution 10 and Senate Resolution 14, proposed amendments to the Legislative reorganization act of 1946. Washington: Government Printing Office, 1961. 50 pp. [87th Cong., 1st sess.]

U.S. Senate. Committee on Rules and Administration. Adjournment of Congress: Hearing, August 2, 1961, on Senate Concurrent Resolution 6, providing for annual adjournments of Congress and Senate Concurrent Resolution 16, to establish a date for adjournment of Congress. Washington: Government Printing Office, 1961. 26 pp. [87th Cong., 1st sess.]

Vardys, V. Stanley, "Select committees of the House of representatives—their establishment, constitution, and purposes." Midwest Journal of Political Science, 6: 247–65 (August 1962).

Wallace, Robert A., "Congressional Control of the Budget." Midwest Journal of Political Science, 3: 151–67 (May 1959) (Also as Bobbs-Merrill Reprint in the Social Sciences, PS –293).

"What's wrong with Congress?" U.S. News & World Report. 49: 56–77 (September 12, 1960).

White. Gorning, "To the Rescue of Congress." National Review, 5: 206–07 (March 1, 1958).

White, William S., "In Defense of Congressional Investigations." Harper's, 220: p. 94 plus (April 1960).

Wicker, Tom. "Again That Roadblock in Congress." New York Times Magazine. August 7, 1960. pp. 14, 64, 68–9.

Young, Stephen M., "Washington's Conflict of Interest Mess." Coronet. 46: 76–83 (September 1959).

Mr. Speaker, one of the bills which has my support as part of a long-range congressional reform program is the following bill which is currently being considered in committee:

H.R. 1947

A bill to establish a Commission on the Organization of the Congress

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established a Commission on the Organization of the Congress (hereinafter referred to as the Commission) to be composed of seven Members of the Senate (not more than four of whom shall be members of the majority party) to be appointed by the President of the Senate, seven Members of the House of Representatives (not more than four of whom shall be members of the majority party) to be appointed by the Speaker of the House of Representatives, and two members with distinguished records of interest in public affairs to be appointed by the President of the United States without regard to political affiliation. The Commission shall select a Chairman and a Vice Chairman from among its members. No recommendation shall be made by the Commission except upon a majority vote of the members representing each House, taken separately.

SEC. 2. The Commission shall make a full and complete study of the organization and operation of the Congress of the United States and shall recommend improvements in such organization and operation with a view toward strengthening the Congress, simplifying and expediting its operations, improving its relationships with other branches of the United States Government, and enabling it better to meet its responsibilities under the Constitution. This study shall include, but shall not be limited to, the organization and operation of each House of the Congress; the relationship between the two Houses; the relationships between the Congress and other branches of the Government; the employment and remuneration of officers and employees of the respective Houses and officers and employees of the committees and Members of Congress; the structure of, and the relationships between, the various standing, special, select, and conference committees of the Congress, the rules, parliamentary procedure practices, and/or precedents of either House, the consideration of any matter on the floor of either House, and the consolidations and reorganization of committees and committee jurisdictions.

SEC. 3. (a) The Commission, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the Congress, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable.

(b) The Commission is empowered to appoint and fix the compensation of such experts, consultants, technicians, and clerical and stenographic assistants as it deems necessary and advisable.

(c) The expenses of the Commission which shall not exceed $, shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives, upon vouchers signed by the Chairman.

(d) The Commission shall report from time to time to the Senate and the House of Representatives the results of its study, together with its recommendations, the first report being made not later than four months after the Commission is established. If the Senate, the House of Representatives, or both, are in recess or have adjourned, the report shall be made to the Secretary of the Senate or the Clerk of the House of Representatives, or both, as the case may be. All reports and findings of the Commission shall, when received, be referred to the Committee on Rules and Administration of the Senate and the Committee on Government Operations of the House.

Invitation to Moscow

EXTENSION OF REMARKS
OF

HON. ROMAN C. PUCINSKI

OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 10, 1963

Mr. PUCINSKI. Mr. Speaker, throughout history, the most serious diseases which threatened the lives of the people could not always be diagnosed by physicians. Effective means of preventing the contagion from spreading were often extremely difficult to prescribe.

Much the same danger threatens the freedom and vital interests of the American people today because it is not easily diagnosed and because our common enemy takes many uncommon shapes.

Recognizing the threat to our security, we have stockpiled reserves of nuclear weapons; we have spared no expense in our efforts to be first in the conquest of space and related technology; we have contributed more than $100 billion in aid to 98 countries and territories over the past 15 years to strengthen our barriers against Communist aggression.

And yet, there are many who believe we are no safer or nearer our goal which is the preservation of life in peace and justice for ourselves and all the world.

Why this feeling of uneasiness and insecurity? Because, in our determination not to be the first power to unleash the hurricane winds of nuclear war, many are not always able to recognize the strategy of those who announce openly, "We shall bury you."

There are very few people in the world today who have as thorough a knoweldge of enemy strategy than Zbigniew Stypulkowski, author of an excellent book titled, "Invitation to Moscow" who presently is visiting the United States.

Mr. Stypulkowski, once a prominent lawyer in Warsaw and the youngest Member ever elected to Poland's Parliament, rose to be one of the national leaders of Poland in her fight against the invasions of Hitler and Stalin during World War II. In March 1945, with 15 other members of the Polish underground government, he was invited by Stalin to come to Moscow for negotiations concerning future relations between the Polish people and the Soviets based on the newly signed Yalta Agreement.

When the Western governments learned of this invitation, they urged that it be accepted because they saw in it the salvation of Poland and a token of good will on the part of the Soviet Government. It was all, however, a typical Stalin fraud. The Polish leaders including Mr. Stypulkowski, were kidnapped to Moscow and jailed in the infamous Lubianka prison.

Stypulkowski was submitted to 141 interrogations in the course of 70 days and nights and then sentenced by the Military Collegeum of the Supreme Court of the U.S.S.R. He never broke down and never admitted "guilt." Rudenko, the present Soviet Attorney General, told him at the conclusion of the investigation:

> It will be the first time since the Soviet revolution that a defendant tried in the Supreme Court of Justice of the U.S.S.R. has not pleaded guilty. Do you think you are acting wisely?

Eventually, Stypulkowski regained his freedom and is now in the West. He rendered a great service not only to his country but also to the cause of the defense of the free world when, in 1951, he published his book, "Invitation to Moscow." This book, now translated in many languages, based not on theory but on personal, practical experience gives a masterful description of the nature and the effects of the Stalin brainwashing technique.

"Invitation to Moscow" is now being quoted in scientific, political, sociological and medical literature throughout the world. When it was published in 1951, Newsweek wrote about it as follows:

> Throws an amazingly vivid light upon modern Russia. * * * So enlightening as to be almost essential for an understanding of the modern world.

The noted British statesman, Richard H. S. Crossman, wrote in "New Statesman and Nation";

> One of the most remarkable documents I have ever read. * * * Makes Koestler's "Darkness at Noon" sound like a clever pastiche.

I will also quote John Connell from London Evening News:

> I hail his courage, his honesty, his humility and his quenchless faith; and I urge everyone to read this book. * * *

In 1954 the Select Committee on Communist Aggression, appointed by the House of Representatives, had a long interview with Mr. Stypulkowski in London. His evidence aroused a most vivid interest among the members of the committee. I quote some of their opinions from the official record of the meeting:

> Congressman Fred E. Busbey of Illinois. I personally think that your testimony today is without a doubt probably the best testimony on this particular subject * * * that has been brought to the attention not only of the congressional committee but also of the entire free world.
>
> Congressman RAY MADDEN of Indiana. I think, Mr. Chairman, that Mr. Stypulkowski's testimony is so valuable that * * * it could be used very advantageously by this committee and by our Government.
>
> Congressman Thaddeus Machrowicz of Michigan. Most of the testimony he [Mr. Stypulkowski] has given today is contained in a splendid book which he has written, "Invitation to Moscow," and I think it would be well if we were to make it compulsory reading for anyone who accepts, or is offered, an invitation to Geneva, Berlin, or anywhere else to deal with the Communists."
>
> Congressman THOMAS DODD of Connecticut. It, this book, certainly ought to be a valuable contribution to everyone's understanding about the situation.
>
> The CHAIRMAN (Congressman Kersten). Mr. Stypulkowski * * * you have made a great contribution, and I particularly think that you underlined a feature which is most important for us to consider.

A few months ago, there appeared a new edition of the book "Invitation to Moscow," published by Walker & Co. This gave me the opportunity to re-read it and to review its meaning. I am following the advice of those whose statements I have quoted, and I call upon every thinking American to become acquainted with the contents of this book. I recommend our educational institutions, armed services, information services, make the book "Invitation to Moscow" accessible to all Americans, as well as those foreign societies toward which Communist "brainwashing" is mainly directed.

In support of my opinion, may I be permitted to recall that two outstanding Members of Congress in 1951–52, introduced for insertion in the CONGRESSIONAL RECORD a recommendation regarding "Invitation to Moscow." They were: President Kennedy and former Vice President Richard M. Nixon.

I would hope that our military leaders would heed the wise counsel of President Kennedy and former Vice President Nixon by making "Invitation to Moscow" required reading for all of our troops.

For, if we refrain from exposing and critically examining the published techniques of Communist strategy and if we neglect to instill the virtues of patriotism, religious feeling, and a deep-rooted sense of honor in our people we will not achieve the peace and justice for which we yearn and which we owe to future generations.

SENATE

THURSDAY, JULY 11, 1963

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Father of all mercies, away from Thee, we dwell in darkness and death. In the midst of world conditions that baffle us, swift social currents which sweep away our strongest bulwarks, we confess that the world in which our lot is cast is too much for us; we must find a strength not our own, or our feet will slip in this whelming flood.

To Thy sustaining grace in this hallowed moment we would lift up the thronging questions which haunt us day and night, the grievous problems affecting and afflicting Thy children in all the world, for which our human wisdom finds no answer.

We pray that Thou wilt gird us to heal the divisions which shorten the arm of our national might in these momentous times. Spurning and scorning the poisonous weeds in the garden of democracy, may we rejoice only in the fair and fragrant virtues of honor untarnished.

In the dear Redeemer's name we ask it. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, July 10, 1963, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed a bill (H.R. 134) to provide that seat belts sold or shipped in interstate commerce for use in motor vehicles shall meet certain safety standards, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 1745. An act to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes;

H.R. 40. An act to assist the States to provide additional facilities for research at the State agricultural experiment stations; and

H.R. 6681. An act to improve the active duty promotion opportunity of Air Force officers from the grade of major to the grade of lieutenant colonel.

HOUSE BILL REFERRED

The bill (H.R. 134) to provide that seat belts sold or shipped in interstate commerce for use in motor vehicles shall meet certain safety standards, was read twice by its title and referred to the Committee on Commerce.

LIMITATION OF STATEMENTS DURING MORNING HOUR

On request of Mr. MANSFIELD, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. STENNIS, and by unanimous consent, the Permanent Subcommittee on Investigations of the Committee on Government Operations was authorized to meet during the session of the Senate today.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. METCALF (for himself and Mr. MANSFIELD):

S. 1863. A bill to provide for the modification of the excess land provision of Federal reclamation law as it applies to irrigable lands in the drainage area above Canyon Ferry Dam, Mont.; to the Committee on Interior and Insular Affairs.

By Mr. HAYDEN:

S. 1864. A bill to authorize the conclusion of agreements with Mexico for joint construction, operation, and maintenance of flood control works on the lower Colorado River, in accordance with the provisions of article 13 of the 1944 Water Treaty with Mexico, and for other purposes; to the Committee on Public Works.

By Mr. MORTON:

S. 1865. A bill for the relief of Dr. Salwan Baban; to the Committee on the Judiciary.

By Mr. BEALL:

S. 1866. A bill for the relief of Guillermina Gonzalez Suarez; to the Committee on the Judiciary.

By Mr. SCOTT:

S. 1867. A bill for the relief of certain individuals; to the Committee on the Judiciary.

By Mr. CHURCH (by request):

S. 1868. A bill to amend the act of August 3, 1956 (70 Stat. 986) as amended, relating to Adult Indian Vocational Training; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. CHURCH when he introduced the above bill, which appear under a separate heading.)

ADULT INDIAN VOCATIONAL TRAINING

Mr. CHURCH. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the act of August 3, 1956 (70 Stat. 986), relating to adult Indian vocational training.

This bill substitutes $12 million for the $7.5 million limitation on the present appropriation authorization for the Indian adult vocational training program. It will allow requests for appropriations consistent with basic needs.

Mr. President, this program has become increasingly popular with the young Indian people, and various tribal councils have passed resolutions emphasizing their support for additional funds for the program. Tuition-free institutions with vocational training courses have become overcrowded, and more private institutions have had to be used. Tuition and related costs have increased.

It is not anticipated that the full $12 million authorization will be absorbed immediately, but will be phased out over the next 3 years.

The bill has been recommended by the Department of Interior, and the Bureau of the Budget has advised that it has no objection.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1863) to amend the act of August 3, 1956 (70 Stat. 986), as amended, relating to adult Indian vocational training, introduced by Mr. CHURCH, by request, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

FOREIGN ASSISTANCE ACT OF 1963—ADDITIONAL COSPONSORS OF AN AMENDMENT

Mr. CHURCH. Mr. President, I ask unanimous consent that the names of the senior Senator from Washington [Mr. MAGNUSON], the senior Senator from Arkansas [Mr. MCCLELLAN], the junior Senator from Oklahoma [Mr. EDMONDSON], and the senior Senator from Indiana [Mr. HARTKE] be added as cosponsors of the amendment to S. 1276, the Foreign Assistance Act of 1963, submitted by me on June 17 and referred to the Committee on Foreign Relations.

The PRESIDENT pro tempore. Without objection, it is so ordered.

AMENDMENT OF MANPOWER DEVELOPMENT AND TRAINING ACT OF 1962—ADDITIONAL COSPONSORS OF BILL

Mr. RANDOLPH. Mr. President, on June 13 I introduced a bill to amend the Manpower Development and Training Act of 1962. At that time the measure was introduced under the cosponsorship of Senators CLARK, MCNAMARA, PELL, KENNEDY, and MCINTYRE. I ask unanimous consent that at the next printing of Senate bill 1716 that there be included as an additional cosponsor the name of our very capable colleague the Senator from Connecticut [Mr. RIBICOFF].

The PRESIDENT pro tempore. Without objection, it is so ordered.

AMENDMENT OF SMALL BUSINESS ACT RELATING TO PROHIBITION OF CERTAIN DISCRIMINATORY PRACTICES—ADDITIONAL COSPONSOR OF BILL

Mr. PROXMIRE. Mr. President, I ask unanimous consent that at the next printing of S. 1721, a bill to amend the Small Business Act to prohibit certain discriminatory practices by business enterprises receiving assistance under such act, the name of the Senator from New York [Mr. JAVITS] be added as a cosponsor.

The PRESIDENT pro tempore. Without objection, it is so ordered.

CENTENNIAL CELEBRATION OF THE BATTLE OF LAKE ERIE—ADDITIONAL COSPONSOR OF BILL

Mr. YOUNG of Ohio. Mr. President, on July 2 I introduced Senate bill 1828, which would authorize an appropriation of $25,000 for the sesquicentennial celebration of the Battle of Lake Erie and of Perry's victory on September 10, 1813. The money would be spent by a commission appointed by the President of the United States. My distinguished colleague from Ohio [Mr. LAUSCHE] has requested that his name be entered as a cosponsor of the bill, and I ask unanimous consent that this be done.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. YOUNG of Ohio. Mr. President, on September 10, 1813, near Sandusky, Ohio, off Put-in-Bay Island, was fought one of the historic battles in American history. Up to that time in the War of 1812 the forces of our young nation had suffered ignominious defeat. But Commodore Oliver Hazard Perry, 28 years of age, with the aid of backwoodsmen, who hauled timber from Kentucky, and workers in northern Ohio and Pennsylvania, constructed at Presque Isle, now Erie, Pa., a small squadron of warships.

At that time the English squadron, under Captain Barclay, was harassing the northern coast of Ohio and Pennsylvania. One day he stood off the small city of Cleveland, Ohio, my home city, causing a panic among the settlers. There the English blockaded the small American fleet. However, the heavy English warships could not cross the bar and enter close enough to engage in combat. The captain of the English fleet lacked the initiative and bravery of a General Patton. He made no landings there.

During the night, in the temporary absence of the English squadron, the young Commodore Perry had the empty ships pulled over the sand bar and across to the open lake. Fortunately for our young Nation at that time Captain Barclay was away. Then Commodore Perry, with his squadron, went to Sandusky Bay, and on the morning of September 10, 1813, the lookout at Gibraltar Point in Put-in-Bay Harbor saw the English fleet. Commodore Perry put on all sail, and in a short time the small American squadron was engaged with the enemy.

Commodore Perry's flagship, the *Niagara*, bore the brunt of the English attack. It was shattered throughout, most of the crew being killed or wounded. The brave young commander of the American forces, whose ship had been disabled, had himself rowed in an open boat to another ship. He transferred his flag to the second vessel, which bore the slogan, "Don't Give Up the Ship." That slogan was raised on the other warships, and the little American squadron bore down upon the English fleet. In one-half hour, as a result of that great battle, Ohio, Michigan, and Pennsylvania were saved from an invasion.

The English commander, Captain Barclay, who had fought with Nelson at Trafalgar, entered the combat with one arm and came out with none. Commodore Perry sent his famous message to General Harrison announcing the victory, saying, "We have met the enemy, and they are ours—one ship, one brig, two schooners, and a sloop," which will be remembered by American schoolboys throughout all time.

On September 10 a great celebration will be held in Put-in-Bay. The bill cosponsored by my colleague and myself would merely authorize an appropriation of $25,000 for the event commemorating that victory.

LOS ANGELES FLOOD CONTROL—ADDITIONAL COSPONSOR OF BILL

Mr. ENGLE. Mr. President, at the next printing of the bill (S. 1839) to authorize additional appropriations for the Los Angeles River Basin, introduced by my colleague, the senior Senator from California [Mr. KUCHEL] on July 9, 1963, I ask unanimous consent that my name be added as a cosponsor.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ANNOUNCEMENT OF HEARING ON USE OF PESTICIDES AND THEIR EFFECT ON HUMAN HEALTH AND SAFETY

Mr. RIBICOFF. Mr. President, I wish to announce that the Subcommittee on Reorganization and Internal Organizations of the Committee on Government Operations will resume its hearings on "Interagency Coordination of Environmental Hazards—Use of Pesticides" on July 17, 18, and 23 in room 4200, New Senate Office Building.

To date, Mr. President, the subcommittee has heard testimony from governmental experts, Rachel Carson, and representatives of industry. Our inquiry has already resulted in clarification of Department of Agriculture public information policy concerning pesticide registration. The hearings have also pinpointed a clear need for a change in the law to eliminate the so-called protest registration practice under which a manufacturer can market a product despite lack of Government approval. Legislation to close this gap in consumer protection, S. 1605, has been introduced and referred to the Committee on Agriculture. The support of the Department of Agriculture and industry has been assured and I am hopeful therefore of speedy enactment of this measure.

The hearings next week, Mr. President, will concentrate on the question of the use of pesticides and their effect on human health and safety. The distinguished Senator from Alaska [Mr. GRUENING], the only man in the Senate entitled to add the letters "M.D." after his name, first proposed this phase of the inquiry. His support and interest from the beginning has added immeasurably to our study.

On July 17, the subcommittee will hear from Dr. Wayland B. Hayes of the Public Health Service, Dr. Malcolm M. Hargraves of Mayo Clinic, Dr. Joseph Holmes of the University of Colorado School of Medicine, Dr. Charles Hine of the University of California, and Dr. Theron G. Randolph of Chicago, Ill.

On July 18, the subcommittee will hear from Dr. Irma West of the California Department of Public Health, Dr. William J. Darby of Vanderbilt University, Dr. Wilhelm C. Hueper of NIH, and Dr. Paul Kotin of NIH.

On July 23, the subcommittee will hear from technical experts from the Department of Agriculture, the Food and Drug Administration and the U.S. Public Health Service who will discuss the health aspects of the various programs administered by these agencies concerning pesticides.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, July 11, 1963, he presented to the President of the United States the enrolled bill (S. 1745) to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. THURMOND:

Editorial entitled "Happiness?" written by David Lawrence and published in the U.S. News & World Report for July 8, 1963; and newsletter of Senator THURMOND dated July 8, 1963.

REDUCTION OF THE DEFICIT

Mr. PROXMIRE. Mr. President, the Federal deficit for the fiscal year ending June 30, 1963, may be down to $7 billion, and conceivably could be as low as $4½ billion. Only a relatively small part of the sensational drop in the deficit, which had been estimated by the Budget Bureau at nearly $9 billion last winter, was the result of increased revenues. And almost none had come from reduced spending.

The major reason for this vastly improved deficit position is that the Government has speeded up at a phenomenal rate its sale of its own assets. For example, in January the Treasury estimated that some $50 million in HHFA mortgages would be sold during the year. The actual sales by March exceeded $100 million. Revised estimates are already $300 million, and they may be substantially higher. VA mortgage sales, which in January had been estimated by the Government at $169 million, are now estimated at $450 million and very likely they will be higher.

The Budget estimated in January that $60 million of Export-Import loans would be sold. More than $300 million had already been sold by March 31 of this year. Agricultural commodity sales, which in January had been estimated at $639 million, are now likely to exceed a billion dollars.

In total, the January estimate of asset sales by the Government had been $929 million. By the end of March, actual sales were nearly $2 billion. When the final figures are available, the total may approach $3 billion.

Mr. President, the public should not lose sight of two facts about this method of reducing the deficit:

First. This sensational increase in sales of assets by the Government does nothing to ease the burden on future taxpayers. The Government is in general disposing of earning assets that yield to the Government more than it has to pay for its money.

Second. The sale of such a huge amount of these assets—particularly mortgages—results in significantly soaking up the available mortgage money. Without this Government sale, mortgage rates could well have fallen substantially. This would have stimulated homebuilding, significantly expanded the economy, and reduced unemployment.

Last winter, when I questioned Budget Director Gordon, at hearings of the Joint Economic Committee, on the sale of these mortgages, he replied that financing of the Government deficit by the sale of Government securities has roughly the same effect on the money market as the sale of home mortgages.

I disagreed then. I disagree now. Obviously, mortgages serve entirely different financial needs than Government securities. They are bought by different persons and different institutions. The sale by the Government of $750 million to a billion dollars of home mortgages in so short a period is bound to have a profound effect on the mortgage market, in holding up interest rates.

At a time of serious unemployment, when the administration wants to move the economy ahead by a tax cut that will deepen the deficit, this immense effort to hold up home mortgage rates makes little economic sense.

THE PLACE OF RELIGION IN AMERICAN HISTORY

Mr. ERVIN. Mr. President, one of the most illuminating and interesting commentaries upon the passing scene is that of Alan H. Newcomb, who conducts a program for television station WBT-TV, of Charlotte, N.C. On July 4, 1963, he made some significant comments upon the role of religion in American history. Such comments are worthy of wide dissemination. For this reason, I ask unanimous consent that they be printed at this point in the body of the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

"In Ye Name of God, Amen"

Those are the first words of the first great historical document in America, the Mayflower Compact. This paper was drawn up and signed on board the ship as a sort of constitution to govern the colonists after they landed.

From that day to this the United States and the colonies before it have been considered nations under God. The idea is expressed plainly in the Declaration of Independence. The constitutions of 49 of the 50 States invoke the name of God. The Pilgrims of Massachusetts, the Baptists of Rhode Island, the Quakers of Pennsylvania, the Roman Catholics of Maryland, the Calvinists of South Carolina, Oglethorpe and his Protestant sects in Georgia—all of these crossed the Atlantic for the specific purpose of setting up new governments under God.

Even in the majority opinion outlawing the reading of Scripture and recitation of the Lord's Prayer in schools Justice Clark recognized the principle that this is a nation under God, and he cited previous opinions of the court to support him.

Yet almost before that opinion was understood by the people, the Civil Liberties Union brought suit on behalf of a Los Angeles history teacher to take the words "under God" out of the pledge of allegiance to the Flag.

We suggest that this history teacher study his history. The trend toward eradicating all reference to God from every official document and act in this country is not merely protecting a few tiny minorities from a fancied infringement of their rights. It goes far deeper than that. If carried to the ultimate conclusion, it would destroy the whole American philosophy of human liberty. That philosophy, derived from John Locke and other great thinkers of the Age of Enlightenment, held that the unalienable rights mentioned in the Declaration of Independence are the gift of God, and therefore they are above and beyond the reach of any earthly authority either to grant them or to take them away.

It is this concept that makes American liberty different from any other in the world. In other countries whatever liberty the citizen may enjoy is granted by the state. What the state grants it can take back. Many unfortunate peoples have learned that tragic truth.

But no government grants American liberty; hence no government can take it from us. It is the gift of God.

That is the philosophy that a too-technical interpretation of the first amendment would nullify. The almost invisible minority dissenting from this basic creed can be allowed to go its own way unmolested. It must not be allowed to rob the overwhelming majority of its most precious possession.

THE PENDING CIVIL RIGHTS PROPOSALS

Mr. ERVIN. Mr. President, the Kinston Daily Free Press, of Kinston, N.C., for June 21, 1963, carried an editorial, entitled "Civil Rights Aren't Advanced by Legal Wrongs," which points out that the pending civil-rights proposals, if enacted into law, will be a long step toward the conversion of our country into a police state. I ask unanimous consent that a copy of the editorial be printed at this point in the body of the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Civil Rights Aren't Advanced by Legal Wrongs

President Kennedy's broad, five-point proposal for new civil rights legislation is wrong on at least three premises. If enacted it can do far more harm than good.

The first erroneous premise is that Federal force can achieve faster what reason and patience have already brought about in an increasing number of U.S. communities. The second is where abuses have occurred in a given category of business activity, that the whole group would be condemned and treated like Federal lawbreakers. The third lies in the realm of questionable constitutionality.

The President's askings call for: (1) Laws guaranteeing equal access to the services of hotels, restaurants, places of amusement and retail outlets; (2) giving the Attorney General authority to file school integration suits on behalf of Negroes; (3) a large-scale Federal manpower training program to assure better job opportunities among the unskilled; (4) enactment of a Federal Fair Employment Practices Act; (5) permanent legal status and more power for the Committee on Equal Employment Opportunities headed by the Vice President.

Since Federal force will not solve the vast majority of so-called discrepancies occurring in human relationships in America today, increased force might well do more harm than good. A climate of good will, not force, is essential to progress in all human relations.

In the second place, does the Negro's right to equality transcend the property owner's right to use his facilities as he see fit? If so, then it is but one more step to a police state in which all rights would be lost. Gradual change in the extension of access rights to minority groups has been proven repeatedly as the only permanent change that can be expected. Recent mass demonstrations haven't changed that fact, even though they may have disturbed politicians, high and low.

Constitutionality and enforceability depend on majority consent. It is gained through fair and equitable administration of justice—not through politically inspired Federal edicts aimed at large groups throughout our society. The President admits the problem is not sectional or regional, but is national. Its solution then must come from grassroots consideration of the basic rights of all citizens—not by a big stick in the hands of the Justice Department.

The Congress will do well to reject all these proposals. We have enough laws on the books already. No minority has ever risen higher or faster than the Negro in America. Armed with the vote, an expanding educational opportunity and the freedom to achieve whatever his talents may contribute to a free Republic, he is far better equipped to continue his progress in this and future generations than ever before. And none of the President's proposals offer any real prospect for more rapid or more permanent advancement.

In short, legal wrongs imposed on the majority will not assure more civil rights for any minority—now or in the future.

EXEMPTING "MRS. MURPHY"

Mr. ERVIN. Mr. President, the Winston-Salem Journal, of Winston-Salem, N.C., for July 1, 1963, carried an editorial, entitled "Exempting 'Mrs. Murphy,'" which makes some sage comments upon the provisions of the administration bill relating to so-called public accommodations. I ask unanimous consent that a copy of the editorial be printed at this point in the body of the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Exempting "Mrs. Murphy"

The difficulty in drawing up a fair law banning discrimination in businesses that cater to the public is pointed up by Attorney General Robert Kennedy's statement that the administration would be willing to exempt small stores and tourist homes.

As the bill now stands, it would forbid racial discrimination by hotels and motels catering to transient guests and by theaters, stores, restaurants and the like if they cater "to a substantial degree" to interstate travelers or if "a substantial portion" of the goods sold has moved in interstate commerce. The administration proposal prompted Senator George Aiken, of Vermont, to say that he did not favor trying to regulate whom a hypothetical "Mrs. Murphy" should put up in her tourist home or cater to in her corner store. The Attorney General reacted by saying: "I don't think Mrs. Murphy is going to be in any trouble."

The impossibility of enforcing an antidiscrimination law against every corner soda shop, boarding house or tourist home is self-evident, so the "Mrs. Murphys" who run these enterprises might as well be exempted. But the minute you begin writing exemptions into the law, you run into trouble.

The whole purpose of an antidiscrimination law is to establish a single policy for those businesses which cater to the public. It is designed to prevent those businessmen who want to exclude Negroes from enjoying a special advantage over those who want to open their doors on a nondiscriminatory basis. If the law is to establish one rule for the restaurant affiliated with a large national chain and another for the smaller home-owned establishment, the law then becomes an instrument of discrimination.

Proponents of the bill contend that the principle of selecting large businesses for Federal regulation already has been established. The National Labor Relations Act, for instance, applies to businesses whose annual volume amount to $500,000 or more. The establishment of an arbitrary standard for Federal regulation in other fields, however, does not make it any less discriminatory in applying a public accommodations law.

The best way to open public accommodations to people of all races is through voluntary joint action by businessmen in individual communities. This is not always easy to do, as Winston-Salem and many other cities are discovering. But when hotel, restaurant and store owners act voluntarily, Negro customers are likely to be served much more cheerfully and the matter of one rule for big business and another rule for little business never arises.

Businessmen have acted voluntarily to remove discrimination in dozens of communities. Others are doing so almost daily. The tide is slow, but it is moving nevertheless. For that reason, Congress should be most reluctant to try to legislate equality in private business, especially when it is apparent that any law enacted will be discriminatory in its application.

INTEGRATION FOR ITS OWN SAKE

Mr. ERVIN. Mr. President, the Winston-Salem Journal, of Winston-Salem, N.C., for June 30, 1963, carried an editorial, entitled "Integration for its Own Sake," which makes some sage observations upon the recent ruling of the New York State educational authorities that public schools having a Negro enrollment of 50 percent or more are "racially imbalanced." This editorial deserves the thoughtful consideration of all Members of the Congress, because sections 301, 303, 304, 305, and 306 place the stamp of the administration's approval upon the proposal that children should be denied the right to attend schools in their own neighborhood, but should be transported to schools in other neighborhoods, to satisfy any undefined notion the Federal Commissioner of Education may happen to entertain in respect to so-called racially imbalanced schools. I ask unanimous consent that the editorial be printed at this point in the body of the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

INTEGRATION FOR ITS OWN SAKE

James E. Allen, Jr., New York State education commissioner, has ruled that public schools having a Negro enrollment of 50 percent or more are racially imbalanced. He says that public schools in that State must transfer pupils outside their residential neighborhoods or districts to end this imbalance where it exists.

What all this amounts to, in effect, is integration for the mere sake of integrating. Commissioner Allen delves into psychology and sociology to justify the transfer process which could be quite expensive for the taxpayers. He contends that the mixing of different ethnic and economic groups is of vital educational value, since there is much that children can learn through such contacts.

There are doubtless some values to be gained through intergroup contacts. But there are many ways in which such contacts are currently made by American children outside the schoolrooms, and there will be many more such contacts with the desegregation of more parks, playgrounds, and other recreational facilities.

There are, of course, some perfectly logical reasons for transferring pupils outside their own residential districts. The overcrowding of schools in the area is one good reason if the system is in no position to build new facilities there. If a school in another district offered courses that could not be readily provided in a certain school in the area, this would constitute a good reason for transferring those pupils who wanted to take those courses. But if it started out trying to get a racial balance in all its schools through the transfer of students, what would New York do with its Chinese, Indians, Jews, Puerto Ricans, and other racial groups, and how, except at intolerable costs, could it balance the schools of rural areas where practically all students are white descendants of native stock?

The Supreme Court in its recent decision in a Tennessee case declared that racial considerations alone could not be constitutionally applied in pupil transfer cases. In working out desegregation adjustments in the South, school authorities have made residential geography, or the relative nearness of a school to the pupil's home, a major consideration. This is a logical, commonsense factor which the New York commissioner would ignore in attempting to integrate schools which the Supreme Court has said cannot be used to avoid integration.

LOGJAM BROKEN ON DEVELOPMENT OF COLUMBIA RIVER WITH CANADA

Mrs. NEUBERGER. Mr. President, encouraging reports have been received from Canada that an internal logjam over policies for upper Columbia River water resource development has been broken. The end of this 2-year stalemate will be hailed by people on our side of the border in the Pacific West as a giant step toward the goal of full and comprehensive use of Columbia Basin water uses. The reported agreement between the British Columbia Provincial government and the Federal Government at Ottawa indicates that we can look forward to harnessing the entire might of the Columbia in the foreseeable future.

According to a story in the July 11 issue of the New York Times, the British Columbia government will sell downstream power created by the Canadian dams in the United States and will finance the building of dams at Mica Creek, Arrow Lakes, and Duncan. The Canadian Federal Government has agreed to permit the export of power. The action clears the way for ratification of the United States-Canadian treaty by the Parliament, after negotiations with our Nation for clarification of treaty provisions originally negotiated in 1960.

Since the Senate ratified the original treaty in 1961, the plans for Upper Columbia development have been in limbo, because of differences between the Provincial and Federal Governments in Canada. This new agreement by elements within Canada is heartening to all who for many years have sought to bring about the development of our jointly owned water resources.

Water of the Columbia River with a power value of about $30 million annually is wasted at present, because of the lack of facilities to control riverflow. Moreover, each year the lower flood plain in Oregon and Washington is endangered by spring freshets, as glaciers and snow-clad mountains far inland pour their waters to the sea. In my opinion, the program which the treaty will make possible gives both the United States and Canada the best and quickest means of obtaining a large block of power at the lowest possible cost, while achieving flood control at a price of about half the cost of alternative development entirely within the United States.

A collateral benefit of the agreement will be its effect on fishery resources of the Columbia Basin. The upper reaches of the river, above Grand Coulee Dam, are aptly described as fishless streams. No migratory fish spawn there. Thus, carrying out of the agreement with Canada will give more time for necessary research into restoration of the Columbia River fishery, and will, in some measure, relieve the pressure for erecting concrete barriers between the ocean and existing spawning grounds, at least until we can determine whether there is a solution to passage of migrant fish back and forth over high-dam structures.

Mr. President, successful conclusion of the treaty, now that the political stalemate within Canada has been broken, can open a new frontier for proper and beneficial use of water in the North American Continent.

I ask consent to include in the RECORD with my remarks the New York Times article of July 11, 1963, entitled "Canadians Agree on Columbia Pact."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CANADIANS AGREE ON COLUMBIA PACT—OTTAWA AND BRITISH COLUMBIA RESOLVE DISPUTE ON POWER

(By Raymond Daniell)

OTTAWA, July 10.—A major step toward final ratification by Canada of the treaty for the cooperative development of the water resources of the Columbia River Basin was announced to the House of Commons today by Paul Martin, Minister for External Affairs.

The treaty for using the waters of the river, which flows through both countries, for the generation of power and flood control was signed by both Canada and the United States in 1961. It was ratified by the United States Congress, but the Canadian Parliament has never done so because of objections by British Columbia.

The Federal Government now has negotiated and signed an agreement with the government of its Pacific province clearing the way for final ratification by Canada. But first there will be negotiations with the United States for clarification, interpretation, and some modifications of the original treaty.

It is hoped by both sides that these can be covered in a protocol to the treaty, obviating the necessity for renegotiation of the document itself.

DETAILS OF AGREEMENT

Under the agreement with British Columbia, the province won the right to sell downstream power in the United States and in return has agreed to finance all Canadian construction of major dams at Mica Creek, Duncan, and Arrow Lake on the Canadian side of the international waterway. The cost was estimated at $450 million when the treaty was signed but probably will be higher by the time work begins.

At the same time the Federal Government agreed to permit the export of power, in a reversal of Liberal policy. The party has maintained for years the power once sold abroad as an export never can be turned off, even if need for it arises in Canada.

Provision was made for this change of policy by a provision in the June 13 budget of Finance Minister Walter Gordon that exempts exported power from Federal taxes.

The treaty itself was negotiated by the Conservative Government of Prime Minister John Diefenbaker. It was negotiated with representatives of Premier W. A. C. Bennett of British Columbia in attendance, and it was presumed that it had the approval of his government as well as that of the Federal Government of Ottawa.

A CHANGE OF MIND

However, just as Mr. Diefenbaker was departing for Washington he was informed that British Columbia, exercising a mutual right reposing in the provinces under the British North American Acts, did not approve. Mr. Bennett wanted to sell British Columbia's 50 percent share of the power generated to finance the development of hydroelectric potentialities of the Peace River, lying wholly within his province.

In his talks with President Kennedy at Hyannis Port, Mass., last May, Prime Minister Lester B. Pearson made it clear that all points of disagreement between the Federal and provincial governments would have to be resolved before negotiations with the United States could take place usefully on certain clarifications and adjustments his government considered desirable.

Thus the signing of the agreement with British Columbia was an essential first step toward final ratification by Parliament. To put it more simply, the Liberal government did not want to run the risk of second thoughts by Premier W. A. C. Bennett of British Columbia such as Prime Minister John Diefenbaker's government encountered.

The Federal Government thus sought a detailed agreement with the provincial government of British Columbia almost as if it were a treaty with a foreign power.

British Columbia's share of one-half of the power to be generated will amount to about 1,300,000 kilowatts. There may be some problems involved in selling it in the United States. At the present time there is a short-term surplus of electric power in the Northwest, and it is expected that British Columbia will have to look for a market in California to dispose of all the power it will have to sell.

HOW DO YOU FEEL ABOUT BILLBOARDS?

Mrs. NEUBERGER. Mr. President, the current issue of Harpers magazine carries a unique advertisement entitled "How Do You Feel About Billboards?" At the head of the advertisement there is an attractive picture of a snowcapped mountain scene and lush farmlands which could be typical of a vista in many of our Rocky Mountain or Northwest States. Indeed, it is typical, because half of the panoramic view is blotted out by a disfiguring signboard, as the advertising industry prefers to call them.

This advertisement for the Rover Motor Co. carries a significant paragraph:

> If an advertisement displeases you, you can, so to speak, walk out on it, too. Unless it is a billboard; it is very difficult to walk out on a billboard. Which is probably why they continue to enjoy the favor of advertisers—despite the fact that many people apparently don't care for them at all.

The Rover Motor Co. has asked the readers of its advertisement to indicate to it how they feel about billboards. It is to be hoped that the motoring public will express itself on this important subject.

Soon after this advertisement appeared, the New York Times for June 30, 1963, carried an article, written by its able advertising writer, Mr. Peter Bart, on the reaction of the industry to this advertisement. One would know without reading this column that the "dander of the advertising community was raised and the trade press denounced it."

Mr. Bart goes on to point out that the outdoor advertising industry is "going through a particularly trying period," with volume of sales declining sharply since 1960. Could it be that the billboard approach has had a negative effect upon the consuming public?

Mr. President, I ask unanimous consent that the advertisement for the Rover Motor Co., entitled "How Do You Feel About Billboards?" and the article by Mr. Peter Bart, entitled "Advertising: Outdoor Signs Stir a Dispute," be included with my remarks in the RECORD.

There being no objection, the advertisement and the article were ordered to be printed in the RECORD, as follows:

[From Harper's magazine]

HOW DO YOU FEEL ABOUT BILLBOARDS?—SOME THOUGHTS ON ADVERTISING BY A COMPANY ABOUT TO DO SOME

For reasons which will surely keep until next time we have not been as aggressive as we might at advertising our Rover cars and Land-Rovers to you. But that is in the past, and now we are prepared to be as aggressive as you please. And we really mean "as you please"; you should not allow yourself to be imposed upon if you can avoid it.

Usually you can avoid it: If a salesman is officious or overzealous you can, and ought to, walk out on him. (If a Rover salesman should ever prove rude or pushy—or you simply can't stand him—please let us know immediately and we will take steps and inform you of them by return post.)

If an advertisement displeases you, you can, so to speak, walk out on it, too. Unless it is a billboard; it is very difficult to walk out on a billboard. Which is probably why they continue to enjoy the favor of advertisers—despite the fact that many people apparently don't care for them at all.

How many people? Well, there must be quite a lot, to judge from the enormous amount of antibillboard legislation and other activity one reads about.

In view of this flood of public opinion it is strange that no advertiser has thought to ask the people to whom he hopes to sell his goods how they feel. It seems to us a prudent and legitimate question to ask, so we shall ask it.

You will note that the wording of the reply form is more explicit than that of the headline above. For this reason: many people who profess to dislike billboards may not, by the same token, dislike the advertising on them. They may even like the advertising, or some of it, very much indeed. And some people may not care a fig one way or the other. Hence the three questions.

However, we would not have you think for a minute that this effort at fairness conceals even the slightest impartiality. We don't mind saying that we personally loathe billboards, and for a highly personal reason: They tend to diminish our value to you.

We make motorcars, and make them with a great deal of care so that they will please you in every possible way. The Land-Rover is unquestionably the finest four-wheel-drive vehicle—and the most versatile vehicle—in the world. Of the Mark II Rover (sedan and coupe) let us say that the only car even comparable to it in the engineering or comfort costs thrice the price.

However, the single best feature about a Rover—or any car, for that matter—is the world as you drive through it from one place to another. So, it is to our interest that the world and its views be as attractive as possible; for, to the degree that they are not the car's value to you decreases. Therefore, it does not seem shrewd for a motorcar manufacturer to purposely make the world less attractive by publicly sponsoring eyesores.

In passing, however, it would be churlish of us not to admit that the most engaging and clever automobile advertising campaign in the country looks wonderful on billboards; but then, it looks wonderful in magazines and newspapers, too.

Well, we'd appreciate your filling in the form and sending it to us.

The Rover Motor Co.,
Dept. H,
405 Lexington Avenue,
New York, N.Y.

☐ I'd just as soon you didn't advertise on billboards.
☐ I have no feeling one way or the other.
☐ I'd like to see you advertise on billboards.

Name______________________________
Address____________________________
City_______________________________
State______________________________

[From the New York (N.Y.) Times, June 30, 1963]

ADVERTISING: OUTDOOR SIGNS STIR A DISPUTE—"FRINGE" OPERATORS THAT CLUTTER ROADS ARE ASSAILED—INDUSTRY RESPONDS TO SHARP CRITICISM FROM BRITAIN

(By Peter Bart)

Not long ago a British automobile manufacturer, the Rover Motor Co., placed an advertisement in several U.S. magazines criticizing outdoor advertising signs.

It's about time that advertisers—particularly auto companies—took heed of public opposition to billboards, the ad proclaimed. Since the purpose of autos is "to go from one place to another," the ad said, it is in the interest of auto companies to see to it "that the world and its views be as attractive as possible."

The Rover advertisement, placed by Freeman & Gossage, Inc., a San Francisco agency, raised the dander of the advertising community. The trade press denounced it. The Advertising Federation of America at its Atlanta, Ga., convention attacked it in an official resolution.

If it did nothing else, the ad, and its attendant reaction, served to focus attention once again on what remains perhaps the most controversial advertising medium—outdoor advertising.

PERIODIC BOUTS

Though other media—particularly television—have their periodic bouts with Federal regulators, outdoor advertising men are accustomed to fighting a never-ending war with conservationists and with local, State and National Government officials.

Thus, not long after Rover was placing its ad, the New York State Thruway Authority was tearing down 53 signs that it said were too close to the highway. Meanwhile, in California, a group of legislators introduced tough new legislation that would, if passed, demolish all 27,000 outdoor posters in the State. Few believe the proposals will pass.

Gov. Edmund G. Brown has complained: "There is magnificent scenery in this State that you can't see unless you stop the car and walk around a billboard that hides it."

The outdoor advertising industry ("billboards" is a forbidden word in the trade) responds with predictable irritation to these attacks. Industry officials note that theirs is by far the most regulated medium. They further note that the organized outdoor industry offering standardized service confines 90 percent of its signs to urban and commercial centers, and only 10 percent to rural areas.

Trade officials concede, however, that small, local sign companies or advertisers that hammer up their temporary signs along the road represent a problem for the legitimate outdoor industry as well as for the view-conscious public.

Public controversy over outdoor advertising is by no means a 20th-century phenomenon. One early British historian complained bitterly that 18th century London was "literally darkened with great swinging sign boards of every description."

These swinging boards later gave way to big, rough fences for "billposting." A trade association, the International Bill Posters Association, was formed in the 1870's in the United States and held regular conventions. The advent of the automobile, of course, spurred the development of billboards to replace the old fences.

A TRYING TIME

Today the outdoor advertising industry, consisting of some 700 companies with 289,000 poster panels, is going through a particularly trying period. Total volume which hit a peak of $203,300,000 in 1960, fell off to $170,500,000 last year. Outdoor advertising's share of total ad volume has declined since 1950 and presently accounts for only 1.4 percent of total spending, according to estimates by McCann-Erickson, Inc.

These trends are reflected in the growing listlessness of the outdoor field. One trade official estimates that more than 50 percent of the companies in the outdoor industry have been reorganized over the last 2 years. Nearly all of the various trade associations representing the industry have been reorganized over the last 2 years, with new top executives brought in from outside the outdoor industry.

Out of all these changes may emanate some developments that will benefit the consumer. Representatives of the organized outdoor industry seem increasingly disposed to crack down on fringe operators that clutter the countryside. They also are working to upgrade the often-lagging creative standards of outdoor advertising.

Some advertising men, indeed, are urging the outdoor industry to take a more long-term view of their field and to undertake some truly dramatic changes in design that will increase public acceptance of their displays.

A prominent British poster designer, Abram Games, recently predicted the transformation of billboards into television-screenlike panels. Ads on the panels would change constantly, depending on the time of day and weather conditions. The panels also would transmit information about traffic conditions, weather and even news.

All this is imminently possible, Mr. Games said, through the use of videotape controlled by a national relay system. "The survival of the outdoor poster," he said "depends on adjustment to what is happening around us."

SMALLER SIGNS URGED

Robert Pliskin, vice president and art director at Benton & Bowles, Inc., proposed recently that outdoor advertisers make their signs smaller and use simpler but more esthetic designs. Roadside signs, he said, should be informative and artistic, not "aggressive, strident and illegible."

Perhaps the outdoor advertisers could even adorn the roadside with some reproductions of fine paintings, he suggested.

Mr. Pliskin's proposals may be considered a bit fanciful by the outdoor industry. But it is clear that some changes are underway in the industry and that the outdoor sign of the 1970's may bear a marked contrast with the present "billboards."

PROPOSED MASS SIT-IN AT CAPITOL SHOULD NOT BE TOLERATED

Mr. YOUNG of Ohio. Mr. President, the Senate office I occupy belongs to the citizens of Ohio, numbering about 10 million. Plans are being formulated for a massive march on Washington by 100,000 persons—or some say 200,000; and it is reported that there may be a huge demonstration, with marchers and their friends staging sit-ins in offices of Senators and Members of the House of Representatives. This is a matter for concern.

My conclusion is entirely different than the expressed determination of a Representative from Ohio who says he will lock his office door and dismiss his office staff until the demonstrators leave. Very definitely, Mr. President, I will do the exact opposite. I will not permit the senatorial business of my State to be disrupted by dozens or hundreds of demonstrators crowding into the reception room or any other of the six offices I occupy at 458 Senate Office Building, nor will I permit members of my office staff to be intimidated. The proposed mass demonstration and sit-in is an insult to Members of Congress. The legal right of citizens to march on Washington to influence a Senator is clear.

Citizens have a right to petition and to lobby. However, a mass invasion and demonstration is unwise and is a disorderly way to dramatize any cause. It would probably lead to rioting. Any such sit-in in the Senate Office Building or the Capitol would demonstrate contempt for the Congress and a lack of confidence in senatorial powers to reason and deliberate. It would recklessly demonstrate disregard for the dignity and integrity of the legislative branch of our Government.

I will not be coerced or pushed around by 10 or a thousand demonstrators, nor will I close my office and deprive Ohio schoolchildren and parents and other constituents the opportunity to be served by my staff members and me. If a large number of men and women crowd into the office I occupy threatening to remain until the Senate does something or other responsive to their demands, I will personally and forcibly eject them if necessary. If I am banged around in the process I accept that as an occupational hazard. No one—but no one—will be permitted to frighten any employee of this Senate office. It is stupidity for anyone to propose sit-in demonstrations on Capitol Hill. Protests, petitions, and arguments are proper. My office will continue to be open from 8 in the morning to 6 in the evening and the welcome sign is out for all Ohioans, and, in fact, for all citizens of the United States who have legitimate business in the Capital of their country. I feel that all Senators feel the same as I do, and that they will not tolerate any attempt to coerce them.

THE PRESIDENT'S TAX PROGRAM

Mr. DOMINICK. Mr. President, we have witnessed many inconsistencies, contradictions and on-again-off-again program in the New Frontier and by this time the American public is not only confused but justifiably upset.

As evidence of this I should like to place before the Senate an excellent editorial which appeared in the July 5 edition of the Denver Post. This article clearly points out the conflicting statements of the administration spokesmen with particular reference to the President's tax program.

When one considers that this newspaper endorsed the President in 1960 and has supported him on most subjects ever since, this editorial takes on a new significance. It is my hope that it is evidence of public and a press awakening to the apparent effort of this administration to make words substitute for deeds.

It would be helpful at this point to read some excerpts from this editorial:

> ### IF J. F. K. HAD TRIED TO ALIENATE PUBLIC HE COULDN'T BEAT TAX MUDDLE TO DO IT
>
> In its attempts to alter the tax structure for the benefit of the Nation's economy, the Kennedy administration has succeeded only in creating the most profound confusion.
>
> The net result is so bad that if Mr. Kennedy had hired someone deliberately to dismay and alienate the public, this person couldn't have done a much better job of it than what has been done by a bunch of well-intentioned experts.

That is the opening paragraph. In order to place the editorial in context, I ask unanimous consent that it may be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

IF J. F. K. HAD TRIED TO ALIENATE PUBLIC HE COULDN'T BEAT TAX MUDDLE TO DO IT

In its attempts to alter the tax structure for the benefit of the Nation's economy, the Kennedy administration has succeeded only in creating the most profound confusion.

The net result is so bad that if Mr. Kennedy had hired someone deliberately to dismay and alienate the public, this person couldn't have done a much better job of it than what has been done by a bunch of well-intentioned experts.

Let's go back over the depressing sequence of events:

The trouble began with the enactment in 1962 by Congress of legislation enabling the Internal Revenue Service to begin a crackdown on highly publicized expense account abuses—the yacht parties, the plush hunting lodges, the party-girl evenings.

But as the administration's Internal Revenue chief, Mortimer Caplin, began to reveal how the agency intended to interpret its congressional authorization, it became clear that this was to be a crackdown on more than abuses, it was to be a crackdown on virtually the whole idea of expense accounts. And this in turn, although the administration may not have intended it that way, took on the aspects of an assault on business operation itself.

Throughout the latter part of 1962 and the early part of 1963, the expense rules hearings, the talk, the endless warnings of tighter and tighter restrictions to come, succeeded in spooking the business community. Even before new regulations went into effect, business at hotels, restaurants, and in travel and entertainment facilities began to drop off sharply.

In the midst of this troubled business climate, the President in his state of the Union message made an urgent plea for tax relief to spur business and stimulate the economy.

But no sooner had an uneasy business community grasped hopefully at this Presidential gesture (Mr. Kennedy's proposal to cut the burdensome tax rates gained for him the unaccustomed support of the U.S. Chamber of Commerce among others) when the Chief Executive followed up in a few days with the explanation that the tax relief would have to be part of a package or "reforms" which included some surprises when examined closely.

One of the surprises was the fact that at least for a couple of years, business taxes would actually be increased rather than reduced. As for after that * * * well, what business was going to make its expenditure plans on a promise which had already been badly tarnished?

But the confusion was only beginning. In a meeting with a business group, the President said he wouldn't mind foregoing the "reform" (meaning the tax increases) part of the package if he could get the tax cuts. Before that could be absorbed, however, a statement came from a "high administration source" that the President regretted saying what he had said—that it was an unfortunate slip of the tongue.

For weeks the "yes he did mean it," and "no he didn't" speculation poured out of Washington. Reports had it that administration advisers were split on the matter—and that Mr. Kennedy was trying to placate Chairman Wilbur Mills, Democrat of Arkansas, of the House Ways and Means Committee, who wanted reform.

When Mills' committee finally got to work on the package, the general taxpayer began to get a better idea of what the "reform" would mean—reduced deductions (amounting to taxation on taxes) for him and gentler treatment for interest groups geared to protect themselves by lobbying.

But the people are not as unwary of what's been happening as Washington may think. In fact, throughout the country there is evidence of a growing wariness, a growing consciousness of tax and money problems that is inhibiting spending. Take one local example, which we cite because it involves a cross section of the public: At three Colorado dog-racing tracks attendance is up as usual—but, for the first time in years, betting is down.

The Kennedy administration may have its mind first and foremost on foreign problems and nuclear bombs, and next on domestic racial problems, but it shouldn't forget that the tax problem will hit the average citizen more directly than even these momentous matters.

There are a great many of our 189 million people who may not have direct contact with points of racial friction, and there are fewer who feel they can do something specific about the great foreign policy issues. But there is hardly a man or woman in America who doesn't feel the tax and money squeeze or notice the firm hand of the Government in his wallet pocket.

It is this practical reality that we have been trying to point out—fruitlessly, to date—to the big thinkers in Washington.

CORPS OF ENGINEER PROJECTS AND PROCEDURES IN MONTANA

Mr. METCALF. Mr. President, on June 20 the Corps of Engineers conducted a hearing in Wolf Point to obtain local views on development of the Missouri River between Fort Peck and Garrison Dams. Announcement was made in advance to all newspapers in the area and to persons who had written on the subject to the corps or me, that no plan of development was to be submitted by the corps at Wolf Point.

The corps' publicized notice stated:

> The hearing is an initial step toward preparation of the required report. The Corps of Engineers will not have any proposals to present or potential projects to describe.

According to press accounts of the hearing, the corps was criticized for not submitting a definite proposal. I was criticized for helping obtain the hearing in Wolf Point.

This hearing was held in accordance with normal democratic procedures, following requests from local groups for an investigation, authorization of the investigation by the Senate Committee on Public Works, appropriation of money by the Congress following testimony by local witnesses. Restrictions were placed on the use of investigation funds, as requested by local witnesses.

The Wolf Point hearing was the 5th of 18 steps required between conception and construction of corps projects with a Federal cost in excess of $1 million. A review of corps procedure, surveys and construction in Montana in accordance with this procedure, may lead to a fuller understanding of water resource development in our State.

The upper Missouri, Fort Peck-Fort Benton survey was authorized by the Senate Committee on Public Works in March 1960, in response to many requests from central Montanans to your congressional delegation. Exploratory hearings to obtain local views prior to detailed investigation—similar to the initial hearing just conducted in Wolf Point—were held in Lewistown and Havre in May 1961.

Following detailed studies by the Department of Interior and the corps, and advance distribution of technical data on 11 alternative plans of development, hearings were again held in Lewistown and Havre, and also in Malta, this spring. This month field staffs of the Department of Interior and the corps submitted a joint report, proposing that a final plan of development be selected from these five alternatives:

Plan 4, which includes Fort Benton and High Cow Creek Dams.

Plan 6, which includes Fort Benton Dam and a wilderness waterway.

Plan 8, which includes Fort Benton and Virgelle Dams and a modified wilderness waterway.

Plan 10, which includes Fort Benton and Low Cow Creek Dams, with that stretch of Missouri approximately from the mouth of the Marias to the mouth of the Judith left in its natural state.

Plan 11, which includes Fort Benton, Virgelle and Low Cow Creek Dams.

The corps' division engineer—in accordance with procedure listed in step 7 of the attached outline which requires him to make a specific recommendation—endorsed plan 4.

These staff recommendations will be subject to further review, as listed in the attached outline, prior to submission to Congress. The Congress may modify or turn down the recommendations. Congress must authorize, and subsequently appropriate funds, for any projects constructed.

The Beaver Creek, Milk River survey was authorized in 1962. The corps held a hearing on this survey in Saco in March 1963. The Glasgow Chamber of Commerce and Beaver Creek Flood Control Board requested that studies be made. This hearing—like the one last month in Wolf Point and those in Lewistown and Havre in May 1961—was called to obtain local views prior to detailed investigation.

The Missouri River, Fort Peck-Garrison Dam survey was authorized by the Senate Committee on Public Works last year. Appropriations were made for the study following requests from the Wolf Point Chamber of Commerce, the Montana Rural Electric Cooperative Association, and the Fort Peck Indian Tribe.

Senator Mansfield and I obtained from the Senate Appropriations Committee a directive that "none of this area be studied for irrigation possibilities if the people of the area do not approve of it." We obtained this restriction following testimony from witnesses and letters from local residents who wanted a study of irrigation possibilities of the bottom lands, but none in the Brockton Bench area.

MANY MONTANA PROJECTS COMPLETED

The Glasgow local protection project, Milk River, authorized by Congress in 1936, consists of about 12,300 feet of earth levee along the left banks of the Milk River and Cherry Creek, a tributary entering the river just upstream from Glasgow. Completed in 1938 at a Federal cost of $20,800 and non-Federal cost of $8,000 for lands, easements, and rights-of-way, the project was turned over to the city at that time for operation and maintenance.

The corps estimates that this project prevented more than a quarter of a million dollars worth of damage to business, industrial, and residential area of Glasgow during the flood of March and April 1952. The levees kept the high water out of the city.

The Forsyth local protection project, Yellowstone River was authorized in 1936. Construction started in 1947 and was completed in 1948. Project features include a 12,974-foot earthfill levee, a concrete retaining wall and a concrete flood wall. These structures protect about 550 residences, 98 business establishments, 16 public buildings, streets, utilities, and railroad facilities.

Federal cost of the completed project was $257,200, with local interests providing all necessary lands, easements, and rights-of-way at a cost of $15,800.

The Havre local protection, Milk River was authorized in 1944, completed in 1957, and turned over to local interests for operation and maintenance that same year. The project consists of the Bull Hook Unit of two detention dams and a diversion channel south of Havre, a system of levees along the Milk River north of town, gated outlets, a pumping installation and ponding area. The Federal cost of the Havre project was $1,843,900 and the non-Federal cost was $212,300. Last year the project literally paid for itself by preventing flood damages estimated at $2,160,000.

The Saco local protection project, Milk River was authorized in 1936. Construction began in September 1956. The project was completed and turned over to local interests for operation and maintenance in 1957. Existing works to protect Saco from flooding by Beaver Creek were raised and strengthened to provide a levee about 8,300 feet long with a 10-foot crown and adequate freeboard. The Federal cost was $72,800 and the non-Federal cost, $1,500.

The Polson Bay project, Flathead Lake, completed in 1910, contributed to lumber industry development by removing hazards of shallow water such as large boulders. Federal costs were $4,490 for new work and $260 for maintenance.

Fort Peck Dam went into construction in 1933, was placed in operation in 1938. The first powerplant—85,000 kilowatts installed capacity—began generating power in 1943. The second powerplant—80,000 kilowatts installed capacity—began generating power in 1961. The largest hydraulic earth-fill dam in the world—125,628,000 cubic yards of earth—Fort Peck at full capacity will store 19,400,000 acre-feet of water. Recreational development includes facilities at Fort Peck, Hell Creek, Rock Creek, The Pines, James Kipp Park, Bear Creek, and Devils Creek. The project had an attendance of 245,900 visitor-days in 1962. Work on the project is 98 percent complete—additional recreational facilities and completion of the second powerplant account for the remaining 2 percent. Total estimated cost of the Fort Peck project is $158,584,200.

AUTHORIZED PROJECTS

Libby Dam was authorized in 1950. Development of the project hinges upon approval by Canada, because the reservoir would extend 42 miles into that country. It would have an initial installed capacity of 356,000 kilowatts and ultimate installed capacity of 712,000 kilowatts, provide 4,965,000 acre-feet of usable storage capacity and cost—for the four initial units—$332 million.

AUTHORIZED BUT DEFERRED

The Sun River project, Great Falls and Billings local protection project, Yellowstone River were authorized in 1947 and 1950, respectively, but have been deferred because local interest diminished.

CONDITIONALLY AUTHORIZED PROJECT

The Clark Fork, Missoula project would consist of raising existing concrete walls and levees and construction of new concrete walls and levees. Recent surveys indicate flood-control works may be justified on the right bank of the Clark Fork downstream from the Madison Street Bridge and between University Bridge and the Lincoln Russell Street Bridge.

Last month the corps accepted the $94,338 bid of a Missoula firm for work on the area between Russell Street and University Bridge. Allocation of Federal funds for a levee extension as part of the Higgins Avenue Bridge project—from Madison Street Bridge to Pattee Street—is held up pending assurances of local financing.

SMALL PROJECTS, FLOOD CONTROL

The Shields River project, near Clyde Park, completed in 1950 at a Federal cost of $25,750, consists of 2,800 feet of levee and 2,250 feet of channel improvement.

The West Glendive project, Yellowstone River was constructed in 1959, at a Federal cost of $230,300 and a cost to local interests of $19,600. It consists of a diversion channel 1,500 feet long, a pile trestle 94 feet long, 6,500 feet of new levee, raising and enlarging of 1,700 feet of old levee and reinforcement of the railroad embankment.

OTHER PROJECTS

In November 1959, the corps completed emergency work in the Madison River Canyon, which was struck by a severe earthquake on August 17, 1959. The operation involved the movement of several million cubic yards of material and the construction of 20 miles of access and haul roads. Cost to the Federal Government was $1,715,000.

Small projects on which some studies have been requested and made, but which are now in abeyance, are the St. Regis River project—clearing and snagging logs and other debris in the vicinity of Taft, Mont., and flood protection along the Flathead River in the vicinity of Kalispell. The St. Regis project was not justified economically and is now inactive.

The corps participated with the Bureau of Reclamation in surveys of the Jefferson, Madison, and Gallatin Rivers, the Marias River—where Tiber Dam was completed by the Bureau of Reclamation in 1956—and the Big Horn River—where Yellowtail Dam is under construction by the Bureau of Reclamation.

Detailed planning has been initiated at the town of Musselshell, on the south bank of the Musselshell immediately below the confluence of Hawk Creek. The area is subject to flooding from Hawk Creek and to erosion from the Musselshell River.

Mr. President, I ask unanimous consent to insert in the RECORD immediately following these remarks an outline of the procedure involving the conception, authorization, and ultimate construction of Corps of Engineers river and harbor, beach erosion control, and flood control projects. I have inserted in the margins, alongside the appropriate paragraph in this 18-step procedure, the status of Montana projects and surveys.

There being no objection, the outline was ordered to be printed in the RECORD, as follows:

PROCEDURE INVOLVING THE CONCEPTION, AUTHORIZATION, AND ULTIMATE CONSTRUCTION OF CORPS OF ENGINEERS RIVER AND HARBOR, BEACH EROSION CONTROL, AND FLOOD CONTROL PROJECTS

STATUS: MONTANA PROJECTS AND SURVEYS

Step No. 1. Initiation of action by local interests: Local citizens who desire navigation, beach erosion control, flood control or related water resource improvements should contact their Senators and Representatives with a request that provision of the desired facilities be considered by the Federal Government. Local interests may also request advice of representatives of the Corps of Engineers, who will furnish pertinent available information and advise them of the appropriate further procedures.

Step No. 2. Consultation by Senator or Representative with Public Works Committee: Either one of two courses of action may be taken by a Senator or Representative in securing authorization of an investigation. If a previous report on navigation, beach erosion control, flood control, or allied purposes has been made for the area in question, the Senator or Representative may request the Senate or House Committee on Public Works to adopt a resolution authorizing a review of previous reports to determine whether any modifications of the Chief of Engineers, recommendations in such reports would be advisable, as contemplated by section 4 of River and Harbor Act approved March 4, 1913. If no previous report has been made, the Senator or Representative may request the committee to include authorization for a survey in either an omnibus river and harbor and flood control bill or a separate bill.

Step No. 3. Action by the Public Works Committee: If the committee is convinced of the need for a review report, an appropriate resolution calling upon the Board of Engineers for Rivers and Harbors to make the review will be adopted by the committee and referred to the Chief of Engineers for necessary action. However, if a previous report involves the project for the alluvial valley of the Mississippi River and tributaries, the resolution will call for a review of that report by the Chief of Engineers rather than by the Board. If the committee is convinced of the need for an original report, the authorization for an investigation will be included in either an omnibus river and harbor and flood control bill or a separate bill for consideration by Congress. Each committee may request advice of the Chief of Engineers on the desirability of authorizing such study.

Flathead River—Jefferson, Madison, Gallatin Rivers

Step No. 4. Assignment of investigation by Chief of Engineers: Whether an investigation is requested of the Chief of Engineers by committee resolution or by authority of an act of Congress, the Chief of Engineers will assign the investigation to an appropriate reporting officer, usually the division engineer in whose territory the area is located. Division engineers may further assign the investigation to the proper district engineer. However, before work can be undertaken on an investigation, funds for that purpose must be appropriated by the Congress.

Step No. 5. Public hearings by division or district engineer: The division or district engineer, in order to ascertain the views and desires of local people, will hold public hearings as appropriate at localities accessible to all concerned. Local interests will be afforded full opportunity to express their views on the character and extent of the improvement desired and on the need and advisability of its execution. Notices of public hearings to be held by the reporting officers are distributed directly to all parties known to be interested in the investigation.

Missouri River (Fort Peck-Garrison)

Milk River (Beaver Creek)

Step No. 6. Investigation by division or district engineer: The division or district engineer after carefully analyzing the data obtained from local interests and developed through field and office studies, will devise a plan of improvement best suited for problems under consideration and the area in question. During development of the plan of improvement, consideration will be given to optimum use of all water resources of the area by providing allied improvements. A favorable recommendation will depend on whether the benefits to be derived through the plan of improvement exceed the costs to be incurred.

Musselshell (Hawk Creek)

Upper Missouri (Fort Peck-Fort Benton)

Step No. 7. Review by division engineer and issuance of public notice: Upon completion of the report by the district engineer, the division engineer having jurisdiction will review the report and transmit it to the Board of Engineers for Rivers and Harbors. At that time he will issue a public notice to all parties known to be interested in the investigation, setting forth the findings of the district and division engineers and their recommendations for improvement, and informing those concerned that they may furnish their views to the Board.

Step No. 8. Review and hearings by engineer boards: The Board of Engineers for Rivers and Harbors, an independent body with separate staff in Washington, D.C., is required by law to review all survey and review reports except beach erosion reports. The Beach Erosion Board, also an independent body and staff in Washington, D.C., is the review board for beach erosion studies. These Boards may hold public hearings before making recommendations to the Chief of Engineers.

Step No. 9. Preparation of proposed report of the Chief of Engineers and review thereof by the affected States and Federal agencies: When the Board concerned completes its review of the report and transmits its recommendation to the Chief of Engineers, the latter will prepare his proposed report and will refer it, with the Board's report, to the Governors of the affected States and to other interested Federal agencies in order to obtain their views and recommendations on the improvements discussed in the report. The Federal agencies involved may include the Departments of Agriculture, Commerce, Interior, Labor, and Health, Education, and Welfare; the Federal Power Commission; and interested branches of the Department of Defense. The States and the other Federal agencies normally will be expected to forward their comments on the proposed report to the Chief of Engineers within 90 days.

Step No. 10. Transmittal of report to Bureau of the Budget: After the Chief of Engineers receives the comments of the Governors of the affected States and those of other interested Federal agencies, the Secretary of the Army will submit a draft of his letter of transmission to Congress, with the report of the Chief of Engineers and all pertinent papers, to the Director of the Bureau of the Budget for a determination of the relationship of the report to the program of the President.

Step No. 11. Transmittal of report to Congress: Upon receipt of the comments of the Bureau of the Budget, the Chief of Engineers will submit his report, together with all allied papers and comments, to the Secretary of the Army, who will transmit it to Congress. This step will complete the action required of the Chief of Engineers and the Department of the Army insofar as compliance with the congressional resolution or act authorizing the investigation is concerned.

Step No. 12. Project authorization by Congress: After the report is forwarded to Congress by the Secretary of the Army, the Committees on Public Works of the Senate and the House may hold hearings on the report with a view toward formulating a bill including authorization of projects recommended in the report. The report may be ordered to be printed by a committee and then is known as the project document. Authorization for construction of projects will usually be included in omnibus river and harbor and flood control bills.

Sun River project (Great Falls)

Step No. 13. Assurances of local cooperation: When scheduling of planning and construction of an authorized project is considered, the district engineer notifies responsible local interests that they will be required to furnish formal assurances that they will provide the authorized measures of local cooperation. If assurances satisfactory to the Secretary of the Army are not furnished projects generally are placed on the inactive list. In the specific case of local flood control projects, projects are deauthorized as provided by law if the assurances are not provided within 5 years after the request is made.

Step No. 14. Request for planning and construction funds: In order for the Corps of Engineers to construct a project authorized in an omnibus bill, funds must be requested from Congress. All requests for planning and construction funds will be reviewed by the Bureau of the Budget, and, if found to conform with the President's budgetary policies, will be transmitted to the House Committee on Appropriations for consideration.

Step No. 15. Appropriation of planning and construction funds: Upon completion of hearings by the Appropriations Committees considering the Department of the Army civil works appropriations, a bill will be reported out of committee and referred to the full Congress for passage. The enactment will then go to the President for signature. Authority and funds will be thereby given to the Chief of Engineers to initiate detailed planning and construction of the projects referred to in that bill.

Yellowstone River project (Billings)—Libby Dam—Clark Fork (Missoula) (Madison-Pattee area)

Step No. 16. Preparation of plans: Before construction of the project can be started, detailed plans, specifications, and cost estimates will be prepared by the district engineer, with such assistance and review by the division engineer and the Chief of Engineers as are necessary. At this time, the formal assurances of local, cooperation required by law, of which local interests were notified in step 13, must be provided by local interests and approved by the Secretary of the Army.

Step No. 17. Invitation to bid: Upon completion of plans and specifications, prospective bidders will be invited to bid on constructing the proposed improvements. Upon determination of the eligible low bidder, a contract will be awarded to him for construction of the project in accordance with those plans and specifications, or, if satisfactory bids are not secured, Government construction with hired labor may be undertaken as provided by law.

Clark Fork (Missoula) (University Bridge area)

Step No. 18. Initiation of construction of project: After award of the contract, the successful bidder will mobilize his plant, equipment, and personnel, and start construction.

COMPLETED

Fort Peck Dam.

Glasgow local protection project, Milk River.

Forsyth local protection project, Yellowstone River.

Havre local protection project, Milk River.

Saco local protection project, Milk River.

Polson Bay project.

Shields River project, Clyde Park.

West Glendive project, Yellowstone River.

Earthquake slide area, Madison River.

WOMEN'S COMMITTEE FOR CIVIL RIGHTS

Mrs. NEUBERGER. Mr. President, the Women's Committee for Civil Rights wasted no time in preparing a resolution to show their interest in the President's program for civil rights legislation.

Immediately following the dramatic meeting at which 300 women responded to the President's invitation to attend a White House conference, the women, under the chairmanship of Mrs. Mildred McAfee Horton, stayed on into the evening to map out this program.

In a story by Marie Smith appearing in the Washington Post this morning there is a detailed account of this program which I ask to include in the RECORD.

There being no objection, the story was ordered to be printed in the RECORD, as follows:

A National Women's Committee for Civil Rights has been organized with nearly 200 women leaders as charter members to implement President Kennedy's five-point program for women to help gain "human rights" for all citizens.

The committee is an immediate and enthusiastic response to his conference at the White House Tuesday afternoon with 300 women leaders at which he discussed his civil rights program and the role women can play in it.

Mildred McAfee Horton, wartime head of the Waves and former president of Wellesley College, is cochairman of the national committee organized Tuesday night by 200 of the women leaders who attended a follow-up meeting in the Interdepartmental Auditorium.

Yesterday, President Kennedy named Patricia Roberts Harris, formerly an attorney in the Criminal Division at the Justice Department and now associate dean of students at Howard University, to be cochairman.

Immediately after organizing, the women adopted a resolution pledging the group to "do all within its power to create public understanding of our moral responsibilities and to implement the President's civil rights program."

Only 2 of the 200 women leaders who formed the committee abstained from voting for the resolution. Mrs. Stephen J. Nicholas, executive secretary of the General Federation of Women's Clubs, said she was one of those who abstained. She said she was not authorized to act or make any commitments for the federation whose president, Mrs. Dexter O. Arnold, is in Europe.

Membership on the national committee will be open to all women and all women's organizations, whether or not they were represented in the group which met at the White House. However, President Kennedy estimated that the 300 women who attended his conference represented 50 million of the Nation's 68,577,000 women over the age of 14.

The committee authorized Mr. Horton and Esther Peterson, Assistant Secretary of Labor and Director of the Women's Bureau, to appoint a steering committee to handle ideas and reports of civil rights programs already in operations.

They asked also that the Women's Bureau cooperate in providing background and resourceful material.

Mrs. Peterson hailed the new committee as a "commitment of American women to completing our biggest unfinished job. It is a great time to be alive," she said. "We are participating in the making of history."

She urged also that the women use established community resources, stating that "there's already in existence a wealth of information and know-how in most communities."

"Seek out the leaders in this work and join hands with them. Give them your cooperation," she urged.

Mrs. Horton told the group their enthusiasm and sense of personal commitment were most heartening. "You will get ideas and stimulation from each other; but your greatest achievement will come through your activities as individuals and as members working through your organizations in your own communities."

The resolution adopted by the committee setting forth its purposes stated:

"Whereas the President of the United States, aware of the crisis in racial relations in our country today called a conference at the White House of leaders of women's organizations; and

"Whereas these women representing some 50 million American women responded to his eloquent plea to provide leadership in their communities, to alleviate tensions and to eliminate discriminations in all areas of our American way of life: Therefore be it

"*Resolved,* That this group shall do all within its power to create public understanding of our moral responsibilities and to implement the President's civil rights program."

Details on how the committee will function have not yet been worked out but they are expected to be disclosed after the naming of a steering committee by Mrs. Peterson and Mrs. Horton.

Leaders of some of the larger women's organizations who attended the White House conference had plans yesterday to implement the President's program among their own membership.

Mrs. Ollie L. Koger, national president of the American Legion Auxiliary, will report on the conference in a bulletin to 950,000 members in 50 States, the District of Columbia, Puerto Rico, and Panama, but she said, "There is nothing he asked us to do that we haven't already been doing," except officially support his legislative program.

She explained that the auxiliary takes no stand of its own on legislation but follows the stand taken by the American Legion and she did not know its position on the President's civil rights program.

The auxiliary, she said, has both integrated and segregated units. A Negro has never, to her knowledge, been elected to a national office in the organization.

Mrs. Robert V. H. Duncan, of Alexandria, president general of the 184,000-member National Society, Daughters of the American Revolution, said she plans to make a factual, one-page written report on the White House conference to the DAR Board of Management. Any implementing action would be up to the board which meets in October.

The DAR does not have any Negro members and is not likely to become integrated, though it has no discriminatory clause in the bylaws. A spokesman explained, "It would be rather difficult for a Negro to trace her ancestry back to the Revolutionary War because no records were kept on Negroes at that time."

It was pointed out, however, that the DAR does not practice racial discrimination in its awarding of scholarships or in its Junior American Citizenship programs in schools. The spokesman added, also, that DAR has Negro employees in supervisory positions at the national headquarters, and cited two that are heads of the mailroom and the print shop.

Mrs. Stephen J. Nicholas, who represented the General Federation of Women's Clubs at the White House conference, said that of 850,000 women members in 15,500 clubs in the United States, only one Negro club is an affiliate.

The League of Women for Community Service, Inc., in Boston, has 52 Negro members and has been an affiliate since 1921. Mrs. Frederick J. Wood, of Newtonville, Mass., president of the Massachusetts State Federation, said, "We would be happy to have more Negro clubs; I wish they would affiliate, but they just don't apply."

THE 300TH ANNIVERSARY OF CHARTER DAY IN RHODE ISLAND

Mr. PELL. Mr. President, July 8, 1963, marked the 300th anniversary of the Grand Charter of Rhode Island, an event that has been marked by proclamation by Gov. John H. Chafee. On this date in 1663, through the persistent diplomacy of Dr. John Clarke, of Newport, a charter was granted by Charles the Second of England for the Colony of Rhode Island and Providence Plantations.

This is a significant date not only for Rhode Islanders but for freemen everywhere. The principles embodied in the charter which Rhode Island commemorates are the same principles which are even today defended by freemen and sought by all men who would be free. The charter granted to Providence Plantations was a model for many similar documents to follow. It contained clear guarantees of the political rights which are so essential to a free society.

Perhaps most important among these is the guarantee of government by consent of the governed. In the true tradition of democracy the charter stated:

> The government is to be held by the free and voluntary consent of all or the greater part of the free inhabitants.

In its provision for representation of freemen of the colony, the Rhode Island Charter represented a significant step forward in the establishment of democracy in America. With the recognition of the right of men to be represented, the government of Rhode Island became truly a government of the people. Today, when millions live under the tyranny and oppression of dictatorship, this principle which was recognized 300 years ago in Rhode Island remains the test of genuine freedom.

The Rhode Island Charter also granted one of our most precious freedoms and one which at that time was a radical departure from the accepted norms—the freedom of religion. The freedom to worship a personal God is today an intrinsic part of the American way of life. The Rhode Island Charter guaranteed to the people this freedom of conscience in the following famous provision.

> Noe person within the sayd colonye, at any tyme hereafter, shall bee any wise molosted, punished, disquieted, or called in question, for any differences in opinione in matters of religion, and doe not actually disturb the civil peace of our sayd colony; but that all and everye person and persons may, from tyme to tyme, and at all tymes hereafter, freelye and fullye have and enjoye his and theire owne judgements and consciences, in matters of religious concernments * * * any lawe, statute, or clause therein contayned, or to bee contayned, usage, of custome of this realme, to the contrary hereof, in any wise, notwithstanding.

Today the right to freedom is guaranteed by the first amendment to our Constitution, and the name Roger Williams, the founder of the Rhode Island Colony, is synonymous with religious toleration.

The protection of this right to worship has been jealously guarded not only in Rhode Island and in America, but also in free countries throughout the world. Today, as the struggle to secure this right continues, I think it is particularly fitting that we pause to call attention to the principles contained in the Grand Charter of Rhode Island and to honor those who shaped this document. For the principles contained in this charter are as valid today to all who love freedom as they were 300 years ago.

JOBS ARE THE ANSWER

Mr. BOGGS. Mr. President, I ask unanimous consent to have printed at this point in the Record an editorial from yesterday's issue of the Washington Star, entitled "Jobs Are the Answer."

As the editorial mentions, it is simply good business to train someone so he can fill a job instead of carrying him along on the welfare rolls, because he has no skill to sell in the job market. It is more than just good business, though. It is the humane and moral thing to do.

Unless we approach the unemployment problem with a broad program to match trained persons with available jobs, we are simply fumbling with stopgap measures while the problem grows worse.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Evening Star, Washington (D.C.), July 10, 1963]

Jobs Are the Answer

Last month more than 70 million people were employed in this country—an alltime high. They laughed at Henry Wallace when he predicted that one day there would be jobs for 60 million Americans.

But the paradox—the bitter irony—is that as employment reached a new high so did unemployment. With the entry of teenagers into the job market unemployment rose by 800,000 to 4.8 million—5.7 percent of the work force. And while the reopening of schools should ease this a bit, the grim fact is that this situation promises to get worse before it gets better. Last year, for example, 12 percent fewer motor vehicle workers turned out 55 percent more cars than in 1948. This is the way it will continue to go as automation progresses.

Obviously, in this situation, the plight of the unskilled and illiterate or barely literate jobseeker is desperate. And Labor Secretary Wirtz is urging Congress to help him do more in this area.

The Government already has a job-training program, but it is inadequate. Many jobseekers cannot read or write. Before these people can benefit from meaningful job training they must be given at least a minimum education. According to Mr. Wirtz, there are more than 300,000 persons with less than 5 years of schooling who are on the streets seeking, but not finding work. What chance have they in the kind of job market which prevails today? The economic facts of life come down especially hard on the Negro. Negroes under 19 had an unemployment rate of about 24 percent last year—nearly double that for whites.

Congress has already authorized $161 million to train 117,000 workers. Mr. Wirtz wants $100 million more for the youth and literacy programs. He estimates this would permit literacy training for 47,000 jobless adults and job training for 56,000 teenagers—46,000 more than present funds permit.

The Secretary says the average cost of training a worker is $1,000. Once trained he or she has a chance to get a job. If the training is not forthcoming, "it will cost us $1,000 a year for each of them for the rest of our lives to carry them on our backs."

This, if nothing else, sounds like a good business proposition and Congress ought to approve it. Certainly it would be a great pity if an expanded job training program, especially for Negroes, should go down the drain in a protracted fight over public accommodations. In the long run, jobs will count most.

SAVING OUR CHILDREN FROM GOD

Mr. THURMOND. Mr. President, the July 16, 1963, issue of National Review contains an article which presents a most penetrating and logical analysis of the recent Supreme Court decision against prayers in the schools. It is entitled "Saving Our Children From God: The Court's Gone Too Far—It Will Go Farther Still, Predicts the Author, Given Its Interpretation In Recent Years of the First Amendment's Establishment Clause." This article was written by Mr. L. Brent Bozell.

I ask unanimous consent, Mr. President, that this article be printed in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SAVING OUR CHILDREN FROM GOD: THE COURT'S GONE TOO FAR—IT WILL GO FARTHER STILL, PREDICTS THE AUTHOR, GIVEN ITS INTERPRETATION IN RECENT YEARS OF THE FIRST AMENDMENT'S ESTABLISHMENT CLAUSE

(By L. Brent Bozell)

A great public uproar greeted the Supreme Court's decision in last year's school prayer case. The Court, some felt, was making war on religion. Don't be alarmed, the learned commentators soothed: All the Court has done is to forbid the States to get into the business of composing prayers: we must not suppose it will go further. Two weeks ago the commentators learned a thing or two. In the Schempp case, brought by a Pennsylvania Unitarian, and the Murray case, brought by a Maryland atheist, the Court encountered some prayers that were putatively composed by the Lord Himself. Not the kind of thing that may be heard in a public schoolroom in the United States, said the Supreme Court.

There were new signs of public dismay, but they hardly came to a roar. There was, rather, a kind of bewilderment in the air. How far would the Court go? Though established theology proclaimed otherwise, it seemed doubtful that God knew.

To grasp clearly this aspect of constitutional law, and particularly the current line of Supreme Court cases, it is vital to keep in mind the distinction between the first amendment's establishment clause and its free exercise clause: the amendment provides "Congress shall make no law (1) respecting an establishment of religion, or (2) prohibiting the free exercise thereof." Of course, both clauses may be involved in a given case; but they need not be, and, on the Court's showing, they were not in the Schempp-Murray cases. There was a lot of talk by the justices about the two clauses overlapping and their interrelationship—but it was just talk. In the final analysis, the free exercise clause did not figure at all since coercion, an indispensable factor for demonstrating a denial of free exercise, was not in evidence in either case. Both the Pennsylvania and Maryland statutes had expressly provided for excusing pupils from the religious readings. Nor was there any showing that "psychological disturbances" or other hardships might result from nonattendance. Given the record before it, then, the Court's holding of unconstitutionality rested squarely on the establishment clause.

THE KEY ISSUE

To be sure, there were reasons—assuming the prayers were vulnerable under the establishment clause—for the Court then to have invoked the free exercise clause, as a counterbalancing consideration, on behalf of pupils who want to pray. But we may put aside this question of majority rights, so uncongenial to the Warren Court's approach to liberty, until a later moment. It makes better sense to examine, first, the Court's treatment of the establishment clause. This is the key issue, not only in these cases, but in the entire campaign to give the secularizing tendencies in America the sanction of law.

The majority opinion in Schempp-Murray eschewed historical inquiry into the clause's meaning, in favor of ex cathedra declarations on its two major aspects. "First," Justice Clark wrote, "this Court has decisively settled (that the establishment clause) has been made wholly applicable to the States by the 14th amendment." As authority, he quoted a passage from Justice Roberts' opinion in *Cantwell* v. *Connecticut*, decided in 1940 (a case, as it happens, that did not involve the establishment clause) and then listed, seriatim, seven subsequent cases. "Second," Clark said, "this Court has rejected unequivocally the contention that the establishment clause forbids only governmental preference of one religion over another." Again, there was no argument, but simply a series of citations to recent Court decisions, buttressed by excerpts from the two dissenting opinions in *Everson* v. *Board of Education* (the 1948 New Jersey bus case). Justice Jackson had said on that occasion: "The effect of the religious freedom was to take every form of propagation of religion out of the realm of things which could directly or indirectly be made public business"; and Justice Rutledge had added: "The object (of the establishment clause) was broader than separating church and state in (the) narrow sense (of forbidding preference). It was to create a complete and permanent separation of the spheres of religious activity and civil authority by comprehensively forbidding every form of public aid or support for religion."

These views, Justice Clark went on, were subsequently underwritten by a majority of the Court in the McCollum (forbidding religious instruction on school premises), Zorach (permitting released time for off-premises instruction), and Engel (the New York Regents' prayer) cases; moreover, "none of the parties to either (the Schempp or Murray) case has questioned" them. Therefore, while "others continue to question (the) history, logic, and efficacy" of the Court's conclusions, Clark wound up, such objections "seem entirely untenable and of value only as academic exercises."

Clark's attempt to cut off the discussion was to some extent, let us note, understandable. After all, the proponents of religiosity in America—following a spate of articles and books disputing the Everson and McCollum decisions at the time of their rendering—have largely fallen silent, apparently accepting defeat. A great majority of the lawyers of the land, moreover, have evidently bought the theory that once the Supreme Court has spoken on a matter of constitutional law, however extravagantly, the issue is forever closed—so that even in their pleadings they dare not contest questions vital to their case.

HOME FREE

And these surrenders are critical. For if Clark's two basic propositions about the meaning of the establishment clause are accepted as correct, then the decisions in Schempp-Murray were also, if not self-evidently correct, at least arguably so; and the Court is home free. If it is true that the States, as well as Congress, are constitutionally required to respect a "high and impregnable * * * wall of separation between church and state," in the language of Everson and McCollum, or a strict neutrality toward religion in the prissier phrase of Schempp-Murray, then every public action affecting religious interests constitutes a prima facie case of unconstitutionality; and when the Justices go on to strike down the action—by merely exercising what amounts to unlimited discretionary powers—it becomes quite silly to fault the Court for aggression or usurpation. One can quibble and haggle about whether "neutrality" is better served by this course or that one—as Justice Stewart did in his feeble dissent, but such arguments will necessarily turn on the political, sociological, or ideological views of the individual Justices. There are, under these rules, no objective standards on which to base a judgment that the Court has, as a matter of law, gone too far.

Do we overstate the problem? Consider the formulation the Court majority announced in Schempp-Murray for applying its neutrality principle to concrete cases. "The test (for this and future cases)," according to Clark, "may be stated as follows: (in order for a given enactment) to withstand the strictures of the establishment clause, there must be (1) a secular legislative purpose, and (2) a primary effect that neither advances nor inhibits religion." Now, as a concrete case, consider the governmental practice affecting religion that is probably in least danger of immediate judicial attack—the tax exemption of churches. For a number of years nearly everyone has seen fit to endorse the fiction that the exemption is simply incidental to a larger public policy of encouraging charitable and other eleemosynary activities.

But let Justice Clark's test be applied, and let it be applied candidly: Isn't it true that the primary effect of letting off religious institutions from their taxes is to advance not charity—which is only one of religion's concerns—but religion? Or more to the point: Can there be any real quarrel with the Supreme Court, on legal or logical grounds, the day it decides to adopt that view?

In a word, the answer to the charge that the Court "has gone too far" in the school prayer cases is that the Court is entitled to go just as far as it pleases in the direction of secularization, provided its 15-year-old interpretation of the establishment clause is good constitutional law. And that ought to be reason enough for opponents of secularization to give a moment's time to an academic exercise.

ESTABLISHMENT CLAUSE

Let us begin with the second of Justice Clark's propositions, the one that deals with the original meaning of the establishment clause. And let us agree at the outset that there are three kinds of evidence that might bear on the problem—the situation out of which the demand for the provision arose; the comments about the provision's meaning made by its authors at the time it was under consideration; and most important, of course, the text of the provision. It is hard to imagine relevant data in any other category.

1. The historical background is well known to most schoolboys. Many people emigrated to America in order, among other reasons, to get out from under the official state church that had been established in the old country. Some of the settlers, so they said, were opposed in principle to the idea of an established religion, but most of them clearly were not, as witness they promptly established religions of their own preference in the Colonies. By the time the Constitution was adopted, strong sentiment against the establishment of any church had taken hold in some of the States, notably in Virginia, which disestablished the Church of England in the 1780's and even refused formally to

establish, as a substitute, "the Christian religion." Thomas Jefferson and James Madison, as everyone knows, played leading roles in Virginia disestablishmentarianism. In other States, however—five of them, to be exact, including powerful Massachusetts—the locally established church held its ground. In this diverse situation, all parts of the country agreed that a national government should have no power to disturb the existing local arrangements; congressional power to establish a church would jeopardize Virginia's practice, while a power to disestablish would threaten, e.g., Massachusetts'. Accordingly, control over religion was excluded from the list of powers delegated to Congress by the original Constitution. Nonetheless, three disestablishment States felt this negative protection was not enough, and requested an amendment dealing with their particular concerns. Virginia's proposal provided: "No particular religious sect or society ought to be favored or established by law, in preference to others." North Carolina submitted identical language. The third suggestion, New Hampshire's, asserted simply, "Congress shall make no laws touching religion." This, then, was the situation in the summer of 1789 when the First Congress considered and approved the establishment clause.

2. James Madison is rightly regarded as the principal drafter of the clause. He took on the job of working the various State proposals for amendments into a consolidated bill, and the language he chose for this particular matter was, "nor shall any national religion be established." In the course of the debate, Madison's original wording was changed to "no religion shall be established by law," at which point, evidently perceiving no substantial difference between the first and second versions, Madison advanced this explanation of the general proposal:

> "He apprehended the meaning of the words to be, that Congress should not establish a religion, and enforce the legal observation of it by law, nor compel men to worship God in any manner contrary to their conscience. Whether the words are necessary or not he did not mean to say (a comment that reflects Madison's oft-forgotten lukewarmness toward the whole idea of a Bill of Rights), but they had been required by some of the State conventions."

Suffice for these purposes that Madison's understanding of the amendment was never challenged, either in Congress or by the ratifying State legislatures. The ultimate change in phraseology manifestly did not affect the meaning of "establishment," but merely placed the ban against congressional action on a basis that would guarantee the integrity of local policy in all of the States.

3. "Congress shall make no law respecting an establishment of religion." The language Congress finally approved is just what we would have expected, for a normal reading of the words produces precisely the results the historical situation called for. The decisive word is "respecting." That word has been read by the Supreme Court for the last 15 years, and by secularist zealots for longer than that, as though it were equivalent to "tending toward." Yet obviously this is not what "respecting" means. It means, "having to do with"; and once we grant that degree of literacy to the framers, it is clear the clause forbade Congress to enact laws either for religious establishments or against them. The matter was to be left to local discretion. As Justice Story later wrote in his commentaries:

> "The whole power over the subject of religion is left (by the amendment) exclusively to the State governments to be acted upon according to their own sense of justice and the State constitutions; and the Catholic and the Protestant, the Calvinist and the Armenian, the Jew and the infidel may sit down at the common table of the national councils without any inquisition into their faith or mode of worship."

Turning to "an establishment of religion," there is not the slightest doubt the phrase was a term of art in the 18th century, used often by Madison, Jefferson, and other political commentators to signify—and never to signify anything else, unless the context clearly indicated otherwise—a preference of one religion over another. Extended documentation here is simply uneconomic. We may note, as one of a hundred proofs available, the Encyclopedia Britannica's explanation that the phrase "denotes any special connection with the State, or privileges and responsibilities before the law, possessed by one religious society to the exclusion of others; in a word, establishment is of the nature of a monopoly."

Before leaving this matter, the reader is certainly entitled to ask—How, if the case is this clear, has the Supreme Court managed to advance and maintain an utterly contrary position? Has the Court relied on some substantial piece of evidence we have omitted? The answer is, no; none that bears on the problem. From Everson and McCollum down to the Engel case in 1962 (the last time it deigned to discuss history), the Court has reached its secularist verdicts by—a) discussing the religious persecutions in Europe from which American settlers fled; b) citing Virginia's famous struggle against the Anglican establishment, particularly the roles of Madison and Jefferson; c) inferring from Jefferson's, and particularly Madison's, influence on the first Congress that the adoption of the Federal establishment clause was a replay of the Virginia experience. We say "inferring" with some charity because the argument is made in the absence of a single item of evidence—and in the teeth of literally pages to the contrary—that either Jefferson or Madison wished upon, or conceived himself wishing upon, the union of thirteen States the arrangement he had recommended to Virginia.[1]

JUSTICE BRENNAN'S OPINION

For the sake of foreigners, we may allude to three points Justice Brennan made in his lengthy concurring opinion that bear on this analysis. Brennan, who, unlike his brethren, did not treat history as entirely irrelevant, began in a burst of candor that could not have made the other Justices happy: "It is true that the framers' immediate concern was to prevent the setting up of an official church." "But," he quickly added, "there is nothing in the text of the establishment clause that supports the view that (this) was meant to be the full extent of the prohibitions against official involvements in religion." Which is, of course, a quaint way of adducing constitutional law unless one is prepared to suggest some evidence the framers had other prohibitions in mind. Brennan ventured one suggestion—an argument by a Mr. Lardner that the clause's use of the word "religion" instead of "church" was inexplicable except as a proof that state support of religion per se was banned. The answer: the framers said "religion" because they meant to prohibit the establishment not only of a particular religious sect—i.e., a "church," but also of any particular "religion"—i.e., as Virginia did "the Christian religion."

Second, Brennan thought that even though Jefferson and Madison might be shown to favor public school prayers, the "more fruitful inquiry is whether (the prayers) tend to promote the type of interdependence between religion and state which the first amendment was designed to prevent." We may stop the Justice there: obviously the "fruitfulness" of the approach is that it assumes the answer to the very question under discussion—namely what it is the first amendment was designed to prevent.

And Brennan's third point that bears here: "Education, as the framers knew it," he said, "was in the main confined to private schools," and that is why "they gave no distinct consideration to * * * devotional exercises in public institutions." Very well; but Brennan and the rest of the justices simply must get it through their heads that the failure of constitution makers to deal with a given subject is not a reason for courts' incorporating that subject into the Constitution, but against their doing so.

BILL OF RIGHTS

We may turn now to the majority's other proposition, the claim that the establishment clause was made binding on the States by the 14th amendment. Mercifully, the inquiry need not be extensive. We have no need to examine the general relationship of the Bill of Rights to the 14th amendment, a question that involves many considerations and would take us through nearly 40 years of Supreme Court decisions. For even if it were true that the framers of the 14th intended to make all of the rest of the Bill of Rights applicable to the States, there are two decisive reasons why such a conclusion is absurd in the case of the establishment clause.

1. We have agreed that the original establishment clause forbade "Congress (a) to establish a national church, and (b) to interfere with existing State arrangements regarding religion." Let us now, following the Supreme Court's theory of the 14th amendment, place a "State" in the shoes of "Congress," and see what we come up with. A State is now forbidden (a) to establish a national religion, and (b) to interfere with a State's—i.e., its own—arrangements regarding religion. Nor are these contradictions produced by mere logic-chopping. The way the Supreme Court has contrived to tie in the 14th amendment with the Bill of Rights in other situations is by arguing that the 14th's framers intended their word "liberty" to relate to the various "liberties" asserted by the bill, and as the latter had been protected against Federal encroachment, so they would thereafter be protected against State encroachment. But as the late Professor Corwin has pointed out, the establishment clause, unlike e.g., the right to bear arms, is not in the nature of a "liberty"; rather, it is like the 10th amendment, a delineation of the fears of Federal and State power. The only liberty the establishment clause conceivably protects is freedom from a national church; but a State is hardly in a position to jeopardize that liberty—if only for reasons of geography.

2. The other point is historical. Very often attempts to instruct the Court about the intentions of the 14th's framers must rest on the negative argument that no evidence exists that a given restriction on the States—for example, that against segregated schools—was on the framers' minds. Here, however, in addition to the negative argument (which happens to be open-go-shut), there is the positive fact that only 7 years after the 14th was ratified, a serious attempt was made to amend the Constitution by prohibiting State establishments of religion. Neither this, the famous Blaine amendment which enjoyed President Grant's full endorsement, nor any of the 10 others proposed at that time on the matter of State-church connections was approved; but the fact they were proposed and earnestly debated by the 14th's contemporaries surely eliminates the possibility that the 14th was understood to have covered these matters.

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[1] The Virginia arrangement was, incidentally, a far cry from the Supreme Court's "complete and permanent separation of the spheres of religious activity and civil authority." Religious instruction in the State university was, for example, earnestly promoted by Jefferson.

And how has the Supreme Court, as Justice Clark put it, "decisively settled" this issue to the contrary? It happened in the Everson and McCollum cases, and it happened without a single word of argument.

FRAUD AND MYTH

Such, then, are the dimensions of the Supreme Court's aggression in this field. For 15 years the Court—and we may well speak bluntly—has perpetrated a fraud on the American community. It is a fraud because the community has by and large assumed, and has had the right to assume, that its highest courts have been following accepted rules of constitutional construction, and that therefore the controversy that has swirled around its conclusions is a typical product of "disagreements among lawyers." The fraud has been abetted, moreover, by a myth about the Supreme Court's function and power that has been endorsed by what appears—but I think only appears—to be a majority of the community's articulate members: the myth, namely, that "the Constitution means what the Supreme Court says it means"—the idea that no other public authority is constitutionally entitled to join the Court in interpreting the Nation's charter document. This is not the place to expose that myth against the clearly contrary ideas of the Constitution's framers and the authors of the Federalist Papers. It is the place, however, to suggest the community had better begin to think deeply about the myth's consequences. The defenders of religiosity in the community who were able to live with the Everson case because it did, after all, permit parochial school children to ride on the public buses: and who were able to live with McCollum's ban on religious instruction in the schools because, after all, Zorach soon came along and allowed the instruction to take place elsewhere on released time—the defenders are now impaled on the principles announced in those cases, and, because of the myth, find their indignant protests treated as "academic exercises."

A new amendment to the Constitution to answer the school prayer decision? I think that remedy misses the point. There are a number of objections to the amendment solution, but the critical one is that it does not meet the great public evil that increasingly sits astride our affairs: the Supreme Court's assumed power to turn the Constitution upside down, and then demand the acquiescence not only of private citizens, but of all public authorities. Recourse to an amendment, by implication, confirms the power and encourages perpetuation of the evil.

Let the Congress, rather, employ the simple expedient of a resolution affirming its own understanding of the establishment clause, and encouraging States that share its views to deal with religion thenceforth in accordance with that understanding. The Congress and the States on one side, in other words; the Court and—for a while probably—the executive on the other. The confrontation would not have seemed strange to the authors of the Federalist. Does anyone doubt who would win?

VINELAND TRAINING SCHOOL

Mr. CASE. Mr. President, my colleagues will recall that I have again this year introduced a bill, S. 1090, which would authorize the disposal of Ellis Island for use by the training school at Vineland, N.J. Earlier in the session I testified in the Senate Subcommittee on Intergovernmental Relations to urge action on the bill.

Mental illness and retardation seriously impair the progress of our Nation. Increasing awareness of the need to deal with these problems is evident in the special message to Congress this year by the President of the United States requesting for the first time major Federal participation in the expansion of diagnostic and other facilities of the very same type proposed by the Vineland School for the Retarded.

This school is an internationally recognized private institution, willing to pay the Government for the privilege of taking Ellis Island off its hands. The Vineland School for the Retarded was a forerunner in the fields of research and in training the mentally handicapped. Today the school is in the forefront as a demonstration center which annually receives more than 5,000 visitors to observe in action both new and well-established techniques.

To those concerned with the symbolic value of Ellis Island, there could be no more exciting prospect than that the historic gateway to freedom in the New World be rededicated to a new and perhaps even more dramatic gateway to freedom—the freedom of the large numbers of mentally retarded individuals in our population from the handicaps of total dependence, the persecution of prejudice, and the lack of opportunity to achieve their maximum potentials within the limited endowment accorded them.

I ask unanimous consent to include in the RECORD two newspaper articles, one from the July 7, 1963, edition of the Newark Sunday News and another from the July 3, 1963, edition of the Newark Star-Ledger, which also appeared in the Plainfield Courier News. These articles describe the history and the admirable accomplishments of the Vineland School for the Retarded.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Newark Star-Ledger, July 3, 1963]

TYING THEIR OWN LACES BIG JOB AT VINELAND

Kenny, a 10-year-old with a crewcut that needed trimming, laboriously tied the laces of his scuffed shoes, deliberating briefly before attempting each move. As the bow on each shoe was put in place, the knot was pulled firm. When the job was completed, Kenny lifted his head and a broad smile broke out on his round face.

Mastering the simple operation of tying his shoelaces was a major accomplishment for Kenny because more than a year of training had gone into the task.

The long training was necessary because Kenny, on the verge chronologically of entering his teenage years, has the mental capacity of a 4-year-old.

Tying his shoes will be only one of the things he will be taught at the training school at Vineland, where he is a student.

FOUNDED IN 1888

The school is a private, nonprofit, international research and demonstration center founded in 1888 for the diagnosis, treatment, education, and care of mentally retarded children and adults.

It was founded by the Reverend S. Olin Garrison, who dreamed of a small village that could serve as a community for feebleminded children.

Professor Garrison's hope also was that "the institution will be second to none in furnishing scientific, medical, and other original data which will greatly promote etiological and sociological studies."

Today the school, which began with 7 mentally retarded children in a donated house, has grown and expanded into a 1,600-acre complex with 90 buildings, 20 cottages, 4 schoolbuildings, a greenhouse, vocational shops, farming areas, and a 50-acre lake.

THREE HUNDRED AND FIFTY STUDENTS

It presently takes care of 350 private students with a staff of 250.

The training school has had only 3 directors in its 75 years of existence—Garrison, until his death in 1900; Edward Ransom Johnstone, who died in 1945; and the present director, Dr. Walter Jacob.

"Our goal," said Dr. Jacob in a recent interview, "is to train youngsters to total living, to be as self-sufficient as possible in the outside world; so there is not too much emphasis on book learning.

"We would like them to be able to read books a little more advanced, but it is even more important to us that they be able to tell time and to have a sense of responsibility to personal hygiene, to count change, and understand traffic signals.

"Second only to the youngster's happiness is our striving to instill the greatest possible measure of self-sufficiency. This is a matter of very concentrated effort with the individual child."

[From the Newark Sunday News, July 7, 1963]

"LITTLE CORNER" BOON TO WORLD

(By Marylyn Loprete)

VINELAND.—"From this one little corner of Vineland, the entire world has benefited."

An oil company in this New Jersey borough of 10,000, recently extended that congratulatory message to the training school at Vineland, one of the largest private institutions for the mentally retarded in the world, on the occasion of the school's 75th anniversary.

The message sums up what the fourth oldest school of its kind in the country has accomplished during its lifetime. It has served as a leader in the care and training of the mentally retarded, but most of all it has been the nonprofit center for some of the most important scientific research on the causes and classification of mental retardation.

Founded in 1888 by Rev. S. Olin Garrison, a Methodist minister, it was located in a single house on a 40-acre tract of land. Five boys and two girls were cared for during the first year.

Today 160 well-kept acres, looking much more like a college campus than an institution, surround the original landmark. The school also includes a 1,400-acre farm colony which produces practically everything, except meat needed in its operation. From one building it has grown to a 90-building complex, including a chapel, and a greenhouse.

There are presently 350 mentally retarded persons from 2 to 88 years old being cared for by a staff of 250.

The school maintains a battery of specialists who work with the children in developing their character. There are nurses, doctors, physical and speech therapists, a psychiatrist and psychologists. Drug medication is used on about 150 of the inhabitants, who display serious behavior disorders, the aim being to take the children off medication as soon as it's feasible.

The most significant contribution, however, has been centered in the laboratory. The first to open a research lab in mental retardation, Vineland has served as a pioneer in demonstrating techniques to experts in the field all over the world.

In the first decade of the 20th century, under the auspices of Dr. H. H. Goddard, a leading educational psychologist, the first standardized IQ test, the Binet-Simon, was promulgated throughout the country. Through a later study of a family of "feebleminded" persons Dr. Goddard pinpointed the hereditary aspects of certain types of retardation.

At a historical meeting of psychologists at the school in 1912, the first Army intelligence tests, which later influenced school and occupational testing were drafted.

During the twenties, Dr. Edgar A. Doll, then head of research, experimented and found evidence that brain injuries were another cause of mental deficiency. Dr. Doll's most important contribution came in 1935 when he published a new mental test, the Vineland Social Maturity Scale.

The curriculum and activity program for the retarded considered one of the best in the world operates on a year-round basis. Classroom schooling usually runs to about the sixth grade level. The next step is vocational with training given in printing, farming methods, woodworking and other fields.

Vineland was the first to set up the cottage system of care where a familylike atmosphere is aimed for and students are supervised by houseparents. Most of the better institutions for handicapped persons of all types have copied the cottage system. Resident care costs $4,500 annually per person.

An applicant for the school is given 3 months of observation, testing, and diagnosis before being considered for admittance. Cost for the comprehensive diagnostic period is $500.

There is also a summer program for 9 weeks, at a cost of $85 per week, that is open to the public. During this period, parents and staff members can test out the child's reaction to institutional living as a preliminary to more permanent care.

Many of the school's older children and adults work on the farm, called Menantico, whose dairy herd is rated as one of the 10 best in the country. A thousand quarts of milk and 5,000 eggs are produced daily.

The school has accomplished much of its work through the efforts of its dedicated board of trustees, which is composed of prominent citizens from all over the Northeast. Pearl Buck, author, is president.

Dr. Walter Jacob, formerly an education administrator in several north Jersey schools, has been director since 1946. He succeeded the late Edward R. Johnstone, for whom a State school for the emotionally disturbed child has been named.

Dr. Jacob organized an active parent group called "Parents Incorporated," which raised funds and constructed a canteen for the children. He has also helped stabilize the financial situation at the school, which currently operates on a $1 million annual budget.

It was Miss Buck who presented future hopes of the school to a congressional committee brought together to consider proposals of institutions and individuals as to the use of Ellis Island in New York Harbor. The training school would like to make the island an international diagnostic center for the care and treatment of mental retardation.

Even if the plans for Ellis Island fail, however, the training school will continue its efforts in the field of research with the establishment of a new biochemical laboratory announced in December. The lab presently under construction is being supported by Federal grants and an award from the Pfeiffer Research Foundation of New York.

UKRAINIAN JEWISH RELATIONS

Mr. CASE. Mr. President, thousands of men and women in places throughout the world are devoting their lives to the task of bringing justice and understanding between people of different racial and ethnic backgrounds. Some of these wise and good people have received wide recognition for their work. Others have received moderate praise. Some have gone unrecognized.

One man has recently received belated recognition of his successful efforts to prevent a pogrom in the Ukrainian city of Chmelnyk during August 1919. He is the Reverend Dr. Vladimir Klodnycky, who was then a Ukrainian artillery officer and who for the past 23 years has been pastor of the Holy Ascension Church in Newark, N.J.

I ask unanimous consent to have inserted in the CONGRESSIONAL RECORD this article from the bulletin of the Ukrainian Orthodox League of America. It is based on a Radio Freedom broadcast which was beamed throughout Eastern Europe, telling of the incident and of Rev. Klodnycky's efforts to pacify an aroused and hostile population. I wish to draw particular attention to the remarks of Mr. Joseph Lichten at a B'nai B'rith banquet held to honor Reverend Klodnycky for his heroism, and for his great service to the Jewish people.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UKRAINIAN-JEWISH RELATIONS

An event which will have a bright place in the history of not always happy Ukrainian-Jewish relations took place on April 10, 1962, in Newark, N.J., a city close to New York. Vladimir Stepanovich Klodnycky, onetime officer of the Ukrainian National Republic Army, had conferred upon him an impressive honor by the Jewish organization B'nai B'rith at its annual congress. This organization is known throughout the entire world.

The banquet was attended by more than 200 Jewish leaders and about 50 Ukrainian guests, among them former Minister of Finance of the Ukrainian National Republic, Prof. Boris Martos, who occupied a place in the honorary presidium. Vladimir Klodnycky received an ovation and had presented to him an honorary certificate-scroll in recognition of the fact that 43 years ago he saved the lives of 15,000 Jews in the city of Chmelnyk in Vinnistia region.

The historic event was described in detail at the congress by Joseph Lichten, one of the noted leaders of American Jewry. It happened in August 1919. The daughter of a Jew in Chmelnyk married a Ukrainian from a neighboring village. The father of the girl, angry because his daughter had forsaken her faith and also because she and her husband had removed some family possessions from his house, set fire at night to the house of his undesirable son-in-law. This relatively small evil grew into a great evil. The fire spread to other houses, and in a few hours the whole village was razed. At this time anarchy raged in the territory and occasionally pogroms occurred, provoked by transient bands. The Jews of Chmelnyk feared revenge and a pogrom. It so happened that right after the burning of the village, a market day or fair took place in Chmelnyk. Many people arrived with weapons to take revenge on the Jewish population of Chmelnyk.

The lives of 15,000 Jewish inhabitants hung on a hair. Fortunately, a detachment of the Ukrainian National Republic Army arrived in Chmelnyk at this time. Maj. Vladimir Stepanovich Klodnycky was its commander. Klodnycky had his detachment arrayed in formation on the principal street, and he went up onto a balcony in the city administration building and spoke to the aroused villagers as follows:

"Those of you, dear brothers, who build their own homes must certainly have made the sign of the cross upon themselves and sprinkled the foundation with holy water. So, also, enslaved Ukraine has summoned us all—together with you—to build our own national house, our Ukrainian state. And now you want to sprinkle the foundation of our Ukrainian state with the blood of Jews. This thought of yours is sinful. We are building our Ukrainian state upon law and order and not upon mob rule or highhandedness."

This was a brave act on the part of an officer of the Ukrainian National Republic Army, Klodnycky, because the throng was furious and he could have been felled with a single shot. However, the courageous and noble words of this soldier of the Ukrainian National Republic Army sobered the mob and the people quietly dispersed. The next day a delegation from the Jews, with Rabbi Bilyk at its head, thanked Officer Klodnycky and proposed in gratitude a gift for him of 200,000 karbovantsi. Klodnycky, however, declined the gift; instead he influenced the more prosperous Jews to aid their less fortunate brothers. Ukrainians and Jews, together with the soldiers of the garrison of the Ukrainian Army commanded by Klodnycky settled amicably the economic and civic affairs of Chmelnyk and the village which had suffered the conflagration.

After relating the episode at the congress of the Jewish organization in America, Joseph Lichten said:

"Volumes have been written about pogroms in the Ukraine during the revolution. However, it seems to be easier to collect data about evil rather than facts about good. Major Klodnycky, after Ukraine was occupied by the Bolsheviks, was forced to emigrate to America. He lived here 37 years, serving as priest in the local (Newark) Ukrainian Orthodox Church. After being a Ukrainian commander and soldier, he became a Ukrainian pastor of souls. It is regrettable that so noble a flower was uprooted from its soil and cannot send its roots into his native Ukraine. We honor today this man" continued Lichten "for his dedication to God, humanity and his country. May God grant that there be many more such men among Christians and Jews."

The presentation of the scroll was in an atmosphere of great uplift and ovation. All present rose and paid honor to the recipient. Some were so moved that they wept.

This event at the congress of the leading Jewish organization in America testifies to the fact that among the influential leaders of Jewry, as well as Ukrainians, there are elements who actively work for the improvement of Ukrainian-Jewish relations.

The enslavers of Ukraine made her territory for many centuries a zone of Jewish settlement and at the same time they inflamed the feelings between Ukrainians and Jews in order to divert from themselves the anger of the people.

Civic and intellectual-scientific elements in America are working to improve Ukrainian-Jewish relations. A scientific commission of the Ukrainian Free Academy of Sciences in U.S.A. is conducting research of the history of Ukrainian-Jewish relations. Jewish intellectuals also take part in the work of this commission.

Delivered and subscribed by:

YURIJ HAJDAR.

PORTSMOUTH CLIPPER SHIPS AND THE NAVY YARD

Mr. McINTYRE. Mr. President, I recently read in the Littleton (N.H.) Courier an interesting article written by an eighth-grade student from Littleton, N.H., who took part in the annual DAR national essay contest.

This article points out the important role that the Portsmouth Naval Shipyard has played in our country's history from the development of the clipper ships to its present role in providing for our Nation's defense by its building and repairing of submarines.

Mr. President, I wish to share this essay with my colleagues to remind them of the most important role that New Hampshire plays in our Nation's defense.

Mr. President, I ask unanimous consent that this article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Portsmouth Clipper Ships and Navy Yard

(By Delight Wing)

In the 1820's, a new type of ship known as the clipper ship was developed in Chesapeake Bay. The ships were very valuable to our country's trade, for on a given day, a clipper ship could outsail any ship on the sea, thus being able to reach port ahead of foreign trading vessels.

The clipper ships constructed in Portsmouth usually had very slender hulls, three masts, and square sails. The slender hull was the only disadvantage of the clipper ships, for although it enabled the ship to travel faster, it did not allow much room in which to store cargo.

Plans for the building of clipper ships in Portsmouth were taken from Donald McKay, who lived in Boston. His second built clipper ship *Lightning* was the basis of plans used by Portsmouth shipbuilders.

Shipbuilding was an easy prospect in Portsmouth, for the Piscatqua River made an excellent harbor, and all around the bay lay fine quality timber. There was also a large merchant class in Portsmouth, for ships had been built there before the clipper came along. The clipper ships of Portsmouth were built mainly by privately owned shipbuilding companies.

After the opium war, Portsmouth harbored many ships owned by Chinese dealers. The clipper ships produced by Portsmouth builders were sailed immediately to the China side, and there mated and supplied to become "opium clippers" which sailed between New York and Lintin, China.

Portsmouth was not used very much as a Government trading port. However, clipper ships produced in Portsmouth became some of the country's fastest and most used trading vessels. New York and Boston ports were the trade centers, and clippers built in Portsmouth that were not sent to the China side were sailed to New York or Boston to be loaded with cargo.

New Hampshire gained more interest and became more important through the value of Portsmouth clipper ships. Merchants from New England and New York traveled to Portsmouth to aid the industry; workers traveled to New Hampshire in hopes of landing a job on one of the trading clippers.

Yet in the 1850's the clipper ship need was dying out. Foreign countries were producing steamships which could travel twice as fast as clipper ships. Also, the Suez Canal was a great threat to clipper ship prosperity, for steamships could make the passage with greater regularity, more cargo, and lower rates. However, even though other countries had faster ships, U.S. ports still continued to build clipper ships for quite a while.

Finally, in the 1860's the United States began to develop the steamboat for trading purposes. What with the rise of the steamboat, and the increased development of Massachusetts ports, the port of Portsmouth gradually died out. Portsmouth's shipbuilding industries and use of the harbor declined so that finally none existed at all. This condition continued until the establishment of a U.S. Navy Yard at Portsmouth.

Today the navy yard is the backbone of modern Portsmouth. The navy yard is devoted mainly to the building of submarines, and the repairing of battleships. In 1938, 3,000 men were employed at the navy yard, for the purpose of building submarines and repairing battleships. Including all workers, in 1938, the yard employed a total of 5,000. Its facilities for the work it performs include: a stone drydock, of size large enough to take battleships of 23,000 tons, a fitting out basin to accommodate 10 submarines at a time, and berthing space for 100 submarines, plus needed technical equipment. The yard also includes a naval hospital, and naval prison.

The navy yard had first been "federalized" in 1815, when the first Federal ship, the *Washington* was launched. (At that time the yard was situated on Dennett's Island.) Federal interest dwindled until the late 1860's when equipment was added to the yard, and was considered officially as a U.S. naval yard.

At the close of the Russo-Japanese War, when the countries were negotiating for peace, President Theodore Roosevelt chose the yard for the meeting of the council that would discuss terms of peace. The treaty of Portsmouth was signed here on September 5, 1905.

The interest in submarine building at the yard came shortly after World War I broke out. The Navy Department decided on Portsmouth, as where they would construct the first Government-made submarine. The submarine was begun on November 2, 1914, and completed May 25, 1918. This was the first of the long line of submarines built in Portsmouth.

In the early 1850's, New Hampshire played a part in the country's being, with the Portsmouth clipper ships. Today, the naval yard at Portsmouth is important to the United States. No matter how small, New Hampshire has, and does, contribute something of importance to the United States.

TRIBUTE TO MILDRED McAFEE HORTON

Mr. McINTYRE. Mr. President, the name Mildred McAfee Horton is well known in this Nation. Mrs. Horton, who lives in Randolph, N.H., is a former president of Wellesley College. She was the first head of the Waves, and is vice president of the United Church Board for World Ministry. Earlier this year, she was a delegate to the 12th General Council of UNESCO in Paris.

Now Mrs. Horton has been selected by the President as cochairman of the National Women's Committee on Civil Rights. I applaud this choice for I am certain that Mrs. Horton will, with her boundless energy and broad experience, make many valuable contributions in the important area of civil rights.

Mr. President, I ask unanimous consent that an article from the Washington Post, in which Mrs. Horton expresses some of her thoughts on her new position, be inserted in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

Mildred Horton's at Helm

Mildred McAfee Horton, former president of Wellesley College, who was picked by President Kennedy to serve as chairman of women leaders, working for civil rights, is glad to be in the battle for racial equality again.

"I have been very interested in solving racial problems," she said yesterday and added that she was "very happy that the military services were integrated while she was head of the Waves."

She returned to her home in Randolph, N.H., yesterday, determined to do all she can for the newly formed National Women's Committee on Civil Rights, of which she is cochairman.

Since she retired from the presidency of Wellesley in 1948, she has been "concentrating on my hobby of keeping house and enjoying my 13 grandchildren," she said yesterday.

But a look at the roster of positions she holds shows she has been busy in the fields of religion and education, too.

She is a vice president of the United Church Board for World Ministry; chairman of the board of Pierce College in Athens, Greece, and on the board of directors of both the Danforth Foundation (an educational foundation) and the Fund for the Advancement of Education (a Ford Foundation subsidiary).

Earlier this year she served as a U.S. delegate to the 12th general council of UNESCO in Paris. This was while her husband, Dr. Douglas Horton, retired dean of the Harvard Divinity School, was serving as a Protestant observer at the Ecumenical Council called by the late Pope John XXIII.

Mrs. Horton said she will be "out of the country all fall" because she is going to Rome with her husband while he is a Protestant observer at the forthcoming Vatican Council.

Mrs. Horton and her husband live in what they call "the oldest house in New Hampshire." Actually, she explained, it is only 40 years old, but one board came from her husband's family home on Long Island that was built in 1640. "We have it over the fireplace in the dining room," she said of the antique board.

Both of them have many, many friends who find their way to the New Hampshire retirement home, and "our family is always tripping in and out," she said.

Now freed from their professional ties, the Hortons travel a great deal. The sparkling-eyed Mrs. Horton said "one of my pleasures is that everywhere I go in the United States and the world, I turn up someone from the Navy and Wellesley."

Many honors have been bestowed on her over the years and she wears them gracefully, with an air of modesty that belies her outstanding achievements.

Mrs. Horton was very pleased at the response of the women leaders to the President's civil rights program. "I was pleased by the fact that so many women were stimulated to be more active than ever before. I hope they will stimulate other people across the country," she said.

She added that "if everyone could see the caliber of Negro women we have in this country who were represented at that conference they'd see how absurd it is to limit their opportunities."

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

ORDER OF BUSINESS

Mr. STENNIS obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from Mississippi yield to me without losing his right to the floor?

Mr. STENNIS. Mr. President, I ask unanimous consent that I may yield to the Senator from Montana without losing my right to the floor.

The PRESIDENT pro tempore. Is there objection to the request by the Senator from Mississippi? The Chair hears none, and it is so ordered.

AMENDMENT OF LEAD-ZINC SMALL PRODUCERS STABILIZATION ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business may be laid before the Senate and made the pending business.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

There being no objection the Senate resumed the consideration of the bill (H.R. 3845) to amend the Lead-Zinc Small Producers Stabilization Act of October 3, 1961 (75 Stat. 766).

U.S. PARTICIPATION IN INTERNATIONAL BUREAU FOR THE PROTECTION OF INDUSTRIAL PROPERTY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be discharged from the further consideration of House Joint Resolution 405, to amend the joint resolution providing for U.S. participation in the International Bureau for the Protection of Industrial Property.

The PRESIDENT pro tempore. Is there objection to the request by the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of House Joint Resolution 405.

The PRESIDENT pro tempore. The joint resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A joint resolution (H.J. Res. 405) to amend the joint resolution providing for U.S. participation in the International Bureau for the Protection of Industrial Property.

Mr. MANSFIELD. Mr. President, for the information of Senators, I wish to state that this resolution is identical to Senate Joint Resolution 64, which the Senate passed on July 9.

The PRESIDENT pro tempore. Is there objection to the request by the Senator from Montana?

There being no objection, the Senate proceeded to consider the joint resolution (H.J. Res. 405) which was ordered to a third reading, read the third time, and passed.

CONVEYANCE OF CERTAIN LANDS TO HENDERSON, NEV.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business may be temporarily laid aside and that the Senate may proceed to the consideration of Calendar No. 318, H.R. 2461.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 2461) to direct the Secretary of the Interior to convey to the city of Henderson, Nev., at fair market value, certain public lands in the State of Nevada.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 344), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

H.R. 2461 is identical in purpose with S. 346, a bill introduced by Senator HOWARD CANNON and Senator ALAN BIBLE. The bill will provide for the sale to the city of Henderson, Nev., at fair market value of about 15,000 acres of public land to promote the orderly growth and development of this area.

NEED

The lands involved in the bill, except as provided in it, are not required for any Federal program. The public sale law does not permit sales of this size, being restricted to tracts of 1,520 acres which must be isolated, or to tracts of 760 acres which must be rough and mountainous. The legislation intends that the Secretary of the Interior will sell the property to the city at its fair market value. He will also segregate the land prior to the sale from all forms of appropriation under the public land laws. In setting the fair market value the Secretary will utilize the effective date of this act and, in addition to the fair market value, the city will pay the cost of appraisal if accomplished by contract, minus any adjustment in the purchase price made pursuant to section 5, and subject to any valid claims described in section 2 and any restrictions, reservations or conditions the Secretary deems necessary to protect continuing uses of the land by the United States, its permittees, lessees or licensees. The act, by requiring that the fair market value be set as of the effective date of the act intends that the Secretary shall not take into consideration any improvements to surrounding land made by the city after the date of enactment of this act. Section 5 authorizes the Secretary to initiate agreement on price with the city of Henderson and the appraisal is to reflect any expenditures incurred by the city in facilitating transfer of the lands during the period between the enactment of this act and notice to the city of Henderson as to the appraised fair market value. The act contains protections both to the city and to the Federal Government so that the sale of the lands to the city and the subsequent development of the lands and resale by the city of Henderson can be accomplished in the public interest.

COST

The sale of the lands to the city of Henderson, being at fair market value, should produce a modest income to the Federal Government and reduce the costs of operation and administration for the Bureau of Land Management.

The PRESIDENT pro tempore. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H.R. 2461) was ordered to a third reading, was read the third time, and passed.

Mr. CANNON. Mr. President, I am very pleased with the action just taken by the Senate in approving a bill to provide for the conveyance of public lands to the city of Henderson, Nev.

At the time my colleague [Mr. BIBLE] and I introduced this legislation, on January 18 of this year, I pointed out that one of the difficulties facing the city of Henderson is that it is generally surrounded by public domain and therefore cannot follow the ordinary procedure of annexing property to provide for expansion and growth.

The acreage made available for purchase under this bill would enable Henderson to increase its area from 25 square miles to 48.4 square miles. The need for doubling the size of the city becomes strikingly evident when it is shown that the population during the last decade has tripled, going from just over 5,000 to well over 17,000.

My colleague [Mr. BIBLE] and I introduced a similar bill last year, but it was impossible to conduct the necessary hearings, and I have therefore been pleased with his efforts to expedite the committee consideration of this bill this year in order that the city of Henderson could be assured of the land which is so desperately required if the city is to appropriately plan on a long-range basis for its expansion and development.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business may be temporarily laid aside and that there may be a call of the calendar for the passage of measures to which there is no objection, beginning with Calendar No. 322.

The PRESIDENT pro tempore. Is there objection to the request by the Senator from Montana? The Chair hears none; and, without objection, it is so ordered. The clerk will state the measures on the calendar, beginning with No. 322.

PRINTING AS SENATE DOCUMENT REPORT ENTITLED "THE ARTS AND THE NATIONAL GOVERNMENT"

The resolution (S. Res. 167) authorizing the printing as a Senate document of the report entitled "The Arts and the National Government" was considered and agreed to, as follows:

Resolved, That there be printed as a Senate document the report entitled "The Arts and the National Government", submitted to the President on May 28, 1963, by August Heckscher, special consultant on the arts; and that there be printed five thousand additional copies of such document for the use of the Committee on Labor and Public Welfare.

AMENDMENT OF THE LEGISLATIVE BRANCH APPROPRIATION ACT OF 1959

The bill (H.R. 4946) to amend the Legislative Branch Appropriation Act, 1959, to provide for reimbursement of transportation expenses for Members of the House of Representatives, was considered, ordered to a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 348), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The Committee on Rules and Administration, to whom was referred H.R. 4946, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

Under the provisions of this bill, Members of the House of Representatives (including the Resident Commissioner from Puerto Rico) may claim reimbursement of transportation expenses on an actual fare basis or at the standard rate of 12 cents per mile for automobile travel, for not to exceed two round trips in each year, between Washington, D.C., and the districts represented by them. Similar authorization for Members of the Senate was made available under previous legislation (2 U.S.C. 43(b)).

COMMONWEALTH PARLIAMENTARY ASSOCIATION GENERAL MEETING

The resolution (S. Res. 168) accepting an invitation to attend the next general meeting of the Commonwealth Parliamentary Association to be held in Kuala Lumpur, Malaya, was considered and agreed to, as follows:

Resolved, That the Presiding Officer of the Senate is authorized to appoint four Members of the Senate as a delegation to attend the next general meeting of the Commonwealth Parliamentary Association, to be held in Kuala Lumpur, Malaya, at the invitation of the Malayan branch of the association, and to designate the chairman of said delegation.

SEC. 2. The expenses of the delegation, including staff members designated by the chairman to assist said delegation, shall not exceed $10,000 and shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

PRINTING OF ADDITIONAL COPIES OF HOUSE DOCUMENT NO. 336, FACTS ON COMMUNISM

The concurrent resolution (H. Con. Res. 161) providing for additional copies of House Document 336, 86th Congress, entitled "Facts on Communism," was considered and agreed to.

PRINTING OF ADDITIONAL COPIES OF HOUSE REPORT NO. 2559, 87TH CONGRESS

The concurrent resolution (H. Con. Res. 162) providing for additional copies of House Report No. 2559, 87th Congress, was considered and agreed to.

PRINTING OF ADDITIONAL COPIES OF PUBLICATION ENTITLED "COMMUNIST OUTLETS FOR DISTRIBUTION OF SOVIET PROPAGANDA"

The concurrent resolution (H. Con. Res. 163) providing for additional copies of the publication "Communist Outlets for Distribution of Soviet Propaganda," was considered, and agreed to.

PRINTING OF ADDITIONAL COPIES OF PUBLICATION "U.S. COMMUNIST PARTY ASSISTANCE TO FOREIGN COMMUNIST GOVERNMENTS"

The concurrent resolution (H. Con. Res. 164) providing for additional copies of the publication "U.S. Communist Party Assistance to Foreign Communist Governments," was considered and agreed to.

PRINTING OF ADDITIONAL COPIES OF SENATE REPORT NO. 8 ON "DEVELOPMENTS IN AGING, 1959–63"

The resolution (S. Res. 162) to print additional copies of Senate Report No. 8 on "Developments in Aging, 1959–63," was considered and agreed to, as follows:

Resolved, That there be printed for the use of the Special Committee on Aging an additional two thousand copies of Senate Report Numbered 8, "Developments in Aging, 1959–1963", of the Eighty-eighth Congress, first session.

PRINTING OF ADDITIONAL COPIES OF HEARINGS ON EFFECTS OF TELEVISION PORTRAYAL OF CRIME

The Senate proceeded to consider the concurrent resolution (S. Con. Res. 47) to print additional copies of certain hearings on effects of television portrayal of crime on young people, which had been reported from the Committee on Rules and Administration with an amendment in line 3, after the word "Judiciary", to strike out "four" and insert "three"; so as to make the concurrent resolution read:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on the Judiciary three thousand additional copies of the hearings of its Subcommittee To Investigate Juvenile Delinquency entitled "Effects on Young People of Violence and Crime Portrayed on Television," part 10, dated June 8, 9, 13, 15, 16, and 19; July 27 and 28, 1961; January 24 and May 11 and 14, 1962.

The amendment was agreed to.

The concurrent resolution, as amended, was agreed to.

PRINTING OF TRANSLATION OF BOOK ENTITLED "LARGE DAMS OF THE U.S.S.R."

The Senate proceeded to consider the resolution (S. Res. 110) to print a translation of a book entitled "Large Dams of the U.S.S.R.," which had been reported from the Committee on Rules and Administration with an amendment in line 6, after the word "additional", to strike out "five hundred" and insert "one thousand"; so as to make the resolution read:

Resolved, That there be printed as a Senate document a translation of the book "Large Dams of the U.S.S.R." prepared under the National Science Foundation translation program, together with illustrations and an explanatory statement of Senator FRANK E. MOSS of Utah in connection therewith; and that there be printed an additional one thousand copies of such document for the use of the Senate Committee on Interior and Insular Affairs.

The amendment was agreed to.

The resolution, as amended, was agreed to.

Mr. MANSFIELD. Mr. President, that concludes the call of measures on the calendar to which there is no objection. I thank the distinguished Senator from Mississippi for allowing this to be done.

ORDER FOR ADJOURNMENT UNTIL NOON ON MONDAY, JULY 15, 1963

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its deliberations today it stand in adjournment to meet at 12 o'clock noon on Monday next.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. DIRKSEN. Mr. President, will the Senator from Mississippi yield to me?

Mr. STENNIS. Mr. President, I ask unanimous consent that I may yield to the Senator from Illinois without losing my right to the floor.

The PRESIDENT pro tempore. Is there objection to the request by the Senator from Mississippi? The Chair hears none, and it is so ordered.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I should like to query the distinguished majority leader as to whether there is any specific legislation to be considered beginning on Monday of next week.

Mr. MANSFIELD. Certain proposed legislation will be considered at that time. I would hope the Senate could consider S. 628, to amend the District of Columbia Redevelopment Act of 1945; and Calendar No. 312, S. 627, to promote State commercial fishery research and development projects, and for other purposes. I hope that Calendar No. 316, S. 793, to promote the conservation of the Nation's wildlife resources on the Pacific flyway in the Tule Lake, Lower Klamath, Upper Klamath, and Clear Lake National Wildlife Refuges in Oregon and California, can be considered either today or Monday.

One or two other measures might be considered.

Mr. DIRKSEN. I thank the distinguished majority leader.

The PRESIDENT pro tempore. The Senator from Mississippi has the floor.

ORDER OF BUSINESS

Mr. STENNIS. Mr. President, I ask unanimous consent that I may yield to the Senator from Alaska without losing my right to the floor.

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). Is there objection to the request by the Senator from Mississippi? The Chair hears none, and it is so ordered.

SUPPORT FOR DOMESTIC COMMON CARRIERS

Mr. BARTLETT. Mr. President, on June 25 I introduced two bills, S. 1773 and S. 1774, which called attention to some of the problems of the common carriers and other operators in our domestic trade. Since that time increased attention has been directed at this serious problem.

First, I would like to call attention to a recommendation made by the recently released report of the Maritime Evaluation Committee. Committee Recommendation No. 21 reads as follows:

> In order to stimulate vessel replacement by domestic operators, coastwise trading privileges should be opened, effective in 3 years, to nonsubsidized U.S. vessels built in foreign yards instead of, as presently, limited to U.S.-flag vessels constructed in the United States.

Although I would personally prefer providing an initial opportunity for the vessels to be built in U.S. yards with a construction subsidy, I certainly do recognize the problem at which the proposal is directed. Since 1946 only four vessels have been built in U.S. yards and used exclusively in the common carrier domestic trade for a period of 1 year or more, although there has been some reconstruction and repair. In any case, I am pleased that the Maritime Evaluation Committee faced up to this very serious problem, and has made a concrete recommendation, which is something that we have been unable to obtain so far from the Department of Commerce. It will be interesting to see whether the Department of Commerce will subscribe to this recommendation or will propose an alternate means of solving this problem which has been so boldly approached in the committee report.

The importance of this problem to the so-called noncontiguous trade, which includes service to the States of Hawaii and Alaska and to Puerto Rico and the Virgin Islands, has been clearly recognized by an excellent editorial in the San Juan Star, San Juan, P.R. As the statement points out, each of these offshore areas has experienced a series of freight rate increases since the close of World War II and with each increase has suffered a corresponding rise in the cost of living in the area affected. Relief is needed and the time is now. I ask unanimous consent that a copy of the editorial be included in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

> AID TO SHIPPING
>
> Senator E. L. (Bob) Bartlett, Democrat of Alaska, asked Congress yesterday to authorize Federal assistance for the construction of vessels operating in the U.S. domestic areas such as Hawaii, Alaska, and Puerto Rico.
>
> The Bartlett bill would permit the Government to pay the difference between the cost of building vessels in American and foreign shipyards. If the Maritime Administration failed to act on subsidy applications, the companies would be permitted to build their ships in foreign shipyards.
>
> Senator Bartlett's proposals would entail a major overhaul of U.S. shipping laws. The Government offers subsidies for U.S. vessels operating in foreign trade, but denies them to vessels serving the protected domestic routes such as the services between the mainland and Puerto Rico.
>
> The cost of living in this island is pegged directly to shipping costs which have been rising under various pressures from maritime unions, costs of construction and the inability of the shipping companies to share in subsidies similar to those granted to American companies operating on foreign trade routes.
>
> Hawaii and Alaska share with Puerto Rico the same isolation from their major sources of raw materials and essential foods and other goods. The ocean freighters in the coastwise trade represent not only the lifeline of these areas but the principal yardstick in measuring how far the consumer's dollar will go from year to year. Every imported item, whether it is a head of lettuce or an automobile, includes the cost of transportation to the consumer's table or garage. That cost, over the years, has increased substantially and indications are that it will continue to increase.
>
> Senator Bartlett's proposals, and others that may be offered, are deserving of urgent consideration if they will help to stem the heavy toll that residents of Puerto Rico, Hawaii, and Alaska must continue to pay for their essential imports. The people of those two States and of this Commonwealth need relief now, and protection against the burden of further increases in freight rates if the Government continues to withhold subsidies to companies operating on the coastal trade routes.

Mr. BARTLETT. Mr. President, I express my gratitude to the Senator from Mississippi for yielding to me.

PROPOSED CIVIL RIGHTS LEGISLATION: FREEDOM IN REVERSE

Mr. STENNIS. Mr. President, the administration's 1963 so-called civil rights proposals which are embodied in S. 1731 have been presented to the Congress as an all-encompassing package. It is a package which, if wrapped and tied by the Congress and delivered to the country, will create the greatest flood of strife, turmoil, and conflict which this Nation has seen in the last 100 years. In its punitive and oppressive provisions—which are patently directed at the destruction of the rights of the majority—this bill far exceeds any of the vicious plans devised by Thaddeus Stevens in Reconstruction days.

I have studied and considered law and legislation for many years. I frankly state that I have never witnessed such a bold and colossal grab for naked power as is represented by the combined impact of the administration's package. This bill, if it should become law, would vest in one individual—the Attorney General of the United States—more naked and raw power over the life and property of the citizens of this Nation than has ever been held by any other individual in the history of this Nation.

However, the bill is far more than a grab for almost unlimited power. If the bill should be passed by this Congress, its far-reaching and drastic provisions and principles will destroy and negate more individual rights and liberties than they could possibly protect. For the politically inspired motive of protecting the alleged rights of a minority, this bill tramples ruthlessly upon the most sacred and fundamental rights of the majority.

The proposed legislation would bestow upon the Attorney General—the President's brother—almost unlimited power and authority to interfere with and intrude upon fields which are intimately related to the customs, social mores, and daily lives of our people. The legislative package primarily deals with the most sensitive phases of our society, economy, and governmental operations. It is directed at controlling and regimenting such matters as voting, public education, public accommodations, employment opportunities, and the administration of programs of Federal grants, loans, and guarantees to States and individuals.

Mr. President, I do not propose now to make an exhaustive statement on the bill, or any of the major parts of it. My primary purpose now is to point out by summary the outstanding grant of power and authority that the bill proposes to place in the Attorney General of the United States.

Mr. ROBERTSON. Mr. President, will the Senator yield at that point?

Mr. STENNIS. I am glad to yield for a question.

Mr. ROBERTSON. Mr. President, I shall await with interest the discussion which our distinguished colleague from Mississippi promises to make of the various titles of the President's omnibus civil rights bill which, as the Senator has said, in its punitive and oppressive provisions, is patently directed at the destruction of rights of the majority. That means it is nationwide. This bill exceeds any of the vicious plans devised by Thaddeus Stevens in Reconstruction days.

My friend was extremely modest when he merely said he had studied law and legislation for some time. I would like the record to show that he first started studying law in the great law school of Thomas Jefferson's university, the University of Virginia. As a young student there, our distinguished colleague from Mississippi made exceptional grades of better than 93 percent for 3 successive years, as a result of which he was elected to the honorary scholarship fraternity of Phi Beta Kappa.

Then he was a distinguished lawyer. He was a judge of a court. For the past 16 years he has been an outstanding Member of this body, recognized both for his knowledge of constitutional law and for his devotion to the preservation of American constitutional liberty. He is likewise recognized for his contribution as chairman of our breakfast group in the effort on the part of some Senators to keep before this Nation the fact that ours is a Christian nation. It was dedicated under God. He and others among us deplore the present trend to depart from the teachings of Scripture concerning brotherly love and peaceful and law-abiding actions.

Not only has he exerted an influence for good on this floor, but at the meetings of our breakfast group he has appealed to us not to limit our efforts to preserve constitutional principles to speeches on the floor of the Senate, but also to appeal to the Father of Light to illuminate the understanding of those who think they can best advance social reform by mob action and violence.

I hope, before the distinguished Sentor from Mississippi concludes his discussion, he will develop a phase of these proposals which so far the press has apparently ignored. I refer to title VI, which gives to the President, or to any underlings to whom he may wish to delegate the authority, the power to deny to any State—funds, insurance programs, and any other cooperation. The Senator will remember that prior to the violence in Birmingham, the President said he did not need any more civil rights legislation. Now he has changed his position. As to title VI, the chairman of the Civil Rights Commission urged him to penalize the great and sovereign State of Mississippi by withholding various Federal funds from that State, because of the Governor's unwillingness to desegregate the University of Mississippi. I delivered a speech saying that he had no such power. I deprecated the fact that he did not promptly agree that he did not have it.

Shortly thereafter, the President wrote to the Chairman of the Civil Rights Commission saying that it would be most unfair to the Negroes of Mississippi—unfortunately, he did not seem to care too much about the white people—if he should exercise that power. That afternoon, he told the newspaper association he did not have such power, and he doubted if it would be wise for the Congress to give it to him.

On June 19, only 2 months later, he asks us to give him such authority. I think we should remember what Juliet's nurse said to Juliet, "God save the mark!"

This is the language:

> Notwithstanding any provision to the contrary in any law of the United States providing or authorizing direct or indirect financial assistance for or in connection with any program or activity by way of grant, contract, loan, insurance, guarantee, or otherwise—

They named everything they could think of, but, perhaps in fear that they had left out something, they put in the word "otherwise." That covers everything the Federal Government does. It covers road funds, old-age assistance, child welfare, Hill-Burton funds, FHA insurance, insurance of deposits in banks, and savings and loan institutions. The language clearly means that any type of Federal assistance can be denied to any State on a single charge of racial discrimination.

Time after time an effort has been made to cover FHA by desegregation regulations. The Congress has rejected such proposals. The President issued an edict to that effect, but he had no constitutional authority to do it. The present proposal would give it to him now.

The President has been urged to provide that if a prospective borrower went to a bank in a State and applied for a bank loan and the bank turned him down, he could go to the Chairman of the Federal Deposit Insurance Corporation and say, "I was turned down because of my color," and the Chairman of the FDIC could say that no bank in that State could from that time on have any deposit insurance.

Is that not what title VI of the proposed legislation provides?

Mr. STENNIS. It certainly does. It is the broadest and most sweeping language of this type that I have ever read. It undoubtedly affirms, reaffirms, and endorses orders issued in the past; but it is a blank check for the future.

Mr. ROBERTSON. Think of the weasel words that are used to cover and camouflage what is proposed to be done—as the Senator has suggested, to grant naked power to be used in a cruel method for political expediency. Such power would be covered with weasel words. In effect, it is stated that notwithstanding any provision, no such law shall be interpreted as Congress intended. All the decisions of Congress denying such power would be wiped out.

By direct action of Congress, on the basis of area, population, and other considerations, each State would be entitled to so many dollars of Federal highway money. Notwithstanding that title VI provides that the law shall not be so interpreted.

Mr. STENNIS. If the Senator will permit me to interrupt him at this point, I should like to give an illustration. A formula has been written into the Hill-Burton Act for the distribution of funds appropriated to carry out the provisions of that act. The Senator will remember that the formula is based partly on population, partly on rural areas, partly on ability to pay. The provision which I have read would wipe out that formula. Is that not correct?

Mr. ROBERTSON. Absolutely. A camouflaged expression is used, to the effect that the act shall not be interpreted to mean what it provides. The Constitution authorizes Congress to appropriate money. Congress has exercised that function.

With respect to hospitals, Congress enacted the Hill-Burton Act, which provides that each State, when it complies with a certain formula, shall be entitled to certain funds. This language of the pending bill provides that in the case of a hospital, if some State official can be accused, the funds will not be paid. How would he be accused? On the ipse dixit of the President or some member of his official family. How? Based on what evidence? Whatever those chose to accept. Is there any recourse to judge or jury? There is not.

Therefore, the power of the Congress under the Constitution to appropriate funds, including contributions to hospitals, could be vitiated under this language, which provides that the act shall not be interpreted to mean what it says. Is that not correct?

Mr. STENNIS. The Senator is correct. Congress would not only contradict itself, but in effect would say that no court shall say anything to the contrary.

Mr. ROBERTSON. Absolutely. Before Congress can act on anything, it is proposed to lay down the rules of evidence and the interpretation.

I congratulate my friend from Mississippi on the wonderful record he has made, and the fact that he has the courage to stand before the Senate and the Nation and explain why the bill is not only harmful and dangerous to the South, against which it is directed, but also how it undermines every fundamental constitutional right and imperils the freedom of citizens throughout the Nation.

Mr. STENNIS. I thank the Senator very kindly for his contribution to the debate and for his overgenerous words concerning the Senator from Mississippi. I do not know of anyone whose opinion I value above his.

Mr. TALMADGE. Mr. President, will the Senator yield on that point?

Mr. STENNIS. I am delighted to yield to the Senator from Georgia, who has made a special study of the bill, with great profit to the Nation.

Mr. TALMADGE. Does not the Constitution provide that Congress, and only Congress, shall levy taxes and appropriate funds?

Mr. STENNIS. The Senator is correct. It has the total legislative power.

Mr. TALMADGE. Would not title VI of the bill, which has been discussed by the Senator from Mississippi and the Senator from Virginia, go squarely in the teeth of that provision? It would provide that Congress shall appropriate the funds, but that the Executive shall have the power to say whether or not the money should be spent; would it not?

Mr. STENNIS. The Senator is correct. It would remove, by very slick language, every legislative formula or direction applying to the funds to be appropriated. It would require the enactment of another act, signed by the President of the United States, before the situation could be changed.

Let us remember that this legislation was drafted by the Attorney General at the direction of the President and that it is carefully designed to give the Attorney General the tremendous power which he seeks. If the bill should become law, its provisions will be put into operation and administered by the Attorney General. The Attorney General, subject only to later possible review by the courts, will make the initial interpretation of the power and authority which he has acquired under the legislation. This bill was presented and is being pushed solely for political purposes, and any interpretation of it by the Attorney General would naturally have the same political ends in view. Thus, the same individual would interpret and administer the statute which he himself had written. It is safe to conclude that all possible or conceivable doubts will be resolved by the Attorney General in favor of the vast authority and power which he is now seeking.

Title I of the bill—the first part of the package—deals with voting rights and the registration and qualifications of electors. There is not a sentence, or a clause, or a word in our Constitution which vests the Federal Government with the power, authority, or right to determine the qualifications of electors. On the contrary, the Constitution specifically provides in clear and unmistakeable terms that the power to determine the qualifications of electors rests with the individual States. This has been recognized so clearly and consistently that it would now seem to be beyond debate. The 17th amendment to the Constitution, which provides for the popular election of Senators, spells it out by specifying that those who vote in a senatorial election "shall have the qualifications requisite for electors of the most numerous branch of the State legislatures."

That was bringing forward, in 1913, the language that was used in the original Constitution. As recently as last year, the Senate adhered to this principle when it refused to pass the proposed constitutional amendment which would have provided that completion of the sixth grade would meet any literacy requirements.

Despite this, however, the proposed legislation would authorize and empower the Attorney General to institute suits—all at Government expense—to obtain the appointment of Federal voting referees who would have the authority to declare, without regard to State or local laws or officials, that thousands of individuals were qualified to vote. These persons, having been so qualified through the Federal courts, would have the right to participate in elections even before the pending case had been decided on its merits.

Mr. TALMADGE. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I am glad to yield to the Senator from Georgia.

Mr. TALMADGE. Is it not true that in 1957, and again in 1960, Congress enacted laws to protect the right to vote, but at that time it was provided that voting referees could be appointed only if a pattern of discrimination had been determined to exist?

Mr. STENNIS. And had been proven in court; that is correct.

Mr. TALMADGE. This time under the proposed bill, no pattern of discrimination would have to be proved. On the mere allegation of the Attorney General of the United States, local and State registrars could be displaced and Federal registrars appointed in lieu thereof.

Mr. STENNIS. The Senator is correct. It is as simple as dropping one's hat. All that would be required would be the naked allegation that certain things exist. No court order, no testimony, no hearing of any kind would be required. The mere filing of a complaint in court would automatically put the Attorney General in business, and he could then operate under the act.

Mr. TALMADGE. The able Senator from Mississippi served as a distinguished and able judge before he came to the Senate. Has he ever heard of a man being able to file a suit and win it without presenting any proof or evidence in support of it?

Mr. STENNIS. That is contrary to our principles of American justice and procedure. It sounds like something a child would do or say.

Mr. TALMADGE. Does the able Senator know of anything better calculated to establish a totalitarian government or a dictatorship than the filing of a lawsuit in a case and winning the case without any evidence, and the appointment of a Federal official in lieu of a State official?

Mr. STENNIS. It would be possible to bypass the court. All that would be necessary would be to file an application and to act under such application. That could be done by one branch of the Government. The other two branches of the Government would be left out.

Mr. TALMADGE. Is it not true that under the pattern of the proposals which have been presented to Congress as an alleged civil rights bill we are confronted with nothing more or less than a blueprint for a police state?

Mr. STENNIS. The Senator has correctly described the situation. He has summarized it very well. It would repeal and eliminate and make unnecessary the usual procedures in all three branches of Government.

Mr. TALMADGE. I thank my able friend from Mississippi.

Mr. STENNIS. I thank the Senator for his contribution to the debate.

Let me emphasize that under the proposed legislation, it is the Attorney General who will have the uncontrolled discretion to decide whether or not a suit shall be brought. It is the Attorney General who will decide when a suit shall be brought. It is the Attorney General who will decide where the suit shall be brought. It is the Attorney General who will decide for whom the suits will be brought. It is entirely possible under the terms and provisions of the proposed legislation that many hundreds, or even thousands, of persons could be added to the rolls of qualified electors in many different parts of the Nation just a few days before a close and hotly contested election.

Mr. TALMADGE. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I yield to the Senator from Georgia.

Mr. TALMADGE. Is it not also true that such suits would be filed before Federal judges selected by the same Attorney General and appointed by the President for life?

Mr. STENNIS. That is true of those who have been appointed since the present Attorney General came into office.

Mr. TALMADGE. And the suits would be heard without jury trials?

Mr. STENNIS. The Senator is correct. That is a point well added.

None of us should overlook the fact that political considerations are inevitably involved in actions of this kind.

This is particularly true when the entire process is administered and controlled by a political appointee of a President who himself has a deep interest in partisan politics. It does not do violence to reason to conceive that suits might be brought in certain localities where the registration of additional voters might bring a favorable change in the results of an impending election while, at the same time, suits would be withheld in those localities considered safe for the party in power. It is inconceivable to me that the members of a minority party could even consider voting to grant such sweeping power to the opposition party which controls the machinery of Government and would control the operation of the statute.

Title II of the bill—the next phase of the legislative package—deals with public accommodations, including hotels, motels, restaurants, theaters, and the whole wide range of retail establishments. Of course, that includes lunch counters and places of that kind.

This provision, if passed, would toll the death knell for the right of the individual owner of property to use his own private property in the manner which he chooses. Let me emphasize that this section of the bill would move the Federal Government into areas which have hitherto been thought to be inviolate. This section deals entirely with strictly private property and not with public property—such as parks, playgrounds and swimming pools—or property devoted to the public use—such as the facilities of railroads and other public utilities.

This section would utterly destroy the right of the owner of a business, whether large or small, to select his customers. Under the guise of promoting equality, it would vest one individual with the right to compel another, because the latter owned a business, to do business with him against his will. If this constitutes equality—particularly when the overwhelming might and power of the Federal Government is arrayed behind the person who would become a legal trespasser—than I just do not understand the meaning of the word. The odds will certainly be heavily weighted against an owner of a small business with limited financial resources—the owner of a small restaurant, for instance—to establish either that he is not covered by the act or that he is not guilty of unlawful discrimination.

Mr. TALMADGE. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I yield.

Mr. TALMADGE. Is it not true that if Congress has the power to enact a law to tell a private businessman on private property with whom he shall do business, Congress would also have the power to tell that private businessman on private property whom he shall hire?

Mr. STENNIS. Absolutely.

Mr. TALMADGE. And at what wage?

Mr. STENNIS. At what wage; and who shall be promoted. The Senator is correct.

Mr. TALMADGE. If Congress has the power to make those decisions, would it not also have the power to tell a restaurant owner what shall be served in his restaurant for breakfast, lunch, or dinner?

Mr. STENNIS. That would be carrying equality to the limit, in the matter of taste.

Mr. TALMADGE. I am not talking about equality. I am speaking of Congress trying to regulate business under the commerce power.

Mr. STENNIS. Under the commerce power, if it is reasonable to expand and stretch the commerce clause of the Constitution into the fields into which the bill carries it, there can be no limit.

Mr. TALMADGE. If Congress has one such power, it has all the powers.

Mr. STENNIS. That is correct. There would no longer be such a thing as private business. It would be a question whether Congress saw fit to exercise authority on those points.

Mr. TALMADGE. If private property rights were eliminated, Congress and the Government could regulate any business from then on; is that not true?

Mr. STENNIS. The Senator is absolutely correct. The Government could say that there must be equality of payment and quality.

On any basis one might imagine under this interpretation of the commerce clause, the Senator from Georgia knows that the commerce clause has already been expanded and stretched; but never as far as this proposal goes, as it relates to private small business and almost, even, to a man's private home.

Mr. TALMADGE. Is it not true that the Federal courts—the Supreme Court particularly—have held that the commerce need not necessarily be interstate, but that if the activity affects interstate commerce, it comes under this section of the Constitution?

Mr. STENNIS. That is correct.

Mr. TALMADGE. Did not the Supreme Court, acting under that theory, hold that a man who was washing windows in Detroit, Mich., was engaged in interstate commerce?

Mr. STENNIS. In effect, he was engaged in interstate commerce. The Supreme Court used the words "in effect engaged in interstate commerce," but the Court held that the activity came under the commerce clause as it affected commerce among the several States.

Mr. TALMADGE. Under that theory, would not this particular provision of the bill affect every barbershop, beauty parlor, hair dressing shop, or any other type of establishment in America?

Mr. STENNIS. They would come within the terms of the bill. The bill contains the word "substantially," which I shall not develop particularly in this talk; but it will be developed later. However, subject only to that little word, which can mean anything, the Senator is correct. We shall discuss the subject fully at a later time.

Mr. TALMADGE. Consider a hairdressing establishment. Would not curlers, electrical current, beauty lotion, cold creams, and the like, come within the definition of interstate commerce and be affected under that provision of the bill?

Mr. STENNIS. In a majority of circumstances, they certainly would. Even, perhaps, under a restricted interpretation of this language those articles could be brought within the terms of the bill.

The Senator from Georgia has spoken of the Government having the right to say what wages shall be paid. This is not a question of a minimum wage, but of how much one must pay to a certain group, or as between various applicants or employees. Every man in the United States who works for wages, be he a blue collar, white collar, or any other type of worker, may well beware the provisions of the bill. If the bill does not reach him in its present terms, it will set a precedent whereby he will feel the impact of another bill. Then private enterprise, freedom of ownership, or the right to own or use one's property will be gone. Then we shall have a totalitarian state.

Mr. TALMADGE. If Congress passes the bill, the Government will then be in that field, and the question will be one of degree. If the Government could set a minimum wage, the same Government could also set a maximum wage.

Mr. STENNIS. A maximum wage, an equality wage, or any other kind of standard that Congress might see fit to enact.

Mr. TALMADGE. Whenever the Government decides to enter the field of fixing wages, that will mark the end of collective bargaining, will it not?

Mr. STENNIS. Absolutely. Collective bargaining would go out the window along with more personal rights.

Mr. HOLLAND. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I am glad to yield to the Senator from Florida.

Mr. HOLLAND. The Senator from Florida has had an inquiry from established Negro citizens of his own home town, the inquiry being whether a business established for the serving of their own people, such as a hotel, restaurant, or the like, would, under the terms of the bill, be thrown open to patronage by white people. The Senator from Florida has stated to the citizens of color of his home town that, according to his understanding of the bill, that would be the case. Does the Senator from Mississippi likewise feel that that would be the case?

Mr. STENNIS. The Senator from Mississippi is of that feeling. I believe the Senator from Florida is undoubtedly correct. It comes to the mind of the Senator from Mississippi that that would open the door for bands of rowdy white people to annoy or destroy a colored man's business, to raise Cain and run the regular customers away.

Mr. HOLLAND. I thank the Senator. That was exactly the point made by this law-abiding, peaceful, respected group of colored citizens of my home town. They felt that their business would be opened to interference of the type the Senator from Mississippi has suggested.

Mr. STENNIS. They are correct. The Senator from Florida has well stated what could happen.

Mr. HOLLAND. Going beyond that, institutions of that kind, which have built up and established businesses profitable to their employers, might be thrown into immediate competition, with better established and better financed businesses of private enterprisers of white color in the same community who heretofore have built up their businesses to serve white persons.

Mr. STENNIS. That is correct; and the Senator from Florida has well stated that point. These are matters of choice, selection, and association. But the bill would plow a furrow down the middle. Chaos and confusion would result, first of all; and, in the second place, many private operators would lose their businesses.

Mr. HOLLAND. I congratulate the Senator from Mississippi on his statement.

Mr. STENNIS. I thank the Senator from Florida.

Mr. President, I come now to a very sad part of the operation of this bill. It would, in effect, put on the business owner the burden to prove that he was not subject to the sweeping compulsions of the law. With the mighty Federal Government standing on one side—not proceeding against him, but merely watching him and looking over his shoulder and casting the eye of suspicion on him—where would the small businessman, who has a business similar to the one the Senator from Florida has described be left? With the Federal Government watching and checking as to whether he had violated this law, what chance would he have? He would be coerced and intimidated, and would be between the cellar and the ground; he would scarcely know where he was, and his business would be destroyed—all because of the attempt to help a so-called minority.

If he were placed in such a position, he would not have the resources with which to fight back. Howard Johnson and some others might have sufficient resources, but he would not. This bill would create a presumption of guilt, rather than of innocence.

Unfortunately, I heard a man on the Hill, who serves in a responsible position, state—I believe he did so in a thoughtless moment, after he was asked how, under the bill, a line would be drawn between hotels and motels to which the law would apply and those to which it would not apply—"We will put on them the burden to prove that it does not apply to them." Mr. President, that would be a presumption of guilt, to begin with, to be applied to businessmen with small resources; and, as the Senator from Florida has said, the result would be to drive their customers away and to ruin their businesses. The bill would completely reverse the established principles of American justice, and would create a presumption of guilt, rather than of innocence. The owner of the corner drugstore might very well find himself invaded by U.S. marshals under the command of the Attorney General, if he failed to conform to the administration's strained concept of equality.

Are we going to permit that? Are those of us who serve in the legislative branch of the Government solemnly going to pass a law which would permit that to be done? The result might well be to ruin that man's business. In view of the zeal and the hysteria raging through the minds and actions of those who now are in charge of these Federal-rights bills, are we to expect any kind of restrained interpretation and application of the bill, if enacted into law? Instead, the interpretation and application of its provisions would be strained in just the opposite way. That is why I am emphasizing, first of all, the very great power we are asked to grant.

Consistent with the entire dictatorial philosophy of the bill, the Attorney General would also be vested with unrestrained and uncontrolled power in this delicate area. He would have the power to bring suit—at the expense of the Federal Government, of course—and thus could virtually take over the operation of thousands of individually owned private enterprises—large and small—which would come under the bill's provisions. It is clear that the coercive and oppressive power which would be granted under this title could be so wielded as to destroy utterly thousands of private businesses.

That was shown by the sweeping illustration brought out by the Senator from Virginia [Mr. ROBERTSON], who pointed out that title VI of the bill provides that existing Federal programs, under laws heretofore enacted by Congress, could be done away with, once this unlimited authority were conferred. The owners would not only face a chaotic situation, as a result of governmental harassment; but undoubtedly they would have to face the mounting wrath and indignation of their existing patrons.

The Senator from Florida has brought out that point. In addition to vesting in the Federal Government all this power to move in on them, their customers would be moving out; and while the little restaurant owner was being harassed, his existing patrons not only would be wrathful and indignant toward that invasion of his rights—by the bringing in of persons with whom they would not care to be associated at that time—but, in addition, they would begin to look for a quieter place or would begin to change their custom; and the final result would be that the owner of the restaurant would lose his patrons.

Mr. ROBERTSON. Mr. President, at this point, will the Senator from Mississippi yield?

The PRESIDING OFFICER (Mr. BREWSTER in the chair). Does the Senator from Mississippi yield to the Senator from Virginia?

Mr. STENNIS. I am glad to yield to the Senator from Virginia.

Mr. ROBERTSON. Can the Senator from Mississippi see any distinction between conferring on the Federal Government the power to tell the owner of a private restaurant whom he must allow to sup at his table, even though the result might be to wreck him financially, and conferring the power to control who shall sup at private tables? Is there any just distinction between the two? Can anyone who advocates the enactment of this bill, which would have that effect on restaurants, be consistent unless at the same time, following the enactment of this bill, now before our Commerce Committee, he were willing to have the Federal Government decide who should come into his home, to sup there?

Mr. STENNIS. Consistency would require that both actions be supported. In fact, the invasion of private rights and privacy under this bill would be just as great as would be the actual invasion of a private home. Many persons have no homes of their own, and eat all their meals in public eating places.

Mr. TALMADGE. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I am glad to yield to the Senator from Georgia.

Mr. TALMADGE. Is it not true that in some instances that provision of the law would amount to the confiscation of private property without due process of law?

Mr. STENNIS. There is no doubt about it. It would result in the taking away of their private businesses. When a business is ruined, it is taken away.

Mr. TALMADGE. The Government can take property for a lawful purpose, can it not?

Mr. STENNIS. Yes; for a public use.

Mr. TALMADGE. But when it does, it must take title to the property and pay the owner for it, must it not?

Mr. STENNIS. Yes; it must pay just compensation.

Mr. TALMADGE. But this bill does not provide for either condemnation or payment, does it?

Mr. STENNIS. No; but the destruction of the value of the property would occur, just the same. I thank the Senator from Georgia for bringing up these points.

Mr. President, this concentrated assault on the principles of local self-government and the individual rights of free men, coupled with the apparent insatiable desire to concentrate extreme and unlimited power in the hands of a chosen few, could very well be destructive of the democratic form of government which we love and revere. If the present bill is enacted into law, we will see unprecedented power concentrated in the hands of a centralized Federal Government with the Attorney General being designated as the dictator in chief of the entire operation. We will be faced, I believe, with freedom in reverse.

Title III of the bill deals with the enforced desegregation of public schools. Again, we find that it is the Attorney General who would be vested with the power to institute litigation—and again at the taxpayer's expense. The Attorney General would even be vested with the right to intervene in and usurp a pending suit without the consent of the original plaintiff or complainant.

I shall not develop that part of the bill at length. The great power that those few words would vest in the Attorney General of the United States is obvious.

The next section of the package—title IV—proposes to create an unneeded and unnecessary new agency to be called the Community Relations Service. This would authorize the hiring of an additional group of bureaucratic meddlers and do-gooders to provide assistance to communities and persons in resolving disputes related to alleged discriminatory practices. If the Federal Government would limit itself to its proper and legitimate functions, most of these disputes either would not exist or would be solved at the local or State level. The Federal Government's consistent approach to resolving disputes in the so-called civil rights field appears to be based on the philosophy that such disputes can best be solved by being further inflamed and magnified or by the creation of other disputes.

Another major phase of the package is title VI which would authorize the President, or his appointees, to inflict punitive measures against the indigent population of a State and against a State itself by the withholding of financial assistance, grants, loans, and so forth, from Federal funds, if it was decided that discrimination existed. This proposal, involving as it does the entire range of welfare payments, is the most inhuman recommendation which I have ever seen presented to the Congress. This title is also written so as to insure Federal control over the hiring and firing practices of contractors and subcontractors working on projects which are wholly or partially financed with Federal funds.

Here again is the ever-present and coercive threat of punitive action against those who do not give strict adherence to the social and political philosophies of those who wield the power. Unquestionably, action under this title would be directed or controlled by the Attorney General in his capacity as legal adviser to the President. Thus, his position as dictator in chief of the 1963 force bill would be strongly reinforced.

Let us look again at the proposal to withhold Federal funds where there is alleged to be discrimination against individuals participating in or benefiting from the program or activity. This would apply to the whole spectrum of federally assisted aid and welfare programs. It would apply to the Hill-Burton hospital funds which are now distributed to the States on a formula carefully spelled out by the Congress.

In the opinion of the Senator from Mississippi, that program has done more for people than any like program we have ever had, or at least any program we have had since World War II. It has dealt with situations in which a need existed. To make facilities available to the people, the program had to be instituted. It has worked with great success in all areas of the country, and is deeply appreciated by those whom it has served. Congress wrote into the bill a formula which, though perhaps changed slightly, has been reiterated year after year, stating how the funds should be distributed. The appropriations and distributions were made accordingly.

The Senator from Mississippi has personal knowledge of the hospitals that have been built and operated. To a degree there is a separation of the races. But in respect to essential facilities, such as the operating rooms and similar facilities, the attention of doctors, nurses and those with other skills, there has been absolutely no distinction whatsoever. Having visited on many occasions dozens of hospitals covered by the program, and having visited with both white and colored people, I know what a blessing the program has been.

There are now those who seek to cut off funds for that purpose, regardless of what we have already provided. The funds would be cut off at the will of one man. Even the President of the United States could not give personal attention to a question like the one we are discussing. Decisions would be made by someone far down the line under the President. The funds would be cut off merely because a hospital, a county, or even a State did not comply with exactly what the inspector thought should be complied with. Perhaps that inspector's requirement would be the very reverse of what all the people in that county, both white and colored, would desire.

We need not look at the books or hire accountants to do so. I know the conditions of the people affected by the program and what the program has done for them. I know how it has operated. I will put my reputation at stake in saying that passage of the bill would snatch from the hands of those people opportunities for medical care, the skill of doctors, and hospital attention—services that are being used to the best advantage, with the greatest profit, and the best results for the families concerned.

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. STENNIS. I yield to the Senator from Georgia.

Mr. TALMADGE. I refer the distinguished Senator from Mississippi to title VI, which he is ably discussing. I agree with every word he has said. On page 28, lines 1 and 2, are stated the areas in which the President or any bureaucrat designated by him can withhold funds, either directly or indirectly. The words are as follows: "grant," "contract," "loan," "insurance," "guaranty or otherwise," "no such law shall be interpreted as requiring." Does not my friend from Mississippi agree with me that that language is broad enough to cover everything under the sun, including a Federal housing guarantee in any of the 50 States of the Union?

Mr. STENNIS. Undoubtedly the Senator from Georgia is correct. The language is broad enough to cover such an interpretation.

Mr. TALMADGE. Would that language not cover every bank in the United States that is insured under the FDIC?

Mr. STENNIS. The language is broad enough to cover every bank under the FDIC.

Mr. TALMADGE. Would not that provision cover every savings and loan association in America which is now covered by Government insurance?

Mr. STENNIS. I believe it is broad enough to cover such associations. Perhaps some who worked on the bill intended to make the provision apply on a statewide basis, but actually it reaches down to the individual.

Mr. TALMADGE. It covers them all.

Mr. STENNIS. It covers them all. I doubt whether the President of the United States has had an opportunity to read that particular sweeping language.

Mr. TALMADGE. I feel certain he is not familiar with it.

Mr. STENNIS. The language is contradictory to what the President said publicly 2 months ago.

Mr. TALMADGE. I desire to ask the Senator another question. Under the language we are now discussing, could it not be true, that if a Mohammedan or a Moslem went to a savings and loan association in the State of California and attempted to borrow money, and the officer in charge of that savings and loan association determined that the credit of the prospective borrower was not sufficiently good to warrant a loan and he turned him down, the borrower could complain to the executive branch of the Government and have the insurance of that savings and loan association—or perhaps every such association in the State of California—canceled on that one complaint? Is that not correct?

Mr. STENNIS. I think it would be entirely possible. The Senator from Georgia and I have not had an opportunity to discuss the subject before, but I think that what he has said is a possible interpretation—and a probable one—for the language is broad enough.

Mr. TALMADGE. Is that not the only conclusion that can be drawn from the language?

Mr. STENNIS. It is certainly the conclusion that we must consider possible, and therefore probable. It is our duty to determine what interpretations could be upheld.

Mr. TALMADGE. I wish to ask the able Senator another question. Would it not be possible, under the language of title VI of the bill, for someone of Mexican ancestry to go to see the employing authority of the Arizona Highway Department for a job cutting weeds on the shoulders of the roads in Arizona and later to complain that he had been denied the job because he was of Mexican extraction—to complain to Washington and to have every dime of Federal highway funds allocated to the State of Arizona cut off by some bureaucrat without even a trial?

Mr. STENNIS. I do not think there is any doubt whatsoever that such a case would come within the plain provisions of the language we are asked to approve. The bill would give the President of the United States such authority.

Mr. TALMADGE. Does the able Senator think that any President—yes, even any dictator—ought to have such authority?

Mr. STENNIS. Certainly not. Clearly not.

Mr. TALMADGE. Does it not seem to the able Senator from Mississippi that something so far reaching might have been devised by Nero, Machiavelli, or Hitler, instead of by Federal officials in Washington at the present time?

Mr. STENNIS. It is the broadest and most comprehensive language the Senator from Mississippi has ever seen on any subject of this kind. It would grant dictatorial power. Whoever drew the actual language is bound to have had something along that line in mind.

Mr. TALMADGE. I should like to read into the RECORD what the President of the United States himself said about such power on April 19 of this year.

Mr. STENNIS. I shall be glad to have the Senator read it. Perhaps the same quotation is in my speech.

Mr. TALMADGE. The President was addressing the American Society of Newspaper Editors. I shall quote his exact language. It had been recommended by the Civil Rights Commission that he withhold funds from Mississippi. He was speaking to the group, and he said:

> I do not have the power to cut off the aid in a general way as was proposed by the Civil Rights Commission, and I would think it would probably be unwise to give the President of the United States that kind of power.

Is the able Senator from Mississippi familiar with that language?

Mr. STENNIS. Yes. The Senator from Mississippi remembers when the President made that statement. The Senator from Mississippi commended him, at that time, for having promptly repudiated the Civil Rights Commission and its irresponsible proposal.

Mr. TALMADGE. Does the Senator not think that the President was correct on April 19 when he made that statement?

Mr. STENNIS. Undoubtedly he was correct. The statement shows that he had considered the question, and decided it was not wise for him to have such authority. He did not want it.

Mr. TALMADGE. Mr. President, will the able Senator from Mississippi yield further?

Mr. STENNIS. I am glad to yield further to the Senator from Georgia.

Mr. TALMADGE. Mr. President, I think every American citizen ought to have his full constitutional rights, as guaranteed by the Constitution of the United States. I know of no American citizen who has complained about a deprivation of rights who has gone into the courts of our country—either State or Federal courts—and has not had those rights granted to him. Unfortunately, the bill, which is disguised as a civil rights bill, is in fact a blueprint for dictatorship. It would set up a police state. It would give to officials of the Government powers which dictators themselves ought not to have. It would give the officials of the Government powers to withhold funds at will—powers to cancel insurance at will—powers to starve veterans in any State in this country to death at will. It also would give them power to confiscate private property at will without due process of law and without compensation therefor.

I congratulate the able and distinguished Senator from Mississippi for the brilliant and outstanding speech he is making. I hope his remarks will receive wide dissemination by the news media of our country.

I do not believe the American people have the vaguest idea of the dangers involved and the dictatorial powers to be vested under the terms of the bill. When the facts get to the American people about the power which is proposed to be granted to various officials, and about the rights to be taken away from property owners and citizens of America, the American people will rise up in indignation and demand that the Congress eliminate these dictatorial provisions.

The Senator from Mississippi is rendering a service to our country by the speech he is making today. We have been in many of these battles before. I commend and compliment the Senator for his outstanding constitutional presentation.

Mr. STENNIS. I thank the Senator from Georgia very much for his kind and generous words. The Senator from Georgia has been a source of great help to me and to many others in his tenure in the Senate. I do not know of any other Senator who could make a better analysis of a bill or of any law, or do a better job of presenting it. The Senator renders great service to the Nation and to the Senate in that way. I thank him for his contribution on the major points he has discussed today.

I point out further, if the Senator has another minute, that only 90 days ago there was no call for a civil rights bill. There was discussion in the corridors and elsewhere that we were not to have such a bill this year. Then, suddenly, in the midst of the demonstrations, it seems that someone stampeded. There was hysteria. The bill was sent to the Congress.

I always ascribe the utmost of sincerity and the finest of motives to any Senator for any official act, but in all deference to those who signed the bill, I think it was a hasty decision and that they acted in a hasty manner, not knowing the real implications of the major provisions of the bill. I hope that they will reconsider and analyze it for themselves.

I appreciate the fine contribution made by the Senator from Georgia.

Mr. President, I continue with my remarks.

Title VI would also apply to withholding funds for welfare funds, such as old age assistance, aid to the blind, child welfare funds, school lunchroom funds, and all of the other programs which are so necessary to the continued welfare of the aged, sick, needy, and indigent. While this section appears designed to apply sanctions against States, its punitive provisions might be invoked against individuals, as the Senator from Georgia brought out. It is entirely conceivable that a cotton farmer might be denied a Government loan on a bale of cotton because he had employed no Protestant or no Catholic tractor drivers.

Also, while the withholding of funds is primarily directed at a State as such because of that State's policy, the resulting suffering and deprivation would be felt most keenly by the unfortunate individuals who participate in or benefit from the program. Thus, the administration is in the position of seeking to correct an alleged evil by seeking to perpetuate an even greater one. The very people that the advocates of this legislative proposal say they want to help would be injured most by its enactment.

That point was made first by the President of the United States. Apparently, the President seems to blow hot and cold on this matter. While he is now strongly advocating the enactment of this punitive provision, he took an entirely different position when the Civil Rights Commission recommended on April 16, 1963, that Federal funds and benefits be withheld from the State of Mississippi.

I propose to quote again the press conference statement which the Senator from Georgia has alread read, but before doing so, and based upon my observations, I venture to say that the great probabilities are that the present President of the United States had not had an opportunity to read title VI before the voluminous bill was sent to the Hill.

I have seen such things happen before. I remember when bills came to the Congress while President Eisenhower was in the White House. The Senator from Georgia [Mr. RUSSELL] made a speech on the floor explaining the real terms of a certain bill. I was not present, and, of course, I am not attempting to quote the President of the United States, but I understand that President Eisenhower frankly said that up until that point he had not known the full language of the bill. At any rate, it was apparent, from his acts and conduct, that he did not know of the language.

I am sure that the President of the United States did not fully realize the significance of the language of title VI. One reason why I say that is that, only 60 days before, he had made public statements in answer to the question about his authority, about what he thought of the Commission's proposal that certain funds be withheld. I quote his language:

> I don't have the power to cut off the aid in a general way as was proposed by the Civil Rights Commission, and I would think it would probably be unwise to give the President of the United States that kind of power because it could start in one State and for one reason or another it might be moved to another State which was not measuring up as the President would like to see it measure up in one way or another.

That was his response when the Civil Rights Commission proposal was called to his attention. On the same day he wrote a letter to the same effect to the Commission, some of the members of which he had appointed. He was acting sincerely then. I do not believe he realizes the full implication of the language.

Obviously, I have no way of knowing what caused the change in his thinking between his press conference of April 19 and his civil rights message of June 19. I raise no question about his sincerity. Nevertheless, it is clear that there has been a complete reversal in his position.

Under title VII of the bill, it is proposed to set up under law and make permanent a Commission on Equal Employment Opportunity. Such a Commission has been in existence for years by virtue of a series of Presidential Executive orders. Apparently, however, the proponents of S. 1731 are not completely satisfied with its present power and authority.

Even a casual reading of this section removes all question about the thirst for unlimited and unrestrained power which motivated the writing of S. 1731. The administration was not content merely to ask the Congress to vest this Commission with the customary specified and defined authority. Instead, in a flagrant abuse of the legislative process, the bill seeks a blank check for the President to confer on the Commission any and all authority which he alone might desire for it. The bill specifically states that the Commission shall have such powers "as may be conferred upon it by the President" and that the President may confer upon the Commission "such powers as he deems appropriate."

I do not believe a bill has even been brought to Congress—unless we were deep in war—in a broad field of activity of this kind, giving blanket authority to the President of the United States to give a commission such power as might be given to it by him. The bills expressly provide that the President may confer upon the Commission such powers as may be appropriate.

This is no enumeration of powers by the legislative branch; it is a complete failure of the legislative branch to enumerate the powers. It would confer on the Commission such powers as the President might deem appropriate in the field of civil rights. The Senator from Mississippi never heard of any such language ever being proposed, in serious vein, for legislative authority for such a complete abandonment of its own powers and responsibilities and vesting such unlimited power in the President.

The administration is clearly asking that the Congress abdicate its traditional and constitutional functions and transfer to the executive branch of the Government the legislative authority to specify, define, and limit the power of an executive agency. I, for one, do not believe that the Congress is yet willing to reduce itself to such a state of impotency.

I was referring to title VII. Specifically, that language is contained on page 36. For completeness, I shall read the full language relating to that subject:

> The Commission shall have such powers to effectuate the purposes of this title as may be conferred upon it by the President. The President may also confer upon the Commission such powers as he deems appropriate to prevent discrimination on the ground of race, color, religion, or national origin in Government employment.

I say again that the enactment of this legislation would destroy and eradicate the more basic and fundamental human and individual rights and liberties than it could possibly protect and preserve. It would destroy the right to acquire, own, and use private property in such manner as the owner might desire. It would destroy the right of an operator of a business to select and control his employees.

While this bill would not create a single job anywhere, it might well take some jobs away.

Of course, destroying the right of an operator of a business to select and control his employees would apply only where the Federal Government was operating the enterprise or was making the loan or grant with reference to some building or enterprise.

It would destroy the God-given right of individuals to choose and select those with whom they would associate.

These basic rights are fundamental to and inherent in our form of government. They are not in other forms of government, but they are in ours. They constitute the primary distinction between the American system of government and the Communist philosophy of an all-powerful police and slave state.

I hope that the Congress of the United States is not yet prepared to take this drastic step toward a police state and away from the principle of a government based upon the consent of the governed. If this legislative program ever becomes the law of the land, we will have moved one step nearer to complete governmental control and regimentation of all aspects of our lives. Only a few short steps would then remain for the complete surrender of all of our prized and cherished rights and liberties to a centralized and all-powerful government in Washington.

At a later time, I hope again to address the Senate, more particularly with reference to the extension, as proposed in the bill, of the commerce clause of the Constitution. If we are to bend it, stretch it, and extend it to cover all the items in the bill, I believe the Constitution is gone and that its words are meaningless; there will be absolutely no limit to where it can and probably will be carried, one step at a time, in the days to come. If we are to preserve our constitutional government, the operation of this clause must stop somewhere. Nothing more clearly demonstrates that fact than the provisions in the bill.

Ninety days ago no civil rights legislation had been presented to the Congress by the administration and it was generally understood that none would be presented this year. Then came the wave of unlawful demonstrations and disorders deliberately created by agitators who were eager, ready, and willing to sow racial strife and discontent. Now, sparked only by the emotionally charged wave of hysteria, this drastic, extreme, and unconstitutional measure has been sent to us. I believe that the tensions of the moment caused many Members of the Senate to sign the bill in haste and without full knowledge of all its implications and effects.

As I have already said, that applies also to the President of the United States. Many groups and individuals have been called together in an effort to mobilize support for this legislation. From the press I gather that the necessity for stopping the demonstrations and disorders was the prime reason advanced for passage of the bill. Under this reasoning it would seem that more numerous and more violent disorders create stronger and stronger arguments for the legislation.

We have heard talk, and also have heard of actual planning of demonstrations which will involve a hundred thousand people coming to Washington. I understand that part of the argument of the President in favor of having the bill passed is to keep down demonstrations. According to that argument, the more demonstrations are held—and that is the pattern being followed—the more likely it is that the bill will be passed.

Congress is on trial in this matter with respect to coercion and intimidation and demonstrations more than any other branch of the Government and more than it has ever been in the past or will be in the years to come.

I have no doubt of the outcome. The stronger the intimidation, the easier it will be to stop the bill. On the other hand, the administration could stop the disorders and demonstrations by firm disapproval of these lawless acts and by making it clear that they will not be given sanction and support by the Federal Government. If this were done the primary argument for the proposals would vanish.

Then there would be an opportunity to get back to logic, commonsense, and reason. That is the only way that progress has ever been made. It is the only basis upon which progress has been made in racial relations, and the only way in which it will be made.

I seriously doubt that the groups and individuals who have been called upon by the administration to endorse its far-reaching proposals received a full explanation of the fundamental and basic constitutional issues which are involved and the threat which this bill poses to individual rights, liberties, and freedom. I know they have not, because there has not been an opportunity fully to inform them in these 1- or 2- or 3-hour meetings. I do not believe that fully informed Americans would sponsor or support resolutions which endorse the surrender of principles and concepts which are inseparable from our cherished system of government.

These groups are fine groups of people. If the implication of these bills were explained, and if the constitutional points involved were pointed out to them, I am confident these people would not support, much less endorse, any such legislation.

I close with the same thought with which I opened these remarks, that this is by far the greatest and most extensive power grab or concentration of power that has ever been proposed in any series of bills. Even the most modest interpretation is that its operation would destroy far more civil rights and principles and would constitute an invasion of the constitutional rights of far more people than it could possibly pretend to protect and help.

In that tone, Mr. President, I call on my colleagues to thoroughly examine the powers which would be granted under this legislation and its far-reaching implications.

I emphasize again that my remarks today were not designed or intended to cover in detail all of the iniquitous purposes and effects of this vicious and punitive legislation. I shall discuss the major provisions and the legal ramifications of the bill in later speeches. My purpose today is to point out, with all the emphasis I can command, that the passage of the proposed legislation would vest the Federal Government with vast, far-reaching and unprecedented power and authority, almost all of which would be concentrated in a single individual, the Attorney General of the United States.

THE NUCLEAR SHIP "SAVANNAH"

Mr. LAUSCHE. Mr. President, on June 11 the Secretary of Commerce issued a statement to the public pointing out that the nuclear passenger and cargo ship of the U.S. Government, the *Savannah*, was lying idle in port because certain marine engineers were on strike.

It was pointed out that the *Savannah* cost the U.S. Government $80 million. It was supposed to go on its initial journey across the high seas and to stop at several ports abroad, exhibiting the achievements of our Government in the development of a ship propelled by nuclear power.

Instead of sailing, it was compelled to lie idle. A group of engineers, whose salaries range between $13,000 and $20,000 a year, according to the Secretary of Commerce, went on strike, making impossible the sailing of this ship.

In the release dated June 11 the Secretary of Commerce, Mr. Hodges, stated that the Department preferred to have the *Savannah* operated by a private carrier under a general agency contract; however, if satisfactory arrangements for that type of operation could not be made, the *Savannah* would be operated directly by the Government.

The strike was a consequence of an internal dispute among several labor unions. The U.S. Government and the people of the United States are the victims of the strike. It is now 40 days later. The *Savannah* still lies idle. The $80 million expended by the taxpayers to build the ship is clouded. Indifference is exhibited. The people of the Nation are the losers. The point I am trying to make is with respect to the omnipotence of the engineer's union. It has struck at the U.S. Government, and the Government seems powerless to do anything about it.

I believe the situation should cause us to pause and ponder as to who controls our country. I call upon the President and the Secretary of Commerce to assert themselves. If the ship cannot be operated under a private agency contract, the U.S. Government ought promptly and boldly to declare that it will carry into effect the statement made on June 11.

There is a Latin maxim: Imperium in imperio—an empire within an empire. The maxim normally would imply that the empire within the empire is the subordinate one, the inferior one. But here we have an empire in the form of a labor union and its leaders which is more powerful than the empire within which the union lives and thrives.

My query is: How long can we stand it? As a citizen, I feel the shame of the situation. Yet nothing is done about it except a declaration of words. This cannot continue. Those in control should assert themselves. If the ship cannot be operated by private industry, let the Government take hold and get the ship on the high seas. Let it carry the flag of our country. Let us demonstrate that our Government and people are supreme, and that a labor union cannot thwart the Government and stain the honor of our country.

LET CIVILIANS DO CIVILIAN WORK: SOLDIERS WISH TO SOLDIER: LET US CUT DOWN RECRUITING STATIONS

Mr. YOUNG of Ohio. Mr. President, when young men volunteer for service in our Armed Forces or are drafted into service, they should not be assigned to purely clerical work. Certainly, also, they should not be compelled to be yardmen or babysitters for officers' wives or waiters at officers' cocktail parties. At Air Force and other bases in our country, too often the fighting capability of young soldiers is bypassed and they are assigned haphazardly to civilian type jobs. Let civilians be employed to do civilian work. We should strongly object to experienced civilians being discharged and replaced with military personnel. Soldiers should soldier and not work as telephone operators and be added to personnel in shops at our various bases.

It is stated that our Armed Forces could readily have two additional combat divisions without increasing the number of men in our Armed Forces, if the draftees were not compelled to do menial chores for officers. A few years ago, a printed manual for Air Force steward specialists provided that these "specialists" would have duties which would include personal services, cooking, and chauffeuring. One sample for a new draftee or enlisted man to study was:

> Feeding pets may become part of your daily chores. Necessity demands that pets be fed properly * * * overfeeding is more dangerous than underfeeding. Occasionally pets require baths. The best way to accomplish this is by using soap, water and plenty of elbow grease.

That sounds silly, but I am reading from instructions that were then issued.

Then, directions as to sweeping, mopping, waxing, and dusting were given. At that time Major General Clark of the Air Force, defended using airmen as servants. He said:

> The idea behind the manual has been to give these individuals an opportunity to improve and learn their jobs.

Most Senators have the idea, which may seem peculiar to some Air Force generals, that Air Force personnel should study aviation, learn to fly and service planes, study weapons, drill, and learn to fight in defense of our country—not to babysit. In fact, soldiers, whether enlisted men or draftees, should be trained to soldier.

Furthermore, there are far too many soldiers trained to be salesmen, and then assigned to recruiting stations in practically every city of the United States.

In Cleveland, for example, an examination of the telephone book shows 23 separate recruiting stations. This is a startling statistic. In my home city of Cleveland, we have a traffic problem. Nevertheless, traffic in our city is not so forbidding a thing that it will keep people in their homes when they have some place to go. Furthermore, young men desiring to enlist in the Armed Forces of their country, whether they live on the farm or in the city, have available to them transportation, and would have no difficulty whatever finding the nearest post office at the county seat in rural sections and the main post office or Federal building in municipalities. Why should there be a proliferation of recruiting stations?

Also, instead of being at various and diverse locations in a municipal area, why not have the Army, Navy, Marines and Air Force recruiting stations in one post office building adjacent to each other? Then in municipalities such as Cleveland, instead of approximately 200 officers and enlisted men assigned to recruiting duty, a fraction of that total, probably only 20 percent of the present huge total of officers and men throughout the country, could attend to recruiting and induction into the Armed Forces.

A young man who is on his way to enlist in the armed services and spend 3 years, maybe a lifetime serving his country, is going to find the recruiting station if it takes him an hour and a half or only 5 minutes. Furthermore, why tolerate various services bidding against each other like hucksters?

We have 23 recruiting stations in Cleveland not because the armed services are afraid someone might change his mind if it takes too long to get there, but because our armed services are scrambling around trying to outdo each other in appeal. This has resulted in foolish duplication. The only ones who benefit are the real estate owners who lease office space to the armed services.

The latest issue of the Cleveland telephone directory reveals that the Army has 10 separate recruiting stations, the Air Force has 7, the Marine Corps has 3, and the Navy has 2. Only the Coast Guard has but one place of enlistment in Cleveland.

This places a needless burden on the taxpayers and also on the armed services. Why so many recruiting stations in various sections of our cities? Mr. President, think how much money could be saved if there were only one central recruiting station in Cleveland, with a separate office for each service. Officers in our armed services, of course, would scream at the very suggestion, I suspect, claiming it might rob them of their individuality. Incidentally, most of the hundreds of officers and men in Ohio cities who now are on recruiting assignments would then be back soldiering. Add to these numbers the officers and men who now are detailed to recruiting duties in the 50 States.

As a Reserve officer and as a Member of Congress, I have come to know and make friends with enlisted men and officers in all of our services. Generally speaking, individuality, esprit de corps, and a competitive feeling are healthy and normal. But having 23 recruiting stations in one city would seem to be carrying this a bit too far. I shudder to think how many recruiting stations there are in cities such as New York and Los Angeles. Every time the Navy opens a new enlistment center, does the Army feel it has to open one or two new ones close by? Does the Air Force feel that it has to do likewise?

At the time of my research, I found that hundreds of men, many of whom are skilled in other phases of the military, are tied up in various Ohio cities, trying to sign up recruits in the various services of our Armed Forces. I may add that if these recruits were left alone, probably they would go to the Armed Forces recruitment centers and would go into the service of their choice anyway, without being wooed like so many reluctant fraternity pledges.

When I began my remarks, I singled out Cleveland as an example of this waste of manpower, time, and money. But this practice is not confined to the Cleveland area. In Cincinnati, there are 11 recruiting stations, with 37 men assigned to what, virtually, are only 5 or 10 jobs, at best. Columbus has 7 stations, with 21 servicemen on recruiting duty.

Nor is this practice confined to Ohio. It is widespread throughout the land, and the total cost of all this duplication to the taxpayer must be a staggering sum.

I daresay that if some of my colleagues would check the telephone directories in the larger cities in their States, they would find similar situations, and they would clearly realize that if many of these unnecessary recruiting stations were eliminated, we could have additional combat divisions in our Armed Forces, without adding at all to the total number of servicemen.

Yet, when appropriation time rolls around, each of the Armed Forces in turn, makes urgent pleas for more funds to carry on desperate, war-averting work, and most of them will say that they need more personnel.

In many cases, of course, the armed services are correct in stating their needs. However, it would seem that they could help themselves to a little more manpower by tightening up recruiting practices throughout the Nation.

I have always maintained that the men in our armed services should be given a living—a substantial—wage, so that serving one's country does not become an unbearable economic hardship on the servicemen's families.

Since we maintain the largest Army, Navy, Air Force, and Coast Guard in our history in time of peace, let us require the services to make better use of this manpower than they have been doing.

Mr. President, I yield the floor.

THE TREASURY'S CASH BALANCE

Mr. WILLIAMS of Delaware. Mr. President, it is understood that in the next few days the Treasury Department will be making a great hullabaloo and calling more and more attention to the claim that the deficit for the fiscal year which ended last month will be less than was originally estimated. However, Mr. President, before there is a celebration on the New Frontier I believe it should be pointed out that this situation arises only because of fiscal juggling and by reason of postponement until after July 1 of the payment of many of the bills the Government owes. As a result the Treasury Department has increased its cash balance; actually the Treasury will have a cash balance totaling approximately $3.7 billion more than had been estimated.

When the Secretary of the Treasury testified before our committee last month, he projected that on June 30 the Treasury's cash balance would be $8.2 billion. But the actual cash balance on hand on June 30 was $12.1 billion, or an increase of $3.9 billion above the amount he had originally estimated. On July 1 the cash balance was $11.8 billion as against an estimate of $8.1 billion, or an increase of $3.7 billion. This increase in cash will reflect in a so-called reduction in our fiscal 1963 deficit.

But much of this claim of a reduction in last year's deficit is in reality nothing more than a political farce. By the end of July this extra cash surplus will have vanished and I am sure our balances will be back to normal.

The increase is only the result of the fact that the Treasury is not paying its bills as promptly as it should but instead, will carry them over until after July 1, or the next fiscal year. The only other possible explanation which could be made of this situation is that the Treasury is subsidizing the banks by borrowing money and paying from 3 to 4 percent interest on funds it does not need. Certainly with the U.S. Government owing around $305 billion—our debt is now near an all-time high—the Treasury cannot afford to have on hand a daily cash balance of $10 or $12 billion. Furthermore, this extraordinarily large cash balance is costing the taxpayers an unnecessary $400,000 to $500,000 a day—this extra cost just to carry this unnecessarily large cash balance only for the purpose of creating a false sense of economy on the New Frontier.

I hope the Secretary of the Treasury will be ready to explain this fiscal juggling when he asks the committee again to approve an increase in the debt ceiling. Certainly there is no justification for the Treasury's carrying a cash balance of $10 or $12 billion at a time when it has to pay 3 to 4 percent interest for this money, and certainly the banks do not need this subsidy of $400,000 or $500,000 a day.

If that practice is continued over the period of a full year the annual cost of this unnecessarily large cash balance will be between $150 and $160 million—an additional charge to the taxpayers. It is clear that the Treasury does not need to carry cash balances $4 billion larger than usual. Such false bookkeeping will not fool anyone, and I respectfully suggest that it should be ended.

Mr. PROXMIRE. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. PROXMIRE. The figure for the Treasury balance on June 27, 1963—a few days before the period to which the Senator from Delaware has referred—was $12,297 million. I notice that the corresponding figure in the previous year was $10,231 million. So the total now is approximately $2 billion larger than the total was in June 1962. Does the Senator from Delaware have any information about the practice over the years?

Has there usually been a tendency on the part of most administrations to permit the cash balance to increase at the end of the fiscal year, or is the practice this year unusual?

Mr. WILLIAMS of Delaware. As the Senator from Wisconsin pointed out, the practice was carried out to some extent last year. We now observe an enlargement of that practice. Previous administrations have tried to do the same thing toward the end of the fiscal year in order to show a good cash balance and a good report to the country. But they were wrong then, and they are wrong now. The administration did not kid anyone.

We should tell the American people exactly what is happening. The money that is being raised—the extra $2 billion, as the Senator from Wisconsin has said—the Government had to borrow. It is true that collections come in faster between June 15 and the end of June. Collections do increase in that period. But the Treasury had already taken that fact into consideration. The Treasury had estimated that its cash would increase to $8.3 billion on the date to which the Senator referred. But instead of that, the administration by juggling its accounts had an extra $3.5 to $4 billion more than it had planned, or around $12 billion.

Had they paid their bills in the normal manner they would not have had this extra cash.

As I pointed out, the extra $4 billion is costing $500,000 a day merely for interest. Not only is it wrong to put a false picture like that before the American public, but also I ask why should we pay $500,000 a day merely to create the impression that we are saving money when in reality we are not?

It was wrong before; it is wrong now.

Mr. PROXMIRE. The Senator makes a strong and persuasive point. Perhaps the practice has been one in which other administrations have indulged. As I recall the Eisenhower administration did this same thing at least once. At any rate, it is a bad practice. As the Senator has pointed out, the cost is $400,000 to $500,000 a day for nothing. Not one bit of service is provided the taxpayer for this additional $4 billion.

Mr. WILLIAMS of Delaware. Not at all.

Mr. PROXMIRE. No convenience is provided anyone in Government or out of Government. It is merely a matter of making the books appear a little differently than they otherwise would look.

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. PROXMIRE. Every single day that it occurs the cost is several hundred thousand dollars. In our State there was a problem of that kind. In the past our State had bank balances of tens of millions of dollars and, in some cases, even more. After a very careful analysis it was determined that the State could get along with a great deal less than that. The saving to the State in interest was very substantial.

The Senator from Delaware has pointed out a fact which we should watch very closely. Certainly the Secretary of the Treasury should manage the cash and the investments of our Federal Government in such a way that he would hold a minimum amount of idle cash. Idle cash is sheer waste. That money could be put into mortgages, if necessary. The requests of Congress to increase the authority of the Federal Government to borrow money could conceivable have been diminished. The Treasury could merely desist in entering the money market to borrow that money, and in doing so, could save hundreds of thousands of dollars every day, which seems to be the cost of following that kind of practice. Is that not correct?

Mr. WILLIAMS of Delaware. The Senator is correct, and I appreciate his comments.

If that amount of extra cash was projected over a full-year period, it would cost the taxpayers an unnecessary $150 to $160 million a year. I do not believe it will be projected. I believe this is merely a 3- to 4-week operation during the period in which the Government is closing the fiscal year and for the purpose of giving the administration an opportunity to put out a false picture of the economy. I predict that by the end of this month Senators will see the cash balance down to normal again. The Treasury will be paying the bills on schedule and thereby reducing the amount. But to the extent the practice is followed, even for a short period, it is wrong, and it is costing us about a half million dollars a day. I wish the Treasury would stop being quite so free with someone else's money.

Mr. PROXMIRE. Mr. President, will the Senator yield further on the point that I was trying to pursue?

Mr. WILLIAMS of Delaware. I yield.

Mr. PROXMIRE. Is it true that the Secretary of the Treasury estimated that the cash balance at the end of June 1963, would be about $8,300 million?

Mr. WILLIAMS of Delaware. Their estimate was that on June 27 it would be $8,300 million; on June 28, $8,200 million; on July 1, $8,100 million.

Mr. PROXMIRE. When was the estimate made?

Mr. WILLIAMS of Delaware. That estimate was made before our committee in the early part of June.

Mr. PROXMIRE. Before the Senate Committee on Finance?

Mr. WILLIAMS of Delaware. Yes. Before the Senate Committee on Finance.

Mr. PROXMIRE. On June 27 the actual cash balance was $12,300 million or $4 billion higher?

Mr. WILLIAMS of Delaware. The Senator is correct.

It was $3.9 billion higher on June 27 and $3.7 billion higher on July 1. Such an increase is wholly unnecessary. It is being done solely for the purpose of giving the administration an opportunity to put out a false picture as to the actual deficit last year. But it does not mean anything. We have spent the money. We have the commitments, and the bills will have to be paid.

I should like to make one further suggestion. In the last few days I noticed in the financial papers articles stating that two of our major corporations are trying a new method of financing. First, the Firestone Tire & Rubber Co. sold a bond issue in which the bonds were registered rather than being put out as coupon bonds.

The sale of this issue was a success. I noticed also that the United Aircraft Co. announced today that they, too, are going to sell an issue of registered bonds. That is a trend in private financing which is long overdue. I would suggest that our Treasury Department give like consideration to that practice. I am not submitting the suggestion as a savings but as more efficient debt management. If our bonds were registered and checks for interest were mailed to the recipients there would be better control in our collections of tax due on this interest. Certainly a large potential loophole in tax collections would be closed. Under all the suggestions which have been made, either on reporting income by the numbering process or by withholding a tax interest at the source, no one has come up with a method to deal with coupon bonds.

Coupon bonds represent an outmoded method of financing, and our own Treasury Department would do well to follow the example now being set in industry.

REQUEST FOR AIR-CONDITIONING DEMOCRATIC CONVENTION

Mr. WILLIAMS of Delaware. Mr. President, an article entitled "U.S. Funds Asked by Atlantic City—Money Would Air-Condition Democratic Convention," by Warren Weaver, Jr., appears in today's issue of the New York Times. I should like to read two paragraphs:

> Atlantic City has applied for a $1,558,000 Federal grant to help air-condition the convention hall where the Democrats will renominate President Kennedy next year * * *.
>
> They are fearful that Republican leaders might regard the move as a political investment of public funds in one-party comfort.

I can assure the administration that the proposal will be so regarded. I ask unanimous consent that the entire article be printed at this point in the RECORD, and I most respectfully suggest that if the Democratic National Committee desires air-conditioned quarters they pay for it.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

U.S. FUNDS ASKED BY ATLANTIC CITY—MONEY WOULD AIR-CONDITION DEMOCRATIC CONVENTION

(By Warren Weaver, Jr.)

WASHINGTON, July 10.—Atlantic City has applied for a $1,558,000 Federal grant to help air-condition the convention hall where the Democrats will renominate President Kennedy next year.

The proposal has had a cool reception from administration officials. They are fearful that Republican leaders might regard the move as a political investment of public funds in one-party comfort.

When the Democratic National Committee picked Atlantic City for its 1964 Presidential convention late last month, Gov. Richard J. Hughes, of New Jersey, said he had not promised air conditioning in order to swing the deal.

REQUEST MADE 2 MONTHS AGO

At that time, it developed today, Atlantic City's application for Federal assistance under the administration's accelerated public works program had been on file with the Housing and Home Finance Agency for nearly 2 months.

Atlantic City qualified, as a community in an economically depressed area, to seek Federal grants to construct or improve public buildings—like the convention hall—to stimulate local employment.

In fact, the New Jersey seaside resort had reason to believe that the Federal Government would not look askance at the project. The Community Facilities Administration had already given the city a $97,000 grant to make plans for the air conditioning.

However, Commissioner Sidney H. Woolner of that agency has informed Representative MILTON W. GLENN, Republican, of New Jersey, that the Atlantic City application came in too late to qualify for assistance.

According to Mr. Woolner, there were already enough applications on file to use up the accelerated public works money available for 1962–63.

An extension and broadening of the program has been defeated in the House, approved later in the Senate and is now awaiting reconsideration in the House.

Air-conditioning the Atlantic City convention hall would cost about $3,170,000. The job would take about a year, so local officials have been expressing natural anxiety to get the project moving.

The Democratic convention is scheduled for the week of August 23 next year, probably on Wednesday, Thursday, and Friday.

VIEWS ON AIR CONDITIONING

At the time the convention site was selected, New Jersey representatives maintained that the Atlantic City hall would be a comfortable meeting place for Democrats in August, just as it stood without a cooling system.

In a letter to Representative GLENN, however, the Atlantic City Chamber of Commerce said that "no single expenditure could be of more value toward aiding our economy" than the installation of an air-conditioning system that would extend the convention season into the summer.

While pressing for the Federal grant, Representative GLENN has said that Atlantic City would float a bond issue to pay for the full cost of the project if no outside assistance was forthcoming.

When the accelerated public works bill came up in the House, Representative GLENN was the only New Jersey Republican to vote for it.

The Republican National Convention will be held in the non-air-conditioned Cow Palace in San Francisco, which California insist is entirely habitable in July.

WINEMA NATIONAL FOREST—A TRIBUTE TO THE LATE SENATOR RICHARD NEUBERGER

Mr. CHURCH. Mr. President, a moving tribute to the devoted efforts of the late Senator Dick Neuberger to preserve for public use timber and water resources of the former Klamath, Oreg., Indian reservation is contained in an excellent article by William B. Morse entitled, "Winema—The Memorial Forest," which appeared in the June 1963 issue of American Forests, a publication of the American Forestry Association.

William Morse, an Oregonian himself, tells the story of how our late colleague, against great odds, preserved these natural resources. As a result of his efforts these lands, totaling 525,000 acres of southern Oregon, have now become the nucleus of the Winema National Forest. Recreation is one of the many uses of the new national forest. All of the many other activities of forest management have been inaugurated.

It is not often that a new national forest is created, and the forest is a tribute to Dick Neuberger. Finally, the article fittingly suggests the establishment of an interpretive center as a memorial to our late colleague.

Mr. President, I ask unanimous consent that the article, "Winema—The Memorial Forest," be printed in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WINEMA: THE MEMORIAL FOREST

(By William B. Morse)

Creation of a new national forest does not happen very often. It did happen on April 15, 1961, when Orville Freeman, Secretary of Agriculture, signed a proclamation transferring more than 525,000 acres of southern Oregon timber lands owned by the Klamath Tribe from the Bureau of Indian Affairs to the jurisdiction of the Forest Service. This was the nucleus of the new Winema National Forest.

Acquisition of this land from the Klamath Indian Tribe was a long and involved legislative battle that has been well reported in American Forests. Appraisal methods specified in the original Termination Act passed by Congress would have necessitated a sale of the lands to private owners at a price high enough to force liquidation of timber under a cut-and-get-out policy. The late Senator Richard L. Neuberger, of Oregon, led the legislative battles that resulted in amending the Klamath Termination Act, directing purchase of the bulk of the forest lands by the Federal Government for national forest and the magnificent Klamath Marsh for inclusion in the national wildlife refuge system.

Every December, Senator Neuberger held a discussion and strategy meeting with private conservation leaders of Oregon in his home. In 1957, he asked the advice of these leaders on the Klamath Indian Reservation problem, specifically whether to continue what he thought was a hopeless fight to place the Indian lands under Government ownership and multiple use management. The people present unanimously urged him to continue the fight to save the resources regardless of the odds against success. That he did, and with such a display of statesmanship and legislative ability that his amendments were passed. Without that kind of leadership, there would be no Winema Forest today. If any man can be considered the patron of a forest and marsh, Richard L. Neuberger is that of the Winema.

The area is rich in the history of Klamath County. The reservation lands were the heart of the culture of the Klamath Indians, especially the Klamath Marsh, where their staple food, wocus (seeds of the yellow pond lily), was gathered. Fish abounded and game was as plentiful as in any forested region of those days. The name, Winema, is that of an Indian heroine of the Modoc Indian war. She did great service in limiting the conflict and desperately tried to prevent the murder of Maj. Gen. Edward R. S. Canby by Captain Jack, the Indian leader.

The Winema Forest does not consist entirely of the former Indian lands. Some of the Indian lands were placed in other national forests, while some lands from adjacent national forests were added to the Winema. The only goal was to set up efficient administrative units on all the national forests in the area. In round figures, land sources of the Winema were: Klamath Indian lands, 419,000 acres; transferred from three other national forests, 494,000 acres. About 107,000 acres of former Indian land were added to the Fremont National Forest. Present area of the Winema Forest is 913,444 acres.

Over 300,000 acres of tribal lands are still held in trust for the Klamath Indians who chose to remain with the tribe. The trustee is not the Indian Service, but the U.S. National Bank of Portland. This area is now considered as private land.

There are many problems in getting a new area the size of the Winema under active Forest Service management. Four months prior to Secretary Freeman's proclamation, a nucleus planning crew was headquartered in Klamath Falls to start preliminary planning. From April 15, 1961, to the start of the new fiscal year on July 1, the lands were administered as the Winema Administrative Unit. Since then, they have been in the Winema National Forest.

Land manageemnt plans do not just happen—they take a lot of time, study, and field work to develop. As a result, many procedures and permits of the Indian Service have had to be continued until necessary timber and range surveys could be completed. The resources have, however, been protected and wisely used during this period.

At present, the budgeted sustained yield cut is 113 million board feet a year. In the last year, 136 million board feet were sold, and 74.3 actually cut. Transfer of title to the lands had little or no impact on the local timber industry in log supply. Advance planning by personnel of adjacent forests permitted sales to be made soon after the Forest Service acquired jurisdiction.

Grazing permits authorized by the Indian Service have been continued through 1963 pending necessary range surveys. Each Indian was formerly allowed free grazing for 100 head; the remainder of the forage was sold on a competitive bid basis. In 1962, there were over 2,000 cattle and 12,000 sheep using the area.

Recreation is big business on the Winema. Some heavily used recreation areas were transferred from other forests, but the Indian lands had never been available for public recreation use. In 1962, there were 188,000 recreation visits. Camping and picnicking were the most popular followed by boating and hunting. Hunting presents some legal problems on the former Indian lands. The Indians formerly had the right to hunt at any time and without a license. At present, there are several court cases pending that will define the existing rights of the Klamath Indians on lands in the forest and refuge.

All the other activities of forest management were inaugurated. Fire control was essential, and good. Only 58 fires occurred in 1962, three-fourths lightning caused. The acreage burned was tiny, only 10 acres.

The Winema, our youngest forest, is a going concern, and the people who own it, you and I, have good reason to be proud of the land and the men who manage it for us. The same is true of those marsh lands within the forest, administered by the Bureau of Sports Fisheries and Wildlife at the Klamath Forest Wildlife Refuge. Here again, progress is slow, probably slower than on the forest lands because of lack of funds.

Under terms of the Termination Act, 14,641 acres of tribal lands in the deep marsh were purchased by the Government. In addition, the Migratory Bird Commission authorized acquisition of 6,800 acres of private and allotment land on the periphery of the marsh. Some of this borderland was purchased, but the bulk of it still rests in private hands. Funds are never adequate for rapid purchase, and the area does not have a high priority in acquisition plans.

The Indians retained about 1,000 acres on Wocus Bay in the southeast corner of the marsh. This, like the retained forest land, is administered by the U.S. National Bank. Wocus Bay was leased for a commercial duck club in 1961, but was purported to lose money. No lease was issued in 1962. The possibility always exists that this section of the marsh might be sold to private owners for a hunting club. It should have a high priority for Federal acquisition.

Some fencing has been done and a patrol cabin constructed on the refuge. In line with management procedures developed on other refuges, the service allows limited grazing and hay cutting on the area by permit.

Duck use has been good. An estimated 544,000 waterfowl days occurred in 1962. This was up 33 percent over 1961, largely because a late freezeup allowed the birds to stay longer. The marsh is also a fine breeding area, although a drought last summer severely curtailed production.

There is heavy recreation use on the refuge, so far increasing by one-third a year. Twenty-five percent of the area is open to public hunting, and hunting is good for those who are willing to work at it. Hunters checked averaged nearly two birds per day, an excellent average for public hunting grounds that serve novice hunters. One of the best ways to hunt the deep marsh is to use a light duckboat for dog and decoys. The hunter, wearing waders, pushes and kicks his boat through the vegetation in the large marsh until he finds a suitable hunting spot, far from shore. He then hunts from the boat.

Problems of boundary ownership will be present until the necessary private lands are purchased. In one case, a narrow strip of private land between the forest boundary and refuge boundary, was posted and used to control the effective access to a fine portion of the public hunting area. This, again, points out the need for more rapid land purchase. Maintenance of waterfowl breeding areas will be possible even under drought conditions, when a system of cross dikes is constructed and available water can be controlled. Money, again, is the limiting factor.

Congress gave the name Klamath Forest National Wildlife Refuge in the Termination Act. The name is now a misnomer, as there is no Klamath National Forest in this portion of the State. A change in name to something more appropriate, such as Wocus National Wildlife Refuge would be in order, but would require congressional action. There is a good deal of confusion in names—Upper Klamath, Lower Klamath, and Klamath Forest Refuges are all in the same county.

The refuge and the Winema Forest are going concerns, being managed for the long-term good and use of all the people. They are beautiful areas, rich in a varied vegetation, archeological history, and volcano-based geology. Recreation, timber, wildlife, grazing, and water production are big business, important to the State, region, and Nation. Many of these resources would have been lost or seriously curtailed had not the late Richard Neuberger carried and won the congressional fight against seemingly hopeless odds. The conservationists owe him a debt of gratitude. It should be paid. Here is an appropriate method.

Winema Forest officials desire to build an interpretive center on the edge of the Winema Forest plateau. This would require less than a mile of new road, plus the costs of the center itself. This center, close to the main north-south highway of central Oregon, would be easily accessible to the public and would tell them the whole story of the forest and marsh, its management, history, and people. When funds would be available for this might be a long time away.

The interpretive center could be in several forms; best, I think, would be one centered around a small, self-servicing museum, but located on a viewpoint at the plateau edge.

How suitable this would be as a memorial to Senator Neuberger from his friends, the private conservation organizations. Groups such as the American Forestry Association, wildlife organizations, women's clubs, wilderness groups, and any others interested, could donate money to start construction of an interpretive facility for the Winema Forest and marsh.

It need not be named the Neuberger Center. A small dedication plaque on the building or in the area would be all the formal notice needed. It should be simply an expression of thanks from the friends of Dick Neuberger for the efforts he made to obtain the forest and marsh for them. It would be a living and useful memorial, the Winema Forest Interpretive Center.

I think Dick would like that.

TRIBUTE TO HENRY H. BUCKMAN, PRESIDENT OF THE NATIONAL RIVERS AND HARBORS CONGRESS

Mr. HOLLAND. Mr. President, the National Rivers and Harbors Congress at its recent 50th annual national convention in Washington reelected my good friend, Henry H. Buckman, of Jacksonville, Fla., to his fifth consecutive term as president of this highly important organization.

It is of interest to note that Mr. Buckman is the only president of the Rivers and Harbors Congress, which was founded at Johns Hopkins University in 1901, who has not been a member of either the U.S. Senate or the House of Representatives.

Mr. President, I warmly congratulate Mr. Buckman for this honor recently bestowed upon him. I also wish to pay tribute to him for the outstanding leadership he has given the Rivers and Harbors Congress during his many years of service as its president and as a national director. As a national vice president, I can testify to the many services he has rendered in this field.

During these years he has contributed immeasurably to the continued development of the sound public policies in water resources firmly established by his distinguished predecessors—among them my distinguished colleague, the senior Senator from Arkansas [Mr. McClellan] who, as I recall, for 10 years served as president of the congress and now is its chairman emeritus.

Mr. Buckman received his undergraduate degree from Harvard College. Subsequently he pursued his post graduate scientific and engineering studies at the Royal Technical College of Charlottenburg in Germany, the University of Berlin, and the University of Leipzig. He has pursued his engineering work in Europe, Asia, and North America; from the deserts of Outer Mongolia to the tin fields of Mexico.

A senior corporate member of the American Society of Civil Engineers, his many contributions to the science and technology of water have covered a period of more than 40 years. He is the author of many authoritative studies of the great canals of the world, including the Don-Volga Canal connecting the Caspian and Black Seas in central Asia; the Panama and Suez Canals; and the authorized but as yet unconstructed Cross-Florida Barge Canal.

In World War I, Mr. Buckman took the lead in developing for the United States the electric melting furnace, the titanium arc electrodes for the Army and Navy searchlights, the mesothorium luminous gunsight, and the spot shell filler for the artillery.

In World War II, he acted as a consultant to the Chemical Warfare Service as an expert in the storage and transportation of poison gas. He has served as technical counsel to the House Committee on Foreign Affairs in the field of strategic materials, a service which included missions to England. He served as a consultant to the Department of State in the first International Tin Conference in London in 1952. And finally, as engineering counsel for the Federal Civil Defense Administration he contributed much to the strategy of defense against nuclear weapons.

Mr. President, I am delighted to pay tribute to Mr. Buckman for his many contributions in the water resources field. I now ask unanimous consent that Mr. Buckman's annual report to the Rivers and Harbors Congress at its 50th annual convention be printed in the RECORD as a part of my remarks.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

REPORT TO THE NATIONAL RIVERS AND HARBORS CONGRESS IN CONVENTION BY ITS PRESIDENT, WASHINGTON, D.C., JUNE 7, 1963

Pursuant to the powers and duties vested in its president by the National Rivers and Harbors Congress this report is submitted to the 50th annual convention of your organization convened in Washington, D.C.

MEMBERSHIP AND FINANCE

During the past 12 months our membership has been strengthened by the adherence of numerous agencies and individuals, thus increasing the representative nature of the organization. Under the good management of our able executive vice president, Bill Webb, our financial affairs have been kept in their usual good order. Income and outgo have been not only balanced, but there has been made a substantial increase in the reserve fund. This reserve now amounts to over $37,000. However, these results have been achieved by management only through the practice of economies which limit our usefulness. The decreasing value of our dollar and the desirability of expanding our activities will presently require increased financial support. It is to be hoped that all members will give consideration to this.

The period has seen our loss of two valued national directors: Bill Zetzman, of Louisiana, by death; and Gene Germany, of Texas, by retirement. Taking their places on the board are Wofford Camp, of California, and Senator EVERETT DIRKSEN, of Illinois.

POLICIES

Your directors and officers have continued to pursue the long-established policies of the organization, namely, the providing of a strictly factual information service to the public and the State and Federal Governments with respect to water; affording to the Federal Government an important screening service in the appraisal of proposed water resources projects of every kind which have been brought before your committee on projects; the continuing advocacy of those endorsed; the defense of all such, projected or accomplished, from encroachment inimical to the public interest; the insistence on an increasing proportion of the annual Federal budget devoted to water resources study, construction and maintenance; the encouragement of research and education in the field of water; and a firm insistence on the coordination of our water resources with the national defense.

STANDING COMMITTEES

The committee on projects has suffered the loss by retirement of its able chairman, Representative Phil Weaver of Nebraska. Our old friend Bob Secrest, of Ohio, takes his place. He and Al Hansen, of Minnesota, its vice chairman and guiding light for so many years, are guarantees of its continuing efficiency.

We continue to be particularly indebted for time and effort given by members of the committee on industrial and municipal water use and pollution control under Representative John Blatnik, of Minnesota, as chairman, and Judge J. E. Sturrock, of Texas, as vice chairman; the committee on irrigation and reclamation under Representative J. Edgar Chenoweth, of Colorado, as chairman, and J. W. Grimes, of South Dakota, as vice chairman; the committee on wildlife and reclamation under Representative Ed Edmondson, of Oklahoma, as chairman, and Thomas Pelly, of Washington, as vice chairman; the committee on inland navigation under Gleason N. Stambaugh, of Florida, as chairman, and Dale Miller, of Texas, as vice chairman; the committee on liaison with the Northwest Rivers and Harbors Congress, Herbert West, of Washington, as chairman and Phil Weaver, of Nebraska, and Bill Webb, of Maryland, as members. In this connection, acknowledgment is due of the fine work of our North Pacific regional director, Marshall Dana, of Oregon, who has been largely instrumental in bringing about this liaison, and who is now very constructively engaged in further coordinating the interests and activities of water resources groups in his region.

THE MONTHLY REPORTER

Under the able supervision of Jack Avery, of Florida, your monthly reporter continues to be an extremely useful medium for the distribution of information with respect to water resources and water resources public works. Its powerful tacit refutation of the threadbare charge of pork formerly so dear to the hearts of some critics, was never more strikingly illustrated than on a recent occasion when some 60 or more of its published photographs of great water resources public works were exhibited to interested Members of the Senate and House as evidence of the wisdom of Congress in providing the funds for these and many more similar foundation elements in our national economy.

WATER RESOURCES EDUCATIONAL BUILDING

The trustees of your bureau of water resources, Lester Moody, of Georgia, chairman, and Herbert West, of Washington, and Bill Camp, of California are to be congratulated for the headway they have been able to make with their proposal to make a gift of a Water Resources Educational Building, its equipment, maintenance and management to the Federal Government with no cost to the latter. Representative WAYNE ASPINALL, of Colorado, chairman of the House Committee on Interior and Insular Affairs, and our national vice president, BOB SIKES, of Florida, have introduced identical bills (H.R. 4712 and H.R. 4743, respectively) which provide for the acceptance of this gift by the Government and for its location in the National Capital Parks. This institution will be a public facility, wholly owned by the Government, and paid for, maintained and operated by your bureau at its expense under a contract with the Secretary of the Interior, the terms of which will be set by Congress and the Secretary. Operation of the institution by your bureau will be under the supervision of the Secretary. In effect, your bureau will be a contractor providing, maintaining and operating a Government-owned facility without cost to the Government and without compensation to itself. This is a reversal, as unique as it is wholesome, of the usual procedure of seeking facilities at the expense of the Government. It would seem that the trustees of your bureau have been inspired to make this contribution to the public welfare by President Kennedy's admonishment in his inaugural address that it is better to seek what we can do for our country than what our country can do for us.

THE DIVISION OF COUNTY COMMISSION REPRESENTATIVES

Your executive committee have authorized the creation within the National Rivers and Harbors Congress of a division of county commission representatives. Details will be mailed to all who may be interested on application to the Washington Office. This action has been taken as a result of a growing volume of cases where the powers and duties of the county government are involved in matters relating to water which are not under the jurisdiction of any municipality and which are not provided for by State action. There is generally sufficient similarity of the water problems in one county with those in another to make them fall naturally into one major group. It is thought that this group can best be served by the National Rivers and Harbors Congress through this new Division.

REFERENCE GROUP

Your executive committee has also authorized the establishment by management of a list of competent document searchers to be known as the reference group. This action is patterned after the examples set by the U.S. Patent Office which provides a list of qualified persons who can assist applicants for patents or those seeking information as to procedure. The reference group is being established as a means to assist any of our members who wish to employ experienced searchers in connection with the prosecution of their water resources interests. There are many such highly qualified searchers in Washington who are accustomed to work on a fee basis. Management will fix the qualifications which it believes a searcher should possess for this type of work, and any such desiring to be placed on the list, and who can qualify, will be enrolled. No charge to him will be made for this. Management will not recommend any individual. Upon application by a member, it will furnish to him a copy of the list from which he may make his choice. The retaining of any person on the list by a member to search for, prepare, and furnish information, and the fee to be paid the searcher for such service, will be matters entirely between the searcher and the employing member. National Rivers and Harbors Congress will not participate in any way beyond furnishing the list of searchers it believes to be competent.

PENDING TRANSPORTATION LEGISLATION

The plight of the railroads and the necessity for doing something about it is recognized. But legalized impairment of the economy inherent in any of their competitors, or stifling of the development of any of these is diametrically opposed to the public interest and should not be permitted. The continuing importance to the country of some form of rail transport warrants careful consideration. But nothing will be gained and much will be lost if the railroads are permitted by law to destroy the economy which their competitors can yield or to prevent the development of additional economies latent in other modes of transportation. Pending legislation should be scanned with this in mind and amended to provide against it.

THE CORPS OF ENGINEERS OF THE ARMY AND THE BUREAU OF RECLAMATION

No report of mine to you would be complete without again calling to your attention the performance of the Corps of Engineers and the Bureau of Reclamation. Within their respective jurisdictions, each has discharged its responsibilities with outstanding efficiency. Both are entitled not only to your approbation but to your continuing support in the increasing complexity of their respective problems.

THE BUREAU OF THE BUDGET

The Bureau of the Budget is the fiscal agent of the Chief Executive. In accordance with the policies laid down for it, it acts as examiner and appraiser in matters of money requests by the several departments and agencies, and as adviser to the President. It does not initiate requests for funds. The faithful, and efficient performance of its duties and the discharge of its responsibilities are tasks as difficult as any in Government. In their approaches to the Bureau, your officers and directors have been invariably met with courteous attention and evident careful and sympathetic consideration of matters they have presented.

THE NATIONAL DEFENSE

The outlook for indefinitely prolonged peaceful coexistence of democracy and communism appears less encouraging today than it did 12 months ago. To insist upon and share in sane, confident and adequate preparation for the deterrence of nuclear war and for the survival of America if it comes, is the paramount duty of all of us. This organization is the oldest and most representative exponent of the essentiality of our basic natural resource, water; water for human and animal consumption; water for the growing of food crops; water for power; water for industry, and water for transportation. It is therefore our special duty to insist upon and share in adequate provision for all of these against the day of conflict.

It is an impressive fact that the President's budget for the fiscal year 1964, while providing what appear to be adequate funds for the continued development of sea-based nuclear missiles such as Polaris, and for land-based nuclear missiles such as the Minuteman, emphasizes preparation for conventional warfare. Provision under the latter heading includes the development and supply of small arms, helicopters, transport and fighter planes, amphibious trucks, antisubmarine equipment, destroyers and hydrofoil craft. In all, it appears that, dollarwise, the emphasis on conventional weapons now begins to preponderate.

There is evident wisdom in this. For while it is difficult to escape the expectation that the nuclear bomb will remain as the ultima ratio, our best hope at present appears to lie in an ability to enter a major conflict with a reserve of nuclear armament which, coupled with preponderant strength in means for waging conventional war, will make inexpedient the use by the enemy of devastating nuclear weapons.

But for many years, both Congress and the Executive have been insufficiently attentive to the fact that conventional warfare on a scale commensurate with the armament for which we continue to appropriate funds cannot be waged without adequate transportation facilities in being at the time of the outset of the conflict. Today, our internal transport network is dangerously inadequate to support the civilian effort necessary for the effective employment of such armament. No sufficient remedy for this can be developed during a major war. If World War II taught us anything, it taught us that.

We must begin now, while there may be time, to modernize our rail and highway transportation; to extend and improve our inland navigation channels and to connect those of the midcontinent with those of the eastern seaboard by the long authorized and too long delayed Cross-Florida Barge Canal; to find and develop the best possible substitute for the Panama Canal for the defense of our Pacific coast; and to develop a technology and a legal basis for the efficient interchange of carriages employed in road and rail transport. All of these things are feasible and within our means. So long as they remain undone our defense policy will not be completely realistic, nor will our fiscal policy be consistent.

Respectfully submitted.

HENRY H. BUCKMAN,
President.

Mr. PROXMIRE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL MONDAY, JULY 15, 1963

Mr. PROXMIRE. Mr. President, under the previous order, I move that the Senate stand in adjournment until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 2 o'clock and 25 minutes p.m.) the Senate adjourned, under the previous order, until Monday, July 15, 1963, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate July 11, 1963:

U.S. NAVY

Having designated, under the provisions of title 10, United States Code, section 5231, Vice Adm. Ulysses S. G. Sharp, Jr., U.S. Navy, for commands and other duties determined by the President to be within the contemplation of said section, for appointment to the grade of admiral while so serving.

Adm. John H. Sides, U.S. Navy, to be placed on the retired list in the grade of admiral under the provisions of title 10, United States Code, section 5233.

POSTMASTERS

ALABAMA

Armstead L. Hayes, Notasulga, Ala., in place of J. G. Rea, retired.

ALASKA

Theodore Samuelson, Bethel, Alaska, in place of E. R. Schmidt, retired.

Lyman E. McBride, Kenai, Alaska, in place of J. M. Rheingans, resigned.

ARKANSAS

James L. Thrash, Ashdown, Ark., in place of D. B. Hutchinson, retired.

Barney R. Adams, Banks, Ark., in place of L. E. Ederington, deceased.

Floyd L. Kelley, Portland, Ark., in place of L. B. Gregory, retired.

CALIFORNIA

Juanita S. Roberts, Kerman, Calif., in place of C. M. Holcomb, retired.

Joyce A. Thomas, Kettleman City, Calif., in place of G. C. Dark, retired.

Albert L. Cox, Jr., Ojai, Calif., in place of G. L. Busch, retired.

Loyd J. Swycaffer, Santa Ysabel, Calif., in place of J. A. McDaniel, retired.

Earle H. Flaws, Seaside, Calif., in place of S. E. Robbins, retired.

Leroy J. Rust, Yosemite National Park, Calif., in place of W. J. Fitzpatrick, retired.

COLORADO

Ole H. Lee, Arriba, Colo., in place of J. R. Kraxberger, deceased.

George A. Cavender, Denver, Colo., in place of T. G. Hefner, retired.

Archie N. Hain, Wellington, Colo., in place of A. L. Carlson, transferred.

CONNECTICUT

Dignor G. Piner, Mansfield Center, Conn., in place of L. M. Maxcy, retired.

DELAWARE

William C. Calloway, Delmar, Del., in place of E. G. P. Jones, Jr., removed.

Carl R. Davidson, Nassau, Del., in place of Thomas Best, retired.

FLORIDA

Edgar R. Sitler, Sr., Casselberry, Fla. Office established November 2, 1959.

William H. Melton, Fernandina Beach, Fla., in place of Louis Goldstein, retired.

Dyle R. Johnson, Mayport, Fla., in place of L. H. Brown, resigned.

GEORGIA

Guy Freeman, Jr., Evans, Ga., in place of H. L. Fuller, transferred.

Rudolph B. Kellett, Powder Springs, Ga., in place of E. C. Tapp, retired.

ILLINOIS

William H. Kilver, Bluffs, Ill., in place of T. B. Meehan, removed.

Carl R. Brown, Findlay, Ill., in place of J. M. Mauzey, retired.

INDIANA

Ivan R. Love, Seymour, Ind., in place of T. P. Cordes, Sr., deceased.

IOWA

Stanford R. Warner, Blakesburg, Iowa, in place of C. H. Huff, transferred.

Robert L. Falcon, Central City, Iowa, in place of L. A. Falcon, retired.

Warren L. Lehman, Doon, Iowa, in place of T. J. Rohweller, retired.

Wayne E. Brinton, Ellsworth, Iowa, in place of B. M. Risetter, retired.

Delores A. Kunkel, Oyens, Iowa, in place of Kathryn Doud, retired.

Anna V. Beuse, Princeton, Iowa, in place of W. H. Rogers, retired.

Harry D. Levy, Washington, Iowa, in place of O. J. Brown, retired.

KANSAS

Francis E. Kunkel, Burden, Kans., in place of F. M. Allen, retired.

Raymond Peters, Lehigh, Kans., in place of W. G. Boothe, transferred.

Winford J. Broadfoot, Montezuma, Kans., in place of F. G. Mullikin, transferred.

Richard N. Van Scyoc, Osborne, Kans., in place of L. E. Tucker, removed.

Gerard P. Ketter, Pauline, Kans., in place of W. H. Cox, resigned.

Ralph A. Schweitzer, Penokee, Kans., in place of Grace Schweitzer, retired.

Gerald B. Trautwein, Udall, Kans., in place of J. W. Walker, transferred.

KENTUCKY

Benjamin P. Boyd, Boaz, Ky., in place of L. V. Beckham, Sr., retired.

LOUISIANA

Rodney C. Deshotels, Washington, La., in place of Eli Speyrer, transferred.

MARYLAND

Wilbur T. Messick, Bivalve, Md., in place of W. R. Langrall, retired.

MASSACHUSETTS

Agnes H. Cone, Haydenville, Mass., in place of T. K. Larkin, retired.

Rita L. Mournighan, Hebronville, Mass., in place of M. J. Charron, resigned.

Michael F. O'Rourke, North Attleboro, Mass., in place of J. F. Brennan, retired.

Carl T. Sherman, Raynham, Mass., in place of B. S. Nelson, retired.

Marian B. Shepard, Still River, Mass., in place of R. H. Shepard, resigned.

MICHIGAN

Ethel M. Linskey, Atlas, Mich., in place of Leota Anderson, deceased.

Louis C. Russell, Greenville, Mich., in place of R. H. Edsall, deceased.

James W. Marshall, Otisville, Mich., in place of R. W. Crawford, resigned.

MINNESOTA

Donald W. Nielsen, Alpha, Minn., in place of J. W. Cain, transferred.

Clarence J. Peterson, Badger, Minn., in place of M. E. Novotny, deceased.

Willard G. DeGroat, Hector, Minn., in place of M. P. Dahlheim, transferred.

John D. Miller, Hinckley, Minn., in place of George Haines, retired.

Carl E. Hoover, Racine, Minn., in place of E. M. Franck, retired.

Louis J. Sauvageau, Stillwater, Minn., in place of P.M. Lindbloom, retired.

MISSISSIPPI

E. Blaine Claypool, Clinton, Miss., in place of A. S. Langston, retired.

Hoskins L. Deterly, Natchez, Miss., in place of W. H. Baldwin, retired.

Everett M. Furtick, Rienzi, Miss., in place of B. W. Burnett, retired.

MISSOURI

Raymond M. Herr, Asbury, Mo., in place of C. V. Gaston, transferred.

Edwin L. Goodrich, Grain Valley, Mo., in place of R. J. Fine, resigned.

Christian A. Greminger, Sainte Genevieve, Mo., in place of P. A. Baechle, retired.

Dorian M. Alexander, Shelbyville, Mo., in place of H. H. Forman, deceased.

MONTANA

Elsie P. Garbe, Pablo, Mont., in place of F. L. Stimson, retired.

NEW HAMPSHIRE

Marlene M. Leger, West Swanzey, N.H., in place of F. G. Naromore, retired.

NEW JERSEY

Alfonso W. Magurno, Bloomingdale, N.J., in place of L. A. Harby, removed.

John G. Hurley, Hackettstown, N.J., in place of J. G. Stout, retired.

Norman H. Levbarg, Lakewood, N.J., in place of W. H. Applegate, deceased.

Wilson G. Bell, Normandy Beach, N.J., in place of W. L. Kessler, resigned.

NEW YORK

Jessie Bradley, Barryville, N.Y., in place of Eva Purcell, retired.

Ruth I. Robl, Black River, N.Y., in place of W. R. Holt, retired.

Helen C. Miller, Cadyville, N.Y., in place of H. N. Cataracte, retired.

Walter A. Kanas, East Moriches, N.Y., in place of A. E. Olson, retired.

Sidney Schorr, Far Rockaway, N.Y., in place of C. P. Buonora, deceased.

Walter E. Fitzgerald, Getzville, N.Y., in place of W. G. Clare, deceased.

Evelyn M. Cassara, Highland Lake, N.Y., in place of Jeanette Bye, retired.

Glenn W. Sickles, Mumford, N.Y., in place of F. T. Callan, deceased.

Gerald M. McGinnis, Norwood, N.Y., in place of G. G. McQuaid, deceased.

Clarence R. Ford, Saint Bonaventure, N.Y., in place of C. T. Glackin, deceased.

Walter S. Eckel, Schodack Landing, N.Y., in place of M. P. Van de Wal, retired.

Lavina M. Kubler, South Cairo, N.Y., in place of R. C. McLaren, deceased.

NORTH CAROLINA

Thelma J. Johnson, Ferguson, N.C., in place of J. C. West, retired.

James H. Ross, Lincolnton, N.C., in place of V. N. Fair, retired.

OHIO

Henry L. Hanson, Chesterland, Ohio, in place of G. R. Evans, retired.

Norman G. Betz, Duncan Falls, Ohio, in place of H. F. Laub, retired.

Eugene O. Place, Leipsic, Ohio, in place of R. W. Wortman, deceased.

Harry R. Smith, Paulding, Ohio, in place of E. E. Hardesty, retired.

Philip E. Foster, Winchester, Ohio, in place of J. R. Short, retired.

OKLAHOMA

Doyle V. Strong, Beaver, Okla., in place of D. D. Fry, deceased.

Dorthy J. Orton, Fort Towson, Okla., in place of E. E. Meggs, deceased.

Charlie D. Payne, Lawton, Okla., in place of Bennie Stephens, retired.

Leta M. Brock, Mannsville, Okla., in place of D. A. Stilley, deceased.

James T. Hughston, Valliant, Okla., in place of A. M. Mills, resigned.

OREGON

Bernice B. Muller, Wolf Creek, Oreg., in place of B. M. Hopper, deceased.

PENNSYLVANIA

Herman E. Schwirian, Buena Vista, Pa., in place of G. V. Lacey, resigned.

Margery B. Lehman, Duke Center, Pa., in place of C. F. Semelsberger, deceased.

Nicholas C. Nachman, East Springfield, Pa., in place of M. G. Spencer, retired.

James L. Yingling, Gibsonia, Pa., in place of J. A. Moore, deceased.

Carl F. Englehart, Hunlock Creek, Pa., in place of S. C. Croop, deceased.

John W. Weller, James Creek, Pa., in place of F. J. Garner, retired.

George A. Ciprich, Laceyville, Pa., in place of A. C. O'Mara, retired.

William E. Noland, Lake Ariel, Pa., in place of E. A. Deming, retired.

Charles E. Wise, Lebanon, Pa., in place of D. E. Walter, removed.

Chester W. Marburger, Mars, Pa., in place of J. M. Mattern, retired.

John W. Cooner, Millheim, Pa., in place of W. J. McMullin, retired.

George W. Lauck, Jr., Pine Grove Mills, Pa., in place of G. W. Lauck, retired.

Kathleen W. Cairns, Morgan, Pa., in place of C. M. Viola, resigned.

Verla J. Hill, Needmore Pa., in place of M. M. Waltz, retired.

Francis J. Augostine, New Castle, Pa., in place of W. R. Hanna, deceased.

William H. Jones, Ralston, Pa., in place of J. M. Dougherty, retired.

Michael Conrad, Jr., Worthington, Pa., in place of R. H. Weaver, retired.

SOUTH CAROLINA

Henry Summerall, Aiken, S.C., in place of B. R. Permenter, retired.

Ruby G. Hodge, Alcolu, S.C., in place of N.E. Hodge, retired.

Joseph G. Orvin, Manning, S.C., in place of J J. Ropp, retired.

Clara M. Mason, Varnville, S.C., in place of L. P. Ginn, retired.

TENNESSEE

Juanita J. Waller, Baxter, Tenn., in place of W. V. Cole. retired.

Frederick C. James, Jr., Gadsden, Tenn., in place of M. J. Cox, retired.

Woodrow W. Parker, Jasper, Tenn., in place of W. W. Turner, retired.

TEXAS

Charles D. Brown, Bremond, Tex., in place of A. H. Clark, retired.

Marion E. Summers, Dripping Springs, Tex., in place of M. L. Spaw, retired.

Sadie B. Davis, Elgin, Tex., in place of E. N. Sowell, retired.

Eddie G. Rinehart, Franklin, Tex., in place of R. B. Truett, retired.

Arthur W. Faubion, Leander, Tex., in place of D. R. Sherman, transferred.

T. C. Wilhite, Pecan Gap, Tex., in place of U. B. Walker, retired.

UTAH

Ray M. Wettstein, Woods Cross, Utah, in place of N. M. Ballard, retired.

VERMONT

James R. Hudson, East Montpelier, Vt., in place of J. P. Dudley, deceased.

Stanley R. Beauregard, Saint Albans, Vt., in place of H. G. Kennedy, retired.

Paul W. Rivait, Salisbury, Vt., in place of J. E. Petersen, retired.

Herman W. Mercier, Swanton, Vt., in place of I. E. Bronson, retired.

VIRGINIA

Clarence M. Vassar, Charlotte Court House, Va., in place of W. H. Smith, Jr., retired.

Byron A. Pepper, Colonial Beach, Va., in place of J. M. Mason, retired

WASHINGTON

Lavern M. Deane, Anacortes, Wash., in place of G. N. Dalstead, retired.

Lynn I. Sauve, Moxee City, Wash., in place of G. S. Cartier, retired.

George C. Hale, Saint John, Wash., in place of M. S. Falk, retired.

Vada P. McMullan, Wenatchee, Wash., in place of J. F. Lester, deceased.

WEST VIRGINIA

Robert A. Underwood, Ellenboro, W. Va., in place of O. L. Curry, retired.

Billy J. Blankenship, Itmann, W. Va., in place of V. B. Coleman, retired.

Thomas E. Roberts, Keystone, W. Va., in place of F. A. Webb, transferred.

Lanelle W. Michael, Sinks Grove, W. Va., in place of L. R. Lemons, retired.

WISCONSIN

John M. Stauffacher, Darlington, Wis., in place of W. R. McCarville, transferred.

John Weinberg, Gleason, Wis., in place of E. E. Welch, retired.

Fredean P. Miller, Powers Lake, Wis., in place of Carl Pretzman, retired.

Jerome M. Kowaleski, Wild Rose, Wis., in place of E. C. Jones, transferred.

COAST AND GEODETIC SURVEY

The following for permanent appointment to the grades indicated in the Coast and Geodetic Survey:

To be commanders

Pentti A. Stark
Merlyn E. Natto
Alfred C. Holmes

To be lieutenants

Francis D. Moran
John W. Bricker
Donald J. Florwick
Charles K. Paul
Dee E. Kimbell

To be ensigns

James H. Allred
Gordon E. Mills
Paul W. Larsen
Michael Gemperle
Leland L. Reinke
Christian Andreasen
Robert T. Coffin
Henry L. Pittock III
Ronald W. Elonen
John B. Jones
Thomas E. Ryder
Edgar N. Vail

HOUSE OF REPRESENTATIVES

THURSDAY, JULY 11, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Amos 5: 24: *Let judgment run down as waters, and righteousness as a mighty stream.*

Eternal and ever-blessed God, may our President, our Speaker, and our Members of Congress know how to steer the ship of state during these days, through perilous waters and guide it into those channels which lead to peace and prosperity.

Give them wisdom to consider every piece of legislation with fairness and frankness, judging it conscientiously and prayerfully and then express themselves, as statesmen, with a voice and a vote that manifests candor and freedom.

May the day speedily come in our Republic when all our citizens shall be free and capable of thinking independently for themselves and not be dominated by prejudice and expediency or by popular opinion or movement of any party and parties, but when our Government shall truly be "a government of the people, by the people, and for the people."

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 40. An act to assist the States to provide additional facilities for research at the State agricultural experiment stations.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 851. An act to amend the act authorizing the transmission and disposition by the Secretary of the Interior of electric energy generated at Falcon Dam on the Rio Grande to authorize the Secretary of the Interior to also market power generated at Amistad Dam on the Rio Grande.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 3872) entitled "An act to increase the lending authority of the Export-Import Bank of Washington, to extend the period within which the Export-Import Bank of Washington may exercise its functions, and for other purposes", disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. CLARK, Mr. SPARKMAN, Mr. PROXMIRE, Mr. WILLIAMS of New Jersey, Mrs. NEUBERGER, Mr. McINTYRE, Mr. DOMINICK, Mr. TOWER, and Mr. JAVITS to be the conferees on the part of the Senate.

AUTHORIZING ADMINISTRATOR OF GSA TO PROVIDE FOR PURCHASE, ETC., OF ELECTRONIC DATA PROCESSING EQUIPMENT

Mr. THORNBERRY, from the Committee on Rules, reported the following privileged resolution (H. Res. 432, Rept. No. 539), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5171) to authorize the Administrator of the General Services Administration to coordinate and otherwise provide for the economic and efficient purchase, lease, maintenance, operation, and utilization of electronic data processing equipment by Federal departments and agencies. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Government Operations, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

REPEAL OF SUBSECTION (d) OF SECTION 2388 OF TITLE 18, UNITED STATES CODE

Mr. THORNBERRY, on behalf of Mr. COLMER, from the Committee on Rules, reported the following privileged resolution (H. Res. 433, Rept. No. 540), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4897) to repeal subsection (d) of section 2388 of title 18 of the United States Code. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

THE NAVY AND THE LATEST BATHING SUITS

Mr. GILBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GILBERT. Mr. Speaker, I was shocked and dismayed by an illustrated article which appears in the Saturday Evening Post of July 13 to July 20, 1963. The headline is "Trim New Swimsuits for Summer Maneuvers—An Exclusive Preview of the Bathing Outfits Soon To Hit the Beaches Shows Midriffs in Exposed Positions While the Bikini Achieves a Strategic Advance and Fabrics Make Critics Wonder if the Suits Are Really Immersible." Then followed large colored pictures—one is entitled "Lycra Suit by Roxanne Receives Tank Test and Attention from Seabees of a Navy Amphibious Construction Battalion." A model is pictured with nine Seabees. Next is a full-page picture entitled "Making Practice Landing, Camp Pendleton Marines Engulf Models in Avant-Garde Suits." Here we see our marines, in full battle dress, pictured with several models. Another picture bears the title: "Members of Navy's Underwater Demolition Unit I, Training in San Diego, Clamber up Coronado Rocks Among Sunbathers Wearing Vinyl Suits." Models in the new swimsuits are shown with the demolition team.

A full and accurate explanation is due us by the Secretary of the Navy and all those responsible for permitting such photos to be taken and published. In my estimation, this article is an unfair reflection on all our fighting men in all the services and they must resent it. That our marines, in battle dress, are pictured in such a frolicking manner is a disgrace to our Marine Corps, long admired and respected for their bravery in battle, as well as to every man serving in the Navy.

What an image of decadence this article creates. Is this the kind of service we are asking of our men and permitting them to perform? What, then, is the need for calling young men to service, interrupting their education and working careers? What of the wives who are compelled to face all the problems of rearing young children alone while their husbands are away performing their military obligations?

If there can be some reasonable excuse for this shambles, I should like to hear it. And I maintain that no matter how plausible an explanation is given us, the whole impression is so bad and tragic from a psychological standpoint, that the entire episode is unforgivable.

COMMITTEE ON BANKING AND CURRENCY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may be permitted to sit today during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

FEDERAL APPRENTICESHIP BILL

Mr. REID of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REID of New York. Mr. Speaker, I am introducing today a Federal apprenticeship bill to prohibit discrimination in apprenticeship, on-the-job training, upgrading, and other joint labor-management training programs.

The bill covers labor organizations, employers, and certain other hiring and training organizations.

It sets up an Apprenticeship Training Commission composed of five salaried commissioners to be appointed by the President on a bipartisan basis.

Jurisdiction of the States having effective antidiscrimination laws is preserved. The Commission would have the power to utilize regional, State, and local agencies to accomplish its purposes.

Mr. Speaker, the need for such legislation is clear. The best available estimates indicate that only 2 percent of those undergoing apprentice training in the United States are Negro; and that out of a Negro work force of some 7 million—11 to 20 percent are unemployed—twice that of other workers.

Apprentice training in all its aspects covers well over one-half million jobs a year. Where discrimination exists in this area it prejudices American society from the home to the school and wastes some of our best human resources.

Mr. Speaker, a few weeks ago, on June 4, I joined in introducing the Equal Rights Act of 1963 to enable individuals and the Federal Government to initiate civil cases to enforce 14th amendment guarantees in the use of public facilities; and to enable the Attorney General to invoke Bill of Rights protections for individuals by initiating civil injunctive actions on their behalf.

It is my hope that the Congress will enact this additional legislation introduced today as the right—on merit—to seek gainful employment that is basic to our concept of democracy. The denial of this right to join a union or to participate in joint labor-management training programs hurts the individual, the family, and the community.

McCORMACK PARK

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, this morning I walked to the office through the area bounded by Independence Avenue and C Street. This is the area from which the buildings were recently removed. The cellars have been filled in and the open spaces have been graded and seeded and are now covered with a pleasant growth of fresh, green grass. A remarkable number of trees have been preserved and stand in full foliage. Birds flit from tree to tree and fill the air with pleasant song. Altogether, this is a peaceful and verdant oasis in the midst of the brick and concrete of Capitol Hill.

I have never been clear as to the reason for the acquisition of this property. Speaker Rayburn indicated that it would be used for an addition to the Library of Congress. Others have proposed its use as a memorial to James Madison, but there appears to be no clear-cut decision or policy in this regard.

By spending a small amount of money, this area could be made into a pleasant park which would provide a much needed area of recreation and repose in the midst of the legislative hurly-burly of the Hill. A few more trees could be planted, some shrubbery installed, paths constructed, and benches set about at convenient intervals. A Roman-style fountain could be installed so that the musical splash of its water could provide a note of refreshment in the warm summer weather.

I regretted losing the rows of historic houses which were demolished in the course of this reconstruction, but it may be that we have acquired a more satisfying natural asset if we have the good sense to preserve it.

Since this park should have a name, I suggest that it be named in honor of the present Speaker of the House. We now have the Cannon, Longworth, and Rayburn Office Buildings.

Why not McCormack Park?

PRAYER IN THE PUBLIC SCHOOLS

Mr. BECKER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BECKER. Mr. Speaker, on Tuesday I placed at the desk for the first time as a Member of the House a discharge petition to bring before the House my resolution, House Resolution 407, that would provide a rule to debate and act upon House Joint Resolution 9, to amend the Constitution to offset the Supreme Court decision to permit prayer in public schools and all public places on a voluntary, nondenominational basis. The petition is before the House. We need 218 signatures.

I call your attention to the wonderful action of the great and honored Speaker of the House in having placed above his dais the words "In God we trust." And he does place his trust in Almighty God. I always did respect our great Speaker, but this action on his part even increased my respect for him.

Not only should we amend the Constitution to offset the two cases the Supreme Court has already decided, but these cases now under preparation, one to remove "In God we trust" from our currency and another to take "under God" from the Pledge of Allegiance.

As I said before, the urgency of this matter leaves me with no alternative but to file this petition. I know many Members, like myself, have never signed a discharge petition. I have never signed one for material things, or for material benefits. This discharge petition deals with our belief in Almighty God and our right to preserve it. I believe our faith in Almighty God is the foundation of our country. If we do not take action and sign this discharge petition, I think we are doing a disservice to our religion and our free society. I urge you to sign this petition now as rapidly as possible in order to bring this matter before the House.

I also stated in a personal letter to all my colleagues in the House, that:

> The urgency of this matter leaves me no alternative, if, as I believe, we are to prevent the advocates of a godless society to accomplish in the United States that which the Communists have accomplished in Soviet Russia. I canot sit idly by and permit this to happen.

This discharge petition does not provide any ordinary legislation but it will give the people of this country the right to decide, through their State legislatures, to amend the Constitution and reestablish the basic law of the land as we knew it for the past 150 years.

END THE KOREAN WAR STATE OF EMERGENCY

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. CUNNINGHAM. Mr. Speaker, on Tuesday of this week I introduced a bill to end the state of emergency which has existed in this country since 1950. I have two principal reasons for introducing the bill, H.R. 7408.

First, ending the state of emergency would require that Congress take positive action, under the Reorganization Act of 1946, to remain in session if our business is not finished by July 31. This might hopefully result in some effort toward shorter sessions of the Congress.

Second, ending the state of emergency would require an examination of the extraordinary powers which still accrue to the Federal Government as a result of this state of emergency, powers which—if still needed—should be provided by appropriate statute, not by the excuse of a state of emergency because of a war which ended a decade ago.

I will press for early consideration of this bill as a separate measure or as part of consideration which may be given to revisions of law to improve congressional procedures. I will welcome support from others who join me in these beliefs.

For the information of the Members, I will list a few of the provisions in law which remain in effect because of the state of emergency. There are dozens of others, perhaps even scores, many of them obscure and unused at the present time. The examples are:

Control over consumer credit may be exercised only "during the time of war beginning after" August 8, 1947, "or any national emergency declared by the President"—Public Law 80-386.

Contracts for supplies and services, under Federal Property and Administrative Services Act of 1949, may be negotiated without advertising if determined to be necessary in the public interest "during the period of a national emergency declared by the President or by the Congress"—Public Law 81-152.

Contracts for supplies and services, under the Central Intelligence Agency Act of 1949, may be negotiated without advertising if determined to be necessary in the public interest "during the period of a national emergency declared by the President or by the Congress"—Public Law 81-110.

During any national emergency declared by the President or by the Congress, "the United States may have exclusive or nonexclusive control and possession of airports disposed of as surplus under authority of this act"—Public Law 80-289.

The President may provide for the control and anchorage of foreign-flag vessels in territorial waters of the United States, whenever he "finds that the security of the United States is endangered by reason of actual or threatened war, or invasion, or insurrection, or subversive activity," and so forth—Public Law 81-679.

Charters of vessels may be terminated by the Federal Maritime Board and vessels of citizens may be requisitioned "whenever the President shall proclaim that the security of the national defense makes it advisable, or during any national emergency declared by proclamation of the President"—Public Law 76-328.

LOYAL-TO-ORVILLE OATH DROPPED

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, on behalf of the hundreds of conscientious, able ASCS committeemen who are trying to represent the best interests of the farmers who elected them, I want to thank Secretary of Agriculture Orville Freeman for his belated action in canceling his earlier loyal-to-Orville oath. His action announced in today's Federal Register carries out the purpose of my House Joint Resolution 413 which I introduced May 14.

Farm programs initiated by the Kennedy administration are not necessarily what the farmers themselves want. For example, the wheat certificate plan the administration backed was firmly defeated by wheat farmers in the May 21 referendum.

Farmer-elected ASCS committeemen should not be required to ignore farmer sentiment by pledging support for whatever control schemes emerge from Capitol Hill. I am glad that Mr. Freeman backed up and I hope he stays put.

OUR FOREIGN POLICY AND CUBA

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, recent reports of the groundwork which preceded the Organization of American States Council meeting July 3 are extremely disturbing. On July 5 the New York Times reported that Deputy Under Secretary of State for Political Affairs U. Alexis Johnson had met with Latin American delegates to the OAS. According to the Times, which described its sources as "diplomatic informants," Mr. Johnson had told the OAS delegates that Cuba no longer constituted a military threat to the hemisphere.

We all know the result of the OAS Council meeting which followed. The Council split on the efforts to apply stronger sanctions against Communist Cuba.

Cuba does constitute a threat to this hemisphere, and I doubt that any Member of Congress now in office would deny it.

Even the State Department press officer Richard Phillips would not deny that Cuba remains a threat to this hemisphere. In a press conference which followed the article on Johnson, Phillips said:

> Cuban-directed subversion efforts increased during the past year.

And evidence bears out this fact, as we have just seen in Venezuela where American oil properties are being sabotaged by Castro agents.

Even a special OAS factfinding committee states that Castro subversion is threatening the security of this hemisphere.

I strongly urge that there be some corrections made in our diplomatic community to erase the absurd notion that the American people want or will accept peaceful coexistence with Communist Castro.

This situation has been pointed up in a recent editorial of the Miami Herald, a newspaper which is known for its authoritative comments and influence in the field of inter-American affairs. Editor Don Shoemaker's knowledgeable analysis of OAS shows genuine alertness, and under unanimous consent I include it at this point in the RECORD.

WASHINGTON DOES THE SCUTTLING: AN INSIDE JOB ON THE OAS

When the Organization of American States voted 14 to 1, with 4 abstentions, for new curbs on Communist subversion from Cuba, we raised a question: "Was the lack of unanimity in the OAS Council due to tiptoeing leadership by U.S. spokesmen?"

The answer, it turns out, is worse than "yes." The influence of the United States proved to be leadership in reverse—away from instead of toward a hemisphere quarantine on the focus of infection in Cuba.

The OAS had scheduled a meeting July 3 to act on a committee report calling on all member nations to break off diplomatic ties with Communist Cuba and halt the flow of agents, money, and propaganda from the occupied island into the rest of the New World.

On June 28, according to the New York Times, U. Alexis Johnson, Deputy Under Secretary of State for Political Affairs, held a secret meeting with the OAS Council. The Times was told that Mr. Johnson gave the OAS delegates an appraisal of the changing conditions in Cuba and said Cuba no longer constituted a military threat to the hemisphere.

By contrast, the OAS committee had reported that Communist subversion from Cuba was intensifying.

The New York Times also reported: "U.S. officials who have been analyzing Castro's offers to 'normalize' relations believe they are motivated by a genuine desire to relieve external pressures on his regime at a time when it must concentrate on solving pressing economic difficulties.

"They point out that Havana radio's recent broadcasts to the United States and Latin America have shown less aggressiveness.

"Similar observations were made by Latin American diplomats who recently returned from Cuba. They said that Castro had personally assured the Governments of Brazil and Mexico that he would abandon his campaign to subvert the Latin American nations."

The State Department promptly denied that Mr. Johnson had reported a definite decrease of tensions in United States-Cuban relations. The State Department's official voice did not, however, deny that Mr. Johnson met secretly with the OAS Council.

What the New York Times reported was the impression gleaned from the June 28 session by Latin American diplomats. The denial, after the split vote on July 3, was too late to mend the damage.

The only conclusion we can draw from this set of facts is that the State Department tried to scuttle, in advance, the OAS program for united action against communism in Cuba. Although almost three-fourths of the members voted for the plan, its failure is virtually guaranteed by the U.S. leadership-in-reverse.

The State Department tiptoed backward at a time when most people in the United States wanted action to evict communism from Cuba. Incidents such as this make us wonder whether U.S. foreign policy nowadays isn't indeed foreign to the will of the people who must support it with part of their earnings and, if need be, with their lifeblood.

LOYALTY OATH RESCINDED BY FREEMAN

Mr. DOLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. DOLE. Mr. Speaker, I take this time to call Members' attention to the Federal Register of Thursday, July 11, 1963. On page 706 you will find that Secretary of Agriculture Orville Freeman has rescinded the so-called loyalty oath. I commend him for it as about 37 House Members have introduced resolutions to rescind the ridiculous oath and I am please to learn congressional action will not be necessary. Let me also call your attention that in the so-called loyalty oath, or pledge, promulgated on March 1, 1963, every county committeeman, elected by the farmers, not appointed or selected by Mr. Freeman, would have been required to take a written oath that "he would support the program that he was called upon to administer." It is high time, and again I commend the Secretary, for finally taking this action. It will be well received by hundreds of ASC committeemen throughout the country.

LEGISLATIVE PROGRAM

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute in order to ask the majority leader if he can advise us as to the program for the balance of this week and also next week, if he can.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ALBERT. Mr. Speaker, as has been previously announced, the House will consider the District of Columbia appropriation bill this afternoon. When that bill is disposed of, we will ask to adjourn over to Monday, that is, if the bill is disposed of today.

The legislative program for next week is as follows:

Monday: Consent Calendar.

Tuesday: Private Calendar. Also H.R. 4897, repealing subsection (d) of section 2388 of title 18 of the United States Code.

Wednesday: H.R. 101, peanuts for boiling.

Thursday and the balance of the week: H R. 5171, authorizing the GSA to coordinate and provide for the purchase, lease, maintenance, operation, and utilization of automatic data processing equipment by Federal departments and agencies.

This announcement, of course, is made subject to the usual reservation that conference reports may be brought up at any time and that any further program may be announced later.

DISPENSING WITH BUSINESS IN ORDER UNDER THE CALENDAR WEDNESDAY RULE FOR WEDNESDAY, JULY 17, 1963

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Mr. Speaker, reserving the right to object, I wonder if we will be capable of handling this heavy legislative program next week?

Mr. ALBERT. Mr. Speaker, if the gentleman will yield, with the gentleman's able help, I feel that we will.

Mr. GROSS. Well, I thank the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISTRICT OF COLUMBIA APPROPRIATION BILL

Mr. NATCHER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7431) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1964, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate on the bill be limited to not to exceed 2 hours, one-half to be controlled by the gentleman from Indiana [Mr. Wilson] and one-half to be controlled by myself.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Kentucky.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 7431, with Mr. Price in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the unanimous-consent agreement, the gentleman from Kentucky [Mr. Natcher] will be recognized for 1 hour, and the gentleman from Indiana [Mr. Wilson] will be recognized for 1 hour.

The Chair recognizes the gentleman from Kentucky [Mr. Natcher].

Mr. NATCHER. Mr. Chairman, I yield myself 30 minutes.

Mr. Chairman, at this time we present for your approval the annual District of Columbia appropriations bill for the fiscal year 1964.

Mr. Wilson and I have had the pleasure of serving with three new Members this year, Mr. Giaimo, of Connecticut, Mr. Finnegan, of Illinois, and Mr. Wyman, of New Hampshire. All of these gentlemen are outstanding Members of the House and have rendered excellent service as members of this committee.

We carefully considered budget estimates totaling $289,581,800. For the fiscal year 1964 we recommend that the sum of $284,236,800 be appropriated.

The amount approved for the District of Columbia for fiscal year 1963 was the largest amount ever recommended by our committee. From 1955 to 1962 the District of Columbia's budget has increased $97.2 million, or 75.1 percent. This is right unusual when you consider the fact that the District's population declined 4.8 percent between 1950 and 1960. Money is not the answer to a great many of the problems now confronting the District of Columbia. More spending and more building will not answer some of the more pressing problems confronting us today.

The amount recommended for fiscal year 1964 is $11,365,164 below the total appropriated for fiscal year 1963 and $5,295,000 below the 1964 estimates.

The District of Columbia is financed out of five funds: a general fund, a highway fund, a water fund, a motor vehicle parking fund, and a sanitary sewage fund.

Our bill provides for a Federal contribution of $30 million for the general fund, $1,924,000 for the water fund, and $944,000 for the sanitary sewage works fund. The Federal payment requested for the general fund for fiscal year 1964 totaled $32 million, and the amount that we recommend is $30 million. Only the A budget was considered by our committee and the total amount recommended under this budget is $11,365,164 less than the amount appropriated for fiscal year 1963. For fiscal year 1963 the sum of $30 million was approved for the Federal payment to the general fund, and certainly no justification can be offered for a higher amount in the Federal payment when the overall amount of the budget is considerably less than the total amount appropriated for the fiscal year 1963.

The committee has approved the request for $8 million in loan authorization for capital outlay projects financed through the sanitary sewage works fund. The loan authorization of $75 million approved several years ago by Congress for capital outlay items other than sanitary sewage works was exhausted during the fiscal year 1963 and legislation is now pending before Congress requesting additional loan authorization. If approved, then the B budget requests which had to be held in abeyance can be presented to Congress. If the Federal payment authorization is increased by Congress then, at the time the B budget requests are considered, every consideration will be given to an increased Federal payment.

Of the total amount recommended of $284,286,800, the sum of $252,124,000 will be used for operating expenses; $4,989,800 is for repayment of loans and interest to the Federal Government, and $27,173,000 is for capital outlay.

We recommend the sum of $16,910,000 for general operating expenses. This is an increase of $522,250 over the amount appropriated for fiscal year 1963 and $148,000 less than the budget estimates.

The Washington Metropolitan Area Transit Commission has general jurisdiction over the regulation and improvement of mass transportation in the metropolitan district. There was discussion during the hearings that certain requirements of the Commission are not being met by the local bus companies, particularly in the following respects: first, overcrowding of buses; second, exhaust fumes; and third, utilization of air conditioned buses. The Commission is urged to continue its investigations in these areas and seek adherence to the regulations in effect.

For public safety we recommend the sum of $65,032,000. This is an increase of $4,541,400 over fiscal year 1963 and a reduction of $340,000 in the estimates.

During the hearings we spent much time on requests for the Metropolitan Police and for the courts. In our Capital City we are fortunate in having an excellent police department. Over the years the department has been subjected to more and more pressures of all kinds, and it is time for the District officials and the Congress to eliminate these pressures. At no time in the history of the District has it been more important that the police department receive maximum support from the courts, the officials in the District and from Congress. Major crimes are quickly solved in Washington and no city comparable in size has a better record along this line.

Serious crime in the District climbed to new levels during fiscal year 1963. The people in Washington and the visitors to our Capital City are entitled to a system of law enforcement which will insure them the right to transact their business and traverse the streets at any time without fear of assault. The Metropolitan Police Department has the right to expect full cooperation from the citizens of the city and from our courts. When criminal charges are preferred and clearly established, adequate sentences should follow. Any deviation from this process makes a mockery of law enforcement and justice.

Each day more and more young people in the District are coming into conflict with the law. The unpleasant truth is that we are not even holding the line against juvenile delinquency. According to police records from July 1, 1962, through December 31, 1962, some 1,800 cases were referred to Juvenile Court. Only 20 percent of the cases sent to Juvenile Court resulted in commitment of the suspected offender to either the District or Federal corrective institutions. They are turned back on the street before the police are aware of their release.

Every consideration should now be given to a change in the regulations in the Metropolitan Police Department whereby off-duty policemen can be used as special details for Presidential affairs, parades, and other civic functions. At the present time only about 400 of Washington's 2,854 policemen are actually on the streets at any given moment. During an average 24-hour day, about 1,150 men are on patrol duty or are investigating crimes, and about 1,070 are off duty or sick, with the rest performing administrative, technical or clerical work. Using the present procedure of assigning regular officers on duty to special details such as parades and other civic functions thereby removes from the streets available crime-fighting manpower which is sorely needed today.

For education we recommend the sum of $61,670,000. This is an increase of $2,165,250 over fiscal year 1963 and a reduction of $139,000 in the estimates.

The illiteracy rate in the District is alarming. The percentage of people who are unable to read and write has risen in the District during the past 30 years, while illiteracy generally has decreased throughout the rest of the Nation. According to the Census Bureau, the District illiteracy rate is 1.9 percent and the national average is 2.4 percent. The rates for the balance of the country declined since the year 1930, but in Washington the figures show an increase in the illiteracy rate of from 1.7 to 1.8 percent in 1950 and 1.9 percent in 1960. Problems relating to education are among the more serious in the District today.

During the hearings, it developed that there is only a 15.8-percent participation in the school lunch program in Washington. There is probably no place in our country where there are more hungry children who desperately need the benefits of this program than in the District of Columbia. This matter was brought to the attention of the Board of Education, and the Board has since favorably reconsidered and approved an elementary school lunch program in the public schools. The committee was advised that sufficient funds are available within the public building construction program for transfer to the Meyer and Garrison Elementary School projects for the addition of lunchroom facilities, and that design changes can be made in the Green and Harris Elementary School projects to include such accommodations. Approval of these transfers and design changes is recommended as well as the incorporation of such features in future construction.

For parks and recreation we recommend the sum of $8,853,000. This is an increase of $288,950 over fiscal year 1963 and a reduction of $10,000 in the estimates.

In answer to certain questions, the Superintendent of the Department of Recreation informed the committee that we have approximately 250 teenage gangs, each composed of from 15 to 35 members. Most of these gangs are bad and cause much trouble in the District. The roving leaders of the Recreation Department are working with about 36 of these gangs, and in addition are working with 413 individual boys and girls referred to them by such agencies as the public schools and the welfare department. This is a bad situation to have confronting our visitors and the citizens of the District. Again we call this to the attention of the courts and police department and to all those whose responsibility it is to see that such groups do not continue to exist.

We recommend the sum of $66,316,000 for health and welfare. This is an increase of $403,099 over fiscal year 1963 and a reduction of $1,648,000 in the estimates.

During the budget hearings for fiscal year 1963, the committee ascertained that hundreds of thousands of dollars' worth of drugs had been stolen from the District of Columbia General Hospital. The committee insisted that new regulations should immediately be placed into effect to prevent such a practice. During the current hearings the new director and his staff presented the program now in effect to prevent the loss of drugs in the future. Every precaution should be taken to eliminate this thievery.

Control of venereal disease is one of the major health problems in the District. The gonorrhea rate in Washington is eight times the national average, and the District ranks 12th among the States for primary and secondary syphilis cases. The committee again urges that every effort be made to bring this serious problem under control.

We have a number of improvements in the welfare program resulting from investigations started during the fiscal year 1962 by the Committees on Appropriations in the House and the Senate. The Controller's Office was established for the purpose of providing business and managerial leadership for improvement in the administration of the Department of Welfare, and a reorganization plan which is designed to put the Department of Public Welfare on a businesslike basis has been developed and is up for approval by the Board of Commissioners. In addition, the expanded investigation program and programs for the training of aid-to-dependent-children mothers are well underway. New procedures are being implemented which will prevent overpayment to public assistance recipients and prevent ineligible persons from obtaining welfare relief and surplus foods. The decreases in the Department of Welfare are due primarily to a reduction of expenditures in public assistance grants which amount to $1,138,956. The increases in this Department reflect mandatory costs relating to personnel services, annualization of programs authorized by Congress for a portion of the fiscal year 1963, and for staffing for new facilities required by increased population.

For highways and traffic we recommend the sum of $12,138,000. This is an increase of $684,225 over fiscal year 1963 and a reduction of $115,000 in the estimates.

The problems relating to the highway program in the District of Columbia were gone into very thoroughly, both with officials of the District and the Bureau of Public Roads.

Any effort to bring important highway projects in the District to a complete halt is a serious mistake. In order to meet the tremendous day-to-day growth of traffic in Washington, we must carry the highway program along with any and all proposals concerning a rapid transit system. The highway program in the District of Columbia, with emphasis on the Interstate System, is one of the major long-established activities of the District government. Congress has followed a deliberate and positive course with reference to the Interstate System. A procedure for designation of the system was established first in the enactment of legislation in 1944; and after years of painstaking analyses of trends of engineering and economic facts, it enacted the Federal Highway Act and the Highway Revenue Act of 1956 which authorized appropriations and levied taxes to construct the Interstate System. From time to time various amendments have been added to the basic legislation, but Congress has insisted on its original policy that this Nation including the District of Columbia shall have an Interstate System. In order to have such a system, it must be continuous and to be acceptable under the law it must be properly designated. The Interstate Highway System will prove to be one of the most substantial and meritorious public works programs ever undertaken by this country. This program is equally important to the District of Columbia.

For 5 consecutive years, beginning with 1959 and extending through the fiscal year 1963, Congress has appropriated funds for the Potomac River Freeway and funds have already been obligated on the freeway in excess of $17 million. Additional obligations in the sum of $11 million are imminent. In fiscal years 1962 and 1963, Congress appropriated funds for the design and partial construction of the Three Sisters Bridge. These two projects are not in the embryonic stage. They are consistent with and a part of the national program and have been reviewed repeatedly by the Congress. The District now has $330,000 available for the Three Sisters Bridge and $1,248,601 is unobligated and available from prior year appropriations for the Potomac River Freeway. The committee approves the budget request of $900,000 for the north leg in fiscal year 1964. The Three Sisters Bridge, Potomac River Freeway and north leg of the inner loop should proceed without further delay.

For sanitary engineering we recommend the sum of $21,205,000. This amount includes $2,942,000 for the Washington Aqueduct. This is an increase of $154,462 over fiscal year 1963 and a reduction of $143,000 in the estimates. Here the reduction totaling $141,200 for the Department of Sanitary Engineering reflects the denial of 17 additional positions proposed, as well as the request for a total authority of $20,000 for temporary services for field maintenance and for contract or otherwise for maintenance and repair of meters. During the past few months disclosures of deficiencies in the work and performance of Department employees indicate that present personnel are not being properly utilized.

Currently there is a total of 27,253 positions authorized in the District government. The budget proposed an additional 511 for fiscal year 1964. We recommend 361, which will provide staffing for new construction that will be completed and open for occupancy during the year and includes 180 firemen necessary to maintain the current staffing level under the terms of the legislation reducing the workweek from 56 to 48 hours a week. In 1958 the District had 23,163 employees and the authorized total today is 27,253. During the hearings we carefully investigated the number of top-grade positions which have taken effect in the past 8 years in the District. Again we want to call attention to the fact that too many generals and not enough privates make a poor army.

We recommend a total of $27,173,000 for capital outlay projects in the coming fiscal year.

For public schools we had 12 requests for replacements, additions, permanent improvements and site acquisitions. During the hearings the request for the Evans Junior High School was withdrawn, due to the fact that this item was approved in the supplemental bill. We recommend that the 11 capital outlay requests for schools be approved.

Under public library we have one capital outlay request totaling $101,000 for equiping the Palisades Branch Library, lay requests for schools be approved.

Under public welfare we have three requests and we recommend that all three requests be approved. You will note that one request was reduced from $642,000 to $325,000, and this applied to the heating plant at Junior Village. This reduction was made during the hearings at the request of the Department.

For highways, 20 projects were requested, and during the hearings it developed that the interchange C project and the intermediate loop project could not be placed under contract during 1964. Therefore, the projects were withdrawn. Certain reductions were made voluntarily and the item pertaining to the downtown internal transit circulation study was added to the street improvements and extensions request, thereby leaving a total of 17 projects. We recommend approval of all 17.

Under the Department of Sanitary Engineering we have 15 projects requested and we recommend approval of all 15.

For Washington Aqueduct we have three capital outlay projects requested and we recommend that two be approved, and the third project relating to shops and storehouses, Dalecarlia, be refused.

The budget submitted, designated as the A budget, was in balance, and the budget that we propose today is in balance.

As the Members know, several days ago the House enacted legislation raising the ceiling for the Federal payment from $32 million to $45 million. In addition, legislation was enacted increasing the borrowing authority for capital outlay projects from $75 million to $150 million. When this legislation is finally enacted by the Senate and signed into law by the President, additional requests totaling some $40 million will be submitted to Congress. A number of the requests to be made under this B budget are of great importance to the District at this time and every consideration will be given, not only to the capital outlay items proposed and to the increased Federal payment, but to all requests which will help us solve some of the problems in law enforcement, education, welfare, and in the Department of Health.

Mr. Chairman, our committee has experienced considerable difficulty in recommending a budget for fiscal year 1964 for the District of Columbia, due to the fact that a great many projects and requests are to be submitted later under what we refer to at this time as the B budget. We have carefully considered every request presented under the A budget and our committee recommends this bill to the Members of the House.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. NATCHER. I yield to the gentleman from Arkansas.

Mr. HARRIS. Mr. Chairman, first I want to compliment the gentleman and his committee on the very fine job they have done with the budget for the District of Columbia. The gentleman said something about the A budget in connection with the education program for the District. Will the gentleman explain to us what he means by the A budget, and if there is a B budget, what that means?

Mr. NATCHER. I would like to say to the distinguished gentleman from Arkansas that the A budget as presented in January is a balanced budget. You will recall that for the first time in the history of the District of Columbia a separate budget message was sent to the Hill for the District of Columbia. At the time the budget was presented, the $289 million budget which we referred to as the A budget, sufficient revenues would be on hand and available to take care of that budget. In order to have a number of capital-outlay items for the schools, the Department of Welfare, and the other departments, there was not sufficient revenue on hand at that time and the B budget will follow.

Due to the fact that the increased Federal payment had not been presented to the House and in addition since the loan authorization of $75 million had been consumed, there was no additional loan authorization. As the gentleman from Arkansas well knows, this I believe was enacted in 1958. This has been consumed. There was no additional authority for the District of Columbia to borrow out of the Treasury and repay over the years for projects. Therefore, this legislation finally came to the House and passed 2 weeks ago. These two bills that have now been enacted by the House place the District Commissioners, the Bureau of the Budget, and the President in a position to submit to the Congress, after these bills pass the Senate, of course, additional requests which we refer to as the B budget.

Mr. HARRIS. I thank the gentleman for the explanation. Will the gentleman yield further?

Mr. NATCHER. I will be delighted to yield.

Mr. HARRIS. I observe that in this budget there is capital outlay for various purposes and a detailed analysis of the capital outlay for educational programs, referring to certain elementary and junior high schools for the District of Columbia. I spoke to the gentleman a few days ago about a controversy with reference to a new proposed junior high school in the northwestern part of the District. Incidentally, this is in the area of the District where I live and have lived for 17 years. I am somewhat familiar with the situation. There is a controversy as to where the most appropriate location of the new high school would be. Is that included in this proposal?

Mr. NATCHER. To what school does the gentleman refer?

Mr. HARRIS. I refer to the junior high school proposed by the superintendent of our schools to be located at North Dakota and Kansas Avenues. It appears that last year Superintendent Hansen asked for and received $650,000 for site acquisition and plans for a new junior high school at this location. It has since developed, after people in that community and the Parents-Teachers Association had considered and discussed it with Superintendent Hansen, members of the Board, and others, a Mrs. Kirstein came to your committee and made a very fine statement about it, and on behalf of the people in that area opposed the additional request for $3,200,000 because the Superintendent of Schools, they claim, arbitrarily refused their request to consider a more appropriate location taking into consideration the other two junior high schools in this section of the District. I understand from the gentleman's statement here that any such request would come in the B budget and is not included in this budget.

Mr. NATCHER. The gentleman is exactly correct. As the gentleman stated, several days ago he discussed this matter in detail with me. Again, I want to confirm what the gentleman has said in regard to this fine lady. She appeared before our committee and testified as one of the outside witnesses concerning this matter. She made a splendid statement. I should like to say to the gentleman under the 12 capital outlay items set forth on page 10 of the report, you will find that this item is not included. This will be an item that will be discussed under the B budget, and I want to assure the gentleman and all those interested in this particular matter that every consideration will be given to the request made by the distinguished gentleman from Arkansas and by others who are very much concerned about this matter.

Mr. HARRIS. I thank the gentleman, and I appreciate in behalf of these people in that area the consideration that is given to the request. There is an excellent location at the Walter Reed Hospital, right off the grounds, now available. It belongs, as I understand it, to the Government. I see no reason why the superintendent of the District of Columbia schools and the board should be arbitrary about the location, particularly in view of the fact that farther south and not too far apart, within that area, there already are two junior high schools. The people, in my judgment, farther out in the District in the Northwest are entitled to this consideration.

Mr. NATCHER. I thank the gentleman for his comments and will say to him again that certainly every consideration will be given to his request. In fact, I am going to call the gentleman before our committee, because I would want him to come in and talk to us about it.

Mr. HARRIS. I thank my colleague, and I will be glad to do so and to cooperate with your great committee.

Mr. NATCHER. I thank my colleague very much.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. NATCHER. I yield to my colleague and friend, the gentleman from Kentucky.

Mr. PERKINS. Mr. Chairman, I wish to take this opportunity to compliment my colleague, the gentleman from Kentucky, for a job well done as subcommittee chairman of the Committee on Appropriations for the District of Columbia. He has devoted considerable time to giving these problems of the District of Columbia careful scrutiny. I personally feel that under his leadership many of these problems will be solved. As I understand the gentleman, he stated that the school system in the District of Columbia, the elementary and secondary schools, had not heretofore taken advantage of the school-lunch program.

Mr. NATCHER. I want to thank my colleague for his statement and say to him that during the hearings it developed that here in the city of Washington we only had a 15.8 percent participation in the school-lunch program, now with 120,000 pupils here and with only a little over 15,000 students who were participating due to the fact that they did not have adequate facilities.

As the gentleman well knows, as one of the top-ranking members of the outstanding Committee on Education and Labor, in the United States generally and in all sections where we have children who are suffering, as is the situation here in the District of Columbia, we have a lot more participation than 15.8 percent. In our own home State, it runs to a little over 50 percent participation.

Mr. PERKINS. Have arrangements now been made in this bill for a greater participation in the school lunch program by the District?

Mr. NATCHER. I am delighted to inform the gentleman that after we went into it, the Board of Education met and arrangements are now being made in four schools, as shown in the report, to start this program and get it underway, as it should be, and further that we will have more participation in the future.

Mr. PERKINS. The reason I mention this is because Superintendent Carl Hansen has appeared before the Committee on Education and Labor on several occasions and has discussed problems of this type. I personally feel that Superintendent Hansen is doing a good job. The school lunch program certainly should be taken advantage of by the District of Columbia.

Mr. NATCHER. I concur in the gentleman's statement and I want to thank my friend for his fine statement.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield.

Mr. NATCHER. I yield to the distinguished gentleman from Iowa [Mr. SMITH].

Before yielding, however, I want the members of the committee to know that: although this distinguished gentleman is not a member of this subcommittee, he appeared and talked with the members of our committee about this school lunch program matter. The gentleman has been interested in it, not only since he has been a Member of Congress, but he has been interested in this program all down through the years.

Now, Mr. Chairman, it is a distinct pleasure for me to yield to the gentleman from Iowa.

Mr. SMITH of Iowa. I thank the gentleman very much for those remarks.

Mr. Chairman, I commend the gentleman from Kentucky [Mr. NATCHER] and his committee for doing what was necessary in getting the school board of the District of Columbia off dead center and getting this school lunch program for elementary students underway.

Mr. Chairman, we are supporting programs of this type in 80 countries of the world involving 37 million young people, but we do not have it for elementary children in the city of Washington. I hope the remarks of the gentleman indicate that not only will they start it, but that they will also as soon as reasonably possible expand the hot lunch program to all the children in the District of Columbia.

Mr. NATCHER. I thank the gentleman for his remarks. I want to assure the gentleman that we shall continue our efforts along this line. Again I thank the gentleman for his assistance.

Mr. O'HARA of Illinois. Mr. Chairman, will the gentleman yield?

Mr. NATCHER. I yield to the distinguished gentleman from Illinois.

Mr. O'HARA of Illinois. May I inquire of the distinguished chairman of the subcommittee what disposition was made of the Soldiers' Home located here in the District of Columbia?

Mr. NATCHER. I would like to say to the distinguished gentleman that no testimony was offered to the Committee concerning the Soldiers' and Sailors' Home this year. Last year the Commissioners did not include the item in the budget. A continuing resolution was passed and adopted by the Congress which took care of the matter at that time. The Commissioners notified those in charge of the Home that some arrangement should be made for the fiscal year 1964. No amount was offered, and no amount was discussed in the Committee. There is nothing in the bill for the home this year.

However, Mr. Chairman, let me say to the distinguished gentleman from Illinois, and every Member of this House knows of his interest not only in the Spanish-American War veterans, but all veterans—and I for one want you to know I appreciate your interest and your faithfulness all down through the years—here we have a $49,000 item charged to the city of Washington. Prior to World War I, and subsequent to World War I, veterans had to come to Washington to present their claims. That was the system. Now we have district offices and we have State offices. We have a State office in every State of the Union. In the Commonwealth of Kentucky the State office is located at Louisville. Veterans no longer have to come in from the States to present their claims.

Mr. O'HARA of Illinois. Might I say to the distinguished chairman of the subcommittee that I was shocked on Sunday when I was told that the Soldiers' Home had already been closed. I said "What happened to those 44 veterans out there?" And nobody knew.

Mr. Chairman, among the 44 veterans out there were six or seven Spanish-American War veterans. It may cost $49,000 a year to maintain this little home for veterans, but I had sooner see appropriated this $49,000 to help these 44 veterans of the Spanish-American War and of World War I in order to maintain this home for them than to see it closed. I would as soon see this amount expended for that purpose.

Mr. NATCHER. The gentleman says they have 44 Spanish-American War Veterans out there at this time?

Mr. O'HARA of Illinois. No; there were six or seven Spanish-American War veterans the last time we heard.

Mr. NATCHER. Let me say to the gentleman that it is my feeling that we should take care of the veterans, and I concur. I am a veteran.

Mr. O'HARA of Illinois. I know you are.

Mr. NATCHER. I served 4 years during World War II and I am interested in the veteran, and in all legislation pertaining to veterans.

Mr. AUCHINCLOSS. Mr. Chairman, will the gentleman yield?

Mr. NATCHER. I yield to the gentleman from New Jersey.

Mr. AUCHINCLOSS. Mr. Chairman, I want to express my very sincere appreciation to the gentleman for the work he and his committee have done in this matter of the financing of the District of Columbia. I have served on the District of Columbia Committee for 20 years and I think the gentleman's work is outstanding. I should like to associate myself particularly with what he has said about the Police Department of the District. In my career I have had some experience in police matters. Chief Murray is one of the outstanding men of the country as a police administrator and we should appreciate that more and more as time goes on.

May I ask the gentleman, in his studies has he in a general way investigated extravagance in the operations of the District? It has been my impression at times that there has been a good deal of extravagance and that savings could be made in the operations of the District of Columbia.

Mr. NATCHER. First, I thank the gentleman for his statement and I would like to say to him as one Member of the House I appreciate his long service on the District of Columbia legislative committee and his interest in the city at all times. I have not had a chance to cover that point but I have two sentences I would like to read to the gentleman.

From 1955 to 1962 the District of Columbia's budget increased $97.2 million, or 75.1 percent. This is quite unusual when you consider the fact that the District population declined 4.8 percent between 1950 and 1960.

Money is not the answer to a great many of the problems now confronting the District of Columbia. More spending and more building will not answer some of the more pressing problems confronting the city of Washington, D.C. We went into this matter very carefully. I thank the gentleman for his fine comment.

Mr. AUCHINCLOSS. I thank the gentleman.

Mr. WILSON of Indiana. Mr. Chairman, I yield myself such time as I may consume.

Mr. BETTS. Mr. Chairman, will the gentleman yield?

Mr. WILSON of Indiana. I yield to the gentleman from Ohio.

Mr. BETTS. I should have liked to have asked the chairman of the subcommittee a question, but maybe the gentleman from Indiana can answer it.

Mr. WILSON of Indiana. I will yield to the gentleman from Kentucky to respond to the gentleman from Ohio.

Mr. BETTS. In the report I notice that there is a discussion in the hearings with respect to the operation of the buses here in the District and reference was made particularly to the overcrowded condition of the buses and the air conditioning of the buses. I wonder if the gentleman can give us any assurance this will be given consideration, and serious consideration. During the years I have been in Congress I have had occasion to use public transportation and I can testify to the fact serious consideration should be given to that matter. I think the bus-riding public deserve better treatment than they are given. I wonder if there are any assurances that can be given in that respect?

Mr. WILSON of Indiana. The committee went into that matter very thoroughly, we discussed it at length, and it is our understanding a program is underway to take care of the problem of air pollution in the buses and outside the buses in the District. It is not only being investigated by District authorities but the Public Health Service is taking an interest in it and I am sure that Washington, D.C., our Nation's Capital, will be taken care of.

Mr. BETTS. I thank the gentleman.

Mr. WILSON of Indiana. Mr. Chairman, I have just a very few remarks to make. First I must pay my respects to the distinguished chairman of the subcommittee, the gentleman from Kentucky [Mr. NATCHER] for the very thorough job he did in seeking out the justifications for this budget.

He was courteous to all the witnesses, interrogated them at length, and I must say has done a very, very outstanding job in preparing this bill which we present to you today, and the report which accompanies it.

Mr. Chairman, I also think I would be derelict in my duty if I did not commend the other members of the committee, Mr. GIAIMO, and Mr. FINNEGAN, and my good friend, Mr. WYMAN. I have never seen so much talent on a committee before, and especially talent which is specially trained and skilled in handling problems pertaining to the District of Columbia at this time. These men have all had experience in their home States dealing with the problems that weigh so heavily on the District officials at this time. They have certainly made great contributions to this study. As one who has served on this committee longer than anyone else, I understand their contribution, and I appreciate it and I know our distinguished chairman, as he stated in his observations, does likewise. This report was brought out of the committee unanimously. I know of no opposition even in the subcommittee, or in the committee, or in the House, and I certainly recommend we accept it as is.

Mr. Chairman, I must pay my respects to the Police Department of the District of Columbia. I have never met three more able and dedicated police officers than Chief Murray, Deputy Chief Winters, and Captain Wilson. They certainly have their fingers on the problems confronting the District of Columbia, and I feel they know the answers to those problems if we can give them the help they need. The chairman and the members of my committee have certainly taken this into consideration and we are doing all we can to assist Chief Murray and his aids in doing the job which needs to be done in solving crime in the District of Columbia. I marvel at how Chief Murray is able to keep such outstanding men at his side to assist him in this work. Also, of course, I am very happy with the progress being made in other departments.

I feel Dr. Hansen is making a contribution to our school system.

Mr. RIVERS of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. WILSON of Indiana. I am glad to yield to the gentleman from South Carolina.

Mr. RIVERS of South Carolina. Mr. Chairman, the distinguished member of this committee and the distinguished Representative from Indiana has been here since I came to Congress, because we came to Congress together. I heard the distinguished gentleman's remarks about Chief Murray and I want to congratulate the gentleman on the affection, regard, and esteem which he has for this great public servant. I marvel as the gentleman does that he will keep this job with the noncooperation he gets from the Commissioners, with the vilification and abuse he gets from the press, and the endless requirements made of him and the demands put upon him to keep the crime rate down in the District of Columbia. How on earth he ever does what he is supposed to do is a marvel. God bless him. I hope he will keep the position for a little while longer because there will never be another who will take on the job Chief Murray has taken in the interests of the District of Columbia and generally the United States of America.

Mr. WILSON of Indiana. Mr. Chairman, I want to thank the gentleman from South Carolina for his observation. You cannot pay a man to do the job that Chief Murray is doing. The best we can do is pay our respects to him and let him know we appreciate what he is doing, because I do not feel he is compensated for the job he is doing in any other way and I do like to scatter a few bouquets in a man's path while he is alive and not wait until he is gone.

I think Superintendent Hansen is making some progress in our schools. I am not in complete agreement with his utilization of plant facilities and teacher personnel. I feel as though the school facilities would be more adequate to take care of our needs if they were used for a longer period during the day. Being tardy at school at 9:10 and getting out at 3 o'clock makes a pretty short school day. I feel the plant facilities should be used for a longer period and the teachers should be used for an extra period which would reduce the pupil-teacher ratio and make for better work. However, I have not been able to get that particular recommendation adopted.

Mr. Chairman, I have nothing more to say; our chairman has done such a thorough job in explaining this bill to you. Again I say the report was unanimous. Every man on the committee made a contribution. Their observations were respected. I think we have a good bill and a good report and I urge the adoption of the bill.

At this time, Mr. Chairman, I yield such time as he may require to the gentleman from New Hampshire [Mr. WYMAN].

Mr. WYMAN. Mr. Chairman, I shall be very brief. I am a new member of this committee, along with my colleague from New Jersey. I feel one or two things ought to be stated that perhaps have not been explained. First, most of this budget is self-liquidating and the funds that are appropriated here are mostly coming back into the District so that the real appropriation is in regard to the Federal payment. The Federal Government owns a good part of the District paying no taxes to itself, and obviously ought to make this payment.

Secondly, I would like to observe that the A budget that is before the House at this time is a minimum budget. We all recognize there are additional needs in the District, but we cannot do anything about them because we have no authorization. This is not the fault or responsibility of the Appropriations Committee. When the time comes I am sure that those needs will be met by the House and by the Congress although I frankly regret that we have been confused and delayed by the two budget proposals.

The police department needs another 100 officers to help meet the crime situation in the District. There are a number of real needs in the schools, and so forth. A few things need to be mentioned in regard to law enforcement at this time because we have an acute law enforcement situation in the District, one that apparently is steadily deteriorating. If the Members have the opportunity I commend to their reading our subcommittee hearings, which are contained in a single volume, starting at page 266 and running for perhaps 50 or 100 pages. In those hearings it appears, beyond a shadow of a doubt, that the police are tremendously handicapped by not being able to detain individuals in the District for questioning, without an arrest, but with a detention for a few hours, such as we do for example, in my State under a uniform act by the terms of which detention up to 4 hours is permitted, but there is absolutely no police record unless the detention is followed by an arrest. I am at a loss to understand why this reasonable limitation upon individual activity, is not a tool which has been given to the District of Columbia Police Department in the District of Columbia where the situation of crime is so critical. It seems to me it is something the public interest warrants in an area much of which is unsafe to walk alone in at night. It is something that we all should be willing to agree to, in the interest of our common protection. It is perfectly constitutional.

Another thing that we in Congress ought to do something about is this question of the Mallory rule and other shackles which the courts have placed upon law enforcement officials with respect to delay in arraignment and its relation to the matter of whether or not confessions are voluntary. Some judges might benefit from some police field experience.

Another problem with us is the fact that our juvenile courts and many of the District judges have not given deterring sentences quickly enough and firmly enough to warn violators of what lies ahead for them if they break the law. There must be an appeal to the discretion of the courts who are there for life to make up their own minds anew to deal with this thing with real firmness, to face up to the realities of the need for public protection both in the adult courts and the juvenile courts. There have not been enough waivers, for example, to the jurisdiction of the District courts in the handling of juvenile cases where there have been youngsters involved in a serious crime situation where they are obviously not youngsters on a first offense but have a bad record.

I wonder if the Members of the House know that while the reporters from the papers can look at the names of such juvenile offenders the papers do not print them? This is a problem we have dealt with in my State and we ought to face this. The papers should print the names of those who are serious recidivists and report to the public on their crimes, so that others shall know who they are and may show them that they look down on them. Show that the public disapproves, this would help dispel the misconception that they are looked up to and achieved status as being "real" young toughs.

I have been impressed with the serious dedication of the members of the committee and this House in dealing with the problem of the District of Columbia. It has been the pattern of all of the conduct I have seen, that the problems of the District are very much the concern of this House, the District schools, its textbooks used in the schools, the morale of the citizenry here in the District, the facilities available in the physical establishment to achieve better education.

Understanding between colored and white people in the District was in evidence at all times in the hearings we held. As you know, the District Commissioners include a member of the colored race. This understanding and voluntary cooperation is something that we need. The District needs not more fear but more good will, and more of the kind of treating another person as you would like to be treated yourself in everything we do, not being forced to but wanting to voluntarily.

I want to say that the Members of the House who have the responsibility for municipal government in the District and for meeting the problems we all face colored and white are doing the best they can to make all of our people aware of the fact that the advantages of living in the Nation's Capital are pretty wonderful, and that most people are genuinely trying to get along together. I am confident we can have a better District if the courts will wake up and realize that the police are not brutal but are enforcing the law in the District in a fair and reasonable way with no discrimination. We have in the District of Columbia here a very fine government in which there is popular representation of the interests of all District residents. I am proud to be a member of this committee under the distinguished chairman from Kentucky who shares the respect and confidence of all who know him.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. WYMAN. I yield to the gentleman from Illinois.

Mr. McCLORY. I want to commend the gentleman from New Hampshire on his contribution to this discussion on the District of Columbia appropriation bill, and to state publicly that the Congress and the committee are certainly enhanced by his services. I know from his discussion of the matters pertinent to criminal justice that the gentleman's prior experience for 8 years as Attorney General of the State of New Hampshire is a great contribution to the District of Columbia Subcommittee and to the Congress itself.

The gentleman has called attention to a number of improvements that should be made in the administration of justice in the District, and also to the fact that 100 additional police officers are needed. May I ask the gentleman whether the additional authorization bill if supplemented by an appropriation—I believe we passed the authorization bill here a week or two ago—would meet the need for additional police officers.

Mr. WYMAN. My understanding, may I say in reply to the gentleman, is that it would, that the "B" budget will include 100 additional officers and will help to meet the problems of the District. While of course 100 additional officers are not going to solve everything, it will, in the opinion of Chief Murray, meet the needs of the District for law enforcement in the next fiscal year. I invite the gentleman's attention to this very question as it was discussed at page 286 of the hearings.

Mr. McCLORY. I thank the gentleman.

Mr. NATCHER. Mr. Chairman, I yield 15 minutes to the gentleman from Connecticut [Mr. GIAIMO].

Mr. GIAIMO. Mr. Chairman, it is a pleasure to join with the distinguished chairman of this subcommittee, the gentleman from Kentucky, and the other members in presenting this appropriations bill for the District of Columbia.

May I say at the outset that, as a new member of the Appropriations Committee and the Subcommittee on District of Columbia appropriations, I have been especially impressed with the ability, intelligence, and cordiality of the gentleman from Kentucky. It has been a distinct and memorable privilege to work with him. He has demonstrated a vast and thorough knowledge of the complex problems facing the District, and he has also shown great courtesy and understanding of the problems which the new members of his committee faced in becoming acquainted with the problems of the District.

I have thoroughly enjoyed working with our distinguished colleague from Kentucky and the other members of our committee. In addition, I would like to compliment the staff assistant to the subcommittee, Mr. Earl Silsby. He was of immeasurable assistance, always well informed, diligent, and cooperative.

I would also like to take this opportunity to pay my respects to the officials of the District government. The Commissioners, their assistants, department heads, and other employees were most helpful and informative. They are a dedicated group of civil servants, and it is a pleasure to have had this opportunity to meet them.

All in all, it has been an extremely challenging and worthwhile experience for me to serve on this committee.

The membership of this committee is representative of virtually every type of community which can be found in this country, and I believe that each of us recognized in the District of Columbia's problems the dilemmas faced by all other cities in America. As we all realize, however, the District's peculiar problems of status place it in a particularly difficult financial situation. This year's deliberations, the results of which are reflected in the bill presented to you today, were further complicated by the fact that the potential increase in Federal share and borrowing power restricted this preliminary budget to those items already authorized by Congress. This "bare bones" budget is, at best, incomplete. As you know, the District is compelled by law to submit a balanced budget—the "A" budget, as it is commonly known. This budget, which we are taking up today, does not take into account potential projects or increases in existing projects. When the legislation to increase the Federal share and borrowing power is finally enacted into law, I know that I echo the sentiments of my chairman when I say that we will give every consideration to the pressing problems and the increased needs of the District, and hope to be instrumental in working toward the solution of many of these increasingly serious dilemmas.

This present "bare bones" budget under consideration, then, deals with budget estimates or requests in the President's budget for fiscal 1964 of $289,581,800. Of that amount, our subcommittee is recommending for fiscal 1964 the sum of $284,286,800, or a reduction of $5,295,000 from the estimates requested. This is a reduction which the members of the subcommitee thought was appropriate and a reduction with which the District government could still carry on its functions.

A study of the report will indicate the various reductions and the committee's justifications for them. The chairman has set forth at length the various items considered in the budget and the reasons and justifications for the sums appropriated. I would like to take this time, however, to dwell upon several of the matters which are before us today and which were discussed during our deliberations.

As I said earlier, the problems facing Washington are similar to problems found in most of the major cities. They include the problems of education, public welfare, crime prevention, juvenile delinquency, and housing. I know that all Members of this House are familiar with the problems facing education throughout this country. There is need not only for more and better facilities, but for an improvement in the quality of our educational systems. In the District, increasingly large numbers of students enter our public schools each year. We must assure that these children are equipped to cope with the increasingly complex problems of our society. Our subcommittee is aware of the problems facing education in the District. Our subcommittee chairman is acutely aware of the problems of our young people and his emphasis on full participation in the school lunch program is highly commendable and indicative of his concern.

The problem of public welfare in the District is gigantic, and the District's public health needs are growing at a fantastic rate.

And, in the minds of many Americans, the most appalling and frightening problem facing the District of Columbia is its rapidly climbing crime rate. The District of Columbia's problems are certainly not limited to those who reside within its geographical limits. Washington is—and must be—considered the city of all Americans. It is our Nation's Capital. There are no "visitors" to Washington in the true sense of the word. There are merely American people who are temporarily residing in everyone's city. There should be no fear in them—no shrinking from our city's streets.

But perhaps the most fearful aspect of crime in the District is the growing rate of juvenile crime. During our committee's hearings, we learned that between July 1, 1962, and December 31, 1962, 1,800 juveniles were referred to the Juvenile Court. But only 20 percent of these cases resulted in commitment. In some cases, disposition of the cases was made by a nonjudicial source. And, in many cases, young people were turned back into the streets before the police were aware of their release.

The matter of juvenile crime is of particular concern. We were told that in fiscal 1959 there were 3,191 juvenile cases referred to the juvenile court and in fiscal 1962 there were 3,897 cases—an increase of over 20 percent. These figures include just cases referred by the Metropolitan Police Department; not cases such as truancy or dependency.

In May alone, there were 400 cases referred by the police department. This is the highest monthly referral in the history of the court.

Some of us are concerned that too many of these juvenile criminals are being treated too leniently and released, only to return to the streets, there to commit additional crimes. In entirely too many instances, there seems to be a pattern of criminal progression whereby a juvenile criminal starts out by committing a minor offense and rapidly progresses to the commitment of felonies and other serious crimes.

I am not an expert in this field, but I believe we should look further into the disposition of these juvenile cases. I am concerned with the relatively small number of referrals which result in convictions—approximately 20 to 24 percent. I suspect that many of the juveniles who are released soon are apprehended again for the commission of a more serious crime. This indicates some kind of breakdown, not in the apprehension of juvenile offenders, but rather in the judicial processing of these offenders. Are we being too lenient with these youthful offenders? Is the original philosophy behind the creation of the juvenile court system in the United States failing us? Is it failing to cope with the increase in juvenile crimes occasioned by the urbanization of our Nation? These are serious questions for which we must find answers.

For the failure to deal properly with juvenile criminals merely means that we will have an increase in adult crimes as these youthful offenders attain maturity and that these crimes will become more vicious as these youthful offenders develop their skills and their contempt for the enforcement division of the law. I do not suggest that all cases should not be evaluated individually—each one on its own merits. This is the very heart of our judicial system. But I do suggest that cases should be evaluated by judicial officers—that they should not be disposed of in an administrative manner or by a social worker. And I do suggest that we must restudy our basic philosophy of the treatment of juvenile criminals to discover whether we are being overly lenient.

But perhaps the most controversial of the problems studied by our committee is the highway program. There is great difference of opinion on this subject, and our committee feels that these arguments are seriously imperiling the future of all transportation improvements in the District. The debate centers about whether or not certain highway programs of the District should be curtailed in favor of efforts to obtain a rapid transit system for the area.

I wish to make it perfectly clear at this point that I am not opposed to a rapid transit system for the District of Columbia. I am, however, opposed to a philosophy that says that rapid transit should and could exist without highways.

For many years, I have concerned myself with the problems of transportation in urban areas. I have cosponsored legislation to establish a rapid transit system linking the eight States in the northeastern megalopolis. But never did I anticipate that such a system would preclude the use of highways. The two types of transportation systems are certainly not mutually exclusive, and to promote one at the expense of the other is to invite intolerable and inexcusable traffic congestion.

Mr. WYMAN. Mr. Chairman, will the gentleman yield?

Mr. GIAIMO. I would be delighted to yield to the gentleman from New Hampshire.

Mr. WYMAN. Is it not a fact that funds for most of these highway system additions have already been appropriated? It is just a question of going ahead with it, is it not?

Mr. GIAIMO. In this bill, as I understand it, we appropriate $900,000 for the one project, but the funds have already been appropriated for the other two projects.

Rapid transit systems and highway systems are increasingly important to our urbanized areas, but it is equally important that planning for both be coordinated—that we have the type of transportation system that will take care of all of the needs of our urban areas—one which will meet the requirements of rapid transit commuters and one which will meet the requirements of the automobile users. And anyone who doubts that American use of automobiles is not increasing each year need only study the sales figures from Detroit.

The specific projects which the proponents of the mass transit system would postpone indefinitely are: the Three Sisters Bridge, the Potomac River Freeway, and the north leg of the inner loop. These are projects which have already been authorized by Congress and for which funds have already been obligated. Since 1959, Congress has appropriated funds for the Potomac River Freeway and funds have already been obligated for the freeway in excess of $17 million. In fiscal years 1962 and 1963, Congress appropriated funds for the design and partial construction of the Three Sisters Bridge. In short, these are projects which are being worked on now. These are consistent with our accepted and extremely popular system of interstate highways. It is my feeling that it would be extremely damaging and wasteful to abandon these projects. They are important, not just to the District of Columbia, but as a link in this vast interstate highway program which has done so much for transportation throughout America.

I believe it is also important to remember that two of these projects are expected to be completed within 4 years.

However, any mention of mass transit systems means realization years in the future. Some estimates I have heard range as high as 10 years. It is not impossible to have the development of both types of programs, but the abandoning of the highway program would cause immeasurable inconvenience to our citizens during the many years we will have to wait for our transit system and even beyond that date.

There is no doubt that the creation of a transit system would have an effect on the type of highway planning which would thereafter be conducted. But this does not mean that the construction of a rapid transit system precludes any highway program whatsoever. Those projects currently in the stages of construction and of great interdependence should not be allowed to die.

In the event that Congress authorizes a rapid transit system for the District of Columbia, I have little doubt that it will receive sympathetic attention from our committee. Until such time, however, I would like to echo the feeling that the projects presently underway should be completed.

Congress bears a great responsibility to assure that the citizens of the District of Columbia are given every possible consideration and that the citizens of the United States may continue to be proud of their city.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. GIAIMO. I yield to the gentleman from Iowa.

Mr. KYL. The gentleman has made some very penetrating comments concerning the juvenile delinquency situation. He is aware of the fact that the number of cases referred to court is misleading because, in the first place, many of the juvenile offenders are not apprehended. Police only warn many offenders because of difficulty in getting convictions. In the second place, because of the delay in getting them to court, many times the complainant leaves the city or is otherwise unable to take the youngster to court. Then we have some other situations that compound the problem.

The gentleman is aware of the ruling of the court in 1961 which says that any voluntary statements made by a juvenile or any fact adduced as a result of this voluntary statement cannot be used against the alleged violator if he waived to an adult court. In other words, in an attempt to make a case against the juvenile the police gather all the information they can. When the juvenile is waived to the adult court their case is gone. They cannot prosecute because none of their previously completed evidence can be used in the adult court. I am sure, too, that the gentleman realizes what we need more than anything else is a local neighborhood interest of voluntary character without publicity, without fanfare, and without infusion of a lot of money, so that this juvenile problem can be considered by all the people here directly related with the problem and in every neighborhood. The President's Juvenile Commission here in Washington has under consideration several means of providing just such an approach to the problem. I know every Member of this body will want to cooperate completely in trying to combat the problem, which is indeed a national disgrace.

I thank the gentleman for yielding.

Mr. COHELAN. Mr. Chairman, will the gentleman yield?

Mr. GIAIMO. I yield to the gentleman from California.

Mr. COHELAN. I want to compliment the gentleman from Connecticut for his very fine statement and I would like to take this opportunity, if I may, to clear up a couple of points that seem to be confusing.

As I understand it, the District of Columbia authorizing committee, of which I a member, recently increased the Federal payment from $32 million to $45 million. It is my understanding that the other body voted out an authorization which calls for substantially the sum which some of us were seeking to have adopted by the House. I understand this will go to conference and that there will probably be a compromise adjustment of the figure. But from the standpoint of appropriations could the gentleman tell me what happens at that point when this new authorization level comes through?

Mr. GIAIMO. As I understand it, once the Congress passes the increase in the Federal share of the District of Columbia money from $32 million to $45 million or some other figure and increases the borrowing authority of the District of Columbia, then, the District can again suggest its recommended budget based upon the additional money available.

At that time the District government would come in with its additional recommendations and estimates, which is called the "B" budget. Our committee would study them and make recommendations to the House. Also, I understand the District would have to receive authorization from the legislative committee for any new programs.

Mr. COHELAN. Could the gentleman tell me if I am correct in assuming that as soon as we do pass the authorization it is likely that the District Commissioners will come in with a supplemental request which will be presented to your distinguished committee?

Mr. GIAIMO. I can only speak for myself. I cannot speak for the chairman or the committee. However, it is my understanding the Commissioners will return to the Hill and make their request under the "B" budget, which represents the very heart of the real needs of the District of Columbia. This budget does not meet the present needs of the District of Columbia, in my opinion. Its real needs are going to be met in the "B" budget.

Mr. COHELAN. I certainly concur and I wonder if the gentleman can give me some idea as to when in this session of the Congress that would take place?

Mr. GIAIMO. The other body is considering a bill which differs from the one passed by this body and there will undoubtedly have to be a conference on it. As you know, there are two approaches to this problem—one passed by the House and one being considered by the other body. So I cannot tell you when additional action will be, but I trust it will be some time later on this year.

Mr. COHELAN. The gentleman expects before the year is out that there will be consideration of a supplemental appropriation to meet the needs of the District of Columbia?

Mr. GIAIMO. I would think so and I would say in my own opinion there has to be.

Mr. COHELAN. I thank the gentleman.

The CHAIRMAN. The time of the gentleman has expired.

Mr. NATCHER. Mr. Chairman, I yield the balance of the time on this side to the distinguished gentleman from Illinois [Mr. FINNEGAN].

The CHAIRMAN. The gentleman from Illinois [Mr. FINNEGAN] is recognized for 11 minutes.

Mr. FINNEGAN. Mr. Chairman, I want to thank the outstanding chairman of our subcommittee, the gentleman from Kentucky [Mr. NATCHER] for this opportunity to talk on the District of Columbia appropriations bill of 1964. As a new member of the Committee on Appropriations and of this subcommittee, I enjoyed the experience. I learned a lot about the city in which we live a great part of the year, and in particular, I learned to admire the gentlemanliness, the thoroughness and the grasp of detail on both majority and minority sides so necessary in presenting for the consideration by this body of the annual appropriation bill for the District.

Of necessity, this bill, submitted under what is known as the "A" budget is in all truth a "bare bones" bill. But, even in the face of this fact, if this balanced budget fails to provide all those services that we tend to look for in a city of this size, our subcommittee provides a budget for the total of $284,286,000, which is $11,365,164 below the 1963 appropriation and $5,295,000 less than the budget estimates. Much of the time of our hearings was consumed with the questioning, by all members, of the heads of all the departments, the three Commissioners, the comptroller, and financial officers and such other staff as that at any time we asked to appear. The chairman has informed you that all of the capital outlays requested by the committee and compatible with "A" budget were allowed. Added to this was a necessary amount of $900,000 to complete the north leg also known as the center leg to the northwest freeway, an integral part of the highway program.

HIGHWAY PROGRAM

This highway program seemed to have run into a roadblock when the President, on advice that we members of the Committee considered to be in error, requested in his transit and highway message that further work on the Three Sisters Bridge, the Potomac River Freeway, and the north leg I have just mentioned, should be stopped until the plan submitted by the National Capitol Transit Authority, which eliminates these three improvements, could be further implemented.

In answer to my questions, all three Commissioners stated that they were in favor of and have been in favor of these three improvements since 1959 when first reported favorably by the examining Commissioner; but since they are subject to the executive department, they are bound to follow the suggestions of the President. The same support was obtained from Rex Whitten, the head of the national road program, who recommended it highly. Our subcommittee was entirely in favor of the continuation of these highway improvements not, of course, to the exclusion of any transit plans; but rather we believe that a rapid transit system and an adequate highway system together is the answer to the transportation problem of the District of Columbia for now and future years. This is especially true since the support of a rapid transit begun now and not to be completed for 10 years would be far in excess of that already paid out or committed to the highway program. Therefore, with all the witnesses that I remembered hearing I can unequivocally recommend, with the report of our subcommittee, that these three, the Three Sisters Bridge and the Potomac River Freeway, both of which have had the money previously appropriated, needed for proceeding now and do not need further money this year, and the north side of the northern loop for which this budget received $900,000, all proceed with such speed as is proper.

SCHOOL LUNCH PROGRAM

Besides complimenting our very able chairman, the gentleman from Kentucky [Mr. NATCHER], on his courteous handling and inimitable ability, I must further congratulate him for forcing, through practically his lone efforts, the school board to initiate in some circumstances, and expand in others, the school lunch program so much needed in the city of Washington. Coming, as I do, from a large city that has always taken advantage of such programs in places where needed, I had no idea how very backward this city was in this instance until it was brought out by the gentleman from Kentucky [Mr. NATCHER] in his questioning and in the evidence deduced at his demand.

CRIME IN WASHINGTON

I come from a city which has been sorely maligned many times and is generally alluded to in different parts of the world when crime and criminals are increasing in metropolitan areas. We in Chicago are proud of our reputation except in that particular. We do not think we ever deserved it, but it has taken a long time and we have not yet lived down the riotous living of the twenties and early thirties, all traceable, as we know, to the profits from bootlegging.

But, there is not the same excuse for the District of Columbia to have obtained, as they have now, such a reputation through the length and breadth of this country. Crime statistics can be very deceiving, as most statistics can be if improperly used; and I believe my colleague on the subcommittee [Mr. GIAIMO] put his finger on it when he told one of the witnesses that he was not interested in national averages, but he was interested in the average of large metropolitan areas such as Chicago, New York, Los Angeles, and Boston in comparison with Washington, D.C. When averages just considering metropolitan areas of this size are taken, we then find that the District of Columbia is very near the top in crime, juvenile delinquency, venereal diseases, and all of those unenvied things that go to give a city a reputation that requires years to erase unless attacked early and conscientiously. The committee, as you have been informed, was not satisfied with the conduct of the juvenile court where only 20 percent of the cases brought to the juvenile court by the Metropolitan Police resulted in commitment to either the District or Federal institutions. The remaining 80 percent were returned back from whence they came sometimes without police knowledge. Maybe they should have been returned back in most instances, but there were too many cases where they were tapped on the wrists from 5 to 16 times before the boy involved committed a crime of such excessive violence as to revolt an ordinary person and a crime adding to the already unsatisfactory reputation of Washington. Juvenile delinquency is not to be solved only by punishment, and none of us on the committee believe in punishment alone. We believe that education, removal of illiteracy, improvement of the public health program, public welfare, and living conditions of the people, through participation in neighborhood and civic affairs are necessary. But, there is no doubt that the handling of the cases in the juvenile courts left something to be desired. We have the promises of the three judges and the staff that corrections will be made. It is to the credit of our chairman that he insisted that all three judges and not some executive assistant attend the hearings at all times and be available for questioning and explanation of various cases that have been disposed of.

POLICE

I believe that we have a very excellent police department. I know of no better, and there is no chief that I could admire more than Chief Murray. Of course, he is wrapped up in two decisions which he believes interferes with the better administration of his police duties. That is, the so-called famous Mallory rule, which allows him no more than 6 hours of custody before the accused must be brought before a magistrate and be charged with a crime with the penalty being that any confession that is obtained after this time limitation is not admissible. This rule, of course, has to do with apprehension and investigation of the case for proper presentation in the courts and that is what makes a policeman, such as Chief Murray, mad.

He gets mad also when the Durham rule relating to Federal courts in this community is exercised. That is the plea of temporary insanity which is enough to absolve one entirely from a crime that requires intent especially when it is a crime of violence. This has led to some highly peculiar decisions. Peculiar in the fact that most serious crimes could not be presented without the prosecution having to be satisfied with a lesser conviction. An example of this is the man who raped a woman in an elevator when stopped between floors. He was convicted of burglary; rape charges were dropped because of testimony that he was temporarily insane. The rule used in such parts in which I live, where the right and wrong test is applied in insanity pleas, is not considered in this District.

In general, Chief Murray says he does not want any more money and actually does not need any more policemen except for replacements, but his complaint revolves around the Mallory ruling that I mentioned. As a lawyer, which many of you in this body also are trained for, I can appreciate the necessity of not allowing a person to remain in the custody of the arresting body too long. Too many third degree methods have extracted confessions, and I believe that most of the members of the subcommittee, four of the five of which I know to be lawyers, sympathize with Chief Murray, but consider improved police work might take up the slack where needed. There is no doubt that something is needed because some parts of this city are a jungle and much of the nice walks through the hundreds of trees and through beautiful scenery surrounding this great city cannot be taken under the fear of attack.

NIGHT MEETINGS

You will find, upon examining the hearings of the subcommittee, that a series of night meetings were called in the House caucus room attended by representatives of all groups and many neighborhoods, plus other organizations and interested citizens who wished to be heard. These hearings, from 6 p.m. many times ending about 10 p.m., extended for 13 days and full consideration was given to the people who appeared with statements. All of the testimony was weighed carefully and is included in our conclusions.

In conclusion, this is a good budget. It is the only one that could be submitted, a I mentioned, because it must be a balanced budget and must be submitted under the funds presently available to the District. Local newspapers agree that, as the Washington Evening Star stated editorially. "Under the circumstances, the committee did extraordinarily well." The Washington Post commended Chairman NATCHER and called our deletions marginal and ones that "can be absorbed without great trouble."

This body has passed an authorization bill raising the Federal contribution and increasing the loaning power in the same proportion. When and if this legislation clears the other body, then the pending requests of the District, known as the "B" budget, which will supplement the one being submitted today, will come up for hearing. You can be sure that we members of the subcommittee can assure you that we will give the same amount of care and attention that we have given to this one.

Mr. WILSON of Indiana. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. BALDWIN].

Mr. BALDWIN. Mr. Chairman, I want to commend the committee on its

Mr. GROSS. You say "we." Do you mean the District of Columbia government?

Mr. NATCHER. The District of Columbia government is having to borrow this money. This is a direct charge on the city of Washington.

Mr. GROSS. How much will the taxpayers in Kentucky and the taxpayers in Iowa contribute to this? I am using them as an example of all of the taxpayers of the country. How much will all the taxpayers of the country have to contribute to finance this white elephant?

Mr. NATCHER. I may say to the gentleman that very little, if any, is coming from the Commonwealth of Kentucky and from the great State of Iowa. I say that for the reason that last year the payment was $30 million. This request is for $30 million. If any part of that $30 million would be applied to this, it would be very, very small. So I will say to the gentleman nearly all, if not all, of the money for the stadium is a direct burden on the District of Columbia.

Mr. GROSS. On the taxpayers of the District of Columbia?

Mr. NATCHER. Yes.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

(By unanimous consent (at the request of Mr. GROSS) he was allowed to proceed for 5 additional minutes.)

Mr. GROSS. Mr. Chairman, this is the stadium we were told away back when—1952, 1953, or 1954, somewhere in there, would not cost the taxpayers anywhere a single dime. This was to be financed by private enterprise. This ought to be another lesson to the House of Representatives that promises and assurances cannot always be accepted at face value, especially when a project is involved that starts at $6 or $7 million and winds up costing nearly $20 million. If this came before the gentleman's committee, how are we progressing with Mr. O. Roy Chalk in the removal of his streetcar tracks in the District of Columbia?

Mr. NATCHER. I am glad the gentleman asked that question. Several years ago an arrangement was made whereby the sum of $10 million was to be set aside in a reserve fund for use in paying to remove the tracks. This amount was charged to those who ride the buses and streetcars. It was a reserve fund that was built up by the transit company.

We went into this matter very carefully last year and again this year with the Commissioners. The hearings will disclose some 15 or 20 pages of testimony concerning this matter. That $10 million has now been reduced to less than $5 million and as far as the transit company is concerned, I want to assure the gentleman on behalf of our committee and every Member of the House that the transit company is not going to make one dime out of this transaction. I pledge that to the gentleman.

Mr. GROSS. I thank the gentleman for the statement he has just made, because I have been fearful, as have other Members of the House, that this in the end would come back again to the people who ought not to be made to carry a burden which is the responsibility of the Washington transit company.

Mr. WYMAN. Mr. Chairman, will the gentleman yield to me?

Mr. GROSS. Yes, I will be glad to yield.

Mr. WYMAN. I would like to revert for 1 minute to the "A" and "B" budget concept that the gentleman originally talked about. I would like to invite the gentleman's attention to the fact that it is not a responsibility or a fault in any way of the Committee on Appropriations connected with this "A" and "B" budget concept. There is nothing we could do about it. It did not originate with us and it is not our responsibility. Does the gentleman understand that?

Mr. GROSS. I thank the gentleman for his contribution. No, I did not really understand it.

Now, on the matter of the cultural center, is there any money in any part of this bill for a cultural center in Washington, D.C.?

Mr. NATCHER. I am delighted to inform the distinguished gentleman from Iowa and my friend that there is no money in this bill for that purpose. The gentleman will be interested in one point concerning this matter which appears in the hearings. At the time they came in to testify concerning the budget request for fiscal year 1964 we called the attention of the Commissioners to a little piece of land down there which sold for a little over $700,000—purchased and made a part of the cultural center. We asked them the question as to how much it was assessed for taxes. As the gentleman well knows, we had them put in the record the 10 highest commercial properties under assessment and the 10 highest residential properties. We do this for one reason only—to let everybody see how they are assessing this property. One of the large hotels here some 5 years ago was assessed for a little over $4 million and the gentleman in the well now asking the question inquired about this hotel which sold at that time for $18 million. The gentleman was correct at that time and he is correct now. We use that system for the purpose of letting everybody know what is taking place in the real estate field. In the hearings you will find where we went into the question of this $700,000 used to purchase this land. However, I would like to say to the gentleman that there are no funds in this bill for that purpose, and the $700,000 was not a District transaction.

Mr. GROSS. I thank the gentleman and I hope that subsequent appropriation bills for the District of Columbia will carry no funds for such purpose until at least the literacy rate in the District of Columbia starts going up instead of down, as you so well point out in your report. It is inconceivable to me that there should be anywhere from $35 to $75 million spent on a cultural center in the District of Columbia with the rate of illiteracy going up. A plush cultural center is about the last thing needed in the District of Columbia under those circumstances.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. DEVINE. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I take this time to inquire of the very able chairman of the subcommittee [Mr. NATCHER] with regard to a few questions in this public safety section. I see the appropriation that is recommended by the subcommittee for public safety appears to be an astronomical figure of $65 million. In going through the breakdown on this I notice that the present strength of the Metropolitan Police Department of the District is about 2,900. Is that a constant figure, or an increase, or a decrease?

Mr. NATCHER. The authorized personnel for the Department is 3,000. They have not been able to recruit some men from time to time. The total personnel at this time is just a little over 2,900.

Mr. DEVINE. I notice about $30 million of this $65 million is for the Metropolitan Police Department. There are 2,900 policemen. Is the gentleman in a position to tell me what the population of the District of Columbia is?

Mr. NATCHER. About 789,000. The District of Columbia, as the gentleman from Ohio well knows, is one of the few major cities that lost population in the last census.

Mr. DEVINE. Does the gentleman happen to have a breakdown of the ratio of police officers per person in the District?

Mr. NATCHER. I do not have that ratio, but I would like to say to the gentleman that for cities comparable in size to the city of Washington the figure of 3,000 is second from the top. Therefore, the number of officers we have is not too many or too few.

Mr. DEVINE. Not too many nor too few?

Mr. NATCHER. That is correct.

Mr. DEVINE. I might inform the gentleman that I have the honor to represent, in the 12th District of Ohio, the capital city, Columbus.

Mr. NATCHER. I would like to say to the distinguished gentleman that Columbus is a fine city. I went to law school there.

Mr. DEVINE. I understand that the gentleman attended the Ohio State University Law School. I would like to point out that in that capital city, which does not include the suburbs, the population is roughly 500,000 and there are approximately 500 police officers, a ratio of one per thousand. I think the ratio here is considerably higher than that, is it not?

Mr. NATCHER. The gentleman is correct. There is one statement I know the gentleman would be interested in. At no time during the day do we have more than 500 police officers on the streets. We have a great many civic functions, embassy parties, and so forth, and a number of police officers have to be assigned to them. In addition we have over 16 million visitors each year.

Mr. DEVINE. On the other hand, in addition to the Metropolitan Police, 2,900 of them, do we not have the Capitol recommendations dealing with the Three Sisters Bridge, the Potomac River Freeway and the north leg of the interloop. It has been my privilege during the last 9 years to serve on the Roads Subcommittee of the House Committee on Public Works. Yesterday we completed 2 weeks of hearings reviewing the status of the Federal interstate highway program and, specifically, its status in urban areas and particularly in the Washington area. I think practically everybody in this room would like to say that Washington is leading the Nation in the example it is providing in the construction of Federal interstate highways through this metropolitan area. Unfortunately, this is not the case. We found in those 2 weeks of hearings that the Washington situation was a sea of confusion and when we got into the meat of it, to find out why this sea of confusion existed, we found despite the recommendations in 1959 of every responsible planning agency in Washington, D.C., that the Federal interstate highway system in the Washington area should be expedited, that the recommendation of one agency which has come into the picture in the last few months, for all practical purposes, has brought the Federal interstate highway program in the Washington area to a standstill. This is the recommendation of the National Capital Transportation Agency, which submitted the recommendation a few months ago, that the Three Sisters Bridge, the Potomac River Freeway, and the north leg of the interloop should not be built at this time and, in fact, should be suspended indefinitely.

We heard during our hearings testimony directly opposite to the recommendations of the National Washington Transportation Agency—from the State of Virginia, the State of Maryland, from the Commissioners of the Washington area, from the American Association of State Highway officials, from the Washington Metropolitan Area Transit Commission—from all responsible agencies that worked on the Federal interstate highway system for many years.

All of these were united that this program must go forward. The key to this program is the expediting of the program in the Washington area.

Mr. Chairman, the Congress in passing the Federal Interstate Highway Act of 1956 increased the Federal gasoline tax from 3 cents to 4 cents a gallon. We did so on the basis that highway users would get their fair share of benefit from the improvements in the roads in their areas which formed a portion of the Federal Interstate Highway System.

Mr. Chairman, I want to say that the present situation in the District of Columbia area, which contains at least 2 million people in the metropolitan area, is a penalty to the 2 million people, practically all of whom own automobiles and who are paying 4 cents a gallon in Federal tax every time they buy a gallon of gas. This tax goes into the highway trust fund. They should have the right to receive comparable benefits for the expenditure of that 4 cents a gallon. They are not getting them. The reason they are not getting them is primarily because of the obstructiveness of the National Capital Transportation Agency.

Mr. Chairman, it seems to me that this block has got to be broken. The people here are entitled to the same benefits under this program as the people in the other parts of the country; for instance, the people in my home State of California, and the people in other States. They are being penalized by a theory that apparently the National Capital Transportation Agency has that if they can bar any improvement of the highway system in the Washington, D.C., area, they can force sufficient support for a mass transit program.

Mr. Chairman, I am not against mass transit for Washington, D.C. But I want to say this: If this Agency thinks the way it is going to win more support in Congress is by obstructing the Federal interstate highway program, which was approved by this body by an overwhelming vote, I think the National Capital Transportation Agency will find that some of us who would otherwise support it will probably oppose it until the NCTA withdraws its opposition to the completion of the program for Federal interstate highway construction in the Washington area as contemplated when we enacted the Highway Act of 1956.

Mr. NATCHER. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN. I am happy to yield to the gentleman from Kentucky.

Mr. NATCHER. Mr. Chairman, I want to commend the distinguished gentleman from California for the fine statement he has just made to the House. In addition I want to commend every member of the gentleman's subcommittee and the full Committee on Public Works. Certainly I think the gentleman is right. This is no time to bring to an abrupt halt the highway system in the city of Washington. I wanted to thank the gentleman for his fine statement.

Mr. BALDWIN. I thank the gentleman from Kentucky for his remarks.

Mr. WILSON of Indiana. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

EDUCATION

Education, including the development of national defense education programs and for matching Federal grants under the National Defense Education Act of September 2, 1958 (72 Stat. 1580), as amended, $61,670,000, of which $643,921 shall be for development of vocational education in the District of Columbia in accordance with the Act of June 8, 1936, as amended.

Mr. GROSS. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I have been reading in the newspapers something about a "B" budget. What is a "B" budget in connection with the District of Columbia?

Mr. NATCHER. Mr. Chairman, if the gentleman will yield, I would like to say to my distinguished friend, the gentleman from Iowa [Mr. Gross], that under the present revenue here in the city of Washington there will be ample funds to take care of the budget that we have now under consideration. This is referred to as the "A" budget. This is the budget that was presented by the President during the month of January.

As the distinguished gentleman from Iowa well knows, some 2 weeks ago here in the House the Federal payment ceiling was increased from $32 to $45 million. In addition to that, another bill was enacted which provides that the loan authority for the District of Columbia is now increased from $75 million, which had heretofore been the case, to $150 million.

Mr. Chairman, those two bills, as the distinguished gentleman well knows, are now pending in the other body. When those bills are enacted and after the President signs into law these two bills, there are certain requests pertaining to the schools, the police department, the Department of Welfare, and certain other departments in the District of Columbia that will then be presented. I presume that the requests will be in a supplemental bill or in the usual manner.

Mr. GROSS. Approximately, then, how much will be added to the spending called for under this bill?

Mr. NATCHER. I am unable to answer the question. As far as the $284 million now up for consideration, of course, there will be nothing added to this particular bill. As far as the items that will be presented in the future, I will say to the gentleman quite frankly every consideration will be given to these items, especially the capital outlay requests and to any increase in the Federal payment. I want the gentleman to know that we will carefully consider every request that is made.

Mr. GROSS. In other words, this is only a part of the spending for the District of Columbia?

Mr. NATCHER. The gentleman is correct.

Mr. GROSS. And there is no real estimate as to what future bills will call for?

Mr. NATCHER. The amount requested, I will say to the distinguished gentleman, will be in the neighborhood of from $35 to $40 million.

Mr. GROSS. I thank the gentleman from Kentucky for his explanation and I want to express my personal appreciation to him and the members of his subcommittee for their diligence in preparing this bill. Now let me ask this question: On page 10 of the report, under the heading of repayments of loans and interest, is there any money in this or anywhere else in the bill to take care of the financing of Washington's super-duper stadium?

Mr. NATCHER. Yes. I regret to inform the gentleman this stadium which Congress authorized and which was to cost between $6 and $7 million and later cost $19.8 million and which I consider to be a white elephant, should never have been placed on the backs of the taxpayers of the city of Washington. It is now costing the taxpayers of the city of Washington approximately $800,000 a year in interest alone, not in retiring bonds but in interest alone, and we are having to borrow this money. Only recently a little over $500,000 was borrowed for this purpose.

Police, the Park Police, and some other categories?

Mr. NATCHER. The gentleman is exactly right, but in nearly every instance when additional officers are requested the request goes to the Metropolitan Police.

Mr. DEVINE. In my remarks I do not in any way mean to be critical of the committee. The fact is I would like to pay a high compliment to the Police Department of the District of Columbia. The gentleman from Iowa [Mr. Kyl], and I, on a number of occasions at night, have accompanied some of the men in the ranks throughout the District to see what the situation is. I think they are doing a tremendous job under very trying circumstances. The continued rise in crime statistics in the Nation's Capital certainly is not through the fault of the Metropolitan Police Department. To the contrary, the courts, some social workers and professional do-gooders and bleeding hearts must bear much of the blame.

I thank the chairman.

Mr. O'HARA of Illinois. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, since I have been a Member of this body, I have never withheld my vote for money to keep the Capital City of our country clean, beautiful, well kept up, and well provided for. Washington is our national showcase. It is the patriotic shrine of the American people.

I know of none in the House of Representatives who work harder, with more diligence and dedication, than the distinguished chairman and able members of this great subcommittee, and this they do with no political advantage to them in their home districts. I have read carefully the volume of the public hearings, and have been impressed by the scope and the depth of the subcommittee's inquiry into the problems and the needs of the metropolis that is the seat of the National Government. Surely our colleagues on the subcommittee, the chairman and all the members of both parties serving on his team, deserve our thanks and the thanks of the Nation.

Yet, Mr. Chairman, I am unhappy and disturbed that the bill now under consideration has no money for the Old Soldiers Home that for 75 years has sheltered destitute veterans of all the wars of our country who had no other home. It well may be that the District of Columbia has no responsibility for the veterans from the many States of the Union who find themselves stranded, penniless, unable to find employment in the beautiful Capital City of the Nation for which they fought. I dare say, however, that the people of Washington, if permitted to vote, would overwhelmingly accept that responsibility and would vote out of power any city administration that sought to establish a reputation for fiscal responsibility by kicking into the streets a handful of old and penniless war veterans. That is not the spirit of our America that visitors to Washington envision when they gaze at the dome above our Capitol. Washington should always be warm of heart as well as clean and beautiful.

I was shocked when on Sunday last I was informed that the Old Soldiers Home had been closed on July 1. Homes for the three Spanish-American war veterans, I am informed, were found, one in Philadelphia, one in Virginia, one in Florida. For that I am thankful. An effort was made to place the other veterans, temporarily at least, but it is uncertain at this time that all have found even temporary shelter.

In the absence of a full report on the extent of the tragedy of the closing of the Old Soldiers' Home, and because of the inadequate time to alert and inform the membership of the House, my colleague from Texas [Mr. Casey], and I have decided not to offer an amendment providing for some $50,000 for the continued maintenance of the Old Soldiers' Home. We feel confident that such an amendment would be adopted if there were opportunity to inform the membership of the situation. As it is, there are not more than 40 Members on the floor, and those responding to a quorum call would have scant chance of informing themselves until called upon to vote.

Under the circumstances, we feel it is wiser to leave the matter in the hands of the other body, trusting that there it will receive full study and attention and that, if in the judgment of the Members of that body the facts justify, the item will be restored by amendment.

My colleagues will find the case for the temporary home for veterans of all wars unanswerably represented in the testimony of Albert C. Allen on pages 1060 and 1061 of the hearings.

Mr. Chairman, on June 17, 1963, I wrote the Honorable Walter N. Tobriner, president of the Board of Commissioners of the District of Columbia, asking what provision he was making for food and shelter for the sick and physically handicapped veterans if displaced.

Mr. Tobriner, in his reply dated June 24, 1963 stated:

> With respect to the operation of the facility after July 1, 1963, it is my understanding that a letter was sent on May 21, 1963, to the Administrator of Veterans' Affairs, U.S. Veterans' Administration from the board of governors of the temporary home applying for reimbursement from the Veterans' Administration.
>
> More recently however, on June 13, 1963, Mr. Gerard M. Shea, administrator of District of Columbia welfare institutions and Mr. Mark Hutchinson, superintendent of the Temporary Home for Veterans of All Wars met with representatives of the Veterans' Administration's domiciliary facility at Kecoughtan, Va. The staff of the Veterans' Administration facility indicated that they are in a position to take all the veterans in residence at the temporary home, assuming they are eligible. This matter is now being explored further so that certain details can be worked out. Should the Veterans' Administration not be able to take care of the present residents of the temporary home, it may be possible on a temporary basis to provide food and lodging at the District of Columbia Municipal Lodging House for those who do have the financial means to provide for themselves.
>
> Representatives of the District of Columbia government will continue to work with the board of governors of the temporary home during this transition period. Please be assured that every effort will be made to provide proper treatment to the veterans in residence at the temporary home.

Mr. Chairman, it would seem reasonable to conclude that with sufficient time an accommodation could be made with the Veterans' Administration to reimburse the District of Columbia, especially as the cost of maintenance is much lower at the Old Soldiers' Home and the present VA facilities are overcrowded. To keep the Old Soldiers' Home closed to me seems both a folly and a tragedy.

Mr. CASEY. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the distinguished gentleman from Texas.

Mr. CASEY. I want to compliment the gentleman for his diligence and fairness in this matter. I, too, was concerned about it when this matter was brought to my attention a day or two ago, and wanted to make some effort to save this home. I, too, was concerned, as was the gentleman, that there were some men there without representation here in the Congress and who possibly had been forgotten. I assure the gentleman that if it turns out that his information is wrong, he will have my assistance to correct the situation.

Mr. O'HARA of Illinois. Were it not for the gentleman's counsel and help I am afraid I would have been lost. He has been a tower of strength. He was approached as I was very late in the drama, and after the committee had acted. I am very grateful to him. I know that he did have prepared an amendment to offer provided it seemed advisable under the circumstances prevailing. I know he joins with me in suggesting that the matter be more thoroughly looked into so that if it is justified an amendment may be offered in the other body.

Mr. CASEY. The committee has had no requests from the District. I think the committee has acted properly, and there is no reflection on the committee. However, it is unfortunate for someone to be overlooked for the lack of someone to appreciate him.

Mr. O'HARA of Illinois. I join with the gentleman in that feeling. I do not wish my remarks to be construed as critical of the subcommittee, which has done an outstanding job. I do feel that if the subcommittee had been completely informed of any phases of the tragedy it would have included an appropriation for the Old Soldiers' Home, and that if the other body acts favorably it will accept the amendment.

Mr. NATCHER. Mr. Chairman, I ask unanimous consent that the remainder of the bill be considered as read and be open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. NATCHER. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House, with the recommendation that the bill do pass.

The motion was agreed to.

Accordingly, the Committee rose, and the Speaker having resumed the chair, Mr. Price, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill

(H.R. 7431) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1964, and for other purposes, directed him to report the same back to the House with the recommendation that the bill do pass.

Mr. NATCHER. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. NATCHER. Mr. Speaker, I ask unanimous consent that all Members who spoke on the bill may have 5 legislative days in which to extend their remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ADJOURNMENT OVER

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATION BILL—CONFERENCE REPORT

Mr. KIRWAN submitted a conference report and statement on the bill (H.R. 5279) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1964, and for other purposes.

CEREMONIES ON THE CENTENARY OF THE BATTLE OF GETTYSBURG

Mr. GOODLING. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GOODLING. Mr. Speaker, in order that events in connection with the centenary of the Battle of Gettysburg be recorded for posterity, I include in the RECORD the remarks of Postmaster General J. Edward Day, Assistant Secretary of Interior, John A. Carver, Jr., and Hon. William W. Scranton, Governor of the Commonwealth of Pennsylvania, be inserted in the RECORD.

The addresses were delivered from the Eternal Light Peace Memorial, July 1, 1963.

Postmaster Day dedicated the Gettysburg commemorative stamp. Mr. Carver accepted deeds of additional battlefield land made possible by the Pennsylvania Commandery of the Military Order of the Loyal Legion and the Gettysburg Battlefield Preservation Association. Governor Scranton assisted youthful descendants of the honored dead in rededicating a new torch of peace.

The ceremonies were conducted under a blazing sun. It was a coincidence that at the centenary of the first day of battle, the temperature stood at the century mark.

REMARKS BY J. EDWARD DAY, POSTMASTER GENERAL AT THE DEDICATION OF 5-CENT GETTYSBURG COMMEMORATIVE STAMP, GETTYSBURG, PA., JULY 1, 1963

One hundred years ago today there began on this ground a grisly battle that was perhaps the most crucial ever fought anywhere.

One hundred and seventy-five thousand troops took part. The fighting went on for 3 days. When it was over, thousands lay dead and 50,000 had been wounded.

Gettysburg was the turning point of the war. When Gen. Robert E. Lee began an orderly retreat on July 4, followed by a wagon train of wounded 17 miles in length, the last Confederate invasion of the North was ended and southern military power was on the decline.

Lee had hoped, by moving North, to gain several major objectives: to take supplies from the enemy, to capture one or more key cities, to cause a diversion that might help the Confederates, beleaguered by Grant at Vicksburg, and to bring fear to the hearts of the people of the North, thereby increasing the already formidable clamor for a negotiated peace.

Actually, as it turned out, Lee's drive northward had the opposite effect. The alarm created by the invasion rallied the population behind the Union Government.

Gen. George Meade's Army of the Potomac moved up the Shenandoah Valley into Pennsylvania to intercept Lee. Meade hoped to reach a line along the Big Pike Creek, 16 miles southeast of here. Although the huge armies engaged at Gettysburg, neither side had planned to fight at this location.

The series of bloody exchanges which took place in and around Gettysburg are still being studied by military historians and strategists. They were marked by brilliant, as well as faulty, tactics, by formidable gallantry, by stealthy ambushes, by brave charges, by terrifying retreats, by pain and horror.

The climax came with the last Confederate thrust. The gallant troops under Maj. Gen. George Pickett made their famed charge across open fields toward Cemetery Hill, but were mowed down by overwhelming Union fire. That charge was the high water mark of the battle.

Meade was much criticized for not pursuing and defeating the battered Confederate Army before it was able to escape across the Potomac.

Heavy rains hindered the movements of both armies after the battle. Lee reached the river several days ahead of his pursuers, but found his pontoon bridge destroyed. Meade procrastinated and Lee took his army across the river on the 13th of July before Meade could launch his attack.

President Lincoln was furious. To Gen. Oliver O. Howard, who commanded a corps at Gettysburg, he wrote:

"I was deeply mortified by the escape of Lee across the Potomac, because the substantial destruction of his army would have ended the war."

Union soldiers from 18 States were killed at Gettysburg. These States joined to purchase a portion of the battlefield for a memorial cemetery. The trustees of the cemetery invited Edward Everett, a former president of Harvard and Senator from Massachusetts, and one of the most renowned orators of the day, to come to the site to deliver a commemorative address. They suggested October 23 as the date, but Everett, whose orations were not noted for their brevity, replied that he could not prepare an adequate speech before November 19.

President Lincoln was invited to attend on this latter date almost as an afterthought, and the trustees were surprised at his acceptance. Lincoln and his party arrived in Gettysburg on the night of November 18, after a 5-hour trip from Washington. He appeared that night in response to a serenade and made a few remarks.

Lincoln was habitually cautious in his public speech and he mentioned that in his position it was important not to "say any foolish things." An irreverent man in the audience shouted, "if you can help it."

The following day, in front of some 20,000 persons, Everett delivered a 2-hour address, which roamed over subjects ranging from the funeral customs of ancient Athens to the assorted purposes of war. Lincoln's speech, which followed, was, according to historians, considered by many to be almost shockingly brief.

I find those reports hard to believe. I have never heard of anyone criticizing a speech because it was too short.

Lincoln was disappointed with the reaction of the audience to his speech. He had worked hard on it. It is not true, as the legend tells us, that he composed it at the last moment on the back of an envelope. However, even though the newspapers gave most of the play to Everett's address, Lincoln's remarks were immediately recognized as an extraordinary and classic statement of the democratic purpose.

Everett, himself, wrote Lincoln:

"I should be glad if I could flatter myself that I came as near the central idea of the occasion in 2 hours as you did in 2 minutes."

The Gettysburg Address was and remains a vital and eloquent document because it looked beyond the transient issues to the deeper significance of Gettysburg: The testing of the democratic idea and the endurance of government by the people.

Lincoln spoke of human liberty in universal terms; he realized that the outcome of the grim struggle would be of enduring importance to men everywhere, for all time. The stirring simplicity of his words gave the Battle of Gettysburg a perpetual timeliness and made it symbolize the difficult and continuing struggle to preserve democratic government.

Gettysburg was decisive for our present-day American role as the top world power. And, on the other hand, as the key battle, in the world's first so-called modern war, it was a tragic chapter in man's inhumanity to man. It should have been an object lesson on the horrors of war and of the hideous consequences of resorting to force to settle complex differences.

In today's world of a divided Germany, a divided Europe, a divided China, Gettysburg provides a beacon light of hope for reunification. In the face of disappointments and failures in our American efforts for a nuclear test ban treaty and for disarmament, Gettysburg should remind us never to lose heart, because the stakes are so momentous in the effort for peace.

In a more limited sphere, Gettysburg reminds us of two things about leadership.

The South, from beginning to end, had a superb top military leader in Lee—recognized as such through the whole course of the war. On the other hand, the Union's Army of the Potomac was handicapped for the first several years of the war with changes in its top command. Lincoln had to make many changes.

We should have learned then, 100 years ago, how essential is ultimate civilian control of a military establishment. And we can be grateful that in today's world of uncertain, unstable, and makeshift governments, that we Americans are blessed with a stable and effective system of government as we pursue our national ideals.

I hope that the Gettysburg Centennial will make people think not of the specious glamour of battle, but of its abject horror and degradation. And I hope that the 130 million Gettysburg stamps we are issuing following this dedication today will remind Americans not of bitterness and internecine strife, but of the preservation of the Union and of the freedom and of the greatness of the United States.

REMARKS OF ASSISTANT SECRETARY OF THE INTERIOR JOHN A. CARVER, JR., AT THE GETTYSBURG CENTENNIAL OBSERVANCE, GETTYSBURG NATIONAL MILITARY PARK, PA., MONDAY, JULY 1, 1963

If there were ever an occasion and a place where a listed speaker should be tempted to stand mute, this would most certainly qualify. What was said here nearly a century ago in consecrating this hallowed ground seems destined to endure beyond man's memory of the deeds that were done here. And yet, despite our admitted incompetence to vie with Lincoln's felicitous phrase or to match his somber eloquence, it is good that we return to Gettysburg—to the turning point of national history, to the place where national unity was saved, where the ideals expressed by the emancipator became possible of realization.

For Lincoln, the task was that of dedicating a resting place for the honored dead of his generation. For us, that period and its events—even its significance—must seem remote, almost contrived in the relative simplicity of the issues behind the awful struggle that took place here. We look at Gettysburg—and at Lincoln's expression of its meaning—with the perspective of a century. Having lived through a generation of depression, war, and a peace that gives no peace, we tend to regard the events of early July 1863 as a piece of the past that is walled off from present reality.

And yet, to reread Lincoln's message at Gettysburg is to be reenforced in our recollection of what was at stake on this field of honor and of sorrow. We see the issues of 1863 stripped of the partisan distractions and the heroic folklore constructed through the years. Lincoln compressed a decade of strife and 2 years of war into one declaration of faith: That the Nation dedicated to the proposition that all men are created equal should not perish from the earth.

That Nation has not perished from the earth—but neither have its ideals, so eloquently expressed, been fully implemented. That task remains for our generation to fulfill. For a hundred years, the equality defined on this field has been withheld from millions of our fellow citizens. What they once patiently awaited, they now demand as a matter of right. Unrest is at large over the Nation—and over nothing that was not basically at issue here a century ago.

We search for peaceful solution to the civil rights issues of 1963. Peaceful solutions have been found in many areas of this subject, principally through the high principles, the vision and the dedication to constitutional guarantees enunciated by an enlightened judiciary and by far-ranging executive action to assure that these guarantees are not denied, through artifice or legalistic sleight of hand. The President has now called for a new dedication to the equality under law which Lincoln defined as the purpose behind a bloody struggle a century ago. It is time for the Congress to respond—to give positive expression to the ideals for which men fought in the past. National honor, not the threat of civil strife, must be the motivating force by which all our citizens are accorded, ungrudgingly, the equal opportunity for which our system stands.

Thus, Gettysburg is more than a historical reminder, important as that is. It is just as important that Abraham Lincoln gave voice to what must be a national objective for our generation. It is therefore fitting that we should meet here to mark the further perfection of this shrine to man's highest ideals as well as heroic deeds.

I am honored by the privilege of accepting the public-spirited donation of key tracts of land which will help round out this national historical park. I commend the two organizations which are responsible for making this event possible. They represent the finest aspects of the spirit that motivates preservation of our national heritage. The Military Order of the Loyal Legion has an illustrious history of patriotic devotion derived from the forebears of its membership, Union officers who served with distinction on these fields. The roots of the Gettysburg Battlefield Preservation Association also reach deep into the soil of this valley and the study of its history. In the finest traditions of the conservation movement, its members have excited the concern of Americans everywhere to protect these battlefields for public use and inspiration.

To these organizations, therefore, and to the many private donors of large and small amounts, I extend the sincere thanks of the American public. On behalf of President Kennedy and Secretary Udall, I accept these lands and pledge to the donors that they will be conserved and dedicated solely to the purposes for which they have been tendered.

ADDRESS BY GOV. WILLIAM W. SCRANTON AT OPENING CEREMONIES OF CENTENNIAL OF THE BATTLE OF GETTYSBURG, JULY 1, 1963

Mr. Postmaster General, Governors, and other distinguished representatives of the States, honored guests, members of the clergy, my fellow Americans; all Pennsylvanians join me, I know, in extending a most hearty welcome to all of you as we gather at one of our Nation's great shrines.

It is our hope that your visit will be both meaningful and pleasant.

A hundred years ago, nearly 160,000 Americans—some clad in blue and some in gray—assembled here to fight a battle.

For 3 days on this very field they dedicated themselves to the grim business of war.

When the battle ended, almost one-third of their number were dead, wounded or missing. The survivors limped away to seek the strength to fight again another day.

Man has an infinite capacity to commemorate his works of war, so a century later we gather on the same field.

But surely commemoration of a battle cannot be our real purpose for assembling.

If the grass and trees of Gettysburg came to grow again, despite the blood that soaked their roots, just as surely Americans can learn from what happened here.

If so, we need to know why it happened.

America on the eve of the Civil War was heir to man's ancient and natural desire to be free.

The propositions upon which our Nation had been founded were the most noble man has ever conceived.

The paradox of the Civil War is that it was fought with both sides invoking those same principles.

The North held that freedom would be destroyed if weakened by sectionalism and rebellion. The South held that it would be equally destroyed if an American lost the right to desert a government in which he no longer believed.

"It is safe to assert," said Abraham Lincoln, "that no government proper ever had a provision in its organic law for its own termination."

And, Jefferson Davis told the first Confederate Congress, "All we ask is to be let alone."

Thus a Nation divided itself. The Civil War was fought because this Nation's need to understand itself far outstripped the time and tools it had to reach that understanding.

The ancient struggle for human rights passed into a tragic interlude. An interlude in which half a Nation could look upon the gentle Mr. Lincoln as a tyrant. An interlude in which half a nation could look upon the gallant General Lee as a traitor.

Shouting the same slogans, fighting for the same broad principles, the American Nation went to war with itself.

Such a war could not help but underscore one of the great truths about our system of self-government.

Democratic society has within it a perpetual tension, a never-ending push-and-pull as it strives to work the will of the majority without trampling the rights of the minority.

We treasure the human soul, but we recognize, too, the material needs of the human body. We know that life without liberty is not really life at all. But, we also know that political freedom without economic freedom is not really freedom at all.

Unlike the other system which today competes across the world for the minds of men, we do not believe that man must give up his liberties to fill his belly.

An intrinsic part of our system is the belief that man is best equipped to acquire a fair share of the world's material prosperity for himself and his family when he is truly free in mind and spirit.

For us, freedom is not only the best philosophical system, it is the best economic system as well.

But most important of all, we know that freedom's business is never done.

In the days ahead, our Nation will be sorely pressed to put to use the lessons it has learned at great expense.

There is the continuing task of molding a government strong enough to fulfill its purpose, but not so strong and centralized that it violates its own reason for existence.

There is the task of regulating our business system sufficiently to guarantee the opportunity of its fruits to all, but not so harshly that we destroy the very system that lays the golden eggs.

There is the task of joining other free men in alliances of strength to protect our freedoms, but of avoiding the nuclear destruction of the world in the process.

And, there is the task of driving prejudice out of the human heart at least as rapidly as we are learning to drive men into outer space.

One hundred years after Gettysburg, America still has not completely solved the problems of self-government. But those who fell on this battlefield have not died in vain because our Nation today is great enough to keep trying.

Despite our sectional differences, the Union stands, firm and strong. The South grows with America, as does the North. And, the West has joined them.

"The new birth of freedom," of which Lincoln spoke, has not been brought forth painlessly. It was weaned on the persecutions of Reconstruction, and then lay asleep while the South revived itself and the North plunged into building its industrial machine.

Now, the new freedom begins to move again, this time into stormy adolescence. In the South, in the North, in the West—in every section of the Nation, men are called upon to look into their own hearts.

Written there, each of us can find the timeless truth: "Accustomed to trample on the rights of others, you have lost the genius of your own independence and become the fit subjects of the first cunning tyrant who rises among you."

As the new freedom tumbles into adolescence, it finds itself in a Nation that has matured in most things more quickly than any in history.

None has grown swifter to power. None has experienced greater progress. None has been thrust so rapidly into awesome responsibility.

And, yet, the new freedom collides with the great enigma of the American experiment. History one day will explain this enigma, but we cannot afford to wait for history. We must realize now that, for a nation that in many ways moves too fast, in the matter of raising the new freedom to full maturity we have moved too slowly.

Most of all we must realize that freedom of the lawbooks—if that is all it is—is a pale substitution for the real thing. Real freedom is only to be found in the human heart. It is only there that one man can extend it to another.

Looking over the vast battlefields that surround us recalling all its memorable moments—Little Round Top, Devil's Den, the Peach Orchard, the Wheat Field, Culp's Hill, Pickett's Charge—let us resolve never to be torn in two again.

This is not a sectional problem it is a National problem. It ill behooves any American to point the finger at any other. Rather, we must reach together for the full promise of our common heritage.

Let us seek the future in unity, not division; in peace, not violence.

DISARMAMENT AGENCY "SICK"

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, the U.S. Arms Control and Disarmament Agency has been one of the Kennedy administration's most conspicuous failures. The basic duty of the Agency is to investigate the possible pitfalls of disarmament and arms control schemes, balance them against claimed advantages, and come up with sound judgments on safe courses for our country. It is not doing its job.

Fundamental flaws in legislation setting up the Agency and weakness in personnel appointed to run it both are responsible for its failure.

The latter problem should be remedied by wholesale replacement of the Agency's top staff by hardheaded Americans who understand what the Communists are up to.

To eliminate the six most glaring defects of the 1961 Arms Control and Disarmament Agency Act I have today introduced a bill to accomplish the following:

First. Drop the word "disarmament" from the Agency's name and eliminate disarmament from its functions. Some control over arms and armaments is the only practical objective which can be foreseen for a long time ahead. There is plenty of time to amend the act to include disarmament functions at some future time when world conditions might indicate. Meanwhile, let the Agency concentrate on the achievable and avoid the impractical.

Second. Bar the Agency from setting up its own research staff. Government research directors tend to hire people who agree with them. This is deadly in the field of arms control research as it immunizes against sound new ideas and prevents the critical analysis needed to dispose of unsound old ones. Conduct of the Agency's research by contracts with universities and private groups would tend to overcome this and bring a cross section of best minds to bear on its problems.

Third. Strip the Agency's Director of his duty to take part in international negotiations. Incorrect positions taken by the Director during the heat of bargaining, or for purely "negotiating purposes;" tend subsequently to introduce distortions into the results of its research. The tendency is to support the Director's positions rather than achieve correct assessments.

Fourth. Eliminate the Agency's authority to "disseminate" information to the public. The Agency should act in a research and advisory capacity to other Government officials responsible for initiating programs and making policy. It should not be permitted to "go to the public" to push its advice on those officials.

Fifth. Sever the Agency from the State Department. If it is to function as a truly independent assessor of plans, proposals and policies for the President, the Secretary of Defense and other governmental units in addition to the State Department, it should neither be supported logistically by nor housed within the State Department and thus subjected to its intimate influence.

Sixth. Place the reasonable expenditure limit of $5 million annually on the Agency. In 1962 it received $1.8 million, in 1963 it received $6.5 million. It seeks $15 million for 1964, more than a 700 percent increase in a brief 2 fiscal years. A $5 million annual expenditure rate can easily support all the Agency's proper functions in the field of arms control.

The Disarmament Agency today is a sick agency with a dreary past and a dismal future. It could perform a useful function, but it is not doing so and has lost the public confidence. Unless it is reformed substantially along the lines indicated, I see little reason for spending public money to perpetuate it.

CAPTIVE NATIONS

Mr. SCHWEIKER. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, next week, beginning July 14, marks the fourth observance of Captive Nations Week, started by President Eisenhower in 1959. The plight of the captive nations of the Red Russian Empire must be and is of grave concern to a nation whose basic premise is freedom and liberty. For the past 3 years, nationwide observances of a Captive Nations Week in July have demonstrated the enthusiasm with which the American people support the hopes of captive peoples to be free. The fourth observance of such a week is a particularly appropriate time for the introduction of my resolution to establish a Special Committee of the U.S. House of Representatives on Captive Nations.

Communism is just as foreign an ideology of those enslaved peoples as it is to our own citizens. Armenians, Bulgarians, Poles, Czechs, Lithuanians, Hungarians, Cubans, Germans, Rumanians and many others, despite relentless Communist regimentation and persecution, have clung to their culture, language, and religion as well as to their independent spirit and their hopes for freedom. The Soviet Government has never been able to deal successfully with these nationalistic aspirations.

The very fact that these nations are a constant problem to the Kremlin makes them a source of strength to us. A report of the investigation made last fall by the House Committee on Foreign Affairs concluded that "The people of the Captive Nations constitute a tremendous reservoir of good will for the United States. Their desire to be oriented toward the West and their hope of eventually regaining their national independence serve as a powerful brake on the Soviet Union's freedom of action and capability to extend the Communist Empire in Europe."

Moscow has made obvious on many occasions its deep-rooted fear of the free world's growing knowledge of and interest in the satellites. It is the advancement of this interest and knowledge alone that can explode the myth of Red unity and expose their crass colonialism.

A seeming flaw in our cold war strategy appears to be our failure to exert constant and skillful pressure on Moscow in an area where it is increasingly vulnerable—the Captive Nations. Regardless of its outcome, the present rift between the Red Chinese and the Russians is certainly cause for comfort. Cracks in monolithic communism have become visible to the naked eye. It would be folly for our country to ignore such portents. Just as communism seeks to feed on unrest in the free world, we should be alert to exploit the individual yearnings and aspirations toward freedom vibrant in the Captive Nations.

The Soviets rely heavily on the propaganda line that communism seeks to liberate the peoples of developing nations from colonialism and imperialism. It seems strange that educated people who decry colonialism fail to recognize the neocolonialism developed with such impressive harshness by the Soviets in Eastern Europe. At this time, when the Communists are trying to expand their empire into Asia, the Near East, Africa, and Latin America, we should strive to encourage the strong, restive forces within the Soviet Union and publicize their plight as a warning to prospective victims.

Certainly U.S. foreign policy has been and is one of refusing to accept the status quo of Soviet domination and insisting on the rights of people to live under governments and institutions of their own choice.

There are numerous ways in which this policy can be effectively implemented. The Voice of America should give news coverage to Foreign Affairs Committee hearings on the captive nations, in line with the statements of officials in that agency on the importance of keeping these peoples aware of the constant U.S. concern for their welfare.

We should press for the condemnation by the U.N. of Soviet colonialism in Eastern Europe. The State Department should counter Soviet threats to Berlin by insisting on a prompt settlement of all central-East European issues resulting from the allied treaties at the end of World War II.

It is a matter of surprise to me that there could be any opposition to this resolution. The special committee which it establishes would conduct an intensive investigation of the captive nations. No study of this type has ever been made either by governmental or private groups. An enlightened foreign policy must be based on a thorough knowledge of the facts, such as this committee would provide. The investigation and the interest it shows could well serve as an effective weapon in our cold war arsenal.

In the best interests of our Nation and the cause of freedom, we should thus establish publicly a firm attitude in support of the captive nations. We must hit the Soviet Union where it is weakest by exposing to the devastating light of truth the full extent of Soviet imperialism.

OUR DISASTER WILL AFFECT YOU

Mr. SCHWEIKER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Talcott] may extend his remarks at this point and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. TALCOTT. Mr. Speaker, the production and processing of strawberries is an important industry in my district. One out of every three strawberries grown in America is grown in my district. It is a $13 million crop. It is safe to say that four times that amount is earned by processors, shippers, wholesalers, retailers, in other States, mostly in big cities, before the strawberries are consumed.

One out of every four heads of lettuce sold in the United States is grown in my district. Lettuce in Monterey County produces a gross income of $36.5 million annually. It is safe to say that shippers, wholesalers, retailers—employer and employee—living outside of California—mostly in the big cities—derive three times that amount from the processing and sale of our lettuce.

Without supplemental labor these crops could not be harvested. Lettuce and strawberries grow on the ground. They are very perishable and there is no governmental subsidy.

Admittedly, the withdrawal of the supplemental labor will be ruinous to our industries and people, almost all of whom depend upon agriculture. We need help desperately and immediately.

But also many more businessmen and employees throughout the United States will be seriously deprived of employment if the bracero program is not extended, or some other supplemental labor is not assured, immediately.

Thousands of new acres of strawberries were scheduled for planting this year in Monterey County. This planting has now been canceled. A farmer must spend more than $1,250 per acre to plant strawberries—field preparation, irrigation facilities, labor, plants, fertilizer, water, machinery, and so forth.

The defeat of the bracero extension has, therefore, already cost our small county $1,250,000. Only a small portion of this went to the braceros. This loss is borne almost wholly by domestic businessmen and labor.

The loss to businessmen, employees, and consumers in the eastern cities will continue for the life expectancy of the plants—3–5 years.

Many strawberry growers will relocate in Mexico where conditions are favorable and labor costs less than 30 percent of what they are in Monterey County. The pity of this is that all of the employment in allied industries—truckdrivers, packers, shippers, package manufacturers and salespeople, and so forth—as well as in domestic agriculture, will also be lost.

Importation of the small but necessary supplemental labor from Mexico kept a valuable industry in America. Without this labor supply this vital industry will be lost.

We should consider this factor thoroughly. Perhaps it would be wise and beneficial to every American to extend the bracero program.

TO PROVIDE TAX EQUITY WITH REGARD TO COOPERATIVES

Mr. SCHWEIKER. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CURTIS. Mr. Speaker, I am introducing today a bill which will correct one phase of the inequality between the tax treatment of cooperatives and that of their fully taxed competitors. It will also produce substantial revenue for the Treasury.

This legislation provides for the taxation of the exempt cooperative corporations on earnings derived from business done with the U.S. Government or any of its agencies.

Under the present law, income to tax-exempt cooperatives from the Government storage of farm commodities in co-op elevators or warehouses is exempt from the payment of Federal income tax when it is distributed as patronage dividends to the co-ops' farmer patrons. I believe that these exempt cooperatives should be fully taxed, just like nonexempt cooperatives and everyone else, on all income earned from Government storage and other Government business, unless such income is returned to the Government itself as a patronage dividend.

Section 1382 of the Internal Revenue Code, entitled "Taxable Income of Cooperatives," provides in subsection (c):

> In determining the taxable income of an organization described in section 1381(a)(1), there should be allowed as a deduction (in addition to other deductions allowable under this chapter)—(2) amounts paid during the payment period for the taxable year—(A) in money, qualified written notices of allocation, or other property (except nonqualified written notices of allocation) on a patronage basis to patrons with respect to earnings during such taxable year which are derived from business done for the United States or any of its agencies or from sources other than patronage.

The inequality in this section is apparent. The cooperative that pays patronage to its members is not taxed on income it derives from the storage of Government-owned cooperatives, while nonexempt organizations are forced to return this income for tax purposes.

I recommend that this escape hatch in our tax law be closed, especially because competitive inequality results from this treatment. Because of the present agricultural surplusage, the volume of business in this area is very large, and I see no reason why all organizations participating in the business of storing Government surplus should not be placed on an equal tax footing.

TO EMPOWER THE CIVIL RIGHTS COMMISSION TO INVESTIGATE VOTE FRAUDS

Mr. SCHWEIKER. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CURTIS. Mr. Speaker, I am today introducing legislation to broaden the scope of the duties of the Commission on Civil Rights to include investigations on vote frauds. This bill provides for the investigation of allegations that the citizens of the United States are unlawfully being accorded or denied the right to vote properly, or to have their votes properly counted, in any election of Presidential electors, Members of the U.S. Senate, or of the House of Representatives, as a result of any patterns or practices of fraud or discrimination in conduct of such election. This bill is identical to one introduced earlier by my able colleague, the gentleman from Florida [Mr. Cramer]. It gives me great pleasure to join him in this proposal.

The basic civil right, the right to franchise, has two parts. If either part is missing, the right does not exist. These two parts are: First, the right to vote, and second, the right to have the votes counted honestly. The National Democratic Party, a three-headed coalition, consisting of the northern city machine Democrat, the southern Democrat, and the Americans for Democratic Action Democrat, stands charged of violating one part of the right to franchise, the right to vote, through its southern head, and the other right of franchise, the right to have the vote counted honestly, through its northern city machine head. The ADA Democrat, though ideologically in support of civil rights, looks the other way when attempts are made to enforce the civil rights, looks the other way when attempts are made to enforce the full right of franchise in our country.

The basic point made by the southern Democrats in resisting looking into denial of the right to vote has been that there had been no showing of inability of State and Federal laws to enforce the right to vote. The very purpose of establishing the Civil Rights Commission was to pin this point down. The southerners have fought this matter "tooth and toenail," just as the city machine Democrats have fought successfully up to date the looking into the deprivation of our people's right to have their vote counted honestly.

The facts are that the deprivation of having the vote counted honestly is directed to both majority and minority groups. This is true both in the rural South where it sometimes takes a strange twist of having Negroes vote not once but many times over—as directed—and in the big city areas where the constituencies are made up largely of minority groups, including Negroes.

I am hopeful that our citizens will see through the hypocrisy of the National Democratic Party as exemplified by the position it has taken in respect to the right of franchise. The passage of this bill would be a significant step in the direction of correcting the inequalities that exist in the voting process that is so central to effective representative government.

INTRODUCING BILL TO SUSPEND DUTY ON MANGANESE ORE

Mr. SCHWEIKER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Schneebeli] may extend his remarks at this point and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SCHNEEBELI. Mr. Speaker, I am introducing a bill (H.R. 7481) to suspend for a period of 3 years the duty on manganese ore, and its equivalents. At present, there is a tariff on imported manganese ore of one-fourth cent per pound of contained manganese. Ferromanganese, which is produced from manganese ore, is subject to a tariff of five-eighths cent per pound of contained manganese. This results in a net tariff of about $6.30 per long ton. The bill would suspend the tariff on manganese for a period of 3 years.

There are no metallurgical manganese ore reserves in the United States. Notwithstanding the imposition of a tariff for a period of 30 years, it has been impractical to develop any domestic ores. Less than 1 percent of the requirements are produced domestically.

Each ton of steel produced in the United States requires about 13 pounds of manganese. Ferromanganese is used to supply this need. Some steel producers have "captive" manganese production. The balance—or free market—comprises about one-half of U.S. consumption.

Domestic producers have seen a continuing decline in profitability and employment due to the increased impact of imported ferromanganese. During a 10-year period ending in 1962, ferromanganese imports have increased from 7.6 percent to 33 percent of the available free market in the United States. It is estimated that imports now amount to approximately 140,000 short tons. There has been no corresponding growth in domestic production.

The importation of ferromanganese at a rate of five-eighths cent per pound, which provides net protection of only $6.30 per ton, is inadequate to enable domestic producers of manganese to compete with imports. If manganese ore is admitted duty free, the existing duty on ferromanganese will result in a net differential of about $10.50 per gross ton.

The admission duty free of manganese ore will permit countries having commercial deposits to export more of these ores to the United States. On the other hand, foreign producers will not have the same inducement to ship their surplus ferromanganese to the United States under a rate of duty which compares favorably with the rate of duty levied on manganese ore.

BASTILLE DAY

Mr. SCHWEIKER. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Conte] may extend his remarks at this point and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CONTE. Mr. Speaker, it is characteristic of great revolutions that some relatively unimportant incident becomes symbolical and thereafter holds an altogether disproportionate place in the imagination of mankind. The fall of the Bastille played this role in the French Revolution.

The Bastille was of slight strategic consequence; its capture was not a brilliant exploit, and was dishonored by the cruelty of the unruly mob. Only seven prisoners, most of them detained for good reason, were found within its walls. But to popular feeling both in France and abroad the Bastille was the embodiment of all that is most hateful in arbitrary power.

Originally constructed as a fortress in the 14th century, the Bastille was early used for the custody of state prisoners and was ultimately more of a prison than a fortress. According to popular tradition, the first who was incarcerated within its walls was the builder himself, Hugues Aubriot. It was not until the reign of Louis XIII that it became recognized as a regular place of confinement, but from that time till its destruction it was frequently filled with men and women of every condition. Prisoners were detained without trial on lettres de cachet—often to satisfy the personal animosities of the monarch or his ministers. The most notorious use of the Bastille, however, was to imprison those who criticized the government or persons in power. It was this which made it so hated and caused its capture by the revolutionary forces to be regarded as symbolizing the downfall of despotism. The fall of the infamous Bastille seemed to herald a new age of freedom, justice, and humanity.

It is thus appropriate that Bastille Day has become the national holiday of France. For Frenchmen this observance has much the same meaning as Independence Day has for Americans. One of the many ties between our peoples is this common heritage of democratic ideals which animated both the French and American Revolutions. It is therefore particularly fitting that we Americans salute our friends in France on the 174th anniversary of the fall of the Bastille, which will be celebrated on Sunday, July 14.

CONGRESSMAN BOB SIKES SETS NEW RECORD OF SERVICE FOR FLORIDIAN IN THE HOUSE

Mr. SCHWEIKER. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Gurney] may extend his remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GURNEY. Mr. Speaker, I regret that other business prevented my presence on the House floor yesterday, when my colleagues from Florida were paying tribute to our distinguished Member from the First District of Florida, Bob Sikes.

The occasion was to do honor to his having served in the House of Representatives longer than any other Member from Florida.

The House of Representatives has been deemed by many students of government as the greatest legislative body in the history of self-governing peoples. In all events, it could be said that no other body has exceeded the House in excellence of the lawmaking process.

To have served in this great body over 22 years and longer than any other Congressman from the State of Florida, is an honor of which Bob Sikes may be justly proud.

I am new to the House. I have not known Bob Sikes very long, but still long enough to have heard words of praise about his work in the House, both from his constituents and his colleagues. I have found him friendly, cooperative, and helpful, and I take great pleasure in congratulating him upon this memorable occasion in his career in this great House of Representatives, and to wish him many more years of rewarding service as the Congressman from the First District of Florida.

STARVATION AND THE BRACERO

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, we have heard a great deal about the outrageously high wages paid to domestic farmworkers in this country. Yet, I wonder how outrageous the wages can be when the average migrant worker has an income of about a thousand dollars or less per year.

When we hear that a migrant might make, say, $3 an hour, we tend to forget that his employment will last only a few weeks—certainly no more than 2 months. And we also forget what kind of work he is doing. It might be worth the price.

My district is the home base for thousands of migrant workers. I know hundreds of them personally, and I know their problems. Their biggest problems stem from the fact that they just do not make enough money to live.

Because of that, their children might eat only one meal a day during the winter months.

Because of that, the insulation in their shacks consists mostly of old cardboard boxes nailed to the walls.

Because of that, the old ones who can no longer work die from cold, from hunger, and from exposure.

Did you know that in my hometown, one of the biggest causes of death among the older people in malnutrition? And do you know what causes that? It is hunger, Mr. Speaker.

I would say that a man is not making outrageous wages when in the winter, when there is no work, he must deprive his children of food and watch his parents die, because they have no income at all—not even social security.

By permitting braceros to come into this country, we depress these outrageous wages to a point below that of human tolerance. It is partially because of the bracero program that I have seen children ragged and hungry and old people dying of malnutrition.

MIGRANT'S PLIGHT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, in our discussion of the bracero program, we have heard some pretty fantastic defenses of it. Last week we were told that the best thing we can do for American migrant workers would be to take their jobs away.

This brought some interesting reactions. I would like to relate part of a letter I received today from a migrant worker in California.

This worker asks:

> Is it humanitarian to bring cheap foreign labor and force us migrant workers to either work for the same wages as the bracero, or else starve, or if we are lucky receive charity from the welfare department? Either one is bad.
>
> The migrant way is not an ideal way of life, it is true, but some of us have been doing this for many years, and are happy working this way provided we earn enough to feed our families. This is a free country, and if some of us are forced to live that way, we should be allowed to do so. Don't try to stop it by bringing cheap foreign labor to replace us, thinking you are doing us a favor. Yes, we would like to live in one place and form a part of a community but here again we are discriminated (against) in the better jobs.
>
> Give the solution you have for the migrant worker, if you keep on bringing braceros, what are we to do?

I submit that this letter is not very grammatical. But it tells very clearly the problem facing the American migrant if the bracero program is extended.

If we want to offer a humanitarian solution to the problems of the American migrant worker, we should give him a break in the labor market by eliminating the wage-depressing factor of foreign workers. If we are interested in being humanitarian, we should do this and enact the proposals of Senator WILLIAMS, which would, in fact, help the migrant.

What is certain is that you cannot help a man by taking his job away from him or depressing his wages.

EXEMPTION FROM INDUCTION OF THE SOLE SURVIVING SON OF A FAMILY WHOSE FATHER DIES AS A RESULT OF MILITARY SERVICE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MULTER. Mr. Speaker, the Armed Services Committee has favorably reported H.R. 2664, a bill to amend the Universal Military Training and Service Act to provide an exemption from induction for the sole surviving son of a family whose father dies as a result of military service.

I sponsored an identical measure, H.R. 4828, and the following is my testimony before the Armed Services Committee on behalf of H.R. 4828:

STATEMENT OF HON. ABRAHAM J. MULTER IN SUPPORT OF H.R. 4828 BEFORE SUBCOMMITTEE NO. 1, HOUSE COMMITTEE ON ARMED SERVICES, JUNE 20, 1963

Mr. Chairman, I appreciate the opportunity to testify today in support of my bill H.R. 4828, which would amend section 6(o) of the Universal Military Training and Service Act to provide an exemption from induction for the sole surviving son of a family whose father dies as a result of military service.

Present law provides that where one or more sons or daughters of a family was killed in action or died in the line of duty while serving in the Armed Services of the United States, or who subsequently died as a result of injuries or disease incurred during such service, the sole surviving son of such family shall not be inducted for service.

H.R. 4828 would amend this to read "Where the father or one or more sons or daughters * * *" etc. It is as simple as that.

I know of no opposition to this bill and I do know that it is endorsed by the Jewish War Veterans of the United States and by the Gold Star Mothers of America, Inc.

Furthermore, the report on H.R. 2664 (which is identical to H.R. 4828) shows that the Department of the Army in behalf of the Department of Defense endorses the principle of the bill and that Gen. Louis B. Hershey, Director of the selective service system, has also notified the committee that he would not oppose enactment of this legislation.

The Department of the Army, in its report dated March 28, 1963, has offered an amendment to the bill which is entirely acceptable to me and in fact improves the bill. This amendment would add to the end of section 6(o) of the Universal Military Training and Service Act the words, "unless he volunteers for induction."

The Department states that this legislation would preclude the induction of volunteers as well as nonvolunteers. I can see no necessity for barring voluntary enlistments.

In view of the support that this bill has and in fairness to those families who have a sole surviving son of a father who gave his life to his country, I urge the enactment of H.R. 4828 with the suggested amendment. Thank you.

NATO 5 YEARS LATER

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. RODINO. Mr. Speaker, in recent years the security of the United States and the free world has been in good part preserved through the effective efforts of the North Atlantic Treaty Organization. Since its origin, our NATO alliance has produced a strong and cohesive defense system and, in addition, has enlarged its scope to include cooperation in nonmilitary areas. I, myself, have witnessed progress in the latter sphere as a U.S. delegate to the NATO Parliamentarian's Conference, whose latest meeting I have recently attended in Paris, where I served as a member of the Scientific and Technical Committee.

Today I bring to your attention an excellent and informative article appraising NATO's achievements in the area of defense. Written by the distinguished Gen. Lauris Norstad, the former Supreme Allied Commander in Europe, the piece appears in the April-June issue of the General Electric Forum for National Security and Free World Progress along with several other outstanding articles on developments in the field of defense.

I recommend to all my colleagues General Norstad's evaluation and am inserting it at this point in the RECORD in the hope that we shall all profit from his expert analysis.

NATO 5 Years Later: The Shield Is Stronger, the Sword Is Sharper

(By Gen. Lauris Norstad, USAF, retired, former Supreme Allied Commander, Europe)

To millions of free people throughout Europe, as well as here in the United States, the North Atlantic Treaty Organization spells security. Established in the critical time that saw the loss of Czechoslovakia to the Communists and first witnessed the brutal blockade of Berlin, NATO has preserved the peace for over 14 years and the Atlantic community has prospered and grown strong.

Despite some very real differences, the basic unity of this alliance is unmatched in the long history of political and military alliances. The best examples of that cohesion have been provided by the various and recurring crises in Berlin. But the Cuban crisis gave us another outstanding, perhaps even spectacular, illustration of Allied unity.

On that important Monday evening last October when President Kennedy disclosed the serious situation in Cuba to the American public, Mr. Dean Acheson, former Secretary of State and special envoy of the President, was presenting the United States position to the North Atlantic Council in Paris. Promptly and unanimously, the other 14 sovereign nations of NATO resolved to stand positively behind the United States in the face of this grave threat to world peace, a stand which must have been as encouraging to President Kennedy as it was chilling to Premier Khrushchev. Here was proof of unity when unity truly counted, proof positive of what had been built out of the despair that was Europe following World War II.

POSTWAR EUROPE: APATHY AND DESPAIR

The memory I have of Europe in the late 1940's and early 1950's—and a powerful memory it is—is of a climate of apathy and despair. The signs were everywhere in the streets crowded with unemployed, in the nearly empty stores, in the smokeless factories. But it was most sharply etched in the faces of the people themselves, on which were written the fear and hopelessness of that hour. The prevailing question was not whether war would come again, but rather in what month, on what day.

Between the then and the now, the contrast is all but unbelievable. Today we see a Europe that is strong, dynamic, confident. It is a Europe in which American policy has made humble the success of their own efforts.

For more than a decade after the war, the weakness of Europe was a major factor influencing the policy of this country. But now we are no longer dealing with war-shattered peoples. We are dealing with countries which on the basis of their improved status, their achievements in recent years, are demanding an increasing recognition as true partners. And with rights and recognition they are appreciating to a greater extent the increased obligations to the alliance and beyond. So in the decade ahead, it is the strength of Europe, rather than the weakness, which will play a major role in shaping our plans, our programs, and our objectives as a nation.

INTERNAL NATO DIFFERENCES

But against the background of a strong Europe and the unity of the alliance is what appears to be something of a crisis in the relationships within it. This past winter and spring have brought this fact into sharp focus. That weaknesses do exist, some quite serious, is a matter of public record, but this can be said of almost anything that has been built rather rapidly and that is compelled to adapt itself to changing needs. On the other hand, the fact that the alliance possesses very real military strength, both conventional and nuclear, is also recognized.

To gain perspective today, NATO's internal trouble must be looked upon in the context of its strength as well as its weaknesses, of its unity as well as its division. There are common aims within NATO which are just as valid, whose achievement is just as important, and whose common application and acceptance are just as apparent today as when first announced in the NATO Treaty.

A TIME FOR STATESMANSHIP

There is no doubt that this is a critical time. It is a time for tolerance and understanding. And it is a time for statesmanship of the highest quality. As President Kennedy has said, "* * * that which serves to unite us is right, and what tends to divide us is wrong. * * * If we are to be worthy of our historic trust, we must continue on both sides of the Atlantic to work together in trust."

Some of the present difficulty, perhaps most of it, springs from the fact that the Europeans with their new strength, their new feeling of power, their understandable self-assertiveness, are preoccupied with the development of new political alinements. Of course, the future Europe will be defined by Europeans, and that is as it should be. But those who think in terms of strictly national solutions are fortunately clearly in the minority. In fact, even the idea of an independent European bloc is not gaining support. It is my own conviction that the pattern of the future will be the full pattern of the Atlantic community.

NUCLEAR WEAPONS DECISIONS

One of the vital areas in which Europeans are developing this new self-assertiveness concerns use of nuclear weapons. Since nuclear weapons have become such a symbol of power in our time, their importance in policy considerations has taken on the very greatest dimension. At the heart of these considerations is an important question concerning the focus of authority and how that authority should be exercised.

Most Europeans are convinced that nuclear weapons, in some strength and in some form, are essential to their defense. However, they want a guarantee of the continuing availability of the weapons on which they must place dependence for the preservation of their freedom. Further, they wish a voice, an influence, in the decisionmaking process. They feel they need this in order to fulfill their responsibilities to their own people as well as to the alliance.

These convictions are very real to the Europeans and they are certainly reasonable. Like the renewed strength of Europe, they must be accepted as a fact of life.

COLLECTIVE NUCLEAR AUTHORITY

The authority over the nuclear capability which supports the NATO defense plans should be vested in the alliance itself. To meet this need, the nuclear weapons deployed for the purpose of giving reality and substance to the NATO principles should be wholly committed to the alliance.

However, since the proliferation of independent nuclear control and authority is unacceptable, the actual physical custody of the weapons or warheads should be retained by the donor country. But in principle, the responsibility relating to the NATO nuclear capability is a collective one and must be shared by all of the 15 member countries.

One answer to the problem of collective authority would be for the Council to create a smaller executive body wholly responsive to it. In its simplest form, this body might consist of a representative from each NATO nuclear power—the United States, United Kingdom, and France. So that views from all 15 countries are heard, the Secretary General, who serves all member countries, could preside over this executive group.

Such a formula would permit the NATO political authorities to exercise powers promptly in a military emergency. And it may meet some of the desires and demands of the Europeans for a real voice in the control of military power, particularly nuclear power.

EARLY ANSWER IS VITAL

This proposal certainly involves difficulties. There are technical problems of organization. And there may well be problems of law. There are certainly political involvements perhaps most especially for those NATO members who would not be included in a three-, four-, or five-member executive body.

However, I am sure that our European Allies will consider any constructive proposal. They realize, at least as well as we do on this side of the Atlantic, that the future of the alliance may well depend on an early answer to the question of authority over the NATO nuclear capability.

TACTICAL NUCLEAR WEAPONS

Paralleling the rapid rise in Europe's strength has been NATO's progress in the development and deployment of substantial conventional armed forces, including tactical nuclear weapons. In the event of a future aggressive action against the alliance, we will not be engaged in the traditional continental war, moving back and forth, yielding and regaining great stretches of territory. There will be movement, of course; but where World War II lasted 6 years, we now think in terms of 6 months, perhaps 6 weeks, or even 6 days. Therefore, our conventional forces will probably have to hold their Iron Curtain line for only a limited period.

In this case, "hold" does not mean a skeleton force standing man-to-man in a trench line. A true and effective defense means quite substantial conventional forces, plus the availability of tactical nuclear weapons. Now if we leave any questions about our determination to use even our tactical nuclear weapons, our Davy Crocketts, for instance, we will be leaving a gaping hole in our armor of deterrent effort. We must remember that selective use of limited tactical nuclear weapons in such situations will not necessarily result in all-out conflict although it could possibly boost the risks of a total war.

A COMPLEX AND DEMANDING RESPONSIBILITY

So in the light of the tactical and strategic nuclear strength on both sides today, this generation may well face a responsibility more complex and demanding than any other has faced. The terrible destructiveness of modern war places upon us all a most urgent responsibility for devising means that will prevent such a war.

The choice before us is immensely difficult and lies within firmly fixed limits: we must reduce the risk of war with all its catastrophic effects, but we cannot weaken the guarantees of freedom. We cannot forfeit the means of defending liberty, without which we could not live.

Since World War II, the record of the NATO alliance shows a continuous search for peace. Some time ago a London newspaper assessed our progress by saying that even the simple word that stands for the North Atlantic Treaty Organization—NATO—has itself "come to be synonymous with other combinations of letters which also stir deep emotions in the hearts of men—freedom, peace, independence, human comradeship, the will to survive."

With its habit of working together and its long record of unity against external threats, NATO offers the best hope for solving the problems which threaten to divide us now. The measure of the alliance's past shows strength and unity, shows courage and imagination, shows an even stronger basis for hope. It gives assurance that there will be a tomorrow. And it gives promise that tomorrow will be good.

HERE ARE GENERAL NORSTAD'S ANSWERS TO SPECIFIC QUESTIONS POSED BY THE FORUM EDITORS

Question. General Norstad, 5 years ago, in the General Electric Defense Quarterly, predecessor to the Forum, you said that our strategic nuclear power is the "heaviest factor on our side of the international equation." In the face of what has been termed a "nuclear standoff" between the United States and the U.S.S.R. today, do you still feel this is true?

Answer. Our strategic nuclear power still provides the foundation on which we are building a large part of the rest of our defense posture—our ground, air, and naval forces. It would be sheer irresponsibility to try to meet our military security requirements without the foundation of a nuclear deterrent. Although its form is changing somewhat—greater emphasis on long-range missiles and less on manned aircraft the strategic nuclear force is no less important today than it has been in the past.

Question. You have said before that our troops are in Europe not only for the defense of Europe, but equally for the defense, from Europe, of the United States. Has this indicated to Europeans that we want to defend our homeland from their soil?

Answer. A short time ago, I would have said emphaticaly not. I would have said that they are thoroughly convinced that the alliance is truly an act of partnership, that they recognize we are all in it together, and that they know we are really committed to a common line of defense.

But in the last few months, more and more comments have been emanating from Europe to the effect that perhaps the United States does not really want to fight for them. However, regardless of these comments, I don't think this is what the Europeans really believe. I think they feel—as we do—that the first line of defense is the same for Europeans as it is for us.

Although this is a critical period for the alliance, I think it should be looked upon as simply a rough spot on the road to unity and security, and not as a real block or obstacle. Occasionally, the attitudes of the present cloud the long-range goals for the future and the strong unity and support of the past. And sometimes statements are issued merely for effect. So I would consider the present difficulty as merely a low point in the path, rather than a continued downhill direction of the path itself.

Question. Recently, we were talking with British author Barbara Ward while she was in this country. She felt very strongly that it is in the power of the United States to control this situation, regardless of how France reacts. Our challenge, she stressed, is to resist our own inclinations to move back toward isolation. If we overreact to the sensitivities of the Europeans then we merely confirm what they are saying right now—but what they might not believe.

Answer. That is precisely correct, and this reaction works both ways unfortunately. For instance, remember the reaction by the press and public in the United States to General de Gaulle's statement of last January 14 about two items of particular interest to the Atlantic community; the organization of nuclear power and the British relationship to the Common Market. If we had accepted that interpretation, and I stress interpretation as being final, we would have raised a tremendous wall between us, driving the Europeans back into themselves, and returning to isolationism ourselves. It would have been inevitable.

Patience has to assume a primary position on both sides. In the past I have seen Europeans bite their fingernails up to the elbows, and I have seen Americans do the same thing. I would not try to decide which one is the pot and which one is the kettle. Both have a responsibility to show tolerance and understanding. But somehow, when the danger is less imminent than normal, we believe that we can indulge in the luxury of becoming sensitive to one another.

However, it should not take long to smooth out our differences. I would not be surprised to see a favorable turn in 6 months. But I would be very surprised, on the other hand, if we had made no substantial progress 18 months from now.

Question. Is there much substance to the fear that General de Gaulle, if he were able to maintain his own separate European force, would become a middle ground between the United States and the Soviet Union?

Answer. In Europe there is always present the "third force" concept—not only in France but in other countries as well. If there is some difficulty in the alliance, there always seems to be a tendency for some country to say they can do the job themselves. Right now, the Europeans' newfound feeling of strength is beginning to make some of them think they are the dynamic, balancing force which can keep things in line between the United States and the Soviet Union.

This thought does not represent the bulk of influential opinion in Europe today, but it is becoming more pronounced than it was. Most of the influential opinion does not favor this bloc system concept—the American bloc, the European bloc, and so forth. It is something out of the last century; it wasn't useful then, and it isn't now.

The smaller countries especially favor the overall Atlantic community approach, now that they have had a taste of working together within the alliance. They feel that if they were absorbed in a bloc of six, seven, or eight European nations, they would lose their individuality. They like the idea of being equals as they are within NATO.

Question: In the future, what problems do you foresee from a change of government in some of our key NATO partners? First, what would a Germany without Adenauer mean to the alliance?

Answer. Adenauer has been the leader of the government which has led the Federal Republic into the alliance and which has cast Germany as a respected member of the European family. No one could have been more ardent or more effective in his support for a united Europe, for NATO, and for Germany as part of the larger whole than Adenauer has been. I think we all owe him a tremendous debt.

As far as policy is concerned, I don't see any change. The only question is the effectiveness of his successor. I would not want to compare anyone with the "Old Man," because he is so unique. But I am firmly convinced that his successor Ludwig Erhard or whoever he may be will effectively support Germany's position within the alliance along the same general patterns established by Adenauer.

Question. What about France without De Gaulle? What would this mean to the alliance?

Answer. I don't think we can, or should, speculate on this possibility, because De Gaulle is going to have about 3 or 4 years more to run in France. He has demonstrated that he is a wonderfully strong man, so I feel that we should think in terms of France with De Gaulle rather than speculating about a France without De Gaulle.

Don't forget, De Gaulle has done a great deal for France. At the moment he has caused some uneasiness which has contributed to the situation which exists right now. But on the other hand, we should recognize that he has given great strength to France, and this in turn has contributed great strength to the alliance. So there are pluses and minuses here, and we have to look at both sides.

Question. What will a change of government in Britain means to the alliance?

Answer. Here again, I hesitate to speculate. We must remember that the Labor Party was in power when NATO was created, and that its Prime Minister was a real force and personality in helping to get the Allies together. There are some differences on defense matters between the Labor Party and the Conservatives, but on the overall question of NATO, I think both parties fully support the alliance.

Question. A number of observers have been saying that communism as preached by Marx and Lenin is running out of steam, and therefore, Khrushchev is more dedicated to the pursuit of Russian nationalism than international communism. Those analysts reason that if this is the case, then communism is no longer the danger that it used to be. Do you subscribe to this?

Answer. Well, I subscribe to it up to the point where it is said there is no longer the danger. Although communism as a militant ideology, and as a religion, is losing some of its appeal, we must remember that the Soviet leaders are products of the Marxist-Leninist system. They have been trained in it, they have been fighting for it, and under it, for 30 or 40 years. And for this reason alone it would not be wise to believe that the situation is becoming less dangerous. Perhaps it is growing less dangerous, but it would be disastrous for us to believe that it is less dangerous.

Question. Wouldn't it be a smart maneuver if Khrushchev were to conduct perhaps a 3-year peace offensive, including the teardown of the Berlin Wall, increased cultural exchanges, and other peace projects to make us relax our guard—all without weakening his military and technological capability to wage war against us a few years from now?

Answer. Certainly. I don't think he will do this, but it is an interesting idea on which to speculate. For instance, what if he reached a number of agreements with the West in such areas as Cuba and Berlin, and actually pulled back his forces? In the first place he would have an opportunity to pour money and effort into his own internal economy—and that is what he needs to do right now. Secondly, he would receive tremendous credit and acclaim in terms of world opinion for taking these steps toward peace.

But perhaps most important, he would have tempted us to relax our guard militarily. Then, 5 or 6 years from now when his economy is strong and growing, and when we have relaxed our guard, he might be able to do as he pleased in the world. As I say, I don't think this will happen, but it is interesting to speculate on the possibility.

MEXICAN FARM LABOR IMPORTATION PROGRAM

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. FOGARTY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FOGARTY. Mr. Speaker, some growers—less than 1 percent of the farmers of the United States—have benefited so long from the cheap labor provided by Public Law 78, or the Mexican farm labor importation program, that they cannot possibly conceive being without this program.

On May 29, 1963, a majority of House rightfully decided to end Public Law 78, which has for a dozen years depressed wages and working conditions and limited job opportunities of U.S. farmworkers. Yet almost immediately a plea was made by some Members that the House reconsider its action and pass a 1-year extension.

But that call for a 1-year extension pleased the bracero-using growers as little as it did those of us who oppose Public Law 78. These growers want a permanent supply of cheap, docile labor, which can be easily exploited. If they cannot get it permanently, they want it as long as possible.

Therefore, on June 24, 1963, the House was treated to a new type of Public Law 78 extension bill. This was a measure to extend the program not for 1 year, not for 2 years, but for 3 years.

Even those Members who had previously taken the floor to plead for a 1-year extension and to introduce a 1-year bill after the defeat of H.R. 5497 now introduced the 3-year extension bill.

Of course, the 3-year bill is cleverly worded. It is called a "phase out" bill. But as the gentleman from New York [Mr. Rosenthal] told the House on June 26, the measure is so loaded with gimmicks that it really maximizes the number of braceros who would be admitted over the next 3 years under this bill.

Mr. Speaker, no one is fooled by the 3-year extension bill or the 1-year bill. The opponents of Public Law 78 both in and out of Congress will fight any extension of the program whatsoever.

We insist that the growers recruit their employees from among the hundreds of thousands of unemployed farmworkers from our own country. Unfortunately, the bracero-using growers believe they need not do that. They are almost violently opposing a bill in the other body which would recruit U.S. farmworkers for work on any farm which would need and want them.

The bracero-using growers are kidding themselves if they believe they can force Congress to forget the unemployed of this Nation and to reinstate Public Law 78.

The opponents of Public Law 78 are vigilant and are ready to do battle again—if that should be necessary. For example, only on June 19, 1963, the executive committee of the National Catholic Rural Life Conference, a group of distinguished Catholic clergymen and lay leaders, adopted a strong resolution on this subject.

The NCRLC Executive Committee said, in part:

> Even though the House has once refused to extend the bracero program under Public Law 78, efforts are even now underway in both the House and the Senate to revive the program. We must emphatically urge Congress to reject these efforts.

If the bracero-using growers are truly concerned about a possible shortage of labor—and I doubt whether they are—then I would suggest that they support the legislation to provide the recruitment of unemployed U.S. farmworkers instead of strongly opposing this legislation, as they are now doing.

Mr. Speaker, I ask unanimous consent to insert in the Congressional Record the statement of policy concerning Public Law 78 which was approved by the executive committee of the National Catholic Rural Life Conference on June 19, 1963.

Excerpts From the Statement of Policy Adopted by the Executive Committee of the National Catholic Rural Life Conference, June 19, 1963

Even though the House has once refused to extend the bracero program under Public Law 78, efforts are even now underway in both the House and Senate to revive the program. We most emphatically urge Congress to reject these efforts and urge that all citizens communicate with their Senators and Representatives their insistence that Public Law 78 not be reinstated. At a time when countless and increasing numbers of our own citizens cannot find farm jobs, or any jobs, few and far between, when the average migrant finds less than 130 days of work a year for a yearly income of less than $1,000, it would be simply intolerable that we should continue to import masses of directly competing workers from Mexico.

We urge, moreover, that the appropriate departments of Government close up the gaping loopholes in Public Law 414 which employers have been exploiting to bring in tens of thousands of Mexicans as immigrants and commuters.

We wish to make it as clear as possible that we do not intend or consider such steps as being antibracero or anti-Mexican. We have a deep and active concern over the almost incredible poverty of many of our Mexican neighbors, but we insist that assistance to them should not be at the cost of the poorest of our own citizens. We urge rather that through our foreign aid program, and particularly through the Alliance for Progress, a more direct and effective attack be made on the causes of poverty in Mexico. We recommend generous and continued expenditure on a scale appropriate to Mexico's needs and capacity. Only thus will be eased the pressure of abject poverty that drives so many Mexicans to seek relief on this side of the border.

NATIONAL LIFE INSURANCE REOPENING BILL

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Long] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. LONG of Louisiana. Mr. Speaker, I wish to speak of a measure long overdue to give veterans of the U.S. Armed Forces a second chance to buy national service life insurance. This is the insurance Uncle Sam made available to our World War II and Korean war GI's as a partial reward for the sacrifices those men and women made for the love of their country.

Rather abruptly, the privilege of purchasing this insurance was taken away from the Nation's fighting men. It was a harsh thing to do and it was not at all appreciated by the ex-GI's. I know, I am one of them.

The privilege of purchasing the comparatively inexpensive national service life insurance was revoked from World War II veterans only 6 years after the close of hostilities—compared to 33 years for World War I veterans. Korean veterans had even a shorter length of time—120 days from their separation from service.

Those veterans who had not had the farsightedness and the money to get their NSLI policies when they were available were left at the mercy of the commercial insurance market whose premiums were naturally much higher, or they were to take that calculated no insurance gamble.

Of course, it is easy to look back now with the wisdom of hindsight and say those GI's should have known better and taken the insurance when it was available, that it is their tough luck. But, as one of those GI's, I know how easy it was not to have known better. And, after all, are we so callous in this country that we punish someone forever for a long passed, single mistake?

Is it not a small price to pay to the dedicated men and women who preserved our Nation in time of war to permit them to preserve their own security in time of peace?

The proposal I support today is nothing new or revolutionary. It has been sent to the House of Representatives, after passage in the other body, eight times. Eight times it has passed the Senate, only to fail of congressional enactment because of inaction by the House of Representatives.

This is an injustice which, no matter how late the hour, must be righted—by House approval of a bill which has been returned here from the Senate with the NSLI reopening proposal attached as an amendment. That bill, H.R. 220, is lying at this moment on the Speaker's desk, waiting to be called up. It is a bill which, as it unanimously passed the House earlier this year, calls for the conversion of term NSLI policies with ever-increasing premiums to modified life contracts with level premiums after age 50 and reduced value at age 65.

The House-passed bill poses no problem. It offers no controversy. And I wonder how much real controversy is offered by the Senate-approved NSLI reopening amendment. Such a proposal has never been controversial in the Senate where it has swept through eight times. And I contend that it would pass the House by an overwhelming vote, too, if permitted to be freely debated and to be voted upon.

It is a measure that costs the taxpayer nothing, that is supported by the Veterans' Administration, that has won the strong backing of every major veterans organization in the country, and that would be of inestimable benefit to 16 million across the land who could take advantage of it.

With all this in mind, I urge passage by the House of this bill to make available for 1 year national service life insurance to those who were once eligible for it.

NLRB AND CONGRESSIONAL INTENT: PART II

The SPEAKER. Under previous order of the House, the gentleman from Michigan [Mr. O'Hara] is recognized for 60 minutes.

Mr. O'HARA of Michigan. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, on April 10, 1962, the gentleman from Georgia [Mr. LANDRUM] and the gentleman from Michigan [Mr. GRIFFIN] took to the floor and made an attack on the National Labor Relations Board—as an institution of 25 years standing—on the Supreme Court decisions involving the National Labor Relations Act, and upon the NLRB members, both past and present. A handful of decisions—some by the Supreme Court—were cited to support the asserted proposition that the incumbent Labor Board members by tortured interpretations, ingenious innovations, and nimble footwork had all but gutted, had eroded and all but repealed, key provisions of the Labor Act. These were serious charges.

Mr. Speaker, last year's attack did not go unanswered. The gentleman from New Jersey [Mr. THOMPSON], one of the leading participants in framing the conference report of the Labor-Management Reporting and Disclosure Act of 1959 and a longtime valued member of the House Committee on Education and Labor, felt compelled to make a few remarks so that the comments of his friends, the gentleman from Georgia [Mr. LANDRUM] and the gentleman from Michigan [Mr. GRIFFIN], would not be considered the last word by Congress on the disputed and controversial issues then nearing court review. He disputed the nunc pro tunc interpretation of the law sought by the gentleman from Georgia [Mr. LANDRUM] and the gentleman from Michigan [Mr. GRIFFIN]; and he disagreed with the conclusion of the gentleman from Georgia [Mr. LANDRUM] and the gentleman from Michigan [Mr. GRIFFIN] that the Labor Board was frustrating and circumventing the intent of Congress by its then current decisions.

The gentleman from Illinois [Mr. PUCINSKI], who then had recently chaired a subcommittee through a long, thorough, and painstaking investigation of the NLRB administration of the National Labor Relations Act, agreed with the gentleman from New Jersey [Mr. THOMPSON] that the gentleman from Georgia [Mr. LANDRUM] and the gentleman from Michigan [Mr. GRIFFIN] had attempted to "impose retroactively upon the statute" the interpretation they had been unable to write into the statute when the amendments were pending business. The gentleman from Illinois [Mr. PUCINSKI] took the handful of cases relied upon by the gentleman from Michigan and put them in a larger context, a context of all the pertinent decisions issued by the Labor Board during the appropriate time span. Mr. PUCINSKI concluded from a study of all the Board decisions that the Labor Board is "doing an outstanding job of fairly administering the labor laws of this country. It is not a promanagement board; it is not a prolabor Board; it is a pro-American Board. It is calling the shots as it sees them, based on the merits of each individual issue as it arises."

The gentleman from California, Mr. Miller, a former employee of the Labor Board and a valued Member of the House whose tragic death last fall was a great loss to the country, joined his voice with that of the gentleman from New Jersey [Mr. THOMPSON] and the gentleman from Illinois [Mr. PUCINSKI] to protest the assertion that—

> There is reason to wonder whether the NLRB * * * even concedes the constitutional authority of Congress to formulate and establish policy in the labor-management field.

From his unique vantage point as a former employee of the agency under attack, as one who could speak with first hand information and personal observation, as one who had no ax to grind, Mr. Miller commented that—

> In the literally hundreds of Board employees whom I have known and have done business with and trafficked with, I have found the highest degree of intelligence, the highest degree of effort and devotion to do right by their Government, to do right by the agency they represent, to do right by the general public, labor, and management. We employees of the Board yield to no one in the respect we have shown for this law, whether it was the Wagner Act of 1935, the Taft-Hartley Act of 1947, or the Landrum-Griffin Act of 1959. We have done the best we possibly could under any and all of the laws, enforcing them to the best of our knowledge and ability.

Mr. Speaker, the gentleman from New Jersey [Mr. THOMPSON], the gentleman from Illinois [Mr. PUCINSKI], Mr. Miller, and I did not take exception to the fact that the gentleman from Georgia [Mr. LANDRUM] and the gentleman from Michigan [Mr. GRIFFIN] were disappointed in the results of some decisions of the Labor Board. This is to be expected. As the gentleman from Georgia told us then, the area of labor relations "is a complicated field, highly charged with emotion and closely linked with the public welfare." We only asked that these gentlemen present their grievances through the orderly and legitimate channels where charges can be answered, where a seasoned judgment can be assured on the basis of full facts after bipartisan review with a minimum of individual hit-and-run sniping. The gentleman from Michigan [Mr. GRIFFIN] then assured us that he had suggestions for improvements, and briefly outlined some of them. His primary suggestion was that the Labor Board be deprived of jurisdiction over unfair labor practice cases and that this function be assigned to the various Federal District Court judges the country over. The gentleman from Illinois [Mr. PUCINSKI] gave an immediate response: That this "would result in a patchwork quilt national labor policy with different interpretations and different standards of labor management relations in each of the geographical areas served by the more than 100 Federal district courts." I requested that these suggestions be presented to the appropriate body for study so we would have an opportunity to go into them more fully.

Mr. Speaker, months went by, 14 of them, Congress adjourned, Congress resumed its sessions, numerous bills have been proposed, and neither the gentleman from Georgia [Mr. LANDRUM] nor the gentleman from Michigan [Mr. GRIFFIN] have referred any of their suggested reforms of last year to the appropriate committee for examination and study. Instead, on June 18, 1963, the gentlemen repeated their last year's performance.

We are told once again that the Labor Board is "politically oriented"; that it "wriggles adroitly through loopholes" of its own making; that its rulings are "extreme and tortured"; and to cap it all, that "the 25-year performance record of the National Labor Relations Board in the discharge of its judicial role represents one of the most lamentable episodes in the history of American jurisprudence."

The attack runs a wide gamut: from a complaint that the statute requires reviewing courts to accept agency findings of fact if supported by "substantial evidence," to a complaint that the independent general counsel follows prior rulings of the Labor Board "in situations where the facts are similar."

The attack is inconsistent. The gentlemen from Georgia and Michigan tell us that judicial review is not effective because the poverty of some litigants prevents their seeking review; and they suggest that the Labor Board adjudicatory functions—which are free—be abolished and that all litigants be required to pursue their rights—at their own expense—in the Federal district courts. The gentlemen complain because the Labor Board does not always accept a ruling by an individual court of appeals as final; and also complain because the Labor Board rejected a self-initiated doctrine—the Washington Coca-Cola doctrine—when it had been reversed by three courts of appeals on five different occasions.

The evidence to support the attack consists of the same handful of cases brought to our attention last year—slightly warmed over with a few, a very few, additions. The suggestions for change are those discussed very briefly 14 months ago on the floor of the House, but never submitted to the appropriate committee for critical analysis and debate.

I say, as I said last year, that the gentlemen from Georgia and Michigan are fully entitled to differ from my views—and the views of the reviewing courts—on the crucial and controversial issues raised in the difficult labor-management relations problems which constantly beset the Labor Board. But I ask again that these differences be resolved in the contemplative chambers of the appropriate committee, where charges can be answered, where facts can supplant fancy; and conversely, that the gentlemen refrain from any further hip-shooting charges on the privileged floor of this Chamber.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman from New Jersey.

Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. THOMPSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. THOMPSON of New Jersey. I thank the gentleman. I have some comments to make. I may say it is my understanding that the gentleman's office notified the offices of the gentleman from Michigan and the gentleman from Georgia that we would discuss this matter today.

Mr. O'HARA of Michigan. That is correct.

Mr. THOMPSON of New Jersey. I agree with the gentleman from Michigan [Mr. O'HARA] that any disagreement with court interpretations of the Labor Act—for the Board doctrine complained of has largely been approved by the different courts of appeals—should be referred to the appropriate committee for study. I note that my friend from Georgia [Mr. LANDRUM] has promised to introduce a bill calling for his suggested remedies, and I trust that he follows this course rather than again, for a third time, stage a carefully planned public attack on those who administer one of our most controversial laws.

Last year I examined the decisions criticized and described them, as I still do, as "thoughtful, carefully reasoned and demonstrative of a clear purpose to carry out the language of the act and the intent of Congress." The decisions, or the doctrines therein announced, were then approaching initial court review, and I wanted to make it clear that the comments of my friends, the gentleman from Georgia [Mr. LANDRUM] and the gentleman from Michigan [Mr. GRIFFIN], were not to be considered the last word by Congress on disputed and controversial issues.

Now, some of the decisions approach Supreme Court review, and I would like briefly to summarize what is before us.

Omitted by my colleagues from this year's discussion are the Labor Board's hot cargo decisions and the Board's lockout decisions, possibly because, judged on their—I suggest—inappropriate yardsticks, these decisions would fall on the promanagement side of the ledger. My friends, however, did reiterate last year's summation of cases in the areas of secondary boycott, blackmail picketing, and free speech, and included one new area of discussion; that is, the Labor Board's decisions that management must consult with labor prior to closing down an operation or contracting out work. Their selection this year, like their selection last year, meets neither the requirement of exhaustive review nor even the rudimentary requirements of a random sample.

I do not intend to repeat my last year's comments on the cases then discussed. A few comments, however, are warranted by recent developments.

THE SECTION 8(b)(4) SECONDARY BOYCOTT CASES

The section 8(b)(4) secondary boycott decisions involve extremely complicated and technical problems because section 8(b)(4) was a compromise piece of legislation with proviso added to proviso, and exception piled upon exception. Let me make brief mention here of the four so-called loopholes described by my friend, the gentleman from Michigan [Mr. GRIFFIN].

First. The alleged "ambulatory picketing" loophole which was assertedly created when the Board abandoned its Washington Coca-Cola doctrine came only after the Labor Board was told on five different occasions by three separate courts of appeals that it was misconstruing our law.

Second. The alleged "reserve gate loophole"; that is, that it is lawful for striking employees to picket the gate used by the railroad cars making deliveries to the struck employer, followed close on the heels of a Supreme Court decision pointing to this result. Local 761, *IUE* v. *NLRB*, 366 U.S. 667. When the Court of Appeals for the Second Circuit—by divided vote—recently reversed the Labor Board for following this holding, the Supreme Court promptly agreed to review the case, NLRB against Carrier Corp.

Third. The alleged loophole that was assertedly created when the Labor Board drew a practical distinction between high- and low-level supervisory personnel in the *Carolina Lumber* decision (130 NLRB No. 148) was initially approved by the Court of Appeals for the Second Circuit—*NLRB* v. *Local 294, Int. Brotherhood of Teamsters*, 298 F. 2d 105, 2d. Cir. 1961—and when the ninth circuit recently disagreed with the Board and with the second circuit on this matter, the Supreme Court promptly agreed to grant review—*Servette, Inc.* v. *NLRB*, 310 F. 2d 659 (9th Cir. 1962).

Fourth. The fourth and final asserted loophole resulted when the Labor Board held that a wholesaler is a "producer of a product" within the meaning of the so-called publicity proviso of the secondary boycott section, *Lohman Bros.*, 132 NLRB No. 67. The Court of Appeals for the Ninth Circuit disagreed with the Labor Board on this point, but the Supreme Court has agreed to resolve this problem—*Servette, Inc.* v. *NLRB*, 310, F. 2d 659.

THE SECTION 8(b)(7) "BLACKMAIL PICKETING" CASES

Suffice it to say here that to the degree that the doctrines in the Labor Board decisions attacked by my friends have been tested in the courts, they have either been sustained or, where not sustained, have been found to merit Supreme Court review.

Section 8(b)(7) makes it an unfair labor practice for a union to picket an employer where its object thereof is forcing or requiring an employer to "recognize or bargain" with the picketing union. The Labor Board has held that picketing to protest substantial departure from "area standards" is permissible, *Houston Building Trades*, 136 NLRB No. 28; that picketing to protest the discharge of an employee for union activities or other employer unfair labor practices is permissible, *Bachman Furniture*, 134 NLRB No. 54; on the theory that this type of picketing does not have the forbidden object of forcing or requiring an employer to "recognize or bargain" with the picketing union. My friends from Georgia and Michigan tell us that this is wrong; but the Court of Appeals for the Second Circuit tells us that this is correct—*N.L.R.B.* v. *Local 3, IBEW*, F. 2d 53 LRRM 2116 (2d Cir. 1963) (Picoult Contracting).

Section 8(b)(7)(c) requires unions that picket for the object of obtaining recognition to file a petition for an election within 30 days so that the question of majority status can be determined without damage to outsiders. The Labor Board ruled that a picketing union which represents a majority of the employees need not file an election petition if it files seemingly valid "refusal to bargain" charges against the employer, because first, an election in the face of employer unfair labor practices will not reflect the uninhibited desires of the employees, and because second, the refusal to bargain charges and the election petition result in the same determination: the majority status of the union claiming recognition, *C. A. Blinne*, 135 NLRB No. 121. My friends from Georgia and Michigan, both now and last year, tell us this is wrong. The Court of Appeals for the Second Circuit tells us this is correct, *N.L.R.B.* v. *Local 182, IBT*, 314 F. 2d 53 (2d Cir. 1963).

Section 8(b)(7)(c) has a so-called publicity proviso which permits a union to picket "for the purpose of truthfully advising the public—including consumers—that an employer does not employ members of, or have a contract with, a labor organization." The Labor Board held that this quoted "publicity proviso" protects picketing even when the picketing has the object of compelling employer "recognition," *Crown Cafeteria*, 135 NLRB No. 124. My friends tell us this is wrong, the court of appeals tells us this is correct—*N.L.R.B.* v. *Local 182, IBT*, 314 F. 2d 53 (2d Cir. 1963) (Woodward Motors).

I might say parenthetically, as a member of the conference committee, if my recollection is correct, and I believe it to be, that I was the author of the particular proviso which the gentlemen say is being improperly interpreted and which I say is being properly interpreted. As a matter of legislative history I think this is worthy of some note.

Section 8(b)(7)(c) limits the "publicity picketing" discussed above. Such picketing cannot continue if an effect of such picketing "is to induce any individual employed by any other person in the course of his employment, not to pick up, deliver or transport any goods or not to perform any services." The Labor Board ruled that it is not any incidental refusal to work which will deprive the union of its right to engage in "publicity picketing," for that would put the rights to picket at the mercy of any "strong-willed deliveryman with an antipathy to crossing any picket line," *Barker Bros. Corp.*, 138 NLRB No. 54. My friends single out this decision, as they have the others mentioned above, as wrong.

They failed to tell us that this Labor Board doctrine was enunciated in prior decisions by Judge Skelly Wright and others on the Federal judiciary: *LeBus* v. *Building Trades Council*, 199 F. Supp. 628; *McLeod* v. *Chefs, Cooks, etc., Local*

89, 280 F. 2d 760; *Graham* v. *Retail Clerks International Association, Local No. 57*, 188 F. Supp. 847.

In short, my friends from Georgia and Michigan are attacking not only Labor Board decisions as wrong, but Labor Board doctrine approved by the reviewing courts as wrong.

Omitted from their list, of course, are the numerous decisions where the Board has found that union picketing violated section 8(b)(7) and which demonstrate that it has given validity to and has not "eroded" or "gutted" the protections Congress set up for employers against unlawful picketing.

Our friends from Georgia and Michigan cite four decisions to prove that the Labor Board "tinkers with" the right of free speech guaranteed in section 8(c) of the act. That section provides that the expression of any views, argument, opinion, and so forth, of a noncoercive nature shall not constitute or be evidence of "an unfair labor practice." There, by its terms, section 8(c) is applicable only to "unfair labor practice" cases; and three of the four cases cited by my friends involved not "unfair labor practice" cases at all; they involved "representation" cases—a very important distinction—wherein the Labor Board followed its long traditional policy of setting aside the results of an election when the victorious party engaged in coercion, trickery, or misrepresentation which "may reasonably be expected to have a significant impact on the election."

I note that the three cases cited by my friends involve situations wherein the Labor Board set aside the results of elections in which the unions were defeated following employer misrepresentations. Our friends could equally have cited cases wherein the Labor Board set aside the results of elections in which the union was victorious following union misrepresentations. See, for example, *Hollywood Ceramics Company, Inc.*, 140 NLRB No. 36 (1962). The policy of policing electioneering conduct is a two-edged blade which cuts against both management and unions in an effort to insure a reasoned vote and a free choice by employees in the selection of a bargaining agent; and the Labor Board uses this blade without discrimination to protect the employees' rights to representation of their own choosing.

The fourth case cited by my friends does involve an unfair labor practice case. The reviewing court disagreed with the Labor Board's holding that there was a "threat" of loss of employment when the employer told his workers that customers would terminate their business if the company became unionized—*Union Carbide Corporation* v. *N.L.R.B.*, 310 F. 2d 844 (6th Cir. 1962). However, one may feel about the merits of this decision, it is clear that the disagreement between Board and reviewing court involved not doctrine or philosophy, but the application of fact; and it is noteworthy that in an earlier case involving a similar factual situation, the Board was reversed by a different reviewing court for reaching the result the court in Union Carbide would require—*IUE* v. *N.L.R.B.* (*Neco Electric Products Co.*), 289 F. 2d 757 (C.A. D.C., 1960).

Our friends from Georgia and Michigan speak this year of a new bogey, a series of decisions which we are told "pose a serious threat to the free enterprise system itself as well as to the institution of collective bargaining." This is pretty serious business.

These decisions require that an employer, prior to relocating his plant, prior to contracting his normal workload to outsiders, prior to going out of business for economic reasons, must inform and discuss the matter with the union.

Section 8(d) of our labor law requires management and labor to bargain collectively concerning "wages, hours, and other terms and conditions of employment." The Labor Board has held that a management decision to shut down a department, or a division, or a whole plant, does effect the "conditions of employment" under the law of those who will lose their jobs as a result of this management decision.

This makes sense to me, and it made sense to the court of appeals which reviewed and approved the initial decision in this area—*Town & Country Manufacturing Company* v. *N.L.R.B.*, F. 2d (5th Cir. 1963), 53 LRRM 2054. It also made sense to the Supreme Court when it construed the similar provisions of the Railway Labor Act as requiring a railroad to negotiate with the union as is going on right now, prior to discontinuing a service performed by employees in that union.—*Railroad Telegraphers* v. *Chicago and Northwestern Railway Company*, 362 U.S. 330.

That is the very essence of the great argument now proceeding. I am sure it makes sense to the numerous employers who regretfully inform a union that business conditions require the termination of a long-time operation and find that the union is willing to make concessions, and even loans, to tide the employer over a rough period.

My friends from Georgia and Michigan tell us that these decisions—that the employer must inform the union of his decision and discuss union counterproposals—require the employer "surrender of * * * basic, fundamental management prerogatives." My friends forget that neither the statute, the Labor Board decisions, or the approving court opinions require anything more than discussion, and this only until impasse is reached. Unions have no veto power, only an opportunity to assist their employer in facing economic hardships which fall equally upon all concerned with the company's continued prosperity.

Mr. O'HARA of Michigan. If I might make a comment at this point. I am in complete agreement with you with regard to the wisdom of this discussion with the employees when adverse business conditions might require a move or going out of business because I think it sometimes produces mutually beneficial results. They have a mutual stake after all. An example has occurred just recently in my own State of Michigan. The Gibson Refrigerator Division of Hupp Corp. operates in Greenville and Belding, Mich. They felt they were facing economic hard times and might have to move their operation or close it down. They discussed this with the union and on the 3d day of June of this year, just a little over a month ago, they entered an agreement which succeeded in keeping this operation alive and keeping it in Belding and in Greenville, Mich.

Their agreement provided that the company would not make a move prior to November 2, 1965. In the event of any move after that date, 6 months' notice would be given to the union. The union in return agreed to cooperate completely with the management in making certain improvements in production schedules and in improving good will between the employer and the employees, customers, the union, and the public.

This agreement was arrived at because the management did discuss their problem with the union and it is going to make a great deal of difference to this community, to these workers, and to the company. I think this is the kind of thing we ought to be attempting to effectuate, not prevent.

Mr. THOMPSON of New Jersey. I agree with the gentleman.

The Michigan matter to which the gentleman refers is a very recent one. In my own congressional district at this moment I know of two such negotiations where the employer feels it would be to his economic advantage either to move or to go out of business unless certain agreements with respect to the operation of the company are made.

Under the law they consulted the union and, lo and behold, it was the union people who made a suggestion in one instance so constructive that it is now evident the company is not only going to stay in business but is going to stay in business largely because of the financial resources of the union, loaned to it, to retool and to make other necessary changes.

Mr. Speaker, I thank the gentleman from Michigan [Mr. O'HARA] for yielding this time to me, and I shall be brief in concluding.

Whether it is the issue free speech, or conditions of employment, the real objection of my friends from Georgia and Michigan seems to be that the Labor Board decisions have almost without exception received the imprint of Court approval. I conclude, as I did last year:

> If we are dissatisfied with the way in which the courts construe our statute, the proper procedure is to amend the statute, not to attack the Labor Board whose decisions, if erroneous, can be corrected by judicial review.
>
> We should keep ourselves informed of the developments at the Labor Board, as we keep ourselves informed of the developments at the other agencies. We should revise our labor act when the courts put their imprimatur on a Labor Board interpretation we did not or could not anticipate. Ours, subject to constitutional limitation of free speech, due process, and so forth, is the last word. I only request that it be constrained pending full, and bipartisan, study through our normal avenue of discussion.

And, in this instance, as I said at the outset, if the gentleman from Georgia [Mr. LANDRUM] and the gentleman from Michigan [Mr. GRIFFIN] feel that the

National Labor Relations Act is being misinterpreted, the proper recourse is the introduction of legislation to correct the specific misinterpretations and then refer them to the subcommittee of which I have the honor to be chairman and on which the gentleman from Michigan [Mr. O'Hara] serves.

Mr. Speaker, I thank the gentleman from Michigan [Mr. O'Hara] very much for yielding.

Mr. O'HARA of Michigan. I thank the gentleman from New Jersey for his contribution. His words are entitled to particular weight as he was one of the leading participants in framing the conference report of the Labor-Management Reporting and Disclosure Act of 1959 and ranks high as a leading scholar in the area of labor-management relations.

Mr. Speaker, the gentleman from Illinois [Mr. Pucinski] some time ago through the chairmanship of a special ad hoc subcommittee studying NLRB administration of the National Labor Relations Act had a wonderful opportunity to go into these problems in some detail and the report that his ad hoc subcommittee made following his investigation of this material is one of the finest things that has ever been done in this field.

I would, therefore, appreciate having the gentleman from Illinois [Mr. Pucinski] enlighten us with respect to some of the matters that were brought up by our colleagues, the gentleman from Georgia [Mr. Landrum] and the gentleman from Michigan [Mr. Griffin] about which the gentleman has certain knowledge gathered through his investigation.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Michigan. I am happy to yield to the gentleman from Illinois.

Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Pucinski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. PUCINSKI. I thank the gentleman for his kind remarks, and I wish to congratulate him for taking this time to put in proper perspective the role the NLRB is today playing under the administration of its Chairman, Mr. Frank W. McCulloch.

Frankly, I am deeply perturbed by the broadside attacks made on the Labor Board by its critics both in and out of Congress. The suggestion made by my friends on the floor of Congress that we deprive the Board of its unfair labor practice jurisdiction and turn that business over to the Federal district courts is not a new suggestion. It was advanced by the chamber of commerce and by the National Association of Manufacturers when President Kennedy's reorganization plan for streamlining the NLRB was before Congress some 2 years ago. This suggestion epitomizes the basic dissatisfaction that some small groups of minority employers have manifested in various forms of flank attacks ever since the frontal attack on the constitutionality of the Wagner Act was rejected by the Supreme Court in 1937. The attacks will undoubtedly continue. But we need industrial democracy to keep our industrial output in high gear and our political democracy flourishing; and these attacks on the basic underlying principles of the 1935 Wagner Act will fail as have those that have come in the past.

I do not mean to indicate that there is not always room for improvement. Of course there is. We should never rest satisfied with the feeling that we have achieved the ultimate. As soon as we let down our guard to contemplate our laurels, we are undone. Constant scrutiny, eternal vigilance, of the labor management and other laws as they affect the ever-changing industrial scene is a must. I am pleased that President Kennedy recently appointed a Labor Management Advisory Committee provided for by the 1947 Taft-Hartley amendments. I am sure that this panel, as it advises the Director of the Mediation and Conciliation Service, and other similar committees will discover the need for improvements in the basic law, and in the procedures for administering the basic law. And I am sure that these needs will be presented in orderly fashion for proper study and debate. This is how it should be; this was the procedure followed by Congress some 2 years ago when it established the special committee which I had the honor to chair.

My committee made a study in depth of the NLRB administration of the Labor Act. We found fault. We made suggestions. I am happy to report that the NLRB has responded to these suggestions with earnestness and dispatch.

1. THE PROBLEM OF DELAY

The most serious and constant complaint brought to our attention and stressed in our report, was the delay by the Labor Board in deciding unfair labor practice cases. A charge initiating the case would drag on literally for 2 or even 3 years before the Labor Board issued its decision. This was completely unsatisfactory to the charging party, be it labor, management, or an individual. The new Board under Chairman McCulloch, and the Office of the General Counsel, made great strides in cutting this delay. Now, the average case is decided by the Labor Board within 8 or 9 months of the time that the charge is filed in the regional office. And I must point out that only a handful of the charges filed go to the Labor Board. About 85 to 90 percent of all charges are settled at the regional levels within an average of 45 days of filing. This record is achieved through the informal settlement processes of the man on the scene who understands the local problems.

This informal process of adjustment works, and works well. A Labor Board study by University of Pittsburgh Prof. Philip Ross shows that of all meritorious "refusal to bargain charges" filed in 1962, approximately 80 percent of them were settled informally at the regional level within a month or two of filing; and in at least three-quarters of these informal settlements, negotiations resumed, usually to the completion of a contract.

What would happen if the suggestion of my good friends were adopted and the approximate 14,000 "unfair labor practice" cases filed in fiscal 1962 were turned over to the district courts for adjudication?

First, there would be no opportunity for NLRB adjustment which disposes of 9 out of every 10 cases to the satisfaction of the parties. When cases are filed in court, lines become fixed, positions harden, and settlement becomes difficult. The 11,000 plus cases which are now informally adjusted would have to be litigated in court.

Second, the delay in achieving a decision would again make the ultimate result a pyrrhic victory to the employee discharged for union activity; to the employer beset by picket line intimidation. Now, as I have stressed, the overwhelming majority of charges are concluded at the local level within 45 days. The exceptional cases which go on appeal to the Labor Board are decided within a time period of approximately 275 days. What kind of time lag would we expect if the cases were required to be filed in the Federal district courts? We need not guess. We have the figures from the Administrative Office of the U.S. Courts. In the industrial areas of this country where most of the unfair labor practice cases originate, it now takes from between 500 to over 1,000 days for a case to be decided in a Federal district court.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Iowa.

Mr. GROSS. I thought you got 73 more judges. What happened to those 73 additional judges?

Mr. PUCINSKI. My distinguished colleague from Iowa knows that those judges could not fill the backlog because there is a great deal more activity in the Federal courts, and the gentleman from Iowa knows that.

In the southern district of New York—New York City—the median time intervals from filing of a complaint to judicial decision in civil cases is 35.6 months. In the eastern district of Pennsylvania—Philadelphia—it is 34.6 months. In the northern district of Illinois—Chicago—it is 23.7 months. In the northern district of Ohio—Cleveland—it is 20.1 months. In the northern district of California—San Francisco—it is 18 months, or 540 days. Compare this with the few Labor Board cases which go to the Labor Board for decision—275 days—and the bulk of the Labor Board cases which are decided within 45 days at the regional levels.

Finally, I would like to point out that the suggestion that we transfer the unfair labor practice litigation to the Federal district court judges, many of whom are completely inexperienced in labor-management relations and the complexities of the technical aspects of our labor law, would create out of our present national law a patchwork quilt of different labor laws depending not on the intent of Congress but upon the construction given that intent by the hundreds of different Federal trial judges who would rely upon the guidance of counsel who themselves would differ in experience, wisdom, and partisan approach. Who, I may ask, would represent the public interest in these private law suits before a judge who must sandwich a labor case between admiralty, bankruptcy, tort, and the other cases which form the bulk of our present Federal jurisdictions?

The delay in processing unfair labor practice charges received the greatest attention of the 300 or so witnesses who testified before the subcommittee I chaired. But other problems were raised as well, and it became apparent that the Labor Board was not doing its best job in some of these respects.

2. THE PROBLEM OF UNIT DETERMINATIONS

One problem brought to our attention concerned the Board's fashioning of units. The Labor Board is required by section 9(b) of the statute to hold elections—upon appropriate petition—in that unit—be it employer unit, craft unit, plant unit, or subdivision thereof—which will "assure to employees the fullest freedom in exercising the rights guaranteed by this act."

Witnesses told us, and we found upon the evidence, that especially in the retail store situation "the Labor Board in determining the unit appropriate for collective bargaining had in some instances given too much weight to the administrative unit as established by the employer; and has given too little weight to the problems of geography" et cetera. In one situation, apparently typical, the Labor Board has decided upon a "unit" which included 47 different stores, most of which were clustered around Chicago but some of which were located in Milwaukee, 90 miles north of Chicago, one of which was located in Galesburg, Ill., 190 miles south of Chicago. The Board found this tristate unit appropriate because it corresponded with the Employer's administrative division. *Father & Sons Shoe Stores,* 117 NLRB 1479. Factors of geographic separation, local autonomy, presence or lack of employee interchange between outlets, were ignored. Decisions such as this prompted our recommendation that "the Board apply more realistic standards in determining a bargaining unit". The Board has done so. In *Sav-On Drugs, Inc.,* 138 NLRB No. 61, a new approach was detected. There, all the factors ignored in the earlier decisions—geography, local autonomy in purchase and employment practices, interchange of employees, et cetera—were given consideration and the Board found that a single store in a chain of merchandising outlets, a store far removed from the others and operated independently, constituted a unit appropriate for collective bargaining.

The reappraisal of mechanical rules, blindly applied, has continued in other areas of the unit problem. The Board reexamined a 1944 ruling that the only appropriate unit in the insurance field could be either State or company wide, and held that a citywide unit also could be appropriate, depending upon the autonomous day-to-day operation of that office, the lack of interchange of agents between district offices, and certain other factors. *Quaker City Life Insurance Company,* 134 NLRB 960. This decision freed the unions in the insurance business from the necessity of organizing all agents in a given State at once; and resulted in a 10-percent increase in the membership of the unions—indication that the old unit determination had deprived the insurance agents of the "fullest freedom in exercising the rights guaranteed by" the Taft-Hartley Act as amended by Landrum-Griffin.

The Board's determination to exercise an informed discretion to the facts of each case, rather than to approach each case mechanically, is demonstrated in a series of other situations. Truckdrivers are no longer automatically included with a union of production and maintenance employees, nor are they automatically granted severance from a unit of production and maintenance employees upon request. It now depends upon the community of interest which exists between the truckdrivers and the production and maintenance workers. Job content, not the job label, is controlling. Compare *Kalamazoo Paper Box Corporation,* 136 NLRB No. 10—truckdrivers included with production and maintenance workers—with *Koester Bakery Co.,* 136 NLRB No. 100—bakery workers granted a unit of production and maintenance workers excluding truckdrivers. The similar per se rule which had been blindly applied to truckdrivers was also applied to so-called technical employees: they had automatically been excluded from a unit of production and maintenance workers if the issue was contested. Now, they are included or excluded by their community of interest, not by the label applied to their work. *The Sheffield Corporation,* 134 NLRB 1101. Similar flexibility exists up and down the line: we can no longer complain as we did in September of 1961 that the Labor Board should apply more realistic standards in the determination of bargaining units.

3. THE PROBLEM OF EFFECTIVE REMEDIES

The witnesses before our committee complained not only because the Labor Board remedy was so long delayed, but also because it was so inadequate. Typically, President Pollock, of the Textile Workers Union, commented that "the Taft-Hartley penalties are so light that employers regard them largely as business operating expenses." Witnesses further commented that the Labor Board was derelict in failing to utilize the provisions of section 10(j) which authorize—but do not require—the Board to seek temporary court injunction whenever meritorious charges are filed.

We gave serious thought to this problem, mindful that the names of Norris and La Guardia caution against court injunctions in labor disputes, and recommended that the "Labor Board give careful consideration to greater utilization to the 10(j) injunction in situations of flagrant and aggravated acts of picket line force and violence, the situations of repeated discharge of union adherents, the situations where employers or unions flagrantly refuse to bargain in good faith, and the situations wherein the employer threatens to intimidate his employees by closing the plant or shifting work to affiliated factories."

I am pleased to report that the Labor Board has taken our suggestion to heart. The most recent NLRB annual report informs us that the Labor Board initiated some 11 section 10(j) proceedings—there were only 48 such proceedings in the 15-year period from 1947 through 1960. Eight of these proceedings were aimed at employer unfair labor practices, two against union unfair labor practices, and one against unfair labor practices jointly committed by management and labor.

It is comforting to know that the Labor Board is now using the complete arsenal we in Congress put at its disposal. But it is apparent that the district courts through the use of injunctions cannot do the work of the NLRB. The Labor Board must devise its own remedies to make the Labor Act an effective vehicle for industrial peace. This it is doing.

I have commented on the processes of informal adjustment at the initial and local levels of the case processing. Over 2,000 cases are now quietly settled each year through this technique.

The Labor Board has also made its back pay order more effective by, first, requiring those responsible for the unlawful discharge of the employee—be it management, union, or both—to pay 6 percent interest—*Isis Plumbing & Heating Co.,* 138 NLRB No. 97; and, second, by discontinuing its former practice of abating liability for back pay in the event of an erroneous trial examiner decision against back pay, for the period from such decision until the Board corrects it—*A.P.W. Products Co.,* 137 NLRB No. 7. Both of these efforts to make Labor Board remedies more effective have received judicial approval by reviewing courts. *Reserve Supply Corporation* v. *NLRB,* F. 2d (2d Cir. 1963), 53 LRRM 2374; *NLRB* v. *A.P.W. Products,* F. 2d (2d Cir. 1963), 53 LRRM 2055.

The Labor Board has also made efforts to ensure that the right to select a bargaining representative and to engage in collective bargaining will not be thwarted by the multiplant corporation through the callous shutdown of those plants where the employees vote for union representation. Thus, in the *Darlington Mills* case, 139 NLRB No. 23, the facts showed the company did close a unionized plant to avoid its statutory obligations to bargain. The plant was closed, and sold. The Labor Board entered the picture too late to seek an injunction against the closing. Compare the Board's action in *Phillips* v. *Burlington Industries, Inc.,* 49 LRRM 2144 (N.D.N. Ga. 1962.) The remedy of reacquiring and reopening the plant was apparently thought too harsh. Compare the Board's order in *Town & Country Mfg. Co.,* 136 NLRB No. 111, approved on judicial review, *Town & Country Mfg. Co.* v. *NLRB,* F. 2d (5th Cir. 1963) 53 LRRM 2054. The Board's remedy in Darlington was an order that the employees discharged for their prounion vote to be offered jobs at other plants—with moving expenses; that their back pay be continued until they received comparable employment with the same company or elsewhere; and that the company recognize the union as the bargaining agent for the Darlington plant employees and bargain with the union concerning the reemployment rights.

I think it is safe to assume that the Labor Board, slowly but surely, is seeking to fulfill our recommendations that it explore new remedies to effectuate the statutory mandate to encourage the practices and procedures of collective bargaining.

4. THE PROBLEMS OF FREE SPEECH AND RACE HATE

The problems of free speech with all their ramifications were brought to our attention. We received evidence about the harmful effects of the captive audience doctrine; about the arbitrary distinction drawn by the Labor Board between a threat, and an economic prediction; about the pressures brought upon the employees by outside community groups; and about the use of race-hate material to inflame the employees against unions and—sometimes—employers.

The Labor Board has moved in all these areas, but the problem I would like to emphasize concerns the use of race hate. Our subcommittee was frankly perplexed by this problem. We condemned the use of such propaganda in connection with labor-management disputes; but we recognized that the constitutional guarantee of free speech might protect such utterances. We recommended that the Labor Board provide an adequate opportunity for this matter to be resolved by the U.S. Supreme Court.

Again, I am proud to report, the Labor Board responded kindly to our recommendation with a well-considered solution. The Board has recognized that "prejudice based on color is a powerful emotional force" and that "appeals to racial prejudice on matters unrelated to the election issue have no place in Board electoral campaigns." However, the Board also has recognized that a "relevant campaign statement may have racial overtones." Thus, the test announced was:

> So long, therefore, as a party limits itself to truthfully setting forth another party's position on matters of racial interest and does not deliberately seek to overstress and exacerbate racial feelings by irrelevant, inflammatory appeals, we shall not set aside an election on this ground. However, the burden will be on the party making use of a racial message to establish that it was truthful and germane, and where there is doubt as to whether the total conduct of such party is within the described bounds, the doubt will be resolved against him.

Applying this test, the Labor Board issued two decisions on the same day. In one, *Sewell Manufacturing Company*, 138 NLRB No. 12, the Board set aside the results of the election because the employer's propaganda "exceeded permissible limits and so inflamed and tainted the atmosphere in which the election was held that a reasoned basis for choosing or rejecting a bargaining representative was an impossibility." In the other case, *Allen-Morrison Sign Co., Inc.*, 138 NLRB No. 11, the Board refused to set aside the results of the election because the employer's racial propaganda was "temperate in tone, germane and correct factually."

This test, and its application, protects both the right of employees to vote in an atmosphere where the uninhibited desires of the voters may be determined, and the right of the participants to inform the voters of all relevant issues, including those concerning racial matters.

This solution, to me, represents the careful work of the Labor Board to effectuate the intent of Congress in this and the other troublesome areas of labor-management relations as they exist in today's America.

It has been stated recently here on the floor that the performance of the Labor Board "represents one of the most lamentable episodes in the history of American jurisprudence." I say that the performance of the Labor Board, as judged objectively by the decisions of the Supreme Court of the United States, is heartwarming. In 1961–62, the Supreme Court decided five cases involving questions concerning the administration of the National Labor Relations Act; and sustained the Board's position in all of them. This year, 1962–63, the Supreme Court reviewed the administration of the National Labor Relations Act in four cases, and sustained the Board's position in three of them.

In short, the present Labor Board has been sustained in eight of the nine Supreme Court decisions, a batting average of almost 0.900. I would that the other agencies, or this Congress, would do so well.

I say, Mr. Speaker, that those who are quick to criticize the present National Labor Relations Board have missed their mark. This Board is merely trying to restore labor-management relations a good deal closer to national labor policy. What is the policy? It was laid down by the late distinguished gentleman from Ohio, co-author of the Taft-Hartley Act, when he stated in the preamble to that act that the working men and women of America should be encouraged to organize into unions for the purpose of collective bargaining. The previous Board too frequently ignored this national labor policy. This Board is merely trying to reestablish national labor policy as established by Congress. And, Mr. Speaker, the Supreme Court of the United States agrees with what the Board is doing.

Mr. Speaker, I should like to also mention in closing that questions raised here recently during an attack on the Board that the new General Counsel may not be able to do a good job are without foundation. Arnold Ordman, the new General Counsel, has had 17 years of experience with the Board before his new assignment. President Kennedy could not have found a more experienced or more dedicated public servant than Arnold Ordman. I am confident he will be one of the most effective and impartial General Counsels in the history of the Board.

Mr. O'HARA of Michigan. Mr. Speaker, I thank the gentleman from Illinois for giving us the benefit of his subcommittee's study of the Labor Board and his followup observations which prove the wisdom of such studies. I trust the proposed amendments promised by the gentleman from Georgia [Mr. Landrum] and the gentleman from Michigan [Mr. Griffin] will be referred to a subcommittee for equally competent analysis so we can get on with the business begun with the Wagner Act of 1935—to protect the rights of individual employees in their relations with labor organizations and management, to prevent the interference with labor organizations and management, to prevent the interference by labor or management with each other's legitimate rights, and to encourage the practice and procedure of collective bargaining.

Memorandum Concerning Labor Board Decisions Relied Upon by Congressmen Landrum and Griffin in Their Recent Discussion of the Labor Board

On April 10, 1962, Congressmen Landrum and Griffin took to the floor of the House and cited a number of cases to support their conclusion that the Board was violating the intent of Congress. This discussion appears in the Congressional Record, volume 108, part 5, pages 6190–6195.

The repeat performance was on June 18, 1963, and appears in the Congressional Record, pages 11051–11059.

It is the purpose of this memorandum to describe the cases discussed by Messrs. Landrum and Griffin on these two occasions.

A. THE SECONDARY BOYCOTT CASES

The *Carolina Lumber Company* case, 130 NLRB No. 148 (1961) and the *International Union of Operating Engineers, Local 324* case, 131 NLRB No. 228 (1961), involve the interpretation of section 8(b)(4). This section makes it unlawful for a union to induce or to "encourage any individual employed by any person" to engage in certain unilateral forbidden activities, or for a union to "threaten, coerce or restrain any person" in the same regard.

In the Carolina Lumber Company case, the Board reasoned that the statutory distinction between the prohibition against inducing individuals and coercing persons required the Board to decide whether supervisory personnel who had been "induced, but not threatened" were "individuals" or "persons." All participating Board members were in agreement.

In the *International Union of Operating Engineers, Local 324* case, the Board applied this Carolina Lumber decision and held that the job superintendent in complete charge of a building project was "more nearly related to the managerial level than to rank-and-file employees" and therefore was not an "individual," and hence, the union inducements did not violate the prohibitions of section 8(b)(4).

In the *Servette, Inc.* v *NLRB* case, 310 F. 2d 659, the Ninth Circuit Court of Appeals disagreed with the Labor Board's dichotomy between "persons" and "individuals," and the Supreme Court has agreed to review this issue.

The *Middle South Broadcasting Company* case, 133 NLRB No. 165 (1961), and the *Lohman Brothers* case, 132 NLRB No. 67 (1961), require interpretation of the so-called publicity proviso which permits a union to truthfully advise the public that "a product or products are produced by an employer with whom the labor organizations has a primary dispute and are distributed by another employer."

In Lohman Brothers, the Teamsters were on strike against a distributor and handbilled several drugstores to inform the public that the drugstores were distributing products produced by a "struck employer." The Labor Board held that a wholesaler "produces a product" within the intent of the statute and that therefore the handbilling was not unlawful.

In *Middle South Broadcasting Company*, 133 NLRB 1698, the union striking against a radio station handbilled outside an automobile agency which advertised on the struck radio station, and the Board held that this handbilling was lawful on the theory that the radio station was producing a product distributed by the automobile agency.

In the *Great Western Broadcasting Corporation* case, 310 F. 2d. 591, the Ninth Circuit Court of Appeals rejected the Labor Board's view that a struck TV station "produces a product," and the Supreme Court has agreed to review the conflict.

The *Plauche Electric Company* case, 135 NLRB No. 41, and the *Houston Armored Car* case, 136 NLRB No. 9, concern the overruling of the Board's old Washington Coca-Cola doctrine. The problem in these cases involves so-called ambulatory picketing. In the *Washington Coca-Cola* case, 107 NLRB No. 299, the Labor Board had held that a union engages in "secondary" picketing when it follows the delivery trucks and pickets the trucks as they make deliveries to "neutral" establishments purchasing from the struck employer.

In *Plauche Electric*, 135 NLRB 250, the IBEW picketed a retail store where electrical work was being done by a struck employer. The application of the Washington Coca-Cola doctrine would have required a holding that this picketing was unlawful secondary action because the nonunion employees on the job spent a few minutes at the opening and closing of the work day at the electrical contractor's shop, and under Washington Coca-Cola, the striking employees were required to picket their employer's home establishment and no other location. In Plauche, the Board abandoned the Washington Coca-Cola doctrine and held that it was lawful for striking employees to picket the establishment where the "struck" work was substantially performed.

In the *Houston Armored Car Company* case, 136 NLRB 110, the Board applied its Plauche ruling and held that it was not unlawful for a striking union to follow their employer's armored cars and picket the cars as they stopped to pick up and deliver money.

The Carrier Corporation case, 132 NLRB 127, involved a situation where a railroad was making deliveries to a struck employer through a separate gate. The Labor Board held that the striking employees engaged in lawful, primary activity when they picketed this gate. The Second Circuit Court of Appeals reversed the Labor Board by a 2-to-1 vote and denied a rehearing en banc by a 5-to-4 vote, and the Supreme Court has agreed to review the case.

B. THE FREE SPEECH CASES

1. The 1962 discussion

In 1962 our friends discussed four cases, the May Company case, the Somismo, Inc., case, the Cole Manufacturing Company case, and the Worth Manufacturing Company case.

In the *May Company* case, 136 NLRB 797, the Labor Board ruled that a department store employer who enforced a no-solicitation rule and who gave an antiunion speech on company time violated the rights of the employees when he refused the union's request for equal time. The sixth circuit recently reversed the Board's decision on this point.

In the *Somismo, Inc.*, case 133 NLRB 1310, the Labor Board set aside the results of an election on the theory that the employer threatened to go out of business, when the employer told his employees in a captive audience meeting that "if by chance the union were to be voted into this shop * * *. Somismo will not be able to cope with that problem. * * *As it is now we have laid off a number of men already, and you all know it."

Cole Manufacturing Company, 133 NLRB 1455, was another election case where the Board set aside the results of an election on the theory that an employer's speech contained promises of benefit to the employees if the union lost the election. The employer had told the employees that after the union had lost an election conducted 2 years previously, the employer had received more contracts for work because customers had confidence in the company.

The *Worth Manufacturing Company* case, 134 NLRB 444, was decided by Members Rodgers, Fanning, and Brown, holding that an employer had restrained and coerced his employees by telling them during an organizational campaign that he would no longer borrow money to build inventories and keep his plant going because it seemed that the employees did not appreciate his past efforts.

2. The cases discussed in 1963

The *Dal Tex Optical Company* case, 137 NLRB No. 189, was an election case where the Board set aside the results because the employer's speeches on election eve contained threats and offers of benefit. In part, the employer told his employees (1) that he would fight the Board through the courts so that "if the union wins, it don't mean a thing"; (2) that "I have made it a practice of giving back in increased wages all efficiency gains during the year * * * do you want to gamble all of these things? If I am required by the court to bargain with this union, whenever that may be, I will bargain in good faith, but I will have to bargain on a coldblooded business basis. You may come out with a lot less than you have now. Why gamble because agitators make wild promises to you?" (3) "I am not afraid of a strike. It won't hurt the company. I will replace the strikers. They will lose all their benefits."

Plochman and Harrison Cherry Lane Foods, Inc., 140 NLRB No. 11, was another decision wherein the Board set aside the results of the election, this time because the employer had an election eve captive audience showing of a film, "And Women Must Weep." The purport of the film is, as the Board found, "that all unions are irresponsible organizations and that a vote for union representation is a vote for strikes, violence, and perhaps even murder."

Union Carbide Chemicals Company, 136 NLRB 95, was a case where the participating Board members (Leedom, Fanning, and Brown) held that the employer violated his employees' rights when during an organizing campaign the employer in a series of prepared speeches said:

"Customers are buying products on the basis of prices, delivery and dependability. * * * We have been told that we would not continue to be the sole source of supply if we become unionized due to the ever-present possibility of a work stoppage due to strikes or walkouts."

The court of appeals disagreed and found no coercion in the speech.

In *Oak Manufacturing Company*, 141 NLRB No. 121, the Board set aside the results of the election because two preelection campaign letters to the employees tended to engender so much fear of reprisal as to render impossible a rational, uncoerced decision by the employees. In part the employer said, "We can state categorically that the election of district 122 will not bring about any increase in your wages. In fact, the designation of district 122 as bargaining agent would give us strong argument for reducing wages, since district 122 ordinarily agrees to lower wages than you are already being paid. District 122 cannot and will not obtain any wage increase for you. * * * There is no such thing as taking a chance with a union. Once you have voted a union in, the union is virtually impossible to get rid of, and all the problems that unions can bring are yours. Unions have even been known to call long, bitter, and violent strikes for the apparent purpose of preventing employees from voting them out."

C. THE SECTION 8(b)(7) BLACKMAIL PICKETING CASES

1. The cases discussed in 1962

Calumet Contractors, 133 NLRB No. 512 (1961), was a case where the Board held that union picketing to protest substandard area employment practices did not violate the provisions of section 8(b)(4)(C), which prohibit picketing where an objective thereof is to force an employer to recognize or bargain with a labor organization as the representative of his employees.

Calumet Contractors more appropriately belongs under the section 8(b)(4) secondary boycott cases, as indicated above, but it was discussed in the context of section 8(b)(7) blackmail picketing cases by Mr. GRIFFIN.

The Board reasoned that the union objective of improving area standards could be achieved without the employer either bargaining with or recognizing the union.

In the *Houston Building and Construction Trades Council* case, 136 NLRB 321 (1962), the Board applied the Calumet Contractors finding to an 8(b)(7) situation, i.e., the Board held that "area standards" picketing does not necessarily fall within the prohibition of section 8(b)(7), which makes it unlawful for a union to picket an employer where an object thereof is forcing or requiring an employer to recognize or bargain with a labor organization.

In *Bachman Furniture*, 134 NLRB 670, the Board similarly held that union picketing did not violate the prohibitions of section 8(b)(7) when the conceded purpose of the picketing was to "punish" the employer for his unfair labor practices in a situation where the union had ceased any interest in representing the employees of the picketed employer.

Here the truckdrivers for a department store asked the Teamsters Union to represent them. The union petitioned for an election and was defeated in the election when the employer gave an illegal 30-percent wage increase on election eve. Two years later, the truckdrivers again came to the union, the union again requested recognition, the employer again defeated the union in an NLRB election by an illegal 30-percent increase. The union thereupon picketed the department store with signs telling the story, "for the satisfaction in a labor-conscious community of letting people know" about Bachman's activities.

Blinne Construction Company, 135 NLRB 1153 (1962), involved the construction of section 8(b)(7)(C), which makes it unlawful for a union to picket an employer to obtain recognition for beyond a reasonable period not to exceed 30 days without petitioning for an NLRB election.

Here, the three common laborers joined the union, the union requested recognition, the employer fired all the employees and replaced them, and the union picketed for more than 30 days without petitioning for an election. The union contended that the so-called blackmail picketing prohibition was not intended to apply to picketing by "majority unions." The Board rejected this contention, holding that it is necessary for a majority union to file the election petition to protect itself from the prohibitions of the act.

The Board agreed, however, with the union that there is no need to file the petition for an election when there are outstanding unfair labor practice charges against the employer, charging him with refusal to bargain. The Board's theory was that the election and the refusal to bargain charges involve the self-same issues and that therefore the filing of one excuses the filing of the other.

Crown Cafeteria, 135 NLRB 1183 (1962), involved the construction of the so-called publicity proviso of section 8(b)(7)(C), i.e., the provision that "nothing in this subparagraph shall be construed to prohibit any picketing or other publicity for the purpose of truthfully advising the public (including consumers) that an employer does not employ members or have a contract with a labor organization." The Board held that "publicity picketing" was protected, even when the objective of the picketing was to force an employer to recognize or bargain with the picketing union. They read the act as authorizing publicity picketing only when the objective was not to require the employer to recognize or bargain with the picketing union.

2. The cases discussed in 1963

Barker Brothers Corporation and Golds, Inc., 138 NLRB 544 (1962) involved the interpretation of the limitation on the publicity proviso; i.e., that the publicity picketing can continue only until "an effect of such picketing is to induce any individual employed by any other person in the course of his employment not to pick up, deliver or transport any goods or not to perform any service." The Board held in Barker that it is not every isolated refusal to cross the picket line that can deprive the picketing union of its right to truthfully advise the public that their employer does not have a contract with the picketing union. The Board held that it is only when the picketing has "disrupted, interfered with, or curtailed the employer's business" that the publicity proviso loses its effectiveness.

Jay Jacobs Down Town, Inc., 140 NLRB 127, involved union picketing for recognition which took the form of truthfully advising the public that the employer did not have a contract with a union. Despite repeated efforts by the union to insure that deliveries would not be curtailed, there were a few isolated situations where they were curtailed. Applying the Crown and Barker Brothers decisions, the Board held that this picketing could not be enjoined.

D. THE SUBCONTRACTING CASES

These cases have to do with section 8(d) of the act, which requires employer and union to bargain collectively and in good faith "with respect to wages, hours, and other terms and conditions of employment."

In 1963, Messrs. LANDRUM and GRIFFIN discussed three cases in which they assert the Labor Board has extended the statutory term "other terms and conditions of employment" to the breaking point.

In *Fibreboard Paper Products Corp.*, 138 NLRB No. 67 (1962), the employer unilaterally subcontracted its maintenance work for economic reasons without first negotiating with the duly designated bargaining agent of its employees over its decision to do so. Relying upon its recent decision in *Town and Country Manufacturing Co.*, 136 NLRB No. 11, the Board held that the decision to subcontract work does concern "conditions of employment" within the statutory sense.

The *Renton News* case, 136 NLRB 1294 (1962), presents a similar situation, where the Board held that the employer newspaper violated the act by refusing to bargain with the union before it changed its methods of operation by contracting out its composition work and firing its own composing room employees.

In *American Manufacturing Co. of Texas*, 139 NLRB 57 (1962), the Board similarly held that the employer violated the bargaining requirements of the act when he closed down his trucking operations and had the work done by outside contractors.

I wish to thank the gentleman from Illinois for his contribution. He did a great deal of work on this subject, and I think the results he achieved and the continuing review he has been able to conduct of the faults that he found in NLRB procedures at the time of his investigation serves to reemphasize the validity of carefully considered and thorough committee investigations into problems of this nature. I wish to repeat my earlier invitation, that if those who criticize the conduct of the Board from the floor of the House have proposals to change what they believe is wrong, the thing for them to do is to introduce legislation on that subject, and the legislation will be referred to the appropriate committee and subcommittee where it will be considered by people who have the best interests of the country and of the Board at heart.

FIFTH OBSERVANCE OF CAPTIVE NATIONS WEEK

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. DULSKI] is recognized for 25 minutes.

Mr. DULSKI. Mr. Speaker, next week Americans across the country will be observing Captive Nations Week. July 14 to 20 will be the fifth such observance. Since 1959, when the 86th Congress passed the Captive Nations Week resolution, the activities of the annual observance have grown in scope and depth. From the President, the Governors of our States, and the mayors of our cities, proclamations are issued on the basis of the resolution, urging our citizens to devote themselves anew to the emancipation and freedom of all captive nations. Major cities such as New York, Chicago and Buffalo have made the week an official, citywide observance, and many others are following suit.

While Captive Nations Week has become a firm American institution, it has also been a huge bone in Khrushchev's throat. We cannot ever forget the vehement reaction on the part of the Russian dictator to Congress' passage of the resolution in July 1959. For months on end Khrushchev denounced and railed against Public Law 86-90. Every year Moscow and its puppets decry the observance and only this past January 23, the New Times, the Soviet Russian weekly, declared:

> Is it not high time to discontinue the Captive Nations Week in the United States? That is just as much a dead horse as the Hungarian question.

There is nothing that Khrushchev desires more at this time than the complete acquiescence of the United States and the free world to the permanent captivity of the nations of central Europe, the U.S.S.R., and Asia. Captive Nations Week and all that each observance produces in thought and discussion regarding America's positive role in the cold war is a major impediment to Moscow's goal. The resolution itself is a permanent portrait—a mirror if you will—of the Soviet Russian colonial empire which Moscow and its puppets seek to conceal from the world at large.

I feel certain the American people will never acquiesce to Moscow's empire. Nor will they buy the dubious currently peddled notion that for a dubious peace we must accommodate Khrushchev and his colonial empire. On the contrary, during this fifth observance of Captive Nations Week, the American people will respond to the theme of the week: "Liberate Cuba—To Restore the Faith in All Captive Nations—To Win the Cold War." All the captive nations constitute a strategic weapon for us in the cold war. To foolishly ignore or neglect them would mean to discard this basic weapon to the manifest benefit of Soviet Russian imperio-colonialism.

Mr. Speaker, as Americans across the Nation prepare for this fifth observance, they would do well to read carefully again Public Law 86-90. I, therefore, request that the text of the Captive Nations Week resolution be printed after my remarks. I also ask that the following material prepared by the National Captive Nations Committee, which has guided the week's observances since 1959, be printed in the given order: "What You Can Do To Implement the Captive Nations Week Resolution, Public Law No. 86-90"; "Select Source Material From the CONGRESSIONAL RECORD on U.S. Captive Nations Week 1960-63"; "Kennedy Asked for Leadership in Fifth Captive Nations Week Observance"; "The Text of President Kennedy's Captive Nations Week Proclamation," issued July 5, 1963, following our own Independence Day; a message of praise sent to the President by Dr. Lev E. Dobriansky of Georgetown University, and chairman of the National Captive Nations Committee; and a message to Members of Congress sent by the National Captive Nations Committee, pointing out the theme of the 1963 week and certain proposals for U.S. cold war strategy.

S.J. RES. 111

Joint resolution providing for the designation of the third week of July as "Captive Nations Week"

Whereas the greatness of the United States is in large part attributable to its having been able, through the democratic process, to achieve a harmonious national unity of its people, even though they stem from the most diverse of racial, religious, and ethnic backgrounds; and

Whereas this harmonious unification of the diverse elements of our free society has led the people of the United States to possess a warm understanding and sympathy for the aspirations of peoples everywhere and to recognize the natural interdependency of the peoples and nations of the world; and

Whereas the enslavement of a substantial part of the world's population by Communist imperialism makes a mockery of the idea of peaceful coexistence between nations and constitutes a detriment to the natural bonds of understanding between the people of the United States and other peoples; and

Whereas since 1918 the imperialistic and aggressive policies of Russian communism have resulted in the creation of a vast empire which poses a dire threat to the security of the United States and of all the free peoples of the world; and

Whereas the imperialistic policies of Communist Russia have led, through direct and indirect aggression, to the subjugation of the national independence of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Vietnam, and others; and

Whereas these submerged nations look to the United States, as the citadel of human freedom, for leadership in bringing about their liberation and independence and in restoring to them the enjoyment of their Christian, Jewish, Moslem, Buddhist, or other religious freedoms, and of their individual liberties; and

Whereas it is vital to the national security of the United States that the desire for liberty and independence on the part of the peoples of these conquered nations should be steadfastly kept alive; and

Whereas the desire for liberty and independence by the overwhelming majority of the people of these submerged nations constitutes a powerful deterrent to war and one of the best hopes for a just and lasting peace; and

Whereas it is fitting that we clearly manifest to such peoples through an appropriate and official means the historic fact that the people of the United States share with them their aspirations for the recovery of their freedom and independence: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and requested to issue a proclamation designating the third week in July 1959 as "Captive Nations Week" and inviting the people of the United States to observe such week with appropriate ceremonies and activities. The President is further authorized and requested to issue a similar proclamation each year until such time as freedom and independence shall have been achieved for all the captive nations of the world.

Approved July 17, 1959.

What You Can Do To Implement the Captive Nations Week Resolution, Public Law No. 86–90

1. Obtain copies of Public Law No. 86–90 from the Superintendent of Documents, Government Printing Office, Washington 25, D.C. (Single copies may be obtained from your Congressman.) Distribute to interested friends.

2. Form a local captive nations committee in your community composed of leaders in the fields of religion, business, colleges, and universities, civic and fraternal organizations, veterans groups, women's clubs, and of course your city and State officials.

3. Have your committee appoint members to subcommittees to handle specific functions and have these functions well defined to avoid duplication of effort (e.g., finance, speakers, publicity, advertising, rally, parade, church services, public displays in hotels and stores, civic-service-fraternal organizations, women's clubs, veterans groups, schools, youth groups, essay contest).

4. Brief all members of committee on Captive Nations Week resolution, past Presidential proclamations, 1963 week theme, scope of observance in your community.

5. Advise your Senator, Governor, and Congressman of your plans and progress and invite their attendance (as speakers if you desire).

6. Call on your Governor and mayor to issue State and local Captive Nations Week proclamations well ahead of the week (July 14–20, 1963).

7. Set date or dates for major highlights of week (rally, breakfast, dinner, etc.), select speaker or speakers desired, and issue invitations to selected speakers.

8. Decide on method of fundraising to support program and have finance committee immediately start fundraising program.

9. Have subcommittee on church services contact local churches, synagogues, and mosques requesting that one day of the week be dedicated to the captive nations with appropriate services and prayers.

10. Have publicity subcommittee send press releases, background material and suggested editorials to local newspapers and radio and television stations. Try to arrange for participation of committee members on local radio-TV programs.

11. Have publicity and advertising subcommittees plan and carry out effective program to ensure communitywide attendance at functions.

12. Upon the conclusion of the week's ceremonies, write a report on your activities and send it, together with clippings, releases, etc., to the National Captive Nations Committee, suite 107, 1000 16th Street NW., Washington 6, D.C., for inclusion in committee's national report. Your cooperation in this regard will be deeply appreciated.

Select Source Material From the Congressional Record on U.S. Captive Nations Week, 1960–63

(The Congressional Record may be obtained at your local library or by writing to the Superintendent of Documents, Government Printing Office, Washington, D.C.)

1. "The Captive Nations Week Resolution," volume 106, part 1, pages 1032–1037.

2. "Freedom," volume 106, part 13, pages 17674–17694.

3. "Captive Nations Week," volume 107, part 8, pages 10413–10421.

4. "Captive Nations Week Committee," volume 107, part 10, pages 13120–13122.

5. "Captive Nations Week, 1961," volume 107, part 10, pages 13168–13196.

6. "Proposal for * * * Captive Nations," volume 107, part 11, pages 14610–14620.

7. "Action on * * * Committee on Captive Nations," volume 107, part 11, pages 15376–15383.

8. "U.S. Government Policy and a Special Committee on Captive Nations," volume 107, part 13, pages 17619–17632.

9. "Captive Nations Week," volume 108, part 10, pages 13722–13744.

10. "Some Facts on the 1962 Captive Nations Week," volume 108, part 10, pages 14224–14228.

11. "The Enslaved Millions * * *," volume 108, part 11, pages 14671–14672.

12. "Captive Nations Week * * *," volume 108, part 11, pages 14798–14801.

13. "Captive Nations: The 1962 Week * * *," volume 108, part 14, pages 19505–19510.

14. "Reply to Khrushchev on Cuba," volume 108, part 15, pages 19971–19975.

15. "What is the Next Maneuver on a Special Committee on the Captive Nations?" March 28, 1963, pages 4976–4985.

Kennedy Asked for Leadership in Fifth Captive Nations Week Observance

Washington, D.C., June 21.—President Kennedy was asked today to lead the Nation in the fifth Captive Nations Week observance by departing from "established procedure." In an appeal for an early Presidential proclamation and one stressing the need for popular study of all the captive nations, the National Captive Nations Committee held that the procedure of previous years has created the widespread impression that "our Government seeks to play down the week for fear of how Khrushchev and his puppets would react." Captive Nations Week falls on July 14–20.

Following up the appeals made for an early proclamation by several Senators and Congressmen, Dr. Lev E. Dobriansky, chairman of the committee and professor of economics at Georgetown University, stated that an early proclamation would dispel this impression. Senators Douglas, Humphrey, Javits, Keating, and Lausche have received White House replies declaring that there are "no plans to depart from the established procedure this year." A similar reply was sent to Congressmen Derwinski, Dulski, Flood, and Stratton. The "established procedure," according to NCNC, "has meant a late Friday afternoon issuance (2 days before the week) and submerged by some chosen major news item."

The President was also urged to underwrite in the proclamation the need for popular study of all the captive nations in order to "advance immeasurably our country's interests in cold-war education." Dobriansky stated these "interests are not helped, for example, when our Secretary of State states the U.S.S.R. is 'a historical state,' and Armenia, Georgia, and Ukraine are 'traditional parts' of this empire, followed by a sharp contradiction by our U.N. Ambassador." The Rusk views were expressed in August 1961 in a letter to Congress, in which he stated his reasons for believing that the Congress should not establish a Special Committee on Captive Nations. Stevenson's view was given in the U.N. in November 1961.

The NCNC appeal to the President also pointed out that "these vital interests are not served by the myth provided by one of your advisers for your recent American University address, wherein you stated that 'no nation in the history of battle ever suffered more than the Russians suffered in the course of the Second World War.'" Dobriansky observed that it is "a matter of scholarly record that the heaviest brunt of the Nazi invasion was suffered, both in lives and treasure, by the captive non-Russian nations of Byelorussia, Ukraine, Lithuania, Cossackia, and North Caucasia."

"Like the Irish," he said, "these non-Russian nations in the U.S.S.R. will resist every misguided attempt to submerge their national identities and the truth of their sufferings under an imperialistic-colonial yoke." He added, "We cannot hope to win the cold war on the basis of anything but truth and well-founded action."

Captive Nations Proclamation

The text of President Kennedy's Captive Nations Week proclamation, issued yesterday: "Whereas by a joint resolution approved July 17, 1959, the Congress has authorized and requested the President of the United States of America to issue a proclamation, designating the third week in July 1959 as Captive Nations Week, and to issue a similar proclamation each year until such time as freedom and independence shall have been achieved for all the captive nations of the world and

"Whereas the cause of human rights and dignity remains a universal aspiration and

"Whereas justice requires the elemental right of free choice and

"Whereas this Nation has an abiding commitment to the principles of national self-determination and human freedom.

"Now, therefore, I, John F. Kennedy, President of the United States of America, do hereby designate the week beginning July 14, 1963, as Captive Nations Week.

"I invite the people of the United States of America to observe this week with appropriate ceremonies and activities, and I urge them to give renewed devotion to the just aspirations of all people for national independence and human liberty.

"In witness whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed."

The President,
Summer White House,
Hyannis Port, Mass.

Dear Mr. President: Your early proclamation of the 1963 Captive Nations Week draws our most enthusiastic praise and gratitude. I cannot thank you enough for your favorable response to our urgings over the past 2 months for an early proclamation. In comparison with previous ones, this proclamation we hail as being unique on two counts: (1) Its early issuance, inspiring Americans across the Nation to make this fifth observance the most meaningful yet; and (2) its stress on "the just aspirations of all people

for national independence and human liberty," which means the captive non-Russian nations in the U.S.S.R., such as Armenia, Georgia, Ukraine, Turkestan, and others, as well as those in central Europe and Asia. Your proclamation unquestionably advances our peoples' understanding of Public Law 86-90.

With all good wishes.

Sincerely,

LEV E. DOBRIANSKY,
Chairman, National Captive Nations Committee.

JULY 5, 1963.

DEAR FRIEND OF WORLD FREEDOM: During July 14-20 Americans across the Nation will celebrate the fifth observance of Captive Nations Week. We urge your joining them with an address on the occasion in Congress.

Provided by Public Law 86-90, the week has developed into a veritable institution symbolizing America's determination to advance the liberation of all captive nations in the interest of our own survival. With your generous support this committee has nurtured this institution so that today Governors and mayors throughout the country are proclaiming the week in behalf of their constituents.

Fortunately, millions of our citizens recognize these essential facts: (1) Since 1959 the one great goal of Soviet Russian cold war maneuvering has been the growing acquiescence of Americans to the permanence of Moscow's vast empire; (2) similar to old imperial Russian techniques, the spurious call for "peaceful coexistence" and the calculated spread of nuclearitis in this country have produced phenomenal success for Moscow as we witness those in high places as well as low seeking an accommodation with this barbaric empire, attempting to play down the captive nations because its truths would irritate Khrushchev, justifying cold war inaction with the false doctrine of mellowism in the U.S.S.R., and on the basis of the empire's present conflicts creating the illusion that we are winning the cold war; and (3) the nationalism reflected in the party rivalries throughout the empire is the prime result of a whole decade of captive nations' opposition to Moscow's imperio-colonial rule, in Poland as well as Georgia, in Rumania as well as Ukraine, in Red China as well as Turkestan.

Nothing would serve Moscow's cold war ambitions more than our neglect of the more than 2 dozen captive nations—the ultimate source of its present empire troubles and also the most strategic instrument in our arsenal of cold war weapons. We are today committing many grave sins of omission in the cold war, for which we shall unquestionably pay heavily later, but beyond all rationality is the thought of allowing the avowed enemy a "breather" to put his empire in order and strengthen it for further thrusts against the free world.

What can we do? This favorite question of timid inactionists, who with nuclearitic fear instantly invoke the robotic Moscow-made answer "it may lead to war," has been answered concretely a hundredfold. The theme of the 1963 week is: "Liberate Cuba—To Restore the Faith in All Captive Nations—To Win the Cold War." Cuba, the latest in the roster of captive nations, can be liberated if we revive the Kersten amendment to the past Mutual Security Act and apply it thoroughly to Cuba.

At this stage of the cold war, when Moscow can ill afford a hot global one, we can also proceed with the following: (1) To expose the last remaining colonial empire, place heavy emphasis on the captive nations by establishing a Special House Committee on the Captive Nations; (2) to put into effect the President's recent suggestion for a reexamination of our views toward the U.S.S.R., open up for public discussion the captivity of the dozen captive non-Russian nations in the U.S.S.R.; (3) to advance U.S. cold war education, create the Freedom Commission and Academy; and (4) to focus free world and U.S. understanding on the real nature of the enemy, move for a full-scale debate in the United Nations on Soviet Russian imperio-colonialism. Our failure to at least start with these few proposals would justify raising the question, "Who will be next on the long list of captive nations?"

In appreciation of your contribution to the most impressive week yet and with best wishes.

Sincerely,

LEV E. DOBRIANSKY,
Chairman.

PIECEMEAL BIPARTISANSHIP IS UNWORKABLE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Wisconsin [Mr. LAIRD] is recognized for 15 minutes.

Mr. LAIRD. Mr. Speaker, at periodic, almost predictable intervals, the issue of bipartisanship receives a great deal of attention in the Nation's press. We can all recall the many editorials that appeared during last year's election campaign to the effect that foreign policy should not be an issue. This administration has displayed an almost uncanny ability to appeal to the hallowed bipartisan tradition once an action in the foreign policy field has been completed. This same administration is strangely silent, however, when the negotiations or plans affecting a future action in this field are first initiated.

This is such a period, Mr. Speaker. High level negotiations are slated to begin in Moscow in the very near future. The minority has not been consulted. The minority has not been invited to participate. The minority has not been invited to observe.

Yet, who can doubt that if a test ban agreement is reached, bipartisan support will be persuasively suggested, widely requested and finally, in "the national interest," righteously demanded.

Mr. Speaker, a tradition as sacred as the bipartisan tradition does not die easily, even when abused by one party or the other. It has worked successfully in the past. The sheer momentum of that success has sustained its operation over the last 2 years. But that momentum is faltering. Bipartisanship will die unless the present administration reverses its practice and commits itself to consistent, not piecemeal bipartisanship.

I choose my words carefully. "Piecemeal bipartisanship" means selective bipartisanship. It means bipartisanship dictated by only one party to the so-called agreement. It refers to the existing state of affairs in which the present administration determines when, where, and whether the bipartisan principle will apply. The "when" in present circumstances usually occurs only after negotiations have been completed and the action already taken. Thus, by present definitions formulated by the current Executive, the minority party essentially serves only as a rubber stamp.

In the final analysis, this practice is far worse than the controversial news management policies of the administration. This practice, in effect, involves destiny management. It becomes a case of the Executive arrogating to itself the sole prerogative of determining what our actions should be. This destiny management bypasses the traditional role of the Congress and the American people. It denies them the meaningful voice they once had in the formulation of consensus concerning major foreign policy action.

In Cuba, prior to last October's confrontation, all attempts by the minority to call for a blockade or a quarantine or any other action, were subjected to a massive administration-inspired barrage of warmongering charges. No minority proposal—and there have been many—has been afforded serious consideration by the present directors of our destiny. Yet, when the President finally was forced to act because of the intolerable threat posed by the Russian missiles, there was a loud call for bipartisanship. At that time, an election was only a few short weeks away. Also at that time, many of us in the minority felt the President's action was too little and too late. Nevertheless, in the spirit of the bipartisan tradition, the minority party rallied to the support of the President's action.

This one-sided tolerance on the part of the minority, Mr. Speaker, will not last forever. This hallowed tradition we hear so much about is a two-way street. And it is about time we started traveling in two directions on that street.

Consider the Laotian disaster. That unfortunate country has been written off by the administration. When Laos finally goes completely, all of southeast Asia will most probably follow as a matter of course.

At the time of the Geneva accords on Laos, I addressed an urgent letter to the Secretary of State, Dean Rusk. It was answered by the principal architect of the disastrous Laos accords, Averell Harriman. The exchange of correspondence between Mr. Harriman and myself on the subject of the Geneva accords on the neutrality of Laos appears on pages 6376 to 6379 of the CONGRESSIONAL RECORD of this year.

For all intents and purposes, Mr. Speaker, the grave misgivings expressed in my correspondence and the equally grave misgivings expressed by large numbers of my colleagues in the Congress were ignored. The usual answer a member of the minority hears when he expresses misgivings about foreign policy actions is that we must unite behind the President in a spirit of bipartisanship.

This commitment to a piecemeal bipartisanship on the part of the present administration is unworkable. The minority party cannot fulfill its obligations to the 48 percent of the American electorate it represents by conceding to the Executive the right to exercise a discriminatory, selective bipartisanship whenever it is deemed necessary or desirable.

The minority party's good will and docile tolerance of such practices is not inexhaustible, Mr. Speaker. A display of good will and good faith is necessary on both sides of a cooperative relationship. Such a display has been sorely lacking in recent years.

Was the minority consulted, for example, prior to the decision to withdraw our Thor and Jupiter missiles from Italy and Turkey? The minority was not.

Was the minority consulted prior to our decision to scrap Skybolt or to establish a multinational nuclear force? The minority was not.

Was the advice or concurrence of the minority sought before the United States decided passively to accept the recognition of the Kadar regime's credentials by the United Nations? It was not.

Was the advice or concurrence of the minority sought before President Kennedy announced at American University on June 10 a test moratorium on atmospheric testing? Predictably, no.

Was the minority informed of the administration's plans to hold high level talks in Moscow for the purpose of negotiating a test ban? Was the minority invited to participate in these talks? Was the minority extended the courtesy of sending an observer to these talks? In every case, the answer is no. In too many other cases as well, the answer would also be no.

Mr. Speaker, Under Secretary of State Averell Harriman and Deputy Director of the Arms Control Agency, Adrian Fisher, have been chosen by the President to represent the United States in the upcoming test-ban talks in Moscow. These men certainly are not the best negotiators the United States could have chosen. Mr. Harriman is the principal architect of our disastrous Laotian policy. In effect, he negotiated away that southeast Asian country.

Yet, can the President sincerely expect the minority party, having consistently ignored its counsels, having repeatedly rebuffed its advice, and having continually refused it a role, either as participant or observer in these major decisions—can the President sincerely expect that the minority will continue to display bipartisan support when it has been denied bipartisan participation? I think not, Mr. Speaker.

If the President and the majority party are sincerely interested in obtaining bipartisan support for a test ban agreement and for future U.S. action in other areas of foreign policy, let the administration demonstrate its good faith. Let it begin now to couple its demand for bipartisan support with equally impassioned attempts to provide bipartisan participation in the early stages of major actions.

For the forthcoming test ban negotiations in Moscow, let any treaty or agreement come under bipartisan sponsorship. A member of the minority should be invited by the administration to participate—or at least to serve as an observer—at these discussions. Continued abuse of the bipartisan tradition by this administration can only result in the final and irrevocable breakdown of that tradition.

It is my hope that the administration will cease placing obstacles in the way of the true exercise of bipartisanship by permitting the minority to participate in discussion as well as in final support.

The upcoming test ban negotiations in Moscow would be a good place for the administration to demonstrate its good faith in the true concept of bipartisanship. It is my sincere hope it will do so.

It is my suggestion that the ranking minority member of the Joint Committee on Atomic Energy, the Honorable CRAIG HOSMER, who is also the chairman of a special subcommittee on nuclear testing appointed by Representative GERALD FORD, chairman of the Republican conference, be appointed by the President to serve as a minority observer at these most important discussions in Moscow.

OUR "FRIEND" GREAT BRITAIN?

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Florida [Mr. ROGERS] is recognized for 10 minutes.

Mr. ROGERS of Florida. Mr. Speaker, we have all heard the saying "Save me from my friends." Today the United States could say this about our "friend" Great Britain.

The State Department has announced that protest has been made to Britain that the British Isle of Grand Cayman is being used by Cuba as a base to pass agents out of Cuba into Central America, aboard British owned and operated airlines.

It has come to my attention through published reports that vital American automotive parts and other supplies may be reaching Castro's Cuba through the same island in the Caribbean.

These reports say that break linings, batteries, bearings, spark plugs, copper tubing, and other parts are loaded from Florida ports in quantities that would permit total reequipment of all vehicles on Grand Cayman every 15 days, with parts left over.

Grand Cayman is a small island, with a population of a little over 5,000 people located midway between Jamaica and the Cuban Isle of Pines. Reports indicated that shipments manifested for Grand Cayman on tramp steamers are actually shipped into Cuba directly or on smaller boats. The last calendar year figures available for automotive equipment and parts show that in 1961, 61,042 pounds were shipped into Grand Cayman from the port of Tampa, Fla. In 1962 this almost doubled, to 103,089 pounds. And this is just from one Florida port. Auto parts are vital to Castro, as replacements for the equipment in Cuba when he seized power. Most of them must be of American make.

Free world shipping directly to Cuba continues at a high rate. Our "friend" Britain continues to lead the list of free world nations allowing its ships to trade with Communist Cuba.

This week at a hearing conducted by the Armed Forces Investigations Subcommittee of the House it was disclosed that the British have been building fishing trawlers for Russia. As we all know, Russian fishing trawlers have been invading our historical fishing grounds all along our coastline. New England, the Pacific Northwest, and Florida have been particularly aware of these Russian moves. At this same hearing, witnesses admitted that the trawler fleet may well be engaged in other activity prejudicial to the security of the United States.

Now it may be beyond the great influence of our State Department to discourage the British from building trawlers for Russia. It may not be possible for the State Department to ask Britain to stop trading with Castro. We may be thankful, however, that the State Department has asked Britain to please not permit Castro to export agents through Grand Cayman. We may be hopeful that they will look into shipping to and through Grand Cayman.

In almost every case regarding our Cuban difficulties, we end up at the State Department. They are not particularly concerned about the Russian trawlers, even though these are actually operating in our territorial waters. They are unable to stop free world shipping to Cuba. They are unable to get strong OAS action against Cuba, and at the same time unable to get the U.N. to stop giving assistance to Cuba. Last weekend we were greeted with the happy news that State was at last ready to act. But the only action taken seems to be that Cuban funds in this country have been frozen.

Similar action by OAS member nations, however, would be of help, but no word of such action.

Mr. Speaker, the day has come when we must ask our friends and allies in Britain for some cooperation. And we might at the same time hope for more pressing action from our own State Department.

It may be that Britain has just lost interest in this hemisphere. Her possessions here have been decreasing, as have her responsibilities. She gives indication she would like to withdraw further. There is a responsibility, however, to us.

We have stood ready to assist Great Britain anywhere in the world—we should expect no less from her. We are not asking her to go to war, to risk the lives of British subjects or territory. We are asking for cooperation. Cooperation forbidding the use of British possessions to Castro and his agents. Cooperation forbidding British shipping to enemies of the freedom of the republics of this hemisphere.

We have been asking for this cooperation for months—yea, even years. It has not been forthcoming.

Perhaps our State Department has not been voicing the views of the American people clear enough to the foreign office in London. But the British people should be told that the American people are disappointed, and they are growing angry. This feeling will find ways of expressing itself loudly enough to be heard—even in Britain.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Florida. I would be delighted to yield to the gentleman from Iowa.

Mr. GROSS. I assume this is the same Great Britain who now has the benefit of a moratorium on the payment of its just loan made by this country to Britain? Some $4 billion has been under a moratorium for several years, a moratorium enacted by Congress. Is the treatment that we get for permitting them not to pay their debts, no principal, no interest on several billion dollars of debts? Is this our recompense?

Mr. ROGERS of Florida. I agree with the gentleman. This seems to be the feeling in Britain, at least as has been expressed in their recent actions, certainly. There does not seem to be an understanding that friendship is a two-way street, but, rather that we must perform all the actions of friendship. However, when we expect some cooperation to keep out communism from this hemisphere we cannot even get Britain to stop sending its ships carrying Soviet goods, oil and other products, into Cuba. We now find they have been allowing agents to pass throughout their possessions to go all over South America spreading subversion and communism. We can go right down the line citing item after item, even to the building of Russian trawlers, which has not been the act of a friendly nation in the interest not only of ourselves but to the hemisphere, and to all nations that profess to uphold freedom.

Mr. GROSS. I want to compliment the gentleman upon his persistence in bringing to the attention of the House of Representatives these matters affecting Cuba and affecting this country and matters of other foreign countries in their dealings with Cuba. He has done an excellent job and I compliment him.

I will say to the gentleman that next week in the Committee on Foreign Affairs I certainly intend to offer an amendment to the foreign aid authorization bill providing that no aid of any kind be given any nation which in any way gives aid or comfort to the Communist Government of Cuba. I do not know whether this amendment will be adopted in committee, but certainly I will bring it to the House floor, and I am sure if the gentleman does not offer such an amendment on the floor, I will do so.

Mr. ROGERS of Florida. I am grateful to the gentleman for his comments and for his interest in doing something about the problem. I am particularly pleased with his membership on the Foreign Affairs Committee. I know it is going to be most helpful and I might say I certainly will support fully any amendment that will cut off giving American aid in any respect to any country which in any way aids Cuba. It was my amendment that was adopted to that effect by this House in the last bill.

I thank the gentleman.

URBAN RENEWAL—A CLOSER LOOK

The SPEAKER pro tempore (Mr. SMITH of Iowa). Under previous order of the House, the gentleman from Iowa [Mr. KYL] is recognized for 10 minutes.

Mr. KYL. Mr. Speaker, the report made to the Congress by the Comptroller General relative to the Erieview urban renewal project in Cleveland, Ohio, proves again that no further funds should be made available for the urban renewal program until the basic legislation is rewritten. Present law does not include the kinds of specific criteria and standards which can obviate the abominable administration now rampant from coast to coast. I believe that a complete investigation will reveal that in three-fourths of the projects nationally, the job which is done is not in accordance with the plan which originally justified the expenditures. I believe a full investigation will reveal irregularities, mismanagement, waste, and wrongdoing which constitutes scandal of the first magnitude.

The shortcomings in the Cleveland Erieview project are pointed up by the Comptroller's report.

The full report of the Comptroller should be studied with care. All over the Nation, sound structures within project areas have been declared substandard because a portion of the building has no rear exit or because the building does not have a fire sprinkler system. If no other excuses can be found for the demolition of structures, the administrators simply say the building is facing the wrong way or its style is incompatible.

This incompatibility claim, occasionally justified, becomes almost ludicrous. Any casual tourist who visits Southwest Washington's urban renewal project has the opportunity to view the urban renewal-type incompatibility—the three-story concrete quonset hut dwellings next to the high-rise glass houses, which look out on the asphalt roof and air-conditioning vents of the shopping center below, next to the low-rise public housing. But then, this incompatibility is new incompatibility. Using present criteria, we could probably justify a new urban renewal project in Southwest Washington to remove the new incompatible buildings.

I have today introduced a bill to prevent in the Nation's Capital the kind of meaningless destruction which took place in Cleveland, Ohio, in the Erieview Urban Renewal Project I. My bill incorporates a number of the recommendations made by the Comptroller General of the United States in his report on the Erieview project. In addition, I will shortly take other steps looking toward a complete investigation of urban renewal from coast to coast.

In the covering letter to his Cleveland report the Comptroller General said:

> The Urban Renewal Administration approved Federal grants of over $10 million and Federal loans of over $33 million for large-scale demolition in project I—Erieview, without making an adequate examination of the structural condition of the buildings in the project area to verify that the extent of clearance proposed by the city of Cleveland was warranted.
>
> The Urban Renewal Administration's approval of the project was based on building inspection reports, submitted by the city to the Housing and Home Finance Agency's Chicago regional office, which classified 84, or about 71 percent, of the 118 existing buildings in the project area as substandard because of what the city considered to be serious building deficiencies. The Agency's records indicate that regional office personnel did not inspect the interiors of the buildings in the project prior to the time the Urban Renewal Administration authorized Federal assistance for the project.
>
> Our review showed that only 24, or about 20 percent, of the buildings in the project were substandard because of building deficiencies which could not be corrected by normal maintenance. The cited deficiencies of the other 60 buildings were minor in nature and could be corrected through normal maintenance; these buildings, therefore, did not seem to be "substandard requiring clearance," pursuant to the Urban Renewal Administration's eligibility standards for clearance. Inasmuch as (1) a relatively small percentage of the buildings were structurally substandard, (2) demolition is generally the most expensive form of urban renewal treatment, and (3) the intent of the urban renewal legislation is to encourage alternative forms of urban renewal treatment, such as rehabilitation and spot clearance, we believe that, before approval, the Urban Renewal Administration should have fully investigated the situation to determine whether the extent of demolition proposed by the city was warranted.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. DULSKI, for 25 minutes, today.

Mr. LAIRD, for 15 minutes, today, and to revise and extend his remarks.

Mr. PELLY, for 30 minutes, on Monday, July 15.

Mr. RIVERS of South Carolina (at the request of Mr. ALBERT), for 90 minutes, on July 16, and to extend his remarks and include extraneous matter.

Mr. FLOOD (at the request of Mr. ALBERT), for 2 hours on Monday, July 15, on the subject of the fifth observance of Captive Nations Week.

Mr. ROGERS of Florida, for 10 minutes, today.

Mr. KYL (at the request of Mr. LANGEN), for 10 minutes, today, and to revise and extend his remarks.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. DULSKI.

Mr. O'NEILL and to include extraneous matter.

Mr. HOSMER and to include extraneous matter.

Mr. POOL.

(The following Members (at the request of Mr. SCHWEIKER) and to include extraneous matter:)

Mr. ROBISON.

Mr. BERRY.

Mr. MATHIAS.

Mr. GROVER.

(The following Member (at the request of Mr. ALBERT) and to include extraneous matter:)

Mr. SENNER.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that

that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 40. An act to assist the States to provide additional facilities for research at the State agricultural experiment stations; and

H.R. 6681. An act to improve the active duty promotion opportunity of Air Force officers from the grade of major to the grade of lieutenant colonel.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1745. An act to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 40. An act to assist the States to provide additional facilities for research at the State agricultural experiment stations; and

H.R. 6681. An act to improve the active duty promotion opportunity of Air Force officers from the grade of major to the grade of lieutenant colonel.

ADJOURNMENT

Mr. ROGERS of Florida. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 34 minutes p.m.), under its previous order, the House adjourned until Monday, July 15, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1028. A letter from the Comptroller General of the United States, transmitting a report on the delay by the District of Columbia government in the development and implementation of a medical assistance for the aged program; to the Committee on Government Operations.

1029. A letter from the President of the Board of Commissioners of the District of Columbia, transmitting a draft of a proposed bill entitled "A bill to authorize the Commissioners of the District of Columbia to fix and collect rents for the occupancy of space in, on, under, or over the streets of the District of Columbia, to authorize the closing of unused or unsafe vaults under said streets and the correction of dangerous conditions of vaults in or vault openings on public space, and for other purposes"; to the Committee on the District of Columbia.

1030. A letter from the President of the Board of Commissioners of the District of Columbia, transmitting a draft of a proposed bill entitled "A bill to amend the District of Columbia Traffic Act, 1925, as amended, to increase the fee charged for learners' permits"; to the Committee on the District of Columbia.

1031. A letter from the Chairman, the U.S. Advisory Commission on International Educational and Cultural Affairs, transmitting a special report on American studies abroad by the U.S. Advisory Commission on International Educational and Cultural Affairs, pursuant to Public Law 87-256 (H. Doc. No. 138); to the Committee on Foreign Affairs and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THORNBERRY: Committee on Rules. House Resolution 432. Resolution for consideration of H.R. 5171, a bill to authorize the Administrator of the General Services Administration to coordinate and otherwise provide for the economic and efficient purchase, lease, maintenance, operation, and utilization of electronic data processing equipment by Federal departments and agencies; without amendment (Rept. No. 539). Referred to the House Calendar.

Mr. COLMER: Committee on Rules. House Resolution 433 Resolution for the consideration of H.R. 4897. A bill to repeal subsection (d) of section 2388 of title 18 of the United States Code: without amendment (Rept. No. 540). Referred to the House Calendar.

Mr. ASHMORE: Committee on the Judiciary. H.R. 6138. A bill to amend section 753(b) of title 28, United States Code, to provide for the recording of proceedings in the U.S. district courts by means of electronic sound recording as well as by shorthand or mechanical means; with amendment (Rept. No. 549). Referred to the Committee of the Whole House on the State of the Union.

Mr. FALLON: Committee on Public Works. H.R. 7195. A bill to amend various sections of title 23 of the United States Code relating to the Federal-aid Highway Systems; without amendment (Rept. No. 550). Referred to the Committee of the Whole House on the State of the Union.

Mr. KIRWAN: Committee of conference. H.R. 5279. A bill making appropriations for the Department of Interior and related agencies for the fiscal year ending June 30, 1964, and for other purposes (Rept. No. 551). Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SENNER: Committee on the Judiciary. H.R. 7019. A bill to provide further compensation to Mrs. Johnson Bradley for certain land and improvements in the village of Odanah, Wis., taken by the Federal Government; with amendment (Rept. No. 541). Referred to the Committee of the Whole House.

Mr. LIBONATI: Committee on the Judiciary. H.R. 1532. A bill for the relief of Herbert R. Schaff; without amendment (Rept. No. 542). Referred to the Committee of the Whole House.

Mr. SENNER: Committee on the Judiciary. H.R. 2724. A bill for the relief of Davey Ellen Snider Siegel; with amendment (Rept. No. 543). Referred to the Committee of the Whole House.

Mr. KING of New York: Committee on the Judiciary. H.R. 2790. A bill for the relief of Owen L. Green; with amendment (Rept. No. 544). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 4145. A bill for the relief of certain individuals; with amendment (Rept. No. 545). Referred to the Committee of the Whole House.

Mr. SENNER: Committee on the Judiciary. H.R. 4288. A bill for the relief of Mrs. M. Orta Worden; with amendment (Rept. No. 546). Referred to the Committee of the Whole House.

Mr. LIBONATI: Committee on the Judiciary. H.R. 5822. A bill for the relief of Theodore Zissu; without amendment (Rept. No. 547). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 6377. A bill for the relief of Sp5. Curtis Melton, Jr.; with amendment (Rept. No. 548). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK:

H.R. 7492. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. BARRY:

H.R. 7493. A bill to extend the time limitation for filing claims under the provisions of the War Claims Act Amendments of 1954; to the Committee on Interstate and Foreign Commerce.

By Mr. BOGGS:

H.R. 7494. A bill to provide for the control of mosquitoes and mosquito vectors of human disease through research, technical assistance, and grants-in-aid for control projects; to the Committee on Interstate and Foreign Commerce.

By Mr. DEROUNIAN:

H.R. 7495. A bill to amend the Social Security Act to assist States and communities in preventing and combating mental retardation through expansion and improvement of the maternal and child health and crippled children's programs, through provision of prenatal, maternity, and infant care for individuals with conditions associated with childbearing which may lead to mental retardation, and through planning for comprehensive action to combat mental retardation, and for other purposes; to the Committee on Ways and Means.

By Mr. GRAY:

H.R. 7496. A bill to amend the Public Works Acceleration Act to increase the authorization for appropriations under that act, and for other purposes; to the Committee on Public Works.

By Mr. HUDDLESTON:

H.R. 7497. A bill to amend the Life Insurance Act for the District of Columbia relating to annual statements and for other purposes; to the Committee on the District of Columbia.

By Mr. LAIRD (by request):

H.R. 7498. A bill to amend the Internal Revenue Code of 1954 with respect to the definition of artificial lures, baits, and flies which are subject to the manufacturers excise tax on sporting goods; to the Committee on Ways and Means.

By Mr. JOHNSON of California:

H.R. 7499. A bill to authorize the Secretary of the Air Force or his designee to convey 0.25 acre of land to the city of Oroville, Calif.; to the Committee on Armed Services.

By Mr. MILLER of California:

H.R. 7500. A bill to authorize appropriations to the National Aeronautics and Space

Administration for research and development, construction of facilities, and administrative operations; and for other purposes; to the Committee on Science and Astronautics.

By Mr. MINISH:

H.R. 7501. A bill to amend the Manpower Development and Training Act of 1962; to the Committee on Education and Labor.

By Mr. MOORHEAD:

H.R. 7502. A bill to eliminate from applications for Federal employment any requirement that arrests in connection with peaceful demonstrations for civil rights purposes shall be reported therein; to the Committee on Post Office and Civil Service.

By Mr. NELSEN:

H.R. 7503. A bill to amend section 1245 of the Internal Revenue Code of 1954 in order to limit application of that section in the case of the sale of an entire business or farm; to the Committee on Ways and Means.

By Mr. O'KONSKI:

H.R. 7504. A bill to amend the Public Works Acceleration Act to increase the authorization for appropriations under that act, and for other purposes; to the Committee on Public Works.

By Mr. PHILBIN:

H.R. 7505. A bill to authorize the disposal without regard to the prescribed 6-month waiting period, of certain waterfowl feathers and down from the national stockpile; to the Committee on Armed Services.

By Mr. POOL:

H.R. 7506. A bill to establish and prescribe the functions of the Federal Tax Commission; to the Committee on Ways and Means.

By Mr. REID of New York:

H.R. 7507. A bill to prohibit discrimination in apprenticeship and other training programs because of race, creed, color, national origin, or ancestry; to the Committee on Education and Labor.

By Mr. ROGERS of Colorado:

H.R. 7508. A bill to amend title 28, United States Code, to establish jurisdiction and venue for appeals from orders of the Interstate Commerce Commission in judicial reference cases; to the Committee on the Judiciary.

By Mr. SCHWEIKER:

H.R. 7509. A bill to establish an Office of Community Affairs in the Executive Office of the President; to the Committee on Government Operations.

By Mr. WALLHAUSER:

H.R. 7510. A bill to extend the postage rates on library materials to films under 16 millimeters in size and film catalogs thereof; to the Committee on Post Office and Civil Service.

By Mr. BROWN of California:

H.R. 7511. A bill to amend the Internal Revenue Code of 1954 to allow the taxpayer a deduction from gross income for medical, legal, and related expenses incurred in connection with the adoption of a child; to the Committee on Ways and Means.

By Mr. CAREY:

H.R. 7512. A bill to provide for the establishment of Fire Island National Seashore, in the State of New York, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 7513. A bill making Columbus Day a legal holiday; to the Committee on the Judiciary.

H.R. 7514. A bill to prevent the use of stopwatches or other measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mr. CURTIS:

H.R. 7515. A bill to broaden the scope of the duties of the Commission on Civil Rights to include investigations of vote frauds; to the Committee on the Judiciary.

H.R. 7516. A bill to provide tax equity by the taxation of cooperative corporations with respect to earnings derived from business done for the United States or any of its agencies; to the Committee on Ways and Means.

By Mr. FULTON of Pennsylvania:

H.R. 7517. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. HOSMER:

H.R. 7518. A bill to amend the Arms Control and Disarmament Act, to restrict the application of that act to arms control, and for other purposes; to the Committee on Foreign Affairs.

H.R. 7519. A bill to incorporate the Pearl Harbor Survivors Association, Inc.; to the Committee on the Judiciary.

By Mr. KYL:

H.R. 7520. A bill to transfer to the Board of Commissioners of the District of Columbia certain powers and duties relating to urban renewal, and for other purposes; to the Committee on the District of Columbia.

By Mr. LEGGETT:

H.R. 7521. A bill to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in education, to establish a Community Relations Service, to extend for 4 years the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes; to the Committee on the Judiciary.

By Mr. LESINSKI:

H.R. 7522. A bill to simplify, modernize, and consolidate the laws relating to the employment of civilians in more than one position and the laws concerning the civilian employment of retired members of the uniformed services, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PERKINS:

H.R. 7523. A bill to amend the Public Works Acceleration Act to increase the authorization for appropriations under that act, and for other purposes; to the Committee on Public Works.

By Mr. ROSENTHAL:

H.R. 7524. A bill to amend section 102 of the Foreign Assistance Act of 1961 to provide that production of or obtaining weapons for aggression shall result in discontinuance of any assistance from the United States; to the Committee on Foreign Affairs.

By Mr. WHITENER:

H.R. 7525. A bill relating to crime and criminal procedure in the District of Columbia; to the Committee on the District of Columbia.

By Mr. CLARK:

H.R. 7526. A bill to amend the Public Works Acceleration Act to increase the authorization for appropriations under that act, and for other purposes; to the Committee on Public Works.

By Mr. DENT:

H.R. 7527. A bill to amend the National Labor Relations Act in order to permit supervisors to be considered as employees under the provisions of such act, and for other purposes; to the Committee on Education and Labor.

H.R. 7528. A bill to amend title II of the Social Security Act to increase benefits, to reduce in certain cases the age which an individual must attain to qualify for spouse's benefits, to reduce retirement age (with full benefits for both men and women) to 60, to reduce the outside earnings permitted without deductions from benefits, and for other purposes; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 7529. A bill to prevent the use of stopwatches or other measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mr. DOWNING:

H.R. 7530. A bill to amend the River and Harbor Act of 1962 relating to Lynnhaven Inlet, Bay, and connecting waters, Virginia; to the Committee on Public Works.

By Mr. FRASER:

H.R. 7531. A bill to amend the Arms Control and Disarmament Act in order to increase the authorization for appropriations and to modify the personnel security procedures for contractor employees; to the Committee on Foreign Affairs.

By Mr. CAREY:

H. Con. Res. 193. Concurrent resolution congratulating the American Veterinary Medical Association on its centennial; to the Committee on the Judiciary.

By Mr. HAYS:

H. Con. Res. 194. Concurrent resolution authorizing the printing of additional copies of the "Pledge of Allegiance to the Flag"; to the Committee on House Administration.

By Mr. MADDEN:

H. Con. Res. 195. Concurrent resolution relating to Lithuania, Latvia, and Estonia independence; to the Committee on Foreign Affairs.

By Mr. NYGAARD:

H. Con. Res. 196. Concurrent resolution establishing a Commission on Congressional Identification; to the Committee on Rules.

By Mr. BRUCE:

H. Res. 434. Resolution establishing a Special Committee on Captive Nations; to the Committee on Rules.

By Mr. CLEVELAND:

H. Res. 435. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. McCORMACK:

H.R. 7532. A bill for the relief of James D. W. Blyth, his wife Jean Mary Blyth, and their daughter Penelope Jean Blyth; to the Committee on the Judiciary.

H.R. 7533. A bill for the relief of Demetrios Dousopoulos; to the Committee on the Judiciary.

By Mr. MONAGAN:

H.R. 7534. A bill for the relief of Salvatore Geraci, his wife, Antonietta Geraci, and their four minor children; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H.R. 7535. A bill for the relief of Theodosios N. Kogionis; to the Committee on the Judiciary.

By Mr. SMITH of California:

H.R. 7536. A bill for the relief of Mrs. Sara Farber Caponigro; to the Committee on the Judiciary.

By Mr. STAEBLER:

H.R. 7537. A bill for the relief of Myung Sook Yun Pak; to the Committee on the Judiciary.

By Mr. STINSON:

H.R. 7538. A bill for the relief of Mariano Cabanilla; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

195. The SPEAKER presented a petition of R. F. Nichols, and others, Political Action Committee, Veterans of World War I, National Headquarters, Los Angeles, Calif., petitioning consideration of their resolution with reference to their proposal of a plan for the awarding of a pension of at least $100 a month to the veterans of World War I, which was referred to the Committee on Rules.

EXTENSIONS OF REMARKS

The Railroad Situation

EXTENSION OF REMARKS
OF

HON. THADDEUS J. DULSKI

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 11, 1963

Mr. DULSKI. Mr. Speaker, our Nation has temporarily averted a crippling railroad strike, but the issues are not yet resolved, and the walkout has merely been postponed. The railroad industry is one of our country's most important, and I have always done all I could to aid in and to insure its growth and prosperity.

However, the current dispute touches many problems, but so far has tackled none of them. For example, we hear of featherbedding in only one context, that of the operating employees; in my opinion, featherbedding in the industry is nowhere more obvious than in the executive management echelons of the major American railroads.

I cannot overemphasize that, on the basis of my own experience with some of our eastern railroads, the companies seem actually to be discouraging passenger travel. One needs only to take a train trip from Buffalo to Washington, featuring curtailed schedules and outmoded equipment, to prove my point. By contrast, I recently had the opportunity to visit Chicago, where I saw some of the trains leaving for western cities. The equipment on those trains rolling west made our eastern railroads look like scenes from an old-time movie.

In the present dispute over working conditions of operating employees of American railroads, I believe that the following points should be brought to the attention of the House:

First. Actual bargaining started only in the latter half of May of this year after the Rosenman Board reported its findings. Previously, the now repudiated report of the earlier Commission had paralyzed bargaining.

Second. The Rosenman Board report is not self-executing; it furnished a general guide to the parties. Progress in bargaining out an agreement consistent with the Rosenman Board report has been made on every single issue in the short time that actual bargaining has taken place. There is no issue which presents a hopeless deadlock.

Third. The working conditions which the carriers are threatening to impose on Thursday were rejected by the Presidential Railroad Commission, by the Rosenman Board, by Secretary Wirtz in his own recommendations and, at all time, by the operating employees.

Fourth. Mediation efforts in this dispute are far from exhausted. The parties have given every indication of being highly receptive to third-party mediatory proposals on the merits going beyond what either side might be willing to propose itself. Third-party proposals that would bridge the gap remaining between the parties have not been attempted for any but one issue; in that one issue a promising lead developed which has not been followed up.

Fifth. The financial position of the railroads was found to be surprisingly good by the Rosenman Board and the high productivity of their working force was hailed by that Board. There is no warrant for railroad haste to impose wage cuts and manning changes without regard to safety, efficiency or burden of work—changes rejected not only by the employees but also by every governmental body that concerned itself with this matter and even abandoned by the carriers in collective bargaining.

Sixth. The situation calls for intensified mediation and not for the cessation of mediation, for more vigor, initiative, and determination to have this dispute settled equitably and peacefully by free collective bargaining.

The St. Kilian Boychoir

EXTENSION OF REMARKS
OF

HON. JAMES R. GROVER, JR.

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 11, 1963

Mr. GROVER. Mr. Speaker, I would like to make known to my colleagues in the House of Representatives information about the St. Kilian Boychoir.

Who are the youngsters who make up this superb group? They are schoolboys from 8 to 15 years of age from St. Kilian Parish in nearby Farmingdale. Under the masterful direction of Arpad Darazs they devote up to 10 hours each week to arduous rehearsal—a dedication that is reflected in their perfect choral concerts.

The Boychoir—the unique spelling belongs to this group alone—has made appearances on television and participated in radio programs and cut several outstanding records. Their extensive repertoire ranges from elaborate liturgical renditions to lively waltzes, from madrigals to cowboy songs.

It has been said by some that we live in an age of creeping mediocrity and that frequently our cities and suburbs are cultural deserts.

I, for one, do not concur in this analysis of the American scene; and as partial proof, I would offer you the musical accomplishments of the St. Kilian's Boychoir of the St. Kilian's Roman Catholic Church in Farmingdale, Long Island. Father Schoof and Mr. Arpad Darazs, choir director, have blended together a choir of consummate skill. They have taken the boys of the parish and through diligent training and example have forged them into a choir that is truly one of the outstanding musical aggregations in the country. These boys have been in demand by organizations throughout the State of New York and the Eastern United States. It is my hope that ultimately every segment of the Nation will have an opportunity of hearing this product of Long Island suburbia.

We hear much today about the musical groups that travel to the United States from the four corners of the earth, and we give them just recognition. I also believe that it is important that organizations of our own, composed of the sons and daughters of our own citizenry who have been trained in the musical accomplishments of both the Old and New World, should receive recognition.

Upon the completion of this boychoir's most recent triumphant public concert, I wish to praise them and to call to the attention of this honorable body the considerable success of this group of brilliant young performers.

A Bill for an Independent Tax Commission To Interpret Intent of Congress

EXTENSION OF REMARKS
OF

HON. JOE R. POOL

OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 11, 1963

Mr. POOL. Mr. Speaker, a bill which I am introducing today would set up an independent tax commission to act as interpreter of the will of Congress in tax matters.

In present practice, the Treasury Department serves as the rulemaking body for interpretation of acts of Congress in the tax sphere. It was through exercise of this interpretive power that the Internal Revenue Service expense account rulings this year led businessmen and individual taxpayers into the "bewilderness."

The establishment of this commission will cut out many steps previously necessary in promulgating interpretive rules and regulations and will save the taxpayer many steps in his efforts to get a true interpretation of the law. A commission will provide an independent, unbiased body to pass on the law. It will prevent any possibility of one man acting as the judge and jury in tax matters. The agency which enforces the tax law should be separate from the agency which interprets the tax law. The commission may seek advice from the Senate Finance Committee and the House Ways and Means Committee.

This bill calls for a commission of five members appointed by the President. No more than three would be of the same political party, and terms would be 15 years to insure independence and the benefit of experience in a complex field. The first commissioners would be appointed with staggered terms of from 3 to 15 years. The commission is authorized to require attendance of witnesses and to order books, records, and documents to be brought before it at any hearing.

I believe that the public will have much more respect for the rules and regulations set forth by this body. In effect, the bill will restore to the Internal Revenue Service its position as collector of the taxes, removing the responsibility for interpreting the intention of the legislative branch of government which it has had to assume over the years.

This reform is needed because of the many possibilities for abuses of interpretation under the present system. The establishment of a regulatory body in a field of tax law is long past due, and I feel strongly that we must have such a regulatory body serving much as the Federal Trade Commission, the Interstate Commerce Commission, and other bodies fill needs in their specific fields.

President Kennedy Awards Medal of Freedom to Mrs. Annie Wauneka

EXTENSION OF REMARKS

OF

HON. GEORGE F. SENNER, JR.

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1963

Mr. SENNER. Mr. Speaker, on Independence Day, President Kennedy awarded the highest civil honor to a most deserving Arizonian. The Presidential Medal of Freedom was awarded to Mrs. Annie Wauneka, of Klagetoh. This valuable member of the Navajo Tribe has long been acclaimed by her fellow Navajos and Arizonians, and we are now glad that her fame is being formally recognized throughout the United States. I wish to share the following news item from the Navajo Times with all my colleagues so that they may learn more about this outstanding lady:

ANNIE WAUNEKA GETS PRESIDENTIAL COMMENDATION

President John F. Kennedy today announced the award of the Presidential Medal of Freedom to Annie Wauneka, longtime councilwoman from Klagetoh. The Nation's highest civil honor in peacetime was announced in a personal telegram from President Kennedy to Mrs. Wauneka received at Window Rock. The importance and great honor given to Annie Wauneka is illustrated by the fact that only 31 Americans out of the entire population of over 180 million are singled out for this award.

The Presidential Medal of Freedom is awarded to persons who have made outstanding contributions to the security or national interest of the United States, world peace, cultural or other significant public or private endeavor.

Annie Wauneka upon receiving President Kennedy's telegram informing her of this award expressed deep pleasure and humble appreciation for this very high honor.

Navajo Tribal Chairman Raymond Nakai congratulated Mrs. Wauneka on behalf of the Navajo Tribe and said, "The different phases mentioned in the telegram are a recognition of the outstanding services which Mrs. Wauneka has devoted in time and effort as a member of the Navajo Tribe and a leader of the tribe. The chairman hopes she will continue these valuable services which she has contributed and so ably demonstrated over the years."

The text of President Kennedy's telegram was as follows:

"To Mrs. ANNIE WAUNEKA:

"I am happy to inform you of my intention to award you on July 4, the Presidential Medal of Freedom. This is the highest civil honor conferred by the President of the United States for service in peacetime. By Executive order signed earlier this year, the criteria for the award were expanded so as to include especially meritorious contribution to the security of national interest of the United States, world peace, cultural or other significant public or private endeavor. The award will henceforth be announced once each year on July 4. The presentation of the medal to the 31 recipients for this year will take place in September.

"With warm best wishes and congratulations,

"JOHN F. KENNEDY,
"President of the United States."

The Oppenheimer Security Case of 1954 and the Oppenheimer Fermi Award of 1963

EXTENSION OF REMARKS

OF

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1963

Mr. HOSMER. Mr. Speaker, there are disturbing indications that steps might be taken to restore to Dr. Robert Oppenheimer the security clearance stripped from him in 1954. There is even speculation that he may be in line for appointment to a sensitive post in the Government which does not require Senate confirmation.

Dr. Oppenheimer has been selected to receive the 1963 Enrico Fermi Award. This award is made by the Atomic Energy Commission on the recommendation of its general advisory committee and with the approval of the President. It carries with it a suitable medal, and a $50,000 tax free cash award from the U.S. Treasury, as well as tremendous prestige.

The six previous winners of the award were the following: 1957, Dr. Ernest O. Laurence—cyclotron; 1958, Dr. Eugene Wigner—computers; 1959, Dr. Glenn T. Seaborg—plutonium; 1960, no award made; 1961, Dr. Hans A. Bethe—theoretical physics; 1962, Dr. Edward Teller—thermonuclear processes.

Customarily the Enrico Fermi award is presented to the recipient by the President at a White House ceremony late in November or December. As far as is known, no presentation ceremony date for Dr. Oppenheimer has yet been set.

It may readily been seen that it could be a matter of some embarrassment to the President of the United States personally to confer an award carrying this prestige and importance upon a man who is not the beneficiary of a security clearance.

To avoid this embarrassment, two alternatives could be considered: First, give the man back his security clearance and proceed with the ceremony, or second, simply put the medal and the $50,000 check in a package and send it to him by registered mail. Inasmuch as Dr. Oppenheimer already has been a guest of President Kennedy at the White House, it seems unlikely that the second alternative will be adopted.

Dr. Oppenheimer, now at the Institute for Advanced Study, Princeton, N.J., was recommended for the Fermi Award largely on the basis of his contributions to nuclear energy made during the development of the first atomic bomb at Los Alamos, N. Mex. Undoubtedly, Dr. Oppenheimer is a brilliant nuclear physicist. There is little question that his remarkable contributions to nuclear science make him an outstanding candidate for the Fermi Award insofar as the purpose and the award is to recognize such contributions.

However, the purpose of this award, and the reason for this substantial allocation of public funds to a private individual which it involves, is a dual one. First, it is a means of expressing the gratitude of the Nation to one whose intellectual gifts have enabled him to make an unusual and substantial contribution to his fellow citizens. Second, and of equal importance, the Fermi Award is an important means to inspire other gifted men of brilliance to emulate those who have received it

Dr. Oppenheimer's character defects revealed during the 1954 security hearings strongly disqualified him for the Fermi Award insofar as its second purpose is concerned. But, the nature and extent of his scientific work strongly qualified him for it insofar as its first purpose is concerned. Undoubtedly the decision to select Dr. Oppenheimer was a delicate balance of judgment between his qualifications and his disqualifications. Recognizing this, those who might otherwise have voiced objections when the award was announced on April 5 remained silent.

Their silence should be understood in precisely that context and none other. Neither explicitly nor implicitly does it constitute a condonation or vindication of Dr. Oppenheimer's past actions. It should not be misinterpreted as acquiescense to manuevers to avoid presidential embarrassment on the occasion of the presentation of the award. Nor should it be mistaken for the absence of very vigorous opposition to the restoration of Dr. Oppenheimer's security clearance on any other pretext.

It would constitute a most grievous miscalculation to assume any attempt to place him back in a position of Government responsibility would be tolerated by even a small minority of American people.

On the contrary, the restraint of those who have patiently refrained from voicing their misgivings over this selection for the Fermi Award should be recognized as having very definite limits which already have been reached. These limits are based on the bald facts revealed at the time Dr. Oppenheimer lost his clearance.

Revocation of that security clearance was first recommended by a special three-man panel headed by the esteemed educator, Dr. Gordon Gray. Its 2 to 1 recommendation based on a 922-page record of testimony was upheld by a 4 to 1 vote of the Atomic Energy Commission itself. Among the particulars influencing this verdict were revelations:

First. That Oppenheimer contributed money to the Communist Party through the period of the Hitler-Stalin pact up until sometime in 1942.

Second. That his wife had been a member of the Communist Party.

Third. That his brother Frank had joined the Communist Party in 1936 or 1937 for a period of approximately 4 years.

Fourth. That his intimate friend, Jean Tatlock, was a member of the Communist Party.

Fifth. That he frequently consorted with a fellow traveler named Haakon Chevalier.

Sixth. That Steve Nelson, a well-known Communist, was a frequent guest in Oppenheimer's home.

Seventh. That Oppenheimer lied either to a military intelligence agent, or the Gray Board itself, concerning an attempt by Chevalier to obtain information about the atomic bomb.

Eighth. That he had recommended an identified Communist, Giovanni Rossi Lomanitz, for work in the atomic project during World War II.

Canvassing these and other facts, the Gray Board came to the following conclusions:

> 1. We find that Dr. Oppenheimer's continuing conduct and associations have reflected a serious disregard for the requirements of the security program.
>
> 2. We have found a susceptibility to influence which could have serious implications for the security interests of the country.
>
> 3. We find his conduct in the hydrogen bomb program (Oppenheimer fought the development of the H-bomb) sufficiently disturbing as to raise a doubt as to whether his future participation, if characterized by the same attitudes in a government program relating to the national defense, would be clearly consistent with the best interests of security.
>
> 4. We have regretfully concluded that Dr. Oppenheimer has been less than candid in several instances in his testimony before this Board.

When Oppenheimer appealed this judgment to the full Atomic Energy Commission, that body came to the following verdict:

> We find Dr. Oppenheimer is not entitled to the continued confidence of the Government and of this commission because of the proof of fundamental defects in his "character" * * * The record shows that Dr. Oppenheimer has consistently placed himself outside the rules which govern others. He has falsified in matters wherein he was charged with grave responsibilities in the national interest.

And—

> The work of the military intelligence, the FBI, and the AEC—all, at one time or another, have felt the effect of his falsehoods, evasions and misrepresentations. Dr. Oppenheimer's willful disregard for the obligations of security is evidenced by his obstruction of inquiries of security officials.

And—

> We find that his associations with persons known by him to be Communists have extended far beyond the tolerable limits of prudence and self-restraint. * * * These associations have lasted too long to be justified as merely the intermittent and accidental revival of earlier friendships.

In light of the foregoing, I suggest that President Kennedy has an obligation to bear whatever personal embarrassment may be occasioned when the award is presented and to make certain matters very clear and definite at the time he presents the Enrico Fermi Award to Dr. Oppenheimer. Amongst these are the following:

First. That the award does not condone the recipient's actions which lost him his security clearance.

Second. That the President does not condone the recipient's action which lost him his security clearance.

Third. That the award does not in any manner relieve Dr. Oppenheimer of the opprobrium of the 1954 security case.

Fourth. That the award does not in any way indicate a relaxation of security vigilance on the part of the United States.

Fifth. That the award in this instance has the single purpose of recognizing past scientific contributions and constitutes the one and only exception wherein the dual-purpose nature of the award is ever to be ignored.

Sixth. That Dr. Oppenheimer shall not be considered eligible for government employment of any kind.

Our Founding Fathers Recognized Bible Teaching as a Must in the Educational Program

EXTENSION OF REMARKS
OF
HON. E. Y. BERRY
OF SOUTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 11, 1963

Mr. BERRY. Mr. Speaker, under unanimous consent I insert in the RECORD portions of a letter received from Cecil C. Hayes, of Elm Springs, S. Dak., which is worthy of the consideration of everyone.

In his letter, Mr. Hayes points out the five reasons for the decline and fall of the Roman Empire, the fifth being "the decay of religion."

He also points out that in September of 1777, the Continental Congress voted an expenditure of $300,000 to buy Bibles to be distributed throughout the Thirteen Colonies, this at a time when the Nation could hardly afford such an expenditure, but he points out that our Founding Fathers realized the need of Christian principles as the foundation for the educational system of that time, and that Bible teaching was recognized as a must in the educational program.

Mr. Hayes then quoted the following men:

> Andrew Jackson: "That Book, the Bible is the rock on which this Republic rests."
>
> William Penn: "Men who are not governed by God will be governed by tyrants."
>
> Horace Greeley: "It is impossible to mentally or socially enslave a Bible-reading people."
>
> Ulysses S. Grant: "The Bible is the sheet-anchor of our liberties."
>
> Woodrow Wilson: "Our civilization cannot survive materially unless it be redeemed spiritually."

Mr. Hayes then asks the question, "Where do we stand today in regard to these things? Do we measure up?"

The Capitol Hill Seminar

EXTENSION OF REMARKS
OF
HON. HOWARD W. ROBISON
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 11, 1963

Mr. ROBISON. Mr. Speaker, my colleagues may be interested to learn about an educational program, the Capitol Hill seminar, which has been successfully carried on these past 2 years for congressional staff members by the American Foundation for Continuing Education.

The American Foundation for Continuing Education is a not-for-profit educational foundation which, since its inception in 1947, has devoted its efforts to supporting and extending the liberal education of adults wherever it is appropriate in American life. The main office of the foundation is located at 19 South LaSalle Street, Chicago, Ill.

During the spring of 1962, the American Foundation prepared and conducted an experimental program of twelve 2-hour seminar discussions for a bipartisan group of 12 legislative and administrative assistants from both Houses of Congress.

Based on the success of that pilot program, the foundation again offered the Capitol Hill seminar this current winter and spring to another bipartisan group of 31 congressional staffers.

It is important to note that the Capitol Hill seminar has developed out of the expressed needs and interests of our professional staff and is, in a very real sense, their program. A series of interviews conducted by the American Foundation in the fall and winter of 1961–62 with congressional staff personnel brought forth a statement of concern that the very busy, day-to-day schedule and workload of congressional staffers gave them little opportunity to stand back from the immediacy of their work and examine, in depth and with objectivity, fundamental public policy questions which confront our country.

Out of these initial discussions evolved the idea of developing a study-discussion seminar program which would critically explore pressing social, political and economic issues whose dimensions extended far beyond their immediate currency. This analysis, the American Foundation felt, should take place within a framework of a discussion of the basic values, premises and goals of American democracy.

The American Foundation agreed to develop a series of readings and conduct a test program. Several interested congressional staffers offered to organize a pilot group of 12 participants drawn from both House and Senate offices on a bipartisan basis.

In the spring of 1962, 2-hour seminars were held each week, every Friday evening and Saturday morning, for 6 weeks under the leadership of American Foundation senior staff members. The participants contributed $35 each to cover costs of books. The American Foundation absorbed the considerable costs of developing and teaching the program.

The results of this pilot program, according to the comments of the participants, were most gratifying. It led the American Foundation to draw the conclusion that this was an important area of educational need which warranted a carefully expanded program the next year.

Because of the inability of congressional staff members to bear the full costs of such a program out of their own pockets, the American Foundation decided to seek funds which would help support the continued expansion of the Capitol Hill seminar. The American Foundation is an operating rather than a grant-giving foundation and could not afford itself to continue to underwrite the considerable costs of developing and conducting a seminar program of high quality. Fortunately, the Old Dominion Foundation agreed to entertain a proposal to provide funds for the Capitol Hill seminar; and this past winter made a grant available to the American Foundation to offer an expanded and revised seminar this year. The original participants in the test group offered the American Foundation their continued assistance, suggesting new topics for the discussion and helping to recruit this year's participants from among their staff colleagues. A three-volume set of readings, "Readings for Capitol Hill," was designed, edited and printed by the American Foundation. The program was expanded to 14 2-hour seminar sessions. Beginning this past March, 31 hard-working members of the professional staff on the Hill joined the program. One group has been meeting every Tuesday evening, the second every Wednesday evening, for 2 hours in a conference room in the New Senate Office Building made available by the Senate Public Works Committee. The participants in this year's program paid a fee of $25 to help defray the costs of the readings.

The objectives of the Capitol Hill seminar have emerged from this apparent educational need of our staffers to develop more sense of the whole picture, to stand back from the politics of immediate issues and examine the larger dimensions, implicit assumptions, and long-range implications of fundamental issues which are of concern to the whole society. These objectives are not easy to accomplish, especially when the participants come from various regions of the country, from both rural and urban areas, from a variety of backgrounds and experiences, and daily are involved in the practical, partisan tasks of the Democratic and Republican offices for which they work.

Thus, the American Foundation set the task of providing an educational framework within which the participants would be encouraged to develop, first, deeper understanding of the values, premises, and goals of American democracy; second, increased knowledge and understanding of current issues and their interrelationships; third, deeper understanding of the philosophic questions underlying public policy issues; and fourth, greater understanding of their own values, of the implications and assumptions of their own positions.

The American Foundation does not, therefore, attempt to have the participants develop any consensus on these issues and problems under discussion. Often the sessions find individual participants in fundamental disagreement with each other. But such disagreements, in fact, form part of a continuing dialog in the seminar whereby the position taken by any one participant is subjected to the careful scrutiny of the other participants, so that all are forced to analyze the problems and develop their own thinking on the basis of the soundest and most rigorous argument of which they are capable.

To promote such an inquiry, the American Foundation has developed for the seminars a series of readings which represent a variety of different and often-conflicting interpretations of the crucial issues of our day. Each session averages 40 pages of material selected to provide a balanced range of analysis and opinion drawn from the writings or speeches of persons of knowledge and concern: social scientists, philosophers, statesmen, experts, both past and present.

The 14 sessions for this year's Capitol Hill seminar consisted of the following topics:

1. National Goals and Purposes.
2. Freedom and Equality: Social and Educational Aspects.
3. Excellence and Mass Democracy.
4. Urbanization: Problems and Prospects.
5. Work, Abundance and Leisure.
6. American Economic Growth: Why and How?
7. Who Shall Govern?—I: Political Leadership, Public Opinion and the Public Interest.
8. Who Shall Govern?—II: Political Parties and Private Governments.
9. Who Shall Govern?—III: The Executive, Congress and the Right To Know.
10. America and the World—I: Goals of Foreign Policy.
11. America and the World—II: Aid to the Emerging Nations.
12. America and the World—III: Arms or Disarmament?
13. Science and Society—I.
14. Science and Society—II.

Mr. Speaker, I believe it goes without saying that we should congratulate the members of our congressional staff who have taken the time and effort, with their extremely full schedules, to participate in the Capitol Hill seminar and thus continue their own education in ways which are highly relevant to the continued development of the professional character and status of their work on the Hill. The American Foundation for Continuing Education is to be applauded and encouraged in this work of providing a seminar program which affords our staffers the opportunity to develop and refine their understanding about and judgment of major questions of a public policy nature. The Old Dominion Foundation, in helping to underwrite the costs of the second year of this program, has contributed importantly to an educational effort which I hope may be continued and expanded in future years.

In addition to 16 staff members from the Senate, 27 House staff members have participated. They include 18 from Democratic offices, 6 from Republican offices and three committee staffers. My own executive assistant, John T. Calkins, was a participant. On behalf of the Members on whose staffs these participants in the seminar are employed, I take this opportunity to express our support and encouragement to them for their willingness to expend extra time and effort in their continuing education.

Emphasis on Individualism

EXTENSION OF REMARKS
OF
HON. STROM THURMOND
OF SOUTH CAROLINA
IN THE SENATE OF THE UNITED STATES
Thursday, July 11, 1963

Mr. THURMOND. Mr. President, the July 8, 1963, issue of U.S. News & World Report contains an important editorial on the importance of placing more emphasis in this country on individualism than trying to make our people conform to a common level in the name of equality. This editorial is entitled "Happiness?" I ask unanimous consent that it be printed in the CONGRESSIONAL RECORD. Also, I ask unanimous consent to have printed with the editorial the text of my newsletter for this week, which is on the same general subject. It is entitled "CommOnism and Conformity."

There being no objection, the editorial and newsletter were ordered to be printed in the RECORD, as follows:

HAPPINESS?

(By David Lawrence)

As we read the headlines day by day in a troubled world, as we observe the tides of discontent inside and outside our own country, we wonder, fancifully, if perhaps a trip to the moon might be worthwhile. The alluring thought crosses our minds that maybe on some other planet there's a human race which has found the key to happiness.

But the more we search for an alibi, the more we discover that unhappiness on earth is man made. Our key weakness is that we have not solved the problem of self-governmement. Whether it be in areas of large population—like China, India, or the Soviet Union—or in the smaller countries of Africa or Latin America or even in the sophisticated United States, the quest for national contentment is plagued by friction, disorder, and violence. The perennial struggle is between the autocracy of ambitious masters seeking arbitrarily to impose their will and the inalienable right of the citizen to enjoy the satisfactions of his individual achievement without undue interference by government.

We seem reluctant to accept the truism that all human beings are not alike and that intelligence cannot be bestowed by government.

In the United States, for instance, we proclaim that "all men are created equal" and are, therefore, deserving of all the benefits of human society, irrespective of whether they have earned them. Communism at least is forthright in championing its concept of an "equality" which negates individualism.

Yet we hear, inside our own society, spokesmen for so-called liberal thought denouncing communism but nevertheless accepting much of its basic philosophy. We are told that economic inequality must be abolished by executive decrees or by the coercion of statutory law.

Many in our midst approve of an all-powerful autocratic state in which the government arbitrarily and inequitably dictates the amount of income a citizen may retain, or the kind of business in which he may engage, or the customers he may serve, or the number of employees of each race or religion or other classification he may employ.

We observe within our country today harassments by Government that tend to blunt the initiative of our successful and competent citizens and thus destroy the capitalistic system. It is as if we were helping to fulfill Nikita Khrushchev's fateful prophecy that communism will eventually "bury us."

We seem to accept the intellectual aphorisms of those who say that each age is better than its predecessor and that to follow the "spirit" of our times is more important than to adhere to a written Constitution. We are told that the framers of our Constitution didn't know the demands of modern morality or equity because they never saw an airplane or lived under the threat of a nuclear bomb.

We hesitate to suggest that the same kind of human beings lived 50 or 100 or 2,000 years ago, and that Socrates perhaps had as good a brain as some of our Supreme Court Justices.

Are the Ten Commandments, for example, outmoded because they are old? Are they the reactionary doctrines of a bygone day? We are now forbidden even to teach them in public schools. An oligarchy—the highest Court of our land—decrees that, if we wish to teach morality regularly in the classroom, we must not quote the written words of the Bible itself. Plainly, we must accept the vacuum of secularism.

Now come also restrictions on initiative, the burdens of an artificial equality and the new legislative experiments outlawing discrimination. The competent are to be told to make room for the incompetent. The successful men in business are ordered to obey the Government, which at a moment's notice can destroy their ventures into capitalism. For private enterprise now has been superseded by a public enterprise system.

Thus, in the year 1963, the Government proposes that every business enterprise shall no longer be considered private but public and that, irrespective of an owner's judgment or wishes as to the customers he would select, he must obey the dictates of Government. The mob, encouraged by Government, stands at the threshold of our legislative halls demanding such laws. O communism, where is thy sting?

Is this the road to human happiness? Shall we abandon the Republic and, acceding to the demonstrations and violence in the streets of our cities—North and South, East and West—become a mobocracy?

There can never be human happiness in a society that imposes a rule of equality which disregards merit and rewards incompetence.

As the incentive of individualism is gradually destroyed, free enterprise is abolished. This is not the road to happiness, but to the same disasters that befell autocracies in past centuries. Free men of intelligence have risen before to quell the intolerance and tyrannies of majorities or minorities. They will in time do so again.

COMMONISM AND CONFORMITY

The age of individualism, when America forged its claim to greatness largely because of the independence and initiative of the individual, is gradually but significantly slipping from the scene. Individualism and independence have been replaced in large part with commOnism and conformity, as a result of a determined effort to level all men and nation-states to a common plane in life.

Individualism is the belief in the importance of the individual. Jesus Christ ordained the preeminence of the individual in his teachings, and the Founding Fathers of this country wrote this idea into the Constitution, principally into the Bill of Rights which set out specific guarantees of protection for the individual against the power of the Central Government. The founders realized that the individual would not last long in the New World they had settled, unless the ruling authorities were tied down, as Jefferson suggested, by the "chains of the Constitution."

Early in the 19th century, the wretched and depraved mind of Karl Marx stole a few economic and social theories and merged them together, to give birth to a new "ism" called commUnism. According to Marx, his aim was to establish an ideal world, in which each would "give according to his ability and receive according to his needs." It would, of course, be necessary to first establish a world dictatorship to bring about this worthy goal. Once established, however, this would evolve into an age called the millenium, when governmental authority would wither away and all the commoners would work together without discipline or authority, to share the wealth of the world.

A dispute then developed within the ranks of communism as to how this end should be attained. Some demanded revolution; others wanted to adopt the tactics of the Roman general Fabius Maximus, who supposedly conceived the military tactic of gradualism in wearing down the enemy. The gradualists, or fabians, as they have become known, have been particularly successful in commonizing the British Empire during this century, playing a significant part in the decline of this once-great empire. Unfortunately for America, the germ of commOnism spread from Britain to America, with particular vigor, within the past few decades.

The idea of commOnism is particularly noticeable today in American Government, with its paternalistic programs of aid and control. This paternalistic attitude has encouraged Negro leaders to make statements that they are seeking "a compensatory preferential highway" and that "the word 'equality' has to be broadened." They are even making such rash and bold statements as: "America has to change its entire posture. I think it is an inevitable move toward some kind of socialism."

Today Americans will conform to central dictation not only because of the use of mass means of propaganda techniques and the habit which conformity breeds, but also because of the club of coercion which accompanies each "gimmie" from the group or government. Nowhere is the air of conformity felt stronger than in party and power politics in Washington. At the center of government, there is little room for individualism or independence, and there is much power available to buy off or club down too many acts of independent action on the part of the individual public servant.

The day of the individualist is passing, and unfortunately, it is fading fast in the Halls of Congress, where it ought to last longest if independence is to be preserved for every individual American. Unwarranted criticism by many Members of Congress, of their own institution, is adding to this downgrading of the legislative branch. Official Washington, influenced by its own propaganda, is under the false impression that the American people desire commUnism, even with its features of conformity and control, rather than their right to be an individual and independent of unnecessary regulation and control.

By and large, the American people still agree with the Jeffersonian idea "that government is best, which governs least."

Sincerely,

STROM THURMOND.

Congressman's Impressions of His Trip Through Ireland With President Kennedy

EXTENSION OF REMARKS

OF

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1963

Mr. O'NEILL. Mr. Speaker, our colleague from Massachusetts and my very close personal and good friend, Congressman BOLAND, was with President Kennedy on his fabulous and sentimental tour through Ireland recently. On his return to his home city of Springfield, Congressman BOLAND was interviewed by Dick Severns of the Springfield Daily News on July 5. Under unanimous consent, I include Mr. Severns' well-written and interesting story on Congressman BOLAND's impressions of Ireland gained while with President Kennedy:

> A movement toward a more industrialized economy has replaced historic anti-English sentiments as the chief focus of Ireland's concern, U.S. Representative EDWARD P. BOLAND, Springfield Democrat, said today.
>
> Fresh from a 5-day tour of the Emerald Isle, the Congressman, who represents the Second Congressional District, indicated that this was one of the main impressions he received on his trip.
>
> "The feeling (against England) has generally died out," said Representative BOLAND. "In fact, most of the young people who leave migrate to England—more than to the United States."
>
> MIGRATION THEME
>
> Migration, of course, has been one of the most prominent themes of Ireland's history for the past 100 years. Representative BOLAND noted that from a population of 8 million some 50 years ago, the number of Irish living on the native isle has decreased to 2½ million in the 26 southern counties, and 1½ million in the 6 northern counties, a 50 percent decline.
>
> He said, however, that the population has now leveled off and is remaining stable. "They're being born as fast as they leave," he commented.
>
> "Young people migrate now," he said, "because of the present lack of job opportunities in Ireland, still primarily agricultural." He noted, however, that the Irish "are making a real effort" to industrialize, provide more jobs and keep money at home.
>
> "They're building their own food processing plants now," he said. "They used to send food out of the country for processing." He added that West German investment in the Irish economy has been increasing, and that other foreign capital is being attracted.
>
> "One of the main reasons for the fading away of sentiment against England," he said,

"was a land reform program instituted about a generation ago which broke up large estates held by some Irish 'but mostly English' landlords."

COMMON SIGHT

A common sight now, he said, is many small plots of land throughout the island owned by farmer-families to whom the property was distributed.

Thus, England is no longer the main problem in Ireland, he indicated.

Representative Boland traveled with the President in a helicopter on visits to Dublin, Cork, Galway, Limerick, New Ross, and Dunganstown.

"You can see why it's called the Emerald Isle—especially from a helicopter," the Congressman said. "The fields are a brilliant green—the rains keep them green. It rains more often there, but it doesn't seem to bother them as much as it does us."

One of the stops that received publicity was President Kennedy's visit to his ancestral home in Dunganstown, County Wexford.

VISIT TO FAHAN

But equally meaningful for Representative Boland was his visit to his father's home town of Fahan (pronounced Fawn) in County Kerry, from which most of Springfield's Irish immigrants came.

The Congressman remained in Ireland—2 days after President Kennedy departed—to visit his own ancestral home. He found it "very difficult" to count the number of Bolands in Fahan. The same held true, he said, for the Cavanaughs, the Carneys, and the Sullivans.

A Carney family now occupies the house where Representative Boland's father once lived.

County Kerry, said the Congressman, is a "tough, rugged area—hilly and mountainous." The fact that the land is so difficult to farm was one reason many Irishmen from this area migrated abroad. Conditions became especially bad during the potato famine in the mid-1800's.

Kerry, he noted, is an area where Gaelic is taught and encouraged. The reestablishment of Gaelic as the national tongue is a pet project of Ireland's President, Eamon de Valera.

ENGLISH FLAWLESS

"But all of them speak English," he said. "Their English is rather flawless and has a beautiful ring."

While the landscape of Kerry matches the beauty of the language spoken there, the Irish of Kerry are as rugged as the terrain, the Congressman's remarks indicated.

"They're well fed, well clothed, and well housed," he said. "The houses are old, but comfortable—even though some of them have no heat. The children are beautiful—well fed and healthy.

"One of my relations in Kenmare (a town in Kerry) walked 5 miles to church and back. He does that a couple of times a week," Representative Boland noted. He declared that any one of them could easily accomplish "Bob Kennedy's 50-mile hikes."

Representative Boland also visited the Ring of Killarney in Kerry, comprised of the bays of Dingle, Bantry, and Kenmare.

Prior to his personal visit, Representative Boland accompanied President Kennedy along with Presidential Aide Lawrence O'Brien of this city to Cork, County of Kerry, where the Springfield Congressman said President Kennedy received "the most tumultuous reception" of the trip.

CAME FROM MILES

"People would come from miles around," he said, "to see the Nation's Chief Executive. Many came by bus from 35 and 40 miles away."

Representative Boland said the Irish are "delighted and proud" of the fact that one of their own in this country has advanced to the Presidency. "In their minds, he reflects all things an Irishman thinks a leader should be."

Representative Boland was asked what Irishmen think leaders should be. "He respects himself, his family, and his church," the Congressman answered. "He's a good family man. That's very important."

Representative Boland said the main international concern of the Irish is the issue of peace or war, adding they are definitely pro-Western. (Ireland does not belong to the North Atlantic Treaty Organization. One reason is that the country still maintains territorial claim to the six northern counties under the rule of the United Kingdom, a NATO member.)

Representative Boland recalled President Kennedy's address to a joint session of the Irish Parliament, termed the Dail (pronounced doll).

IMPORTANT ROLE

The President told the delegates that Ireland, like other small nations, had an important part to play in the struggle for international peace throughout the world.

Representative Boland noted, finally, the warm reception Americans of Irish descent receive in Ireland. "The Irish are the nicest people," he said, "especially the waiters and waitresses."

He attributed this partly to the fact that "jobs are very hard to come by. In the hotel industry there, they have to serve a 4-year apprenticeship. Consequently they are very well trained," he said.

Maryland Students Chosen General Electric Research Fellows

EXTENSION OF REMARKS

OF

HON. CHARLES McC. MATHIAS, JR.

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 11, 1963

Mr. MATHIAS. Mr. Speaker, I am very pleased to announce that three high school students from the Sixth Congressional District of nearby Maryland have been chosen as 1963 General Electric Student Research Fellows. These young men, Douglas I. Will, of Gaithersburg High School, Gaithersburg, Md.; Arthur E. Ogus, of Montgomery Blair High School, Silver Spring, Md., and James A. Maiorana, of Boonsboro High School, Boonsboro, Md., were selected from among 700 outstanding high school science and mathematics students who competed for the opportunity to participate in the General Electric program. For 6 weeks, these young scientists will conduct original research in physics and chemistry under the guidance of the faculty of Union College in Schenectady, N.Y. I extend my congratulations to Douglas, James, and Arthur. In the years to come, the ability of America to increase the well-being of its citizens while maintaining its place of world leadership will depend upon the advances of science and technology. To encourage gifted students of science and mathematics through programs such as the one sponsored by General Electric is to insure our country of the scientific leaders which will be needed.

HOUSE OF REPRESENTATIVES

Monday, July 15, 1963

The House met at 12 o'clock noon.

Rabbi Israel Nobel, East Meadow Jewish Center, East Meadow, N.Y., offered the following prayer:

O Heavenly Father: Thy children, fashioned in Thine image, turn to Thee at this hour, praying that Thou mayest guide us in our striving to become more like Thee in the judgments of our hearts and the understanding of our deeds.

We recognize in Thee the inspiration of our great leaders of the past, who sought to establish upon this continent a nation conceived in liberty and dedicated to the freedom of the human mind and soul. Faced by seemingly insurmountable barriers, yet sustained by Thee, they overcame the obstacles in their path, and carried aloft to victory the bright banner of this fair country.

Aid us, then, O Lord, as we labor together to preserve our American way of life—a way of life so dearly purchased—a way of life that is now as it has been for centuries past, a beacon of hope and an undisguised blessing to all freedom-loving peoples over the face of the earth.

We invoke Thy benign blessings upon the esteemed President of these United States, his colleagues and advisers, the illustrious Speaker of the House, and the distinguished Members who here deliberate. Endow with wisdom and vision those who are charged with guiding the destinies of this great and glorious country so that the legislation emanating from these Halls may continue to promote unity and brotherly love amongst all Thy children. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, July 11, 1963, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment bills, a joint resolution, and concurrent resolutions of the House of the following titles:

H.R. 2461. An act to direct the Secretary of the Interior to convey to the city of Henderson, Nev., at fair market value, certain public lands in the State of Nevada;

H.R. 4946. An act to amend the Legislative Branch Appropriation Act, 1959, to provide for reimbursement of transportation expenses for Members of the House of Representatives;

H.J. Res. 405. Joint resolution to amend the joint resolution providing for United States participation in the International Bureau for the Protection of Industrial Property;

H. Con. Res. 161. Concurrent resolution providing for additional copies of House Document No. 336, 86th Congress, 2d session, entitled "Facts on Communism—Volume I, The Communist Ideology"; and House Document No. 139, 87th Congress, 1st session, entitled

"Facts on Communism—Volume II, The Soviet Union, From Lenin to Khrushchev";

H. Con. Res. 162. Concurrent resolution providing for additional copies of House Report No. 2559, 87th Congress, 2d session;

H. Con. Res. 163. Concurrent resolution providing for additional copies of the publications entitled "Communist Outlets for the Distribution of Soviet Propaganda in the United States, Parts 1 and 2"; and

H. Con. Res. 164. Concurrent resolution providing for additional copies of the publications entitled "U.S. Communist Party Assistance to Foreign Communist Governments (Medical Aid to Cuba Committee and Friends of British Guiana), Parts 1 and 2."

The message also announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 47. Concurrent resolution to print additional copies of certain hearings on effects of television portrayal of crime on young people.

SECRETARY FREEMAN ON THE JOB IN RUSSIA

Mr. HOEVEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. HOEVEN. Mr. Speaker, Secretary of Agriculture Freeman and his entourage are off on a 30-day junket to Russia and several other Communist countries. What he hopes to gain on this trip is a mystery to almost everyone. Agriculture in the Soviet Union is completely under government control, and its entire agricultural economy is in dire trouble. After viewing the Russian scene, the Secretary may at long last become convinced that a controlled agricultural economy, such as he recommended for American farmers, simply will not work.

It is difficult to understand why the Secretary should have picked out this particular time in which to visit the Iron Curtain countries. He certainly knows that Congress is still in session and that many agricultural problems at home demand his constant and personal attention. The question of whether or not we are to have new wheat legislation is of vital importance. Does the Secretary's absence from the country mean that he is ready to abandon the wheat farmers of this country by letting them hang out on a limb with $1-a-bushel wheat, which he said they would get if the wheat referendum failed? What is he doing about the high price of sugar which the housewives of America are compelled to pay? Is the Secretary abandoning the cotton industry of this country which needs remedial legislation? And what is he doing to help the distressed dairy industry? If the Secretary must be in Europe, I suggest that he spend his time in the Common Market countries in the interest of the American poultry industry which is being so seriously discriminated against by the European Common Market at the present time. In the final analysis, however, the Secretary should be in Washington attending to problems of American farmers instead of junketing overseas while Congress is struggling with agricultural legislation at home.

VISIT OF THE SECRETARY OF AGRICULTURE TO THE SOVIET UNION

Mr. PRICE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, some people on the other side of the aisle in the remarks that were made here this morning and press dispatches I read over the weekend seem to be greatly disturbed by the visit of our Secretary of Agriculture to the Soviet Union. This is not any unusual situation. I should like to recall the visit of the former Secretary of Agriculture, Mr. Ezra Taft Benson, accompanied by his family, to the Soviet Union in 1959. I do not know what knowledge Mr. Benson gained from his visit to the Soviet Union at that time, but I do know, and I know from the speeches made on the left side of the aisle during those days, that the farm program was in pretty much of a mess in those days, too.

QUESTION OF THE PRIVILEGE OF THE HOUSE

Mr. EDMONDSON. Mr. Speaker, I rise to a question of the privilege of the House.

The SPEAKER. The gentleman will state it.

Mr. EDMONDSON. Mr. Speaker, I have received a summons to appear before the grand jury of the U.S. District Court for the District of Columbia on Tuesday, July 16, 1963, at 9 o'clock a.m., to testify in the case of the United States against Jessie Lee Bell.

Under the precedents of the House, I am unable to comply with this summons without the consent of the House, the privileges of the House being involved. I, therefore, submit the matter for the consideration of this body.

Mr. Speaker, I send to the desk the summons.

The SPEAKER. The Clerk will report the summons.

The Clerk read as follows:

U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

THE UNITED STATES *v.* JESSIE LEE BELL

The President of the United States to ED EDMONDSON.

You are hereby commanded to attend before the grand jury of said court on Tuesday, the 16th day of July 1963, at 9 o'clock a.m., to testify on behalf of the United States, and not depart the court without leave of the court or district attorney.

HARRY M. HULL,
Clerk.
By ALAN B. DAVID,
Deputy Clerk.

Mr. ALBERT. Mr. Speaker, I offer a resolution (H. Res. 436) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Whereas Representative ED EDMONDSON, a Member of this House, has been served with a summons to appear as a witness before the Grand Jury of the United States District Court for the District of Columbia, to testify on the sixteenth day of July, 1963, at nine o'clock a.m., in the case of the United States against Jessie Lee Bell; and

Whereas by the privileges of this House no Member is authorized to appear and testify but by order of the House: Therefore be it

Resolved, That Representative ED EDMONDSON is authorized to appear in response to the summons of the United States District Court for the District of Columbia at such time as when the House is not sitting in session; and be it further

Resolved, That as a respectful answer to the summons a copy of these resolutions be submitted to the said court.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CONSENT CALENDAR

The SPEAKER. This is the day for the call of the Consent Calendar. The Clerk will call the first bill on the Consent Calendar.

ADDITIONAL PAY FOR DIRECTORS AND CHIEFS OF STAFF AT VETERANS' ADMINISTRATION INSTALLATIONS

The Clerk called the bill (H.R. 228) to amend title 38, United States Code, with respect to the salary of directors and chiefs of staff of Veterans' Administration hospitals, domiciliaries, and centers.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

REPEAL OF CERTAIN PROVISIONS RELATING TO DUTIES OF CENSUS ENUMERATORS

The Clerk called the bill (H.R. 4818) to amend section 25 of title 13, United States Code, relating to the duties of enumerators of the Bureau of the Census, Department of Commerce.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (c) of section 25 of title 13, United States Code (relating to certain duties of enumerators of the Bureau of the Census, Department of Commerce), is hereby repealed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MERGING OF CERTAIN COAST GUARD APPROPRIATIONS FOR OPERATING EXPENSES, RESERVE TRAINING, AND RETIRED PAY

The Clerk called the bill (H.R. 73) to provide for the merger of certain Coast

Guard appropriations for operating expenses, Reserve training, and retired pay.

Mr. STEED. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERMITTING THE GOVERNMENT OF GUAM TO AUTHORIZE A PUBLIC AUTHORITY TO UNDERTAKE URBAN RENEWAL AND HOUSING ACTIVITIES

The Clerk called the bill (H.R. 6481) to permit the Government of Guam to authorize a public authority to undertake urban renewal and housing activities.

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. ASPINALL. Mr. Speaker, reserving the right to object, will my colleague advise his chairman whether or not he desires to continually offer objection to this bill, because if he does, the chairman of the Committee on Interior and Insular Affairs will ask for a rule.

Mr. SAYLOR. May I inform the chairman of the full committee, I do this until I have had an opportunity to discuss this matter with the chairman.

Mr. ASPINALL. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

SETTLEMENT OF CLAIMS BY MEMBERS OF THE UNIFORMED SERVICES AND CIVILIAN EMPLOYEES OF THE UNITED STATES FOR DAMAGE TO, OR LOSS OF, PERSONAL PROPERTY INCIDENT TO THEIR SERVICE

The Clerk called the bill (H.R. 6910) to provide for the settlement of claims against the United States by members of the uniformed services and civilian officers and employees of the United States for damage to, or loss of, personal property incident to their service, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Military Personnel and Civilian Employees' Claims Act of 1962".

SEC. 2. As used in this Act—

(1) "agency" includes an executive department, independent establishment, or corporation primarily acting as an instrumentality of the United States, but does not include any contractor with the United States;

(2) "uniformed services" means the Army, Navy, Air Force, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service; and

(3) "settle" means consider, ascertain, adjust, determine, and dispose of any claim, whether by full or partial allowance or disallowance.

SEC. 3. (a) Under such regulations as the head of an agency may prescribe, he or his designee may settle and pay a claim arising after the effective date of this Act against the United States for not more than $6,500 made by a member of the uniformed services under the jurisdiction of that agency or by a civilian officer or employee of that agency, for damage to, or loss of, personal property incident to his service. If the claim is substantiated and the possession of that property is determined to be reasonable, useful, or proper under the circumstances, the claim may be paid or the property replaced in kind. This subsection does not apply to claims settled and paid before its enactment.

(b) If a person named in subsection (a) is dead, the head of the agency concerned, or his designee, may settle and pay any claim made by the decedent's surviving (1) spouse, (2) children, (3) father or mother, or both, or (4) brothers or sisters, or both, that arose before, concurrently with, or after the decedent's death and is otherwise covered by subsection (a). Claims of survivors shall be settled and paid in the order named.

(c) A claim may be allowed under subsection (a) for damage to, or loss of, property only if—

(1) it is presented in writing within two years after it accrues, or within one year after the date of the enactment of this Act, whichever is later, except that if the claim accrues in time of war or in time of armed conflict in which any armed force of the United States is engaged or if such a war or armed conflict intervenes within two years after it accrues, and if good cause is shown, the claim may be presented not later than two years after that cause ceases to exist, or two years after the war or armed conflict is terminated, whichever is earlier;

(2) it did not occur at quarters occupied by the claimant within the fifty States or the District of Columbia that were not assigned to him or otherwise provided in kind by the United States; or

(3) it was not caused wholly or partly by the negligent or wrongful act of the claimant, his agent, or his employee.

(d) For the purposes of subsection (c)(1), the dates of beginning and ending of an armed conflict are the dates established by concurrent resolution of Congress or by a determination of the President.

(e) The head of each agency shall report once a year to Congress on claims settled under this section during the period covered by the report. The report shall include for each claim the name of the claimant, the amount claimed, and the amount paid.

SEC. 4. Notwithstanding any other provision of law, the settlement of a claim under this Act is final and conclusive.

SEC. 5. Chapter 163 of title 10, United States Code, is amended, as follows:

(1) Section 2735 is amended by striking out the figure "2732," and the comma after the figure "2733".

(2) The analysis is amended by striking out the following item:

"2732. Property loss: incident to service; members of Army, Navy, Air Force, or Marine Corps and civilian employees."

(3) Section 2732 is repealed.

SEC. 6. Section 2 of the Act of June 7, 1956, chapter 376 (70 Stat. 255), is repealed.

SEC. 7. Chapter 13 of title 14, United States Code, is amended, as follows:

(1) The analysis is amended by striking out the following item:

"490. Settlement of claims of military and civilian personnel."

(2) Section 490 is repealed.

With the following committee amendments:

The amendments are as follows:

Page 1, line 4, strike "1962" and insert "1963".

Page 2, line 20, strike "and paid".

Page 3, lines 7 and 8, strike "or within one year after the date of the enactment of this Act, whichever is later,".

Page 4, line 11, after the word "amended" insert ", effective two years from the date of this Act,".

Page 4, line 20, after the word "amended" insert ", effective two years from the date of this Act,".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

U.S. FLAGS AROUND WASHINGTON MONUMENT

The Clerk called the resolution (H.J. Res. 375) providing for appropriate ceremonies in connection with the raising and lowering of the flags of the United States surrounding the Washington Monument.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. GROSS. Mr. Speaker, reserving the right to object, I would like to ask someone on the House Committee on Armed Services or the author of the bill, what the estimated cost of this ceremony would be?

Mr. RIVERS of South Carolina. I do not know of any cost that is attached to this bill, Mr. Speaker. If the gentleman would yield, I would like to explain it.

Mr. GROSS. Is there to be a substantial deployment of troops for this purpose?

Mr. RIVERS of South Carolina. No; that will not necessarily be so.

Mr. Speaker, will the gentleman yield?

Mr. GROSS. Yes, of course, I yield to the gentleman.

Mr. RIVERS of South Carolinia. There are 50 flags surrounding the Washington Monument. At the proper time these flags are taken down and bundled up and put in a basket where they remain overnight to be put up the next morning by the Department of the Interior. This resolution was introduced by the distinguished gentleman from California [Mr. WILSON] and referred to my subcommittee. The Army came back opposing it, and said it would require a lot of personnel. It will not require any such thing. It will require perhaps one officer and one or two enlisted men.

Mr. Speaker, what the resolution does is to authorize some kind of official decorum and dignity to the raising and the lowering of the flag at the Washington Monument. Today there is not anything. The resolution will require the Department of Defense to set up some kind of appropriate ceremony for this service which should be a dignified one.

Mr. GROSS. I note in the report that the Army says "for a proper military ceremony there will be at least 1 commissioned officer, 2 noncommissioned officers, and 100 enlisted men to raise the U.S. flags and at least 1 commissioned officer, 4 noncommissioned officers, and 200 enlisted men to lower the flags.

If we are going into any such ceremony as this, I think the House ought to be on notice as to just what this will involve by way of expenditure.

Mr. RIVERS of South Carolina. Mr. Speaker, if the gentleman will yield further. The Army report was so farfetched that neither the subcommittee nor the full committee paid any attention to it. We had the Army representatives there. The report would not require these things at all. All they have to do is to have the proper officials of the Department of Defense present for this ceremony. It does not have to be handled in the elaborate fashion mentioned in the Army report.

Mr. Speaker, I can assure the gentleman from Iowa that the report is in error, or exaggerated. We did not pay any attention to what they said because it does not require it. But it does require some sort of respect for the U.S. flag and a proper ceremony, instead of bundling the flags up and stuffing them in a box and then having them raised by someone who is not a representative of the Department of Defense or the military.

Mr. GROSS. I have asked the gentleman if this could not become a very expensive ceremony, and the gentleman responded by saying: "not necessarily so." What I want from the gentleman—and I believe I have it——

Mr. RIVERS of South Carolina. The resolution——

Mr. GROSS. Just a minute. What I want from the gentleman from South Carolina—and I believe I now have it—is the assurance that this is not going to become a highly expensive ceremony. We have a busted U.S. Treasury. I am in favor of a proper ceremony——

Mr. RIVERS of South Carolina. Proper respect.

Mr. GROSS. I am in favor of the proper respect, care, and the proper display of the U.S. flag, of course, but I cannot see this Government embarking at this time——

Mr. RIVERS of South Carolina. Neither can I.

Mr. GROSS. On a highly expensive ceremonial program at the Washington Monument.

Mr. RIVERS of South Carolina. Neither could the committee.

Mr. GROSS. I cannot see the Government embarking upon such a program on a 365-day-a-year basis.

Mr. RIVERS of South Carolina. Neither can the committee. The gentleman is absolutely right. The gentleman is perfectly right. The gentleman has the assurance of the subcommittee and of the full committee that this will not be the case. The resolution does not require the presence of a serviceman. The resolution merely directs the Secretary of Defense to arrange for the raising and the lowering of the flag at the Washington Monument. There are many Reserve groups around here who would like to do it. There is nothing contained in the resolution which requires that it be done on the basis in which the gentleman from Iowa fears it might be done.

Mr. GROSS. With that assurance from the gentleman, Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The Clerk read the resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Defense, after consultation with the Secretary of the Interior, shall arrange for appropriate ceremonies to be conducted in connection with the raising and lowering of the flags of the United States surrounding the Washington Monument in the District of Columbia.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CELEBRATION OF THE 50TH ANNIVERSARY OF THE AMERICAN ASSOCIATION OF STATE HIGHWAY OFFICIALS.

The Clerk called House Concurrent Resolution 179 extending the appreciation of Congress to the American Association of State Highway Officials for its service to this Nation.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. GROSS. Mr. Speaker, reserving the right to objection, may I ask someone who is acquainted with this bill whether it is contemplated that it will require any expenditure from the Federal Treasury?

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Yes; I yield to the gentleman from Florida.

Mr. CRAMER. I had the privilege of cosponsoring this resolution along with the gentleman from Maryland [Mr. FALLON], the chairman of the Roads Subcommittee. It involves no expenditure of funds. It simply expresses the appreciation of the Congress to the American Association of State Highway Officials for the tremendous assistance the association has rendered not only to the State roads departments but to the Congress itself in promulgating the highway program and properly administering it. There are no funds or expenditures involved.

Mr. GROSS. May I have the assurance of the gentleman from Florida [Mr. CRAMER] that it does not contemplate any spending in the future out of the U.S. Treasury?

Mr. CRAMER. If the gentleman will yield, it specifically provides to the contrary, I will say to the gentleman.

Mr. GROSS. Mr. Speaker, with that assurance, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the concurrent resolution?

There was no objection.

The Clerk read the concurrent resolution, as follows:

Whereas the American Association of State Highway Officials, composed of the highway departments of all States, Puerto Rico, and the District of Columbia, and the United States Bureau of Public Roads, will in 1964 celebrate the fiftieth anniversary of its organization; and

Whereas said organization through its membership represents those States and Federal governmental agencies responsible for the planning, construction, and maintenance of a vast system of national public highways throughout the Nation, including those comprising the new National System of Interstate and Defense Highways; and

Whereas the association was founded in the city of Atlanta, Georgia, in 1914, to assemble in one group those State and Federal public officials responsible for administering the State and Federal-aid highway programs for the purpose of developing technical policies, standards, and specifications for the conduct of such programs, to develop improved administrative and engineering techniques, to encourage the use of best practices, and to counsel with the Congress on highway matters; and

Whereas the association will celebrate said fiftieth anniversary at an annual meeting to be held in the month of December 1964, in Atlanta, Georgia, the city of its origin: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress of the United States express to the American Association of State Highway Officials at said annual meeting its appreciation for half a century of service in the development and operation of a nationwide highway transportation system that has contributed so much to the Nation's growth and economic wellbeing; and be it further

Resolved, That a copy of this resolution be delivered to the said annual meeting of the American Association of State Highway Officials by a special committee of the Congress, to consist of two Members of the Senate, to be appointed by the President of the Senate, and two Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

EXEMPTION FROM INDUCTION OF SOLE SURVIVING SON

The Clerk called the bill (H.R. 2664) to amend section 6(o) of the Universal Military Training and Service Act to provide an exemption from induction for the sole surviving son of a family whose father died as a result of military service.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. RHODES of Arizona. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from South Carolina a question concerning the bill. Can the gentleman inform the House as to the number of possible inductees who might be affected by this legislation?

Mr. RIVERS of South Carolina. This would apply to the son of a father who might have been killed in action or died as a result of a service incurred disease or injury. The committee changed it by providing that if the boy wanted to volunteer, he could volunteer. There may be 6,000 or 8,000 of these cases we have no way of knowing. As the bill was written a boy would not be permitted to enlist if he wanted to enlist. We amended it so that he could enlist if he wanted to. There would be only a few involved.

Mr. RHODES of Arizona. The exemption applies to the sole survivor of a veteran who dies from a disease incurred in the service?

Mr. RIVERS of South Carolina. A directly incurred illness.

Mr. RHODES of Arizona. There is a difference in the provisions of this bill compared to the usual provisions of a veterans bill involving service connection of a disease.

Mr. RIVERS of South Carolina. There has to be a medical statement attached saying that death was a result of a service incurred disease or injury.

Mr. RHODES of Arizona. So that it would not be possible that say 30 years after a war a great number of these cases might arise?

Mr. RIVERS of South Carolina. That may be conceivably possible, but we went into this and I do not think there is very much possibility—and certainly not in many cases.

Mr. RHODES of Arizona. The gentleman sees no great difficulty in connection with this matter?

Mr. RIVERS of South Carolina. We tried the best we could to avoid any conflicts, and I believe we have covered the situation satisfactorily.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6(o) of the Universal Military Training and Service Act (50 App. U.S.C. 456(o)) is amended by inserting "the father or" immediately after "Where".

With the following committee amendments:

On page 1, lines 4 and 5, strike out the words "by inserting 'the father or' immediately after 'Where'.", insert a dash after the word "amended" and the following:

(1) by inserting the words "the father or" after the word "Where"; and

(2) by inserting the words "unless he volunteers for induction" after the words "of this title".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MODIFYING FLOOD CONTROL PROJECT FOR REND LAKE, ILL.

The Clerk called the bill (H.R. 4823) to modify the flood control project for Rend Lake, Ill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. RHODES of Arizona. Mr. Speaker, reserving the right to object, could the gentleman from Illinois give us an explanation of this bill for the purpose of enlightening the House as to its provisions?

Mr. GRAY. Mr. Speaker, H.R. 4823 would authorize the Secretary of the Army to credit local interests against their required payment for water supply for work performed by them. Several roads must be raised in the lake area. All this bill does is to give the local people the proper credit for work performed. The bill was requested by the Army Corps of Engineers, it was approved by the Bureau of the Budget. It was reported out of the Committee on Public Works unanimously.

Mr. RHODES of Arizona. Why is this type of legislation necessary? It is my understanding that ordinarily credit is given for work actually done or expenses actually incurred by the local people.

Mr. GRAY. The gentleman is correct, but it will be several months before construction is undertaken by the Army Corps. The highway is now under construction, and if this bill does not pass, then the local people would not be given credit for the work performed.

This is a ruling made by the Army Corps of Engineers. I felt the legislation was not necessary for the reasons the gentleman pointed out. However, the Army felt they did need this modification in order to give local people credit for their $6 million cost. It does not cost, again I repeat, any money to the Federal Government.

Mr. BALDWIN. Mr. Speaker, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from California.

Mr. BALDWIN. I would like to state this bill did come out with a unanimous report from our committee. The facts of the matter are if the local people built a highway in accordance with the standards now required, the highway would have to be raised 2 years later when the actual project was officially gotten underway. If it was raised 2 years later the total cost of the two-step work on the highway would be greater than if it is raised the required level at the present time so as to be high enough to be above the water level after the dam is built. Therefore, this course of action will actually result in a net savings and in a reduction of cost.

Mr. RHODES of Arizona. May I ask the gentleman from California if the necessity for this bill being adopted does not indicate a defect in the basic law which should be corrected?

Mr. BALDWIN. This is possible. However, there are relatively few of these situations that occurred and up to now the committee handled the bills on their individual merits as they occur.

Mr. RHODES of Arizona. And other bills similar to this have been passed?

Mr. BALDWIN. There have been a number, yes.

Mr. RHODES of Arizona. Mr. Speaker, I withdraw my objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the flood control project for Rend Lake, Illinois, authorized in section 203 of the Flood Control Act of 1962, is hereby modified to authorize the Secretary of the Army to credit local interests against their required payment for water supply for any work done by such interests on such project, if he approves such work as being in accordance with the project as authorized.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMMITMENT OF PERSONS OF UNSOUND MIND ON FEDERAL RESERVATIONS IN LOUDOUN COUNTY, VA., TO ST. ELIZABETHS HOSPITAL

The Clerk called the bill (H.R. 5543) to extend the provisions of the act of October 11, 1949 (63 Stat. 759, ch. 672; 32 D.C. Code 417), to authorize the commitment of persons of unsound mind found on Federal reservations in Loudoun County, Va., to St. Elizabeths Hospital in the District of Columbia.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I should like to ask someone familiar with this bill why it applies to counties contiguous to the District of Columbia.

Mr. LIBONATI. It applies to several installations in Maryland and Virginia and a part of Loudoun County is included in the present law. All this does is place Dulles Airport, which is not in that part of Loudoun County, under the law. That is all this does.

Mr. GROSS. May I ask the gentleman this question: Would this prohibit the commitment of an employee, such as the one in the Department of Agriculture during the Billie Sol Estes episode, from being shanghaied and committed, without a hearing, to St. Elizabeths Hospital as a mental case simply because she sought to protect certain records as she was instructed to do by her immediate superior?

Mr. LIBONATI. I am certain the gentleman feels that the courts will protect the rights of the citizens.

Mr. GROSS. Her rights were not protected, until after she had been incarcerated in this mental institution.

Mr. LIBONATI. The courts resolved the question upon the hearing of a writ of habeas corpus, as I recall it, and delivered her to her people.

Mr. GROSS. But this was some time after she had been incarcerated. Would this bill prohibit that kind of shanghaiing of individuals?

Mr. LIBONATI. No; this bill does not authorize any question involving the procedures of the courts relative to the sending of any individual to these institutions.

Mr. GROSS. Is this new language on page 3?

It shall be the duty of the head of the agency of the United States in control of the place where such person is apprehended to forthwith notify the husband or wife or some near relative or friend of the person so apprehended whose address may be known to said agency head or whose address can by reasonable inquiry be ascertained by him.

Is this new language dealing with commitments?

Mr. LIBONATI. It is not new language but language under the present law.

Mr. GROSS. That was the failure which led to that incarceration. Her relatives and friends were not notified until well after she had been committed to this same mental hospital.

Mr. LIBONATI. That was probably a departure on the part of the official personnel and not the fault of the law.

Mr. GROSS. I see.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of October 11, 1949 (63 Stat. 759; sec. 32–417, D.C. Code), is amended to read as follows: "That any United States commissioner specially designated for that purpose by the United States District Court for the Eastern District of Virginia or by the United States District Court for the District of Maryland shall have jurisdiction and authority to commit to Saint Elizabeths Hospital in the District of Columbia, for observation and diagnosis, any person found in any place over which the United States has exclusive or concurrent jurisdiction in Arlington County, Fairfax County, Loudoun County, or the city of Alexandria, in the State of Virginia, or in Montgomery County or in Prince Georges County, in the State of Maryland, who is alleged, and is believed by the commissioner, to be of unsound mind. Any United States commissioner specially designated for that purpose by the United States District Court for the District of Columbia shall have like jurisdiction and authority in the case of any person temporarily detained in Saint Elizabeths Hospital, pursuant to section 2 hereof. Any such commitment shall be for a period not exceeding thirty days and may be made only after a hearing before the commissioner upon the testimony under oath of at least two witnesses who shall testify as to their belief that the said person is of unsound mind and, in addition, upon the testimony under oath or affidavit of two physicians, at least one of whom is skilled in the treatment and diagnosis of nervous and mental disorders, who shall testify or certify in writing that they have examined the said person alleged to be of unsound mind and believe said person to be of unsound mind and not fit to remain at liberty and go unrestrained, and that such person should be in custody in a hospital for the treatment of mental or nervous disorders for his own safety and welfare and for the preservation of the peace and good order. It shall be the duty of the head of the agency of the Unted States in control of the place where such person is apprehended to forthwith notify the husband or wife or some near relative or friend of the person so apprehended whose address may be known to said agency head or whose address can by reasonable inquiry be ascertained by him: *Provided further,* That in the case of any person described in section 6, the agency head shall notify the head of the department having jurisdiction over the service to which the individual belongs. The agency of the United States in control of the place where such person is apprehended is authorized to employ physicians for the aforesaid purpose and to pay compensation for their services and to pay expenses of witnesses in such proceeding out of funds available therefor. Physicians who are officers or employees of the United States or who are members of the Armed Forces of the United States are hereby authorized to render such services without additional compensation."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CREDITING INACTIVE RESERVE SERVICE FOR ENLISTED PERSONNEL

The Clerk called the bill (H.R. 6000) to amend title 10, United States Code, to change the method of computing retired pay of certain enlisted members of the Army, Navy, Air Force, or Marine Corps.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3925(a) of title 10, United States Code, is amended to read as follows:

"(a) For the purpose of determining whether a regular enlisted member of the Army may be retired under section 3914 or 3917 of this title, his years of service are computed by adding all active service in the armed forces and service computed under section 3683 of this title. For the purpose of computing his retired pay under section 3991 of this title, his years of service are computed by adding—

"(1) his years of active service in the armed forces;

"(2) his years of service computed under section 3683 of this title; and

"(3) the years of service, not included in clause (1) or (2), with which he would be entitled to be credited under section 1333 of this title, if he were entitled to retired pay under section 1331 of this title."

Sec. 2. Section 6330 of title 10, United States Code, is amended—

(1) by striking out the words "the number of years of active service in the armed forces" in the first sentence of subsection (c) and inserting the following in place thereof:

"the total of—

"(1) his years of active service in the armed forces; and

"(2) the years of service, not included in clause (1), with which he would be entitled to be credited under section 1333 of this title, if he were entitled to retired pay under section 1331 of this title";

(2) by striking out the words "purposes of subsections (b) and (c)" in subsection (d) and inserting the words "purpose of subsection (b)" in place thereof; and

(3) by inserting the following new sentence after the first sentence of subsection (d);

"For the purpose of computing total years of service under subsection (c), after years creditable under clauses (1) and (2) have been added together, a part of a year that is six months or more is counted as a whole year and a part of a year that is less than six months is disregarded."

Sec. 3. Section 8925(a) of title 10, United States Code, is amended to read as follows:

"(a) For the purpose of determining whether a regular enlisted member of the Air Force may be retired under section 8914 or 8917 of this title, his years of service are computed by adding all active service in the armed forces and service computed under section 8683 of this title. For the purpose of computing his retired pay under section 8991 of this title, his years of service are computed by adding—

"(1) his years of active service in the armed forces;

"(2) his years of service computed under section 8683 of this title; and

"(3) the years of service, not included in clause (1) or (2), with which he would be entitled to be credited under section 1333 of this title, if he were entitled to retired pay under section 1331 of this title."

Sec. 4. No person is entitled to an increase in retired pay, retainer pay, or retirement pay, because of this Act, for any period before its enactment.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELEASING CERTAIN RESTRICTIONS ON THE USE OF LAND PREVIOUSLY TRANSFERRED TO THE CITY OF ST. PAUL, MINN.

The Clerk called the bill (H.R. 4177) to authorize the Secretary of the Army to convey to the city of St. Paul, Minn., all right, title, and interest of the United States in and to certain lands heretofore conveyed to such city.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army is hereby authorized and directed to convey to the city of Saint Paul, Minnesota, all right, title, and interest of the United States remaining in and to those lands heretofore conveyed with certain reservations and conditions, by quitclaim deed from the United States to the city of Saint Paul, Minnesota, dated July 5, 1928 (recorded in book of deeds 851, page 84, office of the register of deeds, Ramsey County, Minnesota), entered into under authority of the Act of May 29, 1928 (Public Law 577, Seventieth Congress).

Sec. 2. The conveyance authorized by the first section of this Act shall be made subject to the condition that the city of Saint Paul, Minnesota, pay to the United States an amount equal to the fair market value of the property interest to be conveyed, as determined by the Secretary of the Army after appraisal.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EASEMENTS, CAMP JOSEPH H. PENDLETON, CALIF.

The Clerk called the bill (S. 546) to authorize the Secretary of the Navy to grant easements for the use of lands in the Camp Joseph H. Pendleton Naval Reservation, Calif.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I should like someone to tell the House why there should be $9.5 million expended for research and development in connection with this project.

Mr. PRICE. The expenditure for research and development is not involved in the legislation before us today. That is on the project itself. The legislation we are considering today is the granting of easements for the use of approximately 90 acres at Camp Pendleton for the site of this particular installation.

Mr. GROSS. Since it is mentioned in the report can the gentleman tell me why there should be $9.5 million expended for research and development in a project of this kind when there are already nuclear power generating plants in operation over the country; that is true, is it not?

Mr. PRICE. Yes, we do; but they are not exactly similar to this plant, which is a much larger plant than any that has been built heretofore.

Mr. GROSS. So this is one of the contributions to—what is it—$13 billion that we are spending per year for research and development? This is one of the contributions to that staggering fund; is that about correct?

Mr. PRICE. This, of course, represents a contribution in a development program, but it has no connection with research and development expenditures for the Defense Establishment. The contribution mentioned by the gentleman comes from the Atomic Energy Commission to this particular project in connection with the nuclear power development program.

Mr. GROSS. Since it is also mentioned in the report, do I understand that you are waiving for the benefit of this project some $5 million worth of nuclear fuel—waiving the cost of providing the fuel?

Mr. PRICE. That is correct. That is also in keeping with this particular program and the same procedure that has been used in connection with the other plants which are involved in the nuclear power development.

Mr. GROSS. Then this is not exactly free enterprise, is it? It is a long way from free enterprise.

Mr. PRICE. I would say in this program there is a substantial amount of Government subsidy.

Mr. GROSS. I am glad to hear someone admit there is Government subsidy in addition to that provided to the farmers. Farmers are held to be the culprits in the piece when it comes to subsidy, according to some people around here. It is interesting to establish the fact that there is a very substantial subsidy in this project.

Mr. PRICE. I think I can agree with the gentleman.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be and he hereby is authorized and empowered to grant to Southern California Edison Company, a California corporation, and to San Diego Gas and Electric Company, a California corporation, and to each of them, their respective successors and assigns, upon such terms and conditions as the Secretary deems necessary to protect the interest of the United States, an easement in, over, under, and upon lands of the United States of America, approximately ninety acres in area, within the Camp Joseph H. Pendleton Naval Reservation, California, for the construction, operation, maintenance, and use of a nuclear electric generating station, consisting of one or more generating units, and appurtenances thereto; and easements in, under, over, and upon such additional lands of the United States of America within the Camp Joseph H. Pendleton Naval Reservation, California, as are necessary or desirable for the purpose of constructing, operating, maintaining, and using electric transmission and communication lines, switchyards and substations, cooling water conduits, pipelines for water, gas and sewage, railroad spur tracks, access roads, and other appurtenances to said facilities and to said nuclear electric generating station.

SEC. 2. Upon such terms and conditions as he deems necessary to protect the interests of the United States and within the scope set forth in section 1, the Secretary of the Navy may amend any such easement in such a manner as to change the lands affected thereby, either by substitution, addition, or deletion, as well as to change the terms and conditions of the grant.

SEC. 3. A reasonable charge, as determined by the Secretary, or his successor in interest, based upon the fair value of each easement granted pursuant to the authority herein contained, shall be payable by the grantee or grantees thereof, their respective successors or assigns.

With the following committee amendment:

Strike all after the enacting clause and substitute in lieu thereof the following: "That the Secretary of the Navy be and he hereby is authorized and empowered to grant to Southern California Edison Company, a California corporation, and to San Diego Gas & Electric Company, a California corporation, and to each of them, their respective successors and assigns, upon such terms and conditions as the Secretary deems necessary to protect the interest of the United States, an easement in, over, under and upon lands of the United States of America, approximately ninety acres in area, within the Camp Joseph H. Pendleton Naval Reservation, California, for the construction, operation, maintenance, and use of a nuclear electric generating station, consisting of one or more generating units, and appurtenances thereto; and easements in, under, over, and upon such additional lands of the United States of America within the Camp Joseph H. Pendleton Naval Reservation, California, as are necessary or desirable for the purpose of constructing, operating, maintaining, and using electric transmission and communication lines, switchyards and substations, cooling water conduits, pipelines for water, gas and sewage, railroad spur tracks, access roads and other appurtenances to said facilities and to said nuclear electric generating station.

"SEC. 2. Upon such terms and conditions as he deems necessary to protect the interests of the United States and within the scope set forth in section 1, the Secretary or his successors in interest, may amend any such easement by mutual agreement of the parties thereto, or their successors in interest, in such manner as to change the lands affected thereby, either by substitution, addition or delegation, as well as to change the terms and conditions of the grant.

"SEC. 3. A reasonable charge, which may be paid in installments or in a lump sum or in a combination thereof, as determined by the Secretary, or his successor in interest, based upon the fair value of each easement granted pursuant to the authority herein contained, shall be payable by the grantee or grantees thereof, their respective successors and assigns."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE PRESIDENT IS PLAYING A DANGEROUS GAME

Mr. ALGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ALGER. Mr. Speaker, today may be a decisive moment in history. President Kennedy's special envoy to Moscow begins negotiations with the Soviets. At this moment the President has not seen it necessary to take the American people into his confidence so we do not know what Harriman's instructions are. Neither the people nor the Congress can be sure that a secret deal has not already been made with Khrushchev. The strange course of Kennedy policies have left us completely bewildered and confused. We only know that under this administration Communist strength has been increased and the cause of the free world has been dangerously weakened in Laos, in Vietnam, and on our own doorstep in Cuba.

There is mounting evidence that secret deals may have been made between President Kennedy and Khrushchev. The strange policy which resulted in the consolidation of Soviet strength in Cuba and the withdrawing of our missile bases in Greece and Turkey certainly followed the pattern of Soviet demands. Our steady backdown in demands for effective inspection in any nuclear test ban treaty and our unilateral action in bringing testing to a halt again seems to be in keeping with Soviet policy rather than the self-interest of the United States.

For whatever reason he is doing it, President Kennedy is playing a dangerous game in attempting to make deals with the Communists. The President in not trusting the people of the United States but trusting Khrushchev may well find that we have lost the war before we knew we were actually in it.

Congress should demand that no deals be made with Khrushchev until we are told the objective of the Kennedy administration and the program for protecting the sovereignty and the freedom of this Nation.

As a part of these remarks I would like to include the following report from the U.S. News & World Report of July 22, "Is a United States Deal With Russia Near?"

IS A UNITED STATES DEAL WITH RUSSIA NEAR?

A deal between the United States and the Soviet Union appears at this time definitely to be in the formative stages.

This deal, as it is taking shape, is at the top—between John F. Kennedy and Nikita S. Khrushchev. It concerns more than proposals to limit or to ban nuclear testing.

Cuba apparently is involved. So is Berlin. So is the future of U.S. policy as it relates to East Europe. So is trade.

At any stage along the line, moves in either Washington or Moscow could slam the door—for now—on a deal. Insiders describe current negotiations as "in the probing stage." But the direction is clear and the chief negotiators are known.

AN IMPORTANT MISSION

Averell Harriman, Under Secretary of State, is President Kennedy's agent in the initial soundings. Mr. Harriman's mission to Moscow in mid-July is uniquely important in the moves toward a deal. The Under Secretary is a man who has dealt with Russians, directly or indirectly, since the days of Joseph Stalin's rule, when Mr. Harriman was U.S.

Ambassador to Moscow in World War II. Mr. Harriman now has the full confidence of President Kennedy.

The Harriman mission and other moves now being made are an outgrowth of the crisis that developed when Khrushchev placed Soviet missiles in Cuba.

After those missiles were withdrawn, President Kennedy wrote a personal letter to Premier Khrushchev. There developed a correspondence involving the leaders of the world's two most powerful nations in what is described as "a blunt exchange of ideas—wary but direct."

SETTING THE RULES

In a speech on June 10, the U.S. President formalized some of the points the two leaders had broached in private correspondence. Basically, the concept is that the United States and the U.S.S.R. need not remain irreconcilably at the cold-war threshold of nuclear war—provided each obeys rules which can be clearly defined.

Only the President and a very few trusted advisers—variously estimated at "perhaps half a dozen * * * less than a dozen * * * a score at the very outside"—are aware of the scope and detail of the negotiations now underway. A larger number, although still restricted, have been involved in specific areas or in the general outlines of what administration officials prefer to call probes.

On July 9 a routine policy meeting in Washington at the level of Cabinet officers and Federal agency heads was expanded at the President's order into a full-scale meeting of the National Security Council. Mr. Harriman appeared at this meeting to answer questions and to hear Mr. Kennedy expound his views on matters which might be taken up with the Russians.

IN LONDON, TALKS

Mr. Harriman and his team began their mission with a stopover in London to exchange ideas, to a limited extent, with a British team headed by Viscount Hailsham, top negotiator for the Macmillan government on nuclear test bans. Before the Harriman group left Washington, however, two new members were added to the team scheduled to begin talking with the Russians in Moscow on July 15.

The new additions were William R. Tyler, Assistant Secretary of State for European Affairs, and Frank E. Cash, Jr., deputy director of the State Department's special task force on Berlin. Alone of the Harriman team, these two key officials had no special experience or connection with negotiations on the test ban. Both Mr. Tyler and Mr. Cash were well known as experts on European—particularly French—politics, and on questions related to Germany—particularly those related to Berlin.

EAGER RUSSIANS?

There was no thought, top U.S. officials agreed, that the United States was preparing to give further concessions to the Russians on Berlin. On the contrary, there is a widespread feeling that it is Khrushchev and the Russians, not the Americans and their Western allies, who are most interested in a deal at this time.

Khrushchev himself is portrayed as a man who has every reason to be serious about seeking closer relations with the United States and its allies.

Communist China is clearly out of Moscow's control and actually engaged in competing for Communist leadership with the Russians. Russian satellite countries of Eastern Europe are becoming increasingly difficult for Moscow to manage. At home, according to West Europeans, Khrushchev is in desperate need of a period of peace, as well as of Western trade and Western credits to finance expansion in the consumer goods areas of the Soviet economy.

Against this background there is an increasing feeling among Soviet experts in the United States that now is the time to talk to Khrushchev. Opinion is that Khrushchev, for his own self-interest, may be more interested in making deals with the United States rather than merely making propaganda at the expense of the United States.

It is for this reason that President Kennedy is probing the Soviet leadership with a round of negotiations aimed at a deal acceptable to both sides. Matters involved are these:

NUCLEAR-TEST BAN

In East Berlin, just after the Kennedy visit to West Berlin, Khrushchev said that Russia is willing to undertake a ban on nuclear testing in the atmosphere and under the seas. Nothing was said by the Russian boss about underground testing. It is in this area that the United States insists upon getting the right to inspect Soviet territory before accepting any Russian promise to quit testing. Agreement is considered to be close on this issue.

BERLIN

The U.S. President feels that his correspondent Khrushchev understands that the United States means what it says on Berlin, will fight rather than permit any further paring away of Western rights in the former German capital. What Mr. Kennedy wants on Berlin is some statement from Khrushchev reinforcing the Western right of access to Berlin. But the U.S. President is not willing to pay much for recognition of a right of access which he feels the West already has and should defend by force if need be.

CUBA

The United States, for its part, is not going to make strong demands about getting all the Russians out of Cuba. The existence of Castro and the presence of Russians in Cuba are not welcomed by Mr. Kennedy, but are being accepted as facts of life. Cuba, in other words, is not likely to upset a deal, provided Khrushchev keeps Russian action in the island within bounds.

EASTERN EUROPE

Here Khrushchev wants the West to accept the permanent division of Germany and Communist domination of East Europe by signing an East-West nonaggression pact between the two blocs. Mr. Harriman, on this point, has instructions to listen only. No such deal is likely at this stage.

SOUTHEAST ASIA

In this area, where Khrushchev appears to be losing out in influence among Communists to Mao of Red China, the United States wants more of an effort by Russia to keep Red China from supporting simmering guerrilla wars.

Mr. Harriman is said by top officials to have the authority from Mr. Kennedy to listen to any Soviet proposal on these and any other issues and to take the initiative on probing and exploring any possibilities of a deal across the board on East-West tensions.

All officials concerned agree that Mr. Harriman himself is not going to Russia to make a deal in the President's name. There also is a healthy respect in Washington for Mr. Harriman's own inclinations to deal warily with the Russians, not to be taken in by them. It was Ambassador Harriman who, after Russia had become a wartime U.S. ally, sent warning after warning from Moscow to Washington describing Stalin as no man to trust.

It was also Mr. Harriman who was sent to Laos and Geneva in 1962 to make a deal involving Russia and Red China as a "neutralist" solution in the Laotian war. That agreement was quickly violated by the Communists. Mr. Harriman is said to feel strongly that the Russians should be told to work more actively for peace in Laos or risk having the Chinese Reds drag them into a shooting war, perhaps a nuclear war, with the United States.

SOVIET SOFT TALK

Khrushchev, on his side, has lost few opportunities in recent weeks to show his interest in a deal with the United States.

There was a widely held feeling among West European and U.S. experts that the Soviet boss had deliberately scheduled his visit to East Berlin immediately following the Kenendy visit to West Germany and West Berlin in order to talk beligerently and rattle his rockets.

Instead, Khrushchev talked relatively softly in East Berlin. He suggested he might be willing to join the United States in a formal ban on atmospheric and underwater testing. And he revived a proposal for a nonaggression pact between the Western powers, including the United States, in the North Atlantic Treaty Organization and the Communist bloc, including Russia, in the Warsaw Treaty Organization.

The Warsaw group includes the East German puppet government. West Germany, although it deals informally with East German officials on trade and on matters involving Berlin, has been extremely careful to avoid any formal contact with East Germany.

There was nothing new in this Khrushchev proposal for a NATO-Warsaw treaty. Some Washington officials, hinting that such a treaty might one day be acceptable to the United States, said: "Well, times change."

As an example of change in this area another U.S. official noted that the deal made last July at Geneva on Laos—the deal negotiated in part by Mr. Harriman—involved both the United States and Red China as cosigners, although the United States up to that time, had refused such association with a Chinese Government it did not recognize.

In the case of the NATO-Warsaw pact, however, a change in the U.S. attitude is less likely. Such a pact would, in effect, freeze the division of Germany and the Red domination of East Europe. France and West Germany bitterly oppose such a deal. Mr. Harriman and Mr. Kennedy himself are not inclined to give Khrushchev something for nothing.

REBUFF TO RED CHINA

Khrushchev was in East Berlin when Red China's team of negotiators arrived in Moscow for the stated purpose of settling differences between the Communist comrades. Red China's main complaint about Khrushchev is that he favors coexistence with the capitalists rather than Communist revolution, Lenin style, or Communist aggression, Stalin style.

Khrushchev, on July 9, pounded the insult home by moving from East Berlin not back to Moscow, where the Chinese Reds dealt with second-string Russian Communists, but to Kiev in the Soviet Ukraine, where he met with Paul-Henri Spaak, Belgium's Foreign Minister.

Previously, in 1961, Khrushchev had used a talk with Spaak as a means of easing East-West tensions then built up around Berlin. This time, Spaak went from Kiev to Moscow, where the Red Chinese were being given a chilly reception, to say that he was confident that the East-West relations will improve.

BIG TWO TALKS AHEAD?

By mid-July, speculation about a Kennedy-Khrushchev meeting had reached its highest pitch since the two leaders talked for 2 days in Vienna in June 1961. That meeting reestablished contacts broken since Khrushchev had wrecked the Paris summit meeting with Mr. Eisenhower in May 1960. Only agreement at Vienna was on a neutral and independent Laos—an agreement soon broken by the Reds.

Now another Kennedy-Khrushchev meeting seems possible. In London, particularly, officials said there was a 50-50 chance that Khrushchev wanted a limited test-ban agreement with Mr. Harriman in order to get Mr.

Kennedy to another Big Two conference in the near future.

Russians in Eastern Europe and elsewhere were dropping hints that such a conference was already arranged for the end of July or early in August. United States and British officials scoffed at such reports as "wishful thinking" by Khrushchev.

In Bonn, some officials suggested that Khrushchev was engaged in a deliberate come-on—inviting the West to engage in a deal with Russia that had no chance of success. The West Germans said Khrushchev might only be trying to frighten the Chinese Reds by such feints prior to giving them his "best offer" for patching up the feud between the Reds.

From other capitals—as from Washington—came suggestions that the feud between Russia and Red China now had swelled to such proportions that it had given new values to the world balance of power. President Kennedy, it was said, is working fast to see whether Khrushchev is in fact ready to make a deal on terms the United States can accept.

All over the Western World, in neutral capitals and from Communist countries too, this much was agreed by mid-July:

The United States and Russia now are engaged, openly and actively, in a move toward a deal involving not merely a limited nuclear-test ban, but all major issues of the cold war. Chances of success still are rated on both sides as slim at best. But the move toward a deal is on.

RESPONSIBILITY OF TRAVEL AGENCIES

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MILLER of California. Mr. Speaker, several days ago a group of California educators and students were stranded in New York while en route to a planned European tour. It has been determined that the basic responsibility for stranding these passengers was the irresponsible action of the travel agency that planned the tour.

This type of action not only reflects discredit on the entire travel industry, but in this particular case, there was an adverse reaction to the air carrier industry as well. It is my purpose to set the facts straight as far as the air carriers were concerned.

This group was told that Intercontinental U.S., Inc., would provide the transatlantic portion of their transportation. Intercontinental states that they canceled this contract 10 days prior to the date of departure because the group did not qualify for charter rates. The significant factor involved here is the status of the air carrier, Intercontinental. This is a foreign-based carrier operating into and out of the United States with operating authority issued by the Federal Aviation Agency under part 45 of the Civil Air Regulations. This type of airline is known in the industry as a "part 45" carrier. They have no economic authorization or certification from the Civil Aeronautics Board and therefore are not subject to CAB rules and regulations. The part 45 operating certificate forbids the holder from operating as a common carrier, that is, conducting regular and frequent flights and holding their services out to the public. Until just recently these so-called "part 45" carriers were not required to provide the FAA with reports indicating the source of their revenues. Therefore, it has been extremely difficult to regulate and confine their operations to the terms of their operating authority. In the case of Intercontinental, which is based in Luxembourg, it is legally impossible to subpena their records and files in order to determine if they are operating within their specific limitations. The CAB has the authority under the Federal Aviation Act to institute action against these carriers only if they are violating the terms of their operating certificate. The disparity in this category of carriers, and other air carriers, exists in two areas, one, they are not required to maintain minimum liability insurance coverage which is required of CAB certificated supplemental carriers, and two, they are not regulated economically by the Board; therefore they are not required to file and abide by published tariffs. It is my understanding that this is a matter of considerable concern to the CAB and they are contemplating specific action to establish some degree of control over this situation.

My real point of concern is the inability of the general public to distinguish between the part 45 operators and the supplemental air carriers who are certified by the CAB. The supplemental carriers, through their trade association, the National Air Carriers Association, provided every possible assistance to the stranded group in New York, but unfortunately could not adjust their schedules to accommodate the established itinerary of the group.

I think it is extremely important that all Members of Congress are aware that the supplemental carriers are a very reputable group who operate under legislation provided by the Congress last year which established them as the charter air carriers of the air transport system. Their safety record as a group is a model for the entire industry. As a matter of fact, the 15 presently certificated supplemental carriers have incurred only 1 accident involving passenger fatalities in their entire history of operation, which in the majority of cases, extends over a period of 17 years. This group is providing an extremely useful contribution to air transportation and should not be confused in any way with the noncertificated part 45 carriers.

I also believe that all Members of the Congress should cooperate to the fullest possible extent with the Civil Aeronautics Board in their efforts to prevent so-called part 45 operators from engaging in common carrier operations without authority from the Civil Aeronautics Board. Such efforts are not only essential in order to preserve the good name of the certificated supplemental air carriers but, more importantly, are vital in the interests of air safety and the orderly development of a sound air transportation system.

UNWARRANTED ATTACK ON CONGRESSMAN OTTO PASSMAN

Mr. HARVEY of Indiana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HARVEY of Indiana. Mr. Speaker, in this morning's issue of the Washington Post there appeared an editorial entitled "House Divided" which was an unwarranted attack upon one of our most respected and capable colleagues, the gentleman from Louisiana, Mr. OTTO PASSMAN.

In this tirade, the editor accuses Mr. PASSMAN of occupying a post to which he is not entitled and assumes that because he happens to belong to the majority party he is thereby morally bound to vote and act only as the President dictates.

This editorial is similar to another recent one in which the writer stated that the Congress constitutes a "ball and chain on the progress of our country."

There are avowed enemies to our constitutional form of government and it would seem that the Post is relegating itself to that category.

HOUSE DIVIDED

Chairman OTTO E. PASSMAN of the House Subcommittee on Foreign Operations Appropriations is off once more on his annual campaign against foreign aid. As a realist, he says, he recognizes that foreign aid is a "political 'fact of life' today," but an extremely distasteful fact that should be contained and phased out as soon as possible. In a recent article in the New York Times magazine the Louisiana Congressman emphatically reiterated his belief that "the whole program is wrong" and declared that foreign aid has been "one of the greatest foreign policy failures in history."

The strange thing is not that a Congressman should be making political hay out of a program that is often unpopular with taxpayers or that a legislator should find much to criticize in a venture so far flung and necessarily so experimental as foreign aid. Rather it is that, feeling as he does, Mr. PASSMAN should cling to his post as the keyman in the appropriation of funds for the program. And the greatest mystery of all is why Congress, which is thoroughly committed to the policy of helping other countries defend their freedom, should retain Mr. PASSMAN in the position which enables him most effectively to sabotage the program.

The spectacle of an appropriations chairman loudly proclaiming his opposition to this basic policy of the Democratic Party, which gave him his assignment, is symptomatic of the disorganization of Congress. As a citizen and a legislator, Mr. PASSMAN is at liberty to say whatever may please him about foreign aid. But there is nothing other than the blind and self-defeating seniority rule which says that a man who believes that the "whole program is wrong" should continue to preside over the appropriation of funds for it.

By allowing Mr. PASSMAN to eat his cake of demogoguery and at the same time to retain the fruits of seniority the Democratic House makes responsible party government virtually impossible. Of course, Mr. PASSMAN is not the only congressional chairman who is out of sympathy with the policies of his

party, but he has become a flagrant example of how the Congress sets up and retains barriers to its own success.

MRS. ELEANOR ROOSEVELT

Mr. LIBONATI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. LIBONATI. Mr. Speaker, Americans of this generation have witnessed miraculous changes in every field of human endeavor—a new world has unfolded itself through man's ingenuity in the sciences, in the arts and in the philosophies of life's existence. In the last four decades, we have observed the timely contributions made by dedicated individuals in the field of social science toward the solution of many problems besetting the human race.

Eleanor Roosevelt was one of those who lived her life seeking man's deliverance from the slavery of prejudice, ignorance, and poverty. She was angelic in her purity of thought for the realization of the equality of man. She sought to destroy the myths of sociologists that humans were wholly victims of their environmental influences and limited to congenital inheritance in mental development.

She emphasized in her lectures the lack of opportunity for intellectual development and job training as contributing to the common ills of mankind in his social degradation.

Her unrelenting fight for human rights of all races in all lands influenced the nations of the world to better understand the cause of freedom and the symbol of liberty.

As First Lady she delved into every phase of the study of human relations. It was she more than anyone else who was able to influence the President in presenting New Deal legislation to the Congress treating with the intricate economic problems of the working classes. The ability to present to his satisfaction a true survey of the situation or problem. Her discussions were marked with authority, a result of thoughtful preparation based on direct inquiry and research gained his interest.

She was the Joan d'Arc of the more progressive conceptions of a new democracy. She was true to the ideals of her Christian training, and declared that man was influenced by his worship at the altar of a God who created all men equal. He had given to the human race his son, the living Christ, whose teachings set the example for man to follow—to relieve the oppressed, to return to the dispossessed; to restore to those discriminated against, their human and civil rights. The realization of these aims were her Bible, and she pursued their public acceptance with unrelenting pressure. No advocate of reform in the history of our country moved with greater celerity, with more forensic fervor, or with more honest conviction than she did.

Her aura of activity first attracted the attention of the citizens of our Nation when as First Lady, she, independent of her husband, the President, took trips throughout the land giving lectures on social problems, interviewing persons in all walks of life. These experiences broadened her viewpoint and understanding. She gained firsthand knowledge of the depressive conditions under which thousands of unfortunate victims of the economy were living as forgotten men. She gave them a ray of hope, and through her conferences with the President, who became interested—something was done for the little man and his family—the beginning of the reawakening of the public conscience resulted in that era the passage of legislation for social benefit called the New Deal. She steadily gained stature with everyone including the President of the United States. She carried the message of the administration to the waiting populace—her words were instructive and decisive in constructively determining solutions for the ever growing problems of that period.

As a delegate to the United Nations, her service on the Human Rights Commission, drafting the Declaration of Human Rights and covenants, earned for her the everlasting gratitude of the human races of all nations.

Her indomitable will helped shape the destiny of Israel as a state—her arguments, both practical and idealistic, captivated the thinking of the delegates. She stressed the fact that a government for the homeland of the Jewish people was inevitable under the Balfour Resolution, creating a place of refuge, adopted by the United States and England after World War I.

Upon leaving the United Nations in 1952, she traveled all over the world under the patronage of the American Association for the United Nations espousing the causes of brotherhood among nations, and was well received wherever she went.

Her strong mind and gentle effeminate characteristics of the true mother were reflected in her writing for a syndicated column. The interesting incidents and experiences in her travels were depicted in a warm, flowing style that played upon, and stimulated one's heartstrings. In Chicago, it was widely read in the Sun Times, a Field publication.

Her intellectual qualities, her deep interest in the welfare of all people of low caste, and her independence of thought and action, won for her the admiration of the world.

In her social work, she followed the patterned ideas of Jane Addams—they both loved humankind—their philosophy of life was similar. The circumstances of birth were parallel—born of affluent family, educated, given social preference, enjoyed family prestige, wielded powerful influence in all phases of human relations, were indefatigable in their work, and positive in their thinking programs. Each meticulously planned their moves and each respected and loved people in unfortunate circumstances. Both were constructive in criticism, brilliant of mind, vitally resourceful, pliable for corrective changes, and courageous. Each practiced self-denial, and were literate authors and writers. Both were oblivious to the antics of critics and their words of criticism. Each felt a down-to-earth pride in their work without a touch of vanity.

It was her maternal instincts of love and compassion for mankind that captivated the hearts of the sons and daughters of all nations and races. She awaits her acceptance into God's golden acres. She had walked through the slums and ghettos of a cruel world without fear. Now she is restless and apprehensive of a greater fear than any—for those in the immortal world who faltered or were too timid to face up realistically to their problems. It is natural for the great mother of the world to nurture a suppressed desire to have all her children ultimately with her. God, in his omnipotent wisdom through her intercession will open his many mansions to the unwashed and the unwatched. As the great lady would quote Christ—"They know not what they do."

In paying respect to the memory of a great lady, I dedicate these few lines:

Fate played in her gentle hands,
Failures smashed men of every race;
Hunger—poverty, did embrace
Workless days throughout the land.
And she strove with courage high
Studying, planning programs through
So men's lives could start anew;
Sparking those whose hopes had died.
She did freedom's battle wage
For half man and half a slave,
That he gain full liberty
To live on with dignity.
On the day of judgment—read
Lists of good souls for release,
Waiting, as they rest in peace,
Time stands still for the dead.

ONE BILLION DOLLARS

The SPEAKER. Under previous order of the House, the gentleman from Washington [Mr. PELLY] is recognized for 30 minutes.

Mr. PELLY. Mr. Speaker, according to the Library of Congress, there were 46.3 million families in the United States in 1962. I obtained this information, because it seemed to me desirable to relate Federal expenditures in terms that can be better understood.

No one—neither any citizen nor even a banker and certainly not a Member of Congress, nor, I venture to say, even the Secretary of the Treasury, Mr. Dillon—is capable of conveying in ordinary, simple, and understandable and graphic words just how immense, how almost unmeasurably vast is a billion dollars.

On paper it is easy to write "$1 billion," and the House appropriates such an amount sometimes with only a few minutes or a few hours of consideration. But if each Representative had to collect $21.66 from the head of each family in his congressional district for each billion we spend, he would have to do quite a little explaining.

Applying this family formula to the various appropriations acted on by the House thus far, we would reduce the

President's budget request for fiscal 1964 to the following:

Appropriation bill	Amount (millions)	Yearly cost to each American family	Average family cost per month
Interior Department	$998	$21.55	$1.70
Treasury-Post Office	6,146	132.74	11.06
Labor-Health, Education, and Welfare	5,759	124.38	10.36
Agriculture	6,368	137.53	11.46
Legislative	182	3.90	.32
State-Justice-Commerce-Judiciary	2,159	46.63	3.88
Defense	49,014	1,058.64	88.22
Total bills to date	70,629	1,526.37	127.09

In other words, Mr. Speaker, the budget requests totaling $70 billion thus far considered by the House represents an average cost of $1,526.37 per family in America. The House cut those requests $3.2 billion or $69.11 per average family. But, of course, the Senate will restore some of these cuts as it always does.

The President's total cash budget for fiscal 1964 of $98.8 billion averages $2,133.90 for each family and the actual expenditures in fiscal 1964 including trust accounts will be $122 billion, or $2,635 per family or $219.58 per month per average family.

So, as I say, the figures in billions or even millions when printed do not tell the story. I think the breadwinner in each family and the housewife who has to buy the food and stretch her husband's paycheck should understand the burden his and her Government is putting on the family income. When the Government has a deficit as it had during the past 12 months, the figures when printed or spoken may not sink home, but if instead of a $7 billion deficit the amount is stated in terms of $151 average per family it does mean something.

Mr. Speaker, not long ago the Nation's $9 billion stockpile was investigated and it was stated the taxpayers were stuck with a loss on it to the tune of $4 billion. Did this forecast of a huge loss shock the American people? Perhaps, but I think that had the report of the committee read differently so as to emphasize the loss per family it might have stirred up greater public indignation. The word "billion" is just a sort of a vague term or expression that has an impersonal meaning, and fails to create any clear comprehension of the actual dollars involved.

For example, who understands that $1 billion in dollar bills would cover a building lot that is 51 feet wide and 219 feet long—a little more than a quarter acre—to a depth of 3 feet 7 inches?

Who understands that 1 billion bills placed end to end would extend the distance of 96,670 miles, or about 4 times around the world? If you traveled around the world picking them up at the rate of 1 per second, 40 hours a week, you would have to work 134 years to become a billionaire.

Who understands that with $1 billion you could buy 500,000 new automobiles each costing $2,000? Placed bumper to bumper these cars would extend 1,562 miles, about the distance from Cleveland, Ohio, to Salt Lake City, Utah.

Who understands that it would take almost 2,000 years—a period extending from the birth of Christ—to spend $1 billion at the rate of $1 per minute?

Who understands that $1 billion would pay for all food produced and consumed on farms of the United States in 1961?

I think those of us in Congress who oppose Federal expenditures for new programs, who oppose increasing the national debt, must do a better job of explaining our objections. This could be done more effectively by showing the cost to each taxpaying unit.

It seems to me we talk about deficit financing and inflation when we should be pointing out the loss in purchasing power to each paycheck and pension.

What difference is there between a national debt of $300 billion as against a national debt of $309 billion? In the face of an increase in the gross national product, it is argued, there is no difference.

Well, there is a difference. Every citizen should know what this difference is. For one thing the difference represents what is owed by each family in America as their share of the Federal Government's liability. The difference, in terms of how much each average family owes, is between a family owing $6,480 and between it owing $6,674.

The issue today, as I see it, is in deciding what we want to do for our Government. The question—in response to our President's original inaugural challenge to each citizen—is should his family be called on to share more Federal debt or should his family forgo more Government benefits. The people, of course, are the ones to answer that question. However, I do not believe that the $10 billion interest on the national debt amounting to $215 per year per family should be increased. I do not think all these costly new programs that would increase this yearly expense are necessary. So, Mr. Speaker, I suggest that each colleague who feels as I do, explain expenditures in relation to each of the families we represent. Then, I am sure, each Member of Congress will avoid the difficulty and lack of understanding which is inherent where total overall cost of programs in terms of billions is used.

In this respect, Mr. Speaker, Members of Congress have an important responsibility to our constituents and the people of America to explain the nature and extent of Government spending and how it relates to them personally.

CAPTIVE NATIONS WEEK

The SPEAKER pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from Pennsylvania [Mr. FLOOD] is recognized for 2 hours.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include certain statements and articles.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that statements by a number of my colleagues be inserted following my remarks.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

GENERAL LEAVE TO EXTEND

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks following my remarks and the remarks of my colleagues on this subject at this time.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. FLOOD. Mr. Speaker, in accordance with Public Law 86-90—the famous Captive Nations Week resolution which Congress passed in July 1959—the American people this week are observing Captive Nations Week. As in yesteryear, from Maine to Hawaii, from Florida to Alaska, Americans will by individual voice or organized rallies and ceremonies speak out in behalf of over 22 captive nations in Eurasia and this hemisphere. This week they will urge that our Government renew its moral and political determination to seek the liberation and freedom of Cuba and the 2 dozen captive nations in Eastern Europe and Asia. Our people are celebrating the fifth Captive Nations Week observance.

In its lead editorial of Friday, July 12, 1963, entitled "A More Fluid World," the Washington Post commented:

> During the past few weeks, it must have been borne in upon the most imperceptive that the world is moving toward a period of fluidity—into an interval when long established rigidities acquire greater malleability, when things that seemed massively immobile seem to melt a little, when what looked like the very hard facts of life begin to thaw and run.

The fifth observance of Captive Nations Week presents us in Congress with a perfect occasion for the formation of a Special Committee on Captive Nations. As many times in the past, this body can exercise leadership in a field that is of basic important to the security of our Nation. No one seeks more to bury the truths and realities about all the captive nations than the Russian leader, Khrushchev himself. Regrettably, there are many in this country, both in high and low stations, who would seek to accommodate him in this respect. In effect, they would have us throw into disuse one of our most formidable weapons in the cold war.

I cannot believe that we in Congress are prepared to disarm ourselves because the sensitivities of Khrushchev or a Mao Tse-tung might be aroused. This powerful political weapon as represented by the captive nations of Europe, Asia, and in this hemisphere must be provided for, strengthened, and constantly fueled so that our people will never forget their obligations to the preservation and expansion of freedom; so that our adversaries will not forget our determination to meet these obligations. As elected representatives of our people, we in Congress have a fundamental responsibility to perform—the responsibility of informing our people about all the captive nations, the responsibility of constantly investigating and studying developments in these nations, the responsibility of discerning the opportunities presented by these developments for the advance of world freedom.

This heavy responsibility can only be met in any satisfactory way by the formation of a Special Committee on the Captive Nations. And the perfect occasion for this act is now during the fifth observance of Captive Nations Week. The occasion is now for Congress to exercise its leadership in this vital field.

Mr. Speaker, in the Rules Committee there are at present 3 dozen resolutions for the establishment of a Special Committee on the Captive Nations. These resolutions call for a hearing and a vote. I have requested the chairman of the Rules Committee to consider the proposal of a special committee in the light of all the maneuvers that have been staged these past 2 years to stall decisive action on this vital proposal.

Mr. Speaker, in the judgment of numerous authorities on the Soviet Union the letter sent by Secretary of State Rusk to the Honorable **HOWARD W. SMITH**, the distinguished chairman of the Rules Committee, should have been accepted as conclusive evidence of the real and pressing need for an investigative special committee.

That letter of August 1961, stands as a classic of error concerning the captive nations in the U.S.S.R. To conceive of "Ukraine, Armenia, or Georgia" as "traditional parts of the Soviet Union" and then to state that "reference to these latter areas places the U.S. Government in the undesirable position of seeming to advocate the dismemberment of a historical state"—as though the Soviet Union were a historical state—leaves much to be desired in adequate understanding of the realities and forces at work in the U.S.S.R.

Mr. Speaker, as part of my remarks today I would like to include the following material:

A copy of Public Law 86-90; the President's proclamation designating the week of July 14–20, 1963, as Captive Nations Week; a series of early proclamations by Governors of the various States and mayors of a number of cities throughout the Nation; a copy of House Resolution 14; League of Prayer for the Captive Peoples; article in Ave Maria, "Miserere for the Silent Alleluias"; Captive Nations Week program in Syracuse, N.Y.; Pravda's reaction to President's proclamation of Captive Nations Week—the New York Times, July 9, 1963; report "J.F.K. Upholds 'Just Hopes' of Captive Nations", New York Journal American, July 6, 1963; column by Ted Lewis on captive nations, New York Daily News, July 5, 1963; report, "U.S. Pays Tribute to Captive Nations," New York World Telegram, July 6, 1963; and press news, Georgetown University on forum—"Why Captive Nations Week?"—July 9, 1963.

S.J. RES. 111

Joint resolution providing for the designation of the third week of July as "Captive Nations Week"

Whereas the greatness of the United States is in large part attributable to its having been able, through the democratic process, to achieve a harmonious national unity of its people, even though they stem from the most diverse of racial, religious, and ethnic backgrounds; and

Whereas this harmonious unification of the diverse elements of our free society has led the people of the United States to possess a warm understanding and sympathy for the aspirations of peoples everywhere and to recognize the natural interdependency of the peoples and nations of the world; and

Whereas the enslavement of a substantial part of the world's population by Communist imperialism makes a mockery of the idea of peaceful coexistence between nations and constitutes a detriment to the natural bonds of understanding between the people of the United States and other peoples; and

Whereas since 1918 the imperialistic and aggressive policies of Russian communism have resulted in the creation of a vast empire which poses a dire threat to the security of the United States and of all the free peoples of the world; and

Whereas the imperialistic policies of Communist Russia have led, through direct and indirect aggression, to the subjugation of the national independence of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Vietnam, and others; and

Whereas these submerged nations look to the United States, as the citadel of human freedom, for leadership in bringing about their liberation and independence and in restoring to them the enjoyment of their Christian, Jewish, Moslem, Buddhist, or other religious freedoms, and of their individual liberties; and

Whereas it is vital to the national security of the United States that the desire for liberty and independence on the part of the peoples of these conquered nations should be steadfastly kept alive; and

Whereas the desire for liberty and independence by the overwhelming majority of the people of these submerged nations constitutes a powerful deterrent to war and one of the best hopes for a just and lasting peace; and

Whereas it is fitting that we clearly manifest to such peoples through an appropriate and official means the historic fact that the people of the United States share with them their aspirations for the recovery of their freedom and independence: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and requested to issue a proclamation designating the 3d week in July 1959 as "Captive Nations Week" and inviting the people of the United States to observe such week with appropriate ceremonies and activities. The President is further authorized and requested to issue a similar proclamation each year until such time as freedom and independence shall have been achieved for all the captive nations of the world.

Approved July 17, 1959.

CAPTIVE NATIONS WEEK 1963—A PROCLAMATION BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

Whereas by a joint resolution approved July 17, 1959 (73 Stat. 212), the Congress has authorized and requested the President of the United States of America to issue a proclamation, designating the 3d week in July 1959 as Captive Nations Week, and to issue a similar proclamation each year until such time as freedom and independence shall have been achieved for all the captive nations of the world; and

Whereas the cause of human rights and dignity remains a universal aspiration; and

Whereas justice requires the elemental right of free choice; and

Whereas this Nation has an abiding commitment to the principles of national self-determination and human freedom:

Now therefore, I, John F. Kennedy, President of the United States of America, do hereby designate the week beginning July 14, 1963, as Captive Nations Week.

I invite the people of the United States of America to observe this week with appropriate ceremonies and activities, and I urge them to give renewed devotion to the just aspirations of all people for national independence and human liberty.

In witness whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the city of Washington this fifth day of July in the year of our Lord nineteen hundred and sixty-three, and of the Independence of the United States of America the one hundred and eighty-eighth.

By the President:

JOHN F. KENNEDY.
[SEAL] DEAN RUSK,
Secretary of State.

COMMONWEALTH OF PENNSYLVANIA,
GOVERNOR'S OFFICE,
Harrisburg, July 11, 1963.

CAPTIVE NATIONS WEEK—JULY 14 TO 20, 1963

Whereas the Old World homelands of many American citizens have in many cases suffered subjugation of their national independence as a result of Communist tryanny; and

Whereas the people of the Commonwealth of Pennsylvania, joining their countrymen all over the Nation, possess a warm understanding and sympathy for the aspiration of people everywhere for freedom; and

Whereas it is fitting for Americans to set aside a special week for the expression of our sympathy and emphasis of our support toward these captive nations in their strivings for independence:

Now, therefore, I, William W. Scranton, Governor of the Commonwealth of Pennsylvania, do proclaim the week of July 14 to 20, 1963, Captive Nations Week in Pennsylvania, and encourage our citizens to observe this week with appropriate ceremonies and activities.

Given under my hand and the great seal of the State, at the city of Harrisburg, this eleventh day of July, in the year of our Lord one thousand nine hundred and sixty-three, and of the Commonwealth, the one hundred and eighty-eighth.

By the Governor:

WILLIAM W. SCRANTON,
Governor.
GEORGE I. BLOOM,
Secretary of the Commonwealth.

PROCLAMATION

Whereas by Public Law 86–90 (73 Stat. 212), the Congress of the United States has provided for designation of the third week in July as Captive Nations Week, and for observance thereof by the people of the United States; and

Whereas the imperialistic policies of world communism have led, directly and indirectly, to the subjugation of the national independence of many nations and the deprivation of individual liberties of the people therein; and

Whereas the people in Hawaii are linked by bonds of culture, family, and principle to peoples in the free world and in the captive nations, particularly those in North Korea, mainland China, and North Vietnam;

Now, therefore, I, John A. Burns, Governor of the State of Hawaii, do hereby designate the week of July 14–20, 1963, as Captive Nations Week, and urge the people of the State of Hawaii to give renewed devotion to the just aspirations of the people of the captive nations for national independence and individual liberty.

Done at Iolani Palace, Honolulu, State of Hawaii, this 9th day of July 1963.

John A. Burns,
Governor of Hawaii.

Proclamation

Whereas many nations throughout the world have been made captive by the imperialistic and aggressive policies of Soviet communism; and

Whereas the peoples of the Soviet-dominated nations have been deprived of their national independence and their individual liberties; and

Whereas the citizens of Montana and the United States are linked by bonds of family and principle to those who love freedom and justice on every continent; and

Whereas it is appropriate and proper to manifest to the peoples of the captive nations the support of the government and the people of Montana and the United States of America for their just aspirations for freedom and national independence;

Now, therefore, I, Tim Babcock, Governor of the State of Montana, do hereby designate the week of July 14 through 20, 1963, as Captive Nations Week.

I invite the people of Montana to observe such week with appropriate ceremonies and activities, and I urge them to study the plight of the Soviet-dominated nations and to recommit themselves to the support of the just aspirations of the peoples of those captive nations.

In witness whereof, I have hereunto set my hand and caused the great seal of the State of Montana to be affixed. Done at the city of Helena, the capital, this ——— day of July, in the year of our Lord, one thousand nine hundred and sixty-three.

By the Governor:

Tim Babcock, *Governor.*

Attest:

Frank Murray, *Secretary of State.*

State of Rhode Island
and Providence Plantations,
Executive Chambers.

Proclamation, Captive Nations Week, by John H. Chafee, Governor

Citizens of Rhode Island are especially mindful of the humanitarian doctrines of Roger Williams who, seeking freedom from religious intolerance, founded this State in 1636.

Today our firm belief in the fundamental dignity of man attests to the world that America stands for freedom and is prepared to pay any price and to meet any hardship to assure its survival.

The brave people of many other nations are now subjected to ruthless foreign oppression, but they have never given up hope that their countries will one day again take their rightful place among the free nations of the world.

Because of our common heritage of an enduring concern for peace and freedom, it is particularly appropriate that we honor our silent allies and reaffirm our support of their desire to choose for themselves the form of government that they wish: Now, therefore, do I, John H. Chafee, Governor of the State of Rhode Island and Providence Plantations, proclaim the week of July 14–20, 1963, as Captive Nations Week, and call upon the citizens of this State to recognize the injustices suffered by all of these countries and to join in a plea for an end to their unlawful enslavement.

In testimony whereof, I have hereunto set my hand and caused the seal of the State to be affixed this 19th day of June, in the year of our Lord, one thousand nine hundred and sixty-three and of independence the one hundred and eighty-eighth.

John H. Chafee, *Governor.*

By the Governor.

Governor's Proclamation—Captive Nations Week, July 15–22, 1963

Whereas, silenced but unconquered, the enslaved peoples of Central-Eastern Europe have never ceased their fight for a free life; and

Whereas the United States possesses a warm understanding and sympathy for these subjected nations; and

Whereas at a time when anticolonialism and recognition of the right of freedom for small nations is sweeping the world—a movement which the Communists are trying to turn against the West—it is vital for the United States to combine sincere support of independence for the new nations with the demand for the restoration of independence in the old nations of Eastern Europe.

Now, therefore, I, J. Millard Tawes, Governor of the State of Maryland, do hereby proclaim July 15–22, 1963, as Captive Nations Week in this State. I urge my fellow citizens to offer prayers in their churches and synagogues for the peaceful liberation of these countries so they may once more stand with the free nations of the world.

Given under my hand and the great seal of the State of Maryland, at the city of Annapolis, this 13th day of June, in the year of our Lord, one thousand nine hundred and sixty-three.

J. Millard Tawes.

By the Governor:

Lloyd L. Simpkins,
Secretary of State.

State of Iowa
Executive Department.

Proclamation—Captive Nations Week

Whereas many nations throughout the world have been made captive by the imperialistic and aggressive policies of Soviet communism; and

Whereas the people of the Soviet-dominated nations have been deprived of their national independence and their individual liberties; and

Whereas the citizens of the United States are linked by bonds of family and principle to those who love freedom and justice on every continent; and

Whereas it is appropriate and proper to manifest to the peoples of the captive nations the support of the Government and people of the United States of America for their just aspirations for freedom and national independence;

Now, therefore, I, Harold E. Hughes, Governor of the State of Iowa, do hereby proclaim the week of July 14 through 20, 1963, as Captive Nations Week.

In testimony whereof, I have hereunto subscribed my name and caused the great seal of the State of Iowa to be affixed. Done at Des Moines this 19th day of June in the year of our Lord one thousand nine hundred and sixty-three.

——— ———,
Governor.

Attest:

——— ———,
Secretary of State.

Office of the Mayor,
City Hall,
Los Angeles, Calif.

Proclamation

To the citizens of Los Angeles, greetings:

Whereas the continued enslavement of a large part of the world's population by Russia affronts the free world concept of individual liberty and human dignity, and

Whereas millions of people in Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, Red China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Vietnam, and others look forward to the day the tyranny of Communist dictatorship will disappear, and

Whereas it is consistent with the ideals of our Nation that all men everywhere be free;

Now, therefore, as the mayor of the city of Los Angeles I proclaim the third week in July 1963 as Captive Nations Week and urge all citizens to join in an assurance to those enslaved that we of the free world will never abandon those who keep up the fight against cruel and power-greed dictatorship under which millions are now temporarily forced to exist.

Samuel William Yorty,
Mayor.

Whereas the Senate and the House of Representatives of the United States of America have by resolution requested and authorized the President of the United States to designate the week of July 14 through July 20, 1963, as Captive Nations Week; and

Whereas we Americans are proud that many refugees from the oppressed countries have found asylum in the United States; and

Whereas the citizens of the United States are linked by bonds of family and principle to many of the captive nation peoples; and

Whereas it is appropriate and proper to manifest to these people of the captive nations the support of the Government and the people of the United States for their just aspirations for freedom and national independence; and

Whereas the citizens of the State of Tennessee are fully aware of and grieve for the plight of those made captive under the heavy yoke of Russian communism:

Now, therefore, I, Henry Loeb, mayor of the city of Memphis, Tenn., do hereby designate the week of July 14 through July 20, 1963, as Captive Nations Week in the city of Memphis, and urge the widest possible cooperation in the observance of this week.

In witness whereof, I have hereunto set my hand and caused the seal of the city of Memphis to be affixed this 29th day of June 1963.

Henry Loeb.

Proclamation

Whereas as a result of Communist aggression and subversion, there now are two dozen captive nations; and

Whereas nothing would delight the Communist powers more than a seeming acquiescence on our part toward the permanent captivity of these nations; and

Whereas our Nation is determined to seek the freedom of all the captive nations; and

Whereas there is a need for our people to learn more about the captive nations, and a need for popular cold-war education.

Now, therefore, to continue to learn and work toward the freeing of all captive nations, the Congress has designated the period of July 14–20, 1963, as the fifth Captive Nations Week observance, and I, Murray A. Stoller, mayor of the city of Roanoke, Va., do proclaim this period as the fifth observance of Captive Nations Week.

Given under my hand this 27th day of June 1963.

MURRAY A. STOLLER,
Mayor.

Attest:

VIRGINIA L. SHAW,
City Clerk.

CAPTIVE NATIONS WEEK, JULY 14-20, 1963

Whereas by a joint resolution approved July 17, 1959, the Congress has authorized and requested the President of the United States of America to issue a proclamation designating the third week in July as Captive Nations Week and to issue a similar proclamation each year until such time as freedom and independence shall have been achieved for all the captive nations of the world; and

Whereas the people of the Soviet-dominated captive nations have been deprived of their national independence and their individual liberties; and

Whereas the citizens of the United States are linked by bonds of family and principle to those who love freedom and justice on every continent; and

Whereas it is appropriate and proper to manifest to the people of the captive nations the support of the Government and the people of the United States of America for their aspirations for freedom and national independence:

Now, therefore, I, Jerome P. Cavanagh, mayor of the city of Detroit, do hereby proclaim the week of July 14-20, 1963, as Captive Nations Week and urge that it be observed as such in recognition of the plight of the Soviet-dominated nations, and I urge all citizens of the city of Detroit to recommit themselves to the support of the just aspirations of the 225 million people of these captive nations.

Given under my hand and seal this 3d day of July 1963.

——— ———,
Mayor.

PROCLAMATION

Whereas, by a joint resolution approved July 17, 1959, the Congress has authorized and requested the President of the United States of America to issue a proclamation designating the third week in July 1959 as Captive Nations Week, and to issue a similar proclamation each year until such time as freedom and independence shall have been achieved for all the captive nations of the world; and

Whereas many of the roots of our society and our population lie in these countries; and

Whereas it is in keeping with our national tradition that the American people manifest its interest in the freedom of other nations; and

Whereas pursuant to this joint resolution the President of the United States of America, the Honorable John F. Kennedy, has issued such proclamations:

Now, therefore, I, Raymond R. Tucker, mayor of the city of St. Louis, do hereby proclaim the week of July 14, 1963, through July 20, 1963, as Captive Nations Week in St. Louis and urge the citizens of St. Louis to recommit themselves to the support of the just aspirations of all peoples for national independence and freedom.

In witness whereof, I have hereunto set my hand and caused to be affixed the seal of the city of St. Louis, this second day of July A.D. 1963.

——— ———,
Mayor.

Attest:

——— ———,
Register.

OFFICE OF THE MAYOR,
Hartford, Conn.

PROCLAMATION

Whereas many nations behind the Iron Curtain are living under the domination of Soviet communism, and

Whereas this totalitarian rule has produced indignities and suffering upon the people of these captive nations, and

Whereas it is the duty and responsibility of the people in the free world and in particular, the United States of America, to constantly remind the rest of the free world of this subjugation and Soviet tyranny:

Now, therefore, I, William E. Glynn, mayor of the city of Hartford, hereby proclaim July 14 through July 20, 1963, as Captive Nations Week, with the hope and the prayer that the people of this community will be reminded of the terrible conditions existing under this Soviet tyranny in these captive nations and will renew their dedication to free government and exert every effort which will result in the eventual freedom and independence of these captive nations.

Dated this third day of July 1963.

WILLIAM E. GLYNN,
Mayor.

OFFICE OF THE MAYOR,
City of Elizabeth, N.J.

PROCLAMATION

Whereas in accordance with Public Law 86-90, unanimously adopted by the 86th Congress, the President of the United States is expected to proclaim the third week of July as Captive Nations Week; and

Whereas through direct and indirect aggression the national independence of more than 22 countries has been subjugated by the imperialistic policies of Communist Russia; and

Whereas these captive nations look to the United States of America for leadership in helping them regain their freedom and independence and it is fitting that we should pledge ourselves to help them in their struggle; and

Whereas a special urgency exists this year for the widest possible observance of Captive Nations Week because of the pressure by the Soviet Union for the abolition of recognition of this cause in the United States of America:

Now, therefore, I, Steven J. Bercik, mayor of the city of Elizabeth, N.J., do hereby declare the week of July 14-20, 1963, as Captive Nations Week in our city, and urge our citizens to observe this week with appropriate ceremonies and activities in recognition of the suffering caused these captive nations.

Given under my hand this twenty-fourth day of June, nineteen hundred and sixty-three.

STEVEN J. BERCIK,
Mayor.

OFFICE OF THE MAYOR,
City of Chicago.

PROCLAMATION

Whereas by joint resolution of the Congress of the United States the third week of July has been designated as Captive Nations Week; and

Whereas the city of Chicago is linked to these captive nations through the bonds of family, since numbered among the people of Chicago are hundreds of thousands of our citizens who through nativity or ancestry treasure the heritage which endowed them with the culture and industry which are theirs; and

Whereas these nations have been made captive by the imperialistic, aggressive, and heartless policies of communism; and

Whereas the peoples of these Communist-dominated nations have been deprived of their national independence and their individual liberties; and

Whereas it is appropriate and proper to demonstrate to the peoples of the captive nations the support of the people of the city of Chicago for their just aspirations for freedom and national independence; and

Whereas the people of Chicago, as do all the people of the United States, want for the peoples of the world the same freedom and justice which is theirs:

Now, therefore, I, Richard J. Daley, mayor of the city of Chicago, do hereby designate the week beginning July 14, 1963, as Captive Nations Week.

I urge the people of Chicago to join in the programs arranged for observance of the occasion, and I urge all of our churches, our educational institutions, and all media of communications to observe the plight of the Communist-dominated nations and to join in support of the just aspirations of the people of the captive nations.

I especially encourage everyone to concretely demonstrate his or her interest in the people imprisoned in the captive nations by their attendance at the program to be held at the band shell in Grant Park on Sunday afternoon, July 14, at 2 o'clock.

Dated this 10th day of July A.D. 1963.

RICHARD J. DALEY,
Mayor.

H. RES. 14

Whereas on the issue of colonialism the blatant hypocrisy of imperialist Moscow has not been adequately exposed by us in the United Nations and elsewhere; and

Whereas two Presidential proclamations designating Captive Nations Week summon the American people "to study the plight of the Soviet-dominated nations and to recommit themselves to the support of the just aspirations of the people of those captive nations"; and

Whereas the nationwide observances in the first anniversary of Captive Nations Week clearly demonstrated the enthusiastic response of major sections of our society to this Presidential call; and

Whereas following the passage of the Captive Nations Week resolution in 1959 by the Congress of the United States and again during the annual observances of Captive Nations Week, Moscow has consistently displayed to the world its profound fear of growing free world knowledge of and interest in all of the captive nations, and particularly the occupied non-Russian colonies within the Soviet Union; and

Whereas the indispensable advancement of such basic knowledge and interest alone can serve to explode current myths on Soviet unity, Soviet national economy and monolithic military prowess and openly to expose the depths of imperialist totalitarianism and economic colonialism throughout the Red Russian Empire, especially inside the so-called Union of Soviet Socialist Republics; and

Whereas, for example, it was not generally recognized, and thus not advantageously made use of, that in point of geography, history, and demography, the now famous U-2 plane flew mostly over captive non-Russian territories in the Soviet Union; and

Whereas in the fundamental conviction that the central issue of our times is imperialist totalitarian slavery versus democratic national freedom, we commence to win the psychopolitical cold war by assembling and forthrightly utilizing all the truths and facts pertaining to the enslaved condition of the peoples of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Vietnam, Cuba, and other subjugated nations; and

Whereas the enlightening forces generated by such knowledge and understanding of the fate of these occupied and captive non-Russian nations would also give encouragement to latent liberal elements in the Russian Soviet Federative Socialist Republic—which contains Russia itself—and would help bring to the oppressed Russian people their overdue independence from centuries-long authoritarian rule and tyranny; and

Whereas these weapons of truth, fact, and ideas would counter effectively and overwhelm and defeat Moscow's worldwide propaganda campaign in Asia, Africa, the Middle East, Latin America, and specifically among the newly independent and underdeveloped nations and states; and

Whereas it is incumbent upon us as free citizens to appreciatively recognize that the captive nations in the aggregate constitute not only a primary deterrent against a hot global war and further overt aggression by Moscow's totalitarian imperialism, but also a prime positive means for the advance of world freedom in a struggle which in totalistic form is psychopolitical; and

Whereas in pursuit of a diplomacy of truth we cannot for long avoid bringing into question Moscow's legalistic pretensions of "noninterference in the internal affairs of states" and other contrivances which are acutely subject to examination under the light of morally founded legal principles and political, economic, and historical evidence; and

Whereas in the implementing spirit of our own congressional Captive Nations Week resolution and the four Presidential proclamations it is in our own strategic interest and that of the nontotalitarian free world to undertake a continuous and unremitting study of all the captive nations for the purpose of developing new approaches and fresh ideas for victory in the psychopolitical cold war: Now, therefore, be it

Resolved, That there is hereby established a committee which shall be known as the Special Committe on the Captive Nations. The committee shall be composed of ten Members of the House, of whom not more than six shall be members of the same political party, to be appointed by the Speaker of the House of Representatives.

SEC. 2. (a) Vacancies in the membership of the committee shall not affect the power of the remaining members to execute the functions of the committee, and shall be filled in the same manner as in the case of the original selection.

(b) The committee shall select a chairman and a vice chairman from among its members. In the absence of the chairman, the vice chairman shall act as chairman.

(c) A majority of the committee shall constitute a quorum except that a lesser number, to be fixed by the committee, shall constitute a quorum for the purpose of administering oaths and taking sworn testimony.

SEC. 3. (a) The committee shall conduct an inquiry into and a study of all the captive non-Russian nations, which includes those in the Soviet Union and Asia, and also of the Russian people, with particular reference to the moral and legal status of Red totalitarian control over them, facts concerning conditions existing in these nations, and means by which the United States can assist them by peaceful processes in their present plight and in their aspiration to regain their national and individual freedoms.

(b) The committee shall make such interim reports to the House of Representatives as it deems proper, and shall make its first comprehensive report of the results of its inquiry and study, together with its recommendations, not later than January 31, 1964.

SEC. 4. The committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times within or outside the United States to hold such hearings, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, and to take such testimony as it deems advisable.

SEC. 5. The committee may employ and fix the compensation of such experts, consultants, and other employees as it deems necessary in the performance of its duties.

LEAGUE OF PRAYER FOR THE CAPTIVE PEOPLES

THE NEED

For the captive peoples: Because they live under atheistic tyranny—in confusion and despair. Because they are physically and psychologically isolated—without priests to teach and console—without mass and sacraments. Because in their suffering they need help to become actively united with Christ. Because the free world seems not to care—the free world seems to have abandoned them.

For the free peoples: Because they need to enliven their charity—to supply for their lack of penance and vicariously suffer by compassion for the captives and with Christ—"He had compassion on them, because they were distressed, and lying like sheep that have no shepherd."

THE PLAN

Priests: To say one mass a month for the sheep without shepherds.

Auxiliaries (religious and lay): attend mass and receive communion once a month for the captives.

Parishes and organizations: Offer mass and corporate communion on a definite day and hour each month. May spiritually adopt a captive parish and ask their prayers.

Membership requirements: One mass and communion a month. One dollar a year, if possible; or whatever donation a group or individual can make. Membership is open to all who will assume the spiritual obligations of the league.

THE PATRONESS

Our Lady of Guadalupe: Empress of the Americas, who appeared as the Immaculate Conception, the enemy of evil—the woman clothed with the sun, the moon at her feet, "terrible as an army in battle array"—who appeared to an oppressed and helpless people as the "Mother of All" and gave them hope.

THE ULTIMATE AIM

To reach the abandoned, all those peoples under Communist control: to assure them of our prayers and to ask theirs; to tell them that in the war of Christ vs. anti-Christ, Christ will win; to shift morale and hope to our side, for without them no battle is won.

[From the April 1963 issue of Ave Maria]

MISERERE FOR THE SILENT ALLELUIAS

(By Kate Dooley)

Alleluia! Christ is risen! The familiar, glorious words will ring again throughout the Christian world this Easter. But not everywhere * * * by no means everywhere. To millions of Catholics, Christ and His church remain entombed in the dark sepulcher of atheistic communism. For them, the alleluia must be prayed in secret, or in silence.

For us in the United States it is unthinkable not to be able to assist at mass and receive the sacraments at this, of all times. Even for the sick, there are priests to bring them the sacraments. For millions of captive Catholics, there are no priests, no masses, and no sacraments.

And so this seems a most fitting time for us to add to our prayers a miserere for those enslaved, physically and spiritually, behind the Iron and Bamboo Curtains, and, most recently, on the island of Cuba, so close to our own free shores. It was the sufferings of the latter that prompted formation of a league which offers a simple but very concrete way for free Catholics to demonstrate that membership in the mystical body of Christ means far more to us than a theological term.

The League of Prayer for Captive Peoples was organized under the patronage of Our Lady of Guadalupe, Empress of the Americas, and while it was motivated most immediately by the sufferings of the church in Cuba, it promotes prayer for captive peoples everywhere.

The idea began with an article, "Our Obligation to the Enslaved," published in Our Sunday Visitor last August. Inquiries led the author, Rev. Cletus Healy, S.J., to formulate a league of priests for the captive peoples. Most Rev. Alfred F. Mendez, C.S.C., bishop of Arecivo, Puerto Rico, offered to sponsor the league and is now chairman of its executive committee.

After discussions with exiled Bishops Eduardo Boza Masvidal of Cuba and Ceslaus Sipovic of Russia, as well as with Richard Cardinal Cushing, who is on the sponsoring committee, it was decided to call this a League of Prayer. By encouraging free parishes to adopt captive parishes, its originators hope to increase the numbers of Catholics praying for one another. The first objective of the league remains the same: "to provide shepherds for the sheep without shepherds."

The pilot parish was that of Our Lady Queen of Martyrs in Fort Lauderdale, Fla. Its pastor, Rev. Lamar J. Genovar, asked his people to adopt a Cuban parish. Bishop Masvidal suggested his own parish, Our Lady of Charity of Havana, since it has the largest number of Cuban Catholics under persecution. Beginning in January this year, mass is offered on the second Saturday of each month by members of the Florida parish. In return, Bishop Masvidal has offered mass for them, demonstrating that the suffering may pray for us, as we for them.

The tremendous spiritual need of captive peoples is obvious. They are without pastors to teach, to console, to offer mass and administer the sacraments. (Remember, our pastor is required to offer mass for his parish at least once a week.) These peoples are both physically and psychologically isolated from the church. In the midst of dangers and confusion, they must often feel that we have abandoned them, that we do not care. Lack of the spiritual strength drawn from the sacraments, plus the constant pressures of atheistic government, place them in great danger of despair. And yet, as so often demonstrated by those enduring persecution and martyrdom, their difficult life is potentially one which can merit infinite graces. And it can offer us, of the free church, an opportunity to enliven our charity and to supply for our lack of penance by vicariously suffering, through compassion for them and with Christ.

"Ever since I've been a Catholic," wrote one convert, "I've been appalled by Catholic indifference toward the millions of Catholics martyred in this century. They take 'the long view of history' and say 'the church is nourished by the blood of its martyrs: let's you be the martyr.' Finally an effort is being made to do something about persecuted Catholics, something very simple: go to church in their stead, receive the sacraments in their stead."

The plan for the league is adapted to both individual and group membership. Priest members agree to offer one mass a month for the peoples captive under communism, on a specified day if possible. Auxiliaries, both religious and lay, attend one mass a month for, and as representatives of, the captive peoples. Parishes and organizations offer a monthly mass and corporate communion at a specified time each month. They may, if they wish, spiritually adopt a parish or organization within a captive country. In many instances it is possible to let these people know that a group in the free world is praying for them.

Membership requirements are simply this: one mass a month, and a dollar a year to pay for records and publications. (The latter is not required of religious.)

It is hoped that notices of these parish or organization masses will interest others and encourage them to participate in the League of Prayer. The ultimate aim of the organization is to reach through to the captive peoples and:

1. Assure them of our prayers.
2. Ask their prayers for us.
3. Promote the doctrine of inevitability: in the war of Christ versus anti-Christ, Christ must win—that is, to shift morale and hope to our side, for without them no battle can be won.

Readers who wish to join or to learn more about the league may write to: Dr. Natalie E. White, secretary, League of Prayer for the Captive Peoples, P.O. Box 8911, Fort Lauderdale, Fla.

Certainly the Easter season when we rejoice in our deliverance from the bonds of sin is a most fitting time in which to remember those who are in bondage to atheistic communism and who must cling to their faith in the face of persecution and martyrdom—and must do this without the mass and the sacraments, which we take so much for granted. For them, we can add a fervent miserere to our own joyful alleluia.

CAPTIVE NATIONS WEEK, JULY 14–JULY 21, 1963, SYRACUSE-ONONDAGA

GENTLEMEN: The city of Syracuse and the county of Onondaga under formal joint proclamation by Mayor William Walsh and county executive John Mulroy will join the Nation the week of July 14 through July 21 for the observance of Captive Nations Week in order to manifest clearly to such peoples enslaved by Communist Russia that the peoples of this community share with them their aspirations for the recovery of their liberties and independence.

The official signing of Captive Nations Week proclamation will take place on July 8, Monday morning at 9:45 in the office of county executive, Mr. John Mulroy, in the County Office Building, 600 South State Street in Syracuse, N.Y. Members of the community, the press, and radio-television are welcome. There will be over 20 captive nations representatives in native costume present at the signing ceremonies. Flags of the captive nations will be presented.

The observance of Captive Nations Week dates back to July 17, 1959, when the Congress of the United States adopted a joint resolution authorizing and requesting the President of the United States to designate the third week of July as Captive Nations Week and to continue the observance annually until "freedom and independence shall have been achieved for all the captive nations of the world."

This year's joint proclamation of Syracuse-Onondaga for the first time officially supports and endorses House of Representatives special Resolution 14 (introduced by Congressman DANIEL FLOOD, of Pennsylvania) for the establishment of a permanent congressional Committee for Captive Nations Affairs.

Syracuse-Onondaga Citizens' Committee for the observance of Captive Nations Week enrolls: American Legion Post 41, Armenian Community Council, Estonian Lutheran Church, Free China Committee, Hungarian Committee, Latvian American Society, Latvian Academic Association, Polish Community Home, Polish American Congress, Ukrainian Congress Committee of America, Ukrainian Students, and the Syracuse Conservative Council—as well as representatives from Bulgaria, Rumania, Lithuania, Czechoslovakia, East Germany, and Cuba.

[From the New York Times, July 9, 1963]

PRAVDA CHARGES PRESIDENT TRIES TO HIDE RACIAL STRIFE

Moscow, July 8.—The Communist Party newspaper Pravda charged today that President Kennedy had tried to divert attention from racial strife in the United States by proclaiming the "Week of Enslaved Countries."

The reference was to Mr. Kennedy's proclamation Friday setting the third week of July as Captive Nations Week under a law of 1959.

The newspaper said, "Racism is an inseparable part of the contemporary American system." It asserted that developments in the United States showed the "closest interconnection between racism and facism."

It said American authorities were trying to "whip up an anti-Communist campaign in order to silence and imprison every Negro and every white man who is fighting against racism."

[From the New York Journal-American, July 6, 1963]

J.F.K. UPHOLDS "JUST HOPES" OF CAPTIVE NATIONS

HYANNIS PORT, MASS., July 6.—President Kennedy has followed up a Soviet-American exchange of sentiments for world peace with a proclamation upholding the "just aspirations" of captive nations to be free.

A similar proclamation by former President Dwight D. Eisenhower once sent Soviet Premier Khrushchev into a red rage.

Furthermore, Mr. Kennedy said last night in a summary of his 10-day trip to four European countries, that he had found a deep conviction in "the freedom of man" as well as in common goals, the unity of the West and the necessity for peace.

It was with Khrushchev that Mr. Kennedy, spending a long weekend on Cape Cod traded American Independence Day greetings and talk of peace.

WISHES OF PEACE

The Soviet leader had offered Mr. Kennedy and the American people July 4 wishes of peace and prosperity and said that in this nuclear and space age, "the maintenance of peace has indeed become a vital need for all mankind."

To the man whose peaceful coexistence policy has no appeal to Communist China, Mr. Kennedy said in a reply made public yesterday that "the world has long passed that time when armed conflict can be the solution to international problems. That is why I share your desire * * * that we move forward with understanding toward the solution of those key problems which divide us. I am hopeful that world peace, just and lasting, can be achieved."

The Captive Nations Week, 1963 proclamation was authorized and requested by Congress. The legislators adopted a resolution in 1959 asking that the third week in July of that year be designated Captive Nations Week and that the President issue a similar proclamation yearly "until such time as freedom and independence shall have been achieved for all the captive nations of the world."

AIMED AT RUSSIA

The measure was pointed straight at Russia and her satellites.

Mr. Kennedy came through with the annual proclamation last night. He invited the American people to observe the week beginning July 14 with appropriate ceremonies.

Mr. Kennedy said he could report that ties between the people of Europe and the United States are even stronger than they have been in the past, that his recent trip was a very rewarding experience.

Aside from the flurry of statements, there wasn't much business around the temporary White House.

Mr. Kennedy spent a good part of yesterday cruising around on land and water. More of that was on tap for today.

[From the New York Daily News, July 5, 1963]

CAPITOL STUFF

(By Ted Lewis)

WASHINGTON, July 4.—When Congress in 1959 set aside the third week of July as Captive Nations Week the reasoning was that the most appropriate time for this Nation to display its interest in freedom for those under the Communist yoke was shortly after our own Fourth of July.

That congressional resolution passed 4 years ago does not contain the undying prose of our Declaration of Independence but it still is the only formal document from these shores that enslaved peoples find tuned to their hopes of liberty and the pursuit of happiness.

On our own Independence Day, it is highly proper to recall what the resolution says in part: "Enslavement of a substantial part of the world's population by Communist imperialism makes a mockery of the idea of peaceful coexistence between nations and constitutes a detriment to the natural bonds of understanding between the people of the United States and other peoples. * * *

"Whereas these submerged nations look to the United States as the citadel of human freedom for leadership in bringing about their liberation and independence. * * *

"Whereas it is fitting that we clearly manifest to such people through an appropriate means the historic fact that the people of the United States share with them their aspirations for the recovery of their freedom and independence. * * *"

The resolution named specific countries so there would be no doubt of the scope of the congressional gesture. These were Poland, Hungary, Lithuania, the Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, East Germany, Bulgaria, Red China, Armenia, Azerbaijan, Soviet Georgia, North Korea, Albania, Edel-Ural, Tibet, Cossackia, Turkistan, and North Vietnam.

ANNUAL OBSERVANCE RESTS WITH PRESIDENT

In conclusion, the resolution authorized and requested the President to issue annually the Captive Nations Week proclamation "inviting the people of the United States to observe such week with appropriate ceremonies and activities."

The final paragraph read: "The President is further authorized and requested to issue a similar proclamation for each year until such time as freedom and independence shall have been achieved for all the captive nations of the world."

Now here is a document, adopted unanimously at the time by both Houses of Congress which really says something, and yet it has through the years touched most sensitive nerves both in the White House and State Department. This is because every administration wants to run foreign policy, and resents any intrusion on what it considers the executive branch's preserves by the legislative branch.

The required Captive Nations Week Presidential proclamations never sat well with President Eisenhower, and definitely have been a personal headache to President Kennedy.

The original resolution slid through Congress so fast in July, 1959, that Ike's State Department had no chance to agree or disagree to it. In a way its tenor was politically embarrassing for in June, 1956, Moscow had crushed the revolt in Hungary and despite all the big talk about the strong Ike-Dulles "liberation policy" the Hungarian freedom fighters were left stranded.

Ike, however, had to come through in 1959 with his Captive Nations Week proclamation, but it was soft verbiage compared with the strong stand Congress had taken.

URGES A DEDICATION TO THEIR JUST ASPIRATIONS

It called on all citizens to observe the week appropriately and "to study the plight of the Soviet-dominated nations and to recommit themselves to the support of the just aspirations of the people of those captive nations."

But Ike's "let's study" proclamation at least had one merit—it mentioned the Russians directly. Last year Kennedy's proclamation—only issued on the eve of Captive Nations week—made no reference to Moscow-dominated nations and contained only broad generalities about "just aspirations of all peoples for national independence and freedom."

For this reason, the question is being raised in Congress as to what President Kennedy will do this year. The third week of July begins July 14 but he has not yet acted. Earlier this week, in the House, Representative THOMAS M. PELLY, Republican, of Washington, said: "It is interesting to observe that the White House announced a United Nations Week months ahead, officially sanctioning the extensive preparations involved in its observance. The difference is obvious—United Nations Week does not offend the Kremlin; Captive Nations Week does.

"The question arises, What is the idea behind Captive Nations Week which so infuriates Nikita Khrushchev and his Communist henchmen, and which our State Department apparently also bitterly resists? The answer in a nutshell is that Captive Nations Week is a constant goading reminder that communism must take by force what it wants—that men want to be free."

PREDICTS A MOUTHFUL OF MARSHMALLOW

PELLY predicted that the Kennedy proclamation again this year will be full of "marshmallow phrases," because the State Department, under Secretary Rusk takes the position that we must not provoke the Kremlin by offering a ray of hope to its slaves."

Discounting the fact there is a strain of pure partisan politics in PELLY's appraisal, he is probably very close to being right and for a most solid reason. The President is going all out in an effort to get a partial nuclear test ban agreement with Khrushchev. The ban talks start in Moscow on July 15—at the beginning of Captive Nations Week—with W. Averell Harriman, Under Secretary of State, representing the United States.

[From the New York World Telegram and the Sun, July 6, 1963]

U.S. PAYS TRIBUTE TO CAPTIVE NATIONS

HYANNIS PORT, MASS., July 6.—President Kennedy followed up a Soviet-American exchange of sentiments for world peace with a proclamation upholding the "just aspirations" of captive nations to be free.

A similar proclamation by former President Eisenhower once sent Soviet Premier Nikita S. Khrushchev into a rage.

Furthermore, Kennedy said last night in a summary of his 10-day trip to four European countries that he had found a deep conviction in "the freedom of man" as well as in the unity of the West and the necessity for peace.

TRADED GREETINGS

It was with Khrushchev that Kennedy, spending a long weekend on Cape Cod, traded American Independence Day greetings and talk of peace.

The Captive Nations Week, 1963, was authorized and requested by Congress. The legislators adopted a resolution in 1959 asking that the third week in July of that year be designated Captive Nations Week and that the President issue a similar proclamation yearly "until such time as freedom and independence shall have been achieved for all the captive nations of the world."

The measure was pointed straight at Russia and her satellites.

Kennedy came through with the annual proclamation last night. He invited the American people to observe the week beginning July 14 with appropriate ceremonies and activities and urged them "to give renewed devotion to the just aspirations of all people for national independence and human liberty."

REPORT TO PEOPLE

At about the same time, Kennedy's taped-in-advance sum-up of his trip to Germany, Ireland, Britain, and Italy was going to the American people by way of radio and television.

He said he could report that ties between the people of Europe and the United States are even stronger than they have been in the past, that the trip was a moving experience, and that:

"Today we can be more confident than ever that the Old World and the New are partners for progress and partners for peace."

WHY CAPTIVE NATIONS WEEK?

Panel: Hon. SAMUEL S. STRATTON, Member of Congress, 35th District, New York; member of Armed Services Committee; Mr. William H. Harrison, editorial writer, Washington Star newspaper; Dr. Lev E. Dobriansky, professor of economics, Georgetown University; moderator: Wallace Fanning.

The President of the United States has officially proclaimed the week of July 14 to 20 as Captive Nations Week. By this proclamation and the law which sanctions it, the United States calls attention to the plight of nations made "captive" by the Soviet.

Today's Georgetown University forum presents the author of the idea of Captive Nations Week, who will discuss its purpose and significance with a Member of Congress and an editorial writer skilled in the interpretation of world affairs.

Mr. MADDEN. Mr. Speaker, I wish to commend our colleague, the gentleman from Pennsylvania, Congressman FLOOD, for setting aside this time to observe Captive Nations Week.

When the Congress passed the resolution several years ago to set aside the third week in July to commemorate the nations that are now enslaved by the Communist tyrants, Khrushchev and the Soviet press were very much aroused and openly denounced the Congress for this action. The attitude of the Soviet leaders clearly demonstrates that they fear the effect of the world's public opinion by annually being reminded that the European captive nations are victims of the Soviet military power and aggression. For years, the Soviet propaganda has tried to convince the world that its enslaved nations willingly submitted to Soviet domination and are content to exist under Communist enslavement.

The Soviet leaders also realize that when the world's attention is called to the treacherous and barbarous methods used by Stalin and his lieutenants to enslave free people, the misrepresentations manufactured in Moscow are exposed so that the world knows the truth concerning Communist tyranny.

From the reports coming out of Russia recently, it evidences a change in the attitude toward the West. If these indications are true, Khrushchev and his tyrants must be finally realizing that the people of the satellite nations are still hankering for an opportunity to rise up and establish free government within their borders. Maybe the disputes now existing between Chinese Communists and Soviet Communists will bring about the opportunity which the people of the captive nations have been waiting for over the years. The people of the captive nations do not enjoy the benefits of freedom: They are denied free elections, self-government, and freedom of worship. If the Soviets become enmeshed with their difficulty in China and trouble starts between these two divided communistic powers, the near future may bring about some startling events between these two communistic giants that will result in the eventual freedom of the enslaved people of all captive nations.

Now is no time to relax the spirit and cooperation that the people of our Nation have been extending to the enslaved people in past years. As a member of the Rules Committee in the House of Representatives, I have been urging and fighting for favorable action on the part of that committee to report out for House consideration one of the many pending resolutions for the investigation of the enslavement of captive nations. It is my earnest hope that before this session ends, a special House committee be authorized to hold hearings not only in this country but in Europe, so that the people of the world can again be reminded of the barbaric methods and military enslavement of the millions of people now behind the Iron Curtain.

Mr. GILBERT. Mr. Speaker, I wish to commend the gentleman from Pennsylvania [Mr. FLOOD] and the gentleman from Illinois [Mr. DERWINSKI] for their conscientious and tireless efforts on behalf of the captive nations.

I am pleased to have the opportunity to join with my colleagues in the fifth observance of Captive Nations Week. Provided by Public Law 86-90, the week has gained in importance for all of us. It is a time for serious thought and rededication to the principles of freedom and democracy, and deep concern for the many millions whose liberty has been wrested from them and who exist in slavery under the Soviet yoke.

We must remain alert to the fact that more than 23 non-Russian nations have been brought under the Soviet rule; we must not become acquiescent to the permanence of Moscow's vast empire. The cold war is being waged as strenuously as ever; the meaning of the combat has not changed. We must remain constantly aware of the threat posed by Russian colonization plans; imperial Russia is progressing in its course to colonize the world, and this plan includes the United States.

It is pointed out that the nationalism reflected in the party rivalries throughout the Russian empire is the prime result of a whole decade of captive nations' strong opposition to the Soviet imperio-colonial rule; the people with all their strength and will, are keeping alive their love of freedom and their hopes for deliverance from bondage, against unsurmountable odds. In view of this, nothing would serve Moscow's cold war aims more than our neglect of the captive nations. Our determination not to forget them, to show our continued concern for these millions of people, to support in every way possible their aspirations for freedom and independence, all constitute one of our most strategic weapons in fighting the cold war.

It is our responsibility as a Congress, as individuals who support the cause of freedom and abhor the conditions of slavery and servitude which have been forced upon those in the captive nations, and as a nation dedicated to the principle that all men are entitled to liberty and the right of self-government, to reaffirm our position that we strongly disapprove of and will never close our eyes to the deceits and untruths which the Soviets spread abroad concerning their policies of colonialism and the subjugation of the non-Russian nations under their control.

A most effective action on the part of Congress would be the establishment of a Special Committee on Captive Nations in the House of Representatives. I have joined with many of my colleagues in this effort, and on January 21, 1963, I introduced House Resolution 157 providing for such a committee.

The need for such a committee is clear and undeniable. We know that Moscow makes every effort to conceal the captive status of the non-Russian nations in the U.S.S.R. The Special Committee on the Captive Nations would develop worldwide knowledge and expose the true facts and grave injustices prevalent under the imperio-colonial system which exists in the U.S.S.R. Such a committee would also make vital contributions to our own security interests.

There has been a tremendous popular response to this proposed resolution; citizens everywhere are urging the establishment of such a Special Committee on Captive Nations. There is a continuing Soviet activity in the Western Hemisphere. An effective House Committee on Captive Nations would bring into sharp focus the real truths concerning the criminal Soviet colonialism and would be of great aid to those in charge of our foreign policy; the work of the committee would be of inestimable value to our country.

It is most important that we continue to encourage the peoples of the captive nations in their resistance to their oppressors; to give them all possible encouragement to keep alive their traditions and love for their countries which once knew freedom, and to cherish their ideals of freedom and equality.

A Special Committee on Captive Nations would accomplish a great deal for us and would perform many tasks which, in my opinion, are necessary in these days of crises. For the foregoing reasons, I am hopeful that we can secure favorable action on the resolution without further delay.

Mr. MATHIAS. Mr. Speaker, during this the fifth observance of Captive Nations Week, all Americans should join together to reaffirm our determination to use every peaceful means to help the captive nations toward their independence. We cannot condone the subjugation of the peoples of Hungary, Poland, East Germany, Czechoslovakia, Rumania, Albania, Bulgaria, Latvia, Lithuania, Estonia, Cuba, and other once-free nations. But we can work for the day when these brave people will throw off the yoke of Communist tyranny and be free to live and worship according to their good conscience.

Mr. RYAN of Michigan. Mr. Speaker, for the fifth time since 1959, we are observing Captive Nations Week.

President Kennedy, on July 5, 1963, proclaimed the third week in July as Captive Nations Week as one of the first things he did upon his return to the United States from Europe.

The President found, on his trip, a deep conviction in the freedom of men and issued his proclamation upholding the "just aspirations of all people for independence and human liberty."

It is very gratifying that since 1959 the observance of Captive Nations Week has progressively grown in scope and in intensity. Most major cities in all sections of our Nation join in its observance.

The observance of Captive Nations Week points up to the tragedy of the people enslaved by the Communists. It focuses attention on the tragic truth that although the Allies won the war, the defeated enemy countries are recognized as free and sovereign while nations that fought on the side of the victorious allies are subjugated satellites of Soviet Russia, one of the perpetrators of World War II.

To us, living in a free world, the observance of Captive Nations Week should be a time for both prayerful reflection and renewed determination. During this week we as Americans can reflect on the liberties and freedoms which we often take for granted. We can once again voice hope and determination that those captive nations will once again regain their freedom which is their inherent right to enjoy.

More than 90 million people of Albania, Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland, and Rumania were free and independent. In their homelands they lived and were content with their lot under their national and democratic governments. The war changed all this. These nations were fighting to continue to live in freedom, but the U.S.S.R. had different views on their status after World War II. Now nearly two decades later these nations are still under the yoke of Soviet Russia. Not only the people of these nations are under Communist domination, but nearly 17 million Germans in East Germany suffer a similar fate.

The Communist leaders know that if we keep alive the opposition to the Communist tyranny in the captive nations we can move toward their liberation from Communist rule. Hope of freedom lives in the hearts of these people and this spark can be intensified and become a blaze if we can deter Communist ambitions of world domination and eventually bring about its defeat.

In 1959, the House of Representatives and the Senate adopted a resolution for the designation of Captive Nations Week for appropriate observance throughout the country. The month of July was selected as the most appropriate month for these festivities.

After the designation of the first Captive Nations Week in July 1959, it was apparent that this declaration was a thorn in the side of the Russian leaders. At that time Khrushchev denounced the Presidential proclamation of Captive Nations Week because he knew the Soviet Russian treachery and consistent betrayal made her the undying enemy of the captive nations and a foe of Christianity and democracy forever. He realized that he had to retain enough pawns like the captive nations to perpetuate more heinous crimes in the future.

He has publicly stated that he will bury us for he believes that the godless communism, which Soviet Russia has foisted upon her Christian, God-fearing neighbors and that the Iron Curtain will be a deathknell of Christianity, democracy, and civilization.

We in Congress, our public leaders, and all citizens, not for only 1 week but throughout the year, should take positive action to halt, control, and eliminate this international conspiracy. We should be fearless and forthright in determining a policy and future course of action that will lead to the restoration of full sovereignty to all the nations that are now enslaved behind the Iron Curtain and the liberation of the millions of Europeans now held captive by the Communists.

During this Captive Nations Week we can reaffirm our sympathy for those people now living under Communist domination. We can assure them that we have not forgotten them and give them assurance that we will continue our efforts for the return of freedom and liberty to them.

Let us strengthen our vows to keep alive the knowledge of the injustice to those subjugated nations and the oppression of human beings. We should do this in the hope that the ensuing years will see these Communist-dominated countries once again as members of a free world community.

What appears to be hopeless today may become a reality tomorrow if we can continue our efforts toward forcing these unfortunate nations from the yoke of Communist oppression. Given the opportunity, these enslaved people will rise up and fight their captors. The free nations must keep this hope alive so that this freedom may soon be attained.

Mr. TOLL. Mr. Speaker, the captive nations of Europe, with a population of some 100 million have been in thrall to the Soviet Union for 18 years. During all that time they all have seen suffering under Communist totalitarian tyranny. They are victims of the Soviet Union's plotting toward the end of the last war and during the succeeding years. Eventually, all these nations, from the Baltics to the Balkans, fell before the onslaught of the Red army and Communist subversion, until today there are eight captive nations in Europe, in addition to some 17 million people in the Eastern half of Germany.

The fate of these unfortunate people has been a principal concern of Western statesmanship. The Government of this Republic in particular has been constantly aware of the terrible conditions in which these nations live, and has done its utmost to improve their lot. Unfortunately, however, none of its serious and wholehearted efforts have produced the desired results, and today the people of these nations are prisoners in their own country. But the Government and the people of the United States are not discouraged; they are still determined to do everything possible short of war to bring about the liberation of these nations. With that lofty ideal in mind the Congress enacted a law in 1959 empowering the President to proclaim the third week in July as Captive Nations Week, a week of national observance and commemoration. I am happy to participate in this annual observance of Captive Nations Week; through it the Congress of the United States has given tangible recognition that America's heart is with our brethren in Eastern Europe, and that their aspirations for freedom coincide with our own. May these unhappy nations soon enjoy the full freedom from the tyranny of totalitarian communism.

Mr. DERWINSKI. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from Illinois.

Mr. DERWINSKI. Mr. Speaker, I wish to take a moment to commend the gentleman from Pennsylvania for leading in the observance in memory of Captive Nations Week. The gentleman from Pennsylvania has been very active in this matter for a long time, and he should be commended for bringing it to the attention of the American public.

Mr. FLOOD. I may say to the gentleman from Illinois that from the first day he arrived in this House he has been my strong right arm on that side of the aisle for this cause.

Mr. DERWINSKI. I thank the gentleman.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, I join my colleague, the gentleman from Pennsylvania [Mr. FLOOD], in emphasizing the growing nationwide interest in participation in Captive Nations Week commemorations.

As evidence of this growing national interest, I submit for the RECORD at this point proclamations issued by Governors and mayors throughout the land. May I emphasize that these are the early proclamations which have been received. We fully expect Captive Nations Week observances to be held in all 50 States and thousands of communities across the country.

I especially wish to emphasize that the Captive Nations Week commemorations throughout the land follow the same tremendous bipartisan pattern that is visible here in the House and that the resolutions that I am inserting into the RECORD to augment my presentation come from outstanding Governors and mayors in both our political parties:

PROCLAMATION, STATE OF NEBRASKA

Whereas many once free peoples are now subjugated and look to the free nations of the world for leadership in bringing about their liberation; and

Whereas the desire for liberty and independence by the overwhelming majority of the people of these submerged nations constitutes a powerful deterrent to war; and

Whereas peaceful coexistence between nations will be a reality only when people everywhere are permitted the enjoyment of their religious freedoms and their individual liberties; and

Whereas the faith and prayers of the people of these submerged nations for peace and freedom should be steadfast:

Now, therefore, I, Frank B. Morrison, Governor of the State of Nebraska, do hereby proclaim the period of July 14 to July 20, 1963, as Captive Nations Week, and call upon the citizens of Nebraska to join with the other States in observing this week by offering prayers for the peaceful liberation of the oppressed and subjugated peoples all over the world.

FRANK B. MORRISON,
Governor of Nebraska.

By the Governor:

FRANK MARSH,
Secretary of State.

STATEMENT BY GOV. ELBERT N. CARVEL, OF DELAWARE, IN OBSERVANCE OF CAPTIVE NATIONS WEEK, JULY 14–20, 1963

The President of the United States, in compliance with a joint resolution of the Congress (Public Law 86–90) has designated the third week in July as Captive Nations Week, and has invited Americans everywhere to join in a demonstration of support of the just aspirations of all captive peoples.

Delawareans, along with all other freedom-loving Americans, are linked by bonds of family and principle to the oppressed peoples behind the Iron and Bamboo Curtains. We wish for these peoples the same freedoms and justice which are part of the American way of life.

During Captive Nations Week, July 14–20, let us join in appropriate ceremonies and activities that will demonstrate to oppressed peoples everywhere that we support their aspirations for freedom and independence. Let us pray for these unfortunate people and for their early deliverance from the yoke of tyranny.

CAPTIVE NATIONS WEEK

The period July 14–20 has been designated as Captive Nations Week. This week affords an opportunity for all Americans to reaffirm their determination to honor agreements to work ceaselessly for the freedom of those peoples of Albania, Bulgaria, Czechoslovakia, East Germany, Estonia, Hungary, Latvia, Lithuania, Poland, and Romania. We owe these people no less.

The right of all peoples to self-determination as to their form of government and to freely pursue their economic, social and cultural development is a right dear to all Americans, but it has been denied to those people behind the Iron and Bamboo Curtains. The captive peoples of Central and Eastern Europe have never ceased to strive for freedom, actively when the opportunity presented itself; passively when necessity demanded.

During the period July 14–20, 1963, I would hope that all Oregonians and all citizens throughout the United States and the Free World will join with the American friends of the captive nations in observing Captive Nations Week with fitting and appropriate activities and ceremonies.

MARK O. HATFIELD,
Governor of Oregon.

PROCLAMATION, STATE OF ALABAMA

Whereas the enslavement of a substantial part of the world's population by Communist imperialism makes a mockery of the idea of peaceful coexistence between nations and constitutes a detriment of the natural bonds of understanding between the people of the United States and other peoples; and

Whereas the imperialistic policies of Communist Russia have led, through direct and indirect aggression, to the subjugation of the national independence of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Armenia, Azerbijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Vietnam, and others; and

Whereas the desire for liberty and independence by the overwhelming majority of the people of these submerged nations constitutes a powerful deterrent to war and one of the best hopes for a just and lasting peace; and

Whereas these submerged nations look to the United States, as the citadel of human freedom, for leadership in bringing about their liberation and independence and in restoring to them the enjoyment of their religious freedoms, and of their individual liberties; and

Whereas it is vital to the national security of the United States that the desire for liberty and independence on the part of the peoples of these conquered nations should be steadfastly kept alive; and

Whereas the U.S. Congress by unanimous vote has passed a resolution asking the President to proclaim the third week in July each year as Captive Nations Week and inviting the people of the United States to observe such week with appropriate ceremonies and activities:

Now, therefore, I, George C. Wallace, Governor of the State of Alabama, do hereby proclaim that the week commencing July 14, 1963, to be observed as Captive Nations Week in Alabama, and call upon the citizens of Alabama to join with those in other States in observing this week by offering prayers for the peaceful liberation of oppressed and subjugated peoples all over the world.

In witness whereof, I have hereunto set my hand and caused the great seal of the State to be affixed, done at the capitol in the city of Montgomery, on this 26th day of June 1963.

GEORGE C. WALLACE,
Governor.

Attest:

MRS. AGNES BAGGETT,
Secretary of State.

PROCLAMATION, SALT LAKE CITY CORP.

Whereas by a joint resolution approved July 17, 1959 (73 Stat. 212), the Congress has authorized and requested the President of the United States of America to issue a proclamation designating the third week in July 1959 as Captive Nations Week, and to issue a similar proclamation each year until such time as freedom and independence shall have been achieved for all the captive nations of the world; and

Whereas many of the roots of our society and our population lie in these countries; and

Whereas it is in keeping with our national tradition that the American people manifest its interest in the freedom of other nations:

Now, therefore, I, J. Bracken Lee, mayor of Salt Lake City, Utah, do hereby designate the week July 14 through 20, 1963, as Captive Nations Week.

I invite the people of Salt Lake City to observe this week with appropriate ceremonies and activities, and I urge them to recommit themselves to the support of the just aspirations of all peoples for national independence and freedom.

In witness whereof, I have hereunto set my hand and caused the seal of the city of

Salt Lake City to be affixed this 1st day of July 1963.

J. Bracken Lee, *Mayor.*
Herman J. Hogensen,
City Recorder.

Official Proclamation, City of South Bend, Ind.

Whereas by a joint resolution approved July 17, 1959 (73 Stat. 212), the Congress has authorized and requested the President of the United States of America to issue a proclamation designating the third week of July as Captive Nations Week, and to issue a similar proclamation each year until such time as freedom and independence shall have been achieved for all the captive nations of the world; and

Whereas many of the roots of our society and our population lie in these captive nations; and

Whereas many nations throughout the world have been made captive by the imperialistic and aggressive policies of Soviet communism; and

Whereas the peoples of the captive nations have been deprived of their national independence and individual liberties; and

Whereas since 1918 the imperialistic and aggressive policies of Soviet Russia have resulted in the creation of a vast empire which poses a threat to the security of the United States of America; and

Whereas it is vital to the security of United States of America that the desire for liberty and independence on the part of the captive peoples be kept alive; and

Whereas it is fitting that we clearly manifest to the captive peoples through an appropriate and official means the historic fact that the people of the city of South Bend, Ind., share with them their aspirations for the recovery of their freedom and independence.

Now, therefore, I, Frank J. Bruggner, mayor of the city of South Bend, Ind., do hereby designate the week beginning July 14, 1963, as Captive Nations Week. I invite the people of the city of South Bend to observe the week with appropriate ceremonies and activities and I urge them to study the plight of the Communist dominated peoples and to recommit themselves to the support of the just aspirations of the captive peoples for freedom and national independence.

Done at the city hall this 8th day of July 1963.

Frank J. Bruggner,
Mayor.

Proclamation, City of Concord, N.H.

Whereas on August 13, 1961, the Soviet Union and her East German puppets shocked the whole world by erecting a wall in the center of Berlin, thus creating the biggest concentration camp ever, and thereby showing the true nature of Communist oppression for its unfortunate captives; and

Whereas a wave of shock and horror swept through the world and has been followed by increasing tensions; and

Whereas that wall indeed has become a symbol of brutality to mankind; and

Whereas a concerned American citizenry seeks ways to demonstrate its sympathy and continued support to the brave people of Berlin and all victims of communism.

Now, therefore, I, Charles C. Davie, mayor of the city of Concord, N.H., do hereby proclaim the period of July 14–20, 1963, as Captive Nations Week in the city of Concord and urge my fellow citizens to join me in giving expression of our deep sympathy toward the brave people of Berlin.

In witness whereof I have hereunto set my hand and caused the seal of the city of Concord to be affixed this 9th day of July 1963.

Charles C. Davie,
Mayor.

Proclamation

Whereas the week of July 14–20, 1963 marks the fifth national observance of Captive Nations Week; and

Whereas untold millions of people remain behind the so-called Iron and Bamboo Curtains in a state of virtual slavery exploited by oppressive governments under such conditions that they are maintained at subsistence and less than subsistence levels, denied such rights as freedom of speech, freedom of religion, right to assembly, freedom of opportunity and self expression, right to hold and own property; and

Whereas we of the land of Lincoln have a special duty to hold aloft the torch of freedom and personal liberty and to demonstrate to the captive peoples of the world that we have not forgotten them,

Now therefore, by virtue of the authority reposed in me as mayor of the city of Springfield, I do hereby proclaim the week of July 14–20, 1963, as National Captive Nations Week.

Done in the city of Springfield, Ill., this 2d day of July A.D. 1963.

——— ———,
Mayor.

Proclamation, Captive Nations Week

Whereas the imperialistic policies of Communist Russia have led, through direct and indirect aggression, to the subjugation of the national independence of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, Rumania, Byeloruthenia, East Germany, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Vietnam, Cuba, and others; and

Whereas these submerged nations look to the United States, as the citadel of human freedom, for leadership in bringing about their liberation and independence and in restoring to them in the enjoyment of their Christian, Jewish, Moslem, Buddhist, or other religious freedoms, and of their individual liberties; and

Whereas the President of the United States has called upon the peoples of our great country in his annual proclamation to observe fittingly Captive Nations Week, because it is vital to the national security of the United States that the desire for liberty and independence on the part of the peoples of these conquered nations should be steadfastly kept alive; and

Whereas recently there was introduced in the House of Representatives a special resolution, House Resolution 14, for the establishment of a permanent congressional Committee for Captive Nations Affairs, which we wholeheartedly endorse and request its speedy enactment; and

Whereas it is fitting that we, citizens of the city of Syracuse and of the county of Onondaga, clearly manifest to such captive peoples through an appropriate and official means the historic fact that the peoples of this community share with them their aspirations for the recovery of their liberties and independence;

Now therefore, we, William F. Walsh, mayor of the city of Syracuse, and John Mulroy, county executive of Onondaga County, do hereby designate the week beginning July 14, 1963, as Captive Nations Week in this community, and we urge the widest possible cooperation in the observance of this week as well as in the recognition and study of the plight of the Moscow-dominated nations. Moreover, we urge that our fellow citizens dedicate themselves to support the just aspiration of the peoples striving for liberty and independence.

In witness whereof, we have hereunto set our hands and caused the seal of the city of Syracuse and of Onondaga County to be affixed.

William F. Walsh,
Mayor of the City of Syracuse.
John Mulroy,
Executive of the County of Onondaga.

Proclamation, Captive Nations Week, July 14–20, 1963

Whereas the enslavement of a substantial part of the population of the world by Communist imperialism makes a mockery of the idea of peaceful coexistence between nations; and

Whereas since 1918 the imperialistic and aggressive policies of communism have resulted in the subjugation of many once free peoples and created a vast slave empire which is a dire threat to the security of the United States of America and to the security of all the free nations of the world; and

Whereas these submerged nations look to the United States as the world leader to bring about their liberation and independence and to restore to them the privilege of religious freedom and individual liberty; and

Whereas it is vital to the national security of the United States that this desire for liberty and independence on the part of the captive nations be kept alive; and

Whereas the overwhelming majority of these captive nations are desirous of their freedom and thus constitute a powerful deterrent to war and one of the best hopes for a just and lasting peace; and

Whereas the President of the United States, acting on a unanimous resolution of the Congress has proclaimed the third week of July each year as Captive Nations Week, to be observed with appropriate ceremonies and activities;

Now, therefore, I, Albert H. Losche, mayor of the city of Indianapolis, do hereby proclaim the period July 14–20, 1963, as Captive Nations Week, and call upon all of our citizens to join with the peoples of other cities and States in observing this week by offering prayers for the peaceful liberation of the oppressed and subjugated peoples all over the world, and by other appropriate means.

Wherefore, I have hereunto set my hand and caused the seal of the city of Indianapolis to be affixed this 12th day of July 1963.

Albert H. Losche,
Mayor.

Proclamation

Whereas the Senate and the House of Representatives of the United States of America have by resolution requested and authorized the President of the United States to designate the week of July 14 through July 20, 1963, as Captive Nations Week; and

Whereas we Americans are proud that many refugees from the oppressed countries have found asylum in the United States; and

Whereas the citizens of the United States are linked by bonds of family and principle to many of the captive nations peoples; and

Whereas it is appropriate and proper to manifest to these people of the captive nations the support of the Government and the people of the United States for their just aspirations for freedom and national independence; and

Whereas the citizens of the city of Calumet City are fully aware of and grieve for the plight of those made captive under the heavy yoke of Russian communism:

Now, therefore, I, Joseph W. Nowak, mayor, of the city of Calumet City, do hereby designate the week of July 14–20, 1963, as Captive Nations Week in the city of Calumet City, and urge the widest possible cooperation in the observance of this week.

Joseph W. Nowak.

Mr. Speaker, in addition we have noted a tremendous increase in the awareness of the importance of the captive nations and the moral principles on which this observance is based by many of our outstanding newspapers across the country. I place in the RECORD at this point as part of my remarks editorial comments and reports from the National Captive Nations Week Committee on this week's observance:

[From the Manchester (N.H.) Union Leader, June 28, 1963]

Captive Nations Must Not Be Forgotten

With the approach of Captive Nations Week, authorized by Congress and the President as an annual occasion on which the American people should "study the plight of the Soviet-dominated nations and * * * recommit themselves to the support of the just aspirations of the people of those captive nations," it is all the more imperative that the American people lend their vocal support to House Resolution 14, now pending before the House Rules Committee in Washington.

It is probably the understatement of the year to say that there is less and less enthusiasm in official Washington for this annual observance. The matter of U.S. relations toward Hungary is typical of the general feeling that somehow Communist dictatorships have mellowed. The current move toward recognition of the puppet Kadar regime was preceded by a series of retreats from the firm U.S. position of 1956, capped by U.S. refusal to push the "Hungarian question" at the U.N. Thus, the Soviet Union has succeeded in arrogantly frustrating every single provision of the U.N. resolution adopted in 1956.

Recognizing this trend toward appeasement, Representative DANIEL J. FLOOD, of Pennsylvania introduced House Resolution 14 early this year. The resolution calls for establishment of "a committee which shall be known as the Special Committee on the Captive Nations. The committee shall be composed of 10 Members of the House, of whom not more than 6 shall be members of the same political party, to be appointed by the Speaker of the House of Representatives."

The functions proposed for the committee strike fear into the hearts of every disciple of appeasement who would like to see the discontinuance of Captive Nations Week. For House Resolution 14 provides that the Special Committee on the Captive Nations "shall conduct an inquiry into and a study of all the captive non-Russian nations, which include those in the Soviet Union and Asia, and also of the Russian people, with particular reference to the moral and legal status of Red totalitarian control over them, facts concerning conditions existing in these nations, and means by which the United States can assist them by peaceful process in their present plight and in their aspiration to regain their national and individual freedoms."

The committee reports to the House of Representatives would serve the purpose of thwarting those who would blur the meaning of Captive Nations Week and dull the impact the remembrance has had in Moscow and other Communist bloc capitals since the Captive Nations resolution was passed by Congress in 1959.

[From the New York Daily News, June 26, 1963]

Fine Words in Frankfurt

"Unless liberty flourishes in all lands," said President Kennedy yesterday in an eloquent speech at Frankfurt, West Germany, "it cannot flourish in one."

Mr. Kennedy was building on a remark by the Hungarian statesman F. L. A. Kossuth (1841–1914), and the statement came as close to being true as does the average generalization.

LET'S HAVE A PROCLAMATION

So how about a loud, forceful and prompt proclamation by the President of Captive Nations Week—July 14–20—of the kind President Eisenhower got out?

Let's shout again from the White House, so that all the world may hear, for the liberation from Moscow and/or Peiping of Albania, Bulgaria, Byelorussia, Czechoslovakia, East Germany, Estonia, Hungary, Latvia, Lithuania, North Korea, Rumania, Tibet, and the Ukraine. And this time—most fittingly—let's add Cuba to the list of captive nations we hope to see freed someday soon.

[From the Brooklyn (N.Y.) Tablet, July 4, 1963]

Captive Nations Week

America's fifth annual observance of the Captive Nations Week (July 14–20) comes at a time when illusions about a genuine detente in the cold war are fading. In Asia, Moscow is openly supporting Communist aggression in Laos; in Latin America, the Kremlin continues the buildup of Cuba as a base of aggression and subversion; in Europe, Italian Communists are threatening violence in order to foster Soviet plans. This unabating Soviet drive for world domination refutes the illusions of those in the West who see Khrushchev as a champion of peaceful coexistence and see Captive Nations Week as a mere rhetorical exercise or an obstacle to the relaxation of tensions. Instead, it is more evident this year than ever that the Captive Nations Week can be one of the greatest assets of the freedom-loving peoples on both sides of the Iron Curtain.

The Soviets are well aware of this asset and are doing their utmost to remove it. The Soviets are today exercising an open pressure, mixing threats and blandishments, for the abolition of Captive Nations Week in the United States of America. The Soviet propaganda weekly the New Times, for instance, asked in its January 23, 1963, issue: "* * * Is it not high time to discontinue the 'Captive Nations Week' in the United States? That is just as much a dead horse as the 'Hungarian Question.'"

By thus openly pressuring the United States for the abolition of Captive Nations Week the Soviets are in fact expressing their confidence that they can compel the American people and their Government to renounce any commitment the Soviets do not like, and to transform into a "dead horse" any principle to which Americans claim allegiance. This Soviet arrogance deserves a resounding rebuke by the American people and their elected representatives in the form of an active rededication to the ideas of Captive Nations Week.

On May 1 of this year, a group of Czechoslovak youths were sentenced to long terms at hard labor for holding demonstrations against the Communist regime and for extolling freedom. Like the Hungarian youngsters who fought in the revolution of 1956, these youths were children when the Communists destroyed democracy in Czechoslovakia, but long years of indoctrination have not turned them into obedient robots. They are looking to the West, as are the youth of Hungary, and as are all the captive Europeans.

What answer has the West given them? Instead of fully identifying themselves with the freedom aspirations of the captive peoples, the Western countries have shifted their policies toward an accommodation with the Communist regimes in East-Central Europe. The shift was prompted by the hope of a more rapid "liberalization" in the captive countries through increased trade and contacts. But increased trade and recognition of the Communist puppet governments relieve them of the economic and political pressures which alone can force Communists to grant some concessions to their peoples. It only increases the prestige and security of the puppet regimes and their ability to serve the Soviet economic master plan in its competition with the West. The West is already paying for extended contacts with Communist governments the heavy price of silence on its ultimate goal in East-Central Europe. The most conspicuous example in this respect is the acceptance of the credentials of the Hungarian Communist delegates to the United Nations for the first time since the Hungarian Revolution.

The Western policy shift has caused shock and disillusionment among the captive peoples. Its results so far: Captive populations that are less confident in the West and less inclined to resist the existing situation; Communist regimes endowed with added prestige and going about their task of final communization with new eagerness and confidence. Can this be called a victory for the cause of freedom?

In telling the captive peoples that all we do is to hope to improve their lot slowly through contacts with the regimes they detest, we are in danger of forfeiting their friendship. In fact, we are lending credence to Communist assertions that the West is doomed to impotence.

The importance of an anti-Communist East-Central Europe as a deterrent to Soviet aggression has long been acknowledged by top Western political and military strategists. This importance was dramatically underscored during Khrushchev's attempts to smuggle missiles into Cuba last year. If we permit apathy and disillusionment to replace the spirit of resistance of the captive peoples, the troublemaking capacity of the Soviets would greatly increase, not only in Europe but on all fronts. As a consequence, the free world would come closer to the brink of nuclear war or surrender.

Captive Nations Week provides the American people with a chance to show the peoples of Eastern Europe that they are not forgotten. It provides our Government with a chance to capitalize on Soviet weakness by taking the initiative in the cold war. It can do so by (1) retaining the issue of Hungary on the agenda of the United Nations, (2) raising the question of Soviet treaty pledges to hold free elections in Eastern Europe in all negotiations with the Kremlin, (3) placing the question of the denial of the right of self-determination to the peoples of East-Central Europe on the agenda of every session of the United Nations.

In short, Captive Nations Week is an excellent way to tell the Communists that we refuse both burials, the fast one a la Mao and the slow one a la Khrushchev; that we shall not compromise our innermost principles; that we intend to preserve peace and insure the victory of freedom.

[From the New York Post, July 7, 1963]

J.F.K. Honors the Captive Nations

HYANNIS PORT, MASS., July 6.—President Kennedy has followed up a Soviet-American exchange of sentiments for world peace with a proclamation upholding the just aspirations of captive nations to be free.

A similar proclamation by former President Eisenhower once sent Soviet Premier Khrushchev into a rage.

Furthermore, Kennedy said last night in a summary of his 10-day trip to four European countries that he had found a deep conviction in the freedom of man as well as in common goals, the unity of the West and the necessity for peace.

It was with Khrushchev that Kennedy, spending a long weekend on Cape Cod, traded American Independence Day greetings and talk of peace.

The Captive Nations Week, 1963 proclamation was authorized and requested by Congress. The legislators adopted a resolution in 1959 asking that the third week in July of that year be designated Captive Nations

Week and that the President issue a similar proclamation yearly "until such time as freedom and independence shall have been achieved for all the captive nations of the world."

The measure was pointed straight at Russia and her satellites.

[From the Washington (D.C.) Post, July 10, 1963]

NEED FOR CAUTION: WHEN KHRUSHCHEV SMILES

(By Roscoe Drummond)

All the Western journalists in Moscow are reporting that Premier Khrushchev is disposed to turn a friendly countenance to the West.

That's nice. If there is such an overture, our prudent position surely is neither to rebuff it nor to leap at it.

The theory is that, because of the hardening of relations between Red China and the Soviet Union, Moscow wants to achieve at least for a time, a softening of relations with the United States.

The theory is that, seeing no prospect of a reconciliation with Communist China, Khrushchev would like some kind of reconciliation with the non-Communist West.

That's fine—at the right time under the right circumstances. But it is dangerously premature to rush to Khrushchev's aid and ease the pressure on his right because he is having difficulty on his own left flank.

There is no doubt that a momentous event is in the making in the Chinese-Soviet confrontation. It will probably lead to a deep split in the monolithic structure of the Communist world.

There are two reasons why we should, however, respond to any Khrushchev offer with great caution. Undoubtedly a Sino-Soviet break will present the West with unpredictable opportunities. But the consequences of this event are not yet visible and it would be unwise in the extreme to act before we know what we are acting upon.

Secondly, there is no assurance that current Soviet talk about wanting to "reach agreements with the West" goes beyond talk to substance. The past record is not encouraging. The Geneva Summit of 1955 was full of words and empty of deeds. So was the Camp David Summit of 1959. It is a pretty fair assumption that Khrushchev is more interested in relieving the tensions of the Cold War than in removing any of its causes.

Soviet leadership of the Communist bloc is weakened. Moscow is in trouble. How much is not yet clear, but the trouble does not come entirely from the dissident Chinese. The Eastern European satellites are tense and restless. Albania, in open revolt against Soviet rule, has taken Red China's side in its anti-Khrushchev fight. Rumania is straining against the chains of Kremlin economic exploitation. The Communist leader in Poland, Wladyslaw Gomulka, is so uncertain of his position that he has just been forced to postpone for a year his party's quadrennial congress.

All this makes it the more welcome and timely that President Kennedy has just issued his proclamation calling for observance of Captive Nations Week as provided by a congressional resolution. It was a similar proclamation by President Eisenhower in 1959, upholding the "just aspirations" of the peoples of Eastern Europe to recover their freedom, that caused Premier Khrushchev to turn with such fury on Vice President Nixon in the famous kitchen debate.

The time now has come when the agenda of negotiation must no longer be limited to those things which Moscow wants to get from the West. You know how it has been in the past. Take Berlin. When the Soviets suggest we get out of West Berlin and we refuse, they reply in effect: "Well, we want to be reasonable. Why don't you make some suggestions about how you should get out of West Berlin?"

Now Khrushchev has indicated that he will accept a nuclear test ban (excluding underground) if we will get NATO to sign a nonaggression pact with the Eastern European nations and Russia. Well, we could accept such a pact—if the Soviets on their part would agree to free elections in all the captive nations and permit them to have governments by the consent of the governed.

This could be the time for some real two-way negotiations.

[From the Washington (D.C.) Evening Star]

CAPTIVE NATIONS WEEK TO OPEN

Senator DODD, Democrat, of Connecticut, and Representative MARSH, Democrat, of Virginia, will open Captive Nations Week ceremonies at a breakfast at the Market Inn, Second and E Streets SW., at 9:30 a.m. Saturday.

Following the lead of President Kennedy's proclamation of Captive Nations Week, the District Commissioners have urged citizens to join in the activities during the third week of July. Special prayers will be given in area churches and synagogues and nationality groups will hold evening programs.

A wreath-laying ceremony will be held at the statue of Gen. Thaddeus Kosciuszko in Lafayette Park at 2 p.m. July 21. The assembled crowd will then move to the Washington Monument Grounds to hear Representative EDWARD J. DERWINSKI, Republican, of Illinois.

JUNE 21, 1963.

THE PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: Several weeks ago a group of Senators and Representatives appealed to you for an early issuance of the 1963 Captive Nations Week Presidential proclamation. The group included Senators PAUL H. DOUGLAS, HUBERT H. HUMPHREY, JACOB K. JAVITS, KENNETH B. KEATING, and FRANK J. LAUSCHE; also Representatives EDWARD J. DERWINSKI, THADDEUS J. DULSKI, DANIEL J. FLOOD, and SAMUEL S. STRATTON. The reply they received was: "I know of no plans to depart from the established procedure this year."

We are of course delighted to know that a Presidential proclamation will be issued on this fifth observance of Captive Nations Week, which is scheduled for July 14–20. Americans who throughout the country are preparing for this event share this delight. However, we again appeal to you for an earlier proclamation, for established procedure over the past years has meant a late Friday afternoon issuance (2 days before the week) and submerged by some chosen major news items. The widespread impression created by this procedure has been that our Government seeks to play down the week for fear of how Khrushchev and his puppets would react.

I cannot believe that this is the impression you personally would want conveyed. An earlier proclamation would dispel it completely. Moreover, a proclamation stressing the need for popular study of all the captive nations would advance immeasurably our country's interests in cold war education. These interests are not helped, for example, when our Secretary of State believes the U.S.S.R. is "an historical state" and Armenia, Georgia, and Ukraine are "traditional parts" of this empire, followed by a sharp contradiction by our U.N. Ambassador. In the spirit of constructive criticism, may I also point out that these vital interests are not served by the myth provided by one of your advisers for your recent American University address, wherein you stated "no nation in the history of battle ever suffered more than the Russians suffered in the course of the Second World War." It is a matter of scholarly record that the heaviest brunt of the Nazi invasion was suffered, both in lives and treasure, by the captive non-Russian nations of Byelorussia, Ukraine, Lithuania, Cossackia, and North Caucasia. Like the Irish, these non-Russian nations in the U.S.S.R. will resist every misguided attempt to submerge their national identities and the truth of their sufferings under an imperialist-colonial yoke.

From every viewpoint, therefore, we urge an earlier Presidential proclamation with cold war educational import. We cannot hope to win the cold war on the basis of anything but truth and well-founded action.

In appreciation of your leading contribution to a most successful fifth Captive Nations Week observance, and with best wishes, I am

Sincerely yours,
LEV E. DOBRIANSKI,
Chairman,
National Captive Nations Committee.

NATIONAL CAPTIVE NATIONS
COMMITTEE, INC.,
Washington, D.C., June 29, 1963.

DEAR MEMBER: In the week of July 14–20, 1963, Americans across the Nation will be staging the fifth observance of Captive Nations Week. Each year since July 1959, the observance has expanded markedly, and this fifth one promises to surpass all others. From Maine to Hawaii, from Florida to Alaska, communities and persons observe the week in dedication to the goal and means of liberating all the captive nations from the Danube to the Pacific, and Cuba itself, basically as a cause of strategic necessity to our own survival. Even on Taiwan, in the Republic of China, the week is gloriously observed.

Your contribution to our national effort has always been gratefully received. As in the past, we again request your generous contribution to this work of keeping the American people ever mindful of captive Cuba, the infamous Berlin wall, Hungary, the unresolved issues of Vietnam, Korea, and China—in short, the strategic weapon of all the captive nations in the cold war. Governors and mayors throughout the United States have recognized this, and many of them now officially sponsor the week. As in yesteryear, the President will proclaim the week, regardless of the few who urge that we not irritate Khrushchev by emphasizing the truths of the week. Your material contribution will enable us to enhance further the national institution of Captive Nations Week, toward the free world's victory in the cold war.

Sins of omission are just as grievous in the cold war as those of errorful commission. Under the illusion of some mellowing process in the U.S.S.R., some in official quarters would have us play down the captive nations in order to accommodate Khrushchev and his problems. By supporting this fifth observance, you will help us to overcome this negative tendency for, in truth, there is not a shred of determinative evidence to indicate any real mellowing process in the U.S.S.R. Even in the sphere of terrorism, Socialist legality did not prevent Khrushchev from ordering the assassination of two Ukrainian nationalists in West Germany. In reality, the internal problems of the vast Red empire form our opportunity for cold war successes, but this opportunity is being squandered by our sins of omission, resulting from the illusion of mellowism and the lack of a cold war strategy for the free world.

The major theme of the fifth observance is: Liberate Cuba—to restore the faith in all captive nations—to win the cold war. To really avert a nuclear war in time, there are many concrete and practicable courses of cold war action open to us for the fulfillment of this theme. To mention a few: the revival of the Kersten MSA amendment with application to Cuba; the creation of a Special House Committee on the Captive Nations; the passage of the Freedom Commission and Freedom Academy bill; and a full-scale inquiry in the United Nations on Soviet-Russian imperio-colonialism would lead to the unfolding of U.S. strategy in the cold war in the interests of the entire free world.

The price for sins of omission can only be a heavy one for the future. In advancing the cause of freedom for all the captive nations we reduce this price. Your assistance and aid make this possible.

With most grateful thanks and best wishes,

Sincerely,

Lev E. Dobriansky,
Chairman.

National Captive Nations Committee,
Washington, D.C., July 10, 1963.

Dear Congressman: As a followup of our July 5 letter to you, we once again invite your participation along with millions of Americans in the fifth observance of Captive Nations Week.

We are delighted that, on a truly bipartisan basis, both Congressman Daniel J. Flood and Congressman Edward J. Derwinski will lead the congressional observance in the House on Monday, July 15. Their long record of leadership in this vital field has gained the respect of every American who understands the strategic cold war weapon that all the captive nations represent for our own national interest. Time has been reserved on this first legislative day of the week for a discussion of all the captive nations as listed in Public Law 86-90, with the addition of Cuba.

As you know, the Captive Nations Week observances are based on Public Law 86-90, the contents of which have profoundly disturbed Moscow, Peiping, and other capitals in the totalitarian Red empire since 1959. The captive nations in Central Europe constitute less than a third of the family of captive nations. In line with the law, and also with the President's proclamation of July 5, we urge that no captive nation be omitted from your remarks.

Moreover, to begin a serious study and investigation of all the captive nations in this vast empire, we also urge on this occasion the expression of your support for the creation of a Special House Committee on the Captive Nations, which would be the first concrete implementation of Public Law 86-90.

Once again, in grateful appreciation of your constructive efforts toward a most successful week and best wishes, I am,

Sincerely yours,

Lev E. Dobriansky.

Mr. DERWINSKI. Mr. Speaker, with this nationwide observance, the full realization is reaching the American public that the captive nations represent the true weakness of the Soviet Union, and as long as any people remain the captives of communism, we and the rest of the free world will not truly enjoy the peace which we seek. I urge as an immediate practical step the creation by this House of a Special Committee on Captive Nations.

I am especially hopeful that my colleagues on the House Rules Committee will grant us the opportunity for an early hearing. Approval by them of a Special Captive Nations Committee resolution would enable the full House to study and, I hope, approve its creation.

Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Rumsfeld] may extend his remarks at this point in the Record.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, in observing Captive Nations Week 1963, the American people once again reaffirm the principle that the individual rights and fundamental freedoms of people everywhere must be recognized and guaranteed if there is to be peace and justice in the world: We pay tribute to those who in the face of great odds continue their fight for liberty: And we draw the attention of those privileged to enjoy the benefits of freedom to the flagrant violation and denial of the rights of millions of our fellowmen by the Communist regimes in power in Czechoslovakia, Estonia, Latvia, Lithuania, Poland, Rumania, Hungary, Bulgaria, Albania, the northern portion of Laos and, close to our own shores, Cuba—nations that once prospered under freedom.

The forces of communism are still actively attempting to consolidate and retain their rule over these captive nations. At the same time, they threaten the freedom of the emerging nations throughout the world. Not only is much of Latin America today in mortal jeopardy, but South Vietnam is again fighting for its life, and the continent of Africa promises to receive increasing attention from the Communists in the coming months.

The American people have historically condemned and opposed tyranny and the use of or threat of force by powerful states over other sovereign states. Today we have a responsibility to reaffirm our position, and make clear to the world that we will not acquiesce in the enslavement of these people and that we will vigorously oppose the further extension of Communist tyranny.

Every American who values his freedom, every patriot with pride in his country, and every man who respects his fellow man, will remember with admiration the struggles of the captive nations for independence and will not forget them in their present plight; he will encourage and foster the spirit of freedom, not only in his own heart but also in the hearts of these truly captive peoples, who, I am firmly convinced, will break the bonds of their oppressors and will one day again join the family of free nations.

Mr. BRUCE. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from Indiana.

Mr. BRUCE. Mr. Speaker, I would like to join again in commending the gentleman from Pennsylvania for taking the initiative on this issue, this important issue, of the captive nations. I share with him his concern about some of the lack of understanding that has been evidenced for some time on the importance of this moral issue in the conflict that we refer to as the cold war.

I would like to add one other observation as well. In this era which has been in existence for many years now the theory of containment, coexistence, or accommodation, whatever phrase may be used, depending on who is using it, it might be well to have a study made by such a committee as the gentleman has recommended of the Soviet publications, of which very little is heard, wherein the Soviet leadership defines what they mean by coexistence, containment, or accommodation. It rests on the basic premise that when they talk about stopping violence and war they clearly explain this is only when there is no resistance to their program, that under their theory it is not violence when they use force in attaining their Communist goal.

The gentleman from Pennsylvania has done a magnificent service over the years, and I commend him for it. I hope the people of the United States in their ceremonies on behalf of the captive nations will indeed keep that torch of freedom burning brightly so that it may instill a little more insight, a little more courage into the minds of American leadership.

Mr. FLOOD. Not only is the gentleman right, but he is eloquent and, as usual, makes excellent suggestions.

Mr. PELLY. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. Of course I yield.

Mr. PELLY. Mr. Speaker, there is a difference between a captive nation and a colony. In the former, an outside nation by force establishes a puppet government and thereby maintains a people in subservience. In the latter, people transplanted by a mother country hold a distant territory in dependence to the parent state. But there is something common to both a captive nation and a colony and that is the absence of social and political freedom of the people who are governed.

The United States enjoys a government "the offspring of our own choice, uninfluenced and unawed" in the words of George Washington. And out of our own experience of revolution and freedom, the policy of this Nation properly has been to support self-government by all people who desire it wherever and whenever tyranny has existed and people have sought to remove themselves from the yolk of foreign domination.

Yet, Mr. Speaker, strange and sadly inconsistent as it is, with the world divided between the two political and social ideologies of imperialistic communism versus democracy, the policy of the United States has seemed to split. We have continued to support anticolonization. We have done this even where, through lack of education, a people were hardly ready for self-government. We followed principle. We have done this even though our allies and friends were the mother countries involved—even though a mother country's influence was a free world influence. We have done so in spite of a colony coming under Communist influence, such as with Sukarno and Indonesia.

Perhaps this policy was morally right, although perhaps it was not too wise and was not entirely in the best interest of the United States and the free world. But, wisely or unwisely, we were consistent. On the other hand, with its captive nations policy, the United States has really reversed its historic policy of unabashedly supporting all captive peoples. We seem to have thrown in the towel in this phase of the strategic cold war. We seem to have given up our once free world leadership. America seems to have abandoned its policy in support of liberation of all captive nations. Instead, under this recent foreign policy of reexamination of our relationship with the Soviet Union and a program of "peaceful coexistence," the United States has headed down a procolonialistic road. We practice deemphasis so as not to offend the Communists.

For example, for years it was at the behest of the United States that the United Nations refused to rule on the Hungarian credentials, but now, with the blessing of the United States, the United Nations has decided to forget about the Soviet Union's bloody suppression of the Hungarian revolution of 1956. For the first time since that revolt, the credentials of the Communist Hungarian delegation to the General Assembly—sitting last month in special session—were accepted. The symbol of United Nations' disapproval to the intervention in Hungary of the Soviets has been removed; replacing a once strong opposition to the Hungarian traitor and tyrant Kadar regime.

Meanwhile, the U.S. State Department is said to have been considering restoration of normal relations with Hungary. Last spring, it will be remembered, the State Department advised Members of Congress that human rights in Hungary are better than in other Soviet satellites. We have a new policy of removing irritants to Russia and likewise to increase our trade with the Soviet bloc. Everything points to a realignment and desire for friendly relations with the Communists.

In the face of this, Mr. Speaker, observance by us of Captive Nations Week, it seems to me, is more important than ever. Congress should let the whole world know—not just the once free people behind the Iron Curtain—that America still stands for freedom. Today in Congress we express the true feelings of American people.

President Eisenhower, in 1959, in first proclaiming Captive Nations Week, said that the plight of their people was due to "imperialistic and aggressive policies of Soviet communism." Those are his words. Now, I regret, President Kennedy does not even mention communism in his proclamation. Also, as Secretary of State Dean Rusk testified, captive nations observance is a source of contention to the Soviet Union and therefore the administration has taken a strong position against Congress setting up a Captive Nations Committee. But such is not the sentiment of the American people.

Mr. Speaker, this year, it seems to me, there is more reason than ever for the United States to observe this week of July 14 to July 20, and that is because this year there is a new captive nation only 90 miles from our shore. Cuba has been added to the long list of nations whose people are no longer independent and free. So, loudly and clearly, let us reassert that America stands for liberation of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Vietnam and others.

In this respect, I am especially happy and proud to join with other Members of Congress on the floor of the House of Representatives in observance of the fifth annual Captive Nations Week. I join in observing this week because it will remind other less fortunate men and women that their plight is not forgotten, and, also, it will serve as a reminder to ourselves of our own constant danger and that America, too, could succumb to bondage. Let us not forget these things nor the fact that the goal of Soviet Russia has been to have America acquiesce in the Kremlin's imperialism and allow the Communist empire to become permanent. In the spirit of the American revolution, I reject this.

Mr. Speaker, love of freedom in the captive nations has not died; indeed, from what we hear, it grows, just as love of liberty and freedom must grow here—even though we still enjoy it.

Indeed, our heritage, the precious gift of freedom, must be earned by us anew if we are to continue to possess it. So, rather than by appeasement, let us embrace the precept of Cincinnatus in 300 B.C.—when called upon to save Rome, he said: "It is better to eat dust than the bread of despotism."

Mr. FLOOD. Mr. Speaker, the gentleman always takes part in the discussions. He has for some time and I am glad he is here today.

Mr. STINSON. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman.

Mr. STINSON. Mr. Speaker, I wish to associate myself with the remarks of the gentleman from Pennsylvania and to commend him for the fine job he is doing today and for the fine job he has done in years past in bringing the subject of captive nations to the attention of the American people.

Mr. Speaker, it is certainly gratifying to note that my colleagues on both sides of the aisle have enough concern over the fate of the Iron Curtain countries to participate in the observance of Captive Nations Week. But, it is even more gratifying to know that my colleagues are not afraid to declare the reason we must observe this week; namely, the ruthless conquest of country after country by Communist imperialism. Congress established this week, in order that those nations behind the Iron Curtain might know that the U.S. stands opposed to that force which imprisons them and which denies the right of self-determination.

It was with regret, however, that I read President Kennedy's half-hearted Captive Nations Week proclamation. Nowhere did I find the same concern or chastisement of the Soviet Union as I have heard here today in the House. Nowhere was a spade called a spade. As in his previous proclamations, he neatly avoids naming the villain, apparently for fear of offending Khrushchev. Nowhere does he offer anything in the way of hope to those people behind the Iron Curtain who look to the United States for the preservation of freedom.

Judging from his apparent disdain and indifference toward the observance of Captive Nations Week, I must assume that the only reason the President bothered to present his proclamation at all is because he is required to do so by law.

According to the newspapers and commentators, everyone is overjoyed at the prospect of beginning a series of talks with our new-found friend, the Soviet Union. It seems to me, however, that we are forgetting that the Soviet Union is our avowed enemy. We are forgetting that communism cannot be trusted, for the record of broken treaties and broken promises is open for all to see.

In my opinion, the future welfare of American liberty is at stake, not only because of these negotiations, but also because of the entire temper of the administration during these times of crises. I cannot find the spirit of freedom, but only a sense of fear and a willingness to do almost anything so long as we survive.

I wish that the administration would look to those captive nations behind the Iron Curtain for guidance in our dealings with Russia—for their fate could very well be ours if we continue to ignore the cause of their present condition.

Those nations, however, are looking to the United States for leadership in preserving and effecting freedom, but during the past 3 years, there has been very little to be found in the way of holding out a ray of hope to them. The Berlin wall and Cuba are certainly no shining examples of hope for the preservation of freedom. Nor is our vote to recognize Communist Hungary in the United Nations.

I trust that those nations behind the Iron Curtain will not be disheartened again by the words of this administration. I hope they realize that some citizens of the United States would fight to the last before allowing the flame of freedom to be extinguished. I hope they will be heartened by the statements of courage and leadership which I have heard spoken in the House of Representatives today.

Mr. FLOOD. I am glad to have the gentleman on board.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. I will be glad to yield.

Mr. CRAMER. I, too, want to congratulate the gentleman and join in the thoughts expressed in the resolution. I also had intended to reflect on the matter which the gentleman from Washington already has touched on; namely, that we have a captive nation in this hemisphere as well, for the first time in my recollection in the history of this hemisphere, of any permanent status at all; namely, Cuba. I think one of the most important highlights of the resolution itself is that it will tell the world the really falseness of what Khrushchev and the Communists are saying, are preaching, which is that they are against imperialism, against colonialism, and against captive nations. It shows how facetious and how shallow their argument is because they practice it themselves. That is the effect of this resolution.

Mr. FLOOD. The gentleman has put his finger right on it.

Mr. CRAMER. The gentleman has agreed; here we have the Soviet Union suppressing all of these people in all of these countries against their will in most instances, and in many of those countries like Latvia, Lithuania, and Estonia, we forget about them being subjugated by the Communists. They are the ones who believe in subjugation and colonialism.

Mr. FLOOD. Those people in those countries are about as Russian as I am.

Mr. CRAMER. Yes. I welcome the opportunity to support the gentleman in his effort.

Mr. FLOOD. The gentleman is very kind. I appreciate the gentleman's contribution today.

Mr. Speaker, I yield back the balance of my time.

Mr. FORD. Mr. Speaker, when Congress designated the third week in July 1959 as Captive Nations Week, it provided that "the President is further authorized and requested to issue a similar proclamation each year until such time as freedom and independence shall have been achieved for all the captive nations of the world."

It is appropriate, therefore, that we have a proclamation this year and that we in the Congress give special attention to the captive nations of the world. One cannot help but note that since last July the Soviet take-over in Cuba has been completed and there is one more captive nation. Since last July Soviet troops and machines have assumed control of the island of Cuba less than a hundred miles from our shores. Since last July we have seen Fidel Castro make his triumphant visit to the Kremlin and return to this hemisphere to carry on his insidious activities in Latin America.

I hope and trust therefore, that action will be taken on two resolutions presently with committees of the House. A number of us have introduced a resolution calling for the establishment of a Special Committee on the Captive Nations. This committee would determine the best means by which the United States can assist the captive nations by peaceful means to regain their national and individual freedoms.

The second resolution which should receive committee and House action restates and reemphasizes that the Monroe Doctrine continues to be fundamental to our foreign policy, and that the existence of a military base in Cuba supported by Soviet equipment and personnel is a clear violation of the Monroe Doctrine. I trust that every Member of the House agrees with the resolution when it states that the objectives of U.S. policy are the termination of Soviet intervention in Cuba, the establishment of conditions under the Cuban people may freely exercise their right of self-determination, and an end to Communist subversion, sabotage, and guerrilla warfare against the people of the Western Hemisphere.

Distinctive meaning would be given to Captive Nations Week if this House would adopt one or both of these resolutions during this week.

Mrs. GRIFFITHS. Mr. Speaker, precious freedom is appreciated and desired after one tastes life without it. Millions of captive East Europeans and Asians have suffered more than a taste of life without freedom at the hands of the Communists. Many who preferred death to communism, were willing to risk death in attempts to defect.

To give well-founded hope to those behind the Iron Curtain, President Kennedy has proclaimed Captive Nations Week as the third week in July. Certain year-round activities are highlighted by this week, such as the campaign for a Special House Committee on the Captive Nations, the opposition to Red China's admission into the United Nations, and the support of a full-scale inquiry into Soviet Russian colonialism within and outside the U.S.S.R.

At this time I would like to affirm my support of the observance of this week and to pay tribute to the valiant struggle that is being carried on by the people of the captive nations for full independence.

Mr. LIBONATI. Mr. Speaker, we are memorializing Captive Nations Week in accordance with the resolution passed by the Congress in 1959.

This is the fifth year that we have called attention to the responsibilities of the freedom-loving nations of the world in keeping alive the spirit of those patriots that watchfully await for their final deliverance from the chains of oppression.

We must call attention to the fact that seven smaller nations have been subjugated and absorbed by the Russian nation within its own borders such as the Ukraine and Lithuania, and so forth.

The distinguished gentleman from Pennsylvania [Mr. FLOOD] has consistently through the years spearheaded the move to amend the rules of the House for the purpose of establishing a special committee for the study of problems confronting the captive nations and disseminating information both to the general public of our own Nation and the captive people of the world.

The valuable service that this committee could give in orienting the Members of the Congress on conditions in these various captive nations would contribute to their understanding of the problems presented to the Congress in our foreign relations with all nations of Western Europe and the Near East.

The observance of Captive Nations Week stimulates the activity of relatives and friends living in America to give their native countrymen courage and inspire hope in the future.

Our Nation is the most powerful on earth militarily and economically and we must do everything to secure the freedom of these freemen who live under the control of their tyrannical masters. Captive Nations Week must be liquidated in appellation to Freedom Nations Week. May God bless the efforts of our courageous President John Kennedy in his leadership to realize this goal—the freedom of all men to establish a government to secure and protect their freedoms.

The discussions during Captive Nations Week must be pointed toward the realization of this purpose that free man must be freed—by the grace of God and the power of our Nation to make right might prevail among men.

Mr. WEAVER. Mr. Speaker, Captive Nations Week which is being observed this week reminds us to give renewed devotion to the just aspirations of all people for national independence and human liberty.

The people of the 24th Congressional District, where many refugees from Communist tyranny reside, join in this national observance to spotlight the plight of the millions of persons in Soviet-dominated countries who have lost their freedom.

This is the fifth time that our country has demonstrated its concern for the people living under Communist domination by the proclamation of Captive Nations Week. The observance of such a week was authorized by an act of Congress of 1959 to be held annually until freedom and independence has been achieved for all the captive nations of the world. Each year since then we have seized this opportunity to tell the Soviet Union that we have not forgotten her treachery of the past and to tell the people of the captive nations that we have not forgotten that they still long for freedom.

Why is it imperative that we say aloud what all of us feel inside about the tyranny which the Soviet Union exercises over peoples which were once proudly independent? Why is it important that we tell the people of countries spreading from East Germany to North Korea that we know they are victims of Soviet greed and that they despise their Communist rulers? The original congressional resolution authorizing Captive Nations Week cites the following reasons why the fate of the countries subjugated by the Communists is of vital importance to every American.

First, the resolution recognizes, the greatness of the United States stems in large part from the ability to achieve a harmonious national unity of its people, even though they stem from many different racial, religious, and ethnic backgrounds. This has led the people of the United States to possess a sympathy for the aspirations of peoples everywhere and to recognize the natural interdependence of all peoples and nations.

However, the resolution continues, the enslavement of part of the world's population by Communist imperialism makes a mockery of the idea of peaceful coexistence. It impairs the natural bonds of understanding between the people of this country and other peoples. Moreover, the vast empire which has been created by the aggressive policies of the Soviets since 1918 poses a dire threat to the security of the United States and all free nations.

The size of this empire is ominous, for many countries have been subjugated by the direct or indirect aggression of Communist Russia. Among those named in the resolution which have lost their national independence are Poland, Hungary, Lithuania, Ukrainia, Czechoslovakia, Latvia, Estonia, Rumania, East Germany, Bulgaria, Armenia, North Korea, Albania, Tibet, and North Vietnam. The full list is even longer.

Getting to the heart of the matter, the captive nations resolution points out that these submerged nations look to the United States for leadership in bringing about their independence and restoring them to the enjoyment of their individual liberties. It points out that it is vital to our national security that the desire for liberty of the peoples of these countries be kept alive because their desire for independence constitutes one of the best hopes for a just and lasting peace. It points out that through the commemoration of Captive Nations Week each year we can demonstrate that the people of the United States share the aspirations of the people living in Communist-dominated countries to recover their freedom and independence once again.

That is the background of Captive Nations Week. That is why the Congress authorized it and the President has proclaimed it each year. We celebrate it again this year for the same reason, to nourish the hope for freedom which still exists even behind the Iron and Bamboo Curtains.

Let us take a brief look at why we consider the nations in the Communist camp to be captive nations. There are two chief reasons. One of these is the method by which the Communists gained control. The other is the tyranny of the Soviets under which they still live.

The methods by which Soviet Russia gained control of the various countries varies somewhat in each situation. In some cases, such as the Baltic States of Estonia, Latvia, and Lithuania, the smaller neighbors were annexed by the Soviet Union in the early days of the Second World War. Other Eastern European countries were overrun by Soviet troops at the end of the war and Communist regimes were installed. In some cases such as Czechoslovakia coups were engineered. Despite the nominal independence which was permitted in these latter countries, however, there was no real independence because the Communist regimes were puppets which carried out the wishes of Moscow rather than the wishes of their own people. In all cases treachery, deceit, and aggression were the main ingredients in the Communist takeover, and free elections were unknown. Thus these peoples are captive nations because they did not choose their own form of government but had it imposed upon them from the outside.

Once it had achieved control, the Soviet Union launched a major campaign to consolidate its power. National Communist parties were trained and supplemented by Russian Communists to establish effective control over the subjugated nations in the political, economic, and military spheres.

In the political sphere individual liberties were suppressed. Efforts were made to eradicate every vestige of religious education and to suppress religion itself. The youth were indoctrinated with Communist teachings and in Hitler fashion a systematic campaign was carried on to replace family loyalties with blind obedience to the state. In the economic sphere wholesale nationalization of industry, transportation, and trade was carried out, agriculture was collectivized, and central direction of the economic activity of the entire nation was undertaken. In the military sphere, the Warsaw Treaty provided for a unified military command of the nations of Eastern Europe with headquarters in Moscow.

Just as the Soviet Union found it necessary to vary the tactics by which it first gained control of a nation, so it has since found it necessary to vary its tactics somewhat in maintaining its control. In some states, such as the Baltic States and Albania and Czechoslovakia, the Stalinist methods of autocratic rule by central Communist regimes have been applied relentlessly. The collectivization of land has been almost complete, and normal nongovernmental contacts with the West have been severed. In Poland, on the other hand, there has been a widening of contacts with the West and some semblance of free enterprise in trade and agriculture. We can be certain, however, that any variations in policy are a new tactic to maintain Communist control rather than any indication of a willingness to permit self-determination by the native peoples.

Thus the peoples of Eastern Europe and other subjugated areas are captive nations not only because they were brought into the Communist empire against their will but also because to this very day they continue to live without the opportunity to exercise the fundamental liberties which every people which is truly independent must enjoy.

Now let us turn our minds toward the future. What can we do to bring an end to this new colonialism of the Soviet Union which has grown up at the very time that the bonds of traditional colonialism in Asia and Africa are being broken? What can we do to hasten the day when the people of the captive nations will be able to live in freedom and independence once again?

First of all, we must do everything possible to insure that the people behind the Iron Curtain are continually aware of our undying concern for them. We can make it clear that we are not willing to forget the bondage in which the people of Eastern Europe are held. We can expand our methods of making contact with the captivated peoples, through such media as the Voice of America. We can intensify our campaign of truth and tell the peoples of the world the facts about communism. We can sustain their hope.

Second, we must continue to meet every Soviet attempt to gain an inch of additional territory, or to gain the slightest advantage in the balance of power, or to win a single new convert. We must not in any way allow ourselves to be duped into inadvertently assisting them to become economically or militarily stronger.

Third, we must continue to maintain and build up our own strength. This includes our economic and political strength as well as our military power. We must continually improve our own society so that we better serve as a beacon of hope for those behind the wall. We must work on our own economic problems such as unemployment so that the greater attractiveness of our economic system over that of the Communists becomes indisputable. Finally, we must make whatever sacrifices are necessary to insure that our military strength is so solid and so varied that the Soviets know in advance that any attack by them could be, and would be, met and repelled.

Fourth, we must keep a watchful eye on every event that goes on behind the Iron Curtain. We must study the people and the events there very closely so that we are at all times aware of new trends which may be developing. We must be ready to exploit every weakness in Soviet control just as the Soviets exploit every possible misfortune which occurs in the rest of the world.

Finally, an intensive search and study must be undertaken to find or devise additional policies by which we can press the cause of freedom and hasten the day when true independence is regained. It will not be easy to find methods of pushing the frontiers of freedom back closer to the Soviet Union, but neither will it be impossible. Time and truth are both on our side.

In conclusion, during this fifth Captive Nations Week let us send our greetings and our prayers to all the people who are suffering under the Communist yoke. Let us vow that no more shall be added to their list. Let us pledge ourselves to make renewed efforts to strengthen freedom not only at home, in the free world, and in the uncommitted nations, but also behind the Iron Curtain itself.

Mr. FINO. Mr. Speaker, once again the third week in July has been designated by joint congressional resolution and Presidential proclamation as Captive Nations Week. Once again speech after speech will be uttered throughout the Nation deploring Soviet enslavement of the peoples of Central and Eastern Europe and articles will appear in newspapers around the country commenting on the observance of Captive Nations Week.

Is all this a futile exercise? Are we deluding ourselves into thinking that our speeches and articles have any effect whatsoever on the Soviet hold over Central and Eastern Europe? Is our observance of Captive Nations Week simply a psychological tool for soothing our own guilt complex because we have not taken more active steps to aid the captive European peoples?

I submit that our commemoration of Captive Nations Week is not a futile exercise in article-writing and speechmaking but rather an effective propaganda weapon for piercing the Iron Curtain. The very fact that Communist leaders have viciously denounced the annual observance is proof that it annoys them and that they consider it a threat.

Secondly, our expressions of hope and sympathy may well offer encouragement to the peoples behind the Iron Curtain and help to keep alive their faith in their eventual liberation. Through our acknowledgments of moral support we may spur acts of disapproval and revolt against unwelcome Communist regimes. And who can say but that perhaps someday a chain of revolution will thus be set off in captive Europe which will result in the overthrow of communism from the Baltic to the Black Sea.

Thirdly, it is useful for Americans to recall annually the fact that a large area in the heartland of Europe has been captured by communism. We must not forget that these nations which were once free have now been repressed by Soviet imperialism. The annual commemoration of Captive Nations Week serves as a reminder that we must not consider these nations forever lost to communism but that at each and every opportunity we must renew our acknowledgments of support for the cause of freedom in captive Europe.

Mrs. FRANCES P. BOLTON. Mr. Speaker, the Congress has set aside July 14 to 20 for Americans to celebrate the fifth observance of Captive Nations Week. At this time we join together in tribute to the millions of courageous people still under the yoke of international communism.

East central Europe is half a million square miles and one hundred million people strong. It lies between the Soviet Union and Western Europe. Here slave and free stand in direct and decisive confrontation. Within this area live historic nations hostile to the tyranny of communism—a tyranny now weakened by inherent contradictions.

The nationalism reflected in the Communist Party rivalries throughout the empire is the prime result of a decade of opposition to Soviet colonialism. The changes in Poland, the upheavals in Budapest, the break with Albania, and the crisis with Peking herald the fragmentation of the once monolithic Communist bloc. Such transformations should not blind us to the oppressive nature of communism while still demonstrating the great strength of nationalism over any form of human bondage. These latent forces of disintegration and disruption which we see today, will grow stronger if the Communists are denied the chance to consolidate their imperialism. Nothing would serve Moscow's ambitions more than our neglect of all the captive nations from Cuba to Czechoslovakia. It is up to the free world to commit itself openly and convincingly to the triumph of liberty. Only then will freedom slowly but surely reassert itself in these enslaved areas.

Mr. ROSENTHAL. Mr. Speaker, by proclamation of the President, our Nation began its observance of Captive Nations Week on July 14. The observances which will take place throughout the country perform an important service for our people as well as for the entire world.

They serve to remind the victims of totalitarianism that our people, whose free and democratic society was born of revolution, have a strong historic and spiritual bond which ties us to them. They serve as a reminder to all independent people that despite the rhetoric of the leaders of the Communist bloc, the nations of East Europe and east Asia which are under Communist control, are united by puppet governments, stone walls and tanks—and not by the consent of the governed.

They serve to remind our own people of the great treasure of liberty and freedom we enjoy, and to rededicate our people to the defense and preservation of that freedom. Finally, they serve as a signal to all men that the American people can never consider liberty as a dead issue, and that we believe with Lord Byron, that—

> Freedom's battle, once begun
> Though baffled oft, is ever won.

Mr. DORN. Mr. Speaker, I commend my distinguished and able colleagues, Congressman FLOOD and Congressman DERWINSKI, for their unceasing and untiring efforts to adopt a forthright policy of offense—one which is our only hope of victory in the cold war.

Mr. Speaker, I urge the creation of a Special House Committee on Captive Nations. This would be the first step in the implementation of Public Law 86-90.

Mr. Speaker, we can win this cold war hands down. It would be no real contest if only we would go from the negative to the positive. We cannot win by coexistence, joint exploration of space, negotiations and test ban agreements; but we can win by holding out for the enslaved peoples of the world the hope of freedom, by demanding justice and honor and decency for the captive nations.

This is potentially the greatest and most dynamic force against communism in the world today. The doom of captive nations must not be sealed forever by our inaction, indifference, and lethargy. The peoples of the captive nations know communism firsthand. They know of its oppression and injustice. Give them hope and they can do the job of liberation.

Mr. ROSTENKOWSKI. Mr. Speaker, 5 years ago Congress voted in favor of a resolution to observe a week dedicated to the captive nations of the world. By declaring this proclamation, we publicly announced to the Communists that we intend to strive for the independence of the world and that we will not succumb to their will of world domination. We instilled new hope in the people behind the Iron and Bamboo Curtains to keep faith in their strong desire to again enjoy their independence. Since the resolution was enacted, we have reaffirmed our position in supporting this cause. I rise today to endorse and support the Presidential proclamation to set aside this week in further observance of the plight of captive nations.

What can be accomplished through this public announcement? It serves a twofold purpose. One, we keep the free people of the world enlightened to the tragic consequences that are experienced under Communist rule, and two, we create problems for the Communist rulers, in that they must devote a great deal of time and manpower to try to contain these captive nations. We have created a stumbling block across their path toward world domination. They cannot accelerate their plans for this quest as long as strong resistance to their rule is continued in their own backyard. Should this resistance cease they could deploy the manpower needed to contain it to other fronts and continue their drive toward world rule. We have erected a wall against this movement and we must strengthen it by encouraging massive resistance behind their lines.

To some this proclamation is an empty gesture and has no effect in our strong desire for a free world. And yet, the net results of our words of encouragement to the people of the captive nations stimulates their hopes and thus safeguards them against despair and resignation. Their spirit grows with each passing day and a forceful statement of American purpose based on the very right of self-determination, as we publicly declare this week, will add energy to this spirit so that their independence will be won by rejecting the Communist efforts and ridding their land of this menace.

There are 1 billion captives in the Communist empire. By uniting these people to our cause for freedom and justice in the world we can defeat the objectives as stated by the Chinese last week in Moscow. There is strength in unity and presently the free world is more united than the Communist world. We must retain this position so that the crumbling of the Communist bloc can be final and complete when the day of world independence arrives.

Mr. OSTERTAG. Mr. Speaker, this marks the fifth consecutive year that the Congress has observed Captive Nations Week to bring worldwide attention to the plight of the people of two dozen nations in the world who are being held captive by the tyranny and oppression of communism. Congress adopted the first Captive Nations Week resolution in 1959 and President Eisenhower enthusiastically issued an appropriate proclamation. This year, observance of Captive Nations Week is more important than ever to remind the world of the true imperialistic policies of the Soviet Union and its Communist satellites.

In this observance we also wish to remind these captive peoples that the free world has not forgotten their subjugation and suppression, and will not forget it. We share their desire that they will know real freedom in their countries again, and we pledge our continued efforts to help them restore liberty and justice to their nations.

The role of captive nations includes countries all around the world, including Cuba, only 90 miles off our shores. They include all of the countries of Eastern Europe, such as Poland and Hungary; many nations now incorporated into the Soviet Union, like the Ukraine and Lithuania; and still others like North Korea and Red China.

None of these nations has chosen communism of its own free will; in each case it was forced on them from outside, either by direct intervention of the Soviet Union or by internal subversion and violence supported by Moscow. If these nations were given the right to choose freely their own political system, communism would be soundly rejected. They remain captives of communism today only because Communist armed might is used to suppress their desires for freedom and independence.

However, there are many cracks today in the wall of Communist control over its captive nations, and our Government should take all steps to widen these cracks and let in more of the light of freedom. Particularly in regard to Cuba, only 90 miles away, there should be greater efforts to terminate the Soviet Union's intervention and restore conditions of self-determination there. If we fail in this regard, Communist subversion and sabotage will surely spread in the Western Hemisphere.

We in the United States understand and support the aspirations of people everywhere for liberty, and we know that so long as any nation is oppressed, no nation is entirely free. On this occasion of the observance of Captive Nations Week, we must pledge anew our support of freedom for all, and hold high the torch of liberty as a beacon of hope for all the captive nations of the world.

Mrs. DWYER. Mr. Speaker, Captive Nations Week, now being observed for the fifth time as an annual commemoration, has become a widely recognized occasion for the American people to reflect upon the continuing fate of the millions of oppressed people of Eastern Europe and of other lands held in bondage by Communist dictatorships.

Since the establishment of Captive Nations Week by the Congress in 1959, the newest of the captive nations is now also the closest to the shores of the United States, a fact which has brought home to our people more forcefully than ever before the harsh reality of what it is we observe this week.

The existence in Cuba of an avowedly Communist government — maintaining itself by force of arms, disrupting the country's economy, subverting its neighbors' freedoms, persecuting its own people, betraying its own independence to a foreign power—has revealed as though on the broadest movie screen the full picture of Communist ugliness and duplicity, and the danger of such a regime to the United States and the entire free world. What was easy to ignore in Europe has now come to haunt us at home.

Since the Soviet Union has consistently violated its solemn promises to respect the right of self-determination and free elections, the road to freedom and independence for the captive peoples must continue to be a long and hazardous one. But it is a road we cannot weary of following. Not only is our own safety at stake, but the most fundamental principles on which we have established our Nation are involved. As the citadel of human freedom in a world half slave and half free, we cannot shrink from the leadership which our strength, our position, and our principles have imposed upon us. We must lose no opportunity to use our diplomatic and moral resources, and to enlist the support of our free-world allies, in seeking to help restore the personal and political freedoms to which every nation and every human being has a God-given right.

Captive Nations Week this year occurs at the outset of what could be highly significant negotiations in Moscow between the United States, Great Britain, and the Soviet Union dealing with the possibility of a nuclear test ban treaty and, if successful, foreshadowing what conceivably could be more extensive agreements. If this year's observance is as convincing as others have been, then it will serve to remind our opposite numbers of a fact of life in the United States—we shall never consent to or accept the permanence of Communist domination of Eastern Europe. Our devotion to freedom there and throughout the world is not negotiable.

Our responsibilities, Mr. Speaker, do not stop with consideration of the fate of nations already caught in the trap of Communist tyranny. If the captive nations hold any meaning for us at all—and how can we avoid that meaning?—then they signify above all the past failures and missed opportunities of the free world; the failure to act soon enough and surely enough to strengthen legitimate governments, to cooperate in helping meet the needs of poorer countries, to encourage the extension of personal freedoms to people deprived of their human rights. Other nations are in danger today, and now is an appropriate time to strengthen our resolve to firm up the foundations of freedom wherever they are threatened.

Mr. BYRNE of Pennsylvania. Mr. Speaker, we are gathered here to focus the light from freedom's torch on the captive nations of the world—nations which have struggled for decades under Soviet Communist domination.

President Kennedy urged that we do this. In a recent proclamation he urged that we Americans "give renewed devotion to the just aspirations of all people for national independence and human liberty." He then proclaimed Captive Nations Week for 1963.

By spotlighting these nations during Captive Nations Week every year we accomplish several things:

First, we show that we have not forgotten them. We give them hope that some day they too can live free and independent lives.

Then too, by calling attention to these nations during this week, we are showing the world what happens when Russian imperialism runs rampant.

And lastly, during Captive Nations Week, we remind ourselves of how fortunate we are to be living in a free land. We remind ourselves of friends and loved ones overseas who are not so fortunate as ourselves. And we remember our responsibility to offer them spiritual strength and faith that some day the grip of Soviet tyranny will loosen.

For our ultimate goal for the captive nations of the world is emancipation—emancipation achieved not by external force but primarily by the appeal of freedom to the minds of men.

Our weapons are not military—military action would make a nuclear battleground of the captive lands—our weapons are ideological, psychological, political, economic, and diplomatic.

These instruments of policy may be slower than weapons of modern warfare but in the long run they are the best way to free the captive millions.

The rollcall of the captive nations echoes in the Far East, southeast Asia, and in Europe.

Estonia, Latvia, and Lithuania were independent nations until two decades ago when Soviet troops occupied them and carried out farcical elections which resulted in their incorporation into the Soviet Union.

In Rumania and Czechoslovakia political minorities took power with the help of Soviet troops.

Russian troops occupied Poland, withdrew, and then threatened her borders again when the Poles demanded more liberties.

Bayonets and tanks were used on the East Germans and Hungarians when they tried to free themselves from the Soviet grip.

And so the rollcall reads—nation after nation—forced to the ground by the military power of the Soviet Union.

The people of these captive nations are not free to travel. They are not permitted to publish criticism of those in power. They are not able to take part in free elections, but must vote on one-party ballots. And they even find it difficult to listen to what is going on outside the Iron Curtain because outside radio stations are usually jammed.

This is what it means to be living in a nation which is held captive by the Soviet Union.

However, the latest reports from behind the Iron Curtain offer some encouragement. Confusion and disarray in the Communist bloc are more apparent today than at any time for the last 8 years.

The cracks in the wall that appeared after the death of Joseph Stalin have enlarged.

The split between the Soviet Union and Communist China brought new fears to Moscow and helped to bring China's so-called "great leap forward" to a screeching halt.

Up until a year or so ago you could analyze the Communist camp by dividing them into those who were pro-Soviet and those who were anti-Soviet or pro-Chinese.

Now the experts say that there are even more political and ideological divisions among the nations in the Communist world.

And besides these new splits generated by the Chinese-Soviet break, there are other encouraging signs for the people living in the captive nations.

The Communists are moving farther and farther from the Revolution of 1917. Their leaders are aging and the new ones are not so willing to accept dogma and automatic Moscow rule as were those who fought with Lenin and Stalin.

This means that ideology will not be followed so blindly and that more diversity within the bloc may occur.

So there is some reason for hope for our friends who are still under the Russian yoke.

However, we must not forget, these nations are still Communist dictatorships and the people will not be free until they can write, speak, and vote freely. It is to these just aspirations of all people that we should give our renewed devotion.

We must determine ways to exploit the growing weakness in Communist unity. We must encourage diversity inside the Communist bloc without bringing on a nuclear war and without encouraging activities that will force Soviet military intervention.

These are difficult tasks. Unfortunately there is no magic formula, no patent medicine that will cause the Soviet Union to disappear, freeing those now under its domination.

What we can do is to have a policy that is flexible enough so that when opportunities arise we can attract these nations away from Russia. That means we must be able to use trade as a method to draw smaller nations away from the economic domination of the Soviet Union.

We can also encourage those nations who are Eastern European captives to identify with the Western European community. They have been a part of Europe's culture, history, and economy for centuries, and we should do what we can to encourage travel, trade, and participation in intellectual and cultural exchanges across the Iron Curtain.

And we can stimulate thought in these nations by broadcasting into their homes. This can help make them more thoughtful about their governments and remind them that the United States is concerned for their welfare.

In Poland, for example, the United States is able to carry on a significant information program. The Voice of America, a source of truth and inspiration to the people of the captive nations, is not jammed in Poland. Many Americans, both as individuals and as members of private groups, have been able to establish contacts with relatives or other private citizens in Poland. Special action by Congress has made it possible to build a privately-sponsored children's hospital in Poland as a gift from the American people.

These initiatives should be continued and expanded. The magic of radio can vault the Iron Curtain and reach into private homes in all the countries in Eastern Europe. Broadcasts by the Voice of America and such private organizations as Radio Free Europe remind these people of their links with the West. These windows have not been bricked over. Let us be sure that we do all we can to keep them open.

These approaches I have mentioned require dedication and patience. There is no simple solution, but history is on the side of captive peoples. History proves that those who desire freedom will not be denied.

We Americans were once a captive people, but we were not denied our aspirations to be free. We were the first to free ourselves from colonial domination. This prompted a history of struggles for national independence.

And it was an American, Woodrow Wilson, who proclaimed the revolutionary doctrine of self-determination—the right of a captive people to decide for themselves what national status they will occupy.

These two American contributions today provide the spirit and the justification for the aspirations of all captive peoples.

Let us remind the Communists, and ourselves, that we are the real revolutionaries of the 20th century. We Americans are the ones who have provided the spirit and the justification for movements of national liberation.

And we are the ones who every year must rekindle the spirit of the captive nations of the world so that some day they will reach their just aspirations and be free from Communist control.

Mr. CUNNINGHAM. Mr. Speaker, it gives me great pleasure to have this opportunity to participate in Captive Nations Week.

As a sponsor of legislation to establish a Special House Committee on Captive Nations, my concern is a matter of record, and I speak for the people of Nebraska who have always supported me in these efforts.

There are many of us who are disturbed about the situation in the captive nations. We do not agree with the apparent aim of the administration to move increasingly toward more normal relations with governments in some of the captive nations for these are Communist governments, and steps which increase their world trade and benefit the Communist governments can hardly be beneficial to this country.

An action such as that taken this year in the United Nations, when we abandoned the principle on which we have stood since the 1956 uprisings, is to many of us a symptom of the fuzzy thinking which is leading us in a direction which the people of the country do not want to go. We gave up on principle, as I said, because we did not have the votes to win. That is what the State Department explanation is. I can imagine what abuse would be hurled at a Congressman if he should abandon principle for the expedient.

A move to increase trade between this country and Poland is another symptom of the belief that somehow this country will benefit from the steps which obviously benefit the Communist governments

So we in Congress and the people of the country are faced with this attitude that our national policy should be to get along with the people who are running these formerly free nations. In some way this is supposed to benefit the people of the nations, when actually it would reinforce the hold over these same people which these Communist governments now have.

Turning to the most recent of the captive nations, Cuba, we find a government policy which discourages trade. This contradiction in policy does not seem to bother some, but to me, and I would imagine to many foreign governments, it looks like a strange inconsistency. Our Government says not to trade with Cuba, yet our policy is to increase trade with the Communist satellite nations such as Czechoslovakia which are supplying Cuba. They must wonder if we are sincere about Cuba.

I have never been able to understand the State Department opposition to a Special House Committee on Captive Nations, although it frequently seems to be similar to the opposition to a Freedom Academy—they did not think of it first. I would hope there are more substantial reasons, but those I have seen to date are not impressive.

I see no reason, anyway, why the House of Representatives needs any guidance from the State Department as to what committees it is going to set up. There is sufficient evidence that the administration sets up various agencies and operations without authority of Congress, so I think it high time we make a few decisions for ourselves.

The heart of the matter of a special committee and of these annual Captive Nations Weeks is the fact that Russia today is the largest and very nearly the only colonial power left in this world. The wave of nationalism which spread across the world following World War II wiped out the remains of the vast colonial empires of yesteryear.

Except for the Russian colonial empire. That today stands as the greatest example of the failure of communism, for the empire is held together—as was amply demonstrated in Hungary in 1956—by the armed might of the Soviet Union. To those who tell us that the puppet governments are mellowing because of a few concessions, I say you are sadly mistaken. When the Berlin wall comes down, when free elections are held, when the Soviet troops are withdrawn and with them the secret police—then will there be some concessions worthy of noting.

Until then I think it is imperative that we continue at every opportunity to call to the attention of the world that the Russian colonial empire is the midcentury's biggest example of individual and national subjugation.

Mr. DINGELL. Mr. Speaker, the Second World War caused misery and misfortune to untold millions of people in many parts of the world, but perhaps no one group of people suffered and sacrificed as much as those in eastern and central Europe. The most ferocious fighting of the war took place there, the worst atrocities of the war were committed in these countries, the people there bore the heaviest brunt of the war for more than 5 years, and their homelands during those years were among the most ravaged parts of the Eurasian continent. But these people, numbering some 100 million and including the Estonians, Latvians, and Lithuanians in the Baltic area, Bulgarians and Rumanians in the Balkans, the Poles, Hungarians, and Czechoslovaks, suffered and lived with the hope that at the end of that world struggle they would be rewarded their freedom and liberty. With that single and overriding goal in mind they fought their oppressors, struggled for their freedom, and gave their lives by the millions. At the end of the war, however, instead of being rewarded with freedom they all were saddled with the worst type of tyranny imposed upon them by the Government of the Soviet Union.

Today these countries form the Soviet satellite countries, the captive nations of Europe, imprisoned and totally isolated from the free world by the Iron

Curtain that separates them from the West.

Since the end of the war the fate of these helpless and unfortunate peoples have been among the principal concerns of the Government of this country. Our leaders have done their utmost to bring about their freedom through peaceful means and diplomatic negotiations, but thus far all their efforts have failed to produce the desired result. But the U.S. continues to hope, and believe, in the eventual freedom of the satellite peoples. As evidence of our good intentions, the Congress enacted legislation in 1959 whereby the President is empowered to proclaim the third week of July of each year as Captive Nations Week, designating such a week as one of national observance and commemoration. As a Member of Congress I am proud of this legislation, and proud to reassert today our continuing faith that freedom will eventually triumph over totalitarian communism.

Mr. BOW. Mr. Speaker, I am happy to join with the gentleman from Pennsylvania and the gentleman from Illinois who have been the leaders in this observation of Captive Nation's Week.

As many of you know, I believe that we can do more and we should do more to make known our sympathy and spiritual union with those behind the Iron Curtain who yearn for the restoration of their freedom and independence.

I have suggested and House Concurrent Resolution 8 would provide for a proclamation as a special day of observance the independence day or national holiday of the various unfortunate peoples who have fallen victim to Communist colonial imperialism. I ask leave that the text of House Concurrent Resolution 8 be included with my remarks.

The resolution follows:

> Whereas the United States of America is dedicated to the restoration of liberty and self-determination for eight hundred million people enslaved by Communist imperialism; and
>
> Whereas there exists in the hearts and minds of Americans a deep sympathy and understanding for the hopes and aspirations of the captive peoples; and
>
> Whereas it is appropriate for Americans to keep alive the traditions of liberty symbolized by the historic national holidays of the captive nations: Now, therefore, be it
>
> *Resolved by the House of Representatives* (*the Senate concurring*), That it is the sense of the Congress of the United States that the President of the United States proclaim the following historic dates as days of observance by the people of the United States in their spiritual union with the victims of Communist imperialism and colonialism: January 22 as Ukrainian Day; February 16 as Lithuanian Day; February 24 as Estonian Day; March 3 as Bulgarian Day; March 14 as Slovakian Day; March 15 as Hungarian Day; March 25 as White Ruthenian Day; May 3 as Polish Day; May 10 as Rumanian Day; May 26 as Georgian Day; May 28 as Armenian and Azerbaijan Day; June 17 as East German Day; August 15 as Korean Day; October 10 as Chinese Day; October 26 as Vietnamese Day; October 28 as Czech Day; November 18 at Latvian Day; November 28 as Albanian Day; December 13 as Turkestan Day.

Mr. STRATTON. Mr. Speaker, this year as in the past, during the third week of July, it is my privilege to pause with my colleagues in observation of Captive Nations Week. It is during this week, that we as a nation again symbolically express our determination that those peoples in the bondage of Communist tyranny behind the Iron Curtain, shall be free peoples.

Captive Nations Week is for us a reaffirmation of our belief in and our dedication to freedom—freedom for all persons throughout the world, and freedom especially to those to whom this precious right has long been denied.

It is fitting in this month of July, the month of birth of our freedom, that our thoughts center on the brave and dedicated people who bear the weight of Communist oppression. It is fitting that we think back to the streets of Budapest where the blood of freedom once flowed. We should think, too, of the great Ukrainian people, who for 40 years have suffered the monstrous tyranny of Soviet imperialism. And also, we should cast our thoughts on the people of Poland, and of Lithuania, who have cherished the ideal of national freedom despite years of tyranny, oppression, and partition.

Yes, it is to these and the other many millions of captive people that we extend our hope, and above all, our most diligent efforts, that they, too, might share the blessings of freedom.

In an effort to direct as much attention as possible to the plight of the world's captive nations, I have, earlier this session, introduced a resolution calling for the creation within this body, of a Select Committee on Captive Nations. This committee will, I believe, be a symbol to the captive peoples of Europe, Asia, and of the entire world, that this Congress is firmly dedicated to establishing their freedom.

I am still hopeful that that legislation will be approved.

Whatever may be the outcome of any agreements with the Soviet Union, we can never abandon our leadership in the fight for freedom and our pledge to speed the freedom of all people who cannot adhere to the great American principle of self-determination.

No President can fail to seek any reasonable and enforceable means of preventing all-out nuclear war. But we can never coexist with the Communist philosophy of government, we can never acquiesce in the slavery of peoples.

Mr. BOGGS. Mr. Speaker, it is indeed a pleasure to join with my distinguished colleagues in the House, Congressmen Daniel Flood and Edward Derwinski, and so many other Members, in participating in the fifth observance of Captive Nations Week.

It is most fitting that Members of the Congress and Americans throughout our country be reminded of the plight of the peoples of some 25 nations who presently live under a totalitarian form of government imposed on them by the leaders of the Soviet Union and of Communist China. Most of these nations have been under the heel of Sino-Soviet communism since the end of World War II; the diabolical subterfuge used by the Soviet Union to bring many of these nations under its dictatorial rule is one of the great tragedies of world history.

There is no doubt that the peoples of Cuba, Poland, Hungary, Lithuania, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Vietnam, and others have the right to determine their own destiny and to live in peace and freedom under the form of government of their own choosing. The United States, Mr. Speaker, must continue to do everything in its power to help these nations realize their goal of liberty, and to make the peoples of these countries aware that we in America share their aspirations.

Therefore, I am proud to join with the President of the United States and millions of my fellow countrymen across our Nation in observing Captive Nations Week and in saluting the peoples of these countries for their courage and fortitude to bear up under Communist rule. It is my hope that soon the people of these captive nations will enjoy freedom and peace in harmony with the people of our country and all those of the free world.

ILLEGAL TRAVEL BY U.S. CITIZENS, INCLUDING STUDENTS AND MEMBERS OF THE "COMMITTEE FOR NON-VIOLENT ACTION"

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Florida [Mr. Cramer] is recognized for 60 minutes.

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CRAMER. Mr. Speaker, it is my intention to discuss a recent matter which has come to my attention, and also to discuss the basic question of travel by U.S. citizens to Cuba which is illegal and, as I am sure Members of this House know, which travel I have strongly opposed. I intend to state the reasons why. I hope, perhaps, to cast a little bit of light on this particular situation. The reason for taking the House floor today in particular is because of a matter that has been called to my attention with regard to a new trip being planned and proposed, by U.S. citizens—and some foreigners—who are members of the Committee for Non-Violent Action—which came to my attention as a result of monitoring Radio Havana. And this is what Radio Havana now reports concerning new trips by U.S. students; and this, incidentally, also includes certain foreign students traveling to Cuba for the purpose of demanding, and traveling through the United States to highlight that demand, that the United States withdraw its troops from Guantanamo, even though we are there by treaty right.

What am I talking about? CMQ Havana broadcast on July 5 the following information:

> There are three student groups participating in a march through the United States

> asking the Government to evacuate the Guantanamo Base. They agreed yesterday to meet at Griffiss Air Force Base.

Which, parenthetically I state is in Rome, N.Y.

> The students met on July 3 in New York and said that their march would end at Guantanamo Base, despite the fact that the U.S. Government arbitrarily maintains prohibitions against U.S. citizens visiting Cuba.

This is Havana Radio speaking which, of course, is the Government of Cuba, which are the Communists, speaking. Again on July 9 Radio Progreso, Havana, said:

> It was announced in New York that participants of the "march for peace" left Rome yesterday en route to Cuba, after having made a final demonstration of American territory (U.S. base of Biki in Italy)—

Incidentally, demanding that we withdraw our troops from that base as well—

> with their final goal being Guantanamo Base. The group will be joined by 3 others, from Quebec, Canada, and 12 from Cleveland, Ohio, "reiterating their decision to continue the peaceful fight for Cuba."
>
> The members of the group pointed out that the "fight for peace in the Caribbean is a necessary condition for peace in all of the world."
>
> They will travel through North American territory, from north to south, until they arrive in Florida, where they will arrive at the city of Guantanamo, more than 3,500 miles of journey.
>
> They announced they would "continue making acts of protest against the aggressions of the United States against Cuba," and are journeying to Guantanamo, "despite the official Yankee measures that prohibit North Americans to journey to Cuba."

I assume that from Florida they will go to Cuba in a manner similar to the route taken by the 59 U.S. students who are there today, who are there extolling throughout the world the virtues of Castroism and communism in this hemisphere and throughout the world. As a matter of fact, one of these students even went so far as to call Castro a "saint" while visiting in Cuba. I shall comment on that in just a moment.

Apparently the route these people intend to take will be similar to that taken by the 59 students going through Prague, Czechoslovakia, to Havana, having gotten visas and passports from our State Department to go to London and to Amsterdam.

So where are we? Well, they announce, these new students, that they will continue to make "acts of protest against aggressions of the United States against Cuba, despite the official Yankee measures that prohibit North Americans from traveling to Cuba." The State Department's soft line on the illegal travel by the 59 American students now being brainwashed by the Communists in Cuba has apparently encouraged further demonstrations of this kind and further travel to Cuba. If the State Department continues to refuse to enforce the law that makes travel to Cuba illegal, further demonstrations of this kind and further statements from Cubans extolling the revolution can become one of Castro's and communism's greatest propaganda weapons. These people have announced their intention to travel to Cuba through the United States and, therefore, should not be allowed to continue their propagandizing of Castro and communism on U.S. soil or permitted to go to Cuban soil through our acquiescence in order to accomplish this same objective. How foolish is this thing getting to be? The precedent has now been set. This new trip has now been announced. I have demanded that the State Department call a halt to the actions underway. What is wrong with this?

It has been interesting to me to read some of the editorial reactions to the demand that the law of the United States be obeyed. Title 8, U.S.C., section 1185, specifically says that when the President so proclaims U.S. citizens shall be denied the right to travel to specific countries because it is in the best interest of the United States that they be so denied. That is a law passed by the U.S. Congress with the obvious objective of not permitting U.S. citizens directly or indirectly to aid or abet the enemy.

Some say, Is Castro really the enemy? The President himself has said so by upholding this with the proclamation of January 16, 1961, denying such travel. That was President Eisenhower. President Kennedy and the State Department previously stated their intention to uphold this proclamation and the law itself. The Government of the United States now has the duty to enforce that law. The United States, the President, as I started to say, President Kennedy, has twice invoked the Trading With the Enemy Act as it relates to Cuba. This in effect states Castro is the enemy of freedom and of our Government's objectives in this hemisphere under the law. The Trading With the Enemy Act was invoked with regard to tobacco shipments last year. The Trading With the Enemy Act was invoked again just a few weeks ago by the President relating to Cuba. The United States has withdrawn recognition of Cuba and continuing communications, continuing visitations, without express permission of the State Department are in violation of that basic foreign policy objective of the eventual political and economic quarantine of Cuba. These are some of the things that are wrong about it.

We have cut off travel to numerous other countries for other reasons, and still do: North Korea, North Vietnam, Red China, Albania, and Cuba. All passports of the United States, partially as a result of my objections to travel to Cuba, are now so stamped. Every passport issued is stamped as not valid for travel to those countries, including Cuba. This is the U.S. policy. If the State Department does not uphold the law it is inviting violation of the law.

What are some other reasons why this is a proper action to be taken and why the law should be obeyed? I read the press reports this morning and heard on the radio that a U.S. citizen, one of the 59, was killed yesterday in Santiago. We heard that he was swimming in a swimming pool on a hot day, sweltering heat, in Santiago and drowned. The news report did not give Bob Hill's home address and gave no further explanation. I think this illustrates another reason for banning travel to countries in which the United States has no embassy and does not recognize the countries, and therefore cannot protect the citizens of the United States who travel to those countries. We do not know how Bob Hill was killed. We do not know whether there was anything wrong in regard to action by Castro or the Communists. We have no way of knowing about it. There is no protection for future Bob Hills in these countries because we have no embassies to accomplish that protection. That is one of the additional reasons for denying travel to these countries.

A further reason is obvious in connection with this present student visitation, these 59 students that are there, when they go to these Communist countries, which even include Russia—and I have been there. I have been there under the sponsorship of the Intourist Travel Agency. They show you just exactly what they want you to see, and nothing more. There is no such thing as free travel in Red China, in North Vietnam, in North Korea. There is no such thing as free travel in Cuba. These students, some of them apparently, were bilked into thinking that if they went to Cuba, they would be able to see what the revolution was all about and what is going on. Well, the only thing they get to see is what Castro lets them see and what the Communists let them see.

This trip is being sponsored by the Student Union Federation of Cuba which is headed by a known Communist, Ronald Cubelo, assisted by Angelo Quevada, another Communist. It is under the direct sponsorship of the Cuban Government and the Cuban Government, as a matter of fact, is paying the bill, as I stated in the RECORD just the other day. Here are some of the other organizations that are sponsoring this trip. There is Armando Hart. He is the Communist head of the educational department in Cuba, the Cuban Ministry of Education, directly under the Cuban Government. He is the one who is issuing the orders. He is the one who is pulling the strings concerning this visit. Everyone else involved in the invitation and the visit itself likewise are known Communists in the Communist government. The director of Havana University is the president of the Communist Party in Cuba, namely Juan Marinello. So there should be no question about the fact that the Communists themselves are the ones who are sponsoring, directing, and controlling this meeting and visit of students in Cuba.

If you do not believe that, you merely have to look at what propaganda favoring Castro's communism that has been emanating from Cuba by these students. These are American students talking, and it just gripes me that the U.S. citizens should give such false accolades and be so obviously brainwashed in this planned Communist propaganda tour where they see and hear what the Communists want them to see and hear and nothing else. Such false statements are coming from these students as this, and this appeared in the San Francisco Inquirer on July 2, 1963:

"Students talk with Fidel," that is Fidel Castro. One of the students by the name of Kafke, a 35-year-old art student from the San Francisco State College expresses "wonderment that one government could help people as much as this one." This is talking about Castro and talking about communism in Cuba. He also said that 9 out of 10 Cubans regard Fidel Castro—now listen to this—this is the extent to which they are being brainwashed—regard Fidel Castro as saint.

Of course, that is somewhat at variance with the refugees who are coming into this country who say that 50 percent to 70 percent of the people in Cuba would oppose Castro, if they thought they had the backing of the United States in order to accomplish his overthrow.

Here is another example. Jose Maria Lima, a June graduate of the University of California and a resident of Puerto Rico, declares he is a Socialist anxious to free his country of the "Yankee yoke." He says, "I am a Socialist in my country. I was militant in the independence ranks because I believe Puerto Rico has no other road here"—meaning in Cuba—"I am anxious to submerge myself in the Cuban revolution"—said the University of California graduate. You could cite example after example.

Let us assume, and it is an assumption that I am not willing to make, that these students were innocent students, curiosity seekers wanting to know truly what is going on in Cuba. Well, they just are not going to find out. As I say, I am not willing to assume that because this trip is under the direction of Fidel Castro and his education agency, all of whom are pro-Communists, so they obviously took students that they knew they could influence or whom the Castro movement and Cuban communism in this hemisphere had shown they had been or could be influenced before.

Who are some of the people talking to them in Cuba? Well, Castro himself. There is Oswaldo Dortegas, according to the recent press dispatch of Friday, July 12, who declared in talking to these students in a brainwashing session that Russian military instructors and industrial technicians are still in Cuba—these are technicians, not troops, but all missiles and troops have been removed. This is the brainwashing which these students are getting. And you know what they are going to do when they come back to the United States, if they do like all others sponsored by the Fairplay for Cuba Committee, including the 100 that went down during the Christmas period in 1960, they are going to come back to the United States, they are going to make speeches about how great Castro and communism is in Cuba, having been brainwashed by the remarks which were made by such officials as the President of Cuba, as follows:

> Addressing the 59 American students here on a 1-month visit in defiance of a U.S. State Department ban on travel to Cuba, Dorticos said the military instructors are training the Cuban Army. He did not say what the industrial technicians were doing.

Mr. Speaker, these students are not going to be permitted to see these things for themselves. They are not going to be permitted to see the caves and the other areas in western Cuba where there are huge caves where it is suspected that some, even offensive, weapons might be hidden, and only on-site inspection can prove to the contrary. They will not be permitted to see the prisons, the tens of thousands of Cuban political prisoners, in prisons rat infested as they are. They are not going to see where these prisoners are being beaten and disrobed and mutilated by the Communists in Cuba. That is not what they are going to be able to see.

Here is the other brainwashing:

> He told the American students they had been able to see that Cubans had no hate for the American people, but only opposed the U.S. Government.

He only wants the overthrow by force and violence the Government of the United States by the Communists. Now, is that not nice? Opposing the freedoms we have in this country is what he should have said.

Further quoting:

> A spokesman for the American student group here—

And here is an example of the extent which they are brainwashing them—

> Levi Laub, of Columbia University—

And, incidentally, he is the one who helped organize the whole thing—

> said they had received a favorable impression during a 2-day visit to the tobacco-growing province of Pinar del Rio.

Obviously they were taken on a trip to one of the very few collectivist farms which show any degree of success whatsoever, because we know what has happened to the failing agricultural program in Cuba.

Mr. Speaker, how else will these kids, these U.S. students, be brainwashed by Castro? Well, we can judge by examining who else is talking to them. I read in the press just the other day that one of those who met the students when they came to Cuba was a Mr. Robert Williams. I also have similar information from the monitoring of Radio Havana. Radio Progresso announced on the date of July 5 as follows:

> The Association of the North American Friends of Cuba will celebrate Independence Day of the United States and will hold a forum on the fight of the Negroes for their civil rights in the United States.

There are a number of Negroes among these students, incidentally.

> Meeting with their resident compatriots in Cuba will be the brave North American students who have journeyed to Cuba to see with their own eyes the truth of Cuban revolution.

Mr. Speaker, this is the truth that they are seeing. Listen to this:

> Among the participants in forum will be Robert Williams, well-known Negro fighter of the United States and a representative of the international press (Williams is writing for Castro's propaganda news service, Presna Latina).

Let us find out who Mr. Williams is. In order to find that out all you have to do is look at the Internal Security Committee reports. Incidentally, this particular report was a report based upon my testimony before that committee of recent date, April 3, 1963, which committee had occasion to go into the background of Mr. Williams because he was associated with an organization which they had under consideration. He was also associated with one of those people who traveled to Cuba last year.

Mr. Jerry Quinn traveled to Cuba also against the law, and whose name I have previously placed in the RECORD, one of the 97 who visited Cuba last year contrary to law and he is secretary to Mr. Williams' "Monroe Defense Committee" in the United States. That leads us to who Mr. Williams is. This man is going to be on the panel brainwashing these U.S. students. What is his background? He is the head of the Monroe Defense Committee, and Gerald Quinn whom I mentioned before, is the executive secretary, and he has just gotten back from Cuba recently.

Monroe County is located in North Carolina, and the Monroe Defense Committee was formed supposedly for the purpose of defending one Robert Franklin Williams who lived in Monroe County. Robert Franklin Williams is wanted by the FBI for interstate flight and kidnaping. I placed in the RECORD at that time the FBI wanted notice for Robert Williams who escaped to Cuba, because otherwise he would have ended up probably in the jails of the United States for being one of the wanted men on the FBI list and for violating other laws of the United States, including interstate flight and kidnaping.

This is the man who also has constantly shown Communist sympathetic attitudes, who is doing the brainwashing, a fugitive from justice in the United States. He is brainwashing these students who have traveled to Cuba, and let us assume some of them may be going for the purpose of finding out the truth about the Castro revolution. It is obvious they are not going to be able to find out the truth from such people as Robert Williams.

What else is wrong with this travel to Cuba proposition? We have imposed a ban on not only travel but on economic interchange between the United States and Cuba for some time. A trade ban aimed at all free-world trading with Cuba has been imposed, partially at least. We have stopped trading with Cuba. To permit these students, to permit this other group that is now talking about going to Cuba, to go to that country does what? As Castro himself says and as was stated in another of these Havana radio broadcasts we have monitored, this is an effective way of breaking the dollar curtain. And it certainly is. The Communists on the Havana radio are bragging about these 59 students and what they symbolize. The implication is they expect to break the dollar curtain that has been placed around Cuba by the United States. If this is permitted to continue, there is no question but what tourist dollars will be flowing to Cuba.

This would undercut all of the basic policies of an economic and political quarantine of Cuba in order to squeeze the Communists out of this hemisphere.

This is another thing that is wrong with it: We have asked all other countries in this hemisphere to stop travel to Cuba. The Selden subcommittee of the House and the Senate subcommittee of the other body on subversives in Latin America and in this country on the Senate side clearly showed that Cuba is being used as an island for subversive training and that those trainees are going to all other countries throughout this hemisphere in order to spread Castro's communism, Khrushchev's communism to those other countries, and they are doing it effectively.

Mr. Cone, Director of Intelligence, stated to the Selden committee that no less than 1,500 had gone to Cuba for the purpose of attending these subversive schools in 1962 alone, naming some of the places where the schools were located. These 59 students are now in Cuba and they, intentionally or otherwise, are being put through the Communist subversive training program. That is what is wrong with it. How foolish we look insisting that all Latin American countries stop subversive travel to Cuba and we let 59 of our students go there for brainwashing.

The security of the United States is involved, the basic security of our country. An additional purpose for not permitting people to travel to these other countries which the United States does not recognize, these other countries which this Nation has stated are the enemies of this country, involves our security. The security aspect is involved and there is no way in the world that our Government can control what someone does when they go to those countries, what information they may leak to those governments or what may be brought back to this country for subversive purposes. The basic security of our Nation is involved in all of this travel. That is one of the reasons why travel is forbidden in these "enemy" foreign countries. Few exceptions exist and they must get permission from our State Department to do so and then only if it is in the best interests of this country to let specific individuals for specific purposes travel there.

Business people now in the United States are talking about traveling to Red China. There are a number of them and they are attempting to get permission to travel to Red China. The objective is the obvious—to do what the Congress of the United States said shall not be done; that is, to open up trade between Red China and the free world, meaning the United States in particular. Red China already trades with Great Britain. So the objective in the first instance is to go to that brutal Communist country to try to create additional markets in Red China. That is the objective on the part of these U.S. businessmen. If you are going to open up trade with Red China the next thing will be a demand for recognition, which has not been made, and a demand for seating them in the United Nations. All of these matters the Congress of the United States and, I am confident, the people of the United States oppose.

There is a further basic aspect of this; namely, the fact that the State Department has done nothing to prevent these students from traveling and has shown a rather soft attitude about it and has not stated its intention to seek their prosecution when they get back. That appears to me to be a step in the direction of coexistence with Castro and communism in this hemisphere, which possibly was best exemplified by the President's remarks at American University when he said—and this is the first explanation I have had as to why our policy is what it is as it relates to Cuban communism that—

> We should reexamine our attitude toward the Soviet Union—

And that—

> Additional communication means additional understanding between the Communist countries and the United States.

The word "accommodations" was mentioned, and certainly permitting students to go to Cuba is in the form of an accommodation. So this involves the basic fundamental concepts of our foreign relations in the cold war. All the efforts I have seen lead to the conclusion that we are rapidly on the way, this being another element of proof in that regard, toward coexistence with Castro and communism in this hemisphere.

Let me give you another example that disturbs me.

Mr. DEVINE. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I will be delighted to yield to the gentleman.

Mr. DEVINE. I would like to compliment the gentleman from Florida for rendering what I think is a great service to his country. The gentleman from Pinellas County, Fla., has been an ardent fighter against Communist subversion situations, and the whole Cuban mess. We do not read much about Cuba any more. I do not know whether the administration, because of other failures wants to sweep it under the rug, but it appears to be that. The gentleman from Florida points out the very serious problems involved here and I think he should be recognized for the tremendous job that he is doing in the interests of national security.

Mr. CRAMER. I thank the gentleman from Ohio very much. Of course he likewise has been a fighter in the effort to get this country to follow a firm anti-Communist policy at home and abroad. I appreciate his kind remarks.

These are the signs of the times that bother me. For instance, here is another example, not only in the travel of students and people to Cuba, but now we find that there is a proposal pending and that permission is being asked for the reinstatement of the ferry and shipping line between Key West and Havana. As I informed the House previously, there were other signs with regard to communications and travel, such as the United States permitting Cuban nonscheduled airlines to travel over the United States going to Canada so long as they stopped at one of our major airports for inspection, including Dulles Airport outside Washington, D.C. Here you have the anomalous and almost unthinkable situation of Communist Cuban planes flying over and stopping in the area of Washington, D.C., on their way to and from Canada. Also a week later the United States announced that the ban on U.S. commercial airlines scheduled to go across Cuba was being withdrawn. Yet they said there was not a deal made on those two subjects. I think the facts speak for themselves. You can imagine the U.S. Government lifting such a ban if they had not been convinced in the first instance by some assurance given to them by the Castro government that our commercial planes would not be attacked. Why, of course not.

To get back to this proposal for opening up and renewing this ferry and shipping line between Key West and Havana, here is the proposal. It is for a ship, either the *Orange Sun* or the *O'Rion* to make three trips a week carrying 600 people on each trip. The ships have already been leased by an American firm headed by a British national. Castro apparently has already agreed to the deal. I called the State Department and asked them for information about it and objected to any such renewal of trade between the United States and Cuba.

To my amazement I was informed that the State Department indicated that there are not any laws to prevent the operation of a ferry service between Havana and Key West. I wonder since when? Does not the United States have the right to say what ships may enter its ports or trade with the enemy? I thought that this was the whole nexus and basis for the present trade ban now in existence, that the United States has the absolute right to state whether, for instance, any foreign company ships trading with Cuba can then use U.S. ports, and the United States has said no, they cannot. I just wonder how far the State Department will go in opening this door of accommodation with Castro. I am hopeful that they will not permit the reopening of this ferry service because that is another element on the road to coexistence and accommodation with Castro.

Making this objection with regard to the 59 students, what was the reply that the State Department gave? This is almost unbelievable naivete on the part of the State Department. This is the day following my last statement on the floor of the House objecting to this student trip.

> A Department spokesman, Robert McCloskey, told a news conference, "We hope that these students would have the opportunity for frank exchange with students at Cuban University where traditional and classical autonomy has been lost to the dictates of the regime and academic freedom has disappeared in the stultification of Communist slogans."

That is the usual doubletalk of the State Department. They are on the one hand saying, "You have got communism in Cuba, you have got a stultification of Communist slogans, you have a lack of academic freedom," and then on the other hand showing the extent of their naivete by saying, "But we are convinced the Communists are going to show these students what the Communist revolution is really all about," implying that the students will thus find out what is wrong with it. This is the fuzzy-headed thinking of the State Department that evidences almost unbelievable naivete on their part.

I mentioned a minute ago something of the brainwashing that was going on and here is another example.

According to press reports Blas Roca, the prime mover of communism in Cuba for other 30 years—he was addressing these 59 U.S. students—told 59 American college students here on this illegal junket that Fidel Castro "began his study of Marxism early in life."

This was reported in the Communist newspaper Hoy:

> The students paid a courtesy visit to Roca and Armed Forces Minister Raul Castro in the Hoy editorial offices yesterday.

Raul Castro unquestionably has been a Communist all his life and undoubtedly gave them a good brainwashing.

> Roca, one-time president of the Communist Party in Cuba is now editor of Hoy.

This is what he said:

> One thing that is not understood in the United States is that Comrade Fidel Castro, our leader and guide, began his study of Marxism early in life and began to assimilate the essentials of it.

Raul's wife, Vilma Espin, also met the American students. She had returned from a Moscow Women's Congress only 2 days ago, held in Moscow.

Roca told the American group, which includes 10 Negroes, that discrimination will not disappear until "there is no more exploitation, no more imperialism, which maintains Negroes and whites divided."

Obviously he was trying to brainwash the American students as relates to racial problems in this country, implying that citizens, Negro and white, are better off under communism where every one is a prisoner of the superstate.

Last night the students were feted at a rally in their honor at Liberty City—formerly Camp Colombia—as guests of Education Minister Armanddo Hart.

That is the man who has been a Communist all his life and whose name I mentioned just a few minutes ago.

These are some of the things that are wrong with these visits.

The reaction to my remarks has been practically unanimously favorable, but the kind of people who are supporting these trips and these students is what interests me. There is no doubt in my mind that those who support them are those who likewise support and sympathize with the Communist cause in Cuba, even though they are U.S. citizens.

Here is some pretty conclusive proof. Here are some items that came to my office. Here is one that came from Miami, signed Janet Rosenberger. She states the address. We checked the address, and it obviously is a fake. She quotes the news article in July in which I called for prosecution of those on this trip. "We dare you." Signed "Janet."

Here is another from Miami, "You ain't got a chance, man." Signed "Fidelito."

But listen to this. Here is a card apparently from somebody who if he is not a U.S. citizen is in this country by the grace of this free country. It was sent from New York City. It is signed "Alan deReosa." This is the thinking of the people living in the United States of America who support these brainwashing trips. I will read the last sentence first:

> We need a Castro in the U.S.A. to bat the brains out of punks like you.

And he was writing to a Member of the U.S. Congress. Let us read the whole card.

> I read that you are sponsoring action against the students visiting Cuba.
>
> You big bum. If you punks in Washington did something for the benefit of the people instead of the vested interests, no one in the U.S.A. would have any interest in communism. The people in Cuba have kicked off the yoke of oppression. They have rid the country of the capitalist crooks of the exploiters and now are attempting to do something for the downtrodden people.
>
> What are you doing for the people of the U.S.A.? Nothing, you bum. Just filling your own pockets and creating a bundle. We need a Castro in the U.S.A. to bat the brains out of punks like you.
>
> ALAN DEREOSA.

This happened in the United States of America. This is someone living under the freedoms of this country, writing a Representative in the Congress in this fashion. Is there any doubt but what this person is a supporter of the Castro revolution and of the Communists in this hemisphere? I do not think so. I think it is the best evidence of who really is behind this trip of these 59 students and who undoubtedly would be behind the trip of these other students who are now planning to make this trip through the United States and visit Guantanamo.

It is my hope that the State Department will take a firm position with regard to these new travelers in the United States, these new students intending to go to Cuba. The State Department should be unequivocal about this, and the most unequivocal way to do it is not to give U.S. citizens passports to leave the United States intending to go to Cuba, or permission to these students to tour the United States on their way to Cuba which serves Castro's purpose and gives him, I think, one of the biggest propaganda victories and weapons to sow false propaganda he has had for a long time.

I include related editorials and articles on this subject supporting my position generally.

CASTRO'S 59 GUESTS

Not surprisingly, the 59 U.S. college students who went to Cuba in defiance of State Department warnings have been defended by a scattering of Americans. Their line is that the kids showed spunk and that the State Department has no business dictating travel taboos.

That second point is open to debate. A case can be made for the right of Americans to go anywhere as independent travelers, observers or fact gatherers, if they go on their own and take their own chances.

But advocates of that point of view make a pretty poor argument when they cite the 59 college rebels as a case in point.

The students' trip to Cuba can scarcely be called an independent venture in any sense. They have gone there by way of Prague as guests of the Castro regime—under the aegis of a front outfit called the Cuban Institute for Friendship Among Peoples.

A statement issued by the students in parting hinted that they thought Americans were being fed lies about the nature of the Casto regime and the living conditions of the Cuban people.

Dispatches from Havana since the students' arrival indicate that Castro is giving them the full red carpet treatment and doing his utmost to provide them with a selected view of the landscape.

This is the sort of abuse the State Department is trying to prevent as part of its general effort to isolate Cuba and short circuit Castro propaganda. The example of the 59 thus serves to justify, not weaken, the Department's restrictions on travel to Cuba.

Anyway, the State Department's aye or nay isn't all that counts. The real criterion is which prospective visitors the Castro regime will admit or refuse to admit. This, as much as anything, is what puts the trek of the 59 in such a questionable light.

[From the Tampa Tribune, July 8, 1963]

AN INVITATION TO DISRESPECT

The presence of 59 American students in Havana despite U.S. State Department warnings that they face possible jail terms and fines if they made the trip brings to mind an old Marine Corps maxim.

It goes something to the effect that you never point a gun at anyone unless you intend to pull the trigger, the theory being that frivolity with the weapon erodes respect for both the gun and the man behind it.

Insofar as its curb on Cuban travel is concerned, the State Department had done a powerful lot of pointing, but has pulled the trigger mighty little.

The State Department carefully makes the point that its prohibition does not apply to those who have legitimate reasons for travel to Cuba—newsmen, those with humanitarian reasons such as doctors, lawyers, and religious representatives, and those whose business interests on the island predate Castro.

But Congressman WILLIAM C. CRAMER, of Pinellas County, recently furnished the Senate Internal Security Subcommittee a list of 97 U.S. citizens who defied the State Department's ban and traveled to Cuba by way of Mexico during a 6-months period in 1962. He also provided information from other sources of trips by additional Americans, including V. T. Lee, erstwhile head of the Tampa Fair Play for Cuba Committee, who was quoted in a Cuban magazine as having made a speech in "broken but emotion-packed Spanish" in Havana's Plaza de la Revolucion declaring:

"I want you to know that my country is anxious to know the truth about this heroic island, first free territory of America and that it doesn't agree with Kennedy's aggressions. Some day together we will win."

The Senate subcommittee's records are replete with other such instances, including considerable indication that Lee just about comes and goes as he pleases where travel to Cuba is concerned. Yet only two U.S. citizens, Negro Newsman William Worthy, and Mrs. Helen Maxine Levi Travis, of Los Angeles, have been prosecuted for violating the ban.

Such laxity is hardly curbing travel to Cuba. About all it's accomplishing is inviting disrespect for the State Department from U.S. citizens—and from governments such as Mexico's, which only recently has been prevailed upon to quit permitting

Americans with nonvalid passports to use its airports as points of departure for forbidden travels to Castroland.

AMERICAN STUDENTS IN CUBA

For the first time since Castro came to power, the Communist regime honored our Fourth of July. The timing seems to indicate an increasing need for accommodation with the United States in view of his troubles with the guerrillas and massive resistance (see his speeches June 18 and 27). He also had a news peg on which to hang his coexistence—59 American students—and Guantanamo Base.

The following is a translation of broadcasts over the Cuban radio, July 5:

"Havana, radio progreso: Rector Juan Marinello (president of the Cuban Communist Party), of the University of Havana, presided over a brilliant meeting last night in the Magna Hall. Said Dr. Juan Marinello: 'The Fourth of July is a glorious day for humanity, not only for the United States.' "

The meeting took place as an act of honor to the 59 U.S. students who are visiting Cuba "to learn first hand the results of the Cuban revolution." Following the singing of both national anthems, the secretary of foreign relations of the student union, Roberto Vizcaino (Communist) presented the head of the student groups, Levi Laub, who said:

"I had no idea that tonight I was going to speak. If I had known it, I would not have come. I only want to say that we are happy over the kindness with which the people, and particularly the university students, are treating us."

"Our trip," Laub continued, "has been the cause of surprise in our country * * * although we have been here only a brief time, we have observed the warmth which which we have been treated, and hope that in a short time, the Cubans will visit us in our universities."

Later the same day, Radio Progreso announced:

"Today, July 5, the Association of the North American Friends of Cuba will celebrate Independence Day of the United States * * * and will hold a forum on the fight of the Negroes for their civil rights in the United States.

"Meeting with their resident compatriots in Cuba, will be the brave North American students who have journeyed to Cuba to see with their own eyes the truth of the Cuban revolution.

"Among the participants in the forum will be Robert Williams, well-known Negro fighter of the United States and a representative of the international press. (Williams is writing for Castro's propaganda news service Prensa Latina.)"

The American students also visited the Communist organ, Hoy, and held a roundtable discussion with the Communist hierarchy of Cuba:

"The 59 young brave North American students are visiting our country to learn firsthand the Cuban revolution, were interviewed last night by the National Directorate of the PUR (Communist national direction of the government), Comandante Raul Castro, Vice Premier and Minister of Armed Forces; and Blas Roca, of Hoy. The President of the Federation of Cuban Women (Communist women's group for the penetration of Latin America) Vilma Espin de Castro, and Lazaro Pena, Secretary General of the Cuban Workers Federation (Pena has called repeatedly of workers in Venezuela and other countries to revolt against the imperialists—see speeches of January 1963) took part in the discussion.

The meeting took place in the offices of Hoy, whose director gave the students a history of the background of the paper since its foundation. For his part, Comandante Raul Castro, and his wife, Vilma Espin, answered all the questions put to them by the North American visitors."

The editorial in Hoy on July 6 is revealing:

"The mobilization of the heroic American Negroes to fight for their rights as citizens, and the voyage of 59 American students to Cuba, is breaking the dollar curtain and destroying the official lies, lies that are disposed to fine them $5,000 and suffer 5 years in prison (for the illegal trip), demonstrates that even in the fortress of imperialism (the United States) the contradictions among peoples are beginning to explode."

Immediately following the editorial on the American Negroes and students, came the following:

"The letter from the Leftist Front of Liberation of Uruguay to comrade Fidel Castro expressing the unmovable solidarity of the peoples of Latin America toward the Cuban revolution is as unmovable as the solidarity of Cuba toward the Latin American peoples. The OAS with its treaties (accords) is incapable of killing this sentiment, or to impede its expression.

"Our peoples can close the road to the interventionists, the fight of all the patriotic forces, democratic, popular, revolutionaries, socialists * * * all those who refuse to cede to the Yankee foreign ministry as colonies * * * etc."

Apparently linked to all this, CMQ Havana broadcast on July 5 the following:

"There are three student groups participating in a march through the United States asking the Government to evacuate the Guantanamo Base. They agreed yesterday to meet at Griffith Air Force Base. The students met on July 3 in New York and said that their march would end at the Guantanamo Base, despite the fact that the U.S. Government arbitrarily maintains prohibitions against U.S. citizens visiting Cuba."

Again, on July 9, Radio Progreso, Havana, said:

"It was announced in New York that participants of the 'March For Peace' left Rome yesterday en route to Cuba, after having made a final demonstration on American Territory (U.S. base of Biki in Italy) with their final goal Guantanamo Base.

"The group will be joined by 3 others, from Quebec, Canada, and 12 from Cleveland, Ohio, 'reiterating their decision to continue the peaceful fight for Cuba.'

"The members of the group pointed out that 'the fight for peace in the Caribbean is a necessary condition for peace in all of the world.'

"They will travel through North American territory, from North to South, until they arrive in Florida, where they will arrive at the city Guantanamo, more than 3,500 miles of journey.

"They announced they would 'continue making acts of protest against the aggressions of the United States against Cuba,' and are journeying to Guantanamo, 'despite the official Yankee measures that prohibit North Americans to journey to Cuba'."

MALICIOUS STATEMENT RESENTED

Mr. SIBAL. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. TALCOTT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. TALCOTT. Mr. Speaker, portions of a statement appearing in the CONGRESSIONAL RECORD of June 27, 1963, on page 11847, are seriously erroneous.

An unnamed union leader—after claiming an absence of toilet and handwashing facilities for migrants—is quoted as saying:

> Consumers would gag on their salad if they saw the lack of sanitary conditions under which the products are grown and processed.

I challenge the perpetrator, purveyor, or publisher of the quoted statement to produce any legally or morally acceptable evidence to substantiate any such charge pertaining to the Salinas Valley in California. I believe, and unless factual evidence is produced, I submit that the statement is false—maliciously false.

More quality salad vegetables are grown and processed in the Salinas Valley than in any other place in the world and such conditions do not occur in the Salinas Valley. Any product grown in the Salinas Valley is thoroughly inspected for all imperfections—by State inspectors and by industry self-inspection, for which there is none more strict in the United States.

Moreover, the statement is an unfair and false slur upon the migrant workers. Certainly the publisher of this remark would not want to infer that the personal habits of the domestic migrant worker are inferior to those of the bracero from Mexico.

Would anyone believe that any person—even the most stupid—would make such a derogatory remark about an industry in which he was interested or from which he derived his livelihood? Such a remark, even if well founded, would be no less than treacherous sabotage.

It would seem analogous and just as fair to publish a statement that all domestic grocers, doctors, and restaurateurs in San Antonio had a contagious venereal disease. Such a statement would be rightfully resented by everyone. I resent the statement about the salad vegetable industry.

Also, it occurs to me that if the cause was valid, resort to false statements would not be necessary.

Most importantly, all people—excepting one dishonest ingrate—in every State in our Union can be assured that all vegetables grown in the Salinas Valley of California were and are of high quality, clean and thoroughly inspected.

Any reasonable person should understand what every local governmental official in California well knows; namely, that it is enormously more difficult, expensive and wasteful to provide adequate water and sanitary facilities for great temporary influxes of migrant families than for men, domestic or foreign, unaccompanied by their families. The bracero program helped to alleviate this enormous problem. A migrant program which encourages a nomadic family life will aggravate the problem.

I trust no Member of Congress will vote to impose these irritating and expensive problems upon small rural communities.

LEIF ERIKSON DAY

Mr. SIBAL. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. LANGEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. LANGEN. Mr. Speaker, I am today introducing a joint resolution to authorize the President to proclaim October 9 in each year as Leif Erikson Day.

Recognition of that hardy Viking is long overdue. There is general recognition today of Leif Erikson as the discoverer of our western continent. His voyage to North America in the year 1000, the subsequent expeditions by his brother, Torvald, and by Torfin Karlsevne, who came with 3 ships and 160 people to colonize Vinland, as well as voyages between Iceland and Greenland and the American continent up to the middle of the 14th century, are well established historical facts.

Authenticated historical writings and documentary evidence substantiate Leif Erikson's explorations. In fact, the Congress of the United States has on past occasions verified Leif Erikson's status.

In A.D. 1007, the first white child was born in America, son of Thorfinn and Budrid Karlsefni, members of Leif Erikson's expedition to Vinland. The first bishop of America, Eric Gnupson, whose see included Greenland and Vinland—America—was appointed by Pope Paschall II, in the year A.D. 1121.

The colony in Greenland flourished for many years, but completely disappeared sometime after 1340. An expedition was sent to locate and bring back to the Christian faith the colonists who had left the western settlement. It is generally believed that a part of that expedition penetrated as far as my native Minnesota, probably by way of Hudson Bay, along the Nelson River, across Lake Winnipeg and down the Red River of the North.

Many States and cities have already established October 9 of each year as Leif Erikson Day. It is my hope that this joint resolution will now be adopted and that Americans across our great land will observe that date on a national level.

OPPOSITION PARTY HELPS SHAPE NATIONAL POLICY

Mr. SIBAL. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. CURTIS. Mr. Speaker, it is an interesting reflection on how debate influences the evolution of policy to note the extent to which the Kennedy administration has embraced a large part of the Republican diagnosis of our economic problems and how they can best be solved. Admittedly the administration continues to put primary reliance on the doctrine that what basically is needed is an increase in aggregate demand brought about through deficit financing.

Nevertheless, by studying the economic reports of the President for 1962 and 1963, as well as the accompanying reports of the Council of Economic Advisers, one can detect a growing awareness of the large part which numerous structural changes—particularly rapid technological advancement—are playing in creating our chronic unemployment problem. Republicans have been espousing this view for some time.

In the minority views to the Joint Economic Committee's Annual Reports for 1961, 1962, and 1963, the minority members have consistently expressed the view that a rapid rate of technological change and the need to promote and facilitate adjustment to it is the major domestic challenge of our time. This position was summarized in the conclusion to the minority views in 1962, as follows:

> The majority and the administration basically misunderstand the nature of our dynamic and growing economy. They believe that U.S. Government spending will lead to prosperity and full employment. This policy would take us down the well-worn path to inflation. It would neither solve our basic structural unemployment—which is the primary symptom of our dynamic and growing economy—nor would it solve our serious balance-of-payments problem. Indeed, it would make them worse.
>
> This administration has failed to attack our unemployment and balance-of-payments problems with sufficient vigor or urgency. In fact, instead of improving, recent signs suggest that these problems may be deepening. Significant improvement cannot be expected until the administration discards its obsolescent economic theories in favor of the ideas more appropriate to today's technological revolution.
>
> We welcome this technological revolution. In the long run it will lead to a sharp expansion in job opportunities as well as to a significant improvement in this country's international competitive position. In the meantime, we must ease and facilitate the adjustments which technological change causes by promoting worker retraining and mobility, by improving the unemployment compensation system and by making greater efforts to match unfilled jobs with the men and women seeking work.
>
> Every equitable effort must be made to stimulate job-creating investment. This can lead to greater productivity and, with restraint by Government, labor and business, to lower prices which would spur sales at home and better our competitive position in world markets.
>
> Those who have little faith in the inherent dynamism and resiliency of our free enterprise economy have been proved wrong in the past. We think they are wrong again and that history will bear us out.

Again, in the 1963 report, issued on March 14, 1963, the minority members made 46 recommendations to strengthen the economy. These included a number of recommendations designed to facilitate adjustment to technological change and to improve the performance of the labor market. I ask unanimous consent that a summary of the minority recommendations to the 1963 report be included in the Record at the conclusion of my remarks.

One of the latest statements to issue from the administration concerned recent testimony of Under Secretary of Labor John F. Henning before the Senate Subcommittee on Employment and Manpower. The Labor Department release of June 4, 1963, reports Under Secretary Henning as saying that the Nation's rapidly advancing technology, coupled with the inability of many American workers to successfully adjust to it, had created a manpower problem in the United States which would best be resolved through an "active labor market policy."

Under Secretary Henning outlined a nine-point program to implement such a policy. I ask unanimous consent that the Labor Department release on Under Secretary Henning's testimony be included in the Record at the conclusion of my remarks.

I am gratified, indeed, that the nine points which Under Secretary Henning recommended were suggested earlier this year by the Republican members of the Joint Economic Committee in their 1963 minority recommendations, summarized below.

The greater awareness of the structural causes of our unemployment problem, which is becoming more and more evident in this administration, is an encouraging sign to those of us in the minority party who sometimes wonder about the effectiveness of the opposition's role in helping to shape national policy. The record makes it clear, I think, that an alert and constructive minority can play a large and vital role in shaping policy. Those who criticize the opposition for what might seem to them to be carping and politically motivated attacks should remember that by its prodding, the minority helps to shape more realistic and effective policies and is thus fulfilling its proper function in a democracy.

The 1963 Annual Report of the Joint Economic Committee

MINORITY VIEWS SUMMARY OF RECOMMENDATIONS

I. Tax recommendations: (a) Under stated conditions, support a permanent reduction in personal and corporate taxes; (b) suggest a 1-year cut of $7 to $8 billion as possibly appropriate; (c) favor greater incentives to save and invest; (d) suggest consideration be given to new methods of taxing growth income; (e) believe some structural reforms should be enacted in 1963; (f) question wisdom of enacting future tax cuts now; (g) if administration continues to press for 3-year program, believe largest cut should come in first year; (h) must be accompanied by expenditure control, noninflationary financing of deficits, easing of the cost-price squeeze, and other measures vital to economic growth.

II. Expenditure control: (a) Support temporary ceiling of $95 billion on Federal spending; (b) Congress should establish Joint Committee on the Budget; (c) President should appoint an Advisory Commission on Federal Expenditures to study the following areas: (1) Establishment of spending priorities among Federal programs; (2) appraisal of Federal activities to determine those which retard economic growth; (3) improvement of Federal budgeting process; (4) examination of Government functions which could be better performed by private economy; (5) review of Federal responsibilities to determine which could be performed at State and local levels; (6) determination of proper level of user charges and other fees charged the public for special Government services; and (7) improvement in Government operations to increase efficiency.

III. Balance of payments: (a) Support greater efforts to "set our own house in order" as a means to eliminate our balance-of-payments deficit, putting less reliance on negotiation and the hope that other nations will change their conduct; (b) reject measures which would in any way restrict the convertibility of the dollar.

IV. Agriculture: (a) Recommend gradual reduction in price supports; (b) support efforts to develop new and improved uses for agricultural products; (c) urge setting up of soundly determined inventory objectives; (d) recommend against permitting growing of surplus crops on new reclamation and irrigation acres; (e) urge measures to assist the farm unemployed in moving into productive employment; and (f) recommend stopping Government subsidy of crops in one area in preference to another area.

V. Other recommendations:

A. Facilitating adjustment to technical change:

1. Education and training: (a) Broaden the Manpower Development and Training Act to include adult education courses in basic subjects; (b) expand Federal vocational and technical education programs; (c) coordinate Health, Education, Welfare's vocational education program and Labor's apprenticeship program; (d) review draft law provisions as they impede education and employment of young men; (e) amend Manpower Development and Training Act to authorize training of more young people, particularly "dropouts"; (f) eliminate inconsistency among Trade Expansion Act of 1962, the Area Redevelopment Act, the Manpower Development and Training Act, and unemployment insurance programs; (g) amend tax laws to permit tax deduction for education or training expenses and tax credit for individuals training in either academic or vocational subjects at the post-high school level; (h) provide incentives for companies to plan for technological changes by encouraging States to broaden merit ratings under unemployment insurance laws; (i) encourage States to permit individuals undergoing training or retraining to receive unemployment compensation up to normal amounts and limits; (j) consider disqualifying from unemployment compensation workers who refuse referral to training without good cause.

2. Mobility: (a) Amend tax laws to change definition of "home" to the place where a worker owns a home and maintains his family; (b) eliminate barriers to mobility caused by pensions and job rights; (c) pay subsistence or transportation allowances to unemployment insurance claimants who look for work in areas beyond a predetermined distance from their home; (d) allow tax relief for moving expenses involved in taking a new job.

3. Job information and research activities: (a) Strengthen the U.S. Employment Service and private employment agencies; (b) establish a nationwide "early warning system" to allow preparation for technological job displacement; (c) favor establishment of a national clearinghouse of skills and job vacancies; (d) support permanent State programs for temporary extension of unemployment insurance.

B. Productivity: (1) Encourage research and development activities in industries serving civilian markets; (2) create a National Productivity Council; (3) support tax deduction as a business expense of outlays for machinery and equipment; (4) review of depreciation schedules; (5) encourage profit sharing by employees; (6) encourage export expansion.

C. Antitrust: Favor establishment of a Commission on Antitrust Laws to review U.S. laws and procedures as they affect growth, foreign economic policy, etc.

D. National emergency strikes: Urge the administration to submit new legislation to deal with national emergency strikes.

E. Discrimination in employment and training: Require faster progress in eliminating it, not only on the basis of race, but age as well.

HENNING OUTLINES NINE-POINT PROGRAM FOR ACTIVE LABOR MARKET POLICY

Under Secretary of Labor John F. Henning said today that the Nation's rapidly advancing technology, coupled with the inability of many American workers to successfully adjust to it, had created a manpower problem in the United States which would best be resolved through what he termed an "active labor market policy."

Testifying before the Senate Subcommittee on Employment and Manpower, Henning, who is also Administrator of the Department of Labor's Manpower Administration, outlined a nine-point program to implement such a policy.

He set forth the following recommendations:

"An up-to-date labor market information service for workers and employers"; operating in "a systematic manner at all placement services."

"An early warning system of impending changes, especially layoffs," in order that efforts "can be immediately initiated to place in jobs or put into training those who are scheduled to be displaced."

"An effective informational service for career guidance and counseling before entry into working life"—and—"continuing throughout a person's working life."

"A corresponding educational system, vocational as well as academic which is responsive to current and upcoming manpower needs."

"An expanded apprenticeship training program."

"A well-endowed system of placement services which focuses not only on a given labor market but is national in scope."

"A program of training and retraining for unemployed and underemployed workers, as well as a program for equipping employed skilled workers with additional skills to meet increasing technical demands."

"A program for aiding the mobility of workers, responsive to the changing geography of employment opportunities."

"The elimination of racial discrimination in employment, training and education."

Henning defined an active labor market policy as one "achieving and maintaining—in conjunction with monetary, fiscal and other measures—a full employment economy." He added his belief that "the United States is becoming increasingly aware of the need" for such a policy.

Commenting on comparative manpower programs in the United States and Europe, Henning said that "our problems are far more complex than those faced by the smaller European nations, and we lack the tradition of economic and manpower 'planning' that exists in Europe." He expressed confidence, however, that "the United States will find solutions to its manpower problems, and that those solutions will be consistent with our own Federal-State traditions."

ARE THE FREEMANS "HOUSE HUNTING" OVERSEAS?

Mr. SIBAL. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. FINDLEY. Mr. Speaker, accompanied by eight Department of Agriculture officials, Secretary of Agriculture Orville Freeman and Mrs. Freeman left Saturday on a trip which will take them on a month-long tour of the Red bloc, including the Soviet Union, Poland, Yugoslavia, Bulgaria, and Rumania.

The junket gives substance to the rumor that Secretary Freeman is now considered a New Frontier liability, and is about to be kicked upstairs into a diplomatic position.

It is more likely house-hunting and a warm-up for an ambassadorship, than the serious study of Communist agriculture predicted in Department of Agriculture publicity releases.

Mr. Freeman is traveling halfway around the world supposedly to trade ideas with Communists in five countries on how to control farms and farmers. In planning the itinerary, he apparently overlooked Communist Cuba and Castro's Minister of Agriculture, "Che" Guevera. He could search the world over and not find a more dedicated Communist farm leader than Guevera, and he would have to travel only 90 miles off Florida's coast to find him.

Whether the real reason is house hunting or idea hunting it is hard to see how the U.S. taxpayer can possibly benefit from this extensive junketing by Mr. Freeman and his entourage.

What can they learn that would be useful to the United States? The trip is confined to Communist countries where Government controls have been notably unsuccessful in solving food problems. Nor is any benefit to the Communists in prospect. Mr. Freeman has been notably unsuccessful in his own efforts to regiment U.S. farmers.

If he could go as champion of a free agriculture, the Communists might learn something worthwhile. As it is, he travels as the rejected advocate of mandatory acreage controls, jail sentences for dairy farmers and other forms of regimentation.

One possible reason for the trip remains. In the wake of his overwhelming defeat in the May 21 wheat referendum, Mr. Freeman may be searching for ways to win the next one. If so, he will find an expert in Mr. Khrushchev, who has not lost a referendum yet.

IS THERE REALLY EXCESS PLANT CAPACITY?

Mr. SIBAL. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. CURTIS. Mr. Speaker, the administration's economic program of tax cuts and higher Government spending is based on a number of crucial assumptions, including one which says that there is a large amount of idle plant and equipment in the economy. It is the administration's contention that a higher level of effective demand would put this idle capacity to use without causing any inflationary pressure.

A close examination of our so-called excess capacity has led me to believe that much of this capacity is technologically outmoded or is capacity designed to produce products that the consumer no longer wants. If this view is correct, the economy may very well be running at or close to what might be called effective or economic capacity.

Support for this view recently came from McGraw-Hill's "16th Annual Survey of Business Plans for New Plants and Equipment." For the first time, McGraw-Hill asked manufacturers how much of their plant and equipment was technologically outmoded. Manufacturers responded that 22 percent of their capacity fell into this category. With the economy operating at about 83 percent of capacity, the economy is already using more than its effective capacity and is now operating some of its high-cost and outmoded facilities.

In an address before the National Industrial Conference Board on May 16, 1963, Prof. Almarin Phillips, of the University of Virginia, provided additional support to the view that much of our excess capacity is technologically obsolete or is capacity to produce goods that the market does not want. Professor Phillips makes the point that the increase in total demand arising from a tax cut accompanied by more Federal spending probably would press upon effective or economic capacity much sooner than the administration's analysis suggests.

If this is so, then I believe that the result would be a renewal of inflationary pressures which—in addition to the other harmful effects of inflation—would prove damaging to our already serious balance of payments position.

Further confirmation that our idle capacity is either marginal capacity or capacity to produce what is not needed was provided in a talk by Walter K. Bailey, chairman of the Warner & Swasey Co., before the National Industrial Conference Board, also on May 16. For goods that are in demand, Mr. Bailey points out, our efficient capacity is pushing the 90–95-percent level of use.

I ask that the addresses by both Professor Phillips and Mr. Bailey, as summarized by the National Industrial Conference Board, be inserted in the RECORD at this point.

How Much Unused Capacity?

(Summary of a talk by Almarin Phillips, professor, graduate school of business administration, University of Virginia before a session on "The Economist Looks at Job Creation," at the 47th annual meeting of the National Industrial Conference Board held May 15–17, 1963, in the Waldorf-Astoria in New York City)

There is neither a generally agreed upon definition of capacity nor a reliable measure of the extent to which capacity is being utilized. The general meaning of capacity, however, is the production rate for which costs are at a minimum or, alternatively, the rate which, if continued over a period of time, would induce neither expansion nor contraction of physical facilities.

Even while there is no precise figure, notable efforts are currently being made to measure the amount of used capacity. The research staff at the Conference Board, and similar groups at McGraw-Hill, Fortune, the Wharton School, and the board of governors have made substantial progress. The most recent study—presented by McGraw-Hill in a release of April 26, 1963—suggests that excess capacity at the end of 1962 was as great as that at the end of 1961. For the average manufacturing industry, the output rate at the end of last year was about 10 percent below the capacity rate as defined above. Put in another way, manufacturing industries could produce about $15 billion more goods without running existing plant and equipment at uneconomically high rates.

Questions of where the excess capacity is and why it exists are at least as important as the question of how much. According to McGraw-Hill, for example, industries such as steel, automobiles and rubber were operating at or near economic capacity while others, such as metal fabrication, machinery and stone, clay and glass were running well below that mark. If the answer to the "where" question shows widely varied capacity utilization rates, it is suggested that excess capacity is being caused in part by changes in the structure of demand, not by a simple insufficiency of demand. The economy, that is, has capacity to produce goods which the market does not want.

The present situation—judged by unemployment as well as capacity data—leads to the impression that structural change may be as important a cause of excess capacity as is the level of total demand. If this is true, tax reduction, while important as an economic remedy, cannot fully eliminate excessive unemployment and under-capacity utilization. The economically relevant excess capacity is only that which can produce goods which the market wants.

The recent McGraw-Hill survey also sought to determine the amount of plant and equipment which was technologically outmoded. And so far as the "why" question is concerned, this is crucial. Just as capacity to produce goods which the market does not want is largely irrelevant to economic questions, so is technologically obsolete capacity. Certain "old" industries—such as railroads, shipbuilding and, to an extent, steel—have great amounts of plant and equipment still on their books which, should demand increase, would not be utilized. Instead, it would be replaced by new capital goods. That such plant and equipment should be listed as "excess capacity" is very doubtful, since it lacks the ability to produce goods in a manner consistent with the efficient resource allocation required by the market system. Much of it would not be used under any circumstances.

How much excess capacity then? Looking backwards—looking to the goods which have been produced in the past and to the technologies used to produce them—there is a great deal. McGraw-Hill's data showing only 83 percent utilization may be quite correct. But looking forward—to the goods which will be produced and to the technologies which will be used to make them—there is not nearly so much. The small initial increase in total demand which a tax cut or other autonomous influence could signal could easily press effective, economic capacity much earlier than the McGraw-Hill data suggest. There is a real possibility of a substantial investment boom—much of it in new types of capacity—within the next 2 years.

Machinery

(Summary of a talk by Walter K. Bailey, chairman, the Warner & Swasey Co., before a presidents' panel on "The Business Outlook by Industry," at the 47th annual meeting of the National Industrial Conference Board held May 15–17, 1963, in the Waldorf-Astoria in New York City)

In a discussion of the business outlook for machinery, I am concerning myself primarily with production machinery used in the manufacture of goods; durable, capital goods for us in manufacturing.

For the background of what I want to say, and to gain perspective, it is necessary to look at, and examine the last capital goods boom in 1955, 1956, and 1957.

This boom produced about $37 billion of capital goods expenditures in 1956 and 1957. Present estimates for 1963 are at about the $38 billion level.

Obviously, a $38 billion level in 1963 is not producing the market for productive machinery that the $36 to $37 billion did in 1956 and 1957.

The reason for this difference is quite plain: In 1956 and 1957, industry was expanding its productive capacity by radical increases in new plants, and these plants had to be filled with all kinds of machinery.

This produced capacity far beyond the needs, and contributed to the fall-off in total business in 1958, and we have been struggling with it ever since.

This unused capacity is not the kind nor the type that Mr. Heller talks about. It is either marginal capacity, or capacity to produce what isn't needed.

For goods that are in demand, our efficient capacity is certainly pushing the 90- to 95-percent level of use. That is about maximum, and is the introductory rate to plant expansion.

This plant expansion is not taking place, but something very important is happening. Manufacturers are very concerned, and are doing something about the profit squeeze, by doing something about costs in existing plants. As a result of these cost reductions, they are increasing the capacity to produce, without expanding their plants. This is one of the healthy aspects of our present economy. Nowhere is it better illustrated than in the steel industry.

Returning for the moment to 1956 and 1957, about half of the $37 billion of capital expenditures were for new manufacturing plants and equipment for those plants. This amounted to about $15 billion.

In 1960 and 1961 far less than half of the $33 to $34 billion was for this purpose—only about one-fourth, or about $8 or $9 billion.

It is my opinion that 1963 will show, for this purpose, about one-tenth of the $38 billion projected. This will be far below 1956 and 1957, but about 30 to 40 percent more than in 1960 and 1961.

The expenditures for machinery will be quite selective. The emphasis will be on machinery that will radically reduce costs. There is a very receptive attitude for any equipment that will radically reduce costs and that does not require plant expansion. Fortunately, the machinery manufacturers have been working hard to develop such machinery, and there is much to be considered.

My opinion is that with a continuation of the present level of general business, production machinery sales in 1963 will increase by 10 to 15 percent over 1962. With even a slight increase in the level of general business, this could go to 15 to 20 percent in 1963, and easily create another 10 percent in 1964.

WHAT DOES THE BRACERO PROGRAM MEAN?

Mr. ROUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, it seems to me that whenever we hear defenses of the bracero program, we hear strange logic.

For example, Thursday a newspaper article was inserted in the RECORD concerning the impact of the ending of the bracero program. At one point, the article said:

> Most of the homegrown unemployed simply can't or won't do the type of work called for.

But later, a grower who uses braceros is quoted as saying, "I would rather have domestic workers." The program is defended "because I need the people."

Those braceros are a lot of "trouble," Mr. Speaker, because they have to be housed and fed according to fairly humane standards. But let us note one thing: the bracero users do not take the responsibility for these minimum standards—it is the State. Users complain that "the expense of this to the growers is a major minus to their use."

What is a bracero? According to this article, he is a man who is "quiet, simple, homesick." Now I can think of no candidate who would make a better target for exploitation. Think of it. A man who is simple is a man who has little, if any, education. He does not know too much about those infernal contracts and work standards and international agreements that are supposed to protect him. He is quiet because if he makes too much noise or gripes too much, he is shipped home. He is homesick because he is not permitted to bring his family with him.

I seem to recall that the history books characterized the slaves of the last century as simple and quiet and homesick.

What is the advantage of having a bracero?

This quiet, simple, homesick man works hard and long.

He works hours that are undreamed of in most of America. Listen to the article:

> Braceros generally work a 10- to 12-hour day, 6 or 7 days a week, rain or shine. The consideration is to get the crop in.

Now we see the advantage of braceros. They furnish some pretty heavy competition for any local laborers. If an American wants to work in the fields, he must be willing to work at the same level as the bracero is working. That is, he must work under the same conditions relative to wages and hours. Of course, the domestic workers are not accorded things like housing, social security, or workmen's compensation, like the braceros.

Mr. Speaker, we all remember the "poor white trash" of the South in bygone days. We know why these people were poor. It was because they had to compete with the slaves of the plantations. The case is no different here.

To compete with the bracero, the domestic must accept conditions which the average American would never dream of. The main value of the bracero is that he drives the price of agricultural labor down.

We are told that the loss of the bracero will be the end of agriculture. This is patently untrue. Only 1 or 2 percent of American farmers even use braceros. Users claim that they would rather use domestic workers.

This House should reject any extension of Public Law 78, and give the bracero users a chance to use some domestic labor.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. EDWARDS, for 60 minutes, on Wednesday, July 17.

Mr. CRAMER, for 1 hour, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. ALGER and to include extraneous matter.

(The following Member (at the request of Mr. ROUSH) and to include extraneous matter:)

Mr. ASPINALL.

SENATE BILL AND CONCURRENT RESOLUTION REFERRED

A bill and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1388. An act to add certain lands to the Cache National Forest, Utah; to the Committee on Agriculture.

S. Con. Res. 47. Concurrent resolution to print additional copies of certain hearings on effects of television portrayal of crime on young people; to the Committee on House Administration.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2461. An act to direct the Secretary of the Interior to convey to the city of Henderson, Nev., at fair market value, certain public lands in the State of Nevada;

H.R. 4946. An act to amend the Legislative Branch Appropriation Act, 1959, to provide for reimbursement of transportation expenses for Members of the House of Representatives; and

H.J. Res. 405. Joint resolution providing for U.S. participation in the International Bureau for the Protection of Industrial Property.

ADJOURNMENT

Mr. ROUSH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 46 minutes p.m.) the House adjourned until tomorrow, Tuesday, July 16, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1032. A letter from the Secretary of the Treasury, transmitting a report that net receipts under the Federal Unemployment Tax Act for the fiscal year ending June 30, 1964, based on a tax rate of 0.4 percent, are estimated to be $484 million, pursuant to section 1 of Public Law 88-31 (H. Doc. No. 139); to the Committee on Ways and Means and ordered to be printed.

1033. A letter from the Secretary of Agriculture, transmitting a report on a violation of section 3679 of the Revised Statutes, as amended, involving an overobligation, as of December 31, 1962, of an allotment of funds made to Alexander P. McLachlan, Director, ASCS Commodity Office, Agricultural Stabilization and Conservation Service, New Orleans, La., under the appropriation "12X2266(33) Removal of Surplus Agricultural Commodities, Agricultural Marketing Service (Transfer to Agricultural Stabilization and Conservation Service), 1963"; to the Committee on Appropriations.

1034. A letter from the Comptroller General of the United States, transmitting a report on uneconomical use of parts kits to support depot overhaul activities in the Air Force Logistics Command, Department of the Air Force; to the Committee on Government Operations.

1035. A letter from the Assistant Secretary of the Interior, transmitting a draft of a proposed bill entitled "A bill to declare that the United States holds in trust for the Indians of the Battle Mountain Colony certain lands which are used for cemetery purposes"; to the Committee on Interior and Insular Affairs.

1036. A letter from the Secretary of State, transmitting a draft of a proposed bill entitled "A bill to protect heads of foreign states and other designated officials"; to the Committee on the Judiciary.

1037. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics of the House of Representatives pursuant to section 3 of the National Aeronautics and Space Administration Authorization Act for the fiscal year 1963 (76 Stat. 382, 383); to the Committee on Science and Astronautics.

1038. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 5, 1963, submitting a report, together with accompanying papers and an illustration, on a letter report on the Illinois River at and in the vicinity of Siloam Springs, Ark. and Okla., requested by a resolution of the Committee on Public Works, House of Representatives, adopted June 2, 1953; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 2977. A bill to authorize the sale of certain lands of the Cheyenne River Sioux Tribe; with amendment (Rept. No. 553). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. EDMONDSON: Committee on Interior and Insular Affairs. H.R. 4211. A bill to provide for the conveyance of certain mineral interests of the United States in property in South Carolina to the record owners of the surface of that property; with amendment (Rept. No. 552). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BERRY:

H.R. 7539. A bill to amend section 1245 of the Internal Revenue Code of 1954 in order to limit application of that section in the case of the sale of an entire business or farm; to the Committee on Ways and Means.

By Mr. FASCELL:

H.R. 7540. A bill to amend title 10, United States Code, to change the method of computing retired pay of certain enlisted members of the Army, Navy, Air Force, or Marine Corps; to the Committee on Armed Services.

By Mr. FULTON of Pennsylvania:

H.R. 7541. A bill to designate the Blanchard Dam on Bald Eagle Creek, Pa., as the Robert F. Rich Dam; to the Committee on Public Works.

By Mr. GUBSER:

H.R. 7542. A bill to amend section 902(d) of the Federal Aviation Act of 1958 to provide penalties for fraudulent sales of certain air transportation by ticket agents or their representatives; to the Committee on Interstate and Foreign Commerce.

By Mr. MATHIAS:

H.R. 7543. A bill to amend certain criminal laws applicable to the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. MILLS:

H.R. 7544. A bill to amend the Social Security Act to assist States and communities in preventing and combating mental retardation through expansion and improvement of the maternal and child health and crippled children's programs, through provision of prenatal maternity, and infant care for individuals with conditions associated with childbearing which may lead to mental retardation, and through planning for comprehensive action to combat mental retardation, and for other purposes; to the Committee on Ways and Means.

By Mr. MOSHER:

H.R. 7545. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. POWELL:

H.R. 7546. A bill to prevent the use of stopwatches or other measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mr. SAYLOR:

H.R. 7547. A bill to amend the Internal Revenue Code of 1954 to increase the depletion allowance to the present maximum (27½ percent) for all minerals produced in the United States; to the Committee on Ways and Means.

H.R. 7548. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. SCHNEEBELI:

H.R.7549. A bill to designate the Blanchard Dam on Bald Eagle Creek, Pa., as the Robert F. Rich Dam; to the Committee on Public Works.

By Mr. SLACK:

H.R. 7550. A bill to amend section 315 of the Communications Act of 1934 so as to eliminate the statutory requirement of affording equal time for use of broadcasting stations by candidates for public office; to the Committee on Interstate and Foreign Commerce.

H.R. 7551. A bill to amend the Public Works Acceleration Act to increase the authorization for appropriations under that act, and for other purposes; to the Committee on Public Works.

By Mr. UDALL:

H.R. 7552. A bill to adjust the rates of basic compensation of certain officers and employees in the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WILLIS:

H.R. 7553. A bill to amend title 35 of the United States Code, "Patents", and the Trademark Act of July 5, 1946, as amended, with respect to appeals in patent and trademark cases; to the Committee on the Judiciary.

By Mr. GALLAGHER:

H.R. 7554. A bill making Columbus Day a legal holiday; to the Committee on the Judiciary.

By Mr. SAYLOR:

H.R. 7555. A bill to provide for amendment of chapter 1 of title I of the United States Code; to the Committee on the Judiciary.

By Mr. ASPINALL:

H.R. 7556. A bill to remove restrictions upon the free entrance to the United States of citizens of the Trust Territory of the Pacific Islands; to the Committee on the Judiciary.

By Mr. CORMAN:

H.R. 7557. A bill to repeal the "cooly trade" laws; to the Committee on the Judiciary.

By Mr. FASCELL:

H.R. 7558. A bill to amend section 6(o) of the Universal Military Training and Service Act to provide an exemption from induction for the sole surviving son of a family whose father died as a result of military service; to the Committee on Armed Services.

H.R. 7559. A bill to authorize the Administrator of the General Services Administration to coordinate and otherwise provide for the economic and efficient purchase, lease, maintenance, operation, and utilization of automatic data processing equipment by Federal departments and agencies; to the Committee on Government Operations.

H.R. 7560. A bill to provide for the settlement of claims against the United States by members of the uniformed services and civilian officers and employees of the United States for damage to, or loss of, personal property incident to their services, and for other purposes; to the Committee on the Judiciary.

By Mr. GILL:

H.R. 7561. A bill to remove restrictions upon the free entrance to the United States of citizens of the Trust Territory of the Pacific Islands; to the Committee on the Judiciary.

By Mr. McFALL:

H.R. 7562. A bill to repeal the "cooly trade" laws; to the Committee on the Judiciary.

By Mr. MATHIAS:

H.R. 7563. A bill to amend the Federal Water Pollution Control Act to provide for the sealing off of certain abandoned coal mines so as to prevent the pollution of waterways, and for other purposes; to the Committee on Public Works.

By Mr. MATSUNAGA:

H.R. 7564. A bill to repeal the "cooly trade" laws; to the Committee on the Judiciary.

By Mr. MOSS:

H.R. 7565. A bill to repeal the "cooly trade" laws; to the Committee on the Judiciary.

By Mr. O'BRIEN of New York:

H.R. 7566. A bill to remove restrictions upon the free entrance to the United States of citizens of the Trust Territory of the Pacific Islands; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 7567. A bill to eliminate from applications for Federal employment any requirement that arrests in connection with peaceful demonstration for civil rights purposes shall be reported therein; to the Committee on Post Office and Civil Service.

By Mr. LANGEN:

H.J. Res. 554. Joint resolution to authorize the President to proclaim October 9 in each year as Leif Erikson Day; to the Committee on the Judiciary.

By Mr. WATSON:

H.J. Res. 555. Joint resolution proposing an amendment to the Constitution of the United States to provide a method for nominating and electing judges of the Supreme Court; to the Committee on the Judiciary.

By Mr. RIVERS of Alaska:

H. Res. 437. Resolution creating a standing Committee on Small Business in the House of Representatives, and to grant it full authority in certain legislative matters; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII,

Mr. LIBONATI presented House Joint Resolution No. 63, as adopted in the 73d General Assembly of the State of Illinois, memorializing the Congress to enact legislation to permit the Illinois Public Aid Commission to directly pay for rent, utilities, and such other items where such direct payment will result in lower costs and also to assist in the improvement of accommodation and services provided recipients thus reduce the cost of public assistance; further, that the same does not result in the reduction in Federal grants to this State for public aid purposes, was was referred to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 7568. A bill for the relief of Thelma Anderson; to the Committee on the Judiciary.

H.R. 7569. A bill for the relief of Joan Gall; to the Committee on the Judiciary.

H.R. 7570. A bill for the relief of Tevfik M. Gokcebay; to the Committee on the Judiciary.

By Mr. WILLIS:

H.R. 7571. A bill to authorize suit against the United States to confirm and to quiet title of certain real property in the parish of Lafourche, La.; to the Committee on the Judiciary.

By Mr. JONES of Missouri:

H.R. 7572. A bill for the relief of Nagako Naito; to the Committee on the Judiciary.

By Mr. MOSS:

H.R. 7573. A bill for the relief of Laura Sanchez Zarco; to the Committee on the Judiciary.

By Mr. MILLER of California:

H.R. 7574. A bill for the relief of Chester Ray Woolverton, Jr.; to the Committee on the Judiciary.

By Mr. O'NEILL:

H.R. 7575. A bill for the relief of Manuel Andrade; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 7576. A bill for the relief of Zenaida Maano; to the Committee on the Judiciary.

H.R. 7577. A bill for the relief of Leonardo Mazarese; to the Committee on the Judiciary.

H.R. 7578. A bill for the relief of Pasquino Melone; to the Committee on the Judiciary.

By Mr. ROGERS of Colorado:

H.R. 7579. A bill for the relief of Jane C. Foley; to the Committee on the Judiciary.

By Mr. RYAN of New York:

H.R. 7580. A bill for the relief of Maria Clara Rua; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

196. By Mr. RYAN of New York: Petition of Patricia Rodriguez, president, Puerto Rican Political Women Association, Inc., and 279 others to increase the personal income tax exemption from $600 to $1,000; to the Committee on Ways and Means.

197. By the SPEAKER: Petition of Gilbert Jewell, international secretary-treasurer, Allied Industrial Workers of America, Milwaukee, Wis., petitioning consideration of their resolution with reference to reaffirming their traditional support for full rights of all citizens; to the Committee on the Judiciary.

198. Also, petition of William L. Higgs, director, Washington Human Rights Project, Washington, D.C., relative to voting rights and evaluation of the administration's civil rights bill; to the Committee on the Judiciary.

199. Also, petition of Emperor A. Hanapi, city clerk, Honolulu, Hawaii, relative to commending the President for his forceful program on civil rights; to the Committee on the Judiciary.

200. Also, petition of Henry Stoner, Canyon Station, Wyo., relative to the economic views of Abraham Lincoln as contained in his first annual message to Congress, 1861; to the Committee on House Administration.

201. Also, petition of Henry Stoner, Yellowstone Park, Wyo., requesting Congress to pass a law requiring every State legislature to publish a journal of its day-by-day proceedings; to the Committee on the Judiciary.

202. Also, petition of Henry Stoner, Yellowstone Park, Wyo., relative to condemning the corrupt rural political machines; to the Committee on the Judiciary.

203. Also, petition of Henry Stoner, Yellowstone Park, Wyo., requesting that the House of Representatives pass legislation calling for all public schools under the U.S. flag to cause to be repeated to their pupils the U.S. national motto "In God We Trust," itself a prayer, this to be done at least once a month. Such a demand would have high patriotic and religious overtones; to the Committee on the Judiciary.

204. Also, petition of Henry Stoner, Canyon City, Wyo., requesting the passage of legislation protesting the omission of Columnist Drew Pearson from the list of those to receive the Medal of Freedom from President Kennedy in September; to the Committee on the Judiciary.

SENATE

Monday, July 15, 1963

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father, God, at this wayside shrine of prayer, set up so long ago by our fathers, we step aside from the crowded highway, with its clamant voices, that we may become conscious of Thee, knowing that we have been assured by the experience of the ages that if with all our hearts we truly seek Thee, we shall surely find Thee.

Only when our vision is cleared and corrected by far horizons can we see the transient in the light of the everlasting. Set us at tasks with a strength that is not our own, with serenity and calm to meet an agitated world, with an unruffled kindness, and an inner candor which is the courage of the soul.

Especially at the beginning of this week of national remembrance, set aside by the official decree of our free Republic, we lift up to Thy tender mercy the plight of coerced peoples, once free, but now in the fetters of an arrogant tyranny. In this chamber, dedicated to government by consent of the governed, we hear the moaning of the captives and their wail, "How long, O Lord, how long?" and we here vow never for expediency's sake to stifle Thy stern demand: "Let my people go."

We ask it in the name of the living Christ, whose truth brings deliverance to the captive. Amen.

THE JOURNAL

On request from Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, July 11, 1963, was dispensed with.

MESSAGE FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Jones, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed a bill (H.R. 7431) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1964, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

H.R. 2461. An act to direct the Secretary of the Interior to convey to the city of Henderson, Nev., at fair market value, certain public lands in the State of Nevada;

H.R. 4946. An act to amend the Legislative Branch Appropriation Act, 1959, to provide for reimbursement of transportation expenses for Members of the House of Representatives; and

H.J. Res. 405. Joint resolution providing for U.S. participation in the International Bureau for the Protection of Industrial Property.

HOUSE BILL REFERRED

The bill (H.R. 7431) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1964, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

ORDER DISPENSING WITH CALL OF LEGISLATIVE CALENDAR

On request of Mr. Mansfield, and by unanimous consent, the call of the Legislative Calendar was dispensed with.

LIMITATION OF STATEMENTS DURING MORNING HOUR

On request of Mr. Mansfield, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. Mansfield, and by unanimous consent, the Permanent Subcommittee on Investigations of the Committee on Government Operations was authorized to meet during the session of the Senate today.

COMMUNICATION FROM THE VATICAN

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, notwithstanding rule VII, paragraph 5, the Senate be authorized to receive a communication from the Vatican, and that it be printed in the Record.

The VICE PRESIDENT. Without objection, it is so ordered.

The communication is as follows:

Dal Vaticano, li,
July 6, 1963.

Hon. Lyndon B. Johnson,
President of the Senate,
Senate of the United States of America,
Washington, D.C., U.S.A.

Honorable Sir: It is my privileged duty to acknowledge receipt of the specially bound copy of Resolution No. 151 of the Senate of the United States of America, dated June 4, 1963, and expressing the sorrow of the Senate on the death of Pope John XXIII.

I have had the honor of presenting this document to the reigning pontiff, His Holiness Pope Paul VI, and from him have received the honored charge of expressing to you, sir, and through your good offices to all Members of the Senate of the United States, his sincere appreciation and cordial gratitude for this generous manifestation of sorrow and sympathy on the passing of the late beloved Pope John.

Gladly availing myself of the occasion to renew the assurances of my high consideration and esteem, I remain

Sincerely yours,
A. G. Cardinal Cicognani.

OFFICIAL REPORTERS OF DEBATES, U.S. SENATE

Mr. MANSFIELD. Mr. President, on behalf of the distinguished minority leader, the Senator from Illinois [Mr. Dirksen] and myself, I send to the desk a resolution for which I request immediate consideration.

The VICE PRESIDENT. Is there objection?

There being no objection, the resolution (S. Res. 170) was considered and agreed to, as follows:

Resolved, That, effective August 1, 1963, Gregor Macpherson and Herbert N. Budlong are hereby appointed Official Reporters for reporting the proceedings and debates of the Senate until further order of the Senate, subject to all the duties and obligations of the contract made with D. F. Murphy, deceased, and to the supervision and control of the Senate Members of the Joint Committee on Printing on behalf of the Senate in all respects therein provided, and to receive payment for such services according to law: *Provided*, That in the event of the death of either Gregor Macpherson or Herbert N. Budlong, the survivor shall discharge all the duties and obligations imposed upon the Official Reporters appointed by this resolution and shall receive payment for such services according to law until the further order of the Senate.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, in view of the fact that the distinguished Vice President is in the Chair and that the nomination of his distinguished successor in the House of Representatives, after he moved to the Senate, is on the Executive Calendar, it gives me a great deal of pleasure at this time to move that the Senate proceed to the consideration of executive business, to consider the nomination of Hon. Homer Thornberry, of Texas, to be a U.S. district judge for the western district of Texas.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. McCLELLAN, from the Committee on the Judiciary:

Pat Mehaffy, of Arkansas, to be U.S. circuit judge for the eighth circuit.

By Mr. HILL, from the Committee on Labor and Public Welfare:

Charles R. Ferguson, of Pennsylvania, to be a member of the Federal Coal Mine Safety Board of Review.

The VICE PRESIDENT. If there be no further reports of committees, the new report on the Executive Calendar will be stated.

DEPARTMENT OF JUSTICE

The Chief Clerk read the nomination of Homer Thornberry, of Texas, to be a U.S. district judge for the western district of Texas.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, this is an excellent appointment; and when Mr. Thornberry assumes his duties as U.S. district judge, succeeding another of our former colleagues in the House of Representatives, Robert E. Thomason, I know he will perform as outstandingly in that capacity as he has done during his many years in the Congress. This is a case of an outstanding jurist being succeeded by an outstanding successor.

Mr. DIRKSEN. Mr. President, I remember when Ewing Thomason, from Texas, a former Member of the House of Representatives, and a good friend, was appointed to the Federal bench in Texas. I have had an opportunity to follow his record, and on occasion I have seen Ewing Thomason since that time. Time has dealt quite gently with him, and he has been an outstanding judge.

Now our good friend Homer Thornberry succeeds to a great tradition and a great record made by still another Member of the House with whom we served long ago.

Knowing Homer Thornberry as I do, I am confident that he will not be remiss in following that tradition, and will acquit himself in a style befitting the office and the man. We wish him well.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

Report of Overobligation of an Appropriation

A letter from the Secretary of Agriculture, reporting, pursuant to law, on the overobligation of an appropriation in that Department; to the Committee on Appropriations.

Proposed Transfer of Boat by Department of the Navy

A letter from the Assistant Secretary of the Navy (Installations and Logistics), reporting, pursuant to law, on the proposed transfer of a 40-foot motor launch to the National Youth Science Foundation, Science Island, Portland, Maine; to the Committee on Armed Services.

Report on Changes in Costs of Certain Facilities for Air Force Reserve

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), reporting, pursuant to law, on the changes in costs of certain facilities for the Air Force Reserve; to the Committee on Armed Services.

Amendments to Regulations of the Coast Guard

A letter from the Acting Assistant Secretary of the Treasury, transmitting, pursuant to law, amendments to the regulations governing the number of undocumented vessels, promulgated by the Acting Commandant of the U.S. Coast Guard (with accompanying papers); to the Committee on Commerce.

District of Columbia Space Utilization Act

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to authorize the Commissioners of the District of Columbia to fix and collect rents for the occupancy of space in, on, under, or over the streets of the District of Columbia, to authorize the closing of unused or unsafe vaults under said streets and the correction of dangerous conditions of vaults in or vault openings on public space, and for other purposes (with an accompanying paper); to the Committee on the District of Columbia.

Amendment of District of Columbia Traffic Act, 1925, To Increase the Fee Charged for Learners' Permits

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the District of Columbia Traffic Act, 1925, as amended, to increase the fee charged for learners' permits (with an accompanying paper); to the Committee on the District of Columbia.

Report on Receipts Under Federal Unemployment Tax Act

A letter from the Secretary of the Treasury, reporting, pursuant to law, on net receipts under the Federal Unemployment Tax Act, for the fiscal year ended June 30, 1964; to the Committee on Finance.

Authority To Protect Heads of Foreign States and Other Designated Officials

A letter from the Secretary of State, transmitting a draft of proposed legislation to provide authority to protect heads of foreign states and other designated officials (with an accompanying paper); to the Committee on Foreign Relations.

Report on American Studies Overseas

A letter from the Chairman, the U.S. Advisory Commission on International Educational and Cultural Affairs, transmitting, pursuant to law, a report on American studies overseas (with an accompanying report); to the Committee on Foreign Relations.

Report on Followup Review of Noncompetitive Procurement of Aeronautical Replacement Spare Parts in the Air Force

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the followup review of noncompetitive procurement of aeronautical replacement spare parts in the Department of the Air Force, dated June 1963 (with an accompanying report); to the Committee on Government Operations.

Report on Uneconomical Use of Parts Kits To Support Depot Overhaul Activities in Air Force Logistics Command

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the uneconomical use of parts kits to support depot overhaul activities in the Air Force Logistics Command, Department of the Air Force, dated July 1963 (with an accompanying report); to the Committee on Government Operations.

Report on Grants Made to Nonprofit Institutions and Organizations

A letter from the Administrative Assistant Secretary of the Interior, transmitting, pursuant to law, a report on grants made to nonprofit institutions and organizations for support of scientific research programs, during the calendar year 1962 (with an accompanying report); to the Committee on Government Operations.

PRESERVATION OF CERTAIN LANDS FOR INDIANS OF BATTLE MOUNTAIN COLONY

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to declare that the United States holds in trust for the Indians of the Battle Mountain Colony certain lands which are used for cemetery purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

REPORT OF NORTH CAROLINA-GEORGIA EXTENSION OF BLUE RIDGE PARKWAY

A letter from the Secretary of Commerce and Secretary of the Interior, transmitting, pursuant to law, a report on the North Carolina-Georgia extension of the Blue Ridge Parkway dated June 1963 (with an accompanying report); to the Committee on Interior and Insular Affairs.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution adopted by the Common Council of the City of Buffalo, N.Y., relating to child abuse laws; to the Committee on Labor and Public Welfare.

A telegram in the nature of a petition, signed by George Benson, of Chicago, Ill., relating to compulsory arbitration in the present dispute between the railroad unions and management; to the Committee on Labor and Public Welfare.

INTERSTATE HIGHWAY NO. 89—JOINT RESOLUTION OF VERMONT GENERAL ASSEMBLY

Mr. AIKEN. Mr. President, I submit for the RECORD and for reference to the proper committee, a joint resolution of the Vermont General Assembly, relating to Interstate Highway No. 89. The resolution refers to the shortsightedness of the construction of a two-lane road in an area which undoubtedly will require a four-lane road in the very near future.

There being no objection, the joint resolution was referred to the Committee on Public Works, as follows:

JOINT RESOLUTION RELATING TO INTERSTATE HIGHWAY NO. 89

Whereas the principle upon which the Federal Interstate System of highways is founded is that it shall provide an adequate network of roads for the use of general traveling public and also for military use in the event of national emergency and also for the training of the national Armed Forces; and

Whereas the present regulations of the Bureau of Public Roads approving standards of the American Association of State Highway Officials establishes a formula which forbids the construction of four-lane highways in the Interstate System unless the estimated traffic which will pass over any section of that system will equal or exceed a certain volume by, or before, the year 1975; and

Whereas under that formula, and the estimates made by the Vermont Highway Department pursuant thereto, the Interstate Highway from Swanton to the Canadian border and in certain parts southerly from Montpelier does not now qualify as a four-lane highway; and

Whereas it should be public policy of the Federal Government, in the interests of future development of the Nation, to grant equivalent Interstate Highways for traffic through New England as for other areas; and

Whereas it is the sense of the general assembly that the standards established by the U.S. Bureau of Public Roads may be unrealistic and may not truly project a correct estimate of the traffic which will pass over the highway after its completion; and construction of two-lane roads eventually will result in greater expense as well as create safety hazards to the traveling public: Now, therefore, be it

Resolved by the senate and house of representatives: That the general assembly does respectfully urge the U.S. Bureau of Public Roads and the American Association of State Highway Officials to reconsider its standards and regulations so that, if feasible, the interstate highways in Vermont shall be constructed as four-lane highways so that they shall adequately serve the needs and safety of the traveling public, save expense, and also serve the possible future military needs of our Nation; and be it further

Resolved, That the secretary of state be directed to forward a certified copy of these resolutions to Hon. GEORGE D. AIKEN, Hon. WINSTON L. PROUTY and Hon ROBERT T. STAFFORD, and to the American Association of State Highway Officials.

Approved: June 27, 1963.

RESOLUTION OF SOUTHWEST KANSAS IRRIGATION ASSOCIATION

Mr. CARLSON. Mr. President, the Board of Directors of the Southwest Kansas Irrigation Association at a recent meeting adopted a resolution regarding a fair and equitable wheat program.

The organization is composed of operating farmers who are familiar with the wheat situation in the greatest wheat-producing area of our Nation.

I ask unanimous consent that the resolution be made a part of these remarks and referred to the Committee on Agriculture.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry, as follows:

Whereas there is a state of confusion existing among wheat farmers as to the proper, fair, and equitable wheat program; and

Whereas the Board of Directors of the Southwest Kansas Irrigation Association believe that the following points are the most fair and equitable basis upon which to develop a wheat program: Now, therefore, be it

Resolved by the board of directors of said association, The following points be considered as a basis upon which to establish a fair and equitable wheat program:

1. Each farm unit to be given a bushel allotment.

2. The percentage of your bushel allotment to be used for domestic consumption will be supported at 100 percent of parity.

3. The balance of your bushel allotment will be supported at 70 percent of parity. You cannot sell more than your bushel allotment any 1 year.

4. That any new program contain no provisions as to conserving or diverted acres.

5. The farmer will be permitted to substitute wheat for feed grains, or feed grains for wheat.

6. That in event a farmer, at his own selection, reduces the bushels of wheat produced, that the farm will not lose its history; and be it further

Resolved, that a copy of this resolution be forwarded to the two U.S. Senators and all Congressmen from the State of Kansas.

H. HOBBLE, Jr.,
Secretary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations, without amendment:

S. 1627. A bill to enable the United States to contribute its share of the expenses of the International Commission for Supervision and Control in Laos as provided in article 18 of the protocol to the declaration on the neutrality of Laos (Rept. No. 357).

By Mr. FULBRIGHT, from the Committee on Foreign Relations, with amendments:

S. 1512. A bill to authorize one additional Assistant Secretary of State, and for other purposes (Rept. No. 358).

By Mrs. SMITH, from the Committee on Armed Services, without amendment:

H.R. 2998. An act to amend titles 10, 14, and 38, United States Code, with respect to the award of certain medals and the Medal of Honor Roll (Rept. No. 359).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ANDERSON:

S. 1869. A bill for the relief of Mary Zita Garcia; to the Committee on the Judiciary.

By Mr. ANDERSON (for himself and Mr. MECHEM):

S. 1870. A bill to provide for the establishment of the Valle Grande-Bandelier National Park in the State of New Mexico, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ENGLE:

S. 1871. A bill to repeal the "cooly trade" laws; to the Committee on the Judiciary.

By Mr. SMATHERS:

S. 1872. A bill to establish and prescribe the functions of the Federal Tax Commission; to the Committee on Finance.

By Mr. LONG of Missouri:

S. 1873. A bill for the relief of Mrs. Usha Hasmukh Mehta; to the Committee on the Judiciary.

By Mr. DOMINICK:

S. 1874. A bill for the relief of Jillian Vera Griffiths Hussey; to the Committee on the Judiciary.

RESOLUTION

APPOINTMENT OF SENATE OFFICIAL REPORTERS OF DEBATES

Mr. MANSFIELD (for himself and Mr. DIRKSEN) submitted a resolution (S. Res. 170) appointing Gregor Macpherson and Herbert N. Budlong official reporters of the Senate, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. MANSFIELD, which appears under a separate heading.)

AMENDMENT OF DISTRICT OF COLUMBIA REDEVELOPMENT ACT OF 1945—AMENDMENTS

Mr. MILLER submitted amendments, intended to be proposed by him, to the bill (S. 628) to amend the District of Columbia Redevelopment Act of 1945, which were ordered to lie on the table and to be printed.

FULL DEDUCTION OF EXPLORATION EXPENDITURES BY THE MINING INDUSTRY—TWO ADDITIONAL COSPONSORS OF BILL

Mr. GRUENING. Mr. President, I ask unanimous consent that the names of

Senator Hart, of Michigan, and Jordan, of Idaho, be added to the cosponsors of S. 1807, a bill I introduced on June 27 to provide for full deduction of exploration expenditures by the mining industry. I further ask that the names of these cosponsors appear on the bill at its next printing.

The VICE PRESIDENT. Without objection, it is so ordered.

PRAYER IN PUBLIC SCHOOLS—ADDITIONAL COSPONSOR OF JOINT RESOLUTION

Mr. WILLIAMS of Delaware. Mr. President, on June 19, 1963, I introduced Senate Joint Resolution 91 proposing an amendment to the Constitution of the United States to permit prayer in public schools. In the next printing of this joint resolution I ask that the name of the Senator from West Virginia, Mr. Robert Byrd, appear as a cosponsor.

The PRESIDING OFFICER (Mr. Kuchel in the chair). Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. RANDOLPH:

Editorial, "West Virginia Should Sue," of the July 9 Wall Street Journal; July 15 letter from Senator Jennings Randolph to the editor of the Wall Street Journal, portions of an editorial, "The Wall Street Journal to the Contrary, We're Lucky To Have a Centennial Stamp," from the July 10 Charleston Daily Mail.

FIRST YEAR OF OPERATIONS OF DEPARTMENT OF DEFENSE COST REDUCTION PROGRAM

Mr. MANSFIELD. Mr. President, There has come to my attention a memorandum, dated July 8, from the Secretary of Defense to the President of the United States. The memorandum summarizes progress during the first year of operations of the Department's cost reduction program.

It indicates that the application of the principles of businesslike management to the Department's logistical costs has resulted in savings at the rate of over $1 billion annually during the fiscal year 1963, and that by the fiscal year 1967 the annual savings will be at the rate of almost $4 billion annually.

Mr. President, an overall budget of any Department can always be cut, but such cuts are not in themselves evidence of efficiency or of a genuine savings to the people of the Nation. Indeed, if they result in the elimination or curtailment of necessary services, they may in the long run prove very costly. But, so far as I can gather, that is not what is involved in the economy program of the Secretary of Defense. The savings obtained in this case have been obtained by doing what needs to be done, but doing it in a better way, on a more businesslike and efficient basis. The net result has been that our actual defense capabilities have been, if anything, strengthened over what would otherwise have been the case if this program were not in effect. In short, Mr. President, we might say that this program, quite apart from the question of how many dollars may be involved in the total defense budget, is seeing to it that for each dollar spent, the public is getting more. In a specific example, instead of spending $2,243 for a certain type of radio, as in the past, the economy program has cut the present cost of the radio to the Defense Department to $843 although substantially the same radio job will be done as formerly. The techniques involved in bringing about such reductions include competitive bidding, standardization, and elimination of nice, but costly and unnecessary, frills.

The economy program of the Defense Department promises to bring about billions of dollars of savings to the American people within a few years. It reflects great credit on the prudence, the energy, and the leadership of the Secretary of Defense and the responsible civilian and military officials who have worked with him. It also indicates a welcome public-spirited concern for the hard-pressed citizen who, in the last analysis, pays all the bills.

Mr. President, I ask unanimous consent to have the memorandum previously referred to and three editorials printed at this point in the Record.

There being no objection, the memorandum and the editorials were ordered to be printed in the Record, as follows:

The Secretary of Defense,
Washington, July 8, 1963.

Memorandum for the President.

Subject: Department of Defense cost reduction program—first annual progress report.

A year ago, in a memorandum dated July 5, 1962, I reported to you that, through improvements in operating efficiency, we could cut the Department's logistics costs by at least $3 billion per year within 5 years, and that we would realize about 25 percent of this goal in fiscal year 1963. I have now completed a review of the results to date and the opportunities that lie ahead, and I find that they are greater than estimated last year:

1. Savings in excess of $1 billion were actually realized during fiscal year 1963, compared with our estimate of $750 million last July.

2. The actions now planned for fiscal years 1964 and 1965 will bring the estimated annual savings, to be realized by fiscal year 1967, to almost $4 billion, compared with the $3 billion estimated last July.

I should like to review the highlights of our progress to date and some of the ways in which we hope to achieve the ultimate goal of $4 billion in savings per year.

Let me note that these savings have not in any way been achieved at a sacrifice of national security. Indeed, during the past 24 months we have achieved—

A 100 percent increase in the number of nuclear warheads in the strategic alert forces.

A 60 percent increase in the tactical nuclear forces deployed in Western Europe.

A 45 percent increase in the number of combat-ready Army divisions.

A 30 percent increase in the number of tactical air squadrons.

A 60 percent increase in airlift capability.

A 100 percent increase in ship construction and conversion to modernize the fleet.

A 200 percent increase in the Special Forces, trained to deal with counterinsurgency threats.

The cost of these advances in our national security will begin to be balanced in future years by the very substantial savings we are assuring through this cost reduction program.

As you know, the savings are being achieved in three ways:

1. Buying only what we need to achieve balanced readiness.
2. Buying at the lowest sound price.
3. Reducing operating costs through integration and standardization.

I. BUYING ONLY WHAT WE NEED

(a) Refining requirements calculations: The best way to ensure that we buy only what we need is to start at the very beginning of the procurement process—the setting of requirements. Through a systematic and intensive review of requirements calculations, we have been able to cancel $700 million of purchases which otherwise would have been made had our procurement programs still been based on planning factors and inventory levels considered necessary in past years. The largest part of this reduction occurred in spare parts for aircraft and missiles. We expect to increase these savings in fiscal years 1964 and 1965.

Here are some of the ways in which these savings were achieved in fiscal year 1963:

1. The Army has introduced the new uniform issue priority system permitting reduction in order and shipping time by an average of 15 percent, thereby reducing on-hand inventory requirements. Fiscal year 1963 annual savings are estimated at $36.2 million.

2. By closer management control, the Navy has been able to reduce stocks of high demand spare parts on aircraft carriers by 50 percent.

3. By a detailed analysis of repair operations time, the Air Force has been able to reduce repair cycle time on high cost items from 90 to 45 days and on low cost items from 120 to 60 days. In total, the Air Force has reduced requirements on some 400,000 items with annual savings of $469 million.

(b) Increased use of excess inventories: During fiscal year 1963 almost $1.2 billion in excess inventories held by the Department and its contractors has been redistributed to other military users for current consumption or mobilization reserves. This is an increase of better than $200 million in the rate of reutilization, compared with fiscal year 1961. Our goal for the next 2 years is to increase this rate to more than $400 million over the 1961 level.

Here are some examples of reutilization of excess inventories in fiscal year 1963:

1. More than 1 million 2.75-inch rockets excess to the Air Force were transferred to the Army for use on helicopters. By spending $10 million to restore them to operational condition, the Army is saving $41 million over the cost of new procurement.

2. Twenty J–79 jet engines excess to the Air Force were transferred to the Navy for use in KD–20–1 flying targets, thereby saving $4.4 million.

3. Five M–33 fire control systems excess to the Army were transferred to the Navy to be used as Government furnished equipment on a Navy contract, thereby saving $2.3 million.

4. Thirty-one unserviceable aircraft engines excess to the Air Force were transferred to the Army for use on Army aircraft. By spending $372,000 to put them in good condition, the Army was able to save $806,000 over the cost of new procurement.

5. $67.3 million worth of parts was reclaimed from excess Air Force aircraft en-

gines during the first 11 months of fiscal year 1963.

With excess stocks now representing a $12 billion investment, one of our most important logistics management problems is to insure that we use every item having a further useful life. A central clearinghouse has recently been established at the Logistics Services Center in Battle Creek, Mich., where by the end of this calendar year a complete inventory of such items will be available. Requirements of the military departments are already being screened against this central inventory and available stocks transferred from one military department to another to meet valid needs.

(c) Eliminating "goldplating" in specifications: Last year I reported to you that we were undertaking a major effort to eliminate from our procurement specifications costly materials and fabrication processes not essential to the proper functioning of the item being bought. As a result, we are now averaging savings well over $1 million per week in reduced costs, and we expect these savings to triple during the next 2 years.

The following are some recent examples which illustrate the wide range of opportunities for such value engineering savings:

	Unit cost		Savings on current procurement
	Before redesign	After redesign	
1. "Mule" for opening and closing Minuteman silo: Substituted a commercial hydraulic for a specially designed electronic mule	$555,000	$80,800	$1,200,000
2. Air vane for Pershing missile: Substituted an aluminum casting with simplified fittings for a foam-filled plastic skin with special fittings	1,512	463	1,140,000
3. Lift truck for ASROC missile: Substituted mechanical lifting device with disk-type brakes for hydraulic device with precision machined brakes	2,480	385	245,000
4. Brake fluid reservoir for T-38 aircraft: Reduced capacity from 17 ounces to 4 ounces to eliminate unnecessary capacity	178	52	50,400
5. Radiation hazard filter for airborne rocket launcher: Redesigned filter using available standard parts	13.02	4.70	83,000

II. BUYING AT THE LOWEST SOUND PRICE

It is not enough to buy only what we need, we must also buy at the lowest sound price.

(a) Shifting from noncompetitive to competitive procurement: Maximizing competition in defense procurement is sound public policy. It is one of the most effective means of broadening the industrial base and insuring that we obtain the lowest sound price on what we buy. The purchase of specialized military items, however, involves unique problems which tend to limit our opportunities to buy competitively. We are attempting, nevertheless, to expand continually the opportunities for competitive bidding even on these specialized items, and in the process of doing so we have achieved savings in the first 10 months of fiscal year 1963 of $195 million. We have found that when we are able to shift from a single source to a competitive procurement, we normally achieve a reduction in price of at least 25 percent. On 58 major procurements made competitively during the third quarter of fiscal year 1963, the average reduction was 30 percent of the price formerly paid to the sole source producer.

Here are some examples of shifts to competitive procurements in fiscal year 1963, including both end items and components:

Item	Previous noncompetitive price	1st competitive price	Gross savings on fiscal year 1963 procurement
1. M110 8-inch Howitzer	$68,044	$41,415	$7,855,555
2. M107 175-millimeter gun	68,036	41,376	3,625,760
3. R-442 radio receiver	1,519	1,034	908,890
4. RT-246 receiver-transmitter	3,976	2,692	927,048
5. RT-524 receiver-transmitter	3,074	2,036	7,338,660
6. AN/PRC-25 man pack radio	2,278	843	10,494,312
7. GRC-50 radio sets	34,478	17,411	4,300,940

To insure a concerted effort toward competitive buying whenever possible, we establish specific goals to be achieved by each of the military departments and the Defense Supply Agency in terms of the percentage of awards to be made by price competition in each of the fiscal years 1963, 1964, 1965. As the following chart [not printed in RECORD] reveals, the Department of Defense as a whole in the first 10 months of this fiscal year has exceeded the full year 1963 goal; 37.6 percent of all awards were made to the lowest responsible bidder, compared with 32.9 percent in fiscal year 1961.

The estimated $195 million saved during the first 10 months of fiscal year 1963 breaks down as follows:

Estimated price savings from competition

	Millions
Aircraft components and parts	$40
Missile components and parts	24
Electronic and communications equipment	40
Vehicles (combat and noncombat)	27
Ships and components	58
Weapons and ammunition	4
Supplies and services	2
Total	195

The full-year savings may be somewhat greater when final results for May and June are known. Our goal in this area is to increase total price reductions through competition by an additional $100 million each year for the next 3 years, thereby reaching an annual rate of savings by fiscal year 1966 of $500 million over the fiscal year 1961 level.

(b) Shifting from cost plus to fixed price and incentive contracts: The increasingly complex weapons systems resulting from the technological revolution of the 1950's led to a great expansion in the use of the cost-plus-fixed-fee contract. However, both Department and industry officials agree that the cost-plus-fixed-fee contracts not only fail to provide incentives for economy, but actually deaden management efficiency by removing the need for either the Department or the contractor to estimate costs accurately, and to plan and control programs tightly.

Accordingly, last year we established specific goals for a reduction in the use of cost-plus-fixed-fee contracts by each military department in each of the 3 fiscal years 1963–65. The goal for fiscal year 1963 was to reduce such contracts to 25.8 percent of total contract awards (compared with 38 percent in the first 9 months of fiscal year 1961) with an ultimate goal of not more than 12.3 percent by fiscal year 1965. This is a very ambitious goal but we are exerting every effort to meet it.

Improvements actually achieved by each of the military departments during fiscal year 1963 are:

[In percent]

	9 months of fiscal year 1961	10 months of fiscal year 1963	Change
Army	32.8	16.0	−16.8
Navy	24.3	18.0	−6.3
Air Force	50.6	30.2	−20.4
All DOD	38.0	21.1	−16.9

As shown on the following chart [not printed in RECORD], CPFF contracts during the first 10 months of fiscal year 1963 dropped to 21.1 percent of the total—the lowest level since fiscal year 1955.

As a result of these efforts, the value of annual awards under CPFF contracts has declined by $3.2 billion on a basis comparable to fiscal year 1961. Our best estimate is that for each dollar shifted to firm fixed-price and incentive contracts, we should be able to reduce final costs by at least 10 percent—a total saving of $320 million.

III. REDUCING OPERATING COSTS

The third broad area for improving logistics management is the reduction of operating costs by:

1. Terminating unnecessary operations;
2. Standardizing and simplifying procedures; and
3. Consolidating and increasing the efficiency of major operating services: supply, communications, transportation, and maintenance.

(a) Terminating unnecessary operations: Retention of unneeded real estate and facilities constitutes one of the largest hidden costs in defense operations. In 1961 you instructed me to review thoroughly our utilization of real properties, and, wherever possible, to consolidate activities in order to eliminate unnecessary overhead costs, free personnel for higher priority duties, and release property which could be put to more productive use by the civilian economy. Accordingly, we have instituted a permanent program of inspection and review to achieve these objectives. During the past 2 years, actions have been initiated at over 400 locations in the United States and overseas which, when completed, will produce the following results:

Real estate returned to civilian use, 265,905 acres.

Industrial plants with commercial potential made available for sale, 54 plants.

Personnel being released or reassigned, 53,310 men.

Annual operating savings, $316 million.

During the next 2 years we expect to take additional actions which will increase the annual savings to almost $450 million, with further savings anticipated in later fiscal years.

The adverse impact of these actions on the local economies is being completely or substantially offset in many cases. The Administrator of GSA recently advised me that in calendar year 1962, 26 industrial plants released by Defense were sold at fair market value of $49 million, and that these plants are now employing 27,000 workers. In addition, we have an active program to assist employees and communities adversely affected by reduction or termination of defense activities. This program has been successful in minimizing loss of employment as well as in turning the excess properties to productive nondefense uses.

(b) Standardizing and simplifying procedures: During fiscal year 1963, 16 different requisitioning systems were successfully consolidated into one standard system, eliminating extensive rewriting of information and wasted clerical effort. As a result, manpower reductions are beginning to occur, and over the next 2 years the value of clerical time saved should reach $20 million per year.

On October 1 we plan to introduce a new single multipurpose shipping document which is designed to replace the 81 different bills of lading and shipping forms now in use. The value of the man-hours which the new improved system is expected to save when fully operational is estimated at more than $30 million per year.

(c) Consolidating and increasing efficiency of operations: Actions taken during the first 9 months of fiscal year 1963 to consolidate and increase the efficiency of other logistical operations of the Department of Defense should produce savings of almost $220 million per year, somewhat more than our full year goal.

1. The defense Supply Agency, in its first 18 months of operation, has produced results well beyond our estimates prior to its creation. DSA is now managing 1 million items of common supplies, and has proved its ability to provide effective support to military users at substantially less cost than they previously incurred. Overhead savings of $31 million in fiscal year 1963, and $35 million in fiscal year 1964 are already assured. Inventories in fiscal year 1963 were reduced by 10 percent or $240 million and a program was initiated to consolidate DSA stocks at 11 instead of 77 primary locations. Further improvements in DSA's operating efficiency are expected in future years.

2. Communications systems savings: During the past year the responsibilities of the Defense Communications Agency have been expanded and its effectiveness improved. Consolidated procurement of leased line services, and more effective utilization of existing defense and commercial services have produced savings of $82 million.

3. Transportation and traffic management: Savings of $13 million reported during the first 9 months of fiscal year 1963 resulted from the increased use of economy class air travel, decreased cost of household goods shipments, and more economical use of airlift for cargo movements. Our goal for fiscal year 1963 was a saving of $17 million. These economies are expected to increase during the next 2 fiscal years, reaching an annual rate of $41 million by fiscal year 1965.

4. Maintenance management: Among other steps, we are installing detailed cost accounting and information systems to provide a basis for measuring and evaluating the performance of maintenance activities employing more than 1 million military and civilian personnel at some 2,000 locations. Savings from these and other reforms designed to provide more economical maintenance of equipment, family housing, and other property exceeded $90 million in the first 9 months of fiscal year 1963—approximately double those in all of 1962. Our fiscal year 1965 goal for savings in these areas is over $400 million per year.

IV. SUMMARY

Last year, I submitted a memorandum on the cost reduction program reporting reforms which I estimated would produce annual savings of over $750 million in fiscal year 1963—toward a fiscal year 1967 goal of $3 billion per year. Today I can report savings of $1 billion in fiscal year 1963—one-third more than planned. Largely because of the rapid progress we have been able to make, we have now raised our goal for fiscal 1967 by about one-third—from the $3 billion proposed last year, to the $4 billion which is our current goal. As these savings materialize, they are being reflected in the Department's annual budget, helping us to meet the heavy burden of national defense with the least possible demand on the Nations resources.

ROBERT S. MCNAMARA.

[From the Washington Evening Star, July 13, 1963]

Trimming the Defense Fat

Defense Secretary McNamara's first annual progress report on his undertaking to tighten defense spending calls for a little celebration. Somewhere in his stockpile of "medals, outgoing," President Kennedy should have one inscribed "For Saving $1 Billion in One Year." This is what Secretary McNamara says his department did in bettering by $250 million his economy goal for fiscal 1963, while at the same time strengthening national security.

Even measured against a $50-billion budget, $1 billion is still a considerable piece of change. Looking at it another way, it represents almost the total Federal appropriation of only half a century ago.

Reviewing the entire procurement program from scratch, Defense was able to cancel $700 million in purchases which under former procedures would have gone through. Part of this was made possible by redistribution of excess inventories from one military service to another in a way to make unification economically meaningful. For example, a million rockets not needed by the Air Force were conditioned for $10 million for Army helicopter use, saving $41 million over the cost of new procurement.

More importantly, an inventory of $12 billion worth of excess stocks is now being compiled at a central clearing house for transfer from one service to another, preventing waste and duplication.

Other savings have been accomplished by trimming goldplating frills from specifications ($1 million a week) and by increased emphasis on competitive bidding and incentive contracts. All of this only touches the surface of the department's many economy moves which, as much as anything else, dramatize the extent to which mismanagement and bureaucratic bungling had been allowed to bleed the taxpayers in increasing measure.

Secretary McNamara now believes it possible to attain an annual savings goal of $4 billion by fiscal 1967, $1 billion more than he estimated last year. In these days of ever-mounting budgets and debts, this all comes as the kind of news we would like to hear more often.

[From the Washington Daily News, July 12, 1963]

McNamara's Unspent Billions

Defense Secretary McNamara says savings of $1.1 billion in taxpayer money were made by the Defense Department in the fiscal year ending June 30.

Mr. McNamara tells in nine pages how this was done, but he does not say anywhere how much the Defense Department spent in total last year. The estimate was $48.3 billion—$1.5 billion over the previous year's spending.

For the 1964 fiscal year, Mr. McNamara wanted $49 billion for the Department—an increase.

So the savings to the taxpayers, if any, are not apparent.

Yet we believe Mr. McNamara when he says the operating changes he has made did result in spending less than otherwise, and that it will lead to more obvious savings in the future. He has been doing things which should have been done long ago—but it isn't easy here in Washington to turn a spendthrift trend into a make-every-buck-fight policy.

For instance, Mr. McNamara has been increasing competitive bidding on Defense Department purchases. He bought a pack radio for $843 on competitive bidding which had cost $2,278 without bids. This lessened the cost of the purchase by $10.5 million. He got a 40 percent reduction in the price of 8-inch howitzers by taking bids, etc.

This is where the loose money is. It is in the careless spending, in sheer waste, in sloppy methods, in a get-it-but-never-mind-the-price attitude.

If Mr. McNamara is shaking this type of laxness out of his Department, he is on the track of a real accomplishment—which should produce both actual money savings and a better equipped military. Engine Charley Wilson, who tried to run this Department in the Eisenhower administration, set out to get "more bang for a buck"—and his critics, including some high-placed Democrats, accused him of weakening our defenses. But "more bang for a buck" is precisely what Mr. McNamara is shooting for—and may his shots all hit home.

[From the Christian Science Monitor, July 15, 1963]

McNamara Tells How Pentagon Cuts Documented

(By Neal Stanford)

WASHINGTON.—Secretary of Defense Robert S. McNamara should be the most popular man in the United States. He maintains he has just saved the taxpayer a billion dollars in defense procurement.

That is only a beginning: By 1967, he contends, he is going to be saving the U.S. taxpayer upwards of $4 billion annually in military procurement.

If one is skeptical, so it can be said were some of the press who showed up to watch the Defense Secretary tell his story. A billion dollars is a lot of money—and $4 billion is four times as much.

But after an hour's rapid-fire explanation of how it was done—and going to be done—he had a good portion of his audience ready to admit the man has done some valid trimming.

CASES DETAILED

The former head of Ford Motors gave case history after case history on just how money was being saved—and how much. And he had the figures to back up his claim.

Take the case of a manpack radio that the military had been buying for $2,278 a piece. By opening the contract to competitive bidding, the price was cut down to $843.

In this particular case it turned out that the original supplier made the lowest new competitive bid and got the job. If that makes it look as if the firm had been making an unconscionable profit on the first order, it just wasn't so, argued the Secretary. What happened, rather was that when forced to bid competitive for the job, the firm found a dozen ways of cutting costs.

To any doubters the Secretary pointed to a stock of work sheets nearly 3 feet high—the work of 6 months of study and research—to show how, and by how much, the item cost of this particular product had been cut.

No one had the time at the news conference to examine this stack of data. But to most observers the research of those papers seemed to prove the Secretary's point. If a congressional committee should decide to question the Secretary on his claims, it could well find itself drowned in a sea of figures.

Very briefly here are some of the savings achieved this past year:

STOCKS CUT

1. By introducing a new uniform-issue priority system, cutting order and shipping time, and so reducing "on-hand" inventory, the Army has saved $36,200,000.

2. By closer management control, the Navy has cut stocks of high-demand spare parts on aircraft carriers by 50 percent.

3. By cutting repair time on high-cost items from 90 to 45 days, and on low-cost items from 120 to 60 days, the Air Force has cut requirements on over 400,000 items with annual savings of $469 million.

4. By using excess Air Force rockets for its helicopters, the Army has saved $41 million over the cost of new procurement.

CONTRACT SAVING

5. By acquiring 20 J–79 jet engines that were excess to the Air Force, the Navy has used them in flying targets, saving $4,400,000.

6. By using five excess Army fire-control systems, the Navy saved $2,300,000 on a specific contract.

7. By taking 31 unserviceable aircraft engines from the Air Force, the Army repaired them and saved $806,000 over the cost of new procurement.

8. By substituting a commercial hydraulic for a specially designed "mule" for opening and closing Minuteman silos, unit cost was cut from $555,000 to $80,800.

UNIT COSTS CUT

9. By substituting an aluminum casting with simplified fittings for a foam-filled plastic skin with special fittings for air vanes for the Pershing missile, unit costs were cut to one-third.

10. By reducing the capacity of the brake-fluid reservoir for T–38 aircraft from 17 ounces to 4 ounces, the unit cost was cut from $178 to $52.

11. By redesigning the radiation-hazard filter for airborne rocket launchers, unit costs were cut from $13.02 to $4.70.

EXAMPLE GIVEN

The reduction in unit costs in many items resulting from the shift to competitive procurement is startling. For example:

Cost of a M–110 8" Howitzer dropped from $68,044 to $41,415.

Cost of a M–107 175mm gun fell from $68,035 to $41,376.

Cost of a R–442 radio receiver dropped from $1,519 to $1,034.

Cost of a GRC–50 radio set fell from $34,478 to $17,411.

It is the Secretary's contention that in shifting from a single source to a competitive procurement, a normal reduction in price of at least 25 percent can be expected.

HUNDREDS OF INSTANCES

These examples of how the Secretary went about trimming a billion dollars off this year's military-supply costs only scratch the surface of the hundreds of instances in which savings were made.

To the observer, almost as impressive as the size of the savings is the wealth of supporting data the Secretary has to back up his claims.

RELIGIOUS FREEDOM: CHERISHED HERITAGE FOR ALL AMERICANS

Mr. TALMADGE. Mr. President, on July 2, 2 days before the 187th anniversary of the signing of the Declaration of Independence, Mr. Harllee Branch, Jr., president of the Southern Co., of Atlanta, Ga., addressed the Atlanta Kiwanis Club; and his splendid remarks have received wide acclaim.

Mr. Branch discussed the recent Supreme Court decision on Bible reading and prayers in the public schools and, with great truth, stated that the one thing which has made this Nation great was a lasting faith in a Divine Creator. Along with many other Americans, Mr. Branch fears that this faith is being undermined by decisions of the Supreme Court and that the religious freedom and strong moral fiber of the citizens of this country are at stake.

Mr. President, I ask unanimous consent that this address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

IN WHOM DO WE TRUST ANYHOW?

(Remarks of Harllee Branch, Jr., president, the Southern Co,. Atlanta, Ga., before the Atlanta Kiwanis Club, July 2, 1963)

On Thursday we shall celebrate the 187th anniversary of our Nation's birth.

The event, as usual, will be marked by parades, picnics, and pageantry. Politicians will seize the opportunity to advance their standings; hucksters to promote their sales. There will be roistering in the taverns and, if previous records and the predictions of highway patrols are matched, there will be slaughter on the highways.

Too few Americans will bother to ask: "What is there about America, its institutions and traditions, that is of special significance to mankind? What are the foundation principles of this Nation? Do these foundation principles still have validity and, if so, what are we doing to preserve them?"

The determination of our forefathers to throw off the yoke of foreign tyranny and to establish on this continent a nation, uniquely conceived and uniquely dedicated, was first formally declared in the Declaration of Independence. That document marked the birth of the great American dream although it took a long war and years of struggle to confirm it.

The Declaration was first approved on July 2, 1776, when representatives of 12 of the 13 original colonies voted for it. In a sense, therefore, today—July 2—is really our Nation's birthday although July 4 has been historically and officially designated as our date of independence because the tardy concurrence of New York on that date made the vote for the revolutionary resolution unanimous.

The Declaration of Independence was a unique document in many respects. But the salient, the brand-spanking new thing about that document was that it marked the first time that a people had ever dared to declare that their "right to life, liberty and the pursuit of happiness" rested upon natural and divine law; that these rights were the gift of the Creator, not the object of concession by begrudging monarchs; and that governments existed only to protect and secure, not to abolish or to alter these unalienable rights.

This was not a new theory. As Secretary of State Rusk has pointed out, the principle of divine law was "older than the earth itself." It is a universal, unchanging truth "arising out of a discourse on the nature and purpose of man which began in Greece nearly 2,000 years ago." But until 1776, only Locke and a few other political philosophers and religionists had ever talked much about it. Never before had a whole people dared to stake their lives and their futures on the truth of this assertion.

I hope you will not consider it inappropriate for a businessman, who makes no pretense of piety, to suggest that the really significant thing about this Nation is that its laws and institutions, its hopes and dreams, have been made to depend on faith in a Divine Creator. This is a fact that needs reiteration—constant and determined reiteration—in a time when the highest court in the land, with an unmatched judicial absolutism parading under the beguiling label of neutralism, seems to me determined to eliminate God and religion from the curriculums of our public educational institutions.

"Religion and morality are our indispensable supports," the Founding Fathers declared, and they added: "Whoever shall subvert these great pillars of human happiness shall not be entitled to claim the tribute of patriotism."

George Washington, John Adams, Thomas Jefferson—all of them—acknowledged that only religion can establish the principles upon which freedom and popular Government must stand. "The liberties of a nation cannot be thought secure," they said, "if we remove the only firm basis—a conviction in the minds of the people that these liberties are the gift of God."

Benjamin Franklin—the oldest, and in many ways the wisest, of the men who formulated our Declaration of Independence and our national Constitution, put it this way when he arose in the Philadelphia convention to counsel his younger colleagues:

"I have lived, sirs, a long time and the longer I live, the more convincing proofs I see of this truth—that God governs in the affairs of men. If a sparrow cannot fall to the ground without His notice, is it probable that an empire can rise without His aid? We have been assured, sirs, in the sacred writings, that 'except the Lord build the house, they labor in vain that build it.' I firmly believe this; and I also believe that without His concurring aid we shall succeed in this political building no better than the builders of Babel. We shall be divided by our little partial local interests; our projects will be confounded, and we ourselves shall become a reproach and byword to future ages. And what is worse, mankind may hereafter, from this unfortunate instance, despair of establishing governments by human wisdom and leave it to chance, war and conquest."

Mind you, Dr. Franklin was not a religionist, not even a churchman in the usual sense of the word.

It is no longer fashionable to talk in words such as those used by Franklin, and Adams and Washington and Jefferson. Virtue and faith and commitment to principle—even patriotism itself—are scoffed at in many quarters. We have become soft and smug and self-satisfied. We speak of ours as an age of sophistication. We are beguiled by politicians and professors who exhort us to abandon the cliches of our political, social and economic pasts, forgetting that sophistication is frequently the product of conceit, cynicism and shallowness; and that a new cliche may be even more dangerous than an older one.

Fortunately, our forefathers were not afraid of cliches nor were they afraid to be called unsophisticated. They were completely willing to embrace change where change was warranted—indeed, they risked their lives in one of the most dramatic assaults on the status quo the world has ever witnessed. But they never sneered at the tried and the true merely because it was old.

We moderns are vastly more knowledgeable than the Founding Fathers, even the most educated of them. Indeed, the sum total of man's knowledge has doubled in the last 10 years alone, and it is estimated that it will double again in the next 5. But knowledge is not wisdom, and one of the greatest threats to our way of life is that we may rely for leadership upon politicians and judges who know more than they understand. Knowledge—mere factual knowledge, unleavened by spiritual truths—can be a snare and a delusion.

Today, the great threat to our way of life is posed by atheistic and materialistic men, symbolized by the communistic hordes of the East and typified by the first Soviet cosmonaut, Titov, who declared on his return to earth from space: "Some people say there is a God out there but, in my travels around the earth all day long, I looked around and did not see Him. I saw no God or angels—I do not believe in God. I believe in man, his strength, his possibilities, and his reason."

How silly can man get? Who ever suggested that God was such an entity as could be seen by an earthling like Titov?

But, we must not become bemused by the idea that the Titovs of this world are men of ignorance. They are as knowledgeable as we in purely physical aspects of the Universe and, in some areas, their technology is believed to exceed our own. The one—the only—resource we have that the Soviet man does not possess is the resource of spiritual strength which is derived from our recognition of the fatherhood and supremacy of God and our dependence upon Him. Abandon this resource, allow it to become tarnished by sophistication and by conceit over our own assumed prowess, and we shall lose our individual freedoms and our individual dignity as surely as have the slaves of the Soviet superstate.

"Know the truth," said the lowly Nazarene, "and the truth will make you free." Not facts, not scientific formula, not physical abstractions, not beguiling political theories—but the truth as revealed by God.

This was the truth to which the Founding Fathers repaired in their time of national and individual crisis—this was the source of the principles upon which they founded this Nation—notwithstanding the sneers of those who in that day called themselves rationalists.

Now again the rationalists and the atheists and the materialists are clamoring for acceptance—in America and elsewhere. Only a few weeks ago, a prominent American scholar suggested that, since science has reduced the area of the unknown and since technology has increased our ability to use our environment, the relationship between God and man no longer applies. This is sheer philosophical poppycock, the sort of poppycock that is responsible for much of the sickness of our times.

For mankind, with all his knowledge, has not replaced God, nor will he do so. The greatest of our scientific discoveries, properly correlated and evaluated, confirm rather than deny the existence of a divine order and man's dependence upon it.

Those who founded this Republic sought, with God's guidance, to create here a governmental system built on confidence in divine law and the principles of individual freedom, dignity, and responsibility which depend upon that law and not upon human actions and assurances.

It is a tragic thing, I repeat, that their progeny, if enrolled in a public school, may no longer invoke, even in voluntary classroom prayer, the guidance and blessings of the very God upon whom the founders of the Nation so singularly relied. Religious freedom is a cherished heritage of all Americans, but it does seem strange that the principle of separation of church and state should now be tortured into a separation of the state from God—for the two principles are certainly not the same. What we need to do is bring God more vividly into our school exercises, and into our governmental and private affairs as well for, as Justice Frankfurter in a scholarly opinion observed: "The ultimate foundation of a free society is the binding tie of cohesive sentiment. Such a sentiment is fostered by all those agencies of the mind and spirit which may serve to gather up the traditions of a people, transmit them from generation to generation, and thereby create that continuity of a treasured common life which constitutes a civilization."

It is not enough to say that our Supreme Court has still left the individual the right to pray in private and outside the precincts of his State-supported institutions. The individual has that right in Russia, too. But religion cannot be just personal. If it is real, it must be present in all we do in public and in private, and if we take God from our public institutions, we are left with no foundation upon which to build.

We may produce as many and as excellent gadgets as we will (automobiles, missiles, telephones, radios, television sets, electronic computers, and what have you) but, America and the Western World will not survive unless it also develops excellent men—men of faith, of humility, of truth, of moral stature, of strength and resourcefulness of mind (of pregnant ideas), of courtesy, of universal sympathy and friendship and love. Men such as these cannot be produced in a laboratory. They are produced only in good homes, good churches, good schools, where the presence of God is ever apparent.

In closing, I would like to pass on to you a word of kindly caution from one who, although not a native of the Western World, has shown an extraordinary regard for its institutions. He is Dr. Charles Malik, distinguished teacher and philosopher and former Lebanese Minister to the United States. Dr. Malik has warned that: "If the West thinks that it is going to win or even hold its own without the living God who made it and has sustained its excellence, it is simply mistaken. * * * Not by cleverness, nor by humanism, nor by sentimentalism, nor by the manipulation of force, nor by reliance on reason and genious, nor by the supplying of loaves and the giving of machines—not by any or all of these things alone—is the West going to succeed in defending and extending truth and light and freedom, but by the humble return to the living source of all truth, all light, and all freedom."

BAPTIST "CHRISTIAN INDEX" EDITORIAL

Mr. TALMADGE. Mr. President, though I am in disagreement with the views expressed in an editorial of the Christian Index, the official organ of the Baptist Church in Georgia, I was requested to place it in the Congressional Record. I am doing so today, inasmuch as readers of the Record may find it interesting. I ask unanimous consent that this editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Christian Index, June 27, 1963]

Church and Home Must Face Issue

Worship of God suffered little, if any, in the Supreme Court ruling which outlawed required Bible reading recitation of the Lord's Prayer in public schools. Neither did God become a stranger to public ceremony although logic leaves that status to future opinions.

Baptists are dedicated to the separation of church and state. They suffered too long under a state religion in their early years to forget the penalties. They have but to look in some countries dominated by a state church today to know the price for a religion without value when it exists by compulsion.

Constitutional lawyers or future opinions by the Court will decide whether Bible reading is still permissive for a devotional setting of the day. The requirement by law has been killed. Regardless, perfunctory reading is worth little and more especially if our dedication to church-state separation is thereby weakened.

Questions by the score remain. The Court specifically left outside its opinion the opening prayer by a chaplain in Congress. Neither did it touch the court crier who in his final phrase invokes the grace of God. There was no ruling on chaplains in the military. Logic, it would seem, places big question marks about these since public funds are spent for religion.

Similar logic would take Federal funds away from church-operated hospitals and more especially those which impose church dogma. It should—but it has not and probably will not. "In God we trust" may have to come from our coins. Also, is not tax exemption for churches an indirect subsidy?

These and many more questions can much more easily be raised than answered. We go back to the assertion that God suffered no major handicap in the Supreme Court ruling.

Now, more than ever, the churches and the homes must awake to their responsibility for making religion a personal matter. There must be Bible study. Mere Bible reading does not develop the individual. There must be a personal religious experience and a determination to share this with others.

The church will not provide the training in 20 or 30 minutes of Sunday school. Nor will the home in a 5-minute devotional. These help but to think this sufficient is as foolish as trying to learn geometry by glancing at the text.

We should be concerned now about how to add hours of Bible study in our church programs. We must return to the emphasis on family worship—in the home. We will take the initiative or the Bible will be the most unread of all books.

There is no gain for those who disagree in crying now about the Court opinion. The 8-to-1 opinion allows no hope for change and especially when a Protestant, a Roman Catholic, and a Jew agreed on the separation clause. Instead it is our responsibility to accept the mandate of Bible teaching which belongs to the church and to the home. Religion can then be personal and only then be of value.

CIVIL RIGHTS—EDITORIAL FROM THE MENNONITE

Mr. CARLSON. Mr. President, the Mennonite is a publication which is published by the General Conference of the Mennonite Church, of Newton, Kans. Its editor is Maynard Shelly.

In the July 9 issue of the Mennonite, the editorial was a letter to a Member of Congress. The letter stresses the need for action on the part of Congress in the civil rights field, and also discusses the part that the church can play in this field.

Civil rights legislation will soon be before the Senate of the United States for consideration.

It is my view that civil rights is a moral issue and in my opinion must be dealt with as a moral issue. We can pass laws, and will do so in this session of Congress; but the problem goes much deeper than that. Public opinion and human relationship cannot be legislated. Given equal opportunity for education and employment, the minority groups will make their own place of responsibility.

The time has come for us to examine our dedication to the individual. The world is shrinking. Our association with other people from other nations causes us to take a longer look at the purposes and accomplishment of the individual, and to concentrate less on his race, color, or creed.

I ask unanimous consent that the editorial which appeared in the July 9 issue of the Mennonite be made a part of these remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Letter to a Member of Congress

This will be a long hard summer for you. I can see it coming. Besides all your other duties in the swamps of the District of Columbia, you now face the matter of civil rights of our citizens. I guess we all knew that it couldn't be put off forever. It had to happen sometime. But what?

A number of summers ago another group of Americans put together a document. It talked about life, liberty, and the pursuit of happiness. What has been happening since then? We all know that there is a big gap between the ideal and the real. We face it in our own lives. We are certainly not the people we know we should be. But we could be if we wanted to be.

This hasn't been the country we wanted it to be. We always knew it. Unfortunately, the rest of the world now knows it too. The people in Africa and Asia are watching us. They are looking to see what you down in the foggy bottoms of Washington are going to do. And, I suppose, you are wondering what the rest of us in the plains and hills and woods are going to say if you act, don't act, or muddle through the middle.

I can't speak for everyone. I do want to speak for myself and I hope for many other Christians. We hope that you will have the courage to do what your conscience says is the right thing to do. We elected you because we thought you knew more about the law than we did. We still agree that you do. But we want you to be more concerned about future generations than about the next election. We believe that President Kennedy has shown some fresh new courage in his profile by asking for new legislation on civil rights. You may disagree, but I think the Supreme Court has been showing considerable courage during the last 9 years. Somehow I don't get the same wavelength when I tune in on Congress. It could be that I am missing some things that you and your colleagues have been doing behind the scenes. But I would wish that this summer Congress could give itself a bit more of the courage image by passing some positive civil rights laws.

Yes, I know that President Kennedy's popularity has been slipping since his civil rights talk, but then we elected him to be President, not popular. This applies to other public servants, too, I feel.

Just now it looks as if there is going to be a lot of discussion about property rights. Does a businessman have a right to keep certain customers out of his shop and off his property? There are many good arguments to support this action. You know the law better than I do. But I would feel that human rights come before property rights. I could find quite a few texts in the Bible to help me here. Being a politician, I'm sure you would also find a quotation from the 1960 Republican platform of interest. It says, "Equality under law promises more than the equal right to vote and transcends mere relief from discrimination by government. It becomes a reality only when all persons have equal opportunity, without distinction of race, religion, color or national origin, to acquire the essentials of life—housing, education, and employment. * * *" I am glad that the Republican Party in agreement with President Kennedy doesn't ask for human rights except when in conflict with property rights. It does say that "this Nation was created to give expression, validity, and purpose of our spiritual heritage—the supreme worth of the individual." By the time you come home next fall, I hope that we will have made a new effort in this direction.

It is fair for you to ask what the church is doing in this area. I admit that here also there is a gap between the ideal and the real. We aren't doing as good as we know. But we are involved in these problems in many ways. We have worked with the needs of people in Asia, Africa, and many other places. Yes, these are far away. But these experiences have made us aware of the needs in our own hometowns. We are working on them. That's really one of the reasons I am writing.

FOREIGN AID AND SENATOR BEALL

Mr. SIMPSON. Mr. President, with the perennial question of foreign aid handouts soon to be discussed by the Senate, I invite the attention of my colleagues to the comprehensive and profound study of foreign aid conducted by the distinguished Senator from Maryland [Mr. BEALL]. The Senator's findings, published July 11, tell us that the $100-billion giveaway program, which is consuming 1 out of every 17 American tax dollars, has failed miserably in most of the recipient countries. My colleague notes the effect of the Marshall plan on postwar Europe. He points quite correctly to the reluctance of the Marshall plan nations which have benefited the most from our aid to implement their own foreign assistance program or even meet all their multilateral defense obligations.

I have long felt that American tax dollars and private investment capital could form the base on which nations throughout the world would build sound economies, but those nations should first display the desire to help themselves and to help the cause of freedom. As the Senator from Maryland [Mr. BEALL] points out, our aid program places no such prerequisite on recipient nations.

For my colleagues' edification, I ask unanimous consent that the remarks of the Senator from Maryland, together with his table covering aid payments to 14 nations, be printed at this point in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

SENATOR BEALL DETAILS HOW, WHY FOREIGN AID CAN BE CUT

Senator J. GLENN BEALL, Republican, of Maryland, announced July 11 that after making a study of foreign aid—and how the cause of freedom has fared in some of the nations which have greatly benefited—he believed the program had failed miserably and if 20 percent were cut from the fiscal year's budget recommendations it would not hurt anyone.

"One out of every 17 American tax dollars goes for foreign aid, and, thus far, American taxpayers have spent more than $100 billion for foreign aid," the Senator reported.

"Proponents say that it has benefited us by rebuilding the military strength of the recipient nations and that it has promoted the cause of freedom around the world. Opponents dispute this, citing the situation in various countries which have received our bounty.

"Western Europe has prospered with Marshall plan aid from us, but after 17 years and $41 billion in U.S. aid, Western Europe now meets only a fraction of its defense obligations and, except for commercial loans, its aid to less developed countries is negligible.

"And," Senator BEALL continued, "what about the cause of freedom" He then gave the following examples of how the cause of freedom had fared in some nations to whom we have given enormous sums of money:

Nations aided by us	U.S. aid since 1946	Present situation: How the cause of freedom has fared
Argentina	$640,000,000	Under indirect military domination; suffers from inflationary chaos.
Brazil	1,900,000,000	On the brink of communism.
Cuba	52,000,000	Once enjoyed immense sugar subsidy; has stolen $1,000,000,000 in private property of U.S. citizens; is a Red satellite of Soviet Russia.
Haiti	100,000,000	Writhes under a murderous tyranny.
Indonesia	670,000,000	Her economy wrecked; is an armed dictatorship bent on conquest.
India	3,900,000,000	Stands with Russia and against us on nearly all issues; probably faces Red Chinese attack.
Iran	1,300,000,000	Now a monarchy without a parliament.
Laos	460,000,000	"Coalition" government, almost certain to fall to Communists.
Poland	522,000,000	Communist, with all freedom gone.
South Korea	5,400,000,000	Ruled by its 3d military junta; anti-U.S.A. demonstrations a common occurrence.
South Vietnam	2,400,000,000	Ruled by puppet dictator; racked by Red guerrilla war.
Turkey	3,800,000,000	Politically unstable; economically weaker than before U.S. aid began.
Venezuela	274,000,000	Unstable; much destruction of American-owned property; major target of Cuban 5th column.
Yugoslavia	2,400,000,000	Communist, with all freedom gone.

Senator BEALL concluded: "In countries receiving our aid, despots rule by terror, the economy is shattered, inflation is rampant, and Communist-fomented turbulence has put freedom on the run. In pouring billions of dollars into Poland and other countries and receiving in return only condemnation, are we not giving aid and comfort to the enemy? Is there any justice in taking the incomes of hard-working Americans to feather the nests of people who hate us? And what about our allies of Western Europe? Though now prosperous, they shirk their duty. They look to us to continue to carry most of the burden of their economy and military security.

"The American people are in no mood to continue to pour out their money to countries all over the world through a foreign aid program which, indisputably, is badly executed, unrealistic, and enormously wasteful, and has failed to accomplish its intended objectives."

CAPTIVE NATIONS WEEK

Mr. SIMPSON. Mr. President, it will come as a shock of brutal proportions to the millions of people held captive behind the Iron Curtain when they realize that an American cabinet member is touring their countries during Captive Nations Week as the feted guest of their Communist masters.

In keeping with its penchant for submerging the inspiring news of Captive Nations Week under diversionary headlines, the administration has dispatched its agriculture secretary, complete with wife and entourage, to Poland, Russia, Yugoslavia, and Bulgaria at the very time that we in America are dedicating ourselves to the freedom of those captive peoples.

It is perhaps significant then that this fifth Captive Nations Week, with its emasculated proclamation, was declared only with extreme reluctance on the part of the administration.

I should like to address myself a moment to the proclamation. In reading it, I was immediately struck, not by its contents, but by its omissions. In substance it is a weak and ineffective blandishment that fails even to mention the oppressor of the captive nations.

The administration has again produced a proclamation without mention of the Communist jailer of nearly two dozen nations. There is no mention of Hungary, or Berlin, or the people who have fought for nearly 20 years to rid themselves of the hammer and sickle. The newest and most sorely oppressed Communist satellite, Cuba, rated not even a passing reference. It is obvious that the administration, in declaring Captive Nations Week, was extremely circumspect about ruffling the fur on the Russian bear.

The President's proclamation, coupled with events of recent months, leaves little doubt that we are witnessing the administration's acquiescence to Communist control of millions of once free people who look vainly to the United States for assistance.

There was a time when they had reason to believe America's leadership recognized communism's insatiable appetite for world conquest, but their hope for help from the United States is fading as they see our swing away from firmness and determination toward vacillation and compromise. The last remaining colonial empire is ruled by the Soviet Union. It is the cruelest, the most oppressive, and the least responsive to the legitimate aspiration of the captive peoples. The Russian bear has extended its domain to a Caribbean island only 90 miles from American soil. It has flaunted with impunity the Monroe Doctrine. It has violated its own pledges. It is establishing permanent military, political, and industrial institutions in Cuba. The theme of this year's Captive Nations Week, as announced by the Captive Nations Committee, is "Liberate Cuba—To Restore the Faith in All Captive Nations—To Win the Cold War." I fail to understand how the administration's obvious distaste for Captive Nations Week, or the Agriculture Secretary's little junket, or the repressive acts against Cuban refugees in this country are going to accomplish the goals of that theme.

The PRESIDING OFFICER (Mr. EDMONDSON in the chair). The time of the Senator has expired.

Mr. SIMPSON. Mr. President, I ask for 2 minutes additional time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SIMPSON. Captive Nations Committee Chairman, Dr. Lev Dobriansky, of Georgetown University, said recently "We cannot hope to win the cold war on the basis of anything but truth and well-founded action." To that premise I wholeheartedly subscribe, for we have in our lifetime seen the effect of peace by submission and by compromise. Freedom will not come to the captive nations unless the United States exerts unrelenting pressures to drive the wedge of freedom into the cracks of discontent that are appearing in the Iron Curtain.

The President has called on Americans to reassess their attitude toward the Soviet Union. Why? The United States is not the party at fault here. The United States has not at bayonet point imposed its will on countless millions. The United States precipitated no war in Korea. The United States has not triggered warfare in Laos, Thailand, or Vietnam or broken more than 100 treaties in 18 years. The United States has not built a wall of iron around the world, or driven legitimate government from their capitals. Why then does the administration exhort us to reassess our attitude toward the Soviet Union?

I suggest the administration could better reexamine its own attitude toward the cancer of communism that has engulfed nearly half the earth.

The objectives of communism have not been altered since the time of Lenin. The methods have been made flexible to accommodate changing times, but the common denominator of all Communists—dedication to world conquest—has not changed one iota.

The ultimate objective of communism is to add the bastion of freedom, America, to its growing list of captive nations. Whether or not they succeed will depend not on our readiness to accommodate ourselves to their chicanery but on our courage, our strength, and our dedication to the eventual freedom of all mankind. While communism has pressed Berlin and Cuba, the U.S. Government has pressed accommodation and compromise.

In its misguided attempts to coexist peacefully with the "butcher of Budapest," the administration is deserting the millions of people who look toward America for a fulfillment of their desire to be free. In its obvious reluctance to recognize the congressional mandate for Captive Nations Week, the administration is forgetting that freedom, and not peace by submission, is what our world seeks. We must never place ourselves in a position of surrendering freedom for a compromising peace.

Let us then not regard Captive Nations Week merely as an expression of sympathy for the oppressed. Let us put purpose to our efforts. Let us rededicate ourselves to the freedom of millions of Asians, Europeans, and Latin Americans so that in the years to follow there will be no need for a Captive Nations Week.

SUPREME COURT JUSTICES ACTING IN OTHER CAPACITIES

Mr. STENNIS. Mr. President, recently Mr. Justice Goldberg, an Associate Justice of the Supreme Court, was proposed as a mediator in a railroad dispute. However, the proposal of mediation was rejected by one side, so Mr. Justice Goldberg did not serve.

The Senator from Mississippi has had no contact, directly or indirectly, with Mr. Justice Goldberg, but expresses the hope and belief that the Justice did not wish to serve. The Senator from Mississippi reemphasizes and reiterates his opinion and position stated last week that no member of the Supreme Court, while sitting as a member of that body, should have any duties, responsibilities, or official capacities of any kind except the direct official duties and responsibilities of that Court. A Supreme Court Justice cannot be partly a member of that Court and partly engaged in outside matters. One is either on the bench, or he is off. The Supreme Court is distinctly a separate branch of our Government, and the most independent of all branches. There is no possible reason why members of the Court should engage in outside activities, be they official or semiofficial, ordinary or extraordinary. This applies to foreign affairs, domestic affairs, and all affairs.

I reemphasize and highly commend the position taken by the late Chief Justice Stone, who during his active tenure on the Court, was called upon to exercise responsibility beyond the direct affairs of that high tribunal. The Justice very respectfully declined the invitation.

Mr. President, under date of July 11, 1953, Arthur Krock, the eminent and highly respected columnist of the New York Times, wrote a column on this subject, in which he gave his reason for his position and set forth the precedents as well. I ask unanimous consent that the column by Arthur Krock be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York (N.Y.) Times, July 11, 1963]

OUTSIDE DUTY DRAFTS ON THE SUPREME COURT

(By Arthur Krock)

WASHINGTON, July 10.—President Kennedy can cite many of his predecessors to witness that the selection of a Supreme Court Justice to assume temporarily a nonjudicial role in a matter of great national importance has the sanction of long practice. The first President to levy this draft on the Supreme Court was George Washington.

But with rare exceptions the Presidential draft was for service in the field of foreign affairs. And even in these instances the consequences were frequently unhappy for the individual Justice and for the Supreme Court as an institution.

It is this latter effect which evoked abiding doubts of both the wisdom and propriety of such Presidential drafts, even when they are for an international mission which poses no domestic issue at the time of its undertaking and creates none by its end product. And when the Presidential draft is for service in an area of dispute in which domestic political factors are deeply involved, doubts of its wisdom and propriety have been transformed by subsequent supporting evidence into a conviction that it has injured the Court.

THE PEARL HARBOR PROBE

For example, President F. D. Roosevelt selected Justice Roberts to investigate the causes of the Pearl Harbor disaster at a time when only the presence of war restrained the language of widespread charges in and out of American political circles that one need travel no further than the White House to disclose the cause. And when the Justice fixed the blame on the Pearl Harbor commanders, he found himself, and through him the Supreme Court, in the midst of a dispute which still infests American politics.

American politics is also deeply involved in the railroads' work-rules controversy for which President Kennedy proposed to the principals a final arbitration by Justice Goldberg. That is because the power of organized labor to paralyze, with legal immunity, the economy of the whole Nation—which could be one of the immediate effects of a general railroad strike—is largely the legislative gift of the wing of the Democratic Party of which President Kennedy is the leader. Another reason is that the dispute is likely to reach Congress, a political arm of Government.

But the further fact that any settlement will probably be finally litigated before Justice Goldberg's Supreme Court "brethern" adds an instance, to the others against President Kennedy's choice of the Justice as railroad work-rules arbitrator. Even though it is obvious that Justice Goldberg's long career as lawyer and legislative policymaker for the unions persuaded the President that he supplied the best instrument to compose a nationally disastrous dispute in which labor unions were the holdouts, this does not outweigh the case against the selection.

CHIEF JUSTICE STONE'S VIEWS

Of all those who have opposed the drafting of Supreme Court Justices for extrajudicial public service, the late Chief Justice Stone was the strongest antagonist. He was deeply disturbed by every Presidential action of this kind, most particularly when Mr. Truman selected Justice Jackson as American prosecutor at the German "war criminals" trials at Nuremberg; when Justice Murphy applied for a wartime commission in the Army, and when Mr. Roosevelt asked Stone himself to head an investigation of the administration's handling of the rubber supply in 1942.

"We must not forget," he wrote to the President in rejecting the tender, "that it is the judgment of history that two of my predecessors, Jay and Ellsworth, failed in the obligations of their office and impaired their legitimate influence by participation in executive action in the negotiation of treaties * * * [and when a judge] participates in the action of the executive or legislative departments of government he * * * exposes himself to attack, and indeed invites it, which because of his peculiar situation, inevitably impairs his value as a judge and the appropriate influence of his office."

This comment applies especially to the extrajudicial service for which President Kennedy chose Justice Goldberg. The more so because it was plainly a move to further Mr. Kennedy's effort to avoid asking Congress for the "wider arsenal of [anti-strike] weapons" that in the 1960 campaign he said were needed in such emergencies as the present.

ATTORNEY GENERAL UNWISELY PREDICTS ACTION OF COURT

Mr. ERVIN. Mr. President, the Charlotte Observer, of Charlotte, N.C., for July 9, 1963, carried an editorial entitled "Attorney General Unwisely Predicts Action of Court," in which the writer asserts with accuracy that the Attorney General's prediction that the Supreme Court, as now constituted, would overrule the civil rights cases of 1883, lends support to those persons who have been asserting "for 9 years that the nine men in black have junked legal precedent in favor of sociological amendments to the Constitution."

I ask unanimous consent that this editorial may be printed in the body of the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ATTORNEY GENERAL UNWISELY PREDICTS ACTION OF COURT

Attorney General Robert Kennedy has come off rather badly in his efforts to justify the public accommodations section of civil rights legislation. Yet he told a House Judiciary subcommittee that the Supreme Court would almost certainly reverse its previous positions on individual discrimination if Congress failed to make it unlawful.

The Attorney General was offering a personal opinion, of course. But his offhand remark only strengthened the arguments of critics of the Court. They have contended for 9 years that the nine men in black have junked legal precedent in favor of sociological amendments to the Constitution.

There is no question that the bill outlawing discriminatory use of private property involves basic constitutional issues. Legislation similar to that proposed by the Kennedy administration was a part of the Civil Rights Act of 1875. This provision was found unconstitutional by the Supreme Court in 1883. The decision held that the 14th amendment applied only to action by a State, not discrimination practiced by an individual.

The Court majority said: "The wrongful act of an individual, unsupported by any such (State) authority, is simply a private wrong, or a crime of that individual; an invasion of the rights of the injured party, it is true * * *; but if not sanctioned in some way by the State, or not done under State authority, his rights remain in full force, and may presumably be vindicated by resort to the laws of the State for redress."

Justice John Marshall Harlan, grandfather of the present justice of the same name, dissented strongly. He contended that operators of places catering to the general public are agents or instrumentalities of the State because of their duties to the public.

But the Harlan view did not prevail. The 1883 decision became "the law of the case" and, by application of its principles to similar cases and by the failure of Congress to legislate further in the matter, "the law of the land."

This accounted for the Justice Department decision to use the interstate commerce clause of the Constitution as authority for the public accommodations law.

Congress is aware that the Supreme Court put off until its next term, starting in October, four cases involving the question of whether segregation in privately owned places is lawful where no law or official policy requires separation of the races.

It is significant, however, that in recent decisions striking down the conviction of sit-in demonstrators where such laws or policies existed, the majority opinions specifically referred to the Court's previous restraint in cases involving a private property owner's discrimination against individuals.

Under the law, the Supreme Court would be hard put to justify a reversal of the 1883 decision and others related to it. Properly, it is a matter for the legislative branch to handle.

Failure of the Congress to enact the public accommodations section—unless it is defeated only by a minority filibuster—would be an even stronger indication to the Court that the people are not in sympathy with additional coercive action in this area of human relationships.

SHALL IT BE VOLUNTARY OR FORCED COMPLIANCE?

Mr. ERVIN. Mr. President, the Greensboro Daily News, of Greensboro, N.C., for June 25, 1963, carried an editorial entitled "Shall It Be Voluntary Or Forced Compliance?" This editorial makes some sage comments upon the President's so-called civil rights proposals. I ask unanimous consent that it be printed in the body of the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SHALL IT BE VOLUNTARY OR FORCED COMPLIANCE?

In his civil rights message last week President Kennedy eloquently pleaded the case against continuing segregation practices in places which serve the public: "No one has been barred on account of his race from fighting or dying for America—there are no white or colored signs on the foxholes or graveyards of battle. Surely, in 1963, 100 years after emancipation, it should not be necessary for any American citizen to demonstrate in the streets for the opportunity to stop at a hotel, or to eat at a lunch counter in the very department store in which he is shopping, or to enter a motion picture house, on the same terms as any other customer."

The President's view, we think, is shared by an increasing number of Americans; and progress is being made every day all over the Nation (both because of the pressure of conscience and the pressure of street demonstrations).

Where the rub comes—and this is proper subject for national debate—is exactly how this worthy objective should be sought. For there is no doubt that once Federal compliance laws are enacted they would impinge on the rights of private property as now legally defined.

About 88 years ago Congress passed a law providing for equal accommodations in public facilities—hotels, restaurants, and eating places. But the U.S. Supreme Court in 1883 held that Congress had no power under the 14th amendment to write such laws, that its only power was to nullify State action of a discriminatory character. "It is clear that the law in question cannot be sustained by any grant of legislative power made to Congress by the 14th amendment," the Court ruled then. "This is not corrective legislation; it is primary and direct; it takes immediate and absolute possession of the subject of the right of admission to inns, public conveyances, and places of amusement. It supersedes and displaces State legislation on the same subject, or only allows it permissive force. It ignores such legislation, and assumes that the matter is one that belongs to the domain of national regulation."

In his civil rights message last week, President Kennedy spoke of the venerable code of equity law which commands "for every wrong, remedy." It may well be that 100 years after emancipation, Federal usurpation of this area, through legislative rather than judicial action, is desirable and the Court's decision of the 19th century should be struck down; but the Nation should recognize clearly what is proposed.

Rather than encouraging city-by-city, even lunch-counter-by-lunch-counter, desegregation (which any number of States and cities already has demonstrated can be done but which will, admittedly, be increasingly difficult without violence), the President is asking Congress for massive powers to sweep down such opposition even though ill-advised, everywhere. This would apply as forcefully for "Mrs. Murphy's" boardinghouse on the corner as the Waldorf-Astoria in Manhattan. It would apply, in the words of one Senator, to "every hamburger stand, every barbershop, every beauty parlor, every roominghouse up to every bank and insurance company in America."

And such massive power would be concentrated largely in the hands of the Attorney General. He would determine when and where suits, if any, were to be filed. He could use this new power for good or evil, for noble or ignoble purpose.

The question comes back to this: Is racial injustice pressing enough to justify such power usurpation by the Federal Government? Or should the Government and men of good will continue to encourage city-by-city, voluntary compliance?

The answer is not easy. For demonstrations in the streets and possible violence will surely develop where States or cities refuse to heed voluntarism. Some congressional leaders already have suggested that Congress might agree to bar discrimination by establishments doing a gross annual business of more than $150,000 or $250,000, which would exempt the corner grocery stores and Mrs. Murphy's boardinghouse. Still others believe the Federal Government should go no further than providing a program of voluntary desegregation through a community relations service.

The problem is crucial because the mandate requested by the President would be so sweeping as, perhaps, to discourage further voluntary action by local community leaders. At the same time it might deprive such communities of the genuinely rewarding educational process which some cities, like Greensboro, have experienced in voluntary, locally managed compliance.

TOBACCO COMPANIES FEEL SENATOR NEUBERGER'S URGING

Mr. CLARK. Mr. President, our esteemed colleague, the Senator from Oregon [Mrs. Neuberger], has taken the lead in efforts to bring to the consciousness of the American people the hazards arising from unregulated and unrestricted smoking of cigarettes. Her activities in this regard—which I strongly support—have recently been praised in an article entitled "Tobacco Companies Feel Senator Neuberger's Urging," which appeared under date of June 27, in the East Oregonian of Pendleton, Oreg. I ask unanimous consent that the article praising the Senator from Oregon for her activities may be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Tobacco Companies Feel Senator Neuberger's Urging

(By A. Robert Smith)

Washington.—Sooner or later most Members of Congress focus what creative force they bring to their work upon a special field or area of concern by which they soon become identified in the public mind.

Midway through her 6-year term, Senator Maurine Neuberger's choice of legislative specialty has become evident. It is the general field of consumer protection, with heavy emphasis on doing something to undermine the common American addiction to cigarette smoking.

Medical findings connecting lung cancer and heart disease with cigarette smoking make action imperative to protect the consumers who haven't heard this word or who take it lightly, in her view.

SHE OPPOSES PROHIBITION

The Oregon Senator doesn't fit the mold of Carrie Nation, the hatchet wielding antisaloon reformer from Kansas, a State which once outlawed cigarettes. Quite the contrary, Mrs. Neuberger believes that prohibition won't work against tobacco any better than against liquor.

The Senator is a more sophisticated reformer. She believes that individuals, especially young people, are induced to smoke by subtle but irrelevant motivational appeals. Cigarette commercials portray rugged athletes and sportsmen, fashionable ladies, or attractive couples in romantic attitudes, all finding great pleasure in cigarettes. Instead of taking an ax to tobacco stands, she would take a shears to cigarette ads and commercials.

Noting the unwillingness of the industry to admit to health hazards from smoking, she thinks the Government must educate and warn the consuming public.

INDUSTRY ON DEFENSIVE

She has even written a book on the subject, entitled "Smokescreen," to be published in the fall as part of her campaign to persuade or needle the Government to move in this direction.

Obviously the tobacco industry is a bit on the defensive, if not on the run. Its announced decision last week to discontinue advertising in college newspapers on grounds that it regards smoking as an adult habit is a tactical withdrawal along the fringe of the market it has most prized in recent years.

Cigarette sales promotion on campuses had doubled in the past 5 years, not only with ads (tobacco accounted for 40 percent of national ads in college publications) but also with contests in which sports cars and hi-fi sets were distributed. The psychology of it was explained by one company's college sales director: "Students are tremendously loyal. If you catch them, they'll stick with you like glue because your brand reminds them of happy college days."

DIDN'T CONCEDE LINK

A year ago the American Cancer Society urged college presidents and the Federal Trade Commission to help curb campus smoking promotion efforts. When the industry last week announced its voluntary retreat, it made no concessions that there might be a link between cigarettes and cancer.

To Mr. Neuberger, this retreat should be followed by others which would affect the motivational appeals to the entire population, largely through TV commercials. She notes that cigarette sponsors in Britain comply with guidelines of the British Independent Television Authority, which rates as objectionable, commercials which overemphasize the pleasure to be obtained from cigarettes, feature the conventional heroes of the young, appeal to manliness, use a fashionable social setting to suggest that cigarettes are essential in modern living, or present romantic situations with the pleasure of smoking.

"Surely," said the Senate's specialist in this field, "the American cigarette advertisers can, in all good conscience, do no less."

REPORT DUE IN FALL

President Kennedy has asked for a definitive study of the medical aspects of smoking. A report from the Surgeon's General's Advisory Committee on Smoking is due in the fall.

Assuming it substantiates her conviction that smoking represents a major health hazard, Mrs. Neuberger plans to campaign for Executive action to educate the public about the danger and to require appropriate labelling of tobacco products and ads and commercials to warn consumers. She says the Government already has authority to do this much.

In addition, she plans to introduce legislation banning distribution of free cigarette samples to minors, common on campuses; restricting the permissible tar and nicotine yields from cigarettes; and increasing cigarette taxes to finance education efforts to warn the public about their danger.

WALTER LIPPMANN'S 50 YEARS OF AMERICAN THOUGHT

Mr. MONRONEY. Mr. President, in the history of our time the name of Walter Lippmann has achieved Olympian proportions in our unceasing battle to separate truth from fiction. The tremendous contribution which this journalist has made to his Nation and to his world of the 20th century was reviewed Sunday in the Washington Post by another keen and capable and truth-loving American, Ambassador Adlai E. Stevenson. Ambassador Stevenson's review of a recently published collection of Mr. Lippmann's writings during the past 50 years offers us the unusual and fascinating insight when one Olympian mind surveys and assesses another.

I believe Ambassador Stevenson's commentary on Mr. Lippmann's writings has profound meaning for all mankind and is worthy of insertion in the Record. I ask unanimous consent that it be printed at this point.

There being no objection, the commentary was ordered to be printed in the Record, as follows:

Half Century Stresses Lippmann Immediacy

(By Adlai E. Stevenson, U.S. Ambassador to the United Nations)

If the writings of a public official—by the very nature of his concern with events of the day—tend to be ephemeral, the writings of a journalist often are even more so. The old aphorism that nothing is as dead as yesterday's news is certainly a cardinal rule to be added to a reporter's golden quartet of who, what, where, and when.

But (to fall back on still another aphorism which I both quote and practice) rules are made to be broken. And even if they weren't, no rule could hem in the remarkable perspective that gives the writings of Walter Lippmann a freshness and an immediacy no matter whether the year is 1963, 1913, or any of 48 others in between.

For that reason we owe a debt to Profs. Clinton Rossiter and James Lare, who have had the enviable task of culling through Lippman't writings over half a century and selecting those that now appear in "The Essential Lippmann" (Random House).

They have obviously performed a labor of love, and an effective one, too, inasmuch as the result escapes the trap of most anthologies by its almost narrative flow of thought. And, as I say, it was an enviable task because they have had occasion to read and reread even more of Lippmann than their book contains.

A SHARPENING PERCEPTION

Now, I know from my own experience that when time makes a hurried rereading possible, what one has written under pressure more frequently is a source of shudder than of satisfaction. Indeed, scanning over the texts of some of the speeches I have made over the years, I recall uncomfortably some words of Froude in his life of Bunyan: "The excitement of perpetual speechmaking is fatal to the exercise of the highest powers."

However, "The Essential Lippman" is clear evidence that the excitement of perpetual writing—be it column, article, editorial, pamphlet or book—has been far from fatal to the exercise of Lippmann's highest powers. Quite the contrary, it has but sharpened them and made their insight all the greater.

And this is what gives his writings the immediacy I mentioner earlier. So it matters not that 1915 was the year in which he wrote: "Our days are lumps of undigested experience. You have only to study what newspapers regard as news to see how we are torn and twisted by the irrelevant; in a frenzy about issues that do not concern us, bored with those that do."

Nor does the year matter when he says, as he did in 1945, that the "inner principle of the Western tradition is not local, tribal or national, but universal, and insofar as we are its faithful servants, we shall, in learning how to use our power, win the consent of mankind." Nor that it was 1961 when he wrote, "The only real alternative to communism is a liberal and progressive society."

A SPIRIT RECAPTURED

But even though much of his work over the years has this relatively timeless validity, Walter Lippmann would probably be the first to acknowledge that few assumptions are immutable. Indeed, the fate of men will be decided in the long run by restless thinkers who, like Lippmann, are not afraid to stand up and rock the boat.

I think it was Jefferson who proclaimed that the United States was the strongest Nation on earth not because of its military might or its productive capacity (of course, we had neither at his time) but because of its revolutionary ideas. The American Revolution, he said, "is intended for all mankind."

This is the spirit, I would say, that has been recaptured so magnificently in our day by Walter Lippmann. The ideals he espouses are the ideals of an audacious heritage, one that, alas, is not popular in all sections of our society today; we have only to look at the struggle for equal rights to understand that the American dream from which our heritage stemmed—that of liberty and justice for all—still is unfinished business 187 years after Washington, Jefferson, and Paine.

This is precisely why we need—and why we are fortunate that we have—a Walter Lippmann to prod us and remind us constantly that our aim, perhaps, is not always steady or consistent with our professed goal, and that a respect for truth should be the supreme principle of an open society.

And if I may be forgiven for resurrecting some of my own words, it is truth that is the great need of this shrinking world. In nothing else—certainly nowhere else—will men and nations find genuine security.

We all know in our personal lives that there is no greater danger to our health and sanity than delusions about ourselves, our significance or our status. And so it is with nations. They must command the facts about their own strength, their resources, their standing, their risks, and their opportunities. Otherwise, they have no means of judging policy, estimating risks or steeling themselves for decisions. A nation that disregards truth puts its very survival in question.

Truth and history, including current history, should be one and indivisible. It may be too much to expect this consistently of any one writer, but Walter Lippmann comes close; and perhaps that, above all, is why he has also come to be regarded as the outstanding American political commentator of our day.

A wise man once said that the trouble with this generation of Americans is "they haven't read the minutes of the previous meeting." If now they read "The Essential Lippmann," they will have read the essential minutes, and they will have learned something of the truth that is the might of our destiny.

V. J. SKUTT HONORED BY NATIONAL CONFERENCE OF CHRISTIANS AND JEWS

Mr. HRUSKA. Mr. President, on May 21, the National Conference of Christians and Jews conferred its national silver medallion and scroll on Mr. V. J. Skutt, a prominent Omaha civic leader.

At the same ceremony in Omaha, Mr. Richard W. Walker, of Omaha, received a certificate of recognition of his leadership in civic betterment.

The dinner speaker was Dr. Marlin Perkins, director of the St. Louis Zoological Gardens.

The award to Mr. Skutt was presented by Dr. Sterling W. Brown, of New York, executive vice president of the National Conference of Christians and Jews.

Mr. President, I ask unanimous consent to have printed in the RECORD the presentation by Dr. Brown and the acceptance remarks of Mr. Skutt.

There being no objection, the presentation and remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF STERLING W. BROWN, EXECUTIVE VICE PRESIDENT, NATIONAL CONFERENCE OF CHRISTIANS AND JEWS, NEW YORK

The chairman asked me to make just a very brief observation in terms of what's going on nationally in terms of relations between the groups in America which differ in religion and nationality of background and race. Of course, the National Conference of Christians and Jews for more than a generation has been carrying on its educational program quietly and without a great deal of fanfare in this country and, of course, we are dealing with intangibles—the attitudes and the practices of human beings with relation to people who are different, and this isn't as easy to measure as the products of a manufacturing concern, but there are a few indications that a number of gains have been made.

First of all, I think, that nearly all social scientists would agree that Catholics and Jews in America are now approaching parity of opportunity in every way perhaps with a slight reservation on the social side with Anglo-Saxon white Protestants. It's true that in New York City and in other places sometimes we smooth this over and on the surface one would think that all the problems are healed because we balance the ticket on both parties, you know, with representatives from the various groups—racial and religious and nationality—but down underneath, of course, there are a considerable number of problems remaining. It is true, however, that we've elected a Catholic President in this country; and the old joke about the shortest cablegram in history being sent from Al Smith when he lost the election in 1928 to the Holy Father—one word, "Unpack"—is no longer simply funny in this country. Thank you, girls, you're, of course, too young to have remembered the 1928 election.

It's also true and not very well known nor have we advertised it, but the National Conference of Christians and Jews has carried on a quiet but persistent program in more than 15 cities of the South and the deep South and the Southwest. We are not professionally prepared to do or to claim a first class contribution to the progress that has been made directly in race relations; but we have been able to accomplish, as a result of our educational program, a number of gains in terms of the struggle that's going on today to give full and equal opportunity to every citizen in this country without regard to race, religion or nationality background. I could enumerate those for you. We've never written a pamphlet on them because, frankly, some of the gains we made we might have lost had we put it in the paper, and we've been content to continue our leadership quietly and effectively. In spite of all of this, I must say that we all recognize, those of us who are in this field of group relations, that there are a number of differences between Catholics and non-Catholics in this country—honest differences of opinion—differences not only in theology, but difference on the school question and a number of other areas which we have not worked out and which are causing and may cause in the future a number of tensions and disruptions. But the position of the National Conference is to keep the lines of communications open and to work these problems out in the form of public opinion rather than in the actions and attitudes of prejudice.

It's also true, regrettably, that anti-Semitism, although considerable progress has been made in eradicating this social disease, it is after all a deeply imbedded tenacious infection of our social and cultural scene, and it will take more than this generation to finally rout it out of our cultural scene. So much for the work of the conference. In a very real sense, I suppose, it's related to Mr. Perkins' concern and great interest in this simian world of ours—what the national conference is really doing, or attempting to do, is to get human beings to live up to the best actions of the animal world—the other part of the animal world—rather than to set our patterns by the lowest actions of the animal world.

Now this brings me to the honor that I have in making a presentation to one of your guests of honor tonight, and in a very real sense you know in your mind and even more so in your hearts, that V. J. Skutt, in a sense, epitomizes the decency of this world of human beings to which we give the name brotherhood. Actually, I have here a 3-page record from "Who's Who" and other authoritative and accurate objective publications which give something, just bare sketch and outline form, some of the activities and contributions Mr. Skutt has made. It's interesting, by the way, that he came first to this life in Deadwood, S. Dak., and he has been giving life its fullest ever since that time. One might say that he's a student of the law, a community leader, a university board member, a churchman, a business executive, a philanthropist, a board member of the banking, railway, food and insurance industries and in a sense, a person of cultural eminence. In the sense that I'm told that in many ways he's down to earth but idealistic; that he's a middle westerner but also that he's cosmopolite; that he epitomizes commonsense, but that he is in many ways urbane; that he's an intellectual but appreciative and sometimes participates in the athletic; that he is plain but at the same time suave; that he can be stern when it's required but he's always humorous when it's appropriate. In other words, I think the recipient of our award has really brought and symbolizes the mutuality of business and brotherhood and so it gives me a good deal of pleasure to present to him tonight a national brotherhood award on behalf of the three cochairmen of the National Conference of Christians and Jews. And, Mr. Skutt, if you will drop your modesty and assume your image of facing the audience, as you must, I would like to present to you this lovely silver medallion to V. J. Skutt for his contributions to the cause of brotherhood, May 1963. And with it goes this certificate with all of the rights and privileges, opportunities and obligations appertaining there unto.

RESPONSE BY MR. V. J. SKUTT

Thank you, Dr. Brown, Chairman Frank, Dick Walker, Father Reinert, other members of the clergy, members of the Omaha board and friends. I am quite overwhelmed, Doctor, by the conclusion of your remarks and the honor you have shown me. In the early part of your remarks when you were talking about some of the problems that we face in religions, I began to wonder whether I qualified for this reward. I want to say that this is a very, very happy occasion for Dick Walker and myself and first of all to thank each of you for taking the evening and sharing this occasion with us. I am happy to share it with Dick and with his wonderful family, Evelyn and Bill and Jan. And certainly as he has said about Omaha—all of us are but a symbol—both of us here and our families are but a symbol of the spirit of brotherhood that exists in our community. And speaking of brotherhood, may I take a moment to also thank that younger and slimmer brother of mine here tonight, Marlin Perkins—and his wife, Mrs. Perkins. I think, Marlin, since you were nice enough to make this trip that I am going to tune in on one of your programs one of these days.

Dr. Brown, I should like to say to you that this award will be deeply cherished by my family and me because of its significance—because of that for which it stands. The tempestuous tensions and penetrating pressures of the world in which we live tend to produce distrust, dissension and discord among people. These deplorable factors feed and flourish on prejudices. Our own and other nations are working hard endeavoring to establish some unison in international relations and that is all for the good. In fact, it is a must if we are to preserve civilization.

But I am one who believes that unity—like charity—should begin at home. And Angela and I in our home, to speak provincially, we have endeavored to take a broad-gaged view of our obligations to our community and our fellow citizens—never to be persuaded too much by veneer—superficially veneer—or by sophisticated sophistries, but rather to look to the character, the principles, the purposes and the performance of people. Certainly not to gage any decision upon what, if any, religion they may see fit to espouse; never to be narrow. Finding some comfort and strength in our own, we are happy in the knowledge that others share the same happiness in theirs. And there is not a thing that is new about this little bit of philosophy. In fact, it is as ancient as the Old and New Testaments and without invading the province of the clergy I might say that through both of these great Biblical works we find the theme of brotherly love.

And in our own country our Founding Fathers placed it in the jurisprudence of our land and thus made it possible for us in this generation to share it together. It implies and includes not only privileges, the right to individual dignity, responsibility, the right to self-respect, the importance of the individual in our way of life—privileges and obligations—and I repeat—obligations. You know it is relatively easy to engender a great deal of enthusiasm about privileges and rights. But it is frequently a little more difficult to arouse some interest in obligations and responsibilities. We find that even in business sometimes. The personnel are very unanimous to accept privileges—sometimes with amazing alacrity. But when it comes to obligations—meeting them—now and then they must be reminded.

And so it is with our obligations as citizens. So it is with life—with human nature. And that is one of the great purposes served by the National Conference of Christians and Jews. It serves to remind us of our individual responsibilities as citizens. It keeps it before us.

I think in addition to the work of the Conference, which appears on the back of the program, that this great effort in reminding us of responsibilities—each of us—is perhaps the noblest and most effective part of your work. Because one of the great needs of today is the development of a better sense of responsibility—among nations, first of all—to get away from the idea that one nation will take care of all others—and among individuals, the idea that others will take care of them. A sense of responsibility which is one of the goals, as I understand it, of the National Conference is more important today than ever before and all of us should dedicate our own efforts, in my opinion, to bring about that atmosphere more effectively in our country. As we gain maturity, I think that we obtain and retain a better knowledge of the importance of human relations. There is a great amount of comment today about what the young people should do for the older ones—what the Government should do for them * * * and as one who has not long to wait before being a recipient of some of that potential bounty, I still feel that there are some things that the older can do for the young, and for our country. And one of them is to give them perhaps a little better understanding of the importance of proper human relations—of understanding the other person's problems.

Those are the things that are learned not from books but from experience—from years—yes, from decades of association with other people. Now I am reminded in this connection of a statement that appears in the preface to the autobiography of one of the great elder statesman of our time. He had made his first fortune at the age of 35 and many more after that. But what is far more important is that he had devoted his talent and his efforts to helping make this a better country and world in which to live. He served as confidante and adviser to some seven Presidents of the United States and to both political parties. I refer, of course, to Bernard Baruch. And in this short preface to his own story he makes this statement in connection with this maturity to which I refer. He said: "If there is a key to my growing up it lay in the systematic efforts I made to subject myself to critical self-appraisal, and as I came to know myself I acquired a better understanding of other people." This simple statement by a great man expresses what I mean—my dear, good friends—in saying that unity begins at home. It begins first of all in our homeland—in our country, in our home communities where we have it so well represented here tonight and throughout our city—and in our home life with our families and our loved ones. But vital—vital above everything else—is that it begins with each of us, right here.

Humbly and appreciatively, Angela—my family and Tom and Sally and the others here tonight, accept this award with a determination to be even better citizens * * * and I thank you most sincerely for the honor you have shown us tonight.

DANGERS OF CERTAIN PROPOSED STATES' RIGHTS AMENDMENTS TO THE CONSTITUTION

Mr. DOUGLAS. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an editorial entitled "Bar's Informing Function," published in the Washington Post of July 8, 1963, calling attention to the informed public service of Madison, Ill., Bar Association and Mr. Arthur J. Freund, a St. Louis attorney, in alerting the country to the dangers of certain proposed States' rights amendments to the Constitution.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, July 8, 1963]

BAR'S INFORMING FUNCTION

The airing of views on the three proposed States' rights amendments to the Constitution, which was arranged by the Madison County, Ill., Bar Association, scarcely attained the status of a great debate in the national sense of the words. But the bar of Madison County is entitled to commendation for providing a forum for this debate at the suggestion of Chief Justice Warren. If other bar associations had been conducting similar sessions for the public enlightenment, we doubt that these dangerous amendments, or at least two of them, would have been passed by about one-fourth of the State legislatures.

At the conclusion of the debate featuring Justice Millard F. Caldwell of the Florida Supreme Court and Arthur J. Freund, a St. Louis attorney, the assembled lawyers voted overwhelmingly against the proposed amendments. This, we surmise, would be the general response of the bar and the public if both were alerted to the nature of the amendments. For one of them would reverse the Supreme Court's decision which is bringing about widespread reapportionment of State legislatures; a second would make it possible for the States to amend the Constitution, as Mr. Freund said, "without any national deliberation anywhere"; and a third would virtually destroy the Supreme Court by subjecting some of its decisions to reversal by a Court of the Union composed of 50 State chief justices.

Together these amendments are designed, again in Mr. Freund's words, to start the United States down a "ruinous road toward establishing a confederacy." We do not think there is any serious danger of the country taking this road deliberately. But in an atmosphere of apathy and in the absence of full discussion, astonishing gains for the proposals have been made. Bar associations still have a big task to alert their communities to what is doing on.

ADDRESS BY JACOB BLAUSTEIN AT BICENTENNIAL REDEDICATION SERVICE OF TOURO SYNAGOGUE

Mr. PELL. Mr. President, on June 23, 1963, it was my great fortune to hear Mr. Jacob Blaustein deliver a really remarkable speech at the bicentennial rededication service of Touro Synagogue in my own city of Newport, R.I.

Mr. Blaustein told the story of the Jewish community in Newport and with feeling described what it had contributed to our town, our State, and our Nation. He also touched upon his present important work as senior vice president of the conference on Jewish Material claims against Germany.

Many of us in this body have long been acquainted with the leading role Mr. Blaustein has occupied and the generous support of worthy causes that he has long given.

I ask unanimous consent that his truly excellent speech may be inserted in the RECORD at this point.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

ADDRESS BY JACOB BLAUSTEIN AT BICENTENNIAL REDEDICATION SERVICE, TOURO SYNAGOGUE, NEWPORT, R.I., JUNE 23, 1963

On a fine summer day in August 1947, 16 years ago, this city of Newport was host to many visitors from all over the country. They were in this city to celebrate the designation, by the U.S. Department of the Interior of Touro Synagogue as a national historic site. This was indeed a far cry from 1759 when the Jews of Newport, few in number and modest in means, undertook the building of this Jewish house of worship.

In biblical times the prophets of Judaism proclaimed that every human being was endowed with inborn dignity. Three thousand years later, Christ in His Sermon on the

Mount called on His followers to live by this preachment. But it remained for a handful of rebels 16 centuries later, followers of Roger Williams who built themselves a settlement in what is now this very city, to guarantee by law in 1641, with no "ifs," "ands," or "buts," the inherent rights of civil and religious liberty.

Six years later, after the settlement of Rhode Island had become a colony, the first general assembly drew up a code of laws which contained these momentous words: "All men may walk as their consciences persuade them, every one in the name of his God."

So Rhode Island became the first haven of complete religious liberty in all the world—either the Old World or the New. And for some years, it was the only one. While Newport was welcoming people of different faiths—Quakers in 1657, Jews the next year, Baptists in 1671—other parts of the country were still in the Dark Ages in this respect. In Massachusetts, Quakers were publicly whipped. Incredible as it sounds, a president of Harvard College was convicted of heresy and compelled to resign because he was a Baptist. In New York—then called New Amsterdam—Jews were threatened with expulsion; because, said Peter Stuyvesant, if they were allowed to stay, how could Lutherans and Roman Catholics be refused?

Of course many of the Colonies were founded for religious asylum, but for their own beliefs alone—Massachusetts for the Puritans, Maryland for Catholics, Pennsylvania for Quakers. For in those early days, none allowed dissenters from the ruling majority—none, that is, except Rhode Island. It was a sanctuary small in size but gigantic in vision, personified in life by its founder Roger Williams, a crusader for absolute freedom of conscience.

The Jewish congregation here was older than the synagogue by almost a century. Its first families, all 15 of them, came to Newport in 1658. Being a tiny flock and of modest means, they met for prayer in one another's homes. Like the 23 Jewish pioneers who had settled in New Amsterdam in 1654, those who sailed into this harbor were fleeing in the main from the Inquisition in Spain and Portugal.

They were not unusual. Their frail little ship was neither the first, the last, the largest nor the smallest. Every American has a ship in his family history. All of us or our forebears were carried here from somewhere else.

Those 15 Jewish families were not searching for gold. They were not looking for lands to conquer. They were not exploring new trade routes to the mysterious East. They were seeking nothing more than a peaceful place to build a few houses and grow some food to eat. That is all—except one more thing. They wanted to worship God without taking orders from anyone about how to do it. They wanted to organize their own congregation. And they wanted to educate their children in the Jewish faith and bring them up to treasure their religious freedom.

The more I work in world and Jewish affairs, the more I realize the absolute necessity of this last point—the absolute necessity of inculcating greater Jewish consciousness into our young people. If we Jews are to present to our fellow Americans—and have them accept—a true, dignified, favorable picture of the Jew, and if we are to strengthen within ourselves the sense of our own worth so as to enable us to withstand and surmount the effects of anti-Semitism, we must have, and must pass on to our children, an understanding and deep appreciation of our fine Jewish heritage.

And while I was not there, I feel sure this was how those Jews of early Newport reasoned and what spurred them into action.

Not being able in 1759 to finance a synagogue undertaking without help, they addressed a financial appeal to the Jewish congregations in other cities. So you see fund raising was a deeply rooted device even among Jews of the 18th century.

The appeal was generously answered by the New York Congregation Shearith Israel which sent them 10 percent of their entire budget, making the enterprise possible.

Smaller contributions were received from such farflung Sephardic Jewish communities as Jamaica, in the British West Indies; Curacao, in the Dutch West Indies (the oldest synagogue in the Western Hemisphere); and from Surinam, Dutch Guinea, in far off South America. Among the gifts from individuals was 100 pounds of wax for making candles. This was truly a united Jewish appeal that reached its goal.

It took faith and dedication and do-or-die persistence to build a new life in the wilderness of the New World. And none proved of tougher fiber, none fought more valiantly for their ideals, none bequeathed a nobler legacy to succeeding generations than those devout forefathers of ours who formed the Jewish congregation of Newport.

And note also they were, from the start, an integral part of this whole rugged community. They marched in its militia. They labored to build its industries—shipping and whale oil, candles, and furniture, iron, brass, and silver—and Moses Seixas founded here the first bank in the United States, it still being in existence. They sailed their vessels up and down the coast and across the seas—helping to make Newport one of the great centers of commerce in the colonies—surpassed only by Boston and Philadelphia. And when, in 1763, they had grown to 80 members and were able to dedicate their own house of worship, the entire community shared in their rejoicing.

The synagogue itself, like those who brought it into being, became a part of the community at large. During the Revolutionary War, the State legislature met here, the supreme court of Rhode Island held its sessions here, and this beautiful building was even used as a barracks. When the British seized the city in 1776, the Jewish citizens, like all the active patriots of Newport, had to flee. But the synagogue proved able to defend itself. In fact, it disarmed the invaders. For when they burst through the doors and looked above the Ark, they saw the Ten Commandments adorned with three crowns—symbols of the majesty of divine law. But in the eyes of the Redcoats, these crowns signfied the British throne, and they respectfully withdrew.

So it happened that this synagogue with its colonial grace, its domed ceiling and lofty columns, its ancient Hebrew scrolls and eternal light, remained unscarred by war. It survived to become not alone the oldest Jewish house of worship in America; not alone a national historic shrine from which all Americans draw inspiration; but an enduring expression of the spirit that prevaded this community and made it a wellspring of American unity.

How imposing it sounds, and how simple, how homespun it was. Here in Newport, 200 years ago, the few Jewish citizens, having decided to build a synagogue, selected a fellow townsman not of their faith to design it. And no one at that time seemed to consider it remarkable for the noted architect to work, as Peter Harrison did, without charging a fee. Such was the spirit of mutual friendship that prevailed among the free and diversified religious groups of this community.

An unusual feature of this structure is the underground tunnel. One theory suggests this oddity was a reminder to the Sephardic Jews of Newport of the underground passage where Jews were regularly forced to assemble and worship in Spain and Portugal during the Inquisition.

Let me say here that until 5 years ago the few Jews in Spain were still worshipping in secret. Only then, because of the interest and a large portion of the required funds being made available by the conference on Jewish material claims against Germany, was a small synagogue permitted by the Government to be set up in Madrid and to operate openly. It was the first synagogue there since the Inquisition in 1492, when King Ferdinand and Queen Isabella ordered all Jews expelled from the land. It was proudly shown to your speaker last year by the Madrid Jewish community. And I was told then that it was already too small for the growing Jewish population which has been entering Spain from the north African countries.

I sometimes wonder if we Americans adequately appreciate this great democracy of ours, with the freedom of religion and the freedom of opportunity we enjoy here. I fear we are apt to take all our freedoms for granted and do not realize that our religious liberty and our personal opportunities are examples of the countless blessings that flow from our kind of government.

The unsung episode of the famed Episcopalian architect, Peter Harrison, drawing the plans in 1763 for this synagogue without charge, contains a monumental meaning. It heralded a new discovery—unity in diversity. That was what Newport discovered. And it proved to be the making of America. On the great seal of the United States are the words "E Pluribus Unum." Out of many, one. Out of many creeds, many racial origins, many national ancestries, one people. Not cast into one melting pot or one mold, which would make us all of a kind. No. We have found unity not despite of adversity, but because of it. Because people who are free to be themselves will unite to keep themselves that way.

George Washington said it in far more eloquent words. He visited this synagogue in 1790, and then sent the congregation a letter. It stands to this day as the true guidepost of human relations in America. He wrote: "Happily, the Government of the United States, which gives to bigotry no sanction, to persecution no assistance, requires only that those who live under its protection should demean themselves as good citizens in giving it on all occasions their effectual support."

No wonder this message has been cherished through the years by all Americans. For it conveys something more than a commander in chief's appreciation of the loyalty of Jewish patriots who battled by his side. It summons each of us to recognize, as did Washington, where our country's strength and genius lie—in a free and equal partnership of all our diverse proups to protect their birthright and fulfill their responsibilities under freedom.

I call these words a summons, for we would be less than honest if we did not acknowledge that they still sound a call to action. True, our Government gives no sanction to bigotry. Today, more than ever before, the Government of the United States is bent on removing roadblocks of inequality, of racial and religious discrimination, that prevent the pursuit of happiness. But what about all the other agencies and institutions whereby we govern ourselves? Can it be said that in our 50 States there exist no laws, in our cities no ordinances, that permit any citizens to be denied their natural rights?

Do our schools and colleges, our industries and union halls, our churches and civic groups, our countless associations, have no rules, written or unwritten, that perpetuate the practices of bigotry?

The answer is plain. Our Federal Government, which reflects the aspirations and the will of the whole American people, has quickened the pace of progress. And what our Nation as a whole is on the road of accomplishing must now be accomplished in all of its parts. As long as we permit exclusions, restrictions, and rejections that set one group above another; as long as we have sitins and picketings, embattled cities and embittered citizens, we have yet to rise to George Washington's standard.

We live in a day of turmoil and anxiety, with age-old hatreds still rampant as well as new ones. Modern standards of ethics and morality are now at a low ebb all over the world. Take a quick glance of 1 day's headlines of this week:

Turmoil in Italy. Bolivia bolts the OAS (Organization of American States). Greek King steps in to end crisis. Macmillan barely survives the Cabinet scandal. And in this country dirty letters and stoning force family to move. Harlem outbreaks of violence. Attack on policemen, and so on. Unhappily, you read similar reports daily.

Now Touro synagogue stands as a symbol of all religions in their endeavor to stem this tide. The Supreme Court decision on religion in the public schools definitely charges the home, the church, and synagogue with the responsibility of upholding moral and ethical standards.

The fathers and children of this synagogue met these standards, as Jews and as Americans. And so did the others of their faith who were on hand at the birth of this Nation. When the first shot was fired in the War for Independence, there were only 2,000 Jews in a population of 2 million. Jewish volunteers were in the militia of every colony and in the Continental Army. One was George Washington's aide-de-camp, Col. Isaac Franks. Four were lieutenant colonels, and three were majors. Not many years later, the young Nation had as its highest naval officer, Commodore Uriah Levy, known as the daredevil of the seas, a hero of the War of 1812, and even more a hero in the eyes of American sailors, for he was the man who persuaded Congress to abolish flogging on our ships.

Another warrior of 1812 was Judah Touro, son of the first rabbi and true father of this synagogue of Congregation Jeshuat Israel. Fighting under Andrew Jackson in defense of New Orleans, Judah was shot down on the battlefield and abandoned as dead. He was carried back to life by his best friend—who was none other than the great-great-grandfather of the present noted Senator from Massachusetts—LEVERETT SALTONSTALL. He was also the devoted friend of Daniel Webster and John Quincy Adams.

Judah Touro lived to carry forward one of the noblest traditions of Judaism. He raised the concept of philanthropy to new heights, becoming perhaps the first American to put the welfare of the whole community above considerations of creed or race. He made possible the completion of the Bunker Hill Monument. In New Orleans, which was his adopted city, he founded the public library and the famous hospital that bear his name.

Judah Touro's will, included a wide variety of bequests to such institutions as a Catholic boys' asylum, a seaman's home, a fund for widows and orphans. He thereby established the pattern of openhearted, nonsectarian giving which has since been followed over the years by many other Jews of this and other communities whose contributions to public welfare, to medical and scientific research, to education and the arts, have reflected an all-embracing love of America.

In our own time, the cavalcade of George Washington's Jewish patriots has multiplied beyond his imagining—250,000 Jewish soldiers and sailors in World War I, 550,000 in World War II. The numbers would astound him, but the performance would not. He would not find it surprising that the famous "lost battalion" of the 77th Division in World War I, which held the enemy at bay for 4 days in the Argonne Forest and refused to be starved or shelled into surrendering, was manned by Jewish recruits from the East Side of New York.

Nor would General Washington marvel at the tragic but wonderful story of Benjamin Hower—an orphan who was liberated from the Nazi death camp at Auschwitz by one of our captains in World War II. The boy had only one wish—to become an American citizen. In gratitude for this gift, he immediately enlisted in the U.S. Army. And, at 19, this new American who had longed for freedom died defending it in Korea.

From first to last—from Pvt. Francis Salvador, the first of his faith to die in the Revolution, to Pvt. Benjamin Hower in Korea—the Jews of this country have fought for a way of life envisioned by their ancestors many, many centuries ago and brought into tangible being by the builders of this synagogue. Its first leaders—Moses Seixas, Jacob Rodrigues Rivera, Moses Levy, Aaron Lopez, Isaac Hart—they and all the rest, together with their fellows of all religions and ancestries, left us in possession of man's greatest gift, freedom of conscience. And in securing this basic human right, they left us equipped, as no other people have been, to help make human rights secure for all mankind.

(Freedom to believe means freedom to act. And when a free and believing people make up their minds to act, their power to achieve is astounding.)

This I saw borne out 18 years ago at the drafting of the United Nations Charter. There, at San Francisco, were gathered the spokesmen of American citizens' groups—religious and educational associations, farm, labor, and business organizations—who had been invited to serve as consultants to the U.S. delegation.

Judge Joseph M. Proskauer and I had the privilege of being among them, as the representatives of the American Jewish Committee and I shall never forget the talk we had with President Roosevelt less than a month before his death. To us, he said: "Go to San Francisco. Work to get those human rights provisions into the charter so that unspeakable crimes, like those of the Nazis, will never again be countenanced by world society."

There, in San Francisco, one could hear the American people pleading the cause of liberty, demanding that provision for an international bill of rights be written into the United Nations Charter. "We know all peoples can live in peace," they said, "but only when the dignity of the individual is secure."

So we were able to play a leading role in having human rights provisions included in the charter of the United Nations. For the first time in history, respect for human rights and fundamental freedoms was made a matter of vital, international concern, and goal.

And as a result, the United Nations, 15 years ago, adopted the Universal Declaration of Human Rights—the first bill of rights for the world. While this historic measure is not yet binding in a legal sense, nevertheless, like the message of George Washington, it has raised a standard, and its principles have been adopted in scores of new constitutions and treaties. Its promise of hope has reached freedom-hungry people in every corner of the earth.

The declaration tells men and women everywhere that they are, each and every one, entitled to vote, worship and speak freely, to be assured equal justice and equal opportunity, regardless of color, creed, or nationality. Millions in many lands would not be suffering terrorism and tyranny today if these rights were respected.

Your speaker had a chance to note at close hand the international impact of the principle of human rights, when he had the privilege of serving as a U.S. delegate to the United Nations, along with your distinguished Senator from Rhode Island, JOHN O. PASTORE. There is a truly dedicated public servant.

Bear in mind that the happenings we deplore and the tensions which disturb us in our own country are the growing pains of equality. But there are places in the world where equality cannot grow because it is still waiting to be born. There are places where freedom of religion, instead of being celebrated, is being annihilated. There are cities like Minsk, in the Soviet Union, where even as we were preparing for this thrilling event, a synagogue older than this one, the last Jewish house of God in a community containing over 50,000 Jews, was doomed to be torn down. That same city, before the Hitler invasion, had a Jewish population of a quarter of a million. Those who survived the onslaught of nazism now find themselves beset by another regime grounded in contempt for the rights of man.

And here may I say that one of American Jewry's lasting contributions to human welfare is its unceasing effort to help the victims of Hitlerism rebuild their lives and rehabilitate their shattered communities. One of the instrumentalities of this rebuilding is our participation, along with representatives of Jewish organizations in the other free countries of the world, in the conference on Jewish material claims against Germany, and serving as its senior vice president has been one of the most satisfying experiences of my life.

Not that there can ever be adequate compensation in any material sense for the unspeakable crimes of the Nazi era. There is no way of paying for human anguish. Nothing can ever condone the murders and human tortures. But through the claims conference we are succeeding in securing partial restitution and individual compensation for material wrong, so that the lot of many surviving victims now in Israel and in other lands, including our own, is at least being somewhat eased. Also through claims conference assistance the many Jewish communities which were destroyed in Europe are being rehabilitated and assisted in reviving their Jewish traditions.

The reparation and compensation protocols and legislation which we obtained from West Germany in 1952 were historic and large in scope. They have done great good. They will cost West Germany approximately $5 billion. But there are still deserving, essential categories that will not be met by that legislation, and we must, therefore, get enlargements of the existing legislation, which it is estimated may cost West Germany another $1 billion.

Your speaker returned just a few days ago from West Germany where, with the other two senior officers of the claims conference, we had several days of vital conferences with each—Chancellor Adenauer, Vice Chancellor Erhard, Foreign Minister Schroder, Finance Minister Dahlgrun, and other government officials—and also valuable help from our new U.S. Ambassador to Germany, George C. McGhee. We are making progress, but are having difficulty getting Germany to acquiesce in doing as much as the circumstances warrant and require. We will persist in our demands.

The inescapable truth revealed by World War II is now driven home to us by the space age. Distance is obsolete. Whatever disaster strikes at any group or any nation must ultimately affect all groups and all nations and the peace of the world.

The era of escape is past. Our American ancestors escaped oppression on many different boats. But today peoples everywhere are in the same boat. Whether we survive or perish depends not on fair winds or foul, but on our wisdom in adhering to the course of unswerving conviction which guided the builders of this congregation and this community. The rulers that drove them to these shores, the potentates and persecutors who tried to silence and subdue their faith are no more. But this Touro Synagogue stands undiminished in its grandeur.

And as we celebrate this 200th anniversary of the dedication of this synagogue, I end with a quotation of Carl Van Doren, spoken at a previous Touro celebration:

"When, as this afternoon, a generation honors a shrine consecrated to justice and holiness, that generation does honor to the best in itself as well as to the shrine. Those who here pay tribute to history now make further history, and become themselves a part of it."

THE RUSH OF AUTOMATION

Mr. BOGGS. Mr. President, it is commonplace to say that today's world is moving swiftly. I am afraid many of the people who say this, however, are still unaware of just how fast the automation pace is and how much it will influence our lives.

We have grown up in a world where work is the accepted role of most human beings. It is almost inconceivable to imagine a world in which most of us did not spend our most productive hours in earning our daily bread.

Yet the time has already come, in selected pockets of U.S. industry, where machines do the real work and man is only a caretaker. His work is negligible to what is accomplished.

And the machines are getting more competent all the time. They are gobbling up at a tremendous rate the work humans used to do.

It appears to me that a tide of industrial revolution is engulfing us, yet the force of the tide is felt chiefly by those swamped by it and those in industry dealing with it.

This is why I introduced last year, and again this year, a bill calling for a White House Conference on Automation, a conference which would be preceded by a thorough study of automation by local and State groups. Such a national forum, I believe, would help greatly to acquaint the country at large with what is going on. The country needs to know. Everyone is being affected, one way or another. It is becoming increasingly rare, for instance, for a person to be able to choose a career as a youth with any firm expectation of being able to follow that career for the rest of his working life.

A White House conference would focus concerted emphasis on automation, and hopefully suggest avenues for coping with its problems as well as enjoying its benefits.

The current issue of Life magazine carries an article on automation by Keith Wheeler which effectively, if perhaps a little frighteningly, summarizes the extent of automation today, and hints at prospects for its future. I ask unanimous consent that a copy of this important article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AUTOMATION—BIG LABOR HUNTS FOR THE HARD ANSWERS

(By Keith Wheeler)

Recently John I. Snyder, Jr., a conscientious man of 54, sat in the darkened Park Avenue boardroom of U.S. Industries Inc., in New York City watching his mindless monsters at work. They both pleased and troubled him. Snyder is chairman of the board of U.S.I., whose chief pursuit is the design of automated production machines.

On a movie screen, two of U.S.I.'s mechanical gremlins were showing what they can do. Now and then a pair of flesh and blood hands would appear and demonstrate that almost anything that hands born of woman can do the gremlins can do better, faster, more cheaply.

Snyder knows well that his contraptions—and their bloodless brothers now being turned out by about 200 American firms—already have provoked crises in the human hives of organized American labor. But extension of this thought goes beyond the problems of labor unions—and worries him even more. It is the idea that, unless society summons the will and imagination to alter itself to the rhythms of a new kind of technology, his kids and yours and mine may grow up with nothing much to do but loaf.

Snyder's worry is not new and his is by no means the only mind wrestling with it. But it is too big a problem for the imagination to take a firm grip on it. A few weeks ago in a labor-industry-Government seminar on what to do about automation, labor-management relations counsel John F. O'Donnell from Columbia University thought the conference was shot through with unreality.

"We now have 68.1 million people working and 4 million out of work," he said. "But if the Labor Department's own 5-year projections are correct and if you convert percentages into people, we'll have only 64 million working and 14.6 million crying for work in 1968."

However, there is more than one way to skin a statistic. Secretary of Labor W. Willard Wirtz recently held a 2-day meeting with the country's labor press editors in Washington. During the discussions, Robert Myers, a Department statistician, used the same general statistical projections to estimate that our unemployment will have increased by only 1.6 million by 1967.

Under Secretary of Labor John F. Henning suggested a less sanguine prospect by calculating that in the 1960's the economy must provide 36.5 million new jobs to stay even. Population growth, he said, will produce 12.5 million new humans in the work force, while at the same time the increase of productivity per worker—largely as a result of automation—will eliminate 24 million jobs in this decade. These are the rough dimensions of the problem and worthy of all the attention they can get.

Nobody—not even the labor unions most directly affected—asserts that automation, by itself, is an evil. The people, the economy, the Nation already reap enormous benefits from the technological explosion. It provides more goods and services of higher quality at lower prices. The highly automated telephone industry, for example, has tripled its volume of traffic in 23 years; were it not for automation, the phone companies alone would now need the services of nearly all the working women in the country as operators to handle their increased business load. Also, as its momentum gathers, automation creates new industries of its own—and with them, new jobs of its own. Importantly, it helps the Nation maintain a competitive position in world markets.

But while automation promises a fuller life for most people some day—if it can be understood and controlled—it offers no comfort to human beings caught right now in the undertow of the technological tide. This article will show how the machines lie somewhere near the core of today's surprising wave of anger against American labor unions. It will suggest that, at the same time, the machines have begun to force a subtle but healthful change in the traditional, hidebound hostility between labor and capital. It will outline some of the more imaginative and fruitful, but so far inadequate, efforts to save man from his own creations.

But first, a look at two of the machines and their maker. One of John Snyder's performers, called by the glamorless title of Vibratory Bowl Feeder, is a lustrous disk with a spiral ramp rising at the edge. It can be loaded with a helter-skelter of things—erasers, screws, metal parts. The disk appears to be rotating but is not; the illusion is caused by an invisible vibration which sets the load into a sedate, outward-trending waltz until, one by one, the pieces leave the dance floor and move up the ramp. Crisis awaits them at the top: Those which arrive right side up and front end to are allowed to pass; but any maverick which comes upside down, backward, topsy-turvy, or is in any way defective or unlike its fellows is contemptuously flicked back to try again.

The other machine, with the sexier name of TransfeRobot, is a swinging arm and hand, but infinitely superior to any human arm or hand. It is absolutely tireless. Whatever it picks up and puts down it always picks up and puts down in the same place and attitude to within 0.002 of an inch.

Alone or in combinations, the disk and arm sort things or take things from one place to another or, getting more complicated, bring together and assemble the parts of complex electrical switches or, getting delicate, sort, select, and pack boxes of chocolates. The hand can exert any kind or degree of force, from that of a vice to something more tender than a lover's caress, and can be adapted to use mechanical fingers, electromagnets or, for such oozy stuff as a chocolate cream, a gentle vacuum.

"So far," Snyder says, "we have not been able to find any material or any shape or any size it can't handle."

How many human hands might these machines replace?

"Depends on the job and depends on how far you want to carry the process," Snyder says. "The number could be close to infinite. We built an automated stamping line for Nissan Motors in Japan. It has six presses with TransfeRobot-type machines to take the stuff out of one press and feed it to the next. One man watches raw sheet metal go in and one more watches finished fenders come out. It replaces, oh, maybe 20 men altogether. But that's not all; you could extend the process right up to bolting the fender to a car. Even considering how cheap labor is in Japan, the thing saves money."

What, then, does all this mean to the muscles and hearts and minds of men who not only need to work in order to live but also, by eons of instinct, have been conditioned to understand that they need work for the sustenance of their souls?

"It means they are out of work," Snyder says. "Optimists like to compare this to the industrial revolution—but the analogy is wrong. People got hurt then because we were breaking out of an agrarian society to build an industrial society. Today we live in an industrial society, but with these new tools we are obsoleting not only our conventional machines but modern men as well. The industrial revolution created jobs. Now we're using sophisticated machines to destroy jobs."

When you destroy the job, do you also destroy the man?

"Very likely. Take yourself. Say you're sent home and there's nothing to do and no prospect of anything to do. How long does it take you to go crazy? A month, a week, a day, or just 15 minutes? Probably the last."

Well, then, why are we doing it?

"Because we must. It can't be stopped. They tried it in the industrial revolution. They even legislated against the powered spindle—but it didn't work because England had to export. It won't work today for the same reason. We're living in a competitive world."

All right, it's a competitive world. But what happens in the paradox of a world competing to make more things better and cheaper for the use of man while, simultaneously, the facts of competition begin to eliminate the need for man's muscles and, by the same token, threaten to eliminate his paycheck as a customer for the things? Obviously, the first to ram into the question head on are organized labor and industry. But the question is a cosmic one and the ultimate answer cannot yet even be sensed.

Still, under the unprecedented pressures of the new technology, a few wondrous things have come to pass. The most significant came on that traditionally bloody battleground between the steelworkers and the industry. There, just a month ago, labor and management negotiated an amicable settlement guaranteeing at least 2 years of labor peace. The agreement's chief feature was one designed to spread the diminishing work by giving senior employees a 13-week vacation every 5 years. The agreement, which includes no wage increase as such, was worked out by the labor-management human relations committee, which was created to ease the agonies of automation and salve the frictions of strike deadlines by keeping the two sides in continuous contact.

This was the first big payoff in what one observer describes as "a feeling that some parts of both labor and capital are trying to find a new place to stand. There's a small but noticeable trend away from the old idea of the-hell-with-him-he's-my-enemy and toward the hope that maybe they can work it out as partners."

Here and there, the groping for sensible answers—though it sometimes hurts—results in tangible action. To save "King Coal" from fading into a dethroned memory, the United Mine Workers cooperates with management to automate the mines. American Motors shatters industry precedent by offering its employees a profit-sharing plan. One aristocratic union, New York Local No. 1 of the Amalgamated Lithographers, led by its energetic and unorthodox president, Edward Swayduck, violates all union tradition by paying for full-page ads denouncing featherbedding and opting for all the automation the industry can devise. In partnership with one employer, Kaiser, the steelworkers actually agree to go whole hog for ultra-advanced technology and split whatever it saves. The Chicago local of the Flat Janitors Union digs its treasury out of the mattress and risks it all on a creative project designed to make more jobs for its members.

But these are the brilliant exceptions. For the most part, both management and labor still stand toe to toe and ready to slug it out. Now, however, there is a mighty difference. Thirty years ago labor marched in the battle for wages and hours and for the right to organize. Today the machines are marching against the blue-collar workingman and the battle is elemental—the struggle for survival.

The unfortunate result is that lately organized labor has been causing and catching more hell than it has for a generation. The most compelling force in the railroad crisis has been the battle to save almost all of an entire occupation—the firemen—from extinction. In their grim efforts to hang on somehow, the firemen are denounced for featherbedding, hanging around the neck of the economy like a decaying albatross. They are by no means alone; uncounted thousands of other American workers whose jobs have been eliminated by improved technology still cling to them, although their actual usefulness has become highly debatable.

The struggle to hang on in the face of widening automation was behind the costly and resentment-breeding newspaper stoppages in Cleveland and New York and the east and gulf coasts' longshoremen's strike.

To the printers the real enemy was punched or electronic tape which, when fed to the keyboards of modern linecasting machines, can reduce the composing room work force by two-thirds; so the printers fought the tape for use in setting such material as stock market reports. The beasts opposing the longshoremen were called by the perplexing new names of prepalletizing, containerizing or unitizing—all modern cargo-handling techniques which are estimated to have reduced the longshoremen's work by about 10 percent in the last 5 years.

The trouble was that these strikes tramped on a lot of more or less innocent toes. It has been estimated that the strike and lockout of 3,000 New York printers threw at least 20,000 out of work in the newspaper industry and cost the city in general at least $250 million in business.

The strike stirred up such a blast of temper that even President Kennedy condemned the stoppage as long past the point of public toleration.

The strike by 70,000 longshoremen crippled vital shipping along half the Nation's coasts and racked up costs in lost work and the breakdown of commerce that amounted to $975 million.

President Kennedy's concern about such burdens on the economy brought the reactivation last May of a long-dormant labor-management committee to fend off strikes affecting the public interest. Meanwhile, as the unions get roundly damned as barefaced pickpockets of the Nation, none of organized labor's present goals escapes suspicion. George Meany's announcement that the AFL–CIO will drive for a shorter workweek fetches a howl of condemnation to the effect that, in blind greed, labor demands ever more for doing ever less.

Making a survival drive for countrywide and industrywide contracts, the unions stand charged as ruthless monopolists—and there is talk of antitrust legislation. Actually, however, the strength of organized labor has been waning for at least 10 years, rapidly in the last 5. In 1955, when at last AFL and CIO reached the altar in a loveless marriage of convenience, President Meany pledged that the couple would then go out and organize the unorganized. Eight years have passed but the only major union to pick up significant new membership has been Jimmy Hoffa's Teamsters—who are not even recognized as respectable in-laws. Total union membership in the United States today is about 18 million—almost exactly where it was in 1955 when, of course, the population was smaller. The grand total of members is only one-fourth of today's civilian work force of 72 million plus.

Various excuses are advanced for the dwindling of the ranks. It is said that the crusading fervor of the 1930's and 1940's has faded into fat-cat complacency. Some say that labor's reputation is too hoary and heavyhanded to win acceptance by the growing white-collar class. It is charged, and justifiably, that jealous unions wrangle so over who is going to organize whom that nobody gets organized. A company-to-union liaison officer in General Electric's big Schenectady, N.Y., plant believes that "unions have become an anachronism to workers. In this plant the average guy makes about $138 a week, has two cars, a house, and a kid in college."

While such opulence may still be true of skilled workmen—though that second auto would seem hard to come by on $138 a week—it is anything but true of the area where machines are hitting first and hardest. This is on the production lines of basic manufacturing, traditionally the largest sector of the economy. Since 1957, the Labor Department reported in a recent manpower survey, 775,000 actual production jobs have been wiped out; automation was cited as a major contributing villain to this destruction. As individual unions, the heaviest sufferers so far has been the autoworkers, down 168,000 members since 1953, despite the glittering fact that 1963 is that industry's alltime Golconda; the steelworkers, down 200,000 since 1956; the mineworkers, down 500,000 working miners since 1945; all railroad workers down 670,000 since 1947. The erosion of productions jobs of all kinds became clear by 1956 when, for the first time, white-collar workers began to outnumber blue collars in America.

The revolution has brought the coinage of new terms to describe people who have no work. They are called "the unhired." These displaced or unplaced humans represent not only despair for themselves but, for organized labor, a painful and ironic loss of both manpower and revenue.

"It may sound cynical but a lot of these people probably are not ever going to be hired at all or hired again," says a veteran labor observer. "Practically speaking, as long as a man has no work and so is not a factor in the economy, how can you organize him? Marginal workers can never bring back in dues what it costs to organize them. Unions, too, must think about cost accounting."

In the superheated climate of public resentment, the unions are accused of being just too disgustingly rich. But until very recently few outsiders could even guess what any one union might be worth. The first opportunity for the public to take a worthwhile peek into the countinghouses of labor came with passage of the Landrum-Griffin bill, which required unions to file annual financial statements.

The first batch of reports for 1961 is still being digested by the Department of Labor, but the Department has recently disclosed that labor is far less affluent than supposed. The report fixed the total of wholly owned union wealth at about $1.5 billion, which comes to something less than $100 each for every union member in the country. The Department's list of the 10 wealthiest unions included: International Brotherhood of Electrical Workers, $111 million; United Mine Workers, $110 million; Ladies Garment Workers, $44 million; Teamsters, $38 million; Steel Workers, $31.5 million; Auto Workers, $30.7 million; Locomotive Firemen, $29.3 million; Bricklayers, $26.3 million; Machinists, $22.9 million; Hod Carriers, $21.3 million. But some were worse than broke—notably the International Longshoremen, which reported itself $694,000 in the hole.

The richest list provoked indignant denial from the Electrical Workers' president, Gordon Freeman. He declared that the listed total included $102 million which actually belonged to the union's pension and death benefit fund. He pointed out that even the entire reported total wealth of all unions, $1.5 billion, would still be peanuts compared, say, to the $24.6 billions assets at A.T. & T.

Calculation of labor's wealth has frequently been distorted by this confusion between union-held treasure and the very much larger capital accumulations in the Nation's pension and welfare funds. The Labor Department has disclosed that 120,510 such funds held assets of $52.2 billion at the close of 1960 and were then growing at a rate of $4.5 billion a year. Most such funds are trusteed, however, and only 1 percent are exclusively controlled by union officers. Moreover, the workers who are designated as the eventual beneficiaries of the funds include far more nonunion than union employees, up to and including corporation presidents.

It is fortunate that such cushions for the jolt of economic dislocation do exist; it seems likely that something similar eventually will have to be devised to protect a lot more humanity. Thus far the foremost victims of automation have been the most helpless to fight back. They are the very young looking for a first job, especially school dropouts who possess neither training, experience, nor seniority; the elderly, who are ill-equipped or temperamentally unwilling to have their lives uprooted; and the nonfavored minorities, Negroes and Puerto Ricans.

The plight of the minorities, indeed, adds a powerful surge to this year's tides of racial strife. Hammering at the door for social and educational equality, the Negroes are ready to fight, and fight now, for equality in jobs and access to them. Here again the unions, particularly the building-trades unions which have long been all but closed to Negroes, stand accused.

But it is clear that automation is eliminating not only the unskilled or semiskilled production worker. Indeed, it already has penetrated beyond unions as such, is reaching deep into the white-collar class and, as it develops, seems unlikely to respect anybody. For example, the machines have taken much more than a bridgehead in the communications industry—as anyone knows who ever dialed a Los Angeles telephone number direct from New York or Chicago without the aid of a human operator.

It was once optimistically believed that the still-growing service industries might soak up the extra labor supply. But the army of mechanical hands ready to perform countless service functions is expanding too fast to be ignored. We are already accustomed to automatic elevators, cigarette machines, drink and candy vendors, laundromats, machines that collect tolls or make change. It does not often come to mind that each gets rid of one or more human beings.

Not long ago Macy's, New York, even tried out a machine that sold 36 different garments in 10 sizes and styles. Moreover, it would accept coins, or $1 and $5 bills and make change, and scornfully kick back counterfeit currency. The store gave up the experiment, deciding rather reluctantly that we had not yet quite reached the stage of shopping for soft goods in a slot machine. But if the thing is ever perfected, it raises the interesting possibility that a store could get everybody off the payroll except the complaint clerk. The machine did not surrender tamely; it is now set up in post offices in 10 cities, selling stamps, envelopes and postcards, and spurning phony money.

President Joseph Beirne of the Communications Workers predicted in his recent book "New Horizons for Labor" that the day will come when most U.S. workers will be "people in white coats baby sitting for push buttons." The prediction cannot be taken lightly. Machines which need very little help from humanity are well past the point of mere automation, which is to say, doing repetitive physical chores more accurately and rapidly than man and without such human fringe needs as vacations or hospital insurance. The electronic computer long since settled down comfortably as a day-to-day workhorse, taking over much of the routine and even the sophisticated clerical and statistical work of business and government.

The U.S. Veterans' Administration has installed computers to chop away all but 3,000 of 17,000 employees who once processed insurance claims. A city department store gives a computer the chore of checking 50,000 transactions in 30 minutes. An airline has tied all its ticket offices together in a computer system which keeps track of traffic, assigns passengers to seats, and even joggles moonstruck human clerks with a reminder to take down the customer's phone number.

The next step is called "cybernation." This is a fairly new term coined by dismayed man from the Greek kybernētēs, which means "steersman." It describes a world controlled by electromechanics in which machines take over most of man's functions, mental as well as physical—excluding only eating, sleeping, dreaming, complaining, and making love.

Cybernation takes account of both automated doing machines and computerized analyzing and deciding machines. When the most sophisticated of the doers and thinkers are mated, they can reduce most of mankind to the wretched role of consumer, foreseen by Aldous Huxley in his grisly 1932 science fiction, "Brave New World."

Let no stubborn optimist hope that the robots will not be mated, for they already are. Photon, Inc. of Wilmington, Mass., which manufactures photoelectric typesetting machines, has come up with a new gadget named, with terrifying accuracy, "Zip." Zip links the old model-T, semiautomated photographic typesetting principle to computers capable, when so instructed of remembering, selecting and giving orders. The result is a device which can set type at the rate of 450 characters a second while, at the same time, revising and updating such rapidly changing material as telephone books. Zip is roughly 50 times faster than the best previous man-machine combinations for doing the same thing. Zip could reset the entire Manhattan telephone directory, all 1,804 pages of it, in just 29 hours and 43 minutes.

The Fund for the Republic recently financed a study of the outlook for cybernation which was conducted by the Center for the Study of Democratic Institutions. Commenting on the versatility of so-called "learning" and "decision-making" machines, the study remarked rather snottily that some now seem capable of only "a fair amateur game of chess." But it admitted that the same machines are whizzes at checkers. They get so good that, after 10 to 20 hours of instruction, they begin to devise original strategy and tactics and to beat the human who taught them the game.

"It is no fantasy, then, to be concerned with the implications of the thinking machines," the study observes. "There is every reason to believe that within the next two decades machines will be available outside the laboratory that will do a credible [a last-ditch human would have said "creditable"] job of original thinking, certainly as good thinking as that expected of most middle-level people who are supposed to 'use their minds.'"

Finally, in the envisioned society which promises the elimination of most human effort, except for a tiny elite of bosses and technicians who build and teach and more or less understand the machines, the big question must be asked: what do we do with the people?

Many old-style human brains are worrying about the problem today. There are even a few people actually doing something about it. Unluckily the worriers outnumber the doers.

The head worrier is Secretary of Labor Wirtz. But the Secretary sounded none too confident in recent testimony before a House subcommittee. "We have been assuming that the developing technology—what we call automation—will provide as many new jobs as it replaces," he said. "I say we have been assuming that. I am not sure it is right. * * * I assume we shall find those jobs because we must find the jobs."

What appeared to worry the Secretary most is the paradox that while we are fast running out of use for people, we are at the same time ironically producing people faster than ever. In the decade of the fifties, he said, we added 8.3 million new people who needed jobs, but in the sixties we are producing 12.6 million brandnew job applicants. Naturally, since humans are somewhat disorderly in their habits anyhow, this piling up of surplus new humanity does not proceed in an entirely orderly fashion. Lately every crop-year of new 18-year-olds has been a bumper one—averaging in the neighborhood of 2.5 million; but in this staggering decade the 1964–65 crop-year of 18-year-olds (babies born in 1946–47) figures to be the all-time humdinger with nearly 4 million.

Recently Secretary Wirtz took part in a day-long communal worry about the matter at the Waldorf-Astoria in New York City. He said he can foresee the development of a "human slag heap." The Waldorf session was unique because, for the first time, it brought together all three of vitally concerned forces—labor, management and government—in a common effort to tackle a monstrous human dilemma that no one or two can handle alone. However, there is little present evidence that all three together can handle it either.

Among those doing something about it, the Federal Government exhibits abundant concern but has not yet made much of a dent in the labor surplus. The administration's Manpower Development and Training Act became Federal law in 1962 but did not get moving until last September, when funds were appropriated. In the months since, 40,000 persons have been "approved" for training or retraining; 20,000 had actually begun training by last June 1 and 5,700 had completed training. By next year, if it gets the appropriations, the MDTA program hopes to have as many as 100,000 in training. After the third year, by law, the program's future will be at the mercy of State legislatures, which will have to put up half the cost—estimated at $2,000 per trainee.

Not long ago, speaking on the "stark realities" of the technological revolution, John Snyder attacked "the myth that those who lose their jobs to automation can be retrained and put into other jobs requiring higher skills and paying more money. Not only are there fewer jobs available today, but many workers are not retrainable in the first place, due to the level of intelligence, age or aptitude. * * * You cannot force people into retraining, nor can you manufacture jobs out of thin air."

This proposition is not disproved by the occasional miracles which do occur. The all-time champion retrainee is, beyond doubt, a meatcutter who, displaced by layoff at the Cudahy packing plant in Omaha, went into retraining and ended up as a professor of languages at the University of Omaha.

Some of the biggest unions are trying hard to upgrade their people to the future. The 793,000-member Brotherhood of Electrical Workers has put 50,000 employees through courses in modern industrial electronics. These schools are financed, roughly, one-half by the union and the other half jointly by union and management through the joint apprenticeship committee. On its own, the IBEW conducts courses in the care and feeding of nuclear powerplants. Top-grade men, chosen by locals all over the country, are sent to Washington to take the course and thereafter are expected to instruct fellow members in this new atomic energy technique. Similar courses are planned in the Midwest and on the west coast.

But, for the most part, the actual things done have been isolated efforts to take a chewable mouthful. Some seem only remotely related to the looming crisis of automation but, in a larger sense, as the new technology evolves, each job saved or created is a human being rescued from the machines.

One of the more exciting efforts to meet the automation crisis is paradoxically one of the smallest. It is exciting because it is dramatic and successful, and because—although its primary purpose was a frank desire to create jobs and profits for the men who undertook it—the project also embraced a much larger and unselfish concept. It is most exciting of all because of who did it. The doers were, of all people, the 9,000 members of the Chicago Flat Janitors Union.

The janitors financed, built, own, and now also sweep the halls of the most spectacular new crag on the skyline of Chicago. This is

Marina City, two dazzling 60-story, cylindrical towers for housing people and autos, raised on the banks of the Chicago River and soaring over a commercial complex which includes everything from a bowling alley and a legitimate theater to a 700-yacht boat basin.

The janitors were prodded into this adventure by their 68-year-old president, William L. McFetridge, who had just retired from wearing his second hat as president of the parent union, the Building Service Employees International. McFetridge had been brooding for years because Chicago, like many cities, was decaying at the center while people fled from their apartments to houses in the suburbs where, naturally, they no longer needed a janitor. He wanted jobs for janitors and other crafts in the union. And he believed that his union people owed some mystic obligation to help rejuvenate their town.

At first McFetridge felt the union might risk a few hundred thousand dollars. But he got title to a unique piece of real estate—about 3 acres on the riverbank, just outside the famous Loop. It was "lot 1, block 1," in Chicago's original 1857 city plat. He then commissioned a 36-year-old real estate promotor, Charles R. Swibel, and a 49-year-old architect, Bertrand Goldberg, to do justice to this fancy acreage. "Justice" simply ran away with itself. Eventually the union men had $3,100,000 of their own hard dollars on the line. Architect Goldberg's problem was to think big and imaginatively. Swibel's biggest problem was to mesmerize the Federal Housing Authority into a semantic rewriting of its rules in order to guarantee a $17.8 million mortgage. The janitors' problem was to keep a collective stiff upper lip.

Today the janitors own a $36 million ultramodern city within a city. Land next door to that which they bought for $18.50 a square foot now sells for $45. Three other projects, inspired by Marina City and totaling investments of something over $500 million, are underway nearby. The union could sell out for a profit of millions. Meanwhile, it has picked up 43 new jobs inside its own property and stands to pick up hundreds more in the neighboring new projects.

A more direct frontal assault on automation has been the highly controversial handiwork of a New York labor leader, Harry Van Arsdale Jr., business manager of Local 3 of the Brotherhood of Electrical Workers. A year ago he forced New York's construction industry to accept a 25-hour week, plus 5 hours of mandatory overtime, for his 9,000 elite A-card members, the journeymen electrical construction workers.

Van Arsdale's pitch was that new fabricating and installation techniques have "engineered all the labor out of the job." This creates more electrical work but it doesn't create more jobs.

"They wanted to know why I was insisting on it right now when there's a lot of new building going up in the city. They thought I was just building a cushion for a lot of overtime and would kill off construction by pricing it out of the market," Van Arsdale says. "But I told them I had to do it now because if I tried it some other time, they wouldn't give it to me."

To ease the blow, Van Arsdale made certain concessions. He has agreed to take in 1,000 new apprentices in a union traditionally so closely held that about the only way to get in was to be the son of a member. He also declared there would be no abuse of overtime. "To get more, you've got to give more," he told his members.

Whether the 25-hour week will prove out to the eventual advantage of both union and employers, there is no doubt whatever that Van Arsdale believes in it as an article of faith. "America will be a much better place when everybody works 4 hours a day and attends some kind of classes 4 hours," he says.

Nor is he kidding about attending classes. The local has financed 345 scholarships for the children of members and is now conducting a campaign to prevent children of lower paid members from dropping out of school. Seeking out latent talent and hoping to develop the union's future leaders, the local created what it calls the futurian society, in which more than 50 college-trained members—mostly construction workers—have conducted citizenship courses for more than 2,000 other members. Because Van Arsdale believes that every man owes it to himself to learn to use his noodle, more than 5,000 members have passed through Bayberry Land, a Long Island estate where the union conducts intensive 1-week seminars in such unelectrical abstractions as literature and world politics.

Still another, different but just as controversial, attack took effect last March 1 at the Fontana, Calif., plant of the Kaiser Steel Co. The device is called the long range sharing plan. This is not a profit-sharing plan as such—and thus differs in principle from the American Motors Plan. Instead, this is an agreement that company and workers will share—approximately two-thirds to the company and one-third to the workers—whatever can be saved by automation, improvements in technique or greater efficiency in the use of time and materials.

To the union the company promises that no worker will lose his personal employment because of automated technology. Instead, if his job is eliminated, he will go into a "reserve labor pool" and will continue to draw his pay. Men in the reserve will be occupied by whatever chores can be found for them or, if none can be found, will be a force ready to fill in for absentees or possibly to fabricate items which the company would normally buy outside. From the company's point of view, the reserve pool is an asset; instead of being off somewhere fishing or looking for another job, men will be ready at hand whenever expanded production requires more human bodies. It has been calculated that the reserve pool should not grow unbearably burdensome since the normal 8 percent annual rate of personnel attrition by death or retirement should about equal the rate of elimination of jobs by automation.

The proposal was submitted to the 5,500-member Kaiser local last January and the members voted it in by a majority of 74 percent of the production and maintenance crews and 90 percent of the clerical staff. The vote amounted mainly to acceptance in principle; many steelworkers in the production end, by long tradition, enjoy certain bonus rights contractually described as incentive pay. Historically these have made for a chaotic mishmash of pay rates, but those entitled to such bonuses are understandably reluctant to give them up. The long range sharing plan entailed the surrender of all incentive pay for those electing to take part in it. Most of the crews with incentive pay contractual rights elected to wait and see how it worked out.

Meanwhile, a surprising thing happened. Employees and employee groups began coming in with suggestions on ways to speed things up or save materials. A work gang suggested ways to calculate estimates of needed material more closely in order to save waste. Another reported that some expensive tools had been stored out in the open and should be taken in under cover before rain, rust, and dust ruined them.

Early in May, Kaiser announced the result of the first full month's operation of the plan. The improved techniques had saved $962,000 in March—a whopping windfall of $312,000 for the 3,930 workers who had got all the way in—an average of $79 per employee. By the third month the benefits had grown to $1,083,000.

"This is a good agreement," says Marvin Miller, assistant to Steel Workers President Dave McDonald and the union officer chiefly concerned in the long negotiations. "We took our time and worked out most of the bugs."

"Of course," he adds, "it's not the full answer to automation, but nothing else is either. What this does is slow down the process of eliminating people—but we know it doesn't stop the process."

Asking what the whole machine-instead-of-man process costs is like asking how high the sky is. Secretary Wirtz calculated that the Nation already loses about $30 to $40 billion a year in unused and unusable human resources. Harry Van Arsdale uses a longer yardstick: "The country cannot afford to throw away the $90 billion in gross national product that goes unproduced because people who could work can't," he says.

John Snyder, who builds automatic machines and was introduced at the start of this article, is profoundly concerned by the human implications of what he does. He has arrived at his own unique partial answer. Every time he sells a machine to displace flesh and blood, he "taxes" it from $25 to $1,000. The money thus set aside supports an institution unique in American industry, the American Foundation on Automation and Employment. The foundation is now making depth studies into several facets of the problem: the short workweek, early retirement, the older worker, Western European legislation on the subject, retraining, the kinds of education which will be demanded by the age of cybernation.

"What the total answers are nobody knows, but we are trying to find some of them," Snyder says. "I think it possible that the day will come when the machines will do nearly all the work and produce nearly all of our goods and services—even decisions—and, since there'll be little work for humans, the machines will also have to pay our taxes.

"This implies a total reorientation of human society. Humans will become wards of the machines, supported by the machines. But the great unanswerable question is, what, then, will happen to the souls of people? We have to build things from the inside out. People—living, breathing, feeling and thinking people—somehow will have to learn how to do nothing in a constructive way."

Mr. MANSFIELD. Mr. President, is there further morning business?

SUPREME COURT JUSTICES ACTING IN OTHER CAPACITIES

Mr. COOPER. Mr. President, only a few moments ago I heard the distinguished Senator from Mississippi [Mr. STENNIS] comment on the proposed appointment of Mr. Justice Arthur Goldberg to arbitrate the difficulties between the railroads and the railroad brotherhoods.

I highly approve the statement the Senator made. I have the highest regard for Mr. Justice Goldberg, as I am sure all other Senators have. We highly respect his great integrity, his ability, and his standing as a lawyer and as a judge. I am certain that, from the practical point of view, it would be difficult to find any other person in this country who could arbitrate the problem as well as could Mr. Justice Goldberg.

However, I think it is a bad precedent for the President of the United States to ask a Justice of the Supreme Court to undertake such a task; and it would be a bad precedent if a Justice should accept a President's proposal in this regard, I say this for the reason that, from the most practical point of view, the Justice would be called upon to withdraw from any cases which might come before the Supreme Court which his decision had affected. To that extent it would limit the effective work of the Supreme Court.

It seems to me also that this could create difficult problems for the members of the Supreme Court. In some case a Justice of the Supreme Court might render a decision as an arbitrator or in some other capacity, and the Supreme Court might at a later time be called upon to pass upon the case. Quite a problem might arise for members of the Court, though I am sure all Justices would discharge their duty objectively. It might be difficult to take a position either for or against the member of the Court who had acted in such a capacity.

The most important point in this regard is that such an appointment would affect the separation of powers as among the legislative branch, the judicial branch, and the executive branch. The Executive in this case is the President, who suggested the appointment of a Justice of the Supreme Court.

I say all this merely because I think it is a bad precedent. I hope it will not be proposed in the future, and that, if proposed, it will not be accepted by a Justice of the Supreme Court.

Mr. MORSE. Mr. President, I usually find myself in agreement with my friend from Kentucky [Mr. COOPER], but in this instance I find myself in disagreement with him. In my judgment the suggestion made by the President of the United States—to appoint Mr. Justice Goldberg as an arbitrator in one of the most critical labor disputes of our time—was sagacious and sound. As the President himself pointed out at the time he made the announcement of the proposal, Mr. Justice Goldberg had already made it clear that he would disqualify himself from sitting in any case before the Supreme Court which involved any aspect arising from the railroad dispute. The dispute actually arose during the Eisenhower administration, at the time of Judge Rifkin's appointment to the special board, but the dispute was still pending when now Mr. Justice Goldberg became the Secretary of Labor.

So the President was involved in a situation in which undoubtedly one of the best qualified men, if not the best qualified man, in the field of labor relations, with respect to both mediation and arbitration, was available to the President, because on this particular subject matter he would not be functioning in a judicial capacity as a member of the U.S. Supreme Court.

The President himself made it very clear it was an exceptional situation at the time of the suggested appointment. He made it very clear that it was not to be considered a precedent. He pointed out, however, that in the opinions of other Presidents, there have been other great public issues which have justified the use of a Justice of the Supreme Court for special, public service—such as the appointment of Mr. Justice Jackson to represent our Government as an advocate, as a prosecutor, in behalf of the Government of the United States in the war criminal trials known as the Nuremburg trials.

There have been other instances in which Justices of the U.S. Supreme Court have performed special services.

The fact that a Justice of the U.S. Supreme Court performed some extraordinary special service for his country upon appointment by the President of the United States could not have the slightest effect upon the judicial actions of other members of the U.S. Supreme Court. They sit as separate, independent minds under the great trust and obligation of their judicial duties, to pass judgment upon each juridical question that comes before them, irrespective of participation in the subject matter by anyone in the Court, including their own associates on the Supreme Court.

I repeat today what I said on this floor the other day: I deeply regret that the brotherhoods did not see fit to accept this great Justice as the arbitrator of the dispute, for I think the dispute ought to be settled by the application of the rule of reason and the preponderance of the evidence. It is a problem of automation that cannot be settled on the picket line. Complex economic issues, including a good many scientific issues involved—because automation includes scientific questions—cannot be settled on the picket line.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. I ask unanimous consent that I may proceed for a few seconds more.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Those questions are not settled on the picket line. So I arise not only to defend the President's decision, but to highly commend it, and again express my regret that the brotherhoods did not see fit to follow the wisdom of the course suggested by the President.

SAVINGS IN MILITARY PROCUREMENT

Mr. DOUGLAS. Mr. President, last week Secretary of Defense Robert S. McNamara made a most important report to the President in which he detailed actual savings of $1 billion which he and his associates had made during the fiscal year which ended on July 1. This record of concrete achievement needs to be studied and appreciated by every American, and I am therefore asking unanimous consent that it be inserted at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF DEFENSE,
Washington, July 8, 1963.

Subject: Department of Defense cost reduction program—first annual progress report.

A year ago, in a memorandum dated July 5, 1962, I reported to you that, through improvements in operating efficiency, we could cut the Department's logistics costs by at least $3 billion per year within 5 years, and that we would realize about 25 percent of this goal in fiscal year 1963. I have now completed a review of the results to date and the opportunities that lie ahead, and I find that they are greater than estimated last year:

1. Savings in excess of $1 billion were actually realized during fiscal year 1963, compared with our estimate of $750 million last July.

2. The actions now planned for fiscal year 1964 and 1965 will bring the estimated annual savings, to be realized by fiscal year 1967, to almost $4 billion, compared with the $3 billion estimated last July.

I should like to review the highlights of our progress to date and some of the ways in which we hope to achieve the ultimate goal of $4 billion in savings per year.

Let me note that these savings have not in any way been achieved at a sacrifice of national security. Indeed during the past 24 months we have achieved:

A 100-percent increase in the number of nuclear warheads in the strategic alert forces.

A 60-percent increase in the tactical nuclear forces deployed in Western Europe.

A 45-percent increase in the number of combat-ready Army divisions.

A 30-percent increase in the number of tactical air squadrons.

A 60-percent increase in airlift capability.

A 100-percent increase in ship construction and conversion to modernize the Fleet.

A 200-percent increase in the special forces, trained to deal with counterinsurgency threats.

The cost of these advances in our national security will begin to be balanced in future years by the very substantial savings we are assuring through this cost reduction program.

As you know, the savings are being achieved in three ways:

1. Buying only what we need to achieve balanced readiness.

2. Buying at the lowest sound price.

3. Reducing operating costs through integration and standardization.

I. BUYING ONLY WHAT WE NEED

(a) Refining requirements calculations: The best way to ensure that we buy only what we need is to start at the very beginning of the procurement process—the setting of requirements. Through a systematic and intensive review of requirements calculations, we have been able to cancel $700 million of purchases which otherwise would have been made had our procurement programs still been based on planning factors and inventory levels considered necessary in past years. The largest part of this reduction occurred in spare parts for aircraft and missiles. We expect to increase these savings in fiscal years 1964 and 1965.

Here are some of the ways in which these savings were achieved in fiscal year 1963:

1. The Army has introduced the new uniform issue priority system permitting reduction in order and shipping time by an average of 15 percent, thereby reducing on-hand inventory requirements. Fiscal year 1963 annual savings are estimated at $36.2 million.

2. By closer management control, the Navy has been able to reduce stocks of high demand spare parts on aircraft carriers by 50 percent.

3. By a detailed analysis of repair operations time, the Air Force has been able to reduce repair cycle time on high cost items from 90 to 45 days and on low cost items from 120 to 60 days. In total, the Air Force has reduced requirements on some 400,000 items with annual savings of $469 million.

(b) Increased use of excess inventories: During fiscal year 1963 almost $1.2 billion in excess inventories held by the Department and its contractors has been redistributed to other military users for current consumption or mobilization reserves. This is an increase of better than $200 million in the rate of reutilization, compared with fiscal year 1961. Our goal for the next 2 years is to increase this rate to more than $400 million over the 1961 level.

Here are some examples of reutilization of excess inventories in fiscal year 1963:

1. More than 1 million 2.75-inch rockets excess to the Air Force were transferred to the Army for use on helicopters. By spending $10 million to restore them to operational conditions, the Army is saving $41 million over the cost of new procurement.

2. Twenty J-79 jet engines excess to the Air Force were transferred to the Navy for use in KD-20-1 flying targets, thereby saving $4.4 million.

3. Five M-33 fire control systems excess to the Army were transferred to the Navy to be used as Government furnished equipment on a Navy contract, thereby saving $2.3 million.

4. Thirty-one unserviceable aircraft engines excess to the Air Force were transferred to the Army for use on Army aircraft. By spending $372,000 to put them in good condition, the Army was able to save $806,000 over the cost of new procurement.

5. Sixty-seven and three-tenths million dollars worth of parts was reclaimed from excess Air Force aircraft engines during the first 11 months of fiscal year 1963.

With excess stocks now representing a $12 billion investment, one of our most important logistics management problems is to ensure that we use every item having a further useful life. A central clearing house has recently been established at the Logistics Services Center in Battle Creek, Mich., where by the end of this calendar year a complete inventory of such items will be available. Requirements of the military departments are already being screened against this central inventory and available stocks transferred from one military department to another to meet valid needs.

(c) Eliminating "goldplating" in specifications: Last year I reported to you that we were undertaking a major effort to eliminate from our procurement specifications costly materials and fabrication processes not essential to the proper functioning of the item being bought. As a result, we are now averaging savings well over $1 million per week in reduced costs, and we expect these savings to triple during the next 2 years.

The following are some recent examples which illustrate the wide range of opportunities for such value engineering savings:

	Unit cost		Savings on current procurement
	Before redesign	After redesign	
1. "Mule" for opening and closing Minuteman silo. Substituted a commercial hydraulic for a specially designed electronic mule	$555,000	$80,800	$1,200,000
2. Air vane for Pershing missile. Substituted an aluminum casting with simplified fittings for a foam-filled plastic skin with special fittings	1,512	463	1,140,000
3. Lift truck for ASROC missile. Substituted mechanical lifting device with disk type brakes for hydraulic device with precision machined brakes	2,480	385	245,000
4. Brake fluid reservoir for T-38 aircraft. Reduced capacity from 17 ounces to 4 ounces to eliminate unnecessary capacity	178	52	50,400
5. Radiation hazard filter for airborne rocket launcher. Redesigned filter using available standard parts	13.02	4.70	83,000

II. BUYING AT THE LOWEST SOUND PRICE

It is not enough to buy only what we need, we must also buy at the lowest sound price.

(a) Shifting from noncompetitive to competitive procurement: Maximizing competition in defense procurement is sound public policy. It is one of the most effective means of broadening the industrial base and insuring that we obtain the lowest sound price on what we buy. The purchase of specialized military items, however, involves unique problems which tend to limit our opportunities to buy competitively. We are attempting, nevertheless, to expand continually the opportunities for competitive bidding even on these specialized items, and in the process of doing so we have achieved savings in the first 10 months of fiscal year 1963 of $195 million. We have found that when we are able to shift from a single source to a competitive procurement, we normally achieve a reduction in price of at least 25 percent. On 58 major procurements made competitively during the third quarter of fiscal year 1963, the average reduction was 30 percent of the price formerly paid to the sole source producer.

Here are some examples of shifts to competitive procurements in fiscal year 1963, including both end items and components:

Item	Previous noncompetitive price	First competitive price	Gross savings on fiscal year 1963 procurement
1. M-110 8-inch howitzer	$68,044	$41,415	$7,855,555
2. M-107 175-millimeter gun	68,036	41,376	3,625,760
3. R-442 radio receiver	1,519	1,034	908,890
4. RT-246 receiver/transmitter	3,976	2,692	927,048
5. RT-524 receiver/transmitter	3,074	2,036	7,338,660
6. AN/PRC-25 man pack radio	2,278	843	10,494,312
7. GRC-50, radio sets	34,478	17,411	4,300,940

To insure a concerted effort toward competitive buying whenever possible, we established specific goals to be achieved by each of the military departments and the Defense Supply Agency in terms of the percentage of awards to be made by price competition in each of the fiscal years 1963, 1964, 1965. As the following chart [not printed in RECORD] reveals, the Department of Defense as a whole in the first 10 months of this fiscal year has exceeded the full year 1963 goal; 37.6 percent of all awards were made to the lowest responsible bidder, compared with 32.9 percent in fiscal year 1961.

The estimated $195 million saved during the first 10 months of fiscal year 1963 breaks down as follows:

Estimated price savings from competition

	Millions
Aircraft components and parts	$40
Missile components and parts	24
Electronic and communications equipment	40
Vehicles (combat and noncombat)	27
Ships and components	58
Weapons and ammunition	4
Supplies and services	2
Total	195

The full year savings may be somewhat greater when final results for May and June are known. Our goal in this area is to increase total price reductions through competition by an additional $100 million each year for the next 3 years, thereby reaching an annual rate of savings by fiscal year 1966 of $500 million over the fiscal year 1961 level.

(b) Shifting from cost-plus to fixed-price and incentive contracts: The increasingly complex weapon systems resulting from the technological revolution of the 1950's led to a great expansion in the use of the cost-plus-fixed-fee contract. However, both Department and industry officials agreed that cost-plus-fixed-fee contracts not only fail to provide incentives for economy, but actually deaden management efficiency by removing the need for either the Department or the contractor to estimate costs accurately, and to plan and control programs tightly.

Accordingly, last year we established specific goals for a reduction in the use of cost-plus-fixed-fee contracts by each military department in each of the 3 fiscal years 1963-65. The goal for fiscal year 1963 was to reduce such contracts to 25.8 percent of total contract awards (compared with 38 percent in the first 9 months of fiscal year 1961) with an ultimate goal of not more than 12.3 percent by fiscal year 1965. This is a very ambitious goal but we are exerting every effort to meet it.

Improvements actually achieved by each of the military departments during fiscal year 1963 are:

[In percent]

	9 months of fiscal year 1961	10 months of fiscal year 1963	Change
Army	32.8	16.0	−16.8
Navy	24.3	18.0	−6.3
Air Force	50.6	30.2	−20.4
All Department of Defense	38.0	21.1	−16.9

As shown on the following chart [not printed in RECORD], cost-plus-fixed-fee contracts during the first 10 months of fiscal year 1963 dropped to 21.1 percent of the total—the lowest level since fiscal year 1955.

As a result of these efforts, the value of annual awards under cost-plus-fixed-fee contracts has declined by $3.2 billion on a basis comparable to fiscal year 1961. Our best estimate is that for each dollar shifted to firm fixed-priced and incentive contracts, we should be able to reduce final costs by at least 10 percent—a total saving of $320 million.

III. REDUCING OPERATING COSTS

The third broad area for improving logistics management is the reduction of operating costs by:

1. Terminating unnecessary operations;
2. Standardizing and simplifying procedures; and
3. Consolidating and increasing the efficiency of major operating services: supply, communications, transportation, and maintenance.

(a) Terminating unnecessary operations: Retention of unneeded real estate and facilities constitutes one of the largest hidden costs in defense operations. In 1961 you instructed me to review thoroughly our utilization of real properties, and, wherever possible, to consolidate activities in order to eliminate unnecessary overhead costs, free personnel for higher priority duties, and release property which could be put to more productive use by the civilian economy. Accordingly, we have instituted a permanent program of inspection and review to achieve these objectives. During the past 2 years, actions have been initiated at over 400 locations in the United States and overseas which, when completed, will produce the following results:

Real estate returned to civilian use, 265,905 acres.

Industrial plants with commercial potential made available for sale, 54 plants.

Personnel being released or reassigned, 53,310 men.

Annual operating savings, $316 million.

During the next 2 years we expect to take additional actions which will increase the annual savings to almost $450 million, with further savings anticipated in later fiscal years.

The adverse impact of these actions on the local economies is being completely or substantially offset in many cases. The Administrator of GSA recently advised me that in calendar year 1962, 26 industrial plants released by Defense were sold at fair market value of $49 million, and that these plants are now employing 27,000 workers. In addition, we have an active program to assist employees and communities adversely affected by reduction or termination of defense activities. This program has been successful in minimizing loss of employment as well as in turning the excess properties to productive nondefense uses.

(b) Standardizing and simplifying procedures: During fiscal year 1963, 16 different requisitioning systems were successfully consolidated into one standard system, eliminating extensive rewriting of information and wasted clerical effort. As a result, manpower reductions are beginning to occur, and over the next 2 years the value of clerical time saved should reach $20 million per year.

On October 1 we plan to introduce a new single multipurpose shipping document which is designed to replace the 81 different bills of lading and shipping forms now in use. The value of the man-hours which the new improved system is expected to save when fully operational is estimated at more than $30 million per year.

(c) Consolidating and increasing efficiency of operations: Actions taken during the first 9 months of fiscal year 1963 to consolidate and increase the efficiency of other logistical operations of the Department of Defense should produce savings of almost $220 million per year, somewhat more than our full year goal.

1. The Defense Supply Agency, in its first 18 months of operation, has produced results well beyond our estimates prior to its creation. DSA is now managing 1 million items of common supplies and has proved its ability to provide effective support to military users at substantially less cost than they previously incurred. Overhead savings of $31 million in fiscal year 1963, and $35 million in fiscal year 1964 are already assured. Inventories in fiscal year 1963 were reduced by 10 percent, or $240 million, and a program was initiated to consolidate DSA stocks at 11 instead of 77 primary locations. Further improvements in DSA's operating efficiency are expected in future years.

2. Communications systems savings: During the past year the responsibilities of the Defense Communications Agency have been expanded and its effectiveness improved. Consolidated procurement of leased-line services and more effective utilization of existing defense and commercial services have produced savings of $82 million.

3. Transportation and traffic management: Savings of $13 million reported during the first 9 months of fiscal year 1963 resulted from the increased use of economy class air travel, decreased cost of household goods shipments, and more economical use of airlift for cargo movements. Our goal for fiscal year 1963 was a saving of $17 million. These economies are expected to increase during the next 2 fiscal years, reaching an annual rate of $41 million by fiscal year 1965.

4. Maintenance management: Among other steps, we are installing detailed cost accounting and information systems to provide a basis for measuring and evaluating the performance of maintenance activities employing more than 1 million military and civilian personnel at some 2,000 locations. Savings from these and other reforms designed to provide more economical maintenance of equipment, family housing and other property exceeded $90 million in the first 9 months of fiscal year 1963—approximately double those in all of 1962. Our fiscal year 1965 goal for savings in these areas is over $400 million per year.

IV. SUMMARY

Last year I submitted a memorandum on the cost-reduction program reporting reforms which I estimated would produce annual savings of over $750 million in fiscal year 1963 toward a fiscal year 1967 goal of $3 billion per year. Today I can report savings of $1 billion in fiscal year 1963, one-third more than planned. Largely because of the rapid progress we have been able to make, we have now raised our goal for fiscal 1967 by about one-third—from the $3 billion proposed last year to the $4 billion which is our current goal. As these savings materialize they are being reflected in the Department's annual budget, helping us to meet the heavy burden of national defense with the least possible demand on the Nation's resources.

ROBERT S. MCNAMARA.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield to the Senator from Missouri.

Mr. SYMINGTON. I wish to associate myself with the remarks of the senior Senator from Illinois with respect to the savings reported to the President and to Congress by the Secretary of Defense.

Mr. DOUGLAS. I appreciate the statement of the Senator, who, while he was the Secretary for Air, brought about many economies, while at the same time increasing the efficiency of the Air Force. He knows whereof he speaks.

Mr. President, in view of the frequent downgrading of Congress and of congressional efforts to achieve economy, it may be appropriate to mention some of the congressional personalities and civic groups which have sought for these economies over the years.

In the House, Speaker MCCORMACK, Congressmen T. B. CURTIS, F. E. HÉBERT, and H. C. BONNER have worked for years to achieve greater economies in military procurement.

I hope I will not be considered immodest if I inquire if readers of the CONGRESSIONAL RECORD will also remember how, since 1951, I have urged the consolidation of supply functions, the greater use of competitive bidding to reduce the prices paid, and a better program of storage and utilization of stock and surplus, together with many other reforms.

The Hoover Commission, with such men as Perry Shoemaker and John Stuart and its representatives, Charles Hook and Frank Upman, have also given yeoman service in the cause, while that fine public servant, Ray Ward, has been the informed and determined spark plug for nearly all efforts at improvement.

But we were not able to make much, if any, headway with the successive Secretaries of Defense until Secretary McNamara took office. On December 30, 1960, a few days before he was sworn in, I addressed a detailed letter to him on this subject. I ask unanimous consent that the text of this letter be inserted at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEAR MR. MCNAMARA: May I first congratulate you on your appointment as Secretary of Defense. I want to wish you well in this post which is of the highest responsibility and where the opportunity to serve the country is unsurpassed.

I am writing to draw your attention to my concern, and I think that of almost every Member of Congress and of private persons who have gone into it, over what is appalling and even scandalous waste in the Defense Department's procurement and supply system. I am enclosing a number of reports and other documents concerning this. May I mention only a few points.

1. Some 86 percent of all contracts—both in dollar and number—are now negotiated rather than let by competitive bidding. This is inexcusable and results in millions of dollars in excessive prices.[1] In fact, in the reports on the latest Defense Department appropriation bill both the House and Senate urged radical reform in this area. We have been met, however, by little more than a series of justifications of the existing system instead of action to carry out the congressional mandate.

2. In the last 2 years alone, the General Accounting Office has submitted over 50 reports going into detail concerning waste in procurement and supply. The testimony of the Comptroller General before my committee indicates that these are representative samples of a much larger universe. Almost every time they go into this question, malpractices and bad practices are found.

3. There is almost a complete lack of integration between and among the supply systems of the individual services and, equally important, within the services. There is vast duplication of personnel, inventories, warehousing, etc., which can only be solved by centralizing the supply systems. This should be done immediately at least with respect to those items which are common to all of the services.

4. The stock fund system has resulted in the accumulation of excess stocks and cash. Each service seems to operate them in a different way. There is no common practice concerning them. They often involve a double appropriation. In addition, the reimbursable requirements have had the effect of preventing other services and agencies from using stock fund materials which have subsequently been disposed of as surplus.

5. The amount and disposal of surplus property is also of scandalous proportions. We are now selling off some $8 to $10 billion of surplus supplies. The question arises, "What kind of a supply system do we have which could conceivably generate such amounts?" In addition, we are receiving only 2 to 3 cents on the dollar when they are disposed of.

Furthermore, there are literally hundreds of examples of concurrent buying and selling—where one agency of the Government buys new supplies which another agency is at the same time disposing of as surplus. A recent Budget Bureau study showed that this was true in two-thirds of the examples and in their study the equipment was new, available in the same geographic area, etc.

6. The Defense Department has at hand one agency which could radically help in solving some of these problems. That is the Armed Forces Supply Support Center. But it is not being properly used. Services have, in effect, a veto over its activities and its hands have been tied.

At the moment the Armed Forces Supply Support Center is attempting, under great difficulties, to match the excess or surplus supply inventory with requirements of the services. But much more is needed. There should be a complete inventory of all supplies so that new procurement or requirement can be matched, against existing stocks. This is not now true and calls for a central agency where all procurement requests can go and be matched against existing supplies before new purchases are made.

In this connection also, many of us believe that the services have excessive quantities in

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[1] May be billions.

> their various inventory categories, i.e., mobilization reserve, etc.
>
> I believe that great savings can be made in procurement and supply in the Defense Department. To summarize—there must be more competitive bidding, greater centralization of purchase and supply, much more efficient handling of the surplus supply and disposal system, and the reform of the stock fund and reimbursable requirements.
>
> Fortunately, these reforms can take place under existing law. The Defense Department does not need legislation to effect these reforms.
>
> I think the motto of the Department should be to "use it up, wear it out, make it do," wherever possible. As a minimum, I believe that $2 to $3 billion per year could be saved by merely beginning on these reforms. These savings should then be translated into more missiles, tanks, and combat troops so that our country can be more adequately defended and our people protected.
>
> With best wishes.
>
> Faithfully,
>
> PAUL H. DOUGLAS.

Mr. DOUGLAS. The Secretary responded by setting up a quarterly conference with the congressional critics, and programs of action were jointly discussed and approved and reports made on progress. It is impossible to give Secretary McNamara and his associates, Roswell Gilpatric and Thomas Morris, adequate credit for the splendid way in which they have worked at this problem, while General McNamara has done an excellent job as head of the Consolidated Defense Supply Agency.

There still remains a great deal to be done, particularly in the field of obtaining more competition in the awarding of contracts, but since the reforms of Secretary McNamara and his associates are being vigorously opposed both within and without the armed services by those who are still attached to the old wasteful order, we need to appreciate the Secretary's qualities while he is here and under fire and not merely after he has gone.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DOUGLAS. Mr. President, I ask unanimous consent to have 3 seconds more.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOUGLAS. The judgments of history may ultimately come, but they are seldom of much direct service in the concrete struggles of life.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield, with the consent of the Chair.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator may have 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SYMINGTON. I say, with great respect, that the senior Senator from Illinois is exceedingly modest. The work he has done in the years I have been in the Senate on consolidating procurement has been one of the primary reasons for the recent successes in this field, and the American people should be grateful to him for the work he has done over the years.

Mr. DOUGLAS. I thank the Senator. I hoped I would not be considered egotistical if I spoke about this matter.

AMENDMENT OF LEAD-ZINC SMALL PRODUCERS STABILIZATION ACT

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate and made the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 3845) to amend the Lead-Zinc Small Producers Stabilization Act of October 3, 1961.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate resumed the consideration of the bill.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate go into executive session to consider a nomination on the executive calendar, which was reported earlier today by the Senator from Arkansas [Mr. MCCLELLAN], and which has been cleared by both the minority and majority leadership.

The motion was agreed to, and the Senate proceeded to consider executive business.

U.S. CIRCUIT JUDGE

The legislative clerk read the nomination of Pat Mehaffy, of Arkansas, to be a U.S. circuit judge for the eighth circuit.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

CONSERVATION OF WILDLIFE RESOURCES IN OREGON AND CALIFORNIA

Mr. MUNDT obtained the floor.

Mr. KUCHEL. Mr. President, will the Senator yield briefly, without losing the floor?

Mr. MUNDT. I yield.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 316, Senate bill 793.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 793) to promote the conservation of the Nation's wildlife resources on the Pacific flyway in the Tule Lake, Lower Klamath, Upper Klamath, and Clear Lake National Wildlife Refuges in Oregon and California.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 4, line 16, after "SEC. 4.", to strike out:

> In carrying out the policy of this Act, the Secretary of the Interior shall retain full authority to lease for agricultural purposes the reserved public lands lying within the Executive order boundaries of the Lower Klamath and the Tule Lake National Wildlife Refuges. Leases for agricultural purposes shall provide for the growing of grains, forage, and soil-building crops, except that not more than 25 per centum of the leased lands may be planted to row crops.

And insert:

> The Secretary shall, consistent with proper waterfowl management, continue the present pattern of leasing the reserved lands of the Klamath Straits unit, the Southwest Sump, the League of Nations unit, the Henzel lease, and the Frog Pond unit, all within the Executive order boundaries of the Lower Klamath and Tule Lake National Wildlife Refuges and shown in plate 4 of the report entitled "Plan for Wildlife Use of Federal Lands in the Upper Klamath Basin, Oregon-California," dated April 1956. Leases for these lands shall be at a price or prices designed to obtain the maximum lease revenues. The leases shall provide for the growing of grain, forage, and soil-building crops, except that not more than 25 per centum of the total leased lands may be planted to row crops. All other reserved public lands included in section 2 of this Act shall continue to be managed by the Secretary for waterfowl purposes, including the growing of agricultural crops by direct planting and sharecrop agreements with local cooperators where necessary.

On page 6, line 4, after the word "by", to insert "the"; in the same line, after the word "contract", to insert "between the United States and the Tulelake Irrigation District, dated September 10, 1956, or any amendment thereof,"; and after line 15, to insert a new section, as follows:

> SEC. 8. The Secretary may prescribe such regulations as may be necessary to carry out the provisions of this Act.

So as to make the bill read:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it is hereby declared to be the policy of the Congress to stabilize the ownership of the land in the Klamath Federal reclamation project, Oregon and California, as well as the administration and management of the Klamath Federal reclamation project and the Tule Lake National Wildlife Refuge, Lower Klamath National Wildlife Refuge, Upper Klamath National Wildlife Refuge, and Clear Lake National Wildlife Refuge, to preserve intact the necessary existing habitat for migratory waterfowl in this vital area of the Pacific flyway, and to prevent depredations of migratory waterfowl on agricultural crops in the Pacific Coast States.
>
> SEC. 2. Notwithstanding any other provisions of law, all lands owned by the United States lying within the Executive order boundaries of the Tule Lake National Wildlife Refuge, the Lower Klamath National

Wildlife Refuge, the Upper Klamath National Wildlife Refuge, and the Clear Lake Wildlife Refuge are hereby dedicated to wildlife conservation. Such lands shall be administered by the Secretary of the Interior for the major purpose of waterfowl management, but with full consideration to optimum agricultural use that is consistent therewith. Such lands shall not be opened to homestead entry. The following public lands shall also be included within the boundaries of the area dedicated to wildlife conservation and they also shall be administered by the Secretary of the Interior for the major purpose of waterfowl management, but with full consideration to optimum agricultural use that is consistent therewith. Such lands shall not be opened to homestead entry: Hanks Marsh, and first form withdrawal lands (approximately one thousand four hundred and forty acres) in Klamath County, Oregon, lying adjacent to Upper Klamath National Wildlife Refuge; White Lake in Klamath County, Oregon, and Siskiyou County, California; and thirteen tracts of land in Siskiyou County, California, lettered as tracts "A", "B", "C", "D", "E", "F", "G", "H", "I", "J", "K", "L" and "N" totaling approximately three thousand two hundred and ninety-two acres, and tract "P" in Modoc County, California, containing about ten acres, all as shown on plate 4 of the report entitled "Plan for Wildlife Use of Federal Lands in the Upper Klamath Basin, Oregon-California," dated April 1956, prepared by the United States Fish and Wildlife Service. All the above lands shall remain permanently the property of the United States.

SEC. 3. Subject to conditions hereafter prescribed, and pursuant to such regulations as may be issued by the Secretary, 25 per centum of the net revenues collected during each fiscal year from the leasing of Klamath project reserved Federal lands within the Executive order boundaries of the Lower Klamath National Wildlife Refuge and the Tule Lake National Wildlife Refuge shall be paid annually by the Secretary, without further authorization, for each full fiscal year after the date of this Act to the counties in which such refuges are located, such payments to be made on a pro rata basis to each county based upon the refuge acreage in each county: *Provided*, That the total annual payment per acre to each county shall not exceed 50 per centum of the average per acre tax levied on similar lands in private ownership in each county, as determined by the Secretary: *Provided further*, That no such payments shall be made which will reduce the credits or the payments to be made pursuant to contractual obligations of the United States with the Tulelake Irrigation District or the Klamath Drainage District, and the priority for the use of the net revenues shall be (1) to pay or credit to the Tulelake Irrigation District the amounts already committed to such payment or credit, and (2) to pay to the Klamath Drainage District the balance thereof until the sum of $197,315 shall have been paid as full reimbursement for the construction of irrigation facilities to the lands involved.

SEC. 4. The Secretary shall, consistent with proper waterfowl management, continue the present pattern of leasing the reserved lands of the Klamath Straits unit, the Southwest Sump, the League of Nations unit, the Henzel lease, and the Frog Pond unit, all within the Executive order boundaries of the Lower Klamath and Tule Lake National Wildlife Refuges and shown in plate 4 of the report entitled "Plan for Wildlife Use of Federal Lands in the Upper Klamath Basin, Oregon-California," dated April 1956. Leases for these lands shall be at a price or prices designed to obtain the maximum lease revenues. The leases shall provide for the growing of grain, forage, and soil-building crops, except that not more than 25 per centum of the total leased lands may be planted to row crops. All other reserved public lands included in section 2 of this Act shall continue to be managed by the Secretary for waterfowl purposes, including the growing of agricultural crops by direct planting and sharecrop agreements with local cooperators where necessary.

SEC. 5. The areas of sumps 1(a) and 1(b) in the Klamath project lying within the Executive order boundaries of the Tule Lake National Wildlife Refuge shall not be reduced by diking or by any other construction to less than the existing thirteen thousand acres.

SEC. 6. In carrying out the obligations of the United States under any migratory bird treaty, the Migratory Bird Treaty Act (40 Stat. 755), as amended, or the Migratory Bird Conservation Act (45 Stat. 1222), as amended, waters under the control of the Secretary of the Interior shall be regulated, subject to valid existing rights, to maintain sump levels in the Tule Lake National Wildlife Refuge at levels established by the contract between the United States and the Tulelake Irrigation District, dated September 10, 1956, or any amendment thereof, and regulations pursuant thereto, which shall be levels that in the judgment of the Secretary are adequate and practicable for waterfowl management purposes.

SEC. 7. The Secretary is hereby directed to complete studies that have been undertaken relating to the development of the water resources and waterfowl management potential of the Clear Lake National Wildlife Refuge. The results of such studies, when completed, and the recommendations of the Secretary shall be submitted to the Congress.

SEC. 8. The Secretary may prescribe such regulations as may be necessary to carry out the provisions of this Act.

Mr. KUCHEL. Mr. President, I think it fair to say that the legislation now before the Senate represents one of the most important pieces of conservation legislation which the 88th Congress will consider. In the previous Congress the Senate approved essentially similar legislation to this which I had the honor of introducing. It has the recommendation of every conservation group in America. It has the recommendation of the Department of the Interior of the Federal Government. It likewise bears the stamp of approval of the Fish and Game Commission of California, the State government of California, the Governor of California, every California conservation group, and various farm groups as well. It is the only bill which carries these endorsements.

As I say, I offered that legislation 2 years ago and the Senate passed it. My regret is that the House of Representatives did not have time to complete consideration of it in the previous Congress after a subcommittee there had approved it. This year, in the early days of this session, with the distinguished junior Senator from Virginia [Mr. ROBERTSON] I introduced S. 793 which is essentially the same as the legislation which was approved by the Senate a year ago.

I am, therefore, most pleased to bring before the Senate, as its pending business, S. 793, a bill representing many years of diligent effort by people aware of the supreme importance of conserving and managing, for its highest and best use, in the interest of the people, an area of the public's lands at and near the Oregon-California border. These lands, with their water and marsh areas, have from earliest time served as the sanctuary for millions upon millions of migratory waterfowl. S. 793 would preserve a portion of the original area for the purpose it has historically served.

On April 24, 1963, the Irrigation and Reclamation Subcommittee of the Senate Committee on Interior and Insular Affairs conducted a full hearing on my bill and on S. 784, a related bill introduced by Senator ENGLE. Because our bill, S. 793, is virtually the same bill as my previous bill, S. 1988, and because S. 793 dedicates four refuges while S. 784 dedicates but three refuges, the subcommittee and the full committee each concluded that the logical course is to enact S. 793 rather than S. 784 and thus S. 793 has been favorably reported to the Senate, with some clarifying amendments written into S. 793 by merging certain provisions from S. 784 to aid in achieving the primary purpose of the two bills, without, however, changing, in any respect, our basic purpose of sound conservation.

I am pleased that a number of my colleagues from both sides of the aisle have joined as cosponsors of the proposed legislation, to demonstrate the widespread interest which the Senate has in this subject.

Mr. President, the purpose of this measure is to achieve an equitable solution to a public land utilization problem that has been before the Department of the Interior for over 20 years. This bill would dedicate for the major purpose of waterfowl management, but with full consideration to optimum agricultural use that is consistent therewith, the land and water areas of four existing wildlife refuges established by Executive order plus additional nearby public lands of some 6,891 acres for a total of some 133,000 acres so dedicated. Under all circumstances, the major purpose of conservation, sound waterfowl management, would remain supreme.

In deciding how to legislate in this regard, the basic question before the committee was whether to preserve the area primarily for conservation, or to authorize management techniques and disposition of lands to private ownership so as to limit the conservation purposes in certain respects. The committee resolved the issues in favor of conservation purposes—primarily waterfowl management—because it clearly appears that such is in the public interest, not only so as to conserve the important national and international natural resource of waterfowl, but also because the maintenance of an adequate habitat for these migratory fowl is in the best interests of the great majority of affected agriculturalists. A good habitat at this location holds the birds until after the harvesting of crops to the south throughout California. That is why our State farm organizations favor this bill.

In resolving the issues in a way consistent with best conservation practice, the committee rejected contentions made by two irrigation districts. First, it is believed that it is not necessarily so, as was claimed by the Tulelake Irrigation District, California, that harm to the local agricultural interests will follow from the committee's decision that waters within the Tule Lake refuge, as elsewhere in the complex, should be at levels that are adequate and practicable for waterfowl rather than for agriculture, in the event of a conflict between the two purposes. Representatives of the district claimed that their contract with the United States forbids such a priority for conservation. However, they testified that operation of the water sumps within the Tule Lake refuge, since an unfortunate incident in 1959—and I remember that incident very well—has been under regulations of the Secretary in a manner which has not caused the district harm, such regulations being recognized by the contract itself. Yet it also appears that the interests of waterfowl have been adequately protected. This legislation merely assures that this will continue to be, and that the first consideration of the United States is sound conservation. It is hoped that an enlightened and mutually beneficial operation of the waters may continue. With performance of the district's obligation to maintain the dikes and sumps, as provided in its contract, no conflict in the priorities ought to arise. But if it did, the bill assures that waterfowl management purposes must prevail.

Second, the Klamath drainage district, Oregon, asked for some 6,365 acres of public land of the lower Klamath refuge to come under private ownership. That district suggested that the property in private ownership could carry easements favoring undisturbed perpetual public hunting rights. Nevertheless, the committee concluded that the property should remain in public ownership for the ultimate highest utilization in the refuge complex.

In doing so it was decided that it should be done in part on recommendations to that effect from the Secretary of the Interior.

In order that the legislative history may be abundantly clear, I now ask unanimous consent that the report of the committee, at pages 1, 2, 3, and the four lines at the top of page 4, be set forth in the Record at this point.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

The Committee on Interior and Insular Affairs, to whom was referred the bill (S. 793) to promote the conservation of the Nation's wildlife resources on the Pacific Flyway in the Tule Lake, Lower Klamath, Upper Klamath, and Clear Lake National Wildlife Refuges in Oregon and California and to aid in the administration of the Klamath reclamation project, having considered the same, report favorably thereon, with amendments, and recommend that the bill, as amended, do pass.

AMENDMENTS

On page 4, strike all of section 4 and insert the following new section 4:

"Sec. 4. The Secretary shall, consistent with proper waterfowl management, continue the present pattern of leasing the reserved lands of the Klamath Straits unit, the Southwest Sump, the League of Nations unit, the Henzel lease, and the Frog Pond unit, all within the Executive order boundaries of the Lower Klamath and Tule Lake National Wildlife Refuges and shown in plate 4 of the report entitled "Plan for Wildlife Use of Federal Lands in the Upper Klamath Basin, Oregon-California," dated April 1956. Leases for these lands shall be at a price or prices designed to obtain the maximum lease revenues. The leases shall provide for the growing of grain, forage, and soil-building crops, except that not more than 25 per centum of the total leased lands may be planted to row crops. All other reserved public lands included in section 2 of this act shall continue to be managed by the Secretary for waterfowl purposes, including the growing of agricultural crops by direct planting and sharecrop agreements with local cooperators where necessary."

On page 5, line 11, after the word "by", insert the word "the".

On page 5, line 11, after the word "contract", insert the following: "between the United States and the Tulelake Irrigation District, dated September 10, 1956, or any amendment thereof,"

Add a new section 8 to read as follows:

"Sec. 8. The Secretary may prescribe such regulations as may be necessary to carry out the provisions of this act."

On April 24, 1963, the Irrigation and Reclamation Subcommittee conducted a full hearing on S. 784, introduced by Senator Engle, and S. 793, introduced by Senator Kuchel for himself and Senator Robertson. S. 793 is virtually the same bill as S. 1988, 87th Congress, which was approved by this committee and thereafter by the Senate on May 16, 1963.

Both the subcommittee and the full Committee on Interior and Insular Affairs gave careful consideration to those provisions of the two bills that indicated some differences. The committee believes that the amendments set out above have resulted in a merger which has improved S. 793. Section 5 of Senator Engle's bill, S. 784, replaces the original section 4 of S. 793. This section provides that the present pattern of leasing the reserved lands within the area shall continue.

The second amendment assures the settlers and the Tulelake Irrigation District that the operation of the sump levels in the Tule Lake Wildlife Refuge will be in conformance with the contract between that district and the United States, dated September 10, 1956, which shall be levels that in the judgment of the Secretary are adequate and practicable for waterfowl management purposes. The bill, as reported, reassures the farmers in the local area of the protection of their valid existing rights.

That section of the bill, thus amended, reads:

"Waters under the control of the Secretary of the Interior shall be regulated, subject to valid existing rights, to maintain sump levels in the Tule Lake National Wildlife Refuge at levels established by the contract between the United States and the Tulelake Irrigation District, dated September 10, 1956, or any amendment thereof, and regulations pursuant thereto, which shall be levels that in the judgment of the Secretary are adequate and practicable for waterfowl management purposes."

The third amendment, adding section 8, merely confirms the Secretary's power to issue regulations under this proposed act.

The action taken by the committee conforms to the recommendation of Governor Brown, of California, when he urged a single bill encompassing the interests of the various parties concerned. The committee has tried to do this subject to the basic objective of the legislation which is conservation of valuable public resources.

DISCUSSIONS

The purpose of this measure is to achieve an equitable solution to a public land utilization problem that has been before the Department of the Interior for over 20 years. This bill would dedicate for the major purpose of waterfowl management, but with full consideration to optimum agricultural use that is consistent therewith the land and water areas of four existing wildlife refuges established by Executive order plus additional nearby public lands of some 6,891 acres for a total of some 133,000 acres so dedicated.

The basic question before the committee was whether to preserve the area primarily for conservation or to permit agricultural purposes and management techniques to limit the conservation purposes in certain respects. The committee resolved this issue in favor of conservation, primarily waterfowl management purposes, because it clearly appears that such a priority is in the public interest, not only for reasons of conservation of the important national and international resource of waterfowl but also because the maintenance of an assured safe habitat for these migratory fowl is in the best interests of the great majority of affected agriculturalists. A good habitat at this location holds the birds until after the harvesting of crops to the south throughout California.

In resolving the priority issue in favor of waterfowl, the committee believes that it is not necessarily so that harm to the local agricultural interests of the Tulelake Irrigation District will follow. Representatives of the district testified that operation of the water sumps within the Tule Lake Refuge since an unfortunate incident in 1959 has been under regulations of the Secretary in a manner which has not caused the district harm, and yet it also appears that the interests of waterfowl have been adequately protected as the bill provides that they shall be. It is hoped that such an enlightened and mutually beneficial operation of the waters can continue.

The bill also provides for—

"(1) Continuation of the present pattern of leasing, at prices designed to obtain maximum revenues, of certain lands in the Lower Klamath and Tule Lake Refuges.

"(2) The revenues from the leases (after deducting up to $50,000 per year due the Tulelake Irrigation District and the sum of $197,315 to the Klamath Drainage District) will be shared equitably with the local counties on the basis of payment of 25 percent of the net lease revenues but not to exceed 50 percent of the average per-acre tax levied on similar lands in private ownership."

The committee believes that S. 793, as amended, is a proper solution to the management of these important public lands lying at the waist of the three-nation Pacific Flyway. Further disposal of lands is prohibited, a financial contribution to local government, out of revenues from the lands, is provided for, financial obligations to two affected irrigation districts are assured out of revenues from the lands, and conservation is clearly established as the priority purpose of management in the area.

Mr. KUCHEL. Mr. President, in summary, from Theodore Roosevelt's time, an area of public lands in northern California has been protected only by Executive order for the purpose of providing a habitat for millions of migratory waterfowl in their annual trek from Canada to Mexico. That is part of the Pacific coast flyway. The proposed bill would give legislative sanction to a whole series of protective Presidential executive decrees. It will do more than that. It would provide that the fundamental duty of the Department of the Interior, representing the people of the United States, would be so to conduct the operations there that conservation purposes will be given priority. This is an excellent piece of legislation. It ought to be enacted into law.

Mr. ENGLE. Mr. President, I concur in the remarks of my senior colleague that this is an important piece of legislation. In order that our legislative record may be complete, the bill was introduced not only by us, but also by Senators ROBERTSON, JACKSON, ALLOTT, ANDERSON, BIBLE, MOSS, BURDICK, METCALF, McGOVERN, NELSON, MECHEM, and DOMINICK. I have joined in cosponsorship of the bill because, as reported by the Committee on Interior and Insular Affairs, it is a good bill. It will accomplish our basic objective of wildfowl conservation at Tule Lake and at the same time it will protect the rights and benefits of the 50-year-old Klamath reclamation project.

There was some controversy over this in California and Oregon. In February we had two bills—one, S. 784, which was prepared at my request by the Department of the Interior; the other, S. 793, introduced by my distinguished colleague, Senator KUCHEL. Essentially alike in providing for permanent establishment of the four wildlife refuges, they had one basic difference. My bill, S. 784—and an identical one, H.R. 3817, introduced by the Congressman from the area, Representative "BIZZ" JOHNSON—required specific recognition of the existing reclamation contract between the United States and the Tulelake Irrigation District. S. 793, as introduced, did not recognize the Tule Lake contract.

Well, without relating the controversy—which I think was unfortunate and unnecessary—I want to say to the Senate that in my judgment it has been resolved. The committee report—(No. 341, page 2)—is forthright. It gives us a new bill, S. 793 by number, that is consistent with S. 784 in substance. The five sections of the two original bills that were identical in language or alike in substance are left unchanged. These are sections 1, 2, 3, 5 and 7.

In section 4, pertaining to the leasing of reserved lands, the committee substituted a section verbatim from my bill S. 784. In section 6 the committee resolved the key issue by requiring operation of Tule Lake "at levels established by the contract between the United States and the Tulelake Irrigation District, dated September 10, 1956, or any amendment thereof, and regulations pursuant thereto, which shall be levels that in the judgment of the Secretary are adequate and practicable for waterfowl management purposes."

Section 8 of the reported bill also is taken verbatim from S. 784.

I hope and believe that everybody is happy. The bill as reported meets our common objectives. If adopted by the Congress it will, at long last, provide permanent nesting grounds for ducks and geese in a vital section of the great Pacific Flyway. I urge Senate approval of S. 793, as reported.

In order that there may be a complete legislative record, I have prepared an analysis of the various sections of the bills, as they were changed and incorporated in the bill before the Senate. I ask unanimous consent that the analysis may be printed in the RECORD at this point in my remarks.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

THE KLAMATH-TULE LAKE BILLS

S. 784 (ENGLE)	S. 793 (KUCHEL)	S. 793 (as revised and reported by committee)
Sec. 1: Land management policy.	Sec. 1: Identical to Engle bill.	Sec. 1: No change.
Secs. 2 and 3: Designation of wildlife areas.	Sec. 2: Same in substance.	Sec. 2: No change.
Sec. 4: Payments to counties.	Sec. 3: Same in substance.	Sec. 3: No change.
Sec. 5: Leasing of reserved lands.	Sec. 4: Similar in substance, but less definitive.	Sec. 4: Substitutes verbatim sec. 5 of Engle bill.
Sec 6: Sump areas.	Sec. 5: Identical.	Sec. 5: No change.
Sec. 7: Requiring adherence to existing irrigation contract.	Sec. 6: "Valid existing rights"—no reference to irrigation project.	Sec. 6: Substitutes in substance sec. 7 of Engle bill.
Sec. 8: Clear Lake studies.	Sec. 7: Identical.	Sec. 7. No change.
Sec. 9: Authority to issue regulations.	No provision.	Sec. 8: Identical to sec. 9 of Engle bill.

NOTE.—The original Engle and Kuchel bills were either identical in language or the same in substance in all sections except the 3 marked above. The committee adopted verbatim or in substance the Engle provisions in all 3 instances, making it in practical effect the Engle bill. However, the committee used the Kuchel name and number

Mr. KUCHEL. Mr. President, I believe the most important section of our bill is section 6. The opposition to my bill would have subordinated the conservation purposes to the requirements of the irrigation district. The opposition did not prevail. I therefore ask unanimous consent that the text of section 6 of my bill, S. 793, and section 7 of the Engle bill, S. 784, be printed in the RECORD at this point. The difference of approach will be readily apparent, and will add to the legislative history.

I ask consent, also, to include sundry letters and articles and testimony appearing in the hearings on both S. 784 and S. 793.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SEC. 6. In carrying out the obligations of the United States under any migratory bird treaty, the Migratory Bird Treaty Act (40 Stat. 755), as amended, or the Migratory Bird Conservation Act (45 Stat. 1222), as amended, waters under the control of the Secretary of the Interior shall be regulated, subject to valid existing rights, to maintain sump levels in the Tule Lake National Wildlife Refuge at levels established by the contract between the United States and the Tulelake Irrigation District, dated September 10, 1956, or any amendment thereof, and regulations pursuant thereto, which shall be levels that in the judgment of the Secretary are adequate and practicable for waterfowl management purposes.

S. 784

SEC. 7. In carrying out the obligations of the United States pursuant to treaties, international agreements, the Migratory Bird Treaty Act, as amended (16 U.S.C. 703 et seq.), or the Migratory Bird Conservation Act, as amended (16 U.S.C. 715 et seq.), waters under the control of the Secretary shall be regulated to maintain levels that in the judgment of the Secretary are adequate and practicable for waterfowl management purposes; *Provided*, That to the extent the sumps within the Tule Lake National Wildlife Refuge are maintained, they shall be operated and maintained in accordance with the provisions of section 7 (b) and (d) of the contract between the United States and the Tulelake Irrigation District, dated September 10, 1956, and the rules and regulations of the Secretary.

THE RESOURCES AGENCY OF
CALIFORNIA, DEPARTMENT OF
FISH AND GAME,
Sacramento, April 19, 1963.

Hon. THOMAS H. KUCHEL,
Member of the Senate,
Washington, D.C.

DEAR SENATOR KUCHEL: Thank you for sending us a copy of your bill S. 793, the Tule-Klamath legislation.

We are pleased that you have introduced this important conservation bill, and we are giving it our wholehearted support.

We hope that you will be successful in your endeavors to have this legislation adopted by Congress.

Sincerely,

W. T. SHANNON,
Director.

[From the San Francisco Examiner, Mar. 13, 1963]

TULE LAKE BATTLE IS NOT OVER

(By Walt Radke)

Any sportsman who thinks that battle to preserve the Tule Lake-Lower Klamath waterfowl refuges is all over, should take a look at some of the small print in the Engle-Johnson bill, presently wending its way through committee in Washington, D.C.

Congressman HAROLD T. "BIZZ" JOHNSON, in whose constituency Tule Lake lies, and Senator CLAIR ENGLE, who previously represented the area in the House, have cosponsored a measure which is strikingly similar to the famed Kuchel bill * * * with one glaring exception.

If they have their way, water levels in the Tule Lake National Wildlife Refuge would be operated and maintained in accordance with an irrigation contract.

It was under a similar contract, in 1959, that irrigators attempted to pump Tule Lake dry in an effort to force wildlife interests out, and to allow homesteading of sump areas.

The ensuing battle between the sportsmen and farmers went clear back to Washington, D.C., where the Interior Department finally had to step in and force the irrigation interests to maintain water levels compatible with waterfowl needs.

Should Congress pass the Engle-Johnson bill (S. 784), instead of the new Kuchel bill (S. 793), the farmers could still wind up in the driver's seat at Tule * * * and the ancient conflict between waterfowl conservation and agriculture would be perpetuated.

Fortunately for the sportsmen, the Kuchel bill is being supported by just about every interest other than agriculture.

The measure has the backing of the Interior Department, Governor Brown, the California Fish and Game Department, the Duckhunters Association of California, the National and California Wildlife Federations and the Izaak Walton League, the Audubon Society, among others. It also has the backing of the average Pacific flyway shotgunner and blind buyer.

Truly, a formidable list. But let's not underestimate the opposition.

[From the San Francisco Examiner, Apr. 21, 1963]

KUCHEL'S BILL GOOD FOR DUCKS, RICE

(By J. P. Cuenin)

Every duck hunter in California should immediately write to his Senator and Congressman and ask them to not only vote for Senator THOMAS H. KUCHEL's bill, S. 793, but to work for its passage.

Kuchel's bill, if passed, will not only save ducks for the hunters, but it will help to prevent the destruction of rice by the birds that will pour into the Sacramento and San Joaquin Valleys before the rice is harvested.

Over the years a great deal of the original area of the famous Upper and Lower Klamath Lakes and Tule Lake has been taken over by homesteaders. They still are trying to grab more of this perfect waterfowl area which for centuries has been the main way station for millions of ducks migrating from Alaska and the vast Prairie Provinces of Canada to California.

TWO DEFINITE FLIGHTS

We have two definite flights of ducks that reach the Sacramento and San Joaquin Valleys. One of these comes down the coast from Alaska and turns east at Point Reyes toward the Suisun Bay, and from that area spreads up the Sacramento Valley and down the San Joaquin Valley.

The second and largest flight comes to California from the Ducks Unlimited region in Canada on an overland flight, with an extended stopover at Upper and Lower Klamath Lake and Tule Lake refuges.

The waterfowl which come to us via the Klamath and Tule Lake refuges remain in that area and seldom come down to the Sacramento and San Joaquin Valleys until most of the rice has been harvested. But if there is insufficient water on the refuges, they may swarm down to our rice growing districts and clean out a great deal of the rice.

In recent years there have been as many as 7 million ducks counted in 1 day on the Klamath-Tule refuges at a time when the harvesters were busy cutting rice on the Sacramento-San Joaquin Valley's 400,000 acres of rice. If at that time there happened to be a scarcity of water on the Klamath-Tule ponds, and that mass of ducks moved down to the Sacramento-San Joaquin Valley area, there would have been a tremendous loss of rice.

NEW REFUGES

However, the Federal Government and our State government have spent millions of dollars to create about 60,000 acres of refuges scattered about the Sacramento and San Joaquin Valleys, and there was no sudden increase in the numbers of ducks, though there were some planes used to herd the birds from the ricefields to the refuges.

Senator Kuchel's bill, if passed, will make it possible for the Federal Sport Fishing and Wildlife Service to get ample water to keep the ponds on the refuges filled to the correct height to prevent another outbreak of botulism. This killed more than 200,000 waterfowl in 1946 and 1947 in those refuges.

A couple of years ago when my sidekick, Walt Radke, went up to the Klamath-Tule district to hunt with a local guide, there was so little water in the pond they intended to hunt on, they had to push their boat over 200 yards of bare mud to reach the edge of the water. They bagged limits of ducks, but with that type feather edge water, and if the temperature that could prevail in August and September had been recorded then, there could have been a big outbreak of botulism.

During the last outbreak I went up to a meeting held in Klamath. After a long discussion it was decided that the dikes should be built so that the water depth could be kept up to 14 inches. That would prevent the mud on the bottom from building up enough heat to bring on a hatch of the dreaded botulism bugs.

At a meeting of Ducks Unlimited, Dr. Karl Meyer of the University of California, known throughout the world as the great botulism expert, told us that maintaining a depth of 14 inches on the ponds would prevent another outbreak.

San Jose State College,
Department of Biological Sciences,
San Jose, Calif., April 20, 1963.

Hon. Senator Henry M. Jackson,
Senate Office Building,
Washington, D.C.

Dear Senator Jackson: This is regarding S. 793, Senator Kuchel's bill on the Tule-Klamath Waterfowl Refuge Area.

I have been long familiar with this area and the problem. I was consulting biologist for the investigator hired by the Duck Hunters Association of California in 1959, to investigate the water management problem of Tule Lake refuge at that time.

The Tule-Klamath refuges are extremely important to the Pacific flyway and whatever affects these refuges will affect the flyway.

The important factor here is the proper management of the water level of the refuges. Full responsibility for all management factors must rest with the Fish and Wildlife Service personnel. This is not possible if the water is controlled by the irrigation district. In the investigation mentioned above it was clearly disclosed that the irrigation district was deliberately withholding water in order to embarrass the refuge personnel with the hunters. This was nothing but a "squeeze play" to eventually release refuge land for homesteading and private interests.

For this reason I cannot support S. 784 which puts the water control in the hands of the irrigation district. This will merely create the same old problem.

We do not need more potatoes and grain. We do need more permanent waterfowl areas. The waterfowl of the Pacific flyway are a $20 million asset just in California alone.

I strongly urge the support of Senator Kuchel's bill S. 793. The water must be controlled by the refuge personnel.

Sincerely,

William Graf,
Professor of Wildlife Management.

Associated Sportsmen
of California,
San Francisco, Calif., April 10, 1963.

Hon. Thomas H. Kuchel,
Senate Office Building,
Washington, D.C.

Dear Senator Kuchel: This organization composed of 140 clubs and approximatley 11,000 members are most concerned with the Tule-Klamath legislation.

It is difficult to realize that people, some in political circles can so easily dismiss the importance of this Pacific flyway which unless maintained can easily sound the death knell of migratory waterfowl in the Western United States. The adverse effect such a catastrophe would have on the economical and recreational stability of these Western States would be astounding and we sincerely trust the Congress of the United States will this year provide for this area the protection so vitally required.

The membership of this association is fully conscious of your efforts in our behalf in this matter, Mr. Kuchel.

As a matter of sound principle and in appreciation of your efforts we are pledged to support S. 793 in any manner that may be helpful.

Please do not hesitate to call upon us for that assistance we may be able to render.

Sincerely,

Julius von Nostitz.
President.

Concord Sportsmen's Club, Inc.,
Concord, Calif., April 15, 1963.

Hon. Henry M. Jackson,
Chairman, Senate Interior and Insular Affairs Committee, Washington, D.C.

Dear Sir: We of the Concord Sportsmen's Club of Concord, Calif., wish to point out that section 7 of the Senator Clair Engle bill (S. 784) is totally unacceptable to the sportsmen of California. We cannot accept the use of water for irrigation before it is used for the waterfowl area.

We urge you to act favorably on a bill that is to be presented April 24, 1963, by Senator Thomas Kuchel (S. 793). We believe this legislation to protect our wildlife is fair and just.

Respectfully yours,

John Yates,
Secretary.

San Diego County
Wildlife Federation,
San Diego, Calif., April 20, 1963.

Senator Tom Kuchel,
Senate Office Building,
Washington, D.C.

Sir: This federation of sportsmen's clubs wishes to be recorded as supporting your Tule-Klamath waterfowl bill.

Very truly yours,

Sam Weisenberg,
Secretary.

Sports Council, Inc.,
Los Angeles, Calif., April 21, 1963.

Re S. 793 to promote the conservation of the Nation's wildlife resources on the Pacific flyway in the Tule Lake, Lower Klamath, Upper Klamath, and Clear Lake National Wildlife Refuges in Oregon and California and to aid in the administration of the Klamath reclamation project.

Senator Thomas Kuchel,
Senate Office Building,
Washington, D.C.

Dear Sir: Sports Council, Inc., of Los Angeles and southern California, including its combined membership of over 200 representatives and manufacturers' representatives of recreational materials and equipment are 100 percent for your Senate bill 793.

This bill will protect for many years to come the Pacific flyway in preserving the area of the Tule Lake and the Klamath as far as the Clear Lake National Wildlife Refuges, both the Oregon and California areas are in need of protection in the Pacific flyway.

Your statement in the Congressional Record, volume 109, No. 22, has been read in committee and found to be very accurate and gives full protection to all aspects of the problem, to the extent of satisfaction of those who have hunted the area for many years.

We request a "do pass" on Senate bill 793 in the meeting of the committee April 24, 1963.

Yours for conservation.

Fritz Mangold,
Executive Secretary.

Altadena, Calif.,
April 21, 1963.

Dear Senator Kuchel: We support your Tule-Klamath bill, S. 793. It is necessary that the water level be controlled in a manner which takes into consideration the needs of the waterfowl.

Thank you for your work on the wilderness bill.

Sincerely,

Walter B. Powell,
Legislative Committee,
Pasadena Roving Archers.

Santa Paula, Calif.,
April 21, 1963.

Hon. Henry M. Jackson,
Chairman, Senate Interior and Insular Affairs Committee, Washington, D.C.

Dear Sir: The Santa Paula Sportsmen's Club urges you and your committee to oppose bill S. 784. We find section 7 of said bill totally unacceptable. We feel it is inconsistent to dedicate land for waterfowl then chance cutting off the water.

The language in bill S. 793 is, in our opinion, more consistent with good practice and we further urge your support of same.

Respectfully yours,

Ralph V. Bain,
Legislative Chairman,
Santa Paula Sportsmen's Club.

Fresno County
Sportsmen's Club, Ltd.,
Fresno Calif., April 8, 1963.

Hon. Henry M. Jackson,
Chairman, Senate Interior and Insular Affairs Committee, Washington, D.C.

Dear Sir: The Fresno County Sportsmen's Club urges your support for Senator Kuchel's S. 793 relative to the preservation of the Tule-Klamath waterfowl area. We strongly feel that the Tule-Klamath area must be preserved for the use of waterfowl.

We must also oppose Senator Engle's bill, S. 784, for the reason that it will do no good to dedicate land for waterfowl and then have the water cut off. Adequate and practical water levels must be maintained for waterfowl management purposes.

We are depending on you to do all possible to protect the future of our Pacific flyway.

Sincerely,

H. Doddridge,
President.

Arroyo Grande Sportsmen's Club,
Arroyo Grande, Calif., April 10, 1963.

Senator Thomas H. Kuchel,
Senate Office Building, Washington, D.C.

Dear Mr. Kuchel: Thank you for your efforts in behalf of the sportsmen and conservations.

The Arroyo Grande Sportsmen's Club wishes to assure you of the support of the members in obtaining the passage of Tule-Klamath waterfowl legislation represented by your Senate bill 739.

Sincerely,

R. E. "Bob" McDonald,
Chairman, Legislative Committee.

Santa Ana Chapter,
Izaak Walton League of America, Inc.,
Santa Ana, Calif., April 9, 1963.

Re Tule-Klamath legislation.

Hon. Henry M. Jackson,
Chairman, Senate Interior and Insular Affairs Committee, Washington, D.C.

Dear Senator Jackson: The California Division, Izaak Walton League of America, Inc., urges strongest support for S. 793 (Hon. Thomas H. Kuchel) and H.R. 3016 (Hon. James B. Utt). Other bills introduced are unsatisfactory, particularly S. 784 (Senator Clair Engle), and H.R. 3817 (Representative Harold T. "Bizz" Johnson). Waterfowl management interests in our wildlife refuges must take precedence over the interests of the irrigation districts.

We thank you for your consideration.

Very sincerely yours,

Warren E. McCarty,
Chairman, Wildlife Committee,
California Division.

Lodi Sportsman's Club, Inc.,
Lodi, Calif., April 7, 1963.

Re Tule-Klamath waterfowl area.

Hon. Henry M. Jackson,
Chairman, Senate Committee on Interior and Insular Affairs, Senate Office Building, Washington, D.C.

Dear Senator Jackson: Senator Thomas Kuchel has a bill scheduled for hearing on April 24. We are particularly impressed with S. 793, as it provides that a water level be maintained, that are in the judgment of the Secretary of the Interior, adequate and practicable for a sound waterfowl management program.

Section 7, of Senator Engle's bill, S. 784, is totally unacceptable by the members of this club.

The members therefore respectively urge the enactment of Kuchel's bill, S. 793.

Yours truly,

Gordon L. Nichols,
Secretary-Treasurer.

Sunnyvale Rod & Gun Club,
Santa Clara, Calif., April 9, 1963.

Hon. Henry M. Jackson,
Senate Interior and Insular Affairs Committee, Washington, D.C.

Dear Senator: I would like to express opposition, in our club's name, to section 7 of Senator Engle's S. 784. We would also like to express our support for Senator Kuchel's S. 793.

Respectfully,

Al Laurinee,
Executive Officer.

Forester's Rod & Gun Club,
Oakland, Calif., April 10, 1963.

Hon. Henry M. Jackson.

Dear Sir: This is in reference to bill S. 793, Tule-Klamath waterfowl legislation introduced by Senator Thomas Kuchel asking for your support in this bill.

We of the Forester's Rod & Gun Club, associated with the Associated Sportsmen of California and its affiliates, wholeheartedly support Senator Kuchel's bill and are not in favor of Senator Clair Engle's bill S. 784, section 7.

Hoping to get your support in this matter, we are,

Respectfully yours,

Herman O. Fuller,
President.

Mildred C. Fuller,
Secretary-Treasurer.

West End Fish & Game
Association, Inc.,
Ontario, Calif., April 11, 1963.

Hon. Henry M. Jackson,
Chairman, Committee on Interior and Insular Affairs, Senate Office Building, Washington, D.C.

Dear Senator Jackson: I am writing you on behalf of the West End Fish & Game Association. We wish to express our support for Senator Kuchel's bill, S. 793, re Tule-Klamath waterfowl legislation.

We feel that Senator Kuchel has a good understanding of the situation and in his bill is considering the overall good and the need for preserving this waterfowl habitat. Therefore, we request that you lend your support to this bill, S. 793.

Sincerely,

Mrs. E. J. Dahlstrom,
Secretary-Treasurer.

West End Fish & Game
Association, Inc.,
Ontario, Calif., April 11, 1963.

Hon. Henry M. Jackson,
Chairman, Committee on Interior and Insular Affairs, Senate Office Building, Washington, D.C.

Dear Senator Jackson: On behalf of the West End Fish & Game Association, I am writing expressing our opposition to Senate bill 784, author Senator Engle, re Tule-Klamath waterfowl legislation.

We are opposed to it because we feel that the water level should be maintained at a level conducive to a good waterfowl habitat. This is the only area suitable for this in many miles along the west coast. This water level cannot be maintained if the principal use of the water is for irrigation purposes.

We request your opposition to this bill.

Sincerely,

Mrs. E. J. Dahlstrom,
Secretary-Treasurer.

San Diego County
Fish & Game Association,
San Diego, Calif., April 12, 1963.

Hon. Henry M. Jackson,
Senate Office Building,
Washington, D.C.

Dear Senator Jackson: Sportsmen from California and all the Western States urgently request that your committee again endorse Senator Kuchel's Klamath-Tule Lake conservation bill, S. 793.

We must oppose Senator Engle's bill, S. 784 because section 7 of the bill would allow depletion of the water supply.

Sportsmen are hopeful that Senator Kuchel's bill will not be held up in the House as it was last session. We ask you to actively support this fine conservation measure.

Very truly yours,

Charley Martin,
President.

San Bruno Rod & Gun Club,
San Francisco, Calif., April 12, 1963.

Senator Thomas Kuchel,
Senate Office Building,
Washington, D.C.

Sir: We members of the San Bruno Rod & Gun Club urge passage of bill, S. 793.

Ron Rovegno,
Secretary.

Stockton, Calif.,
April 15, 1963.

Senator Thomas Kuchel,
Senate Office Building,
Washington, D.C.:

Our entire club and many unattached hunters are in strong support of your S. 793. You are to be congratulated and be assured of our support.

Russell F. Chapin,
President, Stockton Sportsmen's Club.

Oakland, Calif.,
April 17, 1963.

Senator Thomas Kuchel,
Senate Office Building,
Washington, D.C.

Dear Sir: We, the members of the Key Rod & Gun Club, wish to extend our support, as to the bill S. 793, Tule-Klamath waterfowl legislation.

We oppose the bill S. 784 brought up by Senator Clair Engle.

Sincerely yours,

A. Meseke,
Secretary.

Pacific Rod & Gun Club, Inc.,
San Bruno, Calif., April 15, 1963.

Senator Henry M. Jackson,
Senate Office Building,
Washington, D.C.

Dear Sir: The Pacific Rod & Gun Club, 267 members strong, wish to advise you of their solid support to the Tule Lake bill S. 793 of Senator Tom Kuchel.

Very truly yours,

Frank L. Burgess,
Secretary.

Marin Rod & Gun Club, Inc.,
San Rafael, Calif., April 15, 1963.

Re S. 793, Tule-Klamath waterfowl legislation.

Hon. Henry M. Jackson,
Chairman, Senate Interior and Insular Affairs Committee,
Senate Office Building, Washington, D.C.

Dear Senator Jackson: As a conservation club dedicated to the preservation of fish, wildlife, and recreation, we have had occasion to examine the content of some measures now before your committee, and in particular S. 793 and S. 784.

We feel that the Tule-Klamath Waterfowl Refuge is perhaps the most important area in the Pacific flyway and must be preserved if migratory waterfowl hunting is to be enjoyed in the Western States.

May we vigorously point out that section 7 of S. 784 is completely unacceptable, and we urge the enactment of S. 793.

Our 2,300 members are of a single mind in urging your favorable consideration of S. 793.

Respectfully,

PAUL S. WARE,
Secretary.

DIXON GAME CONSERVATION CLUB, INC.,
Dixon, Calif., April 15, 1963.

HON. SENATOR KUCHEL: Our regular meeting of the Dixon Game Conservation Club, Inc., held April 9, the members went on record to support your bill S. 793 Tule-Klamath waterfowl area and oppose Senator ENGLE's bill S. 784.

There are many duck hunters and duck clubs in the central California area that would be affected by the water supply kept at all times high level to keep the Western flyway available for this area.

Very sincerely,

L. E. FERGUSON,
Secretary-Treasurer.

VALLEJO ROD & GUN CLUB, INC.,
Vallejo, Calif, April 13, 1963.

Hon. HENRY M. JACKSON,
Chairman, Senate Interior and Insular Affairs Committee,
Senate Office Building, Washington, D.C.

DEAR MR. JACKSON: S. 793 is scheduled to be heard by your committee on April 24 at 10 a.m. This bill concerns the Tule-Klamath Waterfowl Refuge, perhaps the most important area in the Pacific flyway. This refuge must be preserved if we are going to continue to enjoy migratory waterfowl hunting in the Western States.

Senator CLAIR ENGLE has introduced a similar bill, S. 784. Section 7 of this bill provides a prior use of water in Tule Lake for irrigation purposes. Obviously, it will do no good to dedicate the land for waterfowl and then have the water cut off.

The Vallejo Rod & Gun Club asks you to support Senator KUCHEL's bill, S. 793, for the reasons pointed out above.

Sincerely,

LAVERNE ROND,
President.
JOHN M. MOISEFF,
Secretary.

WESTERN CONSERVATION CLUB, INC.,
Los Angeles, Calif., April 13, 1963.

Subject: Tule-Klamath waterfowl area, Senate bill 793.

Hon. HENRY M. JACKSON,
Chairman, Senate Interior and Insular Affairs Committee, Washington, D.C.

Dear SENATOR JACKSON: On my behalf and on behalf of the members of Western Conservation Club of Los Angeles, Calif. (a group of ardent sportsmen dedicated to the conservation, protection, propagation, and perpetuation of fish, game, and forest) I urge enactment of Senate bill 793 by Senator KUCHEL, which would protect our Pacific flyway for waterfowl.

I personally feel that this bill will provide adequate and practical waterfowl management in the Tule-Klamath waterfowl area and assure us that water levels will be adequately maintained for good waterfowl-management purposes.

In reference to Senate bill 784, section 7, I feel that this section is not acceptable to the sportsmen of California and again recommend enactment of Senator KUCHEL's bill S. 793 which, I believe, is in the best interests for proper waterfowl management.

Respectfully yours,

ROBERT B. ALLISON,
President, Western Conservation Club, Inc.

DISTRICT COUNCIL NO. 3 OF THE ASSOCIATED SPORTSMEN OF CALIFORNIA,
Oakland, Calif., April 18, 1963.

Senator HENRY M. JACKSON,
Chairman, Senate Interior and Insular Affairs Committee, Senate Office Building, Washington, D.C.

DEAR SENATOR JACKSON: The delegates to district council three of the Associated Sportsmen of California have instructed me to write you in support of Senator THOMAS KUCHEL's bill S. 793 for the preservation of the Klamath-Tule Lake Refuge.

We are opposed to section 7 of Senator ENGLE's bill S. 784, which would set aside the land for the refuge but allow prior use of the water for irrigation purposes.

The Pacific duck flight is dear to the hearts of California sportsmen and the Klamath-Tule Lake Refuge is one of the prime resting places for this flight.

Thank you for your consideration of our plea.

FRANK HILLENDAHL,
Recording Secretary.

TULANE FISH & GAME PROTECTIVE ASSOCIATION,
Tulane, Calif., April 17, 1963.

Senator HENRY M. JACKSON,
Chairman, Senate Interior and Insular Affairs, Washington, D.C.

HONORABLE SENATOR JACKSON: The members of the Tulane Fish & Game Protective Association have read bills S. 793 by Senator KUCHEL, and S. 784 by Senator ENGLE, concerning the Tule-Klamath legislation. We therefore would like to go on record to oppose Senator ENGLE's bill S. 784. The reasons are section 7 of the Engle bill is totally unacceptable to the California sportsmen. We would like to urge enactment of the Kuchel bill.

Sincerely,

VILMA SHEPPA,
Secretary-Treasurer.

SAN PABLO AVENUE SPORTSMEN, INC.,
Berkeley, Calif., April 16, 1963.

Hon. HENRY M. JACKSON,
Chairman, Senate Interior and Insular Affairs Committee.

DEAR SENATOR: We, a club of 350 sportsmen, are keenly interested in the passage of S. 793. We feel that parts of Senator ENGLE's bill, S. 784, would not be to the best interest in preserving this key Pacific flyway area for aquatic birds with which both of these bills are concerned. Section 7 in S. 784, we as sportsmen and conservationists, find particularly undesirable. We therefore ask you and members of your committee to approve favorably Senator KUCHEL's bill, S. 793.

Sincerely,

WALFRID SAARNI,
Secretary.

APRIL 15, 1963.

Hon. HENRY M. JACKSON,
Chairman, Senate Interior and Insular Affairs Committee, Washington, D.C.

HONORABLE SIR: The Hayward Sportsmen's Club, Inc., is vitally interested in the passage of S. 793—Tule-Klamath waterfowl legislation, and we urge your active support.

While Senator ENGLE has done much to aid the sportsmen in the West, his S. 784, section 7, is totally unacceptable to us in that it would nullify the effect and purpose of S. 793 by providing prior use of water in Tule Lake for irrigation purposes, making it possible to draw off water for irrigation just when it is vitally needed for ducks and geese when in that area.

May we urge the careful consideration of your committee on this vital subject to western sportsmen.

Gratefully yours,

HAYWARD SPORTSMEN'S CLUB, INC.,
C. E. WILSON, *Secretary.*

[From the CONGRESSIONAL RECORD, Feb. 14, 1963]

REMARKS OF SENATOR THOMAS H. KUCHEL UPON INTRODUCTION OF S. 793 IN THE U.S. SENATE

URGENT NECESSITY FOR CONGRESSIONAL ACTION PROTECTING VAST WILDLIFE REFUGES IN PACIFIC FLYWAY

Mr. KUCHEL. Mr. President, I am honored to introduce today what I sincerely believe to be one of the major pieces of conservation legislation which will come before this Congress. In a word, this bill gives congressional recognition and protection to several wildlife refuges located in both California and Oregon, which have been established or expanded by various Executive orders of several Presidents during the first four decades of this century.

This proposed legislation is practically identical with S. 1988, 87th Congress, which passed the Senate without opposition a year ago. I regret that time did not permit the House of Representatives to conclude the consideration of this measure during the last session of the Congress. It is my hope that hearings by the Senate Committee on Interior and Insular Affairs can be held shortly and that the Senate will favorably pass upon the matter at an early date so that it might be sent to the House where similar legislation has been introduced by two Members of the California delegation.

I am honored that the distinguished junior Senator from Virginia [Mr. ROBERTSON] has placed his name on this measure as a coauthor.

Mr. President, by this measure the Congress would dedicate for the major purpose of waterfowl management, but with full consideration to optimum agricultural use that is consistent therewith, the public lands presently designated as the Tule Lake, Lower Klamath, Upper Klamath, and Clear Lake National Wildlife Refuges, the latter being in addition to the others earlier included in Senate bill 1988 of last year. Our hearings last year revealed there was no reason to exclude Clear Lake from the congressional protection being afforded its neighboring refuges and conservation and wildlife groups support the inclusion of the Clear Lake Refuge in this bill.

This bill will also, as did the predecessor, S. 1988, afford similar protection to an additional public lands area of some 6,891 acres not presently within the Executive order designation but similarly best suited for wildlife refuge use.

It is thrilling to contemplate that by this legislation Congress can preserve, for the highest and best use of the many, for all time, this total of some 133,000 acres so that this area may continue to serve as nature ordained long before man's shadow fell upon it.

Though significant, even this is a minimum reservation. When one considers that around the year 1900 there were about 400,000 acres of marsh and water in the Upper Klamath Basin, it is apparent that what we propose is neither too much nor too soon.

Approximately 80 percent of all the waterfowl in the Pacific flyway use these refuges. As many as 7 million birds utilize this refuge complex in their semiannual migrations and it also serves annually as the nursery for the hatching of some 3,000 Canada geese and almost 112,000 ducks, many of the latter being the now dwindling redheads. Wildlife, other than waterfowl, also inhabit this complex as in the case of Clear Lake where sage grouse and pronghorn antelope occupy the rocky sagebrush uplands.

Lest one concludes that this legislation is of interest for wildlife benefits only, even though such conservation and much-used recreation aspects would alone indicate the wisdom of the action, I point out the importance of these refuges to the economy of the immediate locality and of more southerly parts of California. This refuge complex permits the holding of these millions of fowl until the crucial harvest of crops, such as rice and lettuce, to the south, has been accomplished. Furthermore, in this feeding itself, the agricultural development of the area has been especially important. And the public hunting opportunities which are available in these refuges bring many people from all over the Pacific coast—from which the local economy is assisted.

This bill, which I introduce today, carries a provision for payment for local government services to the counties within the area. The contractual obligations of the United States with the Tulelake Irrigation District and the Klamath Drainage District are recognized. The Secretary of the Interior shall retain full authority to lease for agricultural purposes the reserved public lands lying within the Lower Klamath and the Tule Lake National Wildlife Refuges.

Under the provisions of the bill, sumps 1(a) and 1(b) in the Tule Lake Refuge could not be reduced by diking or other construction to less than the existing 13,000 acres. The bill further provides that the Secretary of the Interior shall regulate water under his control in accord with applicable migratory bird treaties and our domestic Migratory Bird Conservation Act and subject to valid existing rights, so as to maintain sump levels in the Tule Lake Refuge at levels established by contract and regulation pursuant thereto and so that such levels are adequate and practicable for waterfowl management purposes.

The Department of the Interior and the Department of Agriculture and the Bureau of the Budget all reported favorably on my bill last year and I feel assured that the present bill will again receive their favorable response.

I am also proud to have had support in this matter by such as: the Izaak Walton League of America; the National Wildlife Federation; the Audubon Society; the Sierra Club; the North American Wildlife Foundation; the Sport Fishing Institute; the Western Association of State Game and Fish Commissioners; the Wilderness Society; the Wildlife Management Institute; the Governor of California; the California Department of Fish and Game; and the California Fish and Game Commission; to mention only a few.

I am particularly pleased that several groups aware of my intention to introduce this legislation in this Congress have already written me of their support and I ask unanimous consent to have several of these communications, or pertinent parts thereof, and the bill which I have today introduced printed at this point in the RECORD.

I might add, Mr. President, that for further reprints of supporting letters, articles, editorials, statements, and so forth, I refer any interested persons to the CONGRESSIONAL RECORD of August 3, 1961, and to the printed transcript of the hearings on former S. 1988 before the Subcommittee on Irrigation and Reclamation, under date of February 23, 1962.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the communications and bill will be printed in the RECORD, as requested.

The communications presented by Mr. KUCHEL are as follows:

WILDLIFE MANAGEMENT INSTITUTE,
Washington, D.C., February 6, 1963.
Hon. THOMAS H. KUCHEL,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KUCHEL: Thank you for sending me a draft copy of your bill to promote the conservation of the Nation's wildlife resources on the Pacific flyway in the Tule Lake, Lower Klamath, Upper Klamath, and Clear Lake National Wildlife Refuges in Oregon and California and to aid in the administration of the Klamath reclamation project.

This bill will be warmly received and vigorously supported by all the national, regional, State, and local conservation agencies and organizations that endorsed your earlier bill in the 87th Congress. I also expect that the Department of the Interior again will recommend its enactment. You clearly stated the urgent need for this bill in your floor statements last year and in your testimony before the Interior and Insular Affairs Committee.

Fully 80 percent of the waterfowl of the Pacific flyway use the Tule-Klamath refuges during the spring and fall migrations. For that reason alone, their permanent dedication for waterfowl restoration purposes should be supported by all Members of Congress from the Pacific flyway States.

Approval of this proposed bill would be a significant conservation action of the 88th Congress.

Sincerely,

IRA N. GABRIELSON,
President.

NATIONAL WILDLIFE FEDERATION,
Washington, D.C., February 14, 1963.
Hon. THOMAS H. KUCHEL,
Senate Office Building,
Washington, D.C.

DEAR SENATOR KUCHEL: Thank you for the invitation to comment upon your proposed draft of a bill to promote the conservation of wildlife resources in the Tule Lake-Klamath area of California and Oregon.

I have read your draft and note this proposal essentially is the same as your S. 1988 of the 87th Congress, with some few amendments recommended by the Irrigation Reclamation Subcommittee in the House last year. These amendments have improved the original version which was endorsed by the Interior Department and conservation organizations before passage by the Senate last year.

The National Wildlife Federation believes it is absolutely essential for the welfare of the entire Pacific flyway and our international migratory bird obligations that existing habitat at wildlife refuges in the Tule Lake-Klamath area be preserved and managed for the maximum numbers of waterfowl. This basic objective can be achieved only if the Tule Lake-Klamath area is dedicated for the major purpose of wildlife management. In short, the present refuge areas must be maintained without further loss of lands and water levels must be managed for maximum waterfowl benefits yet encouraging optimum agricultural production not in conflict therewith.

Your proposed bill accomplishes these objectives while continuing present agricultural arrangements, and we predict it will receive wide approval in States along the Pacific coast.

Sincerely,

THOMAS L. KIMBALL,
Executive Director.

CITIZENS COMMITTEE ON
NATURAL RESOURCES,
Washington, D.C., February 1, 1963.
Senator THOMAS H. KUCHEL,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR: I have your draft of the Tule Lake bill, and the measure is one that will have our full support.

We hope the bill will be introduced quickly in order that hearings can be arranged at the earliest possible date.

Cordially,

SPENCER M. SMITH, Jr.,
Secretary.

IZAAK WALTON LEAGUE
OF AMERICA, INC.,
Whittier, Calif.
Senator THOMAS H. KUCHEL.

DEAR SIR: The Whittier chapter is very much concerned with the possible loss of the nesting and flyaway area of the Klamath and Tule wildfowl refuge. Each of our members is writing their support for your bill for this protection.

If there is anyone else we can contact for support of this bill, we would like to write them, also.

Thank you.

WALLACE G. THOMPSON,
Secretary.

SOUTHERN PACIFIC ROD & GUN CLUB,
San Francisco, Calif., January 12, 1963.
Hon. THOMAS H. KUCHEL,
Senate Office Building,
Washington, D.C.

DEAR SENATOR KUCHEL: This statewide organization composed of railroad workers is pleased to hear that you intend to reintroduce S. 1988, the Tule-Klamath legislation, which bill provisions proposes to preserve the Tule Lake-Klamath waterfowl area.

It is indeed gratifying to the many sportsmen of our organization to have you again supporting this bill which is so important to the sportsmen of our State.

You may rest assured that your action will be given full publicity to the entire membership.

We are certainly pleased that you were reelected to fill the post that you have so capably filled during the years.

Sincerely,

CHARLES E. VISALIA,
President.

CALIFORNIA WILDLIFE FEDERATION,
Carmichael, Calif., February 7, 1963.
Senator KUCHEL,
Senate Office Building,
Washington, D.C.

DEAR TOM: Thanks for your letter of January 29 referring to former S. 1988 and enclosing your new draft of this proposal.

Our federation met in Sacramento on February 2–3 in an executive session on State legislation and the arrival of your new proposal on Tule-Klamath came just in time to be reviewed and enthusiastically endorsed. I have passed the draft on to our fish and game department for their information and you may hear from them direct.

We are happy in knowing you will be in Washington looking after our interests for another term. Please continue to keep us informed on outdoor recreation and wildlife legislation.

Best of personal regards.

Sincerely,

GEORGE D. DIFANI,
Legislative Advocate.

HEARINGS TESTIMONY, STATEMENT BY BEN GLADING, APPEARING ON BEHALF OF CALIFORNIA DEPARTMENT OF FISH AND GAME

Mr. GLADING. My name is Ben Glading, representing the California Department of Fish and Game.

This statement is being made on behalf of Dr. Walter Shannon, Director of the Department, and on behalf of the California Fish and Game Commission.

Both of these agencies have been supporting actively this much needed legislation for a number of years.

The purpose of this legislation—and now I am referring to both bills—is to preserve the necessary existing habitat for migratory waterfowl in the most vital single area of the Pacific flyway. It will also assure the continued control of depredations on agricultural crops, and the preservation of one of the largest and best waterfowl public hunting grounds in the United States.

The Tule-Klamath refuges are indispensable to the mains of the Pacific flyway and its waterfowl resources. Eighty percent of the waterfowl of this flyway uses this area during the spring and fall migrations. At times the daily concentration of waterfowl reaches over 7½ million birds. While the area is of primary value as resting and feeding habitat, it compares favorably, acre for acre, with some of the best Canadian breeding grounds. On the average, 100,000 to 125,000 waterfowl are produced here, with a large proportion being the endangered species of redheads, and ruddy ducks.

The need for stabilizing the existing refuges is indicated by the fact that during the past 60 years the marsh and water areas have dwindled from an original 187,000 acres to the present 25,000 acres. Each year additional encroachments are being made on the remaining habitat. The existing areas meet certain waterfowl requirements.

If their value for this use is seriously impaired or destroyed, replacements will be necessary if the waterfowl resource is to be preserved. On the basis of experience in California, the purchase of suitable replacement lands would be very expensive, and at this late date practically unobtainable.

It should be emphasized that in addition to being essential for the maintenance of the Pacific flyway's waterfowl, the Tule-Klamath refuges are absolutely essential to maximum agricultural production in the Central Valley of California.

During the fall migration, there is no stopping place for ducks between those refuges and the Central Valley that is capable of holding more than a small number of birds. Should the carrying capacity for the millions of ducks that stop over on the Tule-Klamath refuges each fall be jeopardized, the consequence to rice farmers and other agriculturists would be disastrous.

An earlier witness says whenever it snows the birds are going to move on, anyway. But these snows do not occur at the time of year that is critical to agriculture in the Central Valley.

In other words, this critical time is past by the time any snows of any consequence arrive at the Tule-Klamath area.

The proposed legislation will stop any further homesteading—and this is highly important—but it will not reduce agriculture income.

The practice of leasing 15,000 acres of farmland will be continued under various practices. This practice not only helps the local economy, but it also provides waterfowl with great quantities of waste grains, weed seeds, and, after the fall rains, green forage.

Thus, the agricultural economy will continue, but, even more important, the more valuable waterfowl resource will be provided. In summary, the main purpose of these bills is to stop any further encroachment on refuge lands for reclamation and homesteading purposes. Since these refuges are established only by Executive order, their status could change at any time.

These bills would establish the refuges on a permanent basis, perpetuate the esthetic and recreational values of the waterfowl resource, and assure protection to the Central Valley's established agricultural interests.

For these reasons, it is essential that the refuge areas covered by legislation of this type be permanently dedicated to the primary purpose of waterfowl management—and I would have to add, personally, as soon as possible.

Senator Moss. Thank you very much, Mr. Glading.

Senator Kuchel?

Senator Kuchel. We have two bills before us, S. 784 and S. 793. Which bill, if either, has your commission recommended?

Mr. Glading. As I tried to indicate in my statement, Senator, the main purpose is served by each bill. However, we have made a careful analysis, largely through the Attorney General's office, and as they are presently worded, there is a preference for your bill, S. 793, which has to do with the controversial sections that have been discussed.

Senator Kuchel. Thank you, sir.

Senator Moss. Thank you, Mr. Glading. We appreciate your testimony.

Senator Moss. Mr. Leffler, the general counsel for the International Association of Fish & Game Directors.

Statement of C. R. Gutermuth, Vice President, Wildlife Management Institute

Mr. Gutermuth. Thank you, Mr. Chairman.

I would like to comment about a couple of things having to do with section 7 in the Engle bill, S. 784.

Conservationists are pleased that the committee has scheduled an early hearing on these bills that would permanently stabilize the Tule Lake, Lower Klamath, and Upper Klamath National Wildlife Refuges, along the California-Oregon boundaries, for wildlife purposes. The circumstances favoring the need for congressional recognition of the refuges have not changed in the year that has passed since the committee last considered this subject and reported out a sound bill that was approved by the Senate and by the House Subcommittee on Irrigation and Reclamation. Formal dedication of the refuges to wildlife purposes is supported by the affected Federal and State agencies and by conservationists everywhere.

Because of their unique location in respect to available waters and marshlands in the Pacific flyway, the refuges are used by more than 80 percent of the flyways ducks during the spring and fall migrations. Large numbers of ducks, geese, and other birds also nest there, and thousands of young are reared each year. The refuges also help retard the southward migration of ducks into California's Central and Imperial Valleys thereby assisting materially in decreasing serious agricultural depredations that would be experienced if the birds arrived before most harvesting was completed. The refuges are open to public visitation and hunting, and provide many hours of outdoor recreation opportunity for thousands of people and enhance the local economy, in addition.

Mr. Chairman, the committee's records and printed documents contain a thorough discussion of the origin of the three refuges, their history of operation and development, and the factors that have forced the decision to seek congressional dedication of the areas for wildlife purposes. Much of that record already is known to the members of the committee and more of it undoubtedly will be reviewed before this hearing concludes. Rather than adding further to that testimony, I wish to discuss the principal differences of the two bills before the committee.

First, it should be recognized that conservationists are grateful to both of the California Senators for their interest in seeking to resolve a problem that has pestered successive administrations for more than 20 years. There is widespread support for the overriding objective of both bills; namely, to stabilize the boundaries of the three refuges and to assure their continued management in the interests of waterfowl and other wildlife and to aid in the administration of the contiguous project.

Two fundamental elements influence the management of any refuge for waterfowl purposes. The first of these is land—living space in a sense—and this is provided in the bills. Both would stabilize the boundaries of the refuges, exempt them from further homestead entry, and include limited additions of certain other public lands that are recognized as having primary value for the operation and management of the refuges.

We are pleased that the bills authorize continuance of the present pattern of agricultural leasing within the Tule Lake and Lower Klamath Refuges. There is no opposition to this. The present leasing agreements on about 15,000 acres enable local farmers to benefit from arable lands within the refuges, while at the same time, the crops that may be grown are carefully regulated so as to provide on-refuge waste grain for the ducks and geese. The Federal Government also farms about 2,500 acres to provide additional and necessary food for the birds.

Leasing revenues would be shared with local counties on the basis of not to exceed 25 percent of the net revenues collected annually, providing that the total annual payment per acre shall not exceed 50 percent of the average per-acre tax levied on similar lands. This scale of revenue sharing is consistent with the policy of the Federal Government as it applies throughout the country.

As I noted previously, the refuge operation depends for its success, or failure, on suitable elements of land and water. Both S. 784 and S. 793 would assure that the refuges have sufficient area of land in order to fulfill their primary purpose without loss of value for wildlife. Some persons with whom I have talked have expressed preference for section 5 of S. 784 over section 4 of S. 793 in that it is more precise in describing the areas of the Tule Lake and Lower Klamath Refuges that would be open to agricultural leasing. Section 5 relates those lands to the official "Plan for Wildlife Use of Federal Lands in the Upper Klamath Basin, Oreg.-Calif." dated April 1956.

The productive capacity and the overall usefulness of a waterfowl refuge depends upon an adequate supply of water, balanced both in quantity and in time with the needs of the birds. It is possible, in the case of a refuge like Tule Lake where the sump water levels can be controlled, to regulate the water supply so as to greatly facilitate waterfowl nesting, to minimize the occurrence of botulism, or western duck sickness, and to favor public access at times where such access is necessary or desirable. Reasonable control of the water levels is necessary in order to assure that the Tule Lake Refuge will be managed so as to produce maximum benefits for waterfowl consistent with other prominent, local considerations.

The acute relationship between water level control and refuge productivity is not idle speculation, Mr. Chairman. For example, operation and maintenance of the reclamation project whose waters pass into the Tule Lake Refuge sumps was taken over by the Tulelake Irrigation District in 1956 under a repayment contract to the United States. Contract regulations specified objective water levels in the sumps so as to be compatible with waterfowl nesting, to minimize the hazards of botulism to the birds, and to accommodate public hunting, when permitted. The district ignored the regulations, altered the water level schedule drastically, ruined a waterfowl nesting season, and made it impossible for hunters to reach shooting areas by boat. In 1960, the Interior Department charged the district with violating the contract and took steps to operate the project's water pumps. Only then did the district agree to comply with a new set of objective water levels and to operate the pumps so as not to interfere with the wildlife objectives of the refuges.

Conservationists wish to avoid any such misunderstanding in the future. It is not good for the waterfowl resource, for the Tule Lake Refuge, or for the local residents who are interested in the operation of the irrigation district. All parties should know exactly where they stand, the requirements that have to be met, and what is expected of them. Preservation of the status quo is not enough.

The committee should know that the conservationists do not think that section 7 of S. 784 adequately takes care of the situation. Section 7 differs considerably from the corresponding section in S. 1988, which was reported by the committee and approved by the Senate last year, and from section 6 of S. 793, which is identical to the earlier bill. It also is at variance with the recommendations of the Department of the Interior on S. 1988 last year.

We are concerned about section 7 of S. 784 because it singles out two paragraphs of the contract between the United States and the Tulelake Irrigation District for inclusion in the proposed law. The first of these, paragraph b, stipulates that the sumps within the Tule Lake National Wildlife Refuge "shall be operated and maintained primarily for the protection of lands within the district for agricultural purposes, including flood protection and drainage and the use of said sumps for said purposes shall be prior to all other uses * * *."

Paragraph d of section 7 in the contract specifies that the Secretary of the Interior may make additional modifications of rules and regulations from time to time.

The reasoning for seeking to include only two paragraphs of the contract between the irrigation district and the United States in a law that would be enacted by the Congress is obscure. In fact, the reasoning for including any part of the contract in law is obscure. The two paragraphs that are singled out would, in our opinion, project into the future the same doubts and misapprehensions that have provoked difficulties in the past. Their inclusion would weaken, not strengthen, the overall objectivity of any law that may be enacted by the Congress.

Neither this committee, the Senate, nor the House Subcommittee on Irrigation and Reclamation thought that any such reference was necessary last year; the language in section 6 of S. 793 was satisfactory then. If the Congress were to enact isolated parts of the contract into law, then perhaps the conservationists should insist that the last sentence of section 8 of the contract should be included, too. It reads: "Subject to the terms and provisions of this contract, the jurisdiction of the United States over Tule Lake National Wildlife Refuge shall be unchanged and the continued use of refuge lands and waters for refuge purposes shall be as the Secretary may direct."

The net result of including section 7 of S. 784 would, in the conservationists' opinion, provide grounds for the continuance of unfortunate and unnecessary conflicts between the wildlife refuge and local farmers. We are opposed to section 7 as written. The apprehensions of the local farmers, if they may be termed apprehensions, are unjustified. We would much prefer section 6 of S. 793 in that it recognizes "valid existing rights." We believe that local interests have "valid existing rights" under the terms of the contract.

Conservationists are not trying to run the farmers in the Tule Lake area out of business. Any allegation of that kind is ridiculous. What we are striving to do is to protect the Tule Lake National Wildlife Refuge and to obtain necessary safeguards and assurances so that it can be operated efficiently and productively in future years. Tule Lake is not a local problem. It affects much more than local people. Because of the migratory nature of the waterfowl it accommodates, the influence of the Tule Lake Refuge ranges from Alaska to Mexico, directly affecting the interest of hundreds of thousands of people who reside in the several States of the Pacific flyway. This larger interest, it seems to conservationists, requires that Congress make sure that the law that it enacts does not introduce any obstacles in the proper management of the refuge. The interests of sportsmen and outdoor enthusiasts of all kinds in the several Western States must also be taken into regard. For this reason, the committee is urged to adopt the language of section 6 of S. 793 as it pertains to this situation. It is hoped that the bill can be reported and acted upon early in this session.

The conservationists are quite disturbed about the specific references to those two sections in the contract in this bill. We think that it is uncalled for and unnecessary, and while the colloquy this morning here had to do with this other provision, and Mr. Kimball just mentioned this section 32 of the contract, I still think that it is a serious mistake to consider anything but the references to the contract itself in this legislation.

Mr. Edwards said this morning, or at least I understood him to say, that the conservationists had asked that we ignore the contract, if my understanding of his statement is correct, and I certainly do not want the record to show that.

The conservationists have never suggested that we ignore this contract. What we are trying to say is that there is no use or good in specifically referring to this contract in this legislation.

We have no desire to avoid or to abrogate or to disregard this contract. That is not our thought. We want this contract carried out, but while we don't want the contract ignored, we, at the same time, do not want it recognized in law by specific references in this legislation. We do not want inflexible parts of this contract referred to and made a part of the law. We don't think that that is good. If you want to refer to the contract, which we have no objection to, then we think that is perfectly adequate to refer to the valid and existing rights. While we are discussing obligations of the Federal Government under this contract, I would like to also refer you to the obligations, very severe ones, of the Federal Government under the Migratory Bird Treaty.

It is my understanding that treaties have an overriding effect in many respects, and we certainly have a real obligation under the Migratory Bird Treaty that certainly should be given very serious consideration when we are talking about the Federal Government's obligation under this contract.

Now, if it is very comforting for the Tulelake Irrigation District to have some references made to that, then I can say that it is very discomforting to a lot of other people to think that treaty obligations are not being more specifically referred to in connection with the maintenance of these important refuges.

One other comment and then I have said about all I care to. The record is full of the importance of these refuges, need for them. When we talk about the obligations to the general public in maintenance of these refuges we are talking about the obligations to literally millions of people. We are talking about these treaty obligations and all of the other responsibilities that we have in the maintaining of these renewable natural resources in the broad public interest over a long haul.

If this legislation that was put through last year, which referred to valid and existing rights, was acceptable last year, and if it went through and was acceptable to the House subcommittee last year, as it was in S. 1988, then I say to you that in my humble opinion it will be acceptable to that House committee again this year, and I hope that this language is deemed adequate by this committee again this year and by the Senate again this year.

With that, I would like to say that we will take this legislation in its stride if the Senate will favor us with this legislation which we think is right and proper and have urgently needed.

The conservationists will go to work to get this legislation through the House.

Thanks very, very much, Mr. Chairman.

Mr. KUCHEL. Mr. President, if there is no further discussion, I ask that the Senate adopt the committee amendments.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

Mr. KUCHEL. I believe that public interest in this subject has been amply demonstrated. If there is no further discussion, I ask for third reading.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. KUCHEL. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. ENGLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MUNDT. Mr. President, I was especially happy to yield for the purpose of permitting the Senate to pass the proposed legislation, because it is a conservation measure in which I have long been interested. I think it will serve the interests of the country as a whole. I congratulate the Senators from California on having the bill passed.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION PIRATES TALENT

Mr. BENNETT. Mr. President, several weeks ago three scientists came into my office to complain about the policies of NASA in attempting to build scientific communities within that organization and to eliminate the opportunity for private industry or colleges to engage in basic scientific programs in the overall NASA program.

I ask unanimous consent to have printed in the RECORD a letter dated June 6, 1963, written to me by John H. Gardner, professor of physics at Brigham Young University, who was one of the three men. In his letter, Mr. Gardner details his fears with respect to this program.

The situation was highlighted recently in an article entitled "Agencies Say NASA Steals Talent by Pay and Promotion Promises," written by Joseph Young, for his column "The Federal Spotlight," and published in the Washington Evening Star. So apparently NASA is not only making it difficult for scientists in private industry to work in the field; it has actually attempted to recruit scientists who are already in the Federal Government. According to the headline of the article, NASA is actually stealing such talent.

The combination of the letter from Mr. Gardner and the newspaper article focuses our attention on the problems created by this fast-growing organization, whose budget is now under study by a Senate committee. I think it appropriate that I ask unanimous consent that

the article also be printed in the Record, so that it may be available to members of the committee.

There being no objection, the letter and article were ordered to be printed in the Record, as follows:

Brigham Young University,
Provo, Utah, June 6, 1963.
Hon. Wallace F. Bennett,
U.S. Senate,
Washington, D.C.

Dear Senator Bennett: During my recent visit to your office with two of my scientific colleagues, we pointed out a number of difficulties with the present trend in Government policy as it relates to the support of science and expressed our concern as to the possible consequences of the continuation of this trend. I should like to reiterate some of the points we were attempting to make.

I have not mentioned here the names of my colleagues nor their professional connections since they are employed by a private company whose major customer is the Federal Government and one of the prime rules of business is to avoid offending the customer. This, of course, points up an obstacle in the way of appropriate feedback to Congress of information critical of Federal policies and procedures, particularly in those programs related to space where the Federal Government is the only customer.

The point of greatest concern to us, and I believe also to large numbers of the scientific community, is the trend in NASA and in the Department of Defense toward the development of inhouse capability for the performance of basic research and other scientific tasks which can and, under our private enterprise system, should be performed by the private sector of the economy with a secondary role being played by the university. The arguments for a strong in-house staff are of two kinds: (1) Considerable scientific competence within the Government is required for the effective deployment of the large sums of money currently being spent in scientific activity; (2) it is inappropriate to pay private, profitmaking industry for basic research. Both arguments are completely fallacious. The AEC provides a substantive counter example to the first argument and the second could apply equally well to military and space hardware.

As a matter of fact competent research scientists are not interested in evaluating proposals and administering contracts. Their prime interest is in engaging in research with as little involvement in paper work as possible. The real work of spending and procurement must be done by high caliber administrators with the help of scientists acting in an advisory capacity. These latter should come from outside the Federal Government because if they are working within the Government as researchers in the field in which they are called on for advice they are competitors for the funds being deployed and should properly be disqualified as interested parties. Many examples of unfair competition of this nature from NASA and from scientific organizations in the Department of Defense have been recited to me by scientists working in industry. Frequently these men are reluctant to submit proposals which have been requested because they do not wish to reveal their plans and ideas to these Government in-house competitors. The funneling of large sums of money for research through administrators who have the choice of spending it outside of Government or within their own organizations can hardly help but lead to empire building within the Government.

Again, with reference to the second argument for in-house work, basic research is a product which has long been competently produced by scientists working in private industry and in the university. If there is a national need for this type of product in the defense and space fields it is just as natural to turn to the private sector of the economy for it as for military and space hardware. Since a considerable scientific competence is required by private industry in producing reliable hardware to do the job envisoned by the customer most industries have assembled competent scientific staffs. In order to maintain this high level of scientific capability they must carry on a certain amount of basic research. Government procurement of basic research needs from private industry, therefore, has the added advantage of enabling industry to retain the scientific talent necessary to achieve its hardware mission. It is, on the other hand, inefficient and artificial to place the basic scientific function in the Government laboratory and the hardware function in private industry.

NASA claims that a large fraction of the basic scientific work will actually be performed by private industry. This claim, however, seems to be contradicted by their actions. For example, a recent report of NASA program plans (Trans. of Am. Geo. Un., vol. 44, No. 1, pp. 228-235, Mar., 1963) describes a variety of space missions during the next 4 years. There are a total of 86 experiments aboard the payloads for the several missions described with 42 of these belonging to NASA, 12 to other Federal laboratories, 32 to universities, and none to private industry.

For a healthy science on a national scale, the national policy must encourage and expand rather than exclude or restrict basic research in profit-making industry. Science must be encouraged to flourish in a diversity of environments, not just in nonprofit organizations or in government. The industrial environment is quite different from civil service or the university; there are different needs, goals, and stimulations which are peculiar to the industry itself; there is a different balance between thought and action; each environment has its own novelty, its own kind of suggestiveness of problems and new research areas. Just as new technological development may stem from theoretical knowledge of an abstract kind, so pure science is often indebted to what is suggested by the technological requirements and practices of industry. Scientific research seeks answers to questions but the formulation of questions is perhaps even more difficult and creative. Important new questions and avenues of research are often distilled from an industrial environment and could not occur to the Government or university researcher, and, of course, vice versa.

Far from the cry that it is inappropriate to pay private, profitmaking industry for basic research is the solid fact that the Federal Government could hardly find a better way to stimulate economic growth and thus provide more jobs than to encourage and support this significant source of ideas and developments which lead to new industrial products.

Perhaps one of the most damaging consequences of the growth of the NASA organization and of the in-house philosophy in other agencies of the Federal Government is the exaggeration of our current shortage of scientific manpower. It has been observed by the President that federally financed activities in defense, space, and atomic energy absorb roughly two-thirds of our total supply of physical scientists and engineers. With rapidly increasing Federal budgets in space and in defense this figure is bound to increase in view of the limited scientific manpower pool. If the in-house trend continues it is evident that it will lead to an alarming percentage of scientists working for the Federal Government. The situation is rather clearly indicated by the growth of NASA where the in-house philosophy is most deeply intrenched. In taking over programs from the Department of Defense they are drying up funds formerly available to industry for basic science in the space field with the result that many industrial scientists must go to work for NASA if they are to continue their research. NASA can exert additional pressure through the control of information on the results of space research. I was told by one scientist that his request to NASA for results on a particular flight was met with a refusal and an implied suggestion that if he wanted the information he should come to work for NASA.

The consequences of this manpower shortage are most severe in the university where it is difficult to compete with the salary and research inducements from outside. Large NASA grants to universities for training and research merely aggravate the problem for nonparticipating universities and for universities wishing to retain a traditional balance in the scientific training they offer. The race for space appears to be hurting our scientist-training capability and thereby working against one of our long-range national needs.

It is far from evident that the creation of new Government laboratories in competition with and at the expense of existing laboratories will help us to achieve our goals in space any faster. Appropriate utilization of the private scientific resources of the country would seem to be faster and more in keeping with our traditions. The statement that NASA has too much money is frequently heard among scientists and it is indicative of the widespread fears and misgivings scientists have about the ominous changes taking place in the kind of role they play in our society. These fears and misgivings may underlie much of the growing opposition to our lunar landing goal. Congress could do much to change the situation.

Very truly yours,

John H. Gardner,
Professor of Physics.

Agencies Say NASA Steals Talent by Pay and Promotion Promises

(By Joseph Young)

Other Government agencies are complaining that the National Aeronautics and Space Administration is luring away some of their best scientists and engineers.

The agencies contend that NASA—the Government's newest glamor agency as far as Congress and the public is concerned—is using higher salaries and promises of promotions to entice the employees.

As a result, some Federal agencies contend that their own vital programs are being hurt. Some of the defense agencies, for example, are unhappy about the situation. They assert that their programs are at last as vital to the national security as NASA's.

The Defense Department is not the only Government establishment unhappy about NASA recruitment of their engineers and scientists. Other Government research and scientific agencies are equally unhappy. There is a definite possibility that President Kennedy will be asked to order a halt on NASA's recruitment of other Government engineers and scientists.

NASA denies the raiding charges. The agency does acknowledge that of the 3,700 scientists and engineers it hired during the last 15 months, about one-third of these came from other Government agencies.

However, NASA officials say that about 60 percent of the engineers and scientists secured from other Federal agencies were not given higher salaries. The other 40 percent did get higher pay grades on joining NASA.

NASA officials acknowledge that many scientists and engineers switched over to their agency in the hope of eventually getting higher pay. This is only reasonable, say NASA officials, since the agency is the fastest growing one in Government and consequently more promotional opportunities will be available.

Officials of other Government agencies contend that NASA recruitment officers stress this fact in persuading engineers and scientists to switch to NASA. NASA is one of the few Government agencies that has no trouble getting all the money it wants from Congress to run its operations.

INTENSIFYING THE FREE WORLD'S ECONOMIC BOYCOTT OF CASTRO'S CUBA

Mr. MUNDT. Mr. President, during the past several weeks, I have been interested and impressed as have many other Senators by the developing discussions of American policy on Cuba which were touched off by the junior Senator from Kentucky [Mr. MORTON] when he recently delivered a most informative speech on Cuba and called for a developing dialog on the subject. And since the executive branch has chosen to remain silent about Cuba and continues its failure to propose constructive Cuban policies I think it highly appropriate that Congress has become a forum for this discussion. I note that more and more Members of the House of Representatives are also devoting their talents to this serious and growing problem.

On the Senate side, the senior Senator from Colorado [Mr. ALLOTT] and the senior Senator from Nebraska [Mr. CURTIS] have come forward with stimulating suggestions of their own. The Allott proposal to encourage the establishment of a free provisional government to be offered a home on Cuban soil on Guantanamo base and the Curtis suggestion that we establish a Pacific blockade of Cuba enforced by our Navy and Air Force have evoked spirited and informative discussions among important segments of our national press and each proposal has developed its own proponents and its opponents. In my opinion, Mr. President, this is all to the good. Challenging and constructive recommendations such as those emanating from the Senator from Colorado and the Senator from Nebraska may not be the final and accepted answer to our continuing do-nothing policy toward Cuba but from the discussions involving these and other proposals it is hoped that an all-American, positive, forward-moving program may be evolved toward Cuba which will force the Russian and Chinese Communists out of Cuba and hurry the downfall of Castro and the establishment of a free and representative democratic government in Cuba.

As I stated on the Senate floor during the colloquies which followed the proposals of Senators ALLOTT and CURTIS, I am not personally wholly satisfied in my own mind that either of them, or both together, provide us with the proper formula for action at this time. I believe we should, for example, fully explore the availability of other Cuban soil—some nearby islands, perhaps—or some other location, other than Guantanamo Bay, for a free provisional Cuban Government, representative of all responsible Cuban factions, and one which our own country could and should then recognize. And instead of the type of Pacific blockade envisioned by Senator CURTIS, I said at the time in the discussion in the Senate—and I rise today to describe more fully what I had in mind—that there is an alternative first step which in my own opinion our country can and should take in the area of utilizing economic pressures to bring Castro to his knees. However, I again salute Senators ALLOTT and CURTIS and all others who are devoting their talents and their thoughts to the imperative need to "get America moving"—to quote an almost forgotten phrase from our recent past—in the direction of doing something more effective about Cuba than merely decrying the existence of the Communist Castro dictatorship on our doorstep and wringing our hands at the unwillingness of the Russians to go home or the reluctance of Castro voluntarily to abdicate. Our recent history with relationship to the Cuban peril is indeed most melancholy and discouraging.

One of the most inadequate and least satisfying aspects of present U.S. policy toward Cuba consists of the half-hearted measures that have been taken toward weakening the economic base of the Castro regime. Granted, there is a virtually complete embargo on United States-Cuba trade that has been in effect since February 1962 and that the countries of Latin America are for the most part imposing sharp curtailments on their own trade in Cuba. But let us take a look at the other measures announced by the administration and see just what effect they have had.

First, under the Foreign Assistance Appropriations Act of 1962, U.S. Congress provided that American aid will be denied to any country whose ships carry arms or strategic materials to Cuba.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the complete text of these congressional prohibitions.

There being no objection, the text was ordered to be printed in the RECORD, as follows:

Public Law 87-872 (76 Stat. 1165), October 23, 1962: Section 107(a). No assistance shall be furnished to any country which sells, furnishes, or permits any ships under its registry to carry to Cuba, so long as it is governed by the Castro regime, under the Foreign Assistance Act of 1961, as amended, any arms, ammunition, implements of war, atomic energy materials, or any articles, materials, or supplies, such as petroleum, transportation materials of strategic value, and items of primary strategic significance used in the production of arms, ammunition, and implements of war, contained on the list maintained by the Administrator pursuant to title I of the Mutual Defense Assistance Control Act of 1951, as amended.

(b) No economic assistance shall be furnished to any country which sells, furnishes, or permits any ships under its registry to carry items of economic assistance to Cuba so long as it is governed by the Castro regime, under the Foreign Assistance Act of 1961, as amended, unless the President determines that the withholding of such assistance would be contrary to the national interest and reports such determination to the Foreign Relations and Appropriations Committees of the Senate and the Foreign Affairs and Appropriations Committees of the House of Representatives. Reports made pursuant to this subsection shall be published in the Federal Register within seven days of submission to the committees and shall contain a statement by the President of the reasons for such determination.

Mr. MUNDT. Mr. President, these provisions are not, however, enforced with regard to NATO-type aid to NATO countries. Hence, this is not as strong as it sounds, since Cuba has been receiving arms from the Communist bloc in Communist bottoms for 3 years now. None come directly from non-Communist countries.

Second, a series of measures was announced last October, just before the discovery of the Soviet missile-launch sites and nuclear weapons in Cuba. It consisted of the following:

First, U.S. ports will be closed to all ships of any nation that permits its vessels to carry military equipment to Cuba.

Second, U.S. ports will be closed to any ship that on a continuous run carries any nonmilitary Communist cargoes to Cuba.

Third, Foreign shipowners whose vessels are engaged in trade between Cuba and the Soviet bloc will be prohibited from carrying U.S. Government-financed cargoes on any of their ships.

Fourth, U.S. flagships of U.S.-owned ships are forbidden to carry goods to and from Cuba.

Mr. President, this series of measures sounded fairly strong, when first enunciated; but, I hasten to add, they were never put into effect. The administration attributed its inaction to the October missiles crisis, the subsequent negotiations over the release of the Bay of Pigs prisoners, and vigorous protests from some of our allies.

Finally, last February the administration issued an order barring U.S. Government-financed cargoes to foreign ships trading with Cuba. The President directed Federal departments and agencies to deny—"shipments of such cargoes on vessels that have called at a Cuban port since January 1, 1963, unless the owner of such a ship gives satisfactory assurances that no ship under his control will henceforth be employed in the Cuban trade."

Thus, our present policy with respect to discouraging our allies from trading with Castro's Cuba consists of a provision of the Foreign Assistance Appropriations Act of 1962 that is virtually inapplicable and the order denying shipments of U.S. Government-financed cargoes on individual ships that have traded with Cuba since last January 1.

In this connection, I wish to refer to an editorial, published in the New York Times, which states:

> The latest step was a request to Britain to prohibit Cuban planes from landing on Grand Cayman Island, which is regarded as a convenient transfer point for Cuban Communists traveling to South American countries.

The editorial also states:

> The other measure was a freeze on an estimated $33 million in deposits ($20 million held by the Cuban government, and the remainder by Cuban nationals resident in Cuba) accompanied by a ban on U.S. dollar transactions with Cuba.

But neither one of these has any significant impact whatsoever on the economic situation in Cuba. I call to the attention of the Senate this editorial, entitled "'Controls' on Castro," which was published in the New York Times; and I call to the attention of those who read the RECORD who may not be familiar with the editorial policies of the New York Times the fact that it is a newspaper which supported the election of President Kennedy, has supported his foreign policy, and has fairly consistently supported his attitude toward Cuba; but that was going a step too far in trying to bewilder and confuse the public, so the editorial concludes with the following paragraph:

> The notion that Cuba is being subject to total economic isolation may be politically helpful to the administration. But the actual impact of its latest steps is minimal. In fact, they give Castro ammunition on the evils of dollar diplomacy for his agents to spread throughout South America.

Mr. President, I ask unanimous consent that the entire editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York (N.Y.) Times, July 12, 1963]

CONTROLS ON CASTRO

With considerable fanfare the Kennedy administration has announced two new measures advertised as curbing Cuba's ability to engage in subversive activities. But on examination they are mostly bark and little bite.

The latest step was a request to Britain to prohibit Cuban planes from landing on Grand Cayman Island, which is regarded as a convenient transfer point for Cuban Communists traveling to South American countries. Even if the British agree, Castro's agents would not be confined to Cuba.

This would require a similar ban by all countries bordering the Caribbean. Despite the resolution of the Council of the Organization of American States urging its members "to counter Castro-Communist subversion in the hemisphere," other nations are unlikely to follow the United States in curtailing Cuban flights.

The other measure was a freeze on an estimated $33 million in deposits ($20 million held by the Cuban Government and the remainder by Cuban nationals resident in Cuba) accompanied by a ban on United States dollar transactions with Cuba.

There is no way to stop Cuba from financing subversive activities in South America, where controls over currency movements are notoriously lax. Ever since trade relations with the United States were broken off 2 years ago, Cuba has conducted most of its commercial transactions with the West in Canadian dollars, Swiss francs and the British pound, which are fully convertible into dollars. Presumably, they can be equally useful to Cuba's agents.

Nor will Castro be pinched by the freezing of $20 million in deposits. These funds have been tied up in litigation with American companies whose assets in Cuba have been expropriated, so that they could not be withdrawn in any event. As for the immobilization of deposits held by individuals, it is comparatively small change.

The notion that Cuba is being subject to total economic isolation may be politically helpful to the administration. But the actual impact of its latest steps is minimal. In fact, they give Castro ammunition on the evils of dollar diplomacy for his agents to spread throughout South America.

Mr. HRUSKA. Mr. President, will the Senator from South Dakota yield?

Mr. MUNDT. I am happy to yield.

Mr. HRUSKA. I commend the Senator from South Dakota for his splendid discussion of U.S. policy—or the lack of it—toward the Cuban Government. It is in keeping with the previous discussions in the Congress, which seems to be the only forum in the Government where this subject is being discussed and where constructive steps are being suggested. These are helpful suggestions which could well receive consideration from other quarters in the National Government, although apparently they are not.

In regard to the instance cited by the Senator from South Dakota—the impoundment, a week ago today, of Cuban funds—I ask if it is not true that there are at least three points in regard to the so-called freezing of those funds which render it virtually ineffective.

First, $13 million of that $33 million was in private funds which were tied up by litigation of American claimants against Cuban citizens or corporations. Therefore, the freeze order was without any effect whatsoever upon the $13 million.

Mr. MUNDT. Yes, I understand it was freezing something which was already frozen.

Mr. HRUSKA. Second, part of the $20 million of the funds for the Castro government itself was to be used to finance Cuba's United Nations activities in this country. When that was discovered, an order to unfreeze that particular portion of the funds was entered, thereby vitiating the order considerably. It is well known in banking circles that this order might be a petty annoyance or disturbance and may even have some small psychological value, but it has no practical effect or impact whatsoever upon the Cuban economic situation.

Is the Senator from South Dakota familiar with that view?

Mr. MUNDT. The Senator from Nebraska is entirely correct.

I am sure it was that aspect of it, among others, which led this pro-Kennedy newspaper—the New York Times—to make the rather cynical remark that this announcement "may be politically helpful to the administration, but the actual impact of its latest steps is minimal," and that it is completely worthless insofar as bringing economic pressure to bear on Cuba is concerned.

Mr. HRUSKA. Similarly the administration's effort to enforce an order having to do with travel to and from Cuba of agents trained there for subversion in other Latin American countries is of little value.

Mr. MUNDT. That is correct.

Mr. HRUSKA. That order was discussed by the Organization of American States; but, although those discussions were approved by the Council of the OAS, four major nations within that association abstained in that vote; namely, Brazil, Haiti, Mexico, and Venezuela. So, for all practical purposes, though that move provides some window dressing and is the basis for a lot of administration publicity to the effect that we are dealing adequately with Cuba, even that resolution was a disappointment.

Mr. MUNDT. That is correct. Four nations abstained from voting; and one nation voted against us—by casting a negative vote.

Mr. HRUSKA. So this attitude in regard to travel by the agents of subversion and the guerrillas trained in Cuba and sent to the Latin American countries has no real deterrent effect; and those movements continue unimpeded, as heretofore, do they not?

Mr. MUNDT. Yes. In connection with the Senator's statement, I call attention to an Associated Press dispatch dated July 11, and published in the Washington Post, under the heading "Red Agent Suspects Fan Out of Cuba." I shall read the first paragraph of the article, as follows:

> The State Department reported yesterday that 15 to 20 persons described as "potential subversive agents" flew from Cuba to various Caribbean countries within the last several weeks.

The article relates how they, in turn, were conveyed from there to Latin American countries.

I ask unanimous consent that the entire article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RED AGENT SUSPECTS FAN OUT OF CUBA

The State Department reported yesterday that 15 to 20 persons described as "potential subversive agents" flew from Cuba to various Caribbean countries within the last several weeks.

Press Officer Richard I. Phillips said the persons, presumably Cubans, were aboard three Russian-made Ilyushin airliners that landed at Grand Cayman Island, a British-owned Caribbean island. He said they then transferred to non-Cuban commercial flights for other points in the Caribbean, including San Jose, Costa Rica.

He said the State Department had drawn that to the attention of the British. Generally speaking, he said, Britain has joined with the United States in its policy of isolating the Red Castro regime and not allowing such flights.

No response has yet been received from the British Government, he added.

State Department authorities said that, although Costa Rica has broken off diplomatic relations with the Havana regime and has joined in the American Republics' effort to isolate Cuba, officials at the San Jose airport apparently were taken by surprise at the arrival of the passengers from Cuba and allowed their entry into Costa Rica in normal fashion for airline passengers.

What other Caribbean points the passengers went to was not stated.

In Havana, meanwhile, Cuban newspapers reported for the first time yesterday that Washington had frozen Cuban assets in the United States and taken other measures to clamp on a financial squeeze.

The newspaper El Mundo said:

"Of course this measure does not affect the Cuban Government's available dollar reserves for its dealings with other countries because in these transactions American banks or similar organizations are not involved. These reserves are not deposited in any of them."

[In another development, the Soviet Union ratified a loan agreement giving Cuba long-term credit on favorable terms to "cover the excess of Soviet goods deliveries over Cuban deliveries to the U.S.S.R.," the United Press reported from Moscow.

[A brief announcement Tuesday by Tass said the Soviet credit "will strengthen the Cuban economy, help the Cuban population with consumer goods." Tass said the arrangement was concluded last February, but gave no further details.]

Mr. HRUSKA. I thank the Senator from South Dakota.

Mr. MUNDT. Mr. President, I appreciate the contributions the Senator from Nebraska has made.

Mr. BENNETT. Mr. President, will the Senator from South Dakota yield to me?

Mr. MUNDT. Mr. President, I am happy to yield to the distinguished Senator from Utah, who has made a great study of this entire Cuban problem, and heretofore has expressed himself very lucidly and effectively on it.

Mr. BENNETT. Mr. President, I have been interested in this colloquy between the Senator from South Dakota and the Senator from Nebraska.

It has developed that out of the $30 million, which presumably has been frozen, probably only half of that amount was in fact frozen. $13 million was already frozen. An unnamed amount was unfrozen—let us say half of it, or $15 million.

Does the Senator from South Dakota remember how much good American merchandise we sent to Cuba as a ransom for the Bay of Pigs prisoners?

Mr. MUNDT. I do not carry the amount in my mind, but it was much larger than either the $15 million or the $30 million.

Mr. BENNETT. My memory is that it was approximately $53 million.

Mr. MUNDT. I believe it was in that neighborhood.

Mr. BENNETT. Cannot Castro laugh up his sleeve at us when we are stupid enough to think that we are making progress by freezing $15 million, and then hand him $53 million of new wealth, new and usable merchandise in exchange for those prisoners—one of the most effective bits of international blackmail in history?

Mr. MUNDT. The Senator makes a sound observation. While all of us are pleased at any little token step whatsoever against Castro, and agree it was perfectly proper for the administration to have taken those steps, but to balloon them up, to headline them, and to make a special announcement about them in order to deceive the people back home into believing we are doing something effective was too much for the New York Times to stomach. For that reason the editorial was written.

The whole program of the administration is at best a halfhearted and less than a halfway program. It is even more half-hearted than I said it was in my colloquy the other day with the Senator from Colorado [Mr. ALLOTT], when he was delivering his magnificent address. At that time I declared that we are telling a shipping company, in effect, "All we require of you is that your ships A, B, and C which trade with Cuban ports, shall not enter our ports; but you may bring into our ports any other ships you operate."

Actually, we are saying, "Ships A, B, and C may enter our ports and carry cargo to Cuba so long as that cargo is not financed by the U.S. Government."

Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks the most recent report of the Maritime Administration listing free world, Yugoslav, and Polish flag vessels arriving in Cuba since January 1, 1963.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF COMMERCE MARITIME ADMINISTRATION REPORT NO. 9

LIST OF FREE WORLD AND POLISH FLAG VESSELS ARRIVING IN CUBA SINCE JANUARY 1, 1963

Section 1. Pursuant to the National Security Action Memorandum No. 220, dated February 5, 1963, addressed to the Secretary of State; the Secretary of Defense, the Secretary of Agriculture, the Secretary of Commerce; the Administrator, Agency for International Development, and the Administrator, General Services Administration, concerning U.S. Government shipments by foreign-flag vessels in the Cuban trade, the Maritime Administration is making available to the appropriate departments the following list of vessels which have arrived in Cuba since January 1, 1963, based on information received through May 31, 1963, exclusive of those vessels that called at Cuba on U.S. Government-approved noncommercial voyages and those listed in section 2:

Flag of registry, name of ship	*Gross tonnage*
Total—all flags (97) ships	807,581
British (33 ships)	326,443
Ardgem	6,981
Ardmore	4,664
Ardrowan	7,300
Arlington Court	9,662
Athelcrown (tanker)	11,149
Athelduke (tanker)	9,089
Athelmere (tanker)	7,524
Athelmonarch (tanker)	11,182
Athelsultan (tanker)	9,149
Avisfaith	7,868
Chipbee[1]	7,271
Fir Hill	7,119
Hazelmoor	7,907
Ho Fung	7,121
Ivy Fair[1]	7,201
Linkmoor	8,236
London Confidence (tanker)	21,699
London Independence (tanker)	22,643
London Majesty (tanker)	12,132
London Pride (tanker)	10,776
London Splendour (tanker)	16,195
London Victory (tanker)	12,132
Lord Gladstone	11,299
Maratha Enterprise	1,166
Overseas Explorer (tanker)	16,267
Overseas Pioneer (tanker)	16,267
Pampas	7,569
Shienfoon	7,127
Tulse Hill	7,120
Vercharmian	7,265
West Breeze[1]	8,718
Yungfutary	5,388
Zela M[1]	7,237
Greek (23 ships)	191,064
Alderbaran (tanker)	12,897
Americana	7,104
Apollon	9,744
Capetan Petros	7,291
Despoina[1]	5,006
Embassy	8,418
Galini	7,266
Gloria	7,128
Hydraios III[1]	5,239
King Theseus	9,153
Kyra Hariklia	6,888
Maria Santa	7,217
Mastro-Stelios II	7,282
North Empress	10,904
Pamit	3,929
Pantanassa	7,131
Penelope	6,712
Perseus (tanker)	15,852
Redestos	5,911
Seirios	7,239
Sirius (tanker)	16,241
Stylianos N. Vlassopulos	7,244
Western Trader[1]	9,268
Lebanese (14 ships)	96,633
Akamas	7,285
Aiolos II	7,256
Carnation[1]	4.884
Giorgos Tsakiroglou	7,240
Ilena	5,925
Malou	7,145
Mantric	7,255
Mousse	6,984
Noelle	7,251
Noemi	7,070
Olga	7,199
Parmarina	6,721
Razani[1]	7,253
St. Nicolas	7,165
Italian (7 ships)	53,415
Achille	6,950
Annalisa[1]	2,479
Arenella[1]	7,183
Cannaregio	7,184
Linda Giovanna (tanker)	9,985
Nazareno[1]	7,173
San Nicola (tanker)	12,461
Norwegian (5 ships)	45,595
Benny Viking	3,857
Kongsgaard (tanker)	19,999
Ole Bratt	5,252
Polyclipper (tanker)	11,737
Tine	4,750
Polish (5 ships)	30,274
Baltyk	6,963
Bialystok	7,173
Bytom	5,967
Chopin[1]	6,987
Piast	3,184
Yugoslav (4 ships)	28,641
Bar	7,233
Cavtat	7,266
Dugi Otok	6,997
Trebisnjica	7,145
Spanish (2 ships)	4,565
Castillo Ampudia	3,566
Sierra Madre	999
West German (1 ship): Adolf Leonhardt[1]	7,066
Japanese (1 ship): Meischun Maru	8,647
Moroccan (1 ship): Toubkal	8,748
Swedish (1 ship): Dagmar	6,490

Footnote at end of table.

[1] Added to report No. 8 appearing in the Federal Register, issue of May 25, 1963.

SEC. 2. In accordance with the provisions of National Security Action Memorandum No. 220 of February 5, 1963, the following vessels which called at Cuba after January 1, 1963 have reacquired eligibility to carry United States Government-financed cargoes from the United States by virtue of the persons who control the vessels having given satisfactory certification and assurance that no ships under their control will, thenceforth, be employed in the Cuba trade so long as it remains the policy of the United States Government to discourage such trade:

a. Since last report.

	Gross tonnage
Danish (1 ship) *Himmerland*	8,774

b. Previous reports.

Flag of registry	Number of ships
British	1

Sec. 3. The ships listed in Sections 1 and 2 have made the following number of trips to Cuba in 1963, based on information received through May 31, 1963:

Flag of registry	Number of trips				
	January	February	March	April	May
British (43)	5	8	8	16	6
Greek (30)	4	6	8	8	4
Lebanese (14)	1		2	8	3
Norwegian (7)		2	4		1
Italian (8)	1	1	1	2	3
Yugoslav (4)		2	1	1	
Spanish (2)			2		
Danish (1)			1		
German (West) (1)					1
Japanese (1)	1				
Moroccan (1)			1		
Swedish (1)				1	
Total (113)	12	19	28	36	18
Polish (7)	2	1	1	2	1

Note.—Trip totals in this section exceed ship totals in secs. 1 and 2 because some of the ships made more than 1 trip to Cuba.

Donald W. Alexander,
Maritime Administrator.

Mr. MUNDT. It is about time for Senators and the country generally to know specifically what we are talking about in connection with the extensive trade now being conducted with Cuba. The reports list the names of the ships, the tonnage, the dates, and the entire factual material, so that the people will realize that we are practically doing nothing whatsoever at the moment even to make trade with Cuba difficult, to say nothing about trying to make it impossible.

Mr. CURTIS. Mr. President, will the Senator yield to me briefly?

Mr. MUNDT. I am happy to yield to the distinguished Senator from Nebraska.

Mr. CURTIS. I am happy that the Senator is putting the entire table into the Record, but I believe it would be helpful at this time if he would mention the totals involved. My recollection of the figures is that they are most astounding. I shall have something to say about the Senator's remarks later. But some of the countries listed show a grand total amount which is beyond one's belief.

Mr. MUNDT. The Senator is entirely correct about the amounts. Actually I have not added the total number of gross tons. However, in the period covered by the report there has been a total of 97 ships carrying a gross tonnage of 807,581 tons. The names of the ships are listed. The countries are also listed. I am sure that many Senators, when they read the list of ships, will share with me disappointment when they find that the biggest offenders in this regard and the biggest traffickers in blood money are our good friends in the British Isles—Great Britain.

Mr. President, this indicates that the administration's half-hearted measure has had no visible effect. The number of trips made by free world ships to Cuba actually was lower in January, 1 month before the administration's order went into effect, than in any month since then through May.

So, if the order did anything, it seemed to encourage people to trade with Cuba instead of to discourage them.

Other sources indicate that shipping from some of our European allies to Cuba may be even greater than U.S. Government reports show. I call the attention of Senators to a recent report issued by "Revolutionary Unity," a Cuban organization in Miami claiming excellent sources of information from inside Cuba.

Mr. President, I ask unanimous consent to insert in the Record at this point in my remarks a tabulation of free world shipping with Cuba prepared by this organization, which also breaks it down by months, countries, and by offenders.

There being no objection, the tabulation was ordered to be printed in the Record, as follows:

Free world ships entering Cuban ports

	April 1963	March 1963	February 1963	January 1963	December 1962	November 1962	Total
United Kingdom	24	7	3	7	4	3	48
Lebanon	22	0	0	1	4	0	27
Greece	14	5	5	3	5	3	35
Panama	1	0	1	1	1	0	4
France	0	0	0	1	0	0	1
Sweden	1	0	1	2	3	4	11
Italy	3	1	3	2	1	1	11
Morocco	1	0	0	1	0	0	2
Denmark	1	0	0	0	0	1	2
Norway	3	1	2	0	4	0	10
Holland	0	0	1	0	1	1	3
Spain	0	2	0	0	1	0	3
Turkey	0	0	0	0	3	2	5
West Germany	0	0	0	0	0	1	1
Total	70	16	16	18	27	16	163

Mr. MUNDT. Regardless of source, the available information suggests that the measure announced last Friday is not working effectively. In fact, I submit that it is doubtful whether it is working at all. Meanwhile, the volume of Soviet-bloc shipping to Cuba seems to be rising.

I ask unanimous consent, Mr. President, to insert in the Record at this point in my remarks a brief statement made in the House of Representatives on June 11 by the gentleman from Florida, Representative Rogers, dealing with this specific point.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Russians Increase Ships to Cuba

Source: Congressional Record, June 11, 1963, pp. 10644–10645.

Mr. ROGERS of Florida. Mr. Chairman, I have received information from various U.S. Government sources which show that the Russians have increased the number of ships supplying Castro's island in recent weeks.

It may be too early to determine the significance of this increase, but stepped up shipping was an early sign of the Soviet military buildup of Cuba last summer. I strongly urge that U.S. surveillance of Cuba be intensified to insure that our intelligence community can provide reliable and accurate data for U.S. policymakers.

During the month of May, 37 Soviet ships, along with 9 Soviet-bloc ships, called in Cuba. April shipping figures show 27 Soviet vessels, along with 7 Soviet-bloc ships. Total Iron Curtain shipping to Cuba for the first 6 months of 1963 numbers 165 ships, 52 of which were tankers.

Detailed Russian shipping figures for 1963 are as follows:

Month	Total	Soviet-flag ships	Bloc-flag ships	Tankers
January	41	35	6	10
February	38	34	4	10
March	35	32	33	10
April	34	27	7	10
May	46	37	9	12
To date	194	165	29	52

However, the shocking fact is that one out of every three ships supplying Castro's island is from the free world.

Since January 1963, 89 allied ships have made trips to Cuba, and 20 of these vessels were tankers. This shipping would have been considerably reduced if the U.S. Government had implemented my proposal to close U.S. ports to nations which allow their flags to be used in sea trade with Cuba. However, such action is warranted particularly now in view of this new development.

The British are the main offenders. Since January of this year there have been 33 British ships which have called in Cuba. The British would think twice about shipping to Castro if we banned the *Queen Mary* from New York Harbor.

Mr. MUNDT. I also ask that the news stories on this subject appearing in the Baltimore Sun on June 21 and June 25, this year, be printed in the Record at this point.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Baltimore Sun, June 21, 1963]

Cuba Trade Rise Alarming to United States

Washington, June 20.—Administration officials privately expressed concern today about the increase in Western shipping to Cuba.

This was learned as the Maritime Administration released the names of 21 ships added to the U.S. blacklist for trading with Cuba.

Although the 21 compose the largest list yet released by the Government agency since the blacklist was put into effect as of January 1, additional vessels bound for Cuba were noted in Lloyd's Shipping Index, which records ship movements all over the world.

BRITISH SHIPS BLAMED

State Department and White House officials pinpointed British and Greek-owned ships as playing a major role among the vessels trading with the Communist dominated island.

A high official remarked:

"The British and Greek Governments could certainly do more than they are doing about their ships going to Cuba. So far they have done nothing."

Although the Greek Government has made three major pronouncements since the Cuban crisis last fall about its ships not going to Cuba, a number of Greek-flag as well as Greek-owned vessels, show up on every list.

The newest group includes seven Greek and five Lebanese ships, most of which are owned by Greeks. Only 4 British ships were in this count, bringing the British total up to 37 ships making 47 trips since January 1.

Thirty Greek-flag ships have made 37 trips and 19 Lebanese ships have made 19 trips.

The blacklist now contains the names of 118 Western and Polish ships making 132 trips since January 1, the arbitrary cutoff date.

PLEDGE IS NEEDED

The vessels are not allowed to pick up U.S. Government cargoes in U.S. ports as their punishment for going to Cuba. However, any owner can remove his vessel from the blacklist by promising it will not call at Cuba again.

Many American shipping executives and maritime labor unions were cirtical when the single restriction against Cuban-trading ships was announced in February. They predicted then that it was not strong enough to deter Western shipowners from diverting their vessels from this trade which has become more profitable in recent months.

The International Longshoremen's Association (AFL-CIO) takes more credit than the Government for cutting off a large portion of Cuban-trading ships by refusing to work any cargoes on them or any ships of any shipowner going to Cuba.

[From the Baltimore Sun, June 25, 1963]

MORE SHIPS GO TO CUBA

(By Helen Delich Bentley)

WASHINGTON, June 24.—Havana radio today confirmed what administration officials have been saying quietly with concern—that free world shipping to Cuba is on the increase.

The Communist radio broadcast quoted an editorial of the Havana newspaper Hoy saying, "Each new boat which is added to this list is a defeat for the imperialists since it signifies no more and no less than the addition of a boat and a company and a capitalistic country which has ignored the Yankee threats, has disobeyed the orders, has disregarded the persuasions, and the demands."

ADDITIONS TO BLACKLIST

Last Thursday the largest single group of free world ships calling at Cuba was announced by the U.S. Government and added to the blacklist.

That list now numbers 118 vessels which are not privileged to transport U.S. Government-financed cargoes out of U.S. ports. They can pick up such cargoes in foreign ports and carry them to another foreign port.

The blacklist contains the names of those ships which have called at Cuba since January 1.

PROOF OF STUPIDITY

"The fact that they already have had to inscribe 118 boats on the blacklist is a proof of the stupidity of this policy, of its weakness, of its inevitable failure," Hoy said.

The number of vessels visiting Cuba has been increased since Premier Fidel Castro visited Russia, the newspaper stated.

"The world sees that the world balance of forces and the unity of Cuba with the Socialist world augur the complete failure of the U.S. policy aggression," it added.

Early last week, administration officials had said in private circles that they were disturbed by the rise in free world shipping to Cuba.

NEW SUGAR CROP NOTED

They were inclined to attribute it to the present sugar crop, for which the Communists are willing to pay premium freight rates to get the crop moving.

U.S. shipping sources do not feel the single restriction which the Government has imposed upon free world ships calling at Cuba is sufficient to stop shipowners from use of their vessels in that trade.

The Government restriction covers only the ship involved.

DOUBTED WHEN IMPOSED

When it was announced February 6, retroactive to ships of January 1, there was criticism in this country that it would not do the job. But Government officials said it would be sufficient, noting such trading to Cuba had dropped sharply from October when the initial warning was issued.

The International Longshoremen's Association (AFL-CIO) claims that its own ban against both ships and shipowners calling at Cuba since November 8 has done more to cut down the calls than the Government's restriction.

An ILA spokesman said the union still receives two or three calls daily from ship charterers and brokers clearing a vessel before it is chartered to a new operator.

Mr. MUNDT. Here, too, we get out of the realm of generalities and speculation and come down to the actual names of the offenders, the names of the ships, and the amounts of merchandise being transported.

Why should the present measure work, Mr. President? What incentive is there for some of our allies to curtail their trade with Cuba? Certainly none can be found in U.S. policy on Cuba.

The fact of the matter is that the United States has not demonstrated that it really means business when it says that Communist power in this hemisphere is intolerable, nonnegotiable, and must be eliminated.

Certainly the Bay of Pigs debacle was not such a demonstration. Surely, the aftermath of the missile crisis of last fall as well as the weeks preceding it convinced nobody that we really regard Cuba as an urgent threat to the security of this hemisphere that must be dealt with accordingly. And certainly diplomatic representations to our allies to curtail their trade with Cuba are meaningless in the face of this record and alongside the puny measure I described earlier.

Before we can expect other free nations to go along with our desire to intensify the boycott of Castro's Cuba, we must demonstrate that we really are serious and mean business.

Having displayed this intention clearly for all the world to see, we can then go to our allies in Europe and elsewhere and lay it on the line: We can make it clear that we will close U.S. ports to all vessels of any country permitting trade with Cuba—not just to those specific vessels engaged in the trade. And we can warn that unwillingness to heed our requests will result in the suspension or sharp curtailment of U.S. Government aid programs until a change of attitude is manifested.

I realize, Mr. President, that these are stringent measures not designed to enhance our popularity abroad, but stringent measures may be required to communicate the seriousness of our intent to other nations and to achieve our objectives with respect to the Castro-Communist threat in this hemisphere.

I do not claim original authorship of the proposals I am making for intensifying the economic boycott of Castro's Cuba. I am sure others have discussed them and advocated all or part of them at different times. However, I first advocated these proposals shortly after the President's speech of last October 22, and I have reiterated them on frequent occasions since. I think it is now time to bring them formally to the attention of the Senate and the administration as I am doing here today.

Let me repeat, Mr. President: Our present economic sanctions against the Castro regime are halfhearted, they have had no visible effect, and consequently more stringent measures are required. A number of constructive suggestions for peaceful but positive actions have been made on the Senate floor these past few weeks.

These measures effectively refute and answer the oft-repeated question asked by the White House whenever it is urged to face up to the growing perils of communism in Cuba. The White House then seeks to allay or divert criticism of its "see no evil; hear no evil; speak no evil" policy of vacillation by asking, "Well, what do you propose—that we go to war to free Cuba?"

Mr. President, that Yankee habit of seeking to answer a question by merely asking another may have some merit elsewhere but it has neither merit nor validity in a discussion of our Cuban policy or lack of Cuban policy.

Certainly nobody in the Senate has remotely suggested that we go to war to free Cuba, but a growing chorus of unhappy Senators reflecting a growing number of impatient and disillusioned Americans, have suggested and are suggesting constructive steps far short of war which can hasten the downfall of Castro and speed the day when Cuba will again be liberated and administered by freedom-loving Cubans.

It becomes increasingly clear day by day, Mr. President, that to continue to do nothing is the most dangerous policy of all. We can neither wish away the problem of communism and Castroism in Cuba nor close our eyes in the expectation that when we open them the problem will have evaporated. Each passing day that we ignore its existence increases the dangers of its presence and the difficulties involved in its elimination.

Mr. President, the action program, the positive policies which I propose and strongly recommend here this afternoon have a number of attractive and appealing virtues. I enumerate some specifically:

First. Nobody can successfully argue that this program is an act of war. By our sovereign right to control our own trade, our own harbors, and our own foreign aid programs we simply reenforce our appeals to others that they join us in helping us to help them to stay free and to remain secure and at peace.

Second. To the degree that these economic pressures are applied to Cuba—and the degree of success and cooperation that is attained will depend upon the vigor with which our administration would implement this program—we shall be undermining Castro-communism in Cuba and weakening his capacity to do injury elsewhere.

Third. By urging all members of the Organization of American States and of NATO, together with the governments of free nations everywhere, to cooperate in this voluntary but comparatively universal withholding of all commercial transactions and all free shipping from Cuba, we shall make her dependent for outside aid upon the comparatively weak and austere capacities of the Communist countries to provide such assistance. Cubans generally will then realize the meager degree to which they can be benefitted by the Communist cohorts of their own treacherous leader.

Fourth. By exercising the great prestige of our American leadership potential in winning free nations to the support of this organized program of economic pressures we shall gain experience with our friends and allies in "working in harness together" in the interests of the mutual security and advancement of all free peoples. From these experiences in effective teamwork and cooperation it would be hoped the same countries under American leadership and inspiration then might come to take other collective and cooperative actions together in the United Nations and elsewhere. Nothing succeeds like success, and successful experiences in working together should lead to a continuation and expansion of these experiences.

Fifth. Since it is too much to be hoped that all free nations and their respective Governments will cooperate in such a program of economic pressures and abstention from economic relations with Cuba, a final and important dividend for freedom would flow from an American-inspired effort of this type. We would, to put it colloquially, be "dividing the men from the boys." We would learn from our efforts exactly which countries and which governments really want to support collective security and human freedom and which are merely interested in procuring for themselves the maximum of American aid and free world support in a selfish attempt to aggrandize themselves, to keep themselves in power, and to practice a program of "global panhandling" by which they seek for themselves the largest possible handouts from both the Communist camp and the free world. In fact, if this effort did nothing else than to establish for all to see and understand a star-studded rollcall of the countries who really mean business in the global effort to preserve peace and freedom against Godless, aggressive communism it would produce a standout result well worth all the effort devoted to it.

Mr. President, let me repeat that what I propose requires nothing more than political leadership and moral courage. Specifically I propose four points:

First. Issue a Presidential statement—today, if possible; tomorrow, if necessary; but no later than this week—that henceforth commerce in American ports will be denied to the ships of any country which permits its merchant vessels to engage in trade of any kind—except only medical supplies—to Castro's Cuba.

Second. Present to the Organization of American States and to our NATO allies an official request that each of these friendly countries adopt a similar policy and that they, like we, abstain from shipping to or buying supplies of any kind from Castro's Cuba.

Third. That through appropriate diplomatic channels we present the same requests individually and separately to every country outside the domination of the Communists.

Fourth. That we announce as official American policy the determination to free the Western Hemisphere from Communist-dominated governments inasmuch as this violates at least the spirit and perhaps the letter of our hallowed Monroe Doctrine, and that in our desire to utilize all peaceful means at our control to attain this objective, our foreign aid and military assistance programs henceforth must be tailored and adjusted to provide maximum assistance to those who are willing to aid us with our own immediate problem of ridding the Western Hemisphere of Castro's Communist regime and any other Communist dictator who might succeed in grabbing power by means other than those of free, orderly, and honest elections.

Mr. President, in my opinion we need go no further in announcing an American policy of determination and positive action at this time. Perhaps we should move more precipitately and perhaps we should proceed with more direct action—undoubtedly we should take additional steps—but it is my conviction that a program developed along the general lines of my proposal will achieve the desired results and will, likewise, procure for us some highly important and significant collateral dividends and benefits.

Certainly, we should do no less than what I have today proposed. To do less will be to continue to do nothing. Unless we have no faith in our own capacity to lead; or unless we lack confidence in our American ability to sell an idea, which is basically sound and in the interest of freedom loving people everywhere; or unless we are in some way committed by agreements and exchanges of correspondence the contents of which are now unknown, to continue a program of appeasing Castro and doing nothing to help liberate Communist Cuba, I suggest this program as a bare minimum of what is required to recapture our self-respect, to recapture our posture of world leadership, and to recapture the security of the Western Hemisphere and perhaps the world from the growing menace of an unchecked Communist threat thumbing its Red nose at the greatest and the strongest power the world has ever seen.

Today Castro's associates in the drive to communize Latin America and to imperil freedom in the Western Hemisphere have succeeded in creating trouble which is breaking out all over. We witness it today in British Guiana. A few days ago it was in Venezuela. Tomorrow we may expect to see it evidenced in other places creating new provocations and dangers. Each news dispatch from Haiti is fearfully scanned lest it reveal that the Communists from Cuba and their Russian masters have established themselves in that unhappy country, whose dictator flouts the authority of all his neighbors and maintains himself illegally in power by military right.

I invite the attention of Senators and others who read the CONGRESSIONAL RECORD to a most significant full length article which appeared in the June 29–July 6 issue of the Saturday Evening Post. I quote from page 20 of an article entitled "How the Communists Plan To Win Latin America." It is written by Richard Armstrong. I suggest that those who have available the issue of the Saturday Evening Post to which I have alluded, for June 29–July 6, turn to page 20 and read the article in full. I quote one significant statement:

> Why has Latin America, so long ignored, become so important a battlefield in the cold war?
>
> The most immediate reason, of course, is Cuba. "The Communists were amazed there", said a former Party member. "They had always assumed that you meant what you said and implied—in the Monroe Doctrine, in the Rio treaty of 1947, and in the Caracas treaty of 1954—that you would not permit an alien dictatorship in the Western Hemisphere. Then came Cuba?"
>
> A prominent U.S. diplomat adds, "The Communists have been working in Latin America for 40 years, but they were always sabotaged by a certain lethargy, an inner disbelief in success. Cuba says every day that it can happen here. Encouraged by this success, the Communists have launched their first really comprehensive campaign to capture Latin America. Their spirits and their hopes are high.

While we spend billions of dollars abroad to oppose communism and while Americans are dying in far-off Asia to support the cause of freedom, we sit in chains and do nothing to protect our home base through moving to reduce the power and repel the programs of communism in Cuba, which is indeed the Achilles heel in our entire program of national defense and world cooperation.

Let us delay no longer in demonstrating the leadership expected of America. Let us evolve a pattern of action against this Communist cancer on our doorstep which will match our brave words about communism elsewhere and which will give meaning and significance to our pretty phrases about the protection and the promotion of freedom throughout the world.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. MUNDT. I am most happy to yield to the distinguished Senator from Colorado, who has made so many constructive suggestions in this field and who has devoted so much careful study to this growing problem.

Mr. ALLOTT. I am extremely interested in the overall approach that the distinguished Senator from South Dakota has made to this problem. Again and again he has pointed out facts which almost every American knows—what is going on in Venezuela, what is going on in other Latin American countries, and what is going on within Cuba. He has also pointed out—and this is a significant contribution—that there are many ways by which we could stop or throw a block into the development of communism out of Cuba and into Latin America—not only the blockade idea, or closing our ports. He has suggested that we might use our mutual aid for this purpose. I am glad to hear him bring that suggestion up, because I have long felt that aid to other countries should not be a gratuity that we throw around like a drunken man throws money around on Saturday night, but, rather, that our mutual aid should be utilized for one purpose only, and that is for strengthening and bolstering the international foreign policies of this Government.

We know what is going on. In the few weeks since I made my proposal on the floor of the Senate, on June 17—a proposal, incidentally, which was not reported in one of the local newspapers, and which received only a brief notice in another, and then was withdrawn after the first edition—hundreds of letters have come into my office, and they continue to come in an ever increasing and strengthening volume, from South America, saying, "When is America going to wake up and do something about the situation in Cuba?"

The point the Senator has made is one of the strongest that can be made. How can we expect those who want free government in other Latin American countries to have their hand supported when we are absolutely ineffective in doing anything with Cuba? The fact is that every day we permit Cuba to exist as she does—and the Senator has pointed this out so well—we provide moral support to the Communist activities in South America.

Mr. MUNDT. Yes; and we discourage our Latin American friends who might like to join us in a strong effort against communism, and particularly against communism in Cuba. We discourage them by our inertia.

Mr. ALLOTT. I intend to speak in greater detail on one of the points the Senator has made, as a result of some of the thoughts the distinguished Senator from South Dakota has provoked. It is time for Americans to shake their heads and say, "What did Khrushchev want in Cuba?"

It is almost 9 months after the 22d of October 1962. If any person in this world intended to establish a Communist base in Cuba for the subversion of Latin America, the one thing he would want would be manpower. Whether or not the Communists had large missiles in Cuba, I do not know. Two or three years ago, in 1960, we heard about the missile gap as between the United States and the Soviets. The United States was supposed to be hopelessly inferior. The administration told us, or at least the one who became the head in this country told us, that Russia had all the missiles she needed to destroy America.

Then we were told that the Soviets were putting missiles into Cuba. What purpose would that serve? The answer is, no purpose. Perhaps the whole missile story was a red herring. Perhaps they put blank cylindrical tubes on concrete platforms, to look like missile weapons. Whether or not they were real did not matter. The fact is that the biggest red herring was drawn across our path, and we followed it. When it was over, Khrushchev had at least 17,000 men there in October 1962. Therefore, while we were concerned with what we thought were missiles, he had established an entrenched Communist dictatorship government—not a Cuban Communist government, but a Russian Communist government in Cuba, which is one of the worst kinds of government that could be found anywhere in the world today—and that includes Hungary, Bulgaria, Rumania, Poland, and the rest of them.

Mr. MUNDT. And he exacted from our President a promise that he would not promote, and perhaps not permit, an attack against Communist Cuba.

Mr. ALLOTT. That is correct. That is where I think the red herring was. While he was doing that he was doing the things he always wanted to do, and it was necessary for the administration to take this step. That was the Communist red herring; and we completely lost our way.

I thank the Senator for his very great contribution. I hope we shall continue to discuss the subject, and I hope he will continue his contribution, because it will help in forcing a definite policy toward Cuba which will help kill communism in Latin America.

Mr. MUNDT. I appreciate what the Senator has said. We hear indirectly about secret correspondence, which we read about in the newspapers, including a letter a week being exchanged between President Kennedy and Mr. Khrushchev. I am afraid this is a sort of put-and-take correspondence, whereby President Kennedy puts and Mr. Khrushchev takes, so far as Cuba is concerned, because there has surely not been an inch of progress from our standpoint, in the strengthening of our position in Cuba, since the letters began. I hope the President will soon take America into his confidence and let us know what this correspondence is about, and whether we are getting any quid pro quo in any concessions that may be involved in the letters.

Mr. CURTIS. Mr. President, I thank the distinguished Senator from South Dakota for his speech today. The assembling of the material he used took a great deal of time and effort. The results are startling with respect to what is happening in the buildup and in the growth of the Communist camp on our doorstep in Cuba.

As one humble American citizen, I am deeply indebted to the distinguished Senator from South Dakota, to the Senator from Utah [Mr. BENNETT], to the Senator from Kentucky [Mr. MORTON], and to the Senator from Colorado [Mr. ALLOTT] for their remarks and their contributions with regard to the Cuban situation. These distinguished Members of the Senate have probed the subject. They have made suggestions. They have done what should be done by our entire Government.

I am greatly alarmed about our country. I fear that the Republic we love, the Republic with prestige and power and opportunity and tranquillity, is being eroded while the heads of our Government are chasing rainbows on foreign continents and making proposals in this country to buy the people's votes, and while other things upon which our permanent status and development depend are being neglected. I refer to our fight against communism, and I refer to the great necessity of preventing the financial collapse of our country.

The Cuban problem cannot be swept under the rug. The Cuban problem cannot be solved by bringing out the flag and using it as a political instrument biennially just before election time.

Mr. MUNDT. In other words, the Senator does not believe that it can be deferred until October 1964?

Mr. CURTIS. No.

Mr. MUNDT. I agree with the Senator.

Mr. CURTIS. It cannot. The whole free world was heartened by what appeared to be the start of positive action in October 1962. It united the country. It united our allies. It united the freedom-loving people of the Western Hemisphere. It united the voters of the country.

Mr. MUNDT. And it united the two parties.

Mr. CURTIS. Yes.

Mr. MUNDT. I do not know of one Republican Representative or Senator who was against it. We all joined as Americans in an attempt to do something. We were all disillusioned shortly after the election, when nothing was done, except to retreat.

Mr. CURTIS. This great problem, involving human liberty, involving lives, involving people who are living in slavery, and involving the security of this country, cannot be brushed aside or held back as a "gimmick," to be used politically in October 1964. I hope the distinguished Senator from South Dakota and other Senators whom I have mentioned, and many other Senators, will speak again and again on this subject. After all, in the last analysis, the people will determine this question. It has been my observation that on most crucial issues the people are far ahead of Washington. The Senator has given all of us documented facts. I hope it will be but the beginning of his efforts along this line.

We are not suggesting that any particular individual's idea be adopted without question. We are suggesting that nothing be done which threatens to make us a fourth-rate nation, but that every fact be utilized and pursued in the way it should be utilized and pursued. I again congratulate the distinguished Senator from South Dakota.

Mr. MUNDT. I deeply appreciate the expression of my distinguished colleague from Nebraska. I realize the great amount of work and study he has devoted to this subject and his own fine contribution to the discussion of this subject. We do not dare delay making badly needed decisions on Cuba. After several weeks of study of this subject, with specific facts concerning the economic situation, and the list of ships that were serving Cuba providing grist for the mills, so that we could bring into focus some plans and programs, I have purposely reduced all these to what I consider to be the bare minimal effort to start something effective operating against Cuba without a chance of war, or the breaking of any international treaty, but merely by exercising our prerogative as a sovereign Nation to control our own ships and our own aid program, and to try to flex the muscles of American leadership; and also to discover where we have friends, who they are, who will stand up, who will crawl away, and who stands like a great Shylock, trying to pluck as many shekels as he can, both from the Communists and from the United States.

It is about time to get some sense and rationale into our American foreign policy. A good place to start is 90 miles away, with communism in Cuba.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. BENNETT. The Senator from Utah has been sitting here, listening to what the Senator from South Dakota has had to say, and to the comments which have been made by several of our colleagues in the Senate. There have come back into my mind some lines written by the English poet, Pope. I am wondering if we are not beginning to prove, in our relationship with Cuba, what Pope said. He was talking about vice, but what he said is true of any other evil thing. He said:

> Vice is a monster of so frightful mien,
> As to be hated needs but to be seen;
> Yet seen too oft, familiar with her face,
> We first endure, then pity, then embrace.

The longer we wait before we do anything about Cuba, the more American people there will be who will say, "Oh well, we have gotten along all these years and have not had any trouble. Perhaps we had better accept the situation and go on from there."

I am a little afraid that this is already happening. Articles dealing with Cuba are disappearing from the front pages of our newspapers. We have many more problems to consider, and these have pushed Cuba from the front pages of the newspapers. We are in danger of forgetting the Cuban problem.

When we raise it, as the Senator has raised it today, we are told by the administration, "Do not bother about it. The proposals you make are not practical. We are aware of the problem."

However, every week and every month that goes by customs are preparing us to assume that Cuba is going to be Communist forever.

We lapse into a kind of apathy. We say that this is the status quo. It becomes more and more difficult to develop either a program or the strength to support it. I am very much afraid that if the American people do not nudge the administration soon into beginning the necessary steps of action, we shall reach the point of pity and then embrace. We will say, "This is the way it has been done for so long; it is now the pattern of the future."

Mr. MUNDT. The Senator from Utah has made a most interesting observation, I hope not a prophetic one, but certainly within the realm of possibility. Even though Americans, firmly imbedded as we are in freedom, may never embrace voluntarily a situation such as exists in Cuba, there is certainly grave danger that the rest of the world may, as illustrated by the vote the other day, when there were four abstentions and one adverse vote on a vote from Latin American Republics on a perfectly puerile, innocuous, inconsequential resolution. I suspect that one reason why we lost was that any rational man could say, "Why do this? Why antagonize Castro on this point? Why slap him in the face? This is a completely ineffective procedure."

The leaders of the Latin American Republics are conversant with the teaching that one never strikes the king until he can kill him. The leaders of Latin American Republics do not want to scratch Castro's face. But I am confident that they would join us in any forward-moving program, such as the first step, so that they could employ it effectively against communism.

I think there is a possibility that the longer this situation drags out the more it will be subject to suspicion. The people will begin to suspect that nothing serious will happen. Then once more, just 15 minutes before it is too late, we will try to unite them in a great program. But our timing next time may be wrong, and it may be 15 minutes after it is too late. The time to act is now, when we have earned the confidence and respect of the world.

Mr. DOMINICK. Mr. President, will the Senator from South Dakota yield?

Mr. MUNDT. I yield to the distinguished Senator from Colorado.

Mr. DOMINICK. I wish to add my voice of commendation to the remarks of the Senator from South Dakota. It seems to me that this is the most important immediate step we could take. But I know some of the problems which will be encountered.

In June 1961, Representative ROGERS of Florida and I introduced identical measures in the House, designed to cut off all trade between the United States and Communist Cuba. The interesting thing was that when hearings were held before the committee, representatives of the State Department appeared in August 1961 and testified in opposition to the bills. In any event, we were able to have a bill reported by the committee and passed by the House. But it never got anywhere in the Senate.

It was not until February 1962, that the administration finally took action under the Trading With the Enemy Act in order to cut off trade between the United States and Cuba, but months too late to be able to do any real good.

So the Senator will encounter problems in trying to secure any positive action which is not initiated under executive responsibility solely and completely.

Second, I have been interested in and have been advocating for a long time a NATO conference under section 2 of the NATO Agreement, so that we could have an agreed treaty policy among the NATO nations with respect to trading with Communist countries. One of the things that concerns me is the evidence, which was shown so clearly in the Senator's speech, of the number of British ships which are trading with Cuba. There is no doubt that more British ships are trading with Cuba than ships of any other country. The other day I placed in the RECORD, in connection with another discussion on Cuba, the fact that the British have had an imbalance of trade of 98 million pounds with Soviet bloc countries in the past year. That is a large sum of money. It provides the Soviet bloc countries with the necessary sterling and dollar exchanges to enable them to proceed with Communist infiltration throughout the world.

It seems to me that we are doing exactly the same thing in permitting trade to continue with Cuba, a country only 90 miles away from our shore.

The Senator's statement that we can refuse our foreign aid and can prohibit the use of our ports to countries which are trading with Cuba is the first positive suggestion I have heard to bring home the reality of the problem to many countries which are solidly on our side in the overall effort to combat communism.

Mr. MUNDT. I deeply appreciate the historic documentation concerning the difficulties which confront Senators and Congressmen who are trying to pursue a minimum program of action against Cuba. I am quite certain that any suggestion from any source that promises to accomplish anything against Castroism in Cuba will meet with resistance, at least until the letter-writing campaign between the K-Boys is terminated and we can find out what it is all about.

Representative ROGERS of Florida, who joined in that grand effort with the Senator from Colorado when the Senator was a Member of the other body, is a distinguished Member of the House. The people of Florida are the direct sufferers from some of the difficulties which arise from the establishment of communism in Cuba. I credit Representative ROGERS with being one of the few administration followers who have had the courage to stand up and speak out against the craven do-nothing policy program toward Cuba.

I feel certain that we shall meet with further resistance; but I am sure that the kind of resistance we shall meet with can no longer hide behind the language screen which says, "What are we to do?—go to war against Cuba?"

The program I have recommended today is something which even the most imaginative writer in the White House cannot describe as an act of war. We could put together all the Sorensons, all the Schlesingers, all the Harvard men, and ask, "How are you going to describe as an act of war an American trade and aid policy operated under our authority as a sovereign nation?"

So the administration ought to consider the question: "Are you serious about communism when it is close to our shores? Or are you serious only about communism in Vietnam or Laos, 7,000 miles away?"

Unless the administration completely lacks confidence in its own ability to lead, I challenge it now to take the initiative in doing those things which are short of war, which can be done to start the beginning of the end of Communist Castroism in Cuba.

ADDRESS BY SENATOR MORSE ON 25TH ANNIVERSARY OF CITY LIGHT, CASCADE LOCKS, OREG.

Mr. MORSE. Mr. President, when I was in Oregon over the weekend, I made a major policy speech to the people of my State, setting forth my views with respect to the sum of the electric power problems that confront the Pacific Northwest. I spoke with respect to such issues as intertie connection legislation and the Canadian Treaty negotiations. I made this speech at a banquet at Cascade Locks, Oreg. The banquet was in celebration of the 25th anniversary of the purchase by the city of a block of power from the Bonneville Administration. The city of Cascade Locks was the first of our municipalities to purchase a block of power and to establish a municipal public power administration making use of the power generated by the Bonneville Power Administration.

I ask unanimous consent that the address I delivered at the Cascade Locks anniversary dinner on Saturday night be printed at this point in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Address by Senator Wayne Morse on the 25th Anniversary of City Light, Cascade Locks, Oreg., July 13, 1963

Mayor Miles, Judge Teunis Wyers, Bonneville Administrator Charles Luce, other distinguished guests and fellow Oregonians, it is a privilege and an appreciated compliment to be invited to deliver the principal address at this anniversary banquet. It was 25 years ago that Cascade Locks bought the first block of power sold by the Bonneville Administration. It was a historical event of great economic importance to Oregon, the Pacific Northwest and the entire Nation.

It is particularly fitting that the Honorable Charles Luce, the present Administrator of the Bonneville Administration should be one of our honored guests tonight. The Nation has been very fortunate in the appointment of Administrators of the Bonneville Administration ever since the passage of the Bonneville Act. However, we are particularly fortunate to have Charles Luce as the Administrator at this time when we see arising on the economic horizons new threatening storm clouds that may develop into a deluge of controversy over public versus private power policies.

I am confident that under Charles Luce's leadership the sunshine of reason will dissipate the gathering clouds of controversy. It is in the vital economic interest of all the people of our section of the country, including members of economic groups such as the stockholders of private utilities and their customers as well as members and customers of public preference groups, that gathering differences be resolved in a manner that will advance the legitimate joint economic interests of all.

However, now is the time to face up to these issues and try to settle them before advocates take irretraceable positions in respect to them. Charles Luce is particularly well qualified to help resolve any differences that may arise. His judicial temperament, his dedication to the public interest, his insistence upon fair play to the private utilities, the public utilities districts, the electric power consumer and the general public assure us of an industrial statesmanship so essential to a carrying out of the purposes and objectives of the Bonneville Act.

However, it is very important that we have open public discussion of these powerlines because they involve the economic business of all the people. Therefore I propose in this major policy speech tonight to deal with a few of the facts of our electric power problems and needs in the Pacific Northwest, to call upon the many friends, supporters and beneficiaries of the Bonneville Act to rededicate themselves to its purposes and sound objectives. I would have this audience never forget that the Bonneville Act has been the most important stimulant in the development of private enterprise business and the expansion of our private economy in the Pacific Northwest that we have experienced within our economy during the past 25 years.

Businessman after businessman, operating his business within the economic environment of any one of Federal multipurpose dams in our section of the Nation, are the best possible witnesses in support of the public policy soundness of the Bonneville Act. These businessmen tell us that they never would have located their businesses where they did if it had not been for the low-rate electric power that the Bonneville Act in its administration has brought to Oregon and our neighboring States.

Thus it is a pleasure to be in Cascade Locks again. Your town has many features which make it a notable municipality. I came to speak about one of them: your role in initiation of the activities of the Bonneville Power Administration.

City Light in Cascade Locks has the distinction of being the first recipient of power marketed by BPA. You are still reaping the benefits of that decision a quarter of a century ago. Today, residential use of electricity in Cascade Locks is three times the national average and yet you pay only one-third as much as the national average for each kilowatt-hour.

What happened in Cascade Locks on July 9, 1938, was the beginning of a chain of events which reshaped the social and economic structure of the Pacific Northwest.

When Cascade Locks received its first power from Bonneville Dam, only about 30 percent of Oregon's farms were electrified; today 99 percent have electricity.

The year before BPA power came to Cascade Locks, homeowners in Siletz, Oreg., paid $51.60 a month for 500 kilowatts of electricity. Twenty-five years later, Siletz residents could get the same amount of power for $8.

In 1938 the economy of our State was almost entirely dependent on lumbering, farming, mining, and fishing. There was little industry. BPA power brought Oregon six electro-process industries with a plant investment in excess of $190 million, estimated payrolls of $12,500,000 and 6,600 new jobs. Low-cost power from Bonneville nurtured the unprecedented expansion of our quick-frozen food industry and electrified our sawmills, paper and plywood plants, and wood fabrication facilities which are one of Oregon's major sources of employment.

Here in Cascade Locks, City Light furnishes the power for the all-electric operation of one of the largest independent lumber mills in the Northwest, and I am advised City Light can accommodate almost any new industry with the same low-cost power at very little added investment.

Bonneville itself is a principal industry in Oregon with 1,000 employees, an annual payroll of nearly $8 million, and an investment of $166 million in power transmission equipment.

The Bonneville Power Administration did not introduce electricity to the Northwest. We had power before BPA. But it was expensive for all, prohibitively costly to many, and completely unavailable to some. What Bonneville brought to the Northwest was low-cost electricity distributed regionwide at a postage stamp rate—a rate which has remained unchanged for more than 25 years.

How did it do it? With 20 operating or authorized Federal multiple purpose water projects, 8,600 miles of Federal transmission line, an antimonopoly preference clause that give priority in sales to public agencies and co-ops, and a policy of making an abundance of cheap power available in even the most remote reaches of the Northwest.

It accomplished this feat in the face of the bitterest opposition from one to today's major beneficiaries—the Northwest's private power companies, who buy large quantities of BPA power and pay less for it than public agencies and co-ops.

Today, the limitation of its marketing area has put the Bonneville Power Administration into a financial problem. In the last 5 years, BPA has experienced deficits which have reduced its surplus by $60 million. Although Bonneville is still ahead of the game, unless other solutions are successfully applied, it will be necessary to raise BPA rates to cover scheduled repayments.

During the same period that Bonneville's financial "cushion" decreased by $60 million, some $126 million worth of power went unsold—water wasted over the spillway. If a market had been found for only half this surplus secondary power, which is available on a nonfirm basis, there would have been no deficit.

A major electrical interconnection between the Northwest and California and the Southwest could be the means of marketing this power. An intertie would also permit sale of peaking capacity, allow firming up of substantial quantities of secondary power for use in the Northwest, and provide a means of taking advantage of diversity in peak loads between the two regions.

BPA has proposed two ties, one a 750-kilovolt direct current line to Hoover Dam in Nevada or Los Angeles, Calif., and the other a 500-kilovolt alternating current line extending to the Oregon-California border where it would link with facilities of the Pacific Gas & Electric Co.

Average annual net revenues to Bonneville in the first 10 years alone would be $24.6 million, and large additional benefits thereafter. Net benefits for the Northwest—including the non-Federal utilities of the region—are estimated to range up to $872 million over the next 50 years.

This is an extremely lucrative proposal. These lines would pay for themselves in less than a decade. Benefit-cost ratio is about 3.5 to 1—a better economic justification than most recent hydroelectric projects in the Northwest. Because of the profitmaking potential of such an interconnection, seven non-Federal proposals to accomplish all or part of the job have been submitted to Bonneville. However, none can show equal benefits.

California private power companies are seeking to take over this interconnection plan. The Pacific Gas & Electric Co. of California, which has absorbed 520 other firms to make it the biggest privately owned utility in the country, wants to control the flow of power between the Pacific Northwest and California. Southern California Edison Co. seeks to substitute a line from its service area to Phoenix, Ariz., for the Federal direct current line through Nevada. The California companies suggest that they become the sole channel for distribution of Northwest power in California. Under their plan, all BPA surplus power which is exported for sale outside the region would be sold to Pacific Gas & Electric. Other potential customers could gain access to this power only on terms and conditions laid down by Pacific Gas & Electric.

Last month the president of the Puget Sound Power & Light Company declared that "whoever controls transmission lines these days controls the works." The California companies would obtain control under their proposal.

This is no new attitude on the part of private power companies. These private utilities fought Bonneville Dam and Grand Coulee. They opposed expansion of the BPA grid. They fought a high dam at Hells Canyon. They worked against the Hanford project.

These private utilities are obligated primarily to their stockholders and therefore they naturally are concerned about making good profits. There is nothing wrong in that from their standpoint. Since 1950 public and co-op systems in the Northwest have made rate reductions of $30 million while private utilities of this region have increased rates by $25 million.

Low cost power is a key to the Northwest's economic growth. We are thousands of miles from major markets, insulated from major centers of commerce by high freight rates. Our economy remains resource oriented, strongly sensitive to dips in the business cycle and seasonal unemployment. Low cost power has helped bring us industry and stable payrolls. Low cost power permits us to compete with other sections of the country. It is an equalizer which compensates for our isolated location. If BPA power rates go up, chances of attracting new industry—or even retaining full operation of existing plants—are proportionally decreased.

BPA's $520 million transmission grid constitutes about 80 percent of all the high-voltage lines in the Pacific Northwest. Bonneville provides 60 percent of all our power. An increase in rates will have widespread impact on our State and region.

Somebody is going to build an interconnection between the Northwest and Southwest. It is too good a deal to pass up. Any intertie can help Bonneville's financial picture. But a Federal interconnection is the best bet for keeping our power rates down.

The Federal Government should build the needed tie lines. The Bonneville Act of 1937 directs the BPA to interconnect with other Federal systems and publicly owned power projects. Substantial economies are possible by linking such systems as the Central Valley project in northern California, the Hoover-Parker-Davis dams and the Colorado River storage project in the Southwest. Local public power groups, rural electric cooperatives and State agencies also stand to benefit.

The administration has asked for funds in the current appropriation bill to build to the Oregon-California border. What logic dictates that a Federal line must terminate at this point for the benefit of private parties? Some 75 percent of the surplus power available for export in the Northwest is at Federal dams. Why should BPA depend on private power companies for its marketing arrangements? Federal lines would be common carriers, available at cost to all—including private power companies. Why should a private monopoly be substituted?

Implementation of the treaty with Canada for cooperative development of the upper Columbia River will result in the equivalent of another Grand Coulee Dam for the Northwest, but conclusion of this arrangement swings on the ability of Canada to market its share of treaty power in the Southwest via an intertie. Are negotiations between the United States and Canada to be subject to the veto of a private power company?

Any intertie requires as a prelude passage of legislation to prohibit the drain of Federal power out of the Northwest to the detriment of the needs of our region. We have passed such a bill in the Senate, and it is pending in the House of Representatives. An amendment has been added there, requiring enactment of new authorizing legislation before the 750-kilovolt line may be built directly from the Columbia River to the southern California market. If the private utilities amendment remains part of the preference measure, the bill itself will certainly be vetoed.

But our concern with the progress of this measure should not blind us to the reason for its existence—the desirability of an intertie to better BPA's fiscal situation. Our aim is not to build a Chinese Wall around the Northwest but to facilitate sale of surplus to protect our supply of low cost power.

In a recent speech on the floor of the Senate I reminded the Federal Power Commission of its independent jurisdiction—indeed its obligation—to decide the question of the authority of the Washington Public Power Supply System to go outside the State of Washington to construct a dam on the Middle Snake in Oregon and Idaho, notwithstanding a decision by the Oregon Federal District Court that Washington Public Power Supply System lacks such authority under Washington State law. Editorializing about that speech, the Oregonian said: "Senator MORSE's position appears to be founded on ideological grounds rather than legal grounds." This, apparently because I also reminded FPC of its mandate to provide for maximum development in the public interest of the publicly owned rivers of this country.

Where the only resource concerned or affected is power generation at a low-head site, there is every reason for dams to be those of private utilities. I have always supported their construction of low-head dams at such sites.

But where there is the prospect for a multipurpose project, that is another matter.

The editors of the Oregonian know just as well as I dò that the private power companies which comprise Pacific Northwest Power Company are not proposing maximum development of the Middle Snake, any more than Idaho Power Company did a decade ago. In its zeal to champion Pacific Northwest Power Company, the Oregonian camouflaged the substance of my legal position. It obviously did so because it could not refute that position.

The point I made is in fact irrefutable. The FPC, not having been a party to the litigation in the Oregon District Court, is free to deal independently with the issue decided by that court. Moreover, no prohibition in State law nor any lack of authority under State law can void an FPC license or bar the exercise of the FPC's paramount Federal licensing power. This has been the repeated holding of the U.S. Supreme Court. Irrespective of State law, then, the FPC can endow WPPSS—a public body competent under Washington State law to generate and sell power—with independent Federal authority under a Federal license to construct a dam on a navigable stream belonging to the United States located outside the State of Washington.

This is a far cry from the Oregonian's characterization of my legal position as being that a Federal court has no authority over the Federal Power Commission.

In a second editorial, the Oregonian again bleated the call of the Pacific Northwest Power Co. with respect to the fish problem on the Middle Snake. After one private utility has killed off what fish there were above the Salmon River, we are told that only another private utility can save the fish below the Salmon.

I think the people of this area have seen enough wreckage of Snake River resources at the hands of private utilities.

It is regrettable that the Oregonian seeks its legal advice from patently biased quarters. It is even more regrettable that the Oregonian fails so often to speak out on major power issues on behalf of the general public interest, in the great tradition of the press.

Interconnection of the Pacific Northwest and Southwest, and development of the Middle Snake River are issues which will help shape the future of the Northwest, just as did the arrival of BPA power in Cascade Locks. If we allow private parties to work out their own special solutions, outside the framework of the public interest, we have only ourselves to blame.

It will be most regrettable if controversies over the intertie issue and the maximum power development of the Middle Snake are not settled on a negotiated basis that places the long-time public interest ahead of all other issues.

For a good many years, great progress was being made in the maximum river basin development of the Pacific Northwest, based upon a program of joint venture between Government and private utilities that would result in the pooling of power and a fair distribution of that power to the private utilities for sale to their customers and to public power bodies for distribution to their customers. Such a program was aimed at providing people living in the great potential hydroelectric power areas of the West with low-cost power so vitally needed for an ever-expanding economy, new job opportunities, new business, and an ever better standard of living for our people.

I have always supported such as program, and I will continue to do so.

It gives assurance to private utilities of an adequate supply of power, fair and reasonable but not exorbitant profits and a maximum rather than an inadequate development of the hydroelectric power resources of the Pacific Northwest. Such a joint venture approach should be returned to by the Government and by the public utilities in the solution of existing intertie connection issues and Middle Snake development proposals. I intend to continue to work to that end.

I shall continue to insist that the fishery problems on the Middle Snake and the Salmon Rivers should be protected to the maximum extent possible consonant with any greater public interest that the facts may show exist. I am very much of the opinion that much more can and should be done to protect fishery interests before final decisions are made concerning which of several alternatives should be agreed to for the development of maximum power resources of these stretches of river water.

The public utilities are entitled to be in on this development, but they are not entitled to control it, for such a control could very well give them a stranglehold on the throat of maximum potential economic expansion throughout the West.

The future of our great natural resource area of this Nation calls for industry as well as Government to exercise the highest possible degree of industrial statesmanship in facing up to these tremendously complex economic issues.

If such a course of statesmanship is followed, those who follow us 25 years from tonight will be speaking at other Cascade Locks dinners, giving thanks to the fact that our generation kept faith with the economic and political statesmanship of Charles McNary, George Norris, Hiram Johnson, Clarence Dill, Franklin Roosevelt, and the many other leaders of the generation just before ours who had the vision to develop the great Bonneville Administration, along with the Federal multiple-purpose dam system of which Cascade Locks is a good example of its beneficiaries.

We can best honor those leaders of the past tonight by rededicating ourselves to support in our time further programs aimed at the maximum development of the hydroelectric power potential of the West.

TONGUE POINT NAVAL FACILITY, OREG.

Mr. MORSE. Mr. President, I wish to discuss two subjects this afternoon. The first involves a very important economic issue in my State which has become known as the Tongue Point issue. I have spoken about it before at this session of

Congress; I shall undoubtedly talk about it again on various occasions before Congress adjourns, unless at an early date the administration carries out what I believe is the very clear obligation it owes to the people of my State to see to it that the Tongue Point facility is put to suitable use.

As I have said before, the Tongue Point Naval Facility, at Astoria, Oreg., became obsolete to the then use of the U.S. Navy. Once the administration satisfied me that the installation was obsolete to the use of the Navy, I did not ask that the administration continue to operate the naval base for an obsolete purpose, for that would be an inexcusable waste of the taxpayers' money. But I did say to the administration, "However, there can be no excuse for junking a wonderful permanent facility, in connection with which the Government admits it paid at least $14 million." But, Mr. President, this point is now under serious dispute; and I think that when I come forward with the final proof it will be found that the Government paid more than $14 million for the development of this project. Be that as it may, one cannot justify wasting $14 million.

I have stated in conference after conference with representatives of this administration, including, on several occasions, the President of the United States himself, that the deactivating of this naval base has created in Astoria, Oreg., in my judgment—and I do not think it is disputable—the most depressed economic municipality or metropolitan area in the entire country; and I am aware that there are some other seriously depressed areas, including area after area in West Virginia and elsewhere in the Appalachian region. The U.S. Government gave cause for the people of Astoria area to rely upon the economy created by this wonderful naval installation.

As I have said before, the buildings are permanent; and many of them are as fine as some of the fine Federal buildings in Washington, D.C., or elsewhere in the country. I say to the many who have discussed with me the possible conversion of these buildings into business uses or industrial uses, that it is difficult to convert them into such uses; but they provide a magnificent facility for any one of a good number of Federal uses. Although I am the spokesman, by assignment of my Democratic colleagues on the Oregon congressional delegation, for the presentation of Oregon's case in regard to this matter, I repeat that I speak for the united Democratic members of that delegation in urging that the administration do everything possible to find a Federal use for this property.

Through the majority leader and the senior Senator from Oregon, the chairman of the Senate Appropriations Committee has been apprised of the continuing interest of the White House in its endeavor to find a Federal use for this property; and, therefore, the chairman of the Appropriations Committee has been urged to keep the administration advised as to the requests of various departments of the Government for appropriations for new installations. The request is that when there comes from a department a recommendation for a new installation, there first be made an analysis as to whether Tongue Point can be used for the purposes of the installation requested. Several weeks ago Mr. Boutin, the head of the General Services Administration, advised the Oregon delegation that there have been occasions when the General Services Administration has been advised by some agency of the Government that Congress had approved funds for a new installation of which the General Services Administration up to that time was not aware. His office was then called, and the suggestion was made that it have architects proceed with the planning of the new installation. When Mr. Boutin mentioned this, I said that if our Government really has become so large and so complex that we do not know until after congressional action has been taken that there are requests for new installations, and that funds for them have been appropriated despite the possibility that Tongue Point might be used to serve the same purposes, it is about time that we establish a watchdog committee to take jurisdiction over both the Congress and the departments of the administration, in order to see to it that the most economic use of existing surplus facilities is made.

I know there are those who would like to junk Tongue Point; and of course the junk price would be but a pittance compared to its true value. I know that in my own State there are those who would like to take advantage of that kind of economic benefit. I have no doubt, also, that in the Government there are those who would like to get this problem "off their backs" and would like to see the property disposed of on some basis. My responsibility is to make clear to both groups that this property should be used for a purpose which will give to the American taxpayers a maximum value as a result of its use.

The President has assured me—and has carried out his assurance—that this property would not be junked, at least until every possible effort had been made to find a suitable public use for it—either Federal or Federal-State use.

On another occasion I spoke about the controversy which developed between the Oregon congressional delegation and the General Services Administration when it was clear to me that the regional office of the General Services Administration apparently either did not know or, in spite of its knowledge, was following a course of action which could not be reconciled with the White House wishes, and published in Oregon newspapers certain advertisements which left the impression that bids would be taken on June 24 for the property and that the property would be sold on the basis of the bids. In fairness to the regional office and to the national office of the General Services Administration, I say there is no question that the bidders had at least constructive notice, if not actual notice, that they would be subject to the rules, regulations, and terms of the Surplus Property Disposal Act.

The fine print served notice on them that the General Services Administration was under no legal obligation to accept any bid, but that bids were being sought in order to find out, at least, what private bidders might wish to bid for the property at that time. I shall have more to say about that subject in a formal statement that I shall make from manuscript in a moment. I repeat that we have stopped the junking of the property to date. We have the assurance of the administration that there will be no renewal of any attempt to dispose of the property under the Surplus Property Act until some time this fall. We have the assurance of the administration that it is exercising every effort to find a public use for Tongue Point. All I can say today is that I think it is extremely important that the administration intensify its efforts, because in fairness to my State, this most depressed municipal area in the country is entitled to better treatment from the present administration. It is entitled to a clear showing that there is no possible Federal use to which the property could be put which would result in an efficient and economic use of the property.

I say to the administration today, "You cannot make such a showing, for you have had submitted to you already a series of proposals that in my judgment would result in an efficient and economic use of the property; and it would redound to the great economic advantage not only of the Astoria area but of the Nation."

I sincerely hope that the administration will not only double, but quadruple, its efforts to find a Federal use for the property. I am sure the present Presiding Officer of the Senate, the Senator from Hawaii [Mr. INOUYE], will understand if I smile at him as I discuss the subject today, because he presided the last time I spoke at length on Tongue Point, for about 3½ hours, as I remember. I shall never forget the Senator's graciousness. I shall never forget the kind things he said to me when the speech was over in respect to the merits of the prima facie case which in his judgment, at least, I made on that occasion.

I desire my friend from Hawaii to know that the case is now better than even a prima facie case. The administration has been unable to meet on its merits the case which the senior Senator from Oregon, speaking in behalf of the Democrats in the Oregon delegation, has made in regard to the Tongue Point issue. I think of the millions of dollars being asked for necessary facilities for other Federal functions elsewhere in our country and around the world. I repeat to my administration, "In my judgment you have no case for disposing of Tongue Point under the Federal Surplus Property Act."

Mr. President, a Senator cannot take the position I have taken and not find himself in conflict with certain forces in his own State. So I have been subjected to criticism from certain economic interests in my State that would like to get Tongue Point for a song. They have never yet made a case showing that even if it were given to them, the property would be used economically. I would fight giving it to them, because that would violate the Morse formula.

I shall fight to protect the Morse formula in its application to my State as well as to any other State. But to illustrate my point, even if the property were given to them, they have not yet come forward with a plan which would show a use of the Tongue Point facility that would be to the economic advantage of my State to the extent to which it is potentially capable of being put. So I intend to oppose, as long as there is any chance of getting a Federal use of Tongue Point, any attempt on the part of any group in my State to obtain Tongue Point for a song. But any time that any economic group in my State desires to come forward with a blueprint plant that will show that Tongue Point can be put to an economic use which would result in the jobs, in the economic expansion, and the creation of greater economic productive power in my State, they have an ally in their senior Senator.

I make these introductory remarks today because I think they are fitting in connection with a reply that I now make to an anti-Morse newspaper in my State. I probably should qualify that statement by referring to the newspaper as the most powerful anti-Morse newspaper in my State, because, except a couple of small newspapers, they are all anti-Morse newspapers. But I do not intend to let the criticisms of the Oregonian go unanswered officially. So I comment on that subject today from the floor of the Senate.

Certain newspapers such as the Oregonian, have criticized me in slanted editorials for what happened to the city of Astoria's $920,000 bid for a proposed negotiated purchase of the Tongue Point property. That is $920,000 for a facility in which the American people have a minimum of $14 million invested, and, in my judgment, if it were put to proper use, it would be worth more than $14 million.

These attacks are typical of some segments of the press that are doing their level best to make a bad deal look good.

What these newspapers do not tell the people of Oregon is this: In a report dated April 19, 1963, the Administrator of the General Services Administration said:

> On several occasions subsequent to the April 26, 1962, meeting here in Washington with the city officials, our regional representatives held meetings with the local city officials, and on each occasion tried to make it abundantly clear that we could not accept an offer from the city if it constituted a paper proposal with the real intention being to immediately resell to a private entity.
>
> We have now received, here in Washington, the city's offer to purchase the remaining portion of the property for $920,000. Although as mentioned above, there is statutory authority to negotiate sales to local public bodies at fair value, we cannot abuse this negotiating authority by a negotiated sale to a public body which intends to immediately transfer its title to a private entity. We therefore propose to reject this negotiated sale proposal because it is apparent both from the offer received and earlier correspondence herein referred to that the city does not intend to retain ownership of the property.

Despite the crystal clear statement of the General Services Administration, the Oregonian in an editorial last month stated:

> Should Senator Morse fail to find a Federal agency to occupy Tongue Point, his last minute dynamiting of Astoria's proposal could well cost the taxpayers many thousands of dollars.

Thus, the Oregonian attempted to condone something the General Services Administration said it could not do without abusing its negotiating authority. In other words, had GSA accepted the $920,000 bid, it would have violated the law, but apparently this would have pleased the Oregonian.

The Surplus Property Act makes perfectly clear that if property is to be sold to a public body, such as the city of Astoria, it must be on the basis of the understanding of a good-faith intent on the part of that public body to put it to a public use.

I say once again to some of the councilmen and the mayor of the city of Astoria, who have never missed an opportunity to seek to reflect upon the senior Senator from Oregon because he stood up and fought for the public interests against their attempt to raid the public interest, that their offer was not a good-faith offer under the Surplus Property Act. It was a subterfuge offer. It was a "gimmick." It was an offer which was designed to permit them to be used as the conduit, as the vehicle for transferring property which they were entitled to buy if they wanted to put it to a public use to a private group of businessmen, with whom they had entered into an agreement to sell the property for $950,000.

I shall always be proud of the fact that the senior Senator from Oregon had something to do with the stopping of that raid on the Public Treasury.

Any time the city of Astoria wants to buy Tongue Point for the public use and shows that it will be a purchase in good faith and that the city intends to retain Tongue Point for a public use—and offers a fair price for it—the senior Senator from Oregon will do all he can to assist the council and the mayor of Astoria to obtain the property. But I do not intend to sit here and countenance a subterfuge being practiced upon all the taxpayers of the United States by any group in my State or in any other State.

As senior Senator from Oregon, it is my duty to the people of my State, as well as to the people of the United States, to make sure that disposals of property belonging to all the people of our country are handled in full compliance with the law. If the Oregonian—and similar newspapers suffering from moral myopia—object to my defense of the taxpayers' interest, I can only say that I am proud to have their opposition.

The fact that the bids on the portions of Tongue Point property give evidence of being inadequate makes it all the more important that the project be reviewed intensively at the White House level for a Federal use that will prove to be to the advantage of the United States and the economy of the Astoria area.

My work to attain this objective will continue despite any editorials that seek to propagandize their readers into believing that Tongue Point should be sold for $920,000 or any such amounts as are represented by the bids of June 24.

The Oregonian and some other newspapers object to my earlier reference to the proposal that the City of Astoria buy the property for $920,000 and then sell it immediately for $950,000, as a steal. In view of the fact that the proposal of the City of Astoria to buy the property for $920,000 and immediately sell it to private business interests for $950,000 would have been in violation of the law if the General Services Administration had gone along with the deal, and in view of the fact that the amount of money involved was such a small amount in relation to the true economic potential of the Tongue Point installation, I repeat that the entire proposal was properly described as an attempted economic steal.

In fact, I think the low amount involved in the proposal probably helped create an impression in the Pacific Northwest that the Tongue Point property may be available eventually at an exceedingly low price such as was offered for it in the bids on June 24.

I wish to make clear to the people of Oregon that if it develops that the Federal Government finally decides that the property cannot be put to a Federal use, I shall then do everything I can to help business interests in Oregon obtain the property for private industrial development. However, I agree with many businessmen in Oregon who have written me on this subject that every effort should be made to try to find a Federal use for the property or a combined Federal-State use for the property. It is as clear to them as it is to me that a Government use of the property would undoubtedly provide the State with the greatest amount of economic return in the form of jobs and economic expansion in the Astoria area.

Only a few days ago the President assured me again that a most thorough survey of possible Federal uses of the Tongue Point property is being made by Federal officials.

I am doing everything I can in carrying out the obligation I owe the people of Oregon to convince the administration that Tongue Point should be reactivated for some Federal use. The Democratic members of the Oregon delegation are being of wonderful assistance to me. If we fail, it will not be because we did not try.

Also, may I point out that if it is finally decided that the property must be sold any business or group of businessmen in the State or anywhere in the country will then have a renewed opportunity to make their best offer for the property.

A few days ago I made a brief reference to this subject matter as I discussed on the floor of the Senate the testimony of the Commissioner of Education, Mr. Keppel, before my Subcommittee on Education, which was then holding hearings on the administration's omnibus education bill. Commissioner Keppel—as was done by many witnesses during the preceding weeks—called attention to the fact that we must do something quickly about training and retraining men and women who will find themselves unemployed soon because of automation.

The statistics have not been refuted, but have been agreed to by witness after witness. Those statistics indicate that if automation were stopped today and if there were no more, it would be necessary to provide 35,000 new jobs a week for some time to take care of the losses of jobs which will continue to accrue because of automation operating at its present level.

We all know that automation will continue for years. The employment disjuncture which will result almost defies the imagination. We must consider not only the loss of employment caused by automation but also the need for new jobs to be created for the increasing number who will go into the labor market week by week. The statistics show that it will be necessary to provide an additional 65,000 new jobs a week to take care of the population explosion. The total need already is for 90,000 new jobs a week.

Various witnesses discussed statistics of the nature I have just stated, but I think one of the very best discussions was the discussion of Commissioner Keppel. It was in the course of that discussion that he made his plea for the development of vocational training centers. It was in the course of the discussion in the hearing room that I said I thought it was important that the administration's attention be called to the need. I especially refer to the Tongue Point installation as a great training center. I had already notified the administration as to the information that had been supplied to me by one of the outstanding men in the field of vocational training in my State, in charge of vocational training in the Springfield (Oreg.) school system. He came to see me about Tongue Point. It was pointed out in that conference that it is made to order for a great vocational training center, where several thousand persons could be trained each year. There was a great facility there for an institution for vocational training.

There is a need for some in other parts of the country, too. That proposal had been made earlier to Mr. Ralph Dungan, whom the President had assigned to follow through on the Tongue Point matter and keep the White House informed as to the potentialities that might develop for the Federal use of Tongue Point.

After listening to Commissioner Keppel the other day, I wrote Mr. Dungan another letter, in which I called attention to various aspects of the Tongue Point problem, with especial reference to Commissioner Keppel's testimony; and I ask unanimous consent that the letter be inserted at this point in the Record, and that excerpts of Commissioner Keppel's testimony that I sent to the White House also be printed at this point in the Record.

There being no objection, the letter and excerpts were ordered to be printed in the Record, as follows:

July 11, 1963.

Mr. Ralph Dungan,
Special Assistant to the President,
The White House,
Washington, D.C.

Dear Ralph: Yes, it is Tongue Point again.

You probably have noted in the press recently several stories to the effect that the Federal Government is concerned about the need for developing vocational training centers to help meet the loss of jobs caused by automation and the employment problems faced by school dropouts.

As I told you in a previous letter, Commissioner Francis Keppel discussed a phase of this problem in his testimony before my Subcommittee on Education. I am enclosing a copy of the hearing record, and I have marked the excerpts dealing with this part of Commissioner Keppel's testimony.

In my opinion, the administration should draw together all of the recommendations of its various spokesmen on the need for retraining centers and then give consideration to the possibility of making Tongue Point a vocational training center for various Federal programs that are in the incubation stage.

This spring, I had a conference with Mr. L. John Lipney who teaches in the vocational education department at Springfield Senior High School, Springfield, Oreg. Mr. Lipney advanced several excellent suggestions for possible uses of the Tongue Point facility. He feels that it could be used to train foreign service technicians and teacher trainees; as a manpower retraining program; and a vocation training school.

You may find the attached copy of my April 15 correspondence with Mr. Lipney of some interest in this connection, particularly the Senai brochure and the Sao Paulo photographs.

The thrust of Mr. Lipney's proposal is that training of foreign technicians in a residential center in this country could be accomplished more efficiently and expeditiously than in centers situated in their own country. An extremely useful byproduct of this approach would be the fact that the technicians who were trained in an area such as Astoria would carry back home with them excellent impressions of our democratic way of life.

Furthermore, I still think that the Peace Corps and the foreign aid organization should give more favorable consideration to the possibility of using Tongue Point as a vocational training center for young foreigners brought here from foreign lands along the lines of the proposal that Fritz Rarig made to us some months ago. I would rather spend some of our foreign aid money training young foreigners in our own country in various phases of vocational training than spending the money abroad.

I am enclosing a copy of a statement I am making in Oregon this weekend on Tongue Point, because with the passage of time, the demands for Federal action are becoming more intensified.

Incidentally, I think it would be very helpful if you had a talk with Senator Hayden, chairman of the Appropriations Committee, and assured him, as I have, that it would be very helpful if he would keep us advised as to requests that various Government departments and agencies are making for the construction of new installations that might not be needed if they gave consideration to a Federal use of Tongue Point for the same purpose.

Cordially,

Wayne Morse.

Excerpts From S. 580 Hearing Record, June 25, 1963, Senate Education Subcommittee

Commissioner Keppel. * * * Three, to authorize the Commissioner of Education to make grants to States for the establishment of experimental residential vocational schools. For this purpose, the sum of $15 million is authorized for fiscal 1964.

Senator Yarborough. What do you mean by "residence"?

Commissioner Keppel. It would mean that these schools would be particularly for young people, probably in the slum areas in the cities, who would be sent to schools where they would live, board, and be trained for the period necessary, which might vary from 1 to 3 years, to be trained for job skills.

This is a proposal which I believe has been considered before by this committee and others, the notion, of course, being that, in some cases, perhaps tragically in many cases, it is desirable that the young man be put in a setting where the school can provide far more service than is available to him in the home or tragic imitation of a home that he comes from.

This is the proposal.

Senator Morse. Will you permit an interruption for a commercial?

Commissioner Keppel. Yes, sir.

Senator Morse. Will you see if you can help me, for I have been impressing upon this administration the ideal location for one of these great vocational rehabilitation centers. West Virginia and Oregon are at the bottom of the totem pole of depressed areas. This administration, I feel, has done a great injustice to my State, and nothing yet to correct it. There is a great establishment at Astoria, Oreg., a naval base that was closed down some years ago. It is a perfect facility, and the President is very much interested in finding a use for that base, because he knows that Senator Morse is a persistent fellow.

Get this into the White House, will you? I even suggested that they use Tongue Point as a vocational educational center for foreign students, from Latin America and east Asia, but as you know, in recent months, I have taken the position that I am not going to support taxpayers' funds for the development of underdeveloped areas elsewhere in the world, until we take care of some of our own needs first. You will want to be prepared not only on this point, but on every other point. They will say to you, "Keppel, where are you going to get the money?" That is what they will ask us.

So you might want to say to them, "Take some of it away from France and West Germany, Italy, Spain, Portugal and Belgium, and Norway and Sweden, who are more prosperous now than we are, and let's do something about these people here in this country."

You have inspired me. I am speaking each day on the floor of the Senate about this giveaway program. I am going to use some of these figures this afternoon.

But, joking aside, because there was a certain amount of joking in my statement—I am dead serious now, when I tell you this is a sound proposal.

We must do something about vocational training in this country, and fast, with automation costing us 30,000 to 35,000 jobs a week. The population explosion creates the need for an additional 25,000 jobs a week, with a total of some 60,000 jobs a week that we have to find to take care of automation and the population explosion. We had better set up centers such as this.

Of course, if the administration will buy your bill of goods, and it better, I think there is only one place that it ought to go.

Please continue.

Mr. MORSE. I also sent to Mr. Dungan yesterday a copy of a letter I sent to the chairman of the Senate Appropriations Committee [Mr. Hayden]; and I ask unanimous consent that the letter to the Senator from Arizona [Mr. Hayden] be printed at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

July 11, 1963.

Hon. Carl Hayden,
Chairman, Appropriations Committee,
U.S. Senate, Washington, D.C.

Dear Senator Hayden: You will recall that some time ago I spoke to you about the desire of the White House to find an appropriate Federal use for the Tongue Point naval installation at Astoria, Oreg.

Tongue Point was an extremely active naval base during World War II. It was used originally as a naval air station and later by the Columbia River Group, Pacific Reserve Fleet. It was officially reported to the General Services Administration as excess property in October 1961. Since that time, it has been maintained in excellent condition by the General Services Administration and is available for almost immediate use by any Federal agency that might be interested.

The Tongue Point property consists of 882.54 acres of land, improved with 365 buildings and structures. According to GSA, the total acquisition cost was $14,643,930. Included in the facilities are an administration building, warehouses, dwellings, three hangar-type buildings, offices, a hospital, a heating plant, several shops, eight well-constructed piers, a marginal wharf and three seaplane ramps, railroad trackage, storm and sanitary sewers.

Enclosed is a brochure describing Tongue Point in some detail. Photographs depicting portions of the installation are included in the brochure. I believe you will be impressed, as I am, by the excellent condition of the facilities at this base. They could be used for numerous purposes with very little alteration.

The closing of this installation has probably made Astoria, Oreg., the most economic depressed area in the entire country, even worse than some of the depressed areas in West Virginia and the rest of the Appalachian area.

For example, the population of Astoria for 1962 totaled slightly over 9,000. Since that time hundreds of people have moved away from the city and surrounding area. In 1956, the population was 12,331. One has only to walk along the main street of Astoria to appreciate the seriousness of the situation. Every block of the central business section of the city contains vacant store buildings, many of which are relatively new. Indications of economic depression are evident throughout the city; business firms in large numbers have left the city, compounding its economic distress.

President Kennedy has appointed Mr. Ralph Dungan of his staff to represent him in consultation with various departments and agencies in an endeavor to find a suitable Federal use for this fine installation.

The fact is that Tongue Point has become a cause celebre in Oregon and will rise to plague the Kennedy administration if it is finally junked or sold at a low price to some concern that will not make use of it for job-creating and economic expansion purposes.

Ralph Dungan has suggested, in behalf of the President, that Senator MANSFIELD and I seek your cooperation in keeping us advised as to the appropriations requests of various agencies appearing before your Committee asking for funds for new installations. Certain appropriations of this type might not be needed at all if one or more agencies were required to make use of Tongue Point.

After you have had an opportunity to review the material I am enclosing, Senator MANSFIELD and I will ask to confer with you about it.

With kindest personal regards.

Cordially,

WAYNE MORSE.

Mr. MORSE. I close the discussion of this subject matter today by pleading again—and I use the term advisedly—that this administration give direct evidence that we have not permitted government to become so complex that our left hand does not know what our right hand is doing, or that we are not aware of the many requests for additional appropriations for new services to be installed in new facilities, when at the same time we have such a wonderful and magnificent permanent facility being maintained by the Federal Government, in vacancy at the moment, which, with relatively small expenditures, could be very quickly rehabilitated into any one of a number of potential uses. But today I particularly emphasize the vocational training use.

It will be noted, when the letter I send to Mr. Dungan is read, that I renewed a request for the consideration of another phase of the vocational training program that I presented to the White House several weeks ago. I say most respectfully to the White House it is just as sound today as it was when I first proposed it. That is a proposal to combine into the vocational training program a program for people in our own country who need retraining, and training in vocational skills in the first instance, a program that will take care of a very ugly fact that exists in our society today, about which Commissioner Keppel testified eloquently—the problem of the many thousands of school dropouts. We are living in the midst of one of the most serious school dropout problems, in the District of Columbia.

There are tens of thousands of them each year across this Nation. Where are they going to get jobs? The testimony is that a very large percentage of school dropouts will become unemployable. They are not trained for skilled jobs in an automated age. All of us have an obligation to the dropouts. If we do not follow a course of action that will train them for employment, we shall be faced with a stupendous bill for our failure to stand up to this issue and take our heads out of the sand. We shall have to pay an increased bill in public welfare, in unemployment insurance, and in maintaining larger prisons, for we shall have to watch out for unemployed people for whom society does not make jobs available.

So I plead not merely for the development of Tongue Point. This is not the only facility we must develop to meet this need. In my judgment, we need several Tongue Points in the immediate future, developed as vocational training centers to meet the problem of automation in this country.

I urged weeks ago, and urge it upon my administration again this afternoon on the floor of the Senate, that we ought to bring into this country several thousand young men and women from the most underdeveloped areas of the world—Africa, Latin America, southeast Asia—for training in skills that will make it possible, when we send them back to their villages, to become teachers in the development of vocational skills. I have gone into villages in the underdeveloped areas of the world. One cannot go into them without coming away from them fully appreciative of the fact that there is little hope for the development of a system of economic freedom among them unless vocational skills are first developed. We ought to bring several thousand of them into this country a year, training some of them at Tongue Point, some in the Middle West, and some in the East, in keeping with a well planned blueprint program, which I had the chairman of the board of directors of International House of Pennsylvania University, Mr. Frederick Rarig, submit to this administration months ago.

In my judgment, one cannot go over the recommendation of this dedicated man, who is counsel for one of the largest of the chemical corporations of America, Rohm and Haas, in Philadelphia, and not agree with the senior Senator from Oregon that here is a great opportunity for the administration. If we should bring thousands of young men and women into this country and train them in various skills, and give them the prestige and standing that would accrue from such training in the United States, and send them back to their homelands and villages in the underdeveloped areas of the world as teachers of vocational skills, we would do much more to strengthen a so-called foreign aid program than we could possibly do by many aspects of the foreign aid program, to which subject I shall direct my attention in a few moments.

As I have said to the White House "This proposal calls for some vision and imagination. It calls for some doing. Do not tell me it cannot be done." The word "cannot" should be stricken from the vocabulary of those in charge of the foreign policy of this country. On this subject I speak also as a member of the Foreign Relations Committee. We are missing a great opportunity by not developing a training program which would help develop skills in human beings in our own country and send them back as economic ambassadors of our system of economic freedom.

I would much prefer, as Senators will note from reading my letter to Mr. Dungan, spending some of that money in this country in such vocational training schools as Mr. Rarig recommended several months ago, than pouring it into some of the underdeveloped areas of the world, knowing, as I do, that much of it does not go into effective training and in the end is wasted.

I hope the administration will take note of the remarks I have made on Tongue Point today, and fully appreciate the fact that the Senator from Oregon has not in the slightest degree ceased to be less than an advocate for this program than he was when he first started his advocacy. On the contrary, I want the administration to know that my degree of advocacy has intensified. I am perfectly convinced that those of us who are urging a Federal use of Tongue Point are right, and that the administration will be dead wrong if it does not proceed to see to it that this fine facility is saved from the junkyard.

FOREIGN AID SHOULD BE REVITALIZED WITH NEW GROUND RULES

Mr. MORSE. Mr. President, I turn now to my daily discussion, on every day that I am present, of foreign aid. The markup of the foreign aid bill was started this morning in the Foreign Relations Committee. I hope the Senate will come forth with a better bill—a bill which meets the rising demand of the American people for some drastic renovation of the administration's foreign aid bill. I did not hear very much this morning which gives me any enthusiastic hope. However, I say good naturedly to my colleagues on the Foreign Relations Committee that they are not yet through the Senate with their bill. I also wish to add quickly that neither are they through the Foreign Relations Committee with their bill. As the debate within the committee continues, and amendment after amendment is presented, and the roll is called for the record, I have hopes that the bill will at least be substantially improved. It needs to be thoroughly renovated and ventilated. One of the reasons why I speak each day on the bill is that I aim at least to help along the process of ventilating the bill.

Mr. President, I am contemplating the introduction at the proper time of an amendment to the Act for International Development which would be a drastic but apparently necessary change in the AID program.

First, Mr. President, I contemplate proposing that, with the exception of a few existing irrevocable commitments, all U.S. military and economic aid be terminated as of July 1, 1965.

Second, thereafter, no aid shall be extended to any nation unless it meets the standards which the United States will thereafter require as a sine qua non of aid.

And third, I shall propose spelling out in considerable detail the conditions—the "strings," if you will—under which aid would henceforth be extended.

It would be the purpose of this amendment to reorient drastically the totality of our aid programs.

At the present time, the United States is providing military and economic assistance to not less than 96 different countries. This fact in itself creates the impression that it is more in the interest of the United States to extend aid, than in the interest of the individual nations to seek and to receive aid. It creates the impression on the part of recipient nations that they are being discriminated against if they do not get United States aid, and that they have a right to receive assistance from the United States regardless of whether their own actions are consistent with the interests of the United States.

As a consequence of this attitude we have been extending aid in some most incongruous situations.

We have taxed our own people to aid nations not willing to require their own citizens to pay comparable taxes, based upon the principle of their ability to pay.

We have given assistance to countries not willing to undertake land reform essential to their own internal stability.

We have aided nations in which economic and political stability is so tenuous that the flight of their own capital exceeds the input of the American taxpayer's dollar.

We have supported totalitarian regimes threatened by internal revolt of their own peoples seeking greater control over their own destinies.

We have given military aid to one country, and economic aid to another, when the actual effect of both types of aid has been to enable nations friendly to the United States to arm against each other.

It is amazing to me that aid programs under Republicans and Democrats have managed to dig us into this position. Partly responsible is the fact that we gradually slipped from postwar economic and military assistance to industrial nations of Europe, to similar types of aid to quite different types of nations, characterized by their nonindustrial character and their lack of political and military experience.

The key to success in any aid program is mutuality of interest as between the donor and the donee. If the donor thinks aid is extended solely to serve the interests of the donor the recipient nation has every right to be suspicious of the aid proffered.

By the same token, if the donee believes that aid is a matter of right and is extended solely to serve the interests of the donee, the nation extending aid has every right to question the desirability of extending assistance.

Members of the Senate have tried for many years now to amend and reshape our aid programs to develop a real mutuality of interest between the United States and nations receiving our assistance. With some few exceptions, these efforts have failed. We have managed to cultivate recrimination abroad, as well as at home. Since the end of the Marshall plan we can count on the fingers of one hand the number of nations we have helped boost into a reasonable degree of economic independence.

We have toyed with superficial ideas. We have tried to reorganize the agency administering aid; we have switched the men in charge of the program. Incidentally, Mr. Bell, the present administrator, is one of the best. There is no question about Mr. Bell's ability; it is a question of the inherent unsoundness of the aid program itself. We have tried to avoid the unsettling effects of annual congressional reviews by the creation of a long-range development loan concept; we have tried, without success, to force the administration to spell out plans for terminating aid in certain countries through the Mansfield amendment.

The result has been a circumvention of the Mansfield amendment. We have tried to see to it that military aid did not go to Latin America except in connection with hemispheric defense, which was the intent of the Morse amendment. But time and time again the administration has successfully circumvented the Morse amendment. I hope that this year the proposal can be tied down with even more specific restrictions than has heretofore been the case. I understand that an amendment will be offered by the distinguished Senator from Alaska [Mr. GRUENING] in an attempt to put more blocks in the way of enlarged military aid to Latin America.

Mr. GRUENING. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. GRUENING. Having observed the frequent overthrow of governments in Latin America, and having had no evidence whatsoever that our increasing military aid strengthens hemispheric defense, I can see no reason—and I certainly appreciate the support of the senior Senator from Oregon—why we should continue with a useless, destructive procedure, which is not only a waste of the taxpayers' money, but is actually defeating the alleged purpose of the Alliance for Progress.

Mr. MORSE. That is the point I desire to make with respect to military aid to Latin America as proposed by the bill. I took the same position in regard to the bills of previous administrations. That is why I came forth with the Morse amendment, which was adopted by Congress and written into the law, but which has been successfully circumvented by two administrations. I have taken the position that the military aid program this year would weaken, not strengthen, the Alliance for Progress, because the great strength of the Alliance for Progress is its economic purpose of strengthening all of Latin America. To pass a military aid program would result in an injury to the economic program in Latin America and lead to the establishment of different types of military regimes, which frequently use democratic labels and slogans.

We have stated pious hopes of land and tax reforms; we have struggled to guarantee private investments and to secure them against expropriation; we have pushed hard to get other industrial nations to carry part of the load.

Some of these efforts have been successful; but a majority of these efforts have turned out to be superficial palliatives; not meeting the real problem which is a frank recognition that aid is useless and wasted unless both parties believe in the mutuality of the interests being served.

I believe the mutuality of interests between the United States and recipient countries can be simply stated.

What the United States seeks economically in its aid programs is to help to create as rapidly as possible independent states capable of earning their own economic way in the world. We think this can best be done by the route of private enterprise which has proved so phenomenally successful in our own country. But we are not absolutely against public enterprise, of which we have a goodly amount in our own country.

What the United States seeks politically in its aid programs is the promotion of the maximum amount of individual freedom—a freedom of people to choose freely their own public servants.

What the United States seeks militarily in its aid programs is to create military force adequate to prevent the internal overthrow of elected governments, and adequate to deter external attack.

I believe that every one of these interests coincides with the interests of countries in need of external aid.

If we are true to these basic aims of our aid programs, I believe we can promote public acceptance of aid programs here, as well as abroad. It is when we begin to think of aid programs as political devices to be used to please everyone that we are in trouble.

I believe an amendment along the lines I have suggested would be of inestimable help in getting our aid programs on a firm footing, and I invite Senators to comment on this proposal.

I am perfecting it now. I shall submit it to the Committee on Foreign Relations before the week is over. If I fail to have the amendment adopted by the Committee on Foreign Relations, I shall then formally offer it in the Senate and fight for it when the foreign aid bill is before the Senate for debate and consideration.

To the American people, I say, in closing: We are now entering one of the last stages of the foreign aid debate in Congress. We are now marking up the bill in the Committee on Foreign Relations. This means that the Committee on Foreign Relations, in executive session, day in and day out for the immediate future, will go through the administration's foreign aid bill line by line, paragraph by paragraph, and section by section.

I am satisfied that the overwhelming majority of the American people who have made any study of this subject believe that the administration's foreign aid bill should be drastically renovated and ventilated. I urge them to make their views known, for I would have them never forget that American foreign policy belongs to the people of the country, not to this or any other administration.

I am convinced that the foreign aid bill, if passed in its present form or anywhere near its present form, would do irreparable injury to the standing of the United States around the world.

I yield the floor.

COMMERCIAL FISHERIES RESEARCH AND DEVELOPMENT ACT OF 1963

Mr. PELL. Mr. President, on June 27, 1963, the Committee on Commerce reported favorably to the Senate a bill, S. 627, entitled the "Commercial Fisheries Research and Development Act of 1963." As a cosponsor of this measure, I take this opportunity to again express my support for it.

Faced with the fact that in the recent past this Nation has dropped from second place to fifth place among the fishing nations of the world, S. 627 is designed to provide much needed assistance to the States in carrying out programs of research and development to help lift one of our oldest industries from its present depressed state. The bill would allow a direct attack on this truly national problem.

In my own State of Rhode Island, the total value of fish and processed fish products amounts to more than $6.6 million annually. With even the modest expenditures contemplated by this legislation, I am confident that this total can be increased in Rhode Island as well as in every State of the Union.

The bill as reported would provide coordinated aid to the several States in the development of their commercial fisheries by stimulating research and development at the local level. In order to achieve this purpose, the bill would authorize the Secretary of the Interior to appropriate among the States for 5 years an annual sum of $5 million on the basis of a formula designed to give each State a share proportionate with its commercial fishery activity as compared with total commercial fishery activity in the United States. Under this formula, it is estimated that Rhode Island would receive approximately $28,000.

In addition, the sum of $500,000 for each of the first 2 years of the program and $750,000 for each of the last 3 years of the program will be available to the Secretary for allocation to the States as he may determine, but giving preference to those States suffering a commercial fishery failure due to a resource disaster arising from natural causes and to those States in which a new commercial fishery can be developed where none existed before. This provision will provide the administrative flexibility necessary to meet current State needs while strengthening the program as one for obtaining immediate beneficial results.

The bill also provides that no State shall receive less than one-half of 1 percent nor more than 10 percent of the total to be distributed under the formula written into the bill. Thus the minimum amount which would be available to a State would be sufficient to finance at least one project in that State.

Another factor which should be considered is that the Federal share of any project will not exceed 75 percent of the total cost; the State will pay the remaining 25 percent. Such a percentage is well within the means of the various States, and it helps to insure that only programs of substance which can reasonably be expected to produce results in the immediate future will be undertaken.

I believe these positive features of the bill plus the overwhelming support expressed for it during the hearings conducted by the Committee on Commerce are impressive evidence that this legislation is both worthy and urgently needed.

I sincerely urge Senators to give S. 627 most careful consideration.

Mr. GRUENING. Mr. President, will the Senator from Rhode Island yield?

Mr. PELL. I yield.

Mr. GRUENING. I should like to comment on S. 627, the bill to which the Senator from Rhode Island has made reference to provide aid to our fisheries. It is a bill sponsored by my colleague BOB BARTLETT, and I am a cosponsor. I am heartily in favor of this proposed legislation. It is one of the striking facts about this fisheries bill, to which sufficient attention has not been called, that this Congress and past Congresses have rendered very great aid to those who produce food from the land, but no corresponding effort has been undertaken to aid those who produce food from the sea. There has been a great disparity between the aid given our farmers and the aid not given our fishermen.

I believe it is time for Congress to give to those who produce food from the sea attention and solicitude equal to what has been given to those who produce food from the land.

Mr. PELL. I thank the Senator from Alaska, which is a seafaring State. His support is very greatly appreciated.

AMENDMENT OF LEAD-ZINC SMALL PRODUCERS STABILIZATION ACT

The Senate resumed the consideration of the bill (H.R. 3845) to amend the Lead-Zinc Small Producers Stabilization Act of October 3, 1961 (75 Stat. 766).

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. INOUYE in the chair). The Senator from Montana will state it.

Mr. MANSFIELD. What is the pending business?

The PRESIDING OFFICER. The pending business is House bill 3845. The bill is open to amendment.

Mr. GRUENING obtained the floor.

Mr. MONRONEY. Mr. President, will the Senator from Alaska yield?

Mr. GRUENING. I am glad to yield to the Senator from Oklahoma.

Mr. MONRONEY. Mr. President, I thank the distinguished Senator from Alaska for his consideration of House bill 3845. It is a very deserving bill which will help to "zero in" on the purpose of the original legislation, which was to be of assistance to some of the very small lead and zinc mine operators, in order to help them remain alive and to help keep their mines in operation, so they can be useful and productive in the event of national emergency.

This program has been very economically operated.

A quirk of the original act which this bill would correct is that under the original program such aid could be extended to those who, from the mines they operate, produce only limited amounts of lead and zinc as a part of their other operations.

I thank the distinguished Senator from Alaska and the other members of the committee for reporting the bill so promptly and for giving the Senate a chance to consider it, and perhaps to have the bill enacted into law.

Mr. GRUENING. I thank the Senator from Oklahoma.

I believe this is a desirable piece of legislation. The purpose of the bill is to assure that payments under the Lead-Zinc Small Producers Stabilization Act of the last Congress are received only by small producers of lead and zinc. The bill would limit the application of the subsidy—which would equate the difference between the market price and the stabilization price—to those who have not sold more than 3,000 tons of lead and zinc, combined, in the last 7 years.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Alaska yield?

Mr. GRUENING. I yield.

Mr. WILLIAMS of Delaware. Why do we need this lead and zinc subsidy program at all in view of the fact that we have in the national stockpile close to a billion dollars worth of lead and zinc or about five times as much as we could possibly use in any foreseeable emergency?

Mr. GRUENING. That question was passed on and was settled in the last Congress. This bill does not attempt to reopen that issue, but simply attempts to provide participation for the few small producers who might be excluded from participation in this program.

Mr. WILLIAMS of Delaware. But why should we expand an act which never should have been placed on the statute books in the first place?

Furthermore, I understand that those who are in charge of our defense now say we do not even need the existing supply of lead and zinc. The last report which I have seen shows that we now have on hand 1,302,000 short tons of lead. It cost a total of $384 million; but the market value of that tonnage as of December 31, 1961, was only $266,900,000. So the taxpayers were confronted with a loss of $117 million, and since then the market has declined even further.

Furthermore, the maximum objective of lead, even for an all-out 3-year war, with all production stopped, was, so we were told, only 286,000 tons, whereas we have 1,302,000 tons—enough for 15 years; yet we are carrying on a program which has substantially increased the production of lead.

I wonder whether the Senator from Alaska will tell us why we should continue buying this lead and zinc and why it would not be more advisable to advance the termination date on all of this program and begin a liquidation of our inventories.

Mr. GRUENING. I suggest to the Senator from Delaware that if our stockpile has increased to the extent he states—although we did not hear these objections before our subcommittee—the way to proceed is to establish quotas on imports. The lead and zinc industry is one of our domestic industries which has been sorely crippled by the competition of foreign imports, many of them coming from countries which have shared in our foreign-aid program. If the Senator from Delaware believes the imports of these commodities are excessive, I believe the way to deal with that problem is to establish quotas, rather than to cripple our domestic producers. Already we have given all kinds of aid to foreign industries, with resulting disadvantage to our domestic industries.

The lead and zinc industry certainly is in need of help. I know of no other industry, except possibly the gold mining industry, which is in greater need.

Mr. WILLIAMS of Delaware. But I do not understand that this bill has any connection with that argument. If the tariff laws need amendment they can be amended. If quotas are needed they can be established. It may be that a justification for such action can be shown. If so I may favor the imposition of an increased tariff on lead and zinc imports, but I am opposed to these subsidies. I would far prefer that course to a proposal to increase the subsidies. This subsidy is nothing more than a so-called Brannan plan for the mining industry. For example, under the program the producers of lead can sell the lead they produce at the market price—which today is approximately 10 or 11 cents a pound—and then can bill the U.S. Government for the difference between that price and 14½ cents a pound; and 75 percent of that difference will be paid by the taxpayers.

No other industry receives such a favorable break.

So why not do away with all this program and meet the issue head on. If we have to increase the tariffs introduce legislation to do so; or, if it is necessary to establish quotas do that. But certainly let us not increase our already overloaded stockpile. About a year and a half ago, the President said that he was astonished to find that we had approximately $8.5 billion tied up in inventories of so-called strategic materials. However, the most recent report issued by the committee under the chairmanship of the Senator from Virginia shows that the total for all such materials in our stockpile has actually increased by around $136 million in the last 18 months.

We should be starting an orderly liquidation of this stockpile rather than an expansion of the program.

Mr. GRUENING. I say in all kindliness, Mr. President, to the Senator from Delaware that that is not the issue in connection with this small bill. The Lead and Zinc Stabilization Act, which was enacted in the last Congress, is the one to which his argument should apply. This measure protects only the small producers, so as to enable them to get the benefit of this act.

Mr. WILLIAMS of Delaware. Then why not amend the bill so as to see to it that the taxpayers receive their share of the protection? After all, we now have nearly $1 billion tied up in the stockpiles of these two commodities.

Why keep on supporting a bankrupt idea?

The time is long past due when we can afford to keep these unnecessary programs going. Our inventories of zinc are just as bad. The most recent report I have seen shows that there are on hand 1,580,000 short tons of zinc. We are told that in the event of an all-out 3-year war the maximum needs would be 178,000 tons. Therefore, we have 1,402,000 tons of zinc more than we need. That is enough zinc to meet our needs for 15 to 18 years. Still there is before the Senate a bill which would result in piling up more and more production.

We shall never solve the problem of excess inventories by subsidizing increased production and adding to the inventories. The time is overdue when we should stop. I would support the bill as written if the Senator would merely add another section which would advance the termination date of all such subsidies from 1965 to the end of 1963. Under the law passed last year the subsidies would expire on December 31, 1965. We are committed to continue to subsidize their production of lead and zinc under the present law until December 31, 1965. Why not advance the termination date, repeal the act, and be done with it?

Let us give the taxpayers a break for once.

Mr. GRUENING. The taxpayers are not affected by this bill. I suggest to my friend from Delaware, who is a member of the Committees on Foreign Relations and Finance that he seek his objective limiting foreign lead and zinc imports. If he could get legislation which would limit foreign importation, he would achieve his objective without penalizing the domestic lead and zinc miners.

Mr. WILLIAMS of Delaware. My suggestion would not penalize either the domestic or the foreign producers of lead and zinc. I am speaking of what we have already bought. Under these subsidy programs we have kept the domestic mines operating to the extent that we have built up a surplus now of 10 times as much as we need. We shall certainly not solve the problem by continuing to subsidize production on any such basis as that proposed. We have already rejected higher support prices for agricultural commodities.

As a government, we cannot afford to continue to subsidize and build up surpluses forever. What will we do with all the lead and zinc?

Mr. GRUENING. The bill would not increase surpluses. The bill would merely amend the Stabilization Act and provide that the small producers shall not be excluded.

Mr. WILLIAMS of Delaware. It would provide that the small producers would not be excluded, and therefore it would take care of them. There is a companion bill on the calendar which we should discuss together with the present bill. That bill would even carry benefits retroactively to one company.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MONRONEY. The Senator is correct. The bill we are now discussing would actually limit the language of the bill which was passed last year by reducing the number of companies that could apply for the differential pricing, which is the thrust of the original bill that we were discussing.

Mr. WILLIAMS of Delaware. The Senator is correct in respect to the pending bill——

Mr. MONRONEY. H.R. 3845.

Mr. WILLIAMS of Delaware. The Senator is correct on H.R. 3845, but the companion bill which is on the calendar, H.R. 3120, and which I understand will be brought before the Senate immediately after consideration of the present bill, does expand the subsidy. That bill would expand the subsidy for companies which have heretofore not been able to qualify. They must be considered together.

Mr. MONRONEY. Very slightly, in relation to those that did not get their filings in on time due to the failure of the Department of the Interior to have the statistical data ready. But remaining with the bill before the Senate, which I think we are compelled to do in order to have an orderly discussion, that bill would actually limit the application of the bill to which the Senator is discussing by prohibiting anyone but those companies or mines having greater than

50 percent of their production in lead and zinc to participate.

Mr. WILLIAMS of Delaware. The Senator is correct as regards one of the bills.

Mr. MONRONEY. Through an accident of the language, mines of other types have been able, since they have produced a small amount of lead and zinc, to qualify for the special support pricing which we expected to be made available only to keep the small lead and zinc mines operative as against the terrific competition we have had through low tariffs on lead and zinc imports.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. In a moment. I should like first to reply to the Senator from Oklahoma. I have talked with members of the committee. I have also talked with representatives of the Department of the Interior. They have confirmed what the Senator from Oklahoma has said. One bill would limit it and not extend the provisions to any additional producers, the other bill would expand the subsidy.

My point is this: While we are headed in that direction, why do we not include in the bill another section which would terminate the program at the end of the present year rather than carrying it forward for 2 more years? Its continuation cannot be justified anyway. Why carry the program for another 2½ years and make the taxpayers continue to subsidize the production of something we do not need? Why not do the job right while we are at it and terminate the program?

The next bill which will come before the Senate is H.R. 3120. I would oppose that bill in its entirety because it would expand the subsidy even beyond the existing law; it would expand it not only beyond the existing law in the future but would also give retroactive benefits to some companies that do not qualify under the existing law. I do not see any sense in passing a private bill such as that. So I most certainly would oppose that bill. At the proper time I shall make a motion to re-refer the bill to the committee, where it should have been kept in the first place.

But in relation to the particular bill now before the Senate, I should like to see the job done right. I should like to see an amendment terminating the program added to the bill. I am hoping that Senators will accept such an amendment. I do not see how there could be much controversy about it. The program could be terminated at the end of the present year.

Mr. GRUENING. Mr. President, will the Senator yield for a question?

Mr. WILLIAMS of Delaware. I yield.

Mr. GRUENING. Do I correctly understand that the bill to which the Senator objects is H.R. 3845?

Mr. WILLIAMS of Delaware. No. H.R. 3120, the one that is on the Calendar immediately below H.R. 3145, the one we are discussing now, H.R. 3120 would expand the subsidy program beyond that provided under existing law and it would even give retroactive benefits at least to one company.

Mr. GRUENING. In view of the fact that there is considerable controversy about that bill, I shall suggest that the bill be passed over for today and be brought up at a future date. The Senator can then make his motion. If it is agreeable to the Senator, let us proceed to the consideration of the particular bill which we are now discussing.

Mr. WILLIAMS of Delaware. I am agreeable to that procedure.

I understand that the Senator from Arizona wishes to be present when that bill is discussed. But Senators cannot discuss these bills separately because they relate to the some problem. I do not see how the next bill could even be put in acceptable shape by amendment. The principle of the second bill is to expand the subsidy far beyond that provided in existing law and make it possible for companies that could not qualify under existing law to qualify. At the same time it would provide retroactive benefits. We shall discuss that feature when the second bill comes before the Senate.

As I said, I shall then move to refer the bill back to the committee unless the chairman of the committee will take it back without making necessary such a motion. But the bill now before the Senate, which is H.R. 3845, while it would somewhat restrict the operations of some companies which can now qualify, nevertheless I do not see that it would help very much as it is written. It would be a simple matter for those companies to arrange their sales of other products in certain periods and thereby qualify for the subsidy anyway. But I will grant that at least it has a semblance of being restrictive even though in actual application I doubt that it would have much valid effect.

Again I would like to ask if the Senator would accept an amendment which would advance the termination date of the act itself from its original scheduled expiration date of December 31, 1965, and let the program terminate at the end of the present year.

Mr. GRUENING. I am afraid I could not accept such an amendment.

Mr. WILLIAMS of Delaware. If the tariff or the quotas need to be changed the appropriate committee could consider that problem. But that proposal is not before us. Under the present law it does not make too much difference to the sellers of lead and zinc whether they receive 10 cents a pound or 8 cents a pound. They bill the U.S. Government for 75 percent of the differential between what they get and 14½ cents. If the price went to 16 or 18 cents, they would put it all in their pockets. This is a one-way street. The taxpayer loses no matter how the program goes. As I have stated before, approximately $8.5 billion is tied up in the defense stockpile now. The administration has said that it does not need half that much. The President has asked us to start an orderly liquidation. Instead of an orderly liquidation the bill would provide an orderly accumulation of more inventories by increasing production.

This subsidy program is diametrically opposed to what the President said he wanted done. It is opposed to what the Symington committee as a result of its investigation recommended. About a quarter of a million dollars was spent by that committee to find out how we accumulated so much in excess inventories and how we could reduce the excess inventory. The way to reduce our excessive inventories is to stop buying and start selling. The amendment which I am proposing this afternoon will be a start in that direction. We should put a termination date on this program and stop encouraging the increased production of lead and zinc when we already have 5 or 10 times as much as we now need.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. GRUENING. I yield to the Senator from Oklahoma.

Mr. MONRONEY. I think the distinguished Senator from Delaware should realize that this would not go into the stockpile. It would go into the open market. This is to help the small miners, usually of mines which are owner operated, to prevent the mines from closing down, to permit them to sell on a commercial, going price. This is why it is important to pay the 3 or 4 cents per pound price differential to supply some of the lead and zinc which is needed domestically.

Since the Senator serves on the Finance Committee, the distinguished Senator from Delaware knows that we do not produce enough lead and zinc in this country to take care of our needs. Approximately two-thirds of the lead and zinc which we use is imported from abroad. If we should increase the tariff on the lead and zinc which is brought in, we would raise the price on two-thirds of these minerals for American industry.

If this were even an important amount of lead and zinc it would be more sensible, since it accounts for only one-third of what we use, to have a support price on it, rather than to force the users to pay higher prices on the two-thirds of production which comes in from abroad.

This program would apply only to the very smallest of the producers. Only 60 are eligible to receive payments. There were only 105 applications for payment. When those were checked out, there were only 60 who were producing in 1962.

The total cost of this program in 1962 was $1,112,580.77. That did not have a very great impact on the subsidy, yet it did enable the small businesses which went into the market when the bill was passed, both with new machinery or with repairs for old machinery, to get into production.

That is the reason why I think we would be doing a grave injustice if we should shorten the period of time by one year, as the Senator suggests. These were people who in good faith invested in improving their mines, and reopened them. They would not have an opportunity to pay out the cost of hoists, trucks, and other materials which had to be bought, at the time the bill was up for passage or after it was passed, in order to reopen their mines.

I know the distinguished Senator would not wish to cause losses in this regard.

Mr. WILLIAMS of Delaware. The Senator has made an excellent argument for the proposal which I made, which is that the subsidy be stopped. The Senator says that this production does not go into the stockpile but is sold for domestic consumption. That is true, but what is the difference? To the extent that we subsidize the production of more lead and zinc, it replaces the lead and zinc which we could use from the stockpile. We shall never get rid of any lead and zinc in the stockpile if we continue to subsidize the increased production of lead and zinc. Certainly it will add to the stockpile. We are adding to the stockpile now. The President made a speech in February of 1962 in which he said that he was astonished that we had about $8½ billion tied up in the stockpiles of these minerals, and he said he was astonished to find out that we did not need but half that amount. He may also be astonished to learn that during the past 18 months his administration has put another $130 million or more worth of material into that astonishing stockpile.

We shall never get rid of our surplus, if we keep adding to it. Everyone says, "This is only a little item," but all the "littles" add up into billions.

We do not need this lead and zinc. Why make the taxpayers buy it?

I do not see any sense in subsidizing the production of something when every one connected with the administration or any of its agencies says that we already have 5 or 10 times the amount that we need.

The only way to eliminate some of these surpluses is for somebody to stop producing. I do not care whether it is a mine in the State of the Senator from Oklahoma, a mine in my State, or a farmer in the Senator's State or in mine. We must stop encouraging production by subsidizing the production of every producer in America. That is the only way to bring the stockpile under control.

Mr. MONRONEY. We are not doing that.

Mr. WILLIAMS of Delaware. We must stop somewhere.

Mr. MONRONEY. The Senator knows we are not.

Mr. WILLIAMS of Delaware. Either that, or we shall have to stop imports. We will never get anywhere by increasing these subsidies. If we provide a subsidy for lead and zinc why not provide one for some other mineral? The Senator from Alaska [Mr. GRUENING] has just suggested that he would like to see a subsidy extended to gold and other minerals. Many would like to see it extended to some particular commodities in which they are interested. There is not sufficient money in the Federal Treasury to subsidize everybody and to make everybody a millionaire.

Mr. MONRONEY. We are not trying to subsidize everybody. This is a bill with the most limited application that I have ever seen. As I say, out of an original number of lead and zinc producers in 1956 of 574 there had been a reduction by 1960 to only 273 who could be included under the terms of the act. Finally, when the act was passed, only 105 applications were received, and of those only 60 were able to prove that they mined in a sufficiently limited quantity, which was provided under the terms of the bill, to qualify for the 1962 payments.

This is a measure only to keep those very small mines alive. They would be very useful in the event of any war. The larger integrated companies do not require this subsidy, because they have great, highly mechanized mines.

They import a great deal of their basic ore or concentrates. Therefore, they do not require any help. They can survive at 10 cents or 11 cents as a ceiling, because they engage in the smelting operations and in production of other byproducts.

This is merely for what are called, in my State, "gougers," those who mine the small workings themselves, or with other members of the family. It is important that we keep this basic supply, because once it is abandoned the water will come into the mines, and as a consequence the mines will cave in and the timbers will rot away. There will be a loss of that valuable asset for all time to come.

Mr. WILLIAMS of Delaware. The Senator claims that this production may be needed in the event of war and suggests that we should keep all the mines in a state of operation. I point out to the Senator that according to the Department of Defense if all production of lead and zinc were stopped and if war should start today there would be a sufficient amount of lead and zinc in this country to last us for 15 years. Certainly a nuclear war would not last 15 years. If it did there would be no miners left.

This subsidy cannot be justified from the standpoint of defense. It can be justified only from the standpoint of a desire to keep one group of operators on the taxpayers' back for another couple of years, producing something of which we already have too much. The producers are being paid to take lead and zinc out of the ground, move it over, and then store it in a hole in the ground somewhere else. That does not make sense.

It is past the time when we should face the problem and stop these unnecessary expenditures.

Either we should stop these subsidies or the administration should stop talking about how "astonished" it is to have $8½ billion tied up in the stockpile. There is no need for being "astonished" when we continue to vote to keep adding to it.

Mr. MONRONEY. We are taking it off.

Mr. WILLIAMS of Delaware. We have added $130 million worth of minerals to the stockpiles since the President made his speech in February of 1962. We spent a quarter of a million dollars for a congressional committee so that we could find out what got us into this chaotic situation. The committee said that we were buying too much of that which we did not need.

Why should we have a congressional committee spend this money if we are not going to listen to it? Let us stop this cockeyed program. I do not think anyone would say that he could ever picture any kind of a situation in which this country would ever need the lead and zinc which would be produced under the terms of the present subsidy program.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MONRONEY. The Senator realizes that the bill would reduce the claimants against the fund in a total amount of $200,000. The bill would do what the Senator recommends; instead of adding, it would cut down. The time to protest is when something is being added, not when it is being cut down.

Mr. WILLIAMS of Delaware. The bill only partly solves the problem. The amendment which I suggest would stop it entirely. It would cut out the need for the entire $4 million or $5 million a year. The amount was $1½ million last year. But certainly it will be higher next year if we do not stop it now.

The producers are just finding out how to get on this "gravy train."

I think we might as well pull this gravy train into the station and take the locomotive off. That is all I want to do. I did not think there would be any objection to such a sound proposal. I merely suggest that we let the law expire at the end of this year; we do not need the minerals. That can be done by accepting this amendment.

It is very simple. It merely provides that instead of having a termination date of December 31, 1965, as provided in the original act, the program be terminated December 31, 1963. That is directly in line with what the President of the United States in February 1962 said he wanted to do. He said he did not want us to continue adding to the stockpile. I think we should support him in what he promised. Thus far he has done nothing to carry out that high sounding promise.

Mr. MONRONEY. The Senator knows that many of the mines have been reequipped. The small miners have invested a great deal of money, in good faith, knowing that Congress would provide this legislation. The distinguished Senator from Delaware put up a good fight when we passed this bill. We knew at that time the cost would be about $4½ million.

Mr. WILLIAMS of Delaware. And it will be before it is over.

Mr. MONRONEY. The cost actually was $1,012,000. So it is about one-fourth of the anticipated cost. Now, because it was carefully administered and limited only to those it was supposed to have served, and those not principally engaged in lead and zinc mining are to be cut out, the Senator wants to add a new termination date and give to the legislation only two-thirds of the life Congress anticipated it would have.

Mr. WILLIAMS of Delaware. I disagree with the statement that the mines have spent a great deal of money in reequipping. The producers knew that Congress was under no obligation to keep this program going forever. The Senator knows that both the bills came out of the same committee. One bill even permits some of the mines to file retroactively for benefits under a law passed 2 years ago but under which they were not then eligible. One bill would make the benefits retroactive and result in making a sizable payment to one particular company.

Let the administration stop talking about its concern for the taxpayers and the excessive stockpile unless it is willing to do something about it. I do not think the President ought to be speaking about his astonishment at having $8½ billion worth of material in the stockpile and then not supporting Congress in stopping these subsidies.

If he meant what he said, I will support him.

Mr. MONRONEY. This legislation would not add to the stockpile.

Mr. WILLIAMS of Delaware. Sure it will. There is no difference in the money the taxpayers pay into the Treasury which is then used for national defense or any other purpose. The money loses its identity. The Federal Treasury is paying for the production of lead and zinc. We have enough lead and zinc to last for 15 years. We cannot find any market for what we now have. To the extent that the taxpayers buy more lead and zinc, when we have enough, it adds to our stockpile.

Mr. MONRONEY. It does not go into the stockpile, but in the open market.

Mr. WILLIAMS of Delaware. It may not be routed through St. Louis, Mo., but the cost is routed through Washington, D.C., and the taxpayers pay for it.

Mr. MONRONEY. The bill would not result in the purchase of more lead and zinc. If the Senator wants to make it clear that we could withdraw from the stockpile a certain tonnage of lead and zinc and sell it on the open market, that might be done. The stockpile was not created to cause unemployment; it was created to give us the materials we needed in the event of a longtime war.

Mr. WILLIAMS of Delaware. Who expects a 15-year war? I would have supported the principle of stockpiling strategic materials in the amount the Defense Department felt might be needed in the event of a war. The Department should set the amounts. It did so. It stated that the major objective which it could foresee under circumstances of war was a need for 286,000 tons of lead. Instead of that amount, when we reached what was stated to be the maximum need, we bought 1,302,000 tons, or 1,016,000 tons more into the stockpile than was necessary. We have enough lead and zinc to last 14 years in the event of an all-out war.

We have turned what was a good program of stockpiling of strategic materials that might be needed in the event of war into a support program for the mining industry. I have opposed this unnecessary extension many times, and I am opposing it again. I think we should stop it today.

The administration should support the amendment which I am proposing to stop this program or else be frank and say that it is giving lipservice only to the principle and has no intention of curtailing the stockpile. We are not going to cut down inventories unless we stop buying.

Under the present law, which I am asking to be changed, the lead and zinc producers can sell their product at 10 to 11 cents and then merely bill the United States for three-fourths of the differential between what they receive and 14½ cents. That was the same program Mr. Brannan suggested for all agriculture, and Congress repudiated it. I think we should repudiate it for the mining industry as well. I do not think there should be any such protection for that industry at the expense of the American taxpayers. The President should not be expressing his astonishment at the cost of the program unless he is willing to support its repeal. The program should be terminated at the end of this year.

Mr. GRUENING. Mr. President, if the Senator will yield, I suggest to the Senator that if he feels so strongly about lead and zinc, he, being a member of the two pertinent committees, the Finance Committee and the Foreign Relations Committee, should introduce a bill to provide higher quotas for importations. We always seem to be concerned about the needs of foreign enterprises, but not to have the same sympathy for domestic producers. I think the place to take care of the problem is in connection with foreign imports.

Mr. WILLIAMS of Delaware. The time to have stopped it was years ago when we were buying the million and a half tons which we did not need. Amendments were offered when these inventories were building up. We could not get enough support for the amendments in Congress to curtail the buying. This is not the first time I have criticized this program. It should have been stopped years ago when we reached our maximum needs. If we had done that we would not have the million tons of lead and the million tons of zinc hanging over the market today. That is what is the matter with the market today. The Congress insisted on a continuation of buying of commodities when it was known that we did not need them, when the Secretary of Defense and the heads of our stockpiling program sent letters urging the end of buying. Yet Congress kept buying because it was easier to vote for millions of dollars in subsidies than to vote against them. The result is that today we have $8½ billion tied up in inventories of strategic materials when everyone connected with the program says we do not need half that much.

Mr. GRUENING. This bill would not add to the surpluses.

Mr. WILLIAMS of Delaware. I disagree completely. It would add to our inventories. While production would not go into the inventories directly they would be increased to the extent that we increased the production of lead and zinc.

Mr. President, on behalf of myself and the Senator from Ohio [Mr. LAUSCHE], I send to the desk an amendment which I urge the chairman to accept.

The PRESIDING OFFICER. The amendment offered by the Senator from Delaware [Mr. WILLIAMS] for himself and the Senator from Ohio will be stated.

The LEGISLATIVE CLERK. It is proposed, at the end of the bill, to insert the following new section:

SEC. 2. (a) Section 7 of the Lead-Zinc Small Producers Stabilization Act of October 3, 1961 (75 Stat. 768; 30 U.S.C. 687) is amended—

(1) by striking out "December 31, 1965" and inserting in lieu thereof "December 31, 1963"; and

(2) by striking out "March 31, 1966" and inserting in lieu thereof "March 31, 1964".

(b) Section 2(d) of such Act (75 Stat. 767; 30 U.S.C. 682(d)) is amended by striking out "the maximum amount of such payments which may be made on account of such sales made during the calendar year 1964 shall not exceed $4,000,000; and the maximum amount of such payments which may be made on account of such sales made during the calendar year 1965 shall not exceed $3,500,000".

(c) Section 3(a) of such Act (75 Stat. 767; 30 U.S.C. 683(a)) is amended by striking out "or in the twelve-month period ending December 31, 1964, in excess of nine hundred tons of zinc and nine hundred tons of lead; and in the twelve-month period ending December 31, 1965, in excess of six hundred tons of zinc and six hundred tons of lead,".

Mr. WILLIAMS of Delaware. Mr. President, the amendment would advance the termination date of the expiration for this program from July 31, 1965, to December 31, 1963. It would change the filing date for the last payments from March 1, 1966, to March 1, 1964. I hope the Senator will be willing to accept the amendment.

Mr. GRUENING. I regret to say that I cannot accept it. As the Senator from Oklahoma [Mr. MONRONEY] has pointed out, these people were acting in good faith based upon the bill we passed last year. They have bought new machinery, and this amendment would cut the time during which they could benefit.

Mr. MONRONEY. It would mean a cut of 2 years. Therefore it would amount to a double impact. They would be left with 2 years for amortization. They have acted on the basis of the yea-and-nay votes on the amendments and on the bill when it was before the Senate last year.

Mr. WILLIAMS of Delaware. I shall request a yea-and-nay vote on my amendment. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for a quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, it is my understanding that there is a strong possibility that a yea-and-nay vote will be requested on the pending amendment. Therefore, with the concurrence of the distinguished Senator from Oklahoma, the distinguished Senator from Alaska, and the distinguished Senator from Delaware, I make the following unanimous-consent request; namely, that at the conclusion of the morning hour tomorrow, the Senate turn to the consideration of the pending measure; that 30 minutes of debate be allowed on the amendment, 15 minutes to be controlled by the Senator from Delaware [Mr. WILLIAMS], and 15 minutes to be controlled by the Senator from Alaska [Mr. GRUENING]; and that at the conclusion of the 30 minutes, a vote be taken on the amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The unanimous-consent agreement, subsequently reduced to writing, is as follows:

Ordered, That, effective on Tuesday, July 16, 1963, at the conclusion of routine morning business, during the further consideration of the bill (H.R. 3845) to amend the Lead-Zinc Small Producers Mobilization Act of October 3, 1961 (75 Stat. 766), debate on the pending amendment (No. 124) by the Senator from Delaware [Mr. WILLIAMS] shall be limited to 30 minutes, to be equally divided and controlled by the mover [Mr. WILLIAMS] and the Senator from Alaska [Mr. GRUENING], to be followed by a vote on the amendment.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate adjourns this afternoon, it adjourn to meet tomorrow at 12 o'clock noon.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, for the information of Senators, I should like to say that at the conclusion of debate of H.R. 3845, the pending bill, it is the intention of the leadership to give consideration to taking up the following bills:

Calendar No. 222, H.R. 3120, a bill to simplify administration of the Lead-Zinc Small Producers Stabilization Act of October 3, 1961 (75 Stat. 766).

Calendar No. 224, H.R. 2513, a bill to amend the Tariff Act of 1930 to require certain new packages of import articles to be marked to indicate the country of origin, and for other purposes.

Calendar No. 273, S. 628, a bill to amend the District of Columbia Redevelopment Act of 1945.

Calendar No. 312, S. 627, a bill to promote State commercial fishery research and development projects, and for other purposes.

Mr. President, no further business will be conducted by the Senate today, except for speeches, requests, and matters of that kind.

CIVIL RIGHTS LEGISLATION—PUBLIC ACCOMMODATIONS

Mr. GOLDWATER. Mr. President, during the important discussion of the subject of civil rights, we have heard a great deal of reference made to public accommodations. Mr. President, before I entered politics, I was a merchant, a businessman, and I was a member of what is now the National Retail Merchants Association. I have been very proud of the progress the merchants of our country have made in this field. I do not believe legislation is needed to achieve public accommodation.

The National Retail Merchants Association, at the request of the Attorney General, is conducting a survey among its members, and the report which was made to the Attorney General is based upon a request which would develop as much information as possible on the integration situation. The association circulated a bulletin to its membership, asking these four questions:

1. What steps have already been taken in your store to eliminate racial irritation? Washroom facilities, drinking fountains, lunchrooms, employee cafeterias, dining rooms.

2. What steps have been taken in your community along these same lines by hotels, motels, restaurants, and theaters?

3. Have you had meetings with other business leaders? Has a biracial committee been created?

4. What plans do you have for further action in this area? Do you plan to hire nonwhites in nonmenial capacities?

The results have been very revealing. Out of 835 stores located in 335 cities, only 2 have not integrated their facilities. This is a very revealing statistic. I am sure that the further results, as they come into the office of the association, will disclose the same trend.

For example, one of the largest stores in Virginia reported that its facilities had been integrated 3 years ago, and that of its 3,000 employees, 400 were Negroes.

So it goes, throughout the report. I wished to make this initial report to my colleagues in the Senate. As figures become available, I will submit them for the RECORD. I believe this report supports my contention that if the President will exert his moral persuasion with the businessmen of this country, he can point out the economic and moral stupidity of maintaining racial prejudice in the case of job acquisition. I hope that the President, with his ability to persuade people, will spend more time talking with business people, so that these results may be achieved without having to upset constitutional processes by resorting to enactment of law.

MARITIME POLICIES AND THE BALANCE OF PAYMENTS

Mr. DOUGLAS. Mr. President, according to the most recent statement by the Department of Commerce, the balance-of-payments deficit for the first quarter of 1963 was almost $700 million. This was disappointing news, for it indicates that we may not be able to achieve any significant progress this year in reducing the deficit below last year's level of $2.2 billion.

As a matter of fact, the deficit in the balance of payments this year will be greater than it was last year. There is no need for me to indicate the severity of this problem. It is well known in this Chamber, and it has become well known in the Nation at large. Last Wednesday, the senior Senator from New York [Mr. JAVITS] and I discussed this problem at length on the floor of the Senate.

It had been my belief and hope that every arm of the Government was really striving to help redress this adverse balance of payments. The Department of Commerce, for instance, under Secretary Hodges, has initiated programs to expand our exports and encourage foreign tourism in this country. I commend Secretary Hodges for his activities in this direction.

Much to my surprise, and dismay, I have found that the policies of two governmental agencies vital to U.S. trade—the Federal Maritime Commission and its sister agency, the Maritime Administration—have been in direct opposition to the purposes of the Trade Expansion Act and other economic programs initiated to redress our payments deficit. This is the only conclusion that can be drawn from recent hearings of the Joint Economic Committee held on June 20 and 21. During these hearings, testimony was received from Thomas E. Stakem, Chairman of the Federal Maritime Commission, and James W. Gulick, Deputy Administrator of the Maritime Administration. Before I characterize this testimony, I should point out why the Joint Economic Committee felt these hearings were necessary.

At the final day of the Joint Economic Committee's steel hearings, the Committee sought an explanation for the decline in steel sales abroad. The U.S. trade balance on steel has declined by almost $800 million since 1955, our imports having quadrupled and our exports having fallen to one-half of what they formerly were. Mr. Walther Lederer, Chief of the Department of Commerce's Balance-of-Payments Division, testified that one of the reasons for this decline may well be the transportation advantage enjoyed by foreign steel producers due to ocean freight-rate differentials. Data which he submitted revealed that ocean freight rates are much higher from a given port in the United States to a Western European or Japanese port than are freight rates on identical products shipped inbound from the same port to the given American port—and, I may say, on the same vessels.

Moreover, freight rates on products carried from U.S. ports to South American countries are higher than the rates from European and Japanese ports to these areas, even though the distances from Europe and Japan to these third countries are much greater.

As a result of this testimony, the committee held an additional hearing on the afternoon of May 2 to hear an explanation from the agency which has jurisdiction over ocean freight rates, the Federal Maritime Commission.

On May 9, in a speech on the Senate floor, I summarized the testimony which had then been received from representatives of the Maritime Commission. The representatives testified: First, that this situation of differential rates has been "a matter of general knowledge" for at least 16 years; second, that the Commission had the right and authority, under sections 15 and 18 of the Shipping Act, to initiate studies and actions about these rates; third, that it had the power to disapprove conference rates, but it had not done so; fourth, that it had undertaken no studies of international shipping conferences—the cartels—which establish these discriminatory rates.

I should like to point out that more than 15 months ago another congressional committee, the House Subcommittee on Antitrust and Monopoly, under the chairmanship of Representative CELLER, specifically recommended to the Federal Maritime Commission that it investigate ocean freight rate differentials and the shipping conferences which establish these rates.

There was no indication whatsoever that the Maritime Commission had paid the least attention to the recommendations of the House subcommitte.

In that same speech, I also accused the Federal Maritime Commission of gross negligence. I had anticipated that the Chairman of the Commission would respond to this public accusation, formally or informally, and justify the activity of the Commission by explaining these differential rates.

The Commission failed to respond. Consequently, I asked the staff of the Joint Economic Committee to look further into this matter and determine whether or not additional hearings should be held. The material prepared by the staff, notably by Mr. Thomas H. Boggs—I wish to pay tribute to Mr. Boggs for his work and his accuracy—revealed that the problem was much more extensive and far-reaching than I had originally believed. The salient features of the memorandums prepared by Mr. Boggs show that:

First. There is significant ocean freight-rate discrimination on heavily traded steel products, and this has significant effect on our balance of payments.

Second. In the case of steel, 17 percent of the difference in value between exported and imported steel products is due solely to higher freight rates paid by American exporters. The difference on many other products is approximately 11 percent.

Third. On 26 other commodities—that is, commodities other than steel—which the Department of Commerce selected on the basis of substantial export potential, the outbound freight rates were approximately 34 precent higher than the inbound freight rates. In the case of United States-Japanese trade, the inbound rates were approximately 70 percent lower than the corresponding outbound rates paid by U.S. exporters.

Fourth. Supply and demand apparently do not determine ocean freight rates. The outbound rate on electrical machinery going to Japan is $56.75 a ton. The inbound rate is $33 a ton. U.S. exports to Japan of these products amount to approximately $30 million; imports from Japan exceed $100 million. Hence, the tonnage rate is higher on American exports even though the demands in terms of tonnage are far less.

Fifth. Freight rates from the United States to third countries are far higher when compared with rates from Europe and Japan to these countries, even though the distances from the United States are shorter. For example, the ocean freight rate on a common plasticizer or chemical softener from New York to Vera Cruz, Mexico, is $54 a ton. The distance from New York to Vera Cruz is 1,973 nautical miles. The rate from Germany to Vera Cruz is $43 a ton—$11 a ton less—but the distance from Germany is 5,381 nautical miles. On a per mile basis, costs approximately $2\frac{7}{10}$ cents a ton if the plasticizer leaves a U.S. port, whereas the same plasticizer leaving a European port costs $\frac{8}{10}$ths of a cent a ton per mile, or less than one-third of the rate from American ports.

Many more examples were brought out which indicated the same type of differential to other places in the world. All of them showed that U.S. exporters were at a serious competitive disadvantage because of freight rate differentials.

Sixth. The international shipping conferences—the rate-setting bodies—are composed mostly of foreign-flag lines. Of the 435 steamship lines operating in the commerce of the United States, only 35 are under the American flag. Moreover, foreign-flag lines in these conferences tend to vote as a bloc against the interests of the United States, thus keeping U.S. rates high, whereas rates from foreign shores are low.

Because this additional information was so startling and because the Federal Maritime Commission had failed to formally or informally reply to the accusations set forth in my speech of May 9, the Joint Economic Committee decided to call another hearing on this matter for June 20. Mr. Thomas E. Stakem, Chairman of the Federal Maritime Commission, and his fellow commissioners were asked to appear.

The Commission's testimony on June 20 and 21 brought out the following:

First. The Federal Maritime Commission agreed that there are freight rate differentials on heavily traded steel products, and these may have significant effects on our balance of payments. Mind you, Mr. President, the Commission admitted this.

Second. The Commission agreed that rate differentials are not confined to steel and steel products but exist on many other items.

Third. The Commission admitted that it was aware of the triangular freight problem. It had knowledge of specific instances where freight rates from the United States to third countries are higher than rates from Europe and Japan to these countries, even though the distances from the U.S. ports are shorter.

Fourth. The Federal Maritime Commission—and its predecessor agencies—have been aware of these problems for many years, but until very recently had never called a formal hearing or taken any formal action. I am pleased to state that the Commission is currently preparing for a formal hearing on iron and steel products as a result of the Joint Economic Committee's investigations.

Fifth. The Commission agreed that it had sufficient statutory authority to disapprove rates set by these foreign-controlled conferences.

Sixth. The Commission has never disapproved a single rate or a series of rates set by conferences.

Seventh. The Commission has failed to promulgate guidelines for a U.S. complainant who is injured by freight rate discrimination.

Eighth. Conferences are foreign-controlled and there is evidence of bloc voting against U.S. interests, at least in the cases of Japanese, German, and Scandinavian lines.

Ninth. The Maritime Commission has not taken any steps to encourage Panamanian, Honduran, Liberian, or Greek lines to vote with U.S. lines in conferences, even though many of these foreign flag lines are in reality owned by U.S. corporations and are in fact mere fronts to evade or avoid the labor requirements prescribed for American steamship lines.

Tenth. The Federal Maritime Commission has failed to take any action on the Celler Subcommittee recommendations regarding the shipping conferences which establish ocean freight rates and the discriminatory rates themselves.

Instead of the situation improving it is actually growing worse. I hold in my hand a release of last Friday from the Federal Maritime Commission. It shows that the shipping conferences operating in North Atlantic trade have declared an intention to raise rates by 25 percent on exports alone; this does not apply to imports. The figures I cited, which show that the export rates are much higher than the import rates, were for the rates prevailing a few weeks ago. Now the export rates are to be increased 25 percent, with no increase whatsoever in the import rates. This is one of the most shameless performances that I have ever heard of.

The Maritime Commission says that reports which have reached it indicate that the Meyer Line, one of the important independent lines of the North Atlantic trade, which in the last year or so has been cutting ocean freight rates, has now reached an understanding with the North Atlantic Continental Freight Conference and has established a pooling arrangement between the independents and the conference lines. This is a most serious development. If it is allowed to go through, the situation, which was already very adverse to the interests of the United States will be made still worse by the further disparities between export and import freight rates. So I call upon the Commission to disapprove this pooling agreement, and, indeed, to disapprove the new rate schedules of the North Atlantic Continental Freight Conference, which would establish the new rates on the 1st of September of this year.

I ask that the release be printed in the RECORD.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

MEYER LINE-CONFERENCE POOL REPORT FACES PROBE

The Federal Maritime Commission today launched an inquiry into reported plans of independent and conference shipping lines to enter into a pooling agreement in the North Atlantic trade and of plans, by the conference, to raise rates in that trade a reported 25 percent, it was announced today by Thomas E. Stakem, chairman.

Reports have reached the Commission indicating that Meyer Line, a leading foreign-flag independent in the North Atlantic trade, had reached "an understanding" with the North Atlantic Continental Freight Conference which would establish a "pooling agreement" between the independent and the conference lines.

The Federal Maritime Commission learned that the conference had circularized the shipping export trade, stating that after a reconsideration of the tariff structure, the conference proposes to file a new tariff on August 1, 1963, effective September 1, 1963, which would reestablish freight rates in the North Atlantic/Continental trade at the level existing on September 1, 1962.

Reports which reached the Commission indicated an intention to file the proposed pooling agreement with the Commission for approval.

The purpose of the Federal Maritime Commission's inquiry is to determine whether the Meyer Line and the conference have effectuated any agreement or understanding prior to filing the agreement with the Federal Maritime Commission and awaiting Commission approval as required by law.

Meyer Line and the conference had been active competitors for North Atlantic cargoes and there had been a series of drastic rate reductions in this trade since late 1962. The situation at times had been referred to as a "rate war."

Mr. DOUGLAS. Mr. President, Chairman Stakem and his fellow Commissioners admitted to the Joint Economic Committee that discriminatory ocean freight rates were a matter of grave concern; and they assured the committee that the Commission would initiate a vigorous investigation. The Chairman of the Commission stated—and this was a manly statement—that: "any criticism to be presented to this Commission for not having moved sooner in this very critical area should fall on me as Chairman because it was my responsibility to set the priorities within the limits of our staff."

I commend the Chairman for that disarming statement; but I also wish to state that it does not absolve him from the responsibility which he properly ascribes to himself.

In light of the fact that the Federal Maritime Commission is aware of the severity of this problem, or at least says it is, and in light of the fact that the Commission failed to act on the Celler subcommittee's recommendations calling for an investigation of both discriminatory ocean freight rates and an extensive investigation of the shipping conferences, the Commission and its Chairman are to be severely criticized. In the hope that the Federal Maritime Commission would at last give top priority to an investigation of ocean freight rates and of the shipping conferences which establish these rates, the Joint Economic Committee unanimously—without regard to party—made four recommendations to the Commission. The committee requested a response from the Commission by July 9.

I ask unanimous consent to have printed at this point in the Record the Committee's recommendations and the Commission's responses thereto, first listing each recommendation, and then listing the Commission's response to each.

There being no objection, the memorandum was ordered to be printed in the Record, as follows:

Recommendation: (1) The Commission should establish guidelines for U.S. complainants pointing out what the law requires as proof of discriminatory freight rates so that the Commission can act on their behalf.

Reply: Guidelines of the kind suggested in the Committee's recommendation have traditionally been set on a case-by-case basis, each case affording some precedent for future action. While it is the Commission's view that problems of the specific detailed elements and the quantum of proof necessary in adjudicating a claim of rate discrimination are not susceptible to formulation by agency rule, there are set forth in response to the Committee's recommendation some general guidelines which have been taken from precedents: Generally, it must be shown (1) that there is a difference in the inbound and the outbound rates, (2) that there is a similarity as to the weight, measurement, value, and kind of service required, (3) that the differential in rates complained of is not justified and is unduly discriminatory and unjust in that it acts to the disadvantage of the complainant, or restricts the flow of traffic and marketing of the commodity.

Recommendation: (2) The Commission should initiate steps under its existing authority to eliminate unjust discrimination in rates and should promptly inform the Congress if additional authority is needed to deal with any aspects of these discriminatory practices.

Reply: As we have previously informed the Committee, the Commission has instituted a formal investigation into the disparities between inbound and outbound rates on steel in the trades between the United States and Europe, Japan, and Australia. This investigation is being pursued on a priority basis.

The Commission's tariff examiners are continuing their analyses of all tariffs now on file with the Commission and will continue to give close scrutiny to new filings in order to promptly spot rates which would appear on their face to place U.S. manufacturers and exporters at a disadvanatge vis-a-vis their foreign competitiors. In this connection the Commission has established liaison with the Department of Commerce, Department of State, and the Tariff Commission in order that the Commission may be completely informed of the full effect of ocean freight rates on our foreign trade. (See also comments under recommendation No. 3).

Looking toward the future and the Commission's continuing concern with the extent to which ocean freight rates place U.S. manufacturers and exporters at a competitive disadvantage, the Commission will give prompt attention to both formal and informal complaints and inquiries from the shipping public and other interested persons. The Commission believes that greater efficiency in the final disposition of many complaints will be obtained if the Commission continues its practice of informally encouraging voluntary adjustment between shipper and carrier wherever possible. Where such informal attempts at resolution do not produce prompt adjustment formal proceedings are the alternative.

Where appropriate the Commission will make use of fact-finding investigations under its rules of practice and procedure and will make full use of its information gathering powers under section 21 of the Shipping Act, 1916, in order to preliminarily develop the information necessary for an informed judgment as to the proper course of action.

The current powers of the Commission to deal with rates which appear to discriminate against the commerce of the United States and against U.S. manufacturers and exporters are found primarily in sections 15, 17, and 18 of the Shipping Act, 1916, and section 19 of the Merchant Marine Act of 1920. Under section 15 the Commission is empowered to disapprove conference agreements which are found to be unfair as between carriers, shippers, exporters, importers, or ports, or between exporters from the United States and their foreign competitors, or to operate to the detriment of the commerce of the United States, or to be contrary to the public interest. Section 17 prohibits carriers from charging rates which are unjustly discriminatory between shippers or ports, or unjustly prejudicial to exporters of the United States as compared with their foreign competitors. Section 18 (b)(5) empowers the Commission to disapprove any rate which, after hearing, it finds to be so unreasonably high or low as to be detrimental to the commerce of the United States. Section 19 of the Merchant Marine Act of 1920 permits the Commission to make rules and regulations to meet conditions unfavorable to our foreign trade and which arise out of foreign rules or laws or the competitive practices of foreign-flag vessels.

It would appear that these statutory provisions are, on their face, sufficient tools for the correction of unlawfully discriminatory rates. The final answer to this, however, must await the completion of cases before the Commission. If, at any juncture in our disposition of cases concerning discriminatory rates, the Commission discovers that additional statutory authority is required we shall promptly make this matter known to Congress.

An additional power which the Commission believes would facilitate the disposition of a variety of cases including those involving discriminatory rates and which the Commission included in its last annual report to Congress is the power to enter interim cease and desist orders upon a prima facie showing of a violation of any provision of the Shipping Act.

Recommendation: (3) The Federal Maritime Commission should undertake a study of the extent and economic effects of disparities between inbound and outbound ocean freight rates. In selecting products for this study, the following guidelines should be used:

(a) Products which U.S. exporters have indicated are discriminated against in their complaints.

(b) Products which are presently substantially exported or for which there is export potential.

(c) Products which the Commission presently knows are discriminated against.

(d) Products for which freight rates are a high percentage of landed cost.

Reply: The Federal Maritime Commission on a priority basis is studying the extent and economic effect of disparities between inbound and outbound rates, utilizing the guidelines set forth above.

The Commission has already completed a study of the inbound and outbound conference tariffs in the North Atlantic trade between the United States and Northern and Western Europe and the United Kingdom. Using the results of this study, and taking into consideration commodities on which the Commission, the Federal Maritime Board, and the Department of Commerce have had rate complaints, we have compiled a list of 51 commodity groups, on which there is a disparity between outbound and inbound freight rates. The Commission by September 1 will complete an examination of the tariffs of all the outbound conferences and the corresponding inbound conferences to determine in each such trade if there are disparities between the inbound and outbound rates on similar or substantially similar commodities. When these rate compilations are completed a further report will be made to your Committee.

As indicated, the Commission has established liaison between the Department of Commerce, the Department of State, and the Tariff Commission, in order that it may be completely informed as to the products which are encompassed within the four categories listed in your recommendation No. 3.

Representatives of the Commission attend meetings which the Business and Defense Services Administration of the Department of Commerce holds with industry groups dealing with the problems that they face in connection with the export of products. The problem of freight rates is specifically discussed at these meetings. The Commission also consults with agencies of the Government in order to develop information as to the export potential of U.S. goods. Past and future complaints filed by shippers will also be used by the Commission in its all-out effort to determine the effect of freight rates on the exports from the United States.

The Commission has requested the National Archives to develop a feasibility study as to the possibility of machine tabulating the more than three million freight rates which are filed with it and to estimate the cost thereof. If it is found that such a system is feasible and if the necessary funds are obtained, it is believed that the Commission will be better able to take prompt action with respect to disparities in the import and export trades of the United States.

As disparities in the inbound and outbound rates are disclosed, action as set forth in 2 above will be promptly taken by the Commission.

Recommendations: (4). The Federal Maritime Commission should:

(a) Request information from the shipping conferences on rates between Europe, Japan and third market countries.

(b) Compare these rates to the rates on U.S. exports to these third market countries.

(c) Indicate the mileage from Western European and Japanese ports and U.S. ports to these third areas.

Reply: The Federal Maritime Commission is endeavoring to obtain information as to freight rates between Europe, Japan and third market countries. Assistance of the Department of State has been sought to endeavor to ascertain through its representatives abroad, freight rates on specified commodities from Hamburg, Rotterdam, Genoa, Liverpool and Yokohama to the third market countries of Brazil, Chile, Panama, Venezuela, Australia, South Africa and India. Advice has also been requested as to freight rates between the above-named European and United Kingdom ports and Japan. Messages asking for this information were cleared by the Department of State on June 28, 1963.

Letters are also being sent to all steamship conferences and all U.S.-flag carriers serving the export commerce of the United States requesting that they furnish the Commission such information as they have or can develop as to ocean freight rates from third countries to the foreign destinations which these conferences and carriers serve.

As soon as rates are received, comparisons will be made between these rates and the corresponding rates from the United States to common destinations together with a comparison of the mileage over the various routes. If the circumstances warrant, action as outlined in our response to recommendation 2 above will be taken.

Mr. DOUGLAS. Mr. President, I previously mentioned the fact that the hearings of the Joint Economic Committee on June 20 and 21 revealed that the Maritime Administration, as well as the Maritime Commission, pursued policies contrary to the promotion of U.S. exports. We received from James W. Gulick, Deputy Maritime Administrator, testimony which indicated that the Administration's past and present policies require an American steamship line to be a member of a shipping conference or agree to its rates, rules, and regulations in order to receive an operating subsidy. The only exception to this policy is that an American line can refuse to charge these conference-established rates if it is willing to bear the burden and cost of proving that such rates are not in the interest of the American merchant marine. But the full burden of proof and the full cost of proceedings are lodged upon the line.

Mr. President, I ask unanimous consent to have printed in the RECORD a copy of circular letter No. 3-62 which expresses this policy.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. Department of Commerce,
Maritime Administration,
Washington, D.C., February 2, 1962.

Subject: Basic policy with respect to rates.
To all subsidized operators.

GENTLEMEN: The Maritime Subsidy Board on February 2, 1962, adopted the following policy with respect to rates: As a general principle, the Maritime Subsidy Board believes it to be in the interest of the American merchant marine, and of stability of trading conditions in the foreign commerce of the United States, for subsidized lines to comply with established applicable conference rates in any trade in which the subsidized lines engage. This general principle is applicable whether or not the subsidized line is a member of the conference. At the same time, it is recognized that in specific instances good reason may exist for departures from conference-established rates. Such specific departures should be based on sound business judgment of the subsidized line, and should be in furtherance of the best interest of the American merchant marine. The Maritime Subsidy Board will, where deemed appropriate, require subsidized carriers to justify any departure from applicable conference rates.

Your attention is directed to the provisions of section 7 of Department of Commerce Order No. 117 (revised) effective August 12, 1961.

Sincerely yours,
James S. Dawson, Jr.,
Secretary.

Mr. DOUGLAS. Mr. President, it is appalling to me that the Maritime Administration requires an American steamship line to be a member of a shipping conference or to charge conference rates, in view of the fact that these foreign-controlled conferences, by bloc voting, discriminate against U.S. exports. However, during the hearings, when I asked Mr. Gulick, "Do you still approve of this policy outlined in Circular Letter 3-62?" he responded, "Yes, sir; we do."

The effect of this policy on our balance of payments is obvious. It forces American steamship lines to charge rates detrimental to exports but beneficial to imports. Moreover, American taxpayers' money is used to force American ships to discriminate against American products. It amounts to using the subsidy as a club with which to force American lines to conform to the discriminatory rates established by international shipping cartels, in which we are underrepresented, and over which the Maritime Commission has chosen not to exercise any authority.

The policy also has detrimental effects on the U.S. merchant marine, as noted on page 60 of a recent report to the Secretary of Commerce by the Maritime Evaluation Committee.

Incidentally, Mr. President, this report is interesting in connection with the behavior of administrative bodies. The report is dated January 1963; but it was issued only on July 1, or only 5 days after I directed to the Secretary of Commerce a letter urging the Department of Commerce to follow a policy which I shall now read. The report, entitled "Maritime Resources for Security and Trade," brought out that conference rates, as noted on page 60, "are not adhered to consistently by foreign carriers."

The Maritime (Administration's) Subsidy Board policy ties the hands of U.S.-flag operators; at the very least it hinders their freedom to respond quickly to trade developments. Foreign flag carriers who do not practice the same adherence to conference rates are at liberty to engage in irregular hit-and-run practices with little risk of reprisal from U.S. carriers. At the same time, the conferences (which are dominated by foreign carriers) can establish and maintain rates that are adverse to U.S. trade competing with another power's trade in the same commodity. The U.S.-flag members have little negotiating power to resist such actions since they are prevented by the Subsidy Board policy from any effective threat of independent rate action. A threat which must be contingent upon third party approval leaves the U.S. carrier vulnerable to countermeasures without notice. There is reason for concern that the development of our foreign commerce (one of the traditional objectives of Government support of the merchant marine) may be impeded by the policy of rigid adherence to the will of the conferences.

Withdrawal of the Subsidy Board policy in this respect is recommended as a protection to the U.S. subsidized carrier members of the conferences.

As I mentioned above, it is interesting to note that the recommendation of the Maritime Evaluation Committee to reverse this policy was released by the Secretary of Commerce on Monday, July 1. Just 5 days prior to this, I wrote to the Secretary requesting a change in this policy of the Maritime Administration. I ask unanimous consent that a copy of my letter to the Secretary be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

Congress of the United States,
Joint Economic Committee,
June 26, 1963.

Hon. Luther Hodges,
Secretary of Commerce,
Washington, D.C.

MY DEAR MR. SECRETARY: In view of your vigorous efforts to expand and promote the foreign commerce of the United States, I would like to call to your attention information received during recent hearings of the Joint Economic Committee dealing with discriminatory ocean freight rates.

Both material submitted and testimony received revealed that past and present policies of the Maritime Administration require an American steamship line to be a member of a foreign-controlled shipping conference or agree to its rates, rules, and regulations in order to receive an operating subsidy. The only exception to this Maritime Administration policy is set forth in the enclosed circular letter No. 3-62, that is, an American line can refuse to charge these conference-established rates only if it is willing to bear the burden and cost of proving that such rates are not in the interest of the American merchant marine.

Prior to the submission of this policy statement, testimony was received from the Maritime Commission which indicated that—

1. The Federal Maritime Commission is aware of the freight rate discrimination on heavily traded steel products, and many other American exports.

2. The Federal Maritime Commission agreed that this discrimination has significant effects on our balance of payments.

3. The Federal Maritime Commission—and its predecessor agencies—have been aware of this discrimination for many years but, until this month, have never held formal hearings or taken formal action to remedy this discrimination.

4. Shipping conferences which establish these discriminatory rates are predominately controlled by foreign lines. Of the 435 steamship lines operating in U.S. foreign commerce, 400 are under foreign flags.

In light of these facts, it seems inconceivable to me that the Federal Maritime Administration would require an American steamship line, as a condition for obtaining an operating subsidy, be a member of a conference or agree to charge conference-established rates.

There is a considerable difference of opinion between the Federal Maritime Administration and the Federal Maritime Commission.

In response to my question, "(do) you think this policy should be reversed?" Mr. Stakem, Chairman of the Maritime Commission, replied, "I certainly do." Mr. Stakem also stated with respect to the policy contained in the enclosed letter to Isbrandtsen Steamship Co., Inc., "that letter, I think, was a mistake. If I participated in the decision that led to that letter, I think that was a mistake."

On the other hand, in response to my question, "Do you still approve of the policy outlined in (circular letter) 3-62?" Mr. Gullick, Deputy Administrator of the Maritime Administration, stated, "Yes sir, we do. We find it has worked very well."

It is strongly urged that this policy be reviewed and updated. After your review of this policy, I am sure you will conclude that subsidies should not be used to promote conferences or cartels which pursue policies contrary of the Trade Expansion Act, the balance-of-payments position of the United States, and your vigorous efforts for export promotion.

I intend to make a speech on the floor of the Senate in the near future, setting forth our findings during the hearings, and suggesting changes in maritime policies. I would greatly appreciate any views and comments you would care to offer. You have been making a most sincere and able effort to revamp the work of your Department and to improve its performance in promoting our export trade. I am confident, therefore, that you can and will find ways of altering the Department's maritime policy so that subsidy programs tend to promote the elimination of freight rate discriminations against American exporters rather than promote their continuance, as does the present policy.

Faithfully yours,
PAUL H. DOUGLAS,
Chairman.

Mr. DOUGLAS. Mr. President, I ask unanimous consent to have printed at this point in the RECORD the Secretary's reply of July 12.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WASHINGTON, D.C.,
July 12, 1963.

Hon. PAUL H. DOUGLAS,
Chairman, Joint Economic Committee,
Congress of the United States,
Washington, D.C.

DEAR MR. CHAIRMAN: This is in further reply to your letter of June 26, 1963, concerning certain information relating to policies of the Maritime Subsidy Board received by the Joint Economic Committee during the course of its recent hearings dealing with discriminatory ocean freight rates.

As you may know, the Commerce Department for some time has had underway a study of ocean freight rates and the balance of payments. This includes the testimony of Dr. Walther Lederer before the Joint Economic Committee in May relating to the effects of ocean freight rates on steel exports. The Department also provided much of the information on the basis of which your committee based its examination of Federal Maritime Commission officials in this matter last month. The Joint Economic Committee has been informed of some of our future plans in the same area.

Against this background, I have given careful study and consideration to the questions raised in your letter as they relate to present policy of the Board with respect to adherence of subsidized lines to conference-established steamship rates, and to the matter of conference rate policies and practices as they may adversely affect the development of our foreign trade generally. As a result, I have decided upon two immediate courses of action as initial steps looking toward an ultimate solution to the rate discrimination problem.

The first step: The Maritime Subsidy Board has been asked to undertake an immediate review of their policy (stated in circular letter No. 3-62 dated Feb. 2, 1962), which requires subsidized lines to adhere to conference rates. In this review, the Board has been asked to give careful consideration to whether this policy of the Subsidy Board should be rescinded. I anticipate that the Maritime Subsidy Board will make a decision within the near future.

The second step: I propose an investigation of international shipping conferences and the impact of their ratemaking policies and procedures upon the export and import commerce of the United States. In order to implement this action, I have requested the Federal Maritime Commission to initiate such an investigation. I am offering the full cooperation and assistance of this Department to the Commission in undertaking this important task. In fact, we already have underway discussion with the Federal Maritime Commission on a number of questions relating to their projected studies of ocean freight rates. We are anxious to see this work go forward as rapidly as possible. We believe that phase of the inquiry should focus on the level and structure of export and import rates with the emphasis on their economic effects. In addition, however, we believe that the almost complete lack of reliability and detailed knowledge of the ratemaking activities of international shipping conferences requires a comprehensive investigation on the basis of which sound remedial action can be developed for overcoming any discriminatory ocean freight rates which may exist.

Your calling to my attention such information respecting Department of Commerce policies which may have a bearing on the question of discriminatory rates is appreciated. The seriousness of this problem which has been brought into focus by the work of your committee merits the full attention and cooperation of all interested parties in seeking an adequate and permanent solution.

Sincerely yours,
LUTHER H. HODGES,
Secretary of Commerce.

Mr. DOUGLAS. Mr. President, the Secretary stated:

> I have decided upon two immediate courses of action as initial steps looking toward an ultimate solution to the rate discrimination problem.
>
> The first step: The Maritime Subsidy Board has been asked to undertake an immediate review of their policy (stated in Circular Letter No. 3-62 dated Feb. 2, 1962) which requires subsidized lines to adhere to conference rates. In this review, the Board has been asked to give careful consideration to whether this policy of the Subsidy Board should be rescinded. I anticipate that the Maritime Subsidy Board will make a decision within the near future.
>
> The second step: I propose an investigation of international shipping conferences and the impact of their ratemaking policies and procedures upon the export and import commerce of the United States.

Mr. President, in light of the facts brought out at the committee's recent hearings, this policy should be reversed so that U.S. subsidized carriers will lose their subsidies if they abide by conference rates and regulations which are detrimental to the commerce of the United States.

We should use subsidies as a weapon to break down the system of differential rates, rather than as a weapon to force the American shippers to conform to a system of differential rates.

The Maritime Administration has been derelict in another area for nearly 40 years. Section 28 of the Merchant Marine Act of 1920 permits railroads and other overland carriers to charge special rates, reduced by as much as 50 percent, for transportation of products designated for export or import. For example, it costs $1,058 per carload to send automobiles from Detroit to San Francisco, if the automobiles are for domestic sales. However, if the cars are to be exported the rail rate is $783 per carload, or $275 less.

Although section 28 permits reduced rail rates for exported and imported commodities, it restricts these reduced rates to the exports and the imports transported in American-flag vessels unless the Maritime Administration rules that American-flag service is inadequate. If such a ruling is handed down, the restrictive provisions of section 28 are suspended until the administration rules that American-flag service has become adequate.

The last ruling handed down by the Shipping Board—predecessor of the Federal Martime Administration—was in 1924, or 39 years ago. This ruling suspended the operation of the restrictive provisions of section 28 and permits reduced rail rates to apply to shipments on flag vessels of all kind; on vessels carrying foreign flags as well as American flags.

In section 28 of the Merchant Marine Act, 1920, Congress has given the governmental agencies concerned with the movement of export-import traffic a powerful and effective means of inducing exporters and importers to give preference to vessels of U.S. registry by restricting the application of export and import rates to traffic which is to move or has moved on American-flag vessels. The Maritime Administration, the agency charged with the duty to promote the U.S. merchant marine, has failed to enforce or to even review the restrictive provisions of section 28 for 39 long years. Conditions have certainly changed since 1924. It is long past time for a review of the administration's suspension of this act.

I am not certain that section 28 of the act is wise, because obviously it gives to producers of goods abroad who ship on American lines an internal freight advantage over American producers who ship by rail or truck. In this respect, it discriminates in favor of the foreign producer at the expense of the American producer. So I do not wish to be understood as necessarily endorsing section 28. But the Maritime Administration has neglected to consider the question in any objective fashion a ruling of 1924 which extends these advantages to foreign shipping lines as well as to American lines.

The recommendations made by the Joint Economic Committee to the Maritime Commission and to the Secretary of Commerce were made within the framework of the existing laws governing our maritime activities. The responses indicate that these recommendations can be carried out without additional legislation.

I wish to underscore that last statement, because it is always a defense of derelict administration agencies to say, "We are only operating under the laws of Congress. Give us new legislation, and we will change." The point is that the Maritime Administration has already all the statutory powers which it needs, and we should not allow our attention to be diverted by any claims which they may make that they need additional legislation.

Mr. President, it is my belief that the Federal Maritime Commission and the Federal Maritime Administration have failed to enforce existing laws and to use their statutory authority to protect American exporters and to promote the foreign commerce of the United States. Moreover, they have failed to recognize the export promotion goals of the Trade Expansion Act. Finally, it is my belief that these two agencies, which are vital to our U.S. trade, have failed to join the other departments and agencies of our Government working toward, I hope, a solution of our balance-of-payments problem. It is the hope of this Senator and, I am sure, of the American taxpayers that this dereliction of duty may be corrected. Mere promises to investigate are not enough. The continuous stalling tactics of derelict administrative officials are not enough.

It has been 47 years since the Jones Act was passed and during most of this time these nefarious practices have gone on with the knowledge of the governmental agencies with jurisdiction. We need a cleanup and we need it rapidly. The case is clear. The time for action is now.

While I do not wish to imitate Madam Defarge of Dickens' Tale of Two Cities in any connection, I would say that in my judgment some heads should roll.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. DOUGLAS. I am glad to yield to the Senator from Alaska.

Mr. GRUENING. I commend highly and unqualifiedly the fine presentation which the Senator from Illinois has made on the subject of the Federal Maritime Commission. He charges it with gross negligence. He charges it with dereliction of duty. He charges it with repeated failures. If there was any way in which I could emphasize that those vigorous allegations were understatements, in view of the malfeasance, nonfeasance, and misfeasance of the Maritime Commission, I would do so.

I agree with the Senator that we need a cleanup and need it rapidly. As, he says, correctly, the time for action is now. It is for that reason that I appeared before the Commerce Committee last week to oppose the reappointment to the Federal Maritime Commission of the first member of the Commission who comes up for reconfirmation after the present administration has appointed him. It is the Senate's first opportunity to "advise and consent" after this member has demonstrated the character of his service. I refer to the renomination of Mr. Ashton C. Barrett, who serves as Vice Chairman of the Maritime Commission.

The Senator from Illinois has referred to one of the recent actions of the Commission as the most shameless performance of which he has every heard. I would equal that statement by saying that the performance of the Maritime Commission in the recent Alaska freight rate case was one of the most shameless performances of which I have ever heard. The Commission completely ignored the evidence. They swept it aside. They disregarded the gross abuses and practices of the Alaska Steamship Co., whitewashing them, and giving the company a rate increase beyond all justification.

Mr. President, I ask unanimous consent that my testimony before the Committee on Commerce last Friday against the confirmation of the nomination of Mr. Ashton C. Barrett be printed at this point in my remarks.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR ERNEST GRUENING BEFORE THE SENATE COMMITTEE ON COMMERCE ON THE NOMINATION OF ASHTON C. BARRETT TO THE FEDERAL MARITIME COMMISSION, FRIDAY, JULY 12, 1963

Mr. Chairman and members of the committee, I wish to thank you for giving me this opportunity to testify on the nomination of Mr. Ashton C. Barrett to the Federal Maritime Commission.

I am opposed to this appointment.

I am sure Mr. Barrett is an able and distinguished individual within the field of his own competence and that he may very well have outstanding qualifications for public service.

However, for reasons I shall set forth I think Mr. Barrett has demonstrated that he is not qualified for another term as a member of the Federal Maritime Commission.

On May 6, 1963, the Federal Maritime Commission, of which Mr. Barrett is Vice Chairman, handed down a decision in another of the seemingly unending series of rate increase cases of which the Alaska Steamship Co. is the inevitable beneficiary. In my opinion, this decision constitutes such a flagrant corruption of the regulatory responsibility of the agency that I do not believe any member of the present Commission should be reappointed.

Despite the critical need for reduction of water freight rates to Alaska which has been repeatedly pointed out by the State, by the Territory before statehood, and by agencies of the Federal Government; despite the fact the rate increase awarded May 6 brought the total of rate increases in the Alaska trade since 1950 to a startling 56.4 percent; in the face of an adverse finding of the hearing examiner in the case (who died before it was decided by the Commission); and without any regard for facts presented by the State and the General Services Administration showing the increase to be unwarranted, the Federal Maritime Commission arbitrarily and capriciously decided the Alaska Steamship Co. needed some more money—and awarded the increase.

During the presentation of evidence in the case, which was concluded in December 1960—nearly 2½ years before the decision was rendered—the State of Alaska demonstrated that profits of the Alaska Steamship Co. were, even before the 10-percent hike now allowed, higher than could be justified. The State estimated that on the basis of rates in effect prior to the 10-percent increase now approved, the Alaska Steamship Co. earned a return on its investment in 1958 of not less than 19.74 percent; a return in 1959 of not less than 8.35 percent; and a return for the combined 2-year period of not less than 13.246 percent. It was further estimated that, with the application of more realistic depreciation periods than had been allowed, the profits of Alaska Steam actually ranged between 21.931 and 22.737 percent for 1958; between 9.697 and 10.528 percent for 1959 and 14.659 and 15.484 percent for the 2-year period.

The State presented, in addition, startling evidence of highhanded use of assets of the Alaska Steamship Co. by its owners, the Skinner family, which resulted in personal profits to the Skinners and constantly increasing costs to the beleaguered citizens of Alaska who pay the freight.

The State protested the allowance as an expense to the company of charitable contributions made on behalf of the Skinner family, but paid for by the people of Alaska. It argued that the company should not be allowed to charge to the trade the sum of $39,620 paid in 1958 and $10,500 paid in 1959 to the Skinner Foundation Trust, established to provide funds for contributions to charitable causes, and subsequently allowed by the Commission in the May 6 decision.

There was also presented evidence of inefficient management of the company reflected by abnormal layup costs when ships were inactive in 1958 and 1959. Such expenses, when combined with preinaugural costs of outfitting vessels for the Alaska trade, resulted in charges of nearly $200,000 in the years 1958 and 1959—expenditures the State held should not be borne by the ratepayers of Alaska.

Among other reasons for disallowing the increase, it was further shown that, despite extremely generous depreciation allowances permitted by the predecessor agency of the Commission and rate base computations which allowed the company, among other benefits, to earn a return on property it did not even own, the Alaska Steamship Co. has built no ships for its own account for a quarter of a century. The profits resulting from these beneficent policies of the so-called regulatory agency have simply been pocketed by its stockholders. Meanwhile, Alaska Steam has relied on Uncle Sam to supply it with Liberty ships and reserve fleet vessels at considerable savings of cost. Although Alaska Steam has earned substantial profit from the trade in which it engages, it has consistently failed to invest in public services any amounts commensurate with public needs.

The evidence was overwhelming this was no poor struggling company in need of public sympathy. Quite the contrary. This is a highly profitable business.

The reasoning of the State and the General Services Administration was persuasive to the hearing examiner, who came forth with a decision on April 3, 1962 (a year and 4 months after the case began), finding that the increase for which the company had applied was not justifiable for the future—although, curiously, allowable for the past months in which the higher rates had already been allowed to go into effect. The hearing examiner found, on the basis of the record, that the increased rates under consideration would produce projected earnings for 1960 bringing a return on investment of 19.35 percent—"far in excess of that found reasonable"—in the words of the examiner's decision. The examiner further agreed with the State of Alaska that the trade should not be forced to carry the burden of expenses in the form of charitable contributions from the Skinner trust fund and that the company could not claim, as a part of its rate base, the value of a pier and equipment belonging to the port of Seattle, Wash.

And now this poor excuse for a regulatory agency which presides over the good fortunes of the Alaska Steamship Co. to the detriment of the offshore areas of the United States has come along and found this deplorable rate increase to be just, reasonable, and lawful.

I confess my astonishment at the brazen disregard of fact and reason displayed by the Federal Maritime Commission in coming to the decision in the Alaska Steamship case it made on May 6.

The decision can be read straight through, backward, sideways, or upside down and there is nothing to disclose the reasoning by which the result was reached. Unless one comes to the unhappy conclusion, as I have, that the Federal Maritime Commission simply took the same course as its predecessor agencies and decided to benefit the carrier for the sake of benefiting the carrier there is no other possible explanation of the decision.

The decision admits the accuracy of the finding of the examiner as to forecasts of tonnage carried by the company in 1960 but proceeds to disregard this blithely by stating, without any supporting documentation, that 1960 was a better year than average. It must be kept in mind the record in this case was closed in December 1960. Whatever may have happened to the company after that was not at issue—or should not have been—in this case. Whatever the circumstances of the Alaska trade between December 1960 and May 1963, or, for that matter, in the years ahead from now to the end of time should not have been considered by the Commission in coming to a decision on this case. It was bound to decide on the basis of the evidence before it when the case was closed in December 1960.

Thus, if there is any rationale for the decision of May 3, it can only be found in material not part of the record and not, under any fair rules of play, before the Commission at the time it made its decision.

This irresponsible action of an agency sworn to protect the public welfare is my reason for recommending that no member of it having taken part in this case should be reappointed.

I believe that, in this case, a conscientious Commissioner, concerned with the public welfare, would have reached a different decision. But there was not one dissent. There was not one member of the Federal Maritime Commission who voted in the interest of the public and on the basis of the record. The decision for Alaska Steam and against the people of Alaska was unanimous.

I believe the submission of this nomination by the President represents a serious matter of national concern that goes beyond the question of Mr. Barrett's qualifications for membership on the Federal Maritime Commission, vital as this is to all who are concerned with maritime matters, either as carriers or members of the public dependent on our domestic water transportation facilities, as are the people who live in Alaska.

For more than 30 years, since the New Deal emphasis on protection by the Government of interests of the people, as demonstrated by the development in those years of the concept of independent regulatory agencies, scholars of government have been working at perfections of our administrative system that will assure impartial action on matters for decision, protect rights of individuals, and safeguard the interests of the public.

While there are many avenues which may lead to establishment of an ideal system of regulating those industrial concerns of our Nation subject to Federal surveillance, and while there may be room for disagreement about differing proposals for improvement of administrative procedures, there can be no quarrel with the proposition that no system of administrative review, no matter how well designed, can operate properly without competent, qualified individuals in control of it.

This has been recognized by this administration.

Before President Kennedy took office, we who are concerned with effective action by regulatory agencies were heartened by one of the first actions of the President-elect in preparation for his assumption of office. This was the appointment of the Honorable James M. Landis, long recognized as an authority in the field of administrative law, as a special adviser, with the responsibility of preparing a searching study of deficiencies in the operation of Federal regulatory agencies, and recommendations for improvement. Dean Landis' study was presented in December 1960, and there was hope the recommendations he made would be put into operation and result in a renaissance of the enthusiasm for public service and Government dedicated to the public interest which was evident in the regulatory agencies in the years preceding World War II.

In his proposals for improvement of regulatory functions of Government, Dean Landis placed major emphasis on the importance of appointing well qualified individuals to agencies having regulatory functions. In his letter of transmittal of the report to the President-elect, Mr. Landis said:

"I have also dwelt quite heavily in a section entitled 'Personnel' on the matter of the qualifications that should be required of the men called upon to man these agencies. No better service could be rendered to the administrative agencies as a whole than by gradually restaffing them with men who, because of their competence and their desire to fulfill the legislative mandates described in the basic statutes establishing these agencies, will inspire a sense of devotion to and pride in the public service by their many employees."

Again, in the introduction to the report, it was stated:

"Finally, it must be remembered that we cannot regard our Government as simply a government of laws and not of men, but rather a government of laws by men. Although the mechanisms we create for administration may be more or less well adapted to a particular task, the individuals that operate them singly or as a group have the ultimate responsibility of guidance and control.

"The results of their operations will thus reflect not only efficiency or inefficiency but more importantly the ideals and goals that within the framework of the basic law can fairly be achieved."

Finally, in recommendations for action needed, Dean Landis' report had the following to say about the need for careful attention to appointments to the regulatory agencies:

"The prime key to the improvement of the administrative process is the selection of qualified personnel. Good men can make poor laws workable; poor men will wreak havoc with good laws.

"As long as the selection of men for key administrative posts is based upon political reward rather than competency, little else that is done will really matter * * *.

"Basic challenges have been missing in the last decade. Good men cannot be attracted to agencies if they see that the colleagues with whom they are called upon to work, the staffs that they must utilize, are not measurable by standards they believe to be appropriate. Such a condition implies a lack of concern or a lack of understanding of the regulatory process by the President, either or both of which are destructive of the very thing that could hold an appeal. The appeal of a job can also be destroyed if the President, through design or neglect, permits his prejudices in behalf of political associates or friends to dictate the disposition of individual items of business. No truly good man can submit to such interference. Finally, the job's relationship to the general program of the administration must be clear and that clarity of relationship with the help of the President constantly maintained. These are the essential ingredients of the concept of challenge. They are also essential lures for the enlistment of talent."

As for the maritime regulatory agency, then the Federal Maritime Board, the Landis report referred to the anomaly then existing in its organizational structure in which administrative functions dedicated to promoting the interests of the maritime industry were combined with the regulatory responsibilities required to be exercised by the same agency. Those of us who are particularly concerned with the actions of this agency were, again, encouraged by the administration's position with respect to operation of regulatory agencies when, on June 12, 1961, President Kennedy submitted Reorganization Plan No. 7 of 1961, establishing a five-member Maritime Commission and separating the Office of Maritime Administrator from any regulatory responsibility, as had formerly been the case. At that time I viewed this action with hope and faith that a new day had dawned which would finally bring Alaskans some relief from the unbearably high shipping costs that have plagued our State from territorial days and have made it impossible for Alaska to develop as it should.

I testified before this committee in support of Reorganization Plan No. 7 of 1961, as follows:

"The new Maritime Commission, replacing the present Maritime Board, would have five members instead of three—a change which should bring new ideas and a fresh approach to the regulation of water carriers subject to its jurisdiction and also a desirable greater diversity of representation. I believe this change, in itself, ought to be productive of a hitherto untried vigorous regulatory policy which is so badly needed.

"It is of particular importance that the plan of the President would relieve the Chairman of the regulatory body of responsibility for promotional efforts on behalf of the maritime industry. This important duty would be lodged in a Maritime Administrator responsible to the Secretary of Commerce where it appropriately belongs. The anomalous situation now existing in which one individual is both the Chairman of the Maritime Board, in which role he exercises regulatory responsibilities, and also Maritime Administrator, a position charged with responsibility for promoting and encouraging the development of the American Merchant Marine is, I believe, at the root of many of the freight cost difficulties faced by the offshore areas.

"I believe the adoption of this reorganization plan is essential not only to the interests of the public dependent on water transportation but that it will also greatly benefit the water carriers."

Unhappily, my high hopes of 1961 have not been realized. Sadly, I have called the attention of the President and the Senate to the meaning of the Alaska Steamship Co. case decision of May 6, which I regard as a demonstration that the Commission the President appointed has betrayed his purpose and the trust he put in a revitalized organization. Certainly, the action of the Commission in the Alaska Steamship case cannot reflect the evident intent of the President to improve the regulatory agencies of the Government, and, particularly, the maritime regulatory agency.

I believe the occasion of this appointment is a good time to review the previous efforts of the administration toward improvement of Federal regulatory agencies which I have recounted above and raise the question whether this appointment is truly in the interest of the present administration.

At the time Mr. Barrett's original nomination came before this committee, in February 1962, I think most of us felt the President should have been given the benefit of Executive prerogative in the selection of his appointees. The Senate must always keep in mind its responsibilities for confirmation of Presidential appointments; however, except where there is substantial reason to question a Presidential nomination, Senators are traditionally reluctant to raise objections.

In 1962 we had reason, based on the expressed attitudes of the President toward improvement of the maritime regulatory agency, to feel he should be given his choice of nominees for the new Federal Maritime Commission. We felt the President and the new agency should be given a chance to demonstrate, by performance, the quality of nominees to the Commission.

Now that the Commission has, by its action in the Alaska Steamship case, showed its attitude and method of operation I think we have sufficient grounds for opposing reappointments of individuals who, in my judgment, have failed to serve the public interest.

I think the time has come, with this request for reappointment, that the Senate has good reason to criticize a Presidential nomination and exercise its constitutional responsibility to reject nominees not believed fitted for the service for which they are chosen.

In the case of Mr. Barrett, I have, on a previous occasion questioned his qualifications for membership on the Federal Maritime Commission. In a statement I made on the floor of the Senate on May 21 I referred facetiously to Mr. Barrett's experience in the drycleaning field as having led him to clean out the pockets of Alaskans by his action on the May 6 decision. That the Alaskans have, once again, been taken to the cleaners by the maritime regulatory agency is no laughing matter. The State of Alaska cannot survive further, uninhibited rate increases for water shipping to the State. Our entire economy is almost totally dependent on water transportation. It is perilously threatened by unrelieved increases in the cost of living which are the direct result of increases in water freight rates.

Alaska cannot risk any longer the supervision of the water carriers which are its lifeline by individuals whose philosophy of service on the regulatory agency they serve are characterized by the statement in Mr. Barrett's biography, presented to this committee at the time of his original appointment. At that time, it was stated to the committee that Mr. Barrett "views the regulatory role as one in which the Government has the opportunity to assure, in cooperation with those to be regulated, a free interchange of products in world trade that will mutually enhance the vigor and prosperity of American and free world shipping."

I find nothing in this statement to indicate that Mr. Barrett conceives of the regulatory function of this agency as one which will operate in the interests of the public dependent upon it. I find nothing to show a willingness to take account of the importance of this agency in enhancing the vigor and prosperity of the offshore areas of the United States to which domestic shipping is of vital importance. I find, only, a view of the agency which describes its role as that of enhancing the vigor and prosperity of the carriers, without regard to what the application of this philosophy may mean to those who are dependent upon the services of these carriers.

Mr. Chairman, I respectfully urge this committee to reject the nomination of Ashton C. Barrett to the Federal Maritime Commission.

Thank you again for giving me this opportunity to testify on this appointment.

Mr. DOUGLAS. Mr. President, I thank the Senator from Alaska for the campaign which he is conducting to lower ocean freight rates. I think the blame is not so much Mr. Barrett's as it is that of the Chairman of the Commission, but I suppose there is sufficient blame for everybody.

Mr. GRUENING. All are equally responsible. The Chairman no doubt led the way. He is the only person on the Commission with appreciable previous experience in maritime matters. Other members are completely unqualified by lack of pertinent experience. But they might have learned, which they did not. They merely followed the Chairman, who is an old hand at following the practices which have been followed through the years by predecessor agencies which the Senator from Illinois properly characterizes as nefarious practices. These nefarious practices have been going on much too long.

As the Senator from Illinois says, the time to act is now. Mere promises will not do. We have lived with these promises in Alaska for two generations or more. What has happened and what is happening is shameful. The Maritime Commission is not in Alaska protecting the public interest; in the instances the Senator from Illinois cites the Maritime Commission is not protecting the private interest or the national interest. I do not know what interest it does serve, except that of its members to continue to draw their salaries.

Mr. DOUGLAS. I thank the Senator from Alaska. I also have been discouraged by the failure of the parties supposedly interested in this matter to make any effective showing.

The Treasury Department is much concerned over the unfavorable balance of payments. Virtually the only remedy the Treasury Department has proposed is for us to increase interest rates, which would of course directly hobble American economic expansion—this is a procedure which, in my judgment, would be relatively ineffective even if foreign countries did not increase their rates, because already there are higher interest rates here than in most European countries. Furthermore, if we should increase our interest rates there is every prospect that the European countries would increase theirs, and hence there would be no differential advantage to us.

The Treasury Department does not mention differential freight rates.

I do not know what the Council of Economic Advisers has done. They have advised the President, but I have not noticed any public statements on this subject.

I think Secretary Hodges is trying, but he seems to be almost alone.

I have been very disappointed by the fact that we have received little response from the injured parties. I have been trying to stir up interest on the part of the steel industry, and I must say that with the exception of the Kaiser Co. and one or two other companies there has been a very discouraging response.

I have not found any other appreciable group of exporters who are interested, with the exception of the chemical industry, and I do wish to pay tribute to them.

There seems to be a sort of tacit acceptance of these discriminatory provisions and an acquiescence in economic totalitarianism. The apostles of free enterprise seem not to object, although this is a direct violation of all the principles for which they supposedly stand.

I have not noticed any objection to these practices on the part of the economic columnists, many of whom are very anxious to have interest rates increased.

I have not noticed any action by the U.S. Chamber of Commerce or by the National Association of Manufacturers.

I have been trying to interest the unions in this problem, because they suffer so far as employment is concerned.

It is extraordinary how people pacifically accept this, though it hurts their interests—hurts production, hurts sales, and hurts the national interest. I have been surprised to see how they all acquiesce in these rates, which are directly contrary to our every legitimate interest.

As the Senator from Alaska knows, I have always tried to adopt a rather broad international point of view. The Senator has reproved me on many occasions for supporting foreign aid as zealously as I have supported it. But I do not believe in a cowardly subservience to any such practices as these against the interests of the United States. I think this is especially reprehensible on the part of Government officials who are supposedly charged with the duty of protecting legitimate American interests.

Mr. GRUENING. Mr. President, will the Senator yield further?

The PRESIDING OFFICER (Mr. Inouye in the chair). Does the Senator from Illinois yield?

Mr. DOUGLAS. I am glad to yield.

Mr. GRUENING. I would say that this whole question of regulatory agencies is one of the most vital issues which confronts the American people. I believe that the test of an administration can be found in the character of its appointees to the regulatory agencies. Are they vigilant? Are they alert? Are they knowledgeable? Are they dedicated? Do they protect the public interest? Do they protect the national interest?

In the case of the Federal Maritime Commission I think the proof is very clear. It so happens that the Senator from Illinois and I have approached this problem from entirely different standpoints, from two entirely different aspects of the Maritime Commission's duties and responsibility. In each case, we have found negligence, indifference to the public interest, and shameful performance.

Perhaps we should not dilute this indictment of the Federal Maritime Commission by referring to other regulatory agencies, but we who live in Alaska have suffered greatly from regulatory agencies and this came close often to being a matter of survival. We are now exposed to a threat hanging over us from the Civil Aeronautics Board.

Alaska has suffered from the fact that while it was a Territory—a stepchild in the national family, really a colony—it had only one form of transportation. That was maritime transportation. Alaska until 1940 could be reached only by sea. The shortcoming of maritime transportation date back to the Merchant Marine Act of 1920, to which the distinguished Senator from Illinois referred, into which act was written a specific discrimination against Alaska. That act provided that shippers, across the country, of freight destined over the oceans could use interchangeably foreign and domestic carriers, and "foreign" in that case meant Canadian. A shipper from New York who wished to ship goods to China could ship across the country either by American railroads or by Canadian railroads, or partly by either, and when the goods arrived at the Pacific coast port he could ship across the Pacific Ocean either in American bottoms or in foreign bottoms. The same was true of the reverse shipments, west to east across the Atlantic.

But in the heart of that section the author of the bill, the late Senator Wesley Jones, of Seattle, inserted two lethal words. Those words were "excluding Alaska."

So, of all areas, foreign and domestic, sought to be benefited by the legislation, Alaska alone was excluded.

Mr. DOUGLAS. He did that to help the shipping lines which sailed out of Seattle to go to Alaska, which then had a monopoly on the trade with that territory.

Mr. GRUENING. Precisely. That situation has been haunting us ever since, to this day. The stranglehold of the Seattle shipping monopoly is the very thing against which we are struggling now, and its excessive rates ever increasing have always had the support of the various Federal maritime bureaus—the U.S. Shipping Board, the Federal Maritime Board, and now the present Federal Maritime Commission.

We were hopeful that when this administration came in, and President Kennedy separated the two functions—the promoters function and the regulatory function—we would have a new approach, a validation of the New Frontier. Unfortunately, that has not happened.

At the same time that we were subjected to the steamship monopoly, with ever-increasing rates—which abolished passenger service 9 years ago—we were likewise excluded from all Federal-aid highway legislation. So while roads were being built with Federal aid in 48 States, while a magnificent network of highways was constructed, with Federal matching funds in lower 48 States, Alaska was totally excluded from the legislation until 1956, with the result that today Alaska, after having been in the Union for 4 years, is in the unique position—which is unthinkable in the lower 48 States—of having not merely a few, but indeed a majority, of its communities inaccessible by highway or railway.

It would be unthinkable in the State of Illinois or in any of the other mainland 48 States to have a situation where one could not go into or leave by highway or by rail from even the smallest village. But that is true of Alaska in the majority of its communities, including the capital.

Having thus been deprived by Federal action and discrimination of adequate transportation by sea and land, Alaskans, being pioneer in spirit, turned to air, and through their efforts, have developed a fine system of intra-Alaska aviation and connecting aviation with the other 48 States.

This, the only functioning, effective system of transportation Alaskans have, the Civil Aeronautics Board now wants to wreck. There are now four carriers that carry passengers and air freight between Alaska and the lower 48 States: Pan American, which was the pioneer in developing air transportation in Alaska, and is an unsubsidized air carrier; Northwest Air Lines, likewise unsubsidized, and two others, Pacific Northern Air Lines and Alaska Air Lines, which developed from bush pilot pioneering. CAB wants to push Pan American out of Alaska entirely. It wishes to limit Northwest to merely letting off and on passengers incidental to its Orient service; wishes to abolish its daily excellent service between Anchorage and Seattle. It wishes to consolidate the two remaining airlines, Pacific Northern and Alaska Air Lines, reducing four airlines to one and creating an air monopoly. That is the announced purpose of the Civil Aeronautics Board. It would be utterly destructive. It would ruin the one form of transportation to and from Alaska that is adequate, effective, and satisfactory. As for the intra-Alaska airlines, the Board would cut down on subsidies which are absolutely essential if communities which are now roadless, and which one must go to or leave from by air, are not to be left without service. In short, the Civil Aeronautics Board, in flagrant disregard of Alaska's needs, is strangling Alaska. The policies of these two regulatory agencies, both dealing with transportation, the Federal Maritime Board and the Civil Aeronautics Board, have shown no concept of the New Frontier. Quite the contrary.

So the problem we face with the Federal regulatory agencies is one to which we must direct our attention. I intend to keep focusing on it until we get some rectification, some relief, some justice, and some regard for the public interest, which we do not now have. It remains to be seen whether this indictment does not apply to all the regulatory agencies. I hope not. I think they are on trial before the people of the United States, and I feel that that trial should be conducted by those who are deeply concerned with the welfare of their constituencies.

Mr. DOUGLAS. I thank the Senator. I think there is a general tendency for the regulatory agencies, over the passage of time, to become regulated and controlled by the very interests which they were set up to regulate and control, because the institutions whose rates and services they control have great economic interests involved. These interests are brought to bear upon the regulatory bodies, and as the members of the public are uninformed, their interests are diffused and relatively neglected. This is the common tendency, I am afraid, of all such regulatory bodies.

I am glad the Senator from Alaska is sounding the alarm. It is not merely Alaska which is involved, but the entire United States. Casting our eyes upon the present Presiding Officer, the distinguished Senator from Hawaii [Mr. Inouye], we remember that he had a magnificent war record, and, while a Senator occupying the chair cannot speak, I ask if it is not true that Hawaii also suffers from discriminatory shipping rates and that the rates from the United States to Hawaii are extremely high and that the rates between and among the Hawaiian Islands are extremely high.

Mr. GRUENING. I am not prepared to say whether that is true. Hawaii was long a costepchild with Alaska and may have suffered some of the same discriminations as Alaska, although not to the same extent. However, it is time, now that the 49th and 50th States are a part of the Union, that they make known their demands for equality of opportunity, rates, and services.

Hawaii, too, has no land bridge. It depends on either maritime or air transportation for its continued existence, and the character of these services is very much more important there than it is in any one of the other 48 States, which have bus, auto, and rail transportation, as well as air.

Alaska is essentially an island, although it is geographically a part of the continent, and, of course, Hawaii is all islands and dependent upon these two forms of transportation, air and maritime, and, therefore, particularly concerned over the actions of the agencies that are presumed to act to protect the interest of the people in those areas.

Mr. DOUGLAS. Is it not true that at one time—and if I am wrong, I hope to be corrected—the shipping lines which plied between the United States and Hawaii were controlled by about five families, which controlled the land of Hawaii and controlled the politics of Hawaii as well? Is that not true? It may be that changes have been made in the last year or two but when I last looked into the matter what I have said was true.

Mr. GRUENING. I am not prepared to enter into that aspect of the problem. I think there has never been quite the same intensity of the problem there that we have in Alaska. Certainly my experience with Hawaii indicates that the abuse, if there has been one, has not been of the same character and extent.

Mr. DOUGLAS. If I am in error, I am very willing to assume the role of the Presiding Officer so the Senator from Hawaii may come to the floor and refute the statement which I have made.

Mr. GRUENING. It is my impression that the Matson Line does not hold the same position in the eyes of the people of Hawaii that the Alaska Line holds in the eyes of the people of Alaska.

Mr. DOUGLAS. I ask unanimous consent that the memorandums prepared by Mr. Boggs be inserted in the RECORD at the conclusion of my remarks.

There being no objection, the memorandums were ordered to be printed in the RECORD, as follows:

JOINT ECONOMIC COMMITTEE,
CONGRESS OF THE UNITED STATES,
June 13, 1963.

To: Senator PAUL H. DOUGLAS, chairman.
From: Thomas Boggs.
Subject: Ocean freight rates and steel products.

The U.S. trade balance has increased by $2.7 billion since 1955. This increase accounts for one of the few plusses in the U.S. balance of payments. In contrast to this improvement is the U.S. trade balance on steel. Since 1955, this balance has declined in constant dollars by almost $800 million. The value of steel exports declined by 48 percent, whereas imports increased more than threefold.

Some explanations for this decline are well known, such as the postwar reconstruction of European and Japanese steel plants and the loss of foreign markets during prolonged steel strikes. The validity of these explanations will not be debated in this memorandum; its purpose is to point out that one of the important, yet unpublicized reasons for this decline in trade may well be the advantage enjoyed by foreign producers of steel due to ocean freight rate differentials.

Ocean freight rates for the most part are established by shipping conferences. There are more than 100 active steamship conferences which operate over trade routes involving U.S. commerce. In 13 of these, there are no American-flag lines. In another 30, only 1 American-flag line is an active participant. In 93 of these conferences, Americans are outnumbered. The lack of U.S. representation in these conferences may be the primary reason for the freight rate discrimination against American exports.

While the Maritime Commission does not set rates, it can regulate rates. All rates set by conferences whose ships operate in U.S. commerce must be filed with the Maritime Commission 30 days prior to their effectiveness. The Maritime Commission has the authority to "disapprove, cancel or modify any agreement that it finds to be unjustly discriminatory or unfair, to operate to the detriment of the commerce of the United States, to be contrary to the public interest, or to be in violation of the act" (Jones Act, 1916). Thus, the Maritime Commission has knowledge of rate discrimination and has the authority to disapprove the rates established by the conferences.

Freight differentials can be grouped in two classes. First, differentials exist between the outbound and inbound freight rates charged by carriers traveling to and from the United States on the same trade routes and carrying identical products. In the case of steel, the ocean freight rates established by the shipping conferences are much higher from a given port in the United States to a Western European or Japanese port than are the freight rates on identical products shipped inbound from the same ports to a given American port. Second, differentials exist between freight rates charged by carriers from U.S. ports to third market areas and the rates charged from European and Japanese ports to these areas. It would seem logical that these differences would be based on mileage and time. It should cost more to send steel products from Western Europe to the north coast of South America than it costs to send them from the United States. But such is not the case—it costs less to send the products from Europe, even though the distance is far greater.

The effects of freight rate discrimination on U.S. exports and imports is illustrated by the following example. The price of a German wire rod, f.o.b. West Germany, is approximately $116 a short ton. The freight rate from Germany to a North Atlantic port is $18.25. The U.S. price of similar wire rod is $132.60 per short ton. With the freight rate of $18.25, therefore, the German import can effectively compete with the price of wire rods in the United States. However, the outbound rate paid by American exporters of wire rod is $29.50. If this rate were applied to the German inbound product, it could not compete for the price would be at least $145—$12.90 more than the American price. In this case, the freight differential permits goods to come into the United States and compete with our goods, whereas if the American rate were to be applied, German wire rods could not effectively compete.

The Federal Maritime Commission lacks information regarding the freight rates of our major competitors to third market countries. Thus, this memorandum is not able to document the transportation disadvantage of American exporters to these areas. There is, however, evidence that American exporters are not able to penetrate third markets solely because of freight rate discrimination. Mr. Walther Lederer of the Department of Commerce testified before the Joint Economic Committee that "the rates from the United States, for instance, to the north coast of South America, an area relatively close to our shores, are considerably higher than the rates from Europe to the same place in the same ships." Thus, freight rate differentials force exporters to reduce profit margins or to abandon sales altogether.

Despite the balance-of-payments difficulties of the United States and the decline of American steel exports and the increase in steel imports, the Federal Maritime Commission has not previously undertaken steps to remedy existing freight rate differentials on steel. The Maritime Commission has, as its representatives testified before the Joint Economic Committee, known of this problem for many years. In the words of its representatives, "it is a matter of general knowledge." Moreover, another committee of the Congress, the Subcommittee on Antitrust and Monopoly of the House Judiciary Committee, informed the Commission of this discrimination over a year ago. The Commission testified that it has the responsibility and authority to initiate studies and actions about these matters, and that it has the power to disapprove freight rates set by shipping conferences. Nevertheless, it failed to take any action until this month.

The attached tables indicate that (a) ocean freight rates on U.S. exports of steel products traveling the major U.S. trade routes are significantly higher than the rates on identical imports traveling the same routes in the same ships; (b) the value of trade is significant in commodities where freight rate discrimination prevails; (c) freight rates account for more than 12 percent of the value of steel products on the average; (d) on the average, 17 percent of the difference in value between exports and imports is due to the higher freight rates paid by American exporters of steel products.

Tables 1 and 2, applicable to the three major U.S. foreign trade routes, indicate that the freight rates on U.S. exports to Japan of all major iron and steel products, and on many manufactured and fabricated products with a high steel content, are in every case higher than the freight rates on imports of identical items.

Tables 1 and 2 also indicate that outbound freight rates applicable to European trade routes are higher than inbound rates on most steel products and on many fabricated and manufactured products with a high steel content. In the few instances where the inbound rate is higher, it is just a fraction above the outbound rate; when the outbound rate is higher, it is substantially higher.

Table 3 seems to contradict statements made by representatives of the Maritime Commission that these rates are only paper rates and do not affect actual U.S. exports. Table 3 compares the original figures submitted to the Joint Economic Committee by Mr. Lederer, showing freight rates effective March 1962, with a set of figures submitted by the Maritime Commission showing freight rates in May 1963.

Freight rates on the products listed have changed levels in almost every case during the past year, but the disparity in favor of our competitors remains at an almost constant level. The changes imply that these rates are under continuing security by the shipping conferences. They are not merely paper rates which have been on the books for a number of years and have not changed simply because U.S. exporters do not sell any of these products abroad.

Table 4 indicates that the balance of U.S. steel trade has declined by more than $760 million since 1955, and that widespread discrimination in freight rates exists on products which are heavily traded. For example, on pipe and tubing, the value of U.S. exports has declined from $157 million in 1955 to $86 million in 1962—a decrease of 45 percent. At the same time, imports have risen from $11 million to $96 million—an increase of 751 percent. The average outbound freight rates of the three major trade routes on pipe and tubing is $42.40 per ton. The average inbound rate is $22.65.

Table 5 indicates the percentage of freight rates to the total value of exported and imported steel products. Using a simple average, approximately 13 percent of the total value of steel products is accounted for by freight rates. The table also indicates the percentage of the differences in values between exports and imports due to differences in freight rates. In the case of ingots, billets, blooms, and slabs, the average value of a U.S. export of one of these products is $102.25 per ton. The average value of a like import is $93.40 per ton. Sixty-six percent of the difference in value between these exports and imports is due to the difference between outbound and inbound freight rates. In every case shown in the table, some part of the value difference between exports and imports is directly attributable to a higher freight rate paid by the American exporter. On the average for all of the products shown, 17 percent of the value differences are due to higher freight rates.

TABLE 1.—*Comparison of Conference ocean freight rates on iron and steel products for the 3 United States-foreign trade routes, May 1963*

Commodity	United States Pacific and Japanese ports [1]		United States gulf and North Atlantic French ports [2]		United States North Atlantic and West German ports [3]	
	Outbound [4]	Inbound	Outbound	Inbound	Outbound	Inbound
Plates	$27.10	$15.50	$15.55	$13.50	$15.25	$20.00
Bars	31.10	15.50	32.35	31.00	13.25	17.75
Wire	33.35	22.75	29.40	15.00	27.50	15.75
Plates, iron and steel	22.15	15.50	15.55	13.50	14.50	20.00
Sheet	(5)	15.50	15.55	13.50	13.25	20.00
Strip	33.35	(5)	(5)	(5)	13.25	24.25
Structural shape, fabricated	(5)	22.75	33.50	13.50	28.50	(5)
Wire rope	38.85	25.25	52.90	42.00	45.00	20.25
Wire strand	38.85	25.25	(5)	(5)	49.50	20.25
Grinding balls	35.00	(5)	(5)	29.75	38.00	21.50
Pig iron	Open	Open	29.40	13.50	25.00	(5)
Sponge iron	43.00	(5)	(5)	(5)	(5)	(5)
Iron and steel scrap	41.60	21.00	37.90	25.75	24.25	24.75
Angles, beams, and girders	31.10	15.50	33.50	13.50	28.50	17.75
Bolts and nuts	33.35	25.25	33.50	17.00	28.50	16.25
Castings and forgings	58.50	(5)	47.35	34.00	40.25	26.25
Billets and blooms	33.35	15.50	15.55	13.50	Open	17.25
Rails	39.35	15.50	39.40	13.50	33.50	17.75
Rods, wire, plain	33.35	15.50	31.45	13.50	23.25	16.50
Screws	33.35	23.75	49.10	17.00	41.75	21.50
Pipes, iron and steel	33.35	18.00	60.25	14.50	51.25	18.75
Wire, barbed	36.60	18.75	33.50	17.00	28.50	16.25
Bars, reinforcing, up to 30 feet	31.10	15.50	38.80	(5)	(5)	(5)
Oil-well castings	36.60	18.00	(5)	(5)	(5)	(5)

[1] Pacific Westbound Conference and Trans-Pacific Freight Conference of Japan.
[2] Gulf-French Atlantic Hamburg Range Conference—Continental-U.S.A. Gulf Westbound Conference.
[3] North Atlantic Continental Freight Conference tariffs.
[4] Outbound rate is the noncontract rate set by the conferences. The contract rates are 5 to 10 percent lower.
[5] Not available.
[6] Open.

NOTE.—Freight on exports on ton basis, 2,240 pounds; freight on imports on ton basis, 1,000 kilos=2,204.6 pounds. (except Japan where import freight is on the long-ton basis, 2,240 pounds).

TABLE 2.—*Freight rates on products with high steel content*

Commodity	United States Pacific and Japanese ports [1]		United States gulf and North Atlantic French ports		United States North Atlantic and West German ports [2]	
	Outbound [4]	Inbound	Outbound	Inbound	Outbound	Inbound
Autos, new, boxed	$40.75	$23.00	$23.20	$14.50	(5)	(5)
Autos, new, unboxed	50.75	23.00	28.75	33.80	(5)	(5)
Bulldozer	59.50	50.25	32.05	(5)	$22.25	(5)
Generators	59.75	33.25	(5)	(5)	36.75	$42.50
Electric motors	59.75	33.25	(5)	(5)	63.50	24.00
Hardware, general	(5)	24.00	(5)	28.00	42.50	21.00
Machine tools, excluding electric	76.50	45.50	40.65	44.50	36.75	42.50
Machines and machinery, agricultural and parts	(5)	33.00	23.80	34.50	22.25	23.25
Roadbuilding machinery	59.50	50.25	32.05	(5)	22.25	(5)
Tractors, boxed	48.00	(5)	32.05	27.75	22.25	20.00
Tractors, unboxed	59.75	(5)	22.35	27.75	16.75	20.00
Trucks, boxed	40.75	23.00	23.20	14.50	15.00	27.50
Trucks, unboxed	50.75	23.00	33.40	14.50	20.00	24.00
Auto parts	40.75	24.75	23.20	18.75	15.00	14.00

[1] Pacific Westbound Conference and Trans-Pacific Freight Conference of Japan.
[2] Gulf-French Atlantic Hamburg Range Conference—Continental-U.S.A Gulf Westbound Conference.
[3] North Atlantic Continental Freight Conference tariffs.
[4] Outbound rate is the noncontract rate set by the Conferences. The contract rates are 5 to 10 percent lower.
[5] Not available.

NOTE.—Freight on exports on ton basis, 2,240 pounds; freight on imports on ton basis, 1,000 kilos=2,204.6 pounds (except Japan where import freight is on the long-ton basis, 2,240 pounds).

Table 3-A.—*Comparison of Conference ocean freight rates effective May 1963 on iron and steel products for 3 U.S.-foreign trade routes*

Commodity	United States North Atlantic ports and West Germany [1]		United States gulf ports and North Atlantic French ports [2]		United States Pacific ports and Japan [3]	
	Freight rate on U.S. exports	Freight rate on U.S. imports	Freight rate on U.S. exports	Freight rate on U.S. imports	Freight rate on U.S. exports	Freight rate on U.S. imports
Angles, beams, girders (structurals)	$31.25	$17.75	$33.50	$13.50	$31.10	$15.50
Bolts	31.25	16.25	33.50	17.00	33.35	25.25
Castings and forgings	44.75	26.25	47.35	34.00	58.50	(4)
Billets and blooms	13.25	17.25	15.55	13.50	33.35	15.50
Rails	37.00	17.75	39.40	13.50	39.35	15.50
Rods, wire, plain	25.50	16.50	31.45	13.50	33.35	15.50
Screws	45.75	21.50	49.10	17.00	33.35	23.75
Pipes, iron and steel, 6-inch diameter	56.75	18.75	60.25	14.50	33.35	18.00
Wire, barbed	31.25	16.25	33.50	17.00	36.60	18.75
Bars, reinforcing up to 40 feet	13.25	(4)	38.80	(4)	31.10	15.50
Oil-well casings	(5)	(4)	(5)	(4)	36.60	18.00
Shapes, plain, not fabricated	13.25	(4)	(4)	(4)	31.10	(4)
Rods	(4)	(5)	(5)	(5)	45.85	15.50

[1] North Atlantic Continental Freight Conference Tariffs.

[2] Gulf-French Atlantic Hamburg Range Conference—Continental-U.S.A. Gulf Westbound Conference.

[3] Pacific Westbound Conference and Trans-Pacific Freight Conference of Japan.

[4] Freight rate is either not available or the commodities are included in another class.

[5] Not available.

NOTE.—Freight on exports on ton basis, 2,240 pounds; freight on imports on ton basis, 1,000 kilos equals 2,204.6 pounds (except Japan where import freight is on the long-ton basis, 2,240 pounds).

Source: U.S. Federal Maritime Commission, Division of Foreign Tariffs.

Table 3-B.—*Comparison of Conference ocean freight rates effective March 1962 on iron and steel products for 3 U.S.-foreign trade routes*

Commodity	United States North Atlantic ports and West Germany [1]		United States gulf ports and North Atlantic French ports [2]		United States Pacific ports and Japan [3]	
	Freight rate on U.S. exports	Freight rate on U.S. imports	Freight rate on U.S. exports	Freight rate on U.S. imports	Freight rate on U.S. exports	Freight rate on U.S. imports
Angles, beams, girders (structurals)	$31.25	$19.75	$28.50	$17.00	$28.10	$15.50
Bolts	31.25	24.00	28.50	20.50	(4)	(4)
Castings and forgings	44.25	29.25	40.25	34.00	(4)	(4)
Billets and blooms	(4)	(4)	13.25	17.00	30.35	15.50
Rails	36.75	19.75	33.50	17.00	(5)	(5)
Rods, wire, plain	29.50	18.25	(5)	(5)	28.25	15.50
Screws	46.00	24.00	(5)	(4)	(5)	(5)
Pipes, iron and steel, 6-inch diameter	(4)	(4)	(4)	(4)	30.35	21.00
Wire, barbed	28.50	23.00	28.50	19.00	(4)	(4)
Bars, reinforcing up to 40 feet	(4)	19.75	(4)	(4)	28.10	(4)
Oil-well casings	(4)	(4)	(4)	(4)	33.60	21.00
Shapes, plain, not fabricated	(4)	(4)	(4)	(4)	28.10	(4)
Rods	(4)	(4)	(4)	(4)	28.25	15.50

[1] North Atlantic Continental Freight Conference tariffs.

[2] Gulf-French Atlantic Hamburg Range Conference—Continental-U.S.A. Gulf Westbound Conference.

[3] Pacific Westbound Conference and Trans-Pacific Freight Conference of Japan.

[4] Freight rate is either not available or the commodities are included in another class.

[5] Not available.

NOTE.—Freight on exports on ton basis, 2,240 pounds; freight on imports on ton basis, 1,000 kilos=2,204.6 pounds (except Japan where import freight is on the long-ton basis, 2,240 pounds).

Source: U.S. Federal Maritime Commission, Division of Foreign Tariffs.

Table 4.—*Average freight rates for the 3 major trade routes, and value of trade, 1955 and 1962*

Product grouping	Exports				Freight rate (per ton)		Imports			
	1955 value [1]	1962 value [1]	Percent change	Absolute change	Export	Import	1955 value [1]	1962 value [1]	Percent change	Absolute change
	Thousands	*Thousands*	*Thousands*	*Thousands*			*Thousands*	*Thousands*	*Thousands*	*Thousands*
Ingots, blooms, billets, slabs, etc	$48,762	$20,493	−$58.0	−$28,269	$21.25	$15.40	$11,388	$13,338	+$17.1	+$1,950
Skelp	8,272	1,128	−86.4	−7,144				356		+356
Wire rods	7,006	3,842	−45.2	−3,164	27.50	14.90	4,608	61,920	+1,243.8	+57,312
Structural shapes and piling	41,905	23,005	−45.0	−18,850	29.00	15.50	10,780	36,652	+340.0	+25,872
Plates	47,088	26,160	−44.5	−20,928	20.30	16.15	186	13,950	+7,400.0	+13,764
Rails and accessories	11,248	17,784	+58.1	+6,536	35.80	15.60	655	1,140	+71.4	+475
Concrete reinforcing bars	9,916	2,948	−70.3	−6,968	26.60	15.00	11,607	44,311	+281.8	+32,704
Other bars and tool steel	35,904	21,760	−39.4	−14,144	27.90	20.00	14,560	43,456	+198.5	+28,896
Pipe and tubing	156,800	86,016	−45.2	−70,784	42.40	19.75	11,396	96,940	+750.6	+84,544
Wire nails	2,292	3,056	+33.3	+764	30.60	21.00	18,209	37,669	+106.9	+19,460
Barbed wire, wire fencing, and other wire and wire products	12,735	13,222	+3.8	+487	32.30	17.60	14,464	63,407	+338.4	+48,943
Sheet and strip	286,560	144,000	−49.8	−142,560	26.90	13.50	7,661	62,429	+714.9	+54,768
Tin mill products	118,269	60,282	−49.1	−57,987				8,960		+8,960
Total	816,781	424,743	−48.0	−392,038			114,460	483,800	+322.68	+368,340
Change in balance of trade, $760,378										

[1] Value excludes freight rate.

TABLE 5.—*Influence of ocean freight rates on steel price differentials, 1962*

Commodity	Freight rates (per ton)		Value (per ton)		Percent of rates to value [1]		Percent of value difference due to rates [1]
	Export	Import	Export	Import	Export	Import	
Ingots, blooms, billets, slabs, etc.	$21.25	$15.40	$102.25	$93.40	21	17	66
Skelp							
Wire rods	27.50	14.90	253.50	110.90	11	13	9
Structural shapes and piling	29.00	15.50	174.00	113.50	17	14	22
Plates	20.30	16.15	238.30	109.15	9	15	3
Rails and accessories	35.80	15.60	187.80	110.60	19	14	26
Concrete reinforcing bars	26.60	15.00	166.00	98.00	17	17	15
Other bars and tool steel	27.90	20.00	299.90	132.00	9	15	5
Pipe and tubing	42.40	19.75	490.40	167.75	9	12	7
Wire nails	30.60	21.00	194.60	170.00	4	13	2
Barbed wire, wire fencing, other wire and wire products	32.30	17.60	315.30	180.60	10	11	10
Sheet and strip	26.90	13.50	266.90	193.50	10	8	15
Tin mill products							
Average					12	14	17

[1] Rounded to nearest percentage.

NOTE.—Value includes average freight rates. Average freight rates of the 3 major trade routes.

TABLE I-A.—*U.S. oceanborne foreign trade in selected commodities and ocean freight rates, North Atlantic-Germany (trade route 7, Hamburg-Bremen-Bremerhaven: Continental Freight Conference), 1961*

Commodity	Exports					Imports				
	Freight rate	Value	Tons	Value per ton	Ratio of freight to unit value (percent)	Freight rate	Value	Tons	Value per ton	Ratio of freight to unit value (percent)
Meat, canned	$37.25	$161,722	328	$493	8	$21.50				
Vegetables, canned	38.00	129,276	660	196	19	44.00				
Fruits and preperations, canned	38.00	4,887	8	635	6	37.50				
Fruit juices, canned or frozen	38.00	6,726	10	679	6	18.50	$98,651	195	$506	4
Rubber tires and inner tubes	38.75	186,114	132	1,412	3	30.50	872,491	649	1,345	2
Cotton, semimanufactures	34.00	1,462,435	4,886	299	11	27.50	215,321	1,017	212	13
Standard newsprint paper	25.00	57,462	401	143	17	58.00	33,231	204	163	36
Lubricating oils and greases	26.75	1,234,863	9,050	136	20	24.75	159		795	3
Sulfur	28.50	8,340	27	306	9	27.50	1,398	6	215	13
Iron and steel castings and forgings	40.00	174,621	136	1,281	3	32.50	195,665	376	520	6
Tools and basic hardware	36.25	1,240,552	304	4,079	1	21.00	5,578,538	5,988	932	2
Iron and steel pipe	51.00	1,062,520	1,439	738	7	18.25	1,029,855	4,832	213	9
Rolled and finished steel	63.00	13,420,986	55,708	241	26	24.25	6,457,942	18,819	343	7
Electrical machinery	22.50	16,710,889	5,688	2,938	1	67.00	38,418,516	13,812	2,781	2
Construction machinery	16.50	9,479,051	5,355	1,770	1	20.00				
Metalworking machinery	33.00	19,972,599	6,381	3,130	1	21.00	9,690,012	3,990	2,429	1
Textile sewing and shoe machines	21.75	8,870,167	1,976	4,489		21.00	14,423,955	5,418	2,662	1
Agricultural machinery	16.50	5,742,074	3,901	1,472	1	20.75	1,307,760	772	1,694	1
Automobiles, trucks, etc	16.50	2,446,131	1,819	1,345	1	21.75	63,658,795	44,060	1,445	2
Railway locomotive cars and parts	63.00	79,850	48	1,660	4		396		1,980	
Medical and pharmaceutical preparations	56.75	2,270,678	205	11,082	1	61.50	3,915,660	996	3,932	2
Sulfuric acid	63.00	166		830	8	95.00	3,214	7	480	20
Alcohols	22.00	129,411	212	612	4	62.00				
Pigments, paints, and varnish	20.00	670,666	702	956	2	48.50	473,148	1,937	244	20
Nitrogen, fertilizer materials, excluding ammonium sulfate	24.50	28,821	170	170	14	21.25	7,524	94	80	27
Potash fertilizer materials	48.75					21.25	441,812	11,651	38	56

NOTE.—Tonnage data are in long tons. Freight rates for U.S. exports are expressed in terms of long tons (2,240 pounds); freight rates for U.S. imports are expressed in terms of metric tons (2,204 pounds). Freight rate data refer to 1963.

Source: Value and volume data supplied by the Federal Maritime Administration. Freight rate data supplied by the Federal Maritime Commission.

TABLE I-B.—*U.S. oceanborne foreign trade in selected commodities and ocean freight rates, North Atlantic/Belgium/Netherlands (trade route 8, Antwerp-Rotterdam: Continental Freight Conference), 1961*

Commodity	Exports					Imports				
	Freight rate	Value	Tons	Value per ton	Ratio of freight to unit value (percent)	Freight rate	Value	Tons	Value per ton	Ratio of freight to unit value (percent)
Meat, canned	$37.25	$275,808	394	$701	5	$21.50				
Vegetables, canned	34.50	75,581	282	268	13	44.00				
Fruits and preparations, canned	34.50	24,901	98	253	14	37.50				
Fruit juices, canned or frozen	34.50	137,902	270	510	7	18.50	$543,772	918	$592	3
Rubber tires and inner tubes	35.25	2,555,352	2,035	1,256	3	30.50	392,444	420	934	3
Cotton semimanufactures	32.00	1,642,005	5,587	294	11	27.50	949,575	3,492	272	10
Standard newsprint paper	22.75	3,010	20	151	15	58.00				
Lubricating oils and greases	24.25	3,463,276	20,444	169	14	24.75	186,889	921	203	12
Sulfur	26.00	116,571	307	380	7	27.50	3,793	18	214	13
Iron and steel castings and forgings	36.25	614,826	205	3,006	1	32.50	24,583	26	957	3
Tools and basic hardware	33.00	5,770,552	2,225	2,504	1	21.00	3,696,190	14,413	256	8
Iron and steel pipe	46.25	1,000,482	1,760	569	1	18.25	2,638,115	16,700	158	12
Rolled and finished steel	57.25	16,001,580	45,211	354	16	24.25	32,410,057	259,001	125	19
Electrical machinery	20.50	36,613,086	11,059	3,311	1	67.00	15,688,992	3,326	4,717	1
Construction machinery	15.00	37,127,396	22,225	1,670	1	20.00				
Metalworking machinery	33.00	34,953,205	17,115	2,042	2	21.00	2,595,635	666	3,898	1
Textile, sewing, and shoe machines	19.75	19,013,937	3,238	5,871		21.00	5,127,885	2,290	2,240	1
Agricultural machinery	15.00	17,342,483	12,258	1,415	1	20.75	518,543	666	779	3
Automobiles, trucks, etc	15.00	29,552,090	24,803	1,191	1	21.75	4,859,828	3,061	1,588	1
Railway locomotive cars and parts	57.25	1,115,491	288	3,869	1		2,302	5	490	
Medical and pharmaceutical preparations	51.50	21,343,529	3,752	5,688	1	61.50	3,069,766	756	4,061	2
Sulfuric acid	57.25					95.00				
Alcohols	20.00	1,425,636	2,829	504	4	62.00				
Pigments, paints, and varnish	19.00	2,571,101	3,711	693	3	48.50	1,158,144	9,219	126	38
Nitrogen fertilizer materials excluding ammonium sulfate	22.25	86,049	637	135	16	21.25	73,951	879	84	25
Potash fertilizer materials	44.25					21.25	266,740	6,414	42	51

NOTE: Tonnage data are in long tons. Freight rates for U.S. exports are expressed in terms of long tons (2,240 pounds); freight rates for U.S. imports are expressed in terms of metric tons (2,204 pounds). Freight rate data refer to 1963.

Source: Value and volume data supplied by the Federal Maritime Administration. Freight rate data supplied by the Federal Maritime Commission.

TABLE I-C.—*U.S. oceanborne foreign trade in selected commodities and ocean freight rates, Pacific/Japan* (*trade route 29, Pacific Westbound Conference and Transpacific Freight Conference of Japan*), *1961*

Commodity	Exports					Imports				
	Freight rate	Value	Tons	Value per ton	Ratio of freight to unit value (percent)	Freight rate	Value	Tons	Value per ton	Ratio of freight to unit value (percent)
Meat, canned		$219,157	282	$778		$25.75				
Vegetables, canned		1,697,590	4,518	376		25.75				
Fruits and preparations, canned		547,727	2,492	303		25.75				
Fruit juices, canned or frozen	$73.00	826,164	1,670	495	15	120.25	$957,081	8,041	$119	101
Rubber tires and inner tubes	110.75	720,770	489	1,473	8	24.75	108,960	184	592	4
Cotton, semimanufacturers	61.00	138,093	570	242	25	33.50	14,617	108	136	25
Standard newsprint paper	27.00	2,324,008	16,802	138	20	35.75	183,877	1,494	123	29
Lubricating oils and greases	[1] 32.65	5,538,395	48,317	115	28	29.25	300		1,500	2
Sulfur	[1] 30.40					32.50				
Iron and steel castings and forgings	[1] 55.50	313,366	809	387	14	24.00	167,113	951	176	14
Tools and basic hardware	73.50	1,753,545	596	2,942	2	19.50	10,864,619	55,427	195	10
Iron and steel pipes, tube and tubing	[1] 30.35	638,518	1,106	577	5	[1] 17.00	8,868,226	53,594	165	10
Rolled and finished steel	[1] 24.10	4,357,587	26,856	162	15	[1] 15.50	18,096,041	127,896	141	11
Electrical machinery	56.75	17,136,674	4,894	3,501	2	33.00	59,195,030	11,993	4,936	1
Construction machinery	56.50	11,602,448	6,076	1,909	3	50.25				
Metalworking machinery	56.75	8,706,461	2,709	3,213	2	33.00	208,631	134	1,559	2
Textile, sewing and shoe machines	56.75	1,249,643	308	4,059	1	33.00	7,253.679	4,173	1,738	2
Agricultural machinery	47.25	9,064,228	7,076	1,281	4	24.00	153,136	242	633	4
Automobiles, trucks, etc	37.75	2,340,678	1,425	1,642	2	23.00	1,399,770	1,430	979	2
Railway locomotive cars and parts	[1] 46.25	5,504,521	2,377	2,316	2					
Medical and pharmaceutical preparations	73.50	904,978	190	4,776	2	59.50	6,059,897	1,330	4,556	1
Sulfuric acid	93.25					85.75	8,111	42	194	44
Alcohols	75.00					35.00	363,593	1,502	242	14
Pigments, paints and varnish	57.75	1,622,075	2,798	580	10	38.25	66,519	31	2,132	2
Nitrogen fertilizer materials excluding ammonium sulfate	[1] 17.65	63,904	492	130	14	14.50	509,859	8,318	61	24
Potash fertilizer materials	[1] 17.65	13,784,368	9,328	1,478	1	14.50				

[1] Freight rate per long ton (2,240 pounds).

NOTE.—Tonnage data are in long tons. Freight rate data refer to 1963 and are expressed in terms of short tons (2,000 pounds) unless otherwise indicated.

Source: Value and volume data supplied by the Federal Maritime Administration. Freight rate data supplied by the Federal Maritime Commission.

TABLE II-A.—*U.S. oceanborne foreign trade in selected commodities and ocean freight rates, North Atlantic/Germany* (*trade route 7, Hamburg-Bremen-Bremerhaven: Continental Freight Conference*), *1958*

Commodity	Exports					Imports				
	Freight rate [1]	Value	Tons	Value per ton	Ratio of freight to unit value (percent)	Freight rate [1]	Value	Tons	Value per ton	Ratio of freight to unit value (percent)
Meat, canned		$275,681	423	$651						
Vegetables, canned		60,746	242	251						
Fruits and preparations, canned		110,103	389	283						
Fruit juices, canned or frozen		165,529	266	623			$55,671	77	$722	
Rubber tires and inner tubes		232,542	164	1,422			684,262	534	1,283	
Cotton, semimanufactures		1,134,511	3,971	286			204,342	987	207	
Standard newsprint paper										
Lubricating oils and greases		1,092,591	6,110	179			1,966	6	351	
Sulfur		95,420	225	425						
Iron and steel castings and forgings		22,003	13	1,693			74,812	180	415	
Tools and basic hardware		412,663	182	2,269			7,014,324	12,397	566	
Iron and steel pipes, tube and tubing		77,493	122	636			616,095	1,784	345	
Rolled and finished steel mill products		9,299,983	42,634	218			3,655,680	8,439	433	
Electrical machinery		6,611,549	1,900	3,480			32,675,474	11,985	2,726	
Construction machinery		5,411,214	3,413	1,585						
Metalworking machinery		9,133,757	2,989	3,056			8,385,632	3,687	2,274	
Textile, sewing and shoe machines		4,949,068	1,221	4,053			8,250,088	3,232	2,553	
Agricultural machinery		3,297,437	2,334	1,413			621,194	313	1,987	
Automobiles, trucks, etc		683,369	477	1,432			45,586,104	30,022	1,518	
Railway locomotive cars and parts		199,615	112	1,785			20,308	30	679	
Medical and pharmaceutical preparations		1,669,881	241	6,920			3,004,014	695	4,323	
Sulfuric acid										
Alcohols										
Pigments, paints and varnish		661,932	569	1,164			438,048	2,055	213	
Nitrogen fertilizer materials excluding ammonium sulfate										
Potash fertilizer material							293,854	8,255	36	

[1] 1958 freight rate data not available.

NOTE.—Tonnage data are in long tons.

Source: Based on data supplied by the Federal Maritime Administration.

TABLE II-B.—*U.S. oceanborne foreign trade in selected commodities and ocean freight rates, North Atlantic/Belgium/Netherlands* (*trade route 8, Antwerp-Rotterdam: Continental Freight Conference*), *1958*

Commodity	Exports					Imports				
	Freight rate [1]	Value	Tons	Value per ton	Ratio of freight to unit value (percent)	Freight rate [1]	Value	Tons	Value per ton	Ratio of freight to unit value (percent)
Meat, canned		$485,322	408	$1,189						
Vegetables, canned		37,347	99	378						
Fruits and Preparations, canned		10,978	35	313						
Fruit Juices, canned or frozen		209,319	590	355			$364,580	374	$975	
Rubber tires and inner tubes		1,250,347	981	1,275			395,259	539	734	
Cotton, semimanufactures		609,738	1,966	310			764,073	5,266	145	
Standard newsprint paper		47,728	205	233						

See footnote at end of table.

TABLE II-B.—*U.S. oceanborne foreign trade in selected commodities and ocean freight rates, North Atlantic/Belgium/Netherlands (trade route 8, Antwerp-Rotterdam: Continental Freight Conference), 1958*—Continued

Commodity	Exports					Imports				
	Freight rate [1]	Value	Tons	Value per ton	Ratio of freight to unit value (percent)	Freight rate [1]	Value	Tons	Value per ton	Ratio of freight to unit value (percent)
Lubricating oils and greases	----------	$2,531,176	15,179	$167	----------	----------	----------	----------	----------	----------
Sulfur	----------	18,468	45	414	----------	----------	$568	3	$210	----------
Iron and steel castings and forgings	----------	154,405	172	896	----------	----------	11,018	37	295	----------
Tools and basic hardware	----------	2,317,954	1,034	2,241	----------	----------	5,042,880	25,469	198	----------
Iron and steel pipes	----------	530,646	731	726	----------	----------	1,079,210	5,025	215	----------
Rolled and finished steel	----------	28,308,300	124,081	228	----------	----------	25,599,055	198,091	129	----------
Electrical machinery	----------	18,493,781	6,253	2,958	----------	----------	15,013,087	3,824	3,926	----------
Construction machinery	----------	16,434,743	10,280	1,599	----------	----------	----------	----------	----------	----------
Metalworking machinery	----------	14,267,235	6,562	2,174	----------	----------	2,923,409	994	2,943	----------
Textile, sewing, and shoe machines	----------	6,850,449	1,362	5,030	----------	----------	3,560,746	1,249	2,851	----------
Agricultural machinery	----------	6,003,430	4,162	1,442	----------	----------	92,960	76	1,217	----------
Automobiles, trucks, etc	----------	19,858,217	19,527	1,017	----------	----------	11,717,251	8,070	1,452	----------
Railway locomotive cars and parts	----------	654,253	241	2,714	----------	----------	3,578	2	1,988	----------
Medical and pharmaceutical preparations	----------	15,607,881	2,056	7,593	----------	----------	1,533,555	277	5,528	----------
Sulfuric acid	----------	----------	----------	----------	----------	----------	----------	----------	----------	----------
Alcohols	----------	----------	----------	----------	----------	----------	----------	----------	----------	----------
Pigments, paints, and varnish	----------	4,087,366	7,320	558	----------	----------	885,709	7,791	114	----------
Nitrogen fertilizer materials excluding ammonium sulfate	----------	----------	----------	----------	----------	----------	----------	----------	----------	----------
Potash fertilizer material	----------	----------	----------	----------	----------	----------	221,861	6,038	37	----------

[1] 1958 freight rate data not available.

NOTE.—Tonnage data are in long tons.

Source: Based on data supplied by the Federal Maritime Administration.

TABLE II-C.—*U.S. oceanborne foreign trade in selected commodities and ocean freight rates, Pacific/Japan (trade route 29, Pacific Westbound Conference and Trans-Pacific Freight Conference of Japan), 1958*

Commodity	Exports					Imports				
	Freight rate [1]	Value	Tons	Value per ton	Ratio of freight to unit value (percent)	Freight rate [1]	Value	Tons	Value per ton	Ratio of freight to unit value (percent)
Meat, canned	----------	$611,359	882	$693	----------	----------	----------	----------	----------	----------
Vegetables, canned	----------	1,027,752	3,530	291	----------	----------	----------	----------	----------	----------
Fruits and preparations, canned	----------	191,589	583	329	----------	----------	----------	----------	----------	----------
Fruit juices, canned or frozen	----------	132,765	286	465	----------	----------	$301,547	2,404	$125	----------
Rubber tires and inner tubes	----------	897,689	629	1,427	----------	----------	24,535	29	835	----------
Cotton, semimanufactures	----------	1,000	1	1,000	----------	----------	79,361	672	118	----------
Standard newsprint paper	----------	----------	----------	----------	----------	----------	----------	----------	----------	----------
Lubricating oils and greases	----------	4,083,415	39,353	104	----------	----------	----------	----------	----------	----------
Sulfur	----------	5,132	13	404	----------	----------	----------	----------	----------	----------
Iron and steel castings and forgings	----------	497,344	1,887	264	----------	----------	36,201	106	342	----------
Tools and basic hardware	----------	999,659	496	2,015	----------	----------	6,002,388	33,193	181	----------
Iron and steel pipes, tube, and tubing	----------	524,728	1,806	290	----------	----------	637,064	3,901	163	----------
Rolled and finished steel mill products	----------	2,794,722	19,687	142	----------	----------	5,106,772	48,250	106	----------
Electrical machinery	----------	9,692,918	3,235	2,996	----------	----------	9,632,770	2,291	4,206	----------
Construction machinery	----------	8,851,450	5,230	1,693	----------	----------	----------	----------	----------	----------
Metalworking machinery	----------	2,600,809	736	3,532	----------	----------	2,284	1	2,538	----------
Textile, sewing, and shoe machines	----------	227,435	78	2,916	----------	----------	6,164,250	4,055	1,520	----------
Agricultural machinery	----------	3,576,753	2,570	1,392	----------	----------	36,517	62	594	----------
Automobiles, trucks, etc	----------	1,852,297	1,270	1,459	----------	----------	823,410	828	994	----------
Railway, locomotive cars and parts	----------	2,744,286	1,525	1,800	----------	----------	744	----------	2,480	----------
Medical and pharmaceutical preparations	----------	4,197,665	1,000	4,199	----------	----------	353,063	43	8,307	----------
Sulfuric acid	----------	25,649	134	191	----------	----------	----------	----------	----------	----------
Alcohols	----------	----------	----------	----------	----------	----------	----------	----------	----------	----------
Pigments, paints and varnish	----------	1,905,466	3,692	516	----------	----------	4,379	6	768	----------
Nitrogen fertilizer materials excluding ammonium sulfate	----------	----------	----------	----------	----------	----------	----------	----------	----------	----------
Potash fertilizer material	----------	5,146,792	142,365	36	----------	----------	----------	----------	----------	----------

[1] 1958 freight rate data not available.

NOTE.—Tonnage data are in long tons.

Source: Based on data supplied by the Federal Maritime Administration.

TABLE III-A.—*Value of U.S. oceanborne exports and imports of selected commodities, North Atlantic-Germany (trade route 7), 1958 and 1961*

Commodity	Exports				Imports			
	1958	1961	Change 1958–61	Percentage change	1958	1961	Change 1958–61	Percentage change
Meat, canned	$275,681	$161,722	−$113,959	−41.3	----------	----------	----------	----------
Vegetables, canned	60,746	129,276	+6,530	+112.8	----------	----------	----------	----------
Fruits and preparations, canned	110,103	4.887	−105,216	−95.6	----------	----------	----------	----------
Fruit juices, canned or frozen	165,529	6,726	−158,803	−95.9	$55,671	$98,651	+$42,980	+77.2
Rubber tires and inner tubes	232,542	186,114	−46,428	−20.0	684,262	872,491	+188,229	+27.5
Cotton, semimanufactures	1,134,511	1,462.435	+327,924	+28.9	204,342	215,321	+10,979	+5.4
Standard newsprint paper	----------	57,462	+57,462	----------	----------	33,231	+33,231	----------
Lubricating oils and greases	1,092,591	1,234,863	+142,272	+13.0	1,966	159	−1,807	−91.9
Sulfur	95,420	8,340	−87,080	−91.3	----------	1,398	+1,398	----------
Iron and steel castings and forgings	22,003	174,621	+152,618	+693.6	74,812	195,655	+120,843	+161.5
Tools and basic hardware	412,663	1,240,552	+827,889	+200.6	7,014,324	5,578,538	−1,435,786	−20.5
Iron and steel pipes, tubes and tubing	77,493	1,062,520	+985,027	+1,271.1	616,095	1,029,855	+413,760	+67.2
Rolled and finished steel mill products	9,299,983	13,420,986	+4,121,003	+44.3	3,655,680	6,457,942	+2,802,262	+76.7
Electrical machinery	6,611,549	16,710,889	+10,099,340	+152.8	32,675,474	38,418,516	+5,743,042	+17.6
Construction machinery	5,411,214	9,479,051	+4,067,837	+75.2	----------	----------	----------	----------
Metalworking machinery	9,133,757	19,972,599	+10,838,842	+118.7	8,385,632	9,690,012	+1,304,380	+15.6
Textile sewing and shoe machinery	4,949,068	8,870,167	+3,921,099	+79.2	8,250,088	14,423,955	+6,173,867	+74.8

Table III-A.—*Value of U.S. oceanborne exports and imports of selected commodities, North Atlantic-Germany (trade route 7), 1958 and 1961*—Continued

Commodity	Exports				Imports			
	1958	1961	Change 1958–61	Percentage change	1958	1961	Change 1958–61	Percentage change
Agricultural machinery	$3,297,437	5,742,074	$+2,444,637	+74.1	$621,194	$1,307,769	$+686,575	+110.5
Automobiles, trucks, etc.	683,369	2,446,131	+1,762,762	+258.0	45,586,104	63,658,795	+18,072,691	+39.6
Medical and pharmaceutical preparations	1,669,881	2,270,678	+600,797	+36.0	3,004,014	3,915,660	+911,646	+30.3
Sulfuric acid		166	+166			3,214	+3,214	
Alcohols		129,411	+129,411					
Pigments, paints, and varnish	661,932	670,666	+8,734	+1.3	438,048	473,148	+35,100	+8.0
Nitrogen fertilizer materials excluding ammonium sulfate		28,821	+28,821			7,524	+7,524	
Potash fertilizer material					293,854	441,812	+147,958	+50.4
Railway locomotive car parts	199,615	79,850	−119,765	−60.0	20,308	396	−19,912	−98.1
Sum of above commodities	45,597,087	85,551,007	+39,953,920	+87.6	111,581,868	146,824,042	+35,242,174	+31.6
Total North Atlantic—Germany	225,071,830	295,295,533	+70,223,703	+31.2	360,216,183	452,520,185	+92,304,002	+25.6
Total liner, all routes	8,733,944,000	10,665,697,000	+1,931,753,000	+22.1	6,648,182,000	7,668,564,000	+1,020,382,000	+15.3

Source: Based on data supplied by the Federal Maritime Administration.

Table III-B.—*Value of U.S. oceanborne exports and imports of selected commodities, North Atlantic-Belgium-Netherlands (trade route 8), 1958 and 1961*

Commodity	Exports				Imports			
	1958	1961	Change 1958–61	Percentage change	1958	1961	Change 1958–61	Percentage change
Meat, canned	$485,322	$275,808	−$209,514	−43.2				
Vegetables, canned	37,347	75,581	+38,234	+102.4				
Fruits and preparations, canned	10,978	24,901	+13,923	+126.8				
Fruit juices, canned or frozen	209,319	137,902	−71,417	−34.1	$364,580	$543,772	+$179,192	+49.2
Rubber tires and inner tubes	1,250,347	2,555,352	+1,305,005	+104.4	395,259	392,444	−2,815	−.7
Cotton semimanufactures	609,738	1,642,005	+1,032,267	+169.3	764,673	949,575	+185,502	+24.3
Standard newsprint paper	47,728	3,010	−44,718	−3.7				
Lubricating oils and greases	2,531,176	3,463,276	+932,100	+36.8		186,889	+186,889	
Sulfur	18,468	116,571	+98,103	+531.2	568	3,793	+3,225	+567.8
Iron and steel, cast and forgings	154,405	614,826	+460,421	+298.2	11,018	24,583	+13,565	+123.1
Tools and basic hardware	2,317,954	5,770,552	+3,452,598	+149.0	5,042,880	3,696,190	−1,346,690	−26.7
Iron and steel pipe	530,646	1,000,482	+469,836	+88.5	1,079,210	2,638,115	+1,558,905	+144.4
Rolled and finished steel	28,308,300	16,001,580	−12,306,720	−43.5	25,599,055	32,410,057	+6,811,002	+26.6
Electrical machinery	18,493,781	36,613,086	+18,119,305	+98.0	15,013,087	15,688,992	+675,905	+4.5
Construction machinery	16,434,743	37,127,396	+20,692,653	+125.9				
Metalworking machinery	14,267,235	34,953,205	+20,685,970	+145.0	2,923,409	2,595,635	−327,774	−1.1
Textile sewing and shoe machinery	6,850,449	19,013,937	+12,163,488	+177.6	3,560,746	5,127,885	+1,567,139	+44.0
Agricultural machinery, implements and tractors	6,003,430	17,342,483	+11,339,053	+188.9	92,960	518,543	+425,583	+457.8
Automobiles, trucks, etc		29,552,090	+29,552,090		11,717,251	4,859,828	−6,857,423	−58.5
Railway locomotive cars and parts	654,253	1,115,491	+461,238	+70.5	3,578	2,302	−1,276	−35.7
Medical and pharmaceutical preparations	15,607,881	21,343,529	+5,735,648	+36.7	1,533,555	3,069,766	+1,536,211	+100.2
Sulfuric acid								
Alcohols								
Pigments, paints and varnish	4,087,366	2,571,101	−1,516,265	−37.1	885,709	1,158,144	+272,435	+30.8
Nitrogen fertilizer materials excluding ammonium sulfate		86,049	+86,049			73,951	+73,951	
Potash fertilizer materials					221,861	266,740	+44,879	+20.2
Sum of above commodities	118,910,866	231,580,213	+112,669,347	+94.8	69,208,799	74,207,204	+4,998,405	+7.2
Total, North Atlantic, Belgium, Netherlands	471,114,229	736,103,574	+264,989,345	+56.2	374,194,424	420,978,157	+46,783,733	+12.5
Total, liners, all routes	8,733,944,000	10,665,697,000	+1,931,753,000	+22.1	6,648,183,000	7,668,564,000	+1,020,382,000	+15.3

Source: Based on data supplied by the Federal Maritime Administration.

Table III-C.—*Value of U.S. oceanborne exports and imports of selected commodities, Pacific-Far East (trade route 29), 1958 and 1961*

Commodity	Exports				Imports			
	1958	1961	Change 1958–61	Percentage change	1958	1961	Change 1958–61	Percentage change
Meat, canned	$611,359	$219,157	−$392,202	−64.2				
Vegetables, canned	1,027,752	1,697,590	+669,838	+65.2				
Fruits and preparations, canned	191,589	754,727	+563,138	+293.9				
Fruit juices, canned or frozen	132,765	826,164	+693,399	+522.3	$301,547	$957,081	+$655,534	+217.4
Rubber tires and inner tubes	897,689	720,770	−176,919	−19.7	24,535	108,960	+84,425	+344.1
Cotton, semimanufactures	1,000	138,093	+137,093	+13,709.3	79,361	14,617	−64,744	−81.6
Standard newsprint paper		2,324,008	+2,324,008			182,877	+183,877	
Lubricating oils and greases	4,083,415	5,538,395	+1,454,980	+35.6		300	−300	
Sulfur	5,132		5,132					
Iron and steel cast and forgings	497,344	313,366	−183,973	−37.0	36,201	167,113	+130,912	+361.6
Tools and basic hardware	999,659	1,753,545	+753,886	+75.4	6,002,388	10,864,619	+4,862,231	+81.0
Iron and steel pipe	524,728	638,618	+113,790	+21.7	637,064	8,868,226	+8,231,162	+1,292.0
Rolled and finished steel	2,794,722	4,357,587	+1,562,865	+55.9	5,106,772	18,096,041	+12,989,269	+254.4
Electrical machinery	9,692,918	17,136,674	+7,443,756	+76.8	9,632,770	59,195,030	+49,562,260	+514.5
Construction machinery	8,851,450	11,602,448	+2,750,998	+31.1				
Metalworking machinery	2,600,809	8,706,461	+6,105,652	+234.8	2,284	208,631	+206,347	+9,034.5
Textile sewing and shoe machinery	227,435	1,249,643	+1,022,208	+449.5	6,164,250	7,253,679	+1,089,429	+17.7
Agricultural machinery, implements and tractors	3,576,753	9,064,228	+5,487,475	+153.4	36,517	153,136	+116,619	+319.4
Automobiles, trucks, etc	1,852,297	2,340,678	+488,381	+26.4	823,410	1,399,770	+576,360	+70.0
Railway locomotive cars and parts	2,744,286	5,504,521	+2,760,235	+100.6	744		−744	
Medical and pharmaceutical preparations	4,197,665	904,978	−3,292,687	−78.5	353,063	6,059,897	+5,706,834	+1,616.4
Sulfuric acid	25,649.		−25,649			8,111	+8,111	
Alcohols						363,593	+363,593	
Pigments, paints and varnish	1,905,466	1,622,075	−283,391	−14.9	4,379	66,519	+62,140	+1,419.0
Nitrogen fertilizer materials excluding ammonium sulfate		63,904	+63,904			509,859	+509,359	
Potash fertilizer materials	5,146,792	13,784,368	+8,637,576	+167.8				
Sum of above commodities	52,588,674	91,261,898	+38,673,224	+73.5	29,205,285	114,479,059	+85,273,774	+292.0
Total, Pacific-Far East	289,262,923	637,533,395	+348,270,472	+120.4	248,375,584	458,671,115	+210,295,531	+84.7
Total liner, all routes	8,733,944,000	10,665,697,000	+1,931,753,000	+22.1	6,648,182,000	7,668,564,000	+1,020,382,000	+15.3

Source: Based on data supplied by the Federal Maritime Administration.

SUMMARY OF TABLES ON OTHER COMMODITIES

Table I–A points out outbound and inbound freight rates on 26 commodities between Germany and United States Atlantic ports. These commodities were selected because it was felt substantial export potential existed. The table also points out the value of exports and imports on these commodities.

The table reveals, for example, that the outbound freight rate on fruit juices is $38, and the inbound rate is $18.50. The outbound rate is 105 percent higher than the inbound rate. On rubber tires and innertubes the outbound rate is $38.75; the inbound rate, $30.50—a difference of 27 percent. On all 26 commodities, the outbound rates are approximately 21 percent higher than the inbound rates.

Table I–B indicates similar statistics for commodities moving between the United States Atlantic-Belgium-Netherlands. Outbound rates in this case are approximately 11 percent higher than corresponding inbound rates.

Table I–C indicates the rates for the United States Pacific Coast-Japan trade route. This is a phenomenal table. On the 26 commodities listed, outbound freight rates are 70 percent higher than corresponding inbound rates. Using rubber tires and innertubes, the outbound rate is $110.75. The inbound rate is $24.75—a difference of 337 percent. Or on electrical machinery, a $17 million export, the freight rate is $56.75. The inbound rate is only $33. This may be one reason for the fact that our imports total $60 million on this item alone.

Table II–A, B, and C, point out the value of our exports and imports on these commodities in 1958.

Tables III–A, B, and C show the percentage change of exports and imports on these 26 commodities during 1958 and 1961. While there has been an overall increase in our trade balance on these commodities of 6.8 percent, this increase might have been far greater had freight rates been competitive. On some of the cases of widespread discrimination, like fruit juice, our exports have decreased 95.9 percent. Imports of these same commodities have increased by 77.2 percent.

Tables IV–A, B, and C indicate the influence of ocean freight rates on price differentials for the 26 selected commodities on the three trade routes involved. Averaging the three tables, freight rate differentials account for 11 percent of the value difference between the export and import price. The example of cotton semimanufacturers shown on table IV–B shows the outbound freight rate is $32, and the inbound rate is $27.50—a difference of $4.50. The landed value of U.S. exports in Belgium is $294, and the landed value of the U.S. imports from Belgium is $272—a difference of $22. Had freight rates been the same, this difference would have been reduced by 20 percent.

STATEMENT ON THIRD MARKET PROBLEM

The memorandum which you have before you contains a summary of complaints received by the U.S. Department of Commerce regarding discriminatory freight rates. Some of these complaints point out the problem of uncompetitive rates charged U.S. shippers to third market areas when compared to the rates charged by our foreign competitors to these areas.

For example, the freight rate on a common plasticizer from New York to Veracruz, Mexico, a distance of 1,973 nautical miles, is $54 per ton. The rate from Germany, a distance of 5,381 nautical miles, is $43 per ton. From England to São Paulo, Brazil, on the same product, a distance of 5,472 nautical miles, the rate is $35, per ton. From New York to São Paulo, a distance of 4,957 nautical miles, the rate is over $80 per ton.

To show the effects of this rate discrimination on the competitiveness of an American product selling in third market areas, a specific example is pertinent. A vacuum cleaner retails in the United States for $49.95. The same model manufactured in England sells for $99.95. The landed value difference between the $49.95 machine shipped to Australia from the United States and the machine shipped from England worked out to be only $1. The distance from Los Angeles to Sydney, Australia, is 6,511 nautical miles. The distance from New York to Sydney is 9,692 nautical miles. The distance from London to Sydney is 12,475 nautical miles.

TABLE IV–A.—*Influence of ocean freight rates on price differentials for selected commodities, North Atlantic/Germany (trade route 7), 1961*

Commodity	Freight rates (dollars per ton)		Value [1] (dollars per ton)		Percent of rates to value		Percent of value differential due to rates
	Export	Import	Export	Import	Export	Import	
Meat, canned	37.25	21.50	493	--------	8	--------	--------
Vegetables, canned	38.00	44.00	196	--------	19	--------	--------
Fruits and preparations, canned	38.00	37.50	635	--------	6	--------	--------
Fruit juices, canned or frozen	38.00	18.50	679	506	6	4	11
Rubber tires and inner tubes	38.75	30.50	1,412	1,345	3	2	12
Cotton, semimanufactures	34.00	27.50	299	212	11	13	7
Standard newsprint paper	25.00	58.00	143	163	17	36	165
Lubricating oils and greases	26.75	24.75	136	795	20	3	0
Sulfur	28.50	27.50	307	215	9	13	1
Iron and steel castings and forgings	40.00	32.50	1,281	520	3	6	1
Tools and basic hardware	36.25	21.00	4,079	932	1	2	0
Iron and steel pipe, tube and tubing	51.00	18.25	738	213	7	9	6
Rolled and finished steel	63.00	24.25	241	343	26	7	38
Electrical machinery	22.50	67.00	2,938	2,781	1	2	28
Construction machinery	16.50	20.00	1,770	--------	1	--------	--------
Metalworking machinery	33.00	21.00	3,130	2,429	1	1	2
Textile sewing and shoe machines	21.75	21.00	4,489	2,662	0	1	0
Agricultural machinery	16.50	20.75	1,472	1,694	1	1	2
Automobiles, trucks, etc	16.50	21.75	1,345	1,445	1	2	5
Railway locomotive cars and parts	63.00	--------	1,660	1,980	4	--------	--------
Medical and pharmaceutical preparations	56.75	61.50	11,082	3,932	1	2	0
Sulfuric acid	63.00	95.00	830	480	8	20	9
Alcohols	22.00	62.00	612	--------	4	--------	--------
Pigments, paints, and varnish	22.00	48.50	956	244	2	20	4
Nitrogen fertilizer materials excluding ammonium sulfate	24.50	21.25	170	80	14	27	4
Potash fertilizer materials	48.75	21.25	--------	38	--------	56	--------
Average	--------	--------	--------	--------	7	11	16

[1] Includes average freight rates.

Source: Based on data in table I–A.

TABLE IV–B.—*Influence of ocean freight rates on price differentials for selected commodities North Atlantic/Belgium/Netherlands (trade route 8), 1961*

Commodity	Freight rates (dollars per ton)		Value [1] (dollars per ton)		Percent of rates to value		Percent of value differential due to rates
	Export	Import	Export	Import	Export	Import	
Meat, canned	37.25	21.50	701	--------	5	--------	--------
Vegetables, canned	34.50	44.00	268	--------	13	--------	--------
Fruits and preparations, canned	34.50	37.50	253	--------	14	--------	--------
Fruit juices, canned or frozen	34.50	18.50	510	592	7	3	20
Rubber tires and inner tubes	35.25	30.50	1,256	934	3	3	1
Cotton, semimanufactures	32.00	27.50	294	272	11	10	20
Standard newsprint paper	22.75	58.00	151	--------	15	--------	--------
Lubricating oils and greases	24.25	24.75	169	203	14	12	1
Sulfur	26.00	27.50	380	214	7	13	1
Iron and steel castings and forgings	36.25	32.50	3,006	957	1	3	0
Tools and basic hardware	33.00	21.00	2,504	256	1	8	1
Iron and steel pipe, tube and tubing	46.25	18.25	569	158	1	12	7
Rolled and finished pipe	57.25	24.25	354	125	16	19	14
Electrical machinery	20.50	67.00	3,311	4,717	1	1	3
Construction machinery	15.00	20.00	1,670	--------	1	--------	--------
Metalworking machinery	33.00	21.00	2,042	3,898	2	1	1
Textile, sewing and shoe machines	19.75	21.00	5,871	2,240	0	1	0
Agricultural machinery	15.00	20.75	1,415	779	1	3	1
Automobiles, trucks, etc	15.00	21.75	1,191	1,588	1	1	2
Railway locomotive cars, parts	57.25	--------	3,869	490	1	--------	--------
Medical and pharmaceutical preparations	51.50	61.50	5,688	4,061	1	2	1
Sulfuric acid	57.25	95.00	--------	--------	--------	--------	--------
Alcohols	20.00	62.00	504	--------	4	--------	--------
Pigments, paints, and varnish	19.00	48.50	693	126	3	38	5
Nitrogen fertilizer materials excluding ammonium sulfate	22.25	21.25	135	84	16	25	2
Potash fertilizer materials	44.25	21.25	--------	42	--------	51	--------
Average	--------	--------	--------	--------	6	11	5

[1] Includes average freight rates.

Source: Based on data in table I–B.

TABLE IV-C.—*Influence of ocean freight rates on price differentials for selected commodities, Pacific/Far East (trade route 29), 1961*

Commodity	Freight rates (dollars per ton)		Value [1] (dollars per ton)		Percent of rates to value		Percent of value differential due to rates
	Export	Import	Export	Import	Export	Import	
Meat, canned	--------	25.75	778	--------	--------	--------	--------
Vegetables, canned	--------	25.75	376	--------	--------	--------	--------
Fruits and preparations, canned	--------	25.75	303	--------	--------	--------	--------
Fruit juices, canned or frozen	73.00	120.25	495	119	15	101	13
Rubber tires and inner tubes	110.75	24.75	1,473	592	8	4	10
Cotton, semimanufactures	61.00	33.50	242	136	25	25	26
Standard newsprint paper	27.00	35.75	138	123	20	29	58
Lubricating oils and greases	32.65	29.25	115	1,500	28	2	0
Sulfur	30.40	32.50	--------	--------	--------	--------	--------
Iron and steel castings and forgings	55.50	24.00	387	176	14	14	15
Tools and basic hardware	73.50	19.50	2,942	196	2	10	2
Iron and steel pipe	30.35	17.00	577	165	5	10	3
Rolled and finished pipe	24.10	15.50	162	141	15	11	41
Electrical	56.75	33.00	3,502	4,936	2	1	2
Construction machinery	56.50	50.25	1,909	--------	3	--------	--------
Metalworking machinery	56.75	33.00	3,213	1,559	2	2	1
Textile, sewing and shoe machines	56.75	33.00	4,059	1,738	1	2	1
Agricultural machinery	47.25	24.00	1,281	633	4	4	4
Automobiles, trucks, etc	37.75	23.00	1,642	979	2	2	2
Railway locomotive, cars, and parts	46.25	--------	2,316	--------	2	--------	--------
Medical and pharmaceutical preparations	73.50	59.50	4,776	4,556	2	1	6
Sulfuric acid	93.25	85.75	--------	194	--------	44	--------
Alcohols	75.00	35.00	--------	242	--------	14	--------
Pigments, paints and varnish	57.75	38.25	580	2,132	10	2	1
Nitrogen fertilizer materials excluding ammonium sulfate	17.65	14.50	130	61	14	24	5
Potash fertilizer materials	17.65	14.50	1,478	--------	1	--------	--------
Average	--------	--------	--------	--------	9	16	11

[1] Includes average freight rates.

Source: Based on data in table I-C.

THE FIFTH ANNUAL OBSERVANCE OF CAPTIVE NATIONS WEEK

Mr. DOUGLAS. Mr. President, in 1959 I introduced a resolution in the Senate to designate the third week in July as Captive Nations Week. This week, on the fourth anniversary of the enactment of that resolution by the Congress, Americans across the Nation are joining hands in the observation of Captive Nations Week. In Eastern Europe, southeast Asia, and most recently in Cuba, men, women, and children once free like ourselves are denied the free exercise of constitutional and civil rights, the right to labor productively for themselves and their children, and the right to rejoice in a unique national heritage. The people of the captive nations have not however lost their inner dedication to the ideals cherished by free thinking people everywhere. I believe that we as Americans should reaffirm in our turn the objective of the eventual liberation of the people of the captive nations.

FREEDOM OF COLONIAL PEOPLES

The world has witnessed startling historical reversals in recent years. Throughout the former colonial world, captive peoples have felt the fresh winds of freedom. Under bold leadership, they have thrown off their shackles and taken their rightful place in the community of nations. But at the same time that new nations were thus emerging to lay the ghost of colonialism in its grave, there arose an even greater challenge to the dignity of mankind—the aggressive policies of the Soviet Union and its allies.

All over the world the Communists struck at free nations that had allowed their vigilance to relax. Using well practiced techniques of direct military action and personal intimidation, the Soviet Union extended its control over the once free nations of Eastern Europe. Poles, Hungarians, Lithuanians, Czechoslovaks, Ukrainians, and other historic peoples in Eastern Europe, and the Chinese and the North Koreans in Asia, fell under the sway of the new colonialism—Communist slavery.

The free nations of the world which look to the United States for leadership in the struggle against communism should know that our country stands firmly behind all autonomous nations that cherish freedom. If we slacken our stand against the Communist usurpation of power or recognize the present Communist domination as either permanent or right, we really deny both our heritage and our ideals. If we abandon the fight against tyranny, we also unwillingly betray the newly free and developing nations in Africa and Asia which will themselves have to stand firm against the encroachments of the Communist empire.

RESISTANCE TO COMMUNIST OPPRESSION

We must also remember the physical presence of millions of people behind the Iron and Bamboo Curtains who are willing to sacrifice themselves for a democratic way of life. We need only turn on the television to understand the desire of the East Berliners to be free. By car and bus, tunnel and truck, in every way conceivable to the human imagination, thousands of individuals in search of freedom have overcome obstacles placed in their path.

The presence of determined people inside the Communist bloc, hostile to a way of life dictated by Moscow and Peiping, is of prime strategic importance to the United States. Communist plans for aggression must always take into account that the frustrations of the captive peoples may at any moment break into an armed uprising. Premier Khrushchev's awareness of this vulnerability within the captive nations has led him to decry Captive Nations Week and to accuse us of duplicity in our dealings with other nations. Captive Nations Week, however, proclaims to the whole world that Soviet Russia and not the United States threatens the sovereignty of free nations.

BACKGROUND OF AMERICAN PEOPLE

Lastly, let us remember that the greatness of the United States is founded upon the talents of people of the most diverse racial, religious, and national backgrounds. American citizens who have come from the now captive nations have contributed their labor, their skills, and their respective cultures to our country throughout our growth. The combined heritages of the captive nations are part of our heritage. Thus, Captive Nations Week renews our blood and spiritual ties to the peoples of Eastern and Central Europe.

CONGRESSIONAL ACTION

For these reasons, I was proud to initiate in the Senate the Captive Nations Week resolution 4 years ago. I believe that the observance of Captive Nations Week by growing numbers of citizens demonstrates beyond any doubt that Americans do appreciate the symbolic and practical importance of this week both to ourselves and to the rest of the world.

I strongly believe that the interests of the nations now overrun or threatened by communism are identical with our own. Given this essential truth, I believe that this annual rededication to the eventual victory of freedom over communism strengthens the U.S. position in the world.

In keeping with their importance in the worldwide struggle, Congress has given additional attention to the captive nations. We have a bill presently before the Foreign Relations Committee to establish a Freedom Academy to educate and train government and civilian personnel to achieve greater efficiency in the global struggle against communism. This bill, which I cosponsored, constitutes another episode in the continuing struggle against the present and future enslavement of free and independent nations. To provide more effective and flexible support for our friends in the captive nations, I again advocate, as I have for several years, the creation of a special congressional Committee on the Captive Nations.

ASSISTANCE TO THE PEOPLE OF THE CAPTIVE NATIONS

Our system of personal freedom and private initiative has made the United States the greatest nation on earth. The same powerful human aspirations that built our country are at work in the minds and hearts of the people of the captive nations. That is why we must remember that it is not the people of the captive nations who have chosen slavery. It is their leaders who have thrust slavery upon them.

We know very well the intentions of the Communist leaders of the captive nations. Under no circumstances must we offer assistance or encouragement to governments that unjustly deny their people rights. We ought to do all we can, subject to responsible direction, to ease the sufferings of the unfortunate peoples of the captive nations and assist them in their just aspirations toward a better life. Our service can be invaluable also in providing food, clothing, and medical care, education, and eventually refuge and citizenship to the refugees from tyrannous Communist governments.

FREEDOM FOR THE CAPTIVE PEOPLES

Our goal of freedom for the captive nations has at times seemed remote. Yet if other free countries join with the United States in pressing for action to aid the captive peoples, freedom for the captive peoples may not be so far distant a goal.

To the end of gaining freedom and self-determination for all peoples under constitutional government and a life of liberty and self-fulfillment for all the citizens of the world, I am proud to join in the fifth annual observation of Captive Nations Week.

ADJOURNMENT

Mr. DOUGLAS. Mr. President, in accordance with the previous order, I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 41 minutes p.m.) the Senate adjourned, under the previous order, until tomorrow, Tuesday, July 16, 1963, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate July 15, 1963:

Foreign Service

Adm. George W. Anderson, Jr., U.S. Navy, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Portugal.

Claude G. Ross, of California, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Central African Republic.

Howard Rex Cottam, of the District of Columbia, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the State of Kuwait.

In the Army

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

Maj. Gen. William Jonas Ely, O18974, U.S. Army, in the grade of lieutenant general.

In the Marine Corps

The following-named officers of the Marine Corps for permanent appointment to the grade of captain:

Franklin A. Hart, Jr.
Louis B. Myers
Charles O. Pitts, Jr.
Harrison W. Kimbrell
Jerry E. Kehrle
Adelbert L. Suwalsky, Jr.
Robert P. Green
Willard T. Layton III
Charles E. Thompson
George P. Slade
Paul M. Ryan
Richard E. Haislip
James T. Smith
Eddie C. Paige, Jr.
Thomas J. Ortman
John K. Cochran
Charles W. Schreiner, Jr.
William C. Frank
Stanley P. Lewis
Vincent J. Guinee, Jr.
Willis E. Wilson, Jr.
Homer L. P. King
Robert F. Gore
Daniel E. Wight, Jr.
Charles A. McCluskey
Robert E. Gibson
William R. Fails
Arthur E. Jensen
Robert L. Modjeski
James R. Heflin
Stephen S. Eisenhauer
David A. Lerps
Ernest E. Evans, Jr.
Ronald A. Clark
Kent A. McFerren
Jimmie G. Morgan
Russel H. Stolfi
William F. Kendig
William H. Parker III
Bruce M. MacLaren
Walter C. Service III
John J. Keenan
Gordon H. Buckner II
Clarence E. Kaufman, Jr.
James C. Greene, Jr.
James L. Biegler
Raymond R. Powell
Sterling W. Carter
Donald J. Norris
Robert P. Rose
David V. Holles
Dale C. Hawkins
Charles L. Zangas
Robert W. Topping
Phil E. Brookshire
John C. Gillman
Daryl E. Benstead
George H. Dunn II
James J. Delaney II
Odilio M. Diaz
Arthur B. Thompson, Jr.
Arthur A. Dittmeier, Jr.
William G. Swigert
Peter Yadlowsky
William S. Morgan, Jr.
Edwin J. Godfrey
Daniel Prudhomme
Edward C. Tipshus
John R. Kostelecky
Eugene R. Tirk
Daniel C. Escalera
Leroy E. Johnson
Jerry L. Sizelove
Richard L. Dennis
Charles C. Seabrook
James L. Owens
William Drebushenko
James R. Ziemann
James C. Page
Thomas L. Edwards
Bobby F. Long
Robert R. Thomley
Eddie R. Maag
Frederick E. Pyeatt III
Lloyd E. Goodwine
Roland E. Smith
Norman E. Canfield
Kenneth G. Patterson
Carl B. Olsen, Jr.
Jack P. Smith
Robert B. Eldridge
Thomas M. Stokes, Jr.
Jack A. Brandon
William D. Stephani
Louis H. Buehl III
Richard J. Alger
Earl F. Whipple, Jr.
Pat S. Galligan
Martin V. Young, Jr.
John R. Yates, Jr.
Ray L. Baker
John W. Everett
Robert L. Moon
Burr T. Chambless
Davis Sayes
Clarence W. Dilworth
Charles L. Phillips
Richard D. Buttolph
William E. Morgan
George M. Shiffler, Jr.
Edgar R. Stoddart, Jr.
James B. Talley
John W. Brown
Richard G. Vass
Theodore T. Hogan, Jr.
Orville R. Edmondson
Stanley J. Michael, Jr.
Norman E. Ryder
Fitz W. M. Woodrow, Jr.
William Scullion, Jr.
Jerome W. Brown
Edward G. Milone
James C. Hitz
Vincent P. Hart, Jr.
James B. Isbill, Jr.
Curtis G. Lawson
George F. Ebbitt, Jr.
Jimmy L. Pappas
Hugh L. Dougherty, Jr.
Joseph L. Felter
Jay G. Sellers
Willard L. Mattmiller
Walter J. Decota
William G. Soden
Charles W. Montgomery
Robert H. Southgate
Edmund G. Garbee, Jr.
Samuel J. Marfia
Leo A. Gildersleeve
Harold H. Hill
Donald P. Bowen
Joseph A. Siler
Russell Lloyd, Jr.
George J. Ertlmeier
Thomas W. Nelson, Jr.
James F. Moriarty, Jr.
Bryce A. Mutch, Jr.
William C. Bryson, Jr.
Barry N. Bittner
Jacob W. Moore
John D. Ingraham
Marvin E. Peacock
John R. Carr, Jr.
Paul F. Melcher
Stephen Bosbonis
Allan W. Lamb
Walter E. Grayum
Karlton L. Batt
Terrance P. Baker
Stanley J. Czubai
Russell I. Kramer
Charles Ward
Melvin W. McCoury, Jr.
Jack L. Maxwell
Tommy I. Folks
Albert G. Borlan
Keith L. Christensen
Arthur S. Loughry
William I. Morgan, Jr.
Walter R. Brown
Jesse R. Greer
Richard W. Hanneman
Willie L. Lowe, Jr.
John W. Terwilliger
Robert D. Flint
Lester D. Widick, Jr.
Willard I. Crumback
John L. Driefer
Robert M. Sweeney
Arthur R. Hickle
Pasquale L. Cacace
Joseph F. Golden
Arthur L. Graves
Donald E. Dilley
Edward J. Heise
James R. Parsons
Manuel H. L. Hedges
Leonard T. Preston, Jr.
Erik Larsen
James D. Moody
Thomas E. Dotson
Charles E. Griggs
Charles S. Popok
Phillip M. Jacobs
Peter R. Worden
William R. Smith
James E. Miller
Thomas D. Cooney
Edward P. Janz
Richard P. Spreier
Richard C. Conway
Wilbur E. Skinner
Neal L. Derickson

In the Navy

Charles C. McClement (Navy enlisted scientific education program) to be a permanent lieutenant (junior grade) in the line of the Navy, subject to the qualifications therefor as provided by law.

The following-named graduates from Navy enlisted scientific education program to be permanent ensigns in the line of the Navy, subject to the qualifications therefor as provided by law:

Roy L. Agle
Gerald A. Brearton
Bryan T. Conner
Charles R. Crawford
Terry W. Fooshee
Robert L. Himbarger
Leo E. McGonagle
Roy L. Ray, Jr.

Leon E. Drouin, Jr. (Navy enlisted scientific education program), to be a permanent ensign in the Civil Engineer Corps of the Navy, subject to the qualifications therefor as provided by law.

Emile S. Sayegh (civilian college graduate) to be a captain in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law.

Leslie Wiener (civilian college graduate) to be a permanent lieutenant (junior grade) and a temporary lieutenant in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law.

The following-named (Naval Reserve officers) to be permanent lieutenant commanders in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

Paul C. Gregg
Richard H. Tabor

The following-named (Naval Reserve officers) to be permanent lieutenants in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

Raymond D. LaChance
Robert D. Roe

The following-named (Naval Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

Wilbur A. Heinz, Jr.
William F. Hook
Michael R. Stapleton

Clyde D. Henderson, Jr., (Naval Reserve officer) to be a permanent lieutenant and a temporary lieutenant commander in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law.

The following-named (Naval Reserve officers) to be permanent lieutenants and temporary lieutenant commanders in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law:

Edward J. McLaughlin
Glyn M. Spearman, Jr.

The following-named officers of the U.S. Navy for temporary promotion to the grade of lieutenant (junior grade) in the line and staff corps, as indicated, subject to qualification therefor as provided by law:

LINE

Abel, William H.
Abercrombie, Frank E.
Ablowich, Dean A.
Adams, Robert W.
Adams, Max L.
Adams, Chester A.
Adams, Raymond A.
Adams, James W.
Adcock, Thomas W.
Adler, Alan B.
Affourtit, Daniel J., Jr.
Ahern, James W.
Akers, Bruce
Akerson, Arthur C., Jr.
Albaugh, Cleve W.
Albers, Robert J.
Albert, William A.
Aldrich, William L.
Alexander, Dale E.
Alexander, Willis H., Jr.
Allain, Charles J.
Allen, Robert J.
Allen, Bert L.
Allen, Larry D.
Allen, George R.
Allen, Julian A.
Allen, Temple L.
Allen, Stanley E.
Allen, James W.
Allison, Charles P., Jr.
Allison, Robert E.
Allwine, Robert A.
Alrick, Richard D.

Alston, Vernon D.
Amend, Robert J.
Ames, Albert M.
Anderson, Robert E.
Anderson, Gordon R.
Anderson, Ira B.
Anderson, Varro D.
Anderson, Gordon W.
Anderson, Lewis G.
Anderson, James W.
Anderson, James L.
Anderson, Charles E.
Anderson, Earl N. J.
Anderson, Thomas M.
Anderson, Roger A.
Andrasko, Michael B.
Andrew, Kenneth C.
Anglin, Hubert L.
Anselmi, Ernest A., Jr.
Ansley, James H.
Anthony, John P., Jr.
Anthony, John A., III
Antonio, Robert J.
Aragona, Francis J.
Arbogast, James B.
Arkin, William E.
Armbruster, Robert E.
Armes, Donald S.
Arms, Fay H.
Arms, Philip B., Jr.
Armstrong, Charles E., Jr.
Arnaud, Antoine J. A.
Arnett, Verlin M.
Arrasmith, Thomas M., III
Arsenault, Oscar W.
Ashbaugh, Charles I.
Ashley, Roger T.
Askren, Merlin G.
Aspas, Paul T.
Aurell, Donald L.
Ausley, Paul C., Jr.
Austin, Leon
Austin, Gene M.
Averna, Vincent S.
Avery, Charles G.
Avore, Malcolm A.
Ayre, Donald
Aycock, Charles B.
Ayers, John P.
Babb, Dewey E.
Babbitt, Thomas R.
Babcock, William L.
Babiash, William E.
Bable, Samuel S.
Bacon, Daniel K.
Bacon, William S.
Baer, Robert D.
Baesman, Richard F.
Bahre, George L.
Bailer, Donald W., Jr.
Bailey, Roy, Jr.
Bailey, Grover C., III
Bailey, Howard L.
Bailey, James H.
Bailey, Charles E., Jr.
Bailey, Stanley J., Jr.
Baimbridge, Horace H.
Baird, Dean D.
Baird, James D.
Baker, Curtis L.
Baker, Willard D.
Baker, Robert F.
Baker, Maurice R.
Baker, Hugh B.
Baker, Wayne E.
Baker, Robert P.
Baker, Arthur J., III
Bakun, William D.
Baldwin, William E.
Bales, Edward W.
Ball, Richard A.
Ball, Willie H., Jr.
Ballard, William C.
Ballard, James O., Jr.
Ballard, Gary D.
Ballinger, Roy G.
Ballou, Charles L.
Bancroft, William P.
Banes, Robert E.
Bangert, William R.
Banister, Richard M.
Banks, Richard
Bannach, Leroy R.
Banner, David R.
Barber, Robert F.
Barber, Stephen W.
Barbre, George W.
Barclay, William A.
Barcus, Charles C.
Bard, Stephen A.
Bareilles, John L.
Barell, John F.
Barkley, Eppa B.
Barlow, Johnnie T.
Barmes, Vernon T.
Barnes, Harlan L.
Barnes, Harley H., Jr.
Barnes, James R.
Barney, Thomas McM.
Barnicle, Paul E.
Barns, David W.
Barnum, Daniel B.
Baron, Theodore L.
Baron, Michael
Barr, Charles T.
Barrett, Robert W.
Barrett, Hoyt S.
Barringer, Larry E.
Barry, Kenneth R.
Barry, Richard D.
Barteis, Albert L.
Bartholomew, Joseph W.
Bartolett, Frank S., III
Barton, Glenn L.
Bartsch, Thomas J.
Bartusek, Marion E.
Basham, Darell C.
Bashaw, Lloyd W.
Bass, William F.
Bassett, James R.
Batchellor, John K., Jr.
Bates, George E., Jr.
Bates, Barry T.
Bates, Henry W.
Battaglia, William F.
Batterton, George B.
Batti, Donald E.
Baublitz, John E.
Bauer, Roger A.
Bauer, Jerry F.
Baumann, Arthur C.
Baumer, Donald G.
Baxley, Jarman G.
Baxter, James B., Jr.
Bay, Warren H.
Bayley, Christopher T.
Bazzel, Roderic C.
Beach, Venton E.
Beam, Henry H.
Beam, James C.
Beardshall, Elmer W., Jr.
Beatty, Thomas J.
Bechtold, Joseph M.
Becker, Robert E.
Bee, Fred A.
Beebe, Bruce A.
Beech, Henry D.
Beguin, Stephen D.
Belford, Ralph W.
Bell, Charles F.
Bell, Gary E.
Bell, Ned D.
Bell, Nolie L.
Bell, Robert W., Jr.
Bellows, Lester E.
Benge, Albert H.
Benites, Robert D.
Bennett, Henry M.
Bennett, Hugh M.
Bennett, Roger L.
Bennigson, Lawrence A.
Benoit, Felix
Bensinger, Darrell L.
Benson, Leo, III
Benson, James H.
Benson, Jerome E.
Benson, Perry S.
Benson, Peter H.
Bentzley, Harold J.
Berberich, William D.
Berg, George W., Jr.
Berger, Walter E., III
Bergert, James W.
Bergmann, Leland D.
Berigan, Francis M.
Berkey, Lloyd A.
Berklite, Ronald B.
Berkowitz, Ross
Berreman, Robert C.
Berry, Kenton C.
Berry, James T.
Berry, Niles W.
Berube, Raymond E., Jr.
Betterton, Don M.
Betz, Dale S.
Beumer, Theodore H.
Beveridge, Jerry D.
Beyers, Stephen J.
Beyrle, Robert F.
Bicknell, James N.
Bickum, Gilbert W.
Biggerstaff, Paul O.
Billings, Robert A.
Billings, David J.
Binaghi, Joanne T.
Binder, Donald
Birchett, John A. K., III
Birtwistle, Richard, III
Bisbing, Raymond H.
Bishop, John A.
Bishop, Arles R.
Bissell, Allen M.
Bissing, Walter W.
Bittenbender, Karl C.
Bittner, Francis E.
Bixby, Joseph A.
Black, Phillip R.
Black, Rudolph R.
Black, Herbert E.
Blackburn, William J.
Blacker, Richard W.
Blackford, Peter B.
Blackstock, Fletcher L.
Blair, Nelson A.
Blair, Joseph H., Jr.
Blair, Charles R.
Blakeley, James H.
Blanchard, Everiste J.
Blanding, Richard L.
Blankenship, Thomas C.
Blick, Ernest C.
Bliss, Robert B., II
Blockinger, Alvin F., Jr.
Blome, Dennis J.
Blood, David H.
Bloodsworth, George E.
Bloodworth, William T.
Bloom, Norman C.
Bloore, John L.
Blum, Ervin R.
Blunden, Alec R.
Boarman, John T.
Bobay, Gary J.
Bodenner, George E.
Bodie, Michael W.
Boecker, Donald V.
Boesenberg, John J.
Boggs, Dallas B.
Bogle, Robert J.
Bohn, Charles J., Jr.
Bolczak, Wallace L.
Bolden, David R.
Bolinger, Charles W.
Bond, Duane A.
Bond, Lawson G.
Bone, Charles R.
Boney, David B.
Bonnel, Gordon A.
Bonneville, Joseph E., Jr.
Bonsall, Donald E.
Bonsky, William F.
Booher, David M.
Boomgaarden, Marvin E.
Boose, Donald E.
Booth, Ronald J.
Boreen, Allen R.
Bornemann, Alfred
Borris, Charles M.
Bos, Peter G.
Bost, Donald W.
Boswell, Freddie L., Jr.
Botzum, Diane
Bouchillon, Milton D.
Bourke, Robert H.
Bouscaren, William J.
Bowden, Marilyn F.
Bowdoin, Bernarr M.
Bowen, Alfred G.
Bowley, Frederick C.
Bowling, Weldon J.
Bowman, Peter B.
Bowman, Robert J.
Bowman, Lloyd
Bowser, John V.
Boyd, Thomas M.
Boyer, Larry A.
Boylan, James D.
Boyle, Robert H.
Boyle, Francis J.
Bozarth, Jack E.
Bracken, Robert T.
Braden, Morse S.
Bradford, Alfred E.
Bradford, Erby D.
Bradley, Ronnie A.
Bradt, Donald E.
Brady, John B.
Brandel, Roland E.
Brandon, John R.
Brandquist, Roland
Branham, Powers E., Jr.
Branson, Harry W., Jr.
Bratton, James E.
Braun, Frank B.
Breckenridge, Donald R.
Breeding, Donald C.
Bregenzer, Karl E.
Brehm, James H.
Brenton, Robert J.
Brewer, Shelby T.
Brewer, Eddie R.
Brewer, Vincent E.
Briesemeister, Norman E.
Bright, Calvin F.
Brimmage, Kirby L.
Bringhurst, William, Jr.
Briselden, Don J.
Bristol, William W.
Broach, John C.
Broadfield, Donald E.
Broadwell, William R.
Broadwell, Ronald E.
Brocken, John F., Jr.
Brockman, John L., Jr.
Broemser, Gary M.
Broerman, Neal J.
Broglio, John D.
Brooks, Robert H.
Brooks, Edward W.
Brooks, James S.
Brower, Robert L.
Brown, Charles K.
Brown, Harold E.
Brown, Edward E.
Brown, Clyde E.
Brown, Floyd W.
Brown, James M.
Brown, Marion L.
Brown, Elbert L., Jr.
Brown, Donald H.
Brown, Baldwin B.
Brown, Lester M.
Brown, Chester A.
Brown, Thomas L.
Brown, Nancy A.
Browning, Robert E.
Bruce, Estel E.
Bruce, James W., Jr.
Bruen, Richard J.
Brundridge, Harry L.
Bruntlett, Carl E.
Brust, Philip J.
Bryan, John W.
Bryan, Timothy E.
Bryant, Donald W.
Bryant, Cordis C.
Bryant, Raymond, Jr.
Bryant, William H.
Bryant, Ernest W.
Bryant, William J.
Bubeck, Robert C.
Buchans, James C.
Buchart, John R.
Buck, Duane E.
Buehler, Roy R.
Buenz, Peter R.
Bullock, James P.
Bundy, Jerry L.
Burdett, Lawrence P.
Burdett, Hubert W., Jr.
Burdge, Ronald E.
Burger, Joseph J.
Burgess, Kenneth L.
Burhoe, John T.
Burke, Robert D.
Burkhard, Charles D.
Burnett, William C.
Burnham, Robert C.
Burnham, William T.
Burns, Daniel R.
Burns, David F.
Burns, Walter W., Jr.
Burroughs, Eugene S., III
Burrows, Melvin M.
Burton, Robert E.
Bush, Thomas O.
Bush, William J.
Bushouer, Ronald F.
Butler, David E.
Butler, Harry P.
Bybee, Raymond A.
Byrne, Barry J.
Byrne, Robert A.
Byrnes, Henry F., Jr.
Byrnes, Albert M.
Cadwell, George M., Jr.
Cain, Douglas M., III
Callahan, Thomas J.
Callahan, James F.
Callaway, William E., Jr.
Callaway, Linnaeus T.
Calvert, Jack D.
Calvert, William R.
Cameron, Allan W.
Cameron, Thomas A.
Cameron, James J.
Cameron, Robert F.
Camp, William P.
Campbell, James B.
Campbell, Albert M.
Campbell, Theodore R.
Cannon, William T.
Canup, Theodore, Jr.
Capito, George R.
Carbajal, Ruben
Carey, William F.
Carl, Walter M.
Carleton, Gerald B.
Carlson, Gary L.
Carlson, John A.
Carlson, Frederick P.
Carlson, William R.
Carlson, Patrick J.
Carman, Jesse L.
Carnathan, Fred H.
Caron, Francis O.
Carpenter, John D., Jr.
Carper, Teddy G.
Carr, Robert E.
Carroll, Francis L.
Carruthers, David G.
Carson, Harold R.
Carson, Richard L.
Carter, Charles W. P.
Carter, Frederick T.
Carwin, Paul L.
Case, Calvin W.
Casey, Stephen H.
Cassaday, Charles R.
Castle, Willis R.
Caswell, Gordon C.
Cate, Diana J.
Cater, Charles E.
Cates, Donald E.
Catlin, June M.
Catron, Delbert F.
Cavey, Morris N.
Cawthon, Alon E.
Caylor, Daniel R.
Cecil, John P.
Cerul, John P., Jr.
Cesario, Richard A.
Chabot, Peter G.
Chain, David A.
Chalifour, Clark L.
Chambers, Thomas D.
Chancy, Eugene J.
Chandler Harold, Jr.
Channel, Clyde L.
Chapman, Charles A.
Chapman, Jay W.
Charters, Michael F.
Chase, Leroy O.
Chelton, Edward E.
Chenard, John H.
Chenoweth, Eldred E.
Cherry, William G., Jr.
Chesnutt, Billy
Chevalier, Paul E.
Chew, David G.
Chiacchio, Joseph
Childers, John V.
Chiles, Henry G., Jr.
Chrisman, Rex C.
Christensen, Merle L.
Christian, John T.
Christian, Howard B.
Christopher, Charles E.
Cima, Frank J.
Ciocca, Michael A.
Ciotti, Anthony
Cislo, Walter J.
Claman, John S.
Clark, Theodore L.
Clark, Alfred L.
Clark, Donald D.
Clark, Menzo T.
Clark, Joseph A.
Clark, George N.
Clark, Billy E.
Clark, William M.
Clark, William T.
Clark, William E.
Clark, Kenneth G.
Clark, Daniel B.
Clark, Vernon
Clark, Warren H.
Claunch, James I.
Clawson, Carl H., Jr.
Claxton, Irvin O.
Clay, Theodore A.
Clemente, William J.
Clements, Thomas J.
Clemons, Melvin B.
Cler, Alfred J., Jr.
Cleveland, Spencer
Clexton, Edward W., Jr.
Click, Raymond D.
Clift, Jesse C.
Clifton, William E.
Clinton, John J.
Cloutier, Adore H.
Clover, Glen E.
Coates, Thomas A.
Cockram, John C.
Cofer, Horace G.
Coffelt, Robert O.
Coffey, Wiley E., Jr.
Coffey, John A.
Cogdell, Gary B.
Cogdill, Thomas J.
Colburn, Richard E.

Colby, Kenneth R.
Cole, Joseph D.
Cole, Kennard E.
Cole, William F.
Colegrove, Robert J.
Coleman, Glenn W.
Coleman, Jessie V.
Coleman, Thomas M.
Coleman, William E.
Coles, George E., Jr.
Colkitt, George R., Jr.
Colley, Michael C.
Collicott, Charles R.
Collier, Wilmer G., Jr.
Collins, William T.
Collins, Ed N.
Collins, Dan E.
Collins, Richard B., Jr.
Collins, Michael L.
Collins, Paul L., Jr.
Collins, Bernice W.
Colonna, Michael A.
Combemale, Jeanloup R.
Comeau, Charles R.
Condit, Norman E.
Confer, William A., Jr.
Conner, Willis D.
Conner, William T., Jr.
Conner, Lewis W.
Cook, Charles I.
Cook, James J.
Coolican, Donald J.
Cooper, Paul W., Jr.
Cooper, Jerry A.
Corbeille, Reginald C.
Cordell, Glen D.
Corkill, James L.
Cornwell, Alton E.
Correll, Robert D.
Correll, Robert A.
Cote, Arthur J.
Cotterman, Andrew G.
Cottom, Robert V.
Coughlen, Thomas D.
Coughlin, Daniel T., Jr.
Coulapides, Anthony C.
Coulter, Glenn R.
Counsil, William G.
Court, Charles W.
Courtney, James R.
Cover, Donald L.
Cowan, Herbert W.
Cowan, William L.
Cowles, David E.
Cox, Charles J.
Cox, Donald J.
Cox, Joseph W.
Cox, Larry G.
Cox, Lynn O.
Cox, Paul L.
Cox, Thaddeus C.
Coye, Beth F.
Craig, Charles E., Jr.
Crane, Jay V.
Cranford, Leon B.
Craver, William D.
Crawford, John W.
Crawford, John C.
Crawford, Denis H.
Crayton, Johnny L.
Craze, James W.
Creed, William K.
Creter, Arthur P., Jr.
Creutz, Charles
Crigler, Charles H.
Crisman, John C.
Criste, David M.
Crockett, Richard L.
Cromack, Dan
Cronfel, Ramsey L.
Crossland, Clifford T.
Crow, Hugh E.
Crow, Robert L.
Crowder, Thomas E.
Crowder, Kenneth L.
Crowley, Daniel H., Jr.
Crowley, Lawrence F.
Cullen, Donald C.
Cumella, Walter S.
Cumm, Homer J., Jr.
Cummings, Vincent P., Jr.
Cummins, Glen S.
Cunningham, Glenn J.
Cunningham, Donald E.
Curling, Fred B.
Curtis, Jon E.
Curtiss, Daniel J.
Curtis, Grant R.
Curtis, Thomas G.
Dahlem, Francis E.
Dahlgren, Charles E.
Dahlgren, Arthur W.
Daily, Donald E.
Daily, Roger M.
Dale, Henry
Dalessio, Robert M.
Damon, David W.
Danforth, William L.
Dankievitch, John A.
Danser, Richard G.
Darling, Frank R.
Darwin, John C.
Daschbach, Joseph F.
Dascombe, Ronald E.
Davidson, Dennis M.
Davidson, Richard E.
Davidson, William G., III
Davies, William E., Jr.
Davies, Robert Llewellyn
Davies, Robert Leston
Davis, Jack A.
Davis, John H.
Davis, Leonard G.
Davis, Francis J.
Davis, Vibert H.
Davis, Doyle L.
Davis, George W.
Davis, Richard B.
Davis, Russell A.
Dawson, David L.
Day, Robert O.
Deaton, John H.
Decker, John P.
Decker, Cecil E.
Deehan, Paul K.
Dehaemer, Michael J.
Dehler, Richard F.
Dehn, William S., Jr.
Delamorton, Howard F. B.
Delaroi, Anna M.
Deloach, Jesse H.
Deloury, Edward M., Jr.
Delp, George D.
Delpaine, Nick, Jr.
Delude, Howard D.
Demitropoulos, Alexander
Dempsey, Richard E.
Dempster, Duncan F.
Denberger, Jerome N.
Denn, George E., Jr.
Dennis, Merrill L.
Denson, James K.
Deore, Donald A.
Depperschmidt, Robert F.
Deptula, Joseph
Derouin, Norman E.
Derr, Thomas A.
Derrough, Lois A.
Dettloff, Edward D.
Devenny, John P., Jr.
Devine, Ralph R.
Devine, Thomas W.
Dewerff, Duane L.
Dewinn, Donald A.
Dexter, Dillon C.
Diamond, Glenn B.
Diaz, David M., Jr.
Dibble, John P.
Dickinson, Norman R.
Dickson, Paul B.
Diefenderfer, John P.
Dietrich, Lawrence H.
Dietsch, Karl F.
Digiovanni, Armand F., Jr.
Dillingham, Donald R.
Dillon, John P.
Dimartino, Joseph D.
Dimitry, Theodore G.
Dimsdale, William
Dinger, Harlan E.
Dinning, Donald McM.
Dirksen, John V.
Divers, Harry C.
Dix, Donald W.
Dobbie, Donald W.
Dobes, Joseph C.
Dobrosky, John
Dodd, James H., Jr.
Dodge, Elmer L., Jr.
Dodson, Richard E.
Doege, Arthur G.
Dolan, Peter B.
Dole, Burton A., Jr.
Donahue, James R.
Donahue, Thomas M.
Donlan, Michael F.
Donnelly, John J.
Donofrio, Anthony L.
Donovan, Larry C.
Dooley, John J.
Doose, John C.
Dorman, Leroy M.
Dorrough, Vernon R.
Dostal, Ronald J.
Dothard, Joseph R.
Dotterer, Kenneth R.
Dougher, James B.
Dougherty, Thomas G.
Doughty, Robert
Douglass, Willie B.
Dovalgo, Richard R.
Dowell, George W., III
Downey, Edward V.
Downey, Harry J.
Draper, Lilbourne E.
Draughon, Harry C., Jr.
Dreher, Robert H.
Dressor, Robert F.
Drummond, William K.
Drury, Bruce R.
Drury, Melvin R.
Duchnick, Stanley M.
Dudley, James I., Jr.
Duff, Robert D.
Duffy, James F.
Duffy, Francis K.
Dufore, Maurice C.
Duggan, Edward H., Jr
Duling, Martin L.
Dunbar, Bartlett S.
Duncan, John W.
Duncan, Lawrence D.
Duncan, Angus F.
Dunham, Alfred B.
Dunlap, Howard D.
Dunlop, Herbert J.
Dunn, Gilliam S.
Dunn, James M.
Dunn, Stephen
Dunne, Lawrence E.
Dupont, Robert A.
Durkin, Wallace M.
Durocher, Joseph W.
Dutton, Bruce M.
Dvorak, Allan R.
Dye, Jessie D.
Dyer, Harold D.
Dyke, Conrad S.
Dzema, John
Earl, Frank S.
Earle, Ronald L., Jr.
Eaton, Allan L.
Eayre, Dean C.
Eberlein, Bernard E.
Eckerman, Orvin E.
Eddins, William R.
Edgar, Peter D.
Edgerton, Justin R.
Edwards, Ronald
Eighme, Dean W.
Eilertsen, James T.
Einspruch, Henry, Jr.
Ekberg, Elden A.
Elkins, Paul W.
Ellett, Frank T.
Elliott, Robert O.
Ellis, Martin A.
Ellis, Willie C.
Ellis, Russell D.
Ellis, Elwood G.
Ells, Marvin R.
Elmore, Cleo A.
Elmquist, Robert J.
Elster, Robert E.
Elwood, William J.
Embry, Hugh C.
Emmett, Virginia A.
Emrick, Grover O.
Endsley, James E.
Enriquez, Jose
Erdei, Elmer A.
Ericson, James A.
Ernest, Charles L.
Ervin, James C., Jr.
Eshom, Roy L.
Esslinger, Jon H.
Estep, Fred R.
Etchells, Edward J.
Evans, Homer D.
Evans, William L.
Evans, William E.
Evans, Oliver K.
Evans, Neal C.
Evans, William R.
Evans, James R.
Everding, George A.
Everman, Leon E.
Everson, Richard W.
Ewalt, Frederick M.
Ewing, Keith R.
Eychaner, Robert L.
Fadden, Byron M.
Fahsbender, Thomas F.
Falk, Dennis J.
Faller, Arthur R.
Fallin, Thomas B.
Fallon, Margaret A.
Fang, George W.
Fant, Iley W.
Farley, Robert T.
Farnan, George F.
Farnham, Robert
Farrell, Norman L.
Fay, Frederick O., Jr.
Fay, Vincent P.
Febel, Joel W.
Fee, Jerome J.
Felguth, Ernest G.
Felix, Dennis F.
Fell, David B., Jr.
Fellis, Richard T.
Fellows, John A.
Fenn, Michael R.
Ferguson, Harry R.
Ferguson, Norman C.
Fernandez, Harvey M.
Ferranti, Nicholas A.
Ferrell, John C.
Ferris, Raymond B.
Fethke, Walter P., Jr.
Fetterman, Leroy W.
Fiedeldey, Joseph W., Jr.
Field, Alan R.
Field, Royal R., Jr.
Fields, George W.
Fields, Floyd H., Jr.
Finkelstein, Milton M.
Finn, Harold B., III
Finucan, Thomas E.
Firebaugh, Charles D.
Fischer, Charles F., II
Fisher, Cornelius W.
Fisher, Ben H.
Fisher, George D.
Fisher, Robert A.
Fisher, Thomas J.
Fitzgerald, Raymond N.
Fitzgerald, James F.
Flanigan, Alan H.
Fleitz, William V., Jr.
Fleming, Michael J.
Fleming, Charles H., Jr.
Flesch, Robert W.
Fletcher, Thomas E.
Flinn, John E.
Flint, James C.
Florance, Earle S.
Flores, Arthur J.
Fluke, John W.
Flynn, Henry M., Jr.
Flynn, Gerrish C.
Flynn, William J.
Flynn, Edward J., Jr.
Foery, Donald G.
Fogel, Edwin L.
Foley, James A.
Foley, William H., Jr.
Follett, John R.
Folta, Kenneth D.
Folts, Roger H.
Ford, Marvin J.
Foreman, Earl L.
Forsman, Jalmar F., Jr.
Forstner, Gerald
Fortenberry, William S.
Fortney, Doyle W.
Foster, William L.
Foster, Ralph V.
Foster, William L., Jr.
Foster, George S.
Foster, Hiram A.
Foster, Kenneth M.
Fournier, Leo R.
Fowler, Richard C.
Fox, Henry W.
Fox, Joe E.
Fox, Robert E.
Foy, Frederick D.
Frailey, Julius R.
France, Donald J.
France, Donald F.
Frank, Robert A.
Franklin, David C.
Fraser, Dale H.
Frazier, Kendall L.
Fred, Robert H.
Freedman, Leonard A.
Freehill, Robert L.
Freeman, Michael H.
Freeman, Joseph H., Jr.
Freiberg, Harold M.
Fresco, Nace E.
Friedlander, Robert L.
Friedmann, Alfred R.
Friend, Leslie E.
Frasher, John A.
Frost, Norman C., Jr.
Fuller, Richard E.
Fuller, Donald S.
Funston, Walter H., Jr.
Furlong, Joseph W.
Furnholm, William G.
Furr, Jack C.
Fuss, Donald D.
Fussell, William R., Jr.
Gadsby, Donald F.
Gage, Robert W.
Gagliardo, James E.
Gailey, Lonnie D., Jr.
Gaines, Andrew L.
Galbreath, Christopher W.
Gale, Earl L.
Gallagher, Thomas J.
Gallagher, James T.
Gallagher, Kathleen O.
Gallagher, Michael T.
Gallegos, Joe R.
Galletti, Francis P.
Galloway, Earl W.
Gamba, Robert V.
Gandy, Asa J.
Gans, Thomas G.
Gardner, Glenn D.
Gardner, Heisey E.
Garduno, John F.
Garfield, Peter J.
Garman, Clair E.
Garner, Richard E.
Garrett, Loren E.
Garrison, Joe R.
Garver, Bruce M.
Gasser, Robert E.
Gassett, Will H.
Gast, Ronald E.
Gaut, Joseph W.
Gauthier, Charles C.
Gauthier, David P.
Gavlak, Michael W.
Gaydos, Cyril M.
Geer, David W.
Gehman, Thomas E.
Gehrlich, Richard E.
Geiger, William A.
Geiling, Terry L.
Gelinas, Norman H.
Geller, John B.
Gephart, Ernest B.
Gerasimoff, Philip J.
Gerber, Eugene D.
Gerity, Robert S.
Germain, Russell F.
Germany, Holmes B.
Gershon, Jon J.
Gertz, William J.
Gessner, Lynn E.
Gibason, Edward T.
Gibson, Harvey D.
Gibson, James W.
Gieseke, William D.
Gieske, Neal D.
Gilbreath, David S.
Gilchrist, Orville L.
Gill, Donald L.
Gill, Raymond W.
Gillen, Robert F.
Gillespie, William M.
Gillett, Lewis C., Jr.
Gillis, John W.
Gilstrap, James R. L.
Gingles, William G.
Gingold, Joel E.
Gipson, Jack D.
Glasier, John M.
Glaspell, Grayson M.
Glotfelty, Robert L.
Gneckow, Gerald E.
Gniffke, Bruce A.
Godbold, Wilford D.
Godwin, Gordon T.
Goff, Franklin L.
Goforth, James E., Jr.
Gohara, Roy S.
Golden, George H., Jr.
Golden, Mark M.
Gonsalves, David
Goode, Sanchez
Goodrich, Walker R., Jr.
Goodwin, Willis M.
Gordon, Max H.
Gordon, Bradley W.
Gordon, Frank
Gorecki, Walter
Gosselin, Henry E., Jr.
Gost, William J.
Goubeaux, Richard F.
Gould, George W.
Gould, Daniel H.
Grafel, Lynn H.
Grafton, Jay T.
Grafton, Donald L.
Graham, Ernest A.
Graham, William B.
Graham, Frank
Graham, William W.
Graham, James R.
Grant, Carroll D.

Grant, Dale P.
Grantham, Frank H.
Graves, Bibb L.
Gray, Gordon L.
Gray, Peter H.
Green, Conrad G.
Green, Lorin D.
Green, Albert W., Jr.
Green, Richard M.
Greenberg, Samuel J.
Greenberg, Abe
Greene, Cecil M.
Gregg, William G.
Gregory, James W.
Greninger, John J.
Gretter, Gary J.
Gridley, Robert H.
Griffin, Clyde W.
Griffin, Robert N.
Grimes, Fred H.
Grimes, Elmer R.
Grisemer, Alan N.
Grochowski, Edward F.
Groggett, Richard W., Jr.
Grose, Herbert T.
Groth, John F.
Growe, Robert G.
Grunstra, James
Grzech, Leon W.
Guess, Robert E.
Guglielmo, Salvatore F.
Guice, Louis K.
Gulick, Roger K.
Gustavson, Roy S.
Gwin, Richard H.
Haas, Phillip E.
Hadley, Richard J.
Hafer, Otto D.
Hagelbarger, Ralph S.
Hagen, John M.
Hagerty, Cornelius J., Jr.
Haggerty, John F.
Haines, Floyd C.
Haisten, John, Jr.
Haker, Carl L.
Haldiman, Martin F.
Hale, Frederick G.
Hall, Benjamin S.
Hall, Harry M., Jr.
Hallman, Lee A.
Halloran, Stephen M.
Hallowell, Benjamin H., Jr.
Hamby, Thomas, Jr.
Hames, William J.
Hamilton, Plez
Hamilton, Richard T.
Hamilton, William C., Jr.
Hamm, Roger G.
Hamm, William D.
Hammer, Karl L.
Hammond, Charles M., Jr.
Hamon, Richard W.
Hampson, Harry W.
Hanberry, Royce S.
Hancock, Eugene W.
Hancock, James E.
Hand, David R.
Hanes, Quanah C.
Haney, Raymond E.
Hankins, Jack T.
Hansen, Kirby W., Jr.
Hansen, Roy E.
Hansen, Elgil L., Jr.
Hanson, Ronald D.
Hanson, Ralph E., Jr.
Hanvey, James W.
Harden, Jon D.
Hardesty, Michael A.
Hardgrave, James L.
Hardin, Billie R.
Hardin, Bruce H.
Hardister, Rex J.
Hardman, Herbert F.
Hardt, William A.
Hardy, Ralph H.
Hargrave, Paul E.
Hargrove, James C.
Harker, Donald A.
Harkey, Erskine L., Jr.
Harkness, Melvin D.
Harlett, John C.
Harmer, William H.
Harmon, Edward K.
Harmon, Elmer L., Jr.
Harnadek, Joseph J.
Harper, Richard T.
Harris, Carl E., Jr.
Harris, Henry F., Jr.
Harris, J. M.
Harris, Jack D.
Harris, William J.
Harrison, Granvel L.
Harrison, Joe P.
Harrison, Marion C.
Harrison, William D.
Harrison, William L.
Hart, Clifford A.
Hart, Edward M.
Hart, Irving H., III
Hartman, Clarence P.
Hartman, Herbert C.
Hartsell, Clyde W.
Hartz, Edward E.
Haskell, Richard D.
Haskell, Edward G.
Hassel, William G., Jr.
Hastie, William J.
Hatfield, Everette
Hatley, Carmon W.
Hatton, William C.
Haubold, Samuel A.
Hauck, Kenneth H., Jr.
Haughton, David E.
Haungs, Richard E.
Hauser, Gene W.
Havery, John W.
Hawkey, Robert J.
Hawkins, Robert I.
Hawkins, Victor L.
Hayes, Raymond R.
Hayes, James W.
Hayes, Charles W.
Hayles, Robert W., Jr.
Hays, Jimmie D.
Hays, John B.
Hays, Leonard C.
Hays, Russell O.
Hazard, Edward P., Jr.
Hazard, Roberta L.
Hazelwood, Ernest R.
Hazucha, Paul C.
Heacock, Louis W.
Head, Thomas A.
Healy, Patrick R.
Heasley, Allen D.
Heath, Stuart R.
Heath, John L.
Heath, David M.
Heckman, Robert J.
Heckman, Ronald W.
Heffernan, Charles F.
Heger, Wayne F.
Hegg, Daniel R.
Heilpern, Roger F.
Hellyer, James A.
Helmann, Jack E.
Helmick, Edwin B.
Helms, David F.
Helms, Lawrence S.
Helsley, Jack
Hemmer, John K.
Hemry, Jack M.
Henderson, Thomas S.
Hendrix, Marlon
Hendry, John A.
Henley, Willie D.
Hennessey, John T.
Henning, Harold E.
Henrizi, John T.
Henry, James C., Jr.
Hensley, Hershal W.
Hepburn, Raymond G.
Herbein, John G.
Herbert, Robert W.
Herkert, Richard H. H.
Herring, "J" Michael
Hersley, Janet L.
Hervey, John C., Jr.
Hess, Aubrie D.
Hettich, Bobby S.
Heuberger, Nathan A.
Heuser, Herman F.
Heustis, Rita J.
Heying, Ernest H.
Heyneman, Russel E.
Hickey, Edward F.
Hickey, Dennis J., IV
Hickman, Joseph C.
Hickman, Junior D.
Hicks, Horace R.
Hight, Bernice B., Jr.
Hightower, Roger W.
Hilder, Lewis E.
Hill, Arthur S., Jr.
Hill, Charles W., Jr.
Hill, Frederick W., Jr.
Hill, James D.
Himmelein, Norman T.
Hindal, Marvin O.
Hinely, Elliott P.
Hinkel, Ronald W.
Hinkel, Jay E.
Hinton, Aloneous S., Jr.
Hite, Thomas H.
Hixson, John D.
Hixson, Harry F., Jr.
Hoag, Jean W.
Hoagland, William W.
Hoch, Robert G., Jr.
Hodges, Myron W.
Hoecker, Richard G.
Hoernlein, Russell P.
Hoffman, Joseph F., Jr.
Hoffman, Drake A.
Hoffman, Richard P.
Hoffman, Carl K.
Hoffman, Hubert L.
Hogan, Robert T.
Hoke, John R., II
Holcomb, Edward L.
Holden, Durward B.
Holeman, Charles W.
Holland, Donald M.
Holloway, Richard E.
Holmes, John A.
Holmes, Walter M., Jr.
Holmes, Roland E.
Holtz, Robert S.
Hood, "J" "V"
Hood, William J.
Hood, William S., Jr.
Hoppin, Thomas B.
Horn, Floyd E., Jr.
Horn, Frank G.
Hornaday, Gregg W.
Hornsby, Michael D.
Horsch, Arthur R.
Hort, John A.
Horton, Jack O., Jr.
Horton, Norman L.
Horton, Ethel L.
Horton, Andrew S.
Horve, Leslie A.
Houghtlin, Robert G., Jr.
Houk, Donald R.
Hover, Fred B.
Howard, Lee F.
Howard, Albert O., Jr.
Howard, James R.
Howe, Donald L.
Howell, Norman B.
Howell, Swebston S., Jr.
Howell, Frederick J.
Hower, William E.
Howerton, Norman J.
Hubbard, Orrin E.
Hubbard, Charles W., Jr.
Hubbard, Terrence C.
Huber, Peter J.
Huber, Katherine B.
Huber, Dan R.
Huberman, Benjamin
Hudson, Jack D.
Hughes, Roy J.
Hughes, Emerson J., Jr.
Hughes, Royston C.
Huhn, John H.
Hull, Charles E.
Hulvershorn, Frederick W.
Hungate, Joseph W.
Hunnell, William R.
Hunt, Frank M., Jr.
Hunt, George W., Jr.
Hunter, Raymond B.
Hunter, Raymond A.
Huntley, Donald E.
Huntzinger, Kent S.
Hurlburt, Joseph S.
Hurlbut, Bonny A.
Husta, William
Hutchins, James R.
Hutchinson, Aubry B.
Hutchinson, Bruce R.
Hutt, Thomas E., Jr.
Hyde, Thomas A.
Hyde, Walter J.
Ianucci, Robert J.
Ide, Charles H.
Ide, Henry C.
Ieuter, Fredric E.
Ilg, Raymond P.
Inderlied, William T., III
Ingram, David L.
Ireland, Delbert H.
Irons, Gary S.
Irving, Verne H.
Isaksen, George A.
Isenburg, William, Jr.
Ivy, Richard G.
Iwatsu, David K.
Jaap, Joseph D.
Jacobs, Lawrence R.
Jacobson, Gerald
Jacobson, Clyde A.
James, John D.
James, Stephen R.
James, Aaron C.
James, Mary C.
Janes, Cornell M.
Janke, Roger A.
Jaye, James M., Jr.
Jeffreys, Robert E.
Jeffries, Henry C., Jr.
Jenkins, Dale A.
Jenkins, Wendal L.
Jenkins, Clifton W.
Jennings, William T.
Jennings, Lawrence F.
Jensen, Robert W.
Jensen, Robert E.
Jensen, Melvin H.
Jensen, James L., Jr.
Jerding, Frederick N.
Jerrell, Donald G.
Jeske, Donald C.
Jochem, Raymond D.
Joerres, Donald C.
Johannesen, Robert E.
Johniken, Teddy A.
Johns, James E.
Johns, Homer C., Jr.
Johnsen, Donald C.
Johnson, Stephen, Jr.
Johnson, James E.
Johnson, Larry D.
Johnson, Iver R.
Johnson, Joseph H.
Johnson, Clayton A.
Johnson, Alfred E.
Johnson, Ronald E.
Johnson, Eugene H., Jr.
Johnson, Donn R.
Johnson, Ronald B.
Johnson, James W.
Johnson, Herbert W.
Johnson, Kenneth S.
Johnson, Melvin E.
Johnson, Clinton B.
Johnson, Albert P., Jr.
Johnson, Frederick B.
Johnson, Kenneth
Johnston, James R.
Johnston, Lawrence H., Jr.
Johnston, Robert A.
Johnston, Douglas M., Jr.
Jones, Gordon S.
Jones, David H.
Jones, Robert E.
Jones, Wallace E.
Jones, Calvin L.
Jones, Carroll E.
Jones, Ronald L.
Jones, Neil W.
Jones, William H.
Jones, Hugh S.
Jones, John R.
Jones, Charles D.
Jones, Keith S.
Jones, Walter R.
Jones, Raymond G., Jr.
Jones, Patricia
Jones, Jerry S.
Jones, David L.
Jones, Thomas P., Jr.
Jones, Joseph J.
Jones, Robert J.
Joost, Rodney E.
Jordan, Aubrey H.
Jordan, Alexander J., Jr.
Jordan, John L., Jr.
Jorgensen, Ejnar O.
Jortner, Marvin W.
Joy, Joseph E.
Juergens, Kenneth C.
Junker, Howard R.
Justice, Billy D.
Kaelin, James N.
Kaeser, Harold G.
Kagy, Virgil C.
Kahler, Robert C.
Kalb, David G.
Kalenowsky, John E.
Kanady, Garland H., Jr.
Karampelas, Angelo N.
Karl, Daniel D.
Karsten, Peter J.
Kau, Melvin E. M. K.
Kauffman, Lawrence B.
Kaullen, Fred P.
Kay, Francis D.
Kazebee, Raymond G.
Kear, Patrick V.
Kearney, Laurence J., Jr.
Keating, Arthur L.
Keenum, Guy
Keepin, Robert H.
Kehm, William C.
Keister, Jamieson C.
Keith, Joseph
Keithline, William W.
Keliikoa, Edward N.
Kelleher, Dermod
Kelley, Thomas G.
Kelly, Michael J., Jr.
Kelsay, Leslie R.
Keltner, Jackie L.
Kennedy, Joseph A.
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Kenney, John M.
Kephart, Robert M.
Kephart, Robert V.
Kerlin, Roger L.
Kerner, Leon W.
Kerns, Lyle K.
Kerns, Ernest C.
Kerns, Alexander H.
Kesler, Gene P.
Kessel, Glenn R.
Key, Paul L., II
Khoury, Charles R., Jr.
Kilgallon, James R.
Killen, Kenneth B.
Killinger, Edwin E.
Kincheloe, Lawrence R.
King, Jerry C.
King, James W.
King, Kenneth P.
Kingsbury, Karl C.
Kingsley, Frederic T.
Kinney, James R.
Kinnie, Phillip B., Jr.
Kirklen, Jack L.
Kiser, William R.
Kiser, Hoyt, Jr.
Kishel, Gene F.
Kistler, Michael W., Jr.
Kitch, Dale
Kitzmiller, Oscar V.
Klausegger, Robert B.
Kling, Thomas C., Jr.
Klingebiel, Alfred C.
Knapp, Carl A.
Knauer, Fredric S.
Knight, Vaughn L.
Knippa, Larry D.
Knoll, John R.
Knopf, Peter W.
Knorr, David J.
Knouse, Phillip K.
Knowles, Charles E.
Knutz, James E.
Koberg, John A.
Kobylarczyk, Clarence E.
Koch, Charles E., II
Koh, Barry
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Kohlmeyer, Charles F.
Kohut, Joseph J.
Konetchy, George J.
Konewko, Everett L.
Koon, Norman C.
Koontz, Ronald L.
Kopp, Elmer M., Jr.
Korbs, Donald E.
Korchek, Charles S.
Korte, Joseph N.
Kortge, Bernard W.
Korzensky, George J., Jr.
Kowall, Robert J.
Kramer, Harvey F.
Krause, Eugene S.
Kreassig, Richard M.
Kreiner, Edward T.
Kreps, Oren A.
Krese, Robert A.
Kretschmar, Karl H.
Kristensen, Gail A.
Kromer, Ronald C.
Kropac, John R.
Kroyer, George P.
Krulisch, Alan H.
Kubishen, Michael A.
Kuhlman, William
Kuhrt, Edward C.
Kujawa, Gail S.
Kundrat, Reginald
Kunkle, Robert E.
Kurz, Robert
Laber, George E.
Lablanc, Harold S.
Lacette, Robert L.
Lachnicht, John F.
Lafferty, Patrick J.
Lafrance, Gerald
Lain, Calvin E.
Laipply, Charles T.
Lairson, Don D.
Lake, John T.
Lamb, Donald K.
Lamb, Jay W.
Lamb, Rufus N., Jr.

Lambach, Carl E.
Lambertson, Roy F., Jr.
Lambertson, Wayne R.
Lammers, Lennis L.
Lamontagne, Richard R.
Land, Walter R.
Lane, Clinton R.
Lane, J. D.
Lane, John W.
Lane, Samuel D.
Lang, Joseph McM., Jr.
Lang, James R.
Lang, Peter T.
Langdon, Stewart D.
Langen, Joseph H.
Langston, James D.
Lanham, Michael S.
Lankerd, Charles E.
Lanning, Bruce E.
Lanouette, Raymond F.
Lansdowne, Alan E.
Lantz, Phillip E.
Large, Elwyn F.
Larkin, Eugene F., Jr.
Larsen, Lawrence M.
Larsen, Tom B.
Larsen, Richard M.
Larson, Stanley M.
Larson, Frank C.
Larson, Richard H.
Lasch, Charles A.
Latimer, Peyton R.
Laufer, William H.
Laukaitis, Edward F.
Laurvick, Richard E.
Laux, William J.
Lavelle, John M.
Lavery, Richard J., III
Leahy, John F., III
Lawinski, Henry A.
Lawlor, Francis J.
Lawrence, Henry L. H., Jr.
Lawrence, Richard W.
Lawson, Fred W.
Leader, John C.
Leathem, Douglas B.
Leblanc, Henry R.
Leblanc, Arsene, Jr.
Lebrecht, Clifford W.
Leduc, Ernest R.
Lee, Jerald K.
Lee, Lawrence L.
Lee, Robert C.
Lee, Tommy H.
Lees, Michael J.
Legare, Thomas C. R., Jr.
Leggett, Melvin E.
Lehane, Jeremiah J., Jr.
Lehn, Richard M.
Leimonas, Sigitas
Leipold, Frederick J.
Lemaster, James L.
Lemaster, Morris
Lemond, William T.
Leonard, William J.
Leszczynski, Edward J.
Letourneau, Joseph R. L.
Lettington, Thomas F.
Levasseur, Marshall J., Jr.
Levasseur, Rudolph G.
Levesque, Raymond D.
Levin, Victor
Levine, Emil H.
Levine, Jules I.
Levy, Edwin, Jr.
Lew, Girard T.
Lewis, Ralph M.
Lewis, Roy T., Jr.
Lewis, William E., Jr.
Lewis, Harry C.
Lewis, Porter, Jr.
Lickfold, F. R., III
Lightner, Robert B.
Lilly, Joseph W.
Lind, Eugene E.
Lindsay, George W.
Lindsey, James A.
Lindstrom, Gordon E.
Linendoll, John A.
Linn, Joe E.
Lippold, Walter J.
Littell, Gerald L.
Litten, Robert A.
Little, Robert R.
Littlefield, James W.
Livingston, Gerald W.
Livingston, James M.
Lloyd, William B., Jr.
Lloyd, Roger M.
Lloyd, Roger W.
Locher, William W.
Locher, James R.
Lockie, William E., Jr.
Loden, Richard L.
Loebel, Leonard F.
Logan, Billy B.
Logan, Alexander S.
Logue, Richard J.
Logue, John F.
Lomax, Norman
Long, Gaeton A., Jr.
Long, Joseph
Long, William C.
Longaker, Harold L.
Longdon, Robert S.
Longmeier, Norman H.
Longmire, Thomas W.
Longton, Edward B.
Loonam, Bernard J.
Lopresti, Frank P.
Love, Bonnie R.
Loveland, Lynn S.
Loveland, Kenneth W.
Lowe, Robert W.
Lowery, Fred H., Jr.
Lowman, Raymond D.
Lowrey, Donald F.
Lowsley, Ivon H., Jr.
Loy, Donald L.
Lucas, Edward
Lucas, James E.
Luce, George B.
Ludwigsen, Charles M.
Luke, John C.
Lund, Frederick M.
Lunny, Robert M.
Lusby, John F.
Lusignan, John M.
Lynch, James B., Jr.
Lynch, John F., Jr.
Lyons, Daniel B.
Mabry, James D.
Mabry, Fred W., Jr.
MacDonald, Walter F.
Mace, James A.
MacFadden, Robin C.
Machholz, Donald E.
MacKay, George W.
Macke, Richard C.
Mackey, Philip E.
Mackie, David L.
MacKinnon, William B.
MacLeod, Kenneth L., III
Madigan, William P.
Magee, Herman
Magnussen, Norman J.
Mahany, Walter H.
Mahathey, Clague O.
Mahoney, Danno F.
Main, Christopher A.
Maines, Robert L.
Makela, Toivo W.
Maki, Weldon E.
Makovic, George S.
Makowski, Walter F.
Mallari, William A.
Malmberg, Norman R.
Malone, John P.
Malone, Claude H.
Malone, Elmer D.
Mamer, Edwin J.
Manlove, James C.
Manlove, William W., Jr.
Mann, Harry P.
Mann, Robert
Manning, William S.
Mansell, Waymond
Manser, Robert J.
Mansi, Leon
Manuel, John F.
Marburger, George G., Jr.
Mares, David L.
Mariano, Gilbert T., Jr.
Marinelli, Leonard F., Jr.
Markee, Neil D.
Marker, William J.
Markley, James L.
Marlin, Richard E.
Marquis, David R.
Marr, George M.
Marsh, Frank J., Jr.
Marsh, Lawrence E.
Marshall, James
Marshall, James S.
Marshall, John R.
Marshall, Ronald P.
Martel, Norman L.
Marti, Thomas J.
Martin, Joseph R. R.
Martin, Thomas D.
Martin, Glynn
Martin, Robert E.
Martin, Gay, G., Jr.
Martin, Frank
Martin, Clifford I.
Mashburn, Charles A.
Maskell, Charles M.
Mason, Charles C.
Mason, Ronald R.
Mathews, James E., Jr.
Matouk, George F.
Matthew, Gail E.
Matthews, Robert S.
Mattson, Karl R.
Matulka, Robert D.
Mauro, Peter J.
Maxfield, Jack M.
May, Walter A.
Maynard, Theodore W.
Maynard, Mark J.
Mayo, John B., Jr.
Mazzan, Carl A., Jr.
McAfee, Robert E.
McAfee, Ronald J.
McAfee, Robert S.
McCabe, Michael J.
McCall, James R.
McCallum, Carl P.
McCarthy, Robert J.
McCartney, Roy S., Jr.
McCaskill, Charles E., Jr.
McCausland, John E.
McClanahan, Ashby A.
McClanahan, Ted
McClarren, Ralph G.
McCloskey, Terry J.
McClure, Melvin M.
McClure, Thomas W.
McClure, Nathan F.
McConnell, James M.
McConnell, James T.
McCormick, Walter S., Jr.
McCormack, Harry A.
McCormack, Elmer L.
McCormick, Ollie B.
McCourtney, Theo H., Jr.
McCoy, Jimmy H.
McCoy, Walter L.
McCracken, William P.
McCracken, Robert F.
McCracken, Max D.
McCrork, John C., Jr.
McCullough, Michael S.
McCullough, Larry D.
McCune, George B.
McDole, James E.
McDonald, Lee R.
McDonald, William M.
McDonnell, Lawrence J.
McDonough, Thomas F.
McDougall, Donald J.
McDowell, Thomas N.
McDowell, Brian J.
McEwan, Donald P.
McFadden, Donald O.
McFarlane, Robert D.
McGargill, Mark
McGaughey, James P.
McGaw, Robert
McGilbery, Ira O.
McGinn, John P., Jr.
McGlasson, Ross
McGlathery, Monte N.
McGonegal, William F.
McGovern, John P.
McGrath, Milton A.
McGregor, James R.
McGrew, Joe W.
McHenry, Milton R.
McKean, Robert A., III
McKenney, George G., Jr.
McKeon, Guy R.
McKeon, Edward J., Jr.
McKimens, Paul K.
McKinley, Robert N.
McKinley, Douglas E.
McKinney, Kenneth W.
McKinna, Michael D.
McKinney, James B.
McKinney, John W.
McKnight, Franklin D.
McClean, John H.
McLean, James R., Jr.
McLeod, Samuel D., Jr.
McManus, Arthur T.
McMurray, Marquis E.
McNabb, John M.
McNaughton, William E.
McNee, Malcolm R.
McNeill, James B.
McNew, Clyde E., Jr.
McPherson, Willard W.
McQuaig, Clarence M.
McSurely, Hugh B.
Meadows, Jackie W.
Meagher, Maurice F., Jr.
Means, Michael G.
Meardy, Ronald R.
Medaris, William W.
Meek, William A. J.
Meeker, Harold L.
Meeks, Joseph R.
Megill, Thomas L.
Mehelich, Jacob R.
Mehl, Henry T.
Mehl, Wayne J.
Mehldau, Alan P.
Meier, George E.
Meinicke, Thomas A.
Meislahn, Harry P.
Mellott, Harlan B.
Melton, Jack L.
Mendelis, John C.
Mendenhall, Nathan J., Jr.
Mendenhall, Robert L.
Meng, William F.
Mengason, James
Menikheim, Douglas K.
Menshouse, Jack R.
Mercer, Benjamin F., III
Meredith, Richard B.
Merikangas, James R.
Meritt, Donald L.
Merrick, Martin P.
Merrill, Michael H.
Mervine, Lowrie R.
Meyer, Robert A.
Michael, Glen R.
Michaels, Albert McM.
Michalski, Louis, Jr.
Michel, Alan E.
Midas, Michael T., Jr.
Miles, Samuel A., II
Millar, Robert L.
Miller, William E., Jr.
Miller, Richard A.
Miller, George E.
Miller, Phil A.
Miller, Donald L.
Miller, Robert B.
Milligan, Frank T.
Million, Edwin F., Jr.
Mills, Richard B.
Millsaps, Richard Z.
Milne, Douglas S.
Mims, Norman W., Jr.
Mims, William J.
Mishler, Douglas L.
Mitchell, William A.
Mitchell, William T.
Mitchell, Frederick G.
Mitchell, Paul J.
Moerdyk, Bernard N.
Moerschel, David C.
Mohorich, Helen M.
Moller, Arthur E., Jr.
Moller, Herman W.
Mongan, Thomas R.
Montague, Gerald F.
Montanaro, Joseph A.
Montgomery, David R.
Moon, Charlie M.
Moore, Durward E., Jr.
Moore, William R.
Moore, Lawrence B.
Moore, James O., III
Moore, Theodore C., Jr.
Moore, Richard M., Jr.
Moore, William F.
Moore, James L., Jr.
Moore, John A.
Moore, James E.
Moore, Walter B.
Moore, David K.
Moore, Dennis A.
Moorehead, William S.
Moot, Zane A.
Morales, Alfonso H.
Moran, John P.
Moran, Maurice J.
Morey, Richard S.
Morgan, Harold R.
Morgan, Morris
Moroney, Charles C.
Morrison, Richard
Morris, Robert, III
Morrison, Robert H.
Morris, Thomas V.
Morris, Clarence A., Jr.
Morris, Lewis L.
Morris, Robert C.
Morris, Carl M.
Morrissey, Jon E.
Morrow, Frederic I.
Moscoe, Loren J.
Mosher, Andrew C.
Mosher, Francis E.
Moss, Ambler H., Jr.
Mott, Carleton E.
Mrazik, Albert
Mucha, Marvin F.
Mudd, Richard L.
Mulhearn, Raymond R.
Mullin, William S.
Mullins, William E.
Mumford, Stanley E.
Munger, Francis X.
Munroe, Frank A., III
Murdock, Charles D.
Murphy, Michael L.
Murphy, Howard L.
Murphy, Edward R., Jr.
Murray, Francis H.
Murray, Arthur P.
Murray, Allan W.
Murray, John J.
Murray, Joseph A., Jr.
Musser, Benjamin C.
Mussman, Edward J.
Mustard, James D.
Myers, George C., Jr.
Myers, Cecil E., Jr.
Naab, Geoffrey
Nagel, David J.
Nagle, Charles L.
Nale, James F.
Nanney, Robert G.
Nantau, Norman B.
Neal, James J.
Neapolitan, Richard C.
Neary, Joseph P., Jr.
Neblett, Robert E.
Neef, James V.
Neher, John D.
Neifert, Donald L.
Neill, William S.
Neiman, Howard A.
Nelson, James R.
Nelson, Francis E.
Nelson, Stuart N. M.
Nelson, Roger E.
Nelson, Roger W.
Nelson, George A.
Nelson, Norman R.
Nelson, Victor L.
Nelson, Gerald A.
Nemcosky, Martin J., Jr.
Nesbitt, Robert C., Jr.
Nesmith, Raymond C.
Nester, Irvin C.
Neumann, Joseph J.
Newhouse, Alan R.
Newman, Donald W.
Newman, Jack G.
Newsom, Elmer D.
Newton, Winston P.
Niccum, Leonard G.
Nichols, Herschel C.
Nichols, Keith A.
Nickerson, Charles A.
Niederer, Robert A.
Nitschke, Richard N.
Nixon, Murray C.
Noland, Robert F.
Norbeck, Carl S.
Nordwall, Curtis C.
Norman, Sheldon
Norman, Robert A.
Norris, Kay L.
Northrup, Russell L.
Norton, Paul S.
Novak, Harlan W.
Novak, Michael J.
Novotney, Clayton L.
Noyes, Arthur L.
Nuernberger, Herbert C.
Nugent, Leonard J.
Nunez, Samuel
Nunn, James L.
Nystrom, Robert E.
Oaks, Eugene W.
Oates, Kenneth L.
Oberlander, Clifford C.
O'Brien, James E.
O'Brien, Thomas
O'Brien, Thomas P.
O'Brien, Ward J.
O'Brien, George D., Jr.
O'Brien, Frederick
O'Connell, Robert T.
O'Connell, Patrick G.
O'Dell, Ralph V.
Odom, "J" "W"
O'Farrell, James T.
Ogles, Homer C.
Oldfather, Daniel O.

Olds, David D.
Olds, Ernest E.
Oliver, Chester F.
Olsen, William P.
Olson, Leray
Olson, Donald L.
O'Malley, John P.
Oney, James B.
Oney, Warren W.
Onken, Gene A.
Orbish, Vincent A.
Ortengren, Ralph W., Jr.
Ortman, John C.
Oshell, Walter E.
Osborne, John B.
Ostrom, Kenneth R.
Osullivan, Paul K.
Otis, Howard L.
Otis, John W.
Otness, Phillip C.
Ott, Keith M.
Otte, Walter H.
Otto, Albert C., Jr.
Ouellette, Thomas A.
Overly, Thomas L.
Overstreet, Macy E.
Overstrom, Ronald G.
Owen, Tommie J.
Owens, Bruce H.
Owens, David C.
Owens, Edward L.
Owenson, Alfred T.
Ownby, James F.
Pace, Joseph L.
Padgett, James A.
Padilla, Nicholas S.
Paleologos, Nicholas C.
Paletta, Joseph, Jr.
Palmer, Walla R., Jr.
Pane, Marietta A.
Pankratz, John M.
Panshin, Daniel A.
Papa, Henry W.
Parcells, Paul W.
Paris, Robert L.
Pariseau, Richard R.
Park, Earl P.
Parker, William H.
Parker, Allen H.
Parker, Joseph W., Jr.
Parker, Carl K.
Parker, Charles S.
Parkinson, David L.
Parlette, William T.
Parr, Clayton J.
Parrish, Hubert N.
Parry, Ira E., Jr.
Parsons, Edwin F., Jr.
Partlow, Joseph A.
Paskowitz, Selwyn S.
Pastre, Robert L.
Pateas, Theodore N.
Paterson, Robert W.
Patterson, Bradford H.
Patterson, Donald D.
Patterson, John W.
Patton, Edward J.
Patton, James H., Jr.
Paul, Martin A.
Paul, Michael F.
Paul, Raymond H.
Paules, Granville E., III
Paulsen, Thomas D.
Pauole, Alvin H.
Payne, William C.
Peace, William H., III
Pearce, Robert G.
Pearce, Patrick H.
Pearl, Vincent J.
Pearsall, Nelson H.
Pecor, Glenn O.
Peden, Joe D.
Peden, George B.
Peebles, Robert H.
Peek, Joseph H.
Peeples, Marshall A.
Peigh, Carl
Pekala, Carl J.
Pellegrini, Charles A.
Peltier, George A., Jr.
Pendleton, Reid, Jr.
Penley, Dennis R.
Penman, James A.
Penner, Vernon D.
Pepper, John E., Jr.
Pereira, Ronald M.
Perkins, Richard A.
Perrinello, Louis F.
Perron, Joseph H.
Perry, Lyman S. A.
Perry, Eugene E.
Petersen, Peter M.
Petersen, Ted M.
Peters, Donald L.
Peterson, Richard N.
Peters, James F., Jr.
Peters, Thomas J.
Peterson, Ernest K.
Peterson, Donald L.
Peterson, Harold A.
Peterson, Charles H.
Pethick, John A., II
Petrie, Arthur B.
Petrilla, John A.
Petrovitz, George, Jr.
Petty, Benny M.
Pezet, Walter A., III
Pfleckl, Louis W.
Pfouts, John P.
Phelan, James E.
Phelps, Harold R., Jr.
Phemister, Larry L.
Philbrick, James W., Jr.
Philhower, Peter P.
Phillips, Robert W.
Phillips, Stephen L.
Phillips, Grady H.
Phillipes, Peter M.
Phillips, Henry L., Jr.
Phillippi, Frederick E., Jr.
Phillips, Glen R.
Phillips, George B.
Phipps, Rodney G.
Picard, Joseph C. E.
Pich, Leo
Piech, Henry J.
Pike, Robert P., Jr.
Pilcher, Charles R.
Pilkenton, Hester R.
Pimm, Russell S.
Pingenot, Edward R.
Pippen, Merrill D.
Piritz, Ronald B.
Pitt, William M.
Pittelli, Robert J.
Pittman, Charles W., Jr.
Ploeger, Paul H., III
Plummer, Grant W.
Pochordo, Stanley
Poindexter, Chris H.
Polaski, Harold E., Jr.
Polk, Jack O., II
Polzin, William F.
Pomrehn, Hugo P.
Ponton, Melvin V.
Pool, Herman M.
Pope, David K.
Porter, Ethan O., Jr.
Porter, William M.
Porter, Donald J.
Porter, William J.
Potter, Robert A.
Potterveld, Jan P.
Potter, Roderick H.
Powell, George A.
Powell, William L. Jr.
Powers, Harvey R.
Powers, Charles W.
Powers, Byron L., Jr.
Powers, Robert C.
Powers, Robert J.
Prater, Donald C.
Prather, James T.
Pratt, Michael W.
Pratt, Joel S.
Pratt, George W.
Prebola, George J.
Presley, Thomas M.
Previte, Francis I., Jr.
Price, Gary J.
Price, Harold R.
Prince, Robert V.
Pringle, Vernon E., Jr.
Proffitt, Norman A., Jr.
Prohaska, Frank B.
Proulx, Francis E.
Provaznik, Clarence E.
Provine, John C.
Prueske, Elmer W.
Przyblyski, Raymond M.
Puckett, Nathan L.
Pugh, John S.
Pullen, Leonard A.
Purcell, William C.
Pursel, John J.
Purtee, Jack W.
Pyatte, Devere, Jr.
Qualls, Fred H.
Quarterman, Joseph L.
Quasius, Robert F.
Queen, William E.
Quinn, Jack C.
Quinn, Joseph S.
Rader, Keith E.
Raftis, Paul E.
Ragan, Mary E.
Ragozzine, Carolyn M.
Ragsdale, George L.
Raines, Paul E.
Rains, Donald R.
Rakiewicz, Theodore W., Jr.
Ramsey, James B.
Ramsey, William F.
Ransom, Edward A.
Raph, Merlyn F.
Rathbun, Dennis K.
Raup, Thomas C.
Ravetta, Richard C.
Ray, Harry, Jr.
Rayburn, Clarence W.
Raymond, Henry A.
Raymond, William J.
Raymond, David A.
Raymond, Robert W.
Read, Bonnie J.
Read, Gustavus C., Jr.
Rechterman, Merlin E.
Redman, Charles D.
Reed, Joseph W.
Reed, Richard D.
Reed, Ross M.
Reeder, Hugh A.
Rees, Richard J.
Rees, Ruth E.
Reese, Evan P.
Reese, Ronald M.
Regan, James J., Jr.
Regner, Clarence H., Jr.
Reich, Harry B.
Reichle, Philip S.
Reid, William G.
Reightler, Kenneth S.
Reinert, Herbert W.
Reinholtz, Theodore L.
Reinstra, Llewellyn R.
Reisenleiter, Vernon A., Jr.
Remakis, John, Jr.
Remenak, Leo N., Jr.
Renner, Robert R.
Renning, Richard A.
Reno, Andrew F.
Rentfro, Russell, Jr.
Repine, Marlin D.
Repp, John T.
Ressler, Paul M.
Reutelhuber, Jack C.
Reuter, Stewart E.
Reynolds, James C.
Reynolds, Dexter H., Jr.
Rhinebeck, George C.
Rhinebolt, Henry J.
Rhoades, William W.
Rhodes, William A.
Rhodes, Robert M.
Rhodes, Melton E., Jr.
Rhodes, Forrest T.
Ricci, Nick C.
Rice, Robert P.
Rice, William R.
Rich, William M.
Richardson, John M., Jr.
Richards, Frank M.
Richardson, Thomas J.
Richardson, Bruce R.
Richartz, Arthur O.
Richley, Howard L.
Richno, Carl E.
Rickelman, John H.
Ricketts, David L.
Ridder, Wendell C.
Riddle, Peter E.
Riedel, Richard
Riehm, Charles E., Jr.
Riggs, William D.
Riggs, Harold S.
Riiff, Francis J.
Riley, Harold P.
Riley, John T.
Riley, Roy G.
Rimelen, Harry J.
Rindlaub, Beverly M.
Riner, Robert E.
Ringer, Warren C.
Rinnert, Henry J.
Ritchie, Lloyd T.
Ritchie, James D.
Roark, William M.
Robbins, Albert H.
Roberson, Franklin P.
Roberts, Lawrence W.
Roberts, Donald A.
Roberts, Ernest P.
Roberts, Richard R.
Roberts, Charles K.
Robertson, Delmaine A.
Robertson, Teddie E.
Robins, Thomas D.
Robinson, Marion B.
Robinson, Richard H.
Robinson, William B.
Roche, James G.
Rodgers, William E. L.
Rodriguez, Antonio B.
Roeder, Bernard F., Jr.
Roemish, Eric M.
Rogers, Raymond H.
Rogers, George R.
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Rogers, Roy L.
Rognlien, Robert P.
Rogus, Edward F.
Rohr, Edwin M.
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Roller, Donald G.
Rollins, David J.
Rolph, Kenneth E.
Romanelli, John N.
Romig, Phillip R., Jr.
Ronneberg, Earl F., Jr.
Rooney, Henry F.
Roop, Charles W.
Roper, Lidge B.
Rorem, John A.,
Roselle, Curtis C.
Rosenburg, Herman E.
Rosengren, Joseph R.
Ross, Robert W.
Ross, William M., Jr.
Ross, William W.
Roth, Daniel McK.
Rothschild, Robert E.
Rothschild, Stephen G.
Roton, Cyrus W.
Roudebush, Jackie L.
Rouse, William A.
Rouse, Kay E.
Routt, William, Jr.
Rowan, Charles L.
Rowland, Robert C.
Rowley, James E.
Ruckersfeldt, George E.
Rudy, George H., III
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Rullman, Donald H.
Rundle, Lynne E.
Runnels, James M.
Rupert, Clarence W.
Russell, James H.
Russell, Clifford S.
Russell, William R.
Russick, John A.
Rutherford, Robert R.
Ryan, Kevin T.
Ryan, Lester E.
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Rybarczyk, Anthony M.
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Saari, Colin H.
Salesky, Theodore E.
Sanders, Loren L.
Sanders, Ralph G.
Sanders, William E.
Sanders, Gilbert E.
Sanders, Donald W.
Sanderlin, Francis R.
Sandlin, John P.
Sanford, Harold W.
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Sargent, Elbert W.
Sarno, Lawrence F.
Sarnowski, Thomas J.
Sasser, Sidney J.
Saunders, Franklin H.
Savage, Kenneth D.
Sawyer, John L.
Sawyer, Harmon W.
Scalf, Fred R., Jr.
Scarborough, John R., Jr.
Schaaf, Ronald L.
Schaefer, Joseph F., Jr.
Schappaugh, Earl L.
Schardein, Edgar A.
Scheffer, Stephen J.
Schisler, Billy W.
Schlicht, Donald L.
Schmeltz, Victor C., Jr.
Schmer, Conrad J., Jr.
Schmidt, John A.
Schnabel, Walter F.
Schneeberger, Donald G.
Schneider, George T.
Schneider, Joseph D.
Schneider, George F.
Schneider, Robert P.
Schoonover, Ray R.
Schriefer, Luther F.
Schroeder, William A. III
Schroeder, Raymond C., Jr.
Schuette, Richard W.
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Schultz, Earl W. H.
Schultz, William V.
Schultz, Thomas L.
Schultz, James F.
Schultz, Willard E.
Schulz, Robert J.
Schuman, Stanley D.
Schuette, Frank A.
Schweizer, Earle G., Jr.
Schwer, Frederick A., Jr.
Scott, Charles T.
Scott, John R.
Scott, Peter D.
Scott, Thomas W.
Scott, James H.
Scott, Gordon E.
Scoville, Frederick W.
Scruggs, Sidney L., III
Scully, Vincent F., Jr.
Seabring, Robert C.
Seale, Eugene B.
Seaman, Stewart R.
Seaver, George A.
Seebirt, James E.
Seekell, Warren W.
Seelen, Charles
Seeley, Howard G.
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Sellers, William E.
Senhen, Linus A.
Senterfitt, John E.
Serfass, Robert E.
Sessions, Thomas F., II
Sestric, Joseph L.
Seufert, Robert J.
Sevario, Byron W.
Seyler, Lloyd E., Jr.
Shade, Walter R., III
Shaffer, John G.
Shaffer, Phillip H.
Shanley, Peter A.
Shanok, Michael E.
Sharp, John B., Jr.
Sharp, Grant A.
Sharp, Perry C.
Shattuck, Oliver P.
Shaw, Joe L.
Shaw, John F.
Shawkey, Richard S.
Shawver, John R.
Shea, Brian M.
Sheehan, Robert P.
Sheler, James A.
Shepard, Charles E.
Shephard, Alfred D.
Sheppard, Albert W., Jr.
Sherman, John M.
Sherman, Linda K.
Sherman, Howard E.
Sherron, Cole A.
Sherwood, Raymond W.
Shilling, Gordon L.
Shindledecker, John B.
Shipp, Jimmie S.
Shirk, Robert L., Jr.
Shiveley, Murle W.
Shoemaker, Hugh L.
Shoop, Robin D., Jr.
Short, Richard H.
Shovlin, Daniel M.
Shreckengaust, James A.
Shuell, Thomas J.
Shufelt, William J., Jr.
Shuford, Robert E.
Shuler, Curtis R.
Shumake, George E.
Shumway, Louis A.
Shy, Julius T.
Siebecke, Alfred G.
Siebers, Karl J.
Sievers, Arthur W.
Sigafoos, William E.
Silcox, Gordon B.
Silliman, Edwin L., Jr.
Simms, Gordon H.
Simms, George E.
Simon, Henry J.
Simonelli, Norman W.
Simons, Charles F., Jr.
Simpson, Harold L., Jr.

Simpson, Frank T.
Singer, Arnold
Singleton, "J" Arthur
Siple, Terrence E.
Sipple, Howard L., Jr.
Sisk, Ralph D.
Skidgel, Gerald T.
Skillin, Kenneth W.
Skillman, John W.
Slack, Charles E. III
Slagg, Lyle L., Jr.
Sleeper, Joseph R.
Slezak, Norman L.
Slick, Charles O.
Slobodny, Joseph J.
Smiley, Robert W.
Smith, Donald A.
Smith, Norman H.
Smith, Thomas D.
Smith, Lawrence J.
Smith, Peter H.
Smith, "J" "B"
Smith, Fairon J.
Smith, Billie J.
Smith, Kenneth L.
Smith, John N.
Smith, Karol A.
Smith, Regis R.
Smith, Peter D.
Smith, Robert W.
Smith, John F.
Smith, Vance G.
Smith, Edward H., Jr.
Smith, Larry L.
Smith, Frank R.
Smith, Jackson E. M.
Smith, Clyde W.
Smith, George E., Jr.
Smith, George R.
Smith, Robert E.
Smith, Ronald C.
Smith, Hugh J., Jr.
Smith, Roy C., IV
Smith, Lowell E.
Smith, James A. D.
Smith, David W.
Smith, Edgar N.
Smith, Ray W.
Smithson, Alva P.
Smits, Walter I.
Snell, Wendell D.
Snodgrass, Roger R.
Snow, Charles H., Jr.
Snow, Richard M.
Snyder, Gene L.
Snyder, Robert W.
Snyder, Stanley G.
Soderholm, Loren F. G.
Sokolowski, Steven
Sollberger, Melvin H.
Sollenberger, Robert N.
Soper, Edward E.
Sordelet, James R.
Sorenson, Loren O.
Sortor, James B.
Souval, Paul T.
Sovey, Paul L.
Sowell, Harley A., Jr.
Space, Theodore M.
Spang, Norman W.
Spann, Alton B.
Sparks, Ernest E.
Sparks, Paul W.
Spearman, William R.
Speegle, Arthur R.
Spencer, Edmund B.
Spencer, Dan T., Jr.
Sperling, Harris
Sperry, Seifert T.
Spidell, Everett D.
Spiker, Donald C.
Spinelli, Domenick A., Jr.
Spinks, Alfred H.
Spriggs, Harold B.
Spurr, Gilbert C.
Stabler, David R., Jr.
Stack, James F.
Staehlin, Marlene J.
Staes, James P.
Staggers, Howard E.
Staley, Wayne E.
Stalnaker, Frank
Stamer, Leonard P.
Stampfle, Richard A., Jr.
Standard, Louis F.
Standley, John R.
Stanley, William M.
Stanley, Howard C.
Stanley, Joe M., Jr.
Stanley, Vito
Stansell, John A.
Starling, Frank E.
Stasko, Nicholas J.
Stauch, Eugene A.
Steedley, Duncan McM.
Steele, Robert L.
Steelhead, Wesley L.
Stefencavage, George
Steffens, Marcellus P.
Steffer, Barbara A.
Stenson, Henry B.
Stephens, Manuel C.
Stephens, Laurence A.
Stephens, Darrel L.
Stevens, Rowland S., II
Stevenson, Robert G.
Stevens, Stanley L.
Stewart, William J.
Stewart, Glendale P.
Stewart, Kelsey S.
Stewart, Harvey T., Jr.
Stewart, Richard L.
Stiles, Willis O.
Stine, Clarence E.
St. Jean, Russell J.
Stoakley, Richard H.
Stoehr, Robert E.
Stokes, Thomas M.
Stoltz, Charles L.
Storms, James J.
Story, Hardin C.
Stott, Joe M.
Strangerthorsen, Rolf
Stratton, Bobbie E.
Stratton, Russell E.
Straughn, Wyatt F.
Straus, Melville
Strawbridge, David A.
Striedel, Henry C.
Stromberg, David P.
Strother, James F.
Stroup, Harold D.
Struck, Gerald L. V.
Strunk, Alvin A.
Stryker, Lyal M.
Stumbo, Stanley C.
Sturm, Edward J.
Sturm, Harold F., Jr.
Suddath, Jewel J., Jr.
Suggs, Robert F.
Sullivan, John F.
Sullivan, Francis E.
Sullivan, Patrick H.
Sullivan, James E., Jr.
Super, Richard N.
Sur, Richard R.
Surber, John S., Jr.
Surles, Elzie R.
Surprenant, John P.
Surratt, Jon E.
Sutcliffe, William G.
Sutliff, Robert C., Jr.
Sutor, John K.
Svatek, Joseph F.
Swails, Carl U.
Swap, John E.
Swearengin, David E.
Swilley, Aaron E.
Syck, James M.
Szczepanski, Kazimierz J.
Szeyller, Edward P.
Taber, Alton E., Jr.
Tabor, Don C.
Tackney, Peter McM.
Tadlock, James D.
Taff, Dennis V.
Tague, James R., Jr.
Taipale, Denis G.
Tait, David N.
Tait, John H.
Tait, Thomas M.
Talarico, Frank
Talbot, Bruce R.
Talken, George F.
Talley, Kirby L.
Talley, James C., Jr.
Tallman, James R.
Taulbee, William H.
Taylor, Lloyd F.
Taylor, William E.
Taylor, Thomas W.
Taylor, Lowell S.
Taylor, Clarence R.
Taylor, Nelson D.
Taylor, Paul D.
Taylor, Donald E.
Taylor, Jerry I.
Taylor, John F.
Taylor, Robert G.
Taylor, Turner W.
Taylor, Raynor A. K.
Taylor, Mary E.
Taylor, Frank L.
Taylor, Herbert W., Jr.
Teal, Thomas H., III
Teemley, Ronald P.
Teeter, Richard E.
Teigland, Stanley M.
Temple, Nicholas B.
Tereo, Michael
Terry, Dennis H.
Terry, Donald L.
Terry, John R.
Terry, Thomas J., Jr.
Terry, Charles L.
Tew, Jasper L.
Thames, Lewis H., Jr.
Thibeault, Frederick L.
Thomas, John B.
Thomas, Grove N.
Thomas, Glenn R.
Thomas, Christopher R.
Thomas, William E.
Thomas, Frank A.
Thomas, Larry D.
Thomas, Donald K.
Thompson, Phillip S.
Thompson, Thomas N.
Thompson, Clifford K., Jr.
Thompson, Salvia, Jr.
Thompson, Alton K.
Thompson, Robert E.
Thorderson, John R.
Thorgerson, Eric J.
Thornburgh, Eldon L.
Thorner, Michael G.
Thumser, William D.
Tickle, Tommy R.
Tilton, Donald A.
Timm, Leroy A.
Tipton, Douglas B.
Tisdale, Jesse W.
Toben, Joseph L.
Tobin, Kiefer A.
Tobin, Daniel J.
Todd, William D.
Tolderlund, Douglas S.
Tollaksen, Duane M.
Tomkins, Harold L.
Tomkins, Norman E.
Toms, Macolm E.
Tool, Stephen R.
Toomer, Garland W.
Topp, David P.
Torkelson, Thomas G.
Torrance, Harold S.
Tourney, Keith M.
Towle, Robert L.
Townsend, William J.
Trainor, Walter C.
Traister, Robert E.
Tranchini, Joseph
Trandahl, Orlin E.
Trapp, Nathan L.
Travis, Bevan E.
Treacy, Michael F.
Trefry, Edwin V.
Treseder, Richard M.
Trimble, David C.
Triptow, Earl L., II
Tritz, Lawrence J.
Troyer, Thomas L.
Trudeau, Frank F.
Truesdell, William M.
Truitt, Richard D.
Trulli, Harry B.
Tucker, Robert E., Jr.
Tullis, Robert D.
Tully, Vernon C., Jr.
Tully, Neal C.
Tumminelli, Joseph P.
Tupaz, Terencio
Tupaz, Jesus B.
Turk, Eugene J.
Turner, Rolland R.
Turner, Ellis L.
Tuttobene, Anthony T.
Twigg, David W.
Tyler, Donald K.
Tyson, James P.
Ugoretz, Richard J.
Uhrhane, Francis J.
Underwood, Arloff V.
Valk, Jerome W.
Vanauken, Ivan E., Jr.
Vance, Benjamin L.
Vandenbroeck, Thomas A.
Vandervort, Harry E., Jr.
Vandiver, William C.
Van Houten, Otis E.
VanHyning, Carl W.
VanNess, Peter R.
Varady, Paul D.
Varley, Edwin R., Jr.
Varner, Dale N.
Vaughn, William E.
Vaught, Clarence T.
Vawter, Vernon J.
Veazey, Richard F., Jr.
Veazey, Luther T.
Verona, Francis M.
Verwers, Robert A.
Vest, Calvin L.
Vied, Dennis H.
Vincent, James M.
Violette, Jerome C.
Virden, Charles S.
Vivian, Jack A.
Vogels, Richard H.
Vonfischer, Eduard L., III
Vonkleeck, John S., Jr.
Vonkolnitz, Henry Jr.
Voss, George P.
Vrtar, Marko
Waddell, Robert M.
Wade, Joseph W., Jr.
Wagenbrenner, Blase F.
Wagner, Alfred H., Jr.
Wagner, Fred D.
Wagner, Theodore
Wagner, Edward F.
Walker, Arthur J.
Walker, Wilburn O.
Walker, Charles E.
Walker, Horace G.
Walker, Richard L.
Walker, George R., Jr.
Walker, William H.
Walker, Edward T., Jr.
Wall, Edward J.
Wall, Thomas E.
Wallace, Richard W.
Wallace, George L.
Walls, James M.
Walsh, George A., Jr.
Walsh, Patrick A.
Walsh, Anthony L., Jr.
Walter, Everett R.
Walters, Robert M.
Wangeman, Charles E., Jr.
Wangler, John H.
Ward, Gordon L.
Ward, Sibley L., III
Wardle, Norval L.
Ware, Paul N.
Warren, Robert S.
Warren, Roger C.
Warren, Robert R.
Waterman, Larry W.
Watilo, Kenneth E.
Watkins, James
Watkins, Donald E.
Watlington, Sarah J.
Watrous, David
Watson, John W.
Watson, Louis H.
Watt, Robert H.
Watts, John H., III
Watts, Donald W.
Wax, Gary N.
Way, Thomas C.
Weatherspoon, Joseph R.
Weaver, Milton W.
Webb, Lowell E.
Webb, Paul H.
Weber, Daniel D.
Weeks, George R., Jr.
Wegele, Edward
Wegner, Arthur E.
Wehner, James R.
Weichman, Bruce E.
Weinhardt, William J.
Weir, Glendon H.
Weisenberger, Frederic P.
Welch, Walter E.
Weldon, Robert B., Jr.
Welenc, Joseph
Wells, Rodney G.
Weltner, Frank V.
Wemette, Richard O.
Wendholt, Gregory W.
Wentzel, Richard D.
Wenyon, Leonard J.
Wert, Peter K. W.
Wertman, Franklin, Jr.
Westbrook, John F.
Westerman, John P.
Westman, John A., Jr.
Westover, Richard L.
Weymouth, Charles R.
Whalen, Thomas E.
Whalen, Joseph M., II
Wheeler, Donald C.
Wheeler, Raymond M.
Wheeler, William W., Jr.
Wheeler, Donald R.
Whelan, John F., Jr.
White, Richard J.
White, Marshall N.
White, Thomas O., Jr.
White, Thomas L., Jr.
White, Charles E.
White, Stuart C.
White, Lawrence W.
White, Robert D.
White, George E.
Whitehead, Charles T.
Whitely, John E., Jr.
Whiteman, William E.
Whittington, William, J.
Whittle, Delma H., Jr.
Wichman, James H.
Wichmann, Jay E.
Widergren, Robert D.
Wiegley, James R.
Wienandt, Melvin W.
Wier, Ward W.
Wigfall, George H., Jr.
Wiggins, Jack
Wightman, James E. R.
Wilbur, Paul J.
Wilcox, Loran A.
Wilcox, Wayland E.
Wilcox, Emory E.
Wiley, Talmadge K.
Wiley, Edwin H.
Wilgenbusch, Ronald C.
Wilkowski, Edward A., Jr.
Willenbucher, Marshall R.
Willey, Marshall L.
Willey, Percy W., Jr.
Williams, Hugh T.
Williams, Bryce W.
Williamson, Charles B.
Williams, Zane G.
Williams, Dallas K.
Williams, Walter L.
Williams, John R.
Williams, Peter L.
Williamson, James V., Jr.
Williams, Albert L.
Williams, Clarence R.
Williams, Morris B.
Williams, Douglas A.
Williams, John D.
Williams, James W.
Williams, Johnny L.
Willsey, John M.
Wilsen, William A.
Wilson, Waldo W.
Wilson, Richard E.
Wilson, Ashley V.
Wilson, Edward A.
Wilson, Robert A.
Wilson, John O.
Wilson, Richard V.
Wilson, James A., Jr.
Wilson, Donald M.
Wilson, Seth T., Jr.
Wilson, Thomas E., Jr.
Wilson, William O.
Wilson, James R.
Wiltgen, Robert M.
Wimberly, William R.
Wing, Thomas E.
Winingar, Marvin W.
Winkle, Arthur D., Jr.
Winston, Richard J.
Winter, Lloyd H., II
Winters, Colin G.
Wise, Donald R.
Wishart, Thomas T.
Witcher, Murray H., Jr.
Witt, James D., Jr.
Witten, John W.
Witzke, Arnold E.
Wolfe, James B.
Wolfgram, James K.
Wolod, William A.
Wolverton, Donnie R.
Wombold, Arthur D.
Wonnell, Stanley E.
Wood, Leslie E.
Wood, Richard E.
Woodall, Jere W.
Woodard, John S.
Woodbury, David E.
Woodruff, Frank C.
Woodruff, Harold H.
Woods, Leonard W.
Woods, Philip J.
Woodward, Albert J.
Woodward, Frank, Jr.
Woodward, John D.
Woolley, Dan A.
Worden, Douglas W.
Worley, Edmond V., Jr.
Worley, William F.
Worley, Loren

Worth, Charles W.
Worthen, Fred V.
Worthington, James T.
Wren, Robert P.
Wright, William C.
Wright, William E.
Wright, Robert W.
Wright, Hendon O.
Wubenhorst, Richard F.
Wynn, Alvin D.
Wynn, Hugh J.
Wyse, William J.
Yarber, Gene
Yarbrough, Paul E.
Yeager, Dale A.
Yelinek, William A.
Yeske, Lanny A.
Yocher, Edward H.
Youmans, Edwin E.
Young, John R.
Young, Frederick J., Jr.
Young, Richard K.
Zak, Eugene A.
Zang, Robert L.
Zari, Albert B.
Zeilinger, Ronald F.
Zeller, Raymond G.
Ziemkowski, Gerald J.
Zierden, William E.
Zimmerman, William C.
Zinn, William E.
Ziolko, Joseph E.
Zmorzenski, Frank P.
Zumwalde, Richard T.
Zurich, Richard W.
Zwick, Martin

SUPPLY CORPS

Alexander, Carl E., Jr.
Anderson, Floyd R.
Anderson, Bruce R., Jr.
Antolini, Richard C.
Arendell, Russell W.
Armstrong, William G.
Aron, Daniel B.
Arsenault, Raymond J.
Baca, Darry V.
Bachelder, Champe O.
Bailey, Edwin H.
Bain, William D.
Barber, John E.
Barton, Kenneth D.
Bathrick, Leeland M.
Baum, Kenneth A.
Beal, John S., Jr.
Beeman, Ray N., Jr.
Bennett, Donovan E.
Bennett, Jack H.
Bentley, Richard G.
Bergman, Richard H.
Berkopec, Robert N.
Bernier, Norman E.
Bessenger, Frank L., Jr.
Bickerstaff, David R.
Bierbaum, Dennis R.
Bingemer, Charles E.
Blair, Bryan E.
Bloxom, Donald A.
Boardman, Albert E.
Bolton, Emory E.
Bond, William E.
Booth, William L.
Bosco, Joseph J.
Bosworth, Paul R.
Boutwell, Carleton W., Jr.
Boyette, James B.
Brennan, Anthony C.
Bryant, James N.
Bryant, Verle E.
Budill, Edward J., Jr.
Burns, Norman H.
Burns, Harvey G.
Burris, Ronal S.
Burton, Andrew J., Jr.
Cairo, Robert F.
Callaghan, Robert W., Jr.
Cameron, Edward L.
Carlson, John O.
Cartwright, William E., Jr.
Cawley, Russell R.
Charlesworth, Stephen
Chavez, Jose
Chenoweth, Denver, Jr.
Christopherson, Duane A.
Ciccone, Thomas A., Jr.
Clark, Paul D.
Clark, Richard M.
Cleaver, Laird C.
Conrad, Ralph
Coombs, Frank A.
Coombs, Russell M.
Cooper, Robert A.
Cordle, Thomas L., Jr.
Cornett, Kenneth H.
Covington, Lawrence V.
Cox, Bobby W.
Cox, Joseph M.
Cox, Ross L.
Craig, Glenn C.
Cromer, David W.
Cross, John W.
Dachman, George W.
Deinzer, William A.
Demaio, Robert M.
Dent, George F.
Desjardins, John E.
Deters, William J.
Dickinson, Robert A.
Dieterle, Edward R.
Difilippo, Angelo E.
Doersch, Kirt D.
Doggett, John R., III
Dolina, John R.
Dominy, Wilbur D.
Dowell, Richard E.
Drachenberg, Palmer L.
Draughon, Clyde O., Jr.
Drinkwater, Myron D.
Dropp, Robert A.
Durnell, Forrest E.
Eason, David G.
Eckelberger, James E.
Eldridge, Robert M.
Emge, Neil K.
England, Forrest R.
Evans, Don R.
Faistl, Frank R.
Ferrell, William A.
Fickling, Thomas N., Jr.
Fillmore, Norman B., Jr.
Finden, Paul S.
Fitzsimmons, Ted R.
Forquer, Donald E.
Francois, Shirley J.
Fraser, Robert B.
Frasher, Burton K., III
Freeman, Donald S., Jr.
Freeman, Charles W.
Frost, Don J.
Fry, Howard L.
Fry, Vance H.
Fulkerson, Melvin A.
Fulton, John H.
Gallagher, Eugene M.
Ganz, James G.
Gear, James R.
Germann, William J.
Gerritz, Ellsworth K.
Gilchrist, Kenneth W.
Gillies, Tearle A.
Glisson, William E.
Godbey, Donald E.
Gohrband, Howard F., Jr.
Goldtrap, Arthur C., Jr.
Goodmon, David R.
Gould, George A., III
Graf, Jon H.
Gramins, Thomas R.
Grayson, Frank N.
Greenhalgh, John E.
Griffith, Charles C.
Griffin, William L.
Groom, John D.
Guenther, Richard G.
Gunn, Robert H., Jr.
Hagans, James E.
Harms, Ralph J., Jr.
Harris, Henry W. D.
Harsen, Sylvester K.
Hayes, Alan G., Jr.
Heider, James M., Jr.
Henninger, Harold J.
Henshall, Joseph
Herndon, David L.
Hillen, Lester B.
Hodgdon, Paul L.
Holmes, Clifford J.
Hooten, Allen R.
Horton, William E.
Howard, Richard N.
Howard, Ralph N., Jr.
Huneycutt, Herbert K.
Hutto, John A.
Iafolla, Guilio V.
Ionadi, Eugene F.
Jardine, George J.
Johnson, George E.
Johnson, John A.
Kasputys, Joseph E.
Kee, William D., Jr.
Kiger, Charles R.
Kittock, Kenneth E.
Koerner, Wendell E., Jr.
Kramer, George W.
Kuopus, Karl J.
Landon, Stewart N.
Lanza, Vincent
Larsen, Arthur B.
Larson, Peter N.
Lary, Douglas J.
Lasher, Raymond P.
Latzer, Richard N.
Lavely, Lawrence W.
Lewis, Trevor C., Jr.
Liakos, Sotir
Lingle, Terry K.
Loustaunou, John C.
Lovett, Heyward M., Jr.
Mabie, Marshall L.
Maguder, Henry J., Jr.
Mahelona, George L. P.
Maness, Victor P.
Marshall, Clyde M.
Marshall, Robert K.
Matais, Joseph A.
Mathiesen, Charles A.
Matthews, Phillip D.
Matthews, Leland W.
McCartney, John W.
McWhorter, Roy G.
Meier, Weldon, S.
Meys, Charles P.
Michael, Leslie W.
Michi, Douglas L.
Miles, William M.
Mitchell, Willis A.
Mitchell, William J.
Mitman, Clifford, Jr.
Moore, James C., Jr.
Moore, Robert L.
Moroney, Charles B.
Moscoe, Donald E.
Mossman, Herbert J. A.
Muenster, William S.
Mullen, Jack K.
Murphy, Robert A.
Nagano, Paul T.
Nicholson, Edwin F.
Nissalke, Alan J.
Nopper, Donald N.
Nordgren, Richard E.
Oakley, David W.
Olin, William W.
Olson, Earl A.
Orr, Leroy J.
Osmon, Robert E.
Parish, Anthony E.
Paulson, Alvin L.
Peever, John E.
Phillips, Marvin R.
Pierce, William L.
Poling, Harold A.
Pool, Harold A.
Powell, Jack W.
Price, Robert E.
Raish, Richard C.
Ray, Donald G.
Reeves, Malcolm C., II
Richardson, Jon N.
Riddell, William B.
Robinson, James E.
Robson, William R.
Roesch, Frederick A.
Roland, Billy J.
Roy, Roger C.
Rush, Spencer
Rutter, Raymond L.
Santucci, John J.
Sargent, John C.
Scaramozzino, E.
Schaen, Frederic W.
Schmidt, John A.
Schroeder, James A.
Schuerman, John E.
Schuster, Gerald D.
Scott, Carl D.
Scott, Richard E.
Shima, Larry J.
Shotton, Francis T., Jr.
Shoup, Stefan P.
Showley, Larry G.
Shugart, James N.
Shukis, William J.
Simcox, John D.
Simeon, Harlan L.
Simmons, Charles J.
Smith, Andrew D.
Smith, Charles T.
Smith, Arthur H.
Smith, William D., Jr.
Smith, Thomas W.
Snyder, Herbert P.
Sprague, James A.
Spratt, Thomas J.
Spratt, Robert E.
Sprenkle, Charles A.
Stevens, Steven K.
Stevenson, Bill B.
Stewart, Robert W.
Stichter, Philip W.
Stilgebouer, Larry R.
Stinson, William T.
Stone, Edward P.
Stone, Donald E.
Strain, Oscar R., Jr.
Sumner, John W., Jr.
Svagdys, Paul F.
Swan, Rodger A.
Swanson, John L.
Tarr, Nicholas W.
Taylor, James H.
Turner, Robert L.
Uhles, James L.
VanHouten, George W.
VanPatten, David G.
Varner, Richard H.
Vieweg, Herbert H.
Wachutka, James R.
Wagner, Robert B.
Walker, Robert C.
Walsh, Martin J.
Weatherson, Harvey D.
Weber, Warren G.
Widowski, Raymond C.
Wild, Thomas R.
Wilkins, Walter W., Jr.
Williams, Royce S.
Williams, Richard T.
Withrow, Edward W., Jr.
Wolf, Ronald C.
Wynne, Raymond J.
Zagrosky, Joseph P.
Zirnhelt, Alfred C.

CIVIL ENGINEER CORPS

Arcuni, Albert A.
Balloun, James S.
Baltzer, John J.
Blanchar, James H.
Bradford, Donald R
Brennan, John P.
Call, David A.
Campbell, Richard B.
Carricato, Michael J.
Chapman, Charley L.
Diamond, Stephen A.
Doebler, James C.
Eber, Richard D.
Falk, Norman D.
Fasig, Edgar W., Jr.
Flath, Eugene J.
Forney, David L.
Frankel, John A.
Frazier, William F.
Gerdel, David H.
Gleman, Paul L.
Greenwald, James M.
Held, George B.
Hertzog, Larry R.
Hines, Leslie L.
Hubel, Edward H.
Jackson, Gerald W.
Jackson, Robert T., III
Jones, Robert S.
Kennedy, Robert J.
Ketels, Yung H.
Kieffer, Alonzo R., III
Killen, William M.
Kurtz, David C.
Lewis, Herbert H., Jr.
Lowrey, Billy B.
Lubich, Marion W.
McCurdy, Glen P.
McManus, Robert G.
McShea, Michael J.
Metzler, Jay C.
Mostoller, George M.
Mumford, Gerald W.
Newman, Arthur L.
Norton, Richard E.
Oxley, Francis M.
Parker, Robert D.
Peechatka, Farley
Pflugh, Willis C., Jr.
Porter, Michael D.
Purinton, Lucian B., II
Quinn, Thomas P.
Ramos, Joseph R.
Rathbone, John
Reynolds, Ralph R.
Ripa, Carl V.
Sahlman, Claire G.
Shank, George E.
Smith, Myron E., Jr.
Smith, John N.
Ster, John W.
Tucker, Tracy C.
Vaughn, Kenneth A.
Vogel, Lawrence W.
Wells, James L.

MEDICAL SERVICE CORPS

Acord, Loren D.
Bacon, Norman F., Sr.
Baumhofer, Anne H.
Bogdan, Raymond R.
Bolton, Ronald R.
Bonds, Billy R.
Bromann, William H., Jr.
Brouillette, Donald E.
Cerruti, Alfred S.
Cicero, Joseph D.
Conley, Walter R.
Craig, Donald R.
Dains, Clarence A.
Despiegler, Gary D.
Diebner, William E.
Dietlein, Donald R.
Dilley, Paul O.
Dupes, James L.
Emma, Carleton W.
Erie, James R.
Faulkner, James A.
Fink, Francis A.
Fishel, David W.
Foster, Harlan D.
Gregory, Bert C.
Groce, William E.
Hagstrom, Verne W.
Hendren, John E.
Henson, Frank N.
Horrigan, David J., Jr.
Krueger, Vernon A.
Laclair, Bernard W.
Langston, Ollen C.
Lewis, Eddie W., Jr.
Lovin, Aubin H.
McConnell, Alton E., Jr.
Meek, Artie E.
Metcalf, Lawrence P.
Myrah, James L.
Null, Clyde W., Jr.
Pate, Clyde T., Jr.
Piersol, Eugene C.
Price, Charles A.
Quick, James D.
Ray, Paul T.
Reid, Donald H.
Rhoads, Teddy R.
Robertson, James McM.
Rovario, Emile E.
Ruppe, James R.
Sawyer, Albert L.
Smith, George E., Jr.
Soule, George I.
Stalnaker, Mervin L.
Stewart, Shannon D.
Stringham, Stanley C.
Taylor, Berlin J.
Thompson, Curtis R.
Thomsen, Paul D.
Taylor, Hollis B.
Weems, Bailey E.
Williams, "D" "C"
Hvizdo, Barbara A.

The following-named officers of the Navy for permanent promotion to the grades indicated:

Captain, Line

Abercrombie, Daniel W., III
Abrams, Earle B.
Acker, Guilford D.
Allendorfer, Harry C., Jr.
Ashcraft, Robert L.
Ashley, James M., Jr.
Barker, Johathan A.
Barlow, Jerry M.
Berry, Francis J.
Blee, Ben W.
Borop, James D. W.
Boyd, William W., Jr.
Bradshaw, Harold G.
Brand, Ferdinand L.
Brown, Galen C.
Bryan, David, Jr.
Bustard, Melvin E., Jr.
Carter, Robert R.

Cassell, George L.
Champlin, Norman D.
Charles, Nelson R.
Clarke, Jared E., III
Clarke, Robert A.
Conner, Andrew B., Jr.
Coonan, John J.
Craig, Russell F.
Creecy, Richard B. L.
Creed, Donald L.
Dailey, Elmer W., Jr.
Deitchman, Vincent
des Granges, Maino
Dowd, Robert A.
Doyle, Judson C.
Dozier, William C., Jr.
Drew, John G., II
Drewelow, Robert W.
Dubyk, William
Farrell, Eugene H.
Fernandez, Caesar, Jr.
Fichman, Herbert T.
Flynn, Russell F.
Folta, George W., Jr.
Ford, George E.
Franger, Marvin J.
Frazier, Claude R.
Fretwell, Uncas L.
Froude, Robert S.
Gass, Shelby C., Jr.
Gates, Robert L.
Gaw, Benjamin D.
Gebert, Wesley R., Jr.
Gibson, Freal J.
Gift, Ronald P.
Glaes, James G.
Gockel, Bernard N.
Gordon, Donald
Greeley, George R.
Green, David H.
Grothjahn, Harry C.
Haffey, John J., Jr.
Hart, Ralph W., Jr.
Helme, Charles F., Jr.
Hazlett, William R.
Hoeppner, Frederick R.
Holley, Edward B., Jr.
Holloway, James L., III
Hoof, Wayne
Howell, Wiley B.
Howerton, Wilfred M.
Hunt, William T.
Jernigan, William A., Jr.
Johnston, Juel D.
Kelley, Hugh A.
Kinne, Francis E.
Kolakowski, Roman
Lacy, Paul L., Jr.
Ladley, Herbert V.
Lanier, Samuel L.
Law, John T.
Loomis, David F.
Lumpkin, Pickett
Marshall, Walter L.
Maxwell, George T.
McClendon, William R.
McMahon, John L., Jr.
Meacher, Leo
Meier, Louis L., Jr.
Miller, Frank E.
Mitchell, John J.
Moore, Michael U.
Morin, George F.
Morrow, William B.
Murph, John W.
Neff, John L.
Obey, Roland J.
O'Brien, Frank H.
Olsen, Leslie R.
O'Neil, Justin A.
Peterson, Robert F.
Porter, Rufus C., Jr.
Potter, Edward H., Jr.
Poynter, Drexel E.
Price, Walter W., Jr.
Rapp, Jerome A., Jr.
Rawson, Arthur F., Jr.
Reck, Floyd F.
Reed, Dale C.
Reed, Roy E.
Rees, Joseph ReV.
Reilly, Robert F.
Reinhardt, William C.
Rich, Francis E.
Richards, John M.
Riley, Richard
Rizza, Joseph P.
Rowell, Ira M., Jr.
Ruffin, Chester E.
Sands, Pierre N.
Sheppard, Charles P.
Shirley, James A.
Smith, Paul B.
Stough, Ben H., Jr.
Sult, George H.
Taylor, Robert E.
Tilden, Charles E.
Tolleson, Robert T.
Toran, William P.
Tully, Joseph M., Jr.
Wall, Charles B., Jr.
Walton, Donald F.
Warner, Arthur H., Jr.
Welsh, John R.
Werthmuller, Roy W. F.
Williams, Thomas H.
Yarnell, Lawrence R.
Young, William H.
Zalewski, Chester V.
Zumwalt, Elmo R., Jr.

Captain, Medical Corps

Arentzen, Willard P.
Becker, Frederick B.
Diklich, Milan, Jr.
Featherston, John S.
Greer, James W.
Hansen, Walter F.
Heaton, Samuel A., Jr.
Houghton, Charles C., Jr.
Krech, William G.
Lebherz, Thomas B.
Lee, James H., Jr.
Lewis, Thomas H.
Luehrs, Richard E.
Moschella, Samuel L.
O'Brien, Robert W.
Parker, Edward E.
Poynter, James M.
Schwenker, Harry F., Jr.
Sederstrom, Leslie W.
Shook, Daniel M.
Steele, Marshall K., Jr.
Strunk, William M.
Taylor, George J., III
Thorn, James I.
Tratar, Anton A., Jr.
Waite, Charles L.
Walter, Herbert L.
Watters, Lorrain E., Jr.
Whatley, Joseph L.
Wiegand, Frederick G. F.
Williams, Robert G. W., Jr.
Wilson, Theodore H., Jr.

Captain, Supply Corps

Anderson, Eugene F., Jr.
Corrick, James A., Jr.
Flowers, Woodford L.
Griffin, Gerald L., II
Guelff, Pierre H.

Kennedy, Austin J., Jr.
MacDonald, Albert M.
Nicks, Paul B.
Skipper, Henry J.
Waters, George C., Jr.
Whitcher, Lamar D.
Wolfe, John P.

Captain, Chaplain Corps

Craven, John H.
Ingvoldstad, Orlando, Jr.
Linquist, Loren M.
MacNeill, Harold A.
Markley, John H.
McManus, Hugh T.
Menges, Harold F.
Noce, William S.
Tubbs, Joseph J.

Captain, Civil Engineer Corps

Bamberg, Edward C.
Brown, Woodrow M.
Frate, Lawrence P.
Gorman, Joseph W.
Underhill, Edward G.
Wright, James A., Jr.

Captain, Dental Corps

Blackwell, Richard T.
Hunley, Theodore R.
Pablos, Tomas C.
Staples, William R.
Traeger, Kimble A.

Captain, Medical Service Corps

Floyd, Thomas M., Jr.
Goren, Sidney
Handford, Stanley W.
Hirst, John M.
Stains, George S.
White, Erwin W.

Captain, Nurse Corps

Burk, Alberta

Commander, Line

Acton, William D.
Adams, Allan M., Jr.
Adams, Paul A.
Adams, Robert E.
Adams, Will M., Jr.
Adrianse, Homer R.
Agles, James H.
Alderton, Dickson W.
Alexander, Richard G.
Alexander, Robert J.
Alford, Ralph M.
Allison, John K.
Ambler, Joseph B.
Anania, Vincent J.
Anderson, Paul A.
Anderson, Vernon F.
Andrews, Lyman L., Jr.
Anson, Henry O., Jr.
Armstrong, Sam "T", Jr.
Arthur, Russel L.
Atkins, Waldo A.
Atkinson, Aubrey E.
Atkinson, Wilton L.
Aulich, Julian
Austin, Kenneth B.
Axene, Dean L.
Bagby, Henry L.
Bain, Edwin C., Jr.
Baldwin, Robert B.
Ball, James L.
Barkley, Paul H.
Barnes, John W.
Barnes, Willis C.
Barnett, Gordon R.
Barnhart, Robert C., Jr.
Barrett, Ernest R.
Barry, Searle J.
Bascom, Wade R.
Bean, George F.
Beardsley, William J.
Becker, Merlin D.
Behm, Edward W.
Beierl, Peter G.
Bell, Lloyd F.
Bennett, Edgar T.
Berry, Fred T.
Berry, Robert M.
Berude, John B.
Bess, James O.
Bessac, Norman B.
Birdt, George
Blackman, Frank E.
Blade, Dale O.
Blair, Carvel H.
Blair, Marvin S.
Blaisdell, Robert J.
Blaylock, Mabry, Jr.
Blum, Howard E.
Bodnaruk, Andrew
Boldt, Charles H., Jr.
Bolger, Joseph F., Jr.
Bollenbacher, Robert M.
Bonds, Joseph E.
Boney, Bobby E.
Bono, Vernon C.
Bordelon, Guy P., Jr.
Boriotti, Joseph
Boston, Leadore G.
Boutte, Lester H.
Bowcock, Charles S., Jr.
Bowes, William A.
Bowler, Roland T., Jr.
Boyd, Edward A.
Bradbury, Albert W.
Bradley, James F., Jr.
Brady, Donald B.
Brandenburg, John H.
Bratten, Toria J., Jr.
Brauer, Walter J.
Braun, James F.
Brekke, Trond G.
Brent, Sherman E.
Britt, Harvey R.
Brogoitti, Bobby C.
Brown, Fred W., Jr.
Brown, LaVern W., Jr.
Brown, Willis I.
Bryan, Clarence R.
Bryan, Leonard G.
Bryant, Olney J.
Buchanan, Charles S.
Buck, Clarence C., Jr.
Bucknell, Howard, III
Buerger, Robert P.
Bush, Thomas A., Jr.
Bussey, Samuel T.
Butler, William S.
Cadenas, Ernest M.
Caldwell, Jack
Callahan, Robert J.
Callaway, Steven W., Jr.
Callaway, William F.
Campbell, Donald L.
Caple, Edward S., Jr.
Carlenzoli, Henry
Carpenter, Donald B.
Carpenter, Charles R.
Carrier, Francis A.
Carrier, William, Jr.
Carson, James D.
Carter, Kenneth
Chaires, William F.
Chambers, Kenneth W.
Chambliss, Joe E.
Chapman, Arthur S.
Chapman, John W.
Chappell, John R.
Charles, John M.
Chesler, Daniel E., III
Chester, Raymond M.
Chester, William R.
Childress, Howard W.
Christofferson, Edward A., Jr.
Clancey, Robert J.
Clarke, Robert L.
Clements, Daniel C.
Cleveland, Jesse S.
Clifford, Frank F., Jr.
Close, Robert A.
Cobb, Jesse B.
Cochrane, Edward L., Jr.
Cockrill, James T.
Coffey, Claude C., Jr.
Cogswell, George W.
Cole, George
Colegrove, Warren R.
Coleman, Edward P.
Collins, John D.
Collins, Ralph W.
Colton, Joseph
Condor, Bernard
Condren, John F.
Conger, Elton V.
Connelley, Ernest C., Jr.
Converse, Paul V.
Cook, Herbert B.
Cooke, Richard J.
Cooley, Homer K., Jr.
Cooley, Samuel M., Jr.
Cooper, Lloyd F.
Corner, Sheldon L.
Cornwell, Roy S.
Correia, Frank B.
Coset, Albert W.
Cosgrove, Thomas A.
Coulthard, Robert O.
Cox, John W.
Cox, Lyle A.
Cranney, "W" Loron, Jr.
Cranton, Jack H.
Crayton, Louis B., Jr.
Cross, Richard E.
Cullen, John P.
Cummins, David E., III
Cunningham, Patrick F.
Curran, Donald C.
Curtis, Donald P.
Custer, Prentice J.
Custer, Robert E.
Dalland, Carl A.
Dame, Allen M.
Daniel, Royal T., Jr.
Dauer, Frank H.
Davidson, Hubbell Y.
Davis, Charles R.
Davis, Jack E.
Dean, Benjamin H.
Deasy, Charles J.
Dedrick, Walter
Deems, Eugene F.
DeGroote, Douglas F.
Delaney, Charles E.
DeLany, Walter S., Jr.
Delaware, Joseph L.
Delgado, Robert
Demmler, Charles F.
Denkler, William A.
Derr, Phaon B., Jr.
Dietzen, Walter N., Jr.
Dinwiddie, John M.
Doak, Joseph J., Jr.
Donavan, Robert D.
Donovan, Gerard M.
Doolin, Edward H., Jr.
Doyle, James T.
Driscoll, John R.
Duckett, Edmund DuV., Jr.
Dunlap, Billy F.
Dunning, Bruce B.
Durtche, Carl, Jr.
DuVall, Richard A.
Dzikowski, Richard J.
Eaton, John D.
Eaton, William G., Jr.
Ecker, William B.
Edelman, Sidney
Edge, Donold B.
Edmonds, LeRoy S.
Ellenbrand, Ralph E.
Ellis, George F., Jr.
Ennis, Wilbur J.
Eppes, George P.
Eriksen, George A.
Esmiol, Morris A., Jr.
Evans, Kenneth J.
Evans, Simpson, Jr.
Everhart, Charles D.
Ewald, Frank W.
Ewing, Robert H.
Faddis, James M.
Fahey, John A.
Fannin, William E.
Farnsworth, William D.
Farrell, Charles S.
Farrell, Crumpton
Farrell, Rollo L., Jr.
Faulkner, Stuart T.
Fay, Richard C.
Felchner, William E. H.
Ferguson, William P.
Ferrin, Robert W.
Fick, Theodore R.
Fielding, Teddy R.
Findly, Lee B.
Fisher, Dale W.
Fisher, Lowell E.
Fisher, Robert D.
Fisher, Willis M.
Fitch, Lowell F.
Flynn, William J.
Fogg, Reginald S.
Forbes, Bernard B., Jr.
Forbis, Roy E.
Ford, John E.
Fortson, Robert M., Jr.
Fowler, William E.
Freeman, DeWitt L.
Froyd, George R.
Gale, Philroy C., Jr.
Gallemore, James G.
Gambrill, Nelson J.
Garofalo, Paul C.
Gates, James L.
Gatlin, William A.
Gawthrop, Wilson R.
Geiger, Anson D.
Gensert, John R.
Gilbert, John R.
Gillcrist, John A.
Gillooly, John F.
Gilmore, Allen J.
Giorgis, Albert S.
Godfrey, Earl F.
Godshall, Walter H.
Gohr, Robert B.
Gore, Frederick S.
Gorsline, Samuel G., Jr.
Gossman, Thomas J.
Goulet, Lionel J.
Graham, Frank W.
Graham, Ralph E.
Gray, Robert J.
Greenwood, Thomas E.
Grey, Valentine
Griffin, Shade W.
Griffin, Thomas H.
Grill, Robert W.
Gronemann, Carl W., Jr.
Gumb, Irving T., Jr.
Hadaway, Donald L.
Hale, Robert R.
Hallman, Robert E.
Halwachs, Alois W.
Hamilton, Billie C.
Hannifin, Patrick "J"
Hansen, Jens B.

Hansen, Theodore W.
Hanson, Donald M.
Hanson, Donald J.
Harper, Wyatt E., Jr.
Harris, Jack
Harrison, Leo W.
Harvey, James H., Jr.
Hastings, Edward E., II
Haugh, Edward McK.
Hayes, Robert S.
Hayes, Robert V.
Hayler, William B.
Heagerty, Harold R.
Heath, Leroy A.
Hecker, George M.
Heffernan, William J. J.
Heid, Robert S.
Heinze, Arthur D.
Henley, Nathaniel T.
Henson, John H.
Henson, Josiah
Herman, John S.
Hermann, Edward P.
Herrick, Robert W.
Hertzig, Richard D.
Hicks, Richard J.
Hill, John F.
Hill, Robert D.
Hilson, Ralph A.
Hinkelman, John W., Jr.
Hinman, Charles R.
Hoblitzell, Charles M.
Hodge, Ervin "F"
Hogsed, Robert A.
Holmes, Francis M.
Holmes, Robert A., III
Holmgaard, Evald
Holschuh, Howard W.
Hooper, James A., Jr.
Hoover, William H.
Hopwood, Gordon R.
Hosier, Ray S., Jr.
Houck, Richard
Hubbeling, Johan D. W., Jr.
Hubert, William E.
Huddleston, Woodrow
Hudson, William H., Jr.
Huff, Ralph E.
Hunter, Clifford E.
Hurd, Ernest L., Jr.
Jester, Jack A.
Jobe, James K.
Johnson, Gerald M.
Johnson, Gerald
Johnson, John R.
Johnson, Theodore L.
Johnston, Harry D.
Johnston, Philip D., Jr.
Jones, Edward D.
Jones, Robert S.
Jones, Roy K., II
Jortberg, Richard E.
Juarez, Robert
Julian, Alexander, Jr.
Kalina, John F.
Karnes, Austin G.
Kasten, Robert I.
Kauth, John L., Jr.
Kayes, Robert L.
Keating, James H.
Keeler, William E.
Keevil, Arthur K.
Kelley, Frederick J.
Kelly, Merrill E., Jr.
Kempf, Lawrence A.
Kennedy, Donald W.
Kerr, Alex A.
Kerstein, George E.
Kidd, John D.
King, Ernest J., Jr.
King, Evans P. K.
King, Patrick J.
Kirk, Robert
Kirkemo, Leland E.
Kistler, William C.
Klaessy, Dale S.
Klaus, Edward L.
Kleber, Francis T.
Klein, Harry J.
Klemawesch, James
Klindworth, Carl H.
Klockenkemper, Joseph B.
Knick, Victor R.
Knudsen, John T.
Knudson, Irving H., Jr.
Koch, Robert A.
Konzen, Joseph J.
Kopps, Richard L.
Kribs, David A., Jr.
Krolczyk, Stanley P.
Kube, George F.
Kurfess, John F.
Kushman, Howard B.
Lake, Kenneth "B"
LaMar, Burris D.
Lamartin, Frederick H., Jr.
Lamb, Harold M.
Lang, Ralph R.
Laubach, Luther W. S.
Laughlin, George W.
Laughton, Robert J.
Lawrence, Edward J.
Laws, Walter T.
Leavitt, Eben, Jr.
LeBourgeois, Julien J.
Lee, Richard H.
LeFevre, Adolphe C.
Legare, Rupert W., Jr.
Leib, Frederick L.
Leland, Harley G.
Lemert, Russell C.
Leonard, Warren E.
Leslie, Jene L.
LeTourneau, Joseph R. E.
Lewis, David D.
Lewis, William C.
Licko, Richard J.
Lindler, Charles R., Jr.
Lipfert, Ralph G.
Lippincott, Lincoln H., Jr.
Loftin, Edward H., Jr.
Longfield, John N.
Longley, Thomas B.
Longton, David M.
Longwill, Albert E.
Lorenz, Samuel, Jr.
Loveday, John C.
Lowery, Hugh H.
Luedtke, Wilbert C.
Luka, Earl
Lulu, Michael T.
Lyons, Thomas W.
Mackay, Douglas S.
Maddock, Edmund J.
Madson, Rae P.
Mallon, Richard J.
Malnerich, Joseph N.
Manger, Arthur J.
Manger, Martin M., Jr.
Manhart, Raymond J.
Manherz, Jack M.
Mansfield, Samuel K.
Marr, Robert I.
Marshall, Daniel V., Jr.
Masica, Eugene M.
Mason, Hugh C.
Massey, Joseph P.
Masters, James C., Jr.
Masuen, Francis N.
Matheson, James C.
Mathwick, Leon E. L.
Matthes, Harold K.
May, Robert E.
McAdams, John K.
McAndrew, Richard J.
McCaskill, James M.
McCool, Richard M., Jr.
McCord, Stanley R.
McCormick, Gordon H.
McCullough, William F.
McDade, Nolan H.
McDaniel, Hector S.
McGarry, William J., Jr.
McHugh, Richard P.
McKee, John C.
McLaughlin, William H., Jr.
McLean, William O.
McVicker, Robert J.
Mead, Robert W.
Meints, Alvin L.
Melin, Kenneth L.
Mercer, Ellsworth O.
Merrick, John L.
Merrick, Robert H., Jr.
Middleton, Charles H.
Midgett, Joe L.
Miles, Warren H.
Milhan, Harry L.
Miller, John W.
Miller, Lawrence L.
Miller, Orville H.
Miller, Robertson L.
Miller, William W. K., Jr.
Mills, Terry
Mitchell, Cleo N., Jr.
Montgomery, James W.
Moore, Charles K.
Moore, Jack LaV.
Moore, Joseph E., III
Moore, Robert A.
Moorer, Joe P.
Morgan, Henry S., Jr.
Moul, Cornelius F.
Murphey, Samuel B.
Murphree, Hugh D.
Nance, James W.
Nearman, Leonard M.
Neilson, Thomas L.
Nelson, Robert R.
Nelson, Wayne S.
Newman, Augustus, Jr.
Nicholls, Benjamin F.
Nichols, Ramon B., Jr.
North, John R.
Norton, Hassell L.
Novak, Jerome C.
Nuschke, Paul L.
Nutt, Thomas A., Jr.
O'Day, Henry J.
Ogier, Herbert L., Jr.
Olsen, Alfred R., Jr.
Olson, Frederick G.
O'Neil, Warren H.
O'Neill, John L.
O'Rourke, Gerald G.
O'Shea, George A., Jr.
Osterholm, Robert E.
Overman, Dana C., Jr.
Packer, Francis A., Jr.
Padbury, Harry R.
Padgett, John B., Jr.
Padis, Alexander A.
Page, William P.
Parke, Everett A.
Parker, George A.
Pate, Jack A.
Peed, George P.
Perkins, Peter R.
Peters, John V.
Petersen, Forrest S.
Peyton, Henry A. R.
Phillips, Donald M.
Phillips, Richard B.
Pitts, Charles R.
Poe, Donald T.
Poenicke, Charles F., Jr.
Polk, Mavis X.
Polk, Thomas H.
Poorman, Herbert "R"
Potter, John "R"
Price, Arthur W., Jr.
Priest, Charles, Jr.
Prothro, Randell H.
Prouhet, Clement R.
Purinton, David F.
Purkrabek, Paul V.
Quanstrom, Carl R., Jr.
Quarton, Thomas J.
Quiel, Norwald R.
Quinn, George D., Jr.
Quinn, Harry T., Jr.
Racette, Henry J., Jr.
Radcliffe, Robert J.
Ragon, George T.
Rankowski, Charles A.
Raposa, William C.
Rasmussen, Ralph R.
Rawlings, Frank T., Jr.
Rayburn, Lawrence M.
Reeve, Robert W.
Reinhart, Leonard J.
Renaldi, Richard R.
Rentschler, Alexander K.
Richards, Donald R.
Richards, Harold O.
Richardson, Guy D.
Richison, Warren C.
Richinak, Michael D.
Riley, Horace, Jr.
Riley, John F.
Riley, Ralph R.
Risch, Harry, Jr.
Robb, Earl J.
Roberts, Gerald M.
Robertson, Charles R.
Robinson, Rembrandt C.
Rockoff, Herbert R.
Roemer, Robert F.
Rogers, Benjamin C., Jr.
Roll, Walter D.
Rooney, George M.
Rorex, Sam, Jr.
Rossi, Edward C.
Roth, Edward F.
Rumble, Richard E.
Rush, Max R.
Rymal, George R.
Saroch, Emil, Jr.
Saunders, David M.
Scambos, Thomas T.
Scherrer, Robert A.
Schulz, Quinley R.
Schwager, Joseph E.
Schwartz, Matthew J.
Schwartz, Walter W., Jr.
Scliris, Louis G.
Scott, Julian F.
Searles, Philip N.
Seay, Samuel D.
Selfridge, Samuel W., Jr.
Sepper, Frank
Sette, Lyle H.
Setzer, Brooks W., Jr.
Seymour, Earl P.
Shaffer, James B.
Shelton, Doniphan B.
Shepard, Alan B., Jr.
Sheppard, Cedric W.
Sheppard, William L.
Sherman, Robert O.
Sherwood, Charles
Silliman, Henderson G.
Simpson, William H., Jr.
Sims, Wilbur N.
Skipper, James C., Jr.
Slaff, Allan P.
Sledge, Jack B.
Smiley, Robert W.
Smith, George H.
Smith, John E.
Smith, Lawrence N.
Smith, Lewis O.
Smith, Russell L.
Smithey, Thurman E.
Smyer, Theodore M.
Snyder, Joseph E., Jr.
Snyder, Joseph M., Jr.
Sodke, Henry E., Jr.
Soltys, Leo S., Jr.
Sommer, Charles A.
Spargo, James
Sperberg, Franklynn R.
Squire, Wade R.
Stansell, Herman J., Jr.
Stanton, Robert F.
Stauffer, Howard C.
St. Clair, Robert H., Jr.
Steele, George P., II
Steele, Robert D.
Steere, Lucius E., III
Stell, Ralph W., Jr.
Stepanian, George
Stephens, William E., Jr.
Stewart, Clifford L.
Stewart, Hal B.
Stewart, William S., III
Stirnweiss, Andrew P., Jr.
Stout, Graydon T.
Strong, William W.
Stull, John O.
Sulick, Tom E.
Sutton, Ralph N.
Swallow, Chandler E., Jr.
Swank, John A.
Swensen, Robert A.
Swigart, Robert E.
Tarbox, William
Tartre, Robert J.
Taylor, Arnett B.
Taylor, Thaddeus M.
Taylor, Warren
Teevan, Charles L.
Temple, Walter N.
Thomas, Homer B., Jr.
Thomas, Warren J.
Thompson, Arthur E.
Thompson, Max E.
Tierney, Glenn A.
Tollefson, Leif
Trautman, Wilbur C., Jr.
Traynor, William J.
Tremaine, Mark G.
Trueblood, Harold J.
Ufer, Alfred L.
Uncles, John F.
Ursettie, Howard J.
Utegaard, Thomas F.
Van Orden, Merton D.
Van Oss, Willis B.
Vaughan, Vie J.
Vierregger, William T.
Vining, Pierre H.
Viscardi, Peter W.
Vissering, Victor M., Jr.
Voiler, Sherman L.
Volk, Ralph L., Jr.
Wade, Kenneth W.
Wadleigh, George C.
Wagner, Adrian DeW.
Wagner, Theodore A., Jr.
Walery, Kenneth F.
Walker, Robert G.
Walker, William F.
Wallace, Luther B.
Warner, Robert L.
Waters, David E.
Waters, Robert M.
Waters, Willard H.
Watson, Fred C.
Watson, Robert H., Jr.
Wear, LaVern G.
Webb, Charles W.
Webb, Howard "T", Jr.
Weidig, Donald H.
Weinbeck, Eugene J.
Wells, Lionel E.
Werdelman, Egon H.
West, Raymond W.
Westcott, Malvern P., Jr.
Wheless, John C.
Whilden, Adolphus DeV., Jr.
White, Edward C.
White, Garrett "A", Jr.
White, Robert E.
Wiesendanger, Carl F.
Wiggins, James R.
Wikenheiser, Frank J.
Wilder, Lawrence A.
Wilder, Tracy H., Jr.
Williams, "D" Hunt
Williams, Henry J.
Williams, Harlan D.
Williams, Joe, Jr.
Willis, Avery L.
Willson, Lawrence E., Jr.
Wilmarth, Eugene M.
Wilson, Dick G.
Wilson, Jennings B., Jr.
Wilson, Ronald O.
Winter, Homer A.
Winton, Matthew J.
Wise, John P.
Wise, John H.
Wondergem, John M.
Wood, Robert C.
Wootton, William T.
Work, David D.
Working, John D.
Worley, Carson R.
Worrall, Alton H., Jr.
Worrall, David J.
Yeagle, Carl H.
Young, Thomas C.
Zech, Lando W., Jr.
Zeigler, William T.
Zelibor, Joseph L.
Zenner, Harold J.
Zseltvay, Robert R.

Commander, Medical Corps

Adams, William C., Jr.
Austin, Frank H., Jr.
Bass, Robert E.
Beer, David C.
Bernard, Donald P.
Bernstine, Richard L.
Blair, Donald F.
Blakey, Ernest A.
Browne, Howard S., Jr.
Cales, Robert J.
Chandler, Deck E.
Critz, George T.
Cummings, Ronald A.
Delaney, Thomas B.
Dempsey, John J.
Dinsmore, Harry H.
Downey, John J.
Dykhuizen, Robert F.
Ebersole, John H.
Fox, Lay M.
Guida, Anthony J.
Hines, Larry J.
Humes, James J.
Ireland, Roger G.
Klein, Chester L., Jr.
Klein, Martin H.
Kramer, Scott G.
Laning, Robert C.

Linehan, Francis J., Jr.
Lonergan, Walter M.
Long, James A.
Martin, Stuart H.
Milnes, Roger F.
Pascoe, Delmer J.
Sigel, Carter B.
Snyder, William A.
Sparks, Henry A.
Speaker, Richard B.
Sweeney, Francis J.
Trummer, Max J.
Watten, Raymond H.
Webb, Martin G., Jr.
White, Neil V.

Commander, Supply Corps

Anderson, Clayton L.
Aull, Herbert H.
Austin, Charles B.
Balcom, Vaughn O.
Barger, Conrad A.
Barton, Alton W.
Bates, Raymond H.
Batterson, Robert E.
Baumann, Wesley O.
Beckham, John J.
Bennett, Keith
Benson, David W.
Bland, Herbert L.
Blandin, Sherman W., Jr.
Blank, Arthur E.
Boswell, Harold
Boylan, Walter J.
Bryson, William L.
Burns, Hugh F. J.
Burrus, Elgie L.
Caldwell, William F.
Cohn, Murry
Creel, Clarence A.
Crosby, Philip
Dale, Oscar N.
Daniel, Charles, Jr.
Duncan, Henry C.
Dunlap, Glen LaM.
Dunn, George G.
Ericson, James B.
Fink, William W., Jr.
Fitchett, George L.
Gardner, Charles A., Jr.
Geneste, Elmon A., Jr.
Griffin, Cecil L., Jr.
Grinstead, Eugene A., Jr.
Hackenson, Bernard J.
Haddock, William N.
Henn, Carl L., Jr.
Herb, James W.
Hightower, James I., Jr.
Hoffman, George P.
Howell, Jesse E.
Jones, Russell A.
Kelleher, John C.
Kost, George J.
Larson, Phillip D.
Lewis, William L.
Lipscomb, John W., Jr.
Longnecker, Kenneth W.
Luebbe, Harry R.
Martin, James R.
Maxwell, Lester G.
McClaren, Wesley J.
McCormick, Robert J.
McDonough, Edward M.
McPike, Howard D.
Miller, Edward J.
Mills, Herbert F., Jr.
Noga, Edward L. S.
O'Keefe, Paul "D"
O'Loughlin, Richard C.
Paolantonio, John F.
Patton, Gerald J.
Rawls, Elbert S., Jr.
Rivers, Vernon G.
Robinson, William J.
Roche, Francis
Ruete, Edward S.
Schauffler, Robert A.
Sigman, William E.
Simpson, Samuel R., Jr.
Smith, James A.
Spillman, Frank L., Jr.
Stafford, Dean C., Jr.
Stewart, Robert W.
Stringer, Carl J., Jr.
Swart, Phillip
Walther, Frederick W.
Whiteside, Charles E.
Williams, William C.
Wilson, Wilbur A. G.
Woodfin, Kenneth L.
Yearick, William A.
Zielinski, William E.

Commander, Chaplain Corps

Capers, Keene H.
Emerson, James E.
Hutcheson, Richard G., Jr.
Keeley, John A.
Metzger, Ernest W.
Parham, Thomas D., Jr.
Ray, Milton U.
Schutz, Adam J., Jr.
Snelbaker, James K.

Commander, Civil Engineer Corps

Bannister, John M., Jr.
Cunning, David P.
Daggett, Robert E.
Diberto, Edward T.
Eding, Lawrence H.
Graff, Charles W.
Grahl, Ralph B., Jr.
Jones, Richard O.
Krickenberger, Custer F., Jr.
Lalor, Foster M., Jr.
Marschall, Albert R.
Patrick, Jason M.
Pollard, Andrew M.
Reese, William R., Jr.
Rogers, William R.
Stephens, Henry E.
Stephenson, William B.
Waters, Allen S.
Williams, John P.
Wilson, Joe R.
Wynne, Sydney J., Jr.

Commander, Dental Corps

Beall, Frank P., Jr.
Black, Edwin "R"
Chap, Bernard
Counsell, Lee A.
DeLaurentis, Carlo A.
Didion, Robert W.
Green, George H.
Scribner, James H.
Silberstein, Victor H.
Sobieski, Edward F.
Swanson, Carl J.

Commander, Medical Service Corps

Abernathy, Odell S.
Baker, David H.
Bennett, Paul B.
Bing, John H.
Bodenlos, Leonard J.
Bonnell, Theodore V.
Bowman, Clarence W.
Boyd, Thomas A., Jr.
Carson, Ralph
Curtis, Ned B.
Donovan, Harold G.
Eastman, Robert W.
Edge, Cary O.
Essman, Frederick B.
Goldenrath, Walter L.
Hollis, Thomas L.
Johnson, Woodbury
Keener, Mary F.
Kinder, James W.
King, Arthur N.
Longest, Nova
Martorano, Joseph J.
Mayberry, Frank L.
McLellan, David J.
Mibeck, Albert E.
Morgan, Guy H.
Ottie, Frederick O.
Pedersen, Arthur S.
Pflag, Solomon C.
Phillippi, Fred E.
Richardson, Richard C.
Shepherd, William H.
Teller, Leslie W., Jr.

Commander, Nurse Corps

Carlson, Eloise M.
Daughtry, Edna M.
Duwe, Elizabeth M.
Jacobs, Grace E.
Mentzer, Romaine M.
Smith, Hattie B.
Smoker, Sue E.
Williams, Kathryn E.

Lieutenant, Line

Abele, André N.
Abernathy, Kenneth L.
Adams, Ben L.
Adams, Billy J.
Adams, Frederick G.
Adams, Jerome B.
Adams, Thomas C.
Albright, William E., Jr.
Alexander, Sherman G.
Allard, Frank A.
Allemang, John D.
Allen, John E.
Allen, Richard O., Jr.
Allen, Robert L., Jr.
Allen, Scott
Allison, William R., Jr.
Almand, Willie G.
Alton, Homer W.
Ames, David E.
Ames, Laverne W.
Amos, Robert H.
Anderson, Charles R.
Anderson, Charles L.
Anderson, George B.
Anderson, Jerry P.
Anderson, James B.
Anderson, John A.
Anderson, Richard W.
Anderson, Robert G.
Andrews, Bobie
Androski, Frank N.
Angell, Richard C.
Angus, Marvin S.
Anthony, Phillip D.
Anton, Leonard G.
Apple, John D., Jr.
Aquilino, Salvatore P.
Arnold James G.
Arnold, Thomas F.
Arrighi, George J., Jr.
Artuso, Michael A.
Arvay, John F.
Atkins, Allan L.
Audilet, Garland O.
Ausley, Joe H., Jr.
Avery, Paul R.
Ayers, Harry P., Jr.
Baals, John R.
Bachman, Robert A.
Bailey, Donald C., Jr.
Bailey, George M.
Bair, LaVon H.
Baker, Robert E.
Baker, Robert C.
Ball, George B., Jr.
Bandy, Clifford W.
Banks, Peter A.
Banks, William K.
Barbour, William J., Jr.
Baril, Robert F.
Barnes, James A.
Barnett, Charles E.
Barney, Charles R.
Barnhart, Harold D.
Barr, John F.
Barrigar, Donald B.
Barringer, Robert A.
Barrish, Paul D.
Bartholomew, James H.
Bartley, Robert H.
Bass, William H., III
Bassett, Charles G.
Bassett, James S.
Bate, Ronald D.
Bauer, Donald R.
Bauman, John M.
Baumgartner, James A.
Beach, Milton D.
Beach, Robert R.
Beall, Thomas J.
Beck, Liston C., Jr.
Beck, Richard E.
Bedow, Robert J.
Beecher, Ronald R.
Beegle, Earl A.
Belisle, Phillip M.
Bellinger, John R.
Benediktsson, Philip W.
Bennett, Charles F.
Bennett, Edward I. H., Jr.
Bennett, Peter C.
Bennington, Thomas P.
Bergman, Walter R.
Bergstrom, Kenneth I.
Bernal, Richard E.
Bess, George D.
Best, Albert H., III
Bethel, Robert G.
Betts, Roger S.
Beversdorf, Donald W.
Beving, Duane U.
Beyl, David D.
Biggs, Robert R.
Bigler, William W.
Biles, George E.
Bilicki, Daniel R.
Bird, Ralph G.
Bird, Thomas C.
Bishop, Jack D.
Blanchard, Ralph W., Jr.
Blanchard, James W., Jr.
Blankenship, James M., II
Bledsoe, Paul I.
Bley, John E., Jr.
Bloom, Donald D.
Blumie, John A.
Boebert, Frank L., Jr.
Boelter, Dan A.
Boensch, Arthur C.
Bolte, William S.
Bonadies, Louis
Booth, Peter B.
Borcik, Andrew J., Jr.
Borgardt, Elmer G.
Bossert, John L.
Bovey, Paul E.
Box, Roger E.
Boyd, Jack W.
Boyd, Richard M.
Bredderman, Rudolf T.
Breeding, Leslie E.
Breland, Edgar A.
Brennan, John F., Jr.
Brennan, Richard J.
Brenneman, Harold R.
Brennen, William L.
Brestle, Charles A.
Briegel, Charles V.
Briggs, Braden R.
Briggs, Stanley
Bright, Richard A.
Bright, Thomas B.
Brisbois, Marshall B.
Bronson, Hiram S., III
Brooks, Bernard A.
Brooks, Charles G. W.
Broton, Chester F.
Brown, Daniell M.
Brown, Donald B.
Brown, Donald L.
Brown, Nicholas
Brown, Ora D., III
Brown, Robert H., III
Brown, William M.
Browning, Elmer L.
Bruso, James W.
Bruyere, Thomas E.
Bryan, John E., Jr.
Bryant, "H" Donald
Buchsieb, Louis D.
Buehler, William S.
Buggy, Joseph S., Jr.
Burdick, Howard F., Jr.
Burke, Francis J.
Burke, Joseph S.
Burkel, John F.
Burnham, Paul
Burns, Kenneth F.
Burris, William L., Jr.
Burt, Russell H.
Bush, Ronald J.
Bush, Vernon R.
Butler, Francis M., Jr.
Button, Ralph L.
Butts, Richard F.
Byng, Weston H.
Caccivio, John D.
Caldwell, John M.
Callahan, David F., Jr.
Callaway, Jack M.
Camacho, Richard G.
Campbell, Carl E.
Campbell, Donald G.
Campbell, Ronald K.
Campbell, Thomas G.
Canada, Donald E.
Cannon, James R.
Carlson, Walter G.
Carmichael, Eddie I.
Carre, David M., Jr.
Carrigan, Richard C.
Carroll, John T.
Carson, James T.
Carswell, Michael S.
Casey, Richard F.
Casey, Ronald C.
Castner, Willis H., III
Cates, Gus V.
Catoe, Ralph D.
Catola, Stanley G.
Cecelski, Arthur R.
Cellar, Charles J., Jr.
Cernan, Eugene A.
Chancellor, Dean H.
Chaney, Marvin L.
Chang, Ming E.
Charneco, Carlos M., Jr.
Chase, Henri B., III
Chase, Warren T., Jr.
Chatham, Walter L.
Chester, Scott A.
Chitty, Charles M., Jr.
Chrans, Ronald L.
Christensen, Charles C.
Christensen, Cyrus R.
Christopher, Richard V.
Chumley, Sylvester G.
Cichowitz, Edward J., Jr.
Clampitt, Robert M.
Clark, Arthur R., Jr.
Clark, Bruce A.
Clark, George G.
Clark, George E.
Clark, James M.
Clark, William E., Jr.
Class, William H.
Clay, Jack D.
Cleveland, Richard R.
Clock, Richard V.
Cloud, Bruce L.
Clower, Claude D.
Clynes, Charles E.
Cobb, Roy L.
Cole, Charles W., Jr.
Coleman, Douglas C.
Coll, William A.
Collier, Lacey A.
Collins, Charles R.
Collins, Erwin A.
Collins, LeRoy, Jr.
Collins, William B.
Colville, Robert E.
Combs, Robert L.
Connell, Earl W.
Connell, Laurence M.
Connell, Philip J.
Connelly, James H., Jr.
Connolly, Leo J.
Conti, Francis A.
Cook, Richard D.
Cook, Wilmer P.
Cooke, Vincent E.
Cooley, David L.
Coolidge, Julian L., II
Coons, Henry A.
Cooper, Ross E.
Cooper, Scott E.
Corica, Kenneth J.
Corkins, Charles W., Jr.
Corkrum, Richard C.
Cosgrove, Robert R.
Costello, Donald H.
Costilow, Kenneth L.
Cotsonas, John P.
Courtney, Hugh J.
Covey, Edward J.
Cox, George E.
Cox, Henry
Coyle, Charles A.
Crafton, Robert W.
Craig, John E., Jr.
Crain, Carroll O., Jr.
Cramer, Dean E.
Cramer, Edward A., Jr.
Crandall, Douglas R.
Cranwell, George E.
Crater, George H., Jr.
Craven, Robert P.
Crawford, Paul G.
Credland, Earl D.
Cremo, John, Jr.
Criley, David M.
Crim, Billy R.
Crissman, Daniel McM.
Crouse, James U., Jr.
Crowell, George T., Jr.
Crowson, Christopher G.
Crudup, Everett H., Jr.
Cruse, Reese E.
Crutchfield, Claud C.
Cumming, Richard S., III
Cunningham, Donald E.
Curry, Keith R. W.
Curtis, Joe C., Jr.
Cushing, Earl H.
Cust, Harlan R.

Cutter, Alan "B"
Cutting, Curtis B.
Cyr, Byron A.
Czar, Raymond J.
Dage, Jerry D.
Dahill, Edward E., III
D'Angelico, Donato
Daniels, Hal B.
Danin, Victor
Dankel, Kenneth M.
Darling, David D.
Darnell, Jack
Daugherty, Donald N.
Daulton, James T.
Daus, Rudolph H.
Davis, Norman E.
Davis, Robert G.
Dean, Robert V.
Dean, Ronald I.
Deering, Robert M.
Denison, William F.
Dennis, Don J.
Dennison, James R.
Denton, Douglas J.
De Nunzio, Nicholas J.
Deutermann, David W.
De Vane, Richard W., Jr.
DeWeese, Everette D.
Di Bona, Charles J.
Dickerson, Kenneth A.
Diloreto, Lucio
Dixon, Jewel L., Jr.
Doebbler, Gordon "B"
Doerr, Peter J.
Doherty, Richard S.
Domville, Compton N., Jr.
Donahue, John F.
Donahue, Thomas E., Jr.
Donlan, William J.
Donohue, Douglas J.
Donovan, Neil
Dorow, William R.
Dorsey, James F., Jr.
Dougherty, Charles E.
Dowd, Gregory P.
Downs, Eugene H.
Drake, Donald L.
Dresser, Roderick A.
Drewry, Dean T.
Driskell, Robert E.
Drucquer, Cedric W.
Duffie, Charles L.
Duffield, Frederick H., Jr.
Dunbar, Fredric A.
Duncan, John G.
Dungan, David A.
Dunmire, Rance D.
Dunnam, William L.
Durckel, Ronald E.
Duval, Thomas J.
Dyer, Nathaniel B., Jr.
Dyro, Stanislaus G.
Eagye, Vernon A.
Earnest, Charles "M"
Eason, William G.
Easterbrook, Charles W., Jr.
Eaton, Robert H.
Eck, Billy C.
Eckert, John D.
Edmunds, Donald C.
Edwards, Claude E., Jr.
Edwards, James C.
Edwards, Joe D.
Edwards, Leslie R.
Edwards, William F.
Egerton, James W.
Ehret, James D.
Ehrman, Robert G.
Elie, Gayle O.
Elinski, Michael, Jr.
Ellingwood, Arthur R., Jr.
Ellis, Frank K.
Ellis, Hal R., III
Elpers, William W.
Emmerson, Milo E.
Emsley, Albert P., Jr.
Erdei, Edward J.
Erie, Carl R.
Erner, Eugene J.
Eskew, Perry R., Jr.
Estes, Edward D.
Etheredge, Teddy B.
Evans, Alton R.
Evans, Frederic H.
Evans, Gene O.
Evans, James A.
Evans, Ronald E.
Everett, William A.
Eylar, Frederick P.
Eyler, Armand T., Jr.
Fair, Thomas W.
Fairbanks, Wayne K.
Faircloth, Gerald F.
Fallon, Thomas F., Jr.
Faris, William E.
Farnsworth, John F.
Farr, Sterling J.
Farris, John H.
Fasanaro, Michael F., Jr.
Featherston, Rex W.
Feeney, Edward J.
Felkins, Charles G.
Fellowes, John H.
Fenzl, George J., Jr.
Ferrarini, Richard L.
Ferry, James M.
Fesler, Robert J.
Fieser, Arnold K.
Findley, Anderson H., Jr.
Fink, George E.
Fink, Siegfried A.
Finley, Dean M.
Fiore, Adolph A.
Fischer, Robert J.
Fischer, Theodore A., Jr.
Fish, Benjamin L., Jr.
Fisher, Walter L., Jr.
Fitch, Edward S.
Fitzgerald, Maurice D.
Fitzpatrick, Paul M.
Fitzsimmons, Eugene W.
Fitzwilliam, Peter K.
Flanary, Thomas N., II
Flannery, Gerard J., Jr.
Flather, Charles R.
Flatley, James H., III
Fleming, William J.
Fleshman, Samuel A., II
Flight, John W., Jr.
Flower, John R.
Flynn, John J., Jr.
Flynn, William J.
Fontanesi, Francis D.
Foote, Everett W.
Ford, Alvis S.
Ford, John W.
Ford, Omar R.
Forster, Robert M.
Fortenberry, Thomas N.
Foster, Charles R.
Foster, John A.
Fournier, Paul R.
Frank, Thomas P.
Frank, Vernon E.
Franzen, Richard D.
Fredrick, Russell E.
Freeman, Thomas L.
Friedrich, Thomas E.
Fries, Charles L.
Friichtenicht, Richard D.
Froehlich, Kenneth R.
Fromm, Ernest B., Jr.
Fudala, Ernest M.
Fuld, Charles L.
Fulk, Gerald A.
Fullerton, Frank E.
Furlong, George M., Jr.
Gaffrey, Leo J.
Galinsky, Jerome J.
Galio, Henry A., Jr.
Garber, Cecil E.
Garman, Glen E.
Garretson, Arthur S.
Garrison, Charles H., Jr.
Garvin, John K.
Gates, Richard L.
Gay, Donald M.
Gaylor, Elvin L.
Gelke, John J.
Gerhart, Guy L.
Gero, Richard L.
Gesling, Marion L.
Giacchino, Louie F.
Gibson, Clifford W.
Gibson, Donald
Gibson, James C., Jr.
Giffin, John L.
Gifford, Robert M.
Gilbert, Donald B.
Gilbert, James C.
Gilbert, Robert L.
Gilchrest, Edwin B., Jr.
Gillette, Nelson M.
Gilreath, James E.
Giuliani, Leonard E.
Glasgow, Billy R.
Glasson, William A., Jr.
Glenn, Eugene R.
Gluse, Michael R.
Goewey, Lee E.
Golden, Edward E.
Goodale, Charles N.
Goss, Richard M.
Graham, Frank M.
Gralow, Richard T.
Grandjean, Charles A.
Grant, Freeman A., Jr.
Grant, Richard L.
Graves, William S.
Gray, Anthony W., Jr.
Gray, Robert K.
Green, Gerald E.
Green, William E.
Green, William H.
Greene, Richard O.
Greenwood, Richard L.
Greer, Albert E.
Gregory, Kenneth A.
Grewe, Webster
Grier, Thomas C., Jr.
Griffin, William H.
Grimes, William H.
Grimmell, Robert L.
Griswold, Gale M.
Groepler, Neil F.
Groff, Peter J.
Gross, Sidney L.
Grossoehme, Clyde
Grove, Ronald R.
Gyder, Charles E.
Haberman, Robert
Hahne, Dayton R.
Hale, Frederick W.
Haley, George K.
Hall, Don L.
Hall, Robert A.
Hall, Thomas J.
Hamilt, Arthur
Hamilton, Edward A.
Hamilton, Verlie M.
Hamman, Kenneth A.
Hammon, Colin P.
Hannaford, William H.
Hansen, Herbert L.
Hanson, David F.
Hanson, DeRoy L.
Hanson, Donald C.
Hanson, Edwin E.
Hanson, Morton H.
Hardt, Hugo A.
Harmon, Jack E.
Harriott, Robert K.
Harris, Robert H.
Harris, William R.
Harscheid, David G.
Hartley, Donald H.
Hasch, Ralph H.
Haskell, Hugh B.
Hastings, Ralph H.
Haswell, Fremont G., Jr.
Hatch, Philip B., Jr.
Hatch, Ross R.
Hatcher, James L.
Hayes, Newton G.
Hayman, Douglass F., Jr.
Hayward, Stearns L.
Hedstrom, Carl W.
Heiland, Charles E.
Heinz, Paul R.
Heisinger, Duane L.
Hennessey, John P.
Hennick, Raymond J.
Henry, Albert L., Jr.
Henry, William F.
Hepburn, Richard F.
Herring, Hubert B.
Herring, Paul E.
Hess, Ronald K.
Hesse, Gerald H.
Hickerson, James M.
Hickey, John F., III
Hickman, Darrell D.
Hickman, Jimmie E.
Hill, Kenneth E.
Hill, Raymond W.
Hill, Richard L.
Hill, Rollin L.
Hindorff, Donald M.
Hoak, James F.
Hobbs, Fermor W., III
Hodge, William R.
Hodgkinson, John T.
Hodgskiss, William L.
Hoerner, Frederick C.
Hoffman, Chauncey F.
Hogg, James R.
Hogue, Robert L.
Hohenstein, Clyde G.
Holland, John O.
Hollandsworth, Paul F., Jr.
Holliday, James R.
Holm, John P.
Holmes, Harry M.
Honea, Milton D.
Honsinger, Vernon C.
Hood, Joseph W., Jr.
Hootman, John J.
Horne, Roger B., Jr.
House, Wayne, Jr.
Howard, Charles B.
Howell, William J.
Hoyes, Donald J.
Hueber, Fred P.
Huhn, Samuel P.
Hull, William S.
Hullander, Robert A.
Humphreys, David W.
Hunter, Wallace R.
Hurd, Devon "H"
Hussey, Harold W.
Husted, Murl E., Jr.
Huston, William G.
Hutton, James L.
Hyatt, Robert G.
Ingram, William A.
Ion, Dalton L.
Irons, Robert P., Jr.
Isaacs, Charles R.
Ishol, Lyle M.
Ivy, Travis R.
Jackson, Earl L., Jr.
Jaeger, Robert H.
James, Ernest W.
Jarratt, Guy C., III
Jarwin, Raymond J.
Jauss, Charles W.
Jellison, Harry E.
Jenista, George B.
Jenkins, Jerry V.
Jennings, Mark J.
Jensen, Richard S.
Johannesen, Allen C.
Johe, Richard E.
Johns, Alan D.
Johns, Clifford M.
Johnson, David R.
Johnson, James E.
Johnson, Jerome L.
Johnston, Donald H., Jr.
Johnston, Donald W.
Jones, Clyde W.
Jones, Jerry E.
Jones, Stanley W.
Jones, Wilbur D., Jr.
Jordan, Henry W.
Jordan, Henry M.
Jourden, Bud A., Jr.
Julf, Robert J.
Jumper, Vernon L.
Kalinyak, Paul P.
Karas, Robert E.
Karn, Alvin R., Jr.
Karnakis, Nicholas
Katz, Robert E.
Katzmann, Gerard H.
Kavanaugh, Michael W.
Kawalkowski, Leonard P.
Kearl. Grant W.
Keast, Paul H.
Keegan, Arthur E.
Keene, Charles R.
Keller, William E., Jr.
Kelly, Francis P.
Kelso, Frank B., II
Kemper, Robert D.
Kenaston, George W.
Kennedy, Dennis E.
Kennedy, Raymond J.
Kenney, Richard A.
Keough, Robert J.
Kerslake, Ronald W.
Kersting, William H.
Ketchum, William H.
Kilgore, William H.
Kilpatrick, Paul G., Jr.
Kinert, John H.
King, Charles C.
King, Ural W.
King, William W.
Kinney, Ben J.
Kinney, Charles H.
Kirkpatrick, John H.
Kirkwood, Robert L.
Kitzelman, Glenn E.
Klein, Harry L.
Kloman, John H.
Klugh, Robert P., Jr.
Knaus, Vincent L.
Knef, Andrew L.
Knight, Burton L.
Knott, Howard E., Jr.
Komisarcik, Adam
Kordek, Walter A.
Kraemer, Kenton K.
Kralik, Simon C.
Kramer, James B., Jr.
Kramer, Rex W., Jr.
Kristof, John J.
Krogh, David E.
Kronnagel, Julius
Krueger, Richard G.
Kruger, Allen L.
Kuhn, Wendel S., Jr.
Kulo, Thomas S.
Kuykendall, Herbert B.
Kvederis, James P.
Lacy, William A.
La Fave, Maurice G.
Lakey, Jimmie D.
Lakin, Bill
Lamberth, Billy C.
Lambright, Harold R., Jr.
La Motte, Francis J.
Langenheim, John P.
Langley, Thomas R., Jr.
Lanning, Richard J.
Lapham, Joseph G.
Lapp, Charles B.
Larison, John D., Jr.
Larsen, James L.
Larsen, Victor D.
Larson, Lawrence H.
Lassetter, Keith M.
Lattig, Edward C.
Laub, Burton R., Jr.
Laurance, James D.
Laux, Arno H.
Lavelle, Thomas J .
Lawrence, Donald W.
Lawson, Henry T.
Lawson, Ramsay
Leblanc, James B.
Lee, Dennis B.
Lees, Forrest A., Jr.
Lefevre, Robert J.
Leird, William A.
Lenhardt, Harry F., Jr.
Levendoski, Richard J.
Levy, Norman S.
Lewedag, Loren M.
Lewey, Ira D.
Lewin, Theodore E.
Lewis, Harold S.
Lewis, John L.
Lewis, Norman H.
Lightsey, James L.
Linch, Donald T.
Lincoln, John R.
Lindquist, Donald E.
Linehan, Timothy J., Jr.
Lloyd, David B.
Locke, Jerry L.
Logan, David E.
Loos, Donald G.
Loscavio, John M.
Loudon, Richard S.
Lovdal, Rodney H.
Lowe, William L.
Lown, Paul C.
Loynes, Louis A.
Lumbert, Albert W.
Lund, John R.
Lundquist, Donald R.
Lybrand, Joe D.
Lynch, Robert B., Jr.
Lyons, James E.
Macan, John J.
Macaskill, Everett, Jr.
MacCabe, Van L.
MacDougall, Ronald R.
MacIntyre, Daniel G.
MacKay, Gerald W.
Mackin, Louis B., Jr.
MacLaren, John H.
MacQuarrie, Gary L.
Magness, Eddie R.
Mahler, George B.
Majors, Frances D.
Majors, William T.
Malloy, Malcolm A.
Malone, Donald W.
Maloney, John J.
Manes, William C.
Mansell, Richard T.
Mansfield, John W.
Mares, Ernest
Marks, Everett D.
Martin, Frank P.
Masterson, Leo S.
Maston, Joseph H., III
Mater, Bernard E.
Matson, Bruce W.
Matt, George E., Jr.
Matthews, John B.

Mattson, John A.
Mautino, Richard L.
Mayer, Robert R.
Mayfield, Albert L.
Mayfield, Douglas S.
Mays, Samuel E., Jr.
Maytham, Peter
McAllister, Richard C.
McBride, Michael A.
McBurnett, Kenneth S.
McCabe, George J.
McCaffery, Robert A.
McCain, James R.
McCarter, Kenneth W.
McCarthy, John D.
McCauley, George A.
McClenahan, Tom P.
McClure, Dale R.
McConnell, Edward W., II
McCoy, James C., Jr.
McCoy, Thomas H.
McCracken, David J.
McCune, Terrance O.
McDaniel, Eugene B.
McDermott, John G.
McDivitt, Ronald M.
McDonald, Ray M.
McEachen, Angus D., III
McFadden, John H., Jr.
McGahan, John P.
McGarry, John G.
McGhinnis, Richard O.
McGrath, James J.
McGuire, Marvin "E"
McIntire, Wilton H.
McKenna, Charles E.
McKenzie, John H., Jr.
McKinney, Gale A.
McKinney, Mercer L., Jr.
McKinstry, Thomas W.
McKissock, Donald J.
McLean, Charles R.
McClellan, Charles A.
McMillan, Edward W.
McMillan, Lee Q.
McNeil, Charles H.
McNeill, Richard J.
McPherson, Albert A.
McRae, James F.
Mecaughey, Robert W.
Medwedeff, Channing W.
Meier, Leonard M.
Meintzer, William C., Jr.
Melcher, Roland O.
Melvin, Edmund W.
Melvin, Virgil B.
Mencini, Anthony J.
Mercer, William C.
Merrill, Grant C.
Metzler, Charles D.
Meyers, Roger A.
Michaels, Danny J.
Mikitarian, Samson
Miller, Forrest R., Jr.
Miller, Herbert A.
Miller, James T.
Miller, John A.
Miller, John M., Jr.
Miller, Merle E.
Miller, Robert H.
Miller, Walter W.
Miller, Wayne W.
Miller, Wendell E.
Miller, William H.
Milligan, Wayne L.
Minton, David C., III
Mirise, Kerry W.
Mitchell, Kenneth
Molloy, Ronald J.
Monk, Samuel W.
Moore, Harold A., Jr.
Moore, Nelson E.
Moore, Paul M.
Moore, Robert W.
Moran, Thomas J.
Moravec, Henry J., Jr.
Morgan, Kenneth A.,
Morris, Charles S.
Morris, Hal B., Jr.
Morris, Jesse B., Jr.
Morris, John D.
Morrison, Jon K.
Mortimer, Edmund C.
Moyers, Gilbert E.
Mozier, Richard A.
Mulholland, Howard E.
Mullen, John T.
Mulloy, Charles S.
Mulvihill, James H.
Munn, Robert J., Jr.
Munsey, William D.
Murray, Frank S.
Murrell, Charles J.
Musgrove, William M.
Musick, Wayne O.
Myers, Charles E.
Myers, William K., Jr.
Nagel, "L" "D"
Neale, George L.
Nelson, Carl A.
Nelson, Glen T.
Nelson, Paul J., Jr.
Nelson, Robert L.
Nelson, Sven D.
Neuhard, Henry H.
Newbury, Alfred C.
Newman, Alvin S.
Newsom, Joe R.
Nicholson, Herbert H. J.
Nicholson, Robert C.
Nicholson, Harry E.
Nicholson, Murray M. J., Jr.
Niles, Wilmer J.
Nofziger, Larry B.
Norrington, Charles G.
Norris, Richard J.
Northam, Thomas A., Jr.
Notargiacomo, Joseph M.
Novratil, Robert V.
Oberle, Ronald J.
O'Brien, Donald W.
O'Connell, Jerome A.
O'Connor, Edwin A.
O'Connor, William J. M.
O'Donnell, Daniel T.
O'Dwyer, Kyran M.
Ohmen, Douglass J.
O'Keefe, Martin P.
O'Keefe, William J.
O'Kelly, James R.
Oliver, Richard C.
Oliverio, Theodore E.
Olson, Albert W., Jr.
Olson, Carroll A.
Olson, Darryl D.
Omundson, Jerrold W.
Onhaizer, Jerry E.
Onstott, Donald D.
Ord, Donald C.
Orrik, David N.
Orton, Cloyd G.
Orzech, Bernard P.
Osborn, Oakley E.
Osgood, Wayne R.
Overstreet, George H.
Owen, James L.
Owens, John G.
Owings, Dwight C.
Oyler, Donald R.
Oyler, Jimmie D.
Palmer, Jerry J.
Palmer, William R.
Parks, Jack "J," Jr.
Parsons, Charles E.
Pasquinelli, Francis C.
Pattin, Stephen M.
Patton, James M.
Peabody, James P.
Pearson, John E.
Peek, Robert F.
Peeples, John M., Jr.
Penders, Joseph W.
Pendleton, Benjamin L.
Pennock, Murray F.
Periolat, John J.
Perry, Albert J.
Person, Herbert F.
Peters, Vernon W.
Peterson, Bob L.
Peterson, John R.
Peterson, James F.
Peterson, Karl L.
Peterson, Peter C., Jr.
Petree, Noel H., Jr.
Petrich, Horst A.
Pfister, William J.
Philipp, Frederick C.
Phillips, George L., Jr.
Phillips, Ronald M.
Phillips, Richard W.
Picciuolo, Stephen A. D.
Pickel, Theodore C., Jr.
Pinion, David E.
Pitzen, John R.
Plummer, Lynn B.
Poe, Benjamin L., Jr.
Polfer, Clarence R.
Poole, Thomas E.
Poore, Thomas W.
Porter, Robert W.
Potenti, John P., Jr.
Potter, Clare E.
Powell, Stewart G.
Powell, Wendell W.
Powell, William C.
Poyet, Elmer F.
Presley, Jack C.
Previ, Wallace M.
Proper, Vance D.
Propper, Ronald M.
Purdy, Dale C.
Pursley, John E.
Pyle, Roger G.
Quinn, James E., Jr.
Quinn, Robert N., Jr.
Raab, Charles F.
Raab, George E.
Rabuck, Leo V.
Ransom, James P., II
Ray, Willard D.
Rayome, Francis L.
Read, Benton M.
Redhage, James L.
Redington, Jerome J.
Reed, Jesse L.
Reese, Russell R.
Reid, Ralph G., Jr.
Reinhardt, Ellwood B., Jr.
Reis, Joseph J., Jr.
Rennaker, Charles L.
Renner, Joe D.
Renner, Lorraine E.
Rettig, Godfrey A.
Revak, Paul A.
Rice, Robert P.
Rich, Willis S.
Richards, Richard L.
Richardson, Fred D., Jr.
Richmond, Bruce R.
Riefler, George B.
Rinkel, Richard A.
Rinn, John R.
Roberts, Charles R.
Roberts, Gerald R.
Roberts, Ned C.
Roberts, Tommie W.
Robertson, Hollis E.
Robins, John R.
Robinson, Robert E.
Roderick, John T.
Rodgers, Joseph L.
Rodgers, Robert D.
Roper, Vincent W.
Rosendale, George W., Jr.
Rothe, Jack F.
Rowell, George W.
Rowsey, James M., Jr.
Ruhle, Robert C.
Rush, Claude E.
Russ, William M., Jr.
Russell, Kay
Ruthrauff, Clifford B.
Ryan, Gerald F.
Ryan, Thomas M.
Rypel, Ronald J.
Saavedra, Robert
Sabin, James F.
Sabine, Frederick R.
Sackett, Dean R., Jr.
Sage, Robert A.
Saleh, Richard E.
Salo, Lennart R.
Salo, Willard H.
Saltz, Newell J., Jr.
Sandler, Charles A.
Sandman, Richard S.
Sargent, Stephen E.
Sarphie, Jack E., Jr.
Saunders, Richard E.
Savage, Jimmy R.
Saville, Robert E.
Saville, Terry D.
Sayers, Samuel L.
Scarborough, John R. L.
Schade, Eric H., Jr.
Schaedel, Joseph A.
Schafer, Alfred E.
Schaffert, Richard W.
Schaible, David L.
Schaier, John D.
Schatz, Robert G.
Scherer, Francis H.
Scheyder, Ernest J.
Schick, Herbert A.
Schilling, George F.
Schleicher, Carl
Schmidt, Robert H.
Schmitt, Arthur F., Jr.
Schmitt, Robert W.
Schneider, Walter L., III
Schnitzer, Lawrence E.
Schoessel, William M., Jr.
Schreadley, Richard L.
Schreiner, Raymond J.
Schroeder, John H.
Schulze, John M., Jr.
Schutt, Harold J.
Schutte, John J.
Schwartz, Ralph C.
Scott, Philip J.
Scott, Thomas P.
Scovel, Frank D.
Scovish, Edward, Jr.
Scruggs, Richard M.
Seacat, Ralph L.
Sechrest, Edward A.
Seesholtz, John R.
Seiler, Melvin E.
Selberg, John W.
Senden, Paul W.
Sesma, Ramon A.
Shafer, Richard W.
Shannon, Philip M.
Shaw, Charles I.
Sheehan, John P.
Sheets, James R.
Shelso, David A.
Sheppard, Donald E.
Shinn, Robert A.
Shipley, Carl N.
Short, Benjamin F.
Short, LeRoy A., Jr.
Shultz, Theodore B.
Shumaker, Robert H.
Sibley, David N.
Sigmond, Arie C. A.
Sikes, James H.
Simonic, Robert J.
Simpson, George T. K.
Simpson, Jon D.
Sinclair, Leonard A.
Sinnett, Brooks W.
Sirch, Richard W. F.
Skelly, Arthur R.
Slack, Stephen R.
Slaughter, William T.
Sleeman, Charles F.
Slingerland, Raymond D.
Sloan, John H.
Sloan, William D.
Slough, John H.
Smetheram, Herbert E.
Smiley, Robert R., III
Smith, Bobby E.
Smith, Carl C.
Smith, Donald W.
Smith, Frederick H., Jr.
Smith, Gene A.
Smith, James W.
Smith, John P.
Smith, Joseph C.
Smith, Leo B.
Smith, Norman M.
Smith, Ronald E.
Smith, Thomas F.
Smith, Vernon C.
Smith, William C.
Smith, William L.
Snell, Robert L., Jr.
Snider, Donald M.
Snyder, Richard C.
Sones, William C.
Soriano, Joseph R.
Spellman, Fred G.
Spencer, Barry W.
Spencer, Charles H.
Spencer, Lane L.
Spink, Peter J.
Spoto, Victor S.
Spotts, James L.
Squires, Howard J.
Stalcup, Jimmie M.
Stallings, Arthur C., Jr.
Stammer, Walter H., Jr.
Stanley, John N.
Stark, Walter W.
Statham, Raymond B.
Stefanou, Christopher McM.
Stelly, John M.
Stennett, William A.
Stephenson, Paul D.
Sterling, John C.
Stevenson, Barr S.
Stevenson, Connelly D.
Stewart, Charles C.
Stewart, Dennis J.
Stewart, Edwin McM., Jr.
Stocking, Sigurd I.
Stone, Elmer M.
Stone, Lowell P.
Stophel, Joseph E.
Storey, William D.
Stratford, Robert H.
Stratton, Richard A.
Streuli, Joseph W.
Strong, Henry H., Jr.
Strong, Paul L.
Stroup, Wayne B.
Stuart, Charles J., Jr.
Stutz, James D.
Sullivan, Arthur H.
Sullivan, Eugene J., Jr.
Sullivan, Gene F.
Sullivan, Gerald T.
Sullivan, Robert G.
Sullivan, Thomas J., Jr.
Sullivan, William K.
Sumner, Donald M.
Sumrall, William H.
Swagart, Allan M.
Swan, Robert S.
Swan, William R.
Swanson, Harlan D., Jr.
Swinnerton, Ronald H.
Taff, Clarence O., Jr.
Tager, Bruce A.
Talbert, Joseph T., Jr.
Talbott, Merrill L.
Tapp, John B.
Tarbuck, Richard R.
Taylor, Hugh R.
Taylor, James M.
Taylor, John D.
Taylor, Larry J.
Taylor, Lawrence H., Jr.
Taylor, Lewis H.
Taylor, Robert C., Jr.
Teachout, David S.
Terrell, Jerry L.
Tettelbach, Frederick M.
Thearle, William J.
Theodorelos, Pete "J"
Thibault, George E., Jr.
Thoma, John C.
Thomas, James G.
Thomas, Richard L.
Thompson, Jack D.
Thompson, Tommy L.
Thompson, William J.
Thomte, William J.
Thurber, John D.
Thurneysen, Jon S.
Tibbitts, Barrick F.
Tibbs, John C.
Tiderman, John M.
Tierney, James S.
Tietgen, Charles A., Jr.
Timberlake, David W
Tinker, Charles L
Toehlke, Walter A.
Toms, James E.
Toohey, Edward L., Jr.
Tracy, Theodore R.
Tralla, Wade A.
Traylor, Harold K.
Trent, Richard W.
Trethewey, John O., Jr.
Tubbs, Kenneth A.
Tucker, Edwin B.
Tucker, James E.
Tucker, Roy E.
Tullis, James V.
Turner, Robert C.
Turner, Warren D.
Turner, Wilson C.
Tuttle, Jerry O.
Tyers, Robert D.
Tyler, Maurice F., Jr.
Ustick, Richard C.
Vallera, Rocco D.
Vance, Walter N., III
Vanderwagen, Edward A.
Van Horne, Alfred L.
Van Metre, James M.
Vanoy, William E.
Van Pool, Logan E.
Vanslyke, Gary L.
Varney, Gale N.
Villalobos, Julian
Villenave, Robert A.
Von Hendy, Richard D.
Vowell, Joe L.
Wachob, James R.
Wagner, John A.
Walder, Edward F., Jr.
Waldron, Michael J.
Wales, George E.
Walker, William E.
Wallace, Richard J.
Wallace, Turner P., Jr.
Wallis, Wayne H.

Watler, Dale J.
Waltzer, Jacob
Ward, Compton E.
Ward, James A.
Wardell, William L., Jr.
Watkins, Robert L.
Watts, Henry A.
Watts, Jasper B.
Way, Edward R.
Weaks, William G.
Weber, Burtland B.
Weber, Gustave A., Jr.
Webster, John A., Jr.
Wehner, George D.
Weidman, Russell H.
Weinfield, Richard M.
Weir, Richard W.
Welch, Richard D.
Wells, Walton E.
Welsh, George T.
Werner, Marshall D.
West, Charles T.
Westall, Kenneth W.
Westbrock, Donald H.
Wheeler, James R.
White, Charles A.
White, Clarence A.
White, Laurence A., Jr.
White, Richard F.
Whiteside, James D.
Whittaker, Robert L.
Wichmann, William H.
Wicke, James O.
Widen, Richard D.
Wier, Ronald L.
Wiggins, Larry C.
Wilbern, Jack M.
Wilde, John H., Jr.
Wilkins, George H.
Wilkinson, Thomas A. R.
Wilkinson, Wilfrid P., III
Will, Robert A.
Williams, Forrest R.
Williams, Richard E.
Wilson, Donald C.
Wilson, John S.
Windsor, Nelson E.
Winslow, Myron S., Jr.
Winter, Richard A.
Wise, Anthony J., III
Wise, Stephen A.
Witherspoon, Beverly W.
Witt, Robert F.
Wolfe, Robert E.
Wolfe, William F.
Womack, David R., Jr.
Wood, Clarence W.
Wood, Forrest H.
Wood, Joseph V.
Wood, Rex S.
Wood, Walter S.
Woodbury, Orpheus L., III
Woodlief, Frank L.
Woods, Herbert P.
Woodside, Harold R.
Woolam, John E.
Wootten, Carl B., Jr.
Word, Millard L.
Works, William W.
Wright, Frederick E.
Wright, Harry W.
Wright, Joseph M. P., Jr.
Wright, Marsh E.
Wright, Orville, Jr.
Wuthrich, Richard E.
Wyly, James R., Jr.
Yarnell, James L.
York, David A.
Young, Howard I.
Young, Kenneth G.
Young, Philip McC.
Zagortz, Leonard "A", Jr.
Zechlin, Frank F.
Zeitler, William W.
Zerwas, Richard L.
Zipperer, William R.
Zipse, Robert L.
Zirbel, William D.
Zwick, Stephen L.

Lieutenant, Medical Corps

Albanese, Robert
Anderson, Edgar J.
Anderson, Richard A.
Aubrey, Royal G.
Bailey, Albert G.
Balding, Thomas L.
Baringer, George R.
Bassham, Harold L.
Baute, Peter B.
Benoit, Richard P.
Bergeron, Lester L.
Bernocco, Stephen J.
Bertuch, Albert W.
Biehl, Robert F.
Billings, David E.
Bistrong, Herbert W.
Bland, James W., Jr.
Blodgett, George S.
Blount, Harry M.
Boodish, Wesley
Boorstin, James B.
Bowlds, Joseph H.
Boye, Donald E.
Boyer, Garry O.
Bradford, William M.
Briant, Thomas P.
Brierre, Joseph T., Jr.
Britton, Melvin C., Jr.
Brodmerkel, George J., Jr.
Brophy, James J.
Brumback, George F.
Bryan, Richard W. D.
Budd, Frank W., Jr.
Bull, John C., Jr.
Burkett, Patrick R.
Cantrell, Robert W.
Carson, Thomas E.
Case, Jerry L.
Cassells, Joseph S.
Castell, Donald O.
Catanuto, Nicholas T.
Chambers, Robert W.
Christensen, Harvey E.
Ciemins, Vilnis A.
Cochran, Robert C.
Coe, Henry W.
Conrad, Robert N.
Cowherd, Donald W.
Cramer, Adelbert D.
Crawford, Glenn D.
Crockett, Dennis G.
Cromack, William H.
Currin, Douglas R.
Dean, Clayton C.
Dematteo, Joseph A.
Diamond, Evans
Dobbs, Lary S.
Dockhorn, Robert J.
Draper, Wilmot S.
Dunphy, Barry E.
Early, Calvin B.
Eliason, Richard T.
Essex, Francis X.
Farmer, Richard G.
Farr, William F.
Fenning, John B.
Fitch, Eldon E.
Fitzgerald, Robert J.
Flynn, Patrick W.
Fomalont, Robert
Forcier, Robert J.
Forsyth, Douglas H.
Frankhouser, George V., Jr.
Fussell, Fitzhugh L., Jr.
Gelber, Philip J.
Godwin, James S.
Greene, Reginald E.
Griffin, William V., III
Grossi, Thomas A.
Gruber, John W.
Guttuso, Thomas J.
Hagele, Herbert C., Jr.
Hagg, Doyle D.
Head, William C.
Heller, Warren
Hiehle, John F.
Hix, William R.
Hogan, Bartholomew T.
Holdener, Paul A.
Irick, Robert M.
Jewett, Paul W.
Johnson, David W.
Johnson, William F.
Jones, Daniel "M"
Jones, Dwaine L.
Julian, Sydney R., Jr.
Karnei, Robert F., Jr.
Kelley, David L.
Koonce, Lacy A.
Kurtz, Donald M.
Lanning, John A.
Lehfeldt, Darwin C.
Lehwalder, Laurus W.
Leisse, Fred C.
Lopez, Domingo A.
Lowe, Rodney S.
Luehrs, James G.
Lummus, Floyd L.
Lynch, John I., Jr.
Madden, Patrick J.
Manring, Daniel A.
Marshall, Charles E.
Martin, Robert L.
May, George F., Jr.
McClain, Garvin H.
McClintock, Richard P., Jr.
McConnell, James F.
McCormick, Byron H.
McDonald, Robert L.
McGath, James D.
McKnight, Glen D., Jr.
McClean, Walter L.
Messina, John J.
Metcalf, Harry L.
Milton, John L.
Mockus, Victor F.
Moiel, Richard H.
Moloney, Charles J.
Monell, William C.
Morley, Kenneth C., Jr.
Muehlberger, James J.
Mullen, John C.
Muller, Walter J., III
Murdock, Kenneth A., Jr.
Murphy, Eugene L.
Mutty, Lawrence B.
Myers, Lafe H., Jr.
Nevara, John B.
Newsom, Samuel R., III
Norton, John W.
Nottingham, Maurice, Jr.
O'Loughlin, John M.
Pedersen, Carl M.
Pellecchia, Joseph A.
Peterson, Carl R.
Pickens, Myron A., Jr.
Pierson, William E.
Pirrung, David E.
Plant, Richard F.
Polglase, Van N., Jr.
Pope, Herbert L.
Printup, Carter A., Jr.
Ramlo, John H.
Ramsey, Charles H.
Reed, Jerome McD.
Rhoades, Vade "G"
Rivers, Leslie D.
Robitaille, George A.
Rogers, Charles C.
Rohan, Neil J.
Roling, Gerald T.
Roy, Donald E.
Rundlett, Fred A.
Rutland, Eugene D., Jr.
Ryan, Jerome R.
Schneider, Paul J.
Schwartz, Ronald A.
Schwertley, Frederick W.
Seal, Robert B.
Sechler, Leslie I.
Sever, Raymond J.
Sewell, Sidney R.
Shea, David W., Jr.
Shiraki, Iwao
Shumaker, James L.
Smalley, Jennings B., Jr.
Smith, Donald D.
Smith, Franklin A.
Smith, Laurie N.
Smith, William W.
Spaur, William H.
Spencer, Edward M.
Sprague, Arthur Y.
Steimel, Herbert A.
Strickland, George T., Jr.
Teeter, Stanley D.
Tenney, James B.
Tobin, John J., Jr.
Torpey, David J., Jr.
Trimber, Connell J.
Turner, Leonidas M., Jr.
Urbanc, Andrew N.
Urschel, William P.
Vandewyngaerde, George A.
Ventzek, Albert T.
Volcjak, Charles B.
Wall, Norman R.
Weber, David M.
Wengert, James W.
White, Headley S., Jr.
White, Paul C., Jr.
Whitis, Peter R.
Willis, Calvin J.
Winslow, Homer L.
Winston, Hamilton M.
Wolfe, Wayne H.
Wood, Philip K.
Woodall, Martin A.
Wright, Nathan L.
Yanko, Robert P.

Lieutenant, Supply Corps

Allen, Robert A., Jr.
Ault, William U.
Barnett, Andrew F., Jr.
Bedenbaugh, Jack R.
Bilicke, Eric W. H.
Boike, Robert J.
Booth, Stanley L.
Bosco, Clement, Jr.
Boyd, John S.
Brandenburg, Wallace M.
Brookes, Jack E.
Brown, Troy L.
Buckley, John E.
Bulluck, Edgar G.
Butts, Whitmore S., Jr.
Carson, Francis W.
Connolly, George S., Jr.
Coombs, Douglas F.
Cornett, Fred O.
Corrigan, John J., Jr.
Crutchfield, Frank D.
Daddona, John M.
Damm, John A.
Daughtridge, Gerald R.
Dickey, James A.
Dolenga, Harold E.
Dunning, William J.
Eaton, Thomas E., Jr.
Erickson, Douglas L.
Estes, Arthur, Jr.
Evans, Lloyd R.
Fidd, Joseph A.
Flach, Lynn R.
Frampton, Robert T.
Fries, Paul A., Jr.
Gaddis, Carl K.
Gagner, Francis X.
Gerstenberger, Wayne W.
Gorenflo, Louis W.
Goulette, James D.
Griffin, Edward J.
Guss, Bernard L.
Harmon, Robert G.
Hawkey, William C.
Higgins, Ernest C. M.
Hinds, Duane E.
Hopkins, Richard B.
Hummel, Don F.
Hurst, Harvey R.
Jantz, Jack L.
Jones, Channing E.
Krueger, Lloyd W.
Kruithof, Raymond A.
Kruse, William E.
Langer, Gerald D.
Larsen, Henry O.
Leblanc, Joseph F., Jr.
Lemay, Jerome S.
Locke, Olive C.
Loveday, William G., Jr.
Lubben, Vernon L.
Luther, James R., Jr.
Martin, William J.
Mason, Kinner C.
Maxwell, Kenneth H.
McCullers, Lawrence E.
McFarland, Wayne B.
McGarvey, John J.
McKinnon, Daniel W., Jr.
McMullen, Franklin D., Jr.
Merrifield, Richard L.
Mitts, Joseph P.
Monaghan, William T.
Moran, Lloyd D.
Morgan, Richard E.
Morse, Seavey D., Jr.
Moss, Stephen A.
Munkres, Glenn R.
Murphy, John E.
Murphy, Joseph J.
Newcomb, James W., Jr.
Niles, Donald R.
Oaks, Jacob G., Jr.
Olivier, Denny R.
Olson, Gene P.
Osgood, Douglas C.
Peck, Joe D.
Peters, William A.
Pistolessi, Vincent J.
Prokop, Jan S.
Raffels, John F.
Randall, Harold N., Jr.
Ranieri, Richard A. J.
Raymond, James A.
Reed, Dale H.
Rice, Henry L., Jr.
Roethe, Edward A.
Rounds, Richard N.
Ruehlin, John H.
Rusch, Donald R.
Ryan, John R.
Scanlon, Robert J.
Schaaf, Alvin D., Jr.
Scott, William W.
Shaughnessy, John M.
Smith, Franklin D.
Smith, John A., Jr.
Stanton, James M.
Starrett, William I., Jr.
Stone, Donald R.
Sullivan, Raymond V.
Szwed, James A.
Tannone, Rocco J.
Tobin, Isidore L., III
Trawick, George L.
Tudor, Clyde E.
Underhill, Edward B.
Van Houten, Richard E.
Van Naman, Thomas L.
Walker, Richard C., Jr.
Walsh, Richard S.
Walters, Robert A.
Warren, Raymond
Webb, James R.
Webster, John C.
Westmoreland, Perry L.
Westphal, Harold S., Jr.
White, Donald B.
White, James A.
Whitman, Earl K.
Williams, Robert L.
Willis, John J.
Wilson, Roger C.
Woodard, James C.
Wrobel, Eugene A.
Young, Benjamin L.
Young, Ronald A.
Youngblood, Norbert V.
Zabrycki, Edward A.

Lieutenant, Chaplain Corps

Bedingfield, Robert W.
Fallon, Edward F.
Gaughan, Geoffrey E.
Jerauld, Philip E.
Kase, Mark
Kelly, Henry T.
McDermott, Thomas J.
Pepper, Arthur B.
Piirto, John A.
Westlund, Orville A.
Young, Robert J.

Lieutenant, Civil Engineer Corps

Ahrens, William N.
Anderson, Walter I.
Ayers, Charles D.
Baggs, Charles C.
Bauereis, Ellis G.
Bradtmiller, Paul H.
Brockwell, Sterling M., Jr.
Burton, Joseph T., Jr.
Collins, Allan W.
Dickpeddie, John I.
Flack, Frederick P.
Ford, James E.
Gillam, Harold R.
Glover, William F.
Goodman, Robert F.
Groff, James B.
Jones, Darrell E.
Kartalis, Andrew
Keppel, Henry E., Jr.
Lonegan, Thomas L.
MacDonald, Malcolm J.
McCorkle, William J.
McHugh, Robert J., Jr.
McPartland, Eugene J.
Morris, Robert B., Jr.

Mosher, Thomas F.
Nash, Archie R.
Newcomb, Frank M.
Newcomb, Kenneth R.
Petersen, Norman W.
Popowich, Clyde V. W.
Quinn, Robert E., Jr.
Schade, Robert A., Jr.
Schumann, James F.
Shanley, John J., Jr.
Shirley, Ronald G.
Uber, Charles B.
Whelan, James E.
Wilson, Robert B.

Lieutenant, Dental Corps

Annis, Robert B.
Ballard, Gerald T.
Baumgarten, Richard S.
Besley, Keith W.
Chiarenza, Angelo R.
Crawford, John D.
Cushing, John R., Jr.
Davis, Thomas C.
DiClementi, Ralph J.
Dunston, Walter T.
Eden, George T.
Eklind, Ronald R.
Esposito, Richard A.
Farish, Robert W.
Fishel, David L.
Fitzgerald, Donald E.
Hamilton, Sherry M., Jr.
Howarth, Hugh C.
Hube, Albert R.
Hudson, Elmer R., Jr.
Keller, Jack H.
Kimball, Kenneth R.
Klug, Richard G.
Kravets, Thomas F.
Krzeminski, Arthur E.
Lehman, Ralph N.
Lekas, James S.
Linkenbach, Charles R.
Loizeaux, Alfred D.
Lowe, Cameron A.
Luke, Alan B.
Lynch, Paul D.
Mason, Billie M.
Maw, Ralph B.
McCall, Frank J., Jr.
McShera, Thomas J.
McWalter, George M.
Monasky, George E.
Morrissey, William J., Jr.
Mosby, Edward L.
Murphy, John D.
Murphy, Richard A.
Pallasch, Thomas J.
Parker, Irwin J.
Pike, Robert E.
Proteau, Thomas J.
Reese, Kay T.
Rochford, Philip
Schaffer, Allen W.
Scholl, Jerome T.
Scott, Gale L.
Shaffer, Richard G.
Shattuck, John A.
Shelin, Ronald A.
Short, George A.
Stevens, Mark M.
Terhune, Raymond C.
Toth, Wayne J.
Uveges, Alfred C.
Williams, Robert E., Jr.
Yacabucci, James E.

Lieutenant, Medical Service Corps

Barboo, Samuel H., Jr.
Boone, Harry M., Jr.
Boudreau, Harold J.
Breidenstein, Frederick W.
Clark, James L.
Cooper, Thomas G.
Davis, William P.
Devane, James J.
Fletcher, William E.
Fowler, Ephraim E., Jr.
Fultyn, Robert V.
Gallagher, Thomas J.
Gillenwaters, John D.
Hawkins, Kenneth L.
Hunt, James A.
Jones, George D.
Karr, Joseph T.
Lachapelle, Norman C.
Mobbs, Philip H.
Moody, John R., Jr.
Myers, James I.
Nichols, Lloyd B.
Palmer, Jack J.
Pittington, Francis C.
Roberts, Billy D.
Ryan, William A.
Shuler, Donald E.
Sickels, Forman J.
Sollman, John R.
Tuttle, Richard G.
Van Hooser, Russel P.
Wilcox, James G.
Ziegler, Harry F., Jr.
Zseltvay, Andrew J., Jr.

Lieutenants, Nurse Corps

Altenhofel, Dorothy A.
Barker, Elizabeth A.
Bates, Barbara A.
Bellinger, Edith V.
Brakus, Josephine D.
Brennan, Audrey M.
Butler, Phyllis A.
Clayton, Vondosta T.
Cordell, Billie E.
Decicco, Virginia A.
Dennis, Joan T.
Dillon, Joanne M.
Elliott, Ruth L.
Elsass, Phyllis J.
Fitzgerald, Helen M.
Furuya, Cherrel S.
Gampper, Mary E.
Garlutzo, Kathryn R.
Gaughan, Rose A.
Gendron, Marie M. T.
Green, Barbara J.
Hinckley, Colleen
James, Loren J.
Joyce, Jane P.
Krisanda, Sylvia M.
Liberatore, Bertha M.
Lindsay, Magdalene A.
Long, Rose M.
Mack, Beverly T.
Marble, Ella E.
Martin, Ruth S.
Mason, Ruth A.
McGuckin, Dorothy E.
McIntyre, Lora J.
Melcer, Marjorie I.
Millard, Arlys M.
Morton, Jo A.
Nelson, Marlyn Von F.
Nickerson, Lois E.
Olson, Marilyn F.
Patmore, Nancy M.
Pollard, Joann L.
Reistroffer, Patricia R.
Shaw, Joan S.
Smith, Janet D.
Snook, Virginia M.
Steinocher, Anne M.
Thomas, Barbara J.
Trudgeon, Joyce A.
Walker, Marilyn J.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 15, 1963:

DEPARTMENT OF JUSTICE

HOMER THORNBERRY, of Texas, to be U.S. district judge for the western district of Texas.

Pat Mehaffy, of Arkansas, to be U.S. circuit judge for the eighth circuit.

EXTENSIONS OF REMARKS

Interior Committee Review of Coal Research Program

EXTENSION OF REMARKS
OF
HON. WAYNE N. ASPINALL
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Monday, July 15, 1963

Mr. ASPINALL. Mr. Speaker, because I support the program of coal research which is authorized by Congress and is now being conducted in the Department of the Interior, I was gratified to see that the conference committee in reporting the adjustments of its differences on the Interior Appropriation Act for fiscal year 1964—H.R. 5279—has provided the funds necessary to permit the coal research program to proceed without interruption. But, because I support the program I rise at this time to provide assurances to the Members concerning the direction and supervision of coal research.

The Committee on Interior and Insular Affairs, of which I am proud to be chairman, reported favorably the legislation which established the Office of Coal Research. The committee, however, was very much concerned—just as I know most Members are concerned—as to how the money appropriated for research projects is spent. Accordingly, we have maintained close surveillance over the Secretary of the Interior and his staff.

Earlier this year, when we learned that the Secretary of the Interior had definitive proposals for multimillion-dollar contracts, the Mines and Mining Subcommittee under the able chairmanship of the gentleman from Oklahoma [Mr. EDMONDSON], immediately scheduled hearings to examine and review the direction in which the program was oriented. The review that was conducted was, I think, truly comprehensive and exhaustive with bipartisan support for which I thank both the chairman of the subcommittee and the ranking minority member, the gentleman form Pennsylvania [Mr. SAYLOR] who, as we all know, represents one of the great coal producing areas of the country.

The subcommittee heard testimony from the Department of the Interior and also from the President's science adviser, Dr. Jerome B. Wiesner, and leading representatives of industry and labor including Mr. Stephen F. Dunn, president of the National Coal Association and Mr. W. A. Boyle, president of the United Mine Workers of America. In addition, we had one phase examined in detail by the Comptroller General and received comments from one of the prospective contractors.

When Members vote on the Interior Department Appropriation Act this week, they may feel assured that the committee having legislative jurisdiction will maintain its scrutiny over the program. This was guaranteed when the Managers on the part of the House at the conference included in the statement on the conference report the proviso that, in connection with the money appropriated for coal research, "The projects shall be subject to the provisions of the resolution of the Subcommittee on Mines and Mining of the House Committee on Interior and Insular Affairs, dated June 10, 1963." Accordingly, Mr. Speaker, I think it is appropriate at this time to make public that resolution of the Mines and Mining Subcommittee so that all Members, as well as the public, may know precisely the basis on which the conferees have acted.

As part of the background of this resolution the House is advised that the one thing that the committee found to give it concern in connection with a coal research program as a lack of standardization for consultation with the technical advisory committee or committees which were to be established pursuant to the Act of July 7, 1960 (74 Stat. 336) which established the Office of Coal Research. We recognize that ultimate responsibility is vested in the Secretary of the Interior; it should not and cannot be placed elsewhere. However, the subcommittee is unanimously united on the proposition that there must be close and continuing consultation with the advisory committee and this is provided for in the resolution referred to by the conferees on the Appropriation Act.

Under permission previously granted, I include as part of my remarks the full text of the resolution adopted by the Subcommittee on Mines and Mining, June 10, 1963:

RESOLUTION BY SUBCOMMITTEE ON MINES AND MINING, COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Whereas the act of July 7, 1960 (74 Stat. 336) established in the Department of the Interior an Office of Coal Research for the encouragement and stimulation of production and conservation of coal in the United States through contract research and development; and

Whereas said act established a Technical Advisory Committee of recognized experts from various aspects of coal research to assist the examination and evaluation of research proposals and contracts; and

Whereas certain proposals under consideration by the Office of Coal Research will involve the construction and operation of pilot plants if work preliminary thereto indicates the technical desirability and feasibility of such pilot plant construction and operation; and

Whereas the Subcommittee on Mines and Mining of the Committee on Interior and Insular Affairs of the House of Representatives recognizes the need for advance appropriation of funds in order to permit research to proceed on a timely schedule; and

Whereas, the Subcommittee on Mines and Mining of the Committee on Interior and Insular Affairs has, in session with a quorum present, found no reason at this time to object to proceeding with developmental work on the projects now under consideration for appropriation in the Office of Coal Research; Now, therefore, be it

Resolved, That the Subcommittee on Mines and Mining of the Committee on Interior and Insular Affairs of the House of Representatives hereby advises the Committee on Appropriations of the House of Representatives that it has no objection to the inclusion of funds in H.R. 5279, 88th Congress, the fiscal year 1964, Department of the Interior and related agencies Appropriation Act, in the following amounts and for the following purposes upon the conditions set forth in this resolution:

1. $2,000,000 for a proposed research contract with the Consolidation Coal Co., also known as "Project Gasoline," for a research project involving the manufacture of gasoline from coal.

2. $200,000 for a proposed research contract with the Northern American Coal Co. for a research project on extraction of alumina from shale and clay mined with coal.

3. $375,000 for a proposed research contract with the Institute of Gas Technology or another qualified organization for a research proposal involving production of gas from lignite.

4. $1,000,000 for the development of a pilot plant or plants necessary in connection with the coal gasification projects of the Office of Coal Research involved in contracts or proposed contracts with the General Electric Co., also known as "Project Bootstrap," and with such firms as may be selected for research contracts under what is referred to as the "gasification program" in the Annual Report of the Secretary of the Interior, submitted to the Speaker of the House of Representatives on February 21, 1963, by Executive Communication No. 464; and be it further

Resolved, That the subcommittee advises the House Committee on Appropriations that it has no objection to contracts for the aforesaid purposes being entered into by the Secretary if:

1. The process proposed for research is examined and evaluated by the Technical Advisory Committee and the minutes of such meeting reflect the judgment of each member participating in the examination and evaluation in accordance with the act of July 7, 1960.

2. The Technical Advisory Committee reviews the progress of preliminary research and reevaluates each project before the initiation of construction of the pilot plant prior to award for construction of the plant itself.

3. The Secretary determines, after consultations with the Technical Advisory Committee, in connection with the proposed pilot plant for the production of gas from lignite, that the work cannot be undertaken at the Bureau of Mines' Grand Fork, N. Dak., laboratory, and that the award of the proposed contract will not be a duplication of work being carried on at Grand Forks or other facilities of the Bureau of Mines; and be it further

Resolved, That it is the recommendation of the Subcommittee on Mines and Mining of the House Committee on Interior and Insular Affairs that the Secretary of the Interior in each case will choose the location of the pilot plant based on scientific and economic considerations after consultation with the Technical Advisory Committee; and be it further

Resolved, That the subcommittee respectfully suggests to the conferees on behalf of the House of Representatives on H.R. 5279, 88th Congress, that the House insist on the views set forth in this resolution as a condition for including those funds that are in dispute between the House and the Senate in connection with appropriations for the Office of Coal Research and that the legislative history includes specific reference to this resolution.

ED EDMONDSON,
Chairman, Subcommittee on Mines and Mining, Committee on Interior and Insular Affairs.

Adopted this 10th day of June 1963.

West Virginia Centennial Stamp Accorded Public Acclaim—Wall Street Journal Prints Unjustified Critical Editorial—Senator Randolph Replies

EXTENSION OF REMARKS
OF

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, July 15, 1963

Mr. RANDOLPH. Mr. President, in connection with the observance of West Virginia's centennial year, 1963, the U.S. Post Office Department has issued an attractive and colorful postage stamp. One hundred and ten million of the commemorative stamps have been printed, and their reception on the part of the general public has been gratifying.

However, on July 9, the Wall Street Journal carried an editorial which severely criticizes the design of the West Virginia stamp, calling it not only tasteless, banal, and commonplace, but also just plain ugly.

Mr. President, I take issue with this sweeping and questionable condemnation by the Journal editorial writer, and point out the following: The West Virginia commemorative stamp was selected from among numerous entries by the Post Office Department; the proposed design was approved by responsible State officials; Post Office reports indicate that public response has been favorable. Additionally, I have personally been contacted by a respected and experienced philatelist in the Washington, D.C., area, who commended West Virginia on the beauty and symbolic significance of its centennial stamp. He indicated that stamp collectors in all parts of the world would be eager to obtain a copy of our commemorative issue.

Mr. President, I am not alone in differing with the Wall Street Journal's assessment of the West Virginia centennial stamp. The Charleston Daily Mail printed an editorial reply in its issue of July 10. The Mail indicated the effort in arranging for the stamp's printing, and the fact that this is an auspicious event for West Virginians—a centennial stamp is rare. I heartily endorse the Daily Mail editorial when it states, "The Wall Street Journal to the contrary, we're lucky to have a centennial stamp."

Mr. President, the Post Office Department is conscientious in its efforts to secure the most effective designs possible for use as U.S. postage stamps. Considerable thought and planning is required in obtaining sketches and drafts which are then screened for artistic value and appropriateness. The finished product is nearly always a stamp which conveys a sense of the history, principle, and heritage of this Nation. We believe that the West Virginia centennial stamp is in accordance with this commendable tradition, and we are grateful to Postmaster General J. Edward Day for his part in making its issuance possible.

I ask unanimous consent that my letter of July 15, and the Wall Street Journal editorial, "West Virginia Should Sue," July 9, 1963, be printed in the RECORD. Additionally, I also ask that parts of the editorial, "The Wall Street Journal to the Contrary, We're Lucky To Have a Centennial Stamp," in the July 10 Charleston Daily Mail be reprinted.

There being no objection, the letter and editorials were ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, July 9, 1963]

WEST VIRGINIA SHOULD SUE

Maybe August Heckscher, the recently resigned White House special consultant on the arts, had an advance peek at the U.S. stamp commemorating the 100th anniversary of West Virginia's entry into the Union.

For in a report issued as he left his post, Mr. Heckscher wrote: Many of Government's activities are related to the arts indirectly in that they consist of a normal part of its operations which may be done with a sense of beauty and fitness, or may be done tastelessly * * *. Too often, the Government communicates with its citizens on a banal and commonplace level."

Among other examples, he mentioned the general artistic inferiority of U.S. postage stamps. It must be said in all candor that the West Virginia commemorative is not only tasteless, banal, and commonplace, but also just plain ugly.

On a background of nauseous green is imprinted, outlined in red, the shape of the State of West Virginia. Impaled on the southwest corner is the numeral 5 followed by the words "United States Postage," visible only to persons with 20–20 vision or better.

In the lower right-hand corner is a black and white rendition of a domed edifice which, under a magnifying glass, turns out to be the West Virginia capitol building and not, as the naked eye suggests, the U.S. Capitol.

The citizens of the proud State of West Virginia might well bring suit against the U.S. Post Office. And if this is an example of how Washington wants to stimulate a cultural renaissance in the Nation, heaven save the arts from the bureaucrats.

U.S. SENATE,
July 15, 1963.

EDITOR, WALL STREET JOURNAL,
New York, N.Y.

DEAR SIR: In your issue of Tuesday, July 9, I noted with considerable dismay and disappointment an editorial, "West Virginia Should Sue," which is devoted in part to scathing criticism of the West Virginia Centennial postage stamp.

Recognizing that divergence of opinion is a fact of life in the world of art, I nonetheless fail to see in our stamp the slightest justification for your statement that "* * * the West Virginia commemorative is not only tasteless, banal, and commonplace, but also just plain ugly." Such sweeping and questionable condemnation is quite unexpected.

The design for the West Virginia Centennial stamp was selected from among numerous entries, and was chosen for its appropriate nature, originality and symbolism. Additionally, I am informed that the Post Office Department has received an impressive volume of favorable comment regarding the stamp. The green background, which your editorial writer found nauseous could well signify the verdant hills which are so numerous in the Mountain State. And could not the Capitol's black recall the fact that coal has long been the backbone of our economy and a boon to the Nation? The inclusion of this impressive edifice on the stamp can hardly be suspect since it is widely acclaimed as among the most beautiful State government structures in the land. Designed by Cass Gilbert, it is one of the world's finest examples of Italian renaissance architecture.

As to the artistic value of stamps issued by the Post Office Department, I draw your attention to the conscientious effort made by responsible officials to obtain for that purpose the most effective and suitable designs. Your staff members might care to investigate the process by which a design is adopted. The research might prove enlightening.

Permit me to observe that if the resignation of Mr. Heckscher as White House special consultant on the arts was due in part to disgust at the lack of artistry found in U.S. postage stamps, as you infer, he has responded in a most singular manner. Would it not be more reasonable to attempt to eliminate the artistic failings rather than to step aside while uttering criticisms? I prefer to believe that a gentleman of his stature was motivated by higher considerations that a mere glimpse at an advance issue of our commemorative stamp.

West Virginians plan no suit against the Post Office Department. We are pleased with our centennial stamp, which conveys the honest and strength of our people; we are happy that we can be hosts to the millions of Americans who will visit our State during Centennial 1963; and we are gratified that the general public response does not indicate agreement with your remarks. You will wish to read the copy of an editorial in the Charleston Daily Mail of July 11, in which the editor concluded: "* * * we feel quite fortunate that we even have a centennial stamp—with or without the Wall Street Journal's stamp of approval."

Perhaps others, too, feel that your comments did not attain the standards of discriminating taste normally ascribed to the Wall Street Journal.

With kind regards, I am.

Very truly,

JENNINGS RANDOLPH,
U.S. Senator.

[From the Charleston Daily Mail, July 10, 1963]

THE WALL STREET JOURNAL TO THE CONTRARY, WE'RE LUCKY TO HAVE A CENTENNIAL STAMP

Perhaps it's because we all have been in a festive centennial mood and somewhat tipsy with all the celebration and the recognition that West Virginia has been receiving. Or perhaps, we have become so accustomed to receiving the back of the hand that we have become inured to it.

But an editorial writer for the Wall Street Journal believes that we have been made the brunt of a malicious joke in the issuance of our centennial stamp.

* * * * *

What the Journal writer probably isn't aware of is the difficulty the State had in getting a centennial stamp design. A nationwide competition for design of the stamp was held and was won by Prof. Dwight O. Mutchler of the Ohio University Allied Arts Department. He received $500 for his prize-winning entry.

But on a visit here in January, Postmaster General James Edward Day denied any knowledge of a stamp contest and said the winning design would not be printed. This led some to the belief that there would not be a centennial stamp. But later, Day clarified that the Post Office Department had rejected the Mutchler design, but had created a West Virginia centennial stamp of its own incorporating some of the Mutchler ideas.

The stamp was printed—some 110 million of them—and it turned out to be the green and red number which carries a strong connotation of Christmas. But after the licking we took, we feel quite fortunate that we even have a centennial stamp—with or without the Wall Street Journal's stamp of approval.

Washington Report

EXTENSION OF REMARKS

OF

HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 15, 1963

Mr. ALGER. Mr. Speaker, under permission to extend my remarks in the RECORD, I include the following newsletter of July 13, 1963:

The people of Dallas County continue to support constitutional-limited government and believe in private and local initiative. Proof of this attitude is seen in the results of the answers to my annual questionnaire which have just been tabulated. Approximately 10 percent of those receiving the questionnaires returned them, giving me a good cross section of the thinking of the people of the Fifth District. A careful study of the returns show clearly that a majority are against increasing federally supported programs and would, instead, prefer to run their own lives and take care of their own problems at the local level.

In only one area is there evidence that the people have accepted some of the Federal propaganda that Federal support is acceptable. On the question of education, section 2, while the majority said they wanted no increase, 41 percent do not want Federal funds for college student loans eliminated, while at the time of original passage of this legislation the almost unanimous feeling in Dallas was against it. This calls for a thorough study of our thinking, it seems to me: Once we are plumped down in an ocean and want to save ourselves, the only way possible is to swim in the right direction—for shore. In trying to save our free enterprise system, we must move in the right direction, the gradual elimination of all federally supported programs.

The value of the questionnaire is demonstrated again in the opportunity it gives us to determine where most of our people agree or disagree and in helping us to evaluate our thinking in these important areas. I want to express my deep appreciation to all those who took the time and trouble to answer the questions and thus give me the benefit of their thinking.

H.R. 3846. "To establish a land and water conservation fund to assist the State and Federal agencies in meeting present and future outdoor recreation demands and needs of the American people," was discussed in the Ways and Means Committee this week. The stated purposes of the bill are "to strengthen the health and vitality of the Nation by assuring the availability and accessibility of land and water based outdoor recreation opportunities of such quality and quantity as are necessary and desirable for the benefit and enjoyment of the people." Of course, we are all for recreation; in fact, my position in urging all our people to get more physical exercise is well known and has been the subject of comment in the House. Few oppose motorboat fuel taxes now being transferred to a fund to pay for existing waterways rather than to use, for this purpose, highway funds earmarked for highway construction. In approving the transfer of the motorboat fuels tax to the Land and Water Conservation Fund, I do not agree that they should be used to support a program in which the Federal Government constitutionally should have no interest. I disagree with the Federal Government embarking on a real estate purchase program—I believe it is unconstitutional. Maintaining or "strengthening health and vitality" through recreation is not the province of the Federal Government. Recreation is individual and local. At the most such activity, especially in the future development of parklands, should be a State matter. It occurs to me, that if our forefathers had depended upon the Federal Government to provide recreation and to strengthen health and vitality, the formation and development of this great land would never have been accomplished.

H.R. 3386, was also before Ways and Means. This bill would "amend the Social Security Act to assist States and communities in preventing and combating mental retardation through expansion and improvement of the maternal and child health and crippled children's programs, through provision of prenatal, maternity, and infant care for individuals with conditions associated with childbearing which may lead to mental retardation, and through plans for comprehensive action to combat mental retardation." Certainly a worthy objective. What was not recognized in the hearings, although admitted by witnesses, is that there is a greater degree of mental retardation among illegitimate children and present Government policy encourages an increase in illegitimacy. In a pamphlet issued by HEW, titled "Unmarried Persons—a Guide to Development of Supervision in Public Welfare," we find these amazing recommendations: (1) Set up procedures to find new cases; (2) make welfare assistance easier; (3) abolish residency requirements nationwide; (4) set up social welfare lobbies to get new welfare legislation; (5) eliminate all road blocks to certifying new cases; (6) adulterers are to be known as "new partners"; (7) nowhere is religious theory used or mentioned; (8) the taxpayers' interest in saving money is "moralistic"; (9) forcing adulterers to marry is wrong; (10) need alone shall be the sole qualification for relief (need, not poverty. Need means—income minus expense); (11) every citizen has a right to welfare; (12) do not require a male adulterer to assist if he does not want to, or if it will disrupt his life; (13) eliminate illegitimate paternity as a criminal offense; (14) treat each client carefully in order that he or she will recommend others for welfare. In view of this Department policy, we should go very slowly in putting the Federal Government further into the welfare field where it should, at lest, be the minority influence.

The results of the questionnaire follow.

WASHINGTON REPORT

Results of questionnaire

	Percent		
	Yes	No	No opinion
FOREIGN AFFAIRS			
1. Do you approve of the current U.S. policy with regard to—			
(a) Cuba?	7	92	1
(b) Berlin?	32	57	11
(c) Laos?	9	79	12
(d) The Congo?	9	76	15
2. Do you favor continuance of our foreign aid program at its present $4,000,000,000 annual rate?	4	94	2
SOCIAL			
1. Do you favor medical care for the aged by—			
(a) Increasing social security taxes to finance such care?	5	93	2
(b) Expanding the present Federal-State (Kerr-Mills) legislation?	10	88	2
(c) Promoting a low-cost Blue Cross type plan whereby the Federal Government would assume full financial responsibility only for persons below a certain income level?	13	85	2
(d) Or do you favor private, voluntary medical plans with no Federal participation?	70	28	2
2. Do you favor a proposed Federal bill to authorize a 3-year matching grant program costing $500,000,000 to help local communities solve their urban mass transportation problem re railroad and bus transportation?	7	89	4
3. Do you favor the establishment of a federally financed Youth Conservation Corps to provide outdoor employment for young men, as a means of alleviating unemployment in this age group?	19	78	3
4. Do you favor the establishment of a Domestic Peace Corps?	12	83	5
5. Do you approve the creation of a Department of Urban Affairs at the Cabinet level to handle housing and other predominantly city problems?	6	90	4
EDUCATION			
1. Should the Federal Government provide—			
(a) Tax allowances for parents paying the expenses of children in college?	49	47	4
(b) Tax allowances for students working their way through college?	55	41	4
(c) Or should all Federal influence be removed and individuals determine and pay for college educations for themselves or their children?	52	41	7
2. Should Federal Government funds for college student loans and scholarships be—			
(a) Increased?	14	74	12
(b) Decreased?	7	81	12
(c) Kept at existing levels?	20	68	12
(d) Eliminated?	47	41	12
3. For construction purposes should the Federal Government provide colleges and universities with—			
(a) Loans?	30	64	6
(b) Outright grants?	2	92	6
(c) Combination of both?	8	86	6
4. Do you favor a proposal of grants amounting to some $75,000,000 for construction of teaching facilities for medical, dental, and public health schools?	13	76	1
5. Do you favor Federal financial grants for assistance to elementary and secondary schools for—			
(a) School construction?	10	88	2
(b) Teachers' salaries?	6	92	2
FISCAL			
1. Do you believe the Federal Government should operate within a balanced budget?	94	4	2
2. Within a balanced budget would you approve of setting aside a certain percent of the budget receipts each fiscal year for the sole purpose of reducing the Federal debt?	94	3	3
3. Do you believe we should institute new programs and new public works at a time of deficit financing and borrow money to pay for such projects?	3	94	3
TAXES			
1. Would you favor a personal and corporate tax reduction—			
(a) Without tax reform which would mean that the Government would suffer a large net loss of income?	6	84	10
(b) Only if accompanied by compensatory tax reform and a cut in Federal spending?	80	12	8
(c) With no reform, but with a substantial cut in Federal spending?	56	26	12
(d) No reduction at this time?	46	29	25
2. Should tax reduction emphasis be in the area of—			
(a) Personal tax?	25	61	14
(b) Corporate tax?	12	74	14
3. As a basic principle, do you believe we should have a flat percentage tax rather than the present graduated income tax based on ability to pay (Alger bill, H.R. 737)?	62	30	8
4. I have also introduced a bill (H.R. 739) to repeal the withholding tax so that each person would pay his own tax. Would you favor this bill?	62	32	6
LABOR			
1. Would you favor tougher emergency strike provisions granting the President more flexibility in handling national emergency strikes by providing for back-to-work injunctions and compulsory arbitration machinery?	61	32	7
2. Would you favor new labor laws which would prevent the Federal Government from interfering with or influencing collective bargaining?	54	35	11
3. Would you approve of applying antitrust statutes to unions to break up industrywide bargaining?	35	59	6
4. Would you approve of setting Federal standards under the unemployment compensation law for State jobless benefits?	16	58	26
UNITED NATIONS			
1. Would you favor withdrawal of U.S. membership in the United Nations and creating stronger alliances with nations of the free world?	56	38	6
2. Would you favor action by the United Nations to force member nations to live up to the charter, pay their full obligations or be expelled?	94	5	1
3. Do you approve the building up and strengthening of Communist nations through U.N. member organizations such as UNESCO, WHO, and the U.N. Special Fund?	2	97	1